

February 9, 2026

VIA IZIS

D.C. Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20001

**Re: BZA Case No. 21423 – Application of 2210 5th, LLC (the “Applicant”) for
2210 5th Street, NE (Square 3622, Lot 811) (the “Property”) – Cover Letter**

Dear Members of the Board:

Please accept for filing the enclosed updated application materials for BZA Case No. 21423 ahead of the public hearing to be held on March 11, 2026.

- Exhibit A – Updated Statement;
- Exhibit B – Plans;
- Exhibit C – Certificate of Proficiency;
- Exhibit D – Zone Map;
- Exhibit E – Designation of Counsel; and
- Exhibit F – Authorization Letter.

In addition, per Subtitle Y § 101.9, the Applicant requests a waiver from Subtitle Y § 402.1(a) for publication of the updated notice reflecting variance relief in the D.C. Register within the 40-day notice period. The Applicant filed an updated zoning self-certification on January 21, 2026, found at Exhibit 23 of the record. The Office of Zoning thereafter issued a revised notice of the virtual public hearing on January 22, 2026 and again on January 27, 2026, more than 40 days in advance of the public hearing. However, the notice was not published in the D.C. Register until February 6, 2026.

The Board should grant the requested waiver because it (a) will not prejudice the rights of any party and (b) is not otherwise prohibited by law. The community and the ANC were given more than 40-days notice, as evidenced by the attestations at Exhibits 25 and 26 of the record. The ANC has already provided its support of the Application at Exhibit 21 of the record. The community will also be given further notice by the signs to be posted and maintained on the Property in advance of the public hearing. The Applicant will send a certificate of service including these updated materials to ensure all stakeholders have notice and ample time to provide feedback in the record. For all of these reasons, good cause exists for the Board to grant the requested waiver, as permitted under Subtitle Y § 101.9 to shorten the 40-day public notice period for the D.C. Register under Subtitle Y § 402.1(a).

February 2, 2026

The Applicant respectfully requests that the Board proceed with the public hearing scheduled for March 11, 2026, and approve the Application. Please feel free to contact the undersigned if you have any questions. Thank you for your consideration of this matter.

Sincerely,

/s/ Jeff C. Utz
Jeff C. Utz

/s/ Lee S. Templin
Lee S. Templin

Certificate of Service

The undersigned hereby certifies that copies of the foregoing letter were delivered by electronic mail to the following on February 9, 2026.

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/s/ Lee S. Templin
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