

Board of Zoning Adjustments
441 4th Street NW, Suite 200S
Washington DC 20001

Re: Justification statement pursuant to Subtitle 7 Section 705.1
Two Year Extension to Order 20873

To Whom it May Concern,

In March of 2023, Network Tower (NT2) received Special Exception approval under case number 20873 to install a temporary cell tower located at 2425 Irving Street SE (Square 5845, Lot 833) for a period of 2 years. Pursuant to Subtitle Y Section 705.1, Network Towers is requested an extension to Order 20873.

705 TIME EXTENSIONS

705.1 The Board may extend the time periods in Subtitle Y § 702.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval; provided, that the Board determines that the following requirements are met:

- (a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond;
Subtitle Y-68
- (b) There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board's justification for approving the original application; and
- (c) The applicant demonstrates that there is good cause for such extension, with substantial evidence of one (1) or more of the following criteria:
 - (1) An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;
 - (2) An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or
 - (3) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.

Network Towers has been working diligently over the last 3 years to locate a permanent location for the antennas on the temporary cell tower. NT2 believes they are close to securing a permanent location, but negotiations with the property owners has been slow. NT2 has been in negotiations with multiple entities to secure a final location, including elsewhere on the current subject property. Another potential location for the permanent structure is near Suitland Parkway. This property is federally owned. Due to both of these properties being owned by government entities, negotiations have been slow. These delays to the leasing negotiation process have been out of the applicant's control, and therefore are in line with 705.1 (c)(1) NT2 is confident that the 2 years requested is sufficient time to complete negotiations with the future landlord/property owner, and to install a permanent solution for the antennas.



TOTALLY COMMITTED. 
