

January 30, 2026

**Via IZIS**

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

Re: Board of Zoning Adjustment (“**BZA**” or the “**Board**”) Order No. 21030 – Application for a Two-Year Time Extension of Special Exception and Area Variance Relief for Lots 811 and 812 in Square 3567 (the “**Property**”)

Dear Members of the Board:

So Others Might Eat (the “**Applicant**”) hereby submits this request for a two-year extension of BZA Order No. 21030 (the “**Order**”), which granted special exception and area variance relief. The Order became effective on February 23, 2024 and is set to expire on February 23, 2026. Pursuant to Subtitle Y § 705.2, the Applicant requests a two-year time extension for the good cause shown herein.

**I. Background and Project Overview**

Located at 1876 4th Street NE, the Property is in the RF-1 Zone. The Property is a reverse L-shaped parcel and is bounded by T Street NE to the north, 4th Street NE to the east, Seaton Place NE to the south, and row dwellings to the west. The Property contains approximately 16,762 square feet of land area and is improved with a three-story (plus cellar) multifamily residential building that was constructed in 1911 (the “**Building**”). The Building contains 93 residential units, of which 74 are rooming units and 19 are apartment units.<sup>1</sup>

The Applicant has owned and operated the Building, called Shalom House, since 1990. At the Building, the Applicant provides affordable and safe long-term housing with access to a continuum of supportive services for single adults who are experiencing homelessness or who are at risk of losing their

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<sup>1</sup> The Zoning Regulations distinguish a dwelling unit as a unit “comprising complete independent living facilities . . . including . . . provisions for living, sleeping, eating, cooking, and sanitation” from a rooming unit as a unit “not [used] for the preparation or eating of meals.” Subtitle B § 100.2.

housing. While the Building has provided housing to a vulnerable population for more than 35 years, it has not undergone a major renovation or modernization since 1994.

To continue providing safe, clean, and adequate housing for its residents and to provide apartments to all the Building's residents, the Applicant proposed to fully modernize and renovate the Building, including reconfigured units with kitchens and bathrooms in each unit (the "**Project**"). Following the renovation, the Building will accommodate fewer residents than it currently does with 73 single-occupancy efficiency apartments and no rooming units. All the apartments will continue to be subject to the Applicant's eligibility requirements and income restricted at 60% of the median family income ("**MFI**") or below.

On September 15, 2023,<sup>2</sup> the Applicant filed an application for the following relief:

- Special Exception from the minimum vehicle parking requirements of Subtitle C § 701, pursuant to Subtitle C § 703.2 and Subtitle X § 901.2;
- Special Exception to allow the conversion of a residential building to an apartment house, pursuant Subtitle U § 320.2 and Subtitle X § 901.2;
- Area Variance from the residential conversion requirements of Subtitle U § 320.2(c), pursuant to Subtitle X § 1002; and
- Area Variance from the transportation demand management plan requirements of Subtitle C § 703.4, pursuant to Subtitle X § 1002.

By approving the application, the Board concluded that the Applicant had satisfied the standards for the requested relief based upon (1) its harmony with the general purpose and intent of the Zoning Regulations and Map; (2) its tendency not to affect adversely the use of neighboring property; (3) its satisfaction of the specific conditions for special exception relief, pursuant to Subtitle X § 901.2(c); (4) a finding that an exceptional or extraordinary condition exists related to the Property; (5) a finding that the exceptional condition creates a practical difficulty in complying with the Zoning Regulations; (6) a finding that the relief can be granted without substantial detriment to the public good; and (7) a finding that the relief can be granted without substantially impairing the intent, purpose, or integrity of the zone plan. Accordingly, the Board voted to approve the application on January 31, 2024, and the Order was final on February 13, 2024, and became effective on February 23, 2024.

## **II. The Applicant Meets the Requirements for Approval of a Two-Year Time Extension Request Under Subtitle Y § 705.2**

The Board's approval will expire on February 23, 2026. The Applicant requests that the Board extend its approval by a period of two (2) years until **February 23, 2028**, pursuant to Subtitle Y § 705.3.

### *A. Standards of Review for Time Extension Requests.*

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<sup>2</sup> Updated application materials were uploaded to IZIS on September 22, 2023, and September 28, 2023.

Subtitle Y § 705.2 sets forth the standards against which the Board must evaluate time extension requests. Upon receipt of this written request, the Board may extend the time period of the Order “for good cause” shown. The Board must determine that:

- (i) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond;
- (ii) 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
- (iii) The applicant demonstrates with substantial evidence 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; . . .

*B. The Applicant Satisfies the Standards for Granting a Two-Year Time Extension.*

For the reasons set forth more fully below, the Applicant meets all the requirements for the granting of an extension under Subtitle Y § 705.2. In particular, the Board should find that good cause exists because of financing conditions beyond the Applicant’s reasonable control and other conditions, circumstances, or factors beyond the Applicant’s reasonable control.

(i) The Extension Request is Served on All Parties to the Application.

This time extension request is being served simultaneously on Advisory Neighborhood Commissions (“ANC”) 5F, which was the only party to the original application. ANC 5F will have ample time to respond to this request. The Applicant asks that the Board not place this request on its meeting agenda until after the 30-day notice period has lapsed.

(ii) There is No Substantial Change to Any of the Material Facts Underlying the Board’s Approval of the Requested Relief.

There has been no substantial change in any of the material facts underlying the case. The Project remains consistent with the design and program approved by the Board in the Order, and the Project will continue to provide the proposed 73 affordable units for single adults who are experiencing homelessness or who are at risk of losing their housing and are earning 60% MFI or below. The factors satisfying the conditions for special exception and area variance relief are as they were at the time of the Board’s approval. There have been no material changes in the conditions surrounding the Property or the Zoning Regulations applicable to the Property.

(iii) There Is Good Cause for the Time Extension.

Here, the Board has good cause to grant the requested two-year extension due to economic and market conditions beyond the Applicant’s reasonable control. Granting the request will enable the

Applicant to continue pursuing the development of 73 apartment units that will be entirely affordable for single adults who are experiencing homelessness or who are at risk of losing their housing, thereby contributing much needed affordable housing consistent with the Mayor's and the District's housing goals.

Although the Applicant has worked to advance the renovation and modernization of the Building, the Project faces a difficult climate for construction and investment. In addition to persistently elevated construction costs, the prolonged period of high interest rates and a suppressed financing market environment have made securing the necessary capital for the Project difficult to obtain. In particular, since the Project will be all affordable, its financing depends on awards of District financing and funds, of which there has been very limited availability in the last two years. The Applicant has been unable to secure Project funding from the District and because of this condition, so the Applicant has been unable to advance the Project.

Nevertheless, the Applicant remains committed to completing Project, but given the recent limitations on District financing, additional time is needed for the Applicant to continue to seek financing to realize the Project's successful completion. Accordingly, there is good cause for the time extension requested herein.

### **III. Exhibits**

Submitted concurrently with this letter is a check for the applicable filing fee of \$1,081.60, which represents 26% of the original filing fee. Attached with this request are the following exhibits:

- Exhibit A** – Authorization letter from the Applicant; and
- Exhibit B** – BZA Order No. 21030.

### **IV. Conclusion**

For all the above reasons, the Applicant respectfully requests a two (2) year extension of the Order. Grant of the Applicant's extension request will aid the Applicant's efforts to secure Project financing and renovate the Building, which will deliver 73 affordable residential units to serve vulnerable single adults in the District. The Applicant respectfully requests that consideration of the requested extension be scheduled on the Board's public meeting calendar and reviewed pursuant to Subtitle Y § 705.2.

Please feel free to contact the undersigned if you have any questions or comments regarding this application. We would be happy to produce any other information or evidence in support of the above request and appreciate your consideration of this matter.

Respectfully submitted,

/s/

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Cary Kadlecek

/s/

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**Cindy Vong\***

*(\*Admitted in Massachusetts only. Application submitted for admission to the D.C. Bar. Supervised by members of the D.C. Bar.)*

## Certificate of Service

The undersigned hereby certifies that copies of the foregoing document were delivered by electronic mail to the following addresses on January 30, 2026.

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Cindy Vong\*

*(\*Admitted in Massachusetts only. Application submitted for admission to the D.C. Bar. Supervised by members of the D.C. Bar.)*