

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Request for a Time-Extension, BZA Case No. 20716
Square 4564, Lots 122, 123, 124, 125, 126 and 127

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.

This Statement is submitted on behalf of A Street Development, LLC (the “**Applicant**”), owner of the property located Square 4564, Lots 122, 123, 124, 125, 126, and 127 (the “**Property**”). The Applicant is requesting a two-year time extension of BZA Order No. 20716 (the “**Order**”). The Order granted the following relief:

- Area Variance from the new alley record lot requirements of Subtitle C § 306.1(a), pursuant to Subtitle X § 1002.

The relief was granted in order to construct six new, attached, two-story + cellar and roof deck, principal dwelling units in the RF-1 zone. The Order was issued on July 23, 2024 and is therefore set to expire on July 23, 2026. The Applicant requests the extension from Y-702.1 pursuant to Y-705.2.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to Y-705.2.

III. The Applicant Meets the Requirements of Subtitle Y-705.2.

Subtitle Y-705.2: 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;**

The Applicant will serve all parties to the Application.

- (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**

There is no substantial change in 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.

(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.**

There is good cause for the requested extension due to a recent change in ownership of the property and the need for the new ownership group to evaluate the project and determine the appropriate path forward prior to the expiration of the BZA Order. Ownership of the property changed on March 2, 2026. Since that time, the Applicant has been engaged in reviewing the status of the project, including the existing approvals and the feasibility of proceeding under those approvals.

Because this change in ownership occurred shortly before the expiration of the existing approval, the Applicant has not had sufficient time to complete its due diligence, determine next steps for the project, and pursue the necessary governmental approvals. The Applicant is actively working with its consultants and advisors to assess the project and move forward appropriately. However, additional time is needed to complete this evaluation and pursue the required approvals.

Accordingly, the requested extension will allow the Applicant a reasonable opportunity to fully assess the project and proceed with the appropriate next steps while maintaining the validity of the existing approval.

IV. CONCLUSION.

For the reasons stated above, the Applicant respectfully requests that the Board grant the two-year time extension.

Respectfully submitted,

Alexandra Wilson

Alexandra Wilson
Sullivan & Barros, LLP
Date: March 18, 2026