

**DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**

**Applicant's Request for a Time-Extension, BZA Case No. 21081**  
**3721 9<sup>th</sup> Street, NW (Square 2900, Lot 31)**

**I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.**

This Statement is submitted on behalf of Alexandra E. Chevalier (the “**Applicant**”), owner of the property located at 3721 9<sup>th</sup> Street, NW (Square 2900, Lot 31) (the “**Property**”). The Applicant is requesting a two-year time extension of BZA Order No. 21081 (the “**Order**”). The Order granted the following relief:

- Area Variance from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle X § 1002.
- Area Variance from the lot area requirements of Subtitle U § 320.2(c), pursuant to Subtitle X § 1002.
- Special Exception from the rear yard requirements of Subtitle E § 207.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2.
- Special Exception from the residential conversion requirements of Subtitle U § 320.2, pursuant to Subtitle X § 901.2.
- Special Exception from the minimum parking requirements of Subtitle C § 701.5, pursuant to Subtitle C § 703.2 and Subtitle X § 901.2.

The relief was granted in order to construct a rear addition, and to convert to a three-unit apartment house. The Order was issued on April 17, 2024, and is therefore set to expire on April 17, 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 delays in obtaining required governmental approvals that are beyond the Applicant's reasonable control. The Applicant has not yet been able to obtain the necessary building permit required to proceed with the approved work. This delay is primarily attributable to difficulty in securing bids from licensed contractors needed to complete and finalize the permit application. As a result, the permitting process remains incomplete, and the Applicant has been unable to advance the project.

These delays are external to the Applicant's control and have prevented timely completion of the project in accordance with the Board's Order. Accordingly, the Applicant respectfully requests that the Board grant the requested extension.

#### **IV. CONCLUSION.**

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

Respectfully submitted,

*Alexandra Wilson*

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Alexandra Wilson  
Sullivan & Barros, LLP