

# Holland & Knight

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September 20, 2021

## **VIA IZIS**

Board of Zoning Adjustment  
of the District of Columbia  
441 4<sup>th</sup> Street, NW, Suite 210S  
Washington, DC 20001

**Re: Request for an Administrative Approval of a One-Year Time Extension  
BZA Order No. 20158  
3311-3329 14<sup>th</sup> Place, SE (Square 5917, Lots 40-41)**

Dear Members of the Board:

This letter is submitted on behalf of SE Washington Development Associates II LP (the “Applicant”) for administrative approval of a one-year time extension of BZA Order No. 20158 regarding property located at 3311-3329 14<sup>th</sup> Place, SE (Square 5917, Lots 40-41) (the “Property”).

### **I. Summary of Prior BZA Approval**

Pursuant to BZA Order No. 20158, dated December 11, 2019, and having a final date of December 16, 2019, the Board of Zoning Adjustment (“BZA” or “Board”) approved special exception relief pursuant to Subtitle X § 901.2 and Subtitle U § 421.1 of the Zoning Regulations to construct a new 67-unit multi-family residential building in the RA-1 zone at the Property. Based on its final date of December 16, 2019, BZA Order No. 20158 will expire on December 16, 2021.

### **II. Request for Administrative Approval of One-Year Extension**

Pursuant to Z.C. Case No. 20-26, the Zoning Commission approved text amendments that would allow for the administrative extension of Zoning Commission and BZA orders scheduled to expire between November 27, 2020 and April 27, 2021, due to complications of the Covid-19 pandemic.

Pursuant to Z.C. Case No. 20-26A, the Zoning Commission extended the eligibility for administrative extensions to include orders scheduled to expire between April 21, 2021, and December 31, 2021.

Board of Zoning Adjustment  
District of Columbia  
CASE NO.20158  
EXHIBIT NO.39

BZA Order No. 20158 will expire on December 16, 2021, and therefore falls within the timeframe established in Z.C. Case No. 20-26A for approval of administrative extensions. Accordingly, the Applicant requests a one-year extension pursuant to Subtitle Y § 705.7, which states as follows:

*“For an order scheduled to expire between October 27, 2020, and December 31, 2021, an applicant may request an extension due to the complications from the COVID-19 pandemic by filing an application with the Director prior to the expiration of the order sought to be extended, which shall be extended administratively by the Director upon payment of the fee specified in Subtitle Y § 1600.1 and Table Y § 1600.”*

The Applicant requests the extension due to the Covid-19 pandemic which has had major impacts on the District’s development climate. As a result of these uncertain and unprecedented market conditions, which have prevented the Applicant from moving forward with development of the project, the Applicant seeks a one-year extension of the approval, with the goal of filing a building permit application for the approved project by December, 2022, after the impacts of Covid-19 have been mitigated.

As required by Subtitle Y § 1600.1(e)(2), a filing fee of \$1,000 is included with this application. In addition, an authorization letter from the Applicant is attached as Exhibit A.

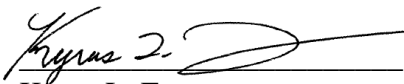
### **III. Parties**

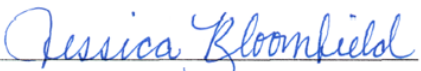
The only parties to BZA Case No. 20158 were the Applicant and the affected Advisory Neighborhood Commission (“ANC”) 8E. The list of parties to be served is attached hereto as Exhibit B.

Based on the foregoing information we respectfully request that the Board approve this request for an administrative approval of a one-year time extension to BZA Order No. 20158, which if approved would require a building permit application to be filed no later than December 16, 2022.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By:   
Kyrus L. Freeman

By:   
Jessica R. Bloomfield

Enclosures

cc: Certificate of Service  
Joel Lawson, D.C. Office of Planning (w/enclosures via email and hand delivery)  
Crystal Myers, D.C. Office of Planning (w/enclosures via email and hand delivery)  
Jonathan Rogers, DDOT (w/enclosures via email)


**CERTIFICATE OF SERVICE**

I hereby certify that on September 20, 2021, a copy of the foregoing extension application was served by electronic mail on the following at the addresses stated below:

Ms. Jennifer Steingasser  
District of Columbia Office of Planning  
jennifer.steingasser@dc.gov

Advisory Neighborhood Commission 8E  
8E@anc.dc.gov

Commissioner Kendall Simmons  
ANC 5E Chair and SMD 8E04  
8E04@anc.dc.gov

  
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