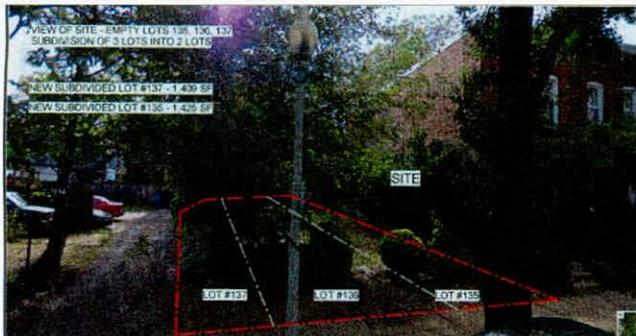


**MEMORANDUM**

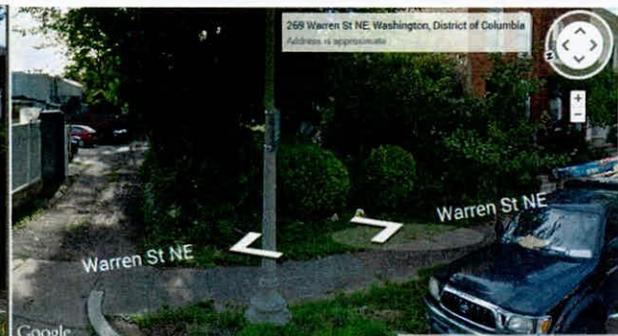
**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, AICP, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** November 25, 2014  
**SUBJECT:** Extension Request – BZA Case 18413A, 257 Warren Street, N.E.

Applicant	Marcus Watkins
Address	257 Warren Street, N.E.
Ward / ANC	Ward 6; ANC 6A
Project Summary	Consolidation of three legally nonconforming lots into two lots for the purpose of constructing two flats. One parking space would be provided for each flat, as required, directly accessible from the rear alley.
Date of Order Issuance	November 29, 2012
Previous Extension	None
Date of Order Expiration	November 29, 2014

**PHOTO(S) OF SITE**



BZA File 18413 (2012)



Google (2014)

**EVALUATION OF THE EXTENSION REQUEST**

Section 3130.6 of the Zoning Regulations allows for the extension of a BZA approval for “good cause” shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the BZA 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 application submitted to the BZA is dated October 28, 2014 and was served on all parties to application, including ANC 6A. § 3130.9 provides that a time extension filed at least 30 days prior to the expiration date shall toll the expiration date to allow the BZA to consider the request

- (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.**

**Zoning Regulations**

There have been no changes to the zone district classification of the subject property.

**Surrounding Development**

There have been no significant projects approved since the previous approval was granted by the BZA.

**Proposed Development**

The application indicates that no changes to the approved development are proposed as part of this extension request.

- (c) The applicant demonstrates that there is good cause for such extension, with substantial evidence of one 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.**

The application cites two factors beyond his control that prevented him from moving forward with the project. The first was that his job was temporarily transferred to Los Angeles, making it difficult for him to apply for permits, and the second was that he was diagnosed with serious health issues for which he is still under treatment. The combination of these two issues prevented the applicant from being able to apply for the necessary permits and file the necessary construction plans in a timely manner.

Based on the above information the application is in conformance with the standards of § 3130.6 and OP recommends approval of the application.