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September 20, 2001

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VIA HAND DELIVERY

Board of Zoning Adjustment for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20002

Re: BZA Application No. 16773
2633 Sixteenth Street, NW (Square 2574, Lot 32)

Dear Members of the Board:

This letter transmits several documents that were not available at the time the Pre-Hearing submission was filed on September 12, 2001, in the above-captioned case. Nothing herein stated or conveyed adds to the scope of the record previously established or anticipated. Accordingly, we do not believe that this letter or the information it forwards requires a "waiver" of the rules to allow for its inclusion in the record. We defer, however, to the Board and its staff for a ruling on this point and request, if necessary, that a waiver be made.

Specifically, this letter transmits:

- A replacement for the map appearing at Tab C. The copy bound in the Pre-Hearing submission was processed in a manner that failed to *clearly* distinguish two color codes that are on the original diagram. In light of the circumstances of September 11 and 12, there was not enough time to order, secure, bind, and deliver copies other than those originally reproduced. The replacement page clarifies the distinction.

BZA
Case No. 16773
Exhibit No. 31

Board of Zoning Adjustment
District of Columbia
CASE NO.16773
EXHIBIT NO.31

- A replacement page for page 6 of the document preceding the tabs of the Pre-hearing statement which, regrettably, contained five words that incorrectly altered the stated nature of the uses planned for the "Totten Cottage," which is to be entirely residential in nature. Two pages are provided, one highlighting the text to be deleted and one showing the text that was intended all along.

- Finally, this letter clarifies, but does not correct the instances where the street address of the property incorrectly appears as **2533** Sixteenth Street, N.W. There are some instances in the record where we, and possibly others, mistakenly declare that address as 2533 Sixteenth Street. The correct address is 2633 Sixteenth Street, N.W. References to Square (2574) and Lot (32) are, to the best of our understanding correct throughout the record. (Notice was provided to those within 200 feet of the cited Lot and Square, based on the property location at 2633 Sixteenth Street.)

Unfortunately, this letter does not transmit the document noted within Tab F of the "Pre-Hearing" submission, namely a copy of the agreement between the Applicant and the District that requires the applicant to design, construct, and make ready for occupancy 80 units of below market rate housing. The individual who had possession of this document was unable to return to the Washington, D.C., area from the West Coast in time to supply it to us at the time of the pre-hearing submission. On his return, the document appears to have been among those stored in an area of his Richmond offices that flooded this past summer. The applicant is proceeding to honor his agreement with the District and will bring available documentation with him at the time of the hearing. We understand that the Department of Housing and Community Development ("DHCD") identified this requirement to the Office of Planning as that Office consulted with various parts of the District Government in the course of preparing their report.

Thank you for your consideration of these materials.

Respectfully submitted,

Douglas J. Patton

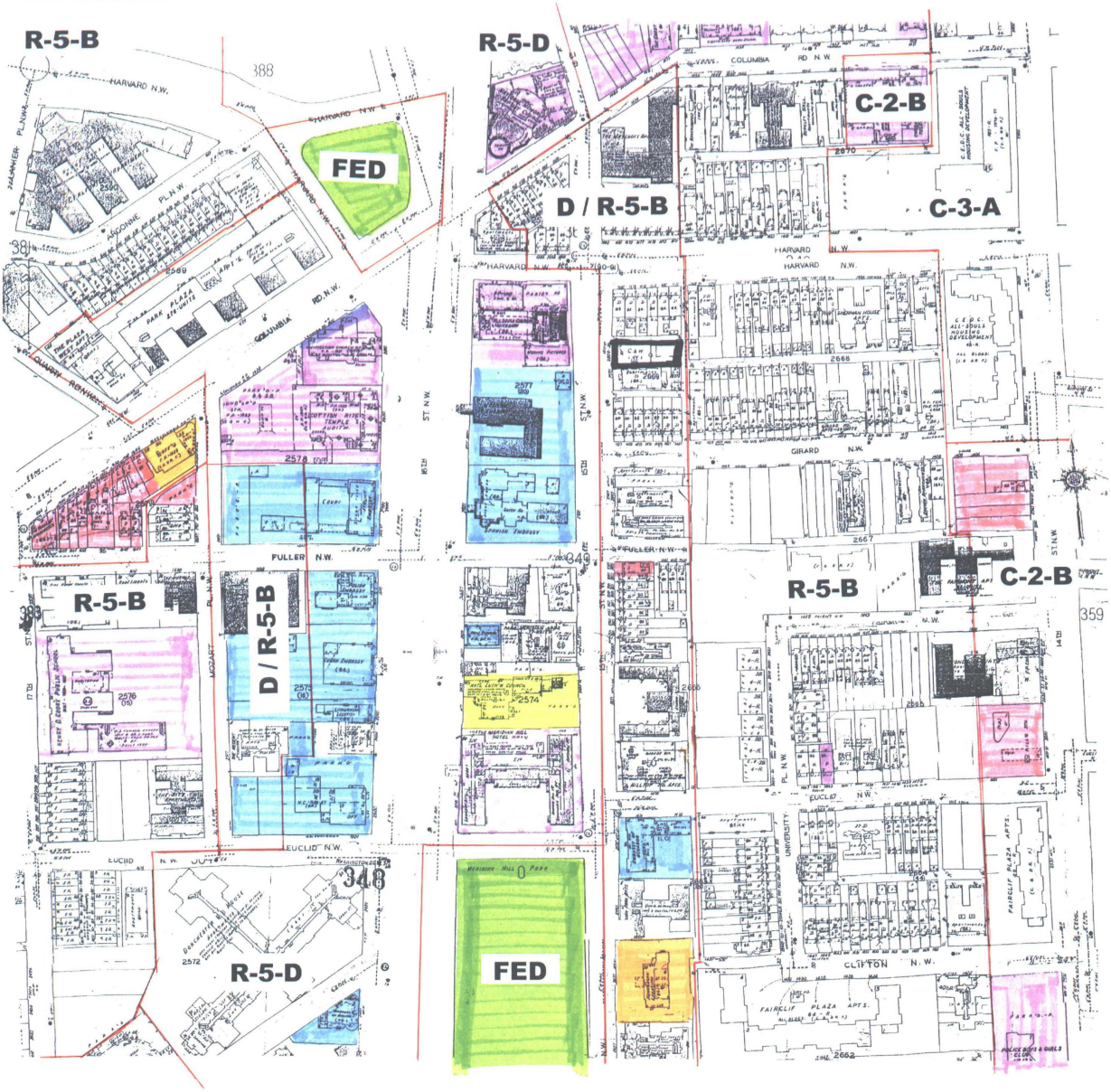
Lindsley Williams
Senior Advisor for Land Use,
Planning and Zoning

Enclosures
- Corrected Page 6, as described above
- Substitute Tab C, as described above

cc: Office of Planning
ANC 1-B

C

EXHIBIT C



TOTTEN TOWER LIMITED PARTNERSHIP

BZA CASE NO. 16773

GENERALIZED LAND USE MAP OF AREA SURROUNDING THE WARDER MANSION, TOTTEN COTTAGE AND TOTTEN TOWER ADDITION – TOGETHER WITH MAPPED ZONING DISTRICTS

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LAND USES:

- EMBASSIES, CHANCERIES AND ANNEXES
- INSTITUTIONS AND CLUBS
- HOTELS AND OFFICES
- RETAIL
- PARKS AND RECREATION
- RESIDENTIAL USES

districts and the right to petition the Foreign Missions Board of Zoning Adjustment to establish them therein, or make additions to the ones already there. More significant is the fact that the same body of regulations provide that the same chancery rules apply to **all areas mapped R-5-D and R-5-E** (and SP). Thus, those areas, while not mapped as part of any D overlay have, effectively, identical provisions. See §1002.1

C. Project Description

The Applicant proposes to preserve the Totten Cottage, renovating it so as to include apartment units that would occupy two full floors and available habitable space under the historic roof line on a third level ~~with ground floor retail uses~~ (the "Cottage").

Overall, the entire project consists of the following elements, but only the planned activity within the Cottage is the subject of the variance:

- Renovation of the Warder Mansion, converting it from the effects of all prior uses as well as from gross neglect and deterioration to apartments.
- Renovating the largest part of the original Totten Cottage, also neglected and deteriorated even more than the Mansion, and converting it to apartments.
- Demolishing the easternmost portion of the pre-existing Totten Cottage, which consisted of later additions to it that the Mayor's Agent for Historic Preservation has already determined eligible for demolition. (This demolition work has already been accomplished, making way for the fourth and final element.)