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October 29, 2002

VIA HAND DELIVERY

Ms. Jerrily H. Kress, FAIA
Director
District of Columbia Office of Zoning
Room 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: Application of NEST and Totah Venture, LLC, for FAR and Rear Yard Variances and Special Exception for Roof Structure at 1426-1430 K Street, N.W. (Square 218, Lots 808 and 823)

Dear Ms. Kress:

Enclosed please find the original and 20 copies of the application of NEST and Totah Venture, LLC ("NEST") and for (a) variances pursuant to Section 3103.2 of the Zoning Regulations of the District of Columbia (11 D.C.M.R. (Zoning)) from the maximum allowable FAR and rear yard standards set forth in Sections 771.5 and 774.1, respectively, of the Zoning Regulations, and (b) for a special exception pursuant to Sections 3104.1 and 411.11 of the Regulations authorizing the location of a new stair/mechanical penthouse (Section 770.6(b)). The variances and special exception are necessary to permit NEST to redevelop the property at 1426-1430 K Street, N.W. (Lots 808 and 823 in Square 218) in the C-4 Zone District with a retail/office building with an accessory parking garage. Also enclosed are the following attachments to the application:

(a) letter authorizing the undersigned and Hamilton and Hamilton, LLP to act as agents for NEST in connection with this application;

(b) Zoning Referral Memorandum (2 pages) by Robert W. Kelly, Zoning Administrator, dated October 28, 2002;

(c) plat of Lots 808 and 823 in Square 218 showing the boundaries and dimensions of existing and proposed improvements;

BZA
Case No. 16966
Exhibit No. 1

Board of Zoning Adjustment
District of Columbia
CASE NO.16966
EXHIBIT NO.1

(d) site plan, elevations and architectural plans by Donnally Vujcic Associates, L.L.C. showing the proposed retail/office building with accessory parking garage;

(e) three (3) photographs showing the existing improvements on Lots 808 and 823;

(f) a Statement of Reasons in support of the application;

(h) a list of the names and addresses of all property owners within 200 feet of the boundaries of said Lots (with labels); and

(i) copies of the last certificates of occupancy issued for these Lots available from the D.C. Department of Consumer & Regulatory Affairs.

A check payable to the District of Columbia Treasurer in the amount of $3,600.00 for the requisite filing fee is also enclosed.

NEST respectfully requests that the Board schedule this application for public hearing at the earliest possible date.

Thank you for your assistance in this matter. If you have any questions, or if you require any additional information in order to process this application, please call me at 202-463-8282.

Sincerely,

HAMILTON AND HAMILTON, LLP

Michael A. Cain

MAC:rhs
Enclosures

cc: Ms. Nicole Totah