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D.C. OFFICE OF ZONING
2002 NOV 15 PM 2:18

September 27, 2002

Ms. Jerrily R. Kress
Director, Office of Zoning
441 4th Street, NE Suite
Washington, DC 20001

Re: Application for Zoning Variance

Dear Ms. Kress:

My wife and I started a business as tour operators packaging sightseeing tours in the basement of our home at 2615 Monroe Street, NE (see attached letter for Home Occupation #2729). In 1991, we purchased a multi-use apartment building located at 1801 Otis Street, NE. The two-story building contains three addresses with the portion of the building on 18th Street containing 3629 18th St and 3633 18th St, and the portion on Otis St containing 1801 Otis St, NE. The 1801 Otis Street address contains seven apartments with six apartments on the second floor and one apartment on the first floor. 3633 18th St is a church that has a Certificate of Occupancy for "Church and Religious Teaching" and 3629 18th St has had a Certificate of Occupancy for use as a tailor/laundry, beauty shop, and barber shop. We used the 3629 18th St address as the rental office for the tenants in the same building. Since the functions of the tour business only involved office-related activities, we decided to use the space for our tour business as well.

On Wednesday, January 15, 1992, my application for the use of a variance for an office space located at 3629 18th street, N.E. came before the board for a hearing. At the hearing, my case was rescheduled to Wednesday, February 5, 1992 and March 5, 1992 to allow an opportunity to appear before the ANC5A to address the concerns of the community and to submit further information by the Office of Zoning. I was instructed to submit supporting evidence predicated on the following test for granting variance use: (1) An undue hardship, unique to the specific property and inherent in the property itself, would result- were this application not granted; (2) The requested variance can be granted without substantial adverse impacts; and (3) The requested variance can be granted without impairing the intent, purpose, and integrity of the zone plan for the city.

On March 4, 1992, a hearing was held before the Board of Zoning regarding my BZA application 15605. Subsequent to the hearing, several calls were made to the Office of Zoning to learn the decision of the zoning board. We were eventually told that the board had voted in favor of my application (see attached order for application #15605) and had granted the requested for a variance use permit for 3629 18th street, NE. We were further told that I would have to wait until the order had been written before we could receive a copy to apply for the Certificate of Occupancy. Over the next several months we continue to call inquiring about obtaining the written order to apply for the Certificate of Occupancy. I was advise that when the order was prepared we would be mailed a copy.

We continued to operate from the office space at 3629 18th St under the understanding that I would receive the written order by mail. We eventually relocated our tour business office to the tourist district where we also operated a souvenir and gift shop.

Board of Zoning Adjustment
District of Columbia
CASE NO.16972
EXHIBIT NO.7
BZA
Case No. 16972
Exhibit No. 7

We allowed the church to use the office space at 3629 18th Street, NE. Due to very poor sales and the event of September 11, 2001, we decided to vacate our business at 731 15th Street, NW. and return to 3629 18th St. NW.

When I visited the Department of Regulatory Affairs to obtain the Certificate of Occupancy, I was referred to the office of Zoning for avriance use permit. I reviewed my records at the office of Zoning and learned that the Director of Zoning had signed a statement certifying and attesting that a order was sent to me a 2615 Monroe Street, NE on October 21, 1993 (one year and sevens after the hearing of march 4, 1992). While I lived at 2615 Monroe Street, NE until May 1996, I nor anyone at that address receive such a letter from the Office of Zoning to which I which I would state under oath. It is quite inconceivable think that after all we invested to have our BZA application approved we would disregard such a letter granting our request.

Therefore due to the lapse in time, we ere informed that we had to re-apply for the variance use permit. Please find the enclosed application and attachments. If you have any questions please call us at (202) 636-9203.

Sincerely,

John S. Best
Vinnie J. Best

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

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January 18, 1988

Mr. John Shelton Best
2615 Monroe Street, N.E.
Washington, D.C. 20018

Re: Home Occupation No.: 2729

Dear Mr. Best:

Reference is made to your application for a letter of authority for Home Occupation at your address, 2615 Monroe Street, N.E. to conduct a "Guided Tours (Sightseeing)" business from your home.

The scope of the activity in which you propose to engage comes within the definition of Home Occupation to which you have certified to this office that:

1. I shall reside on the premises.

2. No sign or display of any size or type will be used that will indicate from the exterior that the building is being used in whole or in part for any purposes other than that of a dwelling, and no advertising through any other media shall be used to identify this operation.

3. No person shall be employed, except members of the immediate family who reside on the premises.

4. No stock in trade will be kept nor any commodity sold on the premises.

5. No mechanical equipment will be used, except such as that permissable for purely domestic or household purposes.

This is your authority to conduct this activity in strict accordance with the above requirements. Violation of these terms will be subject to the penalty provisions of the D.C. Zoning Regulations.

Sincerely,

Joseph F. Bottner, Jr.