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December 21, 2004

CHRISTOPHER H. COLLINS
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RECEIVED
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2004 DEC 21 PM 3:22

VIA HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210S
441 4th Street, N.W.
Washington, D.C. 20001

Re: BZA Case No. 17260
Pre-Hearing Submission

Dear Members of the Board:

On behalf of the applicant, 2224 R Street, LLC, I enclose an original and twenty (20) copies of the pre-hearing submission for the above-referenced matter.

Please do not hesitate to contact me should you have any questions or comments.

Very truly yours,

HOLLAND & KNIGHT LLP

Christopher H. Collins

Enclosures

cc: David McGettigan, Office of Planning (via Hand Delivery, with attachments)

2483408_v1

BZA
Case No. 17260
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17260
EXHIBIT NO. 25A1

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

2224 R Street LLC

BZA APPLICATION NO. 17260

PUBLIC HEARING: JANUARY 4, 2005

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE
DISTRICT OF COLUMBIA

Application of 2224 R Street LLC

BZA Application No. 17260
Hearing Date: January 4, 2005
ANC 2D

STATEMENT OF THE APPLICANT

I.
Nature of Relief Sought

This is an application pursuant to 11 DCMR Section 3104.1 for a special exception to establish a ten-room bed and breakfast as a home occupation under Section 203.10, and modifications under Section 203.10(b) to allow ten sleeping rooms (Section 203.8(c)(1)) and to allow more than eight clients/customers on the premises in any one hour period (Section 203.4(m)), in the D/R-3 District at 2224 R Street, N.W. (Square 2512, Lot 13).

This application is patterned on the Board's most recent decision in a bed and breakfast case. In Application No. 17194 of Monique Greenwood, the Board approved an eight-room bed and breakfast home occupation as a special exception under Section 203.10, with waivers under Section 203.10(b) to allow eight sleeping rooms, and under Section 203.4(m) to allow more than eight customers/clients on site at any one time.[1] However, unlike the Greenwood case, the Applicants in this case do not intend to allow social gatherings or special programs to be hosted on site by guests, nor will they host on-site events for their registered guests. The bed and breakfast will only provide guest sleeping rooms and breakfast in a home setting.

---

[1] Order No. 17194 is a summary order, and indicates that the Board, inter alia, granted a waiver from Section 203.4(l). However, the transcript of that hearing at p. 106 is clear that the Board granted a waiver from Section 203.4(m), and not 203.4(l). *See* Exhibit K.

II.
Jurisdiction of the Board

This Board has jurisdiction to grant the relief requested pursuant to Section 3104.1 of the Zoning Regulations.

III.
Background

The property is zoned D/R-3 and is located on the south side of the 2200 block of R Street, just east of Sheridan Circle in Ward 2. (*See* Exhibits A and B). The property is located within the boundaries of the Sheridan-Kalorama Historic District, and has been certified as contributing to the character of the Historic District. (*See* Exhibit C). The property measures 2,558 square feet in land area, and is occupied by a four-story mansion measuring approximately 8,250 square feet of gross floor area. The building has been vacant for approximately 10 to 15 years, and was most recently occupied for a period of forty to fifty years by the Taiwanese Defense Mission as a combination chancery office/dormitory. (*See* Exhibit D).

The 2200 block of R Street, between 22nd Street on the east and Sheridan Circle on the west, is occupied predominantly by embassy and chancery properties. There are two private residential dwellings on this block. (*See* Exhibits E, F and G). The properties in Square 2512 behind the subject property, along the north side of Massachusetts Avenue, are predominantly embassies and chanceries, with one office use, one single-family dwelling, and one multi-family dwelling at the corner of Massachusetts and 22nd Street.

Raymond and Laura Saba purchased the subject property in November 2003. They are renovating the property as their home, and they intend to operate a ten-room bed and breakfast in the property. The building is large enough to easily accommodate 10 guest

rooms. The lower level will contain a four-car garage, an administrative room and one guest room. The first floor, which is the main living space, will include a grand entry foyer, formal living room, formal dining room, gourmet kitchen and one guest room. The second floor will include five guest rooms. The third floor will include the Sabas' suite, and three guest rooms.

The Sabas have commenced renovating the property in accordance with all applicable historic preservation standards. The interior of the building, which is not subject to historic protection, is nonetheless being restored by the Sabas in a historically appropriate manner, and with meticulous attention to detail and quality, to convert the former office and dormitory use to a more traditional residential use.

The Sabas have presented their proposal to the neighborhood at several meetings of Advisory Neighborhood Commission 2D, and they have received the ANC's support. They have also spoken with many of their neighbors, and have received numerous expressions of support for the bed and breakfast use.

The Sabas currently own and operate the Woodley Park Guest House (the "Guest House"), located on Woodley Road, west of Connecticut Avenue, across from the Marriott Wardman Hotel. The Sabas purchased the Guest House in 2000, and have extensively renovated it since that time. That property has been used for many years as a guest house, and is currently licensed as a motel. The Guest House does not meet the criteria of a bed and breakfast under the D.C. Zoning Regulations, in that there are 18 guest rooms, and it is not the Sabas' home.

The Sabas' experience at the Guest House is indicative of what they expect to be their experience at the bed and breakfast on R Street. Many of the guests at the Guest House are friends or family members of neighbors in the Woodley Park community. The Sabas expect that this will also be the case for the bed and breakfast on R Street.

Guests generally stay at the Guest House between three and four days over the course of the week, so that there are normally three or four check-ins and check-outs per day. Guests generally leave the premises after breakfast in the morning, and return after dinner or entertainment in the evening.

Guests generally arrive by public transportation, and use public transportation during their visit to Washington. Very few guests bring their private vehicles to visit Washington, DC. The Guest House has 18 rooms and advertises on-site parking for 6 guest vehicles. Even so, the average number of parking spaces reserved per night is only two. The Sabas will not advertise the availability of parking at R Street and will discourage guests from bringing vehicles. For guests who must bring a car, and who cannot be accommodated in the four-car garage on-site, the Sabas will offer remote parking at the Guest House as an option.

The Sabas do not provide any special programs or catered events for guests or outsiders at the Guest House. The only services provided are the guest rooms, and breakfast for guests. The Sabas do not intend to permit registered guests to hold private social gatherings at the R Street bed and breakfast, and they do not intend to conduct social gatherings for their registered guests. The Sabas do not intend to obtain a liquor license for the premises.

The operation of the Guest House is quiet and unobtrusive, and the bed and breakfast on R Street will be operated in the same manner. The Sabas have excellent relationships with their neighbors in Woodley Park and have received no complaints from the Guest House neighbors.

IV.
Points in Support of Application

Exhibit A	Portion of Baist and Sanborn Maps showing the subject site outlined in red.
Exhibit B	Portion of the Zoning Map showing the subject site outlined in red.
Exhibit C	Historic Certification by State Historic Preservation Officer.
Exhibit D	Letter from Taipei Economic and Cultural Representative Office regarding prior chancery office and dormitory use of building.
Exhibit E	Map of uses of neighboring property.
Exhibit F	List of uses of neighboring property.
Exhibit G	Photos of neighboring property along the 2200 block of R Street.
Exhibit H	Article from Northwest Current, August 25, 2004 at pp. 7 and 24.
Exhibit I	Outline of testimony of Laura and Raymond Saba.
Exhibit J	BZA Order No. 17194 of Monique Greenwood.
Exhibit K	Portions of BZA Transcript of July 20, 2004 hearing on Application No. 17194, pages 42-112 (full transcript is incorporated by reference; transcript is available on Office of Zoning website at www.dcoz.dc.gov).

V.
The Application Meets the Requirements for Special Exception Relief

A. *Section 203.10 – Special Exception*

A ten-room bed and breakfast is neither permitted nor prohibited under the Home Occupation Regulations. Therefore, it is permitted as a special exception under Section 3104, provided that the requirements of Subsections (a) through (e) of Section 203.10 are met.

203.10(a)

The proposed bed and breakfast use will in this case be consistent with the purposes set forth in Section 203.1 and will generally comply with the requirements of Sections 203.4 through 203.8, as further detailed below.

203.10(b)

In this case, the Application is for a bed and breakfast home occupation that is permitted by Section 203.8. The Sabas are requesting that the Board modify two of the conditions enumerated in Sections 203.4 through 203.8. These are specifically:

(1) An increase in the number of sleeping rooms from 6 to 10 (203.8(c)(1)); and

(2) An increase in the number of guests on site at any one time to more than 8 (203.4(m)). At full occupancy, the 10 guest rooms would accommodate a maximum of 20 overnight guests.

The Sabas believe that the general purposes and intent of this Section will be complied with in this application.

203.10(c)

There will be no more than one employee who will not be a resident of the subject home, and that person will not be a co-practitioner of the profession.

203.10(d)

The Sabas are not requesting a modification of more than two of the requirements found in Subsections 203.4 through 203.8. Therefore, this section does not apply.

203.10(e)

As further detailed herein, the Sabas believe that it will not be necessary for the Board to impose any special conditions.

B. *Section 203.1 – General Purpose*

The proposed bed and breakfast will be compatible with the surrounding neighborhood. The immediate neighborhood is primarily occupied by diplomatic chanceries and diplomatic residences, as well as other office uses. There are only two private residential uses on this block of R Street, and the occupants of those residences have indicated to the Sabas their support for this Application. Given the unobtrusive nature of this proposed bed and breakfast, and the long history of chancery office and dormitory use of this property by up to 26 full-time residents during its 40- to 50-year occupancy by the Taiwanese Defense Mission, the proposed 10-room bed and breakfast will have no adverse effects on the community.

C. *Section 203.8 – Bed and Breakfast Regulations*

203.8(a)

The subject property is not a multiple dwelling. It is a single-family detached dwelling, and will be the Sabas' home.

203.8(b)

Breakfast will be the only meal served, and will only be served to overnight guests.

203.8(c)

The Sabas are seeking a waiver of the guest sleeping room limitation in order to increase the number of guest sleeping rooms from six to ten. The building has been certified by the Historic Preservation Officer as contributing to the character of the Sheridan-Kalorama Historic District. (See Exhibit C). Given the size and layout of the

house (approximately 8250 sq. ft.), a waiver under Section 203.10(b) to increase the number of guest sleeping rooms from six to ten is appropriate, and will be consistent with the general purpose and intent of the home occupation regulations and compatible with the neighborhood. There will be no person who rooms or boards in the dwelling pursuant to Section 202.5.

The increase in the number of guest sleeping rooms from six to ten will not have any external effect on the surrounding neighborhood, and will not have any adverse impact on the residential quality of the area. There will be no increase in the size of the dwelling to accommodate the four additional sleeping rooms. The existing dwelling is large enough to easily accommodate this number of rooms. The immediate neighborhood is occupied primarily by large diplomatic residences and chanceries, as well as offices.

203.8(d)

The floor area limitation is not applicable by its own terms.

203.8(e)

As a historic building, the parking requirement is waived, as provided in Section 2100.5 of the Zoning Regulations. However, there is a parking garage within the home which can accommodate four vehicles. Based upon experience at the Guest House, this parking is more than sufficient for those few guests who will drive to the site. As a practical matter, the Sabas have ample parking at the Guest House, and can easily accommodate guests' vehicles at that site, if the need ever arises. The Sabas' experience in the operation of the Guest House is that a significant majority of the guests travel by air or other public means and thus do not need parking at the site for a personal automobile. This experience has also been confirmed with the local B&B Association in Washington, D.C. Guests tend to use taxis and Metrorail during their stay in Washington.

203.8(f)

No cooking facilities will be permitted in any of the rented rooms.

203.8(g)

As previously stated, the Saba family will own and reside full-time in the residence.

203.8(h)

Except as provided in paragraph (d) above, the bed and breakfast facility will comply with Sections 203.4 through 203.6 as set forth below.

D. Section 203.4 – General Home Occupation Regulations

203.4(a)

The bed and breakfast will be secondary to the use of the dwelling for residential purposes. The Sabas will be full-time residents of the dwelling, whereas guests of the bed and breakfast will be temporary. The exterior and interior of the house will be completely maintained in a residential character, with no commercial appearance on the outside. On the interior, the kitchen, living and dining rooms and bedrooms will be of a normal residential character. Guests will be accepted only by reservations; there will be no walk-ins.

203.4(b)

This section does not apply to a bed and breakfast use, pursuant to Section 203.8(d).

203.4(c)

There are no specialized materials or finished products to be stored in conjunction with the bed and breakfast use.

203.4(d)

There will be no more than one person who is not a resident of the dwelling unit who will be employed in conjunction with the bed and breakfast use.

203.4(e)

The Sabas will maintain the residential character and appearance of the dwelling and the lot. The house is currently undergoing extensive renovation in accordance with all historic preservation requirements.

203.4(f)

No interior structural alteration will be undertaken that would make it difficult to return the premises to a use that is exclusively residential. The proposed bed and breakfast use is a residential use, and the interior alterations that are currently underway are for the purpose of facilitating the residential use. The building was converted many years ago by the Taiwanese Defense Mission into chancery offices and a dormitory-style, full-time residential use for up to 26 individuals, with community toilet facilities on each floor. The current renovations will return the use to a more typical residential use.

203.4(g)

Neither the Sabas nor any other person will conduct or allow any operations outside the structure, nor will they maintain or allow any storage or other unsightly condition outside the structure.

203.4(h)

Neither the Sabas nor any other person will use any equipment or process that creates visual or audible electrical interference in television or radio receivers outside the house, or that cause fluctuations in line voltage outside the house.

203.4(i)

The use will produce no noxious odors, vibrations, glare or fumes that are detectible to normal sensory perception outside the house.

203.4(j)

The use will not produce a level of noise that exceeds the level normally associated with a single-family home, or which exceeds the level normally found in the immediate neighborhood.

203.4(k)

No more than two vehicles will be used in the practice of the home occupation. Typically, only the Sabas' personal vehicle will be used in the purchase of food and other supplies for the bed and breakfast.

203.4(l)

Vehicular trips to the premises by visitors, customers and delivery persons will not exceed eight trips daily on a regular and continuing basis. At the Sabas' 18-room Guest House, there are less than eight daily vehicle trips to the premises, on a regular and continuing basis, by visitors, customers and delivery persons. Based upon the Sabas' experience in operating their Guest House, most guests will arrive by public transportation and will use public transportation during their visit. Most of the traffic at the Guest House occurs during check-in and check-out. The average guest stay is three to four days. Only a few rooms turn over each day, and this same pattern is expected at the bed and breakfast on R Street.

203.4(m)

The Sabas are seeking a waiver from this provision which limits to eight the number of clients of customers on the premises in any one hour. With ten guest rooms on the premises, the bed and breakfast will be able to accommodate more than eight overnight

guests, in a manner consistent with the general purpose and intent of the home occupation regulations, and compatible with the neighborhood. Based upon experience at the Sabas' Guest House, most guests leave the premises at various times in the morning, after breakfast, and return at various times during the evening, after dinner. Therefore, during most times of the day, there will be fewer than eight guests on site at any one time. At night and in the early morning, between the time that the guests arrive back at the bed and breakfast in the evening and the time that they leave after breakfast in the morning, there will often be more than eight guests on site at any one time. The Sabas will not offer any programs or other accommodations to persons who are not overnight guests at the bed and breakfast, nor will they allow guests to hold events for non-guests.

The increase in the number of guests will not have any adverse impact on the residential quality of the neighborhood. Because a bed and breakfast is significantly different from a hotel, which typically includes a significant number of services and products (i.e., restaurant, gift shop and other retail uses), the proposed use will not generate significant additional pedestrian or vehicular traffic in the neighborhood. The guests will typically be off premises during the day time, visiting tourist or other sites in the city. Overnight, the number of persons on the premises will exceed eight. At full occupancy, the bed and breakfast will accommodate up to 20 guests.

The Applicant notes that the legislative history of this provision indicates that it was designed quite explicitly for psychologists and similar professionals conducting group sessions during office hours. The intent was to avoid a high intensity of persons and vehicles arriving and leaving the residence on a regular basis during the day to a degree similar to an office or retail/service use, which would be inappropriate for a residential home occupation. The reference to a one-hour period is clearly not directly relevant to the functioning of a bed and breakfast establishment. In fact, the zoning regulations allow six

guest sleeping rooms in a bed and breakfast in an historic district, by special exception, which typically translates to 12 overnight guests. This is inconsistent with a restriction to 8 clients/customers in any one-hour period.

203.4(n)

There will not be more than one home occupation practiced in the dwelling.

E. *Section 203.5 -- Sign*

The Sabas propose one exterior sign on the building, not to exceed 144 square inches in area. The sign will be flush-mounted and will not be illuminated. The sign will state the name of the practitioner and the type of home occupation.

F. *Section 203.6 -- Sales*

There will be no sales of goods at the premises. The only "services" sold on the premises will be the renting of rooms to the overnight guests, and breakfast for the guests.

G. *Section 3104 – Special Exception Standards*

The bed and breakfast use will be in harmony with the general purpose and intent of the Zoning Regulations and Maps, and will not tend to adversely affect the use of neighboring property. The bed and breakfast will serve to reduce the intensity of use of the property from its 40- to 50-year history of use by the Taiwanese Defense Mission as a chancery office and dormitory-style dwelling for up to 26 full-time residents. The restoration of the building as a single-family dwelling will help to reestablish more of a residential character to this block of R Street. There will be no special functions or events associated with the bed and breakfast use. The use will be much less intense than the surrounding diplomatic uses, both during the day and in the evening.

VII.
Witnesses

Laura and Raymond Saba

VIII.
Conclusion

For all of the above reasons, the Applicant is entitled to special exception relief in this case.

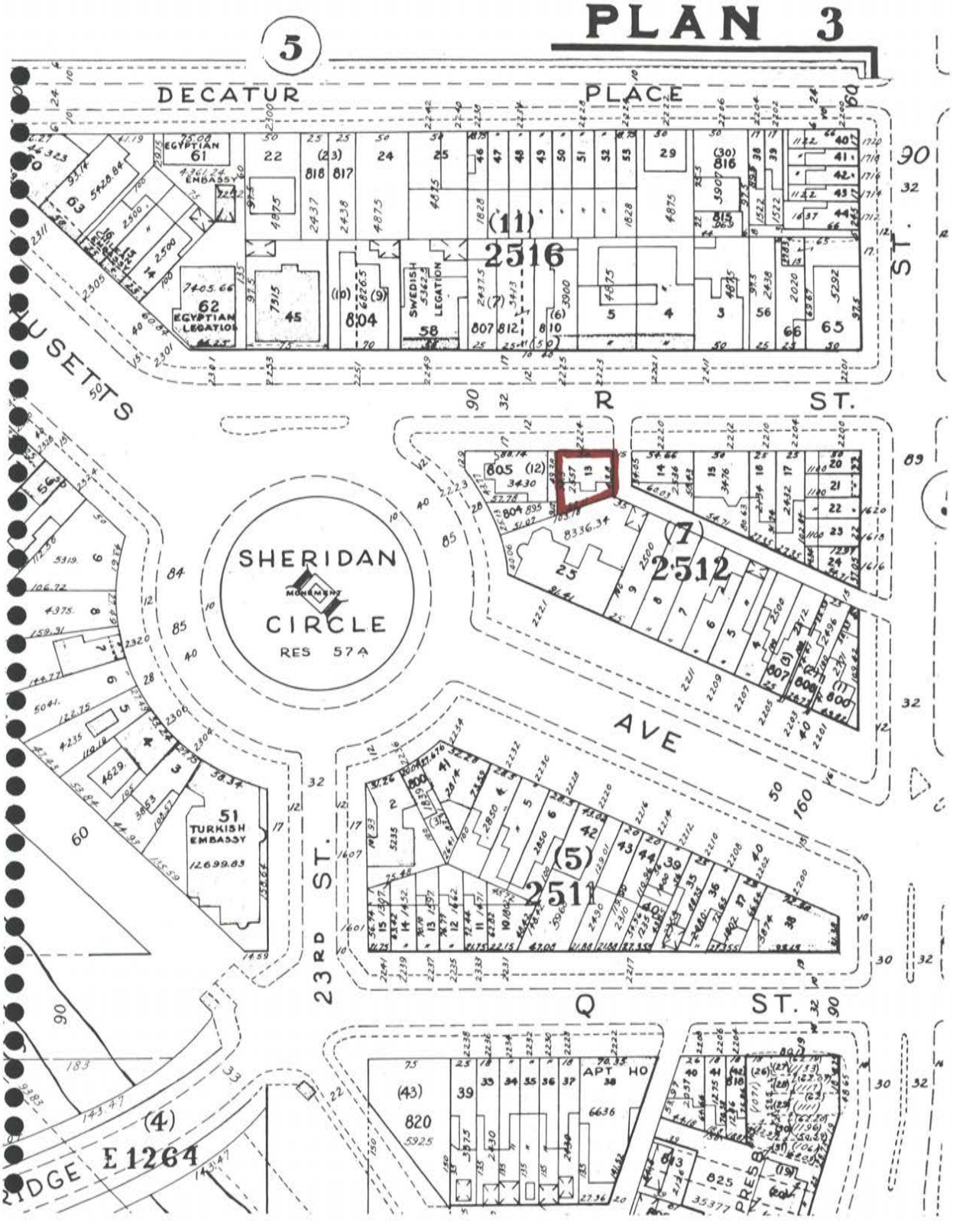
Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Christopher H. Collins

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A


PLAN 3
5
DECATUR PLACE
EGYPTIAN EMBASSY
61
62
EGYPTIAN LEGATION
SWEDISH LEGATION
58
45
2516
(11)
(10)
(9)
(7)
(6)
804
807
812
810
818
817
(23)
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24
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816
(30)
R ST.
MASSACHUSETTS AVE
SHERIDAN CIRCLE
RES 57A
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804
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2512
(7)
AVE
23RD ST.
51
TURKISH EMBASSY
12699.83
2511
(5)
Q ST.
(43)
820
5925
APT HO
6636
(4)
E 1264
RIDGE
825
PRESS

R ST.

SQ. W of 2512

~~RES. STA~~

SHERIDAN CIRCLE

800

22,707 ft

R = 85'

SQ 2512

22-ND ST.

SQ 2511

Massachusetts Ave.

23-RD ST.

Q Street

22-ND ST.

Public Alley

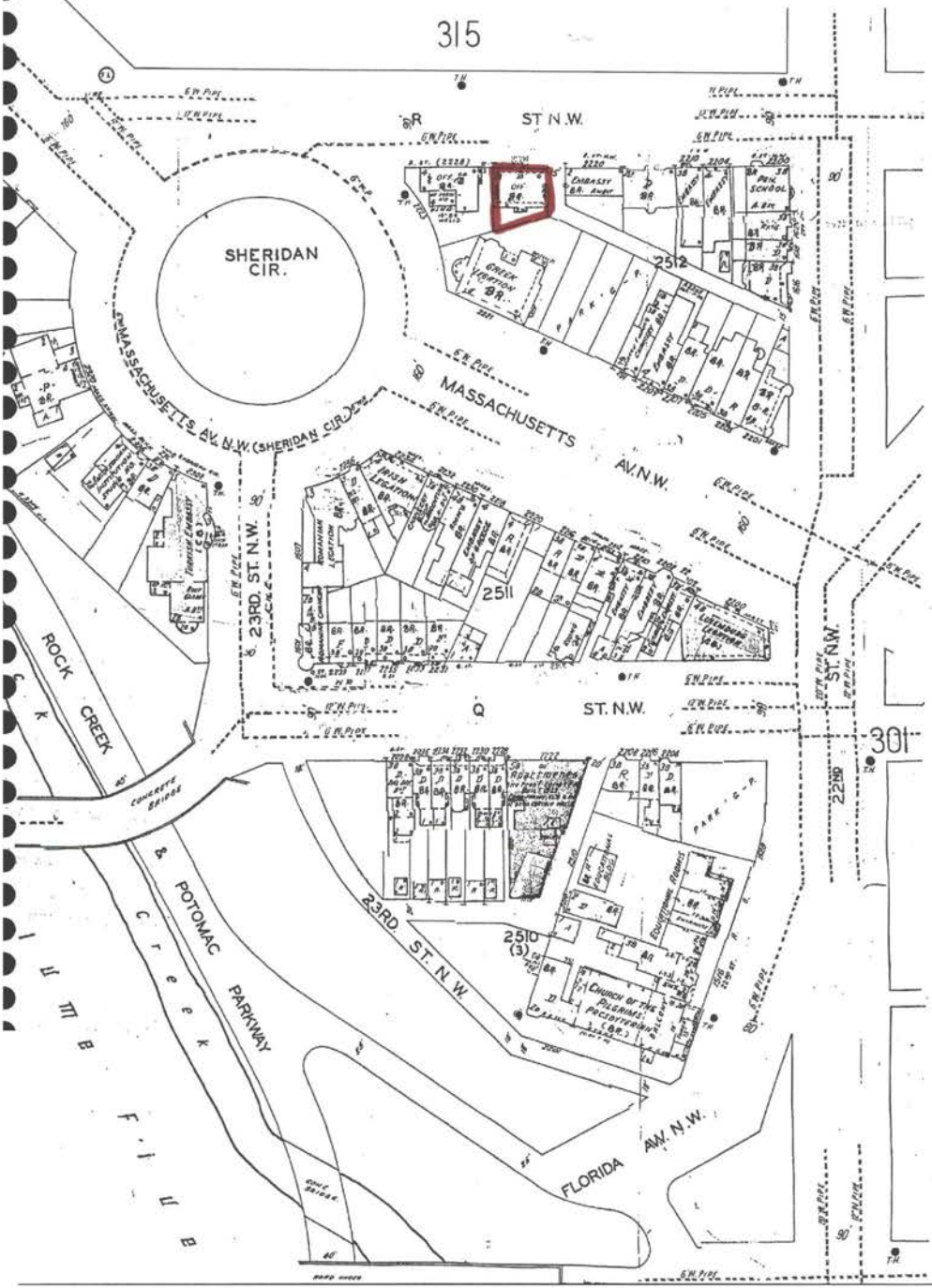
23rd

SEE LINEN MAP #112

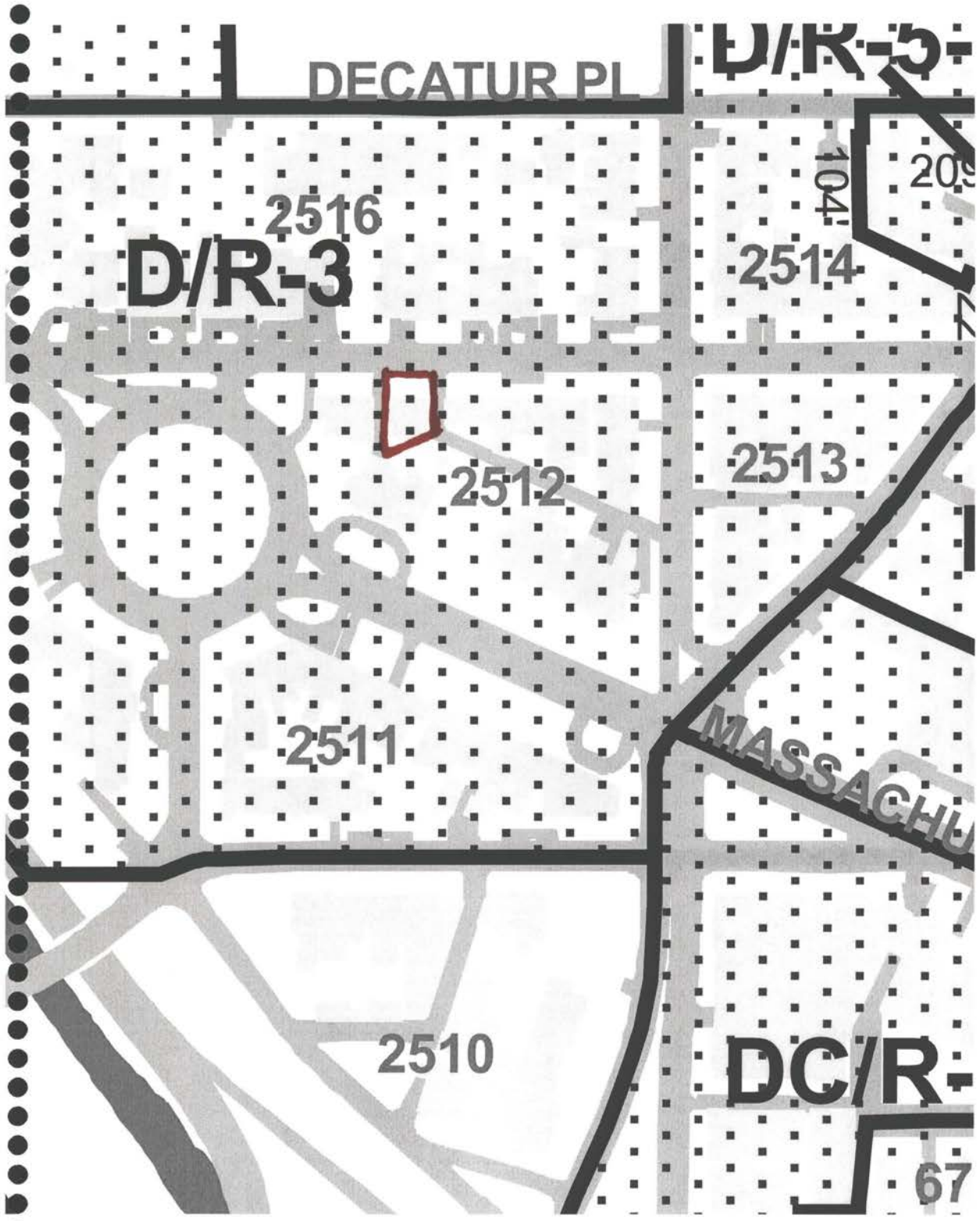
PAR. 305 ft

ST.

Avenue


315
R ST. N.W.
SHERIDAN CIR.
MASSACHUSETTS AV. N.W. (SHERIDAN CIR.)
MASSACHUSETTS AV. N.W.
2512
2511
2510 (3)
23RD. ST. N.W.
Q ST. N.W.
ROCK CREEK
CONCRETE BRIDGE
POTOMAC PARKWAY
FLORIDA AV. N.W.
301
22ND ST. N.W.
IRISH LEGATION
ROUMANIAN LEGATION
TURKISH EMBASSY
CHURCH OF THE PILGRIMS PRESBYTERIAN
PARK

B


DECATUR PL
D/R-3
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D/R-3
2514
104'
2513
2512
2511
MASSACHU
2510
DC/R-
67

C

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

APPLICATION TO CERTIFY A HISTORIC BUILDING FOR D.C. ZONING REGULATIONS OR CONSTRUCTION CODES

I hereby request certification that the following property is a historic landmark or a building or structure contributing to the character of a historic district in the D.C. Inventory of Historic Sites, for the purpose of D.C. Zoning Regulations or the D.C. Construction Code. A photograph of the front of the building is attached.

Address: 2224 R Street NW

Square: 2512 Lot: 13

PURPOSE OF REQUEST:

✓ Waiver of Additional Off-Street Parking Spaces (Section 2100.5)

____ Waiver of Additional Off-Street Loading Spaces (Section 2200.5)

✓ Increase in Number of Sleeping Rooms in a Bed-and-Breakfast Facility (Section 203.8)

____ Non-Mandatory Compliance with Code Provisions (BOCA Section 3406.1)

____ Alternative Compliance Provisions for Existing Buildings (Chapter 34, DC Construction Code Supplement of 1999)

Holland & Knight, LLP Carolyn Brown — Applicant

955-3000 — Telephone

2099 Penn. Ave NW — Address

Carolyn Brown, Freda Hobar — Signature

12-6-04 — Date

HISTORIC PRESERVATION DIVISION USE ONLY

I hereby certify that this property is either a historic landmark or a building or structure contributing to the character of a historic district listed in the D.C. Inventory of Historic Sites.

State Historic Preservation Officer

12.6.04 — Date

copy F.H. 12-6-04

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

APPLICATION FOR WAIVER OF PARKING AND/OR LOADING REQUIREMENTS

I hereby request certification that the following property is a historic landmark or contributes to the character of a historic district, and therefore qualifies for a waiver of parking and/or off-street loading requirements of the D.C. Zoning Regulations. Photograph(s) of the front of the building are enclosed.

Address: 2224 R st

Square: 2512 Lot: 13 Historic District Sheridan - Kalorama

Request for waiver of: ✓ Parking requirements
(11 D.C.M.R. Sec. 2100.5)
✓ Off-street loading requirements
(11 D.C.M.R. Sec. 2200.5)

Existing use if property:	Existing square footage (by use):
Vacant	8,250 sq. ft

Number of existing parking spaces: 4

Proposed use of property:	Proposed square footage (by use):
Single-family Residence	same
Bed + Breakfast	
Home occupation	

Number of required parking spaces: 6

Does an alley abut the side or rear of the property? yes

Does the building occupy 100% of the lot? NO

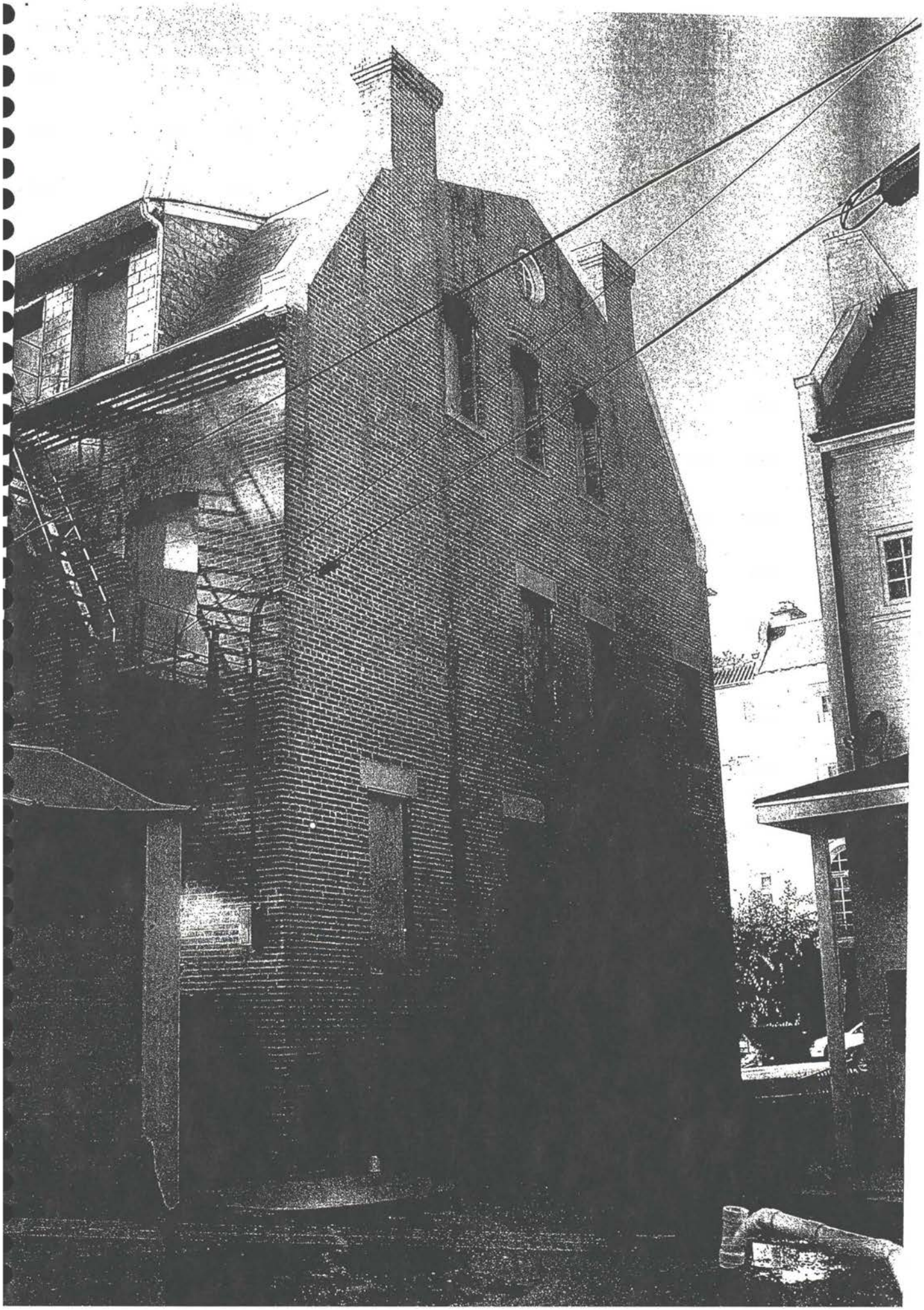
Zoning category: D/R 3

Holland + Knight, LLP
Applicant

Carolyn Brown, Esq.
FREDA Hobar Legal Asst
Signature Date

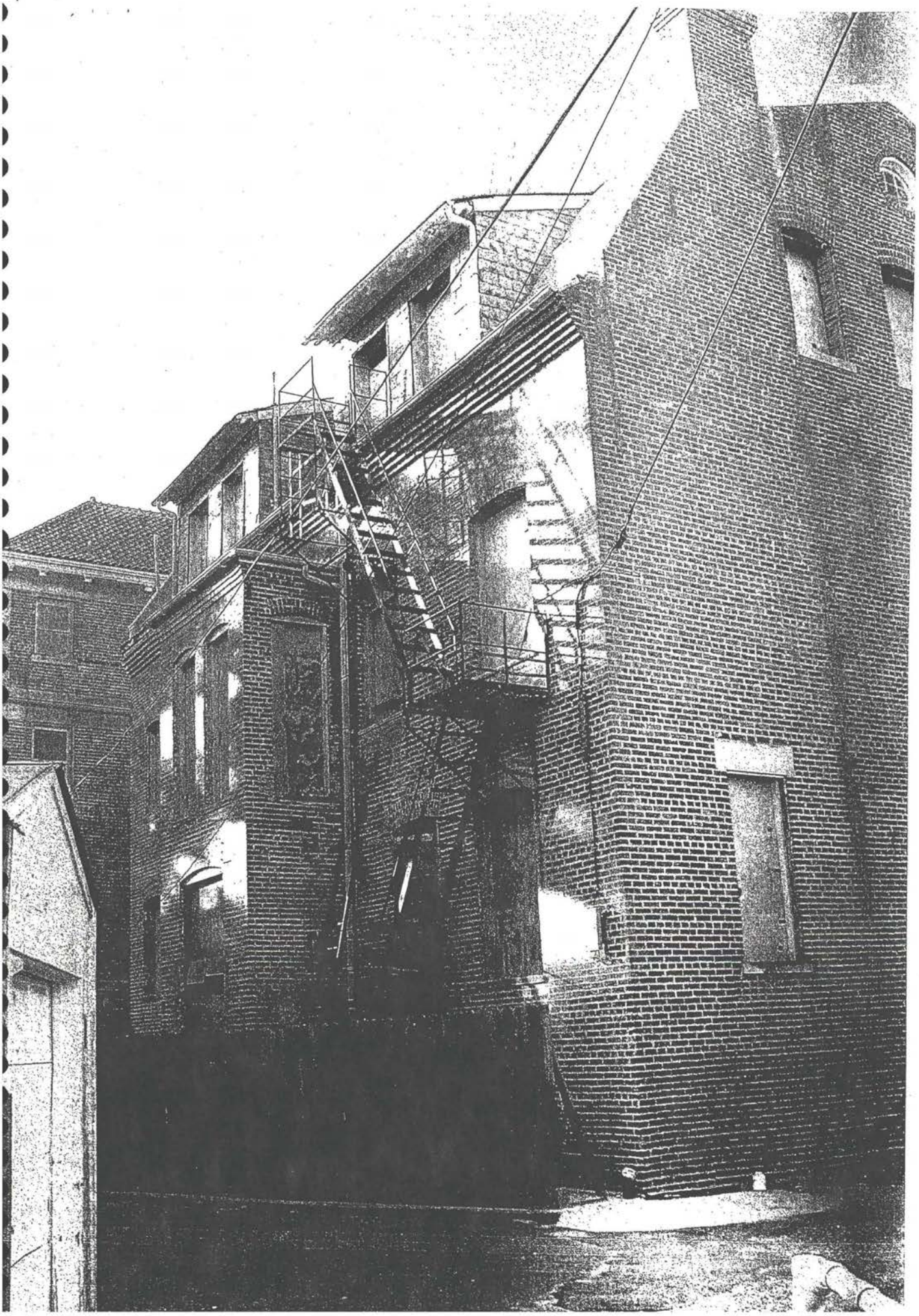
2099 Pennsy. Ave NW
Address

955-3000
Telephone









D

駐 美 國 台 北 經 濟 文 化 代 表 處

Taipei Economic and Cultural Representative Office
in the United States
4201 Wisconsin Avenue, N.W., Washington, D.C. 20016
Tel: (202) 895-1800

Nov. 18,2003

Dear Mr. Saba:

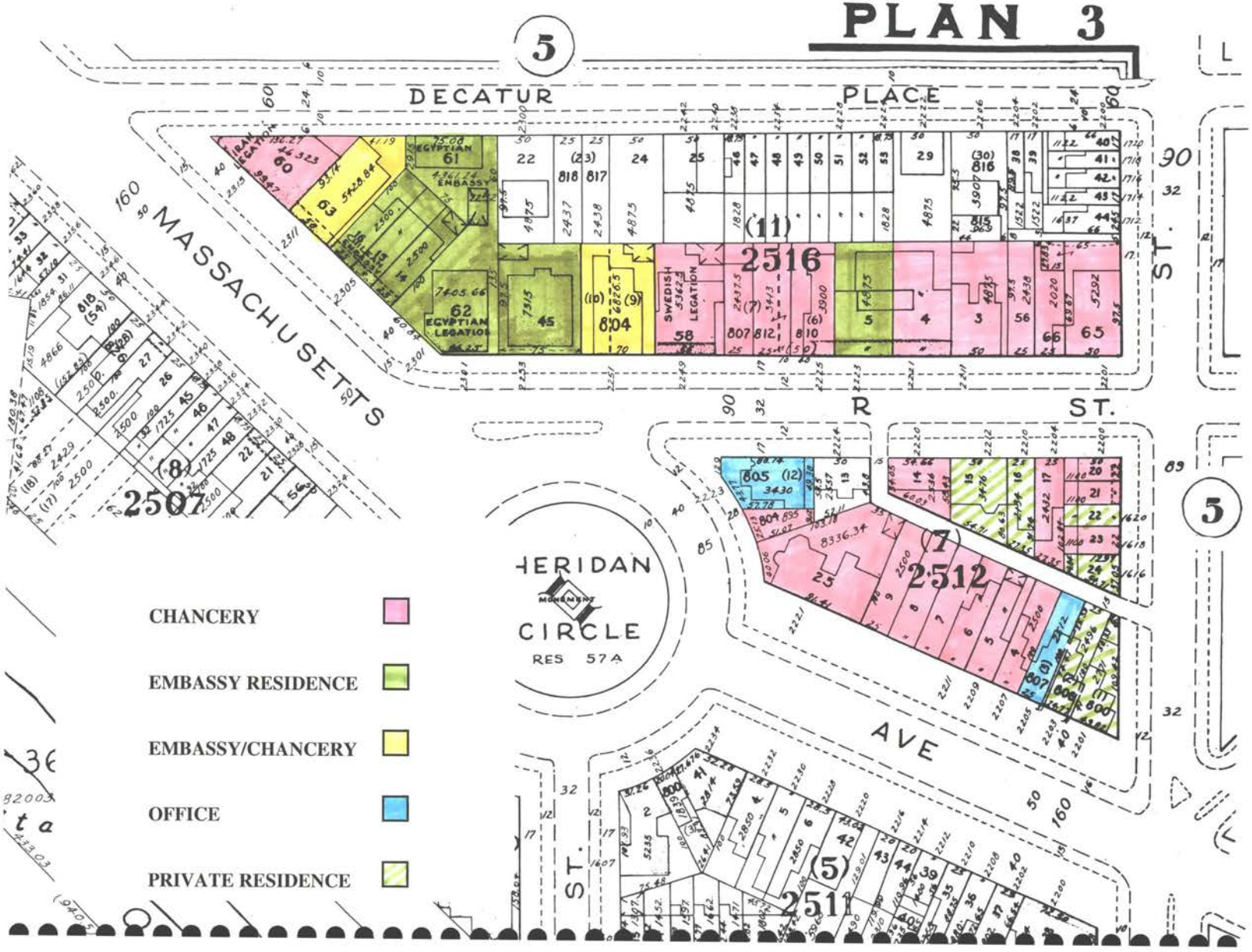
This letter is to confirm our conversation concerning the building located at 2224 R Street, NW, Washington DC. The Taiwan government owned this building since 1946, the main usage for this building was as follows:
Basement level : Office & Dormitory （for 2）
First Floor : Business offices
Second Flood : Dormitories （for 14）
Third Flood : Dormitories （for 10）
I hope this information is useful for you concerning the history of this building

Sincerely

Huang, Ming-Der
Administrative Officer,
Defense Mission to the United State

E

PLAN 3


5
DECATUR PLACE
MASSACHUSETTS
160
50
90
32
ST.
R ST.
2516
(11)
2512
(7)
2507
(8)
2511
(5)
HERIDAN
MONUMENT
CIRCLE
RES 57A
AVE
ST.
CHANCERY
EMBASSY RESIDENCE
EMBASSY/CHANCERY
OFFICE
PRIVATE RESIDENCE

F

LIST OF USES OF NEIGHBORING PROPERTY

SQUARE	LOT	ADDRESS	OWNER	USE
2512	4	2207 Massachusetts Avenue, NW	Government of Turkmenistan	Chancery
2512	5	2209 Massachusetts Avenue, NW	Embassy Row LLC	Vacant Chancery
2512	6	2211 Massachusetts Avenue, NW	Government of Greece	Chancery
2512	14	2220 R Street, NW	Republic of Guatemala	Chancery
2512	15	2212 R Street, NW	RRS Associates	Private Residence
2512	16	2210 R Street, NW	Edwin J. Olsen	Private Residence
2512	17	2204 R Street, NW	Republic of Niger	Chancery
2512	22	1620 22nd Street, NW	Charles C. Abeles	Private Residence
2512	23	1618 22nd Street, NW	Central African Republic	Chancery
2512	24	1616 22nd Street, NW	Roderick K. Von Lipsey	Private Residence
2512	25	2221 Massachusetts Avenue, NW	Government of Greece	Chancery
2512	27	Massachusetts Avenue, NW	Government of Greece	Chancery
2512	804	Massachusetts Avenue, NW	Government of Greece	Chancery
2512	805	2223 Massachusetts Avenue, NW	American Society of International Law	Office
2512	806	Massachusetts Avenue, NW	L. Skzynear	Private Residence
2512	807	2205 Massachusetts Avenue, NW	National Society of the Daughters of	Office
2512	808	2200 R Street, NW	Pioneer Management Group LLC	Chancery
2512	2001-2009	2201 Massachusetts Avenue	Multiple	Private Residence
2516	3	2211 R Street, NW	Republic of Cyprus	Chancery
2516	4	2221 R Street, NW	Socialist Federal Republic of Yugoslavia	Vacant Chancery
2516	5	2223 R Street, NW	Union of Burma (Myanmar)	Embassy Residence
2516	14-16	2305 Massachusetts Avenue, NW	Republic of Chile	Embassy Residence
2516	45	2253 R Street, NW	Republic of the Philippines	Embassy Residence
2516	56	R Street, NW	Government of Pakistan	Vacant Chancery
2516	58	2249 R Street, NW	Republic of Kenya	Chancery
2516	60	2315 Massachusetts Avenue, NW	Government of Pakistan	Vacant Chancery

2516	61	2310 Decatur Place, NW	Government of the Republic of Egypt	Embassy Residence
2516	62	2301 Massachusetts Avenue, NW	Government of the Republic of Egypt	Embassy Residence
2516	63	2311 Massachusetts Avenue, NW	Republic of Haiti	Embassy/Chancery
2516	65-66	2201 R Street, NW	Government of Pakistan	Vacant Chancery
2516	69	2225 R Street, NW	Republic of Armenia	Chancery
2516	804	2251 R Street, NW	State of Vietnam	Embassy/Chancery
2516	807	R Street, NW	Republic of Kenya	Chancery

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#1 SW CORNER OF 22ND AND R STREETS



#2 SOUTH SIDE OF R STREET



#3 SOUTH SIDE OF R STREET



#5 SOUTH SIDE OF R STREET



6 NW CORNER OF 22ND AND R STREETS



#7 NORTH SIDE OF R STREET



#8 NORTH SIDE OF R STREET



#9 NORTH SIDE OF R STREET



#10 NORTH SIDE OF R STREET

H

THE NORTHWEST CURRENT
August 25, 2004

Couple looks to create B&B in vacant Kalorama house

By BETH SALTZ
Current Correspondent

Soon-to-be empty nesters Laura and Raymond Saba are readying what they hope will be their new home — and their new bed-and-breakfast — in a century-old Georgian Colonial at 2224 R St NW.

When the kids head off to college, most folks downsize, but the Sabas — married for 30 years — have taken on the major renovation and reconstruction of this 8,250-square-foot building in Sheridan-Kalorama with plans for turning this vacant, neglected and deteriorating building into their second bed-and-breakfast operation.

For many retirees, a condo in Florida fulfills their dreams, but for the Sabas, who own the Woodley Park Guest House, opening a second bed-and-breakfast is a way to live in an environment that they've become accustomed to.

Raymond worked as a facilities manager for the World Bank for 15 years and has owned a commercial construction firm for the same time period. Laura had a career in marketing before joining her husband as a partner in the construction firm.

Since 2000, the Sabas have owned and operated the Guest House while living off-site. But when they finish the job of transforming their new acquisition — from getting city approvals to renovating to outfitting the interior — they intend to move in themselves.

Right now, they said, their dream house looks more like a nightmare, sitting just off Massachusetts Avenue's Sheridan Circle. Although suffering from more than 10 years of neglect, it has elements of a once-elegant structure.



Beth Saltz/The Current

Laura and Raymond Baba hope to turn this vacant building into a bed-and-breakfast.

The four-story building has a two-tiered front staircase, tall double doors flanked by four Ionic columns and a portico supported by four more, much larger columns of the same style.

During the mid-1940s, the building was used as the Chinese Embassy. Later it became home to hundreds — a rooming house for as many as 28 men at one time — who served in the Taiwanese Diplomatic Service, said Dan Hodin, a real estate attorney in Bethesda, who performed the title search for the real estate transaction.

Lack of a clear owner stalled the sale of the building and added to its deterioration, Hodin said in an interview last week.

The government of Taiwan was eventually found to be the legal owner, and the building was subsequently put on the market. But the lack of formal U.S. diplomatic recognition of Taiwan further delayed the sale.

Guy d'Amecourt of CB Richard Ellis, a commercial real estate firm, was the listing broker for the sale to the Sabas in November 2003. "The building was absolutely uninhabitable," he said. "It had been vacant for at least 10 years and was deteriorat-

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B&B

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ing rapidly, with the windows separating from the brick."

D'Amecourt said that among the bidders, the Sabas were the only ones who planned to rehabilitate the building and make it their home.

"It's a big property, and the typical buyer for an 8,000-square-foot building in Sheridan-Kalorama expects a garden, and this building has none," d'Amecourt said. "It's also surrounded by foreign chancery offices with only one family on the whole street."

But d'Amecourt said he thinks a bed-and-breakfast is a good fit for the property, explaining that it is right off Massachusetts Avenue and within walking distance of the Dupont Circle Metro station.

"We think this is the only viable use for this property," said Raymond Saba. "Its location and lack of surrounding green space almost dictate its usage."

So far, Saba said, he has replaced more than 35 percent of the interior structural supports and repaired the mortar on 50 percent of the interior brick and 100 percent of the exterior. He estimates that his investment for the interior design and construction will be in the $2 million range at the least.

The Sabas said they expect the building to be stabilized by September, which is when they plan to seek support from the Sheridan-Kalorama advisory neighborhood commission before they apply to the Board of Zoning Adjustment.

According to their attorney, Christoper Collins of Holland & Knight, because the Sabas' property lies in a historic district, their bed-and-breakfast can have six rooms with a special exception from the Board of Zoning Adjustment. However, because of the size of the building as well as the costs associated with its renovation, the Sabas want to apply for two special exceptions — one to increase the number of rooms to 10, and another, to allow an increase in the number of guests.

The Sabas, characterizing support of the neighborhood as crucial, said they hope to put their case before the zoning board before the end of the year.

The Sabas, who have operated their 18-room Woodley Park Guest House for more than four years, said a bed-and-breakfast would be a great addition to the Sheridan-Kalorama neighborhood. Laura Saba said that the two buildings had some similarities upon purchase, as both needed lots of work and somewhat blighted the surrounding blocks.

The Sabas spent 10 months renovating the Woodley Road building — which at the time was an active bed-and-breakfast — and then targeted their advertising to a more upscale clientele than their predecessors. Laura Saba said relatives of their Woodley Park neighbors are some of their most regular customers, along with conventiongoers and tourists.

Saba said that, unlike a chancery or related use, their bed-and-breakfast would bring revenue to the city. The R Street property is already on the tax rolls for $24,000 annually.

The Sabas and d'Amecourt concurred that after renovations, the R Street building would be worth at least $4 million.

Buildings in the neighborhood include The American Society of International Law to the west and the Guatemalan Chancery across the alley to the east. Across the street on Sheridan Circle are the Egyptian ambassador's residence, the Philippine Embassy, the Embassy of the Socialist Republic of Vietnam, the Embassy of Kenya, the Embassy of the Republic of Armenia, the Union of Myanmar's residence, an empty building, the Embassy of Cyprus and the vacant, former Embassy of Pakistan.

The Sabas have lined up some early support.

Said Tom Welch, a Realtor who lives and works in the neighborhood: "These are good people who are not going to make a fast buck and scoot. Plus this building would be on the revenue rolls, contributing to the District's tax base."

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OUTLINE OF TESTIMONY
OF
RAYMOND AND LAURA SABA

I. Identification.

II. Location and Description of Property and Surrounding Area.

III. Experience in Operation of Woodley Park Guest House.

IV. Discussions with R Street Neighbors and Advisory Neighborhood Commission.

V. Proposed Renovation and Operation of Bed and Breakfast as a Home Occupation.

VI. Conclusion.

EXHIBIT I

J

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

★ ★ ★

Application No. 17194 of Monique Greenwood, pursuant to 11 DCMR § 3104.2, for a special exception to establish a bed and breakfast establishment (Home Occupation) for eight (8) sleeping rooms under subsection 203.8 (203.4(l) and 203.10(b)) in the DC/R-5-D District at premises 1708 16th Street, N.W. (Square 178, Lot 74).

HEARING DATE: July 20, 2004
DECISION DATE: July 20, 2004 (Bench Decision)

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a letter in conditional support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under §§ 203.8 (203.4(l) and 203.10(b)). No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and §§ 203.8 (203.4(l) and 203.10(b)), that the requested relief can be granted, subject to the conditions set forth below, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not

tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED** subject to the following **CONDITIONS:**

1. The bed and breakfast, or any part thereof, shall not be rented to outside parties (non-guests) for social events.

2. Social events at the bed and breakfast shall only be hosted by the bed and breakfast owner/operator.

VOTE: **4-0-1** (Geoffrey H. Griffis, John A. Mann II, Ruthanne G. Miller and Anthony J. Hood to approve, Curtis L. Etherly, Jr., not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
Each concurring member approved the issuance of this order.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: JUL 2 2 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN