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October 28, 2005

VIA HAND DELIVERY

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

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D.C. OFFICE OF ZONING
2005 OCT 28 PM 2:00

Re: Application No. 17337
1743-55 N Street, N.W. (the "Property")

Dear Members of the Board:

On behalf of the Applicant in the above referenced application, N Street Follies Ltd., we respectfully submit this response to the Opposition to Postponement filed on behalf of the Tabard Corporation (the "Opposition" or "Tabard Inn") by letters dated October 13th and 18th. In its submission, the Opposition states numerous inaccuracies which we shall address.

The Opposition claims that this Application is virtually identical to a PUD previously proposed by the Applicant to the Zoning Commission. Notwithstanding that the Application is for an entirely different set of special exceptions and variances, there have been significant changes to the development proposed for the subject property, as follows:

- The original PUD project filed more than 10 years ago proposed a mixed use development for office use and residential apartments. This Application is not a PUD. It is a BZA application proposing a boutique hotel;
- The original PUD project proposed an FAR of 6.16 (2.02 residential and 4.14 office). This Application proposes an FAR of 5.42 (hotel) – a 15,279 square foot reduction;
- The original PUD project started out as a façade project with substantial proposed demolitions. The project now includes the retention of substantial interior components of the existing row structures as requested by staff of the HPRB, as well as retention of the rear walls of the structures;

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17337

EXHIBIT NO. 36

Board of Zoning Adjustment

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- The original PUD project proposed to demolish the row structure at 1743 N Street because its floors did not align with the floors of the adjoining structure. The Application proposes to retain the structure at 1743 N Street despite the obvious difficulties this presents.
- The original PUD project proposed a garage entrance directly off of N Street which the Opposition opposed in 1990. This Application now proposes to access the garage facility from the alley at the rear of the property which the Opposition also opposes.

The Opposition never participated in any of the numerous discussions that the Applicant has had with OP or HPRB regarding the various modifications to the façade, the façade setbacks, the creation of the atrium and retention of the rear walls of the row structures; the retention of interior walls, etc. Nor was the Opposition present during discussions with local community groups which had originally expressed support for the concept of a hotel of this size at this location.

The Opposition erroneously claims that the subject property has been left in disrepair and has blighted the area. The Property is not in disrepair. It has been kept clean and presentable in keeping with the appearance of surrounding structures. The exterior of the subject properties is in good condition and does not have any graffiti, trash or other undesirable conditions.

Last, the Opposition claims that the requested postponement is an attempt to defer the District Government from changing the tax status of the subject property. The tax status of the subject property is irrelevant to the present Application. The Applicant has spent a significant amount of time and money developing the proposed plans for the property, meeting with staff and community, filing the application, responding to concerns and modifying plans. The Applicant's intent in filing the Application is to find an acceptable development project utilizing the Property.

Likewise, the filing of the Application and the requested postponement is irrelevant to the tax status of the Property. The Applicant has already paid the taxes under the Class 3 certification. There is a pending suit filed by the Applicant with the Tax Division of D.C. Superior Court to challenge the District's assessment. The postponement of this hearing will have no effect on the status of this case before the Tax Court.

The Applicant has met with parties that are interested in seeing reasonable development of this Property and is attempting to address their concerns. As we have said previously, initial indications from these groups were positive and it has been just recently

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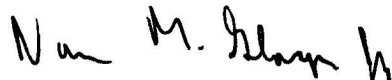
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that concerns were raised that has made the Applicant go back to explore some additional options.

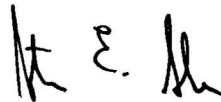
The Applicant is continuing to work on these matters. Opposing the requested postponement of the application is counterproductive to the ultimate goal of redeveloping the property and would only result in further delay in the long run.

The Applicant again respectfully requests that the Board postpone the hearing now scheduled for November 1, 2005 and schedule this case for hearing at the end of the line of cases now pending, which should give sufficient time to address the issues. The Applicant appreciates the Board's consideration of this request.

Sincerely,



Norman M. Glasgow, Jr.



Steven E. Sher

Director of Zoning and Land Use Services

cc: Advisory Neighborhood Commission 2B
Michael Beidler, Dupont Conservancy
Maxine Brown-Roberts, OP
Steve Callcott, HPRB
Richard Nettler, for Tabard Inn