

# Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564  
Holland & Knight LLP | www.hklaw.com

Leila M. Jackson Batties  
leila.batties@hklaw.com  
202.419.2583

John T. Oliver  
john.oliver@hklaw.com  
202.469.5531

July 24, 2024

## **VIA IZIS**

Board of Zoning Adjustment  
of the District of Columbia  
441 4th Street, NW, Ste. 210S  
Washington, DC 20001

**Re: BZA Case No. 21143  
Trustees for Harvard University (Dumbarton Oaks)  
Response to Statement at Exhibit (“Ex.”) 33 of Case Record**

Mr. Chairman and Members of the Board:

This letter is submitted on behalf of the Trustees for Harvard University (the “Applicant”) in response to the statement filed by Daneil Chao at Ex. 33 of the case record. The Applicant seeks to address two specific issues related to the proposed application.

First, Mr. Chao has inquired as to whether the Department of Buildings (“DOB”) will require any changes to the building in connection with Dumbarton Oaks’ proposed use of the property for office/administrative tasks on a temporary basis. Attached is an email from DOB confirming that no changes will be required.

Second, the statement claims that “granting a waiver to F.A.R. for this building technically allows them to expand their footprint.” This is incorrect; the opposite is true. The Applicant is seeking the variance so that the building footprint does not have to be expanded to comply with the 10,000 sq. ft. requirement in Sub. U, Sec. 203.1(o)(2).

We trust that this communication is helpful to the Board and community stakeholders in the review of the application. Thank you for your considerate attention to this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 

Leila M. Jackson Batties  
John T. Oliver

Attachment  
cc: Certificate of Service

Board of Zoning Adjustment  
District of Columbia  
CASE NO.21143  
EXHIBIT NO.34

Board of Zoning Adjustment  
BZA Case No. 21143  
July 24, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that on July 24, 2024, a copy of this response was served by electronic mail on the following at the addresses stated below.

**Office of Planning**

Mr. Joel Lawson  
joel.lawson@dc.gov

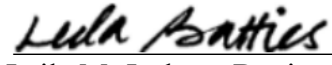
Ms. Karen Thomas  
karen.thomas@dc.gov

**Mr. Daniel Chao**

dschao@gmail.com

**Advisory Neighborhood Commission 2E**

ANC 2E c/o Commissioner Gwendolyn Lohse  
2E@anc.dc.gov  
2E06@anc.dc.gov

  
Leila M. Jackson Batties

①

My client owns a historic home in Georgetown. We are seeking zoning approval to use the house for a nonprofit use. The nonprofit organization will use the house, on an interim basis, to do administrative/office tasks until the house can be fully renovated to house scholars. No more than 4 people will work in the office.

The client does not desire to make any alterations to the house after the zoning approval is granted.

I just want to confirm that the DOB will not require any changes to the house (commercial grade mechanical equipment, installing an elevator or ADA compliant stairs) stemming from the interim administrative/office use after it is approved by the BZA.

Thanks,

Leila Jackson Batties | Holland & Knight  
Partner  
Holland & Knight LLP  
800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006  
Phone 202.419.2583 | Mobile 305.321.5303  
leila.batties@hklaw.commailto:leila.batties@hklaw.com | www.hklaw.comhttp://www.hklaw.com/

Add to address book<https://www.hklaw.com/Leila-Batties?format=vcard> | View professional biography<https://www.hklaw.com/Leila-Batties>

On Wed, Jul 10, 2024 at 11:54 PM <dob@dc.gov> wrote:

Leila,

Hello, I've added Sydney Lester, Program Manager for Commercial Plan Review who would be best able to assist you.

Does your client have a design professional and any existing building plans? Both would be necessary to provide a clear answer.

Thank you,

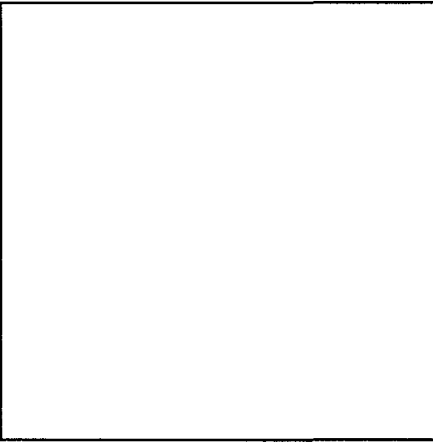
On Tue, Jul 2, 2024 at 8:33 PM <leila.batties@hklaw.com> wrote:

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Thank you, Kathleen. I appreciate you making this connection. Have a good holiday.

Best Regards,  
Leila

Leila Jackson Batties | Holland & Knight  
Partner  
Holland & Knight LLP  
800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006  
Phone 202.419.2583 | Mobile 305.321.5303  
leila.batties@hklaw.commailto:leila.batties@hklaw.com | www.hklaw.comhttp://www.hklaw.com/



On Thu, Jul 11, 2024 at 2:28 PM <[leila.batties@hklaw.com](mailto:leila.batties@hklaw.com)> wrote:

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Mr. Lester,

Thank you for your response. The floor is accessible by street via stairs. Please confirm that the stairs do not have to be removed or changed.

Best Regards,  
Leila

Leila Jackson Batties | Holland & Knight  
Partner  
Holland & Knight LLP  
800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006  
Phone 202.419.2583 | Mobile 305.321.5303  
[leila.batties@hklaw.com](mailto:leila.batties@hklaw.com) | <mailto:leila.batties@hklaw.com> | [www.hklaw.com](http://www.hklaw.com) | <http://www.hklaw.com/>

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On Thu, Jul 11, 2024 at 2:22 PM <[dob@dc.gov](mailto:dob@dc.gov)> wrote:

Good morning,

It's understood that only the 1st floor of the building would be occupied for office use. In that case, for this change of use, no adverse changes would be deemed necessary other than the need to have the floor accessible from the street and the floor made ADA compliant as required by the Accessibility for Existing Buildings code section.

Regards.

On Thu, Jul 11, 2024 at 12:34 AM <[leila.batties@hklaw.com](mailto:leila.batties@hklaw.com)> wrote:

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Good evening, Michael.

3

**From:** DC Department of Buildings <dob@dc.gov>  
**Sent:** Thursday, July 11, 2024 12:03 PM  
**To:** Batties, Leila M J (WAS - X72583) <Leila.Batties@hklaw.com>  
**Subject:** Re: Fw: Time Sensitive Introduction to Michael Brown

*[External email]*

Good morning. Confirming that no change is needed for stairs as long as the floor can be made wheel chair accessible, as discussed in telephone conversation.

Regards.

**Sydney Lester** | *Fire Protection & Elevator Eng. Manager, Office of Building and Construction Standards*  
*Department of Buildings*

[Sydney.Lester@dc.gov](mailto:Sydney.Lester@dc.gov) | 1100 4th St SW, DC 20024

main: 202.442.4400\*\* | \*\* desk: 202.442.4551 | Cell: 202.439.2389

[dob.dc.gov](http://dob.dc.gov)

**Batties, Leila M J (WAS - X72583)**

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**From:** Batties, Leila M J (WAS - X72583)  
**Sent:** Thursday, July 11, 2024 12:51 PM  
**To:** Conine, David  
**Cc:** Cummins, Tom; Batsaki, Yota; Kanzler, Jennifer  
**Subject:** RE: Fw: Time Sensitive Introduction to Michael Brown

Only if someone who is using the space needs the ramp. I asked that question specifically.

**Leila Jackson Batties | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, District of Columbia 20006

Phone 202.419.2583 | Mobile 305.321.5303

leila.batties@hklaw.com | www.hklaw.com

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**From:** Conine, David <Conined01@doaks.org>  
**Sent:** Thursday, July 11, 2024 12:43 PM  
**To:** Batties, Leila M J (WAS - X72583) <Leila.Batties@hklaw.com>  
**Cc:** Cummins, Tom <cumminst01@doaks.org>; Batsaki, Yota <BatsakiY@doaks.org>; Kanzler, Jennifer <KanzlerJ01@doaks.org>  
**Subject:** RE: Fw: Time Sensitive Introduction to Michael Brown

*[External email]*

Does this mean that we will need to install a temporary ADA ramp and make the first floor ADA compliant until the renovation?

David Conine  
 Director of Facilities | Facilities  
 Dumbarton Oaks | Trustees for Harvard University  
 202.339.6400 ext. 6952  
[www.doaks.org](http://www.doaks.org)

**DUMBARTON OAKS**

1111 DUMFRIES STREET, WASHINGTON, DC 20006