

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
202.419.2583
leila.batties@hklaw.com

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

October 2, 2024

VIA IZIS

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

**Re: BZA Case No. 21143 – Applicant’s Community Outreach in Support of
3100 R Street, NW (Square 1281, Lot 836)**

Dear Members of the Board:

This letter is submitted on behalf of the Trustees for Harvard University (the “Applicant”), in accordance with Subtitle Y § 300.8(l) of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”), in support of the above-referenced application, which seeks special exception approval to permit the use of an existing residential building by a nonprofit organization for the purposes of the nonprofit, pursuant to 11-U DCMR § 203.1(o), and an area variance from 11-U DCMR § 203.1(o)(2), which requires that the gross floor area of the building to be used by the nonprofit organization be greater than 10,000 square feet. *See* 11-U DCMR § 203.1(o) (the “Application”). The approval of the Application will permit a nonprofit use of the residential building located at 3100 R Street, NW (Square 1281, Lot 836) (the “Property”), subject to certain conditions.

The Applicant is pleased to inform the Board that, at its regularly scheduled meeting on September 30, 2024, Advisory Neighborhood Commission (“ANC”) 2E adopted a resolution in support of the Application. This outcome was the culmination of numerous meetings and discussions between the Applicant, ANC 2E Chair Gwen Lohse, and community stakeholders, including the adjacent property owner. The Applicant, ANC 2E, and the property owners who were granted party status, Daniel Chao and Erin Drouin, have reached agreement on several terms intended to mitigate potential adverse impacts resulting from the proposed use of the Property, first, as an interim office use, then, as housing for Dumbarton Oaks Scholars. The terms have been memorialized in a memoranda of agreement between the Applicant and the ANC 2E, the Applicant and Mr. Chao, and the Applicant and Ms. Drouin, respectively. Draft copies of each memoranda of agreement are attached. *See* **Exhibit A**.

Board of Zoning Adjustment
District of Columbia
CASE NO.21143
EXHIBIT NO.49

The final executed memoranda of agreement will be submitted into the record prior to the hearing on the Application. The Applicant requests that all of the agreements between the parties be included as conditions to the Board's approval of the Application and included in the BZA order.

Below is a list of the Applicant's community outreach efforts in connection with the Application:


- April 1** Application filed; copy served on ANC 2E and Commissioner Daniel Chao, SMD for ANC 2E-07.
- April 2** Dumbarton Oaks representatives met with ANC 2E Chair Gwen Lohse and Commissioner Chao to discuss the Application.
- April 23** Dumbarton Oaks virtual meeting with ANC 2E Chair Gwen Lohse and Commissioner Chao; ANC requested proposed conditions.
- April 29** Dumbarton Oaks sent list of proposed conditions for the Application to Commissioner Lohse and Commissioner Chao via email.
- June 4** Dumbarton Oaks sent list of proposed conditions to Commissioner Lohse in a letter dated June 4, 2024; copy filed with BZA, Office of Planning and DDOT.
- June 13** Dumbarton Oaks hosted community meeting to discuss the Application and other questions/concerns related to the Property.
- July 29** Dumbarton Oaks participated in a community meeting hosted by ANC 2E to discuss the Application and to address community questions.
- Sept. 5** Applicant corresponded with Mr. Chao, the abutting neighbor at 1698 31st Street, NW, to conduct further discussions regarding the soundproofing of the shared wall.
- Sept. 12** Applicant forwarded draft memorandum of understanding to ANC 2E Chair.
- Sept. 24–30** Applicant worked with ANC 2E Chair to finalize the terms of memorandum of understanding.
- Sept. 30** Applicant attended ANC 2E meeting to discuss the Application and the terms of the memorandum of agreement. ANC 2E adopted a resolution in support of the Application.

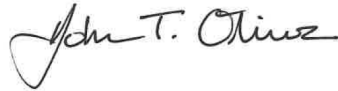
Board of Zoning Adjustment
BZA Case No. 21143
October 2, 2024

In light of the foregoing, the Applicant remains hopeful of the Board's approval of the Application. Should you have any questions or require additional information, please do not hesitate to have staff contact us.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Leila M. Jackson Batties


John T. Oliver

Attachments (3)
cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2024, a copy of this submission to the Board of Zoning Adjustment was served by electronic mail on the following at the addresses stated below.

D.C. Office of Planning

Jennifer Steingasser
jennifer.steingasser@dc.gov

Joel Lawson
joel.lawson@dc.gov

Karen Thomas
karen.thomas@dc.gov

District Department of Transportation

Erkin Ozberk
erkin.ozberk1@dc.gov

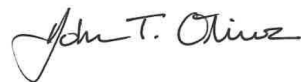
Advisory Neighborhood Commission 2E

ANC 2E c/o Commissioner Gwendolyn Lohse; and
Commissioner Daniel Chao (SMD Representative)
2E@anc.dc.gov
2E06@anc.dc.gov
2E07@anc.dc.gov

Parties in Opposition

Mr. Daniel Chao
dschao@gmail.com

Ms. Erin Drouin
erin_r_mccann@yahoo.com



John T. Oliver
Holland & Knight LLP