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October 30, 2026

VIA IZIS

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

Re: Request for Modification Without Hearing to BZA Order No. 21143
Trustees for Harvard University (Dumbarton Oaks)
3100 R Street, NW (Square 1281, Lot 836)

Dear Members of the Board:

On behalf of the Trustees for Harvard University, acting through Dumbarton Oaks Research Library and Collection ("Dumbarton Oaks" or the "Applicant"), the owner of the property located at 3100 R Street, NW (Square 1281, Lot 836) (the "Property"), we hereby submit this request for a Modification Without Hearing pursuant to Subtitle Y § 703.1 *et seq.* to modify Condition No. 1 of BZA Order No. 21143 (the "Order").

This statement provides "[t]he nature of, reason(s), and grounds for the requested modification," as required by 11-Y DCMR § 703.9(b). Specifically, the Applicant requests an extension of the office operations at the Property through December 31, 2027. No other changes to the conditions of the Order or the approved plans are proposed.

Pursuant to Subtitle Y §§ 300.8 and 703.9, please find enclosed the following materials:

- Letter from the Owner authorizing Holland & Knight LLP to file and process the subject application;
- Copy of the Order;
- Certificate of Service demonstrating that the Office of Planning ("OP") and Advisory Neighborhood Commission ("ANC") 2E have been provided with a copy of the subject application (*see* end of this statement); and
- Certificate of Proficiency demonstrating that undersigned counsel is capable of representing the Applicant in this case.

Board of Zoning Adjustment
District of Columbia
CASE NO. 21143A
EXHIBIT NO. 2

A copy of the requisite Form 154 (Application for Modification Without Hearing) is being submitted concurrently via IZIS. Upon filing, the Applicant will also provide the Office of Zoning with a check for $676.00, payable to the D.C. Treasurer, reflecting the applicable filing fee pursuant to Subtitle Y § 1600.1(e).[1]

I. BACKGROUND

The Property is located at the intersection of R and 31st Streets, NW within the Georgetown Historic District, and is zoned R-1B/GT, a Georgetown Residential House Zone. The Property consists of approximately 3,101 square feet of land area and is improved with a four-level residential building, constructed in 1895, containing approximately 8,060 square feet of gross floor area. The Property is located across the street from Dumbarton Oaks, which was established in Georgetown in 1940 and is a premier center of scholarship in the fields of Byzantine, Pre-Columbian, and Garden and Landscape studies. The Applicant purchased the Property in March 2021 for the purpose of housing Dumbarton Oaks Scholars and other professionals conducting research at Dumbarton Oaks.

In BZA Case No. 21143, the Board granted a special exception pursuant to Subtitle U § 203.1(o) and an area variance from the gross floor area requirements of Subtitle U § 203.1(o)(2) to permit the nonprofit use of an existing residential building. The nonprofit use was established immediately thereafter with an office use at the Property in accordance with Condition No. 2 of the Order.[2] Therefore, the zoning relief granted by the Board was implemented prior to the expiration of the Order.

The office operations were approved as an interim use at the Property to avoid vacancy pending completion of the Farrand House on the Dumbarton Oaks Campus and the renovation of the Property for scholar housing.[3] The time limit in Condition No. 1 reflects the Applicant's proposal, OP's recommendation, and the Memorandum of Agreement between the Applicant and ANC 2E. Each tied the duration of the office operations to the anticipated completion of the Farrand House and commencement of the Property's renovation, which is now anticipated to begin in 2027.

[1] Subtitle Y § 1600.1(e) provides that the filing fee for a modification of a Board order or approved plans is 26% of the original filing fee. The original filing fee for BZA Case No. 21143 was $2,600.00 (*see* Ex. 12), resulting in a modification filing fee of $676.00.

[2] Condition No. 2 of BZA Order No. 21143 limits the proposed office operations to Monday through Friday, from 8:00 a.m. to 6:00 p.m., prohibits office meetings or conferences before 8:30 a.m., and limits occupancy to no more than four Dumbarton Oaks employees, including contractors and subcontractors assigned to work at the Property, at one time.

[3] *See* BZA Hearing Transcript of October 23, 2024, at 106:4–9 (testimony of Yota Batsaki, Executive Director of Dumbarton Oaks, explaining that Dumbarton Oaks proposed to use the Property for administrative offices for up to four staff members so that it would not remain vacant pending renovation).

Construction of the Farrand House was substantially completed in August 2026. With that work complete, Dumbarton Oaks is now able to direct its resources toward the renovation of the Property, which is estimated to cost nearly $10 million. Before construction can begin, the Applicant must obtain approval of the project design from the Old Georgetown Board and the Commission of Fine Arts, enter into a construction management plan with ANC 2E, and obtain building permits from the Department of Buildings. Cunningham|Quill Architects will lead the design review and permitting process on behalf of the Applicant.

II. PROPOSED MODIFICATION AND RATIONALE

The Applicant seeks to modify Condition No. 1 of the Order as follows:

From / Current:

1. *The proposed office operations of the building shall expire two (2) years from the date the BZA Order approving the Application is final or December 31, 2026, whichever is later.*

Proposed:

1. *The proposed office operations of the building shall expire two (2) years from the date the BZA Order approving the Application is final or* ***December 31, 2027****, whichever is later.*

The Order became final on November 5, 2024; accordingly, the office operations are set to expire on December 31, 2026. The requested extension would allow the office use to continue only until renovation of the Property can begin, which remains several months away[4] given the design review, construction management, and permitting approvals that must occur beforehand. Continued occupancy of the Property during this interim period will provide a regular presence at the building, allow for routine maintenance and upkeep, and facilitate prompt responses to maintenance and security issues, all of which enhance safety and deter vandalism, trespass, and other activity commonly associated with vacant buildings. By contrast, vacating the building before renovation begins would provide no benefit to the surrounding community and would instead expose the Property and its neighbors to the risks of an unoccupied structure. Moreover, the requested extension does not expand or otherwise alter the approved office operations; it merely allows those operations to continue for a limited period pending renovation of the Property. The Applicant will continue to comply with all other conditions of the Order, including the limitations on hours of operation and a maximum of four (4) employees at the building at one time.

III. COMMUNITY ENGAGEMENT

The Applicant sent an email to members of ANC 2E, including Commissioner Chao, whose Single-Member District (2E-07) includes the Property, providing an update on the timing of the Property's renovation and the requested extension of the office operations. The Applicant also intends to present the proposed modification to ANC 2E at its regularly scheduled meeting on November 2, 2026.

[4] The Applicant currently anticipates that renovation of the Property will begin in late fall 2027 at the earliest.

IV. BOARD AUTHORITY AND COMPLIANCE UNDER SUBTITLE Y § 703

The term "Modification Without Hearing" is defined as a modification "in which the impact may be understood without witness testimony, including, but not limited to, a proposed change to a condition cited by the Board in the final order[.]" 11-Y DCMR § 703.7. The Zoning Regulations further provide that the determination of whether a modification may be approved without witness testimony is within the Board's discretion. *Id.*

In this case, the requested modification is limited to an extension of time for the office operations, and its impact can be fully understood without witness testimony. As explained above, the rationale for keeping the Property occupied until renovation begins is the same as when the interim office use was originally approved: a vacant property is more detrimental to the neighborhood than an occupied one. Further, the timing of the renovation was expressly tied to the construction schedule for the Farrand House on the Dumbarton Oaks Campus. With the Farrand House now complete, Dumbarton Oaks is positioned to proceed with the renovation of the Property, and the requested extension simply bridges the period needed to obtain the required approvals.

The subject application satisfies the applicable requirements of Subtitle Y § 703. Pursuant to Subtitle Y § 703.11, a request for a Modification Without Hearing must be served on all parties to the original proceeding and OP at the time it is filed with the Office of Zoning. The only party to the original proceeding other than the Applicant was ANC 2E. *See* Order at 1. As reflected in the Certificate of Service submitted herewith, the Applicant is contemporaneously serving copies of this application on OP and ANC 2E. The Applicant acknowledges that, pursuant to Subtitle Y § 703.15, the application cannot be considered at a public meeting less than thirty-five (35) days after it is filed.

V. CONCLUSION

In light of the foregoing, we appreciate the Board's consideration of this application and respectfully request that the Office of Zoning schedule it for consideration at the next available public meeting.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Leila M. Jackson Batties

By: 
Christopher S. Cohen

cc: Certificate of Service

Encl.

Certificate of Service

We hereby certify that on **October 30, 2026**, a copy of the foregoing correspondence and application to the Board of Zoning Adjustment requesting a Modification Without Hearing to BZA Order No. 21143, together with the supporting documentation, was served by electronic mail on the following recipients at the addresses listed below.

DC Office of Planning
Ms. Maxine Brown-Roberts
maxine.brownroberts@dc.gov

Advisory Neighborhood Commission 2E

Anna Noakes, Executive Director
2E@anc.dc.gov

Gwendolyn Lohse, ANC 2E Chair
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Counsel for Applicant