

Before the Board of Zoning Adjustment, D. C.

Application No. 11623 of the Cultural Workshop and Gallery, pursuant to Section 8207.11 of the Zoning Regulations for a variance from the use provisions of the R-2 Zone to permit an administrative office and Gallery for non-profit organization as provided by Section 8207.11 of the regulations at 605 56th Street, N. E., Lots 20, Square 5216.

HEARING DATE: April 17, 1974

EXECUTIVE SESSION: April 23, & June 6, 1974

VOTE:

4-1 (Lilla Burt Cummings dissenting)

ORDERED:

The the subject application be GRANTED for the period of three years as a temporary community segvice center under Section 3104.46 of the Zoning Regulations.

FINDINGS OF FACT:

1. The Board finds that the applicant is a non-profit organization incorporated under the laws of the District of Columbia.

2. The Board finds that the applicant receives funding for its programs from the Hattie M. Strong Foundation, Eugene Mark Foundation and the D. C. Commission on the Arts.

3. The Board finds that the applicant is organized and operates for the purpose of promoting social welfare in the Northeast section of the city.

a. The applicant conducts workshops at Woodson Senior High School in the performing Arts, Commercial Art and the Fine Arts.

4. The Board finds that the property subject to this application is used by the applicant as administrative offices and a gallery for the workshops.

5. The Board finds that applicant maintains a staff of three people and that the gallery and office is open seven days per week, ten hours per day.

6. The Board finds that the gallery is used for seminars, exhibitions and recitals.

7. The Board finds that articles exhibited in the applicant's gallery may be purchased.

8. The Board finds that the applicant does not operate its gallery as a business for trade and profit.

- a. The applicant's Articles of Incorporation at Section 6(c) state that the Corporation shall never be operated for the primary purpose of carrying on a trade or business for profit.

9. The Board finds that the applicant serves the Northeast community by providing cultural programs for its population.

10. No testimonial or documentary evidence of record indicates opposition to the subject application.

CONCLUSIONS OF LAW:

Based on the above Findings, the Board is of the opinion that the applicant's factual presentation before this Board conforms to the definition of use of a community service center as opposed to a strict office use as applied for by the applicant as a use variance.

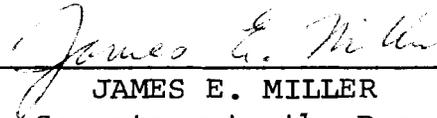
The Board concludes, that because of the facts before them in this case, that the applicant does not require a variance but comes within the purview of the regulations as a special exception use. Based upon the facts of this case the Board interprets this application as a request to operate a temporary community service center and concludes that the applicant has satisfied the conditions of Section 3104.46 of the regulations and that the granting of this application is in harmony with the general intent and purpose of the Zoning Regulations and Maps and will not adversely affect the zoning map and plans.

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BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER:

7/31/74

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.