

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13347 of the D.C. Council on Clothing for Kids, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.45 to continue to operate a community clothing center in an R-4 District at the premises 2728 Sherman Avenue, N.W., (Square 2858, Lot 27).

HEARING DATE: September 24, 1980

DECISION DATE: September 24, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the west side of Sherman Avenue between Fairmont and Girard Streets, N.W., in an R-4 District at premises known as 2728 Sherman Avenue, N.W.

2. The property is presently improved with a two story and basement brick rowhouse. It is currently used as a community clothing center pursuant to this Board's Order No. 12392 and Certificate of Occupancy No. B-104973.

3. The applicant proposes the continuation of the facility as a community clothing center. This facility offers clothing to needy children at no charge. No articles will be offered for sale.

4. The property is adjoined with row houses, with the general character of the area being predominantly residential.

5. The center operates from 9:00 A.M. to 5:00 P.M. daily, Monday through Friday. There are no evening or weekend hours.

6. The clothing is donated by individuals or businesses. All work, such as sorting and distribution, is done on a voluntary basis. Children entering the center must have an appointment, with only one child scheduled at a given time.

7. The Center services the immediate vicinity as well as the District as a whole.

8. The Office of Planning and Development by report dated September 19, 1980, and testimony given at the time of public hearing, offered support for the application on the grounds that this facility provides service and convenience, for the neighborhood as well as the entire city, and has not proven to be objectionable because of noise, traffic or other conditions since its establishment in 1973. The Board so finds.

9. There was no opposition to the granting of this application, and no report for Advisory Neighborhood Commission 1B.

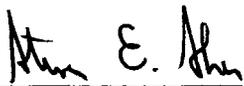
CONCLUSION OF LAW AND OPINION

Based on the foregoing Findings of Fact and the evidence of record, the Board concludes that the applicant has carried the burden of proof under Paragraph 3101.45, in that the center is not organized for profit, but exclusively for the social welfare of the neighborhood and the District as a whole, with no articles of commerce offered for sale. The Board concludes that the proposed use is in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not tend to affect adversely, the use of neighboring property in accordance with the said Regulations and Map. Accordingly, it is ORDERED that this application is hereby GRANTED subject to the CONDITION that approval shall be for a period of THREE YEARS.

VOTE: 4-0 (Connie Fortune, Theodore F. Mariani, William F. McIntosh and Leonard L. McCants to grant Charles R. Norris not present, not voting).

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

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 11 DEC 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.