

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13372 of Stellita S. Renchard, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-paragraph 3101.414 to use part of the basement and part of the first floor of the subject premises as a non-profit organization museum in an R-3 District at the premises 2145 Decatur Street, N.W., (Square 2515, Lot 817).

HEARING DATE: December 10, 1980

DECISION DATE: January 7, 1981

FINDING OF FACT:

1. The subject site is located on the north side of Decatur Street between Florida Avenue and 22nd Street and is known as premises 2145 Decatur Street, N.W. It is in an R-3 District.

2. The subject site is 155.45 feet by 100 feet in size. It is improved with a three story and basement brick faced detached structure. The structure is constructed of steel and cement. The site is surrounded by a stone fence. The last Certificate of Occupancy issued for the subject premises was No. 12411, issued December 30, 1948, for an eleemosynary institution, all floors.

3. The subject structure is designated as a Category II Historic Landmark. It is also registered on the National Register of Historic Buildings.

4. The subject structure is made up of a west portion and an east portion. The west portion has a gross floor area of 10,565.625 square feet. The east portion measures 5,560.375 square feet. The building contains sixty-three rooms. The basement is wholly above ground in the front of the building and wholly underground in the rear of the building. In the basement there are receiving rooms in the front of the dwelling. The remainder of the basement is service rooms, such as laundry rooms, furnace rooms, pantry and wine storage rooms. There is a marble staircase that leads from the basement to the main entertaining first floor. On the main floor is a ballroom, a drawing room, dining room, library, kitchen and pantry. The second floor contains approximately twelve bedrooms and baths. The third floor is comparable to the second floor. On both the second and third floors there is a sitting room for entertainment.

5. The structure was built between May 1906 and October 1907. It was occupied and used as the private dwelling of two different owners until 1945. In 1938 a one story brick extension was built to provide for a more extensive kitchen and servants' quarters. After being vacant for eighteen months the house was sold to a charitable institution for elderly women, the Louise Home. The trustees of the Louise Home petitioned the District for a special exception under the Zoning Regulations so that the home could be occupied by the residents of the Louise Home. The Louise Home made considerable changes to the building to accommodate the needs of the women who resided there. An elevator and a fire escape were added and partitions divided the rooms to create bedrooms. The dwelling was occupied from 1947 until April 1976 by the Louise Home residents. Since that date the building has been vacant.

6. The applicant proposes to use part of the basement and part of the first floor of the west portion of the subject premises as a non-profit museum for the Stapleton Foundation of Latin American Colonial Art, Inc., a non-profit organization. The applicant proposes to make no additions to the building nor any major modifications to the exterior of the building or the site. The applicant plans eventually to convert the remainder of the structure to four apartments.

7. Florida and Connecticut Avenues are approximately one block east of the subject site. Massachusetts Avenue is one block south of the site. All such avenues are well served by bus routes. The Dupont Circle Metro Subway stop is approximately three and one half blocks southeast of the site. There are approximately five parking spaces located in front of the subject structure and behind the iron front gates.

8. The applicant testified that a school bus could not maneuver on Decatur Street. It is narrow and is a one-way street eastbound. A bus would have to back out. The applicant would encourage school children to visit the museum but would direct that the bus use Florida Avenue to unload and that the children walk the very short distance to the museum.

9. Any employees of the museum would be directed to use public transportation to work.

10. No goods, chattels, wares or merchandize will be created, exchanged or sold on the premises. There will be no fee to enter the museum. Gratuities will be voluntary.

11. The applicant testified that she will continue to pay the real estate taxes on the site. It will not be taken off the tax rolls. The applicant purchased the structure several months ago.

There was testimony that the site was contemplated for destruction and the creation of a condominium of thirty apartments.

12. Advisory Neighborhood Commission 1D by letter of November 26, 1980 and at the public hearing recommended that the application be granted on the grounds that the proposed use of the structure would be in the best interests of the community, combining preservation of a magnificent building and a low density use which would not add to the traffic woes of the surrounding area. The Board so finds.

13. There were many letters of record in favor of the application including the Sheridan-Kalorama Neighborhood Council, the National Trust for Historic Preservation, The Friends Meeting of Washington, abutting property owners, the Ambassadors of Chile, Costa Rica and the Dominican Republic, the Times of the Americas, the Spanish Catholic Center and residents of the Decatur Apartments and the Farnsboro Condominium.

14. The owner's council of Kalorama Square by letter of November 18, 1980 and at the public hearing opposed the application on the grounds that a non-residential use and a non-tax paying activity would be established. By letter of January 3, 1981, the Council withdrew its opposition. It was now convinced that there would be no tax exemption involved, that the proposed use would be limited to only part of the structure and that there was a possibility that the remainder of the structure would be put to residential use.

CONCLUSIONS OF LAW AND OPINION:

Based on the record the Board concludes that the applicant is seeking a special exception the granting of which requires proof that the applicant has complied with the requirements of Sub-paragraph 3101.414 of the Zoning Regulations and that the application can be granted as in harmony with the general purposes and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Based on Findings No. 3,4,7,8,9,10,11 and the recommendations of the neighborhood in Findings No. 12 and 13 the Board concludes that the compliance with the Zoning Regulations has been met. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

1. Approval is limited to a museum of Latin American Colonial Art to be operated by Stellita S. Renchard, ONLY.
2. The applicant shall not apply for exemptions from real estate taxes for the subject property.
3. Approval is limited to the portions of the first floor and basement applied for in this application, as on the plans filed as Exhibit No. 41 of the record.

VOTE: 5-0 (Douglas J. Patton, William F. McIntosh, John G. Parsons, Charles R. Norris and Connie Fortune to grant).

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 12 MAR 1981

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.