

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16366, as amended, of Source Theater Company, pursuant to 11 DCMR 3108.1, for a special exception (Section 2116.5) for an accessory parking lot for five parking spaces to be located off-site in a C-3-A/Arts District at premises 1835 14th Street, N.W. (Square 238, Lots 34 and 38).

HEARING DATES: July 8, 1998 and October 7, 1998
DECISION DATE: October 7, 1998 (Bench Decision)

SUMMARY ORDER

The application was scheduled for hearing on July 8, 1998; however, was rescheduled to October 7, 1998. The property was not posted at the initial hearing.

The application was amended to indicate that off-site parking for the Theater would be provided at 1914 14th Street, N.W.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 1B and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 1B. ANC 1B, which is automatically a party to this application, submitted a written statement dated June 10, 1998 in support of the application.

As directed by 11 DCMR 3324.2, the Board required the applicant to satisfy the burden of proving the elements, which are necessary to establish the case for a special exception pursuant to 11 DCMR Section 2116.5.

The applicant requested that the Board waive or reduce the application fee because the Source Theatre Company is a non-profit organization with limited resources. The applicant stated that the Theatre received a grant from the District's Department of Housing and Community Development for its renovation. The grant money must be matched with private donations and a significant capital campaign must be conducted to complete the renovation. As such, the Source is unable to pay the filing fee.

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "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 TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

10.8.98/BAB

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APPLICATION NO. 16366

As Interim Director of the Office of Zoning, I hereby testify and attest that on OCT 26 1998 a copy of the order entered on that date in this matter was mailed first class postage prepaid to each party who appeared and participated in the public hearing, concerning the matter, and who is listed below:

Andre F. Houston
1053 31st Street, N.W.
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DeAnna Duncan
1835 14th Street, N.W.
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Lawrence T. Guyot, Jr., Chairperson
Advisory Neighborhood Commission 1B
P.O. Box 73710
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ATTESTED BY:

Sheri M. Pruitt-Williams

SHERI M. PRUITT-WILLIAMS
Interim Director

DATE: OCT 26 1998