

**APPLICATION FOR USE VARIANCE
UNIVERSALIST NATIONAL MEMORIAL CHURCH (SQUARE 0177 LOT 802)
FORM 120 STATEMENT #2
STATEMENT THAT ADDRESSES ZONING REGULATIONS TESTS FOR USE
VARIANCE**

Variance Tests

1 b) Use. Inability to obtain approval for the propose theater use creates a financial hardship and a hardship in pursuing the approved mission of the church.

Use of the auditorium space by the theater gives the church a substantial benefit in converting a space with limited functionality to one that permits the church to fulfill its mission and generate income needed to support its mission. Formerly, the space was not usable much of the year, because it lacked air conditioning and could not be heated without heating the entire church building, which was not cost effective. The theater committed to installing a separate HVAC system dedicated to this space, which can now be used year-round for church activities as well as performances.

Additionally, the downstairs auditorium is not handicap accessible. Subject to obtaining a zoning variance, the theater is committed to working with the church to explore creating handicap access to the space. Handicap access would benefit not only theater patrons but all those attending church and community functions in the space, although issues of cost and technical feasibility must be further considered.

A zoning variance is essential for the church to sustain its mission. A key component of this mission is community outreach, absolutely essential to maintain and grow the church's congregation. Active use of the auditorium as a performance and community activity space provides financial support for the church's community outreach activities and charitable fundraising, permitting the church to play a vital and productive role in the life of the community.

2) Proposed use of the space is not a detriment, but a benefit to the public good.

- **No increase in occupancy** – The theater does not seek to increase the number of occupants already permitted in the space, rated by the Fire Marshall at 225. On the contrary, the theater company proposes a maximum audience of 75 for its productions. The theater season includes three principal productions per year, each of which typically runs for 16 performances. Other events in the theater's season are typically for small audiences or groups of 25 or fewer.
- **Better lighting** at the back of the church building. At performance times additional lighting at the rear door of the church and a small increase in foot traffic will serve to make the area safer and more secure. Regular use of the rear entrance to the church discourages loitering – or worse – in the adjacent alley.
- **Off-street Parking** The church is easily accessible by public transportation – walking distance from both the Dupont Circle and U St Cardozo metro stops, with a Metrobus stop on 16th St right in front of the building. A large percentage of the theater's patrons take public transportation to performance events.

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House of the Temple (Masonic Temple) to use the Temple's off-street parking lot. This lot offers patrons approximately 30 parking spaces.

- **No sound transmission** All performance events are entirely contained within the church building, and sound does not pass through the thick masonry walls.
- **Performing Arts** The presence of a small performing arts company with high artistic values enhances the quality of life for neighborhood residents, making an intimate performing arts experience available within walking distance of home. The theater seeks to join other theaters like Church Street Theater, Theater J, Source Theater and Studio Theater with venues only a few blocks away. As a member of The League of Washington Theatres and The Cultural Alliance of Greater Washington, Spooky Action Theater is a contributor to the rich cultural life of the city.

3) **General intent of zoning.** While the zoning in the area is residential, other uses are not excluded. Churches, which are places of public assembly, are permitted. The pattern of use in the immediate neighborhood surrounding the subject property includes a mix of light commercial uses, such as shops and restaurants that support the residential community. Allowing a small performing arts company to use a space already zoned for public assembly does not increase the number of people permitted to use the building or the auditorium space. The variance allows an additional type of use – performing arts – that, on a modest scale, is completely compatible with the character of the neighborhood.