BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

In re: Application of	:	
THE PHILLIPS COLLECTION	:	Application No. 16618
and	:	
BRIAN E. and JENNIFER B. GIANNATTASIO	:	

MEMORANDUM IN SUPPORT OF ESTABLISHMENT OF THE PHILLIPS COLLECTION RESEARCH LIBRARY AS ACCESSORY USE/STRUCTURE

One element of the plan proposed by The Phillips Collection in this case is the complete renovation of the carriage house on Hillyer Court behind the museum in order to house The Phillips' research library and archives. The Phillips Collection believes that the library, and the structure which will house it, should be approved as accessory to the museum pursuant to 11 DCMR (Zoning) §§331.1(c), 351.1(a), (c). However, the Zoning Administrator was not prepared to commit to that interpretation on the basis of his preliminary review. Accordingly, at his recommendation and out of an abundance of caution, the Applicants have requested that, if necessary, the Board approve the relocation of the Phillips' library as a second principal structure upon the lot (pursuant to §2516.1) or as an additional variance from strict application of the Regulations. For the reasons set forth below, however, The Phillips Collection submits that the library may properly be established as an accessory use within an accessory structure on the same lot as the museum as a matter of right.

An "accessory use" is defined by the Zoning Regulations as "a use customarily incidental and subordinate to the principal use, located on the same lot." 11 DCMR §199.1. An "accessory building" is "a subordinate building on the same lot, the use of which is incidental to the use of the main building." *Id.* A research library for an art museum, or for any other kind of museum of any

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stature, is both customary and subordinate to the principal museum use.

After the subdivision approved by the Mayor's Agent is recorded, the carriage house will be located on the same record lot as the principal museum use.[1]

The Phillips Collection library is presently squeezed into the historic Phillips House. Those important research materials are not effectively organized or readily accessible to serious art scholars. The proposed state-of-the-art library is an integral part of the research and development capability need by The Phillips to carry out its educational mission. In combination with the museum's collection of Duncan Phillips' extensive personal correspondence with leading artists, collectors and scholars of his time, the new library and archive will be an invaluable resource for art scholarship.

A survey of other well-known museums confirms that such a facility is indeed "customarily incidental to" those institutions. Each of the following institutions has a research library: National Gallery of Art, National Museum of American Art, The Freer, The Corcoran, Hirschorn, and the National Portrait Gallery. The Metropolitan Museum of Art, The Guggenheim and The Frick museums in New York City are likewise so endowed. Other museums in the District of Columbia with such a facility include the Kreeger Museum, the Textile Museum, the United States Holocaust Memorial Museum, the National Geographic Society, and the Smithsonian Institution. *See* Exhibit A attached hereto. Thus, if "customary" means "established by common usage" as defined by *Webster's New International Dictionary* (2nd Ed. 1939), it seems clear that the proposed relocation

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[1] *Cf. Application of Tudor Place Foundation, Inc.*, No. 16477 (Jan. 14, 2000), in which the Board approved use of the separate Dower House for meetings, small receptions, studio for artist-in-residence and certain small exhibits (*i.e.*, "functions that serve the museum") as "accessory to the nonprofit museum use of Tudor Place" even though the Dower House was on a separate lot and consolidation with the principal lot was precluded by easement. Order, ¶17, p.13.

of the Phillips' library and archives to a refurbished carriage house on the same lot should be deemed an "accessory use, building or structure customarily incidental to" the permitted principal use. *See* 11 DCMR §§331.1(c); 351.1(a), (c).

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DISTRICT OF COLUMBIA MUSEUMS THAT HAVE A RESEARCH LIBRARY

DAR MUSEUM
1776 D Street, NW
(202) 879-3241

CORCORAN GALLERY OF ART
500 17th Street, NW
(202) 639-1700

THE KREEGER MUSEUM
2401 Foxhall Road, NW
(202) 337-3050

THE TEXTILE MUSEUM
2320 S Street, NW
(202) 667-0441

UNITED STATES HOLOCAUST
MEMORIAL MUSEUM
100 Raoul Wallenberg Place, SW
(202) 488-0400

NATIONAL GEOGRAPHIC SOCIETY
1145 17th Street, NW
(202) 857-7700

SMITHSONIAN INSTITUTION
All the museums have libraries, as
shown on the attached list.
(202) 357-2700

Smithsonian Institution Libraries

Natural and Physical Sciences

- Anthropology Branch
- Botany Branch
- National Museum of Natural History Branch
- National Zoological Park Branch
- Smithsonian Environmental Research Center Branch (*Edgewater, Maryland*)

History, Technology, and Art

- Anacostia Museum and Center for African American History and Culture Branch
- Horticulture Branch
- National Air and Space Museum Branch
- National Museum of African Art Branch
- National Museum of American History Branch
- National Postal Museum Branch

Central Research Services

- Central Reference & Loan Services Branch
- Museum Reference Center
- Museum Support Center

Other Branches

- Cooper-Hewitt, National Design Museum Branch(*New York, N.Y.*)
- Dibner Library of the History of Science and Technology *(Special Collections)*
- National Museum of the American Indian Branch (*Suitland, Maryland*)
- Natural History Rare Book Library *(Special Collections)*
- Smithsonian Tropical Research Institute Branch (*Republic of Panama*)

- Contact Smithsonian Institution Libraries via at email: libmail@sil.si.edu
- Information on Borrowing Material from Smithsonian Institution Libraries

Other Libraries at the Smithsonian Institution (Outside the SIL System)

- Freer Gallery of Art and Arthur M. Sackler Gallery library Library catalog via telnet://160.111.60.4
- Harvard-Smithsonian Center for Astrophysics library (*Cambridge, Mass.*)
- Hirshhorn Museum and Sculpture Garden library
- National Museum of American Art/National Portrait Gallery library

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