GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16477 of Tudor Place Foundation, Inc., pursuant to 11 DCMR 3104.1 for a special exception under Section 217 of the Zoning Regulations to continue the previously approved operation of a museum by a nonprofit organization at 1644 31st Street, N.W. (also known as 1605 32nd Street, N.W.) (Square 1281, Lot 830) and to extend the originally approved museum to include the adjacent property at premises 1670 31st Street, N.W. (Square 1281, Lot 827).

Hearing Date: October 6, 1999
Decision Date: December 1, 1999

DECISION AND ORDER

PRELIMINARY MATTERS

1. The originally scheduled hearing date of July 21, 1999, was postponed to October 6, 1999, at the request of the Applicant and with the support of the community. The purpose of the postponement was to provide ample opportunity to address community concerns through a continued dialogue with the affected neighbors.

2. The Georgetown Residents Alliance ("GRA") was granted party status by the Board.

FINDINGS OF FACT

1. The Tudor Place Foundation, Inc. (the "Applicant") owns Tudor Place (1644 31st Street, N.W.) and the Dower House (1670 31st Street, N.W.), which are bounded by 31st, 32nd, and Q Streets, N.W. Both properties are located in the R-1-B District. Tudor Place consists of approximately 5 ½ acres (215,048 square feet), and 1670 31st Street, N.W. consists of approximately 12,398 square feet of land area. Together these properties comprise the majority of Square 1281. (Applicant's Prehearing Statement ("Statement") at 2.)

2. The Board finds that the building and grounds of Tudor Place were designated a National Historic Landmark in 1960. Tudor Place is listed on both the National Register and the District of Columbia Inventory of Historic Sites. (Statement at 2.)

3. In 1966, Armistead Peter, III, the owner of Tudor Place, granted a scenic easement to the U.S. Department of Interior to allow for the permanent preservation of Tudor Place by preventing the land from being subdivided, inappropriately developed or otherwise used in an unsuitable way. (Statement at 2.)

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4. The Dower House, built in 1867, is located directly north of Tudor Place. The Dower House site originally became a part of the Tudor Place grounds in 1805 and was later sold and eventually repurchased by Armistead Peter in the 1960s. His widow lived in the Dower House until her death in 1995. Both Tudor Place and the Dower House are located in the Georgetown Historic District which is listed in the District's Inventory of Historic Sites. The Applicant owns both properties.

5. Since 1988, Tudor Place has been used as a house museum pursuant to 11 DCMR 217. This Board approved such use in Orders No. 14729 and 15744. The museum receives small groups which are offered tours of the house and grounds. Since the establishment of the museum, Tudor Place has also been a venue for special events. These special events were discussed in Order No. 15744 and conditions were included in that order to address the effects of the events.

6. Since the death of Mrs. Peter in 1995, the Dower House has been used as housing for the Executive Director of Tudor Place and for a Tudor Place intern and for the Applicant's Board of Trustee meetings. (Tr. at 117, 120-121) (Statement at 2.)

7. The Board finds that Tudor Place and the Dower House are linked not only historically but also visually through the garden walkway that connects them. The Applicant testified that it would have included the Dower house in the original 1988 application for the museum use of Tudor Place, but at that time, the house was still occupied by Mrs. Peter. (Statement at 19.)

8. The subject application involves a request to use the Dower House as part of Tudor Place as well as to continue the museum use of Tudor Place for an additional three-year term. Consistent with the normal procedures for initiating a Board of Zoning Adjustment application, in 1997, the Applicant applied to the Office of the Zoning Administrator for a certificate of occupancy to modify the BZA approval for Tudor Place to include the use of the Dower House for non-profit purposes. The Applicant filed the request in order to secure the referral memorandum required for BZA applications.

9. In response to the Applicant's request, the Office of the Zoning Administrator indicated in a memorandum dated August 26, 1997, that the Foundation required a special exception under 11 DCMR 217.5 in order to extend the non-profit use of Tudor Place to the Dower House. The Foundation contends that the non-profit museum use can also be extended to the Dower House pursuant to 11 DCMR 217.1, as a building that is part of the museum use. (Statement at 18.)

10. Once the zoning referral letter was obtained, the Applicant filed the subject application for use of the Dower House along with the request for continuation of the previously established non-profit museum use of Tudor Place.

11. The Board finds that the use of Dower House will be limited to functions that serve the museum. It will be used for meetings (including Board of Trustees meetings, volunteer meetings, etc.), for small receptions of no more than fifty people, as a studio for the Tudor Place artist-in-residence and for small exhibits of art, history and culture. In addition, matter-of-right uses, such as the use of the building as the residence of the Executive Director, will be permitted.

12. The Board finds that the Applicant is a non-profit organization within the meaning of 11 DCMR 217. (Statement at 12.)

13. The Board found in Orders No. 14729 and 15744 that the main residence of Tudor Place contains more than 10,000 square feet of floor area. Based on the evidence in the current proceeding, the Board confirms that the 10,000 square feet requirement set forth in Section 217.1(b) is satisfied. (Applicant's Post-Hearing Submission at Exhibit G.)

14. The Board finds that the Tudor Place Foundation does not create, exchange, or sell any goods, chattel, wares or merchandise on the premises, except for the sale of publications, materials, and other items related to the Foundation. The small museum shop at Tudor Place is engaged in the sale of items related to the purposes of Tudor Place as permitted under Section 217.4. (Statement at 18.)

15. The Board finds that, in response to a referral of the Application from the BZA to the State Historic Preservation Officer for the District of Columbia (SHPO) under Section 217.5, the SHPO submitted a letter dated October 6, 1999, indicating that the requirement for SHPO comment in 11 DCMR 217.5 does not apply to this application because there are no additions to the buildings nor are there any major modifications to the exterior of the buildings on the site. The SHPO therefore concluded that there will be no detrimental consequences to the architectural or historical significance of Tudor Place, the Dower House, their sites, or the Georgetown Historic District if the museum approval is extended to include the Dower House. (Record at Exhibit 41.)

16. The Board finds that the Tudor Place Foundation contributes to the surrounding community in many ways by providing tours of the house and gardens, hosting events for charitable groups at no charge and providing free tours and educational programs for school groups. (Tr. at 115.) The extensive and historically protected open space on the property is an important amenity to the community. Visually, Tudor Place creates a park-like setting for nearby residences. From a parking standpoint, the large site generates little demand for parking on the surrounding street system the majority of the time.

17. The Board finds that many neighbors of Tudor Place support Tudor Place and its events. Several supportive letters from neighbors of Tudor Place were submitted to the record (Exhibits 43, 47.) In addition, many of the 40 volunteer docents reside in the neighborhood.

18. The Board finds that over the past six months the Applicant has developed a heightened awareness of the concerns of some neighbors about the parking and noise impacts of special events at Tudor Place and has held several meetings with such neighbors in an attempt to address these concerns. (Tr. at 115.) These meetings included representatives from Advisory Neighborhood Commission (ANC) 2E and also included several members of the immediate community. Tudor Place Foundation requested and was granted a postponement of the originally scheduled hearing date of July 21, 1999, to provide ample opportunity to work with the neighbors to resolve their concerns about the operation of Tudor Place. The request for a postponement was supported by ANC 2E and encouraged by several neighbors.

19. The Board finds that as a result of extensive communications with members of the surrounding community, Tudor Place Foundation and several neighbors devised a highly restrictive list of conditions under which it must operate. These conditions address the time at which special events must end, including the clean-up after events, a more specific plan regarding off-street parking by those attending events as well as a ban on amplified music at Tudor Place events. (Tr. at 115, 116). The Applicant's willingness to agree to these conditions resulted in the unanimous support of ANC 2E for the continuation of the museum use.

20. The Business Manager of Tudor Place Foundation testified about the financial operations of Tudor Place. (Tr. at 122-23.) Based on this testimony, the Board finds that for the past two years, the operational budget of Tudor Place Foundation has been just under $1 million. Approximately fifty percent of the $1 million comes from the endowment left by Armistead Peter. The remainder must be secured from contributions and museum events. Museum programs and tour contributions account for only 7% of the remainder. Corporate and individual contributions (23%) and special events (20%) make up the difference and ensure the continued functioning of Tudor Place. (Tr. at 22.)

21 The Board finds that in 1998, special events involving 200 or more guests ("large special events") accounted for $77,250 which constitutes seventy-eight percent of the $99,215 in proceeds associated with special events during that year. (Applicant's Post-Hearing Submission at 3.)

22. Osborne George of O.R. George and Associates testified as a traffic expert. Based on his testimony, the Board finds that along the block of 31st Street immediately adjacent to Tudor Place and Dower House, there are approximately eighty-five spaces and that a total of approximately 338 parking spaces exist within acceptable walking distance of Tudor Place. (Traffic Access and Parking Assessment at 6.) Mr. George testified that parking within the immediate vicinity of Tudor Place is adequate to meet the needs of the museum use. During business hours on weekdays, approximately fifty percent of the on-street spaces along the adjacent section of 31st Street are vacant and available. (Traffic Access and Parking Assessment at 7.)

23. Mr. Osborne George conducted a survey on October 2, 1999, before and during the period of an event with more than 180 attendees. Mr. George found that the Applicant's valet parking arrangement worked efficiently and there were no adverse traffic impacts on the neighborhood. (Traffic Access and Parking Assessment at 6.)

24. Mr. George stated that the proposed use of the Dower House will generate insignificant parking demand. (Traffic Access and Parking Assessment at 7.) The Board so finds.

25. The Board finds that the most significant issue associated with the continuation of the museum use is the parking and operational situation during large special events, and that the Foundation's plans to further strengthen its control over traffic will ensure that the proposed use will have no significant adverse impacts. These plans include the requirement for valet parking for all evening events involving more than 75 attendees, and the designation of a person to coordinate guest arrivals and departures and to oversee staff arrival and departure times. (Traffic Access and Parking at 7; Tr. at 132.).

26. The Board finds that the Applicant has reaffirmed its longstanding practice of using Atlantic Valet for its valet parking needs by entering into a written contract directly with Atlantic Valet. Previously, Atlantic Valet contracted directly with the host of the special events. The Applicant has agreed to provide valet parking for all evening events involving more than seventy-five guests. The contract establishing this relationship also requires Atlantic Valet to comply with all conditions of the Board's order regarding Tudor Place, including the prohibition against parking cars on public streets. The Applicant has secured written commitments from certain off-site locations which are commercially zoned or are otherwise permitted to accommodate the cars associated with special events. Most significantly, the 450-space garage associated with the commercially zoned office building at 2115 Wisconsin Avenue, N.W. has agreed to allow Tudor Place Foundation to use its parking facilities for large weekend events. (Applicant's Post-Hearing Submission at 2-3 and Exhibit B.)

27 After extensive meetings with community representatives including representatives of ANC 2E, the Applicant has agreed to a series of restrictions on the operation of Tudor Place. These restrictions are:

1. Approval shall be for a period of **THREE YEARS.**

2. Admission for group tours shall be by appointment only.

3. The hours of operation for tours shall be between 9:00 a.m. and 4:30 p.m., Monday through Saturday, and between 12 noon and 4.30 p.m. on Sunday.

4. The number of regularly-scheduled tours shall not exceed ten per day.

5. Non-group tours shall be limited to a maximum of 20 persons.

6. Buses bringing group tours to the site shall park in legal bus parking areas within the District of Columbia, such as those along K Street. There shall be no bus parking on the subject site.

7 Large evening functions at the subject site shall be limited to a maximum of 500 guests at any one event. Any large event involving in excess of 350 persons shall have an extended arrival time, such as "cocktail hour between 6:00 and 7:00 p.m." in order to avoid the traffic impacts associated with a large group of persons converging on the site at one time.

8. The number of large evening functions involving 200 to 500 guests at the site shall be limited to 15 per year. No more than three large functions shall be hosted at the site in any one month.

9. All functions shall end no later than 10:30 p.m.

10. For all evening functions with 75 or more attendees, the Applicant shall minimize traffic and noise impacts by employing the following measures:

    a. hiring a minimum of one person to direct traffic;

    b. parking visitors' cars at off-site parking lots through the use of a valet parking system;

    c. policing the area to ensure that vehicles are not double-parked and do not block any entrances or driveways;

    d. instructing the drivers of all buses and vans not to idle the engines of their vehicles longer than is necessary to allow passengers to embark or disembark; and

    e. maximizing the use of the rear entrance to the site on 32nd Street, especially for service functions.

11. The applicant shall notify affected area residents of scheduled large evening functions by mailing a calendar of such events to affected residents on at least a quarterly basis.

12. The applicant shall appoint a staff member as a community liaison person who will be responsible for addressing any issues and concerns raised by neighbors with respect to the operation of the facility.

13. Applicant will designate a "Tudor Place Duty Officer" to be in charge of each event including handling any problems that may arise during the course of an event.

14. There will be no amplified music played on applicant's property during any function.

15. Following a function which ends at the 10:30 p.m. curfew, there shall be no heavy clean-up that night. All heavy clean-up shall be done the morning after the function.

(Statement at Exhibit H.)

28. In addition to the above list of conditions and in direct response to the concerns expressed at the hearing, the Applicant has agreed to decrease the number of large special events per year from fifteen to ten. Tudor Place Foundation made this change in recognition of the fact that almost all of the community concerns relate to the special events. Tudor Place Foundation also has agreed to help facilitate a formal Liaison Committee to be comprised of neighbors, ANC representatives and Tudor Place Foundation representatives in order to address community concerns as they arise. (Applicant's Post-Hearing Submission at 3-5) Finally, Tudor Place Foundation has limited the proposed use of Dower House. (Tr. at 118-21; Applicant's Proposed Findings of Fact and Conclusions of Law.)

29. ANC 2E submitted a report dated September 17, 1999, setting forth its 8:0 vote in favor of the continued operation of Tudor Place as a house museum. The ANC's support was based on the series of conditions described by the Applicant at the hearing. The ANC recognized the Applicant's willingness to address issues of concern to the community by significantly restricting its ability to conduct special events and instituting a ban on amplified music. The Board is aware of the ANC's involvement and support. The ANC did not take a position regarding the use of the Dower House for museum purposes.

30. Charles Atherton resident of Cleveland Park and the Secretary of the Commission of Fine Arts testified as a person in support of the application. (See Tr. at 175-78.) He emphasized that Tudor Place is one of the most important houses in the nation. He noted that the benefits associated with the museum use far outweigh any inconvenience caused by the limited special events.

31. Outerbridge Horsey, Georgetown resident and architect, testified as a person in support of the application. (See Tr. at 178-80.) Horsey described his direct experience on the committee that devised the proposed operating conditions. The conditions clearly address the concerns expressed by the neighbors.

32. The Georgetown Residents Alliance ("GRA") appeared as a party in opposition to the application. (Tr. at 182.)

33. Pedro Kanef was called as a witness for the GRA. Mr. Kanef testified that the special events at Tudor Place rendered parking difficult. He also testified that he is bothered by noise from Tudor Place. (Tr. at 183.)

34. Remata Giorgetti testified as a witness for the GRA and addressed her parking and noise concerns. (Tr. at 184-86.)

35. Don Scroggin testified as a witness for the GRA. He testified that he has difficulty finding parking during large Tudor Place events and that the valet parking attendants monopolize on-street parking spaces. He also testified that at the October 2, 1999 event, the parking problem was much improved. (Tr. at 188-96.)

36. Norton Katz testified on behalf of the GRA. He testified that service trucks in the employ of Tudor Place have blocked his ingress and egress to his home during Tudor Place events. He also stated that the noise from Tudor Place events is disruptive to him. (Tr. at 196-98.)

37 Ronald Snider testified as a witness on behalf of the GRA. He testified that the noise and traffic generated by special events at Tudor Place are disruptive. (Tr. 199-203.) He also challenged the ability of Tudor Place Foundation to use Dower House as part of Tudor Place unless the two lots are subdivided. He argued that a single assessment and taxation lot for the entire site will not allow for the use of the Dower House as part of the museum use and that the Dower House, standing alone, must meet the 10,000 square feet threshold for non-profit use.

38. Don Crockett of the GRA asserted that the Tudor Place special events are commercial in nature and that neighboring property owners must consent to the events under 19 DCMR 1300 which addresses Circuses, Carnivals, Concerts and Other Performances.

CONCLUSIONS OF LAW AND OPINION

The Applicant is seeking a special exception to continue a previously approved operation of a museum by a nonprofit organization and to extend the originally approved museum to include an adjacent property.

The granting of such a special exception requires a showing of substantial evidence that the application can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that the proposed use will not tend to affect adversely the use of neighboring property. The Applicant must also meet the requirements of 11 DCMR 217.

The Board concludes that the applicable sections of 11 DCMR are Sections 217 and 3104.1. The Board further concludes that Section 201 relied upon by the GRA is merely precatory and does not contain the standards by which the application is to be judged.

Based upon the testimony and evidence of record, the Board concludes that the Applicant has met its burden of proof.

The Board concludes that Tudor Place, including its grounds, is a National Historic Landmark and is listed in the District's Inventory of Historic Sites, and that the main building consists of more than 10,000 square feet of gross floor area. The Board concludes that under Section 217, only the main building, not every building on the property (all of which is located in the Georgetown Historic District) must meet the 10,000 square feet threshold. The requirement pertains only to Tudor Place itself, the building containing the main museum use. The regulations cannot reasonably be interpreted to preclude the use of other buildings of less than 10,000 square feet on the site for purposes related to the museum. In fact, the garage building on the site is less than 10,000 square feet and has been approved as part of the museum use since 1988. The regulations clearly contemplate that a site may contain more than one building. Section 217.1(b) specifically states that the "building in question not including other buildings on the lot" must be 10,000 square feet or greater. Tudor Place, an individually designated landmark, is the "building in question."

In at least two previous applications that were granted under the predecessor Section to Section 217, the Board approved non-profit use for an entire site when only the main building on the site satisfied the 10,000 square foot threshold. In Application No. 12420, involving the Youth For Understanding site, the Board approved non-profit use of three buildings based on the satisfaction of the 10,000 square feet requirement by only the main building. (See also Application No. 13419 involving the Watterston House and its two-story carriage house.)

The Board concludes that the lots 827 and 830 cannot be subdivided into a single record lot by virtue of the easement prohibiting such subdivision. A single assessment and taxation lot for the property can be secured. The definition of "lot" in the Zoning Regulations specifically states that "a lot may or may not be" a record lot; therefore, the term "lot" includes assessment and taxation lots. Under the Zoning Regulations, the Dower House simply needs to be located on the same lot as Tudor Place in order to be part of the special exception approval. The regulations do not specify that a record lot is required. The Board concludes that the museum use approval for 1644 31st Street, N.W., can be extended to the Dower House as part of the main building use and that the Applicant's inability to subdivide a record lot is not an impediment to such use.

The Board concurs with the finding of the State Historic Preservation Office (SHPO) that the extension of the museum use to the Dower House does not trigger Section 217.5, because there is no addition to Tudor Place or major modification of the site or buildings thereon.

The Board concludes that the proposed non-profit use of Dower House, subject to the conditions of this Decision and Order, which were agreed to by the Applicant, will have only minimal impact on the neighborhood and, on balance, will have no greater impact than a single-family home. The GRA's suggestion that Dower House should be sold for private use is not

relevant to a special exception application. The only issue is the effect of what is proposed, not the desirability of alternative uses. The Board concludes that the Applicant is a nonprofit organization within the meaning of 11 DCMR 217.

The Board is satisfied that there will be no goods, chattel, ware or merchandise commercially created, exchanged or sold at Tudor Place, except for the sale of publications, materials, or other items related to the purpose of the nonprofit organization.

The Board concludes that the majority of time, Tudor Place operates without adverse impacts on the neighborhood but that the large special events have resulted in noise and parking impacts. The Board concludes, contrary to the assertions of the GRA, that these special events are not a new development but, rather, have been conducted at Tudor Place since the museum use was established in 1988. The Board further concludes that with additional restrictions, their effects will be minimized.

Based upon the intensive discussions between the Applicant and the neighbors as well as a representative of ANC 2E, and the operating conditions which resulted from such discussions, the Board further concludes that the proposed use, as conditioned, will not adversely affect the use of the neighboring properties.

The Board concludes that the limited number of special events at Tudor Place are not commercial in nature and do not result in the commercial use of the site. They are accessory to the museum use, and based on the evidence of record, essential to its financial viability. The use of house museums as venues for special events is a common practice in the District of Columbia and, accordingly, is customarily incidental to the principal museum use.

The Board concludes that the Applicant's traffic expert was not a "surprise witness" as alleged by GRA. His name and an accompanying outline of testimony were included in the Applicant's Pre-Hearing Statement as required by the Board's rules.

The Board concludes that generally there is ample on-street parking in the vicinity of Tudor Place which results, in part, from the low-density use of the property. The Board notes that the site is large enough to accommodate all service vehicles associated with its events. In light of the Applicant's contract for valet parking for evening events involving 75 or more guests and the arrangement for off-street parking, the effects of the limited number of special events will be addressed and there will be no adverse traffic impact on the adjacent neighborhood. The Board has reached this conclusion after balancing the numerous benefits afforded by this nationally recognized house museum with the periodic inconvenience caused by the use.

The Board concludes that the additional limitations proposed by the Applicant in its post-hearing submission including the reduction of the maximum number of large special events from 15 to 10 and the creation of a Liaison Committee combined with the conditions described at the hearing will minimize further any adverse impacts associated with Tudor Place.

The Board finds that the Applicant has not applied for relief to use the site for a carnival, circus or performance. Accordingly, 19 DCMR 1300 is inapplicable.

The Board concludes that granting the application will be in harmony with the zone plan and will not tend to affect adversely the use of neighboring property.

The Board has accorded the ANC 2E the "great weight" to which it is entitled. The ANC supports the continued operation of Tudor Place as a museum, and did not take a position regarding the use of Dower House as a museum. In addition, the ANC was instrumental in developing many of the conditions relating to the operation of Tudor Place, and the Board has incorporated these conditions in its Decision and Order.

In light of the foregoing, the Board concludes that the application is hereby **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. Approval shall be for a period of **THREE YEARS** from the effective date of this Order.

2. Admission for group tours shall be by appointment only.

3. The hours of operation for tours shall be between 9:00 a.m. and 4:30 p.m., Monday through Saturday, and between 12 noon and 4:30 p.m. on Sunday.

4. The number of regularly-scheduled tours shall not exceed ten per day.

5. Non-group tours shall be limited to a maximum of 20 persons.

6. Buses bringing group tours to the site shall park in legal bus parking areas within the District of Columbia, such as those along K Street. There shall be no bus parking on the subject site.

7. Large evening functions at the subject site shall be limited to a maximum of 500 guests at any one event. Any large event involving in excess of 350 persons shall have an extended arrival time, such as "cocktail hour between 6:00 and 7:00 p.m." in order to avoid the traffic impacts associated with a large group of persons converging on the site at one time.

8. The number of large evening functions involving 200 to 500 guests at the site shall be limited to 10 per year. No more than three large functions shall be hosted at the site in any one month.

9. All functions shall end no later than 10:30 p.m.

10. For all evening functions with 75 or more attendees, the applicant shall minimize traffic and noise impacts by employing the following measures:

    a. hiring a minimum of one person to direct traffic;

    b. parking visitors' cars at off-site parking lots through the use of a valet parking system;

    c. policing the area to ensure that vehicles are not double-parked and do not block any entrances or driveways;

    d. instructing the drivers of all buses and vans not to idle the engines of their vehicles longer than is necessary to allow passengers to embark or disembark; and

    e. maximizing the use of the rear entrance to the site on 32nd Street, especially for service functions.

11. The applicant shall notify affected area residents of scheduled large evening functions by mailing a calendar of such events to affected residents on at least a quarterly basis.

12. The applicant shall appoint a staff member as a community liaison person who will be responsible for addressing any issues and concerns raised by neighbors with respect to the operation of the facility.

13. Applicant will designate a "Tudor Place Duty Officer" to be in charge of each event including handling any problems that may arise during the course of an event.

14. Within the first quarter of the first year following this Decision and Order, the applicant shall convene a Liaison Committee, to include two representatives of the Tudor Place Foundation, two representatives of ANC 2E, and two representatives of the community at large. The applicant shall convene the Liaison Committee quarterly for the first year following this Decision and Order and semi-annually every year thereafter. The Liaison Committee shall address any issues that arise relating to the operations of Tudor Place.

15. There will be no amplified music played on applicant's property during any function.

16. Following a function which ends at the 10:30 p.m. curfew, there shall be no heavy clean-up that night. All heavy clean-up shall be done the morning after the function.

17. In addition to matter-of-right uses, the Dower House may be used for purposes accessory to the nonprofit museum use of Tudor Place. These uses shall be limited to: a location for meetings (including Board of Trustees' meetings, volunteer meetings, etc.), a location for small receptions of no more than fifty people, a studio for the Tudor Place artist-in-residence and a location for small exhibits of art, history and culture.

VOTE: 3:0 (Sheila Cross Reid, John Parsons, Jerry H. Gilreath to grant the application)

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

Each concurring member has approved the issuance of this Decision and Order and authorized the undersigned to execute this Decision and Order on his or her behalf.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director

FINAL DATE OF ORDER: JAN 14 2000

PURSUANT TO D.C. CODE ANN. § 1-2531 (1981, 1999 REPL.), 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 ANN. TITLE 1, CHAPTER 25 (1981, 1999 REPL.), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY WITH ANY PROVISION OF CHAPTER 25 SHALL BE A PROPER BASIS FOR REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3125.6 "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."

Ord16477/SPW/LJP