

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**



**BZA Application No. 21457
S&R Foundation, Inc., t/a S&R Evermay
1623 28th Street, NW (Square 1285, Lot 6)**

HEARING DATE: July 15, 2026

DECISION DATE: July 15, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests, pursuant to Subtitle X § 901.2, a special exception under Subtitle U § 203.1(o) to allow use of an existing residential building by a nonprofit organization for the purposes of the nonprofit organization in an existing detached three-story plus cellar principal dwelling in the R-1B/GT zone.

The zoning relief requested in this case was self-certified. (Exhibit 13.)

PRIOR APPLICATIONS. The non-profit use was originally established on the property in 2012 in BZA Order No. 18315. The use was subject to several conditions including a five-year term limit. In 2016, the Board approved the non-profit use subject to several conditions, including a new ten-year term that expires in December 2026. (*See* BZA Order No. 18315-A; Exhibit 18AA.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 2E, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "Board") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 4, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 17.) The ANC report acknowledged the Applicant's commitments to mitigate noise and traffic including visitor parking, hours of operation, providing a community liaison, and dedicated transportation coordinator.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 21.)

DISTRICT DEPARTMENT OF TRANSPORTATION (“DDOT”) REPORT. DDOT submitted a report indicating that it had no objection to the application. (Exhibit 20.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- A special exception, pursuant to Subtitle X § 901.2, under Subtitle U § 203.1(o) to allow use of an existing residential building by a nonprofit organization for the purposes of the nonprofit organization

Accordingly, it is **ORDERED** that the application is **GRANTED**, subject to the following **CONDITIONS**:

1. Approval of the special exception shall be for a term of twenty-five (25) years beginning on the date when this order became final.
2. The Applicant shall not use the subject property as a rental venue for social or other events.
3. The Applicant shall limit the number of nonprofit employees that may work on-site at one time to no more than ten (10) employees.
4. The Applicant’s hours of operation for the nonprofit use shall not exceed the following times:
 - a. Nonprofit Offices:
 - i. Monday through Friday, 8:00 a.m. to 6:00 p.m. with hours extended daily and on the weekends as required for the non-profit’s use.

- b. Non-profit events at the subject property:
 - i. Monday through Thursday, 10:00 a.m. to 10:00 p.m.; Friday and Saturday, 11 a.m. to 11:00 p.m., with all events to be held inside after 10 p.m.; and Sunday, 1:00 p.m. to 9:00 p.m.
- c. House and Garden Exhibitions:
 - i. Monday through Thursday, 10:00 a.m. to 10:00 pm; Friday and Saturday, 1:00 p.m. to 10:00 p.m.; and Sunday, 1:00 p.m. to 9:00 p.m.
- d. Valet and other staff, including cooks, caterers and janitors associated with non-profit events shall leave the subject property within one hour after the conclusion of the event., subject to 4.e.
- e. Noisy vendor breakdowns and loading shall occur before 10:00 p.m., or take place on the following business day between the hours of 8:00 a.m. and 5:00 p.m. Trucks associated with noisy vendor breakdown and loading shall depart the subject property before 10:00 p.m.

5. The maximum number of activities and events per year shall not exceed the following:

Residencies and Special Exhibitions	Participants	Durations
Solutions Residency (Residential)	1-12, annually	30-60 days per participant
Garden and House Exhibitions	Ticketed event, maximum of 50 tickets hourly	Limited to four months annually
Events	Participants	Maximum No. of Events
Events (including concerts, non-profit meetings per the Applicant's mission and civic/fundraising events)	1-50	12
	51-100	40
	101-150	12
	151-200	8
Total Events		72

6. The Applicant shall minimize traffic and noise impacts by employing the following measures:
- a. The Applicant shall inform all vendors to park on-site in advance of arrival at the subject property.
 - b. The Applicant shall inform guests on all event invitations and tickets to refrain from using on-street parking and use on-site valet (subject to 6.c.) and/or alternative transportation methods.

- c. The Applicant shall direct on-site parking for any event with fifty (50) or fewer guests. For any event with more than fifty (50) guests, the applicant shall provide onsite valet parking.
 - d. The Applicant shall instruct valet parking providers in advance to unload, load, and park all vehicles on-site.
 - e. Nonprofit employees shall park on-site.
 - f. The Applicant shall require that passenger vans used in connection with an event shall be no larger than approximately twenty feet in length. The Applicant shall require that vehicles used in connection with an event load, unload, park, and wait on-site, not on the street.
 - g. The Applicant shall identify a Transportation Coordinator that shall act as a point of contact with the ANC 2E, DDOT, goDCgo, and Zoning Enforcement. The Transportation Coordinator shall provide and make available transportation alternatives to employees and guests.
7. The Applicant shall not permit amplified music on the outside grounds of the subject property.
8. The Applicant shall designate an individual that will serve as a neighborhood liaison. The neighborhood liaison shall address concerns related to the nonprofit use and provide information about events and activities to property owners within 200-feet of the subject property.
9. The Applicant shall maintain a publicly available website that will include a neighbors' section that will provide notice of all upcoming scheduled events.

VOTE: 3-0-2 (Michelle Pourciau, Melissa Lindsjo, and Gwen M. Wright, to APPROVE; Paul Goldstein not present, not voting; one Board seat vacant)

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

A majority of the Board members approved the issuance of this order.

ATTESTED BY:


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: August 13, 2026

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.2, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS, UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.