

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARINGS--August 24 & October 12, 1966

Appeal No. 8891 William E. Richards, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on October 17, 1966.

EFFECTIVE DATE OF ORDER -- Nov. 7, 1966

ORDERED:

That the appeal for permission to change a nonconforming use of a storage warehouse to an artist's and sculptor's studio at the rear of 318 - 3rd Street, NE., lot 813, square 756, be granted.

From the record and the evidence adduced at the public hearings, the Board finds the following facts:

(1) The last use of the subject property was for automobile parking and storage. This use was under certificate of occupancy no. B45307, dated July 10, 1964. (Exhibit No. 16b).

(2) The combined previous use of "automobile parking and storage" is a Class II nonconforming use, which is permitted in the C-2 zoning district.

(3) An artist's and sculptor's studio is permitted in the SP zoning district under the Zoning Regulations.

(4) Pursuant to 7104.2 of the Zoning Regulations, the combined use of automobile parking and storage may be changed to an artist's and sculptor's studio.

(5) The proposed use for the subject premises involves sculpturing in clay, wax, plaster and bronze. The sculptured objects and molds are prepared of plaster and refractory material. This phase of the work involves practically no noise and accounts for approximately 95% of the work in the studio. Approximately 5% of the work is devoted to the actual casting of bronze into molds.

These castings are not over three (3) feet in height. The casting is similar to the operation of a normal heating system in a house. The furnace will be gas heated and is completely self contained.

(6) The proposed use is presently located at the rear of 3108 M Street, NW. and for the last nine (9) years no complaints have been received from neighbors. The neighborhood in the vicinity of 3108 M Street contains single-family residences and apartment units.

(7) The subject premises is located on a ten (10) foot alley and is in an R-5-B zoning district. However, immediately adjacent to the north property is zoned C-2.

(8) No objection to the granting of this application was registered at the public hearing.

OPINION:

The Board is of the opinion that the granting of this application to change a nonconforming use from auto parking and storage to an artist's and sculptor's studio is in accordance and in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring properties.