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May 16, 2003

VIA COURIER

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment of the District of Columbia
441 4th Street, NW
Washington, DC 20001

Re: Request for Administrative Approval of Minor Modification
Special Exception Application Number 16991
1700 Rhode Island Avenue, NE

Dear Mr. Griffis:

As provided for in Section 3335 of the Zoning Regulations, and as necessitated by certain unforeseen conditions at the site of the referenced facilities, the Office of Chief Technology Officer ("OCTO") respectfully requests a minor modification of the approved plans. Because of the urgency of the need to provide emergency services personnel with a workable communications network, and the relatively minor change proposed, we respectfully request that the Board approval this change as an administrative matter at the June 3, 2003 meeting of the Board.

Specifically, OCTO requests approval of an equipment shelter to be located as shown on the revised site plan. (Exhibit A) Under the original design, as approved by the Board, the ancillary equipment was to have been located within the Metropolitan Police Department (MPD) stationhouse and connected to the communications facilities via an underground duct bank. As further described herein, the reconfiguration of the stationhouse as originally proposed proved to be very disruptive to the MPD, would cause substantial delay and cost, and would require asbestos abatement. If approved, the shelter will have no adverse impact on the operations of the MPD, will allow for future expansion of services (including the planned use of enhanced services with the 700 MHZ service in 2004), at a substantial savings in both time and costs.

The shelter can be approved with little or no impact to the neighborhood or the neighboring properties. The location of the shelter is along the eastern edge of the property,

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which abuts a public alley and a used car lot. The applicant proposes to install a brick veneer on the shelter so that it resembles the stationhouse.

In support of this request, enclosed please find the following:

1. Revised Site Plans (Exhibit A)
2. Statement of Need by OCTO (Exhibit B)
3. Copy of the Order of Approval (Exhibit C)

Procedural Issues

This request is consistent with the Supplemental Rules of Practice and Procedure, as set forth in Chapter 33 of the Zoning Regulations. As required by subsection 3335.3, the request is submitted within six (6) months from the written order, which was issued March 19, 2003. Copies of this request will be served on all parties to the proceedings, and an opportunity for comment is provided as required by subsection 3335.6.

For the record, the Board approved this application by a vote of 5-0, and granted expedited issuance of the order, which was certainly appreciated by the applicant. In addition, it should be noted that the Office of Planning as well as the Advisory Neighborhood Commission (5B), were in support of this application. The ANC vote was also unanimous.

As demonstrated herein, the request is a minor one and does not change the material facts on which the Board based its decision for approval. The paramount needs of the District's emergency services personnel have not changed; the lack of "in-building" communications for the Fire Department is still a serious, and at times life threatening situation. The inadequate, antiquated system in use by the MPD is still in dire need of replacement, and still lacks the ability to provide for encryption of signals. The nature of the pole and antennas are the same as approved. The only change is the location of the ground equipment that supports the facility.

Description of Proposed Modifications

Under the approved site plans, the supporting equipment for the communications facility (monopole and antennas) was to be located within the MPD facility, used by the Youth Services Division. Space at this facility is at a premium. Major renovations of the space would be required, including displacing the Captain from his office for a period of time, disrupting the parking and possibly electrical and telephone service, etc. Investigation of the stationhouse revealed that there are severe structural constraints that would have to be overcome, as well as the presence of asbestos, would have to be abated in accordance with applicable regulations—causing delay and financial costs. The costs of asbestos abatement were not in the budget, and are estimated to be substantial. According to the OCTO estimates, the proposed shelter installation would result in a savings of approximately $190,000.

The proposed modifications would obviate the need for the costs and disruption at the stationhouse, and instead allow for a shelter to be located on the property along the eastern property line. The shelter measures twelve (12) feet in width and thirty-two (32) feet in length and approximately twelve (12) feet in height. The proposed location is adjacent to a public alley, and satisfies the setback requirements for the C-2-A zone as required in subsection 774.1.

The location of the monopole and ancillary equipment would be slightly modified to allow for the shelter location. The attached site plan shows the proposed reconfiguration.

Timing

Of significant note, the timing of this request is critical to the delivery of the emergency services systems to the MPD, Fire Department and EMS. Absent a prompt decision by the Board, OCTO would have to make arrangements with the MPD to decommission space at the stationhouse, pay for and arrange for asbestos abatement, and the related site disruptions discussed above. As a result, this particular site may not make the delivery of the system as required under the funding mechanism provided by the federal government. It is not an understatement to say this request is urgent.

We look forward to your consideration of this request.

Respectfully submitted

Edward L. Donohue

Edward L. Donohue

Encl.

cc: Jennifer Steingasser, Office of Planning (w/attachment)
Advisory Neighborhood Commission 5B (w/attachment)
DC OCTO (w/o attachment)