Zivic & Hurdle
ARCHITECTS

July 8, 2004

Office of Zoning
441 4th Street NW
Suite 210
Washington, DC 2001

RE: Engine Company #29
4811 MacArthur Blvd. NW
DC Fire & EMS Department
Burden of Variance Request

BZA
Case No. 17234
Exhibit No. 6

Dear Madame / Sir:

The DC Fire & EMS Department (FEMS) has undertaken a citywide remodeling and renovation program for many of its fire stations.

FEMS operates Engine Company #29 at 4811 MacArthur Boulevard NW and is further identified as Parcel 10/47, Square 1372, and Lot 18.

To meet the operation requirements of a modern fire station, Engine Company #29 built circa 1925 has been identified by the FEMS to undergo a major renovation with building additions to enhance its service to the community. Specifically, this project will accommodate additional service equipment as well as additional FEMS rescue personnel.

The existing fire station parcel is Zoned R-1-B. Zoning allows "All Structures." Due to the uniqueness of this property, including it's function and lack of modernization options, the District of Columbia Fire & EMS Department is seeking two variances; an **Area Variance** and a **Setback Variance** to accommodate it's proposed modifications.

This application will demonstrate that is meets the test as described in Subsection 3103.2 as set forth in the D.C. Code Ann §5-424(g)(3) 1981.

1. Unique Physical Characteristics of the Property

Property Description

Currently the property is developed to 33% lot coverage with the existing structure. There is a large full width concrete apron in the front of the building that extends from its entrance to MacArthur Boulevard NW. A concrete driveway runs parallel to the building on its north side. Next to it is a 2 - 3 foot high concrete retaining wall with a chain link fence on it's top. This is the side yard property line that separates the fire station from a two-story Pepco substation. At the rear of the building is a concrete apron that serves as a parking lot for the FEMS staff. On the south side of the building a stand of pine trees serves as a buffer and somewhat defines the property line for the adjacent Lab School of Washington. The site slopes gradually east to west along its 200-foot depth and 70 feet of width. The grade differential is approximately 5 feet, front to rear. At the front of the fire station, directly across MacArthur Blvd is the Georgetown Reservoir. The surrounding neighborhood is mixture of single-family homes, townhouses and St. Patrick's Church and School.

#6

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Board of Zoning Adjustment
District of Columbia
CASE NO. 17234
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The property is a trapezoidal shape and meets the minimum lot width and area requirements for the R-1-B district. The lot size and configuration allowed for the development of the original engine company. However on the south side of lot, the building extends into the building setback zone approximately 7 feet at its worst point. This occurs over a 50-foot length of the existing structure.

The R-1-B Zoning District allows for a maximum of 40% lot occupancy and an 8-foot side yard setback. By limiting the site's development to these restrictions, FEMS will not be able to accommodate the life safety requirements of this community. FEMS will l not have the ability to house the required new equipment and personnel.

Potential Soil Problems

An initial search of the site and environmental records indicates that above ground storage tank(s) exist on the site and was moved.

Recently a Phase II Environmental Site Assessment Report prepared by Volkert & Associates Engineers dated May 20, 2004 summarized on page 3 of 4 the following;

> *"The field screening and laboratory analyses that the soil and groundwater beneath the site are lightly affected by petroleum constituents. However, none of the samples exceeded DCRBCA Tier 1 Target Levels. The source of the slightly affected soil and groundwater may be related to the possible former UST and/or LUST on the property."*

Complete Phase I & II Environmental Site Assessment Reports as prepared by Volkert & Associates Engineers dated May 20, 2004 are available for review.

Practical Difficulties

The DC Government currently owns the modestly sized property. The original structure was built in 1925. At certain locations; the existing facility was constructed within (8) feet of the south side property line. Since the completion of this facility, regulations were adopted that restricted the construction of building within (8) feet of the property lines for this designated zone.

To meet the requirements for a modern fire station as well as the requirement to provide upgraded fire and rescue service to the community the fire station will need to be enlarged. This expansion will exceed the area limitations of a building on the given property. The current zoning ordinance restricts building coverage on this lot to 40%; the proposed building will require 43% coverage.

Due to the size and configuration of the fire station as well as its orientation on the site, there are limited options for expansion. In our analysis the building cannot be expanded on any other elevation other than the south side, or the side of the fire station.

The west portion of the site (building front) already provides too small an apron for modern apparatus. The north side of the building (building side) provides a minimal alley, directly against the adjacent property, to access parking to the rear of the site. The remaining east portion of the site (building rear) will be required for personnel parking. Therefore only the south elevation offers any potential for expansion. The practical difficulty with expansion on this side is that the

side addition for the apparatus bay encroaches into the (8) foot setback as required by the existing zoning regulations.

Without an area variance and a setback variance the facility will not be able to expand and therefore providing less than intended fire and rescue service in the area.

2. The Application Will Not Be Of Substantial Detriment To The Public Good - i.e. Traffic, Noise, Lighting Etc.

Traffic

Traffic generated by the addition of an apparatus bay and the consequential personnel will be negligible. All operations will remain the same as they are currently.

Noise

The fire and emergency vehicles that will be housed and used at this renovated location will be generally of the same celibate as operated thought the city. FEMS does anticipate an insignificant increase in the amount of noise generated from engine and sirens from the additional EMS (ambulance) unit.

Included, as part of this renovation program, will be a new heating and ventilating system. Equipment noise is expected to fall within acceptable industry standards.

An emergency generator will remain on site and will be exercised monthly midday for about 15 minutes.

Lighting

The facility will be lit in similar fashion and character as it is today. Current lighting levels are expected to be maintaining throughout. Any additional building or site lighting will be designed with light cut off features to minimize its impact on the adjacent properties.

Any light poles provided in the parking area will not be taller than 14 foot and will also have a light cut off feature so light will not be directed into the adjacent properties.

Building Height

The Zoning Code allows a building height of 3 stories and a maximum height of 40 feet. The height of the existing renovated structure and the proposed additions to Engine Company #29 will be 2 stories and 26 feet respectively. The design intent is to match the original construction as closely as possible with regard to height, bulk and mass.

3. The Application Will Not Be Inconsistent With The General Intent and Purpose Of The Zoning Regulations and Map

Upon review of the Zoning Regulations and Map it is the opinion of the Applicant that the existing and proposed use of the site is consistent with the general purpose of the Zoning Code. The subject property is a municipal use, located directly on a major thoroughfare and adjacent to a commercial strip. It is also noted that the original structure has served the community for over

75 years, with all modifications proposed being consistent with the building's original use and intent.

Non-conformance Items

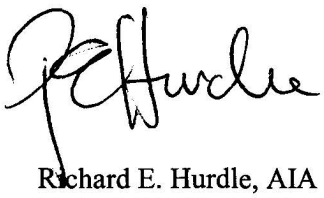
Item	Allowed	Proposed
• Lot Coverage	40% allowed	43% proposed (+3% over)
• Side yard setback	8 feet min.	0 feet setback.

The zoning considerations that will be enhanced through the renovations and additions to this facility will include the following:

- Increase the efficiency and service for fire and emergency medical rescue in the neighborhood.
- Traffic will remain consistent with present levels
- A building mass that is consistent with the original structure

Granting this application will not be inconsistent with the general intent and purpose of the Zoning Regulations. This facility will only enhance the quality of life within the District.

Respectfully submitted,



Richard E. Hurdle, AIA
Zivic & Hurdle Architects, PC
(Agent for the Owner)