JACK LIPSON

555 TWELFTH STREET, NW
WASHINGTON, DC 20004-1206

June 29, 2001

Jerrily R. Kress, FAIA
Director
Board of Zoning Adjustment
Government of the District of Columbia
441 4th Street NW, Suite 210-S
Washington, DC 20001

Application Number 16740

Dear Ms. Kress:

I am writing to oppose the granting of a special exception to the applicant, Jacobsen Builders, Inc., to authorize construction of a new single-family dwelling at 2989 Arizona Avenue, NW. Authorizing such an exception would fail to recognize the serious violation committed by the Applicant in removing many protected trees from this lot in violation of the Chain Bridge Road/University Terrace Tree and Slope Protection Overlay District covered by Zoning Commission Order No. 863, Case No. 97-6.

Last autumn, the applicant violated the Overlay by clear-cutting and partially excavating the steep slope of the site. If Jacobsen Builders is granted an exemption in this case, it would encourage other developers to disregard the zoning regulations of the District of Columbia.

Evidence shows the applicant was on notice as to the applicable Zoning Overlay requirements limiting tree removal on the property prior to purchasing the property and prior to his unlawful removal.

BZA
Case No. 16740
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO.16740
EXHIBIT NO.29

The serious injury to the community outweighs the inconvenience to Jacobsen Builders. In choosing between an innocent public and Jacobsen Builders, Jacobsen should suffer the consequences of its undesirable conduct. The Board should rigorously enforce the zoning regulations in this case. The application for a special exemption should be rejected.

Sincerely,

Jack Lipson