John E. Kern
4836 MacArthur Blvd. N.W.
Washington, D.C. 20007

July 16, 2001

Ms. Jerrily R. Kress, FAIA
Director
Board of Zoning Adjustment
Government of the District of Columbia
Washington, C.C. 20001

Dear Ms. Kress:

I am writing in strong opposition to application number 16740 for a special exception submitted by Jacobsen Builders, Inc., to build a new single family residence at 2989 Arizona Ave. N.W.

Jacobsen Builders, Inc. violated the Tree and Slop Protection (TSP) Overlay requirements by removing protected trees from and excavating the steeply slope site. Although the District Government granted a building permit for the project, they did so in error. Mr.Jacobsen, however, proceeded in clearing the site notwithstanding strong evidence that he aware of the TSP Overlay. The TSP Overlay was included in multiple listing on the property and I understand that Mr . Jacobsen was also informed of the TSP Overlay by the selling agent as well as by an adjoining property owner. In addition, it is incomprehensible that Mr. Jacobsen, as an experienced builder working with architect on the project, would not have been made aware the TSP Overlay.

Jacobsen Builders, Inc. should be denied a special exception and be required to restore the slope and reforest the site. Any future building permit should include the TSP Overlay requirements as if the original trees and slope were in place.

Sincerely.

John E. Kern

BZA
Case No. 16740
Exhibit No. 46

Board of Zoning Adjustment
District of Columbia
CASE NO.16740
EXHIBIT NO.46