Jerrily R. Kress, FAIA
Director, Board Zoning Adjustment
Government District of Columbia
441 Fourth St., NW, Suite 210-S
Washington, DC, 20001

16740

Dear Ms. Kress:

This is to express my complete opposition to the granting of a special exception to Jacobsen Builders, Inc., authorizing construction of a new single family dwelling at 2989 Arizona Ave. NW
An exemption in this case would overlook the serious violation committed by Jacobsen when he had many protected trees removed from the lot , thus violating the Chain Bridge Road/University Terrace Tree and Slope Protection Overlay that is covered by Zoning Commission Order #863. Case # 97-6.

The applicant contends that he was unaware of the TSP Overly and was entitled to clear the property when he was granted a building permit by the District of Columbia Zoning Office The issuance of a building permit, done in error by the District of Columbia, does not free the applicant from the responsibility of complying with lawful zoning requirements, including the TSP Overlay. Furthermore, there is evidence that shows the man did know about the applicable Zoning Overlay requirements. It is alleged that he had this work done early on a Sunday morning which makes his actions very suspect.

In 1998-1999 the residents of the Chain Bridge Road-University Terrace area of the Palisades neighborhood worked very hard to design and build consensus for a tree and slope overlay. Having endorsed the TSP overlay, the Board of Zoning Adjustment should send a strong message to the applicant and to other developers that violation of the overly area is not acceptable.

Yours sincerely,

Dorothy T. Daniel

Dorothy T. Daniel
2666 Chain Bridge Rd., NW
Washington, DC 20016

July 12, 2001

BZA
Case No. 16740
Exhibit No. 47

Board of Zoning Adjustment
District of Columbia
CASE NO.16740
EXHIBIT NO.47