BRUCE BABBITT
555 ELEVENTH STREET, N.W.
SUITE 1000
WASHINGTON, D.C. 20004-1304

July 23, 2001

Jerrily R. Kress, FAIA
Director
Board of Zoning Adjustment
Government of the District of Columbia
441 4th Street N.W., Suite 210-S
Washington, D.C. 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 N.W. Since July 1999, the undeveloped lot on Arizona Avenue has been within the protected area of the Chain Bridge Road/University Terrace Tree and Slope Protection Overlay District covered by Zoning Commission Order No. 863, Case No. 97-6.

I served as Secretary of the Interior from 1992 to 2000. While I was Secretary, the Tree and Slope Overlay District took effect. The National Park Service, which is within the Interior Department, supported adoption of the Overlay. Representatives of the NPS testified at the hearing in support of the Overlay regulations emphasizing, "The proposed overlay will buffer a forest for Battery Kemble Park, protect migratory birds and improve the quality and quantity of water draining into Battery Kemble Creek and the Potomac River." (Z.C. Order No. 863, Case, no. 97-6, p. 7). I was not involved in developing the NPS's position, but it is fully in keeping with my strong support as Secretary for wise land use planning in urban areas, which protects green space and habitat and maintains a balance between natural resource preservation and residential development.

I also am a resident of Palisades and moved to this area because of its uniquely wooded and hilly character and the large expanse of parkland throughout the neighborhood. These qualities make Palisades unusual in the District of Columbia and, indeed, in urban settings generally. The Overlay is an important element in the preservation of the special qualities of the Palisades, which I have come to enjoy and value.

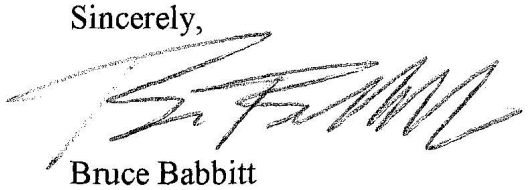
BZA
Case No. 16740
Exhibit No. 52

Board of Zoning Adjustment
District of Columbia
CASE NO.16740
EXHIBIT NO.52

I understand that starting in November 2000, the applicant in violation of the TSP Overlay clear-cut and excavated the slope of the site. Prior to the damage, the lot was heavily wooded, containing a significant stand of mature trees of several native species. It represented an unusual parcel of climax growth eastern hardwood forest on a steep slope, the very landscape the Tree and Slope Overlay was established to protect.

Having endorsed the Tree and Slope Protection Overlay, the Board of Zoning Adjustment should send a strong message to the applicant and other developers that violation of the overlay area is unacceptable. I recommend that the BZA require the applicant to re-landscape the lot with indigenous and mature trees, and that he be prevented from constructing on the lot for the seven years provided by the Overlay regulations.

Sincerely,



Bruce Babbitt