Richard T. Busch
1520 Caroline Street, N.W.
Washington, D.C. 20009-3908

July 27, 2001

Jerrily R. Kress, FAIA
Chair, Board of Zoning Adjustment
Government of the District of Columbia
441 Fourth Street, N.W., Suite 210-S
Washington, D.C. 20001

RE: Application No. 16740

Dear Ms. Kress:

I am writing in regard to the above mentioned application requesting a special exception to build a new residence on the cleared lot at 2989 Arizona Avenue, N.W. I am not a resident of this particular neighborhood, but I want you to know that I nevertheless oppose the granting of this special exception for new construction.

I have been an advocate of good planning and historic preservation in the District of Columbia for the past 15 years. While the address in question and the surrounding neighborhood are not in an historic district they are still subject to a very special kind of protection, the Chain Bridge Road/University Terrace Tree and Slope Protection Overlay that was established in July 1999. The purpose of that overlay, and the support for it from the neighborhood, is to protect and preserve the unique natural character of the area, one of the few in our city with this kind of topography and established mature landscape.

It's too bad that a city agency issued a permit that allowed the applicant to clear-cut the lot at 2989 Arizona Avenue, N.W., or that the applicant misunderstood the intent of the permit. Those facts aside, the damage has been done, and the current request of the applicant for relief from the Board of Zoning Adjustment is not the solution to the problem. I believe that your board must send a clear message to the applicant and in doing so to other developers who may wish to build within this overlay district in the future or in other areas with overlays. That message must be that the overlay is in place, that it was put there for a purpose, that it has the strength of law, that its purpose has been

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violated, and that the resulting sore on the neighborhood landscape must be satisfactorily corrected.

Frankly, I don't know how you replace a tree, or in this case many trees, that had circumferences of up to 36 inches. It is critically important, however, that you and the Board of Zoning Adjustment draw a line with this case. Otherwise, granting the requested variance only serves to set a precedent for similar actions by other in the future. Your action, therefore, will not only be to this applicant, but it will become a matter of public record for everyone. If there was some fault in this case on the part of a city permit-granting agency, you and the board must also indicate that such agencies must do a better job in the future to prevent this kind of incident from happening in the future.

Given the fact that it has been months since the damage was done to 2989 Arizona Avenue, N.W., I urge you and the board to move quickly in rejecting this application. In doing so you will help reinforce the seriousness of the situation and the need to get it resolved quickly.

Very truly yours,



Richard T. Busch