Geoffrey H. Grubbs
Christina Kaneen
5327 Dorsett Pl., NW
Washington, D.C. 20016
(202) 362-1134

July 8, 2001

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

Re: Application Number 16740

Dear Ms. Kress:

I am writing to oppose a special exception to the applicant Jacobsen Builders, Inc., for the construction of a new house at 2989 Arizona Ave., 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 Overly District covered by the Zoning Commission, Order No. 863, Case No. 97-6.

Last autumn, the applicant clear-cut and partially excavated the steep slope of the site, which was formerly wooded with mature trees of several native species. This is the very landscape the TSP was supposed to protect.

The applicant contends that he was unaware of the TSP Overlay and was entitled to clear the property when granted a building permit by the D.C. Zoning Office. The erroneous issuance of a building permit by the District of Columbia does not free the applicant from the responsibility of complying with lawful zoning requirements, including the TSP overlay.

I strongly support the tree and slope overlay designed to preserve "the park-like setting of the area by regulation alterations or disturbances of terrain, destruction of trees, coverage with impervious surfaces and by providing for widely spaced residences." The Board of Zoning Adjustment should clearly signal that all violations of the overlay area are unacceptable by ruling against the applicant in this case. I further urge that the Board of Zoning Adjustment to require the applicant to reforest the lot.

Sincerely yours,

Geoffrey H. Grubbs

#61

Board of Zoning Adjustment
District of Columbia
CASE NO.16740
EXHIBIT NO.61