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April 18, 2002

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D.C. OFFICE OF ZONING
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Honorable Carol J. Mitten
Chairman
D.C. Zoning Commission
Suite 210 South
441 4th Street, N.W.
Washington, D.C. 20001

Re: Case No. 02-19 - Emergency Map Amendment for
a Tree and Slope Overlay filed by the Forest
Hills Citizens Association

Dear Chairman Mitten:

On April 15, 2002 ANC3F voted 4 in favor, 2 opposed, and 1 abstention to report to the Zoning Commission that the ANC concurs in the Office of Planning's recommendation for setdown of the above petition. We, the undersigned commissioners of ANC3F, voted in opposition to making such a report to the Zoning Commission because we believe the work in preparing a proposed overlay had not reached the point where ANC3F was able to make an informed recommendation to the Zoning Commission. Our single member districts include most of the area proposed for the overlay.

ANC3F established an Ad Hoc Tree and Slope Protection Committee in 2001 to study the application of an overlay for the Forest Hills area. The Committee met a number of times in 2001 and 2002 to study the issues and prepare a report to the ANC. This work has not been completed and no recommendations have been made to the ANC. Consequently, ANC3F has never scheduled a public hearing that would provide an opportunity for our neighbors to express their views on the Tree and Slope Protective (TSP) overlay as filed by the Forest Hills Citizens Association (FHCA) and that would also provide an opportunity for ANC3F Commissioners to inform themselves on the TSP as filed.

On April 5, 2002 the Forest Hills Citizens Association filed a petition with a proposed overlay that provides for restrictions on tree removal and construction on slopes and also provides for substantial changes in maximum lot occupancy, minimum lot size, and side yard, front yard and corner side yard dimensions.

ZONING COMMISSION
District of Columbia
Case 02-19
Date 15

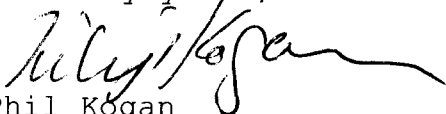
ZONING COMMISSION
District of Columbia
CASE NO.02-19
EXHIBIT NO.15

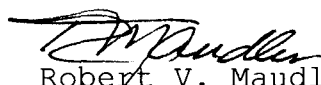
This proposed overlay was not put out for review and comment by members of FHCA, the governing board of FHCA, or the residents of the Forest Hills area until the FHCA held a public meeting on April 16, 2002, eleven days after the filing. At the April 16, 2002 meeting a number of residents raised concerns regarding the proposed overlay. We found that insufficient rationale was given for the specific restrictions proposed in the overlay to justify their impact on current home owners. There appeared to be general agreement that modification of the proposed overlay is needed.

We were advised at the meeting, by a representative of the Office of Planning, that if the petition is set down for hearing by the Zoning Commission, no action would be taken by DCRA on any building permit application that did not comply with the proposed overlay. This would severely impact an unknown number of residents of the proposed overlay area who may want to modify the exterior of their homes by adding a deck, a porch, or an addition, or make any other modification restricted by the proposed overlay.

In view of the circumstances surrounding this filing, we respectfully request and urge that if the filing is set down for hearing that it be set down in a way that restricts future development but does not affect the rights of Forest Hills residents until such time as the Zoning Commission reaches a final decision on the petition.

Sincerely yours,


Phil Kogan
Commissioner
ANC3F01


Robert V. Maudlin
Commissioner
ANC3F03

cc: Honorable Anthony Hood, Vice-Chair, D.C. Zoning Commission
Honorable James Hannaham, Commissioner, D.C. Zoning
Commission
Honorable Peter May, Commissioner, D.C. Zoning Commission
Honorable John Parsons, Commissioner, D.C. Zoning Commission
Richard B. Nettler, Robins, Kaplan, Miller & Ciresi L.L.P.
Barbara M. Simons, FHCA
Andrew Altman, Office of Planning
George Clark, Ad Hoc Tree and Slope Committee
Commissioner\$, ANC3F