

Forest Hills Neighbors for
Responsible Preservation

4835 Linnean Ave., NW Washington, DC 20008

DATE
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VIA HAND DELIVERY

3 September 2002

Mr. Alberto Bastida, AICP
Secretary of the Zoning Commission
Office of Zoning
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: Forest Hills Tree & Slope Overlay District
Case No. 02-19

The Forest Hills neighborhood is sharply divided over the tree and slope overlay which was filed with the Zoning Commission on April 5, 2002 (Zoning Commission Case 02-19). As a result of the Commission's April 19, 2002, decision to set down the filing for public hearing, a set of complex and burdensome zoning regulations has been imposed on Forest Hills residents.

A number of affected residents have organized themselves as Forest Hills Neighbors for Responsible Preservation (FHNRP) to protest these regulations and to have them lifted. To this end, FHNRP submitted a letter and petition with 48 signatures prior to the June 27, 2002, Zoning Commission hearing. Since then over 150 households have submitted postcards or letters in opposition to the TSO. We are concerned that the regulations now in place, in addition to being complex and burdensome, do not define the problem or problems they are supposed to correct. ANC 3F Commissioners Bob Maudlin and Phil Kogan have requested that the Commission waive its order of procedure at the September 5 public hearing so that FHNRP can make a coherent presentation of its concerns and present new information that will ensure a better understanding of this matter. We look forward to the opportunity to address the Commission.

The citizens we represent believe very strongly that zoning changes that are specific to one neighborhood and that affect only one neighborhood must be developed openly and cooperatively within that neighborhood with all affected neighbors given a fair opportunity to participate. Such a process should occur before any regulations are set down. This did not happen in the case of the overlay now in effect in Forest Hills.

It is important to understand the events that led to this situation. In July 2001 ANC 3F organized an Ad Hoc Committee to conduct a Forest Hills tree and slope overlay study and to report back to ANC 3F on the results of its work. ANC 3F's intention was that following receipt of the Ad Hoc Committee's overlay report, the ANC would engage the wider community in a discussion of the study that had been conducted. Based on

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this community-wide discussion, ANC 3F would decide the appropriate next steps with regard to an overlay for Forest Hills.

This open and transparent process was derailed by the April 5 filing by the President of the Forest Hills Citizens Association. No report had been made to ANC 3F prior to this filing and there was no general public notification that an overlay would be implemented in Forest Hills. It is our understanding that there was no meeting of FHCA's membership or executive board to discuss the overlay prior to the filing. In fact, a number of FHNRP members who are also members of FHCA were not notified prior to the filing.

We concur with the ANC 3F process in establishing the Ad Hoc Committee to study the issue of tree and slope protection for Forest Hills. The best way to get this process back on the right track is to set aside the FHCA filing and lift its requirements so that Forest Hills neighbors can work together to agree on the problems that may exist in the community that could be addressed by zoning changes and on what those changes might be. We would welcome the Office of Planning (OP) as a partner in such a process since it could make available expertise that does not reside in the community. In our meeting on August 30, OP officials agreed they would be willing to play such a role.

We therefore strongly recommend that the Zoning Commission set aside the overlay that was filed on April 4 and request that the Forest Hills community and the Office of Planning study the matter of tree and slope protection in the Forest Hills neighborhood unbound by the filing and the terms – both original and amended – of the FHCA proposal.

Sincerely,
FOREST HILLS NEIGHBORS FOR RESPONSIBLE PRESERVATION



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cc: Ellen McCarthy, Office of Planning
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