

4945 30th Place, N.W.
Washington, DC 20008-1028

September 3, 2002

Mr. Alberto P. Bastida, AICP
Secretary of the Zoning Commission
Office of Zoning
441 Fourth Street, N.W., Suite 210
Washington, DC 20001

ZONING COMMISSION
District of Columbia
Case 02-19
Exhibit 207

SEP 10 2002
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FBI

Re: Case No. 02-19, Text Amendment—Forest Hills Tree and Slope Overlay
District

Dear Mr. Bastida:

My wife, Carol, and I write to support the proposed Forest Hills Tree and Slope Overlay (TSO). For the twenty-five years that we have lived in our house, we have enjoyed the many positive aspects of living in this neighborhood and in the District. Two positive aspects relate to the Zoning Commission's review of the TSO. The first is the beautiful trees that give Forest Hills its name and its special character. The second is the friendliness of neighbors. These qualities clearly make Forest Hills one of the most desirable neighborhoods in the District. Homeowners in Forest Hills have thus enjoyed a great environment to raise families and the assurance that their houses will appreciate over a lifetime.

Trees add much to the value and attractiveness of our neighborhood. Peru's former ambassador described the trees in Forest Hills as the "lungs" of the neighborhood. To us, the TSO represents a modest step in keeping the forest in Forest Hills. The TSO will also provide more general benefits that the National Park Service spokesperson outlined at the Zoning Commission's June meeting.

To understand the thinking of TSO opponents, I attended a neighborhood meeting. Since I have known some of the opponents for the entire time that we have lived here, I wanted to hear their thoughts. While their arguments were heartfelt, they were not convincing. One individual said that he felt no obligation to stay current on zoning issues and thus found the TSO concept surprising and objectionable. Others complained that grade restrictions or set back lines might hurt them personally. Finally, a couple complained that, if the market shot up, the TSO might prevent them from tearing down their house, building a mansion in its place, and selling it to the highest bidder. None had taken the time to make themselves familiar with TSO as the applicant had modified it and as the District's Planning Office had endorsed it in substantial part.

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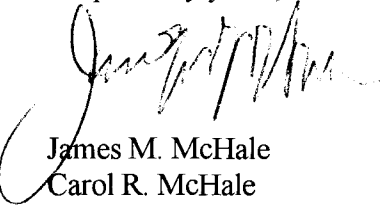
Their instinctive objections boiled down to "stop regulation." This thought misses the point although it may appeal to some. The pending TSO benefits all, places minimal limits on current homeowners, and only a few ones on those who propose replacing an existing residence with a new one. Thus, the objections seem hollow to me. Under the TSO, current homeowners would admittedly need to seek permission before making major changes that could result in a negative impact on trees and slopes. Similarly, new construction would face new, but minimal limitations.

For example, the TSO's limitation on the permissible footprint for new housing shows clearly the modest impact of the proposal. Reducing the footprint from 40% to 30% of a lot's surface works no apparent hardship on those who want and can afford an enormous house. Given that the minimal lot size in the R-1A section of Forest Hills is 7,500 square feet, the permissible footprint would be 2,250 sq. ft. Multiplying that number by 2.5 (to project a 2 1/2-story house) would result in a 5,625-sq. ft. house. Taking \$200 per square foot as a reasonable cost of construction, such a house would cost \$1.125 million to build. Adding the cost of the lot would surely bring the total cost into the \$1.5 million range. Houses of that size and cost should satisfy even the hottest market.

Most important, the objectors implicitly complain that the Board of Zoning Adjustment would not act fairly if presented with circumstances where a homeowner needed relief from the TSO because of a hardship or another special circumstance. Frankly, we are confident that the BZA will act fairly to accommodate hardships. The professional way that the Commission conducted its June meeting only reinforces that conclusion.

As an individual who has signed up to speak on September 5, I look forward to elaborating on these points further then. For now, we urge the Zoning Commission to adopt the TSO for Forest Hills as the applicant has modified it. Thank you.

Respectfully yours,



James M. McHale
Carol R. McHale

cc: ANC 3F
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