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ZONING COMMISSION
District of Columbia

Case 02-19
Date 9/24/02

September 24, 2002

VIA HAND DELIVERY

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

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

Dear Mr. Bastida:

We have been residents of Forest Hills since 1978. We were drawn to the neighborhood by its secluded proximity to Rock Creek Park and downtown, its large mature trees, its diversity of homes and homeowners, and its long history of racial and religious tolerance. We have long thought of it as an undiscovered gem. We urge you to adopt the amended Tree and Slope Overlay to protect the natural resources that make this neighborhood so special.

We first "discovered" Forest Hills when we got lost in Rock Creek Park while out for a Sunday drive. A little more than a year later we were thrilled when we purchased a home at 2813 Albemarle Street. We moved around the corner to our current home in 1987.

We have been very active in support of the Overlay and have both testified in support of it. We have attended all of the community meetings, both Zoning Commission hearings and have spoken with literally hundreds of people about the Overlay. As co-chair of the Ad Hoc ANC Tree and Slope Overlay Committee, George has attended virtually all of its more than a dozen formal meetings. This letter will not repeat any of our previous testimony but we think that the following five points are worth making.

1. The special consideration requested for 2845 Chesterfield Place. At the last hearing, Susan Traver testified that she wanted quick action on the Overlay because it was

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EXHIBIT NO.250

affecting her ability to build on this property. She stated that although she and her husband had cut down a number of trees in anticipation of building on this previously unoccupied lot, they had "saved as many trees as they could." Unfortunately "as many as they could" was zero. This recalls the old story about the child who murders his parents and then pleads for mercy from the Court because he is an orphan.

2845 Chesterfield has been the poster child for the need for the Overlay. The owners cut down all of the trees on this densely wooded lot and then changed their minds about what house they would build. Attached as Exhibit A is a photograph of the lot after it was clearcut. This photograph was submitted earlier by the Forest Hills Citizens Association ("FHCA") on June 27, 2002.

While we also urge that the amended Overlay be adopted as quickly as possible, this property demonstrates that an Overlay is needed so that developers "think before you cut," instead of the "cut before you think" attitude that was demonstrated here. And while the owners of this property will enjoy a lovely wooded view when their house is completed, the neighbors whose trees will provide that lovely view will be treated with a landscape with no tall trees, no matter how long they own their existing houses.

2. Lenore Lane is exactly the kind of property that should be included in the Overlay. The largest single group of opponents to the Overlay reside in a densely wooded, remote area bounded by Soapstone Valley Park, Hillwood and the Netherlands Embassy. This enables the residents to, in the classic economic sense, "freeride" on the trees and other physical assets of the surrounding properties. While this may explain their attitude towards the Overlay (or at least the original version), it does not change the undeniable fact that these properties meet every criterion for an Overlay.

These properties contain many large trees, are steeply sloped (most more than 25 percent), border parkland, and are immediately adjacent to streams that flow into Rock Creek. In fact, attached as Exhibits B-D are 3 photographs taken from Soapstone Creek that show the steep slope from the back of these properties down to the creek. The first photograph is taken from below 4243 Lenore Lane which borders Soapstone Valley Park on two sides. This property defines why tree and slope protection is needed. The other two photos demonstrate the same point.

At least some of the residents agree about "freeriding," at least when not addressing this Commission. After the hearing on September 5, 2002 another of the Lenore Lane properties that slopes down to Soapstone Creek was listed for sale. When the owners were asked (during a Sunday open house) "where is the rear property line?", they readily replied "it doesn't matter, we back onto Rock Creek Park." But of course that is why the Overlay does matter.

3. Our property would become unsubdividable under the Overlay and we support the 12,000 square foot minimum. Our property at 4525 28th Street contains 18,796 square feet. Under a 7,500 square foot lot size, our property could be subdivided. It would not be subdividable under a 12,000 square foot minimum lot size.

We wholeheartedly endorse the 12,000 square foot minimum lot size.

Not all of our neighbors who claim to have qualms about the Overlay have told the Commission that their lots would no longer be subdividable. Some of the claims for more “process” should be taken with this thought in mind.

4. Photograph of tree canopy and Overlay. At the September 5, 2002 hearing Mary stated that we have an aerial photograph of the tree canopy and the Overlay area. This is a commercially available photograph that was taken on November 2, 2000.

The actual photograph is 32 inches by 40 inches. We are happy to make this photograph available to the Commission and will bring it to the next hearing. The tree canopy far exceeds 50 percent. Attached to this letter is a digital photograph of that large photograph with an outline of the Overlay, which obviously lacks some of the detail of the original (Exhibit E).

5. Who is the opposition? The leader (and only identified member) of the Forest Hills Neighbors for Responsible Preservation is an architect. And what is the Forest Hills Neighbors for Responsible Preservation? It has no public position on preserving anything except preserving the right to clear cut lots, no matter the environmental impact.

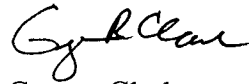
The individual who mailed the letter with the pink postcards is a retired builder. Others have their property listed for sale or have recently sold, diminishing their interest in the long term environmental health of the neighborhood.

Our Forest Hills gem is losing some of its glitter. What is happening on some blocks is the “tree canopy” equivalent of what happened in Chicago (our hometown) in the “blockbusting” of the 60’s and 70’s. This new “blockbusting,” with smaller homes being torn down to make way for Macmansions, can be just as harmful. As each property owner watches lots be denuded of trees to build these minimansions, he wonders if he should sell next – before all his neighbors do and he has no view to sell. Will his opportunity pass unless he sells quickly? As Dorn McGrath put it at the June 27, 2002, hearing, “Forest Hills is a place to live, NOT a place to cash in at the expense of one’s neighbors.”

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The trees and slopes put meaning in the name Forest Hills. Please help us preserve that meaning for this and future generations.

Sincerely yours,

A handwritten signature in cursive script that reads "George Clark".

George Clark

A handwritten signature in cursive script that reads "Mary Clark".

Mary Clark

/GRC

Attachment(s)



2845 Chesterfield Place









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