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09/26/02

Honorable Carol J. Mitten, Chairperson
D.C. Zoning Commission
Suite 210 south
441 fourth St., N.W.
Washington, D.C. 20001

RE: Case No. 02-19 Forest Hills Tree & Slope Overlay Proposal.

Dear Ms. Mitten:

I am a member of the Forest Hill Neighbors for Responsible Preservation and come before you today to ask that this proposal be returned to the people for consideration, correction and a community vote. It is my understanding that such proposals are only supposed to be implemented in areas where the people themselves request it i.e. Mass Heights where all but one requested the overlay. That is not what happened here. It was a small group of activists that came together, drew up and submitted a hasty TSO that was bounced back for correction and review by ANC 3. Before ANC3 completed their review this group picked it up again, and without ever seeking the support of the people, resubmitted. And you people, without ever taking the time to look into this so called emergency, that was never identified, TURNED IT INTO LAW.

The hardest thing for me to swallow is being denied, along with my neighbors in Forest Hills, the fundamental right to vote on this thing. This isn't just a matter of neighborhood parking, speed bumps, determining the size of a dance floor, or a matter of interpreting the law as written. This is a matter of **CREATING new and harsher laws**; imposing them on more than a thousand people; in a very discriminatory, zone specific area within the community; and without regard for property rights, or the civil right to vote on such a proposal.

This Small group of activists that submitted this proposal, along with some deceitful actions of the ANC 3 proponents, and your office, have combined to deny the American way of fair play, justice, and the rights of others by:

1. condoning the deceit in camouflaging this bill with the title of Tree & Slope; Return this proposal to the people.
2. You have denied the rights of others by: knowing about and apparently condoning the fact that Mr. David Bardin in establishing the borders for the TSO, as head of that committee, redlined his district east of

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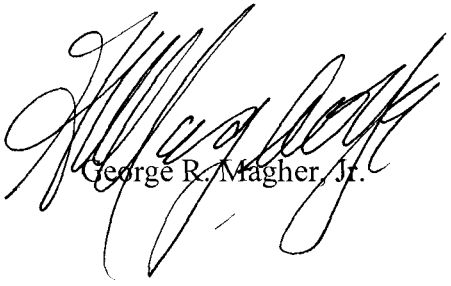
Case 02-19
Exhibit 252

ZONING COMMISSION
District of Columbia
CASE NO.02-19
EXHIBIT NO.252

Connecticut Ave. completely out of the TSO, and then turned around and voted **for** the TSO. Return this proposal to the people.

3. You have denied the rights of others by: holding one of my homes in Forest Hills up for ridicule at an ANC3 meeting, called to cast their vote on this proposal, because my neighbor and I sent a letter out to our neighbors in an attempt to let them know more about this TSO proposal.
Return this proposal to the people.
4. You have denied the rights of others by: the deceitful manner in which ANC3 presented their case. Even though Commissioners Maudlin and Kogan represent more than 95% of the people in the TSO it was Commissioner Bardin, the very guy that redlined his district out of the TSO, and Karen Perry, who lives in a Condo with no R-1a representation in the TSO and George Clark who is not even a commissioner. They showed slides that your committee refused us comment on - i.e. showing trees that had been cut down on a property at the foot of Davenport that was going to be built on. I saw those trees up close and they were all decayed in the middle and dying. A photo of severe erosion on a slope and didn't say that it was on District property; they showed a house on Davenport and 30th and left it on the screen for a long time, suggesting that the lot had been clear cut, when in fact there were no trees on that lot to begin with that were taken down. Return this proposal to the people.
5. You have denied the rights of others by: proponents making false or misleading statements. Mrs. Clark, for example, saying " I live north of Soapstone, and everyone north of soapstone is in favor of the TSO" (what are we chopped liver, most of the opponents of this plan live north of Soapstone). Return this proposal to the people.
6. You have denied the rights of others by: your total indifference in creating vigilantism in our neighborhoods to oversee this program, which has already started; and please spare me the recent article in the Post in which Zoning said they were going to improve in this area of oversight. The District Government is in a period of severe revenue short falls, and looking at downsizing, not adding to the size of Zoning by putting people in the field to oversee this program.
Return this proposal to the people.
7. You have denied the rights of others by: not allowing a balanced and fair presentation by both sides, even though there were more letters, and people in opposition to this proposal. Return this proposal to the people.

8. You have denied the rights of others by: allowing revision after revision to the proposal, while keeping the extremely severe original proposal in place and denying permits to those that would meet the current revisions. Return this proposal to the people.
9. You have denied the rights of others by: even considering this anti-improvement bill at a time when we need real taxpayers, with real money, coming into D.C. And spare me the DENSITY garbage, real Density is found in condominiums, apartment buildings and high rise office buildings. The kind that are all found on Connecticut Ave. in our area, and are being allowed to grow in number. DENSITY is not a 7,500 sq.ft. single family lot. Return this proposal to the people.



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