

September 30, 2002

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.

Ladies and Gentlemen of the Commission,

My name is Andrew Stevenson; I am a registered architect in the District of Columbia. My wife and I and our two children live at 2955 Albemarle St. NW in a house built in 1908, which we continue to carefully renovate. We consider ourselves conservationists and preservationists, and we are members of several like minded organizations, including the Audubon Society, the Nature Conservancy, the Sierra Club and the National Trust. We are also members of the Forrest Hills Neighbors for Responsible Preservation.

I am opposed to the Forest Hills Tree and Slope Overlay, which I believe is an unnecessary, unwelcome and unwarranted intrusion into the private affairs of the citizens of Forest Hills. I appreciate the understandable concern with trees, soil erosion, wildlife habitat and storm water runoff; but the details of this proposed amendment go far beyond those concerns. Instead what is clearly intended here is to change the zoning law so that the construction of more new homes or the expansion of existing ones is either stopped or severely limited. This runs counter to the past, present and hopefully future evolution and character of the Forest Hills neighborhood.

At a time when there has been so much success getting people to move back into this City, it is ironic that we should be even considering additional regulations that run counter to this highly desirable goal. We should be trying to see to it that more families, not fewer, have the same opportunities that we have had to live in Washington. We should encourage people to live closer to urban centers and thereby reduce driving distances to work, services and amenities. It is a fact of construction that to build or expand a house it is sometimes necessary to remove trees or build into a steep slope, particularly in parts of Forest Hills. It may also be necessary to remove trees and alter slopes to implement a landscaping or garden plan. These are natural and reasonable realities. But slopes and trees should not be zoning

issues and should not stand in the way of a family's desire to build or improve their home or plant a vegetable garden. Associated with building or grading, there will be engineering and construction problems, and I assure you architects, engineers and builders can solve these in a responsible manner.

Since its beginning this neighborhood experienced increasing density as vacant land has been subdivided and built on by homeowners and developers. This Overlay Proposal reflects a desire of those who want to slow or stop this on-going process by introducing more restrictive regulations. The process that brought us here and produced everyone's house in Forest Hills is now deemed to be flawed, apparently because it is producing either more homes than some would like to see in the neighborhood or houses that they do not like the look or size of. But aesthetics or a private homeowner's preferences are not subjects of the zoning regulations; and those regulations should not be cast in such a fashion so as to allow one individual or a group to impose their own aesthetics or preferences on other individuals in the neighborhood or to exclude additional families from living in Forest Hills. To expose property owners to the public hearings required by this proposal will have exactly this undesirable and intrusive effect. Public hearings should not be distorted into opportunities for neighbors to meddle in each others' reasonable, personal affairs and living arrangements. Neighbors should not be given the opportunity to extort concessions from other neighbors, builders or developers. To the extent that this is allowed to occur, community relations will suffer.

It is my belief that the existing zoning law is adequately restrictive and should not be amended. The existing regulations based on years of experience and political consensus are broad enough to control general use and density patterns, and at the same time protect the private property rights of individuals.

Thank you.