

SINGLE MEMBER DISTRICT 3F02 OF ADVISORY NEIGHBORHOOD COMMISSION 3F

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February 11, 2003

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

Re: Forest Hills Tree and Slope Overlay District

Dear Mr. Bastida and Members of the Zoning Commission:

If we are to do more than just give "lip-service" to being the stewards of our nation's resources and we truly want to leave a legacy of clean air, a vibrant national park system, and a healthy land use system, then I encourage you to adopt the Tree and Slope Overlay for Forest Hills as amended by the Advisory Neighborhood Commission at its public meeting on Monday, February 10, 2003.

There has been much testimony and written correspondence regarding this Overlay, including my own, so until yesterday morning and the ANC meeting last night, I did not feel the need to write another letter. It became apparent to me yesterday that the small group opposed to the Overlay has resorted to personal attacks on members of the Zoning Commission for supporting the Overlay and has mounted another petition drive to exclude most of the squares south of Soapstone. Although this group refused all attempts over the past two months to sit down and talk, they tried to take over the ANC meeting last night so that no other agenda item could be heard in order to first begin a rewrite of the entire Overlay. What is especially troubling to me is the petitions they claim to have from 77 percent of the residents south of Soapstone. This does not jive with the testimony and letters of support the ANC has received. Over the last few weeks, I learned of a series of misleading flyers distributed in parts of the area and a door-to-door petition drive. Many residents have told me they signed the petition without full knowledge of what was actually contained in the Overlay and other residents have told me they just didn't know how to say "no" to a neighbor and it was easier just to sign.

I would encourage the Zoning Commission members not to exclude any properties. All of the properties in the Overlay area surround Rock Creek, Soapstone Valley, and Melvin Hazen Park. All of the properties have slopes and have large trees. ANC 3F turned down homeowners that wanted to be included in the Overlay area because their properties either did not have large trees or did not have slopes.

ZONING COMMISSION
District of Columbia
CASE NO.02-19
EXHIBIT NO.317

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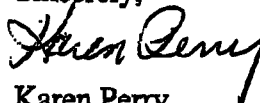
Briefly,

- This Overlay is designed to protect land areas surrounding the Park and its tributaries as called for in the Ward 3 Comprehensive Plan and the Federal Open Parks Plan for the City,
- I would encourage the members of the Commission not to exclude the Hillwood Museum Property from the Overlay. The Marjorie Merriweather Post Home is an asset to the community, to the City, and to visitors to the City. But it is also a property that borders the Park. It is subject to a Variance, but what Fred Fischer neglected to tell the Commission is that Hillwood has already told many of its neighbors and several ANC commissioners, including myself, that Hillwood plans to request an expansion in order to build an auditorium/theater, along with other expansion projects. When I asked Fred Fischer why he was opposing the Overlay, he told me these projects would necessitate removal of a significant number of large trees. The BZA provisions for obtaining a variance do not take into account tree removal or tree preservation.
- Howard University, in Square 2049, is subject to a Campus Plan. Last year the Department of Health fined the University and sent a Compliance Letter because of what DOH deemed a "critical erosion" that Howard was unwilling or unable to repair within a reasonable timeframe. This erosion, caused by the construction of a new parking lot in violation of the building permit, opened up a wide gully with large trees sliding down the gully and onto Van Ness East and Park Service Property. The campus plan for this property contains a condition stating that "Howard University Law School shall maintain the portion of the West Campus bordering Soapstone Valley Park as open space for the term of this West Campus Plan, consistent with the Parks and Open Space Element of the Comprehensive Plan." The campus plan is not enough protection for this property.
- The R-5 D Van Ness East, Square 2049, is fully developed as a condominium, and I understand why the Zoning Commission has excluded them from the Overlay even though they wanted to be included. But a portion of that land is zoned R-2 and I would encourage you to include that section in the Overlay. This part of the property adjoins Rock Creek Park, is heavily wooded and sloped, and contains a ravine that feeds the Park. This portion of the property deserves protection.

The Washington Post last Sunday contained an article on the new zoning efforts Nevada has undertaken to protect Lake Tahoe. Residents there are also not happy about having restrictions on their property, restrictions much more severe than our Overlay. But it is a necessity in order to preserve the Lake for visitors now and in the future. The same can be said for Forest Hills and the need for the Overlay. It is a small price to pay for living near the beauty of Rock Creek Park and its tributary parks.

Thank you,

Sincerely,



Karen Perry
ANC 3F02