

ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

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February 21, 2003

BY HAND AND TELECOPIER

Alberto Bastida
Secretary for Zoning
D.C. Office of Zoning
441 4th Street, N.W. Room 210
Washington, DC 20001

**Re: Zoning Commission Case No. 02-19 (Forest Hills Tree and Slope
Overlay District): Notice of Proposed Rulemaking**

Dear Mr. Bastida:

We have reviewed the above referenced proposed Notice of Rulemaking in (2C No. 02-19) and the comments of the Advisory Neighborhood Commission (ANC) 3F. In terms of posen §1519.3 (front yard setback), we agree with ANC 3F that reference to the map should be removed. Based upon recent experience, we proposed one additional change to avoiding skewing of the front yard setback in cases where the block is short and/or with a limited number of houses, and one house is substantially set back, in a manner out of character with the remainder of neighborhood and the adjacent houses. Such a situation may yield a new front yard setback requirement inconsistent with the remainder of the neighborhood and out of character with the integrity of the such surrounding houses.

To avoid this potential, we recommend that a maximum front yard setback be established, similar to the following:

1519.3 All residential buildings, accessory buildings, or an additions to buildings shall have a front yard setback equal to or greater than the average setback of all structures on the same side of the street in the block where the building in question is located. Where the building is sited on a corner lot, the building shall be set back from each street on which it borders in a amount that is equal to or greater than the average setback of all structures on the same side of the street in the block were the building in question is located. ~~The required setbacks are depicted in the map entitled: "Required Front Yard Setbacks", which is a part of this Overlay District and is located in the Office of Zoning and in the Zoning Division of the Department of Consumer and Regulatory~~

~~Zoning Commission~~
~~District of Columbia~~

Case 02-19

Exhibit 325

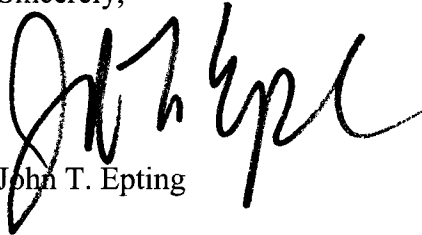
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Alberto Bastida
February 21, 2003
Page 2

~~Affairs.~~ In no case, however, shall the required setback be greater than
25 feet..

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. Epting", written over the printed name.

John T. Epting

cc: Jennifer Steingasser, Office of Planning