03-20

AFRH
The Premier Retirement Community for America's Veterans

Armed Forces Retirement Home
Office of the Chief Operating Officer
3700 N. Capitol Street - Box 1303
Washington, DC 20317

6 June 2003

RECEIVED
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Ms.Carol J. Mitten
Chairperson
Zoning Commission of the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, N.W.
Washington, D.C. 20001

Subject: Jurisdictional Matters

Dear Ms. Mitten:

As the head of a federal agency whose Washington, D.C. retired veteran facility is located on an enclave of the United States containing more or less 277 acres of land on its western campus, I do not recognize that the Zoning Commission of the District of Columbia holds any authority to zone the Washington campus in whole or part. Public law as codified under 40 USC Section 8722 supports that position. This agency has, on June 4, 2003, submitted to National Capitol Planning Commission (NCPC) in lieu of zoning, this agency's plans for consistent reuse of enclave buildings and lands. I expect that our submission will be on the regularly scheduled July 10, 2003, Commission meeting.

I trust that we can reach our similar goal of promoting education alternatives through communication rather than through an inappropriately applied zoning decision based upon the fact that we are federal land and do not cede our right to develop our property as best fits within our larger community to the District. Special legislation incorporated in Title 1400, Section 1403 and codified as 24 USC 411 establishes the Armed Forces Retirement Home as an independent establishment in the executive branch. Section 411(e) (2) (3) provide that the Secretary of Defense may acquire property and facilities for the benefit of the Retirement Home or dispose by sale, lease or otherwise property determined to be in excess to the needs of the Retirement Home.

ZONING COMMISSION
District of Columbia
Case 03-20
Exhibit 2

ZONING COMMISSION
District of Columbia
CASE NO.03-20
EXHIBIT NO.2

I look forward to working with NCPC to make this educational alternative a reality. Please contact me at 202-730-3077 with any questions regarding this matter.

Respectfully yours,

Tim Cox
Chief Operating Officer

cc. Ms. Patricia Gallagher, NCPC
Mr. Eric Price, D.C. Planning & Economic Development
Mr. Andrew Altman, D.C. Office of Planning