

3G Chevy Chase
Advisory Neighborhood Commission 3G

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CHEVY CHASE OFFICE
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October 3, 1986

Patricia Mathews
Chairperson
D.C. Zoning Commission
The District Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

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ZONING SECRETARIAT
DISTRICT OF COLUMBIA

Dear Madam Chairperson:

The Chevy Chase Advisory Neighborhood Commission (ANC 3G) strongly recommends that the zoning for the west side of Connecticut between Chevy Chase Parkway and Military Road be changed from R-5C to R-3 or lower because the current zoning conflicts with the Comprehensive Plan. By law, the zoning is not supposed to be inconsistent with the Comprehensive Plan. The Land Use Element of the Comprehensive Plan (D.C. Law 5-18, Title XI, Section 1136 (b)(52)) was enacted into law and became effective on March 16, 1985. The relevant land use policy map, which is part of the Land Use Element, clearly shows that the west side of Connecticut Avenue between Chevy Chase Parkway and Military Road is "moderate density". However, the current zoning, R-5C, which allows high density apartment development, is inconsistent with such Comprehensive Plan.

Furthermore, this same area is covered by a private covenant restricting the use of the land to single-family homes. Many of the neighbors whose property was subject to this covenant organized the Chevy Chase Defense Committee in the 1960's. The Committee sued a private developer, who attempted to construct a 100-unit apartment house on Connecticut Avenue between Harrison and Huntington Streets, in the case of E.A. Ginnetti Company, Inc. et al. v. Angelo Greco et al. (CA No. 2231-62). On January 19, 1968, the United States District Court for the District of Columbia upheld the covenant and the apartment house was not built.

More recently, the Committee won again in the case of Fred Ribe et al. v. Gilbert Oken (CA No. 07694-85), decided on June 9, 1986, in which the Superior Court of the District of Columbia issued a permanent injunction against the building of a 39-unit apartment house on the corner of Connecticut Avenue and Military Road.

The neighbors spent much time, effort, and money in bringing these lawsuits. In order to avoid future expensive and unnecessary lawsuits, and conform with the wishes of the neighborhood and this ANC, as well as the Comprehensive Plan, the Zoning Commission should implement D.C. Law 5-187 by changing the zoning in accordance with that law.

ZONING COMMISSION

CASE No. 86-26 ZONING COMMISSION
District of Columbia
CASE NO. 86-26
EXHIBIT No. 11 EXHIBIT NO. 11

2.

Sincerely,

A handwritten signature in cursive script, reading "Lee Schoenecker".

Lee Schoenecker
Chairman, Chevy Chase
Advisory Neighborhood
Commission (ANC 3G)

cc:

Mayor Marion Barry, Jr.
Fred Greene
Polly Shackleton
David Clarke
Allen Beach
Fred Ribe

LS/ncw