

David Falk
4921 Linnean Avenue, N.W.
Washington, D.C. 20008

January 25, 2003

Mr. Alberto Bastida
Office of Zoning
441 4th Street, N.W.
Washington, D.C. 20001

Re: Case No. 02-19
Forest Hills Tree and Slope Overlay District

Dear Mr. Bastida:

I am here submitting my comments to the Notice of Proposed Rulemaking, published on December 16, 2002, regarding the proposed adoption of the Forest Hills Tree and Slope Overlay District. **I am strongly opposed** to the adoption of this rule for the following reasons:

- 1. The proposed rule is administratively irrational and unworkable for homeowners, neighbors and city administrators** – I fully concur with the criticisms submitted by my neighbors formed together as the Forest Hills Neighbors for Responsible Preservation. Regulations as convoluted and virtually unintelligible as the proposed rule are what give the concept of government regulation a bad name.
 - 2. Do not think for a moment that a majority of the Forest Hills residents back this proposed rule** – Our neighborhood had one of the few contested ANC elections this past November where the supporters of the proposed Overlay District campaigned to defeat incumbent Robert Maudlin who opposed the proposed District. Yet, despite leafleting every home in District 3F03, Mr. Maudlin was reelected. Mr. Maudlin is not against reasonable measures to preserve and enhance the tree cover in our neighborhood, but he does oppose the kind of onerous burdens placed on homeowners by the proposed Overlay District and the lack of true neighborhood consultation that led to its drafting. By their votes in November, a majority of our neighbors demonstrated that they agree with the views of Mr. Maudlin.
- The statements by some members of the Zoning Commission that the opposition to the proposed Overlay District represent the views of a disgruntled few are plain wrong. I have personally nothing at stake with this proposed regulation. But I care about my neighborhood in which I have lived for 38 years and I care about the health and prosperity of the city, and the proposed Overlay District helps none of them.

- 3. The Forest Hills Citizens Association does not represent the Forest Hills neighborhood.** – I have been a dues paying member of the Forest Hills Citizens Association virtually since moving to my present home in 1964. But never did I receive any notice that the Association was working on this Overlay District until its first public meeting last spring, at the Netherlands Embassy, on or about the time the Overlay District was being submitted to the Zoning Commission. Substantial vocal opposition to the Overlay District, including mine, was voiced by many of the several hundred people present at that meeting. Nor did I ever receive notice from the Association prior to its membership meeting this fall to elect a slate of officers. The Association seems to have degenerated into a small coterie of individuals, dedicated to pushing through this Overlay District, if for no reason other than to justify the time they individually spent in getting it this far. **The proposed rule should not be adopted.**

Sincerely yours,



~~ZONING COMMISSION~~
~~District of Columbia~~
Case 02-19
Exhibit 298

ZONING COMMISSION
District of Columbia
CASE NO. 02-19
EXHIBIT NO. 298

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