

CHARLES W. GILLIGAN
MARILYN J. KEEFE
3405 Garrison Street, N.W.
Washington, DC 20008
(202) 537-0578

RECEIVED
D.C. OFFICE OF ZONING
2009 FEB 13 PM 2:32

Mr. Alberto Bastida
Office of Zoning
441 4th Street, NW
Washington, DC 20001

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

Dear Mr. Bastida:

As a citizen of Forest Hills, I want to go on record as strenuously opposing the Tree and Slope Overlay in its present iteration. I also want to make clear that I am just one of many in the neighborhood who is opposed to this provision.

The Tree and Slope Overlay is a solution in search of a problem. Forest Hills has more trees than almost any neighborhood in the city. The proponents of the provision, however, fail to take into account the fact that such trees can pose a threat to safety and property in an urban neighborhood, as was demonstrated on Ellicott Street last year when one collapsed, pulling down power lines and destroying two cars, but thankfully taking no lives.

The Tree and Slope Overlay is also an unconstitutional assault on the basic rights of property owners. It will almost certainly lead to conflict and litigation within the neighborhood and with the District government. As a property owner, I should be able to decide whether or not the trees on my lot are a benefit or a burden and I should not have to jump through bureaucratic hoops to remove them. I should also have the right to reasonably improve my property without needing a committee to tell me that it is okay. If I want to put a swimming pool in my yard, it shouldn't be the subject of community debate.

The Tree and Slope Overlay will harm property values in our neighborhood, erode the city's tax base, and impose an inappropriate development model in an urban setting. It will also pit neighbor against neighbor in the courts, as the self-appointed tree police seek to impose their will, trampling the rights of others in the process.

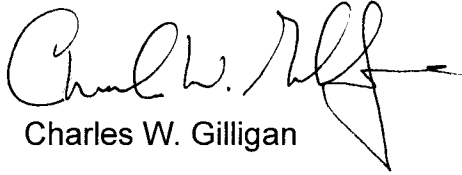
ZONING COMMISSION
District of Columbia
Case 02-19
Exhibit 321

ZONING COMMISSION
District of Columbia
CASE NO.02-19
EXHIBIT NO.321

Finally, it should be clear that this process has been unfair and undemocratic from the start. The representatives of the Forest Hills Citizens Association do not legitimately speak for much of the neighborhood. The numerous people who oppose the Tree and Slope Overlay have been denied a fair hearing by the Zoning Commission and when they tried to act politically to change the leadership of the FHCA, were prevented from exercising their rights in a democratic fashion.

The Tree and Slope Overlay must be sent back to the citizens of the neighborhood for further debate, comment and revision.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles W. Gilligan", with a stylized flourish extending from the end.

Charles W. Gilligan