

Testimony of  
Frederick Ribe  
Chairman, Chevy Chase Defense Committee  
before the  
Zoning Commission of the District of Columbia  
January 21, 1988

ZONING COMMISSION  
CASE No. 86-26  
EXHIBIT No. 193

Mr. Chairman and members of the Commission, I am Fred Ribe, and I represent the Chevy Chase Defense Committee, a group of over 100 households from the neighborhood immediately to the west of the section of Connecticut Avenue that is under discussion tonight. We very much appreciate the opportunity to present our views in this forum.

We wish to argue briefly in favor of a significant downzoning of the section of the west side of Connecticut between Chevy Chase Parkway and Military Road. Such downzoning is clearly mandated in the Comprehensive Plan. Although much the same effect can be achieved through enforcement of the private covenant that binds this neighborhood, the result can be achieved at much less cost and much less nuisance to all concerned through a corresponding change in the zoning. The two lawsuits that have occurred during the past twenty years in order to enforce the covenant have imposed significant costs not only on the neighborhood, but also on the developers, who incurred legal costs and significant delays in their projects while litigation proceeded. The District government also wasted resources in doing detailed evaluation and approval of building plans that were later scrapped because they were ruled in violation of the covenant. While noone should mistake the determination of the neighborhood to enforce the covenant if necessary, or indeed the legal standing of the covenant, it seems that developers tend to do so. All the cost that the resulting litigation involves can be avoided if the zoning is changed to eliminate any doubt about what development is appropriate and feasible in the neighborhood.

Thus whereas there may be some nuisance involved to owners of

existing properties in the affected areas that would be noncomplying if the zoning density were reduced below R-5-B, there would be a countervailing reduction in nuisance to a number of other affected parties.

The households in my organization hope fervently that the zoning regulations can finally be altered to reduce the very burdensome procedures for maintenance of the neighborhood that have operated during the past twenty years.

Thank you very much.