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April 18, 2002

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Honorable Carol J. Mitten
Chairman
D.C. Zoning Commission
Suite 210 South
441 4th Street, N.W.
Washington, D.C. 20001

Re: Case No. 02-19 - Emergency Map
Amendment for a Tree and Slope Overlay
filed by the Forest Hills Citizens
Association

Dear Chairman Mitten:

On April 16th at a public meeting of the Forest Hills Citizens Association, I learned for the first time that a petition proposing an overlay for the Forest Hills area had been filed 11 days prior. Those present at the meeting were advised by a representative of the Office of Planning that if the Zoning Commission, at its hearing scheduled for April 19th, sets down the petition for a future hearing, the provisions of the overlay would be immediately in effect at least until a final determination is made by the Zoning Commission. In other words, for an indefinite period of time, the DCRA could take no action with regard to any building permit application that was not in compliance with the proposed overlay.

As a resident of the area in question, I am writing to express my opposition to the setting down of the petition at this time for the following reasons:

1. There has been no hearing by the relevant ANCs prior to their divided vote to afford the residents an opportunity to study the proposal and express their views,

ZONING COMMISSION
District of Columbia

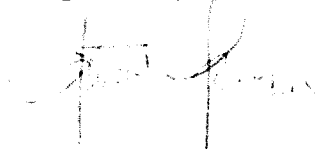
Case 02-19
Exhibit 22

as one would expect with regard to a matter of such significance. The public meeting on April 16th, **after the divided vote of the ANC**, cannot in any shape or form be regarded as concurrence by the residents. The residents should be afforded ample time to vet the proposal from both policy and legal standpoints.

2. The Tree and Slope Overlay is, by its terms, misleading. In fact, it is an attempt to make a drastic, even revolutionary, zoning change with regard to setbacks and side yards, which would have major, adverse impact on current residents. For example, a resident under contract for an addition in the near term would be forced to comply with the more restrictive provisions of the proposed overlay, absent expensive application for an exception, because there is no definite timeframe for the Zoning Commission's determination. Even more egregious, a resident whose house was completely destroyed by fire or Act of God might be compelled to rebuild in compliance with the new, restrictive code. Thus a resident's replacement home whose lot has a typical 75 foot frontage might have to have to provide 16 foot side yards, leaving him with only a maximum width of 43 feet (just enough for a townhouse).

In short, under the guise of neighborhood preservation to stop one new development on Albemarle and 29th Street, the FHCA would have the Zoning Commission impose Draconian restrictions, albeit temporary, on current residents and existing homes. The Commission should postpone the set down or, failing that, restrict the application of the terms of the overlay to new development in large lots.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Stuart Sloame", written over a light blue horizontal line.

Stuart Sloame

Cc: Phil Kogan
George Clark