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J.C. OFFICE OF ZONING

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Anthony Hood, Chairman  
DC Zoning Commission  
441 - 4th Street, NW, #220-S  
Washington, DC 20001

Re Case Number 14-13, Rooftop Penthouses

Dear Chairman Hood and Members of the Commission,

We are writing to **express our alarm at the proposed regulations** drafted by the Office of Planning to **implement changes to the DC Height of Buildings Act of 1910**. The new law, enacted by Congress in May 2014, states that “ except in the case of a penthouse which is erected to a height of one story of 20 feet or less above the level of the roof, no floor or compartment thereof shall be constructed or used for human occupancy above the top story of the building upon which such structures are placed ”

The **proposed regulations are extremely expansive, and appear to go far beyond what Congress intended**. They could be especially onerous in neighborhoods with low-rise commercial (C-2-A, maximum 50 feet) and residential (R1) districts such as the one we live in – Takoma, DC. Adding 20 feet to new and older buildings and 10 feet to single family homes would dramatically change the character of our community and could severely impact adjacent properties

Indeed, the whole range of the OP’s proposed changes seems to be a developer’s dream. **Instead of expanding the reach of the federal law**, our local planners and Zoning Commission should do everything possible to **restrict its application** to the maximum extent possible. Also, Congress did not address the issue of uses, but these too need to be more thoughtfully considered, especially any new uses in residential zones

Lastly, **what is the rush in promoting these regulations?** Congress did not mandate a deadline for implementing the law. Your commission has not yet completed action on the proposed Zoning Regulations Rewrite, the details and ramifications of which are still poorly understood

We urge you to **require the OP to go back to the drawing boards**, listen to the concerns that citizens are stating, and develop new and simpler regulations that will not have such a major, negative impact on the beauty, scale and livability of our city

Thank you for the opportunity to present our views



Daniel and Loretta Neumann Smith

cc Hon. Muriel Bowser, Mayor-Elect

ZONING COMMISSION  
District of Columbia  
CASE NO. 14-13  
EXHIBIT NO. 48  
ZONING COMMISSION  
District of Columbia  
CASE NO. 14-13  
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