



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to www.dcoz.dc.gov > IZIS > Participating in an Existing Case > Party Status Request for instructions.
Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name:	Jacqueline Jacobson, Gail Jacobson & John Jacobson		
Address:	1508 Swann St NW, Washington DC, 20009		
Phone No(s):	847-687-2872	E Mail:	jmj2253@gmail.com
I hereby request to appear and participate as a party in Case No.:		21330	
Signature:		Date:	5/28/25
Will you appear as a(n)	<input type="checkbox"/> Proponent	<input checked="" type="checkbox"/> Opponent	Will you appear through legal counsel? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If yes, please enter the name and address of such legal counsel.

Name:	Andrea Ferster		
Address:	68 Beebe Pond Road, Canaan, NY 12029		
Phone No(s):	202-669=6311	E Mail:	andreaferster@gmail.com

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

I hereby request advance Party Status consideration at the public meetings scheduled for: **June 11, 2025**

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf;
2. A summary of the testimony of each witness;
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
4. The total amount of time being requested to present your case.

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

Attachment to Form 140 – Request for Party Status of Jacqueline Jacobson
BZA Case No. 21220

PARTY WITNESS INFORMATION:

1. A list of witnesses who will testify on the party's behalf:
 - a. Suzanne Parish
 - b. Jacqueline Jacobson, owner of 1508 Swann Street, N.W.
 - c. Guillermo Rueda, AIA
2. A summary of the testimony of each witness:
 - a. Suzanne Parish, the previous tenant at 1506 Swann St NW, will provide a rebuttal to incorrect statements in the Applicant's application.
 - b. Jacqueline Jacobson will testify as to her efforts to secure an order from the Department of Buildings to halt the Applicant's illegal construction, the severe detrimental impacts of the illegal construction and variance request on her use and enjoyment of her property, including light, air, privacy, noise, and safety and security, and the Applicant's attempts to coerce her support for the application by threatening to deny her necessary access to her air conditioning system and for pest abatement.
 - c. Guillermo Rueda will testify on the harm that a variance would cause to the zone plan.
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
 - a. Guillermo Rueda, an architect previously qualified as a zoning expert by the BZA, will testify as to the impact of the requested variance on the zone plan. His CV is attached as Exhibit 1.
4. The total amount of time being requested to present your case:
 - a. One hour

PARTY STATUS CRITERIA:

- 1. How will the property owned or occupied by such a person, or in which the person has an interest be affected by the action requested of the Commission/Board?**

Prior to the illegal construction of the outdoor elevated entertainment deck ("The Deck Addition"), the Applicant used the required open space on the rear yard of his property, which directly abuts the rear of the single-family dwelling ("property") at 1508 Swann St NW, for surface parking. The now fully constructed Deck Addition is built over the outdoor parking space, serving as a carport, so that the deck is on the same approximate level as the main floor living space at the second floor of 1508 Swann St. The Deck Addition is flush with one of the primary windows in the main floor living space as well as the window in the kitchen, and has adversely affected the light, privacy, safety, noise, pest and repair access and security of Ms. Jacobson's home, as well as adversely impacting the value of her property.

- 2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)**

Owner of 1508 Swann St NW property

- 3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)**

0 feet. The property at 1508 Swann St NW directly abuts the rear yard of the property at 1818 15th ST NW.

- 1. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?**

- a. Loss of Privacy**

- i.** The Applicant has placed a black tarp over one of the living room windows and a flag over the other living room window, blocking all the light from the main living space.
- ii.** The stairs for the deck structure completely obstructs the entire kitchen window (kitchen is partially below grade), again blocking all light from the kitchen space.

- iii. The noncompliant and illegally constructed deck structure has created a direct line of sight from the deck into Ms. Jacobson's living room that did not exist previously. See photos, attached as Exhibit 2..This eliminates the privacy of the second-floor primary living space.
- b. Security and Safety Issue
 - i. Since the deck is flush with the rear of Ms. Jacobson's home through the window, anyone on the deck can easily damage/destroy the windows and access Ms. Jacobson's home. See attached photos.
- c. Natural Lighting
 - i. The elevated entertainment deck, furniture and obstructions (tarp and flag) have completely blocked all natural light to the second floor of Ms. Jacobson's home (living room) and has blocked the rear facing window in the kitchen, severely impacting her use and enjoyment of her home.
- d. Noise and glare
 - i. The Applicant and his tenants (there appear to be multiple units in the applicant's property) have been using his unpermitted deck and this increases the amount of noise experienced inside Ms. Jacobson's home.
 - ii. The deck is large enough to hold many people and host events and parties that will cause a major noise disturbance to Ms. Jacobson's home as well as surrounding properties. The Applicant has placed lights on the deck that will create disruptive glare at night. See attached photos
- e. Property Value
 - i. The above impacts - loss of privacy, security issues, decreased natural lighting and increased noise will negatively impact the property value.
- f. Pest Issues
 - i. Construction of the deck has led to pest infestations within the home (including mice and flies). It is unclear how the deck is attached and whether the 1818 15th St NW property owner has made penetrations or attachments to Ms. Jacobson's home. Since there was no permit application, Ms. Jacobson was not provided with any of the notifications or opportunities for permit review that a permit application affords.
 - ii. Ms. Jacobson's home was inspected by pest professionals, who have concluded that the pests are gaining access through the rear of the home. Ms. Jacobson notified the property owner at 1818 15th St of this concern and requested temporary access to maintain/repair any cracks in the rear of the property.
- g. Access to exterior of property
 - i. The Applicant is refusing to grant Ms. Jacobson temporary access to the rear of her property to perform maintenance, repairs and pest abatement. In response to letter requesting access, the Applicant responded with a letter stating that he would allow access only if Ms. Jacobson signed a letter to the zoning committee in support of his variance application. See correspondence, attached as Exhibit 3.

2. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.

- a. Plans for a future swimming pool
1818 15th St NW owner has submitted application SP2400020 to “INSTALL PRE-FABRICATED 8' X 15' ABOVE GRADE SWIMMING POOL IN REAR YARD. ”<https://scout.dcr.dc.gov/permits-8936>. This will further increase the already non-compliant lot occupancy on the Applicant’s property, a fact that the application fails to disclose
- b. The Applicant’s statement (BZA Exhibit 8) contains numerous misstatements of fact. See Letter from Jacqueline Jacobson, attached as Exhibit 4.

3. Explain how the person’s interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

- a. Due to the proximity of 1508 Swann St NW to the Applicant’s property (1818 15th St NW), if the action requested of the Commission/Board is approved this will have a major impact on the everyday quality of living for Ms. Jacobson and the value of her property. The elevated outdoor entertainment Deck Addition is on the same level as her main living space and directly in front of her main living space windows, and thus Ms. Jacobson’s privacy, security, use, and enjoyment of her home will be more significantly, distinctively, and uniquely affected than that of other persons in the general public.