



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:	Michael Hall			
Address:	3816 Jocelyn St., NW, Washington, D.C. 20015			
Phone No(s):	202-256-8169	E Mail:	halltaylor@mindspring.com	
I hereby request to appear and participate as a party in Case No.:				
Signature:			Date:	6/17/2026
Will you appear as a(n)	☐ Proponent	☒ Opponent	Will you appear through legal counsel?	☐ Yes ☒ No

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

Name:			
Address:			
Phone No(s):		E Mail:	

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:

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.

Board of Zoning Adjustment
District of Columbia
CASE NO. 21452
EXHIBIT NO. 26

Party Status Criteria Responses:

The following information demonstrates that we have a significant and relevant interest in the outcome of the referenced special exception application and that we seek to be recognized as a party. Our responses to the Board's questions about party status are not exhaustive and do not constitute a response to the application. We reserve the right to provide further information before the July 1st hearing, although we do not plan to call witnesses at this stage.

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?

- The applicant is seeking to build a habitable residential structure — with windows, a fireplace, and entrances — in a location the zoning code reserves for accessory, low-impact uses, at a height that overrides the privacy infrastructure neighbors have already built, without having demonstrated either hardship or the absence of injury to the neighborhood.
- If the special exceptions are approved, we, as neighbors, will suffer substantial adverse impacts, including, but not limited to, a significant loss of enjoyment and use of our property due to severely diminished privacy. The loss of privacy and other impacts will reduce our property's economic value.

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

- We are owners of 3816 Jocelyn St., NW, Washington, DC 20015. We have owned the home since 1999.

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.)

- The distance between the applicant's property boundary and our property boundary is approximately 12 feet, which is the width of the public alley.

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?

- If approved, the adverse impacts would include, but are not limited to:
 - Loss of reasonable privacy,
 - Impacts to air and light,

- Fire safety and code concerns,
- Incompatibility with the alley's function and character,
- And, more broadly, establishes a precedent for two-story structures abutting public space that would change the character and nature of the residentially zoned neighborhood.

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.

Loss of Reasonable Privacy

- The proposed addition, effectively two stories tall, would rise above the existing privacy fences that neighbors erected in reasonable reliance on the current built environment. Our home includes twelve large windows or glass doors facing the alley, which are visible from the proposed height and location of the applicant's addition.
- The applicant has proposed building two large windows facing the alley, at second-story height, which would create direct sightlines into our backyard, which includes an outdoor living area on a deck, a side yard, and private living spaces, including rear rooms, dining room, kitchen, living room, and two second-story bedrooms. Other neighbors who sit across the alley from the applicant, like us, would be similarly impacted.
- The loss of our reasonable expectations of privacy in areas such as our backyard, deck, side yard, and other first- and second-floor private living spaces should be recognized as harmful to the neighborhood, not merely a personal choice.
- The application does not acknowledge the loss of privacy to their neighbors like us across the alley and has not proposed adequate mitigation.

Light and Air Impacts

- Despite a request for the applicant to share their air and light impact studies, none have been provided. A twelve-foot-wide alley provides limited separation. At second-story height, with reduced side and rear setbacks and a fireplace, the addition will cast shadows on neighboring yards, patios, and gardens and cause undue impacts on our air quality and our neighbors'.

Fire Safety and Code Concerns

- A fireplace located within feet of a property line and across from a streetlamp raises fire-safety concerns that the applicant neither acknowledges nor addresses in their application.
- The applicant does not address the proximity to a public streetlamp in the alley. The streetlamp hangs over the alley and sits directly across from the proposed addition.

Alley is a Public Way

- The alley is a public space that serves a public function and is not merely a shared private space. Building within feet of a public alley at second-story height, with a fireplace, affects not just neighbors but the public.
- The alley's twelve-foot width is a fixed constraint. Adding a habitable second story with windows and a fireplace that looms over the alley transforms what is currently an accessory/garage structure into a habitable residential structure in a location that the zoning code deliberately treats differently from primary building envelopes.
- The addition is not merely an expansion of the home but a change in the character of the structure relative to the alley — from accessory to residential — and that the setback rules exist precisely to prevent this transformation.

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.

- Please see our previous responses.
- Additionally, we believe that for the extraordinary special exceptions to be granted, there must be a clear showing by the applicant that the request addresses practical difficulty or unnecessary hardship. The contemplated variance exceptions, as applied to this specific lot, will produce an inequitable result.
- The existing garage and overlaying deck footprint, which may have resulted from a prior exemption from zoning requirements granted to applicants many years ago, is not a hardship imposed by the zoning regulations — they are the result of prior owner choices. Wanting a larger living space is not a hardship.

- Other compliant design alternatives exist (a smaller addition, a reconfigured footprint) — the applicant has not demonstrated that strict compliance with setbacks makes the property unreasonably unusable.
- The hardship, if any, is self-created, which we believe is grounds for denial.

CERTIFICATE OF SERVICE

Board of Zoning Adjustment – District of Columbia

Re: Request for Party Status

Application No.: 21452

I hereby certify that on this 17th day of June, 2026, a copy of the foregoing Request for Party Status was served on the following parties via electronic mail:

Applicant

Sally and Steve O'Briant

E-mail: sally.martinob@gmail.com and sallyobriant@me.com

E-mail: steveobriant@hotmail.com

Applicant's Architect / Authorized Representative

Pewter Nettlebeck, RA

E-mail: pnettelbeck@gmail.com

Advisory Neighborhood Commission (ANC), ANC 3/4G-07

Elizabeth Nagy,

E-mail: 3G07@anc.dc.gov

D.C. Board of Zoning Adjustment

E-mail: bzasubmissions@dc.gov

I certify that the foregoing information is true and correct to the best of my knowledge.



Michael Hall

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Washington, DC 20015

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