



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



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please review the instructions on the reverse side.
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.
(Please see reverse side for more information about this distinction.)

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Name: RODGERS BROTHERS SERVICE, INC & INNOVATIVE RECYCLERS INC
Address: 2230 LAWRENCE AVE NE WASHINGTON, DC 20018
Phone No(s): 240-893-7922 E Mail: george.rogersjr.rbs@gmail.com and mark.whar@yahoo.com
I hereby request to appear and participate as a party in Case No.: 18686

Signature: George C. Rodgers Date: 12/17/13

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: BOARD OF ZONING ADJUSTMENT
Address: District of Columbia
Phone No(s): CASE NO. 18686
E Mail: EXHIBIT NO. 23

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 (Zoning Commission only);
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 (Zoning Commission only); and
4. The total amount of time being requested to present your case (Zoning Commission only).

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)
OWNER AND BUSINESS OPERATOR
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.)
ABUTTING PROPERTY OWNER
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.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

CASE NO. 18686
EXHIBIT NO. 23

Rodgers Brothers Service Inc. and Innovative Recyclers Inc.
2230 Lawrence Avenue, NE
Washington, DC. 20018
202-526-0274

Re: BZA 18686

Form 140 – Party Status Request Supplemental Information

Party Witness Information:

1 – List of witnesses:

- 1. George E. Rodgers Jr.**
- 2. William Powell**
- 3. Mark Uhar**

2 – Summary of the testimony

Each witness will testify about the current parking situation along Lawrence Avenue, NE; Edwin Street, NE; Adams Street, NE; and Bryant Street, NE. and how additional on-street parking will make a bad situation worse. Existing tenants of the applicant pull their cars off their lots each morning, park them on the above-mentioned streets all day then return their cars to their lots each night. DDOT parking enforcement specialists have been enforcing the “No Parking on either side of Roadway” on Lawrence Avenue to which the applicant has strongly objected to in meetings with the ANC. The fact is there is no place for on-street parking on either Edwin Street or Lawrence Avenue. Lawrence Avenue is designated “No Parking on Either Side of Roadway” and Edwin Street is designated “No Standing or Parking” on the either side of the street.

3- No witness is considered to be an expert witness.

4 – We will require approximately 20 minutes to present the case.

Party Status Criteria

1 - Innovative Recyclers, Inc./Rodgers Brothers service Inc. (IRI/RBS) operates a solid waste facility abutting the subject property. Heavy truck traffic is integral to operations. On-street parking will adversely affect party’s business by further restricting flow along Adams Street which is the only street in the local vicinity for on-street parking. This restriction causes safety issues to vehicles and personnel and causes undue delays in loading and offloading materials at IRI/RBS facilities.

2 – On form

3 – On form

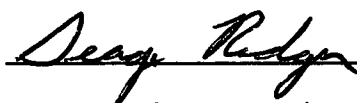
4 – There will be more traffic congestion in an already congested area. IRI/RBS can potentially lose customers due to the unsafe driving situation along Adams Street and face unknown economic losses as well.

5 – DDOT is currently assessing the parking situation along Adams Street because of the existing parking issues. If the Special Exception is granted, the bad situation will become worse. There is no place for off-street parking in the immediate area.

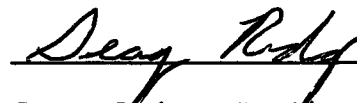
6 – The area in question is industrially zoned and there are two primary property owners; the applicant and his business partner and Innovative Recyclers Inc. The applicant and his business partner have many tenants in the buildings along Adams Street, Edwin Street and Lawrence Avenue. Many of these tenants have complained to DDOT about the No Parking restrictions being enforced along Lawrence Avenue to no avail. There has been a meeting about the parking situation with the ANC and DDOT has reaffirmed its decision to restrict parking on both sides of the Lawrence Avenue. The action proposed entirely affects IRI/RBS and its customers. For these reasons IRI/RBS requests party status. Granting the special exception will cause an unsafe situation and significantly hamper IRI/RBS business.

Rodgers Brothers Service Inc.

Innovative Recyclers, Inc.

 12/17/13

George Rodgers, President Date

 12/17/13

George Rodgers, President Date



Parking Sign on Edwin Street

NO PARKING
OR STANDING
EITHER SIDE
OF ROADWAY



IF TOWED • CALL 311

Parking Sign on Lawrence Avenue