Form 140
(Revised 03/15/02)

Case No. 17075

PARTY STATUS APPLICATION

Notice: See other side of party status form for instructions.

NAME: Last	First	Middle I.
Molinoff	Jeffrey	S.

ADDRESS: Street	Apt. # (if any)	City	State	Zip Code
1401 17th Street NW	No. 1001	Washington	DC	20036

Phone No.	Fax No.	E-Mail
202.483.8352		

Signature: Jeff Molinoff Date: 2/16/04

Will you appear as a(n) ☐ Person ☑ Will you appear through legal counsel ☐

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

NAME: Last	First	Middle I.

ADDRESS: Street	Ste. # (if any)	City	State	Zip Code

Phone No.	Fax No.	E-Mail

Please answer all of the following questions referencing why the above person should be granted party status.
(If you require additional space, please attach an additional sheet.)

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 Board?

Please see attached letter.

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

Owner.

3). What is the distance between the person's property and the property that is the subject of the appeal or application before the Board? (Preferably no farther than 200ft.) Our property directly abuts the property at issue.

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 Board is approved or denied?

Please see attached letter.

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

Please see attached letter

BZA
Case No. 17075
Exhibit No. 26

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 person's in the general public.

#26 Our property abuts the applicant's property. Their dumpster, which attracts large numbers of rats, is less than ten feet from our property. The rats ~~they~~ burrow on our property.

Board of Zoning Adjustment
District of Columbia
CASE NO. 17075
EXHIBIT NO. 26

THE RICHMOND

1401 17th Street, NW, Washington, DC 20036 • phone 202-234-1744 • fax 202-667-2650
E-mail the.richmond@starpower.net
www.therichmond.com

January 11, 2004

Office of Zoning
441 4th Street NW, Ste. 210
Washington, DC 20001

RE: Chef's Express Restaurant at 1417 17th Street NW

Dear Office of Zoning:

The petition of the Gorgone Family LP for a variance to allow them to run a convenience store or a delicatessen/carryout Chinese restaurant should not be granted. The entire block of 17th Street is zoned residential and all buildings on the block are residential, with the exception of the Chinese food takeout, Chef's Express. There is a serious rat problem involving the Richmond condominium building, and all buildings on our side of 17th Street extending to P Street. It is my understanding that buildings on the south side of P Street in the first half of the block between 17th and 16th Streets also have a rat problem. These rats are the result of unsanitary conditions in and behind Chef's Express.

Conditions in the restaurant:
This is a high-volume Chinese food takeout restaurant. They open around 10:00 or 11:00 a.m. and appear to be busy until closing around 11:00 p.m. or midnight. The entire interior of the restaurant is made up of food preparation and storage areas. There are several woks, as well as rice cookers and a deep fat fryer. In the back of the restaurant on the left is a small chopping table. On many occasions, I have seen buckets of chicken on the floor around the table, as well as piles of chicken on the table and pieces of chicken on the floor. While I have never been in the storage area in the back of the restaurant, I have been told that buckets are used to store large quantities of chicken on the floor in the storage area. Large bags of rice are piled in the back hallway of the restaurant.

Conditions behind the restaurant:
Chef's Express utilizes one large dumpster for garbage, located directly behind the restaurant and adjacent to the Richmond Condominium swimming pool. As the restaurant is in the basement of a brownstone, the dumpster is right behind people's

bedrooms, within fifteen or twenty feet of the back of the houses. The dumpster has no lid and is often overflowing with food waste. In warmer months, the smell from the dumpster prevents residents of the Richmond Condominium living on the North side of our building from opening their windows. As the president of the Richmond Condominium Board of Directors, I have heard numerous complaints about the garbage smell from this dumpster, which is approximately fifty feet from our building. Residents of the condominium have also complained about the smell from the Chef's Express rooftop kitchen exhaust fans, which run non-stop.

Rats:

The District of Columbia has a serious problem with rat infestation. The unsanitary conditions in and behind Chef's Express directly contribute to this problem. You can see rats in the alley behind the restaurant and in the alley between the Richmond and the next building over. For the last few years, The Richmond has maintained rat traps around the building in an attempt to stem the flow of rats. A neighbor who lives closer to Chef's Express has reported that he can hear the rats in his walls at night. Other neighbors report rats running across the floors of their homes in front of them. The rats can climb into and out of the dumpster with ease, as it is uncovered. In addition, the rats can eat the food stored on the floor in the restaurant.

Please do not support the Gorgone Family LP's request for a special variance to our residential zoning. No carryout restaurant should ever have been allowed in the Chef's Express location, let alone a restaurant that does not even try to follow proper sanitary guidelines or maintain a sanitary environment.

Very truly yours,

Jeffrey S. Molinoff,
President of the Richmond Condominium

1415 17th St. N.W.
Apartment #2
Washington, D.C. 20036
February 5, 2004
Reference: Application Number 17075

Office of Zoning
441 4th St. N.W.
Suite 210
Washington, D.C. 20001
Dear Members of the Board of Zoning Adjustments:

Subject: Conveyance of Power of Agent to Represent the Interests of the Undersigned In Re: Gorgone Family LP Application, Number 17075

I, the undersigned, grant Mark Bjorge power of agent to represent my interests at the Board of Zoning Adjustment in regards to Application 17075 of the Gorgone Family LP.

Signed:

Name	Address	Phone Number:
Paul Johnson	1626 P St. N.W.	202-483-3091
William Fanelli	1632 P ST NW	202 965-6998
Jeff Molinoff	1401 17th st. NW No.1001	202-483-8352
Roy Gilbert	1628 P ST NW	202-667-0960
James Adams	1624 P ST, NW	202-518-6116
John Bjorge	1425 17th St NW No 106 ~~703-237-2411~~	202-232-4641

cc: Darren Bowie
Clark Ray
Carol Mitten
Anne Marchand
Richmond Condominium Association
Paul Johnson
Roy Gilbert
Bill Fanelli