DISTRICT OF COLUMBIA GOVERNMENT
BOARD OF ZONING ADJUSTMENT

IN THE MATTER OF ENDALE TEREFA App # 16880

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2007 OCT 18 PM 2:

EVIDENTIARY SUBMISSION

The applicant by and through counsel herein provides to the Board evidence in the nature of statements submitted by neighbors, police officers and businessmen in the community with regards to the request to add a delicatessen to his existing 87 year old grocery store which in this r-4 zone is in and of itself a special exception and the addition would be a modification of the special exception of benefit to the neighborhood.

Additionally, since the hearing, the applicant has , as promised, removed three posters from the windows, added one more high intensity light over the side door of the building directly in front of the tree the MPDC officer referenced , repaired the sidewalk up to the store entrance, added two covered trash receptacle to the front of the walkway to the store (the proposed large trash receptacle was deemed too unattractive) which are affixed with screws to the building and they have bags in them for regular cleaning and for people to deposit refuge and removed the ice chest from the front of the store. Letters have been sent to the MPDC 4th District commander offering to put a police substaion / office space in the front of the store and one to the DPW requesting trimming of the tree out front which the officer thought caused shadows. Photographs are enclosed to accompany the earlier ones submitted to show many of these improvements.

Mr. Terefa has had a meeting with Mr. Austin from Council member Adrian Fenty's office who has seen the cleanup efforts and actions.. All other requests that were raised at the hearing have been responded to; including a new refrigerator as one person had said that they thought some items might have spoiled due to an old refrigeration unit..

As the attached pictures and letters indicate, the neighbors need a small delicatessen service and Mr. Terefa will go to great lengths to comport with the wishes of his customers and the community. He meets with the neighbors regularly and with the police that patrol during the day, afternoons and evenings in the PSA as most of them stop in and talk to he and his wife. There are two other employees who are cousins. One employee was terminated as the neighbors had told Mr. Terefa that they had had problems with him. He also pays a neighborhood man to

BZA
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Exhibit No. 34

Board of Zoning Adjustment
District of Columbia
CASE NO.16880
EXHIBIT NO.34

clean up and cut the grass on a regular basis in the summer and more intermittently but still several days a week during the year. As Mr. Terefa testified, he and his other employees also clean up the outside area regularly.

There are enclosed two letters from patrons; one handwritten,one typed on the store's stationary. There is a letter from a police officer who is the regular PSA officer and one from a neighborhood regarding the improvements to the store ant thereby to the neighborhood. As the Board cam see from these requests which are a sample of the requests from the store's customers, the deli items they are requesting are coffee, donuts and related pastries, microwave pre-packaged sandwiches; breakfast and luncheon sandwiches, and hot dogs which were specifically requested by the neighbors because they cannot get up to Georgia Avenue and go to the hot dog carts which people want. These are the deli items that the customers request specifically and so the ones he intends to provide if this request is granted.

Trash removal is provided by Metro Emmanuel West, Inc. Twice a week and Mr. Terefa has requested that it be increased to three times a week. He was told there is not enough garbage ash to justify that but he has requested that they do so anyway.

Mr. Terefa has taken down all the signage posted on the glass inside and outside and there are no obstructions in seeing all the store from the cash register. Additionally, there is a camera and the monitor is next to the cash register so that everything that may go on in the store can be seen so that there is no place for unseen transactions referred to in the hearing. The ABC investigator has been by several times and found the store in compliance. There have been no violations of any of the underage issues ;i.e., the sale of alcohol or of tobacco products is closely monitored by Mr. Terefa, his wife and their employees.

This store provides a benefit to the community and has for over eighty years. The community, primarily older individuals, have requested additional items that can be provided with no changes to the structure or basic design of the establishment. The products are delivered by the same wholesaler who provides their bakery goods now. Mr. Terefa has firmly secured two good-size trash receptacles which are attractive in the front and has repaired the sidewalk area. He has requested and offered assistance to and from various government agencies regarding issues raised at the hearing. All the evidence indicates that this request will benefit the neighborhood while resulting in no adverse affect in the present and future character and development of the

surrounding area. As a result of this establishment and its new owner, the corner is now well lit, cleaner and a better community neighbor which will continue to provide services that fill the needs of the community with no disruption of the quality of life and its environs.

Wherefore this Board is respectfully requested to accept the recommendation of the Office of Planning whose recommendations along with the communities have been responded to as requested.

Respectfully submitted;

James L. O'Dea, III #211128
Attorney for the Plaintiff
1111-14th Street, NW; Suite 1000
Washington, D. C. 20005
202 - 737 - 0200

CERTIFICATE OF SERVICE

I hereby certify that a copy of this submission and attachments were mailed, postage prepaid, to ANC 4C.

ATTACHMENT #1

16880

JAMES L. O'DEA, III & ASSOCIATES
ATTORNEYS AT LAW
1111 14TH STREET, N.W.
SUITE 1000
WASHINGTON, D.C. 20005

(202) 737-0200
FAX (202) 737-4135

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60 WINTHROP AVENUE
LOWELL, MASS. 08151
(508) 454-2134

October 16, 2002

Larry McCoy, Commander
Fourth District; MPDC
6001 Georgia Avenue, NW
Washington, D. C. 20011

RE: police substation/office area PSA 407

Dear Commander McCoy,

This office represents the grocery store at 434 Shepherd Street, NW in your District. At a recent hearing before the Board of Zoning Appeals, an officer from that PSA stated that the corner was rife with drug trafficking and the tree on the corner caused shadows in which drug traffickers could hide. The owner of the store, Mr. Endale Terefa had stated that he had a spce at the front of the store where he could place a small desk and chair so that officers could use the location to assist them in maintaining records and lookouts and for whatever other community-helpful purpose you might wish. to use it for.

Please contact this office with regards to whatever further steps Mr. Endale terefa, the owner of Bless 7 to 9 Store, Inc. needs to take to further this matter.

Yours truly,

James L. O'Dea, III

cc: E. Terefa

16880

ATTACHMENT # 2

JAMES L. O'DEA, III & ASSOCIATES
ATTORNEYS AT LAW
1111 14TH STREET, N.W.
SUITE 1000
WASHINGTON, D.C. 20005

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October 16, 2002

Leslie Hotaling, Director
D. C. Department of Public Works
2000 - 14th Street, NW
Washington, D. C. 20005

RE: 5th & Shepherd Sts. NW

Dear Director Hotaling,

This office represents a small grocery store, Bless 7 to 9 Store, Inc., at the above-referenced corner. At a recent BZA hearing, an MPDC officer testified that a large tree on Shepherd Street, NW just to the east of the store causes shade that allows drug deals to occur without a clear view being possible.

Please advise this office what steps must be taken to have this tree trimmed to prevent this problem.

Yours truly,

James L. O'Dea,, III

cc: Endale Terefa

ATTACHMENT #3

16880

10-9-02

To: Whom it may concern:

I, Sarah McClain am a senior citizen who daily go to our neighborhood store at the Shepherd St. Market and 5th St. N.W. It would be very convient to me and other senior citizens who would like to purchase hot items of food at this store for our own convience. It is very difficult for me to go down to Georgia Ave and buy some of these items such as hot dogs, Tea, coffee and etc. Please give this Store an opportunity to help make a difference by having such products as hot items that is truly needed.

Thank You...
Sincerely
Sarah McClain

4207
New Hamp. Ave NW
202) 291-6526

ATTACHMENT #4

16880

BUILDING EQUIPMENT MAINTENANCE

3822 5TH Street Northwest Washington, DC 20011
Office 202-541-9657 **Fax** 202-829-1074
ejcoram@yahoo.com

Ref; Bless 7 to 9 Market
434 Shepard Street , N.W. Wash, DC

Attn;To Whom It May Concern,

This letter is to address the improvements made in the last few years at the above address. In the past the owners before did not take interest in our neighbor as the new owners have now. Such things as security lights, air conditioning, cold food products, and most of all customer service from the new owner are very pleasant and encouraging to the neighborhood.

In closing, I would like to say we need more neighborhood stores like this to help our seniors with the convenience of this vender.

Sincerely
ERIC J CORAM CEO.

Eric J Coram

ATTACHMENT #5

16880

To: Whom it may concern
Fr: Ofc. Jonathan Hart
Re: 'Daily Permit for *Blessed Market*'

I am writing this letter to respectfully second the motion for the said market as it relates to getting a daily zoning permit to sell hot beverages during the winter months for this upcoming year. I am a 4th District officer in Patrol Service Area #407; this is where the market is located in the 4th District. To the best of my knowledge , this market is a beacon light in the community & offers good services. Mrs. Fetelwork Teferi & her husband are good business merchants in the community. If you have any questions, I can be reached at (2)576-6745 or (3)998-0975 [pager]

Yours Truly,

Ofc. Jonathan Hart

ATTACHMENT #6

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2002 OCT 31 AM 10:58

"Bless Market"

From: Melvin Dunaway
3926 Illinois Ave, N.W.
Washington, DC 20011

To: Who It May Concern
Subject: Request For Additional Services

Dear Sir/Madame:

Our neighborhood varity store **(Bless Market)** is doing an excellence job serving the community and attending to the customers needs. Therefore, we the people of our community request that you give **"Bless Market"** the permission and/or license to sale the following items:

- Coffee
- Tea
- Hot Chocolate
- Hot Dogs
- Etc....

As the cold season is approaching and the closest fast food store is located several blocks (15 to 20 minutes) away from our neighborhood we would be very pleased if your department and/or services approve their request to sale the additional items as listed above.

Should you have any questions concerning this request, please contact Melvin Dunaway at (202) 723-4929.

Yours, Truly

Melvin Dunaway

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#1



#1 Anew pevement interance of the Store.

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Additional light Right on the Side of the tree on the Street.

#2



#5



#5 and 6 Showing the new pavement of the interance of the Store and two trash can Set infront of the Store

#6



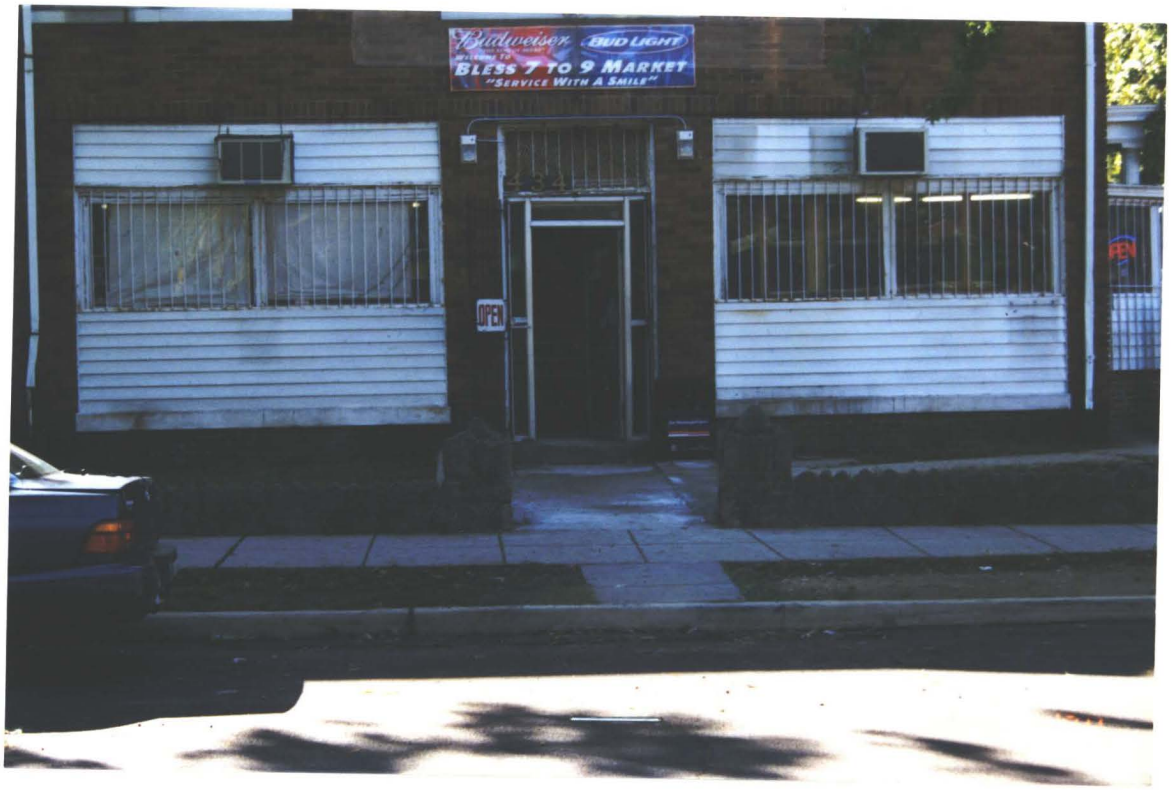
#4



#4

#Removal of Signes from the Window and Removal of Frige Out Side at the Window.

#3



#3