16880

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004
www.dccouncil.washington.dc.us
Office: (202) 724-8052
Fax: (202) 724-8120

ADRIAN M. FENTY
Councilmember - Ward 4
Democrat

Committee Member
Economic Development
Education, Libraries and Recreation
Public Services
Subcommittee on Human Rights
Property Management, and Latino Affairs

October 18, 2002

Geoffrey Griffis
Chair
Board of Zoning Adjustment
441 4th Street, NW
Suite 210
Washington, DC 20001-2714

2002 OCT 21 AM 7:51
D.C. OFFICE OF ZONING

Dear Chair Griffis:

The purpose of this letter is to recommend denial of a "special exception" to allow a change of nonconforming use from a retail grocery to a retail grocery and deli (no seats) under 2003, in a r-4 District for Bless 7 to 9, Inc. located at 434 Shepherd Street, NW, Washington, DC 20011-5944.

Due to the high number of incidents of loitering, littering and overall public disturbance at the corner of 5th and Shepherd Streets, NW, including a recent rash of crime, which led to community meetings on September 9 and October 3, 2002, I am asking that this "special exception" not be granted. Please note, in support of this recommendation, that my office has received numerous complaints from residents indicating that this establishment has had an adverse impact on the peace, order and quiet of the neighborhood.

Should you have any questions about this matter, please do no hesitate to contact me directly at (202) 724-8828 or afenty@dccouncil.washington.dc.us .

Sincerely,

Adrian M. Fenty
Council Member, Ward 4

Attachments

AMF/dnp
I:\outgoing correspondence\10-18-02 Griffis.doc

BZA
Case No. 16880
Exhibit No. 35

Board of Zoning Adjustment
District of Columbia
CASE NO.16880
EXHIBIT NO.35

September 25, 2002

Ms. Jerrily R. Kress
Director
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

D.C. OFFICE OF ZONING
RECEIVED
2002 OCT 21 AM 7:55

Dear Ms. Kress:

This letter is to inform you of the community meetings held with Mr. Endale Terefa regarding his application for a "special exception to allow a change of nonconforming use from retail grocery to retail grocery and deli (no seats) under 2003, in an R-4 District for **Bless 7 to 9, Inc., 434 Shepherd Street, N.W., Washington, D.C., 20011 (Application Number 16880).**

During the last BZA hearing on **June 11, 2002,** we informed the Board that the community would make a final attempt to discuss our warranted concerns involving Mr. Terefa's business. The community empathized the notion that Mr. Terefa was not aware of the hearing and made a final attempt to negotiate with him in a private and informal setting. On **June 18, 2002,** ANC Commissioner Timothy Jones and Mr. Ron Austin, Constituent Services, met to further discuss the concern of excessive vehicular traffic, littering, loitering and crime. The meeting was unsuccessful. A second meeting on **June 24, 2002,** also concluded unsuccessfully. On both occasions, Mr. Terefa explained that he did not see anything wrong with the conditions of his store and did not relate to any of our concerns. Please note that the community held a meeting with Mr. Terefa on **February 25, 2001**, whereas Mr. Terefa assured us that he would make some changes. Unfortunately, Mr. Terefa made no changes.

It is our sincere belief that Mr. Terefa has not come to any of the aforementioned community meetings to resolve some of the community's concerns. As of June 2002, the environment is unchanged. Thus, the Residents of Randolph would like to hold its initial position of opposing the deli license.

Sincerely,

Kiesha Miller
Residents of Randolph

May 21, 2002

Ms. Jerrily R. Kress
Director
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Dear Ms. Kress:

I am writing to request the denial of a "special exception to allow a change of nonconforming use from retail grocery to retail grocery and deli (no seats) under 2003, in an R-4 District for Bless 7 to 9, Inc., 434 Shepherd Street, N.W., Washington, D.C., 20011 **(Application Number 16880).** The Residents of Randolph, comprised of 15 residents in the 400 block of Randolph Street, N.W., wish to oppose the "special exception" because the business adversely impacts our abutting properties and continues to promote a grievous, hostile environment.

In the two years that Mr. Endale Terefa has owned the Bless 7 to 9 Store, the residents of the 400 block of Randolph and Shepherd Streets have witnessed:

- Excessive pedestrian and vehicular traffic
- Loitering during business hours
- Disturbances/noise during business hours
- Littering: soda and beer bottles, candy wrappers, etc.
- Violation of current retail grocery license: sells beer and cigarettes to minors

Furthermore, Mr. Terefa has continuously failed to respect the concerns of the community and the law. On Monday, February 11, I (representing the Residents of Randolph); the Metropolitan Police Department; and a representative from the Department of Consumer and Regulatory Affairs, Alcohol Beverage Control, met with Mr. Terefa to discuss the littering, loitering, and other disturbances the store created. Mr. Terefa assured us that he would coordinate with the MPD, DCRA, and the community to attempt to alleviate many of the problems. To date, the same level of problems exists.

Thus, we request the Advisory Neighborhood Commission to disapprove the special exception application until the business owner addresses the aforementioned concerns. A petition (including required signatures) from residents of abutting properties, and a letter from the Metropolitan Police Department supporting our protest will be forwarded to your office within 10 days.

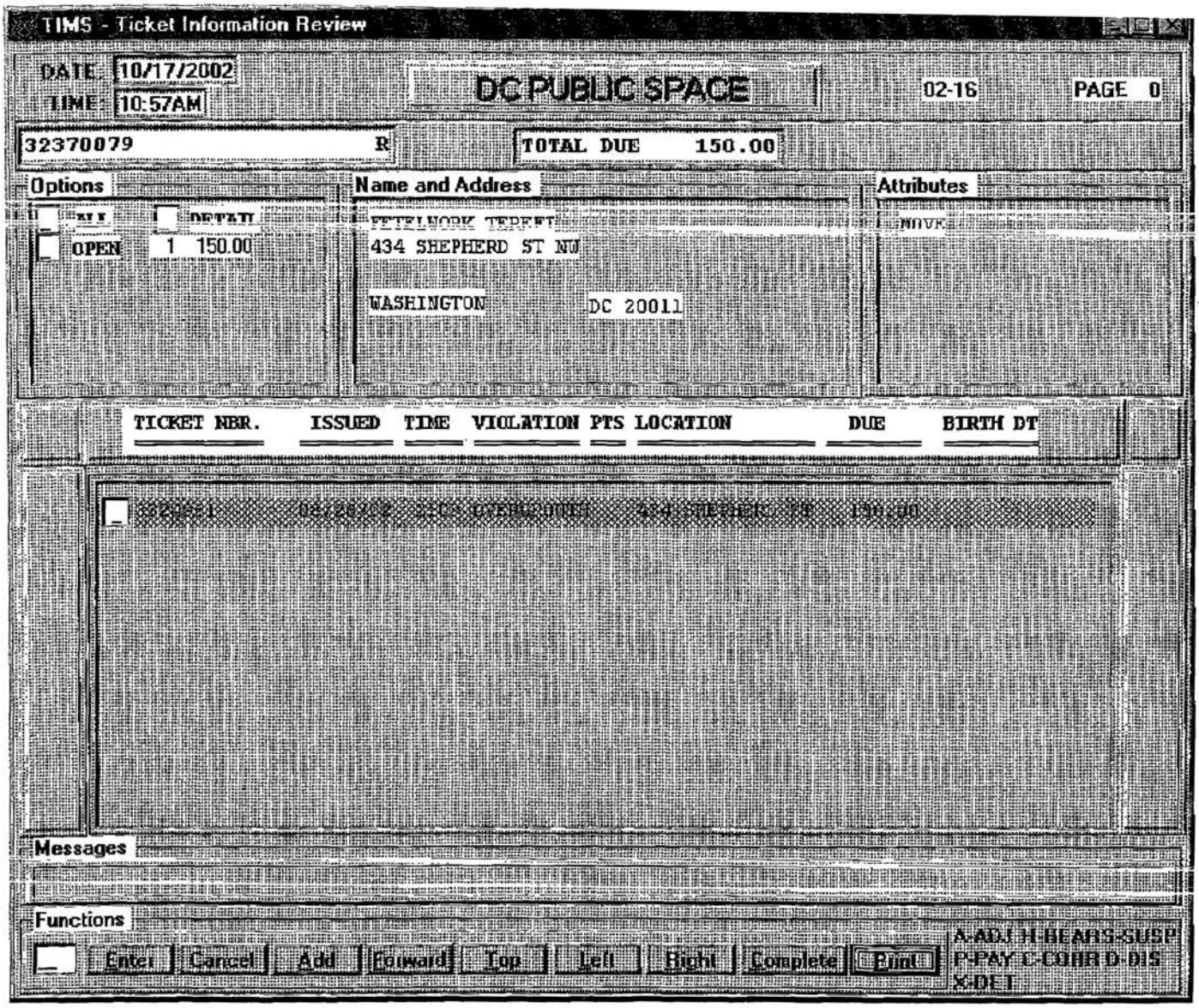
If you have inquiries regarding this protest, please contact me at (703) 607-6134.

Respectfully,

Kiesha Miller
Residents of Randolph

cc:

Mr. Adrian Fenty, Councilmember, Ward 4
Mr. Timothy Jones, Chairman, Advisory Neighborhood Commission (4C)
Mr. Shawn Fenty, Vice-Chairman, Advisory Neighborhood Commission (4C)
Lt. Samuel Snyder, PSA 407 Manager, Metropolitan Police Department



10/17/2002 11:04 FAX 202 535 1021 PUBLIC SPACE PERMIT CONT 002

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE MANAGEMENT ADMINISTRATION
NOTICE OF VIOLATION

NO. 3 32496-1

OWNER IS:
NAME: FETELWORK TEREFI
ADDRESS: 434 - SHEPHERD ST. N.W.
CITY: WASHINGTON STATE: DC ZIP CODE: 20011

RESPONDENT IS:
[X] OWNER [ ] VEHICLE OPERATOR [ ] OCCUPANT
[ ] AGENT [ ] VEHICLE OWNER [ ] VIOLATOR

SAME VIOLATION WITHIN 60 DAYS
[ ] YES [X] NO

DATE OF VIOLATION: 08/26/02 TIME OF VIOLATION: [ ] AM 2:10 [X] PM VIOLATION CODE AND CITATION: C560A, 24DCMR2001.3

[ ] OPPOSITE [X] REAR [ ] ALLEY [ ] FRONT [ ] RIGHT [ ] LEFT [ ] SIDE [ ] AT
VIOLATION LOCATION: 434 - SHEPHERD ST. [X] NW [ ] NE [ ] SE [ ] SW
LOT: CC79 SQUARE: 3237 WARD: 4

VIOLATION: [ ] RESIDENTIAL [X] COMMERCIAL [ ] GENERAL

- [ ] RAT HARBORAGE
- [X] OVERGROWTH ON PUBLIC SPACE — OVERGROWTH OF BUSHES, WEEDS,
- [ ] IMPROPER BULK DISPOSAL — BRANCHES
- [ ] IMPROPERLY BUNDLED MATERIAL
- [ ] DANGEROUS OBSTRUCTION ON PUBLIC SPACE — ONTO PUBLIC SPACE!!
- [ ] LITTERING — IMPROPER STORAGE
- [ ] POSTING ON DC PROPERTY
- [ ] POSTING ON PUBLIC TREES
- [ ] NUISANCE VACANT LOT
- [ ] OTHER:
- [X] FAILURE TO MAINTAIN ABUTTING PUBLIC SPACE
- [ ] CONSTRUCTION MATERIAL
- [ ] IMPROPER SOLID WASTE CONTAINER
- [ ] NO LICENSED SOLID WASTE COLLECTOR
- [ ] IMPROPER STORAGE
- [ ] COLLECTING SOLID WASTE WITHOUT LICENSE:
- [X] ADVERTISING ON PUBLIC SPACE — CABLE HOLDERS!
- [ ] FAILURE TO REMOVE ANIMAL EXCREMENT
- [ ] ILLEGAL DUMPING

FINES: [ ] $35 [ ] $70 [X] $75 [ ] $100 [ ] $150 [ ] $300 [ ] $1000 [ ] $5000
OTHER: $
[X] ABATEMENT REQUIRED

IF ABATEMENT IS REQUIRED, YOU MUST, IN ADDITION TO PAYING ANY APPLICABLE FINES AND PENALTIES:
- [X] REMOVE DEBRIS AND PROPERLY DISPOSE
- [X] REMOVE BULK AND PROPERLY DISPOSE
- [X] BAIT FOR RATS
- [X] PRUNE LIMBS/PLANT MATERIALS BACK FAR ENOUGH SO THAT THEY NO LONGER OBSTRUCT PUBLIC SPACE
- [ ] ADDITIONAL:
- [X] CUT AND REMOVE WEEDS
- [ ] PURCHASE PROPER SOLID WASTE CONTAINER

ABATEMENT OF THIS VIOLATION MUST OCCUR WITHIN [X] 14 DAYS [ ] 72 HOURS.

CALL 645-7190 TO ARRANGE FOR REINSPECTION

RESPONDENT NAMED ABOVE MUST ANSWER THIS NOTICE OF VIOLATION WITHIN 14 CALENDAR DAYS FROM THE DATE OF SERVICE. FAILURE TO DO SO MAY RESULT IN ADDITIONAL MONETARY PENALTIES, AND A DEFAULT JUDGMENT ENTERED AGAINST YOU. SEE REVERSE SIDE FOR HOW TO PROCEED AND FURTHER INSTRUCTIONS.

I PERSONALLY OBSERVED THE EXISTENCE OF THE CIVIL VIOLATION DESCRIBED ABOVE
TICKET WRITER SIGNATURE: Charles T. Lee ID NUMBER: CW-301
THIRD PARTY OBSERVER: DATE:
METHOD OF SERVICE:
[ ] PERSONAL: DATE OF SERVICE:
[X] CONSPICUOUS POSTING: DATE OF SERVICE: 08/21/02
[ ] CERTIFIED MAIL:

ADJUDICATION COPY

332496 - 1

08-26-02

434 SHEPHERD ST NW

REAR



332496 - 1

1688

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004
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Public Services
Subcommittee on Human Rights
Property Management, and Latino Affairs

October 18, 2002

D.C. OFFICE OF ZONING
RECEIVED
2002 OCT 18 PM 4:29

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Suite 210
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Mr. Timothy Jones, Chairman, Advisory Neighborhood Commission (4C)
Mr. Shawn Fenty, Vice-Chairman, Advisory Neighborhood Commission (4C)
Lt. Samuel Snyder, PSA 407 Manager, Metropolitan Police Department

TIMS - Ticket Information Review

DATE 10/17/2002
LINE 10:57AM

DC PUBLIC SPACE

02-16 PAGE 0

32370079 R TOTAL DUE 150.00

Options

OPEN 1 150.00

Name and Address

434 SHEPHERD ST NW

WASHINGTON DC 20011

Attributes

TICKET NBR.	ISSUED	TIME	VIOLATION	PTS	LOCATION	DUE	BIRTH DT

Messages

Functions

Enter | Cancel | Abbr | Forward | Top | Left | Right | Complete | Print

A1 350479 9-5-08

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE MANAGEMENT ADMINISTRATION
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[ ] CERTIFIED MAIL:

ADJUDICATION COPY

332496 - 1

08-26-02

434 SHEPHERD ST NW

REAR



332496 - 1

Office of Ward 4 Councilmember Adrian M. Fenty
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Suite 506
Washington, D.C. 20004
Phone: 202.724.8052
Fax: 202.724.8120

Council of The District of Columbia

Fax

To: Office of Zoning **From:** Ronald Austin

Fax: 202-727 6072 **Pages:** 8

Phon **Date:** 10/18/02

e:

Re: **CC:**

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☒ **Please Reply** ☐ **Please Recycle**

• **Comments:** Application Number 16880

RECEIVED
D.C. OFFICE OF ZONING
2002 OCT 18 PM 4: 29