

Kathy Henderson
1807 L Street, NE
Washington, D.C. 20002
(202) 556-5823
Khenderson029@aol.com

September 24, 2020

Zoning Commission Members
441 4th Street NW
Washington, D.C. 20001

RE: Zoning Commission Case 19-30

Dear Zoning Commission Members:

I respectfully request that you vote no on this controversial matter, which appears to be a scheme to raise building heights along Benning Rd, under the ruse of protecting the Advisory Neighborhood Commission (ANC) 5D05 community from pop-ups. Case 19-30 was brought by the Carver Langston Civic Association, which has no legal standing in any matter within ANC 5D05 or other affected community within the ANC 5D community. The Advisory Neighborhood Commission 5D (ANC) has not properly notified the community regarding the monthly community meetings; any vote to move this request forward was not done in accordance with the law. The ANC is required by law to notify the community in at least two ways to satisfy meeting notice requirements. The ANC 5D simply posts an occasional notice on their designated website, which the community does not have uniform access to. Most of the residents in ANC 5D05, 5D04 and 5D03 have no idea about this clandestine process. No notices regarding this case have been uniformly posted throughout the affected community, including Benning Rd. The Office of Planning should not have conducted the initial meeting to change the zoning within the proposed area, through the Langston Civic Association, which does not have legal standing akin to the ANC's to represent the community.

Commissioner Sydelle Moore is unknown to the community and consistently seeks to avoid and misinform residents when she is taken to task regarding 5D05 concerns. Ms. Moore is working surreptitiously with a handful of supporters that do little more than distort, mislead and lie about matters in the 5D05 community. Ms. Moore lied to residents regarding the benefits of being included in the Kingman Park Historic District and attempted to disrupt a well-attended meeting on 8-15, 2017, attended by State Historic Preservation Officer David Maloney and members of Office of Planning staff. Ms. Moore's residence is an Air B&B establishment and she regularly uses her visitors to pose as residents; none of these persons are registered voters or otherwise have any legal standing in the community. Juanita Diggs, who resides within ANC 5D04 is a part of the scheme to push case 19-30.

Finally, the properties 1835 H Street NE, 826 20th Street and others are being developed without proper permits and have received stop work orders and substantial fines for proceeding without proper permits. Residents also complained about 800 21st Street NE and another property in the 800 block of 18th Street and two properties in the 1800 block of I Street NE. There is D.C. Council hearing testimony regarding the illegal construction overlooked by then DCRA Director Melinda Bolling, despite multiple documented complaints from me in my capacity as the elected representative for ANC 5D05 and ongoing complaints documented in a petition signed by residents. I am the immediate past representative for 5D05. Case 19-30 is little more than a scheme to surreptitiously raise building heights, with the pretense of protecting the 5D05 community from further pop-ups. It is clear that DCRA did little to nothing then and continues to allow rogue developers to build without proper permits and to damage neighboring properties with seeming impunity. This is not justification for Case 19-30 and this case was not properly voted on and otherwise properly executed by ANC 5D. Ms. Moore is not credible and has knowingly filed multiple false complaints which are being investigated. Elected representatives are required to follow the law; Ms. Moore has not done so.

Alternatively, the Zoning Commission may table this matter until such time as ANC 5D follows the law in requesting a zoning change for ANC 5D communities and Benning Road. If approved, Case 19-30 will benefit Darcy Scott who is a developer and a member of Ms. Moore's small group of interlopers with a development scheme. Raising building heights has not resulted in the creation of affordable housing and using that argument in this instance is not supported by facts.

Thank you for your dismissal and or delay of this scheme (Case 19-30) that is offered without benefit of full public disclosure, notification and participation.

Respectfully Submitted By,



Kathy Henderson

Attachments: Letters to OAG and D.C. Superior Court and Listserv Copies

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5D
SINGLE MEMBER DISTRICT 5D05**



August 16, 2017

Ms. Sydelle Moore
813 20th Street, NE
Washington, DC 20002

VIA CERTIFIED MAIL

Dear Ms. Moore:

I am writing regarding your disruptive behavior at the Advisory Neighborhood Commission (ANC) Single Member District (SMD) 5D05 meeting held on August 15, 2017. Your actions violated common courtesy, Robert's Rules of Order and consideration for your neighbors. It was obvious that your goal was to incite rancor for the purpose of capturing some type of drama-filled video footage. You were the only person yelling out of order and behaving in a disruptive manner, underscoring that other meeting attendees urged you to stop the disruptive behavior. You are fortunate that you were not arrested for disorderly conduct.

Finally, I am a duly elected representative of the District of Columbia Government responsible for representing the interests of citizens residing within the boundaries of ANC SMD 5D05. I have a right and a duty to convene meetings in order to represent my constituent's interests. I have overlooked your deliberate and numerous misrepresentations of facts, including you registering and inciting non-DC residents to attack me on public listservs and at public meetings. Your negative behavior appears to be escalating and I will not tolerate it.

Be advised that you are hereby given a written warning to cease and desist your disruptive conduct, which serves to impede my ability to represent the interests of residents in ANC SMD 5D05. I am forwarding a copy of this communication to Attorney General Karl Racine and Councilmember Anita Bonds to document and pursue recourse regarding your actions.

Respectfully Submitted By,

A handwritten signature in black ink, appearing to read 'K. Henderson', with a long horizontal stroke extending to the right.

Commissioner Kathy Henderson, 5D05

Cc: Attorney General Karl Racine
Councilmember Anita Bonds

STATEMENT OF ZACHARY WEREDE
1830 FOOD 7 STORE OWNER
(301) 825-2605

December 27, 2018

DC Superior Court
300 Indiana Ave. NW
Washington, DC 20001

RE: Case 2018 CPO 005344

Dear Judge _____:

My name is Zacharias Werede and I am the owner of the Food 7 Store, located at 1830 Benning Rd. NE, Washington, DC 20002. I attended a community walk on December 13, 2018. The community walk began in front of my store and ended on 21st Street, NE. I attended the entire walk and I did not see or hear any disturbance or negative interactions between any of the participants. Ms. Moore called me later that evening and stated, "Kathy Henderson attacked me..." Ms. Moore asked me did my video have voice recording and I told her I have no such video.

I support the community and look forward to serving all customers in an environment that is clean and safe. I hope going forward, Ms. Moore will get along with everyone, including Kathy Henderson.

Sincerely,

Zacharias Werede
1830 Food 7 Store Owner

A handwritten signature in black ink, appearing to read 'Zacharias Werede', is written over a large, stylized scribble or flourish.

Date: Sat, Jan 14, 2017 6:43 pm

Bill Campana
20th St NE

Jordan Campana
813 20th St NE

Jordan Campana
Trinidad East - Carver Langston · 813 20th St NE

POST IN GENERAL

Fed Up With Food 7
Bill Campana from Trinidad East -
Carver Langston · 18 Nov

I am fed up with all of the criminal activity inside and around the Food 7 Store. I am not sure how a place with this many calls for police service still has a liquor license, but I for one am going to complain about the fact that they still have one and I encourage you all to do the same. It is ridiculous that this one store generates so much crime. Here is a link to a complaint form I found online. You can submit the complaint anonymously as well. <http://dcforms.dc.gov/webform/abra-e-com...>

Shared with Trinidad East - Carver
Langston inGeneral



You, Ed, McCordia, and 9
others thanked Bill

x

Nextdoor for iPhone GET APP
by Henderson, from Trinidad East - Carver
It's faster, easier and free!
Langston · 18 NOV

STATEMENT OF WALTER LARGENT Jr.

I am a fifteen-year resident of the Carver Terrace community, a devoted husband, father, and school principal and veteran of the U.S. Marine Corps. I attended a block party on September 22, 2018, in the 800 block of 21st Street, NE, which is around the corner from where I reside in the 800 block of 21st Street, NE. At the time, I was a candidate for the Advisory Neighborhood Commission (ANC), Single Member District 5D05. The block party was enjoyable, uneventful and I was glad to meet and chat with the neighbors in attendance. I am aware that Ashley Sydelle Moore filed a claim of stalking against Kathy Henderson, who was the elected representative for ANC 5D05 at the time. Ms. Moore alleges that Ms. Henderson caused a disturbance, requiring police intervention and was asked to leave the event. The allegation is completely false. Commissioner Henderson was well-received and everyone appeared to have a very enjoyable time. No police attended the event; although, if they had we would have enjoyed their presence, underscoring that we have a great relationship with the officers that serve our community. Ms. Moore did not greet me or say much at the block party; however, everyone **behaved** neighborly and enjoyed refreshments and appeared to have a good time, including Ms. Moore.

I am disappointed that Ashley Sydelle Moore would make a false claim against Kathy Henderson and use our Court system to perpetuate a falsehood. This matter is particularly troubling since Ashley Sydelle Moore is now Commissioner Moore and is elected to represent our community. As a veteran of the U.S. Marine Corps, I am duty and honor-bound to tell the truth and I assure you Ms. Moore's allegation is completely false. I was not able to attend the initial Court hearing on December 28, 2018, due to holiday travel and family obligations.

I give this truthful statement freely and affirm that I am over eighteen-years of age. Feel free to contact me at (202) 239-9576. Kathy Henderson did a fine job representing our community as the ANC 5D05 representative and deserves much appreciation for her work.

Sincerely,

A handwritten signature in black ink, appearing to be 'Walter Largent Jr.', written over a large, loopy oval scribble.

Walter Largent Jr. M. Ed , M.A.

Stephen Harris
834 20th Street, NE
Washington, DC 20002
(202) 398-6942

January 27, 2019

DC Superior Court
300 Indiana Ave. NW
Washington, DC 20001

RE: Case 2018 CPO 005344

Dear Judge Ryan:

I attended the block party referenced in Ashley Moore's complaint and I am surprised by the assertion. My wife and I enjoyed interacting with the neighbors, including Kathy Henderson. Kathy Henderson is our neighbor and at the time, was our elected advisory neighborhood commissioner and we appreciate all of her hard work on our behalf. I did not observe any rancor or disturbance during the event and everyone appeared to enjoy themselves, including Ms. Moore. No police were called by anyone and no police were at the block party. I do not know why Ms. Moore would make the false assertion regarding Ms. Henderson and I am saddened by this complaint. I support all of my neighbors and denounce using our legal system to advance something that did not happen.

I am a retired corrections officer from the DC Department of Corrections and I support law and order and justice. I was out of town for Christmas, otherwise, I would have gladly made my statement in open Court on December 28, 2018. You may feel free to call me at (202) 368-7461 if you have any questions.

Sincerely,



Stephen Harris

Sylvia Graham
801 20th Street, NE
Washington, DC 20002
(202) 398-6681

December 23, 2018

DC Superior Court
300 Indiana Ave. NW
Washington, DC 20001

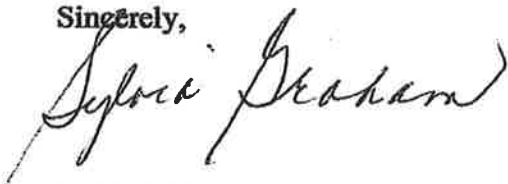
RE: Case 2018 CPO 005344

Dear Judge Ryan:

I am a 45-year resident of the 800 block of 20th Street NE. I attended the block party referenced in Ashley Moore's false complaint against Commissioner Kathy Henderson, 5D05. The block party event was nice, pleasant and uneventful. Commissioner Henderson was welcome to attend the event and I am glad she did. Commissioner Henderson works hard for the community and we were glad Commissioner Henderson joined us for an opportunity for community engagement. No police were called or attended the event and I am shocked by Ashley Moore's false complaint. I am disappointed that Ashley Moore would make a false complaint against Ms. Henderson and use the Court to perpetuate a falsehood.

I am unable to share my statement with you in person, due to holiday travel. Although I will be out of town on December 28, 2018, I may be reached by cell phone; my phone number is (202) 907-5028. I give this statement freely and respectfully ask that you dismiss Ms. Moore's false complaint against Ms. Henderson.

Sincerely,



Sylvia Graham

Lillie Bonilla
1941 H Street, NE
Washington, DC 20002
(202) 421-8834

December 27, 2018

DC Superior Court
300 Indiana Ave. NW
Washington, DC 20001

RE: Case 2018 CPO 005344

Dear Judge Ryan:

My name is Lillie Bonilla and I reside at 1941 H Street, NE with my family and we are active members of the Advisory Neighborhood Commission (ANC), Single Member District 5D05 community. I attended the block party referenced in Ashley Moore's complaint and I am surprised by Ashley Moore's false allegations regarding Commissioner Kathy Henderson, 5D05. There was no disturbance of any kind during the event and no police officers were called or otherwise responded to the block party for any reason. Everyone enjoyed themselves, including Ms. Moore. The block party was open to all persons and I am certainly glad Commissioner Henderson attended the block party; Kathy Henderson is our elected neighborhood representative and it was certainly appropriate for her to attend this event and speak with our neighbors as she did. I do not know why Ms. Moore would make the false allegations regarding Ms. Henderson and I am disturbed that she is clearly untruthful.

I also attended Mayor Bowser's press conference on September 26, 2018, at 1830 Benning Rd NE and had an opportunity to speak with Commissioner Henderson, Police Chief Newsham and Mayor Bowser. At the beginning of the press event I observed Ashley Moore kick Commissioner Henderson's foot and attempt to step in front of her as if to block her from view. I was shocked that Ashley Moore would behave in such a hostile manner toward Commissioner Henderson. The act was brazen, disrespectful and clearly an assault on Commissioner Henderson. Mayor Bowser and Commissioner Henderson appeared to have a brief exchange (which I did not hear) and Commissioner Henderson extended her hand to Mayor Bowser. Mayor Bowser refused to shake Commissioner Henderson's hand, which I thought was offensive and very disrespectful. Mayor Bowser should have embraced Commissioner Henderson, minimally with a handshake. Commissioner Henderson works hard for our community and I have no doubt that she cares deeply about our community. I do not like what Ashley Moore did at the press event to Commissioner Henderson and I am disappointed by Mayor Bowser's actions, refusing to shake Commissioner Henderson's hand.

Finally, I am very concerned that Ashley Moore is clearly the wrong person to serve as our new representative for the ANC 5D05 community. She clearly has a problem telling the truth by making false allegations against Commissioner Kathy Henderson, 5D05 and I do not believe she will serve our community with integrity. Anyone that would use the Court to make false allegations against another, is a person without integrity and is therefore unfit for public office.

I cannot attend the Court hearing today due to health issues; however, there is a possibility that I can participate via conference call. My phone number is (202) 421-8834. Thank you for allowing my statement, which is accurate, truthful and given freely.

Respectfully Submitted By,

Lillie Bonilla



12/27/18

**STATEMENT OF ZACHARY WEREDE
1830 FOOD 7 STORE OWNER
(301) 825-2605**

December 27, 2018

DC Superior Court
300 Indiana Ave. NW
Washington, DC 20001

RE: Case 2018 CPO 005344

Dear Judge Ryan:

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I support the community and look forward to serving all customers in an environment that is clean and safe. I hope going forward, Ms. Moore will get along with everyone, including Kathy Henderson.

Sincerely,

Zacharias Werede

1830 Food 7 Store Owner

A handwritten signature in black ink, appearing to read 'Zacharias Werede', written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the bottom.