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January 24, 2013

BY HAND DELIVERY

Lloyd J. Jordan
Chairman, Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, D.C. 20002

Re: 2115 N Street Condominium Association
Appeal # 18497
Request for Postponement: Hearing date Feb 12, 2013

Dear Mr. Chairman:

On behalf of the Appellant, the 2115 N Street Condominium Association, I am formally requesting a two month postponement of the above referenced appeal. The hearing is currently scheduled for Tuesday, February 12, 2013.

As grounds for this request, I submit the following.

The appeal is being brought by the 2115 N Street Condominium Association. The District issued at least two permits to a Mr. Blake Congdon, who owns unit 4 in the next door condominium, known as 2117 N Street Condominium.

My client has attempted on numerous occasions to obtain from DCRA all relevant and related documentation for the various permits which the District has issued. However, the District has on several occasions advised my client that this information cannot be located.

Finally, on January 7, 2013, on behalf of the appellant, I filed a Freedom of Information Request (a copy of which is attached). To date, my client has not received the requested information.

In order to properly prepare for the upcoming hearing, my client – and its expert witnesses – need to carefully review all of the documentation. It is expected that within a reasonable period of time, the District will finally locate the requested information, at which time the appellant and its consultants will be able to fully understand all of the ramifications relating to the roof deck construction next door to my client's building.

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Board of Zoning Adjustment
District of Columbia
CASE NO.18497
EXHIBIT NO.15



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Additionally, until all of the requested FOIA documentation is made available, the BZA itself will not be able to carefully review, analyze and ultimately opine on the issues raised by appellant.

Accordingly, it is respectfully requested that the scheduled February 12, 2013, hearing on Appeal #18497, be postponed for two months.

I have discussed the matter with Attorney Jay Surabian, Assistant Attorney General for the Department of Consumer and Regulatory Affairs, and he has consented to a 60-day postponement.

Sincerely,

Benny L. Kass

Enclosure

cc: client
All named appellees
Jay Surabian, Esq.

[Printable Version](#)

DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

**OFFICE OF THE DIRECTOR
FREEDOM OF INFORMATION ACT REQUEST****1100 4TH St., SW
WASHINGTON, DC 20024**

Thank you for your FOIA request. You can also visit dcra.dc.gov to consult information DCRA has put on its website. You may also fax this form to DCRA at 202.442.9445.

Requester Information

*Requester Name
Organization:
*Address:
*City *State *Zip Code
*Telephone Number
*E-mail Address

Request

Please put in writing what documents/materials you are seeking from the Department of Consumer & Regulatory Affairs. All requests are responded to within **15 business days**. For questions, please call 202.478.9286. Please print your request clearly. (Please Type on the field, do not copy and paste from other applications or if you do, paste it in note pad b4 pasting in the space below)

1. Please provide all documents relevant, pertaining to, and/or reflecting the Stop Work Orders issued to 2117 N. Street NW, Washington, D.C. 20007.
2. Please include all documents that reflect specifically why each Stop Work Order for 2117 N Street NW was lifted.

Additionally, the Records Office has been unable to find the following documents requested below, despite the fact that they are public record. After months of correspondence with DCRA, these documents continue to be inaccessible. Therefore:

3. Please provide the applications and associated documents for building permits B1211248 and B1300351.
4. Please also provide all building permits, building permit requests and associated documents for the property located at 2117 N. Street, NW, Washington, D.C. 20007.
5. Please also provide all permit applications and requests for amendments to permit applications for the property located at 2117 N. Street NW, Washington, D.C. 20007.
6. Please also provide the most recently approved version of the building plans for the property located at 2117 N. Street NW, Washington, D.C. 20007.

There is a search and copying fee for all documents and materials prepared by the DCRA personnel. Once your request has been completed you will be notified by U.S. mail or email of the charges.

* Denotes a Required Field