

OAH Case No. 2014-DCRA-00050

Re: Ontario 1700 Construction; Communication between Chris Otten and DC Agencies

COMMUNICATION TIMELINE (reverse chronological order)

Oct. 17, 2014 -- Otten writes to DCRA & counsel for developer about getting clarity on rooftop structures; No Answer.

Oct. 16, 2014 -- Otten responds to Moy (BZA); Otten attempts to clarify what administrative process has happened since the Court of Appeals June 2014 Order remanding the rooftop structure exception.

Oct. 16, 2014 -- Moy (BZA) responds to Otten; Moy says he is waiting for the OAG to return from vacation before acting on the Court remand regarding the rooftop structures.

Oct. 15, 2014 -- Otten responds to Postulka (DCRA) discussing costs of printing out the schematic plans; No costs for plans were ever mentioned before.

Oct. 15, 2014 -- Postulka (DCRA) responds to Otten saying that the schematic plans are ready for printing but at a cost.

Oct. 14, 2014 -- Otten writes to DCRA and counsel for developer inquiring about disparities in the schematic plans delivered by the counsel for the developer and the rooftop structures.

Oct. 14, 2014 -- Chris Otten writes to Clifford Moy, BZA Secretary about the BZA taking up the Court remand of the rooftop structures for this project.

Sep. 24, 2014 -- Otten responds to Mr. Jones at OAH to acknowledge receipt of the Order granting a continuance; Otten also discusses the fact that a large set of printed plans were delivered to the offices of the counsel for Adams Morgan for Reasonable Development on September 17, but that these plans show multiple rooftop structures and therefore could not be the latest plans because the multiple rooftop structures were ruled as not meeting the variance standards by the Court of Appeals in June 2014. No response by Intervenor.

Sep. 22, 2014 -- Mr. Ricky Jones at OAH sends a courtesy email with the OAH order attached granting the continuance of the case until October 28, 2014.

Aug. 29, 2014 to Sep. 19, 2014 :: Chain of emails -- Counsel for DCRA, John Postulka begins to inquire with the DCRA records office about the schematic plans; Counsel for AMFRD goes back and forth with Postulka, and Ms. Debra Hedgeman in the DCRA records office about the location of the plans. Eventually this conversation shifts away from the location of the plans without any resolution; Postulka (DCRA) asks the counsel for AMFRD to give consent for a

continuance of the OAH hearing which had been scheduled to be held September 26, 2014.

August 28, 2014 -- OAH Status Hearing is held and a contested case hearing is set for September 26, 2014.

August 7, 2014 -- AMFRD submits appeal of DCRA's issuance of the building permit to OAH.

August 4, 2014 -- Chris Otten visits DCRA Records Office; Otten cannot get design plans but examines public documents folder; Otten orders design plans to be delivered to DCRA records office; DCRA never delivers design plans for review and doesn't contact Otten.

July 30, 2014 -- Counsel for the developers met with AMFRD to discuss remedy. Ultimately there is no resolution.

July 25, 2014 -- Counsel for the developers send by mail the building permit issued by DCRA on July 24, 2014. The permit is mailed to Otten as well as to counsel for Adams Morgan for Reasonable Development (AMFRD).

July 24, 2014 -- Otten informs DCRA officials again, and includes BZA officials, expressing serious concerns about the illegal vertical construction happening at 1700 Columbia Road.

July 22, 2014 -- Otten calls DCRA Illegal Construction Line; Mr. Polk states that he would check in on permit and send illegal construction inspector.

July 21, 2014 -- Chris Otten, representative for Adams Morgan for Reasonable Development, writes to DCRA officials about the illegal construction happening at 1700 Columbia Road.

July 21, 2014 -- Chris Otten, representative for Adams Morgan for Reasonable Development, writes to BZA officials inquiring about when the BZA would take up the DC Court of Appeals June 5, 2014 -- DC Court of Appeals Orders a Remands of the BZA decision regarding the rooftop structures at 1700 Columbia Road.

April 25 to March 5 -- Otten notices no work on-site; Stop Work Order was issued regarding premature tower crane erection.

April 24, 2014 -- Otten contact DCRA's illegal construction line speaks with Sara who give him Ruben Legaspi's cell phone number; Otten calls Mr. Legaspi at 4:45pm; Mr. Legaspi informs Otten that there is no Tower Crane permit issued, and there was never a raze permit issued calling that a "big issue."



