

Tab B

AFFIDAVIT OF KRISTEN WALP, ESQ.

I, Kristen Walp, hereby certify that, to my actual knowledge, the following is true and accurate:

1. I am over 18 years of age.
2. I am a Senior Assistant General Counsel in the Department of General Services (“DGS”) Office of the General Counsel.
3. DGS received no formal notice of BZA Appeal No. 20183, and may have been improperly served. The initial Form 125 (Exhibit 1 in the case record) filed by the Appellant, the Residences of Columbia Heights, A Condominium (“Appellant”) included an incorrect email address (dsg@dc.gov) and a generic owner address of 2000 14th Street, NW, Washington, DC 20009 (with no indication of a particular floor or DGS employee to direct notice to).
4. DGS’ website lists the following contact information for DGS:

2000 14th Street, NW, 8th Floor, Washington, DC 20009
Email: dgs@dc.gov
5. Exhibit 30, dated December 9, 2019, a letter from the District of Columbia Board of Zoning Adjustment (“BZA”) to DGS was also directed only to “Sir or Madam” and includes the generic address of 2000 14th Street, NW, Washington, DC 20009. I am not aware of DGS receiving a copy of this notice by mail or email.
6. All subsequent service of process filed by the Appellant was sent to DGS at an address that does not exist – 1250 “O” Street, NW, Washington, DC 20009. DGS has office space at 1250 U Street, NW, Washington, DC 20009.
7. Two weeks prior to the scheduled January 29, 2020 hearing of this appeal, Hugh Green, the attorney at the Department of Consumer and Regulatory Affairs (“DCRA”) handling this appeal directly contacted this office at DGS to inquire (i) if DGS would designate witnesses to be available for the hearing; and (ii) if DGS would be intervening in the appeal or have outside counsel represent us.
8. DCRA is a separate and distinct District of Columbia agency. Accordingly, proper notice to DCRA and/or a filing by that agency does not connote DGS’ knowledge of that notice or any such filings.

9. After a discussion with Mr. Green, DGS immediately began its internal process (identifying budget authority and putting a contract in place) to retain outside counsel, Cozen O'Connor, to intervene on behalf of DGS and represent DGS at the upcoming hearing. DGS was able to expedite this process, which required coordination and approvals by numerous DGS office, and retain Cozen on January 22, 2020.

10. Once retained, I understand that Cozen reviewed the record and prepared, cleared through DGS, and finalized the Motion to Postpone and Motion to Dismiss as quickly as they could given the record. Ultimately, that submission was filed on January 23, 2020, seven days in advance of the hearing.

BY: *Kristen Walp*
Kristen Walp

District of Columbia
to-wit:

Subscribed and sworn to before me this 23rd day of January, 2020

Victoria Black Scherer
Notary Public

My Commission Expires: June 30, 2023





FORM 125 - APPEAL

GIS INFORMATION

Square	Lot(s)	Zone	ANC
2662	205	MU-5A	ANC 1B, SINGLE MEMBER DISTRICT 1B06

Address of Property: 2500-14th Street, NW

ZONING INFORMATION

Administrative -Officer/Officer: Department of Consumer and Regulatory Affairs

Date of Decision: September 30, 2019

Building Permit No. / Certificate of Occupancy No. (if applicable): B1908601

Brief description of proposed project: Granting of permit to build a second primary building on lot

Present use of Property: Building current on lot is used as a community center

Proposed use of Property: Second primary building proposed to be used as an apartment building temporary shelter

Certificate of Service

I hereby certify that on 10/24/2019 I will serve a copy of the forgoing motion or request to each Applicant, Petitioner, Appellant, Party, Intervenor, and the Office of Planning on this case via Email

CONTACT INFORMATION

Owner Information

Name: Department of General Services
E-mail: dsg@dc.gov
Address: 2000 14th Street, NW Washington, DC 20009
Phone No.s: (202)727-2800

Authorized Agent Information

Name: David W. Brown/Knopf &Brown
E-mail: brown@knopf-brown.com; joy@knopf-brown.com
Address: 401 E Jefferson Street Suite 206 Rockville
Phone No.s: 3015456100 3015456103

Name of Lessee

Name:
E-mail:
Address:
Phone No.s:

Appellant to be Notified of Hearing and Decision

Name: The Residences of Columbia Heights, A Condominium
E-mail: cgirvin@gmail.com
Address: 1420 Clifton Street, NW Washington, DC 20003
Phone No.s: 4349960927

FEE CALCULATOR

Fee Type	Fee	Unit	Total
All other organizations, groups or persons	\$1040	1	\$1040
Grand Total			1040

SIGNATURE

Date

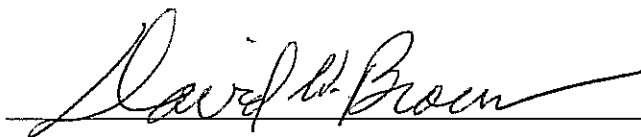
David Brown

10/24/2019

Board of Zoning Adjustment
District of Columbia
CASE NO.20183
EXHIBIT NO.1

CERTIFICATE OF SERVICE

IT IS CERTIFIED that this 17th day of October 2019, two paper copies of the Notice of Appeal and supporting documents were mailed, first class, postage prepaid to the Office of Zoning, and one copy was mailed, first class, postage prepaid to the applicant and owner of the building permit, Department of General Services, 1250 "O" Street, NW, Washington, DC 20009; and one copy was sent via email to Advisory Neighborhood Commission 1B, Suite #100 B, 2000 14th Street NW, Washington, DC 20009, oanc@dc.gov; and emails to the Single Member District 1B06, 1B06@anc.dc.gov; , and by email to Commissioner Jen Bristol, who represents the Single Member District, 1B06@anc.dc.gov.

A handwritten signature in black ink, reading "David W. Brown", written over a horizontal line.

David W. Brown, attorney for appellant