



Date Filed: April 13, 2021

**City & County of San Francisco
BOARD OF APPEALS**

JURISDICTION REQUEST NO. JR-21-3

Date of request: **April 13, 2021**

David and Doris Yee hereby seek a new appeal period for the following departmental action: **Issuance** of a **Request for Suspension of Permit No. 2017/09/28/9834** by the **Planning Department**, for the property at **282 Urbano Drive**, that was issued or became effective on **March 22, 2021**, and for which the appeal period ended at close of business on **April 6, 2021**.

Your **Jurisdiction Request** will be considered by the Board of Appeals on Wednesday, **May 5, 2021** at **5:00 p.m. and will be held via the Zoom video platform**.

Pursuant to Article V, § 10 of the Board Rules, the **RESPONSE** to the written request for jurisdiction must be submitted by the permit, variance, or determination holder(s) and/or department(s) no later than **10 days from the date of filing, on or before April 23, 2021**, and must not exceed 6 pages in length (double-spaced), with unlimited exhibits. An electronic copy shall be submitted to the Board office via email to: boardofappeals@sfgov.org with additional copies delivered to the opposing parties the same day.

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from the requestor, the permit holder, and the department(s) will be allowed. Your testimony should focus on the reason(s) you did not file on time, and why the Board should allow a late filing in your situation.

Based upon the evidence submitted and the testimony, the Board will make a decision to either grant or deny your Jurisdiction Request. Four votes are necessary to grant jurisdiction. If your request is denied, an appeal may not be filed, and the decision of the department(s) is final. If your request is granted, **a new five (5) day appeal period shall be created which ends on the following Monday**, and an appeal may be filed during this time.

Name: David and Doris Yee

Address: 282 Urbano Drive

Phone: 415-279-1775

Email: dewell1775@yahoo.com

Via Email

Signature of Requestor or Agent

April 12, 2021

Board of Appeals
49 South Van Ness, Suite 1475
San Francisco, CA 94103

Re: Request an appointment to file a Jurisdiction Request
Zoning letter dated 03/22/2021 "Suspension Request "

Dear Officers:

I request a Jurisdiction to Appeal a letter dated 03/22/21 "Suspension Request ". The reason for missing the filing date:

1. I got the mail on 3/26/21. I goes to USPS to pick up the mail once a week since covied-19 was occurred. I try avoid crowded public area if necessary.
2. I had 2-day side effects bothering me after I got 2nd vaccine on 3/30/21. My wife had serious side effects. My family health and the public health are my top priority.
3. My knowledge of the 15 days filing period was 15 business days. It had never occurred to me that the 15 days included public holidays and weekends.
4. I believed that the response letter I wrote to Mr. Corey A. Teague (Zoning Administrator) is the appeal Action. I have sent a letter to Mr. Corey A. Teague on 4/7/21 by Express Mail.

The letter dated 3/22/21 "Suspension Request "is not reasonable. The issues arise from case# **2017-001555ENF**. We have complained that the case# 2017-001555ENF was issue by mistakes for over 3 years.

The description of violation for **2017-001555ENF** is: (1). "there has been an expansion of the top floor above the existing roof line ". (2). Permit #201701247769 windows replacement do not match the existing windows.

My statement:

1. I **never touch the roof** since I bought this property. On 2/8/2017, a senior inspector perform inspection for the entire house. He did not find any violations against the property. Today, the roof of the property still is original. No new spaces adding on the rear side of the building. My neighbors can be my witness. On 1/16/2021, I sent a letter to Patrick O'Riordan requesting doing inspection my house again, but no response.
2. **Permit #20170124.7769** is approved and issued by the city. The complainant does not want the historic windows are changed in future. Thus, she filed a complaint in Feb. 2017 when she saw that I touched exterior walls. In that time, I have not touch windows. I just touched the exterior wall few days. Beginning of 2019, Ms. Chaska Berger stopped by my house walking through the property. All are existing windows that time. I didn't know my windows are Historic windows. When I submitted my application with drawings, someone in the city have responsibility to do research. All the drawings and applications are approved by the city. When the city received a complaint, DBI required me to resubmit application with a new drawing. I spent extra money to do it. But this is not my mistake. The city cancel permit #20170124.7769, I accept it but it should not be Violation. In July, 2017, I got a permit #2017.0522.7307 to

replace #20170124.7769. The permit #2017.0522.7307 issued is NOT to abate the violation, is replaced permit #20170124.7769. I follow the permit doing the work. If the description of permit# 20170124.7769 made someone uncomfortable, it is not my error. Who reviewed my drawings? Who signed the plans? Who approved my drawings and permit? If the description of the approved permit is not right, do you thing that is owner's fault?

The Notice #2017-001555ENF is NOT right. If the city think that permit #20170124.7769 description is wrong, I have paid extra money and times to help them fix it -- get a new permit #2017.0522.7307. The purpose to issue permit #2017.0522.7307 is replaced permit #20170124.7769, not for fix violation. The city should not give me a violation. I did not do wrong things. I follow the approved plan and permit doing the work.

The complaint # 2017-001555ENF is wrong. It should be cancel. The new "Suspension Request" letter dated 3/22/2021 is based on the information of permit #2017-001555ENF. Therefore, I request an appointment filing a Jurisdiction.

If you have questions, please contact me at 415-279-1775, Email: dewell1775@yahoo.com, and my architect Derek at 415-235-6388, Email: info@icedesigning.com.

I appreciate your help.


David Yee, Owner of 282 Urbano Dr. (BLK#2374/021)



SUSPENSION REQUEST

March 22, 2021

Patrick O'Riordan
Interim Director
Department of Building Inspection
49 South Van Ness Avenue, Suite 500
San Francisco, CA 94103

Building Permit No.: 201709289834
Property Address: 282 Urbano Drive
Block and Lot: 2374/021
Zoning District: RH-1(D) - Residential- House, One Family- Detached
Staff Contact: Chaska Berger - (628) 652-7402, chaska.berger@sfgov.org

Dear Patrick O'Riordan,

This letter is to request that the Department of Building Inspection (DBI) suspend **Building Permit (BP) No. 201709289834** for the property at 282 Urbano Drive.

The subject permit was approved and issued by DBI on December 16, 2019 with Planning Department review. The scope of work is "Basement: add 1 bedroom, media room, entertainment room, 1 full bathroom & wine cellar per plans. add interior staircase between basement & 1/f to create interior connection per plans."

There is an active Notice of Violation (Case No. 2017-001555ENF) issued on the property pertaining to unauthorized exterior alterations. The subject property is a historic resource located within the Ingleside Terrace Historic District. BP No. 201705227307 was issued to abate the violation. However, work as approved has not been completed and additional work has commenced beyond the scope of approvals, including the installation of unauthorized windows. The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any separate applications for work proposed on the same property. Therefore, any applications not related to abatement of the violation on the subject property are typically placed on hold until a corrective action is taken to abate the violation.

In light of this information, the Planning Department respectfully requests suspension of BP No. **201709289834** to allow the Permit Holder to complete the work approved in BP No. 201705227307 to abate the violation by: 1) replacing (e) vinyl siding with wood shingles at the exterior, 2) reconstructing 2nd floor rear walls, and 3)

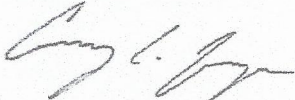
Patrick O'Riordan, Interim Director
Department of Building Inspection
49 South Van Ness Avenue, Suite 500

Suspension Request
282 Urbano Drive
March 22, 2021

replacing the proposed 30 existing wood windows in-kind to match previously existing wood windows in design and operation prior to the issuance of any separate applications.

APPEAL: Any aggrieved person may appeal this letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit www.sfgov.org/bdappeal.

Sincerely,



Corey A. Teague, AICP
Zoning Administrator

CC: Property Owner, Yee David K & Doris, PO Box 320002, San Francisco, CA 94132
Joseph Duffy, Acting Chief Building Inspector, Department of Building Inspection
Tina Tam, Code Enforcement Manager, Planning Department
Chaska Berger, Planning Department

City and County of San Francisco
DEPARTMENT OF BUILDING INSPECTION
J O B C A R D



To schedule inspections, go to
www.sfdbi.org
Navigate to Inspections
Click on Inspection Scheduling
For assistance, call (415) 558-6222

OFFICE HOURS: THE BUILDING INSPECTION IS OPEN DAILY, MONDAY THRU FRIDAY,
FROM 8:00 a.m. TO 5:00 p.m. DISTRICT BUILDING INSPECTORS KEEP OFFICE HOURS DAILY,
MONDAY THRU FRIDAY, FROM 8:00 a.m. TO 8:30 a.m. AND FROM 3:00 p.m. TO 4:00 p.m.

REQUESTS FOR INSPECTIONS ARE TAKEN 24 HOURS A DAY/7DAYS A WEEK
BY CALLING (415) 575-6955

APPLICATION NO. 2017 09289834 ISSUED DEC 16 2019
JOB ADDRESS: 282 Urbano Dr BLOCK: 6913 LOT: 017
NATURE OF WORK: _____

WORK PERMITTED UNDER AUTHORITY OF THIS BUILDING PERMIT NUMBER MUST BE COMPLETED
PRIOR TO EXPIRATION DATE OF DEC 10 2020

EXTENSION OF TIME TO COMPLETE WORK UNDER THIS BUILDING PERMIT NUMBER MAY BE GRANTED UPON
WRITTEN REQUEST PRIOR TO THE DATES NOTED ABOVE.

For informations on the Permit Process, Building Plans Review, Access Issues, etc., please see page 4 of this
JOB CARD for useful and appropriate telephone numbers.

*** ELECTRICAL & PLUMBING WORK MUST HAVE PERMITS SEPARATE FROM A BUILDING PERMIT. ***

**KEEP THIS CARD POSTED IN A CONSPICUOUS PLACE ON THE JOB SITE AT ALL TIMES.
PLANS AND PERMIT DOCUMENTS SHALL BE ON THE JOB SITE
AT ALL TIMES WHEN WORK IS IN PROGRESS.
AFTER COMPLETION OF WORK, RETAIN THIS CARD FOR YOUR RECORDS.**



SAN FRANCISCO PLANNING DEPARTMENT

NOTICE OF ENFORCEMENT

February 16, 2017

Property Owner

Yee David K & Doris

P O Box 320002

San Francisco, CA 94132

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:

415.558.6378

Fax:

415.558.6409

Planning

Information:

415.558.6377

Site Address: 282 Urbano Drive
Assessor's Block/Lot: 6913/ 017
Zoning District: RH-1(D), Residential- House, One Family- Detached
Complaint Number: 2017-001555ENF
Code Violation: Section 174, Compliance with Conditions, Stipulations and Special Restrictions Required
Administrative Penalty: Up to \$250 Each Day of Violation
Response Due: Within 15 days from the date of this Notice
Staff Contact: Chaska Berger, (415) 575-9188, chaska.berger@sfgov.org

The Planning Department has received a complaint that a Planning Code violation exists on the above referenced property that needs to be resolved. As the owner of the subject property, you are a responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

DESCRIPTION OF VIOLATION

The complaint alleges that work at the building exterior has been undertaken at the subject building at 282 Urbano Drive beyond the scope of approved permits and without Planning Department review. Specifically, the complaint alleges that there has been an expansion of the top floor above the existing roof line.

The home, constructed in 1912 is a historic resource located within the Ingleside Terraces Historic District. The following three building permits have been issued:

#201701247769: "window replacement for entire house in-kind wood clad with aluminum trim for visible windows. stucco repair in kind."

#201701056555: "revision to PA 2015-0924-8027, re-configure interior bathroom & kitchen layout per plan. re-configure interior bathroom & closets layout per plan."

www.sfplanning.org

#201509248027: "convert (e) sitting room to bedroom; (e) bath & toilet to be relocated; add full bath ground floor; (e) stair to be relocated; (e) kitchen to be remodeled; interior unsound gypsum board where needed install R-13."

The work to rebuild and possibly expand the room on the roof is in excess of the scope of work approved by Planning staff on Building Permit Application Nos. 201701247769, 201701056555, and 201509248027. Further, the description of work outlined in BPA #201701247769 mischaracterized the existing exterior siding as "stucco".

Pursuant to Planning Code Section 171 structures and land in any zoning district shall be used only for the purposes listed in this Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any of Planning Code provisions constitutes a violation of Planning Code and is subject to enforcement process under Code Section 176.

HOW TO CORRECT THE VIOLATION

The Planning Department requires that you immediately proceed to abate the violation by filing a revised Building Permit Application to consolidate all elements of work included in the following Building Permit Applications:

- 201701247769
- 201701056555
- 201509248027

To ensure that accurate review has occurred for all work at this site, revised plans must be submitted. Review of the issued permits mentioned above indicate that collectively they may trigger further environmental review than they would if processed independently due to cumulative impacts. Further, the work that has already commenced at the site exceeds what was approved by the Planning Department must be included on the revision permit. All of the work at the building exterior and all removed elements must meet the Planning Department requirements.

All new elements should match original in design, configuration, materials, profiles, details, color, texture and finish. For example, new shingles at the building exterior shall match original in size, color range, texture, and finish. New windows shall match existing in size, operation, and design including profiles. The replacement windows may be proposed as aluminum clad wood windows as approved in BPA #201701247769. Glazing shall be transparent and clear without any film or tint. Please contact the assigned Staff (listed above) for any specific inquiries regarding what meets Department preservation standards for all elements to be restored.

Specifically, the Building Permit Application should include the following drawings and details:

1. **Floor plans** – provide two floor plans including 1) condition prior to construction and removal, and 2) proposed design showing restored building exterior and elements. Please

label clearly which elements exist and are new, and all existing and proposed materials and finishes. For clarity, please label clearly the materials and finishes of all elements, and add dimensions where required.

2. **Exterior elevations** – provide two plans including 1) condition prior to construction and removal, and 2) proposed design showing restored building exterior and elements. Please label clearly which elements exist and are new, and all existing and proposed materials and finishes. For clarity, please label clearly the materials and finishes of all elements, and add dimensions where required.
3. **Details** – provide details for how the building exterior and each element will be reconstructed. Typically, this requires details of an existing element next to a proposed element with dimensions, profiles, materials, and finish called out clearly. Please provide detail sections for shingles, brick siding, brick piers, windows, and any other elements to be reconstructed. For example, the details should be provided of the shingles that show the underlying structure and substrate, any new elements such as plywood sheathing and waterproofing membrane. Additional details showing the size and shape of shingles with dimensions is required.
4. Please provide interior photos of the second story rear wall to clarify if the framing is original or new.

The Planning Department may require additional drawings if the submitted documents are not sufficient for review and approval.

Please provide the above information to the staff contact above to review prior to obtaining a building permit application, to ensure that your newly proposed windows meet Planning Department requirements. **IMPORTANT: Any Building Permit Applications that are approved over-the-counter without prior review by the staff contact above (Chaska Berger) will result in a suspension of the approved permits.**

For more information about the Building Permit Application process, please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: www.sfgov.org/dbi. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street for any questions regarding the planning process.

To prevent further enforcement action and avoid accrual of penalties, the responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated.

TIMELINE TO RESPOND

The responsible party has fifteen (15) days from the date of this notice to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. A site visit may also be required to verify the authorized use at the above property. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code within fifteen (15) days from the date of this notice will result in issuance of a Notice of Violation by the Zoning Administrator. Administrative penalties of up to \$250 per day will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

- 1) Request for Zoning Administrator Hearing. The Zoning Administrator's decision is appealable to the Board of Appeals.
- 2) Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of \$1,308 plus any additional accrued time and materials cost for Code Enforcement investigation and abatement of violation. This fee is separate from the administrative penalties as noted above and is not appealable.

OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.



Welcome to our Permit / Complaint Tracking System!
Permit Details Report

Building Use: 27 - 1 FAMILY DWELLING

Appointments:



Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
2/12/2021	PM	VS	IVR Scheduled	REINFORCING STEEL	1
1/4/2021	PM	CS	Clerk Scheduled	REINFORCING STEEL	1
9/23/2020	PM	VS	IVR Scheduled	REINFORCING STEEL	1

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
2/12/2021	William Walsh	REINFORCING STEEL	OK TO POUR
1/4/2021	William Walsh	REINFORCING STEEL	OK TO POUR
11/20/2020	Colette Cummins	REINFORCING STEEL	REINFORCING STEEL
12			

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
0			IB53	CF2R-ADD-02-E - PRESCRIPTIVE RESIDENTIAL ADDITIONS THAT DO NOT REQUIRE HERS FIELD VERIFICATION	
0			IB1	CF2R-ENV-01-E - FENESTRATION INSTALLATION	
0			IB3	CF2R-ENV-03-E - INSULATION INSTALLATION	
0			24E	WOOD FRAMING	
0			19	SHEAR WALLS AND FLOOR SYSTEMS USED AS SHEAR DIAPHRAGMS	
0			20	HOLDOWNS	
0			24A	FOUNDATIONS	
0			IE1	CF2R-LTG-01-E - LIGHTING - SINGLE FAMILY DWELLINGS	

For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

[Online Permit and Complaint Tracking](#) home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our [FAQ area](#).