



Date Filed:

BOARD OF APPEALS

JUN 21 2019

APPEAL # 19-066

**CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS**

PRELIMINARY STATEMENT OF APPEAL

I / We, **Xu Chen**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2019/06/12/3271** by the **Department of Building Inspection** which was issued or became effective on: **June 18, 2019**, to: **E & B No. 3, LLC**, for the property located at: **1946 18th Avenue**.

BRIEFING SCHEDULE:

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **July 18, 2019, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: boardofappeals@sfgov.org if possible. *Xu*

Respondent's and Other Parties' Briefs are due on or before: **August 01, 2019, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: boardofappeals@sfgov.org if possible.

Only photographs and drawings may be submitted by the parties at the hearing.

Hearing Date: **Wednesday, August 07, 2019, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

If you have any questions please call the Board of Appeals at 415-575-6880

The reasons for this appeal are as follows:

See attached statement.

Appellant or Agent (Circle One):

Signature: *Xu Chen*

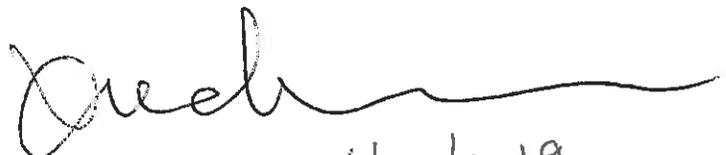
Print Name: *Xu Chen*

I am the owner of 1942 18th avenue, the adjoined house to 1946 18th Avenue. Our property has a good quality boundary fence below six feet height in our backyard between my house and 1946 18th Avenue. Starting April 2019, the owners of 1946 18th Avenue landscaped their backyard, which includes building a new fence above six feet in height without a permit. They cut our fence to add new posts without my permission. On 5/23/2019, the Notice of Violation (201956051) was issued to the 1946 18th owner. On 6/12/2019, the 1946 18th avenue owner filed a permit application. The application description is: TO COMPLY W/ N.O.V 201956051. REINFORCED (E) FENCE, ADDED NEW POSTS AND INSTALL (N) FENCE BOARDS. On 6/18/2019, this permit was approved. I believe this permit should be revoked based on the following reasons: (1) The owners of 1946 18th avenue lied when they filed this permit application. They did not have their own fence before. The fence separating our properties is ours. Therefore, them saying they reinforced the fence is false. (2) The owners of 1946 18th avenue did not tell the whole truth when they filed the permit application. They not only added new posts, but also removed our old posts, which they did not mention in their application. (3) Their fence, which is above six feet in height is unreasonable because we already have a good fence around six feet in height. The rest of our neighbors also have fences around six feet. There is the only one way above that. (4) Their fence significantly affects the view from our backyard, and should be lowered to the level of everybody else's fence.

BOARD OF APPEALS

JUN 21 2019

APPEAL # 19-066



6/21/2019



APPROVED
Dept. of Building Insp.

JUN 18 2019

BOARD OF APPEALS

JUN 31 2019

TOM C. HUI, S.E., C.B.O.
DIRECTOR
DEPT. OF BUILDING INSPECTION

APPEAL # 19-066

201956051
201957882
201955911
BID

BLDG. FORM 3/8
APPLICATION NUMBER
APPROVAL NUMBER
OSHA APPROVAL REC'D

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
3 NUMBER OF PLAN SETS

DO NOT WRITE ABOVE THIS LINE

Table with 4 columns: DATE FILED, FILING FEE RECEIPT NO., (1) STREET ADDRESS OF JOB, BLOCK & LOT, PERMIT NO., ISSUED, (2A) ESTIMATED COST OF JOB, (2B) REVISED COST, DATE.

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

Table with 6 columns: (4A) TYPE OF CONSTR., (5A) NO. OF STORIES OF OCCUPANCY, (6A) NO. OF BASEMENTS AND CELLARS, (7A) PRESENT USE, (8A) OCCUP. CLASS, (9A) NO. OF DWELLING UNITS.

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

Table with 6 columns: (4) TYPE OF CONSTR., (5) NO. OF STORIES OF OCCUPANCY, (6) NO. OF BASEMENTS AND CELLARS, (7) PROPOSED USE (LEGAL USE), (8) OCCUP. CLASS, (9) NO. OF DWELLING UNITS.

Table with 4 columns: (10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?, (11) WILL STREET SPACE BE USED DURING CONSTRUCTION?, (12) ELECTRICAL WORK TO BE PERFORMED?, (13) PLUMBING WORK TO BE PERFORMED?

Table with 2 columns: (14) GENERAL CONTRACTOR, (15) OWNER - LESSEE (CROSS OUT ONE)

Table with 2 columns: (16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

Remove Reinforced existing fence / added new posts + install new fence boards. TO COMPLY WITH NOV 2019 56051

ADDITIONAL INFORMATION

Table with 4 columns: (17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?, (18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT, (19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?, (20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA, (21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?, (22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?, (23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN), (24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?

Table with 2 columns: (25) ARCHITECT OR ENGINEER (DESIGN CONSTRUCTION), (26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN")

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code. No portion of building or structure or scaffolding used during construction is to be closer than 8'0" to any wire containing more than 750 volts. See Sec 385, California Penal Code. Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site. Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval. ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED. BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED. APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24). THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED. In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agrees to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

- I hereby affirm under penalty of perjury one of the following declarations:
() I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
() II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are: Carrier: State Comp Ins. Fund, Policy Number: 1955-124
() III. The cost of the work to be done is \$100 or less.
() IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
() V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

CHECK APPROPRIATE BOX
OWNER
LESSEE
CONTRACTOR
ARCHITECT
AGENT
ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

Signature of Applicant or Agent
Date: 6-14-19

OFFICIAL COPY



CONDITIONS AND STIPULATIONS

APPROVED: *Jra Hg, DBI*
 JUN 13 2019 BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: 6/13/19
 REASON: ok to proceed
 Notified MR. Phil Sando

APPROVED: State & near P_u force less than 10 ft. above grade on property owner side
 Approved Planning Dept. Heidi Kline
 DEPARTMENT OF CITY PLANNING

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: N/A
 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED:

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED:

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED:

BUREAU OF ENGINEERING

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED:

REDEVELOPMENT AGENCY

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: N/A
 HOUSING INSPECTION DIVISION

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

OWNER'S AUTHORIZED AGENT _____

BRIEF(S) SUBMITTED BY APPELLANT(S)

San Francisco Board of Appeals

Permit Appeal No.: 19-066

Chen vs. DBI, PDA

Subject Property: 1946 18th Avenue

Permit Type: Alteration Permit

Permit No.: 2019/06/12/3271

Introduction

The appellant is the owner of 1942 18th avenue, the adjoined house to 1946 18th Avenue. Appellant's property has a good quality boundary fence below 6ft in height in his backyard, which acted as the divider between his house and 1946 18th Avenue (Photo of Fence, Exhibit 1.1-2). Starting in April 2019, the owners of 1946 18th Avenue landscaped their backyard, which includes building a new fence above 6ft in height attached to Appellant's fence. This was done without a permit. Furthermore, some parts of their backyard fence is around 12ft in height, which far exceeds the 10ft allowed by the San Francisco Planning Department (Photo of New Fence, Exhibit 2.1-2). In addition, they cut parts of Appellant's fence to add new posts without Appellant's permission (Exhibit 3). On May 23rd 2019, a Notice of Violation (201956051, Exhibit 4) was issued to the 1946 18th ave owners for not having a permit for their fence's excessive height. On June 12th 2019, the 1946 18th avenue owners filed a permit application. The application description is: **TO COMPLY W/ N.O.V 201956051.**

REINFORCED EXISTING FENCE, ADDED NEW POSTS AND INSTALL NEW FENCE

BOARDS (Exhibit 5). On June 18th 2019, this permit 2019/06/12/3271 was issued (Exhibit 6) with approved reason: **side and rear fence less than 10 feet above grade made on property owner side**. On 6/21/2019, the project for this permit was finally inspected and approved (Exhibit 5).

The permit 2019/06/12/3271 should not be issued.

1. The owners of 1946 18th avenue lied on their permit application when they said "REINFORCED EXISTING FENCE." They did not have their own boundary fence between Appellant's house and their property before (Exhibit 1). The fence separating two properties is Appellant's. Therefore, them saying they reinforced the existing fence is false. They merely added a new fence and attached it to the existing fence.
2. The owners of 1946 18th avenue did not tell the whole truth when they filed the permit application. They not only added new posts, but also removed Appellant's old posts, which they did not mention in their application.
3. They cut Appellant's fences and added new posts without Appellant's permission. Based on this, Appellant sent a complaint letter to the 1946 18th ave owners on 5/3/2019 (Exhibit 7).
4. The DBI approved this permit issuance based on the respondents' application description: *side and rear fence less than 10 feet above grade on property owner side*. However, some parts of their new fence are around 12ft, far exceeding the allowed 10ft (Exhibit 2-2). This further demonstrates that the respondents provided false information in their permit application.

The 1946 owner shows no respect for Appellant

1. The 1946 18th avenue owners did not give Appellant early notice about their backyard project involved in appellant's fence. On the evening of April 15th 2019, the 1946 18th ave owner told the Appellant about their backyard project and construction. At this time, the backyard had been under construction for quite a while, but the owner waited until the last minute to tell the Appellant and ask for permission to modify the existing fence (Exhibit 7).
2. The 1946 18th avenue owner lied to Appellant about the fence's height being approved by the Department of Building Inspection. On April 15th 2019, Appellant asked the owner of 1946 18th ave how high fences can be according to the D.B.I. He told Appellant that 7ft was allowed. However, this was false as Appellant later found out this height was only possible with a permit.
3. The 1946 18th avenue owner cut Appellant's fence and added a new post without Appellant's permission. Based on this, Appellant sent a complaint letter to them on May 3rd 2019 and requested an apology but did not get one (Exhibit 7).
4. The 1946 18th avenue owner ignored Appellant's concerns about fence's height far exceeding 10ft. Appellant sent several texts to the owner of 1946 18th ave about fence's height but did not receive any response.

The 1946 18th ave owners landscaped their backyard in an irrational way

1. Their new fence, which is above 6ft in height is unreasonable because Appellant already has a good fence 6ft in height. The rest of the surrounding neighbors also have fences around this height. Theirs is the only one way above that.

2. They landscaped their backyard without a permit, including building a new concrete platform over 30 inches, a retaining wall over 4ft, and a new deck. A complaint (case number 201957882) about this was filed on 5/28/2019 but so far, no progress has been made for this case (exhibit 8).

Conclusions

Respondents first landscaped their backyard in an irrational way as well as without a permit. Then in order to comply with the Notice of Violation, they filed a fence permit application. The fence permit (201906123271) was issued based on incorrect and missing information. Therefore, Appellant requests that the fence permit (201906123271) be revoked. Their fence significantly affects the view from Appellant's backyard, and should be lowered to the level of Appellant's fence.

Appeal #: 19-066

Exhibit list

1. Photos of Appellant's fence
2. Photos of Respondent's new fence
3. Photo of Appellant's fence cut by Respondents
4. DBI records (Notice of Violation 201956051)
5. Respondent's permit application
6. Respondent's permit issuance detail
7. Complaint letter sent to Respondents
8. DBI Records (Complaint and Permit)

Exhibit 1-1 Appeal #: 19-066

Appellant's fence



Exhibit 1-2

Appeal #: 19-066

Appellant's fence



Exhibit 2-1

Appeal #: 19-066

Respondent's new fence



Exhibit 2-2

Appeal #: 19-066

Respondent
fence is
around
12 feet

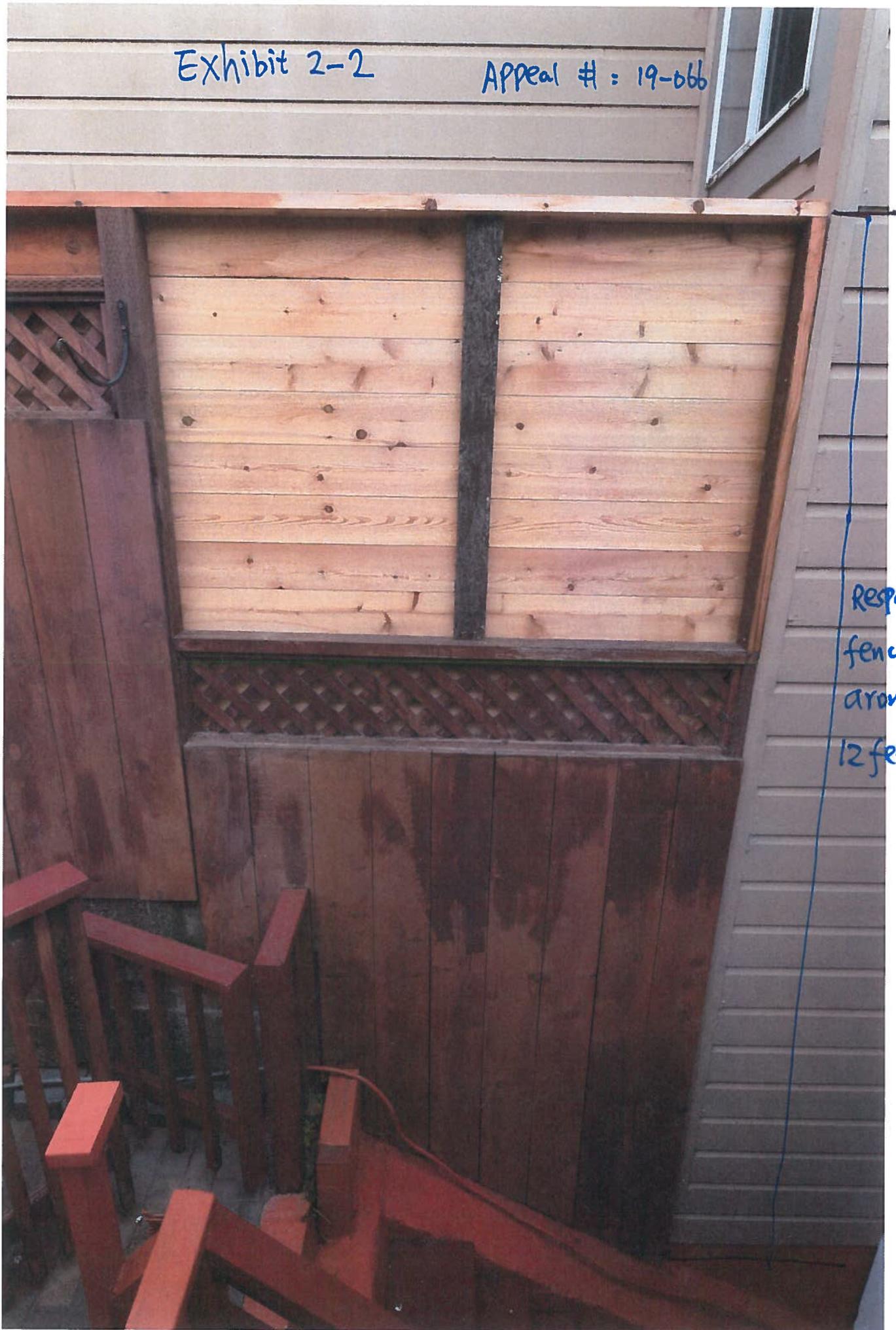


Exhibit 3

Appeal # : 19-066

Appellant's fence cut by respondents
without permission



Exhibit # 4

Appeal #: 19-066

Notice of violation was issued
on 5/23/19

COMPLAINT DATA SHEET

Complaint Number: 201956051
Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: --
Contact Name: --
Contact Phone: --
Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:
Location: 1946 18TH AV
Block: 2117
Lot: 025
Site:
Rating:
Occupancy Code:
Received By: Olive Huang
Division: INS

Complainant's Phone:
Complaint Source: TELEPHONE
Assigned to Division: BID

Description: Landscaping the whole yard without the permit. Work includes installing a door exiting the property in the back yard and putting on new fence.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	O'LEARY	6332	13	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
05/20/19	CASE OPENED	BID	O'Leary	CASE RECEIVED	
05/21/19	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	CASE UPDATE	Case reviewed and assigned to complaint investigation team per MH; slw
05/22/19	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	CASE CONTINUED	Similar to C201953911. Owner will arrange inspection on return to country.
05/23/19	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	CASE CONTINUED	Issued N.O.V.
05/23/19	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE UPDATE	1st Inspection Request mailed per D. Duffy /tt
05/28/19	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE UPDATE	First NOV mailed; oh
06/19/19	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	CASE CONTINUED	Permit issued, refer to District Inspector.
06/19/19	OTHER BLDG/HOUSING VIOLATION	BID	O'Leary	CASE UPDATE	Case transferred to district inspector per DD; slw

NOV issued →

COMPLAINT ACTION BY DIVISION

NOV (HIS): **NOV (BID):** 05/23/19

Inspector Contact Information

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.

Exhibit 5

Appeal # 19-066

Respondent's permit application

Permit Details Report

Report Date: 7/18/2019 9:26:49 AM

Application Number: 201906123271
 Form Number: 8
 Address(es): 2117 / 025 / 0 1946 18TH AV
 Description: TO COMPLY W/ N.O.V 201956051. REINFORCED (E) FENCE, ADDED NEW POSTS AND INSTALL (N) FENCE BOARDS.
 Cost: \$10,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
6/12/2019	TRIAGE	
6/12/2019	FILING	
6/12/2019	FILED	
6/18/2019	APPROVED	
6/18/2019	ISSUED	
6/21/2019	COMPLETE	4873894 Final Inspection/Approved
6/21/2019	SUSPEND	per BOA's email dd 06/21/19, Appeal No. 19-066.

Contact Details:

Contractor Details:

License Number: 923264
 Name: ELIZER VALERA PASCUAL
 Company Name: PASCUAL CONSTRUCTION INC
 Address: 98 ACTON STREET * DALY CITY CA 94014-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	BID-INSP	6/12/19	6/12/19			6/12/19		PHIL SANDERS
2	INTAKE	6/12/19	6/12/19			6/12/19	ROBINSON CHARLES	
3	CP-ZOC	6/18/19	6/18/19			6/18/19	KLINE HEIDI	
4	BLDG	6/18/19	6/18/19			6/18/19	NG JOE	Approved OTC. jn
5	CPB	6/18/19	6/18/19			6/18/19	LEI ALVINA	

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Tin Slo
6/21/2019	AM	CS	Clerk Scheduled	FINAL INSPECT/APPRVD	1

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
6/21/2019	Jaime O'Leary	FINAL INSPECT/APPRVD	FINAL INSPECT/APPRVD

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Exhibit 6



APPROVED Dept of Building Insp

JUN 18 2019

BOARD OF APPEALS

JUN 21 2019

APPEAL # 19-066

BLDG. FORM 3/8

APPLICATION NUMBER 2019 01234

OSHA APPROVAL REQ'D APPROVAL NUMBER

201956051 BID
201957882
201953911

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
3 NUMBER OF PLAN SETS 0/19

DO NOT WRITE ABOVE THIS LINE

DATE FILED: 4-18-19
FILING FEE RECEIPT NO.:
(1) STREET ADDRESS OF JOB: 1946 18th Ave SF
BLOCK & LOT: 2117/021
PERMIT NO: 15027108
ISSUED: 6/18/19
(2A) ESTIMATED COST OF JOB: \$10,000.00
(2B) REVISED COST: \$10,000
BY: [Signature]
DATE: 6/18/19

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. 5 (5A) NO. OF STORIES OF OCCUPANCY: 2 (6A) NO. OF BASEMENTS AND CELLARS: 0 (7A) PRESENT USE: SINGLE FAMILY DWELLING (8A) OCCUP. CLASS: R3 (9A) NO. OF DWELLING UNITS: 1

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. 5 (5) NO. OF STORIES OF OCCUPANCY: 2 (6) NO. OF BASEMENTS AND CELLARS: 0 (7) PROPOSED USE (LEGAL USE): SINGLE FAMILY DWELLING (8) OCCUP. CLASS: R3 (9) NO. OF DWELLING UNITS: 1

(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? YES NO
(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES NO
(12) ELECTRICAL WORK TO BE PERFORMED? YES NO
(13) PLUMBING WORK TO BE PERFORMED? YES NO

(14) GENERAL CONTRACTOR: PASCAIZ cons. inc. ADDRESS: 1946 18th Ave SF ZIP: 94116 PHONE: (415) 615-2300 CALIF. LIC. NO. 923264 EXPIRATION DATE: 9/3/20

(15) OWNER - LESSEE (CROSS OUT ONE): E + B #3 ADDRESS: 1946 18th Ave SF ZIP: 94116 BTRC#: PHONE (FOR CONTACT BY DEPT.): (415) 615-2300

(18) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

Remove Reinforced existing fence / added new posts + install new fence boards. To comply with NOV 201956051

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES NO
(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT
(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? YES NO
(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? YES NO
(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES NO
(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) YES NO
(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES NO
(25) ARCHITECT OR ENGINEER (DESIGN CONSTRUCTION): ADDRESS: CALIF. CERTIFICATE NO.

(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN"): ADDRESS:

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.
No portion of building or structure or scaffolding used during construction is to be closer than 6' 0" to any wire containing more than 750 volts. See Sec 386, California Penal Code.
Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.
Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).
THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.
In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX
 OWNER ARCHITECT
 LESSEE AGENT
 CONTRACTOR ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

- () I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- (x) II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:
Carrier: State Comp Ins. Fund
Policy Number: 1955-124
- () III. The cost of the work to be done is \$100 or less.
- () IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
- () V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent: [Signature] Date: 6.18.19

Exhibit 6

- Continued

Permit issuance
Reason →

Appeal #
19-066

OFFICIAL COPY
REF ID: A66666



CONDITIONS AND STIPULATIONS

	APPROVED: Joe Ng, DBI JUN 19 BUILDING INSPECTOR, DEPT. OF BLDG. INSP.	DATE: 6/12/19 REASON: ok to process Bid Phil Sando NOTIFIED MR.
<input type="checkbox"/>	APPROVED: 5' to 2' max PL, force less than 10 ft. above grade on property summer side Heidi Kline DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

OWNER'S AUTHORIZED AGENT

Exhibit 7

Appeal #: 19-066

A complaint letter sent to Respondents

2019-5-3

To 1946 18th ave owner and Jon family:

I am the owner of 1942 18th ave , your neighbor. I am writing to you that it is very upsetting me what you have done to me related to your yard renovation. I have not got enough respect and appreciation from you due to my compromise to allow you to cut our fence and remove our old posts. I have not heard any sorry for you that your construction has deeply affect our normal life. You did not respect my time when I had to spend due to your construction. You did not get my permission at all when you did some work related to our fence. I felt "being threatened" I should agree your fence construction plan without any choice because you claimed our fence is located at your property without any evidence. The detailed reasons for my upsetting are below:

1. Jon has kept claiming our fence is located at your property without any evidence. I strongly disagreed with him. It is a fact that our fence exists for many years. You never point it out before. Whether our fence is located at your property is up to city's decision. I think our fence is located at our property. I have to acknowledge one edge of our fence is attached to your property. As a neighbor, you should allow it. You also attached your fence to 1950 property. But it does not mean our whole fence is located at your property. If you continue to claim our fence is located to your property, we have to ask for the city for conclusion and you have to put our old posts back now.

2. You did not give me early notice about your project involved in our fence. This is disrespectful. Until your construction has started, on 4/15/2019 evening, without any advance notice Jon suddenly knocked our door to want to enter our house and yard to tell me something. To be a nice neighbor, I initially thought he needed some help and allowed Jon to get in our house and yard. However, when I heard what Jon said, my feeling is I got "threatened" I had to agree your plan without any choice.

3. You never notified me in advance when you cut our fence, added the 7th new post that invaded our property on 5/2/2019 (see attached photo). This is completely unacceptable. This is the reason I knocked your house door this morning (5/3/2019). And then John said to me he told me this before. This is also the reason I said Jon was a liar.

4. You did not respect my time I had to spend due to your construction. (1) as mentioned above, you did not give us early notice about your project. (2) When you changed our appointed time that would affect my work, you never said "sorry". On 4/24/2019, you promised me your construct would finish to remove all 6 posts when I spent all day at home, but they only finished 5. It is understandable for delay but you did not think this would affect my time. On 4/24/2019, Jon and I agreed your contractor would come to our home to finish all required work at our sides around 9:00am (starting at 8:00am)on 5/1/2019. Because I have to go to work, I requested your contractor started to work at 8:00am. Jon did contact your contractor and confirmed the time and

required one-hour work with me. Therefore, I agreed that day's schedule. The fact is your contractor finished required work until noon. Another fact is that day they had to remove another post supposed to be done on 4/24/2019. I have to spend half day at home due to your wrong information.

5. Jon did not acknowledge what he ever confirmed to me. On 4/24/2019, he confirmed with me via phone that your contractor would come to our yard to reattach our fence to new posts at 8:00am on 5/1/2019 and finish it within one hour. But on 4/30/2019, Jon texted me your contractor would come to in the morning of 5/1/2019 and finish required work at our side before noon. Jon did not give me any "Apology" due to your delay that affected my work. In the meantime, he even did not acknowledge our agreement and told me he never promised it. This is making me very angry.

6. Jon is lying to me on 5/3/2019. In the morning of 5/3/2019, I knocked your door to ask why you did not tell me in advance to cut our fence and add a 7th post (above point 3). Jon said to me he told me before. The fact is he never told me before.

7. You never actively minimize the effect on our sides due to your yard renovation. For example, you never actively clean the dusts at our yards. You did it only after I have to ask you to do it for several times and sent you dust photos. In addition, you would only pay attention until I have to point out our fence did not be reattached to the new posts well (see attached photos). You are supposed to actively do those work by yourselves.

8. You could not compare your construction to our previous construction, as Jon's wife mentioned this morning (5/3/2019). Our construction: (1) did not take your time; (2) did not generate dusts on your property; (3) did not cut your fence on your yard; (4) did not affect your yard outlook at all. Only noise some days may affect you but it is understandable. I never complain any noise generated by your construction. Our construction is also legal. Jon also texted me several times about noisy though some noises were not due to our construction. I was always very polite and said sorry to him when he texted to me.

Based on above reasons, I am requesting an apology from you before this Sunday especially because you did not get my permission to cut our fence and add 7th post. If I do not receive it before Sunday, you have to remove the 7th post and reconnect our fence by next Monday. Afterwards, if you continue to claim our fence is located in your property, please put back our old posts and let the city to do arbitration. In addition, you have to reconnect our fences well to the new posts with good quality as well as clean dusts well regularly.

Thanks for your consideration!

Xu

Exhibit 8

Appeal #: 19-066

DBI Complaint Records

COMPLAINT DATA SHEET

Complaint Number: 201957882
Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: --
Contact Name: --
Contact Phone: --
Complainant: COMPLAINANT DATA SUPPRESSED
Date Filed: --
Location: 1946 18TH AV
Block: 2117
Lot: 025
Site: --
Rating: --
Occupancy Code: --
Received By: Shevann Harden
Division: INS
Complainant's Phone: --
Complaint Source: TELEPHONE
Assigned to Division: BID
Description: BUILDING CONCRETE PLATFORM OVER 30 INCHES IN THE BACKYARD WITHOUT A PERMIT. BUILDING RETAINING WALLS OVER 4 FT WITHOUT PERMIT.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	O'LEARY	6332	13	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
05/28/19	CASE OPENED	BID	O'Leary	CASE RECEIVED	
05/29/19	OTHER BLDG/HOUSING VIOLATION	BID	O'Leary	CASE UPDATE	Case reviewed and assigned to complaint investigation team per MH; slw
05/31/19	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	CASE CONTINUED	To be handled when permit for fence is issued
06/19/19	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	CASE CONTINUED	Refer to District Inspector. Pa201906123271 issued for fence. Related work.
06/19/19	OTHER BLDG/HOUSING VIOLATION	BID	O'Leary	CASE UPDATE	Case referred to district inspector per DD; slw
06/20/19	BID INSPECT REQUEST	BID	O'Leary	CASE CONTINUED	case continued I dropped off door hanger with instructions to contact district inspector. Jaime O'Leary 6/20/2019

Case no progress currently



COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

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.

BRIEF(S) SUBMITTED BY DETERMINATION HOLDER(S)

San Francisco Board of Appeals

Permit Appeal No.: 19-066

Respondent's Brief re: Chen vs. DBI, PDA

Subject Property: 1946 18th Avenue

Permit Type: Alteration Permit

Permit No.: 201906123271

The tenant to 1946 18th Ave is listed as the Respondent in the brief re: Permit Appeal No. 19-066. The Respondent worked with the 1946 18th Ave property owner and the 1942 18th Ave property owner (Mr. Chen) on all matters related to the side boundary fence renovation. The purpose of the project was to straighten and reinforce the fence, and to ensure privacy between the two properties.

Summary

The backyard side fence separating 1942 and 1946 18th Avenue was warping and in need of repair. The side fence is attached to the 1946 18th Ave property and extends to the rear fence within the 1946 18th Ave property line. The fence boards that face the 1942 18th Ave property are nailed to the fence posts that are located within the 1946 18th Ave backyard.

Since the fence is attached to the 1946 18th Avenue property, with permission from the 1946 18th Ave property owner, the Respondent took on the project and cost to update

the backyard fence. The Respondent proactively notified the Appellant about upcoming project as common courtesy and to maintain a respectful relationship because the properties are adjoining. However, once the project started, the Appellant became increasingly more difficult to work with and looked for ways to stall or halt the project altogether, including filing multiple complaints with the DBI on three consecutive weeks (Complaint No.: 201953911, 201956051, and 201957882). Based on the placement of the fence and its prior condition, ongoing tension with the Appellant, and concerns around privacy between the two properties, the Respondent feels strongly that the updates to fence are necessary to maintain the privacy and security of the property for the Respondent's family.

Details

1. The fence separating the 1942 and 1946 18th Ave properties was in place when the 1946 18th Ave property was purchased in 20009. The boundary fence is attached to the 1946 18th Ave building (Exhibit 1-1) and extends to the rear fence within the property line of 1946 18th Ave (Exhibits 1-2 and 1-3). The fence boards facing 1942 18th Ave property are nailed to the fence posts that are within the 1946 18th Ave property line.
2. The previous boundary fence was starting to warp and was no longer straight (Exhibits 2-1 and 2-2). To ensure privacy and in order to straighten and reinforce the fence separating the two properties, the Respondent met with the Appellant

on 4/15/2019 to inform him of the fence repair plans. The conversation included replacing the fence posts and increasing the height.

3. The original plan was to replace the fence posts by creating postholes; however once the project started, the Appellant pushed back on 4/23/19, requesting not to create post holes based on concerns that the installation would impact the Appellant's property. In an effort to be reasonable and respectful neighbors, the Respondent found an alternate solution.
4. Both 1942 and 1946 18th Ave properties are located near the base of Golden Gate Heights. The Appellant's property is at a slightly lower elevation than the Respondent's (Exhibit 3) - as such, the height of the fence facing 1946 18th Ave may appear higher when viewed from the 1942 18th Ave property.
5. The 1946 18th Ave backyard slopes uphill – based on the uphill slope and the alternate solution required in lieu of installing post holes, an additional fence post was installed. In addition, the height of the fence remains consistently within 7 feet +/- 2 inches (with the exception of a 2' 6" segment that is 7' 6") per the approved permit when measured from within the Respondent's backyard. This was confirmed when SF DBI Building Inspector Jamie O'Leary confirmed the designs on 6/16/19. The plans were reviewed, approved, and stamped by SF Planning Department official Heidi Kline, SF DBI Review Team 6 official Joe Ng, and SF DBI Director Tom Hui on 6/18/19 (Exhibit 4).
6. On the evening of Friday 5/3/19, the Appellant left a complaint letter (ref. Appeal No 19-066, Exhibit 7) at the 1946 18th Ave property. The Respondent replied on

Sunday 5/5/19 (Exhibit 5). From that point, all communication has been routed through the 1946 18th Ave property owner.

7. The Respondents live with a 2 year old child in the residence. Ensuring privacy and security for the family is a key concern, and the previous boundary fence did not provide adequate privacy.

Corrections:

1. Under section 1 of “The 1946 owner shows no respect for Appellant”, the Appellant’s timeline is incorrectly stated. Updates to the fence did not start until 4/23/19, following the initial conversation with the Appellant on 4/15/19. In addition, the conversation on 4/15/19 included the Respondent’s request for the Appellant’s permission to grant the Respondent’s contractor access to Appellant’s backyard to expedite the project timeline and minimize the prolonged disruption to the Appellant.
2. The new fence posts were replacements of the older posts, which were weathered. All original fence posts filed in the Appellant’s complaint were replaced with updated fence posts. The updates were consistent with the Application/Permit No. 201906123271 (TO COMPLY W/ N.O.V 201956051. REINFORCED (E) FENCE, ADDED NEW POSTS AND INSTALL (N) FENCE BOARDS.).
3. The height of the updated fence does not obstruct any views. The rear fences of both properties face uphill towards Anglo Alley and the adjacent homes on 17th

Avenue (Exhibit 3). The respective side fences face north and south, and look into the neighbors' respective backyards. Based on the location of both properties, there are no scenic views visible (or obstructed by a new fence) as the fence is only obstructing the view of the Respondent's backyard. From the back alley, which is at a higher elevation than the backyards, there are no scenic views that are visible or obstructed aside from the neighboring houses located to the north or south (Exhibits 6-1 and 6-2).

4. The views that the Appellant claims have been significantly affected are of the 1946 18th Ave basement staircase and access point (ref. Appeal No 19-066, Exhibit 1-2). No additional views are obstructed or affected by the updated fence. The original fence in its previous design provided a clear line of sight from the Appellant's backyard to the Respondent's basement. The staircase rail was previously clearly visible from the Appellant's backyard, and covering the previous gap ensured privacy (ref. Appeal No 19-066, Exhibits 2-1 and 2-2).
5. Following the complaint filed on 5/15/19, the Respondent applied for and was issued a permit on 6/18/19 upon completion of the project. The Appellant submitted an appeal and in the brief, the claim was that the fence facing the 1942 18th Ave property was damaged, which is not factual. The Appellant's complaint also stated that the fence posts were removed, when in fact they were all replaced by newer posts, which is consistent with the permit application.

Conclusion:

With the boundary fence being located on the 1946 18th Ave property, the updates being consistent with the approved permit, and the Respondent's concerns around maintaining privacy for the family (especially with regard to the segment pictured in the Appellant's Appeal No 19-066, Exhibit 1-2), the Respondent is requesting to the Board of Appeals that the suspension of Permit No. 201906123271 be lifted.

Exhibit List

- Exhibit 1-1** Photo of the boundary fence attached to the 1946 18th Ave property
- Exhibit 1-2** Photo of the boundary fence from 1946 18th Ave facing east towards Anglo Alley
- Exhibit 1-3** Photo from Anglo Alley facing west towards 1946 18th Ave
- Exhibit 2-1** Photo of previous misaligned boundary fence
- Exhibit 2-2** Bird's eye view of previous misaligned boundary fence
- Exhibit 3** Google Earth screenshot indicating N-to-S upward slope of respective backyards and W-to-E upward slope of 1942 and 1946 18th Ave properties
- Exhibit 4** City-approved fence plan and DBI approval stamp
- Exhibit 5** Respondent's 5/5/19 response to Appellant's 5/3/19 complaint letter
- Exhibit 6-1** Google Street View screenshot of views from Anglo Alley (facing north)
- Exhibit 6-2** Google Street View screenshot of views from Anglo Alley (facing south)
- ref. Appeal No 19-066, Exhibit 1-2** Appellant's photo of original fence and view into Respondent's building and basement
- ref. Appeal No 19-066, Exhibit 2-1** Appellant's photo of updated fence
- ref. Appeal No 19-066, Exhibit 2-2** Appellant's photo of updated fence
- Exhibit 7-1** City-approved plan for backyard fence
- Exhibit 7-2** City-approved plan for north side fence
- Exhibit 7-3** City approved receipt of permit application

Exhibit 1-1: Boundary fence attached to the 1946 18th Ave property (tan building).



Exhibit 1-2: View from 1946 18th Ave building, facing towards Anglo Alley.



Exhibit 1-3: View from Anglo Alley to 1946 18th Ave property.



Exhibit 2-1: Photo of previous crooked boundary fence.



Exhibit 2-2: Birds-eye view of previous fence taken from Google Maps.

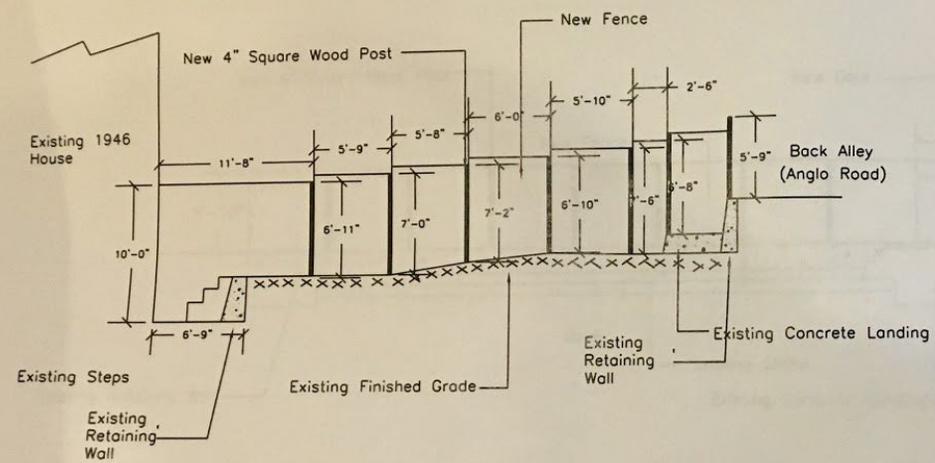


Exhibit 3: Google Earth satellite image indicating N-to-S upward slope of respective backyards and W-to-E upward slope of 1942 (blue) and 1946 (tan) 18th Ave properties.



Pascual
Construction
Lic. 923264
Insured and
Bonded

1946 18th Ave
San Francisco
CA 94116



APPROVED
Dept. of Building Insp.

JUN 18 2019
Tom C. Hui
TOM C. HUI, S.E., C.B.O.
DIRECTOR
DEPT. OF BUILDING INSPECTION

SECTION - NORTH SIDE
SCALE: 1/8"=1'-0"

Joe Ng
Joe Ng, DBI
JUN 18 2019

HoldKline
Approved Planning Dept. JUN 18 2019
HoldKline

RECEIVED
JUN 12 2019
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR REPRODUCTION
ACCEPTED

SHEET No : A-3

Exhibit 5 (Response to Appellant's complaint letter on 5/3/19)

5/5/2019

Dear Xu,

Thank you for your letter and hope you and your family had a good weekend. We appreciate you expressing your concerns, and we hear your frustration.

As you may be aware, our backyard construction is estimated to continue for a few more weeks - though as is the case with any construction project, this timeline could change due to unexpected delays. It's our hope to finish the project as quickly as possible.

We will continue to update you proactively within a reasonable time if we need to access your property for any reason during the construction period.

We hope to have you and your family over once the project is completed and that we can continue to maintain a friendly neighborly relationship.

Thank you,
Jon

Exhibit 6-1 (Anglo Alley, views facing north)

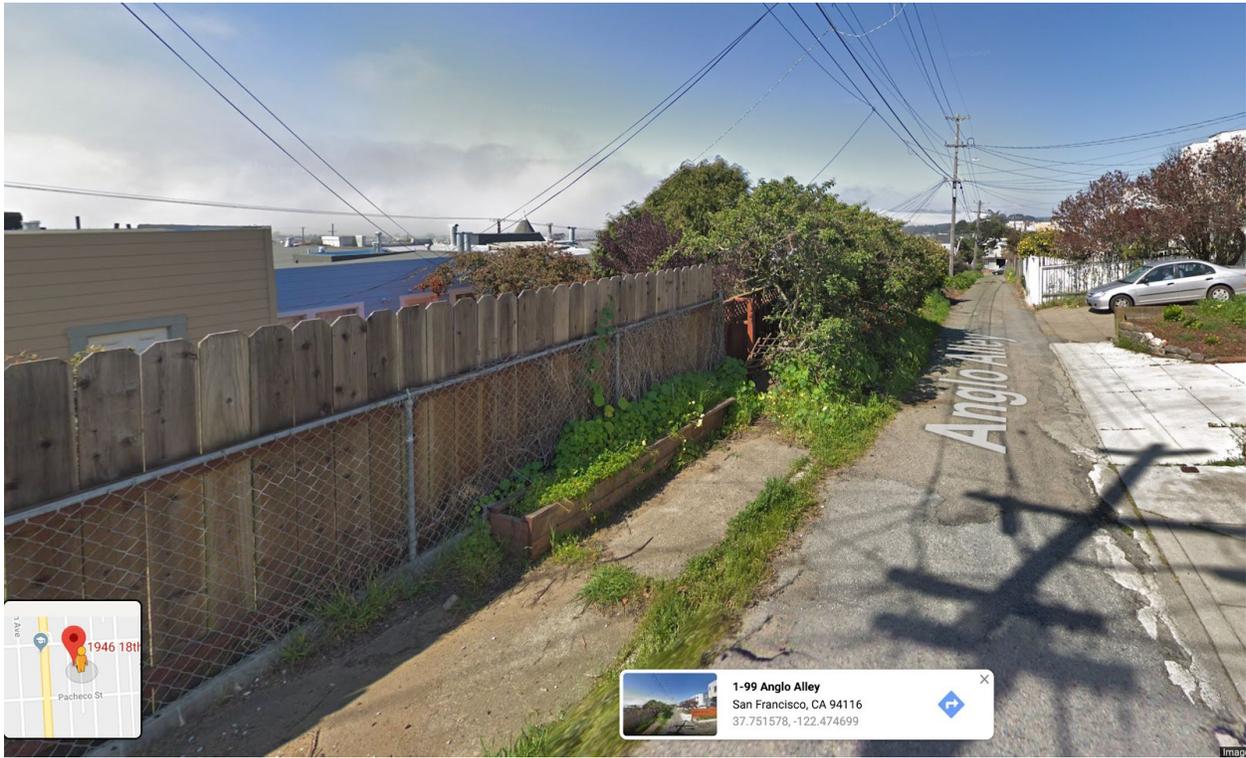
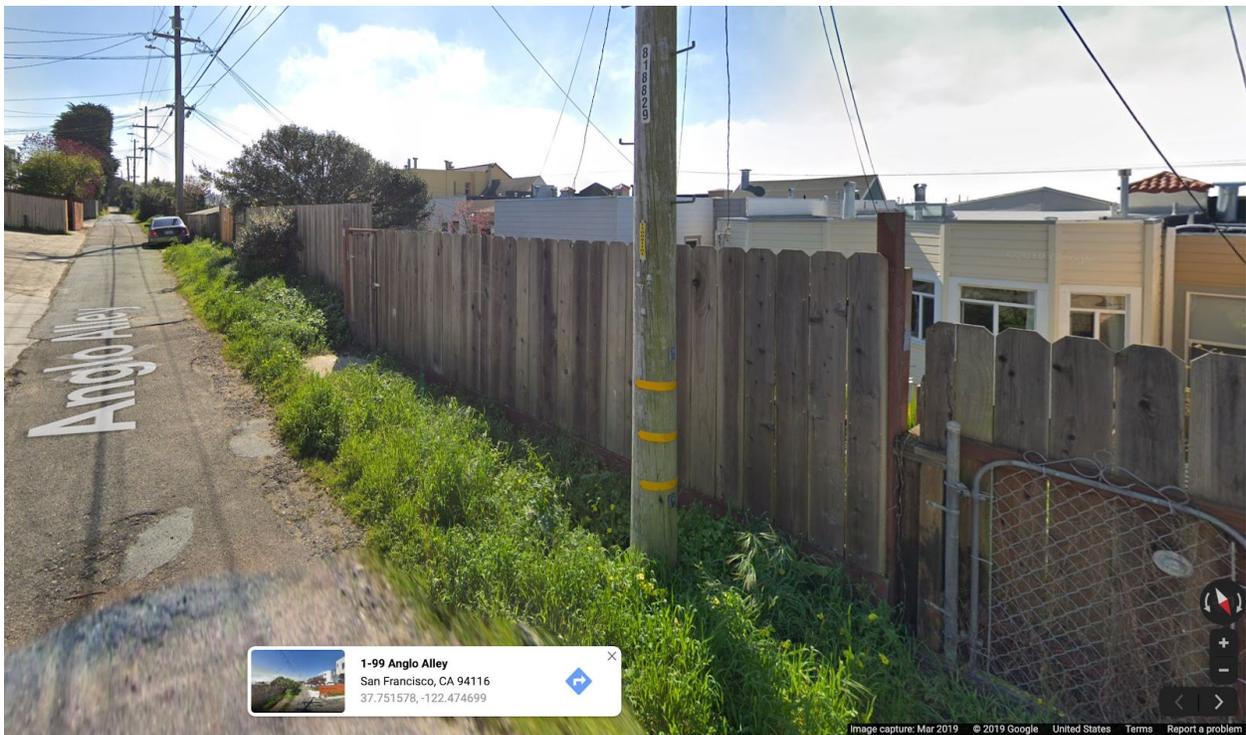
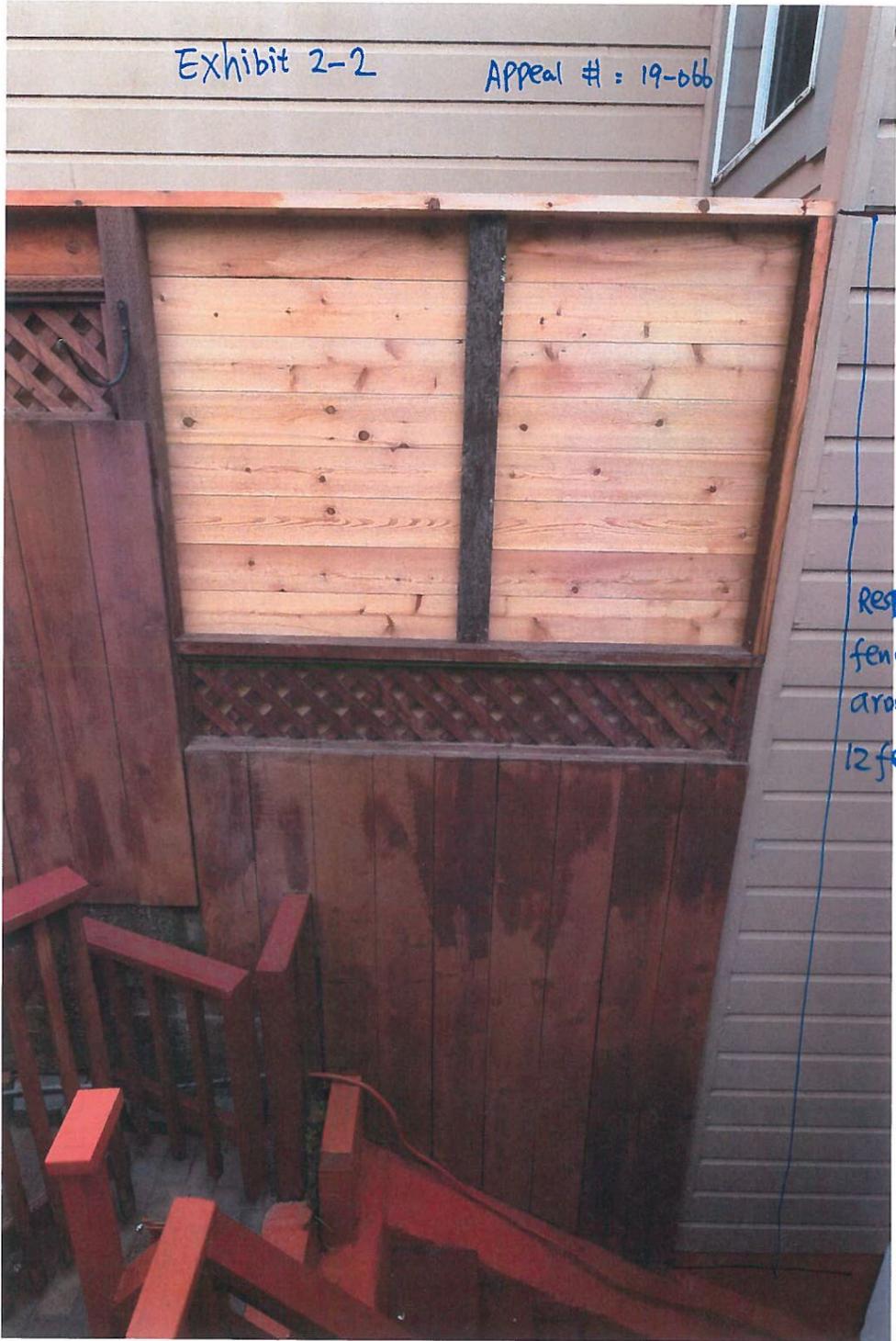


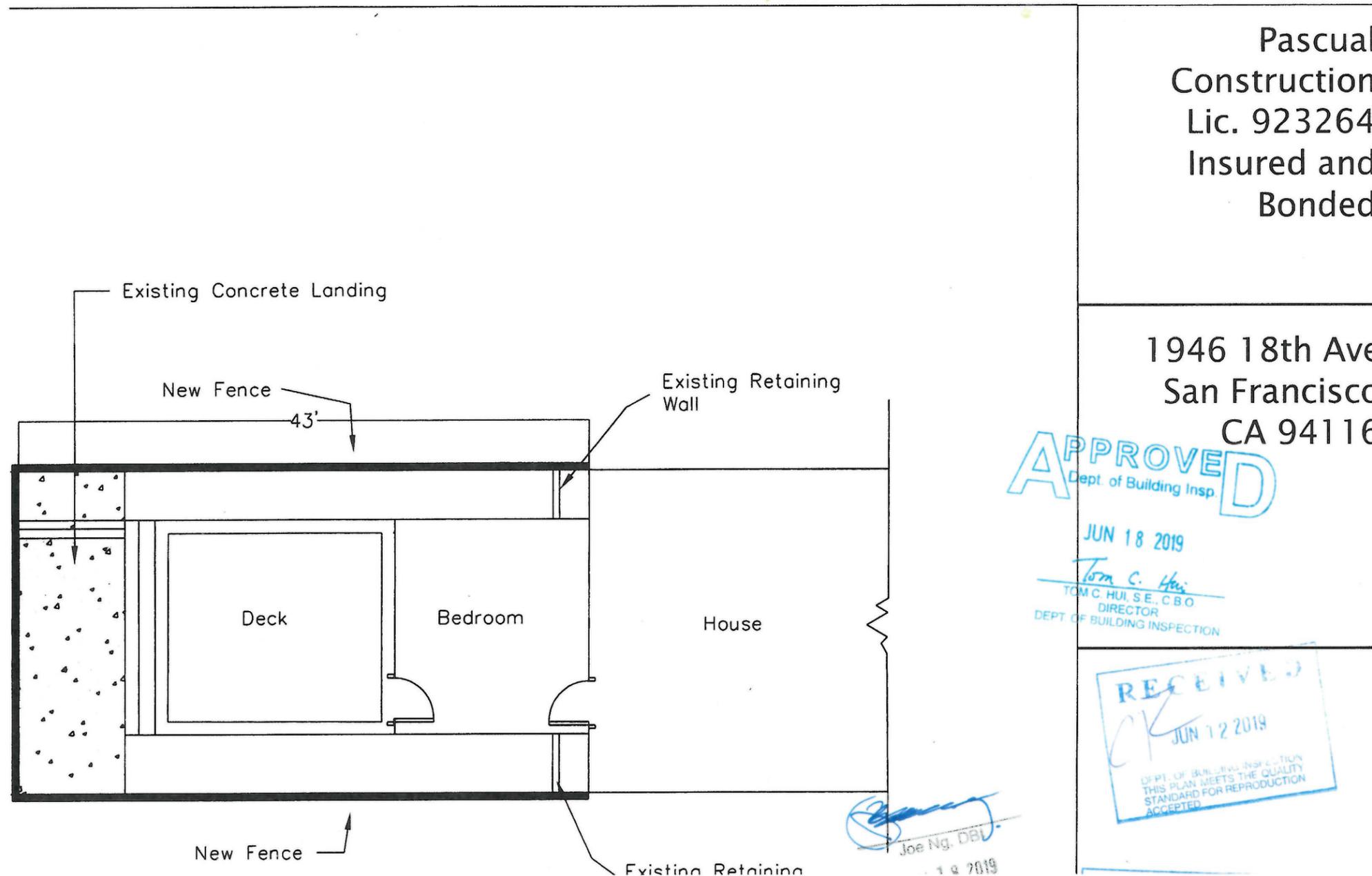
Exhibit 6-2 (Anglo Alley, views facing south)











Pascual
Construction
Lic. 923264
Insured and
Bonded

1946 18th Ave
San Francisco
CA 94116

APPROVED
Dept. of Building Insp.

JUN 18 2019

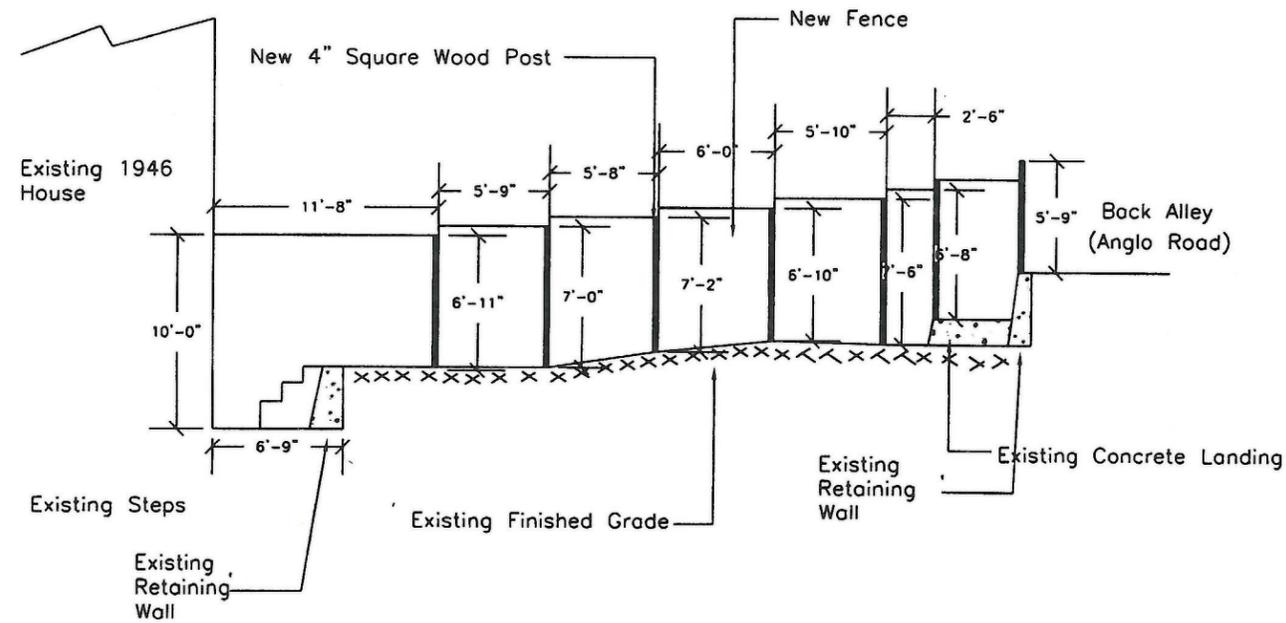
Tom C. Hui
TOM C. HUI, S.E., C.B.O.
DIRECTOR
DEPT. OF BUILDING INSPECTION

RECEIVED
JUN 12 2019
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR REPRODUCTION
ACCEPTED

19-0612-3271

Pascual
Construction
Lic. 923264
Insured and
Bonded

1946 18th Ave
San Francisco
CA 94116



SECTION - NORTH SIDE
SCALE: 1/8"=1'-0"

APPROVED
Dept. of Building Insp.

JUN 18 2019
Tom C. Hui
TOM C. HUI, S.E., C.B.O.
DIRECTOR
DEPT. OF BUILDING INSPECTION

Joe Ng, DBI
JUN 18 2019

RECEIVED
JUN 12 2019
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR REPRODUCTION
ACCEPTED

JL SC 6/18/19

APPROVED
Dept. of Building Insp.

JUN 18 2019

Tom C. Hui
TOM C HUI, S.E., C.B.O.
DIRECTOR
DEPT. OF BUILDING INSPECTION

APPROVED FOR ISSUANCE

BLDG. FORM 3/8

APPLICATION NUMBER

OSHA APPROVAL REQ'D
APPROVAL NUMBER

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF
BUILDING INSPECTION OF SAN FRANCISCO FOR
PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS
AND SPECIFICATIONS SUBMITTED HERewith AND
ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE
HEREINAFTER SET FORTH.

3 NUMBER OF PLAN SETS

DO NOT WRITE ABOVE THIS LINE

DATE FILED 6-12-19	FILING FEE RECEIPT NO. 	(1) STREET ADDRESS OF JOB 1946 15th Ave St	BLOCK & LOT 2117/025
PERMIT NO. 1502768	ISSUED 6/18/19	(2A) ESTIMATED COST OF JOB \$10,000.00	(2B) REVISED COST: 40,000 BY: DATE: 6/18/19

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. 5	(5A) NO. OF STORIES OF OCCUPANCY: 2	(6A) NO. OF BASEMENTS AND CELLARS: 0	(7A) PRESENT USE: SINGLE FAMILY DWELLING	(8A) OCCUP. CLASS R3	(9A) NO. OF DWELLING UNITS: 1
---------------------------	--	---	---	-------------------------	----------------------------------

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. 5	(5) NO. OF STORIES OF OCCUPANCY: 2	(6) NO. OF BASEMENTS AND CELLARS: 0	(7) PROPOSED USE (LEGAL USE) SINGLE FAMILY DWELLING	(8) OCCUP. CLASS R3	(9) NO. OF DWELLING UNITS: 1
--------------------------	---------------------------------------	--	--	------------------------	---------------------------------

(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED? NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? NO <input checked="" type="checkbox"/>
---	---	---	---

(14) GENERAL CONTRACTOR PASCUM CONS. INC	ADDRESS 18 Adams St	ZIP 94104	PHONE (415) 440-1111	CALIF. LIC. NO. 923264	EXPIRATION DATE 9/30/20
---	------------------------	--------------	-------------------------	---------------------------	----------------------------

(15) OWNER - LESSEE (CROSS OUT ONE) E + B #3	ADDRESS 1946 15th Ave St	ZIP 94104	BTRC#	PHONE (FOR CONTACT BY DEPT.) (415) 515-2300
---	-----------------------------	--------------	-------	--

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
Remove Reinforced existing fence / added new posts + install new fence boards.
To comply with NOV 2019 56051

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO <input checked="" type="checkbox"/>
(25) ARCHITECT OR ENGINEER (DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> ADDRESS		CALIF. CERTIFICATE NO.	
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN") ADDRESS			

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 385, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX
 OWNER ARCHITECT
 LESSEE AGENT
 CONTRACTOR ENGINEER

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

() I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

() II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:
Carrier _____
Policy Number 1995-124

() III. The cost of the work to be done is \$100 or less.

() IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

() V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO WILL BE COMPLIED WITH.

Signature of Applicant or Agent

Date

APPLICANT COPY

Re: Permit Appeal 19-066 Exhibit 7-5 p23/23

PUBLIC COMMENT

FILE

HD 8/7/19

Mejia, Xiomara (BOA)

From: Svetlana VS <lanach2@gmail.com>
Sent: Thursday, August 1, 2019 10:12 AM
To: BoardofAppeals (PAB)
Subject: Letter of support in response no. 19-066; 1947 18th Avenue.

BOARD OF APPEALS
AUG 01 2019
APPEAL # 19-066

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

This letter is in response of appeal no. 19-066; 1946 18th Avenue.

We are the residents of 1937 17th Avenue, Peter and Svetlana Vestel, fully support new fence of 1946 18th Avenue.

We love this new beautiful fence and think it's beautifying Anglo Alley. Its height is perfect. We truly hope the fence will stay as it is! The fence is very well made out of nice wood. We are surprised to see that somebody would appeal its installation or parameters. Everything looks great to us!

Please let us know if you have any questions or need an additional input from us.

Regards,
Svetlana and Peter Vestel