

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ANDREW LEE,

Appeal No. **17-042**

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,

Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on March 23, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on March 09, 2017 to Safeway, Inc., of an Alteration Permit (to obtain final inspection for work approved under BPA Nos. 2008/09/15/1554, 2008/12/10/8180, 2009/07/02/1890; all work is complete) at 730 Taraval Street.

APPLICATION NO. 2017/03/09/1077

FOR HEARING ON May 24, 2017

Address of Appellant(s):

Address of Other Parties:

Andrew Lee, Appellant
390 Magellan Avenue
San Francisco, CA 94116

Safeway, Inc., Permit Holder
c/o Bryan Enriquez, Agent for Permit Holder
Tilton Pacific Construction
4170 Citrus Avenue
Rocklin, CA 95677

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ANDREW LEE,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
Respondent)

Appeal No. **17-043**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on March 23, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on March 09, 2017 to Safeway, Inc., of an Alteration Permit (to obtain final inspection for work approved under BPA No. 2007/08/06/8886; all work is complete) at 730 Taraval Street.

APPLICATION NO. 2017/03/09/1076

FOR HEARING ON May 24, 2017

Address of Appellant(s):

Address of Other Parties:

Andrew Lee, Appellant 390 Magellan Avenue San Francisco, CA 94116	Safeway, Inc, Permit Holder c/o Bryan Enriquez, Agent for Permit Holder Tilton Pacific Construction 4170 Citrus Avenue Rocklin, CA 95677
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APPROVED
Dept. of Building Insp.

BLDG. FORM 318
20170309
OSHA APPROVAL REC'D

APPROVED FOR ISSUANCE
MAR 09 2017

MAR 09 2017

Tom C. Heu

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS
 FORM 3 OTHER AGENCIES REVIEW REQUIRED
 FORM 8 OVER-THE-COUNTER ISSUANCE
 NUMBER OF PLAN SETS 1

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.

DATE FILED: MAR 09 2017 FILING FEE RECEIPT NO. 1-30-17

PERMIT NO. 1419087 ISSUED 3/9/17

(1) STREET ADDRESS OF JOB: 130 TARAVAIL ST San Francisco BLOCK & LOT: 2376/14

(2A) ESTIMATED COST OF JOB: \$ 1.00 (2B) REVISED COST: 8.00 DATE: MAR 09 2017

BOARD OF APPEALS
MAR 23 2017
APPEAL # 17-042

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

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

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

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

(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: Tilton Pacific ADDRESS: 4150 CITRUS AVE ZIP: 94520 PHONE: 95677 CALIF. LIC. NO.: 428531 EXPIRATION DATE: 3-2018

(15) OWNER - LESSEE (CROSS OUT ONE): SAFARI INC ADDRESS: 5910 STONEMIDGE MILL RD ZIP: 94520 BTRC#: 94520 PHONE (FOR CONTACT BY DEPT.): 925-467-2628

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

To obtain final inspection for work approved under PA# 200809151554, 200812108180, 200907021890

All work is complete

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 LOT PLAN) YES NO (24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES NO

(25) ARCHITECT OR ENGINEER (DESIGN CONSTRUCTION): ADDRESS

(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.

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: Everest
 Policy Number: 760000027161

() 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.

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: [Signature] Date: 1-30-17

OFFICE COPY

CONDITIONS AND STIPULATIONS

REFER TO:

APPROVED:



[Handwritten Signature]

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: ~~MAR 09 2017~~

REASON:

OK to issue

NOTIFIED MR. *B. Curran*

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-042

APPROVED:

DEPARTMENT OF CITY PLANNING

APPROVED:

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

BUREAU OF ENGINEERING

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

APPROVED:

REDEVELOPMENT AGENCY

APPROVED:

HOUSING INSPECTION DIVISION

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

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

MAR 23 2017


APPEAL # 17-043

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE** of **Alteration Permit No. 2017/03/09/1076** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway, Inc**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017, (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. 

Permit Holders
Respondent's and Other Parties' Briefs are due on or before: **May 18, 2017, (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 hearing.

Hearing Date: **Wednesday, May 24, 2017, 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:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: 

Print Name: Andrew Lee



APPROVED
Dept. of Building Insp.

MAR 09 2017

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

APPROVED FOR ISSUANCE
MAR 09 2017

BLDG. FORM 3/8

APPLICATION NUMBER
2017-0309-10776
OSHA APPROVAL REQ'D

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
NUMBER OF PLAN SETS

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.

DATE FILED: MAR 09 2017
FILING FEE RECEIPT NO.
(1) STREET ADDRESS OF JOB: 730 TARAVAL
BLOCK & LOT: 2346/14
PERMIT NO.: 1419086
ISSUED: MAR 09 2017
(2A) ESTIMATED COST OF JOB: \$1.00
(2B) REVISED COST: \$1.00
BY: BJC
DATE: MAR 09 2017

BOARD OF APPEALS
MAR 23 2017
APPEAL # 17-043

INFORMATION TO BE FURNISHED BY ALL APPLICANTS
LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR.: II
(5A) NO. OF STORIES OF OCCUPANCY: 1
(6A) NO. OF BASEMENTS AND CELLARS: 0
(7A) PRESENT USE: M-RETAIL
(8A) OCCUP. CLASS: M-RETAIL
(9A) NO. OF DWELLING UNITS: 0
(4) TYPE OF CONSTR.: II
(5) NO. OF STORIES OF OCCUPANCY: 1
(6) NO. OF BASEMENTS AND CELLARS: 0
(7) PROPOSED USE (LEGAL USE): M-RETAIL
(8) OCCUP. CLASS: M-RETAIL
(9) NO. OF DWELLING UNITS: 0
(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: T. Hui Pacific
ADDRESS: 4150 CITRUS AVE ROCKLIN CA 95677
ZIP: 95677
PHONE: 916-224-1224
CALIF. LIC. NO.: 482231
EXPIRATION DATE: 3-2018
(15) OWNER - LESSEE (CROSS OUT ONE):
ADDRESS: 5918 STONE RIDGE WOOD PLACER
ZIP:
BTRC#:
PHONE (FOR CONTACT BY DEPT.): 925-467-2628

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
To obtain final inspection
for work approved under
PA# 200708068886
All work is complete

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 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
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 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.
() 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: Everest
Policy Number: 7600000007
() 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: 3-9-17

CONDITIONS AND STIPULATIONS

REFER TO:

APPROVED:



[Signature]

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: MAR 09 2017

REASON:

OK to issue

NOTIFIED MR. *B. L. ...*

APPROVED:

DEPARTMENT OF CITY PLANNING

DATE: _____

REASON:

NOTIFIED MR. _____

APPROVED:

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:

HOUSING INSPECTION DIVISION

DATE: _____

REASON:

NOTIFIED MR. _____

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17043

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

MAR 23 2017


APPEAL # 17044

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE** of **Alteration Permit No. 2017/03/09/1075** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway, Inc.**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017, (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. 

Respondent's and Other Parties' Briefs are due on or before: **May 18, 2017, (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 hearing.

Hearing Date: **Wednesday, May 24, 2017, 5:00 p.m., City Hall, Room 416**, One Dr. Carlton B. Goodlett Place.

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

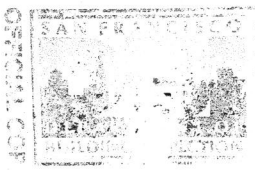
The reasons for this appeal are as follows:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: 

Print Name: Andrew Lee



APPROVED
Dept. of Building Insp.

MAR 09 2017

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

JAN 30 2017
APPROVED FOR ISSUANCE

BLDG. FORM 318
APPLICATION NUMBER
2017-0309-107
OSHA APPROVAL REQ'D

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
NUMBER OF PLAN SETS
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.

BOARD OF APPEALS
MAR 23 2017
APPEAL # 17-044

DATE FILED MAR 09 2017	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 730 Taraval San Francisco Ca	BLOCK & LOT 2346/14
PERMIT NO. 1419085	ISSUED MAR 09 2017	(2A) ESTIMATED COST OF JOB \$1.00	(2B) REVISED COST: \$1-0000/3017 DATE MAR 09 2017

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. II	(5A) NO. OF STORIES OF OCCUPANCY: 1	(6A) NO. OF BASEMENTS AND CELLARS: 0	(7A) PRESENT USE: m-retail	(8A) OCCUP. CLASS m-retail	(9A) NO. OF DWELLING UNITS: 0
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

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

(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
Tilman Pacific
ADDRESS: 4150 CITRUS AVE
ZIP: 94620
PHONE: 916-630-1200
CALIF. LIC. NO.: 488531
EXPIRATION DATE: 3-2018

(15) OWNER - LESSEE (CROSS OUT ONE)
SAFARI
ADDRESS: 5918 STONEYRIDGE MOUNTAIN
ZIP: 94523
BTRC#: 925-467-2628
PHONE (FOR CONTACT BY DEPT.): 925-467-2628

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
To obtain final inspection for work approved under PA# 200704249561, ~~200704249561~~
All work is complete

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES <input type="checkbox"/> 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? YES <input type="checkbox"/> 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? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

(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 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
 LESSEE
 CONTRACTOR

ARCHITECT
 AGENT
 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: Everest
Policy Number: 71600000027

() 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.

REV 06/13

Signature of Applicant or Agent
Date: 1-30-17

CONDITIONS AND STIPULATIONS

REFER TO:

APPROVED:

Joe Duffy

Joseph [Signature]

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: 1/30/17

REASON:

Onto process

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

DEPARTMENT OF CITY PLANNING

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

BUREAU OF ENGINEERING

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

REDEVELOPMENT AGENCY

NOTIFIED MR.

DATE: _____

REASON:

APPROVED:

HOUSING INSPECTION DIVISION

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

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-044

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING



BOARD OF APPEALS

Date Filed:

MAR 23 2017

APPEAL # 17-045

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

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2017/03/09/1074** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway, Inc.**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017, (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. Permit Holder

Respondent's and Other Parties' Briefs are due on or before: **May 18, 2017, (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 hearing.

Hearing Date: **Wednesday, May 24, 2017, 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:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: [Handwritten Signature]

Print Name: Andrew Lee



APPROVED
Dept. of Building Insp.

MAR 09 2017

Tom C. Hui
TOM C. HUI, S.E.
DIRECTOR

DEPT. OF BUILDING INSPECTION

BLDG. 3/8
FORM

APPLICATION NUMBER
2017 030918

OSHA APPROVAL REQ'D
APPROVAL NUMBER
74

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
NUMBER OF PLAN SETS
DO NOT WRITE ABOVE THIS LINE

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.

Table with permit details: FILING FEE RECEIPT NO., STREET ADDRESS OF JOB (730 Taraval St), ESTIMATED COST OF JOB (\$1.00), REVISED COST (\$1.00), PERMIT NO. (1419084), ISSUED DATE (3/9/17), EXPIRATION DATE (MAR 09 2017)

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-045

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING and DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION. Includes fields for type of construction, present use, proposed use, and contractor information.

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
To obtain final inspection for work approved under PA# 2007 0927 3880, 2007 0621 4667
All work is complete 2007 0724 7528

ADDITIONAL INFORMATION. Fields for alterations: (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?, (24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?, (25) ARCHITECT OR ENGINEER (DESIGN CONSTRUCTION), (26) CONSTRUCTION LENDER.

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.
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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
[X] 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.
[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 Everest
Policy Number 76000000 27
() 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.

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 X 1-30-17

CONDITIONS AND STIPULATIONS

REFER TO:

APPROVED:

17-045

APPROVED:

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: MAR 09 2017

REASON: OK to issue

NOTIFIED MR. B. Curro

DATE: _____

REASON: _____

APPROVED:

DEPARTMENT OF CITY PLANNING

NOTIFIED MR. _____

DATE: _____

REASON: _____

APPROVED:

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

NOTIFIED MR. _____

DATE: _____

REASON: _____

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-045

APPROVED:

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. _____

DATE: _____

REASON: _____

APPROVED:

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. _____

DATE: _____

REASON: _____

APPROVED:

BUREAU OF ENGINEERING

NOTIFIED MR. _____

DATE: _____

REASON: _____

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

NOTIFIED MR. _____

DATE: _____

REASON: _____

APPROVED:

REDEVELOPMENT AGENCY

NOTIFIED MR. _____

DATE: _____

REASON: _____

HOUSING INSPECTION DIVISION

NOTIFIED MR. _____

DATE: _____

REASON: _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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 _____

San Francisco Board of Appeals
Appeal Nos. 17-042; 17-043; 17-044; 17-045

Andrew Lee,
Appellant,
v.
Dept. of Building Inspection
Respondents.

Project Sponsor,
Safeway, Inc.

Appellant's Appeal Brief

**Building Permit Nos.: 201703091077; 201703091076;
201703091075; and 201703091074 730 Taraval Street**

Appeal of Permits Issued to Finalize Historically un-Resolved
Expired Permits and for Removal of Encroachments

Hearing Date: Wednesday, July 12, 2017
Time: 5:00 PM
Location: City Hall, Room 416
 #1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102

Stephen M. Williams SBN: 122103
1934 Divisadero Street
San Francisco, CA 94115
Tel: (415) 292-3656
smw@stevewilliamslaw.com
Attorney for Appellant

Executive Summary

1. **Safeway Failed to Finalize Dozens of Permits Related to the Construction of its 730 Taraval Street Store.**

The store opened in an existing residential neighborhood in 1974. Safeway applied for and received dozens of permits before, during and after construction. However, after construction was completed and on subsequent projects, Safeway recklessly and illegally failed to finalize numerous permits. Safeway has been operating in violation for 20+ years. At least 14 permits remain open and at least four (4) have expired without being finalized.

2. **Safeway Encroached on and Damaged the Neighboring Property by Drilling Flashing into the Adjacent Building (through the exterior stucco wall!).**

The flashing extends over Safeway's property line and is drilled into the Lee Family's adjacent property at 2371 17th Avenue. The flashing is drilled into the exterior stucco wall of the adjacent building with screws (without proper application). The Lee's have not consented and this is a trespass and a building code violation and must be ordered removed.

3. **Safeway Refuses to Remove the Flashing and is Still in Violation by the Illegal Encroaching Conditions Over the Property Line cited in Complaint # 201650405.**

Safeway will not voluntarily remove the screws into Appellant's stucco and vapor barrier (or devise an alternative). After months of trying to work with Safeway, the Lee Family filed Complaint # 201650405 on December 8, 2016, with the Department of Building Inspection ("DBI"). This Complaint has not been addressed or abated by Safeway. The Lee Family needs the trespassing encroachments removed and the building water-proofed.

4. **In Addition to the Trespass and Illegal Encroachment, the Flashing is Not Installed Properly and is Causing Water Intrusion into the Lee Family Building.**

The drilling of the flashing into the exterior stucco wall at 2371 17th Avenue was not correctly executed and has now resulted in water intrusion and damage to the Lee Family Building. Safeway failed to obtain permission from the adjacent homeowner to cut a channel

into the existing stucco in order to properly lap and place the flashing *behind* the stucco and vapor barrier and then to re-apply the stucco once completed. Drilling the flashing directly into the stucco surface has now resulted in water intrusion and damage, including mold.

5. **The Incomplete and Expired Permits on the Property Resulted in Notice of Violation 201652705.**

On December 19, 2016 DBI issued NOV 201652705 on the property requiring Safeway to renew and finalize the outstanding permits on the property which Safeway has ignored for the past 20 years. Those open or expired permits include work done on the roof top parking area in 2007 (where the flashing is located) and should not be finalized until the encroachments are removed.

6. **After Delaying for Months, Safeway Took Steps to Finalize the Expired/Incomplete Permits, Without Resolving the Complaint Related to the Encroaching Conditions.**

On March 9, 2017 Safeway applied for permits: 201703091077; 201703091076; 201703091075; and 201703091074 to finalize the various incomplete or expired permits. The complaint related to the encroachments was issued prior to the NOV related to the expired permits on the property and Safeway refuses to remove the encroachments.

7. **While There is an Active Complaint and Unresolved Issues of Trespass and Encroaching Conditions on the Property, DBI Should Not Issue New Permits, (Or Finalize 20-Year-Old Permits).**

The Department should not finalize the old permits to address the December 19, 2016 NOV related to incomplete and expired permits, until the December 8, 2016 Complaint related to the encroachments has been resolved. The flashing drilled through the stucco has not been addressed, and at least one of the permits Safeway seeks to finalize includes work in the area of the illegal and encroaching flashing. DBI policy discourages issuing new permits while existing violations are present on the property.

8. **Safeway Refuses to Remove the Encroachments or to Work with the Neighbors to Arrive at a Reasonable Resolution.**

Safeway is a multinational corporation worth billions of dollars. It owns and operates this commercial building in such a way that it now trespasses, encroaches on and is causing water intrusion damage to the Lee Family building. Since this fact has been brought to Safeway's attention, Safeway has applied for numerous permits to rectify its other permitting problems with the City. However, Safeway has steadfastly refused to remove the encroachments or work with the neighbors to devise a new flashing system to prevent further damage. Safeway has not behaved as a good neighbor and is violating the law and the Building Code. The City should condition approval of any permits on removal of the trespassing encroachments to clear the Complaint.

I. INTRODUCTION AND FACTUAL BACKGROUND

The Safeway Store Was Constructed in the 1970s in an Existing Residential Neighborhood

The Safeway Store at 730 Taraval Street, adjacent to the Lee Family building was originally constructed as a supermarket located in this mid-Sunset neighborhood in the 1970's. DBI Records indicate the building was completed in 1974. Safeway was constructed into a long existing residential neighborhood. The Lee Family building at 2371 17th Avenue (like the rest of the neighborhood) was constructed mostly in the 1920's-30's, long before Safeway moved in.

Over the past 40+ years of operation, Safeway applied for dozens of permits in the course of building and operating the store at 730 Taraval Street. Unfortunately, Safeway has shown a distinct pattern and practice at this particular store of not completing inspections or finalizing the many permits for which it has applied. This particular store has also shown little regard for its neighbors and has refused to work with the Lee Family to resolve the water intrusion issues the Lee Family building has suffered as a result of the Safeway Store.

Safeway Failed to Finalize Permits and Many Are Expired

Safeway has operated this particular store location for more than 40 years. Surprisingly, Safeway has been remarkably careless and negligent in its construction and operating practices and did not finalize numerous permits it has obtained over those years. At least four (4) of these un-finalized permits have expired by passage of time, and at least fourteen (14) permits have remained open (never finalized) for years (some for decades). Many of these permits are related to food handling and fire safety and should be of grave concern for customers and neighbors of this particular store. Numerous permits for the fire suppression system and sprinkler installation have never received final inspection. Permits for erection of electric signs and placement of a Wells Fargo ATM are not complete. A permit to allow the sale of sushi remains unresolved (although the store continues to sell sushi). There has been a shocking and pervasively sloppy approach to operations at this Safeway store and as a result it has operated illegally for decades. The Lees believe this atmosphere of sloppy work and operation is what led to Safeway to illegally trespass over the property line and to construct encroachments on the adjacent building.

The Lee Family Purchased the Property Unaware of the Trespass and Encroachments

In 2014 the Lee family purchased the property at 2371 17th Avenue. The neighborhood is zoned RH-1, single family residence, but is adjacent to the Neighborhood Commercial District (NCD) which fronts Taraval Street. Adjacent and immediately to the south of the Lee Family building is a large Safeway store which covers several city develop lots (lot line to lot line) and which has a rooftop parking facility. (Assessor's Map and Sanborn Map attached as Exhibit 1).

Although the Lee Family made the usual inspections as purchasers, no specific disclosures were made to the Lee's during the sale, advising them of the encroachments and the Lee's did not take particular note of the south side of the building which shares a lot line with the

Safeway Store. They did not notice that a stairwell housing (which sits directly against the lot line) is attached to the Lee building by extensive flashing on all three sides and along the top of the stair housing. (Photos of south side of Lee Family building and Safeway Exhibit 2)

The building at 2371 17th Avenue has two flats (one up, one down) and it wasn't until the following winter when the tenants began to report water intrusion into the lower flat on the south wall. This was highly unusual because the south wall is the downslope side of the building as there is a steep slope going south down 17th Avenue towards Taraval Street. Because the water intrusion is only in the lower flat, the Lee's immediately investigated the south portion of the building where the outer shell of stucco on their building is penetrated by bolts and screws drilled into the exterior stucco to secure the flashing for the Safeway stairwell housing and building. (Exhibit 2)

The Lee's contractor concluded that the screws and bolts securing the flashing and penetrating the stucco (and vapor barrier) are the source of water intrusion. (See Exhibit 3, text messages from the tenants and photos of interior of wall showing mold and rot damage.) The Lee's contractor temporarily repaired the damage and charged the Lee's \$3,600 for the repair. (See Exhibit 4). However, he was clear that future water intrusion will occur so long as the Safeway flashing is drilled into the exterior stucco of the Lee's building.

II. ISSUES FOR RESOLUTION BY THE BOARD OF APPEALS

Safeway Illegally Drilled Flashing into the Neighbor's Exterior Stucco Wall

During or after the construction of the Safeway store, Safeway attached flashing to the Lee Family building by drilling through the exterior stucco. The flashing and screws are a trespass under California law as they extend over the property line (See, *Strodel v. Wilcox* (1955) 137 Cal. App. 2d 781). The Lee's did not consent to the trespass and objected to it as soon as it

came to their attention. The flashing encroaches on the Lee's property because it extends from Safeway's property onto the Lee's property. The flashing is attached by adhesive, screws and bolts, drilled or hammered into the exterior stucco wall of the Lee Family building. The screws and bolts damaged the exterior of the Lee's building.

Building over a property line is a trespass and an illegal encroachment. When a building or other structure is constructed onto adjoining land, without permission or consent, the infringement is referred to as an encroachment. The encroachment may constitute a trespass or a nuisance. Because these particular encroachments are attached to the Lee building and rest on the adjoining land, they constitute a permanent trespass. (See, *Rankin v. DeBare*, (1928) 205 Cal. 639, 641). When the encroachment infringes upon the owner's right to a peaceful use and enjoyment (such as in this case) the encroachments also constitute a nuisance. (See, *Barnes v. Berendes*, (1902) 139 Cal. 32, 39; see also *Kafka v. Bozio*, (1923) 191 Cal. 746, 750).

Safeway has steadfastly refused for more than a year to seek a reasonable compromise and the Lee's were forced to bring an encroachment action and an action for trespass and/or nuisance along with a claim for declaratory relief and injunctive relief in Superior Court (Superior Court Complaint attached as Exhibit 5). Safeway has at various times claimed it has (or had) "permission" to erect the encroachments across the property line or that the Lee's are barred from removing the encroachments by the statute of limitations; however, Safeway has failed and refused to produce any evidence of such claimed permission. Such "permissions" would have to be in writing as a permanent easement, right or license to use the adjacent real property. Tellingly, Safeway has also failed to bring any motion in the Superior Court action to enforce its false claim that the statute of limitations bars the Lee's from having the encroachments removed or to prove its claim of "permission."

Safeway has also steadfastly and absolutely refused to produce permits authorizing the attachment of flashing, or approved plans which prove that the flashing does not encroach on the Lee property. Safeway has alternately claimed the plans are “irrelevant” or “proprietary.” The Lee’s requested the plans and permits more than six months ago. Safeway refused to provide those plans or permits. More recently in preparation for this hearing we again requested the plans and received no response. (June 12, 2017, letter to Safeway’s attorney requesting plans and permits for the Board of Appeal hearing is attached hereto as Exhibit 6). Safeway then waited ten days and then refused to provide ANY plans. (Exhibit 7)

The Flashing Was Not Installed Properly (Surface Mounted with Screws) or Is Failing and is Causing Water Intrusion to the Lee Family Building.

Stucco is a useful exterior building material because if it is properly installed and maintained, it has a 50-60-year lifespan which is decades longer than comparable materials. However, stucco is a rigid material which is vulnerable to cracking, especially in seismically active regions such as California. Cracks in stucco exteriors seriously undermine stucco’s durability and more importantly allow moisture intrusion into the underlying materials.

Installing surface mounted flashing on an exterior stucco wall must therefore be done in such a way that maintains the stucco’s integrity, and does not cause cracking. To avoid the problems of cracking and moisture penetration associated with driving screws or pins through stucco surfaces, manufacturers of flashing designed to be installed on stucco walls, actually call for completely cutting away the stucco where the flashing attaches, and installing the flashing underneath the stucco layer. (See Exhibit 8, installation instructions for three (3) different flashings on exterior stucco walls.) Cutting away the stucco underneath the flashing allows the flashing to be attached onto the underlying material, and avoids driving bolts into the stucco itself. Stucco is then reapplied over the “reglet” after it is attached to hold the flashing in place.

The plans approved for the installation of the flashing specifically call for, “Surface Mounted Reglet with Counter Flashing.” (Excerpt from page 10 of the approved plans is attached as Exhibit 9). As shown by the instructional diagrams in Exhibit 8, the industry standard calls for cutting a channel for the reglet and flashing so that it may be placed behind the stucco wall and then re-sealed. This technique was not used in this instance or has outlived its useful life and the wall is now starting to leak. Safeway will not work with the Lee’s to fix the problem.

Despite this clear industry standard for the installation of flashing on stucco walls, the flashing installed by Safeway did not cut into the stucco wall of the Lee’s adjacent building. Instead Safeway’s plans from the construction clearly depict flashing installed over the existing stucco wall. (See Exhibit 9 Construction Detail Plans for Flashing). The construction plans for the building clearly reveal that Safeway ignored best practices and attached the flashing by simply driving bolts through the stucco wall of the Lee’s building and sealing the top seam with adhesive (see photos attached as Exhibit 2).

The stucco, was not cut back underneath the flashing, but rather the flashing was drilled on top of the stucco. This has predictably resulted in moisture penetration into the stucco wall. That moisture has reached the building materials below it in the Lee’s lower flat, and caused rotting, mold and damage to the Lee’s building. (Exhibit 3) The Lee’s received notice of these conditions from their tenants on November 15, 2015, and after having a contractor investigate the damages, they reported the conditions to Safeway and requested a repair. Safeway refused.

Safeway is Violating the Building Code and General California Law

The illegal condition of the flashing resulted in a complaint on the property on December 08, 2016 (Exhibit 10). One of the basic principles of Building Code regulation is that buildings must be separately constructed and no portion of a building may cross the designated property

line. Plans for construction show and clearly demarcate the location of all property lines and no construction is permitted to cross over the property line. In this instance Safeway is clearly violating the general rule and has performed construction over the property line and that construction is damaging the Lee Family building.

There is also a general common law requirement and a specific requirement in the Building Code to control the surface water on a property so as to not cause damage to neighboring lands and property.

In the California Supreme Court Case of *Locklin v. City of Lafayette* (1994) 7 Cal.4th 327, 351: The court stated: "The modern rule governing landowner liability for surface water runoff and drainage is no longer simply a rule of property law dependent upon the existence of rights, servitudes, or easements. The civil law rule was modified more than a quarter of a century ago by the landmark decision in *Keys v. Romley*, 64 Cal.2d 396. There we recognized the tendency of the civil law rule limiting immunity for damages caused by surface water runoff onto an adjacent property to inhibit development of land, since any change in the upper property would affect the natural runoff. (*Id.*, at p. 402.) Today a landowner's conduct in using or altering the property in a manner which affects the discharge of surface waters onto adjacent property is subject to a test of reasonableness.

"It is ... incumbent upon every person to take reasonable care in using his property to avoid injury to adjacent property through the flow of surface waters. Failure to exercise reasonable care may result in liability by an upper to a lower landowner. It is equally the duty of any person threatened with injury to his property by the flow of surface waters to take reasonable precautions to avoid or reduce any actual or potential injury. The above-quoted law demonstrates that it is incumbent upon Safeway to make certain that the water runoff from the property does

not damage the Lee property and vice versa.

Again, Safeway is not being “reasonable” and despite the direct evidence the flashing drilled through the exterior stucco wall is causing water penetration into the Lee Family building, Safeway refuses to remedy the situation or work with the Lee’s to design a new flashing system between the buildings.

A Notice of Violation (“NOV”) issued on the Safeway property on December 19, 2016. This NOV is active as of the date of filing of this briefing. While there are active NOVs on a property DBI should not issue new permits, which are not related to abating the conditions resulting in the issuance of the NOV.

Safeway Applied for Permits to Abate the NOV Without Correcting the Conditions Which Resulted in the Complaint.

On March 9, 2017 Safeway applied for permits: 201703091077; 201703091076; 201703091075; and 201703091074. These permits were ALL issued for the purpose of finalizing all of the expired and outstanding permits which existed for the property. The stated purpose of Permit 201703091074 was “TO OBTAIN FINAL INSPECTION FOR WORK APPROVED UNDER PA#200709273880, 2000706214667, 200707247528. ALL WORK IS COMPLETE.” The stated purpose of Permit 201703091075 was “TO OBTAIN FOR FINAL INSPECTION FOR WORK APPROVED UNDER PA#2007 0424 9561. ALL WORK IS COMPLETE.” The stated purpose of Permit 201703091076 was “TO OBTAIN FOR FINAL INSPECTION FOR WORK APPROVED UNDER PA#2007 0806 8886. ALL WORK IS COMPLETE.” The stated purpose of Permit 201703091077 was “TO OBTAIN FINAL INSPECTION FOR WORK APPROVED UNDER PA#200809151554, 200812108180, 200907021890. ALL WORK IS COMPLETE.”

DBI Should Not Issue New Permits While There Are Active Complaints on a Property

DBI has issued permits to Safeway to finalize the expired permits which resulted in the NOV. However, Safeway has not applied for permits to correct the illegally encroaching flashing or to remedy the water intrusion problem on the Lee building. While the expired and unfinished permits are important, the Lee's chief concern is the illegal encroaching condition that Safeway has created on the Lee's property and the damage to the Lee's building which the flashing has caused. The Lee's therefore cannot understand why the Department has allowed Safeway to continue to damage their property and issued permits to finalize permits, when the difficult work of correcting the damage has not been addressed in any way. The Department should not issue permits to correct procedural deficiencies, when the damage caused by Safeway's reckless construction remains and is potentially causing structural deficiencies to the Lee's building.

The Board Should Require that Safeway Remove the Illegal Flashing and Repair the Damage It Has Caused Before Issuing New Permits to Finalize Permits.

The Department should not allow Safeway to paper over these clear violations with new permits. Safeway has ignored the City's rules and procedures related to finalizing permits for DECADES on this property. More importantly during those same decades, Safeway has trespassed on and damaged the neighbor's property; AND CONTINUES TO DO SO. The City should require that Safeway finalize the permits, but correcting the damage and continuing trespass against Safeway's neighbors should clearly be the higher priority.

The neighbors, have been exceedingly reasonable in requesting only that the illegal encroaching conditions be fixed, and the damage to their building repaired. This is a reasonable request, in response to wholly unreasonable circumstances. The Board should require that Safeway correct the encroachment, and repair the damage done to the Lee's building.

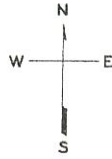
Sincerely,

Stephen M. Williams

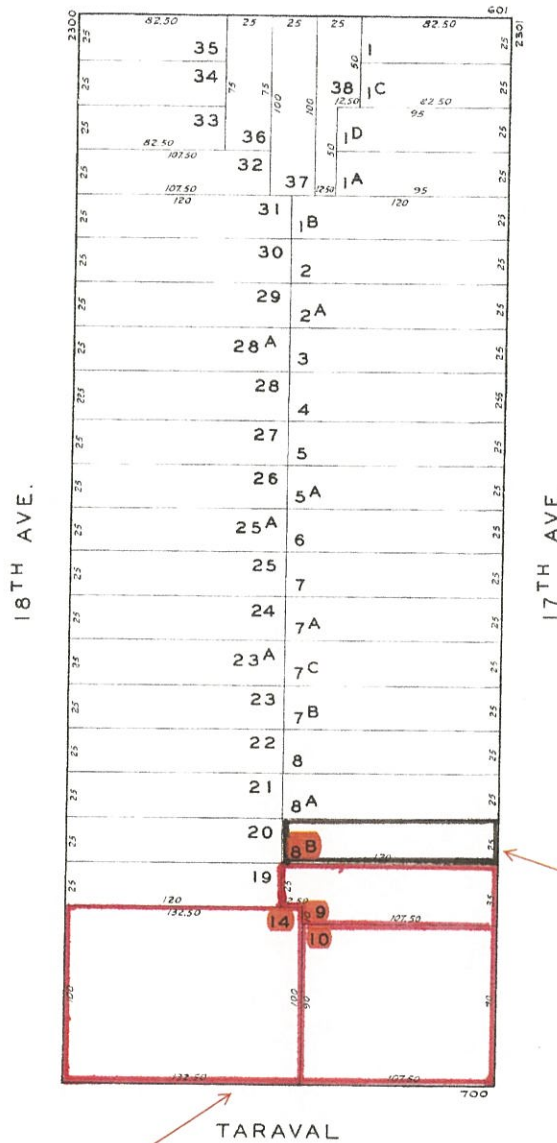
Stephen M. Williams, On Behalf of Appellant

EXHIBIT 1

LOTS MERGED
LOTS 39&40 INTO LOTS 1,14&10-1932
" 11/13 " " LOT 10 - 1951
" 15/18 " " " 14 - 1951
lot24 into lots41&42 For 2009 roll



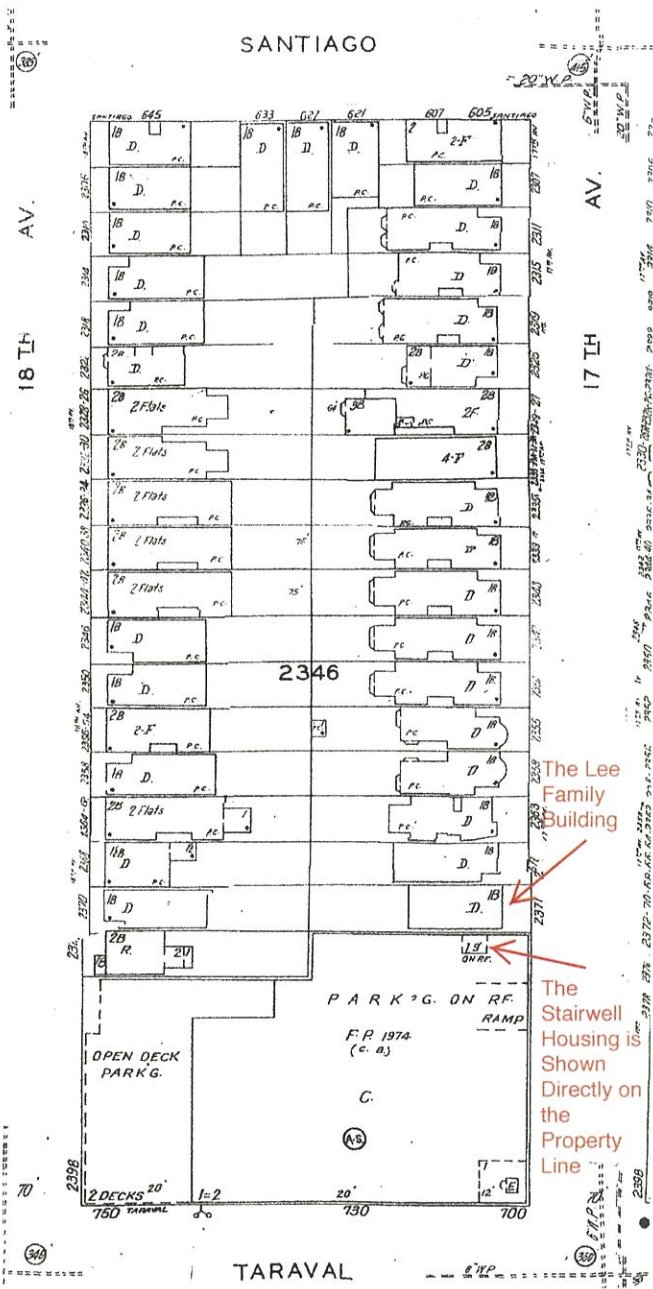
SANTIAGO



The Lee Family Building is Adjacent on Lot Number 8B

The Safeway Store Is Built on Three Development Lots (Numbers: 14, 9 & 10)

SANTIAGO



18 TH AV.

17 TH AV.

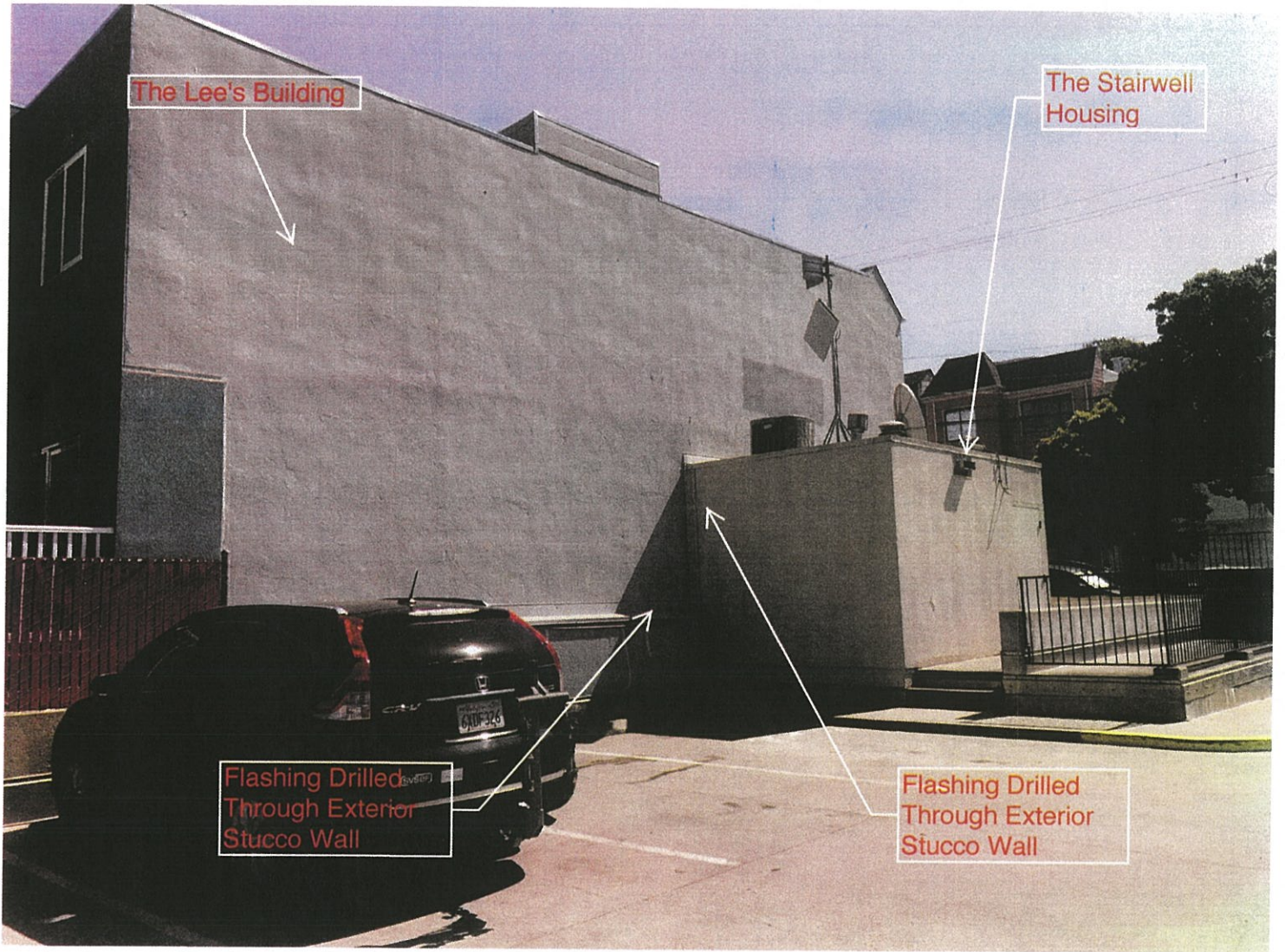
2346

The Lee Family Building

The Stairwell Housing is Shown Directly on the Property Line

TARAVAL

EXHIBIT 2

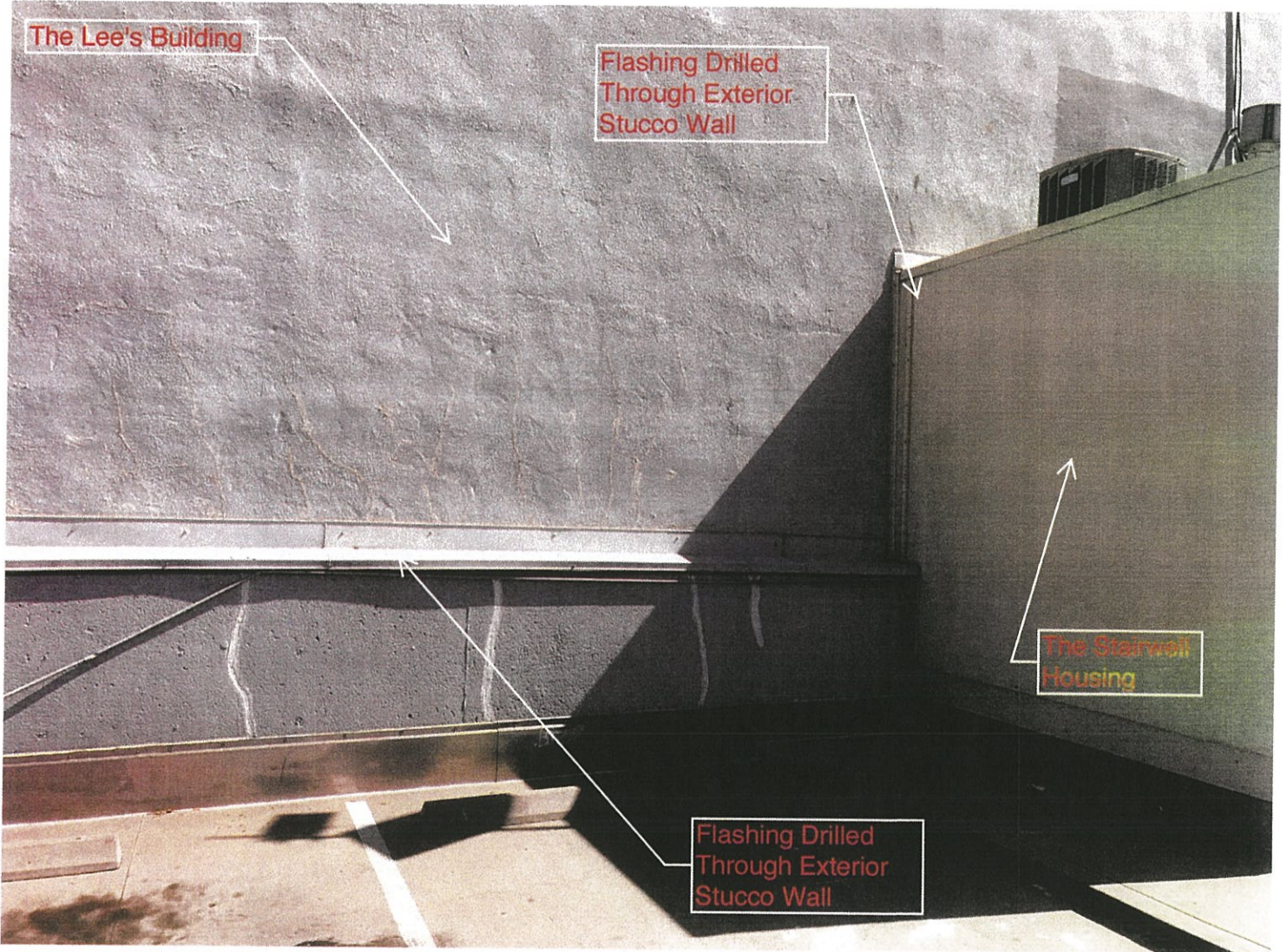


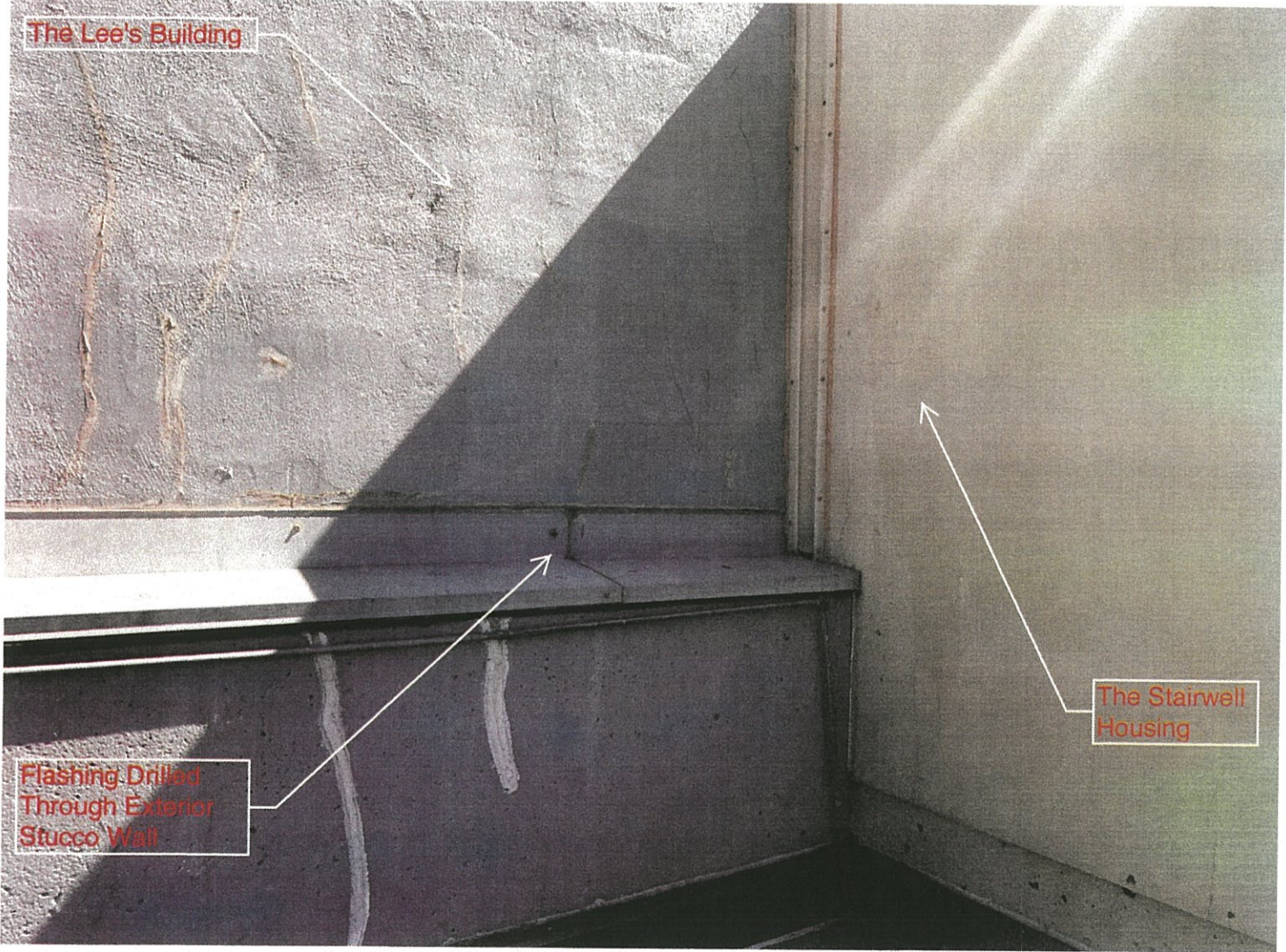
The Lee's Building

The Stairwell Housing

Flashing Drilled Through Exterior Stucco Wall

Flashing Drilled Through Exterior Stucco Wall





The Lee's Building

The Stairwell
Housing

Flashing Drilled
Through Exterior
Stucco Wall



The Lee's Building

Flashing Drilled
Through Exterior
Stucco Wall

The Stairwell
Housing

EXHIBIT 3



2371-17th ave Tenant

Tue, Nov 15, 9:55 PM

Hi Mei. We just found what appears to be water damage from the recent rain. The floorboards in one of our rooms has warped up and has caused water to leak in and some kind of mold or fungus to start growing. Could you send someone out to look at it ASAP?

Ok.

Could you please take some pictures and text them to me?

Will get the contractor over ASAP.

I probably come in with the contractor tomorrow morning.

Anybody will be home?

If not, I will just go head open the door.

Please let me know.

Thanks!



iMessage





2371-17th ave Tenant

Hi Mei, here are some pictures:



iMessage





2371-17th ave Tenant



iMessage





2371-17th ave Tenant



It seems to be confined to this one spot. Which is in the first room on the left. We will all be gone by 10 am. Thanks for your quick response!

Wed, Nov 16, 10:18 AM

Jon,

The contractor will need to come back tomorrow morning around 8:30 to cut open the wall to check the leaking problem. It will take several days and let me know if that time works.

Wed, Nov 16, 11:44 AM



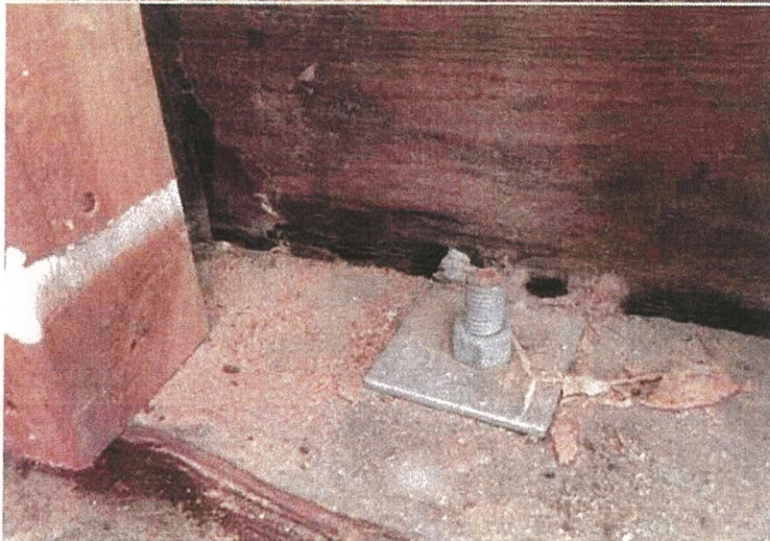
iMessage





17th Ave Contractor

Thu, Nov 17, 9:35 AM

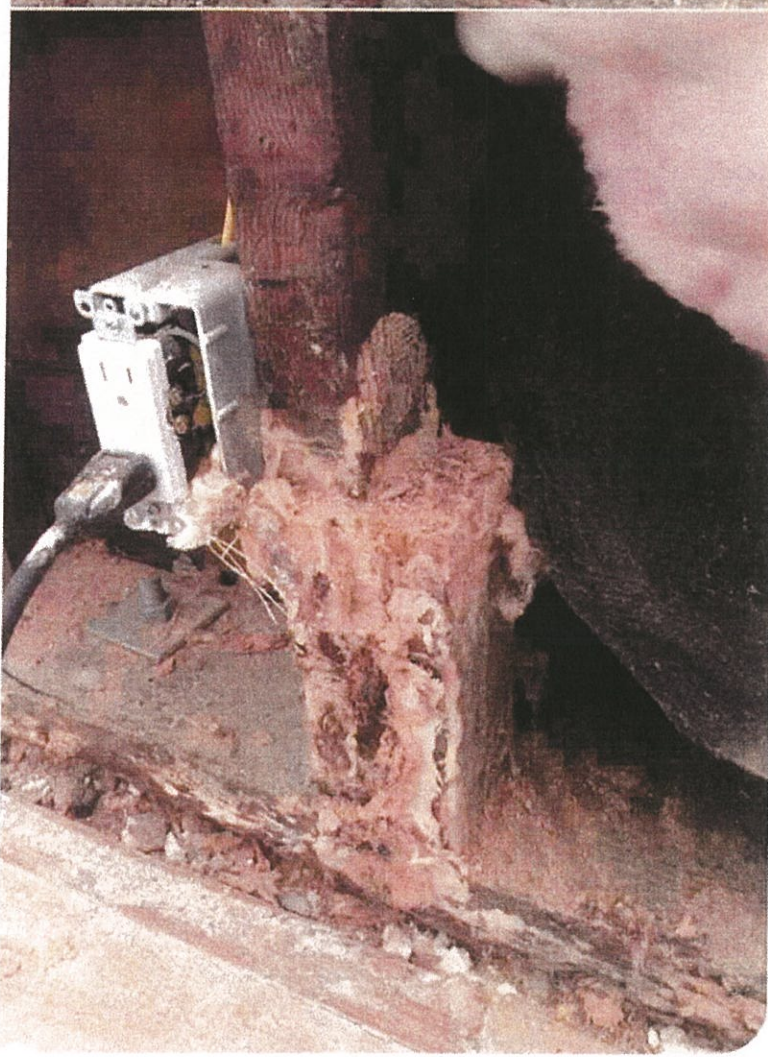
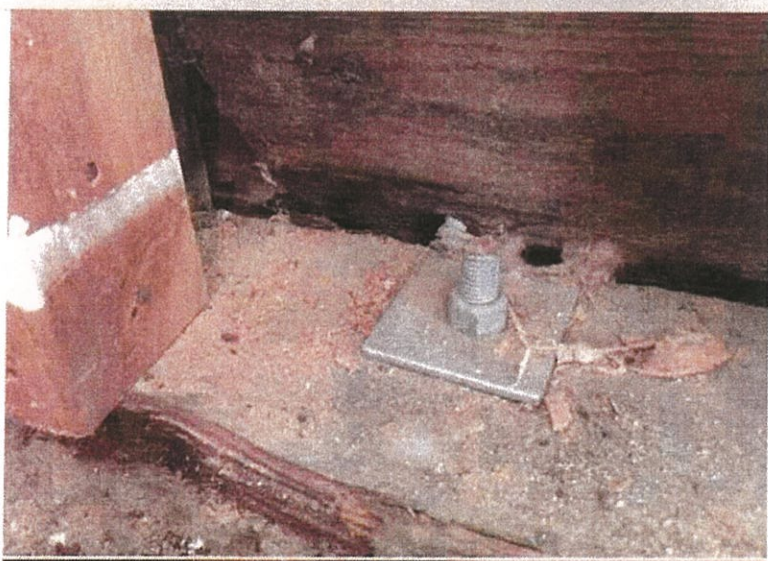


iMessage





17th Ave Contractor



Fri, Nov 18, 8:26 AM



iMessage



EXHIBIT 4

May 15, 2017 9:30 AM



李太你好，关于17街2371号近 safeway侧墙漏水是因为 safeway在我屋墙边加建小屋时钻穿墙身加钉致墙身出现多处裂缝及钉孔再致雨水入屋内。年前我公司共3个工人已做过一次防水工程，为时4天所需费用共计3600元。

May 15, 2017 3:19 PM

你可否电邮2371-17Av 屋顶合约， Safeway律师要求看副本



May 15, 2017 3:26 PM

今天可以吗？



May 15, 2017 3:37 PM



当时我们没有合约或者你可call 做屋顶的公司。它们是你介绍给

李太你好，关于17街2371号近safeway侧墙漏水是因为safeway在我屋墙边加建小屋時钻穿墙身加钉致墙身出现多处裂缝及钉孔再致雨水入屋内。年前我公司共3个工人已做过一次防水工程，为時4天所需费用共计3600元。

translation of the message:

In regarding to the leaking to the wall next to the Safeway, when Safeway build their little addition they drilled through the wall, plus the nails to the wall cause lots of cracks on that wall, I tried to stop the leaking, took us three workers for 4 days, for the total amount of \$3,600.

EXHIBIT 5

1 ANDREW M. ZACKS (SBN 147794)
2 LISA K. PADILLA (SBN 225665)
3 ZACKS, FREEDMAN & PATTERSON, P.C.
4 235 Montgomery Street, Suite 400
5 San Francisco, CA 94104
6 Tel: (415) 956-8100
7 Fax: (415) 288-9755

8 Attorneys for Plaintiff,
9 ANDREW LEE

FILED
Superior Court of California
County of San Francisco
OCT 07 2016
CLERK OF THE COURT
BY: *[Signature]*
Deputy Clerk

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 CITY AND COUNTY OF SAN FRANCISCO
12 UNLIMITED JURISDICTION

13 ANDREW LEE, an individual,
14 Plaintiff,

15 vs.

16 ARTHUR & AMPHORN CHAN,
17 TRUSTEES OF THE ARTHUR CHAN
18 AND AMPHORN CHAN AB LIVING
19 TRUST, EVAN F. WATTS AND
20 JOANNE L. WATTS, AS TRUSTEES OF
21 THE EVAN F. WATTS AND JOANNE L.
22 WATTS TRUST, DATED MAY 16, 2014,
23 SAFEWAY INC. and DOES 1 through 20,
24 inclusive,

25 Defendants.

Case No.:

CGC 16-554725

**COMPLAINT FOR DAMAGES,
INJUNCTIVE RELIEF FOR
TRESPASS, NUISANCE, AND TO
QUIET TITLE TO REAL PROPERTY**

FAXED

GENERAL ALLEGATIONS

Plaintiff ANDREW LEE is informed and believes and thereupon alleges as follows:

1. At all relevant times, Plaintiff ANDREW LEE (hereafter "Plaintiff") is an individual and adult resident of the State of California and owns the real property located at 2371 17th Avenue, San

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235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

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235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

1 Francisco, (hereinafter 2371 17th Ave.), upon which contains a single family dwelling which is
2 tenant-occupied.

3 2. Upon information and belief, Defendant ARTHUR & AMPHORN CHAN, TRUSTEES OF
4 THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST, and EVAN F. WATTS
5 AND JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L.
6 WATTS TRUST, DATED MAY 16, 2014 are the current owners of 730 Taraval Street, San
7 Francisco, California.

8 3. The legal description of the property owned by Defendant ARTHUR & AMPHORN CHAN,
9 TRUSTEES OF THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST is as
10 follows:

11 Real property in the City of San Francisco, County of San Francisco, State of California
12 a FEE, as to PARCEL A;

13 a LEASEHOLD as created by that certain Lease dated May 26, 1971, executed by Dino
14 Cortopassi, Albert Cortopassi, Joseph Cortopassi, and Rinaldo Cortopassi aka Louis
15 Cortopassi, and Safeway Stores, Incorporated, a Maryland corporation, as Lessee, and
16 recorded July 23, 1971, Instrument No. U-5530, Book B-543, Page 893 of Official records, in
17 the office of the Recorder of the City and County of San Francisco, State of California, for
18 the term, upon and subject to all of the provisions contained therein, as to PARCEL B.

19 a) By Assignment dated May 1, 1974, executed by Safeway Stores, incorporated, as
20 Maryland corporation, as Assignor, the interest of Lessee in and to the above
21 Leasehold Estate was assigned to Thomas McCutchan and Doryce L. McCutchan,
22 as assignee, recorded May 31, 1974, Instrument No. W-78243, Book B-894, Page
23 199 of Official Records.

24 b) By Assignment dated December 15, 1983, executed by Thomas O. McCutchan
25 and Doryce L. McCutchan, As Assignor, the interest of Lessee in and to the above
26 Leasehold Estate was assigned to Robert A. Weigel and Joanne M. Weigel,
27 husband and wife, as joint tenants, as Assignee, recorded December 29, 1983,
28 Instrument No. D-444184, Book D-623, Page 1344 of Official Records.

c) By Instrument dated May 10, 2000, executed by Robert A. Weigel and Joanne M.
Weigel, husband and wife, jointly and each in their own right, as Grantor, the
interest of Grantor in and to the above Leasehold Estate was transferred to Realty
Trust Group, Inc., as Trustee, as Grantee, recorded June 10, 2002, Instrument No.
2002-H186251-00, Book 1-161, Page 0432 of Official Records

Property Address: 700 Taraval Street, San Francisco, CA 94116
Arthur Chan and Amphorn Chan

ZACKS, FREEDMAN & PATTERSON, P.C.
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SAN FRANCISCO, CALIFORNIA 94104

1 PARCEL A:

2 BEGINNING at a point on the Eastern line of 18th Avenue, distant thereon North (the
3 Easterly line of 18th Avenue being assumed North, for the purposes of this description),
4 100.00 feet from the Northern line of Taraval Street; thence East 132.83 feet (132'-10");
5 thence South 10.00 feet; thence East 107.17 feet (107'-2") to the Western line of 17th
6 Avenue; thence North, along said line, 60.00 feet; thence West, 120.00 feet; thence South
7 25.00 feet; thence West 120.00 feet to the Eastern line of 18th Avenue; thence South along
8 said line, 25.00 feet to the point of the beginning.

9 BEING a portion of Outside Land Block No. 1119.
10 Lots 8-B, 9 and 19, Block 2346

11 PARCEL B:

12 a LEASEHOLD as created by that certain Lease dated May 26, 1971, executed by Dino
13 Cortopassi, Albert Cortopassi, Joseph Cortopassi, and Rinaldo Cortopassi aka Louis
14 Cortopassi, and Safeway Stores, Incorporated, a Maryland corporation, as lessee, and
15 recorded July 23, 1971, Instrument No. U-5530, Book B-543, Page 893 of Official records, in
16 the office of the Recorder of the City and County of San Francisco, State of California, for
17 the term, upon and subject to all of the provisions contained therein, as to PARCEL B,

- 18 a) By Assignment dated May 1, 1974, executed by Safeway Stores, Incorporated, as
19 Maryland corporation, as Assignor, the interest of Lessee in and to the above
20 Leasehold Estate was assigned to Thomas McCutchan and Doryce L. McCutchan,
21 as Assignee, recorded May 31, 1974, Instrument No. W-78243, Book B-894, Page
22 188 of Official Records,
- 23 b) By Assignment dated December 15, 1983, executed by Thomas O. McCutchan
24 and Doryce L. McCutchan, as Assignor, the Interest of Lessee in and to the above
25 Leasehold Estate was assigned to Robert A. Weigel and Joanne M. Weigel,
26 husband and wife, as joint tenants, as Assignee, recorded December 29, 1983,
27 Instrument NO. D-444184, Book D-623, Page 1344 of Official Records:
- 28 c) By Instrument dated May 10, 2000, executed by Robert A. Weigel and Joanne M.
Weigel, husband and wife, jointly and each in their own right, as Grantor, the
interest of Grantor in and to the above Leasehold Estate was transferred to Realty
Trust Group, Inc., as Trustee, as Grantee, recorded June 10, 2002, Instrument No.
2002-H186251-00, Book I-161, Page 0432 of Official Records,

said Property described as follows:

BEGINNING on the Eastern line of the Eastern line of 18th Avenue with the
Northerly line of Taraval Street; thence North (the Easterly line of 18th Avenue being
assumed North, for the purpose of this Description) along said Eastern line 100.00
feet; thence East 132.85 feet (132'-10"); thence South 10.00 feet; thence East 107.17
feet (107'-2") to the Western line of 17th Avenue; thence South, along said line 90.00
feet to said Northern line of Taraval Street; thence West along said line 240.00 feet to
the point of the beginning.

BEING a portion of Outside Land Block No. 1119.

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SAN FRANCISCO, CALIFORNIA 94104

Assessors Parcel No.: Lots 10 and 14, Block 2346

Assessor's Parcel No: Lots 8-B, 9 and 19, Block 2346; Lots 10 and 14, Block 2346

4. The legal description of the property owned by Defendant EVAN F. WATTS AND JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L. WATTS TRUST, DATED MAY 16, 2014 is as follows:

Beginning at the intersection of the Eastern line of Eighteenth Avenue with the Northerly line of Taraval Street; thence North (the Easterly line of Eighteenth Avenue being assumed North, for the purpose of this description) along said Eastern line, 100.00 feet; thence East 132.85 feet (132'-10"); thence South 10.00 feet; thence East 107.17 feet (107'-2") to the Western line of Seventeenth Avenue; thence South, along said line 90.00 feet to said Northern line of Taraval Street; thence West along said line 240.00 feet to the point of beginning. Being a portion of Outside Land Block No. 1119. Assessor's Block 2346, Lots 010 and 014. APN: 17-2346-014, 17-2346-010.

5. On information and belief, Defendant Safeway Inc. is a California corporation organized and existing by virtue of the laws of the State of California, and was authorized to conduct business in California, and operated a business at 730 Taraval Street, San Francisco, California.

6. DOES 1-20 are unknown persons who participated with, or at the direction of, the Defendants and caused the harm described below. The true names and capacities of the defendants named herein as DOES 1-20 are unknown to Plaintiff, who therefore sues them under these fictitious names. Plaintiff will amend this complaint to add their true names and capacities when they become known.

7. On information and belief, all of the defendants (including the Doe defendants) were the agents and principals of all of the other Defendants and were acting in the course and scope of their authority.

8. The subject matter of this action pertains to a real property dispute within the jurisdiction of this Court.

9. Plaintiff seeks injunctive relief and monetary damages greater than \$25,000.

10. On information and belief, the Defendants have been aware of the misconduct of their agents and sub-agents. The Defendants have acquiesced to, encouraged, and authorized various acts and conduct complained of in this complaint. The Defendants are legally responsible for the acts of their agents and all other persons providing services or doing business at 730 Taraval Street, San

1 Francisco.

2 11. Plaintiffs have made Defendants aware of an encroachment in the form of an attachment of a
3 structure located on Defendant's property at 730 Taraval Street, onto the property and building of
4 Plaintiff's property located at 2371 17th Ave.

5 12. In April of 2016, former counsel for Plaintiff initiated communication with Vice President
6 Marilyn K. Beardsley in an effort to discuss the issue of an attachment of a structure located on
7 Defendants' property onto Plaintiff's single family dwelling and the repair of an iron fence that was
8 the directly contributed to an ongoing trespass and nuisance on Plaintiff's property. An in-person
9 meeting occurred on April 20, 2016. Since that meeting, Plaintiff has not been contacted by
10 Defendant Safeway, Inc.

11 13. After the aforementioned meeting on April 20, 2016, former counsel for Plaintiff sent a letter
12 to Defendant Safeway Inc. on August 31, 2016 in an effort to also address broken iron fencing which
13 encloses a flat patio-like concrete area on the property of Defendants' directly in front of the
14 encroaching building, next to the single family dwelling located on Plaintiff's property.

15 14. Counsel informed Defendant Safeway Inc., that the iron fencing was and is still currently
16 broken and has been and is currently used by homeless people and others at all hours of the night as
17 a gathering place to consume alcohol, play music, loiter and disturb the occupants that reside on
18 Plaintiff's property.

19 15. On information and belief, such activity poses a direct threat to the health and safety of the
20 occupants of Plaintiff's property and an ongoing nuisance caused by Defendants' failure to repair the
21 iron fencing as requested by Plaintiff.

22 16. Despite former counsel's request on behalf of Plaintiff to immediately repair the broken
23 fence and to remove the encroaching structure attached to Plaintiff's property, the encroaching
24 structure remains and the fence remains broken.

25 17. The occupants of Plaintiff's property continue to suffer harm and a constant nuisance in the
26 form of excessive loitering by homeless people at all hours of the night.

27 18. On September 30, 2016, current counsel for Plaintiff sent correspondence to Agent for
28

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SAN FRANCISCO, CALIFORNIA 94104

1 Defendants, Mr. Gary Bettencourt who is currently the broker enlisted to sell the property located at
2 730 Taraval. Counsel made a demand to immediately repair the broken fence and to remove the
3 encroaching structure from Plaintiff's property.

4 19. In response to the September 30, 2016 letter, counsel for Plaintiff received correspondence
5 from Mr. Bettencourt advising that the request would be forwarded to the seller. Plaintiff has yet to
6 be contacted by any of the Defendants regarding the correspondence and the demands contained
7 therein.

8 20. Despite Plaintiff's repeated attempts to contact Defendants and/ or agents of Defendants,
9 Plaintiff continues to suffer encroachments, both in the form of people trespassing onto their
10 property due to the constant loitering on the property of Defendants as a result of broken iron
11 fencing, and the attached structure to the single family dwelling of Plaintiff.

12 21. Plaintiff also continues to suffer as Defendants have refused to put a stop to this wrongful
13 conduct.

14 22. The Defendants have in their acts and omissions to act, refused to put a stop to this wrongful
15 conduct.

16 23. On information and belief, the encroachment for which this action is brought has been
17 knowing and intentional, and not the result of mere accident or simple negligence. To the extent that
18 evidence discovered during the course of litigation shows that any encroachments were negligent,
19 Plaintiff will amend accordingly.

20 24. The acts and conduct of Defendants and their agents have diminished the value of
21 2371 17th Avenue by an amount to be proven at trial and caused the tenants at 2371 17th Avenue to
22 complain to Plaintiff about interference with their tenancies caused by Defendants.

23 **First Cause Of Action**

24 (Trespass - Against all Defendants)

25 25. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.

26 26. Defendants and/or their agents have created encroachments which are attached to the
27 structure on Plaintiff's property without permission.

28

1 27. The acts of Defendants and their agents were not authorized, not privileged, and were
2 wrongful.

3 28. The acts of Defendants and their agents substantially interfere with Plaintiff's use and
4 enjoyment of 2371 17th Avenue.

5 29. Plaintiff has been damaged in an amount and nature to be determined by the Court. Some
6 acts constituting trespass can be remedied by money damages; others can only be remedied by
7 injunctive relief to remove encroaching structures and prohibit future encroachments.

8 **Second Cause Of Action**

9 (Nuisance - Against all Defendants)

10 30. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.

11 31. On information and belief, with the acquiescence, encouragement, and authorization of
12 Defendants, Defendants' agents engaged in acts and conduct which constitute nuisances.

13 32. On information and belief, these nuisances were knowing, intentional, not authorized, and not
14 privileged.

15 33. These nuisances substantially interfere with Plaintiff's use and enjoyment of 2371 17th
16 Avenue.

17 34. Plaintiff has been damaged in an amount and nature to be determined by the Court. Some
18 acts constituting nuisance can be remedied by money damages; others can only be remedied
19 by injunctive relief to remove encroaching structures and prohibit future encroachments.

20 **Third Cause Of Action**

21 (To Quiet Title - Against Defendants ARTHUR & AMPHORN CHAN, TRUSTEES OF THE
22 ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST and EVAN F. WATTS AND
23 JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L. WATTS
24 TRUST, DATED MAY 16, 2014)

25 35. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.

26 36. Plaintiff's title is based on the Grant Deed to the property located at 2371 17th Avenue, which
27 is directly adjacent to 730 Taraval Street where an encroaching structure is built thereon and attached
28 to the structure (single family dwelling) located on 2371 17TH Avenue, the property of Plaintiff.

1 37. On information and belief, Defendants claim an interest in the property at 730 Taraval Street.

2 38. Plaintiff also names as defendants in this action all persons unknown claiming (a) any legal
3 or equitable right, title, lien, or interest in the property (2371 17th Avenue) adverse to Plaintiff's title,
4 or (b) any cloud on Plaintiff's title to the property. The claims of each unknown defendant are
5 without any right, and these defendants have no right, title, lien or interest in the property.

6 39. Plaintiff desires and is entitled to a judicial declaration quieting title in Plaintiff and restoring
7 full right, title, possession and interest in the property.

8 40. Plaintiff also seeks a determination of his title in the property located at 2371 17th Avenue
9 against Defendants, including but not limited to any claims of adverse possession or a prescriptive
10 easement.

11 WHEREFORE, Plaintiffs pray for relief as follows:

- 12 1. That the Court order judgment quieting title in Plaintiff Andrew Lee as owner of the
13 Property at 2371 17th Avenue, declaring that Defendants have no right, title, line,
14 easement or interest in the property adverse to Plaintiff as of the date of this complaint;
- 15 2. For a permanent injunction commanding the Defendants to remove all encroachments
16 currently on the property of 730 Taraval Street and encroaching upon the structure
17 located at 2371 17th Avenue which they caused or enabled to exist, to repair the iron
18 fencing on the 730 Taraval Street property in order to discourage loitering on or about the
19 property of Plaintiff, and for a preliminary injunction to prevent further injury to Plaintiff
20 pending judgment;
- 21 3. For a permanent injunction commanding the Defendants not to cause or allow any further
22 encroachments on 2371 17th Avenue, and for a preliminary injunction to prevent further
23 injury pending judgment;
- 24 4. For damages caused by the Defendants and their agents to 2371 17th Avenue, of an
25 amount to be determined;
- 26 5. For punitive damages of an amount to be determined;
- 27 6. For attorney fees as may be available by contract, statute or law;
- 28 5. For costs of suit herein incurred; and

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6. Such other and further relief as the Court may deem just and proper.

Respectfully Submitted,

Dated: October 7, 2016



By: Lisa K. Padilla
ZACKS, FREEDMAN & PATTERSON, P.C.
Attorneys for Plaintiff,
ANDREW LEE

ZACKS, FREEDMAN & PATTERSON, P.C.
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

EXHIBIT 6



LAW OFFICES OF
STEPHEN M. WILLIAMS

1934 Divisadero Street | San Francisco, CA 94115 | TEL: 415.292.3656 | FAX: 415.776.8047 | smw@stevewilliamsllaw.com

June 12, 2017

Via Email CEY@cpdb.com

Clifford Yin, Esq.
Coblentz Patch Duffy & Bass LLP
One Montgomery Street, Suite 3000
San Francisco, CA 94104

Re: 730 Taraval – Board of Appeals: 17-042, 17-043, 17-044, 17-045
Request for Documents

Clifford:

As you are probably aware, my firm has been retained to represent Andrew Lee in the appeal of Safeway's permits related to finalizing the construction at the building at 730 Taraval Street in San Francisco.

As I told you when we first spoke many months ago, the neighbors only wish to work cooperatively with Safeway to safeguard their building. Unfortunately, Safeway has sought only to avoid such cooperation in this case. This letter is to once again request copies of the permit and associated plan under which the flashing was connected from Safeway's building, to my clients' adjacent building. You have provided some screen shots of plans but that is of limited value. Your objections of "relevance" are absurd (and legally insufficient) given the direct bearing the permit/plans have on the case and the need for my clients to understand how the construction occurred.

Please let me know if your client is willing now to provide these materials.

Sincerely,

Stephen M. Williams

EXHIBIT 7

Stephen M. Williams

From: Schalkwyk, Andrew <aschalkwyk@coblentzlaw.com>
Sent: Thursday, June 22, 2017 12:06 PM
To: smw@stevewilliamsllp.com
Cc: Yin, Clifford
Subject: 730 Taraval – Board of Appeals: 17-042, 17-043, 17-044, 17-045

Dear Mr. Williams,

I write in response to your letter regarding Mr. Lee's appeal of Safeway's permits related to the property at 730 Taraval Street.

Your letter seeks documents related to the flashing between Mr. Lee's property and Safeway's property because you claim such documents have a "direct bearing on the case." The current appeals in which you represent Mr. Lee do not oblige Safeway to provide documents to Mr. Lee. Further, none of the permits in the appeals to which your letter refers relate to the flashing. As you explained yourself to the Board in requesting an extension after failing to file a timely brief, Mr. Lee's permit appeals are not related to any ongoing or planned construction. Nor do the permits relate to any areas of Safeway's building which might affect Mr. Lee's property. They certainly do not relate to the flashing about which Mr. Lee has complained and regarding which you seek these documents.

In any case, despite your contention to the contrary, Safeway has been cooperative with your client to date. It has provided more than 200 documents, plans and photographs to your client in response to discovery requests in the *Lee v. Safeway*, No. CGC16-554725 matter, including a supplemental production made to Mr. Lee's counsel in that matter today. These documents include blueprints of the building at 730 Taraval Street as well as numerous photographs and documents relating to the flashing connected to your client's property. Safeway has received no objection to the adequacy of its production from Mr. Lee in that matter.

Safeway remains interested in resolving this matter to the mutual satisfaction of both parties. However, your insistence in continuing with the appeal of permits entirely unrelated to Mr. Lee's property is at best a distraction from these efforts.

Best,

Andrew Schalkwyk
Coblentz Patch Duffy & Bass LLP
One Montgomery Street, Suite 3000
San Francisco, CA 94104
415-772-5719 | Office 415-391-4800
aschalkwyk@coblentzlaw.com
www.coblentzlaw.com

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Stephen M. Williams

From: Stephen M. Williams <smw@stevewilliamsllaw.com>
Sent: Thursday, June 22, 2017 12:33 PM
To: 'Schalkwyk, Andrew'
Cc: 'Yin, Clifford'
Subject: RE: 730 Taraval – Board of Appeals: 17-042, 17-043, 17-044, 17-045

Mr. Schalkwyk:

Typical of Safeway's "cooperation" and "interest in resolving the matter" to ignore my simple, reasonable request for ten (10) days and then, just hours before our briefing is due to the Board of Appeals make lame excuses and refuse to provide the requested plans (or anything else). Safeway's interest in resolving the matter and cooperation is duly noted.

Steve Williams

Stephen M. Williams
Law Offices of Stephen M. Williams
1934 Divisadero Street
San Francisco, CA 94115
Phone: (415) 292-3656
Fax: (415) 776-8047

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From: Schalkwyk, Andrew [mailto:aschalkwyk@coblentzlaw.com]
Sent: Thursday, June 22, 2017 12:06 PM
To: smw@stevewilliamsllaw.com
Cc: Yin, Clifford <CEY@cpdb.com>
Subject: 730 Taraval – Board of Appeals: 17-042, 17-043, 17-044, 17-045

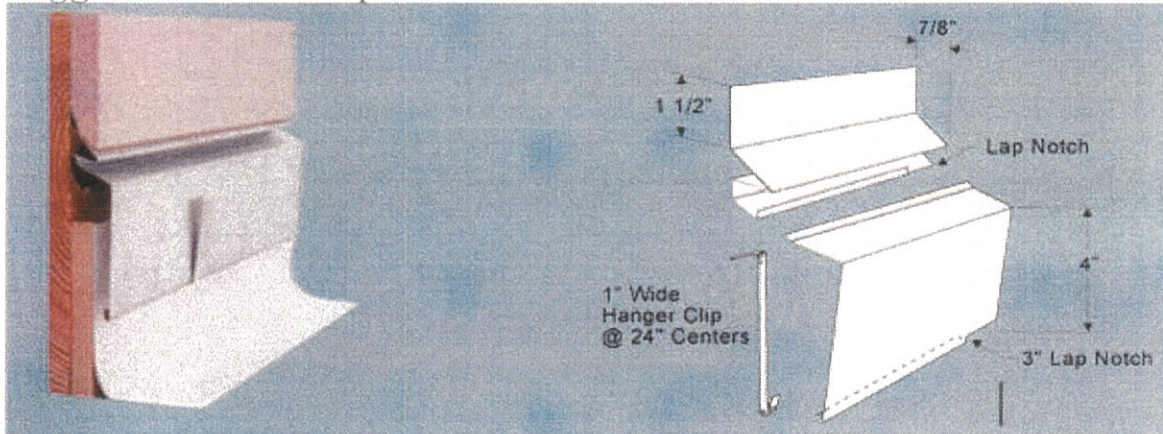
Dear Mr. Williams,

I write in response to your letter regarding Mr. Lee's appeal of Safeway's permits related to the property at 730 Taraval Street.

EXHIBIT 8

Stucco Reglet

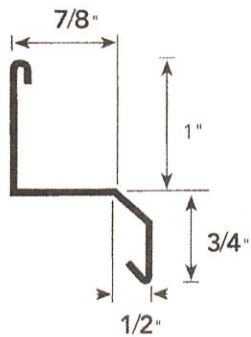
This reglet is made especially for stucco applications and includes a termination edge that permits stucco to be applied directly over the reglet. Removable counter flashing is inserted and held in place with rugged reusable clips.



Stucco Reglet



PRODUCT DETAIL



USAGE

Made especially for stucco applications, the reglet is put in place over **3/4"** baseboard prior to lathing, and the Springlok flashing is locked into place after the roofing paper is applied. Then stucco is applied over the top.

This system requires a backing (nailer) with sufficient depth to support the reglet and provide tension to create the proper fit.

MATERIALS & FINISHES

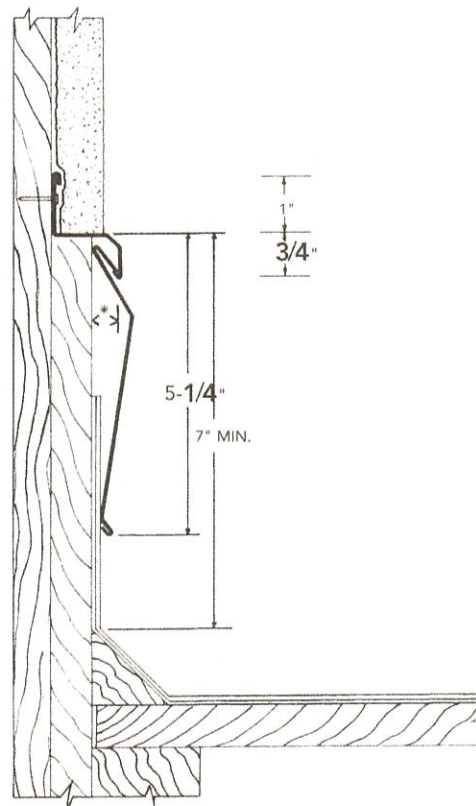
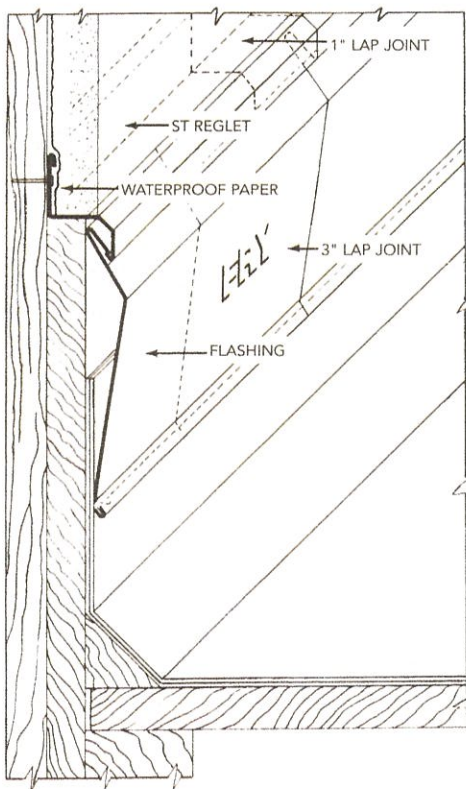
MATERIAL & THICKNESS

- Galvanized steel – 24 ga.
- Copper – 16 oz.
- Aluminum – 0.025"
- Stainless steel, Type 304 – 0.020"

FINISH & COLOR

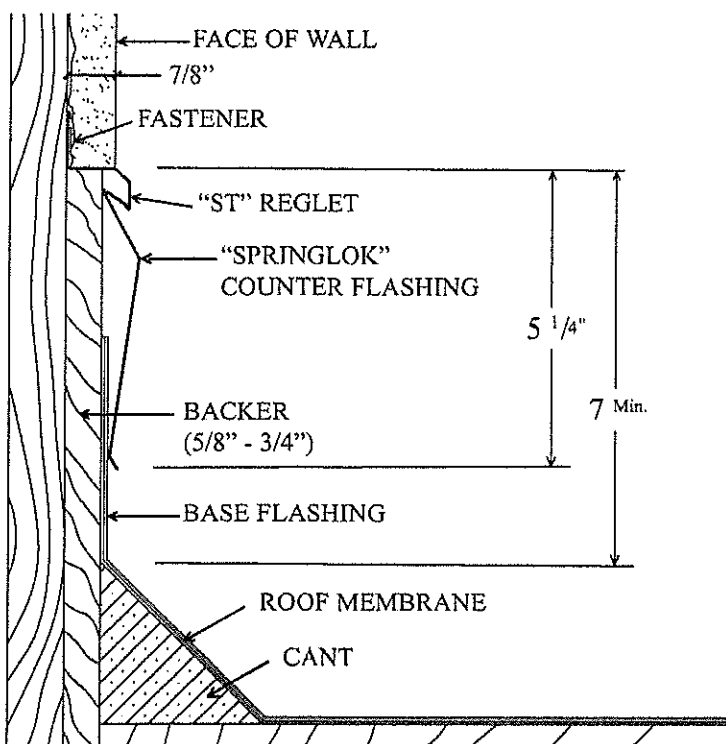
- Galvanized steel – Standard zinc finish
- Galvanized steel – Factory applied Kynar 500/Hylar 500 finish
- Copper – Standard uncoated finish
- Aluminum – Gray polyester coating
- Stainless steel, Type 304 – Standard uncoated finish

INSTALLATION DETAIL



*Actual dimension between wall and the inside flange of reglet is 7/8". See separate sheet for product installation instructions. Drawings are not to scale.

Type: ST-Stucco (With Counter Flashing Backer Board)



NOTE:

- 1). Lap adjacent lengths of reglet 1".
- 2). Lap adjacent lengths of counter flashing 3".
- 3). Fastener:
 - A. Concrete substrate only: 1" drive pin.
 - B. Concrete, brick or CMU substrate: rawl lite spike.
 - C. Metal or Wood Framing: #8 x 1" Tek Screw

Description: Reglet & counter flashing system (2 piece, spring-action type). Available in copper, stainless steel, aluminum & galvanized steel.

Application: Stucco. *Requires backer board.*

Installation

General: 1). Install to heights on drawings; 2). Install reglets, then counter flashings; 3). Install backer board to heights indicated for reglets before installing reglets; 4). Secure backer boards in place with approved fasteners; 5) See instructions titled *Factory-Fabricated Corners and Lap Joint & End Cap Erection*.

Reglets: 1). Install factory fabricated inside & outside corners before installing straight lengths; 2). Install reglets before lathing; 3). Make sure that reglets are right side up; 5). Be sure to install lathing and membrane so they will be able to lap vertical flange; 5). Install horizontal flange tight to top of backer board; 6). Lap ends 1" at stamped offset.

Counter Flashings: 1). Verify that counter flashing is not bent or deformed, and that horizontal

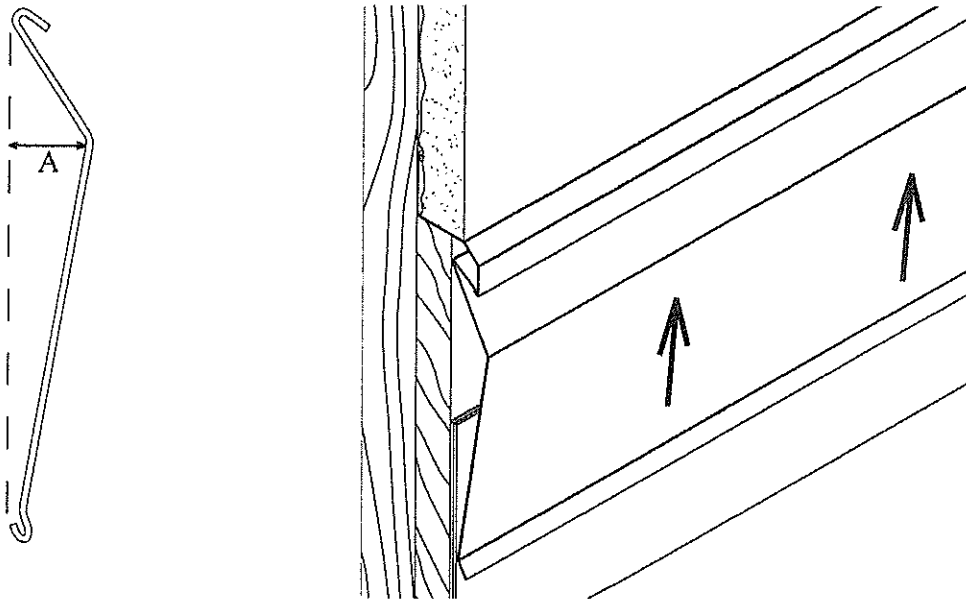
Fry Reglet Corp / 12342 Hawkins Street, Santa Fe Springs, CA 90670 / 562.903.9500 / fax 562.944.4707
 1377 Stonefield Court, Alpharetta, GA 30004 / 770.521.9660 / fax 770.521.9034

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Type: ST-Stucco (With Counter Flashing Backer Board)

Installation - cont.

dimension, measured from face of wall to apex of "V" shape of flashing, is 3/4" (dimension "A"); 2). Install factory mitered inside and outside corners before installing straight lengths; 3). Maintain constant horizontal pressure against face of wall, apply upward pressure with palm of hand until flashing snaps into reglet; 4). Lap 3" min.



Counter Flashing Removal: 1). Insert putty knife at one end of counter flashing between counter flashing and reglet; 2). Apply slight pressure against counter flashing to force it away from face of reglet; 3). Press down on counter flashing to slide it out from under reglet.

Fry Reglet Corp / 12342 Hawkins Street, Santa Fe Springs, CA 90670 / 562.903.9500 / fax 562.944.4707
1377 Stonefield Court, Alpharetta, GA 30004 / 770.521.9660 / fax 770.521.9034

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EXHIBIT 9

18

CONT. SEALANT

1
A10

SURFACE-MOUNTED PIEGLET
W/ COUNTERFLASHING.

20 GA. G.I. FLASHING OVER
WOOD SPINDLE FR. 5X10

20 GA. G.I. FLASHING W/ LAP MIN.

STL. L
P.E. + 24'-9"

GRAVEL ON BUILT-UP FLOORING
OVER 2" RIGID THERMAL INSUL.

SPRAY-ON
FIREPROOFING

MET. DECK

CONC. BLOCK

ADJACENT BUILDING - ENCH. 0.112

3/4" STUCCO ON MET. LATH

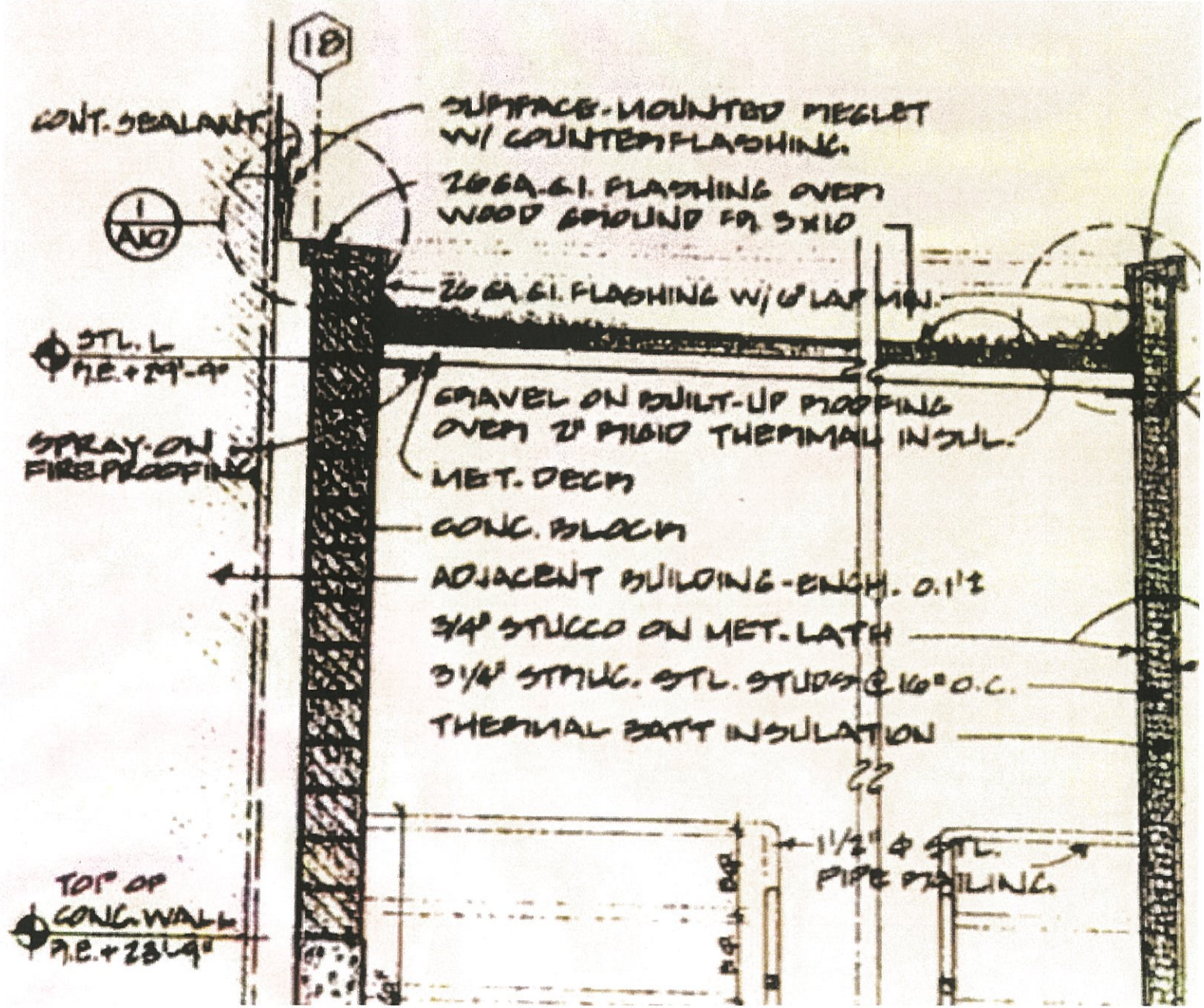
3/4" STRUC. STL. STUDS @ 16" O.C.

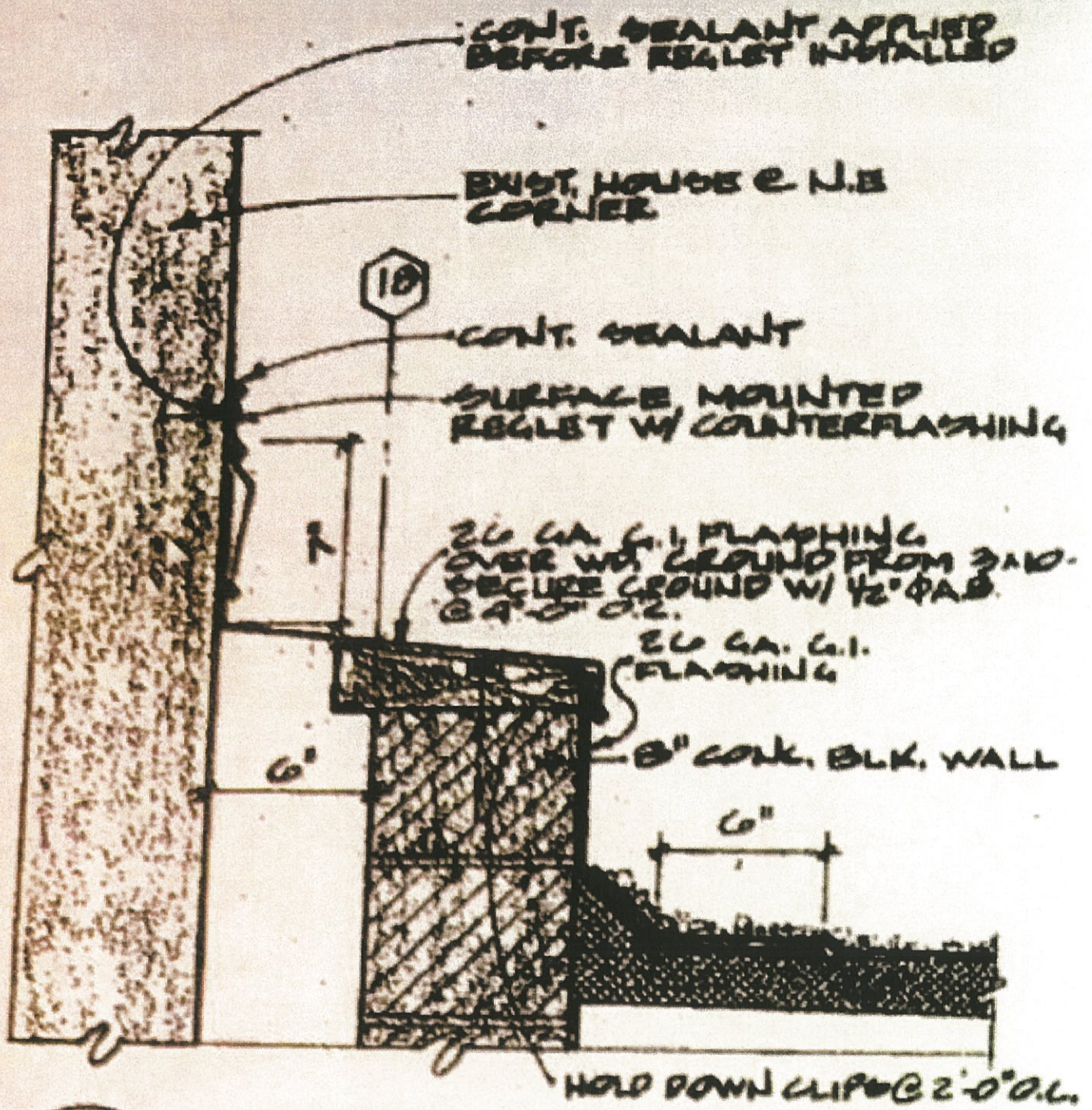
THERMAL BATT INSULATION

22

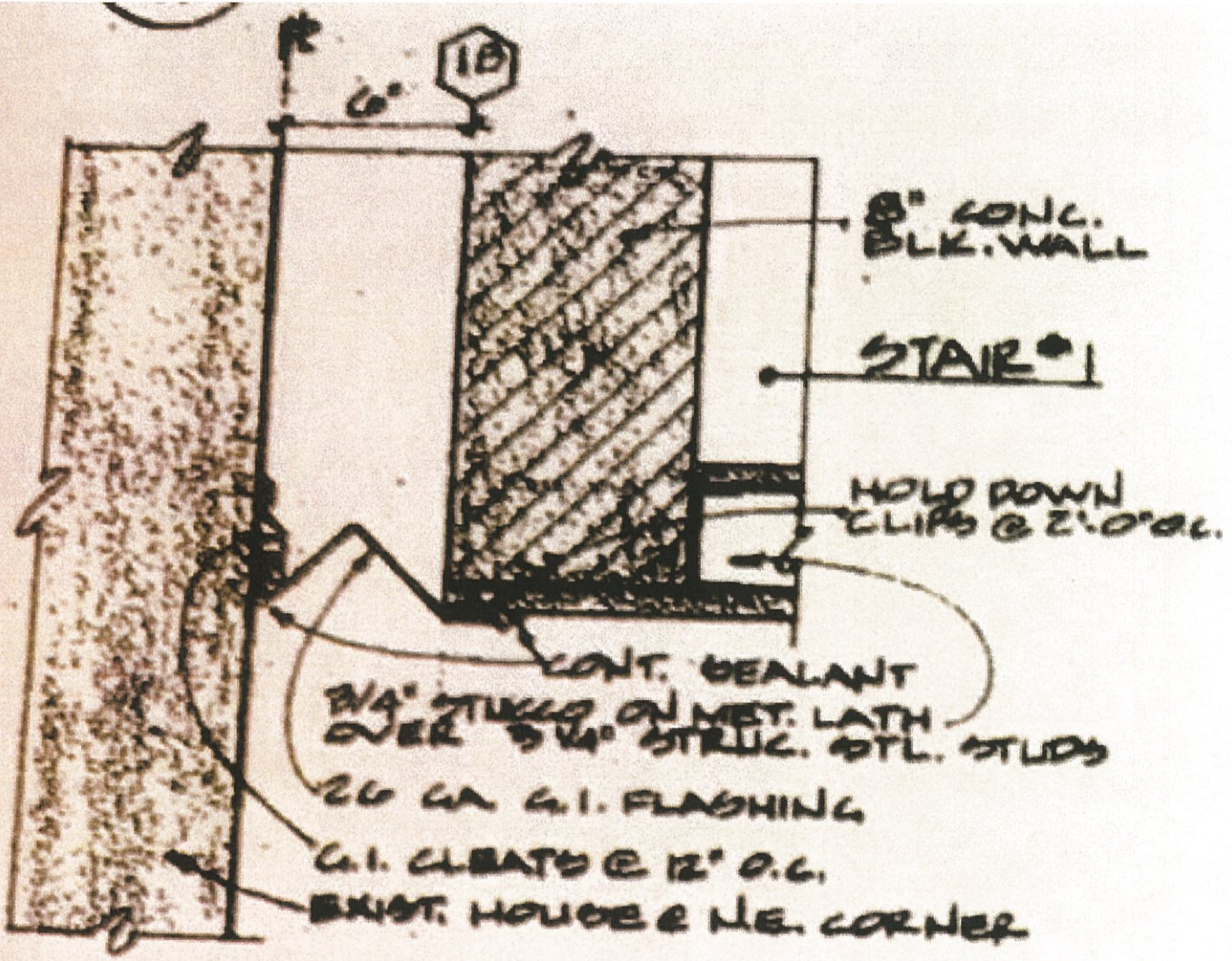
TOP OF
CONC. WALL
P.E. + 23'-9"

1 1/2" ϕ STL.
PIPE RAILING

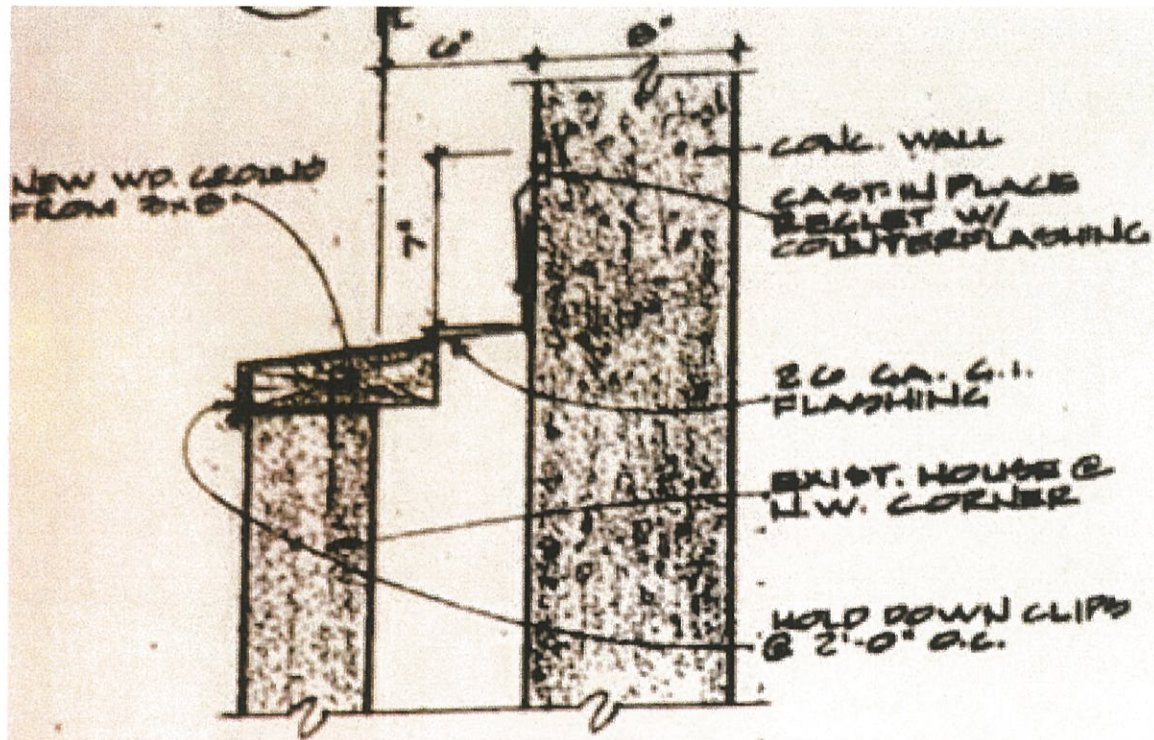




1 FLASHING @ EXIST. HOUSE - SECTION
 A-10 SCALE: 1 1/2" = 1'-0"



2 FLASHING @ EXIST. HOUSE - PLAN
 A-10 SCALE: 1 1/2" = 1'-0"
 #



3 FLASHING @ EXIST. HOUSE-SECTION
 A:10 SCALE: 1 1/2" = 1'-0"

EXHIBIT 10

COMPLAINT DATA SHEET**Complaint Number:** 201650405**Owner/Agent:** OWNER DATA
SUPPRESSED**Owner's Phone:** -**Contact Name:** -**Contact Phone:** -**Complainant:** COMPLAINANT DATA
SUPPRESSED**Date Filed:****Location:** 730 TARAVAL ST**Block:** 2346**Lot:** 014**Site:****Rating:****Occupancy Code:****Received By:** GSAMARAS**Division:** BID**Complainant's Phone:****Complaint Source:** WEB FORM**Assigned to****Division:** BID**Description:**

date last observed: 02-DEC-16; time last observed: Problem is continuous; identity of person performing the work: Safeway; floor: Ground Flo; exact location: Main Bldg; building type: Residence/Dwelling WATER INTRUSION; WORK W/O PERMIT; STRUCTURAL PROBLEMS; WORK BEING DONE IN DANGEROUS MANNER; ; additional information: Safeway has driven screws and bolts(over the property line) into the stucco exterior of neighboring building at 2371 17th Ave to hold the flashing for its exterior rear stair structure. The screws and bolts driven into the exterior of the neighboring building at 2371 17th Ave have caused cracking in the stucco and exterior of the building and severe water leaks and intrusion and now developed as a result. We need an immediate order from the Dept requiring the removal of the screws and bolts and a repair of the holes and water leaks.;

Instructions:**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	SCHROEDER	1144	13	

REFERRAL INFORMATION**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
12/08/16	CASE OPENED	BID	Schroeder	CASE RECEIVED	
12/09/16	CASE OPENED	BID	Schroeder	CASE CONTINUED	site visit cs
12/16/16	CASE OPENED	BID	Schroeder	CASE CONTINUED	refer to complaint investigation team cs

COMPLAINT ACTION BY DIVISION**NOV (HIS):****NOV (BID):**Inspector Contact InformationOnline Permit and Complaint Tracking home page.**Technical Support for Online Services**

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FILE

1 HOWARD A. SLAVITT (State Bar No. 172840)
 CLIFFORD E. YIN (State Bar No. 173159)
 2 ANDREW SCHALKWYK (State Bar No. 287170)
 COBLENTZ PATCH DUFFY & BASS LLP
 3 One Montgomery Street, Suite 3000
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 4 Telephone: 415.391.4800
 Facsimile: 415.989.1663
 5 Email: ef-has@cpdb.com
 ef-cey@cpdb.com
 6 ef-aps@cpdb.com

BOARD OF APPEALS
 SEP 21 2017 *CSV*
 APPEAL # 17-042
 17-043
 17-044
 17-045

7 Attorneys for Respondent
 SAFEWAY, INC.
 8
 9

10 **BOARD OF APPEALS**
 11 **CITY AND COUNTY OF SAN FRANCISCO**
 12

13 ANDREW LEE,
 14 Appellant,
 15 v.
 16 SAFEWAY, INC.,
 17 Respondent.

Appeal Nos. 17-042, 17-043, 17-044, 17-045
 Subject Property: 730 Taraval Street
 Permit Nos.: 201703091074
 201703091075
 201703091076
 201703091077

RESPONDENT SAFEWAY, INC.'S BRIEF

Date: September 27, 2017
 Time: 5:00 p.m.
 Place: City Hall, Room 416, One Carlton B.
 Goodlett Place

COBLENTZ PATCH DUFFY & BASS LLP
 ONE MONTGOMERY STREET, SUITE 3000, SAN FRANCISCO, CALIFORNIA 94104-5500
 415.391.4800 · FAX 415.989.1663

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INTRODUCTION

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2 As Appellant Andrew Lee (“Appellant”) himself has admitted, this is an appeal related to
3 “\$1 final inspection permits with the work already completed long ago” (Exhibit 1.) In his
4 Brief, Appellant identifies no valid reason why the Board should overturn the Department of
5 Building Inspection’s decision to issue *those permits* and conduct a final inspection to verify the
6 completed work. The four disputed permits that are the subject of this Appeal (Permits Nos
7 201703091074 – 201703091077) are simply *to close out* eight expired permits. (Exhibit 2.) All of
8 this work has already been completed. The only thing to be done under these permits is for DBI to
9 conduct a final inspection to determine whether the work completed under the prior permits is up
10 to code; they do not permit Safeway to do anything. The Board should affirm DBI’s decision on
11 all four permits.

12 Rather than address the permits he has appealed, Appellant devotes his entire brief to an
13 issue irrelevant to this appeal: flashing that exists between Appellant's residence and a structure on
14 Safeway's property (a stairwell housing). Appellant’s actions have shown that his real concern is
15 not even the flashing itself, but getting Safeway to pay for damage he alleges it has caused.
16 Safeway has offered to remove the flashing at its own cost but Appellant has not accepted, or even
17 responded to this proposal. Questions about whether and how much damage, if any, that Safeway
18 has caused Appellant is not an issue to be decided by the Board. Those questions should, and will,
19 be resolved in the separate civil suit Appellant has brought against Safeway.

20 Despite the flashing being installed for years, to Safeway's knowledge, the prior owner
21 (who apparently owned the property from the 1970’s until 2014) never complained about that
22 flashing. The flashing is visible from the street and Safeway’s parking lot. Appellant claims that
23 the flashing recently caused damage to his property, but he offers no credible supporting evidence;
24 in fact, Safeway believes that any damage to Appellant’s property was caused by his own
25 construction work. In 2014 (shortly before he experienced damage to his property), Appellant
26 commenced a major renovation of the residence, and he has received a Notice of Violation, which
27 remains outstanding.

28 Safeway has been reasonable in attempting to address and resolve Appellant’s concerns

1 after he purchased the property. Safeway has offered to work with Appellant to test the area and
2 to pay for the entire cost of replacing the flashing, but Appellant's conditions have been
3 unreasonable.

4 Appellant's appeal is simply a diversion. He is on his fourth lawyer in his civil suit
5 pending in Superior Court; he has not corrected a Notice of Violation related to work that he did
6 on his residence; and he has appealed permits that only allow final inspection, and not any new
7 work. This appeal should be denied.

8 FACTUAL BACKGROUND

9 I. Construction of the Supermarket.

10 Safeway, Inc. ("Respondent" or "Safeway") operates a Safeway supermarket at 730
11 Taraval Street, San Francisco. Since the supermarket opened, it has been an integral part of the
12 Inner Sunset neighborhood, providing residents with groceries and peacefully coexisting with
13 neighbors for more than 40 years.

14 Construction on the supermarket was completed in 1974. It has been in operation since
15 then. Above the supermarket is a parking lot, and the north border of the Safeway premises
16 (where there is a parking lot and a structure that serves as an emergency exit) is adjacent to 2371
17 17th Avenue. At that time, and as required by Section 1707.B of the Building Code, Safeway
18 installed flashing to ensure that the area between a structure on Safeway's property and
19 Appellant's property was waterproofed. Until 2014, to Safeway's knowledge, Safeway received
20 no complaints regarding the flashing, the bolts used to install it, or any alleged water damage in
21 the area about which Appellant now complains.

22 II. Appellant Purchases 2371 17th Avenue

23 In 2014, Appellant purchased 2371 17th Avenue in an estate sale. Even though the
24 flashing is clearly visible, Appellant made no inquiry to Safeway regarding the flashing before he
25 purchased the property. Appellant started renting the property out to tenants. Appellant also
26 commenced a major renovation on the property, adding a new structure at the west end of the
27 property and undertaking a major kitchen renovation on the top floor, above the location where the
28 bolts secure the flashing. After the renovation, Appellant, for the first time since Safeway built the

1 store and installed the flashing, complained that the bolts were a trespass causing water damage to
2 his property, including in his new kitchen, located on the story *above* the location of the bolts.

3 **III. The Permits Subject to this Appeal**

4 In 2007, 2008 and 2009, Respondent obtained eight permits that relate to the four permits
5 that are the subject of these Appeals (collectively, the "Prior Permits").¹ Six of the Prior Permits
6 relate to minor fire safety work conducted wholly within the supermarket:

- 7 1. Permit number 200706214667 was sought to relocate existing fire sprinklers due to
8 the construction of new walls.
- 9 2. Permit number 200709273880 was sought to revise 200706214667 by deleting two
10 sprinklers contemplated in that permit.
- 11 3. Permit number 200707247528 addressed the installation of a sprinkler water flow
12 monitoring system on the ground floor.
- 13 4. Permit number 200809151554 was sought to allow Safeway to replace three dry
14 pendent heads for a freezer.
- 15 5. Permit 200812108180 was sought to upgrade of the fire system in the bakery on the
16 ground floor of the supermarket.
- 17 6. Permit 200907021890 was sought to add 10 dry standard sprinklers to two coolers
18 for a five year correction.

19 The other two Prior Permits were Permit number 200708068886 and Permit number
20 200704249561. Permit number 200708068886 was sought to erect five signs on the sides of the
21 supermarket facing Taraval Street, and on 17th and 18th Avenues near Taraval Street, (not near
22 Appellant's property). Permit number 200704249561 addressed the construction of the
23 supermarket's roof parking deck.

24 With the work under the Prior Permits completed, on January 30, 2017; Safeway applied
25 for four permits to obtain final inspection of that work. These permits were Application Nos.

26 _____
27 ¹ These previously issued and approved permits are PA# 200709273880, 200706214667,
28 200707247528, 200704249561, 200708068886, 200809151554, 200812108180, and
200907021890 (Exhibit 3).

1 201703091074, Nos. 201703091075, 201703091076, and 201703091077 (collectively, the
2 "Permits"). On March 9, 2017, the Department of Building Inspection ("DBI") approved the
3 Permits. Each of the Permits clearly show that "all work is complete" and that Safeway seeks the
4 Permits only to "obtain final inspection" for work completed under the Prior Permits.

5 Specifically, the Permits relate to the Prior Permits as follows:

6 <u>Permit</u>	7 <u>Prior Permit</u>
8 Application No. 201703091074	9 PA# 200709273880, 200706214667, 10 200707247528
11 Application No. 201703091075	12 PA# 200704249561
13 Application No. 201703091076	14 PA# 200708068886
15 Application No. 201703091077	16 PA# 200809151554, 200812108180, 17 200907021890

18 **IV. Plaintiff Files Suit Against Safeway**

19 On October 7, 2016; Plaintiff filed suit in San Francisco Superior Court asserting that the
20 flashing constituted a nuisance and trespass on Appellant's property. (Exhibit 4.)

21 **V. Appellant Appeals the Permits**

22 On March 23, 2017, Appellant Andrew Lee appealed the Permits. He provided only one
23 reason for the appeal: "The work being performed under this permit may have harmed my
24 property at 2371 17th Avenue." (Exhibit 2.)

25 **VI. Appellant Refuses Safeway's Offers to Resolve the Matter**

26 Since filing the appeal, Appellant has repeatedly rebuffed Safeway's attempts to address
27 Appellant's complaints. Appellant informed Safeway that he had incurred a bill of \$3,600 for a
28 temporary fix to an internal portion of the wall that abuts Safeway's property. Safeway offered to
pay Appellant that amount. Appellant rejected the offer.

Safeway subsequently suggested that the parties conduct testing of the wall and the
flashing to determine whether there was water entering Appellant's property, where it was
entering, and whether the bolts are the cause of Appellant's claimed problems. Safeway suggested
that the parties split the cost of the testing and reserve their rights going forward. Appellant
agreed that testing should be done but refused to pay any portion of the cost.

1 To try to break this impasse, Safeway then offered to conduct the testing wholly at its own
2 expense. On August 10, Safeway and Appellant, through counsel, agreed upon a date for the
3 testing to take place. But on Friday August 18, four days before the testing was to take place,
4 Appellant’s counsel sent a list of conditions for Appellant to permit Safeway to conduct the
5 testing, including admissions by Safeway that it was obligated to pay for all of Appellant’s
6 damage, and that Safeway would “make [Appellant] whole in the matter” (without specifying any
7 dollar amounts) because Appellant was “without fault.” In addition, Appellant’s counsel claimed
8 that DBI had confirmed that it was in violation of the building code and had ordered Safeway to
9 remove the flashing, even though DBI has made no such determination or issued such an order.

10 Safeway has also offered to remove the flashing about which Appellant complains at its
11 sole cost. But Appellant has not responded to this offer. On September 14, in its continued effort
12 to resolve the matter, Safeway provided Appellant and his multiple counsel with a detailed work
13 plan from its consultant for testing the flashing and Appellant’s wall, and invited Appellant to
14 propose dates when the testing could take place and to express any concerns regarding the work
15 plan. (Exhibit 5.) At the time of filing this brief, Safeway has not received a response.

16 **ARGUMENT**

17 **I. Appellant Provides No Basis For The Board To Overturn DBI’s Decision.**

18 Appellant presents no argument as to why there are any problems with the Permits. First,
19 there is no work to be done under them. As a result, Appellant’s sole stated basis for his appeal of
20 the Permits – that “the work being performed under [the Permits] may have harmed” his property
21 – is false.

22 Even if Appellant believes that the work performed under the Prior Permits may have
23 harmed his property at 2371 17th Avenue, that provides no basis why the Permits themselves –
24 and a final inspection of the work – should not occur *now*. A final inspection benefits everyone,
25 including Appellant, because it is only through a final inspection that DBI can determine whether
26 Safeway’s construction is code compliant (which Safeway is confident is the case).

27 Appellant also complains generally that Safeway has other outstanding permits. Again,
28 those other unnamed permits are not properly before the Board on this Appeal. In any case,

1 Safeway is working diligently to resolve all its outstanding and/expired permits. It is illogical to
2 prevent Safeway from closing these permits simply because there are other open permits.²

3 **II. Appeal of These Permits is Not the Appropriate Forum in Which to Raise Concerns**
4 **about the Flashing.**

5 **A. Appellant's Dispute Regarding The Flashing And Damages Should be**
6 **Resolved in Superior Court.**

7 There is no reason for the Board to consider Appellant's complaints unrelated to the
8 Permits. Nor should the Board intercede on an issue that is already being litigated in Superior
9 Court, namely, the existence and amount of Appellant's alleged damages related to the flashing.

10 **B. The Board Is Not The Appropriate Forum Because Resolution Of The Dispute**
11 **Also Turns On The Legal Question Of Consent.**

12 The Board also cannot decide the parties' dispute over the flashing because it turns on the
13 issue of consent, an issue that must and will be decided in the pending litigation. Consent is a
14 defense to any nuisance or trespass claim. *Mangini v. Aerojet-General Corp.* (1991) 230
15 Cal.App.3d 1125, 1138. Because (by Appellant's own admission) the flashing was installed when
16 the property was owned by a prior owner, what matters is whether the prior owner consented.
17 *Yamagiwa v. City of Half Moon Bay* (2007) 523 F.Supp.2d 1036, 1105 (examining whether
18 current owner and prior owner consented to the nuisance or trespass). Consent from the prior
19 owner can be obtained orally or impliedly; it need not be in writing. *Strodel v. Wilcox* (1955) 137
20 Cal.App.2d 781. In that case, the Court held that consent was obtained from an owner impliedly;
21 therefore, despite a lack of express consent, the court held that the installation of a flashing was
22 *not* a trespass.

23 The Board is not an appropriate venue in which to consider the issue of the former owner's
24 consent. The Board's jurisdiction is limited to hearing and determining appeals regarding permits
25 and licenses. San Francisco Charter article IV, section 4.106, subd. (b), (c). The Board is also

26 ² Appellant is also not coming to the Board with clean hands himself. On March 10, 2017 DBI
27 issued Appellant a Notice of Violation because Appellant paved over 100% of his property's front
28 setback. (Exhibit 6.) Appellant was given 30 days within which to file for a building permit.
Safeway's Counsel's review of DBI's records did not reveal any such application by Appellant.

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limited in the remedies it can provide, and cannot order that Safeway take any action regarding the flashing in an appeal on unrelated permits. *Id.*

CONCLUSION

The disputed Permits contemplate only a final inspection and no work. Accordingly, the Board should not modify the Department of Building Inspection's issuance of the Permits and should deny these Appeals.

DATED: September 21, 2017

COBLENTZ PATCH DUFFY & BASS LLP

By: 
Howard A. Slavitt
Attorneys for Defendant
SAFEWAY, INC.

COBLENTZ PATCH DUFFY & BASS LLP
ONE MONTGOMERY STREET, SUITE 3000, SAN FRANCISCO, CALIFORNIA 94104-5500
415.391.4800 · FAX 415.989.1663

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of San Francisco, State of California. My business address is One Montgomery Street, Suite 3000, San Francisco, CA 94104-5500.

On September 21, 2017, I served true copies of the following document(s) described as

RESPONDENT SAFEWAY, INC.'S BRIEF

on the interested parties in this action as follows:

Stephen M. Williams
1934 Divisadero Street
San Francisco, CA 94115

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address rgarcia@coblentzlaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

BY MESSENGER SERVICE: I enclosed said document(s) in an envelope or package, addressed as shown below, and dispatched a messenger from my place of business with instructions to hand-carry the above and make delivery to the following during normal business hours, by leaving a true copy thereof with the person whose name is shown or the person who apparently was in charge of that person's office or residence.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 21, 2017, at San Francisco, California.


Rachael M. Garcia

Table of Exhibits

1. Email from S. Williams to San Francisco Board of Appeals, May 11, 2017.
2. Appeal Numbers: 17-042, 17-043, 17-044, 17-045.
3. Permit Numbers: 200709273880, 200706214667, 200707247528, 200704249561, 200708068886, 200809151554, 200812108180, and 200907021890.
4. Complaint in *Lee v. Arthur & Amphorn Chan et al*, CGC 16-554725, filed October 7, 2016.
5. Email from A. Schalkwyk to S. Williams and G. Launay, September 14, 2017 with Proposed Work Plan for inspection.
6. Notice of Violation issued to Andrew Lee re 2371 17th Avenue, San Francisco, March 10, 2017.

EXHIBIT 1

Garcia, Rachael

From: Stephen M. Williams <smw@stevewilliamslaw.com>
Sent: Thursday, May 11, 2017 3:41 PM
To: boardofappeals@sfgov.org; cynthia.goldstein@sfgov.org
Cc: Yin, Clifford; Altamirano, Gino
Subject: RE: 730 Taraval St. (Lee v. DBI) - Board of Appeal Nos. 17-042, 17-043, 17-044 and 17-045

Cynthia:

Since I am being copied on these materials, I want to weigh in on this request as well as the potential new counsel for the Appellant. I have agreed to step into the case only if the Appellant is granted a new hearing date and I do believe they should be given a chance to brief the item given the mix up with their counsel. Further, given the underlying facts, there appears to be zero prejudice to Safeway if the matter is continued to the July 21 date. The permits in question are a decade old and the permits which are appealed are merely to “finalize” those old permits which Safeway never bothered to complete many years ago. If the permits sat for nearly ten years it seems that a few additional months will not make any difference to Safeway. The Appellant should be given a chance to have a hearing on the merits of the appeal and a short delay is not prejudicial given the age of the permits in question. The Appeal is not taken for any type of delay tactic, and contrary to the implication in Safeway’s counsel’s letter, the Appeal is not stopping on-going work, or costing Safeway money, as is typical for such appeals. These are \$1 final inspection permits with the work already completed long ago.....

Steve Williams

Stephen M. Williams
Law Offices of Stephen M. Williams
1934 Divisadero Street
San Francisco, CA 94115
Phone: (415) 292-3656
Fax: (415) 776-8047

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

From: Garcia, Rachael [<mailto:rgarcia@cpdb.com>]
Sent: Thursday, May 11, 2017 2:53 PM
To: 'boardofappeals@sfgov.org' <boardofappeals@sfgov.org>
Cc: Yin, Clifford <CEY@cpdb.com>; Altamirano, Gino <galtamirano@coblentzlaw.com>; 'cynthia.goldstein@sfgov.org' <cynthia.goldstein@sfgov.org>; smw@stevewilliamsllaw.com
Subject: 730 Taraval St. (Lee v. DBI) - Board of Appeal Nos. 17-042, 17-043, 17-044 and 17-045

Please see the attached Rescheduling Request/Statement in regard to the above referenced matter. A hard copy will follow via U.S. Mail.

Rachael Garcia | Assistant to Clifford Yin, David Anderson, Skye Langs and Kyle Recker

Coblentz Patch Duffy & Bass LLP

One Montgomery Street, Suite 3000

San Francisco, CA 94104

415-677-5202 | Office 415-391-4800

rgarcia@cpdb.com

www.coblentzlaw.com

This transmittal is intended solely for use by its addressee, and may contain confidential or legally privileged information. If you receive this transmittal in error, please email a reply to the sender and delete the transmittal and any attachments.

EXHIBIT 2

City and County of San Francisco

Edwin M. Lee
Mayor



Board of Appeals

Cynthia G. Goldstein
Executive Director

March 23, 2017

Safeway, Inc., Permit Holder
5918 Stoneridge Mall Road
Pleasanton, CA 94588

RECEIVED

APR 10 2017

REAL ESTATE LAW

Appeal No.: 17-042
Appeal Title: Lee vs. DBI
Subject Property: 730 Taraval Street
Permit Type: Alteration Permit
Permit No.: 2017/03/09/1077

Dear Safeway, Inc.:

This is to notify you that an appeal has been filed with this office protesting the **ISSUANCE** of the above referenced **Alteration Permit**. Pursuant to Article I, §8 of the San Francisco Business & Tax Regulations Code, the subject permit is hereby **SUSPENDED** until the Board of Appeals decides this matter and releases a notice of decision and order.

We are enclosing a copy of the **Preliminary Statement of Appeal** for your information.

The hearing regarding this matter has been scheduled for **May 24, 2017, at 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

If you have any further questions, you may call this office at (415) 575-6880.

Sincerely,

BOARD STAFF

cc: Department of Building Inspection

Andrew Lee, Appellant
390 Magellan Avenue
San Francisco, CA 94116



Date Filed:

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-042

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE** of Alteration Permit No. **2017/03/09/1077** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway Inc.**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017, (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. *[Signature]*

Respondent's and Other Parties' Briefs are due on or before: **May 18, 2017, (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. *Per: R. Holden*

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

Hearing Date: **Wednesday, May 24, 2017, 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:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: *[Signature]*

Print Name: Andrew Lee



APPROVED
Dept. of Building Insp.

MAR 09 2017

Tom C. Hui

APPROVED FOR ISSUANCE
MAR 09 2017

BLDG. FORM 318

APPLICATION NUMBER
20170309

APPROVAL NUMBER
107

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

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

WC 10/1/17

NUMBER OF PLAN SETS 0 **DO NOT WRITE ABOVE THIS LINE**

DATE FILED: MAR 09 2017
FILING FEE RECEIPT NO. 1-30-17

(1) STREET ADDRESS OF JOB: 130 TARAVAI ST, San Francisco
BLOCK & LOT: 2376/14

PERMIT NO. 1419087
ISSUED: 3/9/17
(2A) ESTIMATED COST OF JOB: \$ 1.00
(2B) REISSUE FEE: \$ 5.00
DATE: MAR 09 2017

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-042

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

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

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. II
(5) NO. OF STORIES OF OCCUPANCY: 1
(6) NO. OF BASEMENTS AND CELLARS: 0
(7) PROPOSED USE (LEGAL USE): M-RETAIL
(8) OCCUP. CLASS: M-RETAIL
(9) NO. OF DWELLING UNITS: 15

(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: Tilton Pacific, 4150 CITRUS AVE, ZIP: 94577, PHONE: 925-467-4853, CALIF. LIC. NO. 428531, EXPIRATION DATE: 3-2018
ADDRESS: 4150 CITRUS AVE, ZIP: 94577, PHONE: 925-467-4853

(15) OWNER - LESSEE (CROSS OUT ONE):
OWNER: Caterpillar Inc, 5910 Stoneridge Mall Rd, ZIP: 94520, PHONE: 925-467-2623
LESSEE: [Blank]

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

To obtain final inspection for work approved under PA# 20080915154, 200812108180, 200907021890

All work is complete

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 LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, 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 supporting wall during construction is to be closer than 6" to any wall containing more than 750 volts. See Sec 335, 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 existing 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 (19) (11) (12) (13) (22) OR (24).

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

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

CHECK APPROPRIATE BOX
 OWNER
 LESSSEE
 CONTRACTOR
 ARCHITECT
 AGENT
 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 coverage 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: Everest
Policy Number: 7600000027167

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

() IV. I certify that 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.

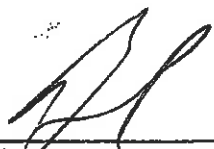

() V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form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

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 THEREOF WILL BE COMPLIED WITH.

Signature of Applicant or Agent: [Signature]
Date: 1-30-17

CONDITIONS AND STIPULATIONS

REFER TO:	APPROVED: 	BUILDING INSPECTOR, DEPT. OF BLDG. INSP.
<input type="checkbox"/>	APPROVED:	DEPARTMENT OF CITY PLANNING
<input type="checkbox"/>	APPROVED:	BUREAU OF FIRE PREVENTION & PUBLIC SAFETY
<input type="checkbox"/>	APPROVED:	MECHANICAL ENGINEER DEPT. OF BLDG. INSPECTION
<input type="checkbox"/>	APPROVED:	CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION
<input type="checkbox"/>	APPROVED:	BUREAU OF ENGINEERING
<input type="checkbox"/>	APPROVED:	DEPARTMENT OF PUBLIC HEALTH
<input type="checkbox"/>	APPROVED:	REDEVELOPMENT AGENCY
<input type="checkbox"/>	APPROVED: 	HOUSING INSPECTION DIVISION

DATE: MAR 09 2017
 REASON: OK to issue

NOTIFIED MR. B. Curran

DATE: _____
 REASON: _____

NOTIFIED MR. _____

DATE: _____
 REASON: _____

NOTIFIED MR. _____

DATE: _____
 REASON: _____

NOTIFIED MR. _____

DATE: _____
 REASON: _____

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 REASON: _____

NOTIFIED MR. _____

DATE: _____
 REASON: _____

NOTIFIED MR. _____

DATE: _____
 REASON: _____

NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

BOARD OF APPEALS
 MAR 23 2017
 APPEAL # 17-042

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 _____

CONTACT INFORMATION FOR PARTIES

BOARD OF APPEALS



Appeal No(s): _____

MAR 23 2017

APPEAL # 17042

APPELLANT(S)

Name: Andrew Lee
Phone Number: 415-756-7666 Fax Number: (415) 566-0539
Email Address: andrewleeSF@aol.com
Mailing Address: 390 Magellan Ave San Francisco CA 94116
Street City State Zip

Names of Other Appellants: _____

Agent for Appellant

Name: _____
Phone Number: _____ Fax Number: _____
Email Address: _____
Mailing Address: _____
Street City State Zip

OTHER PARTY (PERMIT HOLDER, VARIANCE HOLDER, ETC.)

Name: Safeway, Inc.
Phone Number: _____ Fax Number: _____
Email Address: _____
Mailing Address: 5918 Stoneridge Mall Rd., Pleasanton, CA 94588
Street City State Zip

Names of Other Parties: _____

Agent for Other Party

Name: Bryan Enriquez Tilton Pacific Construction
Phone Number: 916-316-6772 Fax Number: _____
Email Address: benriquez@tpcconstruction-services.com
Mailing Address: 4170 Citrus Avenue Rocklin CA 95677
Street City State Zip

Cantara, Gary (PAB)

From: Cantara, Gary (PAB)
Sent: Thursday, March 23, 2017 5:03 PM
To: 'andrewleesf@aol.com'
Cc: Allen, Ron (DBI); Atijera, Evamarie (CPC); Boyajian, Judy (CAT); Canotal, Adora (DBI); Duffy, Joseph (DBI); Frye, Tim (CPC); Goldstein, Cynthia (PAB); Lau, Agnes (CPC); Longaway, Alec (PAB); Lowrey, Daniel (DBI); Man, Ben (DBI); Medina, Enrico (HSA) (DSS); Mejia, Xiomara (PAB); O'Riordan, Patrick (DBI); Panelli, Steven (DBI); Pei, Carrie (DBI); Russi, Brad (CAT); Samarasinghe, Giles (DBI); Sanchez, Scott (CPC); Sider, Dan (CPC); Sweeney, Edward (DBI); Tam, Tina (CPC); Teague, Corey (CPC); Venizelos, Thomas (ADM); Walls, Mark (DBI)
Subject: APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET
Attachments: Appeal No. 17-042.pdf; Special Instructions for Parties (5-16).pdf; Appeal No. 17-043.pdf; Appeal No. 17-044.pdf; Appeal No. 17-045.pdf

*Gary Cantara, Legal Assistant
San Francisco Board of Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103
(415) 575-6882 direct line
(415) 575-6880 main line*

City and County of San Francisco



Edwin M. Lee
Mayor

Board of Appeals

Cynthia G. Goldstein
Executive Director

March 23, 2017

Safeway, Inc., Permit Holder
5918 Stoneridge Mall Road
Pleasanton, CA 94588

Appeal No.: 17-043
Appeal Title: Lee vs. DBI
Subject Property: 730 Taraval Street
Permit Type: Alteration Permit
Permit No.: 2017/03/09/1076

Dear Safeway, Inc:

This is to notify you that an appeal has been filed with this office protesting the **ISSUANCE** of the above referenced **Alteration Permit**. Pursuant to Article I, §8 of the San Francisco Business & Tax Regulations Code, the subject permit is hereby **SUSPENDED** until the Board of Appeals decides this matter and releases a notice of decision and order.

We are enclosing a copy of the **Preliminary Statement of Appeal** for your information.

The hearing regarding this matter has been scheduled for **May 24, 2017, at 5:00 p.m., City Hall, Room 416**, One Dr. Carlton B. Goodlett Place.

If you have any further questions, you may call this office at (415) 575-6880.

Sincerely,

BOARD STAFF

cc: Department of Building Inspection

Andrew Lee, Appellant
390 Magellan Avenue
San Francisco, CA 94116

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ANDREW LEE,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
Respondent)

Appeal No. **17-043**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on March 23, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on March 09, 2017 to Safeway, Inc., of an Alteration Permit (to obtain final inspection for work approved under BPA No. 2007/08/06/8886; all work is complete) at 730 Taraval Street.

APPLICATION NO. 2017/03/09/1076

FOR HEARING ON May 24, 2017

Address of Appellant(s):

Address of Other Parties:

Andrew Lee, Appellant 390 Magellan Avenue San Francisco, CA 94116	Safeway, Inc, Permit Holder c/o Bryan Enriquez, Agent for Permit Holder Tilton Pacific Construction 4170 Citrus Avenue Rocklin, CA 95677
---	--



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

MAR 23 2017

APPEAL #17-043

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2017/03/09/1076** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway, Inc**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017, (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.

Perm. Holden
Respondent's and Other Parties' Briefs are due on or before: **May 18, 2017, (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 hearing.

Hearing Date: **Wednesday, May 24, 2017, 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:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: 

Print Name: Andrew Lee



APPROVED
Dept. of Building Insp.

MAR 09 2017

Tom C. Hull
TOM C. HULL, S.E.
DIRECTOR
DEPT. OF BUILDING INSPECTION

BLDG. 3/8
FORM

APPLICATION NUMBER
2017-0809-1076
OSHA APPROVAL REQ'D

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
NUMBER OF PLAN SETS

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.

DATE FILED MAR 09 2017	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 730 TARAVAL	BLOCK & LOT 12346/14
PERMIT NO. 1419086	ISSUED MAR 09 2017	(2A) ESTIMATED COST OF JOB \$ 1.00	(2B) REVISED COST BY: \$1,000 (370)

BOARD OF APPEALS
MAR 23 2017
APPEAL # 17-043

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. II	(5A) NO. OF STORIES OF OCCUPANCY 1	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE M-RETAIL	(8A) OCCUP. CLASS M-RETAIL	(9A) NO. OF DWELLING UNITS 0
(4) TYPE OF CONSTR. II	(5) NO. OF STORIES OF OCCUPANCY 1	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) M-RETAIL	(8) OCCUP. CLASS M-RETAIL	(9) NO. OF DWELLING UNITS 0

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(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
L. Han Pacific 4150 CITRUS AVE Rocklin CA 95677 PHONE 916 307 2020 CALIF. LIC. NO. 488531 EXPIRATION DATE 3-2018

(16) OWNER - LESSEE (CROSS OUT ONE)
OWNER: 5918 STONE VALLEY PL Pleasanton CA 94566 PHONE 925 467 2628

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

To obtain final inspection
for work approved under
PA# 200708068886
All work is complete

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES <input type="checkbox"/> 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? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALKS OVER SUB-SIDEWALK SPACES BE REPAIRED OR ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

(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 to 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 305, 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 applications 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 soil fastings 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, 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 (1) or (B) designated below, or shall indicate item (A), (C), or (D), whichever is applicable. If however item (1) is checked, item (B) 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: Everest
Policy Number: 76000000017
- () 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
 LESSOR
 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: 3-9-17

CONDITIONS AND STIPULATIONS

REFER TO:	APPROVED:  BUILDING INSPECTOR, DEPT. OF BLDG. INSP.	DATE: <u>MAR 09 2017</u> REASON: <u>OK to issue</u> NOTIFIED MR. <u>B. Barra</u>
<input type="checkbox"/>	APPROVED: DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: 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:  HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

BOARD OF APPEALS

MAR 23 2017
APPEAL # 17043

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCEEDINGS

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 _____



CONTACT INFORMATION FOR PARTIES

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-043

Appeal No(s): _____

APPELLANT(S)

Name: Andrew Lee
Phone Number: 415-756-7666 Fax Number: (415) 566-0539
Email Address: andrewleeSF@aol.com
Mailing Address: 390 Magellan Ave San Francisco CA 94116

Names of Other Appellants: _____

Agent for Appellant

Name: _____
Phone Number: _____ Fax Number: _____
Email Address: _____
Mailing Address: _____

OTHER PARTY (PERMIT HOLDER, VARIANCE HOLDER, ETC.)

Name: Safeway, Inc.
Phone Number: _____ Fax Number: _____
Email Address: _____
Mailing Address: 5918 Stoneridge Mall Rd. Pleasanton, CA 94588

Names of Other Parties: _____

Agent for Other Party

Name: Bryan Enriquez Tilton Pacific Construction
Phone Number: 916-316-6772 Fax Number: _____
Email Address: benriquez@tpcconstructionservices.com
Mailing Address: 4170 Citrus Ave. Rocklin CA 95677

Cantara, Gary (PAB)

From: Cantara, Gary (PAB)
Sent: Thursday, March 23, 2017 5:03 PM
To: 'andrewleesf@aol.com'
Cc: Allen, Ron (DBI); Atijera, Evamarie (CPC); Boyajian, Judy (CAT); Canotal, Adora (DBI); Duffy, Joseph (DBI); Frye, Tim (CPC); Goldstein, Cynthia (PAB); Lau, Agnes (CPC); Longaway, Alec (PAB); Lowrey, Daniel (DBI); Man, Ben (DBI); Medina, Enrico (HSA) (DSS); Mejia, Xiomara (PAB); O'Riordan, Patrick (DBI); Panelli, Steven (DBI); Pei, Carrie (DBI); Russi, Brad (CAT); Samarasinghe, Giles (DBI); Sanchez, Scott (CPC); Sider, Dan (CPC); Sweeney, Edward (DBI); Tam, Tina (CPC); Teague, Corey (CPC); Venizelos, Thomas (ADM); Walls, Mark (DBI)
Subject: APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET
Attachments: Appeal No. 17-042.pdf; Special Instructions for Parties (5-16).pdf; Appeal No. 17-043.pdf; Appeal No. 17-044.pdf; Appeal No. 17-045.pdf

*Gary Cantara, Legal Assistant
San Francisco Board of Appeals
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San Francisco, CA 94103
(415) 575-6882 direct line
(415) 575-6880 main line*

City and County of San Francisco

Edwin M. Lee
Mayor



Board of Appeals

Cynthia G. Goldstein
Executive Director

March 23, 2017

Safeway, Inc., Permit Holder
5918 Stoneridge Mall Road
Pleasanton, CA 94588

Appeal No.: 17-044
Appeal Title: Lee vs. DBI
Subject Property: 730 Taraval Street
Permit Type: Alteration Permit
Permit No.: 2017/03/09/1075

Dear Safeway, Inc.:

This is to notify you that an appeal has been filed with this office protesting the **ISSUANCE** of the above referenced **Alteration Permit**. Pursuant to Article I, §8 of the San Francisco Business & Tax Regulations Code, the subject permit is hereby **SUSPENDED** until the Board of Appeals decides this matter and releases a notice of decision and order.

We are enclosing a copy of the **Preliminary Statement of Appeal** for your information.

The hearing regarding this matter has been scheduled for **May 24, 2017, at 5:00 p.m., City Hall, Room 416**, One Dr. Carlton B. Goodlett Place.

If you have any further questions, you may call this office at (415) 575-6880.

Sincerely,

BOARD STAFF

cc: Department of Building Inspection

Andrew Lee, Appellant
390 Magellan Avenue
San Francisco, CA 94116



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

MAR 23 2017


APPEAL # 17044

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE** of Alteration Permit No. **2017/03/09/1075** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway, Inc.**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017, (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. 

Respondent's and ^{Permit Holder} Other Parties' Briefs are due on or before: **May 18, 2017, (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 hearing.

Hearing Date: **Wednesday, May 24, 2017, 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:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: 

Print Name: Andrew Lee

APPROVED
Dept. of Building Insp.

MAR 09 2017

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

JAN 30 2017
APPROVED FOR ISSUANCE

BLDG. FORM 318
APPLICATION NUMBER
2017-0309-102
APPROVAL NUMBER

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
NUMBER OF PLAN SETS

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.

BOARD OF APPEALS
MAR 23 2017
APPEAL # 17-044

DATE FILED: MAR 09 2017
PLUMBING PERMIT NO: 1419085
ISSUED: MAR 09 2017
(1) STREET ADDRESS OF JOB: 730 Taraval San Francisco Ca
BLOCK & LOT: 2346/14
(24) ESTIMATED COST OF JOB: \$1.00
(25) REISED COST: \$1-0000/3017
DATE: MAR 09 2017

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING
(4A) TYPE OF CONSTR. II (5A) NO. OF STORIES OF OCCUPANCY: 1 (6A) NO. OF BASEMENTS AND CELLARS: 0 (7A) PRESENT USE: m-retail (8A) OCCUP. CLASS: m-retail (9A) NO. OF DWELLING UNITS: 0
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION
(4) TYPE OF CONSTR. II (5) NO. OF STORIES OF OCCUPANCY: 1 (6) NO. OF BASEMENTS AND CELLARS: 0 (7) PROPOSED USE (LEGAL USE): m-retail (8) OCCUP. CLASS: m-retail (9) NO. OF DWELLING UNITS: 0
(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: Dillon Pacific 4150 Citrus Ave Redwood Ca 95677 (15) OWNER - LESSEE (CROSS OUT ONE): Safeway 5718 Stoneridge mill rd Fremont Ca 94533
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
To obtain final inspection for work approved under PA# 200704249561, All work is complete

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
(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 8' to any wire containing more than 750 volts. See Sec 305, 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 levels 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) (20) 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 waive the defense of the City and County of San Francisco against all such claims, demands and 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 (ii) 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 paid 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: Everest
Policy Number: 76 000 000 27
() 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 System.
Signature of Applicant or Agent: [Signature] Date: 1-30-17

CONTACT INFORMATION FOR PARTIES BOARD OF APPEALS



Appeal No(s): _____

MAR 23 2017

APPEAL # 17-0441

APPELLANT(S)

Name: Andrew Lee

Phone Number: 415-756-7666 Fax Number: (415) 566-0539

Email Address: andrewleeSF@aol.com

Mailing Address: 390 Magellan Ave San Francisco CA 94116
Street City State Zip

Names of Other Appellants: _____

Agent for Appellant

Name: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

Mailing Address: _____
Street City State Zip

OTHER PARTY (PERMIT HOLDER, VARIANCE HOLDER, ETC.)

Name: Safeway, Inc.

Phone Number: _____ Fax Number: _____

Email Address: _____

Mailing Address: 5918 Stonemidge Mall Rd Pleasanton, CA 94588
Street City State Zip

Names of Other Parties: _____

Agent for Other Party

Name: Bryan Enriquez Tilton Pacific Construction

Phone Number: 916-316-6772 Fax Number: _____

Email Address: benriquez@tpc-construction-services.com

Mailing Address: 4170 Citrus Ave. Rocklin CA 95677
Street City State Zip

Cantara, Gary (PAB)

From: Cantara, Gary (PAB)
Sent: Thursday, March 23, 2017 5:03 PM
To: 'andrewleesf@aol.com'
Cc: Allen, Ron (DBI); Atijera, Evamarie (CPC); Boyajian, Judy (CAT); Canotal, Adora (DBI); Duffy, Joseph (DBI); Frye, Tim (CPC); Goldstein, Cynthia (PAB); Lau, Agnes (CPC); Longaway, Alec (PAB); Lowrey, Daniel (DBI); Man, Ben (DBI); Medina, Enrico (HSA) (DSS); Mejia, Xiomara (PAB); O'Riordan, Patrick (DBI); Panelli, Steven (DBI); Pei, Carrie (DBI); Russi, Brad (CAT); Samarasinghe, Giles (DBI); Sanchez, Scott (CPC); Sider, Dan (CPC); Sweeney, Edward (DBI); Tam, Tina (CPC); Teague, Corey (CPC); Venizelos, Thomas (ADM); Walls, Mark (DBI)
Subject: APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET
Attachments: Appeal No. 17-042.pdf; Special Instructions for Parties (5-16).pdf; Appeal No. 17-043.pdf; Appeal No. 17-044.pdf; Appeal No. 17-045.pdf

*Gary Cantara, Legal Assistant
San Francisco Board of Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103
(415) 575-6882 direct line
(415) 575-6880 main line*

City and County of San Francisco

Edwin M. Lee
Mayor



Board of Appeals

Cynthia G. Goldstein
Executive Director

March 23, 2017

Safeway, Inc., Permit Holder
5918 Stoneridge Mall Road
Pleasanton, CA 94588

Appeal No.: 17-045
Appeal Title: Lee vs. DBI
Subject Property: 730 Taraval Street
Permit Type: Alteration Permit
Permit No.: 2017/03/09/1074

Dear Safeway, Inc.:

This is to notify you that an appeal has been filed with this office protesting the **ISSUANCE** of the above referenced **Alteration Permit**. Pursuant to Article I, §8 of the San Francisco Business & Tax Regulations Code, the subject permit is hereby **SUSPENDED** until the Board of Appeals decides this matter and releases a notice of decision and order.

We are enclosing a copy of the **Preliminary Statement of Appeal** for your information.

The hearing regarding this matter has been scheduled for **May 24, 2017, at 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

If you have any further questions, you may call this office at (415) 575-6880.

Sincerely,

BOARD STAFF

cc: Department of Building Inspection

Andrew Lee, Appellant
390 Magellan Avenue
San Francisco, CA 94116

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal No. 17-045

Appeal of
ANDREW LEE.)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION.)
Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on March 23, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on March 09, 2017 to Safeway, Inc., of an Alteration Permit (to obtain final inspection for work approved under BPA Nos. 2007/09/27/3880, 2007/06/21/4667, and 2007/07/24/7528; all work is complete) at 730 Taraval Street.

APPLICATION NO. 2017/03/09/1074

FOR HEARING ON May 24, 2017

Address of Appellant(s):

Address of Other Parties:

Andrew Lee, Appellant
390 Magellan Avenue
San Francisco, CA 94116

Safeway, Inc., Permit Holder
c/o Bryan Enriquez, Agent for Permit Holder
Tilton Pacific Construction
4170 Citrus Avenue
Rocklin, CA 95677



BOARD OF APPEALS

Date Filed:

MAR 23 2017

APPEAL # 17-045


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

PRELIMINARY STATEMENT OF APPEAL

I / We, **Andrew Lee**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2017/03/09/1074** by the **Department of Building Inspection** which was issued or became effective on: **March 09, 2017**, to: **Safeway, Inc.**, for the property located at: **730 Taraval Street**.

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: **May 04, 2017**, (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. 

Respondent's ^{Person: Hotel} and Other Parties' Briefs are due on or before: **May 18, 2017**, (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 hearing.

Hearing Date: **Wednesday, May 24, 2017, 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:

The work being performed under this permit may have harmed my property at 2371 17th Avenue.

Appellant or Agent (Circle One):

Signature: 

Print Name: Andrew Lee

APPROVED
Dept. of Building Insp.

MAR 09 2017

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

APPROVED FOR ISSUANCE
31DG FORM 3/18
APPLICATION NUMBER
2017 03 09 10
OSHA APPROVAL RECORD
APPROVAL NUMBER
74

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

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

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.

NUMBER OF PLAN SETS

DO NOT WRITE ABOVE THIS LINE

DATE FILED MAR 09 2017	PLUMBING PERMIT NO. X 1-30-17	ISSUED 3/9/17	(1) STREET ADDRESS OF JOB 730 Taraval ST San Francisco	BLOCK & LOT 2346/14	(2) ESTIMATED COST OF JOB \$ 1.00	(3) REISSUE COST BY: \$ 6.00	DATE MAR 09 2017
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BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-045

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. I-N	(5A) NO. OF STORIES OF OCCUPANCY 1	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE M-RETAIL	(8A) OCCUR. CLASS M-RETAIL	(9A) NO. OF DWELLING UNITS 0
-----------------------------	---------------------------------------	--	------------------------------	-------------------------------	---------------------------------

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. I-N	(5) NO. OF STORIES OF OCCUPANCY 1	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) M-RETAIL	(8) OCCUR. CLASS M-RETAIL	(9) NO. OF DWELLING UNITS 0
----------------------------	--------------------------------------	---------------------------------------	--	------------------------------	--------------------------------

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

(14) GENERAL CONTRACTOR Tibton Pacific	ADDRESS 4150 CITRUS AVE	CITY Palo Alto	STATE CA	ZIP 94302	PHONE 4285531	CALIF. LIC. NO. 3-2018	EXPIRATION DATE
---	----------------------------	-------------------	-------------	--------------	------------------	---------------------------	-----------------

(15) OWNER - LESSEE (CROSS OUT ONE) SAFARI INC	ADDRESS 510 GARDENWAY	CITY Millbrae	STATE CA	ZIP 94033	PHONE (FOR CONTACT BY DEPT.) 925-4107-2625
---	--------------------------	------------------	-------------	--------------	---

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

To obtain final inspection
for work approved under
PA# 2007 0724 3880, 2007 0621 41607
All work is complete 2007 0724 7528

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	(20) IF (18) 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"/>	YES <input type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO <input checked="" type="checkbox"/>	YES <input 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" to any wall containing more than 750 volts. See Sec 310, 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 SPECIFICATION REQUIRES 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 drawings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

<input type="checkbox"/> OWNER	<input type="checkbox"/> ARCHITECT
<input type="checkbox"/> LESSOR	<input type="checkbox"/> AGENT
<input checked="" type="checkbox"/> CONTRACTOR	<input type="checkbox"/> 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.

NOTICE TO APPLICANT

WELD 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 (j) designated below, or shall indicate item (ii), (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: Everest
Policy Number: 710000000 29

() 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 hereby 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: X 1-30-17

CONDITIONS AND STIPULATIONS

REFER TO:

APPROVED



BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: MAR 09 2017

REASON: OK to issue

NOTIFIED MR. B. Lura

APPROVED:

DEPARTMENT OF CITY PLANNING

DATE: _____
REASON: _____

NOTIFIED MR. _____

APPROVED:

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:

HOUSING INSPECTION DIVISION

DATE: _____
REASON: _____

NOTIFIED MR. _____

BOARD OF APPEALS

MAR 23 2017

APPEAL # 17-045

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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



CONTACT INFORMATION FOR PARTIES

Appeal No(s): _____

BOARD OF APPEALS

MAR 23 2017

APPELLANT(S)

APPEAL # 17-045

Name: Andrew Lee

Phone Number: 415-756-7666 Fax Number: (415) 566-0539

Email Address: andrewleeSF@aol.com

Mailing Address: 390 Magellan Ave San Francisco CA 94116
Street City State Zip

Names of Other Appellants: _____

Agent for Appellant

Name: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

Mailing Address: _____
Street City State Zip

OTHER PARTY (PERMIT HOLDER, VARIANCE HOLDER, ETC.)

Name: Safeway, Inc.

Phone Number: _____ Fax Number: _____

Email Address: _____

Mailing Address: 5918 Stonemage Mall Rd. Pleasanton, CA 94588
Street City State Zip

Names of Other Parties: _____

Agent for Other Party

Name: Bryan Enriquez Tilton Pacific Construction

Phone Number: 916-316-6772 Fax Number: _____

Email Address: henriquez@tpcconstructionservices.com

Mailing Address: 4170 Citrus Ave Rocklin CA 95677
Street City State Zip

Cantara, Gary (PAB)

From: Cantara, Gary (PAB)
Sent: Thursday, March 23, 2017 5:03 PM
To: 'andrewleesf@aol.com'
Cc: Allen, Ron (DBI); Atijera, Evamarie (CPC); Boyajian, Judy (CAT); Canotal, Adora (DBI); Duffy, Joseph (DBI); Frye, Tim (CPC); Goldstein, Cynthia (PAB); Lau, Agnes (CPC); Longaway, Alec (PAB); Lowrey, Daniel (DBI); Man, Ben (DBI); Medina, Enrico (HSA) (DSS); Mejia, Xiomara (PAB); O'Riordan, Patrick (DBI); Panelli, Steven (DBI); Pei, Carrie (DBI); Russi, Brad (CAT); Samarasinghe, Giles (DBI); Sanchez, Scott (CPC); Sider, Dan (CPC); Sweeney, Edward (DBI); Tam, Tina (CPC); Teague, Corey (CPC); Venizelos, Thomas (ADM); Walls, Mark (DBI)
Subject: APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET
Attachments: Appeal No. 17-042.pdf; Special Instructions for Parties (5-16).pdf; Appeal No. 17-043.pdf; Appeal No. 17-044.pdf; Appeal No. 17-045.pdf

*Gary Cantara, Legal Assistant
San Francisco Board of Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103
(415) 575-6882 direct line
(415) 575-6880 main line*

EXHIBIT 3

OFFICIAL COPY



APPROVED Dept. of Building Insp.

MAY 22 2007

BLDG. FORM 3/8

APPLICATION NUMBER 00074910561

OSHA APPROVAL REQ'D APPROVAL NUMBER:

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 [X] OTHER AGENCIES REVIEW REQUIRED

FORM 8 [] OVER-THE-COUNTER ISSUANCE

2 NUMBER OF PLAN SETS 228-00

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

APPLICATION 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.

DATE FILED 4/19/07, FILING FEE RECEIPT NO. 356184, STREET ADDRESS OF JOB 730 TARAVAL, BLOCK & LOT 2346/509, PERMIT NO. 1120894, ESTIMATED COST OF JOB \$500,000.00

LEGAL DESCRIPTION OF EXISTING BUILDING: RETAIL FOOD MARKET W/ PKNG. AREA. DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION: SAME AS ABOVE. ADDITIONAL INFORMATION: ROOF PARKING DECK REPAIR WORK WHICH INCLUDES APPLICATION OF NEW WATERPROOFING MEMBRANE...

IMPORTANT NOTICES: No change shall be made in the character of the occupancy or use without first obtaining a Building Permit... APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS...

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... I hereby affirm under penalty of perjury one of the following declarations: I have and will maintain a certificate of consent to self-insure for worker's compensation...

OFFICIAL COPY

SAN FRANCISCO
DEPARTMENT OF
BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

APPROVED: the district building inspector at the start of
work call 558-6096. For plumbing inspection scheduling call
558-8054, for electrical inspection scheduling call 558-6030.
This application is approved without site inspection, detailed
plumbing or electrical plan review and does not constitute an
approval of the building. Work authorized must be done in
strict accordance with all applicable codes. Any electrical or
plumbing work shall require appropriate separate permits.
YIM CHIU, DBI
MAY 15 2007
Yim Chiu

DATE: _____
REASON: _____

APPROVED: Roof/deck resurfacing @ parking lot.
New trellis and railing only @ 17th Avenue
parking entrance.
Approved by YIM CHIU DBI
5/15/07
DEPARTMENT OF CITY PLANNING
John de la Cruz

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: roof deck resurfacing only
Yim Chiu
BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: FOR RE. ROOFING ONLY. comply w/ cec - (118(c)) cool
ROOF PERM: Initial Estimate 2/11/07
MVP LMF fire Safety Refinement 5-0-07
APR 24 2007
JEFF LAI, DBI
Jeff Lai

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: SPECIAL INSPECTION AND REPORTS
REQUIRED PER SECTION 701
SUBMIT REPORTS TO THE
BLDG. INSPECTION FOR THE FOLLOWING
see sheet SI-2
CHECKED BY:
SUSAN S.K. LEONG, P.E.
Department of Building Inspection
Date 5/15/07
CIVIL ENGINEER, DEPT. OF BLDG INSPECTION

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: As noted on plans. Street Space under
Separate permit.
BUREAU OF ENGINEERING
Quinn Dang 5/16/07

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: N/A
DEPARTMENT OF PUBLIC HEALTH

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED:

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED:

NOTIFIED MR. _____
DATE: _____
REASON: _____

I agree to comply with all conditions or stipulations of the various bureaus or department noted on this application, and attached
statements of conditions or stipulations, which are hereby made a part of this application.
Number of attachments _____
AGENTS AUTHORIZED AGENT
Don Ehardt

NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

OFFICIAL COPY



DATE 4/24/07 APPLICATION FILING FEE-PLAN CHECKING RECEIPT 356184

RECEIVED OF Dennis Austria BUILDING APPLICATION NUMBER 2007-0424-956

FEE FOR APPLICATION FILING AND CHECKING PLANS, PRESCRIBED BY SAN FRANCISCO BUILDING CODE

ESTIMATED COST OF JOB <u>500,000</u>	EXPEDITER REVENUE 7990	PLAN CHECK FEE REVENUE 7226			FILING FEE 7223 <u>2665</u>	DEMOLITION NOTICE FEE 1212
		NEW CONST.	ALTERATION <u>1868.10</u>	REPAIRS		
FIRE FEE 7296	DCP FEE 7081 <u>3236.00</u>	CPB PROCESSING FEE <u>20.00</u>	SURCHARGE	TOTAL <u>5150.10</u>	CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION GENERAL PERMIT BUREAU	

9003-01 (REV. 5/03)

BY

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414 DATE: 4/24/07

PERMIT APPLICANT AND AUTHORIZED AGENT DISCLOSURE AND CERTIFICATION

Permit Application No.: 0070424954 Job Address: 730 TARAVAL ST.

This form must be completed in the entirety in connection with an application for a building permit (Permit 112, 308, 417, 5 and 6). The form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am Check box(s):

- The owner (B) The lessee (C)
The authorized agent. Check entity(s):
Architect (D) Engineer (I)
Contractor (E) Attorney (F)
Permit Consultant/Expediter (G)
Other PROJECT MANAGER (H)

Print Applicant Name DENNIS AUGUSTA
Sign Name [Signature]

3. Name
Architect Engineer
Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.
Name
Phone
Firm Name
License #
Expiration Date
Firm address
City State Zip

- Contractor not yet selected. If this box is checked, submit an amended form when known.
Owner - Builder: If this box is checked, submit owner-builder declaration form.

F. Attorney Information

Name
Phone
Firm Name
Firm Address
City State Zip

B. Owner Information

Name
Phone
Address
City State Zip

C. Lessee Information

Name SAFeway
Phone 945 STONERIDGE PLAZA #5
Address 5918 STONERIDGE MARKET RD
PLEASANTON, CA 94588
City State Zip

D. Architect / Engineer Information

- None List all Architect(s)/Engineer(s) on project

1. Name YOUNG WONG
Architect Engineer
Phone No. 415-974-6002
Firm Name YWG
License # C22118
Expiration Date 10/31/07
Firm Address 785 MARKET ST SF, CA 94103
City State Zip

2. Name MARY ANN PFFERS
Architect Engineer
Phone No. 510-235-3116
Firm Name E-STRUCTURE
License # 2995
Expiration Date 11/30/08
Firm Address 8321 KENT COURT #100/100 RD EL CERRILLO, CA - 94532
City State Zip

G. Permit Consultant / Expediter

Name
Phone
Firm Name
Firm Address
City State Zip

H. Authorized Agent - Others

Name DENNIS AUGUSTA
Phone 415-974-6002
Firm Name YWG
Firm Address 785 MARKET ST SF, CA 94103
City State Zip

Please describe your relationship with the owner
PROJECT MANAGER
BLOCK W/ ARCHITECT.

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET

SAN FRANCISCO, CA 94103

Appl. #

Address

2007-04249561
730 TAVARAL ST
SF, CA

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 180532

License Class B+C.39

Expiration Date 5-31-08

Contractor WESTERN ROOFING SERVICE
PRINT

[Signature]
SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below).

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

architect, agent
I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec. _____

Reason _____

Architect (PRINT)

Date _____ Agent (PRINT)

Owner (PRINT)

(SIGNATURE)

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5. Revised 09/05/01

OFFICIAL COPY



From: King, Phillip [PKing@MCGARCHITECTURE.COM]
Sent: Wednesday, May 16, 2007 2:34 PM
To: Jason Gomes; Ron Casimere
Cc: George T. O'Neill; Tom Irvine; dave@efainc.com; tony@efainc.com
Subject: SWY #0909 - Taraval - Roof Repair - PERMIT FEES
Importance: High

The cost of the permit for the Roof Repair for SWY #0909:
\$4,327.85 payable to the San Francisco Department of Building Inspection (S.F.D.B.I.)

The Reference Permit Number is: 2007/04/24/9561

Please let me know if you have any questions.

Thanks

Phillip King
Project Manager



MCG Architecture
785 Market St. San Francisco, CA 94103
T 415.974.6002 F 415.974.1558

<http://www.mcgarchitecture.com>

OFFICIAL COPY

SAN FRANCISCO



DEPARTMENT OF BUILDING INSPECTION

DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1680 Mission Street, San Francisco, California 94103-2414

DATE 5-21-07

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
 Amended

Permit Application No.: 2007-04-24-956 / Job Address: TAVARAL ST

This form must be completed in its entirety in connection with an application for a building permit (Forms 17, 30, 47, 5 and 6). The form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

- Check box(es):
- [] The owner (B)
- [] The lessee (C)
- [] The authorized agent. Check entity(s):
 - [] Architect (D)
 - [] Engineer (E)
 - [x] Contractor (F)
 - [] Attorney (G)
 - [] Permit Consultant/Expeditor (H)
 - [] Other (I)

Print Applicant Name: DOUGLAS KEITH
Sign Name: [Signature]

3. Name
- [] Architect
- [] Engineer
Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.

Name: WESTERN ROOFING SERVICE
Phone: 415-648-6422
Firm Name: WESTERN ROOFING SERVICE
License #: 180533
Expiration Date:
Firm address: 2594 ORCHARD AVE
SAN FRANCISCO CA 94124
City State Zip

- [] Contractor not yet selected. If this box is checked, submit an amended form when known.
[] Owner - Builder. If this box is checked, submit owner-builder declaration form.

B. Owner Information

Name: SAFEWAY INC
Phone: 510-598-3980 cell LOW COST
Address: 730 TAVARAL ST
SAN FRANCISCO CA
City State Zip

C. Lessee Information

Name
Phone
Address
City State Zip

D. Architect / Engineer Information

- [] None [] List all Architect(s)/Engineer(s) on project

1. Name
- [] Architect
- [] Engineer
Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

2. Name
- [] Architect
- [] Engineer
Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

F. Attorney Information

Name
Phone
Firm Name
Firm Address
City State Zip

G. Permit Consultant / Expeditor

Name
Phone
Firm Name
Firm Address
City State Zip

H. Authorized Agent - Others

Name
Phone
Firm Name
Firm Address
City State Zip

Please describe your relationship with the owner

APPROVED
 Dept. of Building Insp.

JUN 21 2007

SFPD INSP. FEES REQ.

FIRE

BLDG. FORM 318
 APPROVED FOR ISSUANCE
 6/21/07 MSP

Sam Hasenlin
 SAM HASENLIN, P.E., C.B.O.
 DIRECTOR/CHIEF BUILDING OFFICIAL
 DEPT. OF BUILDING INSPECTION

APPLICATION NUMBER: 2007.06.21.44397
 APPROVAL NUMBER: 4466

**APPLICATION FOR BUILDING PERMIT
 ADDITIONS, ALTERATIONS OR REPAIRS**
 FORM 3 OTHER AGENCIES REVIEW REQUIRED
 FORM B OVER-THE COUNTER ISSUANCE
 2 NUMBER OF PLAN SETS

**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 HERETO AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

DO NOT WRITE ABOVE THIS LINE

DATE FILED 6/21/07	PLUMBING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 730 TARAVAL ST. SAN FRANCISCO	BLOCK & LOT BLK: 2346 LOT: 007
PERMIT NO. 1123922	ISSUED 6-21-07	(2A) ESTIMATED COST OF JOB \$ 16,000.00	(2B) REVISED COST: BY: DATE:

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(1A) TYPE OF CONSTR. II - N	(2A) NO. OF STORIES OF OCCUPANCY: 1	(3A) NO. OF BASEMENTS AND CELLARS: 0	(7A) PRESENT USE: M - RETAIL	(8A) OCCUP. CLASS: M - RETAIL	(9A) NO. OF DWELLING UNITS: 0
--------------------------------	--	---	---------------------------------	----------------------------------	----------------------------------

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(1A) TYPE OF CONSTR. II - N	(2A) NO. OF STORIES OF OCCUPANCY: 1	(3A) NO. OF BASEMENTS AND CELLARS: 0	(7A) PROPOSED USE (LEGAL USE) M - RETAIL	(8A) OCCUP. CLASS: M - RETAIL	(9A) NO. OF DWELLING UNITS: 0
--------------------------------	--	---	---	----------------------------------	----------------------------------

(10) IS AUTO DRIVEWAY 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: AQUAMATIC FIRE PROTECTION, INC. 540 GARCIA AVE. STE. A PITTSBURG, CA 94565 (925) 753-0420

(15) OWNER - LESSEE (CROSS OUT ONE): SAFEWAY, INC. 5918 STONEMORE MALL RD. PLEASANTON, CA 94588 (925) 467-2628

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT):
 RELOCATE EXISTING FIRE SPRINKLERS DUE TO NEW WALLS.
 17 heads

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FL.	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? YES <input type="checkbox"/> 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? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

(25) ARCHITECT OR ENGINEER (DESIGN OR CONSTRUCTION): AQUAMATIC FIRE PROTECTION, INC. DESIGN - BUILD
 ADDRESS: UNKNOWN

(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN")
 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, to be closer than 6ft 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 line, cuts and fills together with complete details of retaining walls and wall footings required 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 contractor(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 claim, 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 coverage under (i), or (ii) designated below or shall indicate item (iii), or (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 constant or 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 workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:
 Carrier: STATE FUND
 Policy Number: 070007625

() 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' 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 workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Patent 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 BUILDING CODE AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

[Signature] 06/21/07
 Signature of Applicant or Agent Date

OFFICIAL COPY

SAN FRANCISCO
DEPARTMENT OF
BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

REVISED

REFER TO: APPROVED:		DATE: _____ REASON: _____
<input type="checkbox"/>	BUILDING INSPECTOR, DEPT. OF BLDG. INSP. <i>N/A MSP</i>	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	DEPARTMENT OF CITY PLANNING	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK 558-3320 <i>T. Williams</i> BUREAU OF FIRE PREVENTION & PUBLIC SAFETY <i>06-20-87</i>	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	CIVIL ENGINEER, DEPT. OF BLDG INSPECTION	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	<i>N/A MSP</i> BUREAU OF ENGINEERING	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	DEPARTMENT OF PUBLIC HEALTH	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	REDEVELOPMENT AGENCY	NOTIFIED MR. _____ DATE: _____ REASON: _____
<input type="checkbox"/>	HOUSING INSPECTION DIVISION	NOTIFIED MR. _____ DATE: _____ REASON: _____

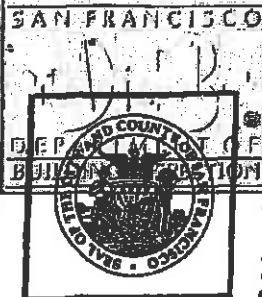
HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureau or department 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 _____

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET

SAN FRANCISCO, CA 94103

Appl #

2007-06-21-4633

Address

730 Laurel St

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 669521

License Class C-16

Expiration Date 04/30/08

Contractor THOMAS ALLEN

PRINT

SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below).

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec. _____

Reason _____

Architect (PRINT)

Date _____ Agent (PRINT) _____

Owner (PRINT)

(SIGNATURE)

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5. Revised 09/05/01

OFFICIAL COPY

SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1600 Mission Street, San Francisco, California 94103-2414

DATE: 06/12/07

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
 Amended

Permit Application No.: 2007-06-21-4683 Job Address: 730 TARAVAL ST. S.F., CA

This form must be completed in the entirety in conjunction with an application for a building permit (Forms 172, 300, 477, 5 and 6). The form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expediter/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to obtain laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

Check best(s):

- The owner (B)
- The lessee (C)
- The authorized agent. Check only(s):
 - Architect (D)
 - Engineer (E)
 - Contractor (F)
 - Attorney (F)
 - Permit Consultant/Expediter (G)
 - Other _____ (H)

Print Applicant Name THOMAS ALLEN

Sign Name Thomas Allen

B. Owner Information

Name SAFEWAY, INC.
Phone (925) 467-2628
Address 5718 STONEMOOR MALL RD.
PLEASANTON, CA 94566
City State Zip

C. Lessee Information

Name _____
Phone _____
Address _____
City State Zip

D. Architect / Engineer Information

None List all Architect(s)/Engineer(s) on project

1. Name THOMAS ALLEN
 Architect Engineer
 Phone No. 925 753 0420
 Firm Name AQUAMATIC FIRE PROTECTION, INC.
 License # C-16 669521
 Expiration Date 04/30/08
 Firm Address 540 GARCIA AVE. SUITE A
 PITTSBURG, CA 94565
 City State Zip

2. Name _____
 Architect Engineer
 Phone No. _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City State Zip

3. Name _____
 Architect Engineer
 Phone No. _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City State Zip

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.

Name THOMAS ALLEN
Phone 925 753-0420
Firm Name AQUAMATIC FIRE PROTECTION, INC
License # C-16 669521
Expiration Date 04/30/08
Firm address 540 GARCIA AVE. SUITE A
PITTSBURG, CA 94565
City State Zip

- Contractor not yet selected. If this box is checked, submit an amended form when known.
- Owner - Builder. If this box is checked, submit owner-builder declaration form.

F. Attorney Information

Name _____
Phone _____
Firm Name _____
Firm Address _____
City State Zip

G. Permit Consultant / Expediter

Name _____
Phone _____
Firm Name _____
Firm Address _____
City State Zip

H. Authorized Agent - Other

Name _____
Phone _____
Firm Name _____
Firm Address _____
City State Zip

Please describe your relationship with the owner

APPROVED
 Dept. of Building Insp.

JUL 24 2007

FIRE

SFFD INSP. FEES REQ.

APPROVED FOR ISSUANCE

BLDG. FORM 318

APPLICATION NUMBER
 2007174 7528

APPROVAL NUMBER:

Ben...
 SAM RASER, P.E., C.B.O.
 SAN FRANCISCO CHIEF BUILDING OFFICIAL
 DEPT. OF BUILDING INSPECTION

**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
 2 NUMBER OF PLAN SETS *11108*

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

DO NOT WRITE ABOVE THIS LINE

DATE FILED 7/24/07	FLUING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 730 TARAVAL ST	BLOCK & LOT 2346 / 014
PERMIT NO. 1127037	ISSUED JUL 24 2007	(2A) ESTIMATED COST OF JOB 7,500.00	(2B) REVISED COST: \$7,500.00 <i>JH 7/24/07</i>

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING					
(4A) TYPE OF CONSTR. concrete	(5A) NO. OF STORIES OF OCCUPANCY 1	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE Retail Sales (Grocery Store)	(8A) OCCUP. CLASS M	(9A) NO. OF DWELLING UNITS 0
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION					
(4) TYPE OF CONSTR. concrete	(5) NO. OF STORIES OF OCCUPANCY 1	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) Retail Sales	(8) OCCUP. CLASS M	(9) NO. OF DWELLING UNITS 0
(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(13) PLUMBING WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(14) GENERAL CONTRACTOR FIRE ALARMS PLUS Inc. ADDRESS: 730 TARAVAL ST S.F. PHONE: 683529 CALIF. LIC. NO.: 12-2112			
(15) OWNER - LESSEE (GROSS OUT LINE) ADDRESS: 730 TARAVAL ST S.F. BR# 925-467-2405 PHONE FOR CONTACT BY DEPT.					
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT) FIRE SPRINKLER WATER FLOW MONITORING (ON GROUND FLOOR)					

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL RIGHT ON STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT.	(19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW SQUARE FOOTING AREA SQ. FT.
(21) WILL ORIGINALS OVER SUB-SEPARATE SPACE BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT OF YES, SHOW ON PLAT PLAN	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(24) ARCHITECT OR ENGINEER (DESIGN OR CONSTRUCTION) William C Moore ADDRESS: 555 MAIN ST MARINA CA CALIF. CERTIFICATE NO. 326-0721-0					
(25) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN") 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, to be closer than 10' to any wire containing more than 750 volts. See Sec 245, 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 together with complete details of retaining walls and wall footings required 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 (19) (21) (22) (23) OR (24).

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

In drawings all insulating materials must have a clearance of not less than two inches from all structural 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 3600 of the Labor Code of the State of California, the applicant shall have coverage under (I), or (II) designated below or shall indicate item (III), or (IV), or (V), whichever is applicable. If however item (VI) is checked item (VI) 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 FUND Ins.**
 Policy Number: **BOB-07 006649**
- () 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3600 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 workers' 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.

William C Moore 7/24/07
 Signature of Applicant or Agent Date

OFFICIAL COPY



CONDITIONS AND STIPULATIONS

<input checked="" type="checkbox"/>	APPROVED: FIRE SPRINKLER WATER MONITORING ON GROUND FLOOR <i>Simon J. Chiu</i> BUILDING INSPECTOR, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: Sprinkler monitoring only - central station. PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK 833-9310 <i>Michael Wong</i> BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: 7/24/07 REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

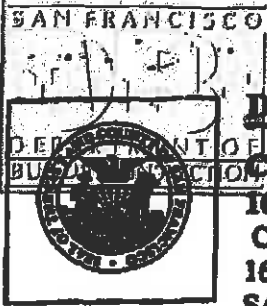
HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or department 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 _____

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET
SAN FRANCISCO, CA 94103

Appl. #

Address

2207-17-24-7528

730 TARAVAL ST
S.F. CA.

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 683529

License Class C-10

Expiration Date 6-30-09

Contractor William C Moore
PRINT

William C Moore
SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below).

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec. _____

Reason Non-otaria (D)

Architect (PRINT)

Date 7/27/07

Agent (PRINT) William C Moore

Owner (PRINT)

(SIGNATURE)

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5. Revised 09/05/01

OFFICIAL COPY

SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1600 Mission Street, San Francisco, California 94103-2414

DATE: 7/24/07

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
 Amended

Permit Application No.: 2007-07-24-7528 Job Address: 730 TARAVAL ST

This form shall be completed in its entirety in connection with an application for a building permit (Permit 1/2, 3/2, 4/7, 5 and 9). This form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am:

- Check box(es):
- The owner (B)
 - The lessee (C)
 - The authorized agent. Check entity(ies):
 - Architect (D)
 - Engineer (E)
 - Contractor (F)
 - Attorney (G)
 - Permit Consultant/Expeditor (H)
 - Other (I)

Print Applicant Name _____
Sign Name William E Moore

B. Owner Information

Name _____
Phone _____
Address _____
City _____ State _____ Zip _____

C. Lessee Information

Name _____
Phone _____
Address _____
City _____ State _____ Zip _____

D. Architect / Engineer Information

None List all Architect(s)/Engineer(s) on project:

1. Name _____
 Architect Engineer
 Phone No. _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City _____ State _____ Zip _____

2. Name _____
 Architect Engineer
 Phone No. _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City _____ State _____ Zip _____

3. Name _____
 Architect Engineer

Phone No. _____
Firm Name _____
License # _____
Expiration Date _____
Firm Address _____
City _____ State _____ Zip _____

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.

Name William E Moore
Phone 888-888-9575
Firm Name FIDIS ALARMS Plus Inc
License # C-10 682529
Expiration Date 6-30-09
Firm address 575 Main St
San Anselmo CA 94553
City _____ State _____ Zip _____

- Contractor not yet selected. If this box is checked, submit an amended form when known.
- Owner - Builder. If this box is checked, submit owner-builder declaration form.

F. Attorney Information

Name _____
Phone _____
Firm Name _____
Firm Address _____
City _____ State _____ Zip _____

G. Permit Consultant / Expeditor

Name _____
Phone _____
Firm Name _____
Firm Address _____
City _____ State _____ Zip _____

H. Authorized Agent - Other

Name _____
Phone _____
Firm Name _____
Firm Address _____
City _____ State _____ Zip _____

Please describe your relationship with the owner

OFFICIAL COPY

APPROVED FOR ISSUANCE:
APPROVED
 DEPT. OF BUILDING INSPECTION
 Dept. of Building Insp.
 AUG 09 2007

CITY AND COUNTY OF SAN FRANCISCO
 DEPARTMENT OF BUILDING INSPECTION
APPLICATION FOR PERMIT TO ERECT SIGN

STATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
DATE																				

APPLICATION IS HEREBY MADE FOR PERMISSION TO ERECT SIGN, ETC. IN ACCORDANCE WITH PLANS AND SPECIFICATIONS SUBMITTED HERewith AND FOR THE PURPOSE SET FORTH HEREIN:

- 4 ERECT SIGN (BUILDING INSPECTION AND PLANNING DEPARTMENT APPROVAL REQUIRED)
- 7 PAINTED OR OTHER NON-STRUCTURAL SIGN (ONLY PLANNING DEPARTMENT APPROVAL REQUIRED)

DATE FILED: 8-6-07
 PERMIT NO.: 148626
 SAHASENIN, P.E., C.E.C.
 DIRECTOR OF BUILDING DEPT. OF BUILDING INSPECTION

STREET ADDRESS OF JOB: 730 TARAVAL ST 2346-014
 BLOCK / LOT: 2346-014
 DESCRIPTION OF EXISTING BUILDING: GROCERY STORE
 ESTIMATED COST OF JOB: 10,000

DESCRIPTION OF PROPOSED SIGN

(7) TYPE OF SIGN (MORE THAN 1 BLOCK MAY BE CHECKED IF APPLICABLE)
 GROUND ELECTRIC NON-ELECTRIC ROOF WALL PROJECTING SINGLE FACED DOUBLE FACED PAINTED WALL DOOR/WINDOW
 BULLETIN BOARD EXISTING AWNING/MARQUEE/CANOPY PROFESSIONAL OCCUPATION

SIZE OF SIGN: VARIES FT. THICKNESS: 5" WEIGHT: 5# PAINTED TOTAL SURFACE AREA: 244 SQ. FT. TOTAL AREA OF ALL ADVERTISING SPACE: 244 SQ. FT. STANDARDIZED APPROVAL NO.:

ILLUMINATION: DIRECT INDIRECT NON ILLUMINATED FLASHING

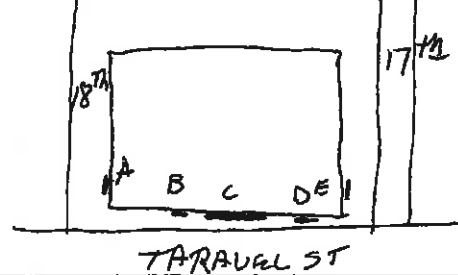
PURPOSE: NEW SIGN REPLACEMENT RECONSTRUCTION RELOCATION EXPANSION CHANGE COPY OTHER

(9) CONTRACTOR: ADART SIGN CO 2 THOMAS MEHLAN CIE SAN FRANCISCO 826051
 (9) ARCHITECT OR ENGINEER (DESIGN OR CONSTRUCTION): SAME

(10) CONSTRUCTION LENDER (LENDER NAME AND BRANCH ORIGINATION IF ANY IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")
 UNKNOWN

(11) OWNER - LESSEE (CROSS OUT ONE)
 SAFEWAY 730 TARAVAL ST 415-849-6460

(12) PLOT PLAN AND ELEVATION: INDICATE ON SCALED DRAWINGS THE EXACT LOCATION OF THE SIGN HORIZONTALLY AND VERTICALLY ON THE BUILDING AND ON THE LOT. SHOW SIDEWALK WIDTH AND SIGN CONSTRUCTION. IF ERECTING SIGN, ILLUMINATION FOR SIGN, MARQUEE, ETC., SHOW METHOD OF ATTACHMENT AND THE CONSTRUCTION OF THE SIGN HEREON OR ON SEPARATE DRAWINGS IN DUPLICATE. PROVIDE HEIGHT OF SIGN ABOVE GROUND AND THE PROJECTION IN FEET FROM THE BUILDING. IF WALL SIGN, PROVIDE SIGN COPY.



A-E 5' x 17' (circled)
 SAFEWAY - 6' x 7' (circled)
 B - DELI - 5' (circled)
 C - SAFEWAY 0.5' x 4' (circled)
 D - Pharmacy 6' x 2' (circled)

IMPORTANT NOTICES
 Where top guy wire is required, anchor with 1/2" dia. through-bolt (minimum), to the structural frame of the building below the parapet wall. No portion of building or structure, or scaffolding used during construction, to be closer than 6' to any wire operating at more than 750 volts. See Sec. 385 Calif. Penal Code.
 Encroachments authorized on public Property are revocable when ordered by Board of Supervisors (S.F. Building Code). Any stipulation required herein or by Code may be appealed.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE APPROVAL FOR THE ELECTRICAL WIRING, A SEPARATE PERMIT FOR THE WIRING MUST BE OBTAINED. THIS IS NOT A PERMIT TO ERECT A SIGN. NO WORK SHALL BE STARTED UNTIL A PERMIT TO ERECT A SIGN IS ISSUED.

CHECK APPROPRIATE BOX
 OWNER ARCHITECT ENGINEER
 LESSEE AGENT WITH POWER OF ATTORNEY
 CONTRACTOR ATTORNEY IN FACT

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 THEREBY 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 coverage under (i), or (ii) designated below or shall indicate item (iii), or (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 workers' 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 workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:
 Carrier: STATE FUND
 Policy Number: 1740027
 - () 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' 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 workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Fiscal Bureau.

Signature of Applicant or Agent: [Signature] Date: 8-6-07

OFFICIAL COPY

SAN FRANCISCO

CONDITIONS AND STIPULATIONS

DEPARTMENT OF BUILDING INSPECTION

REFER TO:

APPROVED:

Zone

CPC Setback

None

As per application and plans for signs on 3 street frontage, total of 244.19 sq ft, replacement of existing signs

Giannis Aug 6, 2007
DEPARTMENT OF CITY PLANNING

APPROVED:

Contact the district building inspector at the start of work at 555-5820. For plumbing inspection scheduling call 555-5820, for electrical inspection scheduling call 555-5820. This application is approved without site inspection, detailed plumbing or electrical plan review and does not constitute an approval of the building. Work authorized must be done in strict accordance with all applicable codes. Any other work not shown on the plans shall require separate approval.

By: AL Smith
AL SMITH, DBI

AUG 08 2007

APPROVED:

[Signature]
BUREAU OF ENGINEERING 8/8/07

APPROVED:

NA MS

REDEVELOPMENT AGENCY

APPROVED:

[Signature]
MOHSIN SHAIKH, DBI
AUG 08 2007

MECHANICAL ENGINEER

CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 861-5820). THIS APPLICATION IS APPROVED WITHOUT FIELD INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING. WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODE.

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

SIGNATURE OF OWNER, LESSEE OR AUTHORIZED AGENT FOR OWNER OR LESSEE

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

DATE: _____
REASON: _____

NOTIFIED MR. _____

HOLD SECTION -- NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET

SAN FRANCISCO, CA 94103

Appl. # 2007-08-06-8886

Address

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 826051

License Class C-45

Expiration Date 10-31-07

Contractor ADART SIGNCO
PRINT

SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below).

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

architect, agent

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec. _____

Reason _____

Architect (PRINT) _____

Date _____ Agent (PRINT) _____

Owner (PRINT) _____

(SIGNATURE) _____

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5. Revised 09/05/01

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414 DATE: 8-8-07

PERMIT APPLICANT AND AUTHORIZED AGENT DISCLOSURE AND CERTIFICATION [X] New [] Amended

Permit Application No.: 2007-08-06-SPK Job Address: 700 TARAVAL

This form must be completed in its entirety in connection with an application for a building permit (Forms 1/2, 3/8, 4/7, 5 and 6). The form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

Check box(es):

- The owner (B) [] The lessee (C) []
The authorized agent. Check entity(ies):
[] Architect (D) [] Engineer (D)
[] Contractor (E) [] Attorney (F)
[] Permit Consultant/Expediter (G)
[] Other (H)

Print Applicant Name STEVE PETERSON

Sign Name [Signature]

B. Owner Information

Name JANICE LEONARD TRUST
Phone
Address P.O. Box 1849
Culver City CA 95310
City State Zip

C. Lessee Information

Name SAFEWAY
Phone 415-869-0460
Address 700 TARAVAL
SAN FRANCISCO CA 94134
City State Zip

D. Architect / Engineer Information

- None [] List all Architect(s)/Engineer(s) on project []

1. Name

[] Architect [] Engineer

Phone No.
Firm Name
License #
Expiration Date
Firm Address

City State Zip

2. Name

[] Architect [] Engineer

Phone No.
Firm Name
License #
Expiration Date
Firm Address

City State Zip

3. Name [] Architect [] Engineer

Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.

Name BRAD DANIEL
Phone 415-869-8660
Firm Name ADAPT SIGN CO
License # P26051
Expiration Date 10-31-07
Firm address 5 THOMAS MELLON CIR
SAN FRANCISCO CA 94134
City State Zip

- Contractor not yet selected. If this box is checked, submit an amended form when known.
Owner - Builder, If this box is checked, submit owner-builder declaration form.

F. Attorney Information

Name
Phone
Firm Name
Firm Address
City State Zip

G. Permit Consultant / Expediter

Name
Phone
Firm Name
Firm Address
City State Zip

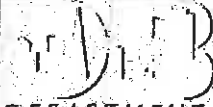
H. Authorized Agent - Others

Name STEVE PETERSON
Phone 650-255-9187
Firm Name
Firm Address 852 LOCKHART AVE N
PACIFICA CA 94044
City State Zip

Please describe your relationship with the owner

OFFICIAL COPY

SAN FRANCISCO



DEPARTMENT OF BUILDING INSPECTION

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
CENTRAL PERMIT BUREAU

NO. 211168

8-8-2007

RECEIVED FROM:

TO ART INC

PAYMENT RECEIVED FOR THE ITEMS INDICATED:

NUMBER	DESCRIPTION	AMOUNT	
	PA # 2007-08-06-8886		
	DIP FEE	110	00
	CPB FEE	20	00
	SAN P/L FEE	28	73
	SAN PERMIT	23	50
	SUBTOTAL		
	SURCHARGE		
	TOTAL	181	23

CENTRAL PERMIT BUREAU

BY *[Signature]*

OFFICIAL COPY
SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

APPROVED
Dept. of Building Insp.

SEP 27 2007

MAN HADJIAN, P.E. S.F.C.E.
DIRECTOR CHIEF BUILDING OFFICIAL
DEPT. OF BUILDING INSPECTION

FIRE

SFFD INSP.
FEES REQ.

BLDG. FORM 318
9-27-07
APPROVED FOR ISSUANCE

APPLICATION NUMBER
0207.0927.0800
APPROVAL NUMBER: 0

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE COUNTER ISSUANCE
2 NUMBER OF PLAN SETS 11/08

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.

DATE FILED 9/27/07	PLUMBING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 730 TARAVAIL ST 2346/01A	BLOCK & LOT
PERMIT NO. 1134028	ISSUED 9-27-07	(2A) ESTIMATED COST OF JOB \$1.00	(2B) REWARD COST: \$1,500 MSQ/9/27/07

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. II (5A) NO. OF STORIES OF OCCUPANCY: 1 (6A) NO. OF BASEMENTS AND CELLARS: 0 (7A) PRESENT USE: RETAIL STORE (8A) OCCUP. CLASS: M (9A) NO. OF DWELLING UNITS: 0

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

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

(10) IS AUTO RAILWAY 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: AUTOMATIC FIRE 500 GARCA AVE PASADENA CA 91107 ADDRESS: 9157 HARPO RD CALF. OC. NO. 666521 EXPIRATION DATE 9/06

(15) OWNER - LESSEE (FILL IN ONE): SOPERWAY INC. 5913 STONEMASS AVE RD PASADENA CA 91109 91547-2628

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT): FIRE SPRINKLERS REVISION # 2007-09-21 9667 DELETED (2) SAMES

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 FT. (19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING? YES NO SO. FT. (20) IF (19) IS YES, STATE NEW EXTERIOR FLOOR AREA (21) WILL SIGNIFICANT OVER-HEAD WALKWAY SPACE BE REPAIRED OR ALTERED? YES NO (22) ANY OTHER EXISTING BLDG. ON LOT? IF YES, SHOW ON PLOT PLAN YES NO (23) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES NO

(24) ARCHITECT OR ENGINEER (DESIGN CONSTRUCTION): ADDRESS: CALIF. CERTIFICATE NO. (25) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, 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, to be closer than 6' to any wire containing more than 750 volts (see Sec 265, California Permit 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 together with complete details of retaining walls and wall footings required 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 bracketing 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 coverage under (I), or (II) designated below or shall indicate item (III), or (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 workers' 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 workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:
 Carrier: STATE FUND
 Policy Number: 080-1025

() 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' 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 workers' 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: Barley Edwards Date: 9/27/07

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CONDITIONS AND STIPULATIONS

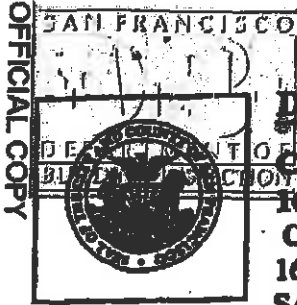
<input type="checkbox"/>	REFER TO: APPROVED: Fire Sprinkler System DEPARTMENT OF BUILDING INSPECTION Max Putra 9/27/07	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: N/A / MSP BUILDING INSPECTOR, DEPT. OF BLDG. INSP. DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: Michie Wong, SFFD SEP 27 2007 PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK 669-3309 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A / MSP 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: _____ HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or department 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 _____



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET

SAN FRANCISCO, CA 94103

Appl. #

2007-09-27-3880

Address

730 TARAVAL

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 669521

License Class C-16

Expiration Date 4/08

Contractor DAILEY PEOPLES

PRINT

Dailey Peoples

SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below).

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

architect, agent
I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec. _____

Reason _____

Architect (PRINT)

Date _____

Agent (PRINT)

Owner (PRINT)

(SIGNATURE)

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5. Revised 09/05/01

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SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

DATE: 9/27/07

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
Amended

Permit Application No.: 2007-09-27-3880 Job Address: 730 TARAVAL

This form must be completed in its entirety in connection with an application for a building permit (Forms 1/2, 3/8, 4/7, 6 and 8). The form must be amended for all new information or changes in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

Check box(s):

- The owner (B)
The lessee (C)
The authorized agent. Check entity(s):
Architect (D)
Engineer (E)
Contractor (E)
Attorney (F)
Permit Consultant/Expediter (G)
Other (H)

Print Applicant Name DAILEY PEOPLES
Sign Name Dailey Peoples

B. Owner Information

Name Safeway Inc
Phone
Address 546 Soverign Ave
Pittsburg CA
City State Zip

C. Lessee Information

Name
Phone
Address
City State Zip

D. Architect / Engineer Information

None
List all Architect(s)/Engineer(s) on project

1. Name DAILEY PEOPLES
Architect
Phone No. 925 753-0420
Firm Name AQUAMATIC FIRE PROTECTION
License # 069521
Expiration Date 4/08
Firm Address 540 GARCIA AVE
PITTSBURG CA 94565
City State Zip
2. Name
Architect
Engineer
Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

3. Name
Architect
Engineer
Phone No.
Firm Name
License #
Expiration Date
Firm Address
City State Zip

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.
Name DAILEY PEOPLES
Phone 925 753-0420
Firm Name AQUAMATIC FIRE
License # 069521
Expiration Date 4/08
Firm address 540 GARCIA AVE
PITTSBURG CA 94565
City State Zip

- Contractor not yet selected. If this box is checked, submit an amended form when known.
Owner - Builder. If this box is checked, submit owner-builder declaration form.

F. Attorney Information

Name
Phone
Firm Name
Firm Address
City State Zip

G. Permit Consultant / Expediter

Name
Phone
Firm Name
Firm Address
City State Zip

H. Authorized Agent - Others

Name
Phone
Firm Name
Firm Address
City State Zip

Please describe your relationship with the owner

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SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

APPROVED Dept of Building Insp SEP 15 2008

FIRE SFFD INSP FEES REQ.

APPROVED FOR ISSUANCE

SEP 15 2008

BUILDING PERMIT FORM 8/18 2009 CANS 1534 APPLICATION NUMBER APPROVAL NUMBER

ACTING DIRECTOR DEPT OF BUILDING INSPECTION

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 2 NUMBER OF PLAN SETS

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

Table with columns: DATE FILED (9/15/09), PLUMBING FEE RECEIPT NO., (1) STREET ADDRESS OF JOB (730 TARAVAL ST., 2346 01A), PERMIT NO. (1166005), (2) ESTIMATED COST OF JOB (2,870.00), (3) REVISED COST (2870.00), DATE.

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

Table with columns: (A) TYPE OF CONSTR. (IL-AB), (B) NO OF STORIES OF OCCUPANCY (1), (C) NO OF BASEMENTS AND CELLARS (0), (D) PRESENT USE (RETAIL), (E) OCCUP. CLASS (M), (F) NO OF DWELLING UNITS (0).

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

Table with columns: (A) TYPE OF CONSTR. (IL-AB), (B) NO OF STORIES OF OCCUPANCY (1), (C) NO OF BASEMENTS AND CELLARS (0), (D) PROPOSED USE (RETAIL), (E) OCCUP. CLASS (M), (F) NO OF DWELLING UNITS (0).

Table with columns: (10) IS AUTO HIGHWAY 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?

(14) GENERAL CONTRACTOR: AQUAMATIC FIRE PROT., ADDRESS: 5704 LARCAVA AVE, PITTSBURG, CA 94565, 925 PHONE: 753-0420, CALIF LIC NO: 64521, EXPIRATION DATE: 4/30/09

(15) OWNER: SAFEWAY, 5918 STONERIDGE MALL RD, PLEASANTON, CA 94588, 925-467-2628

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT): REPLACE (3) DRY PENDENT HEADS FOR (N) FREEZER

ADDITIONAL INFORMATION

Table with 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 PORCH EXTENSION TO BUILDING?, (20) IF (19) IS YES STATE NEW BUILDING FLOOR AREA, (21) WILL SIDEWALK OVER SIDE SIDEWALK SPACE BE REPAIRED OR ALTERED?, (22) ANY OTHER EXISTING BLDG ON LOT? (IF YES SHOW ON PLOT PLAN), (23) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?, (24) ARCHITECT OR ENGINEER DESIGN/CONSTRUCTION, (25) 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 the San Francisco Building Code and San Francisco Housing Code.

No portion of building or site or scaffolding used during construction to be taken down until a year or more after the 780 days after 286 California Penal Code.

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

Design shall show a drawing accompanying the application assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines outside of the building with complete details of existing walls and wall footings required must be submitted to the 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 (17) (18) (19) (20) OR (24).

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

Developmental activities 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 THERE TO WILL BE COMPLIED WITH.

8008 OS (REV 1/02)

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 suits for damages resulting from operations under the 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 and suits.

In compliance with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall be responsible for (1) or (2) design and below or shall indicate to (3) or (4) or (5) which ever is applicable. If below or (3) is checked, item (4) must be checked as well. Mark the appropriate method of compliance below.

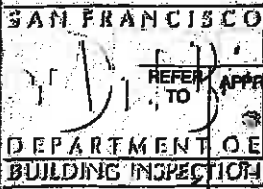
I hereby affirm under penalty of perjury one of the following checks as to:

- (1) I have and will maintain a certificate of coverage for the performance of the work to which the permit is issued.
(2) I have and will maintain workers compensation insurance as required by Section 3700 of the Labor Code for the performance of the work to which the permit is issued. My workers compensation policy number is: BBS/2246
(3) The cost of the work to be done is \$100 or less.
(4) I certify that in the performance of the work to which the permit is issued I shall not employ any person in any manner so as to become a legal to the workers compensation laws of California if the work involves that I understand that the person that I should become subject to the workers compensation provisions of the Labor Code of California and I will comply therewith with the provisions of Section 3800 of the Labor Code that the permit fee is applied to shall be deemed a check.
(5) I certify as the owner or the agent for the owner that the performance of the work for which the permit is issued will not employ a contractor who complies with the workers compensation laws of California and who provides to the contractor of any work with the compliance of the contractor with the California Labor Code.

Signature: Michael J. ... Date: 9/8/08

ORIGINAL

OFFICIAL COPY



CONDITIONS AND STIPULATIONS

APPROVED		DATE _____ REASON _____
APPROVED	BUILDING INSPECTOR DEPT OF BLDG INSP	NOTIFIED MR _____
<input type="checkbox"/>		DATE _____ REASON _____
	DEPARTMENT OF CITY PLANNING	NOTIFIED MR _____
APPROVED	PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK 558 3300	DATE _____ REASON _____
<input type="checkbox"/>	<i>T. Thompson</i> BUREAU OF FIRE PREVENTION & PUBLIC SAFETY 05 18 08	NOTIFIED MR _____
APPROVED		DATE _____ REASON _____
<input type="checkbox"/>		
	MECHANICAL ENGINEER DEPT OF BLDG INSPECTION	NOTIFIED MR _____
APPROVED		DATE _____ REASON _____
<input type="checkbox"/>		
	CIVIL ENGINEER DEPT OF BLDG INSPECTION	NOTIFIED MR _____
APPROVED		DATE _____ REASON _____
<input type="checkbox"/>		
	BUREAU OF ENGINEERING	NOTIFIED MR _____
APPROVED		DATE _____ REASON _____
<input type="checkbox"/>		
	DEPARTMENT OF PUBLIC HEALTH	NOTIFIED MR _____
APPROVED		DATE _____ REASON _____
<input type="checkbox"/>		
	REDEVELOPMENT AGENCY	NOTIFIED MR _____
APPROVED		DATE _____ REASON _____
<input type="checkbox"/>		
	HOUSING INSPECTION DIVISION	NOTIFIED MR _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or department 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 _____

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

DATE 9/8/08

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
Amended

Permit Application No 2008-07-A-AT4 Job Address 730 TARAVAL ST.

This form must be completed in its entirety in connection with an application for a building permit (Forms 1/2, 3/8, 4/7, 5 and 6) The form must be amended for all new information or change in information for duration of project Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment

A Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau or completion of any form related to the San Francisco Building Code or to City and County ordinances and regulations or to state laws and codes I am the owner the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

- Check box(es)
The owner (B)
The lessee (C)
The authorized agent Check entity(s)
Architect (D)
Engineer (E)
Contractor (F)
Attorney (G)
Permit Consultant/Expediter (H)
Other

Permit Applicant Name MICHAEL S AYRES
Sign Name [Signature]

B Owner Information

Name SAFEWAY
Phone 925 467-2628
Address 5918 STONERIDGE WAY RD. PLEASANTON CA 94588
City State Zip

C Lessee Information

Name
Phone
Address
City State Zip

D Architect / Engineer Information

None or List all Architect(s)/Engineer(s) on project

1 Name MICHAEL S AYRES
Architect
Engineer
Phone No 925-753-0420
Firm Name AQUAMATIC FIRE PROTECTION
License # 6629521
Expiration Date 11/30/09
Firm Address 5424 GARCIA AVE PITTSBURG CA 94565
City State Zip

2 Name
Architect
Engineer
Phone No
Firm Name
License #
Expiration Date
Firm Address
City State Zip

3 Name
Architect
Engineer
Phone No
Firm Name
License #
Expiration Date
Firm Address
City State Zip

E General Contractor Information

Note Complete separate licensed contractors statement also
Name MICHAEL S AYRES
Phone 925-753-0420
Firm Name AQUAMATIC FIRE PROTECTION
License # 6629521
Expiration Date 11/30/09
Firm Address 5424 GARCIA AVE PITTSBURG CA 94565
City State Zip

- Contractor not yet selected If this box is checked submit an amended form when known
Owner - Builder If this box is checked submit owner builder declaration form

F Attorney Information

Name
Phone
Firm Name
Firm Address
City State Zip

G Permit Consultant / Expediter

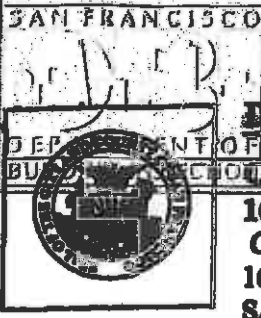
Name
Phone
Firm Name
Firm Address
City State Zip

H Authorized Agent Others

Name MICHAEL S AYRES
Phone 925-753-0420
Firm Name AQUAMATIC FIRE PROTECTION
Firm Address 5424 GARCIA AVE PITTSBURG CA 94565
City State Zip

Please describe your relationship with the owner
AGENT

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET

SAN FRANCISCO, CA 94103

Appl # 2008-09-N-1004
Address 730 TARAVAL ST
SAN FRANCISCO

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect

License Number 669521

License Class C-16

Expiration Date 4/30/09

Contractor MICHAEL S. AYRES

PRINT
Signature
SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec 7031.5) (Mark the appropriate box below)

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec 7044) I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

architect, agent
I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec 7044) I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended

I am exempt under Business and Professions Code Sec _____

Reason _____

Architect (PRINT) _____

Date 9/8/08
K Agent (PRINT) MICHAEL S. AYRES

Owner (PRINT) _____
(SIGNATURE) _____

NOTICE "Any violation of the Bus & Prof Code Sec 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)" Bus & Prof Code Sec 7031.5 Revised 09/05/01

OFFICIAL COPY



APPROVED
Dept of Building Insp

FEB 26 2009

DIRECTOR
DEPT OF BUILDING INSPECTION



SFFD INSP
FFFS REQ

APPROVED FOR SALES

DEC 16 2008 1:49

BLDG
FORM

3012
Koop 12/10/08

APPLICATION NUMBER

APPROVAL NUMBER

SFFD

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 OTHER AGENCIES REVIEW REQUIRED

FORM 8 OVER THE COUNTER ISSUANCE

2 NUMBER OF PLAN SETS 12-1-09

DO NOT WRITE ABOVE THIS LINE

OFFICE COPY
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

DATE FILED 12/10/08	PLUMBING PERMIT NO 363501	(1) STREET ADDRESS OF JOB 730 Taravast St	BLOCK & LOT 2396 014
PERMIT NO 1179162	ISSUED 2/26/09	(2) ESTIMATED COST OF JOB 5000	(3) PERMITS COST \$5000

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING							
(6A) TYPE OF CONSTR I	(6A) NO OF STORIES OF OCCUPANCY 2	(6A) NO OF ALLEGMENTS AND DELAYS 0	(7A) PRESENT USE Supermarket	(6B) OCCUP CLASS M	(6C) NO OF DWELLING UNITS 0		
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION							
(8) TYPE OF CONSTR I	(8) NO OF STORIES OF OCCUPANCY 2	(8) NO OF ALLEGMENTS AND DELAYS 0	(7) PROPOSED USE (LEGAL USE) Supermarket	(8) OCCUP CLASS M	(8) NO OF DWELLING UNITS 0		
(17) IS ALIAS NUMBER TO BE CONSIDERED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET GRACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELSEWHERE WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(14) GENERAL CONTRACTOR AAA Fire Protection	ADDRESS 30112 Union City Blvd Union City, CA 94581	PHONE (510) 481-5110	EXPIRATION DATE 9/30/2010	(15) SPECIAL LICENSE (EXCISE DUTY ONLY)	ADDRESS 5918 Stonewall Mall Rd Pleasanton	PHONE FOR CONTACT BY DEPT (925) 461-2524	

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
UL300 Upgrade of the Alarm Fire System in the Bakery, on the ground floor

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES SKATE NEW HEIGHT AT CENTER LINE OF FRONT	FT	(19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENDING TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES SKATE FLOOR AREA	50 FT
(21) WILL SIDEWALK OVER OR SIDEWALK SPACE BE REQUIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG OR LOT? (IF YES SHOW ON PLOT PLAN)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(25) ARCHITECT OR ENGINEER (CHECK ONE) CONSTRUCTION (C)	ADDRESS	GROUP CERTIFICATE NO					
Un known							
(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY IF THERE IS NO KNOWN CONSTRUCTION LEADER ENTER "UNKNOWN")				ADDRESS			
Un known							

IMPORTANT NOTICES

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

No portion of building structure or scaffold shall be used during construction to be closed the street ways containing more than 700 vehicles. See Section 585 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 fee at all of building site.

Grade if as shown on drawings accompanying this application is assumed to be correct. If actual grade lines are of the same as shown revised drawings showing correct grade. No fee shall be levied with complete details of actual grade with a street footage so that it can 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 WORKING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WORKING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (16) (17) (18) (19) (20) (24).

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

All drawings of installing materials must have clearances of less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX
 OWNER ARCHITECT
 ENGINEER CONTRACTOR

APPLICANT'S CERTIFICATION

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

8003-09 (REV 1/02)

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE: The undersigned hereby certifies that the permit application is true and correct and that the applicant is not liable for any damages resulting from the use of the permit. The applicant agrees to indemnify and hold the City and County of San Francisco harmless from all claims, damages, and expenses, including reasonable attorney's fees, arising from the use of the permit. The applicant also agrees to assume the duty of the City and County of San Francisco against all such claims, damages, and expenses.

In conformity with the provisions of Section 5300 of the Labor Code of the State of California the applicant shall have coverage under (a) or (b) of any state law or (c) of the State of California, whichever is applicable. If however item (c) is checked item (b) must be checked as well. Mark the appropriate method of compliance on below.

- I hereby affirm under penalty of perjury one of the following:
 - I have a valid workers' compensation certificate on file with the State of California and the performance of the work for which this permit is issued is covered by the certificate.
 - I have a valid workers' compensation certificate on file with the State of California and the performance of the work for which this permit is issued is covered by the certificate. My workers' compensation insurance carrier is [MIA Insurance Services Inc] and my policy number is [CP000102].
 - The cost of the work to be done is \$100 or less.
 - 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 1800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
 - 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 workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the City and County of San Francisco.

OFFICE COPY

12/10/08

OFFICIAL COPY

SAN FRANCISCO



DEPARTMENT OF BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

			DATE _____ REASON _____
		<i>N/A</i> BUILDING INSPECTOR DEPT OF BLDG INSP	NOTIFIED MR _____
<input type="checkbox"/>	APPROVED	↓ DEPARTMENT OF CITY PLANNING	DATE _____ REASON _____
<input checked="" type="checkbox"/>	APPROVED	<i>John Curd</i> John Curd SFFD PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK (415) 558-3300 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY DEC 12 2008	DATE _____ REASON _____
<input type="checkbox"/>	APPROVED	<i>N/A</i> MECHANICAL ENGINEER DEPT OF BLDG INSPECTION	DATE _____ REASON _____
<input type="checkbox"/>	APPROVED	CIVIL ENGINEER DEPT OF BLDG INSPECTION	DATE _____ REASON _____
<input type="checkbox"/>	APPROVED	BUREAU OF ENGINEERING	DATE _____ REASON _____
<input type="checkbox"/>	APPROVED	DEPARTMENT OF PUBLIC HEALTH	DATE _____ REASON _____
<input type="checkbox"/>	APPROVED	REDEVELOPMENT AGENCY	DATE _____ REASON _____
<input type="checkbox"/>	APPROVED	↓ HOUSING INSPECTION DIVISION	DATE _____ REASON _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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

Number of attachments

[Signature] #238
OWNER'S AUTHORIZED AGENT

OFFICIAL COPY

SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

DATE 12/10/08

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
Amended

Permit Application No 2008-12 10-8180 Job Address 730 Terand

This form must be completed in its entirety in connection with an application for a building permit (Forms 1/2, 3/8, 4/7, 5 and 8) The form must be amended for all new information or change in information for duration of project Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau or completion of any form related to the San Francisco Building Code or to City and County ordinances and regulations or to state laws and codes I am the owner the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

- Check box(es)
The owner (B)
The lessee (C)
The authorized agent Check entity(s)
Architect (D)
Engineer (E)
Contractor (F)
Attorney (G)
Permit Consultant/Expediter (H)
Other (I)

Print Applicant Name Kevin Jones
Sign Name [Signature]

B Owner Information

Name
Phone
Address
City State Zip

C Lessee Information

Name Selena
Phone 5
Address 5114 Shoreway Blvd #1
Daly City CA 94015
City State Zip

D Architect / Engineer Information

- None
List all Architect(s)/Engineer(s) on project

1 Name
Architect
Engineer
Phone No
Firm Name
License #
Expiration Date
Firm Address
City State Zip

2 Name
Architect
Engineer
Phone No
Firm Name
License #
Expiration Date
Firm Address
City State Zip

3 Name
Architect
Engineer
Phone No
Firm Name
License #
Expiration Date
Firm Address
City State Zip

E General Contractor Information

Note Complete separate licensed contractor's statement also

Name AHA Fire Protection
Phone (510) 421 5160
Firm Name
License # 719159
Expiration Date 3-31-2010
Firm address 2013 Union City Blvd
Union City CA 94587
City State Zip

- Contractor not yet selected If this box is checked submit an amended form when known
Owner - Builder If this box is checked submit owner builder declaration form

F Attorney Information

Name
Phone
Firm Name
Firm Address
City State Zip

G Permit Consultant / Expediter

Name
Phone
Firm Name
Firm Address
City State Zip

H Authorized Agent - Others

Name
Phone
Firm Name
Firm Address
City State Zip

Please describe your relationship with the owner

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU

1660 MISSION STREET

SAN FRANCISCO, CA 94103

Appl. # 2008 12 10 8180

Address 222 730 Terrace

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 719959

License Class C-16

Expiration Date 3/31/2010

Contractor AAA File PRINT

SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec 7031.5) (Mark the appropriate box below)

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec 7044) I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

architect, agent

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044) I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec

Reason

Architect (PRINT)

Date 12/10/08

X Agent (PRINT) Kevin James

Owner (PRINT)

(SIGNATURE)

NOTICE "Any violation of the Bus & Prof. Code Sec 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)" Bus. & Prof Code Sec 7031.5 Revised 09/05/01

OFFICIAL COPY



DATE 12-10-08

APPLICATION FILING FEE
PLAN CHECKING RECEIPT

363501

RECEIVED OF

AAA Restaurant Fire Control

BUILDING APPLICATION NUMBER

~~2008-12-01-8180~~
2008-12-10-8180

BUILDING APPLICATION

FEE FOR APPLICATION FILING AND CHECKING PLANS PRESCRIBED BY SAN FRANCISCO BUILDING CODE

ESTIMATED COST OF JOB	EXPEDITER REVENUE 7863	PLAN CHECK FEE REVENUE 7828			FILING FEE 7228	DEMOLITION NOTICE FEE 1212
		NEW CONST	ALTERATION	SIGNS		
\$,000 -			260.33			
FIRE FEE 7283	DCP FEE 7081	CPIB PROCESSING FEE	SURCHARGE	TOTAL	CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION CENTRAL PERMIT BUREAU	
126.94			Record Retention 2-			

9003 01 (REV 5/08)

150 Townsend St

BY PKY
\$5,927

OFFICIAL COPY



APPROVED

JUL 09 2008



SFFD INSP FEES REQ

7-2-09 208 17021890

VIVIAN L DAY DIRECTOR/CHIEF BUILDING OFFICIAL

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

Table with columns: DATE FILED, PLANS FEE RECEIPT NO, STREET ADDRESS OF JOB, BLOCK & LOT, PERMIT NO, ISSUED, ESTIMATED COST OF JOB, REPAIRED COST, DATE

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING, DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION, GENERAL CONTRACTOR, OWNER, and ADDITIONAL NOTES.

ADDITIONAL INFORMATION

Table with columns: (17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?, (18) WILL GENERAL OWNER SUB SUBSTANTIAL SPACE BE REPAIRED OR ALTERED?, (19) ARCHITECT OR ENGINEER, (20) CONSTRUCTION LEADER, (21) DOES THIS ALTERATION CREATE CHECK OR HOLE EXTENSION TO BUILDING?, (22) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit... 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 (WHICH REQUIRES) APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS...

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE: The permittee(s) by acceptance of the permit agree 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... I hereby affirm under penalty of perjury one of the following declarations: 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... I have and will maintain workers compensation insurance as required by Section 3700 of the Labor Code...

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 THEREIN WILL BE COMPLIED WITH

Signature: Marky K... Date: 7/2/09

OFFICIAL COPY



CONDITIONS AND STIPULATIONS

<input type="checkbox"/>	REFER APPROVED	<i>N.A</i>	BUILDING INSPECTOR, DEPT OF BLDG INSP	DATE _____ REASON _____	NOTIFIED MR _____
<input type="checkbox"/>	APPROVED	<i>N.A</i>	DEPARTMENT OF CITY PLANNING	DATE _____ REASON _____	NOTIFIED MR _____
<input type="checkbox"/>	APPROVED	<i>SWI</i>	BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE _____ REASON _____	NOTIFIED MR _____
<input type="checkbox"/>	APPROVED	<i>N.A</i>	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	<i>N.A</i>	HOUSING INSPECTION DIVISION	DATE _____ REASON _____	NOTIFIED MR _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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

Number of attachments

OWNERS AUTHORIZED AGENT

OFFICIAL COPY

SAN FRANCISCO



DEPARTMENT OF BUILDING INSPECTION

DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1600 Mission Street, San Francisco, California 94103-2414

DATE: 6/26/09

PERMIT APPLICANT AND AUTHORIZED AGENT
DISCLOSURE AND CERTIFICATION

New
 Amended

Permit Application No 20907021890 X Job Address 730 TARAVAL ST

This form must be completed in its entirety in connection with an application for a building permit (Forms 12, 38, 47, 6 and 8). The form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

X I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am Check box(es):

- The owner (B) The lessee (C)
- The authorized agent. Check title(s):
 - Architect (D) Engineer (E)
 - Contractor (F) Attorney (F)
 - Permit Consultant/Expeditor (G)
 - Other _____ (H)

Print Applicant Name MICHAEL S AYRES
Sign Name Michael Ayres

3 Name _____
 Architect Engineer
 Phone No _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City _____ State _____ Zip _____

X B. General Contractor Information

Note: Complete separate licensed contractor's statement also

Name MICHAEL S AYRES
 Phone 925-753-0420
 Firm Name AQUAMATIC FIRE PROTECTION
 License # 6645211 E-16
 Expiration Date 4/30/12
 Firm address 540-A GARLIA AVE
 PITTSBURGH CA 94565
 City _____ State _____ Zip _____

- Contractor not yet selected. If this box is checked, submit an amended form when known
- Owner - Builder. If this box is checked, submit owner-builder declaration form

X C. Owner Information

Name SAFEWAY, INC
 Phone 925-967-2628
 Address 5918 STONEMAN MALL RD
 PLEASANTON CA 94588
 City _____ State _____ Zip _____

D. Lessee Information

Name _____
 Phone _____
 Address _____
 City _____ State _____ Zip _____

E. Architect / Engineer Information

- None List all Architect(s)/Engineer(s) on project:

1 Name _____
 Architect Engineer
 Phone No _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City _____ State _____ Zip _____

2 Name _____
 Architect Engineer
 Phone No _____
 Firm Name _____
 License # _____
 Expiration Date _____
 Firm Address _____
 City _____ State _____ Zip _____

F. Attorney Information

Name _____
 Phone _____
 Firm Name _____
 Firm Address _____
 City _____ State _____ Zip _____

G. Permit Consultant / Expeditor

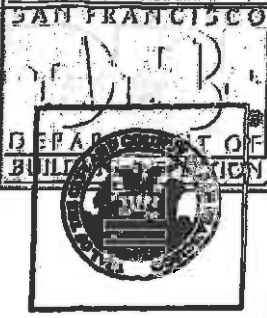
Name _____
 Phone _____
 Firm Name _____
 Firm Address _____
 City _____ State _____ Zip _____

H. Authorized Agent - Other

Name _____
 Phone _____
 Firm Name _____
 Firm Address _____
 City _____ State _____ Zip _____

Please describe your relationship with the owner

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414
CENTRAL PERMIT BUREAU
1660 MISSION STREET
SAN FRANCISCO, CA 94103

Appl # _____
Address 730 TARAVAL STREET

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect

License Number 669521
Expiration Date 4/30/12

License Class C-16
Contractor MICHAEL S AYRES

PRINT
Michael Ayres
SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec 7031.5) (Mark the appropriate box below)

 I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec 7044) I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended
 X architect, agent

 I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec 7044) I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended

 I am exempt under Business and Professions Code Sec _____

Reason _____

Date 6/26/09 _____ Architect (PRINT) _____
 K Agent (PRINT) MICHAEL S. AYRES

(SIGNATURE) Michael Ayres

EXHIBIT 4

1 ANDREW M. ZACKS (SBN 147794)
2 LISA K. PADILLA (SBN 225665)
3 ZACKS, FREEDMAN & PATTERSON, P.C.
4 235 Montgomery Street, Suite 400
5 San Francisco, CA 94104
6 Tel: (415) 956-8100
7 Fax: (415) 288-9755

8 Attorneys for Plaintiff,
9 ANDREW LEE

ENDORSED
FILED
OCT 07 2016
CLERK OF THE COURT
BY ROSSALY DE LA VEGA
Deputy Clerk

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 CITY AND COUNTY OF SAN FRANCISCO
12 UNLIMITED JURISDICTION

13 ANDREW LEE, an individual,
14 Plaintiff,

15 vs.

16 ARTHUR & AMPHORN CHAN,
17 TRUSTEES OF THE ARTHUR CHAN
18 AND AMPHORN CHAN AB LIVING
19 TRUST, EVAN F. WATTS AND
20 JOANNE L. WATTS, AS TRUSTEES OF
21 THE EVAN F. WATTS AND JOANNE L.
22 WATTS TRUST, DATED MAY 16, 2014,
23 SAFEWAY INC. and DOBS 1 through 20,
24 inclusive,

25 Defendants.

Case No.: CGC 16-554725

COMPLAINT FOR DAMAGES,
INJUNCTIVE RELIEF FOR
TRESPASS, NUISANCE, AND TO
QUIET TITLE TO REAL PROPERTY

26 GENERAL ALLEGATIONS

27 Plaintiff ANDREW LEE is informed and believes and thereupon alleges as follows:

28 1. At all relevant times, Plaintiff ANDREW LEE (hereafter "Plaintiff") is an individual and adult resident of the State of California and owns the real property located at 2371 17th Avenue, San

ZACKS, FREEDMAN & PATTERSON, P.C.
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

ZACKS, FREEDMAN & PATTERSON, P.C.
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

1 Francisco, (hereinafter 2371 17th Ave.), upon which contains a single family dwelling which is
2 tenant-occupied.

3 2. Upon information and belief, Defendant ARTHUR & AMPHORN CHAN, TRUSTEES OF
4 THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST, and EVAN F. WATTS
5 AND JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L.
6 WATTS TRUST, DATED MAY 16, 2014 are the current owners of 730 Taraval Street, San
7 Francisco, California.

8 3. The legal description of the property owned by Defendant ARTHUR & AMPHORN CHAN,
9 TRUSTEES OF THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST is as
10 follows:

11 Real property in the City of San Francisco, County of San Francisco, State of California
a FEE, as to PARCEL A;

12 a LEASEHOLD as created by that certain Lease dated May 26, 1971, executed by Dino
13 Cortopassi, Albert Cortopassi, Joseph Cortopassi, and Rinaldo Cortopassi aka Louis
14 Cortopassi, and Safeway Stores, Incorporated, a Maryland corporation, as Lessee, and
15 recorded July 23, 1971, Instrument No. U-5530, Book B-543, Page 893 of Official records, in
16 the office of the Recorder of the City and County of San Francisco, State of California, for
the term, upon and subject to all of the provisions contained therein, as to PARCEL B.

17 a) By Assignment dated May 1, 1974, executed by Safeway Stores, incorporated, as
18 Maryland corporation, as Assignor, the interest of Lessee in and to the above
19 Leasehold Estate was assigned to Thomas McCutchan and Doryce L. McCutchan,
as assignee, recorded May 31, 1974, Instrument No. W-78243, Book B-894, Page
199 of Official Records.

20 b) By Assignment dated December 15, 1983, executed by Thomas O. McCutchan
21 and Doryce L. McCutchan, As Assignor, the interest of Lessee in and to the above
22 Leasehold Estate was assigned to Robert A. Weigel and Joanne M. Weigel,
husband and wife, as joint tenants, as Assignee, recorded December 29, 1983,
Instrument No. D-444184, Book D-623, Page 1344 of Official Records.

23 c) By Instrument dated May 10, 2000, executed by Robert A. Weigel and Joanne M.
24 Weigel, husband and wife, jointly and each in their own right, as Grantor, the
25 interest of Grantor in and to the above Leasehold Estate was transferred to Realty
Trust Group, Inc., as Trustee, as Grantee, recorded June 10, 2002, Instrument No.
26 2002-H186251-00, Book 1-161, Page 0432 of Official Records

27 Property Address: 700 Taraval Street, San Francisco, CA 94116
Arthur Chan and Amphorn Chan
28

ZACKS, FREDMAN & PATTERSON, P.C.
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

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PARCEL A:

BEGINNING at a point on the Eastern line of 18th Avenue, distant thereon North (the Easterly line of 18th Avenue being assumed North, for the purposes of this description), 100.00 feet from the Northern line of Taraval Street; thence East 132.83 feet (132'-10"); thence South 10.00 feet; thence East 107.17 feet (107'-2") to the Western line of 17th Avenue; thence North, along said line, 60.00 feet; thence West, 120.00 feet; thence South 25.00 feet; thence West 120.00 feet to the Eastern line of 18th Avenue; thence South along said line, 25.00 feet to the point of the beginning.

BEING a portion of Outside Land Block No. 1119.

Lots 8-B, 9 and 19, Block 2346

PARCEL B:

a **LEASEHOLD** as created by that certain Lease dated May 26, 1971, executed by Dino Cortopassi, Albert Cortopassi, Joseph Cortopassi, and Rinaldo Cortopassi aka Louis Cortopassi, and Safeway Stores, Incorporated, a Maryland corporation, as lessee, and recorded July 23, 1971, Instrument No. U-5530, Book B-543, Page 893 of Official records, in the office of the Recorder of the City and County of San Francisco, State of California, for the term, upon and subject to all of the provisions contained therein, as to **PARCEL B**,

- a) By Assignment dated May 1, 1974, executed by Safeway Stores, Incorporated, as Maryland corporation, as Assignor, the interest of Lessee in and to the above Leasehold Estate was assigned to Thomas McCutchan and Doryce L. McCutchan, as Assignees, recorded May 31, 1974, Instrument No. W-78243, Book B-894, Page 188 of Official Records,
- b) By Assignment dated December 15, 1983, executed by Thomas O. McCutchan and Doryce L. McCutchan, as Assignor, the interest of Lessee in and to the above Leasehold Estate was assigned to Robert A. Weigel and Joanne M. Weigel, husband and wife, as joint tenants, as Assignees, recorded December 29, 1983, Instrument NO. D-444184, Book D-623, Page 1344 of Official Records;
- c) By Instrument dated May 10, 2000, executed by Robert A. Weigel and Joanne M. Weigel, husband and wife, jointly and each in their own right, as Grantor, the interest of Grantor in and to the above Leasehold Estate was transferred to Realty Trust Group, Inc., as Trustee, as Grantee, recorded June 10, 2002, Instrument No. 2002-H186251-00, Book 1-161, Page 0432 of Official Records,

said Property described as follows:

BEGINNING on the Eastern line of the Eastern line of 18th Avenue with the Northern line of Taraval Street; thence North (the Easterly line of 18th Avenue being assumed North, for the purpose of this Description) along said Eastern line 100.00 feet; thence East 132.85 feet (132'-10"); thence South 10.00 feet; thence East 107.17 feet (107'-2") to the Western line of 17th Avenue; thence South, along said line 90.00 feet to said Northern line of Taraval Street; thence West along said line 240.00 feet to the point of the beginning.

BEING a portion of Outside Land Block No. 1119.

Assessor's Parcel No.: Lots 10 and 14, Block 2346

Assessor's Parcel No: Lots 8-B, 9 and 19, Block 2346; Lots 10 and 14, Block 2346

4. The legal description of the property owned by Defendant EVAN F. WATTS AND JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L. WATTS TRUST, DATED MAY 16, 2014 is as follows:

Beginning at the intersection of the Eastern line of Eighteenth Avenue with the Northerly line of Taraval Street; thence North (the Easterly line of Eighteenth Avenue being assumed North, for the purpose of this description) along said Eastern line, 100.00 feet; thence East 132.85 feet (132'-10"); thence South 10.00 feet; thence East 107.17 feet (107'-2") to the Western line of Seventeenth Avenue; thence South, along said line 90.00 feet to said Northern line of Taraval Street; thence West along said line 240.00 feet to the point of beginning.

Being a portion of Outside Land Block No. 1119.

Assessor's Block 2346, Lots 010 and 014.

APN: 17-2346-014, 17-2346-010.

5. On information and belief, Defendant Safeway Inc. is a California corporation organized and existing by virtue of the laws of the State of California, and was authorized to conduct business in California, and operated a business at 730 Taraval Street, San Francisco, California.

6. DOES 1-20 are unknown persons who participated with, or at the direction of, the Defendants and caused the harm described below. The true names and capacities of the defendants named herein as DOES 1-20 are unknown to Plaintiff, who therefore sues them under these fictitious names. Plaintiff will amend this complaint to add their true names and capacities when they become known.

7. On information and belief, all of the defendants (including the Doe defendants) were the agents and principals of all of the other Defendants and were acting in the course and scope of their authority.

8. The subject matter of this action pertains to a real property dispute within the jurisdiction of this Court.

9. Plaintiff seeks injunctive relief and monetary damages greater than \$25,000.

10. On information and belief, the Defendants have been aware of the misconduct of their agents and sub-agents. The Defendants have acquiesced to, encouraged, and authorized various acts and conduct complained of in this complaint. The Defendants are legally responsible for the acts of their agents and all other persons providing services or doing business at 730 Taraval Street, San

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SAN FRANCISCO, CALIFORNIA 94104

1 Francisco.

2 11. Plaintiffs have made Defendants aware of an encroachment in the form of an attachment of a
3 structure located on Defendant's property at 730 Taraval Street, onto the property and building of
4 Plaintiff's property located at 2371 17th Ave.

5 12. In April of 2016, former counsel for Plaintiff initiated communication with Vice President
6 Marilyn K. Beardsley in an effort to discuss the issue of an attachment of a structure located on
7 Defendants' property onto Plaintiff's single family dwelling and the repair of an iron fence that was
8 the directly contributed to an ongoing trespass and nuisance on Plaintiff's property. An in-person
9 meeting occurred on April 20, 2016. Since that meeting, Plaintiff has not been contacted by
10 Defendant Safeway, Inc.

11 13. After the aforementioned meeting on April 20, 2016, former counsel for Plaintiff sent a letter
12 to Defendant Safeway Inc. on August 31, 2016 in an effort to also address broken iron fencing which
13 encloses a flat patio-like concrete area on the property of Defendants' directly in front of the
14 encroaching building, next to the single family dwelling located on Plaintiff's property.

15 14. Counsel informed Defendant Safeway Inc., that the iron fencing was and is still currently
16 broken and has been and is currently used by homeless people and others at all hours of the night as
17 a gathering place to consume alcohol, play music, loiter and disturb the occupants that reside on
18 Plaintiff's property.

19 15. On information and belief, such activity poses a direct threat to the health and safety of the
20 occupants of Plaintiff's property and an ongoing nuisance caused by Defendants' failure to repair the
21 iron fencing as requested by Plaintiff.

22 16. Despite former counsel's request on behalf of Plaintiff to immediately repair the broken
23 fence and to remove the encroaching structure attached to Plaintiff's property, the encroaching
24 structure remains and the fence remains broken.

25 17. The occupants of Plaintiff's property continue to suffer harm and a constant nuisance in the
26 form of excessive loitering by homeless people at all hours of the night.

27 18. On September 30, 2016, current counsel for Plaintiff sent correspondence to Agent for
28

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1 Defendants, Mr. Gary Bettencourt who is currently the broker enlisted to sell the property located at
2 730 Taraval. Counsel made a demand to immediately repair the broken fence and to remove the
3 encroaching structure from Plaintiff's property.

4 19. In response to the September 30, 2016 letter, counsel for Plaintiff received correspondence
5 from Mr. Bettencourt advising that the request would be forwarded to the seller. Plaintiff has yet to
6 be contacted by any of the Defendants regarding the correspondence and the demands contained
7 therein.

8 20. Despite Plaintiff's repeated attempts to contact Defendants and/ or agents of Defendants,
9 Plaintiff continues to suffer encroachments, both in the form of people trespassing onto their
10 property due to the constant loitering on the property of Defendants as a result of broken iron
11 fencing, and the attached structure to the single family dwelling of Plaintiff.

12 21. Plaintiff also continues to suffer as Defendants have refused to put a stop to this wrongful
13 conduct.

14 22. The Defendants have in their acts and omissions to act, refused to put a stop to this wrongful
15 conduct.

16 23. On information and belief, the encroachment for which this action is brought has been
17 knowing and intentional, and not the result of mere accident or simple negligence. To the extent that
18 evidence discovered during the course of litigation shows that any encroachments were negligent,
19 Plaintiff will amend accordingly.

20 24. The acts and conduct of Defendants and their agents have diminished the value of
21 2371 17th Avenue by an amount to be proven at trial and caused the tenants at 2371 17th Avenue to
22 complain to Plaintiff about interference with their tenancies caused by Defendants.

23 First Cause Of Action

24 (Trespass - Against all Defendants)

25 25. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.

26 26. Defendants and/or their agents have created encroachments which are attached to the
27 structure on Plaintiff's property without permission.
28

1 37. On information and belief, Defendants claim an interest in the property at 730 Taraval Street.

2 38. Plaintiff also names as defendants in this action all persons unknown claiming (a) any legal
3 or equitable right, title, lien, or interest in the property (2371 17th Avenue) adverse to Plaintiff's title,
4 or (b) any cloud on Plaintiff's title to the property. The claims of each unknown defendant are
5 without any right, and these defendants have no right, title, lien or interest in the property.

6 39. Plaintiff desires and is entitled to a judicial declaration quieting title in Plaintiff and restoring
7 full right, title, possession and interest in the property.

8 40. Plaintiff also seeks a determination of his title in the property located at 2371 17th Avenue
9 against Defendants, including but not limited to any claims of adverse possession or a prescriptive
10 easement.

11 WHEREFORE, Plaintiffs pray for relief as follows:

- 12 1. That the Court order judgment quieting title in Plaintiff Andrew Lee as owner of the
13 Property at 2371 17th Avenue, declaring that Defendants have no right, title, line,
14 easement or interest in the property adverse to Plaintiff as of the date of this complaint;
- 15 2. For a permanent injunction commanding the Defendants to remove all encroachments
16 currently on the property of 730 Taraval Street and encroaching upon the structure
17 located at 2371 17th Avenue which they caused or enabled to exist, to repair the iron
18 fencing on the 730 Taraval Street property in order to discourage loitering on or about the
19 property of Plaintiff, and for a preliminary injunction to prevent further injury to Plaintiff
20 pending judgment;
- 21 3. For a permanent injunction commanding the Defendants not to cause or allow any further
22 encroachments on 2371 17th Avenue, and for a preliminary injunction to prevent further
23 injury pending judgment;
- 24 4. For damages caused by the Defendants and their agents to 2371 17th Avenue, of an
25 amount to be determined;
- 26 5. For punitive damages of an amount to be determined;
- 27 6. For attorney fees as may be available by contract, statute or law;
- 28 5. For costs of suit herein incurred; and

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6. Such other and further relief as the Court may deem just and proper.

Respectfully Submitted,

Dated: October 7, 2016



By: Lisa K. Padilla
ZACKS, FREDMAN & PATTERSON, P.C.
Attorneys for Plaintiff,
ANDREW LEE

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ZACKS, FREEDMAN & PATTERSON, P.C.
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SAN FRANCISCO, CALIFORNIA 94111

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VERIFICATION

I, Andrew Lee, the undersigned declare:

I am the Plaintiff in this action. I have read the foregoing complaint and but for those allegations made upon information and belief, I declare the foregoing is true and correct, and that this was executed on October 7, 2016.



Andrew Lee

FAX SIGNATURE

EXHIBIT 5

From: Schalkwyk, Andrew
Sent: Thursday, September 14, 2017 3:26 PM
To: 'Gerard Launay'; 'Stephen M. Williams'
Cc: Yin, Clifford
Subject: Inspection of Property at 2371 17th Ave
Attachments: Proposed DT inspection- 08.11.17-c.pdf

Gerard and Steve,

Safeway proposes that the parties analyze in greater detail the flashing between its building and your client's building, including whether any damage exists and if so, how to repair any such damage. Safeway has offered to conduct destructive testing at its own expense in order to do so.

To help the parties move forward, Safeway has retained a consultant to prepare a work plan, so that you know exactly what work Safeway is proposing to do. I now enclose it. It specifically outlines the nature of the inspection, the work to be done and the areas to be inspected so that Safeway may determine whether and what damage it may have caused.

We believe this work plan is reasonable and suggest the parties proceed with it. You are welcome to have your own consultant both review the plan and to be onsite while the work is being done.

If you have any concerns with the proposed scope of work please let me know by close of business on **Tuesday, September 19**. Otherwise, we can schedule this inspection and this work on a mutually convenient date.

Best,

Andrew

Andrew Schalkwyk

Coblentz Patch Duffy & Bass LLP

One Montgomery Street, Suite 3000

San Francisco, CA 94104

415-772-5719 | Office 415-391-4800

aschalkwyk@coblentzlaw.com

www.coblentzlaw.com

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PROPOSED DESTRUCTIVE INSPECTION

INSPECTION DATE: Tuesday, July 25, 2017
PREPARED BY: DAVE DAHLIN ddahlin@wrcinc.com
CUSTOMER: SAFEWAY
SUBDIVISION / LOT #: STORE #909

ADDRESS 730 TARAVAL ST
CITY, ST, ZIP SAN FRANCISCO, CA 94116
REP: ERIC HORINE

JOB NUMBER: 6221



Image #1

Existing apartment building adjacent
Safeway property line.



Image #2

Existing apartment building adjacent Safeway property line. Showing the sheet metal cap and attachment of the cap.

WCRC may need to remove a section of the cap material to view the installation of the cap and fasteners attached to the apartment wall. Once the inspection is completed WCRC will reset the removed section of metal cap.



Image #3

New apartment building attached to the original building as show on Image #1

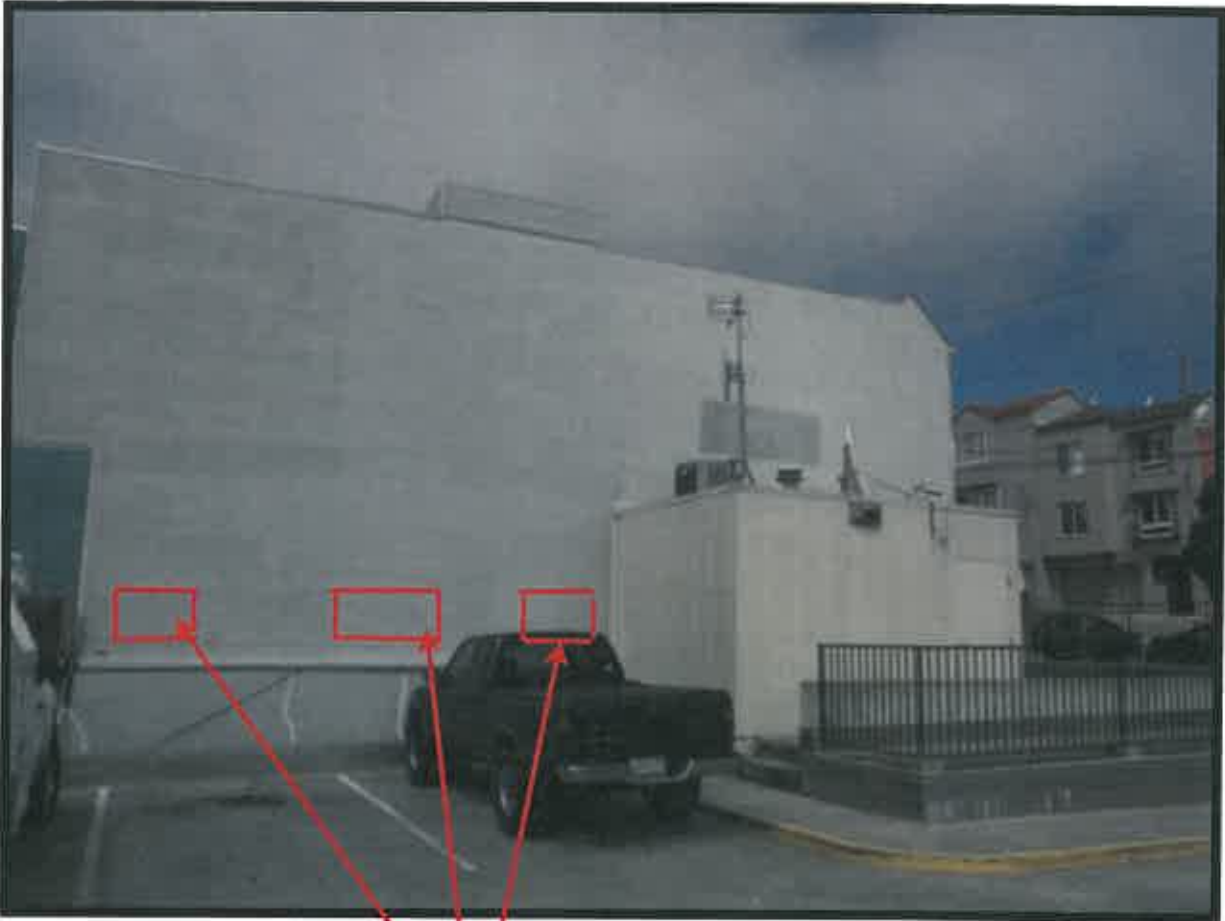


Image #4

“Once the stucco is removed in 3 locations shown WCRC will be able to inspect the waterproofing and possible water that may be entering from above the fasteners attaching the sheet metal cap (“flashing”) to the wall. A portion of the flashing itself will also be removed. With the flashing removed, WCRC will be able to determine if the fasteners of the flashing are allowing water to enter into the building.”

EXHIBIT 6



NOTICE OF VIOLATION
of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NUMBER: 201614111
DATE: 10-MAR-17

ADDRESS: 2371 17TH AV

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES) BLOCK: 2346 LOT: 008A

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: LEE ANDREW PHONE #: --
MAILING LEE ANDREW
ADDRESS 1327 TARAVAL ST
SAN FRANCISCO CA

94116

PERSON CONTACTED @ SITE: LEE ANDREW PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

A complaint investigation has revealed front setback of property paved over 100% of area with no permeable or planting area left per Section 132 and PUC Section 802.1. Paving more than 500 Sq. Ft. of front set back.
Monthly monitoring fee.
Code/Section: 103A; 102A.3, Table 1AK

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-558-6135
- FILE BUILDING PERMIT WITHIN 30 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.
- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Obtain building permit for removal of 20% of new concrete paved area to create planting area of not less than 20% of set back & 50% permeable surface.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)
- APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Carl E Malchow

PHONE # 415-558-6135

DIVISION: BID

DISTRICT :

By:(Inspector's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

Pursuant to SFBC 304(e) and 332.3 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 875 Stevenson St., 4th floor. 554-8720

WARNING: Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be billed for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

WARNING: Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

WARNING: Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(c) of the Revenue and Taxation Code.

WARNING: Section 205(a) of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 304(e) y 332.3 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el límite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 875 de la calle Stevenson, cuarto piso, teléfono 554-8720.

ADVERTENCIA: Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 de el Código de Construcción de Edificios.

ADVERTENCIA: La Sección 204 de el Código de Vivienda de San Francisco permite que se multa inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de inconformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios a 6 meses de encarcelamiento o ambas sanciones.

ADVERTENCIA: Cualquiera persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o está diligentemente, rápidamente y continuamente acusado después de seis (6) meses de la fecha de esta aviso, se le enviará una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

ADVERTENCIA: La Sección 205(a) de el Código de Edicios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, rehúsa cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 項條款規定：對於有許可證或已開始的工程或在進行中的工程、或超越許可範圍的工程，房東或業主，當事人可以在許可證發出日起 15 天之內，向建築局提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓。電話：554-8720。

警告：任何人出租房屋獲得收入、該房屋已根據市府規定被判定為不適合、不適合州個人所得稅、銀行和公司所得稅利息、以及與該房屋相關的稅務有誤時，或該房東中斷修繕。如果在此通告公布六個月後，改正工程沒有完成，市府將有權、或通知州稅務局。我們請參閱《三藩市建築法規》(即 Revenue & Taxation Code) 第 1264(c) 項條款。通知加州稅務委員會 (The Franchise Tax Board)。

警告：如不按照要求立即採取行動，以糾正上述違章行為，將導致建築局進行強制糾正程序的執行。針對此種違章行為的強制糾正程序令一般在市府檔案，將會連帶通知張貼日期的各項其他糾正程序令有關的費用，將向房地產主收取。或向房地產局，或支付清各項費用。請參閱《三藩市建築法規》第 203 (b) 項和第 332.3 項條款。

警告：《三藩市建築法規》第 204 項條款規定：對於任何情況、不照做、疏忽、忽視、或疏忽造成此種房東、房東、反對實施此法規中的任何條款的個人，罰款最高 500 元的民事罰款。此法規還規定罰款者，如該人犯罪，罰款每天發生的、每一單獨的違法行為，將付予最高 500 元的罰款，和/或有監禁六個月。

警告：《三藩市建築法規》(即 SFBC) 第 204(b) 項條款規定：對每一違章初犯者立即將罰款 100 元，二次違章罰款 200 元，每種違章中的最高罰款可達 7,500 元。此項法規還規定對每一違章初犯者可能提出刑事起訴，每日最高罰款可達 1,000 元，或/有監禁六個月。