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

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

Appeal of ANDREW LEE,	Appeal No. <b>17-043</b>
Appellant(s)	
Fil	)
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 No. 2007/08/06/8886; all work is complete) at 730 Taraval Street.

#### **APPLICATION NO. 2017/03/09/1076**

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

Appeal of ANDREW LEE,	Appeal No. <b>17-044</b>
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 No. 2007/04/24/9561; all work is complete) at 730 Taraval Street.

#### **APPLICATION NO. 2017/03/09/1075**

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

Appeal of ANDREW LEE.	Appeal No. <b>17-045</b>
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

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 2 3 2017 APPEAL # 17-042

# 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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	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 Lie	





APPROVED FOR ISSUANCE MAR 0 9 2011

APPLICATION NUMBER

OSHA APPROVAL REQ'D 
APPROVAL NUMBER

SO. FT.

YES 📮

MAR 0 9 2017

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 CAME 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.

**▼** DO NOT WRITE ABOVE THIS LINE **▼** 

DECODIDATION OF EVICTING BUILDING

DATE   AR 0 9 2017	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	~	BLOCK & LOT	
1-30-17		Som Francisc		2346/14	
PERMIT NO.	1 - 1	(2A) ESTIMATED COST OF JOB	(2B) REVISED POST		
1419087	3/9/17	# 1.00	BY: 81.00	MAR 0 9 2017	
INFORMATION TO BE FURNISHED BY ALL APPLICANTS					

BOARD	OF	APP	EAL	S
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MAR 2 3 2017

APPEAL # 17-042

LEGAL DESCRIPTION OF EXISTING BUILDING					
(44) TYPE OF CONSTR. (5A) NO. OF (5A) NO. OF BASEMENTS (7A) PRESENT USE:  I (5A) NO. OF (5A) NO. OF (5A) NO. OF BASEMENTS (7A) PRESENT USE:  WALTER (7A) PRESENT USE:  WALTER (7A) PRESENT USE:  WALTER (7A) PRESENT USE:	(9A) NO. OF DWELLING UNITS:				
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION (	15				
(4) TYPE OF CONSTR. (5) NO. OF STORIES OF OCCUPANCY: BASEMENTS AND CELLARS: OF (7) PROPOSED USE (LEGAL USE)  (7) PROPOSED USE (LEGAL USE)  (7) PROPOSED USE (LEGAL USE)  (8) NO. OF STORIES OF OCCUPANCY: AND CELLARS: OF CONTROL OF CO	(9) NO. OF DWELLING UNITS:				
(10) IS AUTO RUNWAY TO BE CONSTRUCTED  OR ALTERED?  (11) WILL STREET SPACE YES UNKY TO BE WORK TO BE PERFORMED?  (12) ELECTRICAL WORK TO BE WORK TO BE PERFORMED?  NO PERFORMED?	YES 🗆 NO 🞾				
(14) GENERAL CONTRACTOR ADDRESS ZIP PHONE CALIF. LIC. NO. EXPIRATION DATE T. 1 for Pacific 4:50 < 172 - 5 Ave Poetlin & 9567 4:2853 3-2012					
(15) OWNER - LESSEE (CROSS OUT ONE) ADDRESS ZIP BTRC# PHONE (FOR COI	NTACT BY DEPT.)				
Cateury inc 3910 stone age mall of Pleasant 94500 925.46	7-2628				
(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

ADDRES

(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?

YES (23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW NO ON PLOT PLAN)

## (26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN") **IMPORTANT NOTICES**

YES 🗆 NO S

YES D

(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT

(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE

No change shall be made in the character of the occupancy or use without first obtaining a Building Pe 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 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.

(25) ARCHITECT OR ENGINEER (DESIGN ☐ CONSTRUCTION ☐)

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

CHECK APPROPRIATE BOX

OWNER LESSEE

□ ARCHITECT AGENT DENGINEER

CONTRACTOR

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?

(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?

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

NO 🗣

YES 🗆

NO SE

(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA

(24) DOES THIS ALTERATION

CONSTITUTE A CHANGE OF OCCUPANCY?

CALIF. CERTIFICATE NO.

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, repartless 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 

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

ADDRESS

( )	) 1	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:
	6 10-001-

160000007

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 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 of California and fail on specific for shall be deemed revoke

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

-30-1

#### **CONDITIONS AND STIPULATIONS** REFER DATE: MAR () TO: REASON: OK to issur NOTIFIED MR. B. CLARAN BUILDING MSPECTOR, DEPT. OF BLDG. INSP. BOARD OF APPEALS APPROVED: DATE: MAR 2 3 2017 APPEAL # 17-14 **REASON:** DEPARTMENT OF CITY PLANNING NOTIFIED MR. APPROVED: DATE: . REASON: HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING BUREAU OF FIRE PREVENTION & PUBLIC SAFETY NOTIFIED MR. APPROVED: DATE: REASON: MECHANICAL ENGINEER DEPT. OF BLDG. INSPECTION NOTIFIED MR. APPROVED: DATE: -**REASON:** CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION NOTIFIED MR. APPROVED: DATE: . REASON: BUREAU OF ENGINEERING NOTIFIED MR. APPROVED: DATE: . REASON: DEPARTMENT OF PUBLIC HEALTH NOTIFIED MR. APPROVED: DATE: . REASON: REDEVELOPMENT AGENCY NOTIFIED MR. APPROVED: DATE: . REASON: 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



Date Filed:

**BOARD OF APPEALS** 

MAR 2 3 2017 APPEAL #17-043

# 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. 2017/03/09/1076 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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

		in the second					
The	reasons	for	this	appeal	are	as	follows:

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

Appendit of Agent (Circle One):	
Signature:	
Print Name: Andrew Le	

Annellant or Agent (Circle One).



MAR 09 2017

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

APPLICATION FOR BUILDING PERMIT CITY AND COUNTY OF SAN FRANCISCO ADDITIONS, ALTERATIONS OR REPAIRS DEPARTMENT OF BUILDING INSPECTION APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF

10/1/17 WO FORM 3 OTHER AGENCIES REVIEW REQUIRED 

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

BUILDING INSPECTION OF SAN FRANCISCO FOR

PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND

NUME	BER OF PLAN SETS	▼ DO NOT WRITE ABOVE	ER SET FORTH. THIS LINE ▼
ATE FILED	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	BLOCK & LOT
MAR 0 9 2017	*	730 TARAUA	12346/14
ERMIT NO.	ISSUED	(2A) ESTIMATED COST OF JOB	(2B) REVISED COST: (2 1c)
14/9086	MAR 0 9 2017	\$ 1.00	BY: \$1400 DANGAD 0 0 2017
	INFORTE		WIMIN O D LOT

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MΛR	9	3 2017	

APPEAL # 17-043

PERMIT NO. ISSUED	(2A) ESTIMATED COST OF JOB	(2B) REVISED COST:		1 2
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	ATION TO BE FURNISH	IED BY ALL APPLICANT	- MAR 0 9 2017	
	LEGAL DESCRIPTION OF E		3	
(4A) TYPE OF CONSTR. (5A) NO. OF (6A) NO. OF	(7A) PRESENT USE:	AISTING BUILDING	(8A) OCCUP. CLASS (9A)	NO. OF
STORIES OF DOCCUPANCY:   BASEMENTS AND CELLARS:			DWE	LLING S:
DESCR		R PROPOSED ALTERATION	(15)	
(4) TYPE OF CONSTR. (5) NO. OF STORIES OF OCCUPANCY: AND CELLARS:	(7) PROPOSED USE (LEGAL USE)		(8) OCCUP. CLASS (9) N DWE DWE UNIT	O. OF LLING
(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?  (11) WILL STF BE USED DUR CONSTRUCTIO	REET SPACE ING YES D IN? NO SE F	PERFORMED? N	ES (13) PLUMBING WORK TO BE PERFORMED?	YES 🗆 NO 🕱
(14) GENERAL CONTRACTOR ADDRES	CITIZUS DOE E	OCKLY Co 95677	F. LIC. NO. EXPIRATION	
(15) OWNER - LESSEE (CROSS OUT ONE) ADDRES	S ZIP	BTRC#	PHONE (FOR CONTACT BY DEP	,
710	sell-d pleacepute	~	925-467-26	85.
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UN	DER THIS APPLICATION (REFERENCE TO	PLANS IS NOT SUFFICIENT)		
To obtain final inspe	ection			
for work approved u	nder			n n n
PA# 20070806 8	8886			
All work is complete		*		
	ADDITIONAL INF	ORMATION		
(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?  (18) IF (17) IS NEW HEIGH NO CENTER L	HT ÁT Í CI		ES (20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA	SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?  YES  (22) WILL BUI EXTEND E PROPERT	SEYOND YES JO Y LINE? NO DE O	IN LUTT (IF 1ES, SHOW	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES 🗆 NO 🔀
(25) ARCHITECT OR ENGINEER (DESIGN CONSTRUCTION C)	ADDRESS		CALIF. CERTIFICATE NO.	
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGN IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNO	IATION IF ANY. WN")	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)

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	вох

**REV** 06/13

- □ 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.

reby 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, for the performance of the work for which this permit is issued.
- 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:

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 turther acknowledge that I understand that in the event that I should become subject to the worker compensation provisions of the Labor Code of California and fall to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed rev
- 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 compiles 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

#### **CONDITIONS AND STIPULATIONS**

	REFER	APPROVED:		
	TO:	APPROVED:		DATE: MAR 0 9 2017
	(_)			REASON:
	2.0%	consequi-declaration is a second		10 15 15 15 15 15 15 15 15 15 15 15 15 15
			SUM DING MODE OF DEED OF DEED MODE	REASON: O'L TO 1550LE  NOTIFIED MR.B.L.
	-	APPROVED:	BUILDING INSPECTOR, DEPT OF BLDG. INSP.	
		ATTIOTES		REASON:
				HEASON.
BOARD OF APPE	ALS	2		
			DEPARTMENT OF CITY PLANNING	NOTIFIED MR.
MAR 2 3 2017		APPROVED:		DATE:
MAR <b>2 3</b> 2017 <b>APPEAL</b> # 7	43	, , , , , , , , , , , , , , , , , , , ,		REASON:
APPEAL #		8 (5)		
			BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	NOTIFIED MR.
		APPROVED:		NOTIFIED MR.  DATE:
				REASON:
	Ш	X		
				.
		4000000	MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	NOTIFIED MR.
		APPROVED:		
				REASON:
			CIVIL ENGINEER, DEPT. OF BLDG, INSPECTION	NOTIFIED MR.
		APPROVED:	CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	
	S Barrella	9 7		REASON:
		* 1		REASON:
		2		
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			HOUSING INSPECTION DIVISION	NOTIFIED MR.
			or stipulations of the various bureaus or departments noted on this app	

OWNER'S AUTHORIZED AGENT



Date Filed:

**BOARD OF APPEALS** 

MAR 2 3 2017 APPEAL # 17-044

#### 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. 2017/03/09/1075 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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.

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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				

DEPT. OF DIRECTOR

APPROVED FOR ISSUANCE JAN 30

#### APPLICATION FOR BUILDING PERMIT **ADDITIONS, ALTERATIONS OR REPAIRS**

WC 10/1/17 FORM 3 , OTHER AGENCIES REVIEW REQUIRED FORM 8/X 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

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MAR 2 3 2017 APPEAL # 17-049

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#### **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 or 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 compl 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)

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
- ☐ ARCHITECT
- □ 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 appropri

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 by Section 3700 of the Labor Code, for the performance of the work for which this permit is is:

insurance carrier and policy number are:					
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- ( ) 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 revo
- I certify as the owner (or the agent for the owner) that in the performance of the work for which mit is issued, I will employ a contractor w of California and who, prior to the comme with the Central Permit Bureau.

OFFICE COPY

OWNER'S AUTHORIZED AGENT

Number of attachments



Date Filed:

### BOARD OF APPEALS

MAR 2 3 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. Rennit Holde

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

The reas	ons fo	r this	appeal	are	as	follows:
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The work being performed under this permit may have harmed my property at 2371 17th Avenue.

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Signature:		
Print Name:_	Andres be	

Appellant or Agent (Circle One):

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

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF

ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE

**BUILDING INSPECTION OF SAN FRANCISCO FOR** PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS

AND SPECIFICATIONS SUBMITTED HEREWITH AND

APPLICATION NUMBER 1017 030 -0

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APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

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BOARD OF APPEALS 1419084

MAR 2 3 2017 APPEAL #17-

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

CHECK APPROPRIATE BOX

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 In commonity war are provisors or secured value of the class deads of waterstead waterstead in the compensation coverage under (i) or (ii) designated below, or shall indicate item (iii), (iv), or (iv), whichever is applicable. If however item (iv) 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 requi Code, for the performance of the work for which this permit is issue insurance carrier and policy number are:	ed by Section 3700 of the Labor d. My worker's compensation
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( ) 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 revok

( ) 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.

OFFICE COPY

#### **CONDITIONS AND STIPULATIONS**

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	APPROVED:		DATE:REASON:
	APPROVED:	BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	NOTIFIED MR.
BOARD OF APPEALS	AFFROVED:		DATE: FEASON:
MAR 2 3 2017 APPEAL #17-041	ADDDOVED	MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	NOTIFIED MR.
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			DATE:
		HOUSING INSPECTION DIVISION or stipulations of the various bureaus or departments noted on this application	NOTIFIED MR.

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 17<sup>th</sup> 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. <u>INTRODUCTION AND FACTUAL BACKGROUND</u>

# 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 17<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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. <u>ISSUES FOR RESOLUTION BY THE BOARD OF APPEALS</u>

## 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, 0217 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#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,

Dr William

Stephen M. Williams, On Behalf of Appellant

# EXHIBIT 1

LOTS 39440 INTO LOTS 1,15410-1932 " 11/13 " LOT 10 -1951 " 15/18 " " 14 - 1951

lot24 into lots41&42 for 2009 roll

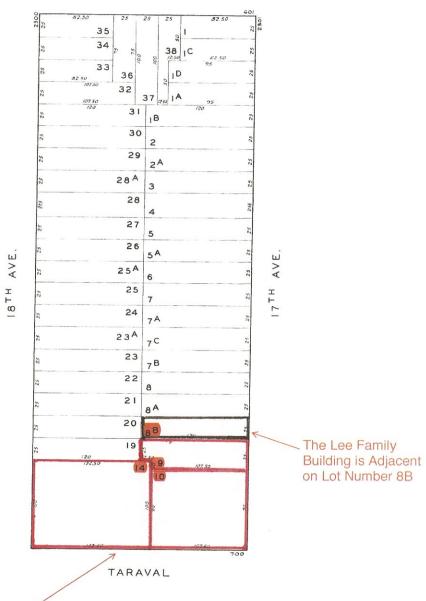


2346

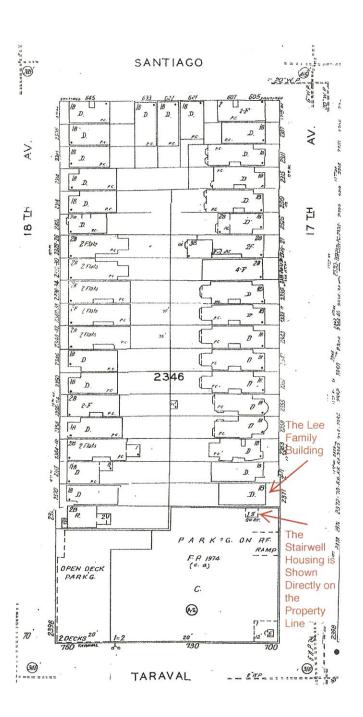
SUNSET BLK. 1119

Revised 2009

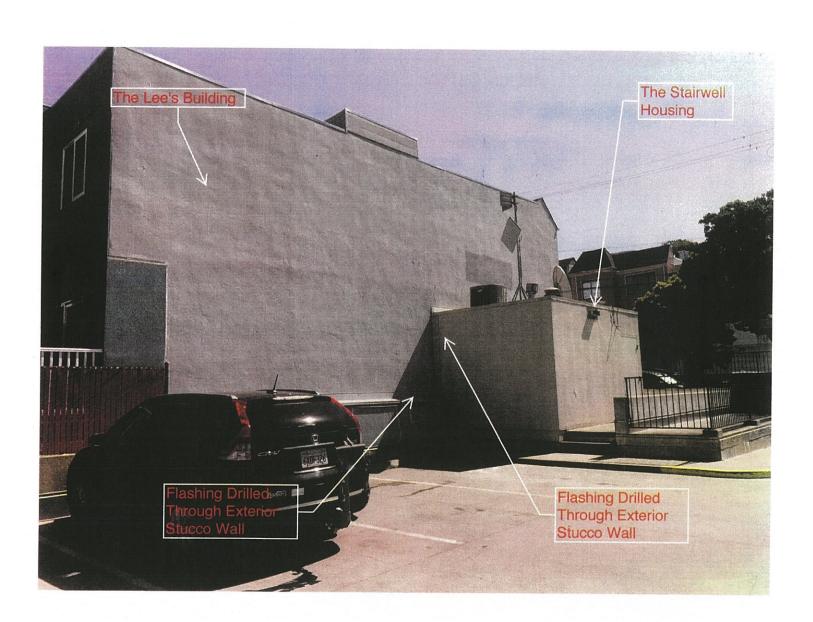
#### SANTIAGO

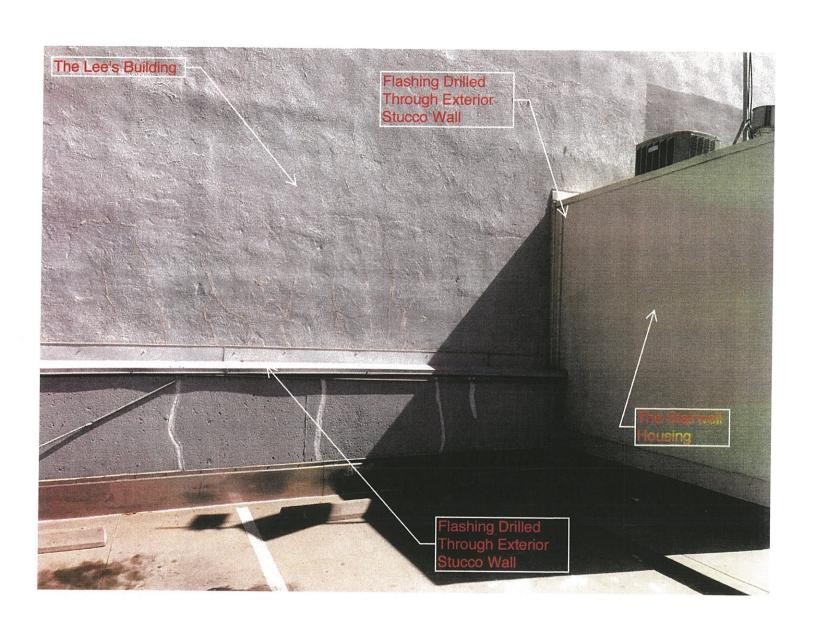


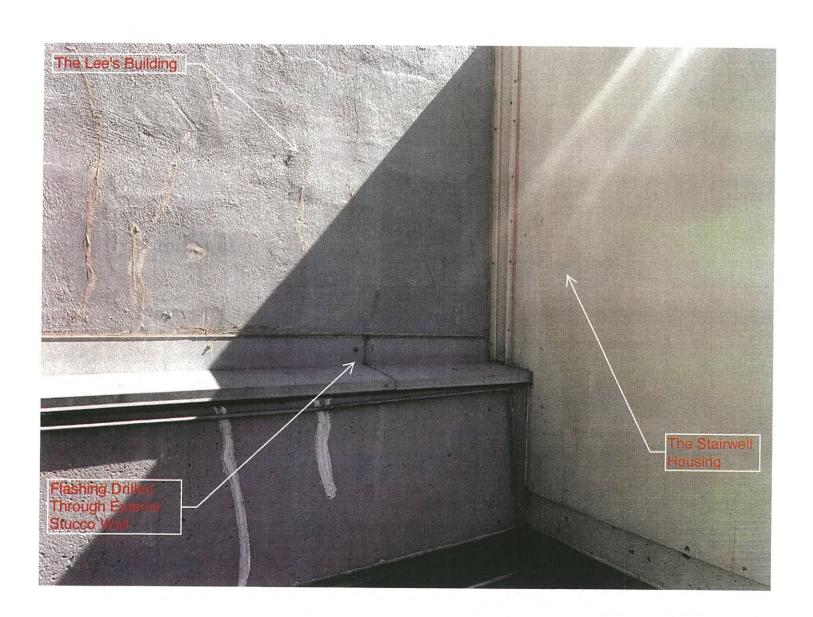
The Safeway Store Is Built on Three Development Lots (Numbers: 14, 9 & 10)

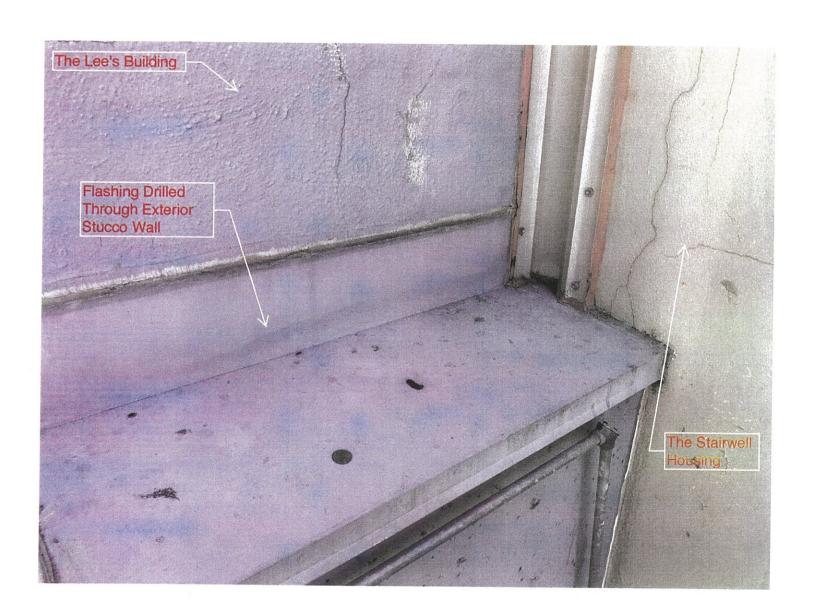


# EXHIBIT 2









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!





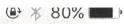
















2371-17th ave Tenant

### Hi Mei, here are some pictures:



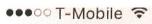






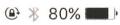






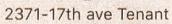


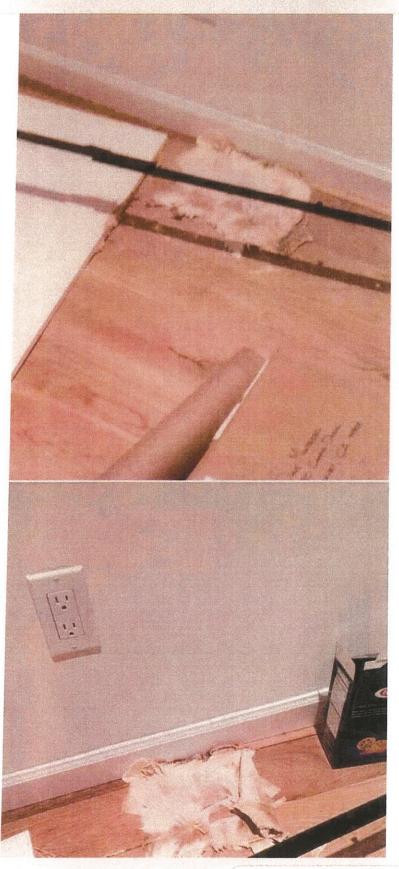




















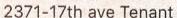
















It seems to be confined to this one spot. Which is in the first room on the left. We will all be gone by 10 am. Thanks for your quick response!

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















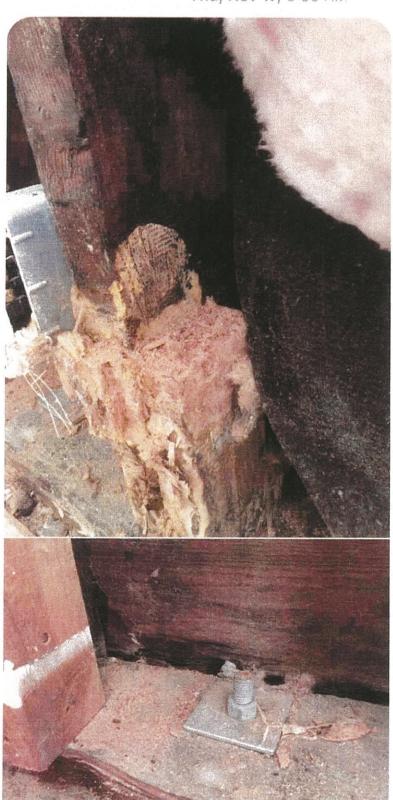














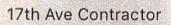


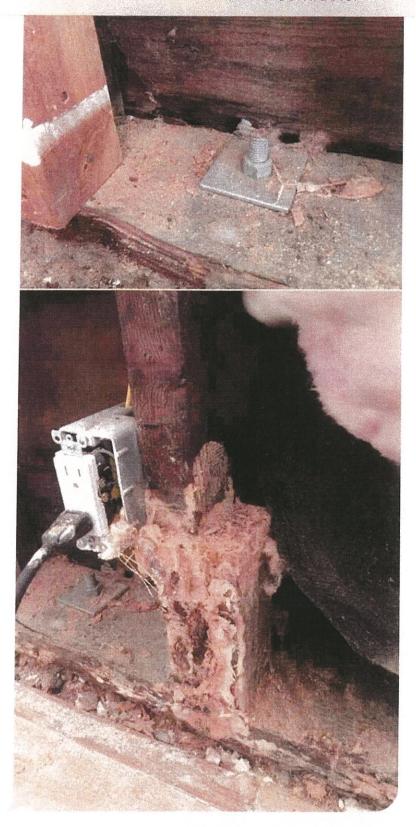












Fri, Nov 18, 8:26 AM











●●○○○ AT&T 令

5:30 PM

**1 ♥ \$ 100%** 

く微信

罗生 Lo Contractor

May 15, 2017 9:30 AM



李太你好,关于17衔2371号近 safeway側墙漏水是因为 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个工人己做过一次防 水工程,为時4天所需费用共计 3600元。

May 15, 2617 3:19 PM

你可否电邮2371-17Av 屋顶合约 ,Safeway律师要求看副本



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

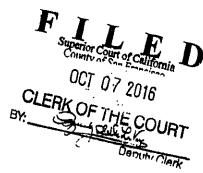




李太你好,关于17衔2371号近safeway侧墙漏水是因为safeway在 我屋墙边加建小屋時钻穿墙身加钉致墙身出现多处裂缝及钉孔再致 雨水入屋内。年前我公司共3个工人已做过一次防水工程,为時4天 所需费用共计3600元。

### 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.



#### SUPERIOR COURT OF THE STATE OF CALIFORNIA

#### CITY AND COUNTY OF SAN FRANCISCO

#### UNLIMITED JURISDICTION

Case No.:

CGC 16-554725

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



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

- 2. Upon information and belief, Defendant ARTHUR & AMPHORN CHAN, TRUSTEES OF THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST, and EVAN F. WATTS AND JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L. WATTS TRUST, DATED MAY 16, 2014 are the current owners of 730 Tarayal Street, San Francisco, California.
- 3. The legal description of the property owned by Defendant ARTHUR & AMPHORN CHAN, TRUSTEES OF THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST is as follows:

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

- 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 assignee, recorded May 31, 1974, Instrument No. W-78243, Book B-894, Page 199 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 Assignee, 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

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

# ZACKS, FREEDMAN & PATTERSON, 235 MONTGO SAN FRANCI

TOTAL TOTAL	, SUITE 400	NTA 94104
TUT TO NIGHT	OMERY STREET, SUITE 400	JSCO. CALJFORNIA 94104

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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 Marlyland 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 Assignee, 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 Assignee, 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 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 17<sup>th</sup> 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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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

Francisco.

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- 11. Plaintiffs have made Defendants aware of an encroachment in the form of an attachment of a structure located on Defendant's property at 730 Taraval Street, onto the property and building of Plaintiff's property located at 2371 17th Ave.
- 12. In April of 2016, former counsel for Plaintiff initiated communication with Vice President Marilyn K. Beardsley in an effort to discuss the issue of an attachment of a structure located on Defendants' property onto Plaintiff's single family dwelling and the repair of an iron fence that was the directly contributed to an ongoing trespass and nuisance on Plaintiff's property. An in-person meeting occurred on April 20, 2016. Since that meeting, Plaintiff has not been contacted by Defendant Safeway, Inc.
- 13. After the aforementioned meeting on April 20, 2016, former counsel for Plaintiff sent a letter to Defendant Safeway Inc. on August 31, 2016 in an effort to also address broken iron fencing which encloses a flat patio-like concrete area on the property of Defendants' directly in front of the encroaching building, next to the single family dwelling located on Plaintiff's property.
- 14. Counsel informed Defendant Safeway Inc., that the iron fencing was and is still currently broken and has been and is currently used by homeless people and others at all hours of the night as a gathering place to consume alcohol, play music, loiter and disturb the occupants that reside on Plaintiff's property.
- 15. On information and belief, such activity poses a direct threat to the health and safety of the occupants of Plaintiff's property and an ongoing nuisance caused by Defendants' failure to repair the iron fencing as requested by Plaintiff.
- 16. Despite former counsel's request on behalf of Plaintiff to immediately repair the broken fence and to remove the encroaching structure attached to Plaintiff's property, the encroaching structure remains and the fence remains broken.
- 17. The occupants of Plaintiff's property continue to suffer harm and a constant nuisance in the form of excessive loitering by homeless people at all hours of the night.
  - 18. On September 30, 2016, current counsel for Plaintiff sent correspondence to Agent for

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

- 19. In response to the September 30, 2016 letter, counsel for Plaintiff received correspondence from Mr. Bettencourt advising that the request would be forwarded to the seller. Plaintiff has yet to be contacted by any of the Defendants regarding the correspondence and the demands contained therein.
- 20. Despite Plaintiff's repeated attempts to contact Defendants and/ or agents of Defendants. Plaintiff continues to suffer encroachments, both in the form of people trespassing onto their property due to the constant loitering on the property of Defendants as a result of broken iron fencing, and the attached structure to the single family dwelling of Plaintiff.
- 21. Plaintiff also continues to suffer as Defendants have refused to put a stop to this wrongful conduct.
- 22. The Defendants have in their acts and omissions to act, refused to put a stop to this wrongful conduct.
- 23. On information and belief, the encroachment for which this action is brought has been knowing and intentional, and not the result of mere accident or simple negligence. To the extent that evidence discovered during the course of litigation shows that any encroachments were negligent, Plaintiff will amend accordingly.
- 24. The acts and conduct of Defendants and their agents have diminished the value of 2371 17th Avenue by an amount to be proven at trial and caused the tenants at 2371 17th Avenue to complain to Plaintiff about interference with their tenancies caused by Defendants.

#### First Cause Of Action

(Trespass - Against all Defendants)

- 25. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.
- Defendants and/or their agents have created encroachments which are attached to the structure on Plaintiff's property without permission.

enjoyment of 2371 17th Avenue.

2′	7. The acts of Defendants and their agents were not authorized, not privileged, and were
wron	gful.
28	3. The acts of Defendants and their agents substantially interfere with Plaintiff's use and

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

#### Second Cause Of Action

(Nuisance - Against all Defendants)

- 30. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.
- 31. On information and belief, with the acquiescence, encouragement, and authorization of Defendants, Defendants' agents engaged in acts and conduct which constitute nuisances.
- 32. On information and belief, these nuisances were knowing, intentional, not authorized, and not privileged.
- 33. These nuisances substantially interfere with Plaintiff's use and enjoyment of 2371 17<sup>th</sup> Avenue.
- 34. Plaintiff has been damaged in an amount and nature to be determined by the Court. Some acts constituting nuisance can be remedied by money damages; others can only be remedied by injunctive relief to remove encroaching structures and prohibit future encroachments.

#### Third Cause Of Action

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

- 35. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.
- 36. Plaintiff's title is based on the Grant Deed to the property located at 2371 17<sup>th</sup> Avenue, which is directly adjacent to 730 Taraval Street where an encroaching structure is built thereon and attached to the structure (single family dwelling) located on 2371 17<sup>TH</sup> Avenue, the property of Plaintiff.

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- 38. Plaintiff also names as defendants in this action all persons unknown claiming (a) any legal or equitable right, title, lien, or interest in the property (2371 17th Avenue) adverse to Plaintiff's title, or (b) any cloud on Plaintiff's title to the property. The claims of each unknown defendant are without any right, and these defendants have no right, title, lien or interest in the property.
- 39. Plaintiff desires and is entitled to a judicial declaration quieting title in Plaintiff and restoring full right, title, possession and interest in the property.
- 40. Plaintiff also seeks a determination of his title in the property located at 2371 17th Avenue against Defendants, including but not limited to any claims of adverse possession or a prescriptive easement.

#### WHEREFORE, Plaintiffs pray for relief as follows:

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

235 MONTGOMERY STREET, SUITE 400 SAN FRANCISCO, CALIFORNIA 94104

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

Respectfully Submitted,

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Dated: October 7, 2016

ZACKS, FREEDMAN & PATTERSON, P.C. Attorneys for Plaintiff,

ANDREW LEE

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

An William

#### Stephen M. Williams

From: Schalkwyk, Andrew <aschalkwyk@coblentzlaw.com>

**Sent:** Thursday, June 22, 2017 12:06 PM smw@stevewilliamslaw.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

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.

#### Stephen M. Williams

From: Stephen M. Williams <smw@stevewilliamslaw.com>

**Sent:** Thursday, June 22, 2017 12:33 PM

To: 'Schalkwyk, Andrew'
Cc: 'Yin Clifford'

 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@stevewilliamslaw.com
Cc: Yin, Clifford <CEY@cpdb.com>

Subject: 730 Taraval - Board of Appeals: 17-042, 17-043, 17-044, 17-045

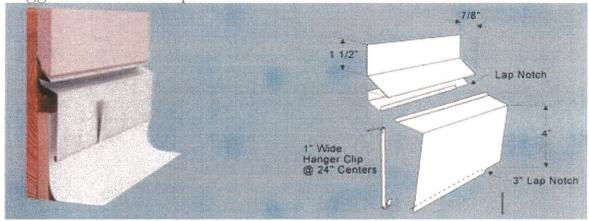
Dear Mr. Williams,

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

### 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.

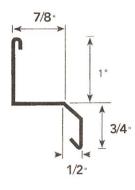


Stucco Reglet





#### 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**

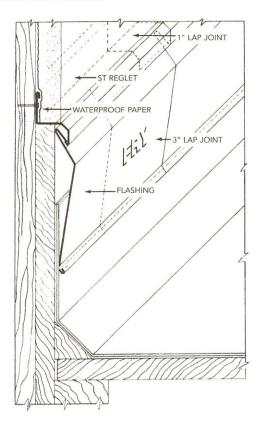
#### MATERIAL & THICKNESS

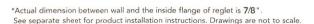
- Galvanized steel 24 ga.
- Copper 16 oz.
- Aluminum 0.025"
- Stainless steel, Type 304 0.020"

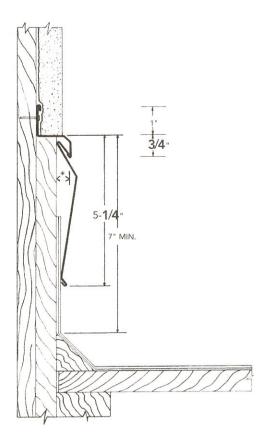
#### FINISH & COLOR

- 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**

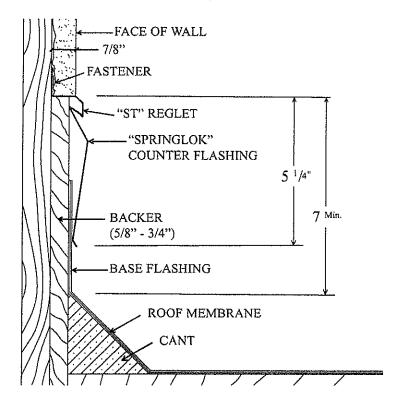






© 2004 Fry Reglet Corporation

### Fry Reglet Springlok® Flashing System 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.

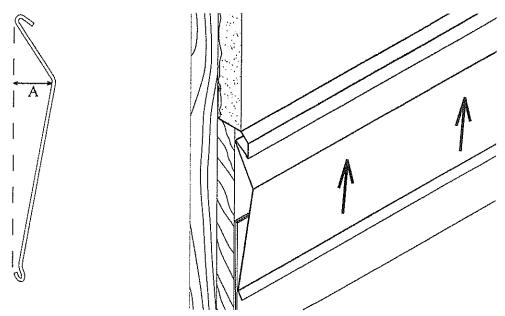
Reglets: 1). Install factory fabricated inside & outside corners before installing straight lengths; 2). Install reglets before lathing; 3). Make sure that reglets are right side up; 5). Be sure to install lathing and membrane so they will be able to lap vertical flange; 5). Install horizontal flange 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 Springlok® Flashing System Type: ST-Stucco (With Counter Flashing Backer Board)

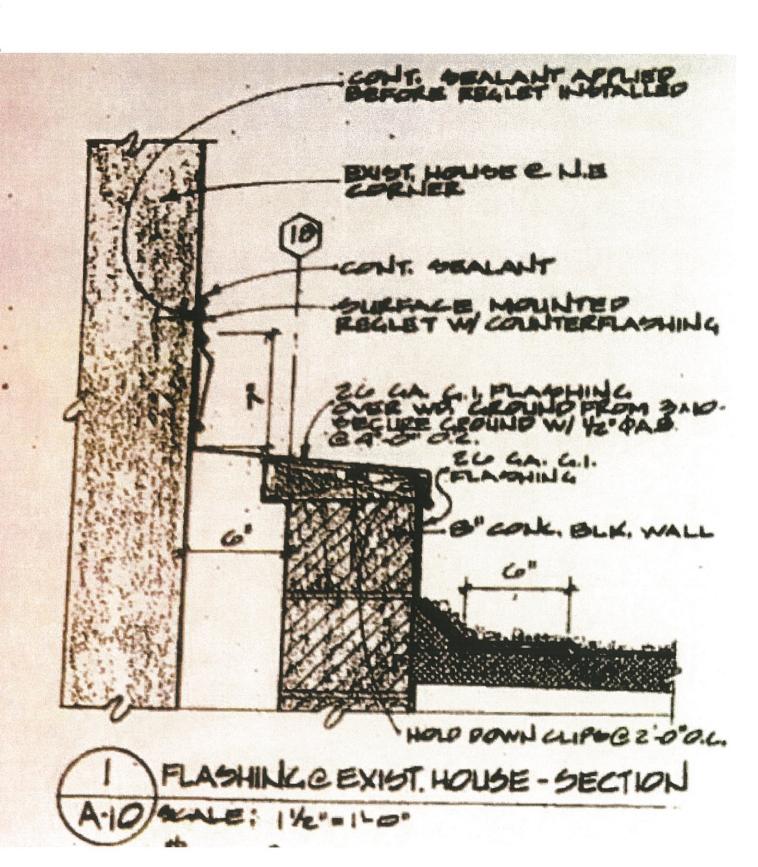
#### Installation - cont.

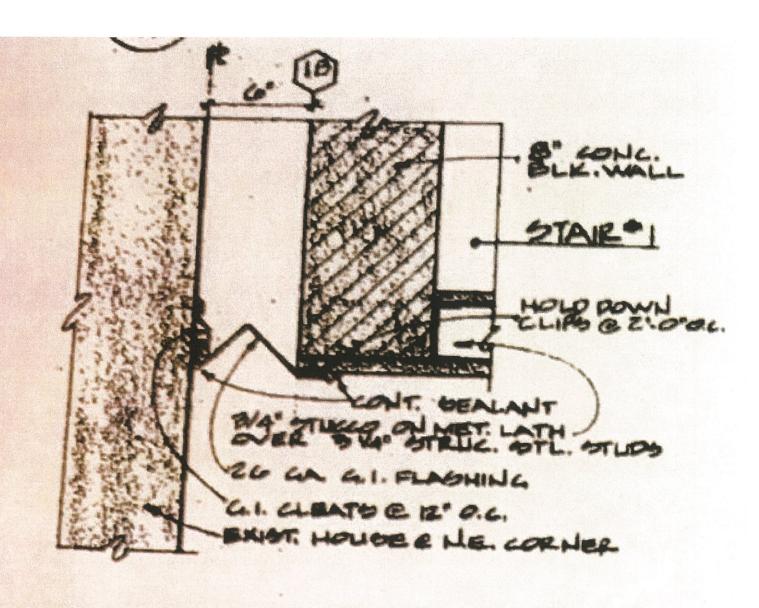
dimension, measured from face of wall to apex of "V" shape of flashing, is 3/4" (dimension "A"); 2). Install factory mitered inside and outside corners before installing straight lengths; 3). Maintain constant horizontal pressure against face of wall, apply upward pressure with palm of hand until flashing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

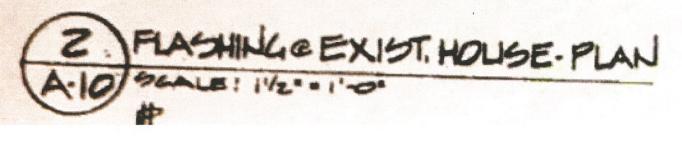


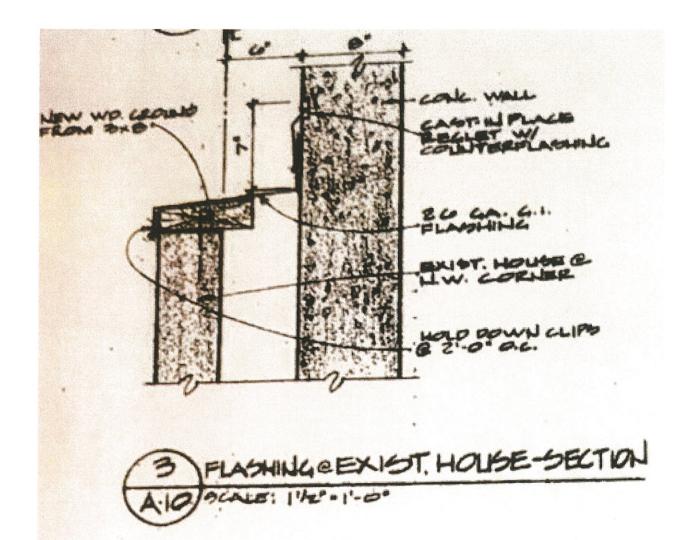
Counter Flashing Removal: 1). Insert putty knife at one end of counter flashing between counter flashing and reglet; 2). Apply slight pressure against counter flashing to force it away from face of reglet; 3). Press down on counter flashing to slide it out from under reglet.

ouppace. Mounted mexica CONT. SEALANT w/ countemplashing. 2664.61. PLASHING OVER WOOD SPIDUND FR SXID ZO GA GI. FLAGHING WIG LAP M GRAVEL ON BUILT-UP PROPENS OVER 2" PIGIO THEPIMAL IN TH MET. DECH conc. Black ADJACENT BUILDING-ENGH. 0.112 34 STUCCO ON MET. LATH 31/4 STALC. STL. STUDGE 1600.C THERMAL BOTT INSULATION









# EXHIBIT 10

#### COMPLAINT DATA SHEET

Complaint

201650405

Number:

OWNER DATA SUPPRESSED

Owner/Agent: Owner's Phone: Date Filed: Location:

Contact Name:

Block:

730 TARAVALST

Contact Phone:

Lot:

2346 014

Complainant:

COMPLAINANT DATA SUPPRESSED

Site:

Rating:

Occupancy Code: Received By:

Division:

**GSAMARAS** 

BID

Complainant's

Phone: Complaint Source:

WEB FORM

Assigned to Division:

BID

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:

Description:

#### INSPECTOR INFORMATION

DIVISION	INSPECTOR	D	DISTRICT	PRIORITY
BID	SCHROEDER	1144	13	

#### REFFERAL INFORMATION

#### COMPLAINT STATUS AND COMMENTS

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

#### COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

Online Permit and Complaint Tracking home page.

#### **Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

Contact SFGov Accessibility City and County of San Francisco @ 2017

1 HOWARD A. SLAVITT (State Bar No. 172840) CLIFFORD E. YIN (State Bar No. 173159) ANDREW SCHALKWYK (State Bar No. 287170) COBLENTZ PATCH DUFFY & BASS LLP One Montgomery Street, Suite 3000 **BOARD OF APPEALS** San Francisco, California 94104-5500 Telephone: 415.391.4800 Facsimile: 415.989.1663 5 Email: ef-has@cpdb.com ef-cey@cpdb.com 6 ef-aps@cpdb.com 7 Attorneys for Respondent SAFEWAY, INC. 8 9 10 BOARD OF APPEALS 11 CITY AND COUNTY OF SAN FRANCISCO 12 13 ANDREW LEE, Appeal Nos. 17-042, 17-043, 17-044, 17-045 Appellant, 14 Subject Property: 730 Taraval Street 15 Permit Nos.: V. 201703091074 201703091075 SAFEWAY, INC., 16 201703091076 201703091077 17 Respondent. RESPONDENT SAFEWAY, INC.'S BRIEF 18 19 September 27, 2017 Date: Time: 5:00 p.m. 20 Place: City Hall, Room 416, One Carlton B. Goodlett Place 21 22 23 24 25 26 27

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## INTRODUCTION

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

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

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

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

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

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

## FACTUAL BACKGROUND

#### I. Construction of the Supermarket.

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

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

#### **Appellant Purchases 2371 17th Avenue** II.

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

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

#### The Permits Subject to this Appeal III.

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

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

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

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

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

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

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

Permit
Prior Permit
Ph# 200709273880, 200706214667,

Permit	Prior Permit
Application No. 201703091074	PA# 200709273880, 200706214667, 200707247528
Application No. 201703091075	PA# 200704249561
Application No. 201703091076	PA# 200708068886
Application No. 201703091077	PA# 200809151554, 200812108180, 200907021890

## IV. Plaintiff Files Suit Against Safeway

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

## V. Appellant Appeals the Permits

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

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

Since filing the appeal, Appellant has repeatedly rebuffed Safeway's attempts to address Appellant's complaints. Appellant informed Safeway that he had incurred a bill of \$3,600 for a 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.

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

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

## **ARGUMENT**

#### I. Appellant Provides No Basis For The Board To Overturn DBI's Decision.

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

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

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

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

## Appeal of These Permits is Not the Appropriate Forum in Which to Raise Concerns about the Flashing.

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

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

#### В. The Board Is Not The Appropriate Forum Because Resolution Of The Dispute Also Turns On The Legal Question Of Consent.

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

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

Appellant is also not coming to the Board with clean hands himself. On March 10, 2017 DBI issued Appellant a Notice of Violation because Appellant paved over 100% of his property's front 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.

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 94 04-5500	415.391.4800 · FAX 415.989.1663

## 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

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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.

lachael 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.

## 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@stevewilliamslaw.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

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## 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

REALELL LAW

Appeal No.: 17-042

Appeal Title: Lee vs. DBI

Permit Type: Alteration Permit

Subject Property: 730 Taraval Street

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

# BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of ANDREW LEE,	Appeal No. 17-042
Appellant(s)	
vs.	)
DEPARTMENT OF BUILDING INSPECTION.	) )
Respondent	<del></del>

## **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



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO BOARD OF APPEALS MAR 2 3 2017 APPEAL #17-042

## 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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 Le				





MAR 0 9 2017

**APPLICATION FOR BUILDING PERMIT** ADDITIONS, ALTERATIONS OR REPAIRS

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

**NUMBER OF PLAN SETS** 

CIFE COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

APPROVED FOR ISSUANCE MAR 0 9 201

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.

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BOARD OF APPEALS

MAR 2 3 2017

APPEAL # 17-042

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#### IMPORTANT NOTICES

Pursuant to San Prencisco Sulfiding Code, the building permit shall be posted on the job. The owner is nexponeable for approved plans and applied for being kept of building afte.

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- ARCHITECT
- E CONTRACTOR
- O ENGINEER

**APPLICANT'S CERTIFICATION** 

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

## NOTICE TO APPLICANT

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OWNER'S AUTHORIZED AGENT

City & County of San Francisco
BOARD OF APPEALS

CONTACT INFORMATION FOR PARTIES BOARD OF APPEALS Appeal No(s): \_\_ MAR 2:3 2017 APPELLANT(S) Name: Phone Number: Fax Number: (4/8 lee St @aol. co Email Address: Mailing Address: Names of Other Appellants: **Agent for Appellant** Name: Phone Number: Fax Number: Email Address: Mailing Address: State OTHER PARTY (PERMIT HOLDER, VARIANCE HOLDER, ETC.) Phone Number: \_\_ Fax Number: Email Address: Mailing Address: Names of Other Parties: Agent for Other Party Bryan Enriquez Tilton Pacific Construction Phone Number: 916-316-6772 Email Address: benriquez@fpcconstructionservices. Com Mailing Address:

## Cantara, Gary (PAB)

From:

Cantara, Gary (PAB)

Sent:

Thursday, March 23, 2017 5:03 PM

To: Cc: 'andrewleesf@aol.com'

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: Attachments:

APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET

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,		Appeal No. 17-043
	Appellant(s)	1
	9	
VS.	)	
DEPARTMENT	OF BUILDING INSPECTION.	
	Dospondont	

## **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

MAR 2 3 2017 APPEAL #17-043

## 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. 2017/03/09/1076 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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 Le

MAR 09 2017

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

**APPLICATION FOR BUILDING PERMIT** ADDITIONS, ALTERATIONS OR REPAIRS 10/1/17

WO FORM 3 OTHER AGENCIES REVIEW REQUIRED FORM 8 A 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.

APPROVAL

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DATE FILED : FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	HLDCK & LOT
MAR 0 9 2017	730 TARAUAS	123.46/14
14/90 86 MAR 0 9 2017	(2A) ESTIMATED COST OF JOB (2B)	1400 BJC DATE DATE O 9 2017
INCODE	ATION TO BE EUDNICHED	RY ALL ADDITIONTS

BOARD OF APPEALS

MAR 2 3 2017 APPEAL # [7-043

14/9086 MAR 09 2017 \$ 1.50 BM. 9/400	Delle a committee of the committee of th
INFORMATION TO BE FURNISHED BY ALL APPLICAN	
	113
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COMPLET OF BACHMAN	i i i i i i i i i i i i i i i i i i i
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION	
(4) TYPE OF CONSTR. (5) NO. OF STORIES OF BASEMENTS (7) PROPOSED USE (LEGAL USE)	(8) OCCUP. CLASS (9) NO. OF DWELLING
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED YES CONS	YES Q (13) PLUMBING YES Q WORK TO BE YES Q NO PERFORMACO? NO SY
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[14] GENERAL CONTRACTOR ADDRESS ZIP GLAPHONEC 30 [14]	4
to Low KACIAC 4150 CITTEDS DOC COCKING CO 95617	1-1100
(16) DWNER - LESSEE (CROSS OUT DNE) ADDRESS ZIP	PHONE (FOR CONTACT BY DEPT.)
Extering 5918 STONE ruse will a 2 leacherter	925-467-2628
(16) WRITE IN DESCRIPTION OF ALL WIRK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)	
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Fo obtain tinal inspection	
for work approved under	
PA# 200 70806 8886	
PA# 0100 10800 8880	
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ADDITIONAL INFORMATION	
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OREATE ADDITIONAL HEIGHT YES THE WHENCH AT CREATE DECK OR HORIZ.  OR STURY TO BUILDING? NO CHYTER LINE OF FRONT EXTENSION TO BUILDING?	NO SE FLOOR AREA SQ. FT.
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(25) ARCHITECT OR ENGINEER (DESIGN C) CONSTRUCTION (C) ADDRESS	GALIF, GENTUFICATE NO.
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. ADDRESS	
IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	

### IMPORTANT NOTICES

character of the occupancy or are willout first obtaining a Saliding Permit an Francisco Building Code and San Francisco Housing Code.

No portion of building ar structure or scatteding used during construction is to be deser than  $8^{\circ}0^{\circ}$  to any wire containing were than 750 volta. See Sec 365, California Peral Code.

Pulsuant to 5 in Francisco Building Coda, the ballding permit shall be poeted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade tinus as abount on drawings accompanying his spokestion are essumed to be correct. If solvel grade firms are not the salite as aboum, revised drawings abouting correct grade linus, outs and 92°2, and complete details of vetaleing walks and walf forthings must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

Building not to be occupied intil destificate of final completion is posted on the building or Perrit of occupancy granted, when recurred.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WITHING OR PLUMBING JUSTALLATIONS. A SEPARATE PERMIT FOR THE WIRENE AND PLUMBING WHAT BE GETAINED. SEPARATE PERMITS ARE REQUIRED (FANSWER IS "YES" TO ARY OF ABOVE QUESTIONS (10) (11) (12) (13) (22)

THIS IS NOT A SHILDING PERMIT. HO WORK SHALL BE STARTED UNTIL A SUILDING PERMIT IS ISSUED

In dwellings, all insulating materials must have a clearance of outless than two inches from all electrical where or applyment.

CHECK APPROPRIATE BOX CONTRACTOR

ARCHITECT
AGENT
BIGMEER

**APPLICANT'S CERTIFICATION** 

I HERCEY 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 COMPULED WITH.

**NOTICE TO APPLICANT** 

LESS CLAUSE. The parentiterial by acceptance of the permit, agricitel to indeantify and hold harm Country of San Francisco from and against very and all scalma, demends and ections for dominage an operations under this permit, regardless of regilgence of the city and Genday of 2 in Francisco, defense of the City and Coccaty of San Francisco against all seach delical, examinate or rediction.

ally with the provisions of Section 3900 of the Labor Code of the State of California, the applicant shall ser's consponsation coverage under (1) or (8) designated below, or shall indicate from (85, (95, or (95, 15 applicable. Il bouwyar liam (4) de checked, liom (95) must be checked as work. Mark the appropriate correllmen below.

I hereby uffirm smaler panisty of perjury one of the following declarations:

- I have and will maintake a certificate of consent to self-ineure for worker's companisation, as provided by Seation 3700 of the Labor Code, for the performance of the work for which this pennit is issued.
- II. There and exit maintain worker's compensation insurance, as required by Seetion 3700 of the Labor Code, for the performence of the work for which this person to leave. My worker's compassation insurance carrier and policy random are.

  Corrier

1600000017

- i omitify that is the performance of the work for which this permit is issued, I shall not employ any person in any emerce or an is become subject to the yerlar's competitable level of Galifonda. The these actioned age that I understand that it to be even that it should become ediplic to the worker's compensation provisions of the Labor Code of California and that to comply forferth with the provisions of Section 2016 of the Labor Code of California and that to comply forferth with the compensation provisions of Section 2016 of the Labor Code, that the point it needs applied for sale to do cross or some contract of the California and the comply for the compensation of the California C
- I certify as the comer (or the agent for this country) that in the performance of the work for which this permit is based, it all employ a contractor who complify with the worker's compensation laws of California with poly to bit the commemorant of any work, will till a completed copy of this form

**CONDITIONS AND STIPULATIONS** REFER DATE: MAR 0 9 2017 TO: REASON: OK to issue NOTIFIED MR.B.LLA (76 BUILDING INSPECTOR, DEPT OF BLDG. INSP. APPROVED: DATE: REASON: BOARD OF APPEALS NOTIFIED MR. DEPARTMENT OF CITY PLANNING MAR 2 3 2017 APPROVED: DATE: . APPEAL #27 REASON: HOLD SECTION - NOTE DATES AND NAMES BUREAU OF FIRE PREVENTION & PUBLIC SAFETY NOTIFIED MR. APPROVED: DATE: .. REASON: MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION NOTIFIED MR. APPROVED: DATE: REASON: CIVIL ENGINEER DEPT. OF BLDG. INSPECTION NOTIFIED MR. APPROVED: DATE: . REASON: BUREAU OF ENGINEERING NOTIFIED MR. APPROVED: DATE: \_ **REASON:** DEPARTMENT OF PUBLIC HEALTH NOTIFIED MR. APPROVED: DATE: . REASON: NOTIFIED MR. REDEVELOPMENT AGENCY APPROVED: DATE: **REASON:** 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.

4)

OWNER'S AUTHORIZED AGENT

Number of attachments

City & County of San Francisco

# **CONTACT INFORMATION FOR PARTIES**

Appeal No(s):		6.			SUAH	D OF APPEAL	S	
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APPELLANT(S)					APPEA	L#17 04	7	- 2
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Mailing Address:	390	drestee. Myellan	Re	San Fran	was	CIA		84116
	Street	<del>-                                    </del>		City		State		Zip
Names of Other A	ppellants	<u>:</u>				54		
			II.	9.	1	02		
Agent for Appell	ant					16		
Name:	<del></del>			<u></u>	*		<del></del> .	
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Email Address: _			4	<del></del> -		'	Q.	<del></del>
Mailing Address:								
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OTHER PARTY (	PERMIT	OLDER, VARIA	NCE HO	LDER, ETC.	)			01
Name:		Safeway, Cr	nc.	<u></u>				
Phone Number:		<u> </u>	Fa	x Number:	(i)			<u> </u>
Email Address:					Q.			
Mailing Address:	5918	8 Stoner	idge	Mall Rd	. Pla	asanton:	CA	94588
	Street		J	City		State		Zip
Names of Other P	arties: _				·-·			- 2
Agent for Other F	Party							/2
Name: Bryan		21107	iltor	Pacific	Can	struction		
Phone Number:	<u></u> .	_		x Number: _	_ <u>~ ~ / / / / </u>		11.	
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Mailing Address:	Street	CLATUS FIN	ا دے	City		State	956	7 <i>7</i> 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:

**Attachments:** 

APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET

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.: 17-044

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

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

Appeal of ANDREW LEE,	)	Appeal No. 17-044
7.1157.4.1	Appellant(s)	
vs.	×2 <b>\</b>	
DEPARTMENT OF BUILDIN	(G INSPECTION,	

## **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. 2007/04/24/9561; all work is complete) at 730 Taraval Street.

## APPLICATION NO. 2017/03/09/1075

## 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	
		9



Date Filed:

**BOARD OF APPEALS** 

MAR 2 3 2017

APPEAL # 17-049

## 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. 2017/03/09/1075 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> if possible.

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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:\_





MAR 0 9 2017



(1) STREET ADDRESS OF JOB

## **APPLICATION FOR BUILDING PERMIT** ADDITIONS, ALTERATIONS OR REPAIRS

W C でリカラ FORM 3 ロ,OTHER AGENCIES REVIEW REQUIRED FORM 8/XI OVER-THE-COUNTER ISSUANCE

NUMBER OF PLAN SETS

FRUNG FEE RECEIPT NO.

#### 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 0 9 2017

Francisco (24) ESTUMATED COST OF JOS \$ 1.00

TARAVAL

▼ DO NOT WRITE ABOVE THIS LINE ▼

BLOCK & LOT

DATEMAR 0 9 2017

I*PPROVE*D FOR ISSUANCE

**一名6** 七8

APPROVAL NUMBER

MAR 2 3 2017 APPEAL # 17-044

INFORMATION TO BE FURNISHED BY ALL APPLICANTS					
	TION OF EXISTING BUILDING				
(AA) TYPE OF CONSTR. (SA) NO. OF STORIES OF SABEMENTS AND CELLARS:	u. iletail	(8A) OCCUP. CLASS	BR) NO. OF DWELLING JMTS:		
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(d) TYPE OF CONSTR. (D) NO. OF STURIES OF COCUPANCY: (AMD CRLLARS: AMD CRLLARS:	M. Retal	- M- 19146	S) HD, OF DWELLING JNITS:		
110) IS AUTO ROUMMAY TO BE CONSTRUCTED  OR ALTERED?  NO CONSTRUCTION?	YES O (12) ELECTRICAL WORK TO BE NO PERFORMED? - 2.00	YES (13) PLIMBING WORK TO SE PERFORMED?	YES []		
(14) GENERAL CONTRACTOR ADDRESS	ZIP 9 KO GO PHONE		TIÊN DATE		
fillow Pacific 4150 CITES INC	Rodelin a 95677		2013		
(15) OWNER - LESSEE (CROSS DÚT ONE) ADDRESS	ZIP	STRC# PHONE (FOR CONTACT BY D			
Saterian 5918 STONEY Dee mill -	2 Pleasenton Ca 9	4533 925-40	-7-2628		
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (	REFERENCE TO PLANS IS NOT SUFFICIENT)				
To obtain mai inspection			_		
for work approved under					
PA# 20070112119561					
All work is complete					
		n e			
ADDIT	IONAL INFORMATION				
(17) DOES THIS ALTERATION CREATE ADDITIONAL RESISTAT OR STORY YO BUILD HIME?  NO 540  (19) IF (17) IS YES, STATE NEW HEIGHT AT NO 540  CENTER LINE OF PRONT	(19) DOES THIS ALTERATION CHEATE DECK OR HORIZ, EXTERSION TO BUILDING?	YES (20) IF (18) IS YES, STATE NEW GROUND NO SEL FLOOR AREA	. \$0.FT.		
(21) WILL SIDEWALK OWER SUB-SIDEWALK SPACE BE SEPANDED OR ALTERED? NO 521- PROPERTY LINE?	YES (2) ANY OTHER EXISTING BLDG. NO 22 ON PLOT PLAN)	YES (29 DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	N YES C		
(25) ARCHITECT OR ENGINEER (DESIGN C) CONSTRUCTION C)	ADDRESS	GALIF. CENTIFICATE N			
(28) CONSTRUCTION LENDER (ENTER NAME AND BRANCH SESIGNATION IF ANY. If there is no known construction lender, exter "Unindown")	ADD	RESS			

#### IMPORTANT NOTICES

He portion of building or structure or acaticoling used during construction is to be classer than 6°9" to any wire combaining many then 750 volts. See Sec 365, California Penal Code.

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

Grade Hr.x: as shown as drawings accompanying this application are assumed to be correct. If actual grade lines are not the sense as shown, revised drawings abouting correct grade lines, cutz and fills, and examined details of retaining walls and equil tentings meet be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIT OR BY CODE MAY HE APPEALED.

Building not to be occupied until certificate of final completion is posted on the building of permit of occupancy enanted, when required.

This is not a building permit, no work skall be started until a building permit is issued.

by dwellings, all instituting realertals need have a clearance of not fine these two incites from all ejectrical

CHECK APPROPRIATE ROX

ONNER
LESSEE
CONTRACTOR

☐ ARCHITECT ☐ AGENT

APPLICANT'S CERTIFICATION

IMERIESY CERTIFY AND AGREE THAN IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES TREPIETO WILL BE

#### **NOTICE TO APPLICANT**

HOLD HARVILESS CLAUSE. The permitteeting by exceptance of the permit, agree(a) to intermetly and hold harm the City and Cosmly of Sen Francisco from and against any and all claims, demands and actions for demanges resulting from operations under this permit, repartities of negligence of the City and Cosmly of Sen Francisco, and the committee of the City and Cosmittee of the Repartition and the City and Cosmittee of the City and City an

nity with the provisions of Section 3409 of the Labor Code of the State of Catifornia, the applicant shall car's companisation coverage under (i) or (ii) designated below, or shall indicate item (iii), (iii), or (ii), is applicable. It however item (ii) is ofsected, item (iii) must be checked as well. Herk the appropris

- I have sent will makele in a conflicule of consent to enti-lineers for worker is corepensation, as by Section 3700 of the Labor Code, for the performance of the work for which this permit is in
- I figure and will analysis in worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of this work for which this pennil is issued. Hy worker's compensation jummance contrive and yolky number are:

EVERT 1000000

- ( ) IV. I certify that in the performance of the work for which this parm'd is listed, I shall not employ any person in any manner so as to become subject to the worker's compensation level of Cellife I further authorated part latt is underhand that it the event latt is shown the some exhibit to the second that I show the boomer willook to the second personation prediction of the Labor Code of Cellifernia and that is comply forevoit with the provisions of Section Selford in Earlier Code, that the purify therein applied for that is as it was a second of Section Selford in Earlier Code, that the purify therein applied for that is as it was a second of Section Selford in Earlier Code, that the purify therein applied for that is as it was a second of Section Selford in Earlier Code, that the purify therein applied for that is as it was a second or selford the selford in the self-order in the self-order
- V. I certify as the owner for the agent for the exmery that in the performance of the work for which
  this permit is leased, full employ a contractor who compiles with the worker's compensation laws
  of California and wide, prior to the commencement of any work, will the a completed copy of this for
  with the Central Permit Servers.

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		APPROVED:		DATE:
BOARD OF APPEALS				1
MAR 2 3 2017	-		BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	NOTIFIED MR.
APPEAL # 17-044		APPROVED:	A	DATE:
		·	MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	NOTIFIED MR.
		APPROVED:		DATE:
				REASON:
			CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	NOTIFIED MR.
		APPROVED:		DATE:
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			BUREAU OF ENGINEERING	NOTIFIED MR.
		APPROVED:	·	DATE:
			DEPARTMENT OF PUBLIC HEALTH	NOTIFIED MR.
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		Ti .	-	REASON:
			REDEVELOPMENT AGENCY	NOTIFIED MR.
		APPROVED:		DATE: REASON:
			HOUSING INSPECTION DIVISION	NOTIFIED MR.
	l:	agree to comply with all conditions o f conditions or stipulations, which are	or stipulations of the various bureaus or departments noted on this applica a hereby made a part of this application.	tion, and attached statements
		Number of attachments	CHANGE A STUDBLED AGENT	

# city & County of San Francisco

# CONTACT INFORMATION FOR PARTIESBOARD OF APPEALS

# MAR 2 3 2017 Appeal No(s): \_\_\_\_\_ APPELLANT(S) Name: Phone Number: 415-756-7666 Fax Number: (418) 566-0539 sleeSt@aol. com Fmail Address: Mailing Address: 3 Names of Other Appellants: Agent for Appellant Name: Fax Number: Phone Number: Email Address: Mailing Address: \_ Street City State OTHER PARTY (PERMIT HOLDER, VARIANCE HOLDER, ETC.) Name: Safeway, Inc. Fax Number: Phone Number: Email Address: \_\_\_ 5918 Stonendge Wall Street Names of Other Parties: **Agent for Other Party** Tilton Pacific Construction Name: Bryan Enriques Phone Number: 916-316-6772 Fax Number: Email Address: benriques @ +pc construction services. Com Mailing Address: 4170

#### 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 of ANDREW LEE,	)		Appeal No. 17-045
Appellant(s)			
vs.	(		
DEPARTMENT OF BUILDING INSPECTION.  Respondent		27	

#### **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



Date Filed:

EOARD OF AFPEALS

MAR 2 3 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: <a href="mailto:boardofappeals@sfgov.org">boardofappeals@sfgov.org</a> 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: Andre Vie	_					



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MAR 0.9 2017

lom C. Heri TOM C. HUI, S.E. DIRECTOR

DEPT OF BUILDING INSPECTION

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 COTHER AGENCIES REVIEW REQUIRED FORM 8 A CVER-THE-COUNTER ISSUANCE

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STIMATED COST OF JOB

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CITY AND COUNTY OF SAN FRANCISCO

**DEPARTMENT OF BUILDING INSPECTION** 

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF

ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE

BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS

AND SPECIFICATIONS SUBMITTED HEREWITH AND

MAR 0 9 2017

APPLICATION NUMBER

OSHA APPROVAL NUMBER

**BOARD OF APPEALS** 

MAR 2 3 2017

APPEAL #17-04

INFORMATION TO BE FURNISHED BY ALL APPLICANTS							
LEGAL DESCRIPTION OF	EXISTING BUILDING						
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Tilton Pacific 4150 CITERS ALL							
(15) OWNER - LESSEE (CRUSS OUT DKE) ADDRESS ZIP	BTROS PHONE (FOR GÓNTAGT BY DEPT.)						
SAFFLAN INC STRICTURE No 11 00 1/18	muly (4 94538 925.467-2625)						
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#### IMPORTANT NOTICES

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ribun of bulliding or almoters or sea fishing used during search ucities in to be clother them 8°6" hibs more than 750 volts. See Sec. 385, Galifornia Penal Cods.

nd to San Francisco Suffiding Code, the building permit stad he pested on the job. The owner is able for approved plans and application being kept at hatiding also.

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AMY STIPULATION REQUIRES HEREIN OR BY CODE MAY 90 APPEALED.

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

APPROVAL OF THIS APPLICATION DOES NOT CORRITTUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBERS INSTALLATIONS. A SEPARATE PERSON FOR THE WIRING AND PLEASING MUST BE OBTAINED. SEPARATE PERSON FOR REGISTRED IF ANSWER 13 "YES" TO ANY OF ABOVE QUESTIONS (40) (11) (12) (13) (22)

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

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CHECK APPROPRIATE BOX

OWNER
LESSEE
CONTRACTOR

ARCHITECT
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APPLICANT'S CERTIFICATION

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

**NOTICE TO APPLICANT** 

NOLD MARKLESS CLAUSE. The permithenty by acceptance of the permit, agreedy to indeemity and both some the City and County of San Francisco from said against any said of claims, destructs and authors for damages requising them operations under this permit, regarders of segligeres of the City and County of San Francisco

uty with the provisions of Section 2000 of the Labor Code of the Stale of Celffornia, the applicant shall ne'd compensation coverage under () or (i) designated below, or shall indicate learn (ii), (iv), or (v), is applicable. If however then (v) is checked, then (iv) must be checked as well. Mark the appropria

- re and will maintain a certificate of canaent to self-insure for worker's compensation, as provided saction 3700 of the Labor Code, for the partermance of the work for which this permit is issued.
- merice's compensation insurance, as naquined by Section 3700 of the Lebo 20 of the mark for which this pomeit is issued. My worker's compensation May number are:

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- ner (or the agent for the evener) that in the performance of the work for which ed, I will employ a contractor who consides will the sucrier's compareration less the, prior to the countencement of any work, will tilb a completed cupy of this form

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BOARD OF APPEALS MAR 2 3 2017					NOTIFIED MR.  DATE:
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		APPROVED:	BUREAU OF ENGINEERIN		NOTIFIED MR.
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			DEPARTMENT OF PUBLIC	HEALTH	NOTIFIED MR.
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		Number of ettachments			<b></b> -
			OWNER'S AUTHORIZED AG	ENI	

## **CONTACT INFORMATION FOR PARTIES**

Appeal No(s):	1	BOARD OF APPEALS	
	<del></del>	. MAR 2 3 2017	26 . 0
APPELLANT(S)		APPEAL # 17-045	
Name: Andrew Lee			
Phone Number: 415 - 756 - 760	ے Fax Number: _	(4K) 566 -	0539
Email Address: <u>andreslee</u>	est @aoli	con	•
Email Address: Andrew less Street	n the San Fran	www Cot	94116
Street	City	State	Zip
Names of Other Appellants:			
Agent for Appellant	(4)	**	
Name:	8		
Phone Number:	Fax Number:		
Email Address:		il i	_
Mailing Address:			
Street	City	State	Zip
OTHER PARTY (PERMIT HOLDER, VAR		* 2	
Name: Safeway, Inc.			
Phone Number:	Fax Number:		
Email Address:			
Mailing Address: 5918 Ston	endgeMallRd.	Plea Santon, (A)	94588 Zip
Names of Other Parties:			:
Agent for Other Party			
Name: Bryan Enriquez	Tilton Pac	ific Construction	0
Phone Number: 916-316-6172	Fax Number:	Construction of the second	<i>(</i> )
	_	- COULICA- P-12-	•
Email Address: benciques @ 1	Ave Rockh	n services - Com	
Mailing Address: 4170 Citruc Street	City	A CH 95 State	<i>ا   عا</i> 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);

Walis, Mark (DBI)

Subject: Attachments: APPEALS FILED, NOS. 17-042, 17-043, 17-044 & 17-045 @ 730 TARAVAL STREET 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





MAY 2 2 2007 the should not read that the state of the st appared a material applicant of the same o ISAM HASENIN, P.E., C.B.O.
DEPT. OF BUILDING INSPECTION

APPLICATION FOR BUILDING PERMIT **ADDITIONS, ALTERATIONS OR REPAIRS** 

FORM 3 TOTHER AGENCIES REVIEW REQUIRED

FORM 8 OVER-THE, COUNTER ISSUANCE +Ca/LS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

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ı														
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ı	(25) ARCHITECT OR ENGINEER (DESIGNACE)	CONST	RUCT	10H (2)		ADDRES:	3					CALIF.CERTIFICATE NO.		

MCG ARCHITECTURE - 78 5 MARKET ST. SF. CA94103

DESCRIPTION LEADER SOUTH NAME AND BRANCH DESIGNATION F AM, FITHER IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")

ADDRESS

<u>C-22118</u>

#### IMPORTANT NOTICES

Invitrom 1 AN 1 NOTICES

No change shall be reads in the character of the coopency or use without flast obtaining a Suitising Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

n of building or structure or scaffolding used during construction, to be closer than 60° containing more than 750 volts See Sec 395, Catifornia Pensi Code.

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

Origins than a surviver on drawings accompanying this application are assumed to be correct. If opinity practicities are not the assess are shown revised crawings showing correct grade lines, cuts and this together with complete details of retaining waits and wall footings required must be subgridted to this department for approved.

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 WHICH REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WHIRING AND PULLWEING MUST DE OSTAINED, SEPARATE PERMITS ARE REDUIRED IF ANSWER IS "YES" TO ANY OF ABOUR CUESTIONS (10) (11) (12) (13) (23) OR (44).

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

in dwallings all insulating materials must have a degrance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX
OWNER
CLESSEE
CAGENT
CONTRACTOR
CENGREER

APPLICANT'S CERTIFICATION

THEREBY CERTIFY AND AGREE THAT IF A PERMIT IS BSUED FOR THE CONSTRUCTION
DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS
AND CRIDINANCES THEREFOR WILL SE COMPLED WITH.

9003-03 (REV. 1/02)

#### NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. This permitted by acceptance of the permit, agreeted to Indemnity and hold humanism the Oby and County of San Francisco from and against any and all dains, damands and actions for damage; resulting from operations under this permit, agardess of languages of the City at County of San Francisco, and to assume the defense of the City an County of San Francisco against all such training, damands or actions.

in conformity with the provisions of Section 8800 of the Labor Code of the State of Celifornia, the applicant shall have coverage under (0, or (0) designated below or shall inclinate him (10), or (17), or (17), whichever is applicable. If however from (17) is chacked from (17) must be checked as well. Man't the appropriate method of compliance below.

I hereby affirm under penelty of perjury one of the following de-

- | Jaive and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Self-insure for worker's compensation, as parently is issued.

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9003-01 (REV. 5/03)			



Firm Name

License # 2945
Expiration Date U/30 / 08
Firm Address 830 ( KSK7

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#### DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco 1660 Mission Street, San Francisco, California 94163-2414

4/24/27 DATE

#### PERMIT APPLICANT AND AUTHORIZED AGENT **DISCLOSURE AND CERTIFICATION**

0 New Ameridad Ħ 000704-24-956 Job Address: 730 TAPAVAL ST. **Permit Application No.:** This form must be completed in its unitraly in connection with an application for a building wernit (Forms 12.349.417.5 and 6). The form must be smended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expectava/consultants or afford them erential treatment. A. Permit Applicant Information I hereby owilly 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 have and codes, I am the commer, the leases or the agent of the ownercleases and am attitudents of the commerched with the 3. Name Architect & Engineer Phone No. Firm Name License # Expiration Date Firm Address authorized to sign all documents connected with this application or permit. City I declare under penalty of purjary that the foregoing is tesse and correct. I see the permit applicant <u>and</u> I am E. Constal Continued of Information Check bez(s): Note: Complete separate licensed contractor's statement also. (I) The owner (8) D The lases (C) 51 The authorized agent. Check entity(s): CI Apphiliact (D) G Engineer (D) Phone \_\_\_\_ Firm Name Contractor (E) D "Attorney (F) D Pennit Consultant/Expeditor (G) License # PROTECT MANAGER Expiration Date Firm address Print Applicant Name DENHIS AUSTRUA Sign Name Contractor not yet selected. If this box is checked, authorit an amended form when known. Owner - Bollder. If this box is checked; submit owner - builder decisiation form. B. Owner information Name Phone P. Allorsey Information Addin Name Phone Firm Name Firm Address City C. Lecces Information SKFEWKY City Zb Name ラファイモド・ウムモ PLANL A Q. Parmit Consultant / Expedite STONERIDINE 1458B Name Phone \_\_\_\_\_ Firm Name D. Architect / Engineer Information Firm Address None List all Architect(s)/Engineer(s) on project: 26 young wonct PArchitect DEngineer H. Authorized Agent - Others Phone No. DENNIS AUGUELA 416-974-4002 Pinn Name C22118 License # Phone Firm No Expiration Date PLCB 785 Pirm Nume \_\_\_\_ Pirm Address \_\_\_\_\_\_ Firm Addres 785 57. 4d 103 City 76 MARY ANH PHIPPS 2. Name. Please describe your relationable with the owner PRODET MAHAGER D Architect 235-31(6) ta Engineer Phone No. AZCONTECT STRUCTURE

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#### 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.# 2007-042/9561
Address 230 TAVANAL ST

#### LICENSED CONTRACTOR'S STATEMENT

Licensed	Contractor's Declaration
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License Number 1805.33

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.

Owner-Bu	dder Decke	penalty of p	*		spt from the Contra	PRINT  PR	Kend	· ·
	work, an I underst containe architect I, as own project (I copy of t further ac copy of t deemed a	d the structured and agreed herein, the agent ser of the pro- Sec. 7044). This form (Lie knowledge the Declaration appended.	re is not interest that in the estate in the	mded or of event that berein app clusively at the time ractor's D tand and a central Pe	rees with wages as to filtered for sale (Sec. any work is commendated for shall be decembered for shall be decembered for such contractors as eclaration) prior to agree that, in the ever mit Bureau, that the sale Code Sec.	7044). I finced contractioned suspensed contractions selected fine comments at that said	rither acknowny to the reproduct.  ractors to contractors of a contractors is	wledge that escatations natruct this them file a ny work. I fail to file a
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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



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



City

State

#### DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

-21-07 DATE

#### PERMIT APPLICANT AND ALITHORIZED AGENT DISCLOSURE AND CERTIFICATION

Number Amerided

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 possible thorne. 17. 319. 47. 5 and 5). 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 beekment. A. Permit Applicant Information 3. Nemo I hereby certify that for the purpose of tiling an application a Architect to Engineer for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Phone No. Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, if am the owner, the lesses or the agent of the owner/lesses and am authorized to sign all documents connected with this Firm Name License #\_ Expiration Dale Firm Addrese \_\_ application or pennit. City I declare under penalty of parjury that the foregoing is tone and correct. I am the permit applicant <u>and</u> I am E. Gametal Contractor Information Check box(s): a: Complete separate licensed contractor's statement elso. Name WESTERN ROUPING SENVICE
Phone 45764 4472
Phone 120764 4472
Phone 120764 ACT SCHUICE
License 120533
Expirition Date
Firm address 2544 OAKDAS NE
Chy Tenucato (4 94424
City D The owner (8) D The beene (C) [] The authorized agent. Check entity(s): O Architect (D) [] Engineer (D) Combactor (E) D-Allomay (F) □ Pennit Consider riferpediar (6) Nummer DOUGCAS Sign Name contractor not yet selected. If this box is checked, submit an amended form when known. Owner — Builder. If this box is checked, stibinit owner-builder declaration form. B. Owner Informs F. Afformer Information LON CHIMEKE -3980 Cell Name MANINISCO **Phone** Firm Name\_ Firm Address C. Leases Information Civ Name Phone G. Permit Consultant / Expedite Slub Zþ Phone Firm Name D. Architect / Engineer Information Firm Address □ None □ List all Architect(s)/Engineer(s) on project: City ماملك Zb 1. Name ci Architect Engineer H. Authorized Agent - Others Phone No. Firm Name License # \_\_\_\_ Expiration De Phone \_\_\_\_ Firm Name Firm Address Firm Address City 2. Name: Please describe your relationship with the owner D Architect D Engineer Phone No. Firm Name License # Expiration Date Firm Address

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APPLICANT'S CERTIFICATION
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DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS
AND ORDINANCES THERETO WILL BE COMPLIED WITH.

9003-03 (REV. 1/02)

( ) V. I carefy as the owner for the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a confundar who correlies with the workend compensation them of California and who, prior to the commencement of any work, will till a complained copy of this form with the Central Permit Bureau.

06 12 07

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#### 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 # 2007-0(-21-463)
Address 730 Example 81

License Class \_\_ C-16

#### LICENSED CONTRACTOR'S STATEMENT

#### Licensed Contractor's Declaration

License Number 669521

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.

Exp	intion Date	04 30 08		Contra	Contractor THOMAS ALIEN		
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I hereby aff		enalty of po		un exempt from printe box below)		License Law,	Business and
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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



Firm Address

City

#### DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco 1660 Mission Street, San Francisco, California 94193-2414

DATE: 06 112 107

# PERMIT APPLICANT AND AUTHORIZED AGENT DISCLOSURE AND CERTIFICATION

M New Edition

Permit Application No.: 2057-96-2/-4683 Job Address: 730 TAGAVAL ST. S.F., CA This form mittit be consisted in the entirety in connection with an application for a building semist (Forms 12, 36, 47, 5 and 5). The form mast be amended for all new information or change in information for dustion of project. Please be advised that the Department does not regulate permit expeditererconsultants or efford them preferented treatment. A. Permit Applicant Information 3. Name 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 cz Archibeck O Engineer Phone No. Francisco Building Code, or to any form realists of the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessue or the agent of the ownerlessue and am authorized to sign all documents connected with this Firm Name License # Expiration Date Firm Address application or parmit. City Zb I declars under penalty of parjury that the foregoing is tone and correct. I am the permit applicant and I am E. General Contractor Information
Nate: Complete superate Bosneed contractor's
statement also. Chack begins U The center (B) D The lease (C) 51. The authorized agent. Check antity(s): Name THOMAS ALLEY Phone 425 753-0410 ALLEY D Applied (D) SE Engineer (D)

C Attorney (P) pi. Contractor (2) Plan Name AGNAMATIC FIRE PROTECTION, INC.
License & CHY (64952)
Expiration Date 04/30/08
Firm address 540 GARLIA AVE. SUITE A D Pennil Consultant/Expeditor (G) ☐ Other Print Applicant Name THOMAS ALLEN PITTSBURG 94565 CA Sign Name Oontractor not yet selected. If this box is checked, submit an amended form when known, Owner - Builder. If this box is checked, submit owner-B. Cener biformation bullder declaration form. SAFEWAY , INC F. Attorney Information Phone (925) 467 - 2628 Address 5118 STONEHUBE MALL RO.
PLEASANTON LA 94588 Marine Phone Firm Name Firm Address C. Leages information Civ Name Phone Address G. Pennit Consultary / Expeditor City Name Phone Firm Name D. Architect / Engineer information Firm Address In Hone of List all Architect(e)/Engineer(e) on project: City 1. Name THOMAS ALLEY jz, Engineer Architect H. Authorized Agent - Others 925 753 0420 Firm Name Agua-matic Fire Projection, INC. Name **Phone** Expiration Date 04 30 08 Firm Name Firm Address 540 GARLIA AVE. SUITE A Firm Address Civ 2, Name\_ Please describe your relationship with the owner D Archilect O Engineer Phone No. Firm Name License # Expiration Date

P:/Fom/CPB\Authorized Agent dos

FORM 3 OTHER AGENCIES REVIEW REQUIRED FORM 8 OVER-THE COUNTER ISSUANCE  NUMBER OF PLAN SETS  NUMBER OF PLAN SETS  NOTERING THE RECEPT NO.  PERMIT NO.  112407 PERMIT NO.  1127037  INFORMATION TO BE FUR  CON CROTE STORES OF JOINT SAME SETS OF JOINT SAME SAME SETS OF JOINT SAME SETS OF JOINT SAME SETS OF JOINT SAME SET	BEDOX ALIST  2346 014  BY: \$7,500.00  BY: \$7,500.00
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WILL AM C MOORE 585  PEN CONSTRUCTION LENGER ENTER MAKE AND READER DESIGNATION IF ANY.  F THERE IS NO KNOWN CONSTRUCTION LENGER "UNMORNMY" UN KNOW	Main St Manting CA 326-0721-0
IMPORTANT NOTICES	NOTICE TO APPLICANT
No chappe shall be made in the character of the community or use without line obtaining a Building Paratit authorities auch change. See Sen Principes building Code and Sen Principes Housing Code.  No portion of building or structure or scafforbing used during constanting has been than 50° to any wire containing mere than 780 vote See See 388, Catifornia Penal Code.	HILD HARMLESS CLAUSE. The perhittening by acceptance of the permit, agree(n) to indemnity and hold harminess the City and County of Sen Proplation form and against any and all claims, dismersion and actions for demages resulting from operations under this permit, regardless of regispence of the City and County of Sen Prancisco, and to seasons the delense of the City an County of Sen Prancisco against all auch cleffin, determition fractions.
Pursuant to Sen Francisco Building Code, the building permit shell be posted on the job. The overal is responsible for approved plans and application being lost at building site. Gunde large as stroyer, on travelings economism/sing little applications are insured to be correct. M	In conformity with the provisions of Section 3500 of the Labor Code of the State of Cellingvia, the applicant shall have containing under (0, or (1) dissignated below or shall include from (1)4, or (14), or (14), withcheart is application. Therewer laws (4) is alreaded from (4) must be shecked as well. Mark the appropriate inested of compliance below.
Grande times as stroven on drawings economying the application are bestimed to be correct. If actual grands lines are not the sense as bitmen revised drawings stroving correct grade times, rute and fills together with complete display of relating wells and well hostings required must be submitted to this department for approval.	I have by aftern under penelty of perjuny one of the lollowing declarations:  ( ) L. I have end nit materian a certificate of consent to set insure for worker's compensation, as provided by Seldon artific of the Labor Crock, if the performance fire work for which this
ANY STIPULATION REGUIRED HEREIM OR BY CODE MAY BE APPEALED. BUILDAIGN DIT TO BE COOLARD UNTIL CENTERDATE OF PAIL COMPLETION IN POSTED ON THE BUILDAIG OR PERMIT OF OCCUPANCY GRAVITED, WHEN REGUIRED.	permit in finance.  It is not and will install workers' compensation insureups, as required by Section 9700 of the Labor Code, for the performance of the work for which this permit is insued, My workers'
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WITHIN OR PLANSING INSTALLATIONS, A SEPARATE PERMIT FOR THE WITHIN AND PLANSING MUST BE COTTAINED, SPRANATE PERMIT ARE RECURRED IF ANSWER IN SHEST TO ANY OF	Combine STATE FUND INF.
ABOVE QUESTIONS (19) (11) (12) (20) (24). THIS IS NOT A BUILDING PERMIT, NO WORK GHALL BE STARTED LIMITA. A BUILDING PERMIT IS	Policy Municiper BOB-07 BO668 U/G ( ) # The cost of the work to be done as \$100 or less.
ISBAUES). In destinings all leastinings praterials must have a clearance of not long then here inches from all subprings wings or equipment.	( ) Nr. I usually that in the perfectments of the work for which the permit is lisuard, I alwall not employ many persons in any manner or set to become subject to the working of compensation less of Deblerois. I further advocationable that I understand that in the event that I should become understand that in the count that I should become.
CHECK APPROPRIATE BOX OWNER ACHITECT CLESSEE ACENT	Russian in this worker's commenced in information of the Labor Code of Callingia and fall to sumply forthwith with the provisions of Section 2000 of the Labor Code, that the parmit harms applied for shall be cleaned revoked.
APPLICANT'S CERTIFICATION  THEREBY CERTIFY AND AGREE THAT IF A PENAT IS BRUED FOR THE CONSTRUCTION	( ) V. Loadly as the owner on the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complete with the Workers' completed to be of Cellifornia and who, you to to the contractor and any work, will file a completed copy of this form with the Centrel Permit Bureau.
THEREST CENTED AND ASSESS THAT IF A PENNET IS BRUSHED FOR THE PENNET AND ALL LAWS AND DEPOMBED IN THE APPLICATION, ALL THE PROVISIONS OF THE PENNET AND ALL LAWS AND DEPOMBED THERESTO WILL BE COMPLIED WITH.	Structure of Applicant or Agents

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		HOUSING INSPECTION DIVISION	NOTIFIED MR.
		I agree to comply with all conditions or stipulations of the various burseus or department noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.	

# SAN FRANCISCO POPE NI OF BUAN CION

#### DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

T660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU 1660 MISSION STREET SAN FRANCISCO, CA 94103 Appl # 2007-17-24-7528 Address 730 TARRUAL 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.

Licen	se Number	683529	•		C-10	- 39
Expire	ation Date	6-30-09	c	Contractor La	PRINT Willia CM	box
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25 00	work, and I understan contained architect, a I, as owne project (Se copy of thi further ack	r of the property, am exc c. 7044). I certify that a is form (Licensed Contra mowledge that I understa a Declaration with the Co	ded or offer vent that any crein applied clusively con at the time so actor's Declard and and agre	ed for sale (S work is come I for shall be stracting with sch contractor ration) prior e that, in the	ec. 7044). I further a nenced contrary to the deemed suspended.  licensed contractors as are selected, I will to the commencement event that said contractors.	cknowledge that e representations to construct this have them file a at of any work. I
*		pt under Business and Pr	rofessions C	ode Sec		
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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



DRPARTMENT OF BUILDING INSPECTION

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

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DATE

#### **PERMIT APPLICANT AND AUTHORIZED AGENT** DISCLOSURE AND CERTIFICATION

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hereby certify that for the purpose of filing an application	3. Name
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Penalego Building Code, or to City and County ordinances and regalations, or to state laws and codes, I am the	License 5 Explusion Date
miter, the leases or the agent of the cornectesses and an	Expiration Date
uthorized to sign all documents connected with this	Firm Address
ppicellan or pennit.	City State Zip
declare within penalty of perjury that the foregoing is time and	
errect. Lan the parent scullenet and Lans.	E. General Contractor Information
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7 The Immer (6) 13 The Immee (C)	
( The authorized agent. Check untilying:	Home William e Moore
CI Apphilect (D) CI Engineer (D)	Phone 888-888-9575
D. Confessor (C) (3 Attorney (F)  D Parell Consultent/Expeditor (G)	Phone 888-886-9575 Pain Name Firs Alarms Plus Inc
	License # C - /0 65 3ぐしつ
Other(f)	Physical Date 4-20-69 Physical St. Model 54
Print Applicant Harne	740 Anflos2 CA 94557 City State 2p
Man Hame Bullia C MOON	City State Zip
B. Corne Information	submit an amended form when known.  13 Owner – Builder. If this box is checked, submit owner-builder declaration form.
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D Mane (1) List all Architect(s)/Engineer(s) on project:  1. Name	City Blake 2b
Phone No	H. Anthorized Agent - Others
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cs Architect us Engineer	
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	BUBLETIN BOARD DESITING AMAING AMARQUEE/CANOPY  BIZE OF SIGNE  UHBOLES 77 5 11 WEIGHT:  5 # 960 4641660.	DPROPESSIONAL OCCUPATION  LEURAGE AREA TOTAL AREA OF ALL ADVERTISING SPACE STANDARDIZED APPROVAL NO:  244 SQ. FT. 244 SQ. FT.
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	DRAWNIGS IN DUPLICATE PROVIDE HEIGHT OF SIGN ABOVE GROUND AND THE PROJECTION	BOW METHOD OF ATTACHMENT AND THE CONSTRUCTION OF THE BIGN HEREON OR ON SEPARATE  N IN FEET FROM THE BUILDING, IF WALL SIGN, PROVIDE SIGN COPY.  SACRUAY  B  DELI  5  DELI  5  DELI  5  DELI  5  DELI  6  DELI  7  DELI  6  DELI  7
	A B C DE	C- SAFEWAY O'B'4"
	TARAVAL ST	_D. Pharmacy G = 2'
1	IMPORTANT NOTICES Where top guy wire is required, anchor with 1/2" dia. through-bott (minimum), the structural frame of the building below the parapet wall. No portion abuilding or structure, or scaffolding used during construction, to be closer that 60" to any wire operating at more than 750 volts. See Sec. 385 Calif. Pen	and hold humiless the City and County of Sen Francisco from and egalect 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.
, !	Code. Encroachments authorized on public Property are revocable when ordered to Board of Supervisors (6.F. Building Code). Any stipulation required herein or to Code may be appealed.	in conformity with the provisions of Section 3900 of the Labor Gode of the State of California, the applicant farili have coverage under (j), or (ii) designed below or a half includes item (iii), or (iiv), or (v), whichever is applicable, if however them (v) is checked item (v) must be checked (c) well. Mark the appropriate method of nononlinean below:
	APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE APPROVAL FO THE ELECTRICAL WIRING, A SEPARATE PERMIT FOR THE WIRING MUST B OBTAINED. THIS IS NOT A PERMIT TO ERECT A SIGN. NO WORK SHALL B STARTED UNTIL A PERMIT TO ERECT A SIGN IS ISSUED.	performance of the work for which this permit is leauned.  I. I have and will meintain workers' compencation insurance, as required by Section S700 of the Labor Code, for the performance of the work for which this permit is assued. My workers' compensation insurance carrier and policy number are:  Center  Center
(	CHECK APPROPRIATE BOX	Policy Number 1.14.00 7 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	DOWNER CARCHITECT DENGINEER	( ) W. 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 its to become subject to the workers'
	☐ LESSEE ☐ AGENT WITH POWER OF ATTORNEY	compensation laws of California. I further, advisorables that i turdination that in the event that i should become subject to the workers' compression provisions of the Labor Code of California and fail to compay forthwith with the provisions of Section 3800 of the Labor Code, that the permit haven peopled for shall be
- <u> </u>	APPLICANT'S CERTIFICATION  HERBEY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVINCIONS OF THE PERMIT AND ALL LAW AND ORDINANCES THERETO WILL BE COMPUED WITH.	deemed revoked.  ( ) V. I confly us the owner for 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 leave of California and who, prior to the commencement of any work, will the a completed copy of this form with the Cantral Dawy II Sureau.
	(NEV. 296)	Signature of Applicant of Agent Date

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DEPARTMENT	OF CPC Setback	
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` ~ ·	DEPARTMENT OF CITY PLANNING	·· ·
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1	METHANITAL ENGINEER	NOTIFIED MR.
		DATE:
(	CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 361-3820). THIS APPLICATION IS APPROVED WITHOUT FIELD INSPECTION AND DOES NOT CONSTITUTE AN	REASON:
	APPROVAL OF THE BUILDING. WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODE.	NOTIFIED MR.
22 24		
ilia di	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.	DATE:
III .	STIPULATIONS, WHICH ARE HEREBY MADE A PART OF THIS APPLICATION.	REASON:
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#### DEPARTMENT OF BUILDING INSPECTION

My & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL PERMIT BUREAU 1660 MISSION STREET

Appl. #	2007-08-06-8826	
Address		

Agent (PRINT)

Owner (PRINT)

(SIGNATURE)

SAN FRANCISCO,	
LICEN	SED CONTRACTOR'S STATEMENT
	ns Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am ter 9 (commencing with Sec. 7000) of Division 3 of the Business and s in full force and effect.
License Number 82-605	License Class 6-45
Expiration Date 10-31-0	PRINT
Professions Code (Sec. 7031.5). (Mark  L, as owner of the proper	ty, or my employees with wages as their sole compensation, will do the
I understand and agree the	not intended or offered for sale (Sec. 7044). I further acknowledge that at in the event that any work is commenced contrary to the representations Permit herein applied for shall be deemed suspended.
project (Sec. 7044). I cer copy of this form (Licens further acknowledge that copy of the Declaration w deemed suspended.	y, am exclusively contracting with licensed contractors to construct this tify that at the time such contractors are selected, I will have them file a selected of any work. I understand and agree that, in the event that said contractors fail to file a with the Central Permit Bureau, that the Permit herein applied for shall be eas and Professions Code Sec.
Reason	34
- 5 = ±	Architect (PRINT)

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



City

#### 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

✓ New□. Amended

Permit Application No.: 2007-08-0K Shirts Job Address: 700 TARAUGU 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 expediters/consultants or afford them preferential treatment. A. Permit Applicant Information 3. Name I hereby certify that for the purpose of filing an application □ Architect □ Engineer for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Phone No. Firm Name Francisco Building Code, or to City and County ordinances License # and regulations, or to state laws and codes, I am the Expiration Date owner, the lessee or the egent of the owner/lessee and am Firm Address authorized to sign all documents connected with this application or permit. City Zlp I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am E. General Contractor Information Check box(s): Note: Complete separate licensed contractor's O . The owner (B) ☐ The lessee (C) statement also. The authorized agent. Check entity(a): BRAD DANEL Name ☐ Architect (D) □ Engineer (D) 415-8696460 Phone ☐ Contractor (E) ☐ Attorney (F) Firm Name A DART SIGN CO ☐ Permit Consultant/Expeditor (G) 76051 License # 10-31-07 5 THUMAS M **Expiration Date** Firm address Print Applicant Name 2 FRANCISCA Sign Name Contractor not yet selected. If this box is checked, submit an amended form when known. Owner - Builder, If this box is checked, submit owner-B. Owner Information builder declaration form. Name JANICE LEONARD TRUST F. Attorney Information Phone Addres Name Phone Firm Name Firm Address C. Lesses Information Name S AFREWA Phone 41.5-869-64 G. Permit Consultant / Expeditor Address 700 TARAVE Name Phone Firm Name D. Architect / Engineer information Firm Address □ None □ List all Architect(s)/Engineer(s) on project: State Zíp 1. Name □ Architect 🗆 Enginéer H. Authorized Agent - Others Phone No. Firm Name Name License # Phone Expiration Date Firm Name Firm Address Firm Address 352 LUCK WA VEN NVC City State Zlp 2. Name Please describe your relationship with the owner □ Architect □ Engineer Phone No. Firm Name License # Expiration Date Firm Address

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# 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. # 2007-04-27-3880 Address 730 TANAVAL

#### 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.

Lice	instion Date 4/68	/ License Class C-16
Expi	irstion Date 4/88	Contractor DAILEY PEDDLES
	•	Contractor DAILEY PERRIES  PRINT  Lailey Right  SIGNATURE
I hereby aff		try that I am exempt from the Contractor's License Law, Business and the appropriate box below).
12	work, and the structure I understand and agree t	city, or my employees with wages as their sole compensation, will do the sold not intended or offered for sale (Sec. 7044). I further acknowledge the last in the event that any work is commenced contrary to the representation a Permit herein applied for shall be deemed suspended.
	architect, agent I, as owner of the prope project (Sec. 7044). I c copy of this form (Licer further acknowledge the copy of the Declaration deemed suspended.	ty, am exclusively contracting with licensed contractors to construct this rtify that at the time such contractors are selected, I will have them file sed Contractor's Declaration) prior to the commencement of any work.  I understand and agree that, in the event that said contractors fail to file with the Central Permit Bureau, that the Permit herein applied for shall but as and Professions Code Sec.
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v v	6 <del>-</del>	Architect (PRINT)
	Date	Agent (PRINT)
	22	Owner (PRINT)
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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



Firm Address

State

Zip

City

#### 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

Mew Amended

Permit Application No.: 2807-69-27-3880 Job Address: 730 TRANAVA 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 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 expeditera/consultants or afford them preferential treatment. A. Permit Applicant Information 3. Name I hereby certify that for the purpose of filing an application ☐ Architect Engineer for a building or other permit with the Central Permit Phone No. Bureau, or completion of any form related to the San Firm Name Francisco Building Code, or to City and County ordinances License # and regulations, or to state laws and codes, I am the **Expiration Date** owner, the lessee or the agent of the owner/lessee and am Firm Address authorized to sign all documents connected with this application or permit. City State Zip I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am E. General Contractor Information Check box(s): Note: Complete separate licensed contractor's ☐ The owner (B) ☐ The lessee (C) statement also. ☐ The authorized agent. Check entity(s): DAILEY PODDLES Name D) Architect (D) ☐ Engineer (D) Phone 926 753-0422 Contractor (E) ☐ Attomey (F) Firm Name\_ ☐ Permit Consultant/Expediter (G) License # Other **Expiration Date** Firm address Print Applicant Nazne Sign Name Contractor not yet salected. If this box is checked, submit an amended form when known. Owner - Builder, If this box is checked, submit ownerbuilder declaration form. B. Owner Information TOPEWA INC Name F. Attorney Information Phone Address 54 & 4 MANGE PLE Name Phone Zip Firm Name Firm Address C. Lesses Information City Zip Name Phone G. Permit Consultant / Expediter Address Name City Zip. Phone Firm Name D. Architect / Engineer Information Firm Address □ None □ List ell Architect(s)/Engineer(s) on project: Zlp State City HEUPLES DAILEU 1. Name Architect Engihéer H. Authorized Agent - Others Phone No. FIRE BRITEITA Firm Name Name . License # 66952 Phone Expiration Date Fkm Name Firm Address Firm Address City Ζlp 2. Name Please describe your relationship with the owner Architect □ Engineer Phone No. Firm Name License # **Expiration Date** 

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ACTING DIRECTOR DEPT OF BUILDING INSPECTION



CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION

APPROVED FOR ISSUANCE

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**APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS** 

FORM 3 COTHER AGENCIES REVIEW REQUIRED

FILMO POE RECEIPT NO

FORM 8 DOVER THE COUNTER ISSUANCE

NUMBER OF PLANSETS

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SATISFANDISCO FOR YEAR OF SATISFANDISCO FOR YEAR OF SATISFAND SPECIFICATIONS SUBMITTED HEREWITH AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH THE WHITE ABOVE THIS LINE T MOCK ALOT

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APPLICANT'S CERTIFICATION

I HERESY CERTIFY AND AGREET THAT IF A PERMIT IN ISSUED FOR THE CONSTRUCTION
DESCRIBED IN THIS APPLICATION ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS
AND ORDINANCES THERETO WILL BE COMPLED WITH

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NOTICE TO APPLICANT

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	Number of attachments	
	OWNER & AUTHORIZED AGENT	



#### DEPARTMENT OF BUILDING INSPECTION

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

DATE

PERMIT APPLICANT AND AUTHORIZED AGENT New **DISCLUSURE AND CERTIFICATION** Amended Job Address 730 TARAVAL STI **Pennit Application No.** This form must be completed in the entirety in connection with an application for a building permit (Forms 1/2, 3/6, 4/7, 5 strd 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 expediters/consultants or afford them. preferential treatment A Permit Applicant Information 3 Name I hereby certify that for the purpose of filing an application D Architect □ Engineer for a building or other permit with the Central Permit Phone No Bureau or completion of any form related to the San Firm Name Francisco Building Code or to City and County ordinances License # and regulations or to state laws and codes I am the Expiration Date owner the lessee or the egent of the owner/lessee and am Firm Address authorized to sign all documents connected with this application or permit City State Zb I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am General Contractor Information E General Complete separate aconsed contractors Check bez(s) C) The owner (B) O The letter (C) The authorized agent Check entity(a) ☐ Architect (D) C Engineer (D) Phone (E) Contractor C Altomey (F) ☐ Permit Consultant/Expeditor (G) License # Expiration Date D Other Firm address Pont Applicant Name Sign Name 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 Owner Information SAFEWA F Attorney Information Phone Name Phone Firm Name Firm Address C Lesses information Zip Name Phone G Permit Consultant / Expeditor Address Name Cav Zio Phone Firm Name D Architect / Engineer Information Firm Address if List ell Architect(s)/Engineer(s) on project City State Zþ MKHAEL H Authorized Agent Others Phone No. Firm Name License # Phone Exemption Date Film Name Firm Address City Firm Add 2 Name Please describe your relationship with the owner

**Expiration Date** Firm Address

State

a Engineer

Zip

Architect

Phone No Firm Name License #

City

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5	DEPARTMENT OF BUILDING INSPECTION
9	County of San Francisco
`	1660 Mission Street, San Francisco, California 94103-24149 CENTRAL PERMIT BUREAU Appl # 250 6-07-107-4
	1660 MISSION STREET Address 730 TAICAUAL ST
	SAN FRANCISCO, CA 94103
	LICENSED CONTRACTOR'S STATEMENT
	Lucensed Contractor's Declaration
	Pursuant to the Business and Professions Code Sec 7031 5, I hereby affirm under penalty of perjury that I amicensed 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
	Expiration Date 4/30/09 License Class C-16  Contractor MICHAELS, AVRES
	Expiration Date 4/30/09 Contractor MICHAELS, AVRES
	PRINT
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	SIGNATURE
	Owner-Builder Declaration
	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)
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	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.
	contamed 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
i	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)

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

K Agent (PRINT) MICHAEL S. AYRES

(SIGNATURE) // Lilyal

Owner (PRINT)



PPROVE Dept of Building Insp

FEB 2 6 2009



2008/2108/80 **GIRECTOR** DEPT OF BUILDING INSPECTION OFFICE CONTRACTOR SAN FRANCISCO **APPLICATION FOR BUILDING PERMIT** DEPARTMENT OF BUILDING INSPECTION **ADDITIONS, ALTERATIONS OR REPAIRS** 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 FORM 3 (1) OTHER AGENCIES REVIEW REQUIRED FORM 8 OVER THE COUNTER ISSUANCE ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HERBINAFTER SET FORTH NUMBER OF PLAN SETS 12 TO NOT WHITE ABOVE THIS LINE T (1) STREET ACCORDED OF JOB 12/10/09 2394,014 36350 730 Toroval St 09 DATE /2 /2 B INFORMATION TO BE FURNISHED BY ALL APPLICANTS LEGAL DESCRIPTION OF EXISTING BUILDIN MI OCCUP CLUES DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION SPANO OF CHARLES VER CHANGET EN 100 K TO SE 30113 Union Cot, Rho Unper Cot, CA 94587(510) 431-5160 719959 (425) 461-2524 UL300 Upgride of the Angul Fire System in the Bakory, on the ground Floor ADDITIONAL INFORMATION (10) IF (17 IS YES STATE NEW HEIGHT AT CENTER LINE OF FRONT (10) DOES THIS ALTERATION CREATE DECK ON HOME EXTENSION TO MALLOWE YES D COOP F (10) S YES SOATI NOW CAUDIO NO COO FLOOR AVEA 50 FT YER CO (22) ANY OTHER EXSTRES BLOS ON LOT'S FYEE BROW ON PLOT PLANS CARDOES THE ALTERATOR 185 D 168 D Y25 🖸 CONSTITUTE A CHARGE OF OCCUPANCY? CAN IN COMPANY AND Un known NOTICE TO APPLICANT

HOLD HARRALESS CLAUSE: The per milesely by accepts on of the permit ag explo to? dom: by a in to hermises the City and 0 by of the Farmanias from on against my and six telum dans actions for damages manding from expectite a wards this permit against my and six telum dans of the City Co. mly of the Farmania my and the city of the Farmania of the City of the Farmania of the City of the City of the Farmania of the City of the City of the Farmania of the City of the City of the Farmania of the City of the Ci IMPORTANT NOTICES

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ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED

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APPROVAL OF THIS IMPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRNES OR PLUMBING INSTALLATIONS. A REPARATE PETERT FOR THE WIRNS AND PLUMBING MUST AS CONTAINED SERVINGE PRIMARY REPRESENTS OF ANSWERS IN "YES" TO ARY OF ABOVE CLUSTICING (19) (19) (19) (19) (29) OR (49)

THE IS NOT A BUILDING PERMIT NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS HTUFO

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APPLICANT'S CERTIFICATION

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DESCRIBED IN THIS PROJECTION. ALT THE PROPRIES OF THE PERMIT AND ALL LAWS
AND GROWNICES TRIPETO WILL SE COMPLETE WITH

9003-03 STEV 1/021

In conformity with the provisions of Sectio 5:000 of the Labor Code of the State of Celebrar a the applicant shall have consenge under (0) or (0) of also state or all R distributes (0) in (0) or (0) and (0) of (0) or (0) of (0) or (0

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- E Heave a divide manifold voolseer companisatio (in rand, as mages and by Becken 6700 of the Labo Code to the performance of the work for which this permit is laused. My workers compared to the laboration of the work of the work of the companied of the performance and companied of the companied
- III The opet of the work to be done in \$108 a less
- IV I certify that in the performance of the work for wish mention broupless of the layer Code of Collectin at the same process without that in the actual that I should be to a section of the continue compared in the district of the section of the continue compared in the continue of the continue
- V Learthy as the owner (or this igner) for the owner) that in the which this permit is usued I will peopley a commente who a companished man of California such of order to the com-sampleted copy of this form with the Cin. trail Forms State.

12/10/08 OFFICE COPY

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Ø	PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK (415) 558-3800  DEC 1 2 2008	DATE
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		REASON
	HOUSING INSPECTION DIVISION	NOTIFIED MR



City

#### DEPARTMENT OF BUILDING INSPECTION

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

DATE 12/10/04

PERMIT APPLICANT AND AUTHORIZED AGENT New DISCLOSURE AND CERTIFICATION Amended Permit Application No 2008-12 10-8/80 Job Address 1/2, 3/6, 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. This form must be completed in its entirety in connection with an application for a building permit (Forms A Permit Applicant Information 3 Name I hereby certify that for the purpose of filing an application for a building or other parmit with the Central Permit Bureau or completion of any form related to the San Francisco Building Code or to City and County ordinances □ Architect D Engineer Phone No Firm Name License # and regulations or to state laws and codes i am the Expiration Date owner the leases or the agent of the ownerleases and am Firm Address authorized to sign all documents connected with this application or permit City State Zp I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am E General Contractor Information
Note Complete asparate housed on Check box(s) Complete separate licensed contractor's atatement also The owner (B) Li The lesses (C) The authorized agent Check entry(s) Name AAA 5 - Pakston. Phone (516) 411 5/40 Architect (D) □ Engineer (D) п Phone Firm Name 7/91/7 Contractor (E) ☐ Attorney (F) ☐ Permit Consultant/Expeditor (G) License # 7/9 1/9 Expiration Date 3 - 1/ 24/0 (1) Other Firm address 30113 Um en Cots Print Applicant Name Unn Go 9458 Sign Name Contractor not yet selected If this box is checked submit an amended form when known D Owner - Builder If this box is checked submit owner **B** Owner Information builder declaration form Name F Attorney Information Phone Address Name Phone City Firm Name Firm Address C Lesses Information Žio Name Sefera G Permit Consultant / Expeditor Address S1/Y Plus contra Name Phone Firm Name D Architect / Engineer Information Firm Address D None D List all Architect(s)/Engineer(s) on project 1 Name a Architect o Engineer H Authorized Agent - Others Phone No Firm Name lame License # **Phone** Expiration Date Firm Name Firm Address Firm Address City City Zip 2 Name Please describe your relationship with the owner □ Architect o Engineer Phone No

P FormCPBNAuthorized Agent doc

Zip



# DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, San Francisco, California 94103-2414

CENTRAL FERMIT BUREAU 1660 MISSION STREET

7160 40

SAN FRANCISCO, CA 94103

Appl.# 7.00 12 10 8180
Address 244- 730 Terand

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### LICENSED CONTRACTOR'S STATEMENT

# Lacensed 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.

Le	ense Number .	117959	License Class
Eq	peration Date _	3/31/2010	Contractor AHA File PRINT
			SIGNATURE
I hereby af			un exempt from the Contractor's License Law, Business and printe box below)
	work, and i I understand contained he architect, as I, as owner project (See copy of that further acks copy of the deemed sur	the structure is not intend and agree that in the constant in the Permit I pent of the property, am except 1044). I certify that is form (Licensed Contraction with the Contracti	employees with wages as their sole compensation, will do the ided or offered for sale (Sec. 7044). I further acknowledge that yent that any work is commenced contrary to the representations area applied for shall be deemed suspended.  Sharvely contracting with licensed contractions to construct this if the time such contractors are selected, I will have them file a actor's Declaration) prior to the commencement of any work. I and and agree that, in the event that said contractors full to file a cutral Permit Bureau, that the Permit herein applied for shall be referances.
	Resson		
	Date 12/	110/08	Architect (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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EPARTMENT OF BUILDING INSPECTION  DIRECTOR/CHEF BUILDING OFFICIAL  DEPT OF BUILDING REPECTOR	SFFD INSP FEES REQ
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 LUCATION IS HEREBY MADE TO THE DEPARTMENT OF LOING INSPECTION OF SAN FRANCISCO FOR IMISSION TO BUILD IN ACCORDANCE WITH THE PLANS DO SPECIFICATIONS SUBMITTED HEREWITH AND DORDING TO THE DESCRIPTION AND FOR THE PURPOSE EINAFTER SET FORTH ME THE LINE Y  CAVAL ST  LOCK AUST  2.3 46  BOTH REVIEW DOOF
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T.		Number of alleadyments	2



2 Nume

Phone No Firm Name License # Expiration Date Firm Address

City

**D** Architect

**Brgineer** 

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DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco 1660 Mission Street, San Francisco, California 94183-2414

X DATE

# PERMIT APPLICANT AND AUTHORIZED AGENT

DISCLOSURE AND CERTIFICATION Amended Permit Application No 200907-02/898 Job Address 730 TARAVAL ST This form nated be combined in the artifrety in commutation with an application for a building transit thomas 1/2.3/2.4/7. It 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 expediteration suitarits or efford them preferential treatment. A. Pared Appelled a labor mellon I hereby cartify that for the purpose of Ming 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 leaves or the agent of the ownerdeeses and an authorized to sign all documents connected with this restallation or needle 3 Name D Architect **3** Engineer Phone No Firm Address epplosion or parall. City I declare under penalty of porjusy that the foregoing is once and correct. I see the pormit applicant and I am General Continuous Information
 Note Complete separate Sceneed contractors Check box(s) D The owner (8) If The leasure (C) Marrie MICHAEL S AYRES
Phone 925-753-0420
Phone AQUAMATIC FIRE PROJECTION
Lospes # GL-952111 C-1C
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Firm address 540-A CARLETA AUE
PHICKURG A 94565 The authorized agent. Check antity(e) O Applificat (D) C Engineer (D) Contractor (E) D Allonsey (F) Petrili Consultant/Especifier (G) Office . Print Applicant Name \_\_\_ MIAHAGLA Stan Nume. Contractor not yet selected if this box is checked, submit an amended form when known Owner - Builder If Shis box is checked aubmit owner-builder declaration form X 3 Owner Information SAFEWAY, INC. F Attention intoleration Name PLEASAUTON Phone \_\_\_\_ Fkm Name Firm Address C Lesses information City Zb Name Phone @ Permit Contribut! Bayer Addres Civ Zb Name Phone Flam Nume D Architect / Ringinger information Firm Address 13 None (3 List all Architect(s)/Engineer(s) on project: Clale City Zib 1 Nume. C Archifeol **D** Engineer H. Authorized Agent - Others Phone No Floor Name Name License # Expiration Del Phone \_\_\_ Firm Address Firm Address City City

P VonniCPINAtivoland Agent dos

Please describe your relationship with the owner



# **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 Address 730 TARAVAL STREET

#### LICENSED CONTRACTOR'S STATEMENT

#### Licensed Contractor's Declaration

License Number <u>669521</u>

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

Owner-Bu	Contractor MICHAEL S AYDES  PRINT  SIGNATURE  der Declaration  rm under penalty of perjury that I am exempt from the Contractor's License Law, Busines  Code (Sec 7031 5) (Mark the appropriate box below)	s an
X	I, as owner of the property, or my employees with wages as their sole compensation, will a work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledg I understand and agree that in the event that any work is commenced contrary to the representation 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 project (Sec. 7044). I certify that at the time such contractors are selected, I will have them copy of this form (Licensed Contractor's Declaration) prior to the commencement of any we further acknowledge that I understand and agree that, in the event that said contractors fail to copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shideemed suspended.  I am exempt under Business and Professions Code Sec.	et that stion of this file a ork
	Reason	-
	Date Architect (PRINT) Architect (PRINT) MICHAEL S . AYRES	<u>-</u>
	(SIGNATURE) // LIKELY NO.	_

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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1	ANDREW M. ZACKS (SBN 147794) LISA K. PADILLA (SBN 225665)	
2	ZACKS, FREEDMAN & PATIERSON, P.	С.
3	235 Montgomery Street, Suite 400 San Francisco, CA 94104	· POP
4	Tel: (415) 956-8100 Pax: (415) 288-9755	
.5		CLE OCT OZ
6	Attorneys for Plaintiff, ANDREW LEE	CLERK OF THE COURT
7		OF LA LECURT
8		
9	SUPERIOR COURT O	F THE STATE OF CALIFORNIA
10	CITY AND CỘU	NTY OF SAN FRANCISCO
11	UNLIMI	TED JURISDICTION
12		000
13	ANDREW LEE, an individual,	Case No.: CGC 16-554725
14	Plaintiff,	COMPLAINT FOR DAMAGES.
15	V2.	INJUNCTIVE RELIEF FOR TRESPASS, NUISANCE, AND TO
16		QUIET TITLE TO REAL PROPERTY
17	Arthur & Amphorn Chan, Trustres of the Arthur Chan	
18	AND AMPHORN CHAN AB LIVING TRUST, EVAN F, WATTS AND	) <u>*</u>
19	JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L.	
20	WATTS TRUST, DATED MAY 16, 2014,	
21	SAFEWAY INC. and DOES 1 through 20, inclusive,	
12	Defendants.	
13		) ()
4	CENE	BAL ALLEGATIONS
5		and believes and thereupon alleges as follows:
6		REW LEE (hereafter "Plaintiff") is an individual and
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adult resident of the State of California and owns the real property located at 2371 17th Avenue, San

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Francisco,	(hereinafter	2371	17 <sup>th</sup>	Avc.),	upon	which	contains	a	single	family	dwelling	which	k
tenant-occ	mied.												

- 2. Upon information and belief, Defendant ARTHUR & AMPHORN CHAN, TRUSTEES OF THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST, and EVAN F. WATTS AND JOANNE L. WATTS, AS TRUSTEES OF THE EVAN F. WATTS AND JOANNE L. WATTS TRUST, DATED MAY 16, 2014 are the current owners of 730 Taraval Street, San Francisco, California.
- 3. The legal description of the property owned by Defendant ARTHUR & AMPHORN CHAN, TRUSTEES OF THE ARTHUR CHAN AND AMPHORN CHAN AB LIVING TRUST is as follows:

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

a LEASEHOLD as executed 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 rewarded 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 Leaschold 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.
- 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 Assignee, recorded December 29, 1983, Instrument No. D-444184, Book D-623, Page 1344 of Official Records.
- o) 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

# ZACES, FREEDMAN & PATTRRSON, P.C. 235 MONTCOMERY STREET, SUITS 400 SAN PRANCISCO, CALIFORNIA 94104

#### PARCRI, A:

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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.

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

#### PARCEL B:

a LRASKHOLD 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 Mariyland 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 Assigner, the interest of Lessee in end to the above Leasehold Estate was assigned to Thomas McCutchan and Doryce L. McCutchan, as Assignes, 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 Lessehold 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.
- c) By Instrument dated May 10, 2000, executed by Robert A. Weigel and Joanna 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 l-161, Page 0432 of Official Records,

#### said Property described as follows:

BEGINNING on the Eastern line of the Eastern line of 18<sup>th</sup> Avenue with the Northerly line of Taraval Street; thence NOrth (the Easterly line of 18<sup>th</sup> 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 17<sup>th</sup> 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.

BRING a portion of Outside Land Block No. 1119.

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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 TRUSTERS OF THE EVAN F. WATTS AND JOANNE L. WATTS TRUST. DATED MAY 16, 2014 is as follows:

Beginning at the intersection of the Bastom line of Righteenth Avenue with the Northerly line of Turaval 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 Bast 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 Tarayal Street, San Francisco, California.
- 6. DOBS 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

Francisco.

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- 11. Plaintiffs have made Defendants aware of an encroachment in the form of an attachment of a structure located on Defendant's property at 730 Taraval Street, onto the property and building of Plaintiff's property located at 2371 17th Ave.
- 12. In April of 2016, former counsel for Plaintiff initiated communication with Vice President Marilyn K. Beardsley in an effort to discuss the issue of an attachment of a structure located on Defendants' property onto Plaintiff's single family dwelling and the repair of an iron fence that was the directly contributed to an ongoing trespass and nulsance on Plaintiff's property. An in-person meeting occurred on April 20, 2016. Since that meeting, Plaintiff has not been contacted by Defendant Safeway, Inc.
- 13. After the aforementioned meeting on April 20, 2016, former counsel for Plaintiff sent a letter to Defendant Safeway Inc. on August 31, 2016 in an effort to also address broken iron fencing which encloses a flat patio-like concrete area on the property of Defendants' directly in front of the encroaching building, next to the single family dwelling located on Plaintiff's property.
- 14. Counsel informed Defendant Safeway Inc., that the iron fencing was and is still currently broken and has been and is corrently used by homeless people and others at all hours of the night as a gathering place to consume alcohol, play music, loiter and disturb the occupants that reside on Plaintiff's property.
- 15. On information and belief, such activity poses a direct threat to the health and safety of the occupants of Plaintiff's property and an ongoing nuisance caused by Defendants' failure to repair the iron fencing as requested by Plaintiff.
- 16. Despite former counsel's request on behalf of Plaintiff to immediately repair the broken fence and to remove the encroaching structure attached to Plaintiff's property, the encroaching structure remains and the fence remains broken.
- 17. The occupants of Plaintiff's property continue to suffer harm and a constant nuisance in the form of excessive loitering by homeless people at all hours of the night.
  - 18. On September 30, 2016, current counsel for Plaintiff sent correspondence to Agent for

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

- 19. In response to the September 30, 2016 letter, counsel for Plaintiff received correspondence from Mr. Bettencourt advising that the request would be forwarded to the seller. Plaintiff has yet to be contacted by any of the Defendants regarding the correspondence and the demands contained therein.
- 20. Despite Plaintiff's repeated attempts to contact Defendants and/ or agents of Defendants. Plaintiff continues to suffer encroachments, both in the form of people trespassing onto their property due to the constant leitering on the property of Defendants as a result of broken iron fencing, and the attached structure to the single family dwelling of Plaintiff.
- 21. Plaintiff also continues to suffer as Defendants have refused to put a stop to this wrongful conduct.
- 22, The Defendants have in their acts and omissions to act, refused to put a stop to this wrongful conduct.
- 23. On information and belief, the encroschment for which this action is brought has been knowing and intentional, and not the result of mere accident or simple negligence. To the extent that evidence discovered during the course of litigation shows that any encreachments were negligent. Plaintiff will amend accordingly.
- · 24. The acts and conduct of Defendants and their agents have diminished the value of 2371 17th Avenue by an amount to be proven at trial and caused the tenants at 2371 17th Avenue to complain to Plaintiff about interference with their tenancies caused by Defendants.

# First Cause Of Action

# (Trespass - Against all Defendants)

- 25. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.
- 26. Defendants and/or their agents have created encroachments which are attached to the structure on Plaintiff's property without permission.

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

- 28. The acts of Defendants and their agents substantially interfere with Plaintiff's use and enioyment of 2371 17th Avenue.
- 29. Plaintiff has been damaged in an amount and nature to be determined by the Court. Some acts constituting trespass can be remedied by money damages; others can only be remedied by injunctive relief to remove encroaching structures and prohibit future encroschments.

# Second Cause Of Action

# (Nuisance - Against all Defendants)

- 30. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.
- 31. On information and belief, with the acquiescence, encouragement, and authorization of Defendants, Defendants' agents engaged in acts and conduct which constitute missances.
- 32. On information and belief, these nuisances were knowing, intentional, not authorized, and not privileged.
- 33. These nuisances substantially interfere with Plaintiff's use and enjoyment of 2371 17th Avenue.
- 34. Plaintiff has been damaged in an amount and nature to be determined by the Court. Some acts constituting nuisance can be remedied by money damages; others can only be remedied by injunctive relief to remove encroaching structures and prohibit future encroachments.

# Third Cause Of Action

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

- 35. Plaintiff re-alleges and incorporates by reference herein all of the preceding allegations.
- 36. Plaintiff's title is based on the Grant Deed to the property located at 2371 17th Avanue, which is directly adjacent to 730 Taraval Street where an encroaching structure is built thereon and atjached to the structure (single family dwelling) located on 2371 17<sup>TH</sup> Avenue, the property of Plaintiff.

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37. On information and belief, Defenda	ts claim an interest in the pro	operty at 730 Taraval Street
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- 38. Plaintiff also names as defendants in this action all persons unknown claiming (a) any legal or equitable right, title, lien, or interest in the property (2371 17th Avenue) adverse to Plaintiff's title. or (b) any cloud on Plaintiff's title to the property. The claims of each unknown defendant are without any right, and these defendants have no right, title, lien or interest in the property.
- 39. Plaintiff desires and is ontitled to a judicial declaration quieting title in Plaintiff and restoring full right, title, possession and interest in the property.
- 40. Plaintiff also seeks a determination of his title in the property located at 2371 17th Avenne against Defendants, including but not limited to any claims of adverse possession or a prescriptive essement.

# WHEREFORE, Plaintiffs pray for relief as follows:

- 1. That the Court order judgment quicting title in Plaintiff Andrew Lee as owner of the Property at 2371 17th Avenue, declaring that Defendants have no right, title, line. easement or interest in the property adverse to Plaintiff as of the date of this complaint;
- For a permanent injunction commanding the Defendants to remove all encroachments currently on the property of 730 Taraval Street and encroaching upon the structure located at 2371 17th Avenue which they caused or enabled to exist, to renair the iron fencing on the 730 Tarayal Street property in order to discourage loitering on or about the property of Plaintiff, and for a preliminary injunction to prevent further injury to Plaintiff pending judgment;
- 3. For a permanent injunction commanding the Defendants not to cause or allow any further encroachments on 2371 17th Avenue, and for a preliminary injunction to prevent further injury pending judgment;
- 4. For damages caused by the Dafendants and their agents to 2371 17th Avenue. of an amount to be determined:
- For punitive damages of an amount to be determined:
- For attorney fees as may be available by contract, statue or law:
- 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,

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Dated: October 7, 2016

Hy: Lisa K. Padilla

ZACKS, FREEDMAN & PATTERSON, P.C.

Attorneys for Plaintiff,

ANDREW LEE

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# ZACKS, FREEDMAN & PATTERSON, P.C. 235 NIVIGINIENSTRIPT, SITTLE SAN PANETSY, CALIMANA 94HH

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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.

**FAX SIGNATURE** 

From:

Schalkwyk, Andrew

Sent:

Thursday, September 14, 2017 3:26 PM 'Gerard Launay'; 'Stephen M. Williams'

To: 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@wcrcinc.com

**CUSTOMER:** 

**SAFEWAY** 

SUBDIVISION / LOT #:

STORE #909

**ADDRESS** 

730 TARAVAL ST

CITY, ST, ZIP

SAN FRANCISCO, CA 94116

telephone: 916-504-5186 fax: 916-504-5188

License: 922573

REP:

**ERIC HORINE** 

JOB NUMBER:

6221





Image #1

Existing apartment building adjacent Safeway property line.

License: 922573



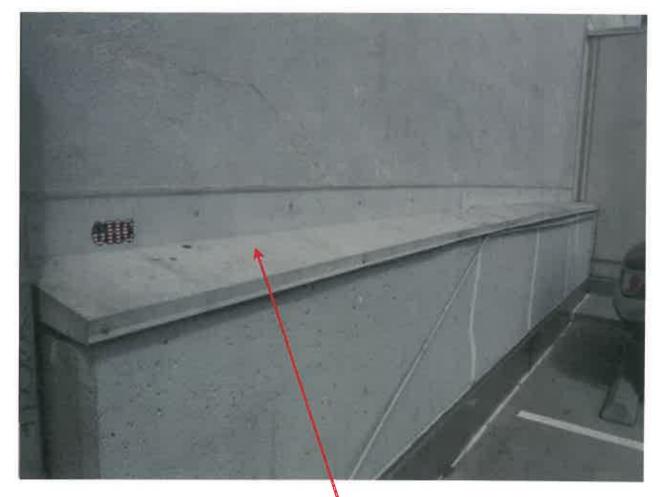


Image #2

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.



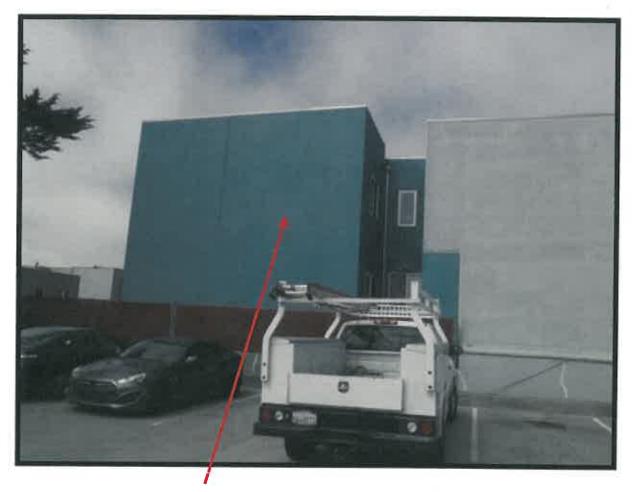
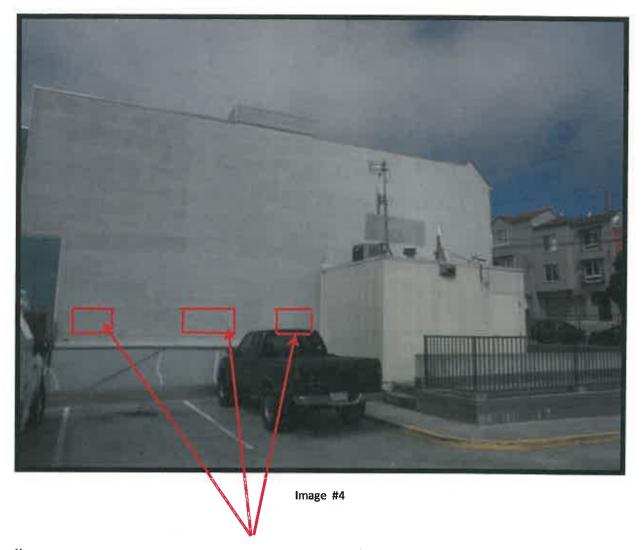


Image #3

New apartment building attached to the original building as show on Image #1





"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."



# NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy

City and County	T OF BUILDING INSPECTION  Francisco  San Francisco, CA 94103	ON NOTICE:	1 -	NU	MBER: 201614111 DATE: 10-MAR-17
ADDRESS: 2371					- 0
OCCUPANCY/U	SE: R-3 (RESIDENTIAL- 1 &	2 UNIT DWELLI	NGS,TOWNHOUSES	BLOCK: 2346	LOT: 008A
	iformation is based upons site-obser				
OWNER/AGENT: MAILING	LEE ANDREW LEE ANDREW		PHONE		-
ADDRESS	1327 TARAVAL ST				
	SAN FRANCISCO CA				
		94116			
PERSON CONTA	ACTED @ SITE: LEE AND	REW	_'	PH	ONE #: -
	VI	OLATION	<b>DESCRIP</b>	ION:	CODE/SECTION#
<b>■</b> WORK WITH					106.1.1
ADDITIONA	L WORK-PERMIT REQUI	RED			106,4.7
EXPIRED OF	R CANCELLED PERMIT	PA#:		•	106.4.4
UNSAFE BUI	LDING SEE ATTACE	IMENTS			102.1
Monthly monitoring	UC Section 802.1. Paving more ng fee. A; 102A.3, Table 1AK	than 500 Sq. Ft. of	front set back,	•	*
		CORRECT	<b>IVE ACTIO</b>	N:	
<b>□STOP ALI</b>	L WORK SFBC 104.2	2.4		415	-558-6135
OBTAIN PERM SINCENOFF.		COMPLETE AL	L WORK WITHIN 90	DAYS, INCL	Accompany the Permit Application UDING FINAL INSPECTION
	OLATIONS WITHIN DAYS		PERMIT REQUIRE		
YOU FAILED TO	COMPLY WITH THE NOTICE(S)	DATED , THEREFO	RE THIS DEPT. HAS INIT	TATED ABATEM	ENT PROCEEDINGS.
SEE ATTACI	COMPLY WITH THIS NO EMENT FOR ADDITIONAL	WARNINGS.		1.	
permeable surface			rea to create planting ar	ea of not less th	an 20% of set back & 50%
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PHONE # 415-5 By:(Inspectors's S	58-6135 Signature)	DIVISION: BID	DISTRICT :		
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# 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, 554-6720

WARKING: Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building impostion. If an Order of Abstement is received sgainet this property, the owner will be billed or the property will be itemed for all costs insurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 382.3

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 incompliance of in

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 affer six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17284(s) 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 ratuses to comply with or opposes the execution of any provisions of this code. This spatien 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 empazado 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 pias, teléfono 554-8720.

ADVERTENCIA: Si no cumple con las acciones immediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho da iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, les gestos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos esten pagados, se le cobraran al dueño del edificio o la propiedad aera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 de el Código de Construcción de Edificios.

ADVERTENCIA: La Sectión 204 de el Código de Vivienda de San Francisco permite que se muite inmediatamente \$100 por cada primer caso, de inconformidad, seguida por una muita de \$200 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada primer caso, de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad, aumentando hesta un misirio de \$7,000 por cada segunda infracción de inconformidad de inconformidad de infracción de inconformidad de infracción de inconformidad de infracción de inconformidad de inconformidad de inconformidad de infracción de inconformidad de inconformidad de

ADVERTENCIA: Cualquier persona que reciba rente por una vivienda que haya sido declarada que no satisface las normas requertas por el Begistramento 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 contuamente acusado después de seis (6) meses de la fecha de está existo, se le enviará una notificación a la Junta de Concasión de Impuestos (Franchise Tex Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Ravenue and Taxation Code).

ADVERTENCIA: La Sección 205(a) de el Código de Edicios de San Francisco impone multas civites haste de \$500 por cada dia a cualquier persona que intinia, descuela, imita, descuela, rehusa 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 une de las ofenses y por cada dia que dicha ofensa occura.

組織《三面市連絡技術》(傳輸 SFIC) 第 304(4) 模和第 332.3 資格的的規定,對沒有許可 雖但只開始的工能和或完在應行的工能、或者組織計可報酬的工程,與他定與主要。當等 人可以在許可證明出日起 15 天之內,間在實可以向許可上對委員會提出上對。就委員會 地址在 Sirvesma 觀 875 號 4 聲 ,理整 : 554-6730。

警告:加不於國際文立即印度行動、以對正上建雜零行時,則哪個國際企業的計劃與利 於國內的執行。但對此即由臺灣資於推翻對正常亦令一個在市市構成。與自建會運動組織 日祖的各項同此科正理所令有關的費用,與利爾地區主義取。或與最地產物理,但並付清 各項費用。而會稱《三爾市建設計劃》第 202 (5) 複雜鄉 232.3 項徵數。

報告: 《三唐市県総治形》(即 3円に)第 20代6 項類飲風定: 新年- 追求初空地立即所 金額数 100 元・二次監犯管理款 200元・母節標中的長温調故可達 7,500 元・此項法規結 規定基準一定字整算者可提出則等接合・毎日最高額款可請 1,000 元・東ノ和維勢大加 員。 查告:任何人是追出祖原建設得多入、認識的過過的數學的政治學的數學的數學的有一不 認能的所謂人所傳教、保行物公司所得得所進、並及與數學的可能的學的學科學所有的所謂 或如此中的學學學。如果在我是企业亦不應其像。就是工程技術生成,與實施有限度。其 通常技術的政治行。與作為物格(國際的規定的)(即 Revens & Tuzzian Code)等 1264 (c) 項格數,因如此所能的學及會(Tim Translate Tuz Boord)。

等各:(三等市政府企成)等 2000 可能的现在:政治任何批议、不限他、企业、企业、 政府股政股企业的等。即可能的、反对实施企业员中的任何和他的但人,特代表演 500 元 的民事保险。在法规规划定就接收者,积限企业员,新研究所能全的、每一年期的记述行 货。条件予证值 500 元的函数,和了总统坚持人会员。