

*Abatement Appeals
Board Meeting of
January 17, 2024*

*Agenda Item D
Appellant's Submittal*

**APPEAL TO THE ABATEMENT APPEALS BOARD
OF THE CITY AND COUNTY OF SAN FRANCISCO
FROM THE BUILDING INSPECTION DEPARTMENT DIRECTOR'S ORDER**

Check Type of Appeal: **Appeal of Director's Order** **Request for Jurisdiction** **Re-hearing**

Appellant Name: JUSTIN YONKER
Director's Order No 202286188A
Date Appeal Filed: 05/13/22

Appeal Number _____
Complaint Tracking No(s) 202286188A
Filing Fee: \$158.10

Instructions: Please (1) answer all the questions on pages 1 and 2 for appeals of Director's Orders, and complete pages 1 through 3 for Requests for Jurisdiction, (2) sign the bottom of page 2 (and 3 if applicable), and (3) include the requisite filing fee of \$158.10 (checks are payable to the San Francisco Department of Building Inspection). Please attach additional pages as necessary and print legibly.

Jurisdiction of the Abatement Appeals Board (AAB): Under Section 105A.2 of the San Francisco Building Code (SFBC), and Chapter 77 of the San Francisco Administrative Code, the AAB has the power to hear and decide appeals from Orders of Abatement and hear direct appeals pursuant to SFBC Section 102A.. The Board may "uphold, modify, or reverse such orders, provided that the public health, safety and public welfare are secured most nearly in accordance with the intent and purpose of this code and the San Francisco Housing Code." (SFBC 105A.2.3).

Appellant Questionnaire & Declaration: The undersigned appellant hereby appeals to the AAB and makes the following allegations in connection therewith:

- (1) The Order appealed from was made at a public hearing by the Director of Building Inspection, of the City and County of San Francisco, on APRIL 26, 2022.
- (2) The affected premises are located at 460 VALLEJO STREET, San Francisco. They contain 2 dwelling units and 0 guest rooms.
- (3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto.
30 DAYS TO OBTAIN PERMIT AND COMPLETE INCLUDING FINAL SIGNOFF TO COMPLY WITH NOV# 202286188 AND PAY ALL CES FEES
- (4) State the relief you seek and reasons why you claim the appealed action should be modified or reversed by this board. (Attach additional sheet(s) if necessary.).
WE REQUEST THAT FEES AND PENALTIES BE WAIVED AND THE DECISION REVERSED BECAUSE WE SUBMITTED A CORRECTIVE PERMIT, PA# 2019-0402-6906 AND 201904026906 SITE DWGS-REV6, WITHIN THE REQUIRED 30 DAYS. THE CORRECTIVE PERMIT ADDRESSES ALL ITEMS IN NOV# 202286188. THE PERMIT IS UNDER REVIEW BY BOTH THE PLANNING DEPARTMENT AND DBI. APPELLANT HAS MADE EVERY EFFORT IN GOOD FAITH TO HAVE THE PERMIT ISSUED
- (5) Please state /check appellant's relationship to the property: property owner owner's agent
 attorney architect engineer contractor other _____
If the appellant is an agent of the owner(s) of record please attach documentation delineating representation.
- (6) **Appellant's Information:**
Print Appellant's Name: JUSTIN YONKER Daytime Phone Number: 415-806-4676
Appellant's Mailing Address: 3 STARK ST. SAN FRANCISCO, CA 94133

Abatement Appeals Board Appeal Application Form

Page Two

(7) Please state any work that you are aware of that was performed at the subject property without required building, plumbing, electrical permits:

COMPARED TO THE MAJOR RENOVATION APPROVED UNDER PA #201512165310, A SMALL AMOUNT OF WORK EXCEEDED THE SCOPE OF WORK. SEE NOV# 202286188

(8) Did the current owner(s) of record own the property when this work was performed?

Yes No

(9) If no, explain property purchases and approximate time when work was performed:

(10) Please state any work completed to correct the related code violations:

NONE, AWAITING PLANNING AND BUILDING DEPARTMENT APPROVAL OF PA# 2019-0402-6906 AND 201904026906_SITE DWGS-REV6 WHICH ABATES ALL ITEMS NOV# 202286188

(11) What was the extent of the work performed? How much remains to be completed?

(12) When was the work done? N/A

(13) Who did the work? N/A

(14) What is your occupation? If you are a co-owner, list all other co-owners and other occupants.
AGENT OF OWNER

(15) Do you own other properties in San Francisco? Yes No

(16) If yes, do any of these properties have active Department of Building Inspection code enforcement cases or Orders of abatement? Yes No

(17) If Yes, please list Complaint Tracking or Order numbers

(18) Have you owned property in San Francisco before? Yes No

(19) Are you aware that building, plumbing, and/or electrical permits may be required to abate the subject code violations? Yes No

(20) Have you applied for the required permits to abate the subject code violations? Yes No

If yes, please list permit applications:

Building Permit Application Nos. PA# 2019-0402-6906

Plumbing Permit Application Nos. _____

Electrical Permit Application Nos. _____

(21) What other permits have you been granted by the City? 2015-1216-5310; 2016-0914-7636;
2017-0712-1727; 2018-0821-7874

(22) What other facts do you want the Board to consider?

THIS PROPERTY HAS ALWAYS BEEN THE SUBJECT OF SCRUTINY RELATED TO COMBINING TWO PROPERTIES INTO ONE, WHICH IS NOT THE CASE AS VERIFIED BY SITE VISITS FROM PLANNING AND DBI STAFF. DURING THESE SITE VISITS, STAFF IDENTIFIED SOME MINOR ITEMS THAT EXCEEDED THE SCOPE OF THE PERMITS. WE HAD BEEN WORKING WITH PLANNING TO ADDRESS THESE ITEMS, COMPLETED THE 311 NOTIFICATION WITH THE SUPPORT OF PLANNING STAFF, AND WERE AWAITING OUR SCHEDULED DR HEARING WHEN THIS COMPLAINT/NOV, THAT IS SIMILAR IN NATURE, WAS FILED. WITH THE CURRENT PLAN SETS WE HAVE ADDRESSED ALL ITEMS COVERED IN THE NOVs. WE REQUEST THAT BUILDING AND PLANNING DEPARTMENTS ALLOW US TO WORK THROUGH APPROVAL AND COMPLETION OF THIS ABATEMENT PERMIT. WE HAVE SUBMITTED PA# 2019-0402-6906 AND ASSOCIATED PLAN SET 201904026906 SITE DWGS-REV6, WHICH ABATES ALL ITEMS NOV# 202286188. WE ARE CURRENTLY IN REVIEW AT DBI AS WELL AS THE DISCRETIONARY REVIEW PROCESS OF THIS PERMIT APPLICATION WITH THE PLANNING COMMISSION. THE PLANNING COMMISSION HEARING HAS BEEN CONTINUED EACH TIME WE HAVE BEEN ON THE SCHEDULE. WE HAVE DONE EVERYTHING WE CAN TO ABATE THE SUBJECT VIOLATION.

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

Print Name: JUSTIN YONKER

Signature: 2-7

Date Signed: 5/13/22

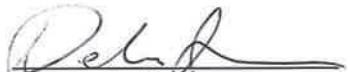
Signatory is property owner agent other

November 2, 2021

To Whom It May Concern,

I hereby authorize Justin Yonker to act as Agent on behalf of myself and Master Builders to communicate with the Planning and Building Departments and file applications with regard to SF Building Department and SF Planning Department permits, records, and other work for the property located at 460-462 Vallejo Street on my behalf. This includes but is not limited to research of records at all City of San Francisco Departments, Libraries, City Hall/Assessor's records, DBI building department records, and records of ownership, occupancy, modification, etc.

Sincerely,



Lee B Do, LLC
Owner,
460-462 Vallejo Street