

From: [Eric Roussel](#)
To: [SOTF \(BOS\)](#); [Ionin, Jonas \(CPC\)](#)
Cc: [Somera, Alisa \(BOS\)](#); [Matthew Yankee](#)
Subject: Re: Notice of Hearing: Sunshine Ordinance Task Force, Wednesday 9/3/2025, Convenes at 4:00 p.m., Hearings on Complaints at 5:00 p.m. (File No. 25039)
Date: Thursday, August 28, 2025 4:45:41 PM
Attachments: [E17 Jan-June 2024 Emails RedactedOCR.pdf](#)

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

Additional attachment 17

On Thu, Aug 28, 2025 at 4:43 PM Eric Roussel <ericsfca@gmail.com> wrote:

Additional attachment E16

On Thu, Aug 28, 2025 at 4:37 PM Eric Roussel <ericsfca@gmail.com> wrote:

Supplemental Brief

Complainant: Eric Roussel

Respondent: San Francisco Planning Department

File No.: 25039

Hearing Date: September 3, 2025

Hello Ms Petersen,

On July 2, 2025, the Task Force found the San Francisco Planning Department (PLN) in violation of §67.21(b) for failing to respond fully and ordered production of all missing records. Since then, PLN has failed to comply.

The September 3 hearing must now address continued violations under §67.21(d) and refer the matter under §67.30(c). The record shows willful noncompliance, withholding of “known to exist” emails, and improper ex parte influence between staff and Mr. Kushner, my neighbor at 874 Fell st.

- Ongoing Noncompliance

Audrey Merlone Emails: Three emails produced from March 28, 2024 are incomplete — stripped headers, no subjects, missing CCs, and no attachments. The thread explicitly references additional emails to Rogelio and Kelly that were not produced. Mr. Kushner later attached the same incomplete thread on Oct. 2, 2024, proving the full exchange exists.

Permit & NOV Communications: Emails regarding my NOVPD and the suspension of BPA 2024-0117-4149 remain absent.

This is clear §67.21(d) noncompliance with your July 2 order.

- Ex Parte Influence and Improper Communications

Mr. Cushner's communications with Planning were not simple complaints. They crossed into lobbying, strategizing, and directing staff against my permits — all without notice to me.

Examples:

Reward Offer: On March 26, 2025, Mr. Cushner offered to redirect a refund to “reward” Inspector Rogelio Baeza for his ENF work against me. He also thanks PLN staff for communicating with him since December 2021. E0

Permit Blockage: On May 2, 2025, Mr. Cushner admitted his only concern was that my permit remain blocked, regardless of merits. E10

Variance/ZAD Attacks: He filed ZADs against my carriage house without notifying me, and pressed staff to treat the 2014 variance as expired.

Brainstorming: He emailed staff urging them to “prove” my carriage house never had a dwelling — a legal argument, not a complaint.

Anonymous Participation: He joined my Oct. 2024 ZA hearing by phone without identifying himself, and Planning allowed it. E11

Resource Drain: On Dec. 27, 2024, Kelly Wong told Elizabeth Gordon that she had to “remove around \$3,000 of Rogelio’s time just corresponding with Mr. Cushner.” E12

Sunshine Implications

§67.21(e): Failure to produce “known to exist” communications (Audrey thread, Mr. Cushner’s lobbying).

§67.27: Failure to notify me while shielding Mr. Cushner’s identity and giving him improper access.

Bias & Favoritism: Staff allowed one private citizen to consume thousands in resources and shape outcomes, while I was excluded.

- False Complaints and Cost to the Public

The workflow histories of recent enforcement cases show that Mr. Cushner’s false complaints have wasted over 45 staff hours on investigations that all ended in “No Violation.”

2022-000580ENF – 9.75 staff hours wasted.

2024-000877ENF – 17.0 staff hours wasted.

2024-001479ENF – 2.5 staff hours wasted.

2025-000389ENF – 16.25 staff hours wasted.

These cases confirm that false complaints are not harmless. They diverted staff for months, consumed public funds, and delayed legitimate work.

When combined with Kelly Wong’s acknowledgment that \$3,000 was spent just corresponding with Mr. Kushner, the public cost is undeniable. E12

- Mr. Kushner’s Own Admissions

Two of Mr. Kushner’s emails demonstrate that his actions are not about protecting the public interest, but simply about blocking my carriage house project at all costs.

Misguided Complaint About Rentals: In February 2024, Mr. Kushner admitted his complaint was not about short-term rentals under the City’s ILO system, but his own mistaken interpretation of zoning occupancy limits. Despite misunderstanding the law, his complaint still triggered ENF 2024-000871 and wasted staff time. E15

Admission of Sole Motive: In January 2024, Mr. Kushner told DBI inspectors that his “only concern” was my carriage house at 874 Fell. This was a direct admission that his entire campaign of complaints, PRRs, and ZADs was not neutral, but singularly focused on blocking my project. E14

- Internal Contradictions (DBI vs. PLN)

On April 30, 2025, Kat Yi confirmed Planning would accept plans from a designer. On May 1, 2025, Rogelio contradicted this, contacting DBI to insist that only a licensed architect was acceptable. This sabotage was never disclosed in full records.

- Relief Requested

I respectfully request that the Task Force:

Find Continued Violation under §67.21(d) for failure to comply with the July 2 order.

Find Willful Violation under §67.21(e) and §67.27 for withholding known records and failing to provide notice.

Refer to the Ethics Commission for investigation of bias, collusion, and misconduct.

Refer to the Board of Supervisors for oversight of PLN’s recordkeeping and complaint-handling.

Refer to the City Attorney for enforcement, compelling full production and penalties under §67.30(c).

- Conclusion

Planning’s misconduct is no longer in question. They have withheld emails “known to exist,” ignored your July 2 order, and allowed Mr. Kushner to embed himself in agency

decision-making without notice to me.

The Sunshine Ordinance means little if one citizen can secretly consume \$3,000 of staff time, file meritless complaints wasting 45+ staff hours (Workflow History on multiple dismissed complaints, attached), misstate the law, and openly admit his only goal is to block a neighbor's carriage house project E14 — while the affected property owner is left in the dark.

The Task Force must act on September 3 by finding continued violation and referring this matter to Ethics, BOS, and the City Attorney.

Respectfully submitted,
Eric Roussel

From: [REDACTED] CA Govt Code Sec 727
To: [REDACTED] CPC-CodeEnforcement
Cc: [REDACTED] Baeza, Rogelio (CPC); Wong, Kelly (CPC); Rachna, Rachna (CPC); Teague, Corey (CPC)
Subject: Re: PA# 202402286739 and NOV# 202418595
Date: Friday, June 21, 2024 11:55:09 AM

Please understand:

I am hearing construction noises that sound like they are coming from the rear structures at 874 Fell Street. I fully expect the owner-builder to do whatever work he wants when he wants, even if he is not authorized, since his consistent pattern is to disregard DBI and Planning Department directives. I anticipate that when I ask DBI staff to do something about his next violation, they will not. I am very much hoping that the Planning Department will take a fairer and more honest approach when dealing with violations at that property.

On Thu, Jun 20, 2024 at 12:16 PM [REDACTED] <[REDACTED] gmail.com> wrote:

FYI, the Department of Building Inspection is refusing to enforce its own policies regarding Complaint/ NOV 202418595, and ignoring the Planning Department's directive concerning 2024-000871ENF. DBI has decided to impose no penalty whatsoever against the owner of 874 Fell St. for completing work on a permit that is filed but not issued (BPA# 202402286739): they are allowing him to simply withdraw the permit and pretend that the completed scope of work was listed in a previously issued permit (BPA# 202402166102). This is but the tip of an immense iceberg of interconnected violations at that property, which so far DBI has consistently refused to do anything about.

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Date: Tue, Jun 18, 2024 at 11:14 AM
Subject: Re: PA# 202402286739 and NOV# 202418595
To: Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org>
Cc: DBICodeEnforcement, DBI (DBI) <dbi.codeenforcement@sfgov.org>, Sanbonmatsu, Jamie (DBI) <jamie.sanbonmatsu@sfgov.org>

That is 100% untrue. The scope of work for PA# 202402286739 is to "REMOVE STAIRS LOCATED AT THE REAR OF PROPERTY TO ABATE 202418595."

If the other work was covered under the previous permit, then there would be no need for a revision permit to "KEEP THE DOOR MOLDING AND LOOK INSTEAD OF MATCHING TO THE WALL."

Moreover, as indicated in the PTS the owner/ Project Sponsor has been required "to contact Enforcement Planner, Rogelio Baeza (rogelio.baeza@sfgov.org) for next steps and approval of permit before Planning Approval."

Once again I'm confused and very concerned about what appears to be a special standard for this property owner, who somehow manages to consistently break rules and is never penalized.

On Tue, Jun 18, 2024 at 7:45 AM Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org> wrote:

Hello Mr. Cushner

The permit you referenced was a revision permit to keep the trim around the door, as shown in your photos the trim was removed and the siding patched back. This work was covered under PA# 202402166102. I will ask the sponsor to withdraw the 202402286739 application since it is no longer required.

From: [REDACTED] <[REDACTED]@gmail.com>

Sent: Monday, June 17, 2024 2:53 PM

To: DBICodeEnforcement, DBI (DBI) <dbi.codeenforcement@sfgov.org>

Cc: Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org>; Sanbonmatsu, Jamie (DBI) <jamie.sanbonmatsu@sfgov.org>

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To whom it may concern,

The owner of 874 Fell Street has completed the scope of work associated with PA# 202402286739, despite not having a valid permit (the permit for this work has been filed but not issued). Please let me know what steps will be taken to address this issue.

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--

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Cc: [REDACTED] Baeza, Rogelio (CPC); Wong, Kelly (CPC); Rachna, Rachna (CPC); Teague, Corey (CPC)
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To: [REDACTED] CPC-CodeEnforcement
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Subject: Re: PA# 202402286739 and NOV# 202418595
Date: Friday, June 21, 2024 11:55:08 AM

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From: CA Govt Code 5807927700 <[REDACTED]@gmail.com>

Sent: Monday, June 17, 2024 2:53 PM

To: DBICodeEnforcement, DBI (DBI) <dbi.codeenforcement@sfgov.org>

Cc: Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org>; Sanbonmatsu, Jamie (DBI) <jamie.sanbonmatsu@sfgov.org>

Subject: PA# 202402286739 and NOV# 202418595

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Thanks,

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CA Govt C

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CA Govt C

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From: [Baeza, Rogelio \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#)
Date: Thursday, June 20, 2024 10:27:21 AM

Would I be able to add 874 Fell St to the ZA Drop in? This is in regards to [REDACTED] question about qualifiable ILO evidence.

From: [REDACTED] CA Govt Code Sec 75
To: Baeza, Rogelio (CPC); Wong, Kelly (CPC)
Cc: CPC-CodeEnforcement; Rachna, Rachna (CPC)
Subject: Re: 2024-000871ENF (874 Fell)
Date: Tuesday, June 18, 2024 8:49:41 PM

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

Hi Rogelio and Kelly,

Regarding correspondences:

The batch of emails provided on 5/7 belong to a thread titled "Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St," which begins with a message from Rogelio to the property owner on April 9, and concludes with a reply from Rogelio to the owner's representative Trevor Deng on April 29. Can you please confirm that there are no subsequent emails related to this thread, including messages to or from Planning staff, after April 29?

The nine files sent on 6/17 consist of messages from a thread titled "874 Fell Street - Legalization of Illegal Unit Permit No. 201901220927." It begins with a message from the owner's architect Janet Campbell on May 15, and concludes with a reply from Kelly on May 20. The architect sent a follow-up on May 21, titled "Re: Update on process - BPA #2019-0122-0927," and Kelly replied on June 17. Can you please confirm that there are no other emails related to these threads, including messages to or from Planning staff, before May 15 and/or between May 21 and June 17?

Because there are some pretty large time gaps in these correspondences, I want to make sure there aren't other emails pertinent to this enforcement - either involving the owner / the owner's representatives, or internal Planning Dept. threads - that somehow were not included in response to my request. If there are any other relevant emails, can you please send them asap?

Thanks,

On Mon, Jun 17, 2024 at 1:13 PM [REDACTED] <[REDACTED]@gmail.com> wrote:
Hi Rogelio,

Thanks for this message and the updates. In regards to BPA# 202402286739, I've attached another picture showing that as of yesterday, all the work on that permit has been completed, even though it has not been issued yet (as you know).

Regarding the ILOs, did you in fact receive the documents I sent you on April 1 related to a confirmed Airbnb booking/ reservation for Apt 1a, May 5 - June 7? In case not, I'm sending those again. I recognize that you can't enforce based on listings alone, which is why I sent the confirmation details and receipt, etc.. Am I mistaken about this being the type of evidence you need in order to confirm a violation for ILOs?

Best regards,

--
GA Govt C
[redacted]

From: [Baeza, Rogelio \(CPC\)](#)
To: campbellarchitec@aol.com
Cc: [Eric Roussel](#)
Subject: RE: 874 Fell Street Illegal Unit Legalization Permit - No. 2019-0122-0927
Date: Monday, June 17, 2024 2:41:05 PM

Moving Kelly to BCC.

Hi Janet,

Thank you for this email. Please see my earlier response.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Monday, June 17, 2024 1:31 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Cc: Eric Roussel <ericsfca@gmail.com>
Subject: Fw: 874 Fell Street Illegal Unit Legalization Permit - No. 2019-0122-0927

Hello Rogelio,

Here is what Vivian and I discussed previously, a day or two after contacting her immediately. Sending you the highlights in emails.

She had said that if anything changed of substance, I would have to take all the drawings and break them apart into separate existing and new drawings.

And that happened. The interior changes to the illegal unit, which we discussed at length, were not an issue that would cause the drawings to be separated into existing and new plans, she said, after we carefully went over what had to be changed. The stairs on the rear of the building as shown coming down from Unit No. 2 that were eliminated in the recent permit were not an issue for her. But the stairs coming down from Unit 1 B were changed, and that did become too much of an issue. So I had to redo all of the drawing set.

She also had very new and different "secretarial" changes to a lot of the nomenclature. Which I did. It appeared to be her preferences. I took copious notes, we discussed a lot.

We got that done. And Structural was being done at the same time, got done a few days after I did.

The next email you will see shows what happened when I contacted her to get in with the plans to be reviewed. I fully expected to be seen within 2-3 days (usually on Tuesday or Thursday afternoons about 2 pm seems to be her preference and availability.) But she was gone till July 12th, we didn't know that was going to happen!

Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

----- Forwarded Message -----

From: Huang, Vivian (DBI) <vivian.huang@sfgov.org>
To: campbellarchitec@aol.com <campbellarchitec@aol.com>
Cc: Eric Roussel <ericsfca@gmail.com>
Sent: Tuesday, May 28, 2024 at 10:55:19 AM PDT
Subject: Re: 874 Fell Street Illegal Unit Legalization Permit - No. 2019-0122-0927

Janet,
Thank you for the update.

Regards,

Vivian Huang, P.E.
Engineer
Permit Services - Department of Building Inspection
(628) 652-3764
SFDBI.org
[Sign up for our customer email list](http://SFDBI.org)

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Tuesday, May 28, 2024 10:14 AM
To: Huang, Vivian (DBI) <vivian.huang@sfgov.org>
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Subject: 874 Fell Street Illegal Unit Legalization Permit - No. 2019-0122-0927

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Hello Vivian,

I am writing to tell you that while I have not been called to Jury Duty today, it turns out Eric Roussel, the owner of 874 Fell Street, has made a slight change to the new stairs (I forgot were under this contract when talking with you). And we did need a structural engineer for that and the slab floor level change in the illegal unit (ceiling height issue).

So I will have to move the meeting to sometime next week. I am having to add all new "New" plan sheets to the set as a result, etc. I should know by next Monday morning when we can print and come in for a review (I hope). I will email you then, and hope we can meet up soon to get this project reviewed and moved towards the next step.

Thank you very much, if you have any questions, please feel free to call.

Best Regards, Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

From: [Baeza, Rogelio \(CPC\)](#)
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Bcc: [Wong, Kelly \(CPC\)](#)
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(628) 652-3764
SFDBI.org
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From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Tuesday, May 28, 2024 10:14 AM
To: Huang, Vivian (DBI) <vivian.huang@sfgov.org>
Cc: Eric Roussel <ericsfca@gmail.com>
Subject: 874 Fell Street Illegal Unit Legalization Permit - No. 2019-0122-0927

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attachments from untrusted sources.

Hello Vivian,

I am writing to tell you that while I have not been called to Jury Duty today, it turns out Eric Roussel, the owner of 874 Fell Street, has made a slight change to the new stairs (I forgot were under this contract when talking with you). And we did need a structural engineer for that and the slab floor level change in the illegal unit (ceiling height issue).

So I will have to move the meeting to sometime next week. I am having to add all new "New" plan sheets to the set as a result, etc. I should know by next Monday morning when we can print and come in for a review (I hope). I will email you then, and hope we can meet up soon to get this project reviewed and moved towards the next step.

Thank you very much, if you have any questions, please feel free to call.

Best Regards, Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

From: [Shaikh, Mohsin \(DBI\)](#)
To: [Woo, Jason \(FIR\)](#); [Baeza, Rogelio \(CPC\)](#); [Huang, Vivian \(DBI\)](#); [Birmingham, Kevin \(DBI\)](#)
Subject: RE: 874 Fell St - 201901220927
Date: Friday, June 07, 2024 3:05:14 PM
Attachments: [image002.png](#)
[Email to Architect 8-25-2020.pdf](#)

Hi Rogelio,

Sorry for the delay, I was OOO for some time.
Applicant reached out to MECH on 8/24/2020 and provided pdf as response to comments.
Applicant was notified of few correction needed via email on 8/25/2020 (see email attached), just waiting for the response.

Best Regards,

MOHSIN SHAIKH, P.E., LEED-AP
Specialty Plan Review Supervisor
Permit Services - Department of Building Inspection
(628) 652-3717
[SFDBI.org](#)
[Sign up for our customer email list](#)

From: Woo, Jason (FIR) <jason.woo@sfgov.org>
Sent: Tuesday, May 21, 2024 9:38 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; Huang, Vivian (DBI) <vivian.huang@sfgov.org>; Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org>; Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>
Subject: Re: 874 Fell St - 201901220927

Rogelio

1. Applicant reached out to FIRE 7/1/2020 with pdfs addressing the comments.
Applicant needs to submit revisions for a formal recheck.
2. Nothing else detaining the project from moving forward.
3. Please see attached pdf for comments

A/Lt. Jason M. Woo, MSFPE
Master of Science Fire Protection Engineering
698 2nd Street
San Francisco, CA 94107
415-558-3361



From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>

Sent: Monday, May 20, 2024 1:35 PM

To: Huang, Vivian (DBI) <vivian.huang@sfgov.org>; Woo, Jason (FIR) <jason.woo@sfgov.org>;

Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org>; Shaikh, Mohsin (DBI)

<mohsin.shaikh@sfgov.org>

Subject: 874 Fell St - 201901220927

Hi All,

I am reaching to you all because there is an active Planning enforcement case for this property. As part of the active investigation, I had a couple of questions regarding this permit.

1. Has the applicant reached out addressing the comments below:

Addenda Details:

Description:

Station Ref#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Review Result	Hold Description
HS	4/9/19	4/9/19			4/9/19	LOPEZ, JOSE	828-652-3700		
CPB	4/10/19	4/10/19			4/10/19	OUTIERREZ, NANCY	828-652-3240		
CP-ZOC	4/10/19	5/1/19	5/1/19	9/15/19	9/16/19	CHANDLER, MATHEW	828-652-7300		9/16/19: Approved. Legalize illegal unit at rear of the basement in front building per Ordinance 43-14; reconfigure stairs in rear yard. Mathew Chandler May 2019: permit placed on hold for public records request
BLDG	9/17/19	9/24/19			9/24/19		828-652-3780	9/24/19: OTC request approved	
BLDG	9/24/19	10/9/19			10/9/19		828-652-3780	10/9/19: OTC expired	
MECH	9/24/19	10/9/19			10/9/19		828-652-3780	10/9/19: OTC expired	
BLDG	10/9/19		1/9/20		8/11/21	YU, CYRIL	828-652-3780		WAITING STRUCTURAL DWG AND CALCS
BLDG	8/11/21	8/11/21	8/11/21			RALLS, MATTHEW	828-652-3780		awaiting new drawings
MECH	3/21/20	3/23/20	3/25/20			SHAIKH, MOHSIN	828-652-3780		WKP 8/25/20 review pdf revisions, incomplete. 3/24/20 comments issued, plans routed to PRC
SFFD	3/24/20	4/2/20	4/2/20			WOO, JASON	828-652-3472		comments sent via email
DPW-BSM	4/2/20	5/5/20			5/5/20	YU, ERIC	828-271-2000		APPROVED. 5/5/20: BSM sign off on Job Card required prior to DBI final. Subject to all conditions of SFPW: BUL (tree planting) -EY 11/20/19 BUL Release RD
SFPUC	5/5/20	6/5/20			6/5/20	WONG, KENDRICK	828-652-6040		Existing/proposed fixtures count to 1" meter and current meter is 5/8". Recommend to upgrade 06/05/2020
CP-ZOC	4/15/24	5/16/24			5/16/24	BAEZA, ROGELIO	828-652-7300	Administrative	5/16/24: Planning finalized review of submitted documents for Unit Legalization Program. Routed back to BLDG for review #B.
DFCU									
FPC						WAI, CHUNG, WONG	828-652-3780		4/15/24: To CP-ZOC per Rogelio Baeza's request; for 6/5/20. To IN HOLD BIN. Needs approval from MECH, BLDG, SFFD; AD 5/5/20. To PUC; HP 4/2/20; to BSM; am 3/24/20; To SFFD; HP 2/21/20; to MECH; am 5/14/19. Plans to Karen Liang/EC. 10/9/19: OTC expired; to BLDG; am 9/24/19: OTC approved; to OTC bin; am 9/17/19; to supervisor for OTC approval/denial; am 9/17/19; To BLDG; HP 8/28/19; R1 to DCP; mm 4/10/19; To DCP; HP
CPB							828-652-3240		

a.

- b. If so, is there anything else that is detaining the permit from moving forward?
- c. If not, would you all be able to provide the comments to me and the applicant for them to work on a permit drawing set that addresses the outstanding comments?

I appreciate your cooperation and understanding for this active Planning enforcement case.

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: CA Govt Code Sec 75
To: RecordRequest@sfgov.org
Cc: [Chandler, Mathew \(CPC\); Baeza, Rogelio \(CPC\)](mailto:Chandler, Mathew (CPC); Baeza, Rogelio (CPC))
Subject: Correspondences, 2019-005109PRJ
Date: Tuesday, June 04, 2024 4:50:13 PM
Attachments: [Screenshot 2024-06-04 at 16-44-08 Accela Citizen Access.png](#)

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To whom it may concern,

I've noticed that a (second) correspondence file was added to the accela page for 2019-005109PRJ on 4/9/2024, and it is larger than the one added on 9/16/2019.

Can you please confirm that the 2024 file includes documents that were not added in 2019? And if so, were the recently added documents also generated in 2019, or does it include files generated this year as part of the ongoing review tied to 2024-000871ENF?

Thanks for your time,

[REDACTED]

From: Chen, Josephine (CPC)
To: Wong, Kelly (CPC)
Cc: Durandet, Kimberly (CPC)
Subject: RE: New ACA complaints system - Comments from Rachna
Date: Wednesday, May 29, 2024 11:53:34 AM
Attachments: image001.png

Dear Kelly,

I don't think this is specifically related to ACA Complaint Submittal, but overall public portal, but may still be worth to check with Glenn's team. My understanding is that workflow comments are publicly accessible, and it's the internal notes that are not?

May want to also check-in including OOA on PIM similar to NSR (if it means to upload OOA as NSR on M-Files, or add a class for Recorded Documents, also for Lien when that happens).

Thank you,
Josephine

Josephine Chen
Code Enforcement, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7395 | sfpb.sfgov.org
[San Francisco Property Information Map](#)

From: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Sent: Wednesday, May 29, 2024 10:23 AM
To: Durandet, Kimberly (CPC) <kimberly.durandet@sfgov.org>
Cc: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>; Chen, Josephine (CPC) <josephine.chen@sfgov.org>
Subject: New ACA complaints system - Comments from Rachna

Hi Kimberly,

Can you please also start a list of comments for the new ACA Complaints Submittal portal, so we can discuss and share with Glenn and John at our meeting next week?

Rachna had the following comments below (see screenshot from a Teams message).

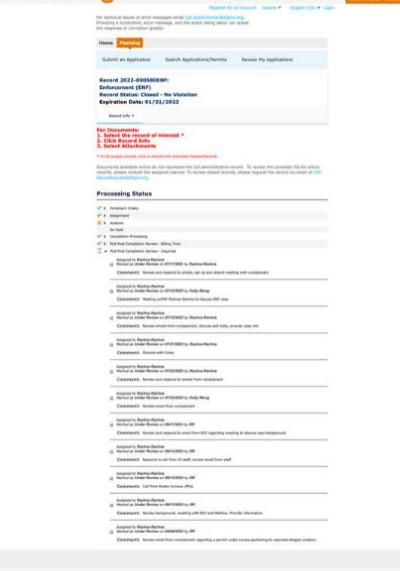
Thank you!
Kelly

Rachna, Rachna (CPC) 9:35 AM Edited

RR

It looks like our PPTS workflow notes are visible to public in ACA. See attachment in email and below for 874 Fell. These were not supposed to be visible! When we get record requests, we don't produce such workflow notes and these are only produced as part of TM report. Can you please look into this? It can cause issues for us.

San Francisco
Planning



9:38 AM

Hi Rachna, Rachna (CPC), can you send these comments via email and also copy Kimberly and Josephine? I'll have Kimberly compile comments and share during our next meeting w/Glenn & John next week. Thanks!



Last read

Rachna, Rachna (CPC) 10:19 AM

RR

I had forwarded you email with such attachment. I reached out to you here to minimize emails to produce for public record.



Kelly H. Wong, Principal Planner
Code Enforcement Manager

Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Sent: Wednesday, May 29, 2024 9:26 AM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: FW: Variance Review of Revision to Permit #2020-11309847 (874 Fell)

FYI.

Rachna, Senior Planner
(she/her)

Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfgov.org
[San Francisco Property Information Map](#)

From: CA Gov Code 8c, CA Gov Code 8c.ca.gov@gmail.com>
Sent: Monday, May 20, 2024 2:49 PM
To: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Cc: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>; Gordon-Jonckheer, Elizabeth (CPC) <elizabeth.gordon-jonckheer@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Re: Variance Review of Revision to Permit #2020-11309847 (874 Fell)

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Dear Rachna (et al.),

I appreciate the note on the Accela page that you've included my April 8 message in your Post-Completion Review of 2022-000580ENF. To be clear: I think these emails from Janet Campbell (which were not included in my complaint) offer (further) proof that the carriage house project has been falsely presented as a renovation. If I'm wrong, please explain why.

Also, I know the Planning Dept. is currently reviewing BPA# 202401174149 and requesting information about the existing, approved, and proposed conditions of the rear structures - along with the precise scope of work for which the owner is now seeking approval. I'm hopeful that this review will require an accurate depiction of the lack of *actually existing* amenities in the carriage house (i.e. no bathroom or kitchen fixtures, etc.); verification that the overall project is a renovation - per the terms of 2014.0157V - such that neither the carriage house nor garage would be demolished; and a corresponding clarification regarding which specific portions of the existing structures would remain intact.

Thanks for your assistance in this matter.

Best regards,

On Mon, Apr 8, 2024 at 12:20 PM 8c.ca.gov@gmail.com wrote:

Hi Rogelio,

I've noticed you told the owner of 874 Fell that his revision to Permit #2020-11309847, filed on 1/17 (#2024-01174149), is on hold pending a review to see if the amended scope of work will be allowed per the terms of the variance approved in October 2014 (2014.0157V). And I see that this proposed revision might be reviewed by the ZA. So, I'd like to make sure certain facts are on the record, and I'm cc'ing others who've been involved in the carriage house project and/or enforcements at the property.

The Planning Department opened a case in January 2022, after I complained that the carriage house project was not actually a renovation because the rear structures at 874 Fell are not, and never have been, a legal dwelling. That complaint was closed in July 2022, with no violation found even though I presented multiple pieces of evidence verifying my claims. All of that material is in the files associated with 2022-000580ENF. I've attached here a document that provides a revised version of the rationale for why the adjoining structures at the rear of 874 Fell Street ("carriage house" c. 1901 and "garage" c. 1948) are not "a legal nonconforming dwelling unit" because there is "conclusive evidence" of their illegality per S.F.P.C. Section 180(h).

I would like to now add that in an email to Mathew Chandler on March 16, 2022, the project sponsor (architect Janet Campbell) admitted that the rear structures must be torn down in order to proceed as planned. I've attached copies of that and other relevant emails, where Campbell asked if demolition would be possible, and Chandler responded the next day by making clear that that would require a new variance. She replied by acknowledging this reality.

Then on April 11, 2022, workers removed the foundation on the north side of the carriage house, which abuts my property line, and where the external wall is no longer extant (so no shoring was needed to accomplish that demolition). This was done despite my warning to the owner, in an email on April 10, that no work could begin without first following the necessary steps for pre-construction inspection, including the placement of monitoring points prior to excavation, as the plans called for digging 10' below grade for a basement. I do not know whether the workers were set to start digging, or what would have happened next, because I was able to have DBI send someone out to issue a Stop Work order.

On May 22 Campbell then followed up with Chandler by saying "*The Owner needs to remove the basement altogether.*" In looking at this timeline, it seems very reasonable to suggest that when work was started in April 2022, the owner had already decided to eliminate the basement to speed things up and disguise the fact that a total rebuild was necessary. Obviously there would be no way to build a basement under the rear structures without tearing everything down, so they moved ahead with a plan they thought would make it easier to continue the ruse of a renovation. Included below are relevant quotes from Campbell's March 16 email to Chandler, proving that the intent is to demolish and rebuild.

As you proceed with your review, I hope you will consider the facts that I'm now presenting with the following claim: In seeking a reduced scope of work to eliminate the basement, the goal is to circumvent the rules, and avoid obtaining a variance to build a new structure (as opposed to renovating the old ones). Whether or not the owner is allowed to reduce the scope of work and get rid of the basement, none of the currently proposed construction is approved under the current variance, which is for renovation. There can be no doubt at this point that the plan is to do new construction, which should require a new variance.

Thanks for your attention to this matter - please let me know if you have any questions.

Best,



"How does he reconstruct the structure? It is in pretty bad shape now waiting for years for the permits and he will have to replace just about everything on the left hand side, the original servants' quarters from 1903. And with redoing the foundations, likely the whole structure. The structural aspect of it needs to be rebuilt, foundations first, and frankly, the

over 100 year old siding and windows, front door etc. do too.

We had hoped it could be saved as is, but with uncovering of internal areas and exposing structural elements, it's clear there is no way to safely keep any of it.

Due to the flimsy nature of the existing structure, can he take it down to the ground, as he has to replace the foundations under everything and excavate, too, to do that and the lower floor? ...

He does have to replace the whole structural aspect of the structure, as well as the original siding and windows and front door go back we believe to 1903 when it was built, as those elements are definitely not in good shape at all."

--
DAB

From: [Rachna, Rachna \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#)
Date: Wednesday, May 29, 2024 9:35:57 AM
Attachments: [0-accaz-d2-0c237459946066e1c73303ca372f943a](#)
[Screenshot 2024-05-20 at 13-52-39 Accela Citizen Access.png](#)

It looks like our PPTS workflow notes are visible to public in ACA. See attachment in email and below for 874 Fell. These were not supposed to be visible! When we get record requests, we don't produce such workflow notes and these are only produced as part of TM report. Can you please look into this? It can cause issues for us.

From: [Baeza, Rogelio \(CPC\)](#)
To: [Fossi, Natalia \(CPC\)](#); [Dong, Maggie \(CPC\)](#)
Subject: RE: 874 Fell - 2024-000544PRL / 202401174149
Date: Monday, May 20, 2024 3:49:00 PM

Hi All,

Natalia – I have updated the PTS record to reflect that this project is assigned to me and is pending ZA review.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | [www.sfplanning.org](#)
[San Francisco Property Information Map](#)

From: Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>
Sent: Wednesday, May 15, 2024 10:20 AM
To: Dong, Maggie (CPC) <maggie.dong@sfgov.org>; Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: RE: 874 Fell - 2024-000544PRL / 202401174149

And please add dates into the CP-ZOC row w/ status and comments.

Best,

Natalia Fossi, Principal Planner
District 4 & Historic Preservation, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7306 | [www.sfplanning.org](#)
[San Francisco Property Information Map](#)

From: Dong, Maggie (CPC) <maggie.dong@sfgov.org>
Sent: Wednesday, May 15, 2024 10:17 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>
Subject: 874 Fell - 2024-000544PRL / 202401174149

Hi Rogelio,

Can you update PTS to have the building permit (202401174149) assigned to you?

Thanks,

Maggie Dong, Assistant Planner

District 4, Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7426 | www.sfplanning.org

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From: [Wong, Kelly \(CPC\)](#)
To: [campbellarchitec@aol.com](#); [Baeza, Rogelio \(CPC\)](#)
Subject: RE: Email Three and Last - Answers to your comments on 874 Fell Street Main House Illegal Unit being Legalized
- - BPA #2019-0122-0927
Date: Monday, May 20, 2024 1:42:56 PM

Dear Janet,

I am confirming receipt of your (6) emails pertaining to this legalization permit. Since [@Baeza, Rogelio \(CPC\)](#) is the assigned enforcement planner, I will review and work with him on this, and he will respond on next steps in the enforcement process soon.

Feel free to reach out if you have any questions.

Thank you,
Kelly

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, May 16, 2024 5:36 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Fw: Email Three and Last - Answers to your comments on 874 Fell Street Main House Illegal Unit being Legalized - - BPA #2019-0122-0927

Hi Kelly,

I apparently picked up the wrong email for Mohsin. Did not see that till now, reviewing. It was for the Carriage House, similar issues, the same time period as the Illegal Unit.

Here is the last one I can find below from myself to Mohsin for the answers to the Illegal Unit. I remember he called me and said they were OK and when it was OK to go in for appointments we could set that one up at the same time with Jason Woo, who also told me the same thing by phone, for them to sign off on them.

Regards, Janet

----- Forwarded Message -----

From: "[campbellarchitec@aol.com](#)" <[campbellarchitec@aol.com](#)>
To: [mohsin.shaikh@sfgov.org](#) <[mohsin.shaikh@sfgov.org](#)>
Sent: Wednesday, August 26, 2020 at 03:00:47 PM PDT
Subject: Re: Email Three and Last - Answers to your comments on 874 Fell Street Main House Illegal Unit being Legalized - - BPA #2019-0122-0927

Hi Mohsin!

Glad you are ok and working!

Per each item below, I have questions or answers:

1. See attached revised sheets A4 and A12, I have added the note to provide a booster fan or use a heavy duty dryer listed by the manufacturer for extended length (over 14 feet max length) exhaust duct."

On A4, it is Key Note 1. On A12, it is Key Note 9. They are in red. Does that answer the comment?

2. Yes, thank you, please I do need to speak by phone with you on the energy inspection forms. I am available anytime, at (415) 261-2613 (cell).

3. On sheet A-13 attached, I have added a note and it reads now the same as your comment.

Is that what you meant I needed to do?

Thank you so much,

Janet Campbell

Janet C. Campbell, Architect

Campbell & Associates

Two Parker Avenue, No. 302

San Francisco, CA 94118

(415) 261-2613

-----Original Message-----

From: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>

To: campbellarchitec@aol.com <campbellarchitec@aol.com>

Sent: Tue, Aug 25, 2020 4:56 pm

Subject: RE: Email Three and Last - Answers to your comments on 874 Fell Street Main House Illegal Unit being Legalized - - BPA #2019-0122-0927

Hi Janet,

Sheets A4, A12- The dryer exhaust duct length exceeds code allowed 14 feet CMC 504.4.2.1. Can you please provide a booster fan or a heavy duty dryer listed by manufacturer for extended length?

Sheets A14, A15- I do not see check boxes marked on the energy inspection forms.

Please let me know if you would like to discuss this over the phone.

Sheet A13- Please verify and provide fire smoke damper to the opening into the 45 min rated door #1, R-occupancy.

Best Regards,

Mohsin Shaikh, P.E., LEED AP
Energy/ Mechanical/ Green Building Plan Review

Department of Building Inspection
49 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

Desk (628) **652-3717**

Division (628) 652-3600

Fax (628) 652-3609

Web www.sfdbi.org

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Monday, August 24, 2020 9:59 AM
To: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>
Subject: Email Three and Last - Answers to your comments on 874 Fell Street Main House Illegal Unit being Legalized - - BPA #2019-0122-0927

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

Hi Mohsin:

Attached are the vents you asked for on the drawings, for the Main House at 874 Fell Street (Illegal Unit being legalized).

This is the third email with attachments. All the changes are in red for you, makes it easier to read.

I can meet anytime if they are OK, make the changes if any you want previous to it as well.

Thank you so much, Janet

Janet C. Campbell, Architect
Campbell & Associates
Two Parker Avenue, No. 302
San Francisco, CA 94118
(415) 261-2613

From: [Wong, Kelly \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: FW: 874 Fell Street Carriage House Answers to Comments
Date: Monday, May 20, 2024 1:40:15 PM
Attachments: [A4 \(E\) & \(N\) First Floor Plans Revised March 25 2020 for Mechanical.pdf](#)
[A5 \(E\) & \(N\) Second Floor Plans Revised March 25 2020 for Mechanical.pdf](#)
[A6 Existing & New Roof Plans Revised March 25 2020 for Mechanical.pdf](#)
[A17 Utilities Plans Revised March 25 2020 for Mechanical.pdf](#)
[T24 1 Revised March 25 2020 for Mechanical.pdf](#)

FYI – email 5 from Janet.

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, May 16, 2024 1:38 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Fw: 874 Fell Street Carriage House Answers to Comments

Hi Kelly,

This is where you can see Mohsin and I talking. I know he approved in a phone call what I had done re: vents shown etc. as well. You may be able to ask him directly, if he can remember, too. The drawings I changed that I was to bring in for him to sign off on are attached to this email as well.

Regards, Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

----- Forwarded Message -----

From: "campbellarchitec@aol.com" <campbellarchitec@aol.com>
To: "campbellarchitec@aol.com" <campbellarchitec@aol.com>
Sent: Monday, April 13, 2020 at 07:32:06 PM PDT
Subject: Re: 874 Fell Street Carriage House Answers to Comments

Here's what Mohsin had me do on the Carriage House. You can see it in red on the attached drawings...He wants vents shown (new to the new code as of Jan. 1st this year) and show a laundry in the Carriage House. For now, it works, but later, when building, you will be removing the car spaces (or whoever) and moving stuff around.

As to your question:

"1) As far as the barn. I just want David Pang to revert to the plans he already approved and get the permit issued like it almost did. There is no way I could afford the money and the risk of building that 10' basement now. I'll email David about it after this email. Any better idea how to do that?

Once I get the permit, I could sell 874 Fell easier and it might come to that as I don't make any money anymore. Almost all my apts are empty and my mortgages payments are still due to the tune of \$33,000/month. I contacted all my banks to tell them I can't pay them and they are reviewing my case they said...."

OK on the revert back to the two floors with no basement. I can tell Mohsin that too although David will have to tell us what to do first.

J

-----Original Message-----

From: Janet Campbell <campbellarchitec@aol.com>
To: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>
Sent: Fri, Mar 27, 2020 5:14 pm
Subject: RE: 874 Fell Street Carriage House Answers to Comments

Hi Mohsin,

Thank you for this, I will be glad to do all of it. Will make sure to bring multiple copies of the forms. Looking forward to when the Department opens back up and we can schedule a meeting!

Best, Janet

Sent from my MetroPCS 4G LTE Android device

On Mar 27, 2020 8:37 AM, "Shaikh, Mohsin (DBI)" <mohsin.shaikh@sfgov.org> wrote:

Good Morning Janet,

Thank you for sending responses to my comments.

1. If the dryer exhaust length limitation is over 14 feet, we will need to specify dryer as listed by manufacturer for extended length.

3. We will have to add few Non-HERS items on the checklist and I can work with you to check mark on plan during our recheck meeting. It will be helpful if you can also bring one copy (8.5x11 size) of each forms.

Best Regards,

Mohsin Shaikh, P.E., LEED AP
Mechanical Engineer

Mechanical/Energy/Green Building Plan Review
Department of Building Inspection
1660 Mission Street, 2nd Floor
San Francisco, CA 94103
(415) 558-6447
www.sfdbi.org

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, March 26, 2020 1:06 PM
To: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>
Subject: Fwd: 874 Fell Street Carriage House Answers to Comments

Hello Mohsin,

I have answered your comments on the attached drawings, as follows:

1. The Dryer is not going to be common, it will be specific to this separate house. This was a permit started in 2013, so at that time, we were not showing washers, dryers, etc. Since the California Building Code and with San Francisco Amendments has a section in it that states you design to the code you are under, rather than future codes unless you (the designer/property owner) decide to, we had not shown it. However, per your request, I have gone back and done so.

The washer and dryer are not in a closet, they are in the garage. I have located them and shown the dryer vent at the garage ceiling, to a point where it can go up through the room above and out the roof, at least 3 feet from the property line.

You can see it on the following sheets, in red so you can pick it out easily:

2/A-4 New First Floor Plan

2/A-5 New Second Floor Plan

2/A-6 New Roof Plan

Sheet A-17 Utilities Plans

2. As to the Range Hood:

You can see it on the following drawings/sheets, in red so you can pick it out easily:

2/A-5 New Second Floor Plan

2/A-6 New Roof Plan

Sheet A-17 Utilities Plans

3. As to the Applicable Acceptance/Verification Testing on the Energy Inspection Forms, please see the forms on attached sheet T21-1. They are marked in red crosses in the boxes by the applicable tests.

If you have any questions or changes required, please let me know#=!

Stay well,

Best Regards, Janet

Janet C. Campbell, Architect
Campbell & Associates
Two Parker Avenue, No. 302
San Francisco, CA 94118
(415) 261-2613

-----Original Message-----

From: Janet Campbell <campbellarchitec@aol.com>

To: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>

Sent: Tue, Mar 24, 2020 4:32 pm

Subject: RE: 874 Fell Street

Hi Mohsin, thank you!

I will contact you after you all reopen if I do not hear from you then, and get it setup!

Thanks again and you all be well too,

Best Regards, Janet

Sent from my MetroPCS 4G LTE Android device

On Mar 24, 2020 4:01 PM, "Shaikh, Mohsin (DBI)" <mohsin.shaikh@sfgov.org> wrote:

Hi Janet,

You can send me the pdf of proposed changes for review and then markup drawings when you come in. Once DBI reopen for public, I think it will be best to arrange a recheck so I can make sure plans are available.

Be well, Best Regards,

Mohsin Shaikh, P.E., LEED AP
Mechanical Engineer

Mechanical/Energy/Green Building Plan Review
Department of Building Inspection
1660 Mission Street, 2nd Floor
San Francisco, CA 94103
(415) 558-6447
www.sfdbi.org

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Tuesday, March 24, 2020 3:53 PM
To: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>
Subject: Re: 874 Fell Street

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Hi Mohsin,

The only question I have is can I please come in and mark up the prints as they are, after I send you a .pdf of what I would do (as well as now providing the letter size of the forms requested in the third item0?

I will get you the pdf's by tomorrow, then can come in when everything opens back up to do it by hand. If OK!

Would I need to set up a time with you then or now? Or just come in when you might be at your desk, to the second floor and call you?

Thanks so much, Stay Well!

Janet

Janet C. Campbell, Architect
Campbell & Associates
Two Parker Avenue, No. 302
San Francisco, CA 94118
(415) 261-2613

-----Original Message-----

From: Shaikh, Mohsin (DBI) <mohsin.shaikh@sfgov.org>
To: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Tue, Mar 24, 2020 2:55 pm
Subject: 874 Fell Street

Hello Janet,

Please see the attached plan review comments for PA# 2019-0122-0927.

Let me know if you have any questions.

Best Regards,

Mohsin Shaikh, P.E., LEED AP
Mechanical Engineer

Mechanical/Energy/Green Building Plan Review
Department of Building Inspection
1660 Mission Street, 2nd Floor
San Francisco, CA 94103
(415) 558-6447
www.sfdbi.org

From: [Wong, Kelly \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: FW: 874 Fell - Jason Woo (Fire Dept) approvals for the Existing Drawings he required in Spring/Summer of 2020 - 6 weeks' work
Date: Monday, May 20, 2024 1:40:01 PM
Attachments: [EX0.pdf](#)
[EX1.pdf](#)
[EX2.pdf](#)
[EX3.pdf](#)
[EX4.pdf](#)
[874 Fell SFFD Comments-3.pdf](#)
[874 Fell St Answer to Fire Department Comments.pdf](#)
[Fell 874 Water Flow Information from SFFD.pdf](#)

FYI – email 4 from Janet.

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, May 16, 2024 2:39 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Fw: 874 Fell - Jason Woo (Fire Dept) approvals for the Existing Drawings he required in Spring/Summer of 2020 - 6 weeks' work

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Hello Kelly,

There were approvals by phone, too, of these and Mohsin's drawings.

I worked out with Jason verbally upon his call he had approved these drawings, which we would bring in with Mohsin's when we could get back into the building. He and I worked out verbally in that conversation to replace apartment doors on the top hallway exit corridors - as a way to provide more fire resistance in those hallways.

That is on the newer drawings that did not get submitted, during Covid when we were not allowed to go over, while trying to work out the ADU's (which affected the illegal unit demising wall locations) and then getting to Matthew Ralls when he came on board for the Seismic etc. done in the one pour 10 foot foundation drawings, then the lack of \$\$ to do that, change back to 5' foundations with no ADU's.

The Seismic permit was done sometime in the past 5 or 6 months? and the worst condition next that needed to be renovated was the Carriage House. It still is.

Regards, Janet

Janet Campbell, Architect

J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

----- Forwarded Message -----

From: "campbellarchitec@aol.com" <campbellarchitec@aol.com>
To: jason.woo@sfgov.org <jason.woo@sfgov.org>
Sent: Wednesday, July 1, 2020 at 10:48:53 AM PDT
Subject: Re: 874 Fell

Hello Jason,

Here are the answers. This represents weeks of work. I hope the answers are clear.

This email has the Existing Drawings attached. The second email has the Architectural Drawings changed attached.

How do we submit these, or is this form OK?

Thanks, Janet

Janet C. Campbell, Architect
Campbell & Associates
Two Parker Avenue, No. 302
San Francisco, CA 94118
(415) 261-2613

-----Original Message-----

From: Woo, Jason (FIR) <jason.woo@sfgov.org>
To: CAMPBELLARCHITEC@AOL.COM <CAMPBELLARCHITEC@AOL.COM>
Sent: Thu, Apr 2, 2020 11:01 am
Subject: 874 Fell

Please see attached PDF for comments on your project

Feel free to contact me with any questions

Thank you

{0}

Title

Company

From: [Wong, Kelly \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: FW: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu
Date: Monday, May 20, 2024 1:39:47 PM

FYI – email 3 from Janet.

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, May 16, 2024 2:29 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Fw: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hi Kelly,

I found this from Matthew Ralls, where he solved the problem for the ADU foundations - one good 10 foot deep seismic foundation, not the two separate and doweled 5 foot foundations on top of each other the Planner insisted Cyril Yu do.

Regards, Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

----- Forwarded Message -----

From: Ralls, Matthew (DBI) <matthew.ralls@sfgov.org>
To: campbellarchitec@aol.com <campbellarchitec@aol.com>
Cc: ericsfca@gmail.com <ericsfca@gmail.com>
Sent: Friday, August 6, 2021 at 12:27:23 PM PDT
Subject: RE: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hi Janet,

The issue is that the cost valuation for the SS upgrades are to be contained in one permit (as this is subject to tenet pass through and subject to disputes- so the scope can be re-estimated by the judge). It says no other work than that necessary for the SS upgrade is to be included in the plan set.

- 1) So for SS just show what one would have done to meet the ordinance (no other work).
- 2) For the legalization – not sure why there is foundation work, but if so ok.
- 3) For the ADU – show modified and revised SS footings and show the deeper monolithic foundation to match the site permit. If you are expanding areas or making any changes to the approved site permit for the ADU, gain Planning approval and submit the revised drawings that matches the Planning approved revision.

I hope this help.

Matt Ralls PE

Engineer, Plan Review Team 1 Supervisor

City and County of San Francisco

Department of Building Inspection

49 South Van Ness Avenue, Suite 500

San Francisco, CA 94103-2414

Office: (628) 652-3751

From: campbellarchitec@aol.com <campbellarchitec@aol.com>

Sent: Thursday, August 5, 2021 12:34 PM

To: Ralls, Matthew (DBI) <matthew.ralls@sfgov.org>

Cc: ericsfca@gmail.com

Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hi Matt,

Thank you so much!

1. I will have to check with the Structural Engineer on the Seismic to be sure if he got comments. I was not on that permit, but the owner had me talk with Cyril as well as the Structural Engineers, who prepared two completely different sets of drawings due to his comments.

2. I will send anything separately that I can find on the Legalization issue from Cyril, but we have questions on that that regard the Seismic and what to do with changes the owner wants now. So I will send that separately to you.

As far as the large, overall Seismic question we had that Cyril said at first was OK to do on it that made common sense to do and then he changed it to breaking up the foundation changes: The Structural Engineer, the Foundation Contractors who looked at it and we had serious issues with it, I explain it in the next paragraph.

The short version of that overall Seismic question is this - and please see the attached sketch:

May we enlarge the basement depth another 5 feet in the front in order to accommodate two ADU's, and also enlarge the depth another 2'-6" in the rear to accommodate a greater height in the Illegal Unit?

Cyril said at first yes, include it in the Seismic Permit.

So the Structural Engineer prepared a second set to the one originally submitted on 9/15/2017, showing a depth for the foundation down to 10 feet or so.

Then some time later, Cyril came back and said no. We had to show the deeper depth on each of the ADU's and Legalization

contracts.

In other words, build the foundations in two separate pours, and in two separate other contracts, under the Seismic foundations.

We couldn't figure out why, none of us could, it didn't make sense.

The problem is in construction, actual Seismic safety, and potentially huge waterproofing issues that could create leaks into the units.

It would be much better to have one clean, continuous concrete surface for the foundations and for waterproofing, for safety and for waterproofing, according to the Structural Engineer and the Foundations Contractors..

Cyril wanted the deeper depth foundations to be done separately from Seismic foundations, in structural drawings, on each unit.

Why would you construct it that way?

We asked him, he just said it had to be done that way.

Our engineers argued that Seismic safety should be better served by one clean, continuous and deeper foundation structure.

Even the foundation contractors the owner spoke with had the same remarks, and unease, with the situation.

This is the issue that held up all three projects - Seismic, ADU's and Legalization of an Illegal Unit.

It made no sense to the engineer, contractors or us, and we ask it again now.

So our questions is:

May we please make the foundations for the ADU's and Legalization of the Illegal Unit all part of the Seismic Permit?

I will see if I can get copies of the comments he made to the Structural engineer.

Best Regards, Janet

**Janet Campbell, Architect
Campbell & Associates**

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

-----Original Message-----

From: Ralls, Matthew (DBI) <matthew.ralls@sfgov.org>
To: campbellarchitec@aol.com <campbellarchitec@aol.com>; Yau, Willy (DBI) <willy.yau@sfgov.org>

Cc: Wu, YanPing (DBI) <yanping.wu@sfgov.org>; ericsfca@gmail.com <ericsfca@gmail.com>
Sent: Thu, Aug 5, 2021 8:16 am
Subject: RE: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hi Janet,

I will finish backcheck & other permit. Please e-mail Cyril's comments to me. I'll pull drawings from hold bin or look up session #. Then I'll call you. Thank you for your patience.

Matt Ralls PE

Engineer, Plan Review Team 1 Supervisor

City and County of San Francisco

Department of Building Inspection

49 South Van Ness Avenue, Suite 500

San Francisco, CA 94103-2414

Office: (628) 652-3751

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, August 5, 2021 8:06 AM
To: Yau, Willy (DBI) <willy.yau@sfgov.org>; Ralls, Matthew (DBI) <matthew.ralls@sfgov.org>
Cc: Wu, YanPing (DBI) <yanping.wu@sfgov.org>; ericsfca@gmail.com
Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Dear Willy and Matt:

Thank you so very much. It is actually the Seismic Permit and Unit Legalization Permit that Cyril had been assigned to as the Building Plan Reviewer.

Joe Ng was assigned as the Building Plan Reviewer on the ADU's, and he has produced comments for the ADU's already that I have done a lot of work towards.

Don't know how you all want to do them, the three permits are all on the same level of this structure (Basement that is half to at/slightly above grade level).

The owner is also copied on this email, Eric Roussel.

Thank you so much again,

Best Regards,

Janet

**Janet Campbell, Architect
Campbell & Associates**

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

-----Original Message-----

From: Yau, Willy (DBI) <willy.yau@sfgov.org>
To: Ralls, Matthew (DBI) <matthew.ralls@sfgov.org>
Cc: Wu, YanPing (DBI) <yanping.wu@sfgov.org>; campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wed, Aug 4, 2021 5:20 pm
Subject: FW: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Dear Matt:

Please help reassign the unit legalization, and the ADU permits to available plan reviewers under Cyril Yu who is no longer with our department.

Thank you.

With Regards,

Willy Yau, P.E. Acting Dep. Director of Permit Service

Department of Building Inspection

49 South Van Ness Avenue, Suite 590

San Francisco, CA 94103

Email: willy.yau@sfgov.org

Desk: 628-652-3754

FAX: 628-652-3609

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We have moved to our new office location at 49 South Van Ness. Our office is opening up to the public after the Pandemic. For information about applying for a permit and before coming in to our office, please visit our website www.sfdbi.org for reopening information as we resume in-person services by walk-in.

From: Wu, YanPing (DBI) <yanping.wu@sfgov.org> **On Behalf Of** DBICUSTOMERSERVICE, DBI (DBI)
Sent: Wednesday, August 4, 2021 2:20 PM
To: campbellarchitec@aol.com; Yau, Willy (DBI) <willy.yau@sfgov.org>
Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hi Willy,

I am not sure whether you are the right person to talk to.

Basically, this customer's seismic permit was assigned to Cyril Yu, and now he needs a new plan reviewer for 2017-09-15-8452. Will you able to assist him?

Thank you.

Tiffany Wu for

DBI Customer Service

Department of Building Inspection

49 South Van Ness Avenue

San Francisco, CA 94103

Email: dbicustomerservice@sfgov.org

Desk: (628) 652-3200

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From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wednesday, August 4, 2021 2:04 PM
To: DBICUSTOMERSERVICE, DBI (DBI) <dbicustomerservice@sfgov.org>
Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hello,

That page only lists your email and a phone number. I called the phone number. No one answers, and then it hung up on me. It's like the old days.

I looked at the organizational chart. I called a number for one structural plan reviewer on that July 7 2021 dated chart, that I know, to see if he could point me to whom to talk to.

The phone number no longer exists.

Who do I speak to and how can I get to them?

Thank you,

Janet

-----Original Message-----

From: DBICUSTOMERSERVICE, DBI (DBI) <dbicustomerservice@sfgov.org>

To: campbellarchitec@aol.com <campbellarchitec@aol.com>

Sent: Wed, Aug 4, 2021 1:50 pm

Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hello,

I suggest you contact Plan review services to directly to see who's now handling plans or how to direct you, here's that link: <https://sfdbi.org/plan-review-services>.

Thank you,

Christopher Lamar for

DBI Customer Service

Department of Building Inspection

49 South Van Ness Avenue

San Francisco, CA 94103

Email: dbicustomerservice@sfgov.org

Desk: (628) 652-3200

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From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wednesday, August 4, 2021 1:15 PM
To: DBICUSTOMERSERVICE, DBI (DBI) <dbicustomerservice@sfgov.org>
Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hi Christopher,

The only email they gave me on that page is this one.

Are you suggesting I call them?

Thanks, Janet

—Original Message—

From: DBICUSTOMERSERVICE, DBI (DBI) <dbicustomerservice@sfgov.org>
To: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wed, Aug 4, 2021 1:12 pm
Subject: Re: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

Hello,

I suggest you contact Plan review services to directly to see who's now handling plans or how to direct you, here's that link: <https://sfdbi.org/plan-review-services>

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I hope you find this information helpful.

Thank you,

Christopher Lamar for

DBI Customer Service

Department of Building Inspection

49 South Van Ness Avenue

San Francisco, CA 94103

Email: dbicustomerservice@sfgov.org

Desk: (628) 652-3200

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We have moved to our new office location at 49 South Van Ness. Our office remains partially **closed** to the public. For information about applying for a permit, click [here](#). You can [schedule an inspection](#) or [file a building construction or housing complaint](#) online or by phone. We are hosting virtual [Building Inspection Commission meetings](#), [Director's Hearings](#), and [other advisory group meetings](#).

From: campbellarchitec@aol.com <campbellarchitec@aol.com>

Sent: Wednesday, August 4, 2021 11:22 AM

To: DBICUSTOMERSERVICE, DBI (DBI) <dbicustomerservice@sfgov.org>

Cc: Ng, Joe (DBI) <joe.ng@sfgov.org>; ericsfca@gmail.com <ericsfca@gmail.com>

Subject: Need a new Plan Reviewer assigned for a Seismic Permit and a Legalization Permit - former reviewer was Cyril Yu

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Hello,

I am the architect on several permits on the property at 874 Fell Street. One for the rear structure renovation, and two for the Main/Front Structure, adding two ADU's and Legalizing and Illegal Unit in the existing main structure.

There is also a Seismic Permit that the Structural Engineer could not complete until the Owner decided to finish off the permits for the two ADU's and the Illegal Unit.

For reference, the permit numbers we are concerned about on the front, Main Structure are:

1. Seismic Permit: BPA # 2017-09-15-8452 Cyril Yu was the Plan Reviewer on this one

2. Legalization of Illegal Unit: BPA # 2019-01-22-0927 Cyril Yu was the Plan Reviewer on this one

3. Two ADUs Permit: BPA # 2020-12-11-0889 (Cyril was not listed as a Plan Reviewer
on this permit, but if structural is involved due to a two-step
foundation process, there will need to be a structural plan reviewer)

In order to answer the Comments on both the ADU Permit and Legalization Permit, we needed answers as to what to submit for the Seismic Permit and if any separate Structural work needed to be done for the foundations under the ADU and Legalization Permits.

The former Plan Reviewer for the Seismic Permit and Legalization Permit was Cyril Yu. He wanted us to do a foundation down to about 5 feet under the Seismic Permit, then do another foundation below that for the ADU and Legalization Permit. Presently, the Main House sits about 4-5 feet above the grade underneath in the area where the ADU's will go, and 7'-6" above the slab for the Illegal Unit.

The Plan Reviewer for the ADU's, Joe Ng, asked me to ask you all to please assign a new Structural Engineer to the Seismic Permit, so I can ask them the questions below my Signature Line.

Can you please assist us in this effort, so we may complete all permits post-haste?

Please feel free to call. I know this is a bit complicated!

The owner, Eric Roussel, and Joe Ng are copied herein.

Thank you so much,

Janet

Janet Campbell, Architect
Campbell & Associates

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

(This was the question I put to Joe Ng, which the new Structural Engineer on the Seismic Permit will have to give us an answer to to complete the ADU and Legalization Permits)

2. On page 1 of the comments, 5th item and the last (6th) page, last comment:

a. The soil calculations are affected by whether or not Cyril Yu (Plan Reviewer on the

Seismic Foundation work to be done) will allow the owner to do the seismic drawings

to show a foundation down to the full height of the ADU's or if he is going to as

previously stated have the Seismic Permit go down about 5 feet, to where the

grade is now under the Main Floor, and then do a separate set of drawings and

calcs to extend it down.

I am not a structural engineer, clearly, but it would seem safer for everyone in the

building if the foundation was continuous down into the earth for the whole height

of the level the ADU's and Illegal Unit are on. Water penetration could be an issue

from a "moving" foundation on top of a foundation during a quake, due to a clear

"break" in the foundation. That "break" would be hard to waterproof, especially if it could move differently from each other, and it could contribute to future mold and other issues with water penetration from a built-in "crack" in the foundation. I don't see it being a good thing for the health of the residents or Owner.

b. Can you please clarify with Cyril what should be done? (We have tried).

And if he still wants it a two-step foundation, I think we need those drawings added to my resubmission to you, correct?

If he decides the foundation should be done in one piece, however, should I add back the reference to that permit number, and if so, where and what verbiage would you like?

Note: The excavation number was based on the cubic yards needed for a partial foundation down 2 feet below the new grade line. However, I suspect it will be greater if the foundation needs to be done in 2 parts, not one continuous foundation, and so needs adjustment. I have prepared a sheet based on that assumption, but will take it out if the foundation is continuous for the whole height needed, under the Seismic Permit. A smaller calculation would be needed for the front yard; it is shown on that sheet and will be pulled off and put into the existing set.

This is the Seismic Permit:

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 8/4/2021 11:07:13 AM

Application Number: 201709158452

Form Number: 3

Address(es): 0822 / 019 / 0 874 FELL ST

Description: MANDATORY SOFT STORY RETROFIT PER SFEBC CHAPTER 4D ENGINEERING CRITERIA 2016 CEBC APPENDIX A-4.

Cost: \$20,000.00

Occupancy Code: R-2

Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
9/15/2017	TRIAGE	
9/15/2017	FILING	
9/15/2017	FILED	

Contact Details:**Contractor Details:****Addenda Details:****Description:**

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	HIS	9/15/17	9/15/17			9/15/17	JAYIN PATRICIA	628-652-3700	
2	INTAKE	9/15/17	9/15/17			9/15/17	YIP JANET	415-999-9999	
3	BLDG	9/27/17	9/27/17			9/27/17	YU CYRIL	628-652-3780	
4	SFFD	9/18/19	9/18/19			9/18/19	WONG VICTOR	628-652-3472	FIRE INSP NOT REQ.
5	CPB	9/18/19	9/18/19			9/18/19	CHAN AMARIS	628-652-3240	12 PAGES.
6	BLDG	9/18/19		10/7/19			YU CYRIL	628-652-3780	EMAILED OWNER FOR ORIGINAL APPROVED CHANGES TO LOST DWGS
7	DPW-BSM	10/7/19	10/8/19			10/8/19	DENNIS RASSENDYLL	628-271-2000	Approve. No alteration or construction of City Right-of-Way under this permit . -RD
8	PPC						MAN ALICIA	628-652-3780	10/9/19: to HOLD bin pending BLDG approval; am 10/7/19: To BSM; HP 9/18/19: to BLDG;Ec.
9	CPB						CHAN CHENG	628-652-3240	9/18/19: EXTENSION FEE PAID. NEW CANCEL DATE 9/11/2020. -CC

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
0			18A	BOLTS INSTALLED IN EXISTING CONCRETE	
0			20	HOLDOWNS	

0			19	SHEAR WALLS AND FLOOR SYSTEMS USED AS SHEAR DIAPHRAGMS
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This is the Legalization of an Illegal Unit Permit:

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 8/4/2021 11:12:14 AM

Application Number: 201901220927
 Form Number: 3
 Address(es): 0822 / 019 / 0 874 FELL ST
 Description: UNIT LEGALIZAITON ORD 43-14. COMPLY WITH NOV 201722542. LEGALIZE AN ILLEGAL UNIT.
 Cost: \$26,000.00
 Occupancy Code: R-2
 Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
1/22/2019	TRIAGE	
1/22/2019	FILING	
1/22/2019	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
							LOPEZ		

1	HIS	4/9/19	4/9/19			4/9/19	JOSE	628-652-3700	
2	CPB	4/10/19	4/10/19			4/10/19	GUTIERREZ NANCY	628-652-3240	
3	CP-ZOC	4/10/19	5/1/19	5/1/19	9/16/19	9/16/19	CHANDLER MATHEW	628-652-7300	9/16/2019, Approved: Legalize illegal unit at rear of the basement in front building per Ordinance 43-14, reconfigure stair in rear yard. Mathew Chandler May 2019: permit placed on hold for public records request
4	BLDG	9/17/19	9/24/19			9/24/19		628-652-3780	9/24/19: OTC request approved
5	BLDG	9/24/19	10/9/19			10/9/19		628-652-3780	10/9/19: OTC expired
6	MECH	9/24/19	10/9/19			10/9/19		628-652-3780	10/9/19: OTC expired
7	BLDG	10/9/19		1/9/20			YU CYRIL	628-652-3780	AWAITING STRUCTURAL DWG AND CALCS.
8	MECH	2/21/20	3/23/20	8/25/20			SHAIKH MOHSIN	628-652-3780	WKP 8/25/20 review pdf revisions, incomplete. 3/24/20 comments issued, plans routed to PPC.
9	SFFD	3/24/20	4/2/20	4/2/20			WOO JASON	628-652-3472	comments sent via email
10	DPW- BSM	4/2/20	5/5/20			5/5/20	YU ERIC	628-271-2000	APPROVED. 5/5/20: BSM sign off on Job Card required prior to DBI final. Subject to all conditions of SFPW: BUF (tree planting) -EY 11/20/19 Buf Release RD
11	SFPUC	5/5/20	6/5/20			6/5/20	WONG KENDRICK	628-652-6040	Existing/propose fixtures count to 1" meter and current meter is 5/8". Recommend to upgrade. 06/05/2020
12	DFCU								
13	PPC						USER GSA	628-652-3780	6/5/20: To IN HOLD BIN. Needs approval from MECH, BLDG, SFFD; AD 5/5/20: To PUC; HP 4/2/20: to BSM; am 3/24/20: To SFFD; HP 2/21/20: to MECH; am 11/4/19: Plans to Karen Liang; EC. 10/9/19: OTC expired, to BLDG; am 9/24/19: OTC approved, to OTC bin; am 9/17/19: to supervisor for OTC approval/denial; am 9/17/19: To BLDG; HP 8/28/19; R1 to DCP; mml 4/10/19: To DCP; HP
14	CPB							628-652-3240	

This is the ADU Permit:

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 8/2/2021 11:49:18 PM

Application Number: 202012110889
 Form Number: 3
 Address(es): 0822 / 019 / 0 874 FELL ST
 Description: ADD TWO (2) ADU'S IN MAIN STRUCTURE, FIRST LEVEL.
 Cost: \$180,000.00
 Occupancy Code: R-2
 Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
12/11/2020	TRIAGE	

12/11/2020	FILING	
12/11/2020	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CP-ZOC	12/11/20	12/29/20			12/29/20	BAEZA ROGELIO	628-652-7300	PERMIT INTAKE 12/11/2020: AWAITING PAYMENT. 12/29/2020: APPLICATION ACCEPTED; INVITE SENT TO APPLICANT & AGENCIES TO JOIN BLUEBEAM SESSION.
2	CES	12/29/20						628-652-3430	
3	HIS	12/29/20						628-652-3700	
4	CP-ZOC	12/29/20	3/22/21	12/30/20	3/22/21		CHANDLER MATHEW	628-652-7300	Hold pending comments in Bluebeam. Mathew.chandler@sfgov.org . 3/22/2021 1/21/21: assign to planner - NK. 12/30/20: eviction history research - NK.
5	BLDG	12/29/20	1/14/21	1/15/21			NG JOE	628-652-3780	2021.01.15: Permit placed on-hold, pending comments. jn
6	MECH	12/29/20	2/9/21	2/9/21			NAGATA TIMOTHY	628-652-3780	Placed in hold pending comments. EPR ADU comments 2-9-21
7	SFFD	12/29/20	12/30/20			1/4/21	G. Chris Gauer	628-652-3472	reviewed and will approve -stamped in BB
8	DPW-BSM	12/29/20	1/4/21			1/4/21	CHOY CLINTON	628-271-2000	Approved. 1/4/21: No alteration or reconstruction of City Right-of-Way under this permit. -CC
9	SFPUC	12/29/20	1/12/21			1/12/21	CHUNG DIANA	628-652-6040	EPR - Capacity Charge not applicable - (E) fixture count (gpm) and (P) fixture count (gpm) in same meter rate tier, but existing water fixtures indicate a larger meter would be appropriate. Permit applicant can contact PUC, New Installations; 415.551.2900. - 01/12/21.
10	DFCU	12/29/20							
11	CP-ZOC						BAEZA ROGELIO	628-652-7300	PERMIT ISSUANCE

From: [Wong, Kelly \(CPC\)](#)
To: [Baeza_Rogelio \(CPC\)](#)
Subject: FW: 874 Fell Street Illegal Unit Permit No. 2019-0122-0927
Date: Monday, May 20, 2024 1:39:30 PM

FYI – email 2 from Janet.

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, May 16, 2024 1:33 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Fw: 874 Fell Street Illegal Unit Permit No. 2019-0122-0927

Hi Kelly,

This is just one of many, many emails trying to get Cyril Yu to act.

Found it when searching for Mohsin's and Jason's emails.

Regards, Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

----- Forwarded Message -----

From: Janet Campbell <campbellarchitec@aol.com>
To: "ericsfca@gmail.com" <ericsfca@gmail.com>
Sent: Tuesday, August 11, 2020 at 04:33:36 PM PDT
Subject: Fwd: RE: 874 Fell Street Illegal Unit Permit No. 2019-0122-0927

Well, I have no end run arounds Cyril Yu.

I did try.

This is where I bang my head against the wall. Literally. We could find them before, now we are not allowed in their new building and they have layers of people shielding them now.

I am sorry. Vincent needs to keep bugging Cyril at this point! That might help!!!!

Janet

Sent from my MetroPCS 4G LTE Android device

----- Forwarded message -----

From: "Bojorquez, Gustavo (ADM)" <gustavo.bojorquez@sfgov.org>
Date: Aug 11, 2020 1:36 PM
Subject: RE: 874 Fell Street Illegal Unit Permit No. 2019-0122-0927
To: campbellarchitec@aol.com
Cc:

Hi Janet,

No bother at all, however I am not a plan reviewer or permit tech and my expertise is limited to only assisting customers with the online submission process for Bluebeam review or in-person curbside service. I do not have the knowledge or expertise to determine what is or isn't

required for permit issuance. Appointments or questions outside of the initial online submission process should be directed to the individual plan reviewer for assistance or follow up.

Gus

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Monday, August 10, 2020 4:59 PM
To: Bojorquez, Gustavo (ADM) <gustavo.bojorquez@sfgov.org>
Subject: 874 Fell Street Illegal Unit Permit No. 2019-0122-0927

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

HI Gustavo,

I really hate to bother you again. Have anxious clients, projects going on for wayyy too long - and long before you came on board, too!

We really, really appreciate your great information and help!!!!!!

At 874 Fell Street, for the illegal unit permit no. 2019-0122-0927. We need to get the DBI plan reviewer to act.

I will be bringing in plans to flip it to the set with changes for Mohsin Sheikh (Mechanical) and Jason Woo (Fire) to approve within a few days, I hope.

They already have done so by email and pdf's, it is just a formality at this point.

The problem is that Cyril Yu is holding up the permit for structural that is being done under another permit, Seismic, Permit no. 2017-0915-8452.

There are not two sets to be done for the same work.

And despite what his notes say, the structural engineer put in changes sets of structural for Cyril on March 30th and again online on June 30th on the Seismic permit, and they tried to get a response July 28th.

Please see the structural engineer's email to me, below.

We cannot get him to review those two permits' same apparently duplicate plans, duplicate review structural drawings that have been in since March 30th and again June 30th to him. He does not respond. We don't know why.

He will of course need to see the changed plans for Mechanical and Fire, that I should be bringing in as soon as I contact Mohsin.

What would it take to have that done, Cyril or someone else plan check and respond?

I have copied in both online records, below and highlighted the pertinent parts.

Thank you,

Janet Campbell

Janet C. Campbell, Architect

Campbell & Associates
Two Parker Avenue, No. 302
San Francisco, CA 94118
(415) 261-2613

From: vincent.yan@zenithengineers.com, To: campbellarchitec@aol.com, Cc: ericsfca@gmail.com, Subject: Re: 874 Fell Date: Mon, Aug 10, 2020 4:39 pm

Janet,

Eric only asked me to submit the seismic retrofit one. That one was submitted March 30th and Cyril confirmed received through email. Then we followed up many times with no response. Submitted again June 30th through a different channel (dbi.ppcrequest@sfgov.org). Irene forwarded it to Cyril again. Still no update. July 28th, I copied Patrick and Edward, no news yet.

Thank you.

Yu(Vincent) Yan, MBA, PE
Partner, Estimating & Operations
Zenith.Engineers.Inc

m: (415) 637-4961
e: vincent.yan@zenithengineers.com
a: 22320 Foothill Blvd., Ste 600, Hayward, CA 94541

["What Being Ranked #1 in Engineering by Inc 500 Means to Zenith."](#)

On Mon, Aug 10, 2020 at 4:16 PM <campbellarchitec@aol.com> wrote:

Hi Vincent,

I am trying to find out if there was a date you resubmitted the new plans for the 5 foot depth [foundations on the seismic permit]. Was that done, and when?

Thanks!

Janet

Janet C. Campbell, Architect

Campbell & Associates
Two Parker Avenue, No. 302
San Francisco, CA 94118
(415) 261-2613

THE ILLEGAL UNIT PERMIT:

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 8/10/2020 2:45:01 PM

Application Number: 201901220927
Form Number: 3
Address(es): 0822/019 /0 874 FELL ST
Description: UNIT LEGALIZAITON ORD 43-14. COMPLY WITH NOV 201722542.
LEGALIZE AN ILLEGAL UNIT.
Cost: \$26,000.00
Occupancy Code: R-2
Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
1/22/2019	TRIAGE	
1/22/2019	FILING	
1/22/2019	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description

1	HIS	4/9/19	4/9/19			4/9/19	LOPEZ JOSE	415-558-6220	
2	CPB	4/10/19	4/10/19			4/10/19	GUTIERREZ NANCY	415-558-6070	
3	CP-ZOC	4/10/19	5/1/19	5/1/19	9/16/19	9/16/19	CHANDLER MATHEW	415-558-6377	9/16/2019, Approved: Legalize illegal unit at rear of the basement in front building per Ordinance 43-14, reconfigure stair in rear yard. Mathew Chandler May 2019: permit placed on hold for public records request
4	BLDG	9/17/19	9/24/19			9/24/19		415-558-6133	9/24/19: OTC request approved
5	BLDG	9/24/19	10/9/19			10/9/19		415-558-6133	10/9/19: OTC expired
6	MECH	9/24/19	10/9/19			10/9/19		415-558-6133	10/9/19: OTC expired
7	BLDG	10/9/19		1/9/20			YU CYRIL	415-558-6133	AWAITING STRUCTURAL DWG AND CALCS.
8	MECH	2/21/20	3/23/20	3/24/20			SHAIKH MOHSIN	415-558-6133	3/24/20 comments issued, plans routed to PPC.
9	SFFD	3/24/20	4/2/20	4/2/20			WOO JASON	415-558-6177	comments sent via email
10	DPW-BSM	4/2/20	5/5/20			5/5/20	YU ERIC	415-558-6060	APPROVED. 5/5/20: BSM sign off on Job Card required prior to DBI final. Subject to all conditions of SFPW: BUF (tree planting) -EY 11/20/19 Buf Release RD
11	SFPUC	5/5/20	6/5/20			6/5/20	WONG KENDRICK	415-575-6941	Existing/propose fixtures count to 1" meter and current meter is 5/8". Recommend to upgrade. 06/05/2020
12	DFCU								
13	PPC						USER GSA	415-558-6133	6/5/20: To IN HOLD BIN. Needs approval from MECH,BLDG,SFFD; AD 5/5/20: To PUC; HP 4/2/20: to BSM; am 3/24/20: To SFFD; HP 2/21/20: to MECH; am 11/4/19: Plans to Karen Liang;EC. 10/9/19: OTC expired, to BLDG; am 9/24/19: OTC approved, to OTC bin; am 9/17/19: to supervisor for OTC approval/denial; am 9/17/19: To BLDG; HP 8/28/19; R1 to DCP; mml 4/10/19: To DCP; HP
14	CPB							415-558-6070	

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

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

THE SEISMIC PERMIT:

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 8/10/2020 4:04:21 PM

Application Number: 201709158452

Form Number: 3

Address(es): 0822/019 /0 874 FELL ST

Description: MANDATORY SOFT STORY RETROFIT PER SFEB CHAPTER 4D
ENGINEERING CRITERIA 2016 CEBC APPENDIX A-4.

Cost: \$20,000.00
 Occupancy Code: R-2
 Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
9/15/2017	TRIAGE	
9/15/2017	FILING	
9/15/2017	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	HIS	9/15/17	9/15/17			9/15/17	JAYIN PATRICIA	415-558-6220	
2	INTAKE	9/15/17	9/15/17			9/15/17	YIP JANET	415-999-9999	
3	BLDG	9/27/17	9/27/17			9/27/17	YU CYRIL	415-558-6133	
4	SFFD	9/18/19	9/18/19			9/18/19	WONG VICTOR	415-558-6177	FIRE INSP NOT REQ.
5	CPB	9/18/19	9/18/19			9/18/19	CHAN AMARIS	415-558-6070	12 PAGES.
6	BLDG	9/18/19		10/7/19			YU CYRIL	415-558-6133	EMAILLED OWNER FOR ORIGINAL APPROVED CHANGES TO LOST DWGS
7	DPW- BSM	10/7/19	10/8/19			10/8/19	DENNIS RASSENDYLL	415-558-6060	Approve. No alteration or construction of City Right-of-Way under this permit . -RD
8	PPC						MAN ALICIA	415-558-6133	10/9/19: to HOLD bin pending BLDG approval; am 10/7/19: To BSM; HP 9/18/19: to BLDG;Ec.
9	CPB						CHAN CHENG	415-558-6070	9/18/19: EXTENSION FEE PAID. NEW CANCEL DATE 9/11/2020. -CC

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
0			18A	BOLTS INSTALLED IN EXISTING CONCRETE	
0			20	HOLDOWNS	
0			19	SHEAR WALLS AND FLOOR SYSTEMS USED AS SHEAR DIAPHRAGMS	

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

From: Wong, Kelly (CPC)
To: Baeza, Rogelio (CPC)
Subject: FW: 874 Fell Street - Legalization of Illegal Unit Permit No. 201901220927
Date: Monday, May 20, 2024 1:39:19 PM
Attachments: image002.png

FYI – email 1 from Janet.

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thursday, May 16, 2024 1:29 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Re: 874 Fell Street - Legalization of Illegal Unit Permit No. 201901220927

Hello Kelly,

Yes I did. I have emails showing it with Mohsin and Jason. You should see the 6 week effort it took to make the drawings and calculations and in a readable graphic form Jason needed. I will send them it's not in the set that Rogelio signed off on.

It's one of the reasons why Eric has to take it in and have that version signed off on, along with the version right as Covid hit, that Rogelio signed off on. And there is much more you need to see that happened after that.

The short overview version is:

1. We took care of the Mechanical (Mohsin) and Fire (Jason) comments right away. They both approved them by email. We were to set up an appointment to meet when the Department would allow it (summer 2020).
2. In the meantime, Eric wanted to do the 2 ADU's in the other part of the basement. It affected the layout of the illegal unit, and we told the plan reviewers that was happening.
3. We submitted the 2 ADU's. We needed that approved to redo the layout in the Illegal Unit, you can see it was revised in the ADU permit.
4. The Seismic permit had been submitted on time Sept. 15, 2017 I believe it was.

5. The Structural Engineer needed the foundations to go 10 feet down in one pour, for revisions to the Seismic. The Seismic drawings had to be changed for the 10 foot not 5 foot depth of the foundations for the 2 ADU's.

6. Eric was talking with Cyril Yu, the plan checker, about it, and a planner - yes, a planner and I know who it was - overheard the conversation near them and got up off their desk, came to them and demanded that Cyril not do it, that it was two processes - ADU versus Seismic. That the Seismic should only show it's 5 foot down pour, and then the ADU show a 5 foot extension down below it.

7. This created a really bad construction problem that would hurt the seismic resistance of the foundations. Imagine this: The building is roughly 42' wide by maybe 50' deep (without looking at it right now) and up about 5 feet off the ground on the west side, a full story on the east side, and huge up 3 stories and complex interior involved.

8. Because of what the planner wanted, Eric would have to build out the 5 foot foundation for this large building. Then put in a separate foundation doweled in underneath that 5 foot foundation, also 5 feet high for the ten foot needed to put in the ADU's.

9. It made for difficult construction, and certainly made it less seismically safe. A built in break in the foundations, that could move horizontally over in a bad quake. Neither Eric, myself or the structural engineers he had were buying it.

10. We hoped DBI could do whatever was needed so that the better foundation could be done. But Cyril refused to answer calls after that confrontation by the planner, emails, nothing from both Eric and I - Eric literally stalking him at times to try to catch him in the office! I did too. You can see this in the long strands of emails we have between each other. And asking each other why did that planner do this?

Note: I can't and won't practice engineering, have the recent law sections for it from the State Board's lawyers after standing down a client that wanted me to - are planners allowed to? Process of any kind affecting and overriding Public Health, Safety, Welfare? That is what was happening. Just saying.

11. As soon as Matthew Ralls took over that section and I heard about it, I think it was summer of 2022? I have to look - I contacted him right away. (We had kept checking to see if Cyril was around, where, and that's when I found out about Matthew taking it over....you will see all this in email chains).

12. It was then that we finally discovered what the real issue was. Matthew said it was the costs of the ADU versus Seismic work that needed to be separated. So we agreed that the cost of the foundations would be separated out between the programs on the Cover Sheet. That was all that was required! All that time lost for nothing!!!

I would say it was about a week we got that realistic, practical ruling from him - that kept the seismic foundations seismic. Have to go back through everything and find it.

13. And because of all the foot dragging we could not stop, and also Eric had lost a lot of money due to the economy/Covid? He had to get rid of the 2 ADU's and go back to just doing the Carriage House and figuring out what to do on the illegal unit - it has problems.

And he had to change the seismic drawings back to the 5 foot down foundations, get that approved. Then built it out recently.

14. With the Illegal Unit - the height and waterproofing are real and very costly issues. It is partially underground.
15. Had the planner not stopped the foundations, he kept telling me - for real - he could have built the 2 ADU's out when he had the money.
16. First though he had to get the seismic done. And he did.

There is more.

I need to prepare a document with all of the evidence showing long trails of emails etc. that Eric and I have. I am one person and can only do one project at a time, and already have a deadline today on one and a deadline tomorrow on another, working 80-120 hour weeks already. And no, no one is paying me to do any of this work or extremely little on any changes. So I can't afford help.

I actually need time to go back through everything, no one else can. I work 7 days a week at least 12 hours a day.

If I can have at least 3-5 days to do that, by next Friday? as I have Jury Duty coming up the 28th which I hope they don't want me for, they usually do not, you would have everything you need. There is a lot. It needs to be well written, with all the exhibits.

Short Summary:

Yes we were trying to get responses, could not, and Eric was trying to get the Carriage House done after completing Seismic, as it was in the worst shape. And he could not get what he needed in the height in the illegal unit, that was the least of his worries on the site. The illegal unit configuration (walls) were affected by the 2 ADU's layout, so we changed the plans for that at that time, which you do not see, it was to be revised after the 2 ADU's were approved, I believe we had emails with Mathew about it, and then have to finalize the interior to what he worked out with DBI this week.

Prior to that, DBI did not allow what he needed, and he had to work out a stepped interior with them he and they could accept this week. It is a very unusual, specific solution.

In the meantime, the Carriage House needs renovation - badly. It really needs it physically worse than the illegal unit. I must inform you of that.

In case you did not know, Eric bought a huge fixer-upper site, and he's been trying to get it done. And it has to be a stepped process for him financially.

For the Illegal Unit:

I have to make changes to the interior of the illegal unit in the plan that Rogelio approved. And then it would have to go back to everyone, but Eric would like to take it across the counters if possible with the changes so it goes faster.

May I do so over the weekend?

Then I need to get on the document I need to write up for you with exhibits of all the emails describing attempts to get answers on what affected the change needed to the illegal unit - with drawings - a whole, thorough timeline.

Writing and putting things succinctly with backup takes time. But you will have everything you need. It will have to be done over a week or more, as I have deadlines on other projects I have to meet.

May I do so?

I will try to find the Mohsin and Jason emails now, and forward them to you, since you asked about those.

Most appreciated, Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

On Thursday, May 16, 2024 at 09:54:34 AM PDT, Wong, Kelly (CPC) <kelly.wong@sfgov.org> wrote:

Dear Janet,

I looked into the Legalization permit no. 201901220927 a bit more. It looks like Rogelio finished his review of the submitted documentation required to meet the Legalization program and has scanned this to our files. He has routed this permit back to DBI. It appears that Matthew Ralls was the DBI plan checker, so please follow-up with Matthew on the permit.

In reviewing this permit history, I also see that DBI, Mech, and Fire provided comments back in 2020 and 2021, yet I don't see any responses to these comments. **Can you please confirm if you responded to these comment?** I see this permit was only recently routed to Planning on 4/15/24, so this wouldn't be the reason for any delay in responding to comments. **Kindly let me know by end of today.**

As you know, we require the owner to show good faith effort to bring the property back into compliance by responding quickly to all plan check comments and meeting provided deadlines to prevent further enforcement action.

Thank you,

Kelly

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Review Result	Hold Description
HIS		4/9/19	4/9/19			4/9/19	LOPEZ JOSE	628-652-3700		
CPB		4/10/19	4/10/19			4/10/19	GUTIERREZ NANCY	628-652-3240		
CP-ZOC		4/10/19	5/1/19	5/1/19	9/16/19	9/16/19	CHANDLER MATHEW	628-652-7300		9/16/2019, Approved: Legalize illegal unit at rear of the basement in front building per Ordinance 43-14, reconfigure stair in rear yard. Mathew Chandler May 2019: permit placed on hold for public records request
BLDG		9/17/19	9/24/19			9/24/19		628-652-3780		9/24/19: OTC request approved
BLDG		9/24/19	10/9/19			10/9/19		628-652-3780		10/9/19: OTC expired
MECH		9/24/19	10/9/19			10/9/19		628-652-3780		10/9/19: OTC expired
BLDG		10/9/19		1/9/20		8/11/21	YU CYRIL	628-652-3780		AWAITING STRUCTURAL DWG AND CALCS.
BLDG		8/11/21	8/11/21	8/11/21			RALLS MATTHEW	628-652-3780		awaiting new drawings
MECH		2/21/20	3/23/20	8/25/20			SHAIKH MOHSIN	628-652-3780		WKP 8/25/20 review pdf revisions, incomplete, 3/24/20 comments issued, plans routed to PPC.
SFFD		3/24/20	4/2/20	4/2/20			WOO JASON	628-652-3472		comments sent via email
DPW-BSM		4/2/20	5/5/20			5/5/20	YU ERIC	628-271-2000		APPROVED. 5/5/20: BSM sign off on Job Card required prior to DBI final. Subject to all conditions of SFPW: BUF (tree planting) -EY 11/20/19 Buf Release RD
SFPUC		5/5/20	6/5/20			6/5/20	WONG KENDRICK	628-652-6040		Existing/propose fixtures count to 1" meter and current meter is 5/8". Recommend to upgrade. 06/05/2020
CP-ZOC		4/15/24	5/16/24			5/16/24	BAEZA ROGELIO	628-652-7300	Administrative	5/16/24: Planning finalized review of submitted documents for Unit Legalization Program. Routed back to BLDG for review. RB.
DFCU										
PPC							WAI CHUNG WONG	628-652-3780		4/15/24: To CP-ZOC per Rogelio Baeza's request; kw 6/5/20: To IN HOLD BIN. Needs approval from MECH, BLDG, SFFD; AD 5/5/20: To PUC; HP 4/2/20: to BSM; am 3/24/20: To SFFD; HP 2/21/20: to MECH; am 11/4/19: Plans to Karen Liang; EC. 10/9/19: OTC expired, to BLDG; am 9/24/19: OTC approved, to OTC bin; am 9/17/19: to supervisor for OTC approval/denial; am 9/17/19: To BLDG; HP 8/28/19; R1 to DCP; mml 4/10/19: To DCP; HP
CPB								628-652-3240		

Kelly H. Wong, Principal Planner
 Code Enforcement Manager
 Preservation Specialist | Current Planning Division

(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wednesday, May 15, 2024 8:30 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Re: 874 Fell Street - Legalization of Illegal Unit Permit No. 201901220927

Dear Kelly,

Thank you very much! We are trying to get this in next week at the latest.

Best Regards, Janet

Janet Campbell, Architect

J Campbell Architects PC

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

On Wednesday, May 15, 2024 at 08:22:38 PM PDT, Wong, Kelly (CPC) <kelly.wong@sfgov.org> wrote:

Dear Janet,

Thank you for your email. I'm copying Rogelio on this email since he's the assigned Enforcement Planner.

[@Baeza, Rogelio \(CPC\)](#) – can you help answer Janet's questions below? It sounds like you may have the permit and form as well.

Feel free to reach out if your questions are not answered.

Thank you,

Kelly

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division

(she/her/hers)

Out of office dates: 8/26 to 9/6

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wednesday, May 15, 2024 4:12 PM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: 874 Fell Street - Legalization of Illegal Unit Permit No. 201901220927

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

Hello Kelly,

Rogelio has the documentation - drawings and pink application form - from the illegal unit prior to the last two steps needed for signoff, from early summer of 2020.

Mohsin (Mechanical Plan Review) and Jason (Fire Department) had approved by email during the summer of 2020 the answers we had, and were waiting for us to bring them in. I have the set from August 2020 they wanted to sign off on (pdfs).

Matthew Ralls was going to look at it in conjunction with the two ADU's also to go on that floor, in 2021, but the ADU's cannot now be done (hugely expensive).

However, changes have to be made to the illegal unit to make it less expensive to build out.

More importantly:

How does the Owner start the legalization documentation approvals process and with whom, since Rogelio has the drawings and pink application form he took from DBI?

What specifically needs to be done and by when?

If he finds he needs to do a DU Removal, what is the fee and the forms of payment (how to make the payment)?

Is that payment going to trigger an Incomplete Application and fines if we don't find out somehow the amount and place to put the fee by a certain date?

And do you accept applications as being made as of the date they are made?

As to the Illegal Unit proceeding or doing a DU Removal Process:

The Owner did check immediately with DBI after getting back from medical treatments overseas, Monday and Tuesday. If those issues could not have been resolved, he would have had to go the Dwelling Unit Removal route.

We finally found with great difficulty while he was gone a local appraiser familiar with more than 4 unit buildings willing to do the appraisals for the DU Removal process, who could only do it in June.

If DBI does not accept the structural proposal, which DBI said they couldn't approve the idea until they saw it, then he may have to go the Dwelling Unit Removal route. We need to move this project along now to find out, Structural Engineering for the Legalization will be done next week and the Owner needs to find out from them if it is acceptable.

Most appreciated,

Janet

Janet Campbell, Architect

J Campbell Architects PC

2 Parker Avenue, No. 302

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[Home](#) > [Most Requested](#)

Permit Details Report

Welcome to our Permit / Complaint Tracking System!

Report Date: 5/15/2024 4:05:59 PM

Application Number: 201901220927
Form Number: 3
Address(es): 0822 / 019 / 0 874 FELL ST
Description: UNIT LEGALIZAITON ORD 43-14. COMPLY WITH NOV 201722542. LEGALIZE AN ILLEGAL UNIT.
Cost: \$26,000.00
Occupancy Code: R-2
Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
1/22/2019	TRIAGE	
1/22/2019	FILING	
1/22/2019	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Review Result	Hold Description
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HIS	4/9/19	4/9/19			4/9/19	LOPEZ JOSE	628-652-3700		
CPB	4/10/19	4/10/19			4/10/19	GUTIERREZ NANCY	628-652-3240		
CP-ZOC	4/10/19	5/1/19	5/1/19	9/16/19	9/16/19	CHANDLER MATHEW	628-652-7300		9/16/2019, Approved: Legalize illegal unit at rear of the basement in front building per Ordinance 43-14, reconfigure stair in rear yard. Mathew Chandler May 2019: permit placed on hold for public records request
BLDG	9/17/19	9/24/19			9/24/19		628-652-3780		9/24/19: OTC request approved
BLDG	9/24/19	10/9/19			10/9/19		628-652-3780		10/9/19: OTC expired
MECH	9/24/19	10/9/19			10/9/19		628-652-3780		10/9/19: OTC expired
BLDG	10/9/19		1/9/20		8/11/21	YU CYRIL	628-652-3780		AWAITING STRUCTURAL DWG AND CALCS.
BLDG	8/11/21	8/11/21	8/11/21			RALLS MATTHEW	628-652-3780		awaiting new drawings
MECH	2/21/20	3/23/20	8/25/20			SHAIKH MOHSIN	628-652-3780		WKP 8/25/20 review pdf revisions, incomplete. 3/24/20 comments issued, plans routed to PPC.
SFFD	3/24/20	4/2/20	4/2/20			WOO JASON	628-652-3472		comments sent via email
DPW-BSM	4/2/20	5/5/20			5/5/20	YU ERIC	628-271-2000		APPROVED. 5/5/20: BSM sign off on Job Card required prior to DBI final. Subject to all conditions of SFPW: BUF (tree planting) -EY 11/20/19 Buf Release RD
SFPUC	5/5/20	6/5/20			6/5/20	WONG KENDRICK	628-652-6040		Existing/propose fixtures count to 1" meter and current meter is 5/8". Recommend to upgrade. 06/05/2020
CP-ZOC	4/15/24					BAEZA ROGELIO	628-652-7300		
DFCU									
PPC						WAI CHUNG WONG	628-652-3780		4/15/24: To CP-ZOC per Rogelio Baeza's request; kw 6/5/20: To IN HOLD BIN. Needs approval from MECH, BLDG, SFFD; AD 5/5/20: To PUC; HP 4/2/20: to BSM; am 3/24/20: To SFFD; HP 2/21/20: to MECH; am 11/4/19: Plans to Karen Liang; EC. 10/9/19: OTC expired, to BLDG; am 9/24/19: OTC approved, to OTC bin; am 9/17/19: to supervisor for OTC approval/denial; am 9/17/19: To BLDG; HP 8/28/19; R1 to DCP; mml 4/10/19: To DCP; HP
CPB							628-652-3240		

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

From: [Wong, Kelly \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Date: Monday, May 20, 2024 1:38:44 PM

Let me forward the emails from Janet re: 874 Fell St. I think reaching out to the plan checkers at DBI would be a good first step and if you get no response, to email Mark Walls who is in charge of assigning intake permits.

From: [Wong, Kelly \(CPC\)](#)
To: [Teague, Corey \(CPC\)](#)
Subject: Accepted: 874 Fell Street (2024-000871ENF)

From: campbellarchitec@aol.com
To: [Trevor Deng](mailto:Trevor.Deng@sfgov.org); [Baeza, Rogelio \(CPC\)](mailto:Baeza.Rogelio.CPC@sfgov.org)
Cc: [Eric Roussel](mailto:Eric.Roussel@sfgov.org)
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St
Date: Wednesday, May 15, 2024 12:23:05 PM

Hello Rogelio,

Eric is back and he is proceeding poste-haste to get the illegal unit drawings approved. We understand you have the paper copies of the sets (and pink application form, etc.?) that DBI had.

I have the set from August 2020 that Mohsin (Mechanical) and Jason (Fire), the two outstanding comments to be approved, readied for their approvals.

They had approved the answers by email, this was during the first part of Covid, and all we needed was to bring in those drawings and have them check to make sure it was what I sent them - and have it stamped as approved.

Eric is having me change the proposed illegal unit floor plan back to the existing plan with some changes, after discussing a number of aspects with Building re: how to meet the codes. It is complex.

Eric has now in the past 2 days since he got back worked out what areas need to be lowered and not for the Illegal Unit permit with Technical Codes and DBI. He says he can afford that.

How do we get the plans and application from you to take in with the new set, and to where first? Do you or Mathew need to review the revisions first?

Eric should have structural engineering drawings and calcs ready for DBI too within a week.

Sincerely,
Janet

Janet Campbell, Architect
J Campbell Architects PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

On Monday, April 29, 2024 at 09:22:39 AM PDT, Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Trevor,

Thank you for your email. I am confirming receipt of receiving the rental lease agreement for Apt 1A and receiving confirmation that the tenants in the leases provided are still residing at the same units. I will review the submitted material and follow up should I need further information.

As for the Unauthorized Dwelling Unit at the basement level, you will need to continue pursuing BPA# 201901220927 to rectify this violation. Please **do not** proceed with any other permit until BPA# 201901220927 is completed. If you have any questions, feel free to reach out.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Trevor Deng <trevordeng@gmail.com>
Sent: Friday, April 26, 2024 11:03 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: campbellarchitec@aol.com; Eric Roussel <ericsfca@gmail.com>
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St

Hi Rogelio,

I left a voicemail yesterday and I noticed you tried to calling me back but didn't leave a message.

I just wanted to ensure you have everything you need from me on the leases and Eric explaining the vacant unit. Please let me know if everything satisfies your requirements and if there are no more violations for the ILO and the excessive number of occupants per the complaint filed.

As for the ADU and Permits, that will be discussed with Janet.

I am following up on my April 22nd email since I haven't heard in a few days on the final status.

Thank you and have a great weekend.

Trevor

On Mon, Apr 22, 2024 at 11:05 AM Trevor Deng <trevordeng@gmail.com> wrote:

Hi Rogelio,

Per your instructions, here is the information that you requested: The lease attached and an explanation from Eric on the vacant unit that you wanted the lease.

Here are the answers to your question about the tenants for 874 Fell Street. Please review and if we did not answer anything else, please let us know.

1. Lease for Apt 1A (attached)

2. All the leases are accurate (All my tenants are on a year lease, or on "month to month" after their 1 year lease expires.) All the tenants on the leases are currently occupying the apartments.

Apt1A is vacant. The last tenants moved out unexpectedly in March. They had signed a one-year lease starting January 12th. They left without paying for March and left a big mess in the apt.

Now, I am keeping that apt for myself.

Your confirmation on clearing this part of the NOE is greatly appreciated. Thank you for your time with this matter.

Warmest regards,

Trevor

(415) 215-8486 cell

On Mon, Apr 22, 2024 at 10:03 AM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi All,

Janet – Thank you for your email. I appreciate the transparency and information provided. I hope Eric a speedy recovery.

The options provided to him via the NOE are the two you are referencing;

1. Legalizing the Unauthorized Dwelling Unit via the submitted BPA# 201901220927 at the property or
2. Applying for a Conditional Use Authorization that is presented to the Planning Commission. Please note that the CUA is not a guarantee of the Planning Commission allowing you to remove the UDU.

I do not mind waiting until Eric is back. However, the Enforcement process will continue moving forward with the issuance of the Notice Of Violation (30 days after issuing the NOE). Please note that I have informed Trevor of the same information provided here regarding the enforcement process. It is typical for the Notice of Violation to be issued when there is a confirmed violation. My goal is to get the property back into compliance with the Planning Code. If you have additional questions regarding the information in this email, I am happy to elaborate via email, Teams Meeting, and/or phone call.

Trevor – Please provide all correspondence and documentation on this email thread to avoid confusion. Once I have reviewed the provided information, I can follow up and give a determination regarding an Intermediate Length Occupancy (ILO) use at subject building. Please note that an ILO use is a part of the complaint filed.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Friday, April 19, 2024 10:07 AM
To: Trevor Deng <trevordeng@gmail.com>; Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Eric Roussel <ericsfca@gmail.com>
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St

Hello Rogelio,

I do not know if Eric can respond right now, and I do not have an answer yet for you on the legalization process at 874 Fell Street's Illegal Unit.

After seeing the alternative to Legalization that you provided, the DU Removal process, I had informed Eric of another I had just done for client in great distress over that legalization. I do know that there are some major physical issues to completing the legalization, and Eric said in an email back that he really would prefer to remove that unit.

I then sent him links of the documentation that needed to be done, told him about the appraiser we had used, who had done others recently. Since Eric has a larger building than the one just done for another client, and the appraiser is quite busy, it was my guess that after being hired, which I don't think Eric can do while he is overseas getting medical treatments, that it would take after he gets back about 6 weeks or more to get the two appraisals needed done. He has not responded to that email yet, usually he responds the same day and within a few hours, so something is going on where he cannot respond at the moment.

If you can please hold on till I hear back, I hope to have an answer which way he wants to go. Is that possible?

I will keep trying to contact him.

Best Regards, Janet

[Janet Campbell, Architect](#)

[J Campbell Architects PC](#)

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

On Thursday, April 18, 2024 at 03:57:13 PM PDT, Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi All,

Trevor,

I am following up on our conversation via phone today. The requested materials are the following:

1. Continue moving forward with the Building Permit Application #201901220927 to seek legalization of the Unauthorized Dwelling Unit (UDU)
 - a. Alternatively, you may file for a Conditional Use Authorization to remove the Unauthorized Dwelling Unit located at the basement level, where it was pointed out to be Eric's primary residence. This option will be presented to the Planning Commission and will decide if the removal of the unit is granted.
2. Provide the requested materials
 - a. Intended scope of work along with permit the owner wishes to pursue
 - b. Confirm if all tenants still reside at units for which the rental lease agreements were provided.
 - c. Provide the missing rental lease agreement for Apt 1A.

Please note that the rental lease agreement requested is for the Intermediate Length Occupancy (ILO) portion of the complaint. The rental lease agreement will demonstrate the tenure of all the residents in the designated units.

Janet – I am not sure if I responded to your email regarding revisions the mentioned BPA# 201901220927. Please send any revised plan sets to Mathew Chandler, assigned planner for this project, for legalization of the basement unit. Let me know

if this captures all the questions currently and in the past.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

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Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Trevor Deng <trevordeng@gmail.com>

Sent: Tuesday, April 16, 2024 1:42 PM

To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>

Cc: Eric Roussel <ericsfca@gmail.com>; campbellarchitec@aol.com

Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St

Thank you Rogelio for your time today. The 1 hour of discussion and your detailed outline and guidance with the current planning violation, along with the steps to move forward with correcting the violation is paramount. I could tell you really want to help us to move this forward and correct any issues - Thank you!

I will relay our conversation with Eric and will get back to you asap with Eric's decision and show steps of good faith to get all of this resolved ASAP. Thank you so much for also understanding Eric's travels for his medical treatments and test.

Again, thank you for your time this morning.

Trevor

On Tue, Apr 16, 2024 at 1:16 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Trevor,

It was great to meet you and discuss the details of the Notice of Enforcement over the phone. To summarize our discussion, I have outlined some key points to move towards abating the existing Planning Code violation:

1. Continue moving forward with the Building Permit Application #201901220927 to seek legalization of the Unauthorized Dwelling Unit (UDU)
 - a. Alternatively, you may file for a Conditional Use Authorization to remove the Unauthorized Dwelling Unit located at the basement level, where it was pointed out to be Eric's primary residence. This option will be presented to the Planning Commission and will decide if the removal of the unit is granted.
2. Provide the requested materials
 - a. Intended scope of work along with permit the owner wishes to pursue
 - b. Confirm if all tenants still reside at units for which the rental lease agreements were provided.
 - c. Provide the missing rental lease agreement for Apt 1A.

Please note that the enforcement case will continue to move forward, and the Notice of Violation will be issued 30 days after the issuance of the Notice of Enforcement if the violation has not been abated. We can review and discuss the assessed penalties after the violation has been abated via a completed building permit for the unpermitted scope of work. Feel free to contact me should you have additional questions.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

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From: Trevor Deng <trevordeng@gmail.com>
Sent: Tuesday, April 16, 2024 10:30 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Eric Roussel <ericsfca@gmail.com>; campbellarchitec@aol.com
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St

Rogelio,

I just tried calling again but got voicemail again. Please call me when you get a chance (if I don't pick up, I'll call you back as soon as I'm available). Please let me know what other timelines would work for you today too.

I have a 3pm conference call and a 4:30pm appointment. Anytime from now till 12 noon works best since I set aside some time for our call today.

Thanks,

Trevor

(415) 215-8486 cell

On Tue, Apr 16, 2024 at 10:18 AM Trevor Deng <trevordeng@gmail.com> wrote:

Hi Rogelio,

I just called but got voicemail. Please call me back when you're free (if I don't pick up, I'll try to call you back as soon as I'm available). I'll try you again shortly too.

Trevor

(415) 215-8486 cell

On Mon, Apr 15, 2024 at 4:26 PM Trevor Deng <trevordeng@gmail.com> wrote:

Sounds good, talk to you then.

On Mon, Apr 15, 2024 at 4:07 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Trevor,

Thank you for your response. I have provided my phone number below:

Phone: 628.652.7369

You can also find it in my email signature.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

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From: Trevor Deng <trevordeng@gmail.com>

Sent: Monday, April 15, 2024 4:04 PM

To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>

Cc: Eric Roussel <ericsfca@gmail.com>; campbellarchitec@aol.com

Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) 874 Fell St

Hi Rogelio,

Thank you for your response, I was in a meeting and just saw your email.

I am available to connect tomorrow Tuesday at 10:15 am. What is the best number to reach you? I look forward to connecting with you then.

Warmest regards,

Trevor

On Mon, Apr 15, 2024 at 2:38 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Trevor,

I am available the next hour for a phone call. Otherwise, please let me know if you would like to schedule a phone call or team meeting. See below my availability:

Tuesday, April 16 at 10:15 AM

Wednesday, April 17 at 2:30 PM

Additionally, would you be able to provide the requested documentation above on behalf of Eric Roussel (owner)?

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

<49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103>

Direct: 628.652.7369 | www.sfplanning.org

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From: Trevor Deng <trevordeng@gmail.com>
Sent: Friday, April 12, 2024 3:49 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Eric Roussel <ericsfca@gmail.com>; campbellarchitec@aol.com
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) [874 Fell St](#)

Hi Rogelio,

Could I call you Monday to discuss these items listed below? What's a good time to connect?

1. All the tenants found in the lease agreements continue reside in the designated unit outlined in the lease. If not, please provide an updated lease agreement with the new tenant.
2. Apt 1A was missing a lease. Please provide a lease for this unit.

Thank you,

Trevor

On Fri, Apr 12, 2024 at 3:32 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi All,

Janet – Please submit any revisions regarding the legalization of the Unauthorized Dwelling Unit (located at the basement floor of the main building) to Mathew Chandler.

For any other work, please submit revised permit drawings to me.

Let me know if you have questions/concerns in the interim. As a note, the enforcement process will continue moving forward as it typical until the violations is abated via a completed building permit to address the violations in question.

Eric – I am still waiting for confirmations and responses for the following outlined in my previous email dated April 9.

1. All the tenants found in the lease agreements continue reside in the designated unit outlined in the lease. If not, please provide an updated lease agreement with the new tenant.
2. Apt 1A was missing a lease. Please provide a lease for this unit.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

<49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103>

Direct: 628.652.7369 | www.sfplanning.org

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From: Trevor Deng <trevordeng@gmail.com>

Sent: Friday, April 12, 2024 2:48 PM

To: campbellarchitec@aol.com

Cc: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; Eric Roussel <ericsfca@gmail.com>

Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) [874 Fell St](#)

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Hi Rogelio,

I am here to help in any way I can. Here's my phone number in case you need to reach me: (415) 215-8486 cell

Thank you and have a good weekend.

Trevor

On Fri, Apr 12, 2024 at 2:32 PM campbellarchitec@aol.com

<campbellarchitec@aol.com> wrote:

Hi Rogelio,

Thanks for the clarifications and the process. I do understand and also yes for sure need to show the changes for the third exit and stair to that apartment in the main building on the differing Site Plans, as you state.

When ready to submit, do we resubmit to Mathew Chandler and copy you?

Best regards, Janet

[Janet Campbell, Architect](#)

[J Campbell Architects PC](#)

[2 Parker Avenue, No. 302](#)

[San Francisco, CA. 94118](#)

[\(415\) 261-2613](#)

On Friday, April 12, 2024 at 02:13:29 PM PDT, Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Janet,

Thank you for your email. Yes, please provide a revised permit drawing set with the requested three conditions for all site, floor, roof plans, elevations, and section. I believe the rear stairs removed at (rear of main building) would impact the existing, approved, and proposed site plan conditions. Please note that this is only one example, and the revised plan set should be thoroughly reviewed (prior to submitting) for Planning to provide accurate Planning comments. Let me know if you have questions in the interim.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to

recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

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From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Friday, April 12, 2024 2:03 PM
To: Eric Roussel <ericsfca@gmail.com>; Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Trevor Deng <trevordeng@gmail.com>
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) [874 Fell St](#)

Hello Rogelio,

Thank you for the correspondence.

Eric is on his way overseas now and as soon as he can respond after getting there, I will discuss this with him, and see what you all are and have been discussing. I have to catch up on what all is going on.

Once I know, I will respond, hopefully within a few days, with any further questions for direction, if needed.

One question now: I do understand your description of the 3 different types of plans you want to see. Do you want the same with the elevations and/or sections, as well?

Best Regards, Janet

Janet Campbell, Architect

J Campbell Architects PC

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

On Friday, April 12, 2024 at 12:25:53 PM PDT, Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

Thank you for your email. I have your set of plans and some of the pages appear to indicate that the media room (habitable and conditioned space) will stay. Please provide the following conditions on a new revised plan set for BPA# 202401174149:

Existing condition (last legal, this can be the existing condition indicated in BPA# 201311252814)

Approved condition (you can reference the proposed approved plan set in BPA# 201311252814)

Proposed condition (the proposed layout you intend to have and wished to be approved)

1. Sheet A-3 indicate the existing condition to be a media room, which is incorrect and should be an existing basement level (last legal condition).
2. Sheet A-4 demonstrates that there are two habitable rooms as existing where the new proposed garage (east portion of the rear cottage building) will be located per BP# 201311252814. This same sheet also shows a different existing layout for bedroom #1. The latest plan set shows the existing room as larger than approved per BP# 201311252814. If this is the

case, then the curb cut will need to be restored as there is no-off street parking proposed.

3. Sheet A-5 should have existing layout, approved, and proposed conditions. If no changes are desired for the upper bedroom, then the approved and proposed conditions can be the same.
4. The roof plan, elevations and sections show that there is still a garage proposed, which to my understanding you are wishing to convert the existing garage space into bedrooms. In your revised plan set, please make sure to be consistent through the permit set to reflect the accurate conditions.
5. For the revised plan set, please make sure to modify and re-label the conditions accurately. Throughout the entire plan set, the condition indicated was "existing" and this is not accurate as BP# 201311252814 was not completed.

Please note that three conditions requested above are typical in an active enforcement case. If you have additional questions/concerns, please let me know and I am happy to clarify the above information. Please provide revisions electronically (PDF). As a reminder, my goal is to get the property back into compliance with the Planning Code.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

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From: Eric Roussel <ericsfca@gmail.com>
Sent: Friday, April 12, 2024 9:59 AM

To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Janet Campbell <campbellarchitec@aol.com>; Trevor Deng <trevordeng@gmail.com>
Subject: Re: 874Fell st. 2024-000871ENF Enforcement (ENF) [874 Fell St](#)

Hello Rogelio,

I am leaving this morning for a month in Thailand. Medical issue.

I don't have much time to work on all this.

Sofia, my son, and I just came back from driving 3,600 miles to go see the eclipse in Texas. Well worth the trip! But not much time to do work things.

My architect Janet Campbell will be able to answer all your permit questions. My friend Trevor is going to help me if you need access to the building or anything building related

He will be your main point of contact. Both Trevor 415 215-8486 and Janet 415 261-2613 are CCed on this email.

Here is an email that will explain better the variance and basement situation for the cottage house.

It's an email from Mathew Chandler, planner, who was reviewing the cottage house permit and its variance in 2021 for excavation for a basement at the project.

As you can read, Mathew completed an internal review about the basement excavation change, taking into account the variance. Mathew instructed Janet, to submit the revision to DBI.

I would hope that it's ok to reverse that, and go back to the no basement option. Should I ask Mathew to do another internal review?

From: **Chandler, Mathew (CPC)** <mathew.chandler@sfgov.org>
Date: Wed, Apr 14, 2021 at 4:14 PM
Subject: RE: Application Number: 201311252814
To: Eric Roussel < ericsfca@gmail.com>

Hi Eric,

The sponsor would be the person who submitted the permit on your behalf, Janet Campbell.

This is permit did require some internal review since it will revise a project that was granted a Variance and for the changes in the amount of excavation. The internal review is complete, and I have instructed Janet to submit revisions to DBI.

Best,

Mathew Chandler, Planner
Flex Team, Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7340 | www.sfplanning.org

I wish to pursue 202401174149 which is the last revision of the cottage house, reverting to no basement. I think Janet said that the city wanted the original permit to be kept active until the last revision permit is issued, and job completed. I'm not sure. Janet could tell you more about that, and help Rogelio understand this better?

Attached is

-SF Planning Historical report evaluation that finds 874 Fell is a 9 residential unit building, with a 2 story addition in the back. Didn't you say your records only show 8apts?

Except for the bottom unit where I live, I did not add or modify any units. The building is the same as when I bought it 20 years ago.

-My gas purchases, driving to Texas and back in 5 days, my flight to Bangkok tomorrow. (So, you see why I am unable to respond sometimes)

I'd like to add. If you look at the numerous complaints on 874 and 905 over the last 10 years... You'll notice that they are mostly from the same person, as the grammar and wording is very similar from complaint to complaint. My neighbor at 874Fell, [REDACTED]

Btw, I didn't try to bypass or avoid you. I was dealing with Shaun Birmingham as he was the inspector that wrote the complaint. I didn't know I had to contact you until Planning told me (when I tried to revise my stair removal permit). I emailed you right away the same day. My main goal in all this was to again eliminate my neighbor's complaints quickly. Nothing else.

Regards,

Eric

On Wed, Apr 10, 2024 at 11:32 AM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Moving Wesley to BCC.

Hi Eric,

Thank you for your email. While I understand that you are currently out of town, please provide/respond/confirm the following by COB 4/12:

1. Clarify the scope of work you wish to pursue. Currently, Building Permit Applications (202401174149 and 202011309847) are revision permit to BPA# 201311252814.
 - a. Specify the revision permit that you wish to pursue and withdraw the permit that will not be pursued.
2. All the tenants found in the lease agreements continue reside in the designated unit outlined in the lease. If not, please provide an updated lease agreement with the new tenant.
3. Apt 1A was missing a lease. Please provide a lease for this unit.

As a gentle reminder, pursuant to Planning Code Section 350(g) (1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

From: Eric Roussel <ericsfca@gmail.com>
Sent: Tuesday, April 9, 2024 8:39 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Wong, Wesley (CPC) <wesley.a.wong@sfgov.org>
Subject: RE: 874Fell st. 2024-000871ENF Enforcement (ENF)
[874 Fell St](#)

Here is us in Texas yesterday for the Eclipse. We've been driving since April 4th. I can send you all my cc gas station receipts in Arizona, New Mexico, Texas if you don't believe me.

We've been busy. Sorry if I don't answer you as fast as you'd like. We're often on road trips btw.

Like the time I asked to reschedule the building visit. We had time to go drive to Santa Cruz for the day that day. So we decided to plan for that to take advantage of the opportunity and rescheduled the visit.

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On Apr 9, 2024, at 15:55, "Baeza, Rogelio (CPC)" <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

I am following up on my previous email. We are still waiting on reviewing the listed permits with the ZA.

Building Permit Application #202401174149

"REV TO PA# 2020-1130-9847; REDUCTION OF SCOPE OF WORK FOR CARRIAGE HOUSE AT REAR, NO BASEMENT BUILDING"

Building Permit Application #202011309847

(REVISION TO PA #2013-1125-2814: REVISE LAYOUT OF INTERIOR ROOMS. REVISE STRUCTURAL ACCORDINGLY TO SHORING ENGINEER RECOMMENDATIONS.)

Building Permit #201311252814

(AT REAR BUILDING, RENOVATE (E) CARRIAGE HOUSE & GARAGE. EXTEND TOP FLOOR OVER (E) GARAGE & CREATE DECK ON (E) ROOF AT GARAGE. ADD A BATH & (N) KITCHEN, RENOVATE (E) BATH.)

In the interim, please confirm the following:

1. Clarify the scope of work you wish to pursue. Currently, Building Permit Applications (202401174149 and 202011309847) are revision permit to BPA# 201311252814.
 - a. Specify the revision permit that you wish to pursue and withdraw the permit that will not be pursued.
2. All the tenants found in the lease agreements continue reside in the designated unit outlined in the lease. If not, please provide an updated lease agreement with the new tenant.
3. Apt 1A was missing a lease. Please provide a lease for this unit.

I will follow up with you should I need further information. Please note that I will be sending out the Notice of Enforcement (NOE) for this property as it is typical for an active Enforcement case.

As a gentle reminder, pursuant to Planning Code Section 350(g) (1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

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From: [Wong, Kelly \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#); [Parinas, Suzette \(CPC\)](#)
Date: Monday, May 13, 2024 10:47:33 AM

874 Fell St (2024-000871ENF)

From: [Wong, Kelly \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#)
Subject: 5/13/24 – ZA Drop-in
Date: Monday, May 13, 2024 10:44:00 AM

5/13/24 – ZA Drop-in

- 2155 24th (Ada)
 - April 2020 – complaint opened
 - September 2020 – NOE
 - Issued (3) NOPFs - \$25K+, already referred to BDR, \$318K (1,269 days)
 - T&M currently \$2,500;
 - Need to account of \$20 for release of OOA, 25% BDR fee,
 - Penalty – reasonable? BDR – change penalty to 2x T&M = \$5K in the past, provide
- 1314 Page (Rachna)
 - Matt Dito's CU
 - Technically an unauthorized relocation of unit that was technically a merger.
 - If they wanted to legalize, would require CUA.
 - If you are moving a unit and moving it into a previously habitable
 - Could still be a merger if more than 25%.
 - **If it's not a net new building within building, not a UDU.**
- 994 Gilman Ave (Rogelio)
 - Aerials – shows legal accessory parking for commercial (1993 aerial shows angled parking); no screening required per today's code.
 - Better to get permit to document this use
 - Look at gate door
- 55 Palm (Rachna)
 - 2013 permit allowed 2-burner stove
 - There was no kitchen there. If you put in a new kitchen, it needs to be today's standard.
 - **Requires 4-burner stove.**
 - Acknowledge while you filed permit, it allowed 2-burner stove. Law changed before the permit was issued.
 - Sharon – industry standards does not provide dimensions; side decks should apply with code.
- 874 Fell (Rogelio)
 - Rear structure – minor modification
 - Need to review in more detail – neighbor still complaining
 - UDU at front building
 - Check with Suzy – set up time on Thursday
- 710 Ellis (Rachna)
 - Created 9 more SRO by reducing size of dwelling units
 - If reduce some rooms more than 25%
 - Only if merger, only if the unit is being removed.
 - Here you are not removing the unit, you are just reducing it.
 - Chapter 41 – group housing

- What does this mean from a density
- No permit filed.
- 2019 complaint.
- Next steps:
 - Identify violation.
 - Get NOV out.
 - Interagency PRV
 - Then file PRJ
 - Then after PAL issued, obtain a BPA

**Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division**
(she/her/hers)

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
kelly.wong@sfgov.org | www.sfplanning.org
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Out of office dates: None at this time.

From: [Wong, Kelly \(CPC\)](#)
To: [Teague, Corey \(CPC\)](#); [Chen, Josephine \(CPC\)](#); [Page, Vincent \(CPC\)](#); [Rachna, Rachna \(CPC\)](#); [Tan, Ada \(CPC\)](#); [Samuels, Heather \(CPC\)](#); [Wong, Wesley \(CPC\)](#); [Baeza, Rogelio \(CPC\)](#); [Situ, Jia \(CPC\)](#)
Date: Monday, May 13, 2024 9:38:22 AM

5/13/24 Agenda:

9:30 Ada 2020-002640ENF 2155 24th Ave
9:40 Rachna 2019-015765ENF 1314 Page St
9:50 Rogelio 2024-000867ENF 994 Gilman Ave
10:00 Rachna 2020-007315ENF 55 Palm
10:10 Rogelio 2024-000871ENF 874 Fell St
10:20 Rachna 2017-003631ENF 710 Ellis

From: campbellarchitec@aol.com
To: [Chandler, Mathew \(CPC\)](mailto:Mathew.Candler@sfgov.org)
Cc: [Corrette, Moses \(CPC\)](mailto:Moses.Corrette@sfgov.org); [Baeza, Rogelio \(CPC\)](mailto:Rogelio.Baeza@sfgov.org)
Subject: Re: Permit No. 202401174149 - Reduction in Scope of Work for the Carriage House (Remove Basement)
Date: Friday, April 26, 2024 1:07:49 PM

Hello Mathew and Moses,

Rogelio asked in an email to Eric to have us contact Mathew. Sounds like it is going to be someone else.

Sorry to bother you!

Moses, was Eric talking to you about this project?

Best, Janet

Janet Campbell, Architect
[J Campbell Architects PC](http://JCampbellArchitectsPC.com)
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

On Friday, April 26, 2024 at 12:50:21 PM PDT, Chandler, Mathew (CPC) <mathew.chandler@sfgov.org> wrote:

I have not been involved in the review of this permit and do not know any specifics.

There is an active enforcement case for this property (2024-000871ENF). You should contact the enforcement planner assigned to this enforcement case- Rogelio Baeza rogelio.baeza@sfgov.org

I've included the Planning Staff noted within the permit tracking system for this specific permit to see if they have anything to add.

Best,

**Mathew Chandler, Senior Planner
Districts 5 & 8/Current Planning Division**

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7340 | www.sfplanning.org

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Friday, April 26, 2024 11:54 AM
To: Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>
Subject: Permit No. 202401174149 - Reduction in Scope of Work for the Carriage House (Remove Basement)

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Hello Mathew,

Eric Roussel, the owner of the property at 874 Fell, has asked that I contact you regarding the Carriage House permit he submitted recently, Permit Number 202401174149 . He needs to follow through on what is needed for that set of drawings.

Attached is what he had ascertained with Building and Planning Counters needed to be done, and has had the structural engineering done as well. The plans are attached.

Why did the basement need to be removed?

I heard the son of the neighbor who had approved the Variance in the 311 meeting & process refused to cooperate with what needed to be done, for the foundations and to allow construction of them, earlier this year. Eric decided he needed to get the deeper foundations out of the design right away to start construction, to avoid trouble with him. Then the neighbor did follow through on trying to stop any construction, and he made I hear a slew of complaints to stop construction. Eric has gotten a structural engineer to redesign the foundations so there is minimal to no interaction with the neighbor needed.

It is most appreciated for all your assistance as to what to do to achieve that goal. If you have any questions, please feel free to ask.

Best Regards,

Janet Campbell

Janet Campbell, Architect

J Campbell Architects PC

2 Parker Avenue, No. 302

San Francisco, CA. 94118

(415) 261-2613

From: [Trevor Deng](#)
To: [Baeza, Rogelio \(CPC\)](#)
Cc: [Trevor Deng](#); [Eric Roussel](#)
Subject: 874 Fell St
Date: Monday, April 22, 2024 9:32:56 AM
Attachments: [Notice of Enforcement \(NOE\) - 04.16.24 - 874 Fell St.pdf](#)
[1A Pedro.pdf](#)

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

Good morning Rogelio,

Per our conversation and your prior emails, I was finally able to get a hold of Eric and he was able to provide a copy of his lease and his answer to your question on the tenants for 874 Fell Street. Please review and if we did not answer anything else, please let us know.

1. Lease for Apt 1A (attached)
2. All the leases are accurate (All my tenants are on a year lease, or on "month to month" after their 1 year lease expires.) All the tenants on the leases are currently occupying the apartments.
Apt1A is vacant. The last tenants moved out unexpectedly in March. They had signed a one-year lease starting January 12th. They left without paying for March and left a big mess in the apt.
Now, I am keeping that apt for myself.

Your confirmation on clearing this part of the NOV is greatly appreciated. Thank you for your time with this matter.

Warmest regards,
Trevor
(415) 215-8486 cell

From: [Chen, Josephine \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Cc: [Vallejo, Vladimir \(CPC\)](#)
Subject: RE: NOE - 874 Fell St
Date: Monday, April 15, 2024 4:21:13 PM

Dear Rogelio,

NOE dropped off for tomorrow's issuance and uploaded to M-Files. Please forward a copy to cc'd recipients via email as needed.

[Notice of Enforcement \(NOE\) - 04.16.24 - 874 Fell St.pdf](#)

Thank you,
Josephine

Josephine Chen
Code Enforcement, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7395 | [sfplanning.org](#)
[San Francisco Property Information Map](#)

From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Sent: Monday, April 15, 2024 2:33 PM
To: Chen, Josephine (CPC) <josephine.chen@sfgov.org>
Subject: NOE - 874 Fell St

Hi Josephine,

Please see the NOE for 874 Fell St that is ready to be sent out. Feel free to edit the time and materials, if incorrect.

[NOE - 874 Fell St.rtf](#)

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | [www.sfplanning.org](#)
[San Francisco Property Information Map](#)

From: [Lua, Natalie \(DBI\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: RE: BPA# 201901220927 - 874 Fell St
Date: Monday, April 15, 2024 2:41:46 PM

Thanks Rogelio

NATALIE LUA

Permit Technician I
Permit Services - Department of Building Inspection
(628) 652-3785
[SFDBI.org](#)
[Sign up for our customer email list](#)

From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Sent: Monday, April 15, 2024 2:40 PM
To: Lua, Natalie (DBI) <natalie.lua@sfgov.org>
Subject: RE: BPA# 201901220927 - 874 Fell St

Hi Natalie,

No problem! I appreciate the heads up and your assistance on this.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBI's Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Lua, Natalie (DBI) <natalie.lua@sfgov.org>
Sent: Monday, April 15, 2024 2:36 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: BPA# 201901220927 - 874 Fell St

Hi Rogelio,

I just wanted to let you know that the dbi.ppc@sfgov.org email is not being used anymore.

apologies in the delay of your request for this permit.

Regards,

NATALIE LUA

Permit Technician I
Permit Services - Department of Building Inspection
(628) 652-3785
SFDBI.org
[Sign up for our customer email list](#)

From: [Baeza, Rogelio \(CPC\)](#)
To: [DBI PPC Request](#); [PPC Plan Review \(DBI\)](#); [PPC, DBI \(DBI\)](#)
Cc: [DBIONLINESERVICES, DBI \(DBI\)](#)
Subject: RE: BPA# 201901220927 - 874 Fell St
Date: Monday, April 15, 2024 2:26:00 PM
Attachments: [image001.png](#)

Hi Kyle,

Thank you for your help!

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBI's Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | [www.sfplanning.org](#)
[San Francisco Property Information Map](#)

From: DBI PPC Request <dbi.ppcrequest@sfgov.org>
Sent: Monday, April 15, 2024 11:30 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; PPC Plan Review (DBI) <ppc.planreview@sfgov.org>; PPC, DBI (DBI) <dbi.ppc@sfgov.org>; DBI PPC Request <dbi.ppcrequest@sfgov.org>
Cc: DBIONLINESERVICES, DBI (DBI) <dbionlineservices@sfgov.org>
Subject: RE: BPA# 201901220927 - 874 Fell St

Hello Rogelio,

Plans have been routed to Planning bin for Vlad or Will to pick up in the daily basis.

Thank you.

KYLE WONG
Permit Technician I
Permit Services - Department of Building Inspection
(628) 652-3788
[SFDBI.org](#)
[Sign up for our customer email list](#)

From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Sent: Monday, April 15, 2024 11:23 AM
To: PPC Plan Review (DBI) <ppc.planreview@sfgov.org>; PPC, DBI (DBI) <dbi.ppc@sfgov.org>; DBI PPC Request <dbi.ppcrequest@sfgov.org>
Cc: DBIONLINESERVICES, DBI (DBI) <dbionlineservices@sfgov.org>
Subject: RE: BPA# 201901220927 - 874 Fell St

Hi Kyle,

Thank you for your quick reply. Please route the building permit application with its associated documents back to Planning (to me) for review. I can release the plan set and documents once I have finalized my

review in relation to the enforcement case. I appreciate the help on this matter.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Wong, Kyle Wai Chung (DBI) <waichung.wong@sfgov.org> **On Behalf Of** PPC Plan Review (DBI)
Sent: Monday, April 15, 2024 11:11 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; PPC, DBI (DBI) <dbi.ppc@sfgov.org>; DBI PPC Request <dbi.ppcrequest@sfgov.org>; PPC Plan Review (DBI) <ppc.planreview@sfgov.org>
Cc: DBIONLINESERVICES, DBI (DBI) <dbionlineservices@sfgov.org>
Subject: RE: BPA# 201901220927 - 874 Fell St

Hello Rogelio,

We have the plans at our hold bin. Do you want us to route the plan to you?

Thank you.

KYLE WONG
Permit Technician I
Permit Services - Department of Building Inspection
(628) 652-3788
SFDBI.org
[Sign up for our customer email list](#)

From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Sent: Monday, April 15, 2024 10:40 AM
To: PPC, DBI (DBI) <dbi.ppc@sfgov.org>; DBI PPC Request <dbi.ppcrequest@sfgov.org>; PPC Plan Review (DBI) <ppc.planreview@sfgov.org>
Cc: DBIONLINESERVICES, DBI (DBI) <dbionlineservices@sfgov.org>
Subject: RE: BPA# 201901220927 - 874 Fell St

Hi All,

I am emailing to see if I can receive some guidance as to where I can find the BPA# 201901220927 (874 Fell St) along with its associated plans and documentation as mentioned in my previous email below. I sent an email about 5 days ago (April 10) and did not receive a response. There is an active Planning enforcement case 2024-000871ENF regarding an Unauthorized Dwelling Unit (UDU) and potential Intermediate Length Occupancy (ILO) use. If you can provide any guidance to where I can find this building permit application and its documents, please let me know. I have provided a screenshot below of what it states on PTS.

Permit Details Report

Report Date: 4/15/2024 10:36:59 AM

Application Number: 201901220927
 Form Number: 3
 Address(es): 0822 /019 /0 874 FELL ST
 Description: UNIT LEGALIZAITON ORD 43-14. COMPLY WITH NOV 201722542. LEGALIZE AN ILLEGAL UNIT.
 Cost: \$26,000.00
 Occupancy Code: R-2
 Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
1/22/2019	TRIAGE	
1/22/2019	FILING	
1/22/2019	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Review Result	Hold Description
HIS	4/9/19	4/9/19				4/9/19	LOPEZ JOSE	628-652-3700		
CPB	4/10/19	4/10/19				4/10/19	GUTIERREZ NANCY	628-652-3240		
CP-ZOC	4/10/19	5/1/19	5/1/19	9/16/19		9/16/19	CHANDLER MATHEW	628-652-7300		9/16/2019, Approved: Legalize illegal unit at rear of the basement in front building per Ordinance 43-14, reconfigure stair in rear yard. Mathew Chandler May 2019: permit placed on hold for public records request
BLDG	9/17/19	9/24/19				9/24/19		628-652-3780		9/24/19: OTC request approved
BLDG	9/24/19	10/9/19				10/9/19		628-652-3780		10/9/19: OTC expired
MECH	9/24/19	10/9/19				10/9/19		628-652-3780		10/9/19: OTC expired
BLDG	10/9/19		1/9/20			8/11/21	YU CYRIL	628-652-3780		AWAITING STRUCTURAL DWG AND CALCS.
BLDG	8/11/21	8/11/21	8/11/21				RALLS MATTHEW	628-652-3780		awaiting new drawings
MECH	2/21/20	3/23/20	8/25/20				SHAIKH MOHSIN	628-652-3780		WKP 8/25/20 review pdf revisions, incomplete. 3/24/20 comments issued, plans routed to PPC.
SFFD	3/24/20	4/2/20	4/2/20				WOO JASON	628-652-3472		comments sent via email
DPW-BSM	4/2/20	5/5/20				5/5/20	YU ERIC	628-271-2000		APPROVED. 5/5/20: BSM sign off on Job Card required prior to DBI final. Subject to all conditions of SFPW: BUF (tree planting) -EY 11/20/19 Buf Release RD
SFPUC	5/5/20	6/5/20				6/5/20	WONG KENDRICK	628-652-6040		Existing/propose fixtures count to 1" meter and current meter is 5/8". Recommend to upgrade. 06/05/2020
DFCU										
PPC							USER GSA	628-652-3780		6/5/20: To IN HOLD BIN. Needs approval from MECH, BLDG, SFFD; AD 5/5/20; To PUC: HP 4/2/20: to BSM; am 3/24/20: To SFFD; HP 2/21/20: to MECH; am 11/4/19: Plans to Karen Liang, EC. 10/9/19: OTC expired, to BLDG; am 9/24/19: OTC approved, to OTC bin; am 9/17/19: to supervisor for OTC approval/denial; am 9/17/19: To BLDG; HP 8/28/19; R1 to DCP; mml 4/10/19: To DCP; HP
CPB								628-652-3240		

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Baeza, Rogelio (CPC)
Sent: Wednesday, April 10, 2024 9:27 AM
To: PPC, DBI (DBI) <dbi.ppc@sfgov.org>
Subject: BPA# 201901220927 - 874 Fell St

Hello,

I am emailing to see if I could receive assistance locating the following permit set #201901220927 (874 Fell St). This is a physical copy and should have documents attached for the unit legalization permit that the owner is applying to. There is currently an active Planning ENF case and the plan set will need to be reviewed prior to permit issuance. Please let me know if you could assist me with this request or if you can point me in the right direction to obtain this permit set.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBI's Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [Baeza, Rogelio \(CPC\)](#)
To: [Jones, Dario \(CPC\)](#)
Subject: FW: 2024-000871ENF (874 Fell): Evidence
Date: Tuesday, April 09, 2024 2:37:00 PM
Attachments: [F1A Month to Month Junior one bedroom with heigh ceilings. - apts housing for rent - apartment rent - craigslist.png](#)
[F5 Month to Month City views. Wifi included. - apts housing for rent - apartment rent - craigslist.png](#)
[874 Fell Street MC Review 8.19.19 \(ID 1125212\).pdf](#)
[Wonderful private 1 bedroom apt. F6 - San Francisco Vrbo.png](#)
[Studio by Alamo Square Park F4 - San Francisco Vrbo.png](#)
[Charming Apt in the middle of SF F1 - San Francisco Vrbo.png](#)

Hi Dario,

Here are the links to the active VRBO listings for 874 Fell St.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [CA Govt Code Sec 7927.700 - \[REDACTED\] gmail.com](#)
Sent: Tuesday, April 2, 2024 11:46 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 2024-000871ENF (874 Fell): Evidence

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

Hello again,

As a follow up to yesterday's email, here is more circumstantial evidence of ILOs at 874 Fell, including:

1. Link to two active listings on Craigslist for "monthly" rentals (screenshots attached):
<https://sfbay.craigslist.org/search/sfc/apa?query=874%20fell#search=1~gallery~0~0>
2. Links to five active Vrbo listings for units listed without any minimum stay, including the UDU which is listed as a 2-bedroom apartment for six people (screenshots attached):

<https://www.vrbo.com/en-sg/p3722711vb>

<https://www.vrbo.com/en-sg/p3722696vb>

<https://www.vrbo.com/en-sg/p3722699vb>

<https://www.vrbo.com/en-sg/p3722713vb>

Also, please allow me to clear up any confusion that may exist about the nature of my complaint:

I have not been inside the building at 874 Fell, but I can see people moving in and out of one unit in particular, which has windows facing my building. I have observed visually that the unit in question has been rented to several different parties within the last few years. That apartment is currently listed on Craigslist as "F5 Month to Month," and on Vrbo as "Central SF apt with views."

In an email to you on 2/27/2024 the owner wrote: "I'm not renting any 2 bedroom to six people in an illegal unit." To clarify: my allegation is based on knowledge that the unit in question is not legal, and currently under an OoA since 4/19/2023 per DBI NOV 201722542, and that it is being listed for rent as an ILO to accommodate up to six people.

I would also like to clarify that my understanding of how many people are, or might be residing at 874 Fell at any given time is based on adding up the figures in various listings that show how many people each unit can accommodate. I've attached a set of plans for the unit legalization permit that show numbers for all of the 10 known units currently in the building, including the basement UDU listed as "No. 10" (see pages 4-8). The first floor has 4 units: 1, 1a, 1b, and 2. There are listings for No. 1 and No. 1a that would accommodate 2 and 4 people respectively. The second floor has 3 units: No. 3, No. 4, and No. 5. Listings for those apartments show they could accommodate 4, 2, and 4 people respectively. The third floor has units No. 6 and No. 7, the latter of which is listed as accommodating 3 people. And, again, the UDU in the basement, No. 10, is listed as accommodating 6 people.

Here's the bottom line: in the 7 units that are or have been listed for rent as ILOs, the owner advertises availability for as many as 25 occupants total (2,4,4,2,4,3, and 6). The 3 other known units in the building are not listed as ILOs, and at least one of them has a confirmed long term tenant. Assuming each of those units has just one resident, the building is being advertised as accommodating a total of at least 28 people between the

ILO listings and other units. It may be the case that there are only 12 or so people in the building currently, as the owner claims, but that figure clearly does not match what is stated as the number of "guests" that could occupy the building based on listings. Also, I'm not complaining about the owner's plans to add more dwelling units on the property, but rather I'm pointing out that if he were to add 5 additional bedrooms (2 in the basement at the front of the building and 3 in the nonconforming rear structures), that could mean as many as 32 people would live on the property at any given time - and the bulk of them would come and go frequently in unpermitted ILOs (one of which is a UDU). But, there are clearly already issues related to exceeding maximum occupancy requirements at this property.

I hope this evidence and clarifying info is helpful. Please confirm receipt of these emails asap, and let me know if you have questions for me at this time.

Thanks,

[Central SF 2 Bedroom backyard apt. - San Francisco Vrbo.png](#) 

[Central SF apt with views. - San Francisco Vrbo.png](#) 

On Mon, Apr 1, 2024 at 11:50 AM  < [gmail.com](#)> wrote:

Hi Rogelio,

I'm starting a new thread for evidence of ILOs and related code violations at 874 Fell Street, per 2024-000871ENF.

Attached are 6 screenshots and 1 pdf file relating to a confirmed booking on Airbnb for May 5-June 7, 2024 (confirmed on 3/30/2024).

Thanks,

--



From: [Rachna, Rachna \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: FW: 2022-000580ENF, 874 Fell
Date: Tuesday, April 09, 2024 1:52:36 PM
Attachments: [image001.png](#)

Rachna, Senior Planner
(she/her)

Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Rachna, Rachna (CPC)
Sent: Friday, July 22, 2022 11:22 AM
To: [\[REDACTED\] <\[REDACTED\]gmail.com>](#)
Cc: Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Chen, Josephine (CPC) <josephine.chen@sfgov.org>; Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: RE: 2022-000580ENF

Hi 

Thank you for sharing your concerns. I understand your position. Please know that the Department has carefully reviewed the issues you have raised.

In my earlier emails, I had informed you that since you were already in communication with Corey on this matter and he had provided you detailed responses on your questions, any enforcement action was not to be taken until further direction from Corey.

The case was closed on 7/7/22 upon review of your questions and information you provided to Corey. We spoke at length over the phone on 7/11/22 and I had explained to you why the case was closed. I understand that this is not the outcome you were expecting and wish to officially challenge the Department decision. To that end, I believe you intend to submit a Letter of Determination. I have included the link to this process: [Zoning Letter of Determination \(ZAD\) | SF Planning](#)

Thanks,
Rachna, Senior Planner
Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>
Sent: Friday, July 15, 2022 5:48 PM
To: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Cc: Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Chen, Josephine (CPC) <josephine.chen@sfgov.org>; Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Re: 2022-000580ENF

On second thought, I do have one other question at the moment related to my underlying concern:

It's clear that the ZA considered the case closed on 3/4, before Mr. Roussel had even offered his untimely response on 3/11 to the NOC issued on 2/16. Why were you instructed, repeatedly over the course of the next four months, to keep the case open and to inform me that it was still under review?

In the absence of any logical explanation for this, I fear that while my complaint was being improperly disregarded, I was also being deliberately and inappropriately strung along. It is my sincere hope that you can provide some clarification that will put my mind at ease.

Thanks again,

[REDACTED]

On Fri, Jul 15, 2022 at 5:24 PM [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)> wrote:

Hi again Rachna,

At this point, and after reviewing the material you sent me, which is mostly copies of my emails to Planning staff, I'm concerned that my complaint was summarily ignored. I don't see anything that would lead me to believe an investigation of any kind was actually conducted, let alone one that might be considered fair and impartial.

As regards to your contact with the property owner, I see that Mr. Roussel emailed you on 3/11/22: "I received a letter from SF planning saying I may have violated the Planning Code at 874 Fell st. Could please [sic] tell me what this is about?" You replied on 3/15/22 and asked that he "Please submit a response with any supportive documentation." You contacted Mr. Roussel again on 4/11 to remind him of the "Pre-Construction Inspection" requirements that he did not follow (BID Complaint 202289742), and repeated your request: "Please respond to this and my earlier email below."

Did Mr. Roussel ever respond to my complaint, and provide supportive documentation, as you requested? Did he ever respond to your email regarding his improperly initiated foundation work? If not, was Mr. Roussel assessed a penalty for his failure to comply, and are property owners typically allowed to disregard enforcement action directives in this manner?

I will refrain from asking anything further, or commenting on my next steps until I receive answers to these questions, and I would very much appreciate a response.

Thanks,

[REDACTED]

On Fri, Jul 15, 2022 at 5:18 PM Rachna, Rachna (CPC) <rachna.rachna@sfgov.org> wrote:

Hi [REDACTED]

All available records have been provided. As I informed you over the phone earlier this week, Corey has responded to your questions in your direct communication with him and accordingly no enforcement action is to be taken.

It is my understanding from you that you intend to file a request for letter of determination to seek an official response to your questions pertaining to approval of permit 202011309847.

Thank you.

Rachna, Senior Planner
Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>
Sent: Friday, July 15, 2022 11:09 AM
To: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Cc: Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Chen, Josephine (CPC) <josephine.chen@sfgov.org>; Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: Re: 2022-000580ENF

Dear Rachna/ To whom it may concern,

Thanks for making your correspondences available as part of my responsive record request for 2022-000580ENF, which as you know was returned last evening. I will be in touch with you again shortly regarding a few questions and concerns about some of that content.

Given that my complaint was officially open for nearly five months (from 2/16 - 7/7), I was quite surprised to see that, other than your emails, my request yielded just a single page. I expected to see much more documentation. That said, the single document that was provided to me consists of an email from Josephine Chen to Kelly Wong, dated 1/20/22, referring to my 1/14/22 email to Code Enforcement (with complaint form and supporting evidence attached). The email reads: "FYI – will be bringing this up in our meeting later."

Can I please see all material from this 1/20/22 meeting that is relevant to 2022-000580ENF? Are there notes or memos that were generated as part of this meeting? If not, I would like to know why, and I would like for someone to please provide a complete summary of what was discussed. Also, can I please see all other pertinent emails or records authored by anyone on Planning staff between 1/20/22 and 2/18/22, when the case was assigned to you by Josephine Chen via email?

I truly appreciate your assistance in this matter.

Best regards,



On Fri, Jul 15, 2022 at 8:53 AM [REDACTED] <[REDACTED]@gmail.com> wrote:

Thank you!

On Thu, Jul 14, 2022 at 5:36 PM CPC-RecordRequest <CPC-RecordRequest@sfgov.org> wrote:



The responsive record is ready. Under normal circumstances our practice is to redact complainant personal information. However, due to the fact that the requestor is the complainant, we are not redacting your personal information.



You could download the folder via a link [here](#). The link will be available for 30 days.

PLEASE NOTE: Please follow instruction attached to retrieve the records. Check your spam folder if you don't get the code.

Thank you,
Chan Son, Executive Secretary
Record Request
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7346 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [REDACTED] <[REDACTED]@gmail.com>
Sent: Wednesday, July 13, 2022 2:34 PM
To: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Cc: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Subject: Re: 2022-000580ENF

Thanks!

On Wed, Jul 13, 2022 at 2:27 PM CPC-RecordRequest <CPC-RecordRequest@sfgov.org> wrote:



We received your record request dated July 8, 2022 on July 11, 2022. Public record request received after the close of business, or received on a weekend or holiday, are considered received on the next business day.

You requested records for the property at 874 Fell Street. We will endeavor to complete

your request on or before ~~July 11, 2022~~ (Cal. Govt Code 6253(c) and Admin Code 67.21(b)).

Thank you,
Chan Son, Executive Secretary
Record Request
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7346 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: ~~CA Govt Code Sec 7927.7(b)~~ <~~CA Govt Code Sec 7927.7(b)~~ gmail.com>
Sent: Wednesday, July 13, 2022 11:34 AM
To: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Cc: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Subject: Re: 2022-000580ENF

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

Hello again,

I'm checking to make sure you are processing my request for records pertaining to 2022-000580 ENF, which was sent on the evening of 7/8 and should have been received on 7/11. Please send a confirmation asap, and let me know if you have any questions.

Thanks,

~~CA Govt Code Sec 7927.7(b)~~
~~CA Govt Code Sec 7927.7(b)~~

On Fri, Jul 8, 2022 at 10:11 PM ~~CA Govt Code Sec 7927.7(b)~~ <~~CA Govt Code Sec 7927.7(b)~~ gmail.com> wrote:

To whom it may concern,

Can you please provide copies of all records associated with 2022-000580 ENF?

Thanks kindly for your assistance.

Regards,

~~CA Govt Code Sec 7927.7(b)~~
~~CA Govt Code Sec 7927.7(b)~~

CA Gov

From: [Chandler, Mathew \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: 874 Fell Correspondence
Date: Tuesday, April 09, 2024 10:08:33 AM

I saved the correspondence to the record (2019-005109PRJ).

I have not re-read all emails. It seems the early August emails may be helpful.

Mathew Chandler, Senior Planner
Districts 5 & 8/Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7340 | www.sfplanning.org

From: [Wong, Kelly \(CPC\)](#)
To: [Greene, Matthew \(DBI\)](#); [Birmingham, Kevin \(DBI\)](#)
Cc: [Baeza, Rogelio \(CPC\)](#); [Wong, Wesley \(CPC\)](#)
Subject: 905 Ashbury St - Permit No. 201709158471 do not match building
Date: Thursday, April 04, 2024 6:22:34 PM

Dear Matt,

Rogelio is investigating (2) Planning active ENF complaints at:
874 Fell St and 905 Ashbury St, which are owned by the same property owner.

After site visits to both properties, he has confirmed that Building Permit (no. [202205254981](#)) for 874 Fell St for soft-story work is accurate and matches the plans in the permit. However, found that the drawings for Building Permit (no. [201709158471](#)) for 905 Ashbury St for soft-story work, are the same as the ones for 874 Fell's permit drawings. And as such, the plans do not accurately represent the building at 905 Ashbury.

I am forwarding this information since this was a soft-story permit (I didn't want there to be any life-safety issues) so that you can look into this further. I thought there might have been an administrative error, but the permit drawings do show the two different addresses. Let me know if you need anything from us.

Thanks,
Kelly

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: None at this time.

From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Sent: Thursday, April 4, 2024 11:08 AM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Cc: Wong, Wesley (CPC) <wesley.a.wong@sfgov.org>
Subject: 874 Fell St and 905 Ashbury St

Hi Kelly,

I am emailing you with my observations from our (Wesley and my) site visit yesterday for 874 Fell St and 905 Ashbury St.

For 905 Ashbury St, we observed and confirmed that the soft story retrofit plan set for 905 Ashbury St (BP# 201709158471) does not match the current conditions at the subject property. Based on my research, I was not able to find any other plan set to compare the

current conditions for 905 Ashbury St.

For 874 Fell St, we were able to confirm that the current conditions of 874 Fell St do, indeed, match the current conditions reflected in BP# 202205254981. However, the plan set for BP# 202205254981 appears to match the soft story retrofit plan set for BP# 201709158471.

This email is to document my research and observations for my active ENF cases:

874 Fell St (2024-000871ENF)

905 Ashbury St (2024-000877ENF)

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [Wong, Kelly \(CPC\)](#)
To: [Greene, Matthew \(DBI\)](#); [Birmingham, Kevin \(DBI\)](#)
Cc: [Baeza, Rogelio \(CPC\)](#); [Wong, Wesley \(CPC\)](#)
Subject: 905 Ashbury St - Permit No. 201709158471 do not match building
Date: Thursday, April 04, 2024 6:22:00 PM

Dear Matt,

Rogelio is investigating (2) Planning active ENF complaints at:
874 Fell St and 905 Ashbury St, which are owned by the same property owner.

After site visits to both properties, he has confirmed that Building Permit (no. [202205254981](#)) for 874 Fell St for soft-story work is accurate and matches the plans in the permit. However, found that the drawings for Building Permit (no. [201709158471](#)) for 905 Ashbury St for soft-story work, are the same as the ones for 874 Fell's permit drawings. And as such, the plans do not accurately represent the building at 905 Ashbury.

I am forwarding this information since this was a soft-story permit (I didn't want there to be any life-safety issues) so that you can look into this further. I thought there might have been an administrative error, but the permit drawings do show the two different addresses. Let me know if you need anything from us.

Thanks,
Kelly

Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)

Out of office dates: None at this time.

From: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Sent: Thursday, April 4, 2024 11:08 AM
To: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Cc: Wong, Wesley (CPC) <wesley.a.wong@sfgov.org>
Subject: 874 Fell St and 905 Ashbury St

Hi Kelly,

I am emailing you with my observations from our (Wesley and my) site visit yesterday for 874 Fell St and 905 Ashbury St.

For 905 Ashbury St, we observed and confirmed that the soft story retrofit plan set for 905 Ashbury St (BP# 201709158471) does not match the current conditions at the subject property. Based on my research, I was not able to find any other plan set to compare the

current conditions for 905 Ashbury St.

For 874 Fell St, we were able to confirm that the current conditions of 874 Fell St do, indeed, match the current conditions reflected in BP# 202205254981. However, the plan set for BP# 202205254981 appears to match the soft story retrofit plan set for BP# 201709158471.

This email is to document my research and observations for my active ENF cases:

874 Fell St (2024-000871ENF)

905 Ashbury St (2024-000877ENF)

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [Baeza, Rogelio \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#)
Cc: [Wong, Wesley \(CPC\)](#)
Subject: 874 Fell St and 905 Ashbury St
Date: Thursday, April 04, 2024 11:08:00 AM

Hi Kelly,

I am emailing you with my observations from our (Wesley and my) site visit yesterday for 874 Fell St and 905 Ashbury St.

For 905 Ashbury St, we observed and confirmed that the soft story retrofit plan set for 905 Ashbury St (BP# 201709158471) does not match the current conditions at the subject property. Based on my research, I was not able to find any other plan set to compare the current conditions for 905 Ashbury St.

For 874 Fell St, we were able to confirm that the current conditions of 874 Fell St do, indeed, match the current conditions reflected in BP# 202205254981. However, the plan set for BP# 202205254981 appears to match the soft story retrofit plan set for BP# 201709158471.

This email is to document my research and observations for my active ENF cases:

874 Fell St (2024-000871ENF)

905 Ashbury St (2024-000877ENF)

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBI's Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
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From: [Baeza, Rogelio \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#)
Date: Thursday, April 04, 2024 10:50:36 AM

Hi Kelly, is there a template for permit stop request to suspend building permits? I believe that we should consider suspending the permits regarding 874 Fell ST and 905 Ashbury St.

From: [Rachna, Rachna \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#)
Cc: [Wong, Kelly \(CPC\)](#)
Subject: FW: 874 Fell Street Zoning Variance (Rear yard)
Date: Thursday, April 04, 2024 9:58:52 AM

Rachna, Senior Planner
(she/her)

Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>
Sent: Wednesday, March 09, 2022 12:55 PM
To: [\[REDACTED\]@gmail.com](#)
Cc: Tam, Tina (CPC) <tina.tam@sfgov.org>; Atijera, Evamarie (CPC) <[\[REDACTED\]atijera@sfgov.org](#)>; Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>; [\[REDACTED\]](#); Teague, Corey (CPC) <corey.teague@sfgov.org>
Subject: RE: 874 Fell Street Zoning Variance (Rear yard)

Hi [\[REDACTED\]](#)

You can view the documents attached to each Planning Application by searching the associated number on the [Accela Citizen Access Portal](#).

Planning Application 2021-002132PRL is up to date with all correspondence and files related to the review of BP No. 202011309847. During the review of this permit, I also referenced the files already attached to Planning Application 2014.0157V and viewed the approved plans for BP No. 201311252814. The approved plans for BP No. 201311252814 are not public-facing but can be requested from the Department of Building Inspection [Records Management Division](#).

Best,
Mathew Chandler, Planner
Flex Team, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7340 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Teague, Corey (CPC) <corey.teague@sfgov.org>
Sent: Sunday, March 06, 2022 9:03 AM
To: [\[REDACTED\]@gmail.com](#)
Cc: Tam, Tina (CPC) <tina.tam@sfgov.org>; Atijera, Evamarie (CPC) <evamarie.atijera@sfgov.org>; Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>; Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>; [\[REDACTED\]](#)
Subject: RE: 874 Fell Street Zoning Variance (Rear yard)

1. The ZA extension to 3-year performance periods for variances and Planning Commission cases is not a formal process, but instead part of the administrative review. While the current practice is to document the decision with a memo to the file, that was not consistent practice in the past. On occasion, people have requested a Letter of Determination from the ZA to get such an extension provided in writing, but that is only done upon request.
2. Mathew Chandler will send you any/all documentation we have regarding the review of Planning Application 2021-002132PRL (BP No. 202011309847). However, I can confirm that the determination was made that the proposed revisions did not require a new variance or neighborhood notification per Sec. 311.
3. Regarding the legality of the existing DU in the rear building, that was originally part of the 2014 variance case review. More specifically, Building Permit No. 77543 was issued in 1944 to "Alter present building in the back yard into a 2 room dwelling." The Certificate of Final Completion for that permit was issued on 4/2/44. Additionally, the existence of a DU in the rear building is called out on later building permits and in historic Sanborn Maps. Finally, Planning Code Section 180(h) states the following: **"Preserving Dwelling Units.** If the administrative record regarding a nonconforming unit does not provide conclusive evidence that the unit is illegal, it shall be presumed to be a legal nonconforming unit." As such, there is adequate documentation that the DU in the rear building is a legally existing unit.

I hope that helps. Please let us know if you have any other questions. Thanks.

Corey A. Teague, AICP, LEED AP
Zoning Administrator

Current Planning Division

San Francisco Planning

PLEASE NOTE MY NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17, 2020:

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7328 | sfplanning.org

[San Francisco Property Information Map](#)

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

From: [REDACTED] <[REDACTED]@gmail.com>

Sent: Friday, March 4, 2022 4:09 PM

To: Teague, Corey (CPC) <corey.teague@sfgov.org>

Cc: Tam, Tina (CPC) <tina.tam@sfgov.org>; Atijera, Evamarie (CPC) <evamarie.atijera@sfgov.org>; Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>; Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>; [REDACTED]

Subject: Re: 874 Fell Street Zoning Variance (Rear yard)

Dear Corey,

Thanks for getting back to me with this info, and for apprising me of options for seeking recourse. I have a few quick follow-up questions/ requests:

1. Can you please clarify Planning Department regulations concerning the granting of extensions by the ZA for variances beyond the 3-year performance period? Is it typically the case that it is not a formal process, and no specific documentation is required? Or, is this a case that deviates from what is otherwise normal procedure?
2. Can you, or someone on staff, please provide all available documentation concerning the full review of Planning Application 2021-002132PRL (BP No. 202011309847), including your determination that the proposed interior modifications were not significant enough to trigger a new variance? I would specifically like to know if a determination was made that the proposed modifications did not warrant sending notice to adjacent/ affected property owners (separate from the question of a new variance)?
3. Can you, or someone on staff, please provide an update regarding the Department's review of 2022-000580ENF? Specifically, I would like confirmation that staff have examined various documents and plans submitted since 2013 that purport to show the existence of rooms and /or fixtures consistent with an existing living dwelling in the carriage house, and that such material has been compared to the photographs and other evidence I sent to demonstrate that no such living dwelling has ever existed.

To reiterate, I very much appreciate your attention to this matter.

Best,



On Thu, Mar 3, 2022 at 2:33 PM Teague, Corey (CPC) <corey.teague@sfgov.org> wrote:



Thanks again for your patience on this issue. This property definitely has a lot going on and a complicated past. Regarding the variance, you are correct that the variance issued on 10/2/14 had a 3-year performance period that required a building or site permit be issued. However, that condition includes the provision that "authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit or approval of a Tentative Map or other City action is delayed by a City agency or by appeal of the issuance of such a permit or map or other City action."

The first permit in relation to the variance (BP No. 201311252814) was "approved" by Planning on 6/28/14, but was not "issued" until 5/3/19. Additionally, the second permit for the front building stairs (BP No. 201601207452) was filed on 1/20/16 and approved by Planning on 5/8/19. While there is no specific documentation that such an extension was formally granted by the ZA, it is clear that the overall project on the property was active regarding a host of issues in addition to the variance work, which included the discovery of an unauthorized unit and the requirement for seismic retrofitting.

The record also indicates that the Planning Department, through several different planners, was

engaged with the project sponsor over time and approved several permits related to the overall project (BP Nos. 201311252814, 201601207452, and 202011309847 – BP No. 201901220927 is still under review). At no time during any of that engagement or permit review did the Planning Department indicate to the project sponsor that the underlying variance would or had expired. As such, we have considered the variance to continue to be valid. Specifically regarding Planning Application 2021-002132PRL (BP No. 202011309847), it was fully reviewed by the Department, including a determination by me as the ZA that the proposed interior modifications were not a significant modification that triggered a new variance.

Regarding recourse on the 2014 variance and/or any of the issued permits, I believe there are two options available to you:

1. Submit a Jurisdiction Request to the Board of Appeals to ask for an opportunity to appeal the original granting of the variance. You can learn more about that process here: <https://sfgov.org/bdappeal/>
2. Request a Letter of Determination from the ZA that the variance has not expired. Assuming that issued letter would generally contain the same determination and rationale, you would be able to appeal that determination to the Board of Appeal. You can learn more about Letters of Determination here: <https://sfplanning.org/resource/zad-letter>

Thank you again for your patience on this issue. Please let me know if you have any other questions.

Corey A. Teague, AICP, LEED AP
Zoning Administrator

Current Planning Division

San Francisco Planning

PLEASE NOTE MY NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17, 2020:

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7328 | sfplanning.org

[San Francisco Property Information Map](https://sfplanning.org/property-information-map)

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

From: Teague, Corey (CPC)

Sent: Thursday, February 24, 2022 3:51 PM

To: [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

Cc: Tam, Tina (CPC) <tina.tam@sfgov.org>; Atijera, Evamarie (CPC) <evamarie.atijera@sfgov.org>; Chandler, Mathew (CPC) <Mathew.Chandler@sfgov.org>; Rachna, Rachna (CPC) <rachna.rachna@sfgov.org> [REDACTED] <[CA Govt Code Sec 7927.700 – Personal Information](#)>

Subject: RE: 874 Fell Street Zoning Variance (Rear yard)



Thanks for this follow-up. Our response was unfortunately delayed by my month-plus of jury duty. I'm actively working now to follow up on all the open questions/issues during that time. This question also required a bit of document and email research, including of planners that are no longer with the Department, which took some time. I hope to have a file answer to you within a week. Thanks.

Corey A. Teague, AICP, LEED AP
Zoning Administrator

Current Planning Division

San Francisco Planning

PLEASE NOTE MY NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17, 2020:

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7328 | sfplanning.org

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Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

From: <[REDACTED]@gmail.com>
Sent: Thursday, February 24, 2022 3:19 PM
To: Teague, Corey (CPC) <corey.teague@sfgov.org>
Cc: Tam, Tina (CPC) <tina.tam@sfgov.org>; Atijera, Evamarie (CPC) <evamarie.atijera@sfgov.org>; Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>; Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>; <[REDACTED]>
Subject: Re: 874 Fell Street Zoning Variance (Rear yard)

Dear Corey et al.,

I hope this message finds you well.

I would like to make sure you're aware that some of the points raised in my Dec. 28 email form the basis of a complaint I submitted on Jan. 19, 2022-000580ENF, which is currently pending review.

That said, I would very much appreciate it if someone on staff could provide a reply to at least some of my questions, or even just an update regarding the Planning Department's assessment of the situation thus far.

Thanks for your time.

Kind regards,



On Wed, Jan 5, 2022 at 11:41 AM <[REDACTED]@gmail.com> wrote:

I

Dear Corey,

Thanks for your timely reply. I'm happy to remain patient, and look forward to receiving a detailed response soon.

Best regards,

CA Gov

On Tue, Jan 4, 2022 at 4:16 PM Teague, Corey (CPC) <corey.teague@sfgov.org> wrote:

CA Gov

Thank you for reaching out. I'm not directly familiar with this case, but I will work with staff so that someone will provide you a detailed response this week. I appreciate your patience.

Corey A. Teague, AICP, LEED AP
Zoning Administrator

Current Planning Division

San Francisco Planning

PLEASE NOTE MY NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17, 2020:

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7328 | sfplanning.org

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From: CA Govt Code Sec 7927.700 - CA Govt Code Sec 7927.700 - <corey.teague@sfgov.org>

Sent: Tuesday, December 28, 2021 12:35 PM

To: Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Atijera, Evamarie (CPC) <evamarie.atijera@sfgov.org>; Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>

Cc: CA Govt Code Sec 7927.700 – Personal Information

Subject: Re: 874 Fell Street Zoning Variance (Rear yard)

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

To whom it may concern,

My name is CA Govt Code Sec 7927.700 – and I reside at 610 Steiner (parcel 0822/022) in a building adjacent to the property at 874 Fell Street (parcel 0822/019). My father, John Cushner, is the owner-occupant of our building, which abuts two vacant structures – carriage house (stable) and garage – at the rear of 0822/019, referred to as 874 and ½ Fell. My father has resided at our property since 1968, and owned the building since 1977.

Having reviewed public records, we have some questions about the zoning variance that was granted in October 2014 (application # 2014.0157V), related to a permit issued for construction at 874 and ½ Fell (BPA# 2013-1125-2814).

1. The permit in question was issued on 5/3/19, and thus is not in compliance with the requirement for a maximum three-year window between when the variance is granted and the permit issued. Was there an extension granted that would preclude the necessity of a new Variance Application? If so, can we please obtain a record of this extension? If no extension was granted, then we believe the owner of 874 Fell is in violation of zoning requirements.
2. Several years after the variance was granted in 2014, the scope of the project at 874 and ½ Fell was expanded (under Planning Application 2021-002132PRL) to include two bedrooms in the garage in addition to the one bedroom that was approved for the carriage house. Can you please indicate whether or not this was reviewed by the Planning Department to determine if the expansion is compatible with existing neighborhood character and scale? If a review was conducted, can we please obtain a record of the Zoning Administrator's determination that the approved extension does not pose a significant or extraordinary impact requiring either notice to adjacent/affected property owners or a new Variance Application? If no review was conducted, we would like to request that one be initiated immediately.
3. Is there any recourse for adjacent/affected property owners to request a Discretionary Review of the original Variance Application outside of the standard 90-day notification period? My father and I believe that this case is extraordinary in the sense that 874 and ½ Fell is detached from the main building located on parcel 0822/019 while being attached to our property; every aspect of the proposed construction and subsequent habitation at 874 and ½ Fell would adversely impact the residents of our building. If given an opportunity to rebut claims made in the application that was submitted on 1/28/14, we believe we could provide sufficient evidence to cast serious doubt on the legitimacy of the variance that was granted via a decision letter dated 10/2/14. In specific, part of the justification for the variance was based on an assertion that "Demolition of the rear structure would... result in the loss of one legal dwelling unit." However, we can provide ample proof that the subject property has never served as a dwelling unit (legal or otherwise). Should we be given a chance to make our case, we think there is a high probability that the Planning Department would reverse its decision to grant a variance.

I can be reached by email at [REDACTED] [\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com), or by phone at [REDACTED]. My father can be reached by email at [REDACTED] [\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com), or by phone at [REDACTED] [REDACTED]. Please let us know if you have any questions or would like more details

regarding our concerns.

Thanks, in advance, for your attention to this matter; we look forward to hearing from you soon.

Best regards,

CA Gov
[REDACTED]

--

CA Gov [REDACTED] CA Govt Code Sec 7 [REDACTED]

PhD

--

CA Gov
[REDACTED]

--

CA Gov
[REDACTED]

From: [Rachna, Rachna \(CPC\)](#)
To: [Baeza, Rogelio \(CPC\)](#); [Wong, Kelly \(CPC\)](#)
Subject: FW: 874 Fell Street - Issued Carriage House Permit No. 2020-1130-9847 - Owner has two questions
Date: Thursday, April 04, 2024 9:58:06 AM

Rachna, Senior Planner
(she/her)

Current Planning Division

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>
Sent: Wednesday, September 13, 2023 11:47 AM
To: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>; Gordon-Jonckheer, Elizabeth (CPC) <elizabeth.gordon-jonckheer@sfgov.org>
Subject: FW: 874 Fell Street - Issued Carriage House Permit No. 2020-1130-9847 - Owner has two questions

See below.

Mathew Chandler, Senior Planner
Districts 5 & 8/Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7340 | www.sfplanning.org

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Monday, May 22, 2023 8:04 AM
To: Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>
Cc: ericsfca@gmail.com
Subject: Re: 874 Fell Street - Issued Carriage House Permit No. 2020-1130-9847 - Owner has two questions

Hello Mathew,

This is the latest correspondence I have found in my email re: the Carriage House at 874 Fell Street. So I am continuing correspondence with it.

1. The Original Permit No. is 2013-1125-2814.
2. The Revision Permit No. is 2020-1130-9847.

The Revision Permit was for interior room design changes and structural changes due to geotech recommendations at the Basement Level, which impacted interior rooms above.

The Owner needs to remove the basement altogether. He can no longer afford that scope of work, he is finishing up the required seismic construction soon in the front building and would like to move forward with construction on the Carriage House, to complete it..

What is required - process and drawings - to do that work? We would just be removing stairs down on the interior and exterior and the large room down, with a few windows and one door in one area at the bottom of the exterior stairs. A copy of the latest drawings can be found here:

<https://www.dropbox.com/s/dgpm8q7s9znsn5n/874%20Fell%20Street%20Carriage%20House%20Revisions%20May%2030%202021.pdf?dl=0>

Note that the link lasts for a week, you will have to ask for another if you need it past then, no problem to send it.

Thank you very much,

Best Regards, Janet

Janet Campbell, Architect
J Campbell Architects, PC
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

-----Original Message-----

From: campbellarchitec@aol.com
To: mathew.chandler@sfgov.org <mathew.chandler@sfgov.org>
Sent: Thu, Mar 17, 2022 11:06 am
Subject: Re: 874 Fell Street - Issued Carriage House Permit No. 2020-1130-9847 - Owner has two questions

Hello Mathew,

I most assuredly thought so!

Thank you for the clarity that I have now passed along directly to him!

I will discuss it with him - all these issues, once again.

I will refer him (again) to the conditions of Variance Decision and go over it with him.

Thank you very much again,

Best, Janet

Janet Campbell, Architect
Campbell & Associates
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

-----Original Message-----

From: Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>
To: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Thu, Mar 17, 2022 9:44 am
Subject: RE: 874 Fell Street - Issued Carriage House Permit No. 2020-1130-9847 - Owner has two questions

Put simply, a variance would be required to either 1) increasing the building envelope or height of the roof of a non-complying structure or 2) demolish and reconstruct a non-complying building. It should also be

noted again that the ZA needs to review any permit for additional work that was not approved as part of the variance application; additional scopes of work may require a variance even if the work in and of itself does not necessitate one. Please reference the conditions of approval outlined in the Variance Decision Letter for this property.

Have a good day

Mathew Chandler, Planner
Flex Team, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7340 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: campbellarchitec@aol.com <campbellarchitec@aol.com>
Sent: Wednesday, March 16, 2022 2:31 PM
To: Chandler, Mathew (CPC) <mathew.chandler@sfgov.org>
Subject: 874 Fell Street - Issued Carriage House Permit No. 2020-1130-9847 - Owner has two questions

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

Hello Mathew,

The owner has two questions regarding the Issued Carriage House, Permit No: 2020-1130-9847.

1. Can he make the top story roof a low -slope roof, like a shed roof, to get more height into that top floor area? Part of some of it, like in a dormer? See the two attached sketches for location.
2. How does he reconstruct the structure? It is in pretty bad shape now waiting for years for the permits, and he will have to replace just about everything on the left hand side, the original servants' quarters from 1903. And with redoing the foundations, likely the whole structure. The structural aspect of it needs to be rebuilt, foundations first, and frankly, the over 100 year old siding and windows, front door etc. do too.

Please note that I have shown on the plans the same dimensions, type of siding of windows and door, as you can see now and historically. In the same heights they exist. We do know of historic wood windows that can be made to recreate them exactly - Kolbe and Kolbe is one of them.

We had hoped it could be saved as is, but with uncovering of internal areas and exposing structural elements, it's clear there is no way to safely keep any of it.

Due to the flimsy nature of the existing structure, can he take it down to the ground, as he has to replace the foundations under everything and excavate, too, to do that and the lower floor? We want to make sure we do the right thing here. In addition, the foundations must sit back from the property lines for the required waterproofing, an inch or so. As indicated on the drawings.

He does have to replace the whole structural aspect of the structure, as well as the original siding and windows and front door go back we believe to 1903 when it was built, as those elements are definitely not in good shape at all.

What can he do?

Best Regards,
Janet

Janet Campbell, Architect
Campbell & Associates
2 Parker Avenue, No. 302
San Francisco, CA. 94118
(415) 261-2613

From: [Merlone, Audrey \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#); [Baeza, Rogelio \(CPC\)](#)
Date: Thursday, March 28, 2024 12:32:31 PM

Happy to help where I can! He previously had a variance app for 874 Fell for I believe the carriage house which some of the emails I sent Rogelio mention if that's useful

From: [Merlone, Audrey \(CPC\)](#)
To: [Wong, Kelly \(CPC\)](#); [Baeza, Rogelio \(CPC\)](#)
Date: Thursday, March 28, 2024 9:40:05 AM

Morning Kelly and Rogelio! The EDIcovery email about 1344 Clayton triggered my memory from back when I was in CE/STR because it was a pretty egregious STR/group housing case by a guy named Eric Roussel. He also is the owner/operator of 905 Ashbury and 874 Fell, where you have two active complaints. I thought I'd let you know that although there isn't currently an active CE complaint on 1344 Clayton, if he's back to his old ways of illegal rentals in subpar conditions at Ashbury and Fell, he's probably also back at it at Clayton. This guy is pretty slimy. I actually had to file a complaint with Tom after Chris's and my site visit because he tried to intimidate us with lewd photos. It was a whole thing. Anyway, I wanted to give you a heads up that he's a larger operator and the conditions at these properties last time I was at them were pretty bad, especially at Ashbury. I googled him and his linkedin has his airbnb profile if that helps: <https://www.airbnb.com/users/show/374909>

Let me know if I can help with anything else on this case, too.

From: [Eric Roussel](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: Re: 874 Fell, 905 Ashbury
Date: Thursday, March 21, 2024 12:14:43 PM

So, Thursday 28 at 2pm to show 874 Fell apts. 2:30pm to show 905 Ashbury.
Right?

On Thu, Mar 21, 2024 at 11:46 AM Eric Roussel <ericsfca@gmail.com> wrote:
I hadn't seen this. NP. I'm glad you came and we could get this process going.

On Thu, Mar 21, 2024 at 10:26 AM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
wrote:

Hi Eric,

I am happy to meet you at the 874 Fell St property around 10:45 AM. Please note that I will still need access to the entire property and photos will be taken for documentation purposes. See you then.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Thursday, March 21, 2024 8:32 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: RE: 874 Fell, 905 Ashbury

Hello,

My structural engineer meeting was canceled this morning. His wife is delivering their baby.

I could meet you at 10:30am this morning at 874Fell st. if that still works for you.

Regards,

Eric

Get [BlueMail for Android](#)

On Mar 20, 2024, at 15:31, "Baeza, Rogelio (CPC)" <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

I appreciate your flexibility. Would 10:30 AM work for you? I would have to be back to the office by 1:30 PM and I do not believe that 1:30 would be enough time to see both properties. Please confirm if 10:30 AM tomorrow works for you.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>

Sent: Wednesday, March 20, 2024 11:54 AM

To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>

Subject: Re: 874 Fell, 905 Ashbury

Hello,

Any chance to do tomorrow Thursday, March 21, 2 PM earlier than 2pm? As early as Noon would be perfect!

We could do both properties. If not, let's do Friday. Anytime on Friday is good.

On Tue, Mar 19, 2024 at 2:45 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

Apologies for not attending the site visit today as my calendar was not able to reserve the car to visit the property as scheduled. I can reschedule the site visit for tomorrow or for Thursday at the same time outlined in my previous emails.

- a. Wednesday, March 20, 2:30 PM
- b. Thursday, March 21, 2 PM

Please confirm one of these dates by the COB today. To answer your question, the active enforcement case will need to be resolved prior to moving forward with other scope of work. Please provide the monthly rental lease agreements as requested in my previous emails.

Moreover, please separate the correspondence for the complaints of 874 Fell St and 905 Ashbury St. You can start a separate thread regarding 905 Ashbury St and the active complaint.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

From: Eric Roussel <ericsfca@gmail.com>
Sent: Friday, March 15, 2024 12:00 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 874 Fell, 905 Ashbury

Hello,

Another way to verify that 905 Ashbury st. is a 5 unit building is by simply looking at the Soft Story Retrofitting Program list.

That program mandated all SF buildings 5 units or above to do Soft Story work. I was on the list to do Soft Story for 905 Ashbury because 905 Ashbury is considered 5 units by the City.

You can check city records for that. Please see below the permit that issued for my "mandatory soft story retrofit". Believe me, I tried to claim the inlaw didn't count so I don't have to redo the building foundations... City said no, it's 5 units.

Regards,

Eric

[Permit 201709158471](#)

Status: COMPLETE - 4/27/2023 | **Address:** 905 ASHBURY ST |

Mandatory soft story retrofit per sfebc chapter 4d engineering criteria 2016 cebc appendix a-4.

[HIDE DETAILS](#)

Originally Filed:	9/15/2017	Parcel:	1269/022
Existing Use:	APARTMENTS	Existing Units:	5
Proposed Use:	APARTMENTS	Proposed Units:	5

Construction Cost: \$120,000.00

On Thu, Mar 14, 2024 at 11:23 PM Eric Roussel <ericsfca@gmail.com> wrote:

Good thing I am organized. I have all my leases in one folder for my mortgage lenders.

Attached are all my leases and all apts are legal and not with 20 people etc...

Apt1 for 905 Ashbury lease is the inlaw unit that CA Gov claims/hopes is a closet space and not legal. (So you know which one to look for) It has its own PGE meter and own mail box slot that was created 50+ years ago.

Regards,

Eric

On Thu, Mar 14, 2024 at 7:37 PM Eric Roussel <ericsfca@gmail.com> wrote:

Hello!

This is a real pain to have to do all this because again my angry neighbor makes frivolous complaints. Wish we could ask him to submit proof of what he claims before being taken seriously. He's just throwing all kind of dirt hoping to get something that sticks. Did you contact Sean Birmingham who is a city inspector? He knows the crazy neighbor I have and about the frivolous accusations. He came to inspect 874 Fell a few times and knows the story.

Are you asking to visit every single apts in the two buildings or just the public spaces for the buildings?

I don't feel comfortable bugging all my tenants to show their apts. As a city inspector, they won't hold it against you.

I can give you the phone numbers for each tenant to ask them permission to see their units and ask them about their leases.

Would you like that? That way you can deal with them directly. I am super busy but I can show you the building public areas no problem on any other dates you proposed.

I see the two complaints below from [REDACTED] (My neighbor on one of the properties). It's just a chaotic ramble of made up stories and nonsense.

What code violations are you investigating?

For 874 Fell

I have one or two people per apts. Hardly have any overcrowding.

Don't have any apts with 25 people as he claims! It's all studios and one bedrooms...

All the rest of the complaint is nonsense about my possible plans for ADUs or expansion ideas. He wants you to investigate my possible ideas of expanding?

The one thing that bothers him is that I have permits to remodel a cottage house in the backyard next to his house and he's upset about that. It's a legal dwelling and I have valid permits to do the work. Check the city records please and you'll see. I wouldn't have been able to obtain a permit if what he says about the cottage house was true.

[Permit 202401174149](#)

Status: FILED - 1/17/2024 Address: 874 FELL ST [REDACTED]

Rev to pa# 2020-1130-9847; reduction of scope of work for carriage house at rear, no basement building

[HIDE DETAILS](#)

Originally Filed:	1/17/2024	Parcel:	0822/019
Existing Use:	ACCESSORY COTTAGE	Existing Units:	0
Proposed Use:	1 FAMILY DWELLING	Proposed Units:	1
Construction Cost:		\$1.00	

For 905 Ashbury.

Again, complete non sense. [REDACTED] makes the accusation that " only 4 units are permissible, the property owner has illegally added a 5th unit"

He should have done his research a bit better.

The building is a legal 4 apt building with an inlaw. I bought it 20 years ago as a legal official 4 apt building with a legal inlaw unit. Today it is still exactly the

same.

As with 874 Fell, please check the city records and you'll see it's a frivolous claim. 905 Ashbury st is a 5 unit building. Attached is a picture of the mailboxes at 905 Ashbury. You can see the old 1950s mail box enclosure and see that it has 5 mail boxes. The building has also 5 PGE meters for electricity for each unit. It is a legal 5 unit building with 4 apt and an inlaw.

If you also want to go there and see that "only" 10 people live in the building, and not 25. I'll be happy to give you my tenants phone numbers or other contact info.

This is really a waste of time.

Tuesday March 19th at 10am at 874 Fell works for me to show you the two buildings public spaces. Let's do 874 Fell first, then 905 Ashbury.

Regards,

Eric

PS: I need to get the NOV for 874 Fell resolved as it is preventing me from proceeding with plan revisions. Which is exactly what my neighbor wants to achieve.

On Thu, Mar 14, 2024 at 3:57 PM Baeza, Rogelio (CPC)
<rogelio.baeza@sfgov.org> wrote:

Hi Eric,

Thank you for your response. Please provide the requested materials in my previous emails and confirm a time that works for you no later than COB tomorrow. I have provided the requested materials below for your reference.

1. Rental lease agreements of all the units that are rented out.
2. Confirm date and time for site visit for each property:
 - a. Tuesday, March 19, 10 AM
 - b. Wednesday, March 20, 2:30 PM
 - c. Thursday, March 21, 2 PM

Additionally, see the complaint below.

874 Fell St – 2024-000871ENF

The owner has divided a building that should have no more than 5 units plus one ADU into 10 units and is listing 7 of those on Air BnB; some units are shown as available for more people than is permitted. One of these listings is for an illegal/substandard basement unit that has been subject to an Order of Abatement since April 2023. The owner has disregarded the OoA and is renting his illegal unit as a two-bedroom apartment for six people costing \$90 a night. Per what is shown on Air BnB, the owner is filling 7 of 10 units with at least as many as 25 people, and the 3 other units appear to be occupied so that there are approximately 30 people living in this RM-1 building. Note: in addition to the substandard unit in the rear of the basement, there are 4 units on the first floor, 3 on the second floor, and 2 in the attic. The owner has also proposed to add two more ADUs in the front of the basement and proposes to construct a 3-bedroom dwelling in the dilapidated, nonconforming rear structures that are uninhabitable and have never been inhabited. Based on copious evidence available in the public record, it is clear that the owner would like to increase the capacity of his rental units at this property to accommodate 10 or so more people, meaning there would be around 40 persons in a building that is already in excess of zoning/density limits and lacks sufficient parking and open space

905 Ashbury St – 2024-000877ENF

In a building where only 4 units are permissible, the property owner has illegally added a 5th unit by installing a refrigerator and sink in the closet area of a bedroom attached to a bathroom. This “unit” is being listed on Air BnB as a studio apartment for \$70 a night. There are a total of 5 listings on Air BnB for this address, to accommodate at least 21 guests/renters in a home zoned for no more than three families (RH-3)

You may also find this information on our publicly accessible [San Francisco Property Information Map](#).

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for ‘Time and Materials’ to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents,

monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Wednesday, March 13, 2024 9:57 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 874 Fell, 905 Ashbury

Hello,

I could show you the buildings and apts Friday or this weekend. Whenever you'd like. But we need to give tenants at least 24h notice.

As far as the "closet" apt at 905 Ashbury. Please look at the city records. The building is a 5 apt building and none are closets transformed into an apt.

It has 5 mail boxes and 5 apt doors in the hallways with 5 separate pge meters.

Feel free to call me at 415 528-0227 at any time past 10am, anyday.

I'd like to clear this asap as I need to get permits for a project at one of the properties. This complaint from my angry neighbor (CA Govt Code Sec 7927.700 - Per) is blocking the permit process which is what he wants to do for my building at 874 Fell St, San Francisco, CA 94117. Ask inspector SEAN BIRMINGHAM Building Inspector DISTRICT 10 (628) 652-3604 at SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION about my neighbor's numerous frivolous complaints. He is known for doing that.

Regards,

Eric

PS: Could you tell me what violations I am accused of? So, I can prepare something clear and net to respond.

On Wed, Mar 13, 2024 at 5:21 PM Baeza, Rogelio (CPC)
<rogelio.baeza@sfgov.org> wrote:

Hi Eric,

I am circling back on my previous requests. Please provide a response to my email no later than Friday, 3/13.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Baeza, Rogelio (CPC)
Sent: Tuesday, March 12, 2024 12:05 PM
To: Eric Roussel <ericsfca@gmail.com>
Subject: RE: 874 Fell, 905 Ashbury

Hi Eric,

Thank you for your email. As part of the enforcement process, please provide the following for both properties:

1. Rental lease agreements of all the units that are rented out.
2. Confirm date and time for site visit for each property:
 - a. Tuesday, March 19, 10 AM
 - b. Wednesday, March 20, 2:30 PM
 - c. Thursday, March 21, 2 PM

Please confirm one of the dates above for a site visit. Note that photos will be taken for documentation of existing conditions and access to the entire property will be needed for a thorough assessment.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

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Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Tuesday, February 27, 2024 8:14 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: 874 Fell, 905 Ashbury

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

from untrusted sources.

Hello Inspector,

I recently became aware of two complaints made by my neighbor.

CA Govt Code Sec 7227.08 ~ Persons

I just want to deny everything he said, and set the record straight.

2024-000877ENF Enforcement (ENF) 905 Ashbury St

I didn't add a 5th unit to a 4 apt building. Where does he come up with that?! You can see it's officially a 5 unit building on your records, I'm sure.

2024-000871ENF Enforcement (ENF) 874 Fell St

I'm not renting any 2 bedroom to six people in an illegal unit. Again, where does he come up with that?

I don't have 25-30 people in the building, I have like 12 tenants and most have been in the building for years.

I am happy to provide you with any info you may need.

Happy to show you the buildings too so you can see for yourself the crazyness of his claims. Please let me know how to proceed to get this cleared.

Regards,

Eric Roussel

					415 528-0227
--	--	--	--	--	--------------

From: [CPC_Car - Chevy Bolt](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: Accepted: Site Visit - 874 Fell St

Your request was accepted.

Sent by Microsoft 365

From: [Eric Roussel](#)
To: [Baeza, Rogelio \(CPC\)](#)
Subject: 905 Ashbury 2024-000877ENF
Date: Wednesday, March 20, 2024 5:14:19 PM

The claim that I converted a bedroom with closet space into an illegal apt to add another unit to my 4apt building is ludicrous. My bitter neighbor must have researched the city records and do a poor job at it.

905 Ashbury is a legal 5 apt building.

Check permit [Permit 201709158471](#)

to verify that 905 Ashbury st. is a 5 unit building by simply looking at the Soft Story Retrofitting Program list.

That program mandated all SF buildings 5 units or above to do Soft Story work. I was on the list to do Soft Story for 905 Ashbury because 905 Ashbury is considered 5 units by the City.

Regards,

Eric

415 528-0227

[Permit 201709158471](#)

Status: COMPLETE - 4/27/2023 **Address:** 905 ASHBURY ST

Mandatory soft story retrofit per sfebc chapter 4d engineering criteria 2016 cebc appendix a-4.

[HIDE DETAILS](#)

Originally Filed:	9/15/2017	Parcel:	1269/022
Existing Use:	APARTMENTS	Existing Units:	5
Proposed Use:	APARTMENTS	Proposed Units:	5
Construction Cost:	\$120,000.00		

On Wed, Mar 20, 2024 at 5:05 PM Eric Roussel <ericsfca@gmail.com> wrote:

Let's do Thursday March 28 2pm.

I sent you the pertinent documents about each claimed NOV. Please review them as they prove my neighbor's CA Govt Code Sec 7927.7(b) claims are false.

I'll send you two separate emails soon to differentiate each NOV.

Regards,
Eric

On Wed, Mar 20, 2024 at 4:00 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

I will be out this Friday. Since it appears that we will not be able to meet this week, here is my availability for next week.

1. Wednesday, March 27 – 10 AM
2. Thursday, March 28 – 2 PM

Please confirm one of the dates above. Also, I am confirming that I received the rental lease agreements. I will review the documents provided and follow up should I have any questions.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for ‘Time and Materials’ to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

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[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Wednesday, March 20, 2024 3:44 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 874 Fell, 905 Ashbury

Hello,

I have a meeting at 10am tomorrow with a structural engineer. Any chance to do Friday?

You can text me at 415 528-0227

Eric

On Wed, Mar 20, 2024 at 3:32 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

I appreciate your flexibility. Would 10:30 AM work for you? I would have to be back to the office by 1:30 PM and I do not believe that 1:30 would be enough time to see both properties. Please confirm if 10:30 AM tomorrow works for you.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Wednesday, March 20, 2024 11:54 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 874 Fell, 905 Ashbury

Hello,

Any chance to do tomorrow Thursday, March 21, 2 PM earlier than 2pm? As early as Noon would be perfect!

We could do both properties. If not, let's do Friday. Anytime on Friday is good.

On Tue, Mar 19, 2024 at 2:45 PM Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org> wrote:

Hi Eric,

Apologies for not attending the site visit today as my calendar was not able to reserve the car to visit the property as scheduled. I can reschedule the site visit for tomorrow or for Thursday at the same time outlined in my previous emails.

- a. Wednesday, March 20, 2:30 PM
- b. Thursday, March 21, 2 PM

Please confirm one of these dates by the COB today. To answer your question, the active enforcement case will need to be resolved prior to moving forward with other scope of work. Please provide the monthly rental lease agreements as requested in my previous emails.

Moreover, please separate the correspondence for the complaints of 874 Fell St and 905 Ashbury St. You can start a separate thread regarding 905 Ashbury St and the active complaint.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

From: Eric Roussel <ericffca@gmail.com>
Sent: Friday, March 15, 2024 12:00 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 874 Fell, 905 Ashbury

Hello,

Another way to verify that 905 Ashbury st. is a 5 unit building is by simply looking at the Soft Story Retrofitting Program list.

That program mandated all SF buildings 5 units or above to do Soft Story work. I was on the list to do Soft Story for 905 Ashbury because 905 Ashbury is considered 5 units by the City.

You can check city records for that. Please see below the permit that issued for my "mandatory soft story retrofit". Believe me, I tried to claim the infill didn't count so I don't have to redo the building foundations... City said no, it's 5 units.

Regards,

Eric

[Permit 201709158471](#)

Status: COMPLETE - 4/27/2023 | **Address:** 905 ASHBURY ST | [\[REDACTED\]](#)

Mandatory soft story retrofit per sfebc chapter 4d engineering criteria 2016 cebc appendix a-4.

[HIDE DETAILS](#)

Originally Filed:	9/15/2017	Parcel:	1269/022
Existing Use:	APARTMENTS	Existing Units:	5
Proposed Use:	APARTMENTS	Proposed Units:	5

Construction Cost: \$120,000.00

On Thu, Mar 14, 2024 at 11:23 PM Eric Roussel <ericsfca@gmail.com> wrote:

Good thing I am organized. I have all my leases in one folder for my mortgage lenders.

Attached are all my leases and all apts are legal and not with 20 people etc...

Apt1 for 905 Ashbury lease is the inlaw unit that [REDACTED] claims/hopes is a closet space and not legal. (So you know which one to look for) It has its own PGE meter and own mail box slot that was created 50+ years ago.

Regards,

Eric

On Thu, Mar 14, 2024 at 7:37 PM Eric Roussel <ericsfca@gmail.com> wrote:

Hello!

This is a real pain to have to do all this because again my angry neighbor makes frivolous complaints. Wish we could ask him to submit proof of what he claims before being taken seriously. He's just throwing all kind of dirt hoping to get something that sticks. Did you contact Sean Birmingham who is a city inspector? He knows the crazy neighbor I have and about the frivolous accusations. He came to inspect 874 Fell a few times and knows the story.

Are you asking to visit every single apts in the two buildings or just the public spaces for the buildings?

I don't feel comfortable bugging all my tenants to show their apts. As a city inspector, they won't hold it against you.

I can give you the phone numbers for each tenant to ask them permission to see their units and ask them about their leases.

Would you like that? That way you can deal with them directly. I am super busy but I can show you the building public areas no problem on any other dates you proposed.

I see the two complaints below from [REDACTED] (My neighbor on one of the properties). It's just a chaotic ramble of made up stories and nonsense.

What code violations are you investigating?

For 874 Fell

I have one or two people per apts. Hardly have any overcrowding.

Don't have any apts with 25 people as he claims! It's all studios and one bedrooms...

All the rest of the complaint is nonsense about my possible plans for ADUs or expansion ideas. He wants you to investigate my possible ideas of expanding?

The one thing that bothers him is that I have permits to remodel a cottage house in the backyard next to his house and he's upset about that. It's a legal dwelling and I have valid permits to do the work. Check the city records please and you'll see. I wouldn't have been able to obtain a permit if what he says about the cottage house was true.

[Permit 202401174149](#)

Status: FILED - 1/17/2024 **Address:** 874 FELL ST [REDACTED]

Rev to pa# 2020-1130-9847; reduction of scope of work for carriage house at rear, no basement building

[HIDE DETAILS](#)

Originally Filed:	1/17/2024	Parcel:	0822/019
Existing Use:	ACCESSORY COTTAGE	Existing Units:	0
Proposed Use:	1 FAMILY DWELLING	Proposed Units:	1
Construction Cost:	\$1.00		

For 905 Ashbury.

Again, complete non sense. [REDACTED] makes the accusation that " only 4 units are permissible, the property owner has illegally added a 5th unit"

He should have done his research a bit better.

The building is a legal 4 apt building with an inlaw. I bought it 20 years ago as a legal official 4 apt building with a legal inlaw unit. Today it is still exactly the

same.

As with 874 Fell, please check the city records and you'll see it's a frivolous claim. 905 Ashbury st is a 5 unit building. Attached is a picture of the mailboxes at 905 Ashbury. You can see the old 1950s mail box enclosure and see that it has 5 mail boxes. The building has also 5 PGE meters for electricity for each unit. It is a legal 5 unit building with 4 apt and an inlaw.

If you also want to go there and see that "only" 10 people live in the building, and not 25. I'll be happy to give you my tenants phone numbers or other contact info.

This is really a waste of time.

Tuesday March 19th at 10am at 874 Fell works for me to show you the two buildings public spaces. Let's do 874 Fell first, then 905 Ashbury.

Regards,

Eric

PS: I need to get the NOV for 874 Fell resolved as it is preventing me from proceeding with plan revisions. Which is exactly what my neighbor wants to achieve.

On Thu, Mar 14, 2024 at 3:57 PM Baeza, Rogelio (CPC)
<rogelio.baeza@sfgov.org> wrote:

Hi Eric,

Thank you for your response. Please provide the requested materials in my previous emails and confirm a time that works for you no later than COB tomorrow. I have provided the requested materials below for your reference.

1. Rental lease agreements of all the units that are rented out.
2. Confirm date and time for site visit for each property:
 - a. Tuesday, March 19, 10 AM
 - b. Wednesday, March 20, 2:30 PM
 - c. Thursday, March 21, 2 PM

Additionally, see the complaint below.

874 Fell St – 2024-000871ENF

The owner has divided a building that should have no more than 5 units plus one ADU into 10 units and is listing 7 of those on Air BnB; some units are shown as available for more people than is permitted. One of these listings is for an illegal/substandard basement unit that has been subject to an Order of Abatement since April 2023. The owner has disregarded the OoA and is renting his illegal unit as a two-bedroom apartment for six people costing \$90 a night. Per what is shown on Air BnB, the owner is filling 7 of 10 units with at least as many as 25 people, and the 3 other units appear to be occupied so that there are approximately 30 people living in this RM-1 building. Note: in addition to the substandard unit in the rear of the basement, there are 4 units on the first floor, 3 on the second floor, and 2 in the attic. The owner has also proposed to add two more ADUs in the front of the basement and proposes to construct a 3-bedroom dwelling in the dilapidated, nonconforming rear structures that are uninhabitable and have never been inhabited. Based on copious evidence available in the public record, it is clear that the owner would like to increase the capacity of his rental units at this property to accommodate 10 or so more people, meaning there would be around 40 persons in a building that is already in excess of zoning/density limits and lacks sufficient parking and open space

905 Ashbury St – 2024-000877ENF

In a building where only 4 units are permissible, the property owner has illegally added a 5th unit by installing a refrigerator and sink in the closet area of a bedroom attached to a bathroom. This “unit” is being listed on Air BnB as a studio apartment for \$70 a night. There are a total of 5 listings on Air BnB for this address, to accommodate at least 21 guests/renters in a home zoned for no more than three families (RH-3)

You may also find this information on our publicly accessible [San Francisco Property Information Map](#).

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for ‘Time and Materials’ to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents,

monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Wednesday, March 13, 2024 9:57 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: Re: 874 Fell, 905 Ashbury

Hello,

I could show you the buildings and apts Friday or this weekend. Whenever you'd like. But we need to give tenants at least 24h notice.

As far as the "closet" apt at 905 Ashbury. Please look at the city records. The building is a 5 apt building and none are closets transformed into an apt.

It has 5 mail boxes and 5 apt doors in the hallways with 5 separate pge meters.

Feel free to call me at 415 528-0227 at any time past 10am, anyday.

I'd like to clear this asap as I need to get permits for a project at one of the properties. This complaint from my angry neighbor (CA Govt Code Sec 7927.700 - Per) is blocking the permit process which is what he wants to do for my building at 874 Fell St, San Francisco, CA 94117. Ask inspector SEAN BIRMINGHAM Building Inspector DISTRICT 10 (628) 652-3604 at SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION about my neighbor's numerous frivolous complaints. He is known for doing that.

Regards,

Eric

PS: Could you tell me what violations I am accused of? So, I can prepare something clear and net to respond.

On Wed, Mar 13, 2024 at 5:21 PM Baeza, Rogelio (CPC)
<rogelio.baeza@sfgov.org> wrote:

Hi Eric,

I am circling back on my previous requests. Please provide a response to my email no later than Friday, 3/13.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Baeza, Rogelio (CPC)
Sent: Tuesday, March 12, 2024 12:05 PM
To: Eric Roussel <ericsfca@gmail.com>
Subject: RE: 874 Fell, 905 Ashbury

Hi Eric,

Thank you for your email. As part of the enforcement process, please provide the following for both properties:

1. Rental lease agreements of all the units that are rented out.
2. Confirm date and time for site visit for each property:
 - a. Tuesday, March 19, 10 AM
 - b. Wednesday, March 20, 2:30 PM
 - c. Thursday, March 21, 2 PM

Please confirm one of the dates above for a site visit. Note that photos will be taken for documentation of existing conditions and access to the entire property will be needed for a thorough assessment.

As a gentle reminder, pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations. This means staff will bill all time (including phone calls, email correspondences, meetings, site visits and inspections, reviewing documents, monitoring abatement work, preparing notices and billing info, etc.) working with you and your team to bring this property back into compliance.

Rogelio Baeza, Planner

Team 9 & 10/Code Enforcement, Current Planning

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7369 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Eric Roussel <ericsfca@gmail.com>
Sent: Tuesday, February 27, 2024 8:14 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: 874 Fell, 905 Ashbury

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

from untrusted sources.

Hello Inspector,

I recently became aware of two complaints made by my neighbor.

CA Govt Code Sec 7227.7(b) - Persons
[REDACTED]

I just want to deny everything he said, and set the record straight.

2024-000877ENF Enforcement (ENF) 905 Ashbury St

I didn't add a 5th unit to a 4 apt building. Where does he come up with that?! You can see it's officially a 5 unit building on your records, I'm sure.

2024-000871ENF Enforcement (ENF) 874 Fell St

I'm not renting any 2 bedroom to six people in an illegal unit. Again, where does he come up with that?

I don't have 25-30 people in the building, I have like 12 tenants and most have been in the building for years.

I am happy to provide you with any info you may need.

Happy to show you the buildings too so you can see for yourself the crazyness of his claims. Please let me know how to proceed to get this cleared.

Regards,

Eric Roussel

					415 528-0227
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From: [Baeza, Rogelio \(CPC\)](#)
To: [Rachna, Rachna \(CPC\)](#)
Subject: Accepted: 874 Fell

From: [Baeza, Rogelio \(CPC\)](#)
To: [Rachna, Rachna \(CPC\)](#)
Subject: RE: PA# 2024-02286739 and 2024-000871ENF, 874 Fell
Date: Tuesday, March 12, 2024 10:05:00 AM

Hi Rachna,

I am happy to go over any new inquiry that  provided while I was gone. What does your availability look like today? Should I check your calendar? I can accommodate meeting with you mostly any time today.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use DBIs Online Permit Tracking System.

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
Sent: Tuesday, March 12, 2024 9:43 AM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Subject: FW: PA# 2024-02286739 and 2024-000871ENF, 874 Fell

Hi Rogelio,

Welcome back! Hope you had a nice time off last week.

I wanted to share the inquiry I received while you were away. Please see below. Can you please let me know the status of your review? Are you available to discuss this case sometime today?

Thank You!

Rachna, Senior Planner
(she/her)

Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7404 | www.sfplanning.org San Francisco Property Information Map

On Fri, Mar 1, 2024 at 5:43 PM Rachna, Rachna (CPC) <rachna.rachna@sfgov.org> wrote:

>

> Hi 

>

>

>

> Thank you for reaching out.

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>
> In regard to the enforcement case, please allow me some time to review as the case was recently opened and there seem to be multiple issues here.
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>
> For your concerns regarding the issued permits, you may seek the appeal process if you so deem appropriate. Here is link to this process. File an appeal of a permit or decision | San Francisco (sf.gov). I see that DBI also has active complaints and as such, you may want to reach out to DBI as well for any construction related issues.
>
>
>
> Thank you so much!
>
>
>
> Rachna, Senior Planner
>
> (she/her)
>
>
> Current Planning Division
>
> San Francisco Planning
>
> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
>
> Direct: 628.652.7404 |
> <https://url.avanan.click/v2/www.sfplanning.org/YXAzOnNmZHQyOmE6b>
> zowMWQ5NTEyNjE3NjA1MzJkZjM2ODcwMzk4MmI5NTZhYTo2OjE1YjI6Mzg4MzI1ZTdhZmR
> iNGMxMTQ4MmJhN2U2NmVhMmQxYTYwMTVhYTMMyNjY4NGJjM2JhMzc2MWUyN2RjZjY4YWJhZ
> DpwOlQ
>
> San Francisco Property Information Map
>
>
>
> From: [REDACTED] <[REDACTED]@gmail.com>
> Sent: Friday, March 01, 2024 5:20 PM
> To: Rachna, Rachna (CPC) <rachna.rachna@sfgov.org>
> Subject: Fwd: PA# 2024-02286739 and 2024-000871ENF
>
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>
> This message is from outside the City email system. Do not open links or attachments from untrusted sources.
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>
> Dear Rachna,
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> I hope this email finds you safe and dry.
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>

>
> I'm forwarding a message I sent a little while ago. I received an auto reply that Mr. Baeza is not in the office next week, with instructions to contact Kelly Wong. I forwarded the message to Ms. Wong, and received an auto reply stating you're in charge of Code Enforcement through March 25.

>
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>
> Since you know the backstory, I'd be eager to connect with you sometime next week to discuss what's been going on at 874 Fell, and how it relates to my ongoing concerns over the carriage house project (2013-1125-2814 and 2020-1130-9847).

>
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>
> If you'd be open to this, or otherwise would like my assistance as the Planning Department reviews the situation with PA# 2024-02286739 and 2024-000871ENF, please let me know.

>
>
>
> Thanks,

>
> [REDACTED]
>
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>
>

> ----- Forwarded message -----

> From: [REDACTED] <[REDACTED]@gmail.com>
> Date: Fri, Mar 1, 2024 at 4:49 PM
> Subject: PA# 2024-02286739 and 2024-000871ENF
> To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>, Samuels, Heather
> (CPC) <heather.samuels@sfgov.org>
> Cc: CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>, Mau,
> Elizabeth (CPC) <elizabeth.mau@sfgov.org>

>
>
>
> Dear Heather Samuels and Rogelio Baeza,

> I hope this message finds you both well.

>
> I want to ensure that certain facts are documented as you review PA# 024-02286739. I live adjacent to the rear yard, and I have a view of the back of the main structure at 874 Fell.

>
> Several months ago the owner removed a staircase and porch leading from a first-story unit to the yard, while also sealing off the north-facing door opening. The longtime resident of that unit had enjoyed exclusive access to the yard from that staircase, while also using the porch as open space (which is important since there are nonconforming structures in the yard). Without that staircase, the only access to the yard is a common hallway that exits through a door to the narrow and shaded breezeway on the western side of the building. The loss of the porch and staircase eliminates open space, light, and air for the resident of the first-story unit.

>
>
>

> The owner removed the porch and stairs in order to improve the illegal basement unit (UDU) directly below the first-story apartment: the stairs were partially blocking a window, and the porch above covered the doorway below, so their removal lets more light and air into the UDU. This UDU has been the target of a DBI enforcement that started in November of 2017 (Complaint/ NOV# 201722542). A permit to legalize the unit (2019-01220927) was filed on 1/22/19, and there has been no movement since April 2019. A Director's [REDACTED] decision in March of 2023 resulted in an abatement order issued in April 2023. Until recently the owner was listing the UDU as an ILO

on AirBnB. More recently, the owner told me via email that he is living in the UDU. Despite what he says, the owner is doing nothing to abate the violation. The possibility that the owner could be allowed to make improvements to an illegal unit under an OoA coincides with a broader set of concerns related to numerous and repeated code violations at 874 Fell (and other properties), for which the owner appears to face no meaningful penalties.

>

> In that context: I made complaints to both the Planning Dept. and DBI on 1/24/24 regarding ILOs at 874 Fell (and another of the owner's properties, 905 Ashbury). I then more closely observed the removed staircase, and filed a separate complaint with DBI on 1/26/24. I sent a description of the non-permitted work along with photos. On 1/26/24 DBI opened a complaint that was routed to HIS (202418522), and I was in touch with housing inspector Derek Maher who told me he could not gain access to 874 Fell, so I agreed to let him access my property. Then DBI opened another complaint that was routed to BID, on 1/29/24 (2024-18595). Building inspector Sean Birmingham wrote in the PTS: "Left a note on the gate to be contacted. No entry. SB." In response, the owner pulled an OTC permit to "COMPLY WITH COMPLAINT # 202418595: FIX ROTTEN PARTS AND REPLACE THEM. LESS THAN 50% REPAIRS OF STAIRS AT THE BACK OF THE BUILDING." The permit was filed on 1/31/24 and issued the next day. A note for my complaint on 2/1/24 reads: "permit issued # 202401315029 issued. SB." I had yet to arrange a date with Mr. Maher, and once permit # 2024-01315029 was issued he determined it was no longer his jurisdiction. Mr. Maher noted in the PTS: "Emails with complainant, permit pulled". He then left it in Mr. Birmingham's hands.

>

> There was no further action from DBI in regards to my complaint, and no movement on the permit for the next two weeks. I had observed from the start that the owner was being untruthful about repairing less than 50% of the stairs, since they had of course been completely removed long ago. Once I realized nothing had been done about this, I re-initiated my complaint. I sent emails with pictures again to DBI, and also to Planning on 2/13/24. In response to my email from the night before, Mr. Birmingham emailed me on 2/14/24 and requested access to my property, to which I agreed. He came and took photos, which were used for an NOV issued that same day. The owner then filed permit # 2024-02166102 on 2/16/24: "REMOVE STAIRS LOCATED AT THE REAR OF PROPERTY TO ABATE 202418595 - Demo (E) stair in the rear and remove (E) door at second floor to replace with (N) window, not visible from the street." It was issued on 2/22/24. No work on that permit was done when Mr. Birmingham was scheduled to do a final inspection on 2/26/24, and the note for that in the PTS says "REINSPECT REQUIRED." So, now the owner is trying to pull a permit to do nothing, and leave everything as is with no stairs and no door or window: "REVISION TO PERMIT 202402166102. KEEP THE DOOR MOLDING AND LOOK INSTEAD OF MATCHING TO THE WALL. - Project proposing exterior work to rear to abate Planning Enforcement Case 2024-000871ENF."

>

> This does not represent all of the problems with permitting and enforcement at 874 Fell, but I think this overview should help you recognize the seriousness of my concerns. On that note, I will add that I have obtained, via a Sunshine Ordinance request, evidence (in the form of text messages) showing that the owner of 874 Fell colluded with at least one building inspector to sweep his violation under the rug (I won't say anything more right now in case I need to take legal action over that situation).

>

>

> I am hopeful that the Planning Dept. will give honest and thorough consideration to these issues as you review PA# 2024-02286739.

>

> Thanks for your attention to this matter, and please let me know how I might be of further assistance.

>

>

> Best regards,

>

> [REDACTED]

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>

>  CA Gov

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 CA Gov

From: [REDACTED]
To: [Samuels, Heather \(CPC\)](#)
Cc: [Baeza, Rogelio \(CPC\)](#); [CPC-CodeEnforcement](#); [Mau, Elizabeth \(CPC\)](#)
Subject: Re: PA# 2024-02286739 and 2024-000871ENF
Date: Tuesday, March 05, 2024 4:42:24 PM
Attachments: [image001.png](#)

Thanks for the update, and for being responsive to my concerns. I greatly appreciate your assistance.

Best,

On Mon, Mar 4, 2024 at 2:59 PM Samuels, Heather (CPC) <heather.samuels@sfgov.org> wrote:

Hello,

I wanted to respond to let you know that this project should not be able to proceed with any Over the Counter permits at this time due to the active enforcement case. I had put a hold on the revision permit they are seeking to obtain, so it will be waiting to be lifted once further review has been done.

Here is a snippet of the Permit Tracking System for this permit:



Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 3/4/2024 2:56:26 PM

Application Number: 202402286739
Form Number: 8
Address(es): 0822 / 019 / 0 874 FELL ST
Description: REVISION TO PERMIT 202402166102. KEEP THE DOOR MOLDING AND LOOK INSTEAD OF MATCHING TO THE WALL.
Cost: \$1.00
Occupancy Code: R-2
Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
2/28/2024	TRIAGE	
2/28/2024	FILING	
2/28/2024	FILED	

Contact Details:

Contractor Details:

License Number: OWN
Name: OWNER OWNER
Company Name: OWNER
Address: OWNER * OWNER CA 00000-0000
Phone:

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Review Result	Hold Description
HIS		2/28/24	2/28/24			2/28/24	LUTON MATT	628-652-3700		
BID- INSPI		2/28/24	2/28/24			2/28/24	HOWARD BRETT	415-558-6096		
INTAKE		2/28/24	2/28/24			2/28/24	WU TIFFANY	415-999-9999	Administrative	
CP- ZOC		2/28/24	2/28/24			2/28/24	SAMUELS HEATHER	628-652-7300	Issued Comments	2/28/24: ISSUED COMMENTS - Project proposing exterior work to rear to abate Planning Enforcement Case 2024-000871ENF. Project Sponsor to contact Enforcement Planner, Rogelio Baeza (rogelio.baeza@sfgov.org) for next steps and approval of permit before Planning Approval. - HS
CP- ZOC	1							628-652-7300		
BLDG								628-652-3780		
CPB								628-652-3240		

Rogelio Baeza is the Enforcement Planner assigned to this case and will follow up with next steps upon his return from being out of office. They will be responding to the complaint and making a full assessment of any violations present on the property. This email should be in his inbox at the time of his return and I will be sure to relay any information for their review.

Best,

**Heather Samuels, Assistant Planner [She/They]
District 7 & 11/Code Enforcement, Current Planning Division**

San Francisco Planning Department

49 South Van Ness Avenue, Suite 1400

San Francisco, CA 94103

Direct: 628.652.7545 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: [REDACTED] <[REDACTED]@gmail.com>

Sent: Friday, March 1, 2024 4:50 PM

To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>; Samuels, Heather (CPC) <heather.samuels@sfgov.org>

Cc: CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>; Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>

Subject: PA# 2024-02286739 and 2024-000871ENF

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

Dear Heather Samuels and Rogelio Baeza,

I hope this message finds you both well.

I want to ensure that certain facts are documented as you review PA# 024-02286739. I live adjacent to the rear yard, and I have a view of the back of the main structure at 874 Fell.

Several months ago the owner removed a staircase and porch leading from a first-story unit to the yard, while also sealing off the north-facing door opening. The longtime resident of that unit had enjoyed exclusive access to the yard from that staircase, while also using the porch as open space (which is important since there are nonconforming structures in the yard). Without that staircase, the only access to the yard is a common hallway that exits through a door to the narrow and shaded breezeway on the western side of the building. The loss of the porch and staircase eliminates open space, light, and air for the resident of the first-story unit.

The owner removed the porch and stairs in order to improve the illegal basement unit (UDU) directly below the first-story apartment: the stairs were partially blocking a window, and the porch above covered the doorway below, so their removal lets more light and air into the UDU. This UDU has been the target of a DBI enforcement that started in November of 2017 (Complaint/ NOV# 201722542). A permit to legalize the unit (2019-01220927) was filed on 1/22/19, and there has been no movement since April 2019. A Director's Hearing decision in March of 2023 resulted in an abatement order issued in April 2023. Until recently the owner was listing the UDU as an ILO on AirBnB. More recently, the owner told me via email that he is living in the UDU. Despite what he says, the owner is doing nothing to abate the violation. The possibility that the owner could be allowed to make improvements to an illegal unit under an OoA coincides with a broader set of concerns related to numerous and repeated code violations at 874 Fell (and other properties), for which the owner appears to face no meaningful penalties.

In that context: I made complaints to both the Planning Dept. and DBI on 1/24/24 regarding ILOs at 874 Fell (and another of the owner's properties, 905 Ashbury). I then more closely observed the removed staircase, and filed a separate complaint with DBI on 1/26/24. I sent a description of the non-permitted work along with photos. On 1/26/24 DBI opened a complaint that was routed to HIS (202418522), and I was in touch with housing inspector

Derek Maher who told me he could not gain access to 874 Fell, so I agreed to let him access my property. Then DBI opened another complaint that was routed to BID, on 1/29/24 (2024-18595). Building inspector Sean Birmingham wrote in the PTS: "Left a note on the gate to be contacted. No entry. SB." In response, the owner pulled an OTC permit to "COMPLY WITH COMPLAINT # 202418595: FIX ROTTEN PARTS AND REPLACE THEM. LESS THAN 50% REPAIRS OF STAIRS AT THE BACK OF THE BUILDING." The permit was filed on 1/31/24 and issued the next day. A note for my complaint on 2/1/24 reads: "permit issued # 202401315029 issued. SB." I had yet to arrange a date with Mr. Maher, and once permit # 2024-01315029 was issued he determined it was no longer his jurisdiction. Mr. Maher noted in the PTS: "Emails with complainant, permit pulled". He then left it in Mr. Birmingham's hands.

There was no further action from DBI in regards to my complaint, and no movement on the permit for the next two weeks. I had observed from the start that the owner was being untruthful about repairing less than 50% of the stairs, since they had of course been completely removed long ago. Once I realized nothing had been done about this, I re-initiated my complaint. I sent emails with pictures again to DBI, and also to Planning on 2/13/24. In response to my email from the night before, Mr. Birmingham emailed me on 2/14/24 and requested access to my property, to which I agreed. He came and took photos, which were used for an NOV issued that same day. The owner then filed permit # 2024-02166102 on 2/16/24: "REMOVE STAIRS LOCATED AT THE REAR OF PROPERTY TO ABATE 202418595 - Demo (E) stair in the rear and remove (E) door at second floor to replace with (N) window, not visible from the street." It was issued on 2/22/24. No work on that permit was done when Mr. Birmingham was scheduled to do a final inspection on 2/26/24, and the note for that in the PTS says "REINSPECT REQUIRED." So, now the owner is trying to pull a permit to do nothing, and leave everything as is with no stairs and no door or window: "REVISION TO PERMIT 202402166102. KEEP THE DOOR MOLDING AND LOOK INSTEAD OF MATCHING TO THE WALL. - Project proposing exterior work to rear to abate Planning Enforcement Case 2024-000871ENF."

This does not represent all of the problems with permitting and enforcement at 874 Fell, but I think this overview should help you recognize the seriousness of my concerns. On that note, I will add that I have obtained, via a Sunshine Ordinance request, evidence (in the form of text messages) showing that the owner of 874 Fell colluded with at least one building inspector to sweep his violation under the rug (I won't say anything more right now in case I need to take legal action over that situation).

I am hopeful that the Planning Dept. will give honest and thorough consideration to these issues as you review PA# 2024-02286739.

Thanks for your attention to this matter, and please let me know how I might be of further assistance.

Best regards,

CA Govt. Code Sec 7927.706

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CA Govt. Code Sec 7927.706

From: [REDACTED] CA Govt Code Sec 750
To: Wong, Kelly (CPC)
Subject: Fwd: PA# 2024-02286739 and 2024-000871ENF
Date: Friday, March 01, 2024 5:06:09 PM
Attachments: [Screenshot 2024-03-01 at 08-39-50 Department of Building Inspection.png](#)
[Screenshot 2024-03-01 at 08-41-26 Department of Building Inspection.png](#)
[Screenshot 2024-03-01 at 08-44-44 Department of Building Inspection.png](#)

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Dear Kelly Wong,

Since Mr. Baeza is out of the office through next week, I'm making sure you receive this message when you return to the office on Monday. Thanks.

----- Forwarded message -----

From: [REDACTED] <[REDACTED] gmail.com>
Date: Fri, Mar 1, 2024 at 4:49 PM
Subject: PA# 2024-02286739 and 2024-000871ENF
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>, Samuels, Heather (CPC) <heather.samuels@sfgov.org>
Cc: CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>, Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>

Dear Heather Samuels and Rogelio Baeza,

I hope this message finds you both well.

I want to ensure that certain facts are documented as you review PA# 024-02286739. I live adjacent to the rear yard, and I have a view of the back of the main structure at 874 Fell.

Several months ago the owner removed a staircase and porch leading from a first-story unit to the yard, while also sealing off the north-facing door opening. The longtime resident of that unit had enjoyed exclusive access to the yard from that staircase, while also using the porch as open space (which is important since there are nonconforming structures in the yard). Without that staircase, the only access to the yard is a common hallway that exits through a door to the narrow and shaded breezeway on the western side of the building. The loss of the porch and staircase eliminates open space, light, and air for the resident of the first-story unit.

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ILOs at 874 Fell (and another of the owner's properties, 905 Ashbury). I then more closely observed the removed staircase, and filed a separate complaint with DBI on 1/26/24. I sent a description of the non-permitted work along with photos. On 1/26/24 DBI opened a complaint that was routed to HIS (202418522), and I was in touch with housing inspector Derek Maher who told me he could not gain access to 874 Fell, so I agreed to let him access my property. Then DBI opened another complaint that was routed to BID, on 1/29/24 (2024-18595). Building inspector Sean Birmingham wrote in the PTS: "Left a note on the gate to be contacted. No entry. SB." In response, the owner pulled an OTC permit to "COMPLY WITH COMPLAINT # 202418595: FIX ROTTEN PARTS AND REPLACE THEM. LESS THAN 50% REPAIRS OF STAIRS AT THE BACK OF THE BUILDING." The permit was filed on 1/31/24 and issued the next day. A note for my complaint on 2/1/24 reads: "permit issued # 202401315029 issued. SB." I had yet to arrange a date with Mr. Maher, and once permit # 2024-01315029 was issued he determined it was no longer his jurisdiction. Mr. Maher noted in the PTS: "Emails with complainant, permit pulled". He then left it in Mr. Birmingham's hands.

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I am hopeful that the Planning Dept. will give honest and thorough consideration to these issues as you review PA# 2024-02286739.

Thanks for your attention to this matter, and please let me know how I might be of further assistance.

Best regards,

CA Govt Code Sec 7527.7(a)

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From: [Baeza, Rogelio \(CPC\)](#)
To: [CPC-CodeEnforcement](#)
Cc: [Mau, Elizabeth \(CPC\)](#)
Subject: RE: 2024-001517PRL
Date: Monday, February 26, 2024 12:20:00 PM

Thank you for the email.

Feel free to follow up if there is no response within 5 business days. To keep track of permit status, please use [DBIs Online Permit Tracking System](#).

Thank you,

Rogelio Baeza, Planner
Team 9 & 10/Code Enforcement, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7369 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>
Sent: Monday, February 26, 2024 12:04 PM
To: Baeza, Rogelio (CPC) <rogelio.baeza@sfgov.org>
Cc: Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>
Subject: FW: 2024-001517PRL

FYI – in case helpful when reviewing the ENF case

Thank you,
Josephine

Josephine Chen
Code Enforcement, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7395 | sfplanning.org
[San Francisco Property Information Map](#)

From: CA Govt Code Sec 7327.700 - CA Govt Code Sec 702 <planning.codeenforcement@sfgov.org>
Sent: Friday, February 23, 2024 12:35 PM
To: Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>
Cc: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>; CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>
Subject: Re: 2024-001517PRL

Thanks for this reply. A few more questions, if you don't mind:

When you first approved the scope of work on 2/21, were you aware of the DBI complaint, and/ or did you check with the enforcement planner, or did that only happen when you put the permit on hold temporarily yesterday? And, were you aware that the owner filed a different permit in

response to the same complaint, almost a month ago, in which he proposed to "fix" less than 50% of the stairs (with no plans necessary) and no mention of the door that was sealed off (i.e., no proposed window)? It was only after I reinitiated my complaint to confirm that the stairs and door had been removed, and had an inspector take photos, that an NOV was issued and the owner filed the permit that came across your desk, with an expanded scope of work.

Did you, or anyone at Planning, ascertain why the owner initially lied by indicating that he just needed to fix a few rotten parts, even though the stairs and window were removed completely?

At the very least, I think it should be fully documented that if I had not complained, neither of these permits would have been filed. Will the owner face a penalty for the violation, compounded by his act of blatant deception?

Best regards,

On Thu, Feb 22, 2024 at 2:01 PM Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org> wrote:

Dear [REDACTED]

Thank you for your email. The permit associated with the PRL, BPA 202402166102, is an over-the-counter permit, so I don't have any plans to share with you. The scope of work I approved is to document the removal of an exterior stair and door. Based on the plans provided, there is still an interior stair that provides access to the common usable open space for all the units that have had access.

There is an enforcement case on file for this property, 2024-000871ENF, opened. The enforcement planner is aware of the illegal unit in the basement and will be working with the property owner to abate Planning Code violations.

Warmly,
Lizzy

Elizabeth Mau, Assistant Planner (they/she)
District 6, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7583 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>
Sent: Thursday, February 22, 2024 8:21 AM
To: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Cc: Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>; Samuels, Heather (CPC) <heather.samuels@sfgov.org>; CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>
Subject: Re: 2024-001517PRL

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I should add that the owner lied to the Planning Dept. when he filed a permit to "COMPLY WITH COMPLAINT # 202418595: FIX ROTTEN PARTS AND REPLACE THEM. LESS THAN 50% REPAIRS OF STAIRS AT THE BACK OF THE BUILDING" (2024-01315029). When I saw this, I notified DBI to remind them that, per the photos I sent, it's clear there is no longer any staircase to repair. I don't know what happened to the photos I sent initially to DBI, but basically nothing was done with my complaint until I made sure Inspector Birmingham saw that the stairs were removed completely. The images attached include pictures of the yard before and after removal of the stairs.

Was the Planning Dept. aware that the owner lied about existing conditions and scope of work when he applied for 2024-0131-5029?

On Thu, Feb 22, 2024 at 8:08 AM [REDACTED] <[REDACTED]@gmail.com> wrote:

Hi again Chan,

I'm requesting all records for 2024-001517PRL.

This project is an effort to correct a violation for removing a door, staircase, and porch leading from a first-story apartment to the rear yard. The work was done several months ago, without permits.

I am trying to determine what the owner said regarding the purpose of this work, because as my complaint demonstrates, the staircase and porch are directly above the illegal basement unit that is now under an OoA yet was until recently being listed for rent on AirBnB (and even more recently the owner has told me he's living there with his family). The longtime resident of the first-story apartment above the illegal unit would, under this proposed work, no longer have access to open space on the porch leading to the rear yard, and would lose an additional fire egress. The only justification for this appears to be making the illegal unit more attractive and livable (or profitable), with more light coming in the windows that were once blocked by the porch and stairs. I've attached some photos that I sent as part of my DBI complaint. Building Inspector Sean Birmingham took photos from my property on 2/14/24.

Thanks,

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[REDACTED]

--

[REDACTED]



From: [CPC-CodeEnforcement](#)
To: [Baeza, Rogelio \(CPC\)](#)
Cc: [Wong, Kelly \(CPC\)](#)
Subject: FW: 2024-001517PRL
Date: Thursday, February 22, 2024 2:03:49 PM

FYI ---

Thank you,
Josephine

Josephine Chen
Code Enforcement, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7395 | sfplanning.org
[San Francisco Property Information Map](#)

From: Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>
Sent: Thursday, February 22, 2024 2:02 PM
To: [REDACTED] <[REDACTED]@gmail.com>; CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Cc: CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>
Subject: RE: 2024-001517PRL

Dear [REDACTED]

Thank you for your email. The permit associated with the PRL, BPA 202402166102, is an over-the-counter permit, so I don't have any plans to share with you. The scope of work I approved is to document the removal of an exterior stair and door. Based on the plans provided, there is still an interior stair that provides access to the common usable open space for all the units that have had access.

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Warmly,
Lizzy

Elizabeth Mau, Assistant Planner (they/she)
District 6, Current Planning Division
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From: [REDACTED] <[REDACTED]@gmail.com>
Sent: Thursday, February 22, 2024 8:21 AM
To: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>

Cc: Mau, Elizabeth (CPC) <elizabeth.mau@sfgov.org>; Samuels, Heather (CPC) <heather.samuels@sfgov.org>; CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>
Subject: Re: 2024-001517PRL

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Was the Planning Dept. aware that the owner lied about existing conditions and scope of work when he applied for 2024-0131-5029?

On Thu, Feb 22, 2024 at 8:08 AM <chan.s@sfgov.org> wrote:

Hi again Chan,

I'm requesting all records for 2024-001517PRL.

This project is an effort to correct a violation for removing a door, staircase, and porch leading from a first-story apartment to the rear yard. The work was done several months ago, without permits.

I am trying to determine what the owner said regarding the purpose of this work, because as my complaint demonstrates, the staircase and porch are directly above the illegal basement unit that is now under an OoA yet was until recently being listed for rent on AirBnB (and even more recently the owner has told me he's living there with his family). The longtime resident of the first-story apartment above the illegal unit would, under this proposed work, no longer have access to open space on the porch leading to the rear yard, and would lose an additional fire egress . The only justification for this appears to be making the illegal unit more attractive and livable (or profitable), with more light coming in the windows that were once blocked by the porch and

stairs. I've attached some photos that I sent as part of my DBI complaint. Building Inspector Sean Birmingham took photos from my property on 2/14/24.

Thanks,

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CA Gov.

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CA Gov.

From: [Alexander, Christy \(CPC\)](#)
To: [Enchill, Charles \(CPC\)](#); [Oropeza, Edgar \(CPC\)](#); [Situ, Jia \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [Salgado, Rebecca \(CPC\)](#); [George, Sherie \(CPC\)](#); [Gunther, Gretel \(CPC\)](#); [Asbagh, Claudine \(CPC\)](#); [Foster, Nicholas \(CPC\)](#); [Fossi, Natalia \(CPC\)](#); [Wong, Kelly \(CPC\)](#); [Liang, Xinyu \(CPC\)](#); [Samonsky, Ella \(CPC\)](#); [Gordon-Jonckheer, Elizabeth \(CPC\)](#)
Date: Thursday, February 15, 2024 3:37:27 PM

I need a Preservation Planner again please. I think this is ok but it's an A building at 874 Fell St. They just want to remove a rear stairway that is not visible and not replace it and seal off the existing door. That should be ok with planning right?

From: [Wong, Kelly \(CPC\)](#)
To: [DBICodeEnforcement, DBI \(DBI\)](#); [Perez, Bernedette \(DBI\)](#); [Cheung, Jennifer \(DBI\)](#); [CPC-CodeEnforcement](#); [Chen, Josephine \(CPC\)](#)
Cc: [Greene, Matthew \(DBI\)](#); [Russell, Erica \(CPC\)](#)
Subject: RE: Complaint - 874 Fell Street - UDUs and ILO
Date: Thursday, January 25, 2024 5:27:00 PM

Dear Bernadette,

Thanks for forwarding this complaint to us at Planning.

I see on PIM that they have filed permits to create new ADUs ([BPA no. 202012110889](#)) and to legalize an UDU ([BPA no. 201901220927](#)), but these were never been issued, nor completed so they are not valid. We will open up an ENF case for the complaint.

@Chen, Josephine (CPC) – can we please open up a new case for this complaint at 874 Fell Street? Complaint: UDUs and ILO (Intermediate Length Occupancy) use. Thank you.

@Perez, Bernedette (DBI) - since there are unauthorized new units/habitable spaces and I assume possible fire, life-safety issues, **can you confirm that DBI HIS and/or BID will also investigate** and conduct a site visit? If so, **can we try to coordinate a joint site visit?**

Best,
Kelly

**Kelly H. Wong, Principal Planner
Code Enforcement Manager
Preservation Specialist | Current Planning Division
(she/her/hers)**

Out of office dates: Feb. 16-21, 2024

From: DBICodeEnforcement, DBI (DBI) <dbi.codeenforcement@sfgov.org>
Sent: Thursday, January 25, 2024 1:11 PM
To: Perez, Bernedette (DBI) <bernedette.perez@sfgov.org>; Cheung, Jennifer (DBI) <jennifer.cheung@sfgov.org>; CPC-CodeEnforcement <planning.codeenforcement@sfgov.org>
Cc: Wong, Kelly (CPC) <kelly.wong@sfgov.org>
Subject: FW: Complaint

Hi HIS Team and CPC Code Enforcement

Please see another illegal unit complaint.



Charles Robinson

Permit Technician Supervisor

Code Enforcement Section

Department of Building Inspection

City and County of San Francisco

49 South Van Ness Ave, San Francisco, Ca 94103

E: Charles.Robinson@SFGov.Org

P: 628.652.3695

SF.gov/DBI

[Sign up](#) for customer updates

From: John [REDACTED] <[REDACTED]@gmail.com>

Sent: Thursday, January 25, 2024 12:40 PM

To: DBICodeEnforcement, DBI (DBI) <dbi.codeenforcement@sfgov.org>

Subject: Complaint

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

To whom it may concern,

There are Building and Planning Code violations at 874 Fell Street, outlined below (complaint form sent on 1/25), followed by more info and links. Please let me know if you have any questions, or if I can be of further assistance. Thanks for your attention to this matter.

"The owner has divided a building that should have no more than 5 units plus one ADU into 10 units, and is listing 7 of those on Air BnB; some units are shown as available for more people than is permitted. One of these listings is for an illegal/substandard basement unit that has been subject to an Order of Abatement since April 2023. The owner has disregarded the OoA and is renting his illegal unit as a two-bedroom apartment for six people costing \$90 a night. Per what is shown on Air BnB, the owner is filling 7 of 10 units with at least as many as 25 people, and the 3 other units appear to be occupied so that there are approximately 30 people living in this RM-1 building. Note: in addition to the substandard unit in the rear of the basement, there are 4 units on the first floor, 3 on the second floor, and 2 in the attic. The owner has also proposed to add two more ADUs in the front of the basement, and proposes to construct a 3-bedroom dwelling in the dilapidated, nonconforming rear structures that are uninhabitable and have never been inhabited. Based on copious evidence available in the public record, it is clear that the owner would like to increase the capacity of his rental units at this property to accommodate 10 or so more people, meaning there would be around 40 persons in a building that is already in excess of zoning/density limits and lacks sufficient parking and open space. <https://www.airbnb.com/users/show/374909> ".

Studio by Alamo Square Park F4

- 2 guests
- Studio
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/46583776?
source_impression_id=p3_1706077699_ivJD7haMTOFj5MRo](https://www.airbnb.com/rooms/46583776?source_impression_id=p3_1706077699_ivJD7haMTOFj5MRo)

Wonderful private 1 bedroom apt. F6

- 3 guests
- 1 bedroom
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/72921?
source_impression_id=p3_1706077945_s%2BzHY1udiGjhrvJt](https://www.airbnb.com/rooms/72921?source_impression_id=p3_1706077945_s%2BzHY1udiGjhrvJt)

Newly remodeled jr one bedroom.

- 4 guests
- 1 bedroom
- 3 beds
- 1 bath

[https://www.airbnb.com/rooms/792574123416587411?
source_impression_id=p3_1706078103_hvdFTMPwYaxiNRT%2B](https://www.airbnb.com/rooms/792574123416587411?source_impression_id=p3_1706078103_hvdFTMPwYaxiNRT%2B)

Central SF 2 Bedroom backyard apt. [illegal unit – currently under OoA – NOV 201722542]

- 6 guests
- 2 bedrooms
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/18094329?
source_impression_id=p3_1705990242_Q8ngUJdgGmgnr7fG](https://www.airbnb.com/rooms/18094329?source_impression_id=p3_1705990242_Q8ngUJdgGmgnr7fG)

One bedroom apt by Alamo Square. F3

- 4 guests
- 1 bedroom
- 3 beds
- 1 bath

[https://www.airbnb.com/rooms/22410367?
source_impression_id=p3_1706080976_21%2BkYtAFqfedOXmo](https://www.airbnb.com/rooms/22410367?source_impression_id=p3_1706080976_21%2BkYtAFqfedOXmo)

Charming Apt in the middle of SF F1

- 2 guests
- 1 bedroom
- 1 bed
- 1 bath

[https://www.airbnb.com/rooms/450992?
source_impression_id=p3_1706080932_SQcaJbQmErJ%2B8W7g](https://www.airbnb.com/rooms/450992?source_impression_id=p3_1706080932_SQcaJbQmErJ%2B8W7g)

Central SF apt with views

- 4 guests
- Studio
- 2 beds
- 1 bath

<https://www.airbnb.com/rooms/74451?>

[source_impression_id=p3_1706081011_ZENAYWxyU0C2MNTT](#)

From: [DBICodeEnforcement, DBI \(DBI\)](#)
To: [Perez, Bernedette \(DBI\)](#); [Cheung, Jennifer \(DBI\)](#); [CPC-CodeEnforcement](#)
Cc: [Wong, Kelly \(CPC\)](#)
Subject: FW: Complaint
Date: Thursday, January 25, 2024 1:10:48 PM

Hi HIS Team and CPC Code Enforcement

Please see another illegal unit complaint.



Charles Robinson
Permit Technician Supervisor
Code Enforcement Section
Department of Building Inspection
City and County of San Francisco
49 South Van Ness Ave, San Francisco, Ca 94103
E: Charles.Robinson@SFGov.Org
P: 628.652.3695
[SF.gov/DBI](#)
[Sign up](#) for customer updates

From: John [REDACTED] <[REDACTED]@gmail.com>
Sent: Thursday, January 25, 2024 12:40 PM
To: DBICodeEnforcement, DBI (DBI) <dbi.codeenforcement@sfgov.org>
Subject: Complaint

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

To whom it may concern,

There are Building and Planning Code violations at 874 Fell Street, outlined below (complaint form sent on 1/25), followed by more info and links. Please let me know if you have any questions, or if I can be of further assistance. Thanks for your attention to this matter.

"The owner has divided a building that should have no more than 5 units plus one ADU into 10 units, and is listing 7 of those on Air BnB; some units are shown as available for more people than is permitted. One of these listings is for an illegal/substandard basement unit that

has been subject to an Order of Abatement since April 2023. The owner has disregarded the OoA and is renting his illegal unit as a two-bedroom apartment for six people costing \$90 a night. Per what is shown on Air BnB, the owner is filling 7 of 10 units with at least as many as 25 people, and the 3 other units appear to be occupied so that there are approximately 30 people living in this RM-1 building. Note: in addition to the substandard unit in the rear of the basement, there are 4 units on the first floor, 3 on the second floor, and 2 in the attic. The owner has also proposed to add two more ADUs in the front of the basement, and proposes to construct a 3-bedroom dwelling in the dilapidated, nonconforming rear structures that are uninhabitable and have never been inhabited. Based on copious evidence available in the public record, it is clear that the owner would like to increase the capacity of his rental units at this property to accommodate 10 or so more people, meaning there would be around 40 persons in a building that is already in excess of zoning/density limits and lacks sufficient parking and open space. <https://www.airbnb.com/users/show/374909> ".

Studio by Alamo Square Park F4

- 2 guests
- Studio
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/46583776?
source_impression_id=p3_1706077699_ivJD7haMTOFj5MRo](https://www.airbnb.com/rooms/46583776?source_impression_id=p3_1706077699_ivJD7haMTOFj5MRo)

Wonderful private 1 bedroom apt. F6

- 3 guests
- 1 bedroom
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/72921?
source_impression_id=p3_1706077945_s%2BzHY1udiGjhrvJt](https://www.airbnb.com/rooms/72921?source_impression_id=p3_1706077945_s%2BzHY1udiGjhrvJt)

Newly remodeled jr one bedroom.

- 4 guests
- 1 bedroom
- 3 beds
- 1 bath

[https://www.airbnb.com/rooms/792574123416587411?
source_impression_id=p3_1706078103_hvdFTMPwYaxiNRT%2B](https://www.airbnb.com/rooms/792574123416587411?source_impression_id=p3_1706078103_hvdFTMPwYaxiNRT%2B)

Central SF 2 Bedroom backyard apt. [illegal unit – currently under OoA – NOV 201722542]

- 6 guests
- 2 bedrooms
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/18094329?
source_impression_id=p3_1705990242_Q8ngUJdgGmgnr7fG](https://www.airbnb.com/rooms/18094329?source_impression_id=p3_1705990242_Q8ngUJdgGmgnr7fG)

One bedroom apt by Alamo Square. F3

- 4 guests
- 1 bedroom

- 3 beds
- 1 bath

[https://www.airbnb.com/rooms/22410367?
source_impression_id=p3_1706080976_21%2BkYtAFqfedOXmo](https://www.airbnb.com/rooms/22410367?source_impression_id=p3_1706080976_21%2BkYtAFqfedOXmo)

Charming Apt in the middle of SF F1

- 2 guests
- 1 bedroom
- 1 bed
- 1 bath

[https://www.airbnb.com/rooms/450992?
source_impression_id=p3_1706080932_SQcaJbQmErJ%2B8W7g](https://www.airbnb.com/rooms/450992?source_impression_id=p3_1706080932_SQcaJbQmErJ%2B8W7g)

Central SF apt with views

- 4 guests
- Studio
- 2 beds
- 1 bath

[https://www.airbnb.com/rooms/74451?
source_impression_id=p3_1706081011_ZENAYWxyU0C2MNTT](https://www.airbnb.com/rooms/74451?source_impression_id=p3_1706081011_ZENAYWxyU0C2MNTT)

From: [Dong, Maggie \(CPC\)](#)
To: [Enchill, Charles \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [Gunther, Gretel \(CPC\)](#); [Situ, Jia \(CPC\)](#); [Alexander, Christy \(CPC\)](#); [Asbagh, Claudine \(CPC\)](#); [Liang, Xinyu \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Foster, Nicholas \(CPC\)](#); [Fossi, Natalia \(CPC\)](#); [Gordon-Jonckheer, Elizabeth \(CPC\)](#); [Samonsky, Ella \(CPC\)](#); [Langlie, Michelle \(CPC\)](#); [Salgado, Rebecca \(CPC\)](#); [White, Elizabeth \(CPC\)](#); [Wong, Kelly \(CPC\)](#)
Date: Thursday, January 18, 2024 2:29:11 PM

Category A, 874 Fell street is reducing their scope of work to not build out a basement under the carriage house (202011309847). This was originally approved under **2014.0157**. Is this ok to continue OTC?