



ADMINISTRATIVE REPORT

TO: COMMUNITY RELATIONS COMMISSION

FROM: JESSE MEDINA, CODE ENFORCEMENT OFFICER II

PREPARED BY: CDD – CODE ENFORCEMENT DIVISION

MEETING DATE: OCTOBER 19, 2016

SUBJECT: 15 S. BAYSHORE BLVD.

RECOMMENDATION

That the Community Relations Commission (CRC);

- A. Find the property at 15 S. Bayshore Blvd. violates SMMC: 7.16.030 (b), 27.32.010 (c), 7.16.030 (a), 23.06.030, 11.40.110, CFC: 1030.2, 1006.1, & 315.3.1.
- B. Declare the property to be a public nuisance;
- C. Uphold the Abatement Notice with compliance date of 7/18/2016.
- D. Uphold the Administrative Citations based on the violation findings.

BACKGROUND

On 5/17/2016 Code Enforcement Officer opened an investigation based on a complaint received that alleged ABC Limousines, located at 15 S. Bayshore Blvd was utilizing the property outside of the allowable Zoning uses. According to the complaint, multiple limousines of different sizes were being stored on the property and obstructing the public right-of-way. The current Business Tax Registration states that the business is to operate as an OFFICE/DISPATCH ONLY and NOT INTENDED FOR VEHICLE STORAGE (Exhibit A).

On 6/3/2016 Inspection Request sent out to property owner, at 15 S. Bayshore Blvd the mailing address listed on Business Tax Certificate (Exhibit B).

On 6/15/2016 at approximately 9AM, Code Enforcement staff (Staff) met with the property/business owner and conducted an inspection of the property. During that inspection multiple Building, Fire, and Zoning Code violations were observed. Staff did not take photographic evidence inside any of the structures as the property/business owner stated that he would not allow it. The following is based on Staff observations and photos taken from the Public Right of Way (PROW).

Inside of the building located on parcel 033193190, 121 S. Bayshore Staff observed a vehicle repair shop fully equipped with automotive commercial repair equipment that was installed without a permit. Equipment included a rotary lift, a tire rim mount, and air compressors hanging from the ceiling. During the walk through, Staff was not able to inspect the northern part of this building because the property/business owner stated that he did not have a key. Staff continued to inspect the other buildings owned by the property/business owner and the violations observed were included in the Abatement Notice dated 6/30/2016 (Exhibit C). *Note The property/business owner did not allow inspection of the most northern building located on parcel 033193160 (1210 Cypress Ave).*

On 6/30/2016 Code Enforcement Officer Medina sent out an Abatement Notice to 15. S. Bayshore Blvd, San Mateo, CA 94401. This notice included all of the violations that were observed on the four adjoining parcels associated with the business, ABC Limo. In the Notice the property/business owner is instructed to correct all Code Violations, as well as obtain the required permits to either legalize, alter, or remove all the unpermitted construction work. Lastly, the notice informs the property/business owner that a review of San Mateo City records indicated that his business tax certificate on file was for OFFICE/DISPATCH USE ONLY. He was informed that he must cease from operating the business as vehicle repair and fleet yard. These uses are not permitted in the C2 Zoning District (Exhibit C).

On 7/5/2016 at approximately 11:30AM, the Code Enforcement Officer photographed storage of vehicles along the property 15 S. Bayshore Blvd. Reviewing of a City of San Mateo Public Right-Of-Way map, showed that ABC Limo Co is parking fleet vehicles alongside a public alley that backs up to residential properties. (Exhibit I).

On 7/20/2016 @ 11:00AM A meeting took place at City Hall with the City Staff from the Planning and Code Enforcement Divisions as well as the Property/business owner. The purpose of this meeting was to meet the request of the property owner in an effort to answer all of his questions regarding the allowed use of his properties.

The property/business owner's primary question was why he could not continue to use the property in the manner that he had in the past years? In this case referring to the fact that he is using the property in the capacity of limousine business.

The Zoning Administrator explained that the property is Zoned in a C2 District and that the use of the property must be compatible with the district. The Zoning Administrator pointed out that the Business Tax Certificate clearly states approval solely as office/dispatch, and that vehicles are not to be permanently stored on site.

The property/business owner asked if it is possible to apply for a variance or possibly restructure the Zoning Districts as he recently purchased an adjoining residential property (1220 Cypress Ave) which he intended to use for his fleet storage.

The Zoning Administrator explained to him that restructuring the Zoning Map for his sole benefit would not be possible and that it would tantamount a Constitutional violation. The

property/business owner was provided with information regarding the San Mateo Municipal Code Section SMMC 27.78 Conditions for granting a variance.

The property/business owner asked the Zoning Administrator which Zoning District would allow for his type of business?

The Zoning Administrator replied that she would need to be provided a detailed description of his business plan in writing. The plan would need to include the amount and sizes of vehicles, hours of operation, full nature of the business, number of employees and clients that would require off street parking, and any other pertinent information that would help in making that determination. The Zoning Administrator advised the property/business owner that once the business plan was received she would do the proper research and provide a written answer.

At that point the property/business owner ended the meeting.

On 7/21/2016 @ approximately 2PM, the property/business owner came in to City Hall to submit drawings proposing to keep the vehicle lift. Staff explained to the property/business owner that vehicle repair is not an approved use at this location. He insisted that he wanted to still try to obtain a permit however, the drawings that were presented did not have sufficient detail. It was explained to the property/business owner that the drawings would need to be prepared by an architect or an engineer that can provide a detailed description of the proposed work, including the equipment UL listings.

On 7/26/2016 @ approximately 2PM, Staff replied to an e-mail from the property/business owner. In the e-mail reply it was again explained to the property/business owner that vehicle repair is not an allowed use at the current location. If he still wanted to submit drawings proposing to keep the vehicle lift or any other unpermitted work, said drawings are required to include detailed description of the proposed work prepared by a licensed architect. The property/business owner was also informed of the policy for review of the drawings by Code Enforcement Staff before they were submitted to the Building Division (Exhibit D).

On 7/26/2016 Final Abatement Notice was mailed out to the property owner at 15 S. Bayshore Blvd., San Mateo, CA 94401 (Exhibit E).

On 8/25/2016 The following citations were issued to the property/business owner #1410, 1411, 1412, 1413, 1414, 1415, 1416, & 1417 IN THE AMOUNT OF \$100.00 EACH FOR CONTINUED NON-COMPLIANCE. Citations mailed to the property owner SMMC § 1.10.050. (Exhibit F).

On 9/2/2016 an appeal was received by the City of San Mateo Clerk's Office. (Exhibit G).

On 9/8/2016 Code Enforcement Staff confirmed receipt of the Administrative Citations Appeal to both the property owner and his attorney via e-mail. Both parties were informed that the next available hearing will be set for October/19/2016 at 7:00PM (Exhibit H).

On October 4, 2016, an attorney for the property owner contacted Code Enforcement staff, stating that the property owners had corrected a number of the violations on the property, and requesting a meeting with staff. Staff was not able to meet with the applicant prior to the

deadline for submitting this report. Staff will provide an updated status on the condition of the property at the hearing, and revise its recommendations as appropriate.

ADMINISTRATIVE CITATION

Per SMMC 1.10.030 (a) whenever an enforcement officer who has authority to enforce a violation of this code determines that a violation has occurred, the enforcement officer may issue an administrative citation to any person or entity responsible for the violation.

APPEAL OF ADMINISTRATIVE CITATION

Per SMMC 1.10.060 the CRC shall hear and decide administrative citation appeals. The CRC shall conduct an orderly fair hearing and accept evidence on which persons commonly would rely in the conduct of their business affairs. The CRC shall determine whether to affirm or dismiss the administrative citation. The Commission may reduce, waive or conditionally reduce the nuisance abatement fee stated in the citations or any late fees assessed based on a showing of good cause. The Commission may impose conditions and deadlines for correction of violations and make such direction to enforcement officers to assure compliance.

This case is being brought before the CRC for the following violations:

CODE	VIOLATION	REQUIRED ACTION
SMMC 7.16.030 (b) SMMC 23.06.150 SMMC 23.06.050 SMMC 23.06.180	Construction without a permit, including vehicle lift, and all other vehicle repair equipment installed without a permit.	You must obtain a permit to either legalize, alter, or remove all the unpermitted construction PERMIT REQUIRED
SMMC 27.32.010 (c)	On-site service and repair of vehicles.	All automotive repair on-site must cease. Stored tires to be removed.
SMMC 7.16.030 (a)	Storage, leakage, release, or use of any explosive, flammable liquid, or other dangerous, toxic, or hazardous substance in any manner or in any amount other than as permitted pursuant to this code and County, State, or Federal laws.	Hazardous Material Inventory Statement (HMIS) must be up to date and kept on the premises. Hazardous material signs must be affixed to a building in a visible location.
SMMC 23.06.030	Buildings or structures regulated by this code and the technical codes which have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.	Furniture and/or any other items blocking the pathway should be cleared to prevent any obstruction.
SMMC 11.40.110	Vehicles blocking the Public Right-Of-Way.	Vehicles blocking the Public Right-Of-Way must be removed.
CFC 1030.2	Required exit access, exits and exit discharges shall be continuously maintained and free from obstruction.	Egress pathways should be cleared of any obstruction.

CFC 1006.1	Means of egress shall be illuminated when the building space is occupied.	Exit signs shall be installed and remain illuminated while building is occupied.
CFC 315.3.1	Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings.	Boxes and/or any other storage must provide a minimum of 2 feet clearance from the ceiling.

SMMC, San Mateo Municipal Code

SMMC 23.06.010 is the adoption, administration and enforcement of the technical codes.

CFC, California Fire Code, as adopted by SMMC 23.28.010

NOTICE PROVIDED:

Notice of Hearing was mailed to the property owner by first class mail and posted on the property on 10/7/2016.

ATTACHMENTS

- EXHIBIT A Application for and Current Business Tax Certificate
- EXHIBIT B Inspection Request dated 06/03/2016
- EXHIBIT C Abatement Notice dated 06/30/2016
- EXHIBIT D Email to Mr. Mahnke dated 7/26/2016
- EXHIBIT E Final Abatement Notice dated 7/26/2016
- EXHIBIT F Abatement Letter with enclosed Citations 8/25/2016
- EXHIBIT G Receipt of Citation appeal dated 9/2/2016
- EXHIBIT H Confirmation of appeal receipt sent 9/8/2016
- EXHIBIT I Photographs and Public Right-Of-Way Map

STAFF CONTACT

Jesse Medina
Code Enforcement Officer II
jmedina@cityofsanmateo.org
650-522-7157

Christine Civiletti
Code Enforcement Manager
cciviletti@cityofsanmateo.org
650-522-7154

cc: Assistant City Attorney
Property Owner
Owner Attorney

EXHIBIT A

A



CITY OF SAN MATEO
BUSINESS TAX DIVISION
 330 WEST 20TH AVENUE
 SAN MATEO, CA 94403
 (650) 377-3403

COPY

FOR OFFICE USE

Parcel #: 033-193-140
 Zone: C2-1
 Reviewed/Date: GTB 4/3/98
 Tax Paid: \$ 2700
 Classification #: 42910
 DBIA Fee: \$ _____

APPLICATION FOR BUSINESS TAX CERTIFICATE

This is not a license to operate.

**APPROVED AS OFFICE / DISPATCH
 USE - NO CARS STORED
 ON SITE. CM**

Please print or type all applicable information. Complete both sides of the application.

DATE: 3-23-98

Business Name and Address:
ABC CHAUFFEURO LIMOUSINES
1210 CYPRESS AVE
SAN MATEO CA 94401
 Phone Number: 650-401-6200

Mailing Address (if different from Business Address):

 (Certificate is mailed to business address for posting.)

Name of owners **OR** if partnership or corporation, list officers and titles:

Name	Title	Home Address	Home Phone
Don Mashuke	Pres	1210 cypress Ave SM	415-203-8000

Person to contact in case of after-hours emergency (for police/fire):

Name	Home Address	Home Phone
Linda Mashuke	Old County Rd S Burlingame	650-654-1818

Building Owner:

Name	Address	Phone
Don Mashuke	1210 cypress Ave	415-203-8000

Name of Local Manager of your business (if different from owner): _____

Describe Business: Livery Service, Wholesale Vehicle

Federal Tax Identification Number **or** Social Security Number: [REDACTED]

California Seller's Permit Number (State Board of Equalization): _____

Ownership Type: C (S=Sole Proprietor, P=Partnership/LP/LLP, C=Corporation/S Corp/LLC, T=Trust)

Floor area occupied by your business in San Mateo (square feet): 900

Number of off-street parking spaces provided (if any): 12 Number of Employees (if any): 1

Business Start Date in San Mateo: 6-16-98 Will business have live entertainment? Yes _____ No

CARS on-site?

COPY

SCHEDULE OF FEES

GROSS RECEIPTS*	TAX
\$30,000 and under.....	\$ 27.00
30,001 - 40,000	32.50
40,001 - 45,000	41.00
45,001 - 50,000	49.50
50,001 - 55,000	58.50
55,001 - 65,000	67.00
65,001 - 70,000	75.50
70,001 - 75,000	84.50
75,001 - 80,000	93.00
80,001 - 85,000	101.50
85,001 - 90,000	110.50
90,001 - 95,000	119.00
95,001 - 100,000	124.50
OVER 100,000	124.50 plus \$3.10 for each \$5,000 or fraction thereof, thereafter

FEE CALCULATIONS

Your Business Tax shall be based upon your total gross receipts*, from business carried on in San Mateo, for the preceding year. If not in business for a full year, your tax shall be based upon an estimate of your gross receipts* for a 12-month period.

* GROSS RECEIPTS: The total amount charged or received on account of goods sold or services rendered out of each San Mateo business address, including all receipts, cash, credits, and property of any kind or nature. Excludable items include returned merchandise, cash and trade discounts, sales taxes and amounts collected for others where acting as an agent.

NOTE: UNDER ESTIMATED GROSS RECEIPTS LIABLE TO 50% PENALTY.

1. Total gross receipts* -- Estimate \$ [REDACTED] or Actual \$ _____
2. Enter amount due and payable from schedule above: \$ 27.00
3. Make checks payable to City of San Mateo.
4. Send this completed application with your check to the Business Tax Division, City Hall, 330 West 20th Avenue, San Mateo, CA 94403.

Please Note: Businesses in the Downtown District are subject to the Business Improvement District Assessment, which will be assessed and payable at the time the application is submitted.

I declare under penalty of perjury that to the best of my knowledge and belief, the statements made herein are true and I understand it is unlawful for any person to carry on any business in the City without first having paid the applicable business taxes and having obtained the tax certificate:

Name (Print) Don Mark Title Pres
Date 3-23-97 x Signature Don Mark



BUSINESS TAX CERTIFICATE - CITY OF SAN MATEO

City of San Mateo Business Tax Division

330 West 20th Avenue San Mateo, CA 94403-1388 (650) 522-7113

Detach at perforation and post certificate in a conspicuous place . This tax certificate is not transferable or assignable .

This certificate is issued without verification that the holder is subject to or exempted from licensing by the state, county, federal government, or any other government agency .

Expiration Date:	6/30/2017	Issued Date:	7/1/2016
Business Number:	33895		
Business Tax:	BT-2016-088919		
Business:	ABC CHAUFFEURED LIMOUSINES		
Mailing Address:	15 S BAYSHORE BLVD SAN MATEO, CA 944010000	Business Address:	15 S BAYSHORE BLVD SAN MATEO, CA 944010000
Business Phone No:	6504016200	Business Fax No.:	
Owners/Officers:	DON MAHNKE		
Type of Business:	Limousine Service		
Description:	OFFICE/DISPATCH ONLY		

This certificate evidences that the person(s), firm or corporation named herein has paid the applicable tax required by the San Mateo Municipal Code for the period indicated above. No certificate issued under the provisions of Title 5 of the San Mateo Municipal Code shall be construed as authorizing the conduct or continuance of any illegal or unlawful operation in violation of any City Ordinance relating thereto .

It is the responsibility of the business to renew this certificate, and failure to receive a renewal notice does not relieve the business of the responsibility for timely renewal. The tax becomes delinquent forty-five days after the expiration date printed above. If you do not receive a renewal notice by the expiration date, or if no longer conducting business in the City of San Mateo, please contact our office .

It is the responsibility of the business to retain this certificate for tax documentation purposes .

BEFORE POSTING THE ABOVE CERTIFICATE THIS RECEIPT MUST BE DETACHED

Payment has been received by our office as follows :

Business Number:	BT-2016-088919	Expiration Date:	6/30/2017	Issued Date:	7/1/2016
Fee Name		Amount			
Business Tax - Vehicle		\$1,650.00			
State Tax		\$1.00			
Total Paid:		\$1,651.00			

EXHIBIT B

B

DEPARTMENT OF COMMUNITY DEVELOPMENT
CODE ENFORCEMENT UNIT



330 West 20th Avenue
San Mateo, CA 94403-1338
Web Site: www.cityofsanmateo.org

June 3, 2016

MAHNKE DONALD E
15 S. BAYSHORE BLVD
SAN MATEO, CA 94401

RE: Your Property at 15 S. Bayshore Blvd., San Mateo CA 94401
APN: 033193210
Case: CE-2016-000358

On or about 5/17/2016 the City of San Mateo became aware of possible violation(s) of the San Mateo Municipal Code (SMMC) existing on your property referenced above. This letter requests an inspection per SMMC 7.39.140 (Authority to Inspect) to disprove or confirm the report of possible violation(s)

An inspection is essential to assess the situation, identify remedies and/or refute reports of SMMC violations. An inspection has been scheduled at your property on: **6/15/2016, at 9AM.**

The property owner(s) and/or their representatives must attend the inspection and allow access to the property where the alleged violations are present. If the dwelling(s) and/or structure(s) are not owner occupied, the property owner(s) are required to notify the tenants of the scheduled inspection.

If you are unavailable on the date and time specified above, please contact me at the information below to request an alternate inspection day or time. If I do not hear back from you, I will presume the requested day and time is acceptable and I will plan on conducting the inspection accordingly. Thank you in advance for your cooperation in this matter.

Property owners have the primary responsibility to maintain their properties and assure code compliance. According to Section 7.16.015 of the San Mateo Municipal Code, it is unlawful for any person or entity to maintain, create, cause or permit a public nuisance.

Please contact me within 5 days to discuss this matter. Your prompt attention to this matter is essential.

Sincerely,

Jesse Medina
Code Enforcement Officer I
650-522-7156
jmedina@cityofsanmateo.org

cc: Street File

EXHIBIT C

c



June 30, 2016

NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE

Mahnke Donald E
15 S. Bayshore Blvd
San Mateo, CA 94401

APN: 033193210
CASE: CE 2016-000358

RE: Your property located at 15 S. Bayshore Blvd, San Mateo CA 94401

Including: 19 & 37 S. Bayshore Blvd, San Mateo CA 94401, as well as 1210 Cypress Ave, San Mateo CA 94401

On 06/15/2016 the City of San Mateo conducted an inspection on your property and observed the following code violations:

CODE	VIOLATION	REQUIRED ACTION	COMPLIANCE DATE
SMMC 7.16.030 (b) SMMC 23.06.150 SMMC 23.06.050 SMMC 23.06.180	Construction without a permit, including vehicle lift, and all other vehicle repair equipment installed without a permit.	You must obtain a permit to either legalize, alter, or remove all the unpermitted construction.	7/18/2016
SMMC 27.32.010 (c)	On-site service and repair of vehicles.	All automotive repair on-site must cease. Stored tires to be removed.	7/18/2016
SMMC 7.16.030 (a)	Storage, leakage, release, or use of any explosive, flammable liquid, or other dangerous, toxic, or hazardous substance in any manner or in any amount other than as permitted pursuant to this code and County, State, or Federal laws.	Hazardous Material Inventory Statement (HMIS) must be up to date and kept on the premises. Hazardous material signs must be affixed to a building in a visible location.	7/18/2016
SMMC 23.06.030	Buildings or structures regulated by this code and the technical codes which have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.	Furniture and/or any other items blocking the pathway should be cleared to prevent any obstruction.	7/18/2016
CFC 315.3.1	Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings.	Boxes and/or any other storage must provide a minimum of 2 feet clearance from the ceiling.	7/18/2016

CFC 1030.2	Required exit access, exits and exit discharges shall be continuously maintained and free from obstruction.	Egress pathways should be cleared of any obstruction.	7/18/2016
CFC 1006.1	Means of egress shall be illuminated when the building space is occupied.	Exit signs shall be installed and remain illuminated while building is occupied.	7/18/2016

Please call me at 650-522-7156 within five (5) days of receiving this letter to schedule a full property inspection. The inspection is to include interior and exterior spaces of all yards and buildings on the property.

Based on our findings you are required to remove all unpermitted construction work, including the vehicle lift and all other vehicle repair equipment that was installed without a permit. Prior to any demolition work you must obtain the necessary demolition permits. A review of our records indicate that your business tax certificate on file is for OFFICE/DISPATCH ONLY. You must cease from operating your business as vehicle repair and fleet yard, being that it is not a permitted use in the C2 Zoning District.

Property owners have the primary responsibility to maintain their property and assure code compliance. According to Section 7.16.015 of the San Mateo Municipal Code, it is unlawful for any person or entity to maintain, create, cause or permit a public nuisance.

If you do not correct all violations by the compliance dates you may be subject to administrative citations or fees requiring correction of the violation. In addition, you may be required to attend an administrative hearing before the Community Improve Commission, WHERE AN ADMINISTRATIVE FEE OF \$2,000 MAY BE IMPOSED PLUS DAILY PENALTIES. Your prompt attention to this matter is essential.

Sincerely,

Jesse Medina
Code Enforcement Officer I
(650) 522-7156

cc Street File

EXHIBIT D

D

Jesse Medina

From: Jesse Medina
Sent: Tuesday, July 26, 2016 1:47 PM
To: 'don@abctrans.com'
Cc: Christine Civiletti
Subject: RE: plans

Good afternoon Mr. Mahnke,

As it was explained to you last week, vehicle repair is not a compatible use with your property at 15 S. Bayshore Blvd. However, if you chose submit drawings proposing to keep the vehicle lift or any other unpermitted work, you will need to submit a set of drawings that are prepared by an architect or an engineer that can provide a detailed description of the proposed work. I will need to review the drawings before they are submitted to the Building Division.

Coordially,

Jesse R. Medina
Code Enforcement Officer II
City of San Mateo, Department of Community Development
Office: 650-522-7156 Fax: 650-522-7221

From: Don Mahnke [mailto:don@abctrans.com]
Sent: Tuesday, July 26, 2016 12:33 PM
To: Jesse Medina <jmedina@cityofsanmateo.org>; Christine Civiletti <cciviletti@cityofsanmateo.org>
Cc: Don Mahnke <don@abctrans.com>
Subject: plans

Good Day,

This is a follow-up from last week on the plans I brought in to get a permit per your requirements, where are we in the process to get this completed?

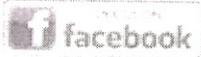
Also we have put forth our best effort to comply with all your requirements on your previous letter, there is a couple issues that are still open for interpretation which we are in conversation about.

Thank you very much look forward to hearing from you.

Don Mahnke
Office 650-401-6200 ext. 111
Fax 650-401-6205
don@abctrans.com
15 S. Bayshore Blvd | San Mateo, CA 94401
www.abctrans.com

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EXHIBIT E

E



July 26, 2016

FINAL NOTICE TO ABATE A PUBLIC NUISANCE

Mahnke Donald E
15 S. Bayshore Blvd
San Mateo, CA 94401

APN: 033193210
CASE: CE 2016-000358

RE: Your property located at 15 S. Bayshore Blvd, San Mateo CA 94401

Including: 19 & 37 S. Bayshore Blvd, San Mateo CA 94401, as well as 1210 Cypress Ave, San Mateo CA 94401

On 06/15/2016 the City of San Mateo conducted an inspection on your property and observed the following code violations that as of today's date have not been corrected:

CODE	VIOLATION	REQUIRED ACTION	COMPLIANCE DATE
SMMC 7.16.030 (b) SMMC 23.06.150 SMMC 23.06.050 SMMC 23.06.180	Construction without a permit, including vehicle lift, and all other vehicle repair equipment installed without a permit.	You must obtain a permit to either legalize, alter, or remove all the unpermitted construction.	7/18/2016
SMMC 27.32.010 (c)	On-site service and repair of vehicles.	All automotive repair on-site must cease. Stored tires to be removed.	7/18/2016
SMMC 7.16.030 (a)	Storage, leakage, release, or use of any explosive, flammable liquid, or other dangerous, toxic, or hazardous substance in any manner or in any amount other than as permitted pursuant to this code and County, State, or Federal laws.	Hazardous Material Inventory Statement (HMIS) must be up to date and kept on the premises. Hazardous material signs must be affixed to a building in a visible location.	7/18/2016
SMMC 23.06.030	Buildings or structures regulated by this code and the technical codes which have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.	Furniture and/or any other items blocking the pathway should be cleared to prevent any obstruction.	7/18/2016
SMMC 11.40.110	Vehicles blocking the Public Right-Of-Way.	Vehicles blocking the Public Right-Of-Way must be removed.	7/18/2016
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CFC 315.3.1	Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings.	Boxes and/or any other storage must provide a minimum of 2 feet clearance from the ceiling.	7/18/2016

Based on our findings you are required to remove all unpermitted construction work, including the vehicle lift and all other vehicle repair equipment that was installed without a permit. Prior to any demolition work you must obtain the necessary demolition permits. A review of our records indicate that your business tax certificate on file is for OFFICE/DISPATCH ONLY. You must cease from operating your business as vehicle repair and fleet yard, being that it is not a permitted use in the C2 Zoning District.

As we explained property owners have the primary responsibility to maintain their property and assure code compliance. According to Section 7.16.015 of the San Mateo Municipal Code, it is unlawful for any person or entity to maintain, create, cause or permit a public nuisance.

This is your **FINAL NOTICE**. If you do not correct all violations within 10 calendar days of the date of this notice (August 5, 2016) you will be subject to administrative citations and/or fees requiring correction of the violation. In addition, you may be required to attend an administrative hearing before the Community Improvement Commission, WHERE AN ADMINISTRATIVE FEE OF \$2,000 MAY BE IMPOSED PLUS DAILY PENALTIES. Your prompt attention to this matter is essential.

Sincerely,

Jesse Medina
Code Enforcement Officer I
(650) 522-7156

cc Street File

EXHIBIT F

F



August 25, 2016

NOTICE TO ABATE A PUBLIC NUISANCE

Mahnke Donald E
15 S. Bayshore Blvd
San Mateo, CA 94401

APN: 033193210
CASE: CE 2016-000358

RE: Your property located at 15 S. Bayshore Blvd, San Mateo CA 94401

Including: 19 & 37 S. Bayshore Blvd, San Mateo CA 94401, as well as 1210 Cypress Ave, San Mateo CA 94401

On 06/15/2016 the City of San Mateo conducted an inspection on your property and observed the following code violations that as of today's date have not been corrected:

CODE	VIOLATION	REQUIRED ACTION	COMPLIANCE DATE
SMMC 7.16.030 (b) SMMC 23.06.150 SMMC 23.06.050 SMMC 23.06.180	Construction without a permit, including vehicle lift, and all other vehicle repair equipment installed without a permit.	You must obtain a permit to either legalize, alter, or remove all the unpermitted construction.	7/18/2016
SMMC 27.32.010 (c)	On-site service and repair of vehicles.	All automotive repair on-site must cease. Stored tires to be removed.	7/18/2016
SMMC 7.16.030 (a)	Storage, leakage, release, or use of any explosive, flammable liquid, or other dangerous, toxic, or hazardous substance in any manner or in any amount other than as permitted pursuant to this code and County, State, or Federal laws.	Hazardous Material Inventory Statement (HMIS) must be up to date and kept on the premises. Hazardous material signs must be affixed to a building in a visible location.	7/18/2016
SMMC 23.06.030	Buildings or structures regulated by this code and the technical codes which have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.	Furniture and/or any other items blocking the pathway should be cleared to prevent any obstruction.	7/18/2016
SMMC 11.40.110	Vehicles blocking the Public Right-Of-Way.	Vehicles blocking the Public Right-Of-Way must be removed.	7/18/2016
CFC 1030.2	Required exit access, exits and exit discharges shall be continuously maintained and free from obstruction.	Egress pathways should be cleared of any obstruction.	7/18/2016

CFC 1006.1	Means of egress shall be illuminated when the building space is occupied.	Exit signs shall be installed and remain illuminated while building is occupied.	7/18/2016
CFC 315.3.1	Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings.	Boxes and/or any other storage must provide a minimum of 2 feet clearance from the ceiling.	7/18/2016

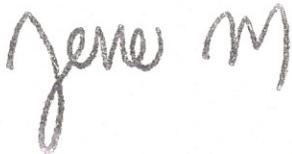
Based on our findings you are required to remove all unpermitted construction work, including the vehicle lift and all other vehicle repair equipment that was installed without a permit. Prior to any demolition work you must obtain the necessary demolition permits. A review of our records indicate that your business tax certificate on file is for OFFICE/DISPATCH ONLY. You must cease from operating your business as vehicle repair and fleet yard, being that it is not a permitted use in the C2 Zoning District.

As we explained property owners have the primary responsibility to maintain their property and assure code compliance. According to Section 7.16.015 of the San Mateo Municipal Code, it is unlawful for any person or entity to maintain, create, cause or permit a public nuisance.

BECAUSE YOU FAILED TO COMPLY WITH THE PREVIOUS COMPLIANCE NOTICE DATED 7/26/2016, ENCLOSED YOU WILL FIND CITATIONS #1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417. IN THE AMOUNT OF \$100.00 EACH FOR CONTINUED NON-COMPLIANCE.

If you do not correct all violations within 10 calendar days of the date of this notice (September 8, 2016) you will be subject to further administrative citations and/or fees requiring correction of the violation. In addition, you may be required to attend an administrative hearing before the Community Improvement Commission, WHERE AN ADMINISTRATIVE FEE OF \$2,000 MAY BE IMPOSED PLUS DAILY PENALTIES. Your prompt attention to this matter is essential.

Sincerely,



Jesse Medina
Code Enforcement Officer I
(650) 522-7156

cc Street File

EXHIBIT G

G

AARONSON, DICKERSON, COHN & LANZONE
Attorneys at Law

1001 Laurel Street, Suite A
San Carlos, California 94070
Telephone: (650) 593-3117
Fax: (650) 453-3911
www.adcl.com

To: City Clerk, City of San Mateo

From: Gregory Rubens, Esq.

Fax Number: (650) 522-7041

Sender: Madison Corbitt

of Pages Including Cover: 8

Date: September 2, 2016

Re: Donald Mahnke Notice of Appeal

THIS DOCUMENT: is also being mailed is not being mailed

COMMENTS:

If you do not receive all of the pages transmitted please call us at (650) 593-3117

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE MAY BE ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE. THANK YOU.

ROBERT J. LANZONE
JEAN B. SAVAREE
GREGORY J. RUBENS
CAMAS J. STEINMETZ

KAI RUES
KIMBERLY L. CHU

GREGORY J. RUBENS, Ext. 202
Email: grubens@adcl.com

LAW OFFICES
AARONSON, DICKERSON, COHN & LANZONE

A PROFESSIONAL CORPORATION
1001 LAUREL STREET, SUITE A
SAN CARLOS, CALIFORNIA 94070
PHONE: 650-593-3117
FAX: 650-453-3911
www.adcl.com

MICHAEL AARONSON
(1910-1988)
KENNETH M. DICKERSON
(1925-2008)
MELVIN E. COHN
(1917-2014)

September 2, 2016

Via Federal Express Overnight
and Facsimile (650) 522-7041

City Clerk, City of San Mateo
Department of Community Development
Code Enforcement
330 West 20th Avenue
San Mateo, California 94403-1338

Re: **Notice of Appeal**
APN: 0033193210

Donald E. Mahnke
15 S. Bayshore Boulevard, San Mateo

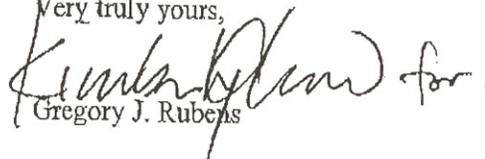
Administrative Citations: 001410; 001411; 001412; 001413; 001414;
001415; 001416; and 001417

To Whom It May Concern, at the City of San Mateo:

My office represents Donald E. Mahnke in the above-referenced matter. This letter serves as Mr. Mahnke's written notice of appeal pursuant to Section 1.10.060 of the San Mateo Municipal Code to administrative citations (001410; 001411; 001412; 001413; 001414; 001415; 001416; and 001417) dated August 25, 2016 issued by Jesse Medina, Code Enforcement Officer I, and a Notice to Abate a Public Nuisance dated August 25, 2016, attached to this letter as Exhibit "A".

Mr. Mahnke is appealing the citations on the basis that the alleged violations do not exist on the property and that any such conditions do not amount to a municipal code violation. Evidence in support of Mr. Mahnke's appeal will be presented at the appeal hearing.

Enclosed please find a check in the amount of \$800 as a deposit of the total administrative fee. Section 1.10.060(c) of the San Mateo Municipal Code mandates the City to review this notice to appeal as soon as practicable and set the appeal hearing. Should the City require any additional information regarding this appeal, please contact the undersigned.

Very truly yours,

Gregory J. Rubens

cc: Enclosures
Client

Claims
Violations
Do not exist



DEPARTMENT OF COMMUNITY DEVELOPMENT
Code Enforcement

330 West 20th Avenue,
San Mateo, CA 94403-1338
www.cityofsanmateo.org

August 25, 2016

NOTICE TO ABATE A PUBLIC NUISANCE

Mahnke Donald E
15 S. Bayshore Blvd
San Mateo, CA 94401

APN: 033193210
CASE: CE 2016-000358

RE: Your property located at 15 S. Bayshore Blvd, San Mateo CA 94401

Including: 19 & 37 S. Bayshore Blvd, San Mateo CA 94401, as well as 1210 Cypress Ave, San Mateo CA 94401

On 06/15/2016 the City of San Mateo conducted an inspection on your property and observed the following code violations that as of today's date have not been corrected:

CODE	VIOLATION	REQUIRED ACTION	COMPLIANCE DATE
SMMC 7.16.030 (b) SMMC 23.06.150 SMMC 23.06.050 SMMC 23.06.180	Construction without a permit, including vehicle lift, and all other vehicle repair equipment installed without a permit.	You must obtain a permit to either legalize, alter, or remove all the unpermitted construction.	7/18/2016
SMMC 27.32.010 (c)	On-site service and repair of vehicles.	All automotive repair on-site must cease. Stored tires to be removed.	7/18/2016
SMMC 7.16.030 (a)	Storage, leakage, release, or use of any explosive, flammable liquid, or other dangerous, toxic, or hazardous substance in any manner or in any amount other than as permitted pursuant to this code and County, State, or Federal laws.	Hazardous Material Inventory Statement (HMIS) must be up to date and kept on the premises. Hazardous material signs must be affixed to a building in a visible location.	7/18/2016
SMMC 23.06.030	Buildings or structures regulated by this code and the technical codes which have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.	Furniture and/or any other items blocking the pathway should be cleared to prevent any obstruction.	7/18/2016
SMMC 11.40.110	Vehicles blocking the Public Right-Of-Way.	Vehicles blocking the Public Right-Of-Way must be removed.	7/18/2016
CFC 1030.2	Required exit access, exits and exit discharges shall be continuously maintained and free from obstruction.	Egress pathways should be cleared of any obstruction.	7/18/2016

CFC 1006.1	Means of egress shall be illuminated when the building space is occupied.	Exit signs shall be installed and remain illuminated while building is occupied.	7/18/2016
CFC 315.3.1	Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings.	Boxes and/or any other storage must provide a minimum of 2 feet clearance from the ceiling.	7/18/2016

Based on our findings you are required to remove all unpermitted construction work, including the vehicle lift and all other vehicle repair equipment that was installed without a permit. Prior to any demolition work you must obtain the necessary demolition permits. A review of our records indicate that your business tax certificate on file is for OFFICE/DISPATCH ONLY. You must cease from operating your business as vehicle repair and fleet yard, being that it is not a permitted use in the C2 Zoning District.

As we explained property owners have the primary responsibility to maintain their property and assure code compliance. According to Section 7.16.015 of the San Mateo Municipal Code, it is unlawful for any person or entity to maintain, create, cause or permit a public nuisance.

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If you do not correct all violations within 10 calendar days of the date of this notice (September 8, 2016) you will be subject to further administrative citations and/or fees requiring correction of the violation. In addition, you may be required to attend an administrative hearing before the Community Improvement Commission, WHERE AN ADMINISTRATIVE FEE OF \$2,000 MAY BE IMPOSED PLUS DAILY PENALTIES. Your prompt attention to this matter is essential.

Sincerely,



Jesse Medina
 Code Enforcement Officer I
 (650) 522-7156

cc Street File

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001410

For Violation of San Mateo Municipal Code (SMMC)
APN: 033193210 (CASE #) PERMIT #: CE-2016-000358
Name: Last MAHNKE First DONALD Middle E
Address: 15 S. Bayshore Blvd
City: San Mateo State CA Zip 94401
Date of violation: Month 8 Day 25 Year 2016
Location of Violation: Street address 15 S. Bayshore Blvd

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Row 1: SMMC 07.16.030 (b), Construction without permit, \$100.00. TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA Gene M
PRINT NAME OF ISSUER SIGNATURE

DATE ISSUED: 8/25/2016 TIME ISSUED: 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X Citation is valid with or without signature

IF THIS BOX IS CHECKED then the Administrative fee of each violation can be reduced by 25 the amount shown, provided that within 10 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS.

(Enforcement Officer to complete section below) CERTIFICATE OF COMPLETION

Date violation corrected:
Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388. SEE REVERSE SIDE FOR INSTRUCTIONS. DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001411

For Violation of San Mateo Municipal Code (SMMC)
APN: 033193210 (CASE #) PERMIT #: CE-2016-000358
Name: Last MAHNKE First DONALD Middle E
Address: 15 S. Bayshore Blvd
City: San Mateo State CA Zip 94401
Date of violation: Month 8 Day 25 Year 2016
Location of Violation: Street address 15 S. Bayshore Blvd

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Row 1: SMMC 27.32.010, On-site service and repair of vehicles, \$100.00. TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA Gene M
PRINT NAME OF ISSUER SIGNATURE

DATE ISSUED: 8/25/2016 TIME ISSUED: 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X Citation is valid with or without signature

IF THIS BOX IS CHECKED then the Administrative fee of each violation can be reduced by 25 the amount shown, provided that within 10 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS.

(Enforcement Officer to complete section below) CERTIFICATE OF COMPLETION

Date violation corrected:
Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388. SEE REVERSE SIDE FOR INSTRUCTIONS. DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001412

For Violation of San Mateo Municipal Code (SMMC)

APN: 033193210 CASE # PERMIT #: CE-2016-000389 Name: Last MAHNKE Donald E Address: 15 S. Bayshore Blvd City: San Mateo CA 94401 Date of violation: Month 8 Day 25 Year 2016 Location of violation: Street address 15 S. Bayshore Blvd

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Row 1: SMMC 07.112.030(a), Improper storage of hazardous substance, \$ 100.00

TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA Gene M PRINT NAME OF ISSUER SIGNATURE

DATE ISSUED 8/25/2016 TIME ISSUED 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X

Citation is valid with or without signature

IF THIS BOX IS CHECKED then the Administrative fee of each violation can be reduced by 25% the amount shown, provided that within 10 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS.

(Enforcement Officer to complete section below) CERTIFICATE OF COMPLETION

Date violation corrected: Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388

DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001413

For Violation of San Mateo Municipal Code (SMMC)

APN: 033193210 CASE # PERMIT #: CE-2016-000389 Name: Last MAHNKE Donald E Address: 15 S. Bayshore Blvd City: San Mateo CA 94401 Date of violation: Month 8 Day 25 Year 2016 Location of violation: Street address 15 S. Bayshore Blvd

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Row 1: SMMC 11.40.110 Vehicles blocking the Public Right-of-way, \$ 100.00

TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA Gene M PRINT NAME OF ISSUER SIGNATURE

DATE ISSUED 8/25/2016 TIME ISSUED 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X

Citation is valid with or without signature

IF THIS BOX IS CHECKED then the Administrative fee of each violation can be reduced by 25% the amount shown, provided that within 10 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS.

(Enforcement Officer to complete section below) CERTIFICATE OF COMPLETION

Date violation corrected: Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388

DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001414

For Violation of San Mateo Municipal Code (SMMC)
APN: 033193210 CASE # / PERMIT #: CG-2016-000358
Name: Last MAHNKE First DONALD Middle E
Address: 15 S Bayshore Blvd
City: San Mateo CA 94401
Phone: Driver's License or other Identification:

Date of violation: Month 8 Day 25 Year 2016
Location of violation: Street address 15 S. Bayshore Blvd
City: San Mateo State: CA Zip: 94401

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Row 1: SMMC 23.00.030, Unsafe building, \$ 100.00

TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA (PRINT NAME OF ISSUER) [Signature] (SIGNATURE)

DATE ISSUED 8/25/2016 TIME ISSUED 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X Citation is valid with or without signature

IF THIS BOX IS CHECKED, then the Administrative fee of each violation can be reduced by 25% the amount shown, provided that within 30 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS. (Enforcement Officer to complete section below) CERTIFICATE OF COMPLETION

Data violation corrected:
Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388 SEE REVERSE SIDE FOR INSTRUCTIONS DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001415

For Violation of San Mateo Municipal Code (SMMC)
APN: 033193210 CASE # / PERMIT #: CG-2016-000358
Name: Last MAHNKE First DONALD Middle E
Address: 15 S Bayshore Blvd
City: San Mateo CA 94401
Phone: Driver's License or other Identification:

Date of violation: Month 8 Day 25 Year 2016
Location of violation: Street address 15 S. Bayshore Blvd
City: San Mateo State: CA Zip: 94401

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Row 1: CFC 1030.2 (Adopted by SMMC 23.28.01b), Exits required to be free from Obstruction, \$ 100.00

TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA (PRINT NAME OF ISSUER) [Signature] (SIGNATURE)

DATE ISSUED 8/25/2016 TIME ISSUED 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X Citation is valid with or without signature

IF THIS BOX IS CHECKED, then the Administrative fee of each violation can be reduced by 25% the amount shown, provided that within 30 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS. (Enforcement Officer to complete section below) CERTIFICATE OF COMPLETION

Data violation corrected:
Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388 SEE REVERSE SIDE FOR INSTRUCTIONS DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001416

For Violation of San Mateo Municipal Code (SMMC)

APN: 033193210 CASE # PERMIT #: CE-2016-002558
Name: Last MAHNKE First DONALD Middle E
Address: 15 S. Bayshore Blvd
City: San Mateo State CA Zip 94401
Date of violation: Month 8 Day 25 Year 2016
Location of violation: Street address 15 S. Bayshore Blvd
City: San Mateo State: CA Zip: 94401

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Includes entries for CFC 1006.1 and SMMC 23.21.010.

TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA Gene M
PRINT NAME OF ISSUER SIGNATURE

DATE ISSUED 8/25/2016 TIME ISSUED 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

X Citation is valid with or without signature

IF THIS BOX IS CHECKED then the Administrative fee of each violation can be reduced by 25 the amount shown, provided that within 10 days from the issuance of the citation, you correct the violation & obtain an inspection and signature from the issuing enforcement officer.

CALL (650) 522-7156 FOR AN INSPECTION OR IF YOU HAVE ANY QUESTIONS. (Enforcement Officer to complete section below)

CERTIFICATE OF COMPLETION

Date violation corrected:
Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388

DEFENDANT COPY

CITY OF SAN MATEO ADMINISTRATIVE CITATION 001417

For Violation of San Mateo Municipal Code (SMMC)

APN: 033193210 CASE # PERMIT #: CE-2016-002558
Name: Last MAHNKE First DONALD Middle E
Address: 15 S. Bayshore Blvd
City: San Mateo State CA Zip 94401
Date of violation: Month 8 Day 25 Year 2016
Location of violation: Street address 15 S. Bayshore Blvd
City: San Mateo State: CA Zip: 94401

Table with 3 columns: VIOLATION (CODE SECTION), DESCRIPTION, FEE AMOUNT. Includes entries for CFC 315.31 and SMMC 23.21.010.

TOTAL \$ 100.00

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND WRITTEN ON THE DATE SHOWN BELOW:

J. MEDINA Gene M
PRINT NAME OF ISSUER SIGNATURE

DATE ISSUED 8/25/2016 TIME ISSUED 2:00 AM PM

SIGNATURE OF PARTY TO WHOM CITATION ISSUED, IF AVAILABLE (Without admitting responsibility, I acknowledge receipt of this citation)

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CERTIFICATE OF COMPLETION

Date violation corrected:
Certification By: ID Number:

Make checks payable to City of San Mateo and mail payments to: City of San Mateo Code Enforcement Division 330 W. 20th Avenue San Mateo, CA 94403-1388

DEFENDANT COPY

EXHIBIT H

H

Jesse Medina

From: Jesse Medina
Sent: Thursday, September 08, 2016 3:42 PM
To: 'grubens@adcl.com'
Cc: Christine Civiletti; 'don@abctrans.com'
Subject: RE: 15 S. Bayshore Blvd. San Mateo, CA

Good afternoon,

This e-mail serves to confirm receipt of your appeal regarding the Administrative Citations issued in relation to the above referenced property. The next available hearing will be set for October/19/2016 at 7:00PM. More information will come out as the date approaches.

Please confirm receipt of this e-mail.

Cordially,

Jesse R. Medina
Code Enforcement Officer II
City of San Mateo, Department of Community Development
Office: 650-522-7156 Fax: 650-522-7221

EXHIBIT I









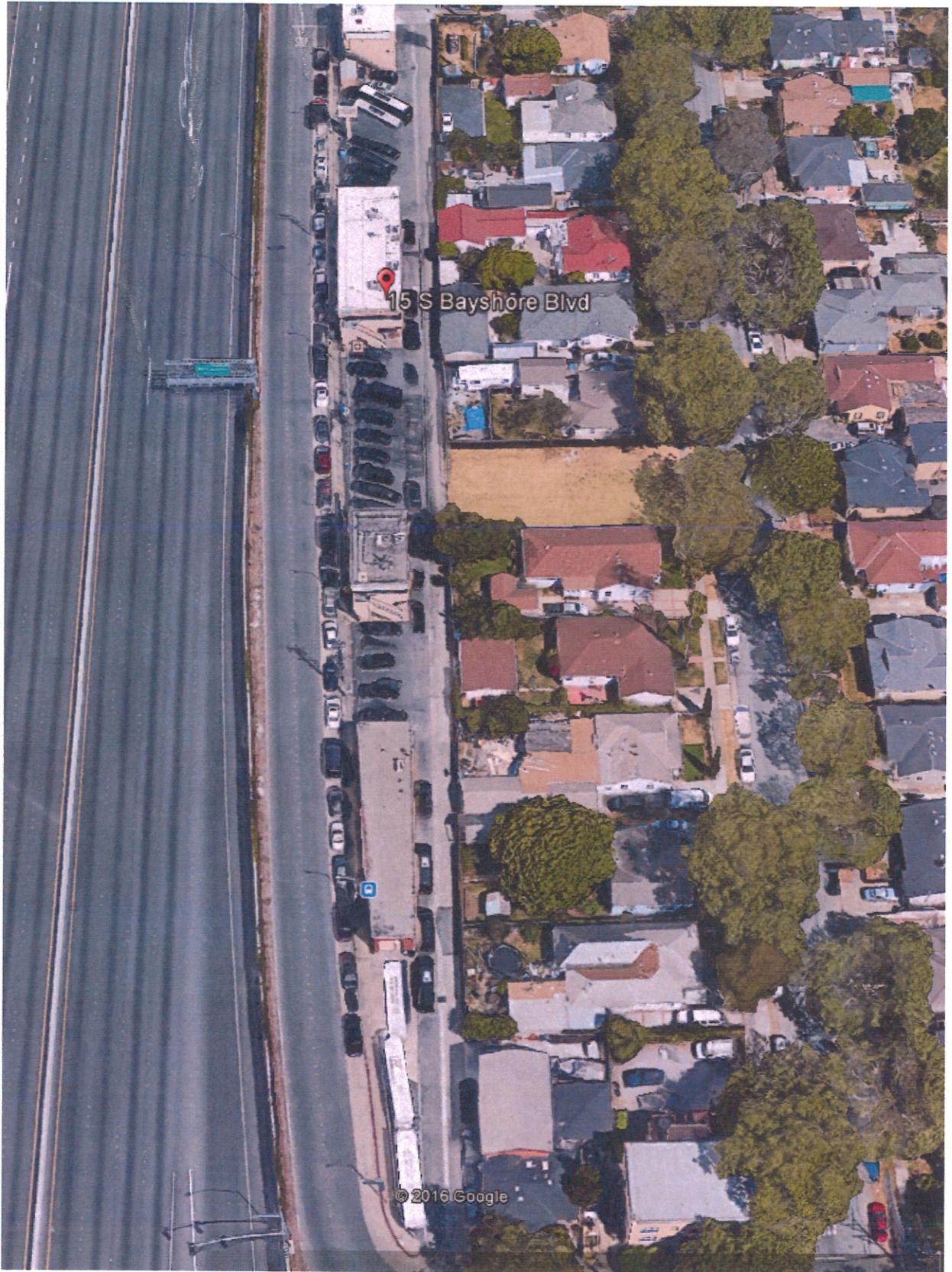




07/05/2016 11:35



07/05/2016 11:37



15 S Bayshore Blvd

© 2016 Google



**CITY OF SAN MATEO
NOTICE OF PUBLIC HEARING BEFORE
THE COMMUNITY RELATIONS COMMISSION**

TO: DONALD E MAHNKE

TITLE: PROPERTY OWNERS

REGARDING PROPERTY AT: 15 S. BAYSHORE BLVD, SAN MATEO CA 94401

LEGAL DESCRIPTION OF PROPERTY: 0.13 AC MOL ON SWLY LN OF A 20 FT ALLEY BEING NELY PTN LOTS 64 THRU 71 SHOREVIEW TRACT NO 1 RSM 17/21

APN: 033193210

RE: VIOLATIONS OF THE SAN MATEO MUNICIPAL CODE ON THIS PROPERTY

This is official notice that the Community Relations Commission (CRC) will be conducting an administrative compliance hearing at City Hall, 330 West 20th Avenue, San Mateo, CA, on October 19, 2016, at 7:00 pm in Room C to determine if Municipal, Building, or other code violations exist on the above listed property; whether the violations were not corrected within the specified time period; and what penalties and costs to impose. Representatives of the community and City Staff may present evidence on this matter. The alleged violations include

CODE	VIOLATION	REQUIRED ACTION
SMMC 7.16.030 (b) SMMC 23.06.150 SMMC 23.06.050 SMMC 23.06.180	Construction without a permit, including vehicle lift, and all other vehicle repair equipment installed without a permit.	You must obtain a permit to either legalize, alter, or remove all the unpermitted construction PERMIT REQUIRED
SMMC 27.32.010 (c)	On-site service and repair of vehicles.	All automotive repair on-site must cease. Stored tires to be removed.
SMMC 7.16.030 (a)	Storage, leakage, release, or use of any explosive, flammable liquid, or other dangerous, toxic, or hazardous substance in any manner or in any	Hazardous Material Inventory Statement (HMIS) must be up to date and kept on the premises. Hazardous

	amount other than as permitted pursuant to this code and County, State, or Federal laws.	material signs must be affixed to a building in a visible location.
SMMC 23.06.030	Buildings or structures regulated by this code and the technical codes which have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.	Furniture and/or any other items blocking the pathway should be cleared to prevent any obstruction.
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CFC 315.3.1	Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings.	Boxes and/or any other storage must provide a minimum of 2 feet clearance from the ceiling.

SMMC, San Mateo Municipal Code

SMMC 23.06.010 is the adoption, administration and enforcement of the technical codes.

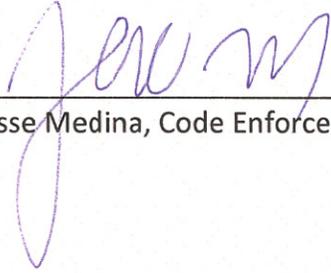
You will be given the opportunity to address the Commission, and may indicate why the property should not be found in violation of said regulations; or why the Commission should not issue an order of abatement. In the event you fail to appear pursuant to this notice the hearing shall be conducted as if you were present, a decision rendered, and the Commission shall issue an appropriate order. Where required permits are so noted above, you should obtain such permits and proceed to abate the violations. If you have substantially abated the violations and wish to request additional time to completely abate all violations, you should make this request to the Commission, at the hearing.

Per SMMC 1.10.060 the CRC shall hear and decide administrative citation appeals. The CRC shall conduct an orderly fair hearing and accept evidence on which persons commonly would rely in the conduct of their business affairs. The CRC shall determine whether to affirm or dismiss the administrative citation. The Commission may reduce, waive or conditionally reduce the nuisance abatement fee stated in the citations or any late fees assessed based on a showing of good cause. The Commission may impose conditions and deadlines for correction of violations and make such direction to enforcement officers to assure compliance.

Persons who maintain, create, cause or permit a public nuisance violate Section 7.16.030 of the Municipal Code. Action taken by the CRC is independent of any other legal action that may be

taken by the City. Please notify this office immediately if the violations are abated prior to this hearing.

Questions on this matter should be directed to Code Enforcement Officer Jesse Medina, at (650) 522-7156.



Jesse Medina, Code Enforcement Officer II

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS REQUIRING SPECIAL ACCOMMODATION FOR THIS MEETING SHOULD NOTIFY THE CODE ENFORCEMENT STAFF AT (650) 522-7150, 24 HOURS PRIOR TO THE MEETING.

cc: City Clerk
Assistant City Attorney

DECLARATION OF SERVICE - CCP 1013A, 2015.5

I am a citizen of the United States and over the age of 18 years. I served the attached Notice of Public Hearing on Donald E Mahnke on 10/7/16
(Person noticed) (Date)

By (Check as appropriate):

Personal Service:
By personal delivery to _____ (Name)

(Title)

Posting the site in question

Mailing a copy of the property owner(s) of record, first class mail and certified mail

Also other interested persons were sent a copy of the Notice by:

Mailing a copy to the tenant at the premises, *first class mail*

Mailing a copy to the appropriate Homeowners Association:

(Name of the Association)

Standard Public Hearing Notice mailings and protocol

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

Executed at 330 W. 20th Ave, California, on 10/7/16
(Location) San Mateo, CA 94403 (Date)

June M
(Signature)