

MUNICIPALITY OF ANCHORAGE
Appeals to the Three-Member Panel and the
Board of Building Regulation Examiners and Appeals

OCT 28 2019

Development Services
Municipality of Anchorage

Date 10/25/19 Building Board Case No. BC-A-01-2019 Permit No. C17-1826

Appeal Emanating from Action of the Building Official

Appeal Emanating from Action of the Fire Official

I (we) Dependable Used Cars, LLC.
Appellant Telephone Number

of 10100 OLD SEWARD HWY Anchorage AK 99515
Mailing Address City State Zip Code

request a determination be made by the Building Board on the case of:

a. _____ permit denial
(type)

b. \$1000 Fine (other)
(please state)

Street Address of Project: 10100 OLD SEWARD HWY

Legal Description: LOT 7A1 High subdivision

Between Cross Streets: 100th Ave. and 104th Ave.

Status of Project: (check applicable boxes)

a. Construction has _____ has not _____ started.

b. Construction was suspended more than six months ago.

c. Construction is in progress but a stop-work order has been issued by the Municipality.

d. Construction is pending.

e. Other _____
(please state)

This appeal is based on the action of the Building Official or Fire Official, who claims that:
(check one or more)

a. Materials(s) chosen (is) (are) not appropriate for intended use.

b. Type(s) or method(s) of construction (is) (are) not permitted.

c. A Fire/Life Safety deficiency exists for the intended type of occupancy, which takes precedence over the plans as submitted and approved for permit.

d. Other Inspection not called in by plumber contractor/owner - slight oversight.
(please state)

I (we) contend that such an interpretation is incorrect or incomplete as per

Section _____ of the _____, which supports the following belief:
(number & paragraph) (state which code)

State main reason(s), please be brief: This Fine places an unnecessary burden of monies on a small business for a minor mistake of oversight by the owner and plumbing contractor.

We admit that neither the owner and/or contractor called in an inspection request on the sink that was moved to comply with ADA

The sink was moved from the front wall to the side wall by 24 inches to allow for better handicap access and wheelchair movement.

This ADA compliance was accomplished with the sink relocation, (see attached photo)

We have and are asking for forgiveness and waiver of the \$1000 Fine. This Fine is a huge burden because we have to produce \$45000 - \$50000 in revenue to recoup the \$1000 Fine.

Your gracious understanding is much appreciated.

Eric Jans
Signature of Appellant

907-344-4337 Biz Telephone
748-7975 cell

10100 OLD SEWARD HWY
Address

907-344-4701
Fax

Anchorage City
AK State
99515 Zip Code

Subscribed and sworn to before me this 28th day of October, 2019.

Commission #

191021004



Notary Public in and for Alaska
My Commission Expires:

10/21/2019



NOTARY PUBLIC

Lee Huntsman

I, Kevin Meyer, Lieutenant Governor of the State of Alaska, have commissioned Lee Huntsman a Notary Public for the State of Alaska, empowered to execute and fulfill all the duties of that office for a term of four years commencing on October 21, 2019 and ending 12:00 a.m. October 21, 2023.

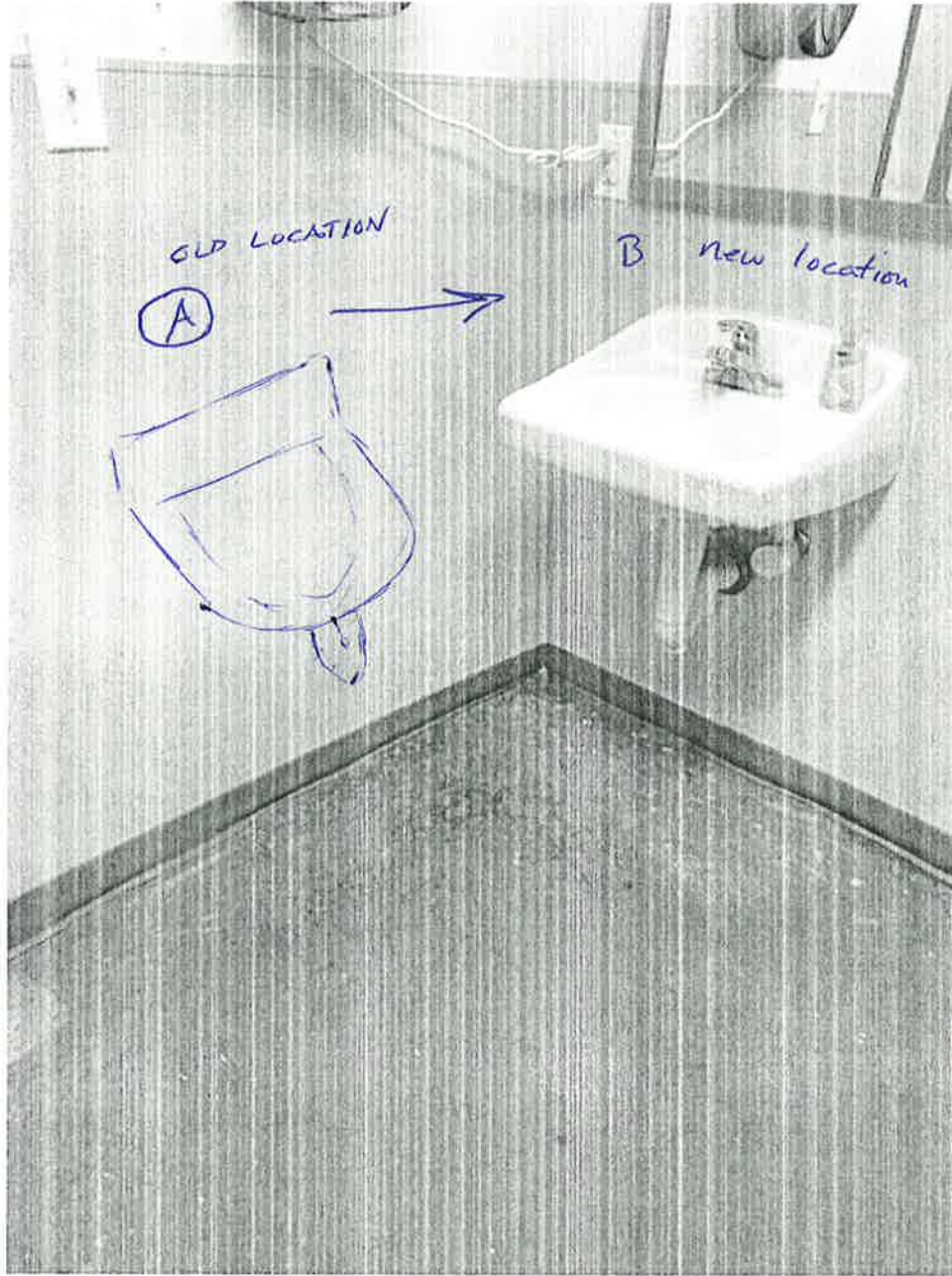
Commission Number 191021004



Kevin Meyer

Lieutenant Governor





October 02, 2019

Ref. Permit C17-1826

Mr. Bob Doehl,

Eric James never completed addressing Plan Review comments yet he continued working on areas within the building that didn't have permits.
Fine recommended
See Mike May if any other info needed. Sandra

This letter is in response to notice of violation on work completed without inspections for plumbing/mechanical. We were under the impression that the plumber who moved the sink called in the inspection and we are requesting that an inspector come out and see the completed work. We are asking for forgiveness in such manner as the work was minor and minimal. I would like to rectify and complete any concerns you may have. We can either communicate by telephone or schedule a meeting to discuss further.

Respectfully,

Eric James

Eric James - erictjames@me.com - cell 907-748-7975

CBA Investments Inc.

10100 Old Seward Hwy.

NOT APPROVED
FINES NOT TO BE WAIVED
[Signature]
BUILDING OFFICIAL
DATE: 10-7-19

Recvd 10/2/19

M.O.A. REP *[Signature]*

Printed Name Andrew Earp

SUBMITTAL
C17-1826
OCT 2 2019
ANDREW EARP
SR192542

1. EXIT DOOR WILL NOT OPEN
PROPERLY

2. WATER DRIPPING ON OUTLETS

3. Auto Lift unsafe (bolts fall out
during use)

4. No Plumbing?

S.R.# 196542
COMPLAINT BY AKOSH OFFICE

NO CO. ISSUED
C17-1826
NO FINAL STRUCT., P.M.E.

REVIEW by Traffic incomplete?

P17-1691 - No inspections

M17-1669 - No inspections

E 17-1848 - 1 partial rough-in
inspection

M. MAM

MUNICIPALITY OF ANCHORAGE
 DEVELOPMENT SERVICES DEPARTMENT
 4700 ELMORE ROAD • P. O. BOX 196650 • ANCHORAGE, AK 99519-6650
 (907) 343-8301 • (907) 343-8200 FAX

NOTICE OF VIOLATION
 ANCHORAGE ADMINISTRATIVE CODE 23.10.103.5.2

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Date: 09-30-19	Owner/Contractor Name: CBA Investments Inc.	Phone: 907-748-7975
Site Address: 10100 Old Seward Hwy.		
PI: 01604144000	SR: MOA Permit C17-1826 (S.R.196542)	
Owner/Contractor was: <input type="checkbox"/> Contacted <input type="checkbox"/> Unable to be reached	Legal Property Description: Sub: NIGH Lot: 7A1 REM Block: ----- Grid: 2530	
Notice was: Delivered to personnel on site	Contractor: OWNER: Eric James	
Name: _____ Phone: _____ <input type="checkbox"/> Posted on building <input type="checkbox"/> Delivered to owner <input type="checkbox"/> Mailed to owner	<input type="checkbox"/> Photos taken	

VIOLATION FEES & FINES, PER AMC 23.10 TABLE 3-M

PERMIT REQUIRED (AAC 23.10.104.1)

<input type="checkbox"/> Structural	<input type="checkbox"/> Elevator	<input type="checkbox"/> Reroof
<input checked="" type="checkbox"/> Electrical	<input type="checkbox"/> Fire	<input type="checkbox"/> Temporary/Seasonal Structure
<input checked="" type="checkbox"/> Plumbing/Mechanical	<input type="checkbox"/> Grading, Fill & Excavation	<input checked="" type="checkbox"/> Other PERMIT EXPIRED

LICENSE REQUIRED (AAC 23.10.105.1)

CONTRACTOR

CONTRACTOR	INDIVIDUAL	JURISDICTION
<input type="checkbox"/> General	<input type="checkbox"/> Plumbing Journeyman/Apprentice	<input type="checkbox"/> State of Alaska
<input type="checkbox"/> Specialty	<input type="checkbox"/> Sheetmetal Journey/Apprentice	<input type="checkbox"/> Municipality of Anchorage
<input type="checkbox"/> Plumbing/Mechanical	<input type="checkbox"/> Electrical Journeyman/Apprentice	
<input type="checkbox"/> Electrical	<input type="checkbox"/> Gasfitter Journeyman/Apprentice	
<input type="checkbox"/> Other		

DANGEROUS BUILDING (AMC 23.70.702.1 & 23.10.107.1)

Using or Occupying/change in use without a Certificate of Occupancy
 Title 15.20.005 – Public Nuisances/Vacate and Abandoned Buildings
 Other

STOP WORK

Comments/Violations:

ILLEGAL OCCUPANCY PER 23.10.103.5 & 23.10.107. PERMIT EXPIRED 23.10.104.14.8. NO PLUMBING/MECHANICAL PERMITS ISSUED, WORK COMPLETED WITHOUT INSPECTIONS. NOTICE TO VACATE PER 23.10.705.1 TO BE ISSUED TO OWNER AND POSTED ON BUILDING IN THREE DAYS (3).

THIS FORM MUST BE PRESENTED TO THE PERMIT TECHNICIAN.

To apply for a permit or license, visit the Development Services Dept. located at 4700 Elmore Road. If you have any questions, you may call 343-8301 for assistance. We will assist you with the permitting process. Note: Work completed may not be code compliant and may require alteration or removal. **YOU MUST RESPOND TO THE CODE OFFICIAL WITHIN THREE (3) BUSINESS DAYS FROM THE DATE OF THIS NOTICE. FAILURE TO RESPOND MAY RESULT IN FURTHER ACTION.**

Inspector's Name: MIKE MAY Phone #: 343-8074 Email: george.may@anchorage.ak.gov
 Print Name

Service Request & Case Summary Report

Report Date: 9/26/2019 3:55 PM

Service Request #: 176842

Request Date: 1/25/2017

Address: 10100 OLD SEWARD HWY, Anchorage

Location:

Legal Description: NIGH LT 7A1 REM G:2531

Agency: Abatement

Status: Closed

Priority: MED

Complaint Description:

Notice of Permit Requirement

Contacts:

<u>Contact Type</u>	<u>Name</u>	<u>Phone</u>
Customer	Violator CBA Investors Eric James	(907)748-7975
See Log		
Customer	CBA INVESTMENTS INC	

Hearings Completed:

<u>Hearing Type</u>	<u>Docket #</u>	<u>Hearing Date</u>	<u>Result</u>
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Inspections:

<u>Inspector / Inspection Type</u>	<u>Result</u>	<u>Inspected On</u>
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Log Entries:

<u>Date</u>	<u>Log Type</u>	<u>Employee</u>
01/25/2017	Log	C.Rosencrans
See service request 166531 that was closed due to a pulled demo permit C15-1655. Demo of trailer was never done by CDF. Building permit C16-1466 pulled by CDF - Called Gary, he stated that Dependable used cars will not be going further for the new building (per Eric James). I also spoke with Gary about the Temp trailers used as offices and he also said that they are using some sheds as offices as well. I will go by the site today and issue a NOPR for the Temp trailers as they do not have permits.		
01/26/2017	Log	C.Rosencrans
Eric James called me after I dropped off his NOPR (748-7975). See attached NOPR and Photos. He stated that Sharon Walsh had let him do business out of the trailers (without permits) as he progressed on his new building. In our record the last plan review was in 09/2016. He also had 2 sheds approx. 10x10' that he has as offices on site wth electrical power. I told him that I would contact him on 01/26/17		
02/01/2017	Log	C.Rosencrans
Called Eric James and left message for him to call me back. I spoke with SW about the "deal" they made. No deal was ever observed in writing on my end. SW doesn't recall this either. NOPR still stands.		
02/02/2017	Log	C.Rosencrans
Called Eric James today at 11:15am and left message for him to return my call.		
02/07/2017	Log	C.Rosencrans
02/06/17 Made a site visit with BP to post NOV for the Temp structures. Eric James called me back (he never called me back last week) and was yelling about how he was going to get a lawyer involved and how he lost so much money due to Sharron Walsh. He also stated that he couldn't find the deal he had with SW. He also stated how title 21 was a joke and so on. WE have a meeting with him in the fish bowl at 1PM 02/07/17. I have Ross N, Mike P., BP, and HG to attend to resolve this.		
02/08/2017	Log	C.Rosencrans
Meeting with Eric James and his associate 02/07/17 at 1 pm, Mike P, Ross N, Kent K, Bill P, Hans G, and my self from the MOA. Eric James agreed to obtain a permit for the trailer and move his people out of the sheds in a timely manner . He was also talking about obtaining a change of use permit to construct offices in the car detail shop to the west of the lot. He also expressed his concern or the oil field business off of 100th having offices without permits. We will look into that. Suggestions to MR. James was to talk with the ombudsman about how he felt miss led by Ron Thompson and to hire a credible architect to help him with the change of use of the detail shop. It appeared that he was less stressed after the meeting after having some clarification.		
03/21/2017	Log	C.Rosencrans
Called Eric James today. Mailbox is full and cannot leave message.		

Service Request & Case Summary Report

Report Date: 9/26/2019 3:55 PM

05/10/2017	Log	C.Rosencrans
Emailed Eric today asking the status on the retro of the existing building to pull permits and the trailer.		
09/15/2017	Log	C.Rosencrans
C17-1827 is under review for the warehouse space. Ill have to check on trailers.		
12/11/2017	Closure	C.Rosencrans
C17-1826 Permit issued		

Ovitt, Sandra L.

From: Gisler, Johann (Hans)
Sent: Wednesday, January 18, 2017 11:17 AM
To: Rosencrans, Clark D.; Peterson, William A.
Cc: Kohlhase, Kent E.
Subject: FW: Dependable Used Cars-Why I drive by a burned Building, every morning

Clark or Bill,

Need a Notice to register vacant building on this property and verify that it is secured. See e-mail letter from Daniel Clift below. Also, if there are temporary building on the site they need a permit (23.10.104.3 & 23.10.104.3.3).

Hans Gisler

Chief of Inspections
Development Services Department
Municipality of Anchorage
4700 Elmore Road, Anchorage, AK 99507
Phone (907)343-7584
gisleri@muni.org

From: Frost, Jack L.
Sent: Tuesday, January 17, 2017 1:22 PM
To: Gisler, Johann (Hans) <GislerJ@ci.anchorage.ak.us>
Subject: Fwd: Dependable Used Cars-Why I drive by a burned Building, every morning

Hans,

Is this one of Code Abatement's cases?

Sent from my iPhone

Begin forwarded message:

From: "Schutte, Christopher M" <SchutteCM@ci.anchorage.ak.us>
Date: January 17, 2017 at 1:19:28 PM AKST
To: "Frost, Jack L." <FrostJL@ci.anchorage.ak.us>
Subject: Fwd: Dependable Used Cars-Why I drive by a burned Building, every morning

Jack,

Good afternoon. Can you please draft a response back to this constituent? Thank you.

Chris

Christopher M. Schutte, Director

Office of Economic & Community Development



Municipality of Anchorage
 DEVELOPMENT SERVICES DIVISION
 4700 ELMORE ROAD ♦ P.O. BOX 196650 ♦ ANCHORAGE, AK 99519-6650
 (907) 343-8301 ♦ (907) 343-8200 FAX

NOTICE OF PERMIT REQUIREMENT

- Commercial
 Residential
 New
 Remodel
 Reroof
 Land Clearing
 Addition
 Excavation/Fill
 Temporary/Seasonal Use Building
 Fire Rehab

Date: 01/25/17	Owner Name: CBA INVESTMENTS	Phone: 748-7975
Site Address: 10100 OLD SEWARD HWY		
Owner was: <input checked="" type="checkbox"/> Contacted <input type="checkbox"/> Unable to be reached	Legal Property Description: Sub: P1: 176842	
Notice was: <input checked="" type="checkbox"/> Delivered to personnel on site:	Lot: 7A1 Block: _____ Grid: _____	
Name: _____ Phone: _____	Contractor: _____	
<input checked="" type="checkbox"/> Posted on building <input type="checkbox"/> Delivered to owner <input type="checkbox"/> Mailed to owner	<input checked="" type="checkbox"/> Photos taken	

Dear Property Owner,
A possible code violation exists on your property. The following was observed by an MOA Inspector:

ACTIVITY	PERMITS REQUIRED	
<input type="checkbox"/> Construction ongoing without permits	<input type="checkbox"/> Structural	<input type="checkbox"/> Electrical/Retro
<input type="checkbox"/> Construction requiring licensed contractors	<input type="checkbox"/> Mechanical/Plumbing/Retro	<input type="checkbox"/> Reroof
<input type="checkbox"/> Expired permit	<input type="checkbox"/> Elevator	<input type="checkbox"/> Fire
<input type="checkbox"/> Change of use or occupancy	<input type="checkbox"/> Demo	<input type="checkbox"/> ROW
<input type="checkbox"/> Work exceeds permit	<input type="checkbox"/> Land Use	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> No permit	<input checked="" type="checkbox"/> Temporary/Seasonal Use	<input type="checkbox"/> Fill/Excavation

- Remedy:**
- Stop Performing Any Work
 Do Not Cover or Conceal Any Work Requiring Inspection
 Obtain Required Permits
 Pay fees per AMC 23.10 table 3.M
 Do Not Occupy or Use

Comments: ① MOBILE TRAILER ON SITE - USED AS OFFICE.
 NO PERMITS.

② 2 STORAGE SHEADS USED AS OFFICE SPACES.
 - OBTAIN PERMITS - SHEADS W/ ELECTRIC POWER
 ~ 10 x 10'

THIS FORM MUST BE PRESENTED TO THE PERMIT TECHNICIAN WHEN APPLYING FOR THE PERMIT.

To apply for a permit, visit Building Safety at 4700 Elmore Road. If you have any questions, you may call 343-8301 for assistance. We will assist you with the permitting process. Note that work completed may not be code compliant and may require alteration or removal.

Apply For Permit By: 01/27/17 Inspector Name (Print): C. ROSENCRANS











MISCELLEOUS SALES

**BUILDING SAFETY DIVISION
DEVELOPMENT SERVICES DEPARTMENT**

Description	QTY	@	Price	Total
		@		
		@		
		@	01 05 244424 10/28/19 11:01AM 008 Bldg Variance/Board \$100.00	
		@		
		@		
		@		
		@		
KEY - MISC SALES		@		
KEY 8 - BUILDING BOARD	1	@		100
KEY 15 - COPIES		@	0.30¢	
KEY 75 - VACANT & ABANDONED BUILDINGS		@		
			TOTAL	\$ 100. ⁰⁰
IGC ACCT NO			CASH	
NAME:			CHECK #	
PHONE #			VISA/MC	
			TR#	
			DATE	10/28/19