



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ■ SUITE 2340 ■ OAKLAND, CALIFORNIA 94612-2031

Planning and Building Department

(510) 238-3381

Bureau of Building

711 for CA Relay Services

Building Permits, Inspections and Code Enforcement Services

[bbcode-inspect@oaklandca.gov](mailto:bbcode-inspect@oaklandca.gov)

## NOTICE OF VIOLATION

5/15/24

*Certified and Regular mail*

Jara Miguel E Jr  
656 Coventry Rd.  
Kensington, CA 94707-1319

Code Enforcement Case No.: 2402256

Property: 952 57th St.

Parcel Number: 015 129700200

**Re-inspection Date: 6/20, 6/21** (Violation(s) must be corrected)

**Re-inspection will occur either on 6/20, 6/21 or 6/24/24**

A Code Enforcement inspection was conducted on the subject property on 5/12/24 and confirmed violations of the Oakland Municipal Code (OMC) identified on the **Violations** section are present and need to be corrected as specified as "Corrective Actions". A comprehensive list of all identified violations along with photographs (where applicable) are provided on page two (Pg 2).

- that the violations of the Oakland Municipal Code (OMC) identified below (p. 2) are present and must be remedied as specified under "Required Actions". Photographs of the violations are enclosed where applicable.
- that work was performed without permit or beyond the scope of the issued permit and you are receiving this Notice of Violation because you did not get the required permit within three (3) days of receiving the Stop Work Order. You must contact the inspector indicated below before the Re-inspection Date to stop further code enforcement action.

To stop further code enforcement action, you must correct **all** the above violations and contact Inspector Chris Candell who is assigned to your case, before the re-inspection to schedule an inspection. Your inspector is available by phone at 510-238-6986 and by email at [ccandell@oaklandca.gov](mailto:ccandell@oaklandca.gov)

***If the Property Owner Certification is included in this notice you may, in the alternative, complete the form and submit along with photographs of the corrected violations at least three (3) days prior to the reinspection date.***

If it is necessary for tenants to temporarily relocate so that repairs can be made, you are required to comply with all state and local laws regarding the relocation of tenants included the Code Compliance Relocation Program (OMC 15.60.010).

**If all violations have not been corrected at the time of re-inspection:**

- You will be charged for inspection and administrative costs that can total \$2,718.00.
- Administrative citations may be assessed against you beginning the day of the re-inspection and continuing until all violations are corrected, citations are \$100 the first day, \$250 the second day, and \$500 for each day thereafter until all violations are cured up to a total of \$5,000.
- A property seller's failure to disclose material facts related to the property does not alter the current property owner's obligation to comply with the identified code violations. This is true regardless of whether the buyer knew the conditions when they purchased the property.
- The property may be declared a public nuisance.
- The City may abate Property Blight using City contractors and you will be charged for the contracting and administrative costs.
- The Notice of Violation may be recorded on your property title with associated fees for processing and recording.

**Note: If a complaint is filed regarding the same or similar violation(s) and it is confirmed within 24 months from the date of this notice an immediate assessment of \$1,323.00 will be charged as a Repeat Violation. In addition, if violation(s) remain uncorrected after you receive a Re-inspection notice, further enforcement action(s) will include additional fees.**

## Violations

### Zoning (Minor) OMC Title 17

Description of Violation	Required Action	OMC Section

**Zoning (Major) OMC Title 17** – *Violations require a Zoning Determination before an appeal to the Planning Commission. If you wish to appeal to a Major Zoning violation, please follow the process for Filing a Zoning Determination in the appeal section of this notice.*

Description of Violation	Required Action	OMC Section
Operation of a Warehouse, Storage, and Distribution Industrial Activities in a Zoning District, HBX-1 where such an Activity requires a Conditional Use Permit and no such Permit having been granted.	Cease the Activity then, Modify the Activity to one that is Permitted and obtain a Zoning Clearance for that Activity, or Cease the Activity then Obtain an approved Conditional Use Permit	17.10.583, 17.65.030 & table 17.65.01

### Property Maintenance (Blight) – OMC 8.24

Description of Violation	Required Action	OMC Section

### Building Maintenance (Housing) – OMC 15.08

Description of Violation	Required Action	OMC Section



## Appeal Information

### You have a right to appeal.

In order to appeal any violations described in this Notice of Violation, you must complete the enclosed Violation Appeal form and submit it with supporting documentation along with the applicable appeal fee(s) by the Appeal deadline. The following describes the process for appealing each type of violation described in the Notice of Violation. In some cases, separate appeal processes may be required.

### The Appeal Deadline is: June 10, 2024

The Bureau of Building must receive your written appeal by the Appeal Deadline, or you will waive your right to administrative review of all violations described in this Notice of Violation. Incomplete appeals including, but not limited to an oral notification of your intention to appeal, a written appeal postmarked but not received by us within the prescribed deadline or a written appeal received by us without a filing fee are not acceptable and will be rejected.

Failure to file a timely appeal will result in the determinations made in this Notice of Violation becoming the City's final decision on this matter. The decision becomes final on the day following the appeal deadline. Once the decision is final, it can be appealed by filing a petition for writ of mandate with the Superior Court no later than the 90<sup>th</sup> day following the date on which decision becomes final. The time within which judicial review must be sought is governed by Cal. Code of Civil Procedure 1094.6.

For Property Maintenance (Blight), Building Maintenance (Housing) and Minor Zoning Appeals: A filing fee in the amount of **\$142.00** is due at the time of submittal. Payments may be made in person at the Bureau of Building, 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor, or by phone by calling 510-238-4774 (**Please include the receipt number and date on your appeal**). MasterCard and Visa are accepted. A hearing will be scheduled before an independent hearing officer.

For Zoning Determinations/Appeals of Major Zoning violations: If you wish to appeal a Major Zoning violation(s), you must submit the enclosed Appeal form requesting a Zoning Determination to the Zoning Manager. Your supporting documentation to the Zoning Manager should explain a) why the use of your property conforms to the zoning designation for the property or b) why the activity should be approved as set forth in Planning Code Title 17. A filing fee in the amount of **\$512.93** is due at the time of submittal in the manner described above. Additionally, a **\$230.65** per hour fee will be assessed as needed to complete the review of the determination. The determination fee is not refundable once the letter has been issued, regardless of outcome.

The Zoning Manager will issue written decision within **45 days** from the end of the appeal period. If you disagree with the decision you may appeal to the Planning Commission within **10 days** from the written decision. Unless special circumstances require otherwise, you will be expected to work with the Bureau of Building to resolve the Building Code violations (s) and any Minor Zoning Violation(s) during the Major Zoning appeal process.

Sincerely,



Specialty Combination Inspector  
Planning and Building Department

### Attached as applicable:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Blight brochure                                   | <input type="checkbox"/> Residential Code Enforcement brochure         | <input type="checkbox"/> Vehicular Food Vending brochure            |
| <input type="checkbox"/> Property Owner Certification                      | <input type="checkbox"/> Mold and Moisture brochure                    | <input type="checkbox"/> Pusheart Food Vending brochure             |
| <input type="checkbox"/> Lead Paint brochure                               | <input type="checkbox"/> Undocumented Dwelling Units brochure          | <input type="checkbox"/> Smoke Alarms brochure                      |
| <input type="checkbox"/> Photographs                                       | <input type="checkbox"/> Stop Work brochure                            | <input type="checkbox"/> Condominium Conversion brochure            |
| <input type="checkbox"/> Housing – Relocation Assistance Program           | <input type="checkbox"/> Investor Owned Property brochure              | <input type="checkbox"/> Foreclosed and Defaulted Property brochure |
| <input type="checkbox"/> Description of Property Maintenance Code Sections | <input type="checkbox"/> Major and Minor Zoning Violation Descriptions |   |

cc:



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ■ SUITE 2340 ■ OAKLAND, CALIFORNIA 94612-2031

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Bureau of Building  
Building Permits, Inspections and Code Enforcement Services  
(510) 238-3381  
[bbcode-inspect@oaklandca.gov](mailto:bbcode-inspect@oaklandca.gov)

### PROPERTY OWNER CERTIFICATION CORRECTED OR REMOVED VIOLATIONS

Date:

Property: 952 57th St.

Parcel no. 015 129700200

Case no.: 2402256

Owner: Jara Miguel E Jr

Courtesy Notice date:

Correction Date:

Return to: [ccandell@oaklandca.gov](mailto:ccandell@oaklandca.gov)

***I certify that I have corrected the following*** violation(s) identified in the Notice of Violation I received from the City of Oakland.

*I understand that if a complaint is filed regarding the same or similar violation(s) and it is confirmed within 24 months from the date date of this notice an immediate assessment of \$1,323.00 will be charged as a Repeat Violation fee.*

*If the violation remains uncorrected after I receive a Re-inspection notice further enforcement action(s) will be taken that will include additional fees.*

***I have corrected the following*** violations identified in the Notice of Violation I received from the City of Oakland:

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Print Name

Date

Property Owner Signature

(\_\_\_\_\_) \_\_\_\_\_  
Day time telephone

\_\_\_\_\_  
E-mail

**Instructions**

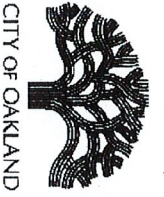
1. Review the property address and owner information shown at the left and make any necessary corrections.
2. **If applicable, before** the Re-inspection date shown at the left, complete and return this signed form with **dated photographs** of your property to verify the violations were removed or not present.

E-mail: [bbcode-inspect@oaklandca.gov](mailto:bbcode-inspect@oaklandca.gov)

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Mail: City of Oakland  
Bureau of Building  
250 Frank H. Ogawa Plaza Suite 2340  
Oakland, CA 94612-2031  
(Envelope enclosed – no postage required)





# County Assessor Display

Zone HBX-1  
Case # 2402256

usg. Date 5/12/24 (Field)  
+ 4/12/24 (Field)

17-10, 583 Venice Kensington, Storage,  
civil Distribution

Assessor Parcel Record for APN 15-1297-2 (015 129700200)

17-85.030 + Tax  
17-85.01

Format Parcel  
15-1297-2

Property Address  
952 57TH ST, OAKLAND, 94608

Owner Name  
JARA MIGUEL E JR

Care Of

Attention

Mailing Address  
656 COVENTRY RD, KENSINGTON CA, 94707 - 1319

Use Code

Recorder Number

Recorder Date  
07/12/2023

Warehouse

2023 - 079117

Mailing Address Effective Date

Last Document Input Date

07/12/2023

10/03/2023

Exemption Code

Date Printed: 05-15-2024

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9589 0710 5270 1466 3005 33

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Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

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 656 COVENTRY RD  
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 City, State, ZIP+4® 2402256 - 952 57TH ST-NOV-5, 16,24-R6