



# Unpermitted Structures or Additions

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There are two options available to the property owner to resolve unpermitted construction. The first option is removal. The second option is to legalize the work with the assistance of an experienced designer. Legalized structures or additions must meet current codes.

## **Removal of Unpermitted Detached Structures, Patio Covers and Garage Conversions**

- Prepare a site plan of the property showing the following: existing structures, property lines and the structure to be removed. The site plan does not need to be prepared by a professional designer, but the drawing should be legible.
- For a garage conversion removal, prepare a floorplan of the garage area only. Indicate elements to be removed and show the interior dimensions of the garage.
- For structure or addition demolitions, a J-Number from the Bay Area Air Quality Management district is required. ***A J Number is not required for an interior garage conversion removal.***
- Submit the drawing and the J-Number to the city and a demo permit will be issued to either the owner of the property or a licensed contractor.
- See the “Demolition Permit Requirements” handout for additional information here: <https://www.hayward-ca.gov/services/permit-center/building-documents>

***Detached storage sheds associated with one and two-family homes that are 120 square feet or less, do not require a building permit. However, there are limitations on where these can be placed on the property. For more information, see the “Accessory Structures” handout here: <https://www.hayward-ca.gov/services/permit-center/building-documents> Permits for partial demolition of detached storage sheds is allowed to reduce the size to 120 square feet or less. The same steps above still apply.***

## **Removal of Unpermitted Additions**

- The drawings for the removal of non-permitted living space in one and two-family dwellings will require plans prepared by a qualified draftsman.
- For commercial or multi-family buildings (3 or more units per building) the plans shall be prepared by a California registered design professional (architect or engineer).
- The qualified draftsman shall research prior permit records at the City of Hayward Permit Center to determine the legal configuration of the building.
- A qualified draftsman shall indicate on the plans how the existing dwelling will be returned to the original condition. At a minimum, the following drawings shall be submitted for a building permit plan review:

- A cover sheet with project data. This shall include corrected legal square footage of habitable space, number of bedrooms, bathrooms and non-habitable square footage (garages or storage spaces)
  - A site plan showing the building, property lines and key dimensions
  - Floorplans showing all rooms
  - Construction details (as required based on the scope of work)
- Show how any openings between the original home and the addition are being closed.
  - Show required locations of all smoke and carbon monoxide alarms.
  - Submit the drawings to the City of Hayward for review along with a J-Number from BAAQMD for any demolition of load bearing walls. When the plans are approved, a building permit will be issued for the demo and any required corrective /repair work associated with returning the building to its original condition. Plan review and building inspection fees apply.

### **How to Legalize Unpermitted Structures or Additions**

- The drawings for legalizations for one and two-family dwellings will require plans prepared by a qualified draftsman. An engineer may be required if portions of the structure do not meet conventional framing standards. The plans shall be complete; provide all necessary drawings and details to show compliance with current codes. Plan review and building inspection fees apply.
- Prior to starting complete drawings, the designer shall verify with the City of Hayward Planning Division if the legalization is allowed in terms of setbacks, lot coverage and zoning restrictions.
- The plans for legalization shall be as complete as for new construction. All standard drawings, details, calculations, and energy reports shall be provided.
- For commercial or multi-family buildings (3 or more units per building) the plans shall be prepared by a California registered design professional (architect or engineer).**
- Submit the plans to the City of Hayward Building Division for review. After the plans are approved, a building permit will be issued and inspections can begin. Please be advised the inspection process for legalization can take longer than for new construction.
- INSPECTION PROCESS:** The inspection process will begin with foundation inspections and under slab / floor plumbing inspections -- depending on the foundation type. Deconstruction, excavation or imaging may be required.
- Structural and rough inspections will require some level deconstruction. This includes removal of some or all the exterior finish to inspect exterior shear. Removal of some or all interior finishes to inspect anchorage, plumbing, mechanical, electrical and frame may be required.
- Please be advised:** A conflict between the approved plans and site conditions will require the drawings be revised to accurately represent the scope of work.