

From: [Joerg Rathenberg](#)
To: [Wong, Jocelyn \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Sue Hestor](#)
Subject: 617 Sanchez CATEX Appeal date of hearing August 18, 2020 - Joerg Rathenberg Letter for Submission
Date: Friday, August 7, 2020 11:32:49 AM
Attachments: [SF BOS CATEX 617 Sanchez Street August 18 2020.pdf](#)

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Good morning Supervisor Norman Yee, President, Board of Supervisors,

Please find attached a letter from me to be included for CATEX Appeal scheduled for hearing on August 18, 2020.

Thank you for your consideration.

Best regards,

Joerg Rathenberg
619 Sanchez Street
San Francisco CA 94114

Dear Supervisor Norman Yee, President Board of Supervisors,

Ref: CATEX 617 Sanchez Street, Hearing Date August 18, 2020

Supervisor Norman Yee, President Board of Supervisors. I would like to provide you with some background information about our neighbor John Fusco's house for the hearing on August 18, 2020. Thank you in advance for your time and consideration.

617 Sanchez Street, San Francisco is located in Dolores Heights which is having a "Zuckerberg Effect" where developers are forcing long-term residents to sell out their properties by having major construction projects built by Anonymous Unknown Corporations. The owners have no investment into the neighborhood expect using it as development speculation. Changing the fabric of our neighborhood and they live there sporadically.

One more affordable house, 617 Sanchez Street is suggested to be removed from our neighborhood with rich history for minorities – LGBTQ and African American first family in the neighborhood, history about to be destroyed. With the 617 building project we would be removing a currently rented and affordable 600 sq foot home and instead building a 4,000 sq foot, 4 story house on a standard lot without any input taken into consideration from the impacted neighbors. All windows will be facing directly into our house, 619 Sanchez Street.



Photo: 617 Sanchez Street, San Francisco owned by our gay neighbor John Fusco who lived there since 1970s.

The historic house at 617 Sanchez Street not only has a minority and working class LGBTQ neighborhood that Supervisor Harvey Milk represented, but it also has artistic historical value that is being eliminated by building an enormous 4,000 Sq foot home for monetary speculation, without adding any rentable space that would benefit the community that it is located in.



The demolition of 617 Sanchez Street, which is a 110+ year old historic and affordable home, lived since 1970s by our neighbor John Fusco and the construction of a new a 4,000 sq foot proposed home is being built in a zone with steep slopes of more than 25% came about because the original legislation of Supervisor Peskin was ignored by the planning department and no slope stability analysis was conducted. The proposed structure has significant impact on our steeply graded hill and 1.5 floors are being planned for building below the ground. Approx. 300 cubic yards of soil in a Slope Stability Area has been approved by planning without any detail review.

“171284 [Building Code - Slope Protection Act]

Sponsor: Peskin

Ordinance amending the Building Code to revise the City’s Slope Protection Act by clarifying the scope of its application to properties exceeding an average slope of 25% grade, updating the map references, mandating review by the Department of Building Inspection’s Structural Advisory Committee, and re-enacting and modifying a paragraph in the scope section regarding the type of proposed construction that triggers application of the Act which was omitted inadvertently in the adoption of the 2016 Code; affirming the Planning Department’s determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. “

In addition, to Planning ignoring the Historical character of the current 617 Sanchez Street home and the Supervisor Peskin – Slope Protection Ordinance, the Planning Code for Dolores Heights has also ignored Section 241 Dolores Heights Special Use District.

The proposal for 617 Sanchez ignores the intent and goals of the San Francisco Planning Code as outlined in Section 241 Dolores Heights Special Use District. It’s a goal that the development of 619 Sanchez in 2005 respected when it preserved existing public views from across Sanchez Street and the private lateral views of adjacent neighbors. As a result the thoughtful decisions of 619 are put at an unfair disadvantage.

617 Sanchez ignores the Planning Codes requirements for Dolores Heights

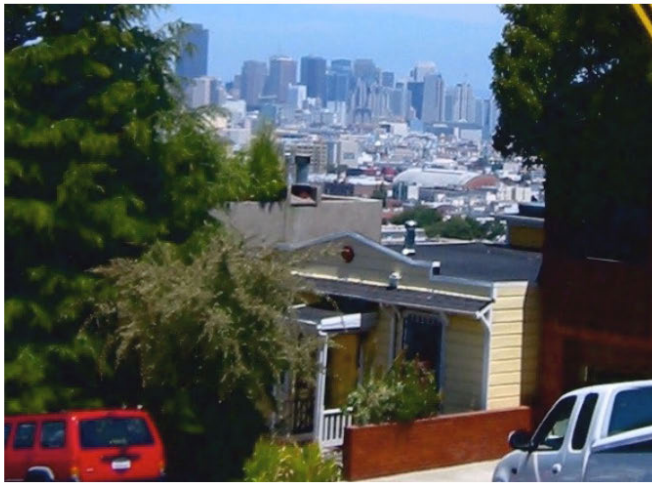
- “to preserve and provide for an established area with a unique character and balance of built and natural environment”
- "to preserve and provide ... public and private view corridors and panoramas"
- "to conserve existing buildings"
- "to conserve ... plant materials and planted spaces,
- “to prevent unreasonable obstruction of view and light by buildings”
- "to encourage development in context and scale with established character and landscape"

In ignoring the intent, 617’s proposal ignores the Code section entirely.

There has been a shift in direction at the Planning Commission and Planning Department over the past 15 years. At that time, adjacent neighbor opinion and existing historical conditions had significant influence over Planning Department decisions leading to significant compromises in scale. The difference in the more respectful goals and expectations for Planning and Neighbor approval for 619 Sanchez in 2005 versus the current goals evidenced in the proposal for 617 Sanchez in 2019 puts 619 at a serious and unfair disadvantage, penalizing them for respecting the codes intent and their neighbors wishes.

SFCPC SEC. 241. DOLORES HEIGHTS SPECIAL USE DISTRICT.

In order to preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape, there shall be a Dolores Heights Special Use District



Current front photo of our house, 619 Sanchez Street, San Francisco CA 94114 after we added modest addition.



We were on several occasions contacted by 615 Sanchez Street owners [already built 4,000 sq foot home and started the push toward development of large homes on our hill] pursued us via their agent at Vanguard to sell our 619 Sanchez property to them. Currently, the way the new construction is designed all windows face into our living room and onto our deck and they intend to dig 1.5 storeys

underground which greatly impacts our house and are under the assumption that they can continue asking us via Real Estate agents and common associates to sell our home to them so they can combine the homes and build a private compound with views on the Sanchez Hill assuring them a hefty sum through the sale for their retirement years.

Our long time neighbor John Fusco who resided at the property since 1970s and had planned to give his home to the neighborhood church to help the LGBTQ community, but instead was married to a woman in his 11 months who took over his house and sold it to the LLC. Note: prior to marrying the woman who we had never seen in his life, he was a fit and healthy man who could walk by himself up and down the steep steps of Sanchez and went food shopping and for his yoga classes and hung out in the Castro District. The owners, Jay Duncanson pursued John Fusco for the last 20 years to sell his property to them and he resisted the sale and wanted to show them that the common man like himself also has a voice. In the words of our neighbor Jay Duncanson, the following was written to my wife, when she was worried that he never picked up his phone and was nowhere to be seen.

“From: Jay Duncanson <jay@duncanson.com>

Sent: Thursday, October 15, 2015 12:19 AM

John's got someone caring for him, a lady who says she used to work with him in a salon. She told me he signed over power-of-attorney and full control (I didn't ask, she volunteered). She screams at him and he whines back. Sounds pretty dysfunctional to us, but we don't know the whole story. Hard to jump in and get involved when it's not our business, but if I heard or saw any kind of abuse I'd make a call to the authorities. We're not there enough to know what's going on, but when we are we can hear the yelling. Sigh.

Jay” [Jay Duncanson, owner of 615 Sanchez Street, who built a 4,000 sq foot home on 1.5 lots after tearing down a beautiful old Victorian house]. He is still the currently owner of the “loan on the deed for 615 Sanchez Street, San Francisco CA 94114].

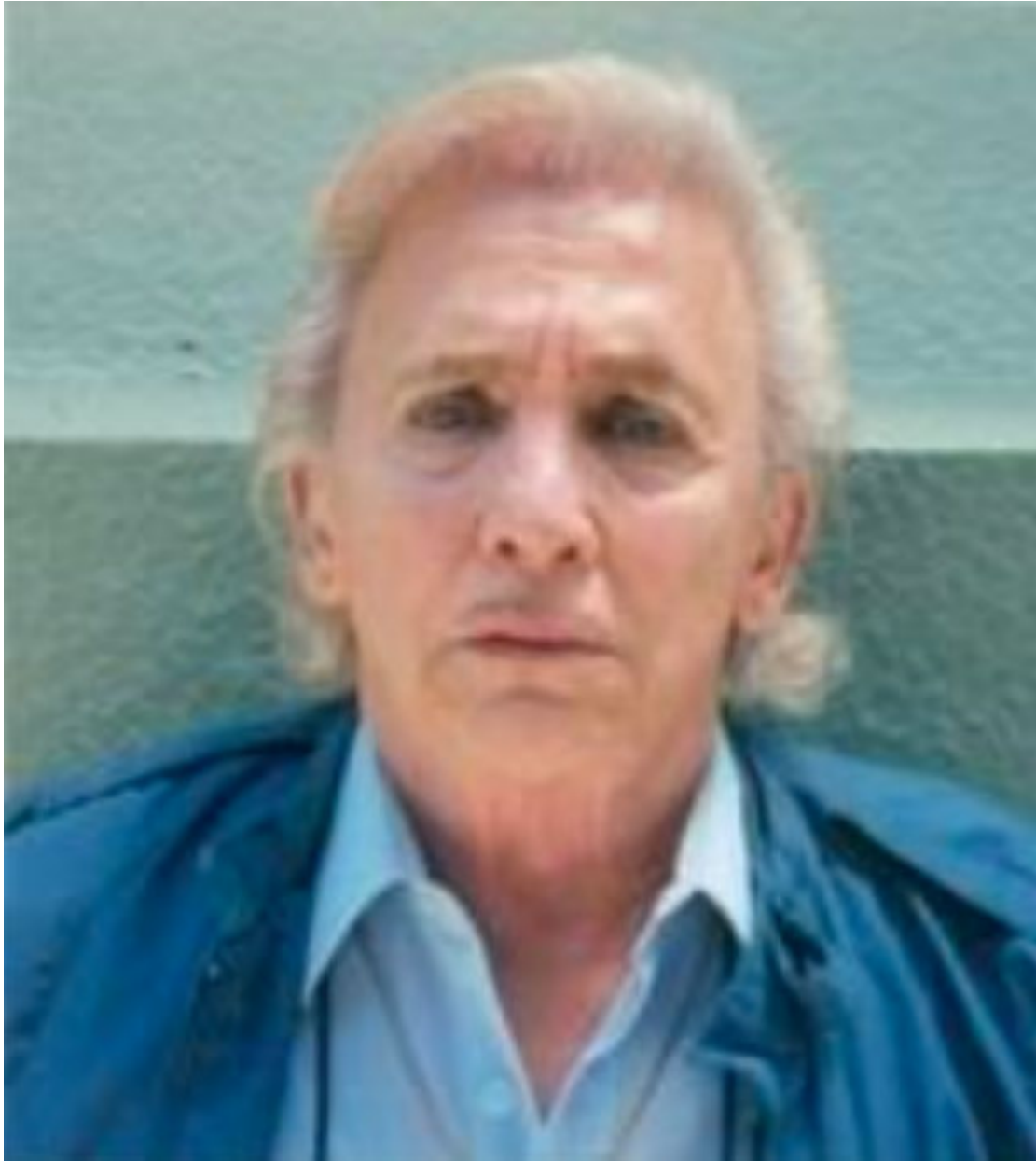


Photo: John Fusco

Planning kept us all neighbors out of the loop starting with the pre-app meeting which occurred when we were traveling and out of the country and this information was known to our neighbors at 615 Sanchez Street, CA 94114. An LLC manager Sammie Host was assigned and most notices, HRE document and information was not made available to us except, when our attorney Sue Hestor contacted the Planning department and requested the information.

Thank you very much.

Joerg Rathenberg

619 Sanchez Street
San Francisco CA 94114