



December 31, 2021

VIA E-MAIL & OVERNIGHT DELIVERY

Board of Supervisors President Shamann Walton  
Supervisor Aaron Peskin  
Supervisor Rafael Mandelman  
Supervisor Connie Chan  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

RE: Board of Appeals Commissioner Darryl Honda

Dear Supervisors:

On behalf of our client, Board of Appeals Commissioner Darryl Honda, thank you for the opportunity to clarify and shed light on allegations in a recent Mission Local article pertaining to Commissioner Honda’s personal financial interests and certain Board of Appeals votes in 2015 and 2017. (“Commissioner Testified That He Recused Himself from Hearing His Business Associate’s Cases, But He Didn’t Always Do It” (10/19/21), <https://missionlocal.org/2021/10/darryl-honda-sia-dennis-richards-board-of-appeals/>; copy attached.) We also appreciate the extension of time, which has allowed us to more closely review hundreds of pages of documents covering the last eight years of Commissioner Honda’s financial transactions and voting record on the Board of Appeals.

From the outset, Commissioner Honda would like us to convey that he takes ethics laws and conflicts of interest very seriously, and has always made his best efforts to comply with all disclosure and disqualification requirements. While the legal statute of limitations on the matters at issue before the Rules Committee has long passed, he has combed through years of records and notes to make sure that the Committee has the best possible information at this time. All of the information provided in this letter is to the best of Commissioner Honda’s and our knowledge and ability, and conveys our best understanding of the facts surrounding these matters.

That said, we also need to emphasize that, given that the votes in question took place between 4 ½ and almost 7 years ago, tracking down all relevant documents was often not easy, and some documents may be lost to history; moreover, Commissioner Honda does not necessarily recall all of the details of these meetings. If the Rules Committee is aware of any additional documents or information not contained in this letter, we would greatly appreciate

you sharing them with us so we may better respond to all facts at issue.

In order to respond to your questions regarding Commissioner Honda's participation in these Board of Appeals matters, we have reviewed as many of the purchase and sales agreements, commission receipts, and consulting agreements as are available at this time, which we compiled pursuant to Supervisor Walton's December 2, 2021 letter. We also reviewed the agendas for all of the Board of Appeals meetings which involved one or more of the individuals and entities listed in the December 2nd letter, as well as relevant documents available from the Assessor's Office. These documents do not reveal any business transactions with a party or agent before the Board within 12 months of Commissioner Honda's vote on a matter, other than the one described below. As you can appreciate, the purchase and sales agreements, commission receipts, and consulting agreements contain confidential and proprietary information, including financial information relating to individuals not involved in the matters before the Rules Committee in any way. If the Rules Committee still wishes to review any of these documents after reviewing this letter, we can work with City staff on a procedure for maintaining confidentiality.

### **Factual Background**

Prior to every Board of Appeals meeting, Commissioner Honda receives documents from Board staff in order to determine, with advice from the City Attorney's office, whether he has any conflicts of interest which require disclosure or recusal. Specifically, he reviews lists of all applicants, determinates, and their agents in order to evaluate if he has an existing financial, business or personal relationship with any party. Commissioner Honda takes this evaluation process very seriously and, in fact, has recused himself from at least 16 Board matters, and has disclosed a business relationship with a party or party representative in at least 34 matters, in the span of our review alone. On a number of occasions, Commissioner Honda has consulted with the City Attorney's office to ensure that he has complied with all legal requirements to disqualify himself or disclose any relationship to the Board. Commissioner Honda recused himself and made disclosures every time he was advised to do so.

You have asked for information about three Board of Appeals matters, briefly described in the Mission Local article, from which Commissioner Honda did not recuse himself – two in 2015 and one in 2017. Based on our research, we believe these three matters involve: 40 Bernal Heights Boulevard and 965, 985 & 1025 Powhattan Avenue (collectively, the "Bernal Heights Matter"), 910 Carolina Street (the "Carolina Matter") and 437 Duncan Street (the "Duncan Matter"). The article alleges that these matters were "SIA-tied projects," presumably referring to the engineering and architectural firm, SIA Consulting. However, the

article did not explain that neither SIA Consulting nor any of its owners were actually the property owners or appellants in the three matters, but instead that SIA Consulting had provided engineering or architectural services to the property owners or appellants. The article also does not answer the question of whether Commissioner Honda received income from an owner of SIA Consulting within the 12 months prior to the votes on these projects, which is the crucial question for the conflict of interest analysis. (Cal. Govt. Code section 87103(c).) The goal of this letter is to clarify this part of the record, and to respond to any concerns which the Rules Committee might have regarding Commissioner Honda's potential conflicts of interest for these three matters.

Commissioner Honda has been a realtor in San Francisco for over 24 years, and assists in the sales and purchases of commercial and residential properties throughout the City. Over the years, Sia Tahbazof has been his client on multiple occasions. Mr. Tahbazof formerly owned SIA Consulting, but has evidently recently relinquished some or all of his ownership to Reza Khoshnevisan. We are not certain when exactly this transition took place, or of the exact ownership interest of the firm, as this information is not available to the public. Mr. Khoshnevisan was also Commissioner Honda's client for two transactions in 2021. Important for the question before the Rules Committee and most relevant to Mission Local article, Commissioner Honda has never received income from or worked directly for SIA Consulting.<sup>1</sup>

Commissioner Honda also has a few of his own real estate development projects in the City, and has retained SIA Consulting to provide engineering or architectural services for some of these projects. Commissioner Honda is aware that City law requires him to disclose any "personal, business or financial relationships" with property owners, appellants and their representatives who are appearing before the Board, and he makes his best efforts to comply with this disclosure obligation. (S.F. Camp. & Govt. Conduct Code section 3.214.) In fact, he has publicly disclosed on the record that he has a business relationship with attorneys or other consultants who are appearing before the Board on at least 34 occasions since 2018. Mr. Honda does not recall whether he made such disclosures in these three cases, though he knows that he has indicated on the record in several proceedings that he has a business relationship

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<sup>1</sup>To the extent that the article makes it seem as if Commissioner Honda has ever acted as a realtor or otherwise been paid by SIA Consulting, it is incorrect. Again, SIA Consulting is an engineering and architectural firm which has provided consulting services to some of the property owners or appellants who have appeared before the Board, not a party itself to Board proceedings.

with SIA Consulting because he has retained the firm to provide engineering or architectural services on some of his real estate projects.

As already mentioned, in the matters discussed in the Mission Local article, and in other Boards of Appeals matters, SIA Consulting itself was not the appellant or property owner before the Board, but instead was hired by one of the parties to conduct analysis and perhaps draft architectural or engineering plans. The SIA Consulting employees who drafted the plans or who had expertise about the properties may have spoken before the Board. In such matters where Commissioner Honda knew SIA Consulting was hired by one of the parties and/or where an SIA Consulting employee spoke before the Board, he would recuse himself if he had received income from either Mr. Tahbazof or Mr. Khoshnevisan within the last 12 months.

### **Bernal Heights Matter<sup>2</sup>**

In June 2017, December 2018 and January 2019, four related matters came before the Board protesting the issuance of permits to erect four houses at 40 Bernal Heights Boulevard, 965 Powhattan Avenue, 985 Powhattan Avenue and 1025 Powhattan Avenue. These matters were consolidated into a single agenda item at all Board meetings. On June 21, 2017, the Board unanimously voted to uphold the permits. The matter was appealed again and at the December 12, 2018 meeting, the Board postponed the second appeal to 2019 due to a lack of quorum. At the January 2019 meeting, the appellants withdrew their appeal and the matter was closed. The June 21, 2017 meeting was therefore the only meeting which included a substantive vote on the matter.

Neither SIA Consulting, Mr. Tahbazof nor Mr. Khoshnevisan were parties to this appeal as they were not the appellant or the owner of the property. However, a SIA Consulting employee was listed as an agent for the permit holder and spoke before the Board. Even though Commissioner Honda has recused himself when SIA Consulting is an agent for a party before the Board and he has received income from one of the firm's owners within the prior 12 months, he was able to vote on the Bernal Heights Matter because he had not received income from either Mr. Tahbazof or Mr. Khoshnevisan during the 12 months before the June 21, 2017 vote. At the time, the most recent transaction Commissioner Honda had with either

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<sup>2</sup>For your convenience, we have attached minutes from the three Board of Appeals meetings where the Bernal Heights, Carolina and Duncan Matters were discussed, along with relevant materials from the agenda packets for each case.

client closed on January 27, 2016 (the Assessor's Office records list February 3, 2016), approximately 18 months before the vote, when he sold a property for Mr. Tahbazof. (See Bernal Heights Matter Attachments.) Therefore, Commissioner Honda believed that it was not a conflict of interest for him to vote on this matter. Commissioner Honda also recalls that on numerous occasions the City Attorney's office confirmed that he could vote on such matters where he had not received income from SIA Consulting the prior 12 months. Additionally, the 12-month period applies to the requirement to disclose business relationships (SFEC Reg. 3.214-4), so he also did not have to mention on the record that he had done work with the firm in the past.

### **Carolina Matter**

On June 24, 2015, the Board voted unanimously to grant an appeal of a permit to construct a house at 910 Carolina Street. The Board's decision conditioned the permit on revised plans which were brought before the Board at the meeting.

Just as in the Bernal Heights Matter, SIA Consulting, Mr. Tahbazof and Mr. Khoshnevisan were not named parties in the appeal, nor did they own the property in question. SIA Consulting was listed as an agent for the property owner as the firm helped draft the architectural plans for the house. Noticing SIA Consulting was the architect of record, Commissioner Honda reviewed his real estate agent records in order to determine if he had done work for Mr. Tahbazof or Mr. Khoshnevisan in the previous 12 months. Seeing that his last transaction for either of them had closed on April 23, 2014 (the Assessor's Office lists April 22, 2014), approximately 14 months before the vote, Commissioner Honda was free to vote on this matter. (See Carolina Matter Attachments.) Given the vote was outside of this 12 month window, he also did not have to mention on the record that he had done work with the firm.

### **Duncan Matter**

On April 8, 2015, Commissioner Honda joined a unanimous vote denying an appeal of a permit to demolish a one-story house and construct a three-story house. Like the other two matters, SIA Consulting, Mr. Tahbazof and Mr. Khoshnevisan were neither the appellant nor the property owner. SIA Consulting was also not mentioned as an agent in the appeal statement or Notice of Appeal submitted by the appellant, or in the response submitted by the property owner. Seeing no mention of SIA Consulting or either of its owners in the correspondence about the immediate 2015 appeal, Commissioner Honda had no reason to believe he could not cast his vote with the unanimous majority.

However, SIA Consulting had evidently previously done work for the property owner in the Duncan Matter. Although we can not confirm for certain exactly which documents Commissioner Honda received in his packet for this meeting (which took place 6 ½ years ago), the agenda packet on the Board's website now contains about 100 pages of backup documentation for the appeal and the history of the property, including its previous appeals and permits. During our review of this backup documentation, we discovered that SIA Consulting was listed as an agent for the applicant in the original 2012 permit filing, as the firm was evidently the original architect of the 2012 permit application, though the name of a different architecture firm was listed on the blueprints that came before the Board in 2015. (See Duncan Matter Attachments.) Until we found these notes on the original permit, Commissioner Honda was not aware that SIA Consulting was ever involved with the property at all.<sup>3</sup>

The issue in this appeal was whether the permit was properly issued given a recent challenge to whether it complied with affordability requirements. Although he cannot recall exactly his thought process from April 2015, Commissioner Honda believes that he was most likely focused on the most substantive and more recent documents – i.e., the March 19, 2015 letter from the appellant and the April 2, 2015 response from the property owner – in order to analyze the affordability question, whereas the 2012 paperwork about the original permits was really not relevant to the questions before the Board. (The Board ultimately denied the appeal, which meant that the three-story house could be built under the original permit.)

Because SIA Consulting had evidently done work for the property owner in the Duncan Matter (although unbeknownst to Commissioner Honda at the time, and not clear from the record), Commissioner Honda should have done the same conflict of interest analysis which he had done for the Bernal Heights Matter and the Carolina Matter; namely, determine whether he had been paid a commission for buying or selling a piece of property for the one of the firm's owners in the prior 12 months. Our understanding is that, at the time of this vote in April 2015, Commissioner Honda most recently worked for either Mr. Tahbazof or Mr. Khoshnevisan in early 2014, closing a sale on April 23, 2014, 11 months and 17 days before

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<sup>3</sup>In a Notice of Appeal, the engineers, architects and attorneys representing the appellant and property owner are typically listed under "Address of Other Parties." SIA Consulting was listed in this space for the Carolina Matter. For the Bernal Heights Matter, SIA Consulting was not listed in this space, but a SIA Consulting employee was separately listed and appeared before the Board as a speaker. However, in the Duncan Matter, SIA Consulting was not listed as an agent or a speaker.

the vote.<sup>4</sup> Had Commissioner Honda known that SIA Consulting had done work for the property owner, he therefore would have recused himself, just as he had done in other matters involving SIA Consulting.

### **Commissioner Honda's Legal Duties**

As you know, the disqualification rules are often complicated, and do not necessarily require a public official to recuse him or herself from a matter, even if the matter somehow involves one of the official's personal financial interests. Specifically, Board of Appeals Commissioners are only legally required to recuse themselves when they know or have reason to know that a vote will have a "reasonably foreseeable" and "material" financial effect on a source of their income within the last 12 months. (Cal. Govt. Code section 87103(c).) The FPPC has adopted specific regulations to determine when the impact on an official's financial interest is deemed to be "material" and thereby triggers disqualification. If a Commissioner's source of income is the named party in the appeal, then he or she may not participate in the matter under nearly any circumstance. (2 Cal. Code of Regs. section 18702.3(a)(1).) However, if a Commissioner's source of income is not a named party in a matter, but still may be affected somehow by the matter, then the effect on the source of income is only deemed to be material if the decision is likely to increase or decrease the business entity's annual revenues by either \$1 million or 5 percent. (2 Cal. Code of Regs. section 18702.3(a)(2)(B), referencing section 18702.1(a)(2).)

Therefore, the law only requires Commissioner Honda to recuse himself from Board matters where SIA Consulting is working with the property owner or applicant if: (1) he has received commission income from one of SIA Consulting's owners in the prior 12 months; and (2) the Board matter would either increase or decrease the firm's annual revenues by \$1 million or 5 percent. The FPPC has confirmed on numerous occasions that public officials are legally permitted to participate in matters which may have an impact on one of their sources of income if the matter will not meet the requisite monetary thresholds in the applicable regulations. (See e.g., FPPC Advice Letter to Georgeann White (2007) A-07-106.)

Commissioner Honda has consistently gone beyond these legal requirements. (See

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<sup>4</sup>Because this sale occurred over seven years ago, we can not confirm the exact date when Commissioner Honda received his commission payment. The buyer and seller finalized and signed the sales contract on April 3, 2014 (outside the 12 month window before the vote), but escrow did not close until April 23, 2014, and the Assessor's Office lists April 22, 2014 (within the 12 month window). (See Duncan Matter Attachments.)

Board of Appeals Regular Board Meeting Minutes (12/4/2019) [“Commissioner Honda stated that he was not legally bound to recuse himself but he was doing so to protect the integrity and fairness of the Board’s proceedings”].) If he knows that SIA Consulting is representing a property owner or appellant, either because a SIA Consulting employee appears before Board, or SIA Consulting is listed on the appeal documents, he consistently recuses himself from the matter if he has received commission from one of SIA Consulting’s owners within the past 12 months, regardless of how the decision may impact the firm’s fees. Because he is not privy to whether the decision of the Board of Appeals is likely to impact the fees earned by the engineering firm retained by the property owner or appellant, and certainly cannot know the exact amount of any increase in the firm’s fees, recusing himself in all situations is clearly the safest course of action.

In both the Bernal Heights Matter and the Carolina Matter, he had not received income from any owners of SIA Consulting (or from the appellant or the property owner) in the previous 12 months. Not only was he therefore allowed under the law to vote on these matters and not required to make the disclosure on the public record, but also his position as the realtor for an owner of the firm representing the property owner or appellant did not have any real or perceived impact on his vote. While Commissioner Honda appreciates why the Mission Local article may have raised questions about his ability to vote on these matters, the newspaper did not have access to the dates and amounts of his commission payments when writing the article (and Commissioner Honda does not recall the writer asking for this information before going to print).

In the Duncan Matter, Commissioner Honda was not aware at the time of the vote that SIA Consulting had worked for the property owner in the past, so he was not aware, when he joined in the unanimous vote, that he had received income from an owner 11-and-a-half months earlier. No SIA Consulting employee spoke before the Board or was involved in the 2015 appeal, like they were in the Bernal Heights Matter and Carolina Matter. As demonstrated by his actions vis-a-vis similar matters before and after these votes, Commissioner Honda certainly would have spent the time to determine whether he was required to recuse himself from this matter if he had known that SIA Consulting had done architectural work for the owner of the Duncan Matter property. Saying that, it is not clear from the record whether Commissioner Honda’s vote on this matter actually violated the law, because it is not known whether the firm would have received any additional fees based on the Board’s decision on the permit. However, it does not seem unreasonable to conclude that the decision to deny the appeal and thereby allow the three-story house to be built pursuant to the original permits did not increase the firm’s annual revenues in 2015 by either \$1 million or 5 percent given the firm’s work was completed in 2012 and future blueprints were produced by a



different engineering firm.

It is also not certain whether he was required to make a public disclosure in the Duncan Matter. He was not required to make these disclosures in the Bernal Heights Matter or the Carolina Matter because he had not received commission income from the firm's owners during the prior 12 months; if he was required to make this disclosure in the Duncan Matter but did not do so, then it was an inadvertent oversight.

### **Conclusion**

Commissioner Honda would again like to thank Supervisor Walton and the entire Board of Supervisors for the opportunity to serve on the Board of Appeals for the past nine years, and he very much looks forward to continuing to serve on the Board in the future. He also wants to again thank the Rules Committee for taking the time to fully understand the facts surrounding the three votes described in the Mission Local article, and hopes that the Committee members appreciate that he has always made good faith efforts to always comply with all applicable disclosure and disqualification obligations. The question of when a Commissioner is legally required to recuse him or herself from a matter is often nuanced, and is more complicated when the Commissioner's financial interest is not the property owner or appellant appearing before the Board, but rather is a consulting firm which may be doing work for the property owner or appellant. And while the statute of limitations has run, Commissioner Honda still takes these allegations seriously and hopes to completely clear the record and respond to any and all concerns of the Committee.

In sum, Commissioner Honda could not have had a disqualification or disclosure obligation in the Bernal Heights Matter and Carolina Matter as he did not receive income from the property owners, appellants, or any owner of one of their consulting firms during the 12 months prior to the votes. He only voted on these matters after confirming that he did not have a conflict of interest. In the Duncan Matter, Commissioner Honda was completely unaware that SIA Consulting had worked for the property owner three years before the appeal, and clearly he would have disqualified himself and made the public disclosure if he had known. He apologizes for this oversight. At the same time, we always want to emphasize for the Rules Committee that his participation in the Duncan Matter more likely than not did not violate the conflict of interest law, because it does not seem likely that the Board's vote to uphold the existing permit could result in a material effect on SIA Consulting, as that term is defined in the applicable FPPC regulation.

\* \* \*

Rules Committee  
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Please feel free to contact us with any questions before the next Rules Committee meeting on this matter. Again, if you are aware of any additional documentation from these historical cases which are relevant to whether Commissioner Honda could participate in them, we would appreciate the opportunity to review this information before the upcoming Rules Committee hearing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Sutton".

James R. Sutton

cc: Darryl Honda  
Attachments  
JPF/dfm  
#2284.01

MISSION LOCAL  
ARTICLE



GOVERNMENT

# Commissioner testified that he recused himself from hearing his business associate's cases — but he didn't always do it

*Board of Appeals president Darryl Honda concedes he should've recused himself, but says City Attorney cleared his move*



by **JOE ESKENAZI**  
OCTOBER 19, 2021



Board of Appeals president Darryl Honda, seen here recusing himself from a case involving SIA Consulting on May 6, 2019

San Francisco Board of Appeals president Darryl Honda unambiguously swore in a deposition earlier this year that he recuses himself whenever a project from SIA Consulting comes before his commission.

“I’m their realtor,” Honda explained regarding SIA, which bills itself as a “planning, design and engineering” firm. It’s a position Honda estimated he’s held for “10 or 11 years.”

A review of cases before the Board of Appeals, however, does not bear out Honda’s claim: Mission Local found at least three SIA projects in which Honda failed to recuse himself: Two in 2015, and one in 2017.

Bob Stern, the former president of the Center for Governmental Studies and a former general counsel for the Fair Political Practices Commission, said “I’m not sure this is illegal, but I would say it doesn’t look right.”

Added Paul Melbostad, who served eight years on the city’s Ethics Commission and four on the Board of Appeals’ precursor, the Board of Permit Appeals, said, “He should’ve recused himself. This appears to be a violation of the Campaign and Governmental Conduct Code. He *for sure* should’ve disclosed it.”

The Board of Appeals, as its name implies, is the final arbiter short of the legal system for anyone who feels the wrong decision was made by city commissions or permit-granting officials. It is a little-heralded city body, but an important and powerful one. Honda was first appointed to the Board of Appeals by Mayor Ed Lee in 2012.

In the three SIA cases Honda heard, he voted along with his colleagues to deny the appeal made against a SIA-tied project in **2015** and **2017**. In a complex 2015 case, Honda and the board voted **to uphold the permit on a SIA project**, but only on the condition of revised plans being adopted.

Honda, however, *did* recuse himself from SIA cases both before and after the three he heard: Mission Local found **a recusal in 2013**, one **in 2019** and **two in 2021**.

On March 6, 2019, **Honda explained his recusal** to his fellow commissioners with the following statement: “Upon advice from our City Attorney, I’d like to avoid the appearance of a conflict of interest. One of the permit-holders that’s before this body is my regular, uh, I am their Realtor. And they have been a source of income, and although there is not currently a conflict of interest I would like to be consistent to avoid any potential conflict of interest.”

In none of these recusals did Honda refer to SIA by name.

### **‘ ... The advice I had been given prior’**

Reached on his mobile phone, Honda conceded that, in hindsight, he should’ve recused himself in those three earlier SIA cases, but said City Attorney advice informed his decision to not do so.

“In retrospect, I probably should have recused,” he said. “I was just going along with the advice I had been given prior.”

That advice, Honda said, came from a prior deputy city attorney who had advised the Board of Appeals. That attorney “did not give me as much guidance. The current one has been more direct with guidance.”

Up until a couple of years ago, Honda said he’d hear a SIA case if he hadn’t sold property to SIA within a year. He also drew a distinction between projects in which SIA was a hired representative — and guaranteed payment, win or lose — or if the project was the company’s own, and more was at stake.

The current deputy city attorney, Honda said, has advised him to recuse himself more broadly.

When informed of Honda’s recollection and rationale, City Attorney spokesman John Côté sent the following written statement: “All City commissioners are trained in ethics requirements and have our Good Government Guide as a resource. They can also seek advice from our office, which is recognized as one of the premier public law

offices in the country. Ultimately it's the official's responsibility to disclose their potential conflicts and take responsibility for the decisions they make. Commissioner Honda needs to take responsibility for his decisions.”

Melbostad, who served on what was essentially the same commission, feels Honda hasn't done enough.

“If I was a Board of Appeals commissioner and I had received a payment 13 months ago, I feel that's something the parties to the case should know — and I should recuse myself unless they said they don't have a problem with that,” said Melbostad. “One year is a very short period of time. That does not make sense to me.”

## **Text chain**

The February, 2021, sworn deposition in which Honda was quizzed about SIA was part of **former planning commissioner Dennis Richards'** ongoing litigation vs. the city.

Richards maintains the Department of Building Inspection retaliated against him by revoking nine permits on his project on Sept. 30, 2019.

The lawsuit also alleges a close relationship between Honda and Department of Building Inspection higher-ups.

It cites a Sept. 27, 2019, text-message chain between Honda and Richards that starts with a text from Honda: “Hey bro, there's some not so nice stuff going around about you right now. What's up.” Richards contends Honda was dispatched by Department of Building Inspection brass to urge Richards to stop scrutinizing DBI — or suffer reprisals on his project.

Honda declined to go into detail on the allegations in this ongoing case. But he did deny Richards' charge that he was involved in any “quid pro quo” offer. He also denied the charges made in an **Aug. 13 lawsuit** filed by former Board of Appeals employee Katy Sullivan; she alleges that Honda improperly removed documentation

of his Sept. 27, 2019, text message exchange with Richards from the file for Richards' case before the Board of Appeals in 2019.

### **'To eat'**

Apart from recusal matters or legal allegations, text messages obtained by Richards' counsel and discussed during the February deposition point to a chummy relationship between Honda and Department of Building Inspection higher-ups, some of whom regularly appear before him and represent their department at the Board of Appeals.

Honda conceded that he sometimes texts Joe Duffy, a DBI deputy director who regularly serves as the department's representative to the Board of Appeals, in the midst of Board of Appeals meetings to discuss the cases being heard.

Honda also texted Duffy regarding golf tournaments, social engagements and permit issues on a property. On the latter, he asked for a recommendation on who could resolve the permitting problem. Duffy suggested Honda hire Amy Lee, a former DBI director who is now a permit consultant. Honda did, in fact, hire Lee, but denied it was due to Duffy's recommendation or even that such a recommendation took place.

"You just said he's never recommended anybody to you," said Richards' attorney, Scott Emblidge, during the February deposition. "Isn't he right here recommending Amy Lee?"

"I guess he is," conceded Honda. "I didn't see that text and I don't recall him recommending [Lee]. I've asked Joe for recommendations in the past and he has always declined to give recommendations."

The communications also revealed that Honda had set up a lunch meeting between Duffy and SIA Consulting's Bahman Ghassemzadeh and Reza Khoshnevisan (Duffy wrote Honda he got too busy to attend and offered apologies to Ghassemzadeh and Khoshnevisan).



When questioned about why he wanted to arrange a lunch with Duffy and SIA representatives, Honda answered “to eat.”

### SIA in the news

SIA, meanwhile, found itself in the headlines this summer when senior building inspector Bernie Curran hurriedly resigned after the City Attorney **discovered that he failed to disclose a \$180,000 “loan” from Freydoon Ghassemzadeh, whose family operates SIA.** It is unclear if this money was ever paid back, or was even intended to be paid back, which would change this from a “loan” to an “alleged bribe.”

**A September report from the city controller** noted that a second Department of Building Inspection employee also “owed Mr. Ghassemzadeh a significant amount of money when this employee was still working for the department and reviewing plans submitted to obtain permits for work at properties Mr. Ghassemzadeh owned.”

While that employee was not named in the report, Mission Local located Assessor’s documents revealing that former DBI plan-checker **Rodolfo “Rudy” Pada** received loans from Ghassemzadeh on a Sunset District home.

When asked by Mission Local why he unambiguously stated in the sworn deposition that he recused himself from SIA cases — when, in actuality, his practice was more conditional — Honda said “I don’t remember what I said. I had a five-and-a-half hour deposition and it was months ago.”

He added: “I believe I heard the cases fairly and treated everyone equally.”

*An earlier version of this story did not make it clear that Duffy declined to attend the lunch invite from Honda with SIA representatives.*

<input type="radio"/> ONE-TIME
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**\$10**
**\$25**
**\$40**
**Other**

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## JOE ESKENAZI

✉ [getbackjoejoe@gmail.com](mailto:getbackjoejoe@gmail.com)



Joe was born in San Francisco, raised in the Bay Area, and attended U.C. Berkeley. He never left.

“Your humble narrator” was a writer and columnist for SF Weekly from 2007 to 2015, and a senior editor at San Francisco Magazine from 2015 to 2017. You may also have read his work in the Guardian (U.S. and U.K.); San Francisco Public Press; San Francisco Chronicle; San Francisco Examiner; Dallas Morning News; and elsewhere.

He resides in the Excelsior with his wife and three (!) kids, 4.3 miles from his birthplace and 5,474 from hers.

The Northern California branch of the Society of Professional Journalists named Eskenazi the 2019 Journalist of the Year.

**More by Joe Eskenazi**

## Concerned SF

October 19, 2021 at 8:15 am

Incredible work. Real journalism that is exposing the roots of corruption. Are you planning to reveal the malfeasance in the dept of homelessness?

## Clyde Conrad

October 19, 2021 at 9:24 am

Corruption starts with Mayor Breed!

## 21five

October 19, 2021 at 2:38 pm

“Bernie Curran hurriedly resigned after the City Attorney discovered that he failed to disclose a \$180,000 “loan” from Freydoon Ghassemzadeh, whose family operates SIA. It is unclear if this money was ever paid back or was even intended to be paid back — which would change this from a “loan” to an “alleged bribe.””

It would also change it from a loan to income, which makes for an interesting conversation with the IRS and a significant immediate tax liability.

## Clyde Conrad

October 19, 2021 at 2:55 pm

Strange the Mayor paid a fine for ethics violations.  
The city atty Dennis changes jobs, after what 20 years?

## Sarah Smith

October 21, 2021 at 10:35 am

Hi Joe

In the interests of fair and balanced reporting please inform your readers how many times Pat Buscovich came before the planning commission while he was the engineer of record for Dennis Richards' project. Of these times, in how many did Dennis recuse himself?

Thank you!

## Joe Eskenazi 🗨️

October 21, 2021 at 11:41 am

Sir or madam —

A few things: First, stop sock-puppeting on our site. Don't leave multiple comments under multiple names. We can tell.

Second: What Dennis Richards did or didn't do is not relevant to what Darryl Honda did or didn't do — whether it was wrong or right, ethical or unethical.

Third: Dennis Richards resigned in March 2020.

Fourth: Dennis Richards paid Pat Buscovich money to work as an engineer. Whereas SIA was the one paying Honda money; he worked for them. This is not the same dynamic.

Yours,

JE

**Drs**

December 22, 2021 at 7:03 pm

Names of the wicked. O'riordain, Duffy 1, Duffy 2, Hernandez, Braulio, Hinchion are the last real threat to San Francisco Residents. That's just DBI though . Help end corruption and give your names and watch the change in our gov. As long as the top in SFGOV depts are corrupt then there will never be a city of liberty and happiness. Not filth and depravity brought on by the last few mayors and supervisors with help from DPW and DBI everyone in the top spots got together and created a criminal empire from the people that are easy to fool and easy to threaten the old, poor, homeless. The are making money by making all the depts run dysfunctional and in constant confusion, they use insider info given to certain people to purchase properties that have permit problems bury the permits and resell the property for a future. The top is still getting paid right under the FBI's noses ever after they got busted.

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PROUDLY POWERED BY NEWSPACK BY AUTOMATTIC

BERNAL HEIGHTS  
MATTER  
ATTACHMENTS

**ITEMS (11A) THROUGH (11D) SHALL BE HEARD TOGETHER**

**(11A) APPEAL NO. 17-063**

MELISSA SHAW, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	965 Powhattan Avenue. Protesting the ISSUANCE on April 17, 2017, to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence). APPLICATION NO. 2014/05/21/6382S. FOR HEARING TODAY.
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**(11B) APPEAL NO. 17-064**

MELISSA SHAW, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	985 Powhattan Avenue. Protesting the ISSUANCE on April 17, 2017, to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence). APPLICATION NO. 2014/05/21/6395S. FOR HEARING TODAY.
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**(11C) APPEAL NO. 17-065**

MELISSA SHAW, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	40 Bernal Heights Boulevard. Protesting the ISSUANCE on April 17, 2017, to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence). APPLICATION NO. 2014/05/21/6394S. FOR HEARING TODAY.
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**(11D) APPEAL NO. 17-066**

MELISSA SHAW, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	1025 Powhattan Avenue. Protesting the ISSUANCE on April 17, 2017, to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence). APPLICATION NO. 2014/05/21/6396S. FOR HEARING TODAY.
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**ACTION:** Upon motion by Vice President Fung, the Board voted 4-0-1 (Commissioner Swig absent) to deny the appeals and uphold the permits on the basis that they were properly issued.

**SPEAKERS:** Betsy Brown, agent for appellant; Melissa Shaw, appellant; Dan Frattin, attorney for permit holder; Amir Afifi, agent for permit holder; Scott Sanchez, ZA; Joseph Duffy, DBI.

**PUBLIC COMMENT:** Terry Milne, Rafael Vranizan, Barbara Underberg, Herbert Felsenfeld and Linda Bettencourt spoke in support of the appellant. Michael Snead asked whether the City will take responsibly for the Carver Street improvements.

(7) **APPEAL NO. 18-141**

<p>BARBARA UNDERBERG, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS BUREAU OF STREET USE AND MAPPING, Respondent</p>	<p>40 Bernal Heights Boulevard. Protesting the ISSUANCE on October 09, 2018, to SIA Consulting Corp., of a Street Improvement Permit (to remove and reconstruct new 10-foot driveway curb cut and sidewalk per approved plan; additional paving as required and directed by SFPW-BSM inspector; field inspection is mandatory prior to excavation and pouring concrete). PERMIT NO. 17IE-0568. FOR HEARING TODAY. <b>Note: On December 12, 2018, the Board voted 4-0-1 (President Fung absent) to reschedule this matter to January 23, 2019 due to a lack of a quorum.</b></p>
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ACTION: Withdrawn.

**ITEMS (8A) AND (8B) SHALL BE HEARD TOGETHER**

(8A) **APPEAL NO. 18-135**

<p>DEETJE BOLER, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS BUREAU OF URBAN FORESTRY, Respondent</p>	<p>100 Larkin Street. Protesting the ISSUANCE on September 27, 2018, to the San Francisco Public Library of a Public Works Order (APPROVAL of request to remove with replacement 19 ficus street trees along the Grove Street and Hyde Street frontages of the subject property; replacement trees shall be a minimum 24-inch box size and the species shall be red maple or a cultivar of that species). ORDER NO. 188456. FOR HEARING TODAY.</p>
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(8B) **APPEAL NO. 18-136**

<p>DEMONSTRATION GARDENS, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS BUREAU OF URBAN FORESTRY, Respondent</p>	<p>100 Larkin Street. Protesting the ISSUANCE on September 27, 2018, to the San Francisco Public Library, of a Public Works Order (APPROVAL of request to remove with replacement 19 ficus street trees along the Grove Street and Hyde Street frontages of the subject property; replacement trees shall be a minimum 24-inch box size and the species shall be red maple or a cultivar of that species). ORDER NO. 188456. FOR HEARING TODAY.</p>
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**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal No. **17-063**

Appeal of  
MELISSA SHAW, )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, )  
PLANNING DEPARTMENT APPROVAL Respondent )

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on April 27, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on April 17, 2017 to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence) at 965 Powhattan Avenue.

**APPLICATION NO. 2014/05/21/6382S**

**FOR HEARING ON June 28, 2017**

Address of Appellant(s):

Address of Other Parties:

Melissa Shaw, Appellant 3 Nebraska Street San Francisco, CA 94110	Patrick Harty, Permit Holder c/o John Kevlin, Attorney for Permit Holder Reuben, Junius and Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104
---	---



**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
MELISSA SHAW.

Appeal No. **17-064**

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,

PLANNING DEPARTMENT APPROVAL Respondent

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on April 27, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on April 17, 2017 to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence) at 985 Powhattan Avenue.

**APPLICATION NO. 2014/05/21/6395S**

**FOR HEARING ON June 28, 2017**

Address of Appellant(s):

Address of Other Parties:

Melissa Shaw, Appellant  
 3 Nebraska Street  
 San Francisco, CA 94110

Patrick Harty, Permit Holder  
 c/o John Kevlin, Attorney for Permit Holder  
 Reuben, Junius and Rose LLP  
 One Bush Street, Suite 600  
 San Francisco, CA 94104

**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
MELISSA SHAW, )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, )  
Respondent )

Appeal No. **17-065**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on April 27, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on April 17, 2017 to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence) at 40 Bernal Heights Boulevard.

**APPLICATION NO. 2014/05/21/6394S**

**FOR HEARING ON June 28, 2017**

Address of Appellant(s):

Address of Other Parties:

Melissa Shaw, Appellant 3 Nebraska Street San Francisco, CA 94110	Patrick Harty, Permit Holder c/o John Kevlin, Attorney for Permit Holder Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94110
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**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal No. **17-066**

Appeal of  
MELISSA SHAW. )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION. )  
PLANNING DEPARTMENT APPROVAL Respondent )

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on April 27, 2017, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on April 17, 2017 to Patrick Harty, of a Site Permit (to erect a two-story over basement, Type 5, single family residence) at 1025 Powhattan Avenue.

**APPLICATION NO. 2014/05/21/6396S**

**FOR HEARING ON June 28, 2017**

Address of Appellant(s):

Address of Other Parties:

Melissa Shaw, Appellant 3 Nebraska Street San Francisco, CA 94110	Patrick Harty, Permit Holder c/o John Kevlin, Attorney for Permit Holder Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104
---	--



Date Filed:

BOARD OF APPEALS

APR 27 2017

APPEAL # 17-063

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

**PRELIMINARY STATEMENT OF APPEAL**

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I / We, **Melissa Shaw**, hereby appeal the following departmental action: **ISSUANCE** of a **Site Permit No. 2014/05/21/6382S** by the **Department of Building Inspection** which was issued or became effective on: **April 17, 2017**, to: **Patrick Harty**, for the property located at: **965 Powhattan Avenue**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **June 08, 2017, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: boardofappeals@sfgov.org if possible. *MAS*

*Permit Holder*  
Respondent's and **Other Parties'** Briefs are due on or before: **June 22, 2017, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: boardofappeals@sfgov.org if possible.

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, June 28, 2017, 5:00 p.m., City Hall, Room 416**, One Dr. Carlton B. Goodlett Place.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule **MAY** also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

---

**The reasons for this appeal are as follows:**

See attachment to the Preliminary Statement of Appeal.

**Appellant or Agent (Circle One):**

Signature: *Melissa Shaw*

Print Name: Melissa Shaw

April 28, 2017

Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103

BOARD OF APPEALS  
APR 27 2017  
APPEAL # 17-063

Re: NOTICE OF APPEAL OF ISSUANCE OF PERMIT  
Permit Application Number 2014-0521-6382-S  
Permit Number 1422619  
Issue Date: April 17, 2017

We represent more than 150 neighbors who live in close proximity to the proposed development project at 40 Bernal Heights Avenue, 965 Powhattan Avenue, 985 Powhattan Avenue and 1025 Powhattan Avenue, all of whom have signed letters to the Planning Department in opposition to this development project. We oppose the development project because it will negatively affect our individual and collective interests. For these reasons, we file this Notice of Appeal seeking to appeal the issuance of the above-identified permit.

Regards,

Melissa A. Shaw

BOARD OF APPEALS

APR 27 2017

APPEAL #17-063

Presently Vacant  
M. Corcoran 5/21

APPROVED  
DEPARTMENT OF BUILDING INSPECTION  
OFFICE OF BUILDING PERMITS

19  
112  
2014-21-1-6888



SITE PERMIT

MAY 21 2014

FORM 1  
APR 17 2017  
FORM 2

OFFICE COPY

THIS APPLICATION SUBMITTED FOR SITE PERMIT ONLY. NO WORK SHALL BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

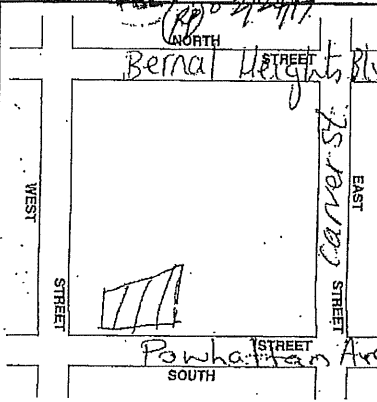
THIS APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD ON THIS PROPERTY WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREON AND FOR THE PURPOSE SET FORTH HEREIN.

ADDRESS: 965 Powhattan Ave  
N 8th St  
7620 FT. N E FROM Carver Rosenkrantz

DATE FILED: MAY 22 2014  
PERMIT NO: 14222619  
ISSUED: APR 17 2017  
ESTIMATED COST: \$350,000.00  
ASSESSOR'S BLOCK & LOT NO: 5640/010  
REVISED BY: DCP FEE \$756,000

BUILDING DESCRIPTION

Form with fields for: SIZE OF LOT (47 FT. FRONT, 50'2" REAR, 29' AVE DEPTH), USE OF BUILDING (Single family home), GROUND FLOOR AREA (2195 SQ. FT.), NUMBER OF DWELLING UNITS (1), GENERAL CONTRACTOR (OWNER BUILDER), ARCHITECT (Sia Consulting Corp), OWNER'S NAME (Patrick Marty).



IMPORTANT NOTICES  
No change shall be made in the character of the occupancy of use without first obtaining a Building Permit...  
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

NOTICE TO APPLICANT  
HOLD HARMLESS CLAUSE: The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims...  
I hereby affirm under penalty of perjury one of the following declarations:  
( ) I. I have and will maintain a certificate of consent to self-insure for workers compensation...  
( ) II. I have and will maintain workers' compensation insurance...  
( ) III. The cost of the work to be done is \$100 or less.  
( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California...  
( ) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a complete copy of this form with the Central Permit Bureau.

APPLICANT'S CERTIFICATION  
I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

CONDITIONS AND STIPULATIONS

BOARD OF APPEALS

APR 27 2017

APPEAL # 17-063

REFER TO:	APPROVED: <i>RH-1/40-X</i> Zone <i>RH-1/40-X</i> New construction of a SFR <i>25'-10" x 2,736 SF w/ 2 off-street parking spaces</i> Ref: 2014-003191 DRP-08 (DR) ACTION # 17-063-0470 APPROVED: <i>[Signature]</i> DEPARTMENT OF PUBLIC HEALTH DIVISION OF BUILDING CONSTRUCTION NOTIFIED MR.	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	REVIEWED BY FIRE DEPT. FIRE DEPT INSPECTIONS NOT REQUIRED William Madsen, SFFD MAR 20 2017 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: PLAN CHECKER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: DIRECTOR OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: SFPVBSM SIGN-OFF ON JOB CARD REQUIRED PRIOR TO DBI FINAL CALL (415) 554-7149 TO SCHEDULE By <i>[Signature]</i> Clinton Choy, SFPVBSM BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: SFPUC Monica Gray-Whitney SFPUC	DATE: _____ REASON: _____ NOTIFIED MR. _____

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

*[Signature]*  
OWNER'S AUTHORIZED AGENT

ALL PERSONS NOTIFIED DURING PROCESSING



CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

Date Filed:

BOARD OF APPEALS

APR 27 2017

APPEAL # 17-064

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Melissa Shaw**, hereby appeal the following departmental action: **ISSUANCE** of a **Site Permit No. 2014/05/21/6395S** by the **Department of Building Inspection** which was issued or became effective on: **April 17, 2017**, to: **Patrick Harty**, for the property located at: **985 Powhattan Avenue**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **June 08, 2017, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible. MMS

Respondent's and <sup>Permit Holders</sup> Other Parties' Briefs are due on or before: **June 22, 2017, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible.

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**If you have any questions please call the Board of Appeals at 415-575-6880**

**The reasons for this appeal are as follows:**

See attachment to the Preliminary Statement of Appeal.

**Appellant or Agent (Circle One):**

Signature: Melissa Shaw

Print Name: Melissa Shaw



BOARD OF APPEALS

April 28, 2017

Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103

APR 27 2017  
APPEAL # 17-064

Re: NOTICE OF APPEAL OF ISSUANCE OF PERMIT  
Permit Application Number 2014-0521-6382-S  
Permit Number 1422619  
Issue Date: April 17, 2017

We represent more than 150 neighbors who live in close proximity to the proposed development project at 40 Bernal Heights Avenue, 965 Powhattan Avenue, 985 Powhattan Avenue and 1025 Powhattan Avenue, all of whom have signed letters to the Planning Department in opposition to this development project. We oppose the development project because it will negatively affect our individual and collective interests. For these reasons, we file this Notice of Appeal seeking to appeal the issuance of the above-identified permit.

Regards,

Melissa A. Shaw

BOARD OF APPEALS  
 APR 27 2017  
 APPEAL # 17-064

Presently Vacant  
 m. Corbett 5/2)

**FIRE**

1302.024 Fire Elected  
 4533.02

**APPROVED**  
 Dept. of Building Insp.  
 APR 11 2017  
 Tom C. Hui, S.E.  
 DIRECTOR  
 DEPT. OF BUILDING INSPECTION

**CITY AND COUNTY OF SAN FRANCISCO  
 DEPARTMENT OF BUILDING INSPECTION  
 APPLICATION FOR BUILDING PERMIT**

FORM 1. **OFFICE COPY**  
 FORM 2. (2) Story TYPE V Building

APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND FOR THE PURPOSE SET FORTH HEREIN:

ADDRESS: 98.5 Powhattan Ave  
 N SIDE Powhattan Ave  
 35 FT. E FROM ROSENKRANZ AVE  
 NEAREST CROSS STREET

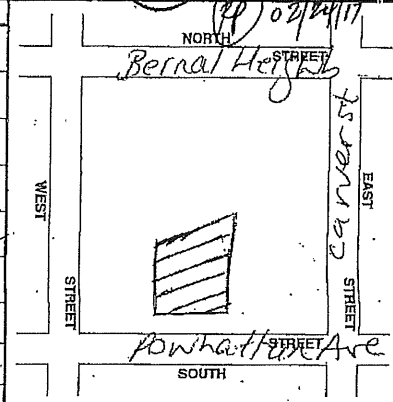
ASSESSOR'S BLOCK & LOT NO. 564010  
 REVISIONS: BY: DATE: (SEE FEE)

DATE FILED: MAY 2 2014  
 FILING FEE RECEIPT NO. 1405552  
 TYPE OF CONSTRUCTION: V-B  
 PERMIT NO. 142262  
 ISSUED: APR 17 2017  
 ESTIMATED COST: \$350,000.00  
 FEE: \$836,000

**BUILDING DESCRIPTION**

SIZE OF LOT: 35 FT. FRONT, 31 FT. REAR, 43 FT. AVE. DEPTH  
 IS ANY OTHER BUILDING ON LOT? YES  NO  (IF YES, SHOW ON PLOT PLAN)  
 IS AUTO HIGHWAY TO BE CONSTRUCTED? YES  NO   
 USE OF BUILDING: Single Family Home  
 BLDG. CODE OCCUP. CLASS.: R-3  
 DOES BUILDING EXTEND BEYOND PROPERTY LINE? YES  NO   
 GROUND FLOOR AREA: 2793 SQ. FT.  
 HEIGHT AT CENTER LINE OF FRONT OF BUILDING: 27'7"  
 WALL STREET SPACE BE USED DURING CONSTRUCTION? YES  NO   
 IS BUILDING DESIGNED FOR ADDITIONAL STORIES? YES  NO  HOW MANY?  
 NUMBER OF DWELLING UNITS: 1  
 NUMBER OF STORIES OF OCCUPANCY: 2  
 NUMBER OF BASEMENTS: 1  
 WALL SUB-SIDEWALK SPACE BE USED? YES  NO

GENERAL CONTRACTOR: OWNER BUILDER  
 ARCHITECT/ENGINEER (DESIGN): Sia Consulting Corp. 1256 Howard St, CA 94103  
 CALIFORNIA CERTIFICATE NUMBER: 38824  
 TELEPHONE: (415) 922-0200  
 ARCHITECT OR ENGINEER (FOR CONSTRUCTION):  
 CALIFORNIA CERTIFICATE NUMBER:  
 TELEPHONE:  
 OWNER'S NAME: Patrick Harty, 1254 41st Ave, SF  
 TELEPHONE: (415) 724-2425  
 CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN"):



**IMPORTANT NOTICES**

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction, to be closer than 60" to any wire containing more than 750 volts. See Sec. 886, California Penal Code.

Pursuant to the San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED.

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX  
 OWNER  ARCHITECT  ENGINEER  
 LESSEE  AGENT WITH POWER OF ATTORNEY  
 CONTRACTOR  ATTORNEY IN FACT

**APPLICANT'S CERTIFICATION**

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THEREOF WILL BE COMPLIED WITH.

**NOTICE TO APPLICANT**

**HOLD HARMLESS CLAUSE:** The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions, for damages resulting from operations under the permit, regardless of negligence of the City and County of San Francisco, and for any injury, damage or loss of the City and County of San Francisco, against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (I), or (II) designated below or shall indicate item (III), or (IV), or (V), whichever is applicable. If however item (V) is checked item (IV) must be checked as well. Mark the appropriate method of compliance below:

I hereby affirm under penalty of perjury one of the following declarations:

( ) I. I have and will maintain a certificate of consent to self-insure for workers compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) II. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
 Carrier: \_\_\_\_\_  
 Policy Number: \_\_\_\_\_

( ) III. The cost of this work to be done is \$100 or less.

( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

(X) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent: *Patrick Harty* Date: 05/20/14

APPROVED: Zone RH-1/40-X C.P.C. Setback

REFER TO: New construction of a SFR, 2-story over basement, with 27-1' 3369 SF with 3 off-street parking spaces.

Ref: 2014-003191 DRP-68 2/21/17

PERMIT #: OPA-0475 APPROVED 2/21/17

DEPARTMENT OF CITY PLANNING Dept. Chief

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED: **REVIEWED BY FIRE DEPT.**

**FIRE DEPT INSPECTIONS NOT REQUIRED**

William Madsen, SFFD

**MAR 20 2017**

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED:

Rodolfo Pada, DBI

**FEB 24 2017**

Rodolfo Pada

PLAN CHECKER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED:

For Site Permit only

Rodolfo Pada, DBI

**FEB 24 2017**

Rodolfo Pada

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED:

Director of Public Health

Director of Public Health

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED:

**SFPW/BSM SIGN OFF ON JOB CARD REQUIRED PRIOR TO DBI FINAL CALL: (415) 554-7149 TO SCHEDULE**

Clinton Choy, SFPW/BSM

BUREAU OF ENGINEERING

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED:

Mechanical Engineer

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

APPROVED:

SEPMC

OWNER'S AUTHORIZED AGENT

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

Owner's Authorized Agent

BOARD OF APPEALS

APR 27 2017

APPEAL # 17-064

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

APR 27 2017

APPEAL # 17-065

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Melissa Shaw**, hereby appeal the following departmental action: **ISSUANCE** of **Site Permit No. 2014/05/21/6394S** by the **Department of Building Inspection** which was issued or became effective on: **April 17, 2017**, to: **Patrick Harty**, for the property located at: **40 Bernal Heights Blvd.**

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **June 08, 2017, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible. MMS

Respondent's and <sup>Permit Holder</sup> ~~Other Parties~~ Briefs are due on or before: **June 22, 2017, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible.

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, June 28, 2017, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

**The reasons for this appeal are as follows:**

See attachment to the Preliminary Statement of Appeal.

**Appellant or Agent (Circle One):**

Signature: Melissa Shaw

Print Name: Melissa Shaw

April 28, 2017

Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103

BOARD OF APPEALS

APR 27 2017  
APPEAL # 17-065

Re: NOTICE OF APPEAL OF ISSUANCE OF PERMIT  
Permit Application Number 2014-0521-6382-S  
Permit Number 1422619  
Issue Date: April 17, 2017

We represent more than 150 neighbors who live in close proximity to the proposed development project at 40 Bernal Heights Avenue, 965 Powhattan Avenue, 985 Powhattan Avenue and 1025 Powhattan Avenue, all of whom have signed letters to the Planning Department in opposition to this development project. We oppose the development project because it will negatively affect our individual and collective interests. For these reasons, we file this Notice of Appeal seeking to appeal the issuance of the above-identified permit.

Regards,

Melissa A. Shaw

BOARD OF APPEALS

APR 27 2017

APPEAL # 17-065

Presently Vacant  
in concrete  
**APPROVED**  
Dept. of Building Insp.  
APR 17 2017  
Victor [Signature]  
DEPT. OF BUILDING INSPECTION  
MAR 29 2017

**FIRE**  
on [unclear] both

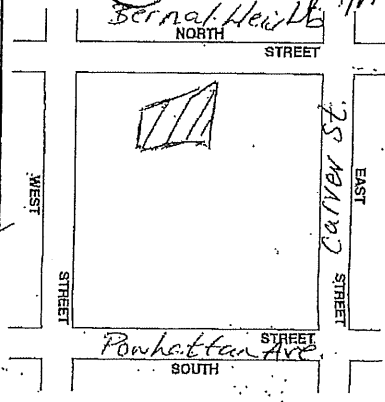
CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF BUILDING INSPECTION  
**APPLICATION FOR BUILDING PERMIT**  
OFFICE COPY  
FORM 1 [unclear] TYPE I, II, III, IV Building  
FORM 2 (2) Story TYPE V Building  
APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND FOR THE PURPOSE SET FORTH HEREIN

26  
1/2  
APPROVAL NUMBER: 17-065  
COSHIA APPROVAL REC'D

ADDRESS: 40 Bernal Heights BL  
SIDE: S Bernal Heights BL  
FROM: E Carver  
NEAREST CROSS STREET

DATE FILED: MAY 22 2014  
PERMIT NO: 1400619  
FILING FEE RECEIPT NO: 14053551  
ISSUED: APR 17 2017  
TYPE OF CONSTRUCTION: V-B  
ASSESSOR'S BLOCK & LOT NO: 5610-010  
ESTIMATED COST: \$350,000.00  
REVISOR'S FEE: \$887,000

**BUILDING DESCRIPTION**  
SIZE OF LOT: 51 FT. FRONT, 40 FT. REAR, 27 FT. DEPTH  
IS ANY OTHER BUILDING ON LOT? YES [checked]  
USE OF BUILDING: Single family house  
BLOG. CODE OCCUP. CLASS: R-3  
GROSS FLOOR AREA: 2,222 SQ. FT.  
HEIGHT AT CENTER LINE OF FRONT OF BUILDING: 21'9"  
WILL STREET SPACE BE USED DURING CONSTRUCTION? YES [checked]  
IS BUILDING DESIGNED FOR ADDITIONAL STORIES? YES [checked]  
HOW MANY? 2  
NUMBER OF DWELLING UNITS: 1  
NUMBER OF STORIES OF OCCUPANCY: 2  
NUMBER OF PARCELS: 1  
WILL SUBSIDEWALK SPACE BE USED? YES [checked]  
GENERAL CONTRACTOR: JIMMER BULLER  
ARCHITECT: Via Consulting Corp, 1256 Howard St, CA 94103  
OWNER'S NAME: Patrick Harty, 1254 41st Ave, SE, CA 94122



**IMPORTANT NOTICES**  
No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.  
No portion of building or structure or scaffolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 385, California Penal Code.  
Pursuant to the San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.  
Grade lines as shown on drawings accompanying this application are assumed to be correct, if actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this department for approval.  
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED.  
THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.  
In dwellings all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

**CHECK APPROPRIATE BOX**  
 OWNER  ARCHITECT  ENGINEER  
 LESSEE  AGENT WITH POWER OF ATTORNEY  
 CONTRACTOR  ATTORNEY IN FACT

**APPLICANT'S CERTIFICATION**  
I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO WILL BE COMPLIED WITH.

**NOTICE TO APPLICANT**  
**HOLD HARMLESS CLAUSE.** The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.  
In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (i), or (ii) designated below or shall indicate item (ii), or (iv), or (v), whichever is applicable, if however item (v) is checked item (iv) must be checked as well. Mark the appropriate method of compliance below:  
I hereby affirm under penalty of perjury one of the following declarations:  
( ) I. I have and will maintain a Certificate of consent to self-insure for workers' compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.  
( ) II. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
Carrier \_\_\_\_\_  
Policy Number \_\_\_\_\_  
( ) III. The cost of the work to be done is \$100 or less.  
( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.  
( ) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.  
Signature of Applicant or Agent: [Signature] Date: 05/20/16

CONDITIONS AND STIPULATIONS

BOARD OF APPEALS

APR 27 2017  
 APPEAL #17-065

APPROVED: Zone: <u>RH-1/41-x</u> C.P.C. Setback REFER TO: <u>New construction of a SFR, 2-story over basement with 30" x 2,847 SF. full space.</u> (Ref: 2014-00319/DRP-02, APPROVED 7/21/16) DEPARTMENT OF CITY PLANNING APPROVED:	DATE: _____ REASON: _____ NOTIFIED MR.: _____ DATE: _____ REASON: _____
REVIEWED BY FIRE DEPT. FIRE DEPT. INSPECTIONS NOT REQUIRED Victor Lubet, SFPUS MAR 29 2017 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	NOTIFIED MR.: _____ DATE: _____ REASON: _____
APPROVED: _____ PLAN CHECKER, DEPT. OF BLDG. INSPECTION Rodolfo Pado, DBI FEB 24 2017	NOTIFIED MR.: _____ DATE: _____ REASON: _____ NOTIFIED MR.: _____ DATE: _____ REASON: _____
APPROVED: _____ CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION Rodolfo Pado, DBI FEB 24 2017	NOTIFIED MR.: _____ DATE: _____ REASON: _____ NOTIFIED MR.: _____ DATE: _____ REASON: _____
APPROVED: _____ DIRECTOR OF PUBLIC HEALTH N/A, RP	NOTIFIED MR.: _____ DATE: _____ REASON: _____
APPROVED: _____ SFPW/BSM SIGN OFF ON JOB CARD REQUIRED PRIOR TO DBI FINAL CALL (415) 554-7149 TO SCHEDULE By: _____ 3/29/17 Clinton Choy, SFPW/BSM BUREAU OF ENGINEERING	NOTIFIED MR.: _____ DATE: _____ REASON: _____ NOTIFIED MR.: _____ DATE: _____ REASON: _____
APPROVED: _____ MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION N/A, RP	NOTIFIED MR.: _____ DATE: _____ REASON: _____
APPROVED: _____ SFPUS k.m. for [Signature] 4/21/17 SFPUS	NOTIFIED MR.: _____ DATE: _____ REASON: _____ NOTIFIED MR.: _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

OWNER'S AUTHORIZED AGENT: \_\_\_\_\_



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

APR 27 2017

APPEAL # 17-066

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Melissa Shaw**, hereby appeal the following departmental action: **ISSUANCE** of **Site Permit No. 2014/05/21/6396S** by the **Department of Building Inspection** which was issued or became effective on: **April 17, 2017**, to: **Patrick Harty**, for the property located at: **1025 Powhattan Avenue**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **June 08, 2017, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible. *MAK*

Respondent's and <sup>*Deann Holden*</sup> **Other Parties'** Briefs are due on or before: **June 22, 2017, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible.

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, June 28, 2017, 5:00 p.m., City Hall, Room 416**, One Dr. Carlton B. Goodlett Place.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule **MAY** also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

**The reasons for this appeal are as follows:**

See attachment to the Preliminary Statement of Appeal.

**Appellant or Agent (Circle One):**

Signature: *Melissa Shaw*

Print Name: Melissa Shaw



April 28, 2017

Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103

BOARD OF APPEALS

APR 27 2017

APPEAL # 17-066

Re: NOTICE OF APPEAL OF ISSUANCE OF PERMIT  
Permit Application Number 2014-0521-6382-S  
Permit Number 1422619  
Issue Date: April 17, 2017

We represent more than 150 neighbors who live in close proximity to the proposed development project at 40 Bernal Heights Avenue, 965 Powhattan Avenue, 985 Powhattan Avenue and 1025 Powhattan Avenue, all of whom have signed letters to the Planning Department in opposition to this development project. We oppose the development project because it will negatively affect our individual and collective interests. For these reasons, we file this Notice of Appeal seeking to appeal the issuance of the above-identified permit.

Regards,

Melissa A. Shaw

BOARD OF APPEALS

APR 27 2017  
APPEAL # 16-066

Presently Valid  
m. Corneille

**FIRE**  
**APPROVED**  
Dept. of Building Insp.  
APR 17 2017

SFPUC  
TOM U. HUI, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION

DEPARTMENT OF BUILDING INSPECTION  
APPLICATION FOR BUILDING PERMIT

**OFFICE COPY**

FORM 1  TYPE I - II - III - IV Building  
FORM 2  (2) Story TYPE V Building

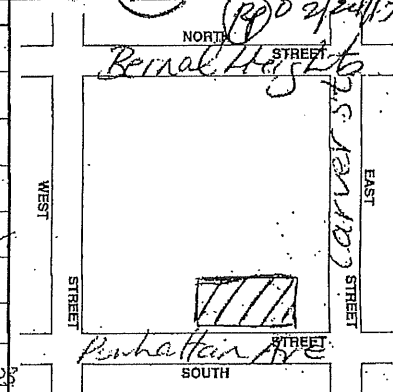
APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND FOR THE PURPOSE SET FORTH HEREIN.

ADDRESS  
1025 Bernalhatten Ave  
N. SIDE Bernalhatten  
80 FT. E. FROM Rosenkranz Ave  
NEAREST CROSS STREET

DATE FILED MAY 2 2 2014  
BUILDING FEE RECEIPT NO. 14055554  
TYPE OF CONSTRUCTION V-B  
ADDRESS BLOCK & LOT NO. 5508-010  
ESTIMATED COST \$350,000.00  
REVISED COST  
RE: DCF FEE \$790,000

PERMIT NO. 1422020  
ISSUED APR 17 2017

BUILDING DESCRIPTION	
SIZE OF LOT: 45' FT. FRONT, 45' FT. REAR, 39' FT. AVE DEPTH	IS ANY OTHER BUILDING ON LOT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> (IF YES, SHOW ON PLOT PLAN)
IS AUTO RUN-WAY TO BE CONSTRUCTED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	BLDG. CODE OCCUP. CLASS. Single Family Home R-3
DOES BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	GROUND FLOOR AREA: 2793 SQ. FT.
HEIGHT AT CENTER LINE OF FRONT OF BUILDING: 27'4"	WILL STREET SPACE BE USED DURING CONSTRUCTION? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
NUMBER OF DWELLING UNITS: 1	NUMBER OF STORIES OF OCCUPANCY: 2
NUMBER OF BASEMENTS: 1	WILL SUB-BASEMENT SPACE BE USED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
GENERAL CONTRACTOR: OWNER BUILDER	
ARCHITECT OR ENGINEER (DESIGN): Sta. Consulting Corp, 1256 Howard St, CA	
ARCHITECT OR ENGINEER (FOR CONSTRUCTION):	
OWNER'S NAME: Patrick Hartly, 1254 41st Ave, SF	



DESIGN LIVE LOAD FOR FLOORS:  
(TO BE POSTED IN COMMERCIAL AND INDUSTRIAL BLDGS.)

1/2  
2017-05-11-163965  
OSHA APPROVAL REC'D  
APPROVAL NUMBER:

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building for structure or scaffolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 385, California Penal Code.

Pursuant to the San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approval plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED.

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX  
 OWNER  ARCHITECT  ENGINEER  
 LESSOR  AGENT WITH POWER OF ATTORNEY  
 CONTRACTOR  ATTORNEY IN FACT

APPLICANT'S CERTIFICATION

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

**HOLD HARMLESS CLAUSE:** The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (i), or (ii) designated below or shall indicate item (iii), or (iv) or (v), whichever is applicable, if his/her/their (s) is checked (ain (iv) must be checked as well. Mark the appropriate method of compliance below:

I hereby affirm under penalty of perjury one of the following declarations:

( ) I. I have and will maintain a certificate of consent to self-insure for workers compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) II. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
Carrier \_\_\_\_\_  
Policy Number \_\_\_\_\_

( ) III. The cost of the work to be done is \$100 or less.

( ) IV. I certify that in the performance of this work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

(X) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent: [Signature]  
Date: 05/12/17

**BOARD OF APPEALS**

APR 27 2017

APPEAL # 17-066

APPROVED:

Zone RM-1/40-X C.P.C. Setback

REFER TO:

New construction of a SFR, 2-story over basement  
 units 27'-6", 2,932 SF, w/ 20' street parking spaces  
 Ref: 2014-00319 APPROVED October 2/2/17

APPROVED:

REVIEWED BY FIRE DEPT

FIRE DEPT. INSPECTION  
 NOT REQUIRED

Victor Lubet, SFFD

MAR 30 2017

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:

Rodolfo Pada, DBI

FEB 24 2017

PLAN CHECKER, DEPT. OF BLDG. INSPECTION

APPROVED:

For Site Permit Only

Rodolfo Pada, DBI

FEB 24 2017

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

DIRECTOR OF PUBLIC HEALTH

APPROVED:

SFPW/BSM SIGN OFF ON JOB CARD  
 REQUIRED PRIOR TO DBI FINAL  
 CALL (415) 554-7149 TO SCHEDULE By

Clinton Choy, SFPW/BSM

BUREAU OF ENGINEERING

APPROVED:

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

SFPUC

K.W. Fr

Whitney

Number of attachments

OWNER'S AUTHORIZED AGENT

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

DATE:

REASON:

NOTIFIED MR.

HOLD SECTION -- NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Document Number ( )	Document Date ↓↑ ( )	SearchFilingCode ( )	Names
Clearview Records Manager 2008601476	6/20/2008	DECLARATION CC&R CONDOMINIUM PLAN	(R) 353 25TH AVE (E) 353 25TH AVE
2008537516	2/20/2008	DECLARATION CC&R CONDOMINIUM PLAN	(R) KHOSHNEVISAN RE ZA (E) 1000 1001 PACIFIC A

Close

Add To Cart

Document Number

**2016197912**

Document Date

**02/03/2016**

Pages

**2**

Title(s)	Description	Corrected
144	RELEASE ASSIGN RENTS	

Name Type	Name	X-Ref	Corrected
Grantor	FIRST REPUBLIC BANK		
Grantee	TAHBAZOF SAMANHEH		
	TAHBAZOF SIAVASH		



# City and County of San Francisco Assessor-

Officials ▼

0155/057

1

## Search Result: 10 Documents

[Criteria: OfficialRecords, 01/02/1990, 12/30]

10 / Page ▼



Document Number (↓)	Document Date (↑)	Search Filing Code (↓)	Names
2016197935	2/3/2016	SUBSTITUTION TRUSTEE RECONVEYANCE	(R) FIDELITY NATIONAL TITLE INS CO (E) FIRST REPUBLIC BANK
2016197912	2/3/2016	RELEASE ASSIGN RENTS	(R) FIRST REPUBLIC BANK (E) TAHBAZOF SAMANHEH
2016188327	1/15/2016	DEED	(R) CHANG JOANNA W (E) CHANG JOANNA W
2016188326	1/15/2016	DEED	(R) CHANG PAUL K (E) CHANG JOANNA W
2016188325	1/15/2016	DEED	(R) TAHBAZOF SAMANEH (E) CHANG JOANNA W
2014823682	1/10/2014	ASSIGNMENT OF LEASE	(R) TAHBAZOF SAMANEH (E) FIRST REPUBLIC BANK
2014823681	1/10/2014	DEED OF TRUST FIXTURE FILING ASGT RENTS/LEASES NTC SECURITY AGRMNT	(R) TAHBAZOF SAMANEH (E) FIRST REPUBLIC BANK
2008601477	6/20/2008	DECLARATION	(R) ARRIAZA DENISE (E) NTC OF SB 800 PRE LITIGATION PROCEDURES



Report for: **1300 PACIFIC AVE**

## Property

General information related to properties at this location.

Parcel (Block/Lot)	Parcel History	Address(es) for this Parcel	Reports
0155/057	0155/009 became 0155/057 on an unknown date 0155/009 became 0155/057 on an unknown date 0155/009 became 0155/057 on an unknown date 0155/009 became 0155/057 on an unknown date	1300 Pacific Ave, San Francisco, CA 94109	Assessor Summary Assessor Recorded Documents <a href="#">↗</a> Secured Property Tax Rolls
0155/058	0155/009 became 0155/058 on an unknown date 0155/009 became 0155/058 on an unknown date 0155/009 became 0155/058 on an unknown date 0155/009 became 0155/058 on an unknown date	1302 Pacific Ave, San Francisco, CA 94109	Assessor Summary Assessor Recorded Documents <a href="#">↗</a> Secured Property Tax Rolls
0155/059	0155/009 became 0155/059 on an unknown date 0155/009 became 0155/059 on an unknown date 0155/009 became 0155/059 on an unknown date 0155/009 became 0155/059 on an unknown date	1304 Pacific Ave, San Francisco, CA 94109	Assessor Summary Assessor Recorded Documents <a href="#">↗</a> Secured Property Tax Rolls

There are 3 parcels at this location.

### Planning District

District 3 Northeast

### Current Planning Team

NE Team [↗](#)

### Supervisor District

District 3 (Aaron Peskin) [↗](#)

### Census Tract

2010 Census Tract 011000

CAROLINA  
MATTER  
ATTACHMENTS

**ITEMS (8A) & (8B) SHALL BE HEARD TOGETHER:**

**(8A) APPEAL NO. 15-049**

DOROTHY LARSON, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	910 Carolina Street. Protesting the ISSUANCE on March 20, 2015, to Leon Kemel, of a Permit to Erect a Building (construct a three-story, single-family dwelling with 4,848sf of ground floor area). APPLICATION NO. 2013/03/12/2050S. PUBLIC HEARING HELD ON MAY 06, 2015. FOR FURTHER CONSIDERATION TODAY. <b>Note: matter was continued to allow time                  for the parties to negotiate issues such as                  a reduction in bulk, maximizing light and                  air, and compatibility with the                  neighborhood.</b>
--	---

**(8B) APPEAL NO. 15-051**

PEGGY SNIDER, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	910 Carolina Street. Protesting the ISSUANCE on March 20, 2015, to Leon Kemel, of a Permit to Erect a Building (construct a three-story, single-family dwelling with 4,848sf of ground floor area). APPLICATION NO. 2013/03/12/2050S. PUBLIC HEARING HELD ON MAY 06, 2015. FOR FURTHER CONSIDERATION TODAY. <b>Note: matter was continued to allow time                  for the parties to negotiate issues such as                  a reduction in bulk, maximizing light and                  air, and compatibility with the                  neighborhood.</b>
--	---

**ACTION:** Upon motion by Vice President Honda, the Board voted 4-0-1 (Commissioner Swig absent) to grant the appeals and condition the permit on the revised plans dated June 17, 2015, on the basis that the reduction in the revised plans is sufficient.

**SPEAKERS:** John Kevlin, attorney for appellant; Dorothy Larson, appellant; Peggy Snider, appellant; Scott Sanchez, ZA.

**PUBLIC COMMENT:** Kathy Pagan Quadros, Elizabeth Brodersen and Kirsten Curtis spoke in support of the appellants.



**BOARD OF APPEALS CITY & COUNTY OF SAN FRANCISCO**

Appeal No. 15-049

Appeal of  
DOROTHY LARSON, )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, )  
PLANNING DEPARTMENT APPROVAL Respondent )

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on March 24, 2015, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on March 20, 2015, to Leon Kemel, of a Permit to Erect a Building (construct a three-story, single-family dwelling with 4,848sf of ground floor area) at 910 Carolina Street.

**APPLICATION NO. 2013/03/12/2050S**

**FOR HEARING ON May 06, 2015**

Address of Appellant(s):	Address of Other Parties:
Dorothy Larson, Appellant 507 Brunswick Street San Francisco, CA 94112	Leon Kemel, Permit Holder c/o Reza Khoshnevisan, Agent for Permit Holder 1256 Howard Street San Francisco, CA 94110

BOARD OF APPEALS CITY & COUNTY OF SAN FRANCISCO

Appeal of  
PEGGY SNIDER,

Appeal No. 15-051

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,  
PLANNING DEPARTMENT APPROVAL Respondent

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on March 23, 2015, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on March 20, 2015, to Leon Kemel, of a Permit to Erect a Building (construct a three-story, single-family dwelling with 4,848sf of ground floor area) at 910 Carolina Street.

**APPLICATION NO. 2013/03/12/2050S**

**FOR HEARING ON May 06, 2015**

Address of Appellant(s):

Peggy Snider, Appellant  
680 Meder Street  
Santa Cruz, CA 95060

Address of Other Parties:

Leon Kemel, Permit Holder  
c/o Reza Khoshnevisan, Agent for Permit Holder  
1256 Howard Street  
San Francisco, CA 94110



Date Filed:

BOARD OF APPEALS

MAR 24 2015

APPEAL # 15-049

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Dorothy Larson**, hereby appeal the following departmental action: **ISSUANCE** of Permit to Erect a **Building BPA NO. 2013/03/12/2050S** by the **Department of Building Inspection** which was issued or became effective on: **March 20, 2015**, to: **Leon Kemel**, for the property located at: **910 Carolina Street**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **April 16, 2015, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Respondent's and Other Parties' Briefs are due on or before: **April 30, 2015, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, May 06, 2015, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

**The reasons for this appeal are as follows:**

see attached.

**Appellant or Agent (Circle One):**  
Signature: *Dorothy Larson*  
Print Name: DOROTHY LARSON

**PRELIMINARY STATEMENT OF APPEAL**

Date 3-24-15

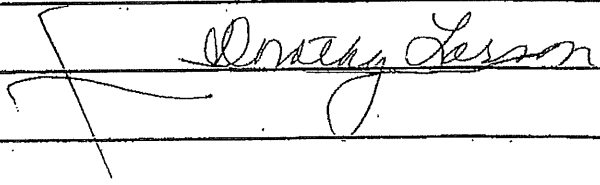
Filed: BOARD OF APPEALS

MAR 24 2015

APPEAL # 15-049

SUMMARY OF REASONS OR GROUNDS FOR APPEAL CONTINUED:

- 1- Project will impact light & privacy to adjacent properties.
- 2- The project mass & form are not compatible with rest of surrounding homes. Should have a set back on top floor front & back. Does not preserve the neighborhood character.
- 3- Building scale is not compatible with the surrounding homes.

  
Emily Larson

ADDITIONAL FEES REQ. FIRE

APPROVED  
SFUSD Dept. of Building Insp.

Tom C. Hui  
TOM C. HUI, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION

MAR 20 2015

DEPARTMENT OF BUILDING INSPECTION  
APPLICATION FOR BUILDING PERMIT

FORM 1 TYPE I - II - III - IV Building  
FORM 2  4 Story TYPE V Building

APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND FOR THE PURPOSE SET FORTH HEREIN:

910 Carolina ST  
ADDRESS

14 SIDE Carolina  
22nd ST  
NEAREST CROSS STREET

TYPE OF CONSTRUCTION V-B  
ESTIMATED COST \$700,000.00  
REVISED COST \$900,000.00

ARSENBOUTH BLOCK & LOT NO. 4160 1007  
REVISED DATE 1-14

1/2 APPLICATION NUMBER  
2015 012 0251 001  
OSHA APPROVAL NO.

BOARD OF APPEALS  
MAR 24 2015  
APPEAL # 15-049

DATE FILED 3/10/2015  
ERMIT NO. 1352322  
ISSUED MAR 20 2015

BUILDING DESCRIPTION

USE: FRONT 29 FT. REAR 25 FT. AVE. DEPTH 100 FT. IS ANY OTHER BUILDING ON LOT? YES  (IF YES, SHOW ON PLOT PLAN)

AUTO RUNWAY TO BE CONSTRUCTED? YES  NO

DESIGN CODE OCCUP. CLASS. Unit Residential Bldg. R-3

DES BUILDING EXTEND BEYOND PROPERTY LIMIT? YES  NO

GROUND FLOOR AREA 4848 SQ. FT.

WILL STREET SPACE BE USED FOR PARKING? YES  NO

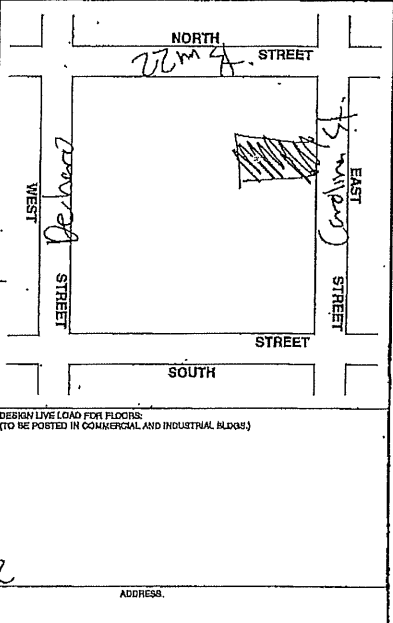
IS BUILDING DESIGNED FOR ADDITIONAL STORIES? YES  NO

WILL SUBSIDEWALK SPACE BE USED? YES  NO

GENERAL CONTRACTOR: UNIDENTIFIED NEW CONSTRUCTION INC. (415) 204-3915  
EXPIRATION DATE: 03.31.2015

ARCHITECT OR ENGINEER (DESIGN): G/A Consulting Corp. 1056 Howard St. # CA  
TELEPHONE: 415-422-0200 Ext. 108

REGISTERED ARCHITECT OR ENGINEER (FOR CONSTRUCTION): Leon Kerel, 1616 Franklin St. Suite 2003, Oakland CA 94612  
TELEPHONE: 415-309-3915



**IMPORTANT NOTICES**

change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

portion of building or structure or scaffolding used during construction, to be "closer than 60" any wire containing more than 750 volts. See Sec. 385, California Penal Code.

pursuant to the San Francisco Building Code, the building permit shall be posted on the job. The permit is responsible for approved plans and application being kept at building site.

grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, utility files together with complete details of retaining walls and wall footings required must be submitted to this department for approval.

**NOTICE TO APPLICANT**

**HOLD HARMLESS CLAUSE:** This permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under the workers' compensation law of the State of California (IV), or (V), whichever is applicable. If the applicant is a contractor, the applicant shall also have coverage under the workers' compensation law of the State of California (IV), or (V), whichever is applicable. Mark the appropriate method of compliance below:

I hereby affirm under penalty of perjury one of the following declarations:

- I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
Carrier: \_\_\_\_\_  
Policy Number: \_\_\_\_\_
- The cost of the work to be done is \$100 or less.
- I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California; I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
- I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

**APPLICANT'S CERTIFICATION**

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE INSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

13-04 (REV. 2/05)  
Printed on recycled materials.

Signature of Applicant or Agent  
Date 3/12/2015

APPROVED: RF-2 C.P.C. Selback 0

**BUILDING EXEMPT FROM ENVIRONMENTAL REVIEW**

DEPARTMENT OF CITY PLANNING  
9/19/14  
 Approved Planning Dept. Erika S. Jackson

APPROVED: Tracy O'Keeffe, SFFD  
 DEC 15 2014

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED: [Signature]  
 CAREY McELROY, DBI  
 JAN 14 2015

PLAN CHECKER, DEPT. OF BLDG. INSPECTION

APPROVED: [Signature]  
 CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED: [Signature]  
 DIRECTOR OF PUBLIC HEALTH

APPROVED: [Signature]  
 BUREAU OF ENGINEERING

APPROVED: [Signature]  
 MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED: [Signature]  
 SFPUC Capacity Charges  
 See attached SFPUC Capacity Charge Invoice for total amount due. DBI will collect charges.  
 SFPUC [Signature]  
 Ajay Kumar  
 1/22/15

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

**BOARD OF APPEALS**  
 MAR 24 2015  
 APPEAL # 15-049

BUILDING SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

[Signature]  
 OWNER'S AUTHORIZED AGENT



Date Filed:

BOARD OF APPEALS

MAR 20 2015

APPEAL # 15-051

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

**PRELIMINARY STATEMENT OF APPEAL**

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I / We, **Peggy Snider**, hereby appeal the following departmental action: **ISSUANCE of Site Permit 2013/03/12/2050S** by the **Department of Building Inspection** which was issued or became effective on: **March 20, 2015**, to: **Leon Kemel**, for the property located at: **910 Carolina Street**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **April 16, 2015, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. JS

Respondent's and Other Parties' Briefs are due on or before: **April 30, 2015, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. Permit Holder

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, May 6, 2015, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

---

**The reasons for this appeal are as follows:**

See Attachment to the Preliminary Statement of Appeal.

Appellant or Agent (Circle One):  
Signature: [Handwritten Signature]  
Print Name: PEGGY SNIDER

PRELIMINARY STATEMENT OF APPEAL

Date 3.26.2015  
Filed:

BOARD OF APPEALS

MAR 26 2015

SUMMARY OF REASONS OR GROUNDS FOR APPEAL CONTINUED:

APPEAL # 15-057

The proposed building is out of scale with the  
surrounding homes. It does not conform to  
the topography of the hill, rising to 4  
floors in the back. The front facing  
the street does not set back on its  
third floor as other houses on block  
do. It is 3-4 stories between a 1 story  
& a 2 story structure.



JARD OF APPEALS  
 MAR 26 2015  
 APPEAL # 15-051

**DEPARTMENT OF BUILDING INSPECTION**  
**APPLICATION FOR BUILDING PERMIT**

FORM 1  TYPE I, II, III, IV Building  
 FORM 2  4 Story TYPE V Building

APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND FOR THE PURPOSE SET FORTH HEREIN:

910 Carolina ST  
 ADDRESS:  SIDE Carolina  
 FT. 15 FROM 22nd ST. AVE. NEAREST CROSS STREET

DATE FILED: 3/12/2015 FILING PER RECEIPT NO. 13038064 TYPE OF CONSTRUCTION: V-B. ASSESSOR'S BLOCK & LOT NO. 9160/1004  
 PERMIT NO. 1352322 ISSUED: MAR 20 2015 ESTIMATED COST: \$700,000.00 REVISED COST: \$900,000.00 DATE: 1-14-5

**BUILDING DESCRIPTION**

SIZE OF LOT: 25 FT. FRONT, 25 FT. REAR, 100 FT. AVE. DEPTH	IS ANY OTHER BUILDING ON LOT? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(IF YES, SHOW ON PLOT PLAN)
IS AUTO HIGHWAY TO BE CONSTRUCTED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	USE OF BUILDING: Unit Residential Bldg. 2-3	BLDG. CODE OCCUP. CLASS.
DOES BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	APPROX. FLOOR AREA: 4848 sq. FT.	
HEIGHT AT CENTER LINE OF FRONT: 20 FT.	WILL STREET SPACE BE USED DURING CONSTRUCTION? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	IS BUILDING DESIGNED FOR ADDITIONAL STORIES? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
NUMBER OF DWELLING UNITS: 1	NUMBER OF STORIES OF OCCUPANCY: 3+0	NUMBER OF AGREEMENTS: 1
GENERAL CONTRACTOR: HANWORTH H&S Construction Inc (415) 309-3915	CALIFORNIA LICENSE NUMBER: B 982095	EXPIRATION DATE: 03.31.2015
ARCHITECT OR ENGINEER (DESIGN): GIA Consulting Corp	ADDRESS: 1256 Howard St. S.F. CA	TELEPHONE: 415-422-0200 Ext. 108
CALIFORNIA CERTIFICATE NUMBER: C38827	ARCHITECT OR ENGINEER (FOR CONSTRUCTION):	ADDRESS:
CALIFORNIA CERTIFICATE NUMBER:	TELEPHONE:	
OWNER'S NAME: Leon Kemei	ADDRESS: 1616 Franklin St. Suite 2003	TELEPHONE: 415-309-3915
	ADDRESS: Oakland CA 94612	

DESIGN LIVE LOAD FOR FLOORS: (TO BE POSTED IN COMMERCIAL AND INDUSTRIAL BLDGS.)

back only  
 FIRE SFFD INSP. FEES REQ.  
 SAN FRANCISCO  
 Capacity Charges  
 APPROVED  
 SFFD DEPT. OF BUILDING INSP.  
 SFFD FEES APPROVED  
 Tom C. Hui  
 TOM C. HUI, S.E.  
 DIRECTOR  
 DEPT. OF BUILDING INSPECTION

1/2  
 APPLICATION NUMBER: 15010  
 SPECIAL APPROVAL NUMBER:

**IMPORTANT NOTICES**

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction, to be closer than 6' to any wire containing more than 750 volts. See Sec. 385, California Penal Code.

Pursuant to the San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and well footings required must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED.

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings all heating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX  
 OWNER  ARCHITECT  ENGINEER  
 LESSEE  AGENT WITH POWER OF ATTORNEY  
 CONTRACTOR  ATTORNEY IN FACT

**APPLICANT'S CERTIFICATION**

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

**NOTICE TO APPLICANT**

HOLD HARMLESS CLAUSE: The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (a) its designated liability policy (b) workers' compensation (c) or (d), whichever is applicable. If the correct form (a) is checked then (b) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

( ) I. I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

(x) II. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
 Carrier: State Farm  
 Policy Number: 9086074

( ) III. The cost of the work to be done is \$100 or less.

( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit rights applied for shall be deemed revoked.

( ) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent: [Signature]  
 Date: 3/12/2015

**BOARD OF APPEALS**  
**MAR 26 2015**  
**APPEAL # 15-051**

APPROVED: Zone <u>R</u> C.P.C. Setback <u>0</u> REFER TO: <b>APPROVED FOR RELEASE FROM ENVIRONMENTAL REVIEW</b> OFFICIAL CO. <u>9/19/14</u> DEPARTMENT OF CITY PLANNING Approved Planning Dept. Erik S. Jackson	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: Tracy O'Keefe, SFFD DEC 15 2014 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: _____ CAREY McELROY, DBI JAN 14 2015 PLAN CHECKER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: _____ CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: _____ DIRECTOR OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: _____ DPW/BSM SIGN OFF ON JOB CARD REQUIRED PRIOR TO DEL FINAL. CALL 554-7149 TO SCHEDULE By <u>LTC H. 11.26.14</u> Hong Tian Cy, DPW/BSM BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: _____ MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR.: _____
APPROVED: SFPUC Capacity Charges See attached SFPUC Capacity Charge Invoice for total amount due. DBI will collect charges. SFPUC <u>Ajay Kumar</u> 1/22/15	DATE: _____ REASON: _____ NOTIFIED MR.: _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments  \_\_\_\_\_

[Signature]  
 OWNER'S AUTHORIZED AGENT

DUNCAN  
MATTER  
ATTACHMENTS

**REGULAR MEETING, BOARD OF APPEALS, APRIL 8, 2015 - PAGE 3**

**ITEMS (6A) AND (6B) SHALL BE HEARD TOGETHER:**

**(6A) APPEAL NO. 15-020**

GEORGIA SCHUTTISH, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	437 Duncan Street. Protesting the ISSUANCE on January 21, 2015, to Ristead O'Sulleabhain, of a Demolition Permit (demolish one-story single-family dwelling with 690sf of ground floor area). APPLICATION NO. 2012/07/16/4978. FOR HEARING TODAY.
---	--

**(6B) APPEAL NO. 15-021**

GEORGIA SCHUTTISH, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	437 Duncan Street. Protesting the ISSUANCE on January 21, 2015, to 437 Duncan LLC, of a Permit to Erect a Building (construct three-story, single-family dwelling with 1,423sf of ground floor area). APPLICATION NO. 2012/04/18/8570S. FOR HEARING TODAY.
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ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to deny the appeals and uphold the permits on the basis that the design was appropriately vetted by the Planning Department.

SPEAKERS: Georgia Schuttish, appellant; Jody Knight, attorney for permit holder; Cathlyne Scharetg, agent for permit holder; Scott Sanchez, ZA.

PUBLIC COMMENT: Leticia Gonzalez, Celia Rose and Petra Janopaul spoke in support of the appellant.

**(7) APPEAL NO. 15-022**

BEN CADY, CHANDRA REDACK, PETER TAYLOR, BRAD ALDER, CHAD BENJAMIN POTTER, MANUEL RODRIGUEZ, ANN COOPER, MELISSA BRACERO, ADAM WOJEWIDKA, CHRIS BAKER, BRENDAN BARTHEL, CARINA ZONA, KARL HASS, JUAN ESCOBEDO, DARREN BROWN, BO MARCOL & CHRISTOPHER FIGUEROA, Appellant(s) vs. ZONING ADMINISTRATOR, Respondent	1049-1051 Market Street. Protesting the ISSUANCE on February 02, 2015, to John Gall & Terry Bogart, of a Request for Release of Suspension (asking that the Dept. of Building Inspection release the suspension against BPA No. 2013/07/26/2890 - comply with NOV No. 200711850; demo of office walls on 5th floor through 1st floor). FOR HEARING TODAY.
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BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

- Appeal of  
GEORGIA SCHUTTISH,

Appeal No. 15-020

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,

PLANNING DEPARTMENT APPROVAL Respondent

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN THAT on February 03, 2015, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on January 21, 2015, to Ristead O'Sulleabhain, of a Demolition Permit (demolish one-story single-family dwelling with 690sf of ground floor area) at 437 Duncan Street.

**APPLICATION NO. 2012/07/16/4978**

**FOR HEARING ON April 08, 2015**

Address of Appellant(s):

Address of Other Parties:

Georgia Schuttish, Appellant  
460 Duncan Street  
San Francisco, CA 94131

Ristead O'Sulleabhain, Permit Holder  
c/o John Kevlin, Attorney for Permit Holder  
One Bush Street #600  
San Francisco, CA 94104



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

FEB 03 2015

APPEAL # 15-020

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Georgia Schuttish**, hereby appeal the following departmental action: **ISSUANCE of Demolition Permit BPA NO. 2012/07/16/4978** by the **Department of Building Inspection** which was issued or became effective on: **January 21, 2015**, to: **Ristead O'Sulleabhain**, for the property located at: **437 Duncan Street**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **March 19, 2015, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

*Permit Holder*  
Respondent's and Other Parties' Briefs are due on or before: **April 02, 2015, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, April 08, 2015, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

**The reasons for this appeal are as follows:**

The project does not comply with the Planning Code pertaining to demolition and replacement structure.

Appellant or Agent (Circle One):

Signature:

Print Name:

*Georgia Schuttish*

GEORGIA SCHUTTISH

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of

Appeal No. 15-021

GEORGIA SCHUTTISH, )  
Appellant(s) )

vs. )

DEPARTMENT OF BUILDING INSPECTION, )  
PLANNING DEPARTMENT APPROVAL Respondent )

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN THAT on February 03, 2015, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on January 21, 2015, to 437 Duncan LLC, of a Permit to Erect a Building (construct three-story, single-family dwelling with 1,423sf of ground floor area) at 437 Duncan Street.

**APPLICATION NO. 2012/04/18/8570S**

**FOR HEARING ON April 08, 2015**

Address of Appellant(s):

Address of Other Parties:

Georgia Schuttish, Appellant 460 Duncan Street San Francisco, CA 94131	437 Duncan LLC, Permit Holder c/o John Kevin, Attorney for Permit Holder One Bush Street #600 San Francisco, CA 94104
--	--



BOARD OF APPEALS

Date Filed:

FEB 03 2015

APPEAL # 15-021

CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Georgia Schuttish**, hereby appeal the following departmental action: **ISSUANCE of Permit to Erect a Building BPA NO. 2012/04/18/8570S** by the **Department of Building Inspection** which was issued or became effective on: **January 21, 2015**, to: **437 Duncan LLC**, for the property located at: **437 Duncan Street**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **March 19, 2015, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. *(GS)*

Respondent's and Other Parties' Briefs are due on or before: **April 02, 2015, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. *Permit Holder*

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, April 08, 2015, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit eleven (11) copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

**If you have any questions please call the Board of Appeals at 415-575-6880**

**The reasons for this appeal are as follows:**

The project does not comply with the Planning Code pertaining to demolition and replacement structure.

**Appellant or Agent (Circle One):**

Signature: Georgia Schuttish

Print Name: GEORGIA SCHUTTISH



7-152-12222 receipt  
 APPROVED  
 Dept. of Building Inspection

CITY AND COUNTY OF SAN FRANCISCO  
 DEPARTMENT OF PUBLIC WORKS

APPLICATION FOR DEMOLITION PERMIT

6

APPLICATION NUMBER  
 2012-07-16-4978

JAN 21 2015  
 7-152-12222 permit sent  
 1115-Permit Sent To PG & E  
 1115-150 Letters Sent  
 2012-07-18 35703

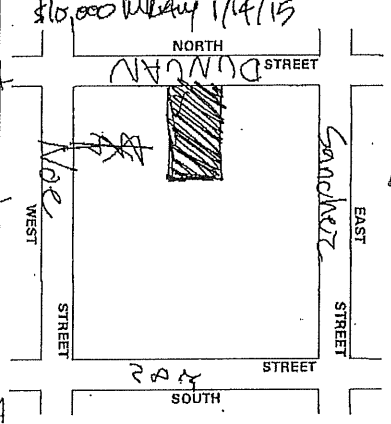
APPLICATION IS HEREBY MADE FOR PERMISSION TO DEMOLISH IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND FOR THE PURPOSE SET FORTH HEREIN:

FILED 7/16/2012  
 FILING FEE RECEIPT NO. 12037201  
 15014622  
 ISSUED JAN 21 2015

ADDRESS 437 Duncan St.  
 SIDE EAST  
 FROM (NEAREST CROSS ST.) 714 FT. W of Sanchez  
 31-6602 \$5000.00 Lot 255

OSHA APPROVAL RECORD  
 APPROVAL NUMBER

BUILDING DESCRIPTION	
FRONT 75 FT.	REAR 25 FT.
AVE DEPTH 114 FT.	STREET FRONTAGE OR (IF-NONE) SHORTEST SIDE
TYPE OF BUILDING	None
ASBESTOS YES	NO
T OCCUPANCY	R-3 (27)
USE OF BUILDING	Single Family Home
NUMBER OF BASEMENTS	0
IS ANY OTHER BUILDING ON LOT?	NO
IS BUILDING SPRINKLERED?	NO
IS THERE A STAND OFF?	NO
FORMER CONTRACTOR	Address
CALIFORNIA LICENSE NUMBER	437 Duncan LLC
DIRECTOR OR ENGINEER	Address
TELEPHONE	415-9220200
OWNER'S NAME	Ristard O'Sullivan
ADDRESS	437 Duncan
TELEPHONE	415-377-1948
UTILITY DISCONNECTION	ELECTRIC: 861-8000 X 324
TELEPHONE NUMBERS:	PG & E: 781-4214 X 3786
	WATER: 558-3198
	VIACOM CARLEVISION: 495-6200 X 351 or 357.



BOARD OF APPEALS  
 FEB 03 2015  
 APPEAL # 15-020

NOTE: THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT REQUIRES, BY LAW, PRIOR NOTIFICATION OF ALL DEMOLITIONS UNDER PENALTY OF FINE. PHONE 771-6000 EXT. 217 FOR DETAILS.

IMPORTANT NOTICES

Demolition work shall be performed in accordance with the San Francisco Building Code and other applicable ordinances.  
 No portion of building or structure or scaffolding used during construction to be closer than 5' to any wire containing more than 750 volts. See Sec. 305, California Penal Code.  
 Pursuant to the San Francisco Building Code, the demolition permit shall be posted at the job. The owner is responsible for approved plans and application being submitted to the Building Department.  
 Debris to be removed from the street, sidewalk, and lot. Premises to be left in sanitary condition and complying with the Building Code.  
 Demolition involves abandonment of side sewer, applicant must obtain a side sewer permit. Side sewer will then be blocked.  
 Applications for demolition of Historic Landmarks will be referred to the Landmark Commission.  
 A STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPLIED.  
 THIS IS NOT A DEMOLITION PERMIT. NO WORK SHALL BE STARTED UNTIL 15 DAYS AFTER THE PERMIT HAS BEEN ISSUED.

**HOLD HARMLESS CLAUSE**  
 Permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of passive negligence of the City and County of San Francisco.

**APPLICANT'S CERTIFICATION**  
 I certify that I have read this application and state that the above information is correct. I agree that if a permit is issued for the demolition described in this application, all the provisions of the permit, and all the laws and ordinances applicable thereto, will be complied with.

**NOTICE TO APPLICANT**  
 In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have on file, or file with the Central Labor Bureau, either Certificate (I) or (II) or (III) designated below or shall state item (IV) or (V) or (VI) below, whichever is applicable. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate item of compliance below.

- ( I ) I. Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.
- ( II ) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.
- ( III ) III. An exact copy or duplicate of (I)-certified by the Director or (II) certified by the insurer.

( I ) IV. The contractor shall be licensed for the work for which this Permit is issued.  
 ( I ) V. I certify that I am exempt from the provisions of the California Contractors License Law (Chapt. 9, Div. 3, B, and P. Code) because:  
 ( I ) VI. I certify as the owner (or the agent of the owner) that in the performance of the work for which this Permit is issued, I will employ a contractor who complies with the Workman's Compensation laws of California and who has on file, or prior to the commencement of any work will file, with the Central Permit Bureau evidence that workman's compensation insurance is carried.

CHECK APPROPRIATE BOX:  
 OWNER  CONTRACTOR  AGENT WITH POWER OF ATTORNEY  
 LESSEE  ARCHITECT  ATTORNEY IN FACT  ENGINEER

Applicant's Signature *[Signature]* Date 7-16-2012  
 Address and location where work is to be done: 437 Duncan St.

**CONTRACTORS SIGN BELOW**  
 I certify that I am a licensed contractor and that my license is in full force and effect.  
 Contractor \_\_\_\_\_ By \_\_\_\_\_ Authorized Agent

**OWNER-BUILDER SIGN BELOW**  
 I certify that I am exempt from the provisions of the California Contractors License Law (Chapt. 9, Div. 3, B, and P. Code) because:  
 I am the owner of the above property and will do the work myself or through my employees with wages as their sole compensation; or  
 I am the owner of the above property and I will contract to have all of the above work performed by licensed contractors.

Owner's Signature or Name \_\_\_\_\_ By \_\_\_\_\_ Authorized Agent (Must be owner's authorized architect or engineer)

APPROVED  
HISTORIC LANDMARK?

YES

NO

*Doug Vu* 10.17.14  
Approved Planning Dept. Doug Vu

CITY PLANNING

APPROVED:

*Matthew Ralls*  
Matthew Ralls, DBI

JAN 14 2015

BUILDING INSPECTOR, BUREAU OF BUILDING INSPECTION

DEMOLITION PROGRAM REQUIRED.  
BUILDING NOT TYPE V, OR IS  
MORE THAN 2-STORIES, OR  
MORE THAN 25 FEET IN HEIGHT.

APPROVED:

*Matthew Ralls*  
Matthew Ralls, DBI

JAN 14 2015

CIVIL ENGINEER, BUREAU OF BUILDING INSPECTION

SPECIAL INSPECTION  
REQUIRED

APPROVED:

**NO CONSTRUCTION WILL  
BEGINNING REQUIRED BY  
BUREAU OF ENGINEERING  
Call (415) 554-7149 to schedule**

By *LTC 10/30/14*  
Long Tian Co, DPW/BSN

BUREAU OF ENGINEERING

APPROVED:

FIRE PREVENTION INSPECTOR, BUREAU OF BUILDING INSPECTION

SEE TO COMPLY WITH ALL CONDITIONS OR STIPULATIONS OF THE VARIOUS BUREAUS OR  
AGENCIES NOTED HEREON.

*Matthew Ralls*  
OWNER OR OWNER'S AUTHORIZED AGENT  
(TO BE AUTHORIZED ARCHITECT, ENGINEER, OR CONTRACTOR)

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

DATE:  
REASON:

NOTIFIED MR.

BOARD OF APPEALS

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING  
FEB 03 2015  
APPEAL # 15-020

APPROVED  
Dept. of Building Insp.

JAN 21 2015

FIRE  
CERAMIC  
INSPECTOR  
DEPT. OF BUILDING INSPECTION

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF BUILDING INSPECTION

APPLICATION FOR BUILDING PERMIT

SFUSD

JAN 08 2015

12  
2015-01-18-87025

FORM 1  TYPE I - II - III - IV - V - VI - VII - VIII - IX - X - XI - XII - XIII - XIV - XV - XVI - XVII - XVIII - XIX - XX - XXI - XXII - XXIII - XXIV - XXV - XXVI - XXVII - XXVIII - XXIX - XXX

FORM 2  Story TYPE V Building

APPLICATION IS HEREBY MADE FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND FOR THE PURPOSE SET FORTH HEREIN:

437 Duncan St.

ADDRESS

North Side Duncan

24 West FROM Sanchez

NEAREST CROSS STREET

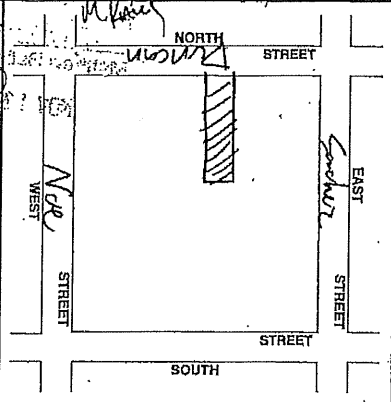
Capacity Charges  
Water \$620.00  
Wastewater \$3109.00  
M.W. 11/18/14

DBA

FILED 4/18/2012  
PLUMBING PERMIT NO. 12049282  
TYPE OF CONSTRUCTION V-3  
ASSESSOR'S BLOCK & LOT NO. 6602-035  
ESTIMATED COST \$300,000.00  
REVISED COST \$549,861  
DATE 1/21/14

BUILDING DESCRIPTION

FRONT REAR AVE. DEPTH IS ANY OTHER BUILDING ON LOT? YES NO (IF YES, SHOW ON PLOT PLAN)  
25 FT. 25 FT. 114 FT. YES X  
USE OF BUILDING Single Family Home BLDG. CODE OCCUP. CLASS. R-3  
IS BUILDING TWO OR MORE STORIES ABOVE GROUND FLOOR AREA 1023 SQ. FT. IS BUILDING DESIGNED FOR ADDITIONAL STORIES? YES NO X  
RIT AT CENTER OF FRONT BUILDING 26' HILL STREET SPACE BE USED FOR RAMP OR DRIVEWAY YES NO X  
NUMBER OF STORIES OF OCCUPANCY 3 NUMBER OF BASEMENTS 1 WILL SUB-SIDEWALK SPACE BE USED? YES NO X  
GENERAL CONTRACTOR Unknown ADDRESS  
CALIFORNIA LICENSE NUMBER EXPIRATION DATE TELEPHONE



ARCHITECT OR ENGINEER (DESIGN) IA Consulting Corp ADDRESS 1256 Howard SF CA 94103  
CALIFORNIA CERTIFICATE NUMBER C38827 TELEPHONE 415-922-0200

ARCHITECT OR ENGINEER (FOR CONSTRUCTION) ADDRESS  
CALIFORNIA CERTIFICATE NUMBER TELEPHONE

OWNER'S NAME 437 Duncan St. Unknown ADDRESS 437 Duncan St. SECA TELEPHONE

CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF NONE, ENTER "NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN") ADDRESS

IMPORTANT NOTICES

Change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.  
No work shall be done on any building or structure or scaffolding used during construction, in an area that is within 10 feet of any overhead power lines containing more than 750 volts. See Sec. 25.01 of the San Francisco Building Code.  
If the building is to be used for a purpose other than that shown on the approved plans and application, the applicant is responsible for approved plans and application.  
If lines as shown on drawings accompanying this application are assumed to be correct, if the grade lines are not the same as shown on drawings showing correct grade lines, code books together with complete details of retaining walls and wall footings required must be filed to this department for approval.  
STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
NO WORK SHALL BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
REMOVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE ELECTRICAL AND PLUMBING MUST BE OBTAINED.  
IF NOT A BUILDING PERMIT, NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.  
All insulating materials must have a clearance of not less than two inches from all live wires or equipment.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE: The permittee(s) by accepting this permit (me) to indemnify and hold harmless the City and County of San Francisco, its officers, employees, agents, and all claimants, from and against all claims, damages, losses, and expenses, including reasonable attorneys' fees, that may be asserted against the City and County of San Francisco against all such claimants.  
I hereby affirm under penalty of perjury one of the following declarations:  
( ) I. I have and will maintain a certificate of insurance to self-insure for workers' compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.  
( ) II. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
Carrier \_\_\_\_\_  
Policy Number \_\_\_\_\_  
( ) III. The cost of the work to be done is \$100 or less.  
( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3700 of the Labor Code, that the permit herein applied for shall be deemed revoked.  
I, \_\_\_\_\_, as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

APPLICANT'S CERTIFICATION

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE INFORMATION IS CORRECT. I AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

Signature of Applicant or Agent  
Date 4/18/2012

OSHA APPROVAL REC'D  
APPROVAL NUMBER

BOARD OF APPEALS

FEB 03 2015

APPEAL # 15-021

APPROVED  
 Zone RF-2 C.P.C. Setback  
TWO-STORY OVER GARAGE SINGLE-FAMILY DWELLING  
 Approved Planning Dept. Doug Vu  
 DEPARTMENT OF CITY PLANNING

APPROVED:  
 [Signature]  
 Ailica Bowden SFPD  
 JAN 06 2015  
 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:  
 [Signature]  
 Matthew Ralls, DBI  
 NOV 12 2014  
 PLAN CHECKER, DEPT. OF BLDG. INSPECTION

APPROVED:  
 CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:  
 DIRECTOR OF PUBLIC HEALTH

APPROVED:  
 By: [Signature] Jan 11/7/14  
 Grace Lau, DPW/BSM  
 DPW/BSM SIGN OFF ON JOB CARD  
 REQUIRED PRIOR TO DEL FINAL  
 CALL 334-7149 TO SCHEDULE  
 BUREAU OF ENGINEERING DPW/BSM

APPROVED:  
 MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:  
 [Signature]  
 SFPUC Capacity Charges  
 See attached SFPUC Capacity Charges Invoice for total amount due. DAI will collect charges.  
 11/19/14  
 [Signature]  
 OWNER'S AUTHORIZED AGENT

DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_  
 DATE: \_\_\_\_\_  
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NOTIFIED MR. \_\_\_\_\_  
 DATE: \_\_\_\_\_  
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**BOARD OF APPEALS**  
**FEB 03 2015**  
**APPEAL # 15-021**

NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

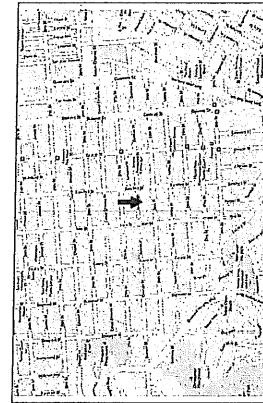
I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

1. PROPOSED NEW CONSTRUCTION OF THREE-STORY  
SINGLE FAMILY HOME OVER BASEMENT

GENERAL NOTES

- 1. ALL WORK SHALL BE PERFORMED IN COMPLETE COMPLIANCE WITH ALL APPLICABLE CODES, ORDINANCES AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION OVER THE WORK. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL DAMAGES AND/OR PENALTIES ARISING OUT OF VIOLATION THEREOF.
2. ALL ATTACHMENTS, CONNECTIONS OR FASTENINGS OF ANY MATERIALS ARE TO BE PROPERLY AND PERMANENTLY SECURED IN CONFORMANCE WITH THE BEST PRACTICE OF THE TRADE AND ALL DIMENSIONS SHALL BE VERIFIED. DIMENSIONS SHOWING ONLY SPECIAL REQUIREMENTS TO ASSIST THE CONTRACTOR AND DO NOT INDICATE EVERY DETAIL.
3. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, MEASUREMENTS AND CONDITIONS IN THE FIELD PRIOR TO COMMENCEMENT OF WORK AND NOTIFY ARCHITECT IMMEDIATELY IN WRITING.
4. UNLESS OTHERWISE NOTED, ALL ANGLES SHALL BE 90 DEGREES. ALL LINES WHICH APPEAR PARALLEL SHALL BE PARALLEL, AND ALL TURNS WHICH APPEAR ANGLED SHALL BE ANGLED. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL LINES TRUE LEVEL, PLUMB AND SQUARE.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING AND PROTECTION DURING CONSTRUCTION. ALL MATERIALS TO REMAIN SHALL BE PROTECTED FROM DAMAGE. ALL MATERIALS TO BE REMOVED FROM THE SITE SHALL BE PROPERLY STORED AND COVERED TO PREVENT WEATHER DAMAGE. ALL LUMBER SHALL BE PROTECTED FROM MOISTURE AND STORED ABOVE GROUND.
6. DETAILED AND/OR LARGER SCALE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL AND SMALLER SCALE DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. ALL SCALED DIMENSIONS SHALL BE VERIFIED.
7. ALL WORK SHALL BE DONE UNDER PERMIT, PLANS AND CALCULATIONS. IF REQUIRED, SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS.



AREA MAP

ABBREVIATION

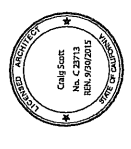
Table of abbreviations for architectural drawings, including terms like H.C., H.M., H.P., H.V., H.W.G., H.A.M., H.A.P., H.A.S., H.A.T., H.A.C., H.A.B., H.A.D., H.A.E., H.A.F., H.A.G., H.A.H., H.A.I., H.A.J., H.A.K., H.A.L., H.A.M., H.A.N., H.A.O., H.A.P., H.A.Q., H.A.R., H.A.S., H.A.T., H.A.U., H.A.V., H.A.W., H.A.X., H.A.Y., H.A.Z.

PROJECT DATA

LOT AREA: 2,848 S.F.
BASEMENT FLOOR AREA: 713 ± S.F.
FIRST FLOOR AREA: 1,213 ± S.F.
SECOND FLOOR AREA: 1,060 ± S.F.
THIRD FLOOR (PENTHOUSE) AREA: 428 ± S.F.
TOTAL BLDG. FLOOR AREA: 3,414 ± S.F.
GARAGE FLOOR AREA: 558 ± S.F.
# OF COVER PARKING SPACES: 2
# OF UNITS: 1
NUMBER OF STORIES: 3 OVER BASEMENT
ALLOWABLE HEIGHT: 40'-X, & 30' @ FRONT P.L.
BUILDING HEIGHT: 37'-3" ± ALONG (E) AVERAGE GRADE
CONSTRUCTION TYPE: V-B
OCCUPANCY GROUP: R-3
BLOCK & LOT: 6602-035
ZONING: RH-2
APPLICABLE CODES: 2010 CALIFORNIA CODES EDITIONS W/ SAN FRANCISCO AMENDMENTS

PROJECT NAME
437 Duncan Street
SAN FRANCISCO, CA

IWAMOTOSCOTT ARCHITECTURE
729 Tennessee Street
San Francisco CA 94107
415 643 7773
www.iwamotoscott.com



SHEET TITLE
Cover Sheet

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DRAWING INDEX

Table listing architectural drawings: ARCHITECTURAL COVER SHEET, PROPOSED SITE PLANS, TYPICAL TREE PROTECTION PLAN, EXISTING FLOOR PLANS, PROPOSED FLOOR PLANS, EXISTING ELEVATIONS, PROPOSED BUILDING ELEVATION, PROPOSED BUILDING CHECKLIST.

ISSUES REVISIONS
NO. DATE DESCRIPTION

DRAWN R.L.
CHECKED R.K.
DATE 09/26/2011
REVISED DATE 10/14/2014
JOB NO. 11-1-890
SHEET NO. A-0.1

ARCHITECTURAL
COVER SHEET
PROPOSED SITE PLANS
TYPICAL TREE PROTECTION PLAN
EXISTING FLOOR PLANS
PROPOSED FLOOR PLANS
EXISTING ELEVATIONS
PROPOSED BUILDING ELEVATION
PROPOSED BUILDING CHECKLIST

March 19, 2015

To: Board of Appeals

Re: Appeal # 15-020 and Appeal # 15-021  
**437 Duncan Street** Hearing Date: April 8, 2015  
Demolition Permit #2012.07.16.4978  
Building Permit #2012.04.18.8570

Dear President Lazarus and Members of the Board:

Below is a two-page summary. It is followed by an 13 page brief, one page of footnotes, an exhibit list and eight exhibits.

Because this project is a Demolition of housing and Section 317 of the Planning Code applies, the Board should do one of two things. **Please either amend the Building Permit to have this permit comply with Section 317 OR deny the Demolition Permit for this project because the project proposed under the Building Permit does not meet the Demolition Review Criteria, described in Section 317, specifically Planning Code Section 317(d)(3)(C)(ix).**

In order to meet this criterion the proposed project must "*...protect the relative affordability of existing housing*". The proposed project will not do that, because not only will this proposed project have more square footage than the average square footage for the nearby *existing* houses, it will also be larger in absolute size than any other *existing* single family house on the 400 block of Duncan Street.

It is easily stipulated that the less square footage in a project, the more "*relatively affordable*", a project will be. Therefore, this appeal brief requests that you should amend the Building Permit by removing the roof deck and reducing the square footage of the project by approximately 400 to 500 square feet of space, spread out over the three living levels of the proposed 2,986 square feet (3,544 gross square feet) to allow the creation of a project that "*...protects the relative affordability of the existing housing.*"

Or you should deny the issuance of the Demolition Permit if you cannot amend the Building Permit to meet the "*relative affordability*" criteria of this section.

Additionally, I suggest that you should consider some addition criteria from Section 317, specifically, Section 317(d)(3)(C)(vii) and (viii) and certainly Section 101.1 when evaluating these two permits. Further, this project violates the Residential Design Guidelines. These concern neighborhood preservation, conservation, design and context and they are discussed toward the end of the brief.

However, this appeal is primarily concerned with the issue of "relative affordability" as stated in Planning Code Section 317(d)(3)(C)(ix) and I hope that you as members of the Board of Appeals will deal with this issue directly.

Sincerely,  
Georgia Schuttish  
Appellant

## Section I

This appeal is primarily about relative affordability, which is a criterion from **Section 317(d)(3)(C)(ix)** of the San Francisco Planning Code. This criterion is one of four criteria listed as "Priority Policies" on the affirmed Application for Demolition.

The exact wording of the criterion in the Planning Code is:

*"Whether the project protects the relative affordability of existing housing"*. (See Exhibit 1)

On October 15, 2012, the project sponsor filed their affirmed Application for Demolition with the Planning Department for the property at 437 Duncan Street. In their response to this Section 317(d)(3)(C)(ix) criterion they stated the following,

*"The proposed single family dwelling protects the relative affordability of existing housing"* (See Exhibit 2)

(For the complete affirmed Application for Demolition please see Exhibit 8 which covers both Planning Code Sections 317 and 101.1).



However, the proposed project does not "...*protect(s) the relative affordability of existing housing*" (and it certainly cannot be a true fact *just* by saying it is so). Here is why.

First, the project sponsor has never challenged the fact of the affordability of the existing structure, an 800+ square foot cottage on the rear of the lot that contains two bedrooms and a basement. It is affordable.

Second, the project sponsor is proposing a new structure at 2,986 square feet plus a roof deck. The gross square footage is 3,544 square feet which includes the two car garage. As proposed, this would be the largest, single family home on the 400 block of Duncan.

Third, the average square footage of the single family homes in the approximate 150 foot radius is 1,556 square feet. (See **Exhibit 3**). This should be a standard for "*existing housing*", the housing that should be "*protected*" according to the Planning Code, because this

is the *"existing housing"*. And what is intended to be *"protected"* is *"the relative affordability of existing housing."*

Fourth, there have been two recent sales of single family homes that are listed on the spread sheet in **Exhibit 3**. These sold homes were less than the square footage of the proposed project and closer to the average square footage of the existing housing, than the proposed project. (See **Exhibit 4**) These two homes with their more modest square footage and their sales price are good benchmarks for understanding *"...the relative affordability of existing housing"* criterion that this Building Permit must meet in order to issue the Demolition Permit.

Fifth, it can easily be stipulated that a residential structure, any house, that has less square footage will be more affordable than a house with more square footage.

Sixth, if the Demolition Permit is upheld, then the new Building Permit at 437 Duncan as currently proposed will become, *"....existing housing"*. This proposed project will have more square footage than

any of the other single family homes cited on the spread sheet at **Exhibit 3.** Which will make the new house on Duncan Street, less *relatively affordable* than the *existing housing*.

Therefore it will not *"...protect(s) the relative affordability of existing housing."*

Due to these six points the proposed structure does not meet this very important Section in the Planning Code of the City and County of San Francisco.

Why is this an important criterion and why is this an important section of the Planning Code? Because it is applicable to this project. And because it has been incorrectly affirmed by the project sponsor in the Application for Demolition.

And because according to key decision makers, we are in a housing crisis with regard to affordability. *"Relative affordability"* obviously matters as well. Decision makers voted to put *"relative*

*affordability*" in the Planning Code and to let it remain in the Planning Code.

## Section II

Please remember, that due to Planning Code Section 317 these projects are inextricably linked. If the Demolition Review Criterion of *"relative affordability"* is not met, the Board should not allow the issuance of the Demolition Permit. If the Demolition Permit is not issued, then the Building Permit cannot be issued. Therefore, one of two things must happen. Either,

1. The Demolition Permit is denied, because the structure proposed under the Building Permit does not meet the criterion in Planning Code Section 317(d)(3)(C)(ix) as outlined above in Section I

or,

2. The Building Permit is amended by reducing the square footage of the proposed structure to *"protect(s) the relative affordability of existing housing"*

Based on Exhibits 3 and 4 we know what the average square footage is for the *"existing housing"* and we know the sales price of two of the recently sold homes of *"existing housing"* and their square footage price. Also there is information of the price per square foot of homes in the greater Noe Valley Neighborhood. (See Exhibit 5).

The price per square foot apparently ranges from \$1,000 to \$1,400 a square foot. It is easy to stipulate that the more square footage in a structure, particularly a new structure, a structure will be less *"relatively affordable"* than a structure with less square footage. Less square footage equals more *"relative affordability"*.

To begin to make the proposed structure at 437 Duncan more relatively affordable there is a very quick fix: Remove the roof deck. It can be argued that roof decks add to the unaffordability of housing. It is hard to gauge what impact a roof deck has on *"relative*

*affordability*", but even if it is one-fourth of the value per square foot of interior space it could add up to \$50,000. Some real estate agents estimate that it could be anywhere from \$80,000 to \$200,000 depending on the view that is captured. This obviously effects *"relative affordability.* {1}

In terms of reducing the square footage on each floor the process could be somewhat complicated, but not overwhelmingly so, if the Board chooses to amend the Building Permit. Starting at the light well on the eastern side of the property, the light well could be increased without a major disruption of the floor plan at each of the three levels. Here is a summary of what may be possible:

[a]. On the Garage Level there is 713 square feet. The Garage itself is another 558 square feet for a total of 1,271 square feet. Bring the expanded light well down to the ground level. Rearrange the floor plan to make more actual, defined usable space than a "bonus room", while keeping a fourth, guest bedroom and

bath. Allow for tandem car parking, not side by side in the two car garage. Or convert it to a one car garage.{2}

[b]. On the First Living Level there is 1,213 square feet. It contains a Living Room, a Dining Room, a Kitchen and a Family Room, as well as a Powder Room. How much the light well expands into the proposed structure on the Garage Level will be a determinate of what happens here. However, there is an additional possibility of creating a setback along the eastern wall and I will discuss that more right below in subsection[c].

[c]. On the Second Living Level there is 1,060 square feet. On this Level which has a master suite and a deck off the two other bedrooms, again, the expanded light well will be a determinate.

Again, a setback along the eastern wall provides a further possibility for not only reducing the square footage, but creating a design that more fully complies with the Planning Code, not only some of the other criteria in Section 317, but also the Priority Policies of Section 101.1 and the Residential Design Guidelines.

But that will be discussed in Section III of this brief. Before going on, it should be pointed out that if the Board decides to amend the permit by removing the roof deck this adds square footage to the Second Living Level because no stairway will be needed to ascend to the roof and that would offset a reduction in square footage from the expanded light well and/or the setbacks on the Third Living Level.

If this premise is followed in some manner like this, a reduction of 400 to 500 square feet total could be reached. But most importantly, this Board of Appeals would meet the criterion of "*protect(ing) the relative affordability of existing housing* " because the project would become comparable in square footage to the "*existing housing*".

### **Section III**

To begin Section III, I would like to describe the 400 block of Duncan Street, where I have lived since 1986 with my husband and where we raised our children. This block of Duncan is a hill that rises quite steeply from Sanchez Street and dead ends into a



Depression Era stairway that takes a pedestrian up to Noe Street. As you can see from **Exhibit 3**, the 400 block of Duncan Street is comprised of primarily single family homes. (These are the addresses listed with the white background on the sheet.) These single family homes with two exceptions are under 2,500 square feet. There are two multi-unit apartment buildings at the base of the hill on the North side of the street as well as a lovely Edwardian four-plex on the South side of Duncan Street. There are two, two-unit buildings, one of which is condos.

One of the four houses immediately downhill from the project site is a circa 1900 home with a peaked roof and a cottage on the rear of the lot. This rear cottage is one of six cottages on the rear of six different lots, three of which have large front yards facing Duncan Street. {3} One of these three cottages with a front yard is 437 Duncan. All the cottages have peaked roofs.

Additionally all the single family homes with three levels have peaked roofs, not flat roofs.

The roof style that predominates *is* peaked (can also be called gabled or hipped roof). There are 18 peaked roof homes and 9 flat roof homes on Duncan Street. This is the context.

The newest single family homes were built in 1951 and 1952. The oldest are 1900, but a few may be older. Most of the homes are prior to the 1920s or 1930s. Because of the current "look" of the street, due in major part to the roof lines of the homes, the proposed project will not only change the character but change the texture and feel of the street. It will not "preserve and conserve" the neighborhood. It will not respect the context.

Specifically, the proposed three level project, which has a flat roof, will be surrounded by peaked roof homes -- four uphill and four downhill. And there are four peaked roof homes immediately across Duncan Street as well. (See Exhibit 6)

To deal with this important design/context issue, and to comply with criteria in Section 317(d)(3)(C)(vii) and (viii) (See Exhibits 1 and 2) and the Residential Design Guidelines (See Exhibit 7) as well as

Section 101.1 (See Exhibit 8) --- this Building Permit should be amended. An amended Building Permit would better preserve and conserve, as required by the criteria in Section 317 as listed above. If amended, the new structure would not violate the Residential Design Guidelines.

By reducing the overall square footage, which includes removing the roof deck, expanding the lightwell, and/or creating setbacks on the eastern side that should extend to the front facade, the project would then "modernly" mimic the predominant peaked roof pattern of the homes on the 400 block of Duncan Street. And in particular it would then "modernly" mimic the eight peaked roof homes that are the immediate context because they bracket the proposed project.

## CONCLUSION

Although the preservation of the context and of the character of Duncan Street is extremely important, the overriding consideration, the most critical consideration before this Board is to deal with the issue of relative affordability.

At the core this is about a Demolition and a new single family dwelling that will either *"...protect(s) the relative affordability of the existing housing"* or it will not.

This is why this Board must either deny the Demolition Permit or uphold it, but only uphold it through amending the Building Permit as suggested above, so that a new structure *"...protects the relative affordability of the existing housing."*

Hopefully this brief has set out a clear and concise path, particularly in Section I and Section II, to make such a decision.

## Footnotes

{1} The roof deck is approximately 583 square feet in size.

{2} The six single family homes on Duncan Street that range from 2,000 to 2,800 square feet have either a one car garage or no garage space.

{3} One of these cottages received a variance for alterations from the Zoning Administrator in 2003. All have peaked rooflines.

# REUBEN, JUNIUS & ROSE, LLP

April 2, 2015

## By Email and Hand Delivery

President Ann Lazarus  
San Francisco Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103

**Re: 437 Duncan Permit Appeal**  
**Appeal Numbers: 15-020; 15-021**  
**Hearing Date: April 8, 2015**  
**Our File No.: 8056.01**

Dear President Lazarus and Commissioners:

Our office represents Finbarr Collins, Richard O’Sullivan and Alan Casserly (the “Project Sponsors”), owners of the property located at 437 Duncan Street (the “Property”). The Property is currently improved with a significantly under-sized single family home at the rear of the lot and a carport at the front. The Project Sponsors propose to demolish the existing improvements and to construct a family-sized, single-family home that creates a consistent streetwall along this block of Duncan Street (the “Project”).

As discussed below, the Project Sponsors have been sensitive to the neighborhood’s concerns and the Planning Department staff’s design guidance and have made significant modifications to the Project, displaying their willingness to work with their neighbors and to seek a project that is compatible with the existing neighborhood. On July 24, 2014 the Project was considered by the Planning Commission on Discretionary Review. The Planning Commission approved the Project subject to the Project Sponsors’ agreement to remove the third

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin  
Sheryl Reuben<sup>1</sup> | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin  
Lindsay M. Petrone | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Jared Eigerman<sup>2,3</sup> | John McInerney III<sup>2</sup>

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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President Ann Lazarus  
San Francisco Board of Appeals  
April 2, 2015  
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floor of the home. The Project Sponsors submitted revised plans and were issued a demolition permit (Application No. 2012/07/16/4978) and building permit (Application No. 2012/04/18/8570S), which are both appealed here ("Permits"). Current plans for the Project are attached as **Exhibit A**.

The Project will replace an under-sized home that is in disrepair and inconsistent with the pattern of development in the neighborhood with a modern, family-sized home which fills a hole on the blockface and removes off-street parking from view. It was determined by Planning Department staff to be consistent with the Residential Design Guidelines, was approved by the Planning Commission, and is fully consistent with the Planning Code. It will provide a home for a San Francisco family, and will do its incremental share to ease the current housing crisis.

**A. Project Description**

The Property is currently improved with a small structure located in the rear third of the lot, which is in complete disrepair. The plumbing and heating systems don't work. The roof leaks and the floor joists are rotted. In short, the existing home is uninhabitable. The existing home is served by an unenclosed carport at the street that consists of a concrete slab.

The Project would demolish the existing improvements, and construct a two-story-over-garage, single-family home. A generous 5-foot deep, 14.25-foot long lightwell is provided on the east property line, maintaining significant light and air access to the first floor and basement windows of the adjacent east neighbor building. A roof deck is provided on top of the second

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President Ann Lazarus  
San Francisco Board of Appeals  
April 2, 2015  
Page 3

floor, set back 19.5 feet from the front property line (and five feet from the front of the home). A 45 percent rear yard is provided.

The Project replaces a void and carport on Duncan Street with a single-family home. This block of Duncan Street is on a significant hill, and the Project steps down with the elevation change. The Project completes this block, is consistent with the nearby single-family home development, and removes an unsightly off-street parking space adjacent to the sidewalk.

**B. Neighborhood Outreach and Design Development**

The Project Sponsors spent significant time and effort to gather and respond to concerns of the neighborhood. An initial pre-application meeting was held on February 22, 2012. A second meeting was held with interested neighbors on November 22, 2013. It was communicated to the Project Sponsors that nothing short of removing the penthouse level would satisfy many of the neighbors. The Project Sponsors also met with neighbors during the DR process and received feedback from the City's Residential Design Team ("RDT"). In response to feedback, the Project Sponsors made the following changes to the Project:

- Provided a deeper-than-normal lightwell on the east side to provide light and air all the way to the neighbor's small basement window.
- The roof deck was set back five feet from the front of the home;
- The roof parapet was reduced to its minimum six inches

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San Francisco Board of Appeals  
April 2, 2015  
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At the Planning Commission hearing, the Project Sponsors agreed to remove the top floor of the Project. The Project as modified is for a modest home that, as discussed below, is entirely compatible with the City's residential design guidelines.

**C. The Project Complies with Residential Design Guidelines**

The Appellant argues that the Project does not protect affordability of existing housing. However, the Project proposes a modest home that actually adds to the housing stock by providing a usable single-family home in place of an under-sized home that is in disrepair.

Appellant's own submitted photos show that the proposed two-story over garage Project is compatible with the neighborhood. In addition, the Project complies with the Residential Design Guidelines as follows:

*Neighborhood Character*

The Residential Design Guidelines include specific guidance on how to provide appropriate building scale at the street for a new building. The general guideline is:

Design the height and depth of the building to be **compatible with the existing building scale at the street.** (Residential Design Guidelines, Page 24; emphasis added.)

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San Francisco Board of Appeals  
April 2, 2015  
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The Residential Design Guidelines provide clear direction when designing a building larger than its neighbors:

A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area. It can often be made to look smaller by façade articulations and through setbacks to upper floors. (Residential Design Guidelines, Page 11.)

The Guidelines go on to say that when “a proposed building is taller than surrounding buildings...it may be necessary to modify the building height or depth to maintain the existing scale at the street.” (Residential Design Guidelines, Page 24.)

The effects of applying these Guidelines to the Project have a significant impact at the street. The building massing at the street matches the adjacent buildings and steps down with the slope. Removal of the top floor and setting back the roof deck have created a Project that meets the concerns previously expressed and complies with the Residential Design Guidelines, especially given the sloping nature of the street.

In addition, despite what the Appellant appears to argue, this block of Duncan Street displays significant variation: Mediterranean and Spanish revival and Victorian; flat roofs and gabled roofs; high and low articulation. There is no unified architecture to influence the Project design. (See photographs of blockface, attached as **Exhibit B.**) The Project attempts to bridge this architectural gap, providing architecture that is compatible with the diverse style of the block

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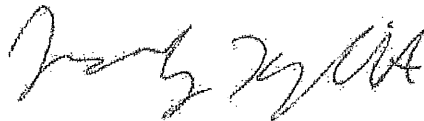
**D. Conclusion**

The Project Sponsors propose a Project that would provide a modest new, badly-needed family-sized housing unit in San Francisco that is sensitive to the existing built environment in the neighborhood. The Project improves the existing neighborhood environment by completing the blockface with a compatible home and removing visible off-street parking at the front property line. The Project Sponsors have shown their good faith in working with the neighborhood and Planning Department staff and making numerous Project modifications.

We respectfully request the Board of Appeals to deny the appeal and allow the Project to move forward. I look forward to presenting this matter to you on April 8, 2015. Thank you for your consideration.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



Jody Knight

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**REUBEN, JUNIUS & ROSE, LLP**

President Ann Lazarus  
San Francisco Board of Appeals  
April 2, 2015  
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Cc: Georgia Schuttish

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**2**

Title(s)	Description	Corrected
001	DEED	

Name Type	Name	X-Ref	Corrected
Grantor	SST INVESTMENTS LLC		
Grantee	SADDA SHALINI REDDY		
	SADDA SRIKANT R		



# City and County of San Francisco Assessor-

Officials ▼

2861/011

1

## Search Result: 47 Documents

[Criteria: OfficialRecords, 01/02/1990, 12/30]

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1 2 3 4 5 ⬆ ⬇ ⬇ ⬆

Document Number <span style="float: right;">⬆ ⬇ ⬇ ⬆</span>	Document Date <span style="float: right;">⬆ ⬇ ⬇ ⬆</span>	SearchFilingCode <span style="float: right;">⬆ ⬇ ⬇ ⬆</span>	Names
2015071366	6/4/2015	RES ENERGY INSPCTN	(R) SHUMSKY GREG
2014998429	12/24/2014	NTC SOLAR ENERGY	(R) SADDA SRIKANT (E) NTC OF THE INDEPENDENT SOLARY ENERGY
2014867183	4/22/2014	DEED OF TRUST	(R) SADDA SHALINI REDDY (E) WELLS FARGO BANK N A
2014867182	4/22/2014	DEED	(R) SST INVESTMENTS LLC (E) SADDA SHALINI REDDY
2014863356	4/14/2014	EASEMENT	(R) SST INVESTMENTS LLC (E) IGOR & GALINA SOKOL OFF FMLY TR
2014859383	4/2/2014	RES ENERGY INSPCTN	(R) SST INVESTMENTS LLC
2014851728	3/18/2014	DECLARATION	(R) SST INVESTMENTS LLC (E) SB 800 PRELITIGATION PROCEDURES
2014851727	3/18/2014	NTC COMPLETION	(R) SST INVESTMENTS LLC (E) AREA DEVELOPMENT I NC
2012518165	10/10/2012	RECONVEYANCE	(R) SAXE MORTGAGE CO (E) LOPATIOUK NATALIA VI KTOROVNA
2012464680	8/10/2012	DEED	(R) LOPATIOUK NATALIA VI KTOROVNA (E) SST INVESTMENTS LLC



Report for: **160 SAN MARCOS AVE**

## Property

General information related to properties at this location.

Parcel (Block/Lot) 2861/011	Parcel History	Address(es) for this Parcel	Reports
		160 San Marcos Ave, San Francisco, CA 94116	<a href="#">Assessor Summary</a> <a href="#">Assessor Recorded Documents</a> <a href="#">Secured Property Tax Rolls</a>

### Planning District

District 14 Inner Sunset

### Current Planning Team

SW Team [↗](#)

### Schools (K-12) Within 600ft

None

### Port Facilities

None

### City Properties

None

### Supervisor District

District 7 (Myrna Melgar) [↗](#)

### Census Tract

2010 Census Tract 030400

### Neighborhood (Planning Dept)

West of Twin Peaks

Neighborhood Groups Map [↗](#)

Services nearby (street cleaning, parks, MUNI, etc.) [↗](#)

Transportation (transit, ped & bike safety, etc.) [↗](#)

### Recommended Plants

Would you like to grow plants that create habitat and save water? Check out the plants that we would recommend for this property at SF Plant Finder [↗](#)

### Official Maps

Assessor's Block Map [↗](#)

Block Map 2009

Block Book Maps 1980

Block Book Maps 1960-65

Block Book Maps 1946

Block Book Maps 1935

Historic Sanborn Map [↗](#)

Historic Sanborn Map 2 [↗](#)