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Subject: 617 Sanchez Environmental Appeal

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Sue Hestor submission for Joerg Rathenberg

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March 23, 2020

Norman Yee, President San Francisco Board of Supervisors City Hall San Francisco CA 94102

Appeal of Categorical Exemption from Environmental Review 617 Sanchez - Demolition and New Construction Dolores Heights Special Use District - RH-1 Zoning

President Yee and Members of the Board:

On behalf of Joerg Rathenberg and other neighbors of the proposed project in the Dolores Heights Special Use District, I urge this Board to set aside exclusion from environmental review for demolition of the existing modest house at **617 Sanchez Street** and construction of a much bigger house on its 25' wide lot. Consideration of project has been done without proper evaluation by Environmental Review and Planning of demolition of sound housing in a neighborhood threatened by displacement of middle income residents so that much wealthier persons can erect large houses only available to those who can afford much greater housing costs.

The project is demolition of a 1000 sq ft 617 Sanchez St house built in 1907 at the rear of its downward sloping lot. It is 1-1/2 stories tail. The proposed 4-story, 4,000 sf ft house will be built at the front and highest point on the lot. The new 4-story house is 27' in height at Sanchez, with 2 below-grade floors. It has a 4 story south building wall as it slopes down to the rear and affects the houses on either side, including 619 Sanchez. Excavation will be done 2 stories under the foundation of the house at 619 Sanchez.

Proposed project also demolishes the existing low carport structure at the front of the lot. <u>Exhibit 2</u> includes photos of the house at the REAR of the downward sloping lot, and the one-story carport at the FRONT of the lot.

Categorical Exemption Determination was issued April 8, 2019. The Planning Commission approved construction by not taking Discretionary Review on February 20, 2020. <u>Exhibit 4</u>.

DEVELOPMENT OF SITE AND IMMEDIATE AREA

The block bounded by Sanchez, 19th St, Church, Cumberland had substantial development immediately after the 1906 earthquake. Exh 2, p.2 The block on which 617 Sanchez sits is extremely steep.

Sanchez at 19th Street is a staircase going up two flights. Cumberland Street does not cross Sanchez.

From the east on Cumberland there is another staircase going up nearly two stories to Sanchez. Sanchez is severely sloped uphill to the south of 20th Street, so that once again Sanchez is blocked by a hill.

The only vehicular access to 617 Sanchez for demolition and construction (and for almost all other vehicles) is via the intersection of 20th and Church Streets. Vehicles going west on 20th must then turn right on Sanchez and proceed one block past the staircase from Cumberland.

There is very difficult access for smaller vehicles using a convoluted street route from Noe Street to Cumberland west of Sanchez.

The only access to the site from **19th Street** and from **Cumberland** to the east is via staircases. <u>Ibid, p.3</u>. Due to the extreme slope of the area, many buildings on the west side of Sanchez sit above grade, while those on the east, including 617 and 619 Sanchez sit below grade. <u>Ibid p.4</u>

Photos of the site and its steep hilly nature are throughout Exhibit 2 at 4-6, 14, 24-26.

The 617 Sanchez lot slopes down to the east. The existing 1 1/2 story house has sat at the rear of the lot since it was built in 1907. <u>Ibid, p.2</u>

619 Sanchez Street and Joerg Rathenberg family

As first time home-owners in March 1999 Joerg Rathenberg and his wife bought the house at **619** Sanchez, immediately to the south of 617 Sanchez. His wife also operates a business in San Francisco. **619** Sanchez is a small 1906 Victorian built at the front of its shallow 619 Sanchez lot. Exh 3, p.3. The house next door at 617 was owned by John Fusco. His 1000 sq ft 1-1/2 story house at the REAR of the **617 Sanchez** lot had been built in 1907 after **619** Sanchez. Our house also adjoined **282** Cumberland, which was also built at the REAR of its lot.

The shallow nature of the **619 Sanchez lot**, in the context of surrounding development, is evident in the 1914 Sanborn Map. Exh. 2, p. 13. The arrow points to the house built at the REAR of **617 Sanchez**. Immediately SOUTH of 617 Sanchez is the earthquake cottage at **282 Cumberland** which is also built at the REAR of that lot. Added together these houses, built at the rear of their lots, result in nearly a **2-lot wide wall facing behind what our house at 619 Sanchez**. Because **619 Sanchez** was built at the front of its lot, sits higher than the 617 Sanchez house at the rear of its lot, and the 282 Cumberland house put a building wall behind us, not intruding on the line-of-sight and related privacy, was very important to the residents on both sides of the **617** and **619 Sanchez** property line.

We immediately started dealing with John Fusco our neighbor next door at 617 Sanchez. He had moved from Modesto to the Castro to open Jocanda Hair Salon in the 1970s. In 1975 he bought 617 Sanchez and lived in the house at the rear until he died in 2016. <u>Ibid 17,18</u>. From 1975 - when Fusco bought 617 Sanchez, to 1999 - when my wife and I bought 619 Sanchez - this neighborhood was a middle income neighborhood where people of modest means lived in housing that was affordable to them.

The previous owner from whom we bought the 619 Sanchez house had illegally constructed an addition in the rear of 619. A lower floor had been added, built 6" too close to 617 Sanchez. Windows in that addition had also intruded on Mr. Fusco's privacy. With our architect, James Hill, we engaged in over several years of negotiations on the plans to rebuild the rear of our home. So that our windows and the siting of our house did not intrude on Mr. Fusco's privacy.

The side windows in the 619 Sanchez remodel, both exact location and size, were specifically agreed upon by Mr. Fusco. Window placement was a big issue with Mr. Fusco because he was concerned that windows and sight-lines in 619 Sanchez would intrude on the privacy of 617 Sanchez residents.

On June 12, 2003 a variance was granted for our home at 619 Sanchez. Exh 3. The Planning Code required a variance to do construction in the rear because the 619 Sanchez lot is much shallower that the majority of lots on its block. Ibid p3. The variance notes that adjoining houses (617 Sanchez, 282 Cumberland) were constructed entirely within their required rear yard.

The final plans for the reconstruction of the rear of 619 Sanchez, for which the variance was granted, were totally acceptable to the owner of 617 Sanchez, James Fusco. We had negotiated so 617 and 619 had an acceptable project.

At the same time, the Dolores Heights Improvement Club was vigorously involved in making sure our building complied with the Dolores Heights SUD. Particularly view corridors from public streets. When we offered to add space to 619 Sanchez by increasing building height while keeping below the 35' height limit, we were told by the Planning Department that it would impermissibly intrude on the public view corridor from Cumberland and Sanchez. Ibid p.4.

The variance further notes the existing public view corridor from the corner of Sanchez and Cumberland - which goes over the rooftop of **619 Sanchez** is protected <u>[bid]</u>. Totally Ignored in evaluation of proposed 617 Sanchez project is that public view corridor also extends over the rooftop of **617** Sanchez.

By the time construction was complete, my wife and I had a daughter and I had a job on the peninsula. In May 2010, 11 years after buying 619 Sanchez, we moved to be near my job. We have rented out t619 Sanchez until our daughter graduates from high school in 3 years when we plan to return and live in our house a 619 Sanchez.

Both my wife and I kept in touch with Mr. Fusco, especially in his last years when he was ill.

After Mr Fusco died in 2016, the f first contact regarding development was from a real estate agent.

On June 13, 2018 I was contacted by real estate agent at Vanguard Properties who was selling 617 Sanchez. When my wife called him back the following day the agent informed her that the new owner wanted to also buy our house at 619 so she could build a large house and merge both 617 and 619 Sanchez lots. My wife told him we were not interested in selling and planned to move back to 619 Sanchez as soon as our daughter graduated from high school in a couple years.

The real estate agent told her that the new owners would build a large house on 617 that would block our views and reduce our property value.

Unlike the years of serious negotiations with Mr. Fusco, my wife and I were never approached by the architect and new owner of 617 Sanchez to develop a house that would not affect the privacy, sunlight and views of either 617 or 619 Sanchez.

The final plans for 617 Sanchez were presented at a pre-application meeting over the holidays in January 2019 when my family was out of the country. The building permit application was filed 3 days later.

ISSUES IGNORED IN THE CATEGORICAL EXEMPTION

This project is **demolition of existing sound housing**. To construct a 4,000 sq ft house nearly 4 times as large. A building that would result in demolition as defined in Planning Code 317 requires environmental determination if the project constitutes substantial modification. <u>Exh 1, 5th page</u>. The environmental and planning records for 617 Sanchez lack information on or discussion of Sec 317 demolition.

Excavation of 617 Sanchez, two stories below existing foundation of 619 Sanchez, will have impacts on both 619 Sanchez and 621 Sanchez which is 25' to the south. This creates a 4-story house with 2 belowgrade floors. Those impacts are ignored.

Public view corridors protected by the Special Use District are ignored. Dolores Heights SUD (Planning Code 241) sets goal to preserve public and private view corridors and panoramas. Building height is 35' and is required to slope downward with the lot to protect those corridors.

The Variance for rebuilding the house at 619 Sanchez specifically calls out the" protected an existing public view corridor over the rooftop of (619 Sanchez) visible from the corner or Sanchez and Cumberland Street." Exhibit 3 Although the new building at the front of 617 Sanchez intrudes into that protected public view corridor, that impact is ignored.

The Board of Supervisors is requested to set aside the categorical exemption for proposed housing demolition and construction of a new 4,000 sq ft 4-story building at 617 Sanchez Street.

Respectfully submitted,

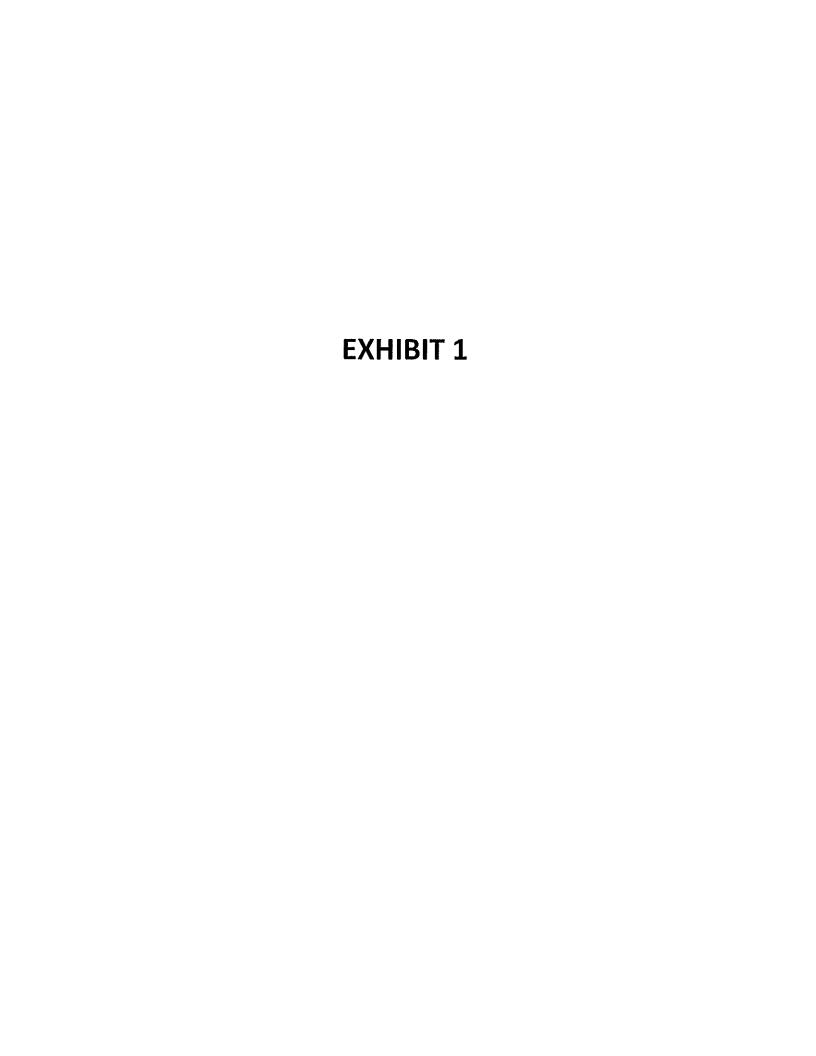
Sue Hestor

cc: Joerg Rathenberg

Lisa Gibson, Environmental Review Officer

List of Exhibits

- Exhibit 1 CEQA Categorical Exemption 617 Sanchez St 2019-000650ENV
- Exhibit 2 Historical Resource Evaluation 617 Sanchez Street September 2018
- Exhibit 3 Variance Decision 619 Sanchez Street two story addition at rear June 12, 2003
- Exhibit 4 Discretionary Review Action DRA-0686 617 Sanchez Street February 20, 2020





CEQA Categorical Exemption Determination

Block/Lot(s)

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address

017 SANCHEZ ST			3600033		
			Permit No.		
2019-000650ENV			201901150390		
_	ldition/	Demolition (requires HRE for	New		
L Al	teration	Category B Building)	Construction		
Proje The p	Alteration Category B Building) Construction Project description for Planning Department approval. The proposed project consists of the demolition of an (Existing) 2-story, non-conforming single family home and detached garage structure, and the construction of a (New) 4-story, single family dwelling. The proposed new building will be approximately 30 feet in height and consist of 4,149 square feet.				
STE	STEP 1: EXEMPTION CLASS				
*Note	*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*				
	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.				
	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.				
	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY				
	Class				

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an Environmental Evaluation Application is required.				
	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)			
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).			
	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?			
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)			
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)			
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.			
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.			
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.			
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.				
Comments and Planner Signature (optional): Laura Lynch				
archeo review complete,				
Preli	Preliminary Geotech report prepared by H. Allen Gruen 10-01-2018			
THE PARTY OF THE P				

Complies with the Secretary's Standards/Art 10/Art 11:		C No	@ N/A
CEQA Material Impairment to the individual historic resource:	C Yes	€ No	
CEQA Material Impairment to the historic district:	← Yes	€ No	
Requires Design Revisions:	C Yes	€ No	
Defer to Residential Design Team:	(Yes	(No	

PRESERVATION TEAM COMMENTS:

According to the Historic Resource Evaluation, Part 1 (HRE, dated 9/18) and information accessed by the Planning Department, the subject property at 617 Sanchez Street contains a primary residential building (the residence) and two accessory structures and is located in the Castro/Upper Market neighborhood. The residence is located at the rear of the lot and is a 1.5-story wood-frame, wood-clad, gambrel-roof, single-family dwelling with a 1-story flat roof extension. A wood-frame, wood-clad carport is located at the front of the lot. Between these two structures is a partially enclosed outdoor kitchen constructed of brick masonry and wood framing. The main house was constructed c.1907; significant exterior alterations include the addition of the one-story extension on the side and reconfiguration of the rear porch (various dates). The carport was constructed in 1983 as an arbor and then adapted for car storage in 2000, with later alterations. The outdoor kitchen was likely constructed in 1983.

Planning staff concurs with the HRE's conclusion that the subject property is not individually eligible for listing in the California Register of Historical Resources (CRHR) under Criterion 1, 2, or 3. Development of the subject block was already well under way by 1907, and thus the subject building does not appear to be associated with the early development of the neighborhood. From 1917 to 1952, the subject building was owned by the Scotts, an African-American family. According to statistics found in Black San Francisco: The Struggle for Racial Equality in the West, 1900-1954, by Albert S. Broussard, approximately 13.6% of African-American families in San Francisco owned their homes in 1930, a year in which the city had an African-American population of 3,803. Thus, while African-American homeownership was somewhat uncommon during the period that the Scotts owned the subject property, it was not so rare as to constitute a significant event in the history of the city. Furthermore, the Scott's purchase of the subject property does not appear to have led to the creation of an African-American community in the neighborhood. In sum, the subject property does not appear to be associated with any significant events or trends that would support a finding of individual eligibility under Criterion 1.

(continued)

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Allison K. Vanderslice Digitally signed by Allison K. Vanderslice Date: 2019.04.01 16:39:09 -07'00'	



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

P	Preservation Team Meeting D	Pate:	Date of Form Cor	mpletion 3/25/2019	Suite 400 San Francisco,
F	PROJECT INFORMATION:				CA 94103-2479
	Planner:	Address:			Reception: 415.558.6378
Nigog	ørgen G. Cleemann	617 Sanchez Stree	<u>-</u> t		Fax:
3063	Block/Lot:	Cross Streets:	gaute. (Silve many Terrangan)	Succession of West State County and County State County	415.558.6409
2620	3600/055	19th & Cumberlan	nd Streets		Planning
	CEQA Category:	Art. 10/11:	RPA/C	ase No.:	Information: 415.558.6377
В	menthment and the medical production and the second color of the second color of the second color of the second	N/A		00650ENV	410.000.0017
F	PURPOSE OF REVIEW:		PROJECT DESCRI	PTION:	
	CEQA Article 10/11	Preliminary/PIC	(Alteration	© Demo/New Construction	on l
T.Seleci	G DANKET Berkil der i Sweinberk des zente in der	Selective spaces I			
D	DATE OF PLANS UNDER REVIE	W: N/A			
F	PROJECT ISSUES:				
95000	Is the subject Property a	n eligible historic resourc	:e?	a proprior and the proprior of the second second second proprior and the second proprior position and the second	<u> </u>
	If so, are the proposed cl	hanges a significant impa	act?		
	Additional Notes:				
	Submitted: Historic Reso		t 1 (dated Septen	nber 2018) prepared by	
	Tim Kelley Consulting, Li	LC.			
	PRESERVATION TEAM REVIEW	V:			
999	Category:		C	A CB C	
99	Individu	ıal		c District/Context	
	Property is individually eligi	<u></u>			
	California Register under on			gible California Register ntext under one or more of	
	following Criteria:		the following Crite	ria:	
	Criterion 1 - Event:	○ Yes No	Criterion 1 - Event:	C Yes • No	
	Criterion 2 -Persons:	← Yes No	Criterion 2 -Person	s: (Yes (No	
	Criterion 3 - Architecture:	C Yes No	Criterion 3 - Archite	ecture: (Yes (No	
	Criterion 4 - Info. Potential:	← Yes ← No	Criterion 4 - Info. Po	otential: Yes • No	
	Period of Significance:		Period of Significar	nce:]
			Contributor	Non-Contributor	



Figure 1. 617 Sanchez Street, residence building. Source: 617 Sanchez Street HRE.



Figure 2. 617 Sanchez Street, outdoor kitchen. Source: 617 Sanchez Street HRE.

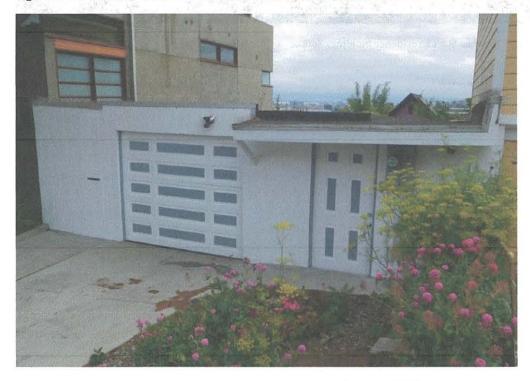
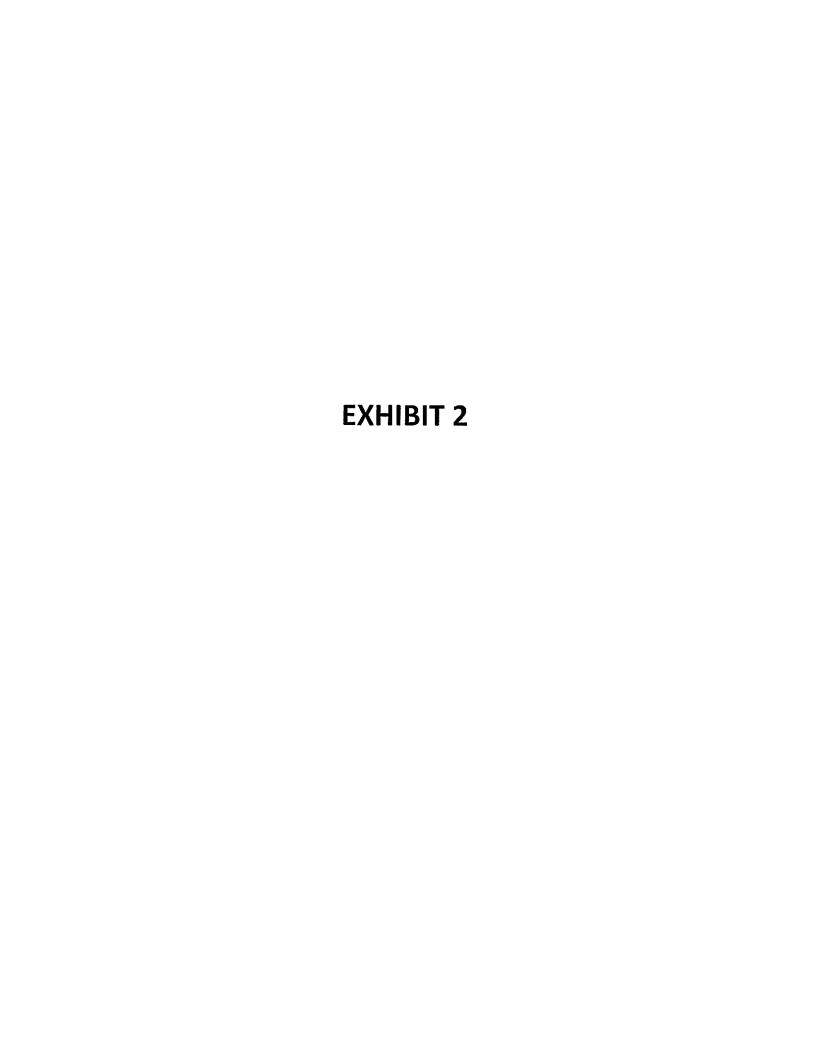


Figure 3. 617 Sanchez Street, garage structure. Source: 617 Sanchez Street HRE.



PART I HISTORICAL RESOURCE EVALUATION

617 SANCHEZ STREET

SAN FRANCISCO, CALIFORNIA





TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

SAN FRANCISCO, CA 94131

415.337-5824

TIM@TIMKELLEYCONSULTING.COM

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I. INTRODUCTION

Tim Kelley Consulting (TKC) was engaged to conduct an Historical Resource Evaluation (HRE) Part 1 for 617 Sanchez Street, a single family dwelling in the Castro/Upper Market neighborhood constructed circa 1907. A scoping discussion conducted by email with Justin Greving, Planner on September 4, 2018, established that the subject building would be evaluated for individual eligibility on the California Register, but that no analysis for a potential historic district will be required. Additionally, since the owners from 1914 through 1940 were African Americans, Planning requested that additional research regarding demographic trends in the neighborhood be conducted as well.

II. SUMMARY

TKC finds that 617 Sanchez Street is not eligible for individual listing in the California Register under any Criterion. The surrounding area was not investigated as a potential historic district per the scoping discussion with Planning Department staff.

III. CURRENT HISTORIC STATUS

On September 15, 2018, TKC consulted the San Francisco Planning Department Property Information Map (PIM) to determine whether the property was identified in any recognized register of historical resources. The PIM listed the following Preservation information for the subject property.

HISTORIC EVALUATION:

Parcel:

3600055

Building Name:

Address:

617 SANCHEZ ST

Planning Dept. Historic Resource Status: B - Unknown / Age Eligible

ARTICLE 10 DESIGNATED HISTORIC DISTRICTS AND LANDMARKS:

None

ARTICLE 11 PRESERVATION DESIGNATION:

None

None

NATIONAL REGISTER HISTORIC DISTRICTS:
None
CALIFORNIA REGISTER HISTORIC DISTRICTS:

HISTORIC RESOURCE EVALUATION RESPONSES:

Individuals - None

Evaluations for the Purposes of CEQA - These evaluations do not result in the automatic listing or designation of any property within the study area.

Districts - None

HISTORIC SURVEYS:

None

HISTORIC CONTEXT STATEMENTS:

None

MILLS ACT:

Properties with Mills Act approval.

None

LEGACY BUSINESS REGISTRY:

None

ARCHITECTURE:

Unknown

IV. DESCRIPTION

A. Site

617 Sanchez Street sits on the east side of Sanchez between 19th and Cumberland Streets. The area is very hilly, with Sanchez sloping up severely to the south. As a result, Sanchez is not a through street north to 19th Street, and Cumberland is not a through street east of Sanchez. In both cases, the only access is via steps. The parcel slopes down to the east. There is one building and two structures on the lot: a carport structure at the front of the parcel, and

sheltered open air kitchen mid-parcel, and the primary residence at the rear of the parcel. The front carport building is set back slightly from the front lot line. A brick stair and paver path run between the carport and the dwelling. The surrounding buildings have varying setback positions on their parcels. Due to the extreme slope of the area, many buildings on the west side of the street sit above grade while many on the east side sit below grade.

B. Exterior

The front structure at 617 Sanchez Street is a one story carport building (Figure 1). The street facing exterior is clad in vertical siding and it is capped with a flat roof. It features a roll up garage door on the left side and a wood paneled pedestrian door on the right side. There is a projecting awning sheltering the pedestrian entrance. The interior of the building is open to the central yard (Figure 2). A masonry retaining wall supports the carport.

The mid-parcel structure features half-height brick walls, with glazed portions above, and is capped with a flat roof (Figure 3).

The rear building is a rectangular plan single family dwelling clad in rustic siding (Figure 4). The building features two volumes: the volume at right is one and one half story and is capped with a gambrel roof, while the volume at left is one story and is capped with a flat roof. The taller volume, at right, has a pedestrian entrance on the right side featuring a modern glazed door behind a metal security gate capped with a projecting fabric awning (Figure 5). To the left of this is a pair of vinyl sash double hung windows behind metal security bars. There is a downsloping window hood above the windows. The half story is clad is fishscale shingles and features a vinyl sash sliding window at center (Figure 6). The gambrel peak terminates with a raking cornice. The flat roof section features a multi-lite pedestrian multi-lite door behind a metal security gate and below a fabric awning.

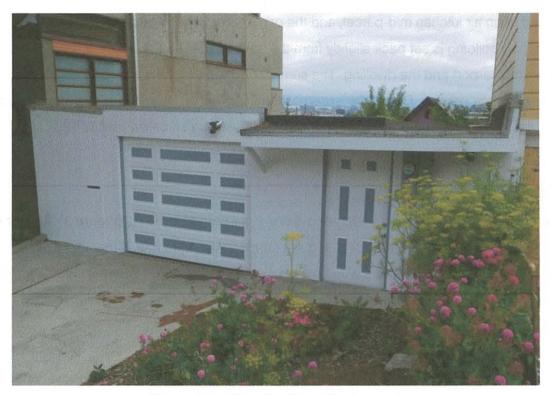


Figure 1: 617 Sanchez Street, front carport



Figure 2: 617 Sanchez Street, front carport, interior



Figure 3: 617 Sanchez Street, outdoor kitchen structure



Figure 4: 617 Sanchez Street, primary residence



Figure 5: 617 Sanchez Street, detail

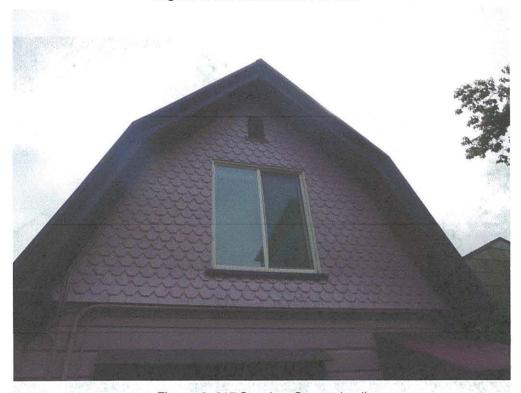


Figure 6: 617 Sanchez Street, detail



Figure 7: 617 Sanchez Street, detail

V. HISTORIC CONTEXT

A. Neighborhood

According to the Planning Department's Property Information Map, the subject property falls in the Castro/Upper Market neighborhood. Within the Castro/Upper Market neighborhood is the additional sub-neighborhood of Eureka Valley, the boundaries of which remain controversial but are generally accepted as Market Street to the north, Church Street to the east, Hill Street to the south, and Grand View Avenue to the west.

The opening of the Market & Castro Street Cable Car line in 1886 running on Market Street to Castro Street and the 1888 Castro Street branch from Market to 26th Street opened Eureka Valley to intensive residential development. As the residential builders arrived, the dairies that once thrived in the area were displaced, although the steep slopes of Twin Peaks remained quasi-rural well into the twentieth century. The 1889 Sanborn map indicates that Eureka Valley was only moderately developed with small wood-frame cottages and two-story flats. Many

were built on speculation in rows of identical cottages with similar footprints. Agricultural operations remained important.

Socially and economically, the Eureka Valley and neighboring Noe Valley neighborhoods were dominated from an early date by working and lower-middle-class tradesmen, small business owners, civil servants, builders, and artisans. Ethnically the neighborhood was mixed, with Irish, German, British, and Scandinavian immigrants, as well as some old-stock Americans, all calling Eureka Valley home. In 1881, the Eureka Valley Promotional Association was formed to foster public works projects and encourage residential development.

Eureka Valley escaped total destruction in the aftermath of the 1906 Earthquake and Fire, mostly because the fires stopped at Dolores Street. Although brick chimneys and foundations were damaged, the rocky slopes resisted the seismic forces much better than the marshy subsoils of the Mission and South of Market. The still-rural district filled an important role after the disaster, supplying much of the milk, vegetables, and meat consumed by homeless refugees filling the city's parks. However, in the following years thousands of earthquake refugees began purchasing lots and erecting cottages and flats in the steadily urbanizing area. Demographically, Eureka Valley was similar to the Inner Mission, with large numbers of Irish, German, and Scandinavian immigrants and their American-born offspring. Eureka Valley experienced a sharp upturn in building activity between 1906 and 1914. The momentum continued after the completion of Twin Peaks Tunnel in 1918 and the Municipal Railway's J-Church streetcar line in 1917. Taking a cue from the Mission Promotion Association, the Eureka Valley Improvement Association formed in 1905 and lobbied for improvements in the Upper Market area during the post-quake era, such as improved streetcar service, better lighting, and public school construction. In addition, the association lobbied owners of large tracts of vacant land to sell to residential property developers "to fill out the district."

The 1913-14 Sanborn maps for Eureka Valley show rows of two- and three-story flats and Romeo flats south of Market Street as well as larger gable-roofed single-family dwellings, while multiple-family housing was constructed, particularly along Market Street. Schools were also widespread in the neighborhood, reflecting the influx of families into the area. By 1929, the

area was largely built out, although some of the steeper hillsides in the western portion remained undeveloped into the 1960s and 1970s. The area had become a launching point for newer neighborhoods west of Twin Peaks, first with the opening of the Twin Peaks Tunnel in 1918, and culminating with the completion of the Market Street Extension in the late 1920s and its eventual transformation into Upper Market Street. The completion of the Market Street Extension allowed suburban development to creep higher up the steep hillsides of Twin Peaks,

According to the 1950 Sanborn maps, the neighborhood of Eureka Valley had undergone comparatively few physical changes since 1915 when the last map had been published. The most significant changes had taken place along Market Street, which was the shopping precinct (along with Castro Street) for the area, although many early pre-quake and immediate post-quake commercial buildings continue to survive. In 1939, the neighborhood lost its cable car line along Castro Street when MUNI decided to discontinue the line after taking over the Market Street Railway.

B. Residential Characteristics of San Francisco's African American Population

San Francisco did not have an African American-majority neighborhood until World War II. As American citizens, Blacks were not prohibited from owning property, though they were often forbidden from purchasing or renting in many exclusive subdivisions that had racial covenants prohibiting the sale or leasing of properties to African Americans, Asians, and other non-white ethnic groups. Entire swaths of San Francisco's West Side and Twin Peaks were basically off-limits to African Americans unless they were live-in domestic help. Neighborhoods with racial covenants included most of the residence parks built on what had been the San Miguel Rancho, including Forest Hill, Ingleside Terraces, St. Francis Wood, and some of the more modest speculator-built tracts in the suburban Sunset and Parkside districts. Black San Franciscans who chose to invest in real estate during this period often chose Oakland, where single-family homes were more plentiful and cheaper, the weather better, and where larger lots allowed room for gardening, raising animals, and space for children to play. Those who remained in San Francisco mostly rented, with only 8 percent of Black San Franciscans owning their own homes in 1900. This figure increased to 13.6 percent in 1930, but it was still much

lower than the rates for native-born Whites (35.1 percent) and foreign-born Whites (41.6 percent).¹

617 SANCHEZ STREET

C. Project Site History

The first Sanborn map illustrating the subject block was published in 1886 (Figure 8). The subject block is completely undeveloped and the subject parcel is vacant.

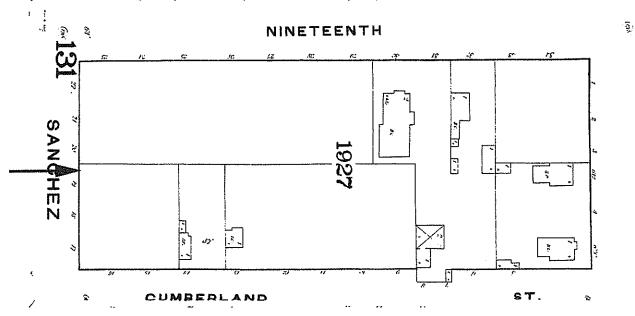


Figure 8: 1886 Sanborn Map with approximate location of the subject building noted with arrow

The 1900 Sanborn Map shows as similar level of development on the subject block (Figure 9). The subject parcel remains vacant.

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¹ "San Francisco African American Citywide Historic Context Statement," prepared for San Francisco Planning Department, Final Draft January 2015, by Tim Kelley Consulting, The Alfred Williams Consultancy, and VerPlanck Historic Preservation Consulting.

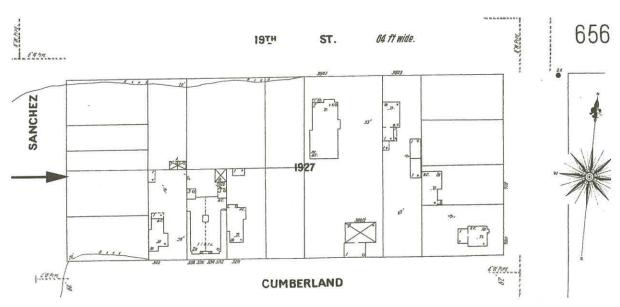


Figure 9: 1900 Sanborn Map with approximate location of the subject building noted with arrow

The 1905 Sanborn Map shows several Spring Valley Water Company tap application numbers penciled in, including for the subject building, indicating that the development of the street began between 1905 and 1908 (Figure 10).

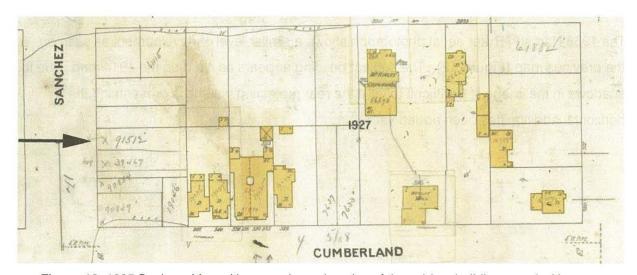


Figure 10: 1905 Sanborn Map with approximate location of the subject building noted with arrow

The 1914 Sanborn Map shows the partial block partially developed (Figure 11). The subject building is illustrated as a small one and a half story dwelling with a small projection at the rear, positioned on the eastern end of the parcel.

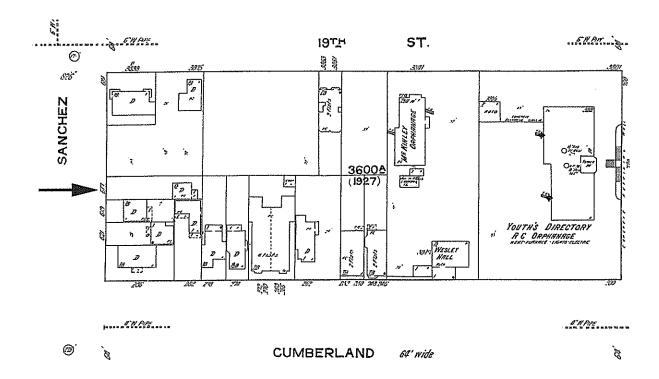


Figure 11: 1914 Sanborn Map with 617 Sanchez Street noted with arrow

The 1938 Harrison Ryker aerial photograph shows a similar level of development as seen on the previous map (Figure 12). The subject building appears as it did on the 1914 map. Due to shadows in the image, it is difficult to tell if the rear projecting volume is present or if the horizontal addition has been added yet.

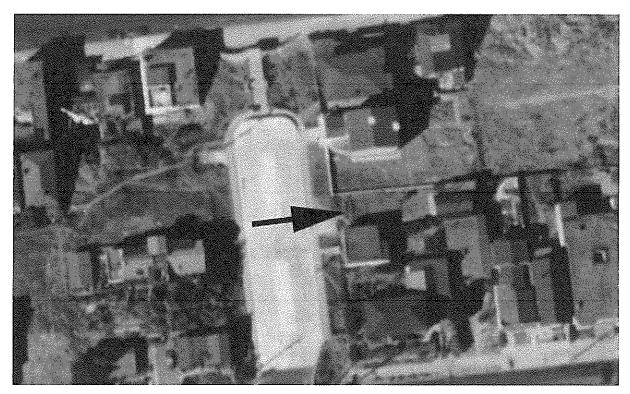


Figure 12: 1938 aerial photo with 617 Sanchez Street indicated by arrow

The 1950 Sanborn Map shows a similar level of development on the subject block (Figure 13). The subject building had been expanded to the north and south, creating the footprint currently seen on the building. The front of the parcel is vacant.

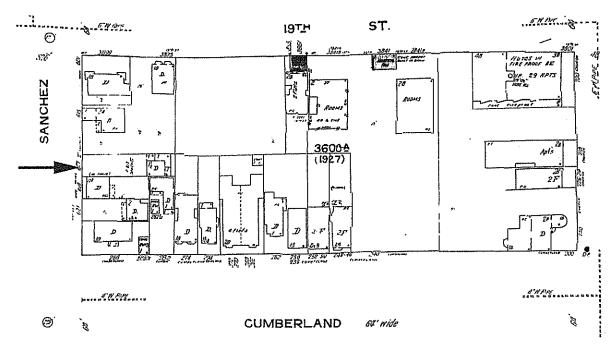


Figure 13: 1950 Sanborn Map with 617 Sanchez Street noted with arrow

D. Construction Chronology

No original construction permit or building announcement was not located for this building. According to Spring Valley Water Company records, the first owner, Vernon G. Higgins, requested water hook-up in August 1907. The first Sanborn map shows a one and a half story single family building. It is assumed this is the original building height and size. Alterations to the building include: one-story addition to the left side and expanding the rear porch; modern windows on the primary façade and the addition of the carport at the front of the lot. The carport was originally constructed as an arbor and was remodeled several times ending with the current design.

E. Permit Record

The following permits were found in Department of Building Inspection files for the subject property:

Permit #17577, March 19, 1936 – Repair fire damage. Fire proof shingle roof.

- Permit #157959, August 5, 1953 Leveling and added foundation and bracing
- Permit #569964, October 11, 1983 Patio Arbor. The arbor will be constructed of 4 x 4 redwood. Height will be 8'5" off existing concrete. Length is 20' total. Arbor and patio is in the front yard 54' from house.
- Permit #915612, June 27, 2000 Remove garage ceiling per notice of violation.
 Removal of arbor roofing area constructed in 1983 with permit. Convert arbor constructed in 1983 to off street parking.
- Permit #921625, September 18, 2000 Replace corrugated fiber glass roof on front arbor.
- Permit #1016261, February 3, 2004 Reroof
- Permit #1085359, March 30, 2005 Put roof over carport. To comply with NOV
 #200454539. Add horizontal addition increase existing study and bedroom size.
- Permit #1123453, June 18, 2007 To correct application #200611218262 (Permit #1085359) the description of work should be read as "renew 200503308770 instead of 2005030387105
- Permit #1180890, March 11, 2009 Scope of work is for fire department. Review only to field verify non-compliant installation of solar panels
- Permit #1181069, March 23, 2009 To complete work and obtain final inspection for PA #200503308770 (Permit #1085359)
- Permit #1292808, May 6, 2013 Renew expired permit 200503308770 (Permit #1085359) to put roof over carport and add horizontal addition to increase size of study and bedroom. To comply with NOV 200454539 and to complete work.
- Permit #1295209, June 3, 2013 Revision to existing permit 200503308770 (Permit #1085359) delete horizontal addition from scope of work

Copies of these permits are in the Appendix to this report.

F. Architectural Style

The subject building can best be described as vernacular. Vernacular architecture is defined as being based on localized needs and construction materials available. Unlike formal styles of architecture, vernacular architecture is not characterized by stylistic design elements.

G. Owners and Occupants

The following two tables list all known owners and occupants of the subject property.

Table 1: Owners of 617 Sanchez

Name	Date	Occupation
Vernon G. and Arilla J. Higgins	Prior to 1909 - 8/21/1910	(Husband Vernon G. Higgins
		Real Estate Broker)
Antoinette M. Huntley	8/21/1910 - 3/13/1912	Teacher
John A. Carlsen	3/13/1912 – 10/10/1913	Master Mariner
Antoinette M. Huntley	10/10/1913 – 9/18/1917	Teacher
Harvey A. Scott	9/18/1917 – 9/19/1952	Steward
Charles Yonan	9/19/1952 – 1970	Statistician
William Haskell	1970 – 2/26/1975	Unknown
John Fusco	2/26/1975 – 1/12/2018	Unknown
Victoria Minas	1/12/2018 – 7/10/2018	
J W Sanchez LLC	7/10/2018 - current	

Table 2: Occupants of 617 Sanchez

Date	Name	Occupation
1908-1910	Vernon G. Higgins	Real Estate Broker
	Vernon P. Higgins	Salesman (son of Vernon G)
1911	Humphrey S. Reneau	Conductor
1912	William A. Jorgensen	Carpenter
1913 – 1940	Harvey and Virgie Scott	Steward at Islam Temple Club
	Luella Scott (Marant)	(Shriners)
	Roberta Scott	Seamstress
		Beauty Operator
1941 – 1946	Charles and Jeanne Dana	Leaseman
1943	Rosalie W. Harrold	Clerk

1948 – 1949	Edward and Elsie B Uggla	Unknown
1951	John and Lynn Lanagan	USMM
1953 – 1960	Charles Yonan	Accountant
1961 – 1967	Roger F. Donley	Unknown
1972 – 1974	William E. Haskell	Unknown
1975 – 1982	John Fusco	Owner Jondora Beauty Salon

617 SANCHEZ STREET

The first owner, Vernon G. Higgins, was employed as a real estate broker. He resided at the property with his wife and adult son Vernon P. The property was sold to a single teacher Antoinette Huntley in 1910. Huntley and the next owner, John A. Carlsen, did not reside at the property. Harvey A. Scott began residing at the property in 1913 with his wife Virgie and their daughters Luella and Roberta. He purchased the property from Huntley in 1917. Scott was an African-American who was employed as a steward for the Islam Temple Club (Shriners). His daughter Luella continued to reside at the property after she was married to Chester Marant. Chester only resided at the property for a short period, approximately 1928 to 1931. He resided at 562 Jones in 1932. The Scotts owned to the property through 1952 but began renting it out in 1941.

The Scott Family resided at 617 Sanchez from 1913 to 1940. The 1920, 1930 and 1940 United States Census for the neighborhood of 617 Sanchez was investigated to determine how many African Americans resided near the subject property. The Scott family was the only African American family in the area until 1940. Charles Tinsley moved to 282 Cumberland in 1940 from 1469 Geary Street, where he had resided previously. 282 Cumberland abuts 617 Sanchez; both buildings sit at the rear of the property. It is possible Charles Tinsley and Harvey Scott knew each other. Charles Tinsley had been employed as a steward for a "club;" he was retired by 1940. He was somewhat older than Harvey Scott and died in 1945. Harvey Scott moved from 617 Sanchez to 1469 Geary (this two-story flat building is no longer extant). 1469 Geary was closer to Islam Temple Club at 650 Geary. It is possible that is why Scott moved, but the exact reason for Scott and Tinsley moving is unknown.

² 1920 United States Census Enumeration District 108, 1930 United States Census Enumeration District 162, and 1940 United States Census Enumeration District 463.

VI. EVALUATION OF HISTORIC STATUS

The subject property was evaluated to determine if it was eligible for listing in the California Register of Historical Resources, either individually or as a contributor to an historic district. The California Register is an authoritative guide to significant architectural, archaeological and historical resources in the State of California. Resources can be listed in the California Register through a number of methods. State Historical Landmarks and National Register-eligible properties (both listed and formal determinations of eligibility) are automatically listed. Properties can also be nominated to the California Register by local governments, private organizations or citizens. This includes properties identified in historical resource surveys with Status Codes of 1 to 5 and resources designated as local landmarks or listed by city or county ordinance. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed for use by the National Park Service for the National Register. In order to be eligible for listing in the California Register a property must be demonstrated to be significant under one or more of the following criteria:

Criterion 1 (Event): Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

Criterion 2 (Person): Resources that are associated with the lives of persons important to local, California, or national history.

Criterion 3 (Architecture): Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.

Criterion 4 (Information Potential): Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California or the nation.

The following section examines the eligibility of the subject property for listing in the California Register under those criteria.

A. Individual Eligibility

Criterion 1 (Events)

617 Sanchez Street is not eligible for individual listing in the California Register under Criterion 1. Although the Scott family was the only African-American family in the neighborhood until 1940, there is no indication that their presence was noteworthy in any way. During their residency at 617 Sanchez, African Americans were free to own a home in any neighborhood they could afford. Otherwise, this building constructed circa 1907 did not make any significant contribution to the development of the neighborhood. Nor did it make a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California. Thus the property is not eligible for listing in the California Register under Criterion 1.

Criterion 2 (Persons)

This building is not eligible for individual listing in the California Register under Criterion 2. It is not associated with any significant persons in the history of San Francisco or the State of California, as none of the owners or occupants were listed in the San Francisco Biography Collection or newspaper indexes or otherwise indicated to be important to the history of San Francisco or the State of California. Thus the property is not eligible for listing in the California Register under Criterion 2.

Criterion 3 (Architecture)

This building is not eligible for individual listing in the California Register under Criterion 3. 617 Sanchez Street is a vernacular residential building. The original design is not known; it is only assumed that is was constructed as a one and a half story single-family building. The building has been substantially altered since it first appeared on the 1914 Sanborn. This building does not embody distinctive characteristics of a type, period, region, or method of construction, represent the work of a master, or possess high artistic values. Thus the property is not eligible for listing in the California Register under any aspect of Criterion 3.

Criterion 4 (Information Potential)

This criterion ordinarily refers to potential archeological value. A full analysis of archeological value is beyond the scope of this report. The property does not appear eligible for listing on the California Register under Criterion 4.

B. District

A property may also become eligible for listing on the California Register as a contributor to an historic district. Guidelines define a district as an area that "possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development." To be listed on the California Register, the district itself must be eligible under the criteria already discussed. The documentation of the district must enumerate all properties within it, identifying each as a contributor or non-contributor. The district itself, as well as each of its contributors, then become historical resources.

Based on the scoping discussion of September 4, 2018 with the Planning Department, no district analysis was performed

VII. INTEGRITY

In addition to being determined eligible under at least one of the four California Register criteria, a property deemed to be significant must also retain sufficient historical integrity. The concept of integrity is essential to identifying the important physical characteristics of historical resources and hence, evaluating adverse change. For the purposes of the California Register, integrity is defined as "the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance" (California Code of Regulations Title 14, Chapter 11.5). A property is examined for seven variables or aspects that together comprise integrity. These aspects, which are based closely on the National Register, are location, design, setting, materials, workmanship, feeling and association. *National Register Bulletin 15, How to Apply the National Register Criteria for Evaluation* defines these seven characteristics:

- Location is the place where the historic property was constructed.
- Design is the combination of elements that create the form, plans, space, structure and style of the property.

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Office of Historic Preservation, "Instructions for Recording Historical Resources," Sacramento, 1995

- Setting addresses the physical environment of the historic property inclusive of the landscape and spatial relationships of the building/s.
- Materials refer to the physical elements that were combined or deposited during a particular period of time and in a particular pattern of configuration to form the historic property.
- Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history.
- Feeling is the property's expression of the aesthetic or historic sense of a particular period of time.
- Association is the direct link between an important historic event or person and a historic property.

Since 617 Sanchez Street is not eligible for listing in the California Register, no period of significance is established and integrity can not be determined.

VIII. CONCLUSION

617 Sanchez Street is not individually eligible for listing in the California Register. The surrounding area was not investigated as a potential historic district per the scoping discussion with Planning Department staff.

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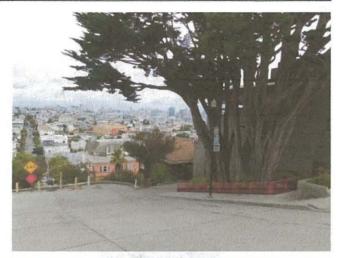
San Francisco Office of the Assessor-Recorder. Deeds, maps, and Sales Ledgers.

San Francisco Bureau of Building Inspection, Records Management.

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X. APPENDIX

EAST SIDE OF SANCHEZ STREET BETWEEN 19TH AND CUMBERLAND STREETS











WEST SIDE OF SANCHEZ STREET BETWEEN 19TH AND CUMBERLAND STREETS









Permits for 617 Sanchez Street

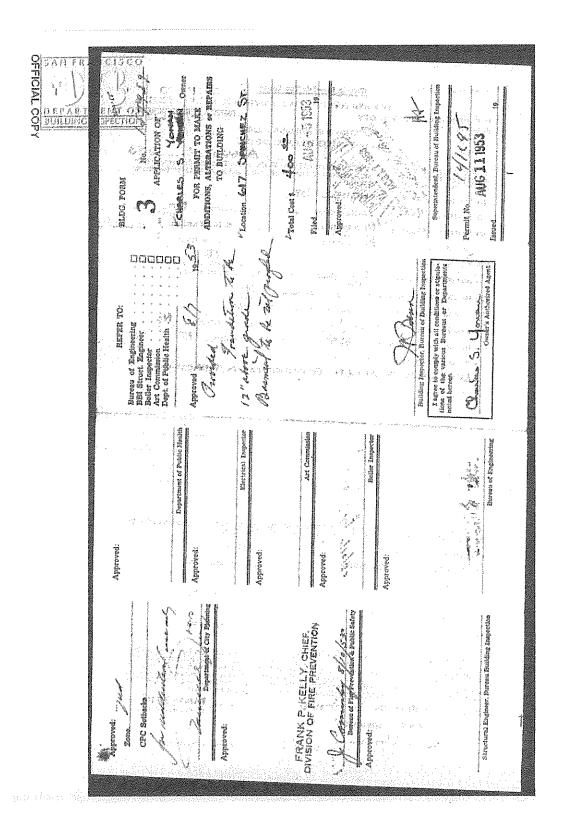
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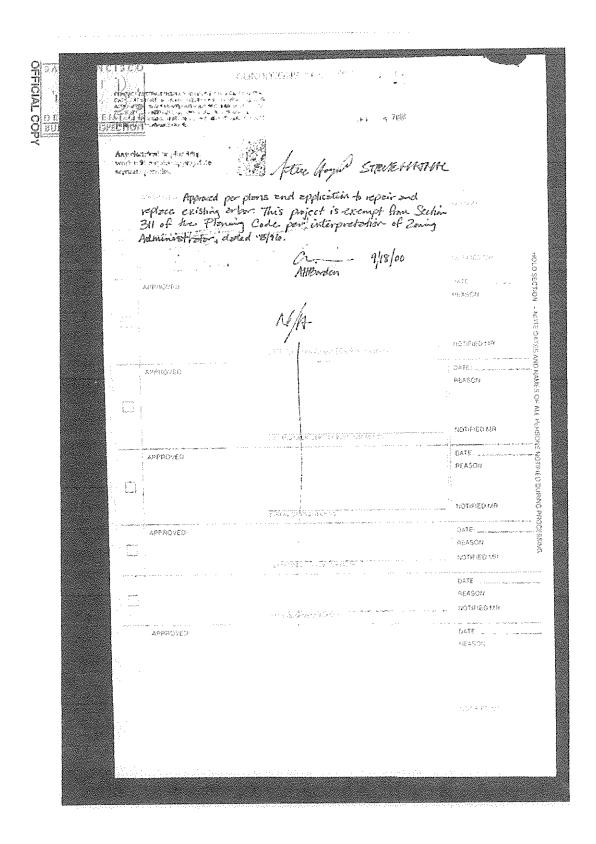
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SEPTEMBER, 2018 TIM KELLEY CONSULTING

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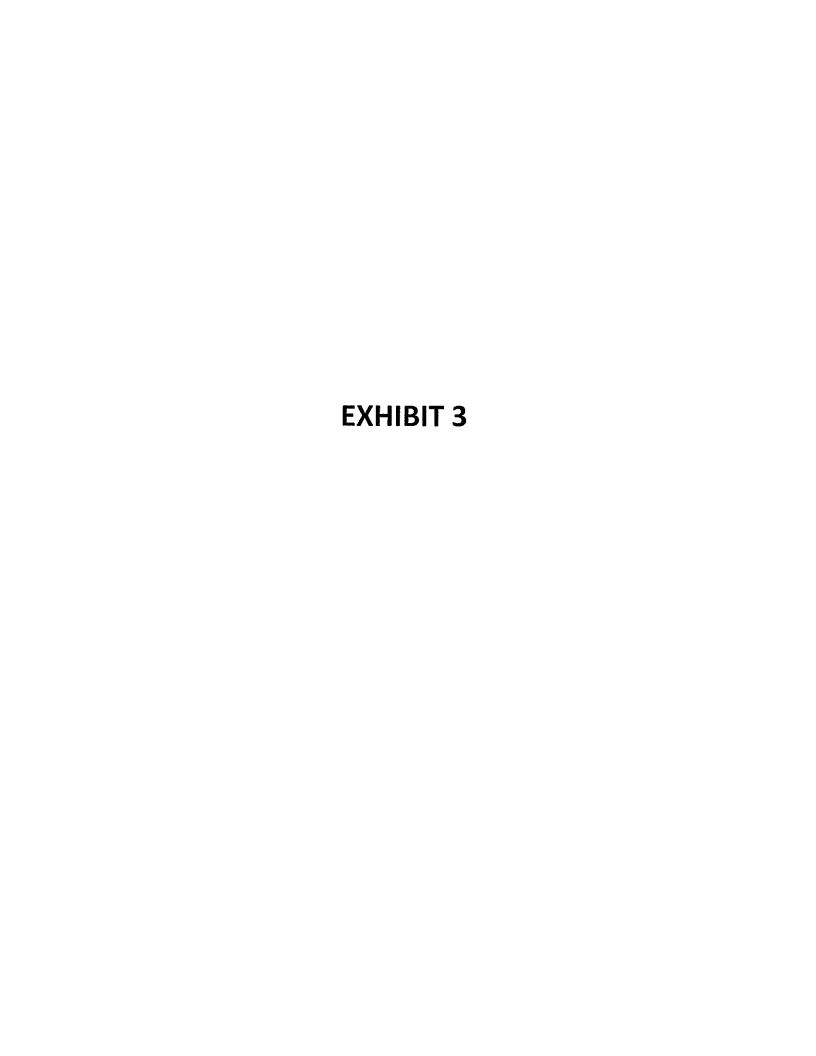
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PLANNING DEPARTMENT

DOCKET COPY

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER (415) 558-6378 DIRECTOR'S OFFICE PHONE: 558-6411 4TH FLOOR

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PHONE: 558-6350 5TH FLOOR FAX: 558-6409

ZONING ADMINISTRATOR

PLANNING INFORMATION PHONE: 558-6377

MAJOR ENVIRONMENTAL INTER

COMMISSION CALENDAR INFO: 558-6422

INTERNET WEB SITE
WWW.SFGOV.ORG/PLANNING

JUNE 12, 2003

VARIANCE DECISION

UNDER THE CITY PLANNING CODE CASE NO. 2003.0170V

APPLICANT:

JAMES HILL

838 HAIGHT STREET

SAN FRANCISCO, CA 94117

PROPERTY IDENTIFICATION:

619 SANCHEZ STREET, east side between Cumberland and 19th Streets; Lot 954 in Assessor's Block 3600 in an RH-1 (Residential, House, One-Family) District and Dolores Heights Special Use District and a 40-X Height and Bulk District.

DESCRIPTION OF VARIANCE SOUGHT:

REAR YARD VARIANCE SOUGHT: The proposal is to remove a rear portion of the existing two-story, single-family dwelling and replace it with a two-story addition.

Section 241(a) of the Planning Code requires a minimum rear yard of approximately 34 feet, measured from the rear property line, for the subject lot. The existing building extends to within 33 feet of the rear property line. The proposed two-story addition would extend to within 23 feet of the rear property line, encroaching 11 feet into the required rear yard.

PROCEDURAL BACKGROUND:

- 1. This proposal was determined to be categorically exempt from Environmental Review.
- 2. The Zoning Administrator held a public hearing on Variance Application No. 2003.0170V on May 28, 2003.
- 3. Section 311 notice of building permit was mailed on April 25, 2003, for the proposed work described above.

DECISION:

GRANTED, to remove a rear portion of the existing two-story, single-family dwelling and replace it with a two-story addition, in general conformity with plans on file with this application, shown as Exhibit A and dated February 18, 2003; subject to the following conditions:

- 1. This variance is to allow building expansion into an area that would not normally be permitted under the Planning Code. Therefore, any further physical expansion, even within the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale, and that there is no significant impact upon the light or air or an extraordinary impact upon the privacy of adjacent properties. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator may require either notice to adjacent and/or affected property owners or a new variance application be sought and justified.
- The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
- 3. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls shall apply.
- 4. Minor modifications as determined by the Zoning Administrator may be permitted if it is demonstrated that such modifications are necessary in order to comply with Department of Building Inspection requirements.

Section 305(c) of the City Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDINGS:

FINDING 1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district.

REQUIREMENT MET.

A. The rear portion of the existing subject building is dilapidated, presenting a safety problem to the occupants of the subject dwelling. The existing living space on both floors also does not function well to meet today's family needs. The demolition and replacement of the rear portion of the existing

building as proposed would not only ensure the occupants of the subject dwelling a safe and sound structure meeting current building requirements of the City but would also provide a more functional and desirable floor space for the family.

- B. The subject building was constructed in 1906 and predates the current rear yard requirement of the Planning Code. The existing building already covers a portion of the currently required rear yard.
- C. The subject lot with a depth of 75 feet is much shallower than the majority of other lots on this block. This condition reduces and restricts the buildable lot area and justifies the requested encroachment into the required rear yard for the subject lot.
- D. The intent of the rear yard requirement is to preserve mid-block open area and provide usable open space. The requested two-story building replacement is in an area at the rear of the subject lot that does not adversely impact the established mid-block open space on this block.
- E. Building encroachment into the required rear yard is a condition, which exists for several other properties on this block, including two adjoining buildings constructed entirely within the required yard on their lots. With the requested variance, there still will be a 23-foot rear yard remaining on the subject lot, which is more than that on several other lots on this block.
- F. Subject to conditions stated above, the approval of this variance will not significantly change the existing character of the neighborhood.
- G. Planning Code Section 101.1(b)(2) establishes the maintenance of housing and neighborhood character as priority general plan policy. To improve the subject dwelling with a third story vertical addition without the rear addition would not require a variance, however; that option would disrupt the subject property's current Victorian character. The proposal under this variance will provide the subject property owner with needed home improvement without affecting the overall architectural integrity of the subject building, will conserve the existing housing and neighborhood character and will protect an existing public view corridor over the rooftop of the subject building visible from the corner of Sanchez and Cumberland Streets.
- FINDING 2. That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.

REQUIREMENT MET.

- A. The subject dwelling was constructed in 1906 with the floor space that does not function well by today's living standards. In addition, a rear portion of the existing building is dilapidated, presenting a safety problem to the occupants of the subject dwelling. Granting the requested variance will provide the subject property owner with a safe and sound structure and more adequate and desirable living space.
- B. Although permitted by the Planning Code without a variance, the alternative of a third story vertical addition would neither conserve the existing housing and neighborhood character nor protect an existing public view corridor over the rooftop of the subject building.
- FINDING 3. That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

REQUIREMENT MET.

- A. Granting this variance is the best and most feasible manner by which a rear portion of the existing building can be reconstructed to provide more adequate and desirable living space while meeting the current building requirements for safe and sound living conditions; a substantial property right of the subject property, possessed by other property in the same class of district.
- B. Two adjoining property owners currently enjoy the use of their dwellings completely constructed within the required rear yards on their lots, whereas the proposed reconstruction of a rear portion of the existing building would still leave a 23-foot rear yard on the subject lot.
- FINDING 4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

REQUIREMENT MET.

A. The existing building already encroaches into the currently required rear yard under the Planning Code and has been in this noncomplying condition for decades with no apparent adverse effect on surrounding properties. Projecting a little longer than the existing building, the proposed rear portion building replacement would be insignificant, as it would not block air, light or view from any adjoining properties.

- B. The Department received a letter from Dolores Heights Improvement Club (DHIC) that expressed opposition to the proposed project. DHIC was particularly concerned with the portion of the project extending 2 feet into the rear 25-foot of the lot. However, the Zoning Administrator believes that the proposed project limited by the conditions under this variance decision in conjunction with the circumstantial evidence filed under this variance will not be materially injurious to the property or improvements in the vicinity.
- C. The subject property owner furnished the Department with seven letters signed by neighbors residing either on the subject block or on opposite block, who have reviewed the requested variance and all expressed no objection to the proposed project.
- FINDING 5. The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

REQUIREMENT MET.

- A. The proposal is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. The proposal is in harmony with the Residence Element of the General Plan to encourage residential development when it preserves or improves the quality of life for residents of the City.
- B. Code Section 101.1 establishes eight priority planning policies and requires review of variance applications for consistency with said policies. Review of the relevant priority planning policies yielded the following determinations:
 - 1. That the design of the proposed project will conserve and protect the existing housing and neighborhood character.
 - 2. That the proposed project will be in keeping with the existing housing and neighborhood character.
 - That the proposed project will have no effect on the City's supply of affordable housing, public transit or neighborhood parking, preparedness to protect against injury and loss of life in an earthquake, commercial activity, business or employment, landmarks and historic buildings, or public parks and open space.

The effective date of this decision shall be either the date of this decision letter if not appealed or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is utilized, all specifications and conditions of the variance authorization became immediately operative.

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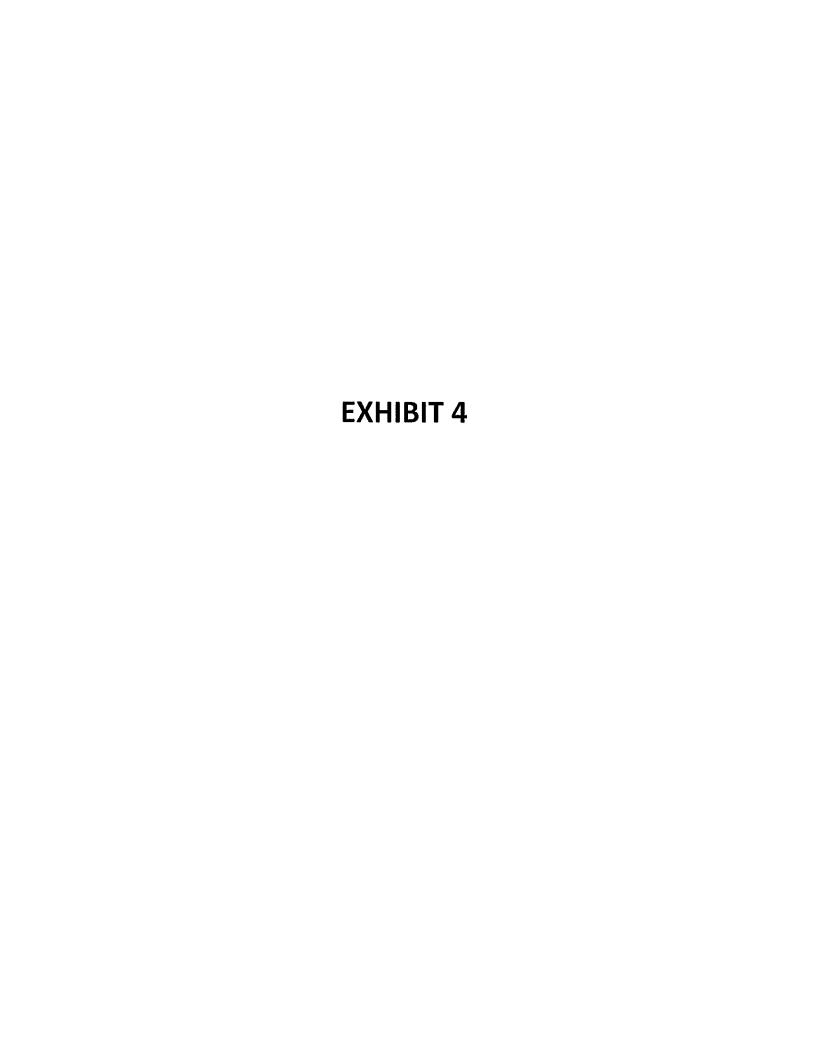
The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if (1) a Building Permit has not been issued within three years from the effective date of this decision; or (2) a Tentative Map has not been approved within three years from the effective date of this decision for Subdivision cases; or (3) neither a Building Permit or Tentative Map is involved but another required City action has not been approved within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit or approval of a Tentative Map or other City action is delayed by a City agency or by appeal of the issuance of such a permit or map or other City action.

<u>APPEAL</u>: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 1660 Mission Street, (Room 3036) or call 575-6880.

Very truly yours,

Lawrence B. Badiner Zoning Administrator

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OCCUPANCY. PERMITS FROM APPROPRIATE DEPARTMENTS MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.





Discretionary Review Action DRA-0686

HEARING DATE: FEBRUARY 20, 2020

CA 94103-2479 Reception:

Suite 400 San Francisco,

415.558,6378

1650 Mission St.

415.558.6409

Planning Information: 415.558.6377

Record No.:

2019-000650DRP-02

Project Address:

617 Sanchez Street

Building Permit:

2019.0115.0390 and 2019.0115.0391

Zoning:

RH-1 [Residential House, One-Family]

40-X Height and Bulk District

Block/Lot:

3600 / 055

Project Sponsor:

Robert Edmonds

Edmonds and Lee Architects 2601 Mission St. Suite 503

San Francisco, CA 94110

DR Requestors:

Brian Higginbotham 616 Sanchez Street San Francisco, CA

Benafsha Irani 619 Sanchez San Francisco, CA

Staff Contact:

David Winslow - (415) 575-9179

David.Winslow@stgov.org

ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF RECORD NO. 2019-000650DRP-02 AND THE APPROVAL OF BUILDING PERMIT APPLICATION NOs. 2019.0115.0390 & 2019.0115.0391 TO DEMOLISH AN EXISTING 2-STORY, ONE-FAMILY HOUSE AND CONSTRUCT A NEW 4-STORY ONE-FAMILY HOUSE AT 617 SANCHEZ STREET WITHIN THE RH-1 (RESIDENTIAL HOUSE, ONE-FAMILY-DETAHCED) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 15, 2019, Robert Edmonds filed for Building Permit Application Nos. 2019.0115.0390 and 2019.0115.0391 to demolish an existing 2-story, single-family house, and construct a new 4-story single-family house at 617 Sanchez Street within the RH-1 (Residential House, One-Family) Zoning District and a 40-X Height and Bulk District.

On October 9, 2019 Brian Higginbotham, and Benafsha Irani (hereinafter "Discretionary Review (DR) Requestors") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2019-000650D'RP-02) of Building Permit Application Nos. 2019.0115.0390 and 2019.0115.0391.

Record No. 2019-000650DRP-02 617 Sanchez Street

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

On February 20, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2019-000650DRP-02.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission found there are no extraordinary or exceptional circumstances in this case and hereby does not take Discretionary Review requested in Record No. 2019-000650DRP-02 and approves Building Permit Application 2019.0115.0390 and 2019.0115.039.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals only after the Department of Building Inspection (DBI) takes action (Issuing or disapproving) the permit. Such appeal must be made within fifteen (15) days of DBI's action on the permit. For further information, please contact the Board of Appeals at (415) 415-575-6880, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission did not take Discretionary Review and approved the building permit as referenced in this action memo on February 20, 2020.

Commission Secretary

AYES:

Diamond, Fung, Johnson, Koppel,

NAYS:

Imperial, Moore

ABSENT:

Richards

ADOPTED:

February 20, 2020

SUE C HESTOR
ATTORNEY AT LAW

\$70 MARKET ST STE 1128
SAN FRANCISCO, CA 94102-2906

DATE 3 23/25

PAY
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