



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: FEBRUARY 16, 2016

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: February 6, 2017
Case No.: 2015-000254DRP, -02, -03
Project Address: 68 RICHARDSON AVENUE
Permit Application: 2014.1230.4697
Zoning: RH-3 (Residential House, Three-Family)
40-X Height and Bulk District
Block/Lot: 0934/012A
Project Sponsor: Jason Langkammerer
AT6 Architecture
746 Natoma Street
San Francisco, CA 94123
Staff Contact: Ella Samonsky – (415) 575-9112
Ella.Samonsky@sfgov.org
Recommendation: **Do not take DR and approve project as proposed**

PROJECT DESCRIPTION

The Project proposes construction of a vertical addition and roof deck to a two-story single-family dwelling. The proposed third floor addition will match the footprint of the existing residence, and would be approximately 21 feet in depth, 24 feet in width and would result in a total building height of 31 feet. The residence would have a roof deck with an operable skylight for access.

The Project requires a rear yard variance. In the RH-3 Zoning District the lot is required to maintain a rear yard area equivalent to 45 percent of the total lot depth, which can be reduced to the average depth of the adjacent neighbors, but at no point can it be reduced to less than 25% or 15 feet, whichever is greater. The subject property, with a total lot depth of 25 feet, has a required rear yard of 15 feet. The proposed addition and roof deck would be located within the required rear yard and extend to within approximately 4.5 inches of the rear property line.

On July 27, 2016 the Project was granted a Rear Yard Variance. One of the DR Requestor's, Carmen Zell, filed an appeal of the Variance Decision, Appeal No. 16-168, on August 8, 2016. The Appeal was heard on October 26, 2016 by the Board of Appeals. The Board of Appeals granted the appeal and upheld the issuance of the variance by the Zoning Administrator with the condition that the rooftop glass parapet be made opaque rather than clear glass. A request for rehearing of the appeal was heard on December 7, 2016 and denied. The modification to the parapet was made to the plans to comply with the conditions.

SITE DESCRIPTION AND PRESENT USE

The Project is on the northern side of Richardson Avenue, between Chestnut and Lombard Streets, Block 0934, Lot 012A and located within the RH-3 (Residential House, Three-Family) Zoning District with a 40-X Height and Bulk designation. The Project site is an irregularly shaped pentagonal, 618 square-foot lot

that has 16.2 feet of frontage and a depth of 25 feet. The site is developed with an existing two-story single-family residence that is setback approximately 4.5 inches from the rear property line, 3 feet - 3 inches from the northern side property line and is built to the front and southern side property lines. The existing residence was constructed in 1940, after the creation of Richardson Avenue as a throughway to the Golden Gate Bridge.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Marina neighborhood within Supervisor District 2. The neighborhood is characterized by three- to four-story single-family homes, duplexes and triplexes, predominately constructed in the early 20th century. To the south of the Project Site are commercial uses on Lombard Street.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	August 23, 2016 – September 21, 2016	September 20, 2016	February 16, 2017	149 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	February 6, 2017	February 6, 2017	10 days
Mailed Notice	10 days	February 6, 2017	February 6, 2017	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		3 (DR Requestors)	
Other neighbors on the block or directly across the street			
Neighborhood groups			

DR REQUESTOR

DR Requestor #1: Jonathan Wade, 2561 Chestnut Street, San Francisco CA 94123. The DR Requestor's property is located on the corner of Richardson Avenue and Chestnut Street and is located approximately 25 feet northerly of the Project Site on Richardson Avenue.

DR Requestor #2: Carmen Zell, 2541-2543 Chestnut Street and 2547-2549 Chestnut Street, San Francisco CA 94123. The rear property line of the DR Requestor's property at 2547-2549 Chestnut Street abuts the northern side property line of the Project Site. The side property line of the DR Requestor's property at 2541-2543 Chestnut Street abuts the rear property line of the Project Site.

DR Requestor #3: James Rubenstein, 2555 Chestnut Street, San Francisco CA 94123. The side property line of the DR Requestor's property abuts the western property line of the Project Site.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application -2015-000254DRP*, dated September 20, 2016.

See attached *Discretionary Review Application -2015-000254DRP-02*, dated September 21, 2016.

See attached *Discretionary Review Application -2015-000254DRP-03*, dated September 21, 2016.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated February 1, 2017

ENVIRONMENTAL REVIEW

The Department has determined that the proposed Project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) reviewed the Project and the three DR Requests on November 2, 2016, and recommended, in response to the concerns raised by the DRs, that the proposed roof deck railing, exclusive of roof stair access, be set back at least 5 feet from the northern and eastern property lines and building envelope. With incorporation of the requested changes, the RDT supports the Project and finds that due to the existing conditions, the configuration of the lot, the adjacent open spaces and the proximity of adjacent buildings, neither the Project nor the Discretionary Review requests demonstrate exceptional or extraordinary circumstances with regard to the loss of privacy, midblock open space, and light and air.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

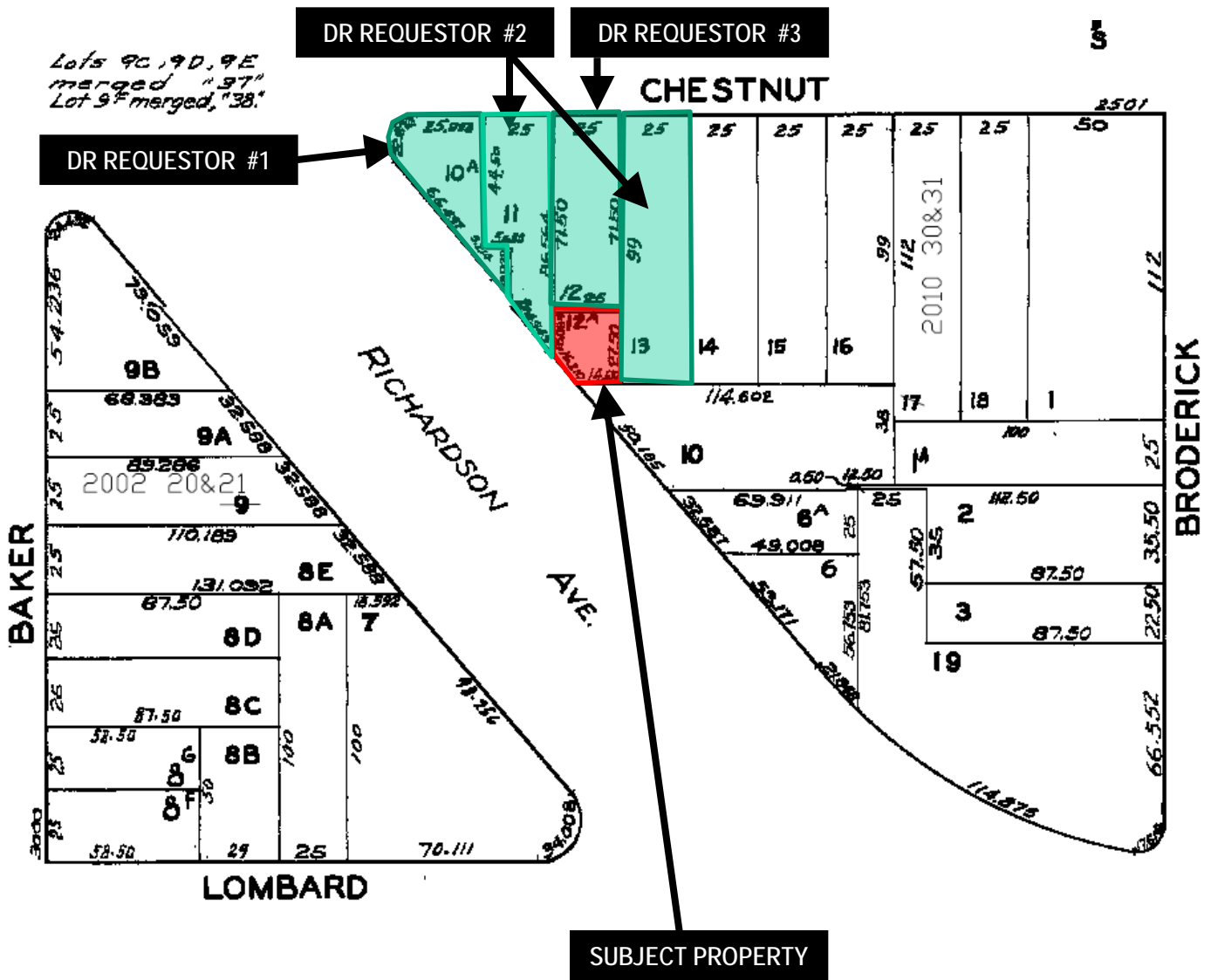
RECOMMENDATION:	Do not take DR and approve project as proposed
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Attachments:

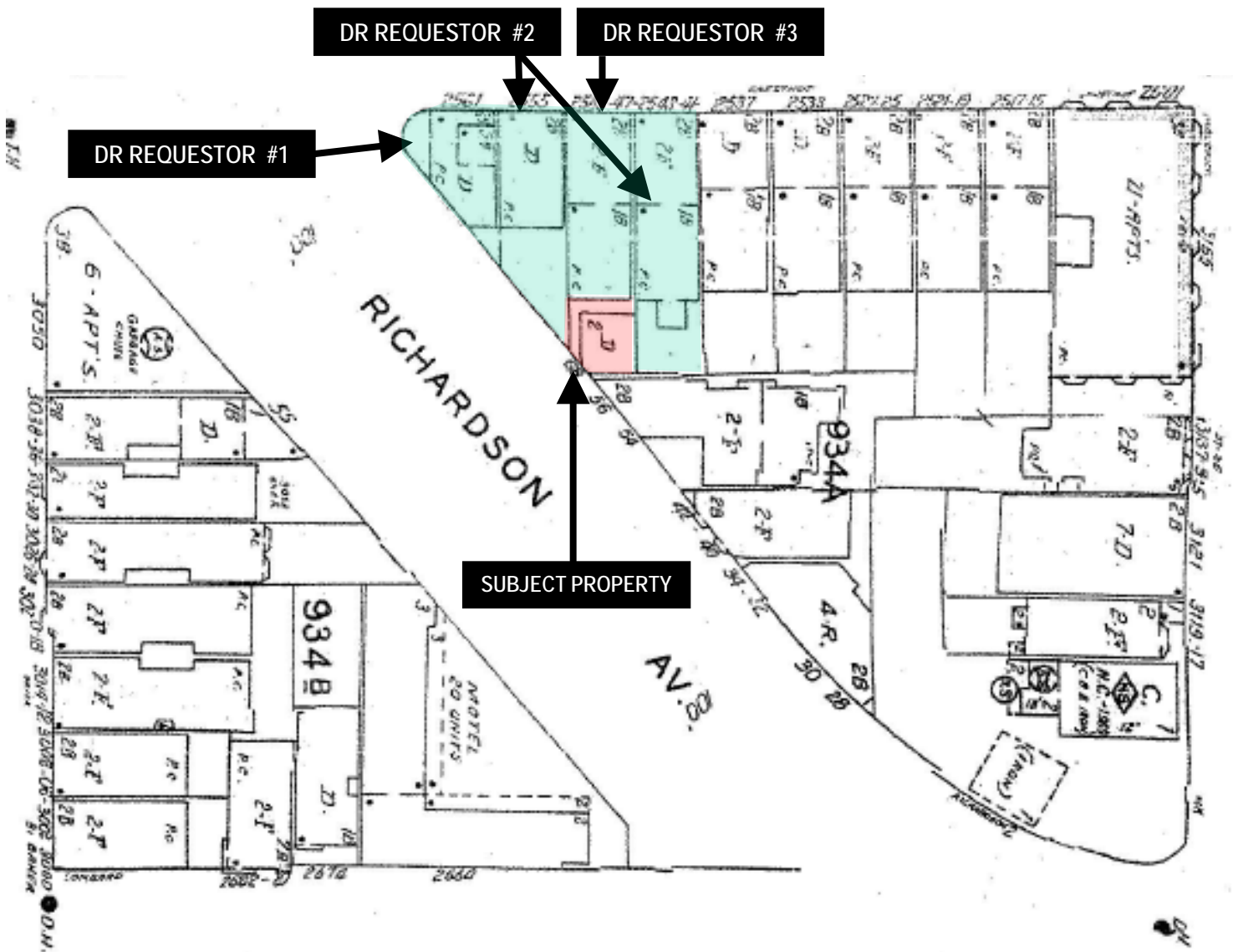
Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
DR Application

Response to DR Application dated February 1, 2017
Reduced Plans

Parcel Map



Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2015-000254DRP, -02, -03
68 Richardson Avenue
February 16, 2017

Aerial Photo

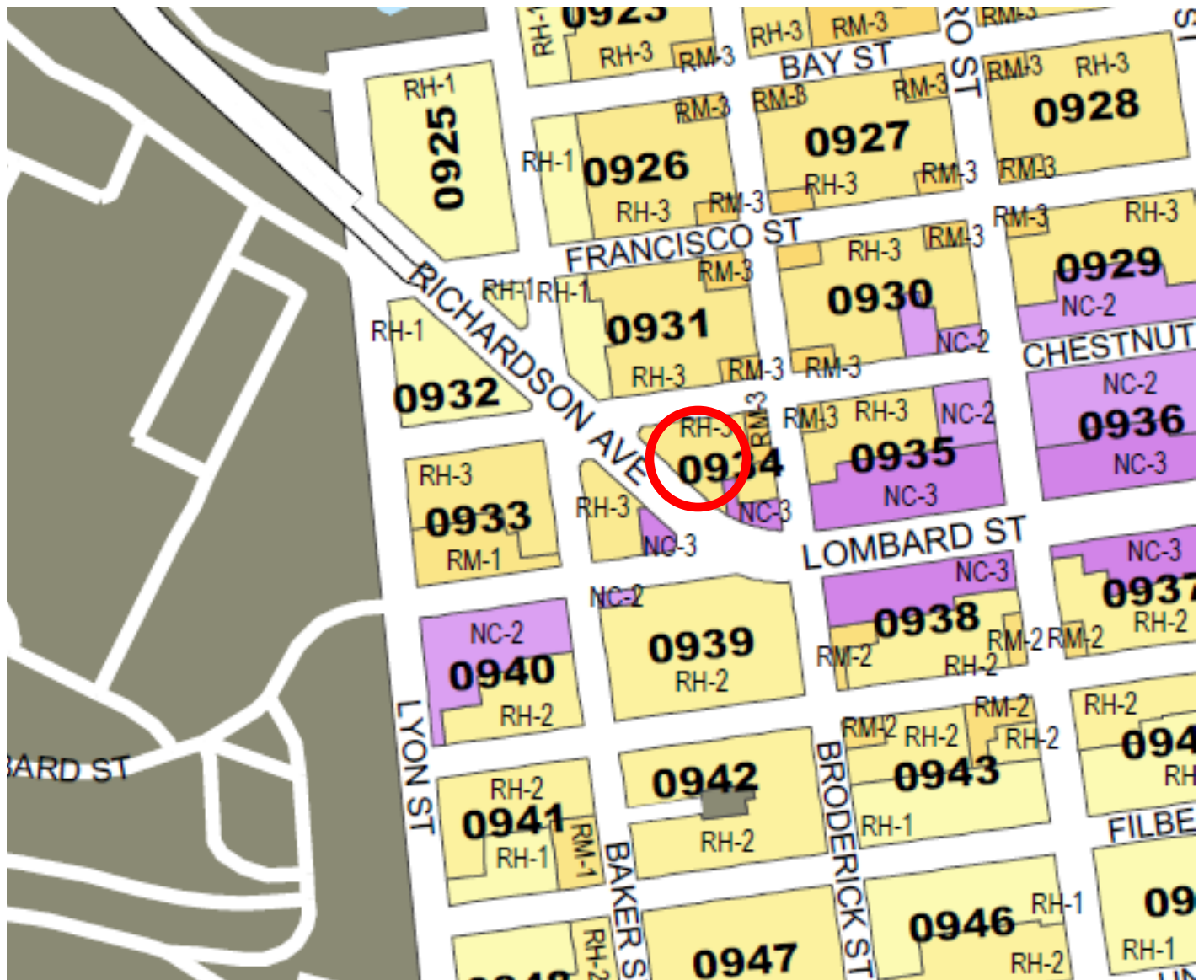


Discretionary Review Hearing
Case Number 2015-000254DRP, -02, -03
68 Richardson Avenue
February 16, 2017

Aerial Photo



Zoning Map



Discretionary Review Hearing
Case Number 2015-000254DRP, -02, -03
68 Richardson Avenue
February 16, 2017

Site Photo



Discretionary Review Hearing
Case Number 2015-000254DRP, -02, -03
68 Richardson Avenue
February 16, 2017



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **Decemebr 30, 2014**, the Applicant named below filed Building Permit Application No. **2014.1230.4697** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	68 Richardson Avenue	Applicant:	Jason Langkammerer, AT6 Architecutre
Cross Street(s):	Chestnut and Lombard Streets	Address:	746 Natoma Street
Block/Lot No.:	0934/012A	City, State:	San Francisco, CA 94123
Zoning District(s):	RH-3 / 40-X	Telephone:	(415) 503-0555

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	0 feet	No Change
Side Setbacks	3 feet (north) / 0 feet (south)	No Change
Building Depth	21 feet	No Change
Rear Yard	0 feet	No Change
Number of Stories	2	3
Height	20 feet	31 feet (roof) 38 feet (top of windscreen)
Number of Dwelling Units	1	No Change
Number of Parking Spaces	0	No Change
PROJECT DESCRIPTION		
The proposal is to construct a verticle addition (third floor) and roof deck that match the footprint of the existing building. The project includes interior remodel of the residence.		
The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.		

For more information, please contact Planning Department staff:

Planner: Ella Samonsky

Telephone: (415) 575-9112

E-mail: ella.samonsky@sfgov.org

Notice Date: 8/23/2016

Expiration Date: 9/21/2016

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

CASE NUMBER:
For Staff Use only

2015-000254DRP

SEP 20 2016

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PICAPPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Jonathan Wade		
DR APPLICANT'S ADDRESS: 2561 Chestnut St. San Francisco, CA	ZIP CODE: 94123	TELEPHONE: (415) 640-5030
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Mr. Carter		
ADDRESS: 68 Richardson Ave. San Francisco, CA	ZIP CODE: 94123	TELEPHONE: () ()
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE:
		() ()
E-MAIL ADDRESS: jonjwade@gmail.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 68 Richardson Ave, San Francisco, CA		ZIP CODE: 94123
CROSS STREETS: Chestnut and Lombard St.		
ASSESSORS BLOCK/LOT: 0934/012A	LOT DIMENSIONS:	LOT AREA (SQ FT):
		ZONING DISTRICT: RH-3/40-X
HEIGHT/BULK DISTRICT:		

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☐ Demolition ☐ Other ☒Additions to Building: Rear ☐ Front ☐ Height ☒ Side Yard ☐

Present or Previous Use:

Proposed Use:

Building Permit Application No. **2014.1230.4697**Date Filed: **December 30th, 2014**

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

- Our daughters bedroom faces the property, 68 Richardson, and will impact privacy, increase noise levels, and smoke will blow into her room and our home. There isn't an option to move our daughter into another room in our home.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

and
Air/light is already an issue in all neighboring houses backyards and building upwards will only have a more negative impact on air and light.

2547, 2549, 2555 Chestnut St, San Francisco, CA 94123

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

If 68 Richardson is going to build then do so without a variance.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____

Date: _____

Print name, and indicate whether owner, or authorized agent:

☒ Owner ☐ Authorized Agent (circle one) Jonathon Wade

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

☐ Required Material.☐ Optional Material.☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: H. KlineDate: 9/20/16

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Carmen Zell c/o Zacks, Freedman & Patterson, PC		
DR APPLICANT'S ADDRESS: 2541-43, 2547-49 Chestnut Street	ZIP CODE: 94123	TELEPHONE: (415) 956-8100
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Bryan Carter		
ADDRESS: 68 Richardson Avenue	ZIP CODE: 94123	TELEPHONE: (415) 503-0555
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Jason Langkammerer, AT6 Architecture		
ADDRESS: 746 Natoma Street	ZIP CODE: 94123	TELEPHONE: (415) 503-0555
E-MAIL ADDRESS: jason@at-six.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 68 Richardson Avenue		ZIP CODE: 94123		
CROSS STREETS: Chestnut and Lombard Streets				
ASSESSORS BLOCK/LOT: 0934 /012A	LOT DIMENSIONS: 25' x 27'-6"	LOT AREA (SQ FT): 618 sq. ft.	ZONING DISTRICT: RH-3	HEIGHT/BULK DISTRICT: 40-X

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☒ Demolition ☐ Other ☐Additions to Building: Rear ☐ Front ☐ Height ☒ Side Yard ☐

Residential

Present or Previous Use:

Residential

Proposed Use:

Building Permit Application No. 2014.1230.4697

Date Filed: 12/30/14

RECEIVED

SEP 21 2016

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

A staircase was removed from the project during the variance hearing, but the staircase was not code-compliant to begin with. The Project Sponsor has not made any changes at the neighbors' request.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.

The project will create a high wall on the property line, directly in front of neighbors' bedrooms. It will have a severe impact on the neighbors' privacy, light, and air. The project's roof-deck (including hot tub and fire pit) will create a source of noise emanating into the common mid-block open space and the neighbors' bedrooms.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

The rear wall of the proposed three-story + roof-deck structure is located 3'-3" from the property line. It will be directly against the neighboring units' bedrooms, and it will wall off the common mid-block open space.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

The third floor and roof-deck should not be added.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____



Date: _____

9/20/16

Print name, and indicate whether owner, or authorized agent:

Ryan J. Patterson / Zacks, Freedman & Patterson

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
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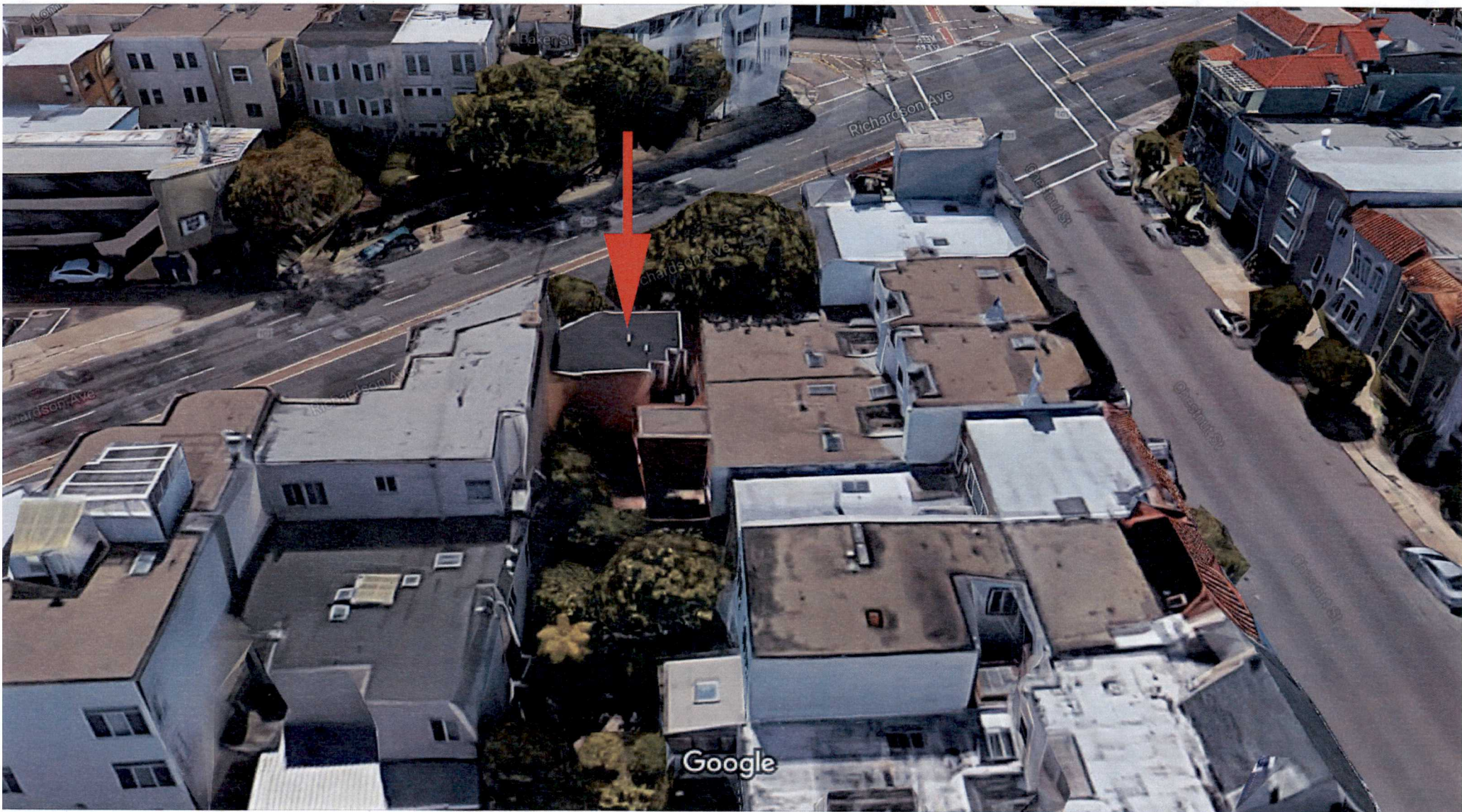
For Department Use Only

Application received by Planning Department:

By: _____

Date: _____









September 16, 2016

I, Carmen Zell, hereby authorize Zacks, Freedman & Patterson, PC to file a request for Discretionary Review on my behalf for BPA No. 2014.1230.4697 (68 Richardson Avenue).

Signed,

Carmen Lea Zell

Carmen Zell



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On December 30, 2014, the Applicant named below filed Building Permit Application No. 2014.1230.4697 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	68 Richardson Avenue	Applicant:	Jason Langkammerer, AT&T Architect
Cross Street(s):	Chestnut and Lombard Streets	Address:	746 Natoma Street
Block/Lot No.:	0934/012A	City, State:	San Francisco, CA 94123
Zoning District(s):	RH-3 / 40-X	Telephone:	(415) 503-0555

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PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
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PROJECT FEATURES		
	EXISTING	PROPOSED
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Building Depth	21 feet	No Change
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For more information, please contact Planning Department staff:

Planner: Ella Samonsky
Telephone: (415) 575-9112
E-mail: ella.samonsky@sfgov.org

Notice Date: 8/23/2016
Expiration Date: 9/21/2016

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice. Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the Board of Appeals within 15 calendar days after the building permit is issued (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

San Francisco Planning

1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103
TEL: 415.575.9121

WWW.SFPLANNING.ORG

Date: 8/23/2016

The attached notice is provided under the Planning Code. It concerns property located at **68 Richardson Street - BPA (2014.12.30.4697)**. A hearing may occur, a right to request review may expire or a development approval may become final by 9/21/2016.

To obtain information about this notice in Spanish or Chinese, please call (415) 575-9010. To obtain information about this notice in Filipino, please call (415) 575-9121. Please be advised that the Planning Department will require at least one business day to respond to any call.

附上的是三藩市城市規劃的法定通告。

此通告是與位於 **68 Richardson Street - BPA (2014.12.30.4697)**

的建築計劃有關。如果在 9/21/2016 之前無人申請聽證會來檢討這一個建築計劃, 這計劃最終會被核准。

如果你需要用華語獲得關於這通告的細節, 請電 415-575-9010。

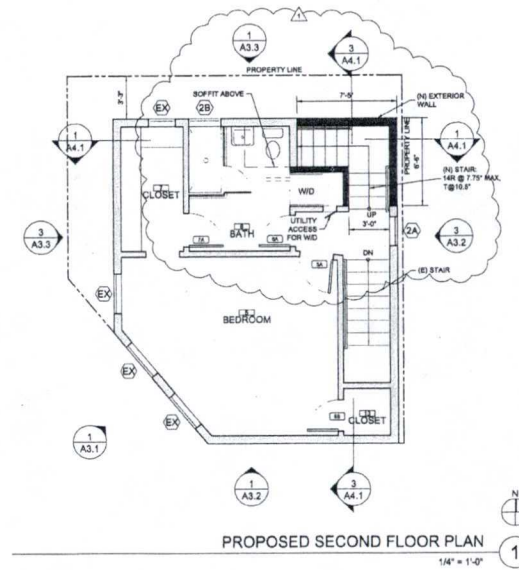
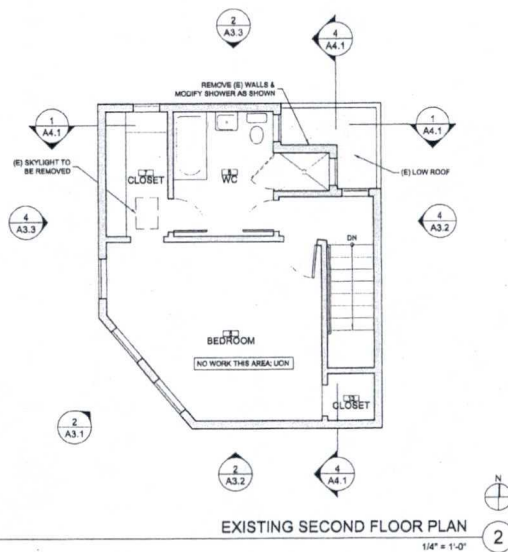
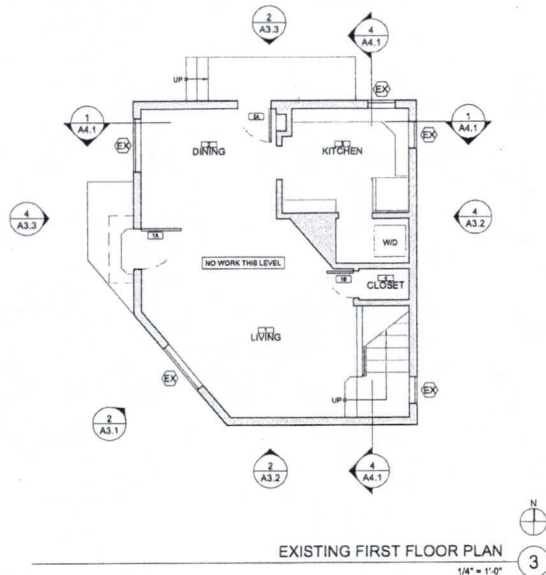
然後, 請按 “8” 及留言。城市規劃局將需要至少一個工作天回應。華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: **68 Richardson Street - BPA (2014.12.30.4697)**. Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: 9/21/2016.

Para obtener más información sobre esta notificación en español, llame al siguiente teléfono (415) 575-9010. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas.

Ang nakalakip na paunawa ay ibinibigay alinsunod sa Planning Code. Tinatalakay nito ang propyedad na matatagpuan sa **68 Richardson Street - BPA (2014.12.30.4697)**. Maaring may paglilitis na mangyayari, may mapapasong paghiling ng isang pagrerepaso (review), o ang na-aprobahang pagpapatayo ay malapit nang ipagtibay sa 9/21/2016.

Para humiling ng impormasyon tungkol sa paunawang ito sa Tagalog, paki tawagan ang (415) 575-9121. Mangyaring tandaan na mangangailangan ang Planning Department ng di-kukulangin sa isang araw ng pangangalakal para makasagot sa anumang tawag.



KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND

- EXISTING WALL TO REMAIN
- WALL/ELEMENT TO BE REMOVED
- NEW WALL

AT6

ARCHITECTURE
DESIGN BUILD

AT6 Architecture
748 Napa Street
San Francisco, CA 94103
415 503 0555
415 503 0550
www.at6sb.com

Jason Langhammer, AIA
License no. C-28798



**Carter
Residence**

68 Richardson Ave
San Francisco, CA 94123
APH: 0934-012A

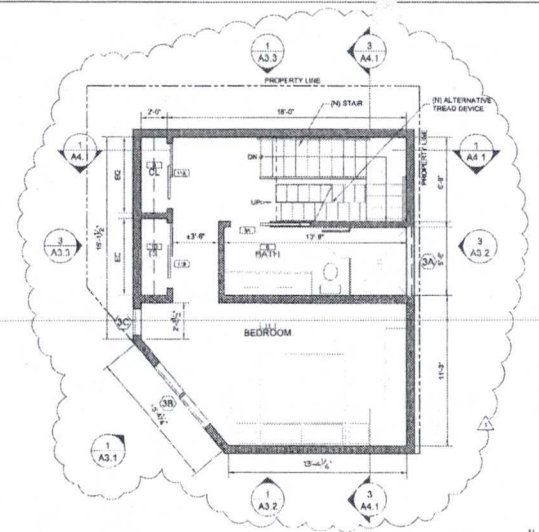
VARIANCE APPLICATION

SHEET CONTENTS
EXISTING &
PROPOSED
FIRST SECOND
FLOOR PLANS

DATE JUL 08 2016
SCALE 1/4" = 1'-0"
BY CCS
REVISIONS

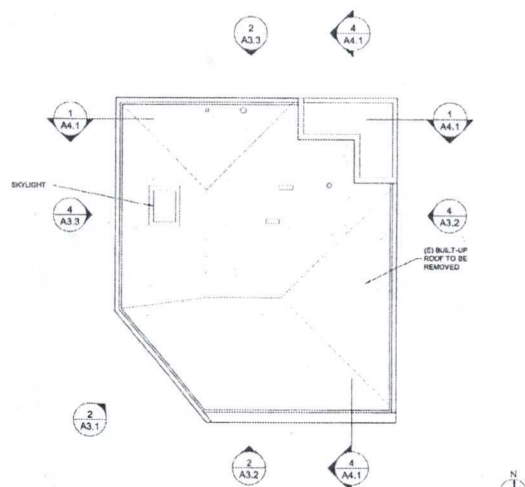
09/13/2016 PER VARIANCE
HEARING

A2.1



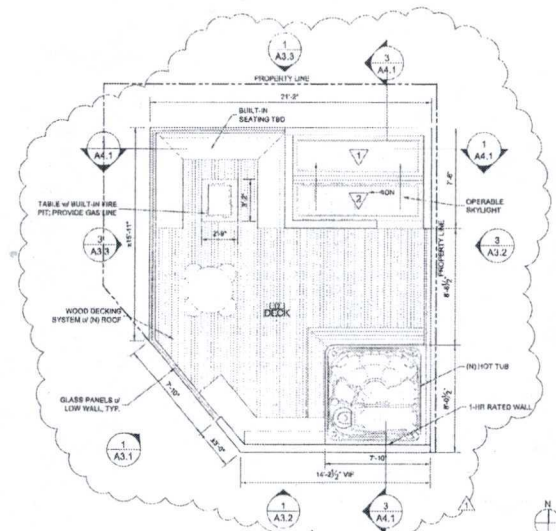
PROPOSED THIRD FLOOR PLAN

1/4" = 1'-0"



EXISTING ROOF PLAN

1/4" = 1'-0"



PROPOSED ROOF PLAN

1/4" = 1'-0"

KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND

- EXISTING WALL TO REMAIN
- WALL/CEILING TO BE REMOVED
- NEW WALL



AT6 Architecture
748 Valencia Street
San Francisco, CA 94103
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415 503 0550 T
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Jason Langhammer, AIA
License no. C-20796



Carter Residence

88 Richardson Ave
San Francisco, CA 94123
APN: 0934-012A

VARIANCE APPLICATION

SHEET CONTENTS

PROPOSED 3RD FLOOR PLAN & EXISTING & PROPOSED ROOF PLANS

DATE: JUL 06 2016

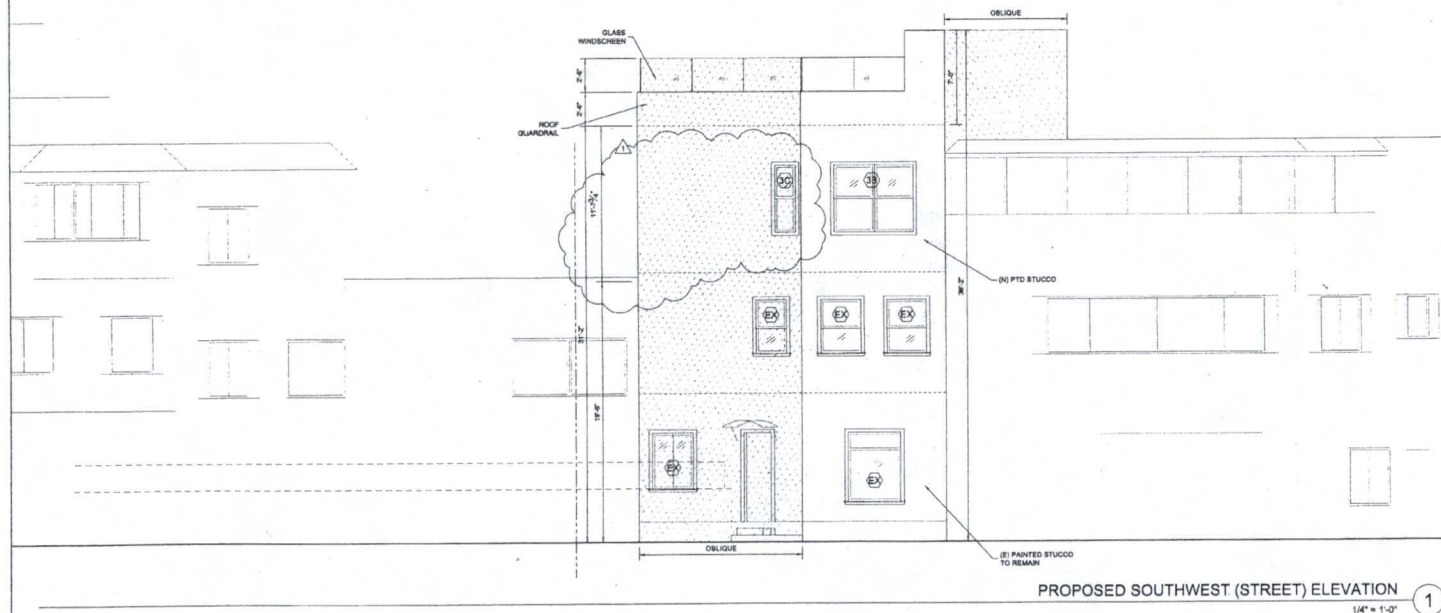
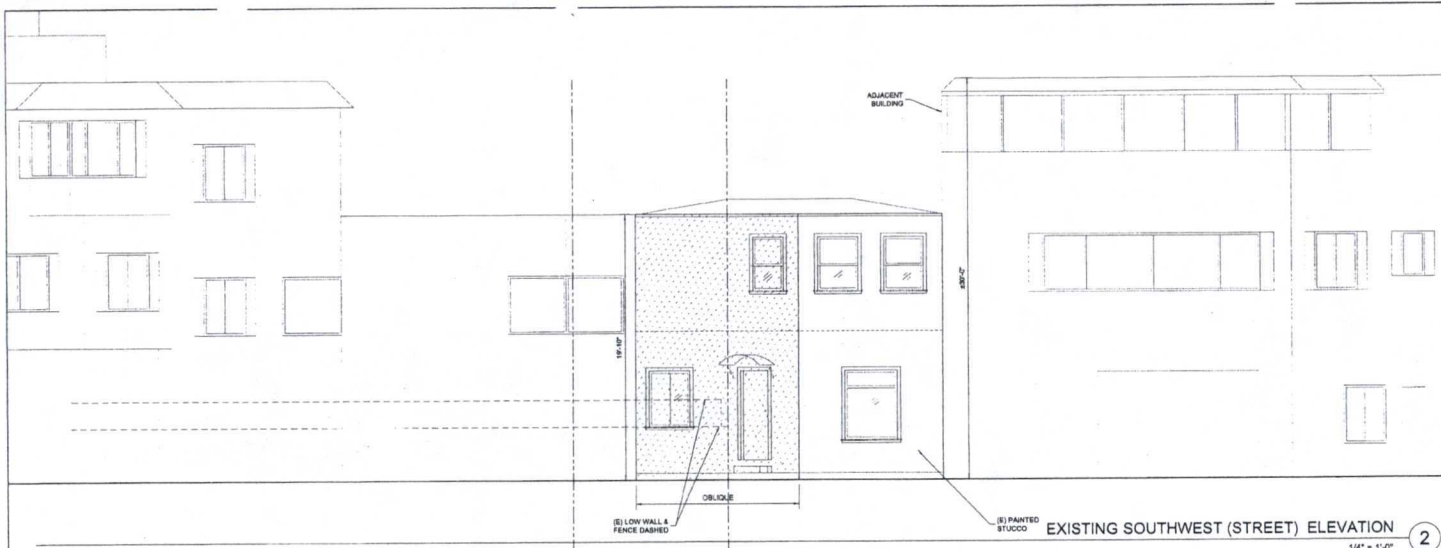
SCALE: 1/4" = 1'-0"

BY: CCS

REVISIONS

06/13/2016 PER VARIANCE HEARING

A2.2



KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND



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Jason Langkammer, AIA
License no. C-28796



Carter Residence
68 Richardson Ave
San Francisco, CA 94123
APN: 0934-012A

VARIANCE APPLICATION

SHEET CONTENTS

EXISTING & PROPOSED
STREET ELEVATION

DATE JUL 06 2016

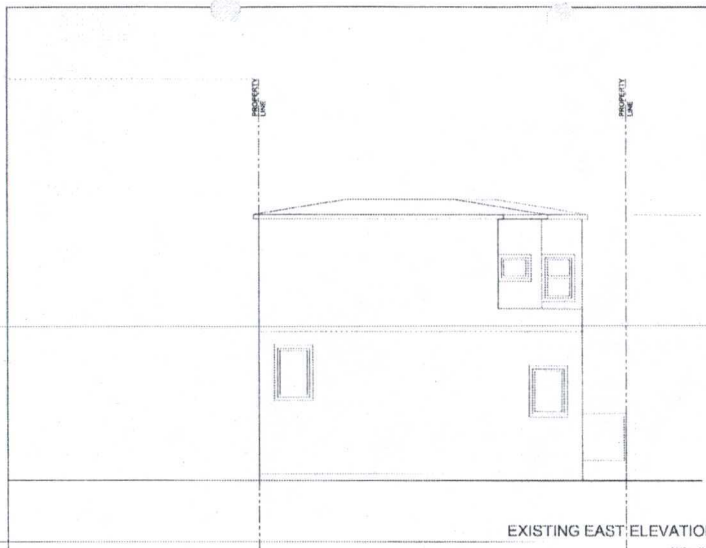
SCALE 1/4" = 1'-0"

BY CCS

REVISIONS

06/13/2016 PER VARIANCE HEARING

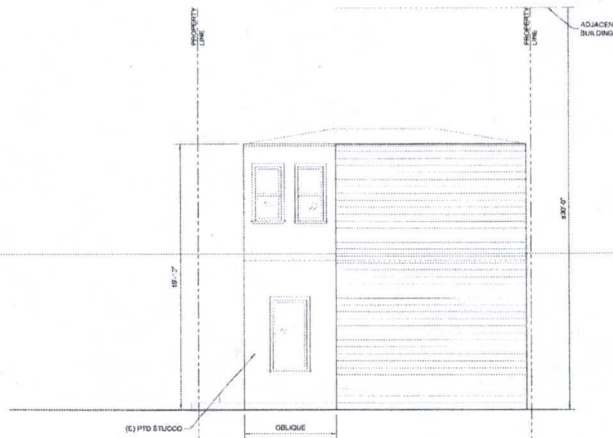
A3.1



EXISTING EAST ELEVATION

1/4" = 1'-0"

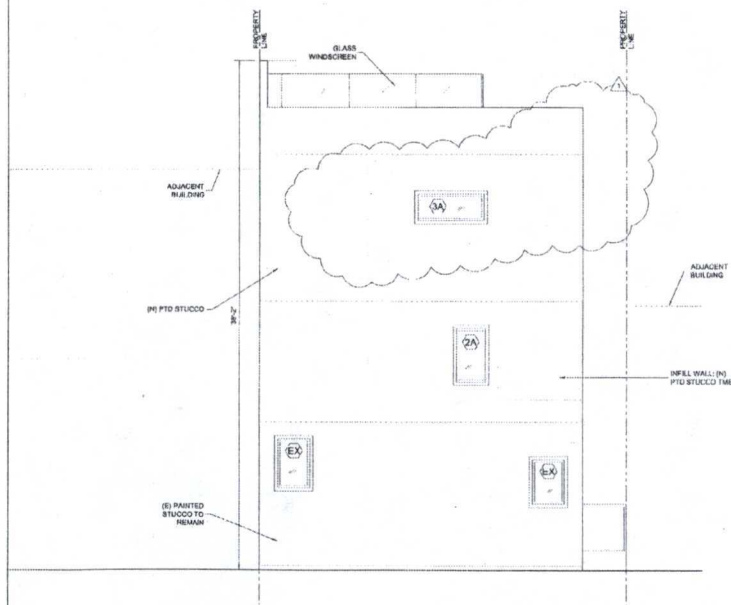
4



EXISTING SOUTH ELEVATION

1/4" = 1'-0"

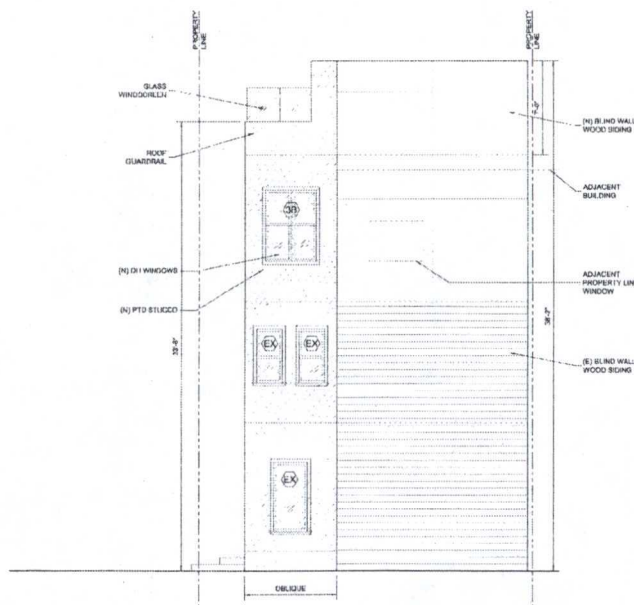
2



PROPOSED EAST ELEVATION

1/4" = 1'-0"

3



PROPOSED SOUTH ELEVATION

1/4" = 1'-0"

1

KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND



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415 503 0550 t
www.AT6studio.com
Jason Langhammer, AIA
License no. C-28796



Carter Residence

68 Richardson Ave
San Francisco, CA 94123
APN: 0634-012A

VARIANCE APPLICATION

SHEET CONTENTS

EXISTING & PROPOSED SOUTH & EAST ELEVATIONS

DATE JUL 06 2016

SCALE 1/4" = 1'-0"

BY CCS

REVISIONS

06/29/2016 PER VARIANCE HEARING

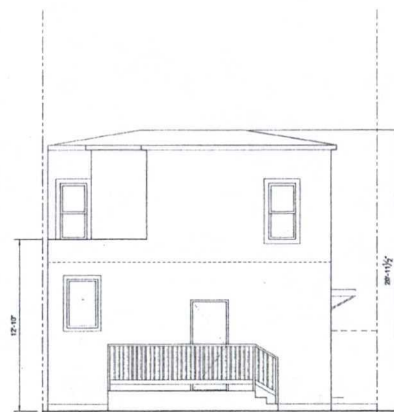
A3.2



EXISTING WEST ELEVATION

1/4" = 1'-0"

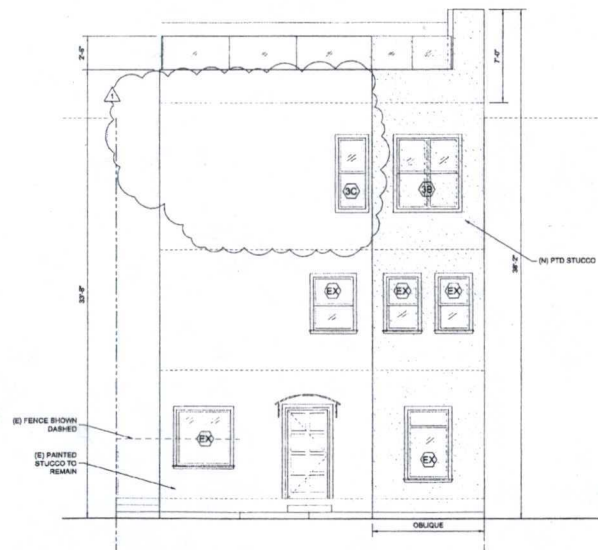
4



EXISTING NORTH ELEVATION

1/4" = 1'-0"

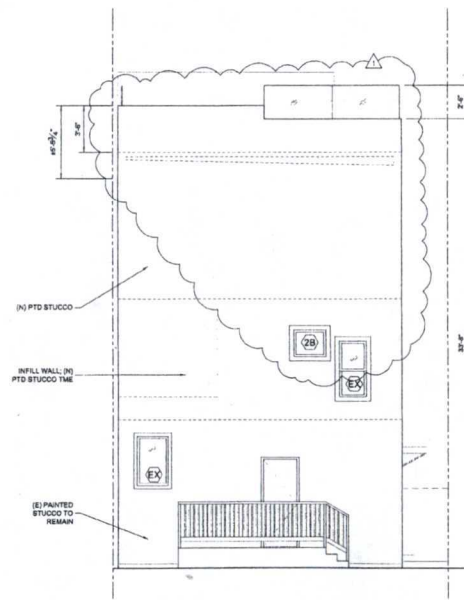
2



PROPOSED WEST ELEVATION

1/4" = 1'-0"

3



PROPOSED NORTH ELEVATION

1/4" = 1'-0"

1

KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND

AT6
ARCHITECTURAL
DESIGN BUILD

AT6 Architecture
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San Francisco, CA 94103
415 503 0555 f
415 503 0550 t
www.AT6db.com

Jason Langhammer, AIA
License no. C-28796



**Carter
Residence**

55 Richardson Ave
San Francisco, CA 94123

APN: 0634-012A

VARIANCE
APPLICATION

SHEET CONTENTS

EXISTING &
PROPOSED
NORTH & WEST
ELEVATIONS

DATE JUL 06 2016

SCALE 1/4" = 1'-0"

BY CCS

REVISIONS

06/13/2016 PER VARIANCE
HEARING

A3.3

RECEIVED

APPLICATION FOR Discretionary Review

SEP 21 2016

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
James Rubenstein		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
2555 Chestnut St. San Francisco, California	94123	(415) 271-2061
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:		
Carter		
ADDRESS:	ZIP CODE:	TELEPHONE:
68 Richardson Avenue San Francisco, California	94123	()
CONTACT FOR DR APPLICATION:		
Same as Above <input type="checkbox"/> James Rubenstein		
ADDRESS:	ZIP CODE:	TELEPHONE:
2555 Chestnut St. San Francisco, California	94123	(415) 271-2061
E-MAIL ADDRESS:		
jamesr@medicine.ucsf.edu		

2. Location and Classification

STREET ADDRESS OF PROJECT:		ZIP CODE:
68 Richardson Avenue San Francisco, CA		94123
CROSS STREETS:		
Chestnut and Lombard		
ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):
0934 / 012A		
ZONING DISTRICT:		HEIGHT/BULK DISTRICT:
RH-3/40-X		

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☐ Demolition ☐ Other ☒Additions to Building: Rear ☐ Front ☐ Height ☒ Side Yard ☐

Present or Previous Use: _____

Proposed Use: _____

Building Permit Application No. 2014.123.4697

Date Filed: December 30 2014

1230.

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

It is highly likely that the proposed additions will significantly restrict sunlight exposure to my backyard and to my interior rear of my house, including upstairs bedrooms. Additionally the proposed project will likely negatively impact my ability to expand and develop my backyard garden.

In particular, the proposed project including roofdeck will significantly impact the overall privacy at 2555 Chestnut St. Ultimately these changes will negatively impact quality of life in the house, beauty and potential property value.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

The additions would have a direct negative impact on access to sunlight in my backyard at 2555 Chestnut St, in particular to the garden area (see attached photos). Sunlight in the interior rear of my house will also be adversely impacted by the additions.

The proposed additions would also have a major negative impact on privacy at 2555 Chestnut St, in particular to the backyard, the upstairs bedrooms, kitchen and dining room. I am particularly concerned about the proposed roofdeck which would substantially diminish privacy and potentially sunlight exposure to my property. Of note, the roof deck at 2561 Chestnut St does not affect privacy or light exposure at 2555 Chestnut St.

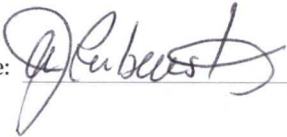
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

Further reductions to the dimensions of the additional floor at 68 Richardson would minimize impact on sunlight exposure and privacy at 2555 Chestnut. In particular, elimination of the proposed roof deck would substantially reduce my loss of privacy at 2555 Chestnut. Elimination of windows with the additional floor at 68 Richardson that would face my house and backyard would also attenuate my loss of privacy. The owner at 68 Richardson has discussed removing the tree in my backyard as a solution to the problem of diminished light exposure (see email) caused by the project. This is NOT an option: the tree provides beauty for the neighborhood, enhances privacy and improves air quality on a busy street.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: 

Date: 09/21/2016

Print name, and indicate whether owner, or authorized agent:

James Rubenstein
☒ Owner ☐ Authorized Agent (circle one)

CASE NUMBER:
For Staff Use only

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input checked="" type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/> N/A
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

☐ Required Material.☒ Optional Material.☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: *Ella Samonsky*

Approved Planning Dept. Ella Samonsky

Date: 9.21.16



FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

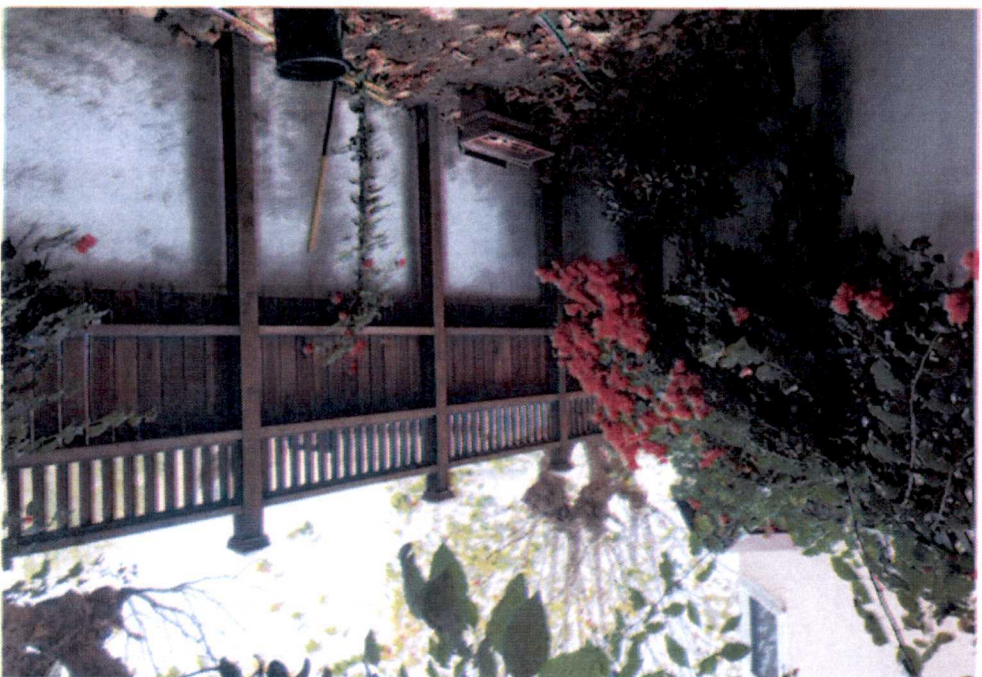


TABLE IN BACKYARD 2555 CLEVELAND



68 PULPIT 0504

BACKYARD 2555 CLEVELAND STREET

RE: <no subject>

Bryan Carter [bryan.carter@ibiscp.com]

Sent: Friday, September 16, 2016 5:04 PM**To:** Jason Langkammerer [jason@at6db.com]; Rubenstein, James**Cc:** Michael Garibay [michael@at6db.com]

To be clear James , as it relates to your last point, we are in an appeal process initiated by Carmen on a variance that was approved and ready to move toward finalized building permit. We are doing this out of respect for you , your property and your concerns , but your issue and other claims made by Carmen at the variance hearing in February were dismissed by the planning administration as invalid points of contention (relative to the code, and thus our property rights). If you want to talk more about the process or the code feel free to come by or call. I just want you to have a clear understanding of what we are doing and what our and your rights are because we have been at this for over 2 years and have been working within the code and making adjustments to appease fluidity with the process at a financial and stylistic cost.

Check out suncalc.net - and type in 68 Richardson and it should ease your concerns, albeit ones that have already been addressed and dismantled.

To be honest, we are trying to start a family and this is draining us. We are not doing anything outside of the code and we have been standing at the altar for quite some time.

Have a good weekend.

Bryan & Erin Carter

Sent from my Sprint Samsung Galaxy S7 edge.

----- Original message -----

From: Jason Langkammerer <jason@at6db.com>

Date: 9/16/16 7:25 PM (GMT-05:00)

To: "Rubenstein, James" <James.Rubenstein@ucsf.edu>

Cc: Michael Garibay <michael@at6db.com>

Subject: Re: <no subject>

James-

I was just about to email you. I contacted my client yesterday and we are going to prepare a shadow study of the proposed project and how it will affect your property, specifically your rear yard. We should be able to have something to you next week. Thanks.

Jason Langkammerer

AT6 Architecture : Design Build
746 Natoma Street
San Francisco, CA 94103
415-503-0555 office
415-385-2150 cell

www.at6db.com

On Fri, Sep 16, 2016 at 4:16 PM, Rubenstein, James <James.Rubenstein@ucsf.edu> wrote:

Dear Jason,

I believe that we spoke by phone yesterday. I own the property at 2555 Chestnut Street and expressed to you my concerns regarding the planned third floor addition and roof deck for the adjacent property at 68 Richardson. As we discussed, I am concerned how this addition would decrease significantly the light exposure in my backyard. I would like more information regarding the the next steps in this evaluation.

Thank you,

James Rubenstein MD PhD
2555 Chestnut St
[415-271-2061](tel:415-271-2061)
[415-502-4430](tel:415-502-4430)
jamesr@medicine.ucsf.edu

From: Bryan Carter [bryan.carter@ibiscp.com]
Sent: Saturday, September 17, 2016 10:23 AM
To: Rubenstein, James; Jason Langkammerer
Cc: Michael Garibay
Subject: RE: <no subject>

Your concerns are reasonable and we have already moved forward with the study. I wanted to highlight keys of the code regarding how the city defines property rights relating to the space above one's property. I also was trying to illuminate the longevity of the process for you so that if you are interested in removing your tree in your back yard - you might want to get the paperwork with the city started. Lastly, to be fair, we have already ratcheted the height down from a code maximum of 40 feet to 31 as a sign of goodwill toward working with our neighbors. John to your left is higher.

Sent from my Sprint Samsung Galaxy S7 edge.

----- Original message -----

From: "Rubenstein, James" <James.Rubenstein@ucsf.edu>
Date: 9/16/16 8:36 PM (GMT-05:00)
To: Jason Langkammerer <jason@at6db.com>
Cc: Michael Garibay <michael@at6db.com>, Bryan Carter <bryan.carter@ibiscp.com>
Subject: Re: <no subject>

Dear All:

I am being entirely reasonable here, however suncalc.net does not at all alleviate my concerns.

I agree with the architect's plan to prepare the shadow study of the proposed project and how it affects my property.

Thank you and best regards,

James Rubenstein

Relevant Addresses:

Bryan Carter
68 Richardson Avenue
San Francisco, California
94123

Jon Wade
2561 Chestnut St
San Francisco, California
94123

Carmen Zell
2549 and 2547 Chestnut St
San Francisco, California
94123

**Before the
San Francisco Planning Commission**

**PROJECT SPONSORS' SUBMITTAL IN OPPOSITION TO
APPLICATIONS FOR DISCRETIONARY REVIEW REGARDING
VERTICAL ADDITION TO SINGLE FAMILY HOME**

68 Richardson Avenue

Project Sponsors:

Bryan and Erin Carter

Building Permit Application 2015.000254

Hearing Date: February 16, 2017

Attorneys for Project Sponsors:

REUBEN, JUNIUS & ROSE, LLP

One Bush Street, Suite 600, San Francisco, CA 94104
t] 415 567 9000 f] 415 399 9480

TABLE OF CONTENTS

A.	INTRODUCTION	1
B.	SITE INFORMATION	1
C.	THE DR APPLICANTS HAVE FAILED TO SATISFY THE MINIMUM STANDARD OF REVIEW -- THERE ARE NO EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES THAT JUSTIFY DISCRETIONARY REVIEW	2
D.	RESPONSE TO DISCRETIONARY REVIEW APPLICANTS' CONCERNS.....	3
E.	ZONING ADMINISTRATOR'S FINDINGS	4
F.	THE PROJECT SPONSORS' HARDSHIP IS NOT SELF-INDUCED	5
G.	CONCLUSION.....	6
	LIST OF EXHIBITS	7

A. INTRODUCTION

Bryan and Erin Carter (“**Project Sponsors**”), the Owners of an 898 sq. ft. single family home at 68 Richardson Avenue (“**Project Site**”) propose to add a vertical addition with roof deck (“**Project**”).

The Carter’s home was constructed 77 years ago, prior to current rear yard requirements, but after the creation of Richardson Avenue as a throughway to the Golden Gate Bridge. Since the lot is 618 sq. ft. and the building is a non-complying structure located partially within the space that would be set aside for a rear yard under today’s Planning Code, the home could not be expanded without a rear yard variance.

Therefore, the Planning Department scheduled a variance hearing prior to the DR hearing. The variance hearing was held on February 24, 2016. The Zoning Administrator approved the rear yard Variance and issued a written Variance Decision on July 27, 2016. (See Exhibit A). A transcript of the public hearing on the Variance is attached as Exhibit B.

DR Requester Carmen Zell appealed the Variance Decision. The Board of Appeals held a public hearing on Ms. Zell’s appeal on October 26, 2016, at which all of the three DR Requesters appeared and presented the same arguments that are set forth in their DR Requests. After careful consideration, the Board of Appeals by a vote of 4-0 (Commissioner Wilson was absent) rejected the appeal and upheld the Variance on the condition that the glass rail around the roof be changed to an opaque parapet on the basis that this revision would allow the Variance to meet the findings required under Planning Code Section 305(c). (See Exhibit C).

DR Requester Carmen Zell requested a rehearing of the Board’s decision. (See Exhibit D). On December 7, 2016, the Board of Appeals held a public hearing on the request for rehearing. The Board rejected the request for rehearing by a vote of 5-0. (See Exhibit C).

The DR applications revisit the same arguments that were made by the DR Requesters at three public hearings to date.

B. SITE INFORMATION

Street Address:	68 Richardson Avenue
Cross Streets:	Chestnut and Lombard Streets
Assessor's Block/Lot:	0934/012A
Zoning District:	RH-3 (Residential – three-family)
Height and Bulk District:	40-X
Proposed Use:	Residential, single-family
Proposed Addition:	One-story vertical addition to total height of 31 feet in 40 foot height district

C. THE DR APPLICANTS HAVE FAILED TO SATISFY THE MINIMUM STANDARD OF REVIEW - THERE ARE NO EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES THAT JUSTIFY DISCRETIONARY REVIEW

The Planning Commission's authority to review permits on a case-by-case basis under "Discretionary Review" (Municipal Code of the City and County of San Francisco, Part III, Section 26(a)¹ must be carefully exercised. In 1943, the California Supreme Court held that the San Francisco Board of Permit Appeals, pursuant to the above-referenced Section 26(a), had the authority to exercise its "sound discretion" in granting or denying building permits (See *Lindell Co. v. Board of Permit Appeals* (1943) 23 Cal.2d 303). In 1954, then San Francisco City Attorney Dion R. Holm issued Opinion No. 845, in which he opined that the Planning Commission has similar discretion to grant or deny building permits. However, the City Attorney cautioned the Planning Commission with respect to the judicious exercise of this discretion. In his opinion, the City Attorney stated as follows:

"I think it is entirely plain, on the authority of the above-enunciated general principles, that the reservation of authority in the present ordinances to deal in a special manner with exceptional cases is unassailable upon constitutional grounds . . . this is, however, a sensitive discretion and one which must be exercised with the utmost restraint." (City Attorney Opinion No. 845, p. 8, emphasis in original).

The discretionary review handout provided to the public by the Planning Department reiterates this underlying foundation of the discretionary review power. That publication provides that "discretionary review is a special power of the Commission, outside the normal building permit application approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with a proposed project. The Commission has been advised by the City Attorney that the Commission's discretion is sensitive and must be exercised with utmost constraint." In this case, the Planning Commission should exercise such constraint by approving the Project.

There are no exceptional and extraordinary circumstances in this case that would justify the Planning Commission's exercise of its discretionary review powers. Each of the issues raised by the DR Applicants is meritless. The professional planning staff (Residential Design Team or "RDT") has approved the project twice, the Zoning Administrator has approved the necessary rear yard variance at a public hearing, and the Board of Appeals has upheld the Variance on appeal by DR Requester Carmen Zell, and rejected a subsequent request for rehearing.

¹ Section 26(a) provides that "[I]n the granting or denying of any permit, or the revoking or the refusing to revoke any permit, the granting or revoking power may take into consideration the effect of the proposed business or calling upon surrounding property and upon its residents and inhabitants thereof; and in granting or denying said permit, or revoking or refusing to revoke a permit, may exercise its sound discretion as to whether said permit should be granted, transferred, denied or revoked."

D. RESPONSE TO DISCRETIONARY REVIEW APPLICANTS' CONCERNS

The proposed Project is sensitively designed, and will significantly improve the living space, the interior design, and the structural integrity of the home. The proposed Project is consistent with the policies and objectives of the General Plan and the Planning Code. The Project will upgrade the home to comply with current Building Code standards, and add livable space at the top.

The proposed Project meets the standards of the Residential Design Guidelines, per Planning Department RDT Review. No changes are proposed to the front of the property. Nothing in the proposed Project is extraordinary or has an extraordinary impact on anyone.

The DR Applicants allege that the Project does not meet the Residential Design Guidelines with regard to access to light. In fact, the proposed addition of 517 sq. ft. will bring the Project Sponsors' home to a smaller size (1,452 sq. ft.), than that enjoyed by each of the D.R. Applicants. Carmen Zell is the landlord of 2541-43 Chestnut Street (2,425 sq. ft.); Jonathan Wade is the owner of 2561 Chestnut Street (2,336 sq. ft.). James Rubenstein is the owner of 2555 Chestnut Street (2,550 sq. ft.). There is nothing out of scale about the proposed Project, and there is no material impact to the DR Applicants.

Slight and reasonable impacts to neighbors are to be expected for any building or alteration project. Any impacts to neighbors would be ordinary and acceptable in an urban environment.

The Zell building at 2547-49 Chestnut is a three-story, two unit building that looms over the Carter's home, which is adjacent at the rear.

The Zell lot area is approximately 3,540 sq. ft. This is 5.7 times the area of the Carter's lot. The Zell building is built virtually lot line to lot line. The Zell building is one-story taller than the Carter home.

At the Board of Appeals hearing, the Zoning Administrator stated that the infill of the existing notch on the second floor of the Carter home did not pose any problem; any impact on the Zell rear window is not significant (See Exhibit B, Board of Appeals transcript, Pg. 9). The Zell rear window is non-compliant under the current Planning Code because it is located on the rear lot line. Just prior to the Board of Appeals hearing, Mrs. Zell hired a contractor to remove iron bars from the window. (See Exhibit E). The window has its shades drawn continuously. In response to a concern expressed by Ms. Zell's Attorney at the Board of Appeals, the Project Sponsor submitted a letter to the Department of Building Inspection ("DBI") stating that they would not interfere with the continued use of the rear property line window, nor construct any fence that would block such window. (See Exhibit F).

Ms. Zell also relies on a notation on a 1946 building permit application that her attorney and engineer both discussed at length at the Board of Appeals hearing. Senior Building Inspector Joe Duffy testified that the requirement referred to in the 1946 application no longer exists and does not impact the Project in any way. (See Board of Appeals transcript, Exhibit B, Pgs. 10-11).

Responding to Ms. Zell's concerns about her tenants' privacy, the Zoning Administrator testified that the proposed addition has minimum windows and there are no windows that face north toward Ms. Zell's property. (See Board of Appeals transcript, Exhibit B, pg. 8).

With reference to the roof deck, the Zoning Administrator testified that the roof deck could be constructed on top of the building today without any need for a variance, and is not considered to be significant. (See Board of Appeals transcript, Exhibit B, Pg. 18).

James Rubenstein – 2555 Chestnut Street

Mr. Rubenstein's concerns center on privacy. However, his home at 2555 Chestnut Street is separated from the Project Site by both his rear yard and a large tree, which is approximately 25 ft. in height and forms a large canopy that occupies virtually the entire rear yard. The Project is at least 25-30 feet away from the rear of Mr. Rubenstein's home and will be barely visible due to the large tree that lies between the two. In a dense urban environment, the comparatively large buffer zone enjoyed by Mr. Rubenstein is a luxury that most people do not have. In addition, a first floor dining room window has been reduced in size subsequent to the Board of Appeals hearing from four feet wide to 2 ft. 6 in. wide.

Jonathan Wade – 2561 Chestnut Street

Mr. Wade's property is located on the corner of Chestnut Street and Richardson Avenue and is farther away from the Project Site than Mr. Rubenstein's property. The Wade property is buffered by the same tree that occupies Mr. Rubenstein's rear yard. Separated by a larger distance from the Project, as well as Mr. Rubenstein's large tree, Mr. Wade's three-story home will not be significantly impacted by the Project.

E. ZONING ADMINISTRATOR'S FINDINGS.

The Zoning Administrator has made the following findings with respect to the proposed project (See Exhibit A):

The Variance allows the subject property owner to add a second bedroom and bathroom to the home, which would allow for a size of home typically permitted of other properties in the same class of district which have a standard lot.

The Variance allows the subject property owner to construct a roof deck that will enable the residents to enjoy outdoor space, a substantial property right possessed by other properties in the same class of district. [Note: The residents currently do not have access to any outdoor space].

The variance improves the livability of the subject property and would not be materially detrimental to the public welfare or materially injurious to the neighboring properties. The proposed addition will have the same foot print as the existing home, which is in the required rear yard, and has been in that configuration for many years with no apparent adverse effect or impact on the neighborhood.

The Planning Department is aware of opposition from adjacent properties with concerns about impacts on privacy and light/air. The Project has been revised to remove a proposed expansion of the building towards the north side property line to provide stair access to the proposed roof deck. The revised Project provides stair access within the existing building footprint and reduces potential impacts on the neighbor to the north.

This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of applications for consistency with said policies. The Project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.

1. Existing neighborhood retail uses will not be adversely affected by the proposed Project as the property is a residential lot.

2. The proposed Project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing single-family dwelling unit on the property.

3. The proposed Project will have no effect on the City's supply of affordable housing.

4. The proposed Project does not adversely affect neighborhood parking or public transit.

5. The Project will have no effect on the City's industrial and service sectors.

6. The proposed Project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.

7. The Project will have no effect on the City's landmarks or historic buildings as no historic resource is present on the Project Site.

8. The Project would not affect any existing or planned public parks or open spaces.

F. THE PROJECT SPONSORS' HARDSHIP IS NOT SELF-INDUCED

Ms. Zell has previously argued that the small size of the subject lot and property is a "self-induced hardship", because the Carters bought the property in its current size. Ms. Zell's argument is refuted both by the applicable decisional law, and by the Board of Appeals decision.

Longtin's California Land Use, Third Edition (2013), cites a 2008 California Court of Appeal decision, *Committee to Save Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 CA 4th 1168, as follows:

3.70[5] Standard – Hardship.

The hardship suffered by an applicant for an exception to a neighborhood's specific

plan was not “self-inflicted,” as would require denial of the application. Even though the applicant bought the property knowing of an ongoing dispute with objectors over a proposed fence, the fact that the property sat below the grade of the road, requiring construction of a fence, focused on the topography of the property and did not change with ownership. *Committee to Save Hollywoodland Specific Plan v. City of Los Angeles* (2008) 61 CA 4th 1168, 74 CR3d 665.

Similarly, the undersized, 618 sq. ft. irregularly shaped pentagonal lot at the Property, with a nonconforming, 898 sq. ft house, is a circumstance that existed 75 years before the Carters purchased the Property, and the Property has changed hands numerous times over that period. Not unlike the property at issue in *Committee to Save Hollywoodland Specific, Id.*, the size, shape, and orientation of the Property presents a hardship that is not “self-inflicted” by the Carters. Oddly shaped lots and undersized lots are the most common properties to receive relief from the Zoning Administrator from the strict requirements of the Planning Code.

The Board of Appeals likewise affirmed this doctrine. (See Exhibit B, page 7).

G. CONCLUSION

The Project Sponsors’ proposed alterations are appropriately sized, are in context with the block, and will improve the design and functionality of the single family home. The Project will upgrade the home to comply with current Building Code standards, and to add livable space at the top of the home. The front façade of the home will be preserved as is.

The DR Applicants have failed to demonstrate any exceptional or extraordinary circumstances that would justify discretionary review. The additions will bring the Project Sponsors’ home to approximately the same height as the large apartment building to the south. The massing of the Project Sponsors’ home will be substantially smaller than any other building on either Richardson Avenue or Chestnut Street, or any other home on the block. There will not be any material impact to anyone.

Accordingly, the Project Sponsors respectfully request that the Planning Commission deny the requests for discretionary review.

Thank you for your consideration.

Respectfully Submitted,

REUBEN, JUNIUS & ROSE, LLP

By: 

David Silverman, Attorneys for Project Sponsors
Bryan and Erin Carter

Dated: January 31, 2017

Exhibit List

- A. Variance Decision for the Project, date July 27, 2016.
- B. Transcript of Public Hearing at Board of Appeals on October 20, 2016, on Ms. Zell's Appeal of the Zoning Administrator's Variance Decision.
- C. Board of Appeals Notice of Decision and order dated October 26, 2016, and Order of Denial of Rehearing dated December 7, 2016.
- D. Rehearing Request filed by Ms. Zell dated November 7, 2016.
- E. Photograph of Ms. Zell's contractors removing steel bars from the rear window of the Zell building.
- F. Letter from Reuben, Junius & Rose, LLP to Senior Building in Inspector Joe Duffy/DBI dated December 12, 2016.
- G. Plans, Elevations, Photos of Project Site and Project Block, and Rendering.

Exhibit A



SAN FRANCISCO PLANNING DEPARTMENT

Variance Decision

Date: July 27, 2016
Case No.: 2015-000254VAR
Project Address: 68 RICHARDSON AVENUE
Zoning: RH-3 (Residential-House, Three-Family) District
40-X Height and Bulk District
Block/Lots: 0934/012A
Applicant: Lorin Laiacona Salem, Architect
1270 Webster Street
Alameda, CA 94501
Owner: Bryan Carter
68 Richardson Avenue
San Francisco, CA 94123
Staff Contact: Ella Samonsky – (415) 575-9112
ella.samonsky@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DESCRIPTION OF VARIANCE – REAR YARD VARIANCE SOUGHT:

The proposal is to construct a vertical addition, roof deck and exterior stairs that will extend into the required rear yard of the lot, which is developed with a two-story, single-family dwelling at 68 Richardson Ave. The proposed addition will match the footprint of the existing residence, which extends to within 4.5 inches of the rear property line and is setback 3 feet – 3 inches from the north side property line.

Section 134 of the Planning Code requires a rear yard area in an RH-3 Zoning District to be equivalent to 45 percent of the total lot depth or average of adjacent neighbors. If averaged, no less than 25% or 15 feet, whichever is greater. The subject property, with a total lot depth of 25 feet, has a required rear yard of 15 feet. The proposed addition and roof deck will be located within the required rear yard and extend to within approximately 4.5 inches of the rear property line.

PROCEDURAL BACKGROUND:

1. The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.
2. The Zoning Administrator held a public hearing on Variance Application No. 2015-000254VAR on February 24, 2016.
3. Planning Code Section 311 notification will be performed for Building Permit Application No. 2014.1230.4697.

DECISION:

GRANTED, in general conformity with the plans on file with this application, shown as EXHIBIT A, to construct a third floor addition (approximately 21' in width and 24' in depth) and roof deck that will extend into the required rear yard of the single-family dwelling, subject to the following conditions:

1. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The owner 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.
5. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project. This Index Sheet of the construction plans shall reference the Variance Record Number.

FINDINGS:

Section 305(c) of the 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:

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 properties or uses in the same class of district.

Requirement Met.

- A. The subject property has a lot depth of approximately 25 feet and is an undersized, irregularly shaped pentagonal lot. The existing building is setback approximately 4.5 inches from the rear property line, 3 feet - 3 inches from the northern side property line and is built to the front and southern side property lines. The lot is 618 square feet in area and the residence covers 78 percent of the lot. The subject building was constructed in 1940, prior to current rear yard requirements, but after the creation of Richardson Avenue as a throughway to the Golden Gate Bridge.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

Requirement Met.

- A. Since the existing lot is 618 square feet area and the building, constructed circa 1940, is a noncomplying structure partially within the required rear yard, the residence cannot be expanded vertically or horizontally without the granting of a variance. The practical difficulty in improving the rear yard areas was not created by or attributed to the current owner.

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 the variance will allow the subject property owner to add a second bedroom and bathroom to the residence, which would allow for a size of home typically permitted of other properties in the same class of district which have a standard lot.
- B. Granting the variance will allow the subject property owner to construct a roof deck that will enable the residents to enjoy outdoor space, a substantial property right possessed by other properties in the same class of district.

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. Granting the variance would improve the livability of the subject property and would not be materially detrimental to the public welfare or materially injurious to the neighboring properties. The proposed addition will have the same foot print as the existing residence, which is in the required rear yard, and has been in that configuration for many years with no apparent adverse effect or impact on the neighborhood.
- B. The Planning Department is aware of opposition from adjacent properties with concerns about impacts on privacy and light/air. The project has been revised to remove a proposed expansion of the building towards the north side property line to provide stair access to the proposed roof deck. The revised project provides stair access within the existing building footprint and reduces potential impacts on the neighbor to the north.

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.

Variance Decision
July 27, 2016.

CASE NO. 2015-000254VAR
68 Richardson Avenue

Requirement Met.

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
1. Existing neighborhood retail uses will not be adversely affected by the proposed project as the property is a residential lot.
 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing single-family dwelling unit on the property.
 3. The proposed project will have no effect on the City's supply of affordable housing.
 4. The proposed project does not adversely affect neighborhood parking or public transit.
 5. The project will have no effect on the City's industrial and service sectors.
 6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
 7. The project will have no effect on the City's landmarks or historic buildings as no historic resource is present on the project site.
 8. The project would not affect any existing or planned public parks or open spaces.

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.

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.

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

Variance Decision
July 27, 2016.

CASE NO. 2015-000254VAR
68 Richardson Avenue

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.

APPEAL: 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 1650 Mission Street, 3rd Floor (Room 304) or call 575-6880.

Very truly yours,



Scott F. Sanchez
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.

Exhibit B



City and County of San Francisco

WEDNESDAY, OCTOBER 26, 2016

test, test test, test

>> the wednesday, October 26, 2016, of the san francisco board of

appeals. The presiding officer is commissioner honda and we are

joined by commissioner fong and commissioning commissioner

wilson will be absent to my left

is brad the deputy city attorney

and prides the board with any

legal advice and at the controls

gary and I'm cynthia goldstein the board's executive director.

And joined by sacramento the

city zoning administrator and representing the planning commission and planning

department

devices are prohibited. Out in the hallway. Permit holders and others have up to 7 minutes to present their

case and 3 minutes for rebuttal. People affiliated with these parties must conclude their comments within 7 minutes,

participants not affiliated have up to 3 minutes-no rebuttal. To assist the board in the

accurate preparation of the minutes, members of the public are asked, not required to submit a speaker card or

business card to the clerk. Speaker cards and pens are available on the left side of

the podium. The board welcomes your comments. There are customer satisfaction

forms available. If you have a question about the schedule, speak to the staff after the meeting or call the board office tomorrow

we are located at 1650 mission street, suite 304. This meeting is broadcast live on sfgovtv cable channel 78. Dvds are available to purchase

directly from sfgovtv. Thank you for your attention. We'll conduct our swearing in

process. If you intend to testify and wish to have the board give your testimony evidentiary weight,

please stand and say I do.

Please note: any of the members

May speak without taking

if you're going to testify

please standard you're about to give will be the whole truth and nothing but the truth? >> I do.

>> okay. Thank you commissioner President Honda

this is a housekeeping item

four on tonight calendar regarding a building permit on

twin peaks board of that case

has been withdrawn and not heard this evening.

>> regarding item number one that is general public comment this is the opportunity for anyone who wants to address the

board on a matter within the

jurisdiction that is an item not

on tonight calendar any general public comment tonight

okay. Seeing none move to item 2 commissioners questions or

comments and still crying being

at last night's warriors game other than that I'm okay.

>> item 3 the consideration of

the minutes of the board meeting

of the October 19, 2016,

additions, deletions, or changes can I have a motion?

>> to accept the minutes. >> so moved. >> the motion from commissioner lazarus any public comment on the minutes.

>> seeing none, then on that

motion from commissioner lazarus commissioner fung commissioner President Honda commissioner swig 0 e thank you that item passes

with a vote of 4 to zero

commissioner wilson absent we'll

take our item 5 appeal carmen versus the zoning administrator

on richardson avenue protest

protesting the issuance of a

rear yard variance constrict a 3 floor and roof deck for the rear yard of a single-family dwelling

and we'll start with the appellant. >> good evening and welcome. >> I guess you didn't release I

ordered a private hearing this evening.

>> yes. This is so rare actually.

>> I feel like I'm at the end

of the >> welcome reuben, junius & rose I need to make a disclosure. I wish to disclose I've hired reuben, julius & rose on a on a

project of my own the handling the board will not have an effect on my decision. This evening.

>> thank you, commissioners

ryan patterson on behalf of the

appellant an appeal to construct

a third floor on top of a 2

story in the marina my client

owns the adjacent property

directly to the north at the

2547 to 49 cellist nut street

and owns the rental property on chestnut street renderings and we're here because the variance

that was granted will have a

terrible impact on the

properties destroying an existing bedroom as you May know

the board of appeals has wide discretion in hearing the

deliberations with the power and

the board thinks that vaurnsz are not to be granted whether

when there is a harding park on

the property that is hardship

variance law and other things

not met including that is a qualifying hardship that makes

the variance necessary not the

run of mill normal circumstance

with a small lot and someone needs the lots in order to

develop it, it is a small lot

but created by others

predecessor in fact, the owners
predecessor used to own both
properties the appellants property to the north.
>> can I have the overhead? >> this is the the subject
property and the appellants home here
this is lot 12 and this is lot
12 a and the history is in 1940 after a road was cut to the golden gate bridge these lots
were divided but not until after
the the subject property u subject structure was built one
owned the lot and built the
existing appellants property
long before in 1939, 1940 built the structure after that was dub
after the same owner that
happened to design this property
that owner decided to split the
walk intentionally creating the
sub standard conditions for both
properties this tina separation between the two now they were
allowed to do this because the building department imposed a
asking 40 permit to construct this property
there's a restriction and on the
overhead you see it note on the
permit to construct Mr. Boskovich will talk about that requiring the separation is
between the properties so the
applicant comes here to destroy that decoration was the condition of constructing their
house this is the old adage ask
for a cookie instead of a crone
I'm happy to address that I'll
mention the variance are holder
counsel pointed out one thing
that super seated didn't talk
about a legal citation I can give us other citations pointed
out one citations is implausible to this situation
I'll ask her to say a word or two thank you.
>> someone reminded me, you
can't fight city hall yet here
he am asking for an appeal thank you for your time my name is
carmen I've lived on 2547 chestnut street lived here my
whole life and own rental unit
on cellist nut the building next
door to my home in 40 years I've
never formally opposed anything
any of my neighbors wanted to do
by that project will effect any

home and the two homes of high
neighbors the addition of a
third floor to a roof deck walls
in my two properties
filling in the small setback
brings richard southern closure
to my building only a few feet
between the building and and
setback notch that separates
that richardson from my home and
the neighbors building those
buildings are tight like puzzles
pieces we're able to live side
to side because 68 richardson a
2 story building by upholding
your deoperating us of privacy and the quiet enjoyment of all
our bedrooms on the back all of
this so 68 richardson a building
that defies city code can have a
hot tube and fire pit so I ask
you to take a look at this
project and overturn this
variance decision thank you. >> good afternoon,
commissioners I'll be very quick
the 1939 code when this main
building was built here
basically said do you want you
want to do when they got a
permit to build the permit application referenced the
housing act required a 4 feet
separation and 8 feet separation
to two building it is in the brief verbatim to the housing act from that window to the
bedroom to the average of that
preschools no such if they in fill that puzzle we're effecting
this permit when they permitting this building it was on the same
lot and if you read the
description on the application
it calls out separation from one
building and the other building
both the buildings are tied
together to this notch you remove the notch our opening up
that window and have to revisit
that issue.
>> thank you okay.

>> we can hear from the
variance holder.
>> welcome.
>> good evening commissioner President Honda and commissioners david silver had
an on behalf of the carter
family can I have the overhead?
Sfgov
just to orient everyone to the
site this is richardson right here
this is congest nut
hestnut over here this pink dot it the carter's
property quite a way from the
property this is a 5 thousand
square feet property with two houses
lot line to local 104 line 100
percent coverage
we're over here
6 hundred and 18 square feet
5 thousand, 6 hundred and 18
you'll notice that every house
loan richardson is 3 stories including our adjacent you'll
notice all the houses along
chestnut 3 stories
now their chief complainant as I
understood their testimony is
about a window
this is the window
this window is on the second
story of the rear of the sdelz
property you'll notice up still
yesterday it had bars across it,
it is also inoperable on the lot
line and had the shades drawn
100 percent of the time it is my opinion that they're raising
this to try to over turn the
variance there is no, no impact
the window is not used for light
and air it gets plenty of light
from the south and west and
continue to get it same light
after the addition is built
I'll mention those workers who
were hired by Mrs. Diesel to tear down the bars yesterday
didn't give any, no, sir, to the

caterers this is their stairway
no notice.
>> the lot depth 80 is 25 feet
the average lot depth is one
hundred an irregular parcel severely undersized their
crammed and like to stay in the
city and have a family only the
two of them with such a small
footprint of 6 hundred feet with
another story to provide an
extra bedroom or two have their
kids and stay where they are
hoping we'll chief that. >> now the zoning
administrator as we know has
great lad it is the duty to
exercise his discretion to deverbige from the rear yard
requirements he deems it
appropriate he's experienced his board discretion appropriately
in the face of reasons I've explained
the 3 stories will be consistent with every other house on the
block of richardson and also
with chestnut no impact on the
window as I showed you
and the deck on the on top of
roof is intended to provide a
little bit of open space for the
carters they have no rear yard
the only ones on the block with
no rear yard so hopefully with
that deck they can benefit from
a little bit of outdoor space and I'll remark that the
architect for the carters made a
change to the project as requested by the zoning administrator
and we will ask that you uphold
the variance thank you.
>> thank you good afternoon scott sanchez planning department. The the subject property on
richardson within an rh3
district that allows up to 3
unit and the lot as known is
substandard 25 wide by-it is
generous a large section that is
sliced out of it when they
created richardson to create assess to the golden gate bridge
this relates to a proposal to

expand the existing building as stated the single-family dwelling has within bedroom one vertical addition it provides a roof deck and given the size of lot very little open space and little habitable space that provides more ample space for families living on the the subject property as well as the open space on the roof it relate to a building permit application that was submitted at the end of 2014 it does trigger a variance the variance application was filled the hearing to be held earlier on February 24th the original scheme was the stairs while stills interior to projection more to the adjacent pertaining to the north we received comments from the neighbor to the north with concerns of the impact on their property as is applicant look at a scene to look at it is within the footprint and provided the project to keep it within the footprint of the building on the ground level to the the subject property and in terms of history of the lot yes I mean this was created it was legally created it was created at some point between 1940 and 46 it appears on 1946 block that is important because 1946 minimum lot requirement so after that time it could be only created with a variance but it was lawfully created has the legal single-family dwelling on the the subject property in terms of the hardship there is a hardship with regards to the lot and the appellant August's it is something while not of the applicant making of the predecessors making section 305 whether or not it is a hardship created by them this is not the case and it following the logic of the appellant none will find a hardship because someone responsible for the creation of the lot at some point in time and always a predecessor that created the situation that is there today with the appellants argument you'll not be able to define that or reject that notation if you find the 55 unit have been met they made the changes responded to the

concerns we had the level of
this this is 1re78d above at the level it is developed a substantial separation within
the buildings the main issue is the interpretation of the notch
and how it May impact that
window it is not going closer to
the footprint at the hearing the
concerns that were raised by the neighbor in regards the impacts
on the windows that are quite a
bit further away towards the
chestnut frontage of the property but still have the
project sponsor we issued the decision letter by January 27th
and it is appealed
there is as I mentioned the
permit application the section
317 was noticed and that is the
states not heard by the placing not that I'm aware of it is scheduled at this point
those are the main points that I
wanted to raise from for the
boards consideration. >> and I'll be happy to answer any questions you May have. >> thank you.
>> so do I go ahead. >> no, go ahead.
>> Mr. Sanchez you stated that
the changes you required made them keeping it within the
existing footprint but filling
in the notch is expanding beyond the footprint.
>> the notch is only the
second story the ground level thank you. >> I understand they're
intending to fill from the notch
above the first building. >> that's correct.
>> on the rear yard is 45 percent.
>> 45 for that and 15 feet or 25 percent whither is greater.
>> the impact on the window is not significant.
>> because it is maintaining a separation the initial proposal
there say, I think about a 3 and a half 3 foot 3 separation
within the property line and the
subject this wall that is
maintained the previous proposal so you get to build within that
area in terms of the stairs that
connected the 2 story to the proposed 3 story had them keep
it within the footprint and not expand beyond the footprint of the existing building.
>> that didn't change from the current time.
>> right for the project a we've heard. >> commissioner swig.
>> so I'll concerned about the
owner of hardship and hardship
goes both ways I'm a homeowner and have bought

and sold a couple of homes in any life
one of the things when I buy a
home you do due diligence and do
cc&rs and add ones to previous
permits and something like that.
>> buy our house fort
richardson but looking at to the
chestnut street neighbors they
bought their homes probably
could have don't know wasn't
there but if it was me would
have looked at and saw that
house was closed and feeling
comfortable I was protected by a
permit when the house was built
so I go ahead and buy the house
so is there not a hardship
created when someone who has
owned a house for a period of
time whether or not one or four judge's doesn't matter bought
the house because a permit was
in place to say that will not move further from this what is
the argument and the issue of hardship with regards to appreciation owner and current
owner again if I buy the house
on richardson I look at the cc&rs I look at previous permits
I see on the previous permit it
says I know there as restriction
here so if I go ahead and decide
to do this I'm creating the
hardship for myself it seems is
that right where am I going wrong.
>> we can blame this whoever built this in 1940.
>> it was wrong in the in the first place.
>> on chestnut.
>> I live 5 blocks away.
>> on chestnut is not
compliant and the window of the
property line is non-compliant
they bought that knowing that
was adjacent to the building in
regards to 68 richardson a special refresh my recollection no setting back must be a setback no planning restriction
not a setback requirement of any
planning approval that was part
of building permit approval for

the building permit itself
this-so that's not the things
that of enforced by any planning regulations it is subject to
change this will have to be
reviewed by the department of building inspection and if it causes an impact that needs to be addressed at that stage of
the process it didn't appear to
be in violation of any building
permit requirements as now I
believe those requirements exist
they've superseded by current requirements not that I'm aware
of that will prevent the subject proposal into moving forward.
>> I'm bother by something you
just said because it undermines
it seems to nine things that go
on here on occasion we have found the project sponsor tagged
on something a tag on something
is in perpetuity you have it
I've seen it in our brief
imperpetuity ones you build it
forgot about coming back and
asking again so it was what you
just said you kind of dismissed
a ruling any ruling we make is
contact dismissed because you choose to.
>> with regards to something
as a permit.
>> from the laws change in this case, the requirements no
longer exists can't enforce a
requirement that no longer
exists and that will enforce the perpetuity we've been presented
with I mean part of it is to the
property who guess buying if no bead restrictions talking about what the requirements are and the building permit allows them
to do this I mean it is a sargent issue in the variance.
>> due to the change in the
law and the codes that the 3
feet or that 3 foot setback that
was required in 1946 was
dismissed for or. >> least.
>> an 8 foot spraeys is no longer required that's my understanding. >> are you finished. >> yeah.
>> that was along the lines so
Mr. Boskovich showed a documents
on the overhead indicating that
there was some type of special
restrictions in the past lots of

restrictions you knew current

laws radio over ridden is that the case.

>> not a notice of special requirements on the property

noted as a condition of approval

by the building department a health code requirements for the

property we do this approved per planning code xyz if it planning section changes in the future

the property will be subject to

those future requirements down

the line just because it is

noted on the application didn't mean that. >> set in stone. >> exactly.

>> okay. Next question is the

appellant mentioned did window

is that a lot line 2021.

>> it is within closely

proximity to the lot line it

looks like a foot or two of the property line.

>> is that a conforming or non-conforming window.

>> with the you'll have to ask the department of building

inspection about those matters.

>> okay. Thank you.

>> commissioners do you want

to ask the question of the

building inspection we don't

call them up usually.

>> we have rebuttal.

>> we'll take public comment anyone wish to comment under

public comment?

>> hi, I'm a dell lawrence I

represented any client for a

tenant in 2541 and 43 chestnut

street I wanted to know I didn't

get is the lawyer for the people

with the variance or with the people from the planning department.

>> advocating any attorney I

didn't get it the attendance I'm advocating

for one is a young family with

an 8-year-old child that lived

in the apartment for the past 5 years

and a young couple that is

rented the apartment they're in

rent-controlled apartments

having they have no money to

move it will block pair light

and fresh air when I represented

the apartment he highlighted how
light and airy those two flats
were for them to raise their
families in and had a lovely
garden Ms. Diesel didn't have
any backyard as well the same
configuration but this iowa's
one as a lovely the yard I want
to read a letter.

>> amends are you employed by
the parapet at this time are you
the project manager and. >> I maintained the lots for the tenants the tenants
submitted a letter and asked me to read it.

>> who are you paid for that
in renting those flats.

>> I was paid by Ms. Diesel
for renting the flats and.

>> I think she shouldn't be
allowed to give testimony open
her own behalf but allowed to read the letter.

>> she wrote this letter to
the city and county and board of appeals
it, it is dated October 24,

2016, we've lived on chestnut
street for 3 years and have

truly enjoyed our apartments our
master bedroom it has a nice amount of light and air the only
serious of light is from the backyard as a low building
allows the sun to shine in this
the richardson area is allowed
inform construct this we'll lose the ventilation into our bedroom
our source of light will essentially be a light shaft not be able to see any sky and the
ability for air to flow through

the window and described the
value of our apartment as good neighbors we've not done
anything to invite this into our
lives our bedroom looks into the
bedroom of richardson avenue and
shuts on the windows our
neighbors leave their kitchen
lines and the light penetrates
if it is allowed to have their
way there will be more untuition
into our daughters bedroom the

roof deck will greatly diminish the enjoyment and we'll receive more noise from the deck we can often hear the occupant from the house screaming foul language and we I can only imagine what will happen.

>> your time is up.

>> who's bedroom backs up to the backyard we're copyrighted that will evening fringe on the quiet and we driver's license are legal restrictions and respectfully ask that the board of appeals deny the requested variance I have copies with. >> thank you so you can see it is their words and not mine.

>> okay. Thank you any public comment on this item.

>> step forward.

>> good evening jonathan wade thank you for letting me speak I live on chestnut on the corner of richardson and chestnut I have two children a 12-year-old daughter any daughters bedroom faces 68 richardson at the back of the house my daughter is going through a rough part of her life a teenager and the last thing she needs is the additional noise and privacy encroached on with a hot tub and we can anticipate what will happen to that deck I'm trying to protect my daughter as any father will do this is my daughter so I humbly respectfully ask you turn down the variance to protect any daughter thank you for your time.

>> thank you any other public comment?

>> my name is james the homeowner on 2555 chestnut and been there since 2001 I want to emphasize whatever the determination he am hopeful we can get along ultimately and I do want to emphasize I'm fair late in the process on this hearing about it in the last month and during that time I'm concerned of the impact of this project on my backyard one of the aspects of with my wife in 2001 we had a nice backyard a

small amount of sunlight
providing a nice environment
that is the enjoyment of the
property I am concerned about
the additional story as well as
the roof deck on the light in my backyard and determined through a shadow studies that was
provided by the architect it
impacts significantly the light
in the backyard in the morning and potentially impacts the
windows in my house those are
the concerns besides there is
concerns about loss of privacy as well
so I'm concerned about impact on quality of life and the property
value of my own property on 2555 chestnut street thank you.

>> thank you.

>> any other public comment.

>> hi I live on chestnut and richard son is friendly and
neighboring I think that since
this happened the things have changed
and very concerned about again, the things that my husband
brought up about privacy and
noise it is simple a noisy
street we're obviously on route
to the golden gate bridge and
even with the earplugs our
daughter is woke even up I
3wu78gd into the street I had
friendly relationships with the owners and you know said hey
wanted to let you know those are
our concerns and not received
well, I understand that
everybody is upset effecting all
of us but we're all trying to protect your best interests and
given the comment that basically
we'll get steam rolled over and
last week to think we can all be
heard and both sides as commissioner swig mentioned
impacts yeah take into consideration
there were other words said I
wouldn't want to say I hope we
as a neighborhood can get along
after this as well.

>> would you would you care to state your name. >> thank you.

>> any other public comment? Seeing no other public comment

rebuttal starting with the appellant >> thank you, commissioners
ryan patterson for the appellant very quickly and then I'm going to turn it over to the
architect to speak to the technical impacts first there
was a quotation from the planning code about hardship
created by the owner that was a personal quotation the full quotation correlate hardship not
created or attributable to the
owners property unquote that is
a lot broader and speaks to basic tenants of the zoning law
for the previous owners the property the hardship is passed
from owner to owner with the
understanding that the hardship
is either a future of the land
and if it is self-imposed it is knocked down
second there is an exception and
reliance by the buyers of this
property and the properties that
the built in safety measures and
setback will be preserved this
is a lot line window if they're
built up in 3 feet the planning
code requires the best case
scenario put in very expensive
\$50,000 sprinkle system a major
impact on this property
and lastly there is an mention
we're removing the stairs so
alleviate the impacts the zoning administrator letter reduces the
impact but not limits is this
impact is still there
good evening mike of architecture can I have the overhead? Please.
We do know, of course, a
reduction in sunlight and ambiance
try to deal with that
so we did a sunshine study and
found a reduction in the south
facing bedrooms in both of the
buildings going to be over 1/3rd increase in the mass creating a
boxed in feeling for the tight constraints that exist that
think that is important to think
about the 1940 building permit
allowed there in a stand point
there is a difference
situation and san francisco building code number 9 talks about the property line windows
6 feet is the number that comes

up in the building code and
there are issues of get rid of
the building code when the
configuration change these are natural air with the market
>> go ahead and finish that thought your time is up.
>> to potentially cut the
windows off and make a significant impact on the just a minute properties thus, this
question about the 1940s
building code and that
co-existence a peaceful albeit
it an older creation but today a
new code that could trigger
eliminating these windows the building department will have to
define that is it is too
calculated under the circumstances.
>> I have a question for Mr. Patterson. >> yes, sir.
>> you made the statement it
something modestly trigger the
installation of a \$50,000 sprinkle you're talking about
the clients property.
>> it is a mandatory bedroom
property line window if it had
to be sealed up we'll preserve
that bedroom requires you're familiar with the requirements
the only potential option we see
perhaps can be poling to very expensive sprinkler system
talking about a lot of money if
it is even an option May not be
and but it was barred so not is
an egress window.
>> egress is not the only requirement. >> of course. >> of course. >> and Ms. Zeller removed
those bars not a safe condition
didn't mean the window is legally extinguished in any way. >> okay.
>> I'd like to ask the timing
of the removal of bars over the
last two days and what promoted that.
>> that was last week and as
we are knowledgeable about those things looked at the conditions
and we felt not a safety sleeping in that room.
>> how long where those bars on the window.
>> probably 20 years.
>> thank you. >> those bars are changed.
>> Mr. Patterson thank you. >> thank you.
>> Mr. Silverman rebuttal time.

>> thank you, commissioners can I have the overhead? Again.

>> very quickly I wanted to respond just to the new points that were raised I'm not going to go over the things that were discussed Mr. Wade lives on the corner the equivalent of 5 or 6 house separation between the carters house and here I didn't find the comments about the hot tub per successful you as you can see the tree is obtain secured a big tree in the backyard no additional shading there I didn't find that persuasive finally on the owner of the window again, this is the window in question where the man is trying to you remove the bars it is I understand this is approximately the lot line it is barred-constantly shaded and not operable this is approximately here off the screen where the bars remain they only took the bars off this one I find that curious and also, this is the walls of the caterer house and the notch that was referred to say further up here up the page so, so not going to be my building closure to the window this is above that man's head thank you.

>> I got a question for you counselor. >> yes.

>> how long have your clients been at the property.

Inaudible: . >> okay. >> thank you thank you.

>> this is a technical question. >> sort of like a ships ladder up to the roof but how do you assess the roof.

>> how do the access the roof now. >> no, no based on.

>> under the new plan. >> yeah.

>> I'll ask 9 architect to answer.

>> good afternoon ladies and gentlemen, I'm michael a designer other 6 architecture

we're the firm that took over
the project after the variance hearing a question how to access
the roof it does have a ships
ladder that will have sliding
basically like a sliding glass
door that is flat it slides over.

>> the drawing shows looks like
a rail along there.

>> there is a parapet that will come up.

>> there is built in seeking yes.

>> okay.

>> I have a couple of notes
about the shading.

>> no, no my question was answered thank you. >> okay.

>> rebuttal from Mr. Sanchez.

>> thank you scott sanchez

planning department. A couple of points in regards to
the privacy that were related
there are minimum windows on the proposed addition actually on
the proposed level there are no windows that face north of the
properties the windows on the
lower level from closest so the
bathrooms on the north wall so
privacy issue from the constructionists the roof deck
roof deck could be constructed on top of the building today
without need for a variance not considered a significant
expansion that will trigger a
variance the means of access
triggers a permit but they can
be added to the code and the
amenities a fire pit a gas fire
pit not a smoke issue with a gas
fire pit they show a hot tub
area and then in regards to the
required variance finding yes. The appellant has correctly restated in the planning code
section 305 that it does look to
the whether or not the hardship was contributed to the applicant
or the owner of property it was
not created or attributable to
the building constructed well been before the property owner
bought the property in 2012, the situation was a created lawfully
at the planning code has changed
over the years the buildings are
now non-complying and in terms of of the impacts on the neighbors I stated I had

concerns with the project as it was previously proposed and building that has a negative impact that was significant on the neighbors the code dpa call for a variance to mitigate all the impacts from development but whether or not a detrimental impact and given how they've provided the project my understanding it is 3 feet away from the property line not the triggering the closing of the property line window non-conforming and on the appellants property that is my understanding and perhaps joe duffy dbi can add further information to that I'm available to answer any questions.

>> I'd like to carry one of our thoughts through that if those hardships sort of westbound pass on or hereditary and you never make in any changes and what was the point of variance hearing. >> good question that's why I have trouble with the logic by the appellant they're not attributable to the owner of the property because the language has attributable that somehow.

>> you choose to buy. >> they choose to buy it not creating the hardship the hrpts existed when they bought the knowledge but I — I don't know how one will find that hardship if that was the case we're looking back to as they're creating a path and lawfully as we can tell. >> thank you.

>> Mr. Sanchez are all the blocks in the arena non-conforming like this one.

>> no, it's more.

>> no building conforms to current the entire block.

>> it is difficult and more challenging on this block

because of the angle of richard

so that yeah. A fair number of

non-compliant buildings along richardson. >> because of angle.

>> yeah. And post some building were moved as part of the

widening of lombard and the cut

over of richardson to access the

bridge the buildings were moved

but not non-conforming not because of building code. >> are you done.

>> you look at the beginning
of lombard it supermarkets r interseconds lombard they were planning on going down the
blafid with the understanding a legal non-conforming structure your according to a planning
code claiming it is not a
hardship of the prophet or the property owner but given the
build and the angle of the
street and it's close prompt I didn't to four or five neighbors you don't consider that a
hardship on the other neighbors.

>> that's how to make the
changes that reduces the impacts
I mean certainly those buildings
are they stepped to they're building walls and tried to
address that and reduce the
impacts by having them segment within the 15 footprint.

>> I mean, I understand the other buildings are
non-conforming they're not trying to add stories.

>> not adding two stories one and a roof deck.

>> only two stories. >> okay.

>> and then-I was under the
understanding the property line
was 4 feet and combrouers were required.

>> my understanding that maybe I'll let the inspector joe duffy
answer that. >> commissioners would you
like inspector duffy to come up.

>> we want to make that worth
his while we're paying that department. >> good evening, commissioners
joe duffy I was on my way home.

Laughter: .

>> so that's the question you know considering that a lot of
properties in san francisco what
we call attached and have
properties

unattached but when you put lot line windows the planning codes

says within 3 feet you don't

have to have them like fire

protected and their expensive; is that correct. >> for that occupancy it will

be 3 feet for the single-family

dwellings so the property via

the property is single-family dwelling

so it is two units 3 feet you

can have to do with 3 feet 3

foot 3 to the property line and

because when the window is

existing in the 1940s I don't think we'll tell them.

>> are tree grandfathered in. >> pretty much normally what happens if their are windows closer sometimes the planning code will make them notch to protect the light and the reminded for that but I can't see any fire rating if it is 10 feet 3 away not an issue the ab 9.

>> it is on the property line.

>> I'm looking at 8 to one from the property line. >> wall.

>> so the new construction is 3 foot 3 the appellants property near the property line and that's what I said and on a that one is grandfathered in. >> those people suddenly come out and make a complaint there is a windows on the property line we'll not go back there it was there in the 1940s what they're talking about an administrative building code in the 1940s if you want to put if property line windows on the property line you can do that they have to be 4 windows with the surprisingly head you're giving up the right to the building and a document it is notarized and can't suddenly say the windows are there.

>> that's like in the code now but it wouldn't have been there in the 1940s I can't say something it was a variance case I didn't research as much if I do there is a building code and maybe that probable we'll be dealing with that then and the project has not been approved by the dbi and hadn't reached us yet so okay.

>> thank you for explaining that inspector.

>> and you might be in agreement whatever happened whether with that project under construction they'll never interfere with the windows or file a window on the windows on the neighbors property line and your saying not grandfathered in.

>> so does that mean you said they'll not complain why what we complain.

>> they could complain anyway.

>> you said it window was grandfathered in so why will they complain.

>> it was part of the original

construction we uniform usually

don't go there.

>> thank you.

>> your presence are requested.

>> the other point that we

have to be concerned is changing the character of the

neighborhood and also goes into hardship again, I know the neighborhood

really well, because I lived

there for now 20 years

and the, of a roof deck and on

the roof deck building of a fire

pit and on the building of a hot

tub I don't know I don't know of

house in the marina residence that has that condition I mean

in my own house I have a deck

that extends off a second floor over any living room the house

was built in 1926 but I don't

know of this would be consistent

with the concern of changes with the character the neighborhood I

don't know of a house in the

marina with that type of condition whether a roof deck

hot tub and fire pit and all that stuff

and that also goes to hardship the neighbors because-

>> do you have a question. >> what about that.

>> I think that is a good

point. One we hear at that

board and often in particular in this district

about people having a lot of

roof deck we've seen a lot of them on the south side of cal

hallow and lombard and gotten to

the point the district supervisor asked about development guidelines for a

roof deck and questions about

notification for roof decks,

etc. I understand that point and

the permit holder attorney

passed me a photo of with an the

adjoining building has a hot tub not a full floor roof deck like

this would be it is more but

there is habitual area and hot

tibia deck off of that area I think that is at some point I

mean whether you you know the board feels that is there are issues with the character of the

deck that should be reduced in terms of the occupancy or capacity I'll understand that in terms of neighborhood character

in the size of the building the

adjacent property is on 3 stories the overall height is

less but a 3 story building.

>> don't worry about the height swuchs as the intrusion.

>> this is before the board I mean, you're hearing 24 the variance decision and be able to justify that but I understand there are a lot shown on the roof deck just honestly we've seen people -to add those features you don't need the permit maybe no notification so we are asking people that put minimum things open their roof deck and add more features after they go through notification but no trigger of a notice in this case they were very open been the amenities they wanted and mrird for that what they're seeking and the matter is totally before the board.

>> the roof deck is intended to be open space otherwise not on the property. >> otherwise the nullification on the property is the 3 feet passageway and this would be actually usable open space for the residents you know at the hearing that was compelling argument about the desire to have something that is more usable for a family and something they can grow into and certainly found those arguments compelling in meeting other properties in similar sdriblgs that are able to have.

>> for which not other options on that property; right? >> last question Mr. Sanchez and so there's a rear yard variance and nothing required for a front yard setback.

>> no, no requirements in this case. >> thank you thank you.

>> commissioners, the matter is submitted.

>> now the-I think Mr. Sanchez was referring to me when he was referring to discussions on residential design.

>> everyone was referring to you when discussions on roof decks commissioner.

>> no, I think I'll refer to bring up a couple of things because I don't consider them as important as the issue of hardship as an example you know the shadow studies done but the appellant yes probably correct

they're in the summertime I doubt there is much different impacts the rest of the year

your question here is have they demonstrated hardship.

>> it is clear that the it is

a property right enjoyed by

other people around the area

I mean every building there is

non-conforming

so I don't want to get into a

question of whether one persons hardship is different than another persons hardship because

we are looking at this whether that has criteria of the finding

were satisfied when I first look

at it was some double park in my

mind that all 5 were satisfied

especially where they filled in the notch

I supported I think the idea

that the zoning administrator brought forth that anything they

do to the property will require

a variance because there's no

doubt about that I'll support

the fact they maybe needing more

space contextually the 3 stories

are fine I made that agreement

why they should have a

transparent screening at the

roof that perhaps that should be

a obtaining absurd.

>> I'm trying to come to a decision a variance that allowed them to make the notch was totally justified.

>> can you explain that.

>> I believe the variance in

general in terms of allowing

them to build to a certain extent was justified.

>> normally I would have said

when we deal with other areas in the area non-conforming

structures like telegraph hill

you know I've been against some

of these variances which allow

an expansion beyond existing envelope

and in this case I'm probably lean towards. >> with restrictions or allowing it?

>> allowing it I think I will ask that the.

>> obscure glossary I'll

support that.

>> I'm not 100 percent

convinced the feeling's we're
meat a convincing stance from
the department and the hardship
of the property is the hardship
of the property at the same time, we don't want people fleeing from san
francisco and 6 hundred and 18 I believe square feet is really
not much you can do to the
property equip go up and take
out that notch you don't get much
and since this is probably not
the last time we'll hear this
case I'll be willing to join my two fellow commissioners. >> batter up.
>> I consider the hardship
continued no hardship to you
know the I believe that the
project sponsor bought the house
should have recognized that
there was this condition. >> yep.
>> and therefore suffers no
hardship therefore your 5 fksdz
are not met so I think the
hardship is to the other
neighbors so-I'd like have to
be convinced more.
>> make a motion with a condition that requires 4 votes.
>> I wanted to ask a question about the condition you're
considering which is to place a
certain type of glass in the
railing for the roof deck; is that right. >> make the parapet. >> parapet.
>> didn't have to be obtain I'm not sure.
>> sorry to interrupt-
>> if they don't put it in there. >> yeah. >> then, yes.
>> at this time are you saying basically materials are not under the purview of the variance.
>> no, I guess I'm curious if this element of the design is
within the context of this variance.
>> I think that expands into.
>> what if it requires 4 votes.
>> let me finish it expands
into areas that are beneficial of the variance. >> excuse me-benefits of
the variance.
>> I think that is equally part of it.
>> I agree portions of railing are within the rear yard as well
as the fact that in order to get
access to the roof deck you need

to encroach into the rear yard

I'll consider that is as

acceptable condition as part of surveillance letter. >> thank you.

>> I'll make a motion I'll

move to grant the appeal and

condition the variance on

changing the glass rail around

those roofs to an opaque parapet

and that I find with that then

the 5 findings of a variance met.

>> let me clarify seeking a

solid parapet or some 0 page

thing that provides privacy. >> it is their choose. >> okay.

>> sorry of the same height as

currently proposed.

>> yes. >> okay. So the motion from the vptsdz is to grant the appeal with condition the variance think changing the glass rail around the roof to an obtain page parapet and by

making that motion you'll find

the 5 ftsdz has been met. >> correct.

>> okay. On that motion commissioner lazarus

commissioner President Honda commissioner swig. >> okay. That that motion

carries with a vote of 4 to zero and commissioner President Honda. >> there's no further business.

Exhibit C

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
CARMEN ZELL

Appeal No. 16-138

Appellant(s)

vs.

ZONING ADMINISTRATOR

Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on August 08, 2016, 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 July 27, 2016, to Bryan Carter, of a Rear Yard Variance (to construct a third floor addition and roof deck that will extend into the required rear yard of a single-family dwelling) at 68 Richardson Avenue.

CASE NO. 2015-000254VAR

FOR HEARING ON October 26, 2016

Address of Appellant(s):

Address of Other Parties:

Carmen Zell, Appellant
c/o Ryan Patterson, Attorney for Appellant
Zacks, Freedman & Patterson PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104

Bryan Carter, Permit Holder
c/o David Silverman, Attorney for Permit Holder
Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104


NOTICE OF DECISION & ORDER

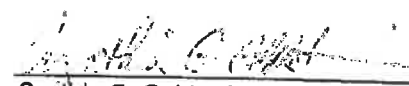
The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on OCTOBER 26, 2016.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, §14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **GRANTS THE APPEAL AND ORDERS** that the ISSUANCE of the subject variance by the ZONING ADMINISTRATOR is **UPHELD** on the condition that the glass rail around the roof be changed to an opaque parapet on basis that this revision will allow the variance to meet the findings required under Planning Code Section 305(c).

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO

Last Day to Request Rehearing: November 07, 2016
Request for Rehearing: December 07, 2016 (denied)
Rehearing: None
Notice Released: December 08, 2016


Darryl Honda, President


Cynthia G. Goldstein, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure, §1094.6.

Exhibit D



City & County of San Francisco

REHEARING REQUEST

Date Filed:

BOARD OF APPEALS

BOARD OF APPEALS

NOV 07 2016

APPEAL # RR of 16-138

Carmen Zell, Appellant seeks a rehearing of Appeal No. 16-138, which was decided on October 26, 2016. This request for rehearing will be considered by the Board of Appeals on Wednesday, December 07, 2016, at 5:00 p.m. in City Hall, Room 416, One Dr. Carlton B. Goodlett Place.

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the response to the written request for rehearing must be submitted by the opposing party and/or Department no later than 10 days from the date of filing, on or before November 17, 2016 and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. Eleven (11) copies shall be submitted to the Board office with additional copies delivered to the opposing parties on the same day.

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from each side will be allowed. Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.

Based on the evidence and testimony submitted, the Board will make a decision to either grant or deny your request. Four votes are necessary to grant a rehearing. If your request is denied, a rehearing will not be scheduled and the decision of the Board will become final. If your request is granted, a rehearing will be scheduled, the original decision of the Board will be set aside, and after the rehearing, a second decision will be made. Only one request for rehearing and one rehearing are permitted under the Rules of the Board.

Agent

Signature: _____

Print Name: _____

Joshua Blank

Exhibit E



Exhibit F

REUBEN, JUNIUS & ROSE, LLP

December 12, 2016

Joe Duffy
Senior Building Inspector
Department of Building Inspection
City and County of San Francisco
1660 Mission Street, Third Floor
San Francisco, CA 94103

Re: 68 Richardson Avenue/ 2547-2549 Chestnut Street
Board of Appeals No. 16-138
Our File No.: 10514.01

Dear Mr. Duffy:

We represent the owners of 68 Richardson Avenue, Mr. and Mrs. Bryan Carter. By this letter, and at your request, the Carters confirm, acknowledge, and agree that they shall not take any action at any time to interfere with the continued use of the operable property line windows at 2547-2549 Chestnut Street. Owners agree that they shall not construct a fence that blocks the windows within 3 feet of the shared property line with 2547-2549 Chestnut Street, so as to preserve such operable windows at 2547-2549 Chestnut Street. It is further agreed that this letter shall not interfere with the proposed construction at 68 Richardson Avenue pursuant to the plans on file at the Department of Building Inspection.

Please do not hesitate to contact me if you need anything further relative to the foregoing.

Thank you.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

David Silverman

cc: Mark Walls, DBI
Mr. and Mrs. Bryan Carter
Ryan Patterson

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Tuija I. Catalano | Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Thomas Tunny
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Chloe V. Angelis
Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman^{2,3} | John McInerney III²

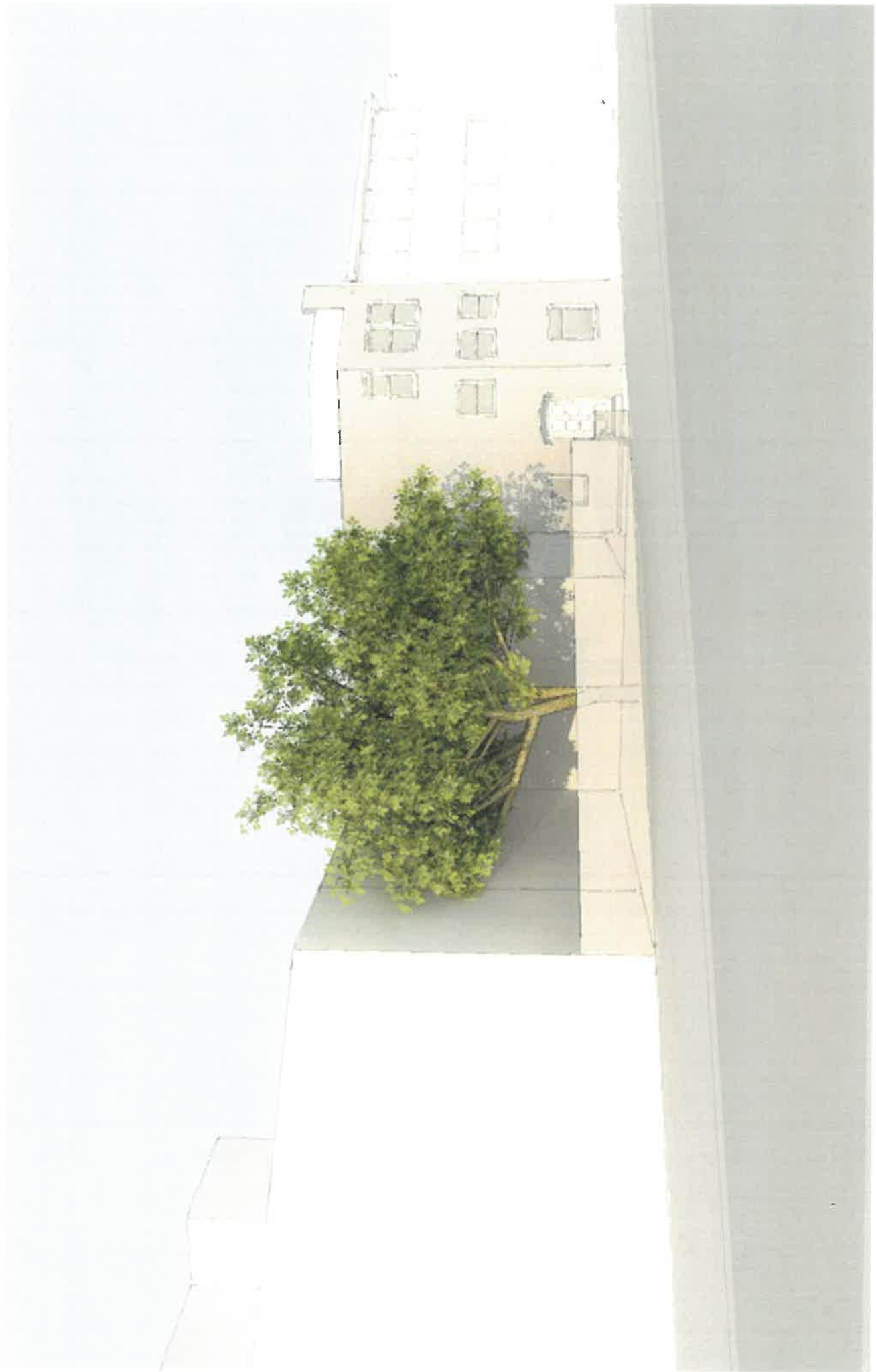
1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

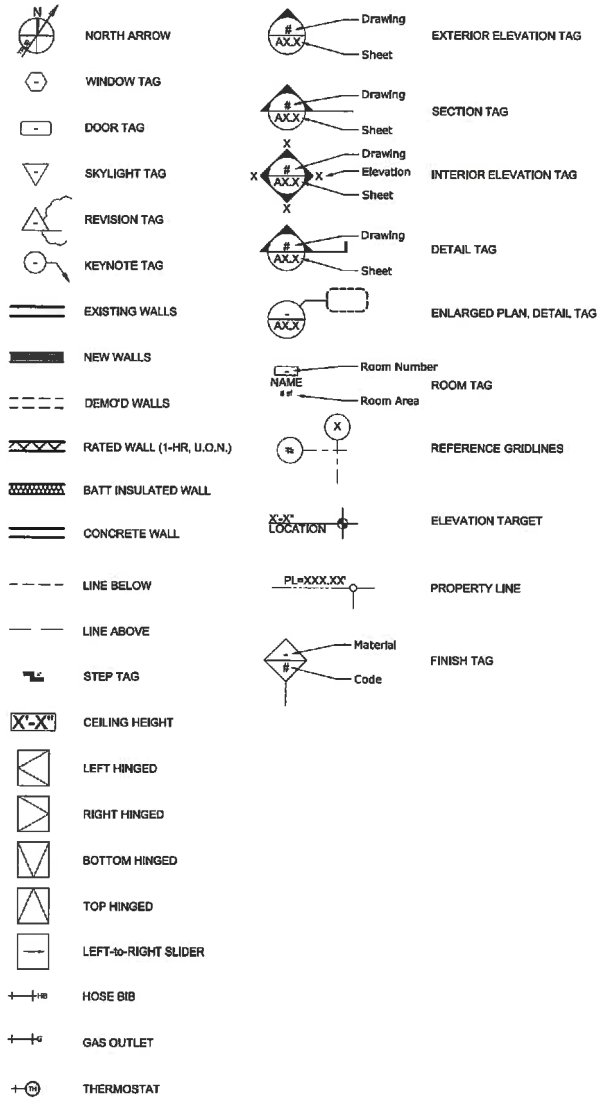
www.reubenlaw.com

Exhibit G





SYMBOL LEGEND



ABBREVIATIONS

A.B.	Anchor Bolt	LAM	Laminate(s)
ABV	Above	LAV	Lavatory
ACT	Acoustical Ceiling Tile	L.B.	Lag Bolt
ADJ	Adjustable	LF	Linear Foot
A.F.F.	Above Finished Floor	LH	Left Hand
ALUM	Aluminum	LT	Light
A.N.G.	Average Natural Grade	LTWT	Lightweight
APPX	Approximate(y)	MAS	Masonry
ARCH	Architect(ure)	MATL	Material(s)
AUTO	Automatic	MAX	Maximum
AWG	Average	M.B.	Machine Bolt
AWN	Awning	M.C.	Medicine Cabinet
BD	Board	MECH	Mechanical
BLDG	Building	MFD	Manufactured
BLK (G)	Blocking	MFR	Manufacturer
BLW	Below	MIN	Minimum
BM	Beam	MISC	Miscellaneous
B.N.	Blind Nail	MMB	Membrane
B.O.W.	Bottom of Wall	MTD	Mounted
BRG	Bracing	MTL	Metal
BTWN	Between	MULL	Mullion
B.U.R.	Built Up Roofing	MW	Microwave
CAB	Cabinet	N	North
C.A.R.	Cold Air Return	(N)	New
CBL	Cable	NA	Not Applicable
CFT	Cubic Foot	N.I.C.	Not In Contract
C.I.P.	Cast-In-Place	N.T.S.	Not To Scale
CIR	Circle	o/	Over
CIRC	Circumference	OBSC	Obscure
CJT	Control Joint	O.C.	On Center
C.L.	Center Line	O.D.	Outside Dimension
CLG	Ceiling	OH	Overhead
CLK (G)	Caulking	OPG	Opening
CLP	Clearance	OPER	Operable
C.M.U.	Concrete Masonry Unit	OPP	Opposite
COL	Column	O.S.B.	Oriented Strand Board
CONC	Concrete	OSCI	Owner Supplied Contractor Installed
CONSTR	Construct(ed), (ion)	OVHG	Overhang
CONT	Continuous	PART	Partition
CORR	Corrugated	PERF	Perforate(d)
CPT	Carpet(ed), (ing)	PL	Plate
CSMT	Casement	P.L.	Property Line
CSWK	Casework	PLAM	Plastic Laminate
CUST	Cubic Yard	PLY	Plywood
CYD		PNL	Panel
D	Dryer	PNT or PTD	Paint(ed)
DSL	Double	PR	Pail
DEG	Degree	PREFAB	Prefabricate(d)
DEPT	Department	P.T.	Pressure Treated
D.F.	Douglas Fir	PVMT	Pavement
DH	Double Hung	R	Riser
DIA	Diameter	RAD	Radius
DM	Dimension	RDWD	Redwood
DISP	Dispenser	REFR	Refrigerator
DIV	Divider, Division	REINF	Reinforce(d), (ing)
DN	Down	REM	Remove
DR	Door	REQ	Require(d)
D.S.	Downspout	REV	Reverse(d), (ion)
DTL	Detail	RFG	Roofing
DW	Dishwasher	RH	Right Hand
DWG	Drawing	RM	Room
(E)	Existing	R.O.	Rough Opening
EA	Each	S.C.	Solid Core
ELEC	Electric(al)	S.E.D.	See Electrical Drawings
ELEV	Elevation	SEP	Separate(d), (ion)
E.N.	End Nail	SHTH	Sheathing
ENCL	Enclose, Enclosure	SHT	Sheet
ENG	Engineer(ed), (ing)	SHM	Sheet
EQ	Equal(ivalent)	SKL	Skylight
EQUIP	Equipment	S.L.D.	See Landscape Drawings
EXH	Exhaust	S.O.G.	Slab-On-Grade
EXP	Exposed	SLD	Slider
EXT	Exterior	SPKR	Speaker
F.A.U.	Forced Air Unit	SPEC	Specification(s)
F.B.O.	Furnished By Others	SQ	Square
F.D.	Floor Drain	SQFT	Square Foot
F.D.C.	Fire Dept Controls	S.S.D.	See Structural Drawings
F.F.	Finished Floor	SST	Stainless Steel
F.F.E.	Finished Floor Elevation	STD	Standard
FIN	Finish	STL	Steel
FPL	Fireplace	STOR	Storage
FLG	Flashing	STR	Structure(al)
FLR	Floor(ing)	SUPP	Supply(ed)
FLUR	Fluorescent	SUSP	Suspended
FND	Foundation	S.W.	Shear Wall
F.O.F.	Face of Finish	SYS	System
F.O.S.	Face of Studs	T	Tread
FRM	Frame(d), (ing)	T.B.	Towel Bar
FT	Foot	T.B.D.	To Be Determined
FTG	Footing	TEL	Telephone
FUT	Future	T&G	Tongue & Groove
FX	Fixed	T.W.	Thickness
G	Gas	T.M.E.	To Match Existing
GA	Gauge	T.O.C.	Toilet Paper Dispenser
GALV	Galvanized	T.O.P.	Top of Plate
G.C.	General Contractor	T.O.S.	Top of Slab
GD	Garbage Disposal	T.O.W.	Top of Wall
GFI or GFCI	Ground Fault Circuit Interrupter	TRN	Transom
GL	Glass(ing)	T.S.	Tube Steel
G.S.M.	Galvanized Sheet Metal	TV	Television
GT	Grout	TYP	Typical Condition
GVL	Gravel	U.O.N.	Unless Otherwise Noted
GYP BD	Gypsum Board	V.B.	Vapor Barrier
H.B.	Hose Bibb	VCT	Vinyl Composition Tile
H.D.	Hold Down	VENT	Ventilate(ion)
HDW	Hardware	VERT	Vertical
HDR	Hardwood	V.I.F.	Verify In Field
HGR	Header	V.G.	Vertical Grain
HGR	Hanger	W	Washer
HORIZ	Horizontal	w/	With
HR	Hour	WC	Water Closet
HT	Height	WD	Wood
HTG	Heating	WIN	Window
HWH	Hot Water Heater	WO	Wall Oven
INCL	Include(d), (ing)	w/o	Without
I.D.	Inside Diameter	WP	Waterproof(ing)
INSUL	Insulate(d), (ion)	WSCT	Washcoat
INT	Interior	WWF	Welded Wire Fabric
JST	Joist	YD	Yard
JT	Joint		
KIT	Kitchen		

PROJECT DESCRIPTION

ADDITION TO SINGLE FAMILY RESIDENCE CONSISTING OF NEW THIRD FLOOR AND ROOF DECK

PROJECT DATA

A.P.N.:	0934-012A
ADDRESS:	68 RICHARDSON AVE SAN FRANCISCO CA 94123
BUILDING CODES:	2013 CA Building Code, w/ Local Amendments 2013 CA Mechanical Code, w/ Local Amendments 2013 CA Plumbing Code, w/ Local Amendments 2013 CA Electrical Code w/ Local Amendments 2013 CA Energy Code

BUILDING INFO

OCCUPANCY TYPE:	R-3
CONSTRUCTION TYPE:	V, NON-RATED
(E) GROSS FLOOR AREA:	
Level 1	484 sf
Level 2	451 sf
Total	935 sf 898 sf per Assessor
(N) GROSS FLOOR AREA:	
Level 1	484 sf (NO CHANGE)
Level 2	484 sf
Level 3	484 sf
Total	1,452 sf
NET CHANGE:	+517 sf +564 sf per Assessor

ZONING DATA

ZONING:	RH-3
LOT SIZE:	618 sf
BUILDING FOOTPRINT:	
Existing	434 sf
Proposed	484 sf (NO CHANGE)
NO. OF STORIES:	
Existing	2
Proposed	3
BUILDING HEIGHT:	
Existing	24'-34'-8"
Proposed	24'-34'-8"

REVISIONS PER VARIANCE APPEAL (10/26/2016):

- TO PROVIDE PRIVACY AT ROOF DECK, TRANSPARENT GLASS WINDSCREEN REVISED TO TRANSLUCENT GLASS. WINDSCREENS AT NORTH AND EAST SIDE OF ROOF DECK SET BACK 5'-0" FROM FACE OF BUILDING.

NOTES

- THE EXISTING BUILDING IS NOT PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM
- TRAVEL DISTANCE FROM FURTHESTMOST POINT OF ROOF DECK NOT TO EXCEED 175 FT (188 FT PROPOSED)

INDEX OF DRAWINGS

A0.0	TITLE SHEET
A0.1	DOOR & WINDOW SCHEDULES
A1.1	SITE PLAN
A2.1	EXISTING & PROPOSED FIRST & SECOND FLOOR PLANS
A2.2	PROPOSED THIRD FLOOR PLAN & EXISTING & PROPOSED ROOF PLANS
A3.1	EXISTING & PROPOSED SOUTHWEST (STREET) ELEVATIONS
A3.2	EXISTING & PROPOSED SOUTH & EAST ELEVATIONS
A3.3	EXISTING & PROPOSED NORTH & WEST ELEVATIONS
A4.1	EXISTING & PROPOSED SECTIONS
	PHOTOGRAPHS

PROJECT TEAM

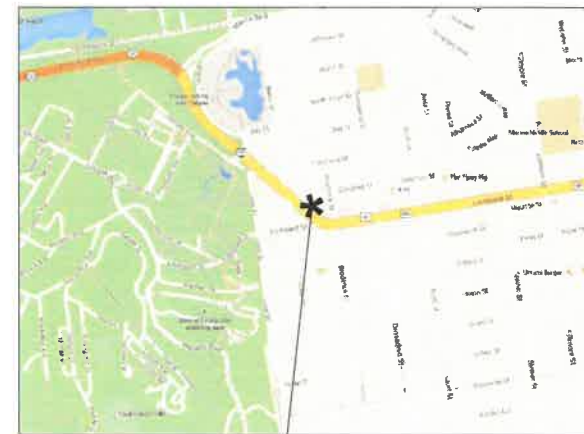
OWNER
Bryan Carter and Erin Carter
68 Richardson Ave
San Francisco, CA 94123
TEL 415-595-1817

STRUCTURAL ENGINEER
TBD

TITLE 24 ENERGY CONSULTANT:
TBD

ARCHITECT
Jason Langkammerer
AT6 Architecture
746 Natoma Street
San Francisco, CA 94103
TEL 415-503-0555
FAX 415-503-0550

VICINITY MAP



SUBJECT PROPERTY
68 RICHARDSON AVE

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ARCHITECTURE
DESIGN BUILD.

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San Francisco 94103
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www.at6db.com

Jason Langkammerer, AIA
License no. C-28796



Carter Residence

68 Richardson Ave
San Francisco, CA 94123

APN: 0934-012A

SITE PERMIT

SHEET CONTENTS

TITLE SHEET,
INDEX, PROJECT
DESCRIPTION,
ABBREVIATIONS,
SYMBOLS

DATE JAN 30 2017

SCALE N.T.S.

BY CCS

REVISIONS

06/13/2016	PER VARIANCE HEARING
12/12/2016	PER VARIANCE APPEAL

Carter Residence

A0.0

WINDOW SCHEDULE

SYM	TYPE	APPROX. R.O. (W x H)	MFR	MODEL	GLAZING	REMARKS
EX	-	-	-	-	-	EXISTING TO REMAIN
1A	CASEMENT	30 x 60	-	-	-	
2A	FIXED	28 x 48	-	-	-	45-MIN RATED MTL
2B	CLERESTORY	28 x 24	-	-	-	
3A	FIXED	60 x 24	-	-	TEMPERED OBSCURE	45-MIN RATED MTL
3B	COMBO	72 x 64	-	-	-	EGRESS, 2x DOUBLE HUNG
3C	DOUBLE HUNG	24 x 64	-	-	-	

NOTES: EGRESS WINDOWS SHALL HAVE MIN. NET CLEAR OPENING OF 5.7 SQ. FT. MIN. NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24 INCHES. MIN. NET CLEAR OPENING WIDTH DIMENSION SHALL BE 20 INCHES. MAX. HEIGHT ABOVE FLOOR SHALL BE NOT GREATER THAN 44 IN ABOVE FLOOR. SEE 2013 CBC 1029.2, 1029.3 AND 1029.4.

DOOR SCHEDULE

SYM	TYPE	DOOR SIZE	MFR	MODEL	HARDWARE	GLAZING *	REMARKS
EXTERIOR							
1A	SWING	-	-	-	-	-	EXISTING
2A	SWING	-	-	-	-	-	EXISTING
INTERIOR							
1B	SWING	-	-	-	-	-	EXISTING
5A	SWING	-	-	-	-	-	EXISTING
6A	SWING	-	-	-	-	-	EXISTING
7A	SWING	-	-	-	-	-	EXISTING
8A	POCKET	36 x 80	-	-	-	-	-
11A	BYPASS PAIR	58 x 80	-	-	-	-	-
11B	BYPASS PAIR	58 x 80	-	-	-	-	-

* NOTE: ALL GLAZING IN DOORS, SIDELITES & TRANSOMS TO BE TEMPERED

SKYLIGHT SCHEDULE

SYM	TYPE	SIZE	MFR	MODEL	REMARKS
1	OPERABLE	9'-9" x 6'-4"	TBD	CUSTOM	



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Carter Residence

68 Richardson Ave
San Francisco, CA 94123

APN: 0934-012A

SITE PERMIT

SHEET CONTENTS

WINDOW, DOOR
& SKYLIGHT
SCHEDULES

DATE JAN 30 2017

SCALE N.T.S.

BY CCS

REVISIONS

1 08/13/2016 PER VARIANCE
HEARING

2 12/12/2016 PER VARIANCE
APPEAL



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APN: 0934-012A

SITE PERMIT

SHEET CONTENTS

SITE PLAN

DATE JAN 30 2017

SCALE 1/8" = 1'-0"

BY CCS

REVISIONS

06/13/2016 PER VARIANCE HEARING



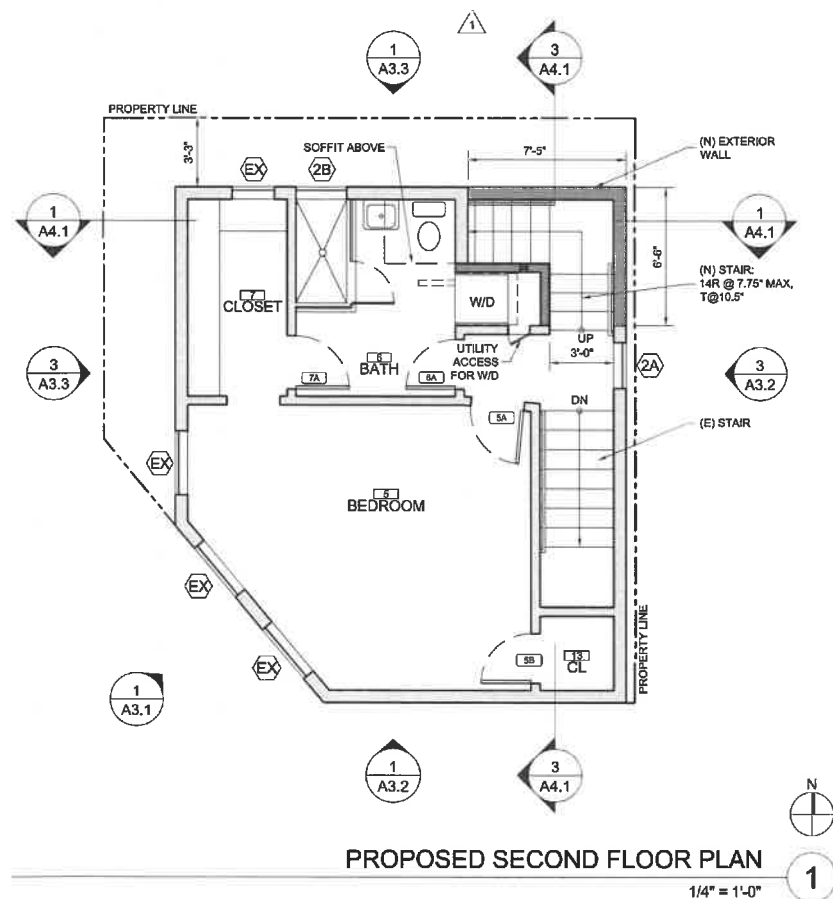
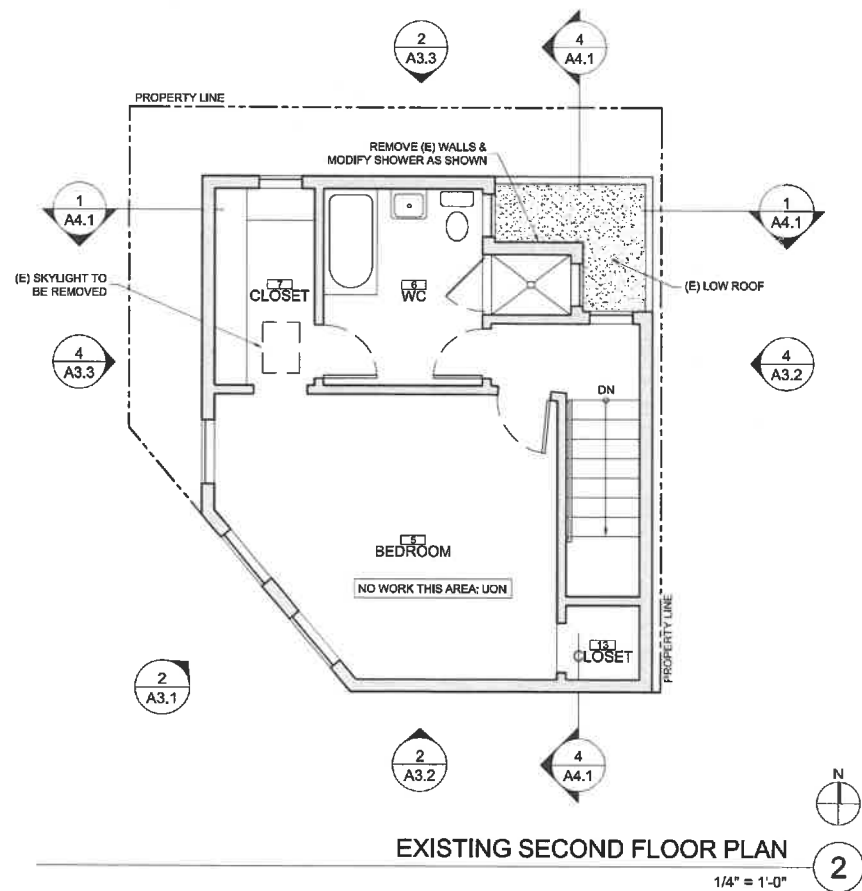
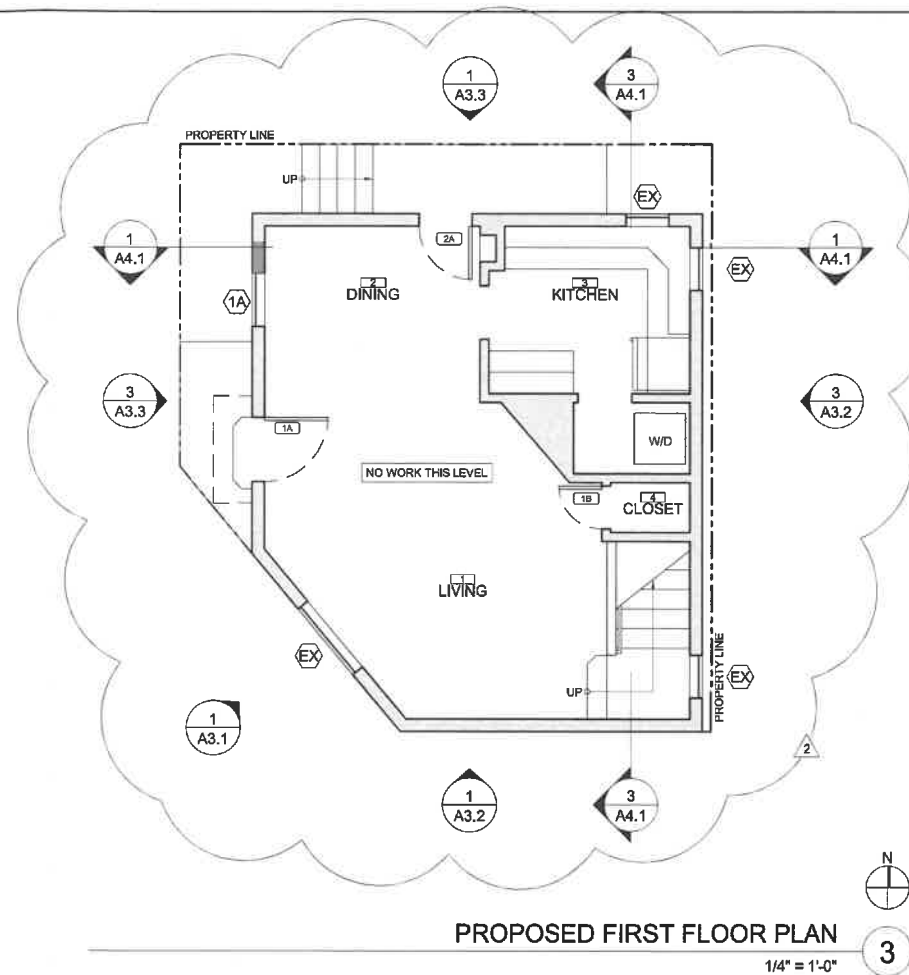
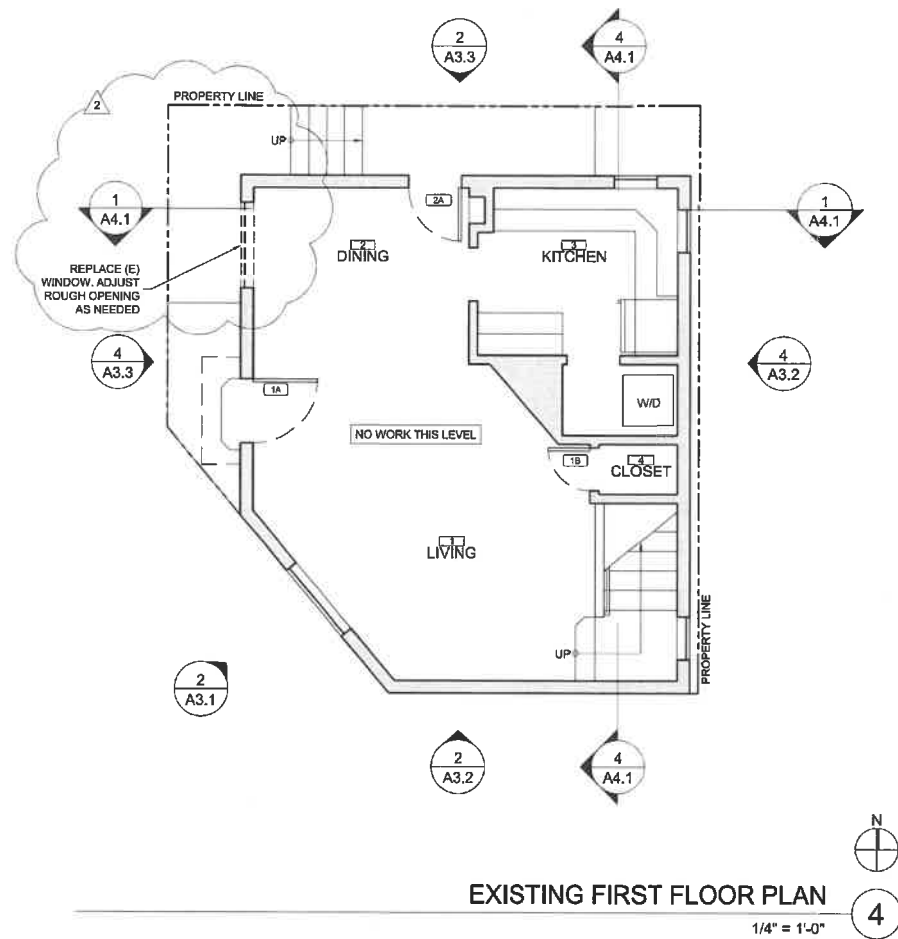
SITE PLAN

1/8" = 1'-0"

1

A1.1





KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND

- EXISTING WALL TO REMAIN
- WALL/ELEMENT TO BE REMOVED
- NEW WALL

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Carter Residence

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APN: 0934-012A

SITE PERMIT

SHEET CONTENTS

EXISTING & PROPOSED FIRST SECOND FLOOR PLANS

DATE JAN 30 2017

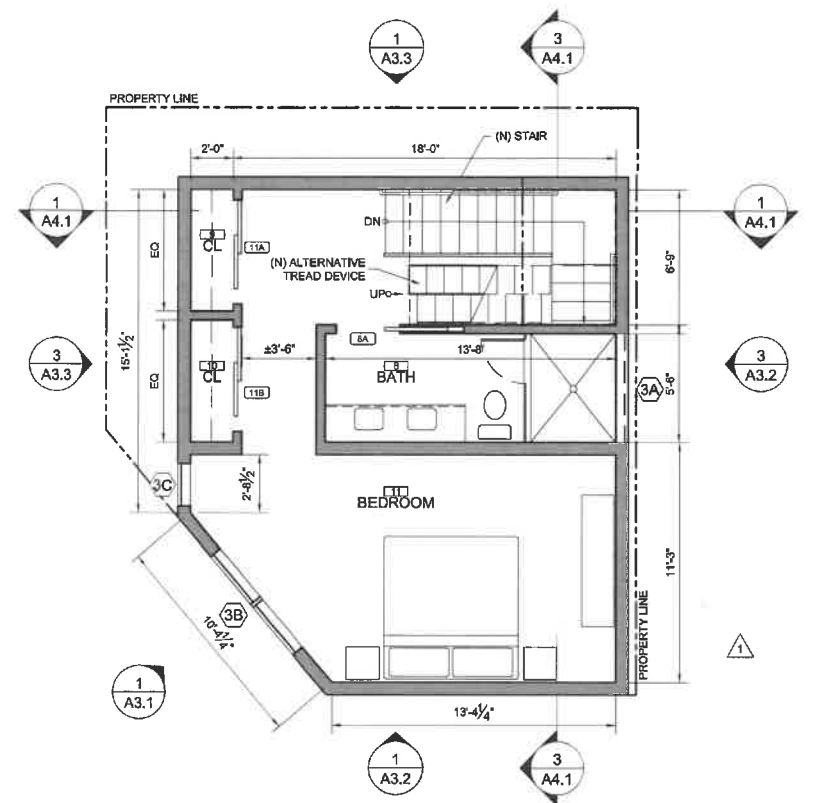
SCALE 1/4" = 1'-0"

BY CCS

REVISIONS

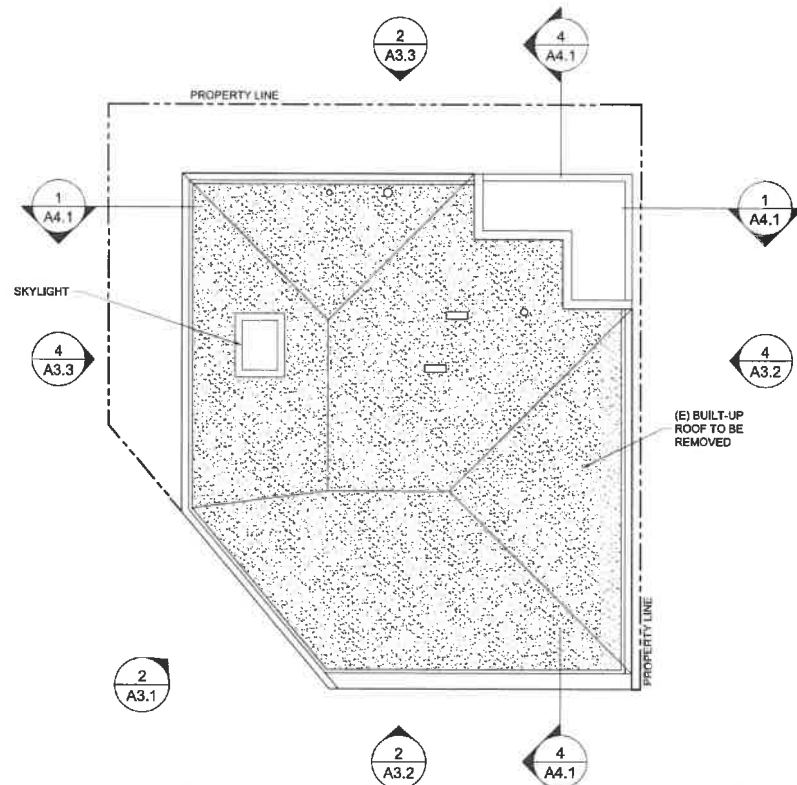
- 1 06/13/2016 PER VARIANCE HEARING
- 2 12/12/2016 PER VARIANCE APPEAL

A2.1



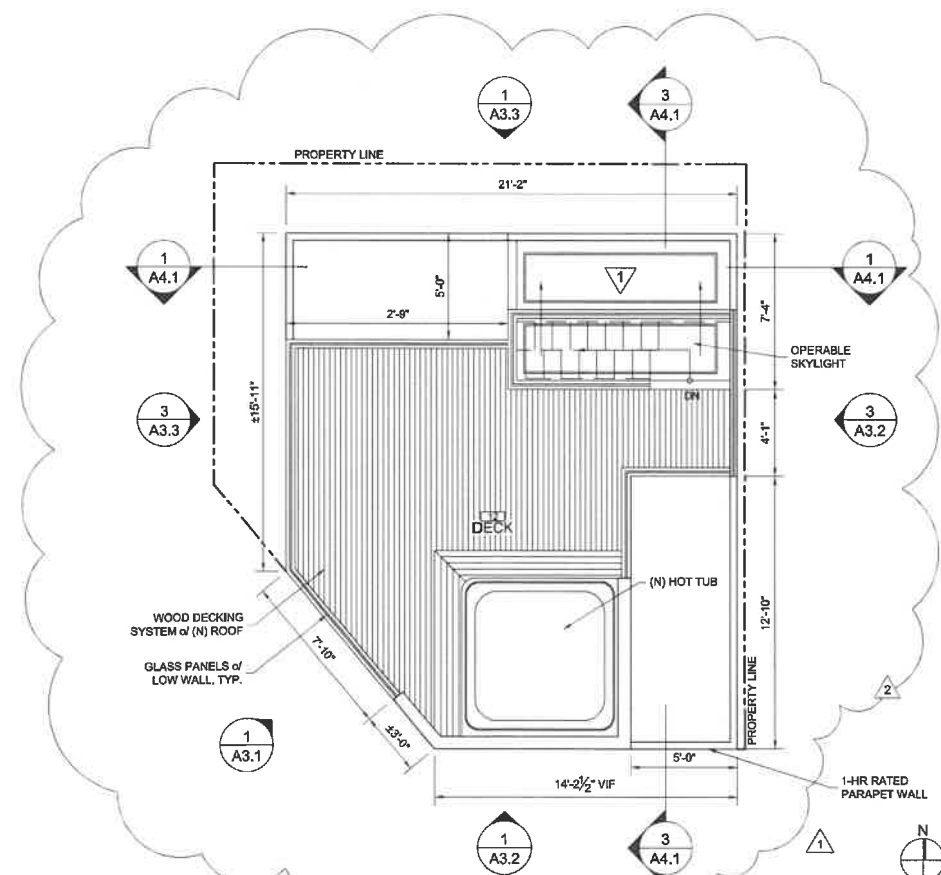
PROPOSED THIRD FLOOR PLAN

1/4" = 1'-0"



EXISTING ROOF PLAN

1/4" = 1'-0"



PROPOSED ROOF PLAN

1/4" = 1'-0"



KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND

- EXISTING WALL TO REMAIN
- WALL/ELEMENT TO BE REMOVED
- NEW WALL

AT6
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DESIGN. BUILD.

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Carter Residence

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San Francisco, CA 94123

APN: 0934-012A

SITE PERMIT

SHEET CONTENTS

**PROPOSED 3RD
FLOOR PLAN &
EXISTING &
PROPOSED
ROOF PLANS**

DATE JAN 30 2017

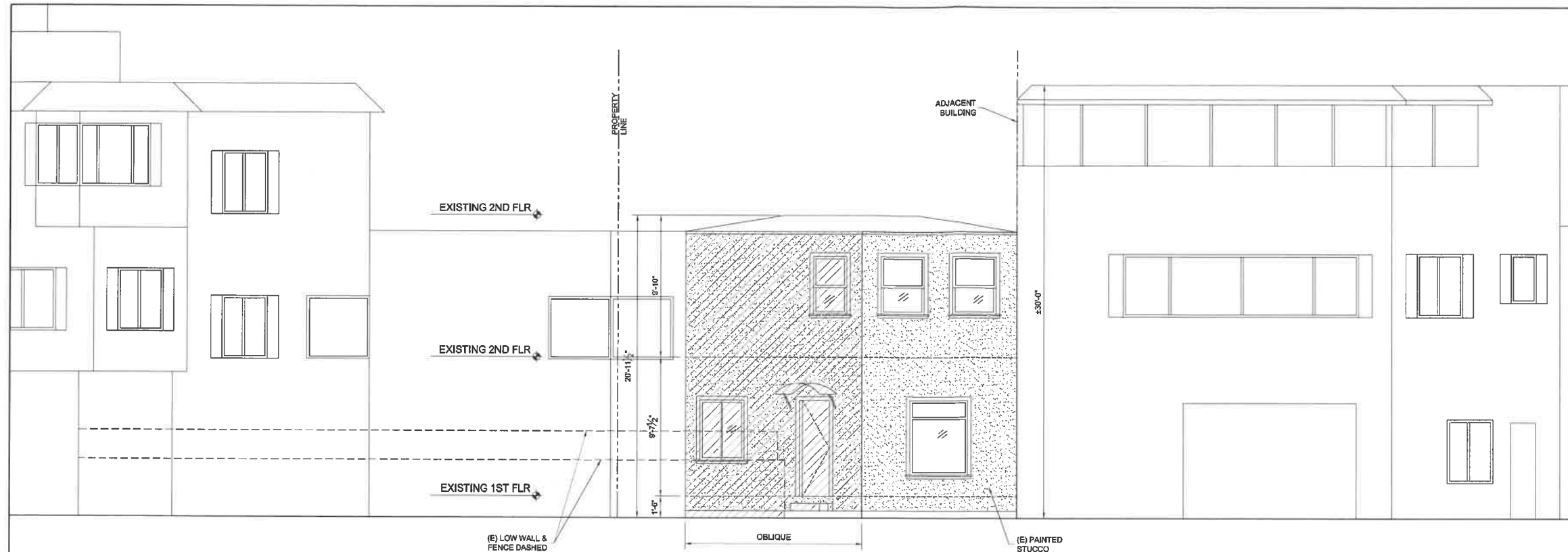
SCALE 1/4" = 1'-0"

BY CCS

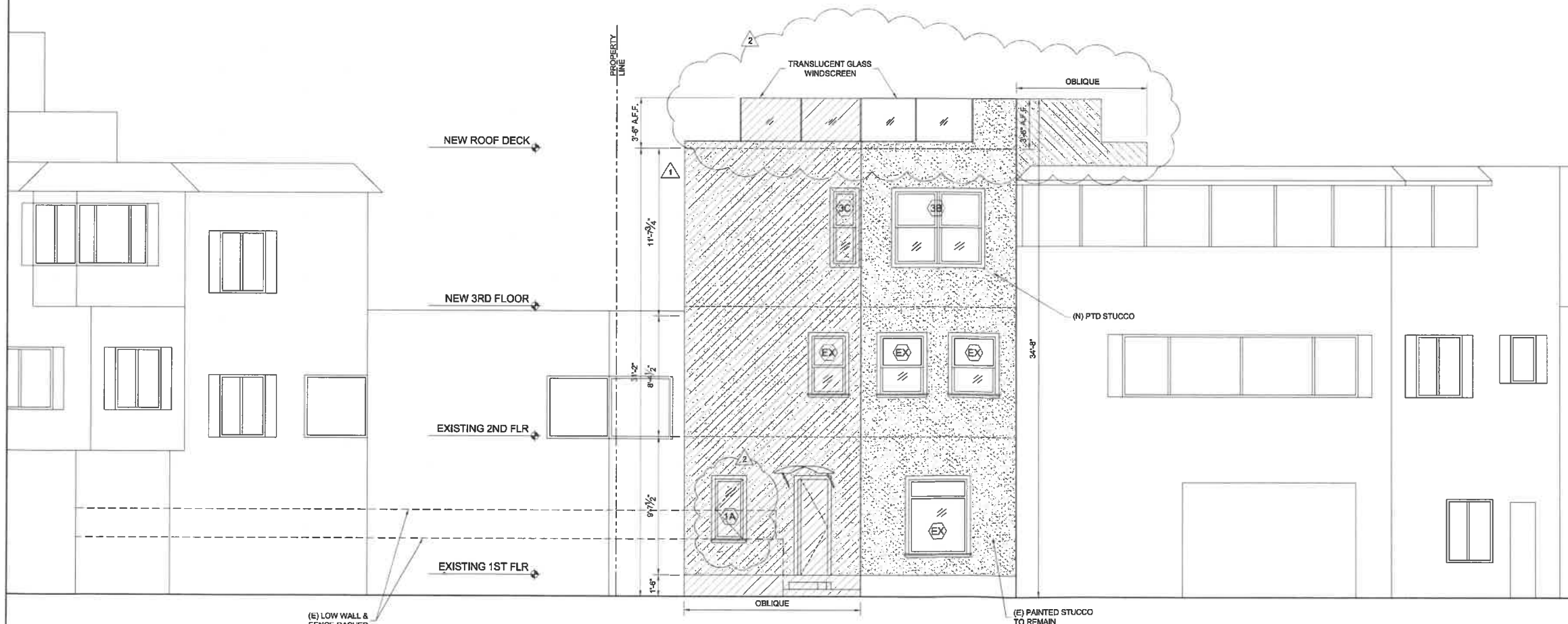
REVISIONS

- 08/13/2016 PER VARIANCE HEARING
- 12/12/2016 PER VARIANCE APPEAL

A2.2



EXISTING SOUTHWEST (STREET) ELEVATION 2
1/4" = 1'-0"



PROPOSED SOUTHWEST (STREET) ELEVATION 1
1/4" = 1'-0"

KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND



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EXISTING & PROPOSED STREET ELEVATION

DATE JAN 30 2017

SCALE 1/4" = 1'-0"

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REVISIONS

- 1 06/13/2016 PER VARIANCE HEARING
- 2 12/12/2016 PER VARIANCE APPEAL

A3.1

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EXISTING & PROPOSED SOUTH & EAST ELEVATIONS

DATE JAN 30 2017

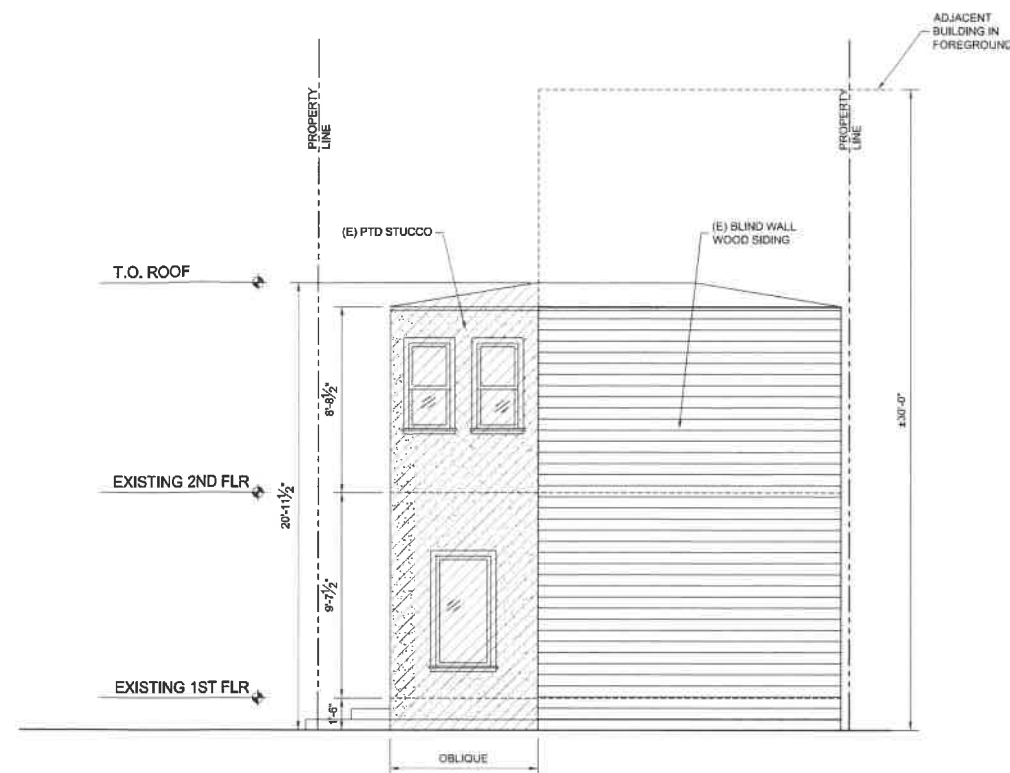
SCALE 1/4" = 1'-0"

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REVISIONS

1	06/13/2016	PER VARIANCE HEARING
2	12/12/2016	PER VARIANCE APPEAL

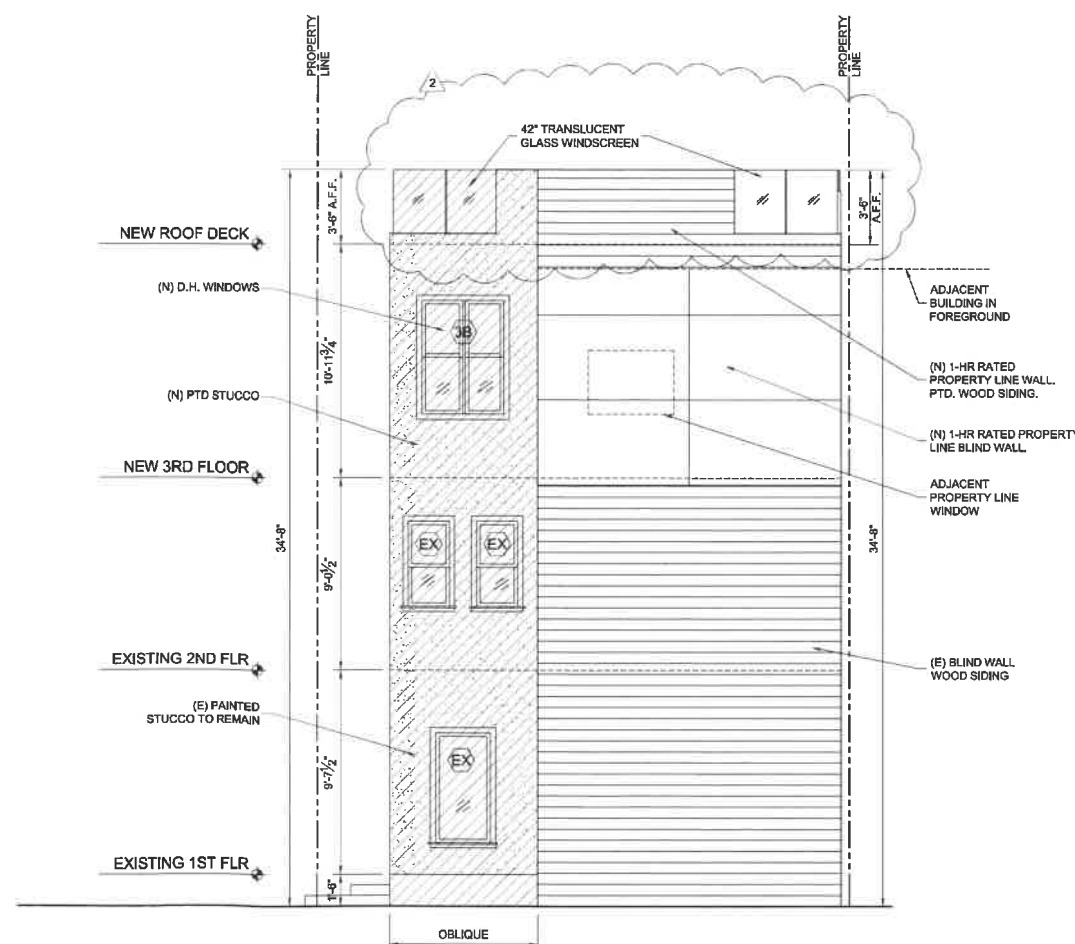
A3.2



EXISTING SOUTH ELEVATION

1/4" = 1'-0"

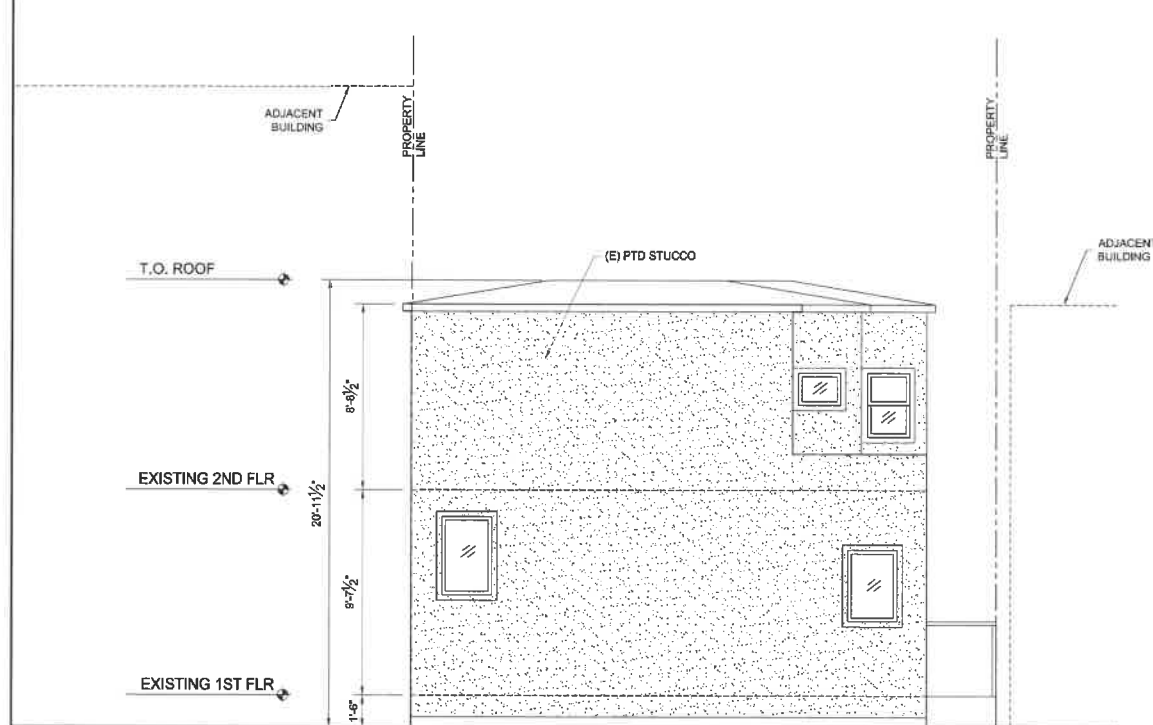
2



PROPOSED SOUTH ELEVATION

1/4" = 1'-0"

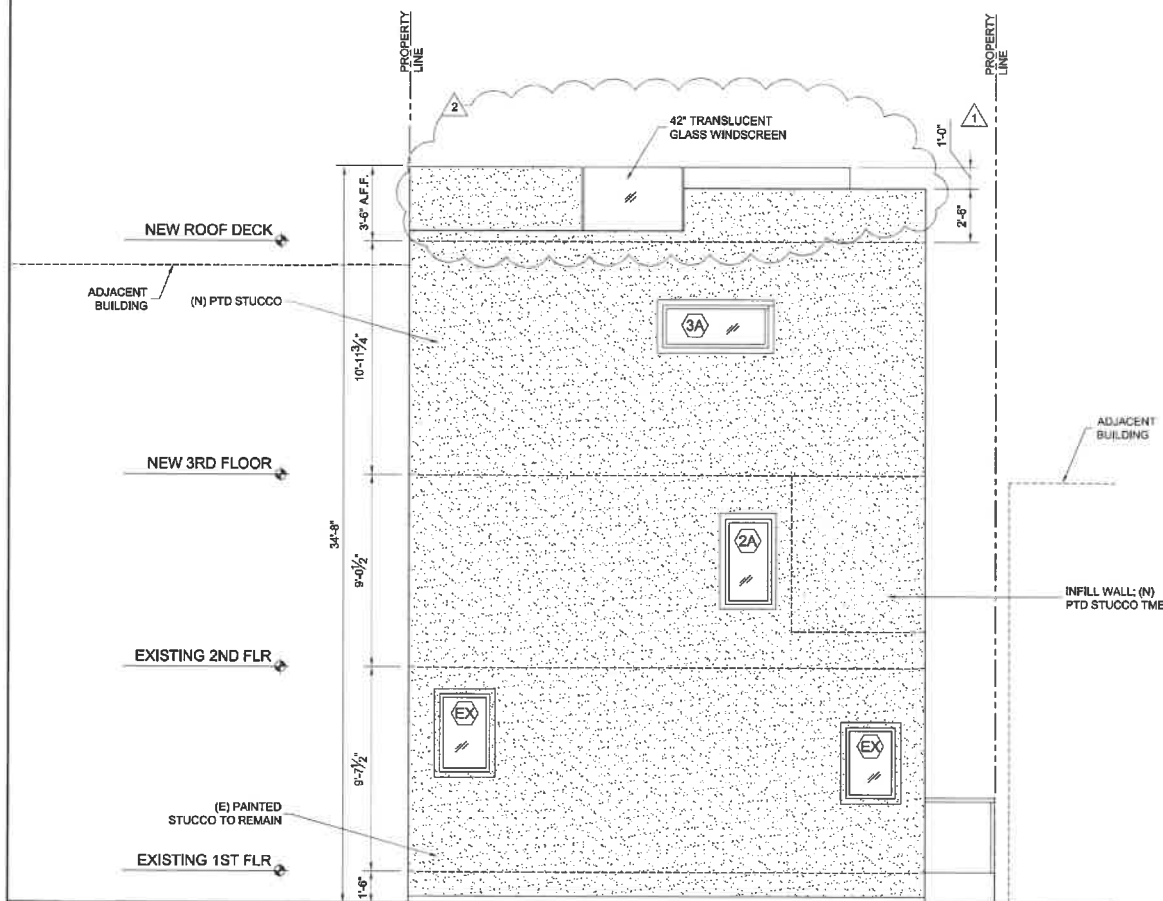
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EXISTING EAST ELEVATION

1/4" = 1'-0"

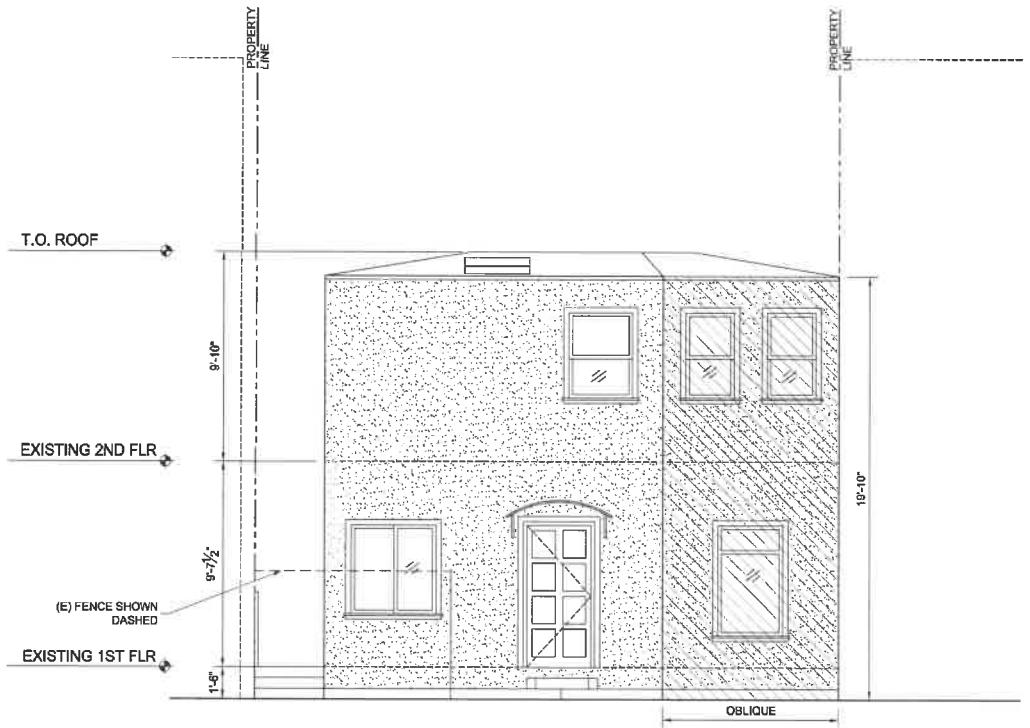
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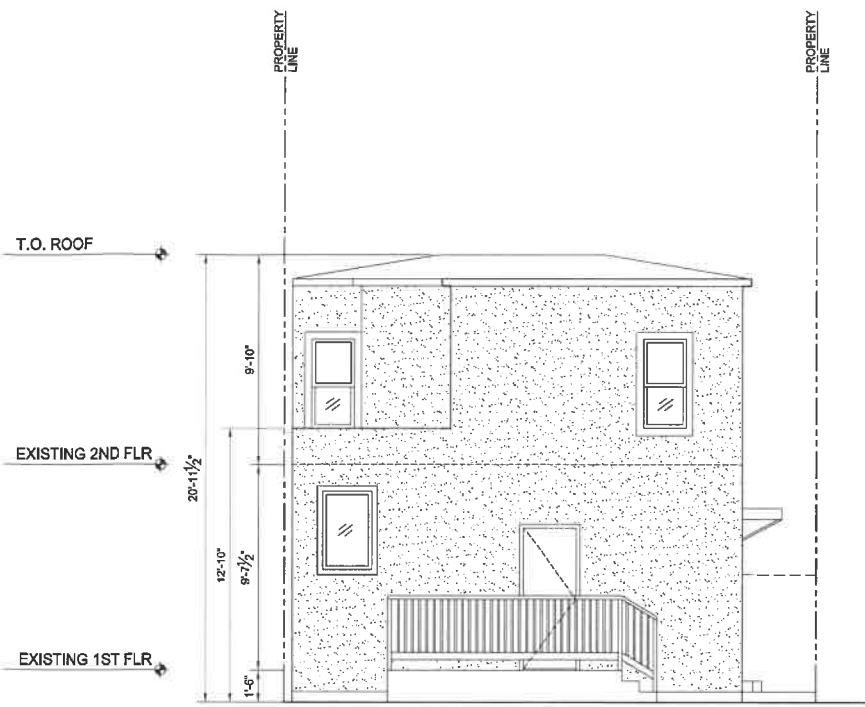
PROPOSED EAST ELEVATION

1/4" = 1'-0"

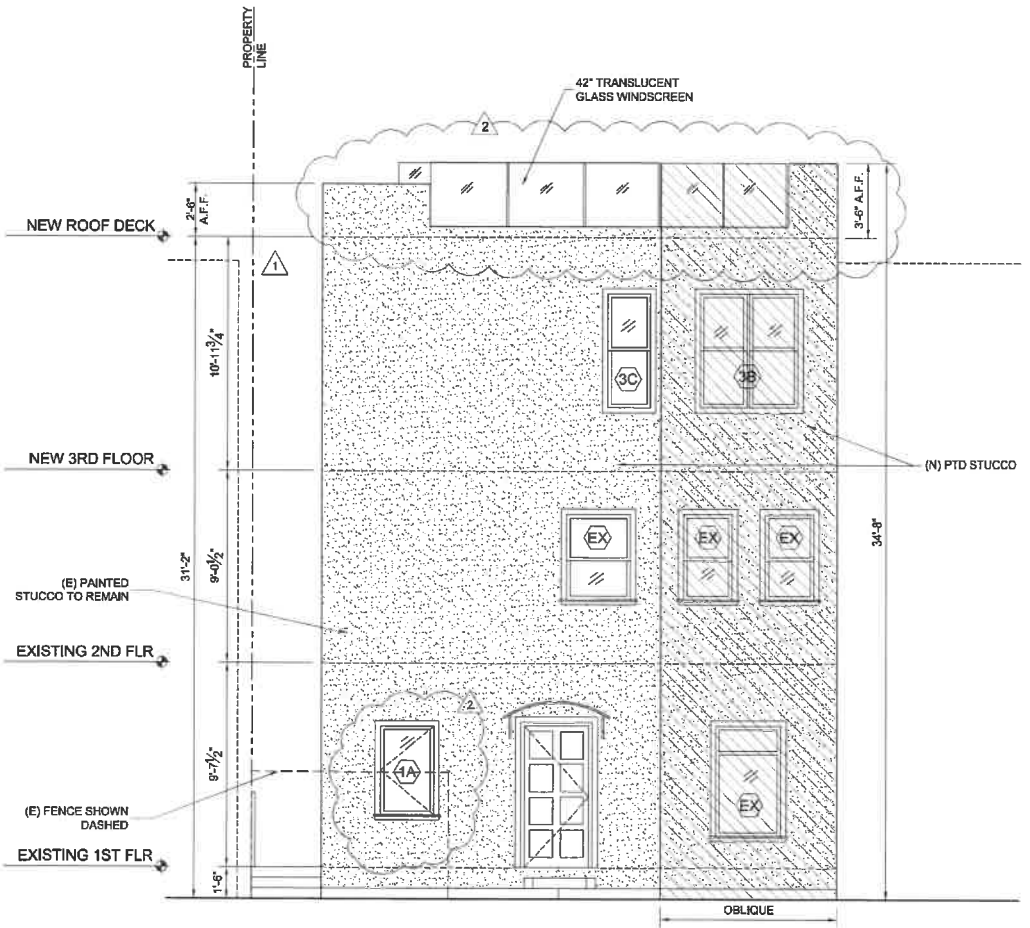
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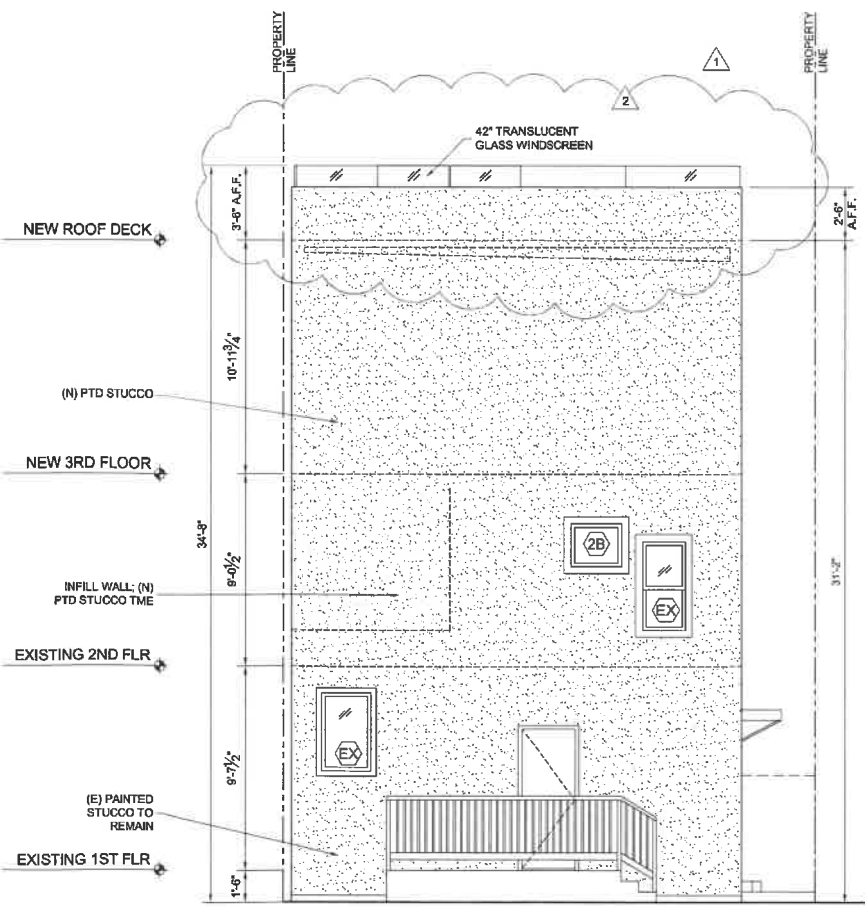
EXISTING WEST ELEVATION 4
1/4" = 1'-0"



EXISTING NORTH ELEVATION 2
1/4" = 1'-0"



PROPOSED WEST ELEVATION 3
1/4" = 1'-0"



PROPOSED NORTH ELEVATION 1
1/4" = 1'-0"

KEYNOTES

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SHEET NOTES

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SHEET CONTENTS

EXISTING &
PROPOSED
NORTH & WEST
ELEVATIONS

DATE JAN 30 2017

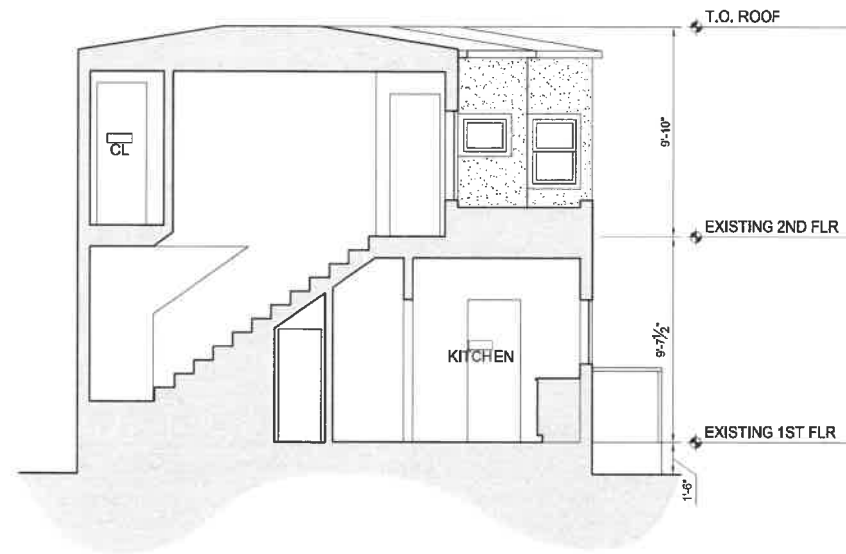
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REVISIONS

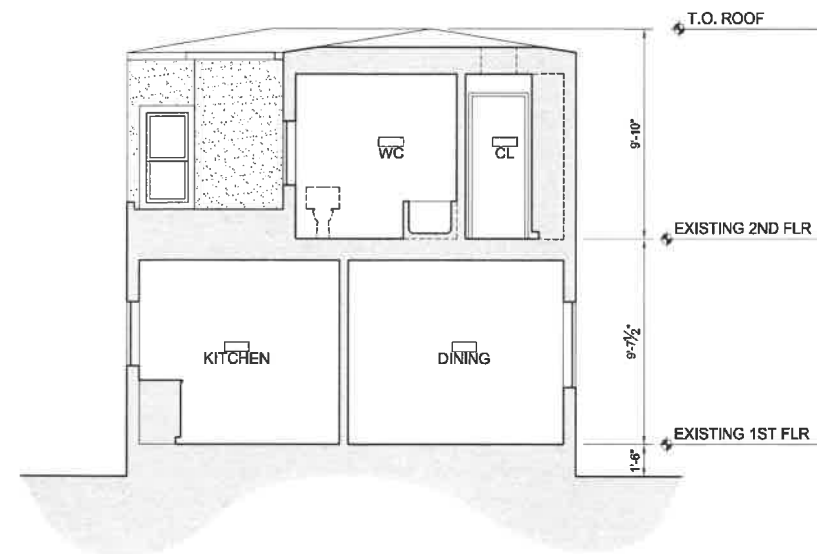
1	06/13/2016	PER VARIANCE HEARING
2	12/12/2016	PER VARIANCE APPEAL

A3.3



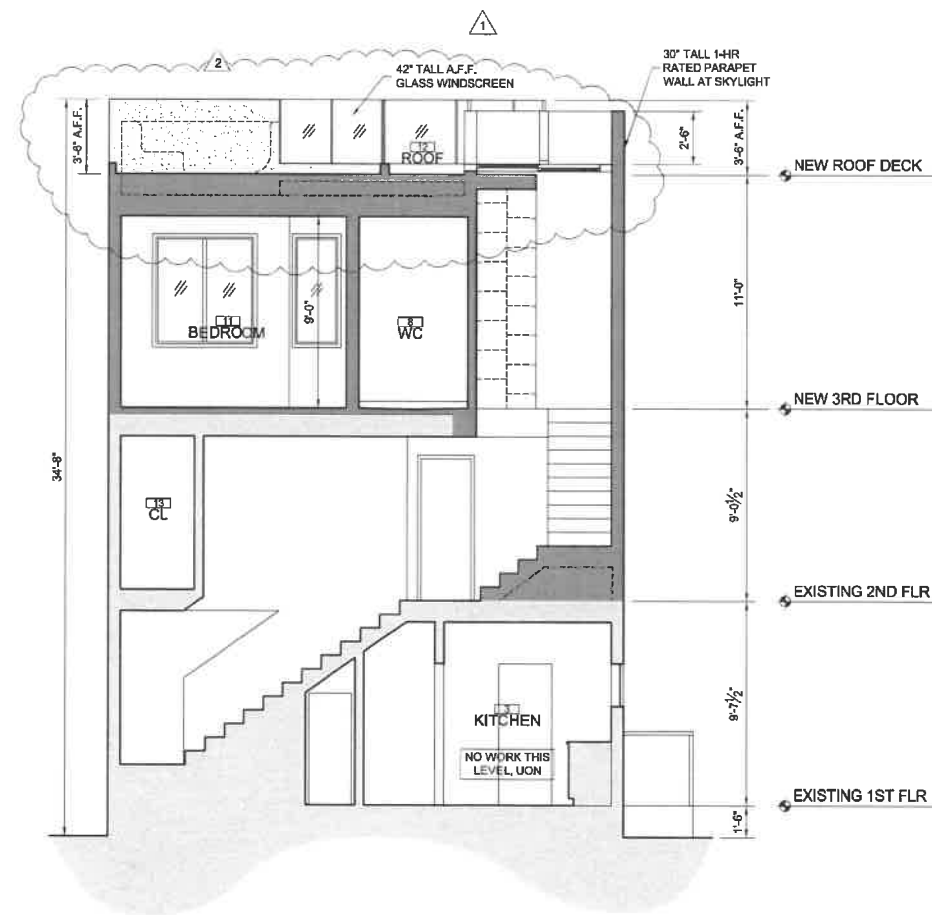
EXISTING SECTION
1/4" = 1'-0"

4



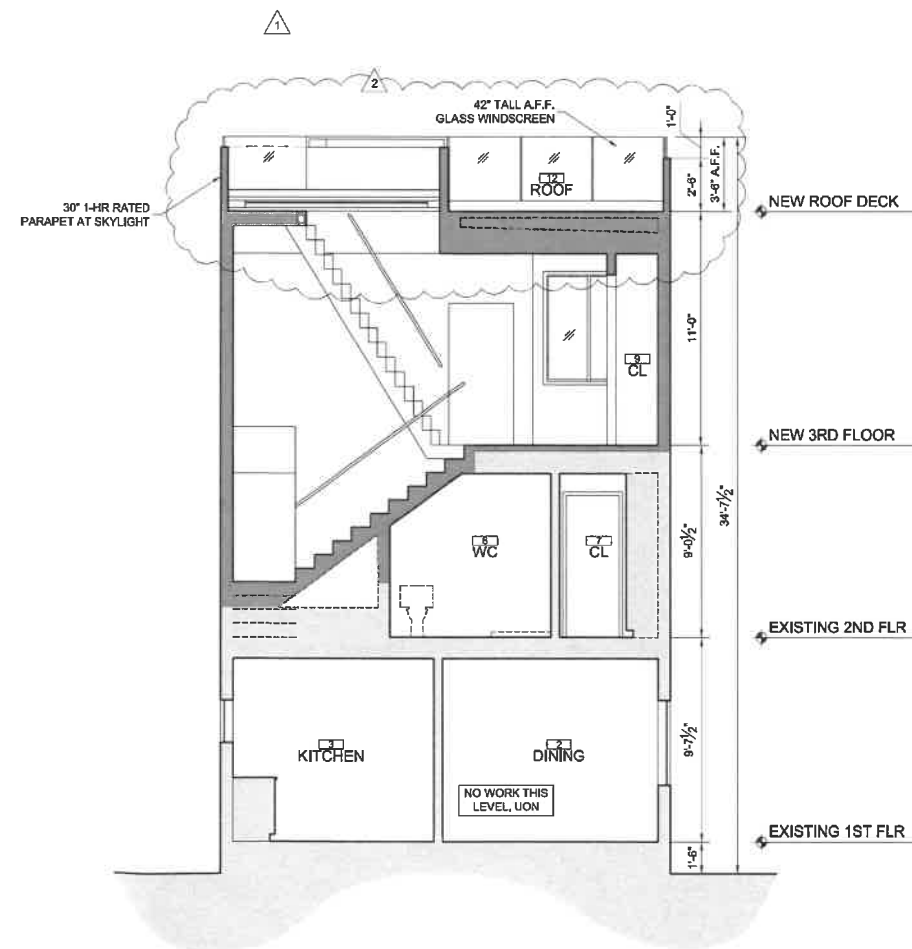
EXISTING SECTION
1/4" = 1'-0"

2



PROPOSED SECTION
1/4" = 1'-0"

3



PROPOSED SECTION
1/4" = 1'-0"

1

KEYNOTES

FINISH TAGS

SHEET NOTES

LEGEND

- EXISTING WALL TO REMAIN
- WALL/ELEMENT TO BE REMOVED
- NEW WALL

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EXISTING & PROPOSED SECTIONS

DATE JAN 30 2017

SCALE 1/4" = 1'-0"

BY CCS

REVISIONS

- | NO. | DATE | DESCRIPTION |
|-----|------------|----------------------|
| 1 | 05/13/2016 | PER VARIANCE HEARING |
| 2 | 12/12/2016 | PER VARIANCE APPEAL |

A4.1



SUBJECT & REAR ADJACENT BUILDING
NTS 7



REAR YARD & ADJACENT BUILDING
NTS 5



SIDE ELEVATION OF ADJACENT BUILDING
NTS 6



BUILDINGS ON FACING SIDE OF STREET
NTS 4



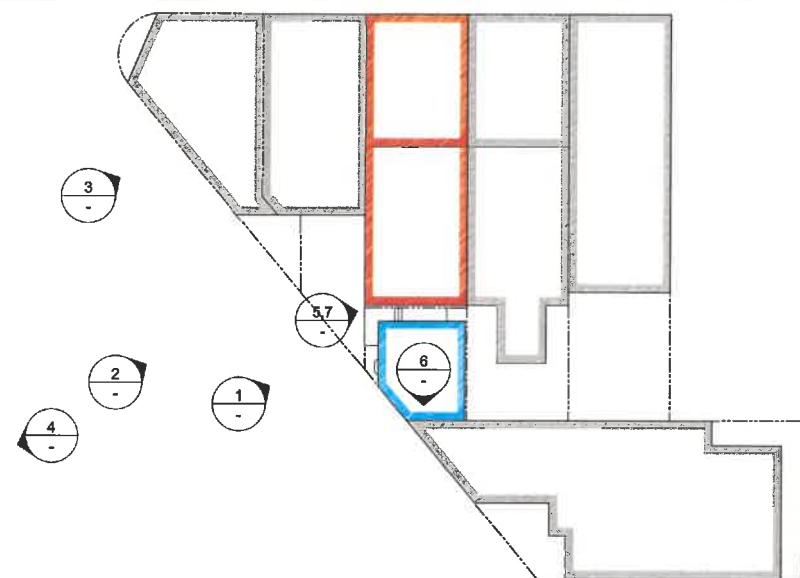
BUILDINGS ON SAME SIDE OF STREET
NTS 3



BUILDINGS ON SAME SIDE OF STREET
NTS 2



SUBJECT PROPERTY w/ ADJACENT BUILDINGS
NTS 1



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SHEET CONTENTS
PHOTOGRAPHS

DATE JAN 30 2017
SCALE N.T.S.
BY CCS
REVISIONS

PHOTOS