



# SAN FRANCISCO PLANNING DEPARTMENT

## Discretionary Review Abbreviated Analysis HEARING DATE: DECEMBER 6, 2018

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* November 15, 2018  
*Case No.:* **2018-002409DRP**  
*Project Address:* **1973 Broadway**  
*Permit Application:* 2018.0606.1104  
*Zoning:* RM-2 [Residential House, One-Family]  
105-D Height and Bulk District  
*Block/Lot:* 0578/015  
*Project Sponsor:* Lawson Willard Architecture  
2147 Union Street  
San Francisco, CA 94123  
*Staff Contact:* David Winslow – (415) 575-9159  
[David.Winslow@sfgov.org](mailto:David.Winslow@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

### PROJECT DESCRIPTION

The project consists of a building permit application to legalize and document 625 s.f. of interior demolition work that exceeded the originally permitted scope of work per BPA #201504153728.

### BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
NA	NA	NA	08.27. 2018	11.29. 2018	94 days

### HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	November 26, 2018	November 26, 2018	10 days
Mailed Notice	10 days	November 26, 2018	November 26, 2018	10 days

### PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

## DR REQUESTOR

Ryan Patterson on behalf of the 1967-1971 Broadway Pacific Heights Condo Association adjacent neighbors to the East of the proposed project.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

1. Unlawful demolition was conducted in an unsafe manner, which caused damage to DR requestors' properties.
2. Unlawful demolition should not be rewarded by permitting it retroactively.

See attached *Discretionary Review Application*, dated August 27, 2018.

## PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The sponsor has complied with the Department's requirement as outlined below, in relation to building permit requirements.

See attached *Response to Discretionary Review*, dated November 15, 2018.

## 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).

## PLANNING DEPARTMENT REVIEW AND NOTIFICATION

In 2015 Building Permit Application #201504153728 was reviewed by the Residential Design Advisory Team, 311 notification was sent out and no DR was filed. The building permit was approved and issued. In 2018 a DBI Complaint #201874161 was filed for failing to provide adequate protection to adjacent building (jackhammering caused neighbor's foundation to crack).

Inspection subsequently revealed that in addition to foundation issues, the scope of the permit was exceeded (additional interior demo). The Zoning Administrator determined that the increase in scope would not have triggered a CUA or required new notice.

The permit was subsequently suspended, halting all work pending a new Building Permit Application (#201806061104) filed to legalize additional interior demo. The scope does not trigger noticing or have any applicable RDGs. The neighbor with the cracked foundation had BBN on property and filed for DR during 10-day notice.



<b>RECOMMENDATION:</b> 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

311 notification

CEQA Determination

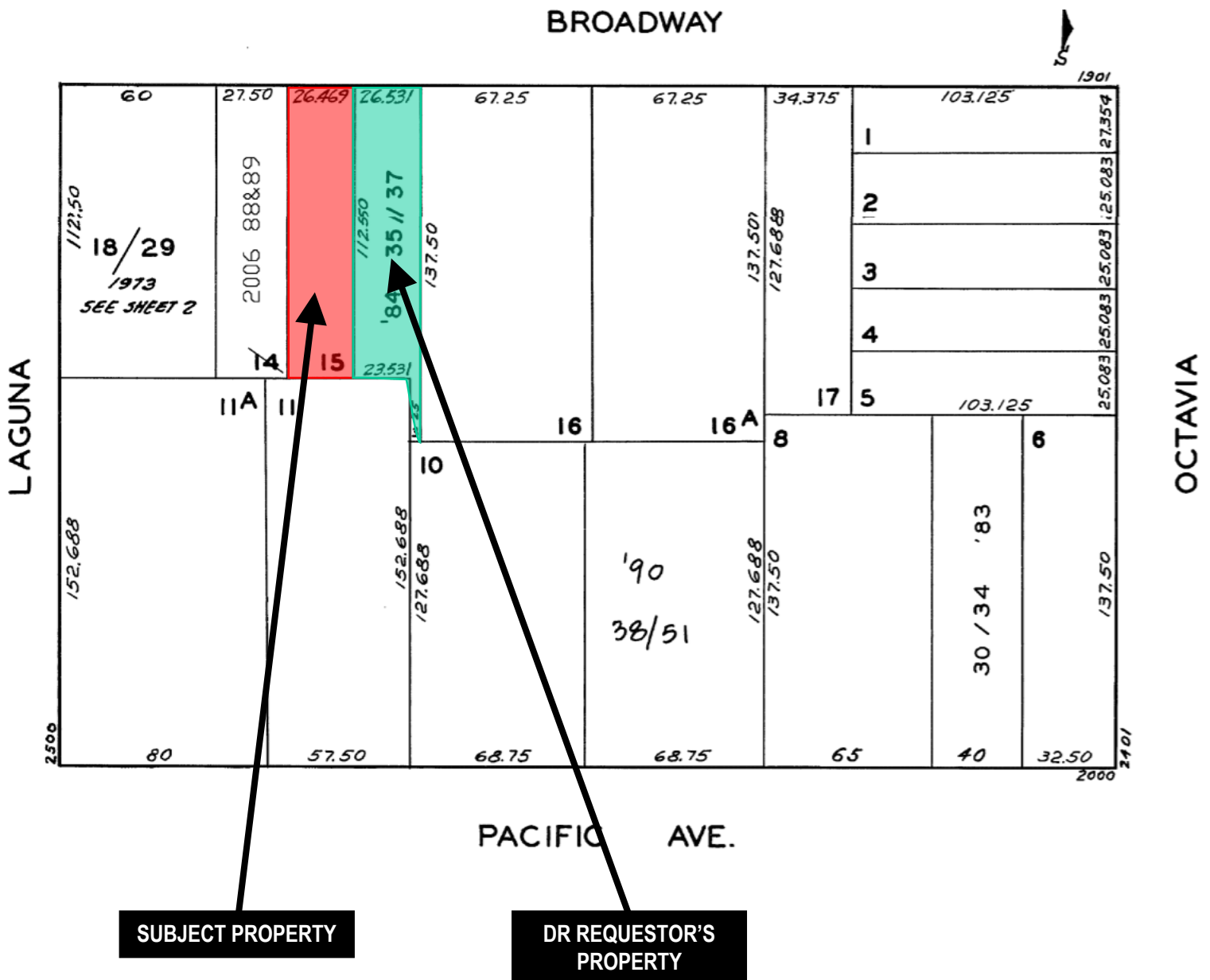
DR Application

Response to DR Application dated November 24, 2018

Reduced Plans

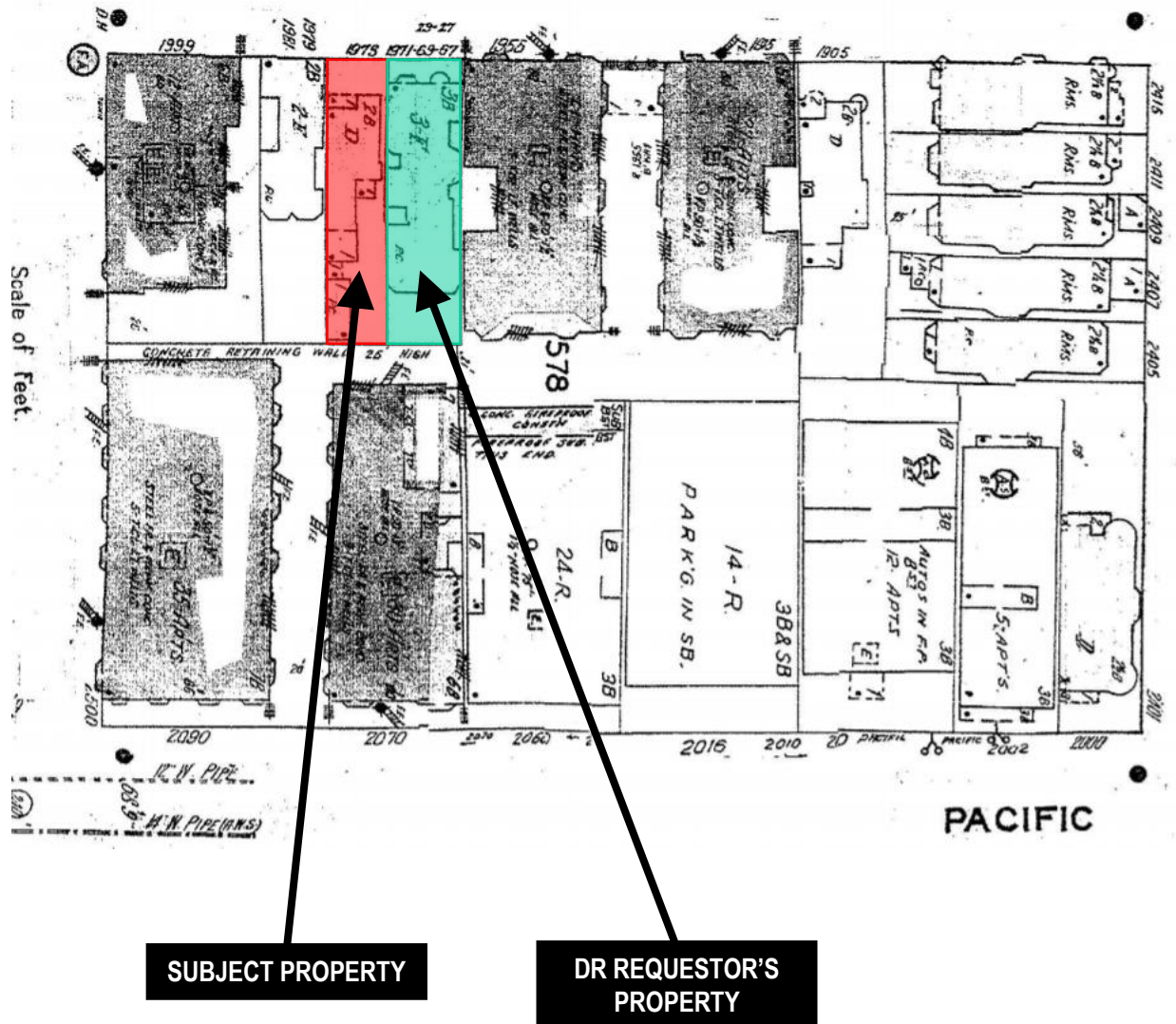
# Exhibits

# Parcel Map



Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street

# Sanborn Map\*

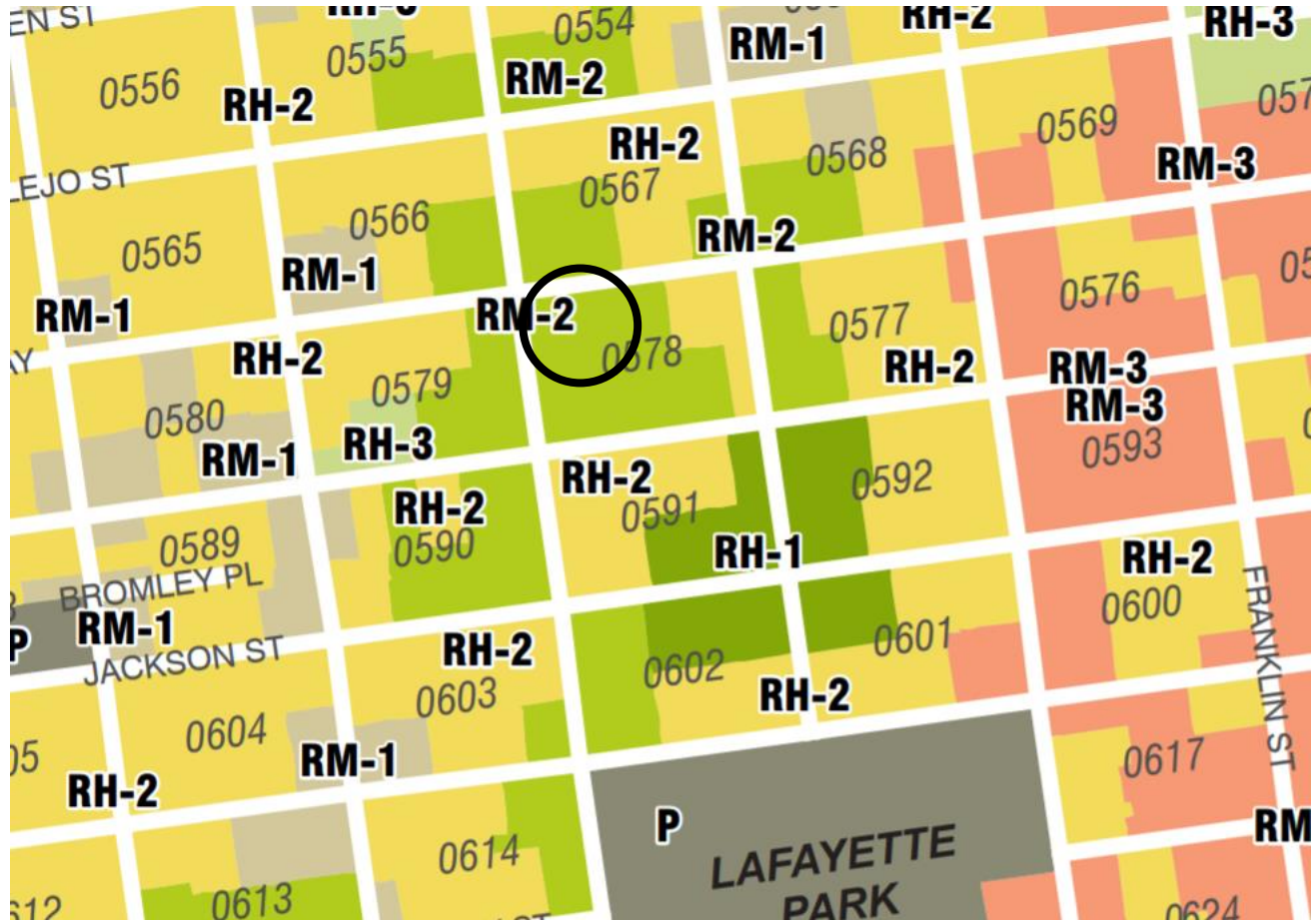


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street

# Zoning Map



Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street



# Aerial Photo



**SUBJECT PROPERTY**

**DR REQUESTOR'S  
PROPERTY**



Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street

# Aerial Photo



**SUBJECT PROPERTY**

**DR REQUESTOR'S  
PROPERTY**





# Aerial Photo



DR REQUESTOR'S  
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street

# Site Photo



**SUBJECT PROPERTY**

Discretionary Review Hearing  
Case Number 2018-002409DRP  
1973 Broadway Street



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION

On **April 15, 2015**, the Applicant named below filed Building Permit Application No. **2015.04.15.3728** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>1973 Broadway</b>	Applicant:	<b>Van Ly</b>
Cross Street(s):	<b>Laguna Street</b>	Address:	<b>8 Brussels Street</b>
Block/Lot No.:	<b>0578/015</b>	City, State:	<b>San Francisco, CA 94134</b>
Zoning District(s):	<b>RM-2 / 105-D</b>	Telephone:	<b>(415) 468 - 3222</b>

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 weekend 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 checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	PRIOR APPROVAL	PROPOSED
Building Use	Residence	No Change
Front Setback	None	No Change
Side Setback	6.5 feet (east side) / none (west side)	3 feet (east side) / none (west side)
Building Depth	91 feet	84 feet
Rear Yard	21 feet	28 feet
Building Height	29 feet	39 feet
Number of Stories	2	3
Number of Dwelling Units	1	No Change
Number of Parking Spaces	2	No Change
PROJECT DESCRIPTION		
The proposal includes a reduction in the depth of the first floor and a horizontal expansion of the second floor towards the rear and east side property lines. The proposal also includes the creation of a third floor, which is set back from both the front and rear building facades.		
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: Wayne Farrens

Telephone: (415) 575-9172

E-mail: wayne.farrens@sfgov.org

**Notice Date: 4/12/2016**

**Expiration Date: 5/12/2016**

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010





San Francisco  
Planning

PLANNING APPLICATION RECORD NUMBER

RECEIVED

AUG 27 2018

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
PIC

## DISCRETIONARY REVIEW APPLICATION

### Property Owner's Information

Name: Christopher Porter and D'arcy Porter, c/o Lawson Willard, Lawson Willard Architecture  
Address: 1973 Broadway, San Francisco, CA 94109  
Email Address: lw@lawsonwillard.com  
Telephone: 415-674-1102

### Applicant Information (if applicable)

Name: Pacific Heights Condo Association c/o Ryan J. Patterson  
Company/Organization: Zacks, Freedman & Patterson, PC  
Address: 235 Montgomery St., Ste. 400, San Francisco CA 94104  
Email Address: ryan@zfplaw.com  
Telephone: 415-956-8100

### Please Select Billing Contact:

☐ Owner

☒ Applicant

☐ Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

### Please Select Primary Project Contact:

☐ Owner

☒ Applicant

☐ Billing

### Property Information

Project Address: 1973 Broadway, San Francisco  
Block/Lot(s): 0578/015  
Plan Area: District 2: Marina

### Project Description:

Please provide a narrative project description that summarizes the project and its purpose.

The permit for which DR is requested (Permit App. No. 201806061104) seeks to retroactively legalize the demolition of 625.50 square feet of the second floor horizontal element and interior walls at 1973 Broadway (the "Subject Property"). This permit relates to demolition work that has already been performed without a permit, and which exceeded the scope of a separate permit for the Subject Property. (Permit App. No. 201504153728, the "2015 Permit".)

The 2015 Permit was suspended and a Notice of Violation was issued to the Permit Holder due to the unpermitted demolition work. (Complaint Nos. 201882152, 201876832, and 201857641.)

The overall project at the Subject Property includes a vertical addition, side additions, and interior remodeling. The interior of the Subject Property has been gutted and the rear exterior wall removed.

**Project Details:**

- ☐ Change of Use    ☐ New Construction    ☒ Demolition    ☒ Facade Alterations    ☐ ROW Improvements  
☒ Additions    ☐ Legislative/Zoning Changes    ☐ Lot Line Adjustment-Subdivision    ☐ Other \_\_\_\_\_

**Estimated Construction Cost:** \_\_\_\_\$30,000\_\_\_\_\_

- Residential:**    ☐ Special Needs    ☐ Senior Housing    ☐ 100% Affordable    ☐ Student Housing    ☐ Dwelling Unit Legalization  
                  ☐ Inclusionary Housing Required    ☐ State Density Bonus    ☐ Accessory Dwelling Unit

- Non-Residential:**    ☐ Formula Retail    ☐ Medical Cannabis Dispensary    ☐ Tobacco Paraphernalia Establishment  
                          ☐ Financial Service    ☐ Massage Establishment    ☐ Other: \_\_\_\_\_

**Related Building Permits Applications**

Building Permit Applications No(s): 201803193985, 201803012541, 201802060529, 201504153728

## ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

In reviewing applications for Certificate of Appropriateness the Historic Preservation Commission, Department staff, Board of Appeals and/or Board of Supervisors, and the Planning Commission shall be governed by *The Secretary of the Interior's Standards for the Treatment of Historic Properties* pursuant to Section 1006.6 of the Planning Code. Please respond to each statement completely (Note: Attach continuation sheets, if necessary). Give reasons as to *how* and *why* the project meets the ten Standards rather than merely concluding that it does so. IF A GIVEN REQUIREMENT DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?	✓	
Did you discuss the project with the Planning Department permit review planner?	✓	
Did you participate in outside mediation on this case? (including Community Boards)		✓

## 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 attach a summary of the result, including any changes that were made to the proposed project.

No changes.

## 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 standards of the Planning Code and the Residential Design Guidelines. 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 permit seeks to legalize unpermitted demolition work, which was performed in an unsafe manner. The owner of the Subject Property should not be allowed to benefit from this unlawful demolition work.

- 
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 unreasonably affected, please state who would be affected, and how.

The unlawful demolition work removed bracing for shoring walls, causing settlement, extensive cracking, and damage to the DR Requestor's doors and windows. A Notice of Violation was issued to the Permit Applicant because the work at the Subject Property was causing settlement at the DR Requestor's Property (Complaint No. 201874161). It also appears that the noticing threshold of section 311(b)(1) has been exceeded.

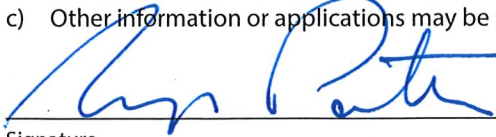
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3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

This unlawful demolition should not be rewarded and papered over with an after-the-fact permit. The Commission should consider restoring the building to its preexisting envelope, consistent with recent Commission determinations.

## 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) Other information or applications may be required.



Signature

DR Requestor's Attorney

415-568-8100

Relationship to Project  
(i.e. Owner, Architect, etc.)

Phone

Ryan Patterson

Name (Printed)

ryan@zfplaw.com

Email

## APPLICANT'S SITE VISIT CONSENT FORM

I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

Signature

Name (Printed)

Date

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

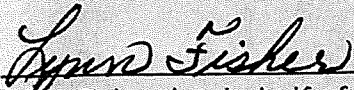
Date: \_\_\_\_\_



August 26, 2018

I hereby authorize the attorneys of Zacks, Freedman & Patterson, PC to file a request for Discretionary Review of BPA 2018.0606.1104 (1973 Broadway) on my behalf.

Very truly yours,

A handwritten signature in cursive script, reading "Lynn Fisher", written over a horizontal line.

Lynn Fisher (on behalf of the Pacific Heights Condo Association, 1967-1971 Broadway)  
1967 Broadway



Google Maps 1971 Broadway

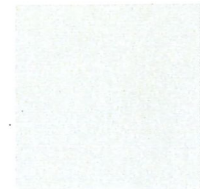


Image capture: Dec 2016 © 2018 Google

San Francisco, California

Google, Inc.

Street View - Dec 2016



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*FIRM and AFFILIATE OFFICES*

DENIS F. SHANAGHER  
DIRECT DIAL: +1 415 957 3318  
PERSONAL FAX: +1 415 520 5493  
E-MAIL: [dfshanagher@duanemorris.com](mailto:dfshanagher@duanemorris.com)

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SRI LANKA  
ALLIANCE WITH  
GOWERS INTERNATIONAL

November 26, 2018

## VIA HAND DELIVERY

Commissioner Rich Hillis  
President, Planning Commission  
1660 Mission Street, Suite 400  
San Francisco, Ca 94103

Re: **1973 Broadway  
Request for Discretionary Review  
Application no. 2018-002409DRP**

Dear President Hillis:

We are counsel for Chris Porter, the owner of the residential property at 1973 Broadway in San Francisco (the "Property"). This letter is in opposition to the Request for Discretionary Review ("DR") filed by the 1967/1969/1971 Broadway Condominium Association (the "Association"), the owner of the adjacent three-unit condominium building east of the Property. As discussed below, the Association's Request for Discretionary Review should be denied because the inadvertent demolition at issue – the removal of a larger section of the interior second floor – has not resulted in a Demolition under the Planning Code, nor a change in the Project.

### The Project

The original Planning Application (No. 201504153782) was for a vertical third floor addition to the existing two story residence with garage, which included a new bedroom, a new family room and a new full bath, side additions and an interior façade renovation (the "Project"). No opposition to the 2015 Project was received by the Planning Department. Thus, the Site Permit in that regard was issued on October 6, 2016. Addenda were subsequently issued for certain foundation work on August 16, 2017 and for "Architecture/Structure I T-24 I Final" on December 7, 2017. The operative building permit was issued on December 20, 2017.

DUANE MORRIS LLP

SPEAR TOWER, ONE MARKET PLAZA, SUITE 2200  
SAN FRANCISCO, CA 94105-1127

PHONE: +1 415 957 3000 FAX: +1 415 957 3001

Commissioner Rich Hillis

November 26, 2018

Page 2

As proposed and approved, the Project would demolish 51.7% of the linear feet of the front and rear facades, 32.8% of the square feet of the exterior walls, 27.8% of the Vertical Envelope and 56.1% of the Horizontal Elements, as calculated under the Planning Code. As a result, the Project is not a "Demolition" under the Code.

### **Facts & Status**

On or about February 15, 2018, Mr. Porter filed permit application no. 2018-002409DRP, which proposed a slight expansion of the Project to infill the southwest and northwest corners of the third floor addition, and to infill the proposed and approved lightwells on the rear of the second and third floors under the 2015 site permit application .

In the meantime, the original site permit drawings anticipated a raised floor over a footing foundation. When the addendum drawings for construction were submitted for the Building Permit, a decision had been made to change to a slab-on-grade foundation, which was reflected in the foundation and structural plans. But following the commencement of demolition, and taking into consideration site conditions and the anticipated need to support heavier loads on the upper floors, a decision was made to return to a raised floor over a footing foundation. This necessitated new foundation and structural drawings which were submitted for approval under a new building permit application no. 2018-0319-3985 (the "Alteration Permit"), which was submitted on March 19, 2018 and approved/issued on March 22, 2018, permit

Demolition began in connection with the Project in February of 2018. As appears in the Declarations of Greg Cook and Willard Lawson, the general contractor and architect for the Project, respectively, due to unanticipated access issues for construction and shoring equipment, Cook Construction was required to demolish a larger portion of the interior second floor, resulting in an additional approximately 625 square feet of unanticipated demolition. (**Exhibits A & B**).

This additional demolition and the issuance of the Alteration Permit triggered a variety of complaints from the Association. On April 5, 2018, the Association filed an Appeal of the Alteration Permit with the Board of Appeal. (**Exhibit C**). In addition, the Project received a Notice of Violation from DBI on April 17, 2018.

Then, on or about April 25, 2018, the Association filed a lawsuit against Mr. Porter in San Francisco Superior Court, containing causes of action for: (1) Quiet Title to Easement; (2) Violation of Civil Code §809; (3) Violation of Civil Code §832; (4) Violation of San Francisco Building Code §3307.1; (5) Negligence; 6) Private Nuisance; and (7) Declaratory Relief, *1967/1969/1971 Broadway Condominium Association vs. Porter et.al.* San Francisco Superior Court No. CGC-18-566058 (the "Lawsuit"). (**Exhibit D**).

The hearing on the Association's appeal of the Alteration Permit was scheduled for May 23, 2018. The attached Declarations of Greg Cook and Willard Lawson were submitted in connection with that appeal. However, the hearing did not proceed as the appeal was withdrawn. (**Exhibit E**).



Commissioner Rich Hillis  
November 26, 2018  
Page 3

On July 3, 2018, the Zoning Administrator requested that the Building Department suspend the Building Permit in order to allow Mr. Porter the opportunity to properly document the work at the Project and to ensure that work that is being performed complies with the Planning Code. (**Exhibit F**).

Mr. Porter subsequently submitted a new Building Permit Application number 2018.0606.1104 to reflect the revised demolition plans and the additional 625 sq. ft. of demolition of the interior second floor. In turn, this triggered a block book notification to the Association by the Planning Department on August 16, 2018 and the opportunity to request Discretionary Review of the Project. The Association filed the Request for Discretionary Review on August 27, 2018, taking issue with the scope of the demolition.

There has been no construction in connection with the Project since the completion of certain foundation work and the Zoning Administrator's request of July 3, 2018, and the Project is now pending this Request for Discretionary Review. At this time, the Property remains in its partially demolished state.

### **Discussion**

The issue raised by the DR is whether the additional 625 feet of interior demolition has resulted in a de facto demolition under the Planning Code. The answer is an emphatic "no."

The relevant plans submitted to the Planning Department and reflecting the 2015 approved and the demolition calculations for the proposed 2018 plans are attached as **Exhibit G**.

As relevant here, San Francisco Planning Code Section 317(b)(2) defines the "Demolition of Residential Buildings as:

B1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the sum of the Front Façade and Rear Façade and (B2) also proposes the Removal of more than 65% of the sum of all exterior walls, measured in lineal feet at the foundation level, or

C1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the Vertical Envelope Elements and (C2) more than 50% of the Horizontal elements of the existing building, as measured in square feet of actual surface area.

///

///

///

As can be seen, on the 2015 Project plans, the approved demolition included the following:

**B1 Front and Rear Facades – Lineal Foundation Measurements**

<u>Vertical Elements</u>	<u>(E) Length</u>	<u>Removed</u>	<u>% Removed</u>
A. Front Façade	78.46	25.48	32.5%
B. Rear Facade	51.44	41.70	81.1%
East/West Total (A+B)	129.90	67.18	<b>51.7%</b>

**B2 Exterior Walls – Lineal Foundation Measurements**

<u>Element</u>	<u>(E) Length</u>	<u>Removed</u>	<u>% Removed</u>
C. East Façade	158.49	41.70	26.3%
D. West Façade	182.49	45.60	25.0%
E. North Façade	78.46	25.48	32.5%
F. South Façade	51.44	41.70	81.1%
Lineal Total	470.88	154.48	<b>32.8%</b>

**C1. Vertical Envelope Elements – Surface Area Measurements**

<u>Vertical Elements</u>	<u>(E) Length</u>	<u>Removed</u>	<u>% Removed</u>
G. East Façade	1913.50	536.75	28.1%
H. West Façade	2055.50	265.00	12.9%
I. North Façade	1029.00	248.75	24.2%
J. South Façade	645.50	516.00	79.9%
Vertical Total (G - J)	5643.50	1566.50	<b>27.8%</b>

**C2. Horizontal Elements - Surface Area Measurements**

<u>Horizontal Elements</u>	<u>(E) Length</u>	<u>Removed</u>	<u>% Removed</u>
K. First Floor	626.25	262.75	42.0%
L. Second Floor	1335.75	555.00	41.5%
M. Third Floor	1046.00	246.00	23.5%
N. Third Floor Roof	1423.00	1423.00	100.0%
Horizontal Total (K – N)	4431.00	2486.75	<b>56.1%</b>

As can be seen from Sheet 2 of Exhibit G, the only impact with respect to the additional interior demolition is a change to the calculation of the Horizontal Elements for the Second Floor under the C2 calculation. Now, as appears on Sheet 2, the second floor horizontal demolition has been raised from 555 square feet and 41.5% to 1180.50 square feet and 88.4%. This raises the total Horizontal Elements demolition calculation from 56.1% to 70.2%.

Commissioner Rich Hillis  
November 26, 2018  
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**C2. Horizontal Elements - Surface Area Measurements (as revised)**

<u>Horizontal Elements</u>	<u>(E) Length</u>	<u>Removed</u>	<u>% Removed</u>
K. First Floor	626.25	262.75	42.0%
L. Second Floor	1335.75	1180.50	88.4%
M. Third Floor	1046.00	246.00	23.5%
N. Third Floor Roof	1423.00	1423.00	100.0%
Horizontal Total (K – N)	4431.00	3112.25	70.2%

However, the increase in the second floor horizontal surface area demolition does not in any way change the ultimate result that the work does not result in a “Demolition” under the Planning Code because *all of the other calculations and percentages remain the same.*

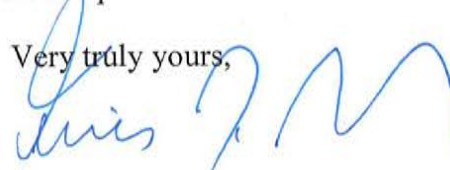
**Conclusion**

While the actual demolition exceeded the original planned demolition by approximately 625 square feet on the interior of the second floor, it has not resulted in any changes with regard to the scope of the Project, under the Planning Code or otherwise.

If and to the extent there are remaining issues with respect to the Project, this Commission has no jurisdiction over those issues, which are being addressed in the pending lawsuit between Mr. Porter and the Association. When informed of issues by the Department of Building Inspection or the Planning Department, Mr. Porter has immediately instructed his architect to submit all necessary permit applications to comply with the operative Building Code and the Planning Code.

It is respectfully submitted that the Request for Discretionary Review should be denied so that the pending permits can be approved and work the Project can proceed.

Very truly yours,



Denis F. Shanagher

DFS

Exhibits

cc: Commissioner Dennis Richards  
Commissioner Rodney Fong  
Commissioner Milicent Johnson  
Commissioner Joel Koppel  
Commissioner Myrna Melgar  
Commissioner Kathrin Moore  
David Winslow  
Andrew Zacks

**TABLE OF EXHIBITS**

Exhibit A	Declaration of Greg Cook	BPA No. 201803193985
Exhibit B	Declaration of Willard Lawson	BPA No. 201803193985
Exhibit C	Notice of Appeal	BPA No. 201803193985
Exhibit D	Verified Complaint	SF Sup. Ct. No. CGC-18-566058
Exhibit E	Notice of Withdrawal of Appeal	BPA No. 201803193985
Exhibit F	Suspension Request – July 3, 2018	Permit No. 201504153728
Exhibit G	Approved and Proposed Demolition Plans	



# EXHIBIT

A

EXHIBIT A

1 Denis F. Shanagher (SBN 100222)  
Justin Fields (SBN 259491)  
2 **DUANE MORRIS LLP**  
Spear Tower  
3 One Market Plaza, Suite 2200  
San Francisco, CA 94105-1127  
4 Telephone: +1 415 957 3000  
Fax: +1 415 957 3001  
5 E-mail: dfshanagher@duanemorris.com  
jfields@duanemorris.com

6 Attorneys for Real Party In Interest  
7 Christopher Porter

8  
9 SAN FRANCISCO BOARD OF APPEALS

10 PACIFIC HEIGHTS HOMEOWNERS  
ASSOCIATION, a.k.a PACIFIC HEIGHTS  
11 CONDO ASSOCIATION

12 Appellant,

13 v.

14 SAN FRANCISCO DEPARTMENT OF  
BUILDING INSPECTION,

15 Respondent.

16 CHRISTOPHER PORTER

17 Real Party In Interest  
18  
19

Appeal No. 18-047

**DECLARATION OF GREG COOK IN  
OPPOSITION TO APPEAL**

Building Permit No: 201803193985

Address: 1973 Broadway Ave

Hearing Date: May 23, 2018

20 I, Greg Cook, declare as follows:

21 1. I am licensed general contractor in the State of California, and the CEO of Cook  
22 Construction, a San Francisco general contracting firm. My business address is 550 15<sup>th</sup> Street,  
23 San Francisco, CA. I have personal knowledge of the matters contained in this declaration and, if  
24 called upon as a witness, could and would competently testify thereto.

25 2. My firm is the general contractor of record for the remodeling project at 1973  
26 Broadway Avenue in San Francisco (the "Project"). In that regard, upon the issuance of Building  
27 Permit No. 2015-0415-3728/S2/R3 on December 20, 2017 (the "Building Permit"), we proceeded  
28 with the approved demolition of a portion of the existing structure.

1           3.     In the demolition process, due to access issues, we were required to demolish a  
2     portion of the interior second floor, approximately 625 square feet of unanticipated demolition.  
3     Although this has recently generated a Notice of Violation from DBI, it is also my understanding  
4     that the demolition is not in excess of the S.F.P.C. SEC. 317(b)(2) Definition "Demolition of  
5     Residential Buildings" and is in the process of being addressed with the appropriate representatives  
6     of DBI.

7           4.     The original Site Permit drawings anticipated a raised floor over a footing  
8     foundation. When the drawings were submitted for the Building Permit, a decision was made to  
9     change to a slab on grade foundation, which was reflected in the foundation and structural plans.

10          5.     However, following the issuance of the Building Permit in late 2017, and  
11     commencement of demolition, and taking into consideration site conditions and the anticipated  
12     need to support heavier loads on the upper floors, a decision was made to return to a raised floor  
13     over a footing foundation. This necessitated new foundation and structural drawings.

14          6.     In that regard, the subject permit application was submitted on March 19, 2018 and  
15     approved/issued on March 22, 2018, permit no. 2018-0319-3985 (the "Alteration Permit"). Prior  
16     to the issuance of the Alteration Permit, no work was performed in connection with the foundation  
17     or structural of the Project.

18          7.     Following issuance of the Alteration Permit, and prior to the filing of the Notice of  
19     Appeal, Cook Construction performed foundation work with the written approval of DBI.  
20     Specifically, Cook Construction prepared the retaining wall and poured the concrete that is current  
21     today from grid lines E – G on the architectural drawings. Some form work was also undertaken  
22     for a rear retaining wall, which has not yet been poured. Upon receipt of the suspension notice as  
23     a result of the Appeal, Cook Construction stopped work on all construction pertaining to the  
24     suspended permit.

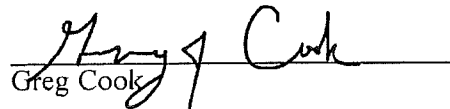
25          8.     However, since that date, due to concerns regarding the potential impact on the  
26     neighboring properties, and despite the NOV and Appeal, Cook Construction has been working  
27     on completing the preparation and pouring of the foundation in order to provide lateral support to  
28     the neighboring properties, including the property owned by the Appellant. This is being

1 performed with the specific approval of DBI and the engineer for the Appellant, Pat Buscovich.  
2 Attached as Exhibit A is a true and correct copy of the email from Kevin Birmingham of DBI  
3 approving the concrete pours for the foundation. Attached as Exhibit B is a true and correct copy  
4 of the Job Card showing the DBI inspections and approval before and after the filing of the Appeal  
5 and Notice of Violation.

6 9. At no time did Cook Construction perform work covered by the Alteration Permit  
7 in advance of the issuance of that permit. All prior work was in connection with site preparation  
8 and demolition consistent with the original Building Permit.

9 10. Obviously, no additional work beyond the approved foundation work will be  
10 undertaken until resolution of this Appeal and the NOV, as applicable.

11  
12 I declare under penalty of perjury under the law of the State of California that the foregoing  
13 is true and correct. Executed this 16<sup>th</sup> day of May 2018, at San Francisco, California.

14  
15   
16 Greg Cook

# EXHIBIT

A

EXHIBIT A

**Shanagher, Denis F.**

---

**Subject:** FW: 1973 Broadway

**From:** "Birmingham, Kevin (DBI)" <[kevin.birmingham@sfgov.org](mailto:kevin.birmingham@sfgov.org)>  
**Subject:** RE: 1973 Broadway  
**Date:** April 27, 2018 at 8:26:51 AM PDT  
**To:** Jesse Beyer <[jesse@cookconstructionsf.com](mailto:jesse@cookconstructionsf.com)>

Hi Jesse

I have reviewed the new shoring plan and discussed this with my senior and you are ok to proceed with the pours in the main structure but do not do any work in the areas that are covered under the suspended permits. Kevin

**From:** Jesse Beyer [<mailto:jesse@cookconstructionsf.com>]  
**Sent:** Friday, April 27, 2018 7:17 AM  
**To:** McHugh, Kevin (DBI) <[kevin.mchugh@sfgov.org](mailto:kevin.mchugh@sfgov.org)>  
**Cc:** Birmingham, Kevin (DBI) <[kevin.birmingham@sfgov.org](mailto:kevin.birmingham@sfgov.org)>; Greg Cook <[greg@cookconstructionsf.com](mailto:greg@cookconstructionsf.com)>; Lawson Willard <[lw@lawsonwillard.com](mailto:lw@lawsonwillard.com)>; Mike DunLeavy <[mike@cookconstructionsf.com](mailto:mike@cookconstructionsf.com)>  
**Subject:** 1973 Broadway

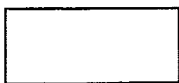
Hi Kevin,

We have a concrete pour at 1973 Broadway this morning for a section that was approved for pour yesterday with Kevin Birmingham (he is also copied on this email).

Kevin mentioned to our supervisor Mike Dunleavy that he was going to discuss the attachments below with you. In order to continue working on revised shoring and foundation plan (attached below), we need a reply in writing from either you or Kevin Birmingham.

**We all agree that the foundation needs to be poured asap, and a letter from you approving the attachments below, from our shoring engineer, allow that.**

Please call with any questions, thanks so much.



**Jesse Beyer**  
Project Manager  
Cook Construction

[www.cookconstructionSF.com](http://www.cookconstructionSF.com)  
C: 415 912.9948  
F: 415 674.8264

**EXHIBIT**

**B**

**EXHIBIT B**

City and County of San Francisco  
DEPARTMENT OF BUILDING INSPECTION

# J O B C A R D



OFFICE HOURS: THE BUILDING INSPECTION IS OPEN DAILY, MONDAY THRU FRIDAY,  
FROM 8:00 a.m. TO 5:00 p.m. DISTRICT BUILDING INSPECTORS KEEP OFFICE HOURS DAILY,  
MONDAY THRU FRIDAY, FROM 8:00 a.m. TO 8:30 a.m. AND FROM 3:00 p.m. TO 4:00 p.m.

REQUESTS FOR INSPECTIONS ARE TAKEN 24 HOURS A DAY/7DAYS A WEEK  
BY CALLING (415) 575-6955

APPLICATION NO. 2015-0415-3728 ISSUED \_\_\_\_\_  
JOB ADDRESS: 1973 Broadway BLOCK: 0578 LOT: 015  
NATURE OF WORK: Foundation

WORK PERMITTED UNDER AUTHORITY OF THIS BUILDING PERMIT NUMBER MUST BE COMPLETED  
PRIOR TO EXPIRATION DATE OF 12.1.19

EXTENSION OF TIME TO COMPLETE WORK UNDER THIS BUILDING PERMIT NUMBER MAY BE GRANTED UPON  
WRITTEN REQUEST PRIOR TO THE DATES NOTED ABOVE.

For informations on the Permit Process, Building Plans Review, Access Issues, etc., please see page 4 of this  
JOB CARD for useful and appropriate telephone numbers.

**\* ELECTRICAL & PLUMBING WORK MUST HAVE PERMITS SEPARATE FROM A BUILDING PERMIT. \***

**KEEP THIS CARD POSTED IN A CONSPICUOUS PLACE ON THE JOB SITE AT ALL TIMES.  
PLANS AND PERMIT DOCUMENTS SHALL BE ON THE JOB SITE  
AT ALL TIMES WHEN WORK IS IN PROGRESS.  
AFTER COMPLETION OF WORK, RETAIN THIS CARD FOR YOUR RECORDS.**



Name / Date / Div.

SUPPLEMENTAL INSPECTION RECORD

20P 1/23/18 MAINTAIN AT SAFE PATH OF TRAFFIC  
FROM FIRE ESCAPE AT SIDE OF BUILDING <sup>DURING NEW WORK</sup> PLEAD FENCES  
VERIFICATION OF PLACEMENT

SI 2-13-18 rebar for retaining walls, footing/mat S2 (1) sec S/E corner / (1) sec S/W corner /  
(2) Pit sec on West wall / (4) Pit sec on EAST wall. Hardware placement prior to pour OK. Also read DBI Noncon  
JK/3-23-18 / BID (5) 6" sections on the East P.L. and (4) sections on the  
West P.L. approved and OK to pour pending SI.

SI 3/26/18 rebar placement for footings/mat, retain/stem walls / Hardware  
placement done 3/23. (see report(s)) Noncon (2)

4/26/18 BID OK to Pour 1<sup>st</sup> SECTION East wall. 2-A (2)

4-26-18 SI rebar for retaining wall + footing for  
Noncon section 2A. OK to pour,

**EXHIBIT**

**B**

**EXHIBIT B**

1 Denis F. Shanagher (SBN 100222)  
Justin Fields (SBN 259491)  
2 **DUANE MORRIS LLP**  
Spear Tower  
3 One Market Plaza, Suite 2200  
San Francisco, CA 94105-1127  
4 Telephone: +1 415 957 3000  
Fax: +1 415 957 3001  
5 E-mail: dfshanagher@duanemorris.com  
jfields@duanemorris.com

6 Attorneys for Real Party In Interest  
7 Christopher Porter

8  
9 SAN FRANCISCO BOARD OF APPEALS

10 PACIFIC HEIGHTS HOMEOWNERS  
ASSOCIATION, a.k.a PACIFIC HEIGHTS  
11 CONDO ASSOCIATION

12 Appellant,

13 v.

14 SAN FRANCISCO DEPARTMENT OF  
BUILDING INSPECTION,

15 Respondent.

16 CHRISTOPHER PORTER

17 Real Party In Interest  
18  
19

Appeal No. 18-047

**DECLARATION OF LAWSON  
WILLARD IN OPPOSITION TO  
APPEAL**

Building Permit No: 201803193985  
Address: 1973 Broadway Ave  
Hearing Date: May 23, 2018

20 I, Lawson Willard, declare as follows:

21 1. I am licensed architect in the State of California, and a principal of the architectural  
22 and design firm of Lawson Willard Architecture, which is a full service architectural and planning  
23 firm in San Francisco. My business address is 2147 Union Street San Francisco, California 94123.  
24 I have personal knowledge of the matters contained in this declaration and, if called upon as a  
25 witness, could and would competently testify thereto.

26 2. My firm has been the architect of record for the remodeling project at 1973  
27 Broadway Avenue in San Francisco since November 24, 2016. In that regard, my firm supervised  
28 and participated in the preparation of the plans for the Addendum 2 to the Site Permit No. 2015-

0415-3728/S2/R3, which was submitted on April 12, 2017, and was issued on December 20, 2017 (the "Building Permit").

3. The original site permit drawings anticipated a raised floor over a footing foundation. When the drawings were submitted for the Building Permit, a decision was made to change to a slab on grade foundation, which was reflected in the foundation and structural plans.

4. Following the issuance of the Building Permit in late 2017, and commencement of demolition, and taking into consideration site conditions and the anticipated need to support heavier loads on the upper floors, a decision was made to return to a raised floor over a footing foundation. This would necessitate new foundation and structural drawings.

5. As a result, the client requested the preparation of revised structural plans and submit them for approval under a new permit. That subject permit application was submitted on March 19, 2018 and approved/issued on March 22, 2018, permit no. 2018-0319-3985 (the "Alteration Permit")

6. Given the nature of the changes to the foundation and framing design from the original Building Permit set, it was not practical to provide clouded drawings showing the changes. Instead, and consistent with custom and practice, the changes were noted with Delta #4 mark on each change item, which is a standard practice when there are many revisions. Those Delta marks can be clearly seen on the drawings and the sections, if and where applicable. At no time did any representative from DBI indicate they did not understand the designation.

7. To summarize the revisions from the Building Permit drawings is the following:

Sheet S2

1. Hold-downs and footings sections.
2. Footing sizes.
3. Tie beams.
4. Hold-down (value or location or both).
5. New hold-downs added.
6. Section marks.
7. Back yard retaining wall.

///

///

1 Sheet S3

- 2 1. First floor framing plan:
- 3 a. Hold-downs and section marks.
- 4 b. Hold-downs.
- 5 c. Shear walls (all shear walls in direction perpendicular to street)
- 6 d. Section marks.
- 7 e. Beams size (BM#29, #30, #31, #36).
- 8 2. Second floor framing plan:
- 9 a. Shear walls (All shear walls in direction perpendicular to street and left side
- 10 parallel to street)
- 11 b. Beams and header size (BM#16, #16A, #18A, #21, #24, and drag members
- 12 above hardy frames).
- 13 c. Stairs area framing.
- 14 d. Hold-downs.
- 15 e. Section marks.
- 16 3. Sections (details):
- 17 a. Cross-section (detail) revised # 1, #2, #4

18 Sheet S4

- 19 1. Third floor framing:
- 20 a. Shear walls (all shear wall in both directions except for the front wall).
- 21 b. Front and back deck framing.
- 22 c. Beams size (BM# 6, #7, #8, #10, #11, #11A, #11B, #13, #15A).
- 23 d. Stairs area.
- 24 2. Roof framing:
- 25 a. Shear walls (all shear wall in direction perpendicular to street)
- 26 b. Beams and header size (BM#1 and header above the back wall windows and
- 27 door, and removed #2)
- 28 c. Roof framing joists.

29 Sheet S6

- 30 a. Cross sections (Details) (#6, #9, #9A, #10A, 11, #12, #13, #15, #16, #17.)

31 Sheet S7

- 32 a. Cross sections (Details) (#4, #5, #12, #13, #14, #18, #19)

8. In the demolition process, due to access issues, the contractor determined it necessary to demolish a portion of the interior second floor, approximately 625 square feet of unanticipated demolition. Although this has recently generated a Notice of Violation from DBI, I have performed revised calculations and it is my understanding that the demolition is not in excess of the S.F.P.C. SEC. 317(b)(2) Definition "Demolition of Residential Buildings". I am currently in the process of making a formal submittal to and discussing the issues with DBI in that regard.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct. Executed this 15 day of MAY, 2018, at San Francisco, California.

Lawson Willard

# **EXHIBIT**

**C**

**EXHIBIT C**



City and County of San Francisco



Mark Farrell  
Mayor

Board of Appeals

Julie Rosenberg  
Executive Director

April 05, 2018

Chris Porter, Permit Holder  
c/o Denis Shanagher, Attorney for Permit Holder  
Duane Morris LLP  
One Market Plaza, Spear Tower, 22nd Floor  
San Francisco, CA 94105

Appeal No.: 18-047  
Appeal Title: Pacific Heights Homeowners Association vs. DBI  
Subject Property: 1973 Broadway  
Permit Type: Alteration Permit  
Permit No.: 2018/03/19/3985

Dear Chris Porter:

This is to notify you that an appeal has been filed with this office protesting the **ISSUANCE** of the above referenced **Alteration Permit**. Pursuant to Article I, §8 of the San Francisco Business & Tax Regulations Code, the subject permit is hereby **SUSPENDED** until the Board of Appeals decides this matter and releases a notice of decision and order.

We are enclosing a copy of the **Preliminary Statement of Appeal** for your information.

The hearing regarding this matter has been scheduled for **May 23, 2018, at 5:00 p.m., City Hall, Room 416**, One Dr. Carlton B. Goodlett Place.

If you have any further questions, you may call this office at (415) 575-6880.

Sincerely,

BOARD STAFF

cc: Department of Building Inspection

Pacific Heights Homeowners Association, Appellant  
c/o Ryan Patterson, Attorney for Appellant  
Zacks Freedman & Patterson PC  
235 Montgomery Street, Suite 400  
San Francisco, CA 94104

# BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of  
PACIFIC HEIGHTS HOMEOWNERS ASSOCIATION, )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, )  
Respondent )

Appeal No. 18-047

## NOTICE OF APPEAL

**NOTICE IS HEREBY GIVEN THAT** on April 05, 2018, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on March 22, 2018 to Chris Porter, of an Alteration Permit (revision to structural design for BPA No. 2015/04/15/3728 due to existing site conditions) at 1973 Broadway.

**APPLICATION NO. 2018/03/19/3985**

**FOR HEARING ON May 23, 2018**

Address of Appellant(s):

Address of Other Parties:

Pacific Heights Homeowners Association , Appellant  
c/o Ryan Patterson, Attorney for Appellant  
Zacks Freedman & Patterson PC  
235 Montgomery Street, Suite 400  
San Francisco, CA 94104

Chris Porter, Permit Holder  
c/o Denis Shanagher, Attorney for Permit Holder  
Duane Morris LLP  
One Market Plaza, Spear Tower, 22nd Floor  
San Francisco, CA 94105



CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

Date Filed:

BOARD OF APPEALS

APR 05 2018

APPEAL # 18-047

## PRELIMINARY STATEMENT OF APPEAL

I / We, **Pacific Heights Homeowners Association**, hereby appeal the following departmental action: **ISSUANCE** of **Alteration Permit No. 2018/03/19/3985** by the **Department of Building Inspection** which was issued or became effective on: **March 22, 2018**, to: **Chris Porter**, for the property located at: **1973 Broadway, San Francisco**.

### BRIEFING SCHEDULE:

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

Appellant's Brief is due on or before: **May 03, 2018, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible. *SH*

Respondent's and Other Parties' Briefs are due on or before: **May 17, 2018, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) if possible.

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

Hearing Date: **Wednesday, May 23, 2018, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

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

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

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

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

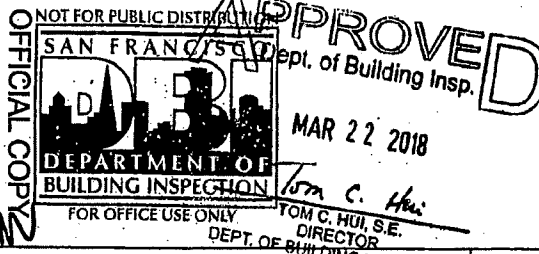
**The reasons for this appeal are as follows:**

Permit was issued in error or by abuse of discretion.

Appellant or Agent (Circle One):

Signature: *S. Hoffman*

Print Name: *Sarah Hoffman*



BOARD OF APPEALS  
APR 05 2018  
APPEAL # 18047

APPROVED FOR ISSUANCE

BLDG. 3/8  
FORM

2017-03-19 3785

OSHA APPROVAL REQ'D ☐

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED  
FORM 8 ☒ OVER-THE-COUNTER ISSUANCE  
2 NUMBER OF PLAN SETS

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF BUILDING INSPECTION  
APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF  
BUILDING INSPECTION OF SAN FRANCISCO FOR  
PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS  
AND SPECIFICATIONS SUBMITTED HERewith AND  
ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE  
HEREINAFTER SET FORTH.

DATE FILED 3/16/18	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 1973 BROADWAY	BLOCK & LOT 0578/015
PERMIT NO. 1456459	ISSUED MAR 22 2018	(2A) ESTIMATED COST OF JOB \$5,000	(2B) REVISED COST: \$10,000 DATE 3/24/18

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING									
(4A) TYPE OF CONSTR. IB	(5A) NO. OF STORIES OF OCCUPANCY 2	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE SINGLE-FAMILY RESIDENTIAL	(8A) OCCUP. CLASS R-3	(9A) NO. OF DWELLING UNITS 1				
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION									
(4) TYPE OF CONSTR. IB	(5) NO. OF STORIES OF OCCUPANCY 3	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) SINGLE-FAMILY RESIDENTIAL	(8) OCCUP. CLASS R-3	(9) NO. OF DWELLING UNITS 1				
(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?		(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?		(12) ELECTRICAL WORK TO BE PERFORMED?		(13) PLUMBING WORK TO BE PERFORMED?		(14) GENERAL CONTRACTOR	
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		GREGORY LOOK	
								550 15TH ST, SE, CA 94109	
								PHONE (415) 622-7799	
								CALIF. LIC. NO.	
								EXPIRATION DATE	
								BTRCH	
								PHONE (FOR CONTACT BY DEPT.)	
(15) OWNER - LESSEE (CROSS OUT ONE)									
CHRIS PORTER 1973 BROADWAY, SE, CA 94118									
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)									
REVISION TO STRUCTURAL DESIGN DUE TO EXISTING SITE CONDITIONS. REVISION TO 2015-0415-3728 SZ.									
ADDITIONAL INFORMATION									
(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT		(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?		(23) ANY OTHER EXISTING BLDG. ON LOT? IF YES, SHOW ON PLOT PLAN		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
(26) ARCHITECT OR ENGINEER (DESIGN OR CONSTRUCTION)		LAWSON WILLARD		ADDRESS		2147 UNION ST, SE, CA 94123		CALIF. CERTIFICATE NO. C26756	
(28) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")									

IMPORTANT NOTICES

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

No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 305, California Penal Code.

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

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

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

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

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).

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

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

CHECK APPROPRIATE BOX  
☐ OWNER  
☐ LESSEE  
☐ CONTRACTOR  
☐ ARCHITECT  
☒ AGENT  
☐ ENGINEER

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

NOTICE TO APPLICANT

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

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (i) or (ii) designated below, or shall indicate item (ii), (iv), or (v), whichever is applicable. If however item (v) is checked, item (iv) must be checked as well. Mark the appropriate method of compliance below.

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

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

( ) II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are: State Fund

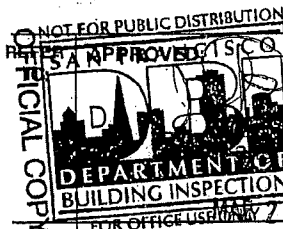
Carrier Policy Number 1947296

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

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

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

# CONDITIONS AND STIPULATIONS



<input type="checkbox"/>	APPROVED:	BUILDING INSPECTOR, DEPT. OF BLDG. INSP.
<input type="checkbox"/>	APPROVED:	DEPARTMENT OF CITY PLANNING
<input type="checkbox"/>	APPROVED:	BUREAU OF FIRE PREVENTION & PUBLIC SAFETY
<input type="checkbox"/>	APPROVED:	MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION
<input type="checkbox"/>	APPROVED:	CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION
<input type="checkbox"/>	APPROVED:	BUREAU OF ENGINEERING
<input type="checkbox"/>	APPROVED:	DEPARTMENT OF PUBLIC HEALTH
<input type="checkbox"/>	APPROVED:	REDEVELOPMENT AGENCY
<input type="checkbox"/>	APPROVED:	HOUSING INSPECTION DIVISION

DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____
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DATE: _____
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NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____

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

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

Number of attachments ☐

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

# **EXHIBIT**

# **D**

**EXHIBIT D**



ZACKS, FREEDMAN, & PATTERSON PC  
235 MONTGOMERY STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94104

1 ANDREW M. ZACKS (SBN 147794)  
2 SARAH M.K. HOFFMAN (SBN 308568)  
3 ZACKS, FREEDMAN & PATTERSON PC  
4 235 Montgomery Street, Suite 400  
5 San Francisco, CA 94104  
6 Tel: (415) 956-8100  
7 Fax: (415) 288-9755

8 Attorneys for Plaintiff,  
9 1967/1969/1971 BROADWAY  
10 CONDOMINIUM ASSOCIATION

ENDORSED  
FILED  
San Francisco County Superior Court

APR 25 2018  
CLERK OF THE COURT  
BY: KALENE APOLONIO  
Deputy Clerk

11 SUPERIOR COURT – STATE OF CALIFORNIA

12 COUNTY OF SAN FRANCISCO - UNLIMITED CIVIL JURISDICTION

13 1967/1969/1971 BROADWAY  
14 CONDOMINIUM ASSOCIATION, a.k.a.  
15 PACIFIC HEIGHTS CONDO  
16 ASSOCIATION, an unincorporated  
17 homeowners association,

18 Plaintiff,

19 v.

20 CHRISTOPHER PORTER, ALL PERSONS  
21 UNKNOWN, CLAIMING ANY LEGAL OR  
22 EQUITABLE RIGHT, TITLE, ESTATE,  
23 LIEN, OR INTEREST IN THE EASEMENT  
24 DESCRIBED IN THE COMPLAINT  
25 ADVERSE TO PLAINTIFF'S TITLE, OR  
26 ANY CLOUD ON PLAINTIFF'S TITLE  
27 THERETO, and DOES 1 THROUGH 10,  
28 INCLUSIVE.

Defendants.

CCC-18-566058

Case No.:

VERIFIED COMPLAINT FOR:

- (1) QUIET TITLE TO EASEMENT;
- (2) CIVIL CODE § 809;
- (3) CIVIL CODE § 832;
- (4) SAN FRANCISCO BUILDING  
CODE § 3307.1;
- (5) NEGLIGENCE;
- (6) PRIVATE NUISANCE;
- (7) DECLARATORY RELIEF.

Plaintiff 1967/1969/1971 BROADWAY CONDOMINIUM ASSOCIATION alleges as  
follows:

PARTIES

1. Plaintiff 1967/1969/1971 BROADWAY CONDOMINIUM ASSOCIATION, also known as PACIFIC HEIGHTS CONDO ASSOCIATION ("Plaintiff") is an unincorporated homeowners association and the owner of real property located at 1967-1969-1971 Broadway, San Francisco.

2. Defendant CHRISTOPHER PORTER is an individual over the age of eighteen, and a resident of San Francisco County, California and the owner of real property located at 1973 Broadway, San Francisco.

3. Plaintiff does not know the true names of defendants ALL PERSONS UNKNOWN, CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE EASEMENT DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE, OR ANY CLOUD ON PLAINTIFF'S TITLE THERETO, and DOES 1 through 10, inclusive, and therefore sues them by those fictitious names. Plaintiff will seek leave of court to amend this complaint under Code of Civil Procedure § 474 to state the true names, capacities, and relationships of said DOE defendants, if and when the same are ascertained.

4. Plaintiff is informed and believes, and on that basis alleges, that each Defendant named in this complaint was acting as the agent or employee of the other Defendant and/or ratified or otherwise approved the acts and omissions alleged herein. Each defendant had actual and/or constructive knowledge of the acts of each other. Defendants, and each of them, ratified and or authorized the wrongful acts of each of the other defendants

5. Plaintiff is, and at all times relevant to this action was, the owner of real property located at 1967-1969-1971 Broadway, San Francisco, CA 94109 (collectively, "the CONDO PROPERTY") and more specifically described as:

All that real property shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 1967-1969-1971 Broadway, a Condominium, being a resubdivision of Lot 15A, portion of Assessor's Block No. 578, San Francisco, California," which map was filed for record on June 9, 1983 in Parcel Map Book 25, Pages

122-125 inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California.

6. Defendant PORTER is, and at all times relevant to this action was, the owner in fee and is in possession and control of real property located at 1973 Broadway, San Francisco, CA 94109, ("1973 Broadway") and more specifically described as:

COMMENCING at a point on the southerly line of Broadway distant thereon 87 feet 6 inches easterly from the easterly line of Laguna Street; running thence easterly and along said line of Broadway 26 feet 5-5/8 inches; thence at a right angle southerly 112 feet 6 inches; thence at a right angle westerly 26 feet 5-5/8 inches; thence at a right angle northerly 112 feet 6 inches to the point of commencement.

BEING part of Western Addition Block No. 193.

#### FACTUAL BACKGROUND

7. This complaint arises from Defendant's intentional and ongoing interference with Plaintiff's long-established easement rights, and from Defendant undertaking excavation work at 1973 BROADWAY in a dangerous and unlawful manner.

8. From approximately 1957 until 1981, the CONDO PROPERTY and 1973 BROADWAY were held in common ownership. In 1981, the owners of both properties were Eleanor B. Wilson as to an undivided 4/5 interest, and Arthur Russell Wilson Jr. as to an undivided 1/5 interest.

9. The CONDO PROPERTY was transferred to Robert L. Cummings and Linda Hutson as to an undivided 1/2 interest, and Lucien Ruby and David McManamon as to an undivided 1/2 interest (collectively, the "1981 Owners"), by a deed recorded on June 15, 1981 (the "1981 Deed").

10. The 1981 Deed noted an easement for the benefit of the CONDO PROPERTY, described as:

#### Parcel II

TOGETHER with an exclusive easement for fire exit to be appurtenant to Parcel I herein, described as follows:

COMMENCING at a point on the southerly line of Broadway distant thereon 110 feet 11-5/8 inches easterly from the easterly line of Laguna

1 Street; running thence easterly and along said line of Broadway 3 feet;  
2 thence at a right angle southerly 112 feet 6 inches; thence at a right angle  
3 westerly 3 feet; thence at a right angle northerly 112 feet 6 inches to the  
4 point of commencement.

(the "Easement.")

5 11. The Easement occupies a three-foot-wide strip running down the entire eastern  
6 side of 1973 BROADWAY, and includes: a walkway between the structures on 1973  
7 BROADWAY and the CONDO PROPERTY; the front steps of the CONDO PROPERTY;  
8 and a fire escape on the western exterior wall of the CONDO PROPERTY.

9 12. A gate in the boundary fence between 1973 BROADWAY and the CONDO  
10 PROPERTY provides access to the Easement from the rear of the CONDO PROPERTY to  
11 the Easement. A door and steps in the western exterior wall of the CONDO PROPERTY  
12 provide access to the Easement from the basement of the CONDO PROPERTY.

13 13. In 1983, the 1981 Owners subdivided the CONDO PROPERTY into three  
14 condominium units: Lots 35, 36, and 37. The condominium map for the CONDO  
15 PROPERTY was recorded on June 9, 1983 in Parcel Map Book 25, Pages 122-125 inclusive,  
16 in the Office of the Recorder of the City and County of San Francisco, State of California.

17 14. In or around March 1987, the executors of the estates of Eleanor B. Wilson and  
18 Arthur Russell Wilson Jr. transferred 1973 BROADWAY to Richard Schindler.

19 15. On or around January 5, 2015, PORTER purchased 1973 BROADWAY from  
20 Richard Schindler.

21 16. The existence of the Easement has been plainly visible from 1981 to the  
22 present, including when PORTER acquired 1973 BROADWAY.

23 17. Plaintiff's members have accessed the Easement for an uninterrupted period of  
24 more than five years, in a manner that was continuous, ongoing, open, notorious, and that was  
25 clearly visible to PORTER and the previous owners of 1973 BROADWAY.

26 18. Plaintiff's members have regularly and continuously used the front steps of the  
27 CONDO PROPERTY to access their units.  
28

1           19. Plaintiff's members have regularly and continuously used the Easement for  
2 access to and from the rear of the CONDO PROPERTY, including to take trash to the  
3 basement, for contractors to access the west side and rear of the CONDO PROPERTY for  
4 building and garden maintenance, painting, and deck maintenance, and to access the basement  
5 of the CONDO PROPERTY.

6           20. The Easement provides the only means of secondary egress from the first floor  
7 unit of the CONDO PROPERTY.

8           21. The fire escape on the exterior western wall of the CONDO PROPERTY  
9 provides the only means of secondary egress from the second and third floors of the CONDO  
10 PROPERTY.

11           22. The use of the Easement by Plaintiff's members was open and notorious.

12           23. Plaintiff's members accessed the Easement without PORTER's permission and  
13 without paying for such access.

14           24. Following his purchase of 1973 BROADWAY, Plaintiff is informed and  
15 believes, and on this basis alleges, that PORTER engaged contractors to obtain permits for  
16 and undertake a construction project at 1973 BROADWAY (the "Project"). The Project  
17 involves substantial demolition and renovations of the existing single-family residence at  
18 1973 BROADWAY.

19           25. PORTER or his contractor(s) applied to the San Francisco Department of  
20 Building Inspection for permits for the Project, including the following applications:

- 21           a. On or about September 20, 2016, for a "Vertical Addition for a New Bedroom,  
22 a New Seating Room with a New Full Bath, Side Additions, Interior Facade  
23 Renovation" (Permit Application No. 201504153728).  
24           b. On or about March 29, 2017, for "Temporary Shoring & Excavation for  
25 PA#201504153728" (Permit Application No. 201703292669).  
26           c. On or about February 6, 2018, to "Infill SW & NW Corners on 4th Floor. Infill  
27 East Lightwell on 3rd & 4th Floors" (Permit Application No. 201802060529).  
28

1 d. On or about March 1, 2018, to "Widen Exterior Stair" (Permit Application No.  
2 201803012541).

3 e. On or about March 19, 2018, for a "Revision to PA 2015-0415-3728 (S2)  
4 Structural Design due to (E) Site Conditions" (Permit Application No.  
5 201803193985).

6 26. At no point were Plaintiff or its members informed about the full scope of the  
7 Project, or its possible impacts on the CONDO PROPERTY.

8 27. The Project will encroach upon the Easement and interfere with the use of the  
9 Easement by Plaintiff and its members.

10 28. In an email to Plaintiff's members dated December 21, 2017, PORTER  
11 asserted that the CONDO PROPERTY's front steps and fire escape encroached onto 1973  
12 BROADWAY. The email also demanded that Plaintiff's members no longer access the  
13 Easement through the rear gate. PORTER repeated these assertions in a letter dated January 4,  
14 2018 and hand-delivered to Plaintiff's members.

15 29. From around January 2018, PORTER or his contractor(s) physically blocked  
16 the Easement by erecting barriers on it and stacking construction materials in the Easement  
17 area.

18 30. On February 23, 2018, Plaintiff objected to Defendant PORTER's blockage of  
19 the Easement.

20 31. In or around April 2018, PORTER and/or his contractor(s) erected a retaining  
21 wall that encroaches onto the Easement and blocks access to the Easement from the back gate  
22 of the CONDO PROPERTY.

23 32. PORTER intends to partially demolish the front steps of the CONDO  
24 PROPERTY, install landscaping features on the Easement, and permanently block access to  
25 the Easement for Plaintiff and its members.

26

27

28



1           33.     The CONDO PROPERTY in its natural state is, and at all times relevant to this  
2 action was, receiving lateral subjacent support from 1973 BROADWAY, except to the extent  
3 that this support was removed and damaged as alleged in this complaint.

4           34.     The Project includes excavation along the eastern property line of 1973  
5 BROADWAY, adjacent to the western line of the CONDO PROPERTY. Such work has been  
6 performed, and is being performed, with PORTER's knowledge, consent, and direction.

7           35.     PORTER and his contractor(s) failed to deliver written notice to Plaintiff at  
8 least 10 days prior to the scheduled starting date of the excavation advising Plaintiff that  
9 excavation is to be made and that the building at the CONDO PROPERTY should be  
10 protected, in violation of San Francisco Building Code section 3307.1.

11                                   **FIRST CAUSE OF ACTION**

12           **(Quiet Title to Easement - Asserted Against Defendant PORTER and All Persons Unknown,**  
13           **Claiming Any Legal Or Equitable Right, Title, Estate, Lien, Or Interest In The Easement**  
14           **Described In The Complaint Adverse To Plaintiff's Title, Or Any Cloud On**  
15           **Plaintiff's Title Thereto)**

16           36.     Plaintiff incorporates by reference paragraphs 1 – 35 above as though set forth  
17 fully herein.

18           37.     Plaintiff owns title to the real property situated in San Francisco County,  
19 California, commonly known as 1967-1969-1971 Broadway, herein referred to collectively as  
20 the CONDO PROPERTY.

21           38.     Plaintiff is the owner of an easement over the real property described in  
22 paragraph 6 of this complaint, commonly known as 1973 Broadway Street. The easement is  
23 for the benefit of the real property described in paragraph 5 of this complaint.

24           39.     As owner of the Easement, Plaintiff and its members are entitled to rights and  
25 privileges over, through, and on the Easement.

26           40.     Plaintiff is informed and believes, and on that basis alleges, that Defendant  
27 PORTER claims interests adverse to Plaintiff's title to the Easement. These claims are without  
28

1 any right and Defendant has no right, title, estate, lien, or interest superseding Plaintiff's title  
2 to the easement.

3 41. Plaintiff seeks a determination of its title to the Easement in this action as of  
4 the date of filing this complaint.

5 **SECOND CAUSE OF ACTION**

6 (Civ. Code § 809 - Asserted Against All Defendants)

7 42. Plaintiff incorporates by reference paragraphs 1 – 41 as though set forth fully  
8 herein.

9 43. Plaintiff has an easement by grant, prescription, implication, and/or principles  
10 of equity that allows Plaintiff's members and their contractors to have access to the Easement  
11 and use it for ingress and egress to the rear of the CONDO PROPERTY, for emergency egress  
12 when necessary, and to use the front steps of the CONDO PROPERTY.

13 44. In or around January 2018, Defendant PORTER or his contractor(s) suddenly  
14 and without prior warning blocked the Easement by placing barriers and construction  
15 materials on it, thereby restricting Plaintiff's ability to use it.

16 45. In or around April 2018, Defendant PORTER or his contractor(s) blocked the  
17 Easement by building a retaining wall that encroaches onto the Easement, thereby further  
18 restricting Plaintiff's access to the Easement.

19 46. Defendant PORTER or his contractor(s) have applied to the DBI for Permits to  
20 undertake work that would further restrict Plaintiff's access to the Easement and destroy the  
21 CONDO PROPERTY's front steps.

22 47. Defendants' interference with the Easement is without basis and violates  
23 Plaintiff's rights.

24 48. Plaintiff has objected to Defendants' obstruction of access to the Easement,  
25 and demanded that Defendant PORTER remove all obstructions to, and refrain from further  
26 interference with, the Easement. Defendants have refused to remove all obstructions or refrain  
27 from their unlawful interference with the Easement.

1           49.     Accordingly, Plaintiff seeks a judgment enforcing its rights to use the  
2 Easement for ingress and egress to the rear of the CONDO PROPERTY, for emergency  
3 egress, and to use the front steps of the CONDO PROPERTY.

4           50.     As a direct and proximate cause of Defendants' actions in blocking Plaintiff's  
5 access to and use of the Easement, Plaintiff has suffered damages in an amount to be proven.

6           51.     Plaintiff also seeks an injunction enjoining Defendant PORTER, his agents,  
7 and representatives from blocking or otherwise interfering with the Easement.

8           52.     Unless Defendants are restrained by a preliminary and permanent injunction,  
9 Plaintiff will suffer great and irreparable injury in that its members' access to the Easement  
10 will be permanently obstructed, so that they will have no means of ingress or egress to the rear  
11 to the CONDO PROPERTY, and no means of emergency egress from the CONDO  
12 PROPERTY.

13           53.     Plaintiff has no adequate remedy at law for the injury being suffered as a result  
14 of Defendants' interference with the Easement because pecuniary damages would not afford  
15 adequate relief.

16                               **THIRD CAUSE OF ACTION**

17                               **(Civil Code § 832 - asserted against all Defendants)**

18           54.     Plaintiff re-alleges paragraphs 1 through 53 above as though fully set forth  
19 herein.

20           55.     Plaintiff is informed and believes and on that basis alleges Defendants failed to  
21 give reasonable notice to Plaintiff stating their intent to perform excavation work, the depth to  
22 which these excavations were intended to be made and when the excavations were to  
23 commence, as required by Civil Code § 832.

24                               **FOURTH CAUSE OF ACTION**

25                               **(San Francisco Building Code § 3307.1 - asserted against all Defendants)**

26           56.     Plaintiff re-alleges paragraphs 1 through 55 above as though fully set forth  
27 herein.

1 57. San Francisco Building Code section 3307.1 states:

2 Protection required. Adjoining public and private property shall be  
3 protected from damage during construction, remodeling and  
4 demolition work. Protection must be provided for footings,  
5 foundations, party walls, chimneys, skylights, and roofs. Provisions  
6 shall be made to control water runoff and erosion during construction  
7 or demolition activities. The person making or causing an excavation  
8 to be made shall provide written notice to the owners of adjoining  
buildings advising them that the excavation is to be made and that the  
adjoining buildings should be protected. Said notification shall be  
delivered not less than 10 days prior to the scheduled starting date of  
the excavation.

9 58. Plaintiff is informed and believes and on that basis alleges Defendants failed to  
10 protect 1167 BROADWAY from damage during construction, remodeling or demolition work  
11 at 1973 BROADWAY, including protection for footings or foundations, in violation of San  
12 Francisco Building Code section 3307.1.

13 **FIFTH CAUSE OF ACTION**

14 **(Negligence - asserted against all Defendants)**

15 59. Plaintiff re-alleges paragraphs 1 through 58 above as though fully set forth  
16 herein.

17 60. Defendants' excavation of 1973 BROADWAY has resulted in a loss of lateral  
18 subjacent support to the CONDO PROPERTY. As alleged, Defendant PORTER or his  
19 contractors undertook said excavation and compromised the lateral subjacent support of the  
20 CONDO PROPERTY without providing the requisite notice to Plaintiff or opportunity for  
21 Plaintiff to take its own protective measures.

22 61. Plaintiff is informed and believes, and on that basis alleges, that Defendants  
23 failed to use ordinary care and skill in performing the excavation alleged herein.

24 62. Defendants had a duty of reasonable care to ensure all actions taken in the  
25 excavation work at 1973 BROADWAY would not damage or injure Plaintiff's property at the  
26 CONDO PROPERTY.

63. Defendant PORTER or his contractors failed to exercise reasonable care in neglecting to provide prior notice to Plaintiff of Defendants' intent to excavate, the time said excavation was to commence, and to what depth the excavation was to be made, as required under Civil Code section 832(1), and further by causing damage to Plaintiff's property at the CONDO PROPERTY and the improvements thereon.

6           64. As a direct and proximate result of the manner of excavation as described in  
7 this complaint, Plaintiff's land was deprived of its lateral subjacent support, causing cracking  
8 to the interior walls and movement of doors at the CONDO PROPERTY,

9           65. As a consequence of this loss of lateral subjacent support, Plaintiff has suffered  
10 substantial damages to the land and improvements upon the CONDO PROPERTY.

66. Defendants were aware of the probable dangerous consequences of their conduct and willfully and deliberately failed to avoid those consequences.

67. The excavations described in this complaint threaten to cause further cracking and subsidence to Plaintiff's land, and damage to the improvements thereon. Unless the Defendants are enjoined by the court to undertake reasonable efforts to sustain and support Plaintiff's land, Plaintiff will be required to pursue further lawsuits against the Defendant to recover damages for the continued cracking, subsidence, and damage to improvements.

**(Nuisance - asserted against all Defendants)**

20 68. Plaintiff re-alleges paragraphs 1 through 67 above as though fully set forth  
21 herein.

69. Plaintiff is further informed and believes, and on that basis alleges, that such excavation work has caused and continues to cause a health and safety hazard affecting the use and enjoyment of the Plaintiff's property at the CONDO PROPERTY.

25           70. Plaintiff is informed and believes, and on that basis alleges, that by performing  
26 excavation work at 1973 BROADWAY without the legally required notice, and by  
27 compromising the lateral subjacent support of Plaintiff's property at the CONDO PROPERTY

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SAN FRANCISCO, CALIFORNIA 94104

1 by negligently excavating 1973 BROADWAY Defendant or his contractors have created a  
2 private nuisance within the meaning of Civil Code section 3479.

3 71. Further, the activities the Defendants have engaged in to obstruct the access of  
4 Plaintiff's members to the Easement constitute a private nuisance within the meaning of Civil  
5 Code section 3479.

6 72. Defendants' actions and the damage caused thereby as alleged herein are an  
7 obstruction to the free use of the CONDO PROPERTY, so as to interfere with Plaintiff's  
8 comfortable enjoyment of the CONDO PROPERTY.

9 73. Defendants took the aforementioned actions without the consent of Plaintiff.

10 74. Any ordinary person would be annoyed or disturbed by the aforementioned  
11 conduct and the interference with said use and enjoyment of their property.

12 75. As a result of Defendants' conduct, Plaintiff has suffered and shall continue to  
13 suffer damages in an amount to be determined at trial.

14 76. The seriousness of the harm caused to Plaintiff and the CONDO PROPERTY  
15 outweighs any public benefit of Defendants' conduct.

16 **SEVENTH CAUSE OF ACTION**

17 **(Declaratory Relief – asserted against all Defendants)**

18 77. Plaintiff re-alleges paragraphs 1 through 76 above as though fully set forth  
19 herein.

20 78. An actual controversy has arisen and now exists between Plaintiff and  
21 Defendants with respect to Plaintiff's easement rights.

22 79. Specifically, Plaintiff contends that it and its members have a continuing right  
23 of access to and use of the Easement.

24 80. Plaintiff is informed and believes, and on that basis contends, that Defendants  
25 dispute Plaintiff's contentions.

26 81. Accordingly, Plaintiff seeks a judicial determination of the parties' respective  
27 rights and obligations and Plaintiff's easement rights.  
28



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SAN FRANCISCO, CALIFORNIA 94104

82. A judicial determination is necessary and appropriate at this time under the circumstances, in order that the parties may ascertain their respective rights, interests and obligations.

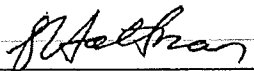
**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

1. Quieting title to the Easement Plaintiff has in and over 1973 BROADWAY, in favor of Plaintiff and against Defendant PORTER;
2. Declaring that Plaintiff has the right to use the Easement;
3. For compensatory damages in an amount to be determined;
4. For punitive damages in an amount to be determined;
5. For a permanent injunction enjoining Defendants from removing the lateral subjacent support for Plaintiff's land and compelling Defendants to restore that support;
6. For a permanent injunction compelling Defendants to remove all obstructions to the Easement, and enjoining Defendants from obstruction or interfering with the Easement in any way;
7. For costs; and
8. For such other relief as the Court may deem proper.

April 25, 2018

ZACKS, FREEDMAN & PATTERSON, PC

  
\_\_\_\_\_  
Sarah M. K. Hoffman  
Attorneys for Plaintiff

VERIFICATION

I am the plaintiff in this action. I have read the foregoing complaint and it is true of my own knowledge, except as to those matters stated on information or belief, and as to those matters, I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

[Date and place of execution]

April 24, 2018

San Francisco

*Lynn Fisher*

Lynn Fisher

ZACKS,  
FREED  
MAN, &  
PATTER  
SON PC  
235  
MONTGOM  
ERY  
STREET,  
SUITE 400  
SAN  
FRANCISCO,  
CALIFORNIA  
94104

# **EXHIBIT**

**E**

**EXHIBIT E**



Mark Farrell  
Mayor

Julie Rosenberg  
Executive Director

## AFFIDAVIT OF SERVICE


Chris Porter, Permit Holder  
c/o Denis Shanagher, Attorney for Permit Holder  
Duane Morris LLP  
One Market Plaza, Spear Tower, 22nd Floor  
San Francisco, CA 94105

I, Gary Cantara, Legal Assistant for Board of Appeals, hereby certify that on this 24<sup>th</sup> day of May 2018, I served the attached **Notice of Withdrawal** for **Appeal No. 18-047, Pacific Heights Homeowners Association vs. Department of Building Inspection**, subject property at 1973 Broadway, on the permit holder by mailing a copy via U.S. mail, first class, to the address above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in San Francisco, California.

May 24, 2018

Date

  
Gary Cantara

cc: Joseph Duffy, Senior Building Inspector  
Department of Building Inspection  
1660 Mission Street, 5th Floor  
San Francisco, CA 94103

OTHER PARTIES  
OR CONCERNED CITIZENS:

Pacific Heights Homeowners Association, Appellant  
c/o Ryan Patterson, Attorney for Appellant  
Zacks, Freedman & Patterson, PC  
235 Montgomery Street, Suite 400  
San Francisco, CA 94104

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

Appeal of  
PACIFIC HEIGHTS HOMEOWNERS ASSOCIATION, )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, )  
Respondent )

Appeal No. 18-047

### NOTICE OF APPEAL

**NOTICE IS HEREBY GIVEN THAT** on April 05, 2018, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on March 22, 2018 to Chris Porter, of an Alteration Permit (revision to structural design for BPA No. 2015/04/15/3728 due to existing site conditions) at 1973 Broadway.

**APPLICATION NO. 2018/03/19/3985**

**FOR HEARING ON May 23, 2018**

Address of Appellant(s):

Address of Other Parties:

Pacific Heights Homeowners Association , Appellant  
c/o Ryan Patterson, Attorney for Appellant  
Zacks Freedman & Patterson PC  
235 Montgomery Street, Suite 400  
San Francisco, CA 94104

Chris Porter, Permit Holder  
c/o Denis Shanagher, Attorney for Permit Holder  
Duane Morris LLP  
One Market Plaza, Spear Tower, 22nd Floor  
San Francisco, CA 94105

### NOTICE OF WITHDRAWAL

The aforementioned matter has been **WITHDRAWN** at the request of the appellant(s). See attached letter. Upon withdrawal of an appeal, the Board of Appeals loses jurisdiction over the subject permit, **AND THE SUSPENSION OF THE PERMIT IS LIFTED**. If you have any questions regarding this notice, please call the Board office at (415) 575-6880.

Date of Withdrawal: May 23, 2018

Date Notice Released to Department(s): May 24, 2018

City & County of San Francisco  
BOARD OF APPEALS



**WITHDRAWAL REQUEST**

**Instructions:**

This form is to be used by appellants who wish to withdraw their appeal. Please note: when an appeal is withdrawn, the Board loses jurisdiction over the determination at issue and any suspension of the determination will be lifted.

To file a Withdrawal Request, please filled out this form and deliver it to the Board of Appeals in one of the following ways:

Email to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org)

Fax to: 415-575-6885

Hardcopy to: 1650 Mission Street, Suite 304, San Francisco, CA 94103

The Board will contact the appellant to confirm his or her intent to withdraw and then will send written confirmation to all parties that the matter has been withdrawn.

Appeal No: 18-047

Address of Subject Property: 1973 Broadway Street, San Francisco

Hearing Date: 5/23/2018

Name of Appellant(s): Pacific Heights Homeowners Association c/o Ryan Patterson, Zacks Freedman & Patterson PC

Phone: 415-956-8100

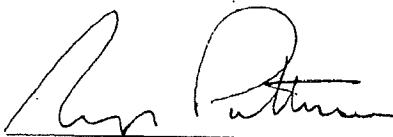
Fax: 415-288-9755

Email: ryan@zfplaw.com

Please sign below to confirm the following statement:

I/We hereby withdraw this appeal.

The reasons for this action are [optional]: Withdrawn without prejudice

  
Signature of Appellant or Agent  
Ryan J. Patterson, Esq.

5/23/18  
Date

\_\_\_\_\_  
Signature of Appellant or Agent

\_\_\_\_\_  
Date



## CERTIFICATE OF MAILING

Appeal No(s). 18-047, Withdrawn.

ONE letter notice(s) mailed from neighborhood mailing list. Neighbors received postcard from a mass mailing sent to all occupants and property owners within 150 feet of subject property, and one called the Board office to request additional notice of future proceedings.

- G.C.  
5/24/2018



# **EXHIBIT**

**F**

**EXHIBIT F**



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Suspension Request

July 3, 2018

Mr. Tom Hui, CBO, SE  
Director  
Department of Building Inspection  
1660 Mission Street, Sixth Floor  
San Francisco, CA 94103

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Building Permit Application Nos.: 201504153728  
Property Address: 1973 Broadway  
Assessor's Block/Lot: 0578/015  
Zoning District: RM-2 (Residential, Mixed – Moderate Density)  
Staff Contact: Matthew Dito, (415) 575-9164, or [matthew.dito@sfgov.org](mailto:matthew.dito@sfgov.org)

Dear Director Hui,

This letter is to request that the Department of Building Inspection (DBI) suspend **Building Permit Application No. 201504153728** (vertical addition for a new bedroom, a new seating room with a new full bath, side additions, interior façade renovation) for the property at 1973 Broadway.

**Building Permit Application No. 201504153728** was issued on October 6, 2016. The permit allows for the addition of a third story, rear addition, and interior renovations. It has come to the Planning Department's attention that construction has exceeded the scope of work approved under the subject permit. While the permit holder has filed Building Permit Application No. 201806061104 to document the increased scope of work, the permit has not been approved because the submittal does not sufficiently clarify the scope of work. In light of these facts, the Planning Department is requesting suspension of **Building Permit Application No. 201504153728** to allow the permit holder the opportunity to properly document work that is underway at the subject property and to ensure that work that is being performed complies with the Planning Code.

**APPEAL:** Any aggrieved person may appeal this letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, or call (415) 575-6880.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott F. Sanchez", written over a horizontal line.

Scott F. Sanchez  
Zoning Administrator

CC: Property Owner

# EXHIBIT

G

EXHIBIT G

	Existing SF	Demo SF	Remaining SF	% To Be Demolished
First Floor	626.25	262.75	363.50	42%
Second Floor	1335.75	555.00	780.75	42%
Third Floor	1046.00	246.00	800.00	24%
Totals:	3008.00	1063.75	1944.25	35%

Second Floor Wall Length					
Second Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	2.1	North	6.83	To Be Demolished	
	2.2	West	2.83	To Be Demolished	
	2.3	North	7.25	To Be Demolished	
	2.4	West	4.08	To Be Demolished	
	2.5	North	8.83	Existing To Remain	
	2.6	East	4.08	Existing To Remain	
	2.7	North	1.88	Existing To Remain	
	2.8	East	20.79	Existing To Remain	
	2.9	East	10.04	Existing To Remain	
	2.10	East	3.25	Existing To Remain	
	2.11	South	4.33	To Be Demolished	
	2.12	East	18.50	To Be Demolished	
	2.13	South	5.42	To Be Demolished	
	2.14	East	16.17	To Be Demolished	
	2.15	South	3.13	To Be Demolished	
	2.16	East	2.42	To Be Demolished	
	2.17	South	7.00	To Be Demolished	
	2.18	West	2.42	To Be Demolished	
	2.19	South	3.13	To Be Demolished	
	2.20	West	4.81	To Be Demolished	
	2.21	West	63.94	Existing To Remain	
	Total Walls:		202.13		
			117.14	Existing To Remain	
			84.99	To Be Demolished	
	% Demolished		42%		
		Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo	
	North	24.79	14.08	57%	
	East	75.25	37.09	49%	
	South	24.01	19.68	82%	
	West	78.08	14.14	18%	

# 2015 APPROVED PROJECT DEMOLITION CALCULATION TABLE.

## SHEET 1

PROJECT NO. 2016.10

Roof Area Calculations			
Roof		Roof Area SF	Renovation Status
Second Floor Roof		128.25	To Be Demolished
		128.25	To Be Demolished
		136.00	To Be Demolished
Third Floor Roof		113.25	To Be Demolished
		122.5	To Be Demolished
		320.0	To Be Demolished
		310.0	To Be Demolished
		132.75	To Be Demolished
		32.00	To Be Demolished
	Total	1423.00	Existing Roof
		1423.00	Subtotal To Be Demolished
		100%	% To Be Demolished

	Existing SF	Demo SF	Remaining SF	% To Be Demolished	
North	248.75	248.75			
	780.25		780.25		
	Sub Total:	1029.00	248.75	780.25	24%
East	210.00	210.00			
	326.75	326.75			
	1376.75		1376.75		
	Sub Total:	1913.50	536.75	1376.75	28%
South	Sub Total:	645.50	516.00	129.50	80%
West	110.50	110.50			
	1790.50		1790.50		
	154.50	154.50			
	Sub Total:	2055.50	265.00	1790.50	13%
TOTAL:	5643.50	1566.50	0.00		28%

Second Floor Wall Length					
Second Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	2.1	North	6.83	To Be Demolished	
	2.2	West	2.83	To Be Demolished	
	2.3	North	7.25	To Be Demolished	
	2.4	West	4.08	To Be Demolished	
	2.5	North	6.83	Existing To Remain	
	2.6	East	4.08	Existing To Remain	
	2.7	North	1.88	Existing To Remain	
	2.8	East	20.79	Existing To Remain	
	2.9	East	10.04	Existing To Remain	
	2.10	East	3.25	Existing To Remain	
	2.11	South	4.33	To Be Demolished	
	2.12	East	18.50	To Be Demolished	
	2.13	South	6.42	To Be Demolished	
	2.14	East	16.17	To Be Demolished	
	2.15	South	3.13	To Be Demolished	
	2.16	East	2.42	To Be Demolished	
	2.17	South	7.00	To Be Demolished	
	2.18	West	2.42	To Be Demolished	
	2.19	South	3.13	To Be Demolished	
	2.20	West	4.81	To Be Demolished	
	2.21	West	63.94	Existing To Remain	
	Total Walls:			202.13	
			117.14	Existing To Remain	
			84.99	To Be Demolished	
% Demolished			42%		
			Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo
North			24.79	14.08	57%
East			75.25	37.09	49%
South			24.01	19.68	82%
West			78.08	14.14	18%

[illegible]

PROJECT DATA  
ASSESSOR'S NUMBER: BLOCK:578, LOT:15  
ADDRESS: 1973 BROADWAY STREET. SAN FRANCISCO, CA 94109  
EXISTING USE: SINGLE FAMILY DWELLING  
PROPOSE PROJECT:  
- SIDE ADDITION AT FRONT AND REAR  
- NEW THIRD FLOOR ADDITION  
- NEW BASEMENT FLOOR  
- RENOVATION AND SEISMIC UPGRADE

SCOPE OF WORK  
WIDEN FRONT STAIR AT FIRST FLOOR  
WIDEN FRONT BAY AT FIRST AND SECOND FLOORS  
SIDE ADDITION TO REAR AT THE EAST SIDE  
REDUCE BUILDING DEPTH ON FIRST FLOOR  
ADD NEW ENTERTAINMENT ROOM AT BASEMENT LEVEL  
INTERIOR RENOVATION TO THE EXISTING FIRST AND SECOND FLOORS

PLANNING CHECK LIST  
ZONING: RM-2  
LOT SIZE: 26.469' X 112.550'

BUILDING CHECK LIST	EXISTING	PROPOSE
	5B,	5B, + FULLY SPRINKLER
	R3	R3
BUILDING HEIGHT:	38'-6"	49'-8"
TYPE OF CONSTRUCTION:		
MINIMUM GARAGE:	2 + STREET LEVEL GARAGE	3 + STREET LEVEL GARAGE + BASEMENT
NUMBER OF UNIT:	1	1

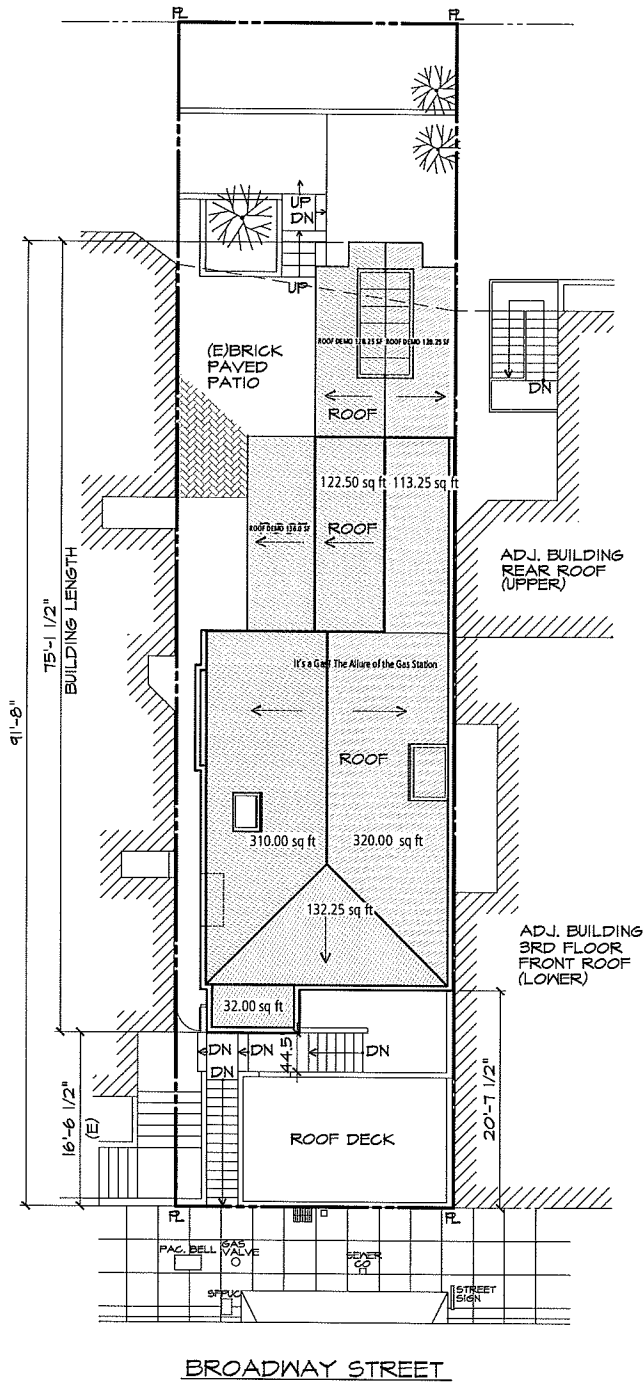
WORK UNDER SEPARATE APPLICATION: FULLY SPRINKLER SYSTEM NFPA 13R

APPLICABLE CODE:  
2013 CALIF. BLDG. CODE & S.F. AMENDMENTS  
2013 CALIF. MECH. CODE & S.F. AMENDMENTS  
2013 CALIF. PLUMB. CODE & S.F. AMENDMENTS  
2013 CALIF. ELECTR. CODE & S.F. AMENDMENTS  
2013 CALIF. ENERGY CODE - TITLE 24  
2013 CALIF. RESIDENTIAL CODE

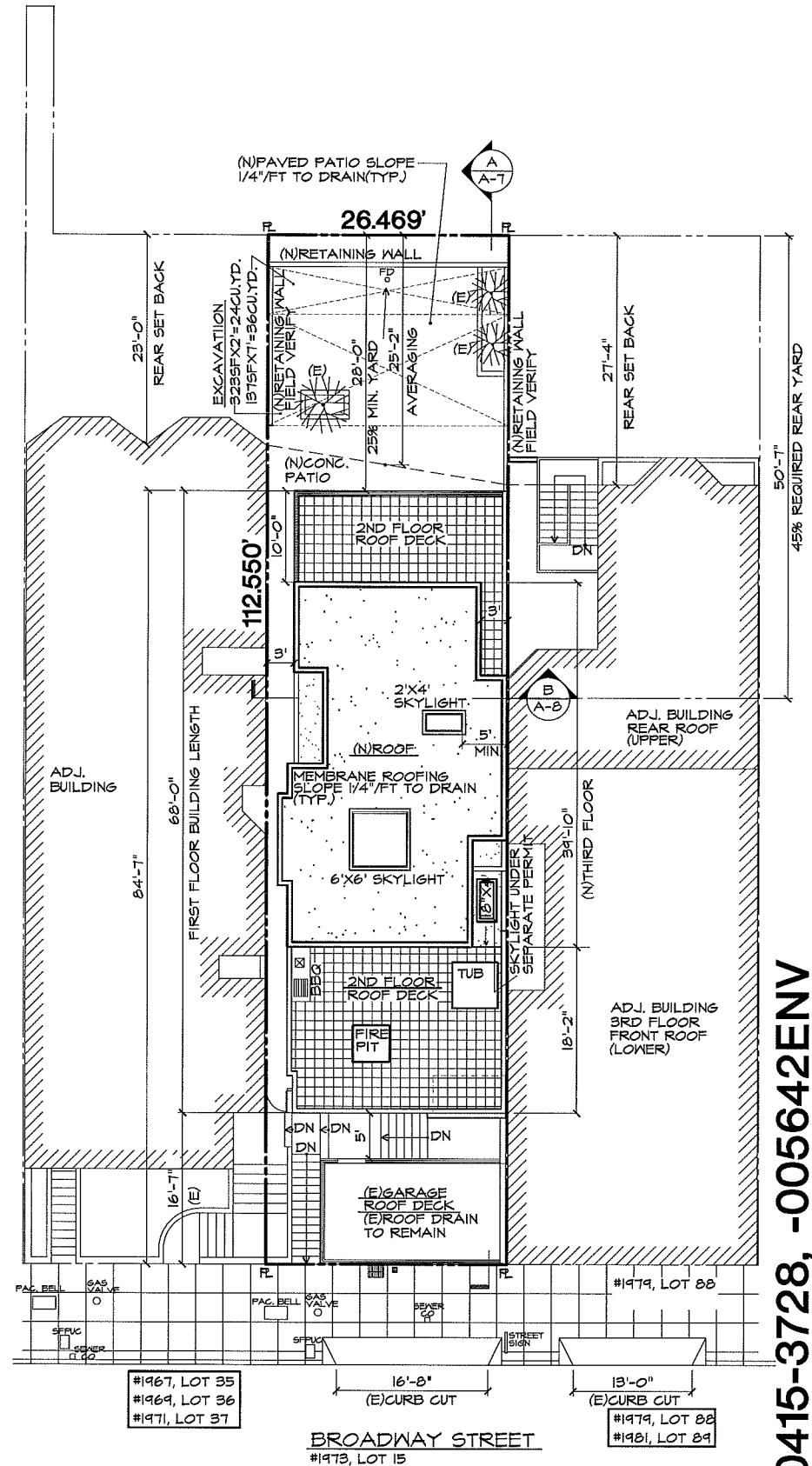
DRAWING INDEX:  
A-1: PROJECT DATA, (E)SITE & ROOF PLAN AND (N)SITE & ROOF PLAN  
A-2: (N)FLOOR PLANS  
A-3: (N)FRONT ELEVATION  
A-4: (N)REAR ELEVATION  
A-5: (N)LEFT SIDE ELEVATION  
A-6: (N)RIGHT SIDE ELEVATION  
A-7: (N)SECTION  
A-8: (N)BASEMENT PLAN, (N)SECTION, DETAILS  
A-9: RATED WALL & ROOF, AREA & EXIT  
A-10: WINDOW WITHIN 3 FEET, PRE-APPLICATION NOTE NOT PERMITTED NEIGHBOR ENCROACHMENT  
D-1: (E)FLOOR DEMOLITION PLANS  
E-1: (E)FLOOR PLANS  
E-2: (E)SECTION  
E-3: (E)EXTERIOR ELEVATIONS

DPW  
SUSAN NAMBARY 11/13/2015 EMAIL  
\$1,847 TREE FEE PAY TO DBI AT PERMIT STAGE.

PLANNING  
JEANIE POLING 575-9072 MAY 5, 2015 EE/HRD APPLICATIONS COMPLETED  
TRANSFER FROM SARA VELLVE TO WAYNE FARRENS, OCT. 26, 2015



(E)SITE & ROOF PLAN  
SCALE: 1/8"=1'-0"



(N)SITE & ROOF PLAN  
SCALE: 1/8"=1'-0"  
ALL MEMBRANE ROOF & PAVED PATIO  
SLOPE 1/4"/FT TO DRAIN (TYP.)

2015-0415-3728, -005642ENV

REVISIONS	BY
NOV. 2, 2015	
JAN. 11, 2016	
FEB. 16, 2016	

VAN T. LY & ASSOCIATES  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL. (415) 468-3222  
EMAIL: van@vantilyarchitect.com

REGISTERED ARCHITECT  
C-26710  
5/2011  
RENEWAL  
DATE  
STATE OF CALIFORNIA

PORTER RESIDENCE RENOVATION  
1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109  
PROJECT DATA  
(E)&(N) SITE & ROOF PLAN

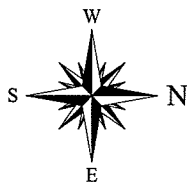
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RH  
CHECKED  
VTL  
DATE  
MARCH 26, 2015  
SCALE  
AS NOTED  
JOB NO.  
SHEET  
A-1  
OF 14 SHEETS


$$\frac{1}{4}'' = 1'-0''$$

$$\frac{1}{8}'' = 1'-0''$$

C. LAWSON WILLARD License No. C 26756

**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

## 2018 PROPOSED SITE PLAN AND ROOF PLAN

**SHEET 4**

PROJECT NO. 2016.10  
COPYRIGHT © 2016 by LAWSON WILLARD ARCHITECTURE

**PROJECT DATA**  
ASSESSOR'S NUMBER: BLOCK:578, LOT:15  
ADDRESS: 1973 BROADWAY STREET. SAN FRANCISCO, CA 94109  
EXISTING USE: SINGLE FAMILY DWELLING  
PROPOSE PROJECT:  
- SIDE ADDITION AT FRONT AND REAR  
- NEW THIRD FLOOR ADDITION  
- NEW BASEMENT FLOOR  
- RENOVATION AND SEISMIC UPGRADE

**SCOPE OF WORK**  
WIDEN FRONT STAIR AT FIRST FLOOR  
WIDEN FRONT BAY AT FIRST AND SECOND FLOORS  
SIDE ADDITION TO REAR AT THE EAST SIDE  
REDUCE BUILDING DEPTH ON FIRST FLOOR  
ADD NEW ENTERTAINMENT ROOM AT BASEMENT LEVEL  
INTERIOR RENOVATION TO THE EXISTING FIRST AND SECOND FLOORS

**PLANNING CHECK LIST**  
ZONING: RM-2  
LOT SIZE: 26.469' X 112.550'  
**BUILDING CHECK LIST**  

EXISTING	PROPOSE
5B	5B, + FULLY SPRINKLER
R3	R3
BUILDING HEIGHT: 38'-6"	49'-0"
TYPE OF CONSTRUCTION: 2 + STREET LEVEL GARAGE	3 + STREET LEVEL GARAGE + BASEMENT
NUMBER OF UNIT: 1	1

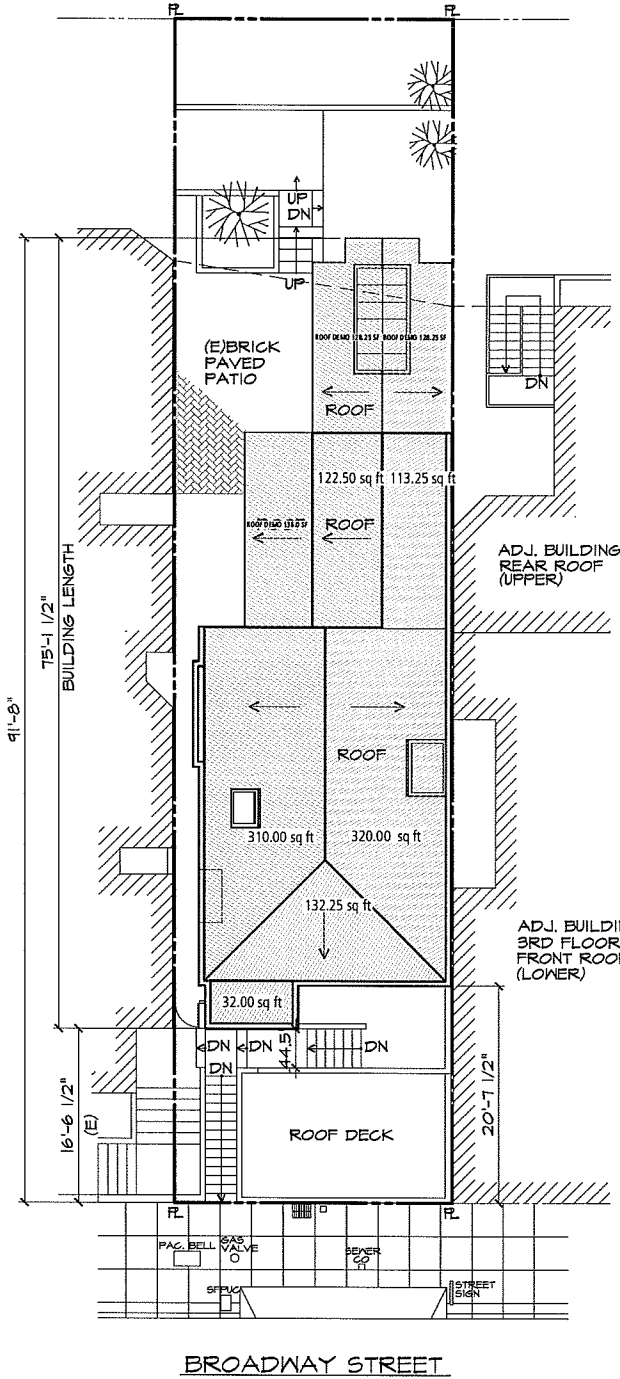
**WORK UNDER SEPARATE APPLICATION:** FULLY SPRINKLER SYSTEM NFPA 13R

**APPLICABLE CODE:**  
2013 CALIF. BLDG. CODE & S.F. AMENDMENTS  
2013 CALIF. MECH. CODE & S.F. AMENDMENTS  
2013 CALIF. PLMBG. CODE & S.F. AMENDMENTS  
2013 CALIF. ELECTR. CODE & S.F. AMENDMENTS  
2013 CALIF. ENERGY CODE - TITLE 24  
2013 CALIF. RESIDENTIAL CODE

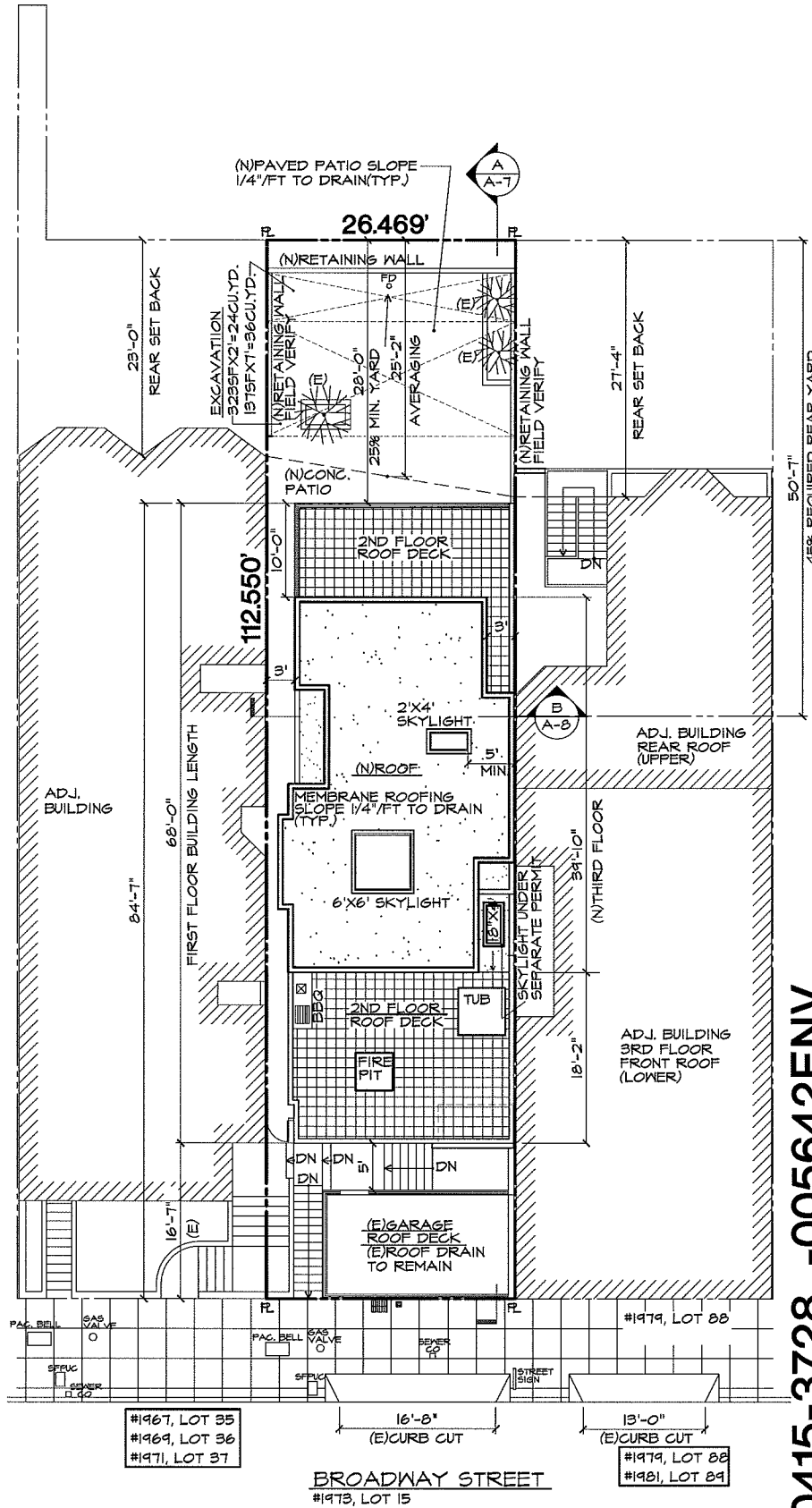
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**DPW**  
SUSAN NAMBARY 11/13/2015 EMAIL  
\$1,847 TREE FEE PAY TO DBI AT PERMIT STAGE.

**PLANNING**  
JEANIE POLING 575-9072 MAY 5, 2015 EE/HRD APPLICATIONS COMPLETED  
TRANSFER FROM SARA VELLVE TO WAYNE FARRENS, OCT. 26, 2015



**(E)SITE & ROOF PLAN**  
SCALE: 1/8" = 1'-0"



**(N)SITE & ROOF PLAN**  
SCALE: 1/8" = 1'-0"  
ALL MEMBRANE ROOF & PAVED PATIO  
SLOPE 1/4"/FT TO DRAIN (TYP.)

2015-0415-3728, -005642ENV

REVISIONS	BY
NOV. 2, 2015	
JAN. 11, 2016	
FEB. 16, 2016	

**VAN T. LY & ASSOCIATES**  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415) 468-3222  
EMAIL: vton@vantlyarchitect.com



**PROJECT DATA**  
PORTER RESIDENCE RENOVATION  
1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109  
**(E)&(N) SITE & ROOF PLAN**

DRAWN RH
CHECKED VTL
DATE MARCH 26, 2015
SCALE AS NOTED
JOB NO.
SHEET A-1
of 14 SHEETS

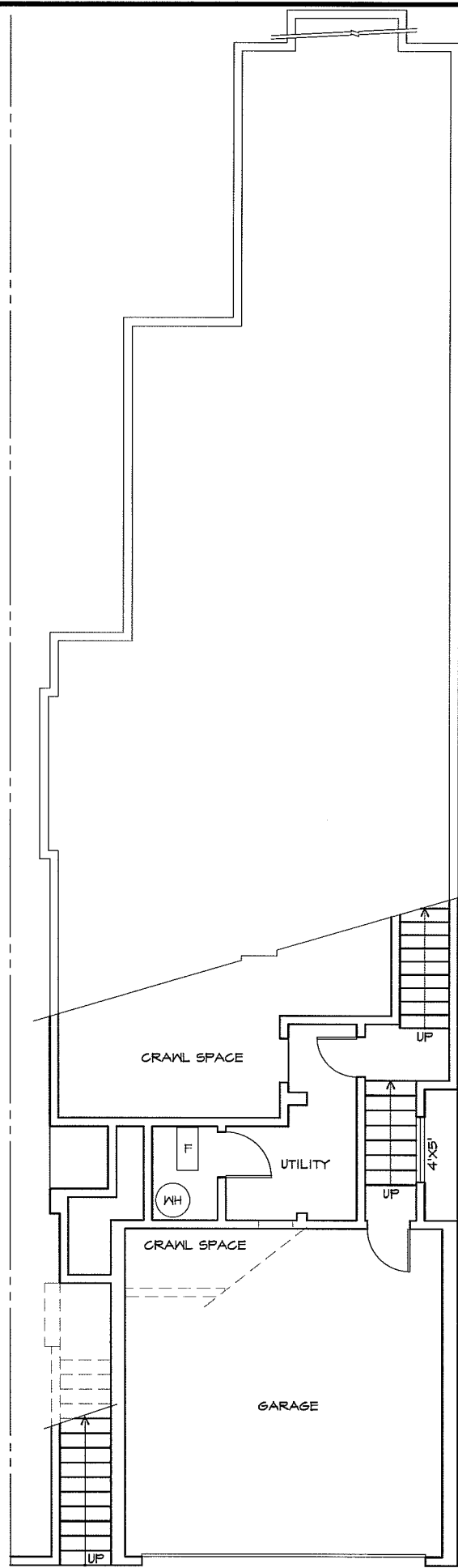




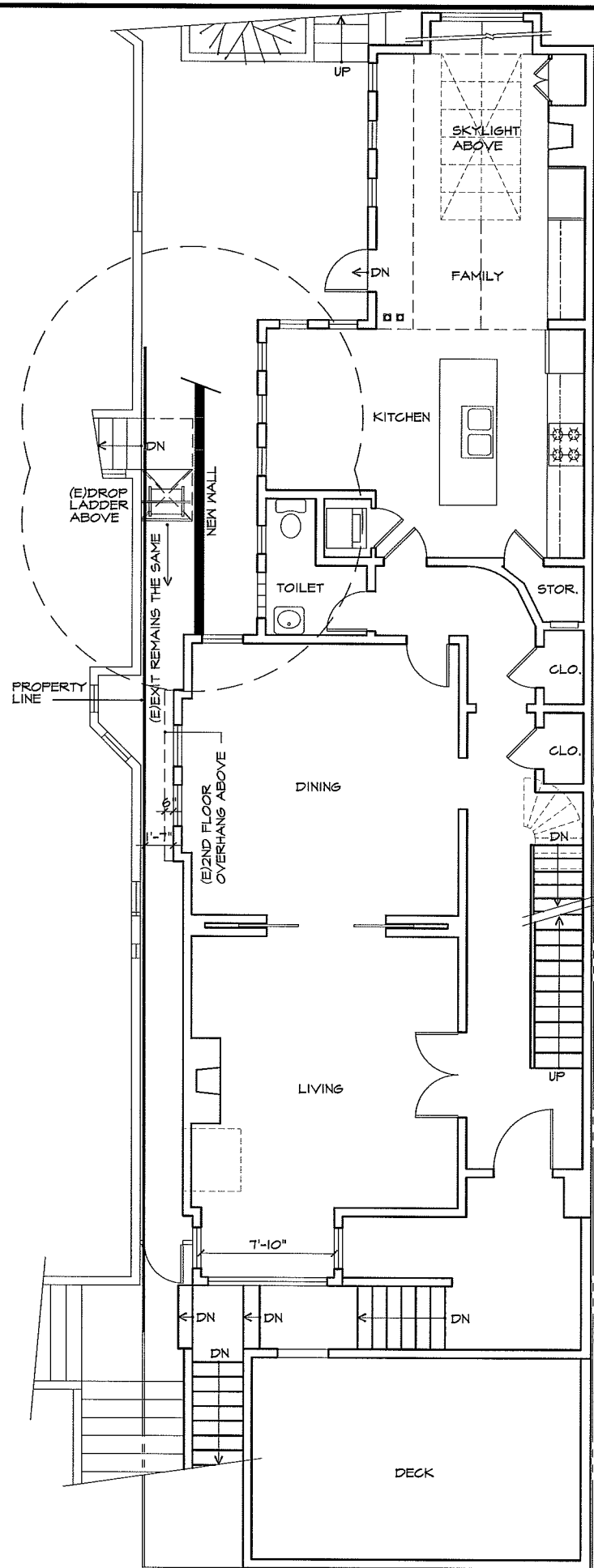
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

PROJECT NO. 2016.10  
COPYRIGHT © 2016 by LAWSON WILLARD ARCHITECTURE

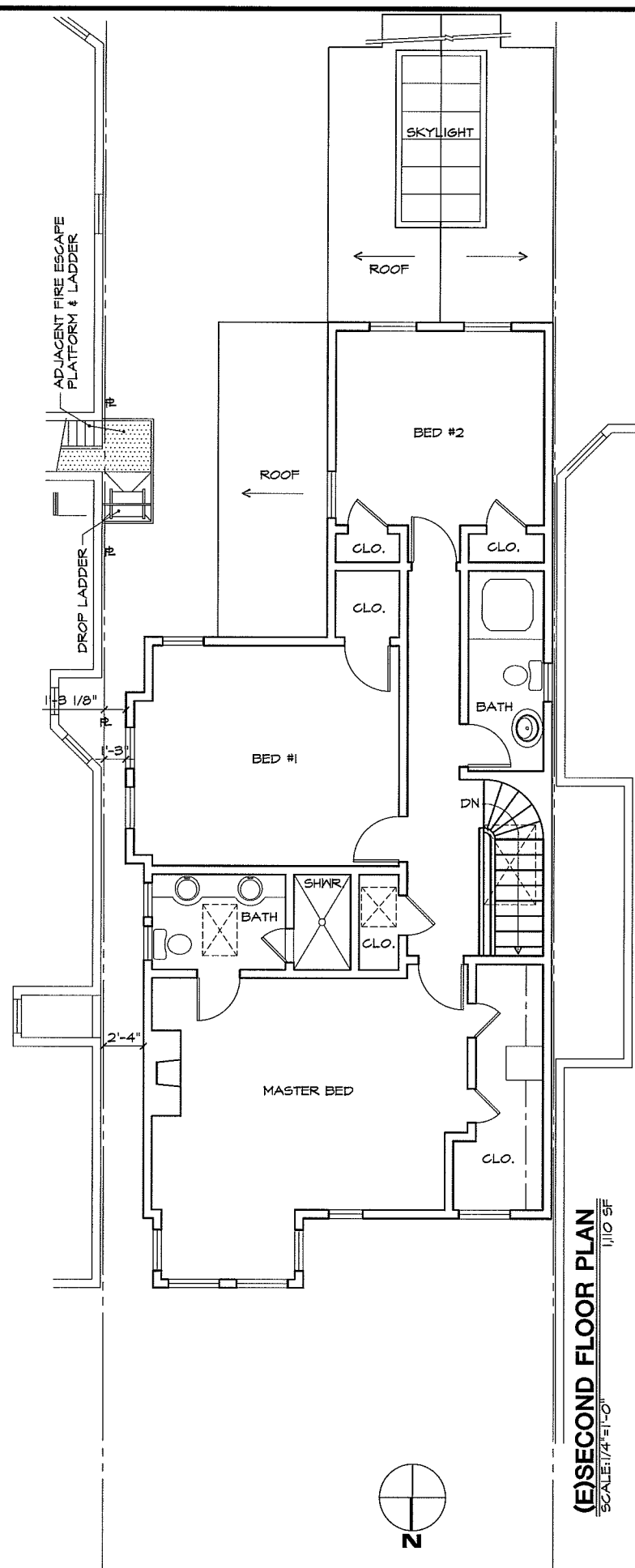




**(E) BASEMENT PLAN**  
SCALE: 1/4" = 1'-0"  
UTILITY: 144 SF  
GARAGE: 403 SF  
TOTAL: 602 SF



**(E) FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
1451 SF



**(E) SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
1110 SF

REVISIONS	BY

**VAN T. LY & ASSOCIATES**  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415) 466-5222  
EMAIL: van@vantlyarchitect.com

**LICENCED ARCHITECT**  
VAN T. LY  
C-25710  
5/2017  
RENEWAL  
DATE  
STATE OF CALIFORNIA

PORTER RESIDENCE RENOVATION  
**1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109**

DRAWN  
RH  
CHECKED  
VTL  
DATE  
MARCH 26, 2015  
SCALE  
AS NOTED  
JOB NO.  
SHEET  
**E-1**  
OF 14 SHEETS

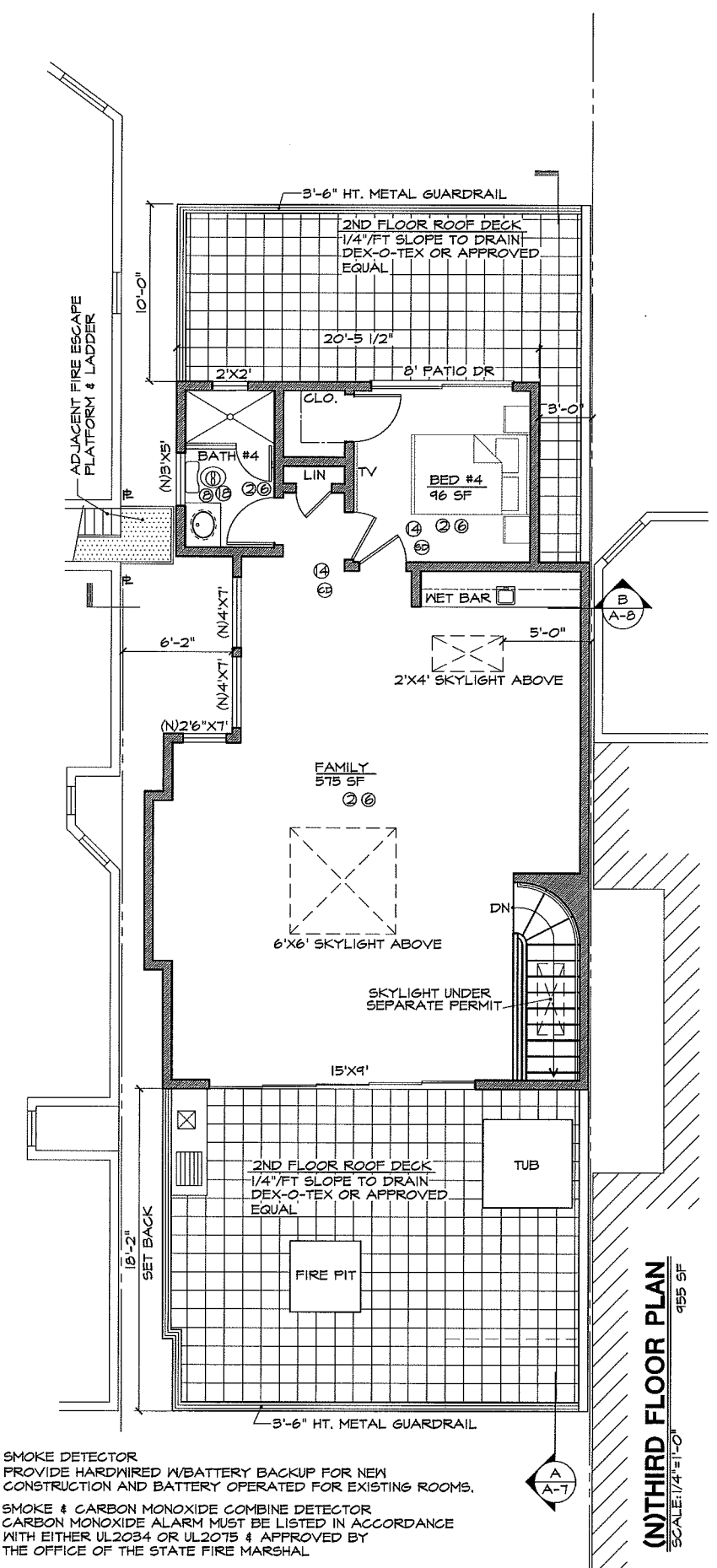
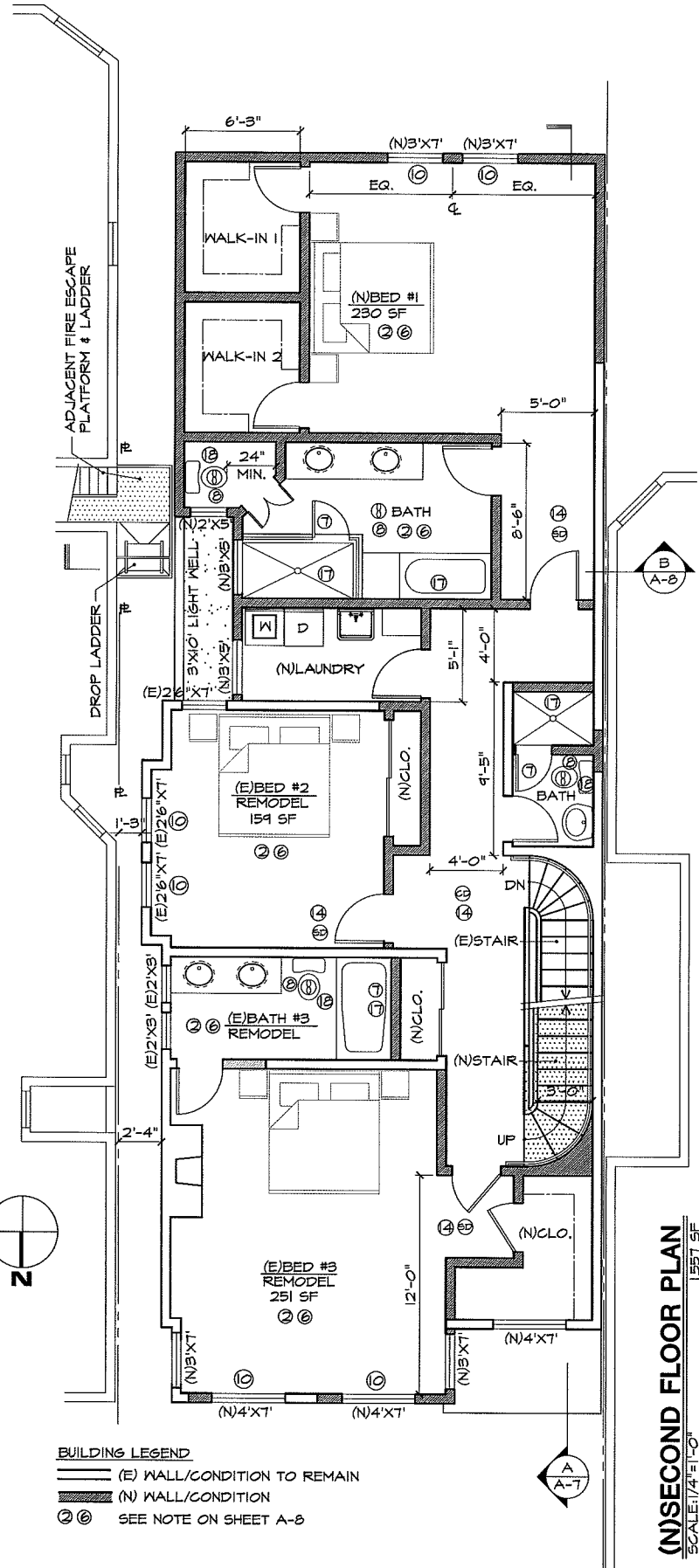
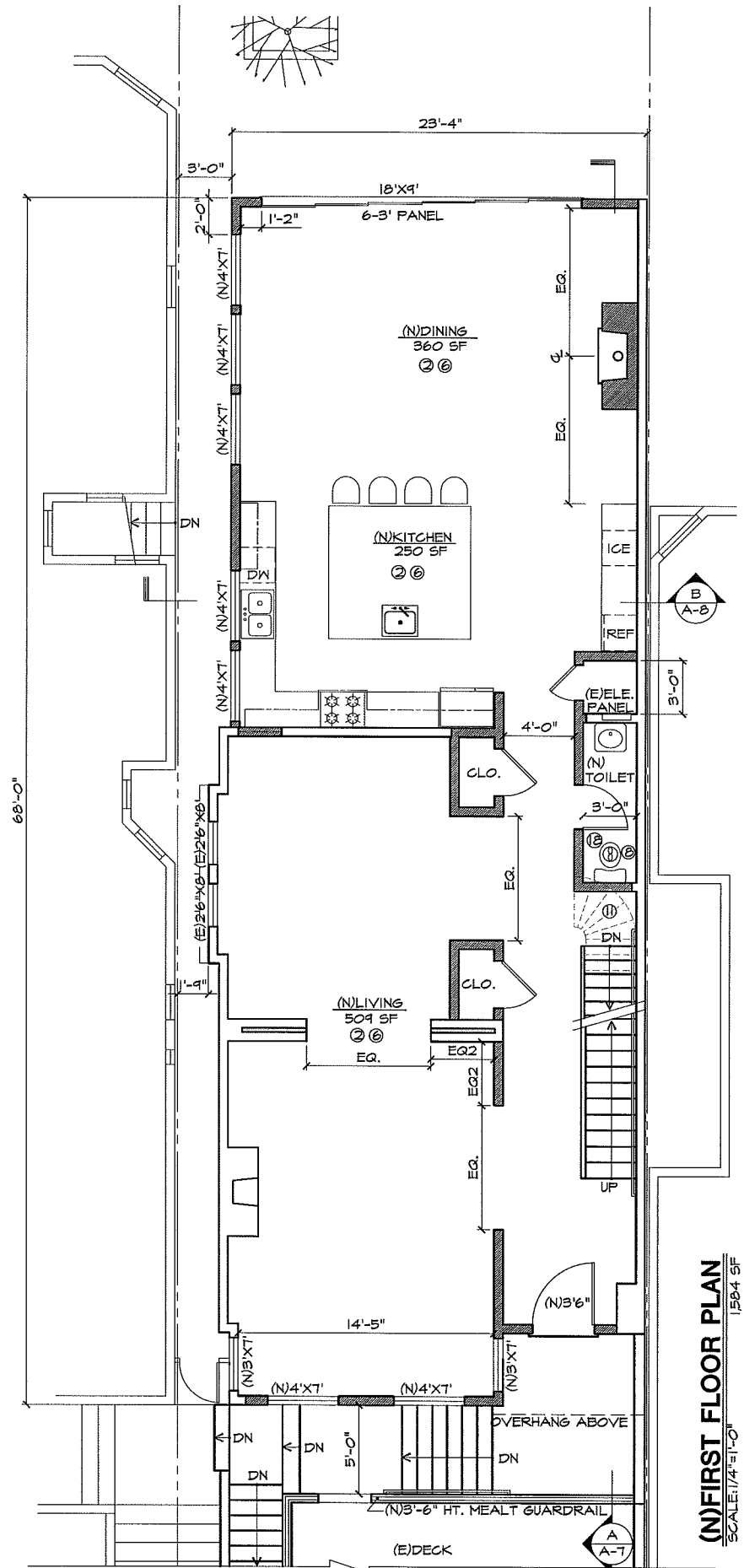
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**VAN T. LY & ASSOCIATES**  
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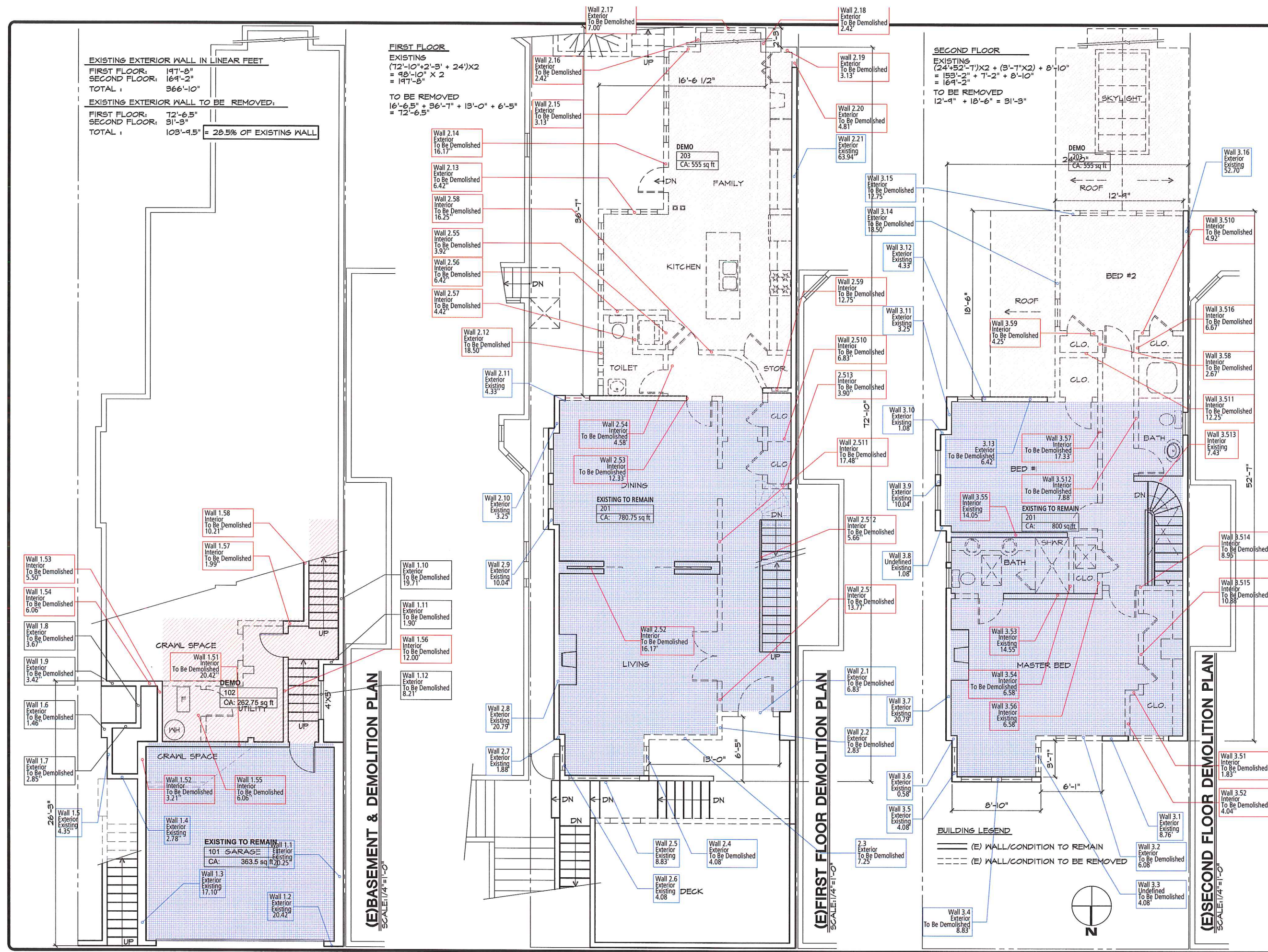
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**1973 BROADWAY STREET**  
**SAN FRANCISCO, CA 94109**

DRAWN
RH
CHECKED
VTL
DATE
MARCH 26, 2015
SCALE
AS NOTED
JOB NO.
SHEET
<del>A-2</del>
OF 14 SHEETS



**SHEET 7: 2015 APPROVED PROJECT BASEMENT, FIRST AND SECOND FLOORS FLOOR PLANS:**





REVISIONS	BY

VAN T. LY & ASSOCIATES  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94104  
TEL: (415) 468-5222  
EMAIL: van@vant.lyarchitect.com

LICENSED ARCHITECT  
C-26710  
5/2017  
RENEWAL DATE

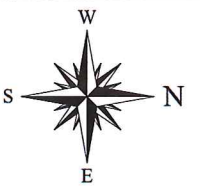
STATE OF CALIFORNIA

PORTER RESIDENCE RENOVATION  
1793 BROADWAY STREET  
SAN FRANCISCO, CA 94109

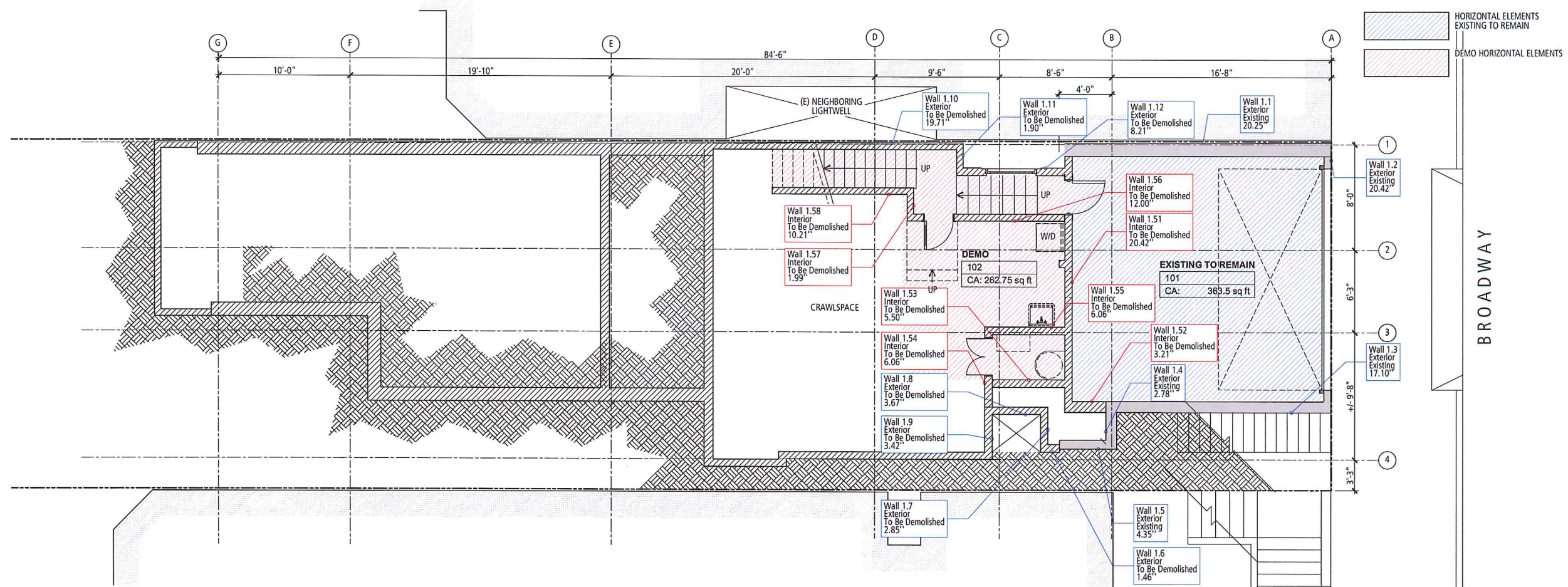
(E)DEMOLITION PLANS

DRAWN  
RH  
CHECKED  
VTL  
DATE  
MARCH 26, 2015  
SCALE  
AS NOTED  
JOB NO.  
SHEET  
D-1  
OF 14 SHEETS



[illegible]

**SHEET 8B**  
PROJECT NO. 2016.10  
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1 BASEMENT DEMOLITION PLAN  
SHEET 88

$$\frac{1}{4}'' = 1'-0''$$

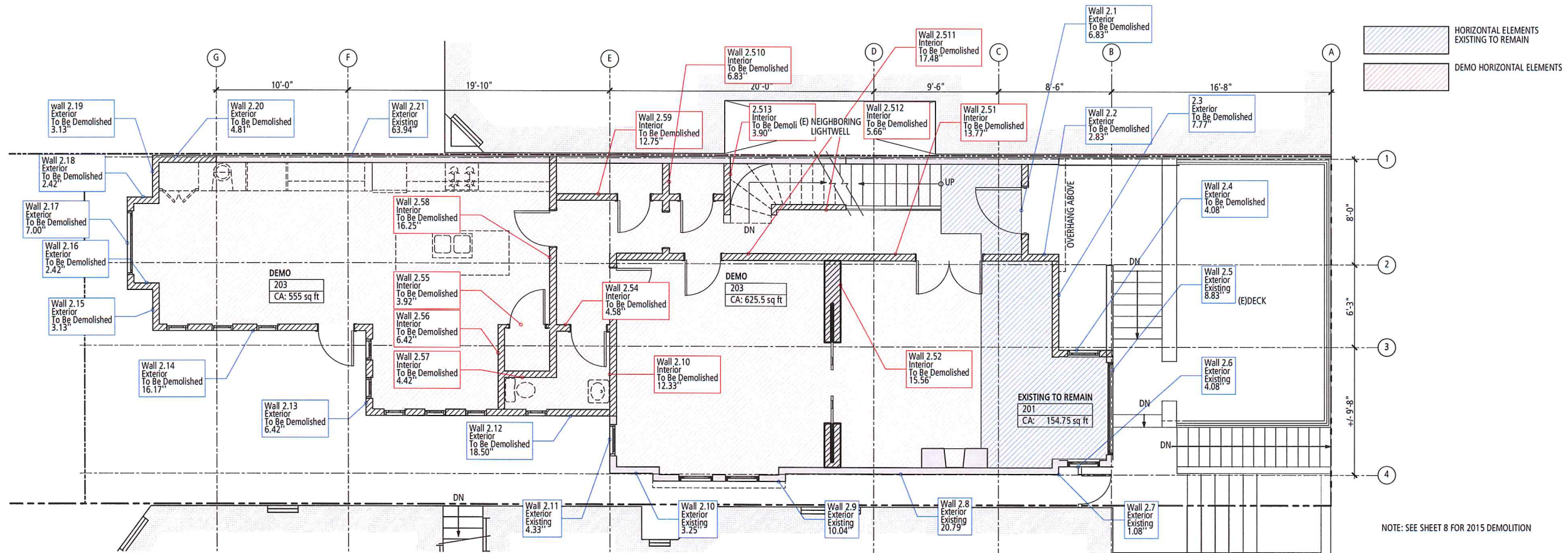




**SHEET 8C**  
PROJECT NO. 2016.10  
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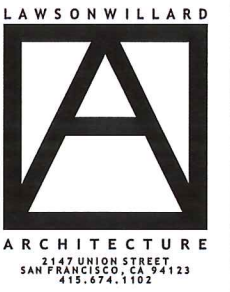






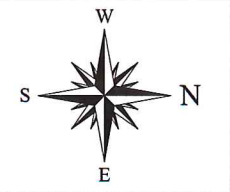
1 SECOND FLOOR BPA No. 201504153728

1/4" = 1'-0"



**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

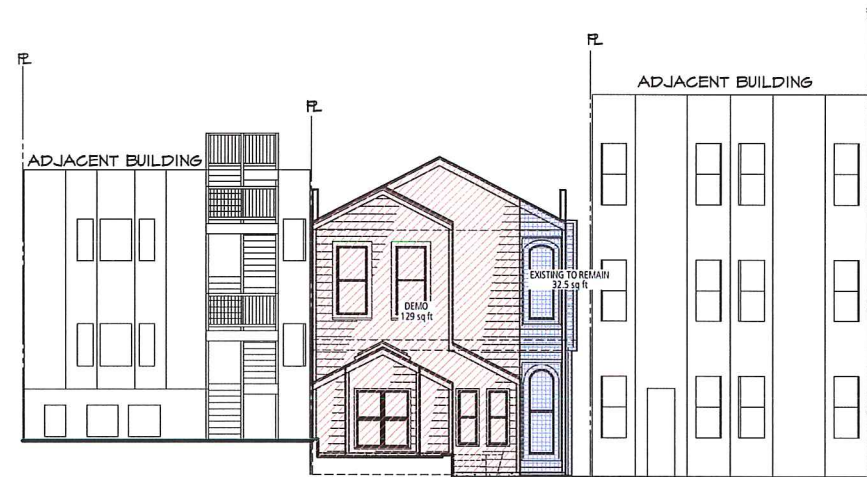
REV.	ISSUED FOR:	DATE:
1	NOTICE OF VIOLATION CORRECTION	08/06/2018



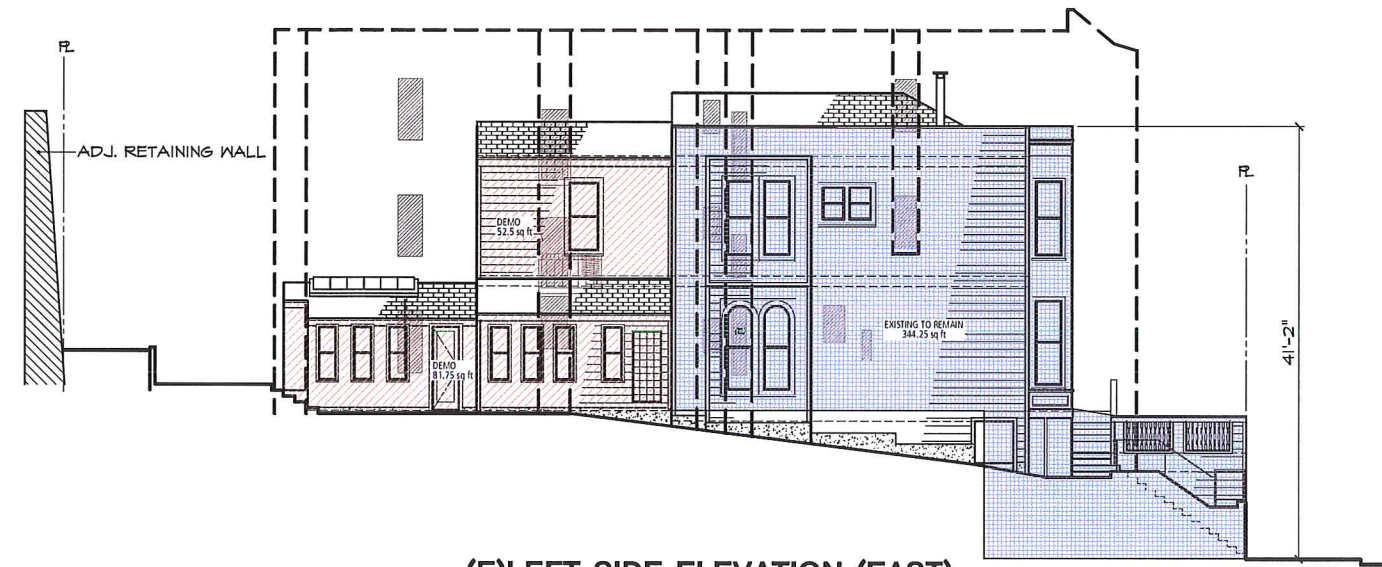
2018 PROPOSED PROJECT  
DEMOLITION HORIZONTAL  
AREA PLAN FOR FIRST  
FLOOR

**SHEET 9**  
PROJECT NO. 2016.10  
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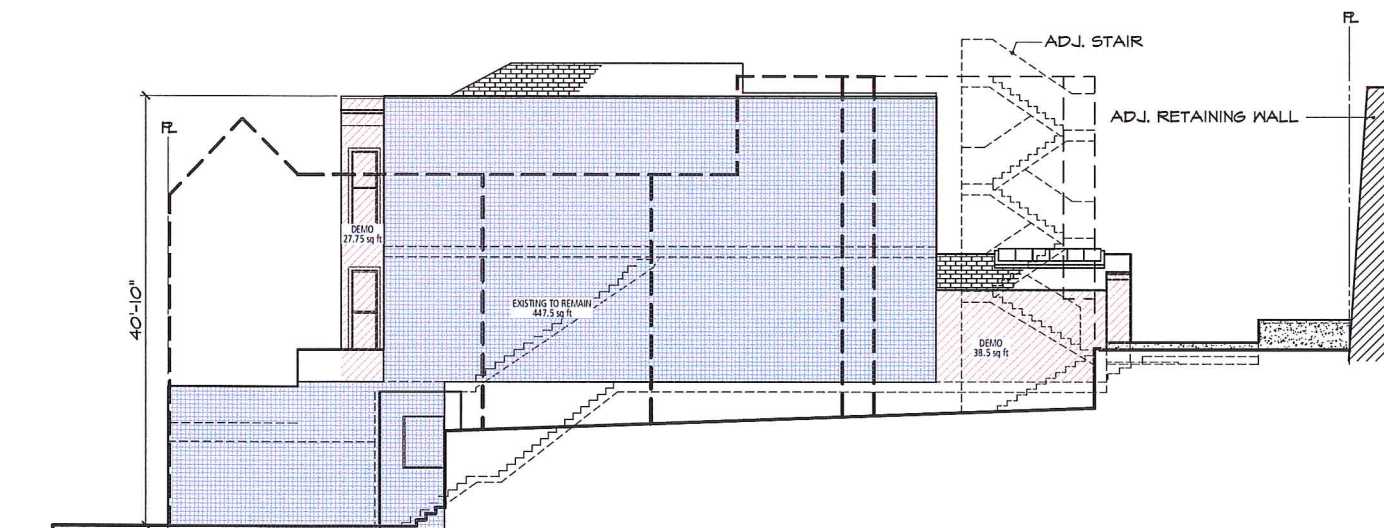
**(E)REAR ELEVATION (SOUTH)**  
SCALE: 1/8"=1'-0"



**(E)LEFT SIDE ELEVATION (EAST)**  
SCALE: 1/8"=1'-0"



**(E)FRONT ELEVATION (NORTH)**  
SCALE: 1/8"=1'-0"



**(E)RIGHT SIDE ELEVATION (WEST)**  
SCALE: 1/8"=1'-0"

REVISIONS	BY
NOV. 2, 2015	

VAN T. LY & ASSOCIATES  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415) 468-3222  
EMAIL: van@vantilyarchitect.com



1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109

(E)EXTERIOR ELEVATIONS

DRAWN RH
CHECKED VTL
DATE MARCH 26, 2015
SCALE AS NOTED
JOB NO.
SHEET
<b>E-2</b>
OF 14 SHEETS









C. LAWSON WILLARD License No. C 26756

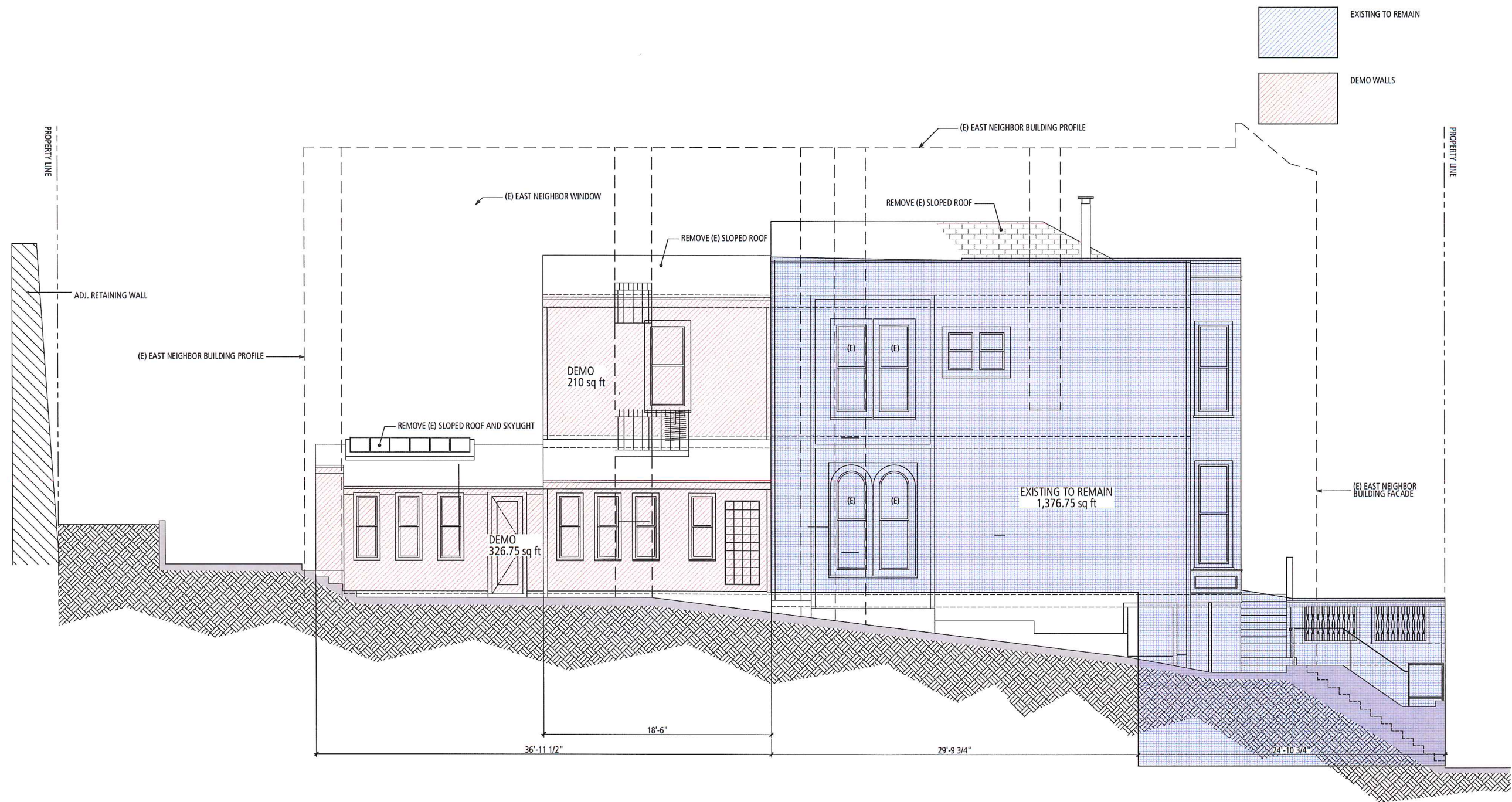
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

**2018 PROPOSED PROJECT  
DEMOLITION VERTICAL  
AREA PLANS FOR ALL  
EXTERIOR WALLS**

**SHEET 10C**

PROJECT NO. 2016.10



1  
SHEET 10C

EXISTING EAST EXTERIOR ELEVATION

---


$$1/4'' = 1'-0''$$



[illegible]

**SHEET 10D**  
PROJECT NO. 2016.10  
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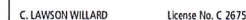


1  
SHEET 10D

EXISTING SOUTH EXTERIOR ELEVATION

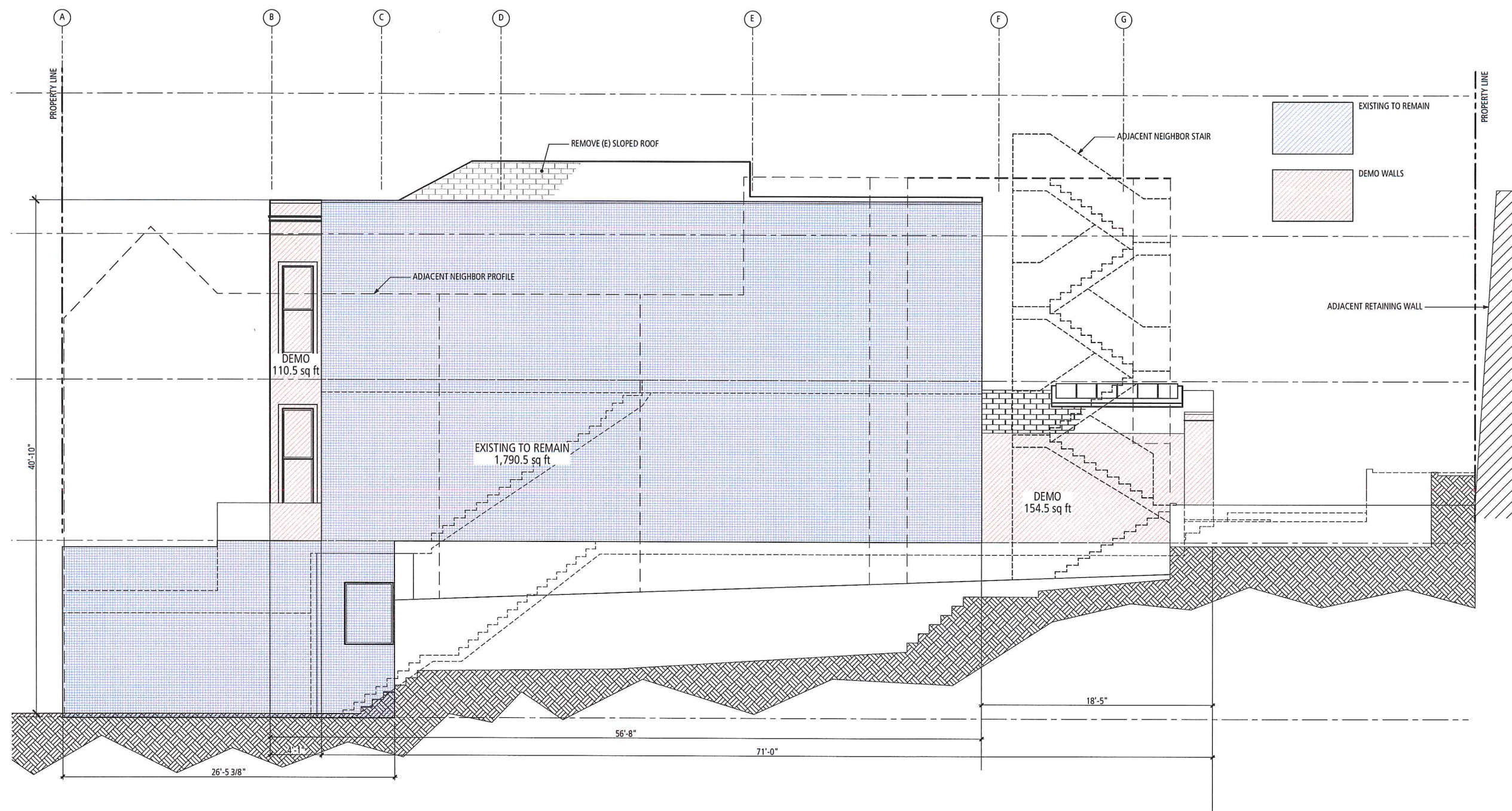
$$\frac{1}{4}'' = 1'-0''$$



[illegible]

**SHEET 10E**  
PROJECT NO.

2016.10



1  
SHEET 10E

EXISTING WEST EXTERIOR ELEVATION

$$\frac{1}{4}'' = 1'-0''$$



Third Floor Wall Length				
Third Floor	Wall	Orientation	Wall Length	Renovation Status
Exterior Walls	3.1	North	8.76	Existing To Remain
	3.2	North	6.08	To Be Demolished
	3.3	West	4.08	To Be Demolished
	3.4	North	8.83	Existing To Remain
	3.5	East	4.08	Existing To Remain
	3.6	North	0.58	Existing To Remain
	3.7	East	20.79	Existing To Remain
	3.8	North	1.08	Existing To Remain
	3.9	East	10.04	Existing To Remain
	3.10	South	1.08	Existing To Remain
	3.11	East	3.25	Existing To Remain
	3.12	South	4.33	Existing To Remain
	3.13	South	6.42	To Be Demolished
	3.14	East	18.50	To Be Demolished
	3.15	South	12.75	To Be Demolished
	3.16	West	52.70	Existing To Remain
	Total Walls:		163.35	
			115.52	Existing To Remain
			47.83	To Be Demolished
	% Demolished		29%	
			Total Wall Length	Total Wall Length To Be Demolished
		North	25.33	6.08
		East	56.66	18.50
		South	24.58	19.17
		West	55.78	4.08
				24%
				33%
				78%
				7%

Roof Area Calculations				
	Roof	Roof Area SF	Renovation Status	
Second Floor Roof		128.25	To Be Demolished	
		128.25	To Be Demolished	
		136.00	To Be Demolished	
Third Floor Roof		113.25	To Be Demolished	
		122.5	To Be Demolished	
		320.0	To Be Demolished	
		310.0	To Be Demolished	
		132.75	To Be Demolished	
		32.00	To Be Demolished	
Total		1423.00	Existing Roof	
		1423.00	Subtotal To Be Demolished	
		100%	% To Be Demolished	

Horizontal Element Calculations - 2015

	Existing SF	Demo SF	Remaining SF	% To Be Demolished
First Floor	626.25	282.75	363.50	42%
Second Floor	1335.75	555.00	780.75	42%
Third Floor	1046.00	246.00	800.00	24%
Totals:	3008.00	1083.75	1944.25	35%

Exterior Vertical Element Calculations

	Existing SF	Demo SF	Remaining SF	% To Be Demolished
North		248.75	248.75	
		780.25	780.25	
	Sub Total:	1029.00	248.75	780.25
East		210.00	210.00	
		326.75	326.75	
	Sub Total:	1376.75	536.75	1376.75
South		1913.50	516.00	128.50
	Sub Total:	645.50	516.00	128.50
West		110.50	110.50	
		1790.50		1790.50
	Sub Total:	154.50	265.00	1790.50
TOTAL:			1566.50	0.00
				28%

First Floor Wall Length

First Floor	Wall	Orientation	Wall Length	Renovation Status
Exterior Walls	1.1	West	20.25	Existing To Remain
	1.2	North	20.24	Existing To Remain
	1.3	East	17.10	Existing To Remain
	1.4	North	2.78	Existing To Remain
	1.5	East	4.35	Existing To Remain
	1.6	East	1.48	To Be Demolished
	1.7	South	2.85	To Be Demolished
	1.8	East	3.67	To Be Demolished
	1.9	North	3.42	To Be Demolished
	1.10	West	19.17	To Be Demolished
	1.11	North	1.90	To Be Demolished
	1.12	West	8.21	To Be Demolished
	Total Walls:		105.4	
			64.72	Existing To Remain
			40.68	To Be Demolished
	% Demolished		39%	
			Total Wall Length	Total Wall Length To Be Demolished
		North	28.34	5.32
		East	26.58	5.13
		South	2.85	2.85
		West	47.63	27.38
				19%
				19%
				100%
				57%

Second Floor Wall Length

Second Floor	Wall	Orientation	Wall Length	Renovation Status
Exterior Walls	2.1	North	6.83	To Be Demolished
	2.2	West	2.83	To Be Demolished
	2.3	North	7.25	To Be Demolished
	2.4	West	4.08	To Be Demolished
	2.5	North	8.83	Existing To Remain
	2.6	East	4.08	Existing To Remain
	2.7	North	1.88	Existing To Remain
	2.8	East	20.79	Existing To Remain
	2.9	East	10.04	Existing To Remain
	2.10	East	3.25	Existing To Remain
	2.11	South	4.33	To Be Demolished
	2.12	East	18.50	To Be Demolished
	2.13	South	6.42	To Be Demolished
	2.14	East	16.17	To Be Demolished
	2.15	South	3.13	To Be Demolished
	2.16	East	2.42	To Be Demolished
	2.17	South	7.00	To Be Demolished
	2.18	West	2.42	To Be Demolished
	2.19	South	3.13	To Be Demolished
	2.20	West	4.81	To Be Demolished
	2.21	West	63.94	Existing To Remain
	Total Walls:		202.13	
			117.14	Existing To Remain
	% Demolished		84.99	To Be Demolished
			Total Wall Length	Total Wall Length To Be Demolished
		North	24.79	14.08
		East	75.25	37.09
		South	24.01	19.68
		West	78.08	14.14
				57%
				49%
				82%
				18%

First Floor	Wall	Orientation	Wall Length	Renovation Status
Exterior Walls	1.1	West	20.25	Existing To Remain
	1.2	North	20.24	Existing To Remain
	1.3	East	17.10	Existing To Remain
	1.4	North	2.78	Existing To Remain
	1.5	East	4.35	Existing To Remain
	1.6	East	1.48	To Be Demolished
	1.7	South	2.85	To Be Demolished
	1.8	East	3.67	To Be Demolished
	1.9	North	3.42	To Be Demolished
	1.10	West	19.17	To Be Demolished
	1.11	North	1.90	To Be Demolished
	1.12	West	8.21	To Be Demolished
	Total Walls:		105.4	
			64.72	Existing To Remain
			40.68	To Be Demolished
	% Demolished		39%	
			Total Wall Length	Total Wall Length To Be Demolished
		North	28.34	5.32
		East	26.58	5.13
		South	2.85	2.85
		West	47.63	27.38
				19%
				19%
				100%
				57%

First Floor	Wall	Orientation	Wall Length	Renovation Status
Exterior Walls	1.1	West	20.25	Existing To Remain
	1.2	North	20.24	Existing To Remain
	1.3	East	17.10	Existing To Remain
	1.4	North	2.78	Existing To Remain
	1.5	East	4.35	Existing To Remain
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			64.72	Existing To Remain
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	% Demolished		39%	
			Total Wall Length	Total Wall Length To Be Demolished
		North	28.34	5.32
		East	26.58	5.13
		South	2.85	2.85
		West	47.63	27.38
				19%
				19%
				100%
				57%

	DATE:	November 16, 2018	
	PROJECT:	1973 Broadway	
	ARCHITECT:	Lawson Willard Architecture	
		RESIDENTIAL DEMOLITION AREA CALCULATIONS	
		FRONT & REAR FACADES - LINEAL FOUNDATION MEASUREMENTS	
	VERTICAL ELEMENTS	(E) LENGTH	REMOVED
B1	A: FRONT FAÇADE	78.48	25.48
	B: REAR FAÇADE	51.44	41.70
	EAST / WEST TOTAL (A+B)	129.90	67.18
		EXTERIOR WALLS - LINEAL FOUNDATION MEASUREMENTS	
	ELEMENT	(E) LENGTH	REMOVED
B2	C: EAST FAÇADE	158.49	41.70
	D: WEST FAÇADE	182.49	45.60
	E: NORTH FAÇADE	78.48	25.48
	F: SOUTH FAÇADE	51.44	41.70
	LINEAL TOTAL (C-F)	470.88	154.48
		VERTICAL ENVELOPE ELEMENTS - SURFACE AREA MEASUREMENTS	
	VERTICAL ELEMENTS	(E) AREA	REMOVED
C1	G: EAST FAÇADE	1913.50	536.75
	H: WEST FAÇADE	2055.50	265.00
	I: NORTH FAÇADE	1029.00	248.75
	J: SOUTH FAÇADE	645.50	516.00
	VERT. TOTAL (G-J)	5643.50	1566.50
		HORIZONTAL ELEMENTS - SURFACE AREA MEASUREMENTS	
	HORIZONTAL ELEMENTS	(E) AREA	REMOVED
C2	K: FIRST FLOOR	626.25	282.75
	L: SECOND FLOOR	1335.75	555.00
	M: THIRD FLOOR	1046.00	246.00
	N: THIRD FLOOR ROOF	1423.00	1423.00
	HORIZ. TOTAL (K-O)	4431.00	2486.75
	S.F.P.C. SEC. 317(b)(2) Definition "Demolition of Residential Buildings"		
	(2) "Demolition of Residential Buildings" shall mean any of the following:		
	(A) Any work on a Residential Building for which the Department of Building Inspection determines that an application permit is required, or		
	(B1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the sum of the Front Façade and Rear Façade and (B2) also proposes the Removal of more than 65% of the sum of all exterior walls, measured in lineal feet at the Foundation level, or		
	(C1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the Vertical Envelope Elements and (C2) more than 50% of the Horizontal elements of the existing building, as measured in square feet of actual surface area.		



C. LAWSON WILLARD  
License No. C 26756

Porter Residence  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE:
5	NOTICE OF VIOLATION CORRECTION	08/06/2018

2015 APPROVED PROJECT  
DEMOLITION  
CALCULATION TABLE.

SHEET 1

PROJECT NO. 2016.10  
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**PROJECT DATA**  
**ASSESSOR'S NUMBER**  
BLOCK: 518, LOT: 15  
1973 BROADWAY STREET, SAN FRANCISCO, CA 94109  
**EXISTING USE:**  
SINGLE FAMILY DWELLING  
**PROPOSE PROJECT:**  
- SIDE ADDITION AT FRONT AND REAR  
- NEW THIRD FLOOR ADDITION  
- NEW BASEMENT FLOOR  
- RENOVATION AND SEISMIC UPGRADE

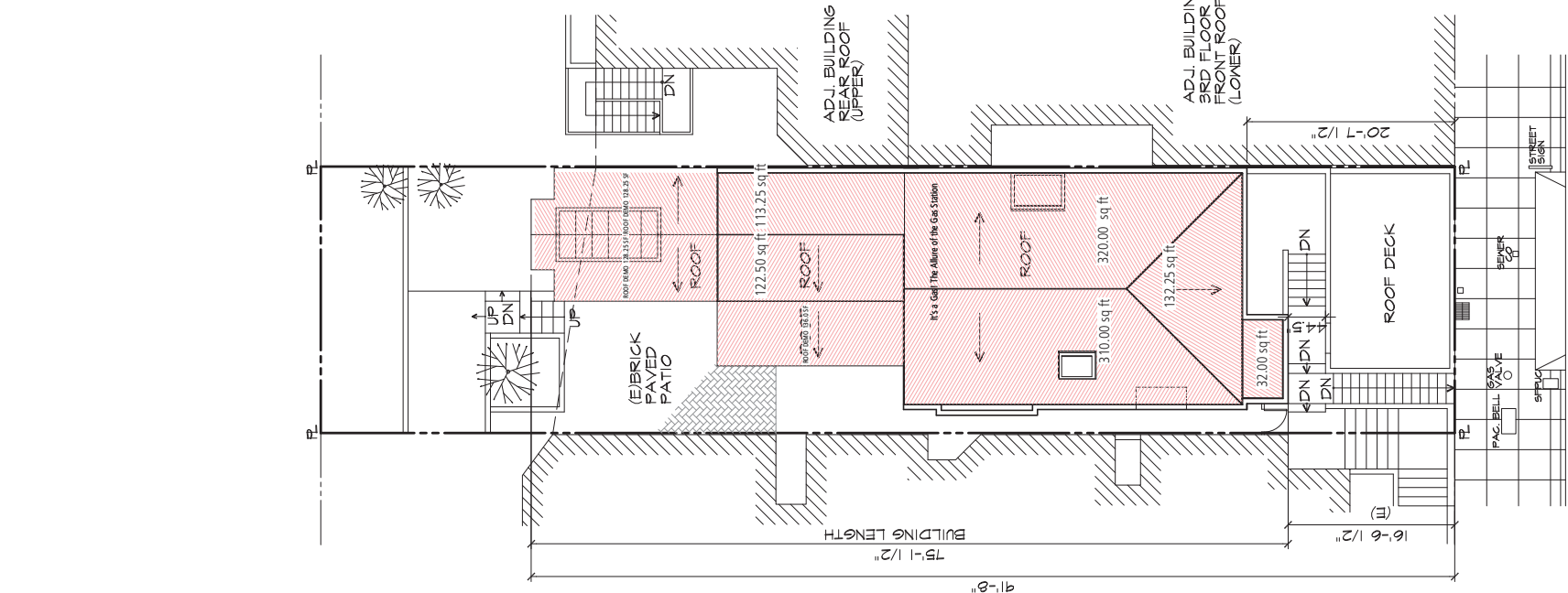
**SCOPE OF WORK**  
WIDEN FRONT STAIR AT FIRST FLOOR  
WIDEN FRONT BAY AT FIRST AND SECOND FLOORS  
SIDE ADDITION TO REAR AT THE EAST SIDE  
REDUCE BUILDING DEPTH ON FIRST FLOOR  
ADD NEW ENTERTAINMENT ROOM AT BASEMENT LEVEL  
INTERIOR RENOVATION TO THE EXISTING FIRST AND SECOND FLOORS

<b>PLANNING CHECK LIST</b>		
<b>ZONING:</b>	RM-2	
<b>LOT SIZE:</b>	26.464' X 112.550'	
<b>BUILDING CHECK LIST</b>	EXISTING	PROPOSE
	5B, R3	5B, + FULLY SPRINKLER R3
	30'-6"	41'-8"
<b>BUILDING HEIGHT:</b>		
<b>TYPE OF CONSTRUCTION:</b>	2 + STREET LEVEL GARAGE 3 + STREET LEVEL GARAGE + BASEMENT	
<b>CESS/ISSUE/OTHERS:</b>		
<b>NUMBER OF UNIT:</b>	1	
<b>WORK UNDER SEPARATE APPLICATION:</b> FULLY SPRINKLER SYSTEM NFPA 13R		

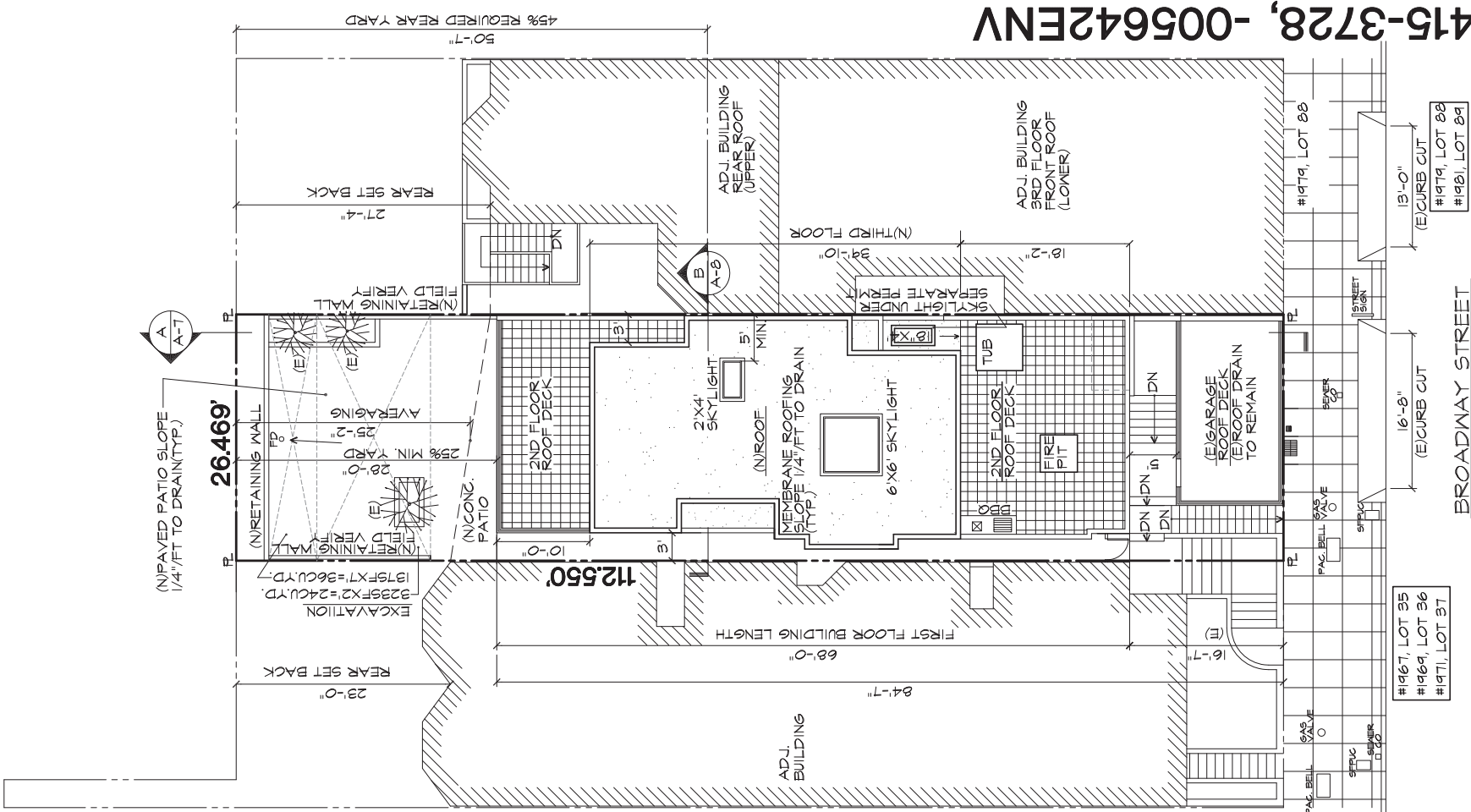
**APPLICABLE CODE:**  
2019 CALIF. BLDG. CODE & S.F. AMENDMENTS  
2019 CALIF. MECH. CODE & S.F. AMENDMENTS  
2019 CALIF. PLMBG. CODE & S.F. AMENDMENTS  
2019 CALIF. ELECTR. CODE & S.F. AMENDMENTS  
2019 CALIF. ENERGY CODE - TITLE 24  
2019 CALIF. RESIDENTIAL CODE

**DRAWING INDEX:**  
A-1: PROJECT DATA, (E)SITE & ROOF PLAN AND (N)SITE & ROOF PLAN  
A-2: (N)FLOOR PLANS  
A-3: (N)FRONT ELEVATION  
A-4: (N)REAR ELEVATION  
A-5: (N)LEFT SIDE ELEVATION  
A-6: (N)RIGHT SIDE ELEVATION  
A-7: (N)SECTION  
A-8: (N)BASEMENT PLAN, (N)SECTION, DETAILS  
A-9: RATED WALL & ROOF, AREA & EXIT  
A-10: WINDOW WITHIN 3 FEET, PRE-APPLICATION NOTE  
NOT PERMITTED NEIGHBOR ENCROACHMENT  
D-1: (E)FLOOR DEMOLITION PLANS  
E-1: (E)FLOOR PLANS  
E-2: (E)SECTION  
E-3: (E)EXTERIOR ELEVATIONS

**DPW**  
SUSAN NABEARY 11/13/2015 EMAIL  
\$1847 TREE FEE PAY TO DBI AT PERMIT STAGE.  
**PLANNING**  
JEANIE POLING 575-9072 MAY 5, 2015 EE/HRD APPLICATIONS COMPLETED  
TRANSFER FROM SARA VELLE TO WAYNE FARRENS, OCT. 26, 2015



**(E)SITE & ROOF PLAN**  
SCALE: 1/8"=1'-0"



**(N)SITE & ROOF PLAN**  
SCALE: 1/8"=1'-0"  
ALL MEMBRANE ROOF & PAVED PATIO  
SLOPE 1/4"/FT TO DRAIN (TYP.)



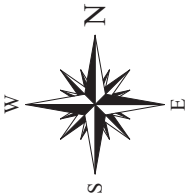






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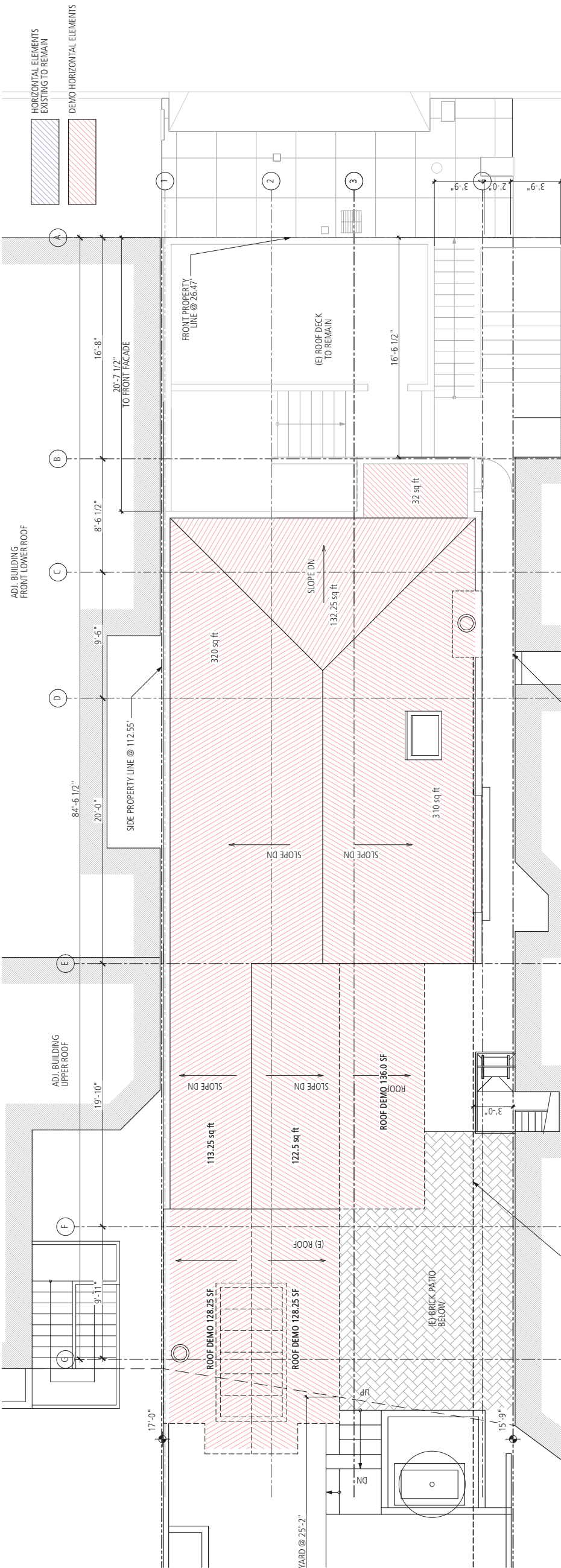
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

## 2018 EXISTING ROOF DEMOLITION PLAN

# SHEET 5B

PROJECT NO.	2016.10
-------------	---------



ROOF

SHEET 58

$$\underline{1/4'' = 1'-0''}$$

**VAN T LY & ASSOCIATES**  
ARCHITECT, AIA

---

8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL. (415) 466-3222  
EMAIL: [vantilyarchitect.com](mailto:vantilyarchitect.com)

A circular professional seal for the State of California. The outer ring contains the text "STATE OF CALIFORNIA" at the bottom and "LICENSED ARCHITECT" at the top. Inside the ring, the name "VAN T LY" is written in a large arc. Below the name is the license number "0-65701". To the right of the license number is the expiration date "5/31/07". At the bottom of the inner circle is the word "EXPIRATION".

(E)FLOOR PLANS

**(E) BASEMENT PLAN**  
SCALE: 1/4" = 1'-0"  
UTILITY: 199 SF  
GARAGE: 403 SF  
TOTAL: 602 SF

The basement plan shows a large garage area on the right, a utility room with a furnace (F) and water heater (WH), and two crawl spaces. Stairs lead up to the first floor. A north arrow is located in the upper right corner.

**(E) FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
1,437 SF

The first floor plan includes a living room, dining room, kitchen, family room, and a deck. It also features a bathroom, toilet, and storage areas. Stairs lead up to the second floor and down to the basement. A north arrow is located in the upper right corner.

**(E) SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
1,110 SF

The second floor plan shows a master bedroom, two other bedrooms (BED #1, BED #2), two bathrooms, and several closets. It also includes a drop ladder and a platform fire escape. A north arrow is located in the upper right corner.

REVISIONS	BY

VAN T. LY & ASSOCIATES

ARCHITECT, AIA

2 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415) 468-9222  
EMAIL: van@vantilyarchitect.com

LOGO

ARCHITECT

VAN T. LY

0-00710

2008

2014

2015

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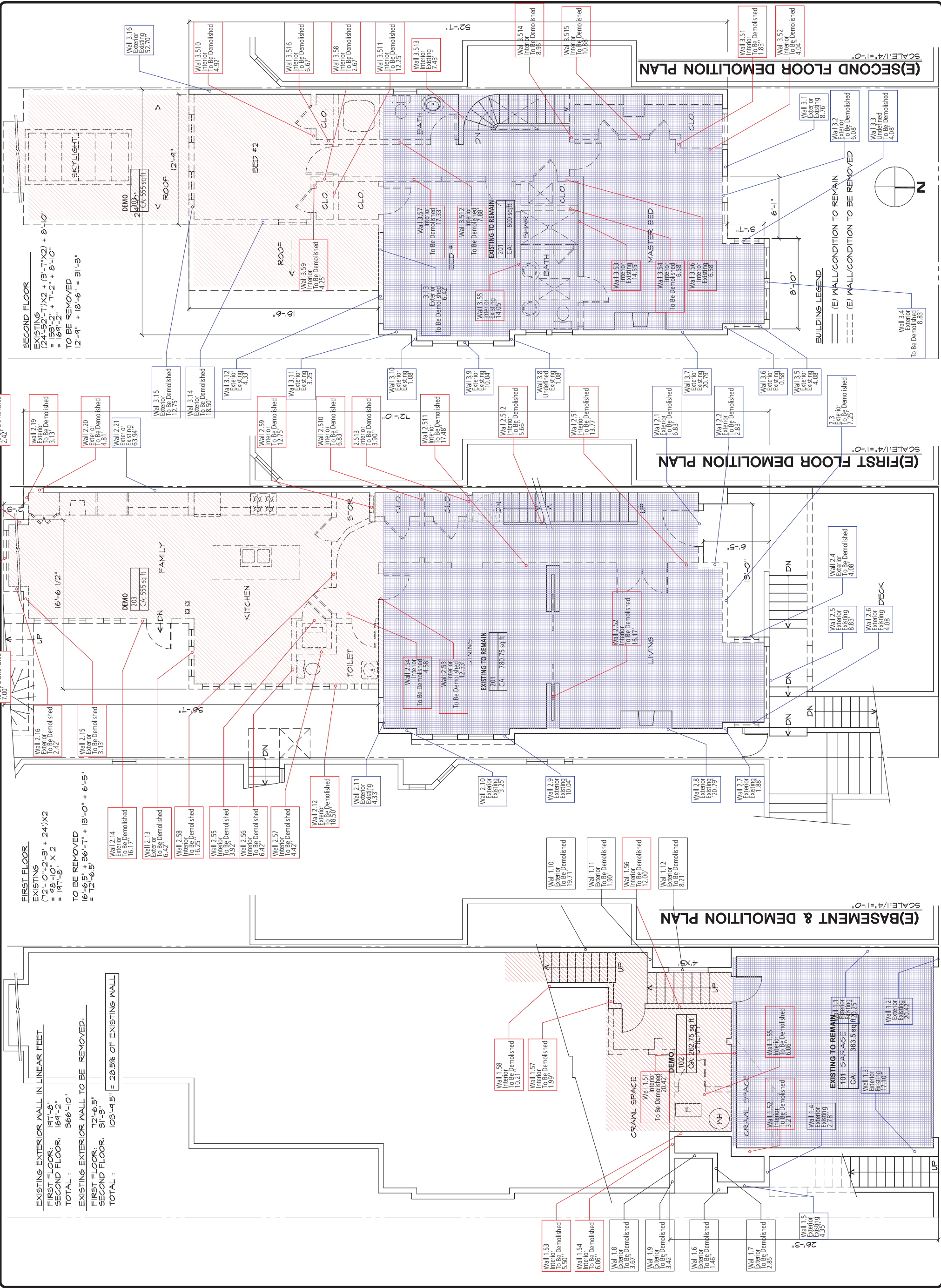
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REVISIONS	BY



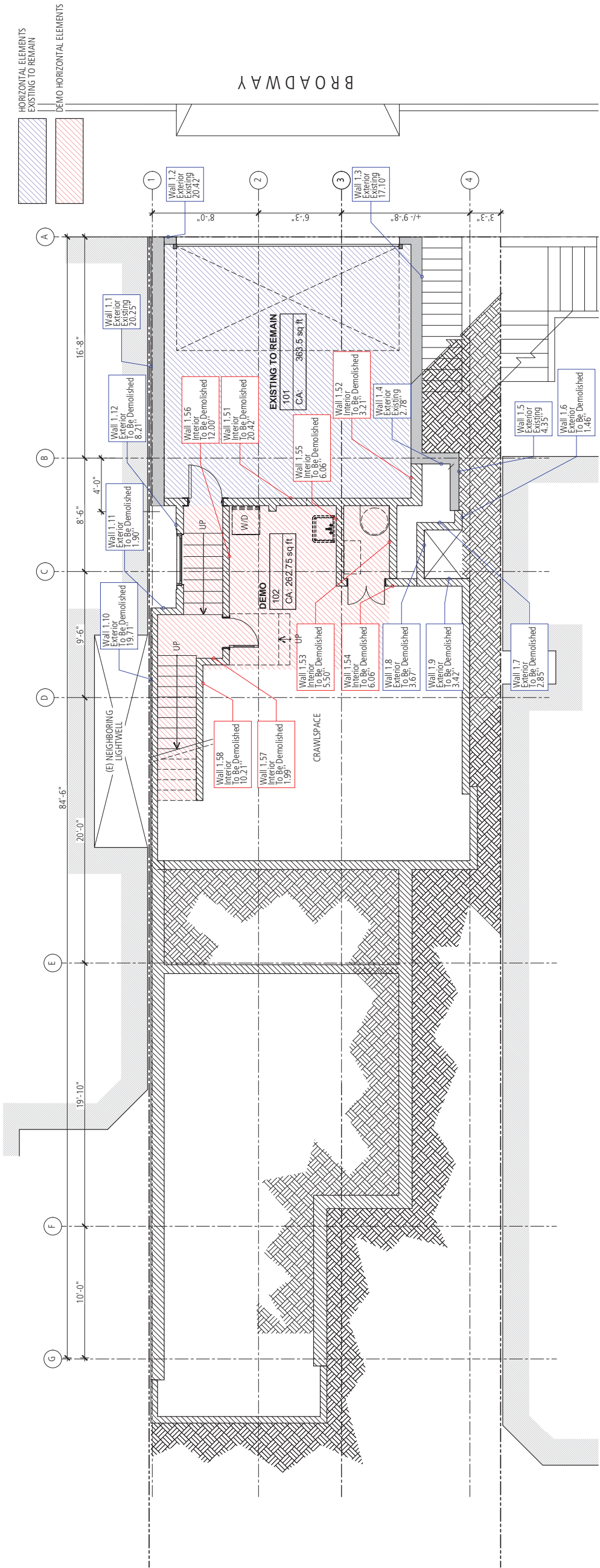
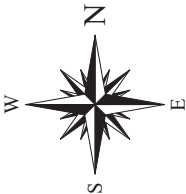
**(E)DEMOLITION PLANS**

PORTER RESIDENCE RENOVATION  
1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109

**VAN T. LY & ASSOCIATES**  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL. (415) 468-9222  
EMAIL: van@vontlyarchitect.com

DATE: MARCH 26, 2015  
SCALE: AS NOTED  
JOB NO.:  
SHEET: D-1  
SHEETS: 14

OWNER: RWH  
DESIGNED BY: VTL

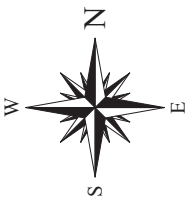


# BASEMENT DEMOLITION PLAN



C. LAWSON WILLARD  
License No. C 26756

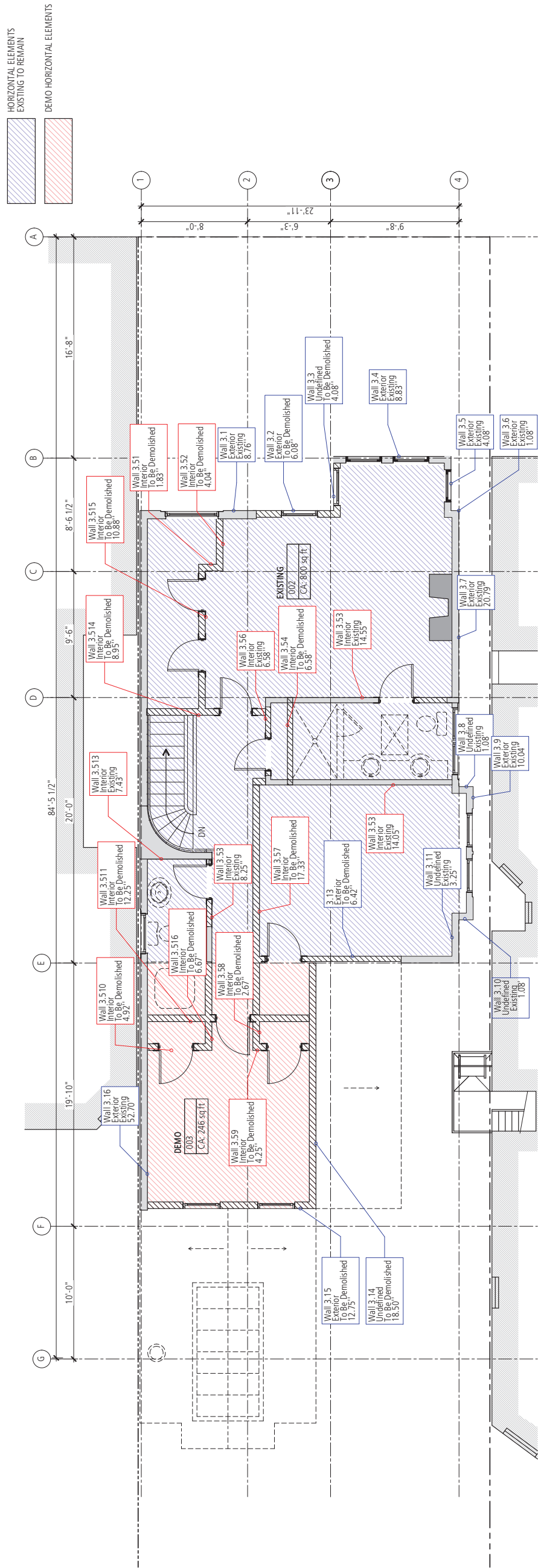
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

2018 PROPOSED  
DEMOLITION HORIZONTAL  
AREA PLANS FOR SECOND  
FLOOR

**SHEET 8C**

PROJECT NO.	2016.10
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## SECOND FLOOR DEMOLITION PLAN

SHEET 80

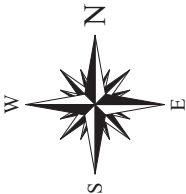
$$\overline{1/4''} = 1'-0''$$





C. LAWSON WILLARD  
License No. C 26756

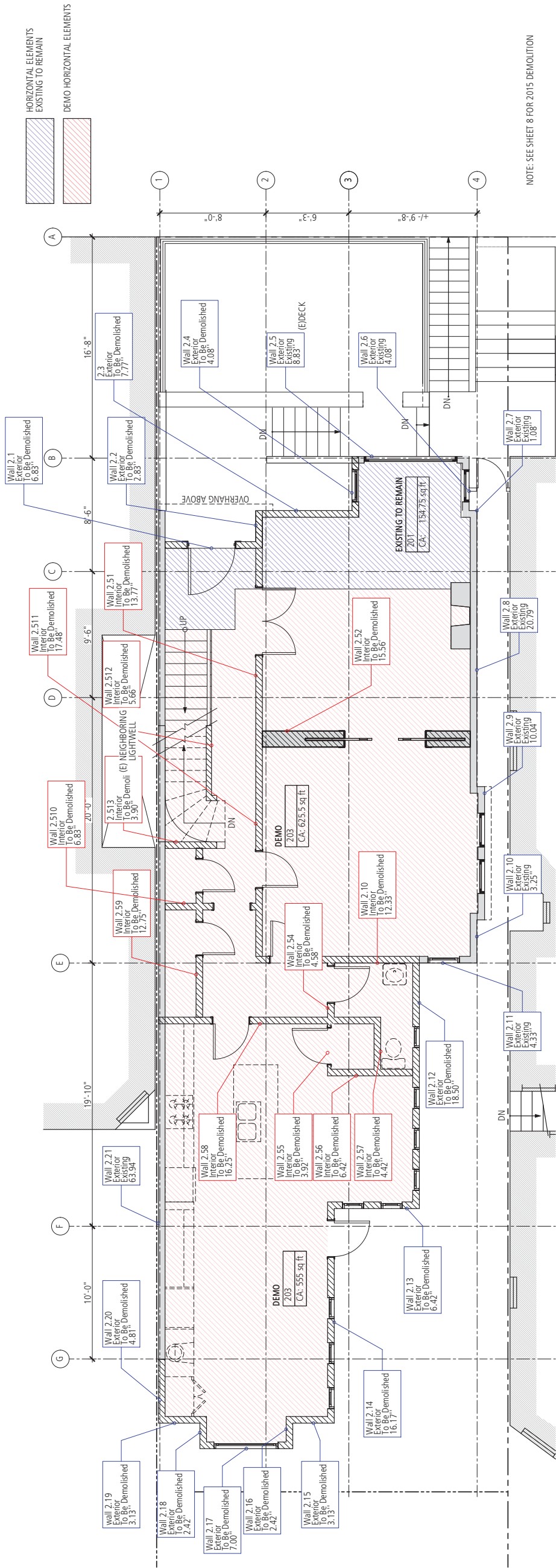
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

2018 PROPOSED PROJECT  
DEMOLITION HORIZONTAL  
AREA PLAN FOR FIRST  
FLOOR

# SHEET 9

PROJECT NO.	2016.10
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NOTE: SEE SHEET 8 FOR 2015 DEMOLITION

SECOND FLOOR BPA No. 201504153728

(SHEET 9)

$$\overline{1/4'' - 1'-0''}$$



REVISIONS	BY
NOV. 2, 2015	

VAN T. LY & ASSOCIATES

ARCHITECT, AIA

SAN FRANCISCO, CA 94134

8 BRUSSELS STREET

TEL. (415) 468-3222

EMAIL: van@vantilyarchitect.com

VAN T. LY

ARCHITECT

CO-OWNER

5/2011

MEMBER

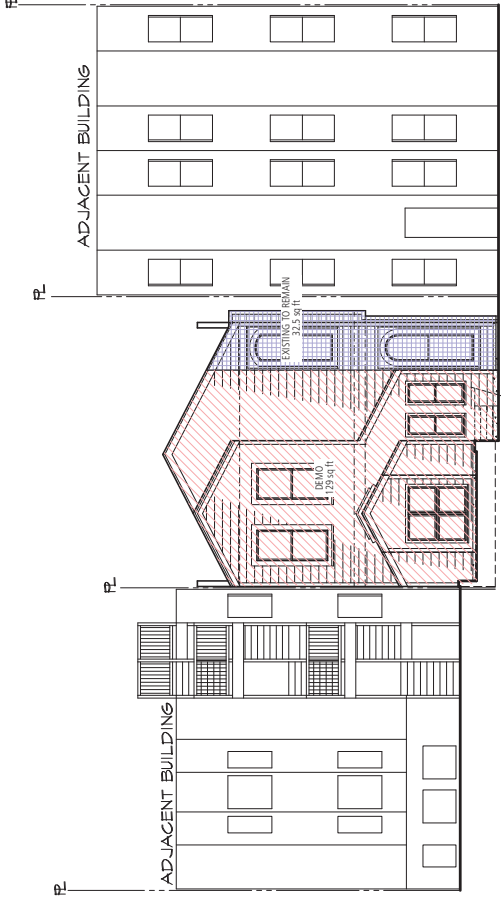
STATE OF CALIFORNIA

1973 BROADWAY STREET

SAN FRANCISCO, CA 94109

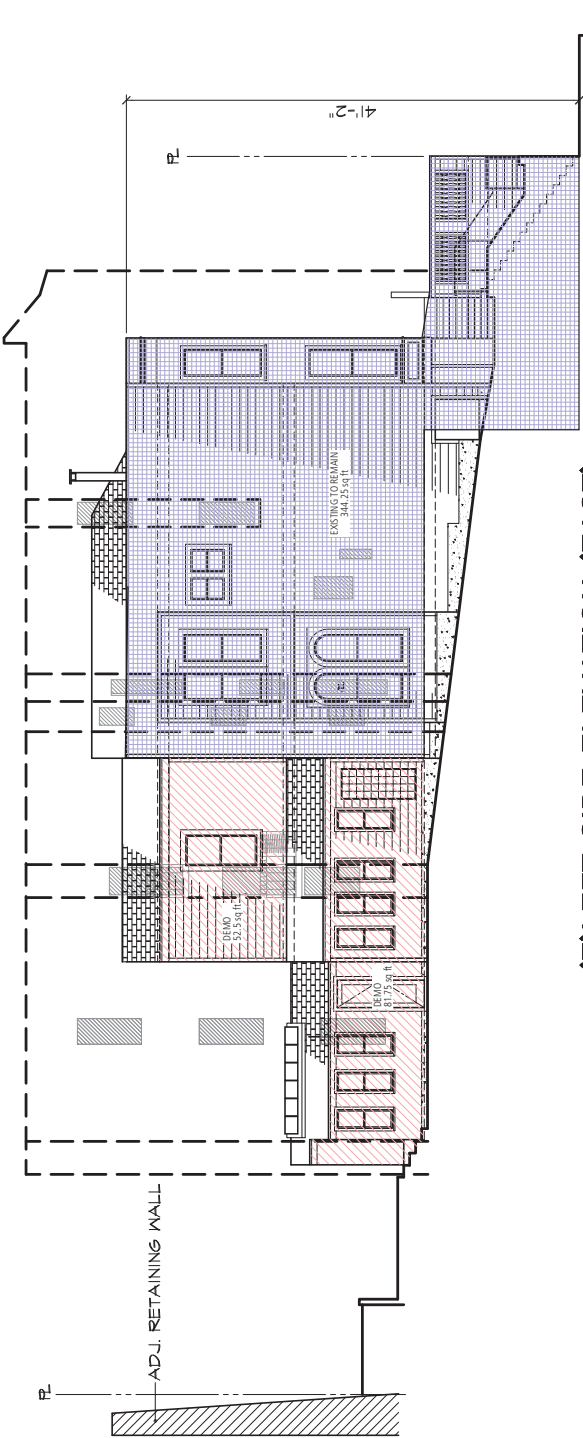
(E)EXTERIOR ELEVATIONS

DRAWN	RH
CHECKED	VTL
DATE	MARCH 26, 2015
SCALE	AS NOTED
JOB NO.	
SHEET	
<div>E-2</div> <div>of 14 SHEETS</div>	



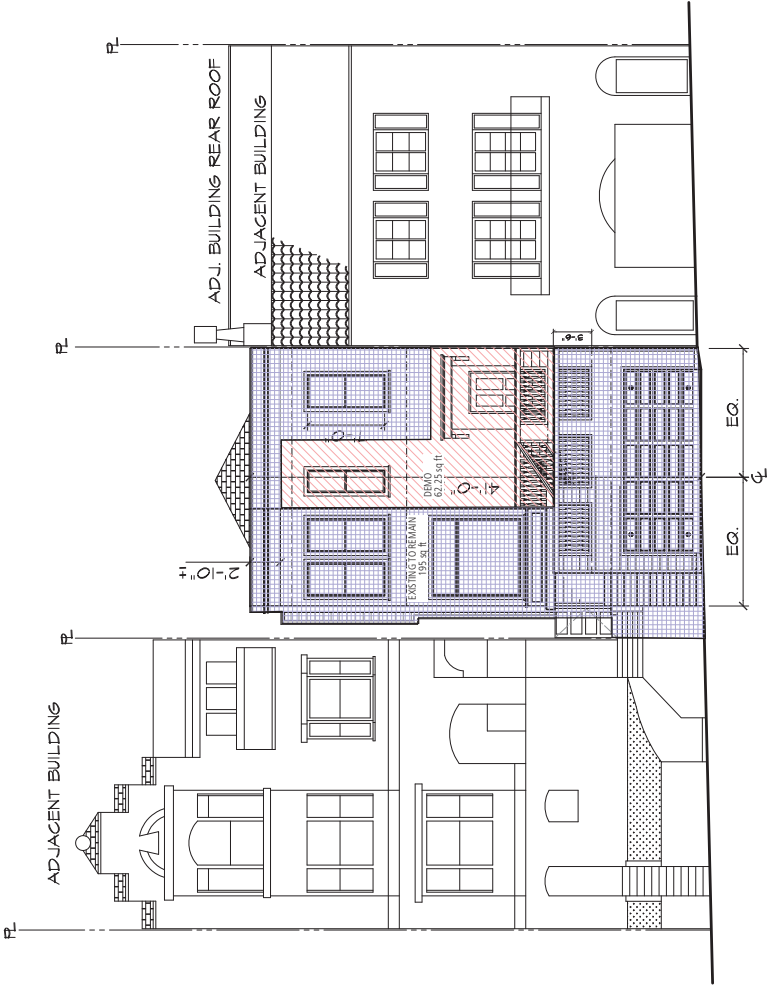
(E)REAR ELEVATION (SOUTH)

SCALE: 1/8" = 1'-0"



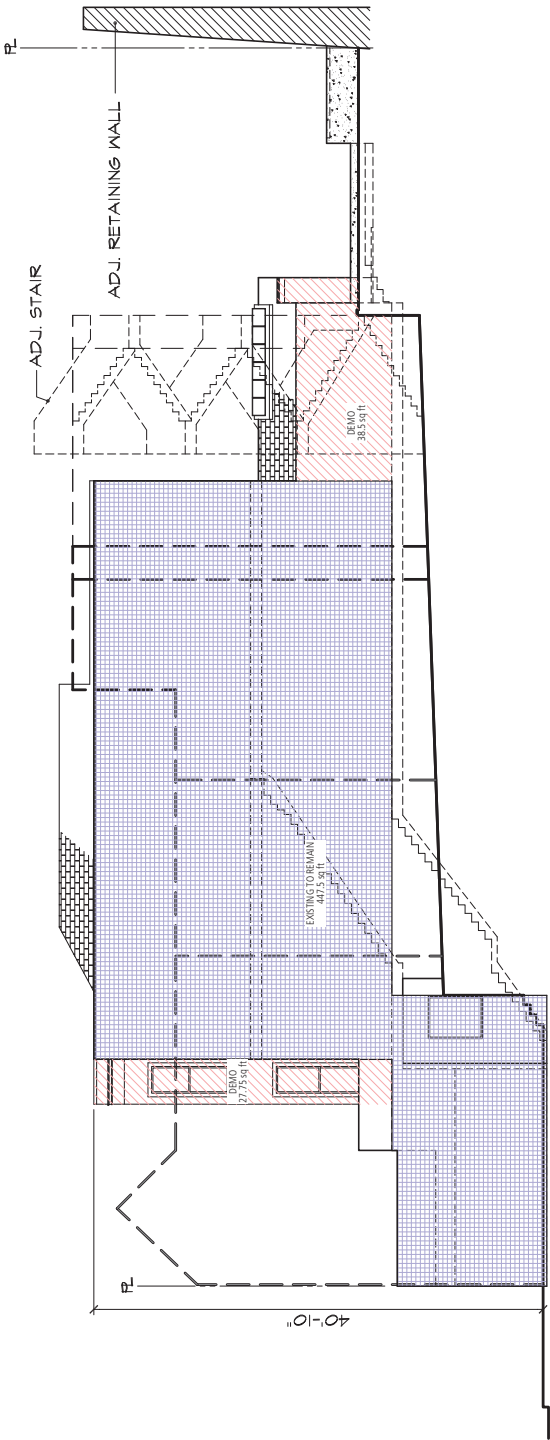
(E)LEFT SIDE ELEVATION (EAST)

SCALE: 1/8" = 1'-0"



(E)FRONT ELEVATION (NORTH)

SCALE: 1/8" = 1'-0"



(E)RIGHT SIDE ELEVATION (WEST)

SCALE: 1/8" = 1'-0"



C. LAWSON WILLARD  
License No. C 26756

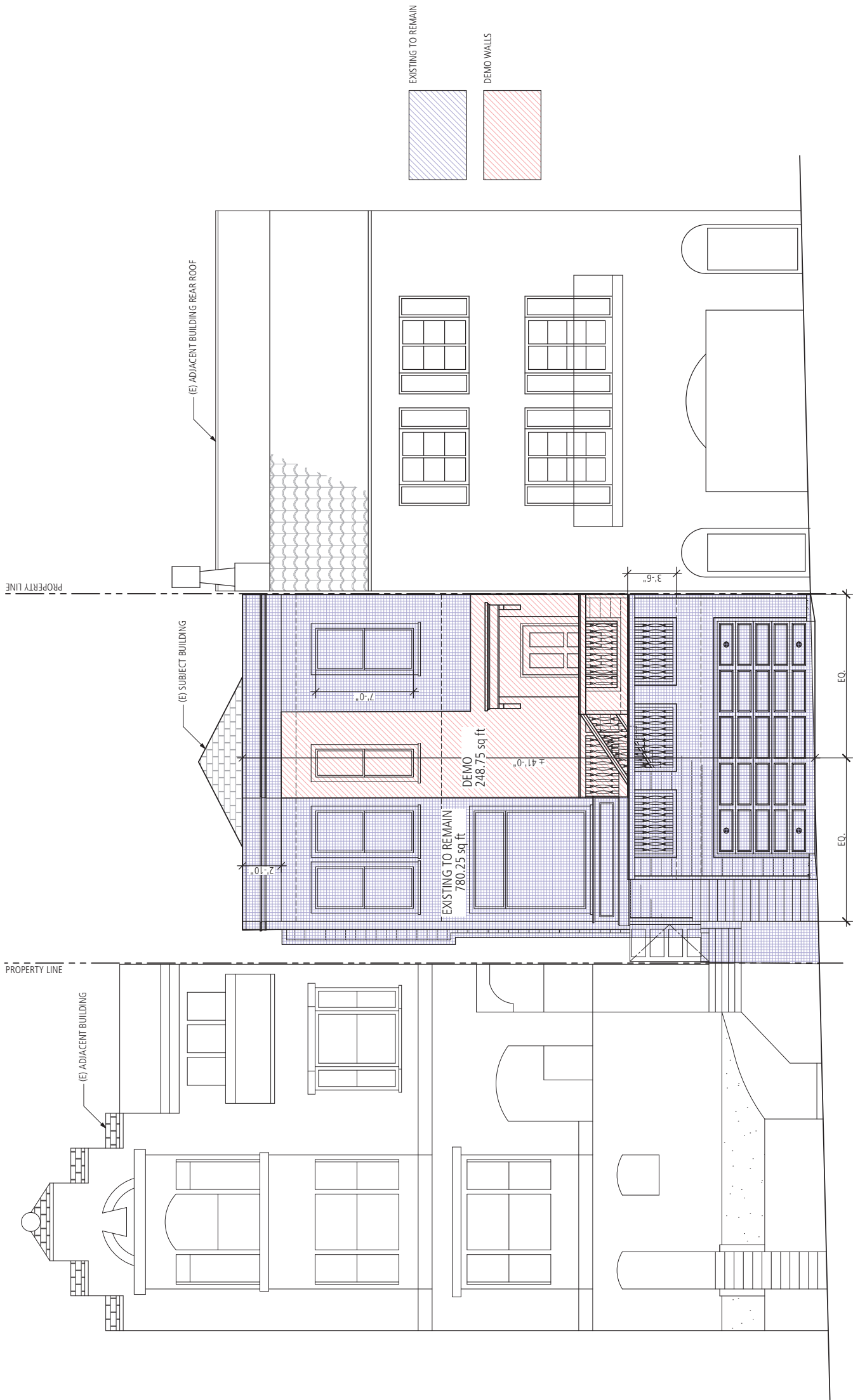
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

**2018 PROPOSED PROJECT  
DEMOLITION VERTICAL  
AREA PLANS FOR ALL  
EXTERIOR WALLS**

**SHEET 10B**

PROJECT NO.	2016.10
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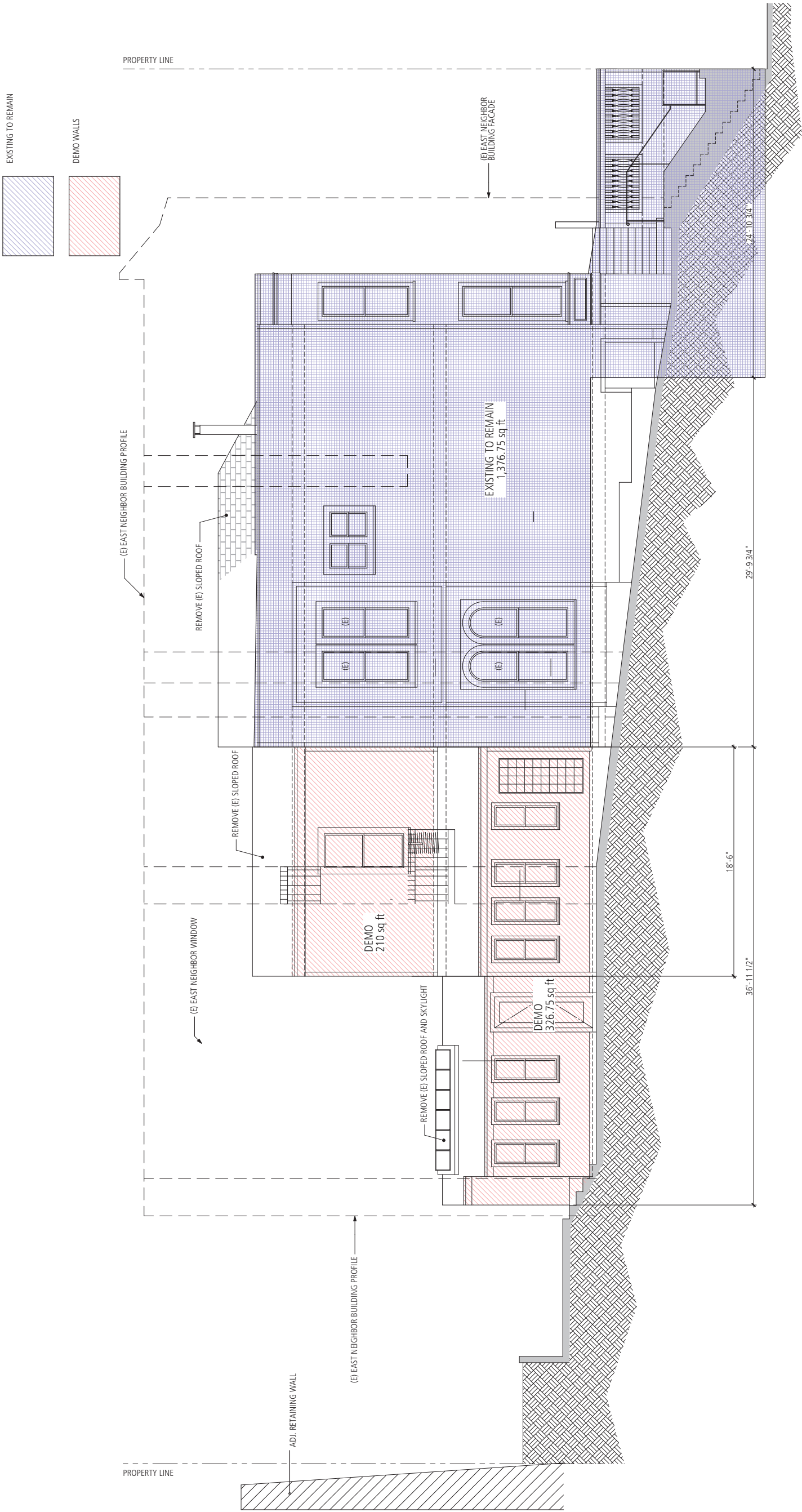
EXISTING NORTH EXTERIOR ELEVATION

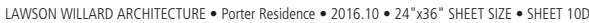
HEET 10B

$$\underline{1/4" = 1'-0"}$$

[illegible]

# SHEET 10C





1  
EXISTING SOUTH EXTERIOR ELEVATION  
SHEET 100

**SHEET 10D**

PROJECT NO.	2016.10
PROJECT NO.	2016.10

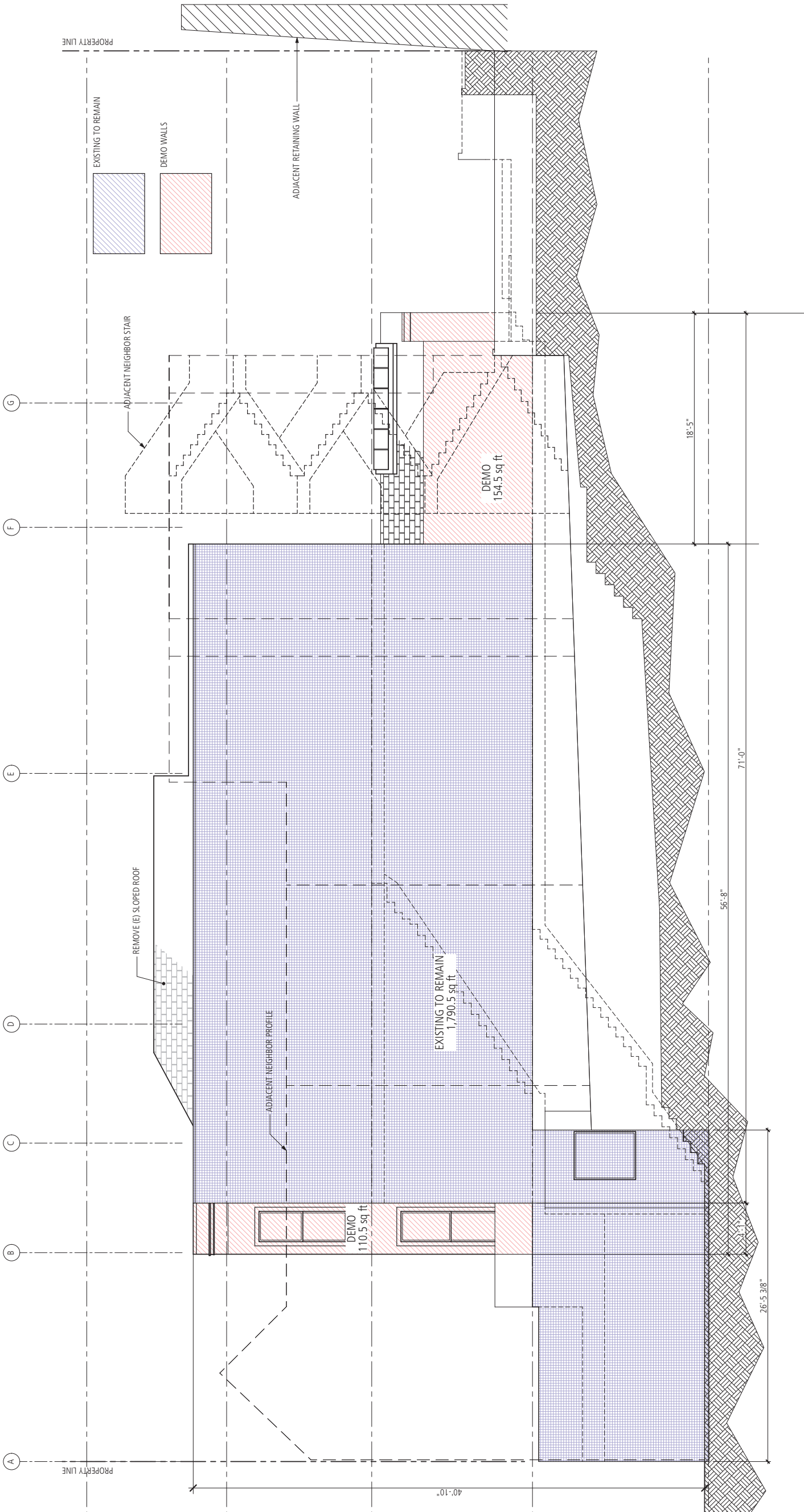
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SHEET 100





[illegible]

**2018 PROPOSED PROJECT  
DEMOLITION VERTICAL  
AREA PLANS FOR ALL  
EXTERIOR WALLS**



EXISTING WEST EXTERIOR ELEVATION

# ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

235 Montgomery Street, Suite 400  
San Francisco, California 94104  
Telephone (415) 956-8100  
Facsimile (415) 288-9755  
[www.zfplaw.com](http://www.zfplaw.com)

November 26, 2018

## **VIA HAND DELIVERY AND EMAIL**

President Rich Hillis  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Re: 1973 Broadway (Case No. 2018-002409DRP)  
Discretionary Review Request

Dear President Hillis and Members of the Planning Commission:

Please accept this letter in advance of the hearing of the above-captioned matter, related to a discretionary review request for a project at 1973 Broadway (the "Subject Property"). The owner of the Subject Property, Christopher Porter (the "Applicant"), proposes the retroactive legalization of demolition work that has already been performed without a permit (Permit App. No. 201806061104, the "Subject Permit"). This demolition work exceeded the scope of a separate permit for the Subject Property (Permit App. No. 2015504153728, the "2015 Permit").

Our office represents the Pacific Heights Condo Association ("Neighbor"), which has requested discretionary review of the Project. The Neighbor Property is a three-unit building at 1967/1969/1971 Broadway – directly adjacent to the Subject Property. The Neighbor requests discretionary review of the Subject Permit because the work at the Subject Property is a "demolition," as defined by the San Francisco Building Code § 103.A.3.1, and therefore requires a Conditional Use Authorization under Planning Code § 317. The Applicant should not be allowed to paper over unpermitted demolition work that has already occurred, and benefit from his wrongdoing. Moreover, the demolition work at the Subject Property has caused damage to the Neighbor Property. (Buscovich Dec., at ¶ 13, Exhibit C.)

### **Background**

The Applicant has obtained several building permits for a substantial renovation of the Subject Property (the "Project"). The Project involves gutting the interior of the Subject Property in order to build a vertical addition and side additions. On October 6, 2016, the 2015 Permit was

issued for this work. (Declaration of Patrick Buscovich S.E. at ¶ 4). Addenda were subsequently issued for “Foundation” on August 16, 2017 and for “Architecture / Structure / T-24 / Final” on December 7, 2017. Work began at the Subject Property in late 2017.

The Project has created problems from day one, leading to numerous Notices of Violation being issued to the Applicant by DBI. These NOVs included an NOV for “exceeding [the] scope of demo” (Complaint No. 201857641, Buscovich Decl., Exh. A), and an NOV for causing settlement of the Neighbor Property, in violation of SFBC § 3307.1. (Complaint No. 201874161, Buscovich Decl., Exh. A.) The Applicant also blocked the Neighbor’s fire exit for several months.

On June 6, 2018, the Applicant applied for the Subject Permit to retroactively legalize the unlawful demolition work that had been performed at the Subject Property. On July 3, 2018, the Zoning Administrator requested that DBI suspend the 2015 Permit because the construction work at the Subject Property had “exceeded the scope of work approved under the subject permit.” (Buscovich Decl., Exh. B.) To wit, the Applicant had exceeded the scope of the demolition work authorized by the 2015 Permit, by unlawfully demolishing 625.5 square feet of the second floor horizontal element and interior walls. (Buscovich Decl., ¶ 10; DBI Complaint Nos. 201876832; 201857641.)

On August 27, 2018, the Neighbor requested discretionary review of the Subject Permit.

### **Discretionary Review Request**

Discretionary Review is appropriate because:

1. The Subject Permit would authorize demolition work for which Conditional Use Authorization is required.
2. The Subject Permit would authorize demolition work at the Subject Property that exceeds the noticing threshold of section 311(b)(1), without issuance of a 311 Notice.
3. The Applicant should not be allowed to benefit from performing unpermitted demolition work in an unsafe manner.

It is exceptional and extraordinary for a project sponsor to perform unlawful demolition work – work that exceeds the SFBC threshold for a “demolition” – and to then to expect no consequences. This unlawful demolition should not be rewarded and papered over with an after-the-fact permit. In recent determinations involving unpermitted demolition work, the Planning Commission has required project sponsors to restore the building to its previous envelope.

The Subject Permit would authorize demolition work for which Conditional Use Authorization is required

Section 317 of the Planning Code requires Conditional Use Authorization to be obtained for any demolition of a residential building. The definition of “demolition” in § 317(b)(2) includes “Any work on a Residential Building for which the Department of Building Inspection determines that an application for a demolition permit is required.” That is, work triggers the SFBC definition of “demolition,” Planning Code § 317 requires a CU Authorization for that project.

Work constitutes a demolition under SFBC § 103A.3.2, and therefore the Planning Code, if it involves:

. . . the total tearing down or destruction of a building containing one or more residential units, **or any alteration which destroys or removes . . . principal portions of an existing structure** containing one or more residential units.

(Emphasis added.)

The “principal portion” is:

. . . that construction which determines the shape and size of the building envelope (such as the exterior walls, roof and interior bearing elements), or that construction which alters two-thirds or more of the interior elements (such as walls, partitions, floors or ceilings).

Because the Planning Code references the SFBC, § 317 is engaged when a demolition has occurred under the SFBC definition, as per § 103A.3.2. (Buscovich Decl., ¶ 9.) Under the 2015 Permit, the Applicant was approved to demolish the rear of the second floor of the Subject Property, and leave the front part of the second floor intact. The scope of demolition work approved under the 2015 Permit was already approaching the demolition threshold. (Buscovich Decl., ¶ 7.)

The Subject Permit proposes to demolish a further 625.5 square feet of the Subject Property. The Project meets the § 103A.3.2 definition because the Applicant has demolished more than two-thirds of the interior elements of the Subject Property. (Kirby Decl., ¶ 8.) Moreover, the Applicant provided incorrect demolition calculations to City staff that obscure this fact. On Sheet A0.013 of the demolition calculations for the Subject Permit, the Applicant claims that only 31.7% of the interior walls on the second floor have been removed. (Kirby Decl., ¶ 9) In reality, 100% of these walls were removed. (Id.)

Given the Applicant has also removed 82% of the interior walls on the first floor, and 61.5% of the interior walls on the third floor, the Project has removed over 80% of the Subject



Property's interior elements, well in excess of the SFBC's two-thirds threshold. (Kirby Decl., ¶ 10.) Further, according to the Applicant's demolition calculations, 70.49% of the Subject Property's horizontal elements (i.e. the floors and the roof) are to be demolished. If the demolition of these elements is also taken into account, the total scope of the interior demolition work amounts to 75.53% – still in excess of the demolition threshold. (Kirby Decl., ¶ 13.)

This means that a demolition permit would have been required, had the full scope of demolition work contemplated at the Subject Property been disclosed. The Applicant did not obtain a demolition permit, and seeks to correct this violation by applying for the Subject Permit – an alteration permit. However the demolition work the Applicant seeks to legalize has already occurred.

The Applicant subsequently submitted a revised plan set for the demolition that completely omits the calculations for the interior wall removal. (Kirby Decl., 12.) However, these second floor interior walls have already been removed. (2ch Decl., ¶ 10.) The removal of interior elements, including walls, is relevant to whether a demolition has occurred under the SFBC. (Kirby Decl., ¶ 13.) The Applicant's calculations do not acknowledge the full scope of the demolition of the Subject Property. (Id.)

A project applicant should not be rewarded for avoiding the permitting requirements for residential demolitions. SFBC § 103A.3 expressly sets out to prevent what the Applicant is attempting to accomplish here – the post hoc legalization of an unpermitted demolition, with the only consequence being slightly more paperwork for the Applicant. The Planning Department should not approve this Project unless and until DBI has determined that it is not a demolition under SFBC § 103A.3.2. (Buscovich Decl., ¶ 16.)

The Applicant proposes significant additions to the Subject Property, including two new roof decks. (Buscovich Decl., ¶ 4.) The majority of the proposed new fourth floor area is not bedroom space; rather, it is described on the plans as “entertainment seating,” leading out to a roof deck with a hot tub and fire pit. (Buscovich Decl., ¶ 4.) That is, this aspect of the Project is not necessary to add bedrooms to the existing house. The Applicant is asking the Planning Department to simply overlook the unpermitted work performed so that the Project can be built as planned, without being reduced in scope. Discretionary Review is appropriate in these circumstances.

The Subject Permit would authorize demolition work at the Subject Property that exceeds the noticing threshold of section 311(b)(1).

Planning Code § 311(b)(1) requires 311 neighborhood notification for any alteration that would remove “more than 75 percent of a residential building's existing interior wall framing or

the removal of more than 75 percent of the area of the existing framing.” As set out above, the Project has already removed in excess of 80% of the Subject Property’s interior framing. (Kirby Decl., ¶ 10.) This means that a 311 Notice should have been sent to all properties within 150 feet of the subject lot. (Planning Code § 311(c)(2)(A).) No such notice was sent, and the Subject Permit should be re-noticed in accordance with § 311. The Planning Commission should not allow the Applicant to skirt the rules for noticing demolition work.

The Applicant should not be allowed to benefit from performing unpermitted demolition work in an unsafe manner.

Finally, discretionary review is appropriate because the work undertaken on the Subject Property has damaged the Neighbor Property. Not only has the Applicant performed unpermitted demolition work, this work was performed in an unsafe manner that has undermined the foundations of the Neighbor Property.

The Applicant has a duty to protect the Neighbor’s foundations from damage during construction, remodeling and demolition work. (SFBC § 3307.1.) The Applicant’s excavation and foundation work has resulted in a partial loss of subjacent and lateral support to the foundation of the Neighbor Property, causing settlement of at least 1/4". (Buscovich Dec., ¶ 13.) This has caused damage to the Neighbor Property, including: settlement of foundation footings; cracking in walls; shifting of interior doors; and the second-floor exit window to the Neighbor Property’s fire escape has shifted and cannot be opened. (Id.)

After DBI inspected the Subject Property, it issued Notice of Violation No. 201874161 because the work at the Subject Property was causing settlement at Neighbor Property (Buscovich Dec., ¶ 15).

The policy reasons for not allowing the Applicant benefit from an unpermitted demolition apply with even greater force where, as here, the Applicant has damaged adjacent properties. The Applicant has cut corners in relation to both the permitting of his Project and the protection of adjacent properties. It is appropriate for the Planning Commission to take DR and limit the Project to the size of the previous building envelope.

### **Conclusion**

The Applicant has skirted the Planning Code rules, performed illegal demolition work, failed to give proper notice, and submitted inaccurate demolition calculations in connection with the Subject Permit. As a result of the Applicant’s actions, the Neighbor’s foundations have been damaged.

The Applicant should not be allowed to paper over his unlawful demolition with the Subject Permit. There are exceptional and extraordinary circumstances that necessitate

President Rich Hillis  
November 26, 2018  
Page 6

discretionary review of the Subject Permit, and the Neighbor respectfully requests that the Planning Commission take DR.

Truly yours,

ZACKS, FREEDMAN & PATTERSON, PC



---

Sarah M. K. Hoffman

Enclosures:

Declaration of Mason Kirby

Declaration of Patrick Buscovich, S.E.

cc: David Winslow  
Principal Architect  
Design Review | Citywide and Current Planning  
San Francisco Planning Department  
1650 Mission Street, Suite 400 | San Francisco, California, 94103

Denis Shanagher  
Duane Morris LLP  
Spear Tower  
One Market Plaza, Suite 2200  
San Francisco, CA 94105-1127

1 I, Patrick Buscovich, declare as follows:

2 1. I am a licensed civil and structural engineer, practicing for more than 38  
3 years in the State of California. I make this declaration in support of the above-captioned  
4 appeal. Unless otherwise stated, I have personal knowledge of the facts stated herein and,  
5 if called as a witness, could and would testify competently thereto.

6 2. I have visited 1973 Broadway, San Francisco (the "Subject Property") on  
7 numerous occasions and observed the conditions at the Subject Property. I have  
8 inspected the soil, foundation, and partial foundation improvements at the Subject  
9 Property in connection with the renovation work at the Subject Property.

10 3. Between approximately April 2018 and today, I requested and obtained  
11 copies of official records related to the Subject Property from the San Francisco  
12 Department of Building Inspection. I have reviewed the permit applications and plans  
13 related to the Subject Property, including Permit No. 201806061104 (the "Subject  
14 Permit"), and related demolition plans and calculations.

15 4. On October 6, 2016, Site Building Permit 201504153728 was issued for a  
16 vertical addition for a new bedroom, a new seating room with a new full bath, side  
17 additions, and interior facade renovation, with a value of \$880,000. Addenda were  
18 subsequently issued for "Foundation" on August 16, 2017 and for "Architecture /  
19 Structure / T-24 / Final" on December 7, 2017. The Applicant proposes significant  
20 additions to the Subject Property, including two new roof decks. The majority of the  
21 proposed new fourth floor area is not bedroom space; rather, it is described on the plans  
22 as "entertainment seating," leading out to a roof deck with a hot tub and fire pit.

23 5. Numerous Notices of Violation have been issued in relation to the Subject  
24 Property, including an NOV for "exceeding [the] scope of demo" in April 2018.  
25 (Complaint No. 201857641. Attached as **Exhibit A** is a true and correct copy of the DBI  
26 complaint records for the Subject Property, obtained from the San Francisco Department  
27 of Building Inspection's permit tracking website on November 26, 2018.  
28

1           6.       On July 3, 2018, the Zoning Administrator requested that DBI suspend the  
2 2015 Permit because the construction work at the Subject Property had “exceeded the  
3 scope of work approved under the subject permit.” (A true and correct copy of the Zoning  
4 Administrator’s letter is attached hereto as **Exhibit B.**)

5           7.       Under the 2015 Permit, the Applicant was approved to demolish the rear of  
6 the second floor of the Subject Property, and leave the front part of the second floor  
7 intact. The scope of demolition work approved under the 2015 Permit was already  
8 approaching the demolition threshold, particularly if the front roof (which has not yet  
9 been demolished) is included.

10          8.       The Planning Code and San Francisco building Code set out two different  
11 thresholds for a demolition. The definition of “demolition” in Planning Code § 317(b)(2)  
12 includes “Any work on a Residential Building for which the Department of Building  
13 Inspection determines that an application for a demolition permit is required.” Work  
14 constitutes a demolition under SFBC § 103A.3.2, and therefore the Planning Code, if it  
15 involves:

16                   . . . the total tearing down or destruction of a building  
17 containing one or more residential units, **or any**  
18 **alteration which destroys or removes . . . principal**  
19 **portions of an existing structure** containing one or  
20 more residential units.

21                   (Emphasis added.)

22          The “principal portion” is:

23                   . . . that construction which determines the shape and  
24 size of the building envelope (such as the exterior  
25 walls, roof and interior bearing elements), or that  
26 construction which alters two-thirds or more of the  
27 interior elements (such as walls, partitions, floors or  
28 ceilings).

9           9.       The Planning Department considers both the Planning Code and DBI  
10 definitions. And because the Planning Code references the SFBC, § 317 is engaged when  
11 a demolition has occurred under the SFBC definition, as per § 103A.3.2.



1           10.     The Applicant has exceeded the scope of the demolition work authorized  
2 by the 2015 Permit, by unlawfully demolishing an additional 625.5 square feet of the  
3 second floor horizontal element and interior walls. This additional work demolished the  
4 portion of the second floor that was to remain under the 2015 Permit.

5           11.     The Permit Holder had already completed all demolition work referred to in  
6 the Subject Permit prior to applying for the Subject Permit, except for the front roof  
7 demolition. When the front roof is removed, it is my professional opinion that this will  
8 constitute a demolition under SFBC § 103A.3.2. (In any case, it is likely that the removal  
9 of the interior walls and floors already meets the SFBC demolition threshold.)

10          12.     On my visits to the Subject Property, I observed that the Applicant had  
11 gutted the interior of the building on the Subject Property, removing the rear façade and  
12 most of the interior walls and floors, including the second floor interior walls and floor.

13          13.     The Applicant also excavated along the property line between the Subject  
14 Property and the adjacent property at 1967-1969-1971 Broadway (the “Neighbor  
15 Property”). The Applicant’s excavation of the Subject Property has resulted in a partial  
16 loss of subjacent and lateral support to the foundation footing of the building upon the  
17 Neighbor Property. As a result of the construction work, the Neighbor Property has  
18 sustained damage, including: settlement of foundation footings; cracking in walls;  
19 shifting of interior doors; and the second-floor exit window to the Neighbor Property’s  
20 fire escape has shifted and cannot be opened. (Attached hereto as **Exhibit C** are true and  
21 correct copies of photographs I took in April 2018, which show some of the damage to  
22 the Neighbor Property.) The excavations threaten to cause further cracking and  
23 subsidence to the Neighbor Property. We have installed shoring protection for the  
24 Neighbor Property and are working to fix the foundation issues.

25          14.     The Project has failed to exercise reasonable care in the manner in the  
26 excavation and construction work has been performed at the Subject Property (SFBC  
27 § 3307.1). The Project has failed to adequately protect portions of the Neighbor Property  
28

1 from damage during construction, remodeling and demolition work, including protection  
2 for footings or foundations.

3 15. After DBI inspected the Subject Property, it issued Notice of Violation No.  
4 201874161 for the excavation work, because the work at the Subject Property was  
5 causing settlement at the Neighbor Property.

6 16. The Planning Department cannot approve this Permit unless and until DBI  
7 has determined for the Planning Department that it is not a demolition under SFBC  
8 § 103A.3.2.

9 17. Also attached as **Exhibit D** is a true and correct copy of my curriculum  
10 vitae.

11 I declare, under penalty of perjury under the laws of the State of California that the  
12 foregoing is true and correct.

13  
14  
15 Dated: November 26, 2018

16  
17   
18 Patrick Buscovich  
19  
20  
21  
22  
23  
24  
25  
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27  
28

# **EXHIBIT A**

**COMPLAINT DATA SHEET****Complaint Number: 201882152**

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:

Location: 1973 BROADWAY \*

Block: 0578

Lot: 015

Site:

Rating:

Occupancy Code:

Received By: Suzanna Wong

Division: BID

Complainant's Phone:

Complaint Source: DCP REFERRAL

Assigned to

Division: BID

Description: Work exceed scope of permit

Instructions: Referral from DCP. Issued suspension request for 201504153728 under DBI Complaint 201876832; 201857641 closed 06/05/18 for complaint regarding work exceeding scope of demo# 201504153728. Please arrange to re-inspect.

**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	BIRMINGHAM	6330	4	

**REFERRAL INFORMATION****COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
08/02/18	CASE OPENED	BID	Birmingham	CASE RECEIVED	
08/03/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	case reviewed, to be investigated by district inspector. cm/slw
08/06/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	Jobsite was locked up and no construction activity was going on at the time of the site inspection.
08/15/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	revision permit has been applied for to address violation

**COMPLAINT ACTION BY DIVISION****NOV (HIS):****NOV (BID):**

Inspector Contact Information

[Online Permit and Complaint Tracking home page.](#)**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

**COMPLAINT DATA SHEET****Complaint Number:** 201876832Owner/Agent: OWNER DATA  
SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA  
SUPPRESSED

Date Filed:

Location: 1973 BROADWAY \*

Block: 0578

Lot: 015

Site:

Rating:

Occupancy Code:

Received By: Suzanna Wong

Division: BID

Complainant's

Phone:

Complaint Source: DCP REFERRAL

Assigned to: BID

Division:

Description: This is to notify you that building permit application 201504153728 is suspended based on Planning Dept request dated 7/3/18

Instructions: DCP letter dated 7/3/18

**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	BIRMINGHAM	63304		

**REFERRAL INFORMATION****COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
07/10/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	1st NOV mailed. slwong
07/10/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	FIRST NOV SENT	1st NOV issued per KMH. slwong
07/10/18	CASE OPENED	BID	Birmingham	CASE RECEIVED	
08/13/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	permit suspended
11/16/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	on going

**COMPLAINT ACTION BY DIVISION****NOV (HIS):****NOV (BID):** 07/10/18

Inspector Contact Information

[Online Permit and Complaint Tracking](#) home page.**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.



**COMPLAINT DATA SHEET****Complaint Number:** 201874161Owner/Agent: OWNER DATA  
SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA  
SUPPRESSED

Date Filed:

Location: 1973 BROADWAY \*

Block: 0578

Lot: 015

Site:

Rating:

Occupancy Code:

Received By: Suzanna Wong

Division: BID

Complainant's

Phone:

Complaint Source: OFFICE VISIT

Assigned to: BID

Division:

Description: SFBC Sec. 3307.1 provides protection of adjoining building during construction. The construction work at 1973 Broadway is settling 1967 Broadway.

Instructions:

**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	BIRMINGHAM	63304		

**REFERRAL INFORMATION****COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
06/22/18	CASE OPENED	BID	Birmingham	CASE RECEIVED	
06/22/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	FIRST NOV SENT	Issued a NOV to stop all jack hammering until protections are in place to protect neighbor.
07/05/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	1st NOV mailed. slwong
09/13/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	engineers working on plans to address issue
11/16/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	on going

**COMPLAINT ACTION BY DIVISION****NOV (HIS):****NOV (BID):** 06/22/18

Inspector Contact Information

[Online Permit and Complaint Tracking](#) home page.**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

**COMPLAINT DATA SHEET****Complaint Number: 201857641**Owner/Agent: OWNER DATA  
SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA  
SUPPRESSED

Date Filed:

Location: 1973 BROADWAY \*

Block: 0578

Lot: 015

Site:

Rating:

Occupancy Code:

Received By: Thu Ha Thi Truong

Division: INS

Complainant's

Phone:

Complaint Source: TELEPHONE

Assigned to: BID

Division:

Description: Exceeding scope of demo #201504153728

Instructions:

**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	BIRMINGHAM	6330	4	

**REFERRAL INFORMATION****COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
04/17/18	OTHER BLDG/HOUSING VIOLATION	INS	Birmingham	FIRST NOV SENT	1st NOV issued per K. Birmingham ; TTruong
04/17/18	CASE OPENED	BID	Birmingham	CASE RECEIVED	
04/18/18	OTHER BLDG/HOUSING VIOLATION	INS	Birmingham	CASE UPDATE	1st NOV mailed ; TTruong
04/20/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	report and design for correction received
05/24/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	Sections of foundation have been poured in sections as purposed. Amount of floor framing demo is reflected on plans
06/05/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE CLOSED	work complete to address NOV.

**COMPLAINT ACTION BY DIVISION****NOV (HIS):****NOV (BID):**

04/17/18

Inspector Contact Information

[Online Permit and Complaint Tracking](#) home page.**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

**COMPLAINT DATA SHEET****Complaint Number: 201831491**

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:

Location: 1973 BROADWAY \*

Block: 0578

Lot: 015

Site:

Rating:

Occupancy Code:

Received By: Angela Tse

Division: INS

Complainant's Phone:

Complaint Source: OFFICE VISIT

Assigned to

Division: BID

Description: Work has been/continues to be done in the easement area, rendering unusable the fire escapes, basement, second exit, and first floor.

Instructions:

**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	BIRMINGHAM	6330	4	

**REFERRAL INFORMATION****COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
01/12/18	CASE OPENED	BID	Power	CASE RECEIVED	
01/16/18	OTHER BLDG/HOUSING VIOLATION	BID	Power	CASE UPDATE	case reviewed, to be investigated by district inspector. mh
02/08/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE UPDATE	need to reschedule
03/02/18	OTHER BLDG/HOUSING VIOLATION	BID	Birmingham	CASE CLOSED	no violations viable at time of site visit

**COMPLAINT ACTION BY DIVISION****NOV (HIS):****NOV (BID):**

Inspector Contact Information

[Online Permit and Complaint Tracking](#) home page.**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

# **EXHIBIT B**



# SAN FRANCISCO PLANNING DEPARTMENT

## Suspension Request

July 3, 2018

Mr. Tom Hui, CBO, SE  
Director  
Department of Building Inspection  
1660 Mission Street, Sixth Floor  
San Francisco, CA 94103

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**Building Permit Application Nos.:** 201504153728  
**Property Address:** 1973 Broadway  
**Assessor's Block/Lot:** 0578/015  
**Zoning District:** RM-2 (Residential, Mixed – Moderate Density)  
**Staff Contact:** Matthew Dito, (415) 575-9164, or [matthew.dito@sfgov.org](mailto:matthew.dito@sfgov.org)

Dear Director Hui,

This letter is to request that the Department of Building Inspection (DBI) suspend **Building Permit Application No. 201504153728** (vertical addition for a new bedroom, a new seating room with a new full bath, side additions, interior façade renovation) for the property at 1973 Broadway.

**Building Permit Application No. 201504153728** was issued on October 6, 2016. The permit allows for the addition of a third story, rear addition, and interior renovations. It has come to the Planning Department's attention that construction has exceeded the scope of work approved under the subject permit. While the permit holder has filed Building Permit Application No. 201806061104 to document the increased scope of work, the permit has not been approved because the submittal does not sufficiently clarify the scope of work. In light of these facts, the Planning Department is requesting suspension of **Building Permit Application No. 201504153728** to allow the permit holder the opportunity to properly document work that is underway at the subject property and to ensure that work that is being performed complies with the Planning Code.

**APPEAL:** Any aggrieved person may appeal this letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, or call (415) 575-6880.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott F. Sanchez".

Scott F. Sanchez  
Zoning Administrator

CC: Property Owner



# **EXHIBIT C**



























# **EXHIBIT D**

## Patrick Buscovich S.E. Oracle

**Education:** University of California, Berkeley ~ Bachelor Science, Civil Engineering 1978  
~ Master Science, Structural Engineering 1979

**Organizational:** State of California; Building Standards Commission  
Commissioner 2000 – 2002  
City & County of San Francisco; Department of Building Inspection (DBI)  
Commissioner/Vice President 1995 – 1996  
UMB Appeal Board 2005-2006.  
Code Advisory Committee 1990-1992  
Chair of Section 104 Sub-Committee.  
Structural Engineers Association of Northern California (SEAONC)  
President 1997 – 1998  
Vice President 1996 – 1997  
Board of Directors 1994 – 1999  
College of Fellows  
Edwin Zacher Award 1999  
Structural Engineers Association of California (SEAOC)  
Board of Directors 1996 – 2000  
Applied Technology Council (ATC)  
President 2007 – 2008  
Board of Directors 2000 – 2009

**License:** California, Civil Engineer C32863, 1981  
Structural Engineer S2708, 1985

**Experience:** *Patrick Buscovich and Associates, Structural Engineer – Senior Principal (1990 to Present)*  
*Specializing in existing buildings, seismic strengthening, rehabilitation design, building code/permit consultation/peer review, expert witness/forensic engineering*

- Expert Witness/Forensic Engineering/Collapse & Failure Analysis
- Commercial Tenant Improvement.
- Seismic Retrofit Consultation.
- Peer Review/Building Code Consulting.
- Permit Consultant in San Francisco (DBI, DCP, SFFD & BSUM).
- Member of the following SEAONC/DBI Ad-Hoc Committees:
  - Committee to revise San Francisco Building Code Section 104F/3304.6.
  - Committee to draft San Francisco UMB ordinance.
  - 1993 Committee to revise the San Francisco UMB ordinance.
  - Blue-Ribbon panel to revise earthquake damage trigger, 1998
  - Secretary, Blue Ribbon Panel on seismic amendments to the 1998 SFBC.
  - Secretary, Blue Ribbon Panel Advising San Francisco Building Department on CAPSS.
- Co-Authored of the following SF DBI Code Sections.
  - EQ damage trigger
- Coordinator for San Francisco UMB Seminars 1992, 1993 & 1994. SEAONC.
- Seminar on San Francisco UMB Code 1850 to Present. SEAONC.
- Member San Francisco UMB Bond Advisory Committee.
- Speaker at numerous San Francisco Building Department Building Inspection Seminar on UMB, 1993.
- Speaker at numerous code workshops for the San Francisco Department Building Inspection.
- Co-author of 1990 San Francisco UMB Appeals Board Legislation.
- Co-author of San Francisco Building Code Earthquake Damage Trigger for Seismic Upgrade, Committee Rewrite 2008.
- As a San Francisco Building Commissioner, directed formulation of Building Occupancy Resumption Plan (BORP)
- Chaired the 1995 update on the San Francisco Housing Code.
- Directed formulation of UMB tenant protection program
- Consultant to the City of San Francisco for evaluation of buildings damaged in the Loma Prieta October 17, 1989 earthquake to assist the Bureau of Building Inspection regarding shoring or demolition of “Red-Tagged” structures.
- Consultant to San Francisco Department of Building Inspection on the Edgehill Land Slide.
- Consultant to numerous private clients to evaluate damage to their buildings from the October 17, 1989 earthquake.
- Project Administrator for multi-team seismic investigation of San Francisco City-owned Buildings per Proposition A, 1989 (\$350 million bond).
- Project Manager for seismic strengthening of the Marin Civic Center.
- Structural engineer for Orpheum Theater, Curran Theater and Golden Gate Theater.
- Consultant on numerous downtown SF High Rise Buildings.
- Rehabilitation & seismic strengthening design for 1000’s of privately owned buildings in San Francisco.
- Structure Rehabilitation of Historic Building.
- Structural consultant for 1000’s single family house alteration in San Francisco

### Previous Employment

- Previous Employment 1979-1980 PMB, Senior Designer  
1980-1990 SOHA, Associate

**Public Service:** Association of Bay Area Government – Advisory Panels  
Holy Family Day Home – Board of Director  
Community Action Plan for Seismic Safety (CAPPS) advisory panel.

1 I, Mason Kirby, declare as follows:

2 1. I am a licensed architect, practicing for more than fifteen years in the State  
3 of California. I make this declaration in support of the request for discretionary review by  
4 the Pacific Height Condo Association ("Neighbor"). Unless otherwise stated, I have  
5 personal knowledge of the facts stated herein and, if called as a witness, could and would  
6 testify competently thereto.

7 2. The project applicant, Christopher Porter (the "Applicant"), has applied for  
8 a permit to authorize the retroactive legalization of demolition work at 1973 Broadway,  
9 San Francisco (the "Subject Property").

10 3. The scope of work described in the permit application is: "Demo of 625.50  
11 Square Feet of 2nd Fl Horizontal Element and Interior Walls to Allow for Construction of  
12 1st Floor." (Permit App. No. 201806061104, the "Subject Permit." A true and correct  
13 copy of the DBI Permit Details Report for the Subject Permit is attached hereto as  
14 **Exhibit A.**)

15 4. I have reviewed the demolition plans and calculations dated July 27, 2018,  
16 which were initially submitted for the Subject Permit (the "July Plans." A true and  
17 correct copy of the July Plans is attached hereto as **Exhibit B.**) I have also reviewed the  
18 revised demolition plans, dated August 6, 2018 (the "August Plans." A true and correct  
19 copy of the August Plans is attached hereto as **Exhibit C.**)

20 5. According to the calculations provided by the Applicant, the demolition  
21 work at the Subject Property exceeds the demolition threshold set out in San Francisco  
22 Building Code § 103A.3.2.

23 6. SFBC § 103A.3.2 defines "demolition" as:

24 . . . the total tearing down or destruction of a building  
25 containing one or more residential units, **or any**  
26 **alteration which destroys or removes . . . principal**  
27 **portions** of an existing structure containing one or  
28 more residential units.

(Emphasis added.)

7. A "principal portion" is:



... that construction which determines the shape and size of the building envelope (such as the exterior walls, roof and interior bearing elements), or that construction which alters two-thirds or more of the interior elements (such as walls, partitions, floors or ceilings).

8. The Project meets the SFBC definition because the Applicant has demolished more than two-thirds of the interior elements of the Subject Property.

9. Sheet A0.013 of the July Plans for the Subject Permit, the Applicant sets out demolition calculations for the removal of interior walls – lineal measurements. At cell “C3-Q” of the demolition calculation table, the Applicant claims that only 31.7% of the interior walls on the second floor have been removed. In reality, 100% of these walls were removed.

10. Given the Applicant has also removed 82% of the interior walls on the first floor, and 61.5% of the interior walls on the third floor, the Project has removed over 80% of the Subject Property’s interior walls, well in excess of the SFBC’s two-thirds threshold. (A true and correct copy of my calculations is attached hereto as **Exhibit D.**)

11. Further, according to the Applicant’s demolition calculations, 70.49% of the Subject Property’s horizontal elements (i.e. floors and the roof) are to be demolished. If the demolition of these elements is also taken into account, the total interior demolition work amounts to 75.53% – still in excess of the demolition threshold.

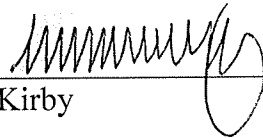
12. The August Plans completely omit the calculations for the removal of interior walls – lineal measurements at the Subject Property. However the August Plans still depict the removal of these walls. Moreover, I am informed and believe that these walls have already been removed.

13. The removal of interior elements, including walls, is relevant to whether a demolition has occurred under the SFBC. The Applicant’s calculations do not acknowledge the full scope of the demolition of the Subject Property.

14. Also attached as **Exhibit E** is a true and correct copy of my curriculum vitae.

1 I declare, under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct.  
3

4  
5 Dated: November 26, 2018

  
Mason Kirby

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# **EXHIBIT A**

**Permit Details Report****Report Date:** 11/26/2018 1:24:58 PM

Application Number: 201806061104  
 Form Number: 3  
 Address(es): 0578 / 015 / 0 1973 BROADWAY \*  
 Description: DEMO OF 625.50 SQUARE FEET OF 2ND FL HORIZONTAL ELEMENT AND INTERIOR WALLS TO ALLOW FOR CONSTRUCTION OF 1ST FLOOR  
 Cost: \$30,000.00  
 Occupancy Code: R-3  
 Building Use: 27 - 1 FAMILY DWELLING

**Disposition / Stage:**

Action Date	Stage	Comments
6/6/2018	TRIAGE	
6/6/2018	FILING	
6/6/2018	FILED	

**Contact Details:****Contractor Details:**

License Number: 903971  
 Name: GREGORY COOK  
 Company Name: COOK CONSTRUCTION  
 Address: 550 15TH ST \* SAN FRANCISCO CA 94103-0000  
 Phone:

**Addenda Details:****Description:**

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	INTAKE	6/6/18	6/6/18			6/6/18	SAPHONIA COLLINS	415-999-9999	
2	CPB	7/11/18	7/11/18			7/11/18	CHAN AMARIS	415-558-6070	25 PAGES.
3	CP-ZOC	7/11/18					DITO MATTHEW	415-558-6377	7/23/18 routed plans to planner MD (WS) 8/8/18 routed plans R2 to planner MD (WS)
4	CP-DR							415-558-6377	
5	BLDG							415-558-6133	
6	PPC						BARTHOLOMEW IRENE	415-558-6133	8/7/18pm: R2 to DCP. ibb 7/20/18pm: R1 to DCP. ibb
7	CPB							415-558-6070	

**Appointments:**

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
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**Special Inspections:**

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

[Online Permit and Complaint Tracking](#) home page.

**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

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[Contact SFGov](#) [Accessibility](#) [Policies](#)  
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# **EXHIBIT B**







REV.	ISSUED FOR:	DATE
5	NOTICE OF VIOLATION CORRECTION	05/15/20

[illegible]

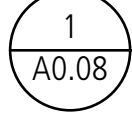
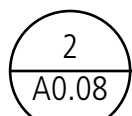
PROJECT NO.	2016.1
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1/4" = 1'-0"





**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

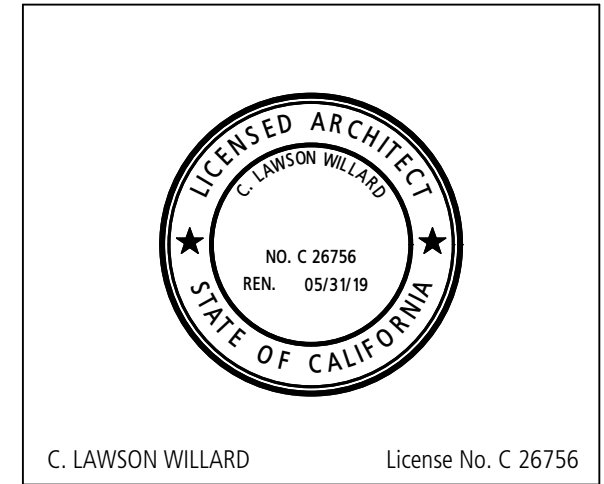




1  
A0.09

EXISTING NORTH EXTERIOR ELEVATION

1/4" = 1'-0"



**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE:
5	NOTICE OF VIOLATION CORRECTION	05/15/2018

5

**NORTH  
ELEVATION DEMO  
CALCULATION**

**A0.09**

PROJECT NO. 2016.10

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FILE PATH: I:\Users\lawsonwillard\Downloads\L W A Stuff\1973\1973 Broadway St\ev2.1.plt • LAST SAVED BY: Lawson Willard • PRINTED ON: 5/14/18 @ 12:53 PM

LAWSON WILLARD ARCHITECTURE • Porter Residence • 2016.10 • 24"x36" SHEET SIZE • A0.010

LAWSON WILLARD

ARCHITECTURE

2147 UNION STREET  
SAN FRANCISCO, CA 94123  
415.674.1102

C. LAWSON WILLARD

License No. C. 26756

Porter Residence

1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE:
5	NOTICE OF VIOLATION CORRECTION	05/15/2018

EAST ELEVATION

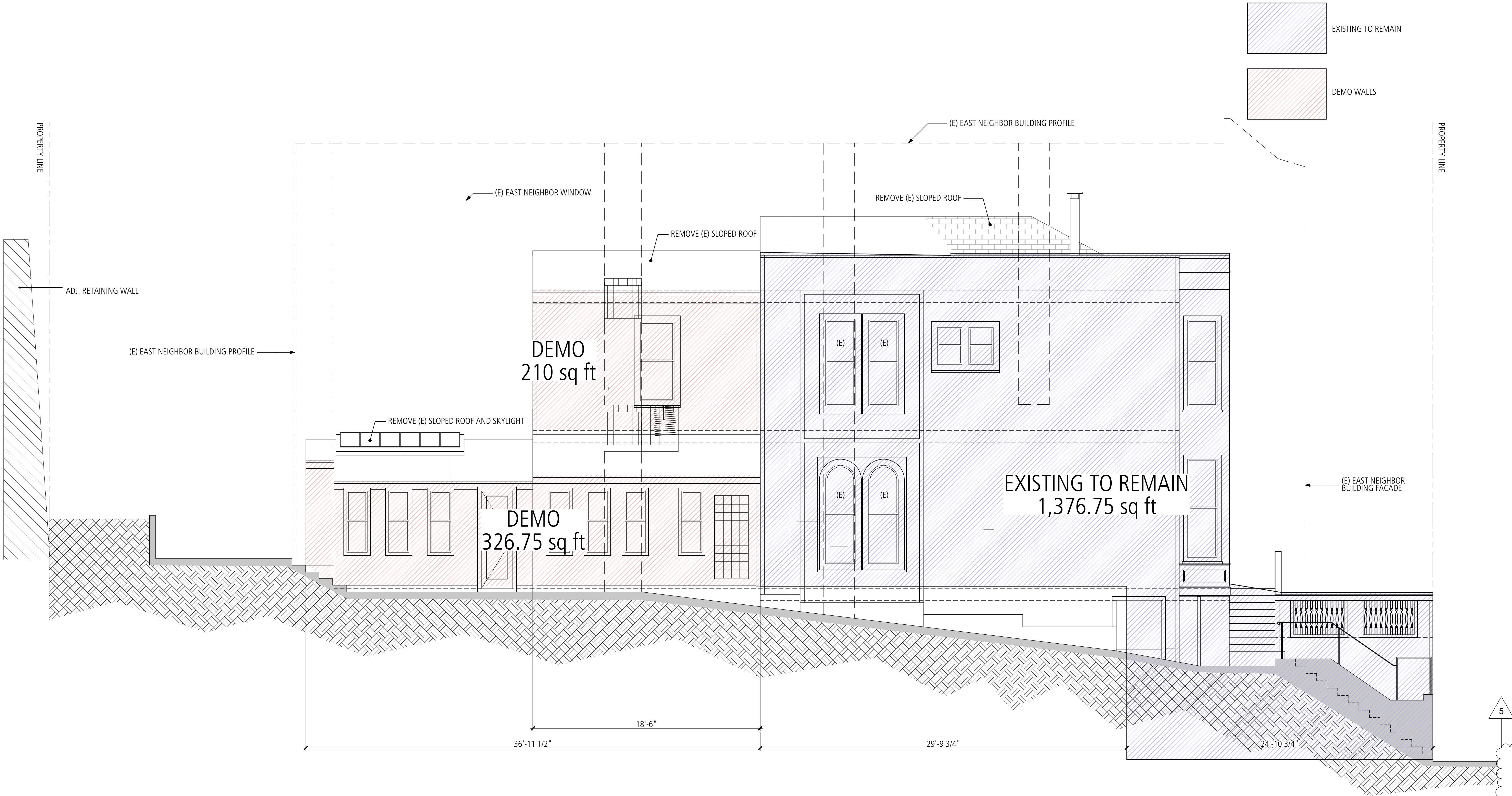
DEMO

CALCULATION

A0.010

PROJECT NO.

2016.10





**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

## A0.011

Architectural elevation drawing of a building facade. The drawing is divided into three main sections by vertical dashed lines labeled "PROPERTY LINE".

- Left Section:** Labeled "(E) ADJACENT BUILDING" and "(E) ADJACENT STAIR". It shows a multi-story building with a series of windows and a staircase on the right side.
- Middle Section:** Labeled "(E) SUBJECT BUILDING". It features a gabled roof and a mix of window styles. A portion of the facade is shaded with red diagonal lines and labeled "DEMO 516 sq ft". Another portion is shaded with blue diagonal lines and labeled "EXISTING TO REMAIN 129.5 sq ft".
- Right Section:** Labeled "(E) ADJACENT BUILDING REAR ROOF". It shows a flat roofline with a series of vertical lines and windows.

A legend on the right side of the drawing identifies the shading:

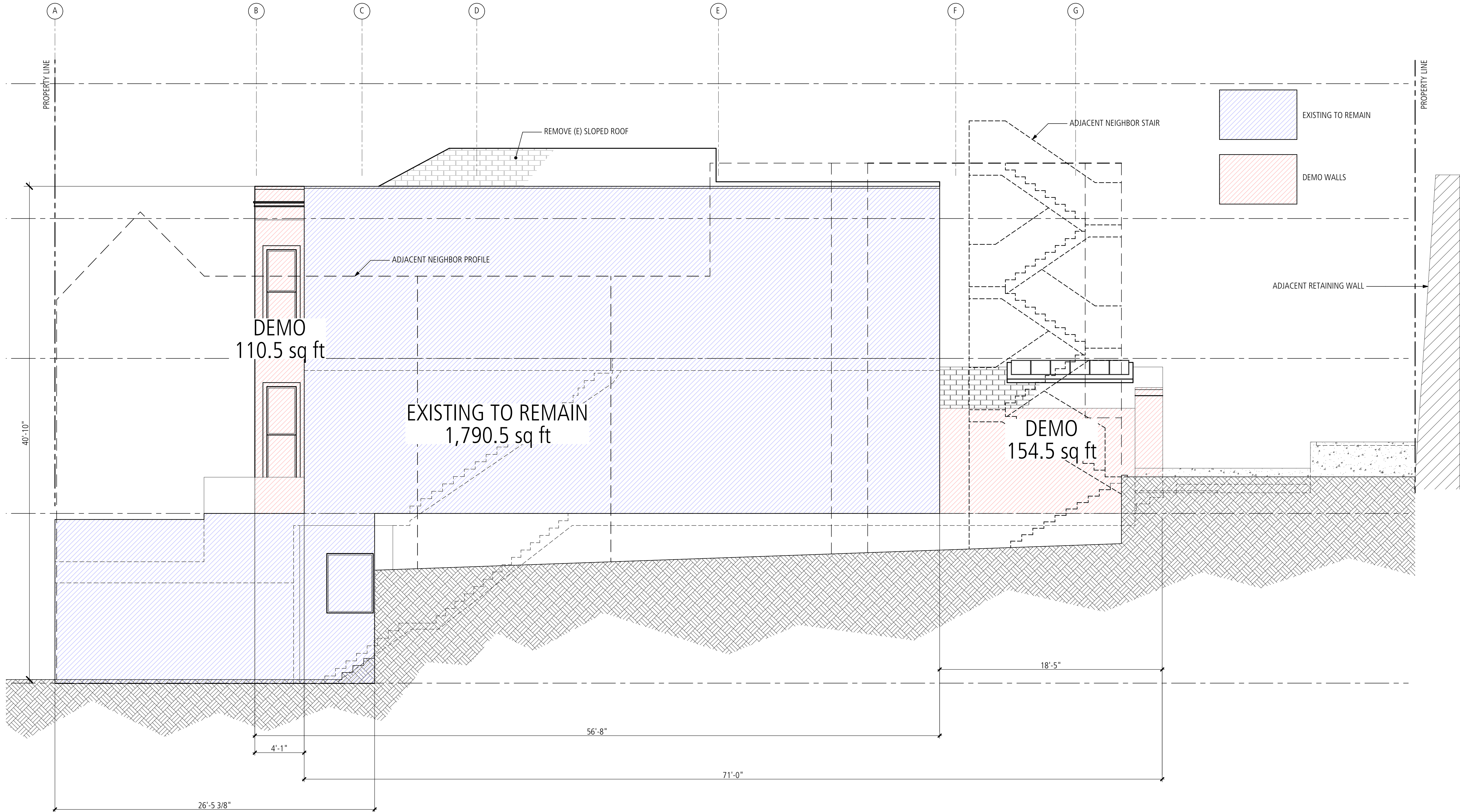
- Blue diagonal lines: EXISTING TO REMAIN
- Red diagonal lines: DEMO WALLS

1  
A0.011

$$\frac{1}{4}'' = 1'-0''$$

FILE PATH: I:\Users\lawsonwillard\Downloads\L W A Stuff\1973\1973 Broadway St\ev21.jpg • LAST SAVED BY: Lawson Willard • PRINTED ON: 5/14/18 @ 12:53 PM

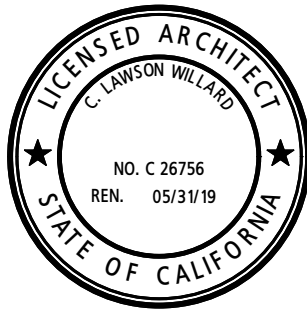
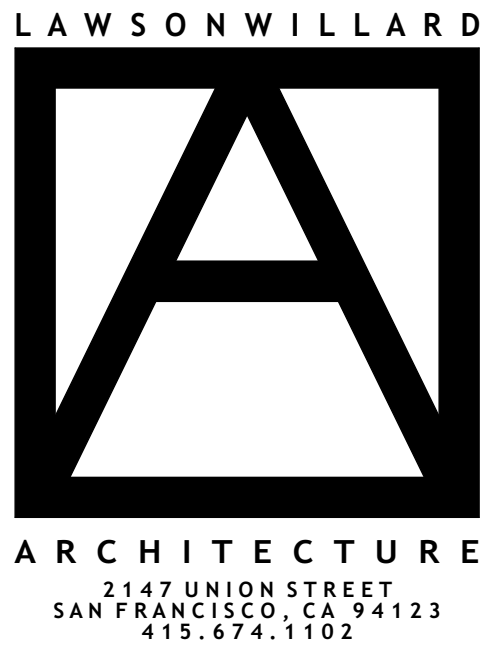
LAWSON WILLARD ARCHITECTURE • Porter Residence • 2016.10 • 24"x36" SHEET SIZE • A0.012



1  
A0.012

EXISTING WEST EXTERIOR ELEVATION

1/4" = 1'-0"



**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE:
5	NOTICE OF VIOLATION CORRECTION	05/15/2018

WEST ELEVATION  
DEMO  
CALCULATION

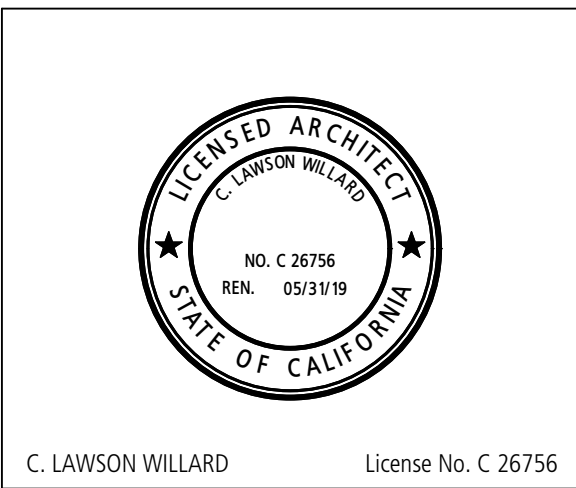
**A0.012**

PROJECT NO. 2016.10

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**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

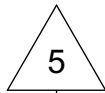
Roof Area Calculations			
	Roof	Roof Area SF	Renovation Status
First Floor	N/A		
Second Floor		128.25	To Be Demolished
		128.25	To Be Demolished
		136.00	To Be Demolished
	Total	392.50	
		392.50	Subtotal To Be Demolished
		100%	% To Be Demolished
Third Floor		139.50	To Be Demolished
		139.50	To Be Demolished
		362.50	To Be Demolished
		362.50	To Be Demolished
		176.50	To Be Demolished
		47.25	Existing To Remain
	Total	1227.75	
		1180.50	Subtotal To Be Demolished
		96%	% To Be Demolished

Horizontal Element Calculations				
	Existing SF	Demo SF	Remaining SF	% To Be Demolished
First Floor	626.25	262.75	363.50	42%
Second Floor	1335.25	1180.50	154.75	88%
Third Floor	1046.00	246.00	800.00	24%
Totals:	3007.50	1689.25	1318.25	56%

Vertical Element Calculations				
	Existing SF	Demo SF	Remaining SF	% To Be Demolished
North	248.75	248.75		
	780.25		780.25	
	1029.00	248.75	780.25	24%
East				
	210.00	210.00		
	326.75	326.75		
	1376.75		1376.75	
	1913.50	536.75	1376.75	28%
South	645.50	516.00	129.50	80%
West	110.50	110.50		
	1790.50		1790.50	
	154.50	154.50		
	2055.50	265.00	1790.50	13%

Third Floor Wall Length					
Third Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	3.1	North	8.76	Existing To Remain	
	3.2	North	6.08	To Be Demolished	
	3.3	West	4.08	To Be Demolished	
	3.4	North	8.83	Existing To Remain	
	3.5	East	4.08	Existing To Remain	
	3.6	North	0.58	Existing To Remain	
	3.7	East	20.79	Existing To Remain	
	3.8	North	1.08	Existing To Remain	
	3.9	East	10.04	Existing To Remain	
	3.10	South	1.08	Existing To Remain	
	3.11	East	3.25	Existing To Remain	
	3.12	South	4.33	Existing To Remain	
	3.13	South	6.42	To Be Demolished	
	3.14	East	18.50	To Be Demolished	
	3.15	South	12.75	To Be Demolished	
	3.16	West	52.58	Existing To Remain	
Total Walls:			163.23		
			115.40	Existing To Remain	
			47.83	To Be Demolished	
% Demolished			29%		
		Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo	
		North	25.33	6.08	24%
		East	56.66	18.50	33%
		South	24.58	19.17	78%
		West	56.66	4.08	7%
Interior	3.51		1.83	To Be Demolished	
	3.52		4.04	To Be Demolished	
	3.53		14.55	Existing To Remain	
	3.54		6.58	To Be Demolished	
	3.55		14.05	Existing To Remain	
	3.56		6.58	Existing To Remain	
	3.57		17.33	To Be Demolished	
			2.67	To Be Demolished	

Third Floor	Wall	Orientation	Wall Length	Renovation Status
	3.59		4.25	To Be Demolished
	3.510		4.92	To Be Demolished
	3.511		12.25	To Be Demolished
	3.512		7.88	Existing To Remain
	3.513		7.43	Existing To Remain
	3.514		8.95	To Be Demolished
	3.515		10.88	To Be Demolished
	3.516		6.67	To Be Demolished
	Total Walls:		130.86	
			50.49	Existing To Remain
			80.37	To Be Demolished
	% Demolished		61%	



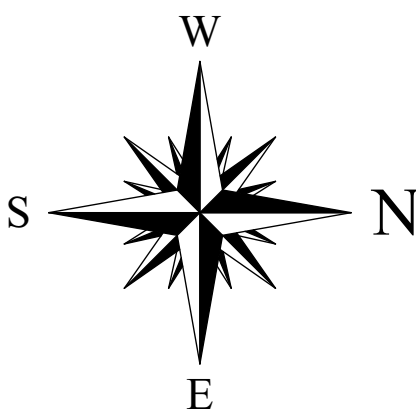
## DEMO CALCULATION SPREADSHEETS

**A0.014**  
PROJECT NO.



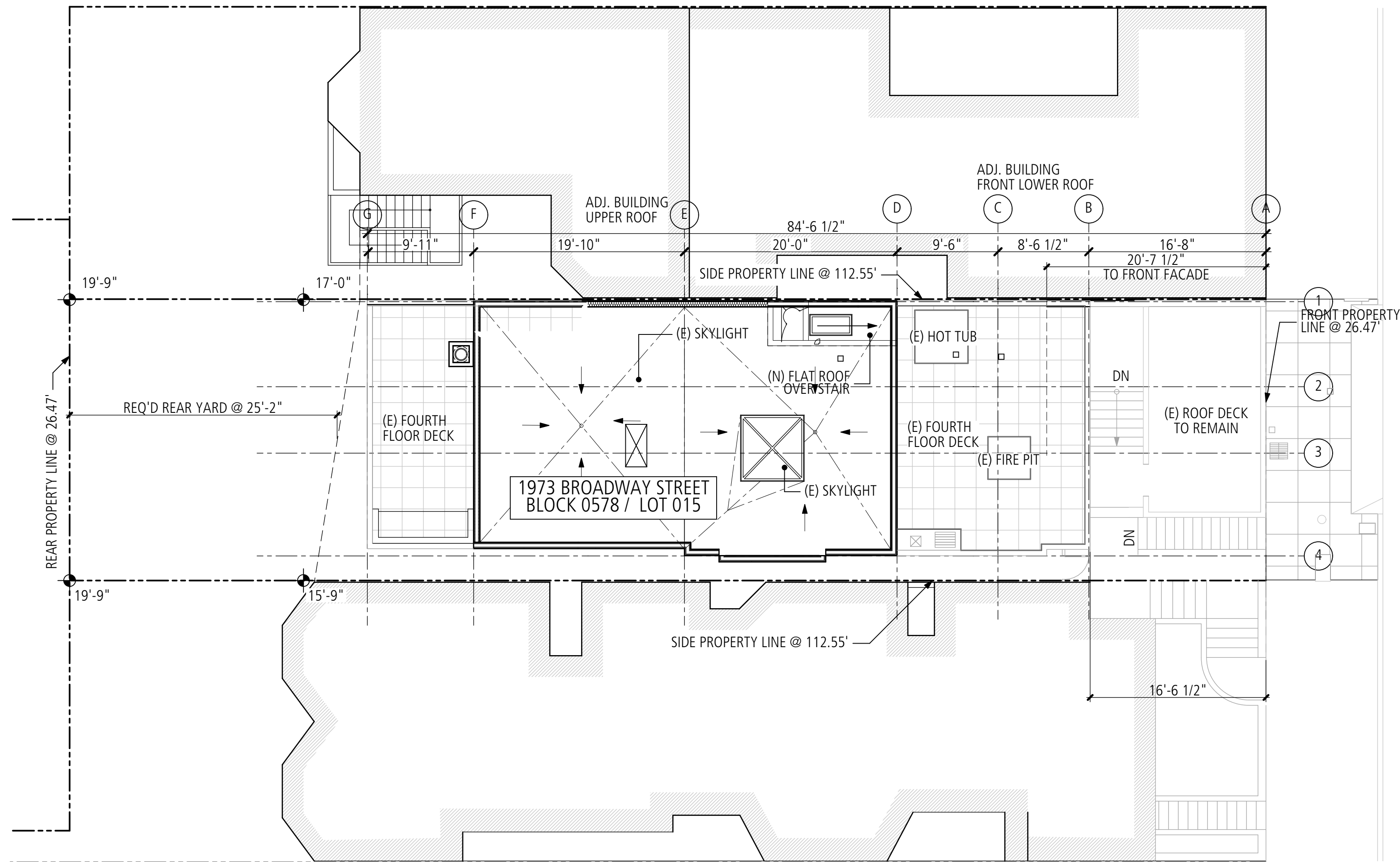


**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

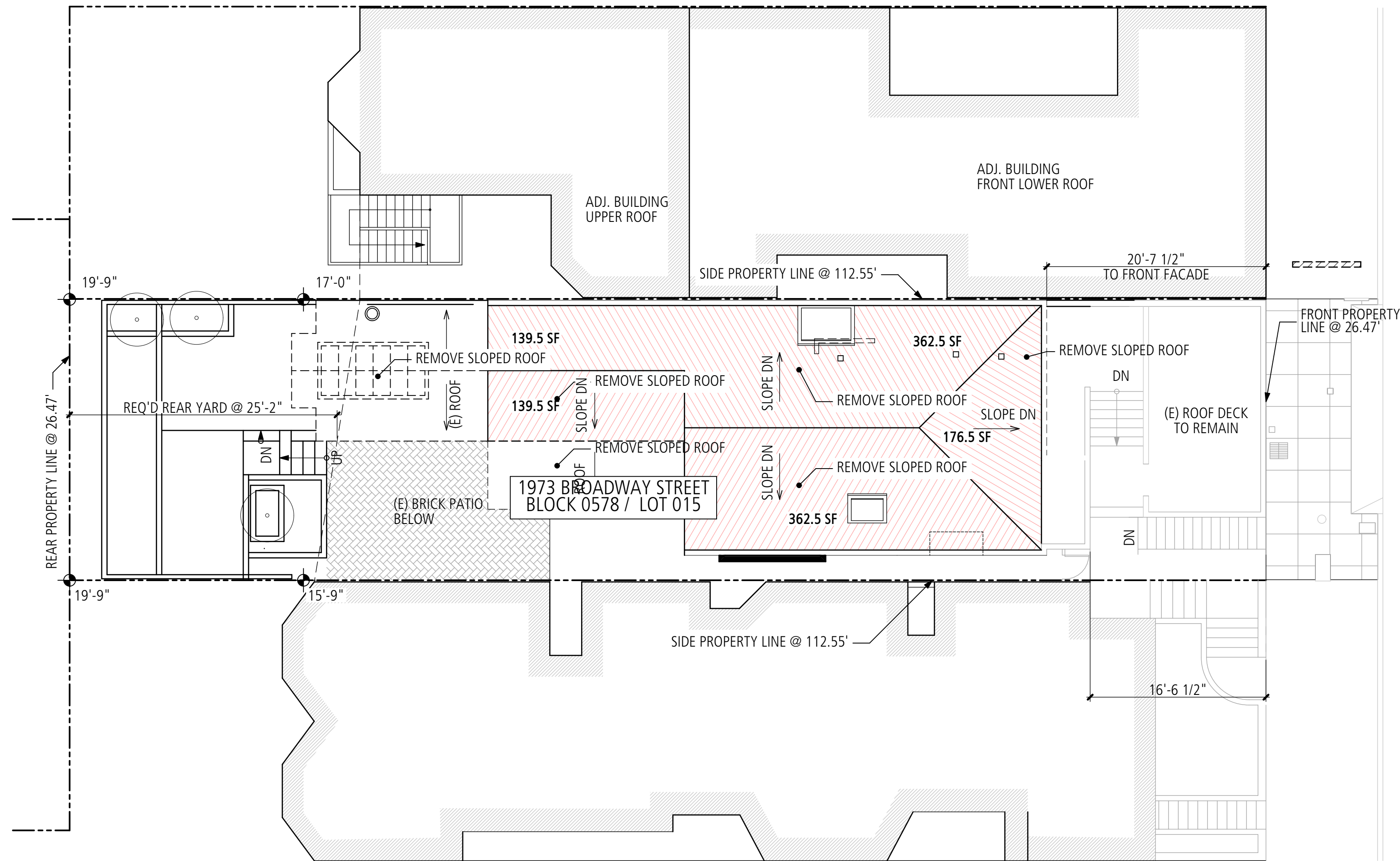
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# A1.00

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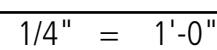


1 SITE PLAN PROPOSED  
A1.00

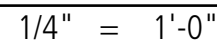
$$1/8'' = 1'-0''$$


2 SITE PLAN EXITING  
A1.00








$$\frac{1}{8}'' = 1'-0''$$



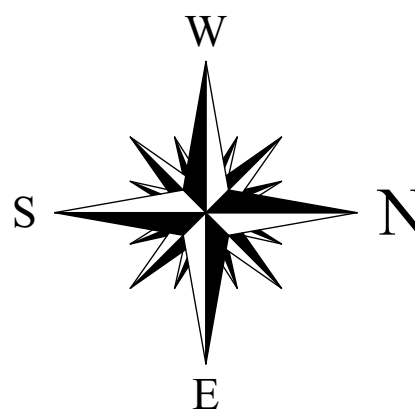
A1.10



	I	V
A1	10	4

 (E) WALL TO REMAIN  
 (N) WALL  
 ONE-HOUR RATING  
 (N) WALL TAG  
 2X SIZE  
 WALL TYPE, SEE A10.00  
 FIRE RATING (HOUR)

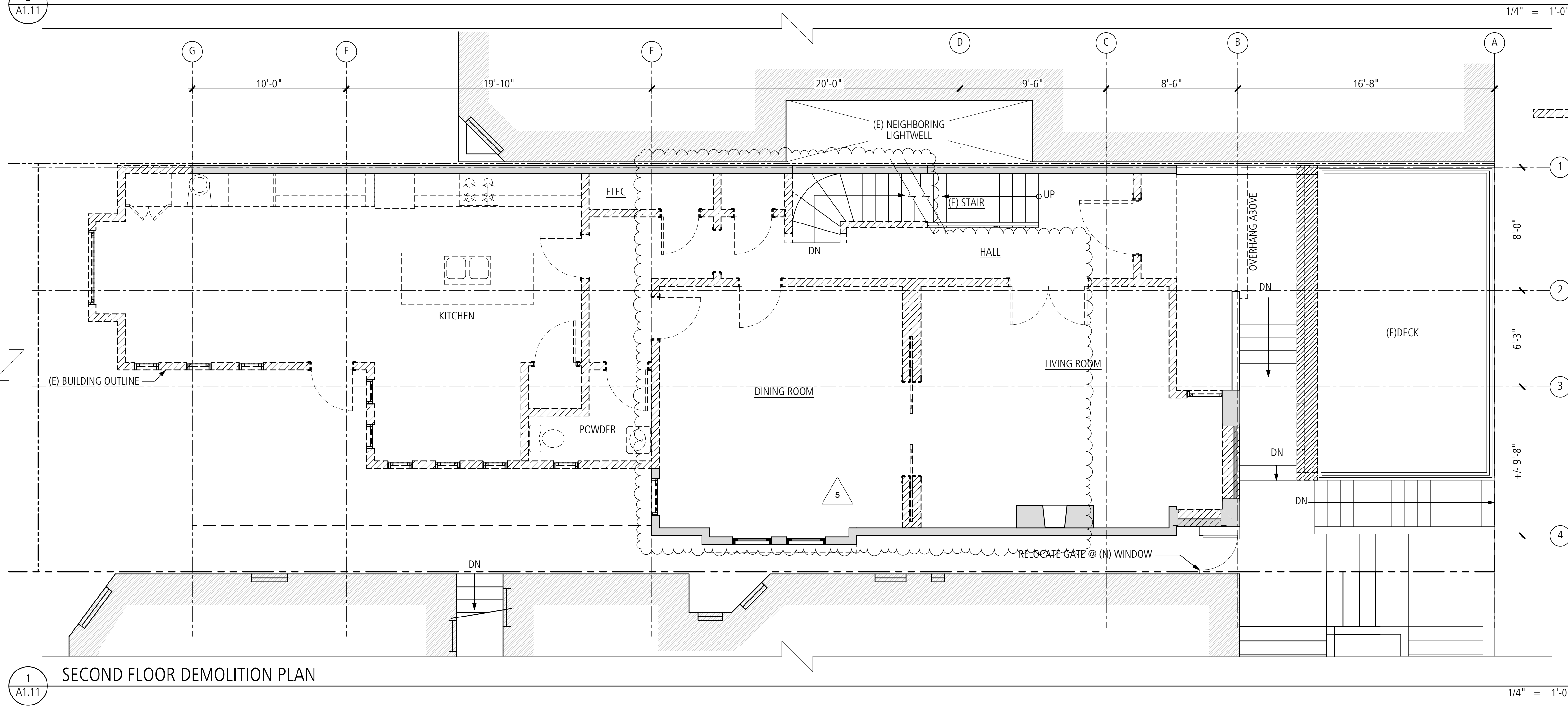
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

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## A1.10








PROJECT NO.	2016.10
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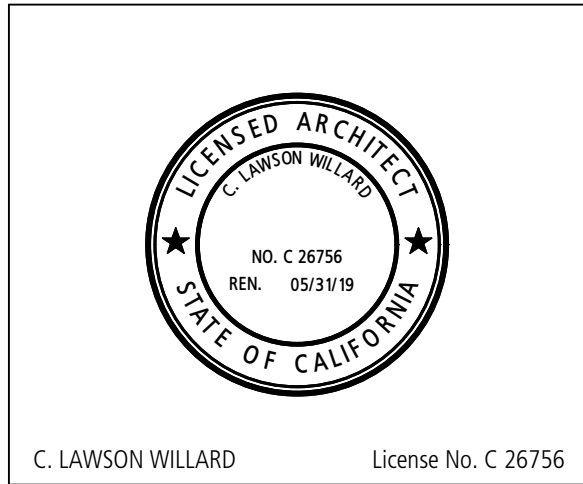




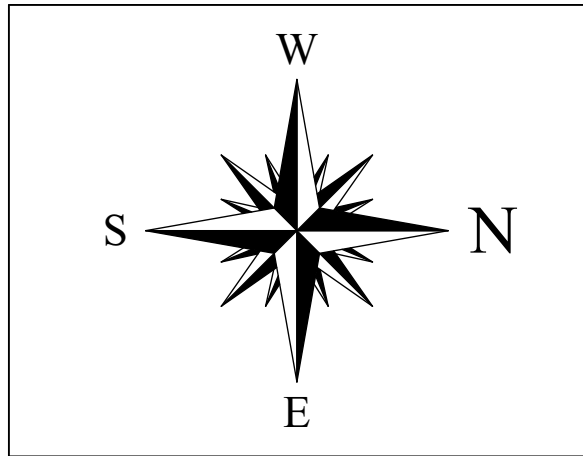
**VENTILATION**  
EXHAUST FAN  
BATHROOMS REQ. MECHANICAL VENTING (1203.4.2.1) (CMC).  
BATH FAN MAY NOT DISCHARGE INTO ANY PART OF ATTIC (CMC).  
EXHAUST FAN TO PROVIDE MIN OF 5 AIR CHANGES PER HOUR OR (20CFM) AND  
VENT DIRECTLY OUTSIDE, TERMINATE MIN 3'-0" FROM BUILDING OPENINGS OR  
PROPERTY LINE (BACKDRAFT DAMPER REQ'D).

### PARTITION PLAN LEGEND

 (E) WALL TO REMAIN  
 (N) WALL  
 ONE-HOUR RATING  
 (N) WALL TAG  
 2X SIZE  
 WALL TYPE, SEE A10.00  
 FIRE RATING (HOUR)



**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

**SECOND FLOOR  
DEMOLITION AND  
PROPOSED PLAN -  
FOR REFERENCE  
ONLY**

**A1.11**

PROJECT NO. 2016.10.

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**INTERIOR ENVIRONMENT**  
 ALL HABITABLE SPACES SHALL HAVE MIN 7 FT 6 IN CEILING HEIGHT (1208.2).  
 BASEMENT SHALL HAVE MIN 8 IN CEILING HEIGHT.  
 BEAMS, GIRNERS, DUCTS, OR OTHER OBSTRUCTIONS MAY PROJECT TO WITHIN 6 FT 8 IN FROM FINISH FLOOR.  
 HALLWAYS MIN 36 IN WIDE, MIN 7 FT CEILING HEIGHT.  
 ALL HABITABLE SPACES SHALL BE NO LESS THAN 70 SQ. FT. (1208.3), AND SHALL NOT BE LESS THAN 7 FT HORIZONTAL DIMENSION IN ANY DIRECTION.  
 MIN 1 SMOKE DETECTOR EACH STORY INCLUDING BASEMENT.  
 NOTIFICATION SMOKE DETECTORS REQ HARDWIRED W/ BATTERY.  
 HALLWAY 10 FT MIN REQURES RECP.

**BATH**  
BACKDRAFT DAMPER REQ'D  
WATER CLOSETS – 1.28 GAL. MAX. FLUSH  
TOILET OR BIDET REQ'S 15" CLEAR FROM CENTER TO SIDE WALLS  
PROVIDE BLOCKING FOR ALL TOWEL BARS AND TOILET PAPER HOLDERS

**BEDROOM**  
ALL SLEEPING ROOMS (BELOW 4<sup>TH</sup> STORY) REQ. ESCAPE & RESCUE OPENINGS (1029.1)  
WINDOW OPENINGS SHALL BE MAX 44 IN. ABOVE FLOOR, MIN 24 IN. HIGH / MIN 20 IN.  
WIDE, MIN 5.7 SQ. FT EXC 5.0 SQ. FT. OK IF GRADE LEVEL ACCESS (1029.2)  
WINDOW WELLS REQ MIN 9 SQ. FT., WITH MIN HORIZONTAL PROJECTION AND WIDTH  
OF 36 IN. (1029.5.1)  
APPROVED INTERIOR QUICK-RELEASE HARDWARE REQ'D FOR SECURITY BARS ON  
ESCAPE & RESCUE OPENINGS (1029.4)

ANY WALL 2 FT. IN HABITABLE ROOM REQ'S RECP  
NO POINT ON WALL 6 FT. HORIZ FROM RECP  
NO ELECTRIC BASEBOARD HEATERS UNDER RECES  
AFCI PROTECTION REQ'D FOR ALL BRANCH CIRCUIT W/ OUTLET IN BEDROOMS  
SMOKE ALARMS REQ'D IN EACH SLEEPING ROOM & ADJOINING AREA (907.2.11.2)

**FIRE-BLOCKING & DRAFSTOPPING**  
FIRE-BLOCKING REQ'D IN CONCEALED SPACES OF STUD WALLS MAX10 FT. HORIZ  
(717.2.2)

SEAL GAPS AROUND DUCTS & PIPES @ FLOOR & CEILING LEVEL PENETRATION  
(717.4.2)

FIREBLOCK MATERIAL MAY BE 2X LUMBER, 1/2 IN. GYP-BOARD, COMPRESSED GLASS FIBER, OR OTHER APPROVED MATERIALS (717.2.1)  
COMPRESSED GLASS FIBER SHOULD BE TIGHTLY PACKED (717.2.1)  
UNFACED FIBERGLASS MIN 16 IN. VERT HEIGHT WHEN USED AS FIREBLOCK IN WALL CAVITY (717.2.1.2)

MECHANICAL  
AIR DUCTS INSTALLED UNDER THE FLOOR MUST MAINTAIN A MINIMUM OF 18"  
VERTICAL CLEARANCE FOR ALL PORTIONS OF THE DUCT THAT MIGHT OBSTRUCT  
ACCESS TO ANY PART OF THE CRAWLSPACE (2013 CMC 604.1)








**INTERIOR GREENBOARD WALL COVERS**  
NOT ALLOWED WHERE SUBJECT TO DIRECT WATER EXPOSURE (TUBS OR SHOWERS)  
OR HIGH HUMIDITY (SAUNAS) (2509.3)  
OK FOR ADHESIVE CERAMIC TILE W/ NO DIRECT WATER EXPOSURE (2509.2)  
CEILING FRAMING MAX 12 IN. O.C. FOR 1/2 IN GREENBOARD (2509.3)

NO OPEN INCANDESCENT BULB FIXTURES  
STORAGE AREA = 12 IN. OR SHELF WIDTH & TO CEILING  
ENCLOSED SURFACE INCANDESCENT: 12 IN. CLEARANCE  
FLUORESCENT OR RECESSED INCANDESCENT: 6 IN.








**LIGHT**  
BATHROOMS MAY HAVE ARTIFICIAL LIGHT ONLY (1205.3).  
NO PENDANT, TRACK, OR SUSPENDED LIGHTS OR PADDLE FANS <8 FT. ABOVE &  
WITHIN 3 FT. OF SIDE OF TOP OF TUB OR SHOWER THRESHOLD  
LUMINARIES IN ABOVE ZONE LISTED FOR DAMP LOCATIONS.  
PRIMARY LIGHT SHALL BE ENERGY EFFICIENT (NOT INCANDESCENT), FLUORESCENT.

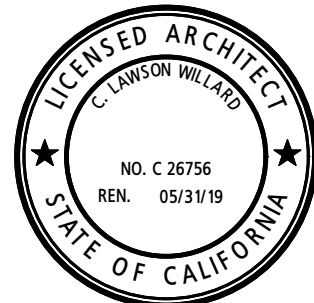
VENTILATION  
EXHAUST FAN  
BATHROOMS REQ. MECHANICAL VENTING (1203.4.2.1)(CMC).  
BATH FAN MAY NOT DISCHARGE INTO ANY PART OF ATTIC (CMC).  
EXHAUST FAN TO PROVIDE MIN OF 5 AIR CHANGES PER HOUR OR (20CFM) AND  
VENT DIRECTLY OUTSIDE, TERMINATE MIN 3'-0" FROM BUILDING OPENINGS OR  
PROPERTY LINE (BACKDRAFT DAMPER REQ'D).

### PARTITION PLAN LEGEND

-  (E) WALL TO REMAIN  
 (N) WALL  
 ONE-HOUR RATING  
 (N) WALL TAG  
 2X SIZE  
 WALL TYPE, SEE A10.00  
 FIRE RATING (HOUR)

### PARTITION PLAN LEGEND

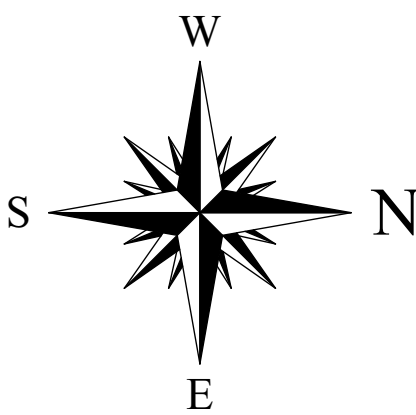
-  (E) WALL TO REMAIN  
 (N) WALL  
 ONE-HOUR RATING  
 (N) WALL TAG  
 2X SIZE  
 WALL TYPE, SEE A10.00  
 FIRE RATING (HOUR)



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License No. C 26756

**Porter Residence**  
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[illegible]

**THIRD FLOOR  
DEMOLITION AND  
PROPOSED PLAN  
- FOR REFERENCE  
ONLY**

# ONLY A1.12

PROJECT NO.	2016.10
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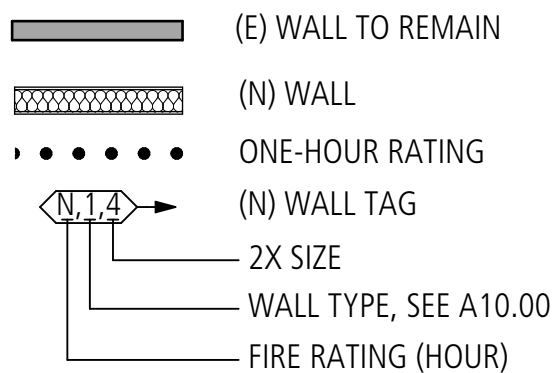




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1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

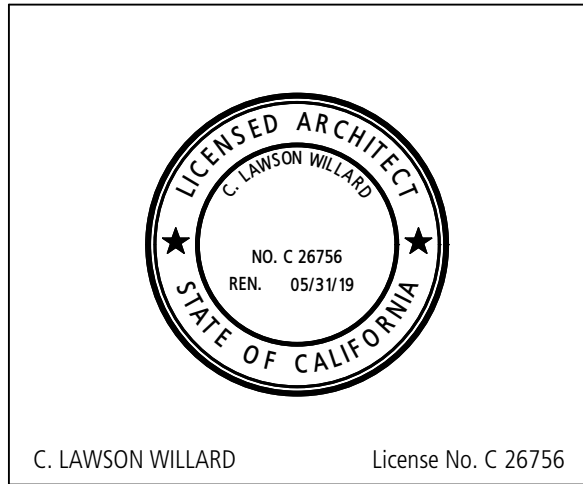
## A1.13

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## PROPOSED FOURTH FLOOR PLAN



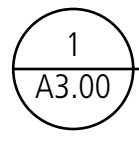
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EXISTING NORTH  
EXTERIOR  
ELEVATION - FOR  
REFERENCE ONLY

**A3.00**

PROJECT NO. 2016.10

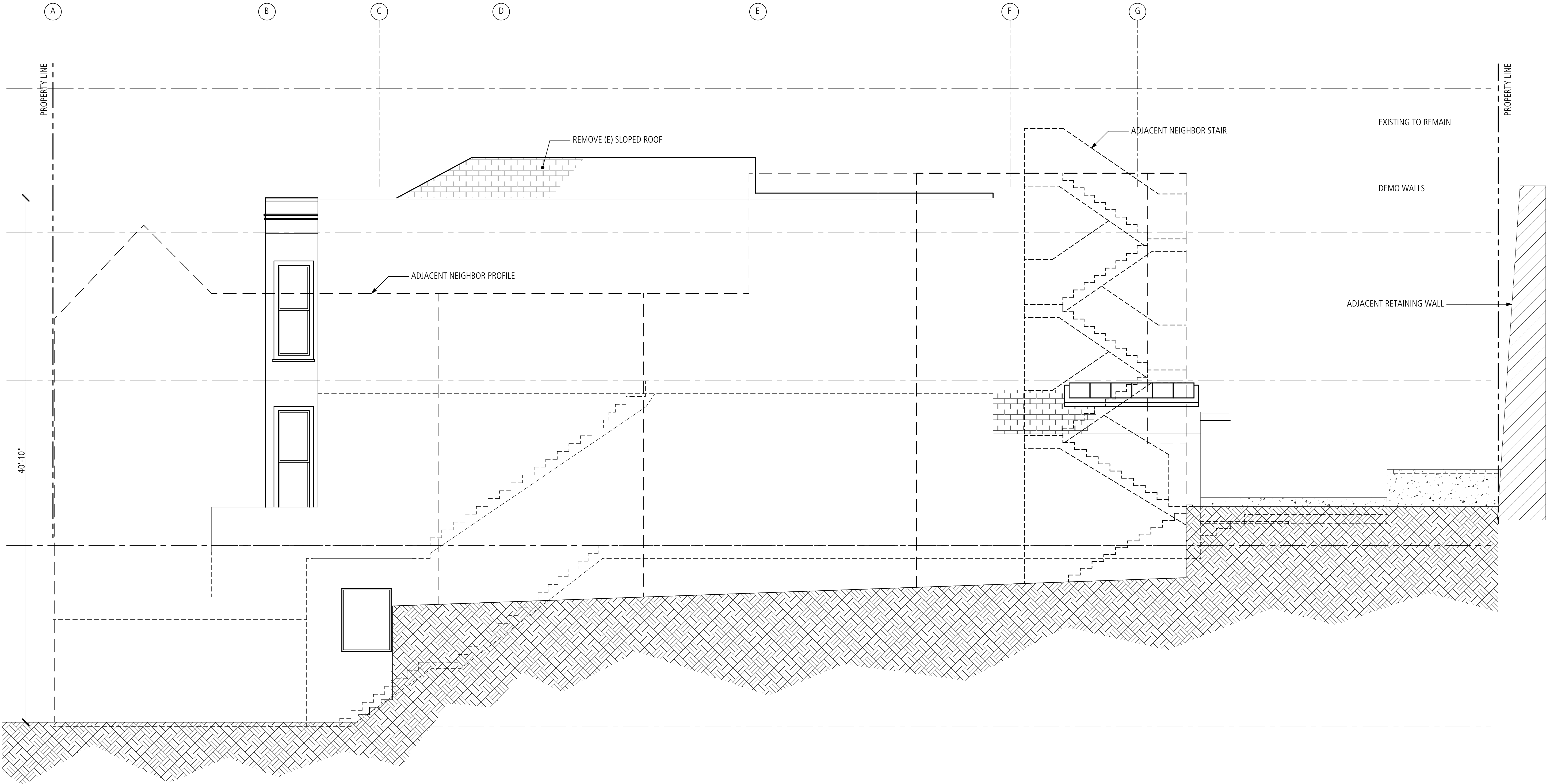
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## EXISTING NORTH EXTERIOR ELEVATION

$$1/4'' = 1'-0''$$

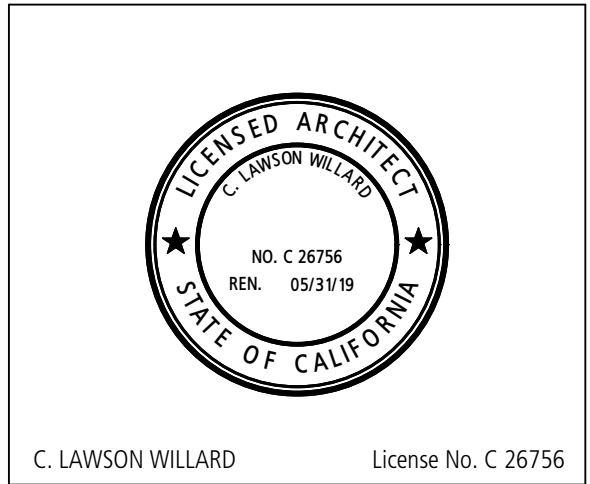




1  
A3.01

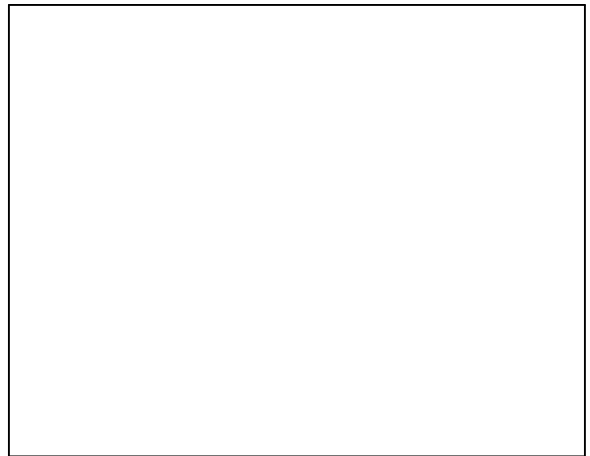
EXISTING WEST EXTERIOR ELEVATION

1/4" = 1'-0"



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REV.	ISSUED FOR:	DATE:
	ADDENDUM 2 BUILDING PERMIT SET	04/05/2017
	ADDENDUM 2 REVISION	06/23/2017
	ADDENDUM 3 BUILDING PERMIT SET	10/03/2017
	NOTICE OF VIOLATION CORRECTION	05/15/2018



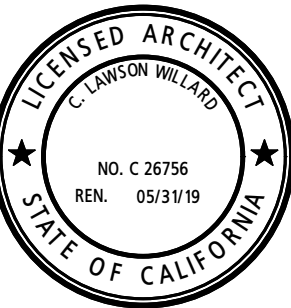
EXISTING WEST  
EXTERIOR  
ELEVATION - FOR  
REFERENCE ONLY

**A3.01**

PROJECT NO. 2016.10

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[illegible]

# A3.02

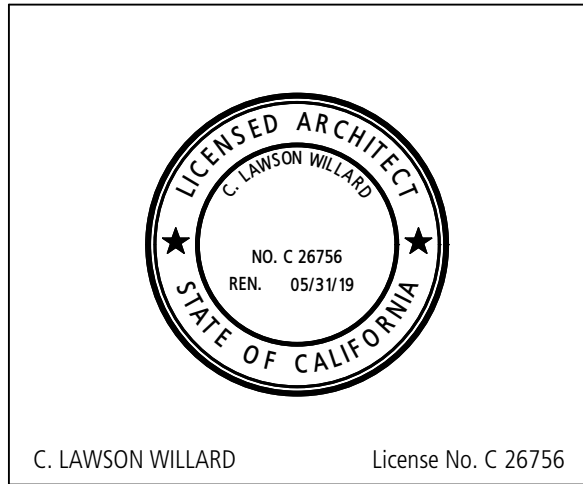
PROJECT NO.	2016.10
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1 EXISTING EAST EXTERIOR ELEVATION

$$1/4'' = 1'-0''$$





**Porter Residence**  
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[illegible]

## A3.03

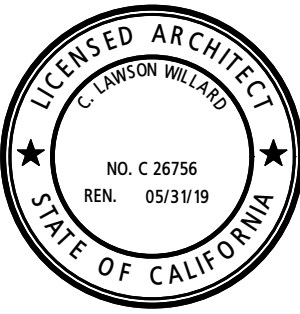
PROJECT NO. 2016.10



EXISTING SOUTH EXTERIOR ELEVATION

$$\overline{1/4'' = 1'-0''}$$





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[illegible]

# A3.10

PROJECT NO.	2016.10
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- EXISTING EXTERIOR ELEVATION NOTES
- |   |   |
|---|---|
| 1 | EXTERIOR STUCCO FINISH TO MATCH EXISTING                          |
| 2 | DOUBLE GLAZED WOOD FRAME WINDOW W/ 1X WOOD TRIM TO MATCH EXISTING |
| 3 | CROWN MOLDING   |
| 4 | EXTERIOR WOOD RAILING   |
| 5 | ENTRANCE OVERHANG   |

1  
A3.10

EXISTING NORTH EXTERIOR ELEVATION

$$1/4'' = 1'-0''$$

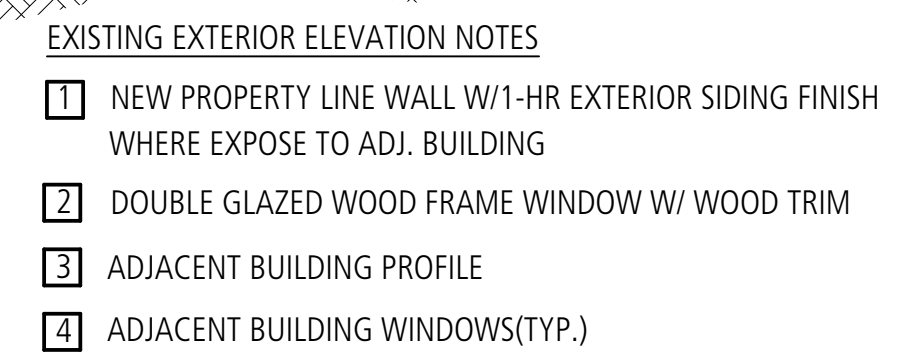


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[illegible]

### A3.11

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1  
A3.11

LAWSON WILLARD ARCHITECTURE • Porter Residence • 2016.10 • 24"x36" SHEET SIZE • A3.11

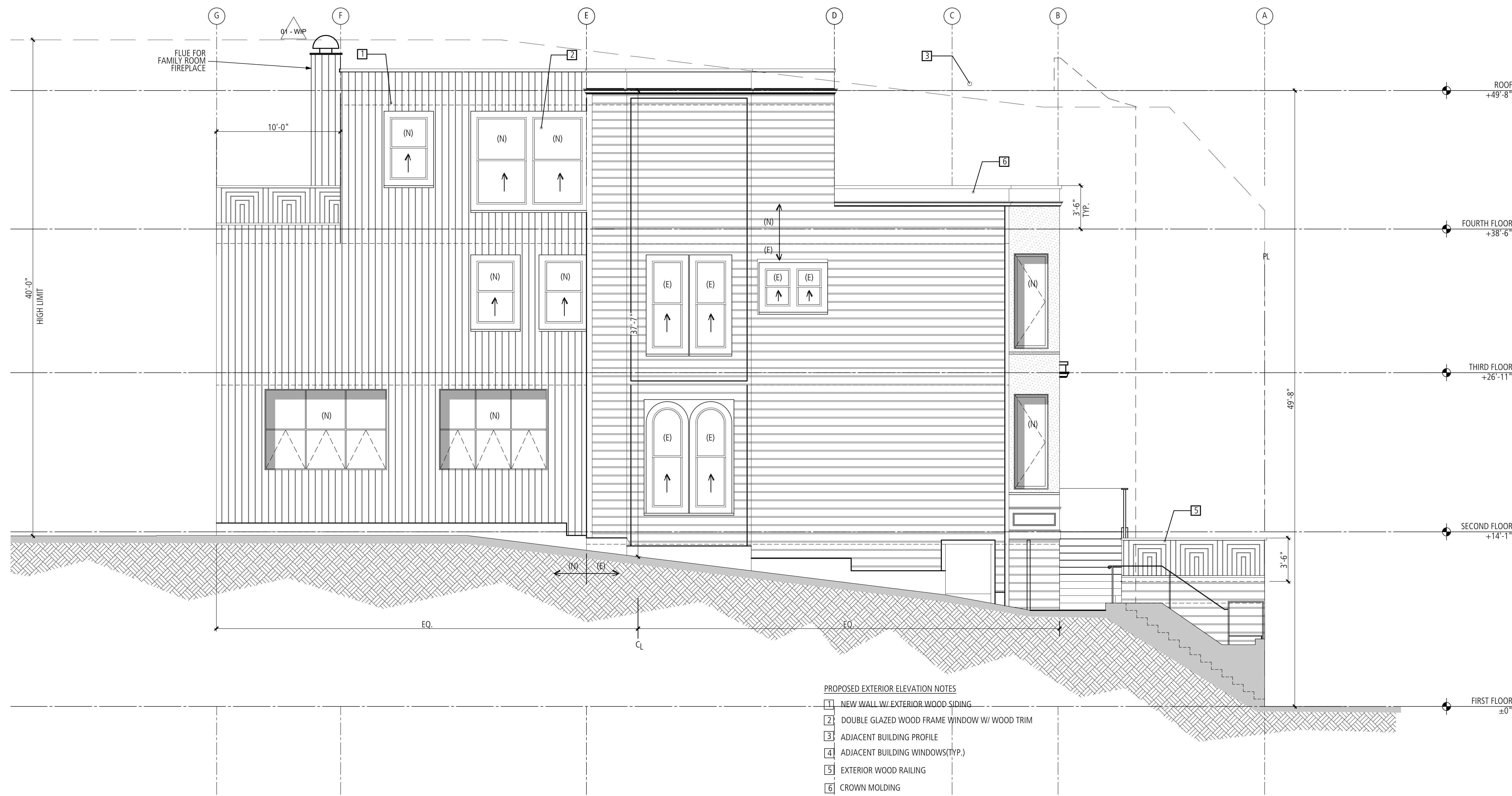


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SAN FRANCISCO, CALIFORNIA 94109

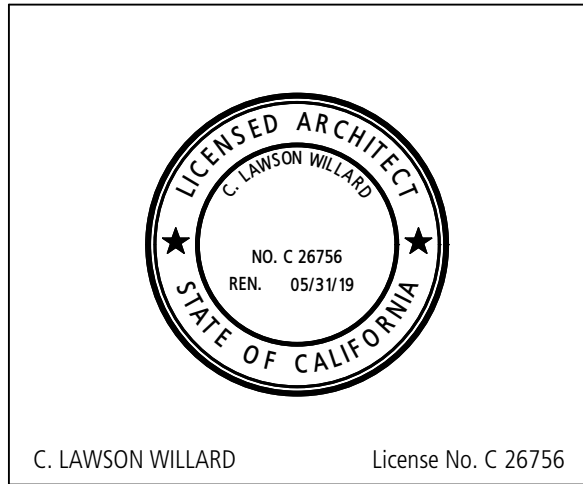
[illegible]

**PROPOSED EAST  
EXTERIOR  
ELEVATION - FOR  
REFERENCE ONLY**

**A3.12**  
PROJECT NO. \_\_\_\_\_ 2016.  
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[illegible]

**PROPOSED SOUTH  
EXTERIOR  
ELEVATION - FOR  
REFERENCE ONLY**

**A3.13**

PROJECT NO. 2016.10

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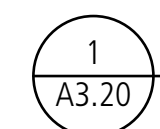


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[illegible]

## A3.20

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$$1/4'' = 1'-0''$$



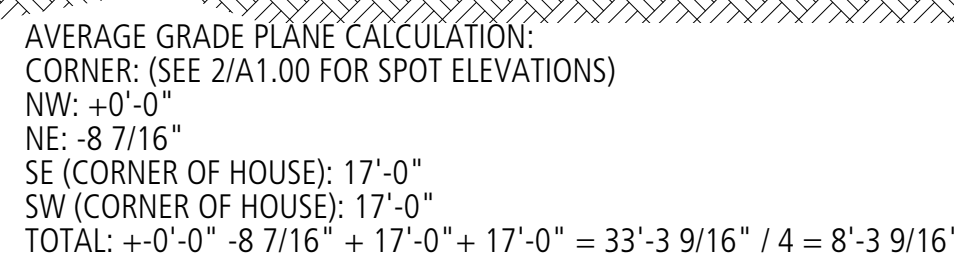
**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE
	ADDENDUM 2 BUILDING PERMIT SET	04/05/2018
	ADDENDUM 2 REVISION	06/23/2018
3	ADDENDUM 3 BUILDING PERMIT SET	10/03/2018
	NOTICE OF VIOLATION CORRECTION	05/15/2019

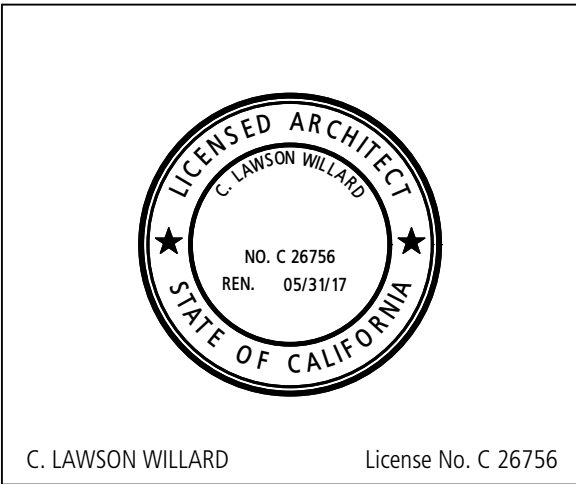
**PROPOSED  
BUILDING  
SECTION - FOR  
REFERENCE ONLY**

## A3.21

PROJECT NO.	2016.1
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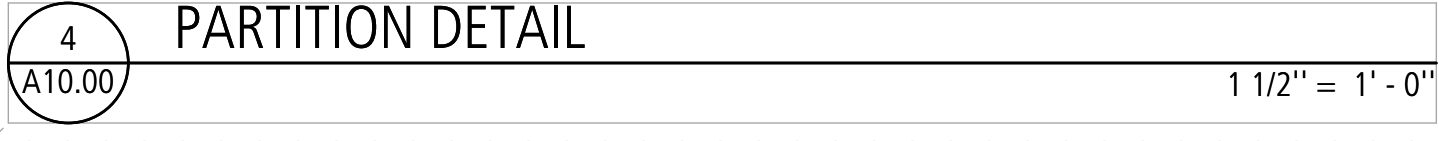


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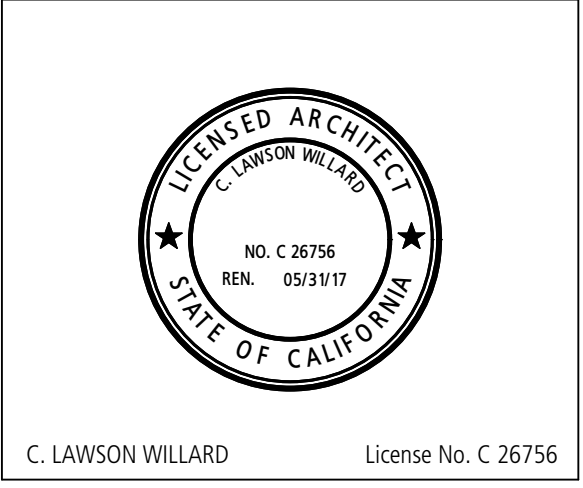
**PARTITION  
DETAILS - FOR  
REFERENCE ONLY**

**A10.00**

PROJECT NO. 2016.10



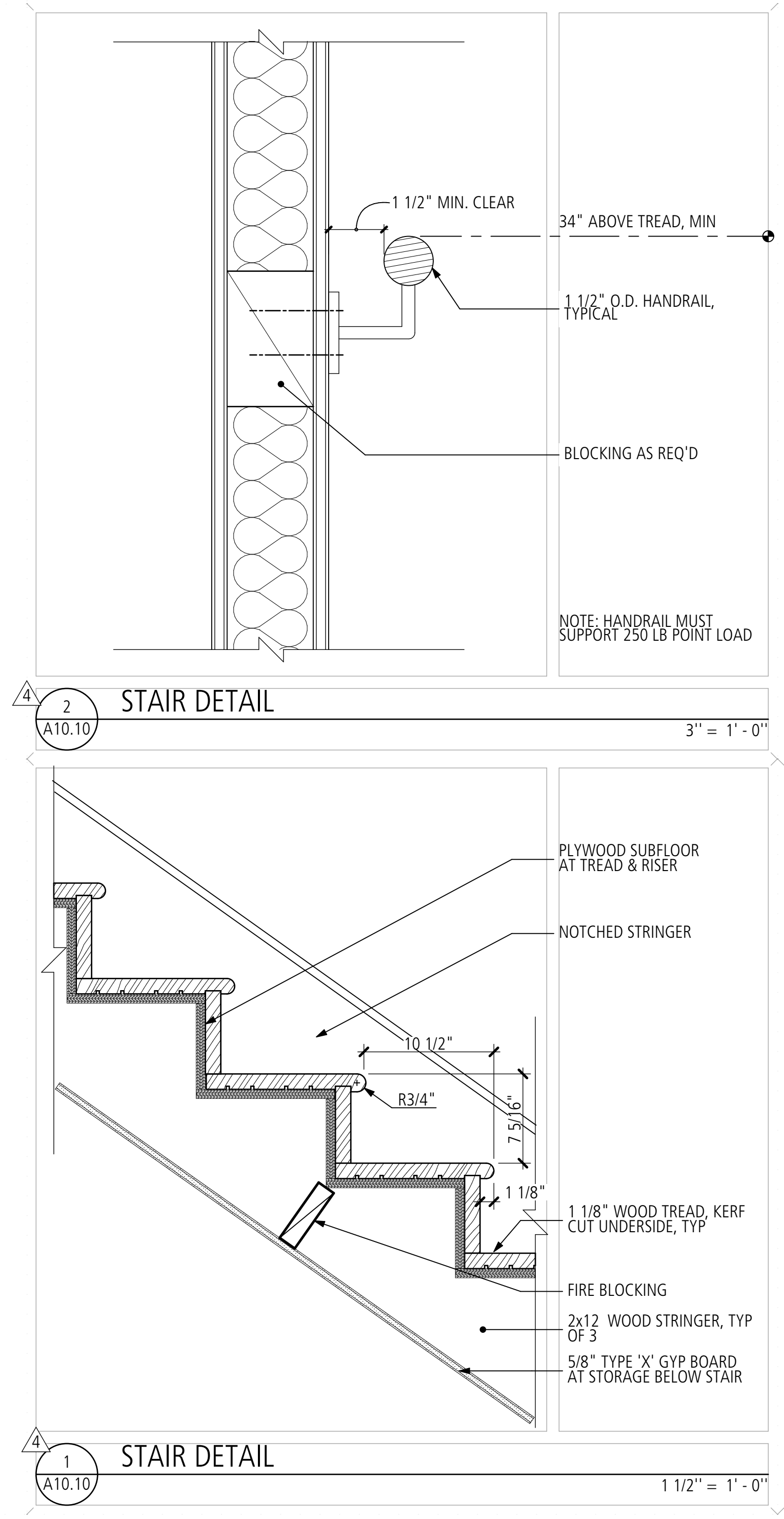


[illegible]

**INTERIOR DETAILS  
- FOR REFERENCE  
ONLY**

**A10.10**

PROJECT NO. 2016.10





# **EXHIBIT C**



Third Floor Wall Length					
Third Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	3.1	North	8.76	Existing To Remain	
	3.2	North	6.08	To Be Demolished	
	3.3	West	4.08	To Be Demolished	
	3.4	North	8.83	Existing To Remain	
	3.5	East	4.08	Existing To Remain	
	3.6	North	0.58	Existing To Remain	
	3.7	East	20.79	Existing To Remain	
	3.8	North	1.08	Existing To Remain	
	3.9	East	10.04	Existing To Remain	
	3.10	South	1.08	Existing To Remain	
	3.11	East	3.25	Existing To Remain	
	3.12	South	4.33	Existing To Remain	
	3.13	South	6.42	To Be Demolished	
	3.14	East	18.50	To Be Demolished	
	3.15	South	12.75	To Be Demolished	
	3.16	West	52.70	Existing To Remain	
Total Walls:			163.35		
			115.52	Existing To Remain	
			47.83	To Be Demolished	
% Demolished			29%		
			Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo
		North	25.33	6.08	24%
		East	56.66	18.50	33%
		South	24.58	19.17	78%
		West	56.78	4.08	7%

Roof Area Calculations			
	Roof	Roof Area SF	Renovation Status
Second Floor Roof		128.25	To Be Demolished
		128.25	To Be Demolished
		136.00	To Be Demolished
Third Floor Roof		113.25	To Be Demolished
		122.5	To Be Demolished
		320.0	To Be Demolished
		310.0	To Be Demolished
		132.75	To Be Demolished
		32.00	To Be Demolished
	Total	1423.00	Existing Roof
		1423.00	Subtotal To Be Demolished
		100%	% To Be Demolished

	Existing SF	Demo SF	Remaining SF	% To Be Demolished
First Floor	626.25	262.75	363.50	42%
Second Floor	1335.75	555.00	780.75	42%
Third Floor	1046.00	246.00	800.00	24%
Totals:	3008.00	1063.75	1944.25	35%

Exterior Vertical Element Calculations					
		Existing SF	Demo SF	Remaining SF	% To Be Demolished
North		248.75	248.75		
		780.25		780.25	
	Sub Total:	1029.00	248.75	780.25	24%
East		210.00	210.00		
		326.75	326.75		
		1376.75		1376.75	
	Sub Total:	1913.50	536.75	1376.75	28%
South	Sub Total:	645.50	516.00	129.50	80%
West		110.50	110.50		
		1790.50		1790.50	
		154.50	154.50		
	Sub Total:	2055.50	265.00	1790.50	13%
TOTAL:		5643.50	1566.50	0.00	28%

First Floor Wall Length					
First Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	1.1	West	20.25	Existing To Remain	
	1.2	North	20.24	Existing To Remain	
	1.3	East	17.10	Existing To Remain	
	1.4	North	2.78	Existing To Remain	
	1.5	East	4.35	Existing To Remain	
	1.6	East	1.46	To Be Demolished	
	1.7	South	2.85	To Be Demolished	
	1.8	East	3.67	To Be Demolished	
	1.9	North	3.42	To Be Demolished	
	1.10	West	19.17	To Be Demolished	
	1.11	North	1.90	To Be Demolished	
	1.12	West	8.21	To Be Demolished	
	Total Walls:		105.4		
			64.72	Existing To Remain	
			40.68	To Be Demolished	
	% Demolished		39%		
		Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo	
		North	28.34	5.32	19%
		East	26.58	5.13	19%
		South	2.85	2.85	100%
		West	47.63	27.38	57%

Second Floor Wall Length					
Second Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	2.1	North	6.83	To Be Demolished	
	2.2	West	2.83	To Be Demolished	
	2.3	North	7.25	To Be Demolished	
	2.4	West	4.08	To Be Demolished	
	2.5	North	8.83	Existing To Remain	
	2.6	East	4.08	Existing To Remain	
	2.7	North	1.88	Existing To Remain	
	2.8	East	20.79	Existing To Remain	
	2.9	East	10.04	Existing To Remain	
	2.10	East	3.25	Existing To Remain	
	2.11	South	4.33	To Be Demolished	
	2.12	East	18.50	To Be Demolished	
	2.13	South	6.42	To Be Demolished	
	2.14	East	16.17	To Be Demolished	
	2.15	South	3.13	To Be Demolished	
	2.16	East	2.42	To Be Demolished	
	2.17	South	7.00	To Be Demolished	
	2.18	West	2.42	To Be Demolished	
	2.19	South	3.13	To Be Demolished	
	2.20	West	4.81	To Be Demolished	
	2.21	West	63.94	Existing To Remain	
Total Walls:			202.13		
			117.14	Existing To Remain	
			84.99	To Be Demolished	
% Demolished			42%		
		Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo	
		North	24.79	14.08	57%
		East	75.25	37.09	49%
		South	24.01	19.68	82%
		West	78.08	14.14	18%

	DATE:	November 16, 2018			
	PROJECT:	1973 Broadway			
	ARCHITECT:	Lawson Willard Architecture			
	RESIDENTIAL DEMOLITION AREA CALCULATIONS				
	FRONT & REAR FAÇADES - LINEAL FOUNDATION MEASUREMENTS				
	VERTICAL ELEMENTS	(E) LENGTH	REMOVED	% REMOVED	
B1	A: FRONT FAÇADE	78.46	25.48	32.5%	
	B: REAR FAÇADE	51.44	41.70	81.1%	
	EAST / WEST TOTAL (A+B)		129.90	67.18	51.7%
	EXTERIOR WALLS - LINEAL FOUNDATION MEASUREMENTS				
	ELEMENT	(E) LENGTH	REMOVED	% REMOVED	
B2	C: EAST FAÇADE	158.49	41.70	26.3%	
	D: WEST FAÇADE	182.49	45.60	25.0%	
	E: NORTH FAÇADE	78.46	25.48	32.5%	
	F: SOUTH FAÇADE	51.44	41.70	81.1%	
	LINEAL TOTAL (C-F)		470.88	154.48	32.8%
	VERTICAL ENVELOPE ELEMENTS - SURFACE AREA MEASUREMENTS				
	VERTICAL ELEMENTS	(E) AREA	REMOVED	% REMOVED	
C1	G: EAST FAÇADE	1913.50	536.75	28.1%	
	H: WEST FAÇADE	2055.50	265.00	12.9%	
	I: NORTH FAÇADE	1029.00	248.75	24.2%	
	J: SOUTH FAÇADE	645.50	516.00	79.9%	
	VERT. TOTAL (G-J)		5643.50	1566.50	27.8%
	HORIZONTAL ELEMENTS - SURFACE AREA MEASUREMENTS				
	HORIZONTAL ELEMENTS	(E) AREA	REMOVED	% REMOVED	
C2	K: FIRST FLOOR	626.25	262.75	42.0%	
	L: SECOND FLOOR	1335.75	555.00	41.5%	
	M: THIRD FLOOR	1046.00	246.00	23.5%	
	N: THIRD FLOOR ROOF	1423.00	1423.00	100.0%	
	HORIZ. TOTAL (K-O)		4431.00	2486.75	56.1%
	S.F.P.C. SEC. 317(b)(2) Definition "Demolition of Residential Buildings"				
	(2) "Demolition of Residential Buildings" shall mean any of the following:				
	(A) Any work on a Residential Building for which the Department of Building Inspection determines that an application permit is required, or				
	(B1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the sum of the Front Façade and Rear Façade and (B2) also proposes the Removal of more than 65% of the sum of all exterior walls, measured in lineal feet at the foundation level, or				
	(C1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the Vertical Envelope Elements and (C2) more than 50% of the Horizontal elements of the existing building, as measured in square feet of actual surface area.				

LAWSON WILLARD



A

ARCHITECTURE

2147 UNION STREET  
SAN FRANCISCO, CA 94123  
415.674.1102



C. LAWSON WILLARD License No. C 26756

**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible][illegible]

2015 APPROVED PROJECT  
DEMOLITION  
CALCULATION TABLE.

**SHEET 1**  
PROJECT NO. 2016.10  
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### Third Floor Wall Length

Third Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	3.1	North	8.76	Existing To Remain	
	3.2	North	6.08	To Be Demolished	
	3.3	West	4.08	To Be Demolished	
	3.4	North	8.83	Existing To Remain	
	3.5	East	4.08	Existing To Remain	
	3.6	North	0.58	Existing To Remain	
	3.7	East	20.79	Existing To Remain	
	3.8	North	1.08	Existing To Remain	
	3.9	East	10.04	Existing To Remain	
	3.10	South	1.08	Existing To Remain	
	3.11	East	3.25	Existing To Remain	
	3.12	South	4.33	Existing To Remain	
	3.13	South	6.42	To Be Demolished	
	3.14	East	18.50	To Be Demolished	
	3.15	South	12.75	To Be Demolished	
	3.16	West	52.70	Existing To Remain	
	Total Walls:		163.35		
			115.52	Existing To Remain	
			47.83	To Be Demolished	
	% Demolished		29%		
			Total Wall Length	Total Wall LengthTo Be Demolished	% Wall Length Demo
		North	25.33	6.08	24%
		East	56.66	18.50	33%
		South	24.58	19.17	78%
		West	56.78	4.08	7%

## Roof Area Calculations

	Roof	Roof Area SF	Renovation Status
Second Floor Roof		128.25	To Be Demolished
		128.25	To Be Demolished
		136.00	To Be Demolished
Third Floor Roof		113.25	To Be Demolished
		122.5	To Be Demolished
		320.0	To Be Demolished
		310.0	To Be Demolished
		132.75	To Be Demolished
		32.00	To Be Demolished
	Total	1423.00	Existing Roof
		1423.00	Subtotal To Be Demolished
		100%	% To Be Demolished

## Horizontal Element Calculations - 2018

	Existing SF	Demo SF	Remaining SF	% To Be Demolished
First Floor	626.25	262.75	363.50	42%
Second Floor	1335.75	1180.50	154.75	88%
Third Floor	1046.00	246.00	800.00	24%
Totals:	3008.00	1689.25	1318.25	56%

## Exterior Vertical Element Calculations

		Existing SF	Demo SF	Remaining SF	% To Be Demolished
North		248.75	248.75		
		780.25		780.25	
	Sub Total:	1029.00	248.75	780.25	24%
East		210.00	210.00		
		326.75	326.75		
	Sub Total:	1376.75	536.75	1376.75	28%
South	Sub Total:	645.50	516.00	129.50	80%
West		110.50	110.50		
		1790.50		1790.50	
	Sub Total:	2055.50	265.00	1790.50	13%
TOTAL:		5643.50	1566.50	0.00	28%

## First Floor Wall Length

First Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	1.1	West	20.25	Existing To Remain	
	1.2	North	20.24	Existing To Remain	
	1.3	East	17.10	Existing To Remain	
	1.4	North	2.78	Existing To Remain	
	1.5	East	4.35	Existing To Remain	
	1.6	East	1.46	To Be Demolished	
	1.7	South	2.85	To Be Demolished	
	1.8	East	3.67	To Be Demolished	
	1.9	North	3.42	To Be Demolished	
	1.10	West	19.17	To Be Demolished	
	1.11	North	1.90	To Be Demolished	
	1.12	West	8.21	To Be Demolished	
	Total Walls:		105.4		
			64.72	Existing To Remain	
			40.68	To Be Demolished	
% Demolished		39%			
		Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo	
	North	28.34	5.32	19%	
	East	26.58	5.13	19%	
	South	2.85	2.85	100%	
	West	47.63	27.38	57%	


### Second Floor Wall Length

Second Floor	Wall	Orientation	Wall Length	Renovation Status	
Exterior Walls	2.1	North	6.83	To Be Demolished	
	2.2	West	2.83	To Be Demolished	
	2.3	North	7.25	To Be Demolished	
	2.4	West	4.08	To Be Demolished	
	2.5	North	8.83	Existing To Remain	
	2.6	East	4.08	Existing To Remain	
	2.7	North	1.88	Existing To Remain	
	2.8	East	20.79	Existing To Remain	
	2.9	East	10.04	Existing To Remain	
	2.10	East	3.25	Existing To Remain	
	2.11	South	4.33	To Be Demolished	
	2.12	East	18.50	To Be Demolished	
	2.13	South	6.42	To Be Demolished	
	2.14	East	16.17	To Be Demolished	
	2.15	South	3.13	To Be Demolished	
	2.16	East	2.42	To Be Demolished	
	2.17	South	7.00	To Be Demolished	
	2.18	West	2.42	To Be Demolished	
	2.19	South	3.13	To Be Demolished	
	2.20	West	4.81	To Be Demolished	
	2.21	West	63.94	Existing To Remain	
	Total Walls:		202.13		
			117.14	Existing To Remain	
			84.99	To Be Demolished	
	% Demolished		42%		
		Total Wall Length	Total Wall Length To Be Demolished	% Wall Length Demo	
		North	24.79	14.08	57%
		East	75.25	37.09	49%
		South	24.01	19.68	82%
		West	78.08	14.14	18%

	DATE:	November 16, 2018		
	PROJECT:	1973 Broadway		
	ARCHITECT:	Lawson Willard Architecture		
	RESIDENTIAL DEMOLITION AREA CALCULATIONS			
	FRONT & REAR FAÇADES - LINEAL FOUNDATION MEASUREMENTS			
	VERTICAL ELEMENTS	(E) LENGTH	REMOVED	% REMOVED
B1	A: FRONT FAÇADE	78.46	25.48	32.5%
	B: REAR FAÇADE	51.44	41.70	81.1%
	EAST / WEST TOTAL (A+B)	129.90	67.18	51.7%
	EXTERIOR WALLS - LINEAL FOUNDATION MEASUREMENTS			
	ELEMENT	(E) LENGTH	REMOVED	% REMOVED
B2	C: EAST FAÇADE	158.49	41.70	26.3%
	D: WEST FAÇADE	182.49	45.60	25.0%
	E: NORTH FAÇADE	78.46	25.48	32.5%
	F: SOUTH FAÇADE	51.44	41.70	81.1%
	LINEAL TOTAL (C-F)	470.88	154.48	32.8%
	VERTICAL ENVELOPE ELEMENTS - SURFACE AREA MEASUREMENTS			
	VERTICAL ELEMENTS	(E) AREA	REMOVED	% REMOVED
C1	G: EAST FAÇADE	1913.50	536.75	28.1%
	H: WEST FAÇADE	2055.50	265.00	12.9%
	I: NORTH FAÇADE	1029.00	248.75	24.2%
	J: SOUTH FAÇADE	645.50	516.00	79.9%
	VERT. TOTAL (G-J)	5643.50	1566.50	27.8%
	HORIZONTAL ELEMENTS - SURFACE AREA MEASUREMENTS			
	HORIZONTAL ELEMENTS	(E) AREA	REMOVED	% REMOVED
C2	K: FIRST FLOOR	626.25	262.75	42.0%
	L: SECOND FLOOR	1335.75	1180.50	88.4%
	M: THIRD FLOOR	1046.00	246.00	23.5%
	N: THIRD FLOOR ROOF	1423.00	1423.00	100.0%
	HORIZ. TOTAL (K-O)	4431.00	3112.25	70.2%
S.F.P.C. SEC. 317(b)(2) Definition "Demolition of Residential Buildings"				
(2) "Demolition of Residential Buildings" shall mean any of the following:				
(A) Any work on a Residential Building for which the Department of Building Inspection determines that an application permit is required, or				
(B1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the sum of the Front Façade and Rear Façade and (B2) also proposes the Removal of more than 65% of the sum of all exterior walls, measured in lineal feet at the foundation level, or				
(C1) A major alteration of a Residential Building that proposes the Removal of more than 50% of the Vertical Envelope Elements and (C2) more than 50% of the Horizontal elements of the existing building, as measured in square feet of actual surface area.				



**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

[illegible]

# 2018 PROPOSED PROJECT DEMOLITION CALCULATION TABLE.

## SHEET 2

PROJECT NO. 2016.10

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**PROJECT DATA**  
**ASSESSOR'S NUMBER:** BLOCK:578, LOT:15  
**ADDRESS:** 1973 BROADWAY STREET. SAN FRANCISCO, CA 94109  
**EXISTING USE:** SINGLE FAMILY DWELLING  
**PROPOSE PROJECT:** - SIDE ADDITION AT FRONT AND REAR  
- NEW THIRD FLOOR ADDITION  
- NEW BASEMENT FLOOR  
- RENOVATION AND SEISMIC UPGRADE

**SCOPE OF WORK**  
WIDEN FRONT STAIR AT FIRST FLOOR  
WIDEN FRONT BAY AT FIRST AND SECOND FLOORS  
SIDE ADDITION TO REAR AT THE EAST SIDE  
REDUCE BUILDING DEPTH ON FIRST FLOOR  
ADD NEW ENTERTAINMENT ROOM AT BASEMENT LEVEL  
INTERIOR RENOVATION TO THE EXISTING FIRST AND SECOND FLOORS

**PLANNING CHECK LIST**

**ZONING:** RM-2  
**LOT SIZE:** 26,469' X 112,550'

**BUILDING CHECK LIST**

EXISTING	PROPOSE
5B,	5B, + FULLY SPRINKLER
R3	R3
38'-6"	49'-8"
2 + STREET LEVEL GARAGE	3 + STREET LEVEL GARAGE + BASEMENT
1	1

**WORK UNDER SEPARATE APPLICATION:** FULLY SPRINKLER SYSTEM NFPA 13R

**APPLICABLE CODE:**

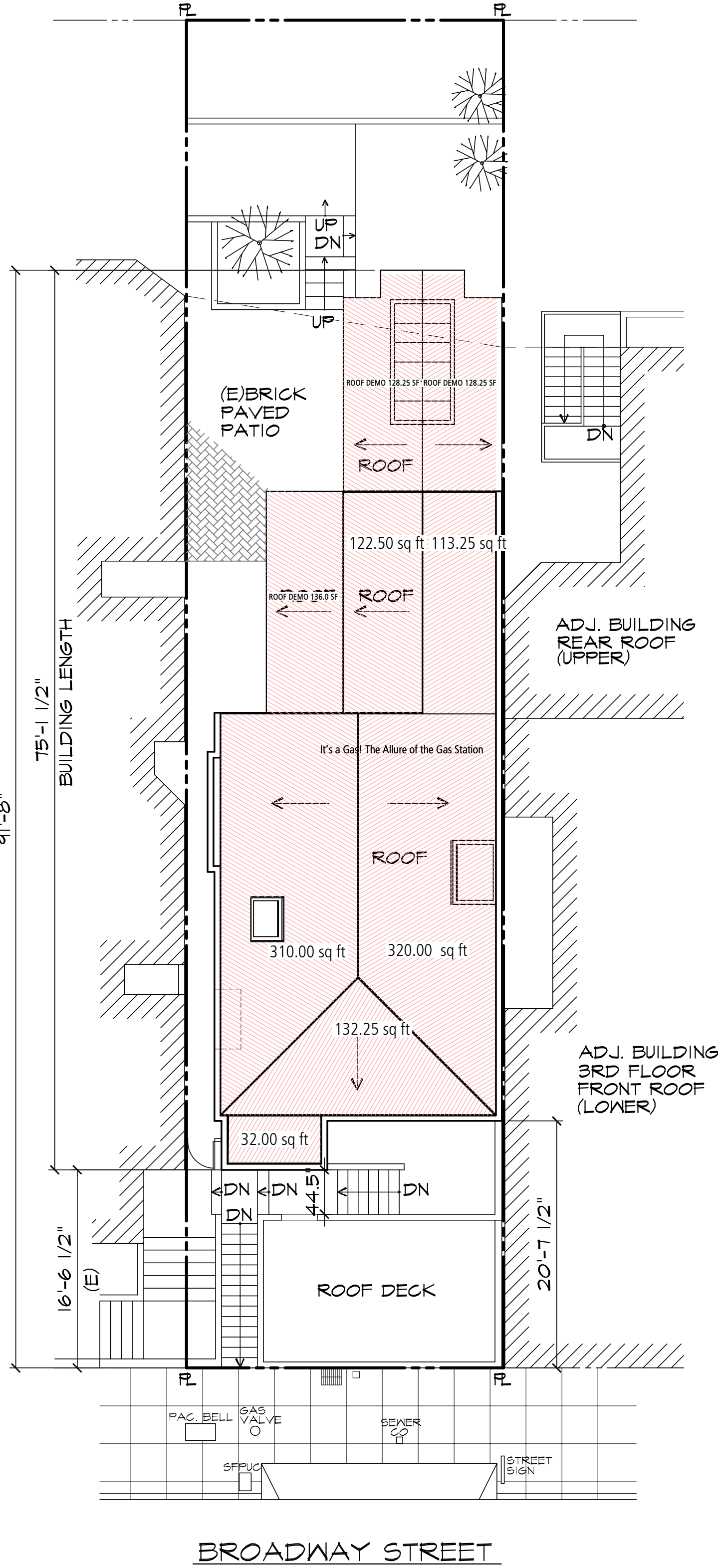
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2013 CALIF. MECH. CODE & S.F. AMENDMENTS  
2013 CALIF. PLMBG. CODE & S.F. AMENDMENTS  
2013 CALIF. ELECTR. CODE & S.F. AMENDMENTS  
2013 CALIF. ENERGY CODE - TITLE 24  
2013 CALIF. RESIDENTIAL CODE

**DRAWING INDEX:**

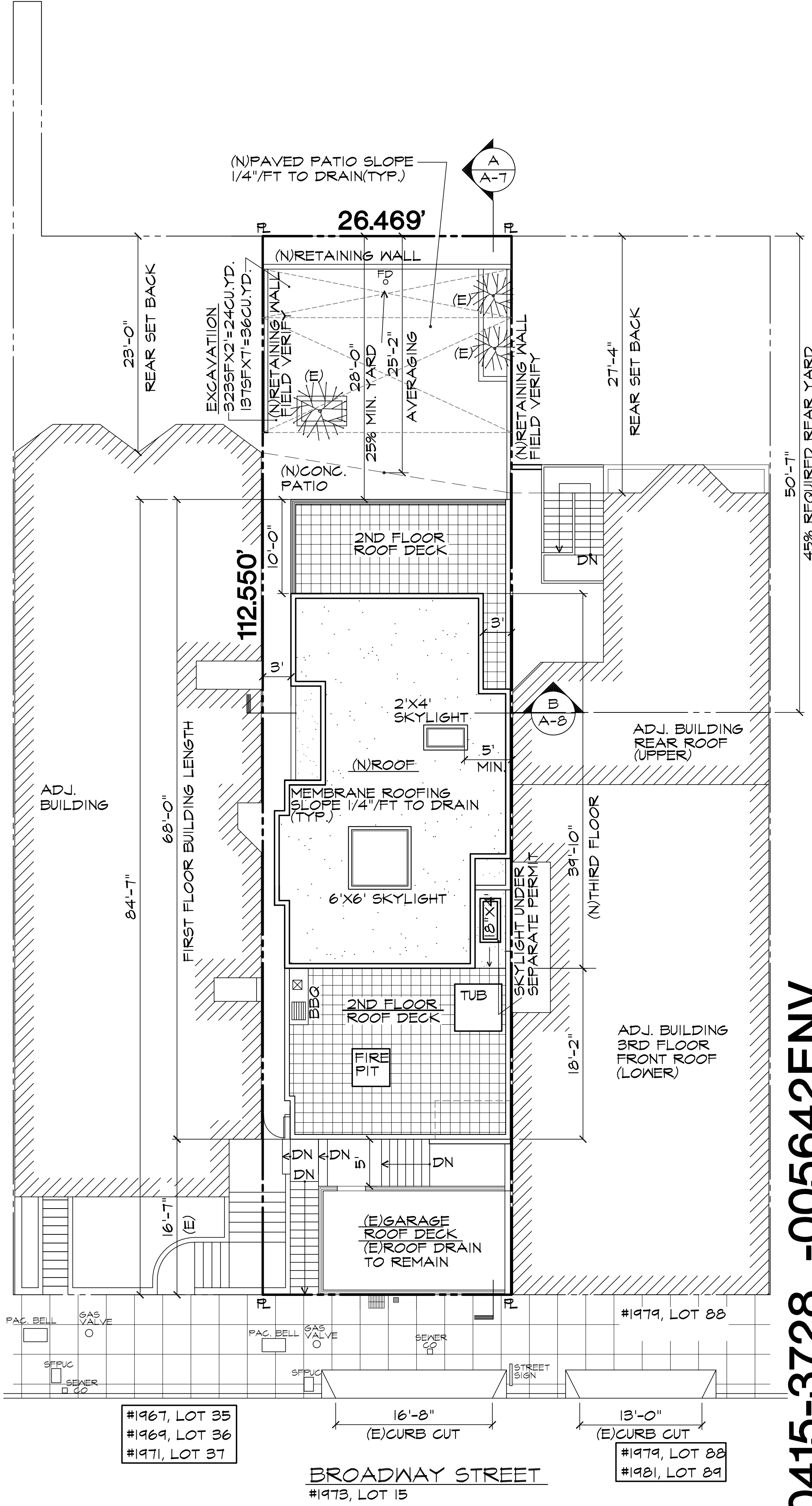
- A-1: PROJECT DATA, (E)SITE & ROOF PLAN AND (N)SITE & ROOF PLAN  
A-2: (N)FLOOR PLANS  
A-3: (N)FRONT ELEVATION  
A-4: (N)REAR ELEVATION  
A-5: (N)LEFT SIDE ELEVATION  
A-6: (N)RIGHT SIDE ELEVATION  
A-7: (N)SECTION  
A-8: (N)BASEMENT PLAN, (N)SECTION, DETAILS  
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A-10: WINDOW WITHIN 3 FEET, PRE-APPLICATION NOTE  
NOT PERMITTED NEIGHBOR ENCROACHMENT  
D-1: (E)FLOOR DEMOLITION PLANS  
E-1: (E)FLOOR PLANS  
E-2: (E)SECTION  
E-3: (E)EXTERIOR ELEVATIONS

**DPW**  
SUSAN NAWBARY 11/13/2015 EMAIL  
\$1,847 TREE FEE PAY TO DBI AT PERMIT STAGE.

**PLANNING**  
JEANIE POLING 575-9072 MAY 5, 2015 EE/HRD APPLICATIONS COMPLETED  
TRANSFER FROM SARA VELLVE TO WAYNE FARRENS, OCT. 26, 2015



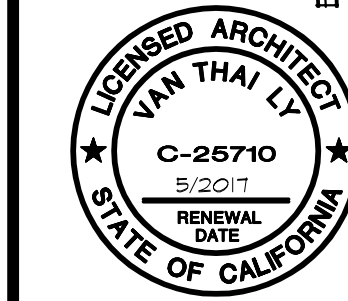
**(E)SITE & ROOF PLAN**  
SCALE: 1/8"=1'-0"



**(N)SITE & ROOF PLAN**  
SCALE: 1/8"=1'-0"  
ALL MEMBRANE ROOF & PAVED PATIO  
SLOPE 1/4"/FT TO DRAIN (TYP.)

REVISIONS	BY
NOV. 2, 2015	
JAN. 11, 2016	
FEB. 16, 2016	

**VAN T. LY & ASSOCIATES**  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415)468-3222  
EMAIL: van@vantilyarchitect.com



**PORTER RESIDENCE RENOVATION**  
**1973 BROADWAY STREET**  
**(E)&(N) SITE & ROOF PLAN**  
**SAN FRANCISCO, CA 94109**

**PROJECT DATA**  
**(E)&(N) SITE & ROOF PLAN**  
**SAN FRANCISCO, CA 94109**

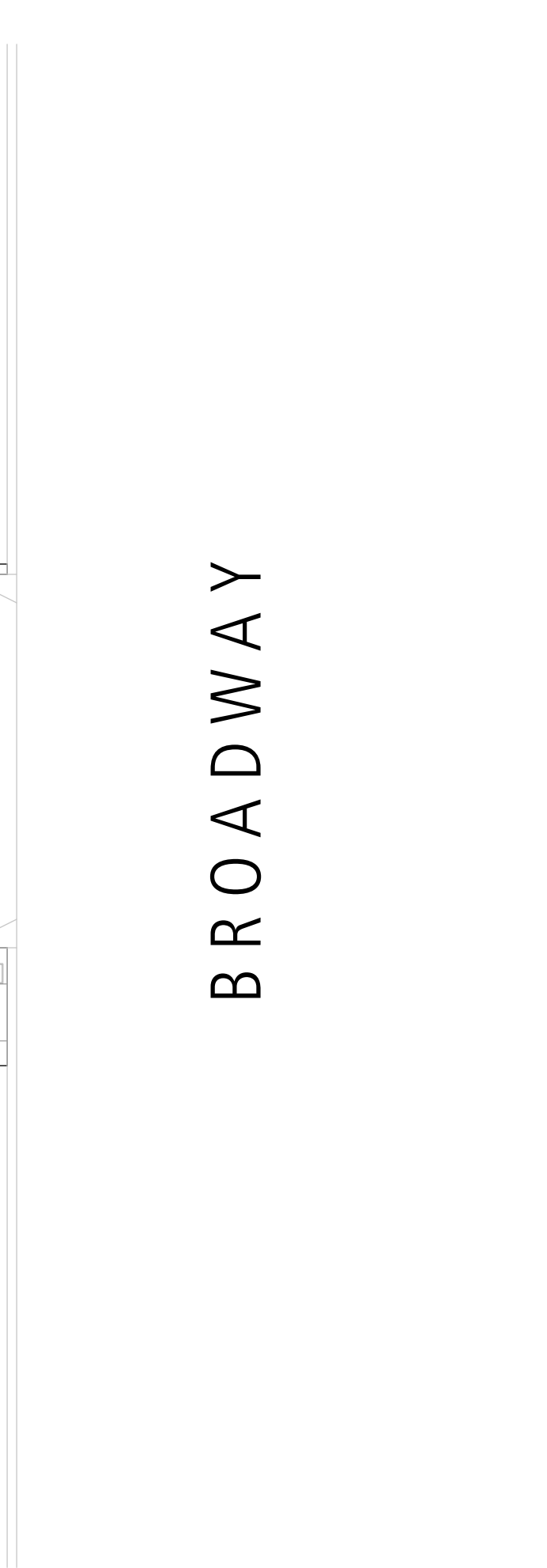
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CHECKED VT
DATE MARCH 26, 2015
SCALE AS NOTED
JOB NO.
SHEET A-1
of 14 SHEETS

2015-0415-3728, -005642ENV





**VENTILATION**  
EXHAUST FAN  
BATHROOMS REQ. MECHANICAL VENTING (1202.4.2.1)(CMC)



**PARTITION PLAN LEGEND**

(E) WALL TO REMAIN

(N) WALL

ONE-HOUR RATING

(N) WALL TAG

2X SIZE

WALL TYPE, SEE A10.00

FIRE RATING (HOUR)



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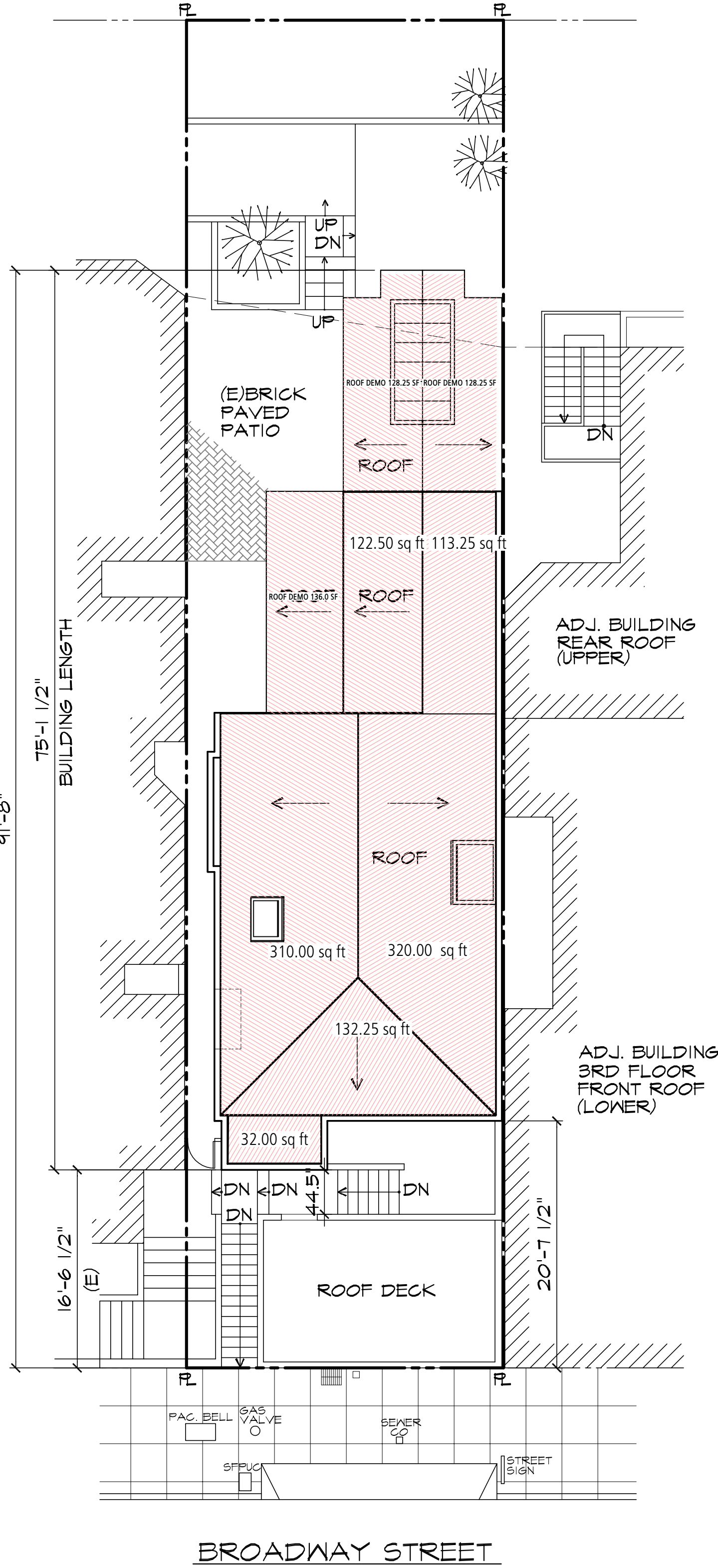
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**DRAWING INDEX:**

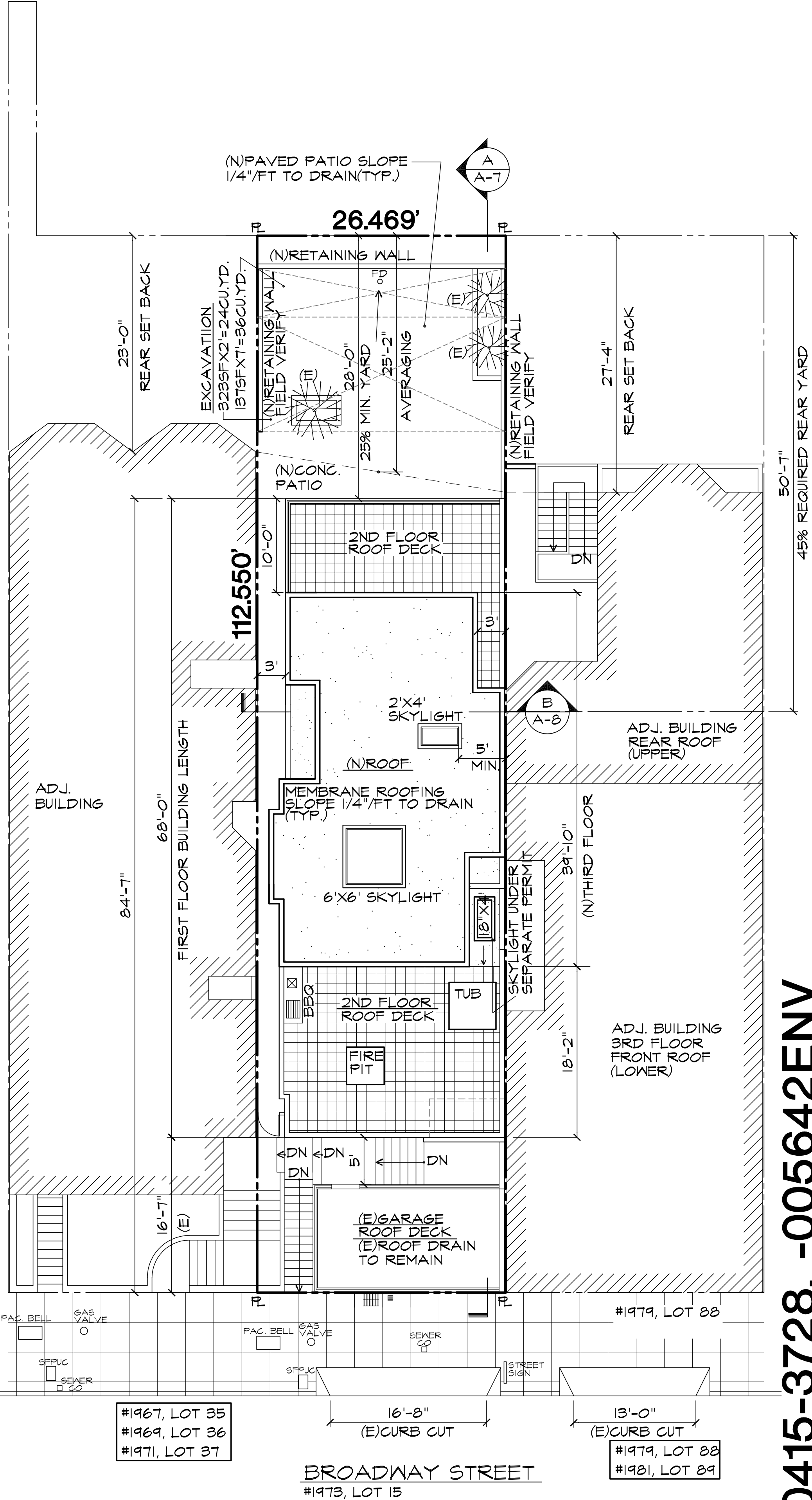
- A-1: PROJECT DATA, (E)SITE & ROOF PLAN AND (N)SITE & ROOF PLAN  
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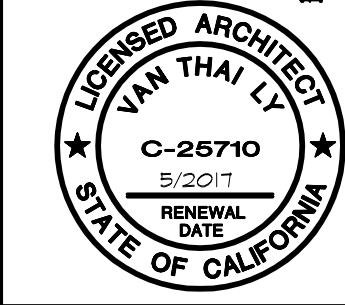
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SCALE: 1/8"=1'-0"



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SCALE: 1/8"=1'-0"  
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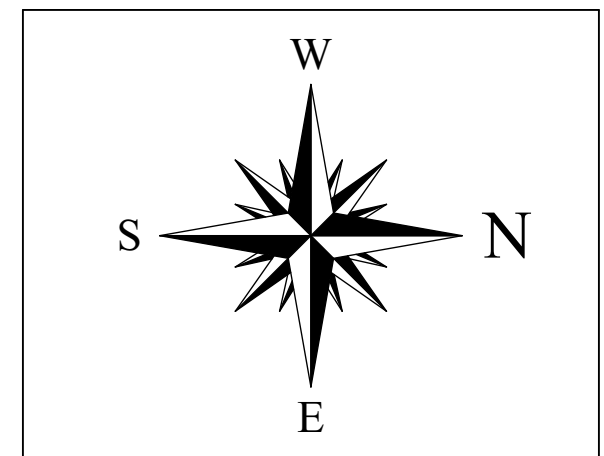
**PORTER RESIDENCE RENOVATION**  
**1973 BROADWAY STREET**  
**(E)&(N) SITE & ROOF PLAN**  
**SAN FRANCISCO, CA 94109**

**PROJECT DATA**  
**(E)&(N) SITE & ROOF PLAN**  
**SAN FRANCISCO, CA 94109**

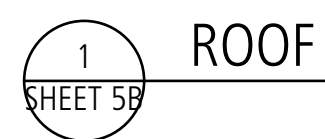
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CHECKED VT
DATE MARCH 26, 2015
SCALE AS NOTED
JOB NO.
SHEET A-1
of 14 SHEETS



**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

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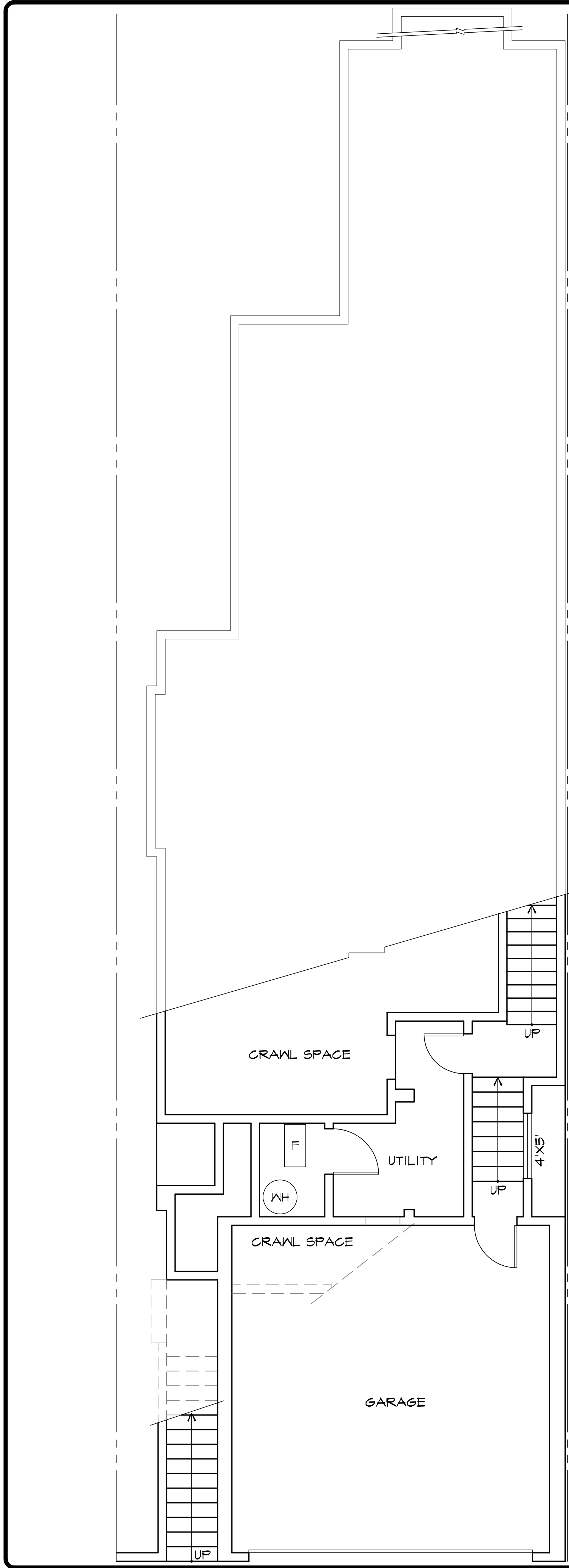
**SHEET 5B**  
PROJECT NO. 2016.10  
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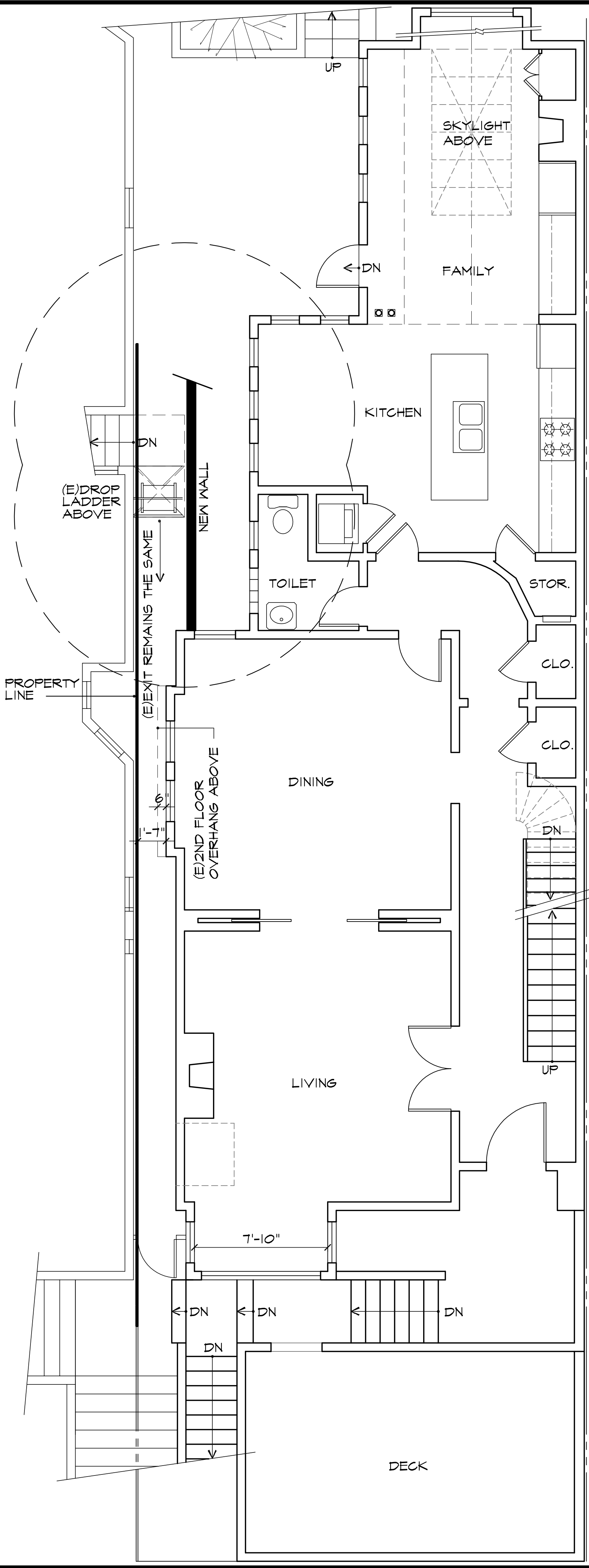
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1/4" = 1'-0"

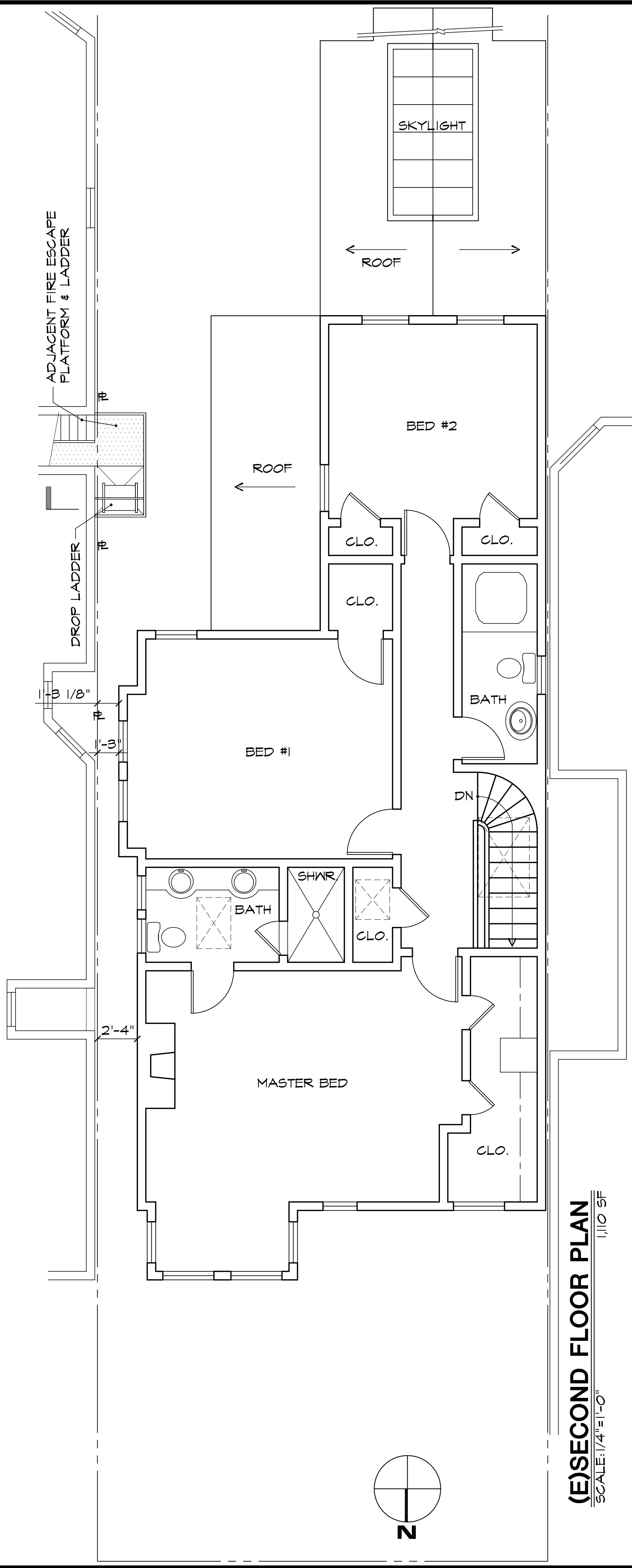




**(E) BASEMENT PLAN**  
SCALE: 1/4"=1'-0"  
UTILITY: 199 SF  
GARAGE: 408 SF  
TOTAL: 602 SF



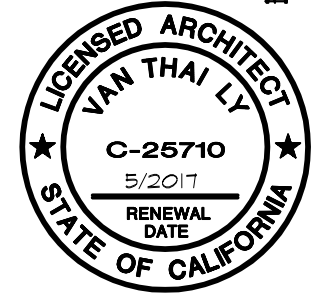
**(E) FIRST FLOOR PLAN**  
SCALE: 1/4"=1'-0"  
1,431 SF



**(E) SECOND FLOOR PLAN**  
SCALE: 1/4"=1'-0"  
1,110 SF

DRAWN	TH
CHECKED	
DATE	
MARCH 26, 2015	
SCALE	
AS NOTED	
JOB NO.	
SHEET	
<b>E-1</b>	
OF 14	SHEETS

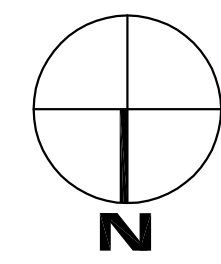
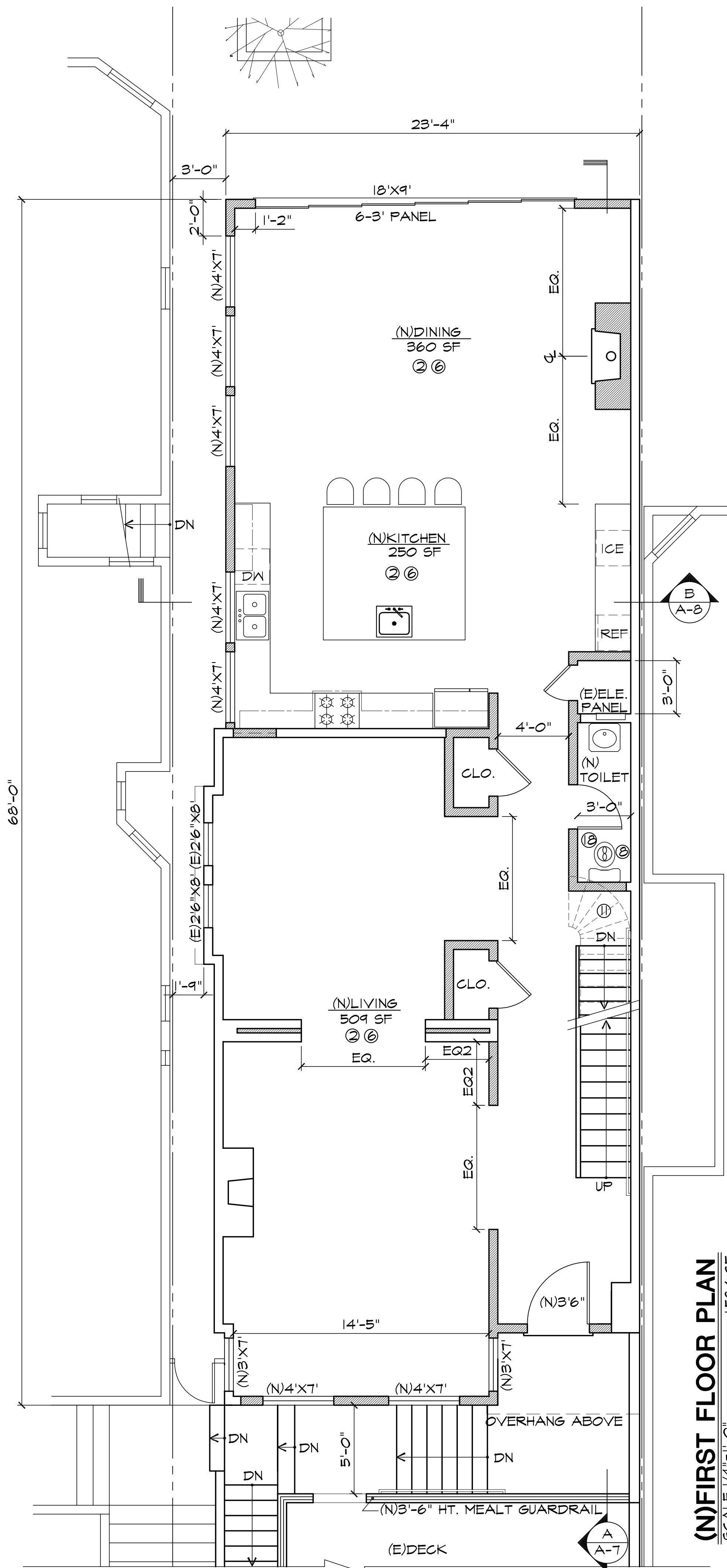
PORTER RESIDENCE RENOVATION  
**1973 BROADWAY STREET  
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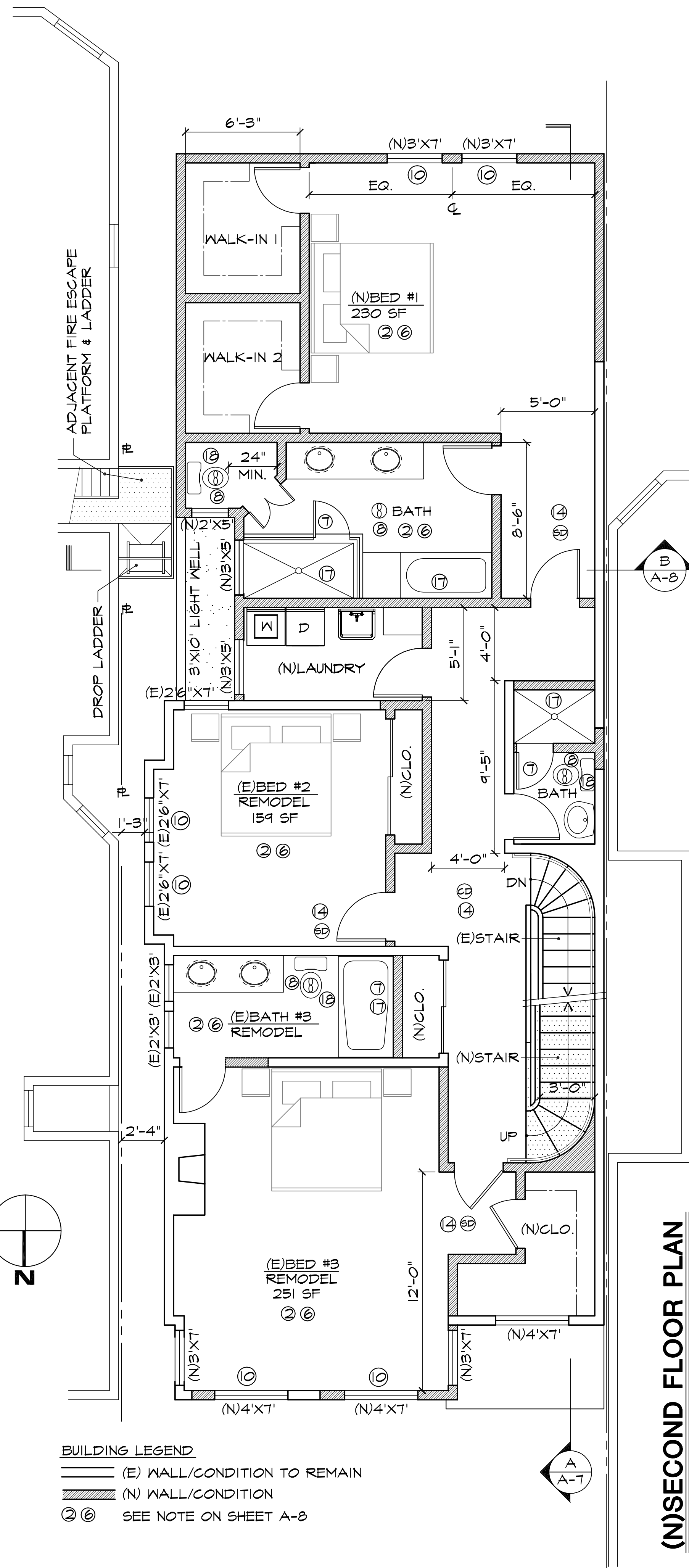
**VAN T. LY & ASSOCIATES**  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415) 466-5222  
EMAIL: van@vantlyarchitect.com

REVISIONS	BY



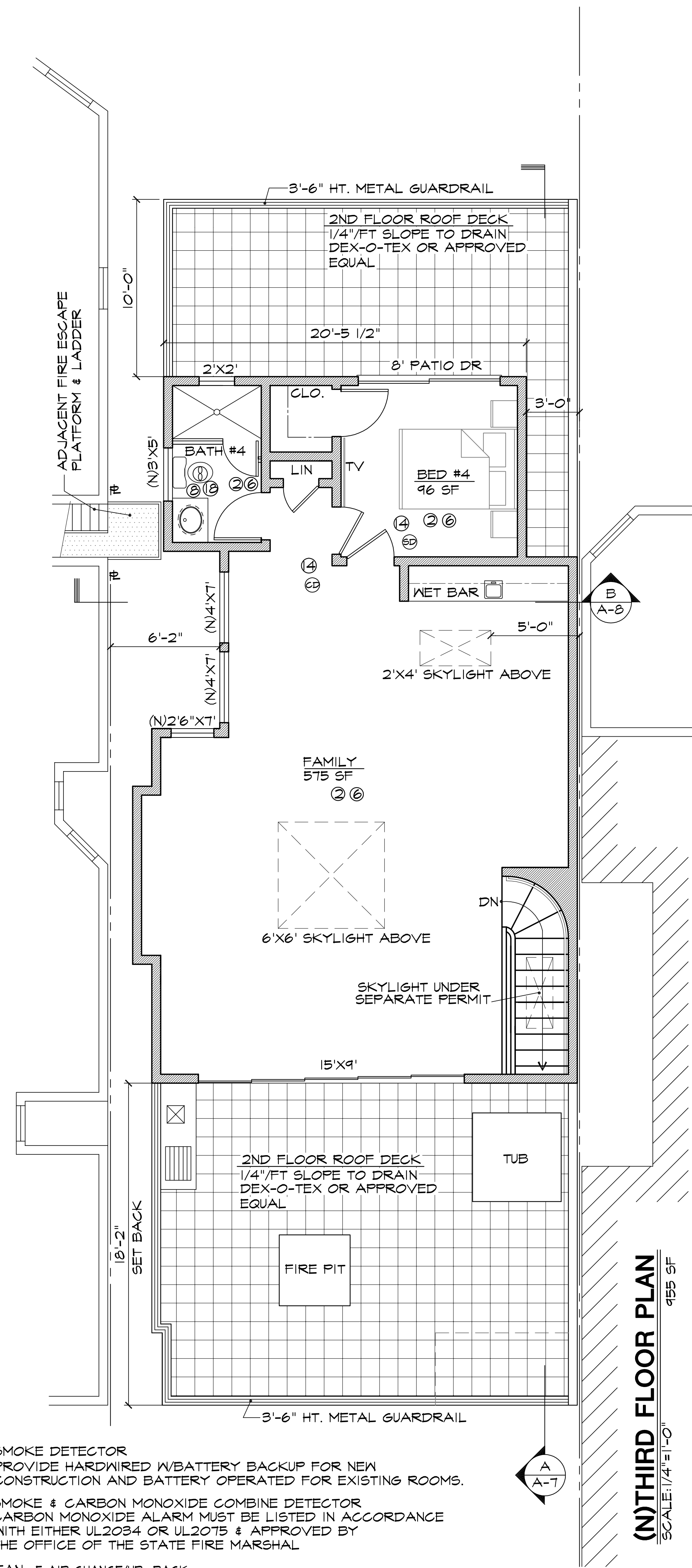


- BUILDING LEGEND**
- (E) WALL/CONDITION TO REMAIN
  - (N) WALL/CONDITION
  - ② ⑥ SEE NOTE ON SHEET A-8



**(N)SECOND FLOOR PLAN**  
SCALE: 1/4"=1'-0"  
1351 SF

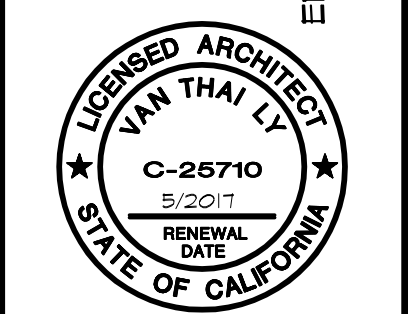
- ② SMOKE DETECTOR  
PROVIDE HARDWIRED W/BATTERY BACKUP FOR NEW CONSTRUCTION AND BATTERY OPERATED FOR EXISTING ROOMS.
- ③ SMOKE & CARBON MONOXIDE COMBINE DETECTOR  
CARBON MONOXIDE ALARM MUST BE LISTED IN ACCORDANCE WITH EITHER UL2034 OR UL2075 & APPROVED BY THE OFFICE OF THE STATE FIRE MARSHAL
- ④ FAN 5 AIR CHANGE/HR, BACK DRAFT DAMPER



**(N)THIRD FLOOR PLAN**  
SCALE: 1/4"=1'-0"  
955 SF

REVISIONS	BY

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ARCHITECT, AIA  
8 BRUSSELS STREET  
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PORTER RESIDENCE RENOVATION  
**1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109**

DRAWN RH	CHECKED VTL
DATE MARCH 26, 2015	SCALE AS NOTED
JOB NO.	SHEET
<b>A-2</b>	OF 14 SHEETS



EXISTING EXTERIOR WALL IN LINEAR FEET

FIRST FLOOR: 197'-8"  
SECOND FLOOR: 169'-2"  
TOTAL : 366'-10"

EXISTING EXTERIOR WALL TO BE REMOVED:

FIRST FLOOR: 72'-6.5"  
SECOND FLOOR: 31'-3"  
TOTAL : 103'-9.5" = 28.5% OF EXISTING WALL

FIRST FLOOR

EXISTING  
(72'-10" + 2'-3" + 24') X 2  
= 98'-10" X 2  
= 197'-8"

TO BE REMOVED

16'-6.5" + 36'-7" + 13'-0" + 6'-5"  
= 72'-6.5"

SECOND FLOOR

EXISTING  
(24'-52'-7") X 2 + (3'-7" X 2) + 8'-10"  
= 153'-2" + 7'-2" + 8'-10"  
= 169'-2"

TO BE REMOVED

12'-9" + 18'-6" = 31'-3"

(E) BASEMENT & DEMOLITION PLAN

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

(E) FIRST FLOOR DEMOLITION PLAN

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

(E) SECOND FLOOR DEMOLITION PLAN

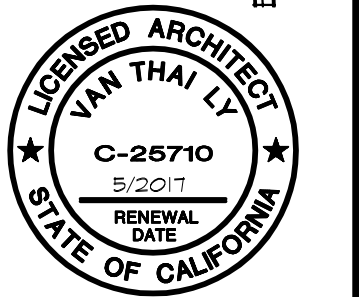
SCALE: 1/4" = 1'-0"

BUILDING LEGEND

- (E) WALL/CONDITION TO REMAIN  
--- (E) WALL/CONDITION TO BE REMOVED

REVISIONS	BY

VAN T. LY & ASSOCIATES  
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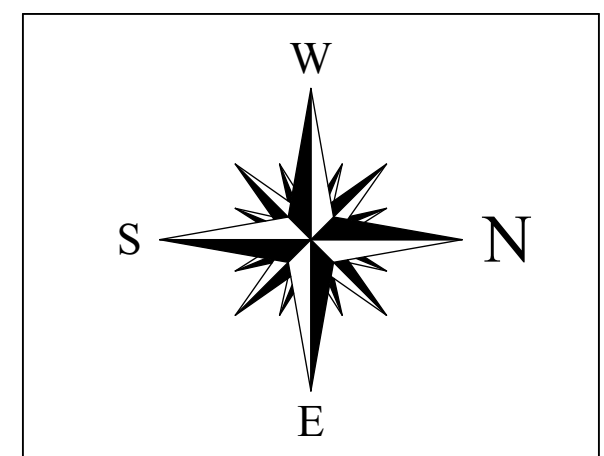
PORTER RESIDENCE RENOVATION  
1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109

(E) DEMOLITION PLANS

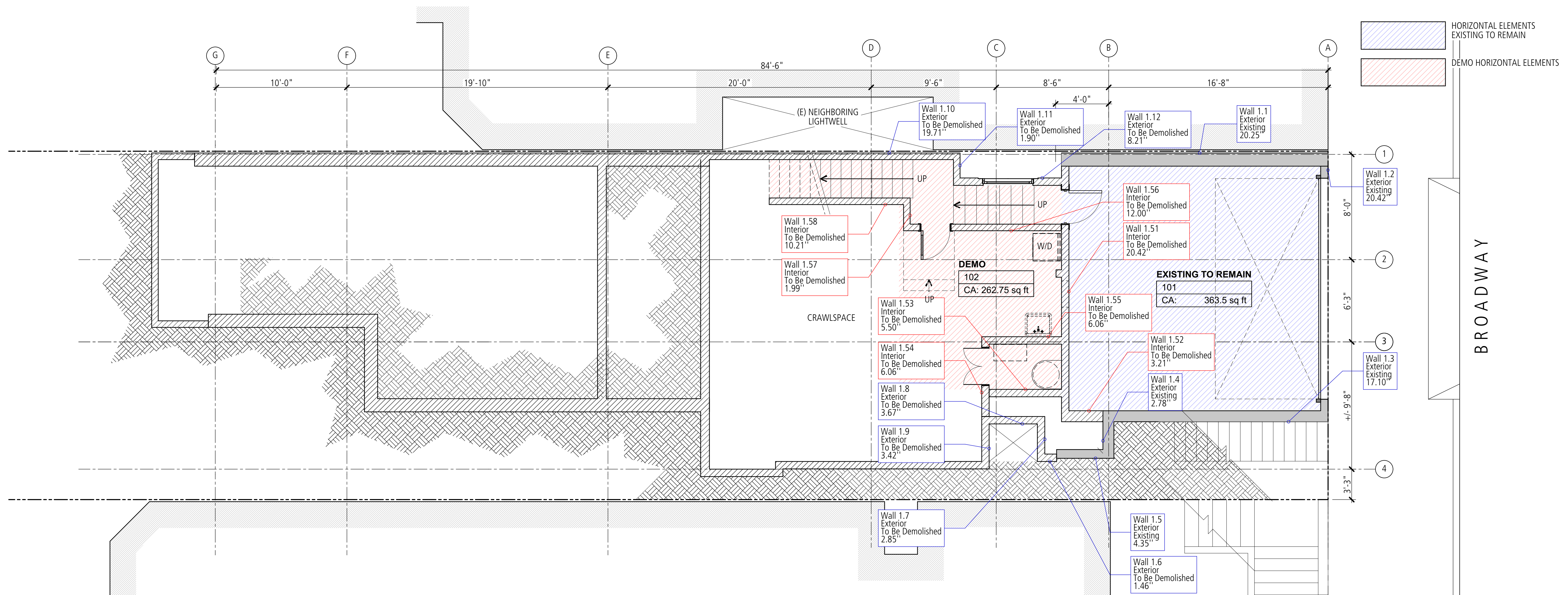
DRAWN RH	CHECKED VTL
DATE MARCH 26, 2015	
SCALE AS NOTED	
JOB NO.	
SHEET	
D-1	
OF 14	SHEETS



**Porter Residence**  
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[illegible]

**SHEET 8B**  
PROJECT NO. 2016.10  
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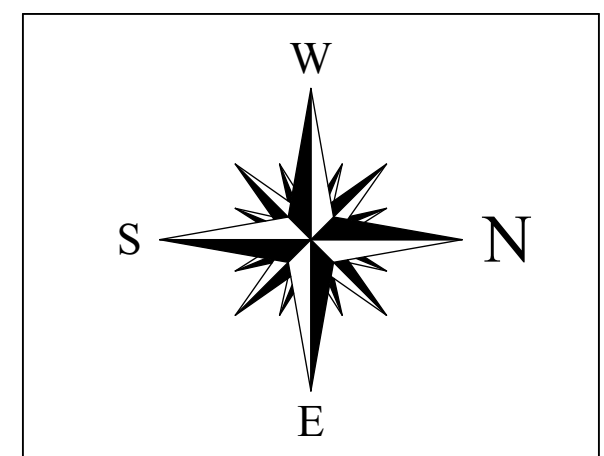
1 BASEMENT DEMOLITION PLAN  
SHEET 8B

---

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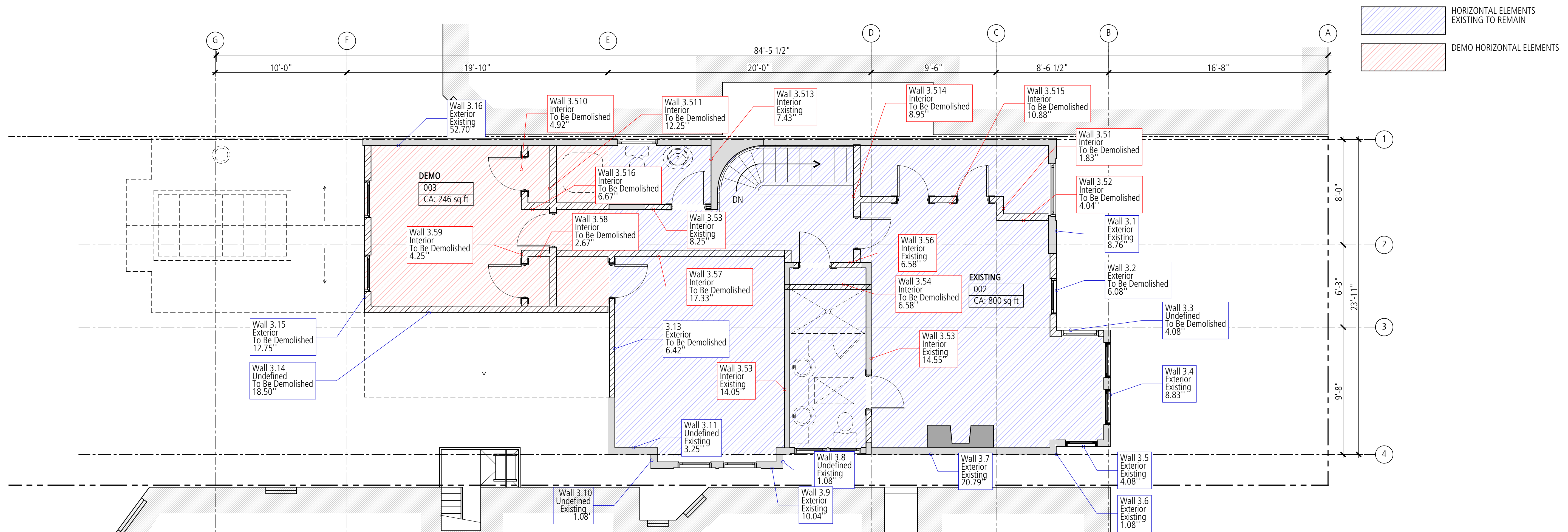


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[illegible]

**2018 PROPOSED  
DEMOLITION HORIZONTAL  
AREA PLANS FOR SECOND  
FLOOR**

**SHEET 8C**  
PROJECT NO. 2016.10  
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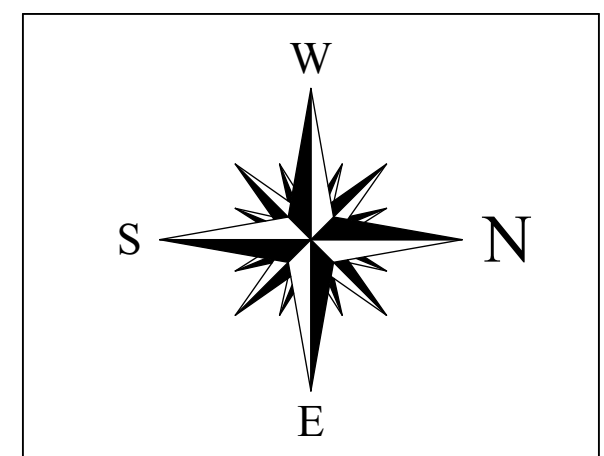
1 SECOND FLOOR DEMOLITION PLAN  
SHEET 80

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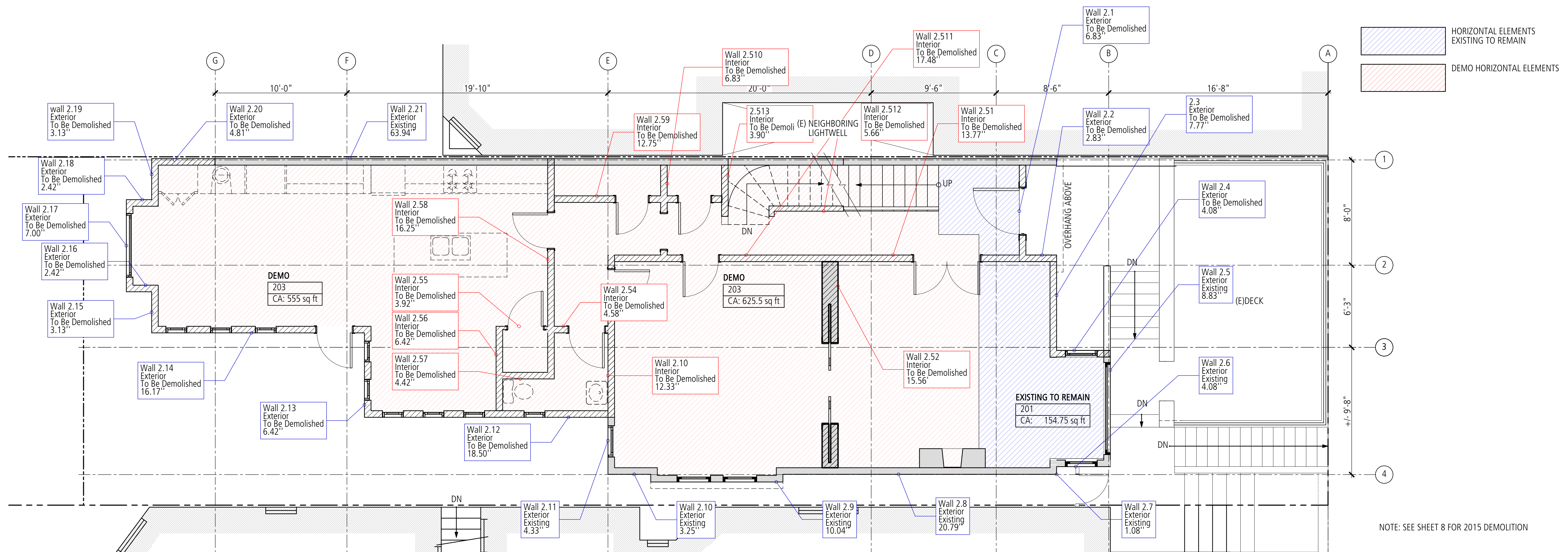


**Porter Residence**  
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[illegible]

**2018 PROPOSED PROJECT  
DEMOLITION HORIZONTAL  
AREA PLAN FOR FIRST  
FLOOR**

**SHEET 9**  
PROJECT NO. 2016.10  
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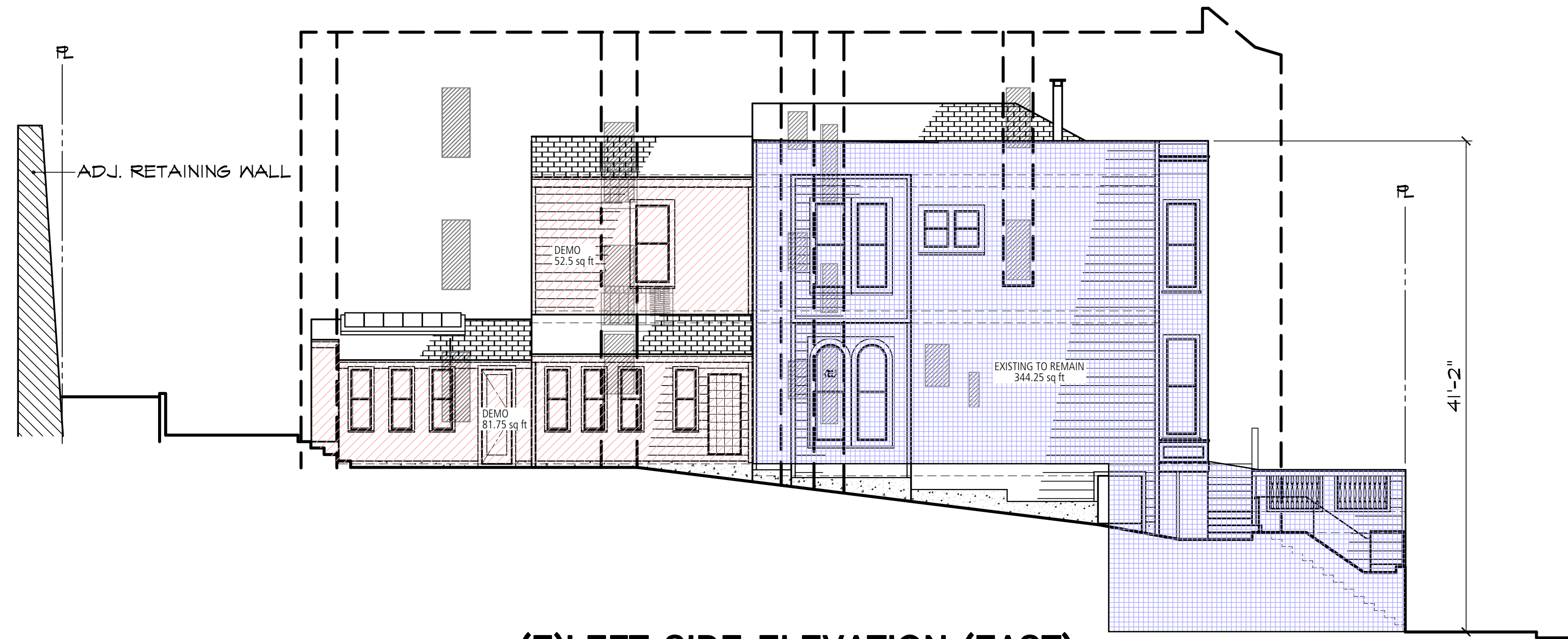


NOTE: SEE SHEET 8 FOR 2015 DEMOLITION





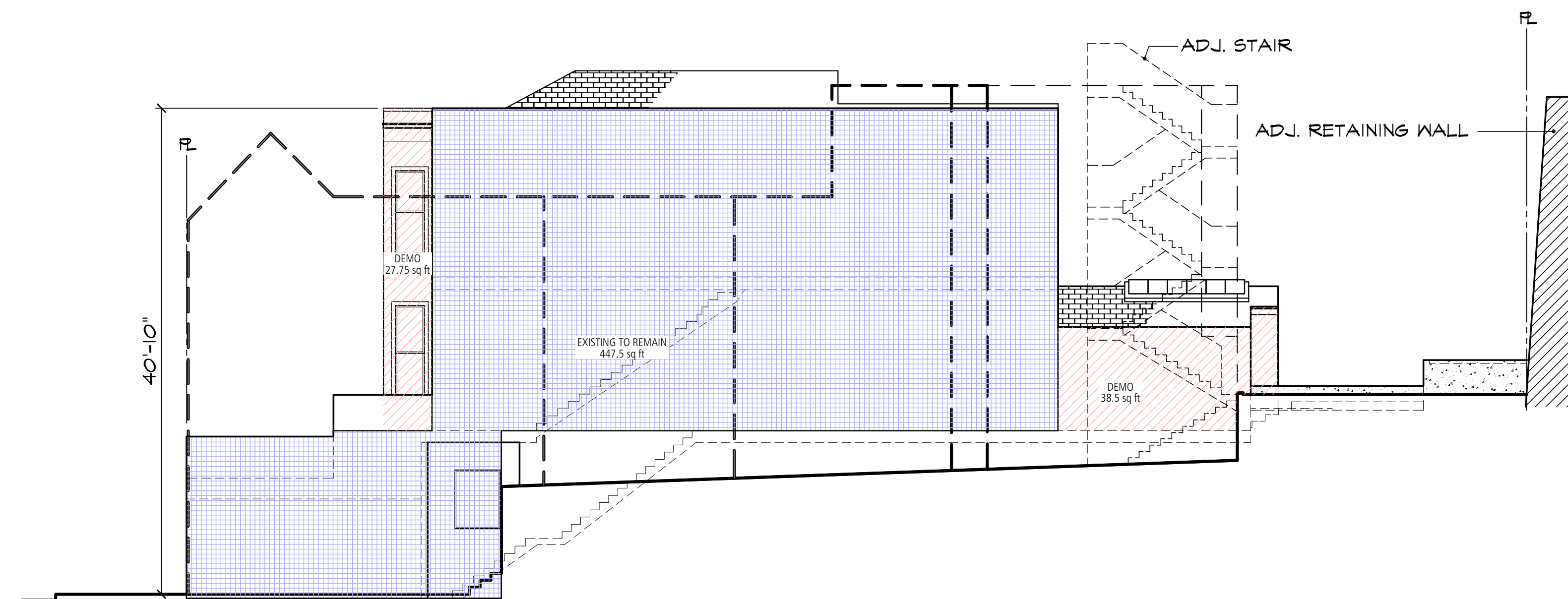
**(E) REAR ELEVATION (SOUTH)**  
SCALE: 1/8" = 1'-0"



**(E) LEFT SIDE ELEVATION (EAST)**  
SCALE: 1/8" = 1'-0"



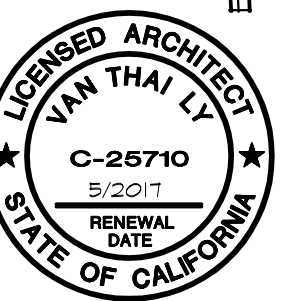
**(E) FRONT ELEVATION (NORTH)**  
SCALE: 1/8" = 1'-0"



**(E) RIGHT SIDE ELEVATION (WEST)**  
SCALE: 1/8" = 1'-0"

REVISIONS	BY
NOV. 2, 2015	

**VAN T. LY & ASSOCIATES**  
ARCHITECT, AIA  
8 BRUSSELS STREET  
SAN FRANCISCO, CA 94134  
TEL: (415) 468-3222  
EMAIL: van@vantilyarchitect.com



**1973 BROADWAY STREET  
SAN FRANCISCO, CA 94109**

**(E) EXTERIOR ELEVATIONS**

DRAWN	RH
CHECKED	YTL
DATE	MARCH 26, 2015
SCALE	AS NOTED
JOB NO.	
SHEET	
<b>E-2</b>	
OF 14	SHEETS

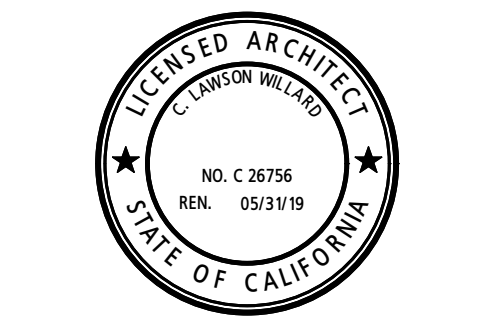
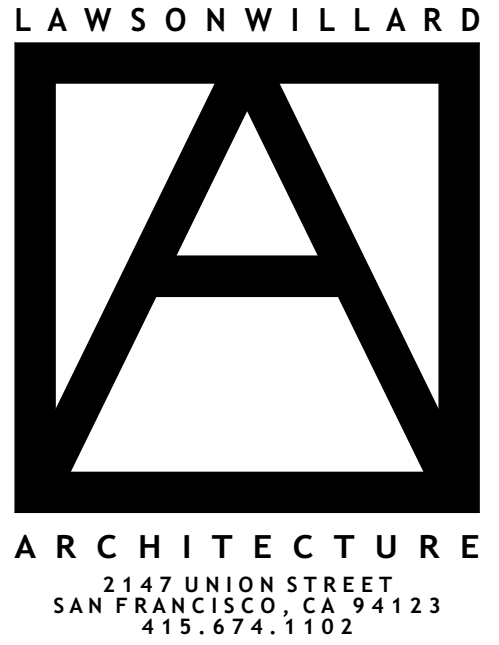




1  
SHEET 10B

EXISTING NORTH EXTERIOR ELEVATION

1/4" = 1'-0"



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Porter Residence  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE:
5	NOTICE OF VIOLATION CORRECTION	08/06/2018

2018 PROPOSED PROJECT  
DEMOLITION VERTICAL  
AREA PLANS FOR ALL  
EXTERIOR WALLS

SHEET 10B

PROJECT NO. 2016.10  
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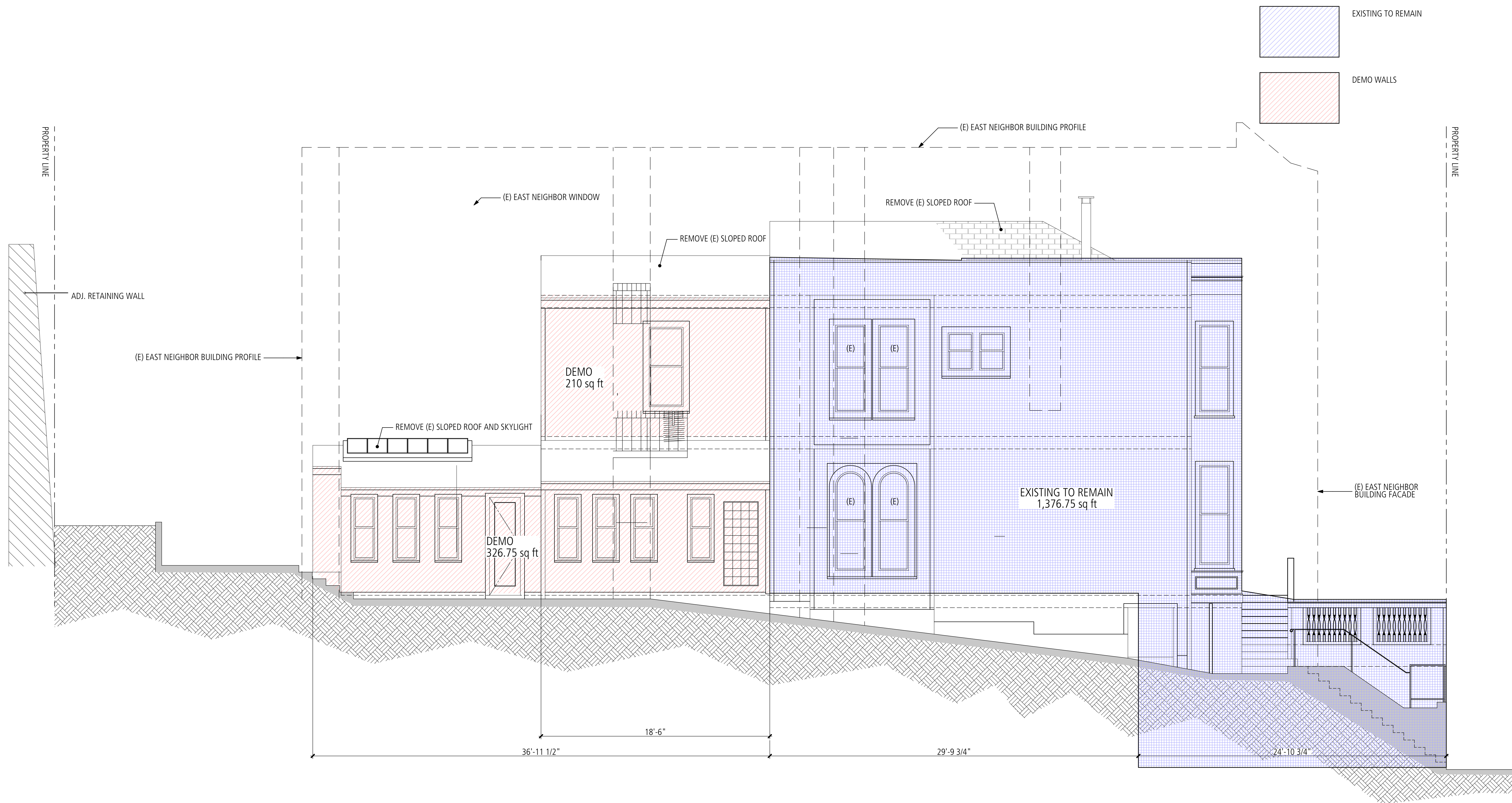


**Porter Residence**  
1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

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## 2018 PROPOSED PROJECT DEMOLITION VERTICAL AREA PLANS FOR ALL EXTERIOR WALLS

**SHEET 10C**  
PROJECT NO. 2016.1  
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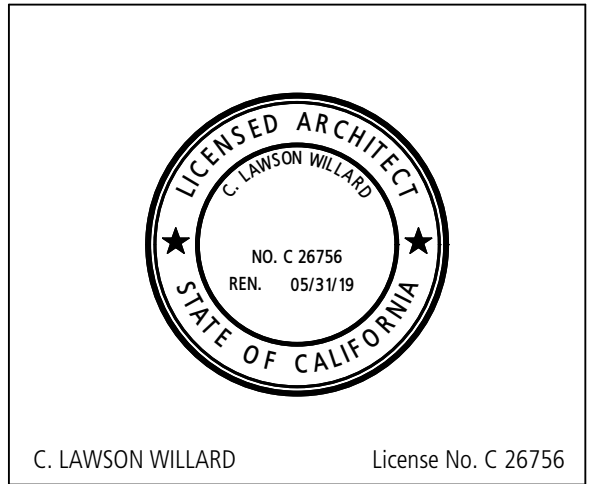
EXISTING EAST EXTERIOR ELEVATION





1 EXISTING SOUTH EXTERIOR ELEVATION  
SHEET 100

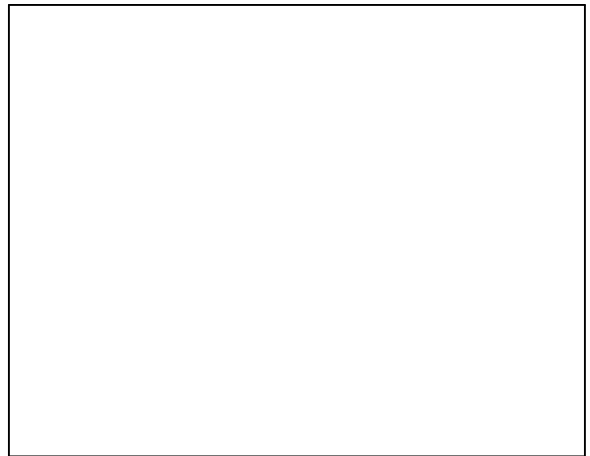
1/4" = 1'-0"



Porter Residence

1973 BROADWAY  
SAN FRANCISCO, CALIFORNIA 94109

REV.	ISSUED FOR:	DATE:
5	NOTICE OF VIOLATION CORRECTION	08/06/2018



2018 PROPOSED PROJECT  
DEMOLITION VERTICAL  
AREA PLANS FOR ALL  
EXTERIOR WALLS

SHEET 10D

PROJECT NO. 2016.10

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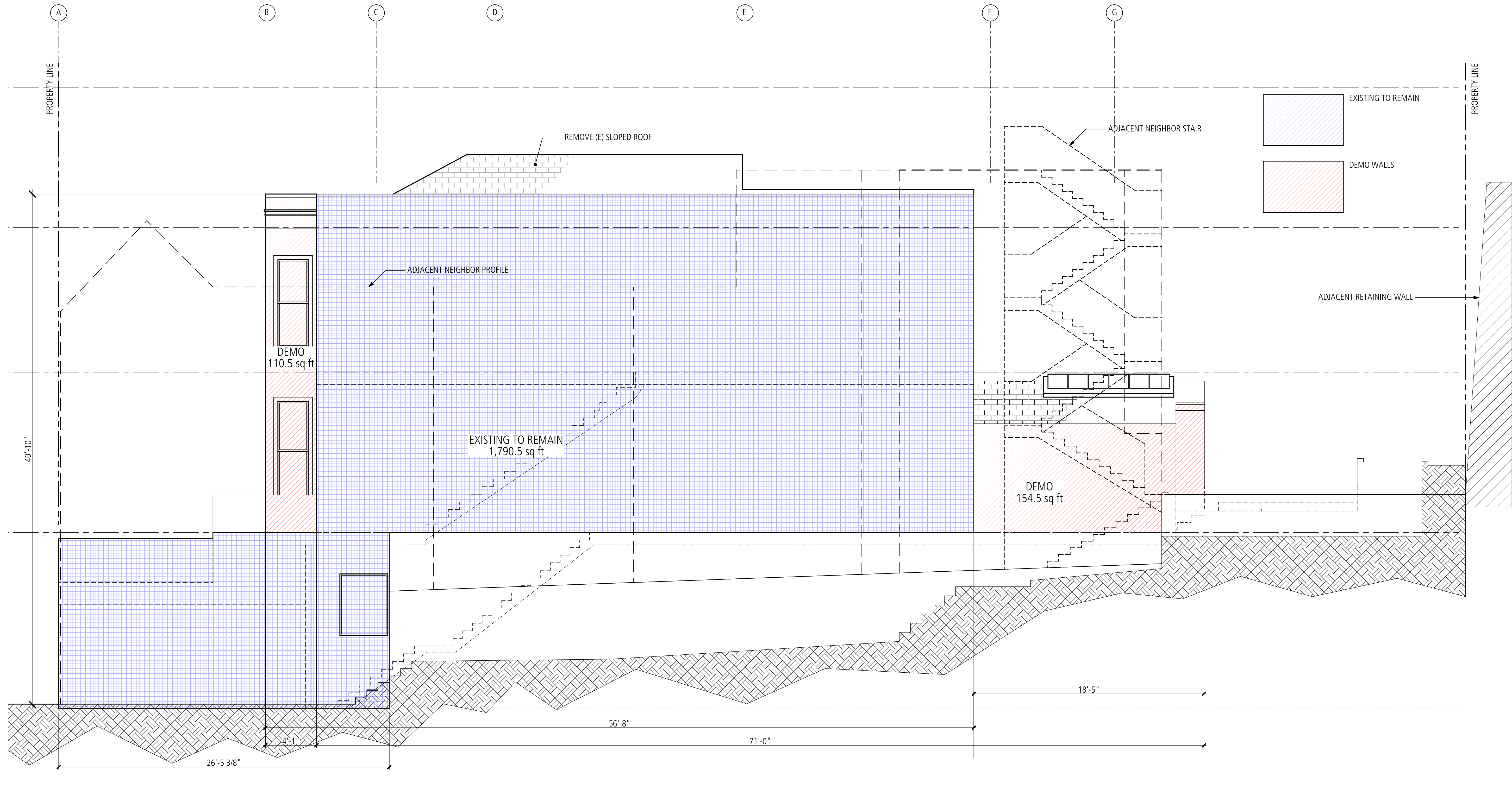


**Porter Residence**  
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SAN FRANCISCO, CALIFORNIA 94109

[illegible]

## 2018 PROPOSED PROJECT DEMOLITION VERTICAL AREA PLANS FOR ALL EXTERIOR WALLS

**SHEET 10E**  
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EXISTING WEST EXTERIOR ELEVATION

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1/4" = 1'-0"



# **EXHIBIT D**



	<b>1973 Broadway Demolition Analysis</b>				
	<b>Interior Wall Demo Calc Summary</b>				
	<b>Level</b>	<b>Existing LF</b>	<b>Demolished LF</b>	<b>Percentage Demolished</b>	<b>Drawing Reference</b>
	Basement/Garage	65.45	65.45	100.00%	Sheet 8B, Lawson Willard, 8/6/18
	First	127.19	76.33	60.01%	Sheet 9, Lawson Willard, 8/6/18
	Second	123.87	123.87	100.00%	Sheet 8C, Lawson Willard, 8/6/18
		316.51	265.65	<b>83.93%</b>	
	<b>As Proposed Horizontal Elements Demo Calc Summary</b>				
	<b>Level</b>	<b>Existing SF</b>	<b>Demolished SF</b>	<b>Percentage Demolished</b>	<b>Drawing Reference</b>
	First Floor	626.25	262.75	41.96%	Lawson Willard dated 8/6/18
	Second Floor	1335.25	1180.5	88.41%	Lawson Willard dated 8/6/18
	Third Floor	1046	246	23.52%	Lawson Willard dated 8/6/18
	Second Floor Roof	392.5	392.5	100.00%	Lawson Willard dated 8/6/18
	Third Floor Roof	1227.75	1180.5	96.15%	Lawson Willard dated 8/6/18
		4627.75	3262.25	<b>70.49%</b>	



# **EXHIBIT E**



**Mason Kirby, AIA**  
USGBC LEED AP

**Education**

**Yale School of Architecture**, Master of Architecture, 1998

**Columbia College, Columbia University**, Bachelor of Arts; Major: Urban Studies, 1994

**Teaching Experience**

**University of San Francisco**, Adjunct Professor, Second Year Architectural Design: Housing.

**Yale University**, Teaching assistant to Sophia Gruzdzys, within Major Undergraduate Program. Junior Year Architectural Design Studios.

**Yale University**, Teaching assistant to Alex Garvin, Study of the City

**Yale School of Architecture**, Teaching Assistant, Structural Engineering.

**Philips Exeter Academy**, Teaching Fellow, Architectural Design

**Project Experience**

**Grenada Relief Fund/PlanitNow, Ventura CA:** Development and planning of sustainable housing and youth centers for residents of Grenada.

**Community Gatepath**, Burlingame CA, 25,000 SF interior tenant renovation including multi-purpose/conference rooms, open and private offices and site accessibility improvements.

**American Business Communication**, South San Francisco CA, 47,000 SF core/shell improvements and interior tenant renovation.

**Vizeum USA**, Los Angeles, CA: 10,000 SF media intensive interior tenant renovation.

**Institute for One World Health**, San Francisco, CA: 18,000 SF interior tenant renovation including multi-purpose/conference rooms, open and private offices.

**Microsoft Corporation, Microsoft South Campus**, Mountain View, CA: 5,000 SF Microsoft/Hotmail Development Labs including technical programming and interior renovation.

**Robert Half International**, Burbank, CA: 3,000 SF interior tenant renovation

**GPZ Electric**, San Francisco, CA: 10,000 SF interiors and architectural renovation of industrial office space.

**Brentwood Pool and Spa Inc**, Brentwood, CA: 7,500 SF regional retail showroom / interior tenant renovation.

**Sacramento Municipal Utility District,\*** Sacramento, CA: Corporate Headquarters Building Renovation and seismic retrofit. 18,000 sf

**Sacramento Municipal Utility District,\*** Sacramento, CA: Field Reporting Facility South Wing and Expansion. 50,000 sf.



**Sacramento Municipal Utility District,\*** Sacramento, CA:  
59<sup>th</sup> Street Projects, Renovation and Retrofit. 20,000 sf.

**American Institute of Architects Chapter Headquarters,\*** San Francisco  
CA 8,500 sf

**Microsoft Corporation MACS,\*** Microsoft South Campus, Mountain View, CA. Several tenant improvements including Hotmail Network Operations Center (NOC) and operations development lab; Executive office suites; restroom reconfigurations; miscellaneous technical spaces, regional Innovation labs and corporate training facilities.

**Microsoft Corporation, Microsoft South Campus,\*** Northern California Mid-Peninsula: Strategic programming and developer test-fit services including architecture and interior tenant improvements for “Microsoft South”. This 525,000 SF multi-building mid-rise project facilitates all aspects of the Microsoft “progressive office” in addition to the separate and distinct campus requirements of WebTV Networks and Hotmail, subsidiaries of Microsoft Corporation.

**Microsoft Corporation, Microsoft South Campus,\*** Mountain View, CA: Microsoft Technology Center and Envisioning Lab. 25,000 sf

**Evelyn and Walter Haas Jr. Fund,\*** San Francisco, CA: 22,700 SF interior tenant improvement renovation including offices, open office areas, conference rooms, break room, and copy room.

**Carat North America,\*** San Francisco Offices, 25,000 sf

**The Olivia Companies, Headquarters\*** San Francisco CA: Headquarters, 18,000 sf

**Philips Electronics of North America,\*** San Jose, CA: 60,000 sf Labs, Core and Shell, Tenant Improvements

**Philips Electronics of North America,\*** San Jose and Sunnyvale, CA: Strategic Master Plan

**Philips Electronics of North America,\*** San Jose, CA: Comprehensive Facilities Standards Guidelines

**Accenture (Andersen Consulting),\*** Walnut Creek, CA: 18,600 sf

**Pequot Capital,\*** San Francisco, CA: 16,300 sf Phase 3 Tenant Improvements

**Andor Capital Management,\*** San Francisco, CA: 36,000 sf Phase 2 Tenant Improvements

**Raza Foundries,\*** San Jose, CA; 130,000 SF Interior Architecture Campus for High Technology Incubators

**Denver Technological Center,\*** Denver, CO: Master planning of a double 14-story commercial tower.

**Miami Performing Arts Center,\*** Miami, FL: Landscape and urban



planning of the major plaza including fountains and the surrounding street-scapes.

**Dean Residence**, Koro Island, Republic of Fiji

**Maletis Residences**, Menlo Park, CA Complete interior and exterior renovation, roof modifications, seismic retrofit

**Wolff/Serog Residence**, Los Gatos, CA Site Masterplan, interior and exterior renovations and new out buildings (ongoing)

**Robinson Residence**, San Francisco CA Interior renovation

**Benello Residence**, Carmel Bay, CA Site Masterplan exterior renovations and out buildings

**Lamirand/Souders Residence**, Mill Valley CA Site planning, geotechnical stabilization, accessory dwelling and out-buildings.

**Orszag Residence**, Westwood, CA: Site planning accessory dwelling renovation.

- Denotes work completed prior to founding Architect Mason Kirby Inc.

## **References**

**Paul Singer**, President, Aegis Media Americas, Diversified Marketing Services (212) 591 9193

**George Koshy**, Senior Facilities Manager, Microsoft Silicon Valley Campus (650) 693 1409

**Donna Lee**, Executive Director, Planit Now/Grenada Relief Fund (805) 652 1820