Discretionary Review Abbreviated Analysis

HEARING DATE: JULY 16, 2020

CONTINUED FROM JUNE 18, 2020

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: **415.558.6377**

Date: July 9, 2020

Case No.: 2019-000634DRP-02
Project Address: 876 Elizabeth Street
Permit Application: 2019.0114.0265

Zoning: RH-2 [Residential House -Two-Family]

40-X Height and Bulk District

Block/Lot: 2806 / 022

Project Sponsor: William Pashelinsky

1937 Hayes St.

San Francisco, CA 94117

Staff Contact: David Winslow – (415) 575-9159

David.Winslow@sfgov.org

Recommendation: Do Not Take DR and Approve

BACKGROUND

The Planning Commission heard this at the June 18, 2020 hearing and instructed the project sponsor to revise the drawings to be more understandable and consistent with respect to what is existing and proposed; where the intensification occurs; and to be fully and clearly dimensioned. Furthermore, it was advised that the project sponsor explore means to minimize privacy issues with respect to side facing windows at the rear and the rear deck. The plans at the end of this packet are the revised plans.

PROJECT DESCRIPTION

The proposal is to expand below grade at basement level to the rear of an existing non-complying single-family home. The proposal also includes and a vertical and horizontal addition to the two-story home. The proposal is subject to a rear-yard variance per Planning Code Section 134.

SITE DESCRIPTION AND PRESENT USE

The site is a 25' wide x 114' deep steeply lateral sloping lot with an existing 2-story over basement, single-family building built in 1904. The building is a category 'A' - historic resource.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

This block of Elizabeth Street consists of 2- and 3- story buildings with gabled roofs and deep front setbacks. A portion of the one-story rear of the subject building extends further than the immediate adjacent neighbors. Except for the subject and adjacent neighbor to the west, the main rear building walls are in general alignment to define a fairly consistent mid-block open space.

BUILDING PERMIT NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	December 18, 2019 – January 19, 2020	01.17. 2020	4.23. 2020 to 6.28.2020 to 7.16. 2020	97 days

HEARING NOTIFICATION

TYPE	REQUIRED	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL
ITFE	PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	PERIOD
Posted Notice	20 days	April 3, 2020	April 3, 2020	20 days
Mailed Notice	20 days	April 3, 2020	April 3, 2020	20 days
Online Notice	20 days	April 3, 2020	April 3, 2020	20 days

PUBLIC COMMENT

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

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).

DR REQUESTORS

There are two DR requestors:

- 1. Russell and Anita Murphy, of 872 Elizabeth, the adjacent property to the East and;
- 2. Kevin Timpane of 878 Elizabeth St, the adjacent property to the West.

DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

<u>DR requestor #1</u> is concerned by the following issues:

1. Opposed to increasing the non-compliance of the structure. Allowing the proposed addition would set a precedent.

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2

<u>Proposed alternatives:</u> Deny the variance request and require full compliance with Code section 134.

See attached Discretionary Review Application, dated January 17, 2020.

<u>DR requestor #2</u> is concerned by the following issues:

- 1. Opposed to increasing the non-compliance of the structure.
- **2.** The excavation and subterranean construction will disrupt an underground spring resulting in drainage issues downhill.
- **3.** Enclosing subject property's light well will block light to property line window and compromise common access to plumbing.

See attached Discretionary Review Application, dated January 17, 2020.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The sponsor has complied with the Residential Design Guidelines (RDGs) and attempted to mitigate some concerns in relation to the DR requestor's issues.

See attached Response to Discretionary Review, dated April 15, 2020.

RESIDENTIAL DESIGN TEAM REVIEW

The project proposes the removal an 8-foot portion of the non-complying structure from the rear yard at the first floor and the removal of non-complying massing from the pitched roof. The project also proposes filling in a 3'-6''x 11' x 9'' side recess in the existing building which retains a 5'-8'' side setback to the east, and adding a third story vertical expansion that encroaches by 3'-0'' into the required rear yard and aligns with the adjacent neighbor to the west and maintains a 5'-8'' setback from the downhill neighbor to the east.

The deck proposed on top of the one-story pop out is setback a minimum 5' from the west and 5'-8" from east side property lines.

The geotechnical issues pertaining to excavation and subsurface water are beyond the means of assessment and regulation of the Planning Department.

Staff deems the reduction of massing and modest increase in massing that matches the extent of adjacent neighbor to the west and maintains the existing the side setback to the west is appropriate and complies with the Residential Design Guidelines and does not create any exceptional or extraordinary circumstances. Therefore, staff recommends not taking DR and approving as proposed.

RECOMMENDATION: Do not take DR and Approve

Attachments:

Block Book Map Sanborn Map Zoning Map Aerial Photographs

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Discretionary Review – Abbreviated Analysis July 16, 2020

CASE NO. 2019-0090634DRP-02 876 Elizabeth Street

Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Response to DR Application dated April 15, 2020
Reduced Plans and 3d renderings
Revised plans dated 6.28.20

Discretionary Review – Abbreviated Analysis July 16, 2020

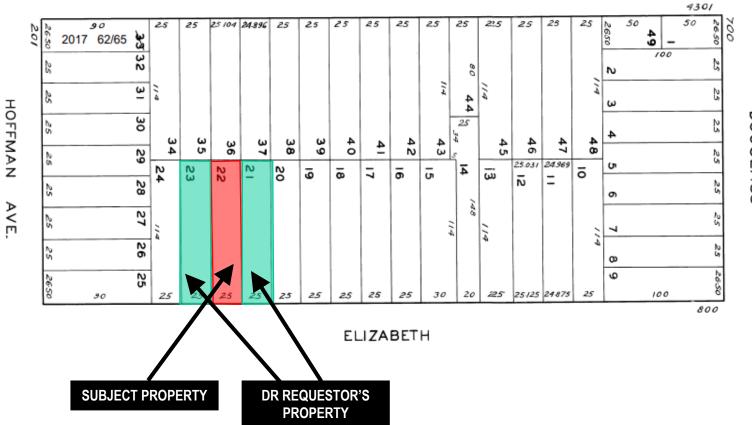
CASE NO. 2019-0090634DRP-02 876 Elizabeth Street

Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Response to DR Application dated April 15, 2020
Reduced Plans and 3d renderings
Revised plans dated 6.28.20

Exhibits

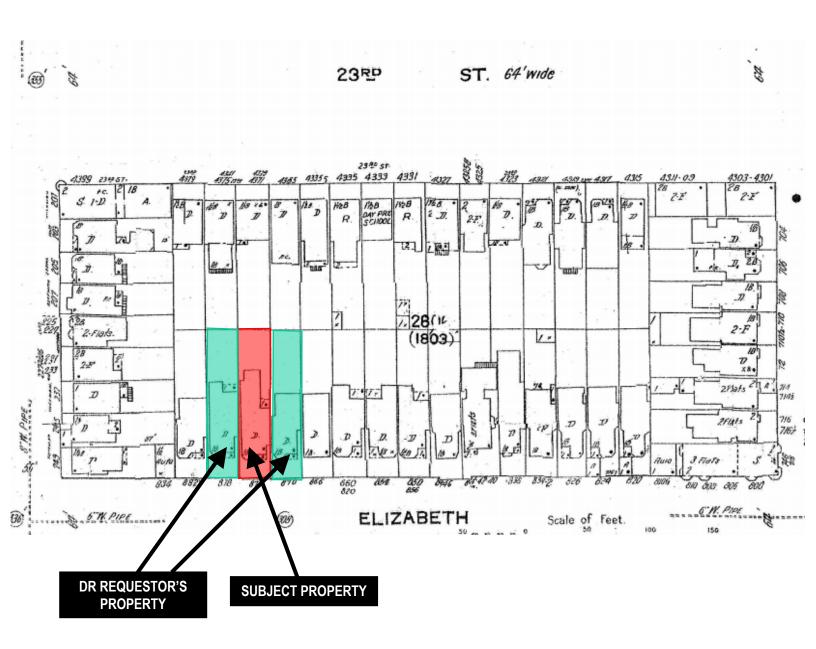
Parcel Map

23 RD





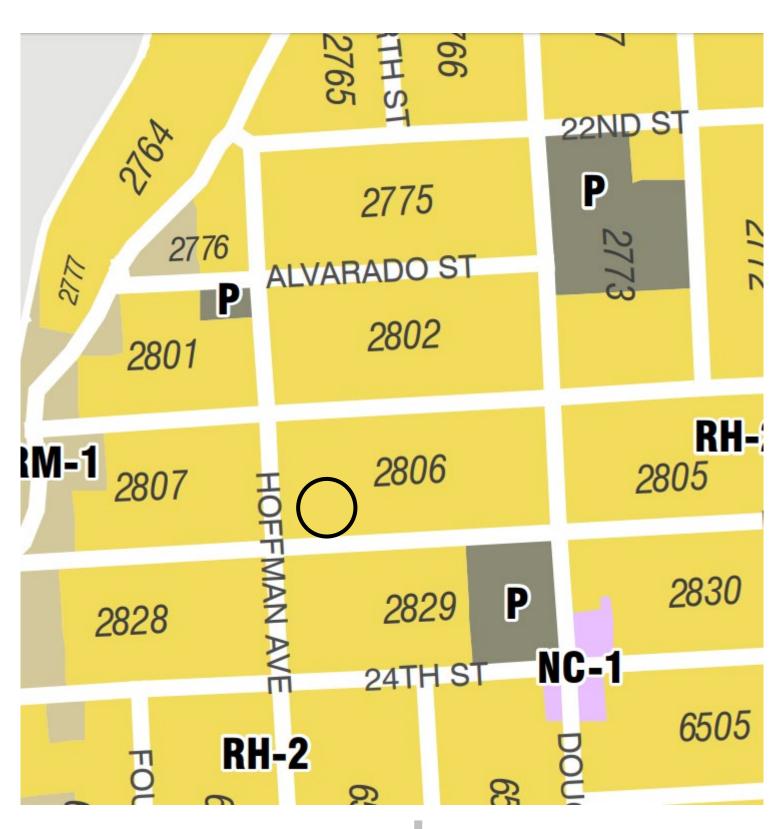
Sanborn Map*



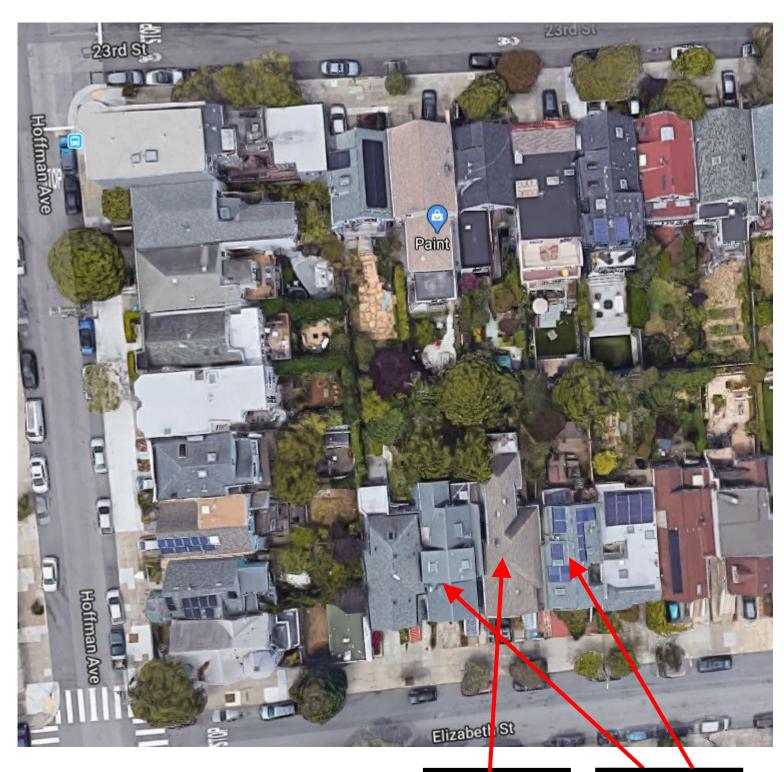
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map







SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY















Site Photo



1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On January 14, 2019, Building Permit Application No.201901140265 was filed for work at the Project Address below.

Notice Date: December 18, 2019 **Expiration Date: January 17, 2020**

PROJ	ECT INFORMATION	APPLICANT INFORMATION		
Project Address:	876 ELIZABETH ST	Applicant:	William Pashelinsky	
Cross Street(s):	Hoffman Avenue & Douglass Street	Address:	1937 Hayes Street	
Block/Lot No.:	2806 / 022	City, State:	San Francisco, CA 94117	
Zoning District(s):	RH-2 /40-X	Telephone:	415-379-3676	
Record Number:	2019-000634PRJ	Email:	billpash@gmail.com	

You are receiving this notice as an owner or occupant of property 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 that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

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

PROJECT SCOPE				
☐ Demolition	☐ New Construction	Alteration		
☐ Change of Use	☐ Façade Alteration(s)	☐ Front Addition		
■ Rear Addition	☐ Side Addition	Vertical Addition		
PROJECT FEATURES	EXISTING	PROPOSED		
Building Use	Residential	Residential		
Front Setback	16'2"	No Change		
Side Setbacks	N/A	N/A		
Building Depth	75'	72'9"		
Rear Yard	22'10"	25'1"		
Building Height	25'9"	30'7"		
Number of Stories	2	3		
Number of Dwelling Units	1	No Change		
Number of Parking Spaces	1	No Change		
PROJECT DESCRIPTION				

The proposal is to expand below grade at basement level to the rear of an existing non conforming structure. The proposal also includes and a verticle and horicontal addition on an existing single family home. The proposal is subject to a rear-yard variance per Planning Code Section 134, which is tentatively scheduled. The hearing will be separately noticed. See attached plans.

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.

To view plans or related documents, visit sf-planning.org/notices and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

For more information, please contact Planning Department staff:

Cathleen Campbell, 415-575-8732, Cathleen.Campbell@sfgov.org

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Proje	ect Address		Block/Lot(s)
876 E	LIZABETH ST		2806022
Case	No.		Permit No.
2019	-000634ENV		201901140265
■ Ac	ddition/	Demolition (requires HRE for	New
— Al	teration	Category B Building)	Construction
Proje	ect description for	Planning Department approval.	
		on by roof deck addition @ 2nd floor east elevation	n. New habitable space below existing
2nd fl	I. Remodel kitchen	& general renovation of 2nd floor	
			_
STE	P 1: EXEMPTIO	ON CLASS	
	project has been d CEQA).	etermined to be categorically exempt under the	California Environmental Quality
	Class 1 - Existin	g Facilities. Interior and exterior alterations; addit	ions under 10,000 sq. ft.
Ιп	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one		
	building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally		
	permitted or with		
		I Development. New Construction of seven or mo	re units or additions greater than
		d meets the conditions described below: s consistent with the applicable general plan desig	nation and all applicable general plan
		as with applicable zoning designation and regulation	
	1 '	d development occurs within city limits on a project	
	1	rounded by urban uses.	
		ite has no value as habitat for endangered rare or	
	water quality.	he project would not result in any significant effect	s relating to traffic, noise, air quality, or
		be adequately served by all required utilities and p	public services.
	FOR ENVIRONM	MENTAL PLANNING USE ONLY	
	Class		
	0.000		

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP _ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?
	if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
	Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeo review is requried (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.
Com	ments and Planner Signature (optional): Laura Lynch

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. Note: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER

Chec	Check all that apply to the project.			
	 Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. 			
	2. Interior alterations to publicly accessible spaces.			
	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.			
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.			
	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.			
	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.			

	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .				
	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):				
	Project meets SOI Standards - addition will be minimally visible from ROW and will be compatible with but differentiated from the historic district with regard to materials, fenestration, and roof form.				
	9. Other work that would no	t materially impair a histor	ic district (specify or add comments):		
	(Requires approval by Senic	r Preservation Planner/Pr	eservation Coordinator)		
	10. Reclassification of prop Planner/Preservation	e erty status . (Requires ap	proval by Senior Preservation		
	Reclassify to Catego	ry A	Reclassify to Category C		
	a. Per HRER or PTR	dated	(attach HRER or PTR)		
	b. Other (specify):	Property is a contributor form signed on 9/9/19	to the Diamond and Elizabeth historic district per PTR		
	Note: If ANY box in	STEP 5 above is checke	d, a Preservation Planner MUST sign below.		
			iew. The project has been reviewed by the Il exemption review. GO TO STEP 6.		
Comments (optional):					
Preser	reservation Planner Signature: Stephanie Cisneros				
	STEP 6: CATEGORICAL EXEMPTION DETERMINATION TO BE COMPLETED BY PROJECT PLANNER				
			oject is categorically exempt under CEQA.		

No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.				
Project Approval Action:	Signature:			
Building Permit	Stephanie Cisneros			
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.				
nce signed or stamped and dated, this document constitutes a categorical extended the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an active ed within 30 days of the project receiving the approval action. It is a constituted to the approval actions and be required for the project. Please	ppeal of an exemption determination can only be			

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)			Block/Lot(s) (If different than front page)	
876 E	LIZABETH ST		2806/022	
Case	No.	Previous Building Permit No.	New Building Permit No.	
2019-	000634PRJ	201901140265		
Plans	s Dated	Previous Approval Action	New Approval Action	
		Building Permit		
	fied Project Description:	CONSTITUTES SUBSTANTIAL MODIS	UCATION	
		CONSTITUTES SUBSTANTIAL MODIF	ICATION	
Com	pared to the approved project, w	ould the modified project:		
	Result in expansion of the buil	ding envelope, as defined in the Planning (Code;	
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;			
	Result in demolition as defined	d under Planning Code Section 317 or 1900	05(f)?	
		ented that was not known and could not have rmination, that shows the originally approve ption?		
		checked, further environmental review i	s required.	
DET	ERMINATION OF NO SUBSTA			
	•	ould not result in any of the above changes.		
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.				
Plan	ner Name:	Date:		



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

1650 Mission St.

Preservation Team Meeting Date:		Date of F	orm Com	pletion 8/13/201	9	Suite 400 San Francisco, CA 94103-2479
PROJECT INFORMATION:						Reception:
Planner: Address:					415.558.6378	
Stephanie Cisneros	876 Elizabeth Stree	et				Fax:
Block/Lot:	Cross Streets:					415.558.6409
2806/022	Hoffman Avenue 8	k Douglass S	treet			Planning
CEQA Category:	Art. 10/11:		BPA/Ca	se No.:		Information: 415.558.6377
А	n/a		2019-000)634ENV		
PURPOSE OF REVIEW:		PROJECT	DESCRIP [*]	ΓΙΟΝ:		1
●CEQA	O Preliminary/PIC	Altera	tion	O Demo/New Co	onstruction	1
DATE OF PLANS UNDER REVIEW:	8/13/2019					
PROJECT ISSUES:]
Is the subject Property an elig	ible historic resource	e?				
☐ If so, are the proposed chang	es a significant impa	ct?				-
Additional Notes:						-
Submitted: Historic Resource	Evaluation prep	ared by Ti	n Kelley	Consulting, LL	C (dated	
October 2018).						
]
PRESERVATION TEAM REVIEW:					_	
Category:			● A	○ B	OC	_
Individual			Historic	District/Context		-
Property is individually eligible for				ble California Reg		
California Register under one or i following Criteria:	more of the	Historic Dis the following		ext under one or r	more of	
			.9	•		
Criterion 1 - Event:	○ Yes	Criterion 1	- Event:	• Yes	s \(\cap \text{No} \)	
Criterion 2 -Persons:	○ Yes	Criterion 2	-Persons:	○ Ye	s No	
Criterion 3 - Architecture:	○ Yes	Criterion 3	- Architec	ture: • Ye	s (No	
Criterion 4 - Info. Potential:	○ Yes	Criterion 4	- Info. Pot	ential:	s No	
Period of Significance:		Period of S	anificano	e. 1070 1015		
Teriod of Significance.		i Ellou ol 3	giiiicaile	e: 1878-1915		
		Contrib	utor 🔘	Non-Contributor		

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

PRESERVATION TEAM COMMENTS:

According to the Historic Resource Evaluation (HRE) prepared by Tim Kelley Consulting (October 2018) and information found in the Planning Department files, the subject property at 876 Elizabeth Street contains a one and one-half story and basement, wood-frame, single family residence constructed ca. 1894/1895 (source: Spring Valley Water Tap record). The residence is best described as a vernacular building with Queen Anne features such as a gable roof, asymmetrical placement of the entry and bay, and ornamentation. Jonathan Anderson most likely constructed the subject property based on real estate transaction documentation. Alterations to the property include: additions at the rear; insertion of a garage into the basement area; replacement of wood entry stairs with concrete stairs; and replacement of the balustrade and solid cheek walls at the front.

Staff is in agreement with the findings of the HRE that the subject property is not individually eligible under Criteria 1 (Events), 2 (Persons) or 3 (Architecture). No significant events or persons are directly associated with the property and the building does not possess high artistic values given the alterations that have occurred. The building is a common example of a Queen Anne settlement cottage from this period of Noe Valley's early development. The building is not architecturally distinct such that it would be individually eligible for architecture. The subject building is not significant under Criterion 4 since this significance criteria typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type. Archeology sensitivity is not assessed in this review.

The subject property is located within the boundaries of the identified-eligible Diamond and Elizabeth Streets Historic District. The district is significant under Criterion 1 for its association with broad patterns of San Francisco's post-Mexican era settlement and Noe Valley's development as a working class street-car suburb. The district is also significant under Criterion 3 as a strong collection of of working-class Victorian vernacular residences designed and built by local neighborhood builders inspired by contemporary architect-designed homes from more affluent areas. The period of significance for the district is 1878 to 1915, which covers the initial dates of settlement and development of Noe Valley up to and through the Post-1906 Earthquake Reconstruction.

The subject property is considered to be a contributor to the Diamond and Elizabeth Streets Historic District. Its construction (ca. 1894/1895) falls within the period of significance of the district and its architectural style generally embodies character-defining features of the Queen Anne style, a prominent style found throughout the district. (continued)

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Allison K. Vanderslice Digitally signed by Allison K. Vanderslice Date: 2019.09.09 11:55:47 -07'00'	

2019-000634ENV 876 Elizabeth Street

Character-defining features of 876 Elizabeth include:

- 1-story with attic on a raised basement
- Front-facing gabled roof
- Inset entry portico
- Cutout lightwell (reduced overall width of the façade)
- Asymmetrical with a wide bay window set to one side
- Central window to the bay set flush with the façade (creating a covered portico for the front entry)
- Straight run of stairs from the sidewalk to entrance
- Fenestration patterns within the gable including paired, single, and Palladian sashed windows
- Basement level fenestration that includes single or paired windows
- Single or paired window in gable

The current proposal – as revised from the original design submittal – retains the building's residential use, preserves character-defining features as listed above and will expand the building through a vertical addition that conforms to the Secretary of the Interior's Standards for Rehabilitation. The addition will be set back approximately 15 feet from the front in order to preserve the original massing of the building's primary façade. Its simplified forms and detailing will read as a later alteration but will be compatible with the existing building with regard to horizontal wood siding, pitched roof, and regularly spaced casement windows with simple trim; features that are commonly found throughout the Diamond and Elizabeth Streets historic district. A horizontal addition at the rear is also proposed that is not visible from any public right of way.



HISTORICAL LIST UPDATED 7/30/2019

(Do not send EIRs unless specified by Contact person – SF PUBLIC LIBRARY SHOULD RECEIVE 3 COPIES)

Gerald D. Adams San Francisco Towers 1661 Pine Street, #1028 San Francisco, CA 94109 Nancy Shanahan Telegraph Hill Dwellers 470 Columbus Avenue, #211 San Francisco, CA 94133 Mary Miles Coalition for Adequate Review 364 Page Street, #36 San Francisco, CA 94102

Lucinda Woodward State Office of Historic Preservation Local Government Unit 1725 – 23rd Street, Suite 100 Sacramento, CA 95816

Sue Hestor 870 Market Street, #1128 San Francisco, CA 94102 The Art Deco Society of California 525 Bellevue Ave, Suite 311 Oakland, CA 94610

Karin Flood Union Square Busi. Improvement Dist. (BID) 323 Geary Street, Suite 203 San Francisco, CA 94102

Courtney Damkroger 2626 Hyde Street San Francisco, CA 94109 Courtney S. Clarkson 3109 Sacramento Street San Francisco, CA 94115

Eugene T. Flannery Environmental Compliance Manager Mayor's Office of Housing and Comm. Dev. One South Van Ness Avenue, 5th Floor San Francisco, CA 94103 Matthew Davis
San Francisco Documents Librarian
Government Information Center
SF Public Library
INTEROFFICE #41

Aaron Jon Hyland Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Richard S.E. Johns 174 9th Avenue San Francisco, CA 94118

Hisashi Sugaya 900 Bush Street, #419 San Francisco, CA 94109 Ellen Joslin Johnck, RPA 101 Lombard Street, #217E San Francisco, CA 94103

Kevin Johnston 2288 Buena Vista Avenue Livermore, CA 94550

Andrew Wolfram 1420 Sutter Street, 2nd Floor San Francisco, CA 94109 Anthony Veer Kamp National Trust for Historic Preservation 25 Taylor Street San Francisco, CA 94102

Diane Matsuda John Burton Foundation 235 Montgomery Street, Suite 1142 San Francisco, CA 94104

Kate Black, Commissioner SEAT 6 Real Estate Professional San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Ms. Gigi Platt 362 Ewing Terrace San Francisco, CA 94118



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

SAN FRANCISCO, CA 94103
WWW.SFPLANNING.ORG
RECEIVED

1650 MISSION STREET, #400

JAN 17 2020 CITY & COUNTY OF S.F.

Pursuant to Planning Code Section 311, the Planning Commission may exercise its power of Discretionary Review over a building permit application.

For questions, call 415.558.6377, email pic@sfgov.org, or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Please read the Discretionary Review Informational Packet carefully before the application form is completed.

WHAT TO SUBMIT:

- ☑ Two (2) complete applications signed.
- A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
- Photographs or plans that illustrate your concerns.
- ☐ Related covenants or deed restrictions (if any).
- ☑ A digital copy (CD or USB drive) of the above materials (optional).
- Payment via check, money order or debit/credit for the total fee amount for this application. (See <u>Fee</u> <u>Schedule</u>).

HOW TO SUBMIT:

To file your Discretionary Review Public application, please submit in person at the Planning Information Center:

Location:

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

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文:如果您希望獲得使用中文填寫這份申請表的幫助,請致電415.575.9010。請注意,規劃部門需要至少一個工作日來回應。

Tagalog: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



RECEIVED

DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Name:

Russell and Anita Murphy

Address:

872 Elizabeth Street

Email Address: russ.murphy777@gmail.com

Telephone:

415-726-3063

Information on the Owner of the Property Being Developed

Name: James O'Driscoll

Company/Organization:

Address:

55 Cranleigh Drive

Email Address:

jim@joelectric.com

Telephone:

415 850 2241

Property Information and Related Applications

Project Address: 876 Elizabeth Street, San Francisco, CA 94114

Block/Lot(s): 2806 / 022

Building Permit Application No(s): No. 201901140265

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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)		1

Changes Made to the Project as a Result of Mediation.

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

None changes, applicant did say they would put a privacy screen on the rear roof deck.

DISCRETIONARY REVIEW REQUEST

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

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 site specific sections of the Residential Design Guidelines.

See letter and pictures attached

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.

See letter and pictures attached

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?

See letter attached

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

Ind Wante	,	Russell Murphy	
nature		Name (Printed)	
/	415-726-3063	russ.murphy777@gmail.com	
ationship to Requestor Attorney, Architect, etc.)	Phone	Email	



VARIANCE FROM THE PLANNING CODE

SUPPLEMENTAL APPLICATION

Community response to findings submitted by developer

Property Information		
Project Address:	Block/Lot(s):	

Variance Findings

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district. The developer claims that the existing non-code-complying nature of the subject home provide an exceptional and extraordinary circumstance sufficient to allow intensification of the condition of nonconformity. In fact this nonconforming condition should be corrected as part of any remodel and expansion proposed on the site. a quality and profitable remodel can be achieved entirely within the buildable envelope defined by San Francisco Planning Code; FINDING NOT MET

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

The developer claims that adherence to front setback standards applied to all homes in RH2 district is somehow mitigating of the insults to code standards elsewhere. Absolutely no practical difficulty or unnecessary hardship has been demonstrated; NOR could one be demonstrated. There is sufficient space to remove ALL unwarranted construction and build in a fully code compliant fashion; FINDING 2 NOT MET

That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

No substantial property right is demonstrated by the existence of a rear addition at the house next door. the development on the subject property varies significantly from code standards AND the pattern of development in the district. If this developer wishes to improve this house for resale, the community will support it but expects the house to be brought to the setback limitations of current Planning Code without exception, the developer proposes to remove 8 feet of illegal addition, where significantly more rear setback is required to bring property into compliance; FINDING 3 NOT MET.

 That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity;

The variance as proposed IS materially detrimental and injurious to the adjacent properties. The impact on midblock open space by this proposal is extraordinary, As is the loss of privacy and quiet enjoyment by adjacent neighbors. A new third floor deck projecting entirely into the rear yard open space is arrogant, unnecessary, and an imposition on residents of adjacent properties; FINDING 4 NOT MET

5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Granting of this variance will not be in harmony with the intent of the Planning Code nor with General Plan provisions directing orderly residential development, preservation of historic resources, and consistency of implementation of residential design policy; FINDING 5 NOT MET

Discretionary Review Request for 876 Elizabeth Street

RE: Permit # 201901140265 VAR: # 2019-000634VAR

We Request Discretionary Review on the proposed project at 876 Elizabeth Street. We ask this Planning Commission to require this developer to bring this home into FULL compliance with section 134 of the Planning Code before any expansions within the buildable envelope are permitted.

Our reasons are not about the height of the new building or the loss of sunlight into our rear yard. Our objections are about allowing a major non-conforming structure to be intensified, extending 21 feet into the rear yard open space, with a new roof top deck. The additional infill to the rear yard build-out should also be subject to variance requirements above and beyond the variance currently requested.

The variance application does not provide sufficient findings the granting of any new noncomplying development. The findings presented by the project sponsor are entirely inadequate to justify the significant impact this project will have on adjacent property owners. (Please see attached Rebuttal to Findings)

What are the Planning Departments objectives in giving this project the okay? Because it exists, therefore, let a developer take advantage of it? We believed it would be the Planning Department to take the advantage, and restore the year yard open space as it was intended, which the Planning Department went through great lengths to establish and set policy for.

Planning Department Staff and the Residential Design Advisory Team have failed to enforce Planning code section 134 to protect neighborhood rear yards and open spaces. In supporting this application the Department has acted to the detriment of the community for the benefit of an absentee developer. Our neighborhood stands in strong objection to this oversight.

We also feel, that in so granting this project, it will set a new precedent, valuing building mass above rear yard open space, for all the projects in the pipeline, down the road. If you let these developers do it, other applicants in this district will expect the same Planning Department support . . . and "There goes the Neighborhood."

Somebody, many years ago built something without permit that could never be approved today. It was wrong then, and it is wrong now. San Francisco residents have the Planning Code, so we can correct the mistakes done in the past, and little by little, bring things back into conformance.

This is usually the direction the Planning Department takes, and so it should be the direction it takes In this situation. Why does the Planning Department now favor a developer's interest over the community's interest? The community wants a rear yard open space, respects this policy, and works within this policy.

To approve development into the rear yard for a developer should not be Planning Department policy, whether the non-complying structure exists or not, period!

We believe the The Planning Department made a mistake in telling the developer that these plans are fine, and I submit a request for a Discretionary Review to take another look at this decision. We will bring community support to the hearing, and appreciate the opportunity to let the Planning Department know how we all feel about this.

Submitted Proposed Plans are Misleading

The plans submitted by the architect William Pashelinsky are misleading, inaccurate, and willfully vague. The site plans do not show the existing window in the lightwell between the subject property 876 Elizabeth and the neighbors to the West, 878 Elizabeth Street. 878 Elizabeth street was built in 1890, prior to 876 Elizabeth street. The existing kitchen window of 878 Elizabeth Street was omitted, and the proposed plans call for building right over the window. If the proposed plans were accurate, the existing window would be shown and the Planning Department would have a clearer idea of the proposed impact.

It is hard to determine the actual roof shape of 878 Elizabeth Street on the proposed site plans, as existing passage ways and roof valleys have not been clearly delineated, whereas a dotted line should indeed be a solid line.

The existing site plan shows a rectangular blackened area which is actually an outdoor deck, at the first floor level, without a roof covering. To fill in this area, as it exists within the protected rear yard open space area, should require another variance.

The foundation plan also does not reflect the existing conditions, as the non conforming rear build-out is actually 2 separate constructions, and do not share the same foundation. In fact, the last 8 feet of the structure was added much later, without the benefit of a foundation, so there is no crawlspace below it.

The East and West elevations have large black areas to show new building mass without the benefit of a discerning roof line, causing confusion. The East elevations do not reflect the adjacent property (dotted lines), 870 – 872 Elizabeth Street, making it impossible to note any impact on 870 – 872 Elizabeth Street. The architect shows the impact on the West elevations, but omits them on the East elevation.

Finally, as there is a variance requested, why doesn't the proposed site plan clearly show the area that the variance will include? We had to meet with an architect to determine just what is requested by the variance, and it took awhile, even for them, to figure it out.

The posting by the Planning Department states there will be 45' 8" of rear yard open space, which is also misleading because it fail to mention the existing rear yard build – out is to remain, so in fact the rear yard open space is reduced to 30 feet. The variance requests 5' 1" but the proposed plans call out 5' 11". Which is correct? My understanding of a variance is that it must have a hardship to be considered. What is the hardship driving this Variance?

These described architectural omissions and inaccuracies, and the fact that the architect does not reference any dimensional lines on the East and West elevations other then height dimensions, makes these plans very misleading.

The posting by the Planning Department requesting a variance described as 5' 1" leaving a rear yard of 45' 8" is misleading for the public to determine the proposed project impact.

We are happy that there is someone to develop this project. It needs to be done. We are concerned that the proposed project is in non-conformance to planning policy, and would like it to be brought into conformance with respect to rear yard open space. A fully code compliant project can result in quality housing being restored to the community, and substantial profit to be gained by the developers for their efforts.

We ask this Planning Commission to take Discretionary Review over this project and require the project sponsor to restore the building rear to the section 134 limits of development and to confine expansion of the property to the code mandated buildable open space.

My understanding of a variance is that it must have a hardship to be considered. What is the hardship driving this Variance?

These described architectural omissions and inaccuracies, and the fact that the architect does not reference any dimensional lines on the East and West elevations other then height dimensions, makes these plans very misleading. The posting by the planning Department requesting a variance described as 5' 1" leaving a rear yard of 45' 8" is misleading for the public to determine the proposed project impact.

Underground River

There is also a concern that I have regarding the proposed lower unit build out. There is a river tributary which originates at Twin Peaks that runs directly under our properties. When we first purchased this property in 1988, we found our basement area flooded each year during the winter rains. We therefore hired a soil engineer and installed a large permitted underground French drain system, to protect our property, as well as the properties of 2 adjacent neighbors downhill from us. Each drain system allows for separation, with 3 collection boxes, one on each property, and cleanout at grade. This system has allowed myself and my downhill neighbors to develop habitable spaces in the lower floors.

After each heavy rain, although the rear yards are slightly flooded by the rising of the underground river and water table, the French drains we had installed, catches the water before it reaches our buildings, and our basements are dry.

The new proposed construction will displace the underground river and could adversely impact or properties if not properly engineered for an existing river tributary.

I realize this is not a Planning issue, but Planning is allowing for the project and it should be noted.

I understand that the proposed underground portion of the building will exceed 8 feet past the existing building structure, with excavation over 10 feet in depth.

Why does this not require another Variance?

They will be building massive retaining walls into rear yard open space set back requirements.

Conclusion:

This project, as proposed will negatively impact our property. We loose privacy, we loose open space, and we will loose property value due to these impacts.

We are happy that there is someone to develop this project. It needs to be done. We are concerned that the proposed project is in non-conformance to planning policy, and would like it to be brought into conformance with respect to rear yard open space.

Jenuel Mayby 1/17/2020



Shot from Google Earth, demonstrating rear yard open space conformity by most of the neighborhood (876 BLIZABETH St. 15 NOTED)



Rear View of 870-872 ELIZABETH ST Which is the adjusent heighbor to the EAST.



EXISTING REAR YARD OPEN SPACE, LOOKING EAST FROM 872 EUZABETH ST.



REAR YARD of 870-872 ELIZABETH ST

LINE OF PROPOSED VARIANCE

END OF EXISTING REAL YARD STRUCTURE.



EXISTING REAR YARD STRUCTURE WHICH IS TO REMAIN AS PER PROPOSED PLAN, BUT WITH NEW ROOF + ROOF DECK.

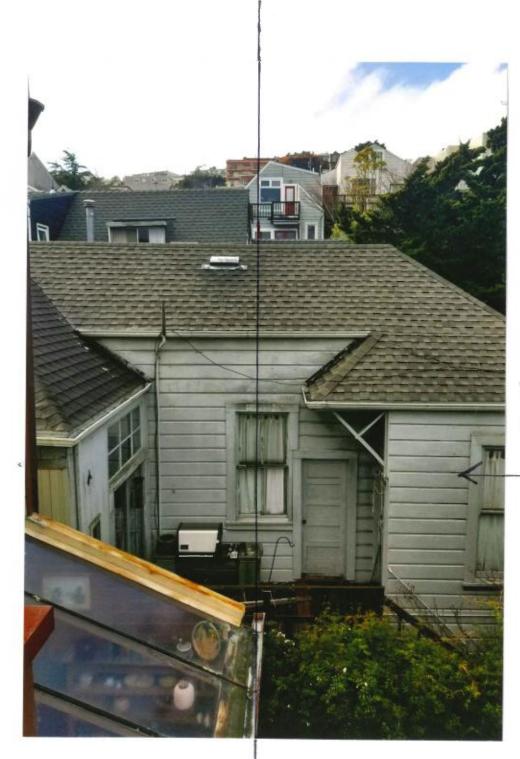


ANOTHER VIEW of the rear yard build-out as it looks from 870.872 ELIZABETH ST.



ROOF TOP DECK





This structure proposed to Remain.

proposed variance
Boild-out.

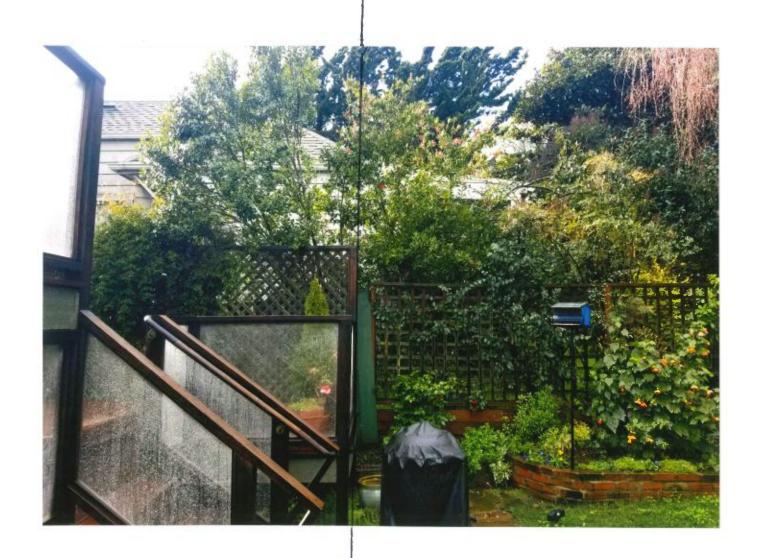
This area to be filled in

EXISTING tear structure to Remain

Line of Proposed
VARIANCE



LINE denotes end of rear structure build-out



21 FEET From BACK OF EXISTIN MAIN HOUSE





There is an underground river that runs through the rear yards

Neighbors East of Proposed Project:

878 Elizabeth Street Kevin Timpane and Christina Stonehouse 415-695-2765 or 415-305-3545 ktimpane@AOL.com

882 Elizabeth Street Paul and Doris Sayling 415-867-6875

Neighbors to the West of Proposed Project:

872 Elizabeth Street Anita and Russell Murphy 415-726-3063 russ.murphy777@gmail.com

866 Elizabeth Street Donato Cabal and Andrea Setterholm 415-298-8811 415-206-9234 andrea.setterhol@gmail.com

860 Elizabeth Street Michael and Elizabeth Cronbach 415-948-6498 415-824-0820 mcronbac@yahoo.com

854 Elizabeth Street Joe and Sherry Coveney 415-648-4769 415-846-1662 SherryFromSF@yahoo.com

Neighbors across the street from Proposed Project:

867 Elizabeth Street Tom Leahy 415-647-1853 tpleahy@gmail.com

865 Elizabeth Street Ginny Pizzardi 415-550-7700 415-846-4469 GinnyPizzardi@gmail.com 863 Elizabeth Street Under Construction, new owners yet to move in

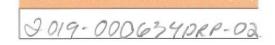
861 Elizabeth Street Ilana Drummond and Sharon Dulberg 415-548-3132 415-308-0661 ildrummond@gmail.com

859 Elizabeth Street Todd Graham and Piper LaGrelius 310-346-4093 plagrelius@gmail.com

857 Elizabeth Street Andy Grimstad and Mary Wikstrom 415-648-6605 jlmsalgebra@yahoo.com

847 Elizabeth Street Sarah Willmer and Bryan Shiles 415-994-0874 studiosarahwillmer@me.com

843 Elizabeth Street Granger Tripp and Mimi Downs 415-647-3430 getripp@pacbell.net





DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

JAN 17 2020
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT.
PIC

scretic	IV arun Timpana				
me:	Kevin Timpane		<u> </u>		
		Email Address:	Kevin.timpane	@gmail.c	om
dress:	878 Elizabeth Street		ATE2052545		
		Telephone:	4153053545		
	tion on the Owner of the Property Being Dev	eloped			
me:	James O'Driscoll				
_			-		
mpany	/Organization:				
dress:	55 Cranleigh Dr.	Email Address:	Jim@joelecti	ic.com	
	55 Crameign Dr.		4158502241		
		Telephone:			
nort	y Information and Related Applications				
opert	876 Elizabeth Street				
ject Ac	ddress:				
ck/Lot	(2806/022				
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ilding F	201901140265				
	Permit Application No(s):	FST			
	IS PRIOR TO A DISCRETIONARY REVIEW REQU	EST		YES	NC
CTION	IS PRIOR TO A DISCRETIONARY REVIEW REQU	EST		YES	NO
CTION ave you	IS PRIOR TO A DISCRETIONARY REVIEW REQU			YES	NO
CTION ave you	PRIOR TO A DISCRETIONARY REVIEW REQU PRIOR ACTION u discussed this project with the permit applicant?	nit review planner?		YES	NC

DISCRETIONARY REVIEW REQUEST

In the space below and on seperate 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 site specific sections of the Residential Design Guidelines.
SE	E AI TACHED.
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.
SE	EATTACHED
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?
Do	not allow the extension exception.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

James Tengton)(Kevin Timpane	
100		Name (Drinted)	
nature		Name (Printed)	
	415 305-3545	Kevin.timpane@gr	nan.com
ationship to Requestor Attorney, Architect, etc.)	Phone	Email	
			ž

SECTION 1 ANSWERS:

Planning Code Section 134 - Applicant is looking for an exception, though there is no hardship for this exception and granting it could potentially have a severe harmful effect on my property at 878 Elizabeth.

1. The application to gain an exception to building codes to extend the property line into the rear yard would create a hardship and potential significant detriment, and possible damage, to my property. The excavation and subterranean building extensions would require up to 10 foot retaining wall between our properties that would also extend further than 20 feet past the end of the property line. There's a well-known underground stream that runs under our house is on the side of Elizabeth Street. And while that retaining wall may be suitable to protect the developed property extending the building through an exception be on the property line and building down 10 feet or more will cause and exacerbate the problem of water building up on our property, for which we already have a substantial challenge. This could damage our property and cause many conflicts in the future. Therefore, it is not fair or reasonable to grant an exception to the code to build further into the backyard than allowed at the expense of a potential damage to our property and causing serious disputes in the future. (copied below as well)

SECTION 2 ANSWERS

I am the next-door neighbor and my house is adjacent and immediately astride the applications building. I am submitting this request for discretionary your review of application number for three reasons:

- 1. The application to gain an exception to building codes to extend the property line into the rear yard would create a hardship and potential significant detriment, and possible damage, to my property. The excavation and subterranean building extensions would require up to 10 foot retaining wall between our properties that would also extend further than 20 feet past the end of the property line. There's a well-known underground stream that runs under our house is on the side of Elizabeth Street. And while that retaining wall may be suitable to protect the developed property extending the building through an exception be on the property line and building down 10 feet or more will cause and exacerbate the problem of water building up on our property, for which we already have a substantial challenge. This could damage our property and cause many conflicts in the future. Therefore, it is not fair or reasonable to grant an exception to the code to build further into the backyard than allowed at the expense of a potential damage to our property and causing serious disputes in the future.
- 2. There is an existing light well between our properties. And it does sit on the property of the applicant. However this has been used for more than 50 years and possibly as much as the full life of the property dating back to 1890 for my property, and slightly after 1900 for the applicants property. That light well has been used to access plumbing, for drainage, and for light to our kitchen through a window. This is not shown on all the drawings. We attempted to work with the architect and applicant in good faith to see if there were alternate solutions. And since we were planning a refacing of our kitchen, we spoke with the architect representing the developers in the summer. They suggested they could accommodate us with the cost of moving our window to a skylight and suggested their estimate amount of \$15,000. They also suggested at the time that if there were additional fees due to required architects, or structural engineers, they could also be willing to consider accommodating that additional expense, but asked for estimates and receipts. However recently, we continued to try and discuss the matter with them in good faith. Despite us incurring substantial additional fees for architects, structural engineers, and actual additional structural reinforcement to be able to accommodate a skylight in our ceiling, they limited their proposal their proposal to our initial discussion. This

did not seem to be in keeping with the good faith efforts we made to change our kitchen plans to accommodate their plans and move the window we had planned on retaining in our original designs. This gives us great concern about the additional plans that do infringe on our property from construction, and especially extensions of the property and changes and exceptions to the current legal portions of the property. And it calls into question our ability to work with the developers to resolve those matters in the future.

3. In reviewing the applicants drawings, members of our neighborhood asked an architect to help us ascertain exactly what was being proposed. The drawings often seem misleading and have multiple places that do not reflect all the aspects of their building or ours. And while discussions of previous plans with the developer's architect, and recent talks with the developers have been helpful to explain verbally to us what they plan to do, they did not always seem in keeping with the drawings that they had submitted to us. This of course gives us great pause as to the veracity of the filing, and our ability to trust what is being proposed.

SECTION 3 ANSWERS:

Do not allow the extension exception.

William Pashelinsky
Architect
1937 Hayes Street
San Francisco, California 94117
(415) 379 3676
Email billpash@gmail.com

David Winslow c/o San Francisco Planning Commission San Francisco Planning Department San Francisco, Ca. 94103

April 15th, 2020

Re: DR P.A. 2019.10.14.0265

DR: Kevin Timpane, 878 Elizabeth Street

The Architect and project sponsor James O'Driscoll met with and corresponded with Mr. Timpane on several occasions prior to the 311 mailout.

1). The property line window located on the 2nd floor east elevation of 878 Elizabeth Street is not visible from 876 Elizabeth Street. At the 1st meeting between the architect and Mr Timpane, it was measured and added to the drawings. It was re-submitted to the planning department. It was pointed out to the owner that property line windows are not protected by San Francisco codes. However, we made a "good neighbor" offer to compensate the owner with a legal skylight. We also offered to re-imburse Kevin with the relocation of a drain line that extended on to our property. The owner also informed us that he was doing a kitchen remodel, while he had not finalized his design there was the possibility he had planned to relocate the kitchen sink where the window was currently located.

DR: Rusell Murphy, 872 Elizabeth Street

We met with Rusell and Anita Murphy at the Architects office. Mr. Murphy requested we demolish the rear of the building so that it meet current setback regulations. It was explained to him that the building was legal non conforming having been constructed prior to current code requirements, It was also explained to him the City of San Francisco frowns upon extensive residential demolition. However, it was noted that we were demolishing the rear 8 foot section of the building.

We also noted in response to his querry regarding the rear dimensions at the site plan were done specifically to meet the requested of the assigned planner.

He was advised to review these issues with Kathleen Campbell the assigned planner.

At the time of the meeting the variance request for the minor 1 story fill in at the east did not s

Mr Murphy was concerned about the 2nd story rear roof deck. We offered to construct a 6 foot high opague glass screen at the east elevation. We still are willing to provide this.

Conclusion:

The project design is the result of meeting and correspondence with the San Francisco Planning Department including a project review meeting.

Because of the historic nature of the existing building the front 15 feet of the building could not be developed. In addition we are removing the rear 8 foot section of the existing structure. The space included in the variance request is minor and does not have any impact on the neighboring properties. The current house has only one bedroom and is not well organized. The proposed house is family oriented with 3 bedrooms. Much of the proposed space would result from the development of the basement area, Again this has no impact on the neighbors.

GENERAL NOTES:

INTENT OF DOCUMENTS:

It is the intent of these Contract Documents to establish a high quality of material and workmanship, but not necessarily to note and call for every last item of work to be done. Any item not specifically covered but deemed necessary for satisfactory completion of the work shall be accomplished by the Contractor in a manner consistent with the quality of the work without additional cost to the Owner. All materials and methods of installation shall be in accordance with industry standards and manufacturers recommendations.

A. All materials and workmanship shall conform to the requirements of the following codes and regulations and any other local and state laws and regulations:

San francisco Building Code 2016 Edition

San franciscoFire Code 2016 Edition

San francisco Plumbing Code 2016 Edition

San francisco Electrical Code 2016 Edition

San francisco Mechanical Code 2016 Edition

Verify all existing conditions and dimensions at the project site. Notify the Architect and/or Engineer of any discrepancies before beginning construction.

B. Provide adequate and proper shoring and bracing to maintain safe conditions at all times. The contractor shall be solely responsible for providing adequate shoring and bracing as required for protection of life and property during the construction of the project. C. At all times the Contractor shall be solely and completely responsible for all conditions at the jobsite, including safety of persons and property, and all necessary independent engineering reviews of these conditions. The Architects jobsite reviews are not intended nor shall they be construed to include a review of the adequancy of the contractors safety measures. D. Unless otherwise shown or noted, all typical details shall used where applicable. E. All details shall be constued typical at similar conditions. F. All Drawing conflicts shall be brought to the attention of the Architect and/or Consulting Engineer for clarification before work proceeds.

- G. The Contractor shall supply all labor, materials, equipment and services, including water and power, necessary for the proper execution of the work shown on these drawings. All materials shall be new and workmanship shall be good quality. All workman and subcontractors shall be skilled in their trade. Any inspections, special or otherwise, that
- plans shall be done by an independent inspection company. H. Finishes: Replace patch, repair and refinish all existing surfaces affected by the new work. All new finishes shall match the adjacent surface. all surfaces shall align.

are required by the building codes, local builing departments, on these

- I. The General Contractor shall visit the site and familiarize themselves with the existing site conditions prior to finalizing of any proposal to the owner. The general Contractor shall be responsibe to inform the owner or Architect of potential existing conditions that need to be addressed and or modified inorder to emplete the work as herein described in these Drawings.
- J. The General Contractor shall be reponsible for all means and methods of construction including but not limited to leveling, shiming, and blocking. The General Contractor shall make specific note of such items that can not be known prior to the commencement of construction.

DRAWING INDEX:

A 1.01 PROJECT STATISTICS, GENERAL NOTES, AND DRAWING INDEX A 1.02 SITE AND ROOF PLANS A 2.01 FLOOR PLANS EXISTING

A 2.02 FLOOR PLANS PROPOSED A 2.03 FLOOR PLAN PROPOSED

A 3.01 EXTERIOR ELEVATIONS A 3.02 EXTERIOR ELEVATIONS

A 3.03 EXTERIOR ELEVATIONS A 3.04 EXTERIOR ELEVATIONS

A 4.01 BUILDING SECTION

PROJECT INFORMATION:

ZONING: RH-2 CLASS A HISTORIC HEIGHT AND BULK DISTRICT: 40-X EXISTING OCCUPANCY: R-3 PROPOSED OCCUPANCY: R-3

EXISTING USE: SINGLE FAMILY RESIDENCE PROPOSED USE: SINGLE FAMILY RESIDENCE

EXISTING: 2 STORYS PROPOSED: 3 STORYS

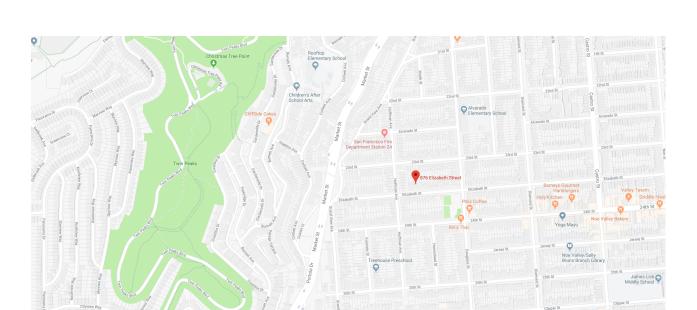
EXISTING CONSTRUCTION TYPE: 5-B PROPOSED CONSTRUCTION TYPE: 5-B

BUILDING HEIGHT EXISTING: 25 FEET BUILDING HEIGHT PROPOSED: 25 FEET

BLOCK: LOT:

SCOPE OF WORK:

1 STORY VERTICAL ADDITION AND ROOF DECK ADDITION AT 2ND FLOOR EAST ELEVATION NEW HABITABLE SPACE BELOW EXISTING 2ND FLOOR. REMODEL KITCHEN AND GENERAL RENNOVATION OF 2ND FLOOR.



VIICINITY MAP

ABBREVIATIONS:

@ •£	AT	HGT./HT.	HEIGHT
	CENTERLINE		
Ø	DIAMETER OR ROUND	INSUL.	INSULATION
(E)	EXISTING		
(N)	NEW	MFG.	MANUFACTURING
(R)	REPLACE	MAX.	MAXIMUM
		MAA. MTL.	METAL
		MIN.	MINIMUM
AFF	ABOVE FINISH FLOOR	MIN.	MINIMOM
AH	ABOVETINISHTEOOR	O.C.	ON CENTER
BM.	BEAM	0.0.	OTT GETT TER
BLDG.	BUILDING	PR.	PAIR
2233.	5 5 2 5 5 2 × 15	PKT.	POCKET
CBC	CALIFORNIA BUILDING CODE	P.T.	PRESSURE TREATED
CLR.	CLEAR		
CLOS.	CLOSET	REF.	REFRIGERATOR
CONC.	CONCRETE	REQ'D	
		REQ'T	
DECK'G	DECKING	RTG.	RETAINING
DET.	DETAIL	R & 5	ROD AND SHELF
DIA.	DIAMETER	RM.	ROOM
DISP.	DISPOSAL		
DW.	DISHWASHER	SIM.	SIMILAR
DR.	DOOR	5. <i>C</i> .	SOLID CORE
DBL.	DOUBLE	SQ. FT.	
DN.	DOWN	STOR.	STORAGE
DRWG5.	DRAWINGS	STRUCT.	
D	DRYER		
		TEMP.	TEMPERED
EA.	EACH	TRANS.	TRANSPARENT
		TYP.	TYPICAL
F	FAHRENHEIT	171.	ITITONL
FIN.	FINISH	U.O.N.	UNLESS OTHERWISE
FD	FIDE DATEN	U.U.IN.	OINTERS O LUEKMISE

DRAWING SYMBOLS

FIRE RATED

FOOT OR FEET

FLOOR

FRENCH

FURNISH

FURRING

GLAZING

GYPSUM BOARD

GYPSUM

GAUGE

(101) DOOR NUMBER

F.R.

FLR.

FT.

FURN.

FURR.

GYP.BD.

GL.

WINDOW NUMBER

SKYLIGHT NUMBER

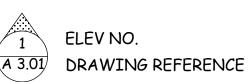
DRAWING REVISION

1 DETAIL NUMBER AND A 6.03 DRAWING REFERENCE

1 NOTE/ITEM NUMBER

GRADE

--- PROPERTY LINE



EXISTING BUILDING STATISTICS

EXISTING

HABITABLE

1ST FLOOR:

2ND FLOOR:

TOTAL:

GARAGE/STORAGE:

TOTAL 1ST FLOOR:

898 SQ FT

508 SQ FT

1,406 SQ FT

1,429 SQ FT

2,835 SQ FT

NOTED

WASHER

V.I.F.

WDO.

WD.

VERIFY IN FIELD

WATER HEATER

WATERPROOF

WINDOW

WITH

MOOD

FLOOR	GARAGE/ STORAGE	TOTAL HABITABLE	TOTAL
1ST FLOOR	917	0	917
2ND FLOOR	0	1,421	1,421
TOTAL	917	1,421	2,337

PROPOSED BUILDING STATISTICS

FLOOR	GARAGE/ STORAGE	TOTAL HABITABLE	TOTAL
1ST FLOOR	487	994	1,481
2ND FLOOR	0	1,365	1,445
3RD FLOOR	0	598	796
TOTAL	487	2,957	3,424

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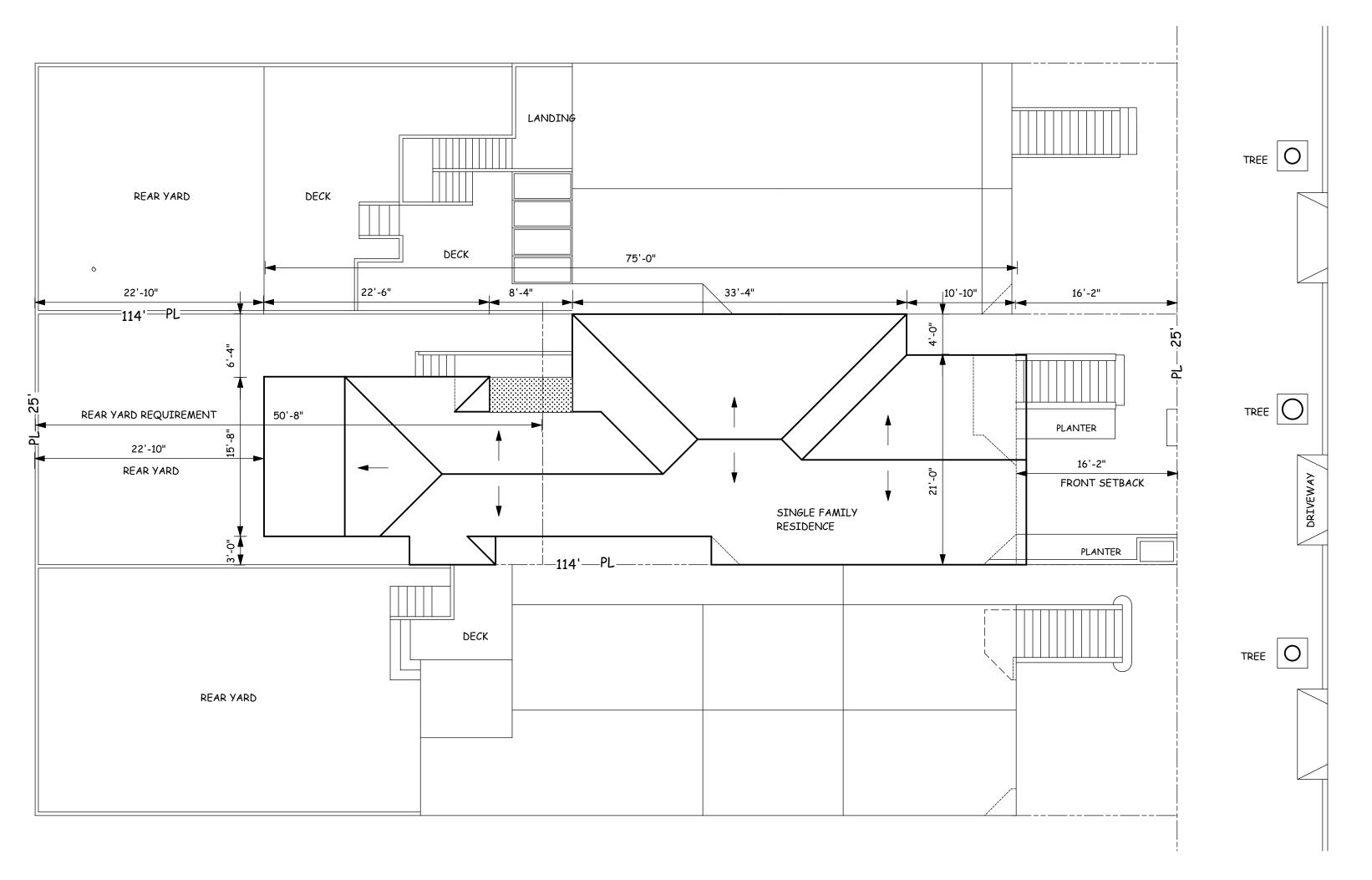
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	1	5.31.19	PLANNING REV
	2	8.12.19	PLANNING REV

PROJECT NO. 2018.15

A-1.01



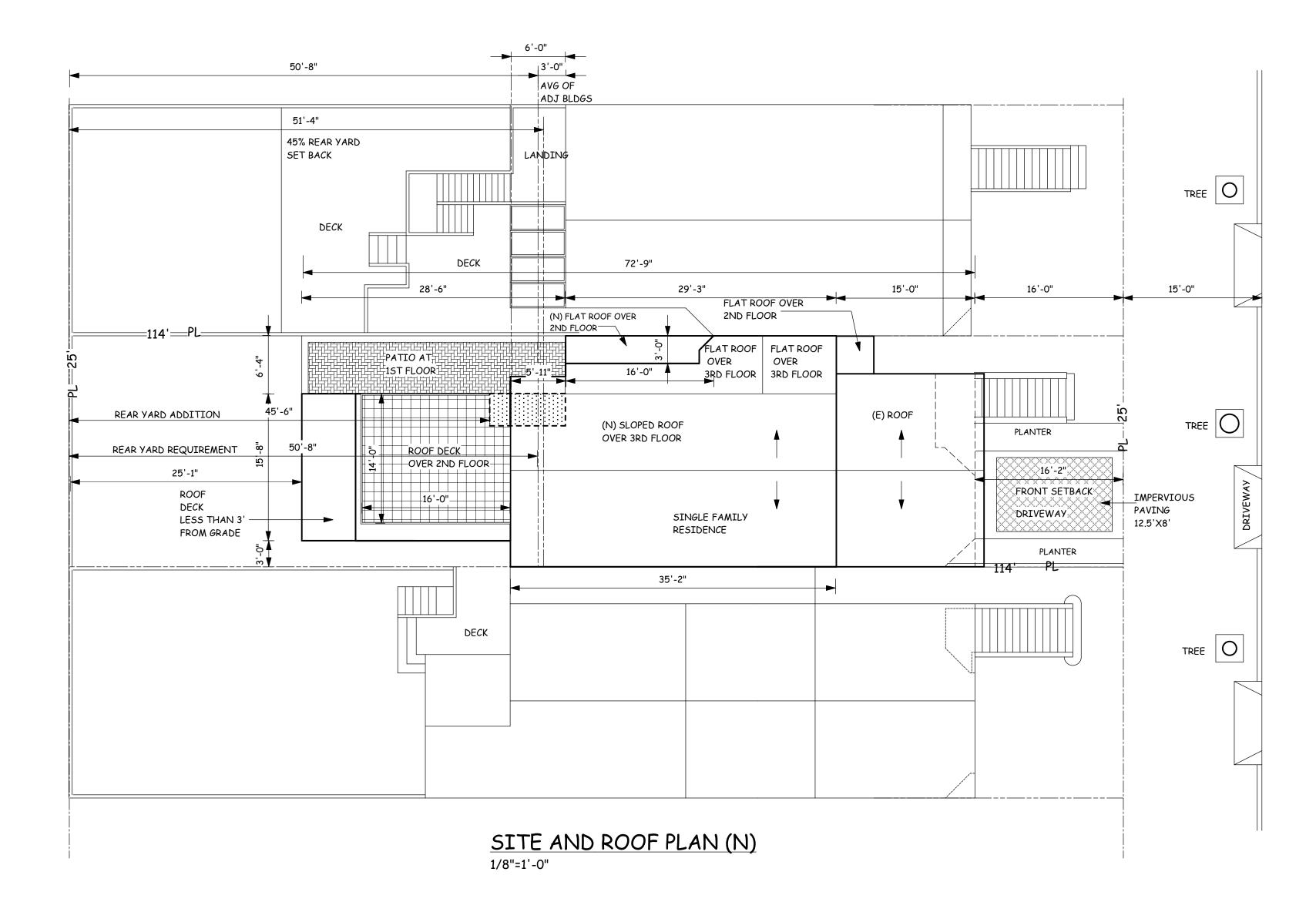
SITE AND ROOF PLAN (E) 1/8"=1'-0"

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4	12.23.19	PLANNING REV



LANDSCAPING

S FRONT SET BACK AREA: 375 SF I PLANTERS: IMPERVIOUS PAVING: (EXCLUDING PLANTERS): 100 SF

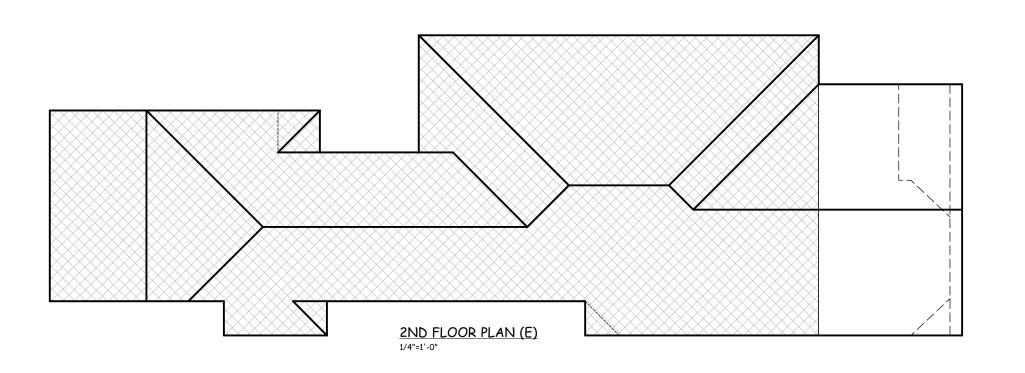
TOTAL IMPERVIOUS SURFACE: 190 SF EQUALS 50% REQUIRMENT 187.5 SSF

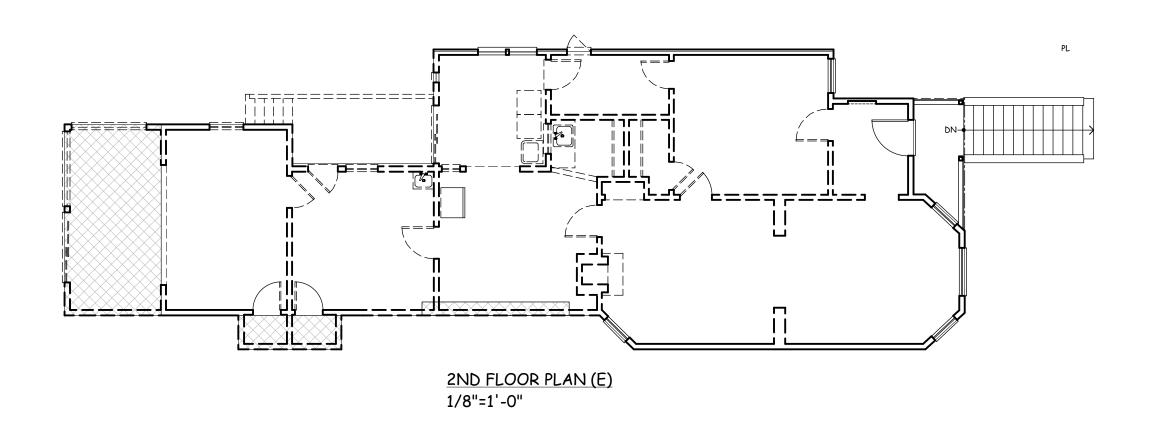
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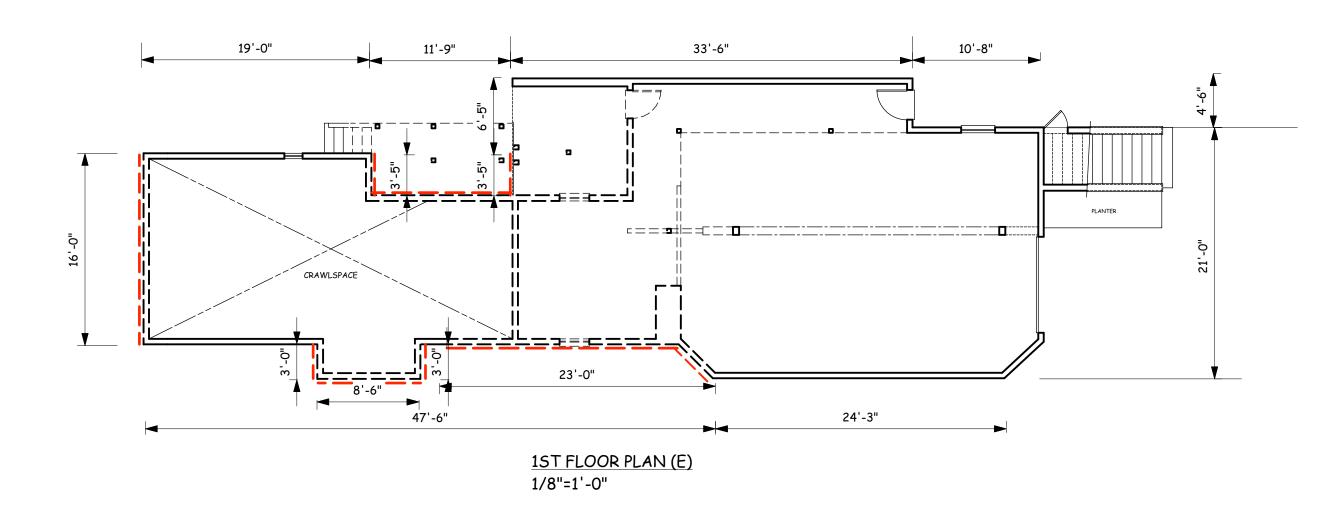
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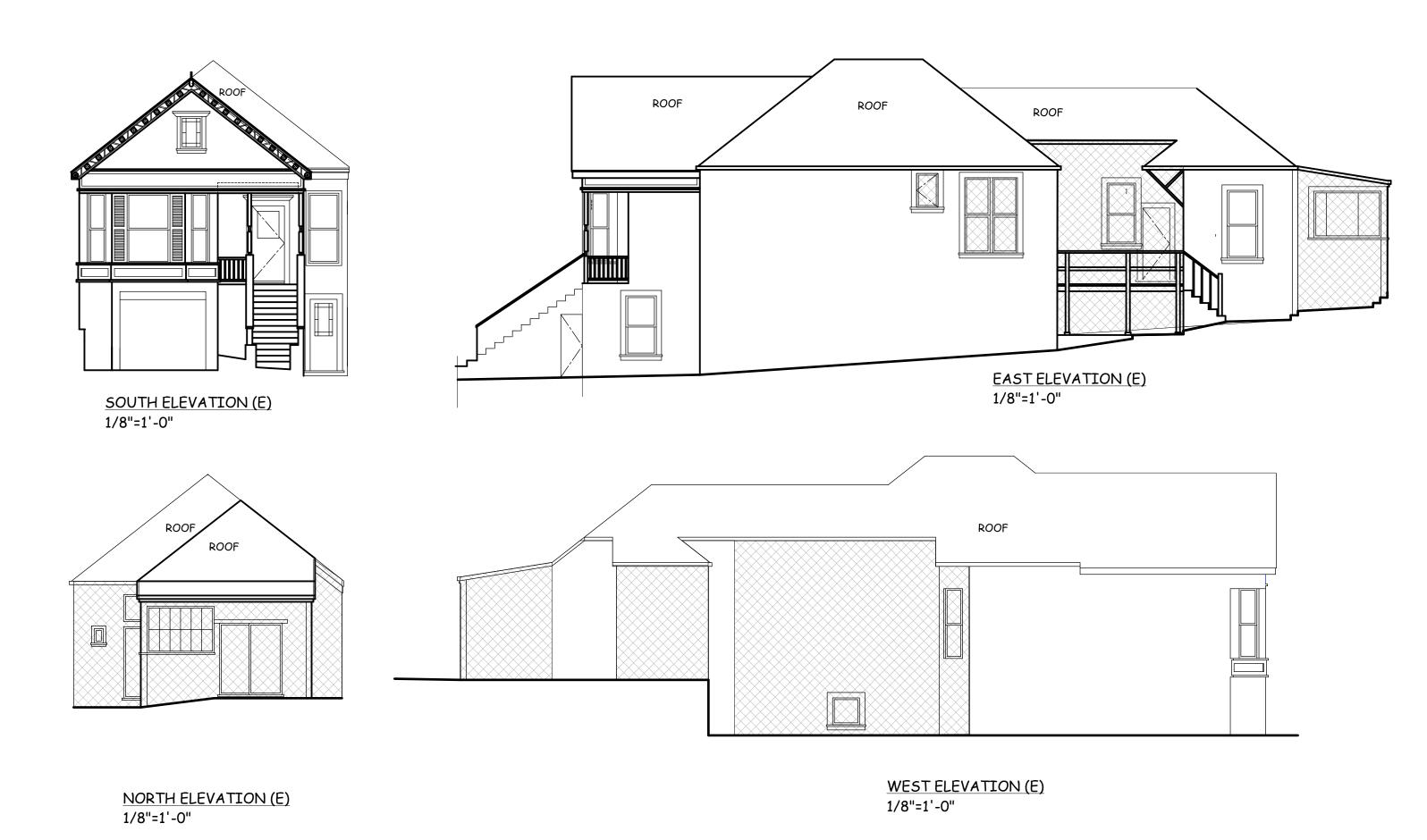
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-		
-		
-		









ELEVATION	EXISTING	DEMOLISH	PERCENT
NORTH	253 SQ FT	253 SQ FT	
SOUTH	872 SQ FT	0 SQ FT	
EAST	1,305 SQ FT	343 SQ FT	
WEST	1,098 SQ FT	569 SQ FT	
TOTAL	3,528 SQ FT	1,165 SQ FT	33%

33% DEMOLITION VERTICAL ELEMENTS

FLOOR	EXISTING	DEMOLISH	
2ND FLOOR	1,440 SQ FT	149 SQ FT	
ROOF	1,528 SQ FT	1,279 SQ FT	
TOTAL	2,968 SQ FT	1,428 SQ FT	48%

48% DEMOLITION HORIZONTAL ELEMENTS

ELEVATION	EXISTING	DEMOLISH	PERCENT
NORTH	28'-10" LF	22'-5" LF	
SOUTH	30'-11" LF	6'-5" LF	
TOTAL	59'-9" LF	28'-10" LF	48%
EAST	74'-11" LF	11'-9" LF	
WEST	71'-9" LF	31'-6" LF	
TOTAL	206'5" LF	72'-1" LF	35.0%

29% DEMOLITION PERIMETER ELEMENTS AS TAKEN FROM THE FOUNDATION LEVEL

LEGEND

EXISTING TO REMAIN	
DEMOLISH	
PERIMETER ELEMENTS TO BE DEMOLISHED	

317 DEMOLITION ANALYSIS

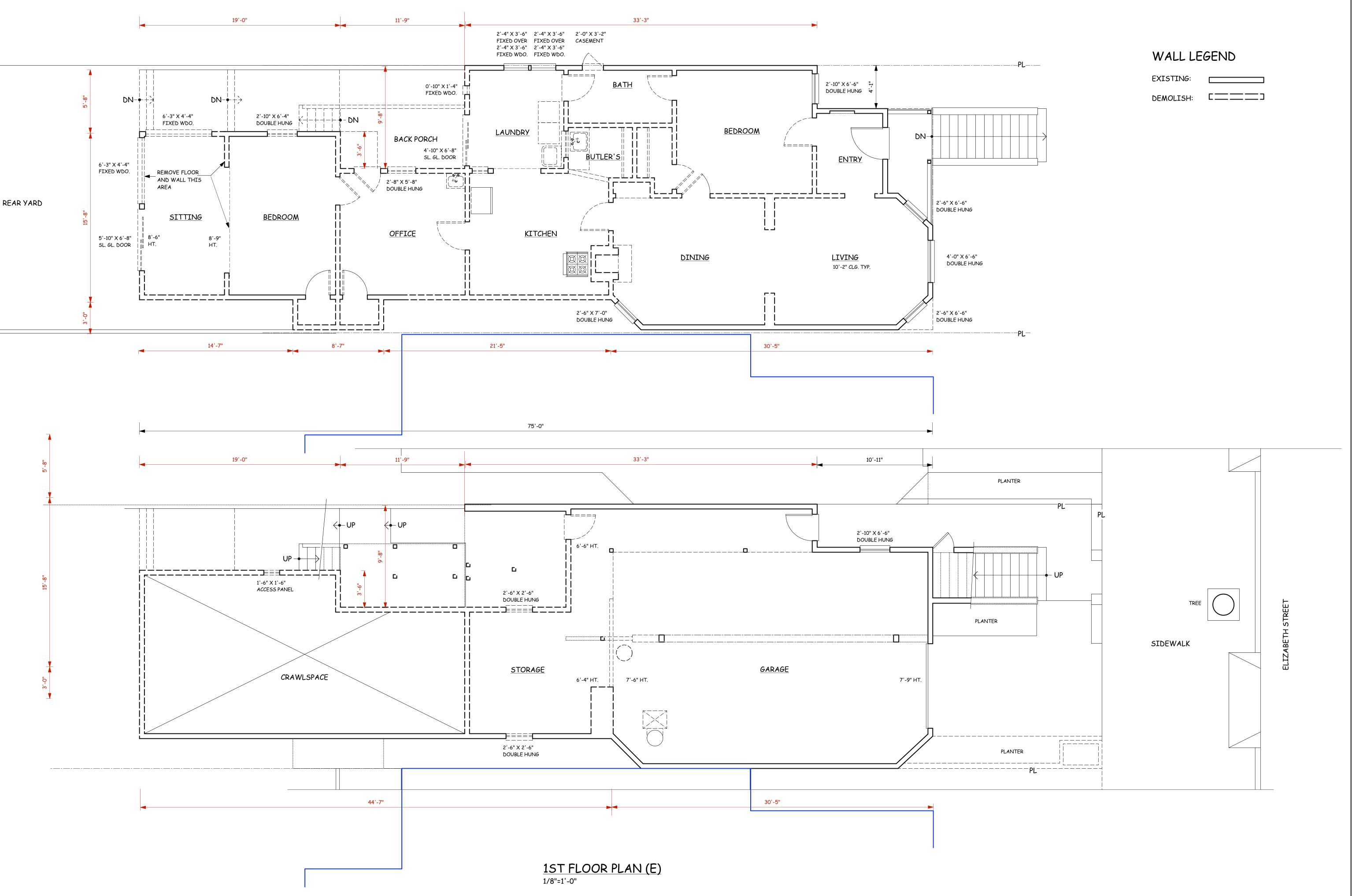
WILLIAM PASHELINSKY

ARCHITECT
1937 HAYES STREET
SAN FRANCISCO, CA.94117
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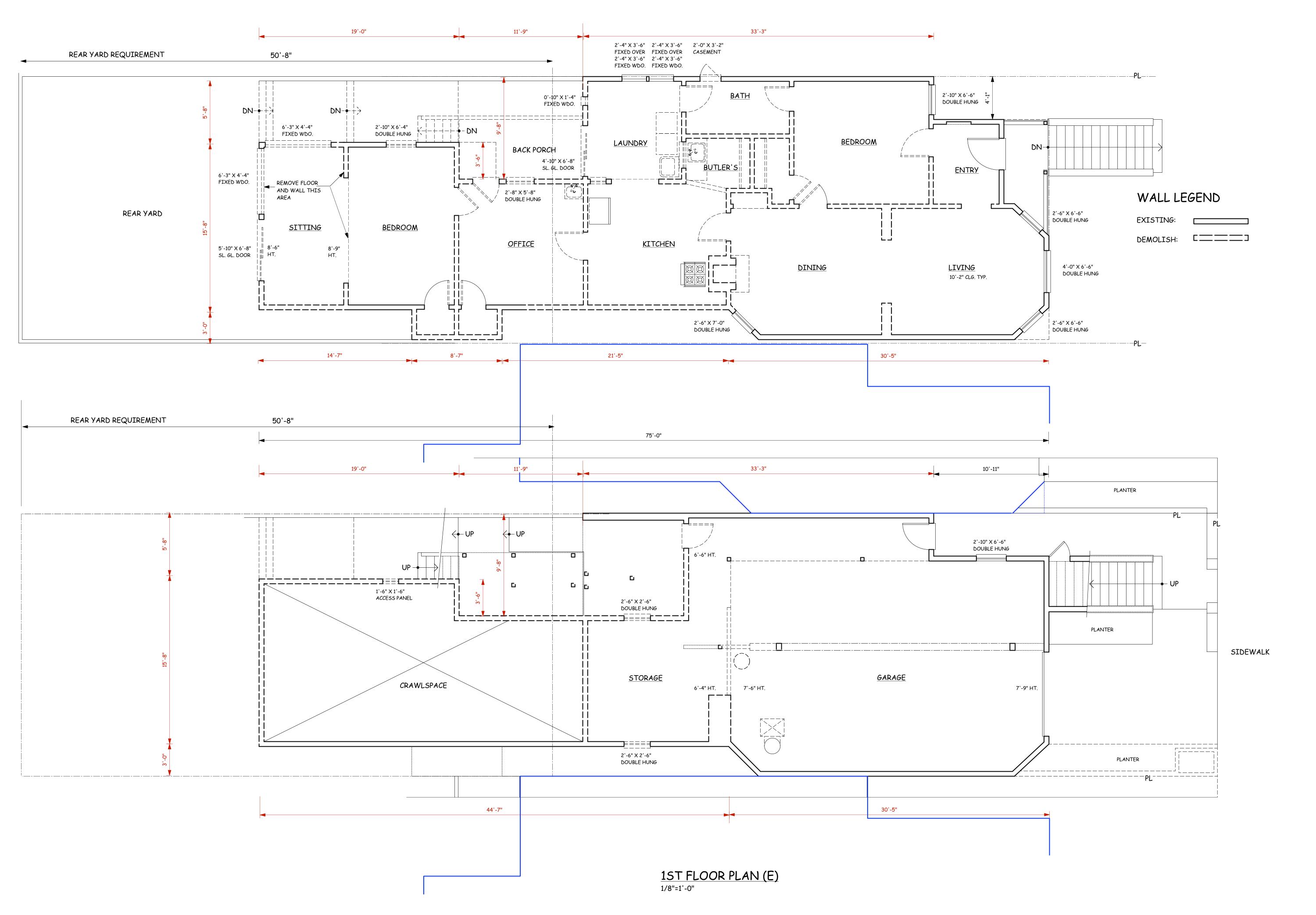
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3	1.14.20	PLANNING REV



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DESCRIPTION NO. DATE PLANNING REV 1 5.31.19 2 8.12.19 PLANNING REV



WILLIAM PASHELINSKY ARCHITECT

ARCHITECT
1937 HAYES STREET
SAN FRANCISCO, CA.94117
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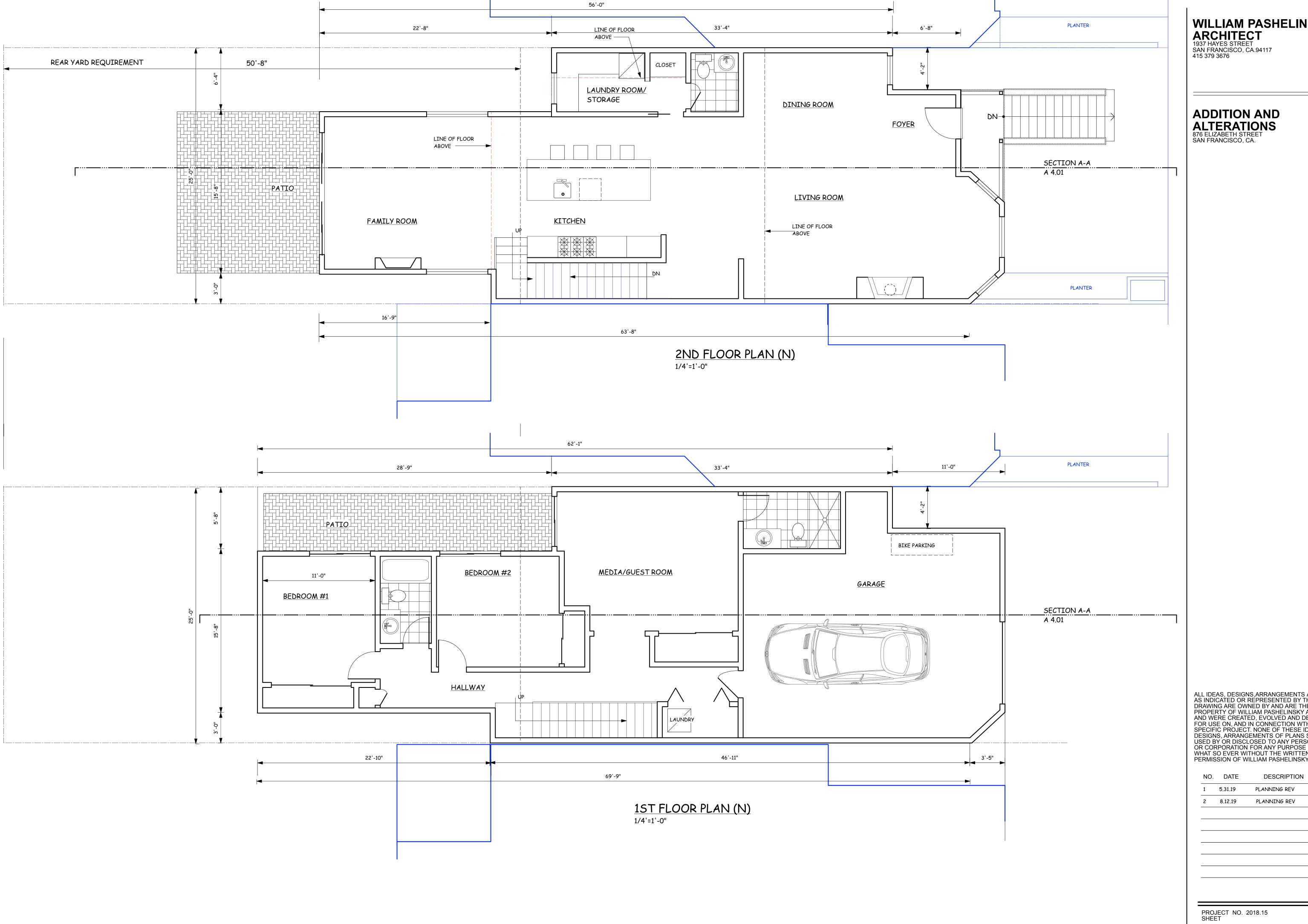
1 5.31.19 PLANNING REV

2 8.12.19 PLANNING REV

PERMISSION OF WILLIAM PASHELINSKY ARCHITECT

PROJECT NO. 2018.15 SHEET

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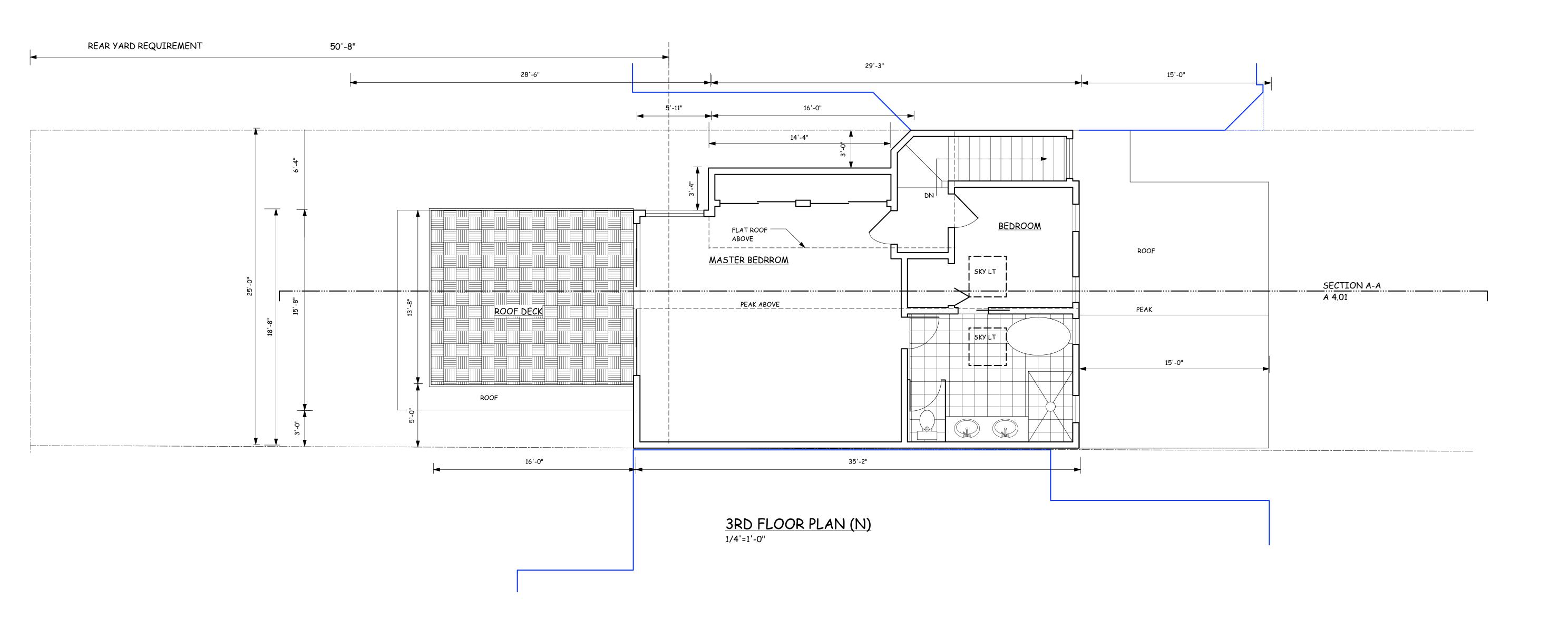


WILLIAM PASHELINSKY

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	2	8.12.19	PLANNING REV
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PROJECT NO. 2018.15 SHEET

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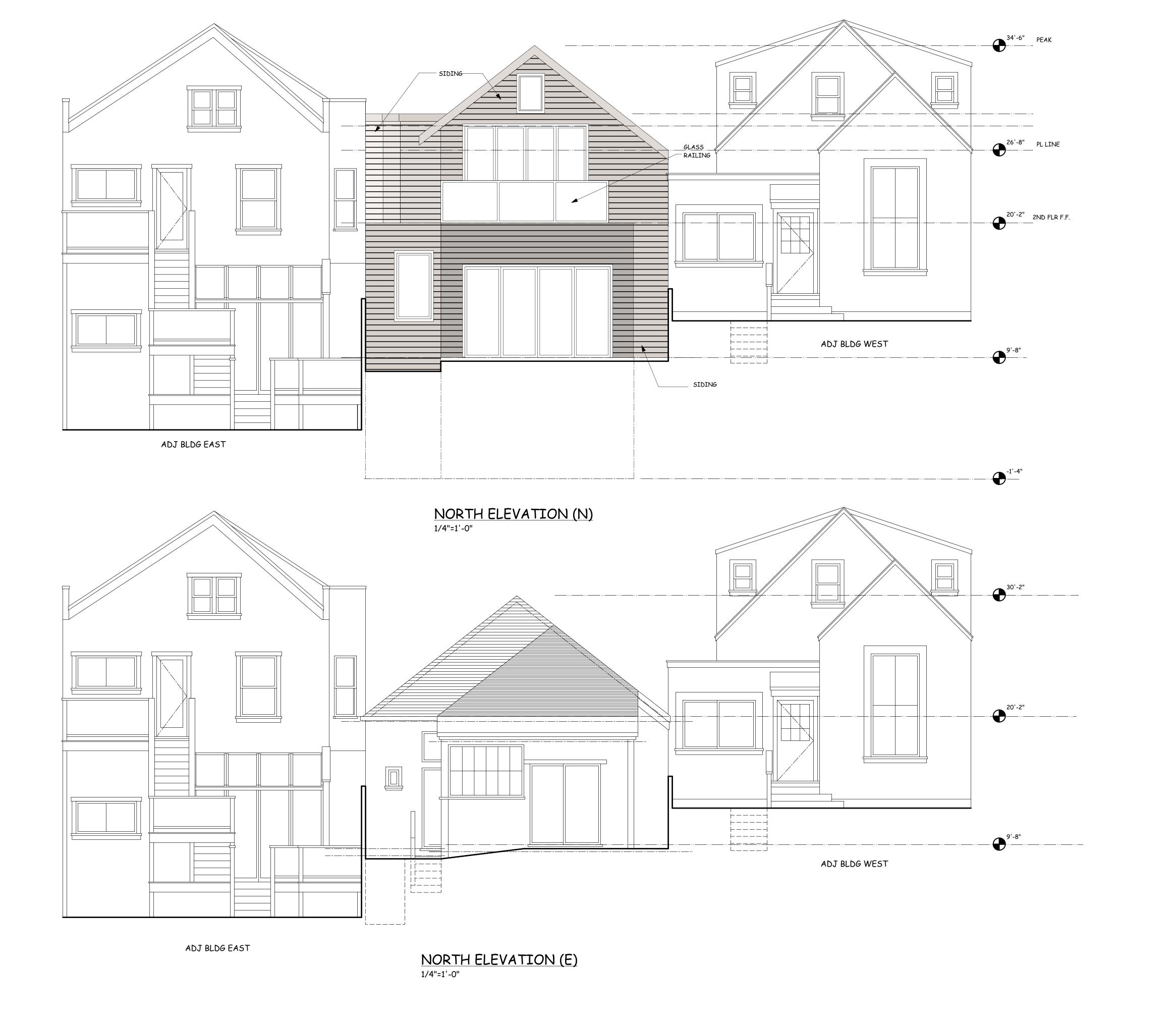
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PROJECT NO. 2018.15 SHEET

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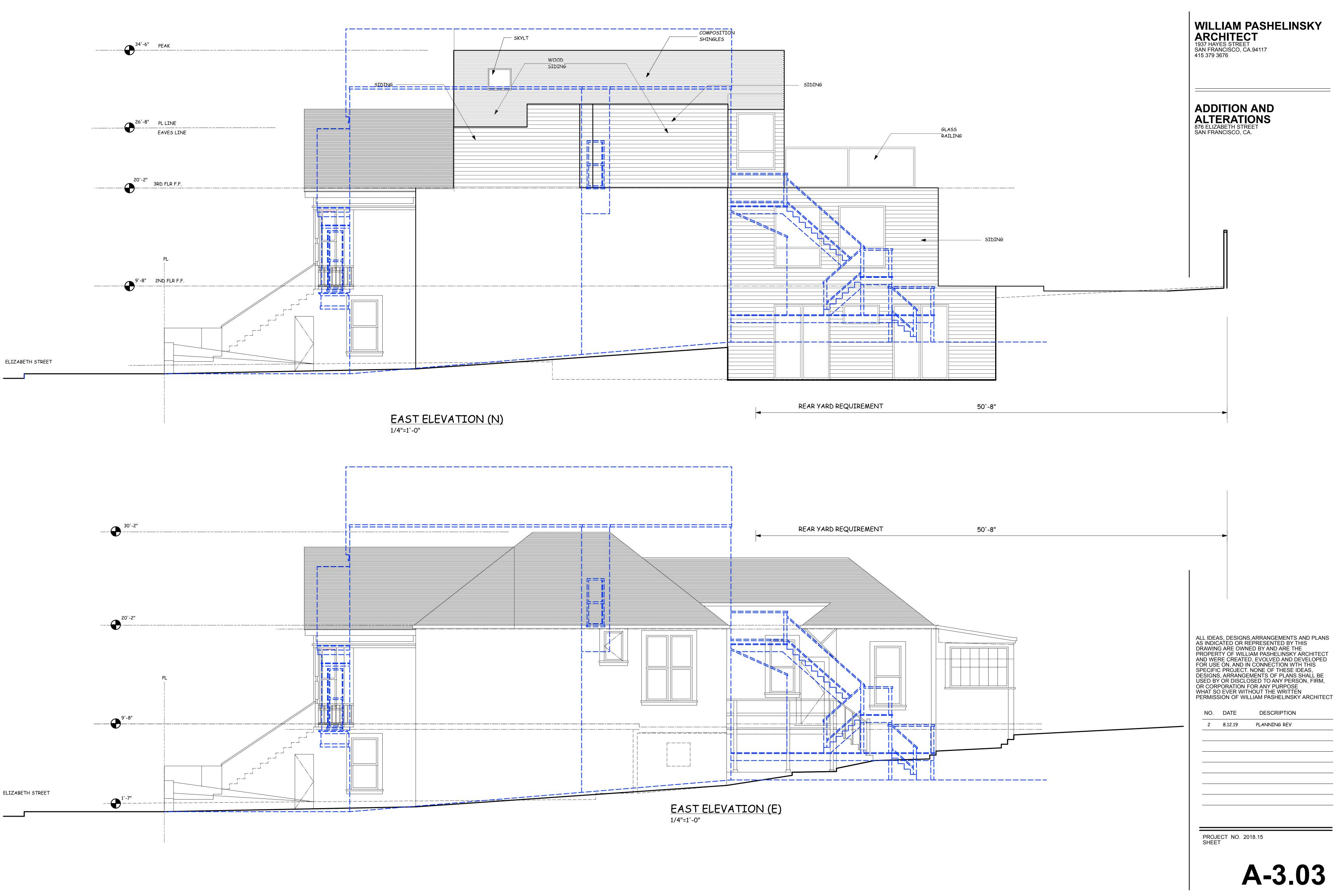
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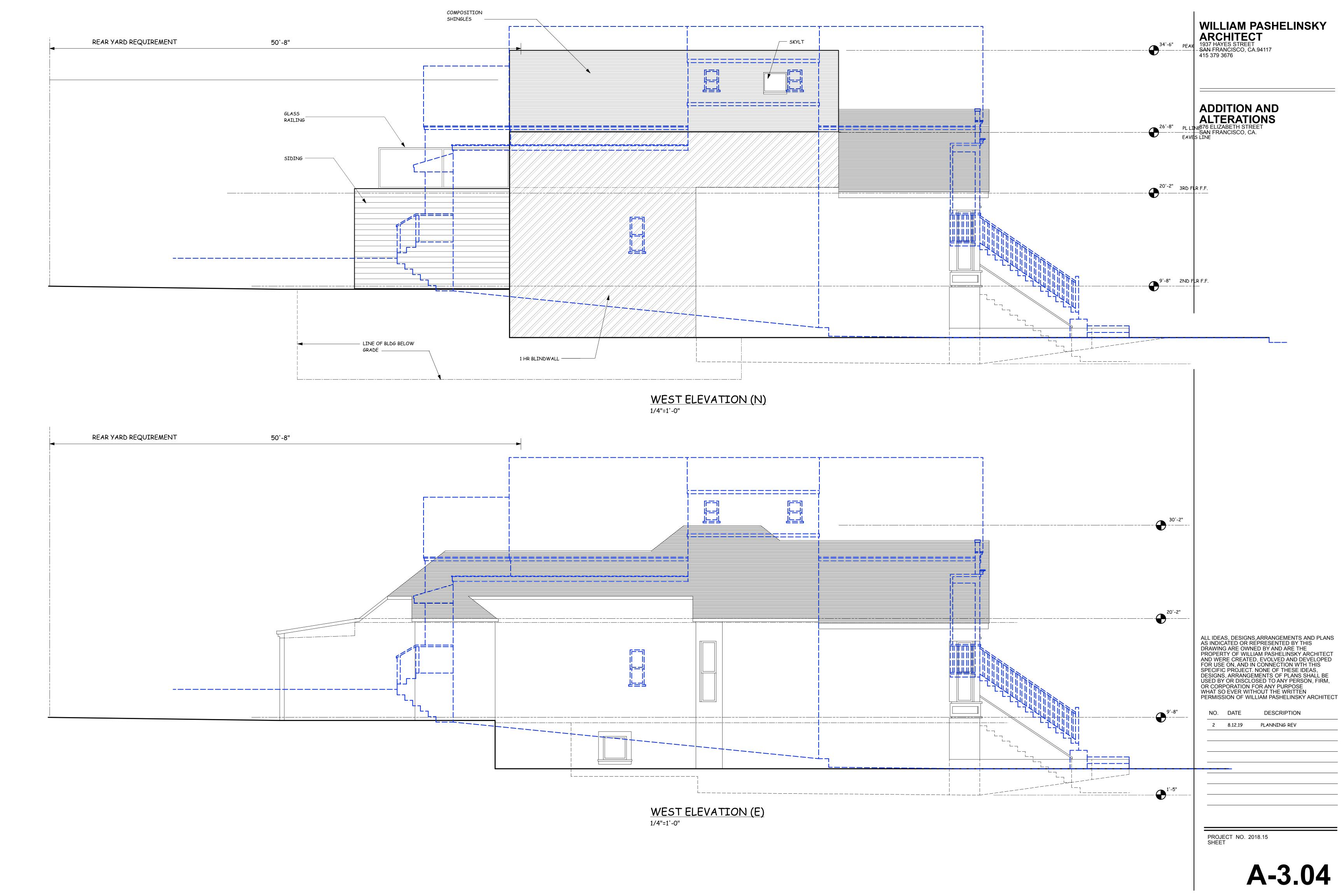
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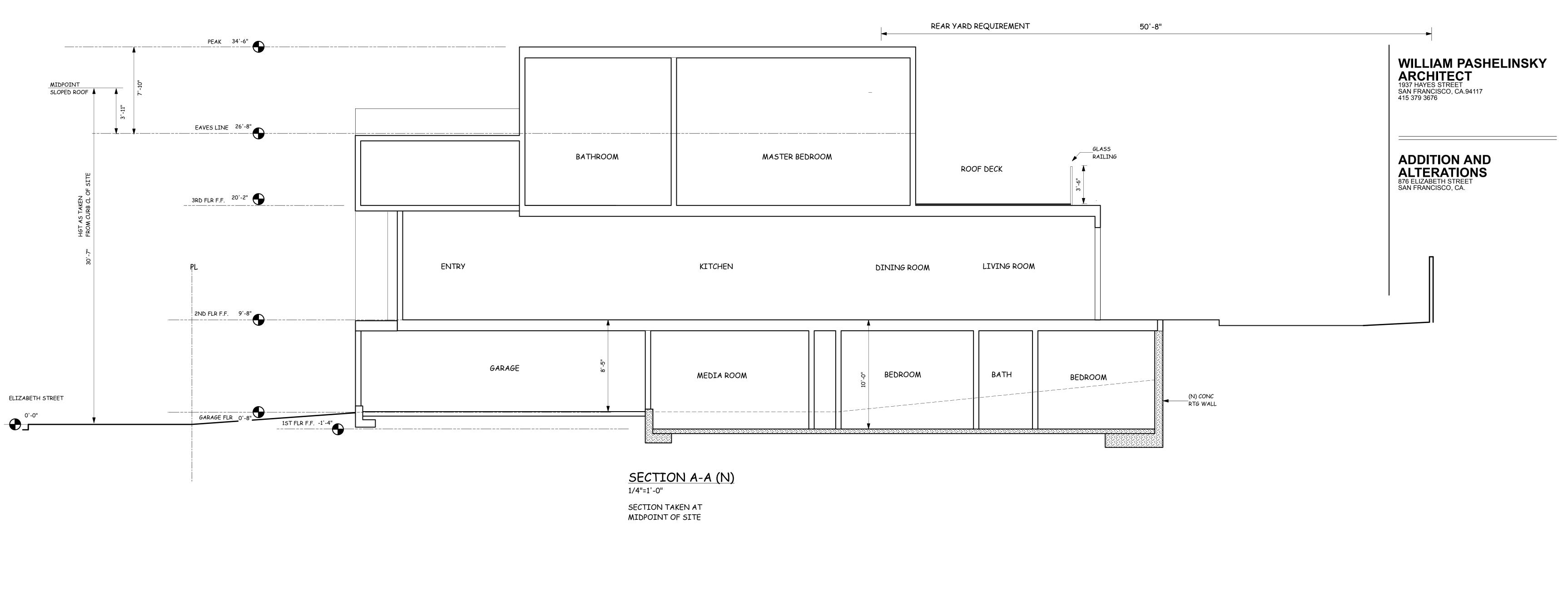
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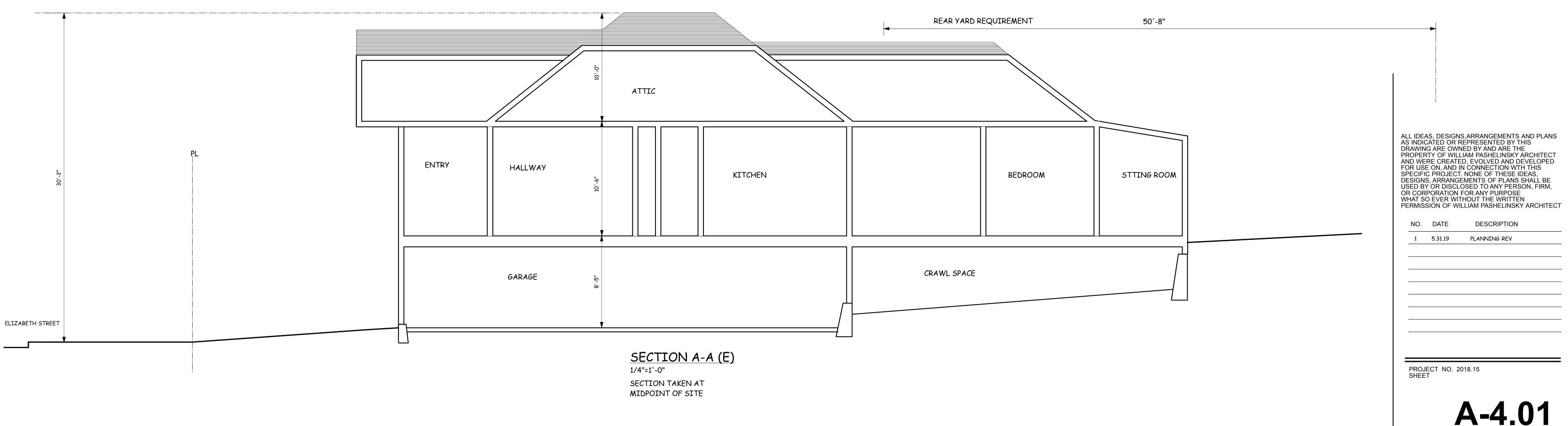
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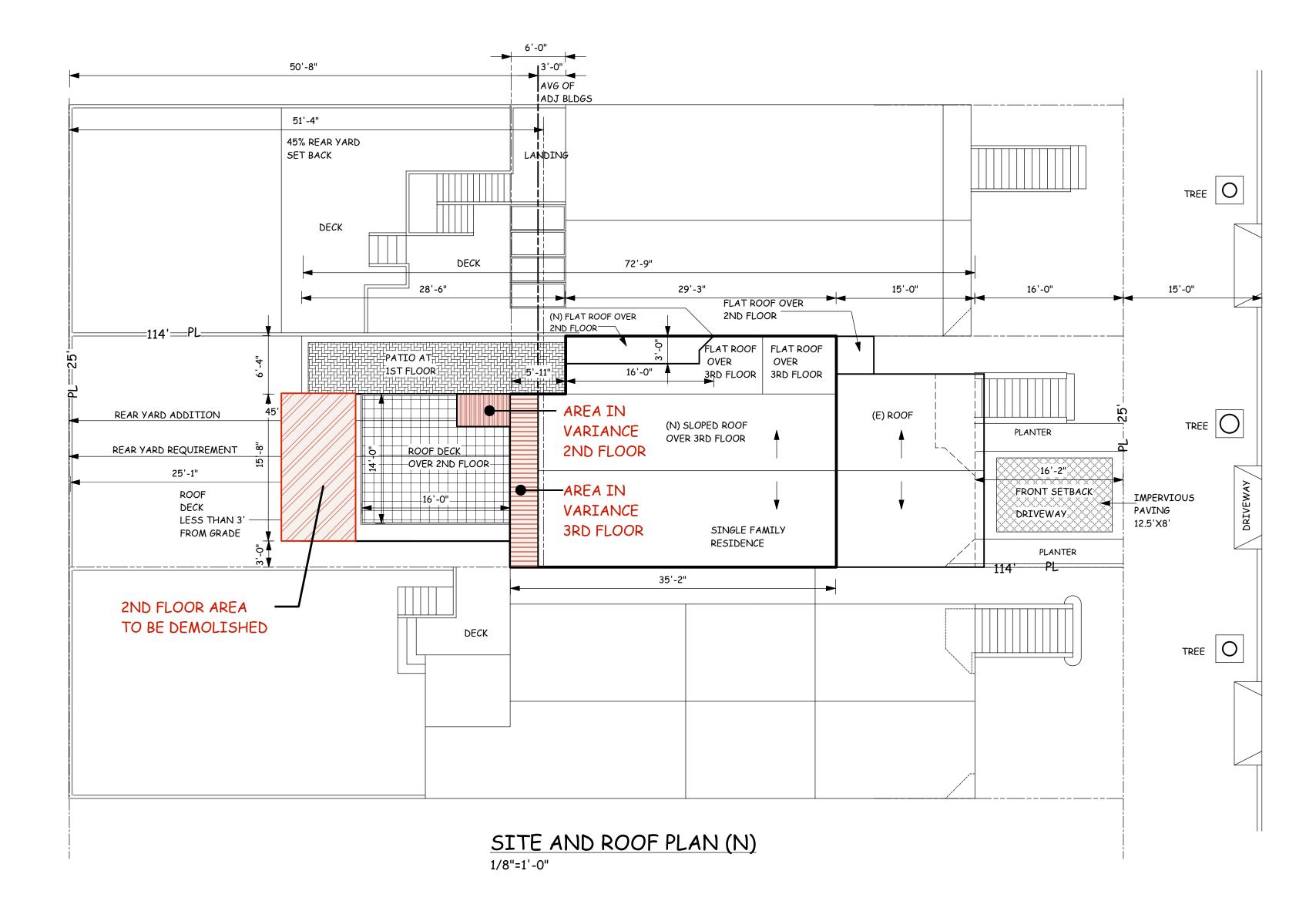
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LANDSCAPING

S FRONT SET BACK AREA: 375 SF PLANTERS: IMPERVIOUS PAVING: (EXCLUDING PLANTERS): 100 SF

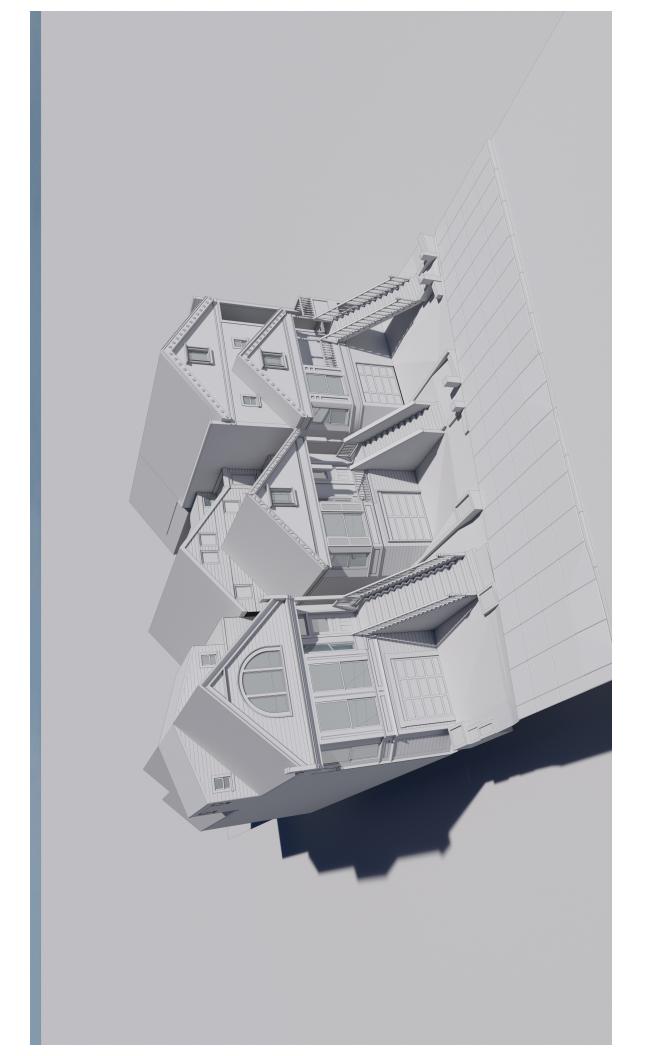
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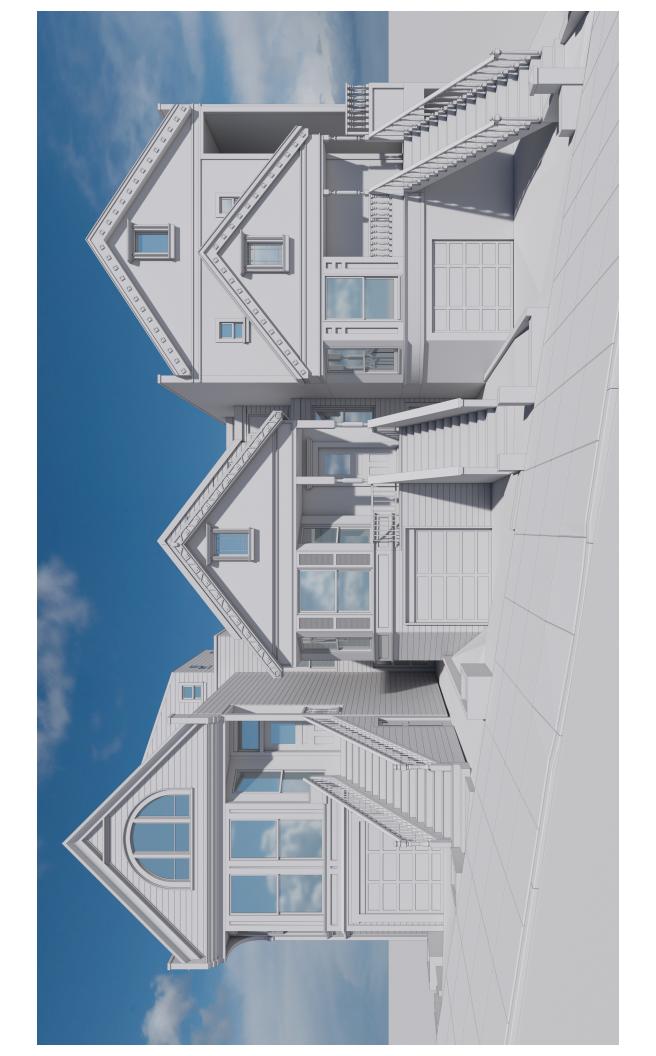
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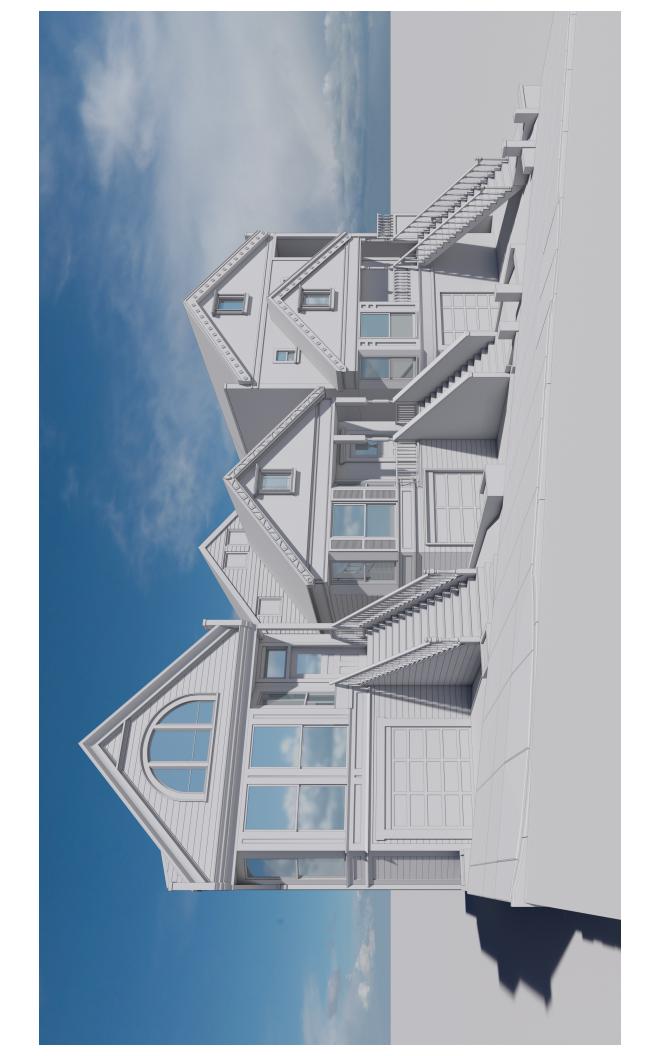
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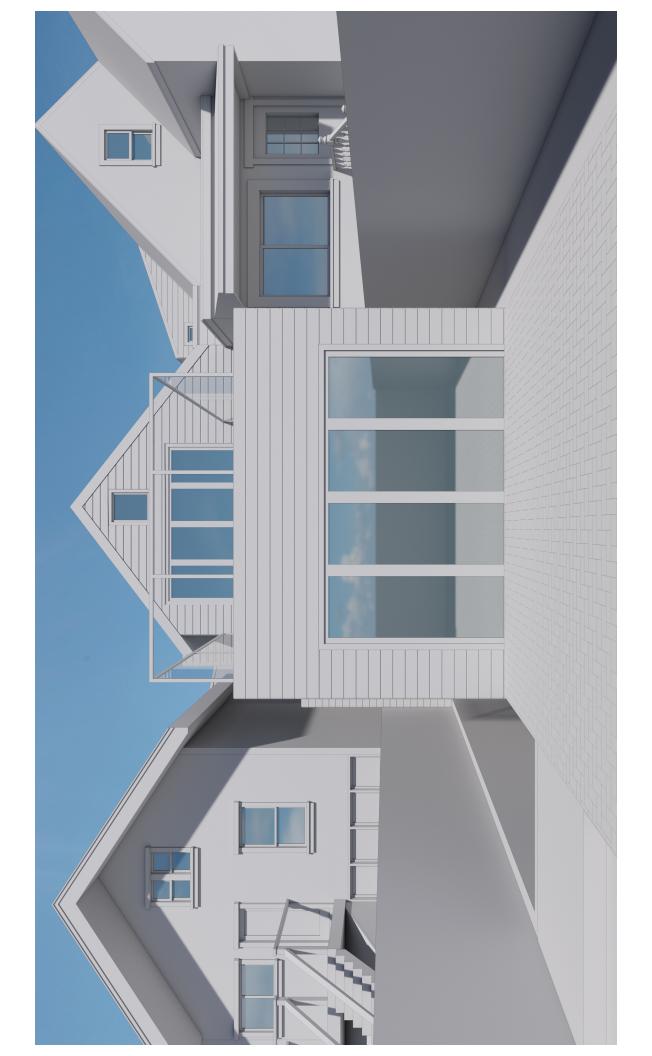
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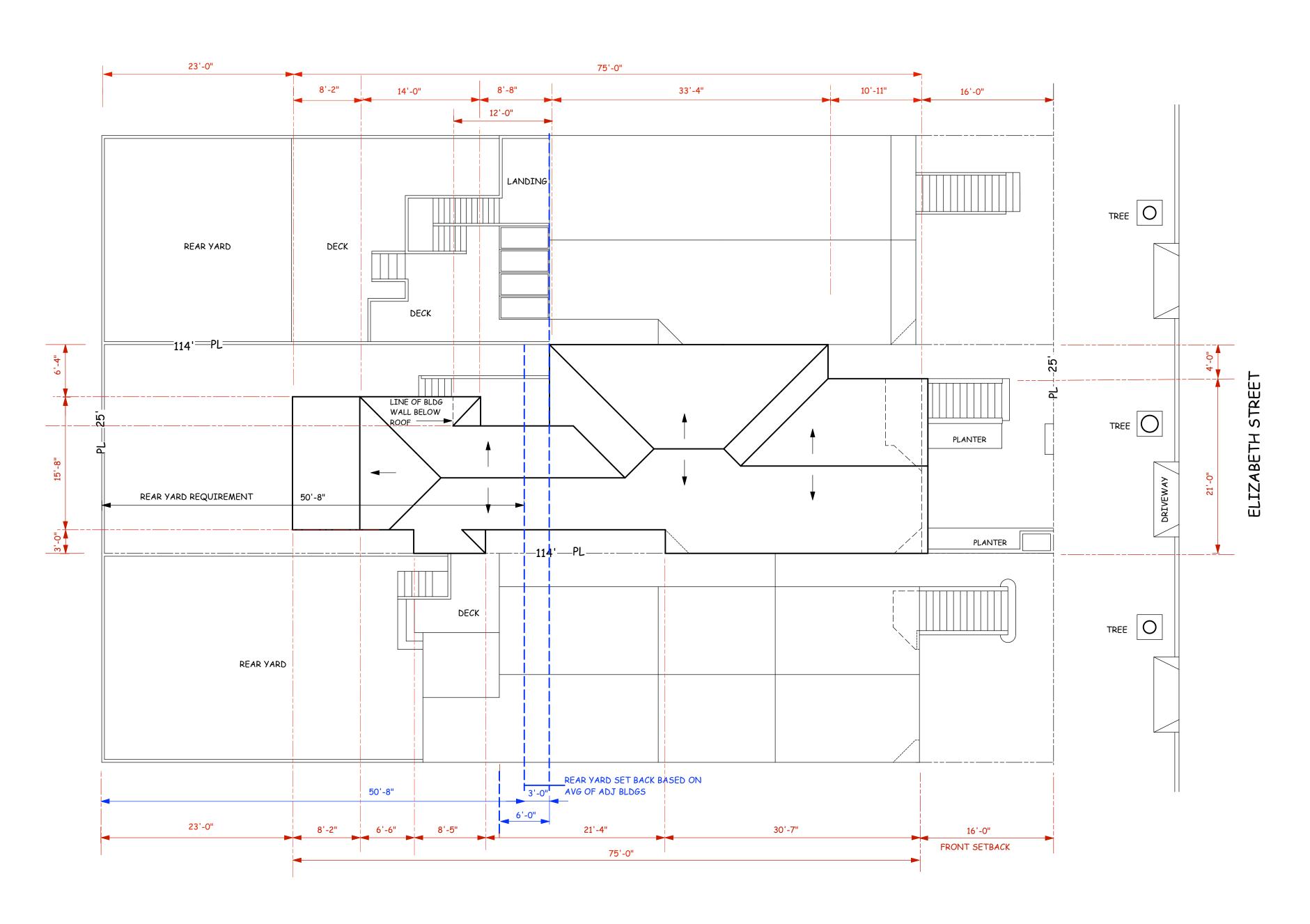












SITE AND ROOF PLAN (E)
1/8"=1'-0"



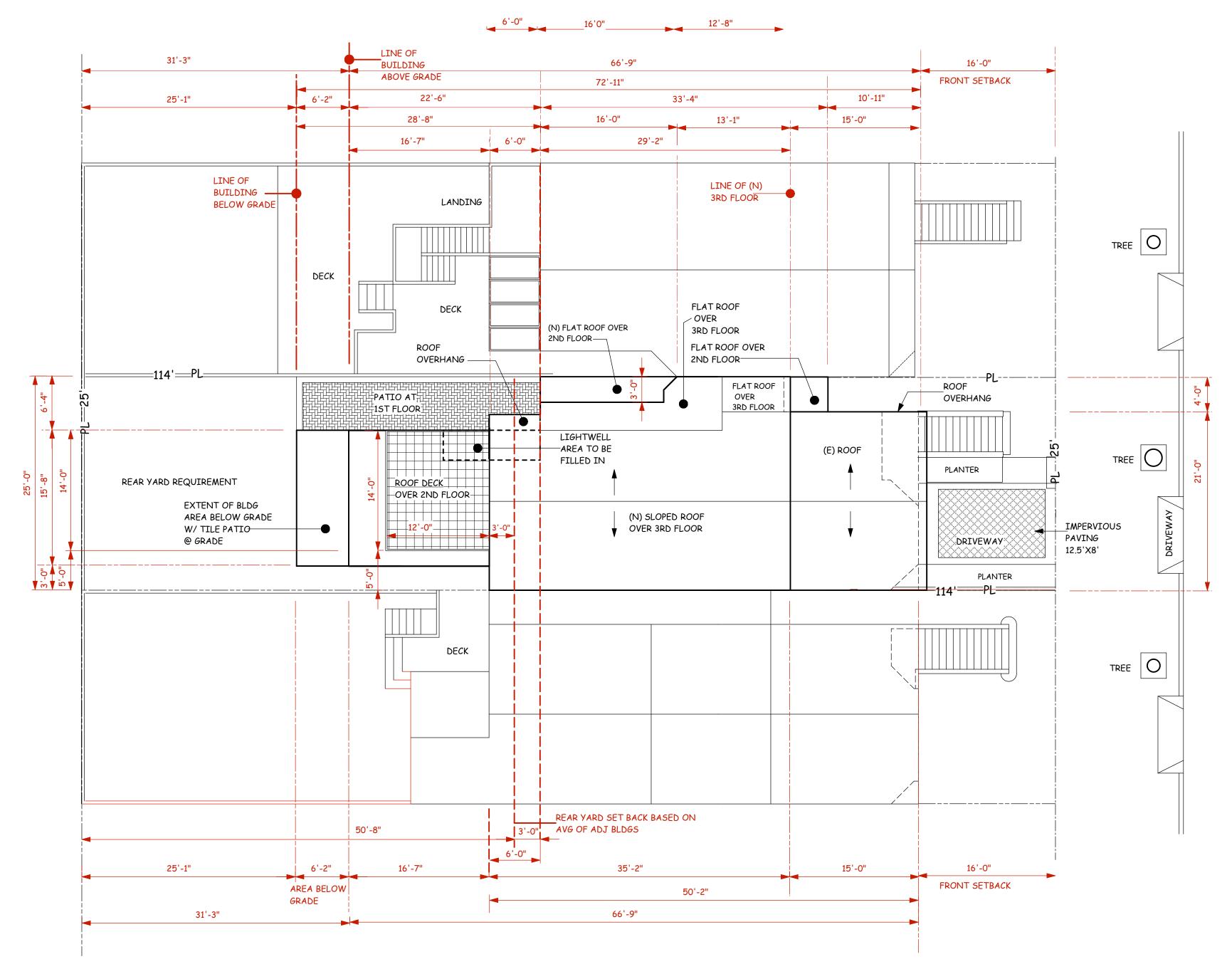
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4	12.23.19	PLANNING REV
5	6.28.20	PLANNING REV

PROJECT NO. 2018.15 SHEET



SITE AND ROOF PLAN (N)
1/8"=1'-0"

LANDSCAPING

FRONT SET BACK AREA: 375 SF PLANTERS: 90 SF IMPERVIOUS PAVING: (EXCLUDING PLANTERS): 100 SF TOTAL IMPERVIOUS

190 SF SURFACE: EQUALS 50% REQUIRMENT

187.5 SSF

WILLIAM PASHELINSKY

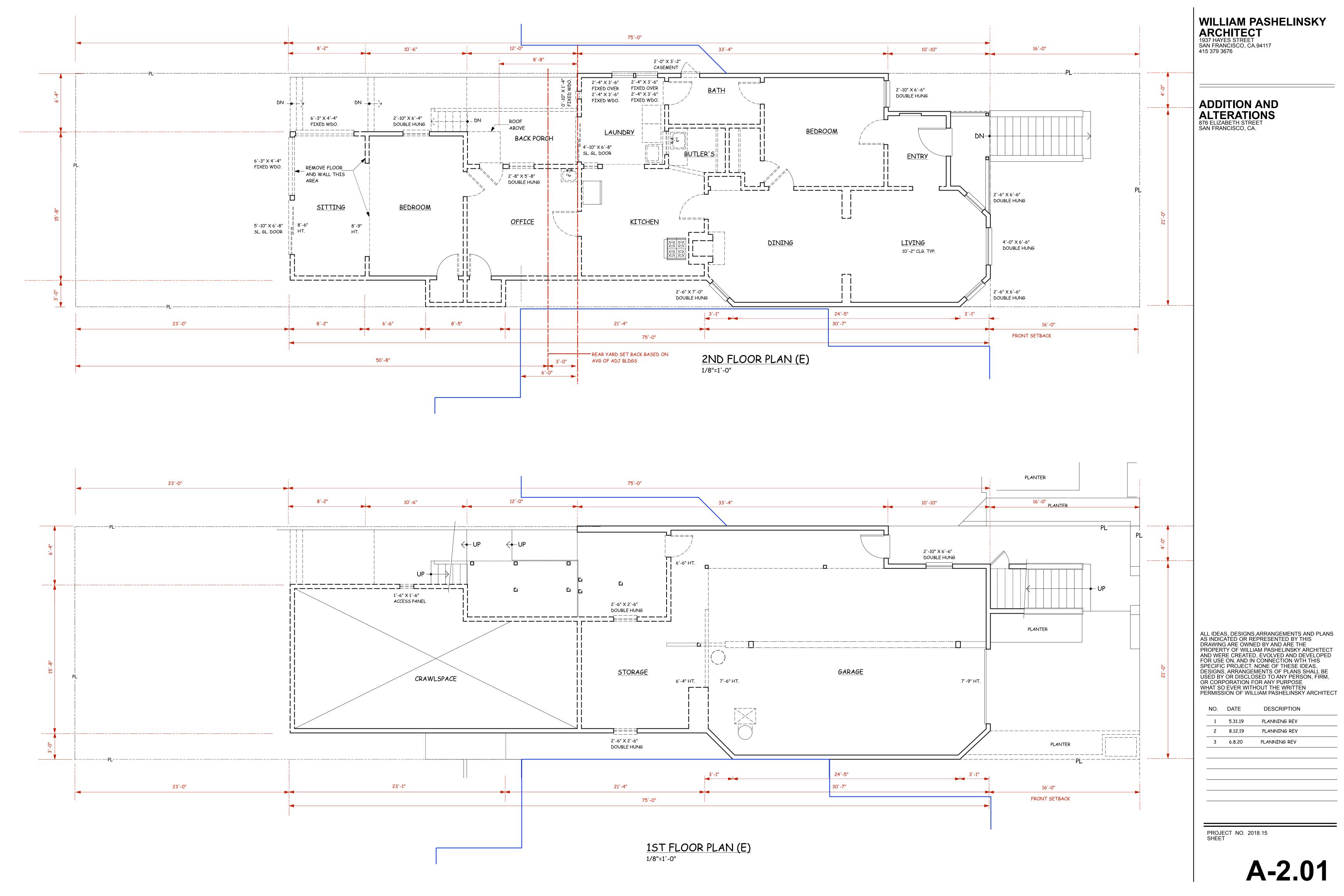
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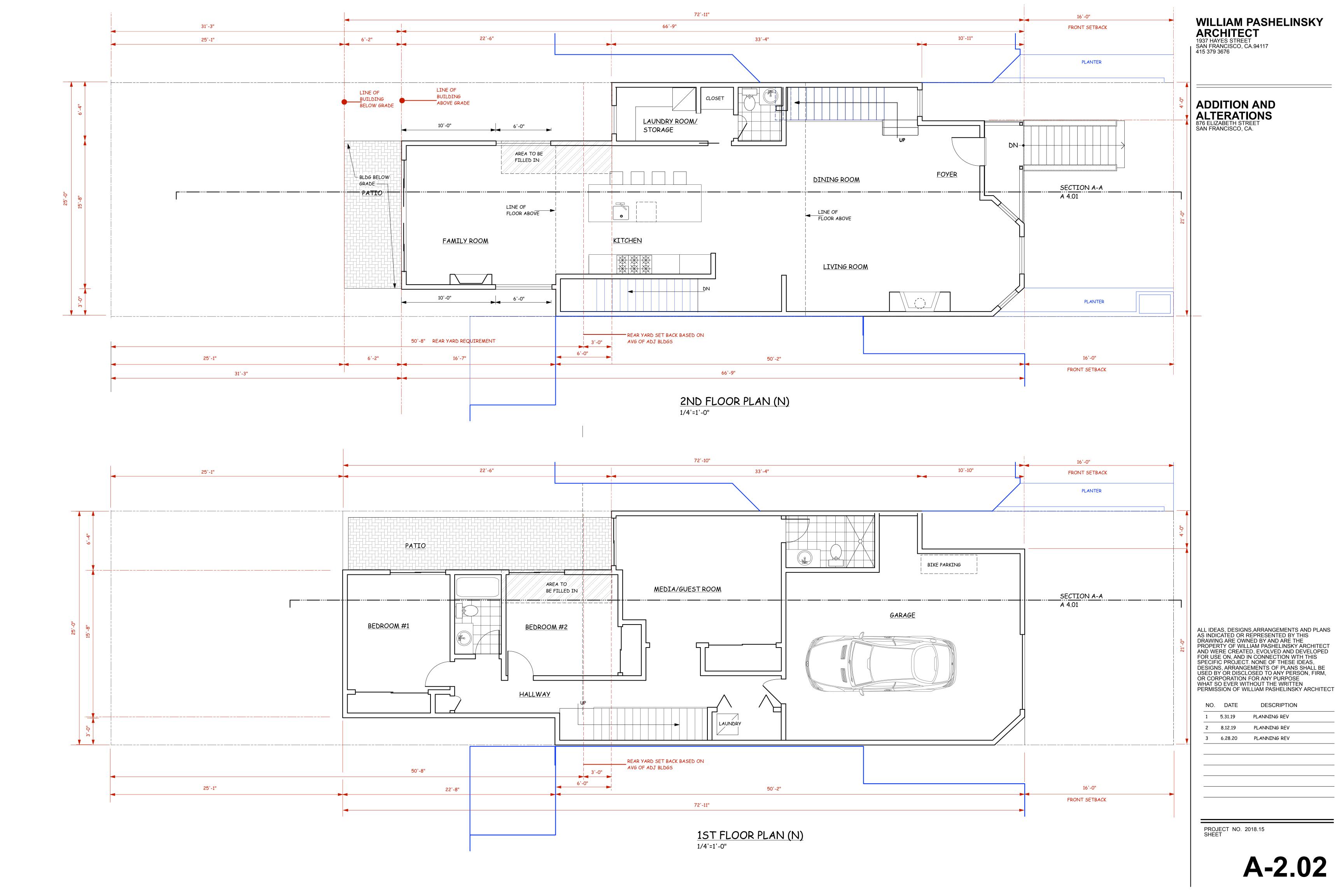
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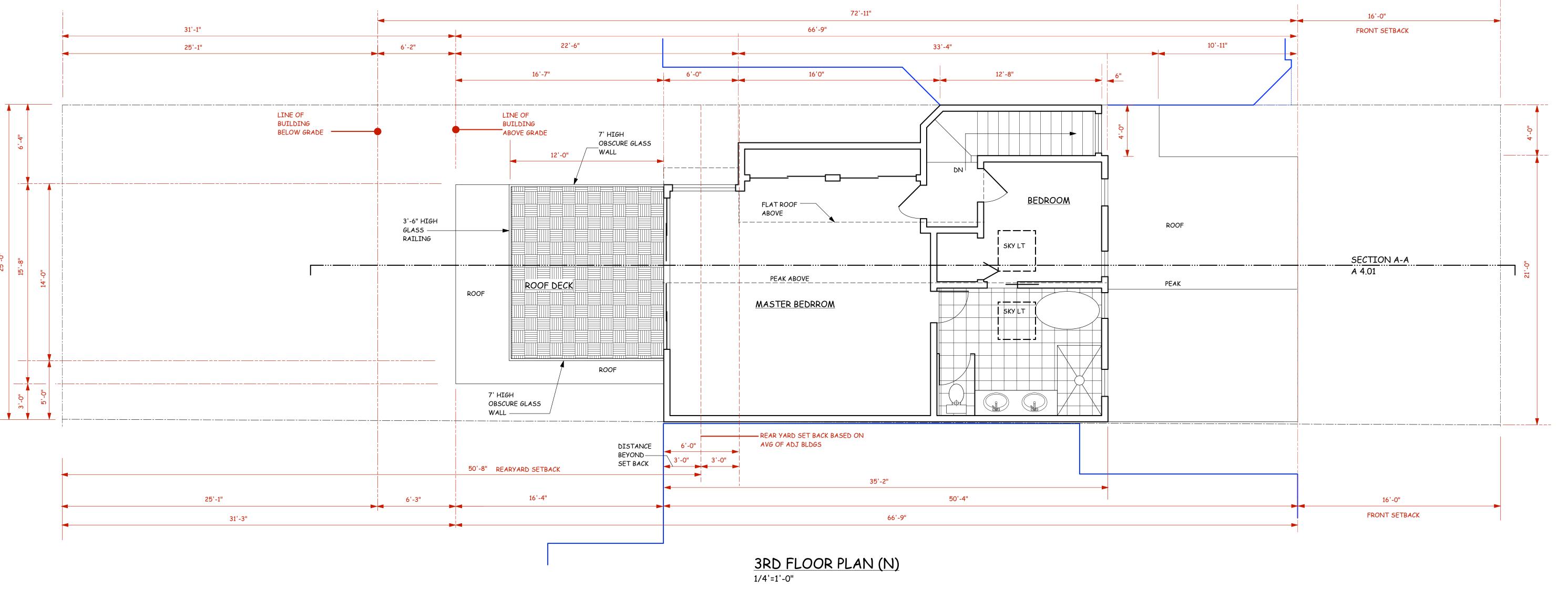
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PROJECT NO. 2018.15







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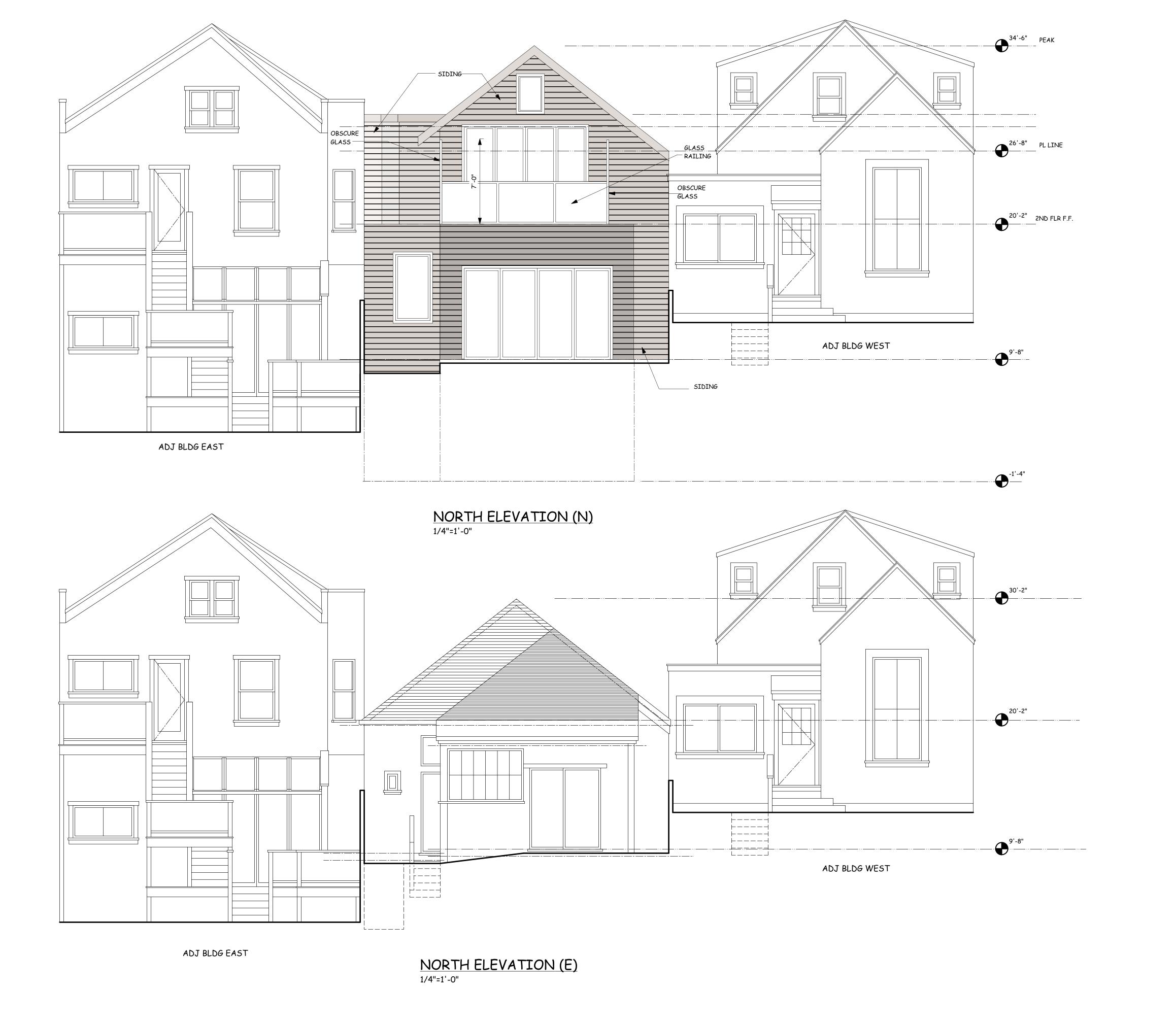
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3	6.28.20	PLANNING REV
		<u> </u>

PROJECT NO. 2018.15 SHEET

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3	6.8.20	PLANNING REV

PROJECT NO. 2018.15 SHEET

A-3.02

