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

Appeal of
$\qquad$
Appellant(s)
_)

vs.
DEPARTMENT OF BUILDING INSPECTION, )
PLANNING DEPARTMENT APPROVAL Respondent

## NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on September 26, 2023, 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 September 18, 2023 to Elyzabeth Dehapiot and David Coulombe, of a Site Permit (vertical addition to add new suite with bedroom, bath and closet; new connecting stair, new windows at rear, new window at existing front facade; resurface existing entry stair and replace guardrails; remove existing bathroom at existing primary suite and convert into a family room) at 223 Anderson Street.

APPLICATION NO. 2022/1027/5336
FOR HEARING ON November 1, 2023

Address of Appellant(s):
Address of Other Parties:

| Mary Jane Galviso, Appellant(s) | Elyzabeth Dehapiot \& David Coulombe, Permit <br> 225 Anderson Street <br> San Francisco, CA 94110 |
| :--- | :--- |
|  | Holder(s) <br> c/o Gisela Schmoll, Agent for Permit Holder(s) <br> Gisela Schmoll Architect, PC |
|  | 534 Broderick Street <br> San Francisco, CA 94117 |
|  |  |
|  |  |

## CITY \& COUNTY OF SAN FRANCISCO BOARD OF APPEALS <br> PRELIMINARY STATEMENT FOR APPEAL NO. 23-044

I / We, Mary Jane Galviso, hereby appeal the following departmental action: ISSUANCE of Site Permit No.
2022/1027/5336 by the Department of Building Inspection which was issued or became effective on:
September 18, 2023, to: Elyzabeth Dehapiot and David Coulombe, for the property located at: 223 Anderson Street.

## BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on October 12, 2023, (no later than three Thursdays prior to the hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, corey.teague@sfgov.org, tina.tam@sfgov.org, matthew.greene@sfgov.org, g@schmolldesign.com, dehapiot_e@yahoo.com and david_coulombe@yahoo.com.

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on October 26, 2023, (no later than one Thursday prior to hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, corey.teague@sfgov.org, tina.tam@sfgov.org, matthew.greene@sfgov.org and mgalb947@cs.com.

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.
Hearing Date: Wednesday, November 1, 2023, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

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 changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, members of the public should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. 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 on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:
See attachment.
Appellant filed the appeal by email.

I, Mary Jane Galviso, reside at 225 Anderson Street, San Francisco, CA 94110. The house to the north of me at 223 Anderson Street has been issued a permit. This is my statement to explain why I am filing an appeal regarding the issuance of this permit.

I bought my house over 30 years ago. I am filing this appeal because the issued permit will allow a structural addition that will have a negative impact upon my house and my life. If constructed, it will completely change the character of my home. My house is more than 100 years old. I have always preferred natural to electrical light. The morning sun from the east streams into the bathroom, parlor and staircase landing to the laundry room, garage and backyard below. The front 2 bedrooms and entry hall get the strong afternoon sun from the west. My bedroom faces south and gets it natural light from a single window where the south neighbor's house sets back. Outside the bedrooms, the major entry of natural light is in the kitchen. Here a large window allows a great deal of sunlight that brightens up the entire center of my home. This kitchen window is a primary reason I bought my house. From my dining table, I enjoy my meals while watching a daily view of the changing sky above Bernal Hill park. The proposed structure would completely obliterate this view and effectively block any natural light from entering my kitchen.

This single kitchen window is the only window on the northern side of my house. It also provides natural light into my bedroom whenever I leave its door open. Blocking my view and robbing me of natural light in my kitchen would be emotionally stressful for me. I am 73 years old and preparing and eating my meals in the kitchen are an enjoyable part of my life in my home today. Indeed, the kitchen has become the center of my home for me. Nowadays, I often linger to read as well as care for my many house plants, including a large variety of orchids. I am therefore filing this appeal to request that the Board of Appeals revoke the permit. The construction of a second story addition on the adjoining lot would cause an extreme negative impact upon my house's architectural character and upon my home life during these retirement years.

## Permit Details Report

Report Date:

Application Number
Form Number:
Address(es):

Description:

Cost:
Occupancy Code:
Building Use:

9/26/2023 11:18:42 AM

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5662 /o29 / o 223 ANDERSON ST
VERTICAL ADDITION TO ADD NEW SUITE WITH BEDROOM,BATH \&
CLOSET.NEW CONNECTING STAIR,NEW WINDOWS @ REAR,NEW WINDOW
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INTO FAMILY ROOM.
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R-3
27-1 FAMILY DWELLING

Disposition / Stage:

| Action Date | Stage | Comments |
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| $10 / 27 / 2022$ | FILING |  |
| $10 / 27 / 2022$ | FILED |  |
| $9 / 11 / 2023$ | APPROVED |  |
| $9 / 18 / 2023$ | ISSUED |  |

## Contact Details:

## Contractor Details:

License Number: OWNER
Name: OWNER
Company Name: OWNER
Address: OWNER * OWNER CA ooooo-oooo
Phone:

Addenda Details:
Description:

| Description: |
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| 10 | PPC | 11/2/22 | 11/2/22 | 9/5/23 | 9/6/23 | 9/6/23 | PHAM ANH HAI |  | 09/06/23 12:38 PM Invite out permit; HP 9/5/23: IN applicant to sign page 1 and HP 6/29/2023: Invite sent review and stamp REV2 dr Invite sent to SFFD to start review, per BLDG SFFD ne EGo2;nl 4/6/2023: Invite s and PUC to start electronic 4/6/2023: Invite sent to pla to review and stamp REV1 11/2/2022: Invite sent to a session;nl 11/2/2022: Bluel invite sent to CP-ZOC (Plan electronic plan review;nl |
| 11 | СРВ | 9/6/23 | 9/11/23 |  |  | 9/18/23 | $\begin{aligned} & \text { GUTIERREZ } \\ & \text { NANCY } \end{aligned}$ | Administrative | 9/18/2023:Issued to Archit 09/08/2023: SFUSD fee in fee.ay 09/07/2023: SFUSD calculation, permit not read 9/7/2023: WAITING FOR BE ADDED TO PERMIT IS |

This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

## Appointments:

| Appointment <br> Date | Appointment <br> AM/PM | Appointment <br> Code | Appointment <br> Type | Description | Time |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Slots |  |  |  |  |  |

## Inspections:

Activity Date|Inspector|Inspection Description|Inspection Status

## Special Inspections:

| Addenda No. | Completed Date | Inspected By\|Inspection Code | Description | Remarks |
| :--- | :--- | :--- | :--- | :--- |

For information, or to schedule an inspection, call 628-652-3400 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.

THE APPELLANT DID NOT SUBMIT A BRIEF

## BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

# Elyzabeth Dehapiot \& David Coulombe 

223 Anderson Street

San Francisco, CA 94110

October 25, 2023

Re: appeal No. 23-044

Dear Board of Appeal,

Please find below our response to Ms. Galviso's appeal brief, regarding the Site Permit No. 2022/1027/5336 related to our residence at 223 Anderson Street.

## Our project

Our family of four has been living in our house since 2013, when we moved in with our 2 young children at the time: Alexandre, now 12 years old, and Eloise, now 11 years old. We moved to the Bay Area from Europe in 2005/2006, and have changed housing many times between our arrival and 2013, when we finally purchased this house. We now call San Francisco home.

Since we moved in on Anderson St., our kids have shared the same bedroom, adjacent to ours on the first floor. The real estate listing claimed that there were two bedrooms on the second floor, however that did not meet our needs: one of the bedrooms on the second floor has been dedicated as a study (see sheet A102 on the approved site permit plans), and the other as a guest bedroom for family coming to town, and doubles
as a playroom for the kids. Please find a picture in exhibit 1 (page 7) that shows the current limited space in our kid's bedroom on the first floor.

With the advent of COVID, we had to create additional office space in the guest bedroom. Furthermore, as our kids have grown, we have had to also create a dedicated space where they can do their homework. Exhibit 2 (page 8) shows the current usage of the family room and study on the second floor.

As our kids reach their teenage years, they have understandably expressed the desire to each have their own bedroom. This request, plus the need for space dedicated for work, made us realize that the current layout of our house was no longer meeting our needs.

We then considered two options:

1. Move out of our home into a larger house, likely outside of San Francisco.
2. Create additional space to our house.

When discussing the subject within our family, we realized how much we all really love the Bernal Height neighborhood and living in San Francisco. We very often shop at the local stores and dine at local restaurants: we now even have created personal contacts with a number of restaurant owners, have hosted birthday celebrations there, etc. The kids expressed a very high level of stress to the idea of leaving the only home they now remember, so we decided to look at adding space to our house. We understood this would still be a lengthy and costly process, however based on initial discussions with our Architect, Gisela Schmoll, we determined that the Planning Code allowed us to add
sufficient space for our family's needs, and therefore decided to move forward with the project in early 2022.

We have worked on numerous variations of the floor plans and overall architectural options with Ms. Schmoll, and are glad to have found a solution which met both the Planning and Building Code requirements while helping us make a real difference towards keeping our family in the neighborhood.

## The proposed added space

As described in the plans approved by the Department of Building Inspection, we are planning on adding a primary bedroom and bathroom to our house, which would be on a new third floor. This would allow us to provide both our kids with their own bedroom and move their study desks into their respective bedrooms. This will help free up needed living space on the second floor while providing each child with more space and privacy as they move into their teenage years. Additionally, part of the new primary bedroom will become a second office space for us adults, especially as we are both employed and need separate offices for work meetings.

One of the key constraints to our project was to comply with the Planning and Building codes so that we would avoid costly revisions and delays. We have followed thoroughly all the steps outlined by the DBI in order to achieve this. Additionally, Ms. Schmoll has proposed many thoughtful designs, and we have in the end opted to minimize massing as much as possible, particularly at the front façade, to limit the impact on the neighborhood and the overall form of the house when viewed from the street, see sheet A204 in the approved site permit drawings.

As required by the permitting process, we have also offered to meet with our neighbors to hear their potential concerns prior to applying for our site permit. Some came forward and enabled us to have an exchange to evaluate if a material impact would be caused to our neighbors. Ms. Galviso did not attend this meeting or contact us at the time with her concerns. It is almost impossible to have no impact with a project of this nature, and we realize it. However we wanted to make sure there was no material impact on light or privacy to our neighbors as required by the Planning Code. We strongly believe we have achieved this.

## Impact to the property at 225 Anderson Street

Ms. Galviso states a number of potential impacts to her property, however we believe will actually have a minimal impact on her house based on the nature of her concerns:

First, Ms. Galviso states that our project would block light to the north facing window in her kitchen (see the site plans on sheet A001 for 225 Anderson's location in relation to ours and the south elevations on sheet A202). Based on the fact that her kitchen window faces north, it does not get direct sunlight, therefore, our project cannot reduce the light she receives. Additionally, if we were to use a lighter paint tone for our project, it is more likely that there would be MORE indirect light bouncing off our walls into Ms. Galviso's kitchen, and not less, and therefore would enhance the situation rather than degrade it.

Second, Ms. Galviso states that our project would remove the view she has of the sky in her kitchen. We believe the current sky view from that window to be very limited, as shown in pictures in Exhibit 3 (pages 9 \& 10). These are the closest approximation of
the best view possible from that window. Ms. Galviso's kitchen window is approximately 2'-9" away from our south facing exterior wall, and our wall and roof comprise the great majority of her current "view". Our project would therefore only have a limited impact on her existing view. Additionally, we are not planning on adding any south facing windows to our property, thus protecting the privacy of the house at 225 Anderson St.

## Additional considerations

We would like to point out a couple of additional items for the board to consider:

1. Neighbor support: we have received direct support from our neighbors at 228 and 219 Anderson Street, indicating the limited impact our project will have on the neighborhood and their properties (refer to Exhibit 4, pages 11 \& 12)
2. Occupancy of 225 Anderson Street: from our observations, we do not believe Ms. Galviso to reside permanently at 225 Anderson St. as over the years many tenants have lived at this address and we only occasionally see Ms. Galviso in the neighborhood.

## Conclusion

Our personal situation has pushed us to look at options to gain additional living space, and we made the decision to remain in San Francisco and our current home to minimize the impact to our family. Adding vertical space was the only option to achieve our goals. Having thoroughly followed the permitting process, we believe we have offered plenty of opportunity for Ms. Galviso to voice her perspectives, which she has chosen not to do until this very last step. Finally, we are also confident that any impact to Ms. Galviso's property will be minimal.

We therefore ask the Board of Appeals to maintain the site permit No. 2022/1027/5336 as designed and not place any conditions on the design. Revoking or modifying this permit to reduce the addition size would not only result in important financial loss to our household, but would certainly cause us to relocate which would cause extreme stress to our entire family.

## Exhibit 1 - Kids bedroom on first floor



Space is very tight for our kids who are reaching their teenage years.

## Exhibit 2 - family room \& study on second floor



Family room doubles as a guest bedroom and study for the kids


Study at the front of house. Covid has forced us to repurpose living space into office space.

Exhibit 3 - views from 225 Anderson Street kitchen window (from outside)


Direct view from 225 Anderson St. kitchen window: the view is only of the south facing wall and roof overhang from 223 Anderson Street.


View from 225 Anderson's st. kitchen window, looking up - equivalent to leaning on the window on the inside.

Exhibit 4 - neighbor support letters - 228 Anderson St (directly across the street from 223 Anderson St) and 219 Anderson St (adjacent property north of 223 Anderson St)

San Francisco, October 22, 2023

I, Irene Davidson Thomas, residing at 228 Anderson Street, have reviewed the drawing for the project considered by my neighbors at 223 Anderson Street related to the addition of vertical space to their house.

I believe the addition to be modest in scale, and fitting into the neighborhood context and character. The project will have negligible impact on me and I fully support the project as designed and approved by the city.


## San Francisco, October , 2023

1. Hansoin CWun , residing at 219 Anderson Street, have reviewed the drawing for the project considered by my neighbors at 223 Anderson Street related to the addition of vertical space to their house.

I believe the addition to be modest in scale, and fitting into the neighborhood context and character. The project will have negligible impact on me and I fully support the project as designed and approved by the city.

Sincerely,



MEETING DATE: 61772022 10AM
RE: Preappication Meeting Reques




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GS1: San Francisco Green Building Site Permit Submittal Form



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