

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

Appeal of  
SPENCER GOSCH, )  
Appellant(s) )  
vs. )  
HISTORIC PRESERVATION COMMISSION, )  
Respondent )

Appeal No. **24-025**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on March 20, 2024, 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 February 21, 2024 to Wilmington Savings Fund Society, of a Certificate of Appropriateness (COA) (adopting findings for a COA for major alterations determined to be appropriate for and consistent with the Planning Code and to meet the Secretary of the Interior’s Standards for Rehabilitation; the proposed project abates Planning Enforcement Case No. 2022-005853ENF for work completed beyond the scope of work that was previously approved under Historic Preservation Commission Motion No. 0422 (2019-005728COA); the project includes reconstruction of the rear portion of the building and construction of a two-story, approximately 8-foot-deep addition within the required rear yard meeting the requirements for permitted obstructions in required open areas; the project would also modify some window openings on non-primary facades and add a roof deck accessible by a three-story spiral stair and another deck above the rear addition) at 945-947 Minnesota Street.

**RECORD NO. 2023-001148COA**

**FOR HEARING ON April 17, 2024**

Address of Appellant(s):

Address of Other Parties:

<p>Spencer Gosch, Appellant(s) PO BOX 170221 San Francisco, CA 94117</p>	<p>Wilmington Savings Fund Society, Determination Holder(s) c/o Suheil Shatara, Agent for Determination Holder(s) Shatara Architecture Inc. 890 7th Street San Francisco, CA 94107</p>
--	--



Date Filed: March 20, 2024

**CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS**

**PRELIMINARY STATEMENT FOR APPEAL NO.24-025**

---

I / We, **Spencer Gosch**, hereby appeal the following departmental action: **ISSUANCE of Certificate of Appropriateness Record No. 2023-001148COA** by the **Historic Preservation Commission** which was issued or became effective on: **February 21, 2024**, to: **Wilmington Savings Fund Society**, for the property located at: **945-947 Minnesota Street**.

**BRIEFING SCHEDULE:**

Appellant's Brief is due on or before: 4:30 p.m. on Friday, **March 29, 2024**. 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](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org), [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org), [matthew.greene@sfgov.org](mailto:matthew.greene@sfgov.org), [kevin.birmingham@sfgov.org](mailto:kevin.birmingham@sfgov.org), and [suheil@shatara.com](mailto:suheil@shatara.com).

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **April 11, 2024, (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 double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org), [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org), [matthew.greene@sfgov.org](mailto:matthew.greene@sfgov.org), [kevin.birmingham@sfgov.org](mailto:kevin.birmingham@sfgov.org) and [skg@comcast.net](mailto:skg@comcast.net).

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, April 17, 2024, 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](mailto: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](http://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.

Spencer Gosch, Appellant, filed the appeal by email.

S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
March 20, 2024

Board of Appeals  
Attn: Julie Rosenberg, Executive Director  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103

**Re: 945 Minnesota Street- Request to Appeal Certificate of Appropriateness  
2023-001148COA**

Greetings to the Board of Appeals

I request to appeal the above referenced Certificate of Appropriateness. The proposed project further reduces the Required Mid-block Open Space that the Planning Department already has sacrificed two-thirds of through prior rezoning. I request that the Certificate of Appropriateness be REVOKED or otherwise be returned to the Historic Preservation Commission/Planning Department with instruction the project comply with the Planning Code prior to the recent changes allowed by Ordinance 248-23. Please advise me as to scheduling and other pertinent details.

Appreciatively,



Spencer Gosch



# CERTIFICATE OF APPROPRIATENESS MOTION NO. 479

**HEARING DATE: FEBRUARY 21, 2024**

**Record No.:** 2023-001148COA  
**Project Address:** 945-947 Minnesota Street  
**Landmark:** Contributor, Dogpatch Park Landmark District  
**Zoning:** RH-3 RESIDENTIAL- HOUSE, THREE FAMILY Zoning District  
40-X Height and Bulk District  
**Block/Lot:** 4107/018  
**Project Sponsor:** Suheil Shatara  
Shatara Architecture  
890 7<sup>th</sup> Street  
San Francisco, CA  
**Property Owner:** Wilmington Savings Fund Society  
90 Park Avenue, 23<sup>rd</sup> Floor  
New York, NY 10016  
**Staff Contact:** Monica Giacomucci - 628-652-7414  
Monica.Giacomucci@sfgov.org

ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR MAJOR ALTERATIONS DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10 OF THE SAN FRANCISCO PLANNING CODE, AND TO MEET THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 018 IN ASSESSOR'S BLOCK 4107 IN A RH-3 RESIDENTIAL- HOUSE, THREE FAMILY ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

## Preamble

On March 20, 2023, Suheil Shatara of Shatara Architecture (hereinafter "Project Sponsor") filed Application No. 2023-001148COA (hereinafter "Application") with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness for alterations to the subject building located on Lot 018 in Assessor's Block 4107, which is a contributing resource within the Dogpatch Park Landmark District and locally designated under Article 10, Appendix L of the Planning Code.

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption. The Historic Preservation Commission (hereinafter “Commission”) has reviewed and concurs with said determination.

On October 18, 2023, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Certificate of Appropriateness Application No. 2023-001148COA. Before hearing the item, the Commission continued the Project to December 6, 2023.

On December 6, 2023, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Certificate of Appropriateness Application No. 2023-001148COA. Before hearing the item, the Commission continued the Project to February 21, 2024.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2023-001148COA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

**MOVED**, that the Commission hereby APPROVES WITH CONDITIONS the Certificate of Appropriateness, as requested in Application No. 2023-001148COA in conformance with the architectural plans dated August 15, 2023 and labeled Exhibit B based on the following findings:

## Findings

Having reviewed all the materials identified in the recitals above and having heard oral testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and also constitute findings of the Commission.**
- 2. Project Description.** The proposed project abates Planning Enforcement Case No. 2022-005853ENF for work completed beyond the scope of work that was previously approved under Historic Preservation Commission (HPC) Motion No. 0422 (2019-005728COA). Unpermitted work included removal and re-framing of the rear portion of the first and second floors of the building. This resulted in the Project exceeding removal thresholds for landmark buildings pursuant to Planning Code Section 1005(f) when reviewed cumulatively and is defined as a demolition. The Project also includes reconstruction of the rear portion of the building and construction of a two-story, approximately 8-foot deep addition within the required rear yard area meeting the requirements for permitted obstructions in required open areas under Planning Code Section 136(c)(25). The project would also modify some window openings on non-primary facades and add a roof deck accessible by a three-story spiral stair and another deck above the aforementioned rear addition. Please see photographs and plans for details.
- 3. Property Description.** 945-947 Minnesota Street is located on the east side of Minnesota Street between 20<sup>th</sup> Street and 22<sup>nd</sup> Street (Assessor’s Block 4107; Lot 018). The subject building is a contributor to the

Dogpatch Landmark District, locally designated under Article 10, Appendix L of the Planning Code. The 3-story, two-family residence was built circa 1901 according to Spring Valley Water Tap records. According to Assessor photos dating from the 1940s, the building had a gable-front roof, suggesting it was originally built in the Queen Anne Style. The wood-frame building has been altered over time, with most original fabric, including the roof, front façade cladding, and original windows, removed and/or covered with asbestos shingle cladding following a fire in the 1950s.

- 4. Surrounding Properties and Neighborhood.** The Dogpatch Landmark District is a nine-block enclave of early industrial workers' housing and related industrial buildings located in the Central Waterfront area. The neighborhood is primarily comprised of single-family residential cottages and multi-family residential flats, as well as commercial, industrial, and civic buildings. Dogpatch is significant as San Francisco's oldest and most intact surviving concentration of Victorian-era housing for industrial workers and as one of the city's last remaining mixed-use industrial and residential areas. Most of the early residents of Dogpatch were American-born skilled craftsmen employed at Potrero Point's boatyards or as foremen at large waterfront industrial outfits such as San Francisco Cordage or the Pacific Rolling Mill Company. Dogpatch became a small, self-contained community with a "company town" feel, leading to the establishment of neighborhood-serving shops concentrated along commercial corridors such as Solano Street (now 18<sup>th</sup> Street) and Sierra Street (now 22<sup>nd</sup> Street).

Near its intersection with 22<sup>nd</sup> Street, Minnesota Street is characterized primarily by one- and multi-family residential buildings constructed between ca. 1880 and 1920 in the Italianate and Queen Anne architectural styles. Closer to 20<sup>th</sup> Street, Minnesota Street features a number of industrial buildings constructed between 1929 and 2009. The property immediately north of the subject property, located at the approximate center of the block, is a large through lot containing the Irving Murray Scott School. The Classical Revival style I.M. Scott School was constructed in 1895 and is one of the most architecturally intact late-nineteenth century institutional buildings in San Francisco. The school's frontage is on Tennessee Street (addressed as 1060 Tennessee Street), so the area immediately of the lot that is adjacent to the subject property on Minnesota Street is primarily used as a parking lot and play yard, interrupting the consistent pattern of two- to three-story residential buildings on the block.

- 5. Public Outreach and Comments.** The Department has not received public correspondence from any individuals expressing opposition to or support of the project.
- 6. Planning Code Compliance.** The Commission has determined that the proposed work is compatible with the exterior character-defining features of the subject property and meets the requirements of Article 10 of the Planning Code in the following manner:

- A. **Article 10 of the Planning Code.** Pursuant to Section 1006.6 of the Planning Code, the proposed alteration shall be consistent with and appropriate for the effectuation of the purposes of this Article 10.

*The proposed project is consistent with Article 10 of the Planning Code.*

- B. **Secretary of the Interior's Standards.** Pursuant to Section 1006.6(b) of the Planning Code, the proposed work shall comply with the Secretary of the Interior's Standards for the Treatment of Historic

Properties for significant and contributory buildings, as well as any applicable guidelines, local interpretations, bulletins, or other policies. Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):

- (1) **Standard 1:** A [property](#) shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

*Not applicable. The Property has historically been used as a residence, and the proposed project will maintain that use.*

- (2) **Standard 2:** The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

*The Project would re-frame portions of the rear of the building that were previously removed, and these areas will be finished to match the existing exterior of the building exactly, with new clapboard siding. Because these alterations will occur at the rear of the building, and will replace the removed walls in-kind, the Project will not alter features or spaces that characterize the property.*

- (3) **Standard 3:** Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.

*The Project proposes a new rear addition which will be finished with wood clapboard siding to match the original cladding. However, the addition does not include any other features that could be construed as historic; windows and doors in this area are aluminum-clad wood, with operations and configurations that would not have been used at the time the building was constructed. Therefore, the Project does not include any conjectural features which could create a false sense of historical development.*

- (4) **Standard 4:** Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

*Not applicable. The Project does not propose removal of any features which have gained historic significance over time.*

- (5) **Standard 5:** Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property shall be preserved.

*The distinctive features and finishes of the building will be retained and preserved. Although portions of the existing wall framing have been removed, these areas are located at the rear of the building, where there were few, if any, distinctive features or construction techniques.*

- (6) **Standard 6:** Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

*Not applicable. The Project does not propose any repair or replacement of deteriorated historic features.*

- (7) **Standard 7:** Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

*Not applicable. The Project does not propose any chemical or physical treatments which could cause damage to historic features.*

- (8) **Standard 8:** Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

*Not applicable.*

- (9) **Standard 9:** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the [property](#). The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the [property](#) and its environment.

*The Project proposes to construct a new addition at the rear of the building. The new addition will be finished with painted wood clapboard siding to match the original wood siding, but will include aluminum-clad wood windows which differentiate this portion of the building from the historic fabric. Likewise, a new rooftop deck will be accessed by a spiral stair which would not have existed at the time of the building's construction ca. 1901. The stair will be obscured from view from the public right-of-way by a wall clad with wood siding, which provides compatible screening for a differentiated building feature.*

- (10) **Standard 10:** New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic [property](#) and its environment would be unimpaired.

*The proposed rooftop deck, spiral stair, and rear addition could be removed in the future without compromising the essential form and integrity of the historic property and its environment.*

- C. **Historic District.** Article 10 of the Planning Code outlines specific findings for the Commission to consider when evaluating applications for alterations to Landmarks or within designated Historic Districts.



1. Pursuant to Section 1006.6(d) of the Planning Code, for applications pertaining to property in historic districts, other than on a designated landmark site, any new construction, addition or exterior change shall be compatible with the character of the historic district as described in the designating ordinance; and, in any exterior change, reasonable efforts shall be made to preserve, enhance or restore, and not to damage or destroy, the exterior architectural features of the subject property which are compatible with the character of the historic district.

*The project is in conformance with Article 10, and as outlined in Appendix A, as the work shall not adversely affect the Landmark site.*

2. Pursuant to Section 1006.6(e) of the Planning Code, for applications pertaining to all property in historic districts, the proposed work shall also conform to such further standards as may be embodied in the ordinance designating the historic district.

*The project is in conformance with Article 10, and as outlined in Appendix L, as the work is compatible with the Dogpatch Landmark District. Specifically, the Project meets the standards for review of Residential – Alterations and New Construction, as described in Section 7(b) of Appendix L of Article 10 of the Planning Code, as follows:*

- a. False Historicism. False historicism and the conjectural replication of historic styles and details is discouraged; if restoration is the selected alteration approach, historic documentation through original architectural plans, historic photographs, or physical investigation will be required. Where original plans or historic photographs are unavailable, close physical examination of the building and existing scar traces, along with a comparison to buildings of the same age and style in the neighborhood, may be sufficient to reveal evidence necessary to guide the restoration.

*The Project does not include any false historicism or conjectural replication of historic styles.*

- b. Materials. Horizontal rustic wood siding is the traditional cladding material in the district and its use is encouraged over other cladding materials, including wood shingles (except where appropriate).

*The proposed rear addition will be clad with wood clapboard siding to match the existing cladding and provide compatibility with other buildings in the district.*

- c. Fenestration. Fenestration should be proportionate and in scale with traditional patterns within the district. Double-hung wood sash windows are encouraged over vinyl or metal sash windows. "Slider" windows of vinyl or aluminum construction are discouraged, especially on primary facades. True divided lites, rather than snap-in or faux muntins, are encouraged when divided lite wood windows are appropriate.

*Although one slider door and aluminum-clad wood windows are proposed at the rear addition, none of these are visible from any rights-of-way. All street-visible windows will*

*be wood double-hung windows with integral ogee lugs in conformance with the Standards and provisions of Appendix L.*

- d. Style. New construction in a contemporary, yet compatible, idiom is encouraged.

*Not Applicable. The project does not propose new construction.*

- e. Scale and Proportion. New construction must be compatible with the massing, size, scale and architectural details of residential resources found in the district.

*Not Applicable.*

- f. Setbacks. New construction should conform to existing setback patterns found in the district.

*Not Applicable.*

- g. Roofline. Gabled roof forms and raised parapets are encouraged on new construction.

*Not Applicable.*

- h. Detailing. Detailing on new construction should relate to the simple, traditional vernacular forms found in the district.

*Not Applicable.*

- 7. General Plan Compliance.** The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:

**URBAN DESIGN ELEMENT**

THE URBAN DESIGN ELEMENT concerns the physical character and order of the city, and the relationship between people and their environment.

**OBJECTIVE 1:**

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

**Policy 1.3**

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

**OBJECTIVE 2:**

**CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.**

Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

Policy 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

*The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.*

*The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the subject property for the future enjoyment and education of San Francisco residents and visitors.*

**8. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The proposed Project will not have an impact on neighborhood serving retail uses.*

B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*The proposed Project will strengthen neighborhood character by respecting the character-defining features of the building in conformance with the Secretary of the Interior's Standards.*

C) The City's supply of affordable housing will be preserved and enhanced:

*The Project will not affect the City's affordable housing supply.*

D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The proposed Project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The proposed Project does not include any office uses and will not displace or impact industrial and service sectors.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code.*

- G) That landmark and historic buildings will be preserved:

*The proposed project is in conformance with Article 10 of the Planning Code, Appendix L of Article 10, and the Secretary of the Interior's Standards.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The proposed project will not impact the access to sunlight or vistas for the parks and open space.*

**9. For these reasons, the proposal overall appears to meet the Secretary of the Interior's Standards and the provisions of Article 10 of the Planning Code regarding Major Alterations.**

## Decision

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES WITH CONDITIONS a Certificate of Appropriateness** for the subject property located at Lot **018** in Assessor's Block **4107** for proposed work in conformance with the architectural submittal dated August 15, 2023 and labeled Exhibit B on file in the docket for Record No. **2023-001148COA**.

**APPEAL AND EFFECTIVE DATE OF MOTION:** The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days after the date of this Motion No. 479. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 or call (628) 652-1150.

**Duration of this Certificate of Appropriateness:** This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

**THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.**

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on February 21, 2024.



Jonas P. Ionin  
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P  
Ionin  
Date: 2024.02.27 14:21:30  
-08'00'

AYES: Vergara, Wright, Foley, Nageswaran, Matsuda

NAYS: None

ABSENT: Baldauf, Campbell

ADOPTED: February 21, 2024

# EXHIBIT A

## Authorization Update

This authorization is for a Certificate of Appropriateness to allow Alterations located at 945 Minnesota Street (4107/018) pursuant to Planning Code Section 1006 within the RH-3 District and a 40-X Height and Bulk District; in general conformance with plans, dated February 2, 2024, and stamped “EXHIBIT B” included in the docket for Record No. 2023-001148COA and subject to conditions of approval reviewed and approved by the Historic Preservation Commission on February 21, 2024 under Motion No 479. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## Printing of Conditions of Approval on Plans

The conditions of approval under 'Exhibit A' of this Historic Preservation Commission Motion No. 479 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference the Certificate of Appropriateness and any subsequent amendments or modifications.

## Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

## Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Historic Preservation Commission approval of a new Certificate of Appropriateness. In instances when Planning Commission also reviews additional authorizations for the project, Planning Commission may make modifications to the Certificate of Appropriateness based on majority vote and not required to return to Historic Preservation Commission.

## Extension

All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

## Conditions of Approval

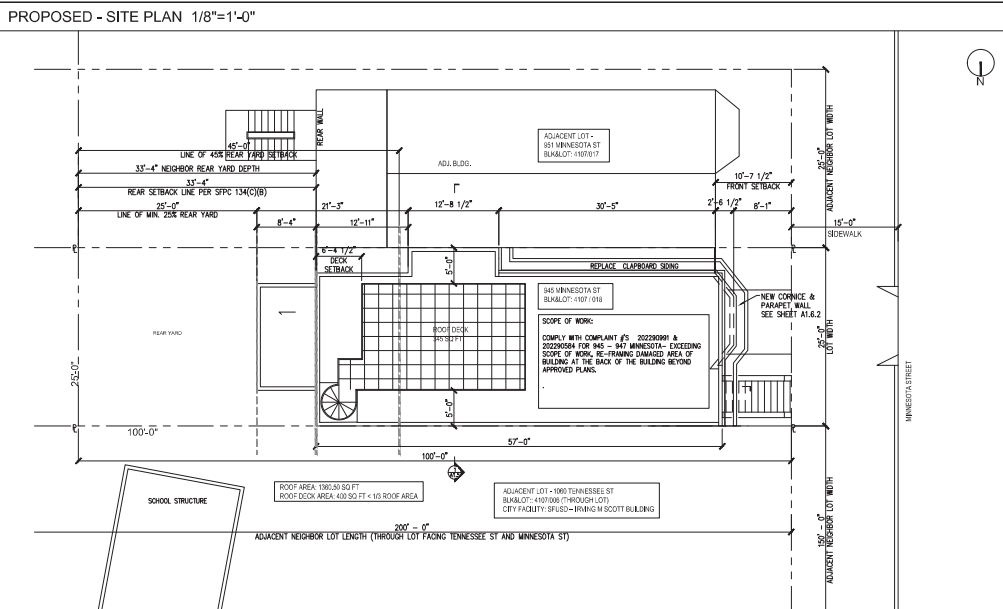
1. Prior to Building Permit issuance, the Project Sponsor shall submit product cut sheets to Planning Department Preservation staff for the proposed rear windows, doors, and roof deck railings for review and approval.
2. The Project Sponsor shall obtain an issued Building Permit within 60 days.

3. Within 15 days of Building Permit issuance, the Project Sponsor shall submit a construction schedule for review and approval by Planning Department Enforcement Staff.
4. Within 15 days of this Certification of Appropriateness approval, the Project Sponsor and/or owner shall conduct an assessment to determine if the building has suffered from water damage and provide adequate means to dehumidify the building. The Project Sponsor shall submit a report within 15 days of the assessment to the Planning Department detailing the results of the assessment and proposed treatments. Treatments shall be implemented within 30 days after the report has been submitted. Additionally, all treatments shall be maintained and continued even during construction, if necessary.
5. Prior to construction, and no later than 30 days of this Certification of Appropriateness approval, the Project Sponsor and/or owner shall protect the historic building, maintain it in water-tight condition (including continued use of dehumidifying equipment as needed), and keep its overall exterior appearance tidy. The Project Sponsor shall provide Planning Department Enforcement Staff with monthly updates regarding maintenance, protection, and general upkeep of the property.
6. Prior to construction, the Project Sponsor shall conduct a pre-construction walk-through with Planning Department Enforcement Staff and submit detailed photographic documentation to the Department to thoroughly record any conditions that need to be addressed.
7. The Project Sponsor shall submit monthly progress of construction, maintenance of the building exterior in a tidy condition, and treatments for addressing water damage, to Planning Department Enforcement Staff via email with descriptions and photos of completed work.
8. The Project Sponsor shall schedule periodic site visits, no less than every three months, with a Planning Department Preservation and/or Enforcement Staff during construction to monitor the Project's progress and a final inspection to confirm full abatement of all violations prior to final permit sign off by the Department of Building Inspection.

- GENERAL NOTES**
- CONTRACTOR SHALL ADHERE TO ALL CODES, RULES, AND REGULATIONS GOVERNING CONSTRUCTION, BUILDING ACCESS AND THE USE OF FACILITIES AS SET BY LOCAL BUILDING DEPARTMENT AGENCY AND THE BUILDING OWNERS, TITLE 24 C.A.C. ESPECIALLY THOSE ABSTRACTS DEALING WITH ENERGY AND HANDICAPPED ACCESS REQUIREMENTS, ANYTHING SHOWN ON THESE DRAWINGS, NOT IN ACCORDANCE WITH THESE RULES AND REGULATIONS, SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER BEFORE PROCEEDING WITH ANY WORK.
  - DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONAL INFORMATION.
  - THE CONTRACTOR AND SUBCONTRACTORS SHALL VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE DESIGNER OF ANY CONFLICTS HEREIN, EITHER APPARENT OR OBVIOUS PRIOR TO START OF WORK ON THAT ITEM OR BEAR THE RESPONSIBILITY OF CORRECTING SUCH WORK AS DIRECTED BY THE ARCHITECT.
  - ALL WORK SHALL BE DONE IN A FIRST CLASS WORKMANLIKE MANNER BY MECHANICS SKILLED IN THEIR RESPECTIVE TRADES.
  - THE CONTRACTOR SHALL REVIEW PLANS AND THE AREA OF CONSTRUCTION CAREFULLY TO INSURE FULL UNDERSTANDING OF EXACT SCOPE OF WORK. THE ARCHITECT WILL BE AVAILABLE TO REVIEW ALL WORK ON SITE AND RESOLVE ANY UNCLEAR ITEMS
  - THE CONTRACTOR SHALL CONTACT THE BUILDING MANAGEMENT TO BE ADVISED OF THE RULES OF THE BUILDING WITH RESPECT TO CONSTRUCTION, WHEN AND HOW DELIVERIES AND/OR REMOVALS CAN BE DONE ON REGULAR OR OVERTIME AND IN GENERAL, ANY BUILDING REQUIREMENTS WHICH WILL AFFECT THEIR WORK.
  - THE CONTRACTOR SHALL SUBMIT TO THE ARCHITECT ALL FABRICATION SHOP DWGS. AND FIXTURE CUTS FOR APPROVAL AFTER HAVING CHECKED AND APPROVED THEM FIRST, WHERE APPLICABLE
  - THE CONTRACTOR SHALL FURNISH A SYSTEM OF TEMPORARY LIGHTS AND WATER THROUGHOUT THE SPACE UNDER CONSTRUCTION, IF REQUIRED.
  - THE CONTRACTOR SHALL REMOVE FROM THE BUILDING ALL RUBBISH AND WASTE MATERIALS, FOR HIS OWN SUBCONTRACTING, IF REQUIRED.
  - NO WORK DEPENDING ON PARTITION LOCATIONS SHALL BE DONE UNTIL THE CONTRACTOR HAS MARKED PARTITION LOCATIONS ON THE FLOOR SLAB IN THE FIELD AND THE ARCHITECT HAS APPROVED THEM.
  - THE CONTRACTOR SHALL LEAVE THE PREMISES IN A CLEAN AND ORDERLY MANNER.
  - THE CONTRACTOR'S PRICE IS TO BE COMPLETE IN ALL WAYS INCLUDING TAXES, OVER-TIME, SHIPPING, ETC.
  - ALL MATERIALS AND INSTALLATIONS SHALL BE IN ACCORDANCE WITH MANUFACTURER'S LATEST PRINTED SPECIFICATIONS AND WITH CODE REQUIREMENTS.
  - THE WORK INCLUDED UNDER THIS CONTRACT SHALL BE DONE IN ACCORDANCE WITH AIA GENERAL CONDITIONS DOCUMENT A-201, 1991 EDITION.
  - CONTRACTORS, SUBCONTRACTORS AND SUPPLIERS SHALL GUARANTEE THAT THE WORK IS FREE FROM ANY DEFECTS IN WORKMANSHIP AND MATERIALS FOR A PERIOD OF ONE YEAR FROM DATE OF COMPLETION AND BE RESPONSIBLE FOR REPAIR OR REPLACEMENT AT NO ADDITIONAL CHARGE.
  - CONTRACTORS TO CARRY EMPLOYER'S LIABILITY INSURANCE OF NOT LESS THAN \$1,000,000 PER OCCURRENCE, AND COMPREHENSIVE GENERAL LIABILITY OF AT LEAST \$2,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY, DEATH, OR PROPERTY DAMAGE THE POLICIES TO ALSO COVER LANDLORD AND TENANT AS ADDITIONAL INSURED.

**DRAWING INDEX**

ARCHITECTURAL DRAWINGS	
A0.0	COVER SHEET
A0.01	GS
A0.02	PHOTOS OF CURRENT CONDITIONS
A1.0 SITE PLANS	
A1.1	FIRST FLOOR PLANS - EXISTING, APPROVED, AND PROPOSED
A1.2	SECOND FLOOR PLANS - EXISTING, APPROVED, AND PROPOSED
A1.3	THIRD FLOOR PLANS - EXISTING, APPROVED, AND PROPOSED
A2.0 ELEVATIONS - EXISTING, APPROVED, AND PROPOSED	
A2.1	ELEVATIONS - EXISTING, APPROVED, AND PROPOSED
A3.0	DEMOLITION PLANS & DEMO CALC 317
A3.1	DEMO/INFILL ELEVATIONS & DEMO CALC 1005
A5.0 WINDOW & DOOR SCHEDULE	
T1	TITLE 24
T2	TITLE 24
T3	TITLE 24
T4	TITLE 24
SP	SPECIAL INSPECTION SHEET
S1	TITLE SHEET
S1.1A TYPICAL WOOD DETAILS	
S1.1B TYPICAL WOOD DETAILS	
S1.2A TYPICAL CONC DETAILS	
S2	SECOND FLOOR FRAMING, FIRST FLOOR, & FOUNDATION PLANS
S3	THIRD FLOOR AND ROOF FRAMING PLANS
S4	FOUNDATION AND STRUCTURAL DETAILS
S5	STRUCTURAL DETAILS
S6	STRUCTURAL DETAILS



**STAMPS**

**SCOPE OF WORK**

COMPLY WITH PLANNING ENFORCEMENT CASE NO. 2022-005853ENF, DBI COMPLAINT #'S 202290991 & 202290584 FOR 945 - 947 MINNESOTA - EXCEEDING SCOPE OF WORK, RE-FRAMING DAMAGED AREA OF BUILDING AT THE BACK OF THE BUILDING BEYOND APPROVED PLANS.

**CODE CYCLE**

- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA ELECTRIC CODE
- 2019 CALIFORNIA MECHANICAL CODE
- 2019 CALIFORNIA PLUMBING CODE
- 2019 GREEN BUILDING CODE
- 2019 CALIFORNIA FIRE CODE
- 2019 CALIFORNIA ENERGY CODE
- 2019 SAN FRANCISCO BUILDING CODE

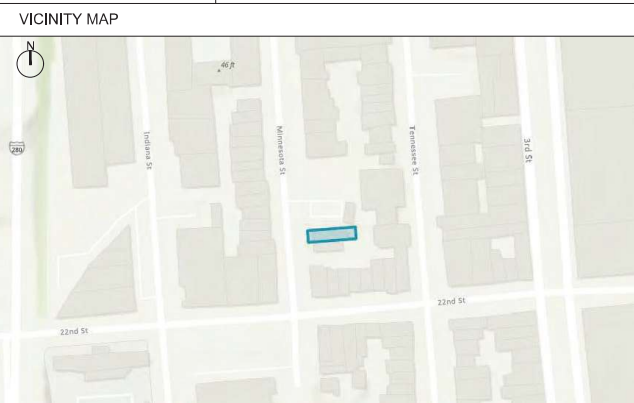
PLANNING INFORMATION	BUILDING INFORMATION
<p>ZONING: RH-3</p> <p>HEIGHT LIMIT: 40'-X</p> <p>EXISTING NUMBER OF UNITS: 2</p> <p>PROPOSED NUMBER OF UNITS: 2</p> <p>LOT SIZE: 25' WIDE X 100' LONG</p>	<p>BUILDING DESCRIPTION: 1 BUILDINGS IN LOT. EXISTING: 3 STOREY TYPE V - B PROPOSED: NO CHANGE</p> <p>(E) OCCUPANCY CLASS.: R-3 - NO CHANGE</p> <p>OCCUPANT LOAD: 1 PER 200 SQ.FT.</p> <p>(E) # OF DWELLING UNITS: 2 - NO CHANGE</p> <p>YEAR BUILT: 1900</p> <p>BUILDING AREA: 3,424 SQ FT + 496 SQ FT GARAGE = 3920 SQ FT</p> <p>PARCEL AREA: 2,495 SQ FT</p>

**SYMBOLS**

<p>SECTION DRAWING SHEET NUMBER</p> <p>ELEVATION DRAWING SHEET NUMBER</p> <p>DETAIL DRAWING SHEET NUMBER</p> <p>UP INTERIOR ELEVATION SHEET NUMBER</p> <p>DOWN INTERIOR ELEVATION SHEET NUMBER</p> <p>OFFICE ROOM IDENTIFICATION ROOM NAME ROOM NUMBER</p> <p>DOOR NUMBER</p> <p>WINDOW NUMBER</p>	<p>EQUIPMENT SYMBOL EQUIPMENT TYPE EQUIPMENT GROUP</p> <p>REVISION</p> <p>WALL TYPE</p> <p>FINISH SYMBOL</p> <p>MATCH LINE SHADED PORTION IS SIDE CONSIDERED</p> <p>DATUM POINT</p> <p>COLUMN GRID</p> <p>TOP OF WALL</p>
--	---

**ABBREVIATIONS**

<p>&amp; AND</p> <p>@ AT</p> <p>(E) EXISTING</p> <p>ADJ. ADJUSTABLE</p> <p>ALUM. ALUMINUM</p> <p>APPROX. APPROXIMATE</p> <p>ARCH. ARCHITECTURAL</p> <p>ASPH. ASPHALT</p> <p>BD. BOARD</p> <p>BTUM. BUTYRUMOUS</p> <p>BLDG. BUILDING</p> <p>BLK. BLOCK</p> <p>BLKG. BLOCKING</p> <p>BM. BEAM</p> <p>BOT. BOTTOM</p> <p>CAB. CABINET</p> <p>C.B. CATCH BASIN</p> <p>CEM. CEMENT</p> <p>CL.C. CEILING</p> <p>CL.G. CAULKING</p> <p>CLR. CLEAR</p> <p>COL. COLUMN</p> <p>CONC. CONCRETE</p> <p>CONN. CONNECTION</p> <p>CONSTR. CONSTRUCTION</p> <p>CONT. CONTINUOUS</p> <p>CORR. CORRIDOR</p> <p>CTSK. COUNTERSINK</p> <p>CNTR. COUNTER</p> <p>CTR. CENTER</p>	<p>DBL. DOUBLE</p> <p>DEPT. DEPARTMENT</p> <p>DIA. DIAMETER</p> <p>DN. DOWN</p> <p>DR. DOOR</p> <p>DS. DOWNSPOUT</p> <p>D.S.P. DRY STANDPIPE</p> <p>DWG. DRAWING</p> <p>E. EACH</p> <p>ELEV. ELEVATION</p> <p>ELEC. ELECTRICAL</p> <p>ELEV. ELEVATOR</p> <p>ENCL. ENCLOSURE</p> <p>EQ. EQUAL</p> <p>EQT. EQUIPMENT</p> <p>(E) EXISTING</p> <p>EXPO. EXPOSED</p> <p>EXP. EXPANSION</p> <p>EXT. EXTERIOR</p> <p>F.A. FIRE ALARM</p> <p>F.D. FLOOR DRAIN</p> <p>FDN. FOUNDATION</p> <p>FLSP. FLASHING</p> <p>FIN. FINISH</p> <p>FL. FLOOR</p> <p>FLASH. FLASHING</p> <p>FLUOR. FLUORESCENT</p> <p>F.O.C. FACE OF CONCRETE</p> <p>(N) NEW</p> <p>F.O.F. FACE OF FINISH</p>	<p>F.O.S. FACE OF STUD</p> <p>FRFF. FIREPROOF</p> <p>FT. FOOT OR FEET</p> <p>FTG. FOOTING</p> <p>FURR. FURRING</p> <p>GA. GAUGE</p> <p>GALV. GALVANIZED</p> <p>G.B. GRAB BAR</p> <p>GYP. GYPSUM</p> <p>H.B. HOSE BIB</p> <p>HWMD. HARDWOOD</p> <p>HORIZ. HORIZONTAL</p> <p>HR. HOUR</p> <p>HGT. HEIGHT</p> <p>INSUL. INSULATION</p> <p>INT. INTERIOR</p> <p>JAN. JANITOR</p> <p>JT. JOINT</p> <p>LAV. LAVATORY</p> <p>LT. LIGHT</p> <p>MAX. MAXIMUM</p> <p>MECH. MECHANICAL</p> <p>MEMB. MEMBRANE</p> <p>MTL. METAL</p> <p>MFR. MANUFACTURER</p> <p>MIN. MINIMUM</p> <p>MISC. MISCELLANEOUS</p> <p>MTD. MOUNTED</p> <p>MULL. MULLION</p> <p>(N) NEW</p> <p>N. NORTH</p>	<p>N.I.C. NOT IN CONTRACT</p> <p>NO./# NUMBER</p> <p>NOM. NOMINAL</p> <p>N.T.S. NOT TO SCALE</p> <p>O.C. ON CENTER</p> <p>OPNG. OPENING</p> <p>OPP. OPPOSITE</p> <p>P.L. PROPERTY LINE</p> <p>PL. PLATE</p> <p>PLYWD. PLYWOOD</p> <p>PTD. POINT</p> <p>PARTN. PARTITION</p> <p>Q.T. QUARRY TILE</p> <p>R. RISER</p> <p>RAD. RADIUS</p> <p>REF. REFERENCE</p> <p>REFR. REFRIGERATOR</p> <p>REGTR. REGISTER</p> <p>REINF. REINFORCED</p> <p>REQTD. REQUIRED</p> <p>ROOM. ROOM</p> <p>R.O. ROUGH OPENING</p> <p>R.W.L. RAIN WATER LEADER</p> <p>S. SOUTH</p> <p>SCHED. SCHEDULE</p> <p>S.D. SMOKE DETECTOR</p> <p>SECT. SECTION</p> <p>SHT. SHEET</p> <p>SM. SIMILAR</p>	<p>SPEC. SPECIFICATION</p> <p>SQ. SQUARE</p> <p>S.S.T. STAINLESS STEEL</p> <p>STL. STEEL</p> <p>STOR. STORAGE</p> <p>STR. STRUCTURAL</p> <p>SUSP. SUSPENDED</p> <p>SYM. SYMMETRICAL</p> <p>T.C. TOP OF CURB</p> <p>TEL. TELEPHONE</p> <p>TER. TERRAZZO</p> <p>T.&amp;G. TONGUE AND GROOVE</p> <p>THK. THICK</p> <p>T.P. TOP OF PAVEMENT</p> <p>T.W. TOP OF WALL</p> <p>TYP. TYPICAL</p> <p>UNF. UNFINISHED</p> <p>U.O.N. UNLESS OTHERWISE NOTED</p> <p>VERT. VERTICAL</p> <p>VEST. VESTIBULE</p> <p>W. WEST</p> <p>W/ WITH</p> <p>W.C. WATER CLOSET</p> <p>WD. WOOD</p> <p>W/O WITHOUT</p> <p>WP. WATERPROOF</p> <p>WT. WEIGHT</p>
--	--	---	---	--



**SHATARA ARCHITECTURE INC.**

890 7TH ST.  
SAN FRANCISCO  
CA 94107

TEL (415) 512-7566  
shatara@shataraarch.com

SHATARA ARCHITECTURE INC. IS AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, GENDER, RELIGION, NATIONAL ORIGIN, ANCESTRY, AGE, SEXUAL ORIENTATION, OR DISABILITY.

**PROJECT: RESIDENTIAL RENOVATION**

ADDRESS: 945 - 947 MINNESOTA STREET SAN FRANCISCO, CA

BLOCK: 4107  
LOT: 018

**PROJECT DIRECTORY**

ARCHITECT: SHATARA ARCHITECTURE INC.  
890 7TH STREET  
SAN FRANCISCO, CA 94107  
TEL: 415-512-7566  
CONTACT: SUNEEL SHATARA

ISSUED	DATE	NO.
BUILDING	06.23.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.08.2023	R3
BUILDING	03.15.2023	R4



sheet description  
**COVER SHEET**

**A0.0**



# GS5: San Francisco Green Building Submittal Form for Residential Alteration + Addition Projects

### INSTRUCTIONS:

1. Fill out the project information in the Verification box at the right.
2. Submittal must be a minimum of 11" x 17".
3. This form is for permit applications submitted January 2020 through December 2022.

	TITLE	SOURCE OF REQUIREMENT	DESCRIPTION OF REQUIREMENT	OTHER RESIDENTIAL ALTERATIONS + ADDITIONS	VERIFICATION
RESIDENTIAL	GRADING & PAVING	CALGreen 4.106.3	Show how surface drainage (grading, swales, drains, retention areas) will keep surface water from entering the building.	if applicable	<p><i>Indicate below who is responsible for ensuring green building requirements are met. Projects that increase total conditioned floor area by ≥1,000 sq. ft. are required to have a Green Building Compliance Professional of Record as described in Administrative Bulletin 93. For projects that increase total conditioned floor area by &lt;1,000 sq. ft., the applicant or design professional may sign below, and no license or special qualifications are required. FINAL COMPLIANCE VERIFICATION form will be required prior to Certificate of Completion</i></p> <p>PROJECT NAME</p> <p>BLOCK/LOT</p> <p>ADDRESS</p> <p>PRIMARY OCCUPANCY</p> <p>GROSS BUILDING AREA</p> <p>INCREASE IN CONDITIONED FLOOR AREA</p> <p><i>I have been retained by the project sponsor to verify that approved construction documents and construction fulfill the requirements of San Francisco Green Building Code. It is my professional opinion that the requirements of the San Francisco Green Building Code will be met. I will notify the Department of Building Inspection if the project will, for any reason, not substantially comply with these requirements, if I am no longer the Green Building Compliance Professional of Record for the project, or if I am otherwise no longer responsible for assuring the compliance of the project with the San Francisco Green Building Code.</i></p> <p>LICENSED PROFESSIONAL (sign &amp; date)</p> <p><i>May be signed by applicant when &lt;1,000 sq. ft. is added.</i></p> <p><b>AFFIX STAMP BELOW:</b></p> <p>Projects that increase total conditioned floor area by ≥1,000 sq. ft.: Green Building Compliance Professional of Record will verify compliance.</p> <p>GREEN BUILDING COMPLIANCE PROFESSIONAL (name &amp; contact phone #)</p> <p>FRM</p> <p><input type="checkbox"/> I am a LEED Accredited Professional</p> <p><input type="checkbox"/> I am a GreenPoint Rater</p> <p><input type="checkbox"/> I am an ICC Certified CALGreen Inspector</p> <p>GREEN BUILDING COMPLIANCE PROFESSIONAL (sign &amp; date)</p> <p><i>Signature by a professional holding at least one of the above certifications is required, if the Licensed Professional does not hold a certification for green design, and/or inspection, this section may be completed by another party who will verify applicable green building requirements are met.</i></p>
	RODENT PROOFING	CALGreen 4.406.1	Seal around pipe, cable, conduit, and other openings in exterior walls with cement mortar or DBI-approved similar method.	•	
	FIREPLACES & WOODSTOVES	CALGreen 4.503.1	Install only direct-vent or sealed-combustion, EPA Phase II-compliant appliances.	•	
	CAPILLARY BREAK, SLAB ON GRADE	CALGreen 4.505.2	Slab on grade foundation requiring vapor retarder also requires a capillary break such as: 4 inches of base 1/2-inch aggregate under retarder; slab design specified by licensed professional.	•	
	MOISTURE CONTENT	CALGreen 4.505.3	Wall - floor <19% moisture content before enclosure.	•	
	BATHROOM EXHAUST	CALGreen 4.506.1	Must be ENERGY STAR compliant, ducted to building exterior, and its humidistat shall be capable of adjusting between <50% to >60% (humidistat may be separate component).	•	
MATERIAL EMISSIONS	LOW-EMITTING MATERIALS	CALGreen 4.504.2.1-5, SFGBC 4.103.3.2	Use products that comply with the emission limit requirements of 4.504.2.1-5, 5.504.4.1-6 for adhesives, sealants, paints, coatings, carpet systems including cushions and adhesives, resilient flooring (80% of area), and composite wood products.	•	
WATER	INDOOR WATER USE REDUCTION	CALGreen 4.303.1, SF Housing Code sec.12A10	Meet flush/flow requirements for toilets (1.28 gpf), urinals (0.125 gpf wall, 0.5 gpf floor); showerheads (1.8 gpm); lavatories (1.2 gpm private, 0.5 gpm public/common); kitchen faucets (1.8 gpm); wash fountains (1.8 gpm); metering faucets (0.2 gpc); food waste disposers (1 gpm/8 gpm). Residential major improvement projects must upgrade all non-compliant fixtures per SF Housing Code sec.12A10.	•	
	WATER EFFICIENT IRRIGATION	Administrative Code ch.63	If modified landscape area is ≥1000 sq. ft., use low water use plants or climate appropriate plants, restrict turf areas and comply with Model Water Efficient Landscape Ordinance restrictions by calculate ETAF of ≤.55 or by prescriptive compliance for projects with ≤2,900 sq. ft. of landscape area.	•	
ENERGY	ENERGY EFFICIENCY	CA Energy Code	Comply with all provisions of the CA Energy Code.	•	
PARKING	BICYCLE PARKING	Planning Code sec.155.1-2	Provide short- and long-term bike parking to meet requirements of SF Planning Code sec 155.1-2.	if applicable	
RESOURCE RECOVERY	RECYCLING BY OCCUPANTS	SF Building Code 106A.3.3, CALGreen 5.410.1, AB088	Provide adequate space and equal access for storage, collection, and loading of compostable, recyclable and landfill materials. For help estimating adequate space for collection by hauler, see supporting materials including a design guide and calculator at: www.sfenvironment.org/refusecalculator.	•	
	CONSTRUCTION & DEMOLITION (C&D) DISCARDS MANAGEMENT	Environment Code ch. 14, SFGBC 4.103.2.3, CALGreen 4.408.2, 4.408.5	Construction Discards Management - 100% of mixed debris must be taken by a Registered Transporter to a Registered facility and processed for recycling. Demonstrate ≥65% recovery. See www.dbi.org for details.	•	
HVAC	HVAC INSTALLER QUALS	CALGreen 4.702.1	Installers must be trained in best practices.	•	
	HVAC DESIGN	CALGreen 4.507.2	HVAC shall be designed to ACCA Manual J, D, and S.	•	
GOOD NEIGHBOR	BIRD-SAFE BUILDINGS	Planning Code sec.139	Glass facades and bird hazards facing and/or near Urban Bird Refuges may need to treat their glass for opacity.	•	
	TOBACCO SMOKE CONTROL	Health Code art.19F	Prohibit smoking within 10 feet of building entries, air intakes, and operable windows and enclosed common areas.	•	
POLLUTION PREVENTION	STORMWATER CONTROL PLAN	Public Works Code art.4.2 sec.147	Projects disturbing ≥5,000 sq.ft. in combined or separate sewer areas, or replacing ≥2,500 impervious sq.ft. in separate sewer area must implement a Stormwater Control Plan meeting SFPUC Stormwater Management Requirements.	if project extends outside envelope	
	CONSTRUCTION SITE RUNOFF	Public Works Code art.4.2 sec.146	Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	if project extends outside envelope	
INDOOR AIR QUALITY	AIR FILTRATION (CONSTRUCTION)	CALGreen 4.504.1	Seal permanent HVAC ducts/equipment stored onsite before installation.	•	

### FOR YOUR INFORMATION: INDOOR WATER EFFICIENCY

*Each fixture must not exceed CALGreen 4.303 maximum flow rates:*

FIXTURE TYPE	MAXIMUM FIXTURE FLOW RATE
Showerheads*	1.8 gpm @ 80 psi
Lavatory Faucets: residential	1.2 gpm @ 60 psi
Kitchen Faucets	1.8 gpm @ 60 psi default
Wash Fountains	1.8 gpm / 20 mm spout (inches) @ 60 psi
Mating Faucets	20 gallons per cycle
Tank-type water closets	1.28 gallons / flush* and EPA WaterSense Certified
Flushometer valve water closets	1.28 gallons / flush*
Urinals	Wall mount: 0.125 gallons / flush Floor mount: 0.5 gallons / flush

### Water Efficiency of Existing Non-Compliant Fixtures

*All fixtures that are not compliant with the San Francisco Commercial Water Conservation Ordinance that sense or are located within the project area must be replaced with fixtures or fittings meeting the maximum flow rates and standards referenced above. For more information, see the Commercial Water Conservation Program Brochure, available at SFDPI.org.*

**NON-COMPLIANT PLUMBING FIXTURES INCLUDE:**

1. Any toilet manufactured to use more than 1.6 gallons/flush
2. Any urinal manufactured to use more than 1 gallon/flush
3. Any showerhead manufactured to have a flow capacity of more than 2.5 gpm
4. Any interior faucet that emits more than 2.2 gpm

*Exceptions to this requirement are limited to situations where replacement of fixture(s) would detract from the historic integrity of the building, as determined by the Department of Building Inspection pursuant to San Francisco Building Code Chapter 13A.*

**INDOOR WATER EFFICIENCY**

**NOTES:**

1. For dual flush toilets, effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. The referenced standard is ASSE A112.19.14 and USEPA WaterSense Tank-Type High Efficiency Toilet Specification – 1.28 gal (4.8L)
2. The combined flow rate of all showerheads in one shower stall shall not exceed the maximum flow rate for one showerhead, or the shower shall be designed to allow only one showerhead to be in operation at a time (CALGreen 5.303.2.1)

**SHATARA ARCHITECTURE INC.**  
890 7TH ST.  
SAN FRANCISCO CA 94107  
TEL: (415) 512-7566  
shatara@shataraarch.com

SHATARA ARCHITECTURE INC. IS AN EQUAL OPPORTUNITY EMPLOYER. WE DO NOT discriminate on the basis of race, gender, religion, age, national origin, or ethnicity in our policies, practices, or procedures. If you are an individual with a disability and need a reasonable accommodation to use our services, please contact us at (415) 512-7566.

PROJECT: RESIDENTIAL RENOVATION  
ADDRESS: 945 - 947 MINNESOTA STREET  
SAN FRANCISCO, CA  
BLOCK: 4107  
LCT: 018

PROJECT DIRECTORY  
ARCHITECT: SHATARA ARCHITECTURE INC.  
890 7TH STREET  
SAN FRANCISCO, CA 94107  
TEL: 415-512-7566  
CONTACT: SUMEL SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.08.2023	R3
BUILDING	03.15.2023	R4



SHEET DESCRIPTION  
GREEN BUILDING SHEET

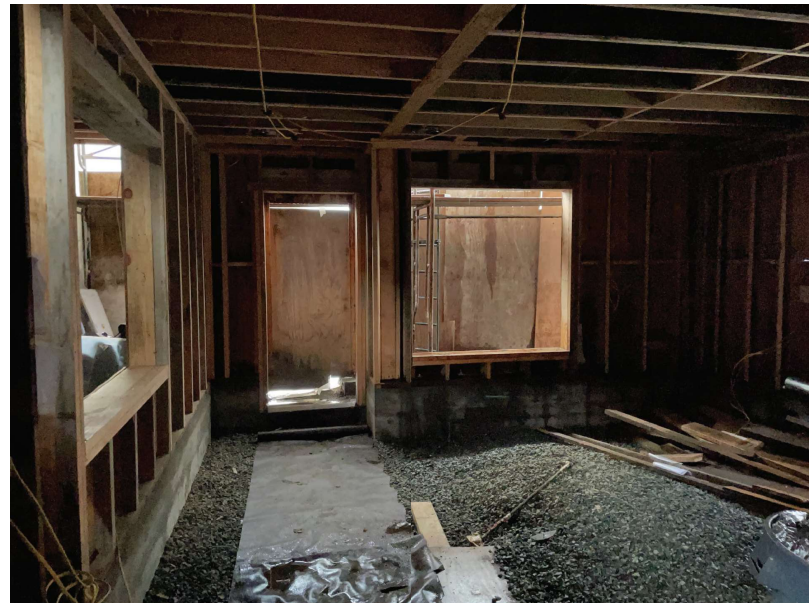
A0.01



② 3RD LEVEL, AS BUILT REAR CONDITION (03/2023)  
SCALE: 1/8" = 1'-0"



② 2ND LEVEL, AS BUILT REAR CONDITION (03/2023)  
SCALE: 1/8" = 1'-0"



① 1ST LEVEL, AS BUILT REAR CONDITION (03/2023)  
SCALE: 1/8" = 1'-0"

**SHATARA  
ARCHITECTURE  
INC.**

890 7TH ST.  
SAN FRANCISCO  
CA 94107

TEL (415) 512-7566  
shatara@shataraarch.com

SHATARA ARCHITECTURE INC. IS A REGISTERED ARCHITECTURAL FIRM UNDER THE ARCHITECTURE ACT OF 1967 AND IS NOT TO BE USED IN ANY MANNER THAT IMPLIES THE FIRM'S ENDORSEMENT OF ANY PRODUCT OR SERVICE.

**PROJECT  
RESIDENTIAL  
RENOVATION**

ADDRESS  
945 - 947 MINNESOTA  
STREET  
SAN FRANCISCO, CA

BLOCK: 4107  
LOT: 018

**PROJECT DIRECTORY**

ARCHITECT  
SHATARA ARCHITECTURE INC.  
890 7TH STREET  
SAN FRANCISCO, CA 94107  
TEL: 415-512-7566  
CONTACT: SUHEIL SHATARA

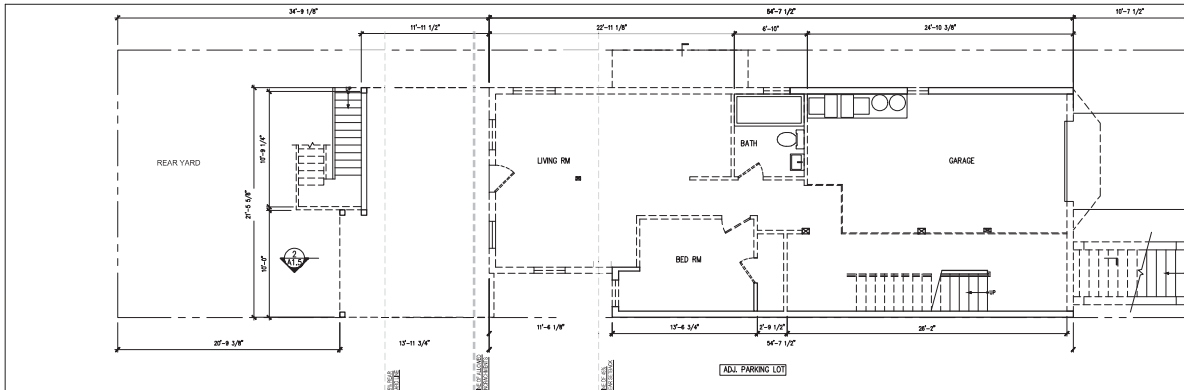
ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.08.2023	R3
BUILDING	03.15.2023	R4



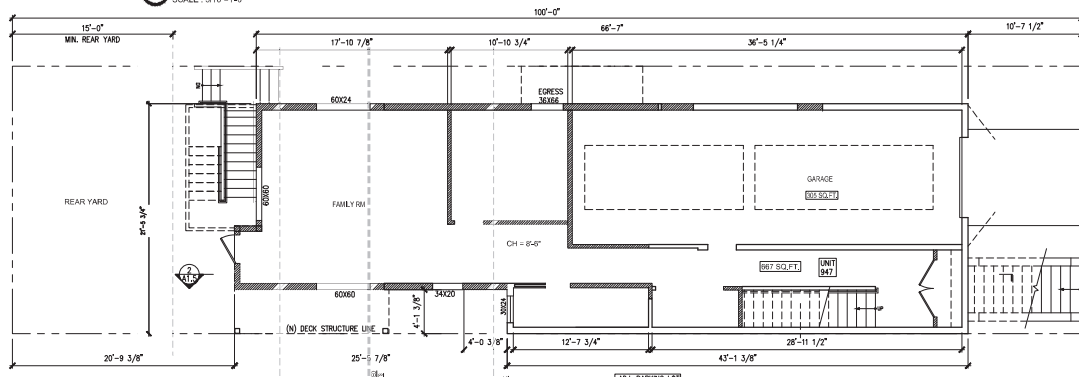
SHEET DESCRIPTION  
**PHOTOS OF  
CURRENT  
CONDITION**

**A0.02**

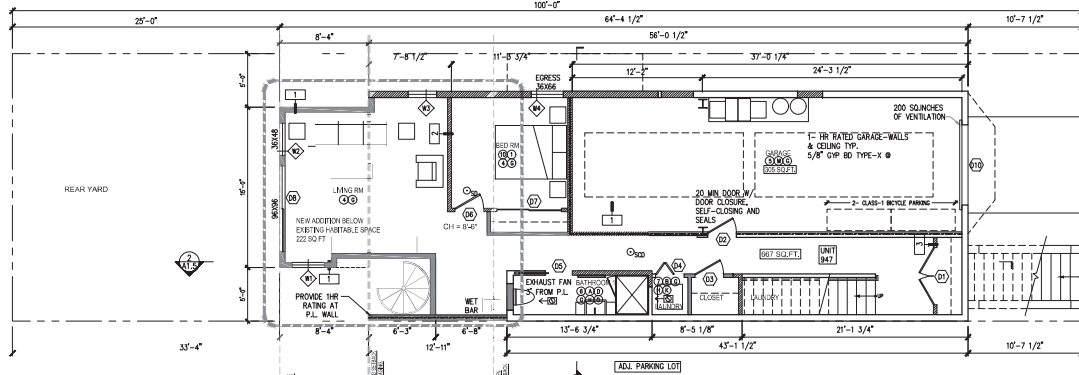




1 PREVIOUSLY EXISTING - FIRST FLOOR PLAN, CUMULATIVE DEMO SHOWN  
SCALE: 3/16"=1'-0"



2 AS BUILT - FIRST FLOOR PLAN  
SCALE: 3/16"=1'-0" (AS CURRENTLY EXISTING TODAY, FRAMING ONLY, NOT FINISHED)



3 PROPOSED - FIRST FLOOR PLAN  
SCALE: 3/16"=1'-0"

**KEYNOTES**

- SMOKE DETECTOR & CARBON MONOXIDE DETECTOR: SMOKE DETECTOR TO BE INSTALLED IN ALL SLEEPING ROOMS AND AREAS SERVING THE SLEEPING ROOMS. MIN. ONE SMOKE DETECTOR ON EACH LEVEL. ALARMS AT BEDROOM TO BE PLACED WITHIN 1'-0" OF THE CENTER OF THE DOOR. INTERCONNECTIONS: WHERE MORE THAN ONE SMOKE ALARM IS USED WITHIN A DWELLING UNIT, SMOKE ALARMS SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL THE ALARMS IN THE DWELLING UNIT. ALARM SHALL BE CLEARLY ADDRESSIBLE IN ALL BEDROOMS (NO ADDRESSING REQUIRED WITH ALL INTERVENEING DOORS CLOSED). CARBON MONOXIDE DETECTORS ARE REQUIRED ON THE HALLWAY OUTSIDE ALL BEDROOMS AT ONE EACH STORY.
- STAIRS: RISE AND RUN 4" MIN. RISER, 7" MAX. RISER AND 11" MIN. TREAD RUN. (EXCEPTION: STEPS MAY BE 7.75" MAX. RISE AND 12" MIN. RUN FOR STAIRS WITHIN INDIVIDUAL DWELLING UNIT IF OCCUPANT LOAD IS <10, OR FOR STAIRS TO UNOCCUPIED ROOF). LARGEST RISE OR RUN IN A FLIGHT MAY NOT EXCEED SMALLEST BY MORE THAN 3/8". HANDRAILS REQ'D ON STAIRS WITH 4 OR MORE RISERS. HANDRAIL HEIGHT BETWEEN 34" & 38" ABOVE LEADING EDGE OF WOODS, WITH 1" EXTENSIONS TOP & BOTTOM, RETURNED TO WALL. HANDRAILS REQUIRED AT BOTH SIDES, EXCEPT WITHIN A DWELLING UNIT. SOCKETS & BALUSTERS: OPENING LESS THAN 4", 6" MAX. DIAMETER OPENING AT TREAD/RISER/BALUSTER TRIANGLE. GUARDRAIL MIN. HEIGHT 42". (EXCEPTION: WITHIN DWELLING UNIT, 36" MIN. IF HANDRAIL MOUNTED ABOVE GUARDRAIL). LANDING REQ'D AT EVERY 12' VERTICAL FEET. MAX. LENGTH OF LANDING EQUAL TO WIDTH OF STAIRS. HEADROOM CLEARANCE MIN. 8'0" THROUGHOUT STAIRS. TREAD ANTI-SLIP: ON EXTERIOR STAIRS, PROVIDE TREAD TREATMENT TO ACHIEVE A COEFFICIENT OF FRICTION OF 1.02 AND 0.08 WET.
- STRUCTURE: DETECTED SUPPORT STRUCTURE FOR EXTERIOR STAIRS (AND ALL OTHER EXPOSED WOOD, OR WOOD IN CONTACT WITH CONCRETE) TO BE DECAY, TERMITES AND WEATHER RESISTANT WOOD. ALL CUT ENDS TO BE TREATED WITH "COPPER GREEN" OR SIMILAR PRESERVATIVE.
- VENTILATION: LIGHT TO HABITABLE SPACE: BK OF FLOOR AREA, MIN. 8 SQ. FT. HABITABLE ROOMS SHALL BE NATURALLY VENTILATED WITH AN AREA 4% OF THE FLOOR AREA WITH A MIN. 4 SQ. FT. OPENING.
- GARAGE VENTILATION: 200 SQ. INCHES MIN. FOR GARAGE OF UP TO 1000 SQ. FT. FOR EACH ADDITIONAL 200 SQ. FT. PROVIDE ADDITIONAL 30 SQ. IN. OF CLR. VENT AREA.
- BATHROOMS: R.C.C. MIN. OF 24" CLEARANCE IN FRONT OF W.C. 15" FROM CENTERLINE OF BOWL TO ADJACENT WALL. MAX. ALLOWABLE W.C. FLUSH RATE: 1.68 GALLONS MAX. SIZES: 30" MIN. DIA. ORGILE & 1024 SQ. INCHES MIN. AREA. 32" X 32" INSIDE THRESHOLD. SHOWERBASE FLOW RATE TO BE 2.5 GAL/MINUTE MAX. B.T. ACCESS: NO COPPER BOARD OR GREENBOARD OR PURPERBOARD ALLOWED ON WET AREAS. USE 1/2" COMBUSTIBLE BACKING (CARBON BACKER OR SIM.) AS TIE OR STONE UNDERLAYMENT. FAUCETS FLOW RATE TO BE 2.2 GAL/MINUTE MAX.
- LAUNDRY: PROVIDE FLOOR DRAIN IN CENTER OF ROOM. SLOPE MIN. 1/4" PER FOOT.
- ROOF PARAPETS (WITHOUT PARAPETS) LESS THAN 5 FEET FROM PROPERTY LINE TO BE 45 MIN. RATED ASSEMBLY W/ 1-HR. ROOF/CEILING CONSTRUCTION.
- ROOFING: CLASS "D" MIN. ROOFING. FLAT ROOF 2% MIN. SLOPE. 15/48.
- ROOF DECK: 2" SOU. DECK FOR COMBUSTIBLE DECKING MATERIAL. 1/8" SPACING BETWEEN PLANKS. PERIMETER OPENING CLOSED TO WITHIN 1" OF ROOF. CONSTRUCTION IS WITHIN 2" NOMINAL HEART REMOVED OR FIRE RESISTANT TREATED WOOD. GUARDRAIL MIN. HEIGHT 42". OPENING LESS THAN 4".
- OVERFLOW DRAINS: SAME SIZE AS DRAIN AND 2" ABOVE LOW POINT.
- BUILDING VENTILATION & ACCESS: UNOCCUPIED ATTIC AND RAFTER SPACES SHALL HAVE CROSS VENTILATION. NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/300 OF ATTIC OR RAFTER SPACE AREA WITH A CLASS 1 OR 2 VAPOR BARRIER PROVIDED ON THE WARM-IN-WINTER SIDE OF CEILING. SIZE OF VENT AREA SHALL BE PROVIDED IN UPPER PORTION AND SOB BY EAVES OR CORNICE VENTS. ACCESS: 22"x30" ACCESS REQUIRED WHEN ATTIC HAS CLEAR HEIGHT OF 30" OR MORE. HEADROOM OF 30" MIN. REQ'D ABOVE ACCESS.
- UNDERLOOR UNIT VENTILATION: DRAIN SPACE UNDER WOOD DECKS SHALL HAVE CROSS VENTILATION, NOT LESS THAN 1 SQ. FT. FOR EACH 150 SQ. FT. OF COAR. SPACE. ACCESS: 18"x24" MINIMUM SIZE ACCESS REQUIRED.
- TEMPERED WINDOWS: TEMPERED GLASS REQ'D WITHIN 24" OF THE STRIKE EDGE OF A DOOR, WITHIN 18" OF A FINISH FLOOR LEVEL (WALKING SURFACE); WITHIN SHOWER OR BATHUB ENCLOSURE.

**DETAILS SHEET NOTES**

- WALL TYPES DWGS DO NOT CONVEY STRUCTURAL (SHEAR) REQUIREMENTS. SEE STRUCT. DWGS.
- FLOOR CEILING ASSEMBLIES DO NOT CONVEY STRUCTURAL REQUIREMENTS. SEE STRUCT. DWGS.

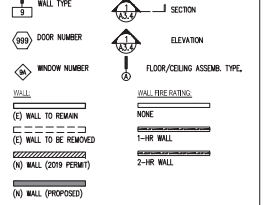
**SHEET NOTES**

- ALL PLAN DIMENSIONS TO FACE OF ROUGH FRAMING, FACE OF CONCRETE, OR CENTER LINE OF STEEL, U.O.N.
- ALL SECTION AND ELEVATION DIMENSIONS TO FINISH FLOOR.
- ALL WOOD FRAMED EXTERIOR WALLS TO BE FRAMED WITH 2X6 LOCAL INTERIOR WALLS TO BE FRAMED WITH 2X4 U.O.N. REFER TO WALL TYPES TABS FOR EXCEPTIONS.

**MECHANICAL & ELECTRICAL KEYNOTES**

- ALL ELECTRICAL WORK SHALL CONFORM TO THE LATEST ADOPTED EDITION OF THE CALIFORNIA ELECTRICAL CODE. THE SHALL INCLUDE, BUT NOT BE LIMITED TO, THE ITEMS LISTED BELOW:
- BATHROOMS:** PROVIDE BATH WITH GFCO OUTLETS. LIGHTING: ALL H.E. LIGHTING.
  - KITCHENS:** ELECTRICAL LAUNDRY ROOM, WASHER AND DRYER SHALL HAVE A SEPARATE 20 AMP CIRCUIT. DISHWASHER, RIGID PIPE (NO FLEX DUCT ALLOWED) SHALL TERMINATE OUTSIDE. 4" DIAM PIPE 14" MAX LENGTH WITH MAX 2 - 90 DEGREE TURNS. MINUS 2" FOR EACH ADDITIONAL 90 DEGREE TURN OR PROVIDE BOOSTER FAN. MAX-UP AIR VENT FOR GAS OR ELECTRIC DRYERS: 100 SQ. IN. MIN. W/TAPE OPENING. LIGHTING: ALL H.E. LIGHTING.
  - OUTLETS:** ELECTRICAL RECEPTACLES AT LEAST ONE OUTLET IN HALLWAY. PLACE OUTLETS SO THAT NO POINT ALONG THE WALL SPACE IS MORE THAN 6' HORIZONTALLY FROM ANY OUTLET. ANY WALL OVER 24" HIGH SHALL HAVE AN OUTLET. ALL OUTLETS SHALL BE LISTED TAMPER RESISTANT RECEPTACLES.
  - SWITCHES AND CONTROLS:** SHALL BE PLACED MIN. 36" - MAX 48" ABOVE FINISH FLOOR.
  - THERMOSTATS:** SHALL BE PLACED 60" ABOVE FINISH FLOOR.
  - NEEDLES:** ELECTRICAL A MINIMUM OF (2) 20 AMP SMALL APPLIANCE CIRCUITS SHALL BE PROVIDED FOR THE KITCHEN, DINING AND FAMILY ROOM AREAS. CONTRACTOR SHALL PROVIDE FOR FUTURE EXPANSION OF (3) 20 AMP CIRCUITS. OUTLETS: MIN. 1 PER EACH COUNTER SECTION WIDER THAN 12". 4" MAX. DISTANCE BETWEEN OUTLETS. PROVIDE GFCO OUTLETS. LIGHTING: AT LEAST ONE OF INSTALLED LUMINAIRE MUST BE OF HIGH EFFICACY (N.E.L.) LIGHTING AND MUST BE SWITCHED SEPARATELY FROM NON-HE LIGHTING.
  - HEATING/OTHER ROOMS:** BEDROOM, HALLWAY, STAIRS, DINING & KITCHENS BOILER THAN 30" SF: ALL H.E. LIGHTING.
  - EXHAUST FANS:** PROVIDE BATH & LAUNDRY W/ MECHANICAL EXHAUST FANS WITH BACKDRAFT DAMPER. EXHAUST DIRECT TO EXTERIOR. NO VENT TERMINATION IN EXTERIOR WALL WITHIN 3 FT. OF PROPERTY LINE OR WINDOW OR OPENING USED FOR VENTILATION.
  - HEATING SYSTEMS:** AS SHOWN IS SCHEMATIC ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR SYSTEM DESIGN AND ITS ACCURACY. WHERE FURNACE DUCTS, PIPES, 1-HR GARAGE WALLS, DUCTS SHALL BE MIN. 26 GAUGE GALVANIZED STEEL.
  - COMBUSTION AIR:** OPENING NOT ALLOWED WITHIN 3' OF ROOF, LINE, 12" DOWN FROM TOP, 12" UP FROM BOTTOM.
  - WATER HEATER:** SEE WATER HEATER DETAIL FOR SEISMIC STRAP AND 18" PLATFORM.
  - LAUNDRY:** LIGHTING: ALL HIGH EFFICACY LIGHTING SHALL BE CONTROLLED BY CERTIFIED VACANCY SENSOR(S) (TITLE 24). BOLLARDS: PROVIDE TO PROTECT GAS EQUIPMENT FROM IMPACT. (DISCREET) VENTILATION: 200 SQ. INCHES MIN. FOR GARAGE OF UP TO 1000 SQ. FT. FOR EACH ADDITIONAL 200 SQ. FT. PROVIDE ADDITIONAL 30 SQ. IN. OF CLR. VENT AREA.
  - DISCREET INTERFERER (DIERS):** ALL 120 VOLT SINGLE PHASE, 15 AND 20 AMP CIRCUITS SUPPLYING OUTLETS IN A DWELLING UNITS BEDROOMS, LIVING, DINING, HALLWAYS, CLOSETS AND SIMILAR ROOMS SHALL BE PROTECTED BY A LISTED ARC-FALT CIRCUIT INTERRUPTER.

**LEGEND**



**SHATARA ARCHITECTURE INC.**  
890 7TH ST. SAN FRANCISCO CA 94107  
TEL (415) 542-7566  
shuh@shatararch.com

REGISTERED ARCHITECTS AND INTERIORS IN CALIFORNIA AND SEVERAL OTHER STATES. ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF SHATARA ARCHITECTURE INC.

**PROJECT: RESIDENTIAL RENOVATION**  
ADDRESS: 945 - 947 MINNESOTA STREET SAN FRANCISCO, CA  
BLOCK: 4107 LOT: 018

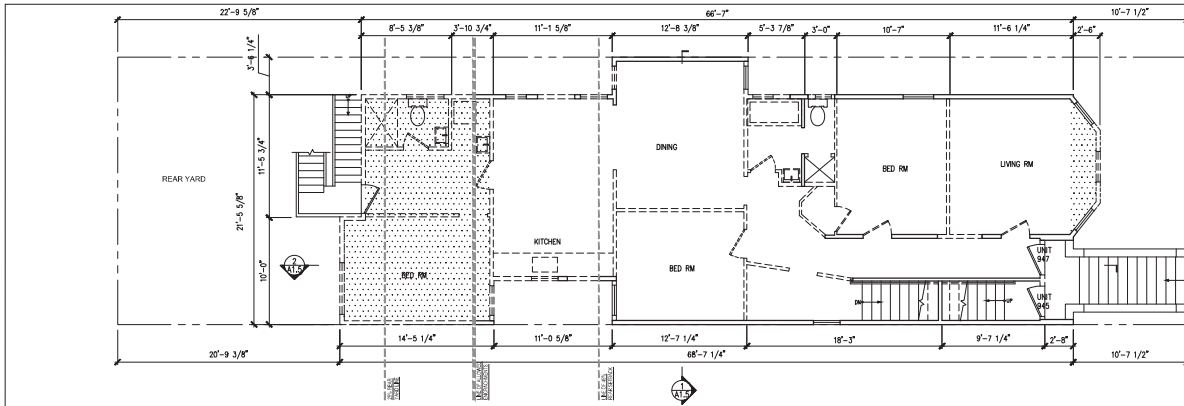
**PROJECT DIRECTORY**  
ARCHITECT: SHATARA ARCHITECTURE INC.  
890 7TH STREET SAN FRANCISCO, CA 94107  
TEL: 415-542-7566  
CONTACT: SHIHLEI SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.06.2023	R3
BUILDING	03.15.2023	R4

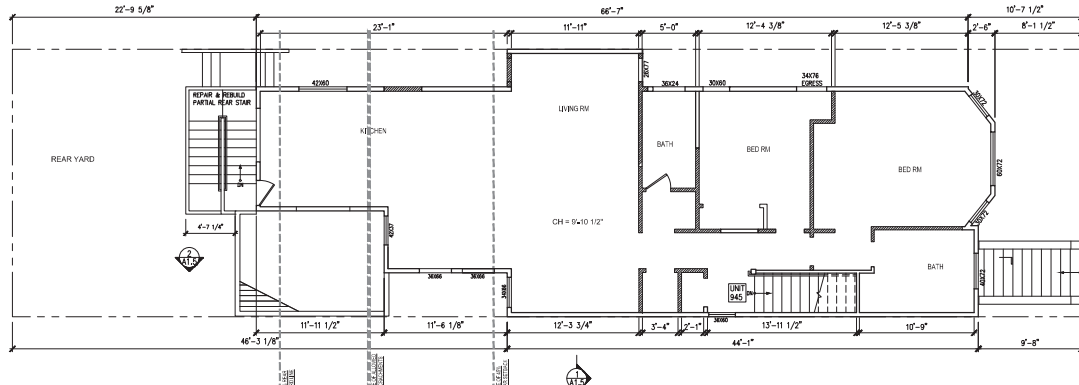
**FIRST FLOOR PLANS**

**A1.1**

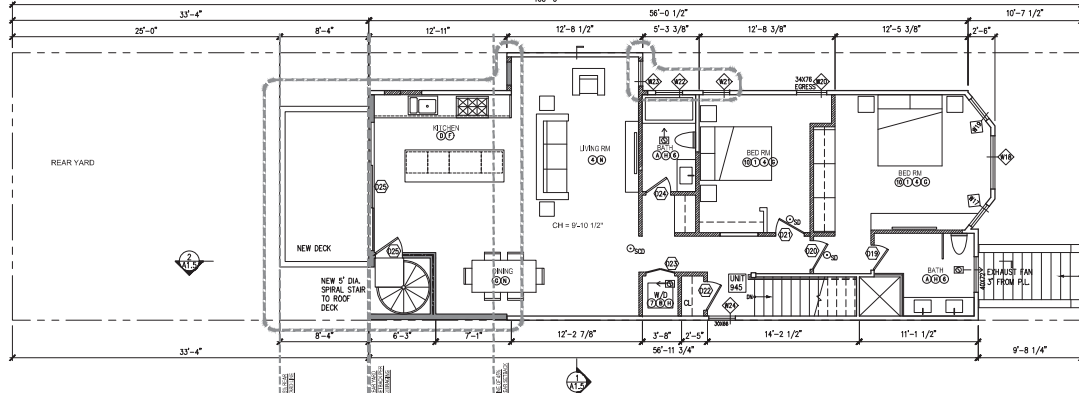




1 PREVIOUSLY EXISTING - THIRD FLOOR PLAN, CUMULATIVE DEMO DWG  
SCALE: 3/16"=1'-0"



2 AS BUILT - THIRD FLOOR PLAN  
SCALE: 3/16"=1'-0" (AS CURRENTLY EXISTING TODAY, FRAMING ONLY, NOT FINISHED)



3 PROPOSED - THIRD FLOOR PLAN  
SCALE: 3/16"=1'-0"

KEYNOTES

- SMOKE DETECTOR & CARBON MONOXIDE DETECTOR: SMOKE DETECTOR TO BE INSTALLED IN ALL SLEEPING ROOMS AND AREAS SERVING THE SLEEPING ROOMS. MIN. ONE SMOKE DETECTOR ON EACH LEVEL. ALARMS AT BEDROOM TO BE PLACED WITHIN 1'-0" OF THE CENTER OF THE DOOR. INTERCONNECTION: WHEN MORE THAN ONE SMOKE ALARM IS USED WITHIN A DWELLING UNIT, SMOKE ALARMS SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL THE ALARMS IN THE DWELLING UNIT. ALARM SHALL BE CLEARLY ADDRESSIBLE IN ALL BEDROOMS (NO ADDRESSING NOISE WITH ALL INTERVENING DOORS CLOSED). CARBON MONOXIDE DETECTORS ARE REQUIRED ON THE HALLWAY OUTSIDE ALL BEDROOMS AT LEAST ONE ONE EACH STORY.
- STAIRS: RISE AND RUN 4" MIN. RISE, 7" MAX. RISE AND 11" MIN. TREAD RUN. (EXCEPTION: STEPS MAY BE 7.75" MAX. RISE AND 12" MIN. RUN FOR STAIRS WITHIN INDIVIDUAL DWELLING UNIT IF OCCUPANT LOAD IS <10, OR FOR STAIRS TO UNOCCUPIED ROOF). LARGEST RISE OR RUN IN A FLIGHT MAY NOT EXCEED SMALLEST BY MORE THAN 3/8". HANDRAILS REQ'D ON STAIRS WITH 4 OR MORE RISERS. HANDRAIL HEIGHT BETWEEN 34" & 38" ABOVE LEADING EDGE OF WOODS, WITH 1" EXTENSIONS TOP & BOTTOM. RETURNED TO WALL. HANDRAILS REQUIRED AT BOTH SIDES, EXCEPT WITHIN A DWELLING UNIT. SOCKETS & BALLUSTERS: OPENING LESS THAN 4" x 6" MAX. DIAMETER OPENING AT TREAD/RISER/BALUSTER TRIANGLE. QUADRANT MIN. HEIGHT 42". (EXCEPTION: WITHIN DWELLING UNIT, 30" MIN. IF HANDRAIL MOUNTED ABOVE GUARDRAIL) LANDING REQ'D AT EVERY 12' VERTICAL FEET. MAX. LENGTH OF LANDING EQUAL TO WIDTH OF STAIRS. HEADROOM CLEARANCE MAX. 8' THROUGHOUT STAIRS. TREAD ANTI-SLIP: ON EXTERIOR STAIRS, PROVIDE TREAD TREATMENT TO ACHIEVE A COEFFICIENT OF FRICTION OF 1.02 AND 0.08 MET.
- STRUCTURE: DETECTED SUPPORT STRUCTURE FOR EXTERIOR STAIRS (AND ALL OTHER EXPOSED WOOD, OR WOOD IN CONTACT WITH CONCRETE) TO BE DECAY, TERMITE AND WEATHER RESISTANT WOOD. ALL CUT ENDS TO BE TREATED WITH "COPPER GREEN" OR SIMILAR PRESERVATIVE.
- HEAT VENTILATION: LIGHT TO HABITABLE SPACE: 8% OF FLOOR AREA, MIN. 8 SQ. FT. HABITABLE ROOMS SHALL BE NATURALLY VENTILATED WITH AN AREA 4% OF THE FLOOR AREA WITH A MIN. 4 SQ. FT. OPENING.
- GARAGE VENTILATION: 200 SQ. INCHES MIN. FOR GARAGE OF UP TO 1000 SQ. FT. FOR EACH ADDITIONAL 200 SQ. FT. PROVIDE ADDITIONAL 30 SQ. IN. OF CLR. VENT AREA.
- BATHROOM: 1/2" MIN. OF 24" CLEARANCE IN FRONT OF W.C. 15" FROM CENTERLINE OF BOWL TO ADJACENT WALL. MAX. ALLOWABLE W.C. FLUSH RATE: 1.68 GALLONS/MIN. SINKS: 30" MIN. DIA. CIRCLE & 102.4 SQ. INCHES MIN. AREA. 32" X 32" INSIDE THRESHOLD. SUBMITTALS: FLOW RATE TO BE 2.2 GAL/MINUTE MAX. BELT DRAGS, NO COPPER BOARD OR OREGONWOOD OR PURPERBOARD ALLOWED ON WET AREAS. USE 1/2" COMBUSTION BACKDROPS (CARBON BACKDROPS OR SIM.) AS TILE OR STONE UNDERLAYMENT. FAUCETS FLOW RATE TO BE 2.2 GAL/MINUTE MAX.
- MECHANICAL: PROVIDE FLOOR DRAIN IN CENTER OF ROOM, SLOPE MIN. 1/4" PER FOOT.
- ROOF PARAPETS (WITHOUT PARAPETS) LESS THAN 5 FEET FROM PROPERTY LINE TO BE 45 MIN. RATED ASSEMBLY W/ 1-HR. ROOF/CEILING CONSTRUCTION.
- BEDROOMS/INDICES: AT LEAST ONE PER BEDROOM SHALL MEET GROSS HEADROOM OF MIN. WITHIN 20" (WITH MIN. HEIGHT OF 4") OR MIN. HEIGHT 24" (WITH 34.2" MIN. WIDTH) TOTALING 5.7 SQ. FT. MIN. CLR. OPENING BOTTOM OF CLR. OPENING TO BE 44" MAX. ABOVE BEDROOM FLOOR.
- ROOF PARAPETS: AT UNRAISED ROOFS: 1-HR. RATED PARAPET, 30" MIN. HEIGHT REQ'D.
- ROOFING: CLASS "D" MIN. ROOFING. FLAT ROOF 2% MIN. SLOPE, 1:48.
- ROOF DECK: 1/2" SOU. SFT. FOR COMBUSTIBLE DECKING MATERIAL. 1/8" SPACING BETWEEN PLANKS. PERIMETER OPENING CLOSED TO WITHIN 1" OF ROOF. CONSTRUCTION IS WITH 2" NOMINAL HEART REMOVED OR FIRE RESISTANT TREATED WOOD. QUADRANT MIN. HEIGHT 42". OPENING LESS THAN 4".
- OVERFLOW DRAINS: SAME SIZE AS DRAIN AND 2" ABOVE LOW POINT.
- ATTIC (VENTILATED) ACCESS: UNCLOSED ATTIC AND RAFTER SPACES SHALL HAVE CROSS VENTILATION. NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/300 OF ATTIC OR RAFTER SPACE AREA WITH A CLASS 1 OR 2 VAPOR BARRIER PROVIDED ON THE WARM-IN-WINTER SIDE OF CEILING. 50% OF VENT AREA SHALL BE PROVIDED IN UPPER PORTION AND 50% BY EAVES OR CORNICE VENTS. ACCESS: 22"x30" ACCESS REQUIRED WHEN ATTIC HAS CLEAR HEIGHT OF 30" OR MORE. HEADROOM OF 30" MIN. REQ'D ABOVE ACCESS.
- UNDERLOOR UNIT/RAILWAY ACCESS: DRAIN SPACE UNDER WOODSISTS SHALL HAVE CROSS VENTILATION, NOT LESS THAN 1 SQ. FT. FOR EACH 150 SQ. FT. OF COARSE SPACE. ACCESS: 18"x24" MINIMUM SIZE ACCESS REQUIRED.
- TEMPERED WINDOWS: TEMPERED GLASS REQ'D WITHIN 24" OF THE STRIKE EDGE OF A DOOR, WITHIN 18" OF A FINISH FLOOR LEVEL (WALKING SURFACE), WITHIN SHOWER OR BATH/ENCLOSURE.

DETAILS SHEET NOTES

- WALL TYPES DWGS DO NOT CONVEY STRUCTURAL (SHEAR) REQUIREMENTS. SEE STRUCT. DWGS.
- FLOOR CEILING ASSEMBLIES DO NOT CONVEY STRUCTURAL REQUIREMENTS. SEE STRUCT. DWGS.

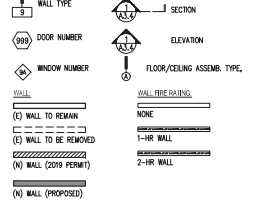
SHEET NOTES

- ALL PLAN DIMENSIONS TO FACE OF ROUGH FRAMING, FACE OF CONCRETE, OR CENTER LINE OF STEEL, U.O.N.
- ALL SECTION AND ELEVATION DIMENSIONS TO FINISH FLOOR.
- ALL WOOD FRAMED EXTERIOR WALLS TO BE FRAMED WITH 2X6 LUGS. INTERIOR WALLS TO BE FRAMED WITH 2X4 U.O.N. REFER TO WALL TYPES TABS FOR EXCEPTIONS.

MECHANICAL & ELECTRICAL KEYNOTES

- ALL ELECTRICAL WORK SHALL CONFORM TO THE LATEST ADOPTED EDITION OF THE CALIFORNIA ELECTRICAL CODE. THE SHALL INCLUDE, BUT IS NOT LIMITED TO, THE ITEMS LISTED BELOW:
  - BATHROOMS: PROVIDE BATH WITH GFCI OUTLETS. LIGHTING: ALL H.E. LIGHTING.
  - ELECTRICAL: LAUNDRY ROOM, WASHER AND DRYER SHALL HAVE A SEPARATE 20 AMP CIRCUIT. DISCHARGE PIPING (NO FLEX DUCT ALLOWED) SHALL TERMINATE OUTSIDE. 4" DIAM PIPE 14" MAX LENGTH WITH MAX 2 - 90 DEGREE TURNS. MINUS 2" FOR EACH ADDITIONAL 90 DEGREE TURN OR PROVIDE BOOSTER FAN. MAKE-UP AIR VENT FOR GAS OR ELECTRIC DRYERS: 100 SQ. IN. MIN. WHITE OPENING. LIGHTING: ALL H.E. LIGHTING.
  - OUTLETS: ELECTRICAL RECEPTACLES AT LEAST ONE OUTLET IN HALLWAY. PLACE OUTLETS SO THAT NO POINT ALONG THE WALL SPACE IS MORE THAN 6' HORIZONTALLY FROM ANY OUTLET. ANY WALL OVER 24" HIGH SHALL HAVE AN OUTLET. ALL OUTLETS SHALL BE LISTED TAMPER RESISTANT RECEPTABLES.
  - SWITCHES AND CONTROLS SHALL BE PLACED MIN. 36" - MAX 48" ABOVE FINISH FLOOR.
  - THERMOSTATS SHALL BE PLACED 60" ABOVE FINISH FLOOR.
  - INTERFERE: ELECTRICAL A MINIMUM OF (2) 20 AMP SMALL APPLIANCE CIRCUITS SHALL BE PROVIDED FOR THE KITCHEN, DINING AND FAMILY ROOM AREAS. CONTRACTOR SHALL PROVIDE FOR FUTURE EXPANSION OF (3) 20 AMP CIRCUITS. OUTLETS MIN. 1 PER EACH COUNTER SECTION WIDER THAN 12" x 4" WALL DISTANCE BETWEEN OUTLETS. PROVIDE GFCI OUTLETS. LIGHTING: AT LEAST ONE INSTALLED LUMINAIRE MUST BE OF HIGH EFFICACY (H.E.) LIGHTING AND MUST BE SWITCHED SEPARATELY FROM NON-H.E. LIGHTING.
  - OTHER ROOMS: BEDROOM, HALLWAY, STAIRS, DINING & CLOSETS BOGGER THAN 30' AT ALL H.E. LIGHTING.
  - EXHAUST FANS: PROVIDE BATH & MECHANICAL EXHAUST FANS WITH BACKFLOW DAMPER. EXHAUST DIRECT TO EXTERIOR. NO VENT TERMINATION IN EXTERIOR WALL WITHIN 3 FT. OF PROPERTY LINE OR WINDOW OR OPENING USED FOR VENTILATION.
  - HEATING: AS SHOWN IS SCHEMATIC ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR SYSTEM DESIGN AND ITS ADEQUACY. WHERE FURNACE DUCTS, PIPES, 1-HR. GARAGE WALLS, DUCTS SHALL BE MIN. 26 GAUGE GALVANIZED STEEL.
  - WATER HEATER: SEE WATER HEATER DETAIL FOR SEISMIC STRAP AND 18" PLATION.
  - LIGHTING: ALL HIGH EFFICACY LIGHTING SHALL BE CONTROLLED BY CERTIFIED VACANCY SENSOR(S) (TITLE 24). BALLASTS, PROVIDE TO PROTECT GAS EQUIPMENT FROM IMPACT. (DISCONNECT) VENTILATION: 200 SQ. INCHES MIN. FOR GARAGE OF UP TO 1000 SQ. FT. FOR EACH ADDITIONAL 200 SQ. FT. PROVIDE ADDITIONAL 30 SQ. IN. OF CLR. VENT AREA.
  - ROOFING: INTERFERENCE: ALL 120 VOLT SINGLE PHASE 15 AND 20 AMP CIRCUITS SUPPLYING OUTLETS IN A DWELLING UNITS BEDROOMS, LIVING, DINING, HALLWAYS, CLOSETS AND SIMILAR ROOMS SHALL BE PROTECTED BY A LISTED ARC-FAULT CIRCUIT INTERRUPTER.

LEGEND

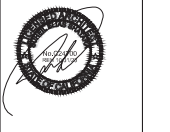


**SHATARA ARCHITECTURE INC.**  
890 7TH ST. SAN FRANCISCO CA 94107  
TEL: (415) 512-7556  
shuh@shatararch.com

RESIDENTIAL RENOVATION  
ADDRESS: 945 - 947 MINNESOTA STREET SAN FRANCISCO, CA  
BLOCK: 4107 LOT: 018

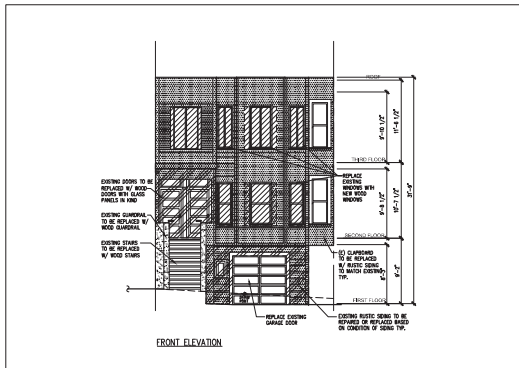
PROJECT DIRECTORY  
ARCHITECT: SHATARA ARCHITECTURE INC.  
890 7TH STREET SAN FRANCISCO, CA 94107  
TEL: 415-512-7556  
CONTACT: SHIHLEI SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.06.2023	R3
BUILDING	03.15.2023	R4

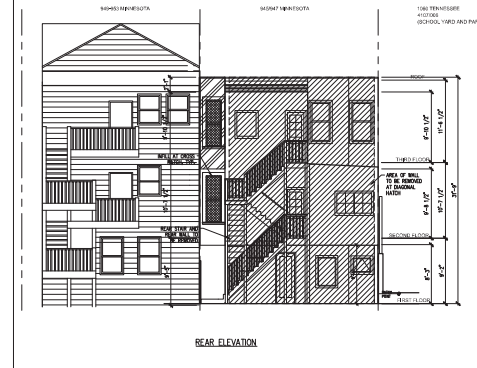


THIRD FLOOR PLANS

A1.3



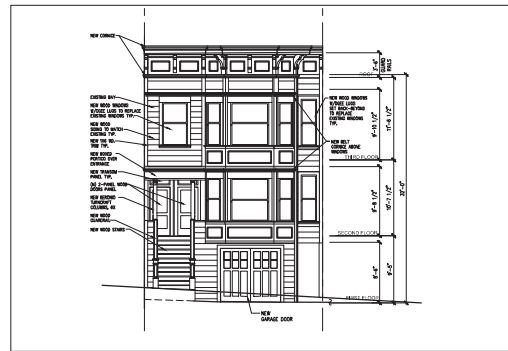
1 PREVIOUSLY EXISTING - SOUTH ELEVATION, CUMULATIVE DEMO SHOWN  
SCALE: 3/16"=1'-0"



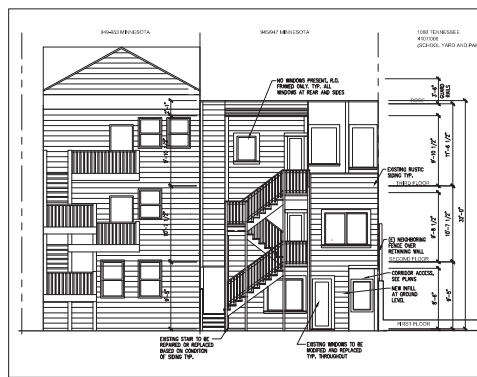
4 PREVIOUSLY EXISTING - NORTH ELEVATION, CUMULATIVE DEMO SHOWN  
SCALE: 3/16"=1'-0"

**KEY LEGEND**

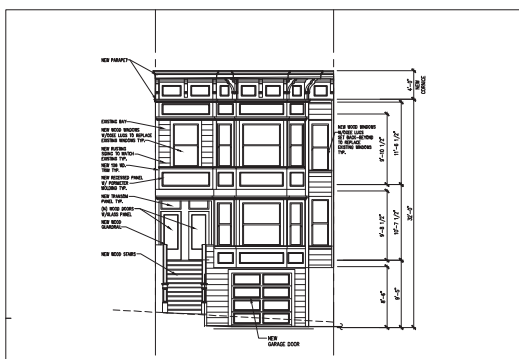
- DEMO AREA
- INFILL AREA
- WALL FINISHES TO BE REPLACED
- WALL FRAMING REPLACED



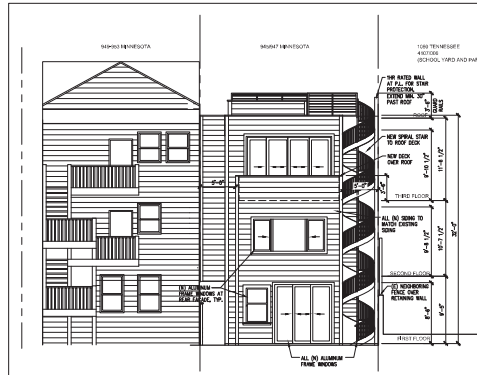
2 AS BUILT - SOUTH ELEVATION, FOR REFERENCE ONLY  
SCALE: 3/16"=1'-0" (AS CURRENTLY EXISTING TODAY, FRAMING ONLY, NOT FINISHED)



5 AS BUILT - NORTH ELEVATION, FOR REFERENCE ONLY  
SCALE: 3/16"=1'-0" (AS CURRENTLY EXISTING TODAY, FRAMING ONLY, NOT FINISHED)



3 PROPOSED - SOUTH ELEVATION  
SCALE: 3/16"=1'-0"



6 PROPOSED - NORTH ELEVATION  
SCALE: 3/16"=1'-0"

**SHATARA ARCHITECTURE INC.**  
890 7TH ST.  
SAN FRANCISCO CA 94107  
TEL: (415) 512-7556  
shu@shatararch.com

SHATARA AND ASSOCIATES, AN AFFILIATE OF PROFESSIONAL SERVICES, ARE NOT BEING HELD RESPONSIBLE FOR THE ARCHITECT.

PROJECT: **RESIDENTIAL RENOVATION**  
ADDRESS: **945 - 947 MINNESOTA STREET SAN FRANCISCO, CA**  
BLOCK: **4107**  
LOT: **018**

PROJECT DIRECTORY  
ARCHITECT: SHATARA ARCHITECTURE INC.  
890 7TH STREET  
SAN FRANCISCO, CA 94107  
TEL: 415-512-7556  
CONTACT: SUHEIL SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.06.2023	R3
BUILDING	03.15.2023	R4



SHEET DESCRIPTION  
**ELEVATIONS - EXISTING, APPROVED, AND PROPOSED**

**A2.0**





Planning Code Section 311  
 Neighborhood notification is required if the project exceeds one of these thresholds

Section 1005  
 Max. Meet  
 Permitted Code?

311(b)(2): Alterations in RM, RM, and RTO Districts

1) Interior Wall Framing

Walls	(E) LF	Demo LF	% Demo
Ground Floor	76.66	76.66	
1st Floor	170.375	133.2083	
2nd Floor	140.75	129.416	
<b>Total</b>	<b>387.785</b>	<b>339.2843</b>	<b>87.5%</b>

75.0% NO

OR

OR

3) Increase in Exterior Dimension of a Residential Building

An increase in the exterior dimensions of a residential building except those features listed in Section 136(c)(1) through 136(c)(24) and 136(c)(26)

317(b)(2)(B):

Front & Rear Facades - Linear Foundation Measurements

Elevation	(E) LF	Removed	% Removed
West (Front Facade)	21.5	0	
East (Rear) Facade	21.5	20.5	
<b>Total</b>	<b>43</b>	<b>20.5</b>	<b>47.7%</b>

Max. Meet

Permitted Code?

50.0% AND

Exterior Walls - Linear Foundation Measurements

Elevation	(E) LF	Removed	% Removed
West (Front)	21.5	0	
East (Rear)	21.5	20.5	
North	54	11.5	
South	54	0	
<b>Total</b>	<b>151</b>	<b>32</b>	<b>21.2%</b>

65.0% YES

317(b)(2)(C):

Vertical Envelope Elements - Surface Area Measurements

Vertical Elements	(E) SF	Removed	% Removed
West (Front)	753	237	
East (Rear)	728	648	
North	2146	660	
South	2346	338	
<b>Total</b>	<b>5973</b>	<b>1883</b>	<b>31.5%</b>

OK over 20% (non-historic)

50.0% AND

Horizontal Envelope Elements - Surface Area Measurements

Horizontal Elements	(E) SF	Removed	% Removed
1st Floor (at grade)	N/A	N/A	
2nd Floor	1376	283	
3rd Floor	1415	258	
Roof	1508	1508	
<b>Total</b>	<b>4299</b>	<b>2049</b>	<b>47.7%</b>

50.0% YES

Planning Code Section 1005

Section 1005

1005(f)(1): All "public facing" exterior walls (if you remove siding only, this is zero permitted)

Elevation	(E) SF	Demo SF	% Demo
West (Front) Elevation	753	753	
East (Rear) Elevation, if applicable	0	0	
South (Side) Elevation, if applicable	962	717	
North (Side) Elevation, if applicable	1324	502	
<b>Total</b>	<b>3239</b>	<b>1972</b>	<b>60.9%</b>

25.0% N

1005(f)(2): All exterior walls from function as exterior walls

Elevation	(E) SF	Demo SF	% Demo
North (Front) Elevation	753	237	
South (Rear) Elevation	728	648	
East (Side) Elevation	2146	660	
West (Side) Elevation	2346	338	
<b>Total</b>	<b>5973</b>	<b>1883</b>	<b>31.5%</b>

50.0% Y

1005(f)(3): External Walls that function as either external or internal walls

Elevation	(E) SF	Demo SF	% Demo
North (Front) Elevation	753	237	
South (Rear) Elevation	728	648	
East (Side) Elevation	2146	660	
West (Side) Elevation	2346	338	
<b>Total</b>	<b>5973</b>	<b>1883</b>	<b>31.5%</b>

25.0% N

1005(f)(4):

Horizontal Elements

Floor Plate	(E) SF	Demo SF	% Demo
Ground Floor (exclude per code)	N/A	N/A	
2nd Floor	1367	283	
3rd Floor	1415	258	
Attic Level	N/A	N/A	
Roof	1508	1508	
<b>Total</b>	<b>4290</b>	<b>2049</b>	<b>47.8%</b>

75.0% Y

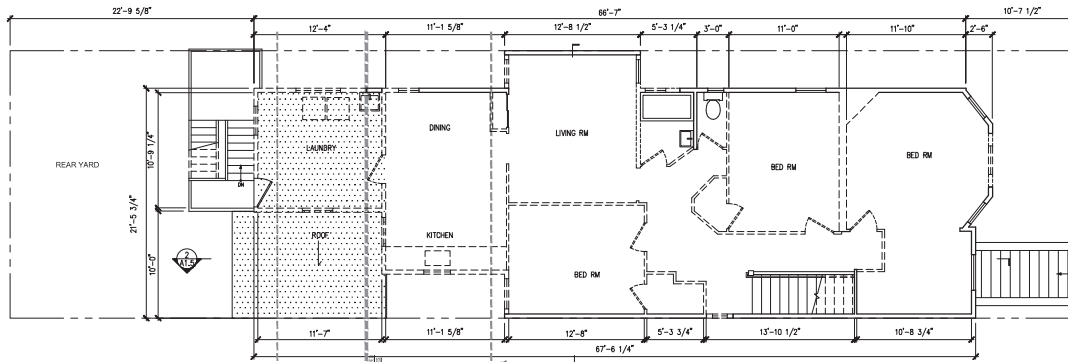
OR

OR

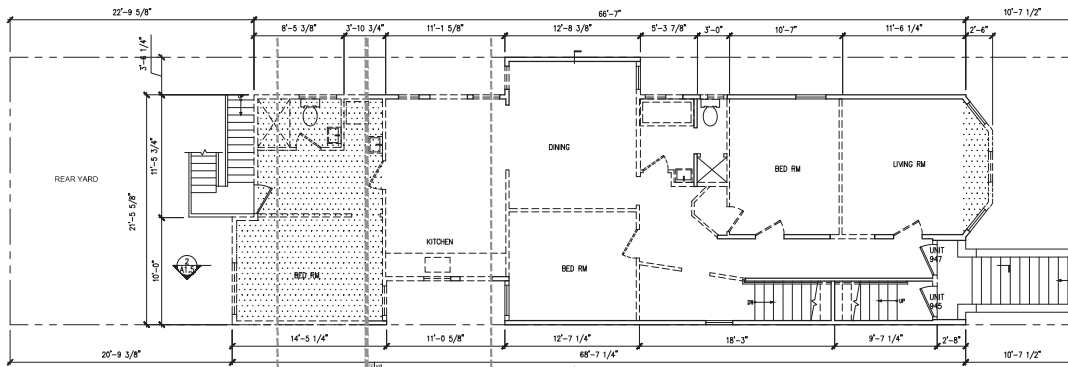
Internal Structural Framework (structural elements only: posts, shear walls, etc.)

Walls	(E) LF	Demo LF	% Demo
Ground Floor	30	30	
2nd Floor	110	65	
3rd Floor	91	70	
<b>Total</b>	<b>231</b>	<b>165</b>	<b>71.4%</b>

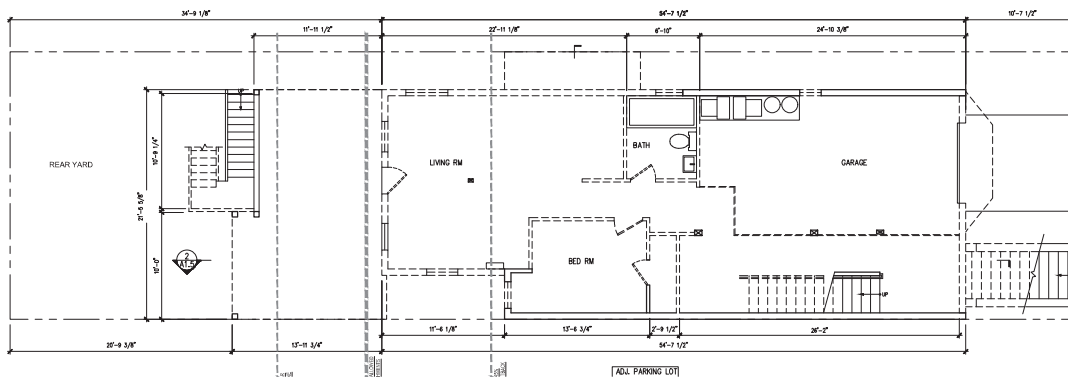
75.0% Y



3 CUMULATIVE DEMO (FROM ALL PERMITS FOR REMODEL) - 3RD. FLR. PLAN  
 SCALE: 3/16"=1'-0"



2 CUMULATIVE DEMO (FROM ALL PERMITS FOR REMODEL) - 2ND. FLR. PLAN  
 SCALE: 3/16"=1'-0"



1 CUMULATIVE DEMO (FROM ALL PERMITS FOR REMODEL) - 1ST. FLR. PLAN  
 SCALE: 3/16"=1'-0"

**SHATARA ARCHITECTURE INC.**  
 890 7TH ST.  
 SAN FRANCISCO CA 94107  
 TEL (415) 512-7566  
 suh@shatararch.com

REGISTERED ARCHITECTS, OR  
 ARCHITECTS AT LARGE, OR PROFESSIONAL SERVICE  
 AND PARTNERS, ARE NOT TO BE HELD, IN  
 WHOLE OR IN PART, RESPONSIBLE FOR  
 PROFESSIONAL SERVICES RENDERED BY  
 OTHER ARCHITECTS, UNLESS THE  
 OTHER ARCHITECTS HAVE BEEN DESIGNATED BY  
 SHATARA ARCHITECTURE INC.

PROJECT: **RESIDENTIAL RENOVATION**  
 ADDRESS: **945 - 947 MINNESOTA STREET SAN FRANCISCO, CA**  
 BLOCK: **4107**  
 LOT: **018**

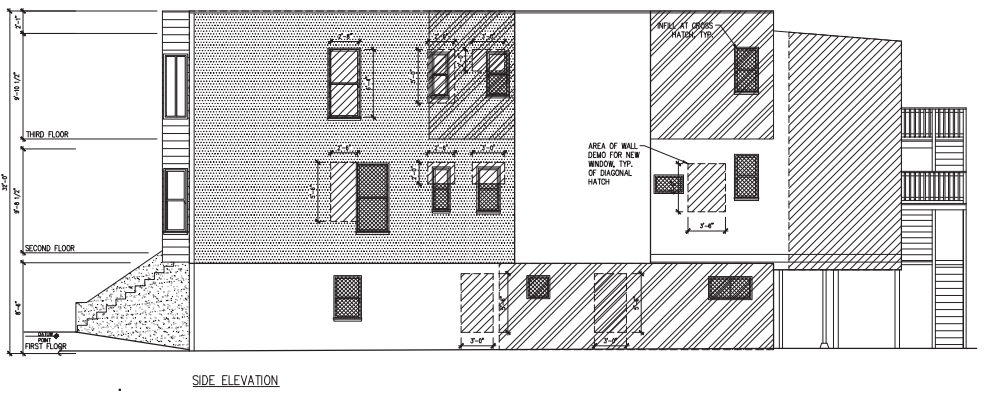
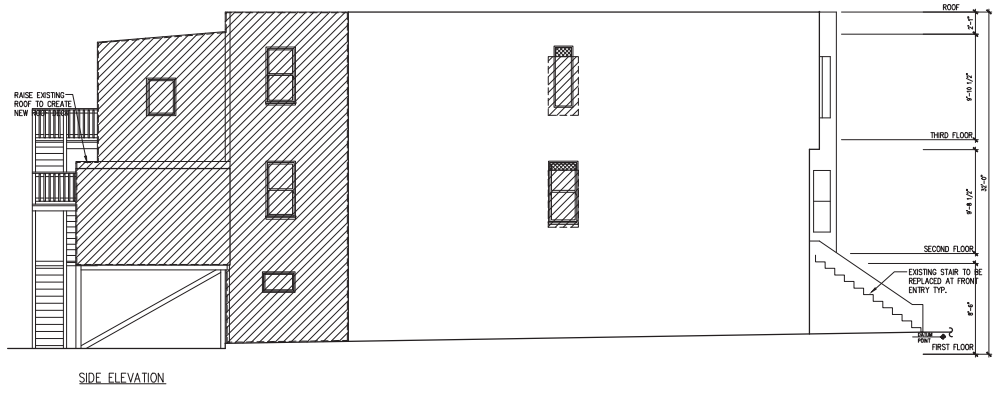
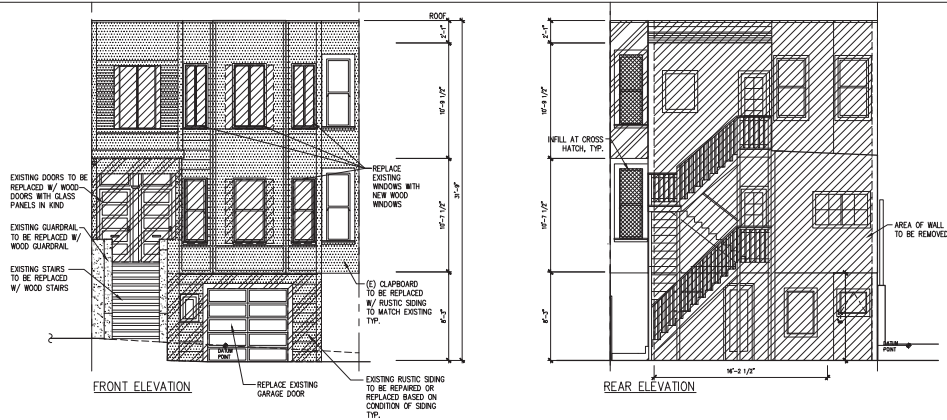
PROJECT DIRECTORY  
 ARCHITECT: SHATARA ARCHITECTURE INC.  
 890 7TH STREET  
 SAN FRANCISCO, CA 94107  
 TEL: 415-512-7566  
 CONTACT: SUHEIL SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.06.2023	R3
BUILDING	03.15.2023	R4



SHEET DESCRIPTION  
**DEMO CALCULATIONS**

**A3.0**



**KEY LEGEND**

	DEMO AREA
	INFILL AREA
	WALL FINISHES TO BE REPLACED
	WALL FRAMING REPLACED

1 DEMO/INFILL/REPLACEMENT ELEVATIONS - ORIGINAL ELEVATIONS FOR DEMO CALCS

**SHATARA ARCHITECTURE INC.**

890 7TH ST.  
SAN FRANCISCO  
CA 94107

TEL: (415) 512-7566  
suh@shatararch.com

SHATARA AND ASSOCIATES, AN  
INDEPENDENT PROFESSIONAL SERVICE,  
ARE NOT BEING HELD RESPONSIBLE FOR  
THE ARCHITECT.

THESE DOCUMENTS ARE NOT TO BE USED, IN  
WHOLE OR IN PART, FOR ANY PROJECT OR  
PURPOSE WITHOUT THE WRITTEN  
CONSENT OF SHATARA ARCHITECTURE INC.

**PROJECT  
RESIDENTIAL RENOVATION**

**ADDRESS:  
945 - 947 MINNESOTA  
STREET  
SAN FRANCISCO, CA**

**BLOCK: 4107  
LOT: 018**

**PROJECT DIRECTORY**

**ARCHITECT**  
SHATARA ARCHITECTURE INC.  
890 7TH STREET  
SAN FRANCISCO, CA 94107  
TEL: 415-512-7566  
CONTACT: SUHEIL SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	R1
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.06.2023	R3
BUILDING	03.15.2023	R4



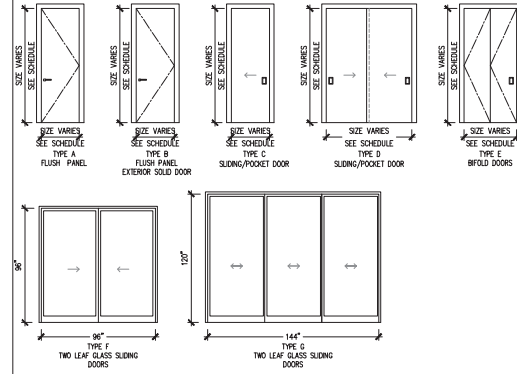
SHEET DESCRIPTION  
**DEMO CALCULATIONS**

**A3.1**

DOOR SCHEDULE						
FLOOR	NUMBER	LOCATION	TYPE	SIZE	THICKNESS	REMARKS
1ST FLOOR	D1	CLOSET	A	2'-32"00"	1 3/4"	
	D2	GARAGE/HALL	B	32"00"	1 3/4"	20 MIN DOOR W/ DOOR CLOSURE, SELF-CLOSING AND SEALS
	D3	CLOSET	A	28"00"	1 3/4"	
	D4	LAUNDRY	E	32"00"	1 3/4"	
	D5	BATHROOM	C	30"00"	1 3/4"	
	D6	BEDROOM	A	32"00"	1 3/4"	
	D7	BEDROOM/CLOSET	D	32"00"	1 3/4"	
	D8	LIVING ROOM	F	36"00"	1 3/4"	
	D9	STAR	B	30"00"	1 3/4"	
	D10	GARAGE		10'0"00"		ROLL-UP GARAGE DOORS
2ND FLOOR	D11	ENTRY	B	34"00"	1 3/4"	
	D12	ENTRY	B	34"00"	1 3/4"	
	D13	BEDROOM	A	32"00"	1 3/4"	
	D14	BATHROOM	C	28"00"	1 3/4"	
	D15	BEDROOM	A	32"00"	1 3/4"	
	D16	BATHROOM	A	32"00"	1 3/4"	
	D17	POWDER RM	A	30"00"	1 3/4"	
	D18	STAR	A	30"00"	1 3/4"	45 MIN. RATED DOOR
	D19	BATHROOM	A	30"00"	1 3/4"	
	D20	BEDROOM	A	32"00"	1 3/4"	
3RD FLOOR	D21	BEDROOM	A	32"00"	1 3/4"	
	D22	CLOSET	A	2'-10"00"	1 3/4"	
	D23	LAUNDRY	A	36"00"	1 3/4"	
	D24	BATHROOM	A	28"00"	1 3/4"	
	D25	STAR	B	28"00"	1 3/4"	45 MIN. RATED DOOR
	D26	KITCHEN/DECK	G	144"00"	1 3/4"	

WINDOW SCHEDULE							
FLOOR	NUMBER	LOCATION	OPERATION	SIZE	SILL	FRAME	REMARKS
1ST FLOOR	W1	LIVING ROOM	DOUBLE HUNG	30"00"			
	W2	LIVING ROOM	DOUBLE HUNG	36"00"			
	W3	LIVING ROOM	DOUBLE HUNG	32"00"			
	W4	BEDROOM	DOUBLE HUNG	30"00"			
	W5	BEDROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS, EGRESS WINDOW
2ND FLOOR	W6	BEDROOM	FIXED	60"00"			WOOD WINDOW W/ OCEG LUGS
	W7	BEDROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W8	MASTER BATHROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W9	MASTER BATHROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W10	MASTER BATHROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W11	BEDROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS, EGRESS WINDOW
	W12	KITCHEN	DOUBLE HUNG	42"00"			EGRESS WINDOW
	W13	KITCHEN	DOUBLE HUNG	48"00"			
	W14	KITCHEN	DOUBLE HUNG	120"00"			
	W15	KITCHEN	DOUBLE HUNG	48"00"			
3RD FLOOR	W16	HALL	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W17	BEDROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS, EGRESS WINDOW
	W18	BEDROOM	FIXED	60"00"			WOOD WINDOW W/ OCEG LUGS
	W19	BEDROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W20	BEDROOM	DOUBLE HUNG	34"00"			WOOD WINDOW W/ OCEG LUGS, EGRESS WINDOW
	W21	BEDROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS
	W22	BATHROOM	HOPPER	30"00"			WOOD WINDOW
	W23	LIVING ROOM	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS, EGRESS WINDOW
	W24	HALL	DOUBLE HUNG	30"00"			WOOD WINDOW W/ OCEG LUGS

DOOR TYPES



SHATARA ARCHITECTURE INC.

890 7TH ST. SAN FRANCISCO CA 94107

TEL: (415) 512-7566 suh@shataraarch.com

SHATARA AND ASSOCIATES, AN AFFILIATE OF PROFESSIONAL SERVICES, ARE NOTABLE UNDER THE REGISTRY OF THE ARCHITECTS.

THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY PROJECTS OR PURPOSES UNLESS SPECIFICALLY APPROVED BY SHATARA ARCHITECTURE INC.

PROJECT: RESIDENTIAL RENOVATION

ADDRESS: 945 - 947 MINNESOTA STREET SAN FRANCISCO, CA

BLOCK: 4107 LOT: 018

PROJECT DIRECTORY

ARCHITECT SHATARA ARCHITECTURE INC., 890 7TH STREET SAN FRANCISCO, CA 94107 TEL: 415-512-7566 CONTACT: SUNEEL SHATARA

ISSUED	DATE	NO.
BUILDING	06.22.2022	
BUILDING	07.29.2022	R1
BUILDING	09.15.2022	R2
BUILDING	02.06.2023	R3
BUILDING	03.15.2023	R4



SHEET DESCRIPTION: WINDOW & DOOR SCHEDULE

A5.0













# BRIEF SUBMITTED BY THE APPELLANT(S)

S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
March 28, 2024

Board of Appeals  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103

**Re: 945 Minnesota Street, BOA Appeal 24-025; Appellant's Brief**

President Lopez, Vice-President Lemberg, Commissioners Swig, Transvina, and Eppler,  
thank you for your time and consideration of this matter. I am appealing Certificate of  
Appropriateness 2023-001148COA associated with Permit Application 202206236976.

I.) Reason for Appeal

My reason for this appeal is that the Certificate of Appropriateness has been APPROVED in  
error, as the project proposes to 1.) further reduce the already drastically reduced  
Mid-Block Open Space and 2.) fails to comply with Overriding Sections of the San Francisco  
Planning Code. [SFPC]

II.) Requested Action

I request the Certificate of Appropriateness be REVOKED and the project returned to the  
Planning Department with the direction from this Board that: The project be provided with a  
minimum Rear Yard Depth of 33 feet. Any "obstruction" which is allowed to extend up to the 33  
foot mark will be required to be provided with a 5 foot side setback on each side. This is what  
has been historically required by Sections 134 (c) and 136 (c)25, SFPC and approximates the  
rear yards and Mid-Block Open Space provided by the other 3 remaining contributors to the  
Mid-Block Open Space.

III.) San Francisco Planning Code Comments

A.) Mid-Block Open Space

The subject segregated and undersized Mid-Block Open Space [Exhibit A] [Exhibit B] has already been reduced by previous Planning Department re-zoning of all properties fronting on 22nd Street so as to allow complete elimination of rear yards. This elimination of 8 Rear Yards from a prior total of 12 [Exhibit C] leaves a Mid-Block Open Space of just 4 properties [Exhibit C]. This minuscule remaining Mid-Block Open Space should not and can not be reduced further, without negating it's value and purpose.

B.) Required Rear Yard/Section 134 (c), San Francisco Planning Code BEFORE Ordinance 248-23 effective date December 2023.

Historically, Section 134(c), SFPC requires a 45% Required Rear Yard, which equals 45 feet on the subject property. Section 136(c)25, SFPC allows an "obstruction" to protrude into that 45 foot minimum requirement a maximum of 12 feet, but is required to provide a 5 foot setback on both sides of the "obstruction." The COA Plan does not meet these requirements [Exhibit D].

C.) Required Rear Yard/Section 134, San Francisco Planning Code AFTER Ordinance 248-23 effective date December 2023

I am unable to recognize the recent Ordinance 248-23 that modifies Section 134(c), SFPC to the Project Sponsor's benefit, as I believe that legislation that is severely flawed and will not

sustain a legal challenge. However, I would request the Board of Appeals to address that legislation as a part of granting the Decision requested in Item II above, as reviewed and discounted in light of the loss of the substantially reduced Mid-Block Open Space and other overriding Planning Code requirements specified in Section D immediately below.

D.) Overlooked and Overriding Code Requirements

945 Minnesota Street is Contributory to the Dogpatch Historic District. In APPROVING this COA the Historic Preservation Commission ignored certain code requirements as follows [all cites are from the San Francisco Planning Code]: Sections 7(a), 7(b), 7(b)5 & 6; Appendix L to Article 10 [Exhibit E] ; Article 10 [Exhibit F]; Section 101(d)[Exhibit G]; and General Plan Sections 101.1(b) (7) & (8) [Exhibit H]

FYI- For the previous unanimously APPROVED (and REVOKED) COA, no HPC

Commissioners noticed the illegal structure occupying much of the Rear Yard- nor did the Planning Staff advise them of such, indicating errors presented here are perhaps commonplace.

IV.) Other

A.) This troubled project has been allowed to become a neighborhood eyesore as the result of the Project Sponsor's continued attempts to evade the requirements of the San Francisco Planning Code- with the aid of numerous Planning Staff! I must refer you to review the previous appeal 22-050, specifically for overview my previous Appellant's Brief [Exhibit I]

It is important that this Current Appeal be reviewed with understanding that the Project Sponsor

has never designing a code-complying structure at 945 Minnesota Street- until Section 134(c), SFPC was changed to allow his design 3 months ago!

B.) Let us also not forget about the Project Sponsor's perjury on the previous REVOKED

Variance. Former colleagues on this project include Building Commission President Rodrigo Santos and Chief Building Inspector Bernie Curran who are both currently incarcerated for

crimes committed in the course of their "professions." Nor does the history of the Planning

Department regarding this address do any credit to the image of City Government. I strongly

encourage you to discuss these issues as relates to the previous REVOKED Permit Application

201910033468/BOA Appeal 22-050 with the City Attorney. I am hopeful that you will not

have me revisit these issues and shortcomings again.

C.) It is unclear why the Planning Department has taken over 1.5 years to get only this far in

the permit process for this Permit Application. With the previous boondoggle of a permit, I've

been involved 3.5 years. The neighbors are rightly upset over what has become a neighborhood

eyesore.

D.) Building Ownership continues to be a revolving door. There have been 2 developers and

at least 2 banks. Is the current bank/owner holding out for development at this address?

V.) Closing

Please apply my reasoning presented in Item I in justifying my Appeal.

Please REVOKE the Certificate of Appropriateness as requested under Item II. above.

If the Board considers only one (1) side setback for the "obstruction" would be in allowable,

it is in keeping with the neighbors and seems a reasonable path forward. I very sincerely thank you for your time and expertise to review, consider, and render an appropriate determination.

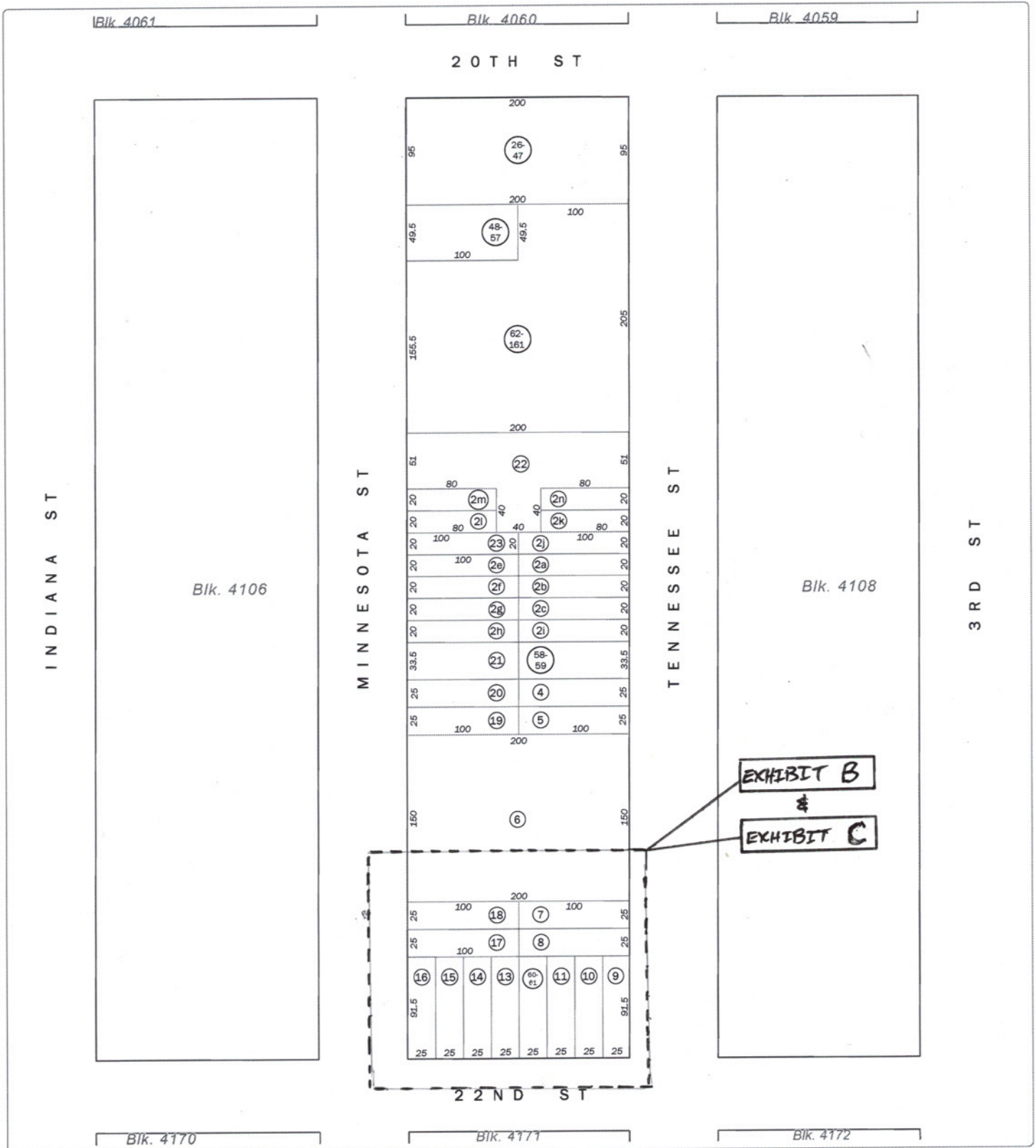
Spencer Gosch

List of Attachments

- [Exhibit A] Assessor's Block Map 4107 w/notations [for orientation only]
- [Exhibit B] Google Maps Satellite Photo of Subject Property and adjacent properties contributing to Mid-Block Open Space
- [Exhibit C] Appellant's Detail of Assessor's Block Map 1407 showing Mid-Block Open Space After Re-Zoning
- [Exhibit D] Applicants Detail of Rear Yard with maximum code-complying Structure Footprint Superimposed over Proposed Footprint [Note: Rear Wall incorrectly identified]
- [Exhibit E] Code Sections 7(a), 7(b), 7(b)5&6, Appendix L, Article 10 SFPC
- [Exhibit F] Article 10, SFPC
- [Exhibit G] Section 101(d), SFPC
- [Exhibit H] Section 101.1, SFPC
- [Exhibit I] BOA Appeal 22-050 Applicant's Brief

**EXHIBIT**

**A**

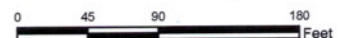


**SAN FRANCISCO CITY & COUNTY  
ASSESSOR'S BLOCK MAP**

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.



REVISED 2021





**EXHIBIT**

**B**



**EXHIBIT**

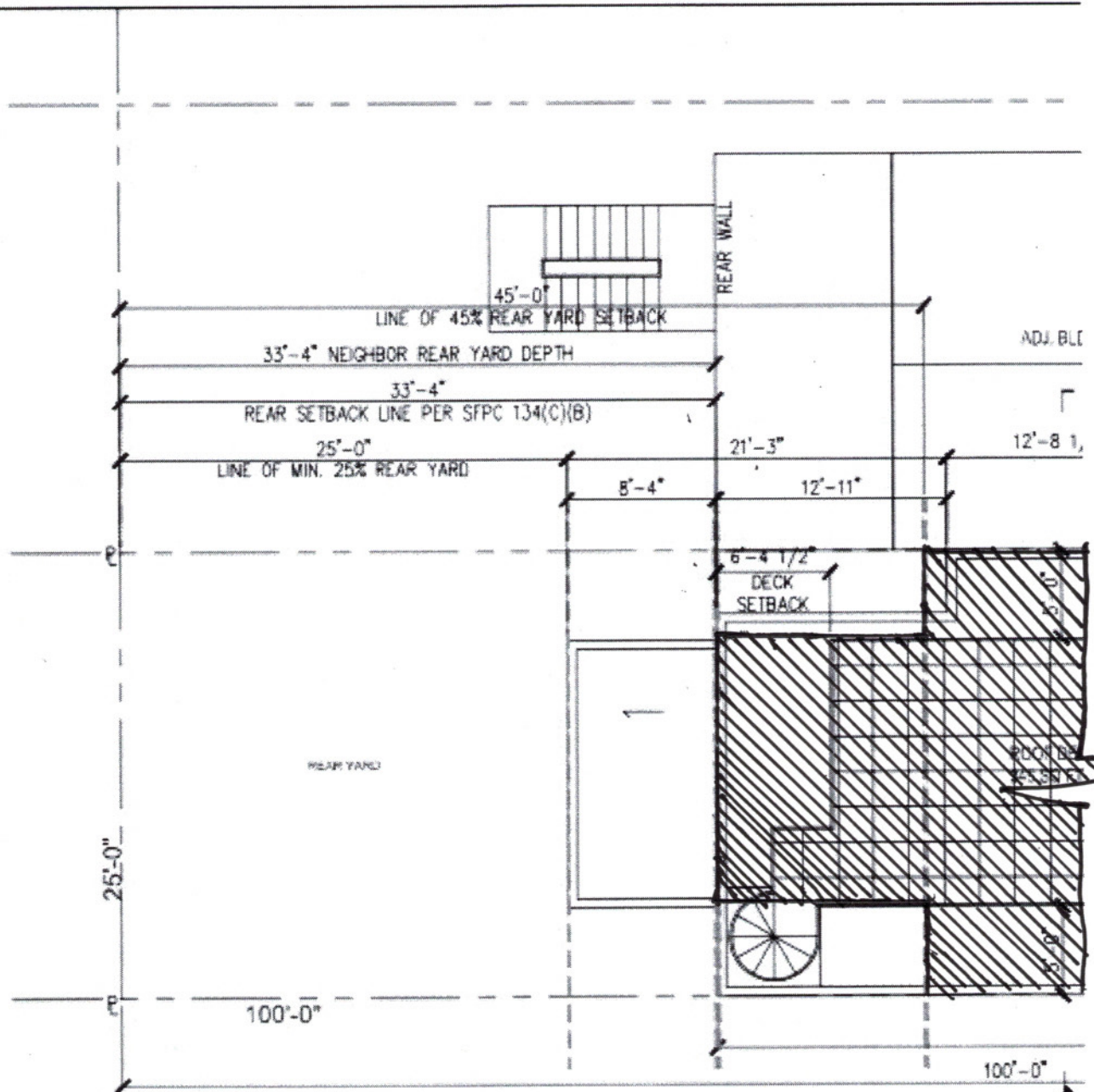
**C**



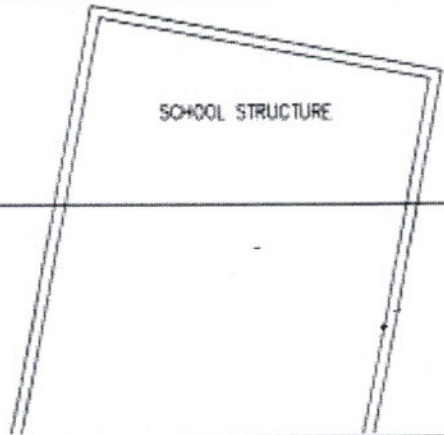
**EXHIBIT**

**D**

PROPOSED - SITE PLAN 1/8"=1'-0"



ROOF AREA: 1380.50 SQ FT  
 ROOF DECK AREA: 400 SQ FT < 1/3 ROOF AREA



200' - 0"  
 ADJACENT NEIGHBOR LOT LENGTH (THROUGH LOT FACING TEN)

SCOPE OF WORK

PLANNING

**EXHIBIT**

**E**

## SEC. 7. STANDARDS FOR REVIEW OF APPLICATIONS.

Any exterior change within the Dogpatch Historic District shall require a Certificate of Appropriateness, pursuant to the provisions of Article 10, when such work requires a City permit. The procedures, requirements, controls and standards of Article 10 of the Planning Code shall apply to all applications for Certificates of Appropriateness in the Dogpatch Historic District. In addition, the following specific standards for review shall apply to all applications for Certificates of Appropriateness. In the event of any conflict or inconsistency between the provisions set forth below and Article 10, those procedures, requirements, controls and standards affording stricter protection to the Historic District shall prevail.

(a) **Character of the Historic District.** The general standards for review of all applications for Certificates of Appropriateness are as set forth in Article 10. For purposes of review pursuant to said standards, the character of said Historic District shall mean the features of the Dogpatch Historic District referred to and described in Section 6 of this ordinance. For projects on buildings that have been previously compromised by incompatible alterations or additions, proposed exterior changes which bring these buildings closer to their original, historic appearance and make the buildings more in conformity with the character of the district are encouraged.

(b) **Residential - Alterations and New Construction.** Exterior alterations or new additions to a contributory or non-contributory residential resource in the Dogpatch Historic District shall not destroy historic materials that characterize the resource or its environs. New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. Any new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment, and must conform to the following provisions:

1. **False Historicism.** False historicism and the conjectural replication of historic styles and details is discouraged; if restoration is the selected alteration approach, historic documentation through original architectural plans, historic photographs, or physical investigation will be required. Where original plans or historic photographs are unavailable, close physical examination of the building and existing scar traces, along with a comparison to buildings of the same age and style in the neighborhood, may be sufficient to reveal evidence necessary to guide the restoration.

2. **Materials.** Horizontal rustic wood siding is the traditional cladding material in the district and its use is encouraged over other cladding materials, including wood shingles (except where appropriate).

3. **Fenestration.** Fenestration should be proportionate and in scale with traditional patterns within the district. Double-hung wood sash windows are encouraged over vinyl or metal sash windows. "Slider" windows of vinyl or aluminum construction are discouraged, especially on primary facades. True divided lites, rather than snap-in or faux muntins, are encouraged when divided lite wood windows are appropriate.

4. **Style.** New construction in a contemporary, yet compatible, idiom is encouraged.

5. **Scale and Proportion.** New construction must be compatible with the massing, size, scale and architectural details of residential resources found in the district.

6. **Setbacks.** New construction should conform to existing setback patterns found in the district.

7. **Roofline.** Gabled roof forms and raised parapets are encouraged on new construction.

8. **Detailing.** Detailing on new construction should relate to the simple, traditional vernacular forms found in the district.



**EXHIBIT**

**F**

## SEC. 10. ADDITIONS.

Additions to existing buildings and new infill construction proposed within the Dogpatch Historic District must reflect an understanding of the relationship of the proposal with the contributing buildings within the district. Additions shall be reviewed for compatibility with the historic building and the district while infill construction shall be reviewed for compatibility with the overall district. Neither should directly imitate nor replicate existing features. For additions, every effort should be made to minimize the visibility of the new structure within the district. Infill construction should reflect the character of the district, including the prevailing heights of contributing buildings without creating a false sense of history. Property owners should consult early in the process with a Planning Department Historic Preservation Technical Specialist when developing a proposal.

Additions will be reviewed on a case-by-case basis and any proposed addition should be located in an inconspicuous location and not result in a radical change to the form or character of the historic building. A vertical addition may be approved, depending on how the addition impacts the building and its relative visibility from the surrounding public rights-of-way within the district. The Planning Department evaluates all proposals for properties identified under Article 10 of the Planning Code for compliance with the Secretary of the Interior's Standards (36 C.F.R. § 67.7 (2001)). Based on these Standards, Department staff uses the following criteria when reviewing proposals for vertical additions:

- The structure respects the general size, shape, and scale of the features associated with the property and the district and the structure is connected to the property in a manner that does not alter, change, obscure, damage, or destroy any of the character-defining features of the property and the district.
- The design respects the general historic and architectural characteristics associated with the property and the district without replicating historic styles or elements that will result in creating a false sense of history.
- The materials are compatible with the property or district in general character, color and texture.

As part of the Planning Department review process, the project sponsor shall conduct and submit an analysis that illustrates the relative visibility of a proposed vertical addition from within the district. As part of this analysis, sightline cross-sections and perspective drawings illustrating the proportionality and scale, as well as the visible extent of the addition from prescribed locations should be submitted.

When a district provides an opportunity for new construction through existing vacant parcels or by replacing non-contributing buildings, a sensitive design is of critical importance. Historic buildings within the district should be utilized and referenced for design context. Contemporary design that respects the District's existing character-defining features without replicating historic designs is encouraged. The Department uses the following criteria when reviewing proposals for infill construction:

- The structure respects the general size, shape, and scale of the character-defining features associated with the district and its relationship to the character-defining features of the immediate neighbors and the district.
- The site plan respects the general site characteristics associated with the district.
- The design respects the general character-defining features associated with the district
- The materials are compatible with the district in general character, color, and texture.
- The only instance where a replication of an original design may be appropriate is the replacement of a missing structure in a row of identical houses.

**EXHIBIT**

**G**

---

## SEC. 101. PURPOSES.

This Planning Code is adopted to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare, and for the following more particularly specified purposes:

- (a) To guide, control and regulate future growth and development in accordance with the General Plan of the City and County of San Francisco;
- (b) To protect the character and stability of residential, commercial and industrial areas within the City, and to promote the orderly and beneficial development of such areas;
- (c) To provide adequate light, air, privacy and convenience of access to property, and to secure safety from fire and other dangers;
- (d) To prevent overcrowding the land and undue congestion of population;
- (e) To regulate the location of buildings and the use of buildings and land adjacent to streets and thoroughfares, in such manner as to obviate the danger to public safety caused by undue interference with existing or prospective traffic movements on such streets and thoroughfares.

(Amended by Ord. 443-78, App. 10/6/78; Ord. [188-15](#), File No. 150871, App. 11/4/2015, Eff. 12/4/2015)

### AMENDMENT HISTORY

Introductory paragraph and division (a) amended; Ord. [188-15](#), Eff. 12/4/2015.

**EXHIBIT**

**H**

## **SEC. 101.1. GENERAL PLAN CONSISTENCY AND IMPLEMENTATION.**

*(See Interpretations related to this Section.)*

(a) The General Plan shall be an integrated, internally consistent and compatible statement of policies for San Francisco. To fulfill this requirement, after extensive public participation and hearings, the Planning Commission shall in one action amend the General Plan by January 1, 1988.

(b) The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

(1) That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

(2) That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

(3) That the City's supply of affordable housing be preserved and enhanced;

(4) That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

(5) That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

(6) That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

(7) That landmarks and historic buildings be preserved; and,

(8) That our parks and open space and their access to sunlight and vistas be protected from development.

(c) The City may not adopt any zoning ordinance or development agreement authorized pursuant to Government Code Section 65865 after November 4, 1986, unless prior to that adoption it has specifically found that the ordinance or development agreement is consistent with the Priority Policies established above.

(d) The City may not adopt any zoning ordinance or development agreement authorized pursuant to Government Code Section 65865 after January 1, 1988, unless prior to that adoption it has specifically found that the ordinance or development agreement is consistent with the General Plan.

(e) Prior to issuing a permit for any project or adopting any legislation which requires an initial study under the California Environmental Quality Act, and prior to issuing a permit for any demolition, conversion or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City shall find that the proposed project or legislation is consistent with the Priority Policies established above. For any such permit issued or legislation adopted after January 1, 1988 the City shall also find that the project is consistent with the General Plan.

(Added by Proposition M, 11/4/86; amended by Ord. [188-15](#), File No. 150871, App. 11/4/2015, Eff. 12/4/2015)

# EXHIBIT

1

S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
July 27, 2022

San Francisco Board of Appeals  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103

**Appeal 22-050 Appellant's Brief**

**945 Minnesota Street/ Permit Application Number 201910033468**

Commissioners:

Thank you for your time and consideration. My name is Spencer Gosch and I have lived at 1076 Tennessee Street, directly behind the Subject Property, for about 25 years. I also was a Building Inspector for 28 years. I am requesting that Permit Application 201910033468 be **REVOKED and a New Master Building Permit Application, incorporating ALL permits involved in the current construction project, be required to be obtained for further work at this address. I also ask you to have the Zoning Administrator request a formal determination of legality of the former illegal structures from the Department of Building Inspection.**

The following is my brief for appealing Permit Application Number 201910033468. I believe this permit has been ISSUED in error due to:

- 1.) Lack of official determination by the Department of Building Inspection regarding the legality of the illegal structures built without permit.
- 2.) the Serial Permitting allowed by both the Planning and Building Departments that has produced multiple permits and plans that have missing, erroneous, conflicting, and obfuscating information.



3.) Procedural and legal “errors” made by the Zoning Administrator in approving

Variance 2019-005728VAR, in violation of Sections 106(b)8) and  
306.1(c)&(d), SFPC.

4.) Numerous errors, omissions, and obfuscations on the APPROVED plan fail to  
indicate that this project is in substantial compliance with San Francisco  
Codes.

**A.) Overview**

The subject property had illegal structures that were built onto the rear of the building about 50 years ago without benefit of permits, which substandard construction had deteriorated to the point of collapse [Exhibit A]. The building has presented itself to me as an abandoned building for the 20+ years I have been living here (= no impact on me, other than quiet). A developer bought the building in 2017 and multiple permits followed; the project currently has 8 outstanding Building Permits, with 4 conflicting and substandard plan sets. The 1st Developer has now sold the property to a Corporation. The Corporation has now illegally torn down the illegal structures that would have provided support for the additional construction proposed by Variance 2019-005728VAR.

I oppose the rebuilding of the illegal structures and wish to see the Open Space restored according to the Planning Code- without any illegally processed Variances granting otherwise.

**B.) Background**

I have requested Discretionary Review [Exhibit B] and been denied.

I have appealed the Variance to the Board of Appeals [Exhibit C] and been denied.

The illegal rear structures, which this permit was allowing to be covered with further construction, have now been demolished without permit [Exhibit D] prior to PA#201910033468 being ISSUED, in direct opposition to verbal warnings by Commissioners Swig and Honda and (then) Assistant Zoning Administrator Scott Sanchez not to do so at the BOA Variance Hearing for Appeal 20-085. Please see link to BOA Hearing for Variance Appeal 20-085 held on January 27, 2021- Item 7 for overall background in understanding this project.

[https://sanfrancisco.granicus.com/player/clip/37649?view\\_id=6&redirect=true](https://sanfrancisco.granicus.com/player/clip/37649?view_id=6&redirect=true)

**C.) Building (and Planning) Departments Refusal to Acknowledge the Illegal Structures**

It is a simple thing- For the era in which the illegal construction is dated (about 1970- and 1937):

“No record of permit and plans means the work is illegal.”

In spite of the simplicity, the Planning and Building Departments have refused to recognize and treat the illegal structures as such [Exhibit E]. The Zoning Administrator seems to think that a shadowy picture allegedly from 1937 indicates legality, and he has made that unofficial determination when it is not his to make. Even in 1937; no permit and plans = illegal

construction. **The legality of the illegal structures is officially determined by the Building Department based on the records they keep, not the Planning Department; DBI should be formally requested by the Planning Department to make that determination for us all.** This unrecognized illegality complicates matters as all permits and plans misrepresent the illegal

construction as legal- this is fraudulent behavior allowed by the Planning and Building Departments. As the illegal structures have now been 95% demolished without permit, they should not be allowed to be rebuilt- they have not been included in Variance 2019-005728VAR, and they were constructed without permits.

**D.) Permit List**

Please see [Exhibit F].

**E.) Serial Permitting**

Multiple permits and multiple plans allow confusion and subsequent non-code complying construction. I have asked the Building Department act responsibly in this matter and request and obtain a Master Permit [Exhibit G] and [Exhibit H], but they have refused to do so. **Please note that in my many years of experience, I have requested multiple permits be consolidated into a Master Permit on many dozens of projects without opposition. What's the problem?**

PA#201910033468 and the associated Variance are a part of a scheme to:

- 1st- Start work with a demo permit (PA# 2017102522264) to work under, then
- 2nd get an Over-the-Counter Permit? (PA# 201804095888) for \$400K,
- 3rd Revise the Foundation Work (PA# 201901100006)- and a Detail of the building.
- 4th Obtain this Permit (PA# 201910033468), an unidentified Revision to the earlier permits, to legalize the illegal, rotten falling down structures in a covert way; pretending they're legal with a Variance for more construction built over and next to the illegal construction.

5th Tear down the illegal, rotten structures under the guise of “newly found structural problems” and ask for forgiveness with a new permit. (likely PA# 202206236976)

Why the applicants have reversed Steps 2 and 3 and insulted the Board I do not know.

**F.) Variance 2019-005728VAR Issues and “Errors”**

Please see Exhibit B, p.3-6 and Exhibit C for specific problems previously identified with Variance 2019-005728VAR. I would like to focus on some of these as it seems the Zoning Administrator has made some “errors” that would legally invalidate his Decision.

1.) Variance Policy and Procedure

There is none. By none, I mean that there is no written, publicly vetted, Commission-approved, and Director-authorized Official Policy and Procedure for Variance Application and Decision.

What passes for Policy and Procedure is whatever some staffers want to put together at the time, and later change it at will when caprice strikes.

2.) Section 306.1(c) & (d); SFPC

However, the one requirement that the Zoning Administrator is required to do, he has not.

He is REQUIRED, per Sections 306.1(c) & (d), SFPC [Exhibit I] to vet the Variance Applications [Exhibit J] and [Exhibit K] for mis-statements. Mr. Shatara has perjured himself in his Application and stated falsehoods under Variance Findings, Items 1-5 and elsewhere.

3.) The Zoning Administrator has overlooked these falsehoods and developed his Variance Decision [Exhibit L] which Finding 5, Items 2 & 8 violates Section 101(b)2 & 8, SFPC requiring Neighborhood Character be preserved and Open Space be protected from development,

disassembling in that document about this project not affecting either. The legal and permanent removing of this Open Space from the Mid-Block Open Space Requirement and the legal and permanent reduction of the Required Rear Yard Setback are being effected under this permit before you. As the stated reason in the Variance Application is false; If there is no valid reason for a Variance, why is one being granted?

I believe that Variance Decision would not stand a legal challenge and as such it should not be allowed by the Board of Appeals. This faulty Variance is another reason to REVOKE this Permit.

**G.) Plan Issues**

Please see Exhibit B, p. 2-5 for specific problems previously identified with the (now) APPROVED/SUSPENDED plans for PA# 201910033468. The plans for this Permit Application are incomplete, incorrect, unprofessional, and contradictory to the other Permits' Plans. It appears to me that no Plan Review for Building Code, nor Planning Code, conformance has ever been performed on any of the Serial Permits' Plans, including this one.

**H. Open Space Issues**

The Mid-Block Open Space where I live already suffers from being separated from the Greater Mid-Block Open Space and being limited to only 12 properties [Exhibit M]. Recent re-zoning will remove 8 of those properties, leaving a Mid-block Open Space of only 4 lots. This remaining Mid-block Open Space will be permanently reduced by one-eighth by this permit \_\_\_\_\_[Exhibit N].

Planning has taken enough space from our undersized Mid-block Open Space- please don't let them take any more with this permit.

**I.) Families**

The use of a family to tug at your heartstrings over development issues is as old as the hills. Everybody does it and I expect the new owners to do the same for this Appeal; I urge you to take little notice of the ploy. The former owners, the Real Estate Developer, successfully used this angle in the Variance Appeal- only to turn around and sell the property to a corporation.

An additional note on families:

This project's plans indicate an easy opportunity with a few partitions and doors to create multiple units beyond the 2 units proposed- 5 perhaps.

**J.) Corruption Notes**

1. I was a Building Inspector with DBI for 24 years.
2. The involvement of former Chief Building Inspector and former BIC Commissioner/Engineer Rodrigo Santos with this project is extremely troubling, due to their recent Criminal Indictments for wrongdoing involving building construction. I believe this project continues to have an "Inside Track" in spite of Mr Curran's "retirement" and Mr. Santos losing his license, which has excluded them from further direct participation in this project.
3. The Zoning Administrator knows full well that the legality of a structure is DBI's call as they control the Building Permits. Why hasn't he requested it? Why did he bungle his responsibilities with the Variance Application and Decision? Why doesn't the Variance

Process have an Official Commission-approved, Director-authorized Policy and Procedure.

4. While there may not be any outright corruption involving the Planning Department and this project, I can not understand their coddling of whichever developer owns the property and their failure to enforce the Planning Code. Ditto DBI.
5. The additional 500 square feet of living space which this Permit allows as exceptions to the standard rules would create a windfall of at least \$300,000 to the Corporation that recently bought the property- at the permanent expense of the neighboring residents, properties, and the Historic District for decades to come. Is this the purpose and proper use of the Variance Process?

**K.) Summary**

1. The illegal construction (now demolished) which this Permit Application would allow is oversized and out of character with the rest of the neighborhood, excepting other illegal construction. It matches the “Poster Child” shown in the Residential Guidelines of what NOT to allow, which is inset along with Exhibit A.
2. The Historic Exterior Perimeter of a Historical Structure in a Historic District is being allowed to be permanently altered.
3. Reducing the Required Rear Yard Setback and Mid-block Open Space Requirement for this property by half is excessive. Reducing the overall Mid-block Open Space Requirement by one-eighth is also excessive.

4. The illegal construction violates both the intent and spirit of the Planning Code- yet, for some unknown reason, the Zoning Administrator thinks this property deserves exemption from the normal rules of Planning Code.
5. The Variance Decision is a dissembling puff-piece which violates the General Plan regarding Neighborhood Character and Open Space; it was also processed in Violation of the Planning Code Sections 306.1(c) & (d).
6. This Permit Application and the overall Project at 945 Minnesota Street is, as is repeatedly apparent, a balled up mess of conflicting documents, none of which indicate substantial compliance with the Building Code or Planning Code; it appears to me that the plans have never actually been reviewed. Now yet another Permit Application# 202206236976 has been FILED which effect on the overall project is unknown to me as I have been unable to access the documents at this time. As both the Planning and Building Departments refuse to perform their respective duties to the community, the Board of Appeals must provide the clear direction they are unable to provide.

**Please REVOKE this permit and:**

- 1.) **direct the Zoning Administrator to request the Department of Building Inspection make their formal determination of the legality of the former, illegal construction, and also**
- 2.) **direct the Department of Building Inspection to require a Master Permit be applied for and obtained to consolidate all outstanding permits for this**



**project under one comprehensive, explanatory, and non-contradictory set of documents.**

Allow me to thank you again very much for your time and consideration.

Appreciatively,

Spencer Gosch

List of Exhibits

Exhibit A- Picture of Illegal Construction prior to Demolition

Exhibit B- Appellant's Discretionary Review Brief

Exhibit C- Appellant's Variance Appeal Brief

Exhibit D- Picture of Demolition of Illegal Structures

Exhibit E- Letters to City Attorney@ Lack of Enforcement

Exhibit F- Computer Printout of List of Permits

Exhibit G- Appellant's Letter to DBI Director

Exhibit H- Appellant's Letter to DBI Deputy Director of Permits

Exhibit I- Section 306.1(c) & (d), SF Planning Code

Exhibit J- Variance 2019-005728VAR Application

Exhibit K- Variance 2019-005728VAR Supplemental Application

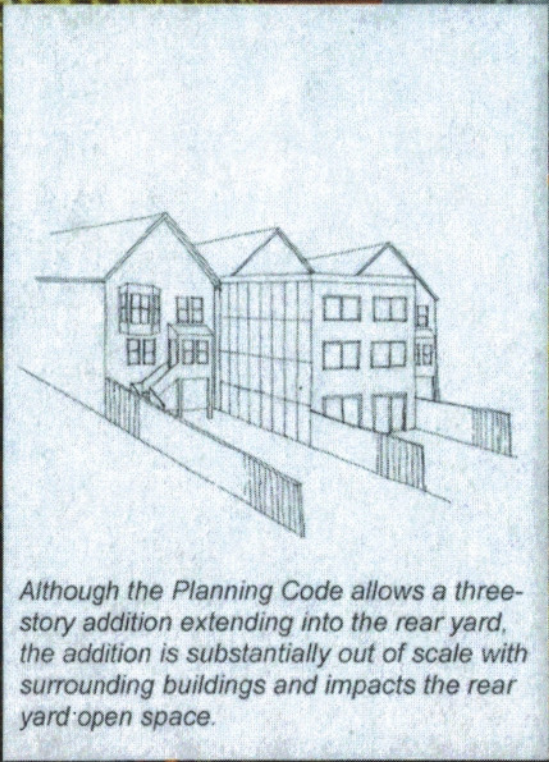
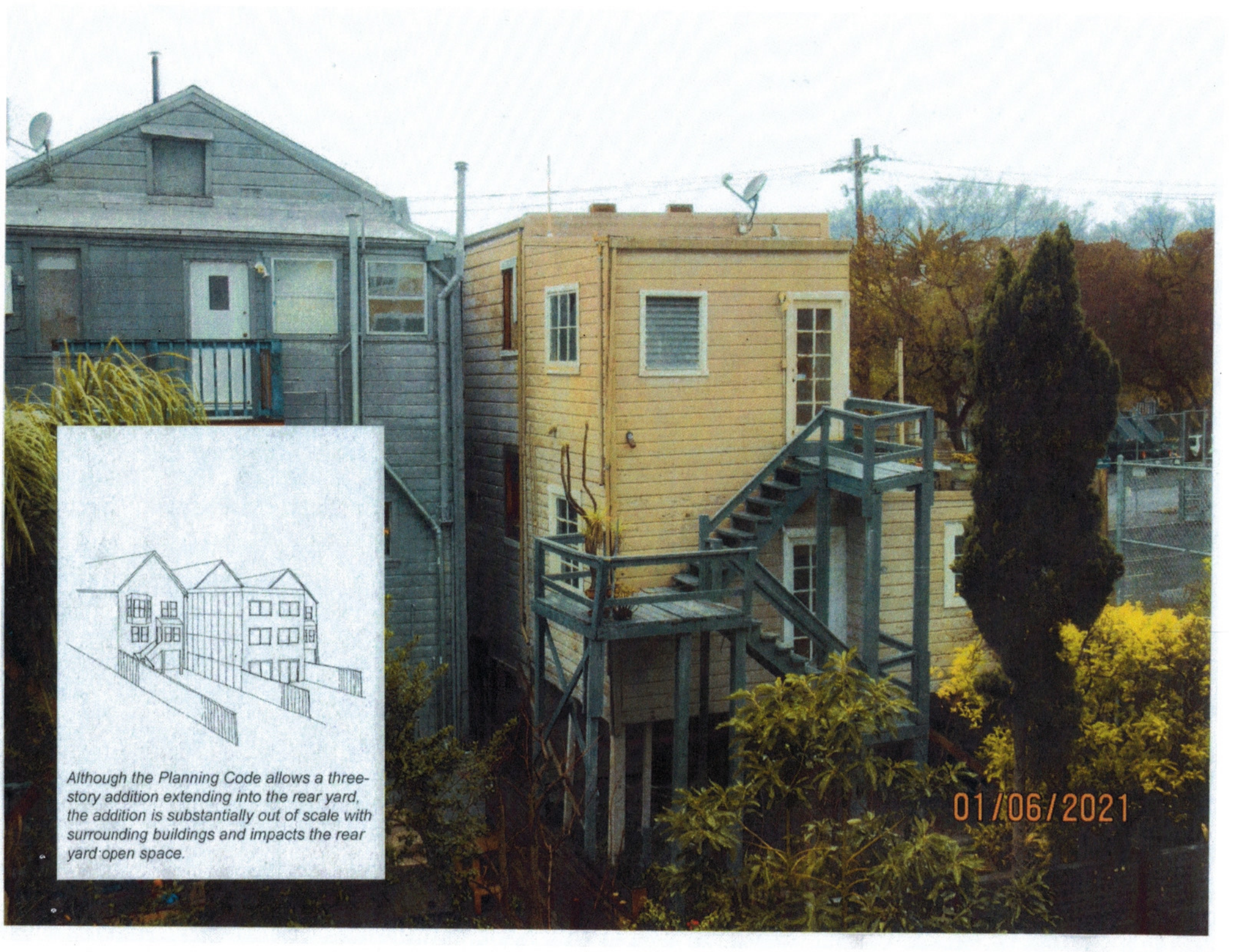
Exhibit L- Variance 2019-005728VAR Decision

Exhibit M- Block map showing Mid-block Open Space before re-zoning

Exhibit N- Block map showing Mid-block Open Space after re-zoning

**EXHIBIT**

**A**



*Although the Planning Code allows a three-story addition extending into the rear yard, the addition is substantially out of scale with surrounding buildings and impacts the rear yard open space.*

01/06/2021

**EXHIBIT**

**B**

## 945-947 Minnesota Street- Discretionary Review Applicant's Brief

### A.) Purpose

My primary purpose in requesting Discretionary Review of the above referenced property is to:

- 1.) render this project fully code-complying at it's completion, and
- 2.) to obtain removal of the illegal, non-historic additions (Rear Yard Structures) and alterations (windows and openings) that have been made to the building without benefit of Building Permits and
- 3.) to restore the required rear yard setbacks and restore that contribution to the mid-block open/green space.

Secondary purposes would include obtaining the Planning Commission's oversight regarding the project as a whole, as there are numerous inconsistencies, vagaries, and concerns regarding the project as a whole, as it is currently being presented.

### B.) DR Applicant Information

My name is Spencer Gosch. I have lived in San Francisco for 40 years, in the Dogpatch neighborhood for 27 years, and at my current address 22 years. I was a Building Inspector for 28 years; 24 years with the City and County of San Francisco with 10+ of those years as a full-time Plan Reviewer. I retired 6 years ago. I am unfamiliar with the San Francisco Planning Code. I have known the Project Sponsor/Applicant and Architect Suheil Shatara for in excess of 15 years as a fine gentleman and an able architect.

### C.) DR Applicant's Disclaimers

My review of this project has been hampered by a lack of access to official documents as of the filing of this application; my understanding of the project is accordingly limited, as I have only been able to review what the Project Architect has seen fit to provide me. I expect to eventually gain access to the documents I request and any pertinent additional information will be forwarded for your consideration.

### D.) Brief Background

I have been a tenant at this address for about 22 years. The obstructions which I wish removed were previously owned by a nice lady who never used the yard or the stair. The property had no negative impact on me. I didn't think she had much money and I didn't want to cause her trouble.

The property was sold a few years ago. With all the work being proposed and already permitted, now is the time to correct past problems and have a fully code-complying property without any special treatment. The new owner read the disclaimer in the Sales Contract about unwarranted construction, so there is no monetary burden placed on the new owner for having him remove the illegal construction. The illegal construction appears very dilapidated and would easily be demolished.

E.) Historical Issues

The property has 2 main Historical issues that concern me:

- 1.) The illegal non-historic rear additions and stairs, and
- 2.) The large number of windows located within areas generally required to be of Fire-resisitive construction with no openings (North and South Walls.) I believe that it is probable that these windows were also installed without benefit of Building Permits.

F.) Fire Issues

The building has construction that has compromised its fire-resistivity. This includes:

- 1.) The illegal construction (rear additions and stairs) is located closer to the rear property line than allowable, which would increase the likelihood of spreading fire to the building I live in.
- 2.) The large number of windows (also likely illegal) installed within walls required to be fire-protected and have fire-protected openings due to proximity of property line (within 5').

G.) Permitting Issues

Permit Application #201910033468 is a REVISION, not identified as such, to previously ISSUED P.A.#201804095888. This lack of identification as a REVISION is either an error, or evidence of "serial permitting" where numerous permits are taken out in an effort to confuse interested parties as to the nature and extent of the work. If an error, then application should be re-written to identify it as revising the earlier permit. If serial permitting, which this appears to be, then extra vigilance should be exerted by Plan Reviewers and others to see what is being obfuscated, prior to their requesting the application revision suggested.

H.) Plan Issues

The purpose of Construction Plans is to explain what will be constructed in definite terms, to explain the project to all interested parties so as to avoid confusion and expensive construction errors. There are numerous issues with the plans as submitted including: missing information, mis-information, errors, and omissions. While no plan is perfect, I would expect mostly correct, accurate, and complete plans to be submitted and approved so as to avoid any confusion. I have very briefly partially reviewed the (substandardly sized) Plans submitted under P.A. 201910033468 (revision dated 05.26.202) as provided by the Project Architect and offer some comments which should be addressed prior to further review and processing.

Some Plan Comments for P.A.#201910033468

1.) Provide separate existing and proposed Roof Plans; indicate demolition on the existing plan. Provide details and sections explaining the proposed construction at the Roof Level.

Sheets A0.0 and A1.0

Proposed Site Plan

- 2.) Lacks distinct Reference ID symbol; plan labels are switched.
- 3.) Lacks roof deck, rear yard, stair, and illegal structure dimensioning.
- 4.) Delete unnecessary dimensions (3) to the South of illegal structures.
- 5.) Provide all setback dimensions (ie: side yards and court.)

Sht. A1.1

6.) Detail 2- "Existing as Approved First Floor Plan"- this label indicates this is permit is a "serial permit." It should simply be called "Existing First Floor Plan."

This comment applies to all existing floor plans.

7.) There is no symbol in the legend for windows to be removed.

8.) Detail 1- Proposed First Floor Plan- The new door and windows that are proposed are likely not allowable due to proximity of property line and required exit path.

comment applies to all proposed floor plans. There is no symbol in the legend for windows to be installed.

Sht. A1.4 and A1.5

9.) Rear of both elevations lack complete vertical and horizontal dimensions.

10.) See Comment #8 just above.

Sht. A1.5 and A1.6.1

11.) Provide complete horizontal and vertical stair dimensions.

Sht. A2.0.1

12.) As both P.A. 201910033468 and P.A. 101804095888 contain demolition calculations, they should be combined and viewed as a whole.

The above brief plan comments are very incomplete, but demonstrate the need for more explanatory information and revisions to drawings prior to making any decisions based on the current incomplete plans and other outstanding issues.

I.) Variance Application Issues

After review of the Variance Application I was unable to discern the reason and purpose of the Variance Application. Regardless, I consider it unjustifiable due to my comments above and below, and offer the following rebuttal addressing specific items:

- 1.) Project description- lacks requested Planning Code Section for which you are requesting a variance.
- 2.) Related Building Permits Applications- Section has been left blank.
- 3.) Variance Findings

Item #1- 24' wide lot width affects little and provides no specific problems. There is NO neighborhood pattern for buildings (encroaching) in the rear yard.

Item #2- 24' wide lot width affects little and provides no specific problems.

Item #3- The illegal rear additions and stairs were built without benefit of Building Permit; they should not be allowed to be "slipped in" with a variance based on their existence as legal which then further reduces the rear yard open space requirement.

Item #4- The "neighborhood pattern" is NOT consistent with this property. I do not understand what is "the open court mid-yard requirement" refers to. Of course this project and it's proximity is detrimental to the near neighbors (me!) as increased fire-hazard, increased noise, and decreased light and ventilation. This request to legalize illegal construction through the variance process is inappropriate and unjustified.

Item #5- Once again, in spite of the assertions otherwise, the "neighborhood pattern" differs from the proposed project. I would suspect the Master Plan to include open space and setbacks; the intent of the Planning Code is to provide such space. See Sections 101 (c) & (d), SFPC.

- 4.) Priority General Plan Policies Findings

Item #2- The project building differs from the surrounding historical properties by it's illegal rear additions, stairs, and windows.

Item #6- The property as proposed appears to present a fire hazard during an earthquake due to proximity to property line and the extensive number of unprotected openings (windows) in the North and South Exterior walls.

Item #7- The property is historic; the illegal construction is not and should be eliminated.

Item #8- The open spaces are clearly NOT being protected from development. See Sections 101 (c) & (d), Appendix L, Section 7 (b)6; SFPC.

J.) Certificate of Appropriateness Application Issues

I have reviewed the Certificate of Appropriateness Application, consider it unjustifiable, and offer the following rebuttal addressing specific items:

- 1.) Project description- lacks requested Planning Code Section for which you are requesting a variance.
- 2.) Related Building Permits Applications- Section has been left blank.



3.) Project an Land Use Tables, General Land Use Category- There is a proposed increase in residential GSF that has not been stated.

4.) Findings of Compliance with Preservation Standards Checklist

Item #1- The property has illegally been extended beyond what was historically and currently allowed.

Item #2- The illegal construction has a substantial effect on all listed features.

Item #3- The illegal construction is NOT maintaining the historic character of the property.

Item #4- The illegal construction is clearly creating a false sense of history as it is not allowed.

Item #13- The illegal construction is NOT characteristic of the property.

Item #14- The historic integrity of the building is NOT being preserved.

5.) Findings of Compliance with Preservation Standards

Item #1- The changes proposed are substantial; to (incorrectly) legitimize illegal construction through the variance process which exceeds that allowed by the Planning Code.

Item #2- The historical character of the property has already been compromised by the illegal construction, which is proposed to remain.

Item #3- The historical character of the property has already been compromised by the illegal construction, which is proposed to remain.

Item #4- What more recent historical features are being discussed?

Item #9- This Item has NOT addressed the illegal construction.

6.) Priority General Plan Policies Findings

Item #2- The proposed project is preserving illegal, non-historic construction incompatible with the neighboring buildings and the Planning Code.

Item #6- The property as proposed appears to present a fire hazard during an earthquake due to proximity to property line and the extensive number of unprotected openings (windows) in the North and South Exterior walls.

Item #7- The historical character of the property has already been compromised by the illegal construction, which is proposed to remain.

Item #8- The open spaces are clearly NOT being protected from development. See Sections 101 (c) & (d), Appendix L, Section 7 (b)6; SFPC.

K.) Personal Issues

With the property now being developed, I expect the impact on my life will be substantial. It will be more substantial if this illegal construction is allowed to continue to exist and it's use expanded, rather than (justly) remove it and have the applicant build in compliance with the current Planning Code.

The Mid-block Open/Green Space should not be diminished as it is pretty small to begin with. All neighbors adjoining this area benefit from the space that allows air to circulate and possibly some plants. We need light, air, and greenery-not some over-sized building hogging the footprint.

L.) Noticing Issues

I was not noticed of this project until my neighbor showed me their documents and I subsequently requested Planner Monica Giacomucci to include me in mailings. While I understand the Noticing Process depends on the Assessor's Records, how a flat that has been in existence for 120 years is unrecognized seems peculiar.

Further, I understand the meeting date set for the Historic Preservation Commission was changed due to the applicant's failure to post the required notice. However, no new notice was issued for the new date of August 19th. Changing a meeting without additional notification would seem to be unacceptable? When I pointed out that the current agenda for August 19th does not include the subject property, Planner Monica said it would appear on the agenda a week before the hearing. This seems inappropriate and not allowable.

M.) Conclusion

I believe I have demonstrated that there are substantial reasons for discretionary review. I am no foe to construction, but it should be done properly within the restrictions imposed by the Planning, and Building, Codes. I hope that happens in this case. Thank you for your consideration.

Spencer Gosch

## 945-947 Minnesota Street- Discretionary Review Applicant's Brief Supplement

Commissioners-

Thank you all for your time and the opportunity to be heard. My name is Spencer Gosch and I live behind the proposed project at 945 Minnesota Street. I am here to request removal of the illegal structures at the rear of that building as a condition of further improvements being allowed to the building.

I apologize in advance for not having mastered all the resources available technologically (PIM, Public Portal) as it proved too difficult. If I missed something that I am supposed to know that proves important, it's not that I didn't spend a lot of time trying.

My previous brief was not specific as I had hoped to obtain further information regarding the project. My intentions have been stymied by an uncooperative Developer/Property Owner refusing me access to his plans.

While all previous comments continue to be valid, I have narrowed my specific complaints for requesting removal of the illegal construction to the following 4 issues, which are then discussed further below:

- A.) Illegal construction violating numerous provisions of the Planning Code
- B.) Recent Substantial Reduction of Mid-Block Open Space
- C.) Numerous Permit, Plan, and Documentation Errors
- D.) Defense against Likely Rebuttals by Project Sponsor

### A.) Illegal construction violating numerous provisions of the Planning Code

Current Planning Code Violations include:

Sections 101 (c) & (d), 101.1(b)8, 134(a) 1-4, 134(c)3, and 134(e), SFPC.

These provisions all relate either to maintaining light and air or rear yard/open space requirements.

The illegal Construction has reached the end of its life and will need to be demolished in its entirety regardless of what is determined. The new owner is proposing to replace and further develop this illegally occupied land as a part of this Permit Application. I believe

a new addition that complies with the Planning Code be allowed to take the place of the demolished illegal construction.

B.) Recent Substantial Reduction of Mid-block Open Space

1.) Our little Mid-Block Open Space is cut off from the larger Mid-Block Open Space by unregulated School Property, who has already unsympathetically sited school buildings in what would typically be a rear yard setback/Mid-block Open Space [see Attachment B.2.]

2.) Recent re-zoning along 22nd Street to NCT-2 will result in the removal of more than 50% of our small Mid-Block Open Space- [see Attachments B.1 (before) and B.2 (after).]

The Mid-Block Open Space for the area South of the unregulated School Property has been reduced down to 4 lots, one of which is much occupied by the illegal construction under discussion. In light of all the recent Government take-aways, here is the opportunity to restore some unlawfully occupied land to a Mid-block Open Space that desperately needs it.

C.) Numerous Permit, Plan, and Documentation Errors

1.) I have previously identified the plans submitted as inadequate, due to mis-information, missing information, dimensional discrepancies, etc.- in particular regarding the illegal structures at the rear of the building. This level of error by an experienced architect would almost seem purposeful.

The Permit Application under review [PA# 201910033468] is a(n) (unacknowledged) revision of previously ISSUED Permits [PA# 201804095888 and 201901100006]. The Owner/Developer's refusal to allow me access to those previously ISSUED plans have prevented my complete understanding of this project.

2.) I have presented specific issues regarding the the Variance and the Certificate of Appropriateness Applications in my previous brief. Overall, the applications seem to be presented as a mash-up of information non-specific to either application. The illegal structures are barely mentioned, either in text nor dimensioned specifically on plan.

Oddly, there is specific information regarding the Variance (33'4" Rear Yard Requirement and 17' Setback Dimension being provided) contained ONLY in the the Notice of Public Hearing for Wednesday July 15, 2020- this information was not represented on plan nor in the applications. [For the record, I believe the applicant must maintain a minimum 35' Rear Yard Setback per Section 134(e), SFPC.]

D.) Defense against Likely Rebuttals by Project Sponsor

1.) I understand the New Owner/Developer has a family, so that will likely be their argument for keeping and developing the illegal structures. A family may come and go, but once the land is legally claimed by a building it will never be relinquished or restored-if the family argument is not a ploy for development.

I offer an alternative for the space they will "lose" upon demolition of the illegal structures. This building historically had a Gable Roof. I would not object to the restoration of that design which would allow additional space and bring the building back into a historical context more appropriate to the surrounding structures and neighborhood.

2.) There is no loss of value in the valid demolition of the illegal structures. If the New Owner/Developer paid too much (not likely) for illegal construction, against the disclaimers in the sales contract, I would say they received bad advice from their experts, including themselves. New roof construction would help offset alleged value loss. The only real loss is in Development Potential, which is likely what the real issue is here.

3.) A likely argument is also that "It's been there for a long time." I will concede the point. It has no bearing on its legal standing. There was a saying in the Building Department that "You buy the problems with the property" which is how I see this case. Let's get rid of the problem now, at the appropriate time, with a New Owner/Developer attempting to further the develop the illegal spaces.

Conclusion

Please consider the small, reduced size of the Mid-block Open Spaces. Please also consider the numerous San Francisco Planning Codes being considered for permanent violation, many of which cited are in strong favor of my arguments, specifically Section 134(a)1-4, SFPC; there need be no violation of the Planning Codes. Please also consider the Public Good of many versus the personal gain of New Owners/Developer of this property. This Request is made for all of the people who live in buildings with windows opening toward the Mid-Block Open Space, present and future. Thank you for these considerations.

**EXHIBIT**

**C**

**945 Minnesota Street / Case 2019-005728VAR- Variance Appellant's Brief 01-07-21**

Commissioners-

Thank you for your time and considerations. My name is Spencer Gosch and I live at 1076 Tennessee Street, which is directly behind the Subject Property. I am here to request the Variance granted to 945 Minnesota Street be DENIED as it has been processed by the San Francisco Planning Department in violation of numerous provisions of the San Francisco Planning Code.

**A.) Background**

Please see Exhibits A, D, E, and F.

**B.) Planning Department Refusal to Acknowledge the Illegal Structures**

The crux of the matter is that the Planning Department has processed this Permit Application, and Variance Request, as if two illegal structures and stairs at the rear of the building are legal. **These structures are not legal.** I have researched the permit history for this property and there are neither permit nor plans for this illegal construction. I have attached a comparison of the Sanborn Map and the Current Plan [Exhibit B] which clearly indicates the illegal structures and stairs that have been constructed without benefit of permit. I have complained to the Planning Department and the Department of Building Inspection, who for unexplained reasons are refusing to enforce their respective codes [Exhibit C]. In making your determinations, the Board of Appeals should consider these structures as the illegal construction that it is, regardless of the enforcing authorities failure to perform their required duties.

**C.) There is no valid reason for continued existence of the illegal construction.**

The new owners/developers have not established any use of the illegal construction as they have never occupied the property. The illegal, substandard construction is dilapidated to the point of collapse. It will be torn down and there is every reason to not replace it.

**D.) Problems with the Variance (from the Planning Code) Application**

Below I list as Comments, prefaced by document locations, the inadequacies and misinformation provided on the Variance Application . These numerous errors should have forced the Planning Department to return the Variance Application to the Applicant for corrections, prior to any further processing. I believe these voluminous misstatements should invalidate the Variance Application, and the subsequent Variance Decision. Problems previously pointed out to the Planning Department and Commission on my 2 Discretionary Review Briefs are notated with a (DR) after the Comment.

**Page 2, Project Description**

- 1.) General- The required Code Sections have not been provided. (DR)
- 2.) The illegal construction has not been specified as being a part of this Variance Application, nor the rest of the Permit Application.
- 3.) The sentence “Infill below (E) nonconforming habitable space.” refers to some meaningless term that the applicant has made up. For the definition of “Nonconforming Structure” see Section 180 (a) (2), SFPC- The illegal construction does not meet that definition.



The San Francisco Building Code does not consider illegal construction to be habitable; the Planning Code has no definition of habitable space.

- 4.) The proposed New Deck at the 3rd level will be constructed on illegal construction.

Page 3, Estimated Cost

- 5.) Permit Application #201910033468, under which this Variance Application is attached, is one of a series of permit revisions; ie: Serial Permitting. The overall costs will exceed what has been stated for all the work under these permits, which totals to date approximately \$450,000.00

Page 3, Related Building Permits Applications

- 6.) There have been no related permits listed. In reality, the related permits are:  
#201910033463, 201902263825, 201901100006, 201804095888, and 201710252264.

[Exhibit F] (DR)

Page 4, General Land Use Category Table

- 7.) I was unable to locate a definition in the Planning Code for “Usable Open Space.” The table section has been left blank when it should be filled?

Page 6, Variance Findings

- 8.) Item 1- The Current Plan dimensions the Lot at 25’ What is it? The lack of 12” in lot width is hardly an extraordinary circumstance, nor are the other statements. (DR)
- 9.) Item 2- Again, this is not an extraordinary circumstance warranting any special conditions. (DR)

10.) Item 3- "...built a long time ago without any records..." means illegal construction. This is the 1st mention of the illegal construction in the Variance Application. It is not specified under Project Description, other than infill the area below the "nonconforming habitable space" previously discussed under Item 3 above. (DR)

11.) Item 4- The sentence is completely false as: a.) this property with its illegal construction is inconsistent with the surrounding properties, and b.) the Mid-Block Open Space will be permanently negatively impacted by the granting of this Variance Application. See Exhibit E for Open Space discussion and plans] (DR)

12.) Item 5- See Comment #11 immediately previous. This taking of Required Rear Yard and Mid-Block Open Space is inconsistent with the General Purpose and intent of the Planning Code. See Sections 101 (b) (c), & (d); 134 (a) (1) - (4); SFPC. (DR)

Page 7, Priority General Plan Policies Findings

13.) Item 2- The applicant fails to mention the illegal construction, which is out of character with the neighborhood. (DR)

Page 8, Priority General Plan Policies Findings

14.) Item 7- The building is considered Contributory to the Historic District. Appendix L, Section 8. New construction, which the legalizing of the illegal construction would be

considered, is required to conform to existing setback patterns of the District. The illegal construction does not comply. Article 10, Appendix L, Section 7 (b) 11, SFPC. (DR)

15.) Item 8- See my Comments 11 and 12 previous, along with Exhibit E. The taking of Open Space and Access to Sunlight and vistas which is proposed under this Variance Application is the exact opposite of protecting it from development. (DR)

Page 9, Applicant's Affidavit

16.) Mr. Shatara's required signatures and date have not been provided. The Planning Department personnel receiving the application has likewise not been identified, nor the date received by the Planning Department stated. This alone invalidates this Variance Application.

**E.) Problems with the Variance Decision**

As in the previous Section D above, I list below as Comments, prefaced by document locations, the inadequacies, mistatements, and inconsistencies provided on the Variance Application. I have continued my numbering system through from the previous Section D.

Page 1, Description of Variance- Rear Yard Variance Sought

17.) This description does not include the illegal construction. It does include a "rear deck" and spiral stair which are proposed to be build on top of the illegal construction.

18.) Planning Code Section 134 not being enforced, as the ZA admits.

Page 1, Procedural Background

19.) Item 3- The Historic Preservation Commission has approved exterior alterations (ie: Illegal Construction) that do not comply with the Setback requirements for Historic Properties. See my Comment 14 previous. As setback dimensions are not provided on plan, it is curious how the HPC did not notice this important consideration being omitted from plan.

Page 2; Decision

20.) I was not provided with EXHIBIT A as a part of this Variance Decision, nor was it provided with the Variance Application that I received. If EXHIBIT A is Mr. Shatara's plan dated 05-26-20 consisting of 15 sheets, then I have EXHIBIT A, although an illegible 8-1/2" x 11" version.

21.) The dimensions stated for the rear stair as 11'10" wide and 22' above grade are not shown on plan. How were these dimensions determined?

22.) Item 2- This statement is meaningless considering what the Planning Department is allowing to happen to this property. Of course the vertical addition over the one-story illegal construction will be permitted shortly after P.A.# 201910033468 is ISSUED.

23.) Item 3-It is ironic that the Planning Department is requiring compliance with all applicable City Codes, excepting their own.

24.) Item 4- I strongly protest the inclusion of this statement, specifically if it allows review outside of the normal permit process.

25.) The Variance Decision, like the Variance Application, does not include the Illegal Construction. If this Variance Decision is allowed to stand, the Illegal Construction will still be illegal and subject to abatement proceedings.

Page 2, Findings

26.) Finding 1- There is nothing exceptional or extraordinary about this property, excepting the Illegal Construction. See my Comments 8 and 9 previous.

Page 3, Findings

27.) Finding 1, Requirement Met, Item A, 1st Sentence- This is an incorrect statement, as the Illegal Construction is not shown on the Sanborn Map-See Exhibit B.

28.) Finding 1, Requirement Met, Item B, 1st Sentence- This statement means nothing and should be deleted.

29.) Finding 1, Requirement Met, Item B, 2nd Sentence- This generalization has no basis in fact. And if illegal construction exists, is that a reason to allow more illegal construction?

30.) Finding 1, Requirement Met, Item C- The Rear Stairs are a Variance Issue only because the Illegal Construction is taking up the space which could provide for a code-complying stair.

31.) Finding 2- Per the Variance Application, Variance Findings 1 & 2 state that the alleged exceptional and extraordinary circumstance is that the lot is 12" less width than typical. I have stated that this is NOT extraordinary- see my Comments 8 & 9 previous. There is no practical difficulty nor unnecessary hardship caused by this minor issue.

- 32.) Finding 2, Requirement Met, Item A, 1st Sentence- Per my Comment 31 immediately previous, the stated “circumstance” is a lot width deficiency. I am unable to understand how a lot width problem on the Variance Application is transposed Finding 2, Requirement Met, Item A, 2nd Sentence a lot depth problem on the Variance Decision. See also my Comment 30 previous.
- 33.) Finding 2, Requirement Met, Item A, 2nd Sentence- I do not believe there is a definition of “adequate open space” for the buildings two residential units- this is a specious and unnecessary statement indicating some benefit when there is none.
- 34.) Finding 2, Requirement Met, Item A, 2nd Sentence- “ ..with little or no impact to the existing Mid-Block Open Space or adjacent properties.” Once again, the Illegal Construction is being treated as if it were legal. This “de facto legalization” of the Illegal Construction will have a permanent negative impact on both Mid-Block Open Space or adjacent properties. See my Comments 11, 12, and 15 previous and Exhibit E for discussion and plans.
- 35.) Finding 2, Requirement Met, Item A, Last Sentence- Remove the Illegal Construction and all constraints that require a Variance, and the Variance itself, will disappear.
- 36.) Finding 3- This Variance is NOT “necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.” No other residential property legally constructed with benefit of permit has the lot coverage of the Subject Property. The implication that illegal construction on other lots should allow this lot to exceed allowable building limits is troubling. Remove the Illegal Construction.

37.) Finding 3, Requirement Met, 1st Sentence- Remove the Illegal Construction and the stairs are no longer a Variance Item.

38.) Finding 3, Requirement Met, 2nd Sentence- The ZA thinks that obstructing the property with Illegal Construction and these further Variance Obstructions is "...improving (safety) and Open Space, especially when the Mid-Block Open Space is so interrupted by a large institutional property, and it is the owner's substantial property right ...[to "improve the Open Space with building?"] This sentence also implies that illegal construction on other properties is justification for covering this lot with construction exceeding that allowed by Code.

39.) Finding 4- I believe this Variance will be materially injurious to the property...in the vicinity. The one where I live. And the neighbors who all share our isolated and tiny Mid-Block Open Space, which is being permanently reduced in size by the Variance and the de facto Illegal Construction. This reduces light and air availability to all. See my Comments 11, 12, 15 previous, along with Exhibit E discussion and plans.

40.) Finding 4, Requirement Met, Item A- See my Comment 39 Immediately previous.

41.) Finding 4, Requirement Met, Item B- The Illegal Construction has created a property very similar to the Poster Child for "substantially out of scale with surrounding buildings and impacts the rear yard open space." as depicted on Page 27, upper left hand corner of the Residential Design Guidelines [Exhibit A]

42.) Finding 5- This Variance is in clear violation of Purpose Sections 101 (c), & (d), SFPC. Section 101(b) requiring “orderly” and “beneficial” do not seem to be adjectives particular to this Variance, nor project.

43.) Finding 5, Requirement Met, Item A- See my Comment 42 immediately previous.

44.) Finding 5, Requirement Met, Item A.7- See my Comment 19 Previous

45.) Finding 5, Requirement Met, Item A.8- This Variance is permanently and irreversibly removing portions of the rear yard, which de facto includes the area currently covered by the Illegal Construction, from an already isolated and much reduced Mid-Block Open Space. This loss to the Mid-Block Open Space is in direct violation of Planning Code Section 101.1(b) (8), SFPC; which states “ That our parks and open space and their access to sunlight and vistas be protected from development.” See also Exhibit E for Mid-Block Open Space discussion and plans.

#### **F. Conclusion**

The Variance Appeal should be granted and the Variance denied



List of Exhibits

Exhibit A- Photograph of Building Rear vs Page 27 of Residential Guidelines

Exhibit B- Comparison of Sanborn Map with the Current Plan

Exhibit C- Demand Letters to City Attorney

Exhibit D- Discretionary Review Brief

Exhibit E- Discretionary Review Brief Supplement

Exhibit F- List of Permit Application

**EXHIBIT**

**D**



05/15/2022

**EXHIBIT**

**E**

S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
December 11, 2020

Sent Certified Mail/RRR

Office of the City Attorney  
Attn: Dennis Herrera, City Attorney  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: 945-947 Minnesota Street/ DBI Complaint #202063081-Demand for  
Enforcement of Illegal Structures by the San Francisco Department of  
Building Inspection**

Dear Mr. Herrera;

As always, thank you for your time and assistance with this, and all other matters.

The above referenced building has 2 illegal additions at the rear of the property. As a former San Francisco Building Inspector with 24 years experience, I have done the research and there are neither permits nor plans for these illegal additions.

On October 26, 2020 I telephoned a formal complaint to DBI, specifying that illegal additions had been constructed at the rear of the building to both flats.

I Demand that the San Francisco Department of Building Inspection, pursuant to Sections 102A, 103A, 104A, and 106A.1, SFBC:

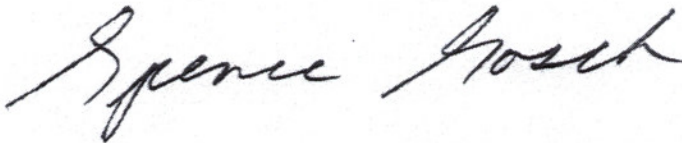
Post a Notice of Violation for the illegal construction outlined in DBI Complaint #202063081 within 25 days of the date of this letter, or I will be forced to file complaints with both the United States Attorney General and the California Attorney General for breach of public trust and malfeasance regarding this matter

I have also sent today DBI Director O'Riordan a similar Demand Letter [enclosed], also requesting that a Notice of Violation be posted within 25 calendar days of this date.

945-947 Minnesota Street  
DBI Enforcement Demand Letter  
December 11, 2020  
Page 2 of 2

Thank you very much for your time and help.

Sincerely,

A handwritten signature in cursive script that reads "Spencer Gosch". The signature is written in dark ink and is positioned above the printed name.

Spencer Gosch

Enclosures: Demand Letter to DBI Director Patrick O'Riordan dated December 11, 2020

cc: London Breed, Mayor of San Francisco  
Patrick, O'Riordan, Director, Department of Building Inspection

S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
December 9, 2020

Sent Certified Mail/RRR

Office of the City Attorney  
Attn: Dennis Herrera, City Attorney  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: 945-947 Minnesota Street; Demand for Enforcement of Illegal Structures by  
the San Francisco Planning Department**

Dear Mr. Herrera;

As always, thank you for your time and assistance with this, and all other matters.

I have recently sent and cc'd you numerous emails concerning the above referenced property, as I have tried to make you aware that the Planning Department (DCP) is working in contravention to their own rules regarding a Permit Application under their consideration (P.A. #201910033468).

This Demand is yet another example of that willingness to not perform their duties, as required by law.

The above referenced building has 2 illegal additions at the rear of the property. As a former San Francisco Building Inspector with 24 years experience, I have done the research and there are no permits nor plans for these illegal additions.

On October 26, 2020 I submitted a formal complaint to DCP [enclosed]

I requested that the Planning Department register the complaint and follow through with noticing the building, as required by Section 176 of the San Francisco Planning Code, reproduced for your convenience in a larger font below:

~~~~~

SEC. 176. ENFORCEMENT AGAINST VIOLATIONS.

(a) **Violations Unlawful.** Any use, structure, lot, feature or condition in violation of this Code is hereby found and declared to be unlawful and a public nuisance. Should any permit or license have been issued that was not then in conformity with the provisions of this Code, such permit or license shall be null and void.

(b) **Methods of Enforcement.** The Zoning Administrator shall have authority to enforce this Code against violations thereof by any of the following actions:

(1) Serving notice requiring the cessation, removal or correction of any violation of this Code upon the owner, agent or tenant of the property that is the subject of the violation, or upon the architect, builder, contractor or other person who commits or assists in such violation;

(2) Calling upon the City Attorney to maintain an action for injunction to restrain or abatement to cause the correction or removal of any such violation, and for assessment and recovery of a civil penalty for such violation as well as any attorneys' fees or costs, including but not limited to expert witness fees, incurred in maintaining such an action;

(3) Calling upon the District Attorney to institute criminal proceedings in enforcement of this Code against any such violation; and

(4) Calling upon the Chief of Police and authorized agents to assist in the enforcement of this Code.

~~~~~

Please note there is no option within Section 176 that allows the Zoning Administrator do nothing. He has had the valid complaint for well over a month- and done nothing! I now request



945-947 Minnesota Street  
DCP Enforcement Demand Letter  
December 9, 2020  
Page 3 of 3

an expedited process to compensate for the purposeful delay. As the illegal structures are already documented on plans for Permit Application #201910036348, which is currently under review, it would seem no inspection is necessary to verify my complaint. If visual confirmation of the illegal structures is required, it can be obtained from the adjoining City Property, which is open to the public. There is no reason for delay in the issuance of the Notice.

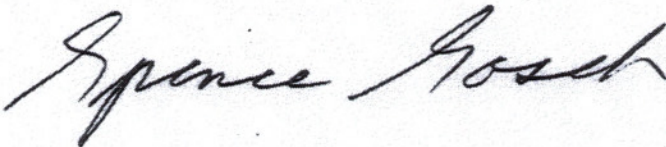
I Demand that the San Francisco Planning Department:

- 1.) Record my Complaint and mail me with a copy within 10 calendar days of the date of this Demand, and:
- 2.) Serve Notice on 945-947 Minnesota Street for violations of the Planning Code related to my complaint, and mail me with a copy of that Notice within 25 calendar days of the date of this letter.

Failure to comply with my reasonable requests will result in my filing complaints with both the United States Attorney General and the California Attorney General for the breach of public trust and malfeasance regarding this matter.

Thank you very much for your help with your client.

Sincerely,



Spencer Gosch

Enclosure: Complaint to San Francisco Planning Department dated October 23, 2020

cc: London Breed, Mayor of San Francisco  
Joel Koppel, President, San Francisco Planning Commission  
Rich Hillis, Director, San Francisco Planning Department  
Corey Teague, Zoning Administrator, San Francisco Planning Department

**EXHIBIT**

**F**

You selected:

Address: **945 MINNESOTA ST** Block/Lot: **4107 / 018**

Please select among the following links, the type of permit for which to view address information:

[Electrical Permits](#) [Plumbing Permits](#) [Building Permits](#) [Complaints](#)

**(Building permits matching the selected address.)**

Permit #	Block	Lot	Street #	Street Name	Unit	Current Stage	Stage Date
201910033468	4107	018	945	MINNESOTA ST		SUSPEND	07/08/2022
202206236976	4107	018	945	MINNESOTA ST		FILED	06/23/2022
202203099634	4107	018	945	MINNESOTA ST		ISSUED	03/09/2022
201910033463	4107	018	945	MINNESOTA ST		ISSUED	11/30/2020
201902263825	4107	018	945	MINNESOTA ST		FILED	02/26/2019
201901100006	4107	018	945	MINNESOTA ST		ISSUED	01/10/2019
201804095888	4107	018	945	MINNESOTA ST		ISSUED	09/17/2018
201710252264	4107	018	945	MINNESOTA ST		ISSUED	10/26/2017

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

**Technical Support for Online Services**

If you need help or have a question about this service, please visit our [FAQ](#) area.

**EXHIBIT**

**G**

S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
November 3, 2020

Department of Building Inspection  
Attn: Director Patrick O'Riorden  
49 South Van Ness Avenue  
San Francisco, CA 94103

**Re: 945 Minnesota Street/DBI Complaint #202063081. Request for Return  
of Permit Application #201910033468 to the Department of City Planning**

Dear Director O'Riorden-

I hope this letter finds you and all your concerns well, and that you are enjoying your new position and responsibilities.

I am attaching an earlier email that I had sent to the Director of City Planning, Rich Hillis. As I'm unsure of what decisions Mr. Hillis will make, or if he will fully respond to my correspondence, I feel I must make this request of you in advance of the Permit Application being APPROVED by City Planning and forwarded to your Department for your review.

I am unable to review the Permit Application status as your Permit Tracking System has out-of-date security protection, so I'm warned.

I am writing to request that your Department return the above referenced Permit Application to the Department of City Planning (DCP) for additional processing prior to a full DBI plan review. This processing would include, at a minimum: addressing the illegal construction on plan, revising the Variance Application to reflect the illegal construction, and properly dimensioning the plan set in its entirety. I believe it is DBI's responsibility to correct the "Serial Permitting" that is being allowed to occur at this address.

A Real Estate Developer recently bought the building behind where I live and is attempting to expand the use of of some existing illegal construction. In spite of my vociferous opposition (see my 2 attached Discretionary Review Briefs), DCP has approved this Permit. The DCP refuses to acknowledge the construction as illegal. I have filed complaints, belatedly, to both Departments regarding the illegal structures. [DBI #202063081/DCP Complaint is submitted and "Under Review"]. I have researched the Permit History of the property and there is no permit to build the illegal structures. I have been denied access to complete construction documents by the Developer/Owner.

945 Minnesota Street  
DBI Complaint #202063081  
November 3, 2020  
Page 2 of 3

I have 3 requests of you and your Department:

Request #1

I request when the Permit Application is routed to DBI that you review the plans transmitted from the Department of City Planning [Revision dated 05.26.2020] and confirm they lack the required dimensions regarding the Rear Yard Area/Illegal Construction (missing setbacks, dimensions, etc.) to allow a Plan Review and must be returned to DCP for their clarification prior to DBI reviewing the plans.

This would occur normally upon the DBI Plan Reviewer discovering the inadequacies with the plans (required per Sections 106A.3.3.2 and 106A.3.3.4, SFBC) and I shouldn't have to bring it to your attention. I am sure you will agree that plans missing setbacks, dimensions, and elevations are not approvable. I believe that they are very important in this situation as it is likely the illegal structures will be demolished and rebuilt; without the existing dimensions stated the replacement structure could very well exceed the current lot coverage.

Request #2

In addition to the lack of required dimensions, this Permit Application does not address the illegal construction, and must be returned to City Planning for them to do so.

The Variance does not address the illegal construction at the rear of the building; it is ignored and treated as if it were legal, as do the plans. The Variance should include the illegal construction as a part of the discussion, as it is the reason for the variance- if the illegal construction were removed, there would be no need for a variance.

Request #3

This Permit Application is a Revision to Permit Applications #201710252264, 201804095888 & 201901100006, but is currently not being treated as such. This constitutes "Serial Permitting", where Permit Applications get to be reviewed separately, instead of as a whole. Please note the dates under PA# 201910033468 Plan Revision Log and you will see the dates go back to the earlier permits.

I request you review this project in its entirety and require that the 4 permits are legally bound together, either by modifying the Permit Application under review to state so, or by an additional

945 Minnesota Street  
DBI Complaint #202063081  
November 3, 2020  
Page 3 of 3

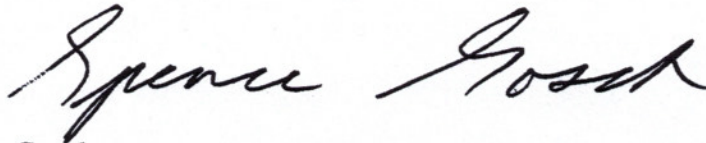
Permit Application for record-keeping. I further request that this be accomplished prior to returning this application to the Planning Department as requested above, so that Planning Department understands the full scope of the current permit in relation to the other Serial Permits.

My 2 Discretionary Review Briefs are provided for your use as background information- they also contain some Plan Review Comments of obvious errors and code violations, in addition to the dimensioning problems. Please forward them to the assigned Plan Reviewer for their possible use.

I have contacted the Office of the City Attorney and requested their involvement with this matter, as I am unable to comprehend the actions to date of the Planning Department as regards this Permit Application. Please discuss these requests with the City Attorney prior to your taking any action.

Thank you for your time and consideration.

Sincerely,



Spencer Gosch

Attachments: 1.) Gosch to Hillis email dated October 27, 2020@ 8:07 am  
2.) Discretionary Review Brief  
3.) Discretionary Review Brief Supplement

cc: London Breed, San Francisco Mayor  
Dennis Herrera, San Francisco City Attorney  
Rich Hillis, San Francisco Planning Department, Director  
Joel Koppel, San Francisco Planning Commission, President

**EXHIBIT**

**H**



S. K. Gosch  
P. O. Box 170221  
San Francisco, CA 94117  
June 7, 2022

San Francisco Department of Building Inspection  
Attn: Neville Pereira, Deputy Director of Permit Services  
49 Van Ness Avenue, 5th Floor  
San Francisco, CA 94103

**Re: 945 Minnesota Street, Permit Application #201910033468  
Request for Review/Re-review per DBI Complaint #202290991**

Greetings Deputy Director Pereira:

First, allow me to applaud you for accepting such a challenging position; I hope it proves to be rewarding in multiple ways. My name is Spencer Gosch and, as a reference for my comments, I was a Building Inspector /Plans Examiner for your Agency for some 24 plus years prior to my retirement in 2014. Thank you for your time with this matter.

I have also been an adjacent neighbor to the subject property for 20 plus years. My purpose is to have a dilapidated illegal structure removed from the property and not be re-built. The demolition of the structure has been accomplished, although illegally without benefit of Building Permit. I have been to the Planning Commission and Board of Appeals regarding the above referenced Permit Application.

As perhaps all the confusion caused by previous DBI Management has not yet been dissipated, I thought it important that I forward to you my previous letter to Director O'Riordan dated November 3, 2020 for your review and application as you see appropriate (see Separate Enclosure). I also include a narrative and some additional comments along with my Requests.

**A.) Request for Review**

Prior to PA#201910033468, 945 Minnesota Street Project permits have likely never been reviewed due to corruption.

- I now request that with PA#201910033468 this project be, for the 1st time, comprehensively reviewed for compliance with the San Francisco Building Code by your most expert staff.

**B.) Request for New Permit Application and Suspension of Work**

Per verbal Directives at the Board of Appeals (BOA) Hearing on January 27, 2021 (which video is part of the legal record) the rear illegal rear structure was allowed to remain- BUT NOT BE DEMOLISHED- which is what was done without benefit of a Building Permit.

As the above situation requires PA #201910033468 to be APPROVED and ISSUED in accordance with the BOA, no substantial modification of the Project, PA, or Plans are allowable (ie: demolishing the illegal structure.)

- Therefore, a new Permit Application to demolish and re-build the illegal structure, along with Work Description of “Renew and Revise Permit Applications #201804095888, 201901100006, 201910033463, and 201910033468” should be applied for and routed to the Planning Department.
- I further request that PA #201910033468 be reviewed as requested and processed in parallel with the new PA, and that work not be allowed to proceed until the rear structure issue is fully resolved. The new owner has chosen to do what they wish, in disregard of State and City Permit Requirements. If work is allowed to proceed under an ISSUED PA #201910033468 and/or other permits I think it likely the rear structure will re-built without benefit of permit and presented as a fait accompli.

**C.) Narrative and Additional Comments**

Permit Application (PA) #201910033468 (see Attachment A) is in need of review for compliance with the San Francisco Building Code prior to ISSUANCE. This PA currently shows as FILED.

PA #201910033468, is a revision to previously ISSUED PA #201804095888 (see Attachment B) [and PA#201901100006] although it is not identified as such (ie:Serial Permitting). PA #201804095888 was ISSUED Over-The-Counter (OTC) with little if any review of Building Code requirements. (see Attachment C). OTC was a notoriously corrupt method of plan review and permit approval when I was last working at DBI; I would say it made Tom Hui Director.

Please identify PA #201910033468 as the revision it is and have your best Staff do a complete and thorough plan review, so as to correct any plan errors that were not required to comply with the San Francisco Building Code under the earlier PA #201804095888 and 201901100006.

To that end, I offer some very few Plan Review Comments (see Attachment D) that I developed for my Discretionary Review Application to the Planning Commission from the sheets of plans

purported to be those for PA#201910033468 which I reviewed that were provided to me as a neighbor to the project. There are numerous dimensional errors or omissions, exclusive of other deficiencies. [Note: Please also apply my comments to any new permit/plan review submittals.]

PA# 201901100006 is ISSUED as stated as a structural revision, but the APPROVED plans (which I have not reviewed) may show additional non-structural alterations. It was processed in 1 day. I suggest that you review these plans for any inconsistencies and misinformation. Please be advised that, all things considered, that enough structural modification may have occurred as to qualify the structure as an Unlawful Demolition.

PA #201910033468 is the legal vehicle for Variance Application No. 2019-005728VAR that was granted? in a Variance Decision dated December 2, 2020 and requires that PA to be ISSUED and COMPLETED before it is legally valid. I appealed the Variance decision to the Board of Appeals on January 27, 2021. They upheld the Variance Decision, but with verbal caveats: Commissioners Honda and Swig of the Board of Appeals and Assistant Zoning Administrator Scott Sanchez all specifically warned against the demolition that has now occurred; these warnings are a part of the legal record of the proceedings of the BOA regarding this property.

Complaint # 202290991 and subsequent Notice of Violation dated May 18, 2022 involves their illegally removing a part of the structure which their Variance required to stay. This illegal demolition will require a new Permit Application to be FILED, which should also “Renew and Revise (specific list of all PA’s)” As this New Permit Application includes exterior alterations it will be routed to the Planning Department. Please be advised that I will continue to voice my opposition to any proposed replacement of the illegal rear structures that occupy the required rear yard setbacks.

Consider also the involvement of former DBI Commissioner Rodrigo Santos and former Chief Building Inspector Bernard Curran with this project. Their indictments for criminal interactions with and for your agency (see Attachment E), and Inspector Curran’s timely retirement, along with other DBI Senior Management Staff, will perhaps now allow for compliance with the San Francisco Building Code and San Francisco Planning Code at this address.

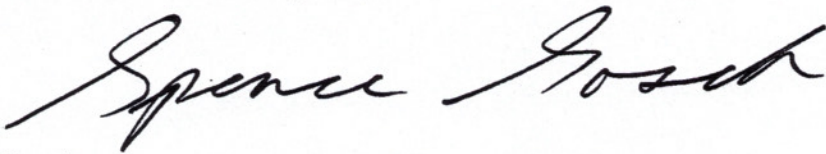
**Please note that all this waste of MY time and money- everybody else is getting paid for NOT enforcing City Requirements- has been caused by:**

- 1.) **lack of competent, or any, DBI review on the initial OTC PA #201804095888 and subsequent revision PA#201901100006.**

- 2.) **Failure of DBI to refer PA#201804095888 to the Planning Department for how the illegal structure blocking up the Rear Yard got there; and**
- 3.) **the Zoning Administrator's Official Misconduct in Approving Variance Application #2019-005728VAR.**

I hope you agree with my assessments. Regardless, I appreciate the help of you and your current Staff in resolving the problems that will allow the new owner of 945 Minnesota Street to get his project quickly completed- and in full compliance with the San Francisco Building Code and Planning Code.

With Best Wishes from the Neighbor,



Spencer Gosch

Attachments

- Attachment A- Permit Details Report PA#201910033468
- Attachment B- Copy of PA# 201804095888
- Attachment C- Permit Details Report PA # 201804095888
- Attachment D- Portion of Discretionary Review Application
- Attachment E- San Francisco Chronicle (portion) dated May 8, 2022; page J3

cc w/o Separate Enclosure [forwarded previously]:

Patrick O'Riordan, Director, San Francisco Department of Building Inspection  
Rich Hillis, Planning Director  
London Breed, Mayor  
David Chiu, City Attorney

cc: Joe Duffy, Deputy Director for Inspection Services, SFDBI  
Julie Rosenberg, Director, BOA  
Ben Rosenfield, San Francisco City Controller  
Board of Supervisors  
Cory Teague, Zoning Administrator

# EXHIBIT

1

## SEC. 306.1. APPLICATIONS AND FILING FEES.

(a) **Who May Initiate.** The persons and agencies that may file or otherwise initiate actions for amendments to the Planning Code, conditional uses and variances are indicated in Sections 302 through 305. The persons and agencies that may file or otherwise initiate actions for amendments to the General Plan are indicated in Section 340.

(b) **Where To File.** Applications shall be filed in the office of the Planning Department.

(c) **Content of Applications.** The content of applications shall be in accordance with the policies, rules and regulations of the Planning Department, Zoning Administrator and the Planning Commission. All applications shall be upon forms prescribed therefor, and shall contain or be accompanied by all information required to assure the presentation of pertinent facts for proper consideration of the case and for the permanent record. The applicant may be required to file with his application the information needed for the preparation and mailing of notices as specified in Section 306.3. In addition to any other information required by the Planning Department, the Zoning Administrator and the Planning Commission, an applicant for a conditional use permit or variance who proposes a commercial use for the subject property shall disclose the name under which business will be, or is expected to be, conducted at the subject property, if such name is known at the time of application. The term "known" shall mean actual, not imputed knowledge, and shall consist of direct evidence including but not limited to a contract of sale, lease, or rental, or letter of intent or agreement, between the applicant and a commercial entity. If the business name becomes known to the applicant during the conditional use permit or variance processing period, the applicant promptly shall amend the application to disclose such business name.

(d) **Verification.** Each application filed by or on behalf of one or more property owners shall be verified by at least one such owner or his authorized agent attesting to the truth and correctness of all facts, statements and information presented. All applications shall include the following statement: "The information contained in this application is true and complete to the best of my knowledge, based upon diligent inquiry. This application is signed under penalty of perjury. I understand that willful or material misstatement(s) or omissions in the application may result in the rejection of the application and a lapse of time before the application may be resubmitted." The Zoning Administrator may reject a conditional use or variance application as inaccurate and may require the applicant to re-file the application where the Zoning Administrator determines that the application includes material misstatements or omissions. Such rejection shall not be considered to be a denial of the application on its merits. Where the Zoning Administrator determines that such material misstatements or omissions were made willfully, the Zoning Administrator may require that the applicant wait up to 6 months before re-filing an application for substantially the same project. The Zoning Administrator's action in this regard may be appealed to the Board of Appeals pursuant to Section 308.2 of this Code.

(e) **Fees.** Before accepting any application for filing, the Planning Department shall charge and collect a fee as specified in Article 3.5 or Article 3.5A of this Code.

(Amended by Ord. 259-81, App. 5/15/81; Ord. 321-96, App. 8/8/96; Ord. 7-00, File No. 991428, App. 1/26/2000)

**EXHIBIT**

**J**



## VARIANCE FROM THE PLANNING CODE APPLICATION

### APPLICATION SUBMITTAL REQUIREMENTS

Pursuant to Planning Code Section 305, the Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in the Planning Code.

Please read the Variance Informational Packet and the instructions in this application carefully before the application form is completed.

#### WHAT TO SUBMIT:

- One (1) original of this application signed by owner or agent, with all blanks filled in;
- One hard copy set of reduced sized (11"x17") plans, including but not limited to plans showing adjacent structures, existing and proposed floor plans, elevations, and sections. Once your project is assigned, your planner may request a full-size (24"x36") set of plans. Please see the Department's Plan Submittal Guidelines [http://sf-planning.org/sites/default/files/FileCenter/Documents/8676-Plan\\_Submittal\\_Guidelines-042315.pdf](http://sf-planning.org/sites/default/files/FileCenter/Documents/8676-Plan_Submittal_Guidelines-042315.pdf) for more information;
- A Letter of Authorization for Agent from the owner giving you permission to communicate with the planning department on their behalf;
- A digital copy (CD or USB drive), containing the application, project drawings, letter of authorization, etc.;
- Current or historic photograph(s) of the subject property; and
- A check made payable to the "San Francisco Planning Department" for the required intake fee amount. (See Fee Schedule and/or Calculator)

#### THE PRE-APPLICATION PROCESS:

The following types of projects require a Pre-Application Meeting Notification. Please be aware that a Pre-Application meeting is also required prior to filing any Planning entitlement application (i.e. Conditional Use Authorization, Variance) for:

- Projects subject to 311 or 312 Notification;
- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization;
- Community Business Priority Processing (CB3P); and
- Projects in PDR-I-G Districts subject to Section 313.

Please refer to the Pre-Application Meeting Instruction Packet for further detail or contact planning staff with questions.

#### HOW TO SUBMIT:

To file your Variance application, please send an email request along with the intake appointment request form to: [CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org). Intake request forms are available here: <http://sf-planning.org/permit-forms-applications-and-fees>.

**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 415.575.9121. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.





## VARIANCE FROM THE PLANNING CODE APPLICATION

### Property Owner's Information

Name: Reed and Aleena Moulds

Address: 73 Maple Avenue, Atherton CA 94027 Email Address: aleenapk@yahoo.com

Telephone: 415-512-7566

### Applicant Information (if applicable)

Name: Suheil Shatara Same as above

Company/Organization: Shatara Architecture Inc.

Address: 890 7th Street San Francisco, CA 94107 Email Address: suheil@shataraarch.com

Telephone: 415-512-7566

### Please Select Billing Contact:

Owner  Applicant  Other (see below for details)

Name: Reed and Aleena Moulds Email: aleenapk@yahoo.com Phone: 415-512-7566

### Please Select Primary Project Contact:

Owner  Applicant  Billing

### Property Information

Project Address: 945-947 Minnesota Street Block/Lot(s): 4107/018

Plan Area: Dog Patch

### Project Description:

Please provide a narrative project description that summarizes the project and its purpose. Please state which section(s) of the Planning Code from which you are requesting a variance. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.  See Attachment

Replace damaged front stairs, entry doors, and all windows. Modify windows at Front Bay that widen center bay windows. Wood windows to be replaced in kind at front facade with Ogee Lugs. All other windows on side and rear are to be aluminum clad wood windows (Marvin). Replace all clapboard siding to rustic siding to match majority of (S) siding. Create (N) deck at rear at existing 3rd floor roof level. Infill below (E) nonconforming habitable space. Create (N) roof deck at existing roof level.

**Project Details:**

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

**Estimated Construction Cost:** \$50,000

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

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

**Related Building Permits Applications**

Building Permit Applications No(s): \_\_\_\_\_

**PROJECT AND LAND USE TABLES**

If you are not sure of the eventual size of the project, provide the maximum estimates.

General Land Use Category		
	Existing (square footage area)	Proposed (square footage area)
Parking GSF	305	305
Residential GSF	3238	3238
Retail/Commercial	0	0
Office	0	0
Industrial-PDR	0	0
Medical	0	0
Visitor	0	0
CIE (Cultural, Institutional, Educational)	0	0
Useable Open Space		
Public Open Space		

Project Features		
	Existing Unit(s) (Count)	Proposed Unit(s) (Count)
Dwelling Units - Affordable	0	0
Hotel Rooms	0	0
Dwelling Units - Market Rate	2	2
Building Number	1	1
Stories Number	3	3
Parking Spaces		
Loading Spaces	0	0
Bicycle Spaces	0	0
Car Share Spaces	0	0
Public Art	0	0
Other (please specify below)	0	0

Land Use - Residential		
	Existing	Proposed
Studios Units	0	0
One Bedroom Units		
Two Bedroom Units	1	1
Three Bedroom (or +) Units	1	1
Group Housing - Rooms	0	0
Group Housing - Beds	0	0
SRO Units	0	0
Micro Units	0	0
Accessory Dwelling Units* <small>*For ADUs, individually list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.</small>	0	0

## 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;
1. The lot itself is only 24 ft wide. There is a neighborhood pattern for the building in the rear yard. Additionally, there is an existing exit stair of the existing building that encroaches into the rear yard.
2. 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;
2. Due to the existing size of the lot, being less than 25 ft.
3. 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;
3. The extension has been built a long time ago without any records and the stairs are required for a second means of egress, this will be consistent to this block.
4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity;
5. The neighborhood pattern of the rear yard buildings is consistent with the Depth and the open court mid-yard requirement and is supported by the neighborhood pattern and will not affect anything else on the property exclusive of the required exit stairs at the back of the (E) building.
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 Master Plan.
5. The neighborhood pattern of the rear yard buildings is consistent with the Depth and the open court mid-yard requirement and is supported by the neighborhood pattern and will not affect anything else on the property exclusive of the required exit stairs at the back of the (E) building.

## PRIORITY GENERAL PLAN POLICIES FINDINGS

### PLANNING CODE SECTION 101

#### (APPLICABLE TO ALL PROJECTS)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

Please respond to each policy; if it's not applicable explain why:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The property is a residential home and the neighborhood-serving retail is not affected by the work done.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The building is an existing building and the character of the house will be protected and preserved by using similar materials and finishes.

3. That the City's supply of affordable housing be preserved and enhanced;

The building is existing and the housing supply will not be affected.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

The commuter traffic will not be impeded and the muni transit service will not be affected.

Please respond to each policy; if it's not applicable explain why:

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The diverse economic base of the property will be maintained and preserved. This is a residential building and will not directly affect the industrial and service sectors.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The property will be upgraded and remodeled according to the rules of the city of San Francisco and will be ready and protected against in an earthquake .

7. That landmarks and historic buildings be preserved; and

The property is not a landmark but falls in a historical neighborhood. The building material and finishes will follow and preserve the historical characteristics of the neighborhood.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The existing building will not be changed and will not affect the sunlight and vistas.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Architect

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

\_\_\_\_\_  
415-512-7566

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Suheil Shatara

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
suheil@shataraarch.com

\_\_\_\_\_  
Email

# APPLICANT'S SITE VISIT CONSENT FORM

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Suheil Shatara

\_\_\_\_\_  
Name (Printed)

For Department Use Only

Application received by Planning Department:

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

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



**EXHIBIT**

**K**



## VARIANCE FROM THE PLANNING CODE

### INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the Project Application for instructions.**

Pursuant to Planning Code Section 305, the Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in the Planning Code. The first pages consist of instructions which should be read carefully before the application form is completed.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto: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.

**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 415.575.9120. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A VARIANCE?

The Planning Code regulates the use of property, including the size, design, and siting of buildings that may be constructed on a piece of property. The Planning Code has standards for buildings that govern such features as rear yards, front setbacks, usable open space, height, and parking. A variance is a request for an exception to a Planning Code standard. The Zoning Administrator is the City official that interprets and maintains the Planning Code.

### WHEN IS A VARIANCE NECESSARY?

There may be special circumstances that make it difficult for a project to meet all of the Planning Code requirements. In those instances, a project sponsor may request that the Zoning Administrator grant a Variance from the Code provisions. Under the City Charter (Section 4.105), the Zoning Administrator has the power to grant only those variances that are consistent with the general purpose and the intent of the Planning Code. The power to grant a variance shall be applied only when the plain and literal interpretation and enforcement of the Code would "result in practical difficulties, unnecessary hardships, or where the results would be inconsistent with the general purpose of the [Code]."

Planning Code Section 305(c) outlines the five criteria that must be met in order for the Zoning Administrator to grant a variance. The Section 305(c) criteria are as follows:

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;
2. 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;
3. 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;
4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and
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.

## HOW DOES THE PROCESS WORK?

Upon submittal of a complete application to the Planning Department, the Zoning Administrator will schedule a public hearing to consider whether to grant the Variance. Variance hearings typically occur on the last Wednesday of each month. Upon issuing the formal written decision either granting or denying the Variance in whole or in part, the Zoning Administrator shall forthwith transmit a copy the Variance decision letter to the applicant. The action of the Zoning Administrator shall be final and shall become effective 10 days after the date of his written decision except upon the filing of a valid appeal to the Board of Permit Appeals as provided in Section 308.2 of the Planning Code.

## Fees

Please refer to the [Planning Department Fee Schedule](#) available at [www.sfplanning.org](http://www.sfplanning.org) or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at 415.558.6377.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.

## WHAT APPLICANTS SHOULD KNOW ABOUT THE PUBLIC HEARING PROCESS

A. The Zoning Administrator encourages applicants to meet with all community groups and parties interested in their application early in the entitlement process. In many cases, this is required as part of the Pre-application process. Department staff is available to assist in determining how to contact interested groups. Neighborhood organization lists are available on the Department's website. Notice of the hearing will be sent to groups in or near the neighborhood of the project. The applicant may be contacted by the Planning Department staff with requests for additional information or clarification. An applicant's cooperation will facilitate the timely review of the application.

B. The Zoning Administrator requests that applicants familiarize themselves with the procedure for public hearings, which are excerpted from the Planning Commission's Rules and Regulations below.

**Hearings.** A public hearing may be held on any matter before the Zoning Administrator at either a Regular (every 4th Wednesday of the month) or a Special Meeting. The procedure for such public hearings shall be as follows:

1. A description of the issue by Zoning Administrator along with the Planning Department's recommendation.
  2. A presentation of the proposal by the project sponsor for a period not to exceed 5 minutes.
  3. A presentation of opposition to the proposal, by organized opposition, for a period not to exceed 3 minutes.
  4. Public testimony from proponents of the proposal. An individual may speak for a period not to exceed 3 minutes.
  5. Public testimony from opponents of the proposal would be taken under conditions parallel to those imposed on proposal proponents, not to exceed 3 minutes.
  6. The project sponsor or applicant will be given a period, not to exceed 3 minutes, within which to clarify any questions raised in previous testimony.
  7. Discussion by the Zoning Administrator on the matter.
  8. The Zoning Administrator may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
- C. **Opportunities for Appeals by Other Bodies:** Zoning Administrator actions on Variances are final unless appealed to the Board of Appeals within 10 days of the Zoning Administrator's written decision.



# VARIANCE FROM THE PLANNING CODE

## SUPPLEMENTAL APPLICATION

### Property Information

Project Address: 945-947 Minnesota Street

Block/Lot(s): 4107/018

### 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 lot itself is only 24 ft wide. There is a neighborhood pattern for the building in the rear yard. Additionally, there is an existing exit stair of the existing building that encroaches into the rear yard.

2. 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;

Due to the existing size of the lot, being less than 25 ft, the required requirements decreases the allowable area.

3. 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;

The extension has been built a long time ago without any records and the stairs are required for a second means of egress, this will be consistent to this block.

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

The neighborhood pattern of the rear yard buildings is consistent with the depth and the open court mid-yard requirement and is supported by the neighborhood pattern and will not affect anything else on the property exclusive of the required exit stairs at the back of the (E) building.

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.

Yes, the neighborhood pattern of the rear yard buildings is consistent with the depth and the open court mid-yard requirement and is supported by the neighborhood pattern and will not affect anything else on the property exclusive of the required exit stairs at the back of the (E) building.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

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

**Suheil Shatara**

Digitally signed by Suheil Shatara  
DN: cn=Suheil Shatara, o=Shatara Architecture, Inc,  
email=suheil@shataraarch.com, c=US  
Date: 2019.03.22 13:19:20 -07'00'

Signature

Architect

415-512-7566

Relationship to Project

(i.e. Owner, Architect, etc.)

Phone

Suheil Shatara

Name (Printed)

suheil@shataraarch.com

Email

# APPLICANT'S SITE VISIT CONSENT FORM

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

**Suheil Shatara**

Digitally signed by Suheil Shatara  
DN: cn=Suheil Shatara, o=Shatara Architecture,  
Inc, email=suheil@shataraarch.com, c=US  
Date: 2019.03.22 13:19:52 -07'00'

Signature

Suheil Shatara

Name (Printed)

March 20th, 2019

Date

For Department Use Only

Application received by Planning Department:

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

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

**EXHIBIT**

**L**



## VARIANCE DECISION

**Date:** December 2, 2020  
**Case No.:** 2019-005728VAR  
**Project Address:** 945-947 MINNESOTA STREET  
**Block/Lots:** 4107 / 018  
**Zoning:** RH-3 (RESIDENTIAL- HOUSE, THREE FAMILY)  
Dogpatch Landmark District  
**Height/Bulk:** 40-X Height and Bulk District  
**Applicant:** Suheil Shatara  
890 7th Street  
**Owner:** Reed and Aleena Moulds  
945-947 Minnesota Street  
**Staff Contact:** Monica Giacomucci – 628-652-7414  
Monica.Giacomucci@sfgov.org

### Description of Variance – Rear Yard Variance Sought:

The proposal is to reconstruct an existing non-complying rear stair and to add a new rear deck and roof deck with a spiral stair connecting the two deck areas. The rear stair and spiral stair will extend into the required rear yard of the lot, which is developed with a three-story, two-family building located on the east side of Minnesota Street between 20th and 22nd streets.

Planning Code Section 134 requires properties in an RH-3 Zoning District adjacent to a building that faces onto a different street to maintain a rear yard equivalent to the rear yard at the other adjacent property. The property immediately north of the subject property has frontage on Tennessee Street, so the subject property must provide a rear yard equivalent to that of the property immediately south, to a depth of approximately 33 feet 4 inches. The proposed rear stair and spiral stair will result in a rear yard of approximately 17 feet at the subject property. Therefore, a rear yard variance is required.

### Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.
2. Planning Code Section 311 notification was mailed on July 15, 2020 and expired on August 14, 2020. A neighbor of the subject property filed a Request for Discretionary Review on August 14, 2020. The Planning Commission heard the request at a public hearing on October 22, 2020 and did not take Discretionary Review under DRA-726. The Zoning Administrator held a joint hearing with the Planning Commission on the same date for **Variance Application No. 2019-005728VAR**.
3. The subject property is located within the Dogpatch Landmark District designated under Article 10 of the



Planning Code. Proposed exterior alterations required approval of a Certificate of Appropriateness by the Historic Preservation Commission (HPC). The HPC approved the proposed project's Certificate of Appropriateness on **August 19, 2020** (Case No. 2019-005728COA and HPC Motion No. 0422).

**Decision:**

**GRANTED**, in general conformity with the plans on file with this application, shown as EXHIBIT A, to reconstruct a rear stair (approximately six feet deep by 11 feet 10 inches wide, and approximately twenty-two feet above grade) and install a new spiral stair that will connect the third-floor and roof decks, and both stairs will extend into the required rear yard of the three-story, two-family dwelling, subject to the following conditions:

1. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if (1) a Site or Building Permit has not been issued within three years from the effective date of this decision; or (2) a Tentative Map has not been approved within three years from the effective date of this decision for Subdivision cases; or (3) neither a Site or Building Permit or Tentative Map is involved but another required City action has not been approved within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
2. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
3. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
4. Minor modifications as determined by the Zoning Administrator may be permitted.
5. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
6. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project, if applicable.

**Findings:**

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

**FINDING 1.**

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended

use of the property that do not apply generally to other properties or uses in the same class of district.

**Requirement Met.**

- A. The subject property, developed circa 1890, has had a rear addition and stair in this location in the rear yard since at least 1905 (according to historic Sanborn Maps), prior to adoption of any regulations regarding required rear yard areas. The building directly north of the subject property is quite large and is occupied by the Friends of Potrero Hill Preschool. This size and nature of this adjacent property bisects the block, leaving no consistent mid-block open space.
- B. The existing building at the subject property has a front setback of more than 10 feet and is a contributor within the Dogpatch Landmark District designated under Article 10 of the Planning Code. Because development at the visible portions of buildings within the Dogpatch Landmark District is limited, the majority of buildings within the District have obstructions within their rear yards.
- C. The rear stairs are a required second means of egress pursuant to the Building Code. The existing stairs are heavily deteriorated and require full replacement to meet life safety requirements.

**FINDING 2.**

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

**Requirement Met.**

- A. The circumstances described above result in little to no opportunity for a Code-complying rear yard. The rear yard provides adequate open space for the building's two residential units, and the proposed stair will be reconstructed in roughly the same footprint, with little or no impact to the existing mid-block open space or adjacent properties. Likewise, the property directly north of the subject property contains a parking lot which will not be impacted by the proposal. Literal enforcement of Planning Code Section 134 in this situation would result in a practical difficulty toward improving the required second means of egress, useable open space, and rear yard access for the upper residential unit.

**FINDING 3.**

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

**Requirement Met.**

- A. Granting this variance will allow the subject property to improve and increase access to open space for the two existing dwelling units by reconstructing a modest rear stair and building a new spiral stair connecting third-floor and roof decks. Reasonable and well-designed work at the rear of historic resource buildings designed to improve safety and open space, especially when the mid-block open space is so interrupted by a large institutional property, is a substantial property right possessed by

other properties in the same class of district.

**FINDING 4.**

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

**Requirement Met.**

- A. Granting the variance will improve the livability of the subject property and will not be materially detrimental to the public welfare or materially injurious to the neighboring properties. The proposed rear stair will remain within the footprint of the existing building and will not be visible from the street, and the proposed third-floor spiral stair will only be visible due to the presence of a parking lot immediately north.
- B. The Planning Department determined the project to be consistent with the Residential Design Guidelines. Additionally, the Planning Commission heard a request for Discretionary Review for the proposal and determined the project to be consistent with applicable design guidelines.

**FINDING 5.**

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

**Requirement Met.**

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
  - 1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
  - 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing two dwelling units on the property.
  - 3. The proposed project will have no effect on the City's supply of affordable housing.
  - 4. The proposed project does not adversely affect neighborhood parking or public transit.
  - 5. The project will have no effect on the City's industrial and service sectors.
  - 6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
  - 7. The project will rehabilitate a contributing resource within the Dogpatch Landmark District. The overall proposal was approved with a Certificate of Appropriateness from the Historic Preservation

Commission on August 19, 2020.

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

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

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

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

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

**APPEAL:** Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit [www.sfgov.org/bdappeal](http://www.sfgov.org/bdappeal).

Very truly yours,

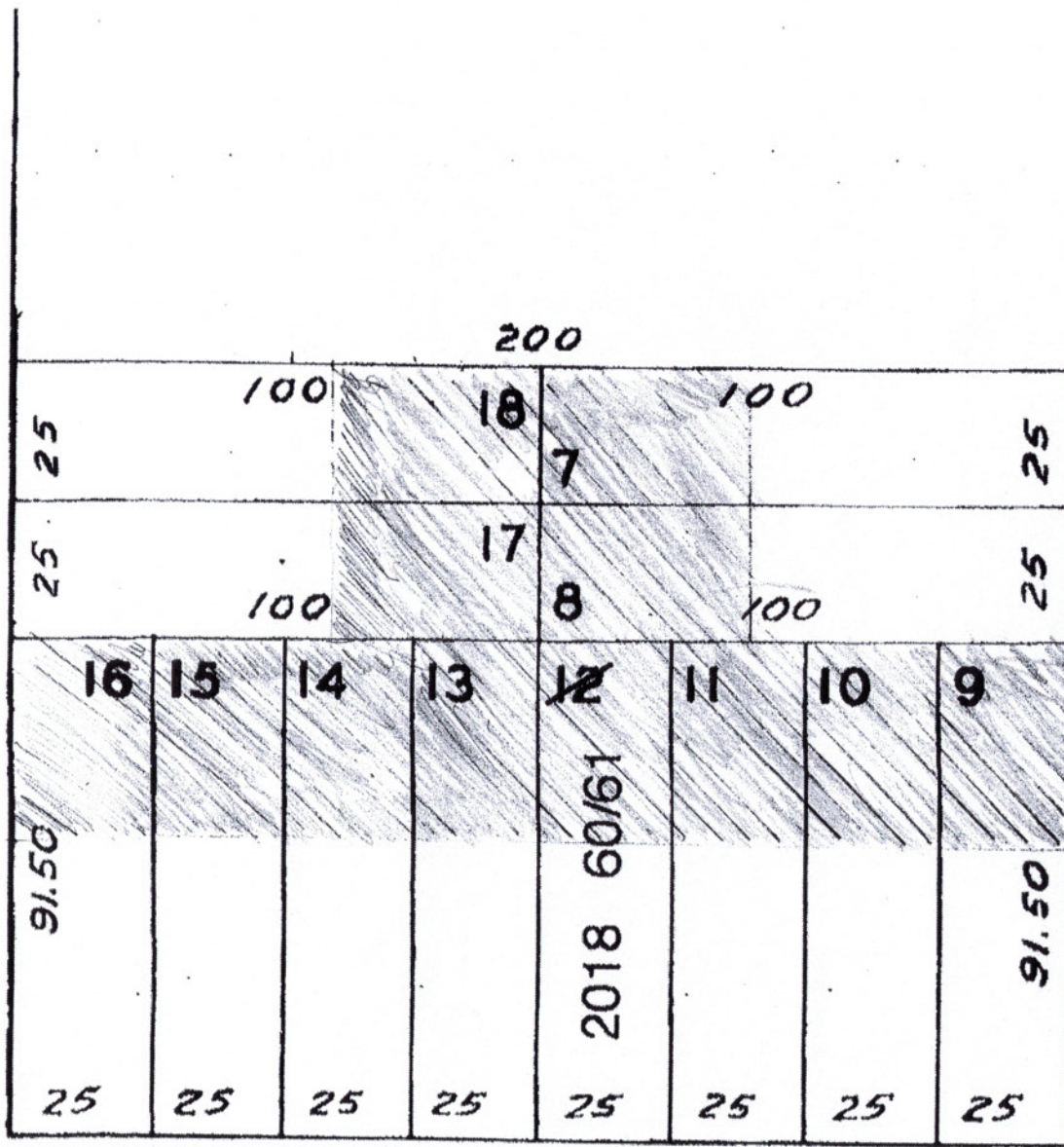


Corey A. Teague, AICP  
Zoning Administrator

This is not a permit to commence any work or change occupancy. Permits from appropriate departments must be secured before work is started or occupancy is changed.

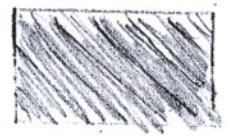
**EXHIBIT**

**M**



ATTACHMENT B.1

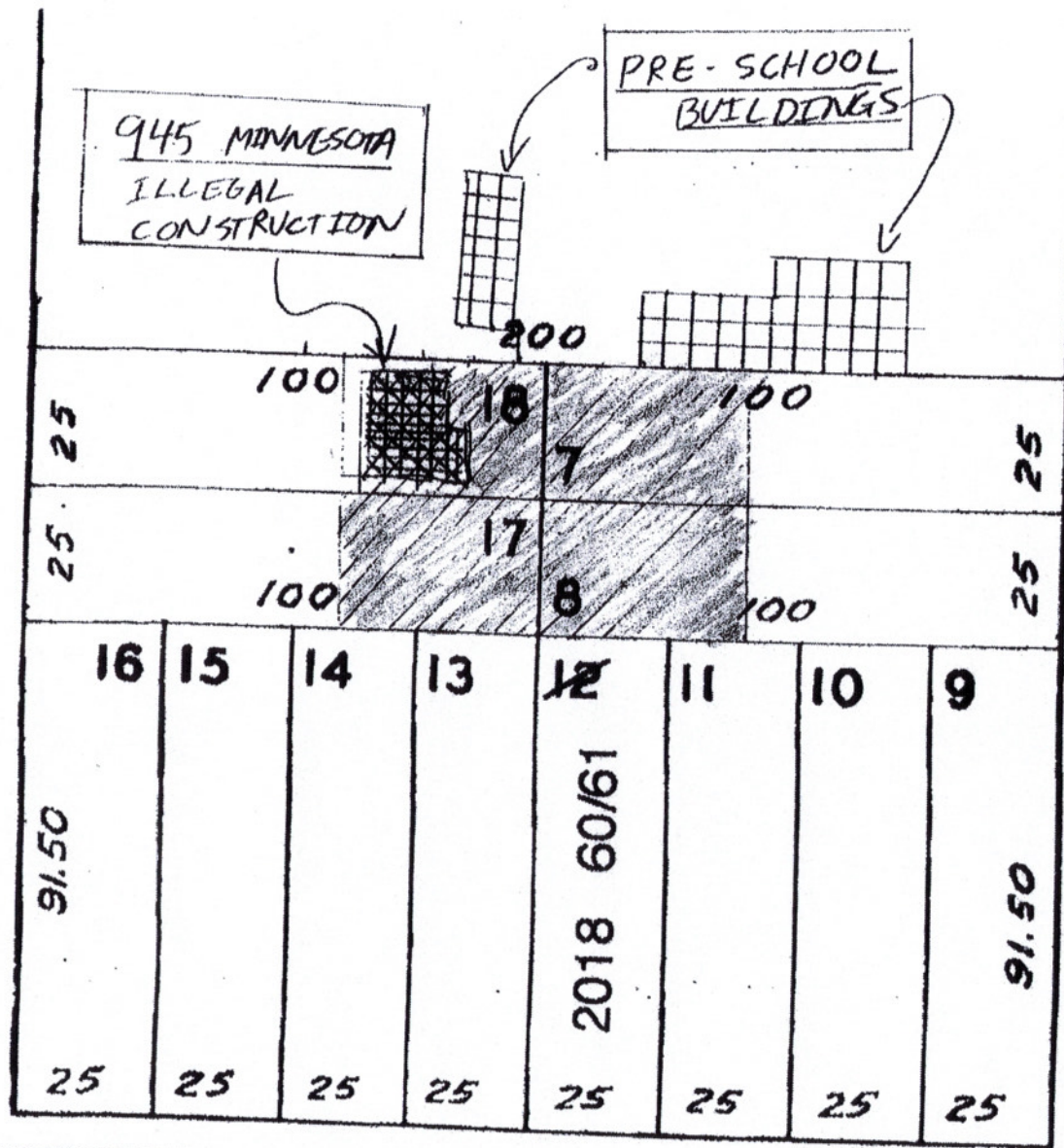
22ND



= MID-BLOCK OPEN SPACE BEFORE RE-ZONING

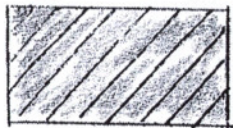
**EXHIBIT**

**N**



**ATTACHMENT B.2**

**22ND**



= MID-BLOCK OPEN SPACE AFTER RE-ZONING



**BRIEF SUBMITTED BY PERMIT HOLDER(S)**

# shataraARCHITECTURE Inc.

---

April 11, 2024

Board of Appeals  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103

**Re: 945 Minnesota Street, RESPONSE TO THE APPELLANT BRIEF**

This is in response to the appellant's brief regarding 945 Minnesota Street, in which he is requesting the Preservation Commission to revoke its decision.

***There are three phases of design for the 945 Minnesota building;***

***The First Phase*** was remodeling a three-story building; during that phase, the contractor pointed out that the brick foundation was failing and the brick foundation needed to be replaced. The contractor took the initiative to call the structural engineer who designed the foundation and the contractor obtained the foundation permit.

***The Second Phase:*** was a complete restoration of the exterior of the building with a horizontal addition at the ground level beneath an existing structure, and the rebuilding of a stair at the rear it included a rooftop deck, restored all the original windows to the building, replace damaged siding and rebuilt the front stairs since they were cracked and damaged. This phase went through 311 notification, a preservation commission hearing, and was appealed by Spencer Gosh stating that there is an illegal rear structure.

The permit was later appealed to the board of appeals, where Scott Sanchez, a former Zoning Administrator exhibited a 1938 aerial photograph that showed the rear structure existed. Since then or prior. Recently, we received an aerial photograph from 1905 that also vaguely identifies the rear structure that existed

then. When the permit was finally issued due to a change of ownership and construction began, the contractor found a damaged structure in the frame which he took out to repair it. The contractor did not realize that he was over-demoing according to the planning code and work was stopped by a code enforcement decision.

The appellant appealed the project again and he claimed a serial permitting was a result of the making of this project. The footprint of the building has never changed from the original aerial photographs that were found. The Board of Appeals held up the complaints by the appellant and the project stopped.

**Phase Three:** the previous owners had to resubmit plans to keep the project moving and they had to submit a code-compliant project. The code-compliant project is a project that went before the preservation committee's hearing and was approved by the commission. The appellant has appealed the project once again for the third time even though the project is code-compliant and the depth of the building was reduced to meet the past code. As of January 15, 2024, the zoning code changed and allowed more depths for the building than what was approved by the preservation commission.

Under the current code as of January 15<sup>th</sup>, the mass of the structure for the three stories could be increased by 3'4" more. The project approved by the preservation commission was based on the averaging of the adjacent property and it allowed a two-story pop-out under the code with 5' setbacks on either side to the 25% minimum rear yard requirement. The appellant's brief, states the project is only code-compliant under the current code yet, it was code-compliant under the previous code too.

The cost of the project has been too much for the past owners that they lost the project due to financial reasons and the asset manager for the building took it back. This is mostly because the project keeps on being halted by the appellant. This project has suffered water damage since it has been dormant for months. Currently, the project has been wrapped and is being measured for moisture content, and assessment of the damage so when the permit gets issued we can continue with the restoration that was approved by the preservation commission.

The appellant arguments are that the rear yard open space is not part of the Preservation Commission appeal process. The Preservation Commission is approving the restoration and maintaining the integrity defining features of the approved project to bring it back into the historical dog patch neighborhood.

Please see the attached drawings exhibiting the three phases of the project.

Photographs of the original building with a Gable Roof which suffered a fire and the Gable Roof was removed.

Phase 1: Interior remodel only, Previously approved site plans and elevations per the original aerial photograph with the rear yard setback.

Phase 2: Previously approved site plans and elevations per the original aerial photograph with the rear yard setback.

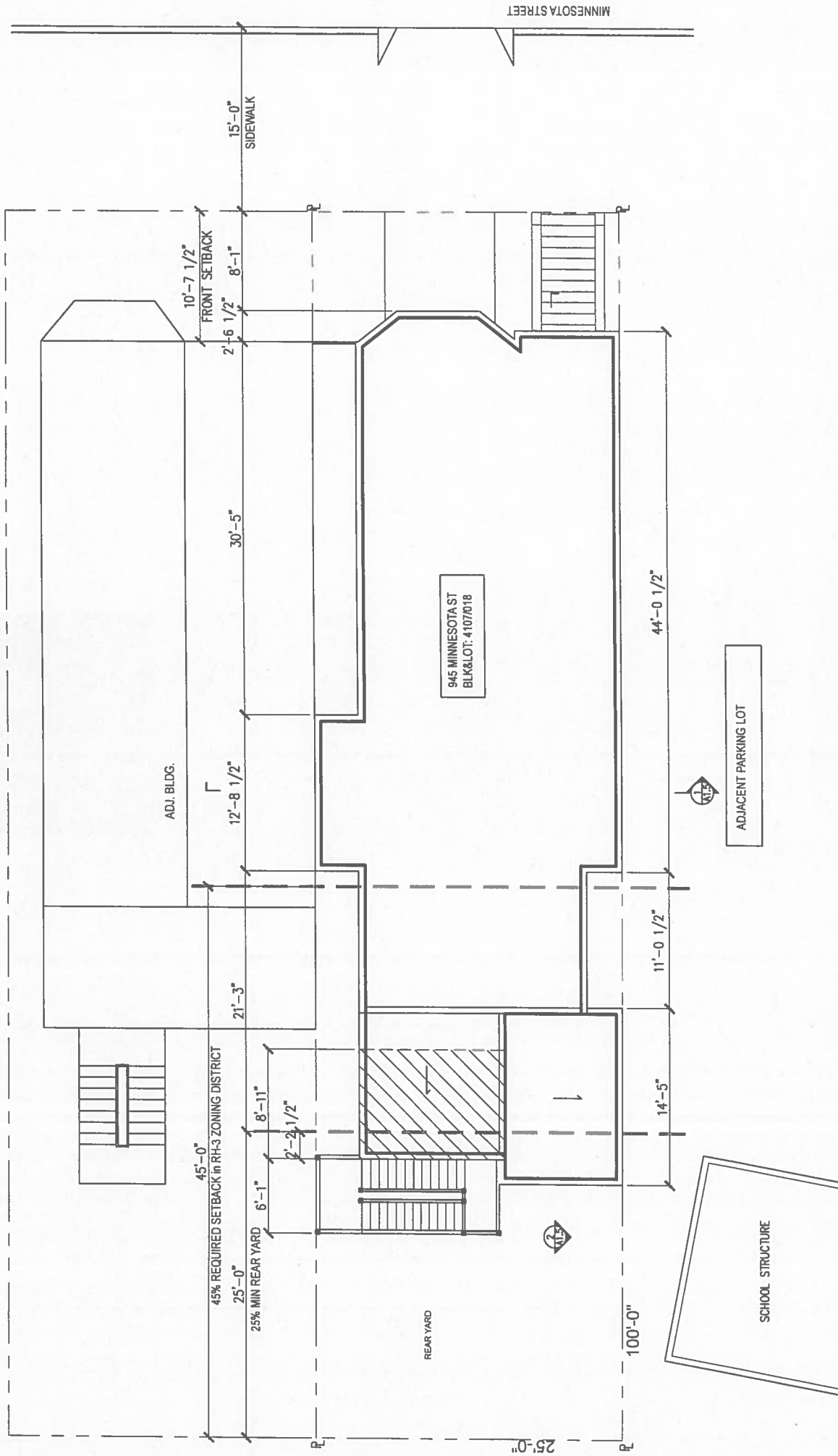
Phase 3: Preservation Commission's Approved current code complying project that was approved with its rear yard setbacks.

Regards,

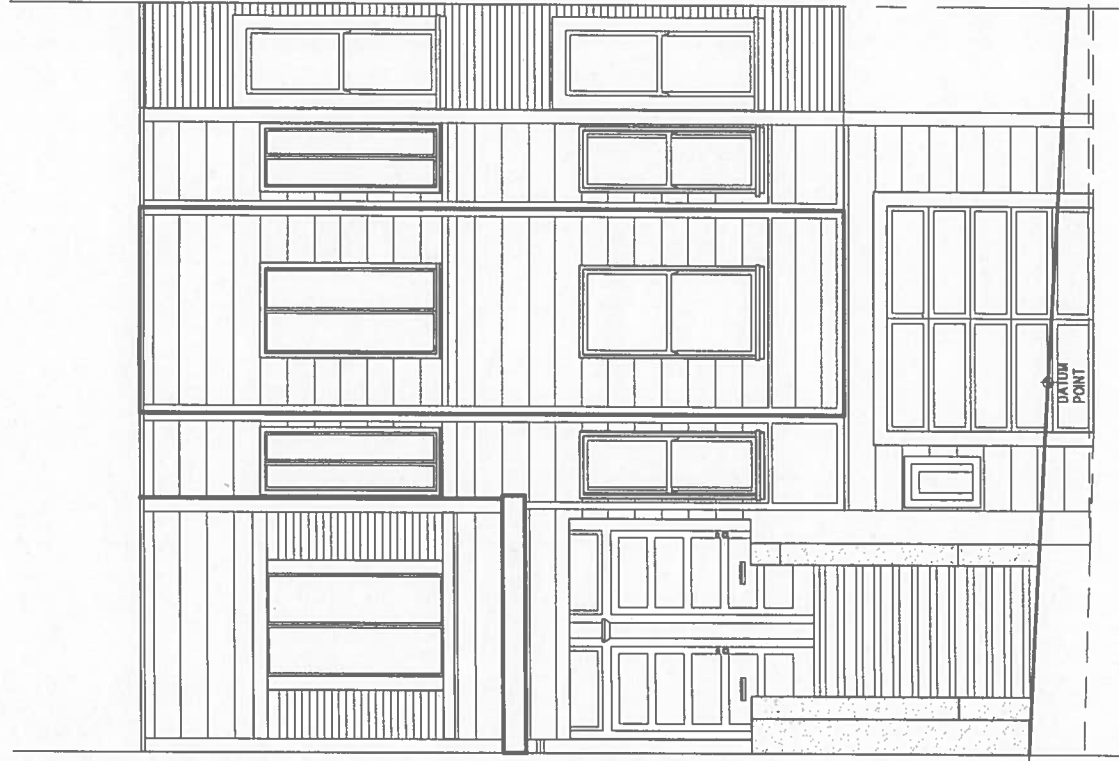
A handwritten signature in black ink, appearing to read 'Suheil Shatara', enclosed within a large, loopy oval shape.

Suheil Shatara  
Architect

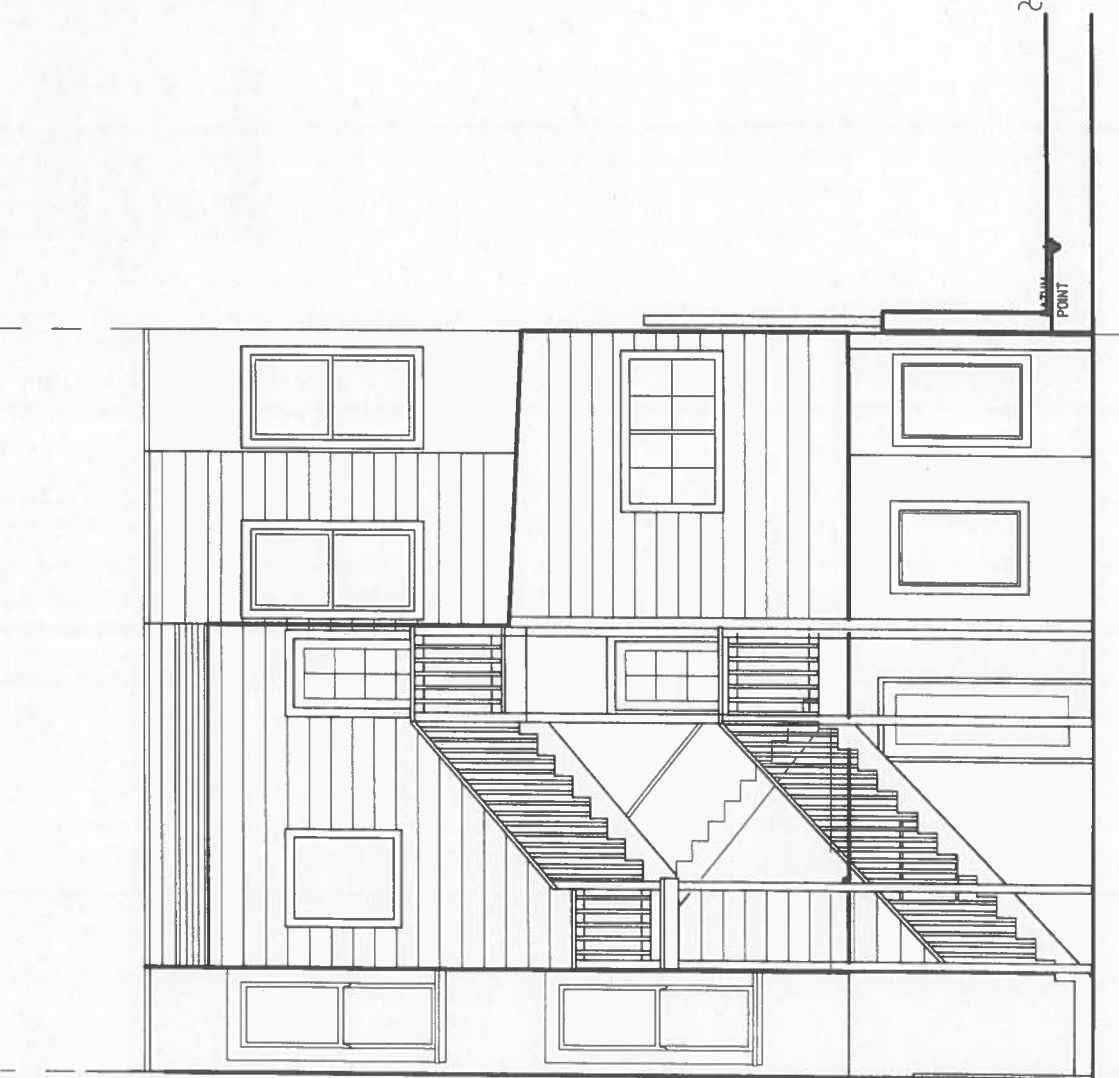




# PHASE 1 - SITE PLAN, INTERIOR REMODEL



FRONT



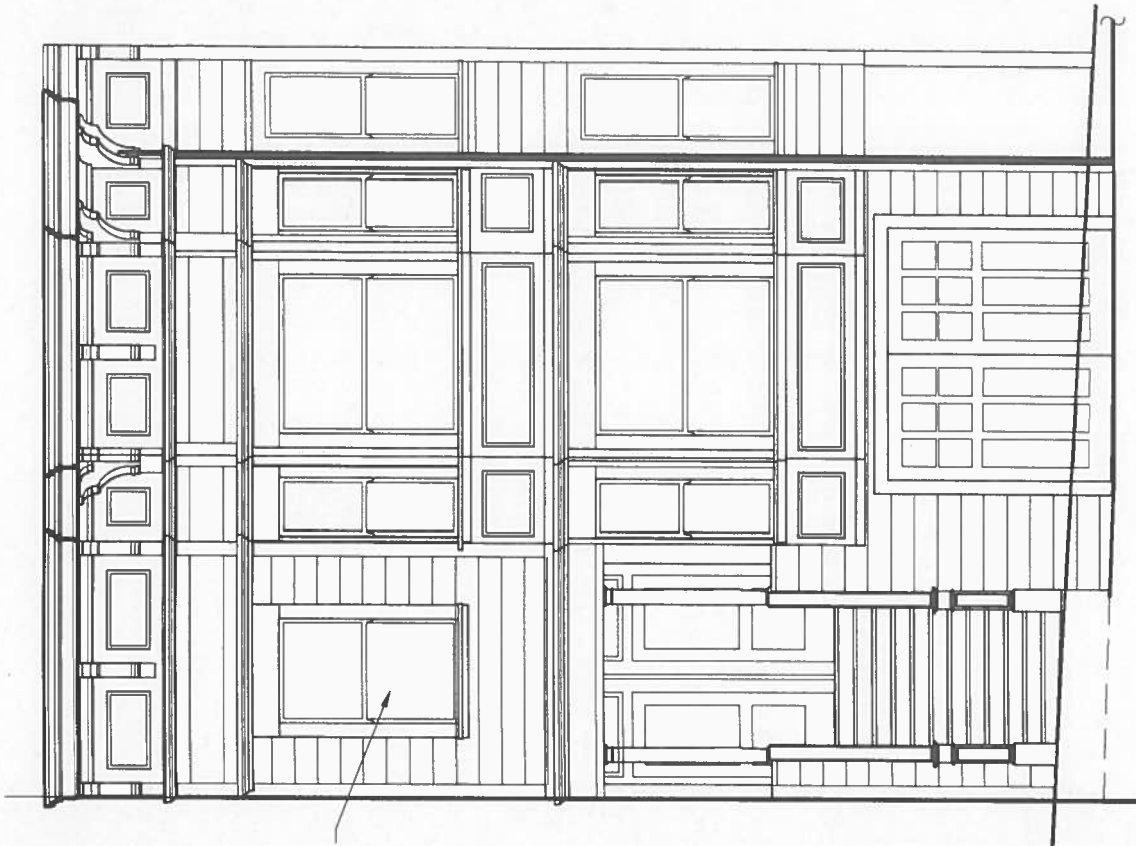
REAR

# PHASE 1 ELEVATIONS

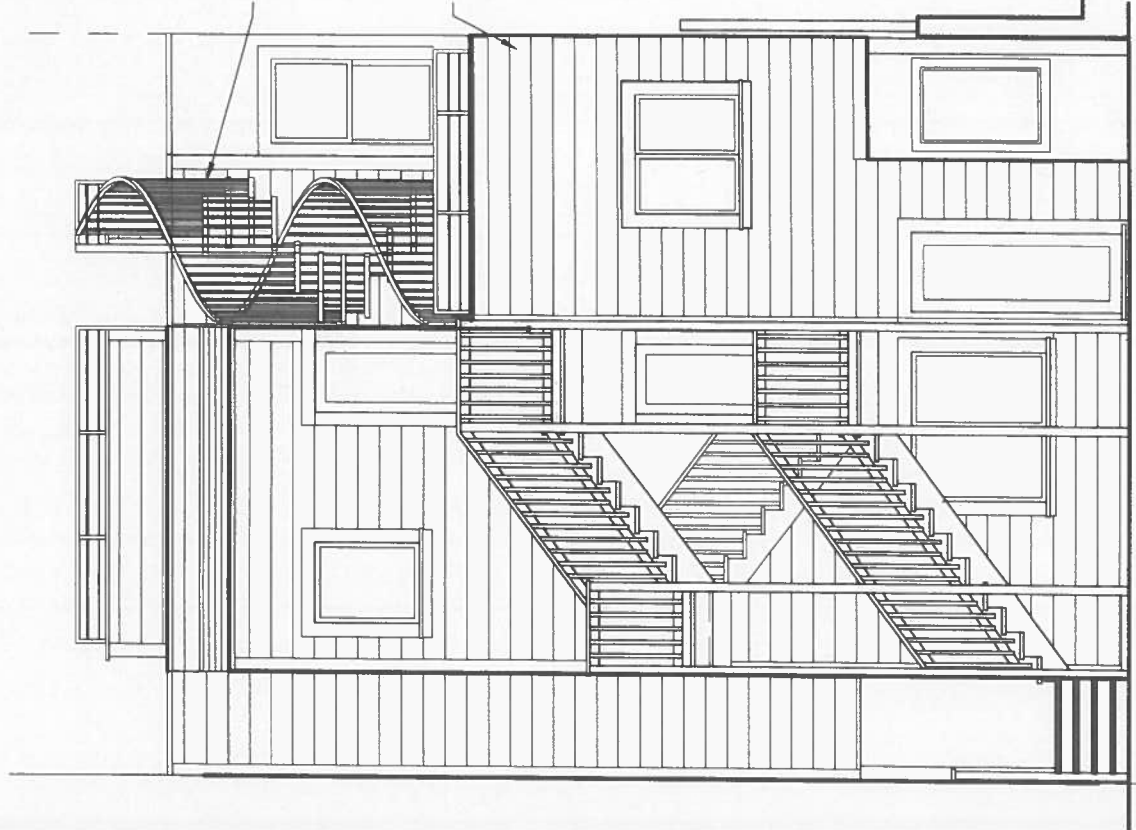






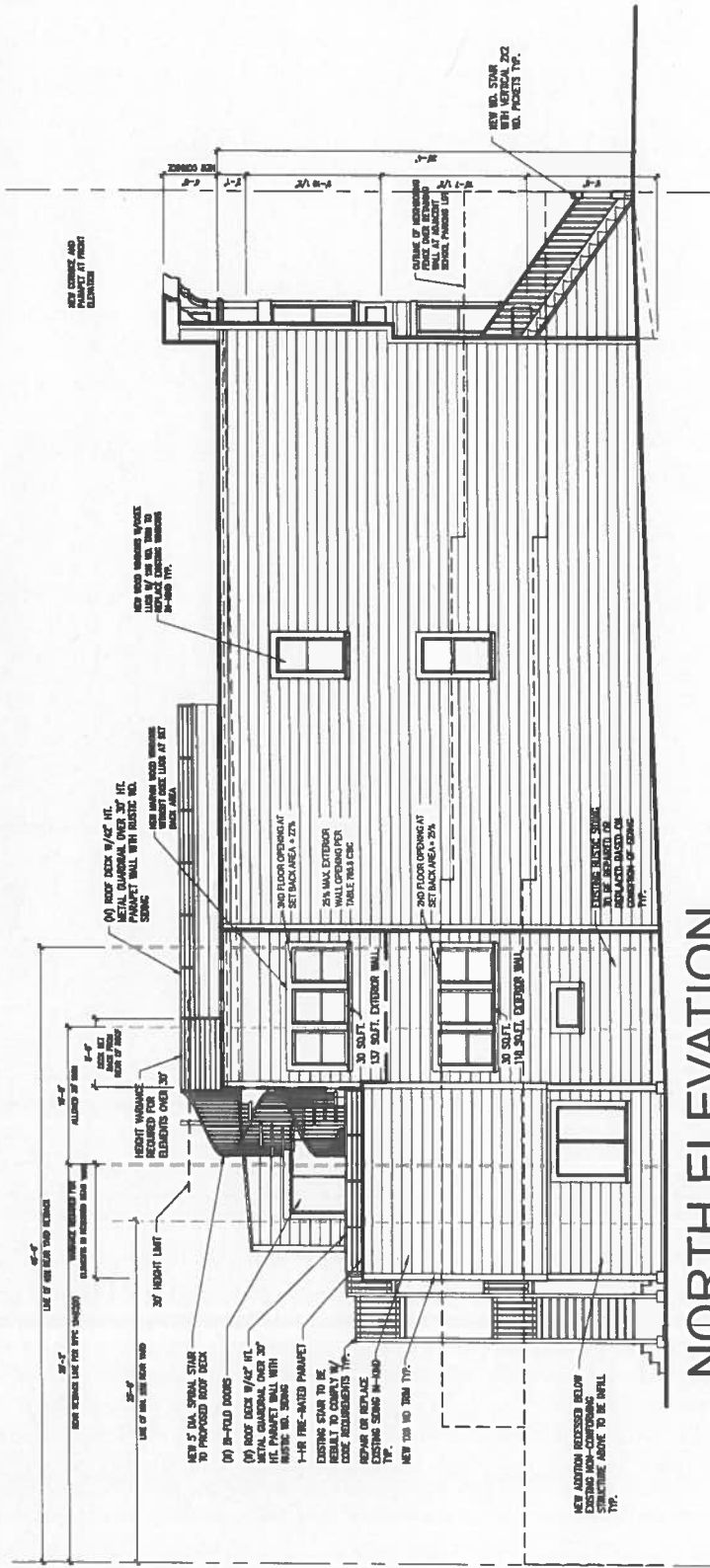


FRONT

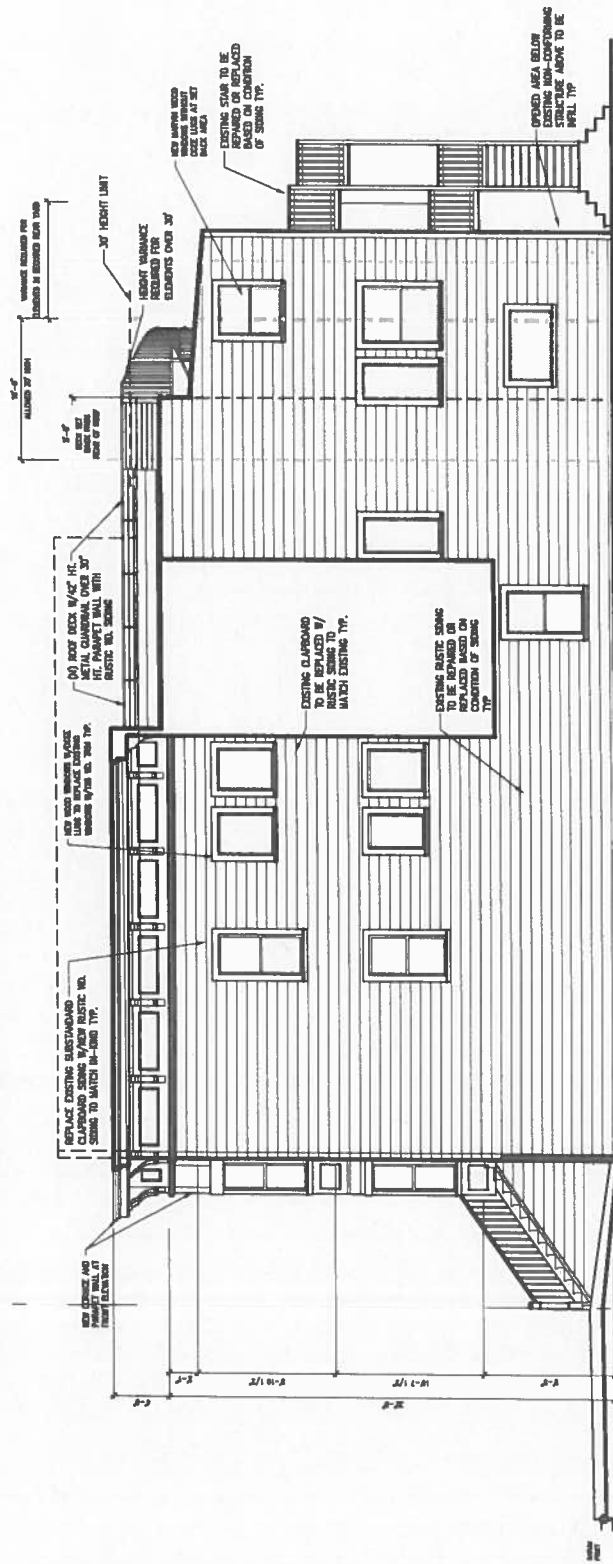


REAR

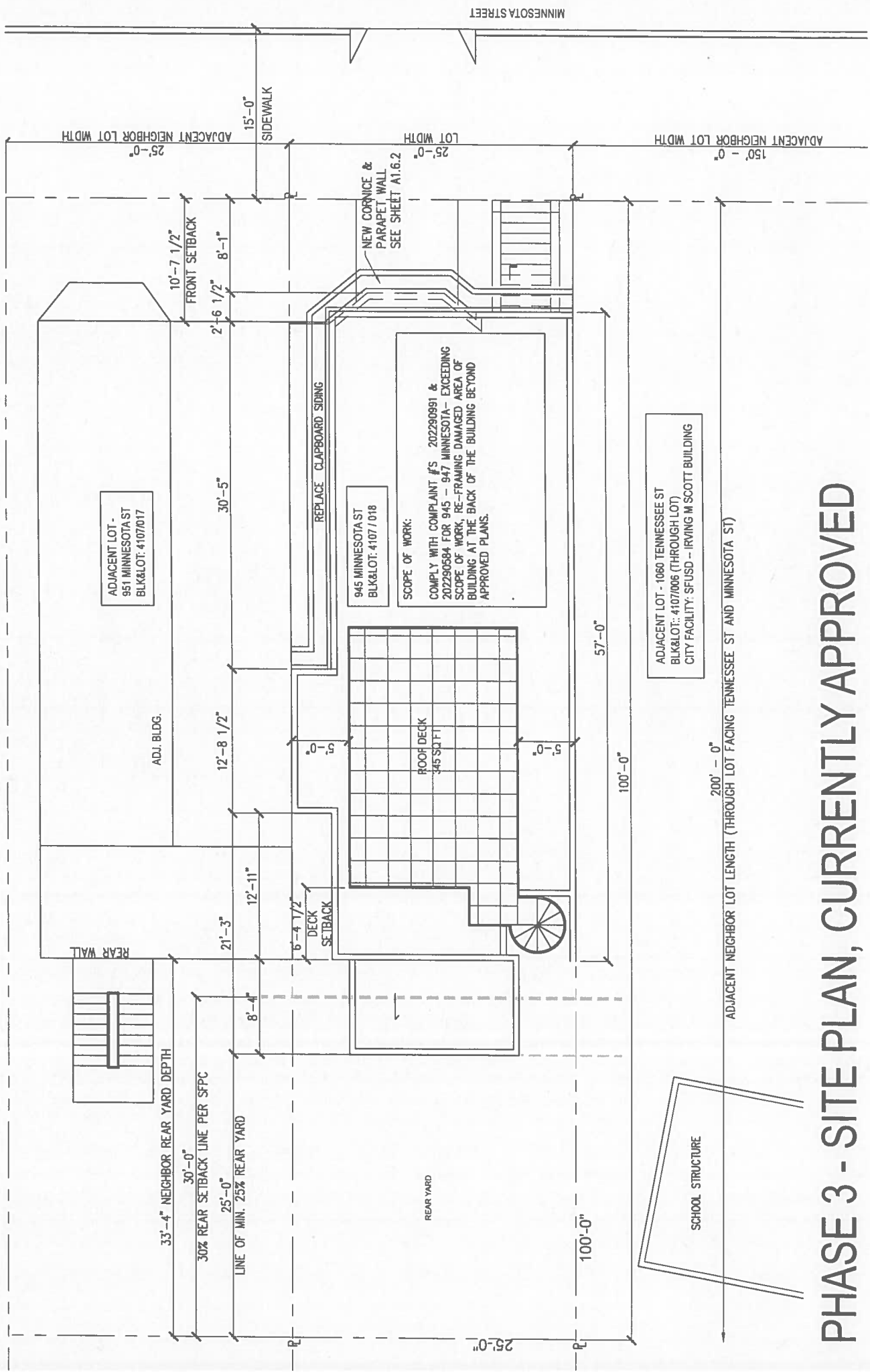
# PHASE 2 ELEVATIONS



# NORTH ELEVATION



# SOUTH ELEVATION PHASE 2 ELEVATIONS



ADJACENT LOT -  
951 MINNESOTA ST  
BLK&LOT: 4107/017

ADJ. BLDG.

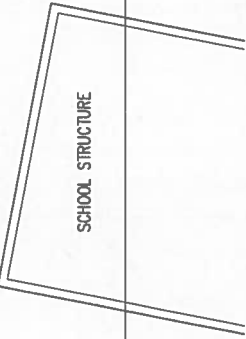
945 MINNESOTA ST  
BLK&LOT: 4107 / 018

SCOPE OF WORK:  
COMPLY WITH COMPLAINT #'S 202290991 &  
202290584 FOR 945 - 947 MINNESOTA - EXCEEDING  
SCOPE OF WORK, RE-FRAMING DAMAGED AREA OF  
BUILDING AT THE BACK OF THE BUILDING BEYOND  
APPROVED PLANS.

ROOF DECK  
345 SQ FT

ADJACENT LOT - 1060 TENNESSEE ST  
BLK&LOT: 4107/006 (THROUGH LOT)  
CITY FACILITY: SFUSD - IRVING M. SCOTT BUILDING

ADJACENT NEIGHBOR LOT LENGTH (THROUGH LOT FACING TENNESSEE ST AND MINNESOTA ST)

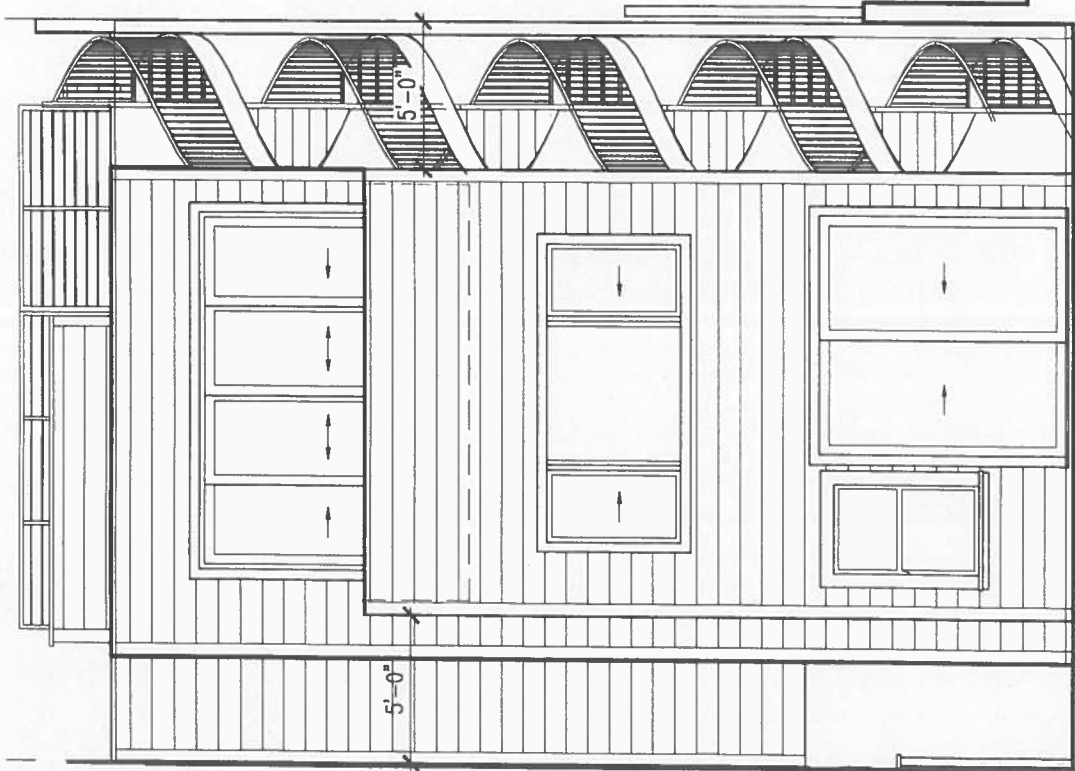


SCHOOL STRUCTURE

# PHASE 3 - SITE PLAN, CURRENTLY APPROVED



FRONT



REAR

# PHASE 3 ELEVATIONS

