



## BOARD OF APPEALS

Date Filed: July 8, 2024

City & County of San Francisco

### REHEARING REQUEST FOR APPEAL NO. 24-032

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**Beth Miles, Permit Holder**, seeks a rehearing of **Appeal No. 24-032** which was decided on **June 26, 2024**. This request for rehearing will be considered by the Board of Appeals on Wednesday, **August 14, 2024**, at 5:00 p.m. **and will be held in Room 416 of San Francisco City Hall. The parties may also attend via the Zoom video platform.**

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the **response** to the written request for rehearing must be submitted by the opposing party and/or Department no later than **10 days from the date of filing, on or before July 18, 2024** and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. The brief shall be double-spaced with a minimum 12-point font size. An electronic copy should be e-mailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org); [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org); [matthew.greene@sfgov.org](mailto:matthew.greene@sfgov.org); [kevin.birmingham@sfgov.org](mailto:kevin.birmingham@sfgov.org); [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org); [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org) [beth@bethmiles.com](mailto:beth@bethmiles.com) and [jim@zackdevito.com](mailto:jim@zackdevito.com)

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

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

**Requestor or Agent (Circle One)**

**Signature: Via Email**

**Print Name: Jim Zack, agent for permit holder**

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

**Reference: Appeal Number No. 24-032**

**Request for Rehearing**

**Permit Holders Rehearing Brief**

**Prepared by Jim Zack, Architect on behalf of Beth Miles, Permit Holder.**

**Dear President Lopez, Vice President Lemberg and Commissioners,**

To prevent manifest injustice, Permit Holder respectfully requests that the Board of Appeals grant a rehearing of Appeal No. 24-032 to reconsider its decision to revoke BPA 202404099596. The Board's decision did not account for San Francisco Business and Tax Regulation Code, Article 1, Section 31, which potentially implicates Permit Holder's ability to obtain building permits for the code-complying (and already completed) work on her property. Based on the Board's deliberations at the prior hearing, it did not appear to intend to prohibit Permit Holder from completing the work on her property (particularly the interior work and door to her rear yard), but rather to ensure that the permit was properly reviewed by the city.

Since the Board's decision, and with guidance from DBI, Permit Holder submitted for a new permit application to restore the side door to the easement that was removed, which was issued OTC on July 8, 2024, (*See Exhibit 1*). However, there is significant confusion as to whether this new permit satisfies the entirety of the Board's decision. Therefore, Permit Holder respectfully requests that the Board grant this rehearing request to prevent the manifest injustice of having to remove code-complying work on her property.



## Standard for Granting a Rehearing

The Board may grant a rehearing in extraordinary cases to prevent manifest injustice. (Rules of Board of Appeals, Section 9(c).)

### The Board Should Grant Permit Holder's Rehearing Request to Prevent Manifest Injustice

After the hearing, Board of Appeals' staff brought to Permit Holder's attention that San Francisco Business & Tax Regulation Code, Article 1, Section 31 prevents Permit Holder from reapplying for a permit with the same scope of work or a "like" permit.

*Whenever any person . . . shall make application for any permit, pursuant to the provisions of this Article, and said permit shall be denied by any officer, board, department or commission having jurisdiction so to do . . . or when any appeal shall be taken to the Board of Appeals from any action or order of any officer, board, department or commission granting or denying any permit in connection with which appeal to the Board of Appeals is provided for and said Board of Appeals shall, in the instance where said permit has been granted, overrule, and in the instance where such permit had been denied, concur in, the judgment or order of said officer, board, department or commission, **said application for said permit, nor for a like permit covering the same location, shall not be renewed nor shall the same be heard by the officer, board, department or commission to whom or to which the original application was made until the expiration of one year from the date of the action on said original application by said officer, board, department or commission** . . . ." (emph. added.)*

The Board's deliberations at the hearing indicated a belief that portions of the permit as approved were fine and should be allowed to remain, specifically the interior doors and the new rear door to the 670 open space, but questioned the removal of the side door. For simplicity, the Board reasoned that the entire permit should be revoked to ensure that the permit is properly reviewed with full information. Then, per Commissioner Eppler, "the permit holder can reapply for a new permit for the work uncontested." Vice President Lemberg also discussed allowing the uncontested work to remain, stating it was "not problematic." Commissioner Trasvina stated by revoking the permit in its entirety the

objective was to create a “clean slate”. However, the Board’s decision did not seem to consider the prohibition in the code from applying for the same permit and it does not appear to be the Board’s intent to prohibit the uncontested work.

As confirmed by DBI and the Zoning Administrator at the hearing, the scope of work under the revoked permit is code-compliant. The Board’s issue with the permit was based in part on a belief that the applicant did not provide sufficient information at plan check concerning her easement rights under the parties’ CC&Rs, and if the Planning and Building Departments had been provided this information, the permit may have been reviewed differently. At the hearing, DBI and the Planning Department disputed that this would be the case. Moreover, Permit Holder was not on notice that she had to provide this documentation at the time she submitted her permit application, which was approved over the counter. The Board’s decision places Permit Holder in an impossible position of potentially not being able to legalize work at her property, which could subject her to fines, penalties, and enforcement activities that she may not be able to abate for the next year, and also potentially prohibits her the opportunity of curing this alleged defect in the permit by providing the information now.

If the Board did not intend this outcome, its decision does not give the Permit Holder (or DBI and Planning) sufficient clarity on how to implement its decision. The requirement for the Permit Holder to know, and be held responsible to provide information, in this case the private condominium documents, which are not, and never have been a requirement for an applicant to provide for permit plan check is an impossible condition. If these documents are not required by code, not a requirement for permit review, then how was the applicant supposed to be aware these documents were to have been provided? As there was no code or procedural requirement for these documents to

have been provided, no way for the permit applicant to know these would in the future be required by an outside board, then the Board's justification that these documents not being provided led to improperly issued permits is Manifestly Unjust. DBI's lack of awareness of facts in the private agreements does not constitute error in the Permit's issuance. The Permit holder contacted Senior Building Inspector Mark Walls to inquire if and/or when Condo Docs and CC&R's are a required part of permit review. His answer was "never, if we had to review CC&R's for every condo project we would issue one permit a year", he further stated: "The Building Department is in the business of issuing permits, and reviewing CC&R's would be an impediment to that role and is not required".

### **New Information**

The approved work included:

1. Remove and fill in the side door to the easement
2. Remove a door that led from the rear bedroom to the laundry room
3. Install a new interior door from the bedroom to the bathroom
4. Install a new Pocket Door between the Kitchen and Breakfast Room.
5. Install a new door from the Breakfast Room/Kitchen to the Unit 670 Rear Yard
6. Install a new Fence on two sides of the Unit 670 Rear Yard.

Permit Holder has already submitted a permit to remedy Item 1- to reinstall the rear side door to address the Appellants' concerns. Appellants did not raise the proposed scope of work on interior doors, Items 2-4, as an issue at the hearing, and several Commissioners stated they had no issue for these to remain. The Board's position on Item 5 was less definitive. Commissioner Eppler and Vice President Lemberg both stated in deliberations that they had no issue with the rear door. Other commissioners tied the rear door in with

the fence, which Permit Holder has removed from the scope of work under the permit, as no permit is required for a fence, and will discuss directly with Appellants.

DBI and Planning confirmed that the proposed rear door meets all required codes. What was **not** discussed at the original hearing is access to the Unit 670 Rear Yard from the interior of Unit 670 previously existed, from the lower bedroom through the laundry room. The proposed scope of work simply relocates the door to access the 670 rear yard 5' from its prior location. (See Exhibit 2.) If there were no rear door, and no access from the 672 Private Property via a side yard gate, then the Permit Holder would have a land locked rear yard with no access. This outcome did not appear to be the intent of the Board's decision, seems manifestly unjust, and violates Fire and Building Codes.

At the hearing, the Board expressed significant concern regarding Permit Holder's legal short-term rentals. To further clarify the record, only one guest in over four months has used the easement crossing Appellant's property to access the Permit Holder's property. As requested by the Appellant, the Permit Holder has required every other guest to use the front entrance from Shotwell. As the Planning Department has confirmed, the spaces used by the guests have an open visual connection to the rest of Permit Holder's property and is not a separate dwelling unit. (See Exhibit 2.) In fact, when there are no short-term rental guests, Permit Holder uses these spaces herself, to access her rear yard, for her daughter when home from college, and as a guest room for friends. There is no independent "rental space," these are rooms in the Permit Holders home in which she chooses to host short term rental guests.

For these reasons, Permit Holder respectfully requests that the Board rehear the appeal to clarify its decision to confirm that Permit Holder can legalize Items 2-5 above in order to prevent manifest injustice.

Home » Most Requested

**EXHIBIT 1**



## Welcome to our Permit / Complaint Tracking System!

### Permit Details Report

**Report Date:** 7/8/2024 12:22:35 PM

**Application Number:** 202407085944  
**Form Number:** 8  
**Address(es):** 3611 /074 /0 670 SHOTWELL ST  
**Description:** RE-INSTALL DOOR IN GROUND FLOOR KITCHEN TO ACCESS EASEMENT.  
**Cost:** \$1,200.00  
**Occupancy Code:** R-3  
**Building Use:** 27 - 1 FAMILY DWELLING

#### Disposition / Stage:

Action Date	Stage	Comments
7/8/2024	TRIAGE	
7/8/2024	FILING	
7/8/2024	FILED	
7/8/2024	APPROVED	
7/8/2024	ISSUED	

#### Contact Details:

#### Contractor Details:

**License Number:** 707355  
**Name:** JAMES (JIM) ZACK  
**Company Name:** ZACK DE VITO INC  
**Address:** 1672 15TH STREET \* SAN FRANCISCO CA 94103-0000  
**Phone:** 4154957889

#### Addenda Details:

#### Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
BID-INSP		7/8/24	7/8/24			7/8/24	BIRMINGHAM KEVIN	Approved	
INTAKE		7/8/24	7/8/24			7/8/24	SHAWL HAREGGEWAIN	Administrative	
BLDG		7/8/24	7/8/24			7/8/24	OSPITAL JOSEPH	Approved	
CPB		7/8/24	7/8/24			7/8/24	YU ANNE	Administrative	

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

#### Appointments:

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

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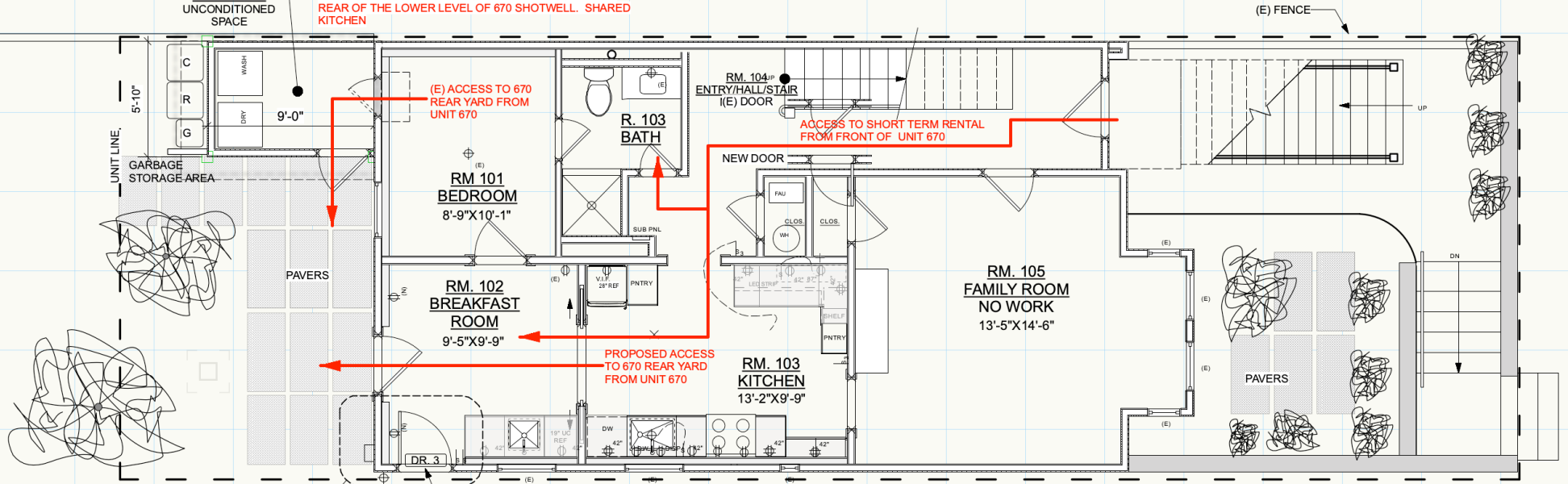
#### Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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# EXHIBIT 2

RM. 100  
LAUNDRY  
UNCONDITIONED  
SPACE

SHORT TERM RENTAL IS NOT A SEPARATE UNIT BUT USE OF TWO ROOMS CONNECTED TO THE MAIN HOUSE AT THE REAR OF THE LOWER LEVEL OF 670 SHOTWELL. SHARED KITCHEN



(E) FENCE

SHOTWELL STREET

RESTORE EXTERIOR (N) FG  
2'-8"x6'-8" INSWING EXT DOOR  
TEMP GLASS, RESTORE TRIM  
AS REQ.

PROPOSED FIRST FLOOR PLAN

899 SQ FT

1/4"=1'-10"



# BRIEF SUBMITTED BY THE APPELLANT(S)

San Francisco Board of Appeals

49 South Van Ness, Suite 1475

San Francisco, CA

July 18, 2024

Response to Request for Rehearing for Appeal No. 24-032

Dear San Francisco Board of Appeals,

As requested, we are respectfully submitting our response to the Rehearing Request for Appeal No. 24-032 from Beth Miles, Permit Holder. We respectfully request that this Rehearing Request be denied and that the SF Board of Appeals decision to revoke BPA 20240499596 remain as your final, correct, decision.

The Board's Action, "Upon motion by Commissioner Trasviña, the Board voted 5-0 to grant the appeal and revoke the permit on the basis that it was not properly issued because DBI lacked understanding about the impact the permit would have on the appellants' property."

The Board made the correct decision to revoke the permit on the basis that it was not properly issued "because DBI lacked understanding about the impact the permit would have on the appellants' property." As of today, and since the hearing date on June 26, 2024, we have not heard from the Permit Holder, nor from DBI, or the SF Planning Department, to discuss the impact the permit had on our family, property, and neighborhood. We strongly encourage the Permit Holder to reach out to us to discuss and gain an understanding as to how this work has impacted our family, our property, and our neighbors. We also strongly encourage the Department of Building Inspections and the SF Planning Department to reach out to us and our neighbors, to gain an understanding as to how this work has impacted our family, our property,



and our neighbors, and to rectify the lack of understanding all parties had when issuing this initial permit.

As we stated to the Board during the hearing on June 26th, per the CCR's of our HOA, the Permit Holder is required to obtain prior written approval of the other Owner (us, the Owners of 672 Shotwell) before making any improvements or modifications to the Permit Holder's Unit that adversely affects the other unit. The unpermitted work, started and mostly completed prior to obtaining a permit, clearly adversely affects our Unit.

Additionally, our CCR's state that prior written approval of the other Owner is also required before an owner may make any improvements or modifications to the Owner's Unit that may affect any portion of the Unit Open Space that requires approval by the San Francisco Planning Department. If the Permit Holder sought out SF Planning Department approval, therefore it requires HOA approval first. Again, the Permit Holder continues to reach out to DBI and SF Planning, and now is requesting a rehearing, but still has not reached out to us, her neighbors and HOA, and continues to the behavior of not providing notice, consent or consideration to us, her neighbors, and HOA.

### **No Manifest Injustice**

The Board's decision did, in fact, account for all City and County Codes and there is no manifest injustice, despite the Permit Holder's attempt to argue so in their Rehearing Request brief. The Board's decision did not suggest that the Permit Holder should reapply for a "like" permit, but instead apply for new, individual permits. The Permit Holder referenced San Francisco Business & Tax Regulation Code, Article 1, Section 31 in their brief, however they did not include the entire Code. I've provided the missing section below:

“...and there shall be no appeal to said Board of Appeals for failure or refusal to hear any such application within said one-year period, provided that when any permit is denied by reason of definite existing conditions which prevent the granting of said permit, and said conditions are removed or remedied, the one-year's prohibition against reapplication will not apply.”

And again, all of this work was done and completed without obtaining a permit in the first place, as well as without notice, consent, or consideration of their neighbors or HOA.

### **No New Information**

There is no new information provided by the owner of 670 Shotwell. The Permit Holder chose to close a door to their unconditioned space to the main Unit and this information was in the permit that has been appealed, therefore there are no new facts or circumstances. This door was in the plans submitted by the Permit Holder to the Board, so there are no new names or witnesses, or no new descriptions of the documents. Additionally, the Permit Holder has not explained why the evidence was not produced at the original hearing. This was yet again another unpermitted piece of work done by the Permit Holder that was done without a permit and without DBI and SF Planning having an understanding of its impact. The Permit Holder's failure to exercise due diligence to discuss this information and circumstances at the previous hearing are again grounds for denial of a Rehearing request.

For these reasons, we again respectfully request that this Rehearing Request be denied and that the SF Board of Appeals decision to revoke BPA 20240499596 remain as your final, correct, decision.

Thank you,

Art and Miki Cristerna

672 Shotwell Street, San Francisco, CA 94110

# PUBLIC COMMENT

**From:** [Tracy Penza](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Cc:** [Miki Cristerna](#)  
**Subject:** Support for Denial of Rehearing Request for Appeal No. 24-032  
**Date:** Monday, August 12, 2024 9:48:31 PM

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San Francisco Board of Appeals  
49 South Van Ness, Suite 1475  
San Francisco, CA  
August 5, 2024

Subject: Support for Denial of Rehearing Request for Appeal No. 24-032

Dear Members of the San Francisco Board of Appeals,

I am writing to express my strong support for the denial of the Rehearing Request concerning Appeal No. 24-032.

As a long-time resident of the Mission District and neighbor of the Cristerna family, I firmly believe that the Board's initial, unanimous decision to revoke permit BPA 20240499596 was entirely justified. The Board's decision to revoke the permit was correct and necessary, even if Ms. Miles could not appreciate the core issue.

As you are aware, numerous construction projects were initiated and some completed without the necessary permits or proper consultation with neighbors, particularly the Cristerna family. This lack of consideration for how these structural changes would impact neighboring properties and future safety is concerning.

I fully support the Cristerna family's request for denial of the rehearing and urge the Board to uphold its previous decision. The Rehearing Request introduces no new information or evidence that would alter the Board's original findings. Additionally, the claims of manifest injustice are unfounded. Shotwell Street values neighborly rights, communication, and mutual respect, and we hope that Ms. Miles will eventually align with these values.

Thank you for your attention to this matter.

Sincerely,

Tracy Penza  
963 Shotwell Street  
San Francisco, CA 94110

**From:** [Jack Slater](#)  
**To:** [BoardofAppeals \(PAB\); mikicristerna@hotmail.com](#)  
**Subject:** Support for Denial of Rehearing Request for Appeal No. 24-032  
**Date:** Monday, August 12, 2024 9:56:49 PM

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San Francisco Board of Appeals  
49 South Van Ness, Suite 1475  
San Francisco, CA  
August 5, 2024

Subject: Support for Denial of Rehearing Request for Appeal No. 24-032

Dear Members of the San Francisco Board of Appeals,

I am writing to express my strong support for the denial of the Rehearing Request concerning Appeal No. 24-032. As a long-time resident of the Mission District and neighbor of the Cristerna family, I firmly believe that the Board's initial, unanimous decision to revoke permit BPA 20240499596 was entirely justified. The Board's decision to revoke the permit was correct and necessary, even if Ms. Miles could not appreciate the core issue.

As you are aware, numerous construction projects were initiated and some completed without the necessary permits or proper consultation with neighbors, particularly the Cristerna family. This lack of consideration for how these structural changes would impact neighboring properties and future safety is concerning.

I fully support the Cristerna family's request for denial of the rehearing and urge the Board to uphold its previous decision. The Rehearing Request introduces no new information or evidence that would alter the Board's original findings. Additionally, the claims of manifest injustice are unfounded. Shotwell Street values neighborly rights, communication, and mutual respect, and we hope that Ms. Miles will eventually align with these values.

Thank you for your attention to this matter.

Sincerely,

Chad Salter

963 Shotwell Street  
San Francisco, CA 94110

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

August 12, 2024

Subject: Support for Denial of Rehearing Request for Appeal No. 24-032  
Dear Members of the San Francisco Board of Appeals,

Dear Members of the San Francisco Board of Appeals,

I am writing to express my strong support to deny the Rehearing Request concerning Appeal No. 24-032. As a born and bred San Francisco resident of the Mission District and a neighbor of the Cristerna family, I have been closely following the proceedings and believe the **Board's initial unanimous decision to revoke permit BPA 20240499596 was entirely justified.** This decision was correct and necessary.

As you already know, many construction projects started and some were completed without obtaining the proper permits and without conversing with her neighbors, the Cristerna's, to see how their structural changes would affect their personal property and the future safety as any good neighbor should do.

I fully support the Cristerna family's request for the denial of the rehearing and urge the Board to stand by and uphold their previous decision. The Rehearing Request introduces no new information that would alter the Board's original findings. Furthermore, the claims made about manifest injustice have no merit and should be stricken from the record. Shotwell Street has always worked hard to value neighbor's rights. There have always been avenues to entering the conversation with kindness and collaborative attitude to help ensure that both parties can enjoy a peaceful and happy living environment. As a community we have fostered active listening to show respect and help us all find common ground and we would like to continue to do so, hoping Ms. Miles will one day embrace our neighborhood's values.

Sincerely,

Victoria Araiza  
2957 22<sup>nd</sup> Street  
San Francisco, CA. 94110

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

August 13, 2024

Subject: Support for Denial of Rehearing Request for Appeal No. 24-032

Dear Members of the San Francisco Board of Appeals,

I am writing to express my strong support to deny the Rehearing Request concerning Appeal No. 24-032. As a long-time resident of the Mission District and neighbor of the Cristerna family, I firmly believe that the Board's initial, unanimous, decision to revoke permit BPA 20240499596 was correct and justified.

As you already know, many construction projects were started - and some completed - without obtaining the proper permits and without consulting the neighbors, the Cristernas, to see how the structural changes would impact their personal property and future safety.

I fully support the Cristerna family's request for the denial of the rehearing and urge the Board to uphold its previous decision. The Rehearing Request introduces no new information or evidence that would alter the Board's original findings. Furthermore, the claims made about manifest injustice have no merit. Shotwell Street has worked hard to support our neighbors' rights, happiness, and open communication and would like to continue to do so.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eileen O'Neill', with a long horizontal flourish extending to the right.

Eileen O'Neill  
967 Shotwell St.  
San Francisco, CA

DOCUMENTS SUBMITTED FOR THE JUNE 26, 2024 HEARING



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

Appeal of  
MIKI CRISTERNA and ART CRISTERNA, \_\_\_\_\_ )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, \_\_\_\_\_ )  
PLANNING DEPARTMENT APPROVAL Respondent

Appeal No. **24-032**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on April 25, 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 April 16, 2024 to Beth Miles, of an Alteration Permit (remove one existing exterior door, remove one existing interior door; infill openings to match existing; install one new exterior front garage single light door; install one new 4" x 6" pocket door, interior; install one new 2" x 6" swing door; interior New 6 foot fence in rear yard) at 670 Shotwell Street.

**APPLICATION NO. 2024/04/09/9596**

**FOR HEARING ON June 26, 2024**

Address of Appellant(s):

Address of Other Parties:

Miki Cristerna and Art Cristerna, Appellant(s) 672 Shotwell Street San Francisco, CA 94110	Beth Miles, Permit Holder(s) 670 Shotwell Street San Francisco, CA 94110
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Date Filed: April 25, 2024

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

**PRELIMINARY STATEMENT FOR APPEAL NO. 24-032**

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I / We, **Miki Cristerna and Art Cristerna**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2024/04/09/9596** by the **Department of Building Inspection** which was issued or became effective on: **April 16, 2024**, to: **Beth Miles**, for the property located at: **670 Shotwell Street**.

**BRIEFING**

Appellants' Brief is due on or before: 4:30 p.m. on **May 23, 2024, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](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 [beth@bethmiles.com](mailto:beth@bethmiles.com)

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **June 6, 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 doubled-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), [mikicristerna@hotmail.com](mailto:mikicristerna@hotmail.com) and [artcristerna@gmail.com](mailto:artcristerna@gmail.com)

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

Hearing Date: **Wednesday, June 12, 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.

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

See attachment.

**Appellant or Agent:**

Signature: Via Email

Print Name: Miki Cristerna, appellant

Units 670 and 672 Shotwell Street are condos with an HOA. There is an easement over 672 that 670 is benefited by for egress. Due to 670's structural change of closing an exit door that was on the side of 670 and on the easement, 670 no longer has access to this easement for egress without trespassing onto the 672's property above the easement. The owner of 670 Shotwell St. completed work on their unit without getting permits before doing the work. After the complaint was filed, an investigator directed 670 to get permits for all the work done, including the work done pre-permit of closing an exit door on the easement, which was on the side of 670 and where 670 had access to the easement for egress. 670 was also to include in the permit that they opened a new door in the back wall of 670, which does not give them egress access to the easement on the side of the building. 670 filed for a building permit on 3/18/24 as told to by DBI, but they did not include information about the closing and opening of these exit doors. The permit stated there was "no change in layout, walls or openings" which is false since they were told by the investigator to file a permit for the opening/closing of doors. After another complaint, 670 had to file another permit for these door openings and closings. Without a door on the side of 670 at the easement, they are not able to access the easement without trespassing onto 672's property, which 670's owner, contractor and visitors do on a daily basis. 670 is now building a fence in the back of their unit, partially on 672's property, and the plans include a gate giving access to 672's private property above the easement. SFFD signed off on this permit, but didn't know that 670 had closed up their door and access to the easement, or that the gate in the fence in 670's plans would lead them to 672's private property without 672's or our HOA's approval.

Sincerely,  
Arturo (Art) Cristerna & Michelle (Miki) Cristerna  
Owners of 672 Shotwell Street  
415-987-6122

**Permit Details Report**

**Report Date:** 4/25/2024 3:44:41 PM

Application Number: 202404099596  
 Form Number: 8  
 Address(es): 3611 / 074 / 0 670 SHOTWELL ST  
 Description: REMOVE 1 (E) EXTERIOR DOOR, REMOVE 1 (E) INTERIOR DOOR. INFILL OPENINGS TO MATCH (E). INSTALL 1 NEW EXTERIOR F.G. SINGLE LIGHT DOOR. INSTALL 1 (N) 4"X6" POCKET DOOR, INTERIOR INSTALL (1) NEW 2"X6" SWING DOOR, INTERIOR (N) 6'-0" FENCE IN REAR YARD  
 Cost: \$25,000.00  
 Occupancy Code: R-3  
 Building Use: 28 - 2 FAMILY DWELLING

**Disposition / Stage:**

Action Date	Stage	Comments
4/9/2024	TRIAGE	
4/9/2024	FILING	
4/9/2024	FILED	
4/16/2024	APPROVED	
4/16/2024	ISSUED	

**Contact Details:**

**Contractor Details:**

License Number: 707355  
 Name: JAMES (JIM) ZACK  
 Company Name: ZACK DE VITO INC  
 Address: 1672 15TH STREET \* SAN FRANCISCO CA 94103-0000  
 Phone: 4154957889

**Addenda Details:**

**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		4/9/24	4/9/24			4/9/24	BROWN JANA E	Administrative	
INTAKE		4/16/24	4/16/24			4/16/24	MASOUD HAMIDI	Administrative	4/16/24: ADD NEW PLAN SET AND UPDATE SCOPE OF WORK
CP-ZOC		4/9/24	4/9/24			4/9/24	SPYCHER DAKOTA	Issued Comments	Not approved. Active enforcement case, applicant to contact jiahong.situ@sfgov.org. - dakota.spycher@sfgov.org
CP-ZOC 1		4/16/24	4/16/24			4/16/24	BISHOP MELANIE	Approved	Remove 1 (e) exterior door at south side of property, remove 1 (e) interior door. Infill openings to match. Install 1 new exterior door at rear of property (west). New 6'0' fence in rear yard of front condo unit permitted under section 136. Spoke with Jia Hong Situ (jiahong.situ@sfgov.org) as there is an open enforcement case 2024-002391ENF related to alterations and potential UDU. Jia conducted site visit at property to confirm that there is no UDU on site. Permit is to document alterations noted on site visit. Approved per Jia no UDU found on site. melanie.bishop@sfgov.org
BLDG		4/16/24	4/16/24			4/16/24	YIN DIANE	Approved	Approved etc.
SFFD		4/16/24	4/16/24			4/16/24	HOM CLARENCE	Approved	APPROVED OTC...PAPER...NO INSP FEES...REVIEWED FD ACCESS ONLY...PLANS TO BLDG

CPB		4/16/24	4/16/24			4/16/24	BUFKA SUSAN	Administrative	
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This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

**Appointments:**

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
4/19/2024	PM	OS	NEW Online Scheduled	FINAL INSPECT/APPRVD	1

**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
4/19/2024	Peter Eisenbeiser	FINAL INSPECT/APPRVD	PRE-FINAL

**Special Inspections:**

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

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

**Technical Support for Online Services**

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

# BRIEF SUBMITTED BY THE APPELLANT(S)

Miki & Art Cristerna  
672 Shotwell Street  
San Francisco, CA  
mikicristerna@hotmail.com  
artcristerna@gmail.com  
6.13.2024

San Francisco Department of Building Inspection

San Francisco, CA

Re: Appeal of Permit Decision for Units 670 and 672 Shotwell Street

Dear Members of the San Francisco Department of Building Inspection,

We are writing this brief to respectfully protest the permit given to the owner of 670 Shotwell Street, Beth Miles, and request that specific parts of the permit be denied or that new conditions be placed on the entitlement so that the project is changed in some way. The purpose of this brief is to outline the discrepancies of the permit application and to address the concerns regarding access to the easement and property encroachment.

## **Background**

Units 670 and 672 Shotwell Street are condominiums within a homeowners association (HOA), however, the two units are separate from each other and do not share any walls, floors, ceilings, etc. Prior to the Cristerna's purchases of Unit 672 and Beth Mile's purchase of 670, the units were owned by one person. The previous owner of both units lived in Unit 672, which is the flagged-shaped unit in the back, and the owner rented out Unit 670, which is a rectangular-shaped unit in the front closest to the sidewalk and street. Unit 672 was sold to the Cristerna's and Unit 670 was sold to Beth Miles. 672 was purchased by the Cristerna's on 9.27.23, and 670 was purchased a few days later.

Unit 670 is benefited by and Unit 672 is burdened by an easement over Unit 672 in the lower 'flagpole' area of the property. Prior to the structural changes completed by the new owner of 670, Unit 670 had a door on the side of the Unit that directly accessed the easement on Unit 672 property. During purchasing negotiations with the former owner, there were considerable negotiations regarding the easement on Unit 672's property and several requests to approve additional access to Unit 670. Although Unit 670 has two front doors that lead to public access, we felt it was reasonable, and neighborly, to give egress from this side door that was on the easement. However, since the easement is the only pathway to ensure Unit 670 has daily access to and from the public way, as well as the only way for emergency and safety rescue of Unit 672, it was imperative that we, as future owner of Unit 672, oversee access to our safety.

After compromising on many aspects of easement access during purchasing, within weeks of us purchasing Unit 672 and Beth Miles purchasing Unit 670, the new owner closed up the door on the easement so the unit no longer has a door, and no direct access to the easement. The owner of Unit 670 then opened a door in the back of the unit and insisted on access to Unit 672's property above the easement so as to access the easement. Access to the easement was negotiated when Unit 670 had a door on the easement; without this door, Unit 670 has denied access to the easement on their own accord. The structural change of Unit 670 closing up a door on the easement was done without SFDBI permits, and without discussion, consultation, or consideration with us as the owners of Unit 672 and our HOA.

The owner of Unit 670 initiated this construction work on their unit without obtaining the necessary permits before doing the work. Upon receiving a SFDBI complaint, an investigator from the Department of Building Inspection directed Unit 670 to obtain permits for all the work completed, including the closure of the exit door on the easement side of Unit 670 and the installation of a new door on the back wall. Subsequently, Unit 670 filed for a building permit on



March 18, 2024, as instructed by the DBI. However, the initial permit application failed to include information regarding the closure and opening of exit doors, falsely stating that there were no changes in layout, walls, or openings.

Unit 670 was again addressed by SF DBI to file a permit including all the structural changes, specifically addressing the opening and closing of the doors. Unit 670 applied for this permit on 4.9.2024 and included removing an exterior door, removing an interior door, infilling openings, installing a new exterior door, installing a pocket door, installing a swing door, and building an interior 6' fence. This permit was quickly being approved by DBI, SF Planning, SF Fire, although most of this work should not have been done without a permit in the first place. At this time, we felt we had no other recourse than to apply for an appeal to slow down this process and reach out to the City to better review this process.

If the work on this permit is approved, the occupants of Unit 670 will continue to trespass onto Unit 672's property (above the easement) on a regular basis, whenever they want to access the easement for egress. We, the owners of Unit 672, are not okay with this behavior. And we clearly communicated with the owner of Unit 670 following an incident of a stranger walking onto our property. The stranger was an Airbnb visitor renting a suite in the back of Unit 670. The stranger was provided access to our property to then gain access to the Airbnb suite in the back of Unit 670. Following this incident we informed the owner of Unit 670 that we would consider this trespassing. We later informed the owner of Unit 670 that we would be securing our property from the Airbnb visitors and her other visitors by building a fence along the perimeter of our unit open space, including adding a gate at the top of the easement. Soon after informing Unit 670 of this, Unit 670 started building their own fence with plans to include two gates in the fence so as to allow access from Unit 670's Unit to our property. We have not given permission for Unit 670, visitors, or Airbnb tenants to enter our property through either gate in the fence.

## **Grounds for Appeal**

1. Late/Incomplete Permit Application: Unit 670 did not submit permits prior to starting structural work as is expected. After complaints were filed and direction from inspectors from SFDBI, Unit 670 filed permits which were approved rapidly. However, Unit 670 did not include the closure of the door on the easement, opening of the door in the back of the unit, and other structural changes, as they were directed to do by the DBI Inspector until they were caught again without the correct permits.

2. Access to Easement: The closure of the exit door on the easement has resulted in Unit 670 losing direct access to the easement without trespassing onto Unit 672's property. This issue presents multiple safety issues, as well as property rights issues already outlined. It also places an undue burden on Unit 672.

3. Encroachment on Unit 672's Property: The construction of a fence on the property of Unit 670 is the right of Unit 670, however, there are no grounds for them to access our property via gates in this fence. The inclusion of gates providing access to our private property outside of the easement is not addressed in the permit application process. Unit 670 states that although it wasn't required to include the fence on the permit per our CCR's, Unit 670 added it to the permit stating that Unit 670 needed SF Planning and SF Fire sign off due to requirements for emergency escape and rescue openings. Either a permit was needed or not. If a permit was needed by SF Planning, it is expected to be approved by our HOA first per our CCR's, which is

was not. And if a permit wasn't required, then neither are the gates. We have not been provided with evidence of this requirement after reviewing the EERO Information and consulting with SF Fire.

## **Conclusion**

In conclusion, we appeal to the San Francisco Department of Building Inspection to reconsider the permit decision for Units 670 Shotwell Street. The discrepancies in the permit application process and the resulting issues regarding access to the easement and property encroachment must be addressed to ensure the safety and legal compliance of both Unit 670 and Unit 672. We appreciate your attention to this matter and look forward to a swift resolution.

Sincerely,

Miki and Art Cristerna

# Brief Submitted by the Permit Holder

June 20, 2024

Beth Miles  
670 Shotwell Street  
San Francisco, CA 94110

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

Reference: Appeal Number No. 24-032

Dear President Lopez, Vice President Lemberg and Commissioners,

I am disappointed that Appellants brought this appeal over my small remodel project. I believe Appellants have no basis to state that my permit was improperly issued. I recognize that I should not have begun the work before getting all my permits, however, when this was brought to my attention, I asked my architect to quickly get all the necessary permits for my project. My understanding is that Appellants have unrelated issues with how my easements over their property are memorialized in our CC&R's and we are in the process of figuring out a private solution to these issues.

I will let my architect describe in more detail our response to the appeal, but I urge you to deny this appeal as the issues raised are not related to the permits. I have a lot of work ahead of me to try and find a resolution with my neighbors, but the Appeals Board is not the right forum to adjudicate this matter.

Sincerely,

Beth Miles

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7 Pgs.	Respondent's Brief
<i>Exhibit 1, 1 Pg.</i>	<i>E-mail from Appellant</i>
<i>Exhibit 2, 1 Pg.</i>	<i>Easements &amp; Use of Rights</i>
<i>Exhibit 3, 1 Pg.</i>	<i>2023 Amended Condo Plan</i>
<i>Exhibit 4, 1 Pg.</i>	<i>2003 Condo Parcel Plan</i>
<i>Exhibit 5, 1 Pg.</i>	<i>Preliminary Amended Condo Plan</i>
<i>Exhibit 6, 3 Pgs.</i>	<i>SFDBI EG-02- Emergency Escape and Rescue Openings to Yard or Court</i>
<i>Exhibit 7, 4 pgs</i>	<i>SF Planning Dept. Fence Guidelines</i>

**Permit Holder's Brief  
Prepared by Jim Zack, Architect**

**June 18, 2024**

**President Lopez, Vice President Lemberg, and Commissioners,**

**Permit Holder's Request to the Board**

Permit Holder requests that the Board of Appeals deny this appeal because the permit was properly issued and Appellants' arguments to the contrary are without merit.

**Position Statement**

Appellants have not presented any evidence or argument that demonstrates the permit was improperly issued. Instead, Appellants raise unrelated issues concerning a private dispute between homeowners about their Homeowner's Association's governing documents, which do not affect the building permit and are beyond the jurisdiction of this Board. Appellants' attempts to weaponize this body to gain leverage in a private easement dispute is unfortunate and should not be rewarded.

**Permits and Project Description**

The permitted work is entirely code-compliant. Although this modest remodel project commenced without permits in place, which the architect/builder takes complete responsibility for, immediately upon notice of the complaint filed on March 14, the architect went to DBI on March 18 to obtain an OTC building (BPA 2024 0318 8060), plumbing and electrical permits for the interior work that did not require building plans. The work under these permits included new kitchen cabinets, counters and refrigerator,

new lights and a new bath vanity. This work was inspected and signed off within a month of the permit being issued, with a final inspection obtained on April 19. This permit represented 75% of the work.

Due to the Historic A rating of the property, the architect applied for this second permit for the items that required drawings and Planning Department review. It took the architect about two weeks to prepare the required drawings and apply for this second permit, which was obtained OTC on April 9, 2024. This permit proposes to add two new interior doors, fill in one interior door, fill in one exterior door, and install one new exterior door. This permit also includes a fence on two sides of Permit Holder's rear open space, which is adjacent to the Appellants' open space.

Appellants incorrectly assume the work under this permit was intentionally omitted from the earlier permit. Rather, the architect made an intentional decision to obtain two permits to legalize the work as quickly as possible. The overall project's scope is very minor, and the work is mostly complete and can be inspected within a couple of weeks. Neither this permit nor BPA 2024 0318 8060 required Planning entitlements, as erroneously stated by the Appellants. Both permits are minor alteration permits, and while reviewed by Planning for historic and code compliance, were approved by permit plan checkers over-the-counter. Both permits were issued for 670 Shotwell only and do not propose any work on 672 Shotwell, as Appellants seemed to suggest in the salutation of their brief.



Fences that are 6' tall or less do not require a building permit or Planning Department review, *Exhibit 7, SF Planning Fence Guidelines*. However, in this case, the architect chose to include the fence in the permit drawings for several reasons: 1) To confirm that no code requirements prohibit a fence on the interior line dividing two condo units. 2) To have the SF Fire Department plan checkers confirm the proposed fence complied with egress and EERO emergency access requirements.

Through the plan check process, the city confirmed that there are no prohibitions on fences located between condominium units such as these. The SF Fire Department also required a gate in the section of the fence located on the rear property line due to egress and the EERO emergency access requirements. Permit Holder had concerns that Appellants intend to build a fence blocking in Permit Holder's property, so the architect wanted clarification from the Fire Department on the egress requirements to ensure that Permit Holder could safely egress from her property.

### **Appellants' Arguments**

#### **CC&R's and Condo Plan**

Appellants' argument focuses on Permit Holder's alleged violations of the parties' CC&R's and the circumstances surrounding the sale of the units to the current owners last year. The parties are working on resolving those issues privately, and they have no relevance to the Board's determination of whether this permit was properly issued.

However, Permit Holder does not wish to leave the issues totally unaddressed, so will respond briefly as follows:

**Easements:** The parties bought their respective properties from a prior owner who owned both units. The prior owner had separate discussions with each owner concerning an amendment to the CC&R's, which was completed prior to close of escrow and has led to some disagreements between the owners about the meaning of the CC&R's and the allowable use of one of Permit Holder's easements over Appellants' property. As stated earlier, these issues are a private dispute between the owners and the proper forum for resolving these issues is not in front of the Board of Appeals. Even so, the CC&R's unequivocally grant Permit Holder the right to emergency egress over all of Appellants' property, which includes from her open space:

**B. Easement over Unit 672.** Lot 670 is benefitted by and Lot 672 is burdened by a nonexclusive easement over the Easement Area. The Owner of Unit 670 may use the Easement Area for egress from Unit 670, to move refuse cans to and from Shotwell Street on waste collection days, and to move other items that not suitable to be carried through the front door of the 670 Building. Upon reasonable notice, the easement may also be used as necessary in connection with the painting, maintenance, replacement or reconstruction of Unit 670, including the Building and the Unit Open Space.

**C. Utility Easements.** Each Owner has an easement over the Common Area to maintain, repair and replace utility lines that are part of the Unit.

**D. Entry or Use Rights.** Each Unit is subject to the right of any Owner to access over the portion of the other Unit for egress in the event of an emergency.

*1 Except from CC&R's, Section 2.3*

Permit Holder also has easement rights to remove her trash cans from her open space to Shotwell Street and move other items not suitable to be carried through her front door.

Moreover, Permit Holder is not building anything on Appellants' property, and there are no planning code or building code requirements to include or reference private contractual obligations in a permit application that does not affect the permit. Therefore, the planning and building departments did not err in the review and approval of these permits and the Board should deny the appeal.

### **Response to Appellants' "Grounds for Appeal"**

1. **Late/Incomplete Permit Application:** The structural work involved in this project is minor and is included under this permit because it required drawings. Permit Holder acted immediately to obtain permits after receiving notice from the Building Department, had all required permits approved and issued within three weeks of the complaint, and the work is largely completed. Although, these permits were issued after the work began, it does not mean that they are defective or improperly issued. The permit is also not "incomplete," the project was intentionally permitted in two separate applications to more quickly address the complaint and get approval of as much work as possible as quickly as possible, which was in everyone's interest. Appellants fail to articulate how the permit is incomplete. Moreover, Appellants waited 10 days after the permit issued to file this appeal, after most of the work was already complete and inspected, in an attempt to gain leverage over Permit Holder concerning an unrelated dispute over the parties' CC&R's.
2. **Access to Easement-** The CC&R's grant Permit Holder several easements over Appellants' property, including the undisputed right to cross their property in the

case of an emergency. Permit Holder's only way to exit her open space in the event of an emergency is over Appellants' property. The Fire Department also required a gate to allow the Department access in case of an emergency. Although the scope of some of the other easements are subject to a dispute between the parties, that dispute is irrelevant to this appeal and must be resolved through the proper forum as specified in the parties' CC&R's.

- 3. Encroachment on Unit 672's Property.** Permit Holder's property does not encroach onto Appellants' property. There is no proposed work in this permit across the property line. The fence will be built entirely on Permit Holder's property, and the location of the property line was confirmed and agreed to during an in person meeting between the two parties on May 23, 2024 and also discussed when Permit Holder installed the fence posts. The fence gates are allowed by code, open onto Permit Holder's property, and the rear gate was required by the SFFD to facilitate rescue and access for the 22' long EERO rescue ground ladder, *Exhibit 6, SFDBI EG-02- Emergency Escape and Rescue Openings to Yard or Court.*


## **Conclusion**

Appellants have not presented any argument or evidence that the San Francisco Planning Department or Department of Building Inspection erred in their approval and issuance of the subject building permit. Appellants have demonstrated a lack of understanding of the San Francisco permit process and the standard required to grant an appeal and overturn an approved permit. More at issue, the Appellants' primary

justification for granting the appeal relates to a private dispute over the interpretation of the parties' CC&R's, which is not relevant to the issuance of this permit. For these reasons, Permit Holder requests the Board deny the appeal and uphold the approved permit.

### **Site Visit**

Respondent invites the Board of Appeals Commissioners and Planning and Building Department staff to visit the site if clarifications of the site conditions are required.

**From:** Miki Cristerna mikicristerna@hotmail.com   
**Subject:** Re: Fence  
**Date:** March 11, 2024 at 8:52 AM  
**To:** Beth Miles beth@bethmiles.com, Art Cristerna artcristerna@gmail.com

MC

Hi Beth,

Thanks for following up with us. It's good to hear you're in line with our decision to have a fence that separates our two units. A "good neighbor" fence on our shared property line would be a good option. Shared posts (4x4's), concrete, and labor make the most sense. We can discuss further.

Regarding the property line, we've measured (51".87') from our home along the fence we share with Victoria's House and the measurement ends at a different spot than the location you've suggested, however it still divides the garbage shed. We should have the fence in the correct place, so determining the property line is a priority.

We're already in the process of designing our fence and we've planned to build a new garbage shed on the other side of our property at the same time, so taking the current garbage shed down works for us. We are not planning to have a gate on our fence, but thanks for sharing your ideas.

If you would like to meet to discuss further, let us know a few good days and times.

Thanks,  
Art & Miki

## Exhibit 2

the building and regardless of minor variance between boundaries shown on the Plan or deed and those of the building.

**B. Common Area.** Each Owner owns, as appurtenant to his or her Unit, an undivided ownership interest in the Common Area as shown on the Condominium Plan. Each Owner may use the Common Area in accordance with the purposes for which it is intended without hindering the exercise of, or encroaching upon the rights of any other Owners.

**2.2 NO SEPARATE CONVEYANCE OF COMMON AREA.** The undivided interest in Common Area appurtenant to each Unit is permanent in character and cannot be altered without the consent of all the Owners affected and their first Mortgagees as expressed in an amended Declaration. The undivided interest in Common Area cannot be separated from the Unit to which it is appurtenant, and is conveyed or encumbered with its respective Unit even though the instrument of conveyance or encumbrance may refer only to the Unit.

**2.3 EASEMENTS AND USE RIGHTS.** The following easements, reservations and use rights affect the Project.

**A. Structural and Support Easements.** Each Unit is benefitted and burdened by a non-exclusive easement over the Common Area as necessary for the full use, enjoyment and support of the Buildings. An Owner may not improve or otherwise use the Owner's Unit in a manner that would disturb the structural support of the other Owner's Building or the portion of the Unit outside of the Building.

**B. Easement over Unit 672.** Lot 670 is benefitted by and Lot 672 is burdened by a nonexclusive easement over the Easement Area. The Owner of Unit 670 may use the Easement Area for egress from Unit 670, to move refuse cans to and from Shotwell Street on waste collection days, and to move other items that not suitable to be carried through the front door of the 670 Building. Upon reasonable notice, the easement may also be used as necessary in connection with the painting, maintenance, replacement or reconstruction of Unit 670, including the Building and the Unit Open Space.

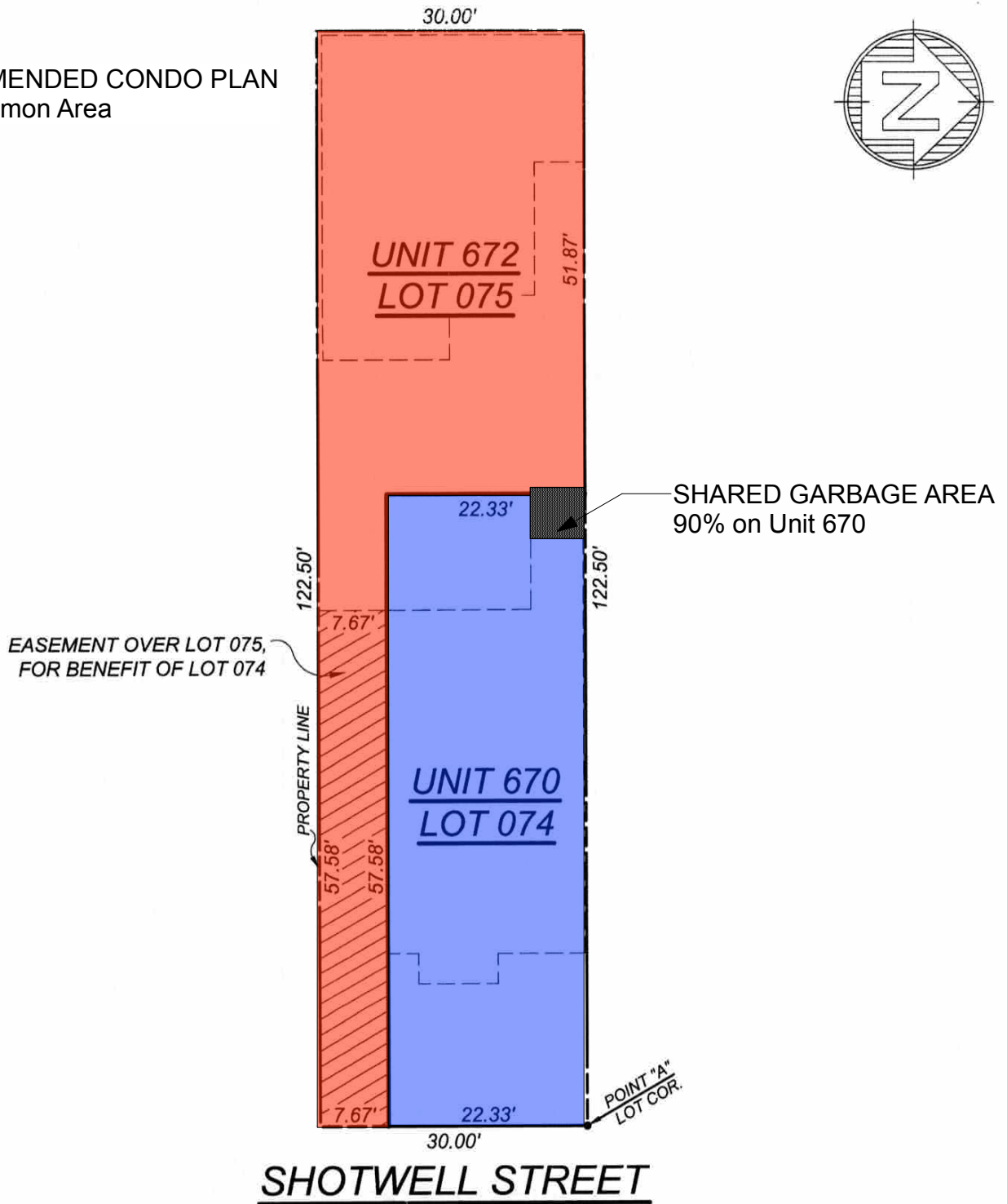
**C. Utility Easements.** Each Owner has an easement over the Common Area to maintain, repair and replace utility lines that are part of the Unit.

**D. Entry or Use Rights.** Each Unit is subject to the right of any Owner to access over the portion of the other Unit for egress in the event of an emergency.

**E. Encroachment Easements.** Each Unit has an easement over the other Unit and the Common Area for the purpose of accommodating any encroachment due to engineering errors, errors in original construction, settlement or shifting of the building, rebuilding or repair of a Building, or any other cause as long as the encroachment exists. However, a valid encroachment is not created in favor of an Owner if it occurred due to the Owner's willful misconduct.

**Exhibit 3**

2023 AMENDED CONDO PLAN  
No Common Area



EASEMENT OVER LOT 075,  
FOR BENEFIT OF LOT 074

SHARED GARBAGE AREA  
90% on Unit 670

**SHOTWELL STREET**

**GROUND LEVEL**

**LEGEND**

EASEMENT AREA

UPPERMOST ELEVATION (U.E.) = INFINITY  
LOWERMOST ELEVATION (L.E.) = 38.00'

SURVEY:  
FTS  
DRAWN:  
RH  
CHECKED:  
CHECKED



**Frederick T. Seher & Associates, Inc.**  
PROFESSIONAL LAND SURVEYORS  
841 LOMBARD STREET, SAN FRANCISCO, CA  
PHONE (415) 921-7690 FAX (415) 921-7655

**670-672 SHOTWELL STREET  
ASSESSOR'S BLOCK 3611, LOT 044  
AMENDED CONDOMINIUM PLAN**

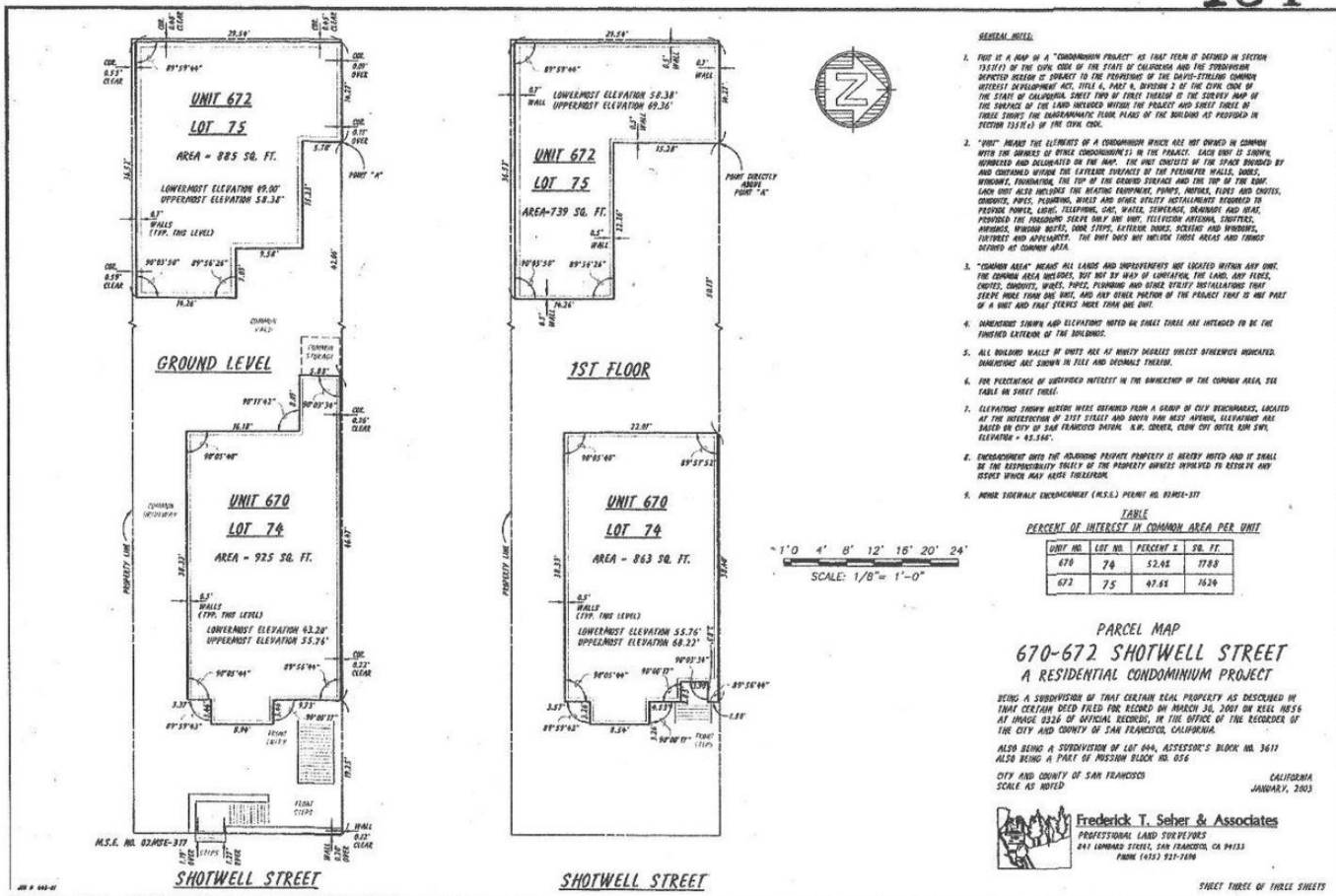
JOB NO. : 2502-23

DATE: SEPT., 2023

SCALE: 1" = 16'

SHEET NO. : 4 OF 4





**GENERAL NOTES**

- THIS IS A MAP OF A "CONDOMINIUM PROJECT" AS THAT TERM IS DEFINED IN SECTION 15316(f) OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND THE PROVISIONS SHOWN HEREIN IS SUBJECT TO THE PROVISIONS OF THE CALIFORNIA COMMON INTEREST DEVELOPMENT ACT, TITLE 4, PART 4, DIVISION 2 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, SUBJECT TO THE TERMS OF THE SURVEY MAP OF THE TRACT OF THE LAND DESCRIBED WITHIN THE PROJECT AND SUBJECT TO THE TERMS OF THE DECLARATORY FLOOR PLANS OF THE BUILDING AS PROVIDED IN SECTION 15316(g) OF THE CIVIL CODE.
- "UNIT" MEANS THE ELEMENTS OF A CONDOMINIUM WHICH ARE NOT OWNED IN COMMON WITH THE SERVICES OR OTHER CONDOMINIUMS IN THE PROJECT. EACH UNIT IS NUMBERED AND DELINEATED ON THE MAP. THE UNIT CONSISTS OF THE SPACE BOUNDED BY AND CONTAINED WITHIN THE EXTERIOR SURFACE OF THE PERIMETER WALLS, DOORS, WINDOWS, FINISHING, THE TOP OF THE CEILING STRUCTURE AND THE TOP OF THE UNIT. EACH UNIT ALSO INCLUDES THE HEATING EQUIPMENT, PUMPS, MOTORS, FUSES AND CHUTES, CONDENSER PANS, PLUMBING, WELLS AND OTHER UTILITY INSTALLATIONS NECESSARY TO PROVIDE POWER, LIGHT, TELEPHONE, GAS, WATER, SEWERAGE, DRAINAGE AND HEAT, PROVIDED THE FOLLOWING STATE ONLY THE UNIT TELEVISION ANTENNA, SATELLITE, ANTENNAS, WIRELESS WIRELESS, LONG-DURATION, EXTENSION CORDS, EXTENSION CORDS, FIRE-RESISTANT AND ADAPTABILITY. THE UNIT DOES NOT INCLUDE THOSE AREAS AND THINGS DESIGNATED AS COMMON AREAS.
- "COMMON AREA" MEANS ALL LANDS AND IMPROVEMENTS NOT LOCATED WITHIN ANY UNIT, THE COMMON AREA INCLUDES, BUT NOT BY WAY OF LIMITATION, THE LAND, ANY FENCES, ENTRIES, CHIMNEYS, WELLS, PIPES, PLUMBING AND OTHER UTILITY INSTALLATIONS THAT SERVE MORE THAN ONE UNIT, AND ANY OTHER PORTION OF THE PROJECT THAT IS NOT PART OF A UNIT AND THAT SERVES MORE THAN ONE UNIT.
- DIMENSIONS SHOWN AND ELEVATIONS NOTED ON SHEET THREE ARE INTENDED TO BE THE FINISHED EXTERIOR OF THE BUILDINGS.
- ALL BUILDING WALLS OF UNITS ARE AS SHOWN UNLESS OTHERWISE INDICATED. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL THEREOF.
- FOR PRECAUTION OF UNINTENDED INTEREST IN THE UNDEVELOPED IN THE COMMON AREA, SEE TABLE ON SHEET THREE.
- ELEVATIONS SHOWN HEREIN WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF 31ST STREET AND SOUTH VAN NESS AVENUE, ELEVATION AS BASED ON CITY OF SAN FRANCISCO DATUM: N.M. CORNER, CORNER OF CENTER LINE SWL ELEVATION = 42.5467.
- ENCUMBRANCE WITH THE EXISTING PROPERTY IS HEREBY NOTED AND IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO DETERMINE THE NATURE AND EXTENT OF ANY ENCUMBRANCE WHICH MAY AFFECT FORECLOSE.
- ADORE SURVEAL ENCUMBRANCE (M.S.L.) PERMIT NO. 90101-317

TABLE  
PERCENT OF INTEREST IN COMMON AREA PER UNIT

UNIT NO.	LOT NO.	PERCENT %	SQ. FT.
670	74	52.48	779.0
672	75	47.61	762.6

**PARCEL MAP  
670-672 SHOTWELL STREET  
A RESIDENTIAL CONDOMINIUM PROJECT**

BEING A SUBDIVISION OF THAT CERTAIN REAL PROPERTY AS DESCRIBED IN THAT CERTAIN DEED FILED FOR RECORD ON MARCH 26, 2007 ON REAL BOOK 817 PAGE 0216 OF OFFICIAL RECORDS, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA.

ALSO BEING A SUBDIVISION OF LOT 644, ADESTOR'S BLOCK NO. 3611 ALSO BEING A PART OF MISSION BLOCK NO. 056.

CITY AND COUNTY OF SAN FRANCISCO  
SCALE AS NOTED

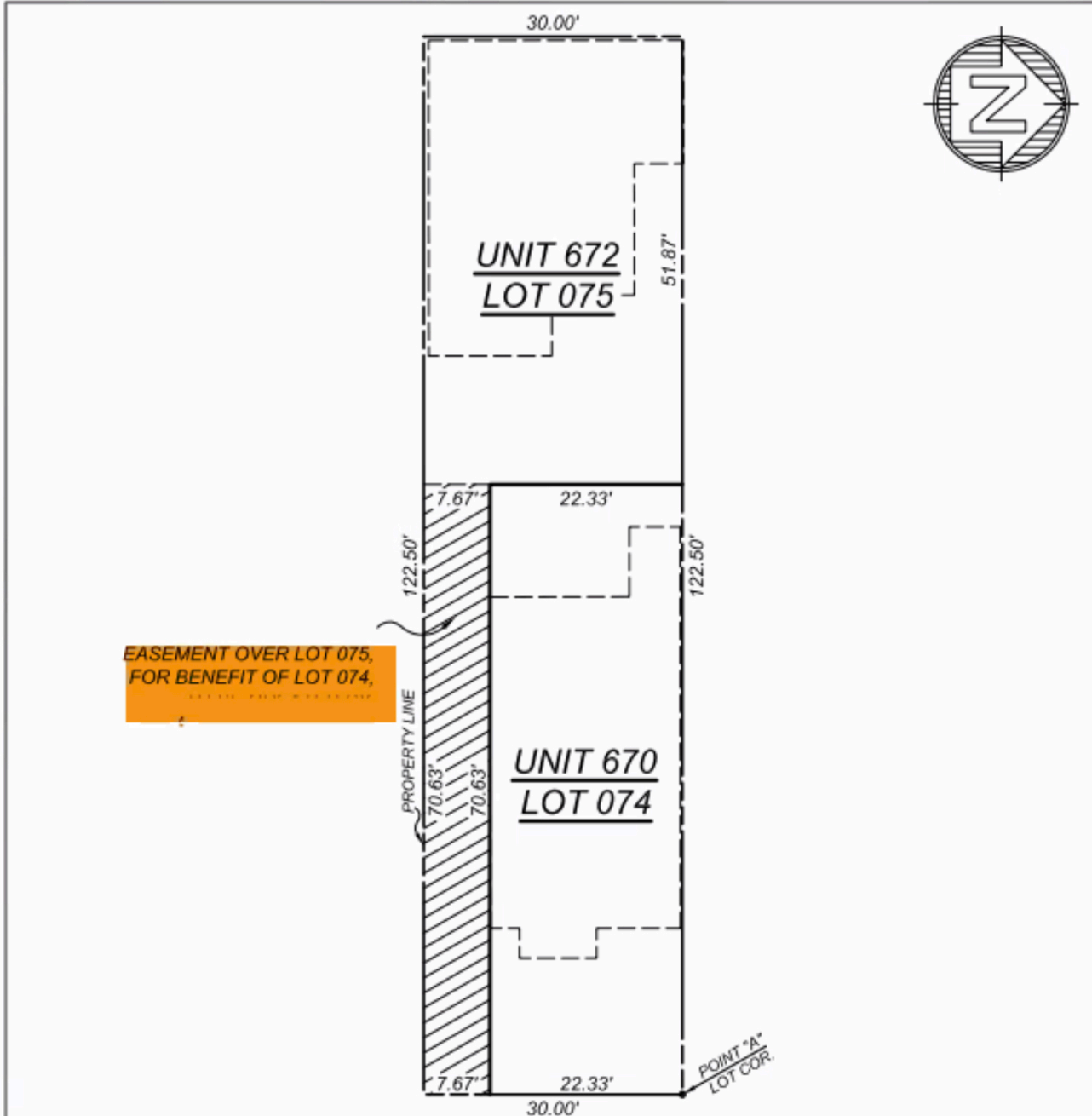
CALIFORNIA  
JANUARY, 2003



**Frederick T. Seher & Associates**  
PROFESSIONAL LAND SURVEYORS  
241 LOMBARD STREET, SAN FRANCISCO, CA 94111  
PHONE (415) 521-7400

**Exhibit 5**

CHECKED: \_\_\_\_\_ DATE: \_\_\_\_\_ DRAWN: \_\_\_\_\_ DATE: \_\_\_\_\_



**EASEMENT OVER LOT 075,  
FOR BENEFIT OF LOT 074.**

**SHOTWELL STREET**

**LEGEND**

EASEMENT AREA

**GROUND LEVEL**

UPPERMOST ELEVATION (U.E.) = INFINITY  
LOWERMOST ELEVATION (L.E.) = 38.00'

**PRELIMINARY  
FOR REVIEW PURPOSES  
ONLY**

SURVEY:  
FTS  
DRAWN:  
DU



**Frederick T. Seher & Associates, Inc.**  
PROFESSIONAL LAND SURVEYORS  
841 LOMBARD STREET, SAN FRANCISCO, CA

**670-672 SHOTWELL STREET  
ASSESSOR'S BLOCK 3611, LOT 044**



## INFORMATION SHEET

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**No. EG-02**

**DATE** : January 15, 2024

**CATEGORY** : Egress

**SUBJECT** : **Emergency Escape and Rescue Openings (EEROs) to Yard or Court for Existing or New Buildings with Group R-3 Occupancies**

---

**REFERENCE** : California Building Code (CBC), Current Edition  
San Francisco Building Code (SFBC), Current Edition  
San Francisco Fire Code (SFFC), Current Edition  
CBC Section 1031, Emergency Escape and Rescue  
SFBC Administrative Bulletin AB-005 Procedures for Approval of Local Equivalencies  
SFBC Administrative Bulletin AB-028 Pre-application and Pre-addendum Plan Review Procedures

**INTENT** : To clarify local equivalency requirements for emergency escape and rescue openings that open to a yard or court without direct access to a public way for Group R-3 occupancies

**BACKGROUND** :

California Building Code (CBC) Section 1031 requires that emergency escape and rescue openings (EEROs) open directly to a public way or to a yard or court that opens to a public way. On December 3, 2018, the California State Fire Marshal issued a code interpretation that EEROs in Group R-3 occupancies are required to be accessible by emergency rescue personnel using ground ladders. This information sheet addresses the condition where the EEROs in Group R-3 occupancies are open to a yard or court that does not open to a public way and thus inhibits the ability for ground ladder access to the EEROs for rescue. The applicability of EEROs and associated requirements are prescribed in CBC Section 1031. In addition, projects are subjected to review for compliance with CBC Section 1031 where proposed scopes of work further restrict access for emergency rescue personnel to perform rescue operations at EEROs.

**DISCUSSION** :

The intent of the code is that (1) EEROs be available so that occupants may **escape** from sleeping rooms

directly through the EEROs to the exterior of the building without necessitating additional travel through the building; and (2) EEROs be available for emergency rescue personnel to access sleeping rooms to **rescue** occupants. Where EEROs are open to a yard or court that does not have access to a public way, then the intent of the code to accomplish both escape and rescue is not met.

Projects may request for the approval of a local design equivalency where both of the following conditions are met:

1. The **escape** criteria for the EERO may be accomplished where the EERO opens into a yard with a minimum of 25 feet in depth. The 25-foot depth shall be measured from the most remote point of the lot to any portion of the building, including any combustible projections.
2. The **rescue** criteria for the EERO at a yard or court that does not open to a public way shall be proposed by the project sponsor and evaluated at the time of submittal on a case-by-case basis by a Department of Building Inspection (DBI) and San Francisco Fire Department (SFFD) plan review supervisor or manager. Acceptable local design equivalency alternatives for the rescue criteria are listed in this information sheet.

Other conditions may be evaluated on a case-by-case basis by a DBI and a SFFD supervisor or manager. A pre-application meeting and/or approval of a local equivalency request per SFBC Administrative Bulletin AB-005 is required.

#### **ACCEPTABLE LOCAL EQUIVALENCIES FOR RESCUE:**

In the event that EEROs open to a yard or court that does not open to a public way, the following three local equivalencies for the rescue criteria are acceptable by DBI and SFFD. Request to use the following local equivalencies shall be accompanied by a request for a local design equivalency approval per SFBC Administrative Bulletin AB-005 and will be reviewed and approved on a case-by-case basis. These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC.

#### **Rescue Criteria Alternative 1 – Fire Department Ground Ladder Access:**

The rescue criteria for the EERO at a yard or court that does not open to a public way may be accomplished by providing a minimum 3-foot wide pathway that can accommodate a 22-foot straight ladder from the public way to the yard or court. A rescue pathway diagram shall be provided on the plans demonstrating the ability for a 22-foot ladder to be carried from the public way to the yard or court where the EERO is located and lifted into place. NOTE: The rescue pathway may travel through garage doors, swing doors and sliding patio doors; but not windows. The rescue pathway may also lead directly to the bedroom door.

##### *Commentary for Rescue Criteria Alternative 1:*

*SF Fire Department uses a 22-foot straight ladder or a 35-foot extension ladder to reach EERO's on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Thus, SF Fire Department needs a minimum 3-foot wide clear pathway to carry the 22-foot straight ladder and 35-foot extension ladder (21 feet unextended) from the street, through a building, to the ground below the EERO. Obstructions, such as fences or detached accessory buildings in the rescue yard or court shall not require that the ladder be raised to navigate around such obstacle. Thus, the entire ladder must be positioned at ground level in the yard/court before it is raised to lean against the building.*

#### **Rescue Criteria Alternative 2 – Roof Access for Rescue:**

The rescue criteria may be accomplished by providing vertical access to the EEROs from the roof level.

### Exhibit 6.3

The roof slope shall not exceed a 4:12 pitch at any location along the roof access route to the yard or court. The following vertical access components are required between the roof level and the level of each EERO:

1. Stairs shall comply with CBC Section 1011. Spiral stairways and alternating tread devices are not permitted as an alternative.
2. Alternate stair design, such as ship's ladders and ladders, shall have a maximum stair incline of 72 degrees from horizontal.

A balcony, deck, or landing is required directly outside of each EERO:

1. Minimum/maximum 3 feet wide in the direction perpendicular to the EERO.
2. Minimum/maximum length shall be the width of the EERO opening or 3 feet, whichever is longer.
3. Any intermediate landings or platforms shall have the minimum/maximum dimensions of 36-inch deep by 72-inch long.

#### Rescue Criteria Alternative 3 – Yard Access for Rescue:

The rescue criteria may be accomplished by providing vertical access to the EEROs from the yard level. A vertical access component with the following requirements is required between the ground level and the level of each EERO:

1. Stairs shall comply with CBC Section 1011. Spiral stairways and alternating tread devices are not permitted as alternatives.
2. Alternate stair design, such as ship's ladders and ladders per CBC Section 1011, shall have a maximum stair incline of 72 degrees from horizontal.

A balcony, deck, or landing is required directly outside of each EERO:

1. Minimum/maximum 3 feet wide in the direction perpendicular to the EERO.
2. Minimum/maximum length shall be the width of the EERO opening.
3. Any intermediate landings or platforms shall have the minimum/maximum dimensions of 36-inch deep by 72-inch long.

#### Commentary for Rescue Criteria Alternatives 2 and 3:

*Where access for a 22-foot ladder cannot be provided, stairs may be provided for SF Fire Department to access EEROs and enter sleeping areas to rescue occupants, in place of ladder access. SF Fire Department requires a minimum 3-foot-wide stairway, platform, and pathway to perform rescue operations. These two alternatives deliberately set minimum/maximum dimensions so as not to trigger Planning requirements for non-safety related projections. The working angle of a SF Fire Department ground ladder is 72 degrees from horizontal, and therefore shall be the steepest angle of a proposed stairway.*

 \_\_\_\_\_ 1/10/24  
Date

Ken Cofflin  
Fire Marshal & Assistant Deputy Chief  
San Francisco Fire Department

 \_\_\_\_\_ 1/17/24  
Date

Patrick O'Riordan, C.B.O.  
Director  
Department of Building Inspection

This Information Sheet is subject to modification at any time. For the most current version, visit our website at [sfdbi.org](http://sfdbi.org).





Planning Department  
49 South Van Ness Avenue,  
Suite 1400  
San Francisco, CA 94103

T: 628.652.7600

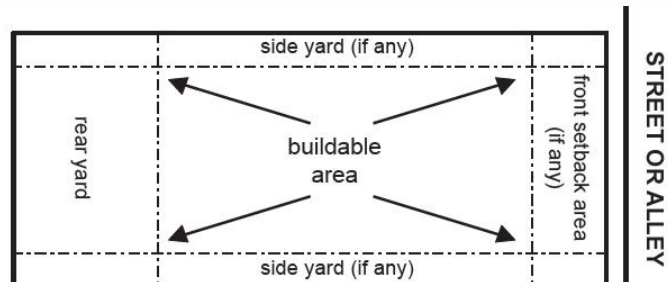
Date: <b>January 2019</b>	Subject: <b>Fences</b>
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## Introduction

A building permit is not required for a fence that is three feet or less in height at the front of a property, or six feet or less in height at the side or rear property lines. Neighborhood notification is not required for fences ten feet or less in height. If a fence is ten feet or less in height and it meets the restrictions discussed below, it will usually be approved over the counter.

Controls on allowable heights of fences are contained in the Planning Code. They are based on the location of the fence(s) on the property and required yards and setbacks. In all residential zoning districts there are rear yard requirements. There may be side yard and front setback requirements as well. There are rear yard requirements in some commercial districts and in any commercial, industrial or mixed use district at the first story containing a dwelling. (Thus a ground floor dwelling would trigger a rear yard requirement at the ground level in these districts). The area of a lot that is not subject to a required setback is known as the 'buildable area'. (See Figure 1).

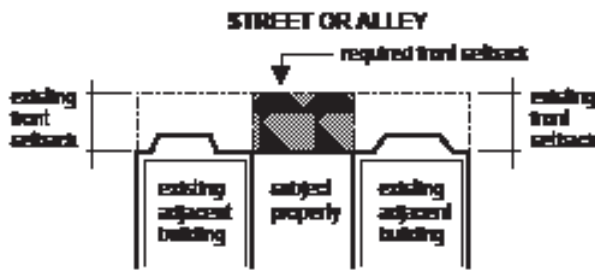
*Figure 1:  
Yards and Setbacks*



**FRONT SETBACK**

Front setback requirements apply in RH, RM and RTO districts which encompass most San Francisco residential neighborhoods. These are generally based on the location of the front building walls of the adjacent properties fronting on the same street. The required setback for a property is usually an average of the setbacks of these two adjacent properties (see Figure 2).

Figure 2: Front Setbacks



If your property is a corner lot and subject to a front setback requirement it would be equal to one-half of the setback of the one adjacent property. (In a few cases there are front setbacks that are legislated by ordinance. See the discussion below under Variance).

If there are no adjacent setbacks, e.g. the adjacent buildings are built to the front property line, then your lot would have no front setback requirements.

The maximum required front setback is equal to 15% of the lot depth or 15 feet, whichever is less. So even if the adjacent buildings are substantially set back, you would not be required to set back beyond the maximum.

If you propose a fence within the required front setback area, it is limited to a height of 3 feet if solid, and 6 feet if 75% open. A 75% open fence would typically be something like a wrought iron gate where the solid portions of the fence make up 25% or less of the total area of the fence (see Figure 3, left). A picket fence with minor openings between slats would not qualify unless the slats were very thin and/or had large gaps between them (see Figure 3 right). (Please note, you will not be permitted a fence that is 3' solid with any additional fencing above that height in the front setback.)

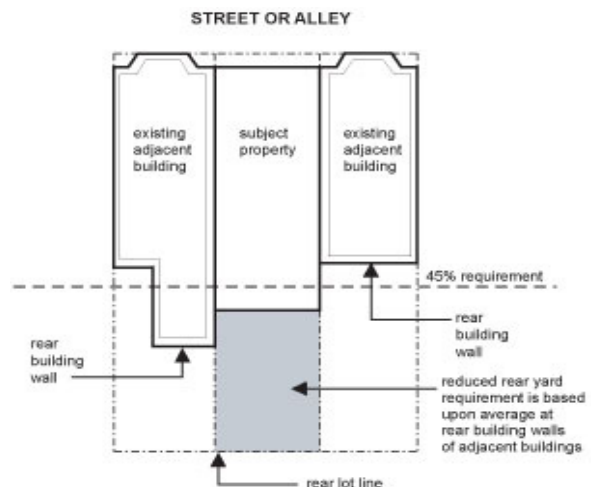
**REAR YARDS**

Generally, rear yards are required in all residential districts. With few exceptions, the requirements are either 25% or 45% of lot depth depending on the zoning. Rear yards are required in some commercial districts from the ground up, and in all commercial districts at residential levels, typically as a 25% of lot depth requirement. In the case of the 45% of lot depth requirement, the rear yard can be reduced based on an average of the adjacent building walls, i.e. if these building walls project further than the 45% requirement on your lot, then your requirement can be reduced to the average of those projections (see Figure 4). The requirement cannot be reduced to less than 25% of lot depth or 15' whichever is greater.

Figure 3: 'Open' and Solid Fences



Figure 4: Rear Yards



## Exhibit 7.3

In the required rear yard area, the maximum allowable height of a fence is 10 feet above grade. (There may be circumstances, particularly when there are substantial grade differences between parcels, when the Zoning Administrator could authorize a fence up to six feet above a retaining wall on a case-by-case basis regardless of total height above the grade.)

### SIDE YARDS

In a limited number of residential areas there are also side yard requirements (Residential House, One-Family (Detached Dwellings)). Per Planning Code Section 133, lots with a width of 28 feet or greater must provide side yards, increasing in size based on the width of the lot up to a maximum of 5 feet on each side. The limitations described in the preceding section for rear yards would also apply in side yards, i.e. fences are allowed up to 10 feet in height.

If you have any questions about determining your yard or setback requirements you should contact the Planning counter at the Permit center by e-mail [pic@sfgov.org](mailto:pic@sfgov.org).

### BUILDABLE AREA

You may build a fence taller than 10 feet within the buildable area of the lot (see Figure 1 and Figure 5). In residential districts, and some commercial districts, this would require a neighborhood notification. Please see the Neighborhood Notification handout for more. A fence taller than 10 feet in the buildable area may also be subject to review under the Residential Design Guidelines.

### VARIANCE

If you wish to build a fence in a required yard or setback that exceeds the limitations stated above, you would need to seek and justify a Variance. In limited areas there are front setbacks that are established by ordinance. These are known as 'legislated setbacks'. The rules for fences in these areas are the same as 'typical' front setback requirements. However, a variance cannot be issued for exceptions to legislated setbacks. The setback would have to be modified or abolished

by ordinance, i.e. the Board of Supervisors, so that the fence would be allowable.)

### PERMITTING

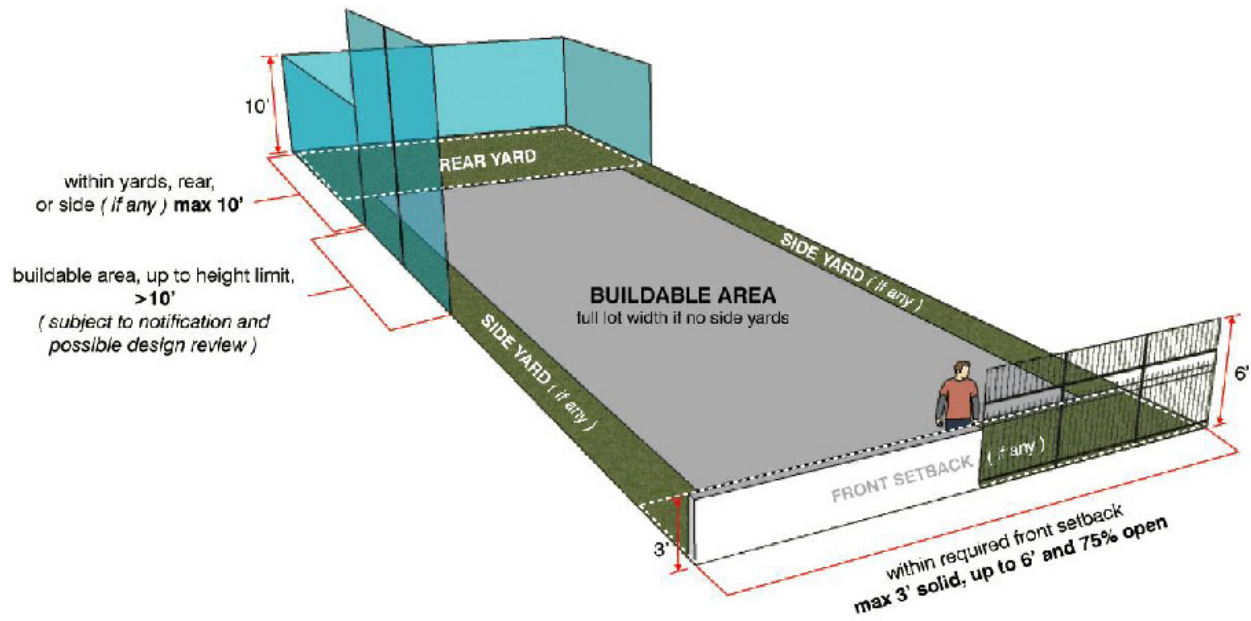
When applying for a fence permit, provide plans that show the precise location of the fence on the site, the location of any required setbacks, and the height of the fence. If you are constructing a fence greater than 3 feet in height in the front setback and are relying on openness of the fence to gain additional allowable height, you should also show by illustration or diagram how the proposed fence meets the openness requirement.

## Summary

Figure 5 below illustrates the Planning Code restrictions on fences. In summary, fences in a required front setback are limited to a maximum height of 3' if solid or 6' if 75% open. Fences in required yards, rear or side, are limited to 10' in height. Fences in the buildable area have no specified height restriction other than the applicable height limit for the lot. However, for fences greater than 10' in height neighborhood notification may be required and design review standards may limit the allowable height of the fence. Again, If the fence is less than or equal to 10 feet in height and it meets all other applicable limitations, it will typically be approved over the counter.



Figure 5:  
Illustration of Fence Height Limits



**San Francisco  
Planning**

**FOR MORE INFORMATION:  
Contact the San Francisco Planning Department**

**Central Reception**  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

TEL: 628.652.7600  
WEB: [www.sfplanning.org](http://www.sfplanning.org)

**Planning counter at the Permit Center**  
49 South Van Ness Avenue, 2nd Floor  
San Francisco, CA 94103

EMAIL: [pic@sfgov.org](mailto:pic@sfgov.org)  
TEL: 628.652.7300



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL



**PROJECT INFORMATION**

**ADDRESS**  
670 SHOTWELL STREET  
SAN FRANCISCO, CA 94110

**BLOCK/LOT** 3611/074      **ZONING** RH-3

**PARCEL SIZE**  
30'X122.50' 3,675 SQ FT

**CEQA/HISTORIC RATING**  
A- HISTORIC RESOURCE PRESENT

**USE**  
CONDOMINIUM- TWO DETACHED UNITS

**OCCUPANCY CLASS** R-3- ONE-TWO UNITS- NO CHANGE      **CONSTRUCTION TYPE** VB- NO CHANGE

**SET BACKS**  
FRONT 0' REQUIRED, 10'-0" MAX. BASED ON NEIGHBORS, (E) +/- 19'-7"  
SIDE 0' REQUIRED- (E) 7.67' ON SOUTH SIDE OF 670 SHOTWELL  
REAR 45%- 55.125' REQUIRED- (E) - REAR CONDO BUILT IN REAR YARD  
SET BACK

**HEIGHT**  
40-X  
EXISTING & PROPOSED FOR 670 SHOTWELL +/- 28'-0" AT FRONT, +/- 22'-0"  
AT REAR

**PROJECT DESCRIPTION**

- REMOVE (E), NON-HISTORIC EXTERIOR DOOR, FILL IN WALL
- REMOVE INTERIOR DOOR, INFILL WALL
- INSTALL NEW, FIBERGLASS SINGLE LIGHT EXTERIOR DOOR ON REAR (WEST) FACADE- NOT VISIBLE FROM STREET
- INSTALL NEW INTERIOR POCKET DOOR IN BREAKFAST ROOM
- INSTALL NEW DOOR IN BATHROOM
- NO TITLE 24 REQUIRED- RELOCATE ONE EXTERIOR DOOR, SAME SIZE, NO CHANGE IN FLOOR AREA OR OTHER OPENINGS, NO CHANGE TO MECHANICAL

INTERIOR KITCHEN & BATHROOM REMODEL UNDER SEPARATE PERMIT NO. 2024 0318 8060

**AREA CALCULATIONS**

FIRST FLOOR	899 SQ FT	NO CANAGE
SECOND FLOOR	851 SQ FT	NO CHANGE
TOTAL AREA	1,750 SQ FT	NO CHANGE

**VINCINITY MAP**



**DRAWING LIST**

- A0.0 TITLE SHEET
- A1.0 SITE PLAN
- A2.0 FIRST FLOOR PLAN- EXISTING & PROPOSED
- A3.0 SECOND FLOOR PLAN & EXISTING & PROPOSED SOUTH & WEST ELEVATIONS
- A4.0 DETAILS & SITE PHOTOS

**PROJECT PARTICIPANTS**

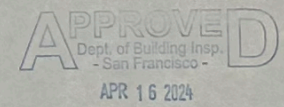
**OWNER**  
BETH MILES  
670 SHOTWELL STREET  
SAN FRANCISCO, CA 94110  
beth@bethmiles.com  
TEL: 415.533.1695

**ARCHITECT**  
ZACK/DE VITO ARCHITECTURE + CONSTRUCTION  
JIM ZACK  
1672 15TH ST  
SAN FRANCISCO, CA 94107  
jim@zackdevito.com  
TEL: 415.495.7889

**CONTRACTOR**  
ZACK/DE VITO ARCHITECTURE + CONSTRUCTION  
CSLB Lic. No. 707355  
JIM ZACK  
1672 15TH ST  
SAN FRANCISCO, CA 94107  
jim@zackdevito.com  
TEL: 415.495.7889

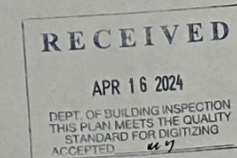
**APPLICABLE CODES**

- 2022 CALIFORNIA BUILDING CODE (CBC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA ELECTRIC CODE (CEC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA PLUMBING CODE (CPC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA MECHANICAL CODE (CMC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA FIRE CODE (CFC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA GREEN BUILDING CODE WITH SAN FRANCISCO AMENDMENTS
- 2023 SAN FRANCISCO PLANNING CODE



**FIRE SAFETY NOTES**  
- ALL EXITS TO BE MAINTAINED DURING & AFTER CONSTRUCTION  
- ALL FIRE RATINGS TO BE RESTORED AFTER CONSTRUCTION  
- ALL PENETRATIONS TO BE REPAIRED  
- MUST MAINTAIN EXISTING FIRE LIFE SYSTEMS DURING CONSTRUCTION

Diane Yin, DBI



APPROVED BY MELANIE BISHOP  
APR 16 2024

REVIEWED BY FIRE DEPT.  
FIRE DEPT INSPECTIONS NOT REQUIRED

Clarence Hom, SFFD  
APR 16 2024

Title Sheet	SCALE: NTS	A0.0
670 Shotwell Street	DATE: 04.08.24	

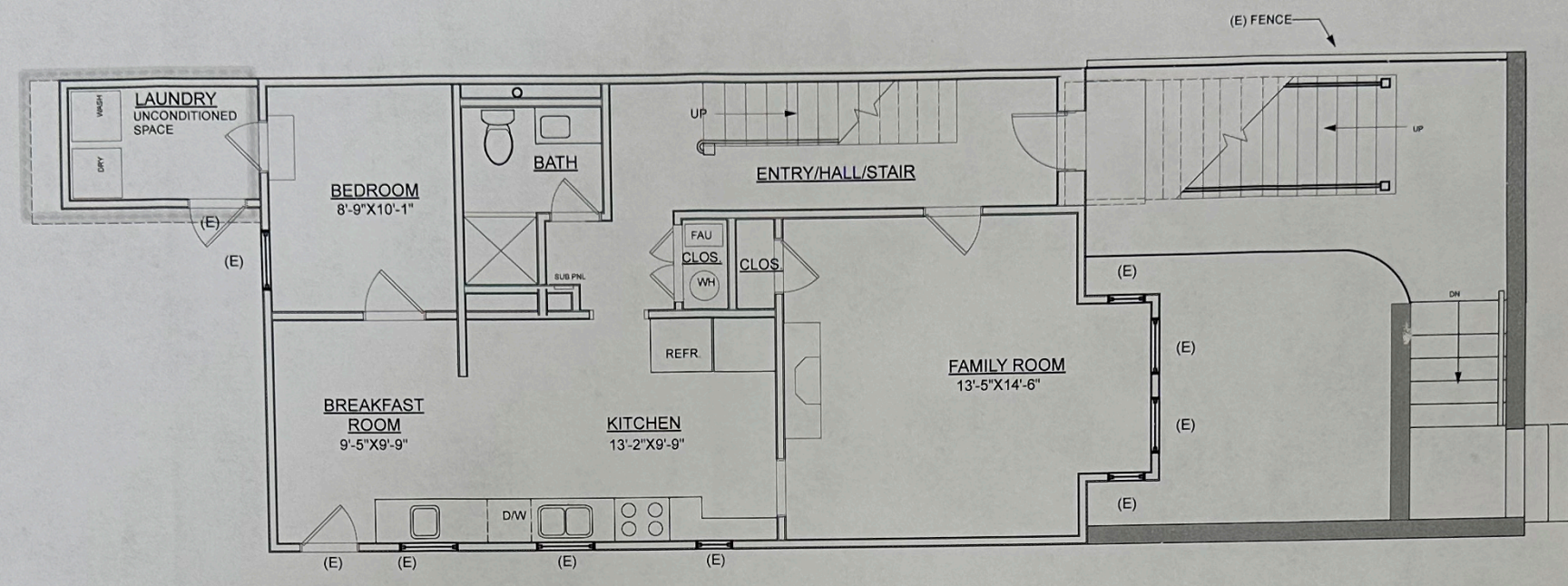
PAN: 2024 0409 9596 670 SHOTWELL STREET



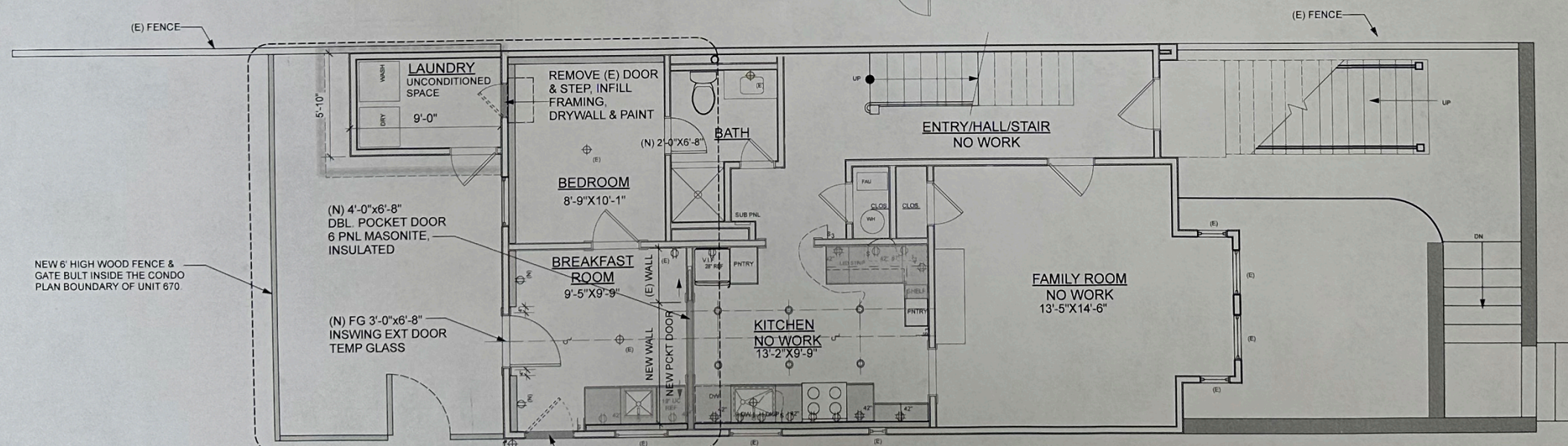
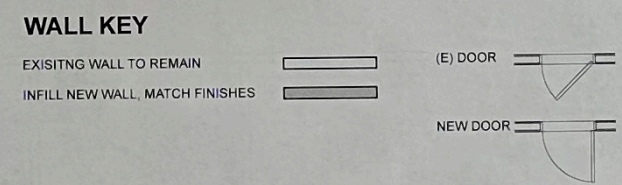




ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.



EXISTING FIRST FLOOR PLAN 2  
899 SQ FT 1/4"=1'-10"



PROPOSED FIRST FLOOR PLAN 1  
899 SQ FT 1/4"=1'-10"

**APPROVED**  
Dept. of Building Insp. - San Francisco -  
APR 16 2024 APPROVED BY MELANIE BISHOP

**RECEIVED**  
APR 16 2024  
DEPT. OF BUILDING INSPECTION  
THIS PLAN MEETS THE QUALITY  
STANDARD FOR DIGITIZING  
ACCEPTED

Diane Yin, DBI  
APR 16 2024

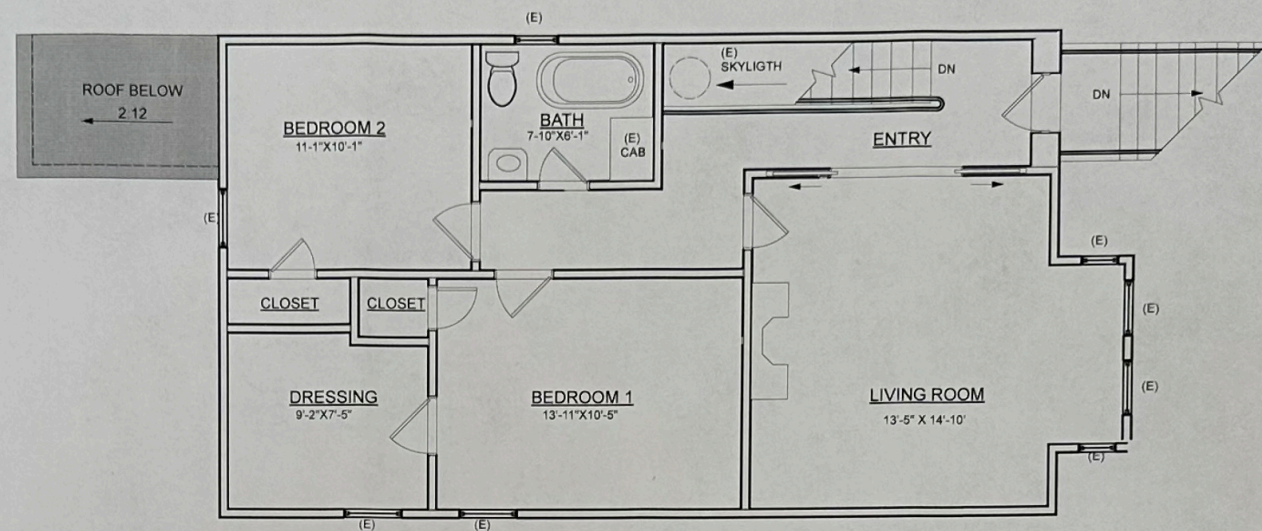
Clarence Hom, SFFD  
APR 16 2024

Existing & Proposed First Floor Plan	SCALE: 1/4"=1'-10"	<b>A2.0</b>
670 Shotwell Street	DATE: 04.08.24	

Zack de Vito  
1672 15th Street • San Francisco • California 94103 • T. 415.495.7889 info@zackdevito.com

PAN: 2024 0409 9596 670 SHOTWELL STREET

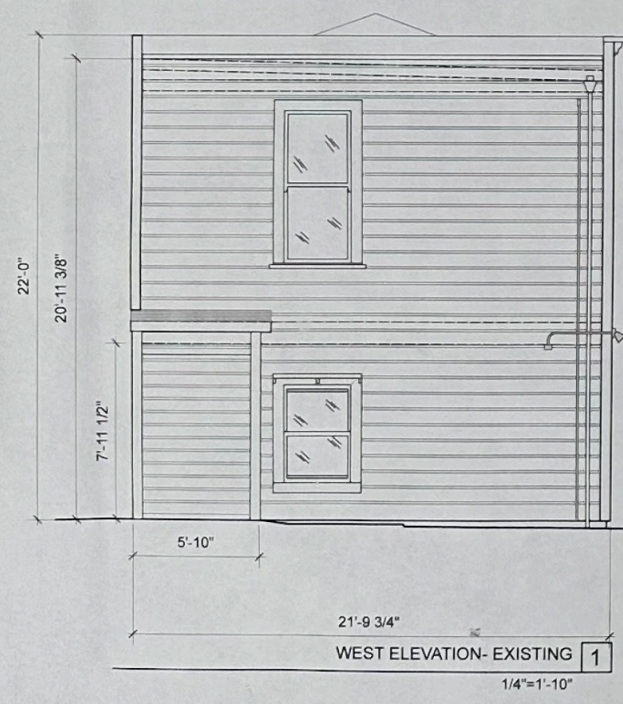




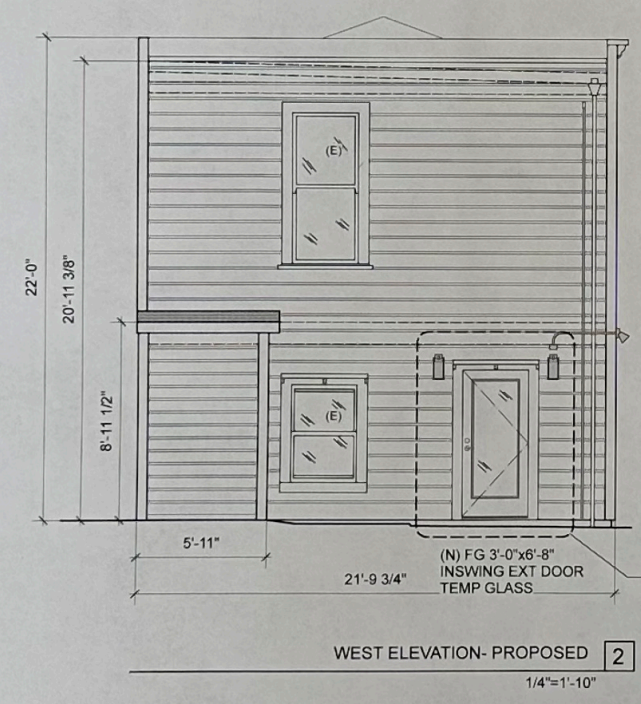
NO WORK THIS FLOOR

SECOND FLOOR-EXISTING 4  
851 SQ FT 1/4"=1'-10"

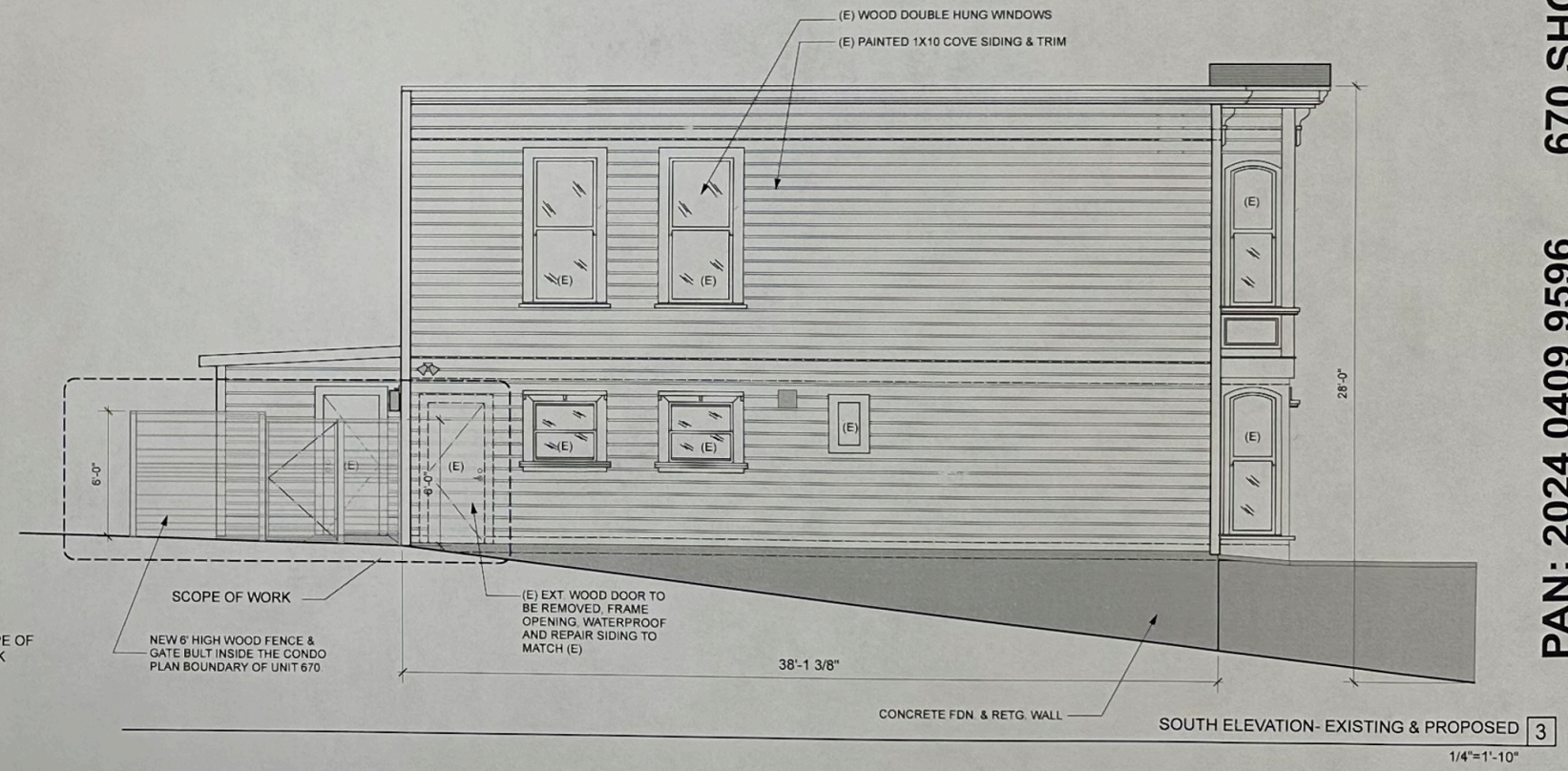
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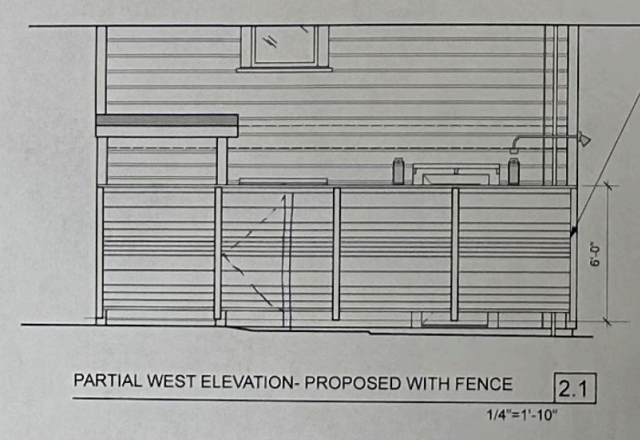
WEST ELEVATION- EXISTING 1  
1/4"=1'-10"



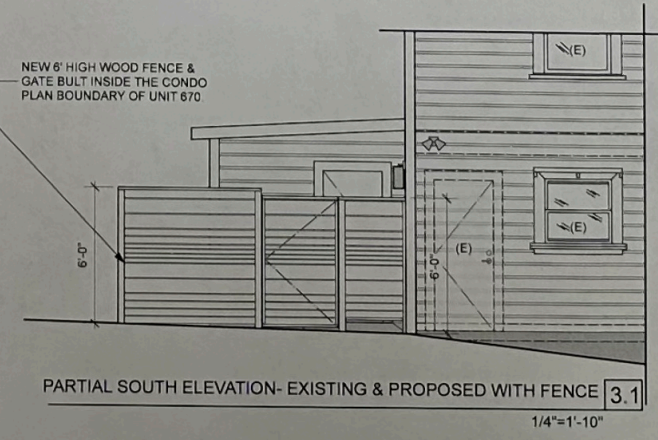
WEST ELEVATION- PROPOSED 2  
1/4"=1'-10"



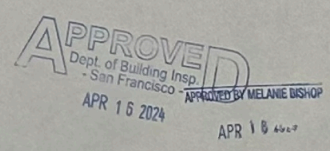
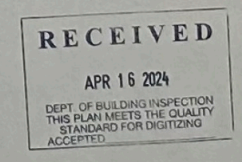
SOUTH ELEVATION- EXISTING & PROPOSED 3  
1/4"=1'-10"



PARTIAL WEST ELEVATION- PROPOSED WITH FENCE 2.1  
1/4"=1'-10"



PARTIAL SOUTH ELEVATION- EXISTING & PROPOSED WITH FENCE 3.1  
1/4"=1'-10"



Diane Yin, DBI  
APR 16 2024

Clarence Hom, SFFD  
APR 16 2024

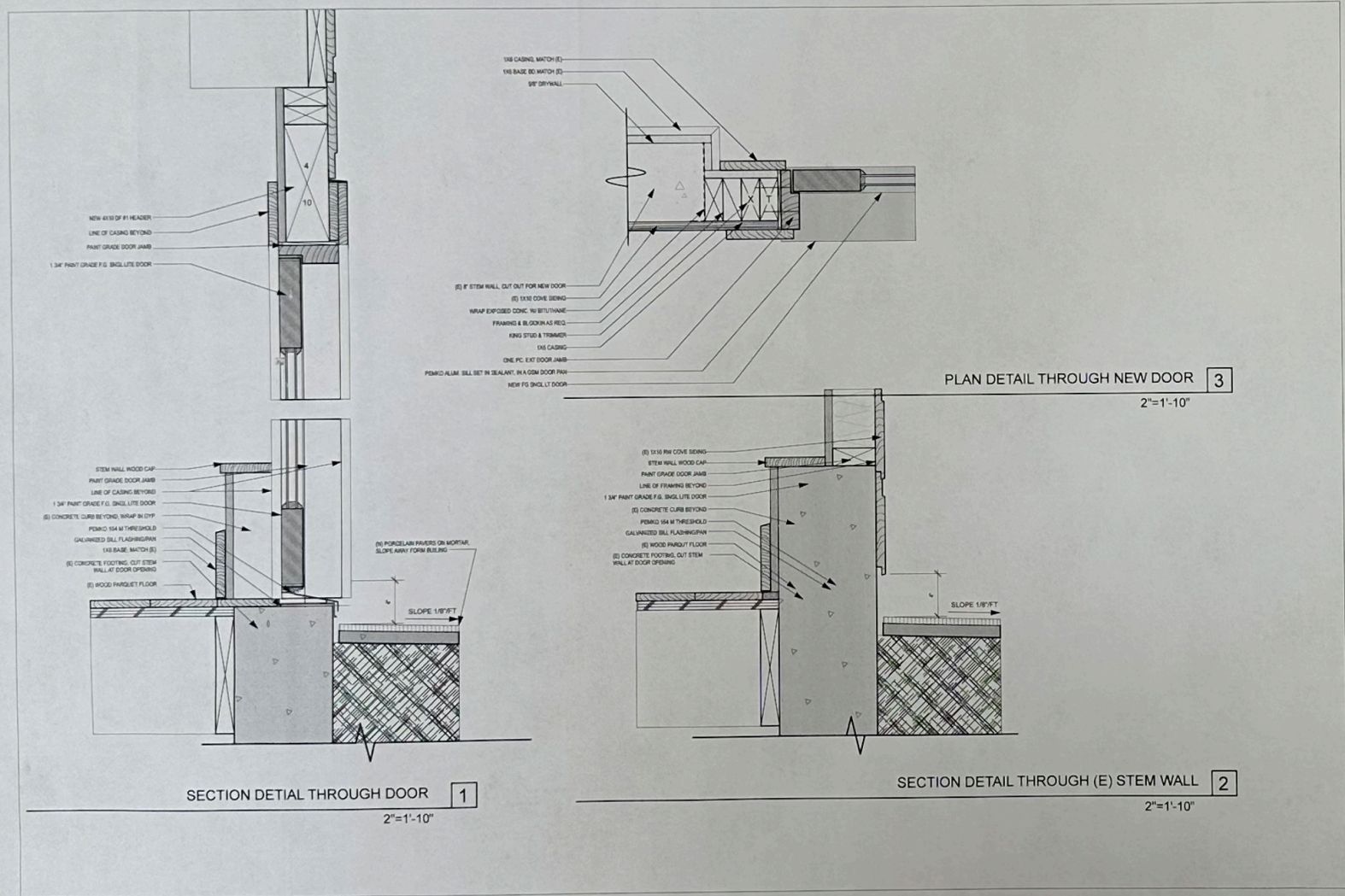
Existing Second Floor Plan & West Elevations	SCALE: 1/4"=1'-0"	<b>A3.0</b>
670 Shotwell Street	DATE: 04.08.24	

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PAN: 2024 0409 9596 670 SHOTWELL STREET



ISSUE		
MARK	DATE	DESCRIPTION
-	04/09/24	PERMIT APPL.



AERIAL PLAN VIEW



AERIAL VIEW SOUTH FACADE



AERIAL VIEW SOUTH & WEST FACADES



FRONT FACADE VIEW

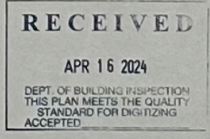
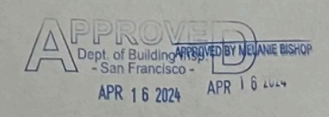


SOUTH FACADE DETAIL



WEST FACADE

PAN: 2024 0409 9596 670 SHOTWELL STREET



Clarence Hom, SFFD  
APR 16 2024

Diane Yin, DBI  
APR 16 2024

Details & Existing Condition Photos	SCALE: As Noted	<b>A4.0</b>
670 Shotwell Street	DATE: 04.08.24	
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City and County of San Francisco  
Department of Building Inspection

London N. Bress, Mayor  
Pauck O'Rourke, C.B.D., Director

**INFORMATION SHEET**

No. EG-02  
DATE: January 15, 2024  
CATEGORY: Egress  
SUBJECT: Emergency Escape and Rescue Openings (EEROs) to Yard or Court for Existing or New Buildings with Group R-3 Occupancies

REFERENCE: California Building Code (CBC), Current Edition  
San Francisco Building Code (SFBC), Current Edition  
San Francisco Fire Code (SFFC), Current Edition  
CBC Section 1031, Emergency Escape and Rescue  
SFBC Administrative Bulletin AB-005 Procedures for Approval of Local Equivalencies  
SFFC Administrative Bulletin AB-028 Pre-application and Pre-addendum Plan Review Procedures

INTENT: To clarify local equivalency requirements for emergency escape and rescue openings that open to a yard or court without direct access to a public way for Group R-3 occupancies

BACKGROUND: California Building Code (CBC) Section 1031 requires that emergency escape and rescue openings (EEROs) open directly to a public way or to a yard or court that opens to a public way. On December 3, 2018, the California State Fire Marshal issued a code interpretation that EEROs in Group R-3 occupancies are required to be accessible by emergency rescue personnel using ground ladders. This information sheet addresses the condition where the EEROs in Group R-3 occupancies are open to a yard or court that does not open to a public way and thus inhibits the ability for ground ladder access to the EERO for rescue. The applicability of EEROs and associated requirements are prescribed in CBC Section 1031. In addition, projects are subjected to review for compliance with CBC Section 1031 where proposed scopes of work further restrict access for emergency rescue personnel to perform rescue operations at EEROs.

DISCUSSION: The intent of the code is that (1) EEROs be available so that occupants may escape from sleeping rooms

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**INFORMATION SHEET** EG-02

directly through the EEROs to the exterior of the building without necessitating additional travel through the building; and (2) EEROs be available for emergency rescue personnel to access sleeping rooms to rescue occupants. Where EEROs are open to a yard or court that does not have access to a public way, then the intent of the code is to require that EEROs be available to be accessed by emergency rescue personnel using ground ladders.

Projects may request for the approval of a local design equivalency where both of the following conditions are met:

- The escape criteria for the EERO may be accomplished where the EERO opens into a yard with a minimum of 25 feet in depth. The 25-foot depth shall be measured from the most remote point of the lot to any portion of the building, including any combustible projections.
- The rescue criteria for the EERO at a yard or court that does not open to a public way shall be proposed by the project sponsor and evaluated at the time of submittal on a case-by-case basis by a Department of Building Inspection (DBI) and San Francisco Fire Department (SFFD) plan review supervisor or manager. Acceptable local design equivalency alternatives for the rescue criteria are listed in this information sheet.

Other conditions may be evaluated on a case-by-case basis by a DBI and a SFFD supervisor or manager. A pre-application meeting and/or approval of a local equivalency request per SFFC Administrative Bulletin AB-005 is required.

**ACCEPTABLE LOCAL EQUIVALENCES FOR RESCUE:**

In the event that EEROs open to a yard or court that does not open to a public way, the following three local equivalencies for the rescue criteria are acceptable by DBI and SFFD. Request to use the following local equivalencies shall be accompanied by a request for a local design equivalency approval per SFFC Administrative Bulletin AB-005 and will be reviewed and approved on a case-by-case basis. These requirements do not alleviate and shall not diminish any other code requirements established in the SFFC and SFFC.

**Rescue Criteria Alternative 1 - Fire Department Ground Ladder Access:**

The rescue criteria for the EERO at a yard or court that does not open to a public way may be accomplished by providing a minimum 3-foot wide pathway that can accommodate a 22-foot straight ladder from the public way to the yard or court. A rescue pathway diagram shall be provided on the plans demonstrating the ability for a 22-foot ladder to be carried from the public way to the yard or court where the EERO is located and lifted into place. NOTE: The rescue pathway may travel through garage doors, swing doors and sliding patio doors, but not windows. The rescue pathway may also lead directly to the bedroom door.

**Commentary for Rescue Criteria Alternative 1:**  
SF Fire Department uses a 22-foot straight ladder or a 25-foot extension ladder to reach EERO's on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Thus, SF Fire Department needs a minimum 3-foot wide clear pathway to carry the 22-foot straight ladder and 25-foot extension ladder (21 feet overextended) from the street through a building, to the ground below the EERO. Obstructions, such as fences or attached accessory buildings in the rescue yard or court shall not require that the ladder be raised to navigate around such obstacle. Thus, the entire ladder must be positioned at ground level in the yard/court below if it is raised to span against the building.

**Rescue Criteria Alternative 2 - Roof Access for Rescue:**

The rescue criteria may be accomplished by providing vertical access to the EEROs from the roof level.

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**INFORMATION SHEET** EG-02

The roof slope shall not exceed a 4:12 pitch at any location along the roof access route to the yard or court. The following vertical access components are required between the roof level and the level of each EERO:

- Stairs shall comply with CBC Section 1011. Spiral stairways and alternating tread devices are not permitted as an alternative.
- Alternate stair design, such as ship's ladders and ladders, shall have a maximum stair incline of 72 degrees from horizontal.

A balcony, deck, or landing is required directly outside of each EERO:

- Minimum/maximum 3 feet wide in the direction perpendicular to the EERO.
- Minimum/maximum length shall be the width of the EERO opening or 3 feet, whichever is longer.
- Any intermediate landings or platforms shall have the minimum/maximum dimensions of 36-inch deep by 72-inch long.

**Rescue Criteria Alternative 3 - Yard Access for Rescue:**

The rescue criteria may be accomplished by providing vertical access to the EEROs from the ground level. A vertical access component with the following requirements is required between the ground level and the level of each EERO:

- Stairs shall comply with CBC Section 1011. Spiral stairways and alternating tread devices are not permitted as alternatives.
- Alternate stair design, such as ship's ladders and ladders per CBC Section 1011, shall have a maximum stair incline of 72 degrees from horizontal.

A balcony, deck, or landing is required directly outside of each EERO:

- Minimum/maximum 3 feet wide in the direction perpendicular to the EERO.
- Minimum/maximum length shall be the width of the EERO opening.
- Any intermediate landings or platforms shall have the minimum/maximum dimensions of 36-inch deep by 72-inch long.

**Commentary for Rescue Criteria Alternatives 2 and 3:**  
Where access for a 22-foot ladder cannot be provided, stairs may be provided for SF Fire Department to access EEROs and enter sleeping areas to rescue occupants, in place of ladder access. SF Fire Department requires a minimum 3-foot wide pathway, and pathway to perform rescue operations. These two alternatives deliberately set minimum/maximum dimensions as set forth to trigger Plan Review requirements for non-safety related projections. The working angle of a SF Fire Department ground ladder is 72 degrees from horizontal, and therefore shall be the steepest angle of a proposed stairway.

Ken Coffin, Fire Marshal & Assistant Deputy Chief, San Francisco Fire Department  
Pauck O'Rourke, C.B.D., Director, Department of Building Inspection

This information sheet is subject to modification at any time. For the most current version, visit our website at dbi.org.

Page 3 of 3  
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**SEC. 136. OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SETBACKS, YARDS, AND USABLE OPEN SPACE.**

**New Ordinance Notice**

Publisher's Note: This section has been AMENDED by new legislation (Ch. 62-31, approved 3/28/2024, effective 4/28/2024, veto 3/30/24). The text of the amendments will be incorporated under the new section number when the amending legislation is operative.

(See Interpretations related to this Section.)

Street and Alley	Set-Backs	Yards	Usable Open Space
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x

(15) Railings no more than three feet in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.

(16) Decorative railings and decorative grille work, other than wire mesh, at least 75 percent open to perpendicular view and no more than six feet in height above grade.

(17) Fences no more than three feet in height above grade.

(18) Fences and wind screens no more than six feet in height above grade.

(19) Fences and wind screens no more than 10 feet in height above grade.

(20) Normal outdoor recreational and household features such as play equipment and drying lines.

(21) Landscaping and garden furniture.

(22) Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land.

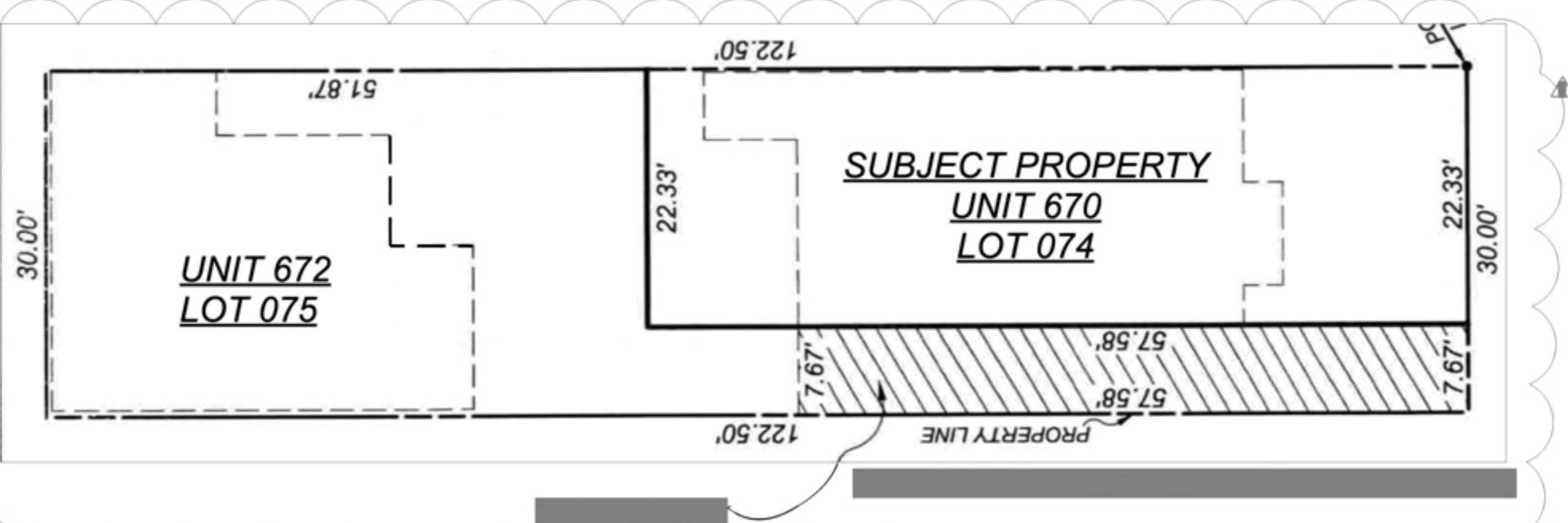
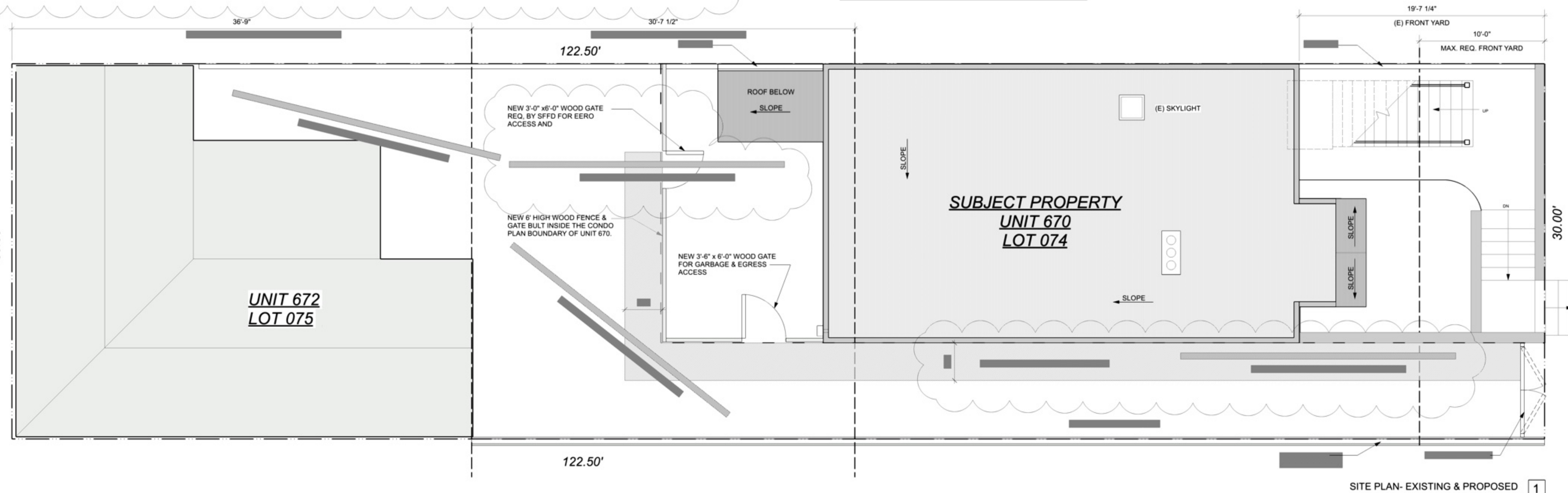
(23) Other structures permitted in the required setback, yard or usable open space shall be subject to the same restrictions.



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.
▲	05/19/24	EERO RECORD

**SUBJECT PROPERTY**

PAUCK O'ROURKE  
C-24446  
GENERAL DATE  
STATE OF CALIFORNIA



**SITE PLAN- EXISTING & PROPOSED** 1

1/8"=1'-10"

**Zack de Vito** ARCHITECTURE

**670 SHOTWELL STREET**



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.

**PROJECT INFORMATION**

**ADDRESS**  
670 SHOTWELL STREET  
SAN FRANCISCO, CA 94110

**BLOCK/LOT** 3611/074 **ZONING** RH-3

**PARCEL SIZE**  
30'X122.50' 3,675 SQ FT

**CEQA/HISTORIC RATING**  
A- HISTORIC RESOURCE PRESENT

**USE**  
CONDOMINIUM- TWO DETACHED UNITS

**OCCUPANCY CLASS** R-3- ONE-TWO UNITS- NO CHANGE **CONSTRUCTION TYPE** VB- NO CHANGE

**SET BACKS**  
FRONT: 0' REQUIRED, 10'-0" MAX. BASED ON NEIGHBORS, (E) +/- 19'-7"  
SIDE- 0' REQUIRED- (E) 7.67" ON SOUTH SIDE OF 670 SHOTWELL  
REAR: 45%- 55.125' REQUIRED- (E) - REAR CONDO BUILT IN REAR YARD  
SET BACK

**HEIGHT**  
40-X  
EXISTING & PROPOSED FOR 670 SHOTWELL: +/- 28'-0" AT FRONT, +/- 22'-0" AT REAR

**PROJECT DESCRIPTION**

- REMOVE (E), NON-HISTORIC EXTERIOR DOOR, FILL IN WALL
- REMOVE INTERIOR DOOR, INFILL WALL
- INSTALL NEW, FIBERGLASS SINGLE LIGHT EXTERIOR DOOR ON REAR (WEST) FACADE- NOT VISIBLE FROM STREET
- INSTALL NEW INTERIOR POCKET DOOR IN BREAKFAST ROOM
- INSTALL NEW DOOR IN BATHROOM
- NO TITLE 24 REQUIRED- RELOCATE ONE EXTERIOR DOOR, SAME SIZE, NO CHANGE IN FLOOR AREA OR OTHER OPENINGS, NO CHANGE TO MECHANICAL

INTERIOR KITCHEN & BATHROOM REMODEL UNDER SEPARATE PERMIT NO. 2024 0318 8060

**AREA CALCULATIONS**

FIRST FLOOR	899 SQ FT	NO CANAGE
SECOND FLOOR	851 SQ FT	NO CHANGE
TOTAL AREA	1,750 SQ FT	NO CHANGE

**DRAWING LIST**

A0.0	TITLE SHEET
A1.0	SITE PLAN
A2.0	FIRST FLOOR PL AN- EXISTING & PROPOSED
A3.0	SECOND FLOOR PLAN & EXISTING & PROPOSED SOUTH & WEST ELEVATIONS
A4.0	DETAILS & SITE PHOTOS

**PROJECT PARTICIPANTS**

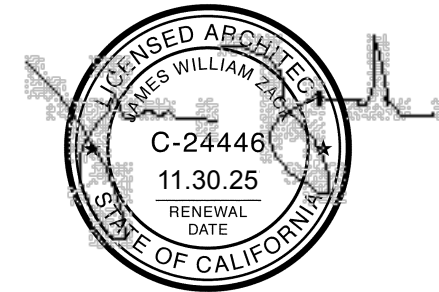
**OWNER**  
BETH MILES  
670 SHOTWELL STREET  
SAN FRANCISCO, CA 94110  
beth@bethmiles.com  
TEL: 415.533.1695

**ARCHITECT**  
ZACK/DE VITO ARCHITECTURE + CONSTRUCTION  
JIM ZACK  
1672 15TH ST  
SAN FRANCISCO, CA 94107  
jim@zackdevito.com  
TEL: 415.495.7889

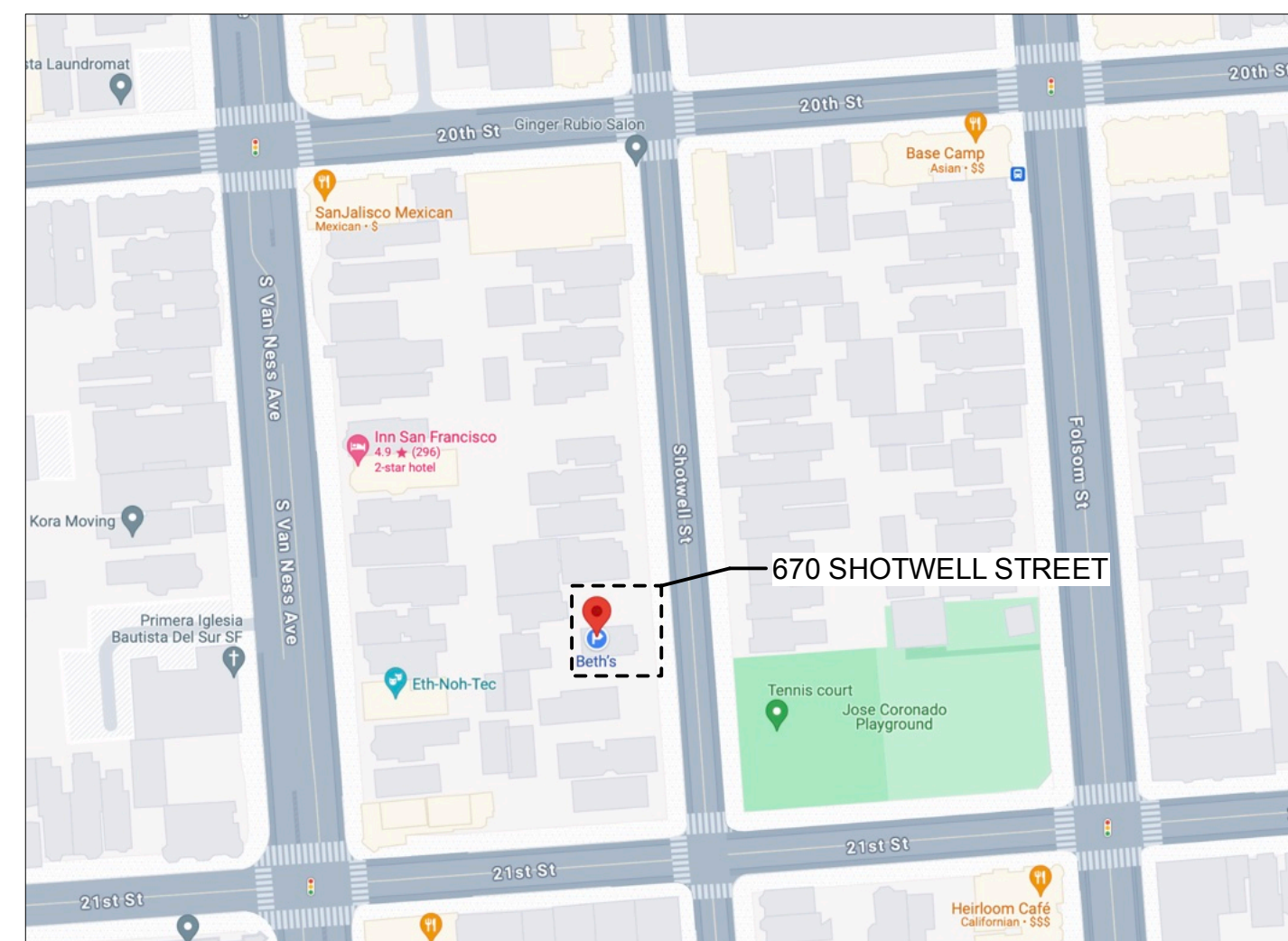
**CONTRACTOR**  
ZACK/DE VITO ARCHITECTURE + CONSTRUCTION  
CSLB Lic. No. 707355  
JIM ZACK  
1672 15TH ST  
SAN FRANCISCO, CA 94107  
jim@zackdevito.com  
TEL: 415.495.7889

**APPLICABLE CODES**

- 2022 CALIFORNIA BUILDING CODE (CBC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA ELECTRIC CODE (CEC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA PLUMBING CODE (CPC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA MECHANICAL CODE (CMC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA FIRE CODE (CFC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA GREEN BUILDING CODE WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA ENERGY CODE
- 2023 SAN FRANCISCO PLANNING CODE



**VINCINITY MAP**



PAN: 2024 0409 9596 670 SHOTWELL STREET

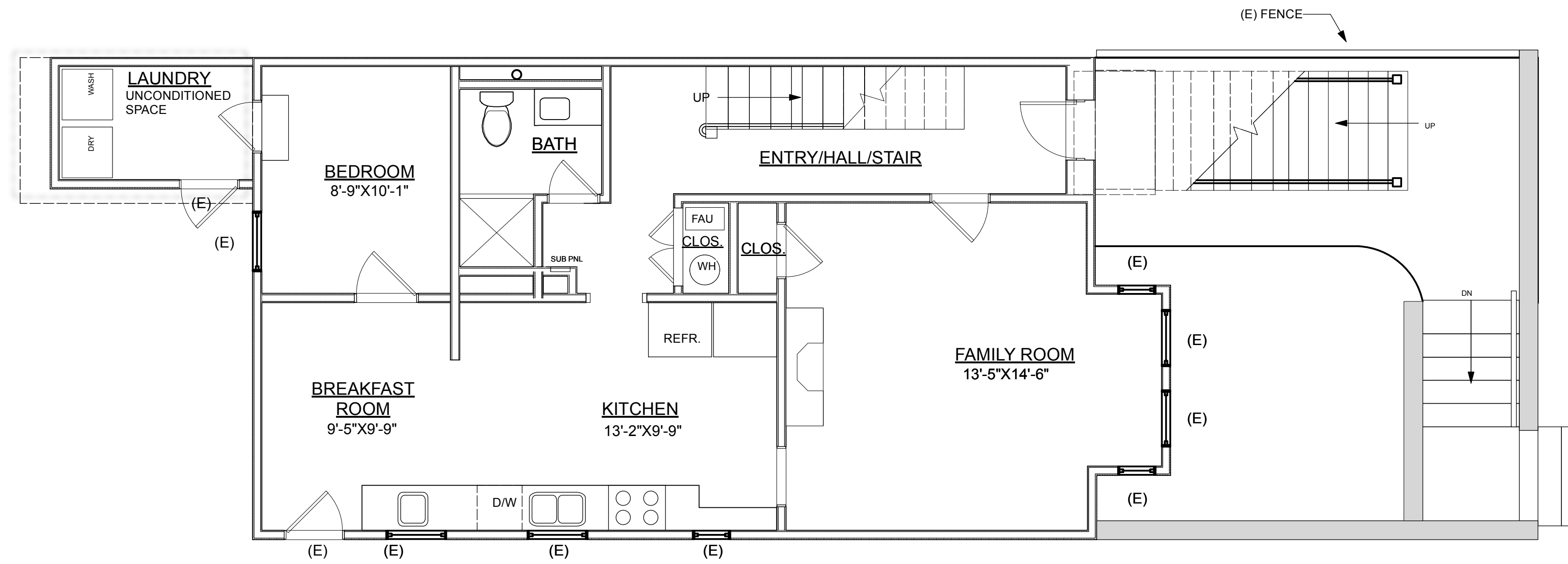
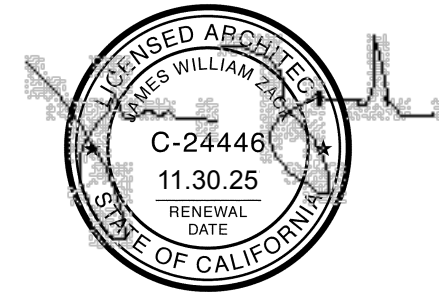
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670 Shotwell Street	DATE: 04.08.24	







ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.



EXISTING FIRST FLOOR PLAN 2

899 SQ FT

1/4"=1'-10"



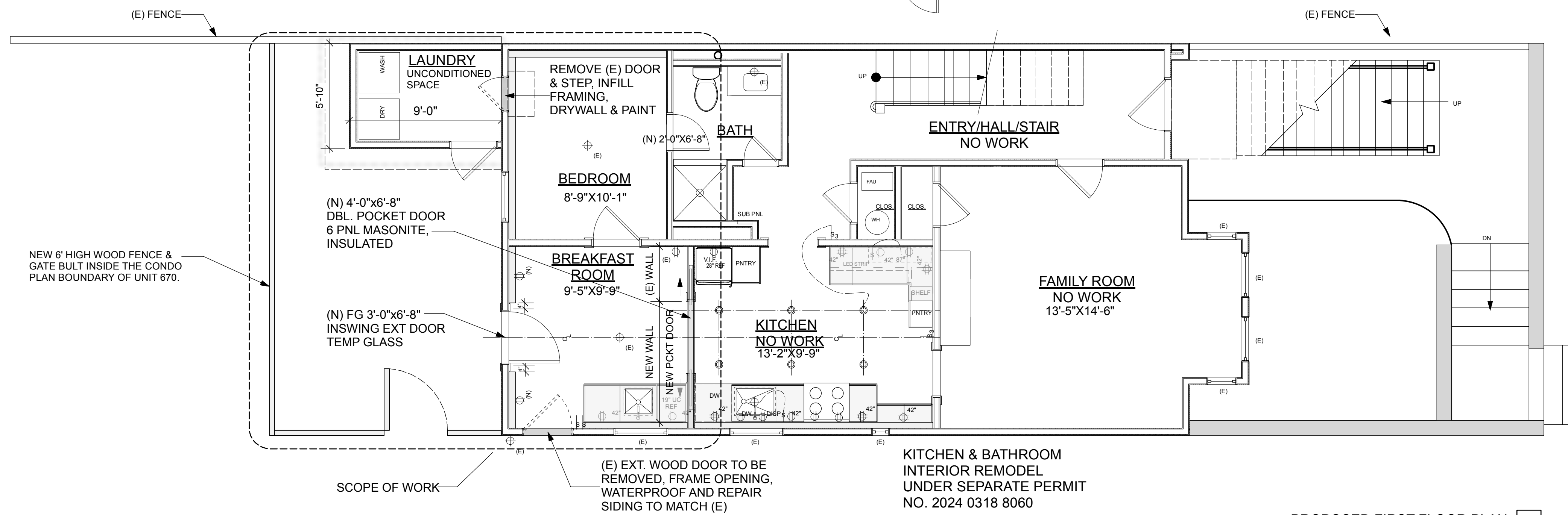
**WALL KEY**

EXISTING WALL TO REMAIN

INFILL NEW WALL, MATCH FINISHES

(E) DOOR

NEW DOOR



PROPOSED FIRST FLOOR PLAN 1

899 SQ FT

1/4"=1'-10"

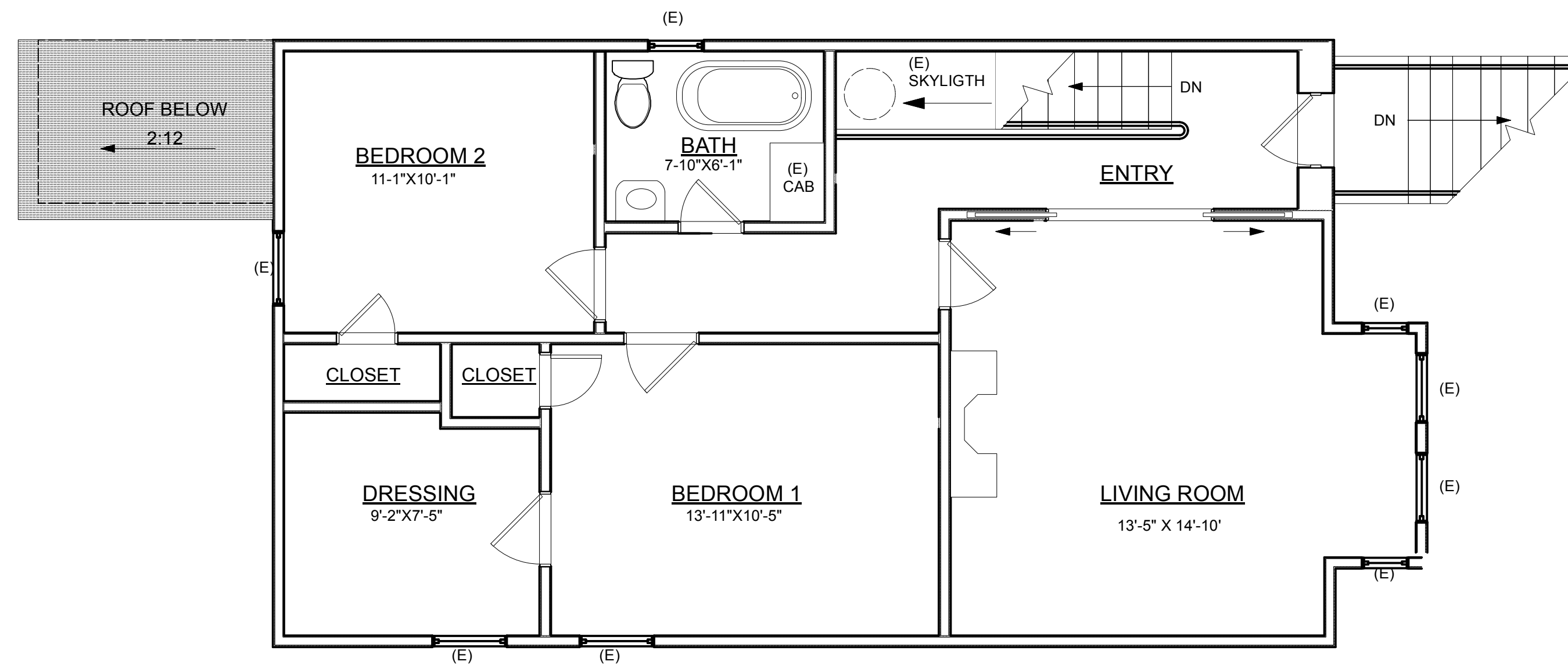


Existing & Proposed First Floor Plan	SCALE: 1/4"=1'-0"	<b>A2.0</b>
670 Shotwell Street	DATE: 04.08.24	

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670 SHOTWELL STREET

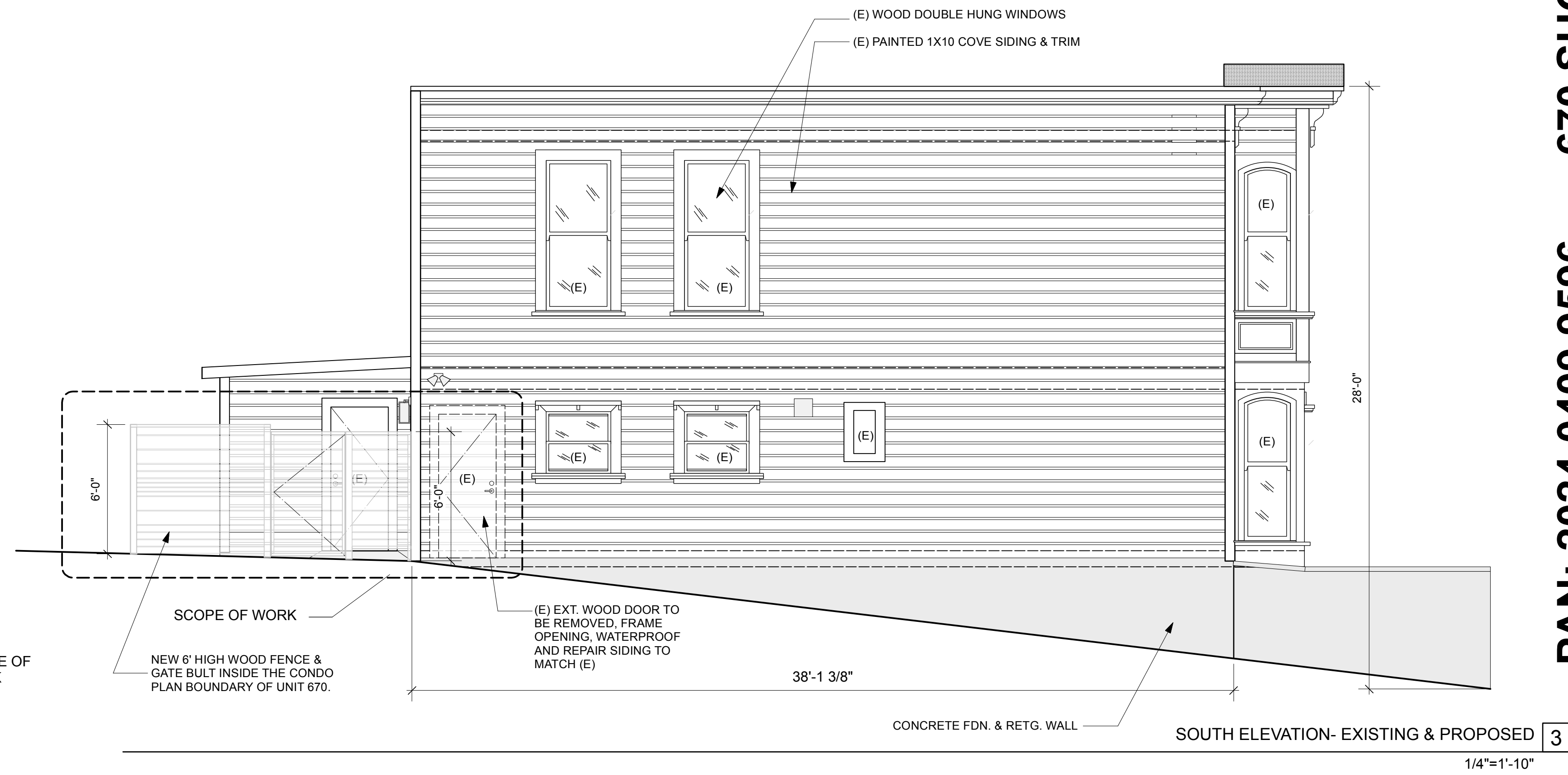
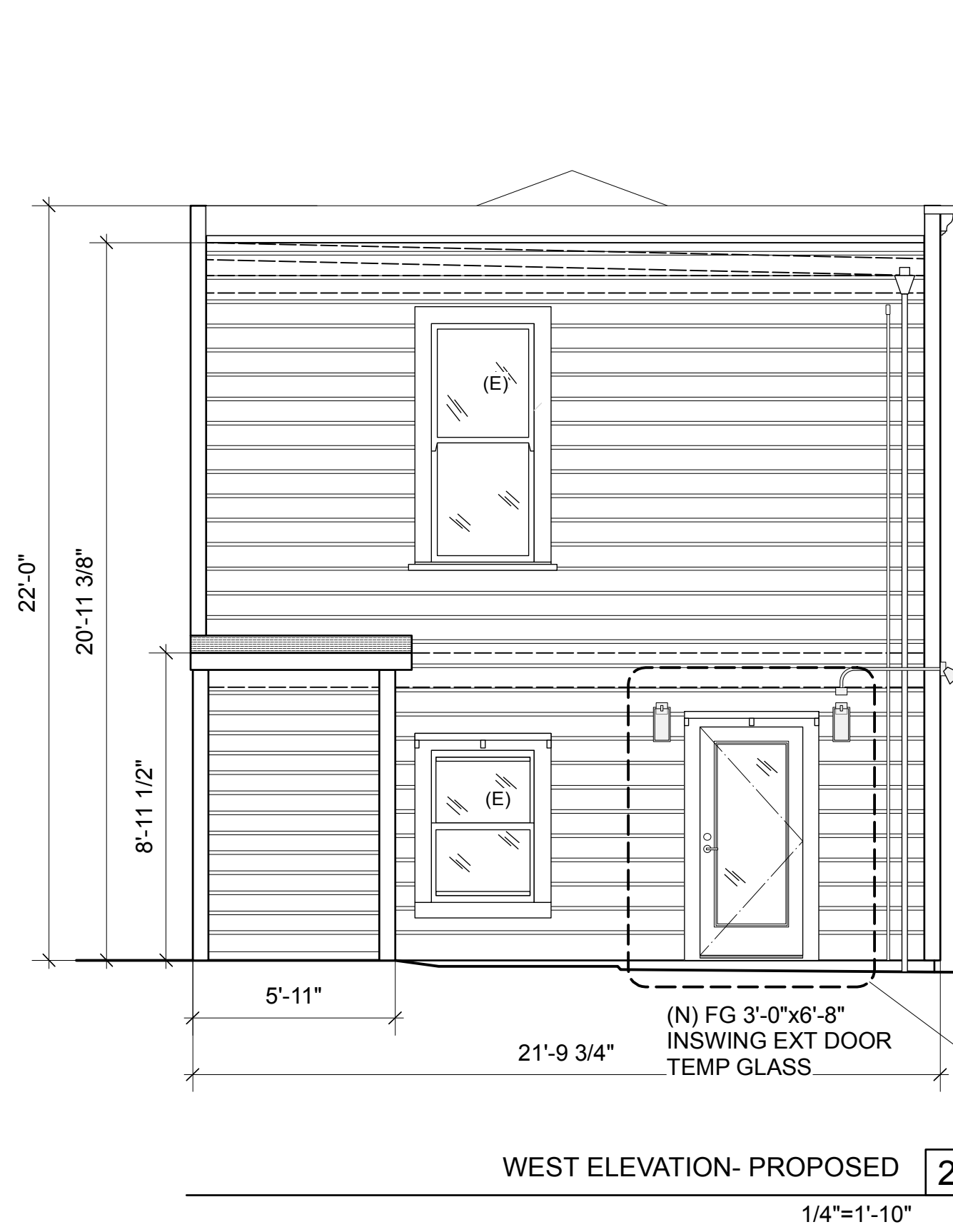
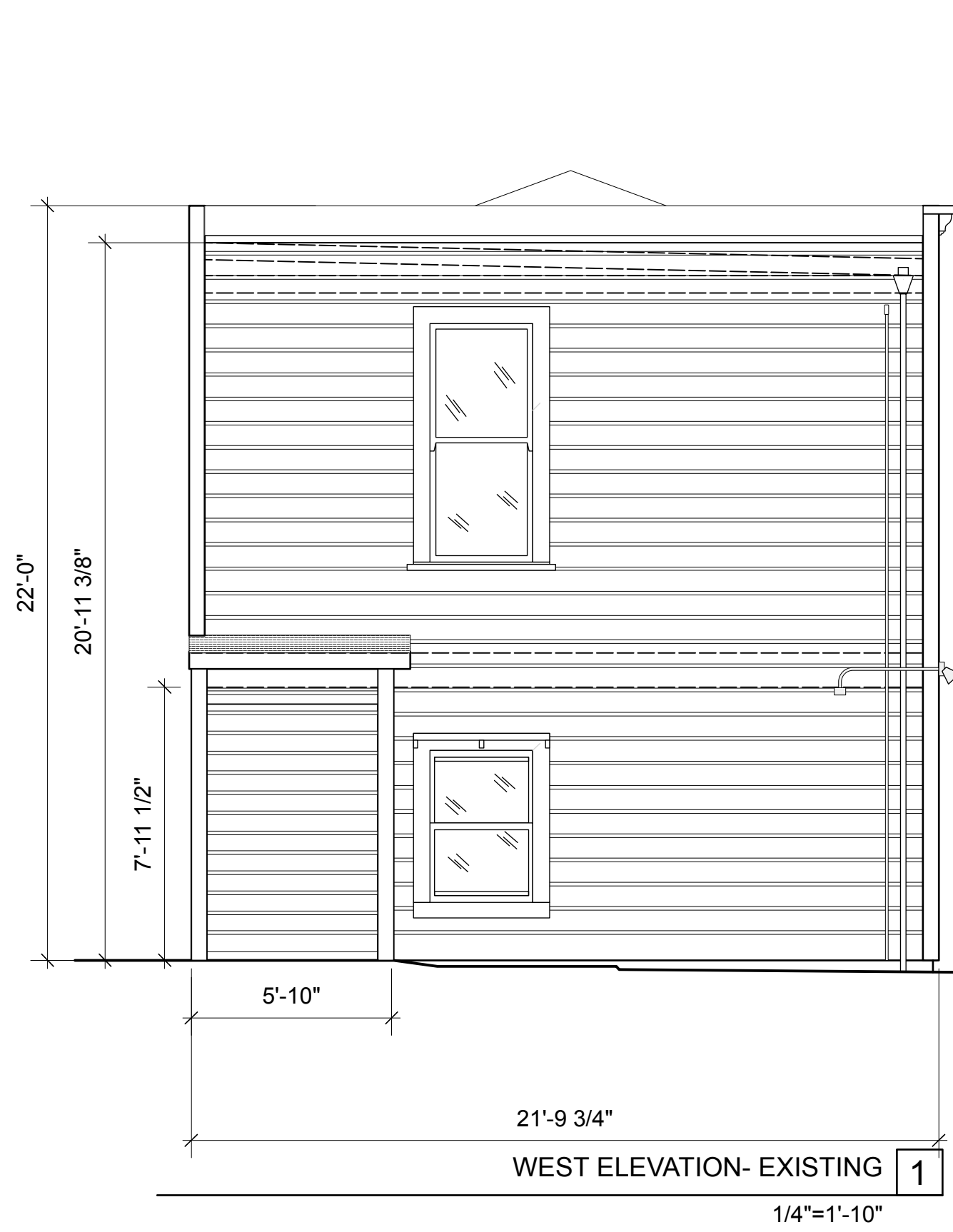
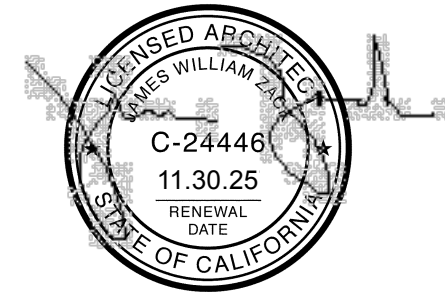
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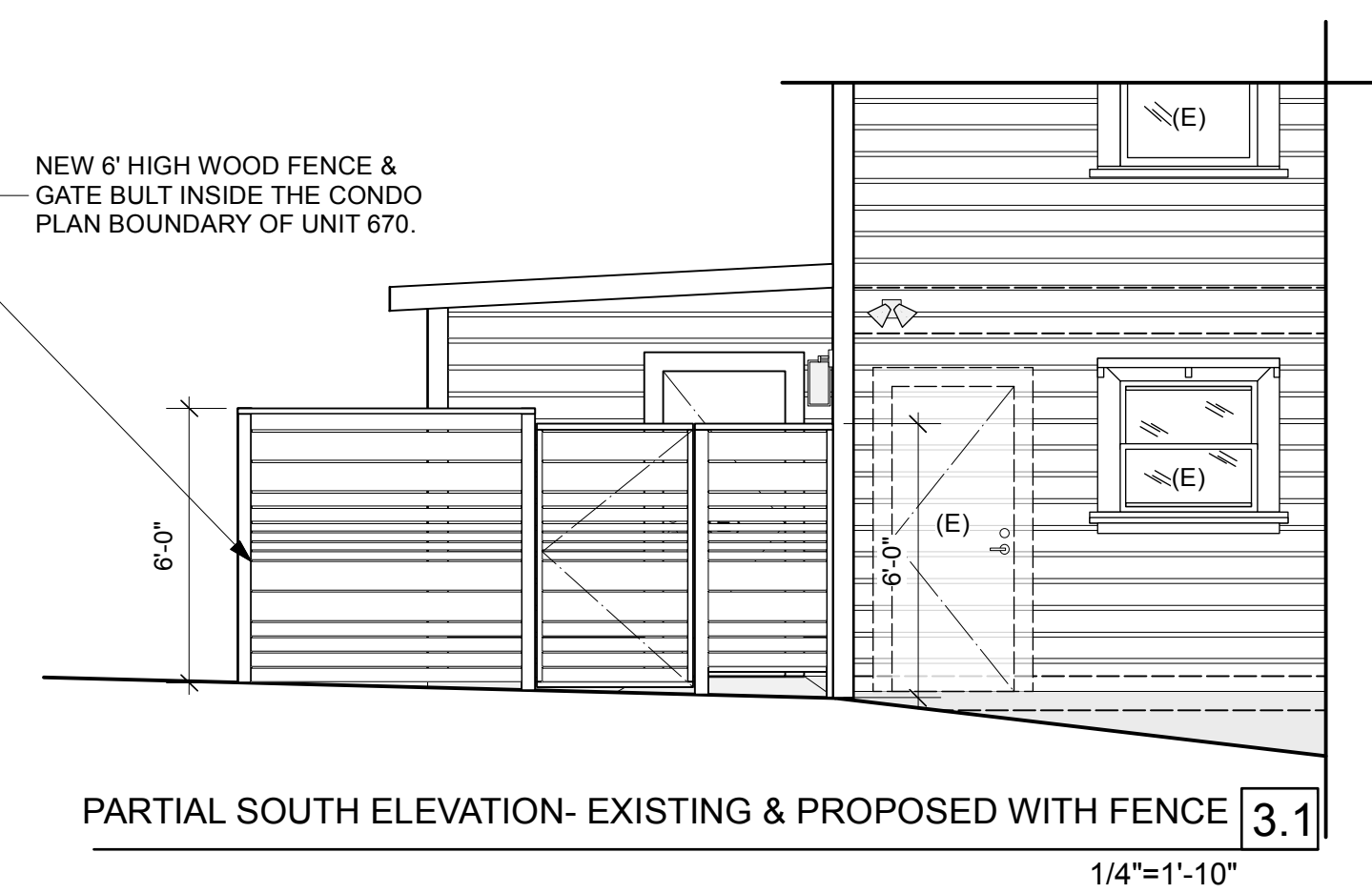
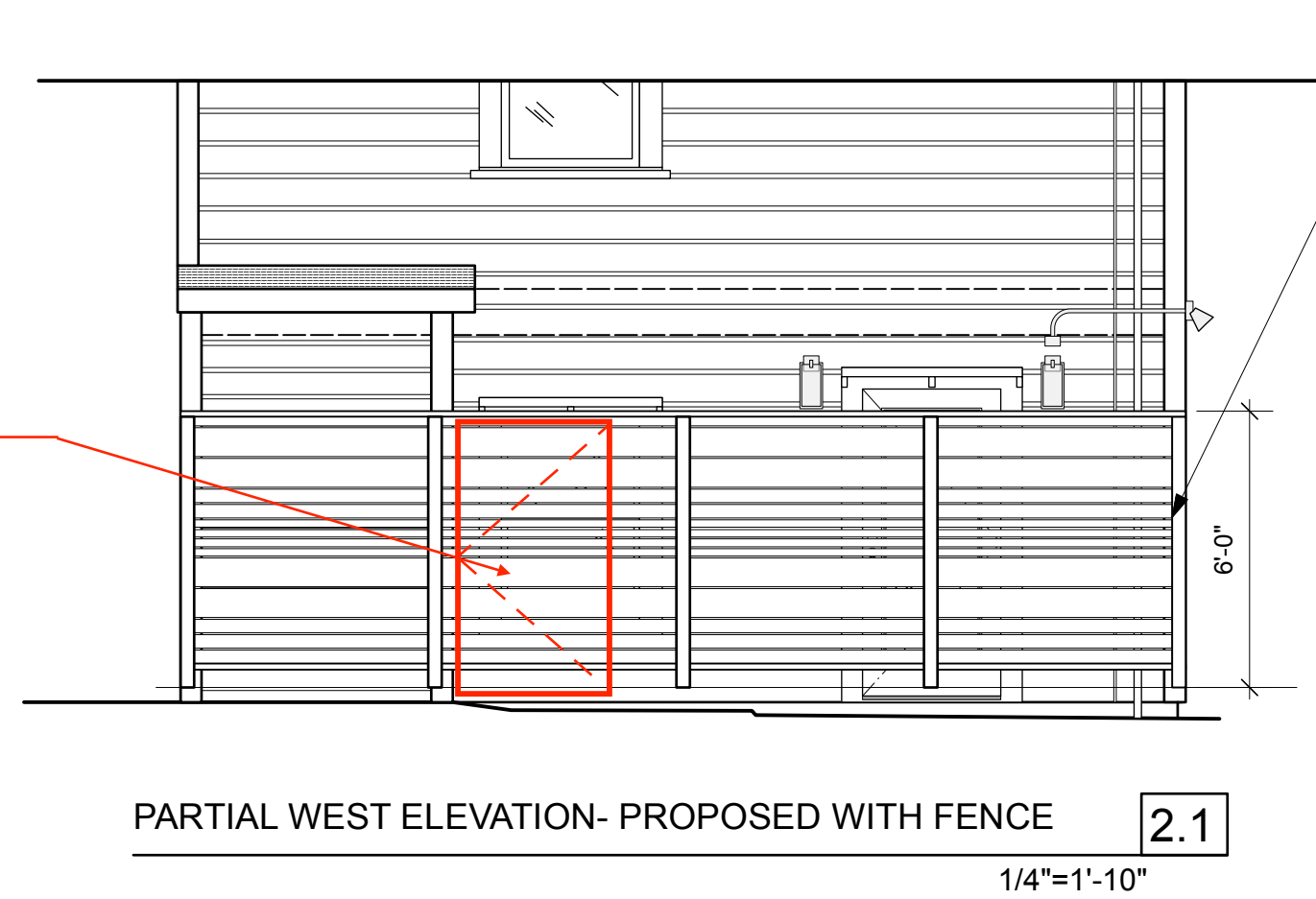
NO WORK THIS FLOOR

SECOND FLOOR- EXISTING 4  
851 SQ FT 1/4"=1'-10"

ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.



NEW 3'-0" GATE REQ. FOR EERO 22' LADDER ACCESS  
HAND DRAWN PER SFFD AT PLAN CHECK



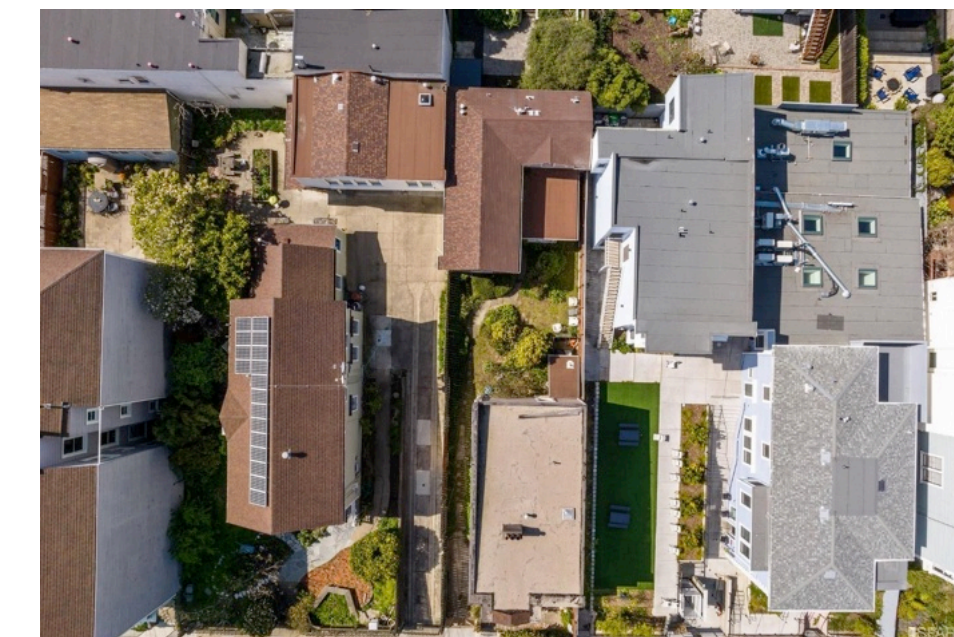
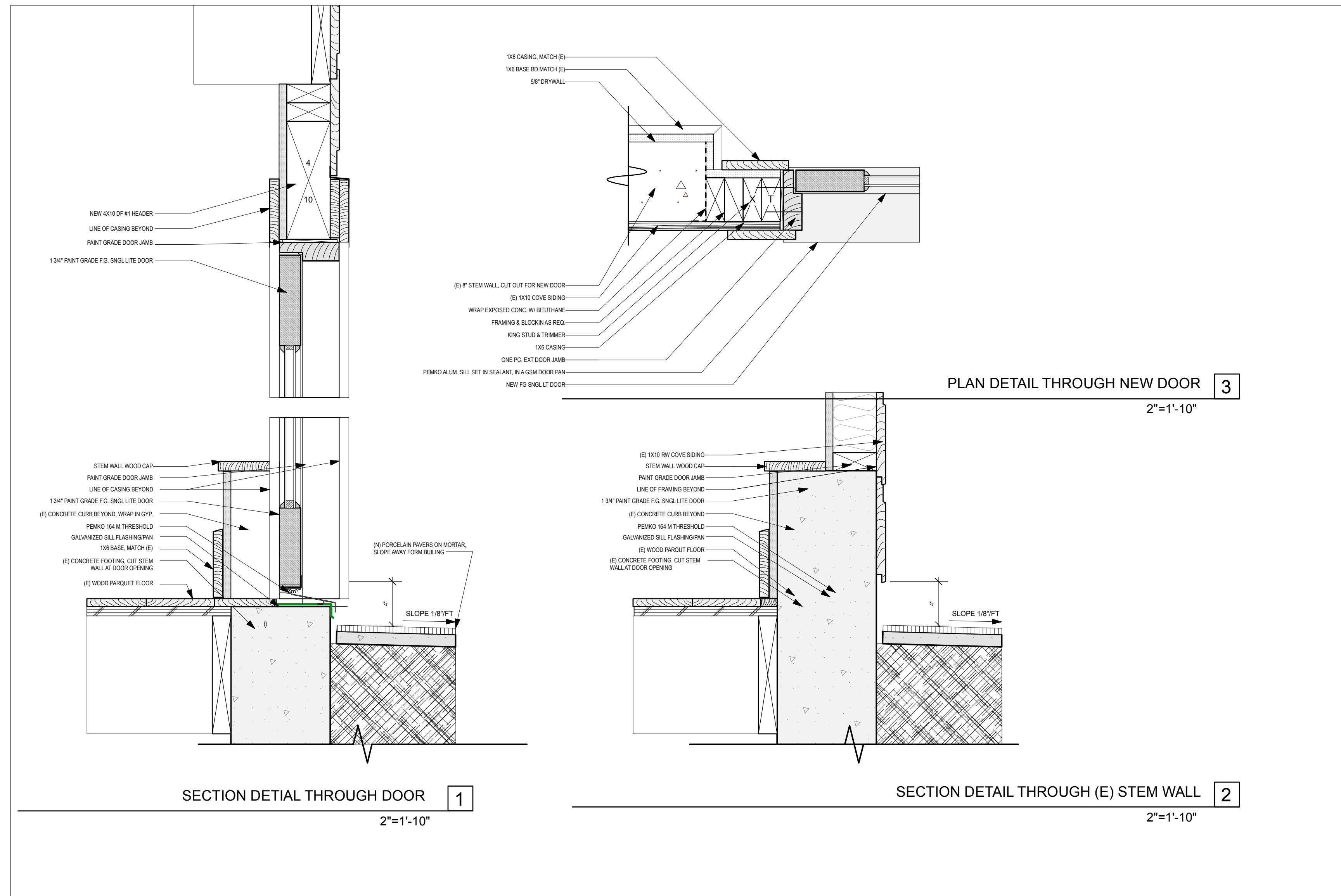
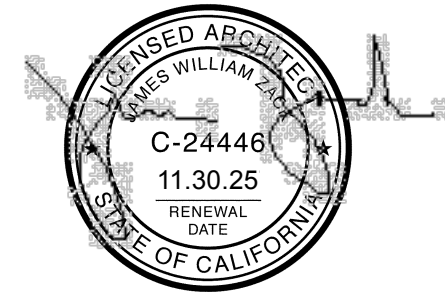
Existing Second Floor Plan & West Elevations	SCALE: 1/4"=1'-0"	<b>A3.0</b>
670 Shotwell Street	DATE: 04.08.24	

**Zack de Vito** ARCHITECTURE  
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PAN: 2024 0409 9596 670 SHOTWELL STREET



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.



AERIAL PLAN VIEW



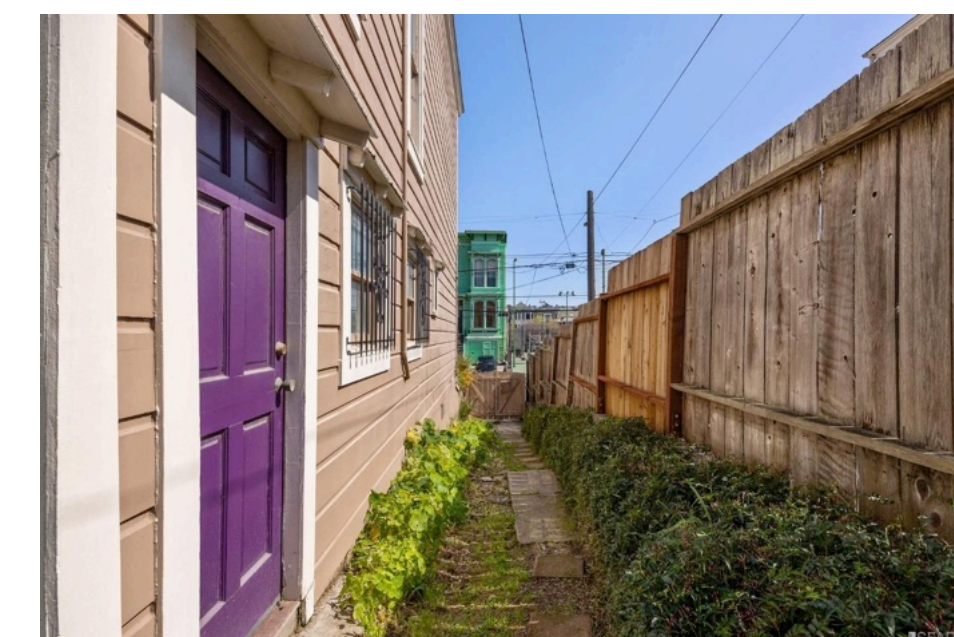
AERIAL VIEW SOUTH FACADE



AERIAL VIEW SOUTH & WEST FACADES



FRONT FACADE VIEW



SOUTH FACADE DETAIL



WEST FACADE

PAN: 2024 0409 9596 670 SHOTWELL STREET



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL



**PROJECT INFORMATION**

**ADDRESS**  
670 SHOTWELL STREET  
SAN FRANCISCO, CA 94110

**BLOCK/LOT** 3611/074 **ZONING** RH-3

**PARCEL SIZE**  
30'X122.50' 3,675 SQ FT

**CEQA/HISTORIC RATING**  
A- HISTORIC RESOURCE PRESENT

**USE**  
CONDOMINIUM- TWO DETACHED UNITS

**OCCUPANCY CLASS** R-3- ONE-TWO UNITS- NO CHANGE **CONSTRUCTION TYPE** VB- NO CHANGE

**SET BACKS**  
FRONT 0' REQUIRED, 10'-0" MAX. BASED ON NEIGHBORS. (E) +/- 19'-7"  
SIDE 0' REQUIRED- (E) 7.67' ON SOUTH SIDE OF 670 SHOTWELL  
REAR 45%- 55.125' REQUIRED- (E) - REAR CONDO BUILT IN REAR YARD  
SET BACK

**HEIGHT**  
40-X  
EXISTING & PROPOSED FOR 670 SHOTWELL +/- 28'-0" AT FRONT, +/- 22'-0"  
AT REAR

**PROJECT DESCRIPTION**

- REMOVE (E), NON-HISTORIC EXTERIOR DOOR, FILL IN WALL
- REMOVE INTERIOR DOOR, INFILL WALL
- INSTALL NEW, FIBERGLASS SINGLE LIGHT EXTERIOR DOOR ON REAR (WEST) FACADE- NOT VISIBLE FROM STREET
- INSTALL NEW INTERIOR POCKET DOOR IN BREAKFAST ROOM
- INSTALL NEW DOOR IN BATHROOM
- NO TITLE 24 REQUIRED- RELOCATE ONE EXTERIOR DOOR, SAME SIZE, NO CHANGE IN FLOOR AREA OR OTHER OPENINGS, NO CHANGE TO MECHANICAL

INTERIOR KITCHEN & BATHROOM REMODEL UNDER SEPARATE PERMIT NO. 2024 0318 8060

**AREA CALCULATIONS**

FIRST FLOOR	899 SQ FT	NO CANAGE
SECOND FLOOR	851 SQ FT	NO CHANGE
TOTAL AREA	1,750 SQ FT	NO CHANGE

**VINCINITY MAP**



**DRAWING LIST**

- A0.0 TITLE SHEET
- A1.0 SITE PLAN
- A2.0 FIRST FLOOR PLAN- EXISTING & PROPOSED
- A3.0 SECOND FLOOR PLAN & EXISTING & PROPOSED SOUTH & WEST ELEVATIONS
- A4.0 DETAILS & SITE PHOTOS

**PROJECT PARTICIPANTS**

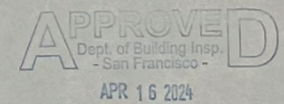
**OWNER**  
BETH MILES  
670 SHOTWELL STREET  
SAN FRANCISCO, CA 94110  
beth@bethmiles.com  
TEL: 415.533.1695

**ARCHITECT**  
ZACK/DE VITO ARCHITECTURE + CONSTRUCTION  
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SAN FRANCISCO, CA 94107  
jim@zackdevito.com  
TEL: 415.495.7889

**CONTRACTOR**  
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CSLB Lic. No. 707355  
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jim@zackdevito.com  
TEL: 415.495.7889

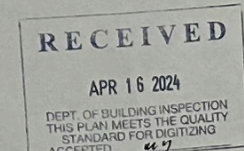
**APPLICABLE CODES**

- 2022 CALIFORNIA BUILDING CODE (CBC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA ELECTRIC CODE (CEC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA PLUMBING CODE (CPC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA MECHANICAL CODE (CMC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA FIRE CODE (CFC) WITH SAN FRANCISCO AMENDMENTS
- 2022 CALIFORNIA GREEN BUILDING CODE WITH SAN FRANCISCO AMENDMENTS
- 2023 SAN FRANCISCO PLANNING CODE



**FIRE SAFETY NOTES**  
- ALL EXITS TO BE MAINTAINED DURING & AFTER CONSTRUCTION  
- ALL FIRE RATINGS TO BE RESTORED AFTER CONSTRUCTION  
- ALL PENETRATIONS TO BE REPAIRED  
- MUST MAINTAIN EXISTING FIRE LIFE SYSTEMS DURING CONSTRUCTION

Diane Yin, DBI



APPROVED BY MELANIE BISHOP  
APR 16 2024

REVIEWED BY FIRE DEPT.  
FIRE DEPT INSPECTIONS NOT REQUIRED

Clarence Hom, SFFD  
APR 16 2024

Title Sheet	SCALE: NTS	A0.0
670 Shotwell Street	DATE: 04.08.24	

PAN: 2024 0409 9596 670 SHOTWELL STREET



**SEC. 136. OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SETBACKS, YARDS, AND USABLE OPEN SPACE.**

**New Ordinance Notice**

**Publisher's Note:** This section has been AMENDED by new legislation (Ord. 62-24, approved 3/28/2024, effective 4/28/2024, retro 3/30/24). The text of the amendment will be incorporated under the new section number when the amending legislation is operative.

*(See Interpretations related to this Section.)*

Streets and Alleys	Setbacks	Yards	Usable Open Space
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x
x	x	x	x

(15) Railings no more than three feet six inches in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.

(16) Decorative railings and decorative grille work, other than wire mesh, at least 75 percent open to perpendicular view and no more than six feet in height above grade.

(17) Fences no more than three feet in height above grade.

(18) Fences and wind screens no more than six feet in height above grade.

(19) Fences and wind screens no more than 10 feet in height above grade.

(20) Normal outdoor recreational and household features such as play equipment and drying lines.

(21) Landscaping and garden furniture.

(22) Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land.

**SF PLANNING CODE SECTION 136(C)(18)  
FENCES ALLOWED IN REAR YARD**



**AREIAL VIEW OF ADJACENT NEIGHBORS**

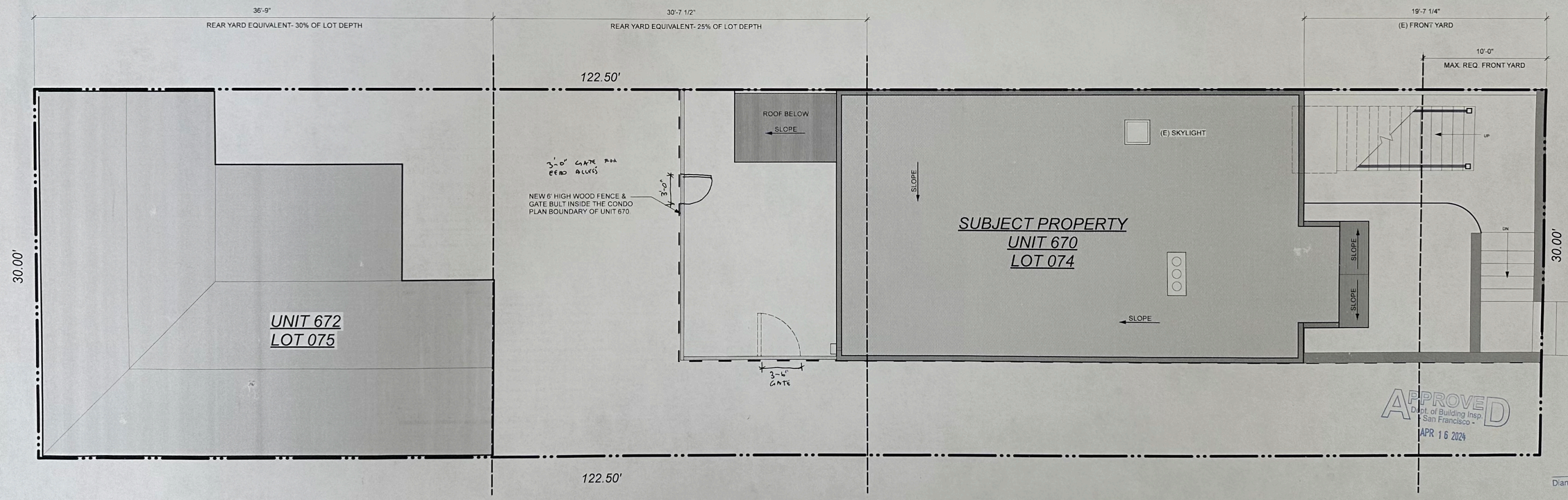
ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL



**SUBJECT PROPERTY**

APPROVED BY MELANE BISHOP

APR 16 2024



PAN: 2024 0409 9596 670 SHOTWELL STREET

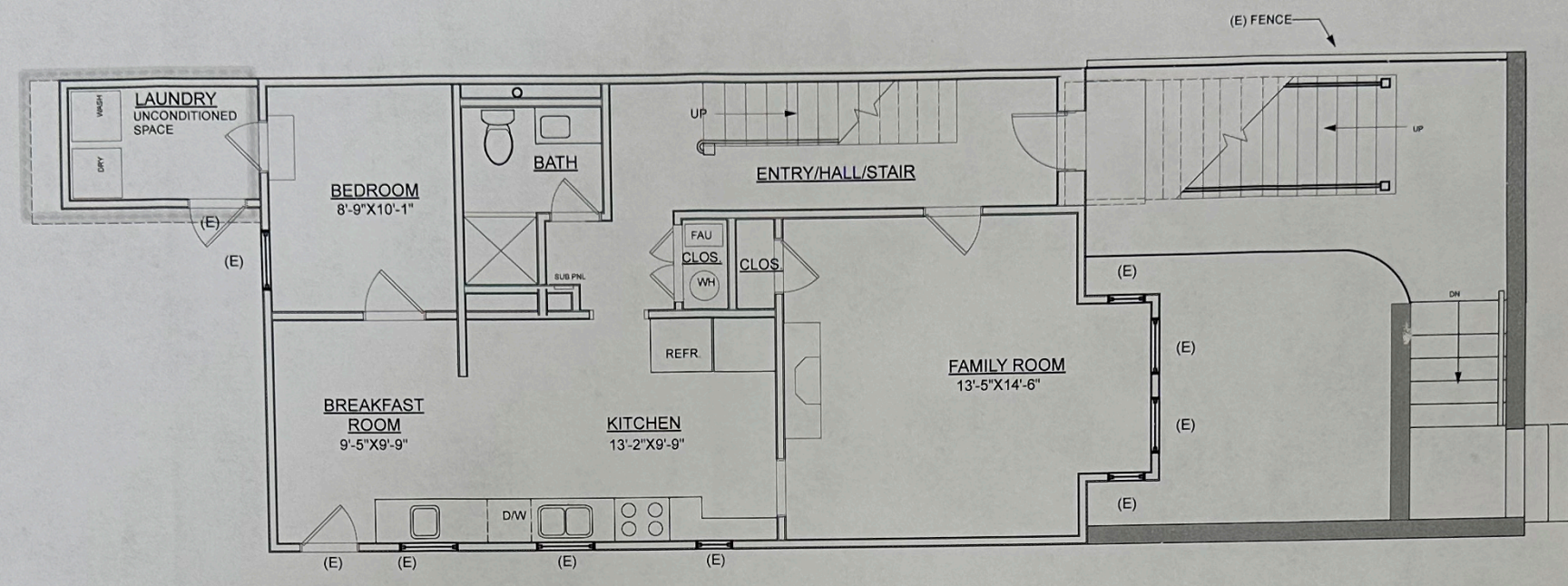
**RECEIVED**  
APR 16 2024  
DEPT. OF BUILDING INSPECTION  
THIS PLAN MEETS THE QUALITY  
STANDARD FOR DIGITIZING  
ACCEPTED

SITE PLAN- EXISTING & PROPOSED **1**  
1/8"=1'-10"

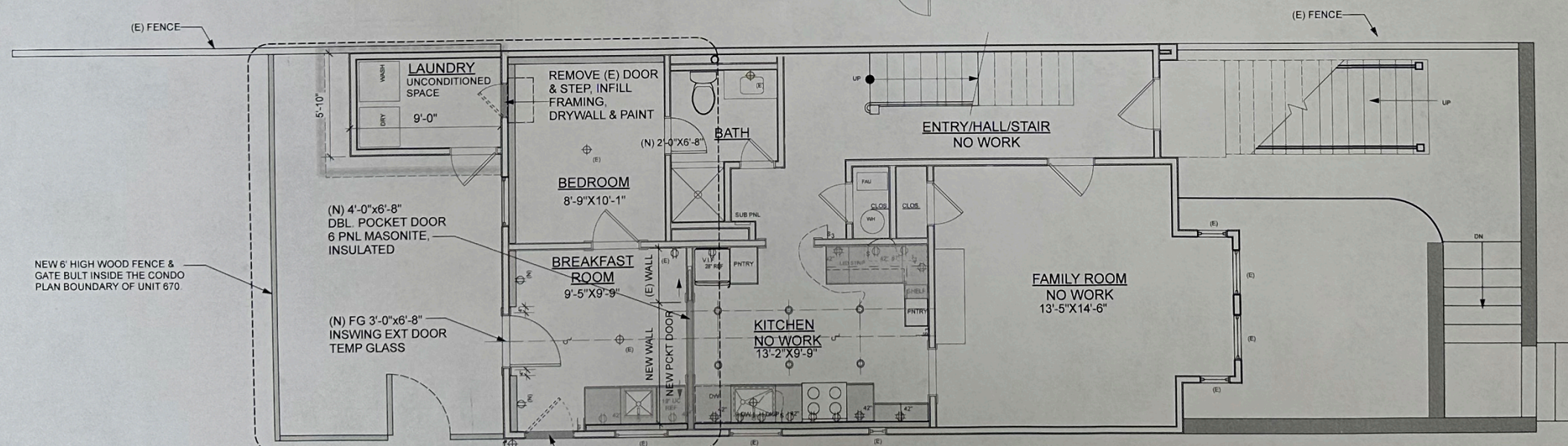
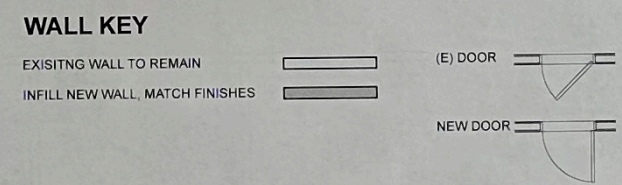
Clarence Hom, SFPD  
APR 16 2024



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL.



EXISTING FIRST FLOOR PLAN 2  
899 SQ FT 1/4"=1'-10"



PROPOSED FIRST FLOOR PLAN 1  
899 SQ FT 1/4"=1'-10"

**APPROVED**  
Dept. of Building Insp. - San Francisco -  
APR 16 2024 APPROVED BY MELANIE BISHOP

**RECEIVED**  
APR 16 2024  
DEPT. OF BUILDING INSPECTION  
THIS PLAN MEETS THE QUALITY  
STANDARD FOR DIGITIZING  
ACCEPTED

Diane Yin, DBI  
APR 16 2024

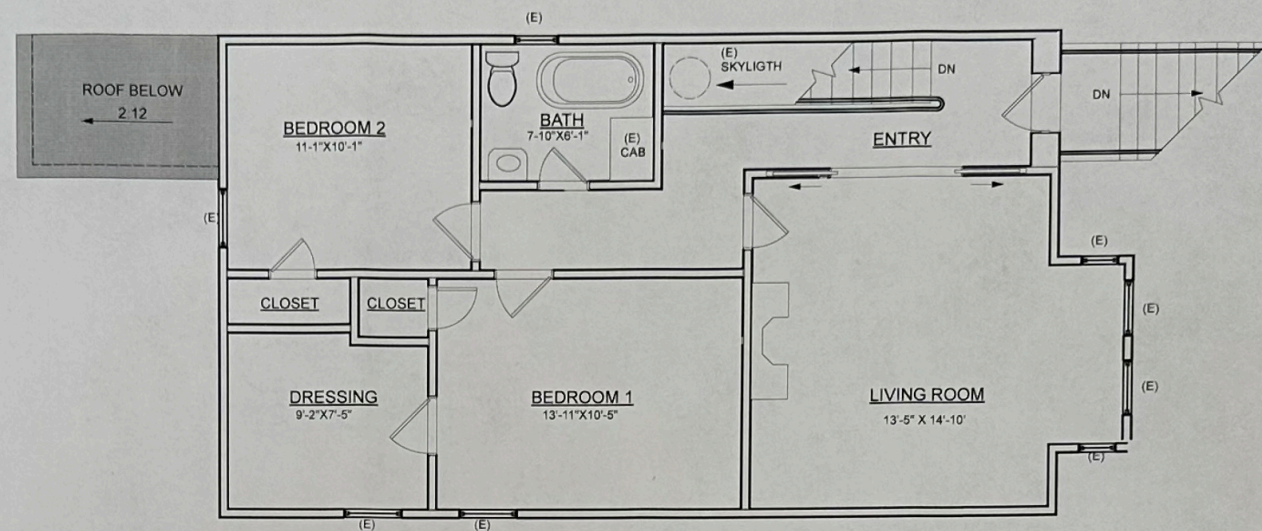
Clarence Hom, SFFD  
APR 16 2024

Existing & Proposed First Floor Plan	SCALE: 1/4"=1'-10"	<b>A2.0</b>
670 Shotwell Street	DATE: 04.08.24	

Zack de Vito  
1672 15th Street • San Francisco • California 94103 • T. 415.495.7889 info@zackdevito.com

PAN: 2024 0409 9596 670 SHOTWELL STREET

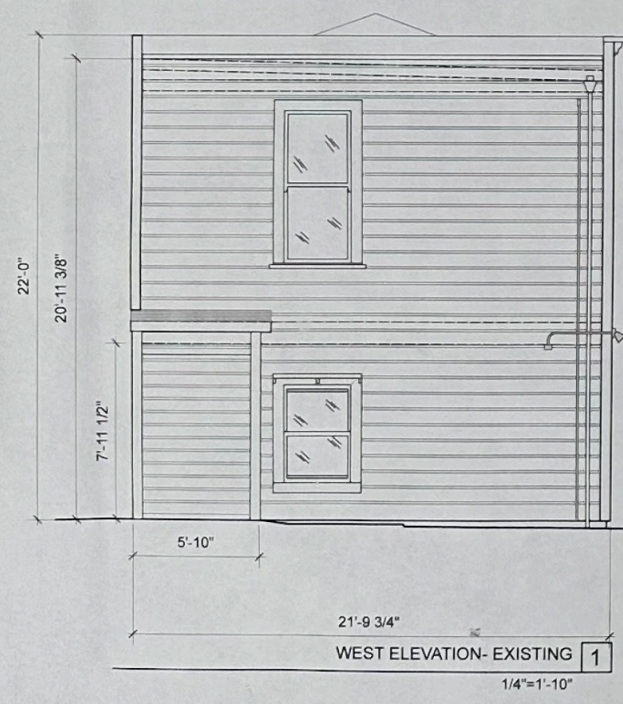




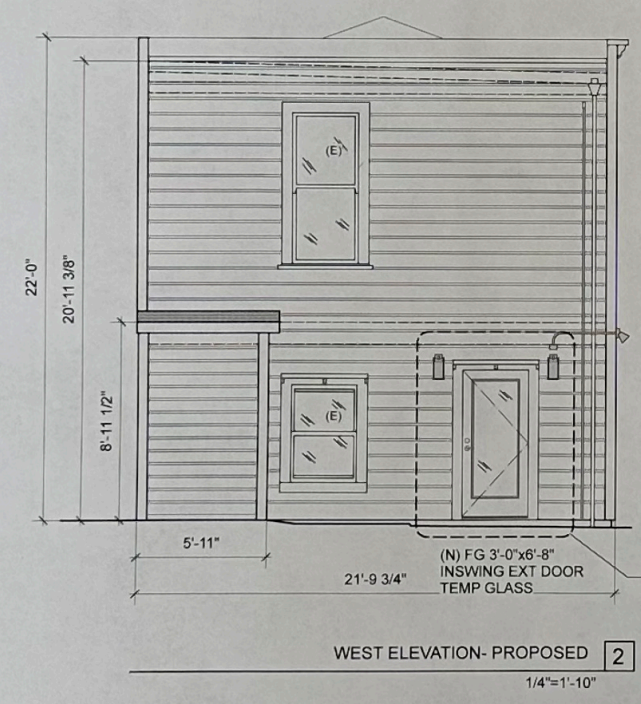
NO WORK THIS FLOOR

SECOND FLOOR-EXISTING 4  
851 SQ FT 1/4"=1'-10"

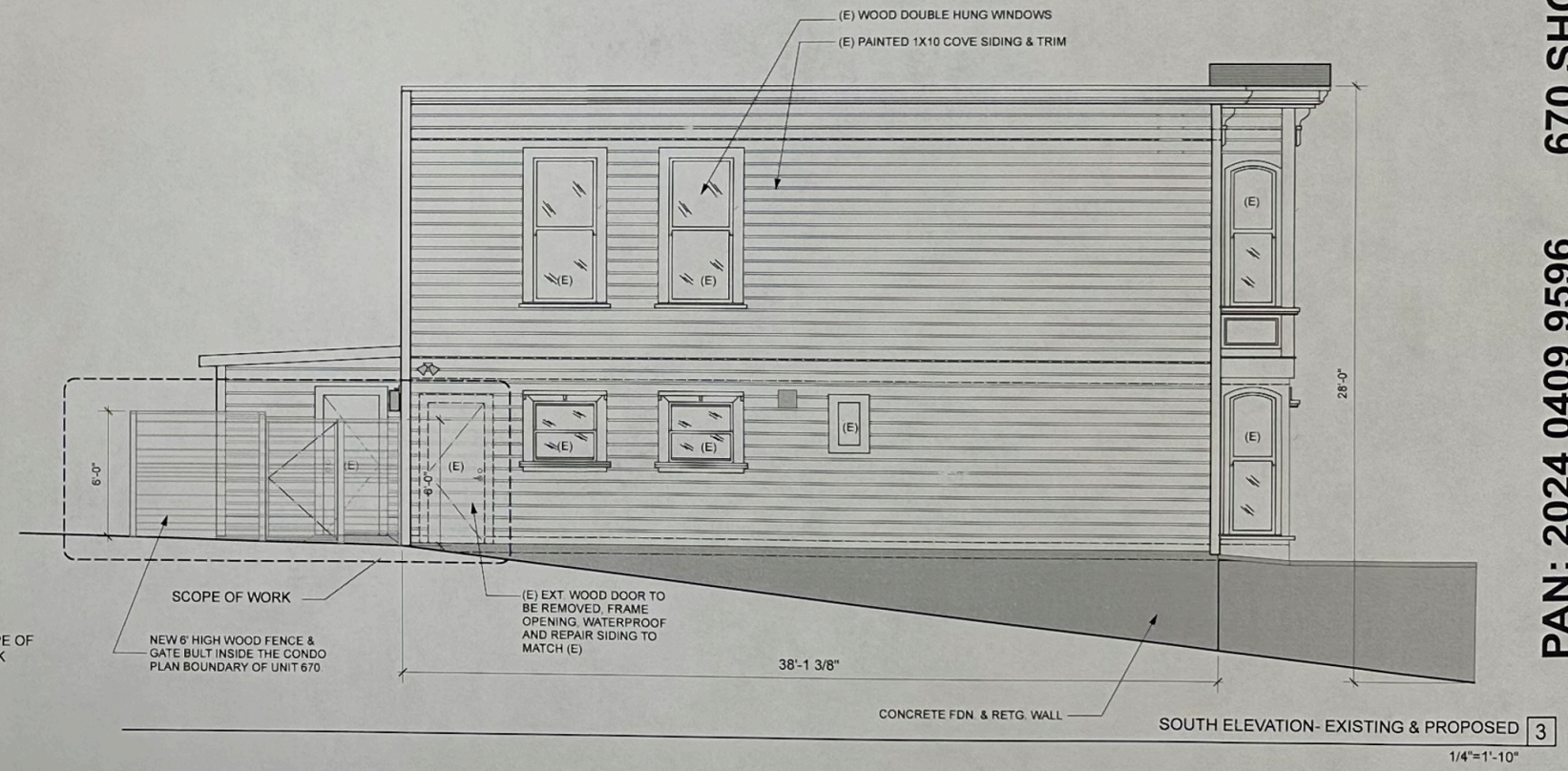
ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL



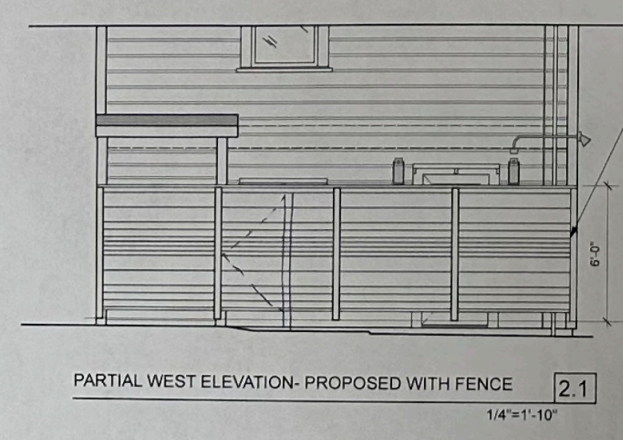
WEST ELEVATION- EXISTING 1  
1/4"=1'-10"



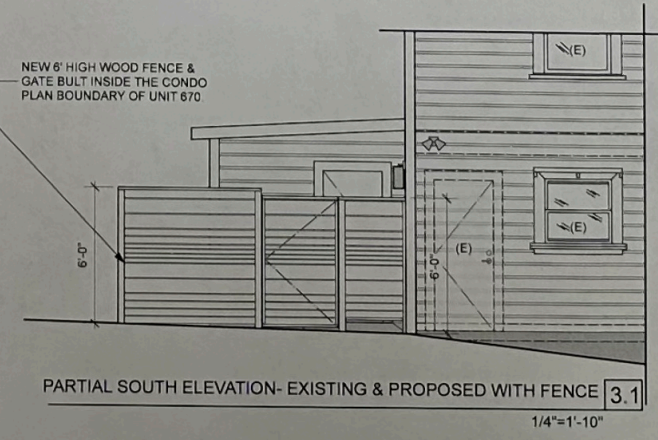
WEST ELEVATION- PROPOSED 2  
1/4"=1'-10"



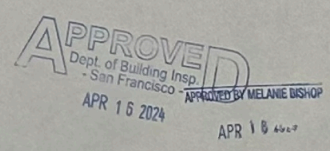
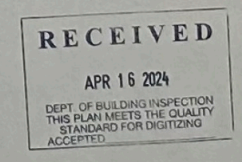
SOUTH ELEVATION- EXISTING & PROPOSED 3  
1/4"=1'-10"



PARTIAL WEST ELEVATION- PROPOSED WITH FENCE 2.1  
1/4"=1'-10"



PARTIAL SOUTH ELEVATION- EXISTING & PROPOSED WITH FENCE 3.1  
1/4"=1'-10"



Diane Yin, DBI  
APR 16 2024

Clarence Hom, SFFD  
APR 16 2024

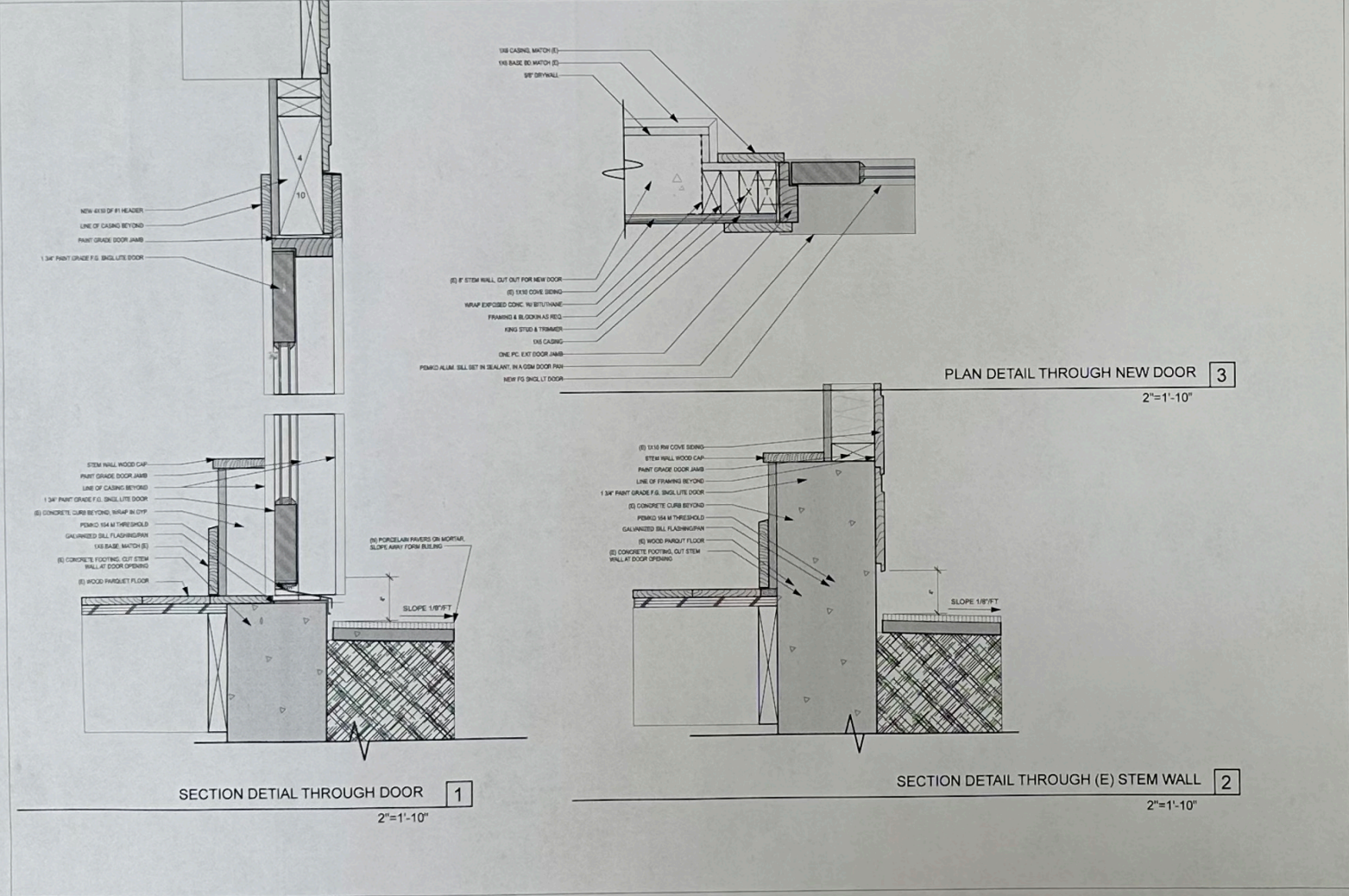
Existing Second Floor Plan & West Elevations	SCALE: 1/4"=1'-0"	<b>A3.0</b>
670 Shotwell Street	DATE: 04.08.24	

Zack de Vito  
1672 15th Street • San Francisco • California 94103 • T. 415.495.7889 info@zackdevito.com

PAN: 2024 0409 9596 670 SHOTWELL STREET



ISSUE		
MARK	DATE	DESCRIPTION
--	04/09/24	PERMIT APPL



AERIAL PLAN VIEW



AERIAL VIEW SOUTH FACADE



AERIAL VIEW SOUTH & WEST FACADES



FRONT FACADE VIEW

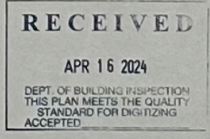
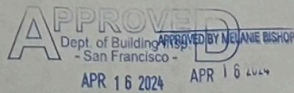


SOUTH FACADE DETAIL



WEST FACADE

PAN: 2024 0409 9596 670 SHOTWELL STREET



Clarence Hom, SFFD  
APR 16 2024

Diane Yin, DBI  
APR 16 2024

Details & Existing Condition Photos	SCALE: As Noted	A4.0
670 Shotwell Street	DATE: 04.08.24	
Zack de Vito ARCHITECTURE		
1672 15th Street • San Francisco • California 94103 • T. 415.495.7889 info@zackdevito.com		



# PUBLIC COMMENT

**From:** [John Ramsbacher](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Cc:** [beth@bethmiles.com](mailto:beth@bethmiles.com)  
**Subject:** Letter of Support for Beth Miles, owner of 670 Shotwell Street; Appeal Number 24-032  
**Date:** Tuesday, June 18, 2024 1:27:35 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board,

I am writing this email in support of the owner of 670 Shotwell Street, Beth Miles. I own the property immediately next door at 666-668 Shotwell where we operate an Adult Residential Facility. Beth has been a great neighbor since her recent purchase of the property. Beth's home abuts our property line and we worked collaboratively with her to add water proofing to the side of her foundation which borders our planter bed. As a property owner in San Francisco, it was refreshing to work with a neighbor in a simple friendly manner.

I fully support Beth's efforts to continue to improve her newly purchased home which had years of deferred maintenance and hope her permit is upheld so she can continue to improve her property.

It appears the issue between the neighbors of 670 and 672 is a private HOA dispute and the appeal of a properly issued building permit is not the best forum.

Sincerely,

John Ramsbacher  
Owner of 666-668 Shotwell

**From:** [Ayman Farahat](#)  
**To:** [BoardofAppeals \(PAB\)](#); [Beth Miles](#); [Murielle Dumelie](#)  
**Subject:** Letter of Support for Beth Miles, owner 670 Shotwell Street; Appeal Number (24-032)  
**Date:** Wednesday, June 19, 2024 6:53:58 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We are writing to express our support for Beth Miles in regards to Appeal Number 24-032. Murielle Dumellie Farahat and Ayman reside at 671 Shotwell and first met Beth in November 2023 when she moved into her new home on 670 Shotwell across the street from our house.

From the very first time we met Beth we formed a favorable impression . Beth showed a great passion for her property and the neighborhood. We saw first hand her efforts to turn her home from a somewhat neglected house to a cozy home. Beth, a highly regarded designer, applied her skills to turn her home into a neighborhood gem both inside and outside. We have seen her work very hard to beautify her home taking care of trees and adding artistic touches. These changes are particularly welcome given the myriad of problems facing the neighborhood and its very reassuring to see homeowners who care about their homes and their neighborhood.

Over the period we got to know Beth personally and meet her many friends and family. Her close and enduring friendships attest to her character and integrity. Above all her close and loving relation with her daughter Somerset is a testament of a loving mother and parent.

In summary, Beth is a wonderful individual who has and continues to transform the neighborhood into a better, more liveable place. She loves her home and has been working hard to transform a neglected house into a neighborhood gem. Beth always strives to do what's right and will not cut corners and is an exemplary neighbor, friend and parent. We have no reservation in supporting her in the aforementioned case and recommend that the board reject the appeal and allow Beth to continue with her permitted work to beautify her property and contribute to the neighborhood.

Murielle and Ayman Farahat  
671 Shotwell st.  
San Francisco ,CA 94110

**From:** [Cynthia Traina](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** Appeal No. 24-032/AGAINST  
**Date:** Thursday, June 20, 2024 2:49:42 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Appeals Board

I received a notice about a permit appeal for the property (670 Shotwell Street) which is 150 feet away from my property at 647 Shotwell Street Appeal No 24-032.

I am in support of 670 Shotwell and their existing building permit. I am not in favor of re-visiting and repealing the existing building permit 2024/04/09/9596.

It seems like a huge waste of public resources to fight a permit that has ALREADY been issued by the building department. If this an HOA dispute, it should be settled by lawyers and/or mediation, and not with public funds and the valuable time of the appeals board. What if everyone started challenging building permits that were already issued?

My understanding is that a fence and a door to provide access to the private back yard was installed by 670, which is allowed in their HOA documents.. It is a mystery to me why this is going in front of the appeals board, especially since the work has already been approved and permitted.

PS, the notecard had a date correction that was hand written with a new date of July 17.  
Please confirm this is the correct date.

Please send me any other information about this appeal in case I am missing anything, as well as any further changes to the appeal date.

Thank you!

Cynthia Traina  
647 Shotwell Street  
San Francisco, CA  
415-418-0541

**From:** [Steve Phillipow](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** Appeal No.24-032/AGAINST  
**Date:** Thursday, June 20, 2024 10:50:41 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Appeals Board:

I am opposed to Appeal No. 24-032 regarding a permit issued to 670 Shotwell St.

I received the appeal notice regarding the approved permit 2024/04/09/9596. I see no public or community benefit whatsoever in revisiting valid and properly vetted building permits issued to the owner.

*Steve Phillipow*  
647 Shotwell St

Mobile. +1 415 317 1480

**Victoria Araiza  
2957 22nd Street  
San Francisco, CA 94110  
varaiza666@gmail.com  
415-240-1741**

June 24, 2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear Members of the San Francisco Board of Appeals,

I am writing to express my full support for the Permit Appeal 24-032 filed by Art & Miki Cristerna concerning permit 2024/04/09/9596. I urge you to consider their request to revoke the permit of Beth Miles, the owner of 670 Shotwell Street, for removing a door that provided access to the easement on the Cristerna's property at 672 Shotwell Street. Additionally, I support their concerns regarding Ms. Miles' plans to build gates in a newly constructed fence that could potentially grant her and her Airbnb tenants access to the Cristerna's property.

Art and Miki Cristerna have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have been my neighbors and friends for the same amount of time and they have not only contributed to the community but have been exemplary educators who care deeply about the welfare and integrity of our neighborhood. Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street.

As a homeowner in the Mission District for more than 40 years and an employee for SFUSD for over 20 years, I too share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. Our close knit community has been impacted by not only gentrification, but also by owners who are similar to Ms. Miles that are more focused on their economic gain from renting out an Airbnb suite rather than contributing positively to our neighborhood as a whole and being responsible homeowners who live in their homes. By removing the door and planning to install gates that could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,

*Victoria Araiza*

**From:** [tracy\\_penza](mailto:tracy_penza)  
**To:** [BoardofAppeals \(PAB\); mikicristerna@hotmail.com](mailto:BoardofAppeals (PAB); mikicristerna@hotmail.com)  
**Subject:** Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna  
**Date:** Monday, June 24, 2024 10:01:57 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Tracy Penza  
963 Shotwell Street  
San Francisco, CA 94110  
[tpenza@hotmail.com](mailto:tpenza@hotmail.com)  
415-341-1951

June 24, 2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear Members of the San Francisco Board of Appeals,

I am writing to express my full support for the Permit Appeal 24-032 filed by Art & Miki Cristerna concerning permit 2024/04/09/9596. I urge you to consider their request to revoke the permit of Beth Miles, the owner of 670 Shotwell Street, for removing a door that provided access to the easement on the Cristerna's property at 672 Shotwell Street. Additionally, I support their concerns regarding Ms. Miles' plans to build gates in a newly constructed fence that could potentially grant her and her Airbnb tenants access to the Cristerna's property.

Art and Miki Cristerna have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have not only contributed to the community but have been exemplary neighbors who care deeply about the welfare and integrity of our neighborhood. Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street.

I share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. It appears that Ms. Miles may be more focused on her economic gain from renting out an Airbnb suite rather than contributing positively to our neighborhood as a whole. By removing the door and planning to install gates that could potentially provide



unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,  
Tracy Penza

Kelli Mekkelsen  
764-A Shotwell Street  
San Francisco, CA 94110  
kellimekkelsen@gmail.com  
408-550-3397

June 24, 2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear Members of the San Francisco Board of Appeals,

I am writing to express my full support for the Permit Appeal 24-032 filed by Art & Miki Cristerna concerning permit 2024/04/09/9596. I urge you to consider their request to revoke the permit of Beth Miles, the owner of 670 Shotwell Street, for removing a door that provided access to the easement on the Cristerna's property at 672 Shotwell Street. Additionally, I support their concerns regarding Ms. Miles' plans to build gates in a newly constructed fence that could potentially grant her and her Airbnb tenants access to the Cristerna's property.

Since 2010 I've had the pleasuring of moving next to and sharing a wall with Art and Miki when I first moved to Shotwell Street. They have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have not only contributed to the community but are neighbors whom I've come to know personally and trust to look after my home if I am out of town. Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street.

I share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. In addition, it appears Ms. Miles moved the door from the easement onto the Cristerna's property without their knowledge or approval. This plus, installing gates could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,

Kelli Mekkelsen



682 Shotwell Street, San Francisco, CA 94110  
415 641-0972  
[binghamrents@gmail.com](mailto:binghamrents@gmail.com)

San Francisco Board of Appeals  
Via email to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org)

6/24/24

Cc: Art Cristerna  
Via email to [artcristerna@gmail.com](mailto:artcristerna@gmail.com)


We have known the Cristernas since they moved into their new home at 672 Shotwell Street, and have watched them clean up the rear portion of the yard and prepare it for a patio and new landscaping. They have helped us resolve a long-standing issue with the shared fence at the top of the property.

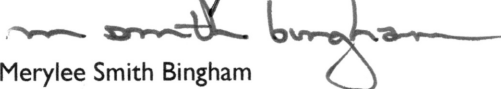
We have also watched the owner of 670 Shotwell make improvements, including moving the rear, kitchen door from its original location at the side of the front building to the rear of the front building. She has also built a fence surrounding a portion of the rear yard.

Although we have not spoken with the owner of 670 Shotwell about this work, we have come to understand that this work was done without permit, and that she has applied for a permit for this work after the work was completed. We have also heard that she intends to use this rear door as the main entrance for her AirBnB customers. This is somewhat concerning to us as the intended access to this AirBnB unit is directly across from our bedrooms. The added activity of individuals entering and leaving the gated driveway daily would be problematic. We are unsure why she wants this to be the primary entrance of the AirBnB since she has two front doors, one on the first floor and one on the second floor, both located at the front of the building. These entrances to the building have direct street access via a small set of stairs separate from the gated driveway.

Please let us know if you have any questions.

Sincerely,

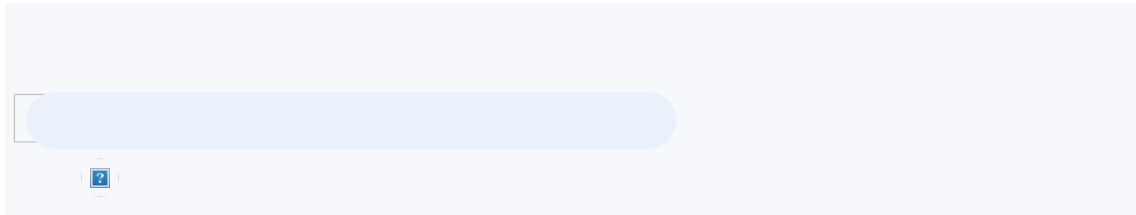
  
Edward M. Bingham

  
Merylee Smith Bingham

**From:** [Betsy Nolan](#)  
**To:** [Board of Appeals \(PAB\)](#)  
**Subject:** Letter is ready! - bnkink@gmail.com - Gmail  
**Date:** Monday, June 24, 2024 4:06:39 PM  
**Attachments:** [AGPWsu\\_\\_Sh8EMFNcWnTomti4HeTOd\\_1eLvSEu45oh9Ez6-Tc0YZOTm8060xks5XFnaka3bZdq=s80-p.png](#)  
[0.png](#)  
[icon\\_3.pdf\\_x32.png](#)  
[ACg8ocvGF30XMPfAt4o0vuIkVozpx3ozfUwZ3NtkFvUOe8q=s80-p-mo.png](#)  
[attachment.png](#)  
[attachment.png](#)

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<https://mail.google.com/mail/u/0/#inbox/FMfcgzQVxHjdzSnsORfkTqXKKQpqMwpg?projector=1&messagePartId=0.1>



1 of 92

**Letter is ready!**    Inbox

**M**

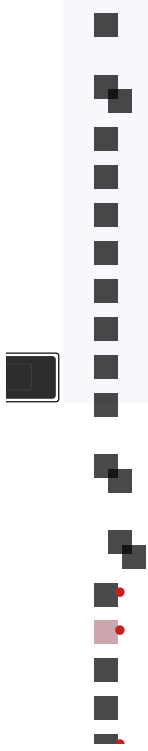
**Miki Cristerna**    3:07 PM (52 minutes ago)

to me, Art

Hi Betsy,



Letter of Support for Art ... Permit Appeal 24-032.pdf





June 24, 2024

Betsy Nolan

1310 Fillmore ~ Apt. 301 San Francisco, CA 94115

(415) 678-0413 [bnkink@gmail.com](mailto:bnkink@gmail.com)

To: San Francisco Board of Appeals

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear SF Board of Appeals:

Thanks to my cousin marrying the love of his life who turned out to be Miki Cristerna's college best friend and having said cousin come to SF with his daughters a few years back, I got to know the Cristerna's.

Since then, they have become best friends. Aside from doing a Food Runners drop off each Saturday up the street, I was not aware of the kind of close knit neighborhood Shotwell Street is.

When I first met Miki & Art, they were living in a tiny cramped basement apartment with their two hard working sons — Diego & Nakai — saving up to realize the American dream — home ownership.

During that time I was invited to a number of curbside neighbor get-togethers where I met people who had known (and loved) the Cristerna's ever since they met. So many of these people have lived in the neighborhood in the same home for decades and are extremely close to one another. Being the guest of Miki & Art automatically granted me an honorary membership in the group.

I've lived in SF since 1991 (and actually lived here in the 60s when I was an advance "man" for the Ice Follies then housed at Winterland at Post & Steiner.) That job helped me gain the skills I needed to in 1972, open my own PR & Literary Agency in NYC on 53rd & Madison.

In 1989 I met a single straight man with a job who lived in SF and asked me to marry him (I received enormous press — labeled the world's oldest first time bride) In 1991, after a cross country marriage, we decided to move to SF.

Pardon the aside.

Back to Miki & Art. To say that this family has worked hard to achieve its goals is a major understatement. So everyone celebrated when Miki & Art found their dream house right down the street from where they have spent so many years.

Miki & Art's sons grew up on Shotwell Street and all during their high school years worked after school daily to help pay their college tuition. They are both heading off to college in the fall. Diego and Nakai are also champion football & rugby players (recently they competed in Ireland with the SF/Golden Gate Rugby Club where their team won all the events).

To say that this family works hard to achieve its goals in a major understatement.

I helped them move in. Their new home is behind a street facing home. The two owners formed a HOA. Art & Miki are enormously generous and considerate so when their neighbor (who moved to Shotwell Street from out of town) began work on her place they were happy for the improvements. It was not until the neighbor moved an entrance door from the easement to the back on her home (facing Miki & Art's home) and encroaching on Miki & Art's property that they learned she was adding an AirBnb. They were given no advance notice when it opened, so when very late one dark night they saw a stranger walking up the easement they were about to call 911 then the stranger entered the newly added entrance door. It was then, they realized that strangers would be constantly intruding on their property at all hours.

They tried discussing this with their fellow HOA member who refused to discuss it and said it was all approved. Then Miki did some searching and found that all of this work had been completed before permits and requests had been filed. After that Beth Miles' close friend, an architect name Jim Zack filed the paperwork.

Since then Beth Miles has refused to discuss the matter and refuses to talk to the Cristerna's about anything. She is definitely not the sort of person who has lived on Shotwell before. Miki & Art are concerned that this woman who seems to feel she is entitled to do whatever she wants on their property and argue about it afterwards.

My understanding is that Miki & Art own the area labeled the easement and have granted "occasional" use to their neighbor for "neighborly fixes" not architectural changes or access for others. The front home has two entrances meaning that AirBnb guests could enter through the front without using the easement and without entering Miki & Art's property. Miki & Art are asking that the old door that was on the side of the 670 be re-opened so there is a clearly delineated understanding of where 670 has access to the easement. As well an opportunity to review and discuss subsequent plans that could affect their property.

All Miki & Art want is to live in harmony in the most harmonious neighborhood I've ever known. Between my husband's death and the pandemic, it has been hard to meet new people. So I consider myself damned lucky to have gotten to know these two people over the last 4 years. I'm old enough to be their grandmother.

Please let know if there is anything else you'd like me to provide.

Betsy Nolan

1310 Fillmore ~ Apt. 301 San Francisco, CA 94115 (415) 678-0413 bnkink@gmail.com

More

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10 Hotels - Places to Stay

11 Misc.

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---





**From:** [Jack Slater](#)  
**To:** [BoardofAppeals \(PAB\)](#); [mikicristerna@hotmail.com](mailto:mikicristerna@hotmail.com)  
**Subject:** Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna  
**Date:** Monday, June 24, 2024 5:08:32 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Chad Salter  
963 Shotwell Street  
San Francisco, Ca 94120  
[Chadsalterxx@gmail.com](mailto:Chadsalterxx@gmail.com)

6/24/2024

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

Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear Members of the San Francisco Board of Appeals,

I am writing to express my complete support for the Permit Appeal 24-032 filed by Art & Miki Cristerna concerning permit 2024/04/09/9596.

I urge you to consider their request to revoke the permit of Beth Miles, the owner of 670 Shotwell Street, for removing a door that provided access to the easement on the Cristernas' property at 672 Shotwell Street. Additionally, I share their concerns regarding Ms. Miles' plans to build gates in a newly constructed fence that could potentially grant her and her Airbnb tenants access to the Cristernas' property.

Art and Miki Cristerna have been exemplary residents of Shotwell Street in the Mission District for over 25 years. Their recent achievement of becoming first-time homebuyers has been a source of inspiration for our community, solidifying their commitment to our Shotwell Street's welfare and integrity.

I share the Cristernas' significant concerns about the potential impact of Ms. Miles' actions on our community. It appears that Ms. Miles may prioritize economic gain from Airbnb rentals over contributing positively to our neighborhood. By removing the door and planning gates that could provide unauthorized access to the Cristernas' property, Ms. Miles jeopardizes their privacy, security, and property rights.

It is crucial for the Board of Appeals to carefully weigh these implications and uphold the rights of residents like the Cristernas, who have invested both financially and emotionally in our neighborhood. Revoking the permit and ensuring compliance with property laws and neighborhood regulations are essential steps in preserving our community's integrity and safety.

Thank you for considering my support for the Cristernas' appeal. Please do not hesitate to contact me if you need further information regarding this matter.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,  
Chad Salter

Eileen O'Neill  
967 Shotwell St.  
San Francisco, CA. 94110  
eileenorama@gmail.com  
415-350-6198

June 24, 2024

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

Re: Letter of Support for Permit Appeal: 24-032 - Art & Miki Cristerna

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Art and Miki Cristerna have been residents of Shotwell Street for over 25 years. They are both active in the community and have been model neighbors who care deeply about the neighborhood. Last fall, Art and Miki were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street and in the Mission District.

By removing the door and planning to install gates that could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of the Cristernas.

I share the Cristerna's concerns about the impact of Ms. Miles' actions on our community. It appears that Ms. Miles purchased the property with the intent of renting out an Airbnb suite with little consideration of the impact this would have on the other owners sharing the same lot.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions and uphold the rights of residents like the Cristernas, who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,



Eileen O'Neill

David G Hall,  
Owner of Shotwell's Bar  
3349 20th St (Bar address)  
San Francisco, CA. 94110  
dhall8@gmail.com  
415.321.0733

6/24/2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

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Art and Miki have lived in the neighborhood, and funny enough on Shotwell Street, for over two decades. In that time, I have found them to be caring, outgoing, engaged, and just downright wonderful neighbors. I remember last year the two of them coming to the bar, they were brimming...THEY BOUGHT A HOUSE! The cherry on top was that it's just down the street from Shotwell's! It's the happiest I've seen them..so many challenges, so much hope..and they persevered, so proud of them. My happiness for them is two fold, my unselfish self gets to keep two excellent neighbors, and my selfish self gets to keep two wonderful patrons..Bravo to these two. It only took a few weeks before the other reality of home-ownership reared it's ugly head..and that's a disagreeable neighbor...we've all had them, and it's never pleasant.

So, with that, I share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. It appears that Ms. Miles may be more focused on her economic gain from renting out an Airbnb suite rather than contributing positively to our neighborhood as a whole. By removing the door and planning to install gates that could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

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Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Paul". The signature is written in a cursive style with a large, prominent initial "D".



682 Shotwell Street, San Francisco, CA 94110  
415 641-0972  
[binghamrents@gmail.com](mailto:binghamrents@gmail.com)

San Francisco Board of Appeals  
Via email to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org)

6/24/24

Cc: Art Cristerna  
Via email to [artcristerna@gmail.com](mailto:artcristerna@gmail.com)


We have known the Cristernas since they moved into their new home at 672 Shotwell Street, and have watched them clean up the rear portion of the yard and prepare it for a patio and new landscaping. They have helped us resolve a long-standing issue with the shared fence at the top of the property.

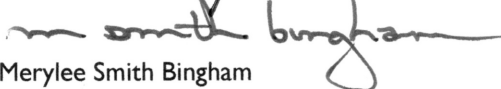
We have also watched the owner of 670 Shotwell make improvements, including moving the rear, kitchen door from its original location at the side of the front building to the rear of the front building. She has also built a fence surrounding a portion of the rear yard.

Although we have not spoken with the owner of 670 Shotwell about this work, we have come to understand that this work was done without permit, and that she has applied for a permit for this work after the work was completed. We have also heard that she intends to use this rear door as the main entrance for her AirBnB customers. This is somewhat concerning to us as the intended access to this AirBnB unit is directly across from our bedrooms. The added activity of individuals entering and leaving the gated driveway daily would be problematic. We are unsure why she wants this to be the primary entrance of the AirBnB since she has two front doors, one on the first floor and one on the second floor, both located at the front of the building. These entrances to the building have direct street access via a small set of stairs separate from the gated driveway.

Please let us know if you have any questions.

Sincerely,

  
Edward M. Bingham

  
Merylee Smith Bingham

David G Hall,  
Owner of Shotwell's Bar  
3349 20th St (Bar address)  
San Francisco, CA. 94110  
dhall8@gmail.com  
415.321.0733

6/24/2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

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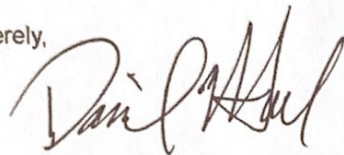
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It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel A. Hill". The signature is written in a cursive style with a large initial "D" and "H".



Eileen O'Neill  
967 Shotwell St.  
San Francisco, CA. 94110  
eileenorama@gmail.com  
415-350-6198

June 24, 2024

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

Re: Letter of Support for Permit Appeal: 24-032 - Art & Miki Cristerna

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Sincerely,



Eileen O'Neill

Kelli Mekkelsen  
764-A Shotwell Street  
San Francisco, CA 94110  
kellimekkelsen@gmail.com  
408-550-3397

June 24, 2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

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Since 2010 I've had the pleasuring of moving next to and sharing a wall with Art and Miki when I first moved to Shotwell Street. They have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have not only contributed to the community but are neighbors whom I've come to know personally and trust to look after my home if I am out of town. Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street.

I share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. In addition, it appears Ms. Miles moved the door from the easement onto the Cristerna's property without their knowledge or approval. This plus, installing gates could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

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Sincerely,

Kelli Mekkelsen

June 24, 2024

Betsy Nolan

1310 Fillmore ~ Apt. 301 San Francisco, CA 94115

(415) 678-0413 bnkink@gmail.com

To: San Francisco Board of Appeals

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear SF Board of Appeals:

Thanks to my cousin marrying the love of his life who turned out to be Miki Cristerna's college best friend and having said cousin come to SF with his daughters a few years back, I got to know the Cristerna's.

Since then, they have become best friends. Aside from doing a Food Runners drop off each Saturday up the street, I was not aware of the kind of close knit neighborhood Shotwell Street is.

When I first met Miki & Art, they were living in a tiny cramped basement apartment with their two hard working sons — Diego & Nakai — saving up to realize the American dream — home ownership.

During that time I was invited to a number of curbside neighbor get-togethers where I met people who had known (and loved) the Cristerna's ever since they met. So many of these people have lived in the neighborhood in the same home for decades and are extremely close to one another. Being the guest of Miki & Art automatically granted me an honorary membership in the group.

I've lived in SF since 1991 (and actually lived here in the 60s when I was an advance "man" for the Ice Follies then housed at Winterland at Post & Steiner.) That job helped me gain the skills I needed to in 1972, open my own PR & Literary Agency in NYC on 53rd & Madison.

In 1989 I met a single straight man with a job who lived in SF and asked me to marry him (I received enormous press — labeled the world's oldest first time bride) In 1991, after a cross country marriage, we decided to move to SF.

Pardon the aside.

Back to Miki & Art. To say that this family has worked hard to achieve its goals is a major understatement. So everyone celebrated when Miki & Art found their dream house right down the street from where they have spent so many years.

Miki & Art's sons grew up on Shotwell Street and all during their high school years worked after school daily to help pay their college tuition. They are both heading off to college in the fall. Diego and Nakai are also champion football & rugby players (recently they competed in Ireland with the SF/Golden Gate Rugby Club where their team won all the events).

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I helped them move in. Their new home is behind a street facing home. The two owners formed an HOA. Art & Miki are enormously generous and considerate so when their neighbor (who moved to Shotwell Street from from out of town) began work on her place they we're happy for the improvements. It was not until the neighbor moved an entrance door from the easement to the back on her home (facing Miki & Art's home) and encroaching on Miki & Art's property that they learned she was adding an AirBnb. They were given no advance notice when it opened, so when very late one dark night they saw a stranger walking up the easement they were about to call 911, then the stranger entered the newly added entrance door. It was then, they realized that strangers would be constantly intruding on their property at all hours.

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My understanding is that Miki & Art own the area labeled the easement and have granted "occasional" use to their neighbor for "neighborly fixes" not architectural changes or access for others. The front home has two entrances meaning that AirBnB guests could enter through the front without using the easement and without entering Miki & Art's property. Miki & Art are asking that the old door that was on the side of the 670 be re-opened so there is a clearly delineated understanding of where 670 has access to the easement. As well an opportunity to review and discuss subsequent plans that could affect their property.

All Miki & Art want is to live in harmony in the most harmonious neighborhood I've ever known. Between my husband's death and the pandemic, it has been hard to meet new people. So I consider myself damned lucky to have gotten to know these two people over the last 4 years. I'm old enough to be their grandmother.

Please let know if there is anything else you'd like me to provide.

Betsy Nolan

1310 Fillmore ~ Apt. 301 San Francisco, CA 94115 (415) 678-0413 [bnkink@gmail.com](mailto:bnkink@gmail.com)

## Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Merav Rozenblum <merav@meravrozenblum.com>

Mon 6/24/2024 11:01 AM

To: boardofappeals@sfgov.org <boardofappeals@sfgov.org>

Cc: Miki Cristerna <mikicristerna@hotmail.com>

From: Merav Rozenblum

2754B Folsom St. San Francisco, CA 94110

Tel. 415-867-8961

[merav@meravrozenblum.com](mailto:merav@meravrozenblum.com)

6/24/2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear Members of the San Francisco Board of Appeals,

I am writing to express my full support for the Permit Appeal 24-032 filed by Art & Miki Cristerna concerning permit 2024/04/09/9596. I urge you to consider their request to revoke the permit of Beth Miles, the owner of 670 Shotwell Street, for removing a door that provided access to the easement on the Cristerna's property at 672 Shotwell Street. Additionally, I support their concerns regarding Ms. Miles' plans to build gates in a newly constructed fence that could potentially grant her and her Airbnb tenants access to the Cristerna's property.

Art and Miki Cristerna have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have not only contributed to the community but have been exemplary neighbors who care deeply about the welfare and integrity of our neighborhood. During lock down in 2020, they organized a safe "happy hour" on their block, and it soothed our souls to meet them and their other neighbors outside their homes, talk, sing and play in the open air. Their twin boys and my son went to the same school, Buena Vista Horace Mann, also in our neighborhood, and have known each other since they were five. Miki and Art were key in organizing fundraisers for our kids' class, leveraging on their great connections to local business, such as the Napper Tandy. I recently went there to support another fundraiser that they held, this time for their twins' rugby team.

Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street. I was proud to support my friend Miki during one particularly stressful step of that process, and like other moms in our circle of friends, I believe no other family deserves to finally own a decent, beautiful and safe home like the Cristernas. Miki and Art are dedicated educators, like myself, and have worked for years for several public school districts in the Bay Area, mostly with under-served populations. They are dedicated and decent people.

I share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. It appears that Ms. Miles may be more focused on her economic gain from renting out an Airbnb suite rather than contributing positively to our neighborhood as a whole. By removing the door and planning to

install gates that could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,

Merav Rozenblum

## Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

tracy penza <tpenza@hotmail.com>

Mon 6/24/2024 10:01 AM

To:boardofappeals@sfgov.org <boardofappeals@sfgov.org>;mikicristerna@hotmail.com <mikicristerna@hotmail.com>

Tracy Penza

963 Shotwell Street

San Francisco, CA 94110

[tpenza@hotmail.com](mailto:tpenza@hotmail.com)

415-341-1951

June 24, 2024

San Francisco Board of Appeals

49 South Van Ness Avenue, Suite 1475

San Francisco, CA 94103

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Art and Miki Cristerna have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have not only contributed to the community but have been exemplary neighbors who care deeply about the welfare and integrity of our neighborhood. Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street.

I share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. It appears that Ms. Miles may be more focused on her economic gain from renting out an Airbnb suite rather than contributing positively to our neighborhood as a whole. By removing the door and planning to install gates that could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,



Tracy Penza

**Victoria Araiza**  
**2957 22nd Street**  
**San Francisco, CA 94110**  
**varaiza666@gmail.com**  
**415-240-1741**

June 24, 2024

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

Re: Letter of Support for Permit Appeal : 24-032 - Art & Miki Cristerna

Dear Members of the San Francisco Board of Appeals,

I am writing to express my full support for the Permit Appeal 24-032 filed by Art & Miki Cristerna concerning permit 2024/04/09/9596. I urge you to consider their request to revoke the permit of Beth Miles, the owner of 670 Shotwell Street, for removing a door that provided access to the easement on the Cristerna's property at 672 Shotwell Street. Additionally, I support their concerns regarding Ms. Miles' plans to build gates in a newly constructed fence that could potentially grant her and her Airbnb tenants access to the Cristerna's property.

Art and Miki Cristerna have been long-standing residents of Shotwell Street in the Mission District for over 25 years. They have been my neighbors and friends for the same amount of time and they have not only contributed to the community but have been exemplary educators who care deeply about the welfare and integrity of our neighborhood. Last fall, it was a joy for our community when they were able to fulfill their dream of becoming first-time homebuyers, ensuring their continued presence and positive influence on Shotwell Street.

As a homeowner in the Mission District for more than 40 years and an employee for SFUSD for over 20 years, I too share the Cristerna's significant concerns about the impact of Ms. Miles' actions on our community. Our close knit community has been impacted by not only gentrification, but also by owners who are similar to Ms. Miles that are more focused on their economic gain from renting out an Airbnb suite rather than contributing positively to our neighborhood as a whole and being responsible homeowners who live in their homes. By removing the door and planning to install gates that could potentially provide unauthorized access to the Cristerna's property, Ms. Miles is jeopardizing the privacy, security, and property rights of long standing residents like the Cristerna's.

It is essential that the Board of Appeals carefully considers the potential implications of Ms. Miles' actions on the community and uphold the rights of residents like the Cristernas who have invested in our neighborhood both financially and emotionally. Revoking the permit and ensuring compliance with property laws and neighborhood regulations is crucial to maintaining the integrity and safety of our community.

Thank you for considering my support for the Cristernas' appeal. Please feel free to contact me if you require any further information regarding this matter.

Sincerely,

*Victoria Araiza*