

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

Appeal of  
CARLINA HANSEN, )  
Appellant(s) )  
vs. )  
ZONING ADMINISTRATOR, )  
Respondent )

Appeal No. **24-035**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on May 22, 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 May 13, 2024 to Andrew Greenwood, of a Variance Decision (the proposal is to construct a vertical and horizontal extension to the front and rear of the existing single-family building, and to add an Accessory Dwelling Unit (ADU) at the ground floor; Planning Code Section 242 requires the subject property to maintain a rear yard of approximately 22 feet measured from the rear property line; the originally proposed rear addition would encroach approximately 7 feet into the required rear yard, therefore, the project requires a variance; Planning Code Section 174 requires projects to meet adopted conditions of approval; a prior variance was granted in 1991 for the subject lot that, as a condition of approval, required the existing building be maintained as a single dwelling unit and that any future additions must obtain a variance, even if within the otherwise permitted buildable area of the lot (Case No. 90.569V); the proposal will expand the building envelope and add a State Mandated ADU on the ground floor; the Zoning Administrator granted the Rear Yard and Conditions of Approval Variances) at 1336 Shotwell Street.

**CASE NO.: 2023-004909VAR**

**FOR HEARING ON July 10, 2024**

Address of Appellant(s):

Address of Other Parties:

<p>Carlina Hansen, Appellant(s) c/o Brian O'Neill, Attorney for Appellant(s) Patterson &amp; O'Neill, PC 600 California Street, 11th Floor San Francisco, CA 94108</p>	<p>Andrew Greenwood, Determination Holder(s) c/o Mason Kirby, Agent for Determination Holder(s) Architect Mason Kirby, Inc. 306 Precita Ave San Francisco, CA 94110</p>
--	---



Date Filed: May 22, 2024

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

**PRELIMINARY STATEMENT FOR APPEAL NO. 24-035**

---

I / We, **Carlina Hansen**, hereby appeal the following departmental action: **ISSUANCE of Variance Decision (Case No.: 2023-004909VAR)** by the **Zoning Administrator** which was issued or became effective on: **May 13, 2024**, to: **Andrew Greenwood**, for the property located at: **1336 Shotwell Street**.

**BRIEFING SCHEDULE:**

Appellant's Brief is due on or before: 4:30 p.m. on **June 20, 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), [mk@masonkirby.com](mailto:mk@masonkirby.com) and [agreenwood@cca.edu](mailto:agreenwood@cca.edu).

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **Tuesday July 2, 2024, (this is two days earlier than the Board's regular briefing schedule due to the Fourth of July holiday)**. 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) and [carlinah@gmail.com](mailto:carlinah@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, July 10, 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 by Tuesday, July 2, 2024 by 4:30 p.m. to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org). Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at [www.sfgov.org/boa](http://www.sfgov.org/boa). You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

---

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

See attachment to the Preliminary Statement of Appeal

**The appeal was filed by email.**

May 22, 2024

To Whom it May Concern:

I am writing to file an appeal to Variance decision Variance Decision Letter for **1336**

**Shotwell Street, Record Number 2023-004909VAR** which is attached. I live at

1342 Shotwell – the adjoined house to the South of 1336 Shotwell Street. Given the

prior variance that existed on the property, and the specifications of the proposed project, I

believe that this variance decision should be re-considered.

1336 Shotwell Street is on a substandard lot. I, and other neighbors, are not in opposition to the proposed ADU, but rather the addition of the roof deck and vertical expansion of the home. As a state sponsored ADU, there is no requirement for outdoor space, as stated in the variance decision. I believe this decision should be given additional consideration.

Gratefully,

*Carlina Hansen*

Carlina Hansen, Owner, 1342 Shotwell Street



## VARIANCE DECISION

**Date:** May 13, 2024  
**Case No.:** 2023-004909VAR  
**Project Address:** 1336 SHOTWELL STREET  
**Block/Lots:** 5501 / 074  
**Zoning:** RH-2 (Residential - House, Two- Family )  
Bernal Heights Special Use District  
**Height/Bulk:** 40-X Height and Bulk District  
**Applicant:** Jamie Pratt  
306 Precita Avenue  
San Francisco, CA 94110  
**Owner:** Andrew E. Greenwood  
1336 Shotwell Street  
San Francisco, CA 94110  
**Staff Contact:** Edgar Oropeza – 628-652-7416  
edgar.oropeza@sfgov.org

### Description of Variance – Rear Yard and Conditions of Approval Variances Sought:

The proposal is to construct a vertical and horizontal extension to the front and rear of the existing single-family building, and to add an Accessory Dwelling Unit (ADU) at the ground floor.

**PLANNING CODE SECTION 242** requires the subject property to maintain a rear yard of approximately 22 feet measured from the rear property line. The originally proposed rear addition would encroach approximately 7 feet into the required rear yard. Therefore, the project requires a variance.

**PLANNING CODE SECTION 174** requires projects to meet adopted conditions of approval. A prior variance was granted in 1991 for the subject lot that, as a condition of approval, required the existing building be maintained as a single dwelling unit and that any future additions must obtain a variance, even if within the otherwise permitted buildable area of the lot (Case No. 90.569V). The proposal will expand the building envelope and add a State Mandated ADU on the ground floor. Therefore, the project requires a variance.

### Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.
2. Planning Code Section 311 notification was mailed on October 14, 2023 and expired on November 14, 2023. A request for Discretionary Review was filed during the notification period.
3. The applicant submitted revised plans on March 11, 2024 that removed the portion of the proposed

addition within the required rear yard.

4. The Planning Commission and the Zoning Administrator held a joint public hearing on Discretionary Review and Variance Application No. 2023-004909DRP/VAR on **March 14, 2024**. The Planning Commission took Discretionary Review and approved the revised plans.

### **Decision:**

**GRANTED**, in general conformity with the revised plans submitted on file with this application, shown as EXHIBIT A, which removed the portion of the project requiring a rear yard variance, and only proposed to raise and flatten the roof within the permitted buildable area, construct a roof deck, and add a State Mandated ADU on the ground floor, subject to the following conditions:

1. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if (1) a Site or Building Permit has not been issued within three years from the effective date of this decision; or (2) a Tentative Map has not been approved within three years from the effective date of this decision for Subdivision cases; or (3) neither a Site or Building Permit or Tentative Map is involved but another required City action has not been approved within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
2. Condition No. 4 of the prior variance granted on April 15, 1991 (Case No. 90.569V) regarding future expansions shall continue to apply.
3. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
4. Minor modifications as determined by the Zoning Administrator may be permitted.
5. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

### **Findings:**

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

#### **FINDING 1.**

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

#### **Requirement Met.**

- A. The exceptional circumstances raised in the prior variance granted on April 15, 1991 (Case No. 90.569V)

continue to apply.

- B. The subject lot is zoned RH-2, but the prior variance granted on April 15, 1991 (Case No. 90.569V) included a condition of approval that the existing building be used only as a single-family home. However, since that time, state law and the Planning Code have been amended to require the City to approve the addition of an ADU if it meets eligibility requirements. As such, the proposed State Mandated ADU on the ground floor must be approved.

## **FINDING 2.**

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

### **Requirement Met.**

- A. The addition of the State Mandated ADU on the ground floor will remove access to the rear yard for the primary dwelling unit, creating a need for new useable open space. The proposal will flatten the existing building's roof within the permitted buildable area and add a roof deck sufficient to meet the minimum open space requirement for the primary dwelling unit. The change in state law to mandate the approval of certain ADUs creates this practical difficulty and is not a condition created by or attributed to the applicant or the owner of the property.

## **FINDING 3.**

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

### **Requirement Met.**

- A. Granting this variance will allow the subject property to add a State Mandated ADU and provide Code-complying open space for the primary unit without expanding the existing building into the required rear yard or in a manner inconsistent with the Residential Design Guidelines, which is a substantial property right possessed by other properties in the same class of district.

## **FINDING 4.**

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

### **Requirement Met.**

- A. The proposal will provide Code-complying open space for the primary unit without expanding the existing building into the required rear yard. The new roof deck will be accessed by an open stairway instead of an enclosed stair penthouse, reducing additional vertical addition to the existing building.
- B. The Planning Commission took Discretionary Review on the associated building permit and approved the revised design, which was determined to be compatible with surrounding buildings and consistent

with the Residential Design Guidelines.

#### **FINDING 5.**

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

#### **Requirement Met.**

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
  2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will add an ADU to the property, which is within and surrounded by RH-2 and RH-3 zoning. Additionally, the revised project is consistent with the Residential Design Guidelines.
  3. The proposed project will have no effect on the City's supply of affordable housing.
  4. The proposed project does not adversely affect neighborhood parking or public transit.
  5. The project will have no effect on the City's industrial and service sectors.
  6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
  7. The project will have no effect on the City's landmarks or historic buildings.
  8. The project would not affect any existing or planned public parks or open spaces.

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

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

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

of the earliest discretionary approval by the City of the subject development.

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

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

Very truly yours,



Corey A. Teague, AICP  
Zoning Administrator

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



# BRIEF SUBMITTED BY THE APPELLANT(S)

June 19,2024

Greetings Commissioners:

I am writing to appeal the variance decision: 1336 Shotwell Street, Record Number 2023-004909VAR. Please find attached a letter from Patterson & O'Neill, PC, explaining why the five findings necessary to grant a variance cannot be made for this project (Exhibit A).

The zoning administrator made this variance decision in part, with the premise that this project will add a unit of housing by converting a portion of a single-family home into an Accessory Dwelling Unit. However, the ground floor of the existing structure was already converted into a separate dwelling without permits, which has been rented almost continually since the owners purchased the home (see Exhibit B).

The proposed project simply proposes to legalize the existing two-bedroom unit as a studio. To be clear, neighbors have been in support of legalizing the existing dwelling unit as an ADU. The neighbors' opposition is solely regarding the addition of the roof deck, which would be materially injurious to the neighbors' properties' light, air, and privacy.

Although the staff analysis describes the project as a modest expansion, the exceptional and extraordinary circumstances of this project stem from the existing site conditions that were created as a direct result of the 1991 Variance (Variance No. 90.569V). In 1991, the prior owner split 1336 Shotwell into two parcels, which required variances from the Planning Code's minimum lot size, rear yard setback, and usable open space requirements.

The ZA recognized that the 1991 Variance created a home on 1336 Shotwell that was already too large for the substandard lot, and imposed a condition to limit future expansions unless a new variance was approved and the ZA made findings that the expansion complies with the code, is compatible with neighborhood character and scale, and does not cause significant loss of light, air, and privacy to adjacent buildings. The proposed expansion must be understood in the context of a building that that already

encroaches into the rear yard and is already too large for the lot, which is an exceptional and extraordinary circumstance that justified Discretionary Review. These impacts, recognized by the Planning Commission, demonstrate why the ZA findings are clearly wrong. Any further expansion will be materially injury to the light, air, and privacy of neighbors' properties.

The proposed roof deck is not entirely setback five feet from the property line, as the proposed roof stair access and associated firewall has no side setback at all. The roof deck also necessitates a 3.5-foot-tall fire-rated parapet around the entire deck, which is taller than the adjacent homes and will cause significant light and air impacts. In fact, Condition 3 of the 1991 Variance specifically removed a three-and-half foot tall rear parapet from the prior project to protect neighbors' light and air.

The ZA's variance ruling maintains that "The addition of the State Mandated ADU on the ground floor will remove access to the rear yard for the primary dwelling unit, creating a need for new useable open space. The proposal will flatten the existing building's roof within the permitted buildable area and add a roof deck sufficient to meet the minimum open space requirement for the primary dwelling unit. The change in state law to mandate the approval of certain ADUs creates this practical difficulty and is not a condition created by or attributed to the applicant or the owner of the property."

This finding ignores the fact that the size of the existing open space is due to the 1991 Variance that sought exceptions to Code's rear yard and open space requirements. Moreover, the main unit currently lacks access to the rear yard because that access was intentionally removed when the ground floor was converted to a dwelling unit without permits. The sponsors are seeking relief from a situation that was created by, and directly attributable to, the owners of the property, but are asking the neighbors to once again bear the brunt of the impacts.

The project sponsor's architect has maintained that there is a requirement for usable

open space for the ADU and that the roof deck is a requirement to meet that open space. That is not the case because the project sponsors have applied for a state sponsored ADU which does not have an open space requirement.

Understanding the importance of open space, the neighbors support a project that would provide the main unit with access to the existing rear yard. The neighbors proposed an internal or external rear yard staircase as a potential compromise. The external rear staircase was proposed in part because it is a simple solution that would not impact the sponsors' preferred floor plans. However, the sponsors have the flexibility to design a project that could restore rear yard access for the main unit internally. These solutions would comply with the requirements for open space for the primary dwelling unit. While there are no requirements for accessible open space for the ADU, this plan would provide an option for shared open space for both units without compromise to the adjacent neighbors light, air or privacy.

The neighbors support legalizing the ground floor unit and a project that would restore rear yard access for the main unit. However, the neighbors oppose the proposed expansion of a home that is already too dense for the lot size, and which will substantially impact the light, air, and privacy of neighbors. Thank you for your consideration of this appeal.

Gratefully,

Carlina Hansen 1342 Shotwell Street

EXHIBIT A – Variance Letter from Patterson & O'Neill

EXHIBIT B - Existing Rental Unit

EXHIBIT C – Possible Stair Solution

EXHIBIT D – Property Photos

# PATTERSON & O'NEILL, PC

235 Montgomery Street, Suite 950  
San Francisco, CA 94108  
Telephone: (415) 967-1778  
www.pattersononeill.com

November 6, 2023

**VIA EMAIL**

Zoning Administrator Corey Teague  
San Francisco Planning Department  
49 South Van Ness Ave, Suite 1400  
San Francisco, CA 94103

Re: 1336 Shotwell Street  
Variance Application No. 2023-004909VAR

Dear Zoning Administrator Teague:

Our office represents Carlina Hansen, owner of 1342 Shotwell Street, which is directly adjacent to the proposed project at 1336 Shotwell Street. The project consists of a 264-square-foot expansion of the third floor of the existing building. Approximately one-third of the proposed expansion is within the rear yard setback, which requires a variance. The expansion is accomplished by converting the existing peaked roof into a flat roof. The project also includes a new 351-square-foot roof deck. A portion of the roof deck is proposed directly up against the side lot line of 1342 Shotwell. The project also includes legalization of an existing unpermitted dwelling unit (UDU) on the ground floor as an Accessory Dwelling Unit (ADU) under state law.

Ms. Hansen has no objection to legalizing the UDU as an ADU and supports formally adding a new housing unit to the City's housing stock. However, Ms. Hansen, and *all* of the adjacent neighbors, oppose the third-floor expansion because of the detrimental impact that the project will have on the light, air, and privacy of their homes.

The substandard lot at 1336 Shotwell was created by a 1991 Variance (Variance No. 90.569V), and conditions were placed on the variance approval to limit future expansions, such as the one proposed here. The 1991 Variance conditions were put in place precisely because the ZA understood that the existing home at 1336 Shotwell was *already* too large for a lot that was well below the minimum lot size, and building two homes on two adjacent substandard lots would create a situation where *any* future expansion would adversely and substantially impact the adjacent neighbor. The proposed variance should be denied in its entirety because the proposed project would significantly impact neighboring properties, and 1991 Variance conditions must be upheld to ensure the policies of the Planning Code that are designed to protect neighboring properties are met. Moreover, the proposed new variance to *further* expand into the rear yard fails to meet the variance findings that are required by the Planning Code.

## 1. Project Background.

The properties at 1342 and 1336 Shotwell Street were previously a single lot that was developed with an existing single-family dwelling and three-car garage structure. In 1990, a prior owner sought to subdivide the property into two lots, demolish the existing garage, and construct a second single-family home on the second lot. Because both proposed lots were below the minimum lot size, the lot split required a variance (Variance No. 90.569V.) The project also required variances to the front setback, rear yard setback, and open space requirements. The project also proposed to remove part of the existing single-family home at 1336 Shotwell to decrease the rear yard encroachment and provide more open space.

The Planning Code requires that the Zoning Administrator (ZA) “specify the character and extent” of any variance prior to approval, and “shall also prescribe such conditions as are necessary to secure the objectives of this Code.” (Planning Code § 305(d).) In the 1991 Variance approval, the ZA recognized that creating two substandard lots, with houses that required variances from multiple code sections, could potentially create a situation where any further expansion of the two homes could adversely impact neighboring properties. The ZA recognized that because both lots were “deficient in lot area,” the homes on the two resultant lots would be uniquely impactful on each other. As a result, the ZA placed conditions on the variance to prohibit future expansion “thereby preserving the existing open space provided for both units.” (Variance No. 90.569V.) In short, the 1991 Variance recognized that the two houses were *already* too large for the lots that were being created.

The 1991 Variance included several conditions that were necessary to secure the objectives of the Planning Code. Condition 1 required a portion of the existing building at 1336 Shotwell within the rear yard to be removed to provide usable open space. Condition 2 required both buildings to remain single-family dwellings. Condition 3 required the project to remove the proposed three-and-half foot tall rear parapet to protect the light of neighbors. Condition 4 stated that no further vertical or horizontal expansion shall be allowed without a new variance approval unless the ZA makes findings that the expansion complies with applicable code, is compatible with the existing neighborhood character and scale, and does not cause significant loss of light, air, and privacy to adjacent buildings.

Even though the 1991 Variance expressly prohibited adding additional units and any expansions, the prior owner of 1336 Shotwell added an illegal unit to the ground floor (twice), and also added an exterior deck without permits. (See DBI Complaints H9600122; 201150228; 201216681.)

The new owners now seek to legalize the UDU as an ADU. The new owners also seek to construct a new roof deck, in part because the UDU limits the main unit’s access to the rear yard open space. The proposed project consists of a 264-square-foot expansion of the third floor of the existing building, approximately one-third of which is proposed within the rear yard setback and requires a new variance. (See **Exhibit A.**)

## **2. The 1991 Variance Conditions Must Be Enforced to Secure the Objectives of the Code.**

One of the primary purposes of the Planning Code is to “provide adequate light, air, privacy” to adjacent properties. (Planning Code § 101(c).) The Planning Code requires that the Zoning Administrator (ZA) “specify the character and extent” of any variance prior to approval, and “shall also prescribe such conditions as are necessary to secure the objectives of this Code.” (Planning Code § 305(d).) This is consistent with state law on variance approvals, which requires that a variance “shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity.” (Gov. Code § 65906.)

The variance requirements are not “perfunctory or mechanically superficial.” (*Orinda Assn. v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1161.) This is because zoning requirements are “similar in some respects to a contract; each party foregoes rights to use its land as it wishes in return for the assurance that the use of neighboring property will be similarly restricted, the rationale being that such mutual restriction can enhance total community welfare. (*Topanga Assn. for a Scenic Comm. v. Cty of Los Angeles* (1974) 11 Cal.3d 506, 512.) If variance requirements are not met, “the consequence will be subversion of the critical reciprocity upon which zoning regulation rests.” (*Id.*)

Here, the “contract” between neighbors included the creation of substandard lots in exchange for restrictions on future expansions that were necessary to ensure that the Planning Code’s purpose of protecting adjacent properties is met. Condition 4 specifically stated the prohibition on future expansion was necessary to ensure that the project does not cause significant loss of light, air, and privacy to adjacent buildings. The property at 1336 Shotwell has enjoyed the benefit of the 1990 Variance and is now attempting to avoid the burden by expanding the existing building in a manner that will be detrimental to neighboring properties in violation of Condition 4.

The proposed project will have a significant impact on adjacent properties. The project plans inaccurately depict the scale of the proposed expansion and its relation to neighboring properties, depicting neighboring properties as taller and farther away than they actually are. The applicant’s shading analysis is similarly flawed and does not accurately show the shadow impacts of the project. The proposed expansion, which includes a 3.5-foot-tall fire-rated parapet around the roof deck, will in fact be significantly taller than the adjacent properties, as shown below and in **Exhibit B**.



The conversion of the peaked roof to a flat roof and addition of a 3.5-foot-tall wall around the roof deck will significantly impact the light and air of neighboring properties. The existing peaked roof was a critical design component that allowed the ZA to find that the proposed project would *not* have a significant impact on the light and air of neighboring properties. (See Finding 4.) Condition 3 specifically *removed* a 3.5-foot-tall parapet on 1342 Shotwell because of the impact on neighboring properties. Here, the proposed expansion would be significantly taller than the parapet on 1342 Shotwell that was removed from the 1991 Variance in order to protect the light and air of neighboring properties.

The proposed roof deck would also significantly impact the privacy of neighboring properties. The roof deck will tower over adjacent properties and provide a direct line of site into neighboring yards. The roof deck will also provide a direct line of site into multiple bedrooms of 249 Precita, as shown in **Exhibit B**. Due to the small size of the lots and rear yard from the 1991 Variance, the roof deck is much closer to adjacent properties than with standard size lots. The neighbors have already experienced the noise and disturbance that are created by exterior decks when the prior owner added new decks without permits. These impacts are particularly acute at Ms. Hansen’s home at 1342 Shotwell, which like 1336 Shotwell is below the minimum lot size, and as a result has very limited outdoor space. Her existing skylight is critical to the livability of the property and the proposed expansion and roof deck directly on the lot line would severely impact her light and create significant noise and privacy impacts.



The proposed justification for the expansion is to provide usable open space for the main unit due to the fact that the UDU eliminated the main unit's access to the rear yard. This is a situation that the prior owner of 1336 Shotwell created, and one that could be remedied with modifications to the design of the proposed ADU that would allow rear yard access for the main unit. The 1991 Variance specifically recognized that both 1336 Shotwell and 1342 Shotwell would have limited outdoor space, and this situation is not a valid justification to eliminate the conditions that were placed on the original approval. The limits on expansion were explicitly put into place to protect the light, air, and privacy of 1342 Shotwell, as well as other adjacent neighbors. The proposed expansion destroys those protections, and directly contradicts the reasons why the conditions were added to the 1991 Variance. Those conditions must be upheld, and the proposed expansion should be denied.

### **3. The Proposed Rear Yard Encroachment Does Not Meet the Requirements for a Variance.**

Planning Code § 305 permits variances from the Code “only to the extent necessary to overcome such practical difficulty or unnecessary hardship” and only where there are facts sufficient to make the five required variance findings. The variance provisions are intended to allow deviations from strict code compliance where such a variance is necessary to avoid an unconstitutional taking of private property.

The five required variance findings include: (1) there are exceptional or extraordinary circumstances applying to the property that do not apply generally to other properties; (2) due to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property; (3) the variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district; (4) the variance will not be materially injurious to properties in the vicinity; and (5) the variance will be in harmony with the general purpose and intent of the Code.

The applicant's variance application states that the expansion would be allowed were it not for the 1991 Variance. This is simply untrue. The proposed project requires a *new* variance to further encroach into the rear yard (see **Exhibit A**). Approximately one third of the proposed expansion is not within the buildable area of the lot and encroaches into the rear yard. This aspect of the project fails to meet the required variance findings. As confirmed by Jane Cee, principal of Cee Architect's with over thirty years of experience in San Francisco, we are unaware of any instance where the ZA has approved a new variance layered atop an existing variance. (See Cee Architect's Letter dated October 30, 2023.)

The only claimed “exceptional or extraordinary circumstance” applicable to the project is that the property *already* has a variance that placed conditions on future expansions. Variance conditions are not “exceptional or extraordinary,” and in fact the Planning Code *requires* conditions to be placed on variance approvals to ensure that the objectives of the code are met.

Additionally, this circumstance was created by, and is directly attributable to, the prior owner of the property. The prior owner voluntarily sought the prior variance and created two substandard lots that required conditions to protect adjacent property owners. Moreover, the prior owner also illegally converted the ground floor to a UDU that cut-off access to the rear yard for the main unit. This circumstance, again, was created by and directly attributable to the owner of the property.

With regard to whether the variance is necessary to preserve a substantial property right that is possessed by other properties, there are no regulatory takings concerns when the property is already developed with an over 2,000-square-foot home. There are no other homes in the vicinity that have a roof deck (See **Exhibit C**), and the applicant fails to provide any example where the City has approved a variance atop an existing variance to allow an a third-floor expansion into the rear yard.

As explained above, the variance *will* be materially injurious to properties in the vicinity. The proposed addition will significantly impact the light, air, and privacy of adjacent homes, particularly 1342 Shotwell.

Finally, as explained above, the variances must be conditioned as necessary to secure the objectives of the Code, and the condition placed on the 1991 Variance were integral to carrying out the Code's protections of light, air, and privacy.

In short, this project fails to meet any of the findings necessary to approve a variance for further expansion into the rear yard. The detriment to neighbors of the proposed "variance to a variance" will far outweigh any purported "hardship" that was created as a direct result of the actions of the prior owners of the property. If any expansion of the building is approved at all, the expansion should be limited to the buildable areas of the lot.

#### **4. Proposed Alternative.**

Although the existing situation was created by the prior owners, and the current applicants purchased the property with full knowledge of the 1991 Variance restrictions and the UDU, Ms. Hansen is keenly aware of the importance of access to outdoor space. She also supports the ADU approval. However, providing access to the existing outdoor space can be accomplished in a manner that does not significantly impact neighbors by simply adding a staircase from the main unit to the shared rear yard, as shown in **Exhibit D**. Unlike roof decks, which no properties in this neighborhood possess, external staircases that lead to shared rear yards are a common feature on surrounding properties. (See **Exhibit C**.)

#### ***Conclusion***

The project will substantially impact the light, air, and privacy of neighbors, and fails to meet the intent of the 1991 Variance conditions and the Planning Code's requirements for a new variance. The 1991 Variance conditions should be upheld, and the proposed expansion should be prohibited, or at a minimum should be modified to protect adjacent properties.

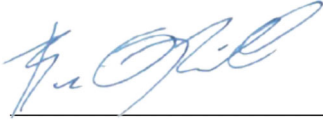
Zoning Administrator Corey Teague

November 6, 2023

Page 7

Very truly yours,

PATTERSON & O'NEILL, PC

A handwritten signature in blue ink, appearing to read "B. J. O'Neill", is written over a horizontal line.

Brian J. O'Neill  
Ryan J. Patterson



**FURNISHED FINDER**  
Landlord



Personal Info

Name	Company	Location
Andrew	N/A	San Francisco CA

Hometown

Harrisburg

Tell our travelers something about yourself:

I was nominated for a Grammy in 2019 for an album I did for the New Orleans Jazz & Heritage Festival.

Have you rented before?

Yes I've been renting out space for a while :-D

What else do you want others to know about you?

My fiance and I would love to have you upstairs for dinner if you'd like

furnishedfinder.com

**FURNISHED FINDER**



Available On  
May 5



Cozy Bernal Heights In-Law  
with Back Yard

Furnished

AA furnishedfinder.com

**FURNISHED FINDER**



**FURNISHED FINDER**



Available On  
May 5



Cozy Bernal Heights In-Law  
with Back Yard

Furnished

AA furnishedfinder.com

Available On  
May 5



Cozy Bernal Heights In-Law  
with Back Yard

Furnished

AA furnishedfinder.com

Exhibit C: Possible Stair Solution

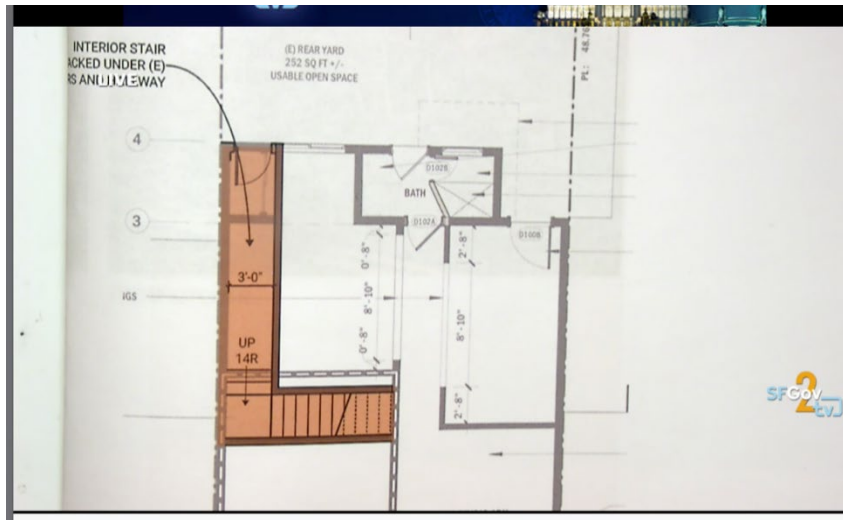
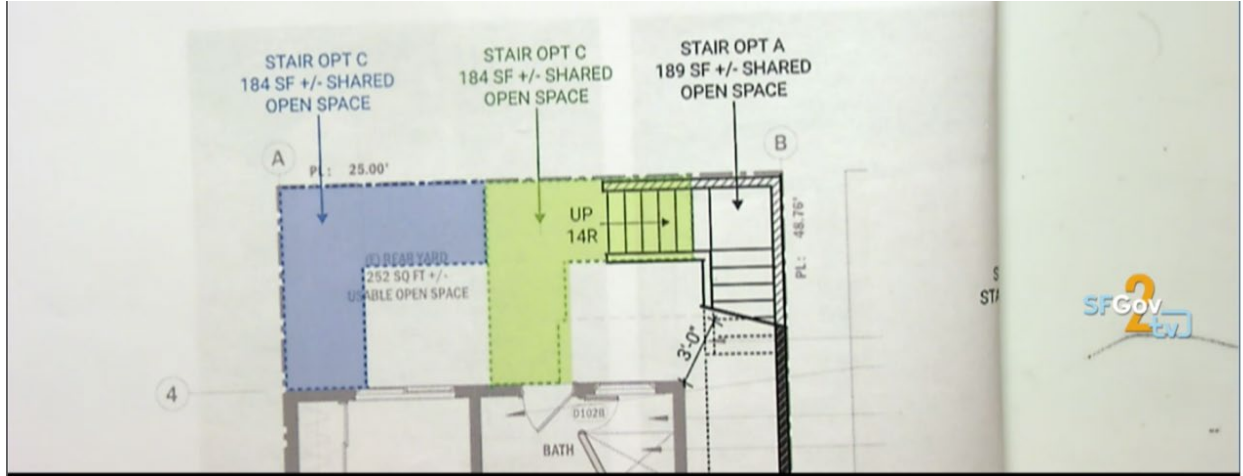


Exhibit D: Property Photos

Bedroom Wall that abuts stair to the roof deck



1332 Shotwell St.  
South Facing  
Windows

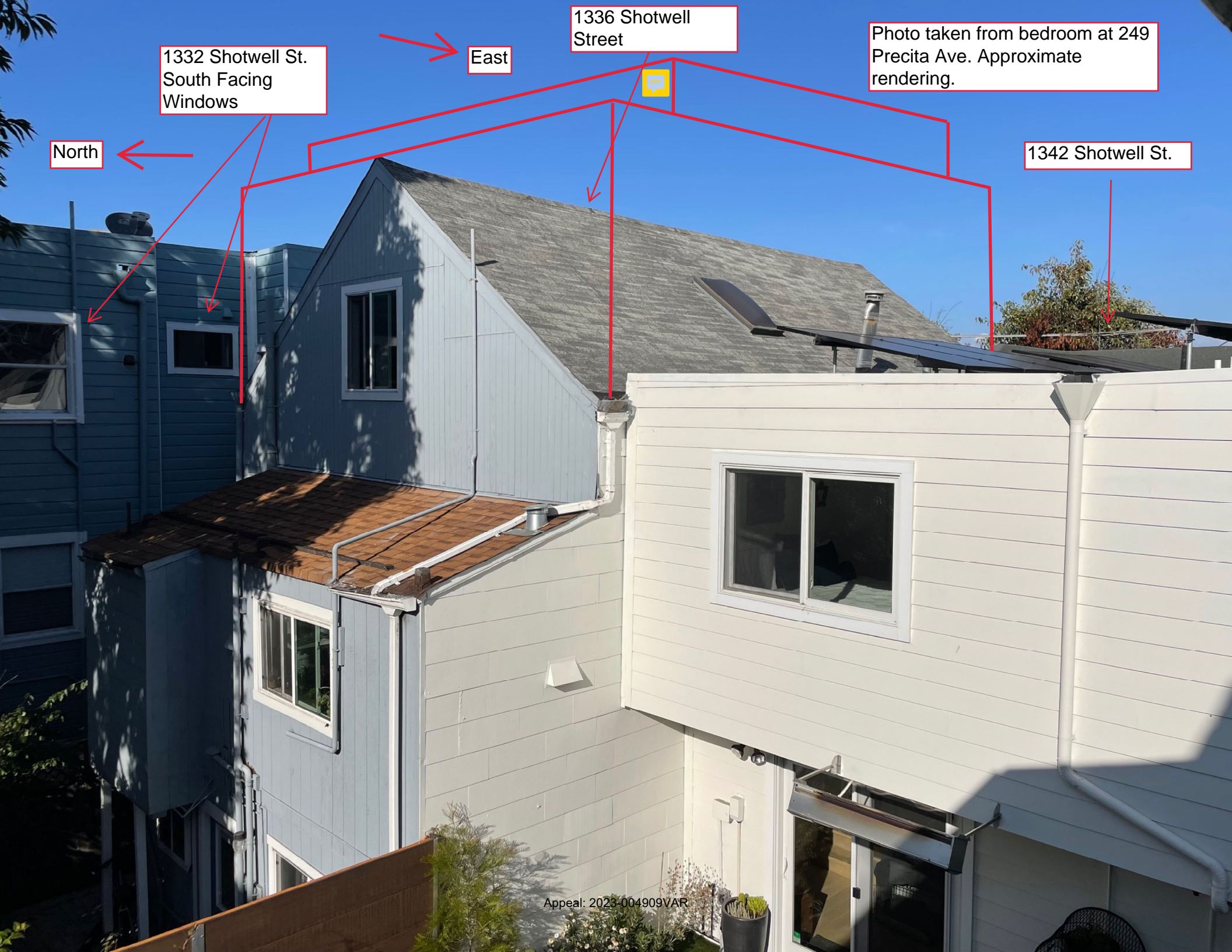
East

1336 Shotwell  
Street

Photo taken from bedroom at 249  
Precita Ave. Approximate  
rendering.

North

1342 Shotwell St.



# **BRIEF SUBMITTED BY THE DETERMINATION HOLDER**





Board of Appeals  
% Julie Rosenberg  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103  
(628) 652-1150  
[julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org)

Re: 1336 Shotwell Appeal

July 2nd, 2024

Dear Board of Appeals,

On behalf of Andy Greenwood and Jess Wen, we have prepared the following brief in opposition to the appeal made by Carlina Hansen on June 19th 2024. Our project team has endeavored to work in good faith with the Appellant to reach an amicable conclusion to the matter before you. The appeal before you represents yet another flagrant step the Appellant has taken to weaponize the available processes the city generously affords its citizens. We contend that the project as proposed, modified and and ultimately approved was subject to significant review and consideration by the Zoning Administrator, the Planning Commission, as well as the Project Sponsor to address the Appellant's concerns and ensure compliance with all applicable codes and regulations.

### **Project As Approved Is Code Complaint**

The project before you, as approved, consists of the renovation of an existing single family home and the addition of a small Accessory Dwelling Unit (ADU) in an RH-2 zone within the Bernal Heights Special Use District. The scope includes:

- Partial flattening of an existing gabled roof form only within in the buildable area (not in the rear yard, and not over any height limits);
- the creation of a 125 sf roof deck set back from the neighboring properties by 5' that is accessed by an open exterior stair located within the buildable envelope (not a penthouse);
- a facade renovation;
- and the creation of a State ADU on the ground floor within the existing envelope of the structure.

The project as approved fully complies with current codes and does not require any new Variances for code compliance. The proposed changes in massing are within the very strict limitations on parcels located in the Bernal Heights Special Use District. Additionally, the design of the occupiable roof deck aligns with the residential design guidelines. (Exhibit A)

### **Appellant's Factual Errors and Misstatements**

The Appellant's brief contains factual errors and misstatements that attempt to occlude a clear understanding of the matter. Specifically:

- 1) The Appellant speciously claims that the lower level of the property is an Unauthorized Dwelling Unit (UDU) and was upgraded without proper permits. This assertion is incorrect. The enhancements to the lower level were fully permitted under application number 200902132125, and the space has been rented out as a shared room within the house, not as an independent living unit as suggested by the Appellant.

- 2) The Appellant merges various design issues, including unit count, and the need for and access to open space, to argue that the approved roof deck solves a problem created by the property owner. Currently, the property fails to meet the open space requirements outlined in SFPC 135. With the approval of the lower level ADU, accessed in any manner, the existing rear yard becomes shared space and it does not fulfill the minimum requirements for common open space (dimensions (15 feet) and total area (300 square feet)). However, The approved roof deck allows the project to meet the Planning Code's open space standards within the permissible envelope.
- 3) The Appellant contends that the property at 1336 Shotwell was established through the 1991 Variance (see discussion of Variance below). However, the reality is that the home at 1336 Shotwell predated the 1991 Variance, which actually enabled the division of the southern yard from the existing structure, leading to the development of the Appellant's adjacent single-family home. Although the 1991 Variance applies to both properties, it is critical to note that it was the construction of the Appellant's residence that necessitated the enactment of future safeguards to protect the light, air, and privacy rights of the neighboring parcels.
- 4) The Appellant claims that the project will significantly affect the light, air, and privacy of neighboring properties. We have communicated the project's location, size, and nature to adjacent neighbors and have made numerous revisions to address diverse viewpoints. Our analysis of shadow impacts concludes that the project will have minimal effect on the Appellant's property in terms of light, air, and privacy. The Appellant's property is located directly south of the subject property, ensuring that no new shadows will be cast by the project (Exhibit B).
- 5) The Appellant has submitted a letter dated November 6th, 2023, from attorneys Brian J. O'Neill and Ryan J. Patterson, expressing objections to the project. This letter references the project's initial submission rather than its approved version. Consequently, the letter's assertions and exhibits inaccurately represent the project currently under appeal. We strongly recommend dismissing this outdated and misleading letter outright.

### **1991 Variance Summary: Two layer application**

A 1991 Variance, Case No. 90.569V, allowed Variances from the minimum lot area, front setback, off-street parking, rear yard, and usable open space requirements to facilitate the division of a lot and the construction of the neighbor's single-family home. This Variance affects both properties and grants the Zoning Administrator two standards for evaluating future projects. The initial standard is outlined as follows:

*"the Zoning Administrator, after finding that such expansion complies with applicable codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required."*

During the initial phase of our project approval process, the Zoning Administrator examined the preliminary plans and concluded that a new Variance is necessary for the project's approval, in accordance with the remainder of the language specified:

*"the house shall remain a single-family dwelling. No further vertical or horizontal expansion shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner has sought and justified a new Variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code."*

### **2024 Variance Summary**

Contrary to the assertions made by the Appellant, the conditions set forth in the 1991 Variance do not preclude expansion; they simply mandate the granting of a new Variance by the Zoning Administrator. Since 1991, planning priorities have evolved significantly, especially in response to the housing crisis. But for the requirements of the underlying 1991 variance, the project as approved would not require any further variances and is code compliant. Literally enforced, the 1991 Variance would limit the development opportunities afforded to other properties in the surrounding neighborhood and would leave the property below the desired density.

The 1991 Variance necessitated a request for this Variance to ensure the Project Sponsor could continue to utilize and enjoy their property like others in this District. This updated variance allows for access to compliant and usable open space, overcoming the challenges posed by limited lot depth. It also facilitates more conventional ground-level access to the backyard for the ADU.

The project as approved will be materially positive to the public welfare as it will add to the city's total number of housing while the change in roof volume will have a de minimis impact on neighboring light and air and privacy (Exhibit A).

Our project aligns with the overarching goals and objectives of the General Plan and Planning Code through the addition of housing. According to the Residential Design Guidelines, the purpose of the rear yard setback requirement is to maintain and enhance the uniformity of block and lot patterns, and our project adheres to this standard.

#### **Procedure: Project Sponsor Met Exhaustively with Appellant**

After several meetings with the Appellant and diligently exploring both their suggestions and ours in hopes of addressing their concerns, it became clear that reaching an agreement was not possible due to the Appellant's resistance to any proposed design modifications.

In the spirit of neighborly collaboration, we met with the Appellant three times before filing our application with the city (June 21, 2022, August 1, 2022, and January 7, 2023). The Appellant expressed concerns about light, privacy, smells, and noise but didn't propose any solutions to address their concerns. In the hopes we could proactively propose an acceptable solution, we revised our proposal by relocating the deck away from the mid-block open space and reducing the size from 350sf to 250sf (500 sf is allowed) to address noise and privacy, and changed the required safety railings to a solid material for additional privacy.

When we filed our application with the city, the Appellant, now represented by their architect and attorney, expressed concerns about the proximity of our proposed deck to their house. In an effort to accommodate these concerns, we submitted a revised plan on August 31, 2023, relocating the deck 5 feet away from the property line and further reducing its size from 250sf to 200sf (Exhibit C).

Our next meeting with the Appellant on December 19, 2023 they continued to express concerns about potential noise and privacy issues stemming from the proposed roof deck, yet they offered no feedback on how to mitigate these issues. Despite our repeated efforts to solicit constructive suggestions, they reiterated their general apprehensions without proposing any solutions that didn't remove the roof deck entirely.

During our next meeting on February 21, 2024, we proposed a compromise that would maintain 8 feet 2 inches of the existing peaked roof at the rear, aiming to address some of their concerns. Unfortunately, the Appellant dismissed this solution, making it clear that their primary objective was to prevent the construction of any roof deck.

After Planning staff approved the project and issued the Section 311 notification, the Appellant filed a Discretionary Review. At the Planning Commission hearing, the Commission further modified the project to reduce the size of the roofdeck to 125sf, adjust its placement and minimize the extent of the area of the rear roof changes as we previously offered to Appellant (Exhibit C). After the Commission discussed the project, the Zoning Administrator expressed his continued support for the Variance. The project before you has been

reviewed, modified, and approved unanimously by the Planning Department Staff Architect, Zoning Administrator, and Planning Commission.

Just recently on May 27th 2024, the Appellant objected to the position of the stairs to the roof deck because of possible noise. We offered to provide both ambient and impact soundproofing to the stairs and stairwell construction to address their concerns. The Appellant countered by requesting a litany of additional conditions and concessions in the form of a recorded settlement agreement and have threatened to appeal subsequent building permits and file lawsuits if an agreement isn't made. Some of the demands include:

- open-ended and ambiguous provisions that would allow the appellant to legally challenge the project drawings even if approved by DBI;
- perpetual restriction for all future owners or tenants from ever having a BBQ, smoking, or playing amplified music at any time on the roof deck;
- a \$250 fine for any violations as determined by the Appellant for the above;
- perpetual restriction of any future expansion of the deck, roof, or parapets.

We continue to negotiate with the appellant in good faith, even though their demands only increase each time we meet with them.

### **Conclusion**

The Appellant has exercised and intends to exhaust all possible channels to block this project. Despite the small scale of our project (made even smaller as it has been progressively scoped down to address the Appellant's concerns), we have been unable to find resolution with the Appellant after more than two years of earnest effort. We submit that the Appellant's abuse of the planning process is not behavior the city should reward.

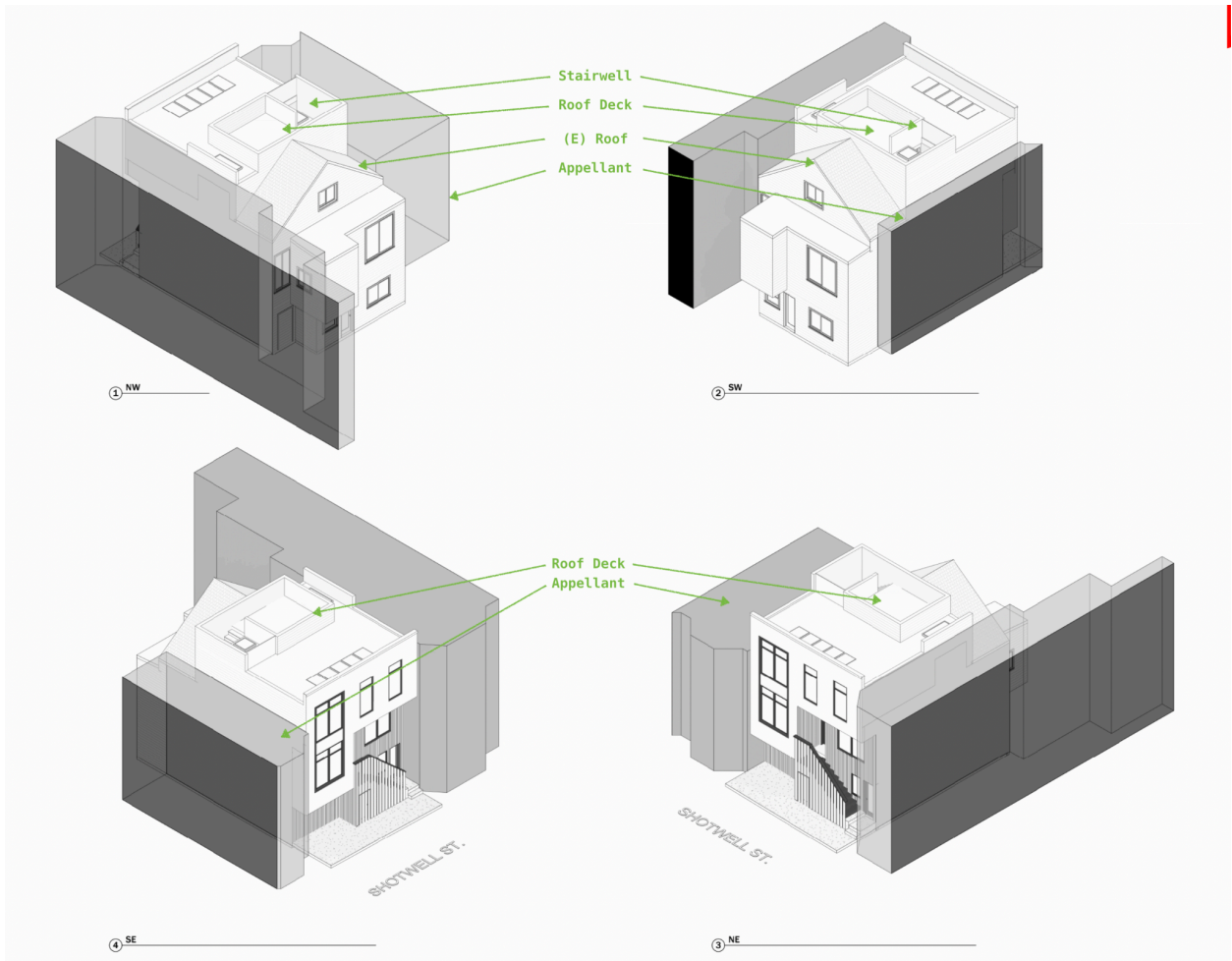
Our project will add a new unit of housing to the city of San Francisco, will create a modest amount of much needed outdoor open space for our unusually small lot, and fully complies with current codes. While our team has made every effort to collaborate in good faith with the Appellant, we hope that you will be able to indicate a way forward to a peaceful resolution. Thank you for your consideration and judgment in this matter.

Sincerely, •

A handwritten signature in black ink, appearing to read "Mason Kirby". The signature is stylized with a large, sweeping initial "M" and a long, horizontal tail that loops back under the name.

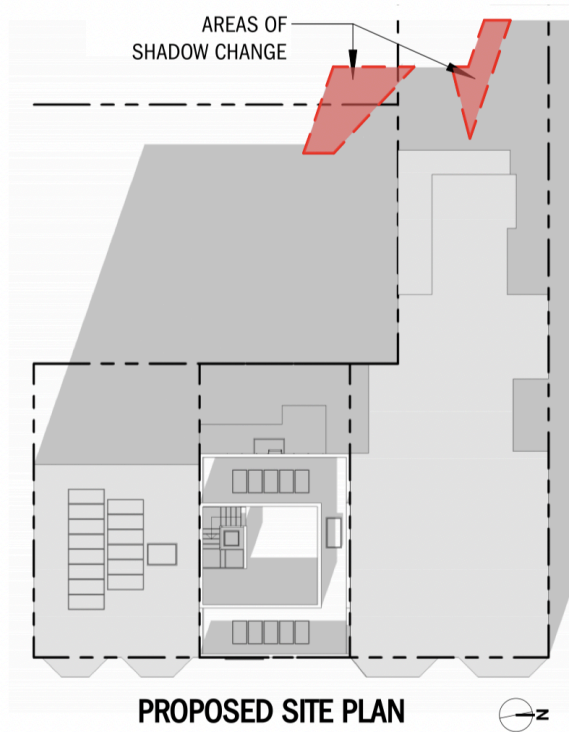
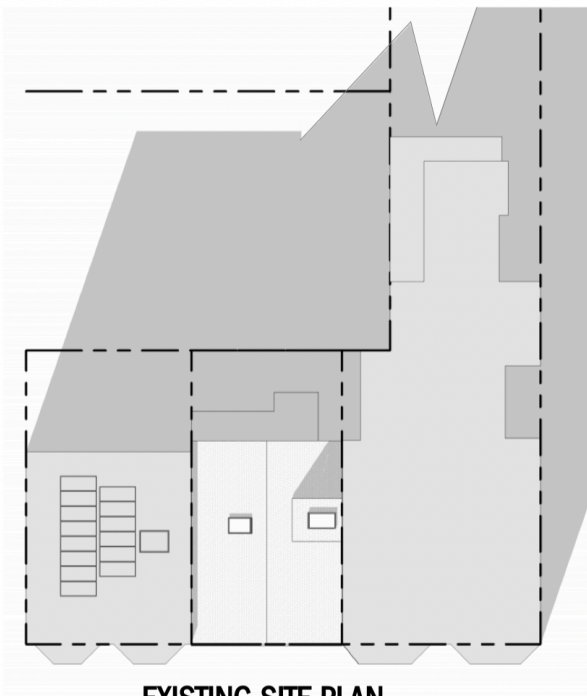
Mason Kirby

Architect Mason Kirby Inc

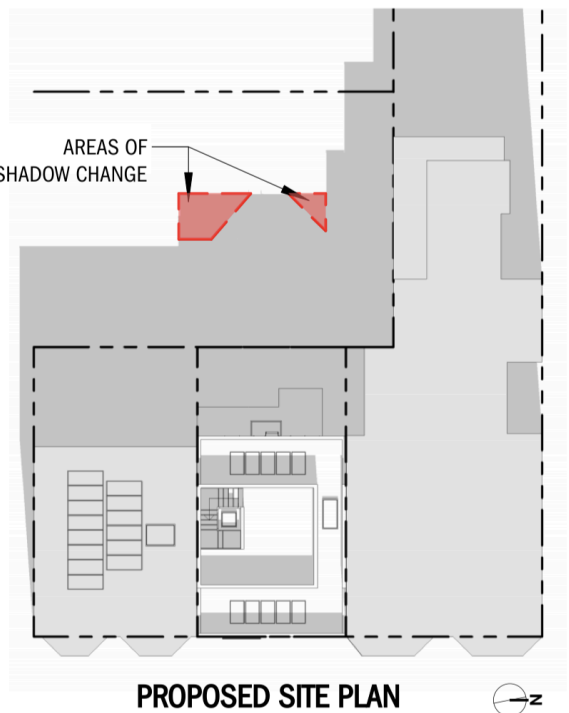
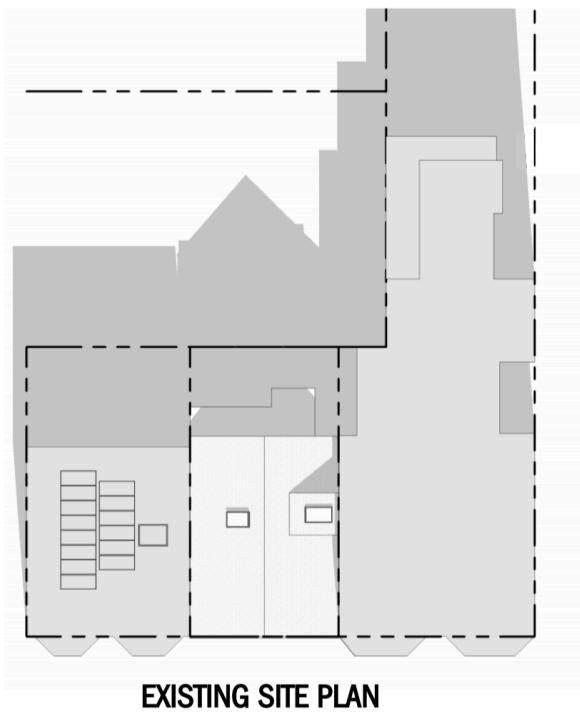


**Exhibit A: As Approved Diagram**

**FALL SOLSTICE - 8:00 AM**



**SUMMER SOLSTICE - 8:00 AM**



# 1336 Shotwell - Concessions Made For Neighbors

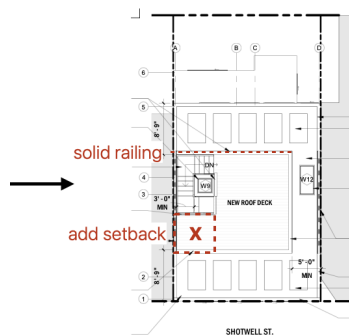
**8/2022**

Deck moved away from rear for neighbor's privacy and light.  
 Shrank deck from 350sf to 250sf



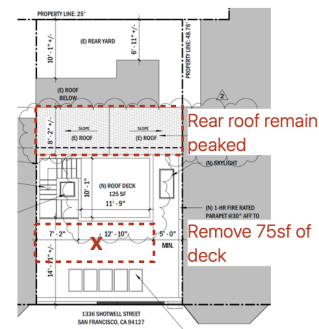
**5/2023**

Added solid railing for neighbor's privacy.  
 Added 5ft setback and shrank deck from 250sf to 200sf



**3/2024**

Rear 8ft of peaked roof to remain.  
 Shrank deck from 200sf to 125sf.



6/26/2024

## Exhibit C: Concessions for Neighbors

**BRIEF(S) SUBMITTED BY RESPONDENT DEPARTMENT(S)**





# BOARD OF APPEALS BRIEF

**HEARING DATE: July 10, 2024**

July 3, 2024

**Appeal No.:** 24-035  
**Project Address:** 1336 Shotwell Street  
**Subject:** Variance Case No. 2023-004909VAR  
**Zoning/Height:** RH-2 / 40-X (Bernal Heights SUD)  
**Staff Contact:** Corey Teague, Zoning Administrator – (628) 652-7328  
[corey.teague@sfgov.org](mailto:corey.teague@sfgov.org)

The primary purpose of this brief is to provide the Board with relevant exhibits. However, it's important to note that the subject variance was required for the project pursuant to conditions of approval of the original variance issued on April 15, 1991, and the approved scope of work is fully compliant with the Planning Code. Additionally, the Planning Commission reviewed the project through Discretionary Case No. 2023-004909DRP. Both the Planning Commission and the Zoning Administrator provided comments and guidance to the project sponsor regarding necessary revisions to ensure the project was consistent with the Residential Design Guidelines and the 5 required findings for the variance. The project sponsor revised the project in response to that guidance, and those approved plans are provided as Exhibit A to this brief.

The Department respectfully requests the Board to deny the appeal on the basis that the variance was properly granted, and the Zoning Administrator did not err or abuse their discretion in granting the variance.

Board of Appeals Brief  
Appeal No. 24-035  
1336 Shotwell Street  
Hearing Date: July 10, 2024

cc: Carlina Hansen (Appellant)  
Mason Kirby (Agent for Permit Holder)  
Keven Buckingham (Department of Building Inspection)

Enclosures: Exhibit A – Approved Variance Plans for Case No. 2023-004909VAR  
Exhibit B – Planning Commission DR Action Memo 853 for Case No. 2023-004909DRP  
Exhibit C – Original Variance Decision Letter for Case No. 90.569V

Board of Appeals Brief  
Appeal No. 24-035  
1336 Shotwell Street  
Hearing Date: July 10, 2024

## EXHIBIT A

ABBREVIATIONS

Table with columns for Abbreviation, Description, and Unit/Code. Includes entries like A/C (AIR CONDITIONING), AC (AIR CURTAIN), AT (ACOUSTICAL CEILING TIE), etc.

NOTES

- 1. PLEASE TAKE NOTICE THAT THE DRAWINGS AS PREPARED BY ARCHITECT MASON KIRBY, INC. FOR THE PROJECT ARE LIMITED TO THE EXTENT AS REQUIRED FOR PLAN CHECK PURPOSES BY CITY AGENCIES HAVING JURISDICTION OVER THE PROJECT.
- 2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DESIGN-BUILD (DESIGN AND INSTALL) ALL SYSTEMS AND ELEMENTS AS REQUIRED FOR THE CONSTRUCTION OF THE PROJECT...

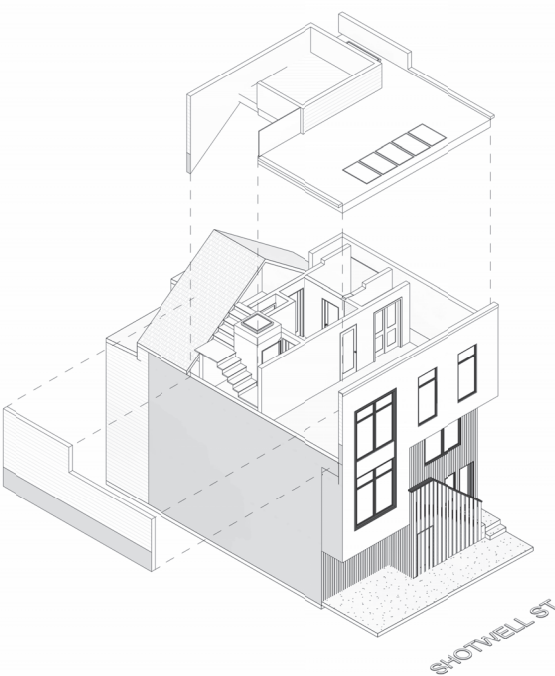
PROJECT INFORMATION

SITE INFORMATION: ADDRESS: 1336 SHOTWELL STREET, SAN FRANCISCO, CA 94110. BLOCK/LOT: 5501/074. LOT AREA: 1,227.06 SF. OCC. CLASS: R-3. TYPE OF CONSTR.: TYPE V-B. HISTORIC STATUS: 'C'. (E) DWELLING UNITS: 1. (N) DWELLING UNITS: 1 AND 1 ADU.

- APPLICABLE CODES: 1. THE 2022 SAN FRANCISCO BUILDING CODE CONSISTS OF THE 2022 CALIFORNIA BUILDING CODE WITH SAN FRANCISCO AMENDMENTS. 2. THE 2022 SAN FRANCISCO ELECTRICAL CODE CONSISTS OF THE 2022 CALIFORNIA ELECTRICAL CODE WITH SAN FRANCISCO AMENDMENTS.

- PROJECT DESCRIPTION: 1. CONVERSION OF 1ST FLOOR TO NEW STUDIO ACCESSORY DWELLING UNIT. 2. FRONT FACADE RENOVATION. 3. REMOVE PORTION OF (E) PEAKED ROOF FOR (N) FLAT ROOF AND ROOF DECK.

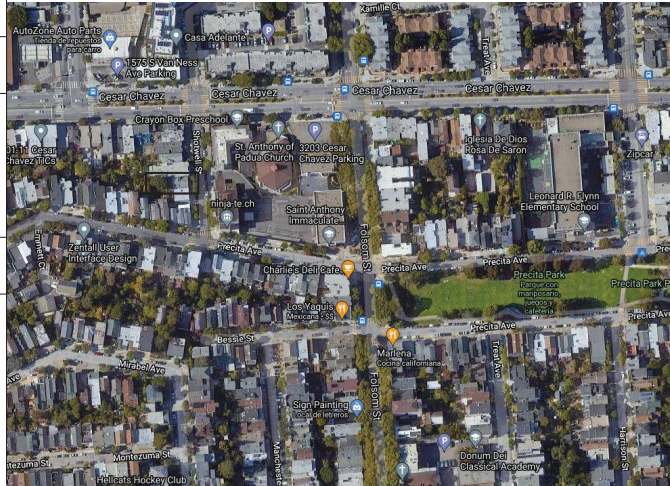
AXONOMETRIC VIEW



SHEET INDEX

Table mapping sheet numbers to descriptions: A0.0B PROJECT INFORMATION, A0.01 AXONOMETRIC VIEWS, A1.0B EXISTING AND PROPOSED SITE PLAN, etc.

VICINITY MAP



LEGEND

Legend symbols for detail callouts, wall sections, exterior elevations, interior elevations, and detail sections.

PROJECT DIRECTORY

Table with columns for OWNER and ARCHITECT. Owner: Andrew Greenwood, Architect: Architect Mason Kirby, Inc.

SQUARE FOOTAGE

Table comparing existing and proposed square footages for 1st, 2nd, and 3rd floors, plus garage and gross totals.



1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES  
DATE: 08/31/2023  
ISSUED FOR SITE PERMIT  
08/11/2024

NO. 1 2

A0.0B SCALE: As indicated  
PROJECT INFORMATION



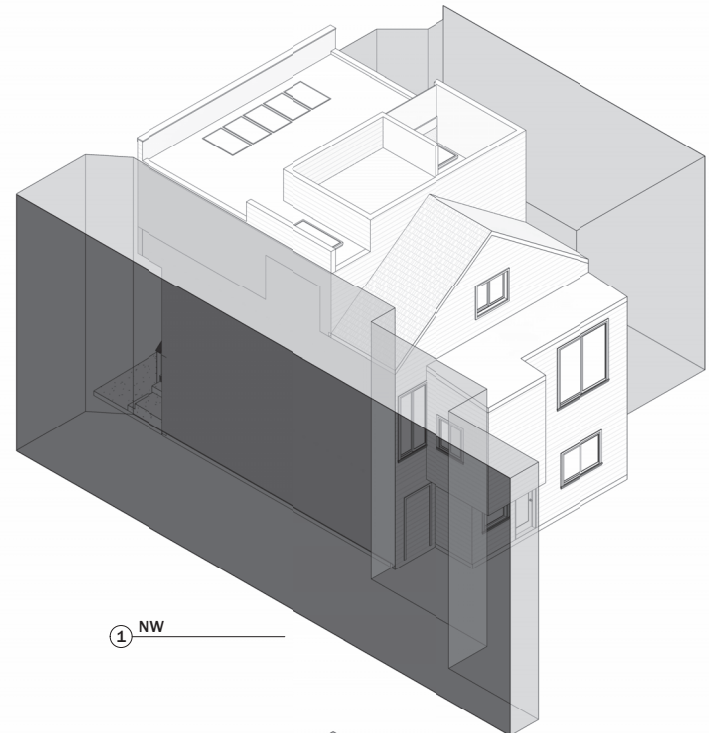
1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES

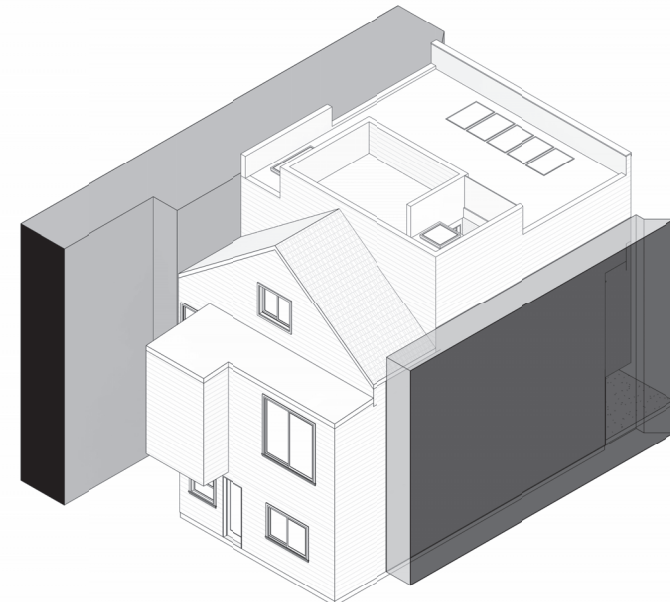
DATE

NO.

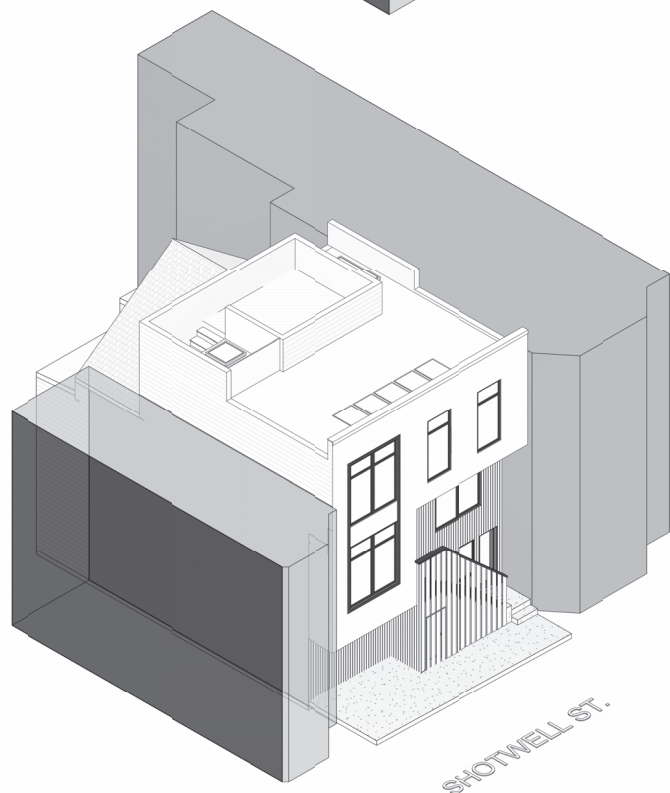
**A0.01**  
SCALE:  
AXONOMETRIC VIEWS



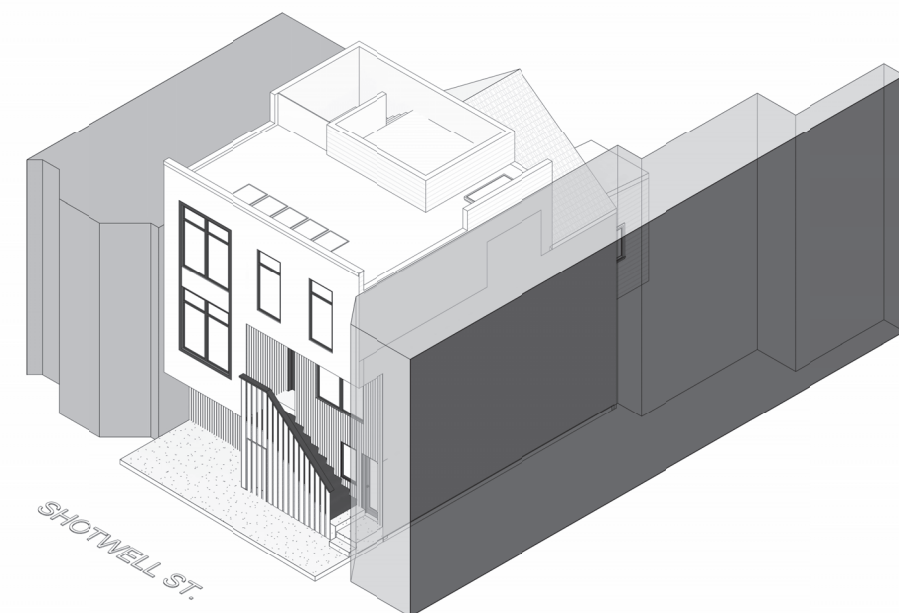
① NW



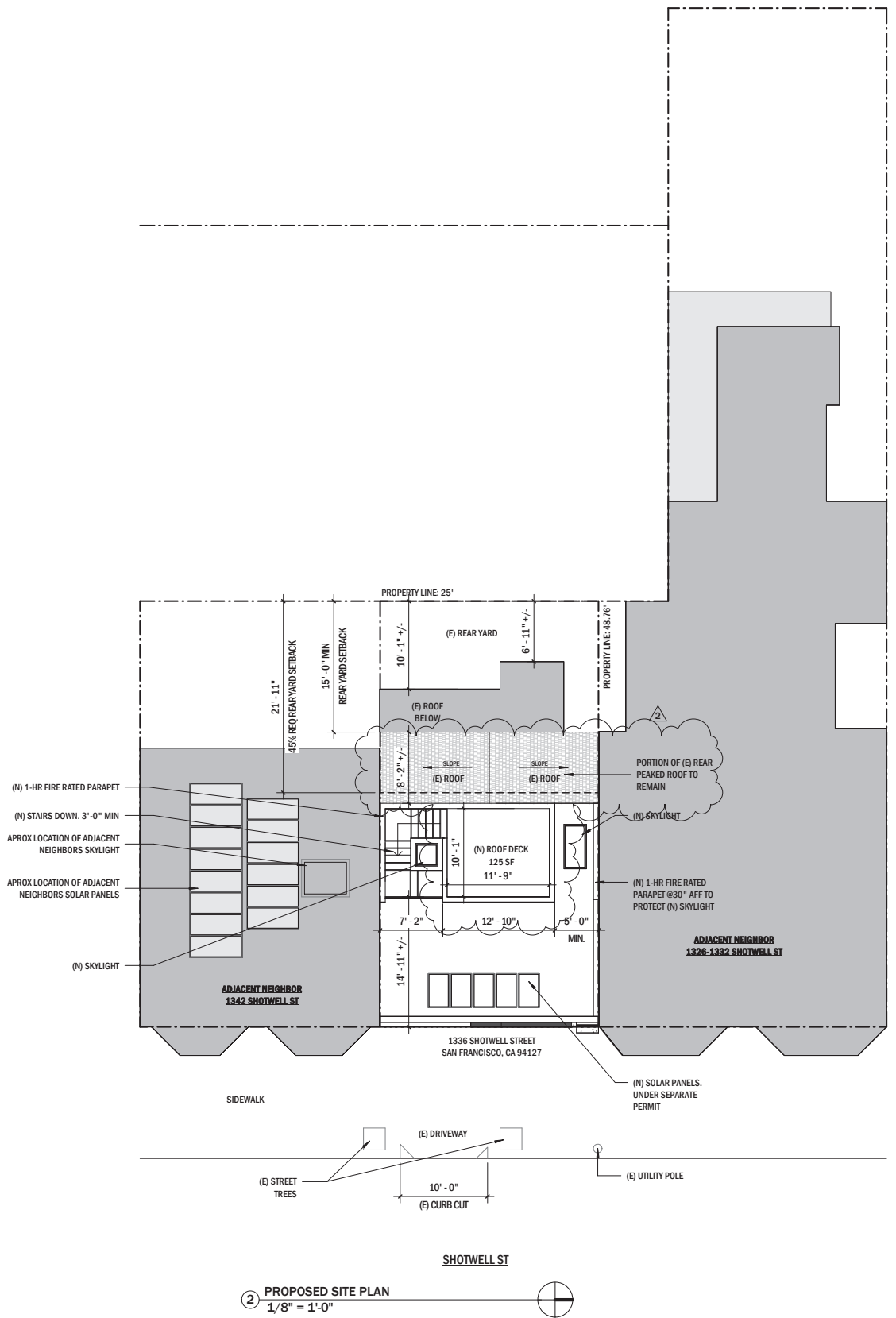
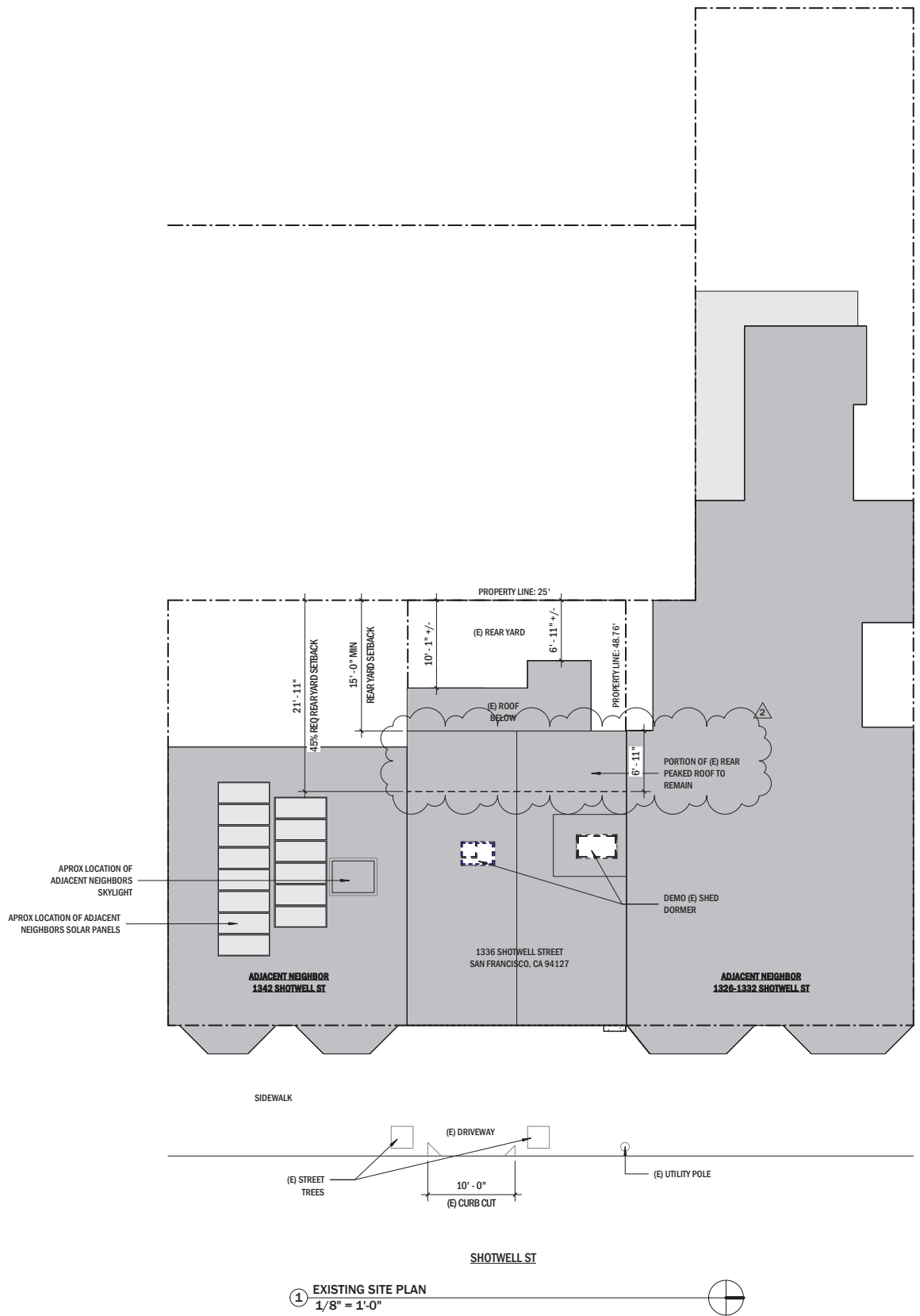
② SW



④ SE



③ NE



① EXISTING SITE PLAN  
1/8" = 1'-0"

② PROPOSED SITE PLAN  
1/8" = 1'-0"



1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES  
ISSUED FOR SITE PERMIT  
REV 1

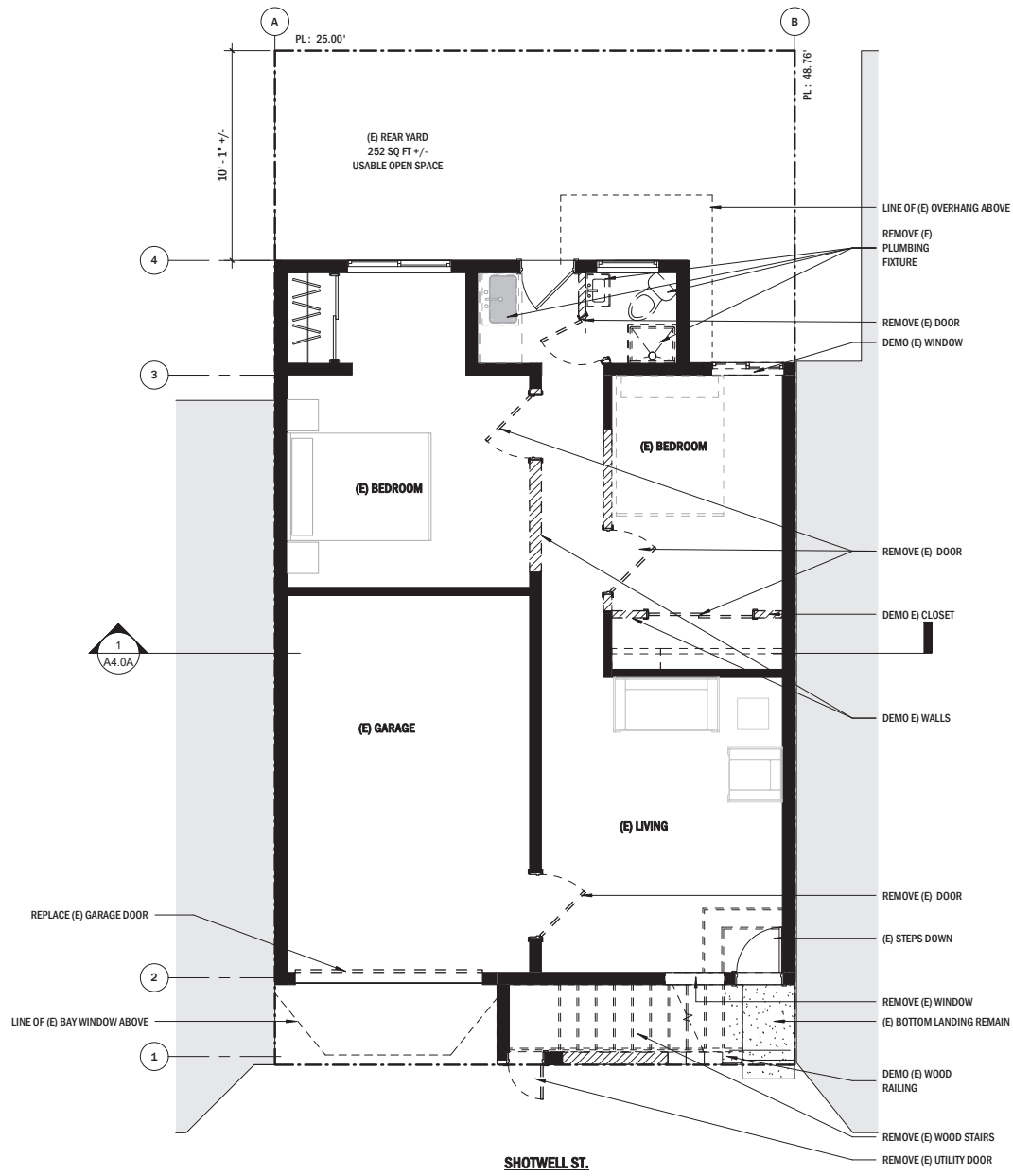
DATE  
08/31/2023  
09/11/2024

NO.  
1  
2

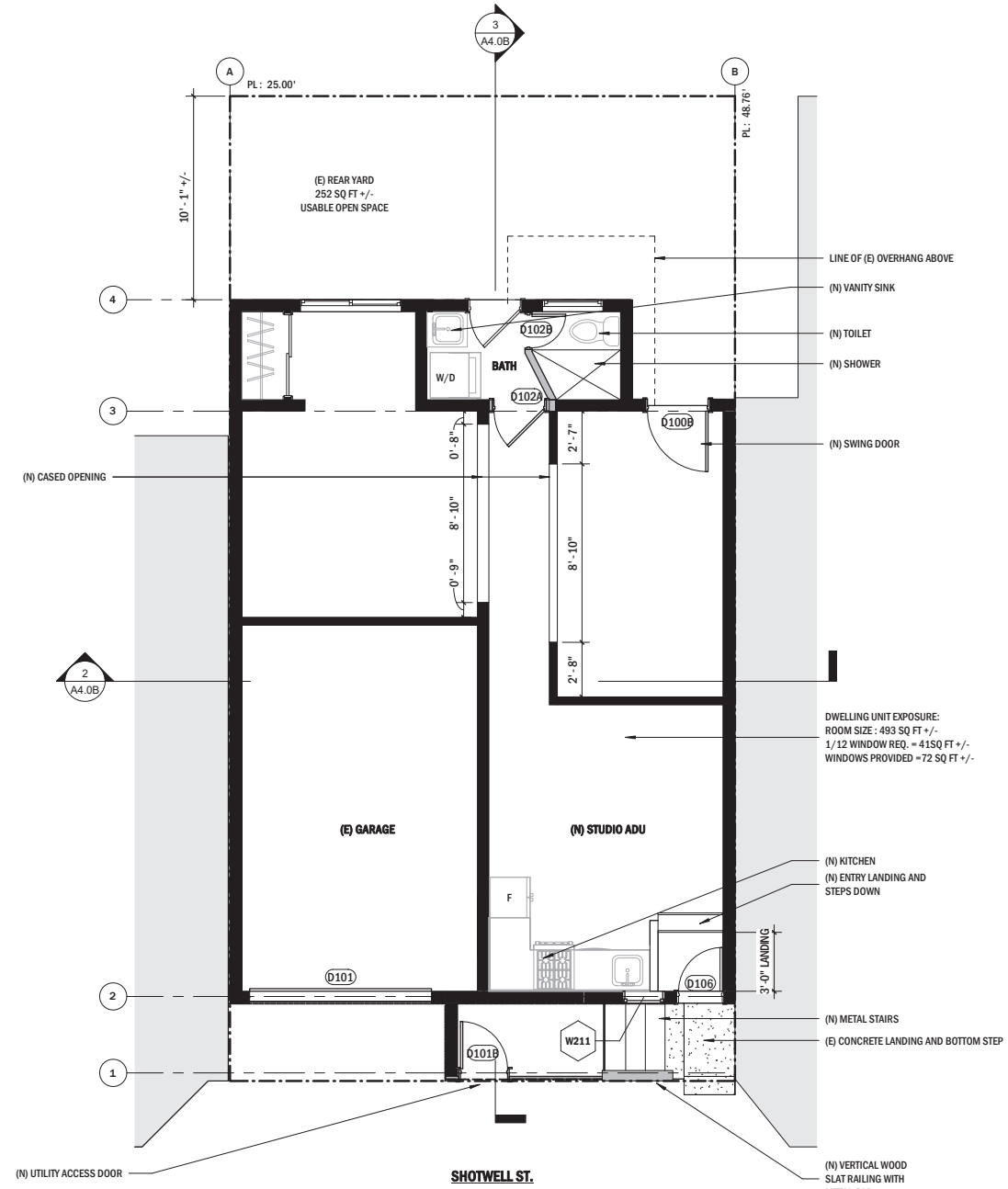
**A2.0B**  
SCALE: 1/4" = 1'-0"  
EXISTING AND PROPOSED FIRST  
FLOOR PLANS

**LEGEND:**

	EXISTING FULL HEIGHT PARTITION TO REMAIN
	ITEM TO BE REMOVED
	NEW PARTITION/INFILL
	NEW FIRE RATED PARTITION/INFILL



1 EXISTING 1ST FLOOR PLAN  
1/4" = 1'-0"



2 PROPOSED 1ST FLOOR PLAN  
1/4" = 1'-0"

SHOTWELL ST.

SHOTWELL ST.



1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES  
ISSUED FOR SITE PERMIT  
REV 1

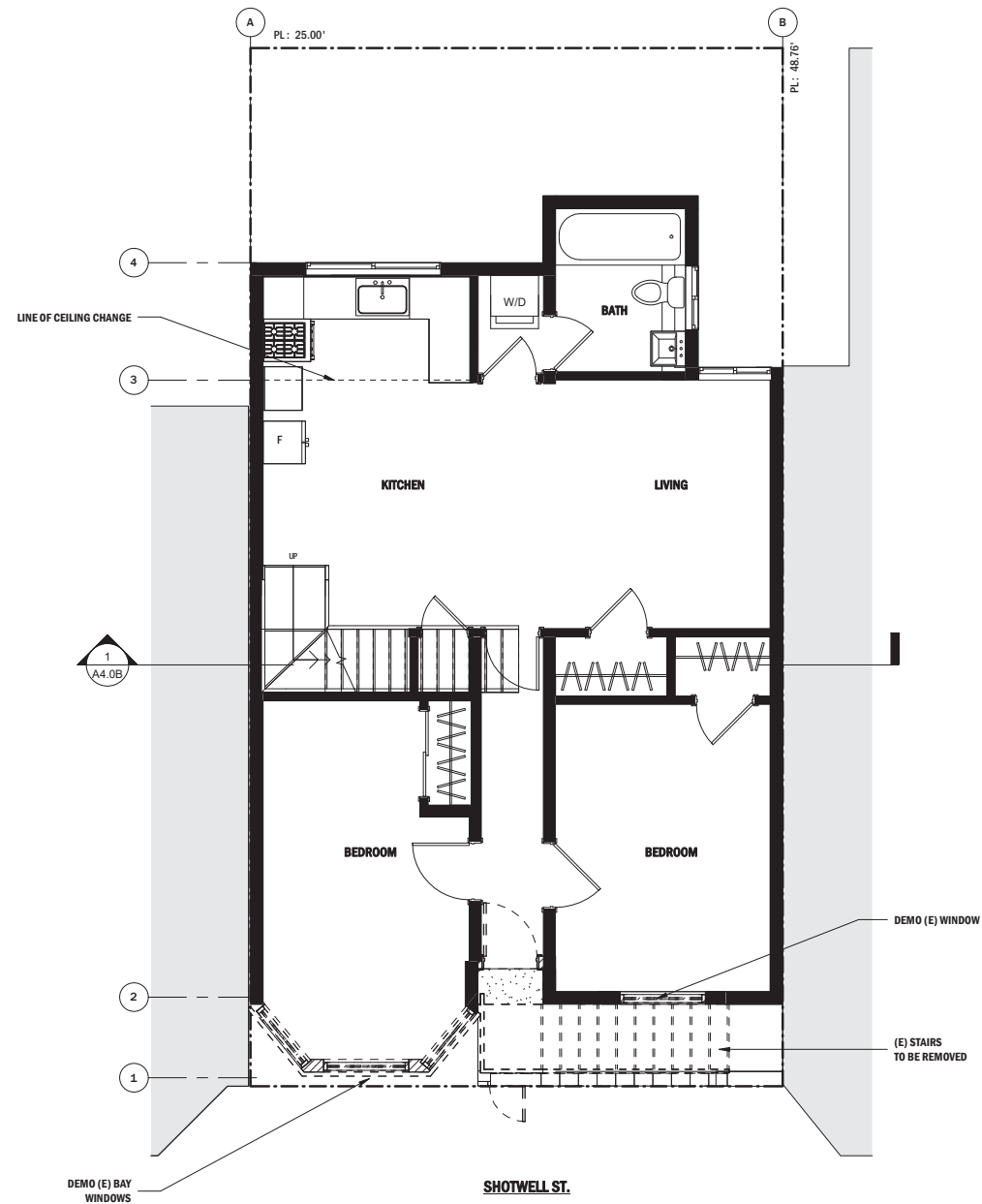
DATE  
08/31/2023  
03/11/2024

NO.  
1  
2

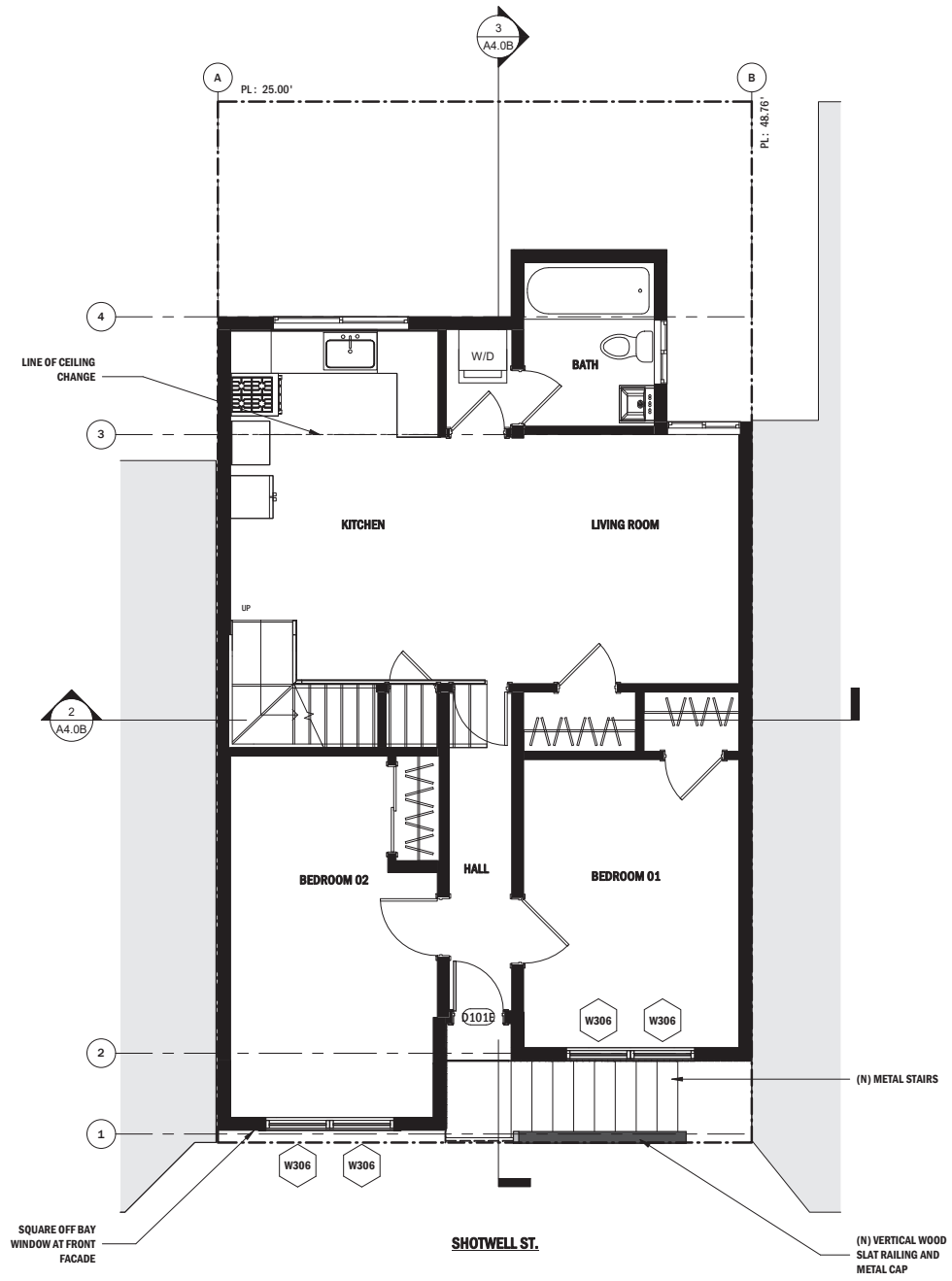
**A2.1B**  
SCALE: 1/4" = 1'-0"  
EXISTING AND PROPOSED  
SECOND FLOOR PLANS

**LEGEND:**

	EXISTING FULL HEIGHT PARTITION TO REMAIN
	ITEM TO BE REMOVED
	NEW PARTITION/INFILL
	NEW FIRE RATED PARTITION/INFILL



1 EXISTING 2ND FLOOR PLAN  
1/4" = 1'-0"



2 PROPOSED 2ND FLOOR PLAN  
1/4" = 1'-0"





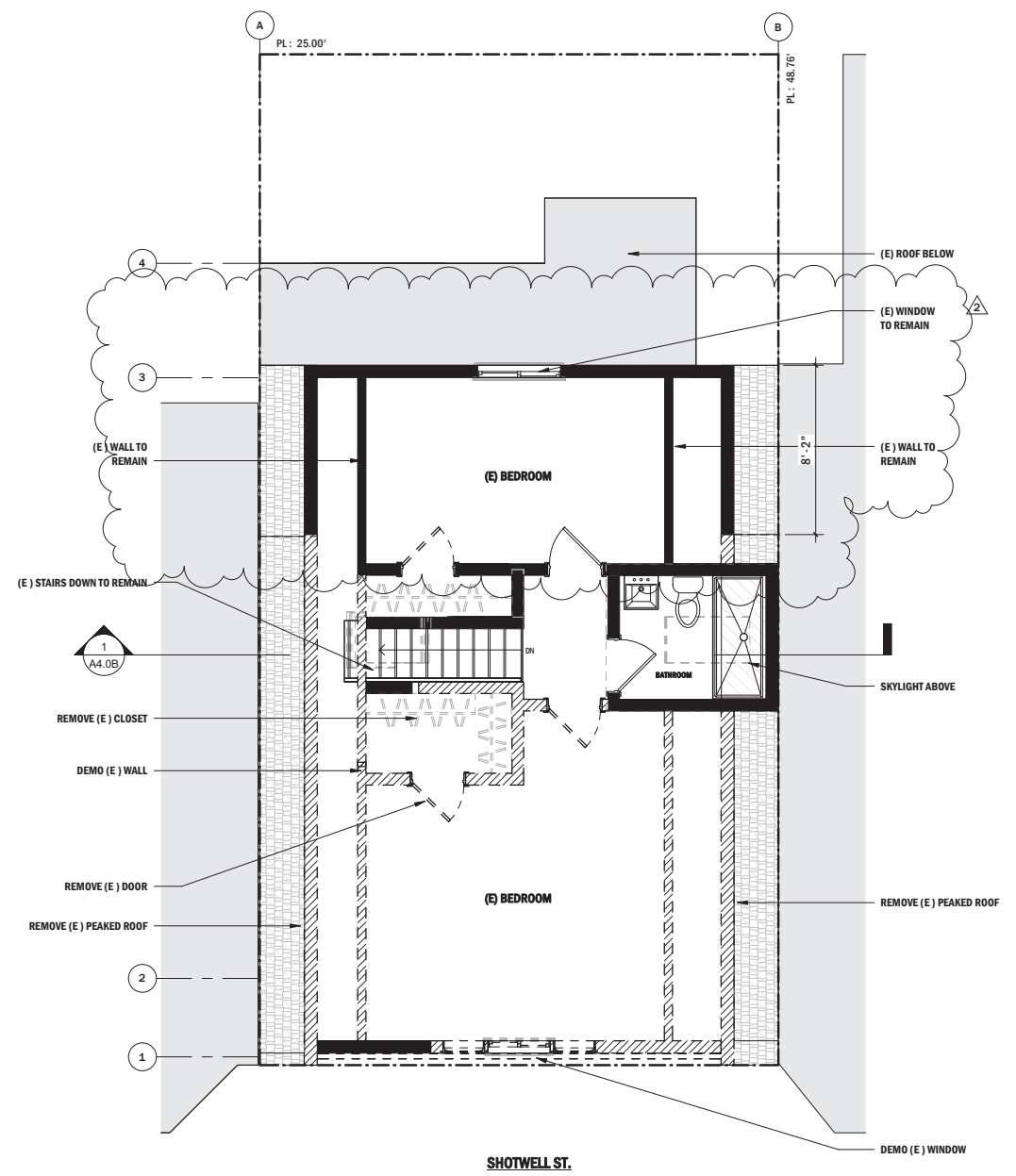
1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

NO.	DATE	ISSUE NOTES
1	08/31/2023	ISSUED FOR SITE PERMIT
2	09/11/2024	REV 1

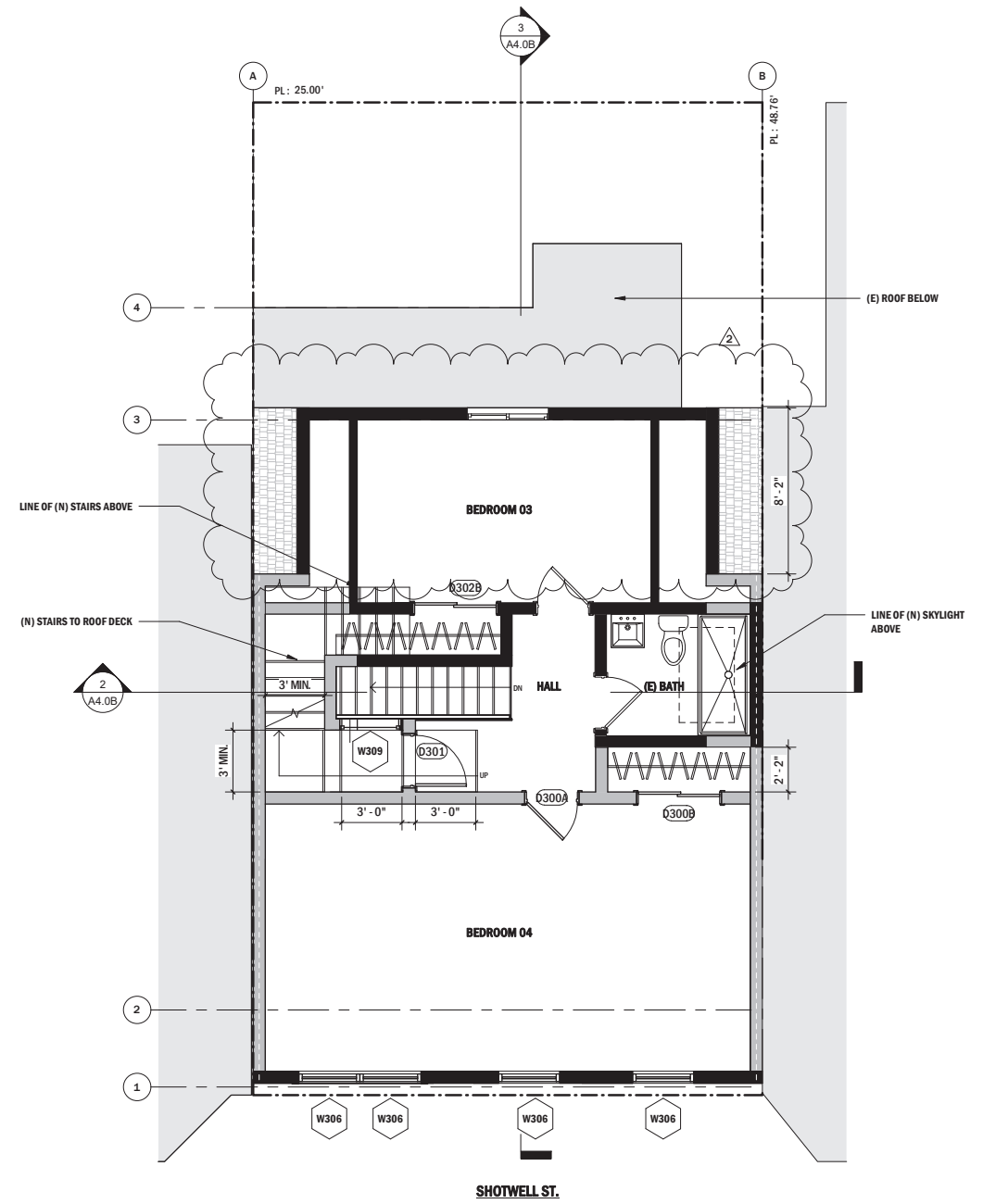
**A2.2B**  
SCALE: 1/4" = 1'-0"  
EXISTING AND PROPOSED THIRD  
FLOOR PLANS

**LEGEND:**

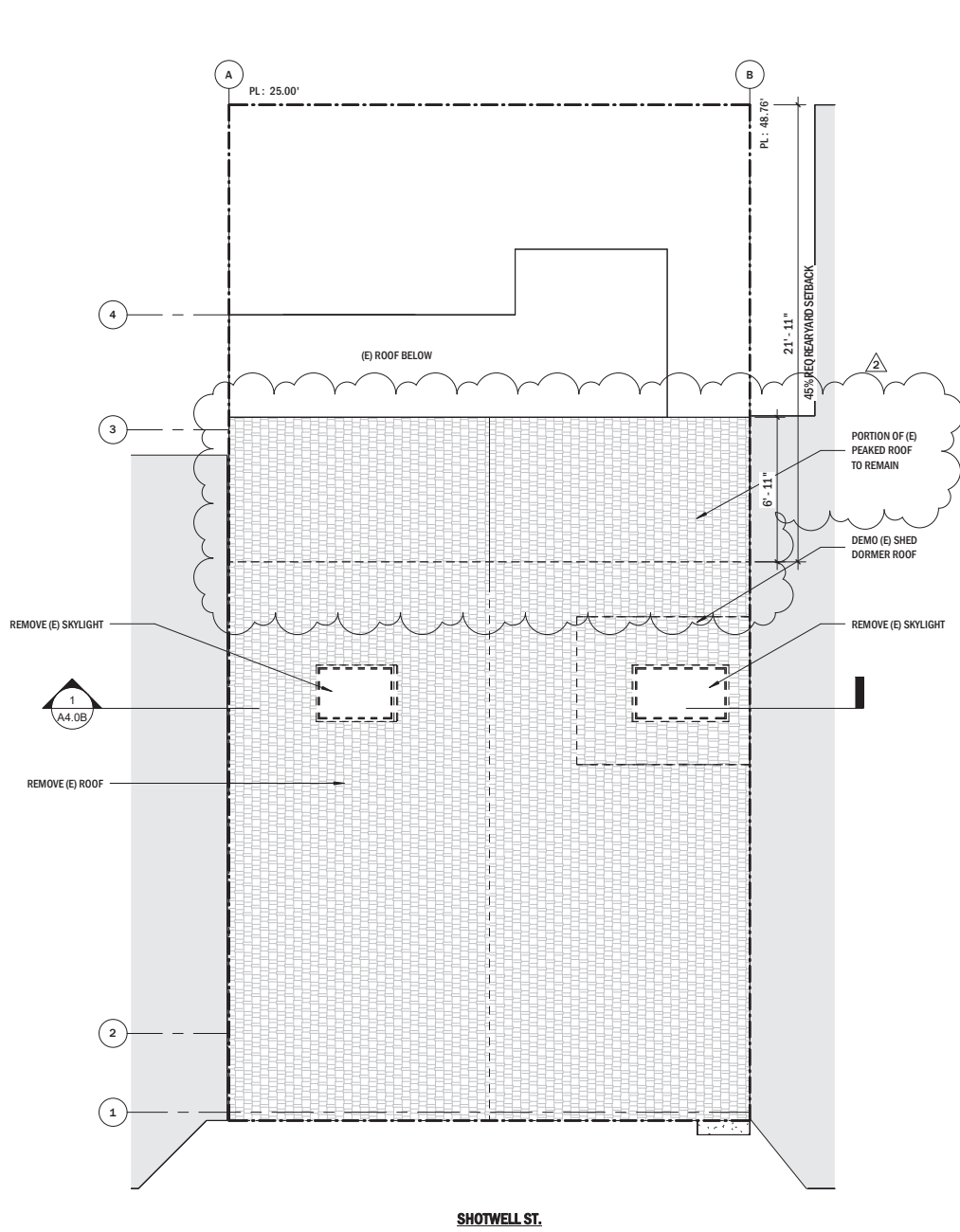
- EXISTING FULL HEIGHT PARTITION TO REMAIN
- ITEM TO BE REMOVED
- NEW PARTITION/INFILL
- NEW FIRE RATED PARTITION/INFILL



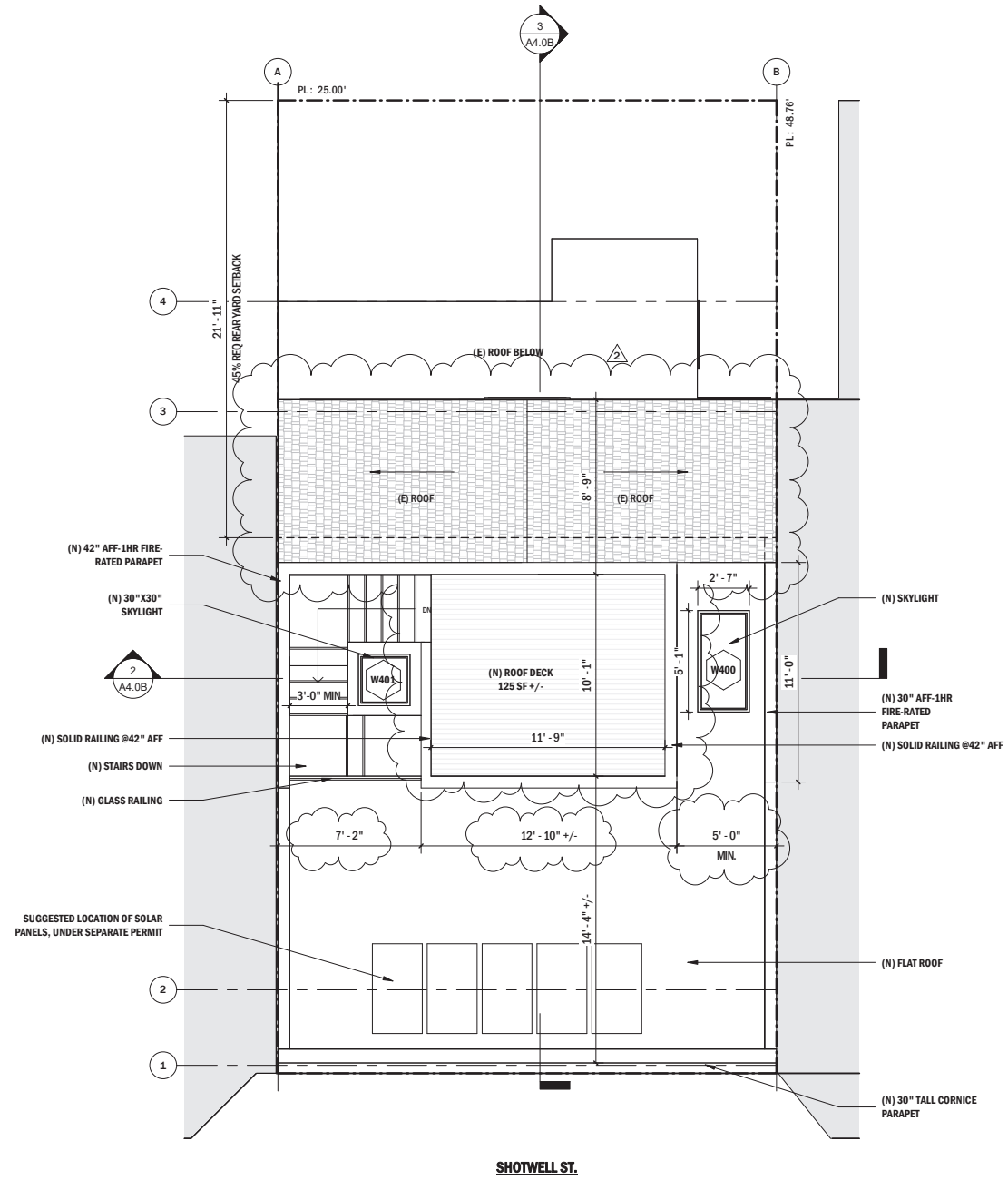
1 EXISTING 3RD FLOOR PLAN  
1/4" = 1'-0"



2 PROPOSED 3RD FLOOR PLAN  
1/4" = 1'-0"



1 EXISTING ROOF PLAN  
1/4" = 1'-0"



2 PROPOSED DECK (ROOF PLAN)  
1/4" = 1'-0"

**LEGEND:**

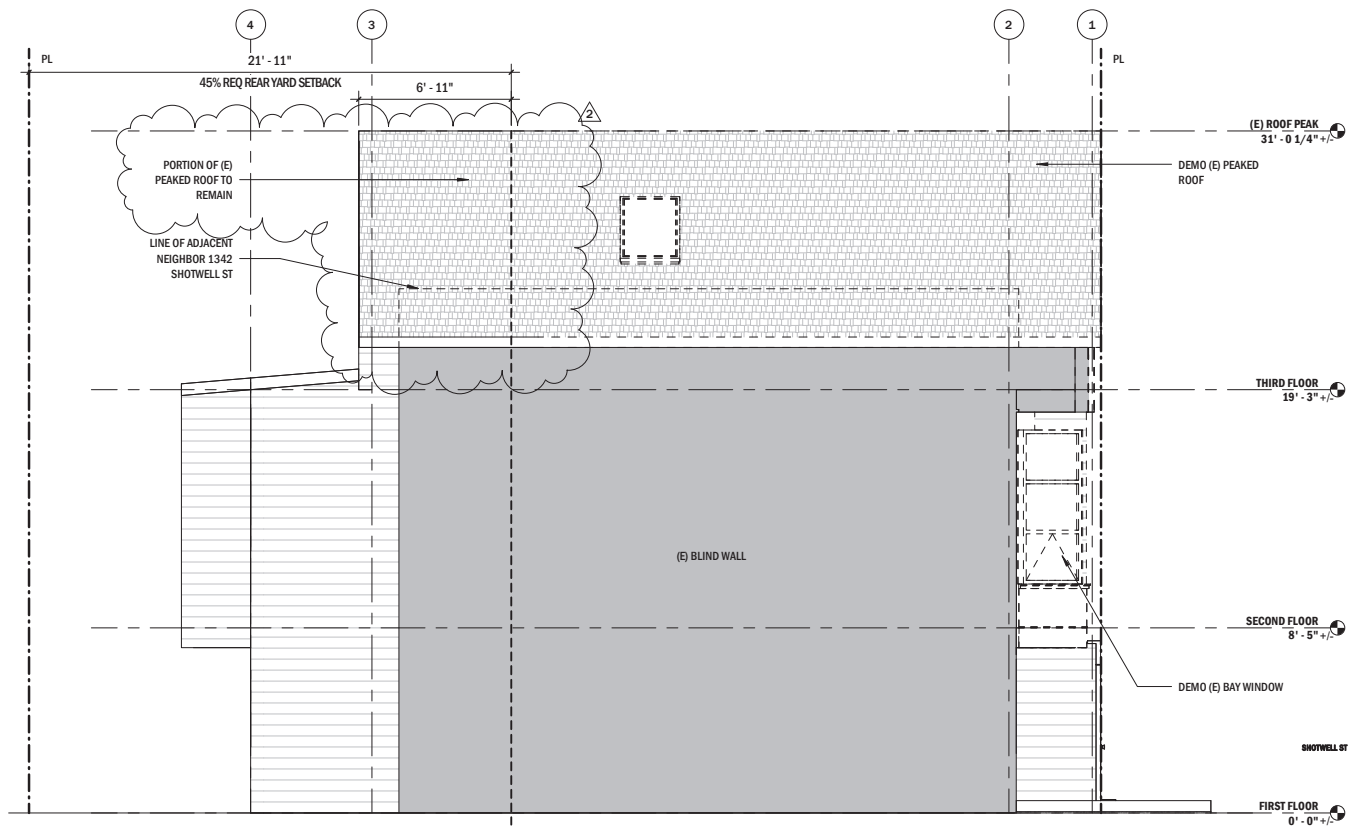
	EXISTING FULL HEIGHT PARTITION TO REMAIN
	ITEM TO BE REMOVED
	NEW PARTITION/INFILL
	NEW FIRE RATED PARTITION/INFILL



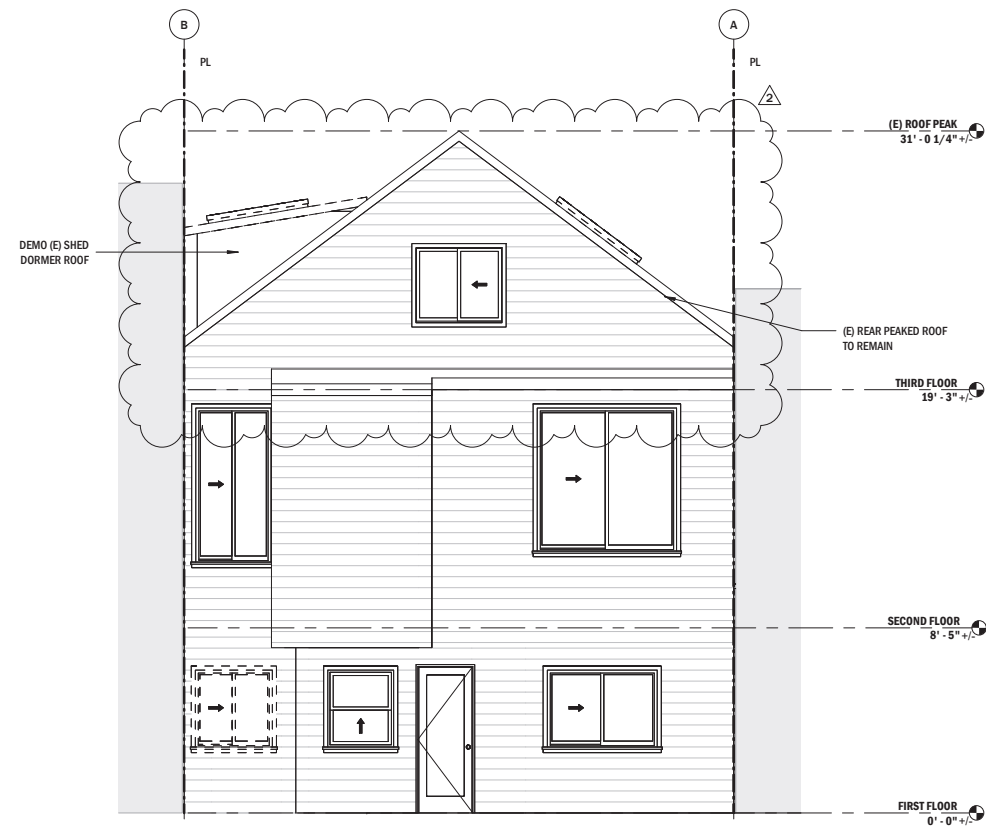
1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

NO.	DATE	ISSUE NOTES
1	08/31/2023	ISSUED FOR SITE PERMIT
2	09/11/2024	REV 1

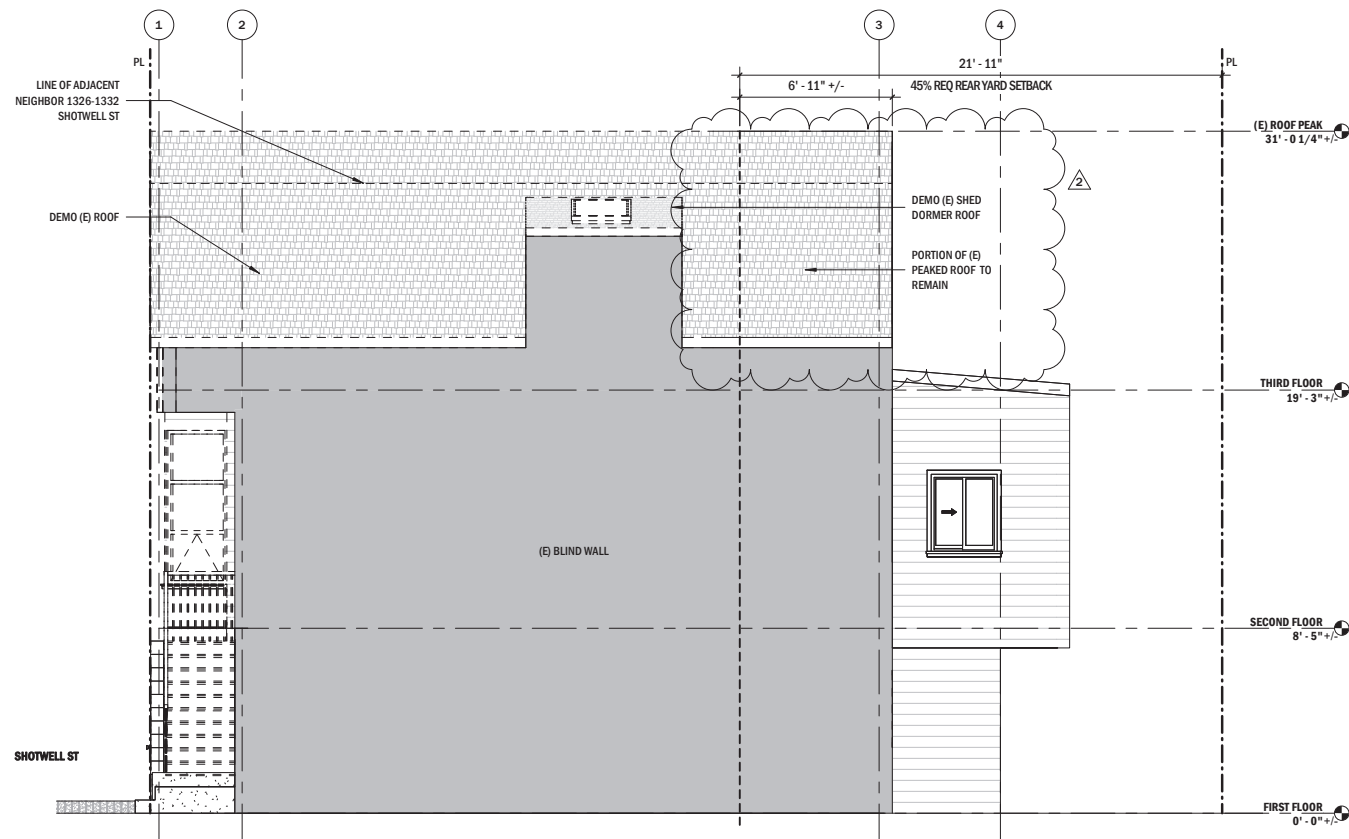
**A2.3B**  
SCALE: 1/4" = 1'-0"  
EXISTING AND PROPOSED ROOF PLANS



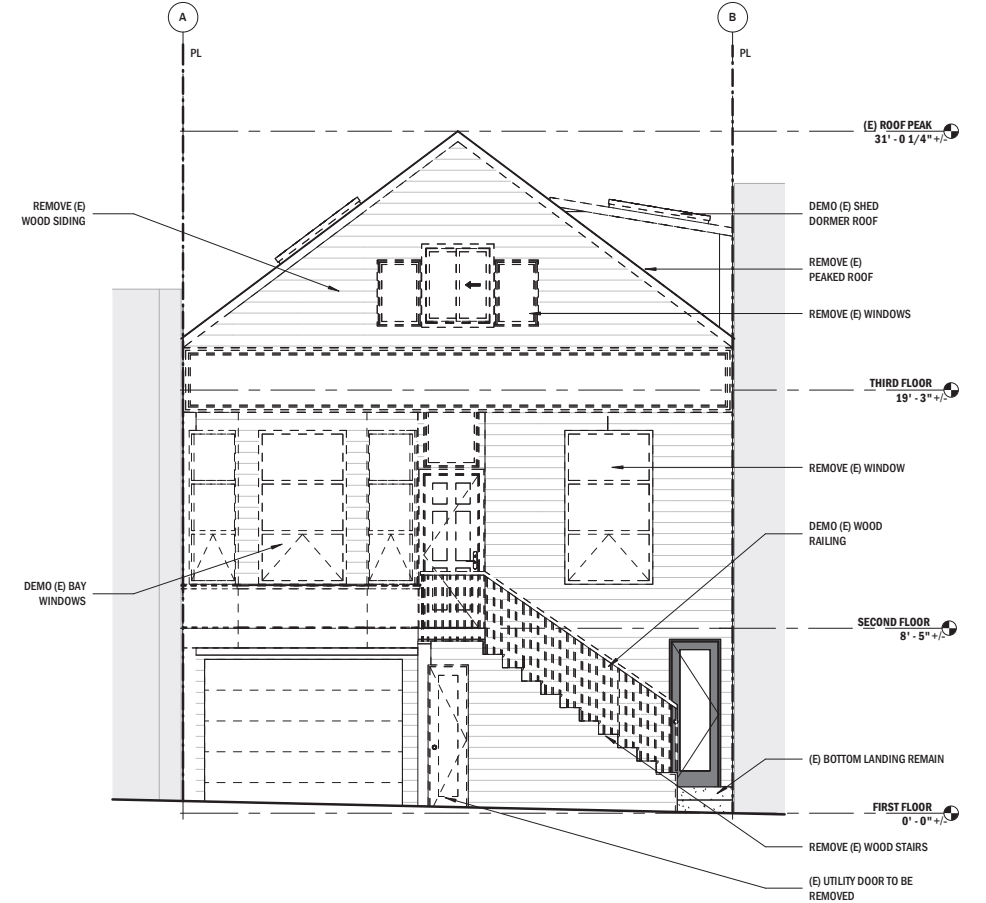
1 EXISTING SIDE (SOUTH) ELEVATION  
1/4" = 1'-0"



2 EXISTING REAR (WEST) ELEVATION  
1/4" = 1'-0"

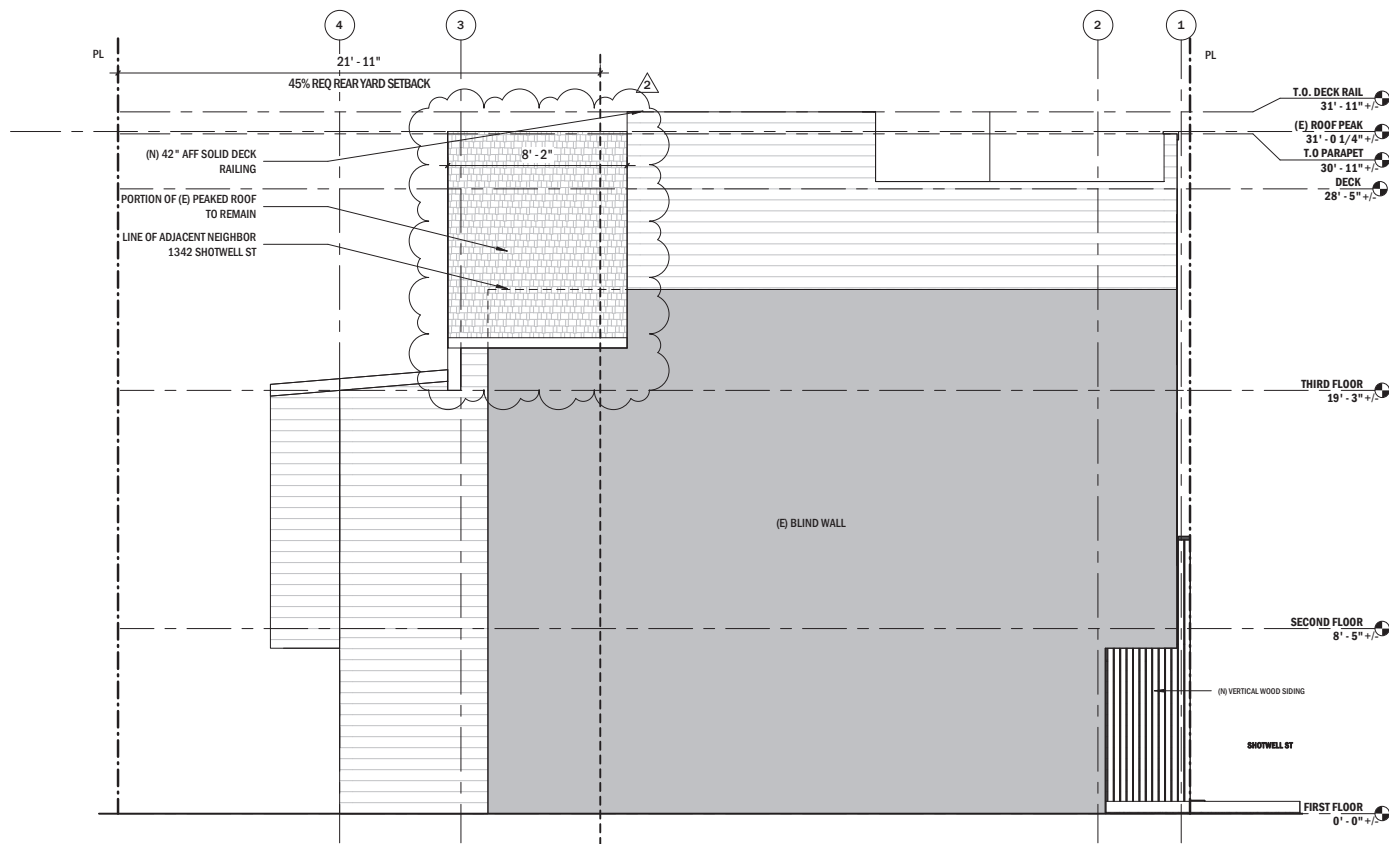


3 EXISTING SIDE (NORTH) ELEVATION  
1/4" = 1'-0"

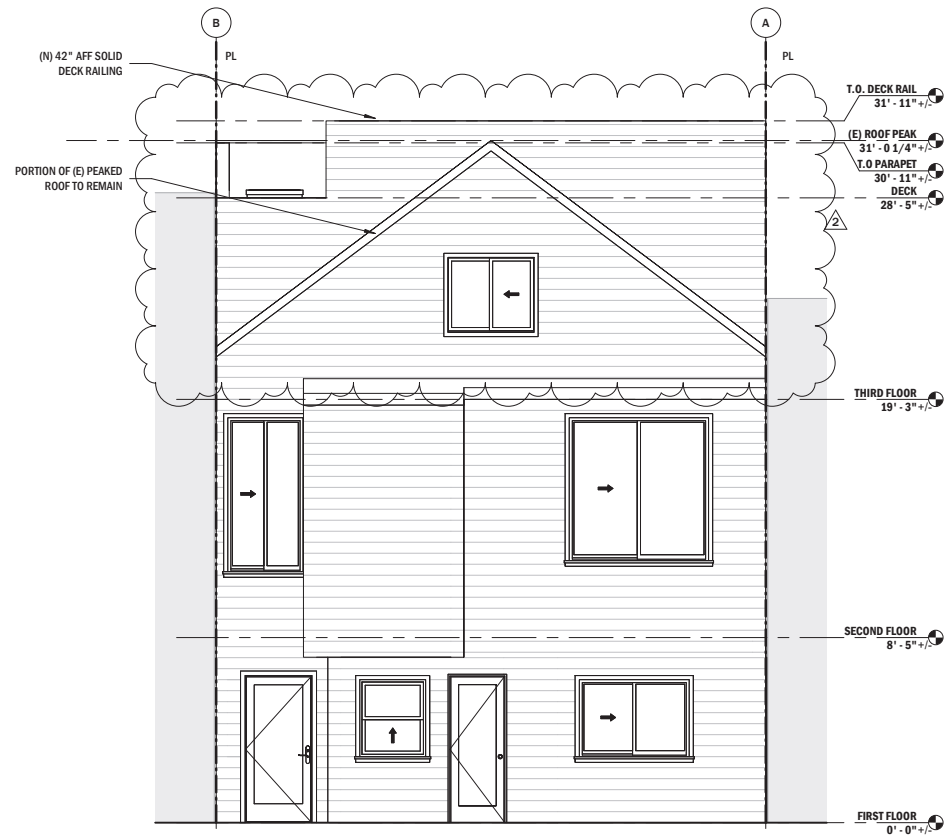


4 EXISTING FRONT (EAST) ELEVATION  
1/4" = 1'-0"

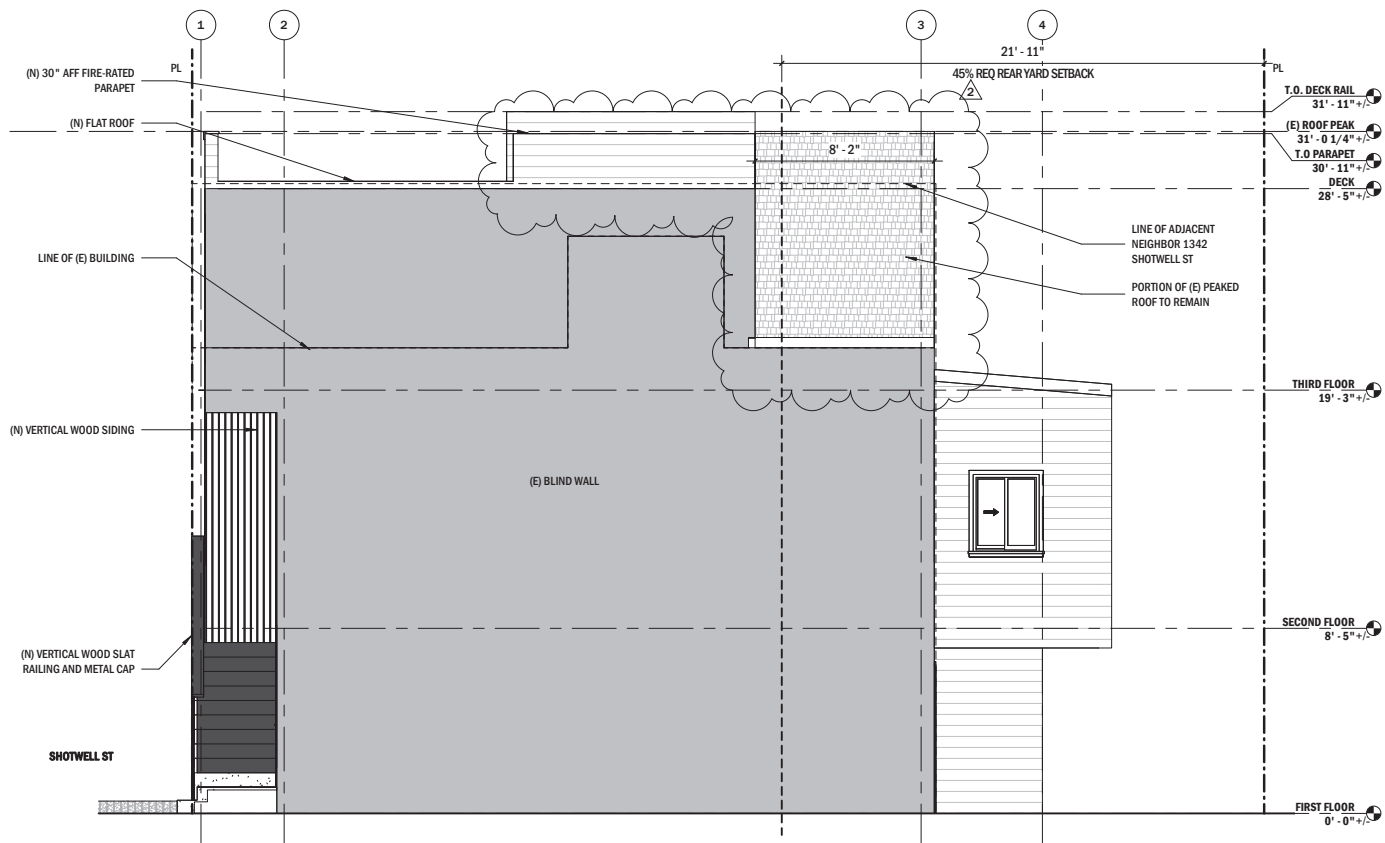




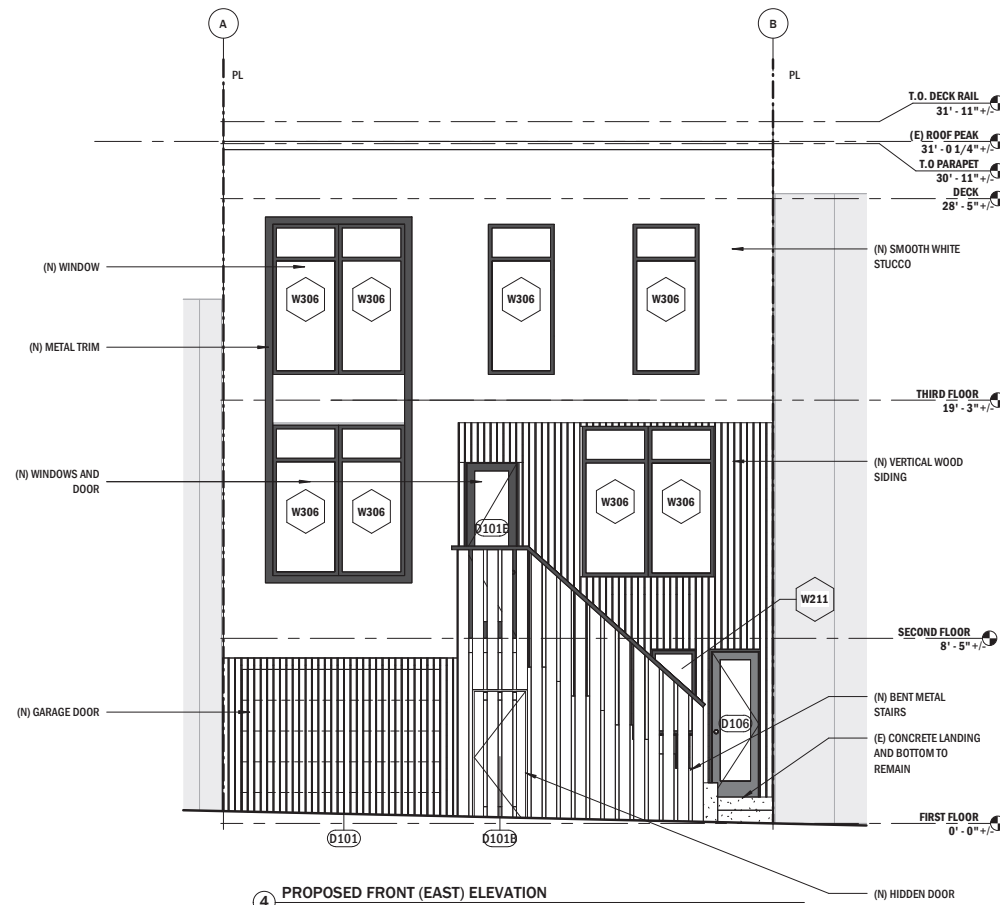
1 PROPOSED SIDE (SOUTH) ELEVATION  
1/4" = 1'-0"



2 PROPOSED REAR (WEST) ELEVATION  
1/4" = 1'-0"



3 PROPOSED SIDE (NORTH) ELEVATION  
1/4" = 1'-0"



4 PROPOSED FRONT (EAST) ELEVATION  
1/4" = 1'-0"



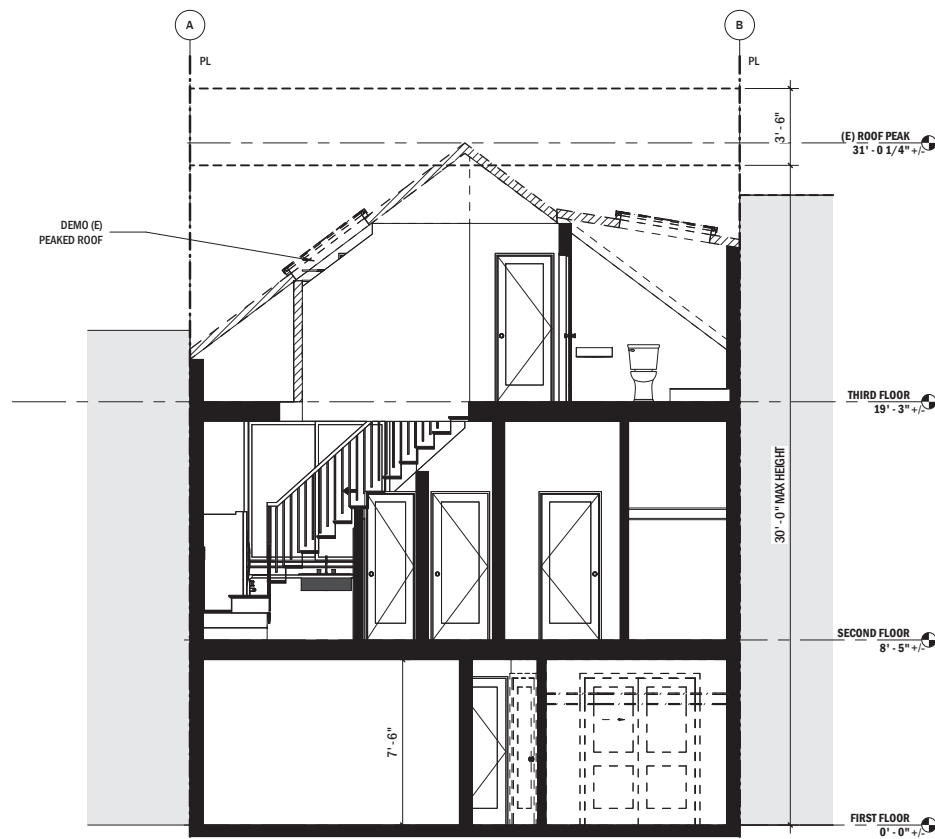
1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES  
ISSUED FOR SITE PERMIT  
REV 1

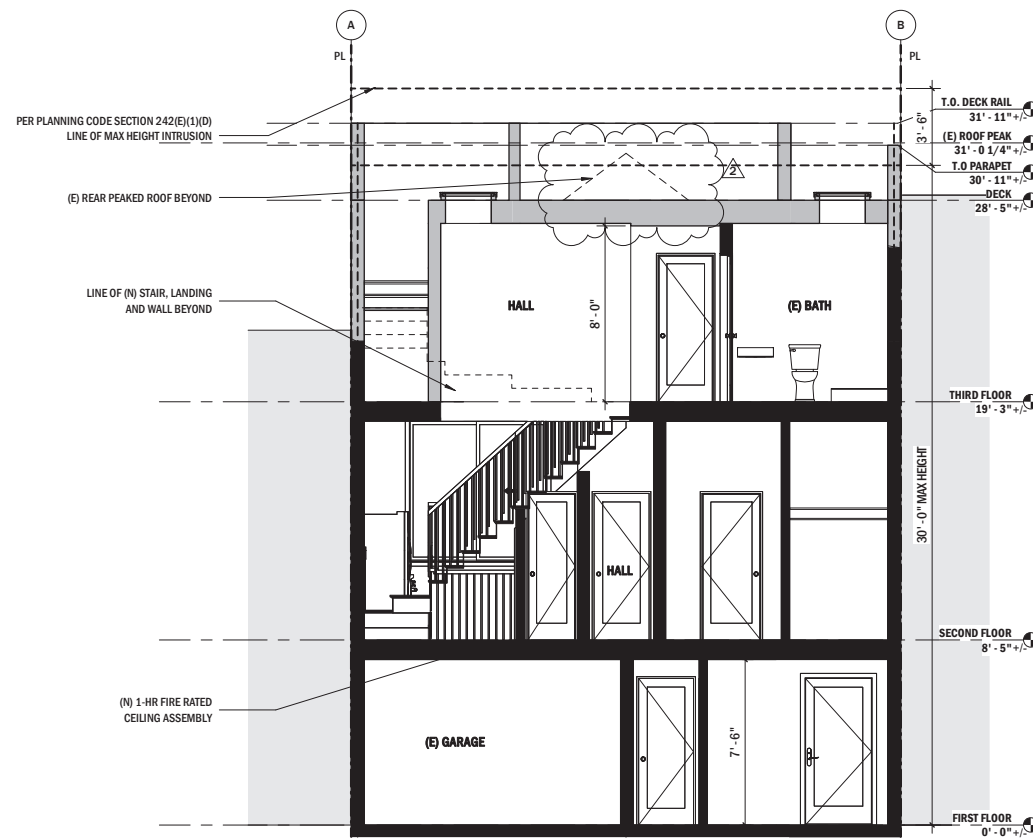
DATE  
08/31/2023  
09/11/2024

NO.  
1  
2

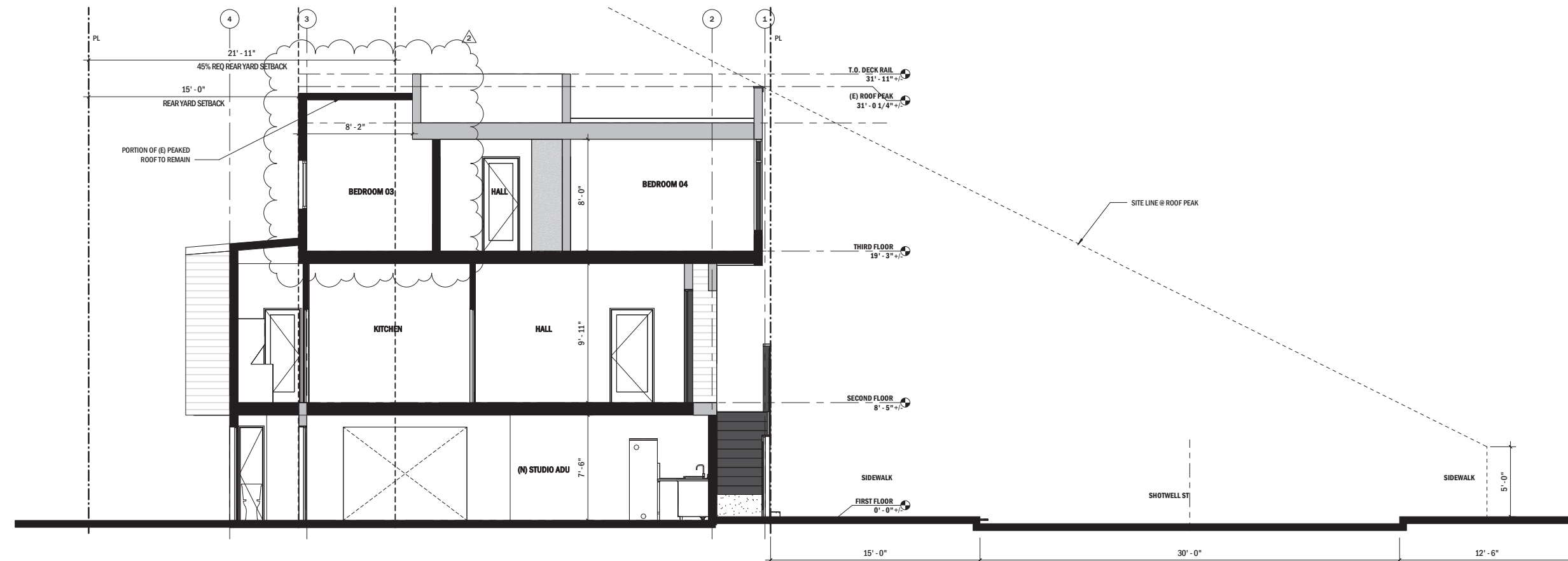
**A4.0B**  
SCALE: 1/4" = 1'-0"  
EXISTING AND PROPOSED  
SECTIONS



① (E) TRANSVERSAL SECTION 1  
1/4" = 1'-0"



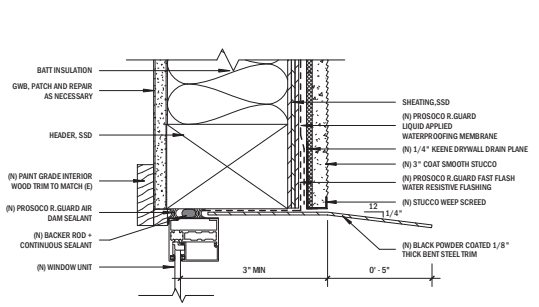
② (N) TRANSVERSAL SECTION 1  
1/4" = 1'-0"



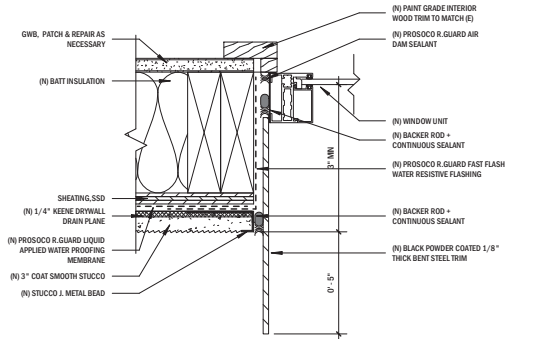
③ (N) LONGITUDINAL SECTION 1  
1/4" = 1'-0"

Window Schedule (N)				
MARK	WIDTH	HEIGHT	OPERATION	LEVEL
W211	2' - 1"	3' - 11"	FIXED	FIRST FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	SECOND FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	SECOND FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	SECOND FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	SECOND FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	THIRD FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	THIRD FLOOR
W306	3' - 0"	6' - 10"	FIXED/AWNING	THIRD FLOOR
W309	3' - 0"	4' - 0"	FIXED	THIRD FLOOR
W400	2' - 6"	5' - 0"	SKYLIGHT	DECK
W401	2' - 6"	2' - 6"	SKYLIGHT	DECK

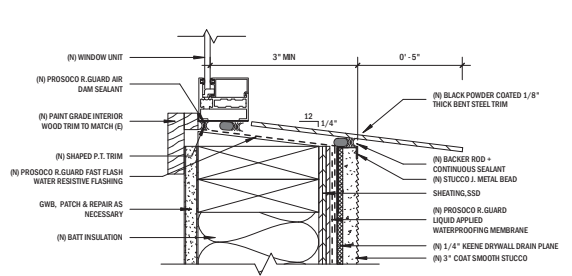
Door Schedule (N)				
MARK	WIDTH	HEIGHT	COMMENTS	LEVEL
D100B	3' - 0"	6' - 8"		FIRST FLOOR
D101	9' - 0"	7' - 0"	GARAGE DOOR	FIRST FLOOR
D101B	2' - 4"	6' - 0"	EXT	FIRST FLOOR
D102A	2' - 6"	6' - 8"		FIRST FLOOR
D102B	1' - 8"	6' - 8"		FIRST FLOOR
D106	2' - 2"	6' - 8"	ADU ENTRANCE DOOR	FIRST FLOOR
D101E	2' - 4"	8' - 0"	ENTRANCE DOOR	SECOND FLOOR
D300A	2' - 6"	6' - 8"		THIRD FLOOR
D300B	4' - 0"	6' - 8"	CLOSET	THIRD FLOOR
D301	2' - 6"	6' - 8"		THIRD FLOOR
D302B	4' - 0"	6' - 8"	CLOSET	THIRD FLOOR



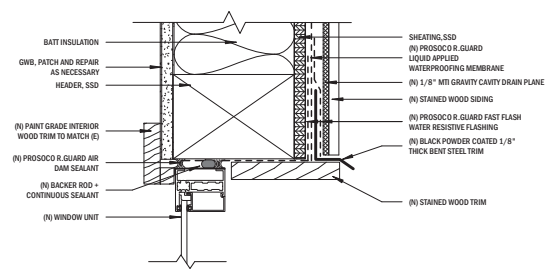
1 FRONT WINDOW HEADER @STUCCO DETAIL  
3" = 1'-0"



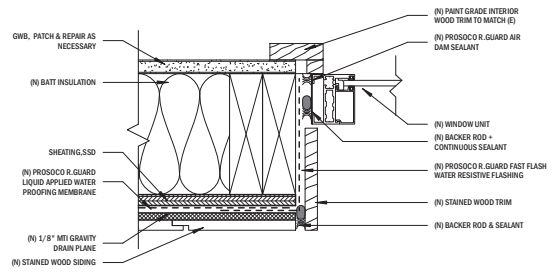
2 FRONT WINDOW JAMB@ STUCCO DETAIL  
3" = 1'-0"



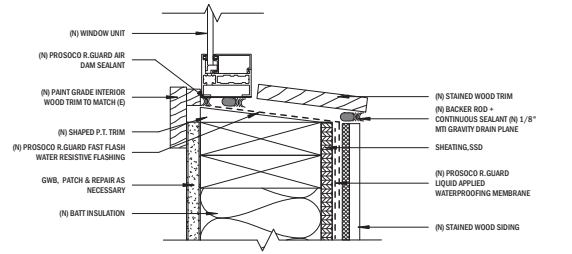
3 FRONT WINDOW SILL@STUCCO DETAIL  
3" = 1'-0"



4 FRONT WINDOW HEADER @SIDING DETAIL  
3" = 1'-0"



5 FRONT WINDOW JAMB@ SIDING DETAIL  
3" = 1'-0"



6 FRONT WINDOW SILL @SIDING DETAIL  
3" = 1'-0"

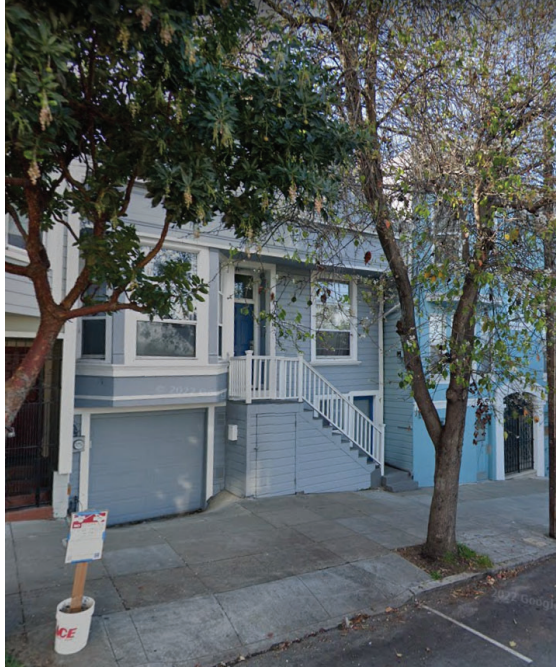


1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES  
ISSUED FOR SITE PERMIT  
REV 1  
DATE  
08/31/2023  
09/11/2024

NO.  
1  
2

A5.0B  
SCALE: 3" = 1'-0"  
WINDOW & DOOR - DETAILS AND SCHEDULES



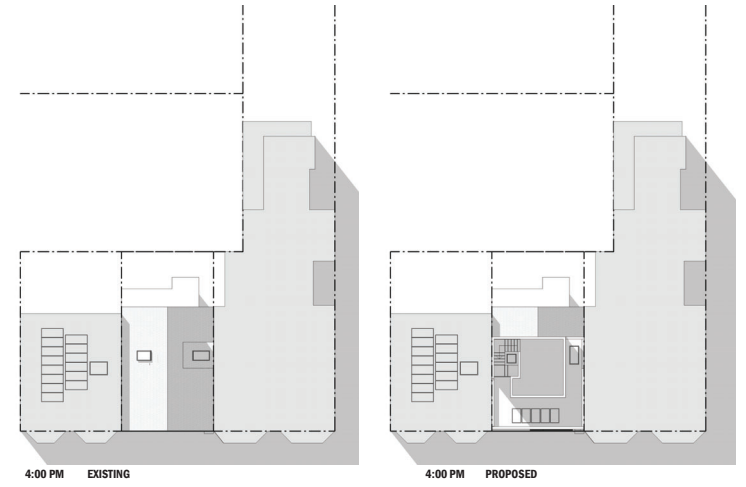
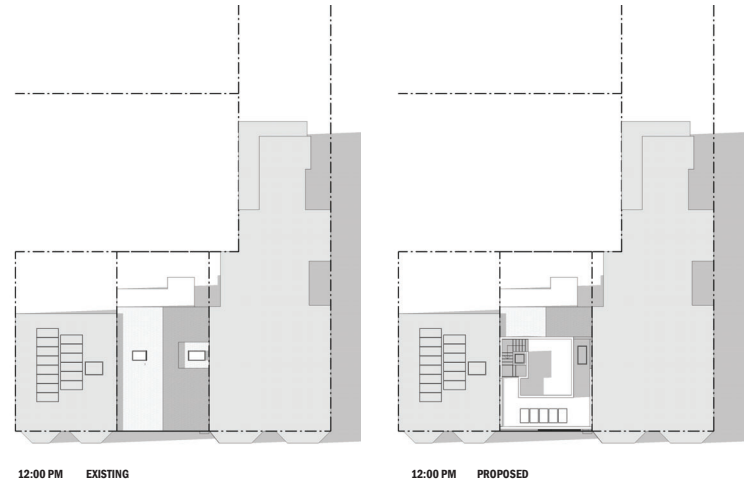
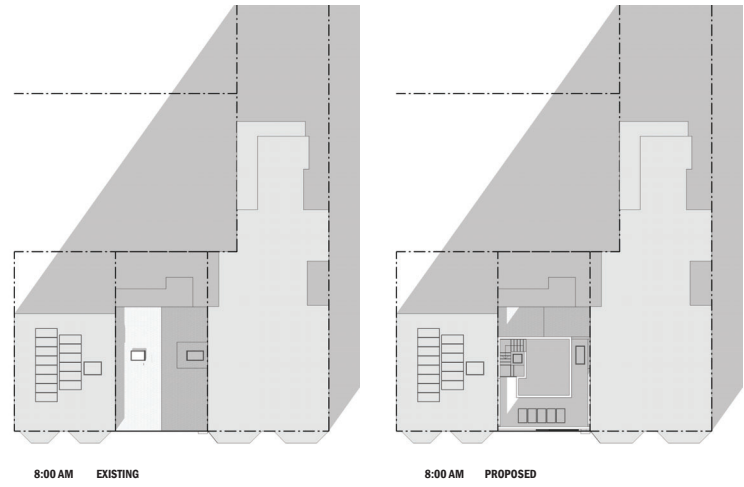
1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

NO.	DATE	ISSUE NOTES
1	08/31/2023	ISSUED FOR SITE PERMIT
2	09/11/2024	REV 1

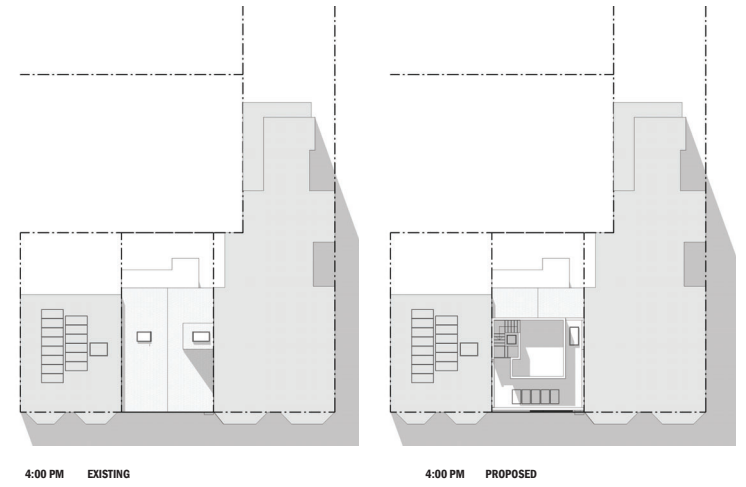
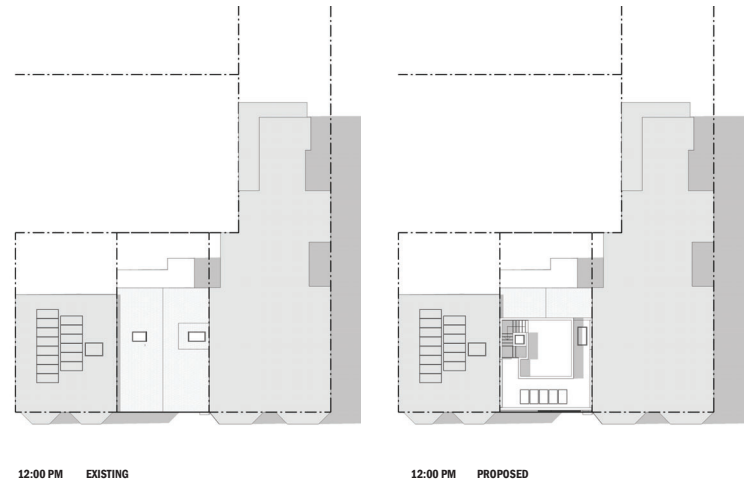
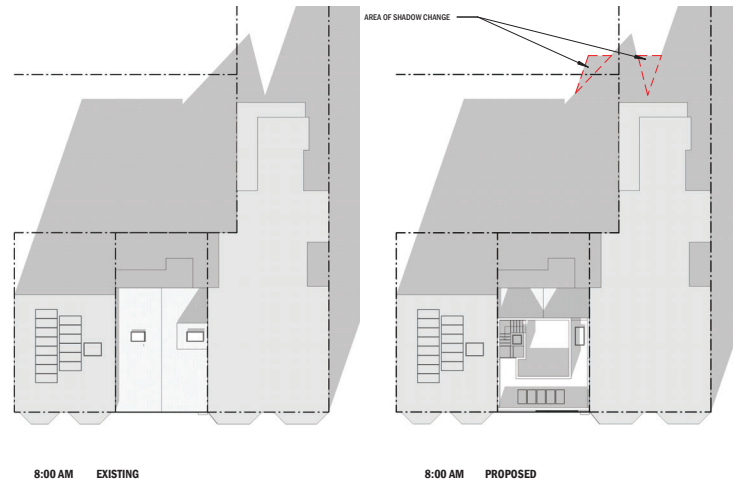
**A6.0B**  
SCALE: 3/16" = 1'-0"  
PHOTOS



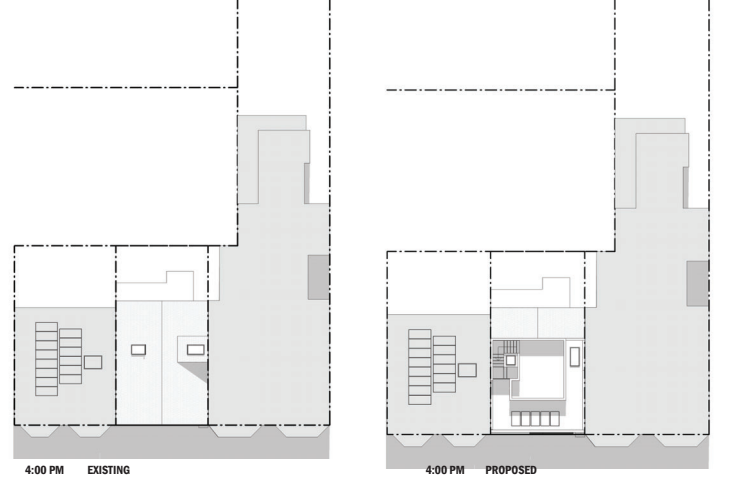
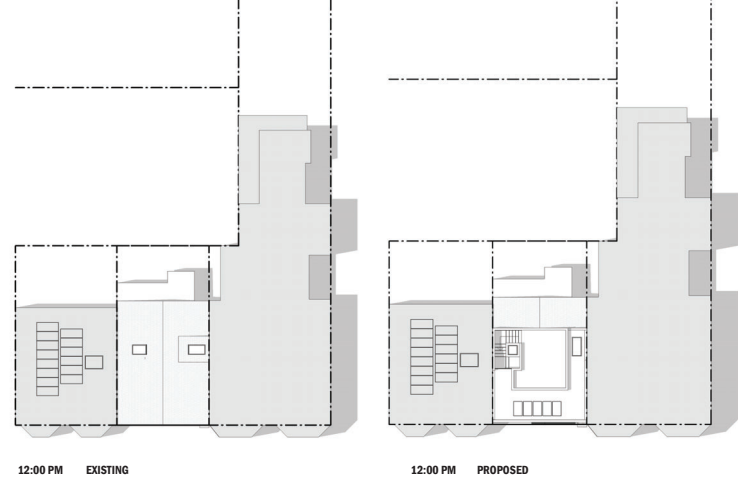
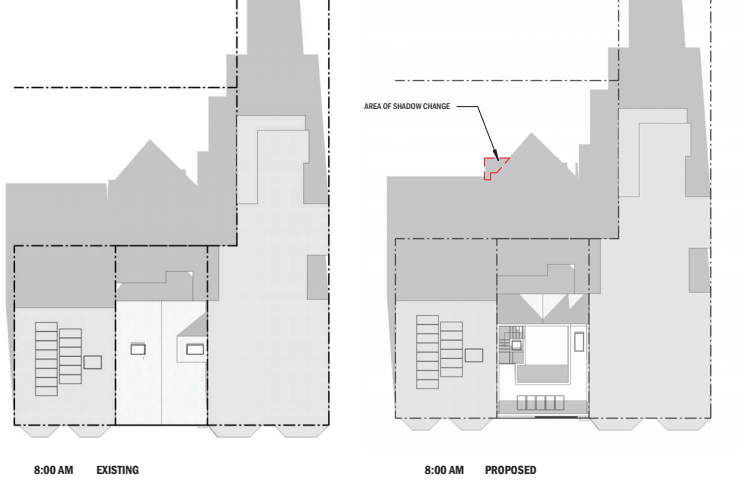
**WINTER SOLSTICE**



**FALL SOLSTICE**



**SUMMER SOLSTICE**



1336 SHOTWELL STREET  
SAN FRANCISCO, CA 94127

ISSUE NOTES  
ISSUED FOR SITE PERMIT  
REV 1

DATE  
08/31/2023  
09/11/2024

NO.  
1  
2

1 : 9

**A7.0B**  
SCALE:  
SOLAR STUDY



Board of Appeals Brief  
Appeal No. 24-035  
1336 Shotwell Street  
Hearing Date: July 10, 2024

## EXHIBIT B



# DISCRETIONARY REVIEW ACTION DRA-853

**HEARING DATE: MARCH 14, 2024**

*Record No.:* 2023-004909DRP  
*Project Address:* 1336 Shotwell Street  
*Building Permit:* 2023.0911.6345  
*Zoning:* RH-2 (Residential House- Two Family) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 5501 / 074  
*Project Sponsor:* Jamie Pratt  
Mason Kirby Architecture  
306 Precita Avenue  
San Francisco, CA 94110  
*DR Requestor:* Carlina Hansen  
1342 Shotwell Street  
San Francisco, CA 94110  
*Staff Contact:* David Winslow – (628) 652-7335  
[David.Winslow@sfgov.org](mailto:David.Winslow@sfgov.org)

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF RECORD NO. 2023-004909DRP AND THE APPROVAL OF BUILDING PERMIT APPLICATION NO. 2023.0911.6345 PROPOSING TO LEGALIZE AN ACCESSORY DWELLING UNIT AND CONSTRUCT A HORIZONTAL FRONT ADDITION AND A VERTICAL ADDITION TO A TWO-STORY, SINGLE-FAMILY DWELLING WITHIN THE RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

## Preamble

On September 11, 2023, Jamie Pratt filed for Building Permit Application No. 2023.0911.6345 proposing to legalize an accessory dwelling unit and construct a horizontal front addition and a vertical addition to a two-story, single-family dwelling within the RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

On November 14, 2023 Carlina Hansen (hereinafter “Discretionary Review (DR) Requestor”) filed an application with the Planning Department (hereinafter “Department”) for Discretionary Review (2023-004909DRP) of Building Permit Application No. 2023.0911.6345.

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

On March 14, 2024, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2023-004909DRP.

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

## **Action**

The Commission hereby takes Discretionary Review requested in Record No. 2023-004909DRP and approves Building Permit Application 2023.0911.6345.

The reasons that the Commission took the action described above include:

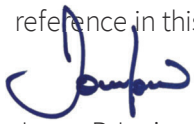
1. There are extraordinary or exceptional circumstances in the case. The proposal seeks a variance from the Planning Code, but complies with the General Plan, and conforms with the Residential Design Guidelines.
2. The Commission determined that modifications to the project were necessary and they instructed staff to approve the Project per plans, dated March 11, 2024, on file with the Planning Department which incorporated the following modifications:
  - Maintaining the gable roof at the rear within the required rear yard,
  - Reducing the roof deck to 125 square feet and setting it away as far as possible from the adjacent neighbors.

**APPEAL AND EFFECTIVE DATE OF ACTION:** Any aggrieved person may appeal this Building Permit Application to the Board of Appeals only after the Department of Building Inspection (DBI) takes action (issuing or disapproving) the permit. Such appeal must be made within fifteen (15) days of DBI's action on the permit. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave, Suite 1475, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission took Discretionary Review and approved the building permit as reference in this action memo on March 14, 2024.



Jonas P. Ionin  
Commission Secretary

**Jonas P Ionin**

Digitally signed by Jonas P Ionin  
Date: 2024.03.26 15:36:53 -07'00'

AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond

NOES: None

ABSENT: None

ADOPTED: March 14, 2024

Board of Appeals Brief  
Appeal No. 24-035  
1336 Shotwell Street  
Hearing Date: July 10, 2024

## EXHIBIT C



**City and County of San Francisco  
Department of City Planning**

**450 McAllister Street  
San Francisco, CA 94102**

April 15, 1991

ADMINISTRATION  
(415) 558-6414  
CITY PLANNING COMMISSION  
(415) 558-6414  
PLANS AND PROGRAMS  
(415) 558-6264  
IMPLEMENTATION / ZONING  
(415) 558-6377

VARIANCE DECISION

UNDER THE CITY PLANNING CODE  
CASE NO. 90.569V

APPLICANT: Jimmy Jen/Delta Design  
960A Harrison Street  
San Francisco, CA 94107

PROPERTY IDENTIFICATION: 1336 SHOTWELL STREET, west side of Shotwell Street between Precita and Army Streets; Lot 7 in Assessor's Block 5501 in an RH-2 (House, Two Family) District.

DESCRIPTION OF VARIANCE SOUGHT: MINIMUM LOT AREA, OFF-STREET PARKING, FRONT SETBACK, REAR YARD AND USABLE OPEN SPACE VARIANCES SOUGHT: The proposal is to subdivide the existing lot into two separate parcels. The proposed southerly lot contains an existing three-car garage structure. The applicant proposes to demolish the existing garage and construct a one-story over garage, single-family building. The proposed northerly lot contains a 1-1/2 story over garage, single-family dwelling with one parking space.

Section 121(d) of the Planning Code requires a minimum lot area of 1,750 square feet for any lot within 125 feet of a corner. The proposed northerly lot would have an area of 1,219 square feet and the proposed southerly lot would have an area of 1,341 square feet.

Section 132 of the Planning Code requires a front setback to approximately 3.5 feet for the subject property. The proposed building on the proposed southerly lot extends to within 1-foot 9 inches of the front property line and encroaches into the required front setback area.

Section 134 of the Planning Code requires a minimum rear yard depth for the subject property of 15 feet. The proposed building would extend to within 12 feet of the rear property line on the second floor and within 15 feet of the rear property line on the ground floor.

Section 135 of the Planning Code requires that each dwelling unit have access to a minimum of 25 square feet of usable open space. Open space at grade must have a minimum horizontal dimension of 10 feet to be considered usable. The proposed northerly lot would have no usable open space.

Section 154 of the Planning Code requires that each required parking space have a minimum of 160 square feet, with a minimum length of 18.5 feet. The parking space in the proposed new southerly building is only 16.5 feet long.

PROCEDURAL BACKGROUND:

1. A General Rule Exclusion from Environmental Review was determined by the Environmental Review Officer on February 28, 1991.
2. Variance hearing held on December 17, 1990
3. The applicant submitted revised plans showing a 3 feet 6 inches front setback variance is no longer required subsequent to the public hearing, (160 square feet) parking space for the proposed second dwelling unit. Therefore, an off-street parking variance is no longer required.

DECISION:

**GRANTED**, to subdivide the existing lot into two separate parcels, remove a portion of the existing building for open space, demolish the existing garage and construct a new one-story over garage, single family building in general conformity with plans on file with this application, shown as Exhibit A and dated January 8, 1991 and Exhibit B dated December 18, 1990 subject to the following conditions:

1. The applicant shall remove a portion of the existing building to provide usable open space for the existing house at 1336 Shotwell.
2. Both the existing and the proposed houses remain single family dwelling units.
3. The parapet wall at the rear of the proposed building shall be removed (reducing height by 3 feet 6 inches).

4. No further vertical or horizontal expansion of either the proposed nor the existing building (beyond what is authorized by this variance request) shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.
5. The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
6. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls shall apply.

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

FINDINGS:

- FINDING 1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district.

**REQUIREMENT MET.** The subject lot is within 125 feet of the intersection and measures 2,520 square feet of lot area-much larger than the Planning Code requirement of 1,750 square feet for such lots. The subject lot is considered to be an underutilized with only one dwelling unit and a three-car garage. As such the existing lot represents a housing opportunity site for the City. Granting the variance to subdivide the lot would create a northerly lot measuring 1,219 square feet, and a southerly lot measuring 1,341 square feet. The property is zoned RH-2 and could accommodate two dwelling units. The subject property owner is instead proposing to construct a second dwelling unit on the southerly lot. While



the newly created lots will be deficient in lot area, the proposal will add a single family dwelling to the housing market. To accommodate more usable open space for the existing house, the subject property owner has proposed to remove part of the building and provide a 10 feet by 11 feet 6 inches usable open space area, thereby almost meeting the 125 square feet usable open space requirement for the existing building. The second floor of the proposed second dwelling unit will extend 3 feet into the required rear yard. However, the additional 3 feet of living space will provide more habitable space for the 2 bedrooms and improve the overall livability of the dwelling unit. Even with the 3 feet encroachment, the proposed dwelling unit will still be shorter than the adjacent dwelling unit. The proposed new dwelling unit would have a code compliant garage and therefore will not negatively impact on street parking availability.

FINDING 2. That owing to such exception and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.

REQUIREMENT MET. The subject property owners can only expand the existing house by adding a third story or building additional living space to the south. Adding a third story would be out of character with the existing properties on the west side of Shotwell. Building additional living space to the south would add another unit to the rental market but not to the home ownership market. Literal enforcement of the Planning Code would perpetuate the existing situation in which an oversized lot which could accommodate a well designed small house is forced to remain underutilized. Constructing a house on the proposed northerly lot is a much better use of the lot than its current use for a 3-car garage. Denying the variance would constitute an unnecessary hardship with no compensating public benefit.

FINDING 3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

REQUIREMENT MET. As mentioned in Finding 1, the subject lot is zoned RH-2 and is allowed to have two dwelling units on the lot. The owner is instead proposing to subdivide the lot and provide an additional single family dwelling unit. Given that (1) the lot represents a housing opportunity site, and (2) a single family dwelling unit is easier to sell than a two-unit

building, the Zoning Administrator determined that granting the variance would preserve the owner's substantial property right to increase the number of units on his lot. Conditions No. 2 and No. 4 attached to the variance will ensure that the two dwelling units are not expanded to two unit buildings at some later date, thereby preserving the existing open space provided for both dwelling units.

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

**REQUIREMENT MET.** The proposed northerly lot has an existing house on the lot. The 3-car garage on the proposed southerly lot will be replaced by a dwelling unit which will improve the street facade along the east side of Shotwell Street. The Zoning Administrator received 2 letters of opposition to the project, one of which (249 Precita) was subsequently withdrawn after shadow studies showed that the proposed dwelling unit would not shade the rear yard at 249 Precita. The other letter in opposition stated concerns regarding the blockage of light and view for the corner property at 255 Precita. The shadow studies show that at 10:00 a.m. shadows will be cast to the north, away from the yard at 255 Precita. The Zoning Administrator determined that while it is possible that there may be some shadows cast to the south during the month of March, the impact was not any more significant than shadows already cast by the existing garage or pitched roof of the existing house at 1336 Shotwell (while will be higher than flat roof of the proposed house). Therefore, the variance was warranted.

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

**REQUIREMENT MET.** The proposal is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. The proposal is also in harmony with the Objective 1, Policy 1-4 of the Residence

Element of the Master Plan to locate infill housing on appropriate sites in established neighborhoods encourage residential development when it preserves or improves the quality of life for residents of the City.

Code Section 101.1 establishes eight priority planning policies and requires review of variance applications for consistency with said policies. Review of the relevant priority planning policies yielded the following determinations:

- A. That the proposed project will be in keeping with the existing housing and neighborhood character.
- B. That the project will enhance the City's supply of affordable housing.
- C. That the proposed project will have no effect on the City's public transit or neighborhood parking, preparedness to protect against injury and loss of life in an earthquake, commercial activity, business or employment, landmarks and historic buildings, or public parks and open space.

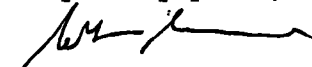
The effective date of this decision shall be either the date of this decision letter if not appealed or the date of the Notice of Decision and Order if appealed to the Board of Permit Appeals.

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

The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if a Building Permit has not been issued within three years from the effective date of this decision; however, this authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit is delayed by a City agency or by appeal of the issuance of such a permit.

**APPEAL:** Any aggrieved person may appeal this variance decision to the Board of Permit Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Permit Appeals in person at City Hall (Room 154-A) or call 554-6720.

Very truly yours,



Robert W. Passmore  
Assistant Director of  
Planning-Implementation  
(Zoning Administrator)

=====

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OCCUPANCY. PERMITS FROM APPROPRIATE DEPARTMENTS MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

# PUBLIC COMMENT

**From:** [Debora Thomas](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** APPEAL NO. 24-035 - 1336 SHOTWELL STREET, SAN FRANCISCO  
**Date:** Thursday, June 20, 2024 3:29:31 PM

---

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

To Whom it May Concern:

I am writing to express my strong support for the construction extension request submitted by my neighbor, Andy Greenwood, for their residence located at 1336 Shotwell Street, San Francisco, CA, 94110. I live on 1326 Shotwell St, on the building directly next door, that is connected to his house.

As a long-time resident of this community, I have had the opportunity to witness the positive contributions that Andy and their family have made to our neighborhood. Their commitment to maintaining and improving their property has always been evident, and the proposed extension is another step in their ongoing efforts to enhance their home.

The extension project, as outlined by Andy, promises to blend seamlessly with the existing architectural style of their residence and the surrounding homes. This careful consideration of design and aesthetics is a testament to their dedication to preserving the character and charm of our neighborhood.

Moreover, the planned extension will not only benefit Andy and their family but will also positively impact the community. Improved property values, increased neighborhood appeal, and the fostering of a stronger sense of community are just a few of the anticipated benefits.

I have full confidence that the extended construction timeline will be managed responsibly, with minimal disruption to the daily lives of nearby residents. Andy has always demonstrated a high level of consideration and respect for their neighbors, and I am certain this project will be no different.

In conclusion, I wholeheartedly support the construction extension request for Andy's residence. Their dedication to improving their home and our community is commendable, and I believe this project will be an asset to our neighborhood.

Thank you for considering this letter of support. Please feel free to contact me if you require any further information.

Sincerely,

Debora Thomas