

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of

Appeal No. 14-158

CYNTHIA SMITH,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
PLANNING DEPARTMENT APPROVAL Respondent)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on September 15, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on September 08, 2014, to Clay Leighton & Andrea Sello, of an Alteration Permit (new three-story rear addition with 3rd floor 72sf deck) at 1264 - 6th Avenue.

APPLICATION NO. 2013/06/26/0594S

FOR HEARING ON November 19, 2014

Address of Appellant(s):

Address of Other Parties:

Cynthia Smith, Appellant 1268 - 6th Avenue San Francisco, CA 94122	Clay Leighton & Andrea Sello, Permit Holders 1264 - 6th Avenue San Francisco, CA 94122
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Date Filed:

BOARD OF APPEALS

SEP 15 2014

APPEAL # 14-158

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT OF APPEAL

I / We, **Cynthia Smith**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit BPA NO. 2013/06/26/0594S** by the **Department of Building Inspection** which was issued or became effective on: **September 08, 2014**, to: **Clay Leighton & Andrea Sello**, for the property located at: **1264 - 6th Avenue**.

BRIEFING SCHEDULE:

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **October 30, 2014, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Respondent's and Other Parties' Briefs are due on or before: **November 13, 2014, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Only photographs and drawings may be submitted by the parties at hearing.

Hearing Date: **Wednesday, November 19, 2014, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

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 change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit an original and 10 copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. 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 at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

If you have any questions please call the Board of Appeals at 415-575-6880

The reasons for this appeal are as follows: see attached.

Appellant or Agent (Circle One):

Signature: 

Print Name:

Cynthia A. Smith, OPM

The Office of the Board of Permit Appeals
1650 Mission Street, 3rd Floor
San Francisco, Ca 94103

Appeal of permit/application #201306260594 at 1264 6th Avenue

Dear Sirs and Madams,

I have reviewed the plans for the 1264 6th Avenue project and am appealing the issuance of the permit. The proposed project is severely out of scale with the rest of the buildings on the block. The scale will impact my privacy and my enjoyment. The proposed third story deck will look down into my second story bathroom which has windows the whole width of the room. Neither my guests or myself will have any privacy while using the bathroom.

The extension to the back of the house would box in my back porch so that my outlook to the North would be a solid wall. I was first told by Ms. Sello that the extension would only be 2 feet on the South wall. Now the plans show a four foot extension and an extra 2 feet for the bay windows. If this is allowed, I will have a solid wall to look at instead of the lovely greenery I have enjoyed for 64 years.

My home was built in 1906 and my family is only the second owner. My Father, Mother, and I have always maintained my home. I have encouraged the Sello/Leightons to do some upkeep of their home and after 26 years of neglect they have decided to add a monstrosity to the back of the house.

The most important concern is the lead and asbestos that this project would put into the air. The back and sides of the house is covered by asbestos siding that was painted many years ago with lead based paint. I have COPD and asthma and cannot risk being exposed to asbestos and lead as they remove the siding. The front of the house has only been painted once in the last 30 years and probably has lead based paint that will be disturbed in the project. I believe this is something that OSHA should review.

Please consider my Appeal of Permit #201306260594.

Thank you,

Cynthia A. Smith Revocable Living Trust
at 1268 6th Avenue
San Francisco, California 94122

BOARD OF APPEALS

SEP 15 2014

APPEAL #

14-158



Capacity Charges
 Water: \$ 020.⁰⁰
 Wastewater: \$ 2107.⁰⁰
 AK 7/14/17

SFUSD
 SFUSD

SEP 08 2014

Tom C. Han
 TOM C. HAN
 BUILDING PERMIT
 DEPT. OF BUILDING INSPECTION
 VERTICAL INSPECTION
 HORIZONTAL

APPROVED FOR REISSUANCE

5 2014
 3/8
 2019 0020 0594-5
 APPLICATION NUMBER
 APPROVAL NUMBER

**APPLICATION FOR BUILDING PERMIT
 ADDITIONS, ALTERATIONS OR REPAIRS**

**CITY AND COUNTY OF SAN FRANCISCO
 DEPARTMENT OF BUILDING INSPECTION**

FORM 3 OTHER AGENCIES REVIEW REQUIRED
 FORM 8 OVER-THE COUNTER ISSUANCE
 2 NUMBER OF PLAN SETS

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HERINAFTER SET FORTH.

DO NOT WRITE ABOVE THIS LINE

DATE FILED JUN 27 2014 6/26/14	PLANS RECEIPT NO. 15062214	(1) STREET ADDRESS OF JOB 1264 SIXTH AVE.	BLOCK & LOT 1754 / 019
PERMIT NO. 1805308	ISSUED SEP - 8 2014	(2A) ESTIMATED COST OF JOB \$300,000	(2B) REVISED COST \$300K

BOARD OF APPEALS
 SEP 15 2014
 APPEAL # 14-158

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(6A) TYPE OF CONSTR. VB	(6A) NO. OF STORIES OF OCCUPANCY 3	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE SINGLE FAMILY	(8A) OCCUP. CLASS R3	(8A) NO. OF DWELLING UNITS 1
(6B) TYPE OF CONSTR. VB	(6B) NO. OF STORIES OF OCCUPANCY 3	(6B) NO. OF BASEMENTS AND CELLARS 0	(7B) PROPOSED USE (LEGAL USE) SINGLE FAMILY	(8B) OCCUP. CLASS R3	(8B) NO. OF DWELLING UNITS 1

(10) IS AUTO RAMPWAY TO BE CONSTRUCTED ON ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
(14) GENERAL CONTRACTOR NOT YET SELECTED			
(16) OWNER - LESSEE (CROSS OUT ONE) DANDREASSUO/CLAY LEIGHTON - 1264 6TH AVE 94122 415 743-2960			

(18) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
 NEW THREE STORY REAR ADDITION w/ 3RD. FLR. 72 SQ. FT. DECK
 PROVIDES NEW INTERIOR PARTITIONS AND FINISHES PER PLANS
 PROVIDES NEW WINDOWS & SKYLIGHTS IN NEW REAR ADDITION
 PROVIDES NEW MECHANICAL, PLUMBING, AND ELECTRICAL SYSTEMS
 IN NEW PROPOSED ADDITION AND IN EXISTING AREAS AS INDICATED ON PLANS

ADDITIONAL INFORMATION

(17) DOES THE ALTERATION CREATE ADDITIONAL HEIGHT ON STORY TO BUILDING? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT 29'-6" FT.	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA 136 SQ. FT.
(21) WILL GENERAL OVER SUB-SEPARATE SPACE BE REPAIRED OR ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT (IF YES, SHOW ON PLOT PLAN) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(25) ARCHITECT OR ENGINEER (DESIGN) <input type="checkbox"/> CONSTRUCTION <input checked="" type="checkbox"/> LESLIE ARNOLD 63 VERNA ST. S.F., CA 94127		CALIF. CERTIFICATE NO. C23246	
(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN") NA			

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.
 No portion of building or structure or scaffolding used during construction, to be closer than 6' to any lot containing more than 750 volts See Sec 365, California Penal Code.
 Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.
 Outside lines on drawings accompanying this application are assumed to be correct. If actual ground lines are not the same as shown on drawings showing required grade lines, cuts and fills together with existing walls and soil loadings required must be submitted to this department for approval.
 ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.
 BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.
 APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS 'YES' TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).
 THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.
 In dealings all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City or County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 9800 of the Labor Code of the State of California, the applicant shall have coverage under (I), or (II) designated below or shall indicate item (III), or (IV), whichever is applicable. If however item (V) is checked item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

- I have and will maintain a certificate of consent to self-insure (or worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:
Carrier: _____
Policy Number: _____
- The cost of the work to be done is \$100 or less.
- I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 2600 of the Labor Code, that the permit herein applied for shall be deemed revoked.
- I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.






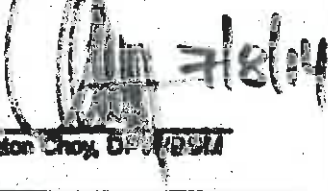
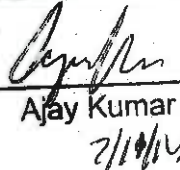


Signature of Applicant or Agent: *Markin Kelly* Date: 6.26.13

CHECK APPROPRIATE BOX
 OWNER
 LESSEE
 CONTRACTOR
 ARCHITECT
 ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THEREBY WILL BE COMPLIED WITH.

CONDITIONS AND STIPULATIONS

<p>REFER TO:</p>	<p>APPROVED:  Cyril Y. DB JUL 09 2014 <u>BUILDING INSPECTOR, DEPT. OF BLDG. INSP.</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: PER APPLICATION AND PLANS (REVISION 2). DR (CASE NO. 2013.1765D) NOT TAKEN FOR ACTION DRA-0361.  06.12.14 <u>DEPARTMENT OF CITY PLANNING</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED:  BOARD OF APPEALS SEP 15 2014 APPEAL # 14-158 <u>BUREAU OF FIRE PREVENTION & PUBLIC SAFETY</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED:  <u>MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED:  <u>CIVIL ENGINEER, DEPT. OF BLDG INSPECTION</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED:  DPW/BSM SIGN OFF ON JOB CARD REQUIRED PRIOR TO DBI FINAL CALL 334-7149 TO SCHEDULE By <u>Clinton Choy, DPW/BSM</u> <u>BUREAU OF ENGINEERING</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED:  SFPUC Capacity Charges See attached SFPUC Capacity Charge invoice for total amount due. DBI will collect 50% of the total amount before the Site Permit is issued. Any balance will be billed and collected by SFPUC directly. SFPUC <u>Ajay Kumar</u> 2/10/14 <u>DEPARTMENT OF PUBLIC HEALTH</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED:  <u>REDEVELOPMENT AGENCY</u></p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p>APPROVED:</p>	<p> <u>REDEVELOPMENT AGENCY</u></p>	<p>DATE: _____ REASON: _____</p>

BOARD OF APPEALS

OCT 30 2014

APPEAL # 14-158

Smith vs DBI

Appeal No: 14-158

Brief from Cynthia A. Smith, DPM

1268-6th Avenue

San Francisco, California 94122

(415) 681-7504

**Smith vs. DBI
Appeal no.:14-158**

October 30, 2014

City and County of San Francisco

Board of Appeals

Dear Sirs and Madams,

I am Cynthia A. Smith, DPM and I live at 1268-6th Avenue, San Francisco, California. The proposed expansion of 1264-6th Avenue will have an major impact on my privacy and enjoyment of my home. I have lived in my home my whole life, 64 years. I have always tried to be a good neighbor. When I did a remodel of my home in 2003, I stayed within the existing foot print of my home. I was able to create a swimming pool room, a full bathroom (so I do not have to walk to an upstairs bathroom in a wet swimming suit), a hallway to the garden, and a dog washing area. This was done by enclosing the existing open area under the second floor, just as the Sello/Leightons propose to do.

My home was built in 1906 and my family is only the second owner. My Father, Mother, and I have always maintained my home. I have encouraged the Sello/Leightons to do some upkeep of their home and after 26 years of neglect, they

Smith vs. DBI
Appeal no.:14-158

have decided not only to repair but to add to the back of the house. This addition has caused consternation of all the neighbors. I am not opposed to the Sello/Leightons repairing and modifying their house, I am opposed to the immense scope of the project. The scale will impact my privacy and therefore the property value of my home.

I will show the Board how out of scale the extension is. For this appeal the Board should utilize and I will document from the most recent plans that Clay Leighton sent to me via email. (attachment 1) The plans that are finally at the DBI, the plans sent via email from David Silverman who is The Sello/Leighton's attorney, and the plans sent via email from Clay Leighton are different from each other. Mr. Silverman stated in his email of October 27, 2014, and also to Ms Goldstein and Mr. Pacheco: " We confirm that the floor plans and elevations for the project at 1264-6th Avenue have not changed since the issuance of the 311 notice, and the Planning Commission hearing that was held on April 24, 2014." (attachment 2). The plans at the DBI are dated 06/09/14, which is after the DR hearing of April 24, 2014. The Sello/Leightons may not have kept their attorney abreast of changes they made or this could have been done to hide what I suspect could be the plans for an in-law apartment on the first level.

Smith vs. DBI
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I would like to give the Board some background to what has happened so far with this project. Andrea Sello came to my home in late February 2013 to show me early plans for their project at 1264-6th Avenue. Andrea said they wanted to square off the back of the house from the sunroom across to the bathroom, enclose the ground floor that is currently open, and redo the third floor and put a deck on the 3rd floor. The squaring off of the second floor would create a 2 foot eastern extension from the current bathroom east wall. This extension plus 2 feet their house already extends past my home would take 4 feet of my northern view. I told Andrea that I could understand this and I would have no problem with them adding the 2 feet as my northern view would still be maintained. In March 2013, the Sello/Leightons had an open meeting of neighbors and that is when I was told that they were adding 2 feet to the sun room on the northern side and come across to the south that would make it a 4 foot extension on my side. The addition of a solid bay window from first to third floor would add another 2 feet making it at least a 6 foot extension. I told Andrea that would box in my porch and make me feel claustrophobic and I opposed this. All the neighbors who were at the meeting also voiced their concerns about the scope of the addition. One neighbor was very suspect that the remodel was being done to add an in-law apartment on the ground floor. The Sello/Leightons were adamant that they would not do that. The Sello/Leightons when questioned, denied that they were

Smith vs. DBI
Appeal no.:14-158

only interested in fixing the house and, with an in-law apartment maximizing the sale price.

After the March meeting and the DR Hearing in April, it has been impossible to get a look at plans and all the revisions. I was able to see the plans at the DBI for a brief time on September 15, 2014, before filing the Appeal. I had full intentions of going back to the DBI to document changes of the plans that I had briefly noted. I retired October 1, 2014 due to health issues and then made 4 trips to the DBI to review the plans and prepare the appeal brief. Each time I went to the DBI the plans were not there. They had been sent out to be scanned and had not been returned until October 28, 2014. The response from Mr. Silverman and Clay Leighton did not come until the afternoon of October 28, 2014.

I will document point by point, with reference to plan pages, why this appeal is being submitted and should be approved.(attachment 1 , multiple pages)

- 1) The expansion is out of scale to surrounding houses (Plan A7.1); you will note that the existing house at 1264-6th Avenue already extends 2 feet further on the second floor and 6 feet on the third floor than my home, (Existing South elevation). The addition of 6-8 feet would box in the back of

Smith vs. DBI
Appeal no.:14-158

my home (Plan A2). My northern view from all three floors would be a wall. (Plan A7.2) This is not what Andrea Sello first presented to me as a 2 foot extension.

- 2) The third floor extension will have a deck that could allow persons to look down into my bathroom and breakfast room. (Plan A7.2) The windows of the bathroom run along the back of my home starting at 24 inches from the floor going to 12 inches from the ceiling. The windows run the complete length of the room. The same height windows continue on through the breakfast room. If the extension was only 2 feet as originally presented to me by Andrea Sello, then it would be impossible to look into my bathroom and breakfast room.
- 3) The Sello/Leightons argue that they need the extra space that the extension would provide. The space on the ground floor under the second floor rear of the house is currently open and unused (A4 {E} second floor plan). Enclosing this area and adding 2 feet to the south side would create a useable 400 square foot room. This is enough space for a study and the full bath. (Plan A3) The proposed extension would add an extra 100 square feet which would mean 500 square feet of useable space. This is an awfully large study, a study big enough to create an in-law apartment.

Smith vs. DBI
Appeal no.:14-158

- 4) The proposed extension would greatly intrude on the mid-block open space. The 1264-6th Avenue lot is a short one and currently has a small yard. The extension would make the yard even smaller and it would block the view of my neighbors to the north and greenery from my home. It would also isolate the residences to the north which currently can enjoy the greenery of the combined yards to the south.

- 5) The plans show a laundry room on the third floor AND on the ground floor. (Plan A3 New First Floor Plan) and (Plan A5) The need for 2 laundry rooms for a single family home leads one to question whether an in-law apartment isn't being planned. There are also 2 doors from the garage area; one into the storage area and one into the laundry room in the new study area. This would allow a "separate entrance" for the "study". There is a full bathroom planned for this "study" even though there are 2 bathrooms on the third floor and a 1/2 bath on the second floor. The combination of a laundry room, a full bathroom, and a separate entrance all lead one to think that an in-law apartment is anticipated. This was brought up at the meeting at the Sello/Leightons house and the Sello/Leightons denied that they intended to do this. Suspicions about getting the house ready to sell were also voiced at that meeting. This was also denied by the Sello/Leightons, but no one believes this.

**Smith vs. DBI
Appeal no.:14-158**

6) Asbestos dust will be put into the air with the removal of the asbestos shingles. I have Chronic Obstructive Pulmonary Disease (COPD) and cannot afford exposure to the asbestos particles. The shingles have been painted in the past with lead based paint. Both of these carcinogens are not dangerous if left undisturbed. Extra precautions should be taken to contain any particles made airborne by the construction.

I fully agree that the house at 1264-6th Avenue, which has been neglected for over 30 years, needs to be repaired.

My prayer to the Board of Appeals is that the the project be scaled back to what Andrea Sello originally presented to me: square off the back of the house from the current north side sun room to the south side by adding 2 feet to the south side and enclosing the ground floor below this addition.

Prayerfully,

A handwritten signature in black ink, appearing to read 'Cynthia Smith', is written over a large, circular, scribbled-out area that has been crossed out with a diagonal line.

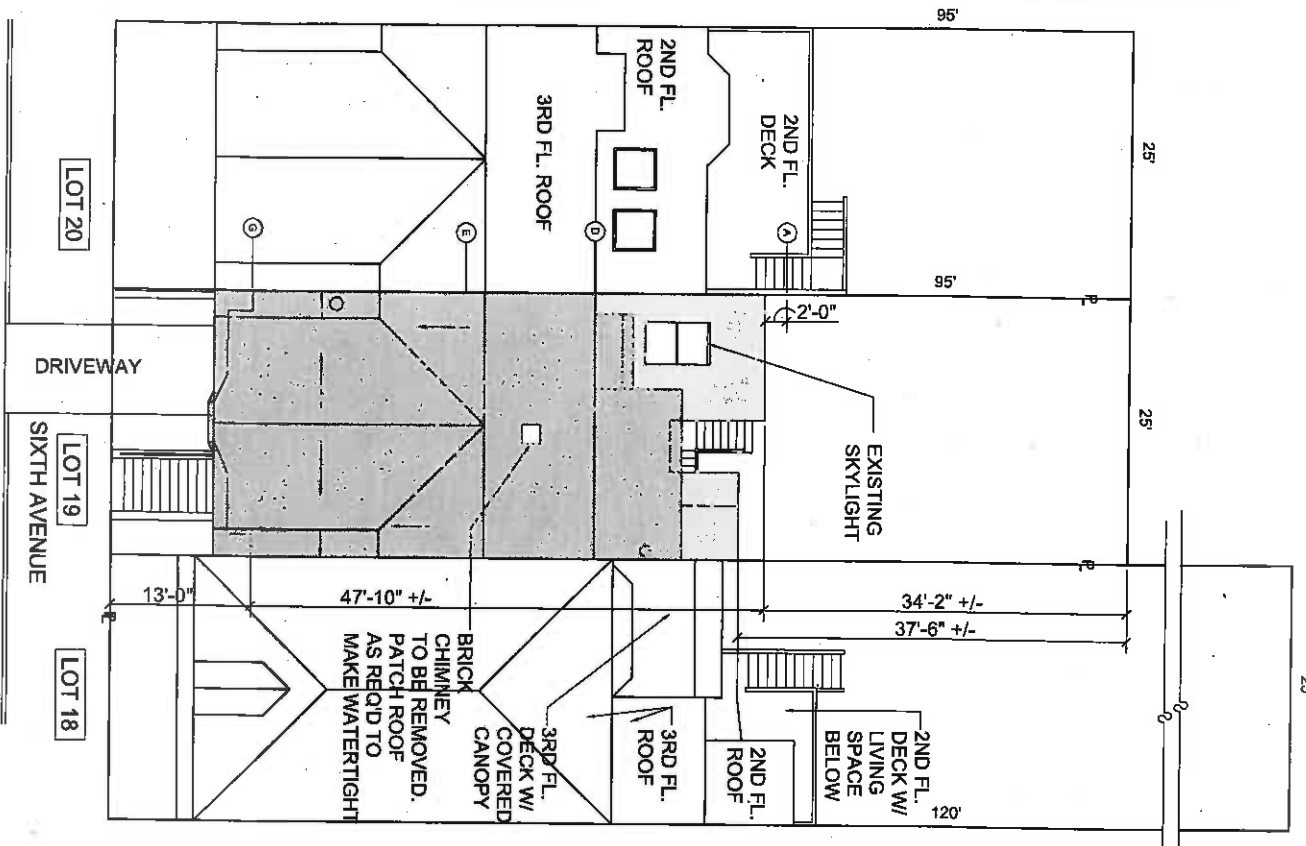
Cynthia Smith, DPM

1268-6th Avenue

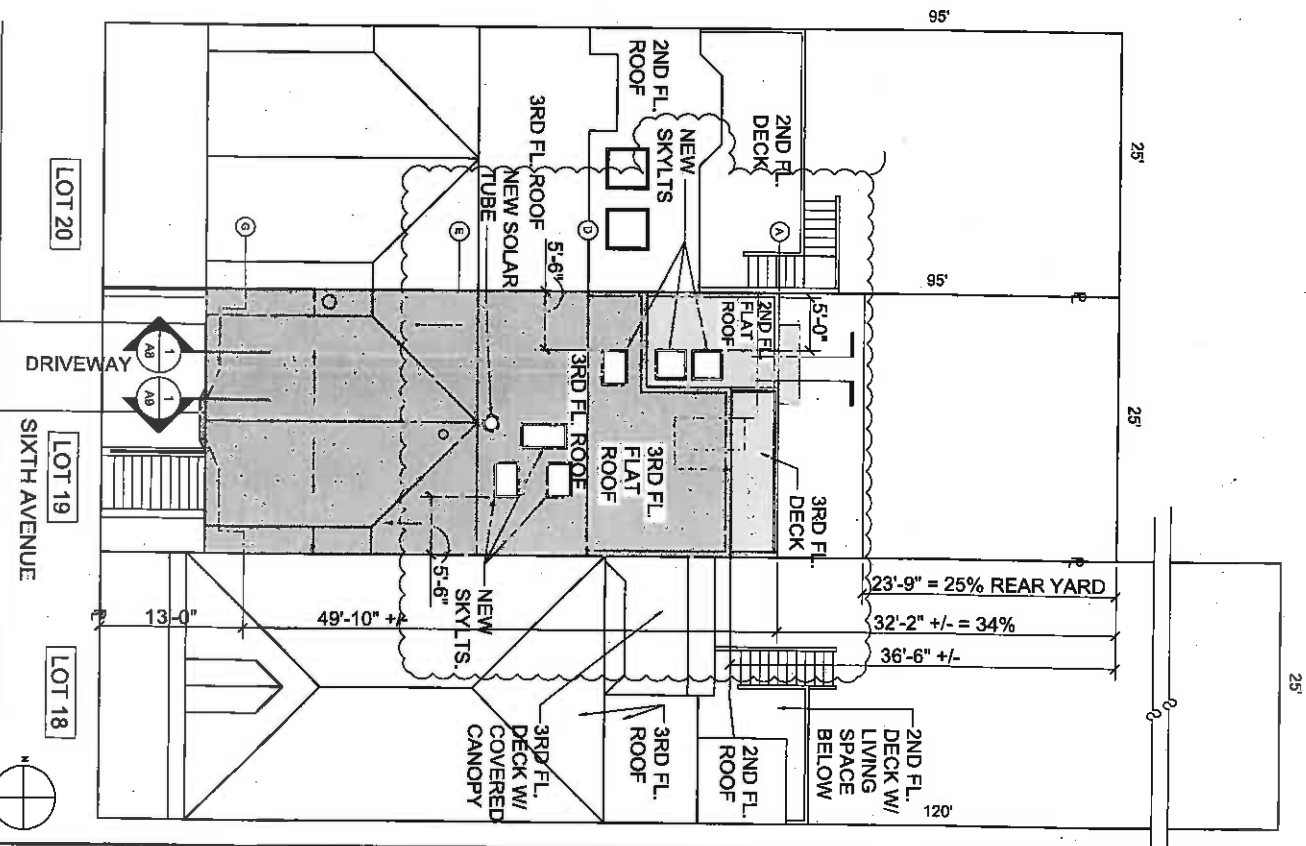
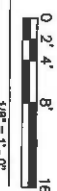
San Francisco, CA 94122 (415) 681-7504

Attachments

- 1) Plans of 1264-6th Avenue, San Francisco
(6 Pages)
- 2) Email from David Silverman



1 (E) SITE PLAN



2 (N) SITE PLAN



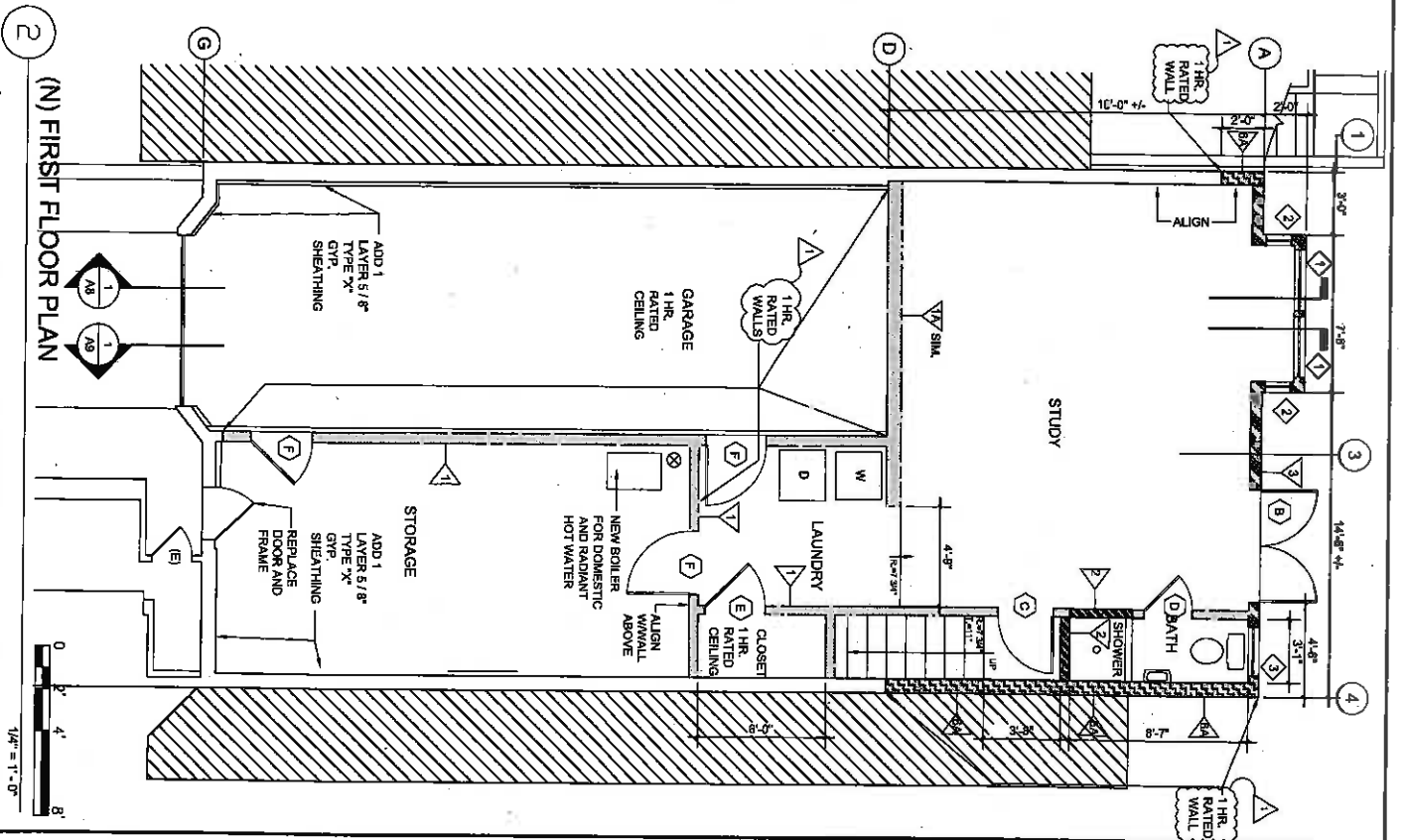
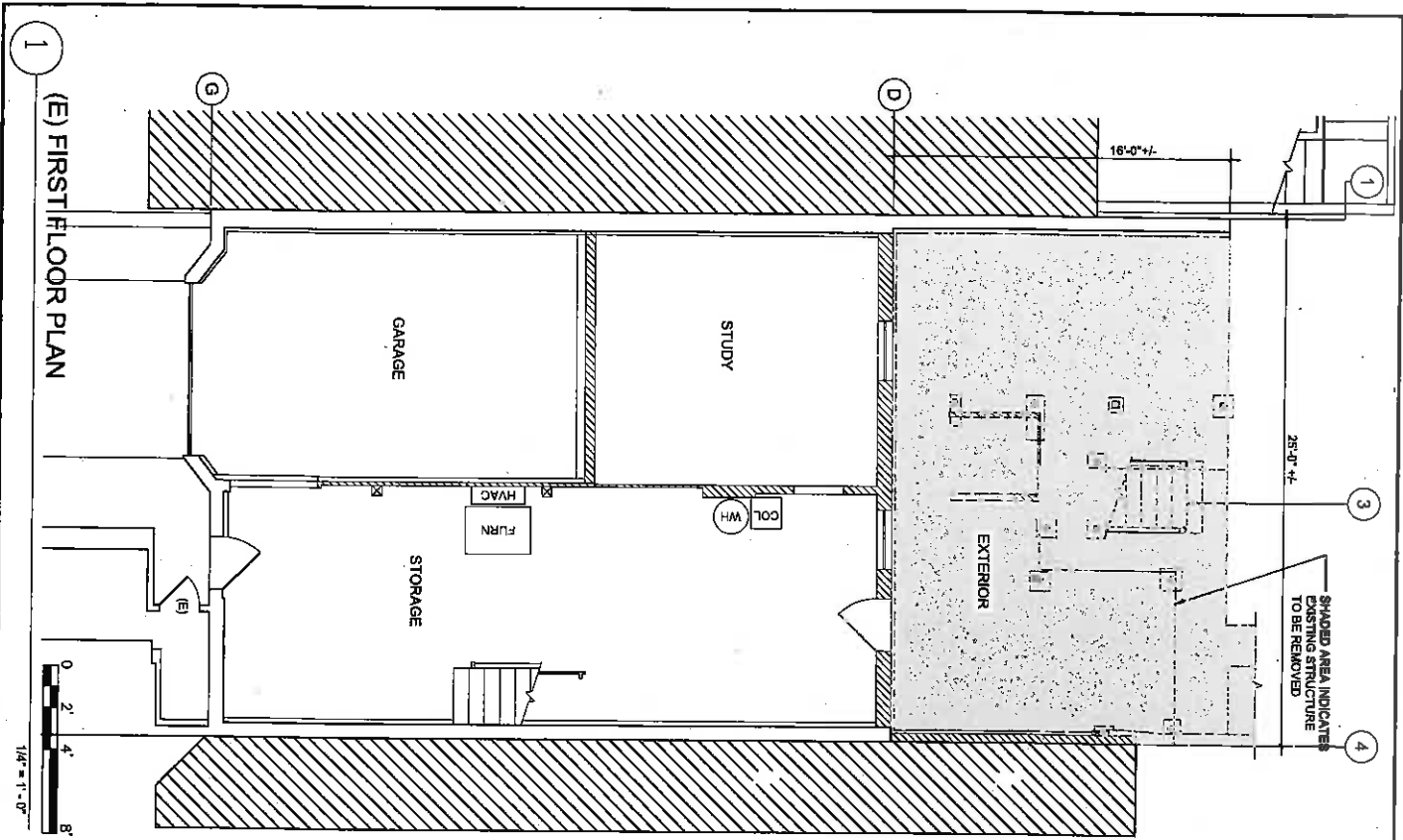
-SITE PLAN
-EXISTING & PROPOSED

Residential Remodel for:
 Andrea Sello and Andrew Leighton
 1264 Sixth Avenue
 San Francisco, CA 94122

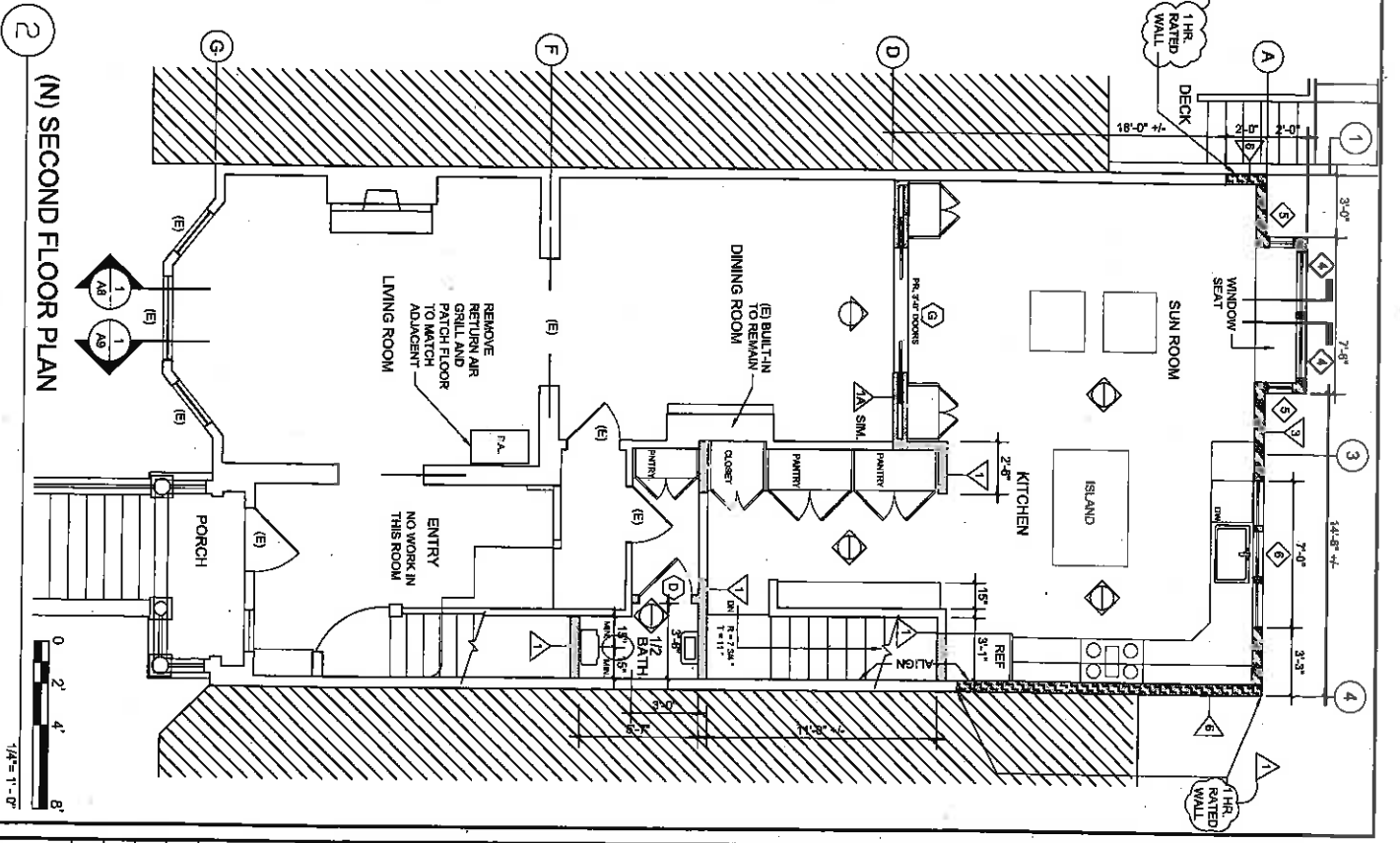
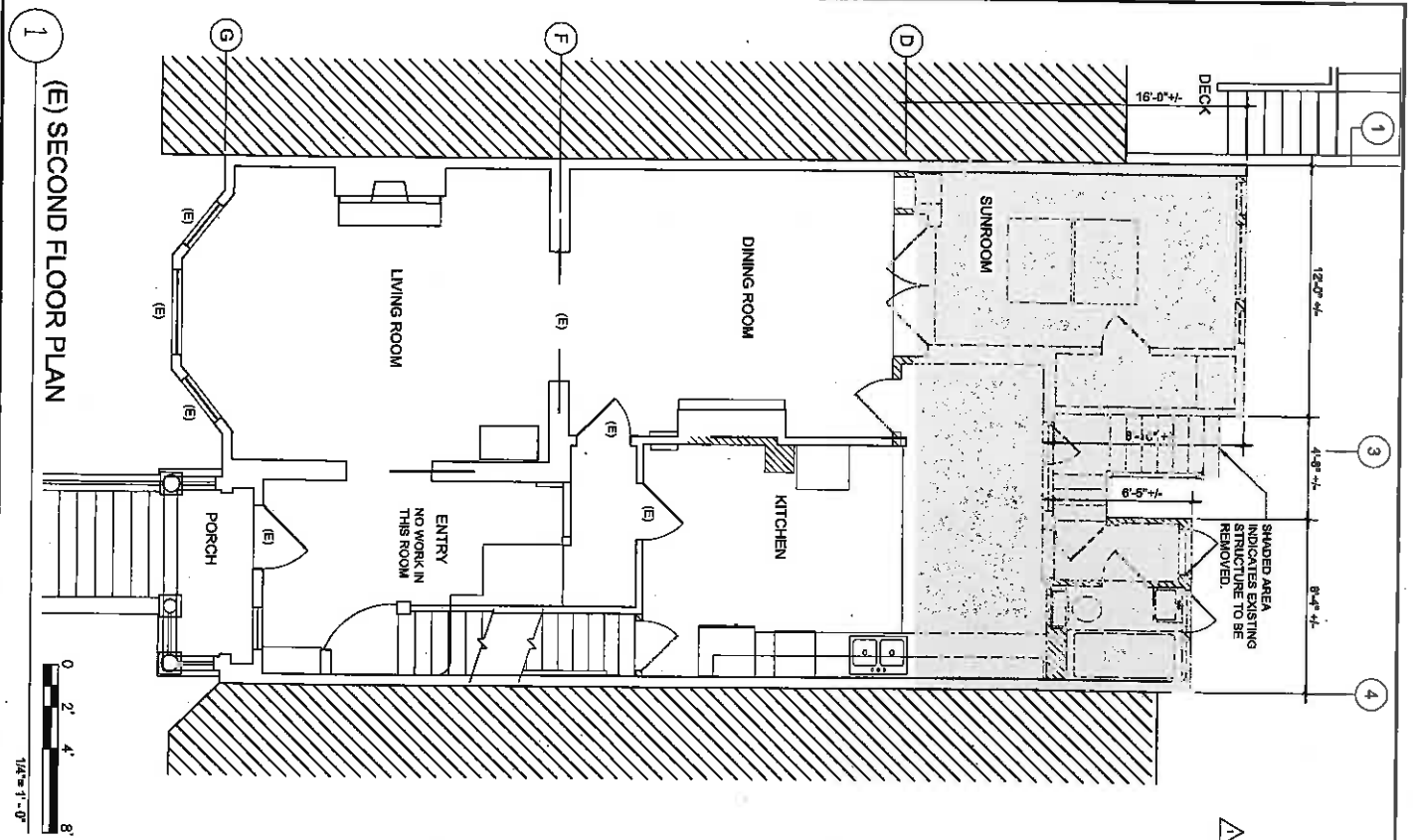


REVISIONS	BY
SITE PERMIT	
DATE	
REVISION 8/9/14	
LESLIE ARNOLD • ARCHITECT 63 Venice Street San Francisco, California 94122 tel 415 713 2960 fax 815 331 5196	

Sheet
A2
 Sheets



Sheet A3 of Sheets	Date: 7/7/74 Scale: AS NOTED Drawn: KPH/AA/ME Job: SELLO/LEIGHTON	-FIRST FLR. PLAN -EXISTING & PROPOSED	Residential Remodel for: Andrea Sello and Andrew Leighton 1264 Sixth Avenue San Francisco, CA 94122		LESLIE ARNOLD • ARCHITECT 63, Verma Street San Francisco California 94127 tel 415 713 2970 fax 815 331 5196	<table border="1"> <tr> <th>REVISIONS</th> <th>BY</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISIONS	BY						
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Title: 7/7/74 Scale: AS NOTED Drawn: KPH/AA/ME Job: SELLO/LEIGHTON	-FIRST FLR. PLAN -EXISTING & PROPOSED	Residential Remodel for: Andrea Sello and Andrew Leighton 1264 Sixth Avenue San Francisco, CA 94122		LESLIE ARNOLD • ARCHITECT 63, Verma Street San Francisco California 94127 tel 415 713 2970 fax 815 331 5196	<table border="1"> <tr> <th>REVISIONS</th> <th>BY</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISIONS	BY							
REVISIONS	BY													



**SECOND FLOOR PLAN
-EXISTING & PROPOSED**

Provisional Remodel for:
 Andrea Sello and Andrew Leighton
 1264 Sixth Avenue
 San Francisco, CA 94122

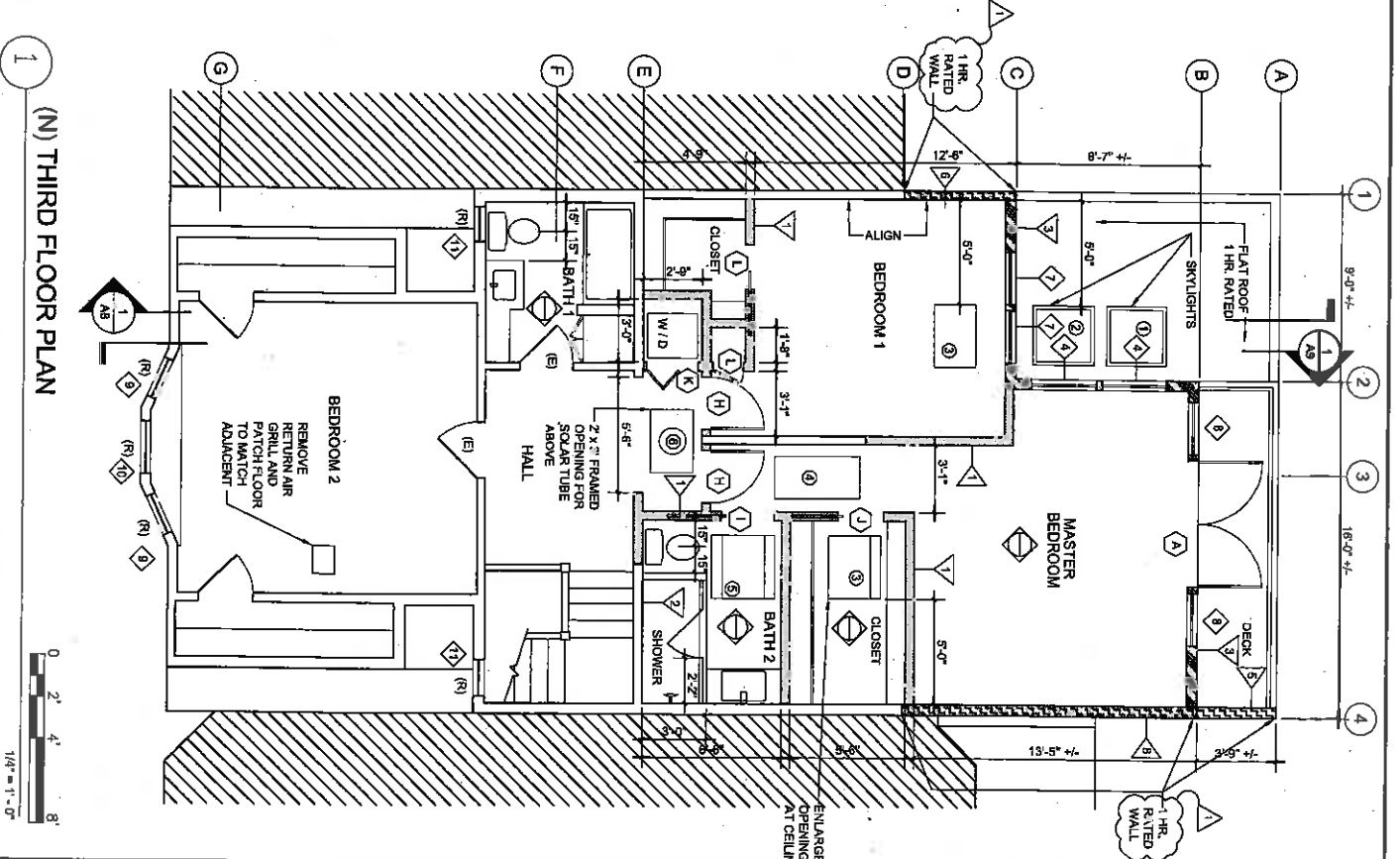
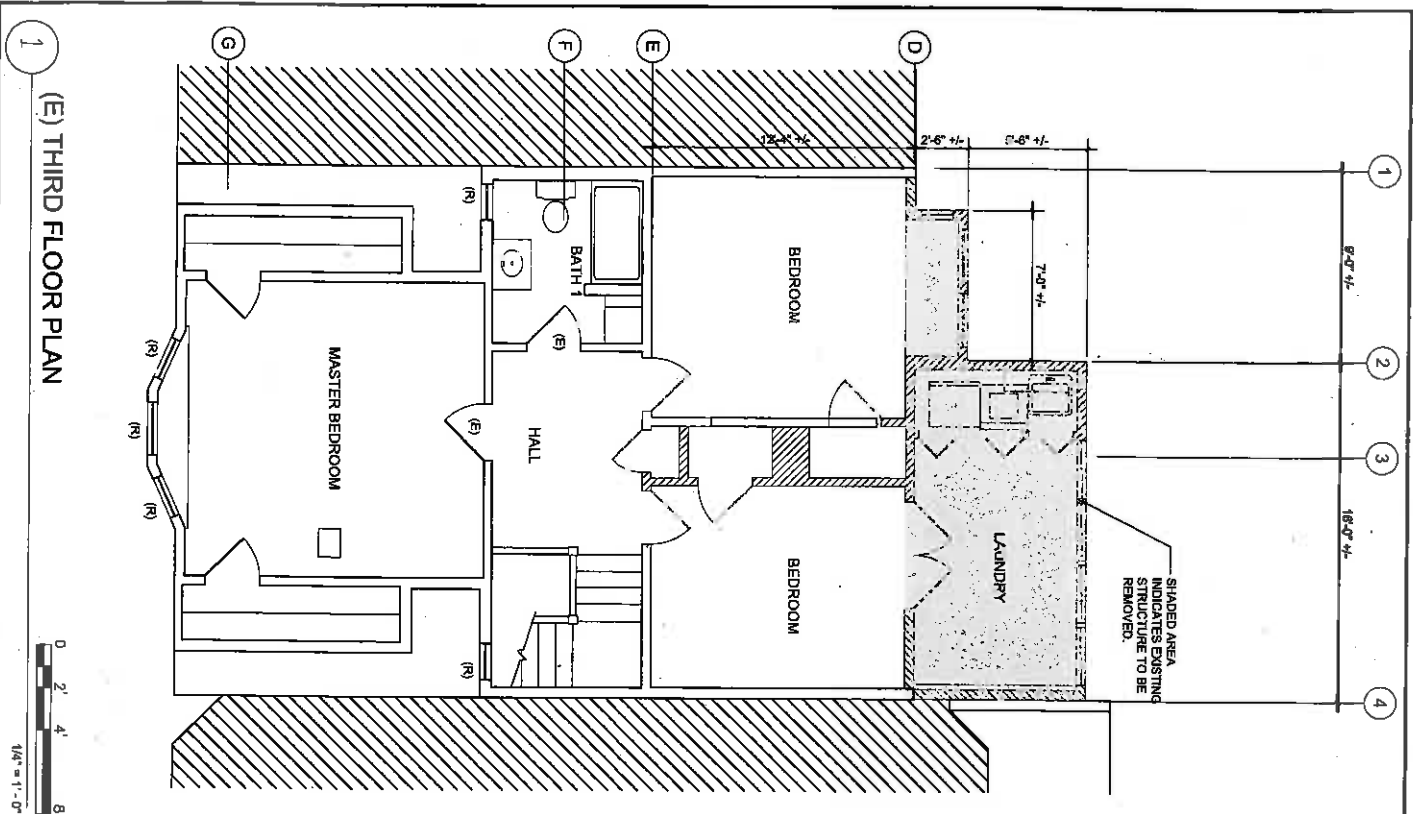


LESLIE ARNOLD • ARCHITECT

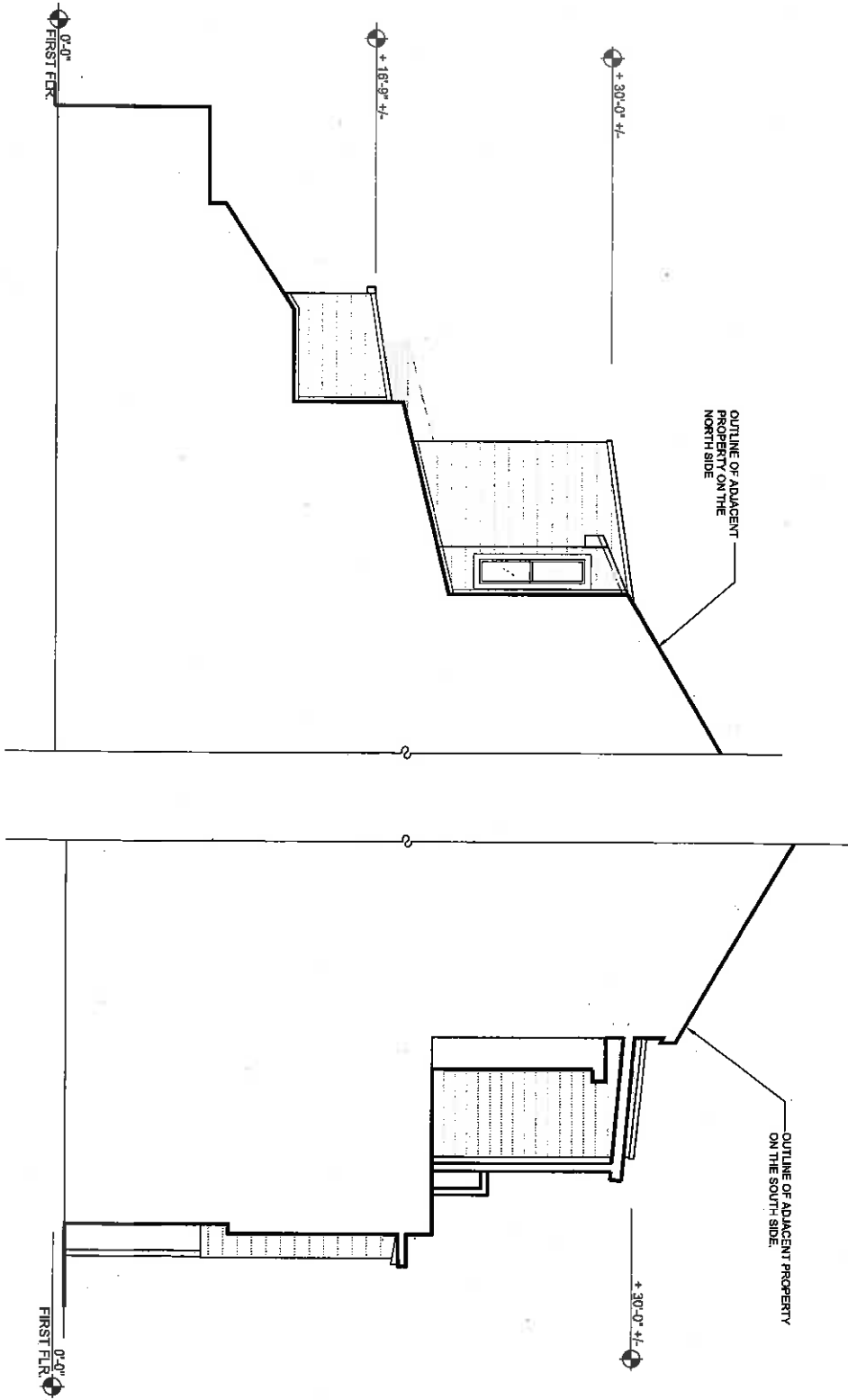
63 Yerxa Street San Francisco California 94122
 tel 415 713 2960 fax 815 331 5196

REVISIONS	BY
DATE PERMIT	
DATE PERMIT	
REVISION # 9/14/17	

Date	7/17/14
Scale	AS NOTED
Drawn	KPH/AA/AG
Job	SELLO/LEIGHTON
Sheet	A4
of	Shells



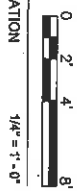
SHEET A5 OF SHEETS	Scale: AS NOTED Date: 7/17/74	- THIRD FLOOR PLAN - EXISTING & PROPOSED	Residential Remodel for: Andrea Sello and Andrew Leighton 1264 Sixth Avenue San Francisco, CA 94122		LESLIE ARNOLD • ARCHITECT 83 V.ima Street San Francisco California 94127 tel 415 713 2960 fax 415 331 3176	SITE PERMIT 8/28/73 SITE PERMIT REVISION 9/14/74	BY:
	Designer: JRN/AA/ME Job #: SEL/VA/ERTON						



1

EXISTING NORTH ELEVATION

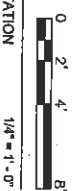
NOTE: OUTLINE OF ADJACENT BUILDINGS IS A GENERAL REPRESENTATION
BUILDINGS HAVE NOT BEEN PROFESSIONALLY SURVEYED



2

EXISTING SOUTH ELEVATION

NOTE: OUTLINE OF ADJACENT BUILDINGS IS A GENERAL REPRESENTATION
BUILDINGS HAVE NOT BEEN PROFESSIONALLY SURVEYED



(E) NORTH ELEVATION
(E) SOUTH ELEVATION

Residential Remodel for:
Andrea Sello and Andrew Leighton
1264 Sixth Avenue
San Francisco, CA 94122



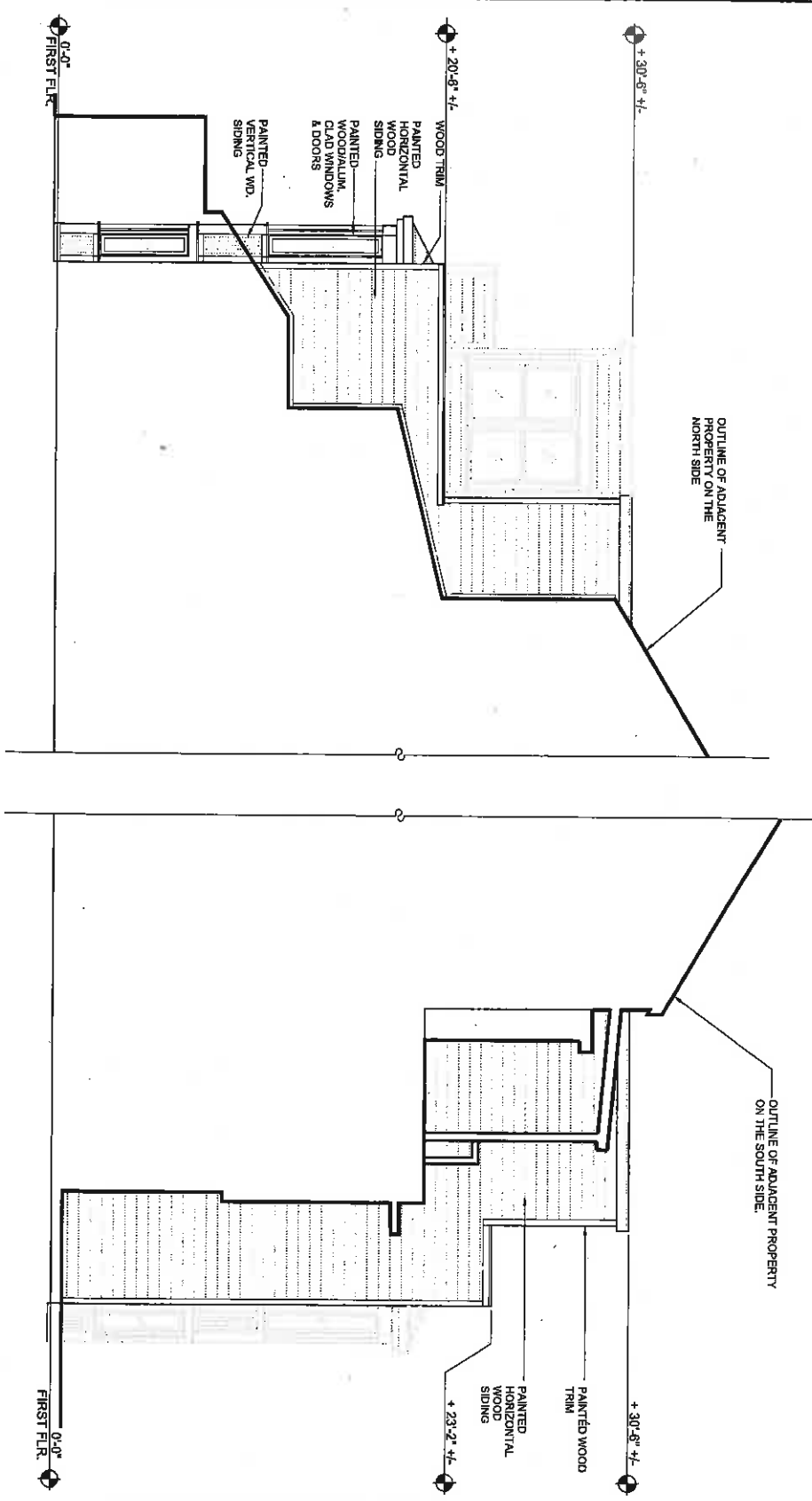
LESLIE ARNOLD • ARCHITECT

63 Verma Street San Francisco California 94137
Tel 415 713 2900 Fax 415 331 5190

REVISIONS	BY
SITE PERMIT	S/M/13
DATE PERMIT	REVISION/8/14

Sheet
A7.1
of
Sheets

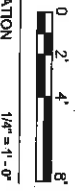
Date: 7/27/14
Scale: AS NOTED
Drawing: RSH/AA
Client: SELLO/LEIGHTON



1

PROPOSED NORTH ELEVATION

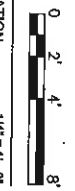
NOTE: OUTLINE OF ADJACENT BUILDINGS IS A GENERAL REPRESENTATION. BUILDINGS HAVE NOT BEEN PROFESSIONALLY SURVEYED.



2

PROPOSED SOUTH ELEVATION

NOTE: OUTLINE OF ADJACENT BUILDINGS IS A GENERAL REPRESENTATION. BUILDINGS HAVE NOT BEEN PROFESSIONALLY SURVEYED.



(N) NORTH ELEVATION
(S) SOUTH ELEVATION

Residential Remodel for:
Andrea Sello and Andrew Leighton
1264 Sixth Avenue
San Francisco, CA 94122



LESLIE ARNOLD • ARCHITECT

63 Vera Street San Francisco California 94122
tel 415 713 2960 fax 815 331 5196

REVISIONS	BY
SITE PERMIT 9/24/14	
SITE PERMIT REVISIONS 9/14/14	

Sheet
A7.2
of
Sheets

Attachment 2

From: David Silverman dsilverman@reubenlaw.com
Subject: Appea No. 14-162, 1264-6th Avenue
Date: October 27, 2014 at 12:01 PM
To: Julie McKenzie jewelflute@gmail.com, Clay Leighton clay.leighton@gmail.com, Pacheco, Victor (PAB) victor.pacheco@sfgov.org, Goldstein, Cynthia (PAB) cynthia.goldstein@sfgov.org
Cc: acsello@aol.com, Ken Miller ken.basco4@gmail.com, Cynthia Smith sarmminghorse@att.net, Leslie Arnold lesliearnold@sfgov.com

Ms. Goldstein and Mr. Pacheco,

We are working with the permit holders, Clay Leighton and Andrew Sello, to defend against this appeal of a building permit. We confirm that the floor plans and elevations for the Project at 1264- 6th Avenue have not changed since the issuance of the 311 notice, and the Planning Commission hearing that was held on April 24, 2014. The appellants are welcome to contact our office at any time to obtain copies of public documents. Accordingly, we do not see any justification for delay. Thank you, David Silverman

REUBEN, JUNIUS & ROSE LLP

David Silverman
One Bush Street, Suite 600
San Francisco, CA 94104
T. 415-567-9000 F. 415-399-9480
dsilverman@reubenlaw.com

From: Julie McKenzie [mailto:jewelflute@gmail.com]
Sent: Monday, October 27, 2014 11:41 AM
To: Clay Leighton
Cc: <victor.pacheco@sfgov.org>; <acsello@aol.com>; Ken Miller; Cynthia Smith; David Silverman; Leslie Arnold
Subject: Re: Appeal Hearing Date rescheduling Request