

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ROZ ISABELLA DELLA GIORDANO,)
Appellant(s))
vs.)
ZONING ADMINISTRATOR,)
PLANNING DEPARTMENT DISAPPROVAL Respondent)

Appeal No. 17-119

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on July 17, 2017, 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 DENIAL on July 17, 2017, of a Alteration Permit (replace aluminum windows to correct NOV No. 201631472; the installation of vinyl-framed replacement windows located at the street-facing façade are not compatible with either the character of the subject building or the surrounding neighborhood and does not comply with the standards set forth in the Planning Department's Residential Design Guidelines) at 440 Holloday Avenue.

APPLICATION NO. 2016/09/12/7423

FOR HEARING ON September 27, 2017

Address of Appellant(s):

Address of Other Parties:

Roz Isabella della Giordano, Appellant 442 Holiaday Street San Francisco, CA 94110	N/A
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BOARD OF APPEALS

Date Filed:

JUL 17 2017

APPEAL # 17-119

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

PRELIMINARY STATEMENT OF APPEAL

I / We, **Roz Isabella della Giordano**, hereby appeal the following departmental action: **DENIAL of Alteration Permit No. 2016/09/12/7423** by the **Department of Building Inspection** which was issued or became effective on: **July 17, 2017**, for the property located at: **440 Holladay 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: **September 07, 2017, (no later than three Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: boardofappeals@sfgov.org if possible. *RdG*

Respondent's and Other Parties' Briefs are due on or before: **September 21, 2017, (no later than one Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with eleven (11) copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day. In addition, an electronic copy should be emailed to: boardofappeals@sfgov.org if possible.

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

Hearing Date: **Wednesday, September 27, 2017, 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 eleven (11) copies of all documents of support/opposition no later than one 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 statement.

Appellant or Agent (Circle One):

Signature: *Roz Isabella della Giordano*

Print Name: Roz Isabella della Giordano

JUL 17 2017

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July 13, 2106

Greetings,

I'm filing an appeal of application 2016.09.12.7423. When planning to replace the old leaking windows of my bottom unit I consulted the Planning Dept. website where I found a brochure showing what repairs require a permit on a house. It clearly stated window replacement does not require a permit. I've enclosed a copy of this brochure printed out by an employee of the planning department; I couldn't get the full page to print out at home).

I'm living on a fixed income of SSI and my one rental unit that has been empty since July 1st and am currently 83K in short term debt mostly due to medical bills.

Roz Isabella della Giordano
Formerly Mario J Giordano





SAN FRANCISCO PLANNING DEPARTMENT

July 3, 2017

Mario J. Giordano
442 Holladay Avenue
San Francisco, CA 94110

Re: 440 Holladay Avenue
Building Permit Application No. 2016.09.12.7423
DBI Notice of Violation No. 201631472
Filed: September 12, 2016; Disapproved: July 3, 2017
Block: 5635/ Lot: 006
Zoning District: RH-1 (Residential-House, One-Family)

BOARD OF APPEALS

JUL 17 2017

APPEAL # 17-119

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Giordano,

Please be advised that the Planning Department has disapproved the referenced building permit application to legalize the installation of vinyl-framed replacement windows located at the street-facing facades of the subject building. The installation of replacement windows that do not match the details, material, configuration, and character of the historic windows does not comply with the standards set forth in the Planning Department's Residential Design Guidelines in Section VI: Building Details.

The Residential Design Guidelines require that replacement windows "contribute to the architectural character of the building and the neighborhood" (p. 44). The subject building was constructed in 1908. The character-defining features of the building are scale and massing, pitched roof, the projecting bays, and fenestration pattern. Moreover, the building is located in the Bernal Heights neighborhood which contains early 20th century buildings. Although incompatible window replacements are common in this area, the historic character of the neighborhood can still be read in the shared building scale, forms, details, materials, and fenestration patterns.

The installed replacement windows are not compatible with either the character of the subject building or the surrounding neighborhood. The vinyl-framed replacement windows fail to replicate the configuration and frame details of the original windows, resulting in a loss of visual depth and texture at the building's façade. Furthermore, the vinyl frames of the replacement windows do not replicate the finish or quality of the historic painted wood-framed windows. For these reasons, the Department cannot approve the installation of these windows at the primary street-facing facades of this building.

If you have any questions, please contact Natalia Kwiatkowska at 415-575-9185 or natalia.kwiatkowska@sfgov.org.

If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning administrator, an appeal may be filed with the Board of Appeals

July 3, 2017

Building Permit Application No. 2016.09.12.7423
440 Holladay Avenue

within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1660 Mission Street, Room 3036, San Francisco, or call (415) 575-6880.

Room 304

Sincerely,

Natalia Kwiatkowska
Planner/Preservation Specialist, SE Quadrant, Current Planning

cc: Richard Sucre, SE Team Leader

Please be advised that the Planning Department has disapproved the requested building permit application to legalize the installation of vinyl framed replacement windows located at the street-facing facade of the subject building. The installation of replacement windows that do not match the details, material, configuration and character of the historic windows does not comply with the standards set forth in the Planning Department's Residential Design Guidelines in Section 17.02 Building Details. This was determined by the Planning Department's staff during a review of the Building Details. The Residential Design Guidelines require that replacement windows "contribute to the architectural character of the building and the neighborhood." (17.02.4) The subject building was constructed in 1908. The character-defining features of the building are scale and massing, pitched roof, the projecting bay and tower window pattern. Moreover, the building is located in the historic neighborhood which contains early 20th century buildings. Although incompatible window replacements are common in this area, the historic character of the neighborhood can still be read in the shared building scale, form, details, materials, and orientation patterns.

The installed replacement windows are not consistent with either the character of the subject building or the surrounding neighborhood. The vinyl-framed replacement windows fail to replicate the configuration and frame details of the original windows, resulting in a loss of visual depth and texture at the building's facade. Furthermore, the vinyl frames of the replacement windows do not replicate the finish or quality of the historic painted wood-framed windows. For these reasons, the Department cannot approve the installation of these windows at the primary street-facing facade of the building.

If you have any questions, please contact Natalia Kwiatkowska at 415-575-9135 or natalia.kwiatkowska@sfdph.org.

If you believe there is an error in interpretation of the Planning Code or if you have a comment, you may request an appeal. An appeal may be filed with the Board of Appeals.