

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
RICHARD MILLER and SHELLI MENEGHETTI,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
PLANNING DEPARTMENT APPROVAL Respondent)

Appeal No. **21-011**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on February 16, 2021, the above-named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on February 2, 2021 to Mickey Pucko, of an Site Permit (adding additional levels to a two story single family residence to accommodate additional bedrooms and view deck (2 beds to 5 beds)(2 baths to 5 baths); adding a 4th level penthouse) at 3627 Divisadero Street.

APPLICATION NO. 2018/12/27/9267

FOR HEARING ON April 14, 2021

Address of Appellant(s):

Address of Other Parties:

Richard Miller and Shelli Meneghetti, Appellant(s)
3633 Divisadero Street
San Francisco, CA 94123

Mickey Pucko, Determination Holder(s)
3627 Divisadero Street
San Francisco, CA 94123



Date Filed: February 17, 2021

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

PRELIMINARY STATEMENT FOR APPEAL NO. 21-011

I / We, **Richard Miller and Shelli Meneghetti**, hereby appeal the following departmental action: **ISSUANCE of Site Permit No. 2018/12/27/9267** by the **Department of Building Inspection** which was issued or became effective on: **February 2, 2021**, to: **Mickey Pucko**, for the property located at: **3627 Divisadero Street**.

BRIEFING SCHEDULE:

The Appellants may, but are 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.

Appellants' Brief is due on or before: 4:30 p.m. on **March 25, 2021, (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 should be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, scott.sanchez@sfgov.org and mickey@giantrecruiting.com

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **April 8, 2021, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy should be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, shellimeneghetti@aol.com, richard.miller08@gmail.com and scott.sanchez@sfgov.org.

The Board's physical office is closed to the public and hard copies of the brief do NOT need to be submitted.

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

Hearing Date: **Wednesday, April 14, 2021, 5:00 p.m.**, 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 change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. 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. 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.

The reasons for this appeal are as follows:

Not Submitted

Appellant or Agent (Circle One):

Signature: Via Email

Print Name: Richard Miller

Home » Most Requested

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date:2/17/2021 10:21:32 AM

Application Number:201812279267

Form Number:3

Address(es):0919 / 001E / 0 3627 DIVISADERO ST

Description:ADDING ADDITIONAL LEVELS TO A TWO STORY SINGLE FAMILY RESIDENCE TO ACCODOMATE ADDITONAL BEDROOMS AND VIEW DECK (2 BEDS TO 5 BEDS)(2 BATHS TO 5 BATHS). ADDING A 4TH LEVEL PENTHOUSE

Cost:\$1,000,000.00

Occupancy Code:R-3,U-1

Building Use:27 - 1 FAMILY DWELLING



Disposition / Stage:

Action Date	Stage	Comments
12/27/2018	TRIAGE	
12/27/2018	FILING	
12/27/2018	FILED	
1/27/2021	APPROVED	
2/2/2021	ISSUED	

Contact Details:

Contractor Details:

License Number:OWN

Name:OWNER OWNER

Company Name:OWNER

Address:OWNER * OWNER CA 00000-0000

Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	12/28/18	12/28/18			12/28/18	GUTIERREZ NANCY	
2	CPB	7/31/20	7/31/20	7/31/20	9/3/20	9/3/20	TORRES SHIRLEY	#600-349-189 electronically submitted. 09/03/2020: OK TO RELEASE HOLD PER CHRISTINE SILVA. TO PPC. ST
3	CP-ZOC	12/28/18	4/13/20	9/10/20	9/10/20	8/7/20	MAY CHRISTOPHER	Routed original plans and application form to PPC to be scanned by Permit Center, per request from Anh Hai Pham on 8/6/2020. Not yet approved by Planning - awaiting BlueBeam session invitation from DBI.
4	CP-NP	11/19/19	4/13/20	11/19/19	11/25/19	4/13/20	MAY CHRISTOPHER	email cover letter on 11/19/2019 (Jennie) mailed 311 notice on 12/3/2019; expires 1/2/2020 (Jennie)
5	CP-NP	12/23/19	9/3/20	12/23/19	12/23/19	9/3/20	MAY CHRISTOPHER	emailed 311 cover letter on 12/23/2019 (Jennie) mailed 311 notice on 12/31/2019; expires 1/30/2020 (Jennie)
6	CP-DR	9/3/20	9/3/20	9/10/20	9/10/20	9/3/20	MAY CHRISTOPHER	TWO DRs accepted 1-30-20 M LANGLEIE DR hearing held, CPC did not take DR and approved project as proposed.
								(9/10/20) Reviewed/approved BlueBeam plans for one-story horizontal rear addition as well as third

7	CP-ZOC	9/4/20	9/10/20	9/10/20	9/10/20	9/10/20	MAY CHRISTOPHER	and fourth floor vertical additions to the existing two-story, single-family dwelling. The project also includes facade alterations and roof decks above the third floor at the front and rear. (12/10/20) Reviewed/approved revised plans. No significant changes since previous submittal. (12/23/20) Reviewed/approved revised plans. No significant changes since previous submittal.
8	BLDG	9/4/20	10/13/20	10/13/20		12/23/20	HUANG VIVIAN	approved
9	SFFD	9/4/20	10/5/20			10/5/20	SAMSON BRUCE	approved; no insp fees req.
10	SFFD	12/24/20	12/24/20			12/24/20	SAMSON BRUCE	approved rev 2; no insp fees req
11	SFFD	1/22/21	1/22/21			1/22/21	SAMSON BRUCE	approved form 3
12	SFFD	1/22/21	1/22/21			1/22/21	SAMSON BRUCE	
13	DPW-BSM	9/4/20	9/16/20	9/16/20	1/14/21	1/14/21	DENNIS RASSENDYLL	1.14 Approved EPR SITE Permit only. ADDENDA requirement(s) for sign off: Street Improvement, Urban Forestry. All sidewalk applications and plans MUST be applied online. Download sidewalk applications at http://www.sfpublishworks.org/services/permits . Your application will be ON-HOLD until all necessary PUBLIC WORKS-BSM permits are completed or plan checker(s) could recommend sign off to the satellite office via email. - RD 1.11 BUF release RD On Hold Need Offical sidewalk (19 feet) and noted new tree RD
14	SFPUC	9/4/20	12/23/20			12/23/20	TOM BILL	Received fixture count from owner 12.20.20; Reviewed and assessed for capcity charges.
15	PPC	9/3/20	9/4/20			1/25/21	DOMINGO CARMELO ADRIAN	1/25/21; Sent to CPB; AD 1/22/21; Invite sent to plan checker for stamp approval; AD 9/4/20; BB session created. Invite sent to applicant,May,BLDG,SFFD,BSM,PUC; AD 9/4/20: no Bluebeam session access; am 8/11/20: to Permit Center for scanning; am 8/6/20: !Route to Permit Center bin for scanning upon return to PPC; HP 12/28/18: to DCP;EC.
16	CPB	1/25/21	1/27/21			2/2/21	TORRES SHIRLEY	02/02/2021: OWNER BUILDER. ISSUED. ST 01/27/2021: school fees posted, 13 pgs-approved. Invoice sent for issuance and addenda plan review fees. ST 01/26/21: pending approval, waiting for school fee calcs. ST

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

Appointments:

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

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

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

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

Technical Support for Online Services

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

Capacity Charges
Water: \$2860.00
Wastewater: \$7506.00

Dept. of Building Insp.
- San Francisco -

☐ VERTICAL
☒ HORIZONTAL

SITE PERMIT

SFUSD = 2000 FT²

DEC 27 2018

APPROVED FOR ISSUANCE

IM 3/8

APPLICATION NUMBER

APPROVAL NUMBER

OSHA APPROVAL REC'D

BT
12-23-20

MAHER ORDINANCE
201812279267 FORM 3

Disturbance of at least 50 cu. yd. of soil:
☐ Yes ☒ No
if yes, route to DPH for compliance with Ordinance No. 166-13.

PATRICK O'RIOURDAN
INTERIM DIRECTOR

THIS APPLICATION SUBMITTED FOR SITE PERMIT ONLY.
NO WORK MAY BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

DEPARTMENT OF BUILDING INSPECTION

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 PURPOSES HEREINAFTER SET FORTH.

FORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED
FORM 8 ☐ OVER-THE-COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

DO NOT WRITE ABOVE THIS LINE

DATE FILED 12/27/18	FILING FEE RECEIPT NO. 18123921	(1) STREET ADDRESS OF JOB 3627 DIXISADERO ST	BLOCK & LOT 0919-001E
PERMIT NO. 1535970	ISSUED 02/02/2021	(2A) ESTIMATED COST OF JOB \$650,000	(2B) REVISED COST: \$1,000,000.00 BY: DATE: 10/13/2020

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. Y	(5A) NO. OF STORIES OF OCCUPANCY: 2	(6A) NO. OF BASEMENTS AND CELLARS: 1	(7A) PRESENT USE: SINGLE FAMILY RESIDENCE	(8A) OCCUP. CLASS R3/01	(9A) NO. OF DWELLING UNITS: 1
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. V	(5) NO. OF STORIES OF OCCUPANCY: 4	(6) NO. OF BASEMENTS AND CELLARS: 1	(7) PROPOSED USE (LEGAL USE) SINGLE FAMILY RESIDENCE	(8) OCCUP. CLASS R3/01	(9) NO. OF DWELLING UNITS: 1
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR 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 type="checkbox"/> NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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(14) GENERAL CONTRACTOR JOHN MACK - AAC	ADDRESS 1501 LOGANBERG AVE ARROYO GRANDE, CA	ZIP 93420	PHONE 831344	CALIF. LIC. NO. 1/31/2020
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(15) OWNER - LESSEE (CROSS OUT ONE) MIRABELA PUCKO	ADDRESS 3627 DIXISADERO ST, CA	ZIP 94123	BTRCH (805)4313917	PHONE (FOR CONTACT BY DEPT.)
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(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
REMODEL OF EXISTING RESIDENCE ADDING ADDITIONAL 3rd PLUS
STORY FOR ADDITIONAL BEDROOMS.
REQUESTING A SITE PLAN PERMIT
ADDING A 4th LEVEL PENTHOUSE BEDROOM & VIEW DECK(S)

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT 40'	(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 N.A. SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK 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 type="checkbox"/> JOHN MACK 1501 LOGANBERG AVE ARROYO GRANDE, CA 93420		CALIF. CERTIFICATE NO.	
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN") No			

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 is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 385, 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.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings 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 dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

☒ OWNER
☐ LESSEE
☐ CONTRACTOR

☒ ARCHITECT
☐ AGENT
☐ 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 THERETO WILL BE COMPLIED WITH.

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 and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), 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. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- () II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:
Carrier _____
Policy Number _____
- () III. The cost of the work to be done is \$100 or less.
- (X) IV. 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 worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
- () V. 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 worker's 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.

12/27/18

PA #2018-1227-9267 S

CONDITIONS AND STIPULATIONS

3627 DIVISADERO ST

REFER APPROVED:
DEPARTMENT OF
BUILDING INSPECTION
FOR OFFICE USE ONLY



Vivian Huang - BLDG

DEPARTMENT OF
BUILDING INSPECTION

December 23, 2020

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

Christopher May - PLN

PLANNING

September 10, 2020

DEPARTMENT OF CITY PLANNING

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

PLAN REVIEW BY SFPD LIMITED TO:
1. FIRE DEPARTMENT ACCESS
2. FIRE FLOW REQUIREMENTS

Kjell Harshman, SFPD

DEC 27 2018



Bruce Samson - FireBFP

FIRE

January 22, 2021

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

DENNIS

PUBLIC WORKS

January 14, 2021

BUREAU OF ENGINEERING

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

DEPARTMENT OF PUBLIC HEALTH

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

REDEVELOPMENT AGENCY

DATE: _____
REASON: _____

NOTIFIED MR.

APPROVED:

☐

SFPUC – Capacity Charges
See attached SFPUC Capacity
Charge Invoice for total amount due.
DBI will collect charges.



Bill Tom - PUC CC

PUBLIC UTILITIES
COMMISSION

December 23, 2020

HOUSING INSPECTION DIVISION

DATE: _____
REASON: _____

NOTIFIED MR.

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments ☐

OWNER'S AUTHORIZED AGENT

THE APPELLANT DID NOT SUBMIT A BRIEF

BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

Property Address: 3627 Divisadero St.

Building Permit Application: 2018.1227.9267

Record Number: 2018-017375PRJ

Response to APPEAL FILED NO. 21-011 @ 3627 DIVISADERO STREET

Dear Commissioners,

On 3/25/21 Project Sponsor (“Sponsor”) reached out to Julie Rosenberg and Scott Sanchez and was informed that the appellants did not file a brief therefore it’s hard to respond to any of their arguments or concerns. Project Sponsor also reached out to appellants on multiple occasions (most recently on 2/17/21, when the appeal was filed, and again on 4/1/21) and asked if they wanted to discuss any specific concerns regarding the permit but none of them ever responded to the Sponsor’s inquiries (Exhibit A).

It is widely documented that both appellants are unwilling to cooperate and communicate. Right before the DR hearing, David Winslow, The Principal Architect on the San Francisco Planning Department, reached out to the appellants; Millers and Ms. Meneghetti twice, offering to mediate, but they refused mediation.

On January 25, 2020, at the final in-person meeting with the Sponsor, Mrs. Katherine Miller threatened that even if the project passes DR review and gets approved, her husband Richard Miller, will appeal the Site Permit in order to either delay or completely block the Project. Mrs. Katherine Renee Miller is a licensed California attorney for the City of San Francisco/Judicial Council of California (CA Bar No. 247390).

On May 7, 2020, the San Francisco Planning Commission conducted a duly noticed public hearing on Discretionary Review and found there are no extraordinary or exceptional circumstances and approved building permit application 2018.1227.9267 now challenged in the permit appeals process. (Exhibit B)

The Permit Appeals process is being used by the appellants / adjacent neighbors, Katherine & Richard Miller and Shelli Meneghetti, during the worst COVID-19 pandemic of our lives, to threaten the ability of property

owners to enjoy their family and work in the privacy of their home. The Project Sponsors (“Sponsors”) bought the subject property in 2017 with the wish **to provide a home for multigenerational living and to continue to work from home**. Sponsors have a large family with three adult children; one of whom is married and pregnant with her first baby and two that are in long-term relationships. In addition, Sponsors have aging parents with disabilities who have not been able to visit Sponsors because the current floorplan does not allow for disability access. Finally, Sponsors work from home and wish to continue to do so as their family grows.

The Approved Project:

1. Per DRA, the project does **not present any exceptional or extraordinary circumstances**. (Exhibit B).
2. **The Project does not require any variances**.
3. The project has not changed in size or scope.
4. The Project Has Undergone Extensive Review and Complies with the Residential Design Guidelines (“RDG”), applicable Building Codes and other Planning requirements. Site Permit was issued on 02/02/2021.
5. The building’s scale is compatible with surrounding buildings and fits in the neighborhood mixed visual character while respecting midblock open space. Furthermore, the approved project sits directly across from the Claire Lilienthal Elementary School that is currently undergoing major construction, taking up a full block with 40ft height and solid mass. (Exhibit C).
6. There is a significant precedence of four story buildings on the block and in the Marina neighborhood. On our block alone there are 10 four-story buildings. (Exhibit D).
7. The approved plans also preserve the building scale at the street by setting back the fourth floor **16 feet (when 15 ft are recommended per RDG)** therefore the visibility of the upper floor is limited from the street, and that the upper floor is subordinate to the primary façade from the street. (Exhibit E).
8. Neighbor’s privacy concerns were addressed and preserved by adding 5-foot side-setbacks, privacy plants, and removing all 4th floor property line windows. (Exhibit F).
9. Per **Meneghetti**’s request, Sponsor preserved and expanded the shared lightwell.

10. In order to minimize the height of the Property as viewed from the street or mid-block open space Sponsor revised the project to **use a one-hour fire rated roof** instead of a non-fire rated roof which **REDUCED the parapet wall from 48 inches to 6 inches** *minimizing the height of the Property as viewed from the street or mid-block open space* to further subordinate the upper floor to the primary façade. By reducing the parapet wall from 48 inches to 6 inches, Sponsor **further minimized the light impact on both Ms. Miller's and Meneghetti's properties** (Exhibit G).

Despite all the concessions made by the Sponsor, the two adjacent neighbors/appellants continue mounting coordinated attacks resulting in this Permit Appeal. Yet, these same neighbors have developed their respective properties with complete disregard on what impacts their projects had to Sponsors' property.

11. Both Ms. Miller's and Ms. Meneghetti's **remodeled homes tower 15ft ABOVE** Sponsor's current home and have had direct impacts to air, light, and privacy of the Sponsor's and other surrounding properties for many years (Exhibit H).
12. In 2018 the appellants Mr. and Mrs. Miller (the "Millers") completed a major remodel of their home **increasing the mass and adding deck space with zero side setback resulting in a direct view into the Sponsors' master bedroom infringing on Sponsor's privacy.** (Exhibit I).
13. During their 2018 remodel, **the Millers CLOSED OFF the shared lightwell** that used to provide light and air to both Sponsors & the Miller's homes and they constructed a **private property line skylight that provides light to the Miller's STAIRCASE ONLY**. Please note, Miller's newly constructed private skylight that is up against Sponsors property line is **ALREADY FULLY SHADED by the Miller's existing 5ft parapet** wall throughout the year and will not be further impacted by the Sponsors project. (Exhibit J).
14. Ms. Miller's home, just like most San Francisco homes, is **relying on front and back windows as primary light and air sources**. Mid-house lightwells and skylights are tertiary access points that are not protected by RDG. Furthermore, on all three floors, the Millers have (a) **large front windows that face onto the street and provide an abundance of light and air access;** and (b) **a back of the house large**

windows and “nana wall window system” that faces the rear yard and provides an abundance of light and air access (Exhibit K).

15. In fact, **Millers have actually complained about having TOO MUCH LIGHT and regularly maintain fully closed off blinds to protect against it.** The back “nana wall window system” facing onto the rear yard receives full afternoon light and the Millers have attempted to block light into their home by closing off the windows with blinds. On multiple occasions the **Millers stated that direct sunlight from the rear is destroying their new furniture and therefore they generally keep their blinds closed.** (Exhibit L).

Sponsor is including the approved drawings for your review (Exhibit M). For all the reasons stated above, we respectfully ask the Commissioners to deny the permit appeal.

Very truly yours,

Dated: April 08, 2021


Project Sponsors:  _____

Exhibit A

From: Mickey Pucko
Sent: Thursday, April 1, 2021 11:19 AM
To: shellimeneghetti@aol.com; Katie Miller <katiereneemiller@gmail.com>; richard.miller08@gmail.com
Cc: 'James Smith' <james.woodside@yahoo.com>
Subject: APPEAL FILED NO. 21-011 @ 3627 DIVISADERO STREET

Hi All - I hope all is well with you and your families.

I reached out to the board of appeals regarding your brief so I can address any concerns you may have with the project but I was informed that the brief was not filed.

I'm reaching out to you in the hope to discuss your concerns with the project as I would love to find a mutually beneficial resolution for all parties.

I'll make myself available at any time to either meet or speak with any or all of you.

Best,

Mickey & James

From: Mickey Pucko
Sent: Wednesday, February 17, 2021 3:34 PM
To: shellimeneghetti@aol.com; Katie Miller katiereneemiller@gmail.com; richard.miller08@gmail.com
Cc: 'James Smith' james.woodside@yahoo.com
Subject: APPEAL FILED NO. 21-011 @ 3627 DIVISADERO STREET

Hi All – I hope all is well.

I wanted to reach out to you and see if there are any specific questions or concerns you have with the site permit and if there is anything we could do to alleviate them? As always, we would be happy to work with you.

Best,

Mickey & James

805.431.3917

Exhibit B



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0694

HEARING DATE: MAY 7, 2020

Record No.: 2018-017375DRP-02
Project Address: 3627 Divisadero Street
Building Permit: 2018.1227.9267
Zoning: RH-3 [Residential House, Three-Family]
40-X Height and Bulk District
Block/Lot: 0919 / 001E
Project Sponsor: Micky Pucko
3627 Divisadero Street
San Francisco, CA 94123
DR Requestors: Shelli Meneghetti
3621 Divisadero Street
San Francisco, CA
Katie and Rich Miller
3633 Divisadero Street
San Francisco, CA
Staff Contact: David Winslow – (415) 575-9179
David.Winslow@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF RECORD NO. 2018-017375DRP-02 AND THE APPROVAL OF BUILDING PERMIT APPLICATION NO. 2018.1227.9267 TO CONSTRUCT A FIRST-FLOOR HORIZONTAL REAR ADDITION; REMOVE THE SECOND-FLOOR REAR POP-OUT AND; CONSTRUCT THIRD AND FOURTH FLOOR VERTICAL ADDITIONS TO THE EXISTING TWO-STORY, SINGLE-FAMILY DWELLING. THE PROJECT ALSO INCLUDES ALTERATIONS TO THE FRONT FAÇADE AND ROOF DECKS AT THE THIRD FLOOR AND AT THE FOURTH FLOOR AT BOTH THE FRONT AND THE REAR AT 3627 DIVISADERO STREET WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 27, 2018, John Mack filed for Building Permit Application No. 2018.1227.9267 to construct a first-floor horizontal rear addition; removal of the second-floor rear pop-out and; construct third and fourth floor vertical additions to the existing two-story, single-family dwelling at 3627 Divisadero Street within the RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District.

On January 30, 2020, Shelli Meneghetti, and Katie and Rich Miller (hereinafter “Discretionary Review (DR) Requestors”) filed an application with the Planning Department (hereinafter “Department”) for Discretionary Review (2018-017375DRP-02) of Building Permit Application No. 2018.1227.9267.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

On May 7, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2018-017375DRP-02.

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

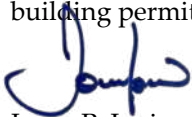
The Commission found there are no extraordinary or exceptional circumstances in this case and hereby does not take Discretionary Review requested in Record No. 2018-017375DRP-02 and approves Building Permit Application 2018.1227.9267.

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 (415) 415-575-6880, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

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 does not take Discretionary Review and approves the building permit as referenced in this action memo on May 7, 2020.



Jonas P. Ionin
Commission Secretary

AYES: Diamond, Fung, Johnson, Koppel

NAYS: Imperial, Moore

ABSENT: None

ADOPTED: May 7, 2020

Exhibit C

Claire Lilienthal Elementary School across the street takes up full block with 40ft height and solid mass. Sponsors project will not in any way have any adverse impact on neighborhood character.



Ms. Miller's home

Project Sponsor's home

Ms. Meneghetti's home

Exhibit D

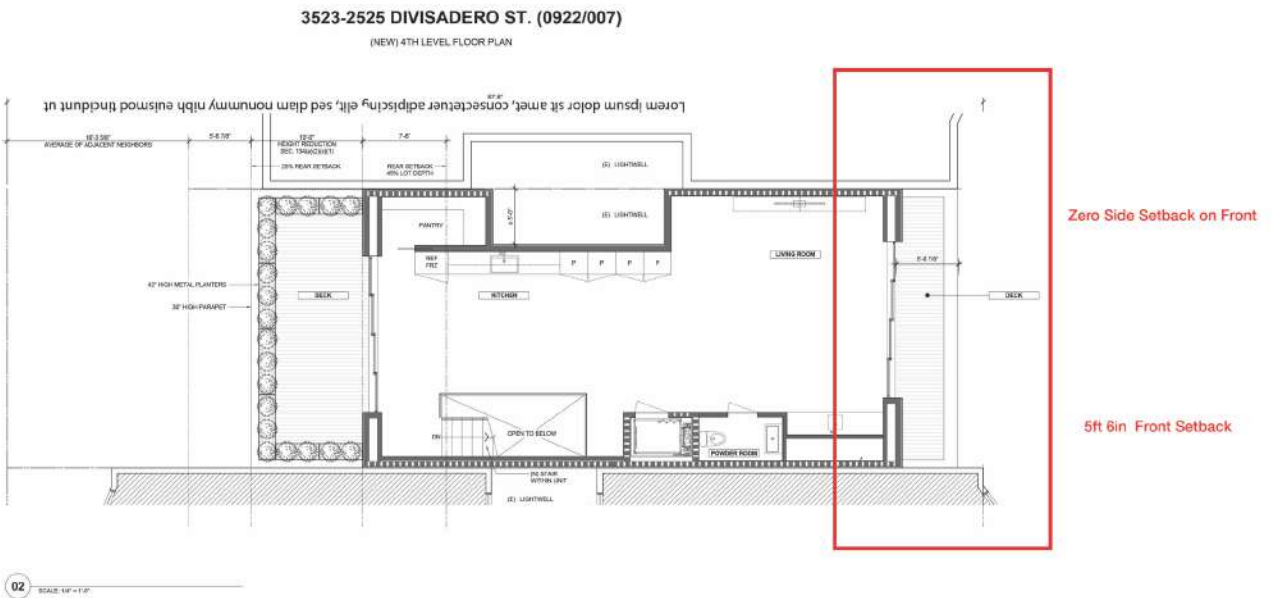
Examples of **OTHER 4 story building on Sponsor's block.**

There are ten 4-story buildings on Sponsor's block alone.

The approved project sits directly across from the Claire Lillienthal Elementary School that is currently undergoing major construction, taking up full block with 40ft height and solid mass.



Recently approved 4th story neighborhood projects following RDG guidelines of complying with **5-15ft front 4th story setbacks.**



ROOFTOP ABOVE 4TH FLOOR

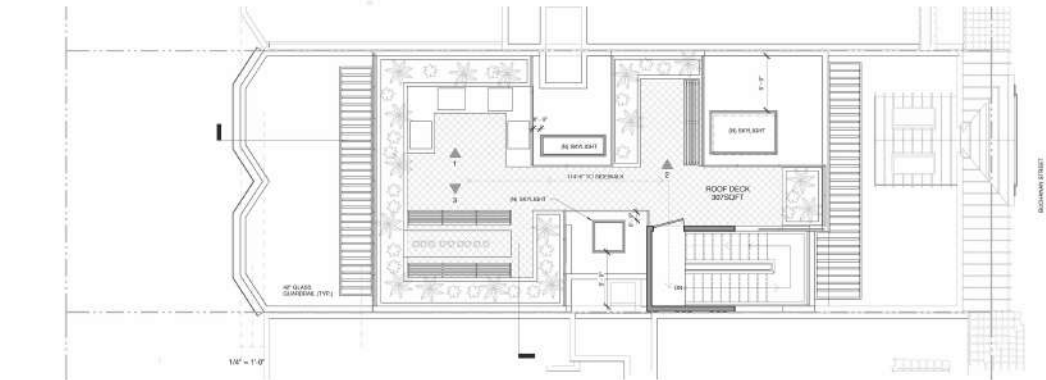
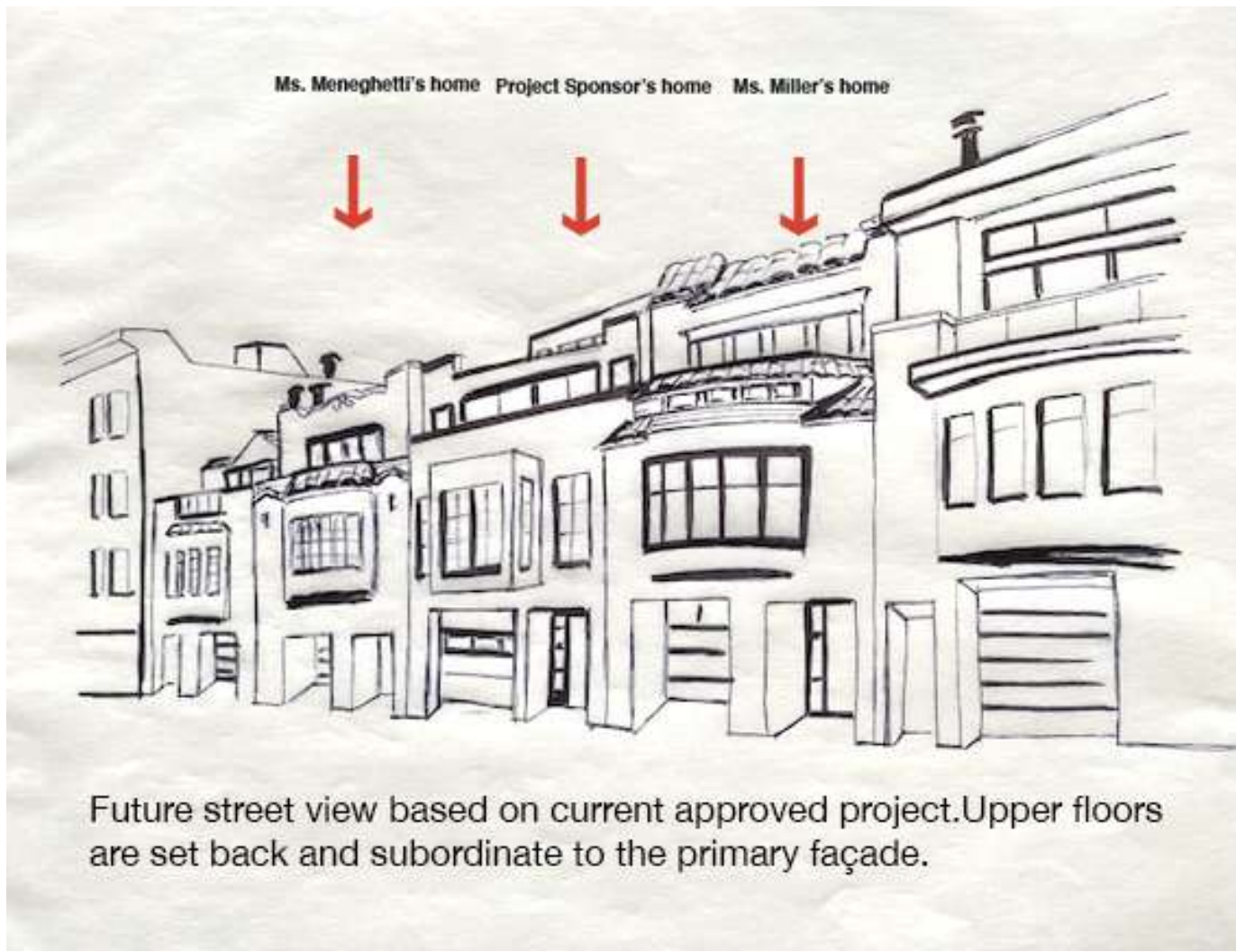


Exhibit E



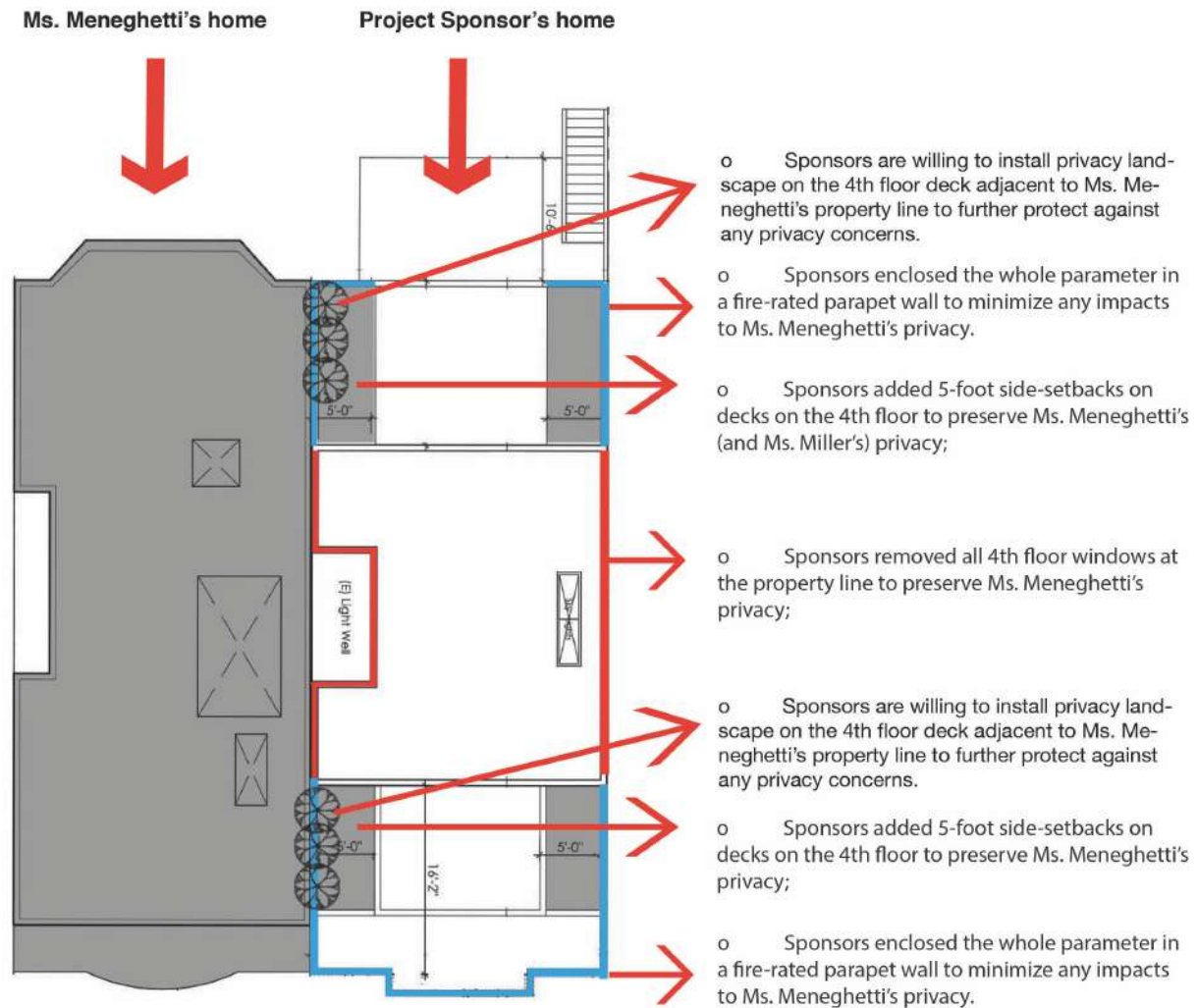
The **RDG states that the visibility of the upper floor is to be *limited* from the street, *not eliminated*, and that the upper floor should be subordinate to the primary façade from the street, *not invisible*.**

*RDG pg. 25 instructs: "In modifying the height and depth of the building, consider the following measures": (1) Set back the upper story a **recommended 15 feet** from the front building wall, or (2) Eliminate the building parapet by using a fire-rated roof with a 6-inch curb (see below RDG pg. 25).*

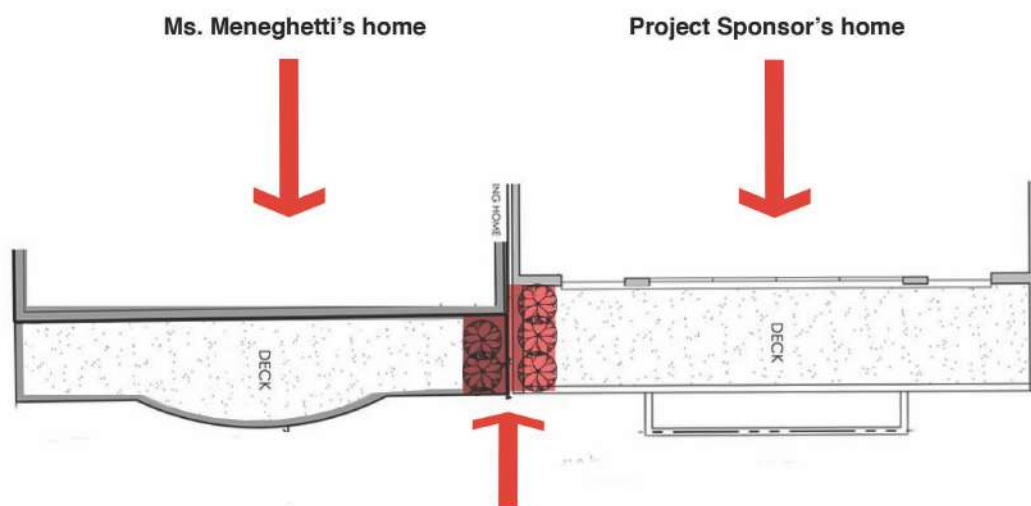
Sponsors did both.

Exhibit F

Neighbor's privacy concerns were addressed and preserved by adding 5-foot side-setbacks, privacy plants, and removing all 4th floor property line windows.



Neighbor's privacy concerns were addressed by including privacy plants.



Installation of privacy screens and/or privacy landscape on both 3'rd story front decks will preserve privacy and buffer any potential noise.

Exhibit G

Ms Meneghetti's home

Project Sponsor home

Ms Miller's home

Parapet wall was **REDUCED** from 48 in to 6 in →

a) Minimizing the height as viewed from the street or mid-block open space

b) Minimizing light impact to both Ms. Miller's & Meneghetti's properties

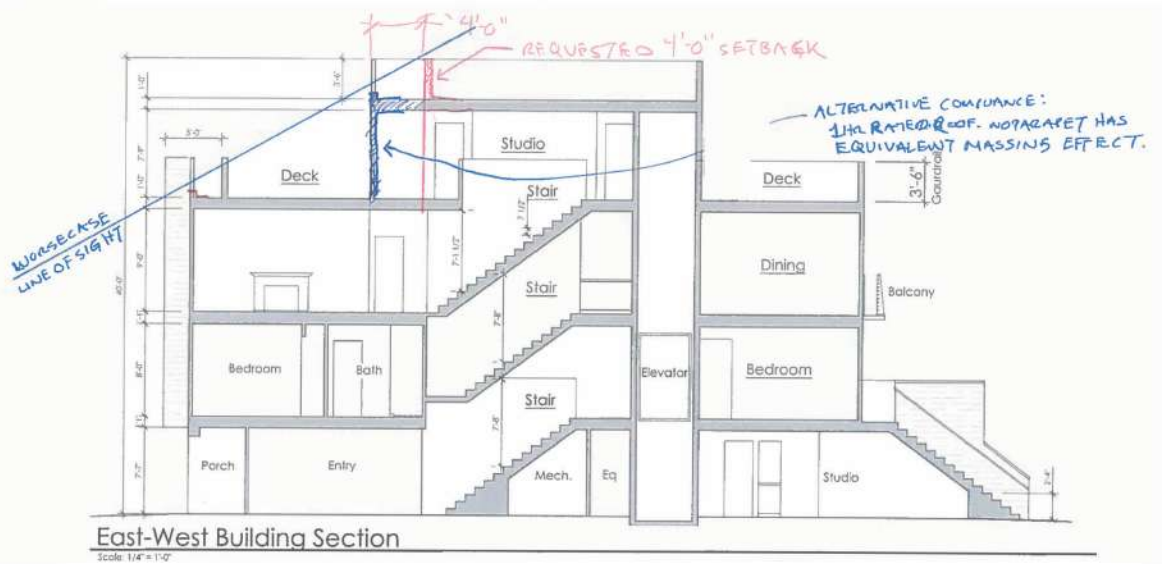
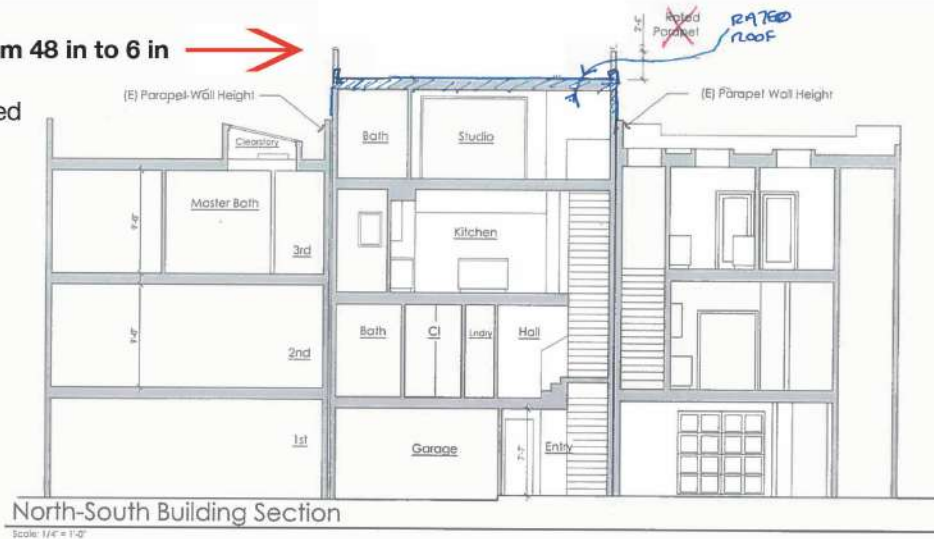
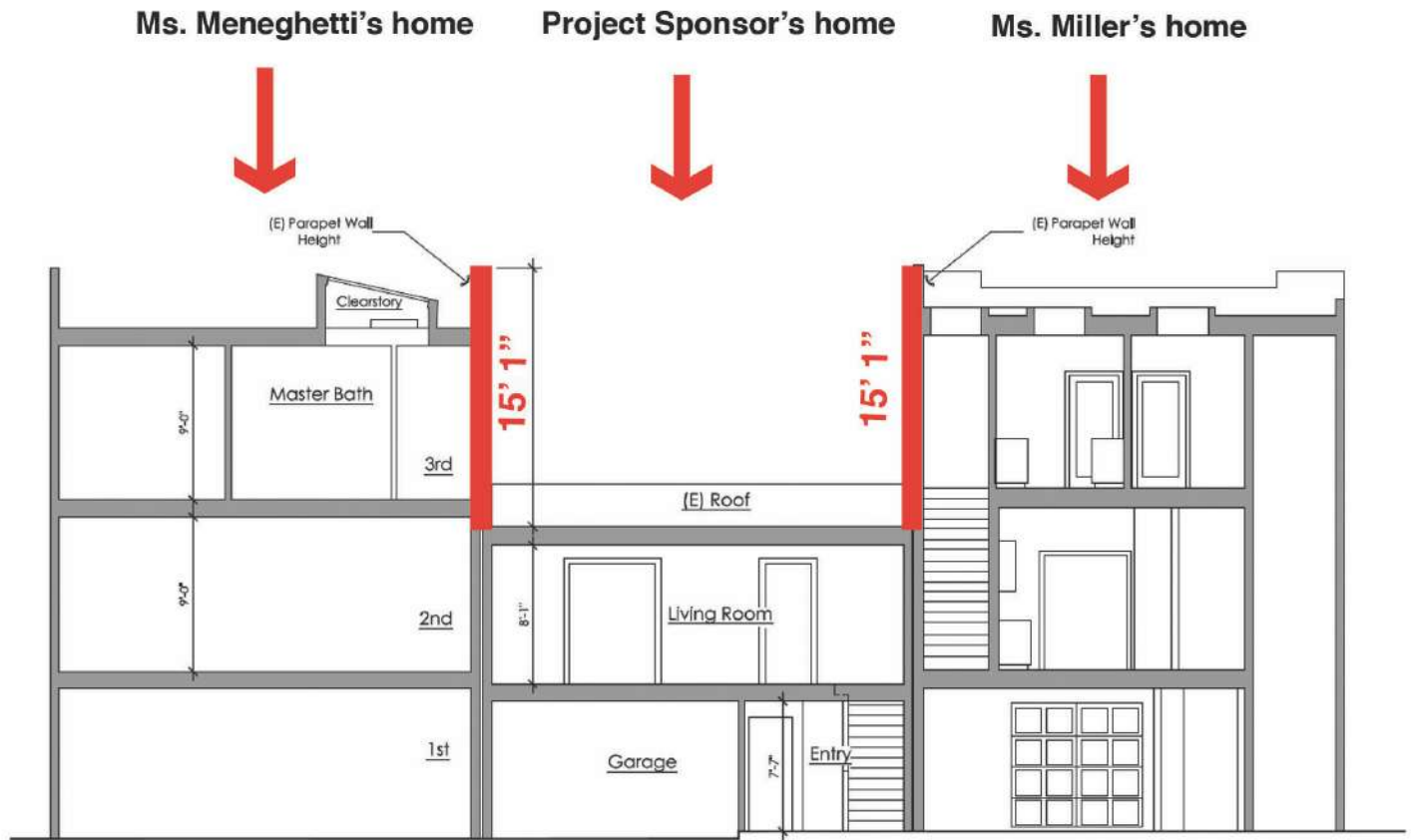


Exhibit H

Both appellant's /Ms. Miller's and Ms. Meneghetti's remodeled homes tower 15ft ABOVE Sponsor's current home and have had direct impacts to air, light, and privacy of the Sponsor's and other surrounding properties for many years.



(E) North-South Building Section

Scale: 1/4" = 1'-0"

Exhibit I

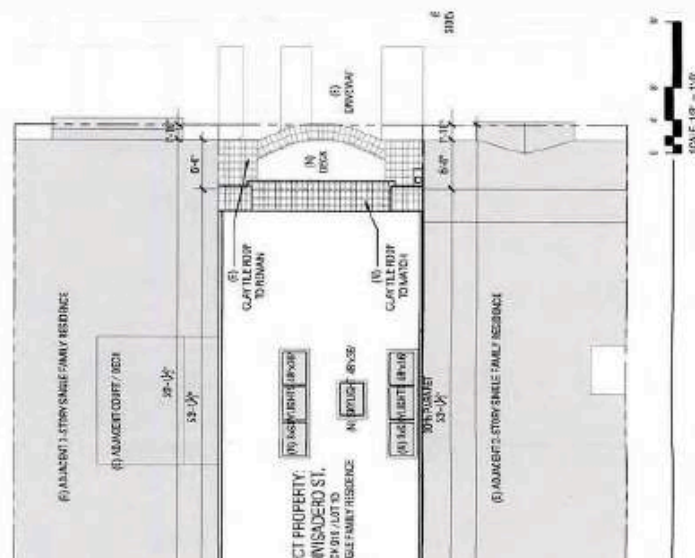
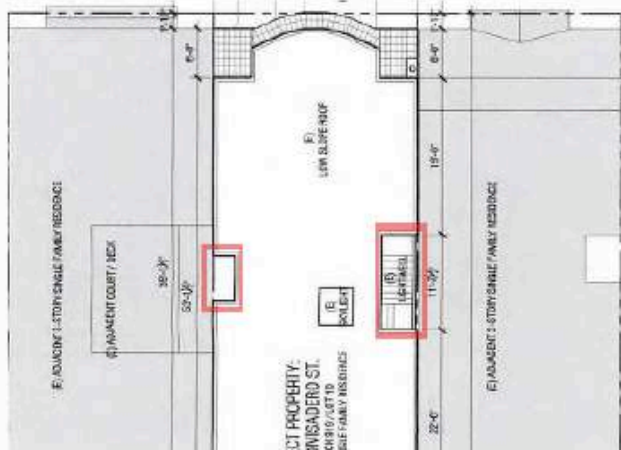
In 2018, DR Requestor Mr. and Mrs. Miller (the “Millers”) completed a major remodel of their home increasing the mass and adding deck space with zero side setback resulting in a direct view into the Sponsors’ master bedroom infringing on Sponsor’s privacy.



During 2018 remodel, Ms. Miller added a deck with zero side setback and a direct view into the Sponsors’ master bedroom.

Exhibit J

During their 2018 remodel, the Millers CLOSED OFF the shared lightwell that used to provide light and air to both Sponsors & the Miller's homes and they constructed a private property line skylight that provides light to the Miller's STAIRCASE ONLY.



Miller's had shading concerns but their newly constructed private skylight that is up against Sponsors property line is **ALREADY FULLY SHADED by the Miller's existing 5ft parapet** wall throughout the year and will not be further impacted by the Sponsors project. (*See below*).

Ms. Miller's 5 ft parapet wall is already fully shading the skylight that she is trying to claim that Sponsor's new project will impact.

The lightwell is fully shaded by her own 5 ft parapeth wall throughout the year.



Ms. Meneghetti's home

Project Sponsor's home

Ms. Miller's home



Photo taken in August 2018 @ 1pm

Ms. Miller's 5ft parapet wall and commercial grade raised skylights are already casting deep shadows fully covering her own skylights



Photo taken in January 2019 @ 2pm

Ms. Miller's 5ft parapet wall and commercial grade raised skylights are already casting deep shadows fully covering her own skylights

Exhibit K

The Miller's voiced concern about how Sponsor's project would impact their light. Their home, just like most San Francisco homes, is **relying on front and back windows as primary light and air sources**. Mid-house lightwells and skylights are tertiary access points that are not protected by RDG. Furthermore, on all three floors, the Millers have (a) **large front windows that face onto the street and provide an abundance of light and air access**; and (b) **a back of the house large windows and "nana wall window system" that faces the rear yard and provides an abundance of light and air access**. (See below)

Ms. Miller's 2018 REMODELED 2'nd & 3'rd Floor Plan



1 NEW THIRD LEVEL PLAN
12'0" x 12'0"



1 NEW SECOND LEVEL PLAN
12'0" x 12'0"

San Francisco homes are designed to rely on **front and back windows as their primary light and air sources**.

Mid-house lightwells and skylights are tertiary access points and they are not protected by the Residential Design Guidelines (the "RDG").

Ms. Miller **CLOSED OFF** her own lightwell and instead installed a roof top skylight that only provides light to her property above a staircase.

The **skylight is ALREADY fully SHADED** throughout the year by Ms. Miller's own 5ft property line parapet wall.

Ms. Miller's front and back windows serve as the primary light and air sources and provide abundance of light to her family & living rooms as well as all three bedrooms.

Ms. Miller **CLOSED OFF** her own lightwell and instead installed a roof top skylight that only provides light to her property above a staircase.

The **skylight is ALREADY fully SHADED** throughout the year by Ms. Miller's own 5ft property line parapet wall.

Exhibit L

Furthermore, the Millers have complained about having TOO MUCH LIGHT and regularly maintain fully closed off blinds to protect against it. The back “nana wall window system” facing onto the rear yard receives full afternoon light and the Millers have attempted to block light into their home by closing off the windows with blinds. On multiple occasions the **Millers stated that direct sunlight from the rear is destroying their new furniture and therefore they generally keep their blinds closed**



Exhibit M



Vivian Huang - BLDG
**DEPARTMENT OF
 BUILDING INSPECTION**
 December 23, 2020



DENNIS
PUBLIC WORKS
 January 14, 2021



Capacity Charges
Water \$2860.00
Wastewater \$7506.00
 BT 12/23/20



Bill Tom - PUC CC
**PUBLIC UTILITIES
 COMMISSION**
 December 23, 2020

SFPUC - Capacity Charges
 See attached SFPUC Capacity
 Charge Invoice for total amount due.
 DBI will collect charges.

PERMIT NUMBER
 20181227926712
REVIEWED

For Compliance with City
 and County Ordinances
 and State Codes.
 The stamping of this plan and these
 specification SHALL NOT be
 held to permit or to be an
 approval of the violation of
 any City and County
 ordinance or State Law

Approval is subject to
 the inspection by the
 Fire Department
 13 page

These plans must be kept
 on the premises and
 accessible to the
 inspection at all times.



Bruce Samson - FireBFP
FIRE
 December 24, 2020

Please be aware that the architect's plans for this project are protected
 by Federal Copyright Law (17 U.S.C.A. Sections 101 et seq.) The City's
 approval of the project does not authorize any use of the plans in
 violation of Federal Copyright Law, and any party who reproduces,
 distributes, alters, or uses the plans without authorization from the
 copyright owner does so at their own risk



Christopher May - PLN
PLANNING
 December 23, 2020

PLAN REVIEW BY SFFD LIMITED TO:

1. FIRE DEPARTMENT ACCESS
2. FIRE FLOW REQUIREMENT

New Roof / Site Plan

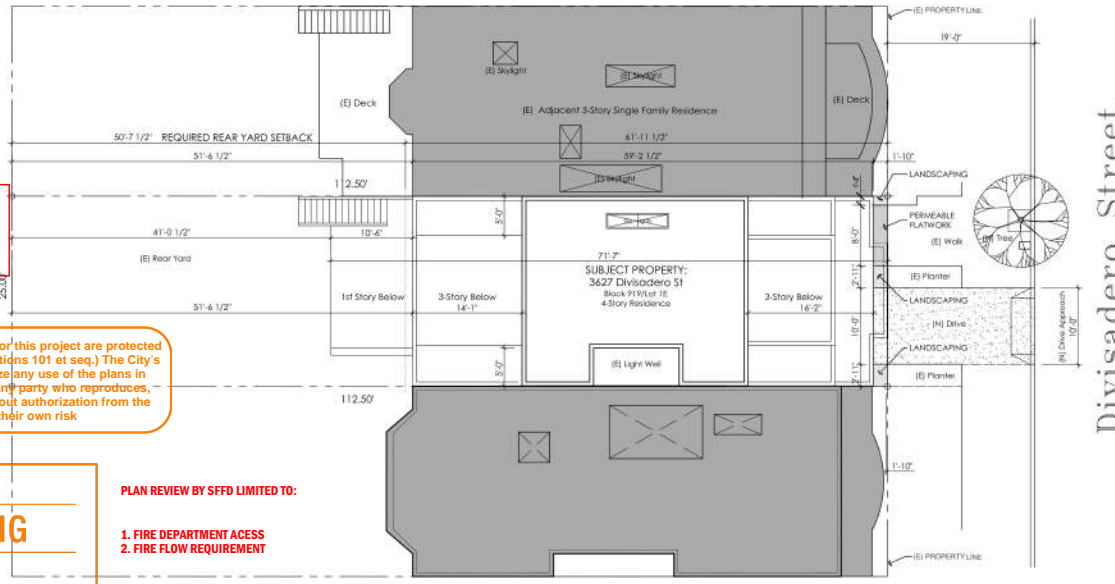
Scale: 1/8" = 1'-0"

FRONT YARD AREA: 44sf, LANDSCAPING WITHIN FRONT YARD: 13sf = 29%

Existing Roof / Site Plan

Scale: 1/8" = 1'-0"

The existing curb cut is to be redone for the newly replaced driveway.
 The existing sidewalk width at the right-of-way is 19'-0".



Divisadero Street



Divisadero Street



Sheet Index of Drawings

TITLE SHEET/PROJECT DATA/EXISTING AND NEW SITE PLAN	A1
DEMOLITION PLANS, ELEVATIONS AND CALCULATIONS	D1
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2nd LEVEL DEMO, EXISTING AND NEW FLOOR PLAN	A3
EXISTING ROOF / DEMO, NEW 3rd LEVEL FLOOR PLAN	A4
NEW 4th LEVEL FLOOR PLAN & ROOF PLAN	A5
EXISTING & NEW NORTH ELEVATION	A6
EXISTING & NEW EAST ELEVATION	A6.1
EXISTING & NEW SOUTH ELEVATION	A7
EXISTING & NEW WEST ELEVATION	A7.1
EXISTING BUILDING SECTIONS	A8
NEW BUILDING SECTIONS	A8.1
EXISTING & NEW STREET ELEVATION, REAR ELEVATION	A9
STREET SECTION	
TOTAL: 13 SHEETS THIS SET	

Project Description

SCOPE OF WORK INCLUDES TWO LEVEL VERTICAL
 ADDITION ABOVE (E) ROOF LEVEL, NEW INTERIOR
 WALLS, DOORS, CEILING, LIGHTS, FIXTURES, AND
 FINISHES. EXTERIOR WORK TO INCLUDE NEW
 FINISHES, DOORS AND WINDOWS. PROJECT ALSO
 INCLUDES REAR PATIO/DECK AT SECOND FLOOR AND
 UPPER LEVEL DECKS AT THIRD AND FOURTH FLOORS.

SCOPE OF WORK TO INCLUDE A FULLY AUTOMATIC
 SPRINKLER SYSTEM PER N.F.P.A. 13R. PROPOSED SPRINKLER
 SYSTEM TO UNDER SEPARATE PERMIT

Project Data

A.P.N.:	0919-001E
ZONE:	RH3
USE:	SINGLE FAMILY RESIDENCE
OCCUPANCY:	R-3/U1
BUILDING TYPE:	V
SPRINKLERED:	YES
NO. OF STORIES:	(E) 2 (N) 4
LOT AREA:	2,809 sf
MAXIMUM HEIGHT:	40 FEET
(NOTE: Lot Slope is 2%)	
SETBACKS:	
FRONT - 2 Feet (Existing same as Neighbors)	
SIDES - 0 Feet (Not Required)	
REAR - 40.75 Feet (Existing condition is same as of Neighbors)	
(45% of lot depth or Average of Neighbors)	
BUILDING AREA: EXISTING:	NEW:
(E) 1st LEVEL: 398 sf + 1,098 sf GARAGE	493 sf - 387 sf GARAGE
(E) 2nd LEVEL: 1,582 sf	-142 sf
(N) 3rd LEVEL: 1,302 sf	
(N) 4th LEVEL: 689 sf	
1,980 sf	2,322 sf
TOTAL NEW & EXISTING AREA: 4,302 sf LIVING + 711 sf GARAGE	
DECK AREAS:	737 sf

Applicable Codes

- 2016 San Francisco Building Code consists of the 2016 California Building Code, and the 2016 California Green Building Standards Code, with San Francisco Amendments.
- 2016 San Francisco Electrical Code consists of the 2016 California Electrical Code with San Francisco Amendments.
- 2016 California Energy Code with no local amendments
- 2016 San Francisco Housing Code with no amendments
- 2016 San Francisco Plumbing Code consists of the 2016 California Plumbing Code with San Francisco Amendments

PERMEABLE SURFACES AND LANDSCAPING AREA WITHIN REQUIRED FRONT SETBACK:	
TOTAL FRONT SETBACK AREA: 1'-10" x 25'-0" =	45.83 sf
REQUIRED LANDSCAPE AREA: 45.83 sf x 20% =	9.17 sf
PROPOSED LANDSCAPE AREA: 2 x (2'11" x 1'10") + (1'2" x 1'10") =	12.84 sf
2 x 5.35 sf + 2.14 sf =	22.91 sf
REQUIRED PERMEABLE SURFACE AREA: 45.83 x 50% =	22.91 sf
PROPOSED PERMEABLE SURFACE: (8'0" x 1'10") PERMEABLE PLATWORK =	27.50 sf
14.66 sf + 12.84 sf LANDSCAPE =	



Bruce Samson - FireBFP
FIRE
 December 24, 2020



PO BOX 29
 GROVER BEACH, CA 93438
 custom homes & commercial
 (805) 440-8812 cell
 (805) 489-6907 fax
 JohnMackAAC@aol.com

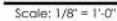
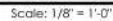
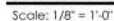
revisions	date

Project:
Pucko/Smith Residence
 3627 Divisadero St
 San Francisco, CA 94123
 APN: 0919-001E

Micky Pucko & James Smith
 3627 Divisadero
 San Francisco, CA 94123
 PH: (805) 431-3917

date
 printed December 18, 2019
 drawn by John F. Mack
 project number 17-012
 scale 1/8"=1'-0"
 Title Sheet, Project
 Data, Existing & New
 Site Plan
 drawing
A1
 of

The provided drawings, specifications, data, design and engineering represent the project as shown on the drawings. The project shall be constructed in accordance with the drawings and specifications. The project shall be constructed in accordance with the drawings and specifications. The project shall be constructed in accordance with the drawings and specifications.



< 50%

<50%

< 49%

> 50%

 (E) TO BE RETAINED
 (E) TO BE REMOVED



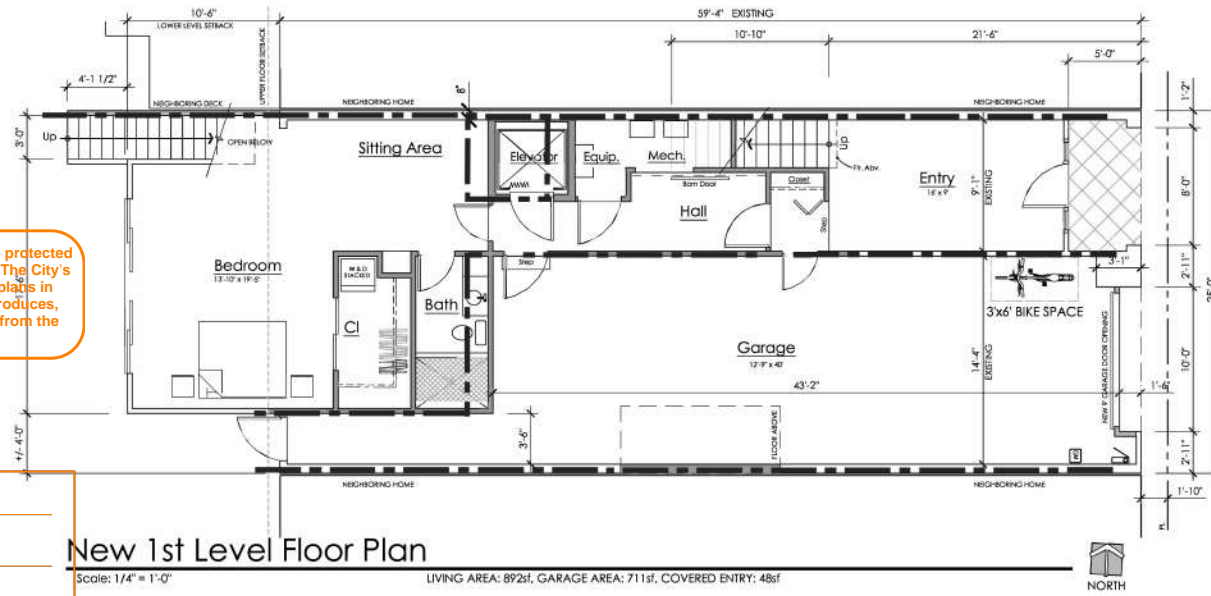
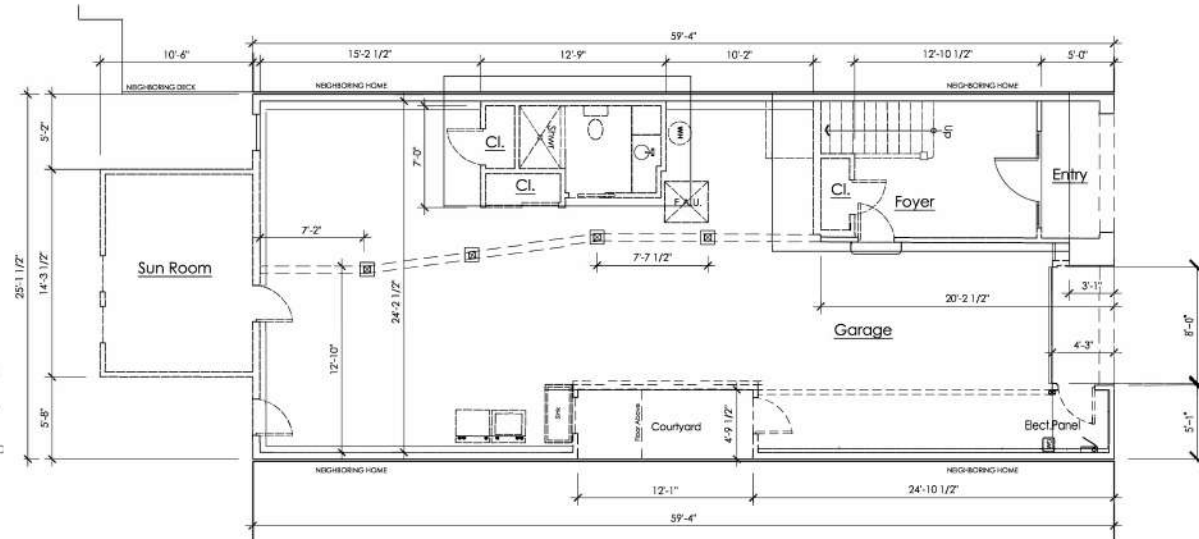
the intended primary population, has been an important research bridge and did return the power of the Michael, as not all bridges to rapid access to data, as well as a connection with an existing data set. In addition, the data collected will have direct and positive academic relevance to researchers of these nations.



_____ of _____

WALL LEGEND

- EXISTING FRAMED WALL TO BE REMOVED
- EXISTING WALL TO REMAIN
- EXISTING FLOOR BEAM TO BE REMOVED
- EXISTING COLUMN TO BE REMOVED
- DOOR TO BE REMOVED
- NEW WALL
- EXTERIOR WALLS LOCATED WITHIN 3' OF THE SIDE PROPERTY LINES TO BE 1-HOUR RATED ASSEMBLIES.
- INTERIOR WALLS SEPARATING GARAGE FROM INTERIOR HABITABLE SPACE TO BE 1-HOUR RATED ASSEMBLIES.
- ELEVATOR SHAFT WALLS TO BE 2-HOUR RATED ASSEMBLIES.



Please be aware that the architect's plans for this project are protected by Federal Copyright Law (17 U.S.C.A. Sections 101 et seq.) The City's approval of the project does not authorize any use of the plans in violation of Federal Copyright Law, and any party who reproduces, distributes, alters, or uses the plans without authorization from the copyright owner does so at their own risk



Christopher May - PLN

PLANNING

December 23, 2020



Bruce Samson - FireBFP

FIRE

December 24, 2020

AAC



PO BOX 29
GROVER BEACH, CA 93438

custom homes & commercial

(805) 440-8812 cell

(805) 489-6907 fax

JohnMackAAC@aol.com

date

revisions

Project:

Pucko/Smith Residence

3627 Divisadero St
San Francisco, CA 94123

APN: 0919-001E

Mickey Pucko & James Smith
3627 Divisadero
San Francisco, CA 94123
PH: (805) 431-3917

date printed
December 18, 2019

drawn by
John F. Mack

project number
17-012

scale
1/4"=1'-0"

1st Level Demo
Existing & New
Floor Plan
drawing

A2

of

The printed drawings, specifications, notes, study and engineering represented hereafter and shall remain the property of the architect. No part shall be loaned, copied, altered, or used in connection with any work or project other than the specific project for which they have been prepared and designed, without the written consent of the architect. Your contract with these drawings and available evidence of acceptance of these conditions.

AAC



PO BOX 29
GROVER BEACH, CA 93438

custom homes & commercial

(805) 440-8812 cell
(805) 489-6907 fax

JohnMackAAC@aol.com

date

revisions

Project:
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3627 Divisadero St
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1/4"=1'-0"

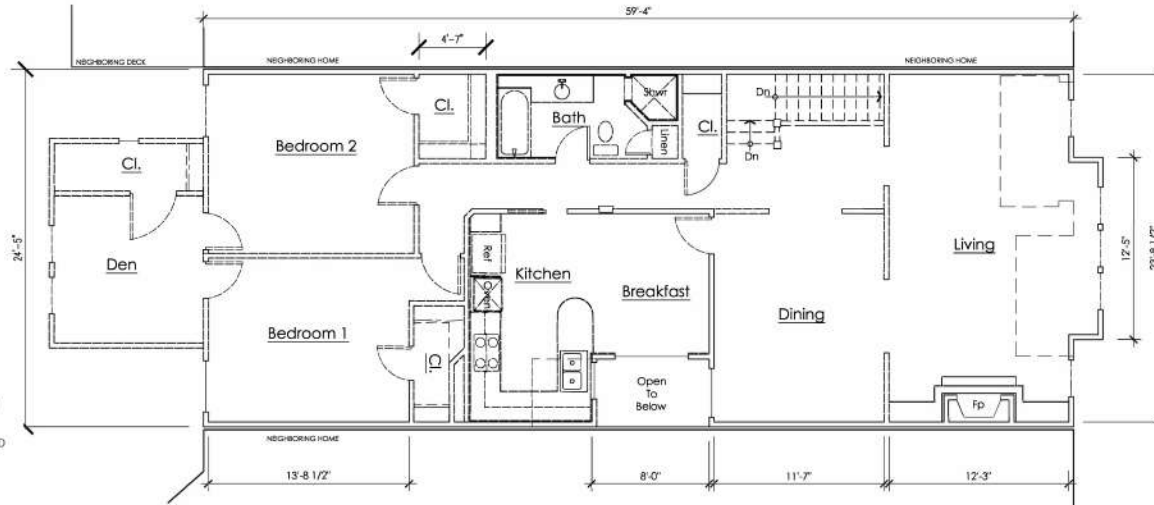
2nd Level Demo
Existing & New
Floor Plan
drawing

A3

The printed drawings, specifications, notes, design and engineering represented hereafter and shall remain the property of the architect. No part shall be loaned, copied, altered, or used in connection with any work or project other than the specific project for which they have been prepared and developed, without the written consent of the architect. Your contract with these drawings and specifications constitutes acceptance of these restrictions.

WALL LEGEND

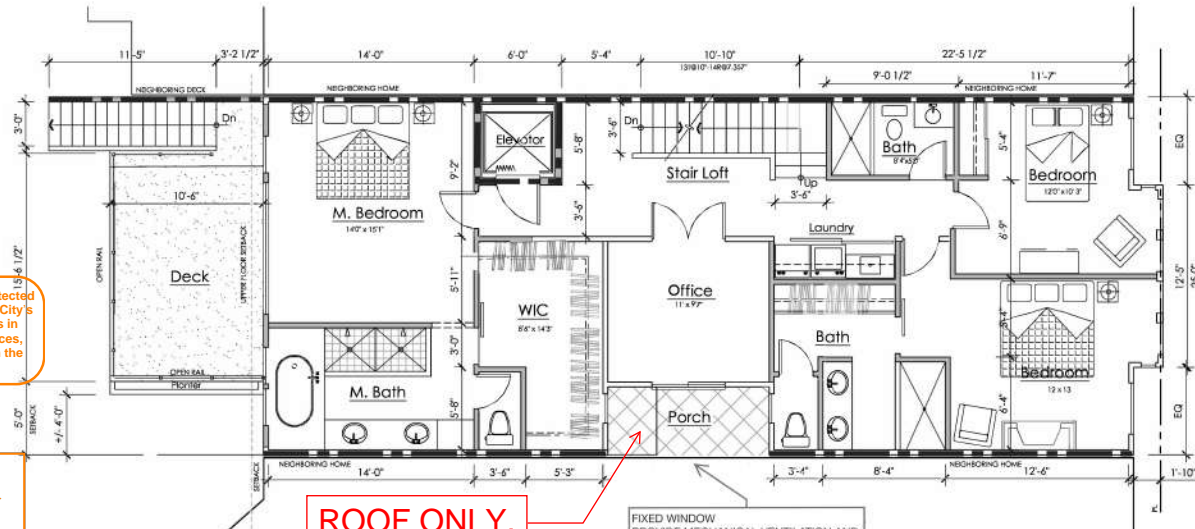
- EXISTING FRAMED WALL TO BE REMOVED
- EXISTING WALL TO REMAIN
- - - EXISTING FLOOR BEAM TO BE REMOVED
- EXISTING COLUMN TO BE REMOVED
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- NEW WALL
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INTERIOR WALLS SEPARATING GARAGE FROM INTERIOR HABITABLE SPACE TO BE 1-HOUR RATED ASSEMBLIES.
ELEVATOR SHAFT WALLS TO BE 2-HOUR RATED ASSEMBLIES.



Existing 2nd Level Floor Plan

Scale: 1/4" = 1'-0"

LIVING AREA: 1,585sf



ROOF ONLY.

FIXED WINDOW
PROVIDE MECHANICAL VENTILATION AND
LIGHTS TO OFFICE

New 2nd Level Floor Plan

Scale: 1/4" = 1'-0"

LIVING AREA: 1,420sf; DECK AREAS: 231sf



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Christopher May - PLN

PLANNING

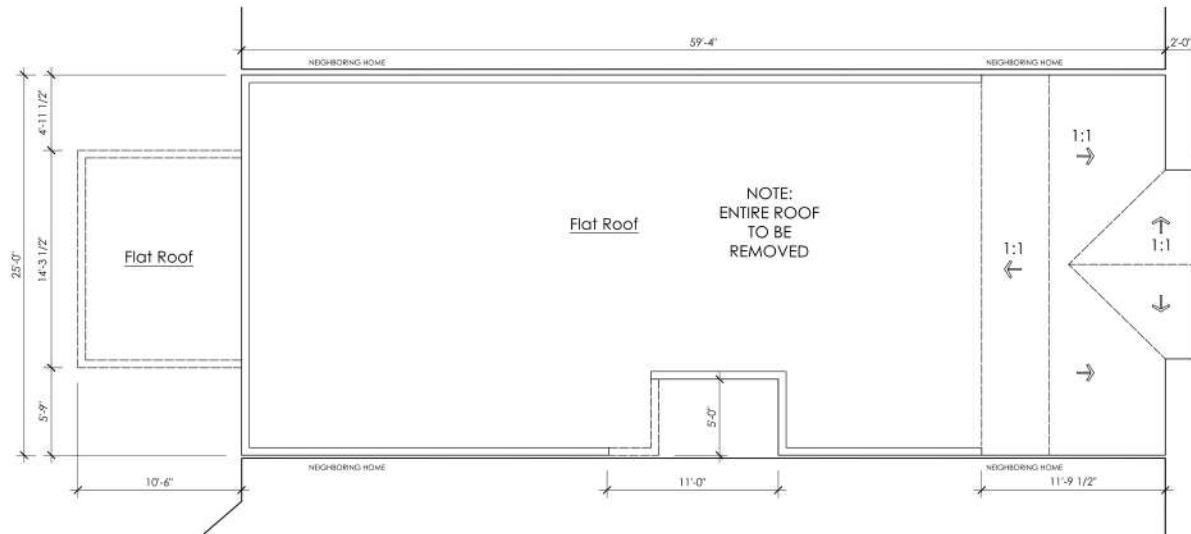
December 23, 2020



Bruce Samson - FireBFP

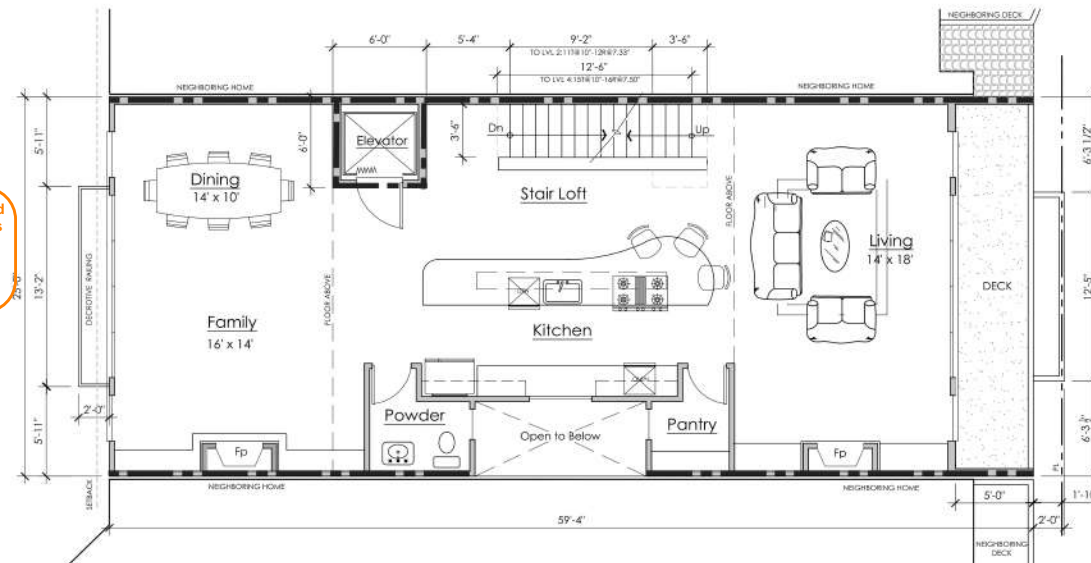
FIRE

December 24, 2020



Existing 3rd Level Roof Plan

Scale: 1/4" = 1'-0"



New 3rd Level Floor Plan

Scale: 1/4" = 1'-0"

LIVING AREA: 1,302sf, DECK: 125sf



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Christopher May - PLN

PLANNING

December 23, 2020



Bruce Samson - FireBFP

FIRE

December 24, 2020

AAC



PO BOX 29

GROVER BEACH, CA 93438

custom homes & commercial

(805) 440-8812 cell

(805) 489-6907 fax

JohnMackAAC@aol.com

date	revisions

Project:
Pucko/Smith Residence
3627 Divisadero St
San Francisco, CA 94123
APN: 0919-001E

Micky Pucko & James Smith
3627 Divisadero
San Francisco, CA, 94123
PH: (805) 431-3917

date
printed December 18, 2019

drawn by John F. Mack

project number 17-012

scale 1/4"=1'-0"

Existing Roof

Demo, New

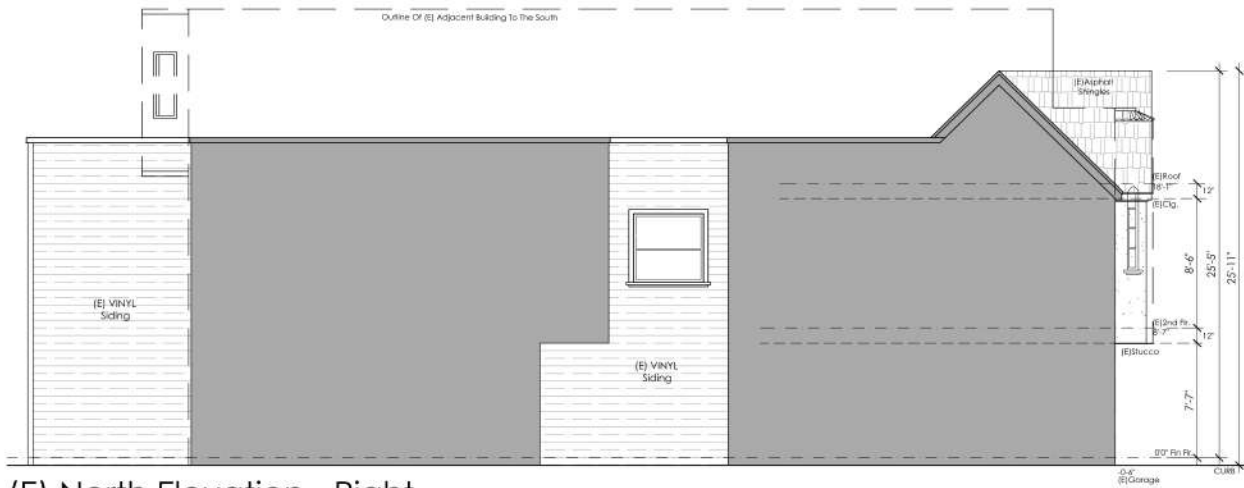
3rd Level Floor Plan

drawing

A4

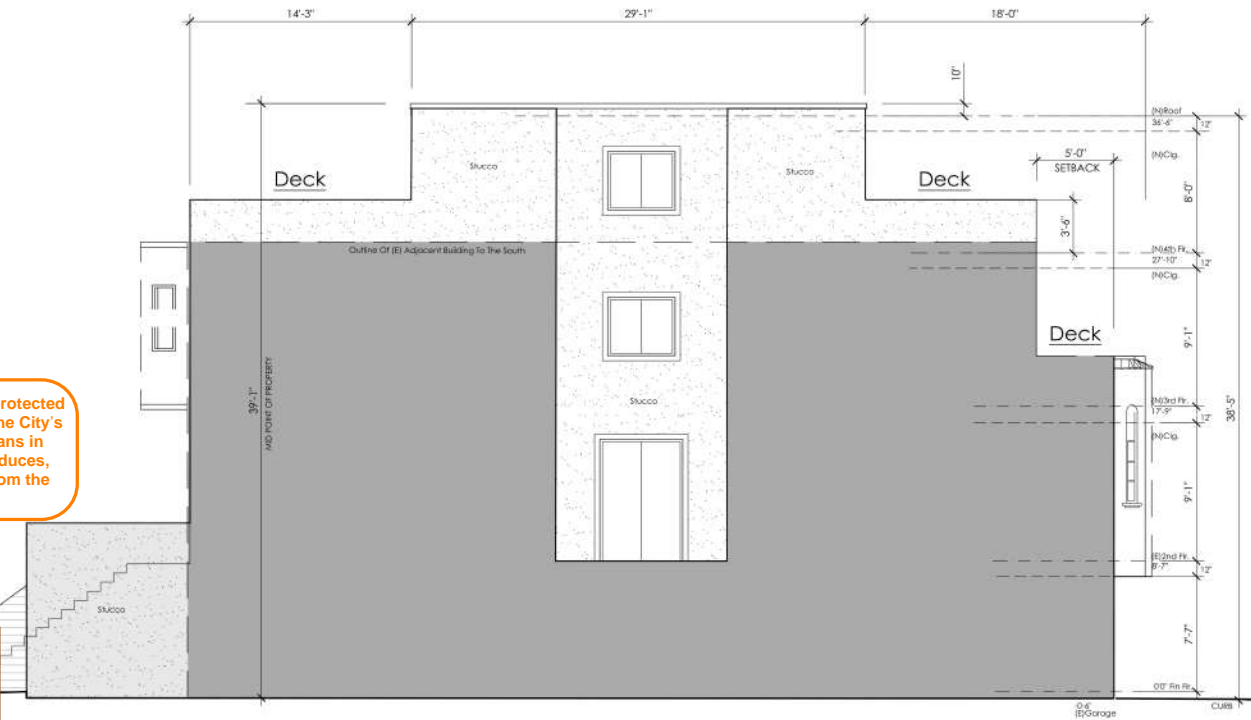
of

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(E) North Elevation - Right

1/4"=1'-0"



(N) North Elevation - Right

1/4"=1'-0"

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Christopher May - PLN

PLANNING

December 23, 2020



Druse Gorman - FireBFP

FIRE

December 24, 2020

AAC



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PH: (805) 431-3917

date
printed

December 18, 2019

drawn by

John F. Mack

project number

17-012

scale

As Noted

Existing & New

North Elevation

drawing

A6

of

The provided drawings, specifications, notes, design and engineering represent the design and construction of the project. It is the responsibility of the client to ensure that the project is constructed in accordance with the drawings and specifications. The architect and engineer do not warrant the accuracy or completeness of the information provided by the client. The architect and engineer are not responsible for any errors or omissions in the drawings or specifications. The architect and engineer are not responsible for any construction defects or other issues that may arise during the construction of the project. The architect and engineer are not responsible for any other matters that may arise during the construction of the project.

Material Descriptions

- ① 3 PART STUCCO: COLOR 0473A: SAND
- ② WINDOWS AND DOORS: ALUMINUM MILGARD, COLOR CHARCOL GRAY
- ③ WOOD FRONT DOOR/WOOD GARAGE DOOR: MNF PIVOT DOOR COMPANY
- ④ GUARDRAIL SYSTEM: CABLE-RAIL
- ⑤ STEEL WAREHOUSE WINDOWS: MNF GRAHAM

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Christopher May - PLN

PLANNING

December 23, 2020



Existing East Elevation - Front

1/4"=1'-0"



(N)East Elevation - Front

1/4"=1'-0"



Bruce Samson - FireBFP

FIRE

December 24, 2020

AAC



PO BOX 29

GROVER BEACH, CA 93438

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(805) 489-6907 fax

JohnMackAAC@aol.com

date

revisions

Project:
Pucko/Smith Residence
3627 Divisadero St
San Francisco, CA 94123
APN: 0919-001E

Micky Pucko & James Smith
3627 Divisadero
San Francisco, CA, 94123
PH: (805) 431-3917

date
printed

December 18, 2019

drawn by

John F. Mack

project number

17-012

scale

As Noted

**Existing & New
East Elevation**

drawing

A6.1

of

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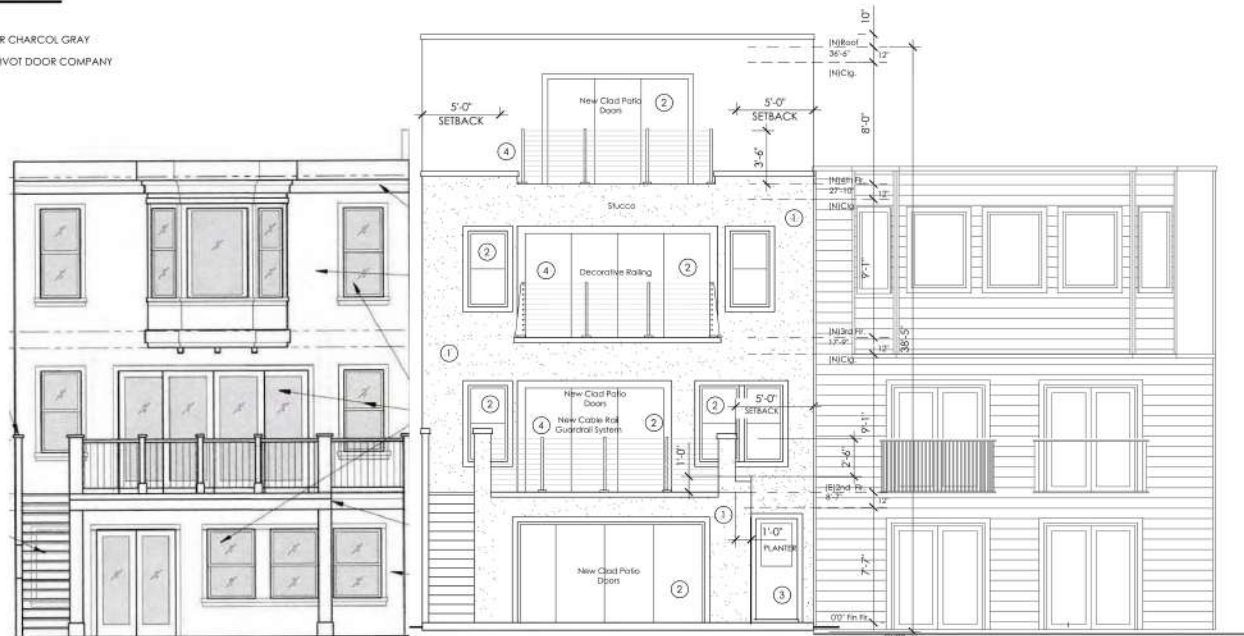
Existing West Elevation - Back

1/4"=1'-0"

Material Descriptions

- ① 3 PART STUCCO: COLOR 0473A SAND
- ② WINDOWS AND DOORS: ALUMINUM MILGARD: COLOR CHARCOAL GRAY
- ③ WOOD FRONT DOOR/WOOD GARAGE DOOR: MNF PIVOT DOOR COMPANY
- ④ GUARDRAIL SYSTEM: CABLE-RAIL

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(N)West Elevation - Back

1/4"=1'-0"



Christopher May - PLN

PLANNING

December 23, 2020



Bruce Samson - FireBFP

FIRE

December 24, 2020

AAC



PO BOX 29

GROVER BEACH, CA 93438

custom homes & commercial

(805) 440-8812 cell

(805) 489-6907 fax

JohnMackAAC@aol.com

date

revisions

Project:
Pucko/Smith Residence
3627 Divisadero St
San Francisco, CA 94123
APN: 0919-001E

Micky Pucko & James Smith
3627 Divisadero
San Francisco, CA 94123
PH: (805) 431-3917

date printed

December 18, 2019

drawn by

John F. Mack

project number

17-012

scale

As Noted

Existing & New

West Elevation

drawing

A7.1

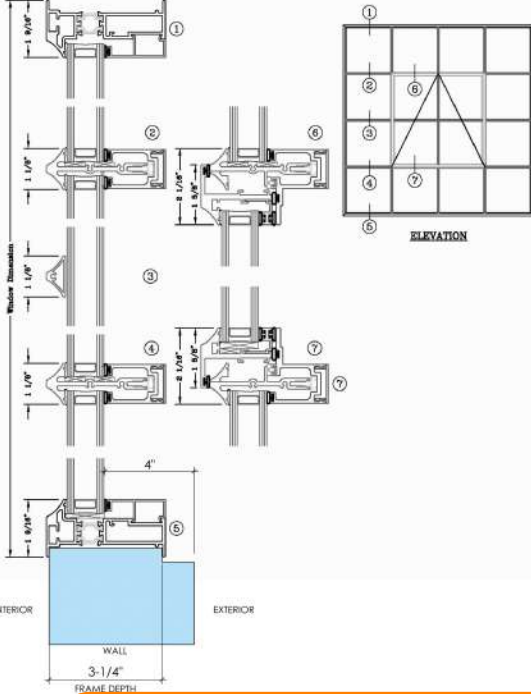
of

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Floating Vent - 3 1/4"
Horizontals



Series: SR6700 Manufacturing Code: SR6701
Drawing 1/2 Scale - For Custom Size Drawing Contact Graham
Note: Product Not Shown On Details. Refer To General Installation Instructions.



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Christopher May - PLN

PLANNING

December 23, 2020



East-West Building Section

Scale: 1/4" = 1'-0"



North-South Building Section

Scale: 1/4" = 1'-0"



Bruce Samson - FireBFP

FIRE

December 24, 2020



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GROVER BEACH, CA 93438
custom homes & commercial

(805) 440-8812 cell
(805) 489-6907 fax
JohnMackAAC@aol.com

revisions	date

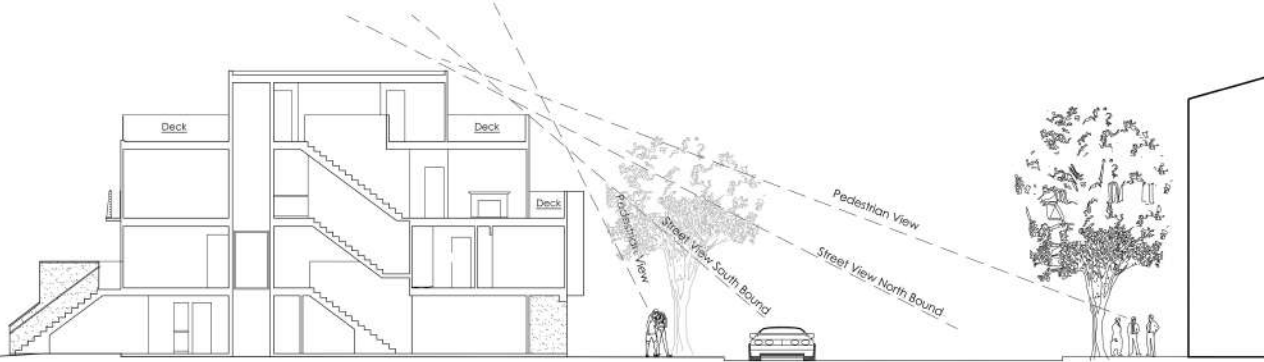
Project:
Pucko/Smith Residence
3627 Divisadero St
San Francisco, CA 94123
APN: 0919-001E

Micky Pucko & James Smith
3627 Divisadero
San Francisco, CA 94123
PH: (805) 431-3917

date printed November 15, 2019
drawn by John F. Mack
project number 17-012
scale 1/4"=1'-0"

New Building Sections
drawing
A8.1
of

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Street Section

Scale: 1/8" = 1'-0"



Existing Front Neighborhood Elevation

Scale: 1/8" = 1'-0"



Existing Rear Neighborhood Elevation

Scale: 1/8" = 1'-0"



New Rear Neighborhood Elevation

Scale: 1/8" = 1'-0"



New Front Neighborhood Elevation

Scale: 1/8" = 1'-0"



Street Elevation

Scale: 1/8" = 1'-0"



PO BOX 29
GROVER BEACH, CA 93438
custom homes & commercial
(805) 440-8812 cell
(805) 489-6907 fax
JohnMackAAC@aol.com

date	revisions

Project:
Pucko/Smith Residence
3627 Divisadero St
San Francisco, CA 94123
APN: 0919-001E

Micky Pucko & James Smith
3627 Divisadero
San Francisco, CA 94123
PH: (805)431-3917

date printed
December 18, 2019
drawn by John F. Mack
project number 17-012
scale 1/8"=1'-0"
Existing & New
Street Elevation,
Rear Elevation,
Street Section
drawing

A9
of



Brice Samson - Project
FIRE
December 24, 2020

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PUBLIC COMMENT

From: [Anne Haskel](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Permit No.2018/12/27/9267, Appeal No. 21-011
Date: Tuesday, March 30, 2021 10:53:53 AM

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

Dear Board Members,

Thank you for your work on behalf of San Francisco residents.

I live diagonally behind 3627 Divisadero. I can see this house from my rear windows and from my backyard.

I object to the 4th floor "penthouse" they wish to build. This will be a mega-house among Marina bungalows. Turning a two-level house from 2 baths/2 rooms to 5 rooms/5 baths is simply beyond appropriate for the surrounding homes.

This house will cast a long shadow on my sunny backyard, invade my privacy and be an eyesore from both my rear windows and deck. It will do the same for several of my neighbors.

I believe San Franciscans need more housing. Were this a conversion to 2 flats I would be amendable, but this project is unacceptable to me.

Thank you for your consideration,

Anne Haskel

Building Permit Application No. 2018.1227.9267
Pucko/Smith Residency at 3627 Divisadero Street
Date: 4/1/2020

To: Board of Appeals Committee members
Re: Letter of Opposition

Dear Board of Appeal Committee members,

My name is Cathi Dennehy and I am writing to you on behalf of the Dennehy-Kovic families. We reside at 3615 and 3617 Divisadero Street and are within 150 ft of this applicant's home.

We are 4th generation San Franciscans, establishing roots in SF in 1870. We have a deep love of the architectural design of this city and our block. We expressed concern over the proposed plans for development at 3627 Divisadero to our neighbors Mickey Pucko and James Smith when they presented their plans with their architect in their garage.

We oppose the height of this home and the building of a 4th story. If allowed to pass, this will be the only home on this block as tall as Claire Lilienthal school (that houses hundreds of children) and the apartment complexes on the ends of this block (that have ~20 units). There are **no 4 story single family homes on this block, only three story.** This is a violation of the building code **"Design the height and depth to be compatible with existing building scale at the street and design rooflines to be compatible with those found on surrounding buildings."** We have just 7 single family homes on our block and all are 3 stories tall with rooflines of similar height. If this plan is approved, this would create a visual behemoth in the center of the block, that permanently defaces our block in a negative way.

The proposed design of the new home, **removes the architectural historical elements of the pitched roof and arrow design.** This design style is a historical feature that can be observed on other homes in the Marina (photos attached) that are identical to the 3627 Divisadero home design (e.g. photos attached). The newly proposed design removes this feature but adds no new features to re-solidify congruity with the block and Marina neighborhood. I've attached photos of other homes in the Marina with pitched roof or flat roof Spanish tile elements on the second story and third story that would tie into the other 5 homes that have Spanish tile roof designs on this block. The city planning code states **"Design the building architectural features to enhance the visual character of the neighborhood"** and **"Use architectural details to establish and define a building's character and to visually unify a neighborhood."**

The proposed design **creates additional shade and privacy issues for our home because of the fourth story and the extreme number of deck areas in the plan.** The rear decks would all oversee our backyard and the front deck at the fourth level would oversee our third floor deck. **The plan for this build shows TWO street facing decks at the third and fourth story as well as THREE rear facing decks on the second, third and fourth story. This is again, not congruent with the design of the block and other single family homes where the 4 properties with street**

facing decks have ONE street facing deck at the third level and ONE rear facing deck at the second or third story. To protect privacy of neighbors and noise that can occur with exterior home areas, **I am requesting elimination of the street facing fourth story and its deck and elimination of two of the three rear facing decks.**

The plan drawings of the “right north elevation” on page A6 show set back measurements of the third and fourth story decks. These measurements seem to be in disagreement. It appears that the 3rd story deck is set back 5 feet from the flat portion of the front of the house, but the fourth story deck is set back 18 feet from the portion of the house that juts out from the second floor. Shouldn't this measurement for the fourth story set back be taken from the same area as the third story, (i.e. the flat portion of the front of the house)?

We truly value the opportunity to voice our concerns and hope that some additional changes to the proposed plans can be made to create a more cohesive and beautified plan that benefits all homeowners.

Sincerely

Lillian Dennehy, David Dennehy, Cathi Dennehy and Dinno Kovic

Contact: cathi.dennehy@ucsf.edu

Phone: 415-793-7822









UNIVERSITY
OF THE
BEST CITY
EVER.

UNIVERSITY OF
SAN FRANCISCO

2
HOUR
PARKING
8:00 AM - 6:00 PM
MON - FRI





3600





From: rmassanti@aol.com
To: [BoardofAppeals \(PAB\)](#)
Subject: Permit No.2018/12/27/9267, Appeal No. 21-011
Date: Thursday, April 1, 2021 11:07:52 AM

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Dear Board Members:

The houses built on Divisadero between Beach and North Point Streets had been conceived with a certain look. In essence doubling the height of the building at 3627 Divisadero does not add esthetic value to the block and the other houses on the block. What it does is create an eyesore. This sweet single-family house is being completely transformed from it's original, Marina planned historic bungalow footprint to a monster home. The likely reason for this build-out is not to enjoy it as a neighborhood home, but to use it as a party house, multiple unit Airbnb or some such use. The Marina is a community of neighbors; it is not meant to be a transit hub for tourists and other transient occupants. We respectfully ask that you come out and take a walk on this block and the blocks in the area and consider these points in reviewing this planned build-out conversion. We understand an owner wanting to improve their real estate, but this is completely changing the nature of the structure and it likely will have crowding implications on the block.

Thank you for your consideration.

Rosalba Massanti

From: [BoardofAppeals \(PAB\)](#)
To: [Aaron VanDevender](#); [BoardofAppeals \(PAB\)](#)
Subject: RE: Appeal 21-011 for 3627 Divisadero St
Date: Thursday, April 1, 2021 2:57:20 PM

Thank you for your public comment. It will be made part of the record for this appeal. (Please note that the correct Appeal No. is 21-011).

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

Please note that the Board's physical office is closed to the public until further notice.

From: Aaron VanDevender <aaron@vandevender.com>
Sent: Thursday, April 1, 2021 2:52 PM
To: BoardofAppeals (PAB) <boardofappeals@sfgov.org>
Subject: Appeal 21-001 for 3627 Divisadero St

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Hello esteemed Board of Appeals,

I would like to address the appeal of the permit for adding two floors to 3627 Divisadero St (Permit 2018/12/27/9267). I am a neighbor of the property and live on the same block. The current house, as it stands, is quite puny and inadequate for the character of the neighborhood. Compared to many of its majestic four-story neighbors, the lot is sadly underutilized and should have been appended to long ago. Given the depth of the housing shortage in the neighborhood, the city, and the whole Bay Area, it would be irresponsible to both the community and the environment to reject or even further delay its swift approval and construction. I urge you to deny this abusive and frivolous discretionary review and approve this necessary, ordinary, and compliant project right away.

Thank you!

-Aaron

Thomas R. Kearney
PO Box 470817
San Francisco, CA 94147
Tom.kearney.sf@gmail.com
(415) 307-0008
April 7, 2021

City and County of San Francisco
Board of Appeals

NO. 21-011 Letter of support for 3627 Divisadero St.

Dear Commissioners:

I live in the Marina district of San Francisco one block east from the subject property and I have followed the project with interest since its inception. I've viewed the drawings, that are fully approved by both Planning and DBI, and believe the project will be a very positive addition to the neighborhood.

The fully approved plans show a remodel that fits right in with the local neighborhood character and have no variances whatsoever.

I kindly ask the Commissioners to approve the project and deny the appeal.

I have no connection to the project or owners. I only know the owners as friendly neighbors.

Kind regards,


Thomas R. (Tom) Kearney

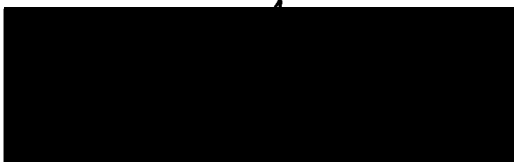
NOTE: Please Redact My Personal Information

NO. 21-011 Letter of Support For 3627 Divisadero Street Project

Dear Commissioners,

I am sending this letter of support for 3627 Divisadero Street project. I have been approached by appellant(s) who have asked me to oppose this project through the DR as well as Board of Appeals process and I **do not agree** with them. Frankly, I am disgusted with the amount of lobbying both Shelly and Katie have done on this project and I feel sorry for the sponsors and what they must go through.

Please remove my information since I do not wish to be bullied by them.



4/7/21

Concerned Neighbor

City & County of San Francisco
Board of Appeal

April 7th, 2021.

Re: NO. 21-011 Letter of Support For 3627 Divisadero Street Project

Dear Commissioners,

I have been family friends with Ms. Pucko for over fifteen years, and her dream of owning a home in San Francisco has finally come true. She loves her family, and she is looking forward to building a home suitable for 3 adult children (one who is married and expecting their first baby and the other two who are in long-term relationships). Ms. Pucko also has aging parents with disabilities, and she has not been able to spend time with them because the current floorplan does not allow for disability access.

There are 6 working adults in the household and now that we are all staying and working from home it is important to have enough space that allows for dedicated work and family separation.

Both Appellants opposing this project have large, newly built homes and have caused lots of stress and unnecessary expenses to Ms. Pucko.

I kindly ask for you to deny this appeal and approve the project.

Sincerely Yours,
A.S.

Board of Appeal, City & County of San Francisco

Re: NO. 21-011 Letter of Support For 3627 Divisadero Street Project

Dear Commissioners,

Ms. Pucko and Mr. Smith have been my friends for more than 7 years and I wholeheartedly vouch for their integrity as upstanding citizens. They are a wonderful couple and my wife, and I love spending time with them and engage in outdoor activities. After they purchased their home in the Marina, we decided to buy our home just a few streets from theirs.

Unfortunately, we have witnessed bullying they have sustained from their two immediate neighbors and we are kindly asking you to put an end to this abuse. Building a house to provide for your family should be a joyous event and not an endless fight resulting in process abuse just because the neighbor Ms. Katherine Miller is an attorney for the City of San Francisco and is viciously filing appeal after appeal and abusing the legal process without even bothering to state any reasons for the appeal. This is not in good faith!

We kindly ask for your support on the 3627 Divisadero Street Project.

Truly Yours,

R.H. & D.H.

04/07/21

Board of Appeal
City & County of San Francisco

Re: NO. 21-011 Letter of Support For 3627 Divisadero Street Project

Dear Commissioners,

I am sending the letter of support for the 3627 Divisadero Street project. Families are leaving San Francisco and we need to enable more families to stay and live in the city. This home will house a wonderful multigenerational family who will support our local stores and small businesses.

We need to focus on making it easier to attract families to work and live in the city instead of pushing them out.

I kindly ask for this appeal to be rejected.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

NOTE: Please Redact My Personal Information

City & County of San Francisco, Board of Appeal

Re: NO. 21-011 Letter of Support For 3627 Divisadero Street Project

Dear Commissioners,

I am sending the letter of support for the 3627 Divisadero Street project. There is no doubt in my mind that this project has gone through rigorous scrutiny by the DBI and Planning Departments and is fully code compliant. I know how diligent these departments are since I have gone through that same process myself several years back.

Furthermore, Mickey and James are wonderful people looking to provide nurturing and safe home for their own family and it is devastating to have calculated neighbors opposing it without even stating a single reason for their appeal.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

April 7th, 2021.

NOTE: Please Redact My Personal Information

From: chrispetrini2000@gmail.com
To: [BoardofAppeals \(PAB\)](#)
Cc: chrispetrini2000@gmail.com; [Breed, Mayor London \(MYR\)](#); [Stefani, Catherine \(BOS\)](#)
Subject: 3627 Divisadero - Monster Home conversion # 2018/12/27/9267, Appeal No. 21-011
Date: Thursday, April 8, 2021 5:33:10 PM

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

The houses built in San Francisco, the Marina District and specifically on Divisadero between Beach and North Point are historical consistent with period charm, sensitivity, and compatibility. In essence, this DEVELOPER is **tripling the living area** of the building at 3627 Divisadero. It will adversely impact the neighborhood and dilutes esthetical value to the block and the other houses in the immediate area. What it does do is create an **MONSTER building**. This sweet house is being completely transformed from it's original, Marina planned historic bungalow footprint to a party house, or a **multiple unit AIRBNB** or some such other intensive HOTEL use. The floor plans easily be adapted to 4 separate livable units with the existing plumbing stacking plan and will no longer require your approvals.

I strongly encourage your Board to reject this application or **place severe restrictions/monetary penalties as a condition of this permit** on the current of future owner if and when it is converted to multiple unit AIRBNB. This way the local residents can be your enforcement "eyes and ears". We then have the pathway and protest to the Board of Supervisors/Planning/Building department if this building does evolve into a MONSTER HOTEL building in the middle of the Marina. This DEVELOPER'S claim that this is for a multi-generational home will then be held accountable if they are caught in their lie. They then can be financially penalized when their true intentions become obvious and force to comply with the conditional permit.

The Marina is a community of neighbors it is not meant to be transit hub for tourists and other transient occupants. We understand an owner wanting to improve their real estate, but this is completely changing the nature of the structure and it likely will have crowding implications on the block.....all with no additional parking.

Thank you for your consideration.

Chris Petrini, Personal
chrispetrini2000@gmail.com

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From: [julie wilson](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: 3627 Divisadero Street
Date: Monday, April 12, 2021 9:28:04 AM

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My husband and I are strongly against this remodel. Their additional story will be an eye sore on the block since they will be the tallest house and are right in the middle of the block. They do not need all this space for just them. They will not be bringing their children to live with them. All the neighbors think they will rent this house out as as Airbnb because they own several other properties in SF and do that. We love our special block on Divisadero and if rental people are coming and going, it will harm the cohesiveness of our block.

Thanks
Julie