

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
KRISTOFFER CHANG,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
PLANNING DEPARTMENT APPROVAL Respondent)

Appeal No. **22-003**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on January 27, 2022, 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 January 24, 2022 to Randy and Heidi Wenokur, of an Alteration Permit (revision to Permit Application No. 2017/07/13/1813 to comply with a Notice of Violation No. 202067441 and Planning Enforcement No. 2020-010614) at 65 Normandie Terrace.

APPLICATION NO. 2021/09/01/7599

FOR HEARING ON March 23, 2022

Address of Appellant(s):

Address of Other Parties:

Kristoffer Chang, Appellant(s)
c/o Stephen M. Williams, Attorney for Appellant(s)
The Law Office of Stephen M. Williams
1934 Divisadero Street
San Francisco, CA 94115

Randy Wenokur, Permit Holder(s)
c/o Scott Emblidge, Attorney for Permit Holder(s)
Moscone Emblidge & Otis LLP
220 Montgomery Street #2100
San Francisco, CA 94104



Date Filed: January 27, 2022

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

PRELIMINARY STATEMENT FOR APPEAL NO. 22-003

I / We, **Dr. Kristoffer Chang**, hereby appeal the following departmental action: **ISSUANCE** of **Alteration Permit No. 2021/09/01/7599** by the **Department of Building Inspection** which was issued or became effective on: **January 24, 2022**, to: **Randy & Heidi Wenokur**, for the property located at: **65 Normandie Terrace**.

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: 4:30 p.m. on **March 3, 2022, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, corey.teague@sfgov.org, tina.tam@sfgov.org, embridge@mosconelaw.com and deborah@holleyconsulting.com.

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **March 17, 2022, (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 double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, tina.tam@sfgov.org, corey.teague@sfgov.org and smw@stevewilliamsllaw.com.

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

Hearing Date: **Wednesday, March 23, 2022, 5:00 p.m.**, Room 416 SF City Hall. If the meeting takes place via Zoom due to the City's Health orders, information for access to the Zoom hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. 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 hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Stephen M. Williams, Attorney for Appellant

STATEMENT OF APPEAL—65 Normandie Terrace---BPA’s #202109017599

Appeal filed on behalf of adjacent neighbor Dr. Kristoffer Chang. The Permit Application is: “TO COMPLY WITH NOV 202067441 AND PLANNING ENF 2020-010614ENF.” The violations at the site have been pending for a year and also include open DBI Complaints ## 202184745; 202182274; 202177403; 202173022; 202066191; 202026715. Violations being ignored by the Dept. and not addressed by the Commission’s 4-3 vote, demolition/reconstruction of non-conforming structures above the height limit in violation of Planning Code Sections 171, 172, 175, 180, 188 et seq. The Project did not proceed as required by the Code and the Cow Hollow Association and neighbors were not notified of the final project and did not review the project before approval. The four Commissioners approving the Project made no findings and made no comments at the hearing. The decision is generic and ignores the facts of the case. The Commission improperly approved plans to “legalize” the illegal demolition and reconstruction of the fourth floor of the building above the height limit, exactly what the Planning Code states is impermissible. The ZA decided to allow the project to proceed as a “rectification” permit which did not address the violations of the Code. The ZA did not meet with the neighbors and did not explain the decision. The “rectification” approved by the Commission does not address or mention the issues in the outstanding NOE and the issues with demolition and reconstruction above the height limit. The violation cited by Planning is not “demolition of a dwelling unit” under Section 317 or work in excess of the issued permits, but demolition and reconstruction of a non-conforming structure above the height limit. There is no procedure under the Code to “legalize” or retroactively approve a voluntary and unapproved demolition of a non-conforming structure above the height limit and new, unpermitted and unapproved construction above the height limit. Planning should have rejected such a permit application as no portion of the Code allows it. The approved plans do not accurately reflect what existed at the site before the illegal demolition/reconstruction is being built further in violation of the Code.

Permit Details Report

Report Date: 1/27/2022 12:43:49 PM

Application Number: 202109017599
 Form Number: 8
 Address(es): 0960 / 007 / 0 65 NORMANDIE TR
 Description: REV TO PA 201707131813 TO COMPLY WITH NOV 202067441 AND PLANNING ENF 2020-010614ENF.
 Cost: \$200,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/1/2021	TRIAGE	
9/1/2021	FILING	
9/1/2021	FILED	
1/24/2022	APPROVED	
1/24/2022	ISSUED	

Contact Details:

Contractor Details:

License Number: 531879
 Name: YOUNG & BURTON INC
 Company Name: YOUNG & BURTON INC
 Address: 1947 SAN RAMON VALLEY BLVD, STE 200 * SAN RAMON CA 94583-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	BID-INSP	9/1/21	9/1/21			9/1/21	MCHUGH KEVIN	
2	INTAKE	9/1/21	9/1/21			9/1/21	VICTORIO CHRISTOPHER	
3	CP-ZOC	9/1/21	9/1/21			9/1/21	PAGE VINCENT	09/01/21 (vincent.w.page.ii@sfgov.org) - per Enforcement Planner Chaska Berger, route to Matt Dito (matthew.dito@sfgov.org). Permit filed to address 2020-010614ENF.
4	CP-ZOC	9/2/21	1/20/22			1/20/22	BERGER CHASTA	9/2/21: OTC permit received at Planning and routed to C. Berger per PIC note. (Jennifer) 1/20/2022: approved by C.Berger (cb) to abate planning Code ENF case No. 2020-010614ENF, restore lower roof area to orgina size, height, and confiuration, lower the upper roof area to the height of the lower roof, lower elevator shaft to approved condition, document demo per 317, restore exterior facade per approvals, no building expansion permitted. See Discretionary Review Action Memo. CPC did not take DR at 1.6.2022 hearing.
5	BLDG	1/21/22	1/21/22			1/21/22	PANG DAVID	
6	SFPUC	1/21/22	1/21/22			1/21/22	FONG JEFFREY	Approved. Capacity Charge not applicable. No change in meter size, not enough fixtures added to warrant a larger meter. jfong@sfgwater.org. No additional fixtures from previous assessment 01/21/22
7	PERMIT-CTR	1/21/22	1/21/22			1/21/22	ESPINO HENRY	01/21/2022: Project received by Permit Center Team. Applicant may collect the project to continue OTC review. See email from PERMITCENTER@SFGOV.ORG for instructions. -HE
8	CPB	1/24/22	1/24/22			1/24/22	BUFKA SUSAN	

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
------------------	-------------------	------------------	------------------	-------------	------------

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
---------------	-----------	------------------------	-------------------

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

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

Technical Support for Online Services

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

[Contact SFGov](#) [Accessibility](#) [Policies](#)
City and County of San Francisco © 2022

BRIEF SUBMITTED BY THE APPELLANT(S)

San Francisco Board of Appeals

Appeal No.22-003

Kristoffer N. Chang,
Appellant,

v.

San Francisco Dept. of Building Inspection,
Respondent.

Project Sponsor,
Deborah Holley

APPELLANT'S BRIEF

BPA No. 2021.0901.7599

65 Normandie Terrace

BPA Filed to Remedy Planning Enforcement Action 2020-010614EFN and to Cure DBI Notice of Violation # 202067441 issued November 20, 2020, against BPA# 2017.0713.1813: Project Includes Pending & Open DBI Complaint # 202182274. Project also includes Demolition/Reconstruction of Non-Conforming Structures Above the Height Limit Violation of Planning Code Section 171, 172, 175, 180, 188 et seq.

Date: Wednesday, March 23, 2022
Time: 5:00 PM
Location: City Hall, Room 416
#1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Stephen M. Williams SBN: 122103
1934 Divisadero Street
San Francisco, CA 94115
Tel: (415) 292-3656
smw@stevewilliamsllaw.com

Introduction:

This office represents Dr. Kristoffer Ning Chang and Alice Chang, who reside at 55 Normandie Terrace, the adjacent building to the south of the project site at 65 Normandie Terrace. The Discretionary Review (“DR”) hearing at the Commission, from which this appeal is taken, was unusual as the DR was filed against a *correction* permit filed by sponsors to try and remedy the multiple Planning and Building Code violations at the site. The original project obtained approval without a DR because sponsors did not disclose the true extent of the project to the neighbors, or to the Cow Hollow Association (“CHA”) or to the Planning Dept. The scope of the project includes a new (and second) kitchen and bathroom at the fourth floor. To accomplish that goal, sponsors conducted wholesale demolition and reconstruction (much of it above the absolute height limit) *without* approved plans or permits. The permit now before the Board seeks retroactive permission for illegal work (much of it above the height limit) already conducted. The Project did not go through the mandatory Code processes with CHA.

At the hearing before the Commission (Transcript of Planning Commission hearing attached as Exhibit A) it was discovered that the project was never vetted to the community and never reviewed by CHA---that fact has also been confirmed to this Board by the letter from the CHA Zoning Committee dated February 15, 2022. At the DR hearing Commissioner Imperial made a motion for a continuance to allow the CHA to review the project with the neighbors for compliance with the Cow Hollow Neighborhood Design Guidelines (Exhibit A, page 8) but that motion failed 3-4. The project was approved by a narrow 4-3 vote. Prior to the vote, the Zoning Administrator provided inaccurate information to the Commission.

The project as approved does not comply with the CHA Neighborhood Design Guidelines or the requirements of the Planning Code. Further, the elevations and heights of

various structures on the roof and fourth floor are not accurate and do not match the elevations and heights previously listed by sponsors on earlier sets of plans. In other words, the height “numbers” on the plans are inconsistent, and the design and extent of the project also still violate the Design Guidelines and generally accepted principals of the Planning Code. The correct result here requires that structures above the height limit that were demolished without permits and then reconstructed above the height limit without approved permits or plans, should be completely removed from the building. At a minimum, the project requires that the elevations and measurements of the roof structures be reconciled and corrected and that the project be reviewed by CHA and brought into compliance with the CHA Neighborhood Design Guidelines.

EXECUTIVE SUMMARY

1. 65 Normandie Terrace is a non-conforming structure (one of two on the entire block) which has a fourth floor of occupancy above the 30’-35’ foot absolute height limit.
2. Dept. staff was well aware of the status of the building as a non-conforming structure (mentioned in the first project Review Meeting Exhibit B) and pushed back against the sponsors multiple attempts to submit plans to allow them to conduct construction activities above the height limit. (Exhibit C Notice of Planning Dept Requirements Sept. 25, 2017)
3. The Dept specifically stressed the fact to the sponsors that, as provided by the Code, they could not remove and reconstruct any structures above the height limit. Staff put that in writing *and* provided a drawing to the sponsors showing the fourth-floor structures that could not be removed and/or reconstructed. (Exhibit D is an email from staff to the project architect; Exhibit E is a plan drawing from staff showing roof structures not to be touched).
4. Sponsors did no neighborhood outreach before the 311 Notification issued and the project was NOT presented to CHA or the surrounding neighbors. As a result, the Project does not

reflect the design principals of the Cow Hollow Neighborhood Design Guidelines (Portions Attached as Exhibit F) and is not in character with the block and surrounding neighborhood.

5. Sponsors submitted a project description with plans and obtained a permit which did not include any demolition or reconstruction of structures above the height limit and in particular did not show the demolition of any portion of the facade which has a 30'-foot high limit or demolition of any portions above the height limit for the fourth floor. The plans misrepresented the roof structures ...the 311 Notice is NOT accurate as to existing structures.
6. Without approved permits or plans for such work, and after being chided by the Dept., sponsors demolished virtually every part of the structure above the height limit including the historic façade and began reconstructing those structures above the height limit.
7. DBI and the Planning Dept investigated and confirmed the illegal demolition and reconstruction above the height limit. In November 2020 and through December 2020 a Notice of Violation was issued by DBI (Exhibit G) and a Notice of Enforcement was issued by Planning (Exhibit H) citing a violation of Planning Code Sec. 172 *Non-Compliance of Structures*, for demolition and reconstruction of structures above the height limit.
8. The new Plans do not show the true extent of the demolition. There is irrefutable photographic evidence conclusively demonstrating that the entire 4th floor structure was demolished and reconstructed with the possible exception of the small “top hat” roof peak on the northeast corner of the 4th floor. The evidence of external photographs *and internal* photographs (taken by the staff-Exhibit I) conclusively demonstrates that the structures at the fourth floor are new and that the fourth floor was demolished and completely rebuilt.
9. Despite the conclusive findings by DBI and the photo evidence from Dept staff showing demolition/reconstruction of the fourth floor, sponsors were allowed to reconstruct the fourth

floor above the height limit as “weatherization,” with the promise that the structures would be taken down later if in violation. DBI and planning staff took no steps to bring the project into compliance for the past year. Violations were found and the structures remain.

10. Sponsors have now submitted plans to retroactively “legalize” what they have already done and to “legalize” the illegal demolition and reconstruction of the fourth floor of the building above the height limit, exactly what the Code (and precedent) state is impermissible.
11. The Zoning Administrator is ignoring the mandatory CHA review process and interpreting the Code in a manner not done before. He ignored the Enforcement Planner’s and DBI’s findings and allows the new amended project to proceed as a “rectification” permit which does not address the open and obvious violations of the Code and precedent on such cases.
12. The “rectification” permit the Commission approved does not address or mention the outstanding Notice of Enforcement and the issues with demolition and reconstruction above the height limit. The Notice of Enforcement dated December 16, 2020, specifically found that the Sponsors violated Planning Code Section 172 which addresses “*Compliance of Structures*” and 171 for “*Compliance of Uses*”....meaning that the Planner (Chaska Berger) found last year that the structures had been demolished and reconstructed back over the height limit and is a non-conforming building out of compliance with the Planning Code.
13. There is no procedure under the Code to “legalize” new, **voluntary**, unpermitted demolition/reconstruction above the height limit. Planning should have rejected the application as no portion of the Code allows it as stated by Christopher May in his email.

Legal Authorities and Facts in Support of the Appeal

- 1. The Project was Not Presented to the Cow Hollow Association (Mandatory) nor Reviewed for Compliance with the Cow Hollow Association Neighborhood Design Guidelines as Required a Planning Resolution, It Does Not Comply with The Requirements of the Guidelines and In Fact, Grossly Violates the Guidelines**

The day of the hearing before the Commission (January 6, 2022) the Vice President of CHA reached out to counsel for the appellant to inform him that CHA had requested information about the project, but the project was never presented to CHA and the project was not vetted by CHA. The architect sent an email to CHA describing the project as “*extensive remodel of the interior and two of the four exterior elevations, one facing Vallejo Street, the other the rear yard facing an adjacent property to the west.*” A completely inaccurate description of the actual project. CHA wrote back telling the architect that such a project would probably not even need 311 notification but asking him to please reach out to the neighbors.(Email exchange between CHA and architect attached hereto as Exhibit J). There was no outreach, and the project was to be far different than as described to CHA by the architect.

The project changed dramatically but sponsors never informed CHA, the neighbors or the Dept as the sponsors simply demolished nearly of all of the facades as well as a virtual demolition (and reconstruction) of the entire fourth floor above the height limit all without approved plans or permits for the work undertaken. The project has been cited with numerous violations of the Building Code and Planning Code (many cleaned up since the Commission). The project FAR exceeded the scope of the issued permits for demolition and new construction.

The Cow Hollow Neighborhood Design Guidelines are a mandatory part of the of the Planning Code and review by CHA is also mandatory. The file is devoid of any indication that the CHA Guidelines were applied to the project and CHA was not consulted. At the Commission, the neighbors requested a continuance when this became known the day of the hearing, but the Zoning Administrator gave the Commission incorrect information and claimed that “there is no requirement that projects go to the Cow Hollow Association for review and

comment.” (Transcript of Incorrect Comments by the ZA on continuance attached as Exhibit K). This is an incorrect statement of the requirements of the Dept and the Planning Commission.

By resolution dated April 26, 2001, the Planning Commission endorsed and adopted the Cow Hollow Neighborhood Design Guidelines. That resolution states that the Commission and the Dept. endorses the Guidelines and that it will consider the Guidelines and will encourage project sponsors and others to use and apply the Guidelines for projects in the area. (Resolution No. 16147 attached as Exhibit L). The Guidelines themselves, as endorsed and adopted by the Planning Commission and Planning Dept, are the source of the requirement and mandate a process that includes presentation to the CHA Board. The mandatory “neighborhood involvement” stated as follows in the CHA Guidelines:

“These steps ***must be followed:***

- 1) *Consult affected neighbors as required by the Planning Department (150 foot notice guidelines)*
- 2) *Contact the Cow Hollow Association President for the date and time of the next meeting of the Association in order to schedule a presentation*
- 3) ***Make a presentation to the Cow Hollow Association Board at the regular meeting***
- 4) *Make necessary adjustments to the design during the conceptual design phase, before working out specific design details, in order to avoid duplication of work and difficulty making adjustments.”*

(CHA Neighborhood Design Guidelines page 54 attached as Exhibit F—**emphasis** added)

None of these steps were followed by sponsors in this case. In the past the Dept. referred projects to the CHA for presentation prior to approving applications. The sponsors did not comply with any part of the process. The Sponsors avoided any of the “neighborhood involvement,” and did not accurately describe the project to the CHA or the neighbors (Exhibit J) and as a result, the project grossly violates the Guidelines.

The Planning Department is mandated to apply the Guidelines and allow CHA to review the project, that task now falls to this Board. The Board should refer the project to CHA and/or scale back this proposed project, removing those structures above the height limit, change the exterior glazing and require the project to comply. For example, the Guidelines for window

configurations are essentially the same in the Cow Hollow Guidelines and in the city-wide Residential Design guidelines—**Compatibility** --The Cow Hollow Guidelines state:

“The proportion, size and detailing of windows must relate to that of existing adjacent buildings. Most residential buildings have a vertical orientation, while horizontally oriented or even square window shapes are found in commercial and industrial areas. The proportion of window (void) to wall (solid) area on a facade varies with building type. New windows should approximate ratios of neighboring structures while meeting the building’s functional needs.”(Exhibit F, p. 49)

The window configuration on the north side facing Vallejo Street is not compatible with the existing building at 65 Normandie Terrace or with the neighborhood. (See, Exhibit M)

The height of this project violates the Guidelines. In the Guidelines, the heights between structures in Cow Hollow has been the source of intensive debate and that debate is reflected in the Cow Hollow Neighborhood Design Guidelines. The Guidelines list the height of buildings as a “key element of Cow Hollow neighborhood character.” It should be noted that buildings of four stories or taller such as the present structure make up less than 2% of the total number of buildings in the neighborhood. (Cow Hollow Neighborhood Design Guidelines, Exhibit F, page 61). The Guidelines establish a policy of reducing heights in new structures and in additions to existing structures and mean for the heights to be absolute. The Guidelines state:

“Height policies stated in the Cow Hollow Neighborhood Design Guidelines are intended to be absolute, meaning that no roof appurtenances such as parapets, elevator and stairway penthouses are permitted.” (Cow Hollow Neighborhood Design Guidelines, Exhibit F, page 65)

This project includes an elevator penthouse which exceeds the zoned height limit. No review was made of the project under the Guidelines or perhaps some design accommodation could have been made to reduce the height of the penthouse or eliminate it and reduce its impacts on the neighbors. The CHA Guidelines were not considered by the sponsors or staff in this case as mandated by the adoption of the Guidelines by the Commission 20 years ago.

2. Sponsors Proposed a Project to Alter Portions of the Building Above the Height Limit and Were Told “NO” by Planning Over and Over; THEY DID IT ANYWAY

The project was first submitted to the Department in 2016 and was in violation of the height limit and proposed altering the building above the height limit. The plans first presented violated numerous provisions of the Planning Code, including the height limit, and had to be revised and resubmitted. All of the other houses on the street comply with the mandatory 30-to-35 feet limit in height. The building at that time was (and is currently) a non-complying structure and exceeds the maximum height permissible under Planning Code Section 261 (b) (1). The elevation of the building at Normandie Terrace may not exceed 30' feet in height at the front elevation and at 35' feet for the remainder of the building.

3. It was Well Known to Staff and Sponsors that the Building is Above the Height Limit; Sponsors were Repeatedly Told Not to Demolish the Non-Conforming Structures—THEY DID IT ANYWAY

The building in question at 65 Normandie Terrace is a non-conforming structure under Planning Code 180 et sec. as it is above the height limit of 30' feet at the façade and then also above the absolute height limit of 35' feet for nearly all of the fourth floor. The fact that the building was above the height limit and had to follow the Code procedures under Section 188 for such structures was well known to the Planning Staff that reviewed the project (and the Sponsor) and was the subject of most of the email correspondence between staff and the sponsor.

It was mentioned in the first project Review Meeting (Exhibit B) and specifically mentioned in the Notice of Planning Dept Requirements sent to the Sponsor on September 25, 2017 (Exhibit C). Further, the Dept sent to the sponsor emails (Exhibit D) and specific drawings (which were overlapped on to the sponsor's drawings—the Dept literally “drew them a picture”) specifying that the roof form and slope had to be “maintained” above the family room and in particular on the west and south sides of the building the roof form and slope had to be “maintained,” not demolished or reconstructed. Those drawings and notes are attached Exhibit E.

Later the Dept sent email correspondence to the Sponsor explaining that these structures had to be maintained not only for aesthetic purposes but also because they are above the height limit and once removed may not be reconstructed. Attached is a copy of an email to the Architect from Planner Christopher May on the subject (Exhibit D, page 3) The issue of the height limit is highlighted in red. Sponsors were directly told ahead of time to NOT demolish or reconstruct the fourth-floor structures as it would be a violation of the Planning Code. This is exactly what happened in this case! The photos do not lie. (Photos taken by Assistant ZA Tina Tam attached as Exhibit I). Not just portions of the roof and other structures above the height limit were demolished, the entire structure above the fourth floor was demolished in direct violation of the Code. This is exactly what was stated to sponsors as absolutely forbidden by the Planner Christopher May. As he stated in writing to the sponsors: **“The Planning Code simply doesn’t allow for it.”** Christopher May, San Francisco Planning Dept (Exhibit D, page 3). He knew the law and the ZA is ignoring it now with his comments to the Commission that the Code allows it. The Planning Dept sent to the Sponsors a Notice of Planning Dept Requirements dated Sept. 25, 2017, which also emphasized the height limits for the project. (Attached as Exhibit C).

4. The Permits Obtained by Sponsors Did Not Allow Demo Above the Height Limit, They Were Told Not to Demo or Rebuild—THEY DID IT ANYWAY

The sponsors downplayed their project to the surrounding neighbors and to CHA, describing it as a project which consisted almost exclusively of interior remodeling and exterior work only “recladding” various portions of the building and some window replacement.(Exhibit J) The Project Description does not include the demolition of any of the structures above the height limit on the building and clearly and definitely states there will be only work on two facades:

COMPLETE ALTERATION, ALL FLRS. ADDITION OF ELEVATOR. ALTERATION TO NORTH & WEST ELEVATION (VALLEJO ST & REAR ELEVATION) REMOVAL OF MAJORITY OF WALLS ON 2ND FLR. STRUCTURAL WORK, ALL FLRS. RENOVATION OF ROOF TERRACE BY REMOVING OLD PERIMETER RAILING & REPLACE W/ GLASS. ADD NFPA 13R SPRINKLER SYSTEM. (Exhibit N)

The Board should note that the description does not include any demolition on the façade or south side (facing the neighbors), only replacement of windows. The approved plans misrepresented the existing state of the top floor and roof height. Unfortunately, the roof form and slope were not maintained as promised, particularly on the south and west sides where it most impacts the adjacent neighbor. Construction began and the neighbors soon noted that the demolition of the entire fourth floor was far beyond anything noted in the plans. Beginning on April 8, 2020, DBI issued a series of correction notices and violations at the site as each inspection revealed more violations. (Exhibit O).

Specifically, the DBI inspections and findings CONFIRM and elaborate on the violations of the Planning Code. At the time of the Commission hearing there were six (6) open and active complaints and Notices of Violation at the site—which the Dept has now rushed to close since the hearing when we pointed it out. The inspections document and quantify the shocking extent of the violations...exceeding by 100% what was permitted:

Notice of Violation Issued November 20, 2020, found as follows:

“Exceeding the scope of demolition on exterior walls on all floors. Ground floor exceeded approx. 20% on east, 100% on west, 30% on north, 20% south. 2nd floor exceeded approx. 100% on north, 60% east, 100% west. 3rd floor exceeded approx. 60% on east, 100% on west. 4th floor 60% on east, 100% on north” (Exhibit G)

These findings confirm the Code violations (Exhibit H) of demolition (reconstruction) above the height limit---At the fourth floor 100% of the north façade was demolished (photos confirm this!)---on the front façade (east) 100% was demolished because the demolition exceeded by 60% the 40% that was shown the plans (replacement of the windows only). (Series of Photos Showing Demolition and New Construction Exhibit I)

As the photos show, the top fourth floor was completely deconstructed bit by bit and then reconstructed higher and reduced setback on the south side. The façade at the

top floor was completely removed and then reconstructed when it was entirely above the 30' foot height limit at the front façade. DBI also found discrepancies in the height of the new construction and the approved plans, and the changes made to the dormer at the fourth floor. (Exhibit O, page 4). And work beyond the scope of the permits with an extension of the roof dormers. (Exhibit O, pages 5-7).

The Planning Dept also found violations at the site and elevated the complaints made against the project to a **Notice of Enforcement** December 16, 2020 (Exhibit H). The Planning Dept's findings are based on the DBI inspections finding demolition in excess of the approved plans (as much as 100%) and found that the work at the site violates Planning Code Sections 172, 175 and 171, dealing with the "*Compliance of Structures.*" The Dept found that the demolition and reconstruction above the height limit is not permissible in the District under its RH-1 zoning. That the construction activity at the site had resulted in construction that is not in compliance with the Planning Code and the height limits of the Code. The demolition and reconstruction resulted in the creation of a structure out of conformity with the Planning Code (Section 172) as it was reconstructed over the height limit for the area, also a violation of Section 180 & 188.

The current height of the subject building as measured from Normandie Terrace is in excess of 40' feet and the proposed plan would allow the demolition and rebuild of the façade and replacement of the non-conforming features of the building. The new plans fail to acknowledge the 30' foot height limit, at the front and seem to claim that the eaves of the roof flanking the façade were not voluntarily demolished. This is false. These depictions of the unpermitted demolition are not accurate. The photos taken from inside and outside of the top structure show a complete demolition and all new wood replacing the entire façade above the

height limit. The height limit is also not acknowledged or shown on these drawings, it is at 30' feet, not 35' In the past the Dept has been crystal clear that once a non-complying structure is removed or demolished; it cannot be rebuilt even to the existing building envelope/volume.

Referring to Section 188 which reads:

“(n)o non-complying structure that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the requirements of this Code” (The **voluntary** aspect is what the ZA and sponsors ignore)

The building has many non-complying structures that exceed the maximum height permissible. At Normandie Terrace the building may not exceed 30' feet in height at the front elevation. The building façade was voluntarily demolished, it may not be built back to the height of 40+ feet at the front façade (limit of 30) and the entire height of the new fourth floor structure must be reduced to meet the Code absolute maximum of 35 feet. Sponsors may not demolish portions of the building above the height limit and then rebuild to the current height.

The photos which confirm that the entire façade was demolished were taken by Tina Tam and are submitted herewith. The photos show the complete demolition of the fourth floor except for (perhaps) the peak of roof at the very top. EVERYTHING else was demolished and reconstructed with new wood and other hardware.

Conclusion

Because this project resulted in demolition of structures above the height limit, it may not be rebuilt back to the present height which violates the absolute height limit and zoning of the area. The project violates the Code and exceeds the height limit; we request the Commission require that the project be altered to comply with height limit and redesigned to satisfy the requirements of the CHA Design Guidelines and the Residential Design Guidelines.



TABLE OF EXHIBITS

- EXHIBIT A:** Transcript of Planning Commission Hearing January 6, 2022
- EXHIBIT B:** Project Review Meeting Notes
- EXHIBIT C:** Notice of Planning Department Requirements Sept. 25, 2017
- EXHIBIT D:** Email from Planner Christopher May to Sponsor Explaining Height Limit
- EXHIBIT E:** Drawings from Staff Showing Roof Structures Not to be Touched
- EXHIBIT F:** Cow Hollow Neighborhood Design Guidelines (Relevant Portions)
- EXHIBIT G:** Notice of Violation from DBI issued November 20, 2020
- EXHIBIT H:** Notice of Enforcement issued by Planning Dept December 16, 2020
- EXHIBIT I:** Photos Taken by Tina Tam Showing Demolition of 4th Floor
- EXHIBIT J:** Email Exchange Between Cow Hollow and Sponsors
- EXHIBIT K:** Transcript of ZA Providing Incorrect Information to Commission
- EXHIBIT L:** Planning Commission Resolution #16147 Adopting Guidelines
- EXHIBIT M:** Photo of Vallejo Street Façade and New Window Configuration
- EXHIBIT N:** Project Description from DBI Permit Application
- EXHIBIT O:** DBI Complaint Data Sheets Showing Violations and Correction Notices

EXHIBIT A

Transcript of Planning Commission Hearing January 6, 2022

SECRETARY IONIN: With that we'll be placed on the final item on the agenda, number 10 for 2016-008167 DRP at 65 Normandie Terrace, also a discretionary review. Mr. Winslow?

DAVID WINSLOW: Thank you Mr. Ionin. David Winslow staff architect. The item before you is a public initiated request for discretion review for building permit application 2021.0901.7599 to rectify and legalize construction which exceeded the scope of the building permit, number 2017.0713.1813 to add an elevator, alter the northwest elevation, remove walls on the second floor, renovate the roof terrace by removing the old perimeter railing and replace with glass.

The scope of work in building permit 2021.0901.7599 to abate the enforcement case 2020-010614ENF includes reducing the height of the elevator shaft to 40.11 feet above curb its originally approved height, reducing the height of the roof to 39.9 feet as measured above the curb, removing and restoring the lower roof areas, as it was determined to be inconsistent with the planning department's definition of a dormer, restoring the wall at the south exterior elevation on the roof level to its original location towards the north five inches, and replacing all decorative exterior elements and providing demolition calculations per Planning Code Section 317. Rectifying construction that exceeded the scope of the building permit 2017.0713.1813 to add an elevator and remove the walls on the second floor.

The scope of the work -- that's redundant, sorry. The scope of work in this original B.P.A. 2021 that abates the enforcement, as I mentioned, includes reducing the height of the built portion of the roof to its originally approved heights as measured above the curb and restoring a lower area of the roof as it was determined inconsistent with the Planning definition of what a dormer was and that was the basis of approval in the original permit.

The building is a Category A historic resource.

The D.R. Requester, Kristopher Ning Chang of 55 Normandie Terrace, the resident of the adjacent property to the immediate south is concerned that the proposed fourth floor addition is in violation of the Planning Code because it was demolished and rebuilt above the height limit

Once non-complying features are removed, they cannot be rebuilt. The roof and facade above the height limit was removed in its entirety and rebuilt in contravention of the planning code. His proposed alternative is to bring the building into compliance with the height limit.

To date the department received three letters in opposition to the project and no letters in support of the project. The planning department's review of this proposal confirms support for the project as it attempts to rectify a project that conforms to the planning code and the residential design guidelines.

Planning department enforcement staff, in coordination with D.B.I. Spent a considerable amount of time in the last year addressing the issues. Planning department staff worked with D.B.I. To conduct site visits multiple times to confirm existing conditions, reviewed several draft plans and

Transcript of Planning Commission Hearing January 6, 2022

coordinated with department staff to review compliance with the planning code.

The project sponsor arrived at the proposed permit to rectify the infraction through that process. The original permit submitted in 2017 proposed a complete alteration of all floors, including expanding the roof with the addition of an elevator and a dormer. The original permit also included or allowed windows and stucco to be replaced consistent with the size and scale of the existing building.

Elevators and dormers are permitted to exceed the allowable height limit per Planning Code Section 260, however, the proposed dormer that was subsequently determined not to be categorized as a dormer, but rather an expansion of a part of a compound hip-shaped roof which was above the allowed height limit. Therefore, that part of the roof has to be rebuilt to the existing or below existing footprint and height of its prior condition.

The project was properly noticed and included features exempt from the height limit per section 260 and subject to compliance with the residential design guidelines. Additionally chimneys that extended above the roof have been removed. And the work that exceeded the permit was issued with a Notice of Enforcement.

The permit that's under appeal right now 2021-0901-7599 was applied to correct the violations by proposing to reduce the elevator to its previously approved height, remove the previously approved dormer mentioned above, reduce the height and the extent of the portions of the roof which were built beyond their previous footprint and height and reduce the other elements to at or lower to previous listing. And to document the total extent of removal per the planning code.

The current permit which is being appealed proposes to rebuild proportions of the roof to the previous existing footprint and 4 inches lower than existing, previous existing height as well as lowering the height of the elevator by 6 inches to its originally approved height.

The planning code allows non-complying structures to remain and be repaired if doing so does not increase the degree of non-conformance....or noncompliance rather. Lastly, per the sponsor's calculations, the work did not exceed thresholds for tantamount to demolition per code section 317. Therefore, staff deems there are no exceptional and extraordinary conditions, and recommends not taking discretionary review and approving. I'm joined by Chaska Berger a member of the enforcement team who has been working hand and glove diligently with the Project Sponsor over the past year on this. We're happy to take any questions you might have. Thank you.

SECRETARY IONIN: Thank you Mr. Winslow, that concludes that presentation. Mr. Chang, we had a Mark Thomas listed as your representative. Are you going to be making the presentation for the DR Requestor or is Mr. Williams?

DR. CHANG: MR. Williams is going to present as well as Mr. Thomas.

Transcript of Planning Commission Hearing January 6, 2022

SECRETARY IONIN: Very good. Mr. Williams, you have three minutes.

STEPHEN WILLIAMS: This matter should be considered for a continuance first. May we have that heard first?

SECRETARY IONIN: Mr. Williams I was instructed by the commission to have this matter today. You I suppose could argue for a continuance during your presentation.

STEPHEN WILLIAMS: I understood that the continuance would be heard first, and if it was denied then the matter would be heard.

SECRETARY IONIN: You have three minutes Mr. Williams.

STEPHEN WILLIAMS: As stated I represent the Chang's who live next door. The first slide shows on the Chang home on the left. The facts here are that the violation found at the site was the voluntary demolition of non-conforming structures above the height limit. We have photos confirming those violations and DBI also confirmed the violations. The Dept and the Sponsor do not address these violations at all...

COMMISSIONER DIAMOND: Mr. Williams this is Commissioner Diamond, can I interrupt you? I can't hear you.

SECRETARY IONIN: Mr. Williams, you've got two microphones that are unmuted, either your phone or the computer and it's creating an echo. I would suggest that you remedy that so the commissioners can hear your presentation.

PRESIDENT KOPPEL: And we can let him start over.

SECRETARY IONIN: Sure, of course. Mr. Williams, you've muted your computer, but the information we received indicated that Mr. Mark Thomas would be making the presentation and a different phone number, so I don't have your phone number, Mr. Williams, to unmute if that's your preference.

DAVID WINSLOW: They're using the same number listed as Mark Thomas. They're in the same location I believe.

SECRETARY IONIN: Unfortunately, that number doesn't appear in the attendee list. So I'm going to unmute you, Mr. Williams. Is there a phone number you would prefer to use?

STEPHEN WILLIAMS: Well, is this one working?

SECRETARY IONIN: This is working, but because you have two devices unmuted or close to each other, it's creating an echo.

STEPHEN WILLIAMS: Is the echo still there? I think we have turned off the computer.

Transcript of Planning Commission Hearing January 6, 2022

SECRETARY IONIN: I'm going to restart your time and you have three minutes. Mr. Williams?

STEPHEN WILLIAMS: Okay, is the echo gone now? Because I cannot hear it.

SECRETARY IONIN: It seems to be slightly better. Let's try it if you say you've turned off your phone.

STEPHEN WILLIAMS: All right, the first slide shows the site, and the Chang house is on the left there. This is an extraordinary and exceptional case because just based on the incredibly long introduction from Mr. Winslow, you can understand how complicated it is. The violation found here was the voluntary demolition of the non-conforming structures above the height limit and then their reconstruction. We have photos confirming those violations that were taken by staff. Surprisingly, the staff analysis and the Sponsor's response do not address or answer those violations. The code is super clear on this issue.

May I have the second slide please David? It is Section 188(c), it says if you voluntarily – yes, structures above the height limit can be repaired, ---but not if you voluntarily take those structures down first. That is what happened here,---- you can't put it back. May I have the third slide please? Large portions of this building are non-conforming and over the height limit. The red portion shown in this slide shows how far above it is over the 30-foot height limit on the front facade and those portions of the façade were all demolished. It is exceptional and extraordinary because in this particular case they were told over and over---this was the only issue that Planning had with the project--- was structures above the height limit. And so, they were told in the initial project review---that is Exhibit 1 to our brief... do not touch the structures over the height limit. Christopher May sent them a very specific email, which I quoted, he said, the Planning Code simply does not allow for you to take down the structures over the height limit. They were told this over and over---that is Exhibit 2 to our brief, and it was in the Planning Department Requirements sent to them during the review. The planning department drew them a picture and created a four-page plan set drawn by staff illustrating the roof structures----that is Exhibit 3--- that cannot be touched or removed.

Despite all of these admonitions, ---may I have slide 4 please---there was extensive demolition at the scene and that was confirmed by Tina Tam taking photographs at the site showing 100% documented by D.B.I. ---that's Exhibit 5---more than a year ago, where DBI spelled out the exact percentages of demolition that exceeded the permit on each floor and confirming it was over 100% on the fourth floor. Planning issued a Notice of Enforcement ---that is Exhibit 8 to our brief. The staff and the sponsor have not put that in front of the Commission at all, and that is Exhibit 8 to our brief. It was issued more than one year ago, finding the structure was out of compliance with Section 172 for demolition and reconstruction over the height limit and it is easy to see, especially at the facade. Slide 6 please -- that is actually slide 5 shows the demolition view north. And Slide 6 shows the demolition of the facade and then slide 7 which shows it completely reconstructed. I put Tina Tam's photos into the brief at pages 12 and 13 and they show complete reconstruction of the fourth floor and façade from the interior...all new

Transcript of Planning Commission Hearing January 6, 2022

wood. The sponsors did not have any approved plans to demolish any portion of the building above the height limit.

SECRETARY IONIN: Thank you Mr. Williams. Mr. Enbridge, you have three minutes for your presentation.

SCOTT EMBLIDGE: Thank you Jonas, thank you commissioners. Project Sponsors Heidi and Randy Wenokur want to remodel their home. Their home at 65 Normandie Terrace They are not developers, they are not speculators, they just want to remodel their home. This shows their home preconstruction on the right and the home of the neighbor requesting D.R. on the left. Slide 2 please. Slide 2 shows the state of things today. Yes, this an extensive remodel, involving demolition and replacement of large portions of the third and fourth floors. But those extensive demolition plans were approved by Planning and DBI three years ago without objection by the neighbor. Yes, mistakes were made by the teams the Wenokurs hired to execute the remodel, but DR before you makes it sound as if those mistakes were outrageous and intentional. Neither is true. The mistakes involved a small amount of extra demolition in the field to address site conditions without first obtaining permits. That was improper and the planning staff came down hard on the teams and the Wenokurs for those errors. The Wenokurs and their team complied with all of Planning's demands to fix the situation. Slide 3 please. The top portion of this slide shows the pre-construction configuration of the roof. The elements shown in brown were removed and the elevator penthouse in green was to be added. The removal of the features in brown improved the situation for the neighbor. The bottom depiction is what it will look like once the project is complete. Shown in brown are the additional changes Mr. Winslow referred to required by Planning in the revision permit that is before you tonight. The slight lowering of the elevator penthouse and the removal of that slight notch which is a dormer or not a dormer depending on who's perspective. This is not about exceptional or extraordinary impacts on the neighbors, there are none. The original plans improved the neighbor's privacy and views and the revised plans before you improve some of those impacts from the original plans. On that basis alone the Commission should follow the staff recommendation and not take DR. What this D.R. Is about is a neighbor hoping to capitalize on the team's errors by having the commission require that the entire top floor of the home removed. Slide four please. This home has the stood in this configuration for 84 years and the roof line will look substantially the same when completed. Who could possibly think that the removal of the top floor of this home is an appropriate remedy for the mistakes made in this case? Your staff doesn't think so, DBI doesn't think so. they all believe the revised plans adequately address the errors of the past. The Wenokur weren't given a pass by anyone, they incurred tens of thousands of dollars in fees and lost a year on this project complying with the staff's demands. Because your staff and the Z.A. Dealt with this situation appropriately and no exceptional and extraordinary circumstances, please do not take D.R. And let them complete their project.

I can respond to any questions including the code interpretation from Mr. Williams, but you might want to ask your staff about that as well.

Transcript of Planning Commission Hearing January 6, 2022

SECRETARY IONIN: Thank you, Mr. Enbridge. Members of the public, this would be your opportunity to address the Commission on this item. You need to press star 3 to be added to the queue. Through the chair, you'll have one minute.

STEVEN CHONG: Good afternoon, my name is Steven Chong and my family, and I live in the house directly behind the home at 65 Normandie Terrace at 2565 Divisadero Street. I just discovered that the Cow Hollow Association wasn't consulted on this project, and I am supporting the request that this matter be continued and that you give an opportunity to the Cow Hollow Association to consult. In addition, my understanding the Wenokurs still have their original home in the east bay and they're living there. The reason they moved to 65 Normandie Terrace is so the daughters could attend University High School. It's not like the family doesn't have a home. At least that is my understanding. Thank you.

SECRETARY IONIN: Thank you. Last call for public comment on this item. You need to press star 3 to be added to the queue. OK. Seeing no additional requests to speak from members of the public, Mr. Williams, you have a one-minute rebuttal.

MARK THOMAS: Good afternoon commissioners. This is Mark Thomas, and I am an architect and I have been working with the Chang's and Mr. Williams. I would like to point out some errors in the plan. David, could you go to slide 9? In the approved site permit drawings issued to the neighbors in 2018, the height of the pre-existing lower flat roof structures were 309.2 feet and 309.5 feet, respectively. We would like to make sure that these numbers are adhered to, and these numbers are from the project sponsor's own plans shown here today in figure 2. David, could you go to slide 10? In slide number 10, also in the same approved site permit drawing, and this drawing, the height of the existing -- the height of the proposed rather elevator pent- room in called out as 309.5 feet and we would like to make sure that number is also adhered to as per the original neighborhood-approved drawings. And that aligns with the adjacent flat roof I just talked about in slide number 9. We appreciate these adjustments being implemented in order to fully comply with the terms after the abatement. Thanks. I'm available to answer any questions and I can turn over any remaining time to Mr. Williams.

SECRETARY IONIN: You don't have any remaining time. Mr. Enbridge, you have a one-minute rebuttal.

SCOTT EMBLIDGE: Thank you. As to Mr. Thomas' point, he's misleading the commission in referring to a preliminary plan set trying to show a difference in those drawings and the actual plan set that is before the commission. That plan set is verified by a surveyor, by your staff and D.B.I. by several people and they presented no evidence to show that those calculations are inaccurate. As to the code section that Mr. Williams purported to quote from, he said he was quoting from 188(c), he is not that section has to do with unreinforced masonry buildings. He's actually quoting from 188(b) which deals with when a project is damaged by fires or other calamities. What he should be referring to is 188(a) which clearly says that when a project that is not complying can undergo a change as long as it does not undergo changes to increase non-code

Transcript of Planning Commission Hearing January 6, 2022

compliance and this project actually decreases non-code compliance. There are no exceptional or extraordinary circumstances. Thank you.

SECRETARY IONIN: Thank you Mr. Emblidge. That will conclude the public comment portion of this hearing. It is now before you,

COMMISSION PRESIDENT JOEL KOPPEL: Commissioner Moore? >>

COMMISSIONER KATHERIN MOORE: I would like to express my frustration at what I am hearing and what is being presented. This particular project is extremely complicated and confused and, in the end, I hear two attorneys, “he said, she said” arguing what is right and what is wrong I believe this project should be further described. I think this project should be further discussed, but I find myself in a great deal of confusion and in a great deal of contradiction about what is right. What greatly disturbs me is that attached to this very lengthy packet and I'm completely open to look at whichever way is the correct way of looking at it, whatever way is the right way, I personally don't have any ability to put myself on the right or the wrong of this. What again disturbs me is that it is again a project that is caught with multiple violations and that is very well documented. We are here again being asked to approve something, but I personally don't believe I have the correct tools to understand what is the correct decision. It doesn't matter who interprets what. I believe there is too much background including very extensive staff work about how this project has evolved. I want to leave it at that and I'm basically uncomfortable sitting here today to decide on this project. That is my personal opinion. Thank you.

COMMISSION PRESIDENT JOEL KOPPEL: Commissioner Diamond? >>

COMMISSIONER SUE DIAMOND: Could the zoning administrator please address the code compliance issue and interpretation that was raised by Mr. Williams and countered by Mr. Emblidge?

ZONING ADMINISTRATOR COREY TEAGUE: Good afternoon again Commissioner Diamond. I will rather simplify this a little bit. Again, this is a very substantial remodel originally, basically replacing all the exterior stucco and windows and doors, all the roof shingles and some other actual portions of the walls on the fourth floor that are partially above the height limit and then they did go over-scope a bit , which kind of triggered where we are now. The issue being raised regarding code-compliance is... the planning code in several places references what can happen with non-compliant structures. And it basically states that they can be moved, repaired, etc., as long as you're not increasing the non-conformity or creating a new non-conformity. But there is the section that does talk about when structures are demolished due to a calamity or an act of nature that they can be replaced even if they are not complying. It does say that such a structure cannot be voluntarily razed and put back in a non-complying manner. The challenge there is that the Planning Code doesn't really define what it means for a structure or a non-complying structure to be razed. You can take that spectrum literally on either end, which is that you can't replace literally a single bit of the structure and the other end of the spectrum is

Transcript of Planning Commission Hearing January 6, 2022

that you can do everything but take down the final piece of material, and that is not razed or fully demolished. The truth is that it is somewhere in the middle. And it is something that has a case-by-case call over the years. Generally, we are pretty strict about structures over the height limit, and we look at all the proposals in context, in the relevant context that they're being proposed under. As the project sponsor mentioned, this project originally came in proposing to do more above the height limit and there was a lot of work with staff. At the end of the day, there was a decent amount of replacement work that was permitted above the height limit, including a good deal of the wall structure for that fourth floor, the roof shingles, et cetera. So, is this a case where this is this on higher end of the spectrum and how much is removed and replaced above the height limit. Yes. Can it be permitted under the code? Yes, it can, and that's why it is before you today. If we determined that could not happen, that would not be in front of the planning commission today.

COMMISSIONER SUE DIAMOND: Thank you. I agree with Commissioner Moore that it is an extremely complicated case, but I also believe that staff has spent an enormous amount of time, both in the original approval and in the enforcement case and I believe I am at a place, especially after hearing Mr. Teague that I do not think that we should take D.R. because I think we should support staff recommendation And I move to not take D.R. and to support staff's position.

COMMISSION PRESIDENT JOEL KOPPEL: I will second that motion and call on Commissioner Imperial.

COMMISSIONER TERESA IMPERIALE: Thank you and thank you Mr. Teague for being here. My, and again because we were in the continuance hearing earlier, and as you mentioned earlier, this does not need to be heard by the Cow Hollow Association. >>

ZONING ADMINISTRATOR COREY TEAGUE: Correct. There is no planning code requirement or planning commission adopted requirement that any specific action relative to this project be taken by the Cow Hollow Association.

COMMISSIONER TERESA IMPERIALE: Thank you for that. My only thing, since this is you know, still within -- this is the project in the Cow Hollow area and it looks, I do not have any more questions for you, I think it is still in good faith for the project sponsor to reach out to the Cow Hollow Association and to present their project to the Cow Hollow Association. It's still in good faith to do that and I think we have done in the past on the Commission we have asked the project sponsor to meet with the neighbor, especially at this time with the Cow Hollow if they are not well informed. It looks like from the e-mail that we've seen that there was some communication, but no presentation really happened. I would actually be more adherence to a continuance so the Cow Hollow Association be given more time to look into it and also, I figure it is more of a community process which I think should be respectful of what community voice should sound like. I would like a continuance and I will actually put a counter motion to continue this project.

COMMISSIONER KATHERIN MOORE: I second that.

Transcript of Planning Commission Hearing January 6, 2022

SECRETARY IONIN: Ok Commissioners if there is no additional deliberation, although there was a motion to not take D.R., and to approve the project as proposed, the motion for continuance takes precedence. We should take up that matter first. Commissioner Moore, did you have additional comments?

COMMISSIONER KATHERIN MOORE: Actually, I wanted to comment that I found the drawings indicating how the controversy was modified is interesting, but I believe that getting community buy-in because this was at a certain point in time was a very controversial project and I understand certain the zoning administrator's point about a case-by-case interpretation, but I think that there should be a meeting of minds. Ultimately this is a short street, and this is a neighborhood, and I would like that whatever the solution is, as presented by Mr. Winslow Should be discussed with the neighborhood and have its support. So call the question Jonas.

SECRETARY IONIN: Ok Commissioners, as previously stated, there are two motions on the floor and the procedural motion will take precedence. On the motion to continue, and Commissioner Imperial did you have a date in mind? A month?

COMMISSIONER TERESA IMPERIALE: Is Mr. Stephen Williams still available? Are you there can I ask him?

STEPHEN WILLIAMS: Yes, I'm still here.

COMMISSIONER TERESA IMPERIALE: I have a question for you. What is in terms of the Cow Hollow Association meeting, how do you proceed in their process?

STEPHEN WILLIAMS: You know, I think that -- I have been communicating with the Vice President of the CHA and she said she couldn't make the access code work and she wanted to call in and speak on this matter. I think that a month or perhaps two would give them ample opportunity to find out at least what the project is since the last they heard it was only going to have work on two sides building as that email said. I think that they would make themselves available for a presentation and to fully understand the project. It has never been vetted before, this is the first time for a hearing of any kind that it has had.

SECRETARY IONIN: Thank you, Mr. Williams.

COMMISSIONER TERESA IMPERIALE: Jonas, Commission Secretary, go for a month.

SECRETARY IONIN: Very good then, commissioners on that motion to continue this matter until February 3. Commissioner Tanner?

[Roll call] .

COMMISSIONER TANNER: No.

SECRETARY IONIN: Commissioner Chan?

Transcript of Planning Commission Hearing January 6, 2022

COMMISSIONER CHAN: Aye.

SECRETARY IONIN: Commissioner Diamond?

COMMISSIONER DIAMOND: No.

SECRETARY IONIN: Commissioner Fung?

COMMISSIONER FUNG: No.

SECRETARY IONIN: Commissioner Imperial?

COMMISSIONER IMPERIALE: Aye

SECRETARY IONIN: Commissioner Moore?

COMMISSIONER MOORE: Aye

SECRETARY IONIN: Commission President Koppel?

COMMISSIONER KOPPEL: No.

SECRETARY IONIN: That motion fails 3-4, with Commissioners Tanner, Diamond, Fung, and Koppel voting against. The original motion on the floor was not to take D.R. and to approve the project as proposed. On that motion, Commissioner Tanner?
[Roll call] .

COMMISSIONER TANNER: Yes.

SECRETARY IONIN: Commissioner Chan?

COMMISSIONER CHAN: No.

SECRETARY IONIN: Commissioner Diamond?

COMMISSIONER DIAMOND: Aye.

SECRETARY IONIN: Commissioner Fung?

COMMISSIONER FUNG: Aye.

SECRETARY IONIN: Commissioner Imperial?

COMMISSIONER IMPERIALE: No

SECRETARY IONIN: Commissioner Moore?

COMMISSIONER MOORE: No.

SECRETARY IONIN: Commission President Koppel?

COMMISSIONER KOPPEL: Aye.

SECRETARY IONIN: So moved, commissioners. That motion passes 4-3, with

Transcript of Planning Commission Hearing January 6, 2022

Commissioners Chan, Imperial, and Moore voting against. Commissioners, that concludes your first hearing of this new year. I'm looking forward to seeing you all in person at some point, but until then, enjoy the rest of your afternoon.

EXHIBIT B

SCHEDULE OF PROJECT REVIEW MEETINGS

Tuesday (AM)

Date: **4/5/16**

Time	Room 405
9:00 – 9:45	NW REC# Address: Name: Phone: Amount Paid:
9:45 – 10:30	NW REC# 2016-004118PRV Address: 1364 Page Street Name: Dawn Ma Phone: 415-695-2700 Amount Paid: \$980.00 MARY W. DAVID L. SHELLEY C.
10:30 – 11:15	NW REC# 2016-004090PRV Address: 3515 Washington Street Name: Amanda Dunbar Phone: 415-766-4089 Amount Paid: \$414.00 BRITTANY B. SHELLEY C. DAVID L.
11:15 – 12:00	NW REC# 2016-003800PRV Address: 65 Normandie Terrace Name: Michael Hennessey Phone: 415-512-1559 Amount Paid: \$414.00 CHRIS M. SHELLEY C. DAVID L.

Tuesday (PM)

Date: **4/5/16**

Time	Room 403	Room 405
1:00 – 1:45	SW – SE REC# Address: Name: Phone: Amount Paid:	NE REC# Address: Name: Phone: Amount Paid:
1:45 – 2:30	SW – SE REC# 2016-004120PRV Address: 2779-2783 Folsom Street Name: Kevin Skiles Phone: 415-572-4159 Amount Paid: \$980.00	NE REC# 2016-004121PRV Address: 19-25 Mason/6-16 Turk Name: John Kevlin Phone: 415-567-9000 Amount Paid: \$980.00
2:30 – 3:15	SW – SE REC# 2016-004175PRV Address: 2987-2995 22 nd Street Name: Brian Kaufman Phone: 415-279-6795 Amount Paid: \$414.00	NE REC# 2016-004122PRV Address: 657-667 Mission Street Name: John Kevlin Phone: 415-567-9000 Amount Paid: \$980.00
3:15 – 4:00	SW – SE REC# Address: Name: Phone: Amount Paid:	NE REC# Address: Name: Phone: Amount Paid:

NOTE: Number of project meetings assigned per team: Maximum 4 for each quadrant

NE (2) = 86

NW (3) = 97

SE (3) = 95

SW (0) = 90

**NORTHWEST TEAM
PROJECT REVIEW MEETING
April 5, 2016**

ADDRESS	PLANNER'S NAME
65 Normandie Terrace	1. Chris May
	2. David Lindsay
	3. Shelley Caltagirone
	4.

ATTENDEES

NAME	ORGANIZATION	PHONE NO.	E-MAIL
RANAY WENOKAL	OWNER	415 658 7914	wenokur@mac.com
M. HENNESSEY	MHA	415.512.1557	MICHAEL C HENNESSEY ARCHITECTS.COM
M. VIVAR-NIETO	MHA	415.512.1557	MANUEL P HENNESSEY ARCHITECTS.COM

NOTES:

- PREVIOUS
- THE KEND - HISTORIC DISTRICT
- WINDOW REPLACEMENT ~~NOT~~ OTHER FACADE CHANGES WITHIN HERAGE DISTRICT
- DORMER ADDN, DORMER EXPANSION, GABLE VALLEY SIDE, GABLETIDE PORTHOLE
- SIGNIFICANT WINDOW CHANGES (ENLARGEMENT) IN VALLEY FACADE (FROM 12" TO 18" OR 24" x 9" SIZES)
- VALLEY SIDE GABLETIDE COULD HAVE MORE FORMALITY TO TRANSITION TO CHURCH - NEED TO BE IN READER CONTEXT
- CONTRAST TO REAR CHURCH AS WELL AS IT'S PARTIALLY VISIBLE
- 2.2 REPAIRS, EXPANSION OF DORMER STILL CLASSIFY AS DORMER FOR HEIGHT EXEMPTION PURPOSES? - LA SAYS NO - DORMERS MUST REMAIN SUBORDINATE TO THE ROOFLINE WITHIN WHICH THEY RESIDE

Record # 2016-003800 PR1 NW
 Meeting = TUES, 4/5/16 @ 11:15am D. Linsay

PROJECT REVIEW MEETING APPLICATION FORM *Check = 2016
7-4-16 201*

APPLICATION DATE: 03.21.16

PROJECT CONTACT: (Please complete all data fields)

Name Michael Hennessey Phone No. (415) 512.1559
 Address 290 Division Street, Suite 303
 City San Francisco Zip Code 94103
 FAX No. () N/A E-Mail Address michael@hennesseyarchitect.com
 Name of Property Owner Randy & Heidi Wenokur

PROJECT INFORMATION:

Property Address 65 Normandie Terrace
 How many units does the subject property have? 1
 Assessor's Block/Lot(s) 0960 / 007 Zoning District RH-1
 Height and Bulk Districts 40-X

PROJECT DESCRIPTION / PURPOSE OF MEETING: (Use a separate sheet, if necessary)

Review modifications to the existing roof of a single-family residence, including the implementation of dormers and an elevator penthouse. Review revisions to the exterior elevations including window modifications.

Land Use Type	Existing	Proposed	Net Change
Number of Dwelling Units	1	1	0
Commercial Square Footage:	-	-	-
Retail	-	-	-
Office	-	-	-
Number of Hotel Rooms	-	-	-
Industrial Square Footage	-	-	-
Other Uses: _____	-	-	-
Number of Parking Spaces	2	2	0

Previously contacted Planning Department staff N/A

Will this project be publicly funded? (specify) No

*4/5
2016
NW*

EXHIBIT C



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements

September 25, 2017

William Greineder
Gordan & Greineder
2339 3rd St
San Francisco, CA 94107

RE: 65 Normandie Terrace (Project Address)
0960/007 (Block/Lot No.)
2017.07.13.1813 (Building Permit No.)

Your Building Permit Application (#2017.07.13.1813) has been received by the Planning Department and has been assigned to Christopher May. We have begun the review of your application but the following information is required before it is accepted as complete and/or is considered Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy.

In order to proceed with our review of your Building Permit Application, the following is required:

1. ARCHITECTURAL DRAWINGS

Per Zoning Administrator Bulletin No. 3, the purpose of a dormer window is to allow light and ventilation by incorporating vertical windows into a roof structure. The proposed elevations do not show any windows on the proposed dormer structure. Please revise the elevations to include windows on the dormer.

2. BUILDING HEIGHT

Planning Code Section 260 establishes methods for the calculation of building height. Section 260(a)(1)(B) states that where a lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street.

Please indicate the total existing and proposed building heights, as measured to the midpoint of peaked-roof portions, and to the top of flat-roofed portions.

3. ADDITIONAL HEIGHT LIMITS

Planning Code Section 261(b)(1)(A) states that no portion of a dwelling in any RH-1 District shall exceed a height of 35 feet, except that the height may be increased to 40 feet, where the average ground elevation at the rear line of the lot is higher by 20 or more feet than at the front line.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

NOPDR #1 sent to:
William Greineder
2339 3rd St
San Francisco, CA 94107

September 25, 2017
2017.07.13.1813
65 Normandie Terrace

Planning Code Section 261(c)(1) permits a maximum building height of 30 feet at the front yard setback, which in this case would be at the front lot line. The building height is then permitted to increase to 35 feet beneath a 45 degree angular plane beginning 30 feet above the front yard setback. Please illustrate the buildable envelope as it pertains to the building height on the side elevations.

4. HEIGHT EXCEPTIONS

Planning Code Section 260(b)(1)(B) allows certain elements of a building, including roof deck railings, stair and elevator penthouses, to project above the maximum building height, to a maximum of 4 feet, 10 feet and 16 feet, respectively, provided they do not exceed 20 percent of the horizontal area of the roof above which they are situated. Please show all dimensions of the proposed railing(s) stair and elevator penthouses on the relevant elevations and roof plan.

Please note that further comment may follow review of the requested information.

All plans submitted must be to an appropriate scale: site plan 1/8" = 1'; floor plans 1/4" = 1'. Plans should be clearly labeled.

- All **building permit plan revisions** must be filed at the Department of Building Inspection (DBI), Permit Processing Center, 1660 Mission Street, 2nd Floor. To officially submit a change to the building permit plans, do not submit building permit plans directly to the Planning Department. Per DBI requirements, these plan revisions will not be accepted by mail or messenger, and all plans must be signed by preparer, architect or engineer.
- All **planning entitlement case revisions** must be submitted to the Planning Department, 1650 Mission Street, 4th floor, to the Planner's attention. To officially submit a change to an active planning entitlement case, submit these directly to the Planning Department. Note this is a separate submittal from DBI.

Please submit the requested information, or contact the assigned planner if you need more time to prepare the requested information, within thirty (30) days. If the Department has not received the requested information within 90 days, the application will be sent back to the Department of Building Inspection for cancellation.

Please direct any questions concerning this notice to the assigned planner, Chris May at (415) 575-9087 or christopher.may@sfgov.org. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment. Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

EXHIBIT D

wrote:

Hi Bill,

Allison and I have reviewed your proposed revisions and we applaud the direction you've headed in. The depth of the windows and the surrounding casings add a richness to the façade. There are a couple other recommendations we have, that we feel would enhance the façade when viewed from Vallejo St. Generally speaking, we recommend maintaining the existing roof form above the family room along the Vallejo St façade so that the glassy "dormer" portion is centered within it. Align the window openings below accordingly. We also recommend maintaining the roof line on the west and south sides, and shifting the roof deck to align with the edge of the flat roof where it currently exists (see attached sketches and notes).

If you have any questions, please do not hesitate to contact me.

Thanks,

Christopher May, Senior Planner Northwest
Team, Current Planning Division

On Fri, Feb 9, 2018 at 1:39 PM, May, Christopher (CPC) <christopher.may@sfgov.org>
wrote:

Hi Bill,

My apologies for the delay in getting back to you – it took a while to scheduled a policy coordination meeting. Senior management agreed that the realigned window configuration was an improvement over the initial north elevations, and also supported RDAT's recommendations in that the hipped portion of the roof on the northwest corner should be retained. This was both for aesthetic reasons, but **also because the proposed roofline would be above the 35-foot height limit**. As you are aware, dormer windows are permitted to project above the height limit, but because your proposal would extend the flat roofed-dormer beyond the edge of the existing flat roof, it cannot be considered to be a dormer window. Dormers are intended to be smaller projections within a sloped roofline primarily to allow for additional light into the livable space within a floor beneath a sloped roof. They are not intended to increase the floor area beyond that which exists beneath the sloped roof structure. I hope this clarifies matters for you.

Regards,

Christopher May, Senior Planner Northwest
Team, Current Planning Division

San Francisco Planning Department
[1650 Mission Street, Suite 400 San Francisc 4103](https://www.sfplanning.org)
Direct: [415.575.9087](tel:415.575.9087) | www.sfplanning.org

From: [Bill Greineder](#)

To: [May, Christopher \(CPC\)](#)

Subject: Re: 65 Normandie Terrace

Date: Monday, February 12, 2018 12:24:47 PM

Chris:

So what options are available to us should the client remain steadfast in the route they would like to pursue. Also if we pulled the upper floor back, eliminating the corner portion of the roof below the dormer height, do you see a problem with that course of action.

Regards, Bill

From: Bill Greineder [mailto:bill@gordongreineder.com]

Sent: Wednesday, February 21, 2018 12:51 PM

To: May, Christopher (CPC)

Cc: Randall Wenokur

Subject: 65 Normandie Terrace

Chris:

Thank you for your response. We have reviewed your recommendations and fully understand the desire to maintain the dormer to the letter of the code. In the name of compromise, an interest in staying within the code, and the intent to maintain their view, the clients have decided to relinquish square footage from the room on the upper floor. They removed 5'-10 1/2" of depth from the rear (west side) of the terrace room thereby eliminating the dormer and in the process a portion of the noncompliant square footage (102 sq ft.) above the building envelope line as it stands under current code.

Please review the attached elevation. We hope that the clients continued effort within which they have made the necessary compromises to fulfill the wishes of the Planning Department and the current Planning Code will allow us to move forward from this point.

Thank you for your help and we look forward to hearing from you.

Regards, Bill Greineder for Randy and Heidi Wenokur

--

William Greineder

GORDON + GREINER

On Thu, Mar 15, 2018 at 11:24 AM, M pher (CPC)

<christopher.may@sfgov.org> wrote:

Hi Bill,

I met with Allison this morning, and while both agreed that the proposed revisions are Code-complying and therefore are acceptable for S.311 notification. That said, if the project receives a Discretionary Review request for any reason by a neighbor, Planning staff will continue to make the recommendations suggested by RDAT with regards to the 4th floor roof line and window proportions.

One change that will be required before proceeding with S.311 notification is to add some solidity to cover where the 4th floor plate is – currently it appears as though there are floor-to-floor windows that would reveal the floor plate. Please make these changes, and submit 2 full-scale plan sets to DBI to address the remaining items outlined in my NOPDR dated September 25, 2017. In the meantime, please also go ahead and have a mailing list prepared for all property owners and occupants within 150 feet of the subject property, and prepare a reduced set of plans to be printed on no more than 8 11" x 17" pages (4 sheets double-sided).

Thanks,

Christopher May, Senior Planner Northwest
Team, Current Planning Division

San Francisco Planning Department
[1650 Mission Street, Suite 400 San](https://www.sfgov.org/planning)

On Tues. (CPC) <christopher.may@sfgov.org>

wrote:

Hi Bill,

Thanks for this. It looks as though the flat roof portion extending over the property line on the Vallejo frontage is getting deeper than it is now – is that correct? Once again, this flat roof feature is non-conforming, and may be retained, but it cannot be extended in any way. Please clarify.

Thanks,

Christopher May, Senior Planner

On Tue, Apr, 3, 2018, at 1:42 PM, May, Christopher (CPC) <christopher.may@sfgov.org> wrote:

Bill,

My apologies if I didn't notice it in your most recent resubmission – to be honest, there isn't usually this much back-and-forth between the Department and project sponsors, but the resistance we've encountered has resulted in quite a few versions of the plans being developed. In any event, I have stated all along that non-conforming portions of the roof can be maintained, but they cannot be reconstructed or extended if they are above the height limit. This isn't a Residential Design Guidelines issue, but strictly a Planning Code one. Even if we supported the proposed roofline from an urban design perspective, the Planning Code simply doesn't allow for it. Please revise your roof plan and elevations accordingly.

Thanks,

Christopher May, Senior Planner Northwest
Team, Current Planning Division

San Francisco Planning Department
[1650 Mission Street, Suite 400 San Francisco, CA
94103](https://www.sfgov.org/planning) Direct: 415.575.9087 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Bill Greineder [mailto:bill@gdongreineder.com]

Sent: Tuesday, April 03, 2018 1:38 PM

To: May, Christopher (CPC)

Cc: Randall Wenokur

Subject: Re: [65 Normandie Terrace](#)

Chris: The extension is an eave (aluminum fin). It's been on the drawings for quite some time. The client requested it to help keep the rain water off the face of the building in the hopes it will help with the dirt accumulation. So, it looks like I need to take it off and resubmit the roof plan sheet-correct?
Let me know, Bill

On May 20, 2020, at 3:14 PM, May, Christopher (CPC) <christopher.may@sfgov.org> wrote:

Hi Randall,

It's been a while since I last dealt with your project, but I recall there being some portions of the existing building that were at or above the height limit, which necessitated revisions to the project to keep the alterations below that height. Would the flattened roof that you are referencing be below the height limit? If so, you could submit a building permit application to alter the roof and go through the same review process and neighborhood notification that you went through last time in order to facilitate the expansion. Solar panels are exempted from the building height requirements, so they are permitted to project above that height.

Christopher May, Senior Planner Northwest
Team, Current Planning Division

EXHIBIT E



PROPOSED SITE PLAN

MICHAEL HENNESSY, ARCHITECT

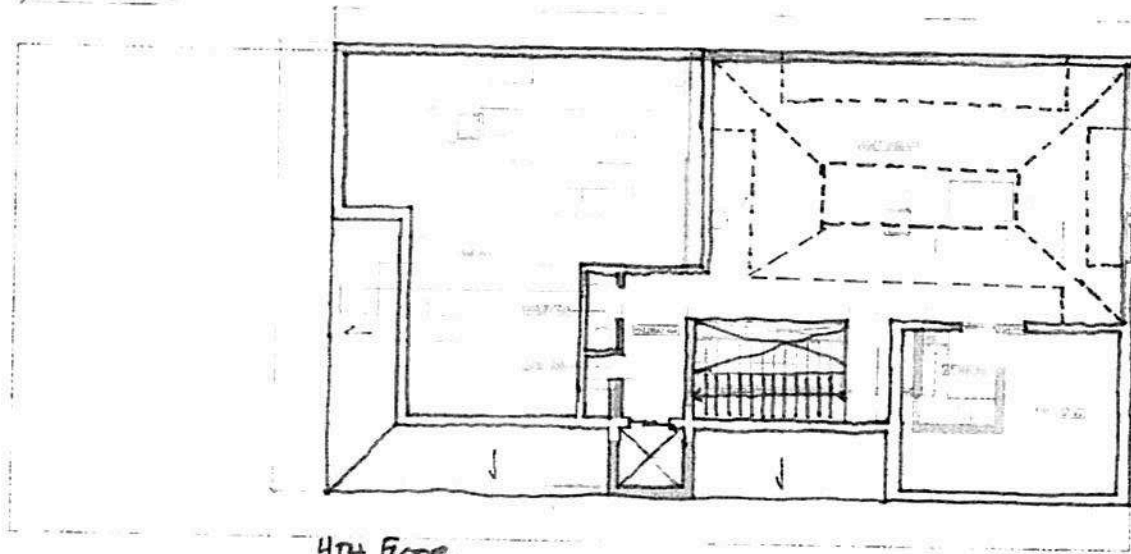
NO. 4000 1/2 TERRACE
RENOVATION

DATE: 10/1/01
SCALE: 1/8" = 1'-0"

PROPOSED SITE PLAN

PRINTED AT HALF SCALE

A1.0.1



4TH FLOOR

- ① MAINTAIN (E) ROOF FORM ABOVE FAMILY ROOM
- ② MAINTAIN (S) ROOF SLOPE ON SOUTH AND WEST SIDES
- ③ SET BACK ROOF DECK ADDITION ~~W~~ W/IN ROOF SLOPE ON SOUTH AND WEST SIDES

PRINTED AT HALF SCALE

REDUCED PRINT, JORDAN

MICHAEL HENNESSEY

NORWEGIAN TERRACE
BY NOVATON

CONCEPT
TIME USE
APPLICATION
1901

PROPOSED FLOOR PLAN

A2.4



NORTH ELEVATION

- ① MAINTAIN (E) ROOF FORM ABOVE DINING ROOM @ 4TH FLOOR
- ② ALIGN GLAZING BELOW

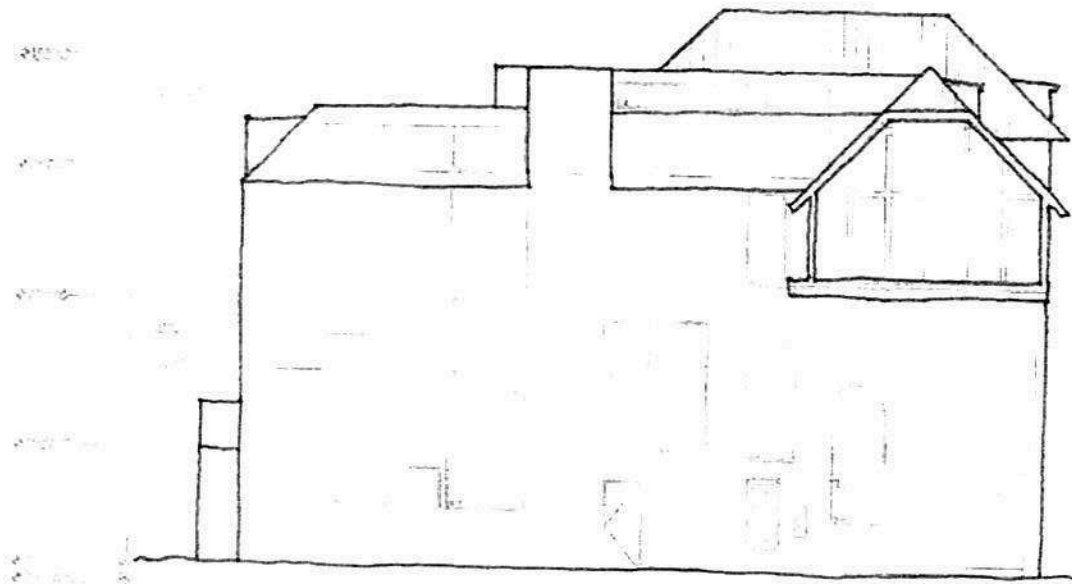
0503230



Alterations to an Existing Single Family Residence
65 NORMANDIE TERRACE
San Francisco, California

DC
GORDON + GREINER
2130 Third Street, Suite 420
San Francisco, California 94107
415.861.6763

A
6.2 rev.



① SET BACK ROOF DECK ADDITION TO MAINTAIN (E) SLOPED ROOF ON SOUTH AND WEST SIDES.

MICHAEL HENNESSEY ARCHITECTS

ALPINE STATE TERRACE
RENOVATION

ENVIRONMENTAL
EVALUATION
APPLICATION
04.28.15
160'

PRINTED AT HALF SCALE

A5.4

EXHIBIT F

COW HOLLOW

NEIGHBORHOOD DESIGN GUIDELINES



MAY 2001

COW HOLLOW ASSOCIATION

ACKNOWLEDGMENTS

These guidelines were written by consultants to the Cow Hollow Association and reviewed by the San Francisco Department of City Planning. The CHA wishes to acknowledge the contributions of consultants Lucian R. Blazej, Ian S. Moore and Clark Wilson. Mr. Blazej provided project oversight and Mr. Moore provided project management, research and prepared the Cow Hollow Neighborhood Design Guidelines document. Mr. Wilson prepared the line sketches illustrating typical Cow Hollow neighborhood structures. Mr. Pedro Arce reviewed the report for the San Francisco Planning Department.

PREFATORY NOTE

The Cow Hollow Neighborhood Design Guidelines contain sections quoted directly from the Residential Design Guidelines of San Francisco (1989). Extensive additional text and graphic materials have been added where required to meet the needs of the Cow Hollow Neighborhood.

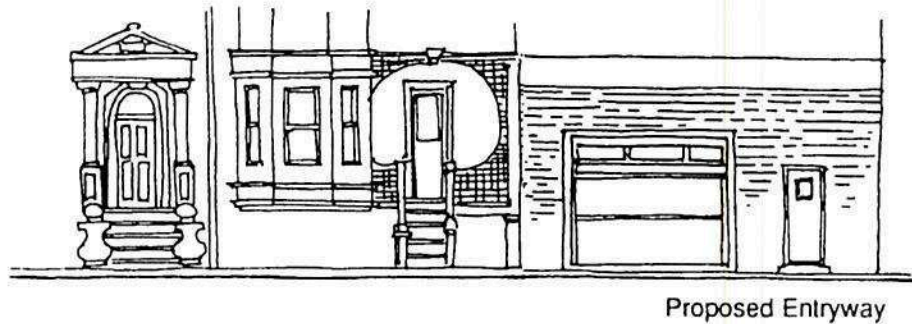
TABLE OF CONTENTS

Section 1. Cow Hollow Neighborhood Design Guidelines Background	5
Introduction	5
Legal Basis	5
Purpose and Intent	5
Glossary	8
Where the Guidelines Apply	9
Section 2. Neighborhood Character	11
Topography and Terrain	11
Topographic Features of Cow Hollow	11
Origins of Cow Hollow	13
Defining Neighborhood Character	15
Neighborhood Character of Cow Hollow	20
Section 3. Residential Design Guidelines	23
The Design Process	23
Elements of Design	24
Siting	25
A. Location	25
B. Topography and Views	27
C. Setbacks	29
D. Rear Yards	32
E. Side Spacing (Side Yards)	34
Building Envelope	36
A. Roofline	36
B. Volume and Mass	38
Scale (Height, Width and & Depth)	41
A. Dimensions	41
B. Proportions	43
Texture and Detailing	44
A. Exterior Materials	44
B. Ornamentation	46
Openings	48
A. Entryways	48
B. Windows	49
C. Garage Doors	50
Landscaping	52
A. Tree Pruning for the Retention of Mid-Block Open Space	52
B. Tree Selection and Placement	52

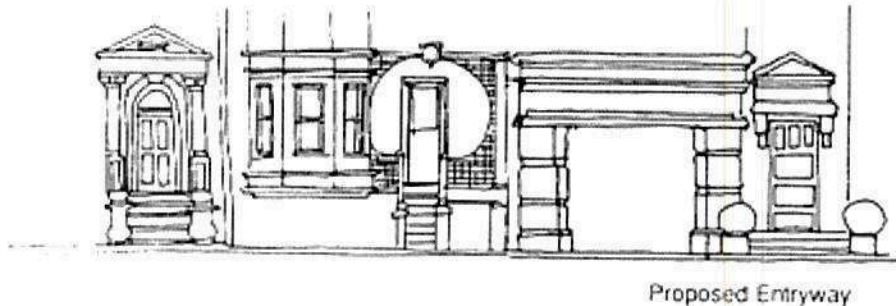
Section 4. Notification and Neighborhood Involvement	53
Notification and Story Poles	53
Cow Hollow Association	53
Neighborhood Involvement.....	53
Appendix	55
A. Zoning Districts of Cow Hollow Neighborhood	58
B. Analysis of Rear Yard Coverage	58
C. Analysis of Building Height	59
D. Cow Hollow Association Policies	62
D. 1. Rear Yard Setbacks and Open Space	62
D. 2. Rear Yard Extensions	64
D. 3. Neighborhood Height Policies	65
D. 4. Tree Pruning Techniques for View Preservation	68
E. Shadow Study	70
F. Height Ordinances	71

Respect Entryway Patterns

A building with a small entryway can be disruptive to an area with more elaborate entries. In the example below the doorway appears undersized and inadequate next to the entries with more detailed porticos and decorative features.



Expanding the scale of the entry by bold framing can help to bring the building into harmony with the surrounding entryways. Cow Hollow entryways generally provide a strong transition from the street to the house and thus exemplify the commitment of the original builders, followed by those of the later periods, to provide maximum privacy to residents of individual houses.



B. Windows

Windows are the link between the inside, private space and the outside, public space. Windows mark the rhythm along the block face and contribute to the sense of mass of the facades. They emphasize the proportions of a building, can contribute to its ornamentation, and help define its texture.

- ***Is the choice of windows-their configuration, proportions, details and material-appropriate ?***

Compatibility of Windows

The proportion, size and detailing of windows must relate to that of existing adjacent buildings. Most residential buildings have a vertical orientation, while horizontally oriented or even square window shapes are found in commercial and industrial areas. The proportion of window (void) to wall (solid) area on a facade varies with building type. New windows should approximate ratios of neighboring structures while meeting the building's functional needs.

Since windows in most older buildings are framed by a variety of elements such as sash, stained glass, lintels, sills, shutters, pediments, or heads, new structures should avoid designing windows which are not differentiated from the wall plane. Wood window frames are more harmonious with surrounding structures than steel or aluminum frames. Generally, older buildings have inset windows with a generous reveal. Individual windows should be consistent with pane divisions on neighboring buildings, which are often double-hung or casement sash.

C. Garage Doors

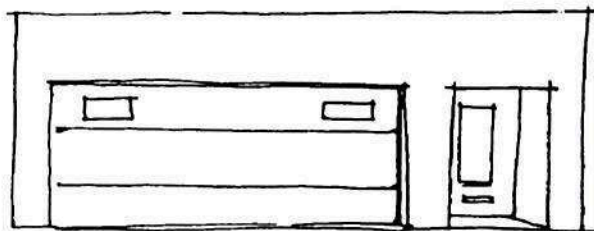
Garage doors are the auto entry to the building – the doors, their architectural frame, and the driveway. This element occupies a major portion of the ground floor of a building on the typical narrow lot and therefore has a major impact on the pedestrian perception of the building.

- ***Does the proposed garage door fit in with the rest of the project?***
- ***Is the scale of the garage door compatible with its adjacent garage doors?***
- ***Can the visual dominance of the door be reduced?***
- ***Can its visual appearance be improved?***

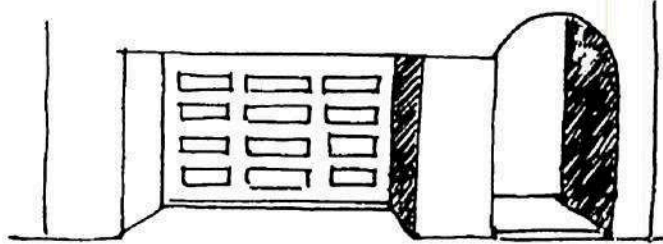
Compatibility of Garage Entry

The design of the garage door should be compatible with the scale of the building and other surrounding buildings on the block. It should create visual interest and should be solid so the parked vehicle cannot be viewed from the street.

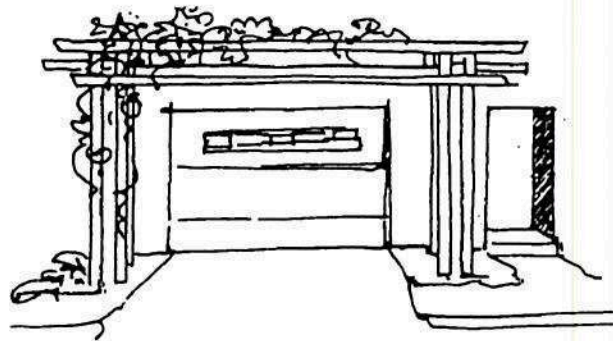
This garage door presents a dull, blank expanse.



A recessed or arched garage door is less intrusive.



Garage doors can be embellished to make them more attractive.



Minimize Negative Impacts of Garage Entries

The garage door is often the largest opening in the front of the building. Care must be taken to prevent it from becoming the dominant feature. In most of the city's residential neighborhoods, the width of the garage doors is between 8 and 12 feet. If the garage is made deep enough, cars can maneuver once inside and the garage door can be reduced and made a less prominent feature of the building façade.

Large lots and multiple lots in a row offer an opportunity to cluster parking areas and minimize the number of garage entries and loss of curbside parking. Because of the shortage of street parking in Cow Hollow, garages are strongly encouraged in renovation and required in new construction. Garages should be incorporated in the main volume of the house and not placed in the front setback area.

6. Landscaping

Appropriate landscaping can help improve the character of a neighborhood. Front setbacks provide space for planting shrubs, flowers, and trees.

Even on lots where there is no front setback, opportunities exist for enlivening the facade with containers for plant material. Notches and projections can be designed to incorporate planter boxes on the ground level. At the upper levels, planting areas and planter boxes can be constructed into the railings of decks or balconies.

Sec. 143 of the Planning Code requires planting a minimum of one tree of 15-gallon size for each 20 feet of frontage property along each street and alley. Utilities should be located so that there is adequate room for planting the required street tree. Advance planning for utility hookups should take place to ensure that there is no conflict between the location of the tree well and where the utilities enter the site. The particular tree species and locations are subject to approval by the Department of Public Works Bureau of Streets Use and Mapping. They may be contacted (875 Stevenson Street, Room 460, Phone (415) 554-6700) for a street tree application and pertinent information. Just as the building should be compatible with its neighbors, the landscape materials used should be compatible with the landscape materials used in the surrounding area. If there is a dominant tree species used on the block, usually that species should be the one selected.

Potential impacts to views and sunlight must also be considered when trees and other landscape screening materials, such as tall dense shrubs, are planted in the front and rear setbacks. New planting plans should be reviewed carefully to ensure that neighboring views and sunlight will not be significantly diminished when the landscape elements reach maturity. Existing vegetation should be effectively pruned to open new views or restore old views newly obscured by growing vegetation.

A. Tree Pruning for the Retention of Mid-Block Open Space

Tree pruning strategies including thinning, skirting up, and crown reduction, can retain access of sunlight and can preserve or restore views. These pruning strategies are graphically depicted in the Appendix.

B. Tree Selection and Placement for Views

Residents should consult with a registered landscape architect or contractor when designing a new planting plan in order to select and appropriately place vegetation that will accomplish the design goals.

SECTION 4

NOTIFICATION, STORY POLES, THE COW HOLLOW ASSOCIATION, AND NEIGHBORHOOD INVOLVEMENT

NOTIFICATION AND STORY POLES

Notification to neighbors of an application for residential remodeling or new construction shall be according to the requirements of Section 311 of the Planning Code. Where proposed horizontal or vertical additions to homes will increase the existing envelope of a residence, or when the proposal is a new building, it is recommended that sponsors erect story poles. These story poles shall be installed to indicate the outermost envelope of the building. Poles shall be placed to mark the perimeter corners of the proposed addition or new building, at a height that designates the proposed project's roof. Additional center poles shall be installed to indicate roof peaks, if any. The tops of the story poles can be connected with colored tape or rope in a manner that clearly denotes the envelope and massing of the proposed building. This approach will provide a method for residents who may not be able to interpret design drawings to ascertain the ultimate height and bulk of a building, its potential impact on views, and to make informed decisions regarding a proposed project.

COW HOLLOW ASSOCIATION (CHA)

The CHA was originally incorporated through the filing of the Club's Articles of incorporation in April 1979. These articles established the CHA as a 501 (c)(3) nonprofit corporation. The bylaws define the purpose of the Association as "educational and charitable." (Bylaws of the Cow Hollow Association, August 25, 1978).

NEIGHBORHOOD INVOLVEMENT

The process for review of home renovations and new construction subject to the Cow Hollow Neighborhood Design Guidelines should include the following steps.

The sponsor must first review the Cow Hollow Neighborhood Design Guidelines. Before undertaking substantial renovation outside the existing building envelope, or beginning new construction, it is incumbent on the project sponsor to consult the guidelines.

When a preliminary design has been prepared by the project architect or contractor, and there are deviations from the Cow Hollow neighborhood character as defined herein, the project sponsor is encouraged to review the project with the Cow Hollow Association.

In all cases, the project sponsor is encouraged to discuss and review the proposed project with all affected neighbors.

The Association can be reached at: cowhollowassociation@yahoo.com and the San Francisco Department of City Planning can be reached at 415.558.6377

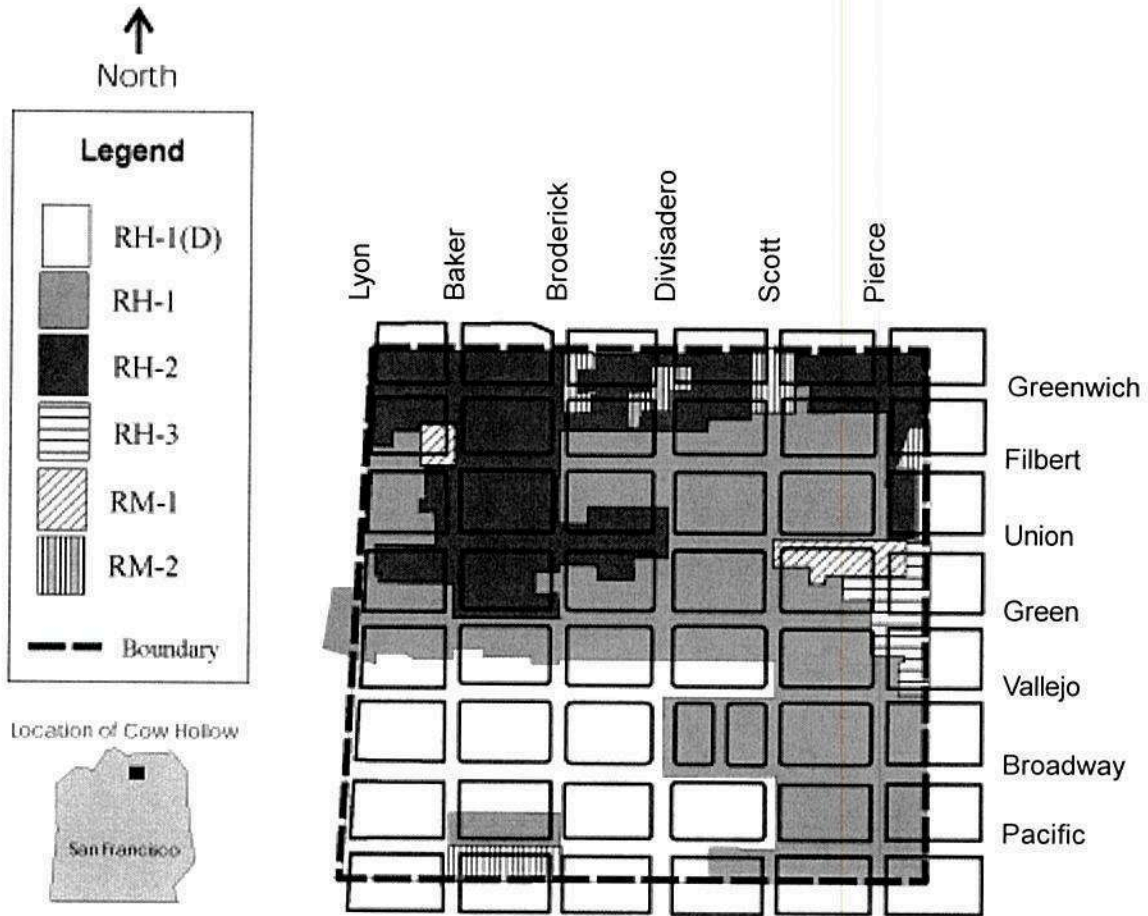
These steps must be followed:

- 1) Consult affected neighbors as required by the Planning Department (150 foot notice guidelines)
- 2) Contact the Cow Hollow Association President for the date and time of the next meeting of the Association in order to schedule a presentation
- 3) Make a presentation to the Cow Hollow Association Board at the regular meeting
- 4) Make necessary adjustments to the design during the conceptual design phase, before working out specific design details, in order to avoid duplication of work and difficulty making adjustments.

The Cow Hollow Board of Directors serves to uphold and enforce the Cow Hollow Design Guidelines as stated and will do its best to provide guidance and suggestions for all inter

APPENDIX

A. Zoning Districts of Cow Hollow Neighborhoods



Source: San Francisco City Zoning Map

B. Analysis of Rear Yard Coverage and Importance to Neighborhood Character

Although Cow Hollow is visually eclectic from the block face perspective, the majority of lots share lot and building dimensions that are important to neighborhood character. Analysis of key lot and building dimensions by the Cow Hollow Association, demonstrates that these dimensional characteristics are central to preserving neighborhood character.

The Cow Hollow Association analyzed building height and lot coverage statistics compiled from the Sanborn insurance maps for each of the 1,100 neighborhood lots.

Cow Hollow is an urban neighborhood that is predominately built out, with open space confined to the rear yards and block interiors. Yet, as discussed in this document, existing zoning allows for expansion of existing buildings into the rear yard. The principle threat to rear yard open space is the 75 percent lot coverage allowed under the RH-1 zoning district, leaving only 25 percent rear yard open space. The RH-2 zoning district sets a limit of 55 percent lot coverage, preserving 45 percent of the lot as rear yard open space -- a standard that better protects the rear yard amenities valued by residents of the Cow Hollow Neighborhood.

As shown by the table on the adjacent page, 83 percent of the RH-1 and RH-1(D) lots could expand into the rear yard space under the existing Planning Code 25 percent rear yard requirement. This is 43 percent of the 1100 lots in the neighborhood, as shown in the table. Full buildout of these lots would severely diminish the valuable rear yard open space and access to light, air and views for many neighbors. A large percentage of the rear yard open space that is currently shared by residents throughout the Cow Hollow Neighborhood would disappear in this scenario. Under a 45 percent rear open space requirement, 46 percent of the RH-1 and RH-1(D) units could still expand, while preserving valuable shared neighborhood assets.

Under the existing 45 percent rear yard open space requirement for RH-2 lots, 30 percent of the RH-2 properties in the neighborhood can expand further into the rear yard. As a comparison, this is fewer allowable expansions than would be allowed for RH-1 lot owners under a neighborhood-wide 45 percent rear yard open space requirement.

The chart on the following page illustrates the distribution of RH-1, RH-1(D) and RH-2 lots according to the percentage of rear open space. The chart shows the number of lots for each 5 percent block of rear yard open space, ranging from 0 to 5 percent rear open space (95 to 100 percent buildout) to 95 to 100 open space (partially built or vacant lots).

Roughly one third of the blocks (10 blocks) in the Cow Hollow Neighborhood have a mix of RH-1 and RH-2 zoning (shown in Cow Hollow Zoning Map in Section 1 of this document). This mix of zoning has the potential to generate conflict as neighbors seek to maximize different property values on adjacent RH-1 and RH-2 lots, such as increasing the building envelope versus preserving access to rear yard open space. Because the rear yard open space is a value shared by all lots on a given block, it is important to protect this important aspect of neighborhood character.

The Cow Hollow Neighborhood Design Guidelines do not address rear yard coverage for the other zoning districts in the Cow Hollow Neighborhood, including: RH-1(D), RM-1, RM-2 and RM-3.

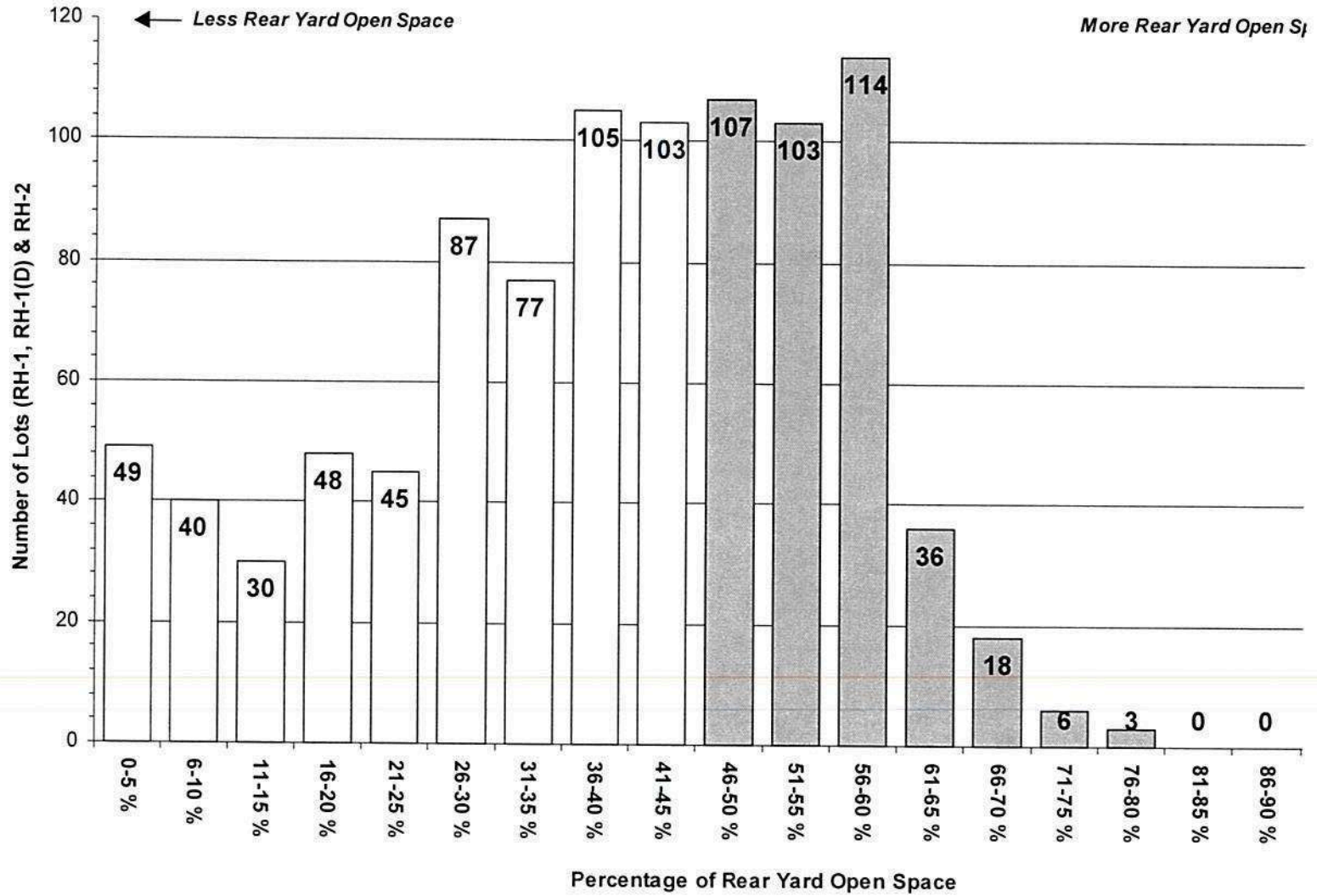
RH-1 Rear Yard Expansion: Effect on Neighborhood Character

How Many RH-1 & RH-1(D) Lots Can Expand Under Different Lot Coverage Policies?			
	Number	% of Total RH-1	% of Total Neighborhood
25% Rear Yard Open Space requirement?	482	83%	43%
45% Rear Yard Open Space requirement?	268	46%	24%
How Many RH-2 Lots Can Expand Under Existing Policy?			
	Number	% of Total RH-2	% of Total Neighborhood
45% Rear Yard Open Space requirement?	119	30%	10%

C. Analysis of Building Height and Importance to Neighborhood Character

Building height, including front and rear façade heights, is another key element of Cow Hollow neighborhood character. The neighborhood is dominated by three story structures, providing a uniform sense of scale along the majority of block faces and preserving a sense of open space in the majority of rear yards. Existing zoning, however, has not preserved these valued characteristics in all situations. The San Francisco Planning Code does not address complex situations such as steeply sloping lots in a manner that consistently preserves access to light, air and views for neighbors of properties expanded to the maximum allowable building envelope.

RH-1, RH-1(D) and RH-2: Rear Yard Open Space

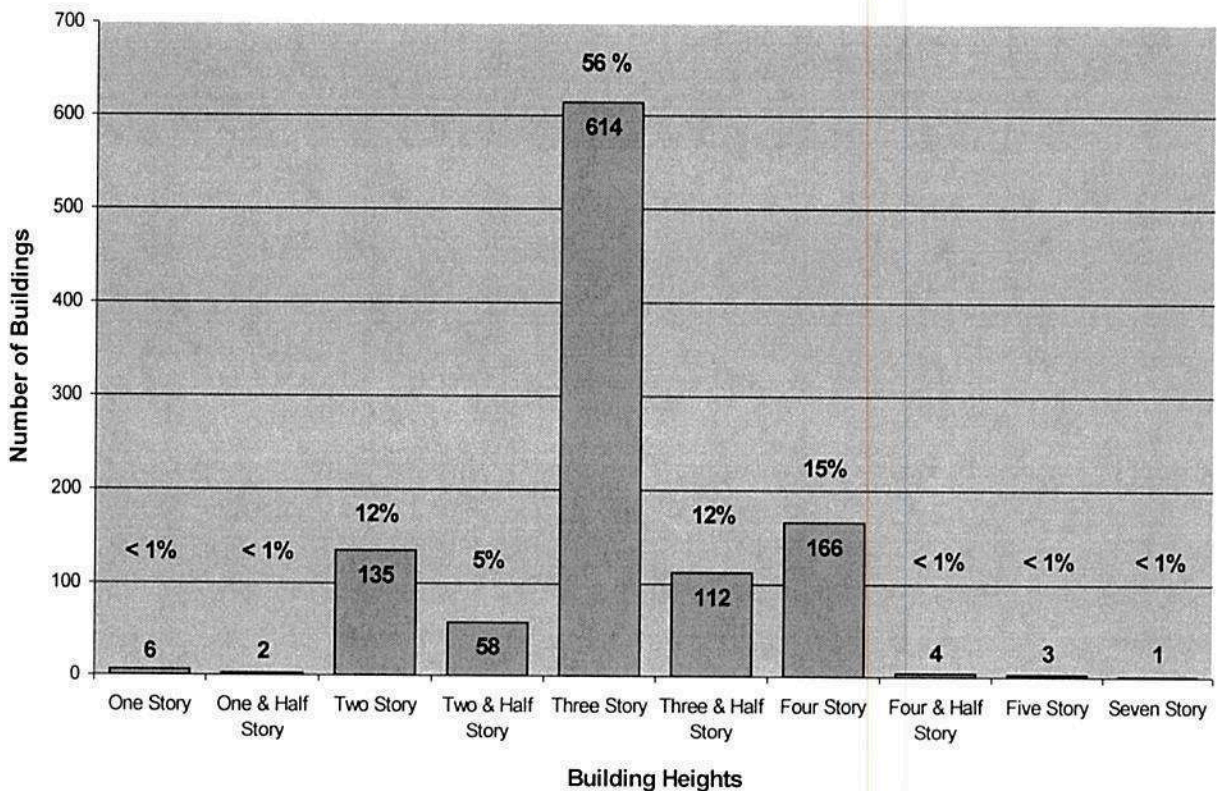


Analysis of Cow Hollow building heights reveals that 98 percent of the structures are from two stories to three and one half stories. 56 percent of the homes are three stories. The few taller structures, 4 stories and taller, are confined to less than two percent of the total number of neighborhood buildings. Among the 4 story structures, roughly one third occur in the RM multi-family zoning districts located primarily at the northern edge of the Cow Hollow Neighborhood. The other taller structures, 5 and 7 stories, are anomalies in the neighborhood, such as the few larger apartment buildings and foreign government consulates.

The chart below illustrates the distribution of neighborhood building among the various height categories, clearly showing the concentration of three-story structures.

These neighborhood design guidelines, in response to the analysis presented in this section, focus not only on the visual elements of design but establish specific guideline policies addressing the dimensions for new construction and renovation, including: building height, rear yard setback, lot coverage, and side yard dimensions. These individual topics are discussed in more detail in Section 3.

Cow Hollow Building Heights



D. Cow Hollow Association Policies

D.1 Rear Yard Setbacks and Open Space

As described above in the section Cow Hollow Neighborhood Character, the Cow Hollow Neighborhood is zoned predominately RH-1 and RH-2. The San Francisco Planning Code establishes a 25 percent rear yard open space requirement for the RH-1 zone, meaning the building may cover 75 percent of the lot. The Planning Code requirement for the RH-2 zone is a 45 percent open space requirement, or, the building may cover 55 percent of the lot. Because the RH-1 and RH-2 zones are intermingled, as shown in zoning diagram figure in Section 1, the Cow Hollow Neighborhood would benefit from a consistent rear yard open space requirement.

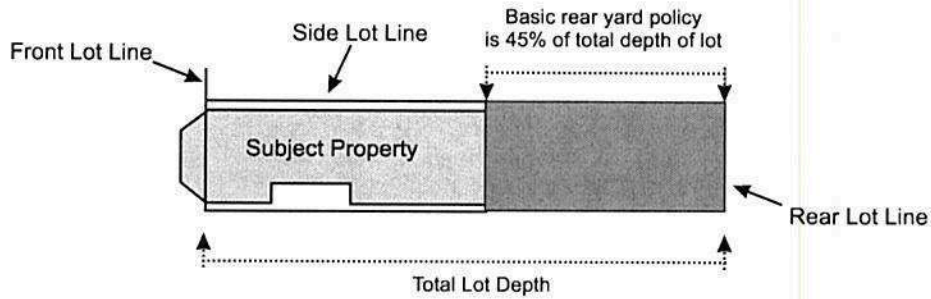
Cow Hollow Neighborhood Policy:

New construction and additions outside of the existing building envelope in both RH-1 and RH-2 zones must follow an overriding 45 percent rear yard open space policy. (See Next Page for Diagram)

This policy will primarily limit expansions of existing homes within the RH-1 zone. According to analysis performed by the Cow Hollow Association, presented in greater detail in the Cow Hollow Neighborhood Character section of this document, 34 percent of the RH-1 lots can expand under this policy (169 lots). The remainder of the lots (328 lots) are built out, with 55% or greater lot coverage. This rear yard policy, however, must be considered along with the rear yard equalization policy, described immediately below.

Cow Hollow Neighborhood Policy: The only time an extension into the 45 percent rear yard open space requirement is allowed is when both adjacent neighbors intrude into that space. The extension must be measured by “equalization” to the more complying of the two adjacent properties.
(See Next Page for Diagram)

Cow Hollow Neighborhood Policy RH-1 and RH-2 Rear Yard Setback

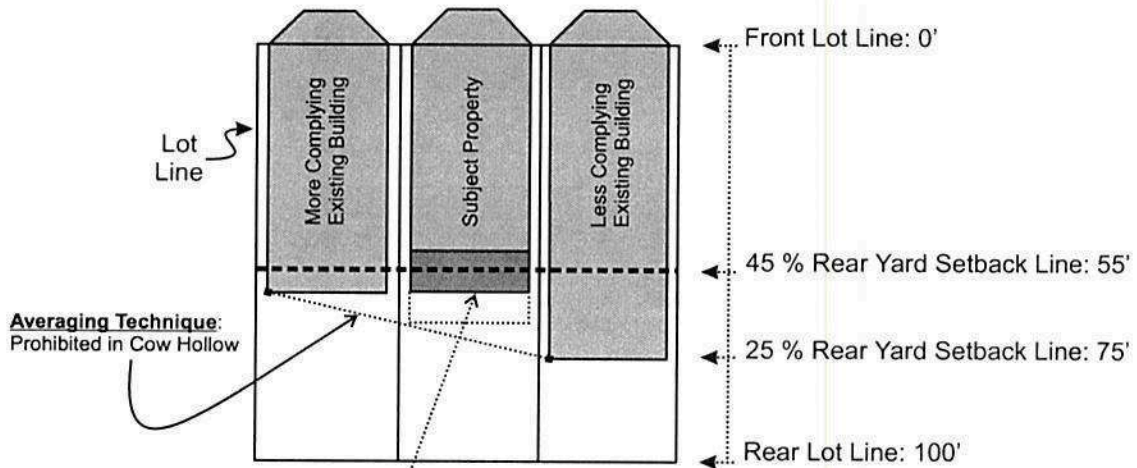


Cow Hollow Neighborhood Setback Policy compared to Planning Code:

RH-1: Reduction in building footprint from 75 percent lot coverage to 55 percent lot coverage.

RH-2: No reduction in building footprint.

Cow Hollow Neighborhood Policy Rear Yard Equalization for RH-1 and RH-2



Equalization Technique: Intrusion into the 45 percent rear yard space should be allowed only when both neighbors are within the 45 percent area. In this case, the subject property may expand to the more complying of the two adjacent properties. Equalization is distinct from "averaging," as depicted.

Equalization should be based on legally installed and permitted extensions. If a neighbor has an illegally constructed rear yard extension, equalization based on measurement of the illegal structure should not be allowed. Equalization is distinct from averaging, which allows for creeping into the rear yard space indefinitely.

D.2 Rear Yard Extensions

Rear yard extensions allowed by the Planning Code often have overwhelming impacts on rear yards. The 12 foot extension allowed by the code is prohibited in the Cow Hollow neighborhood, in order to preserve the limited rear yard open space in the neighborhood. Generally, these extensions diminish midblock open space by breaking the continuity of views and green space shared by neighboring rear yards.

Cow Hollow Neighborhood Policy: No 12-foot rear yard extension. The 12-foot extensions allowed by the Planning Code is prohibited in the Cow Hollow Neighborhood in order to preserve valuable midblock open space.

Finish of the Rear Façade and Visible Sides of the Building

The rear of the building, and the visible sides, while not as public as the front of the building, still are in view of neighboring properties and often, depending on topography, of those far beyond. This façade should also be compatible with the character of its neighborhood. The exposed siding of a rear extension should be architecturally finished because of its visual impact on adjacent properties.

Exposed plywood, for example, is prohibited in the Cow Hollow Neighborhood where the majority of building facades are finished with shingle, brick, siding or stucco.

D.3 Height

These Neighborhood Design Guidelines generally include lower building heights as compared with what is permitted under existing zoning requirements.

Cow Hollow Neighborhood Policy: The overriding policy established in these Cow Hollow Neighborhood Design Guidelines is a 35 foot height for RH-1(D), RH-1 and RH-2.

Height policies include lower heights for some lot configurations, where appropriate to help preserve neighborhood views, and access to light and air. Diagrams are included for clarification of the neighborhood height policy for level lots, steep up-sloping lots, and steep down-sloping lots in RH-1(D), RH-1 and RH-2 zoning districts.

The figures included in the following pages diagram level, steep down-sloping, and steep up-sloping height requirements for RH-1(D), RH-1 and RH-2 zoning districts.

Height policies stated in the Cow Hollow Neighborhood Design Guidelines are intended to be absolute, meaning that no roof appurtenances such as parapets, elevator and stairway pent-houses are permitted.

Neighborhood Height Policy Table

District	Slope/Elevation Difference	Height Policies	
		Front Height	Rear Height
RH-1(D), RH-1, and RH-2 districts with a mapped height of 40 feet or less	Level Lots: gently up-sloping & down-sloping: less than 10' elevation difference	35 ft.	35 ft.
	Steep Down-Sloping Lots: average ground elevation at rear yard setback line is lower by 10 ft. or more than elevation at front lot line	30 ft.	30 ft.
	Steep Up-Sloping Lots: average ground elevation at rear yard setback line is higher by 10 ft. or more than elevation at front lot line	30 ft.	25 ft.

Note: See diagrams for complete neighborhood height policies for level, up-sloping and down-sloping lots.

EXHIBIT G



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco
1660 Mission St. • San Francisco, CA 94103 - 2414

- FIRST NOTICE
- SECOND NOTICE
- OTHER: _____

COMPLAINT NUMBER

202067441

ADDRESS 65 Normandie

DATE 11/20/20

OCCUPANCY / USE R-3

BLOCK _____ LOT _____

CONST. TYPE 5

STORIES _____ BASEMENT

If checked, this information is based upon site observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER / AGENT _____

PHONE # _____

MAILING ADDRESS _____

CITY _____ ZIP _____

PERSON CONTACTED @ SITE _____

PHONE # _____

VIOLATION DESCRIPTION:

- WORK WITHOUT PERMIT (SFBC 103A); ADDITIONAL WORK-PERMIT REQUIRED (SFBC 106A.4.7);
- EXPIRED PERMIT (SFBC 106A.4.4); CANCELLED PERMIT (SFBC 106A.3.7) PA# _____;
- UNSAFE BUILDING (SFBC 102A); SEE ATTACHMENTS

CODE / SECTION #

<u>Complaint Investigation</u>	
<u>Exceeding the scope of demolition on exterior walls on all floors</u>	<u>106.1.1</u>
<u>ground floor exceeded approx 20% on east, 100% on west, 30% on North, 20% on south</u>	<u>106.4.7</u>
<u>2nd floor exceeded approx 10% on North, 60% on east, 100% on west</u>	<u>106.4.4</u>
<u>3rd floor exceeded approx 60% on east, 100% on west</u>	<u>102.1</u>
<u>4th floor 60% on east, 100% on North</u>	<u>103.A</u>

BC - Building Code HC - Housing Code PC - Plumbing Code EC - Electrical Code MC - Mechanical Code

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104A.2.4
- FILE BUILDING PERMIT APPLICATION WITHIN 7 DAYS (WITH PLANS) A Copy of This Notice Must Accompany the Permit Application.
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 70 DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN _____ DAYS. NO PERMIT REQUIRED.
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED _____, THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.
- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE REVERSE SIDE FOR ADDITIONAL WARNINGS.

Stop all work at exterior wall locations, noted above
Submit revision with plans detailing areas where you exceeded the
scope of demolition
Department of City Planning approval req'd

INVESTIGATION FEE OR OTHER FEE WILL APPLY See reverse side for further explanation

- 9x Permit Fee (Work w/o Permit after 9/1/60)
- 2x Permit Fee (Work Exceeding Scope of Permit)
- Other _____
- Reinspection Fee \$ _____
- No penalty (Work w/o permit prior to 9/1/60)

APPROX. DATE OF WORK W/O PERMIT _____ VALUE OF WORK PERFORMED WITHOUT PERMITS _____

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR Kevin Mc Hill
(Inspector - Print Name)

OFFICE HOURS 7:30 TO 8:30 AM AND 3 TO 4 PM

PHONE # 628 523 3613

By: (Inspector's Signature) [Signature] DISTRICT # San Francisco # 4

CC: DCP EID PID BID HIS CED PRS DAD SFFD DPH PS

- Building Inspection Division
3rd Floor, 1660 Mission St. 558-6096
- Housing Inspection Services
6th Floor, 1660 Mission St. 558-6220
- Electrical Inspection Division
3rd Floor, 1660 Mission St. 558-6030
- Plumbing Inspection Division
3rd Floor, 1660 Mission St. 558-6054
- Code Enforcement Division
3rd Floor, 1660 Mission St. 558-6454

EXHIBIT H



NOTICE OF ENFORCEMENT

December 16, 2020

Property Owner

65 Normandie Terrace Trust Agmt
65 Normandie Terrace
San Francisco, CA 94115

Site Address: 65 Normandie Terrace
Assessor's Block/Lot: 0960 / 007
Zoning District: RH-1, Residential- House, One Family
Complaint Number: 2020-010614ENF
Code Violation: Section 174: Unpermitted Expansion and Alterations
Section 311: Residential Permit Review Procedures
Administrative Penalty: Up to \$250 Each Day of Violation
Enforcement T&M Fee: \$3,486.60 (Additional charges may apply)
Response Due: Within 15 days from the date of this Notice
Staff Contact: Chaska Berger, (628) 652-7402, chaska.berger@sfgov.org

The Planning Department received a complaint that a Planning Code violation exists on the above referenced property that must be resolved. As the owner of the subject property, you are a responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

Description of Violation

Our records indicate that the subject property is currently authorized for Single-Family Residential use pursuant to the Report of Residential Building Record (3-R Report). The subject property is considered a Historic Resource located within the Normandie Terrace Historic District.

On **November 13, 2020**, the Department of Building Inspection received a complaint (No.: **202066191**) alleging work undertaken on the subject property that exceeded the scope of approved building permit applications. Specifically, the complaint noted a difference between the approved plan and existing as-built conditions at the site including the dormer on the 4th level and the sloping roof on the south side of the house. DBI issued a Notice of Violation on November 20, 2020 and required the contractor to refrain from any further roof work in the dormer area of the roof until a planning site visit determines the amount of exceeded demolition.

On **November 20, 2020**, DBI received a complaint (No.: **202067441**) noting the following: “Exceeding the scope of demolition on exterior walls on all floors. The NOV noted ground floor exceeded approximately 20% on east, 100% on west, 30% on north, 20% south. 2nd floor exceeded approximately 100% on north, 60% east, 100% west. 3rd floor exceeded app approximately 60% on east, 100% on west. 4th floor 60% on east, 100% on north.” DBI issued a Notice of Violation on November 23, 2020 and copied the Planning Department.

On **December 10, 2020**, Planning Department Staff, Tina Tam and Chaska Berger, and Department of Building Inspection, Inspector Kevin McHugh, conducted a site visit and observed additional demolition in excess of prior approvals on the east, west, north, and south elevations and on portions of horizontal elements including the roof penthouse.

Pursuant to Planning Code Section 172, no structure shall be constructed, reconstructed, enlarged, altered, or relocated in a manner that is not permissible under the limitations set forth in the Planning Code for the district in which such structure is located. Pursuant to Planning Code Section 175, a Building Permit is required for the construction, reconstruction, enlargement, alteration, relocation, or occupancy of any structure in compliance with the Planning Code. Pursuant to Planning Code Section 171, structures and land in any zoning district shall be used only for the purposes listed in the Planning Code as permitted in that district, and in accordance with the regulations established for that district. Failure to comply with any of these provisions constitutes a violation of the Planning Code and is subject to an enforcement process under Planning Code Section 176.

How to Correct the Violation

The Planning Department requires that you immediately proceed to abate the violation as follows:

1. Submit a new **Building Permit Application** with plans that meet the Department’s Plan Submittal Guidelines, available at:

http://forms.sfplanning.org/Plan_Submittal_Guidelines.pdf

- **Notations.** Include the following notations on the permit form description, and in the scope of work description on the first page of the permit drawings.
 - “To comply with Planning Enforcement Case No. 2020-010614ENF and clarify demolition calculations per Section 317 of the Planning...”

To ensure that accurate review has occurred for all work at the subject property, plans must be submitted. The work that has been completed, including previously approved by the Planning Department and any new scope not yet reviewed or approved must be included on the revision permit. Please be sure to clearly indicate this distinction on the plans. All work must meet Planning Department requirements.

- a. **Building Permit Application.** The new Building Permit Application must reflect all demolition within the newly proposed project.

- Specifically, the Building Permit Application should include the following drawings and details:
 - **Floor plans** – provide floor plans showing the following conditions: 1) prior to construction, 2) as approved by the Planning Department, and 3) as it exists today, or showing what you wish to legalize.
 - **Exterior elevations** – provide elevations showing the following conditions: 1) prior to construction, 2) as approved by the Planning Department, and 3) as it exists today, or showing what you wish to legalize. For clarity, include dimensions where required, specifically for existing and proposed heights.
 - **Demolition Calculations** – provide clear calculations of the scope of demolition that is proposed or completed for the project, pursuant to Planning Code Section 317.
 - **Demolition Calculations and Drawings.** Provide two separate sets of demolition calculations on the permit drawings showing removal percentages per Sections 317 of the Planning Code. Show graphically on drawings how demolition calculations were obtained. Label clearly associated demolition calculation numbers. The Planning Code can be accessed online at:

[http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$anc=JD_Planning](http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=JD_Planning)
2. If the project is defined as a demolition, pursuant to Section 317 of the Planning Code, a Conditional Use (CU) authorization is required. Review and complete the **Permit Application Intake Checklist**. The Permit Application Intake Checklist is used by the Planning Department for filing Planning applications. The checklist outlines required information for specific scopes of work. Please use the checklist to determine requirements for your project. If you have any questions, visit a Preservation Planner at the PIC. It is the applicant's responsibility to provide a complete application for successful submittal. The checklist can be found on our website at:
http://forms.sfplanning.org/Permit_Application_Intake_Checklist.pdf
- **Project Application.** This form must be submitted for any work requiring Planning Department review. If the proposed project is defined as a demolition, please check "Yes" under Items 4a and 4b on the Environmental Evaluation Screening Form, on page 5 of the Project Application. This indicates the proposed project involves demolition of a historic resource. Please also write under box 4b: "*To Comply with Code Enforcement Case No. 2020-010614ENF. Historic Resource not within a historic district.*" A Project Application can be found on our website at:
http://forms.sfplanning.org/Project_Application.pdf
 - **Conditional Use authorization.** If the project is defined as a demolition, pursuant to Section 317 of the Planning Code, a Conditional Use (CU) authorization is required. The Planning Commission will consider the replacement structure as part of its decision on the CU application. A CU authorization supplemental application can be found on our website at:

http://forms.sfplanning.org/CUA_SupplementalApplication.pdf

3. **Zoning Controls on the Removal of Dwelling Units.** For reference, use the San Francisco Planning Department Zoning Controls on the Removal of Dwelling Units to learn more about Planning Code requirements for projects considered demolitions, including graphic representations illustrating how building elements are measured for demolition calculations. This document can be found on our website at:
 - <https://sf-planning.org/sites/default/files/FileCenter/Documents/8458-Zoning%20Controls%20on%20the%20Removal%20of%20Dwelling%20Units.pdf>

File a Building Permit Application to seek legalization of additional demolition not previously reviewed and approved by the Planning Department with accurate existing and proposed plans. Please visit DBI website, <https://sf.gov/apply-building-permit> for information on the permit application process.

The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including dimensioned plans and photos. A site visit may also be required to verify compliance. You may also need to obtain a building permit for any other alterations done at the property. The work approved under any permits to abate violation must commence promptly and be continued diligently to completion with a final inspection and/or issuance of certificate of final completion.

For questions regarding the building permit process, please contact the **Department of Building Inspection (DBI)** at:

49 South Van Ness Avenue, 2nd/5th Floor
San Francisco, CA 94103
Phone: 628.652.3200
Email: permitcenter@sfgov.org
Website: www.sfgov.org/dbi

For questions regarding the planning permit review process, please contact the **Planning Department** at:

49 South Van Ness Avenue, 2nd Floor (By Appointment only to submit permits)
San Francisco, CA 94103
Phone: 628.652.7300
Email: pic@sfgov.org
Website: www.sfplanning.org

Please note there is NO consultation available at 49 South Van Ness at this time due to COVID-19. Please do not visit 49 South Van Ness without an appointment. For questions about this enforcement case, please email the assigned enforcement planner as noted above. For questions about the Building Code or building permit process, please email DBI at the email address noted in the above.

Timeline to Respond

A Shelter in Place Order was issued for San Francisco due to the COVID-19 pandemic on March 16, 2020, which was set to expire on April 7, 2020. On March 31, 2020, Order of the Health Officer No. C19-07b extended the previously issued Shelter in Place from April 7, 2020 to May 3, 2020. On April 29, 2020, Order of the Health Officer No. C19-07c further extended the previously issued Shelter in Place to May 31, 2020. On May 22, 2020, Stay-Safe-At-Home Order of the Health Officer No. C19-07e was issued to amend, clarify, and continue certain terms of the prior Shelter in Place orders. On June 1 and June 11, 2020, Stay-Safe-At-Home Order was updated and replaced previous C19-07 orders: C19-07d (May 18), C19-07c (April 29), C19-07b (March 31) and C19-07 (March 16).

The timeline to respond to this Notice of Enforcement is fifteen (15) days. As such, we highly encourage you to immediately reach out to the assigned Enforcement Planner to discuss the corrective steps to abate the violation. Should you need additional time to respond to and/or abate the violation, please discuss this with the assigned Enforcement Planner, who will assist you in developing a reasonable timeline. While many City agencies (including the Department of Building Inspection - DBI) are open, we understand there may be challenges and delays related to the processing of necessary applications to abate violations during the Stay-Safe-At-Home Order. You can find more information regarding Planning Department procedures during the Stay-Safe-At-Home Order here: <https://sfplanning.org/covid-19>.

The Department recognizes the challenges of the City's Stay-Safe-At-Home Order and its underlying cause. However, corrective actions should be taken as early as reasonably possible. Please contact the assigned Enforcement Planner with questions and/or to submit evidence of correction. Delays in abatement of the violation beyond the timeline outlined above will result in further enforcement action by the Planning Department, including issuance of Notice of Violation and assessment of administrative penalties at \$250 per day.

Penalties and Appeal Rights

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code **within fifteen (15) days from the date of this notice** will result in issuance of a **Notice of Violation** by the Zoning Administrator. Administrative penalties of up to **\$250 per day** will also be assessed to the responsible party for each day beyond the timeline to respond provided for the Notice of Violation if the violation is not abated. The Notice of Violation provides the following appeal options.

1. Request for Zoning Administrator Hearing. The Zoning Administrator's final decision is then appealable to the Board of Appeals.
2. Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter was pending either before the Zoning Administrator or before the Board of Appeals.

Enforcement Time and Materials Fee

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning

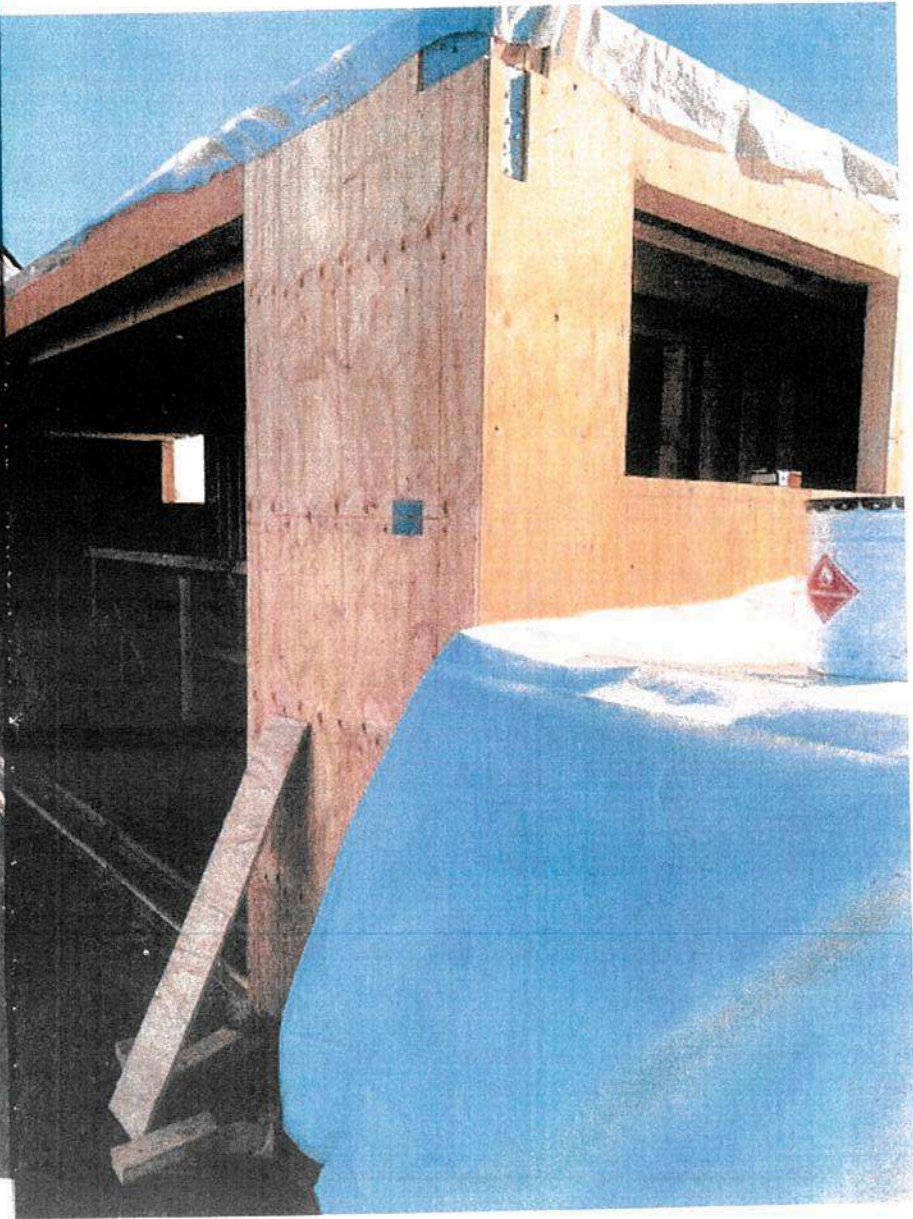
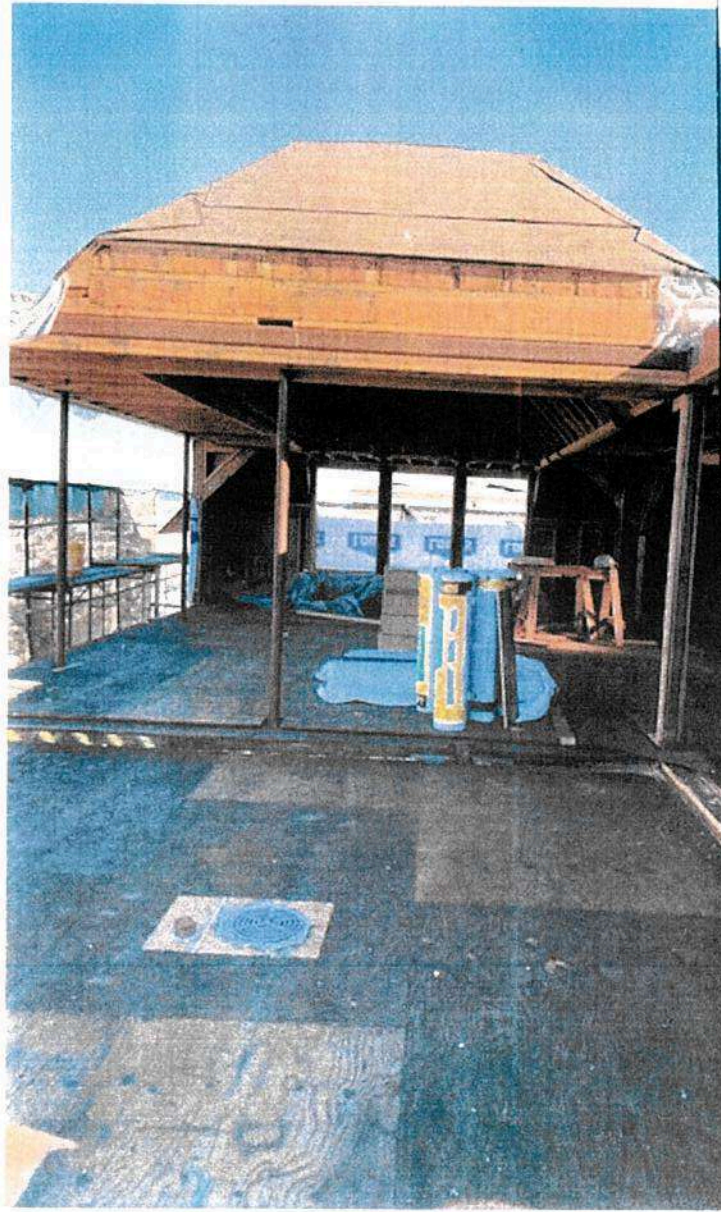
Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of \$3,486.60 or more for "Time and Materials" cost associated with the Code Enforcement investigation. This fee is separate from the administrative penalties described above and is not appealable.

Other Applications Under Consideration

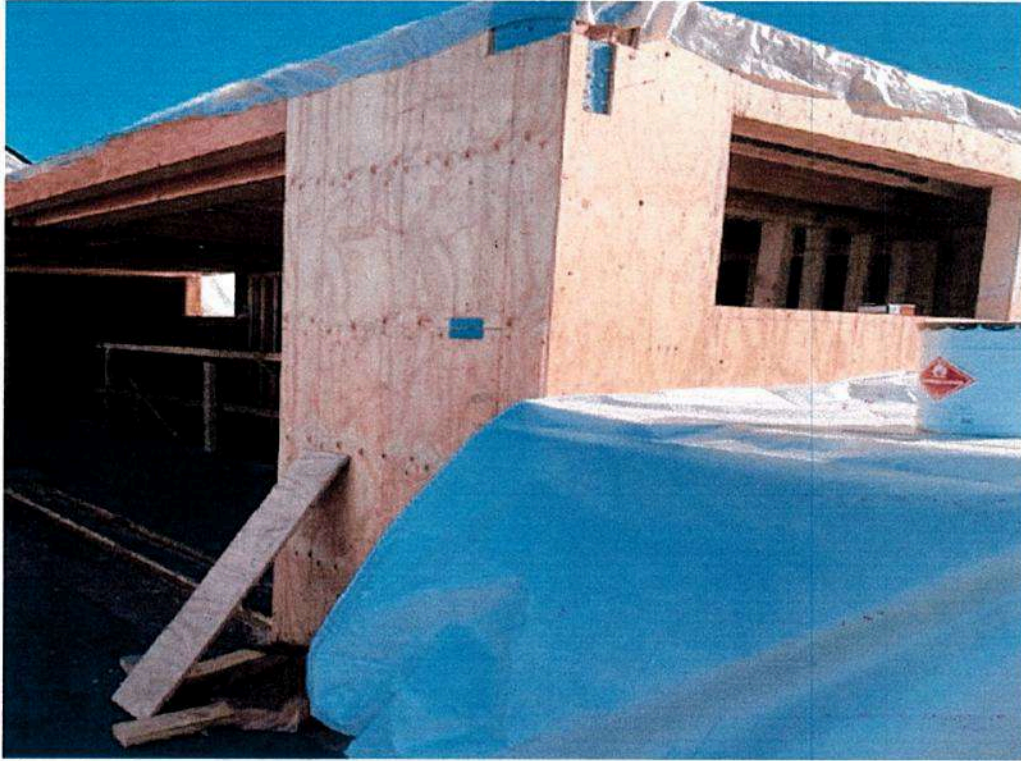
The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any separate applications for work proposed on the same property. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until a corrective action is taken to abate the violation. We want to assist you to bring the subject property into full compliance with the Planning Code. You may contact the enforcement planner noted above for any questions on the enforcement and appeal process.

Cc: Mr. Kevin McHugh, Senior Building Inspector, Department of Building Inspection, kevin.mchugh@sfgov.org
Mr. Bill Greineder, Gordon + Greineder, architect, via email: bill@gordongreineder.com
Mr. Timo Ripatti, Building Superintendent, via email: TRipatti@youngandburton.com

EXHIBIT I







The view from the south side of the building, showing the wooden framing and the blue tarp covering a portion of the structure.

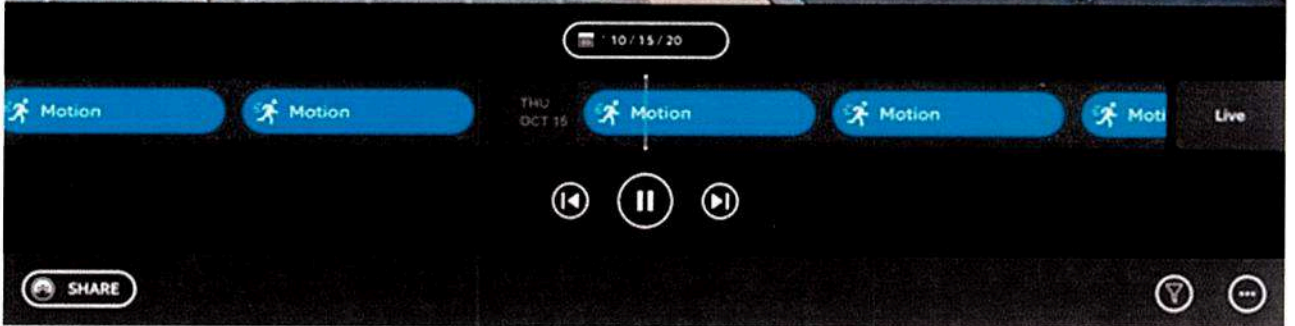




Figure 3 (above) shows the Fourth Floor Front Windows |

This photo was taken by Tina Tam on a site visit in December 2020

Figure 4 Below Shows the Continued View of the Front (east) Façade and the view Northeast



photo was taken by Tina Tam on a site visit in December 2020.

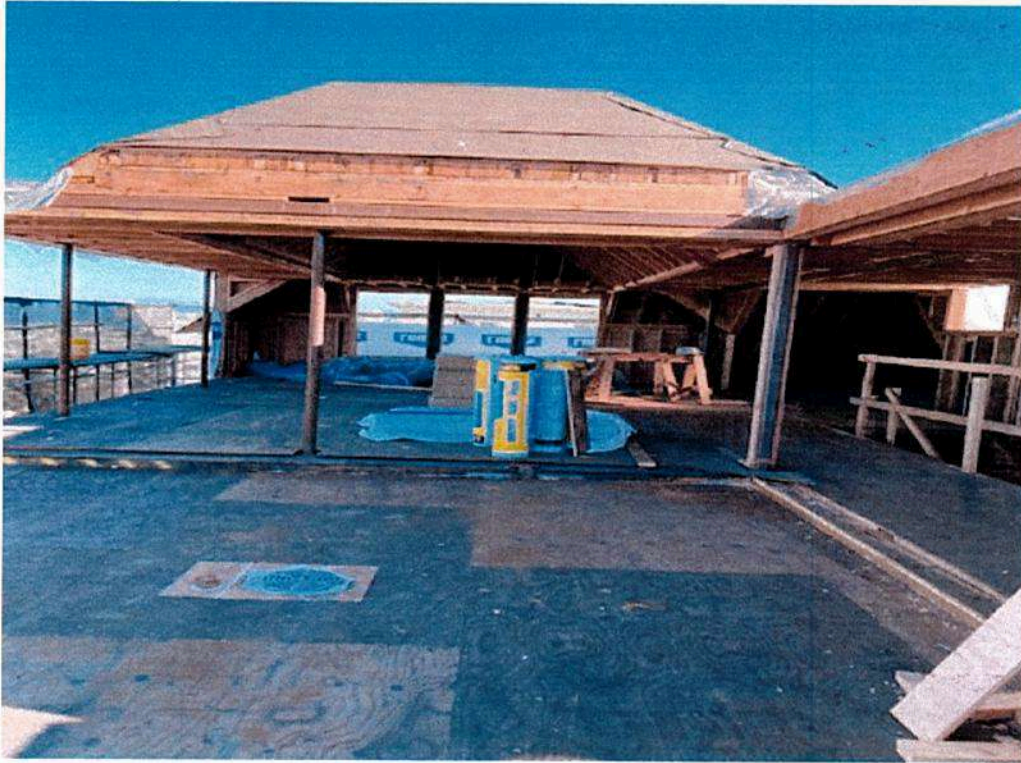


Photo taken by Tina Tam on visit in December 2020 Figure 5 shows The Fourth Floor

This View is Due East, and the same Front Façade Windows Looking Out on Normandie Terrace are Seen in the Distance. As also can be seen in this photo,



Figure 7 Below Shows the All New Fourth Floor Structure built down the south side of the fourth floor—View Looking Southeast.

[REDACTED]

EXHIBIT J

From: "ggwood2@gmail.com" <ggwood2@gmail.com>

Cc: nancy leavens <nancyp.leavens@gmail.com>; Cynthia Gissler <cgissler@testlabs.com>; Brooke Sampson <brookesampson@yahoo.com>; Lori <lorimbroke@gmail.com>

Sent: Thursday, March 23, 2017, 08:30:18 PM PDT

Subject: Re: meeting schedule

Bill,

Thanks for checking with the CHA. When you are ready to present your project to the immediate neighbors we'll be happy to attend the meeting. Planning may not require a Pre-Application meeting because it sounds like your work will be completely inside the present shell. It would be advisable to meet with the neighbors on Normandie Terrace, as I'm sure you are planning to do, to discuss facade changes.

Geoff Wood

CHA Zoning Committee

Sent from my iPhone

On Mar 23, 2017, at 5:07 PM, LORI <lorimbroke@gmail.com> wrote:

Hi Bill,

Thanks for reaching out to the Cow Hollow Association. I am copying our zoning committee as they will contact you to discuss the project below.

Best,

Lori Brooke

On Mar 23, 2017, at 4:30 PM, Bill Greineder <bill@gordongreineder.com> wrote:

Dear President and Board of Directors:


My firm is undertaking a remodel and renovation of a single family house at 65 Normandie Terrace within the Cow Hollow Neighborhood Association. The project will not include expansion of the existing residence. The project includes and extensive remodel of the interior and two of the four exterior elevations, one facing Vallejo Street, the other the rear yard facing an adjacent property to the west. I'm inquiring as to the future schedule of meeting of the Cow Hollow Neighborhood Association and if we in fact need to make a presentation to the Board. If you could contact me at 415.863.3493 or bill@gordongreineder.com, I would greatly appreciate it.

Regards, Bill Greineder

Gordon + Greineder

2339 3RD Street

EXHIBIT K



COMMISSIONER TERESA IMPERIALE: Regarding the item number 10, if someone from the planning staff can explain in terms of the matter of continuance whether the Cow Hollow Association needs to be informed?

SECRETARY IONIN: I don't see the zoning administrator here -- there he is.

ZONING ADMINISTRATOR COREY TEAGUE: Good afternoon Commissioners, Corey Teague Zoning Administrator. Are we considering a continuance for that item now?

SECRETARY IONIN: Well, I think Commissioner Imperial has a question, but it hasn't been called....so....

ZONING ADMINISTRATOR COREY TEAGUE: Just briefly on the issue that was raised by Mr. Williams earlier today was that the planning code mandated that the Cow Hollow Association kind of review that projects within the purview of the Cow Hollow Design Guidelines. **However, that is not a requirement of the Planning Code, and the resolution adopted a couple of decades ago by the Planning Commission adopting the Cow Hollow Design Guidelines only states that the Department and the Commission should consider those guidelines when they're reviewing projects. There's no requirement from the Commission or the Planning Code specifically that projects go to the Cow Hollow Association for review and comment.**

COMMISSIONER TERESA IMPERIALE: Thank you Mr. Teague.



EXHIBIT L

SAN FRANCISCO
PLANNING COMMISSION
RESOLUTION NO. 16147

ENDORISING THE COW HOLLOW NEIGHBORHOOD DESIGN GUIDELINES

WHEREAS the Residence Element of the City's General Plan establishes policies for preserving existing housing and neighborhood character while encouraging new "in-fill" housing construction; and

WHEREAS, Cow Hollow is one of San Francisco's urbane residential neighborhoods, built incrementally over the past one hundred years with a rich mix of architectural styles and building types. The area is characterized by sweeping views of San Francisco Bay, tree lined streets, gracious and comfortable residences and some apartment buildings located mainly on the northern portion of the neighborhood; and

WHEREAS, Topographically, Cow Hollow slopes down and northward from Pacific Heights, the Cow Hollow neighborhood being defined and organized by the City's traditional grid street pattern, with streets running both parallel and perpendicular to the land slope. The land slope of the Cow Hollow, combined with the proximity of this neighborhood to the Presidio National Park, and to San Francisco Bay, provides a background for public views, characterized by rows of homes, separated by bands of vegetation, that ascend towards a ridge that runs East West, and that forms what constitutes San Francisco's northern facade; and

WHEREAS, As the City's housing stock ages, it becomes increasingly important to maintain it, to bring it to current safety and sanitary standards and to adapt it to the needs of their occupants, while conserving and protecting neighborhood character in order to preserve the cultural and economic diversity of our neighborhoods; and

WHEREAS, As a means to accommodate the needs for enlargement, replacement and new housing construction, while conserving and protecting neighborhood character, the Planning Commission enacted in January of 1996 Section 311 of the Planning Code, the Residential Review Procedures, which require that construction of new residential buildings and alteration of existing residential buildings in residential districts, to be consistent with the design policies and guidelines of the General Plan and with the "Residential Design Guidelines" as adopted and periodically amended for specific areas or conditions by the Planning Commission; and

WHEREAS, the Cow Hollow Association, with the guidance of the Planning Department undertook the elaboration of specific guidelines that address the topographic and climatic constraints and the character of buildings of their neighborhood; and,

WHEREAS, On March 22, 2001, after an informational presentation of the Neighborhood Design Guidelines to the Planning Commission, the Cow Hollow Association was instructed to work with Planning Department staff to finalize the propose guidelines; and

WHEREAS, The Cow Hollow Association has successfully concluded the refinement of the

Neighborhood Design Guidelines and completed the graphic materials that adequately support the "Cow Hollow Neighborhood Design Guidelines".

THEREFORE BE IT RESOLVED, that the Planning Commission hereby endorses the "Cow Hollow Neighborhood Design Guidelines" which advance policies contained in the Residence, and Urban Design Elements of the General Plan and which require no changes to existing city codes; and

BE IT FURTHER RESOLVED, that the Planning Commission and Planning Department staff will consider the "Cow Hollow Neighborhood Design Guidelines" in their evaluation of development proposals within Cow Hollow, pursuant to Section 311 of the Planning Code and relevant policies of the City's General Plan, and will encourage their use by project sponsors and their designers in the project design process, and by neighbors and community groups in their review of projects; and

BE IT FURTHER RESOLVED, That the "Cow Hollow Neighborhood Design Guidelines" will be made available for purchase at the Planning Department for prospective purchasers and/or developers of property, residents and owners within Cow Hollow, and the general public.

I hereby certify that the foregoing Resolution was adopted by the Planning Commission on April 26, 2001

Linda Avery
Secretary

AYES: Theoharis, Baltimore, Chinchilla, Fay, Joe, Salinas
NOES: None
ABSENT: None
ADOPTED: April 26, 2001

cowhlres

EXHIBIT M

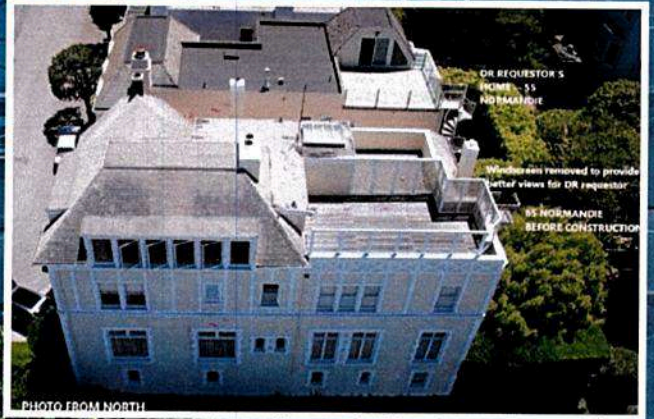


EXHIBIT N

Application Number: 201707131813

Form Number: 3

Address(es): 0960 /007 /0 65 NORMANDIE TR

Description: COMPLETE ALTERATION, ALL FLRS. ADDITION OF ELEVATOR. ALTERATION TO NORTH & WEST ELEVATION (VALLEJO ST & REAR ELEVATION) REMOVAL OF MAJORITY OF WALLS ON 2ND FLR. STRUCTURAL WORK, ALL FLRS. RENOVATION OF ROOF TERRACE BY REMOVING OLD PERIMETER RAILING & REPLACE W/ GLASS. ADD NFPA 13R SPRINKLER SYSTEM.

Cost: \$1,500,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
7/13/2017	TRIAGE	
7/13/2017	FILING	
7/13/2017	FILED	
4/24/2019	APPROVED	
4/24/2019	ISSUED	

Contact Details:

Contractor Details:

License Number: OWN
Name: OWNER OWNER
Company Name: OWNER
Address: OWNER * OWNER CA 00000-0000
Phone:

Addenda Details:

Description: SITE

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	7/13/17	7/13/17			7/13/17	TORRES SHIRLEY	
2	CP-ZOC	7/13/17	6/12/18			6/12/18	MAY CHRISTOPHER	5/29/18 routed plans R2 to planner CM (WS) 6/11/2018 routed plans R3 to planner CM (WS) Approved: 2 new flat-roofed dormers and elevator penthouse to 4th floor, facade alterations, no new window openings on south facade
3	CP-NP	6/12/18	6/12/18	4/20/18	4/30/18	6/12/18	MAY CHRISTOPHER	Emailed cover letter 4/20/2018. (Theresa) Mailed 311 notice 5/7/2018; expire 6/6/2018 (Theresa) No DRs filed (6/12/18) C.May
4	BLDG	6/13/18	7/3/18	7/18/18		4/3/19	MCELROY CAREY	APPROVED 4/3/19
5	DPW-BSM	7/18/18	7/19/18			7/19/18	CHOY CLINTON	Approved SITE Permit only. 7/19/18: ADDENDUM requirement(s) for sign off: Street Improvement (final inspection), Minor Sidewalk Encroachment (new gate swing, existing retaining wall along Vallejo frontage and Bureau of Urban Forestry (proposed landscaping). Download sidewalk application(s) at

								http://www.sfpublishworks.org/services/permits/application-forms and submit them at 1155 Market, 3rd Floor. Your construction addendum will be ON-HOLD until all necessary permit(s) are approved or the assigned BSM plan checker(s) and Urban Forestry may recommend sign off to the satellite office via email. Please call BSM main office at (415) 554-5810 or view http://www.sfpublishworks.org/informationalbrochures for permit application information. -CC
6	SFPUC	7/19/18	8/17/18	8/17/18		9/12/18	MENDONCA KENNETH	Capacity Charge not applicable. Existing fixture count (gpm) in the same tier as proposed fixture count (gpm). Existing meter is undersized. Meter upgrade is recommended. Please contact SFPUC, New Service Installations. 525, Golden Gate Ave., 2nd floor, San Francisco, CA 94102. Telephone: (415) 551-2900 for more info. Route to PPC 9/12/18. Received fixture counts from Architect on 8/23/18. On hold awaiting existing fixture counts from architect. Emailed Architect on 8/17/18.
7	BLDG	4/3/19	4/3/19			4/22/19	MCELROY CAREY	ATTACHED WATER FLOW INFORMATION ON 4-22-19
8	DPW-BSM	4/3/19	4/4/19			4/4/19	DENNIS RASSENDYLL	Approved SITE Permit only. 4/4/19: ADDENDUM requirement(s) for sign off: Street Improvement (final inspection), Minor Sidewalk Encroachment (existing retaining wall along Vallejo frontage new door swing inwards shown on A3.1) and Bureau of Urban Forestry (proposed landscaping). Download sidewalk application(s) at http://www.sfpublishworks.org/services/permits/application-forms and submit them at 1155 Market, 3rd Floor. Your construction addendum will be ON-HOLD until all necessary permit(s) are approved or the assigned BSM plan checker(s) and Urban Forestry may recommend sign off to the satellite office via email. Please call BSM main office at (415) 554-5810 or view http://www.sfpublishworks.org/informationalbrochures for permit application information. -CC
9	SFPUC	4/5/19	4/18/19			4/18/19	GARCIA JOBEL	RESTAMP. Capacity Charge not applicable. Existing fixture count (gpm) in the same tier as proposed fixture count (gpm). Existing meter is undersized. Meter upgrade is recommended. Please contact SFPUC, New Service Installations. 525, Golden Gate Ave., 2nd floor, San Francisco, CA 94102. Telephone: (415) 551-2900 for more info. Route to PPC 04/18/19.
10	CP-ZOC	4/18/19	4/18/19			4/18/19	MAY CHRISTOPHER	4/18/19 Stamped revised plans
11	PPC	4/3/19	4/3/19			4/22/19	USER GSA	4/22/19: To CPB; HP 4/19/19: to Carey to attach water flow information per request; EC. 4/18/19: To DCP to review and restamp revised plans; HP 4/5/19: to PUC to review and restamp revised plans (then to DCP); am 4/3/19: To BSM to review and stamp new revised sheets, then PUC & DCP; HP 3/19/19: Retrieved by BLDG from HOLD bin; HP 9/12/18: To HOLD bin pending BLDG approval; HP 7/19/18: To PUC; HP 7/18/18: to BSM; EC. 6/13/18: to BLDG; EC. 6/8/18: S/R3 to DCP; HP
12	CPB	4/22/19	4/23/19			4/24/19	TORRES SHIRLEY	04/24/2019: ISSUED. ST 04/23/2019: need owner/builders or contractor. 34 pgs. approved. ST

EXHIBIT O

You selected:

Address: **65 NORMANDIE TR**

Block/Lot: **0960 / 007**

Please select among the following links, the type of permit for which to view address information:

[Electrical Permits](#) [Plumbing Permits](#) [Building Permits](#) [Complaints](#)

(Complaints matching the selected address.)

Complaint #	Expired	Date Filed	Status	Div	Block	Lot	Street #	Street Name
202287209		02/07/2022	CLOSED	BID	0960	007	65	NORMANDIE TR
202286984		02/01/2022	CLOSED	BID	0960	007	65	NORMANDIE TR
202184745		11/29/2021	CLOSED	BID	0960	007	65	NORMANDIE TR
202182274		09/20/2021	ACTIVE	BID	0960	007	65	NORMANDIE TR
202177403		05/19/2021	CLOSED	BID	0960	007	65	NORMANDIE TR
202175344		04/12/2021	CLOSED	BID	0960	007	65	NORMANDIE TR
202173023		02/05/2021	CLOSED	BID	0960	007	65	NORMANDIE TR
202173022		11/23/2020	CLOSED	BID	0960	007	65	NORMANDIE TR
202067441		11/23/2020	ACTIVE	BID	0960	007	65	NORMANDIE TR
202066191		11/13/2020	CLOSED	BID	0960	007	65	NORMANDIE TR
202064491		11/03/2020	CLOSED	BID	0960	007	65	NORMANDIE TR
202062321		10/21/2020	CLOSED	BID	0960	007	65	NORMANDIE TR
202026715		04/08/2020	CLOSED	BID	0960	007	65	NORMANDIE TR
201980161		08/27/2019	CLOSED	BID	0960	007	65	NORMANDIE TR

[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](#).

COMPLAINT DATA SHEET

Complaint Number: 202067441
Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: --
Contact Name: --
Contact Phone: --
Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:
Location: 65 NORMANDIE TR
Block: 0960
Lot: 007
Site:
Rating:
Occupancy Code:
Received By: Audrey Gee
Division: INS

Complainant's Phone:
Complaint Source: FIELD OBSERVATION
Assigned to Division: BID

Description: Exceeding the scope of demolition on exterior walls on all floors. Ground floor exceeded approx 20% on east, 100% on west, 30% on north, 20% south. 2nd floor exceeded approx 100% on north, 60% east, 100% west. 3rd floor exceeded approx 60% on east, 100% on west. 4th floor 60% on east, 100% on north.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	HELMINIAC	6354	4	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
11/20/20	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	FIRST NOV SENT	1st NOV issued by KM; ag
11/23/20	CASE OPENED	BID	Hernandez	CASE RECEIVED	
11/23/20	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	CASE UPDATE	1st NOV mailed and cc DCP; ag
12/21/20	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	ADDENDUM TO NOV	1st NOV amended by KMH; ag
12/24/20	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	CASE UPDATE	1st amended NOV mailed and cc DCP; ag
07/06/21	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	FIRST NOV SENT	2nd Amendment to 1st NOV issued by KMH ;tt
07/07/21	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	CASE UPDATE	2nd Amendment to 1st NOV mailed. Copy cc'd to DCP by email ;tt
09/07/21	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	PA #202109017599 filed on 9/1/21 to comply with NOV. DRH
11/09/21	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	No progress to report. DRH
01/10/22	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	No progress to report. DRH

COMPLAINT ACTION BY DIVISION

NOV (HIS): **NOV (BID):** 11/20/20
 12/21/20
 07/06/21

Inspector Contact Information

[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.

COMPLAINT DATA SHEET**Complaint Number:** 202026715

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:

Location:

Block:

Lot:

Site:

Rating:

Occupancy Code:

Received By:

Division:

65 NORMANDIE TR

0960

007

AGEE

BID

Complainant's Phone:

Complaint Source: WEB FORM

Assigned to Division: BID

Description: date last observed: 07-APR-20; time last observed: 04/07/2020; exact location: Main Bldg; building type: Residence/Dwelling WORK BEYOND SCOPE OF PERMIT; ; additional information: Jack hammering the retaining wall on the Vallejo Street side of the property;

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	HELMINIAC	63544		

REFERRAL INFORMATION**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
04/08/20	CASE OPENED	BID	Hernandez	CASE RECEIVED	
04/08/20	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	CASE UPDATE	Case reviewed and assigned to district inspector per MH; ag
04/14/20	OTHER BLDG/HOUSING VIOLATION	BID	Hernandez	CASE UPDATE	foundation contractor told to stop all work until engineer observation determined the property is structurally stable due to the amount of foundation work. Jackhammering work as expected noise for the permitted work in progress, contractor advised to progress with jackhammering work later in the morning
02/03/22	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE CLOSED	noise complaint case closed. kmh

COMPLAINT ACTION BY DIVISION**NOV (HIS):****NOV (BID):**

Inspector Contact Information

[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.

COMPLAINT DATA SHEET

Complaint Number: 202066191
 Owner/Agent: OWNER DATA SUPPRESSED
 Owner's Phone: --
 Contact Name:
 Contact Phone: --
 Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:
 Location: 65 NORMANDIE TR
 Block: 0960
 Lot: 007
 Site:
 Rating:
 Occupancy Code:
 Received By: Thu Ha Thi Truong
 Division: INS

Complainant's Phone:
 Complaint Source: TELEPHONE
 Assigned to Division: BID

Description: There is a difference between approved plan. The dormer on the 4th level. The sloping roof on the south side of the house.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	HELMINIAK	6354	4	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
11/13/20	CASE OPENED	BID	Hernandez	CASE RECEIVED	
11/16/20	OTHER BLDG/HOUSING VIOLATION	INS	Hernandez	CASE UPDATE	Case reviewed and assigned to district inspector per MH; ag
11/20/20	OTHER BLDG/HOUSING VIOLATION	BID	Hernandez	CASE UPDATE	NOV issued 11/20/20, contractor to refrain from any further roof work in the dormer area of the roof until a planning site visit determines the amount of exceeded demolition.
02/04/22	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE CLOSED	An NOV was issued under complaint #202067441. PA #202109017599 under review. DRH

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

[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.

COMPLAINT DATA SHEET

Complaint Number: 202286984
Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: --
Contact Name: --
Contact Phone: --
Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:
Location: 65 NORMANDIE TR
Block: 0960
Lot: 007
Site:
Rating:
Occupancy Code:
Received By: Alejandro Romero
Division: INS

Complainant's Phone:
Complaint Source: TELEPHONE
Assigned to Division: BID

Description: Ongoing work without permit on the west section of the flat roof area on the south side of the forth floor and elevator penthouse on 1/28/2022 and 2/1/2022.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	HELMINIAK	6354	4	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
02/01/22	CASE OPENED	BID	Helminiak	CASE RECEIVED	
02/02/22	OTHER BLDG/HOUSING VIOLATION	INS	Helminiak	CASE UPDATE	case reviewed and assigned to district inspector per jg:jy
02/02/22	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE CLOSED	Visited site. Per contractor, the area of contention was framed while PA #202109017599 was active 1/24-1/28. PA # 201707131813 remains active and waterproofing of roof is necessary to protect contents of building, electrical, etc.. DRH

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

[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.

COMPLAINT DATA SHEET

Complaint Number: 202184745
Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: --
Contact Name:
Contact Phone: --
Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:
Location: 65 NORMANDIE TR
Block: 0960
Lot: 007
Site:
Rating:
Occupancy Code:
Received By: Yalun Cen
Division: INS

Complainant's Phone:
Complaint Source: TELEPHONE
Assigned to Division: BID

Description: Work on multiple site of a project without permit including external walls on the north and west side of the main structures, and the north wall of the flat roof structures on the 4th floor, west wall of the first floor (windows and sliding doors); installing waterproof membranes on the roof located on the south east corner, southwest corner of the 4th floor; extensive application of building paper two exterior walls of the north, west, and south side of the building. Adding wooden structure to the 4th floor roof deck.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	HELMINIAC	6354	4	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
11/29/21	CASE OPENED	BID	Helminiak	CASE RECEIVED	
11/30/21	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	Case reviewed and assigned to district inspector per CM; slw
12/06/21	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	Site visit on 11/30 reference email correspondence. DRH
02/04/22	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE CLOSED	Closed. DRH

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

[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.

COMPLAINT DATA SHEET

Complaint Number: 202182274
Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: --
Contact Name: --
Contact Phone: --
Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:
Location: 65 NORMANDIE TR
Block: 0960
Lot: 007
Site:
Rating:
Occupancy Code:
Received By: Mehret Tesfaye
Division: INS

Complainant's Phone:
Complaint Source: TELEPHONE
Assigned to Division: BID

Description: Work beyond scope of permit, extension of the height of the roof of the dormer on the 4th flr on the North side by aprox 2 & 3/8" over the approved site permit.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	HELMINIAK	63544		

REFERRAL INFORMATION**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
09/20/21	CASE OPENED	BID	Helminiak	CASE RECEIVED	
09/21/21	OTHER BLDG/HOUSING VIOLATION	INS	Helminiak	CASE UPDATE	Case reviewed and assigned to district inspector per MH; ag
09/24/21	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	Site permit only. DRH
02/04/22	OTHER BLDG/HOUSING VIOLATION	BID	Helminiak	CASE UPDATE	PA #202109017599 under review. DRH

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

[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.

Appeal No.: 22-003

Appeal Title: Chang vs. DBI, PDA

Subject Property: 65 Normandie Terrace

Date of hearing: March 23, 2022

EXHIBITS (PART II)-TABLE OF CONTENTS

- 1 . Project description in the May 2018 311 notification.
2. Pictures of the front (east) façade before and during the construction.
3. Pictures of north façade before and during the construction.
4. Pictures of the pre-construction roof structures on the south side.
5. Pictures depicting the changes in the shape and increase in the height of roof structures on the south side.
6. East elevation – areas of illegal demolition and reconstruction above allowable height limit.
7. North elevation-areas of illegal demonstration and reconstruction above allowable high limit.
8. South elevation-areas of illegal demolition and reconstruction above the height limit.
- 9 West elevation-area of illegal demolition and reconstruction above height limit.
10. Pre-construction south elevation in May 2018 311 notification showing incorrect south roof configuration.
11. Proposed south elevation – May 2018 311 notification based on the incorrect pre-construction roof configuration.
12. South elevation-approved site permit April 24, 2019, based on the incorrect pre-construction roof configuration.
13. Elevator penthouse height in the approved site permit-April 19, 2018

14. Elevator penthouse and surrounding flat roof in approved site permit- April 19, 2018.
15. Elevator penthouse height in approved site permit-April 24, 2019.
16. Excessive height of as-constructed elevator penthouse in BAP #2021.0991.7599 (September 2021 plan.)
17. Incorrect “to be legalized” height (309.7’) in BAP #2021.0991.7599 (September 2021 plan.)
18. Chronology of the elevator penthouse height.
19. Incorrect height of the originally approved elevator shaft in the abatement of the Planning Code Enforcement Case #2020–010614ENF.
20. Incorrect height of the originally approved elevator shaft in the abatement In DISCRETIONARY REVIEW ACTION DRA–769.
21. West elevation – existing south roof prior to construction.
22. South elevation: existing roof prior to the construction.
23. The height of the roof structures from 65 Normandie Terrace Discretionary Review Response Attachment from the sponsor.
24. Incorrect height of the to be restored lower roof in BAP #2021.0991.7599 (September 2021)
25. Configuration of the upper and lower roof before the construction and the correct restoration height from 65 Normandie Terrace DR Response Attachment.
26. South elevation-roof structures before, during the construction, and the current configuration based on BAP #2021.0991.7599 (September 2021 plan).
27. As-constructed height of the flat roof in August 2021 (309.5’).
28. Notification of Structural Addition for permit issued on April 24, 2019.
29. Email correspondence with the senior building inspector regarding changes made to the addendum at the project site.
30. Email correspondence with the senior building inspector regarding revision of the site permit without notification to the neighbors.

PROJECT DESCRIPTION

The project proposes to construct two new flat-roofed dormer windows and an elevator penthouse extending to the fourth floor. The project also proposes the removal of an existing bay window and reconfiguration of the external staircase at the rear of the house. Alterations to the front and north side facades, including a widened garage door and reconfigured window openings, are also proposed. See attached plans.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner: Christopher May
Telephone: (415) 575-9087
E-mail: christopher.may@sfgov.org

Notice Date: 5/7/2018
Expiration Date: 6/6/2018

FRONT (EAST)

2.



October 16, 2020



November 20, 2020



February 6, 2022

NORTH SIDE

3.



EAST SIDE

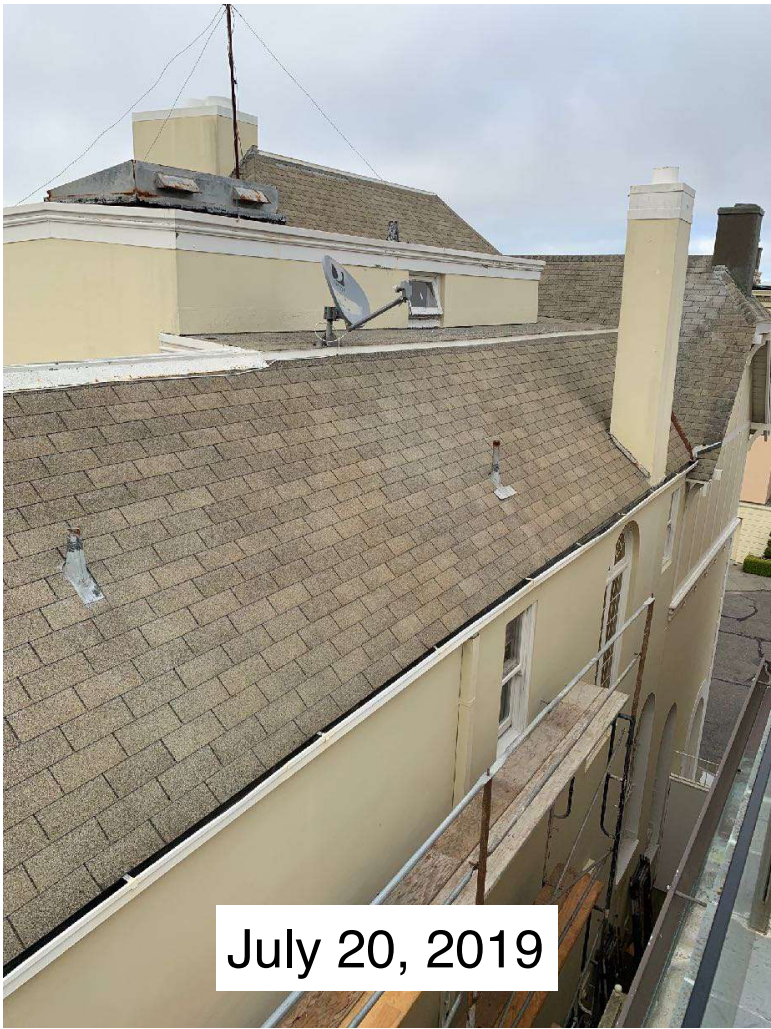


South Roof, July 20, 2019



SOUTH WEST

5.



July 20, 2019



August 23, 2020

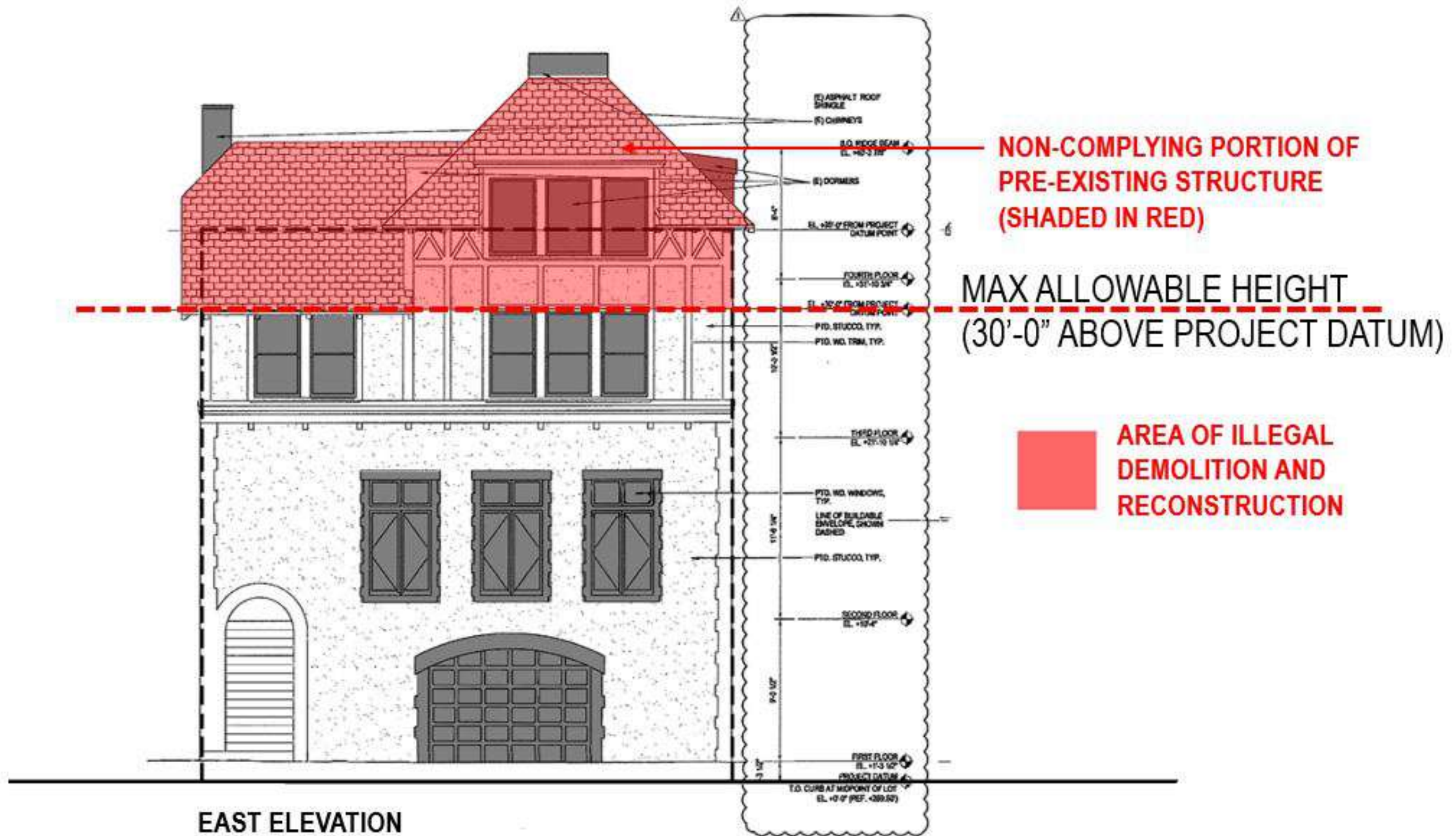


October 14, 2020



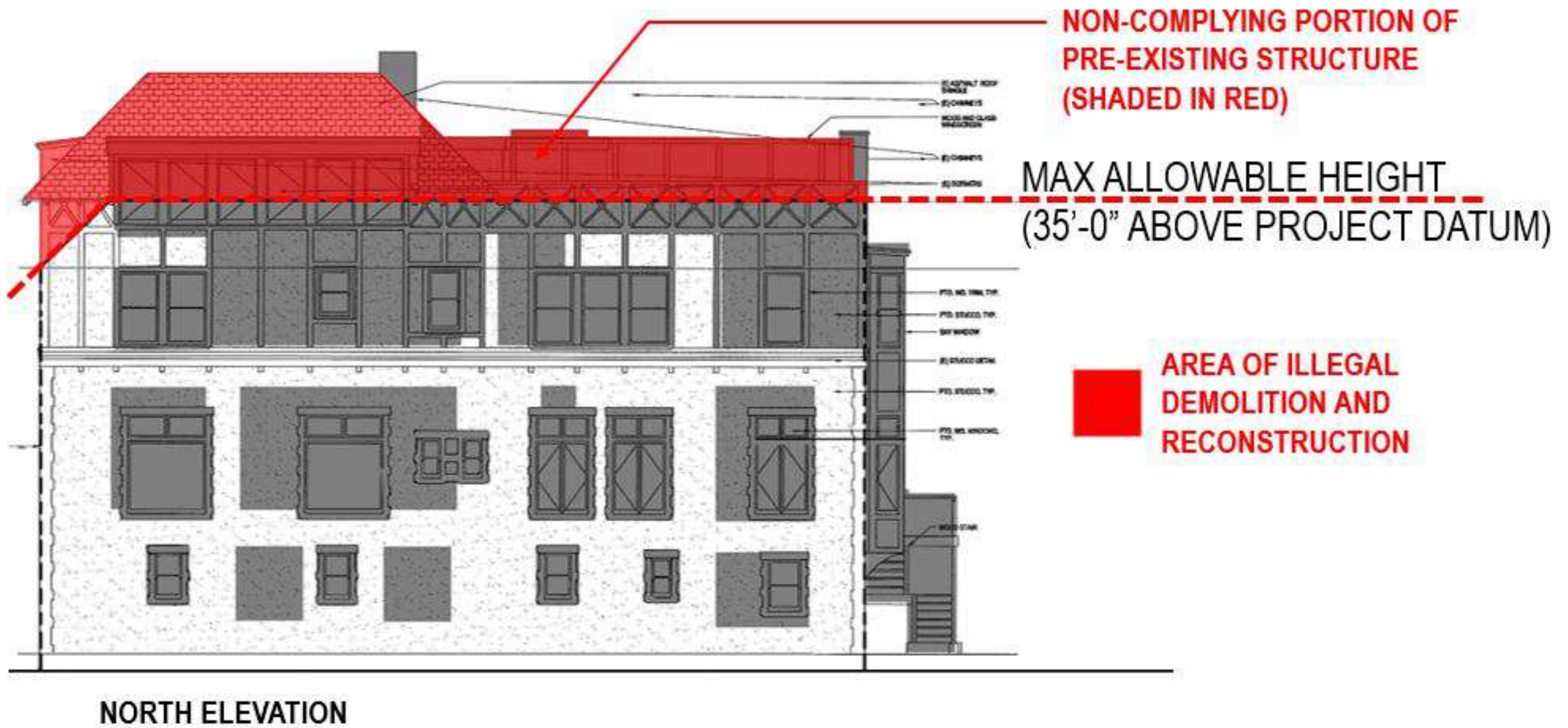
February 4, 2021

PRE-EXISTING STRUCTURE IS ABOVE HEIGHT LIMIT



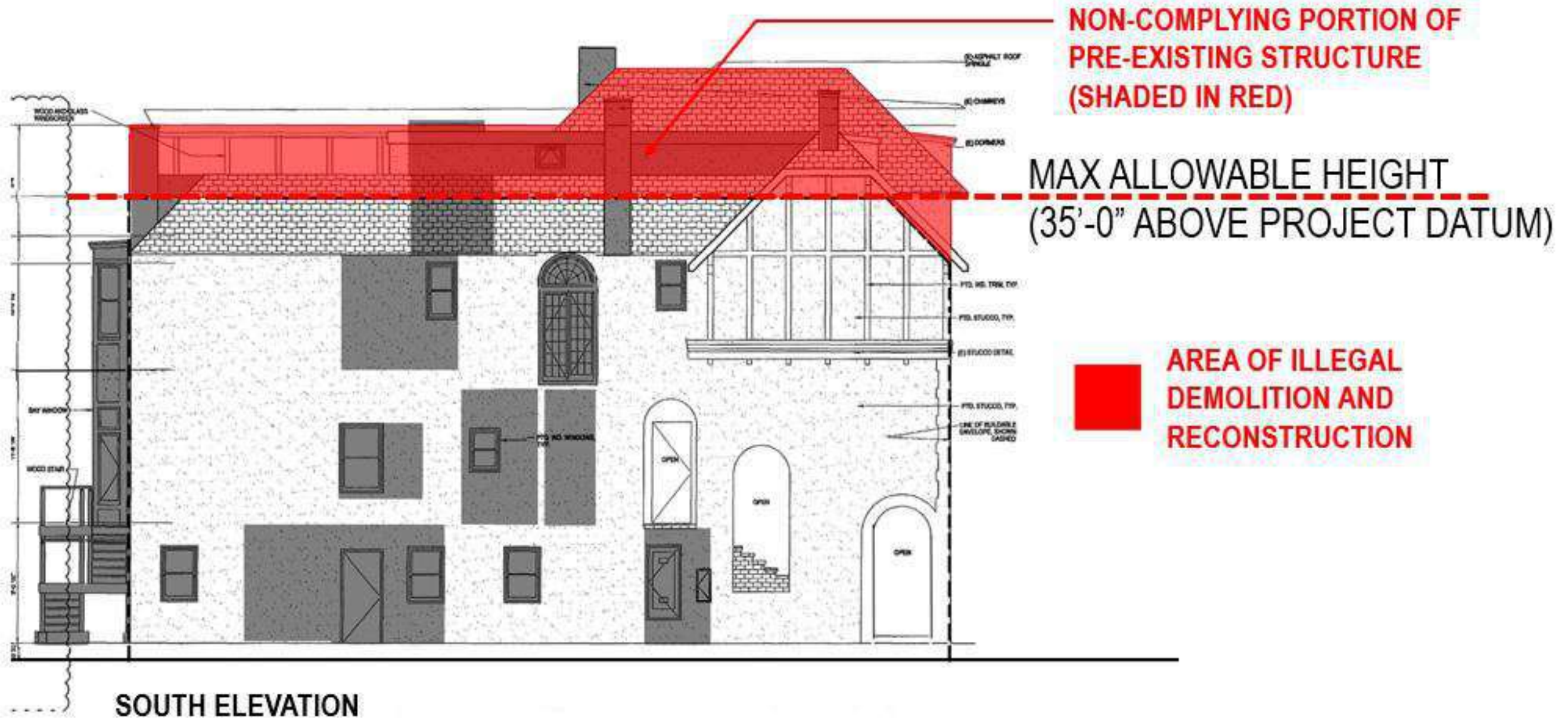
PRE-EXISTING STRUCTURE IS ABOVE HEIGHT LIMIT

7.

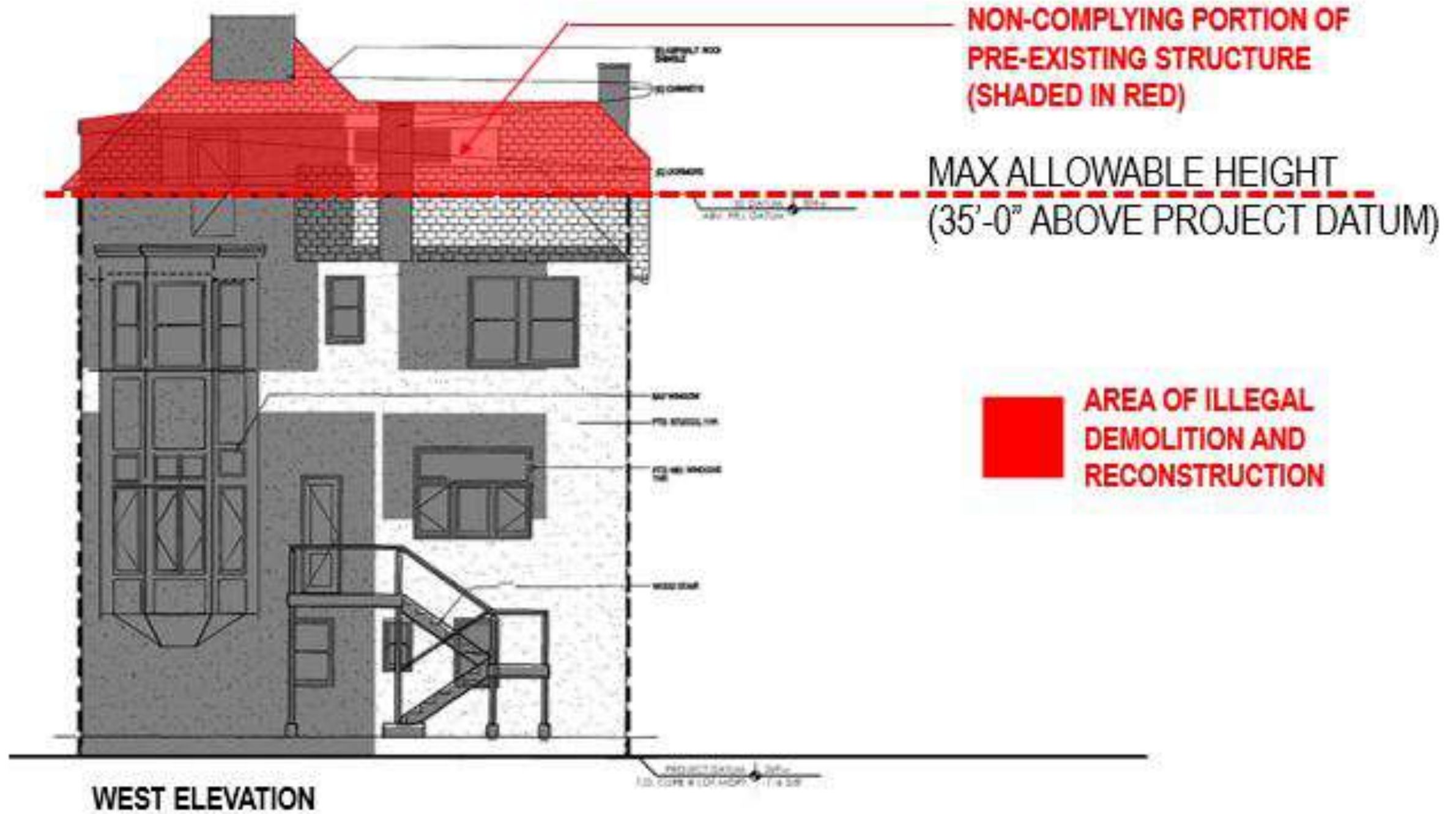


PRE-EXISTING STRUCTURE IS ABOVE HEIGHT LIMIT

8.

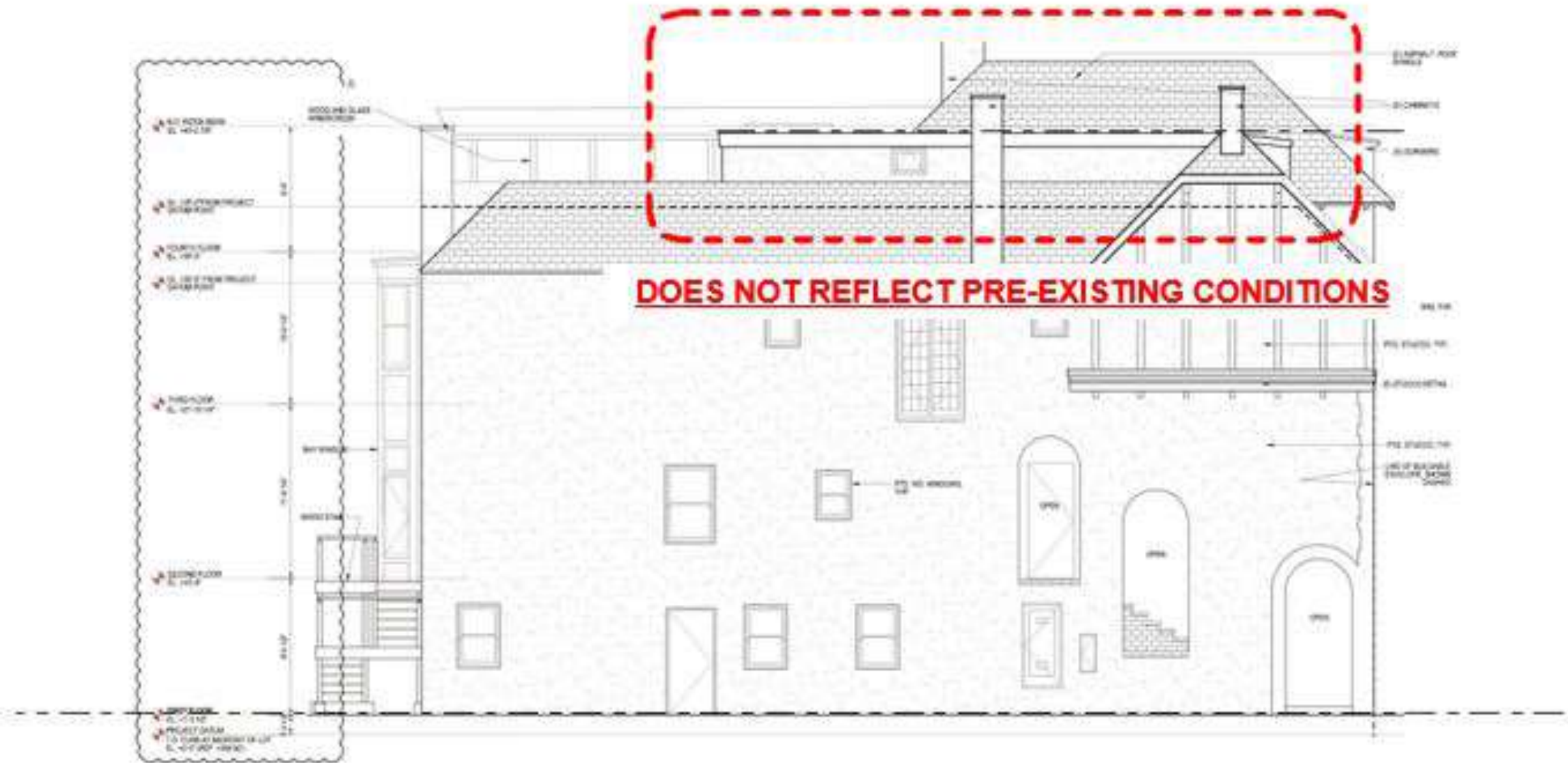


PRE-EXISTING STRUCTURE IS ABOVE HEIGHT LIMIT



INCORRECT SITE PERMIT PLANS

DATED: 4/19/2018



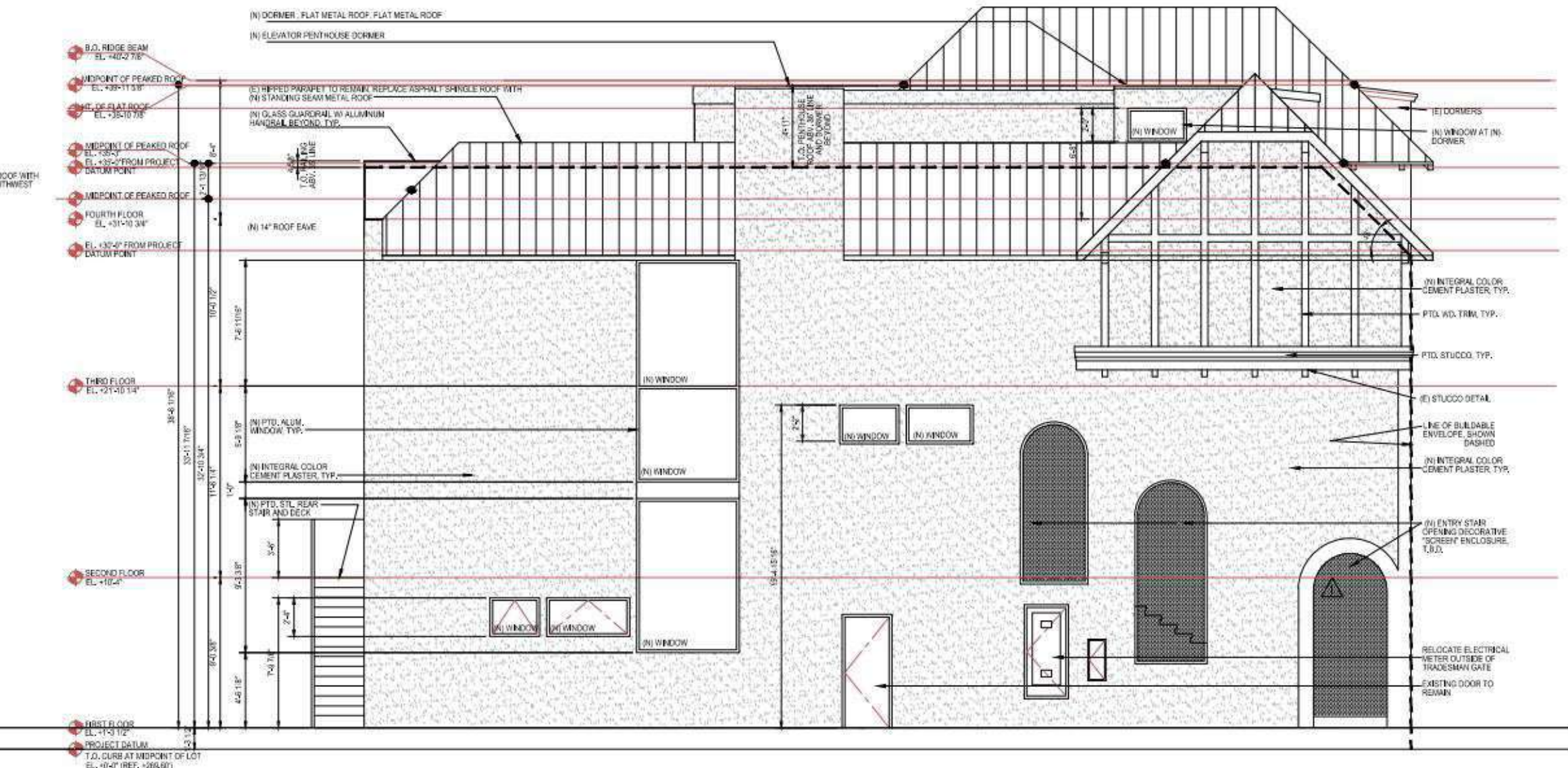
EXISTING SOUTH ELEVATION

4

3/18/17

May 2018 311 Notification

⚠	DBI-Planning Review 07.11.17
⚠	DBI-Planning Comments 10.10.17
⚠	DBI-Planning Comments 02.28.18
	PLNG SUB'L S311 04.19.18



PROPOSED NORTH ELEVATION

3/16"=1'-0"

4

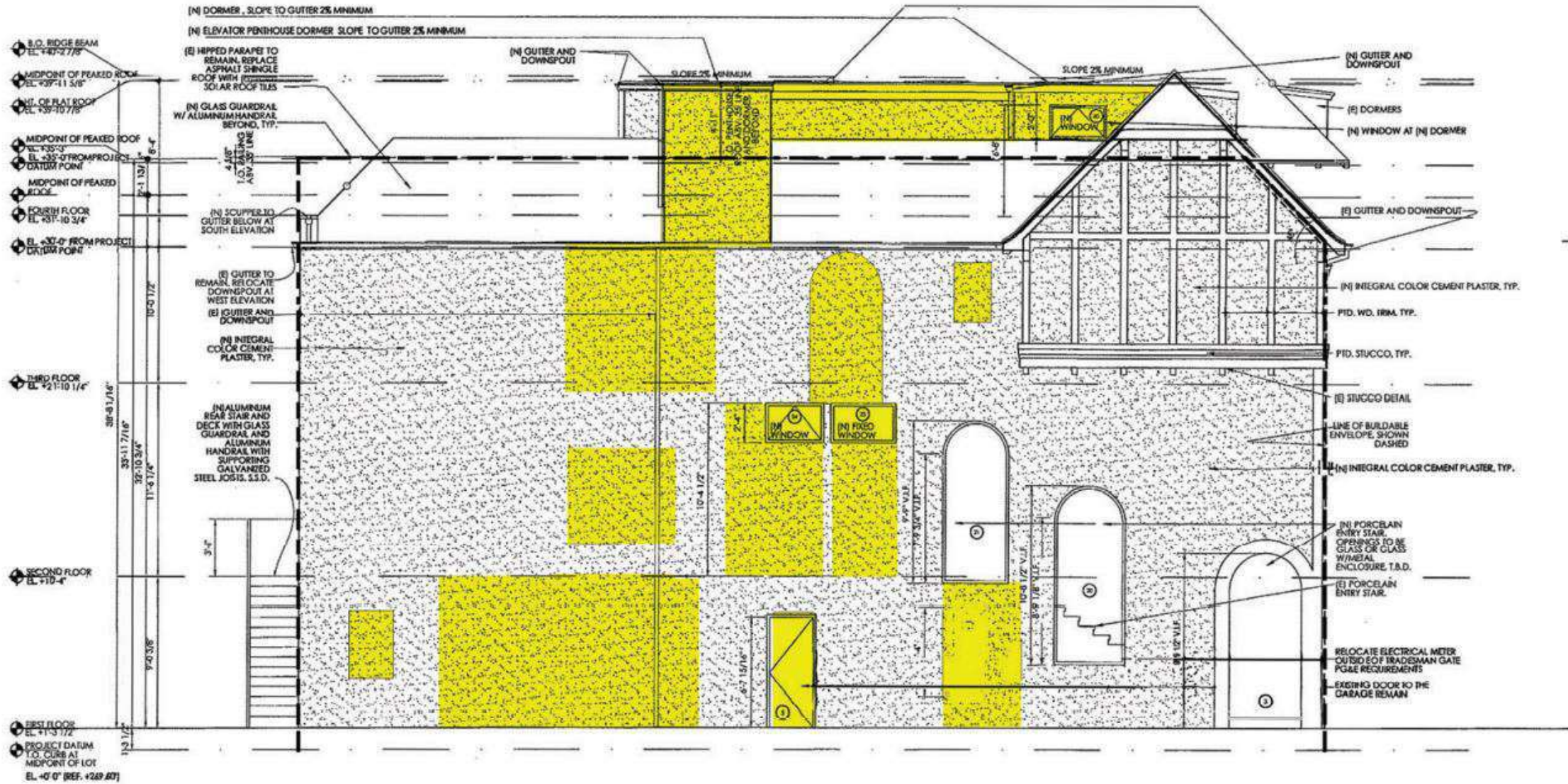
SOUTH

Single Family Residence

ANDIE TERRACE

omia

Approved site permit - April 24, 2019



SOUTH ELEVATION: APPROVED SITE PERMIT CONDITIONS

CAREY MOBLE
APR 01
[Signature] 4/13/19
Approved Planning Dept. Christopher May

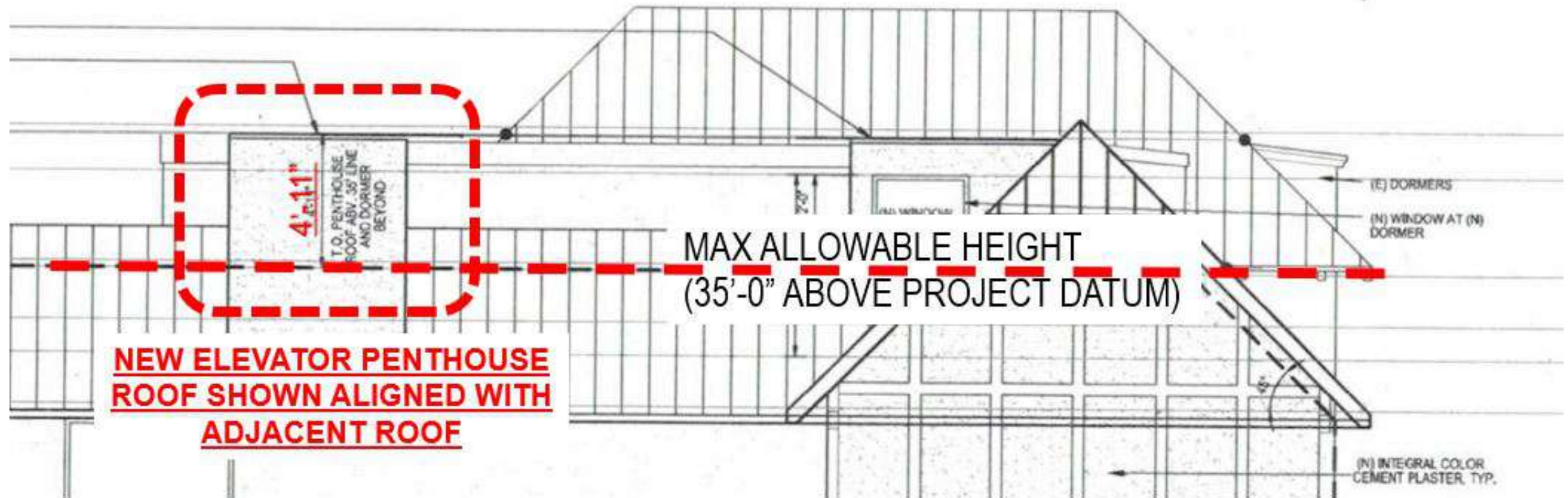
SITE PERMIT
REVISION
APR 03 2019
THIS APPLICATION SUBMITTED FOR USE PERMITS
CHECK NO WORK MAY BE STARTED UNTIL
CONSTRUCTION PLANS HAVE BEEN APPROVED

APPROVED
Dept. of Building Insp.

APR 24 2019
[Signature]
TOM C. HAN
DIRECTOR
DEPT. OF BUILDING INSPECTION

APPROVED SITE PERMIT PLANS

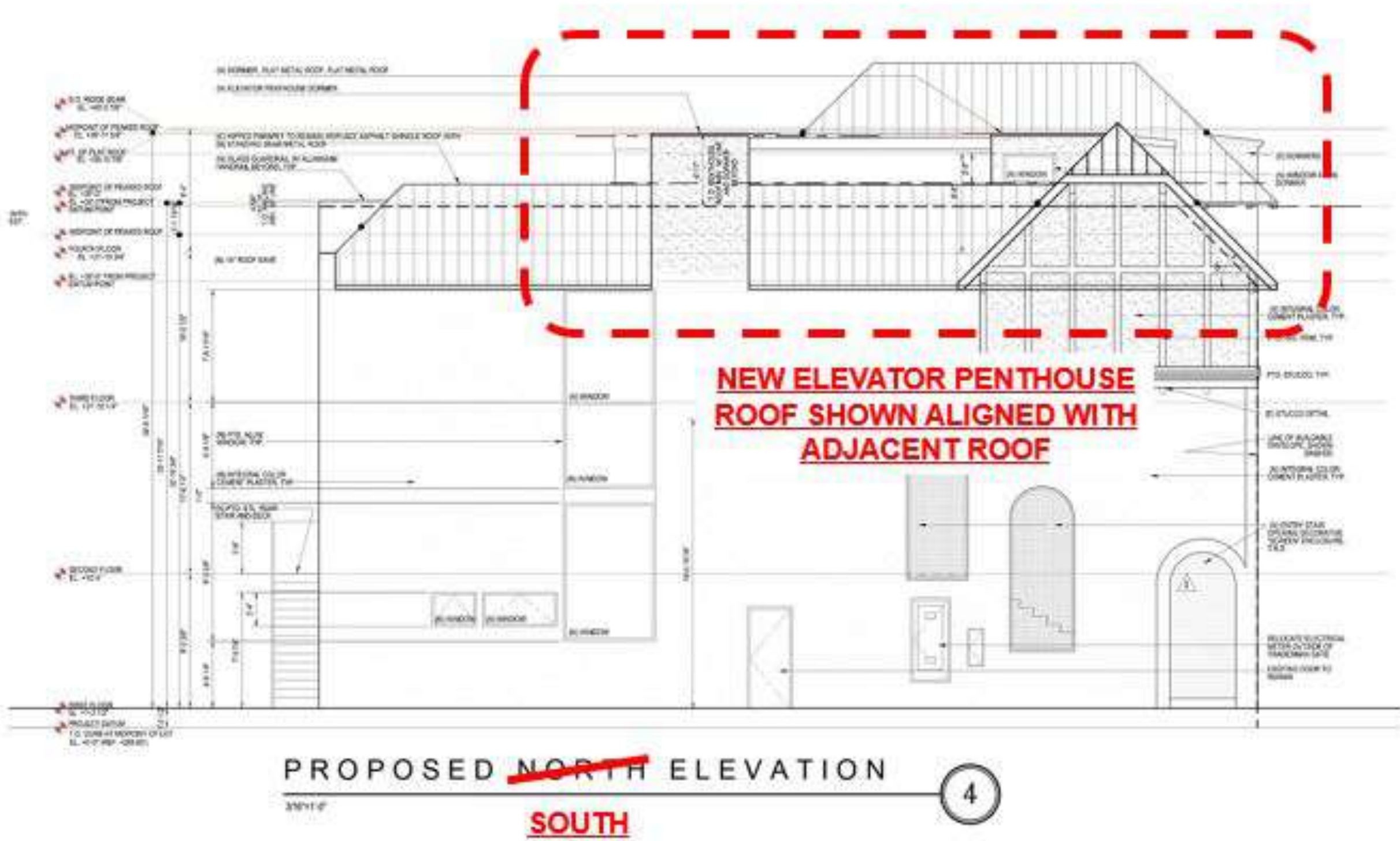
DATED: 4/19/2018



$$\begin{array}{r} 269.60' \\ \text{PROJECT} \\ \text{DATUM} \end{array} + \begin{array}{r} 35' + 4.92' \\ \text{ELEVATOR} \\ \text{PENTHOUSE} \\ \text{HEIGHT} \end{array} = \begin{array}{r} 309.5' \\ \text{ELEVATOR} \\ \text{PENTHOUSE} \\ \text{ROOF ELEVATION} \end{array}$$

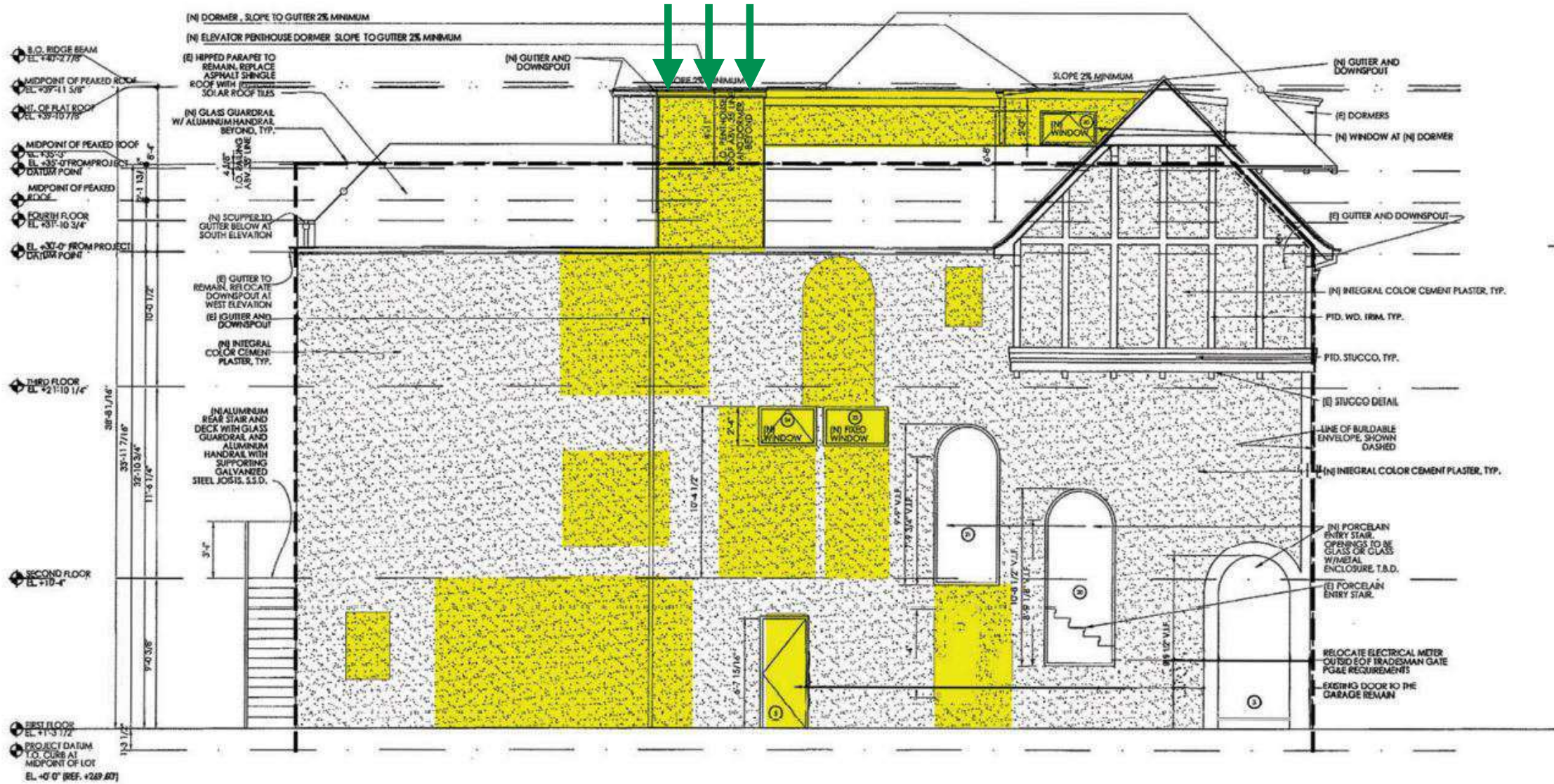
APPROVED SITE PERMIT PLANS

DATED: 4/19/2018



Approved site permit - April 24, 2019

Elevator penthouse height 309.5'



SOUTH ELEVATION: APPROVED SITE PERMIT CONDITIONS

CAREY MOBLE
APR 01

Chris 4/13/19
Approved Planning Dept-Christopher May

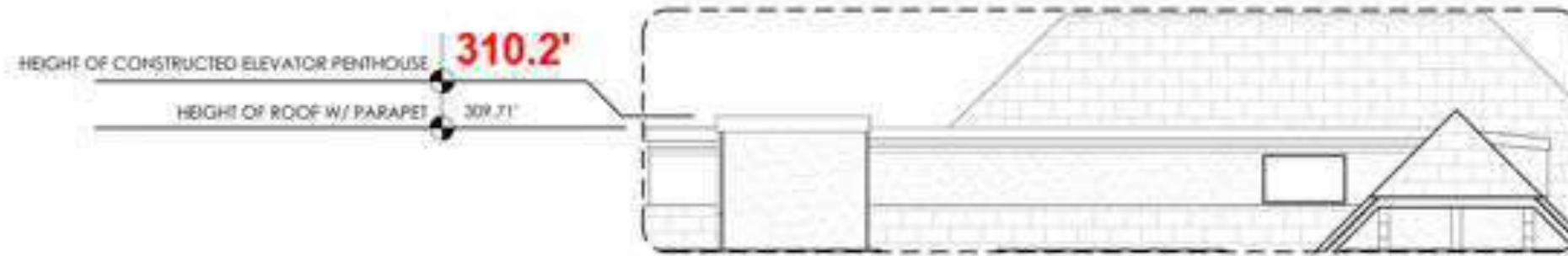
SITE PERMIT REVISION
APR 03 2019
THIS APPLICATION SUBMITTED FOR USE PERMITS CHECK. NO WORK MAY BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

APPROVED
Dept. of Building Insp.
APR 24 2019
Tom C. Hines
TOM C. HINES, P.E., S.E.
DIRECTOR
DEPT. OF BUILDING INSPECTION

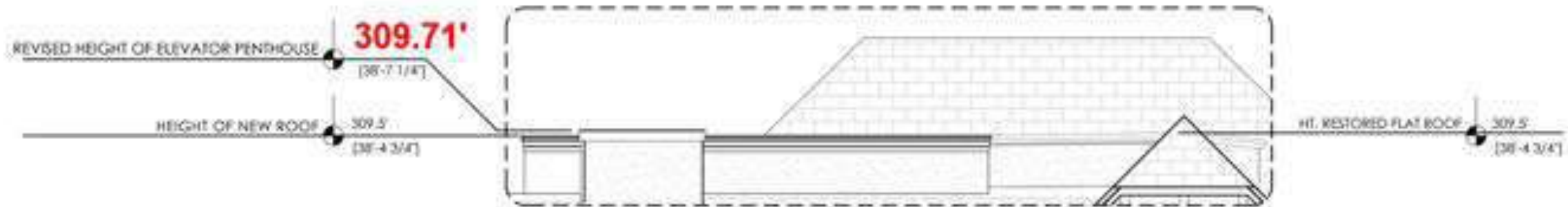
PROPOSED LEGALIZATION OF NEW PENTHOUSE

DATED: 9/8/2021

DOES NOT MATCH APPROVED SITE PERMIT OR PRE-EXISTING CONDITION



DETAIL A : AS CONSTRUCTED

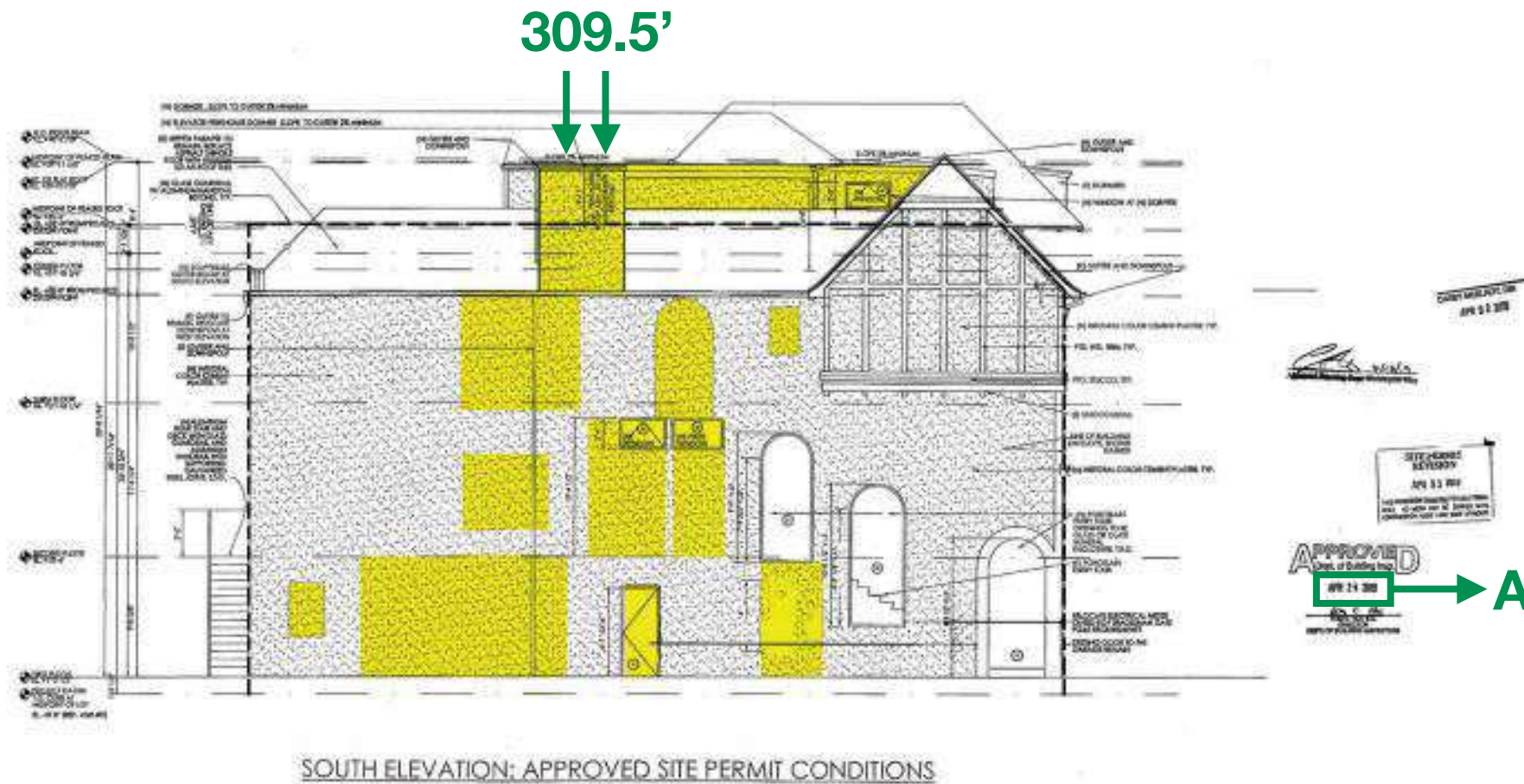
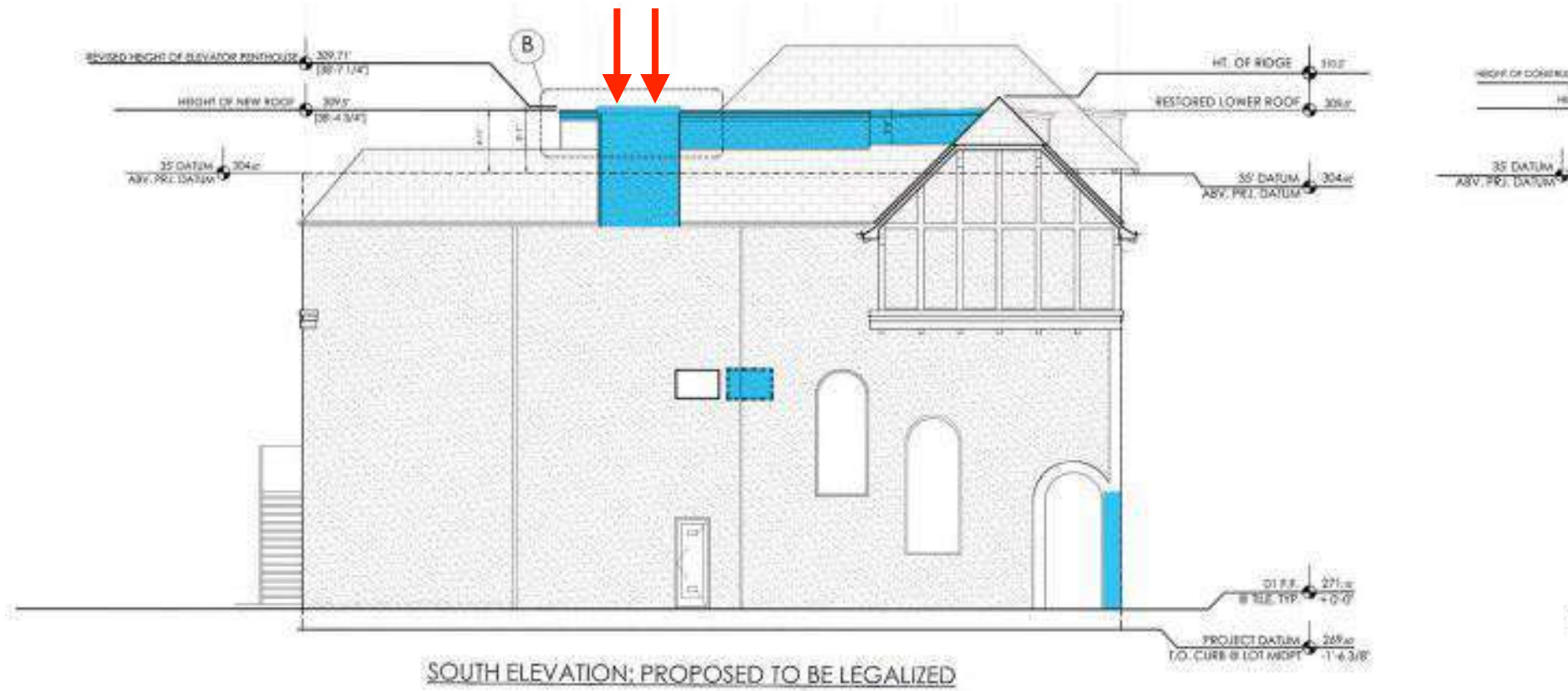


DETAIL B : TO BE LEGALIZED

NEW ELEVATOR PENTHOUSE ROOF SHOULD ALIGN WITH ADJACENT ROOF AT 309.5' TO COMPLY WITH THE TERMS OF ABATEMENT

NOTE: "Proposed to be legalized" (309.7') exceeds originally approved height of the elevator (309.5')

From Building Application Permit No.
2021.0991.7599 CC 6.4



CITY-HEARD REVIEW
APR 23 2019

APPROVED
City of Building Dept.
APR 24 2019

→ April 24, 2019

Chronology of elevator penthouse height

May 2018	311 plan	309.5'*
April 24, 2019	approved site permit and building permit	309.5'*
July 2019	construction began	
September 2019	revised building permit	309.7'
September 2021	as constructed height	310.2'
September 2021	revision plan (#2021.0991. 7599)	309.7'

* originally approved height



BLOCK BOOK NOTATION NOTICE

September 20, 2021

Kristoffer Chang
55 Normandie Terrace
San Francisco, CA, 94115

RE:	Project Address:	65 Normandie Terrace
	Assessor's Block/Lot:	0960/007
	Planning Record No.:	2021-009589PRL

Dear Mr. Chang.:

In accordance with your block book notation request, this notice is to advise you that Building Permit Application Number 2021.09017599 has been filed for the property referenced above. The applicant proposes to abate Planning Code Enforcement Case No. 2020-010614ENF including, but not limited to the following scopes of work:

 **correct height - 309.5'**

- reduce the height of elevator shaft to **309.71** to its originally approved height,
- restore and reduce the height of roof to 309.5,
- remove and restore the lower roof area as it was determined to be inconsistent with the Planning Department's definition of a dormer,
- restore the wall at the south exterior elevation on the roof level to its original location towards the north 5 inches,
- replace all decorative exterior elements, and
- provide demolition calculations per Planning Code Section 317.

If you would like to review the associated plans or have any questions about this application, please contact the assigned planner for this project, Chaska Berger, at 628.652.7402 or chaska.berger@sfgov.org within 10 days from the date of this letter. This project will be approved by the Planning Department if no request for Discretionary Review is filed by the end of the 10-day noticing period, September 30, 2021.

Sincerely,
Elizabeth Gordon Jonckheer, Principal Planner
Northwest Team & Historic Preservation, Current Planning Division
elizabeth.gordon-jonckheer@sfgov.org
628-652-7365

CC: Christopher May, Senior Planner, Northwest Team, Current Planning Division



DISCRETIONARY REVIEW ACTION DRA-769

HEARING DATE: JANUARY 6, 2022

Record No.: 2016-008167DRP
 Project Address: 65 Normandie Terrace
 Building Permit: 2021.0901.7599
 Zoning: RH-1 (Residential House - One Family) Zoning District
 40-X Height and Bulk District
 Block/Lot: 0960/007
 Project Sponsor: Deborah Holley
 301 Cape Court
 Mill Valley, CA 94941
 DR Requestor: Kristoffer Ning Chang
 55 Normandie Terrace
 San Francisco, CA 94155
 Staff Contact: David Winslow - (628) 652-7335
David.Winslow@sfgov.org

**correct height - 39.9'
or 309.5' above sea level**

ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF RECORD NO. 2016-008167DRP AND THE APPROVAL OF BUILDING PERMIT APPLICATION NO. 2021.0901.7599 TO ABATE ENFORCEMENT CASE NO. 2020-010614ENF THAT INCLUDES REDUCING THE HEIGHT OF ELEVATOR SHAFT TO 40.11' ABOVE THE CURB- TO ITS ORIGINALLY APPROVED HEIGHT, REDUCING THE HEIGHT OF ROOF TO 39.9' - AS MEASURED ABOVE THE CURB, REMOVING AND RESTORING THE LOWER ROOF AREA, RESTORING THE WALL AT THE SOUTH EXTERIOR ELEVATION ON THE ROOF LEVEL TO ITS ORIGINAL LOCATION TOWARDS THE NORTH 5 INCHES, REPLACING ALL DECORATIVE EXTERIOR ELEMENTS, AND PROVIDING DEMOLITION CALCULATIONS PER PLANNING CODE SECTION 317 TO A FOUR-STORY, SINGLE-FAMILY DWELLING WITHIN THE RH-1 (RESIDENTIAL, HOUSE, ONE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

Preamble

On September 1, 2021, Walt Monteil filed for Building Permit Application No. 2021.0901.7599 7599 to abate Enforcement Case No. 2020-010614ENF includes reducing the height of elevator shaft to 40.11' above the curb- to its originally approved height, reducing the height of roof to 39.9' - as measured above the curb, removing and restoring the lower roof area, restoring the wall at the south exterior elevation on the roof level to its original location towards the north 5 inches, replacing all decorative exterior elements, and providing demolition calculations per Planning Code Section 317 to a four-story, single-family dwelling within the RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District..

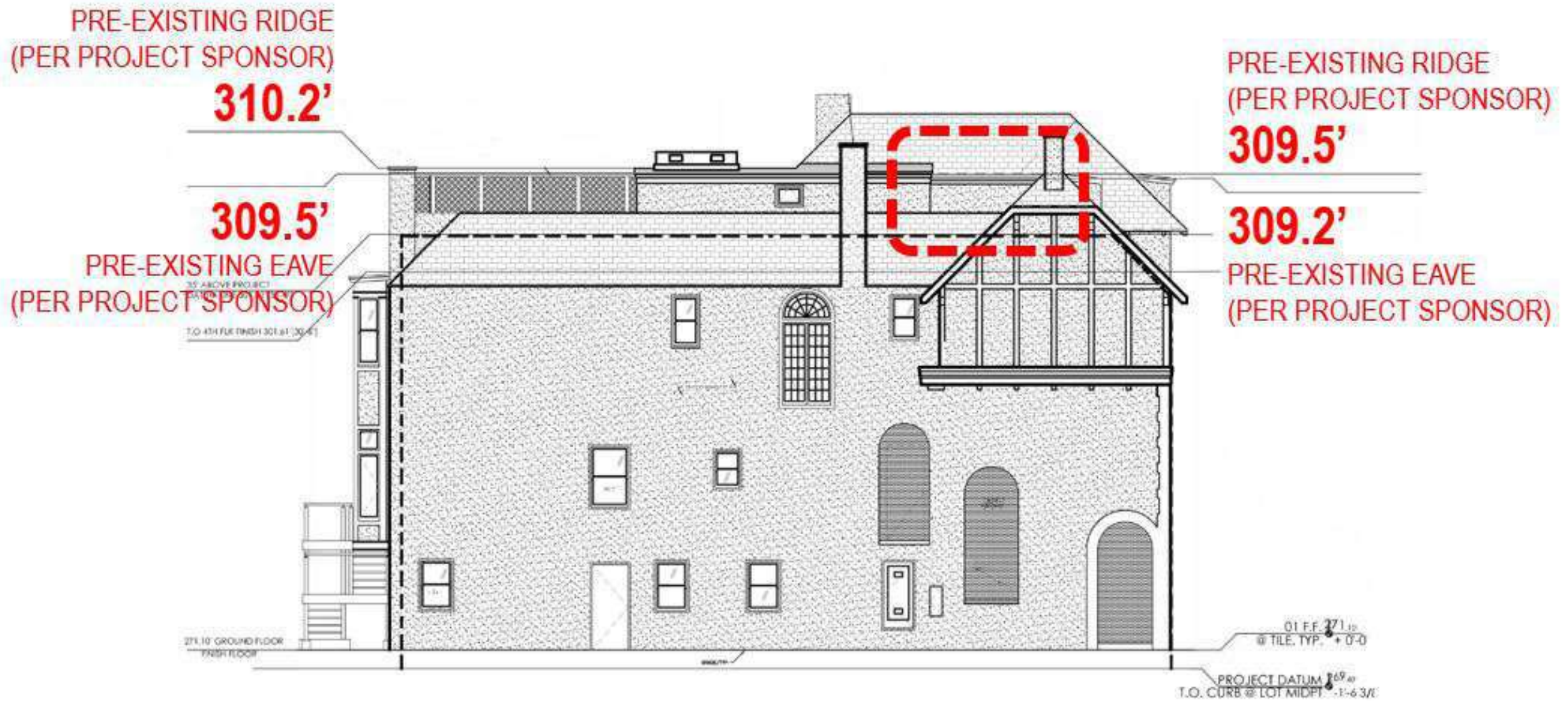
From August 2021 draft plan (CC 6.3)



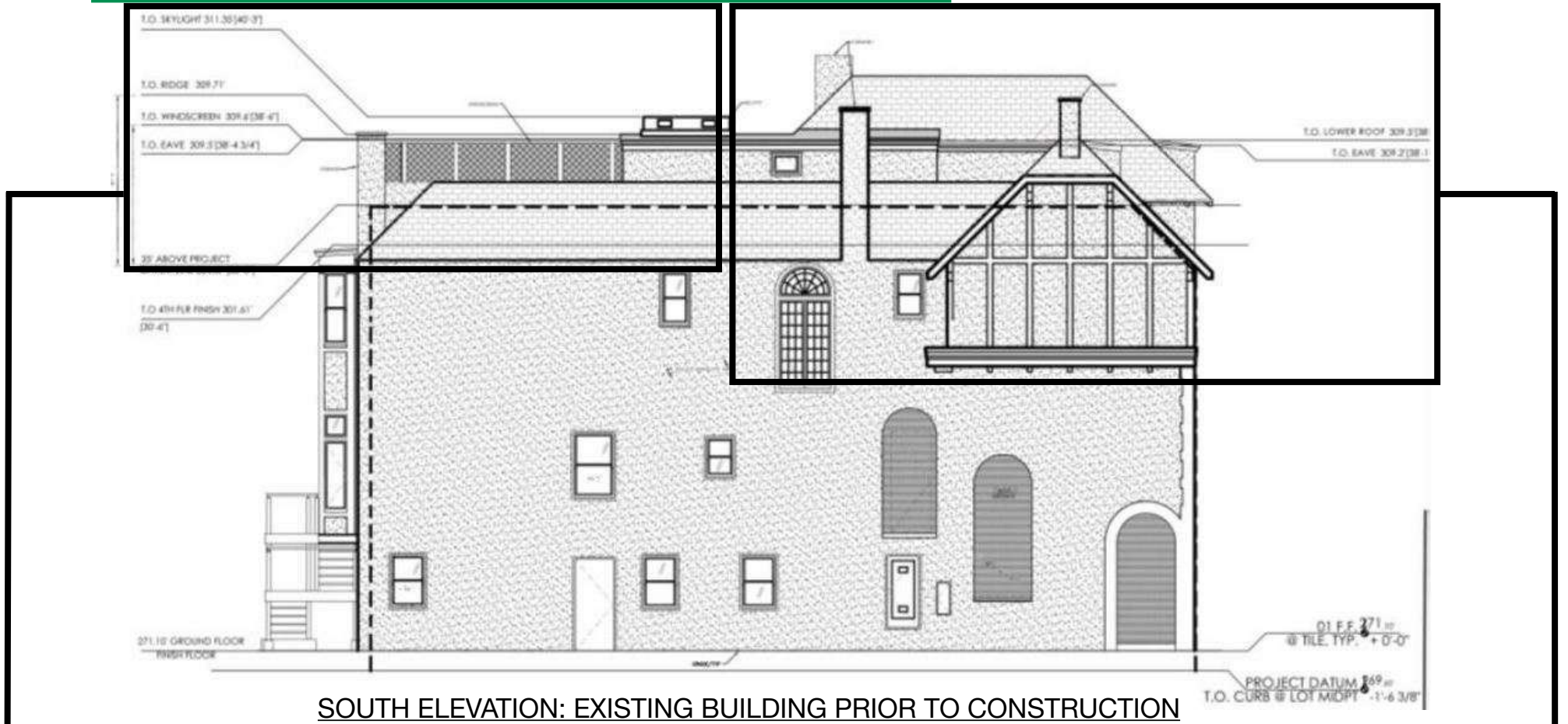
WEST ELEVATION: EXISTING BUILDING PRIOR TO CONSTRUCTION

PRE-EXISTING CONDITION

PER DRAWINGS DATED: 8/16/2021

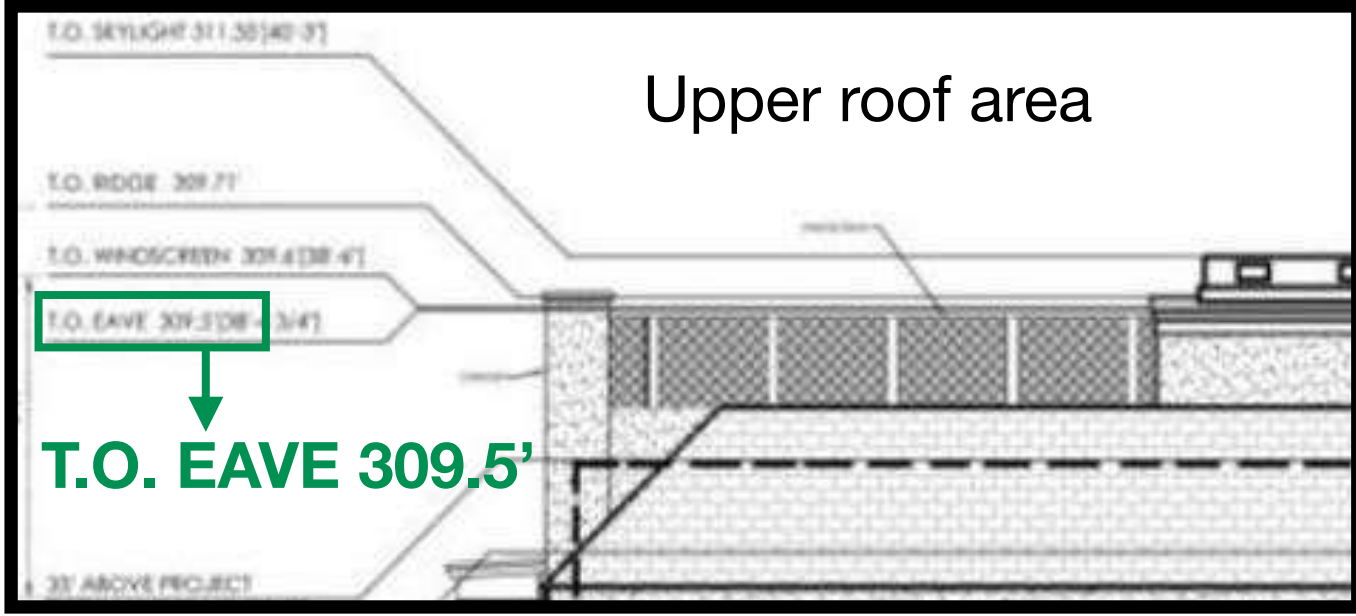


SOUTH ELEVATION: EXISTING BUILDING PRIOR TO CONSTRUCTION



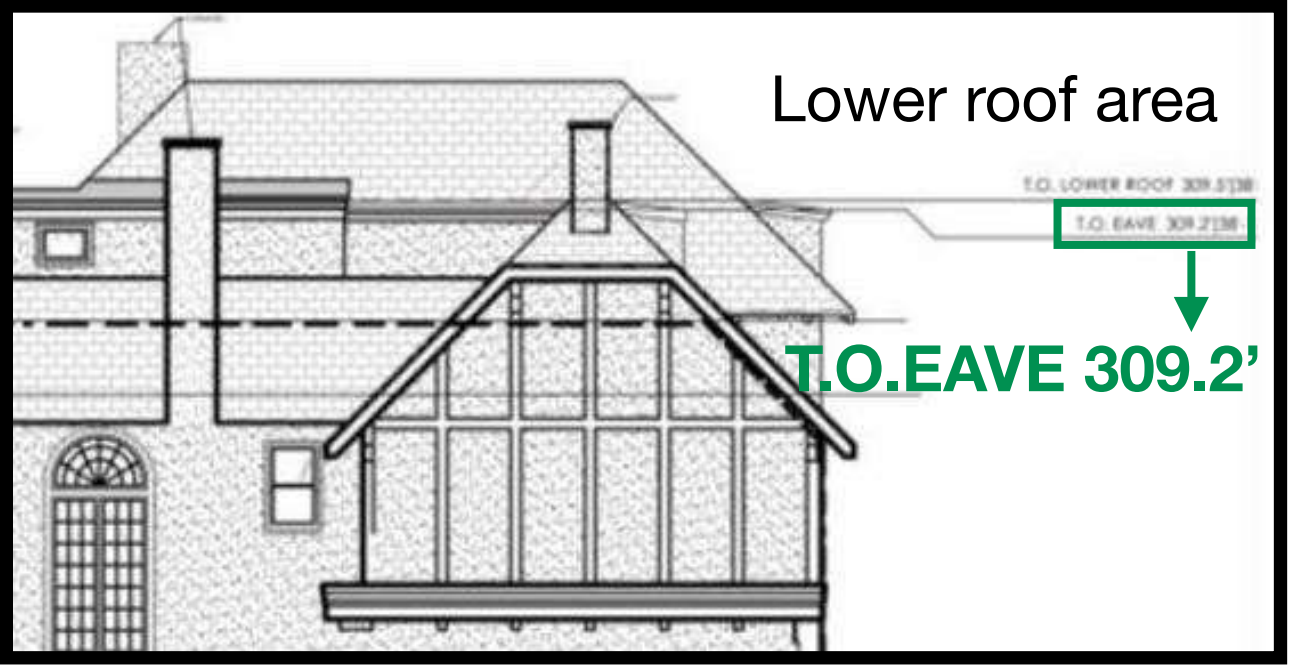
SOUTH ELEVATION: EXISTING BUILDING PRIOR TO CONSTRUCTION

Figure 3. South Elevation Prior to Construction



Upper roof area

T.O. EAVE 309.5'



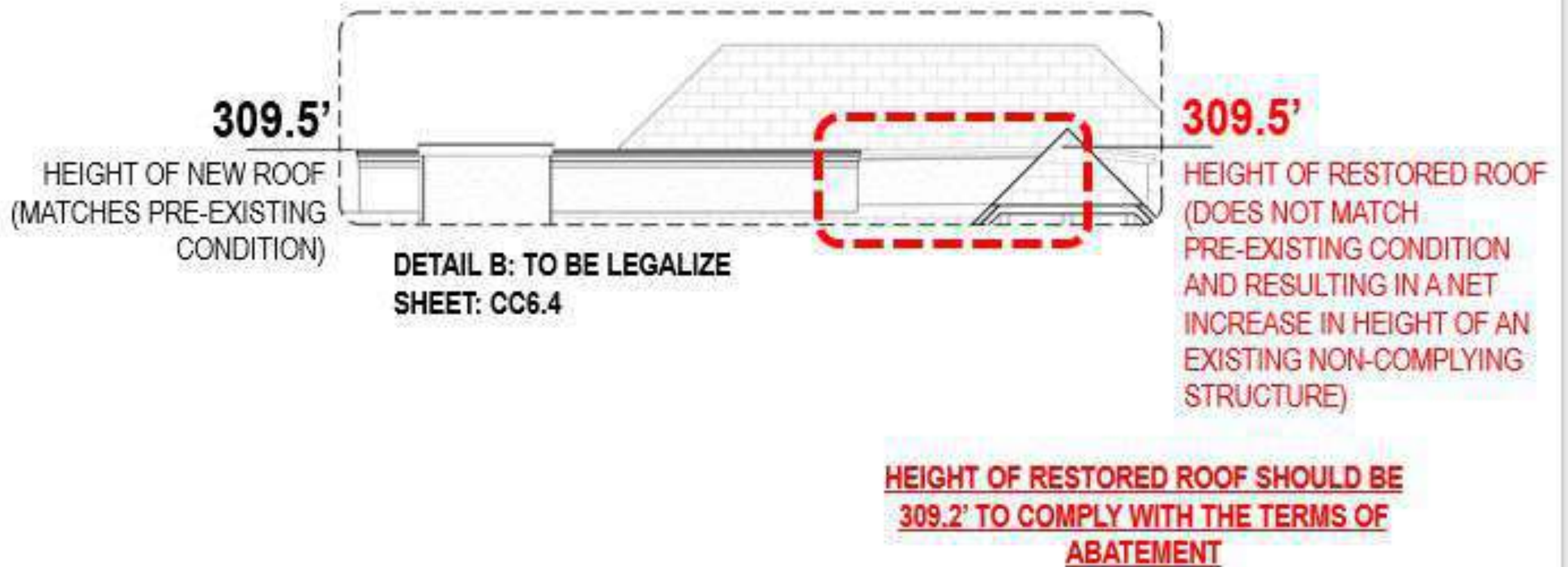
Lower roof area

T.O. EAVE 309.2'

NOTE: The sponsor's own figure shows that the upper roof area was 309.5' and the lower roof area was 309.2'.

PROPOSED LEGALIZATION

PER DRAWINGS DATED: 9/8/2021



NOTE: DIFFERENCE IN UPPER & LOWER ROOF CONFIGURATION

NOTE: CORRECT RESTORATION HEIGHT

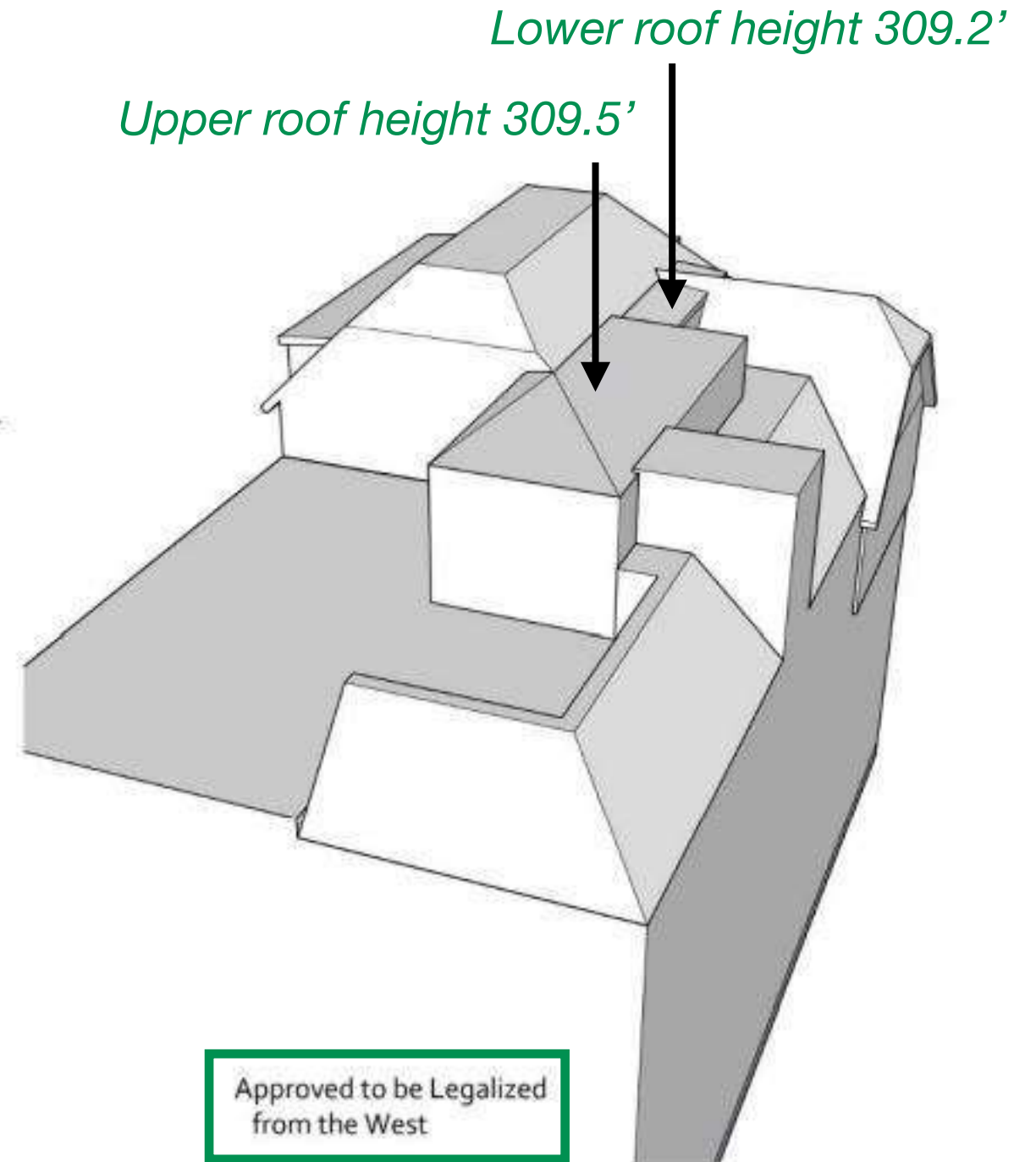
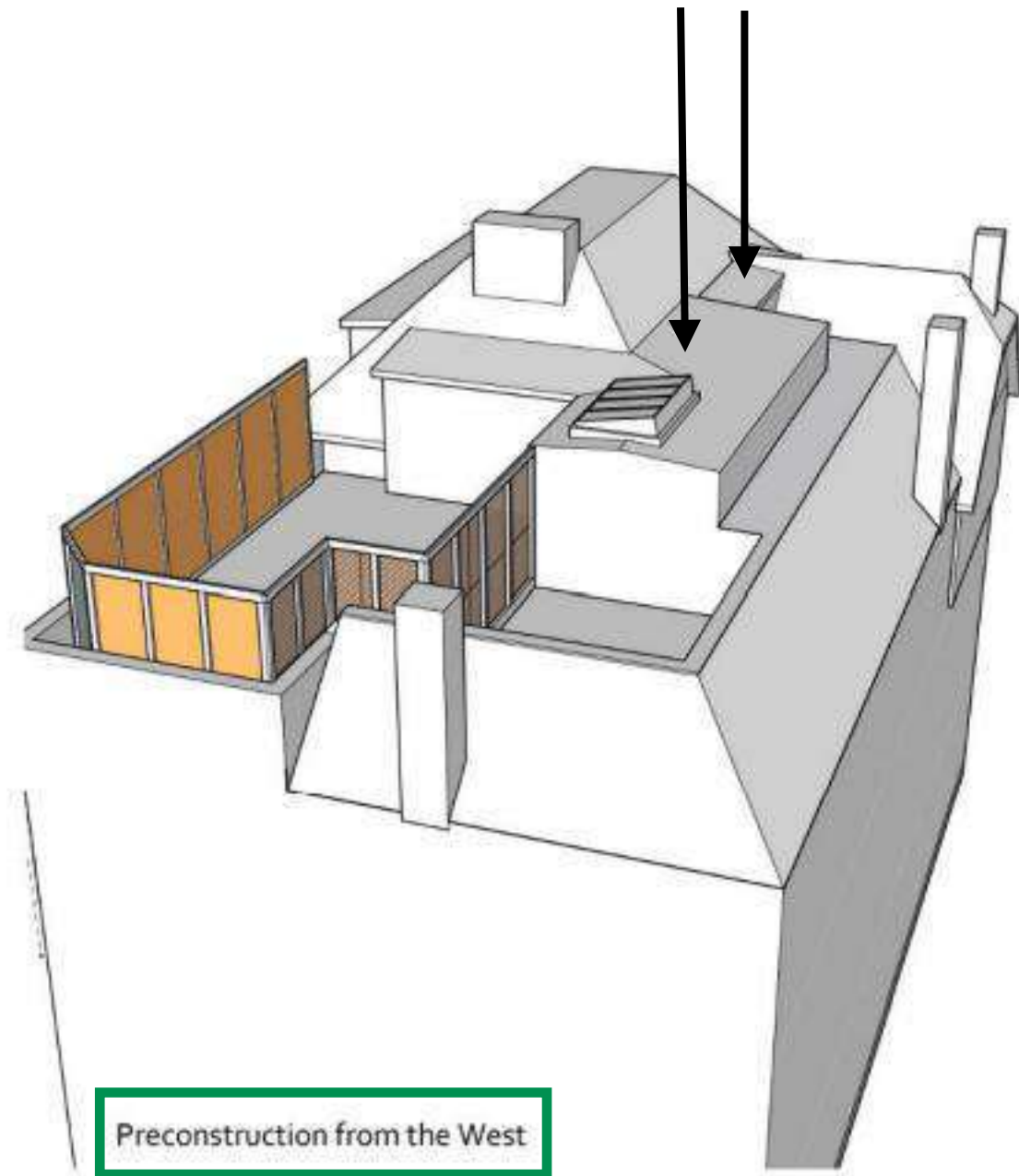


Figure 9. Massing Comparisons DR Requestor

SOUTH SIDE



July 20, 2019



October 10, 2020



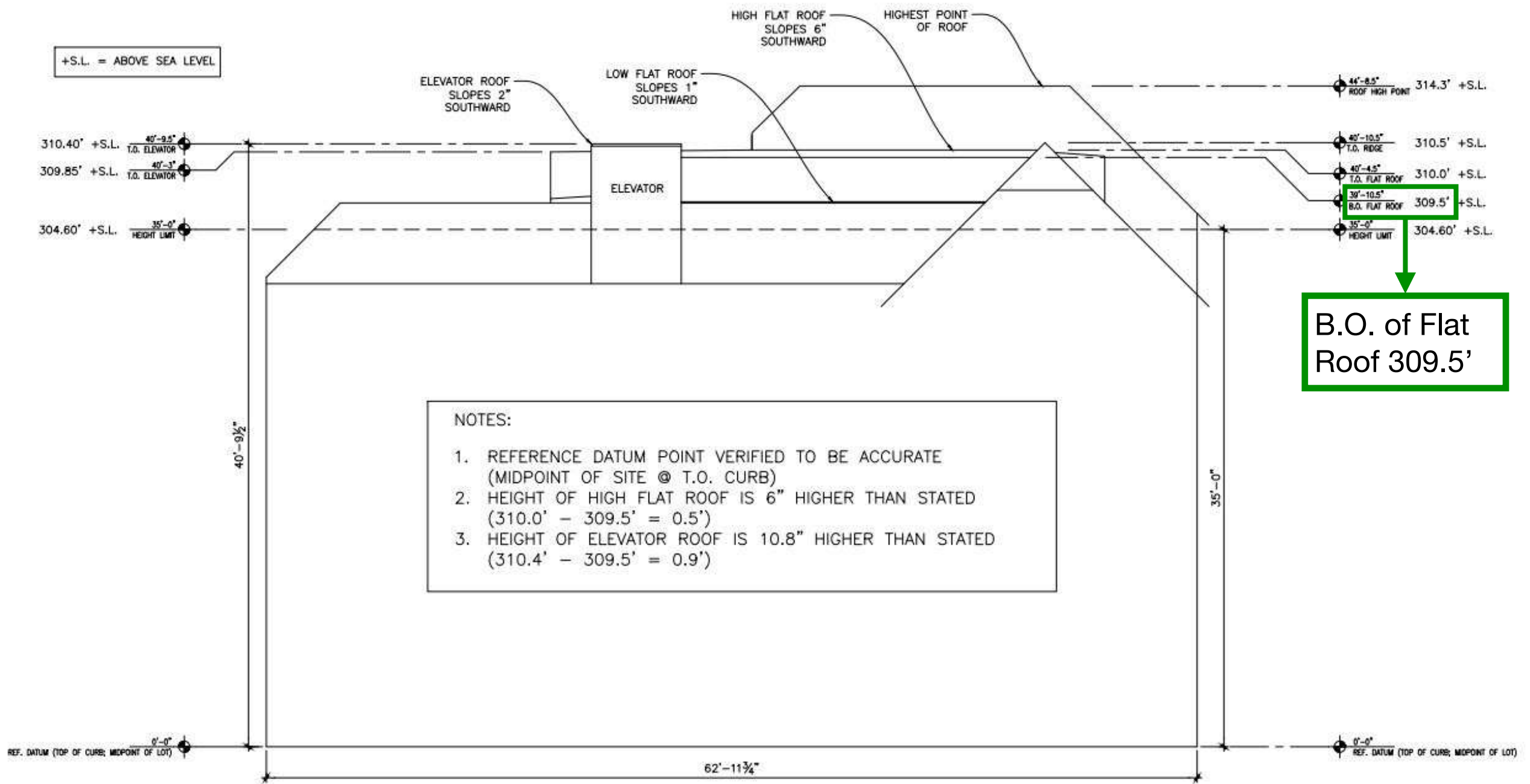
January 20, 2021



Rebuilt based on BPA #2021.0991.7599, September 2021 non-conforming lower roof is vertically expanded

February 6, 2022

As constructed height of flat roof August 2021
(survey by California AS-Builts Inc.)



B.O. of Flat
Roof 309.5'

SOUTH EXTERIOR ELEVATION

65 NORMANDIE TERRACE



Notification of Structural Addition
Date Permit Issued 04/24/2019

Notice Sent Date 24-APR-19

Date: 04/24/2019

CHANG LEE FAMILY LVG TR
KRISTOFFER CHANG & ALICE LE
55 NORMANDIE TER # 501
SAN FRANCISCO CA 94115

Pursuant to ordinance #248-76, you are hereby notified that permit/application no. 201707131813, has been issued for a structural addition to the building located at 65 NORMANDIE TR .

This ordinance requires that all owners of property immediately adjacent to the subject building be notified of the issuance of the permit. (Adjacent property is located at 55 NORMANDIE TR).

This structural addition consists in general of _____

COMPLETE ALTERATION, ALL FLRS. ADDITION OF ELEVATOR. ALTERATION TO NORTH & WEST ELEVATION (VALLEJO ST & REAR ELEVATION) REMOVAL OF MAJORITY OF WALLS ON 2ND FLR. STRUCTURAL WORK, ALL FLRS. RENOVATION OF ROOF TERRACE BY REMOVING OLD PERIMETER

=====***** IMPORTANT INFORMATION *****=====

No action needs to be taken by you. However, if you wish for further information on the proposed work or to inspect the building permit application and plans, you may come to Records Management Division. After reviewing, you have the right, if you desire, to file an appeal to the issuance of the permit at the Board of Permit Appeals, but it is mandatory that it be filed within **FIFTEEN (15)** days of the permit issuance date noted above. For further information regarding the appeal method and procedure, take this notice to the Office of the Board of Permit Appeals after reviewing the documents.

To View Documents:
Records Management Division
1660 Mission Street, 4th Floor
San Francisco, CA 94103
(415) 558-6080
Mon. - Fri. except holidays
8:00 AM - 4:00 PM

To File A Permit Appeal:
The Office of the Board of Permit Appeals
1650 Mission Street, 3rd Floor
San Francisco, CA 94103
(415) 575-6880
Mon. - Fri. except holidays
8:00 AM - 4:00 PM

Under the San Francisco Charter of 1996, Section 4.106(b), the Board of Appeals has no jurisdiction over building and demolition permits that are issued pursuant to a Conditional Use Authorization of the Planning Commission.

Permit Holder
Name RANDALL & HEIDI WENOKUR
Address 65 NORMANDIE TERRACE

SAN FRANCISCO CA 94115

Very truly yours,
PERMIT SERVICES
CENTRAL PERMIT BUREAU
(415) 558 - 6070



Kristoffer Chang <kningchang@gmail.com>

29.

65 Normandie

11 messages

Kristoffer Chang <kningchang@gmail.com>
To: kevin.mchugh@sfgov.org

Tue, Nov 17, 2020 at 4:51 PM

Hi Mr. McHugh,

Thanks for taking the time to speak with me two weeks ago regarding the remodelling project at 65 Normandie. Since then another complaint was filed with DBI on 11/13/2020 (Case &202066191). Due to potentially serious violation of Planning code, this case is being looked into by the Code Enforcement Unit. I would like to pass that information to you at this time. Again, thanks for the assistance you have rendered previously.

Kristoffer Ning Chang

McHugh, Kevin (DBI) <kevin.mchugh@sfgov.org>
To: Kristoffer Chang <kningchang@gmail.com>
Cc: "Hernandez, Hector (DBI)" <hector.a.hernandez@sfgov.org>

Wed, Nov 18, 2020 at 7:32 AM

Hi Kristoffer,

I believe it was last week that we spoke, but in the interim, I have been informed that the architectural addenda, the contractor is working under, differs from the site plan the neighborhood was presented with. I have requested both sets to be on site when Inspector Hernandez investigates today and I've instructed him to issue a NOV (notice of Violation) for the area/s in question if discrepancies exist. Site permits are initially presented to the neighborhood for review and approval but do not authorize construction. Addenda permits provide the nuts and bolts, so to speak, to the conceptual site plans, and construction is allowed once they're issued by DBI. Addenda plans are required to follow the guidelines of what's set forth in the approved site plan, and during inspection, it is only the addenda that the Inspector checks. Unfortunately, and what now appears to be in this case, subtle or not so subtle changes were made to the addenda, which will probably lead to lengthy delays and expense for the property owner. I will inform you of the outcome, once Inspector Hernandez does this updated investigation.

Thank you,

Kevin McHugh
Senior Building Inspector
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103
628-652-3613

On Nov 17, 2020, at 4:52 PM, Kristoffer Chang <kningchang@gmail.com> wrote:

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

[Quoted text hidden]

Kristoffer Ning Chang <kningchang@gmail.com>
To: "McHugh, Kevin (DBI)" <kevin.mchugh@sfgov.org>

Wed, Nov 18, 2020 at 1:46 PM

Hi Mr. McCue,

McHugh, Kevin (DBI) <kevin.mchugh@sfgov.org>
To: Kristoffer Ning Chang <kningchang@gmail.com>
Cc: "Hernandez, Hector (DBI)" <hector.a.hernandez@sfgov.org>

Wed, Nov 18, 2020 at 7:52 PM

Hi Kristoffer,

I accompanied Inspector Hernandez to the property today and observed field conditions at the dormer area.

<https://mail.google.com/mail/u/0?ik=808d9c8405&view=pt&search=all&permthid=thread-a%3Ar775109337745628235&simpl=msg-a%3Ar7833717538...> 2/4

9/5/2021

Gmail - 65 Normandie

I confirmed the plans you provided, matched the site permit but a subsequent revision to the site permit was approved by the Department of City Planning prior to the issuance of the addenda, and shows the roof/dormer in its present configuration.

You may reach out to DCP for an explanation as to why the change was approved.

Thank you, and no offense taken with the mis-spelling of my name. It happens frequently.

Kevin McHugh
Senior Building Inspector
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103
628-652-3613

[Quoted text hidden]

65 Normandie Site Visit –

Tina Tam's photo's



















































