



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Appropriateness Case Report Consent Calendar

HEARING DATE: JANUARY 19, 2011

Filing Date: October 13, 2010
Case No.: **2010.0934A**
Project Address: **280 Union Street**
Historic Landmark: Telegraph Hill Historic District
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 0106/065
Applicant: Tony Pantaleoni
Kotas/Pantaleoni Architects
70 Zoe Street, Suite 200
San Francisco, CA 94107
Staff Contact Pilar LaValley - (415) 575-9084
pilar.lavalley@sfgov.org
Reviewed By Tim Frye - (415) 575-6822
tim.frye@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROPERTY DESCRIPTION

280 UNION STREET, north side between Montgomery and Sansome Streets, Assessor's Block 0106, Lot 065. With wood windows, stucco cladding, and a raised entrance, the three-story building was constructed (or substantially remodeled) in 1986. It is considered a non-contributing building to the Telegraph Hill Historic District. It is located in a RH-3 (Residential, House, three-Family) Zoning District and a 40-X Height and Bulk District.

PROJECT DESCRIPTION

The proposed project is to legalize existing property line windows on third floor of the east elevation that were installed circa 1986 without benefit of a Building Permit. No physical alteration of the existing building is proposed.

OTHER ACTIONS REQUIRED

Proposed work requires a Building Permit.

COMPLIANCE WITH THE PLANNING CODE PROVISIONS

The proposed project is in compliance with all other provisions of the Planning Code.

APPLICABLE PRESERVATION STANDARDS

ARTICLE 10

A Certificate of Appropriateness is required for any construction, alteration, removal, or demolition of a designated Landmark for which a City permit is required. In appraising a proposal for a Certificate of Appropriateness, the Historic Preservation Commission should consider the factors of architectural style, design, arrangement, texture, materials, color, and other pertinent factors. Section 1006.7 of the Planning Code provides in relevant part as follows:

The proposed work shall be appropriate for and consistent with the effectuation of the purposes of Article 10.

The proposed work shall be compatible with the historic structure in terms of design, materials, form, scale, and location. The proposed project will not detract from the site's architectural character as described in the designating ordinance. For all of the exterior and interior work proposed, reasonable efforts have been made to preserve, enhance or restore, and not to damage or destroy, the exterior architectural features of the subject property which contribute to its significance.

ARTICLE 10 – Appendix G – Telegraph Hill Historic District

In reviewing an application for a Certificate of Appropriateness, the Historic Preservation Commission must consider whether the proposed work would be compatible with the character of the Telegraph Hill Historic District as described in Appendix G of Article 10 of the Planning Code and the provisions for Certificates of Appropriateness outlined in the designating ordinance. In pertinent part, Appendix G states:

Alterations and New Construction. Alterations and new construction shall be compatible with the nearby contributory buildings within the Historic District, and shall conform to the following provisions:

Style. New construction in a contemporary idiom is encouraged...Fenestration should be proportionate and in scale with traditional patterns within the District. Wooden sash is encouraged over aluminum or other metal sash.

THE SECRETARY OF THE INTERIOR'S STANDARDS

Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The existing building is a non-contributing structure to the Telegraph Hill Historic District. The proposal will not impact any historic fabric and, while the existing sash is steel (as required by Building and Fire Codes) rather than wood, the alterations will not impact the integrity of the property or the historic district. Due to surrounding topography and adjacent construction, the

existing windows proposed to be legalized are generally not visible from any surrounding public rights-of-way. The proposed legalization of existing property line windows will not change the visual character of the existing non-contributing building within the district or interrupt the overall form and continuity of buildings in the district.

Standard 10: New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The essential form and integrity of the Telegraph Hill Historic District would be unimpaired if the proposed rooftop improvements were removed at a future date.

PUBLIC/NEIGHBORHOOD INPUT

The Department has received no public input on the project at the date of this report.

ISSUES & OTHER CONSIDERATIONS

None.

STAFF ANALYSIS

Based on the requirements of Article 10 and the Secretary of Interior's Standards, staff has determined that the proposed work will not adversely affect the character of the historic district.

The subject property is a non-contributing building within the Telegraph Hill Historic District, and staff finds that legalization of the existing property line windows at the third floor of east elevation will not impact historic fabric or the historic character of the surrounding historic district. Although the existing windows are steel sash (as required by Building and Fire Codes) rather than the wood sash that are a character-defining feature of the district, they are located on a secondary elevation that is largely concealed from view along any public right-of-way, and are determined to be compatible with the subject district and Appendix G of Article 10 of the Planning Code. Furthermore, staff finds that the essential form and integrity of the historic district would be unimpaired if the proposed property line windows were removed at a future date.

ENVIRONMENTAL REVIEW STATUS

The Planning Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One-Minor Alteration of Existing facility) because the project is a minor alteration of an existing structure and meets the *Secretary of the Interior's Standards*.

PLANNING DEPARTMENT RECOMMENDATION

Planning Department staff recommends APPROVAL of the proposed project as it appears to meet the *Secretary of the Interior Standards for Rehabilitation*.

ATTACHMENTS

Draft Motion
Parcel Map
Sanborn Map
Photographs
Plans

PL: G:\DOCUMENTS\280 Union C of A\Certificate of Appropriateness Case Report.doc



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Draft Motion

HEARING DATE: JANUARY 19, 2011

1650 Mission St.
Suite 400
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ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR PROPOSED WORK DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10, TO MEET THE STANDARDS OF ARTICLE 10 AND TO MEET THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 065 IN ASSESSOR'S BLOCK 0106, WITHIN AN RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on October 13, 2010, Tony Pantaleoni of Kotas/Pantaleoni Architects ("Project Sponsor") filed an application with the San Francisco Planning Department ("Department") for a Certificate of Appropriateness to legalize existing property line windows located on the third floor of the east elevation, at the subject building located on Lot 065 in Assessor's Block 0106 within the Telegraph Hill Historic District.

WHEREAS, the Project was determined by the Department to be categorically exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. The Historic Preservation Commission (hereinafter "Commission") has reviewed and concurs with said determination.

WHEREAS, on January 19, 2011, the Commission conducted a duly noticed public hearing on the current project, Case No. 2010.0934A ("Project") for its appropriateness.

WHEREAS, in reviewing the Application, the Commission has had available for its review and consideration case reports, plans, and other materials pertaining to the Project contained in the Department's case files, has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby grants the Certificate of Appropriateness, in conformance with the architectural plans dated September 8, 2010, and labeled Exhibit A on file in the docket for Case No. 2010.0934A based on the following findings:

FINDINGS

Having reviewed all the materials identified in the recitals above and having heard oral testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and also constitute findings of the Commission.
2. Findings pursuant to Article 10:

The Historical Preservation Commission has determined that the proposed work is compatible with the character of the Telegraph Hill Historic District as described in the designation report dated August 21, 1986.

- That the proposed work respects the character-defining features within the Telegraph Hill Historic District; and
- That the essential form and integrity of the historic district would be unimpaired if the proposed improvements were removed at a future date.
- The proposed project meets the following *Secretary of the Interior's Standards for Rehabilitation*:

Standard 9.

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

3. **General Plan Compliance.** The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT CONCERNS THE PHYSICAL CHARACTER AND ORDER OF THE CITY, AND THE RELATIONSHIP BETWEEN PEOPLE AND THEIR ENVIRONMENT.

GOALS

The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the Telegraph Hill Historic District for the future enjoyment and education of San Francisco residents and visitors.

4. The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed project is for the restoration of a residential property and will not have any impact on neighborhood serving retail uses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed project will strengthen neighborhood character by respecting the character-defining features of the landmark in conformance with the Secretary of the Interior's Standards.

- C) The City's supply of affordable housing will be preserved and enhanced:

The project will not reduce the affordable housing supply as the existing ten units at the property are uninhabitable.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking. It will provide sufficient off-street parking for the proposed units.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed will not have any impact on industrial and service sector jobs.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is improved by the proposed work. The work will eliminate unsafe conditions at the site and all construction will be executed in compliance with all applicable construction and safety measures.

- G) That landmark and historic buildings will be preserved:

The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the Interior's Standards.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed project will not impact the access to sunlight or vistas for the parks and open space.

5. For these reasons, the proposal overall, is appropriate for and consistent with the purposes of Article 10, meets the standards of Article 10, and the *Secretary of Interior's Standards for Rehabilitation*, General Plan and Prop M findings of the Planning Code.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **GRANTS a Certificate of Appropriateness** for the property located at Lot 065 in Assessor's Block 0106 for proposed work in conformance with the architectural plans dated September 8, 2010 and labeled Exhibit A on file in the docket for Case No. 2010.0934A.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135).

Duration of this Certificate of Appropriateness: This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on January 19, 2011.

Linda D. Avery
Commission Secretary

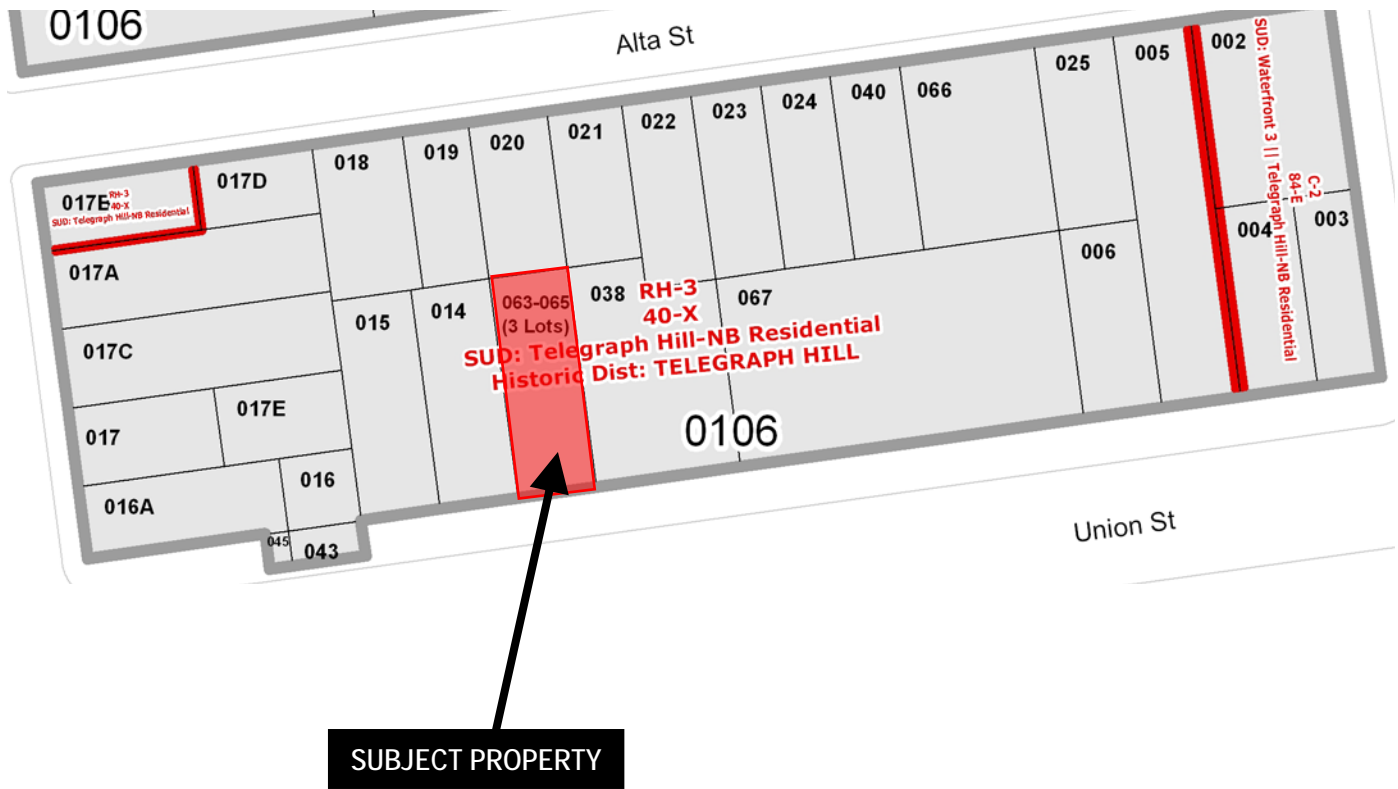
AYES:

NAYS:

ABSENT:

ADOPTED: January 19, 2011

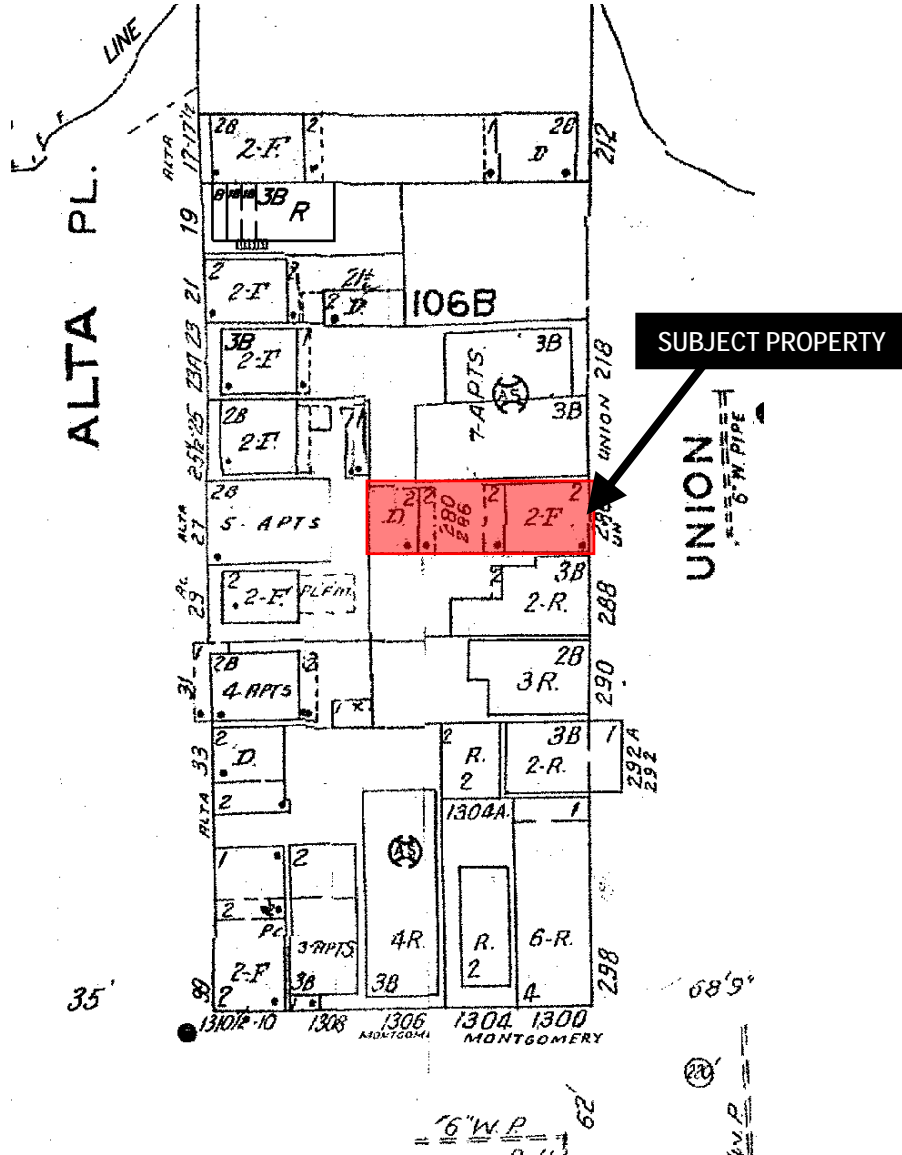
Parcel Map



SUBJECT PROPERTY



Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Certificate of Appropriateness Hearing
 Case Number 2010.0934A
 280 Union Street

Aerial Photo



SUBJECT PROPERTY



Certificate of Appropriateness Hearing
Case Number 2010.0934A
280 Union Street



280 UNION STREET SAN FRANCISCO CA. September 28, 2010

Kotas/Pantaleoni
Architects

70 Zoe Street, Suite 200
San Francisco, CA 94107

415 495 4051 tel.
415 495 6885 fax
www.kp-architects.com



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11



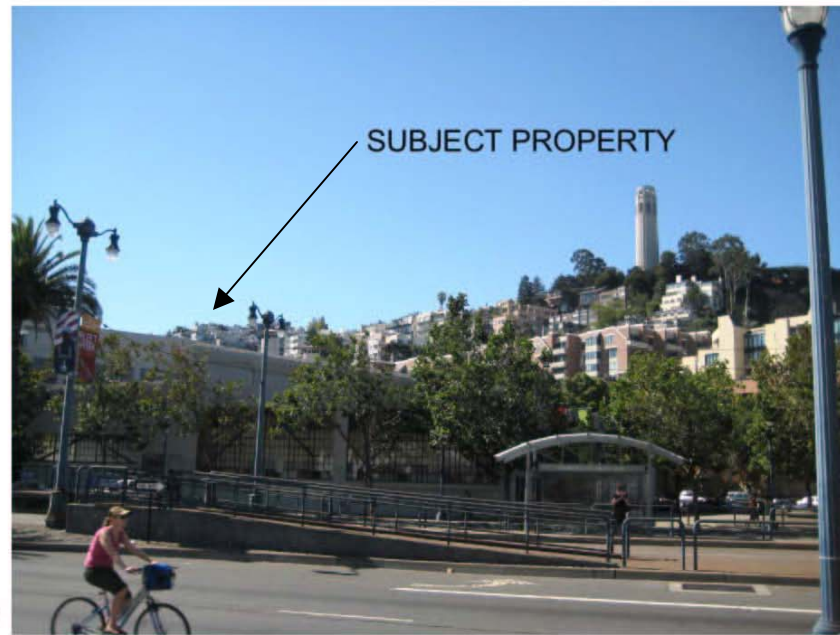
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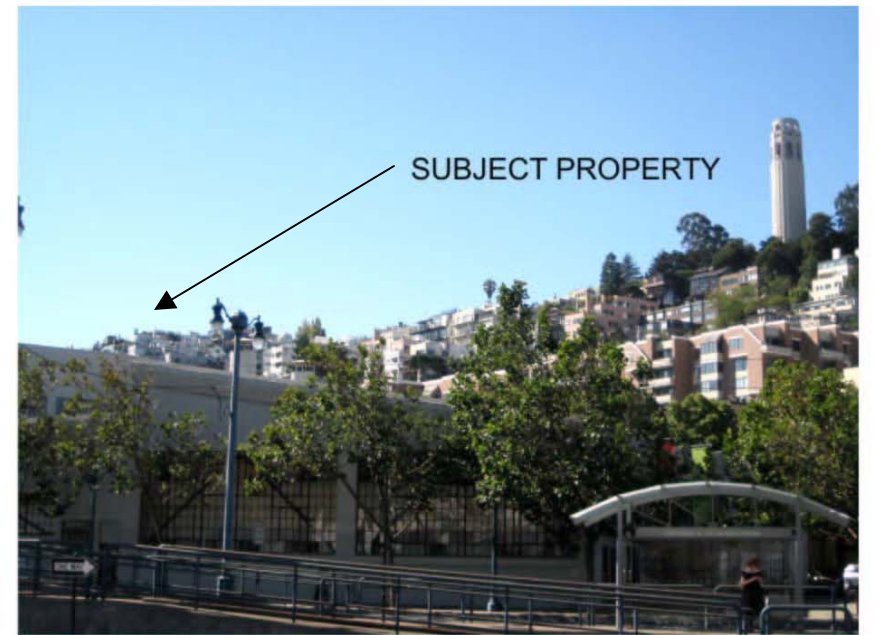
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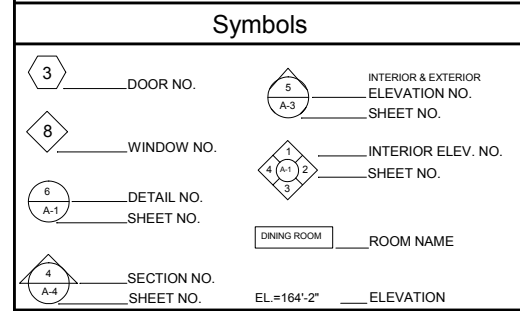
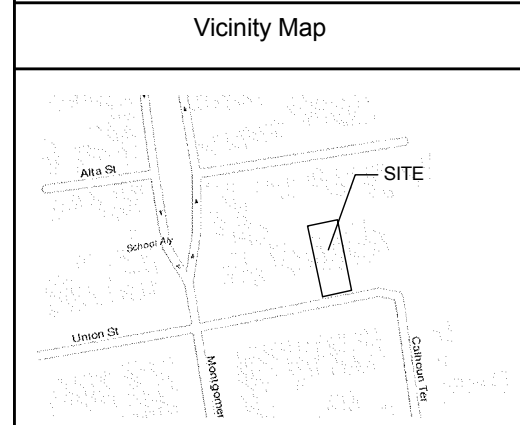
City Information

280 UNION STREET
 BLOCK: 0106
 LOT: 065
 ZONING: RH-X
 HT. LIMIT: 40-X
 OCCUPANCY: R1
 CONSTRUCTION: TYPE V-B

BUILDING CODE:
 2007 CALIFORNIA BUILDING CODE (CBC)
 2007 SAN FRANCISCO ADDENDUMS TO CBC
 ENERGY CODE - TITLE 24
 2007 SAN FRANCISCO MECH. & ELEC. CODES
 2007 SAN FRANCISCO FIRE CODES

Schedule of Drawings

A1.0 SITE PLAN, CITY INFORMATION, (E) 3RD FLOOR PLAN & ELEVATION
 A1.1 AB-009 PROPERTY LINE WINDOWS
 A1.2 AB-009 PROPERTY LINE WINDOWS, WINDOW OPENING FRAMING

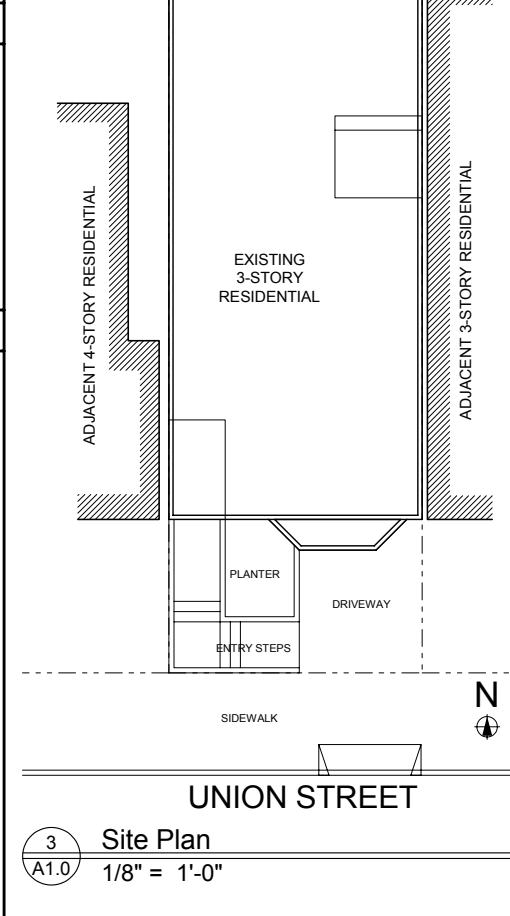
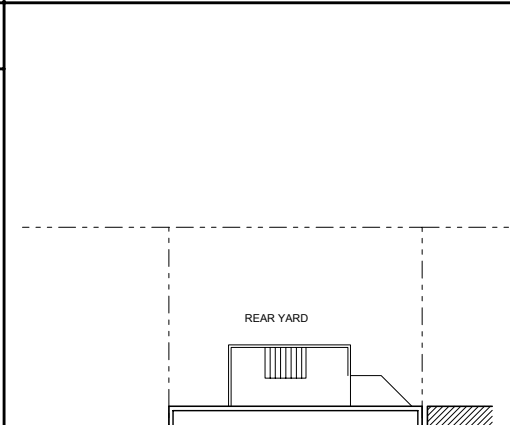


Abbreviations

4 AND ANGLE	FDN FOUNDATION	PT. POINT	PTN. PARTITION
@ CENTERLINE	FL. FLOOR	R. RISER	R.D. ROOF DRAIN
Ø DIAMETER OR ROUND	F.O.C. FACE OF CONCRETE	R.D. ROOF DRAIN	REF. REFRIGERATOR
# FOUND OR NUMBER	F.O.F. FACE OF FINISH	REF. REFRIGERATOR	REIN. REINFORCED
P PROPERTY LINE	F.O.C. FACE OF STUDS	REQ. REQUIRED	ROOM ROOM
ABV ABOVE	FT. FOOTING	R.O. ROUGH OPENING	R.W.D. REDWOOD
AC AIR CONDITIONER	FUR. FURRING	R.O. ROUGH OPENING	R.W.L. RAIN WATER LEAK
ADJ ADJUSTABLE	FUT. FUTURE	R.W.D. REDWOOD	R.W.L. RAIN WATER LEAK
A.F.F. ABOVE FINISH FLOOR	GA. GAUGE	S.C. SOLID CORE	SCHED. SCHEDULE
AL ALUMINUM	GALV. GALVANIZED	S.C. SOLID CORE	SECT. SECTION
APPROX. APPROXIMATE	GD. GRADE	SCHED. SCHEDULE	SECT. SECTION
ARCH. ARCHITECTURAL	GYP. GYPSUM	SH. SHIT	DRAWING SHEET
BD. BOARD	H.B. HOSE BIB	SIM. SIMILAR	SPEC. SPECIFICATION
BLK. BLOCK	H.C. HANDICAPPED	SQ. SQUARE	SST. STAINLESS STEEL
BLKG. BLOCKING	H.C. HOLLOW CORE	SQ. SQUARE	STD. STANDARD
BM. BEAM	HW. HARDWARE	SST. STAINLESS STEEL	STL. STEEL
B.W. BOTTOM OF WALL	H.W. HARDWOOD	STD. STANDARD	STL. STEEL
CAB. CABINET	H.M. HOLLOW METAL	STL. STEEL	STOR. STORAGE </td
CEM. CEMENT	HT. HEIGHT	STOR. STORAGE	STR. STRUCTURAL
CER. CERAMIC	HWH. HOT WATER HEATER	SUSP. SUSPENDED	SUSP. SUSPENDED
CLG. CEILING	INSUL. INSULATION	SYM. SYMMETRICAL	SEE STRUCTURAL
CL. CLOSET	INT. INTERIOR	S.S.D. SEE STRUCTURAL	
CLR. CLEAR	JAN. JANITOR	T. TREAD	
COL. COLUMN	JT. JOINT	T.B.D. TO BE DETERMINED	
CONC. CONCRETE	LAM. LAMINATE	T.B.S. TO BE SELECTED	
CONT. CONTINUOUS	LAV. LAVATORY	T.C. TOP OF CURB	
CTR. CENTER	LT. LIGHT	TEL. TELEPHONE	
DBL. DOUBLE	LT. LIGHT	T&G TONGUE & GROOVE	
DEPT. DEPARTMENT	MAX. MAXIMUM	THK. THICK	
D.F. DRINKING FOUNTAIN	MECH. MECHANICAL	T.P. TOP OF PAVEMENT	
DET. DETAIL	MEMB. MEMBRANE	T.W. TOP OF WALL	
DIA. DIAMETER	MFR. MANUFACTURER	TYP. TYPICAL	
DIM. DIMENSION	MIN. MINIMUM	U.O.N. UNLESS OTHERWISE NOTED	
DN. DOWN	MISC. MISCELLANEOUS	U.O.N. UNLESS OTHERWISE NOTED	
DTL. DETAIL	M.O. MASONRY OPENING	V.F. VERIFY IN FIELD	
DW. DISHWASHER	MTD. MOUNTED	VERT. VERTICAL	
DWG. DRAWING	(N) NEW	W. WITH	
(E) EXISTING	N.I.C. NOT IN CONTRACT	W.C. WATER CLOSET	
EA. EACH	NO. OR # NUMBER	W.D. WASHER/DRYER	
EL. ELEVATION	N.T.S. NOT TO SCALE	WD. WOOD	
ELEC. ELECTRICAL	O.C. ON CENTER	W.D. WOOD	
ELEV. ELEVATOR	O.C. ON CENTER	W.D. WOOD	
EQU. EQUIPMENT	OD. OUTSIDE DIAMETER	W.D. WOOD	
EQPT. EQUIPMENT	ON. ON	W.D. WOOD	
FPV. FURNISHING	OR. OR	W.D. WOOD	
	OR. OR	W.D. WOOD	

General Notes

- ALL DIMENSIONS SHOWN ARE TO FACE OF STUD, FACE OF CONCRETE, OR FACE OF BLOCK, U.O.N. VERTICAL DIMENSIONS ARE SHOWN TO TOP OF SLAB, FLOOR JOISTS OR FLOOR FRAMING.
- CONTRACTOR AND SUBCONTRACTORS SHALL FAMILIARIZE THEMSELVES WITH EXISTING CONDITIONS PRIOR TO COMMENCING WORK.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS TAKE PRECEDENCE. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN FIELD CONDITIONS AND DIMENSIONS/CONDITIONS SHOWN IN THESE DRAWINGS.
- MECHANICAL, PLUMBING, ELECTRICAL AND SPRINKLER PERMITS SHALL BE THE RESPONSIBILITY OF THOSE SUBCONTRACTORS.
- AUTOMATIC FIRE SPRINKLER SYSTEM DESIGN AND CONSTRUCTION IS TO BE PERFORMED UNDER A SEPARATE PERMIT OBTAINED BY THE FIRE PROTECTION SUBCONTRACTOR. FIRE SPRINKLERS ARE DESIGNED TO BE ZONED BY FLOOR. FIRE ALARM ZONED BY FLOOR AND DEVICE.
- STREET AND SIDEWALK IMPROVEMENTS SHALL BE CONDUCTED UNDER SEPARATE PERMITS.
- CONTRACTOR SHALL REVIEW AND UTILIZE SPECIFICATIONS PROVIDED IN CONJUNCTION WITH THIS SET OF CONSTRUCTION DOCUMENTS. ARCHITECT SHOULD BE NOTIFIED OF ANY DISCREPANCY BETWEEN DRAWINGS AND SPECIFICATIONS.
- ELEVATOR TO COMPLY WITH CODES SET FORTH IN CHAPTER 30 OF THE UBC. INSTALLATION OF THE ELEVATOR ACCESS HATCH WILL BE IN COMPLIANCE WITH NFPA 72, 1996 EDITION, UNDER SEPARATE PERMIT.
- SHORING AND UNDERPINNING WORK TO BE UNDER SEPARATE PERMITS.
- ALL WORK PERFORMED WILL COMPLY WITH THE AMERICAN DISABILITIES ACT OUTLINED IN SECTIONS 108.11 IN THE CBC. SEE SHEET A1.2 FOR STANDARD ACCESSIBILITY DETAILS APPLICABLE THROUGHOUT PROJECT.
- SOUND TRANSMISSION CONTROL TO BE PROVIDED AS REQUIRED BY APPENDIX CHAPTER 35, 1992 SFBC (STC AND IIC OF 30 BETWEEN UNITS).
- THE BUILDING SHALL COMPLY WITH VENTILATION REQUIREMENTS. SEE CODE SECTION 1202.2.7



Scope of Work

PER NOTICE OF VIOLATION #201031519 LEGALIZE EXISTING 3/4 HR. FIRE RATED WINDOWS W/ QUICK-RESPONSE TYPE SPRINKLER HEADS.

CLOSE UP ANY VENTS ON THE PROPERTY LINE

Project Directory

CLIENT
 Dr. BUSHRA KHAN
 280 UNION STREET
 SAN FRANCISCO, CA

ARCHITECT
 TONY PANTALEONI
 KOTAS/PANTALEONI ARCHITECTS
 70 ZOE STREET, SUITE 200
 SAN FRANCISCO, CA. 94107
 415-495-4051
 415-495-6885 FAX

NOTICE OF VIOLATION
 of the San Francisco Municipal Code Regarding Unsafe, Substandard or Noncomplying Structures or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION
 City and County of San Francisco
 1650 Mission St. - San Francisco, CA 94103 - 2414

ADDRESS: 280 Union St DATE: 5/21/10
 OCCUPANCY / USE: R-3 BLOCK: 0106 LOT: 065
 CONST. TYPE: S STORIES: 3 BASEMENT:

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 #

A complaint was filed with the Department regarding unsafe fire windows on the floor of Building at East Elevation upon examination of field photographs upon PA # 01031519 the property line windows were observed to be in violation of the Building Code. The windows were observed to have a fire rating less than 1/2 hour. The windows were observed to have a fire rating less than 1/2 hour. The windows were observed to have a fire rating less than 1/2 hour.

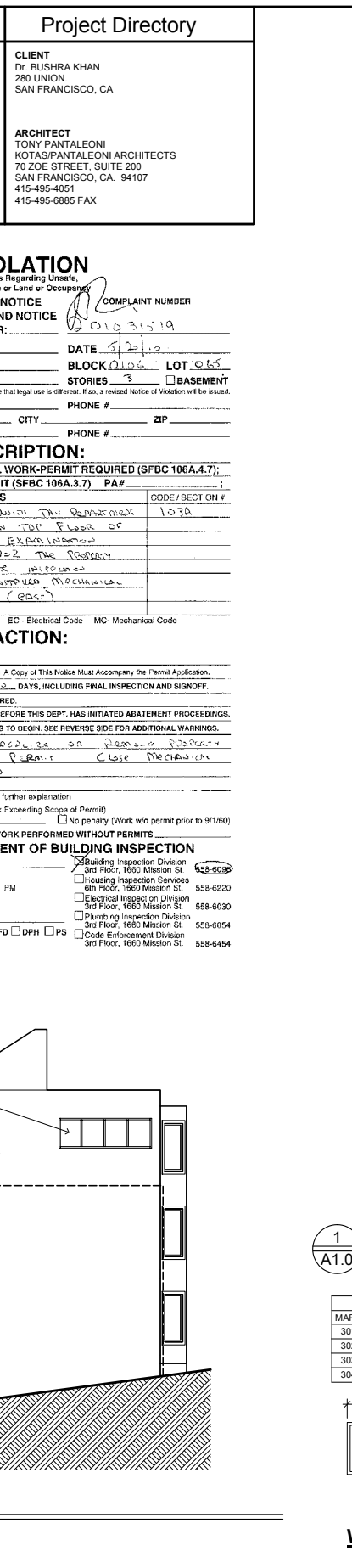
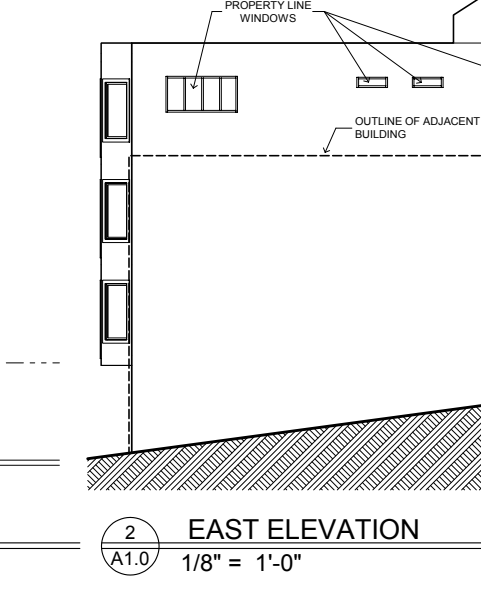
CORRECTIVE ACTION:

STOP ALL WORK SFBC 104A.2.4
 FILE BUILDING PERMIT APPLICATION WITHIN 30 DAYS OF THIS NOTICE. A Copy of This Notice Must Accompany the Permit Application.
 OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
 CORRECT VIOLATIONS WITHIN 30 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.

INVESTIGATION FEE OR OTHER FEE WILL APPLY. See reverse side for further explanation.
 1x 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)

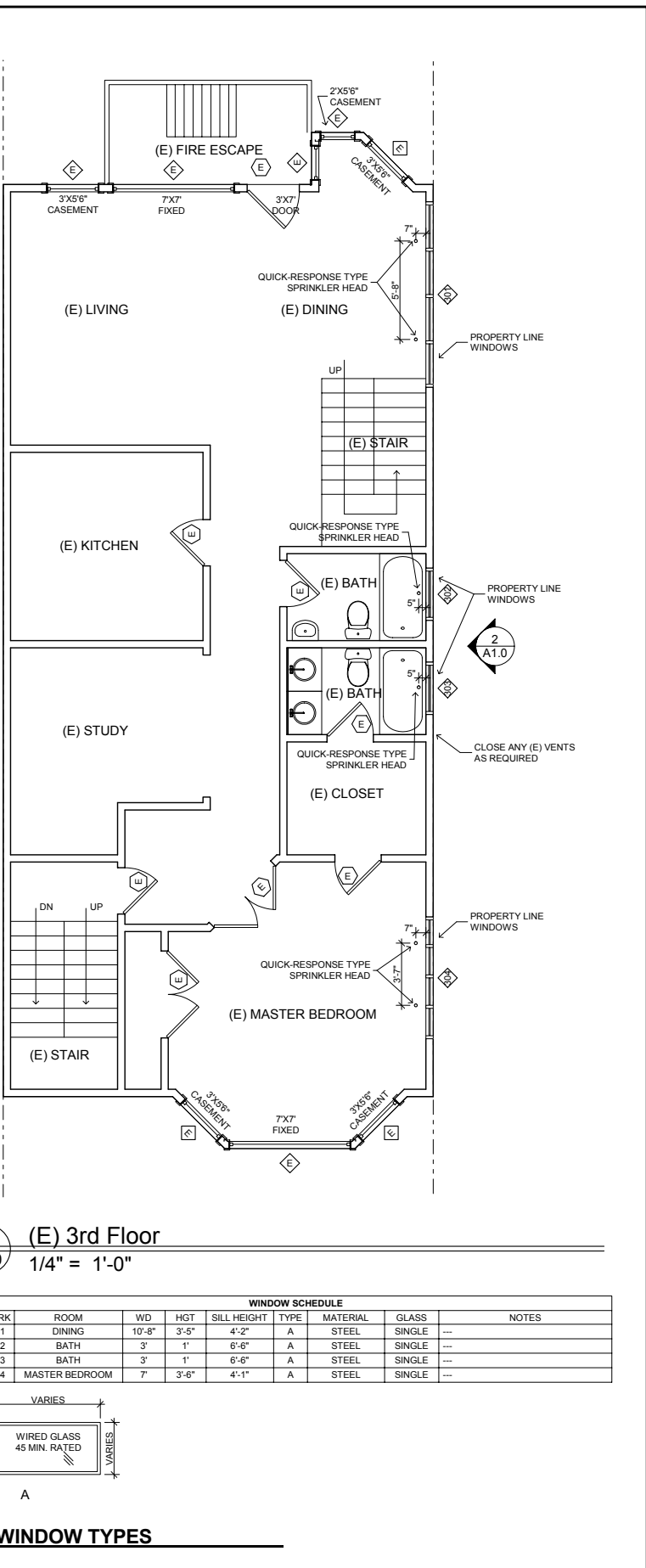
APPROX. DATE OF WORK W/O PERMIT: VALUE OF WORK PERFORMED WITHOUT PERMITS:
BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: [Signature] (Inspector - Print Name) Building Inspection Division 558-6000
 OFFICE HOURS: 7:30 AM TO 8:30 AM AND 3:00 PM TO 4:00 PM 6th Floor, 1650 Mission St. 558-6920
 PHONE # 558-6170 Electrical Inspection Division
 CC: [Signature] (Inspector's Signature) DISTRICT # 3rd Floor, 1650 Mission St. 558-6030
 CDDP EID PID BID HIS CED PRS DAD SFFD DPH PS Code Enforcement Division 3rd Floor, 1650 Mission St. 558-6054



WINDOW SCHEDULE

MARK	ROOM	WD	HGT	SILL HEIGHT	TYPE	MATERIAL	GLASS	NOTES
301	DINING	10'-8"	3'-5"	4'-2"	A	STEEL	SINGLE	---
302	BATH	3'	1'	6'-6"	A	STEEL	SINGLE	---
303	BATH	3'	1'	6'-6"	A	STEEL	SINGLE	---
304	MASTER BEDROOM	7'	3'-6"	4'-1"	A	STEEL	SINGLE	---



Kotas/Pantaleoni Architects

Anthony A. Pantaleoni
 LEED AP

70 Zoe Street Suite 200
 San Francisco, California 94107
 t. 415 495 4051
 f. 415 495 6885

Revisions	By
Permit Set 09.08.10	BM

LEGALIZE PROPERTY LINE WINDOWS
 280 UNION STREET
 SAN FRANCISCO, CA

Sheet Title:
 Site & City info:
 Site Plan

Scale:
 As Noted

Date:
 09.08.10

Drawn By:
 BM

Job Number:
 2-710

Sheet:
A1.0

ADMINISTRATIVE BULLETIN

NO. AB-009
DATE: September 18, 2002 (Updated 01/01/2008 for code references)
SUBJECT: Fire and Life Safety
TITLE: Local Equivalency for Approval of New Openings in New and Existing Building Property Line Walls

PURPOSE: The purpose of this Administrative Bulletin is to provide standards and procedures for the application and case-by-case review of requests for a modification based on local equivalency to allow openings in exterior walls closer to property lines than are permitted by the 2007 San Francisco Building Code (SFBC).

This bulletin permits the continuing application of code provisions of former editions of the SFBC regarding property line openings. In conformance with current State law, requests for approval of openings closer to the property line than permitted under the SFBC will be considered on a case-by-case basis when reasonable equivalency is proposed.

REFERENCE: 2007 San Francisco Building Code
- Section 104A.2.7, Modification
- Section 104A.2.8, Alternate materials, alternate design and methods of construction
- Section 704.8 Allowable Area of Openings
DBI Administrative Bulletin AB-005, Procedures for Approval of Local Equivalencies, San Francisco Administrative Code Article 5, Section 23.47, Lot Line Window Agreements

DISCUSSION: Project sponsors may request the application of this local equivalency allowing openings in building walls closer to property lines than allowed by SFBC Section 704.8 when it can be demonstrated on a case-by-case basis that there are practical difficulties in meeting the provisions of the code, that the modification is in conformance with the intent and purpose of the code, and that reasonable equivalency is provided in fire protection and structural integrity.

Such proposed modification may conform with the below listed standard provisions. The Department of Building Inspection (DBI) and other City departments may impose additional requirements in the approval of any request for a code modification or alternate based upon individual building and property conditions. Other City agencies that may review such requests include the San Francisco Fire Department, the Planning Department and, for buildings adjoining City-owned property, the Department of Real Estate.

If a project sponsor wishes to propose methods of opening protection different than those listed below, proposals for the use of alternate materials, designs, or methods of construction may be submitted for review in the same manner as for this local equivalency. The Department of Building Inspection may require that additional substantiation be provided supporting any claims made for such proposals.

Procedure for Application of Local Equivalencies

Project sponsors wishing to apply local equivalencies must fill out and submit the Request for Approval of Local Equivalency form (Attachment A). Fees to be paid and scheduling of review of requests are as noted on that form. Following DBI review, each request will either be approved, approved with conditions, disapproved, or placed on Hold pending submittal of additional information.

Further details of procedures for the review of local equivalencies may be found in AB-005, Procedures for Approval of Local Equivalencies.

Conditions of Local Equivalencies

Openings in new building walls and new openings in existing building walls in Groups B, M, and R occupancies that are closer to property lines than permitted under SFBC Section 704.8 and Table 704.8 may be permitted on a case-by-case basis when the following provisions or approved equivalent provisions are met and the project sponsor provides documentation of the practical difficulties involved in carrying out the provisions of the regular code.

The standard provisions for this Local Equivalency include all of the following:

- 1. The openings may not be used to provide required light and ventilation, required egress, or for required emergency rescue.
2. The openings shall be fixed (non-operable) unless more than 50 feet above the roof of any adjoining building or more than the distance prescribed for protected openings in Table 704.8 in any direction from an adjoining building.
3. The openings shall be located entirely above any adjoining roof or at least six feet laterally beyond any wall of an adjoining building.
4. The openings shall be protected with fire assemblies, such as fire shutters or rated window assemblies, having a rating of at least 3/4 hour. Openings in walls which have a fire-protection rating of greater than 1-hour shall be protected by a fire assembly having a three-hour fire-protection rating in four-hour fire-resistive walls, a two-hour fire-protection rating in three-hour fire-resistive walls, and one-and one-half hour fire-protection rating in two-hour fire-resistive walls. Fire shutters, if provided, shall be actuated by smoke detectors located inside and by fusible links or other approved devices on the outside of the protected openings.
5. The opening shall be protected by a fire sprinkler system having ordinary temperature, quick-response type heads installed within 18" of the openings and spaced at 6 feet on center or at the manufacturer's recommended minimum spacing, whichever provides the closer spacing.
6. If the adjoining building contains R occupancy uses, proposed openings shall not be located closer than six feet measured in any direction to any existing opening on the adjoining building unless the adjoining owner gives written consent. A copy of the statement giving such consent shall be attached to the permit application.

Exception: Openings in Group R Division 3 occupancies.

7. The owner of a building with such openings shall provide a recorded statement that these openings will be closed or protected with approved fire resistive wall construction in the event that the adjoining property is improved in such a manner that the openings no longer comply with the provisions of this Administrative Bulletin. A copy of a Declaration of Use Limitation (Attachment B) shall be submitted to the plan reviewer prior to completion of Department of Building Inspection plan review.

8. Property line openings which open onto property owned by the City and County of San Francisco shall meet the requirements of San Francisco Administrative Code, Article VI, Sections 23.27 through 23.30 (Attachment C). An approved and executed "Lot Line Window Agreement" shall be submitted as part of the documents required under Item 9 (below).

9. A permit application and related submittal documents shall detail all construction which is approved as a result of this request for local equivalency.

Approved by the Building Inspection Commission on September 18, 2002

Originally signed by: Gary Massetani, Fire Marshal October 9, 2002

Frank Y. Chia, Director October 3, 2002

Attachment A: Request for Approval of Local Equivalency
Attachment B: Assessor/Recorder's Office Document - "Declaration of Use Limitation"
Attachment C: SF Administrative Code

ATTACHMENT A



DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

REQUEST FOR APPROVAL OF LOCAL EQUIVALENCY FOR MODIFICATION OR ALTERNATE MATERIALS, DESIGN OR METHODS OF CONSTRUCTION

DATE SUBMITTED: 08/31/10 [Note: This form shall be recorded as part of the permanent construction records of the property]

If no permit application has been filed, a Preapplication Review Fee is required for review of a request for local equivalency or modification, per SFBC Table I-B, Item 8. Additional fees may be required by Fire Department and other City review agencies.

If a permit application has been filed, no additional fees are required for this review.

Permit Application #

Property Address: 280 UNION ST

Block and Lot: 0108 / 065 Occupancy Group: R-1 Type of Construction: V-B No. of Stories: 3

Describe Use of Building: 3 UNIT RESIDENCE

Under the authority of the 2007 San Francisco Building Code, Sections 104A.2.7 and 104A.2.8; the 2007 San Francisco Mechanical Code, Section 108.7; the 2007 San Francisco Electrical Code, Section 089.1.6; and the 2007 San Francisco Plumbing Code, Section 108.7; the undersigned requests modifications of the provisions of these codes and/or approval of alternate materials, designs or methods of construction. Two copies of supporting documents, including plans showing the proposed modifications or alternate materials, design or methods of construction, are attached.

Regular Code Requirement (specify Code and Sections)

TABLE 704.8 & SECTION 704.8 OPENINGS WITHIN 6 FEET OF PROPERTY LINES NOT PERMITTED IN R-1 OCCUPANCY.

Kotas/Pantaleoni Architects

Anthony A. Pantaleoni
LEED AP
70 Zoe Street Suite 200
San Francisco, California 94107
t. 415.495.4051
f. 415.495.6885

Table with 2 columns: Revisions, By. Row 1: Permit Set 09.08.10, BM

LEGALIZE PROPERTY LINE WINDOWS
280 UNION STREET
SAN FRANCISCO, CA

Sheet Title: Site & City info: Property Line Windows

Scale: As Noted

Date: 09.08.10

Drawn By: BM

Job Number: 2-710

Sheet: A1.1

Proposed Modification or Alternate
INSTALLATION OF A 3MHR RATED WINDOW ASSEMBLY WITH QUICK-RESPONSE TYPE HEAD FIRE SPRINKLERS WITHIN 6 FEET OF PROPERTY LINE PER AB-009

Case-by-Case Basis of Request - Describe the practical difficulties presented in meeting the specific conditions of the code and how the proposed modification or alternate meets the intent of the code. A separate form should be filled for each requested modification or alternate. Attach copies of any Administrative Bulletin, Code Ruling, reference, test reports, expert opinions, etc., which support this request. The Department may require that an approved consultant be hired by the applicant to perform tests or analysis and to submit an evaluation report to the Department for consideration.

INSTALLATION OF PROTECTED WINDOWS PER AB-009

Requested by: PROJECT SPONSOR ARCHITECT/ENGINEER
Print Name: DR. BUSHRA KHAN ANTHONY PANTALEONI
Signature: [Signatures]
Telephone: 415-401-2786 415-495-4001



PLAN REVIEWER COMMENTS:
RECOMMENDATIONS: Approve Approve with conditions Disapprove
Plan Reviewer:
Division Manager:
for Director of Bldg. Inspection:
for Fire Marshal:
CONDITIONS OF APPROVAL or OTHER COMMENTS:

ATTACHMENT B
Recording Requested By And When Recorded
Return To: DIRECTOR, DEPARTMENT OF BUILDING INSPECTION
1660 MISSION STREET, SAN FRANCISCO, CA 94103-2414

DECLARATION OF USE LIMITATION

I/We, DR. BUSHRA KHAN, owners of the herein described property Commonly known as 280 UNION ST, in San Francisco, Assessor's Block No. 0108, Lot No. 065, hereby consent to the within described limitations that:

In the event that the property located at 280 UNION ST, commonly known as Block No. 0108, Lot No. 065, is improved in such a manner that the openings in the building located at 280 UNION ST, no longer comply with the San Francisco Building Code, then said openings shall be closed off or protected as required by the Director of the Department of Building Inspection.

The herein limitations shall be binding on me/us until amended by conforming to the San Francisco Building Code Requirements.

Signed: [Signature]
OWNERS
Date of Execution: September 3, 2010

NOTARY ACKNOWLEDGMENT: DECLARATION OF USE LIMITATION

Title or type of document: Declaration of Use Limitation
Number of pages: 1
Date of document: 09/08/2010

STATE OF CALIFORNIA
County of Harris
On September 3, 2010, before me, [Signature], personally appeared [Signature]

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted executed the instrument.

WITNESS my hand and official seal.
Signature: [Signature]
Notary Public in and for said County and State



ATTACHMENT C
San Francisco - Administrative Code
ARTICLE V: LOT LINE WINDOW AGREEMENTS

Sec. 23.45. Authority of Director of Property.
Sec. 23.46. Determination of Value.
Sec. 23.47. Requirements for Lot Line Window Agreements.
Sec. 23.48. Fees and Fee Payments.

SEC. 23.45. AUTHORITY OF DIRECTOR OF PROPERTY.

An owner of Real Property adjoining Real Property of the City may request that the City consent to openings in building walls on the owner's Real Property that are closer to the common property line than the distances prescribed in the San Francisco Building Code by filing with the Director of Property an original and two copies of a written application, together with plans, specifications and other supporting documents, and paying the required application fee. Upon such filing, the Director of Property shall investigate the application and consult with the department that has jurisdiction over the Real Property. Copies of the application and its supporting documents shall be delivered by the Director of Property to the Department of City Planning and the Bureau of Building Inspection for review and comment as that department and that bureau may deem appropriate. If the department having jurisdiction over the Real Property approves and the Director of Property concludes that it is in the best interest of the City to give the requested consent, the Director of Property is authorized to approve and execute a lot line window agreement which complies with all of the provisions of this Article. (Formerly Sec. 23.27, added by Ord. 559-85, App. 12/27/85; amended and renumbered by Ord. 15-01, File No. 001965, App. 2/2/2001)

SEC. 23.46. DETERMINATION OF VALUE.

All lot line window agreements shall comply with the following requirements:
1. The building to which the agreement relates shall comply with the Building Code and all other applicable codes, ordinances and regulations of the City and with all applicable federal and State laws and regulations.

If the original monthly fee based upon the Director of Property's appraisal is \$50 or less, a one-time fee of \$1,000 shall be paid by the building owner and no monthly fees shall be payable. (Formerly Sec. 23.28; added by Ord. 559-85, App. 12/27/85; amended and renumbered by Ord. 15-01, File No. 001965, App. 2/2/2001)

SEC. 23.47. REQUIREMENTS FOR LOT LINE WINDOW AGREEMENTS.

All lot line window agreements shall comply with the following requirements:

1. The building to which the agreement relates shall comply with the Building Code and all other applicable codes, ordinances and regulations of the City and with all applicable federal and State laws and regulations.

AB-009

2007 SAN FRANCISCO BUILDING CODE

2. The building shall be constructed or remodeled in conformity with the plans and specifications submitted with the application for a lot line window agreement and shall be used for the purposes stated in the application.

3. The agreement shall be terminable at any time, with or without cause and without penalty, by either party. The termination will not be effective, however, unless the terminating party gives at least 90 days prior written notice of termination which is mailed or delivered to the other party. The notice of termination shall contain the legal descriptions of both properties and shall be acknowledged by the terminating party. The notice of termination may be recorded by either party at any time and, after the termination date, the recorded notice shall be conclusive proof of termination of the agreement.

4. The building owner shall agree that, in the event the agreement is revoked, the openings consented to by the agreement shall be protected or closed, as required by the Building Code, and the building otherwise modified as may be necessary to comply with those Building Code requirements that become applicable because of protecting or closing the openings.

5. The building owner shall indemnify the City, its officers, employees and agents, against all liabilities that may result from or be connected with the agreement.

6. During the life of the agreement, the building owner shall maintain comprehensive personal liability insurance with limits satisfactory to the Risk Manager of the City and with the City, its officers, agents and employees named as additional insureds.

7. The agreement shall be binding upon and inure to the benefit of the parties, their successors and assigns.

8. The agreement shall be executed by both parties and shall contain the legal descriptions of both properties. The Director of Property shall execute the agreement for and on behalf of the City, provided the agreement has been previously approved by the City

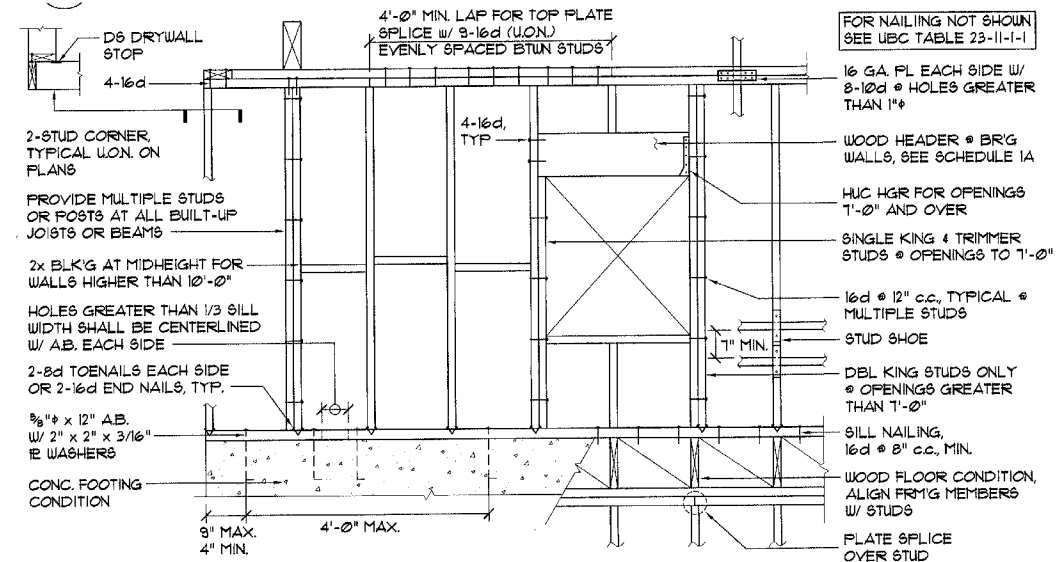
Attorney and the head of the department having jurisdiction over the City's Real Property. The agreement shall be acknowledged by both parties and the Director of Property shall cause the agreement to be recorded. (Formerly Sec. 23.29; added by Ord. 559-85, App. 12/27/85; amended and renumbered by Ord. 15-01, File No. 001965, App. 2/2/2001)

SEC. 23.48. FEES AND FEE PAYMENTS.

The application fee which is to accompany each application shall be \$2,500 unless changed by appropriate action of the Board of Supervisors. If the Director of Property determines, after his investigation of the application, that the application fee is inadequate to cover the cost of preparing and processing an agreement, the Director of Property shall notify the building owner of the additional amount that is required. The additional amount shall be paid by the building owner as a prerequisite to preparation and processing of an agreement by the Real Estate Department.

The Real Estate Department is authorized to collect the fees due under lot line window agreements and shall deposit such fees to the credit of the department having jurisdiction over the City's Real Property.

The application fees and any additional amounts required to cover the cost of preparing and processing agreements shall be deposited to the credit of the Real Estate Department. (Formerly Sec. 23.30; added by Ord. 559-85, App. 12/27/85; amended and renumbered by Ord. 15-01, File No. 001965, App. 2/2/2001)



1 Framing
A1.2 1:1

ROUGH OPENING WIDTH	HEADER # BEARING WALL, TYPICAL U.O.N.	
	2x4 WALL	2x6 WALL
UP TO 3'-0"	2-2x6	
3'-0" TO 5'-0"	2-2x8	
5'-0" TO 7'-0"	2-2x10	
7'-0" TO 11'-0"	3 1/2"x12" ML	

2 Header Schedule
A1.2 1:1

Kotas/
Pantaleoni
Architects

Anthony A. Pantaleoni
LEED AP
70 Zoe Street Suite 200
San Francisco, California 94107
t. 415 495 4051
f. 415 495 6885

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