



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: DECEMBER 08, 2011

Date: November 22, 2011
Case No.: **2011.0304D**
Project Address: **147 Andover Street**
Permit Application: 2010.10.21.3547
Zoning: RH-1 (Residential House, One-Family)
40-X Height and Bulk District
Bernal Heights Special Use District
Block/Lot: 5647/024
Project Sponsor: Fred Horsfield
1562 24th Avenue
San Francisco, CA 94122
Staff Contact: Ben Fu – (415) 588-6613
ben.fu@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposal is to (1) raise the roof at the rear by 3'-0" in height, (2) reconstruct 8'-0" of the rear building wall, and (3) construct a new rear deck and stair on the existing single-family dwelling. The proposed new rear building wall and rear stair and deck intrude into the required rear yard. The required rear yard is 24'-6"; the existing rear yard is 22'-8". The proposed rear stair and deck encroach an additional 7'-6" into the rear yard, leaving a proposed rear yard of 15'-2". The existing building is a non-complying structure in terms of rear yard. The proposed addition enlarges the existing non-complying building envelope. The new deck will be setback three feet from the north side property line. A Variance (Case No. 2011.0304V) seeking relief from the rear yard requirement in relation to the proposed rear expansion was heard on July 27, 2011.

SITE DESCRIPTION AND PRESENT USE

The project is located at 147 Andover Street, in the Bernal Heights neighborhood. The lot is on the east side of Andover Street, between Powhattan and Eugenia Avenues, in the RH-1 (Residential, House, One-Family) Zoning District and the 40-X Height and Bulk District. The lot is 1,750 square feet in area, measuring 25'-0" in width and 70'-0" in depth. The Building Permit Application proposing the rear horizontal addition (BPA No. 2010.10.21.3547) indicates one dwelling in the two story building. The existing two-story, single-family dwelling with an attic level was constructed in 1907.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project is located within the Bernal Heights neighborhood. The majority of the properties in the immediate vicinity are zoned RH-1 with only one dwelling on the site constructed in the early 1900's. All the buildings on the block are two stories in height, some with an attic above. The adjacent building to the north at 143 Andover is a two-story, single-family dwelling with an attic, and it was constructed in

1906. The adjacent building to the south at 149 Andover is also a two-story, single-family dwelling with an attic, and it was constructed in 1906.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	July 25, 2011 – August 24, 2011	August 24, 2011	December 08, 2011	106 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	November 28, 2011	November 21, 2011	17 days
Mailed Notice	10 days	November 28, 2011	November 28, 2011	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		1	1
Other neighbors on the block or directly across the street	0	0	
Neighborhood groups	0	0	

As of the date of this report the Planning Department has not received any comments regarding the Discretionary Review hearing or the Building Permit Application.

DR REQUESTOR

The DR Requestor is Nancy Wecker, located at 149 Andover Street, the adjacent property to the south.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated August 23, 2011.

PROJECT SPONSOR’S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated November 21, 2011.

ENVIRONMENTAL REVIEW

The 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, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

On November 02, 2011, the Residential Design Team (RDT) reviewed the project in response to the August 24, 2011, request for Discretionary Review. The RDT believes that the request for Discretionary Review does not demonstrate that the project contains or creates any exceptional or extraordinary circumstances and as such warrants an abbreviated DR. The RDT believes that:

1. The project maintains the existing condition of the last legal structure at the site with a minimal height increase of 3'-0".
2. The project's massing is compatible with the adjacent buildings and the south side setback at the project is maintained.
3. The requestor's building is at approximately the same depth as the project (2'-6" difference). The requestor's rear yard is also of similar depth of the project's rear yard.
4. Other issues are not under purview of the RDT or the Residential Design Guidelines.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

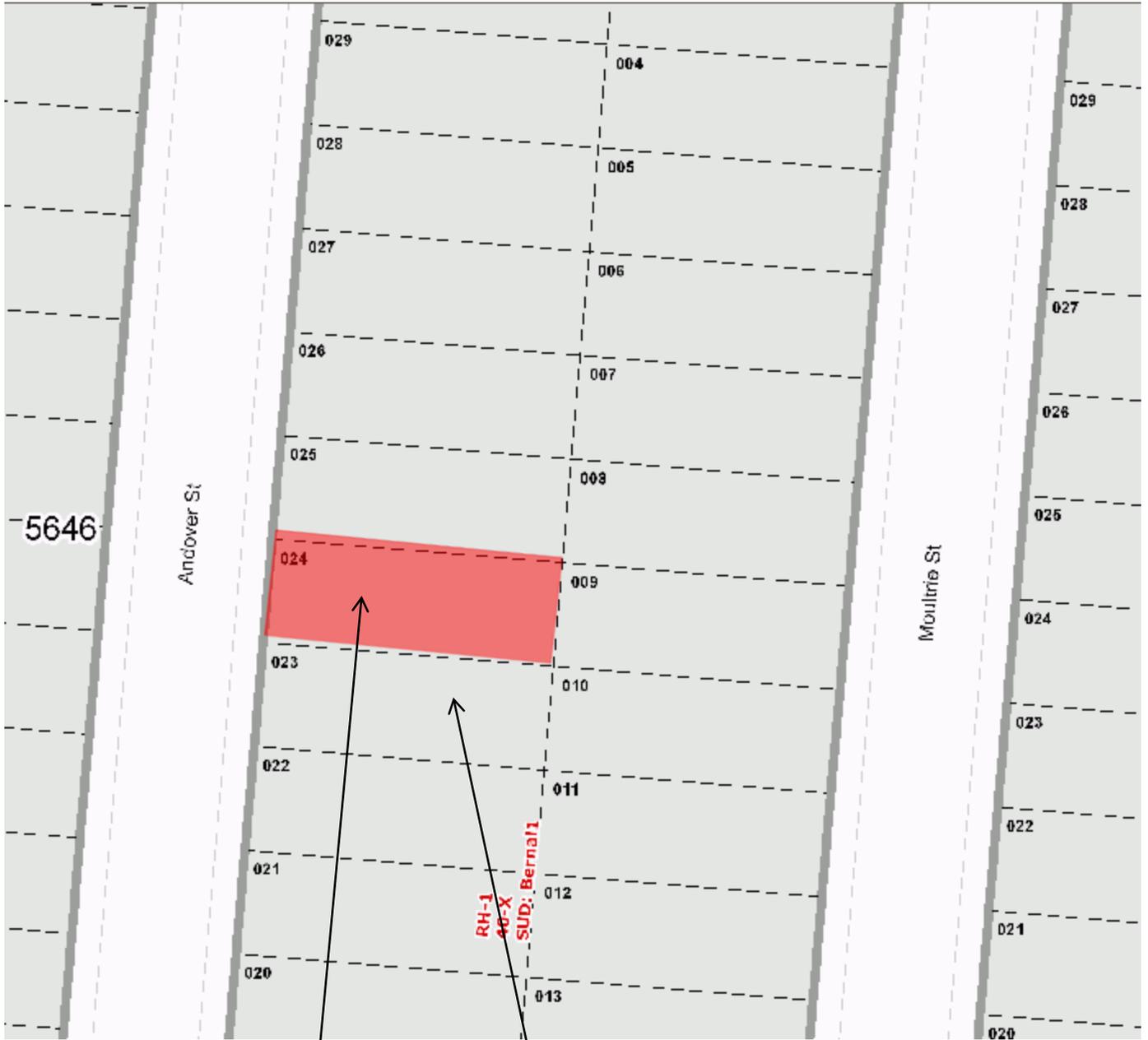
RECOMMENDATION: Do not take DR and approve project as proposed
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Attachments:

- Block Book Map
- Sanborn Map
- Zoning Map
- Aerial Photographs
- Context Photographs
- Section 311 Notice
- DR Application
- Response to DR Application dated November 21, 2011
- Reduced Plans

BF: G:\DOCUMENTS\DR\Neighbor Filed DR\Andover_147_20110304D\Abbreviated Analysis.doc

Parcel Map



SUBJECT PROPERTY

DR REQUESTOR



Planning Commission Hearing
Case Number 2011.0304D
147 Andover Street

Sanborn Map*



SUBJECT PROPERTY

DR REQUESTOR

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



Planning Commission Hearing
Case Number 2011.0304D
147 Andover Street

Aerial Photo



SUBJECT PROPERTY

DR REQUESTOR

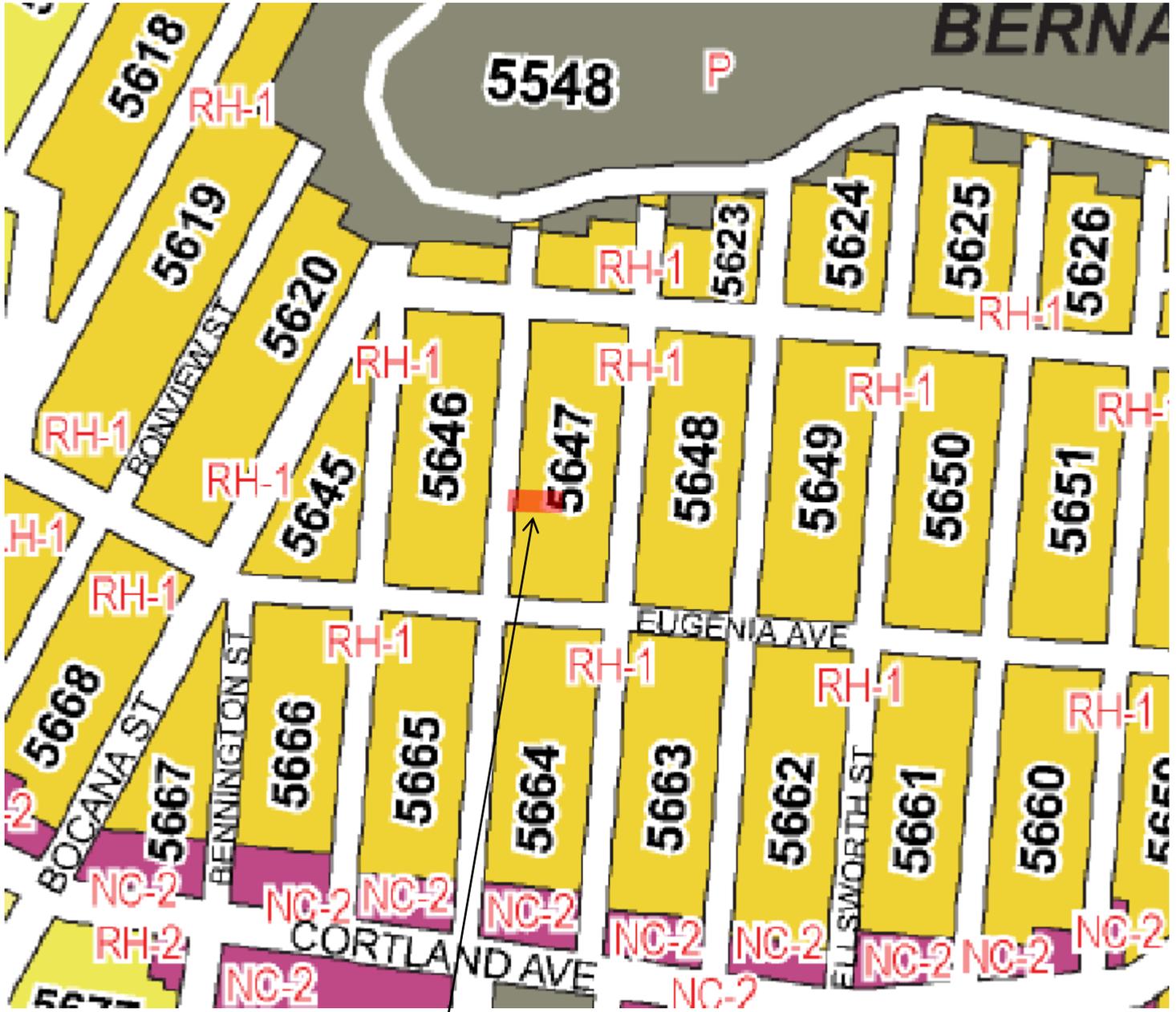


DR REQUESTOR

SUBJECT PROPERTY

Planning Commission Hearing
Case Number 2011.0304D
147 Andover Street

Zoning Map



SUBJECT PROPERTY



Planning Commission Hearing
Case Number 2011.0304D
147 Andover Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On October 21, 2010, the Applicant named below filed Building Permit Application No. 2010.1021.3547 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Fred Horsfield	Project Address:	147 Andover Street
Address:	1562 24 th Avenue	Cross Streets:	Powhattan / Eugenia Avenues
City, State:	San Francisco, CA 94122	Assessor's Block /Lot No.:	5647 / 024
Telephone:	415.606.8655	Zoning Districts:	RH-1 / 40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input checked="" type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK	+5'-3"	No Change
BUILDING DEPTH	+42'-1"	No Change
REAR YARD.....	+22'-8"	No Change
HEIGHT OF BUILDING (to building ridge).....	+25'-6"	+28'-6"
NUMBER OF STORIES	2	No Change
NUMBER OF DWELLING UNITS	1	No Change
NUMBER OF OFF-STREET PARKING SPACES	1	No Change

PROJECT DESCRIPTION

The proposal is to (1) interior remodeling, (2) raise the roof at the rear by 3'-0" in height, and (3) construct a new rear deck and stair on the existing single-family dwelling. The project is subject to a Variance request for rear yard, which will be noticed separately and heard at a public hearing by the Zoning Administrator on July 27, 2011.

PLANNER'S NAME: Ben Fu
 PHONE NUMBER: (415) 558-6613
 EMAIL: ben.fu@sfgov.org

DATE OF THIS NOTICE: 7-25-11
 EXPIRATION DATE: 8-24-11

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. Call the local Community Board at (415) 920-3820 for assistance in conflict resolution/mediation. They may be helpful in negotiations where parties are in substantial disagreement. On many occasions both sides have agreed to their suggestions and no further action has been necessary.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfgov.org/planning). You must submit the application to the Planning Information Center during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check for \$500.00, for each Discretionary Review request payable to the Planning Department. If the project includes multi building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the Board of Appeals within 15 days after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including their current fees, contact the Board of Appeals at (415) 575-6880.

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

(Please see attached: Question 1 answer, supplemental documents, and photographs)

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

This project is within the Bernal Heights Special Use District which has specific codes in order to preserve the livability of the neighborhood, especially needed given the particularly small lots. This project would cause an unreasonable, adverse and unnecessary expansion resulting from additions to the depth and height into the open space which is needed as a buffer between homes: for privacy, space, light and view. The homes affected would be ours, and, most directly, 4 other adjacent homes. It is also a bad precedent for Bernal Hghts.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

The project proposal should be revised to accurately reflect the "existing building footprint." In addition, the plan should comply with BH SUD rear yard requirements, including the development of interior floor plan on ground level and on 2nd story, and rear deck and stairs. Any roof height elevation expansion should also only be permitted to the extent that it is on appropriately set-back structures. In this way, the adverse effects on neighbors will be alleviated and livability maintained.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: 

Date: 8/23/11

Print name, and indicate whether owner, or authorized agent:

Nancy S. Wecker (owner)

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input type="checkbox"/>
Address labels (original), if applicable	<input type="radio"/>
Address labels (copy of the above), if applicable	<input type="radio"/>
Photocopy of this completed application	<input type="checkbox"/>
Photographs that illustrate your concerns	<input checked="" type="checkbox"/>
Covenant or Deed Restrictions	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: E. Depina

Date: 8/24/11

@ 3:40 P.M.

Application for Discretionary Review

Page 9 --Discretionary Review Request

Question:

1. The exceptional and extraordinary circumstances that justify Discretionary Review are, the following:
 - a. The Building Permit Application for this site includes significant inaccuracies and gross misrepresentations:
 1. Adjacent properties in photographs and drawings are incorrectly designated. The adjacent, south side (downhill) property is "149" Andover Street which is our property. "151" is two properties to the south of the subject property. Therefore, whether or not measurements and descriptions included in the building permit application apply to "149" or "151," or are accurate, is uncertain. These inaccuracies need to be corrected so the plan can be evaluated on its merits.
 2. The permit proposal refers to areas of the building, including non-complying footage, as "existing" which do not exist. The rear of the house was demolished without permit (See Notice of Violation, #201074028, October 21, 2010)(See 4 photographs of the house post-demolition). Consequently, the photographs submitted by the Permit Applicant labeled, "Ariel View of Subject Property," do not accurately depict the property in its current condition and, therefore, do not correspond with the permit application architectural drawings or narrative descriptions.
 3. The architectural drawings, site notes and narrative with these significant inaccuracies and gross misrepresentations cannot be evaluated properly in accordance with the pertinent rules and regulations of the Planning Code and Special Use District.
 4. The dimensions of the building footprint are inaccurate, and, therefore, the dimensions and description of the proposed expansion are accordingly erroneous.
 - b. The significant inaccuracies and gross misrepresentations do not allow for an objective review by the S.F. Planning Department.
 - c. The significant inaccuracies and gross misrepresentations presented in the Notice of Building Permit Application (and the Variance Hearing Notice of Public Hearing) do not allow for all neighbors to have an accurate understanding of the scope and nature of the project.
 - d. Please see attached: letter (7/13/11) to Scott Sanchez, Zoning Administrator, and copied to the SF Planner, Ben Fu, written and signed by 11 neighbors of properties adjacent to and nearby the site expressing concerns and objections to the building project. The original signed copy is on-file with the Zoning Administrator.
 - e. The purpose of the Bernal Heights SUD is to reflect and maintain the special characteristics of the neighborhood which is composed of "lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character."
 1. It is the responsibility of a potential buyer (Robin Vasan) to understand the character and particular guidelines set forth to protect and maintain the community in which a property is located. Mr. Vasan has never lived in the house and bought the building with the intent to renovate and alter the house. Any adverse affects on the neighborhood will be permanent and long outlast his interest in the house.
 2. The permit application plan exceeds the provisions relating to rear yards (a minimum rear yard shall be maintained of 35% of the total depth of the lot). The SUD guidelines explicitly state that no part of the building including decks may be within 15 feet or 25%, whichever is greater, of the rear property line. The proposal with its cathedral height expansion, expansion of ground and 2nd floor living space, and deck would intrude and overwhelm the living spaces of the other mid-block neighbors. Specifically, our adjacent southside house, which we have owned and lived in since

Application for Discretionary Review

Page 9 --Discretionary Review Request

Question 1 (continued)

1993, would be dominated by this structure protruding past the side of our house. Rather than viewing open space from our kitchen window, we would be hemmed in and blocked by the dominating side wall of their house. Furthermore, our outdoor space would be overwhelmed by their mass structure and outdoor living activities with the floor of the extension extending 4' above the ground far into the communal open space. At the present time, we can view the top of Bernal Hill from our 7' wide deck by looking through the mid-block open space which would be blocked by the planned extension into this shared open space. Other neighbors would also be overwhelmed by the dominance of this single house overbuilt in the context of this neighborhood.

3. The Planning Code Section 242(e)(2)(C)(iv) states that improvements may be constructed underneath a room or deck in the rear yard if said room or deck is otherwise permitted...or was constructed pursuant to a building permit issued prior to December 11, 1987." The owner chose to demolish an existing rear yard structure. Therefore, his ability to fill-in at the ground level should be within the guidelines of the SUD. The intent of the SUD guidelines is to bring structures back into conformity, not to allow further deviations through willful, self-induced actions.
4. The work at this site is being performed by an unlicensed contractor, Huy Huynh. The permit applications list the property owner, Robin Vasan, as the contractor although he is not performing any of the work. Owner-Builder arrangements, such as this one, are of concern to the City and County of San Francisco, Department of Building Inspection, according to the July 1, 2011 Handout entitled, "Considering Becoming an Owner-Builder?" (Attached). Although this may not be within the SF Planning Department's jurisdiction per se, it does present a concern for the accountability, liability, reliability, and quality of the workmanship, particularly for adjacent property owners. Please see below the State of California, Department of Consumer Affairs notice from website (www.cslb.ca.gov) in regards to unlicensed contractors:

Department of Consumer Affairs
Contractors State License Board

What is illegal contractor activity? Who is considered an illegal contractor?

It is illegal for an unlicensed person to perform contracting work on any project valued at \$500 or more in labor and materials. Besides being illegal, unlicensed contractors lack accountability and have a high rate of involvement in construction scams. They also are unfair competition for licensed contractors who operate with bonds, insurance and other responsible business practices.

SCOTT F. SANCHEZ
Zoning Administrator
Office of the Zoning Administrator
1650 Mission Street, Ste 400
San Francisco, CA 94103
415-558-6350

Case No. 2011.0304
147 Andover Street
San Francisco, CA 94110
Block 5647/Lot 024

July 13, 2011

Mr. Sanchez:

We are concerned neighbors and long-time Bernal Heights residents. As you are aware, lot sizes in Bernal Heights are especially small, resulting in the particularly close proximity of houses and limited open space. As we understand it, the Bernal Heights Special Use District (SUD) zoning code was written, and exists today, to preserve the character of our neighborhood. Planning Code Section 242 Bernal Heights Special Use District states that its purpose is to encourage development in context and scale with the established character of the settlement patterns in this part of the city. Our tiny backyards together form the green open space at mid-block. This is our access to light, air, and gardens. It also provides a modicum of space between houses, providing some privacy, a reduction in noise, as well as, distance from other aspects of each others' life activities. We consider this open space in the middle of the block to be one of the essential elements of our neighborhood fabric that contributes greatly to the quality of life in Bernal Heights. It is with this in mind, that we express our concerns and objections to the plan submitted for 147 Andover Street for a variance.

The plan negatively impacts the integrity of our open space by encroaching unnecessarily into the required setbacks. Furthermore, it also degrades and undermines the parameters and intent of the carefully-crafted Bernal Heights SUD Planning Code which serves to protect our interests. We are writing to urge you to deny the variance requested for the project.

Specifically, the application for 147 Andover Street requests a variance for a rear extension of the house beyond the specifications set forth in the Bernal Heights SUD guidelines. Sec. 242 (e)(2)(A) specifies that "For lots which have a depth of 70 feet or less, the minimum rear yard depth shall be equal to 35% of the total depth of the lot on which the building is located." At this address, this requires the rear yard to be 24'-6". The current plan reduces the rear yard to 22'-8". Moreover, the front face of the building is well forward of the adjacent houses, so it can not be argued that the house is particularly at a disadvantage in terms of a space allowance.

In addition to the rear yard intrusion, the height and effective massing of the proposed addition far exceeds that of what had been the existing structure. By using a peaked roof shape rather than the shed shape of what had been the existing porch structure, the mass at the rear of the building is effectively about 7 feet taller.

The rear yard intrusion combined with the change in massing create a permanent negative impact both visually and to the light and air access of the neighboring units.

Beyond the building addition, the plan is showing a porch intruding a further 8 feet into the rear yard. Section 242(e)(2)(C)(iii) clearly states: “No part of the building may be within 25% or 15 feet, whichever is greater of the rear property line.” Sect. 242(e)(2)(C)(iv) states: “Those obstructions into the rear yard otherwise permitted by Sect. 136(C)(2), (3), and (25) of this Code shall not be permitted.” These all refer to extensions of the building including decks.

Planning Code Section 242(e)(2)(C)(iv) states that “improvements may be constructed underneath a room or deck in the rear yard if said room or deck is otherwise permitted...or was constructed pursuant to a building permit issued prior to December 11, 1987.....” In other words, grand-fathered in. The owner chose to remove an existing rear yard structure, exceeding the scope of Building Permit #201009281802. We believe that he should be required to comply with the Bernal Heights SUD code as written without exceptions or variances. Given his decision to demolish the structure, Planning Code Section 188 applies which restricts enlargements, alterations and reconstruction of the non-complying structure. The intent of the code is to bring such structures back into compliance with the goals of the Special Use District guidelines, not to permit actions that move further a field. Instead of aiming in the right direction, the proposed plan, which adds considerable bulk and expanse into the rear space has a much greater impact on the neighbors, is undesirable, and is directly in conflict with the intentions of the code.

A variance should not be granted when the project is not necessary, and if there is any inconvenience, it is self-induced. Rather, the Bernal Heights Special Use District section of the Planning Code specifically requires, when there is an opportunity, to aim for improving and restoring the neighborhood through redirection and sustainable compliance.

We respectfully request that this project be denied a variance.

Thank you for your consideration of this matter.

Sincerely,

Nancy Wecker

Lisa Wuennenberg
149 Andover Street

Mary Isham
144 Andover Street

Josh Duthie

Jen Garrido
154 Andover Street

Sharon Wood
171 Andover Street

Robin Duryee
160 Andover Street

Nelson Ramos
173 Andover Street

Martha P. Stein
150 Andover Street

Laurel Anderson
168 Andover Street

cc: Ben Fu, Planner
SF Planning Department
1650 Mission Street, Site 400
San Francisco, CA 94103-2479

David Campos, Supervisor
SF Board of Supervisors
1 Dr. Carlton Goodlett Place, Room 244
San Francisco, CA 94102-4685



Considering Becoming an Owner-Builder?



**Important information you need to know BEFORE pulling your permit!
The term "Owner-Builder" can mean three different things:**

"Owner as Worker", "Owner as Contractor" or "Owner as Employer"

Understand each has Benefits or Risk, and it is possible to combine them!

Hiring a California Licensed Contractor means you do not personally perform any of the construction work, the permit is not taken out in your name, you are not personally responsible for the construction and you are not an Owner-Builder. Instead, you become a "Customer" and California law provides you the benefit of protection from poor workmanship, failure to finish the job and financial risk due to worker injury.

Benefit/Risk: Highest Benefits and the Least amount of Risk

Owner-as-Worker is a type of Owner-Builder where you personally perform the construction work, the permit is taken out in your name and you are personally responsible for the construction management, knowledge, workmanship, and completion of the job. You benefit by not paying others to perform this work for you and your risk depends on your own ability to complete the job successfully.

Benefit/Risk: Possible Benefit with Low Financial Risk

Owner-as-Contractor is a type of Owner-Builder where you personally act as your own General Contractor, the permit is taken out in your name and you hire California licensed sub-contractors to perform portions of the construction work. **WARNING:** The benefit of protection provided by law when you hire only California licensed sub-contractors can turn to serious financial risk if you hire unlicensed contractors to perform any of the work.

Benefit/Risk: Possible Benefit and Significant Financial Risk

Owner-as-Employer is a type of Owner-Builder where you pay any unlicensed individual to perform any construction work valued at more than \$500.00, the permit is taken out in your name and you are personally responsible for their employment requirements, supervision, performance, safety and welfare while on your property. **WARNING:** Cost savings benefit can turn to serious financial risk if you fail to deduct payroll taxes or provide workers compensation insurance for each worker.

Benefit/Risk: Possible Benefit with Significant Financial Risk

147 Andover St

11.0304D

149 Andover St.





NOTICE OF VIOLATION

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

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NUMBER: 201074028
DATE: 21-OCT-10

ADDRESS: 147 ANDOVER ST

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 5647 LOT: 024

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: ROBERT T VASAN TRUST PHONE #: --
MAILING: ROBERT T VASAN TRUST
ADDRESS: VASAN ROBERT T TRUSTEE
147 ANDOVER ST
SAN FRANCISCO CA 94110

PERSON CONTACTED @ SITE: PHONE #: --

VIOLATION DESCRIPTION:	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input checked="" type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

Complaint investigation has revealed that the scope of work approved under PA #201009090549 and PA #201009281802 has been exceeded. The work as described have been done without a permit; removal of a rear porch and shed roof measuring approx 8' x 20' and the rear most part of original structure at the 2nd floor, including exterior walls (3 sides) and the pitched roof/gable end measuring approx 10' x 16'. SFBC Section 106A.4.7

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-575-6918
- FILE BUILDING PERMIT WITHIN 30 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION 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 ATTACHMENT FOR ADDITIONAL WARNINGS.

Stop all work associated with PA #201009281802 until "approved" revised documents have been obtained to do so. Department of City Planning approval is required for the demolition/removal of existing structure. Note: Work for PA #201009090549 may continue only to stabilize building.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x 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 W/O PERMITS \$1000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Mark G Walls

PHONE # 415-575-6918

DIVISION: BID

DISTRICT: 16

By: (Inspectors's Signature) _____



NOTICE OF VIOLATION

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

Pursuant to SFBC 304(e) and 332.3 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 875 Stevenson St., 4th floor. 554-6720

WARNING: Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

WARNING: Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

WARNING: Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17284(c) of the Revenue and Taxation Code.

WARNING: Section 205(a) of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 304(e) y 332.3 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el límite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

ADVERTENCIA: Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobraran al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 de el Código de Construcción de Edificios.

ADVERTENCIA: La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de inconformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

ADVERTENCIA: Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado Intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o está diligentemente, rápidamente y continuamente acusado después de seis (6) meses de la fecha de este aviso, se le enviará una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1284(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

ADVERTENCIA: La Sección 205(a) de el Código de Edicios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omita, descuide, rehusa cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

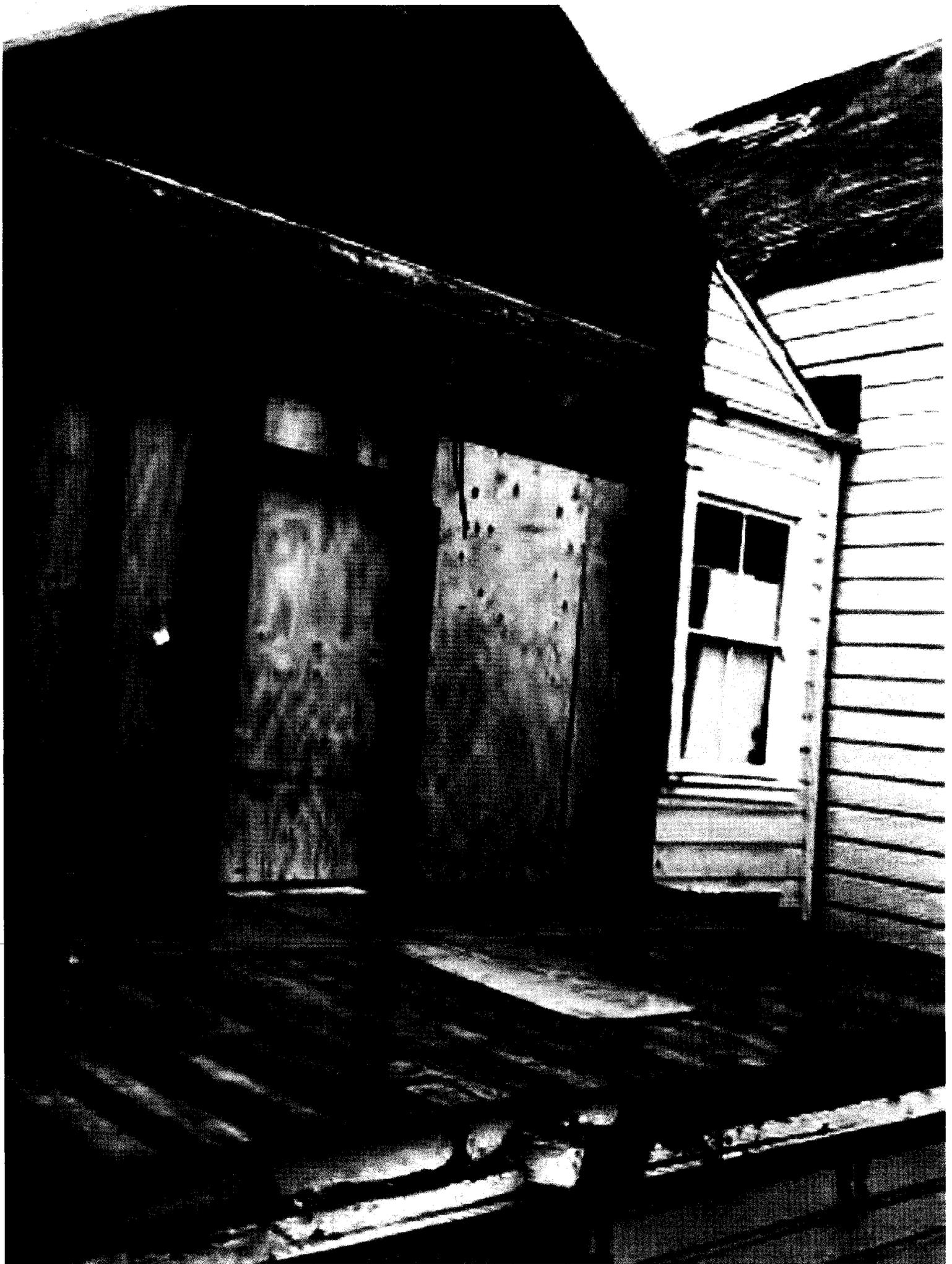
根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 項條款的規定，對沒有許可證便已開始的工程和或在進行的工程，或者超越許可範圍的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，調查費可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

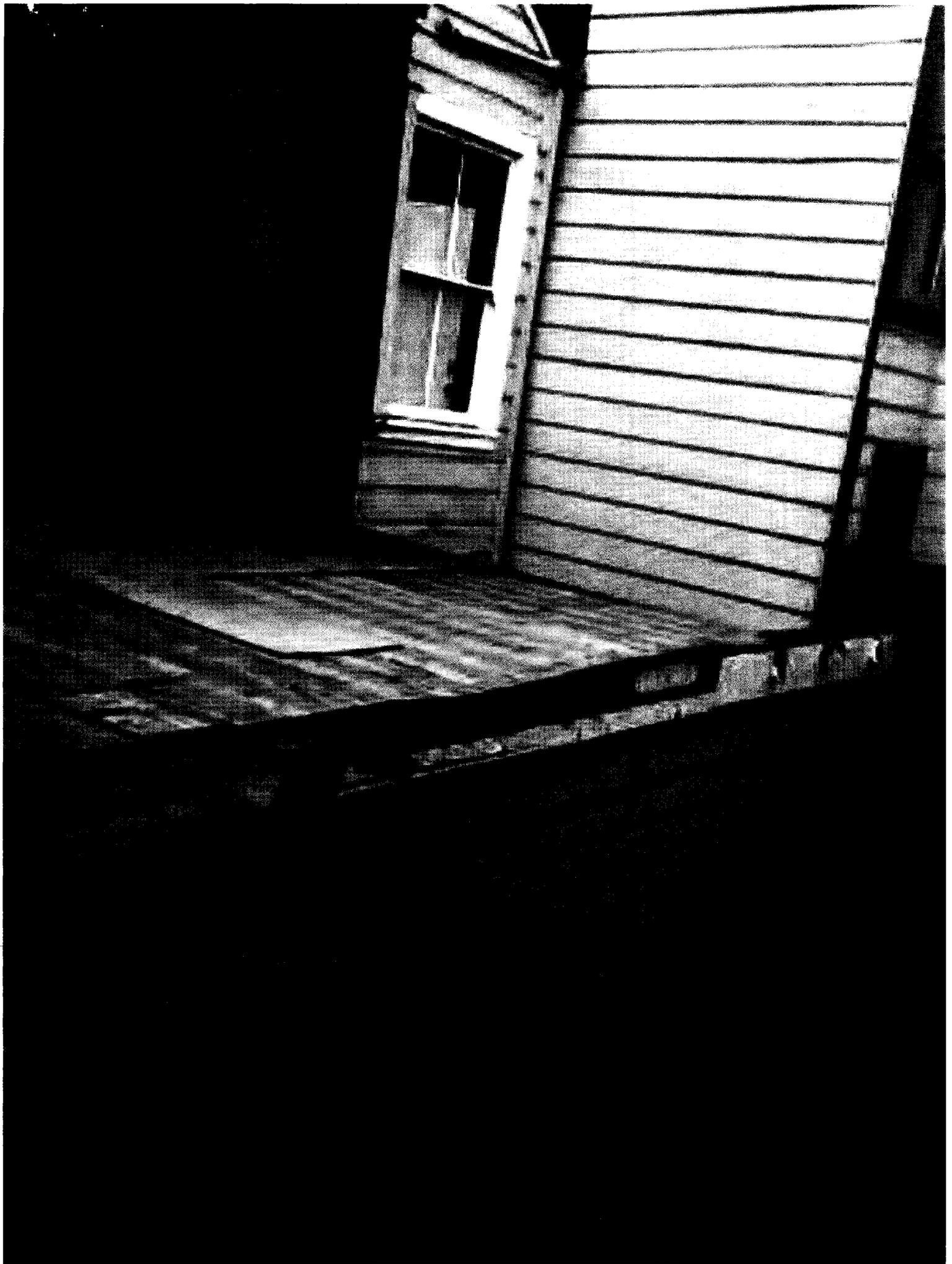
警告：如不按原要求立即採取行動，以糾正上述違章行為，將導致建築檢查局付諸強制糾正程序的執行。倘對此房地產領有的強制糾正程序令一經在市府備案，則自違章通知張貼日起的所有與此糾正程序有關的費用，將向房地產主索取，或將房地產扣押，直至付清各項費用。請參閱《三藩市建築法規》第 203 (b) 項和第 332.3 項條款。

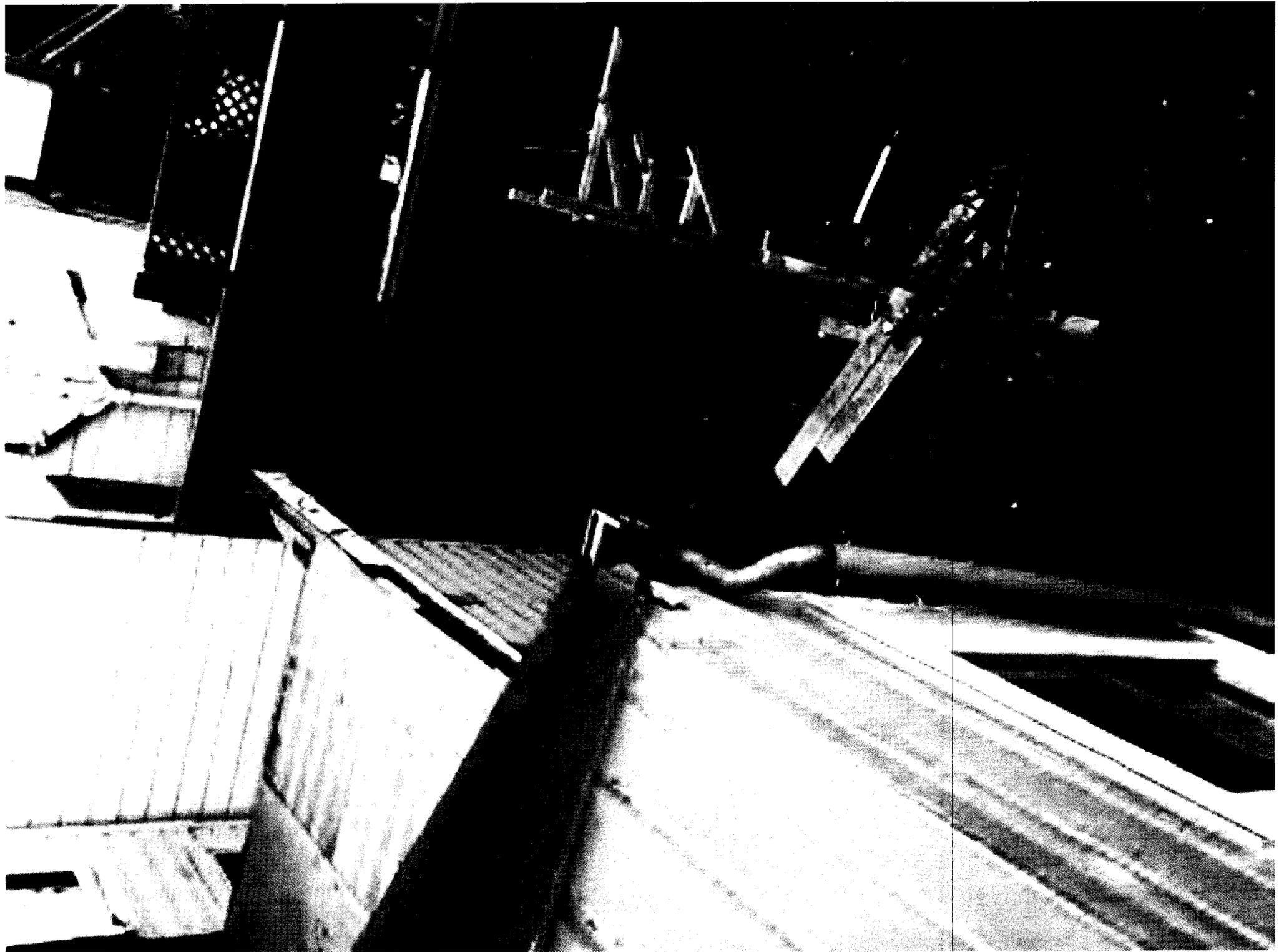
警告：《三藩市房屋法規》(即 SFBC) 第 204(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次違犯者罰款 200 元，每種標準的最高罰款可達 7,500 元。此項法規還規定對每一違章罪業者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

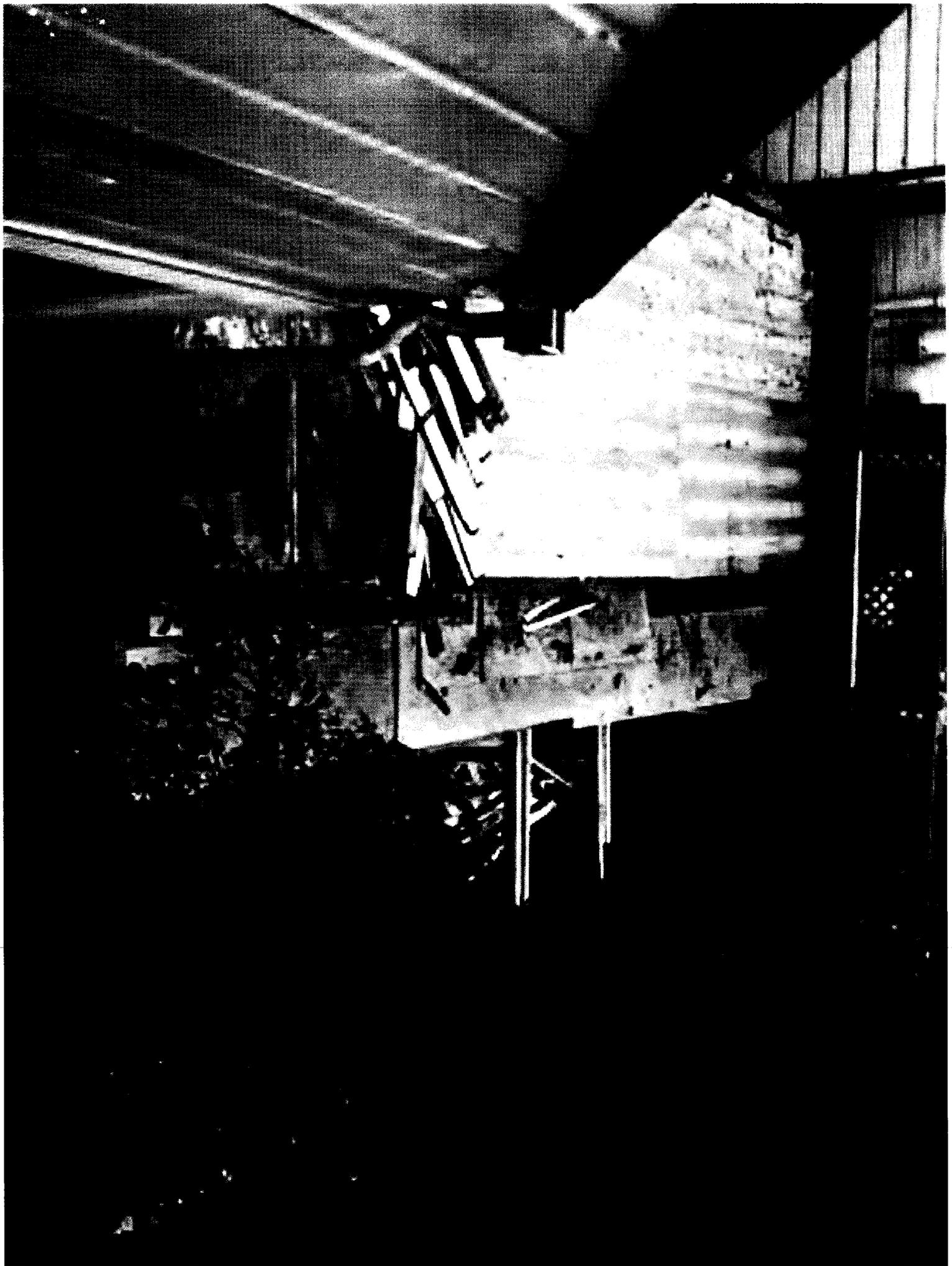
警告：任何人通過出租房屋獲得收入，而該房屋已被建築檢查局判定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該低於規定標準的建築有關的折舊或稅款中扣除稅費。如果在此通告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地繼續進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1284 (c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。

警告：《三藩市建築法規》第 205(a) 項條款規定：對於任何違反、不服從、疏忽、忽視、或阻礙違反此法規者，或者抵制、反對實施此法規中的任何條款的個人，將付最高 500 元的民事罰款。此法規還規定對違法者，如果被判罪，對每天所發生的、每一單獨的犯法行為，將付予高達 500 元的罰款，和/或者監禁六個月。









Project Sponsor Supplemental Information

147 Andover Street

Case Number 11.0304D

The subject property was purchased by the project sponsor in June of 2010 with an eye toward moving to a sunny, child-friendly, shop-friendly neighborhood where they could begin to raise their family. A building permit was issued for interior modifications and foundation repair. As work began, it became apparent that additional structural repair would be required. The proposed project is a revision to that permit, and was designed with those repairs in mind as well as an opportunity to utilize those repairs to create a more open floor plan with more light while maintaining the existing footprint of the home.

Working with Planning staff, the project sponsor created a design which satisfied all zoning requirements of the more restrictive Bernal Heights Special Use District and, with staff recommendations, the historical review process. A Variance hearing was heard by the Zoning Administrator on 7/27/2011 to address the four foot rear deck extending into the required rear yard. The existing footprint extends into the required rear yard by 2 feet.

Project sponsor has had a number of conversations with the DR requestor, the most recent being a meeting on 10/20/2011.

Work under the existing permit has come to a standstill, and the project sponsor anxiously awaits the opportunity to complete the project and move into their new home.

Please find attached:

1. Response to Discretionary Review Form
2. Photos
 - a. subject property (aerial views, proposed and existing)
 - b. subject property (front and rear elevations)
 - c. subject property (front and front with adjacent properties, looking east)
 - d. subject property (rear view, looking west)
 - e. rear view (adjacent properties, looking west)
 - f. rear view (rear-facing properties, looking east)
3. Historical Resource Review Form, approved 6/9/11
4. Email from neighbor Martha Stein regarding her support of the proposed project
5. 12/1/2010 letter from project sponsor to Planning Department staff regarding DR requestor
6. 8/30/11 email from project sponsor to DR requestor
7. 9/6/11 email from DR requestor to project sponsor
8. 9/19/11 \$25 charge for Community Board to open a case file for mediation with DR requestor
 - a. Project sponsor had agreed to bear the total cost if necessary, but DR requestor declined, wishing instead to meet more informally. A civil, one-hour meeting was held at a local coffee shop on October 20, 2011, unfortunately without resolution.
9. 11/7/11 email from project sponsor to DR requestor



SAN FRANCISCO PLANNING DEPARTMENT

RESPONSE TO DISCRETIONARY REVIEW

Case No.: 2011.0304D

Building Permit No.: 201010213547

Address: 147 Andover Street

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Sponsor's Name: Fred T. Horsfield, for the Owner

Telephone No.: 415-606-8655 (for Planning Department to contact)

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.

Requestor's concerns seem to be based on a conviction that project sponsor is creating a "mega-house", despite discussions explaining the project in detail. The proposed footprint is the same as the existing, the additional 246 square feet being in-fill beneath an existing bedroom and removal of an unnecessary stairwell to the rear of the building. The proposed ridge height is 3 feet higher than the existing, but only within the rear 50% of the building, and no additional story is proposed. The only proposed extension into the rear yard is a 4' x 15' deck and stair at the rear of the building (Variance case # 11.0304V)

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

Proposed project is a revision to issued permit PA #201009281802. The proposed ridge height adjustment was reduced from 27' from rear of building to 21' from the rear of building on staff recommendation to address environmental concerns. Project sponser has offered to incorporate landscape features to mitagate neighbor's stated sound concerns. The extreme changes proposed by requestor would essentially render the proposed project moot, would deny project sponsor features such as the small deck which requestor's own home enjoys, and would prevent the inclusion of morning light and open feel which project sponser seeks.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

Proposed project does not increase the footprint of the existing structure. The change in configuration of the roof at the rear (from shed to sloped) does create additional height, but not within dirct view of requestor (149 Andover Street does not have north facing windows, and their deck is surrounded by a six foot fence). The new roof allows the addition of more windows for morning light and truely open living, dining, and cooking areas at the rear. These are important features for project sponsor and their new child (born August 3). View or light issues are minimum for the rear neighbor, although their home extends to the rear lot line.

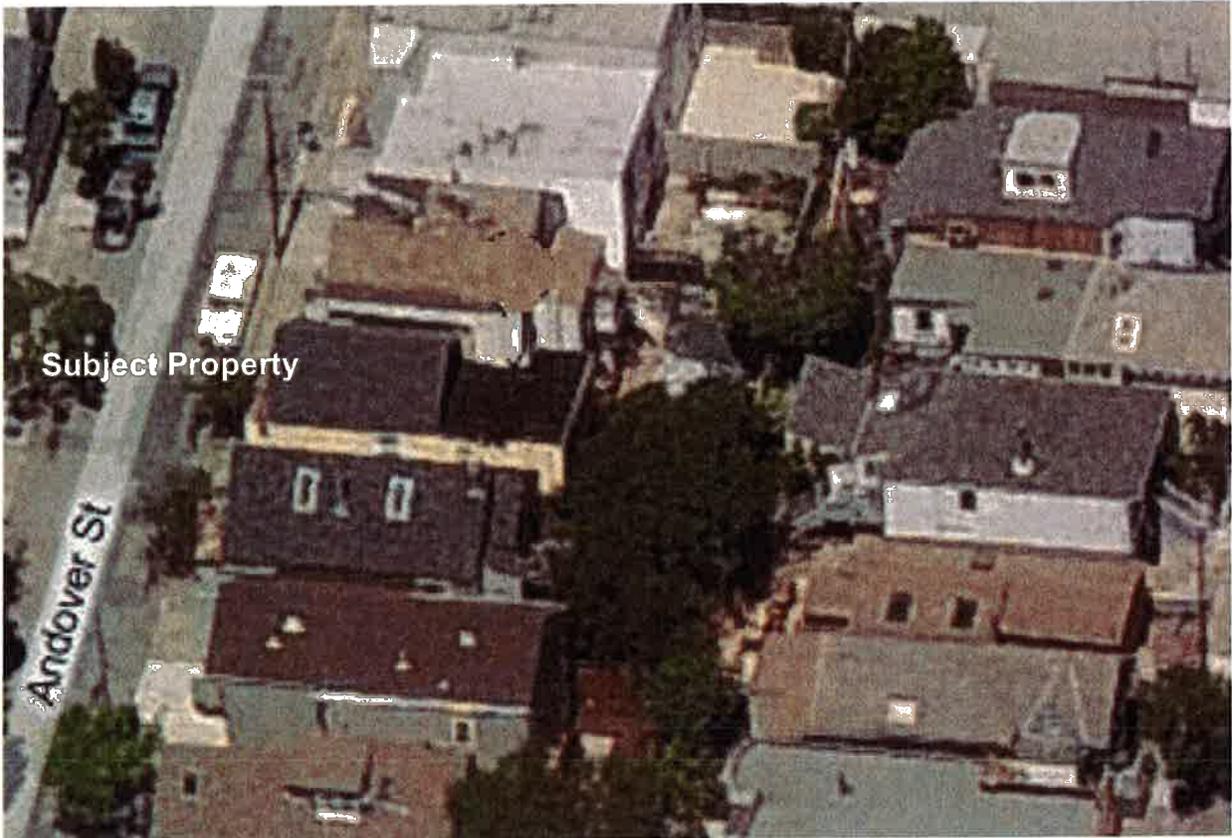
If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit –additional kitchens count as additional units)	1	1
Occupied stories (all levels with habitable rooms) ...	2	2
Basement levels (may include garage or windowless storage rooms)	0	0
Parking spaces (Off-Street)	1	1
Bedrooms	2	3
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	1,342	1,588
Height	25'5"	28'5"
Building Depth	42'1"	42'1"
Most recent rent received (if any)	\$0	\$0
Projected rents after completion of project	\$0	\$0
Current value of property	\$600,000	??
Projected value (sale price) after completion of project (if known)	??	??

I attest that the above information is true to the best of my knowledge.

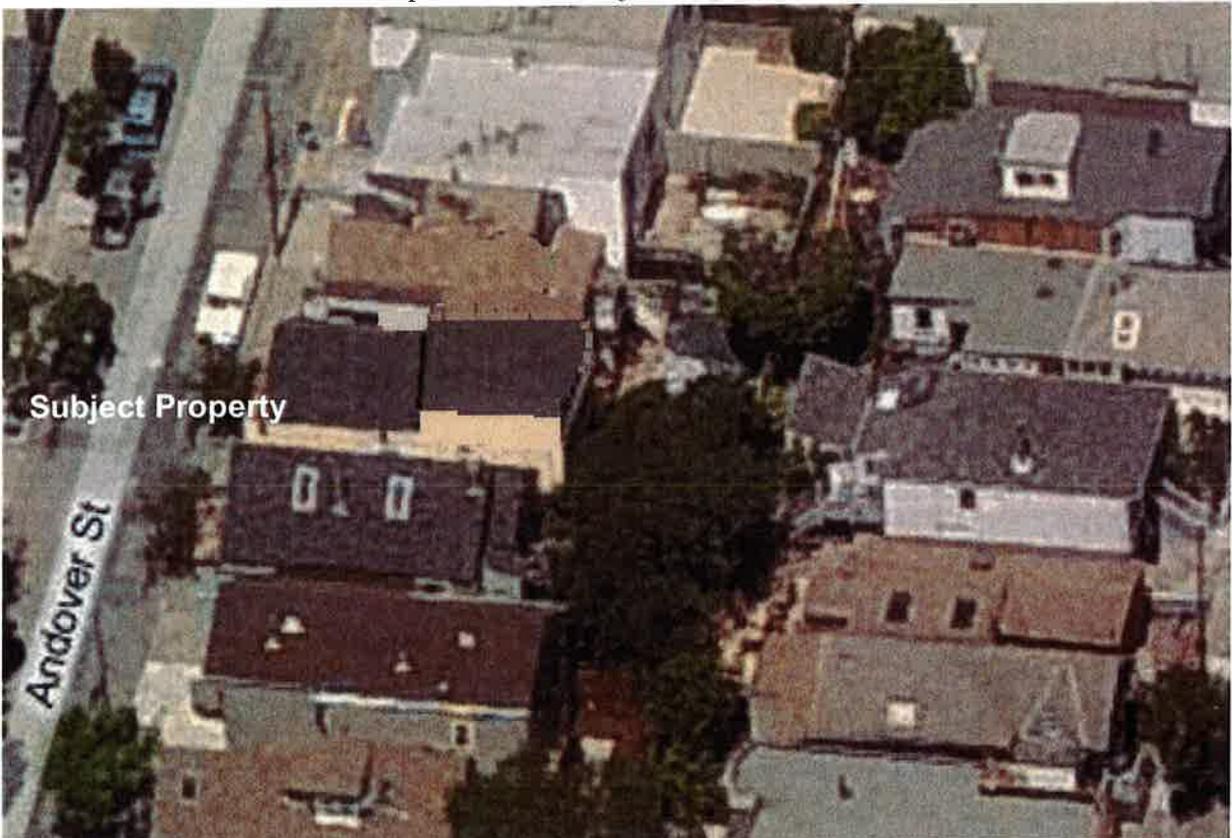

 _____ 11/2/2011 _____ Fred T. Horsfield
 Signature Date Name (please print)



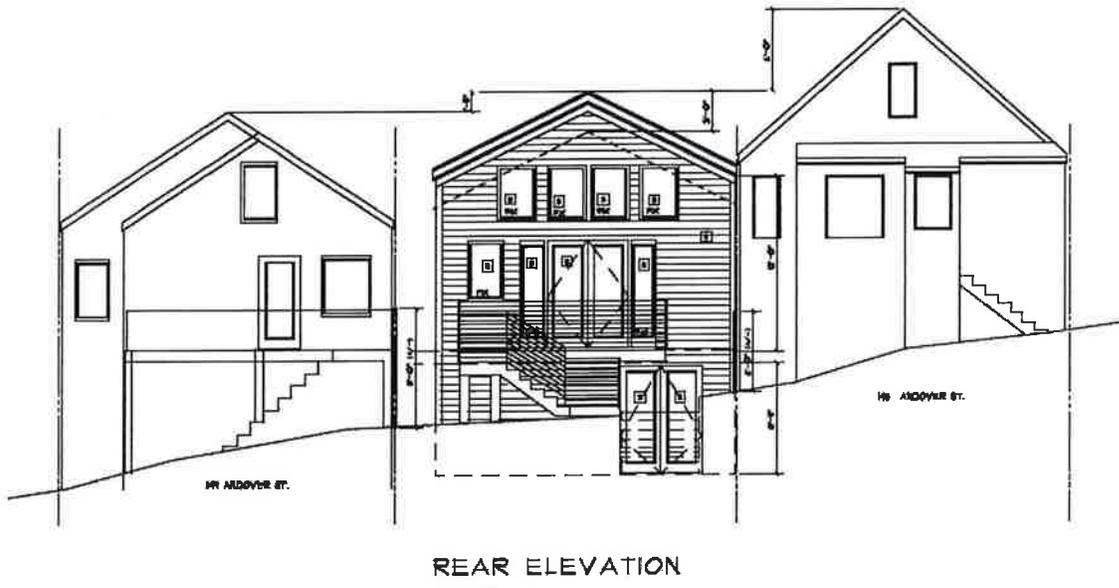
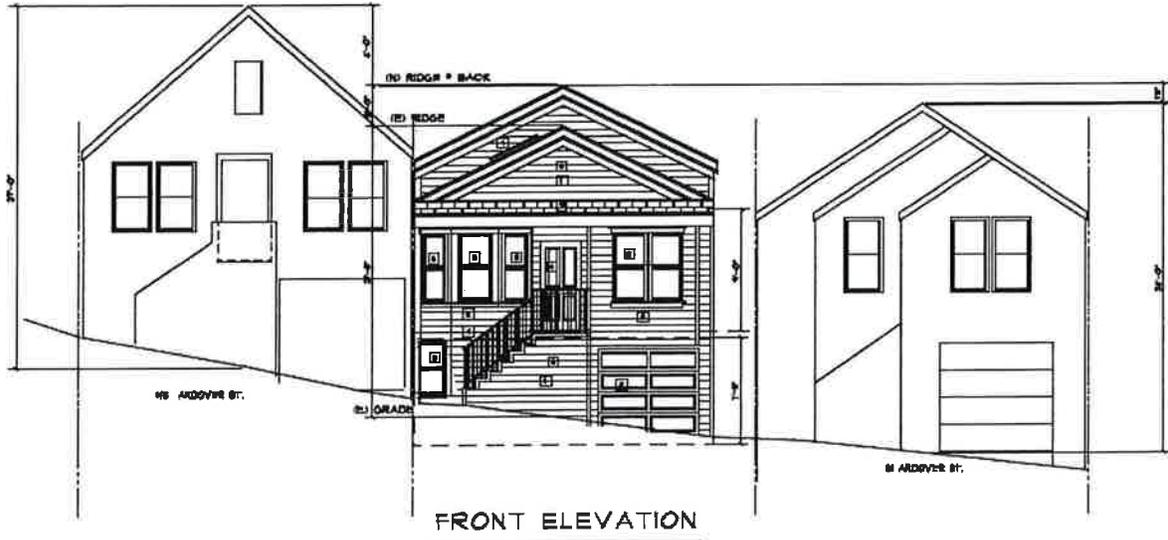
Aerial View of Subject Property (Existing)

Note the two existing roof configurations of the existing subject property in the first photo; the front 55% with a peak roof, and the rear section with a shed (or flat) roof. It can also be seen that the proposed project will not impact the open space between buildings since it will occupy the existing footprint. The structure retains two stories of occupancy. Also note the multitude of roof configurations in the surrounding properties.

Conceptual View of Subject Property (Proposed)



Proposed Elevations (front and rear)







Subject Property, Rear





149 Andover St, Rear, adjacent to the south

145 Andover St, Rear, adjacent to the north





one lot north



Rear-Facing Properties
directly behind Subject Property



one lot south



SAN FRANCISCO PLANNING DEPARTMENT

Historical Resource Review Form

Address of Project: 147 ANNOUNEX ST.
 Cross Streets: _____ Block/Lot: 5647 / 024
 Case No. 2011.0304E Permit No. 2011 1021 3547

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

STEP 1: EXEMPTION CLASS

If neither class applies, an *Environmental Exemption Application* is required.

- Class 1 - Existing Facilities:** Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of this determination.
- Class 3 - New Construction or Conversion of Small Structures:** Construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

STEP 2: HISTORICAL RESOURCE STATUS (Refer to *Preservation Bulletin 16.*)

- Category A: Known Historical Resource** Proceed to Step 3.
Preservation Technical Specialist Review
- Category B: Potential Historical Resource** Proceed to Step 3.
- Category C: Not a Historical Resource** Proceed to Step 4.
No Further Historical Resource Review Required.

STEP 3: APPROVED WORK CHECKLIST

Per plans dated: 5/10/11

- Project falls within the scope of work described below. Proceed to Step 4. No Further Historical Resource Review Required.
- Project does not fall within the scope of work described below. Proceed to Step 4. Further Historical Resource Review Required.
- If 4 or more boxes are initialed, Preservation Technical Specialist review is required.

Planner's Initials	Work Description
<u>MW</u>	1. Interior alterations. Publicly-accessible spaces (i.e. lobby, auditorium, or sanctuary) require Preservation Technical Specialist review.
<u>MW</u>	2. Regular maintenance or restorative work that is based upon documentation of the building's historic appearance (i.e., photographs, physical evidence, historic drawings or documents, or <u>matching buildings</u>).
	3. In-kind window replacement at visible facades. (The size, configuration, operation, material, and exterior profiles of the <i>historic</i> windows must be matched.)

MW	4. Window replacement or installation of new openings at non-visible facades.
	5. Construction of deck or terrace that is not visible from any immediately adjacent public right-of-way.
	6. Installation of mechanical equipment at the roof which is not visible from any immediately adjacent public right-of-way.
	7. Installation of dormers that meet the requirements for exemption from public notification under <i>Zoning Administrator Bulletin: Dormer Windows, No. 96.2.</i>
	8. Installation of garage opening that meets the requirements of the <i>Guidelines for Adding Garages and Curb Cuts</i>
	9. Horizontal addition that is not visible from the adjacent public right-of-way for 150' in each direction; does not extend vertically beyond the floor level of the top story of the structure; and does not have a footprint that is more than 50% larger than that of the original building.
	10. Vertical addition that is not visible from the adjacent public right-of-way for 150' in each direction; is only a single story in height; and does not cause the removal of architectural significant roofing features such as ornate dormers, towers, or slate shingles.

Preservation Technical Specialist Review Required for work listed below:

MW	11. Window replacement at visible facades that is not in-kind but meets the <i>Secretary of the Interior Standards for the Treatment of Historic Properties.</i>
	12. Sign installation at Category A properties.
MW	13. Façade alterations that do not cause the removal or alteration of any significant architectural features (i.e. storefront replacement, new openings, or new elements).
	14. Raising the building.
MW	15. Horizontal or vertical additions, including mechanical equipment, that are minimally visible from a public right-of-way and that meet the <i>Secretary of the Interior Standards for the Treatment of Historic Properties.</i>
	16. Misc.

STEP 4: RECOMMENDATION

- No Further Historical Resource Review Required.
- Further Historical Resource Review Required: File *Environmental Exemption Application.*

Notes: _____

Planner Name: MW 6/9/11

Signature: Approved Planning Dept. Matt Wehrhahn, Preservation Planner Date: _____

Preservation Technical Specialist Name: _____

Signature: _____ Date: _____

Save to [I:\Building Permit Applications or I:\Cases].

If "Category A," save to [I:\MEA\Historical Resources\Category A Admin Catex].

Fred T. Horsfield

From: "Carly Vasan" <helsaple@gmail.com>
To: "Robin Vasan" <rvasan@mayfield.com>; "Fred T. Horsfield" <fth@pacbell.net>
Sent: Wednesday, October 26, 2011 8:02 AM
Subject: Fwd: 147 Andover Street, Block 5647/Lot 024 - Request for Variance
Martha sent this yesterday- hope it helps!

:)

----- Forwarded message -----

From: **Martha P. Stein** <heymarth@comcast.net>
Date: Tue, Oct 25, 2011 at 6:11 AM
Subject: 147 Andover Street, Block 5647/Lot 024 - Request for Variance
To: ben.fu@sfgov.org
Cc: David.Campos@sfgov.org, Carly Vasan <helsaple@gmail.com>

San Francisco Planning Department
Attention: Ben Fu, Planner

On Saturday, October 22, 2011, I had the opportunity to learn more about the plans for 147 Andover Street, the home directly across the street from mine. I walked through the property, viewed the prior foundation and the rear yard, and the lines and yards of the adjacent homes.

I now no longer object to the requested variance, and advocate for its approval, enabling the construction and improvements to be finalized so that the new family can move in.

If you have questions, please contact me.

Martha P. Stein
150 Andover Street, SF 94110
415-641-1368
heymarth@umich.edu

December 1, 2010

San Francisco City Building and Planning

To Whom it may concern,

My name is Robert (Robin) Vasan and I purchased the property at 147 Andover Street this summer. After purchasing the property and reviewing the condition with my contractor Huy Huynh it was determined that we would need to retrofit the foundation and reconfigure the internal layout of the house. We had hoped to expedite the process by staying within the original envelope of the building.

My aim is to restore the property to a quaint Victorian house. The plan all along has been to upgrade the house and move into it as quickly as possible. My girlfriend and I are both very excited about the location and the wonderful neighborhood in Bernal Heights. It is a perfect place to start a family.

Unfortunately, immediately upon purchase of the house and initiation of the project, one of the next door neighbors, Nancy Wecker, began to be particularly difficult. The first issue was a shared tree, which an arborist has subsequently stated is of little significance and he recommended removal of the tree. Since then she has refused to move her vehicle for any of the work trucks (storage and concrete) that need to access the front of the house on the very narrow Andover street. After that, she has continually harassed my contractor and been argumentative and confrontational.

At every opportunity, she seems determined to make our life difficult. We have tried to appease the situation and we made several attempts to talk politely through her concerns as well as offering small gifts (which she refused). Apparently other neighbors have had similar dealings with her in the past. Overall, it appears she is just an angry and frustrated woman with nothing better to do than create conflict.

Anyway, please know that we are hoping to resume to construction as soon as possible and to quickly build a beautiful and charming little house together in Bernal Heights.

Thank you,

Robin Vasan and Carly Helsaple

Fred T. Horsfield

From: "Robin Vasan" <rvasan@mayfield.com>
To: <nwecker@earthlink.net>
Cc: <helsaple@gmail.com>
Sent: Tuesday, August 30, 2011 12:45 PM
Subject: 147 Andover

Dear Nancy,

We understand that you filed a request for Discretionary Review of P.A. #201010213547.

It sounds as if you have various new concerns about the overall scope of the project for 147 Andover.

From the beginning of the project, we have made ourselves available to discuss your concerns. When you highlighted issues regarding the rear tree, we promptly hired an arborist to provide expert advice.

We specifically chose the property in Bernal Heights due to the charming neighborhood, and our intent all along has simply been to build a quaint starter home for ourselves and our new baby.

Carly and I would be happy to meet with you to discuss your new concerns or what we might do to relieve the stress of the construction work. Please contact us and let us know some dates, place and times that would work for you.

Robin and Carly Vasan

Robin's cell 650-868-8141

Carly's cell 650-580-7967

Fred T. Horsfield

From: "Robin Vasan" <rvasan@mayfield.com>
To: "Fred T. Horsfield" <fth@pacbell.net>
Sent: Wednesday, September 14, 2011 8:59 AM
Subject: FW: 147 Andover

Here is the text we sent by both email and certified mail.

From: Robin Vasan
Sent: Tuesday, August 30, 2011 1:46 PM
To: Nancy Wecker (nwecker@earthlink.net)
Cc: helsaple@gmail.com
Subject: 147 Andover

Dear Nancy,

We understand that you filed a request for Discretionary Review of P.A. #201010213547.

It sounds as if you have various new concerns about the overall scope of the project for 147 Andover.

From the beginning of the project, we have made ourselves available to discuss your concerns. When you highlighted issues regarding the rear tree, we promptly hired an arborist to provide expert advice.

We specifically chose the property in Bernal Heights due to the charming neighborhood, and our intent all along has simply been to build a quaint starter home for ourselves and our new baby.

Carly and I would be happy to meet with you to discuss your new concerns or what we might do to relieve the stress of the construction work. Please contact us and let us know some dates, place and times that would work for you.

Robin and Carly Vasan

Robin's cell 650-868-8141
Carly's cell 650-580-7967

Nancy Wecker
Lisa Wuennenberg
149 Andover Street
San Francisco, CA 94110

Robin Vasan
Robert T. Vasan Trust
4168 – 26th Street
San Francisco, CA 94131

September 6, 2011

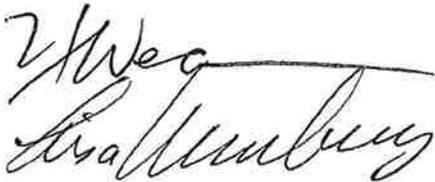
Dear Robin:

We received your email with accompanying copy of same via certified mail dated August 30, 2011.

As you are aware from our previous conversations, and our response to your application for a Variance, our concerns, and those of the neighbors, about the size and scope of your building project, are not new.

If you have any revisions to your plan that specifically address the concerns that are outlined in the neighborhood responses to your Variance Application and our Application for a Discretionary Review, please email them to us and we would be happy to discuss them with you.

Sincerely,

Handwritten signatures of Nancy Wecker and Lisa Wuennenberg. The signature for Nancy Wecker is written in a cursive style, followed by a horizontal line. Below it, the signature for Lisa Wuennenberg is also in cursive.

Nancy Wecker (nwecker@earthlink.net)
Lisa Wuennenberg

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Description: COMMUNITY BOARD PROGRAM 09/21 CARD #9197 PURCHASE #24755421265132654944228 SAN FRANCISCO, CA

Posting Date: 09/22/2011

Amount: \$25.00

Type: Debit Card

Account Number: Checking-2464

Cardholder name: Check Card - 9197

Merchant Category: Misc Retail / Specia

Expense Category: Miscellaneous Stores

Merchant Category Code: 5999

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Additional Details 

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Fred T. Horsfield

From: "Carly Vasan" <helsaple@gmail.com>
To: <nwecker@earthlink.net>; "Robin Vasan" <rvasan@mayfield.com>; <lwuennenberg@earthlink.net>
Cc: "Fred T. Horsfield" <fth@pacbell.net>; <ben.fu@sfgov.org>
Sent: Monday, November 07, 2011 1:34 PM
Subject: A follow up from our meeting on Oct.20th

Dear Nancy & Lisa,

First of all, thank you for meeting with us a few weeks back (Oct.20th?- Wow, time flies!) regarding the project- It was actually nice to sit face to face and better understand one another.

We mentioned that we would get back to you with ideas for revising our plans, and I am sorry that it has taken us a while to do so. Robin and I have really struggled with a revision of the plans that we feel good about. In light of that, we have decided to just go to the hearing with you on December 8th and hope that the city doesn't see our project components as overly exceptional & extraordinary.

We know that you are probably not thrilled to hear this news, and of course we were hoping to come to an understanding during the meeting that wouldn't necessitate a hearing, but we would like to try to build our home as we planned.

Again, we are not disregarding your thoughts and concerns about the project. At the meeting we heard you, and got a much better scope of what bothered you- but at the end of the day we just want to let the city evaluate the situation and make a decision. Of course we realize that this could end in your favor, in which case we will have to rethink our design. But for now, we are hoping for the home design that we love best.

We hope that you understand that we are not trying to be bad neighbors to you or to continue/prolong any sort of negativity. We have no hard feelings toward you & hope you can respect our decision.

Again, thank you for meeting with us & we hope you are well.

Kind Regards,

Carly & Robin Vasan

TIM LORENZ
ARCHITECT

289 CHURCH ST
SAN FRANCISCO, CA 94114
415.994.6011 CA LIC # 24395
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REMODEL TO
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TAILORED ENERGY SERVICES
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SITE INFO

ZONING: RH-1
HEIGHT BULK LIMITS: 40'-X
LOT AREA: 1,150 SQ. FT.
TYPE: 5, NON-RATED
EXISTING SQ. FT. = 921 SQ FT
PROPOSED SQ. FT. = 1,588 SQ FT
SECTION 242 - BERNAL HEIGHTS SPECIAL USE DISTRICT
REAR YARD 35% OF 10'-0" = 24'-4", MINUS 6" DUE TO SEC 242.E.2.C = 24'-0".

SITE NOTES

1. THIS SITE PLAN IS NOT A SURVEY. IT IS PROVIDED FOR BUILDING AND SITE WORK LAYOUT ONLY. THE CONTRACTOR SHALL VERIFY ON SITE ALL GRADES, EXISTING IMPROVEMENTS, PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, AND SUB-STRUCTURES WHERE DISCREPANCIES OCCUR, CONTACT ARCHITECT.
2. FINISH GRADE SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING. SEE SOILS REPORT FOR ANY SPECIFIC REQUIREMENTS.
3. WHERE DISCREPANCIES BETWEEN (E) CONDITIONS AND ARCHITECT'S DRAWINGS OCCUR, CONTACT ARCHITECT.
4. PROVIDE EXPANSION AND CONTROL JOINTS IN ALL EXTERIOR CONCRETE SLABS. SPACING OF JOINTS SHALL BE PER INDUSTRY STANDARD.

DRAWING INDEX

- CS COVER SHEET, PROJECT INFO & PLOT PLAN
- 21 DEMOLITION PLANS
- 31 REMODEL PLANS
- 41 EXISTING EXTERIOR ELEVATIONS
- 42 PROPOSED EXTERIOR ELEVATIONS
- 43 PROPOSED EXTERIOR ELEVATIONS
- 51 ELECTRICAL PLANS / SKYLIGHT DETAIL
- 52 SECTIONS

SCOPE OF PROJECT

- TO AN EXISTING SINGLE FAMILY, 2 STORY HOUSE. THE FOLLOWING ARE PROPOSED:
- 1) NEW INTERIOR BEDROOMS (3), BATHROOMS (2) AND STAIRS
 - 2) NEW INTERIOR STAIRS WITH SKYLIGHT ABOVE
 - 3) A NEW ROOF WITH SAME SLOPE BUT ONLY 3'-0" HIGHER THAN THE EXISTING, LOCATED IN THE BACK
 - 4) A TOTAL OF 246 SF OF NEW CONSTRUCTION
 - 4) REPLACE (E) WITH NEW WOOD WINDOWS.
 - 5) NEW DECK AND STAIRS TO EXISTING GRADE.
 - 6) RESTORE (E) EXTERIOR DETAILS & FRONT ELEVATION

Δ	DESCRIPTION	DATE	DRAWN
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REVISIONS

- Δ PROPOSED EXT. ELEVATION
- Δ ADDITIONAL SITE AND PLAN INFORMATION.
- Δ 5/10/11 REVISED ROOF

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

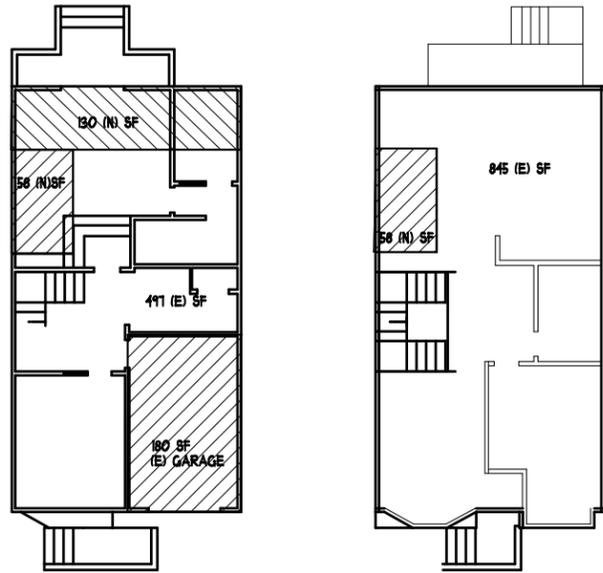
JOB NO. 2001010 SHEET

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CHECK TEL

DATE 4/1/10 OF

CS



845 SF
58 SF
411 SF
58 SF
130 SF

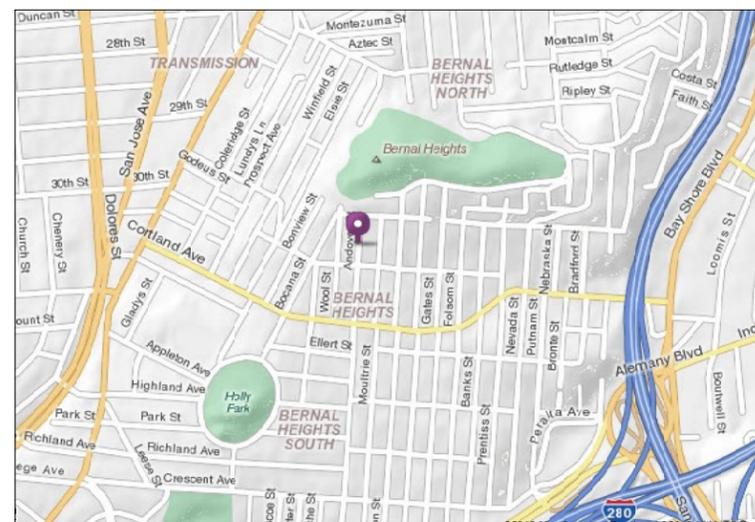
1588 SF OF USABLE FLOOR AREA AS PER SEC 242.D.2 BERNAL HEIGHTS SPECIAL USE SECTION

130 SF
58 SF
58 SF

246 SF (N) SF TOTAL

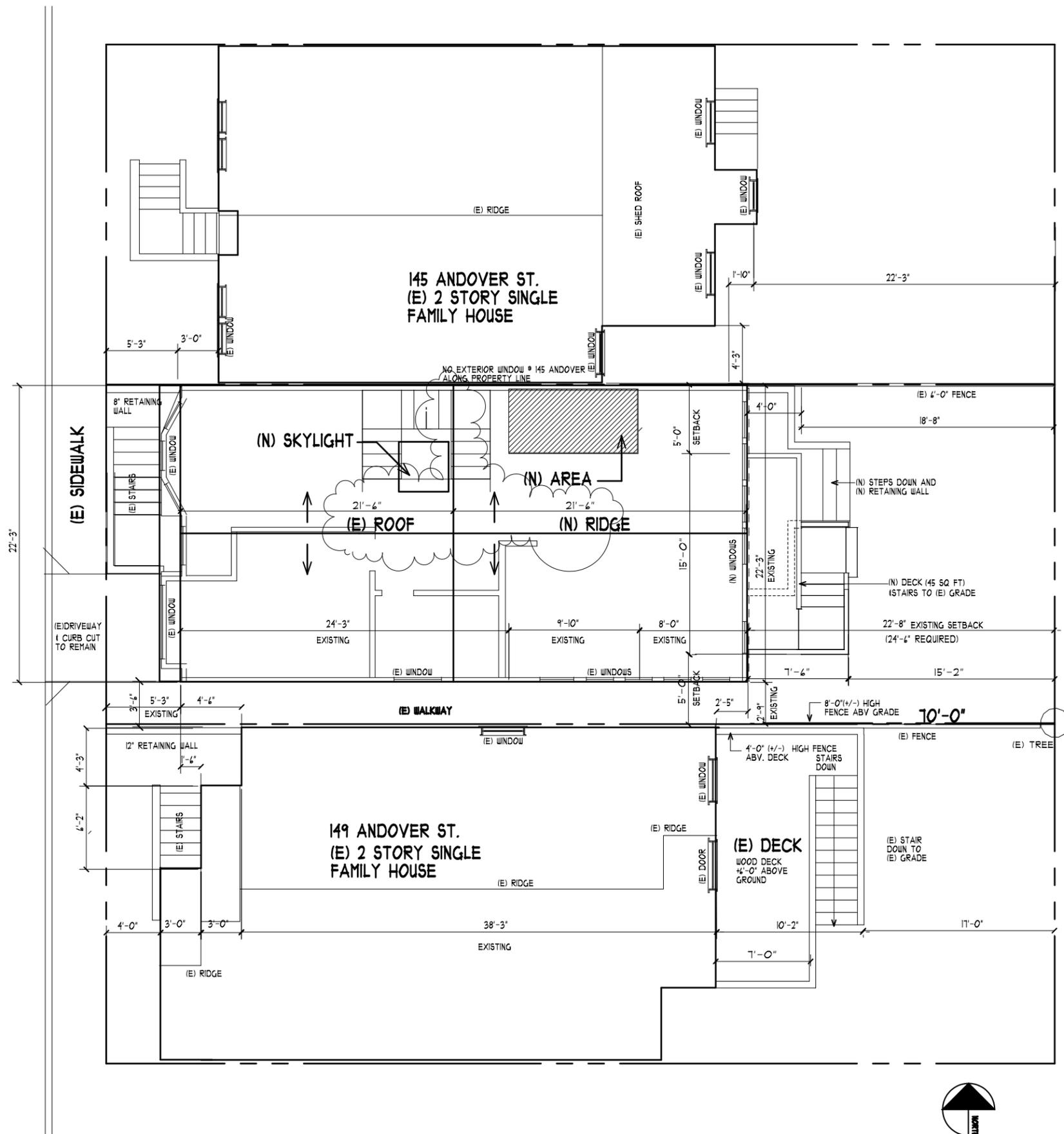
AS PER SECT 242.4, THE BUILDING USABLE AREA DOES NOT EXCEED 1580 SF AND THE ADDITIONS DO NOT ADD UP TO 400 SF, SO ONLY 1 PARKING SPACE IS REQUIRED.

AREA CALCULATIONS



VICINITY MAP

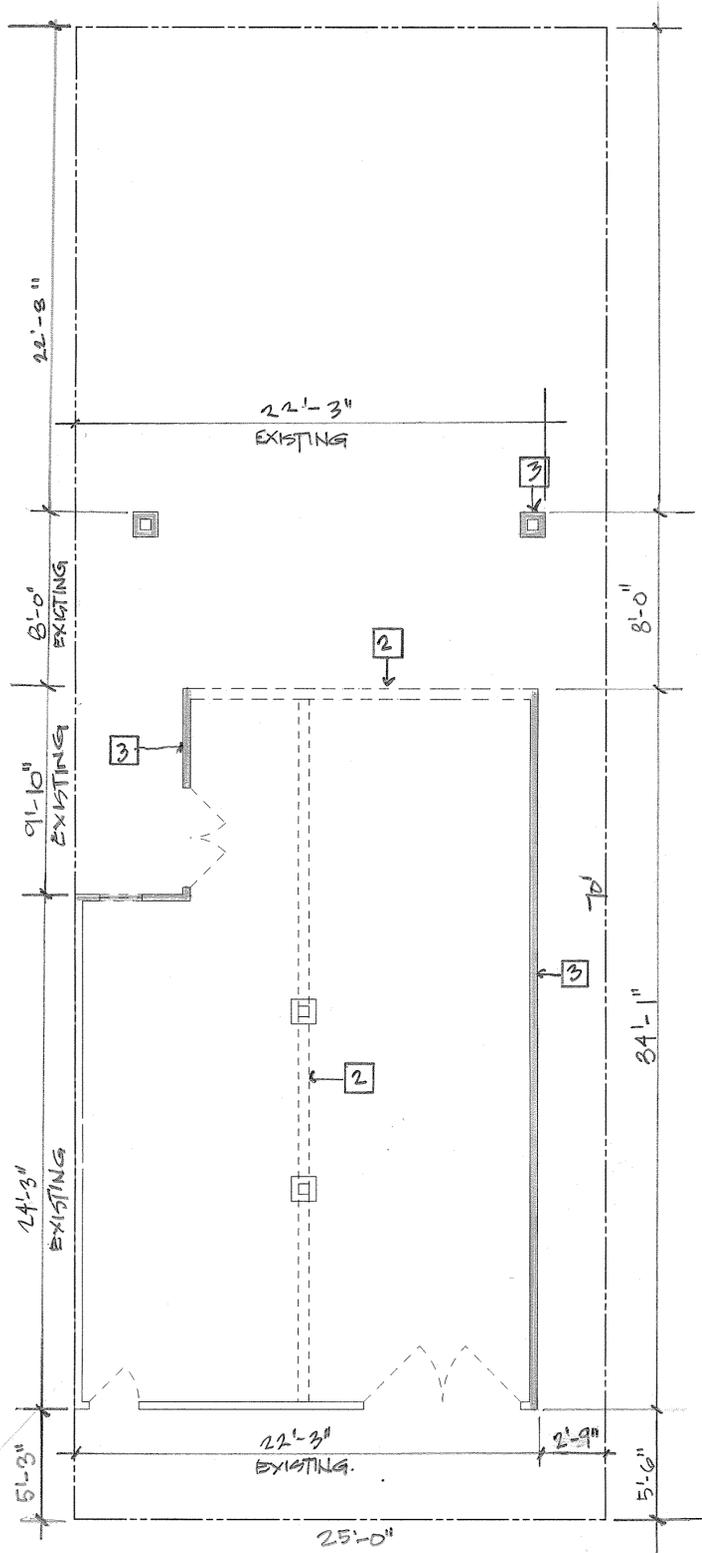
NO SCALE



SITE PLAN



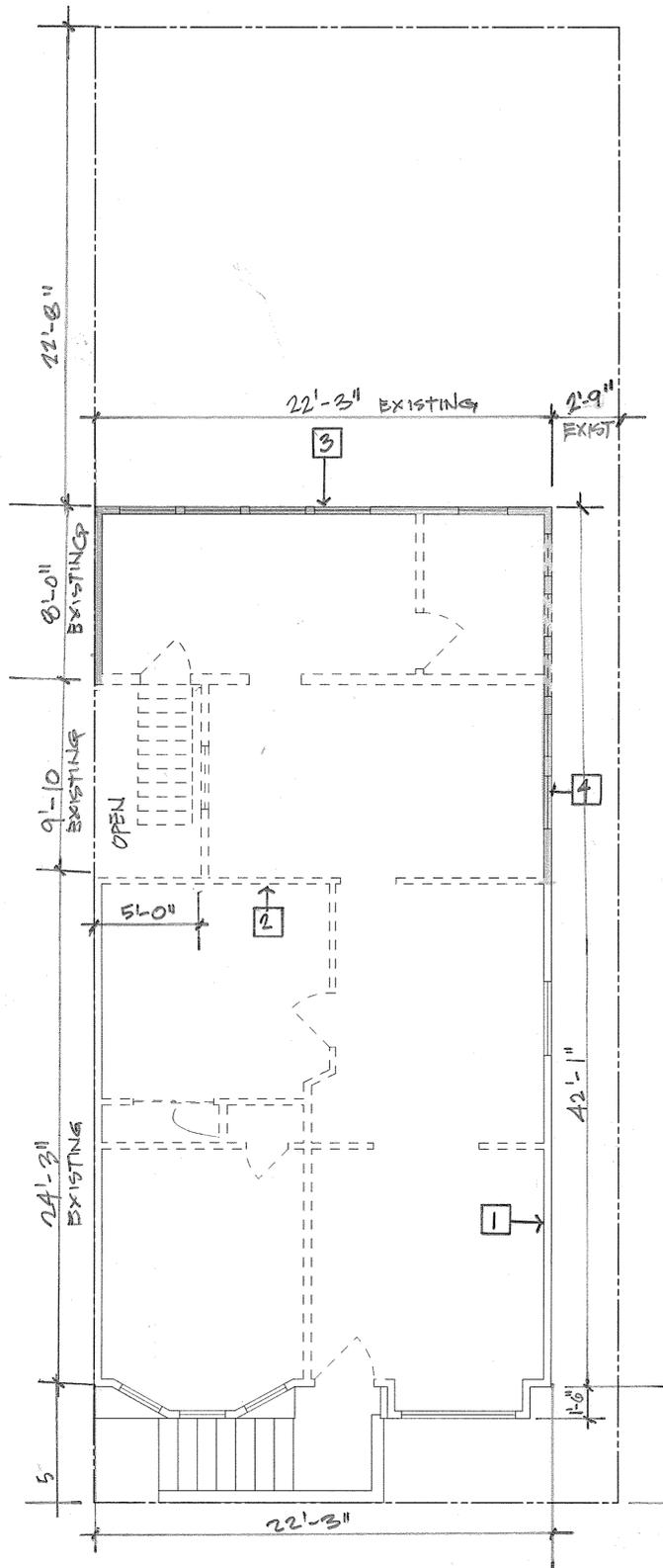
1/4" = 1'-0"



FIRST EXISTING/DEMO PLAN

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

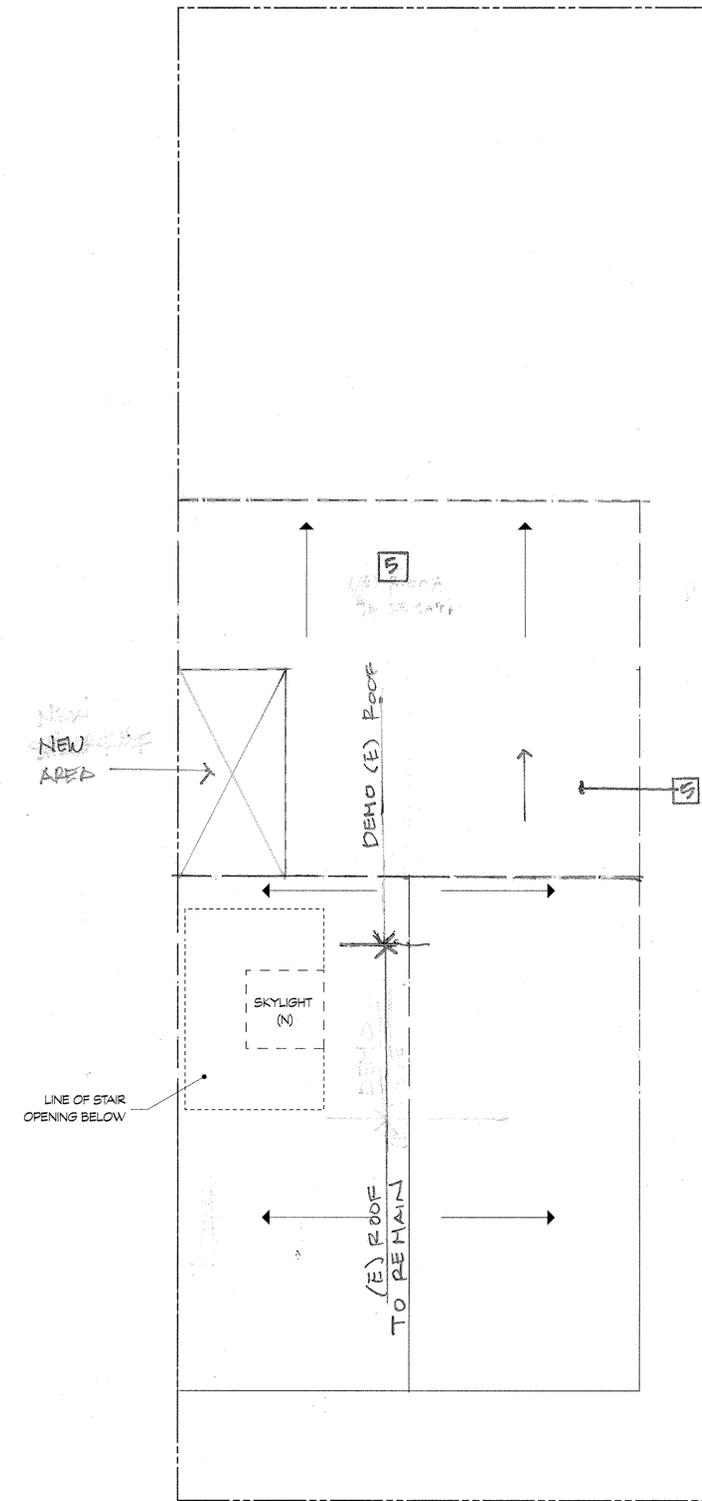
1
A2.1



SECOND EXISTING/DEMO PLAN

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

2
A2.1



ROOF EXISTING/DEMO PLAN

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

3
A2.1

- 1 CONTRACTOR TO VERIFY ALL EXISTING WALL CONDITIONS. PATCH AND REPAIR ANY REQUIRED CONDITIONS. SEE STRUCT'L DRWS.
- 2 DASHED WALL INDICATES (E) WALLS TO BE REMOVED
- 3 SHADED WALLS INDICATE (E) WALLS TO BE REMOVED AND REBUILT TO CURRENT CODE AND STRUCTURAL DETAILS SEE SHEET A3.1 FOR NEW PLAN LAYOUT
- 4 CONTRACTOR TO REPLACE ALL (E) WINDOWS IN EXISTING LOCATIONS AND HEIGHTS
- 5 (E) ROOF TO REBUILT TO SAME HEIGHTS AND SLOPE AS INDICATED ON DRAWING. NEW ROOF, WITH (E) SLOPE TO BE 3'-0" HIGHER (1/2"-1" PLATE)

10/29/10 - Notes
07/27/10 AS ISSUED FOR BID

Revisions

Vasan

First Floor Basement Remodel

147 Andover Street
San Francisco

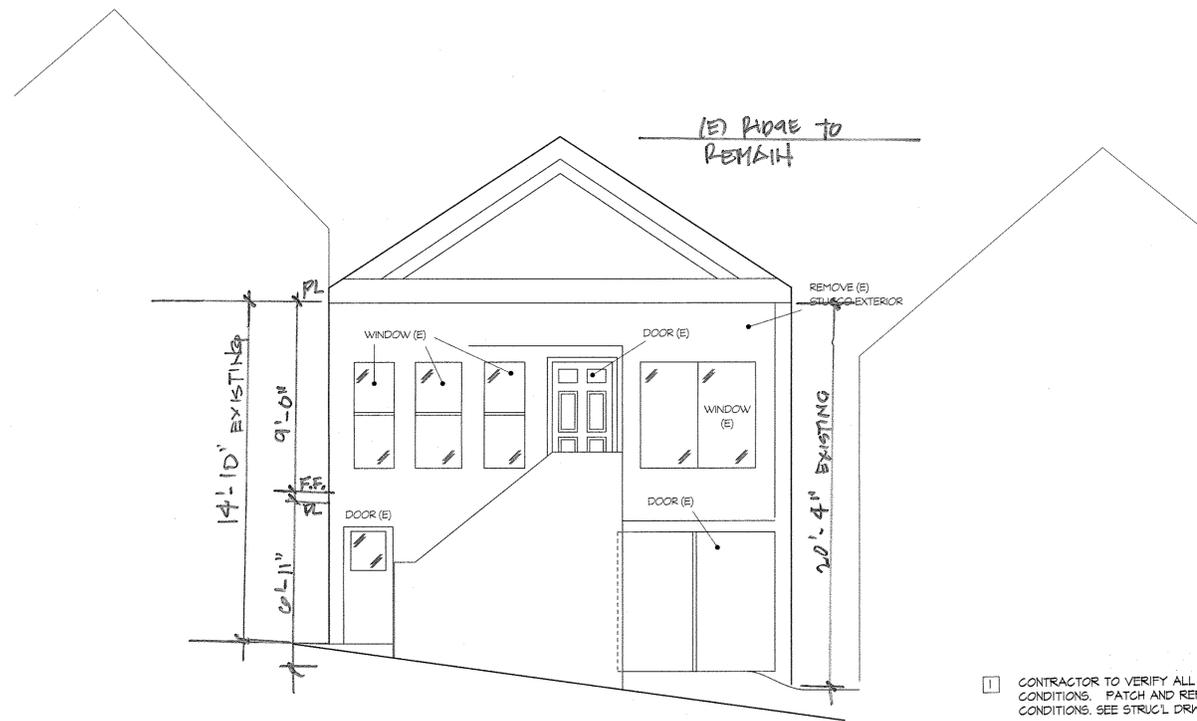
Drawing Title:

Existing/ Demolition Plan

By CC Scale As Shown
Sheet No.



2.1

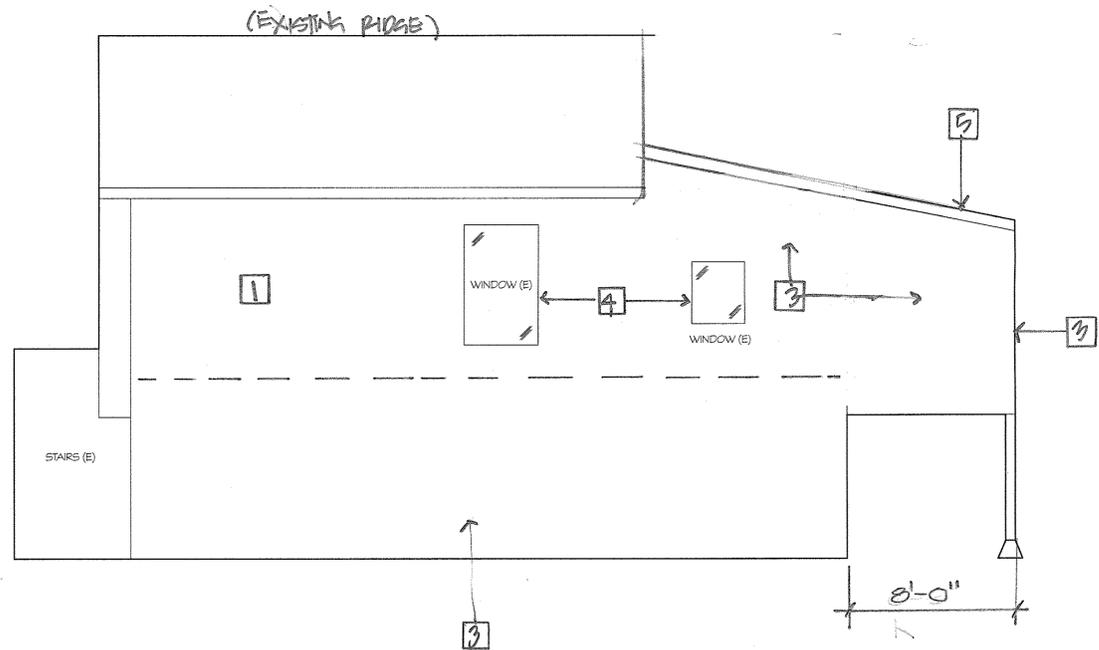


WEST EXTERIOR ELEVATION EXISTING

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

1
A4.1

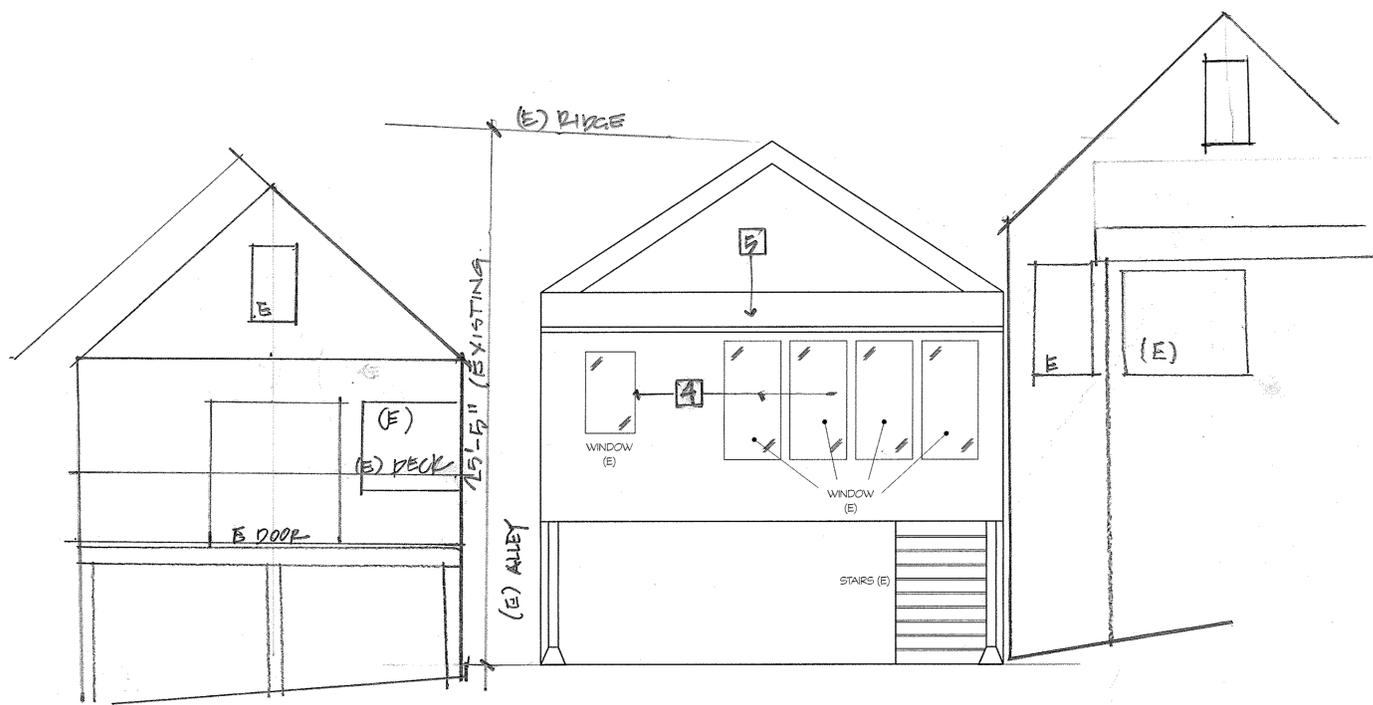
- 1 CONTRACTOR TO VERIFY ALL EXISTING WALL CONDITIONS. PATCH AND REPAIR ANY REQUIRED CONDITIONS. SEE STRUCT. DRWS.
- 2 DASHED WALL INDICATES (E) WALLS TO BE REMOVED
- 3 SHADED WALLS INDICATE (E) WALLS TO BE REMOVED AND REBUILT TO CURRENT CODE AND STRUCTURAL DETAILS. SEE SHEET A3.1 FOR NEW PLAN LAYOUT
- 4 CONTRACTOR TO REPLACE ALL (E) WINDOWS IN EXISTING LOCATIONS AND HEIGHTS
- 5 (E) ROOF TO REBUILT TO SAME HEIGHTS AND SLOPE. CONTRACTOR TO VERIFY ALL CONDITIONS. SEE STRUCTURAL FOR DETAILS



SOUTH EXTERIOR ELEVATION EXISTING

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

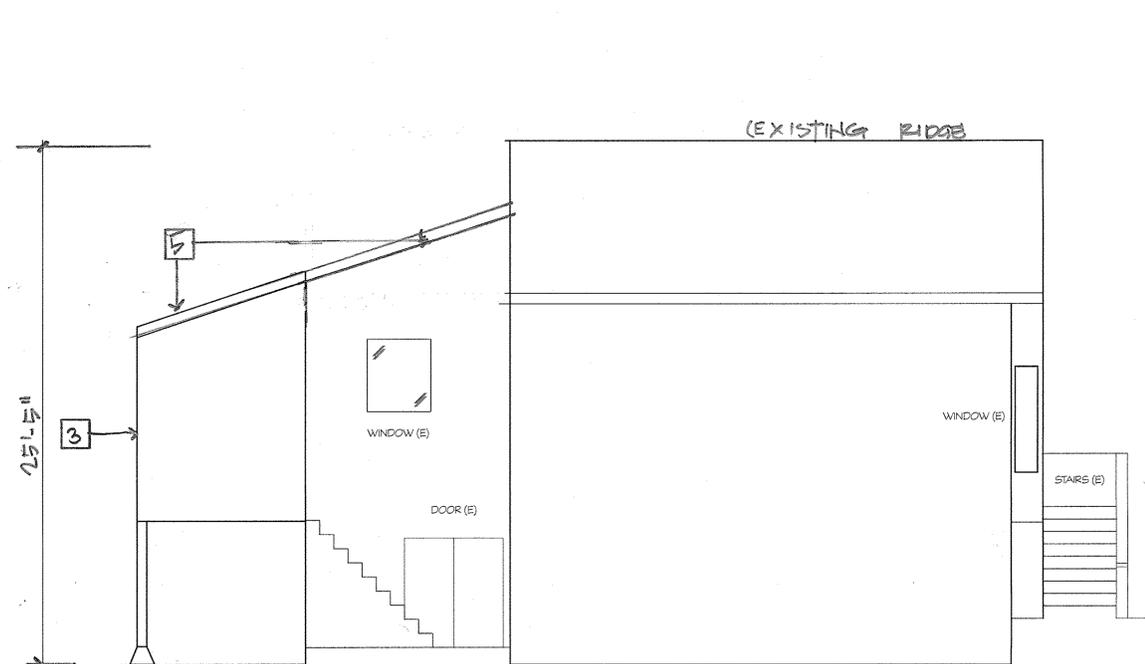
2
A4.1



EAST EXTERIOR ELEVATION EXISTING

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

3
A4.1



NORTH EXTERIOR ELEVATION EXISTING

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

4
A4.1

10/29/10 - NOTES

07/27/10 AS ISSUED FOR BID

Revisions

Vasan

First Floor Basement Remodel

147 Andover Street
San Francisco

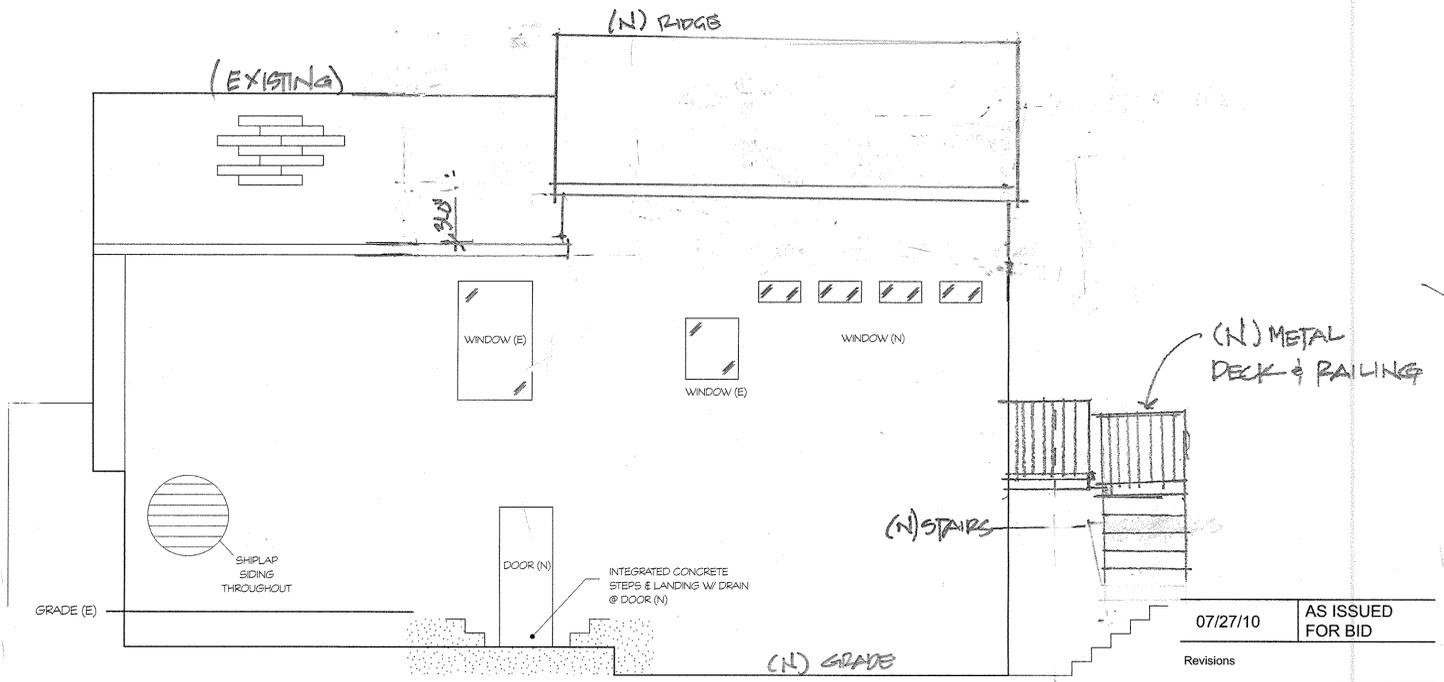
Drawing Title

Exterior Elevation Existing

By CC Scale As Shown

Sheet No.

4.1



07/27/10	AS ISSUED FOR BID
Revisions	

SOUTH EXTERIOR ELEVATION PROPOSED

SCALE: 1/4" = 1'-0" (N.T.S.)

2
A4.2

NOT TO BE CONSIDERED

Vasan

First Floor
Basement
Remodel

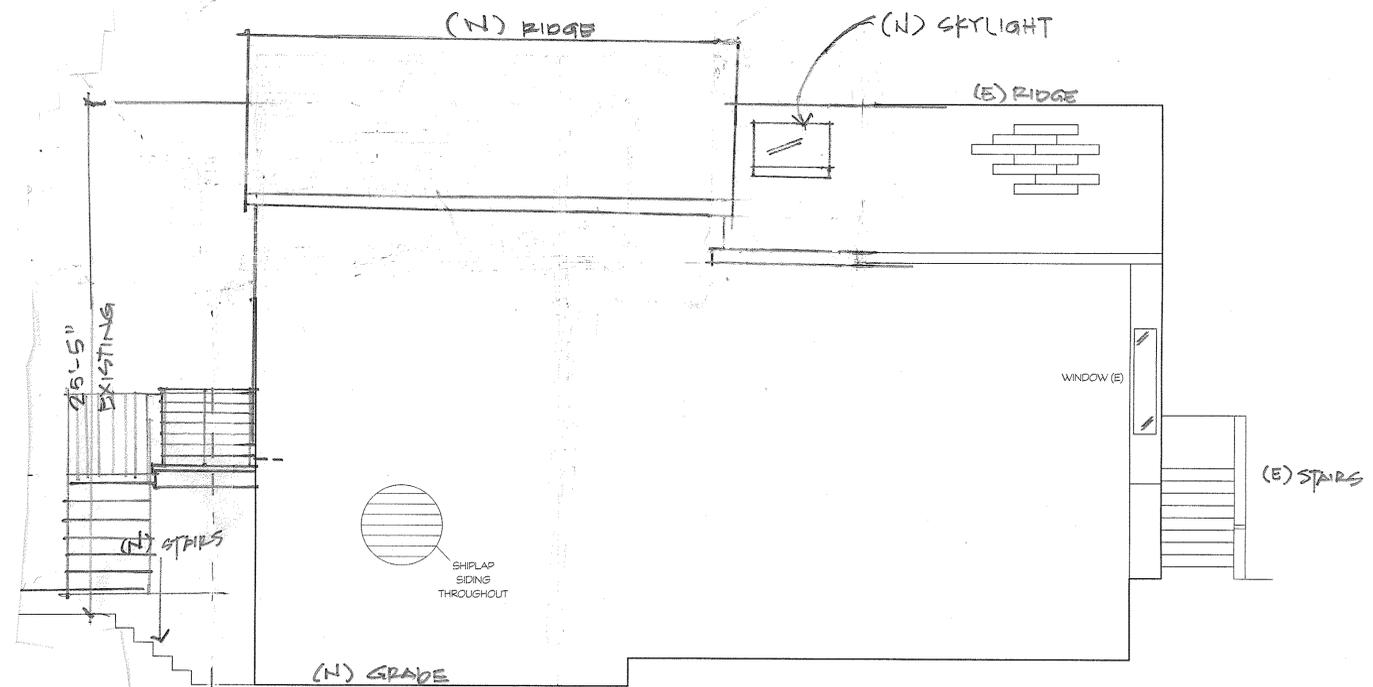
147 Andover Street
San Francisco

Drawing Title:

Exterior
Elevation
Proposed

By CC Scale As Shown

Sheet No.



NORTH EXTERIOR ELEVATION PROPOSED

SCALE: 1/4" = 1'-0" (N.T.S.)

4
A4.2

4.2

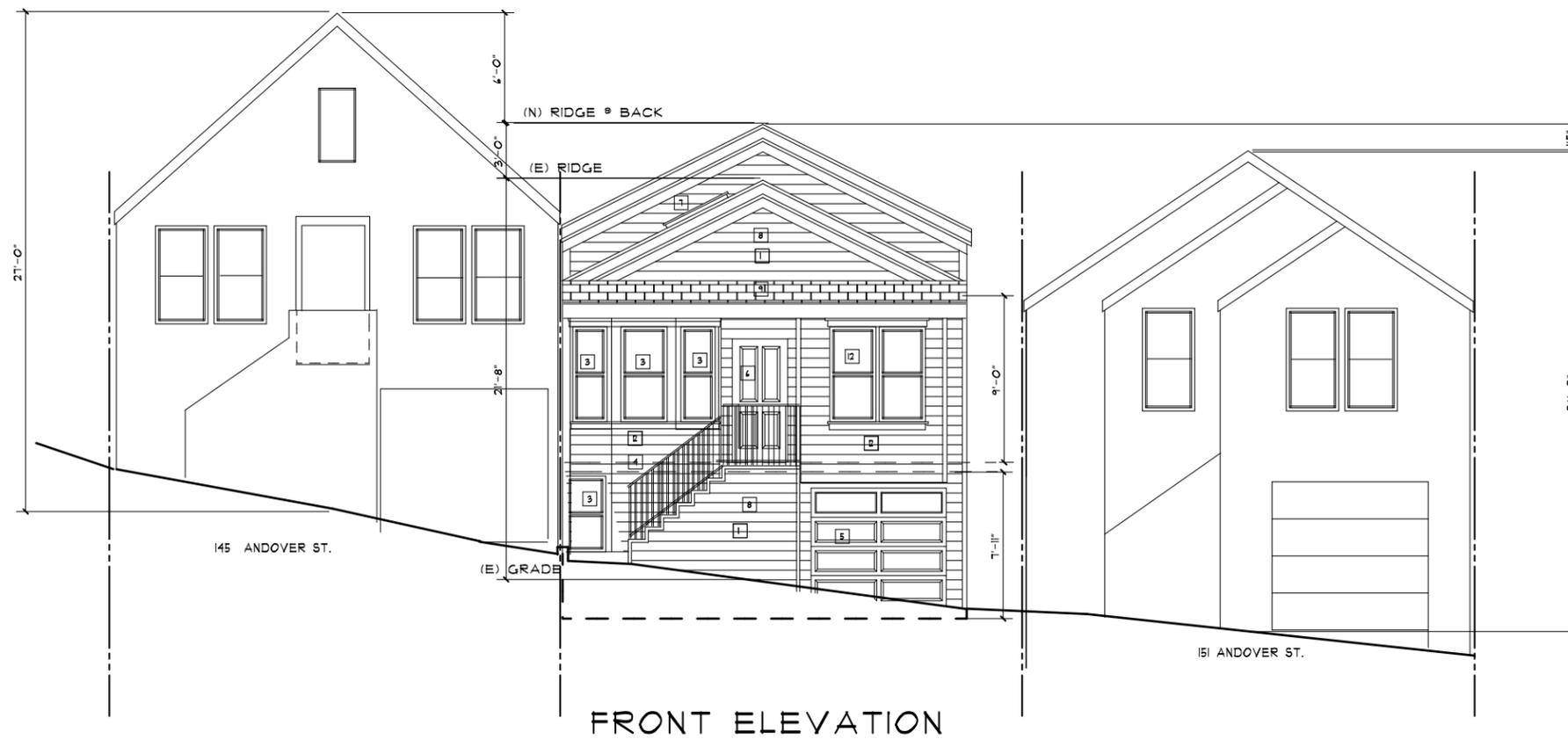
TIM LORENZ
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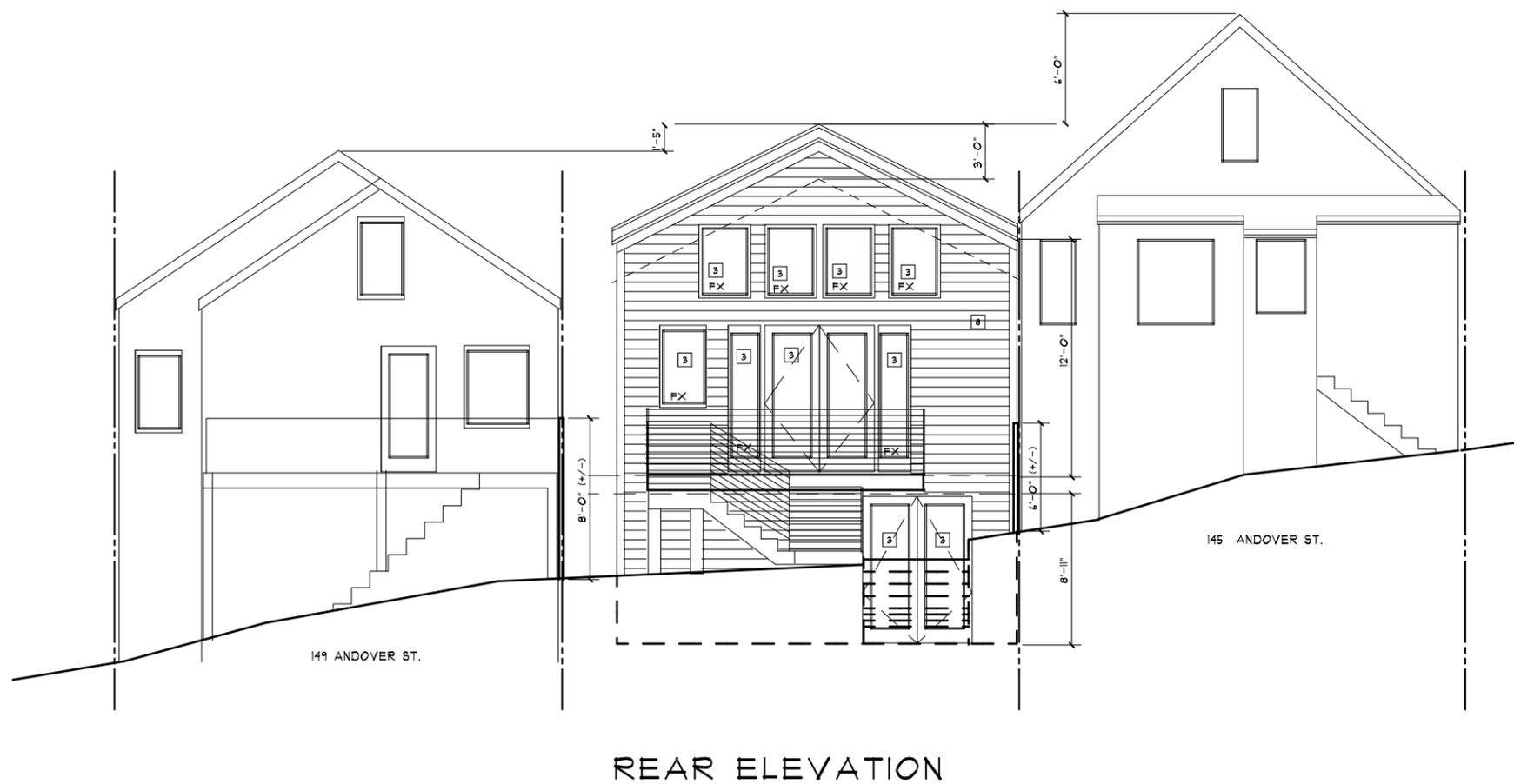
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- 1 SELECTIVE DEMOLITION OF (E) STUCCO TO FIND ORIGINAL WOOD DETAILS
- 2 (N) WOOD TRIM & (E) WINDOWS
- 3 (N) WINDOW OR DOOR
- 4 (N) WOOD RAILING TO MATCH ORIGINAL DETAILS. REMOVE (E) STUCCO WALL.
- 5 (N) RAISED PANEL SECTIONAL GARAGE DOOR TO REPLACE (E)
- 6 (E) FRONT DOOR
- 7 (N) SKYLIGHT & (E) ROOF
- 8 (N) 1X8 SHIP-LAP WOOD SIDING
- 9 REMOVE (E) CONC. "S" TILES AND REPLACE W/ (N) ASPHALT SHINGLES.
- 10 (E) WOOD DETAILS TO REMAIN
- 11 (E) LIGHT FIXTURE TO BE REPLACED
- 12 (N) WOOD SINGLE HUNG WINDOWS TO REPLACE (E) METAL SLIDING WINDOW
- 13



Δ	DESCRIPTION	DATE	DRAWN
REVISIONS			
Δ			

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

JOB NO.	200910	SHEET	
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CHECK	TBL		
DATE	1/10	OF	

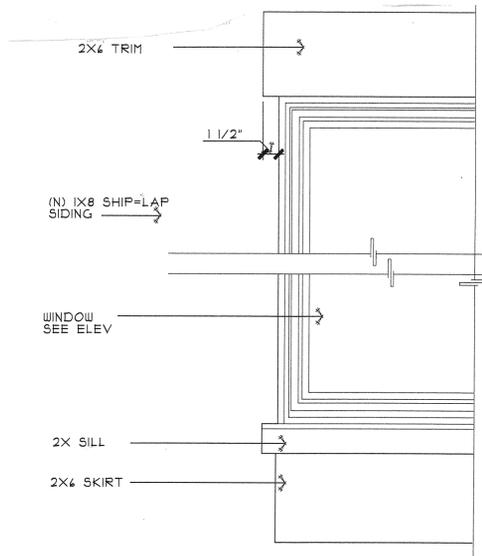
ELECTRICAL, MECHANICAL
AND PLUMBING NOTES

- MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS ARE SHOWN FOR INTENT ONLY. THESE SYSTEMS SHALL BE ENGINEERED BY OTHERS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER INSTALLATION AND PLACEMENT.
- FANLIGHTS IN NET OR DAMP LOCATIONS SHALL BE LABELED "SUITABLE FOR NET OR DAMP LOCATIONS" (PER SECTION NEG-410-4.A OF THE NEG.)
- PROVIDE 4" DIA. SMOOTH METAL DRYER VENT W/ BACKDRAFT DAMPER TO EXTERIOR AS SHOWN ON PLAN. VENT RUN SHALL CONFORM WITH MIFR'S SPECS. AND SCTN. 504.4.908 OF THE UNIFORM MECHANICAL CODE. LENGTH OF RUN MAY EXCEED 14'-0" IF DIA. OF VENT IS INCREASED ACCORDING TO THE 1991 JANUARY/FEBRUARY EDITION OF IBC'S BUILDING STANDARDS CODE INTERPRETATION.
- ALL EXHAUST FANS SHALL HAVE BACKDRAFT DAMPERS.
- ALL TUBS AND SHOWERS SHALL HAVE PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE CONTROL.
- PROVIDE A MINIMUM OF 2-20 AMP CIRCUITS TO KITCHEN COUNTERTOPS FOR SMALL APPLIANCES
- ALL AIR DUCTS PENETRATING SEPARATION WALL OR CEILING BETWEEN GARAGE AND LIVING AREAS SHALL BE 26 GA. MINIMUM.
- CONTRACTOR TO VERIFY ALL (E) CONDITIONS.

EMP LEGEND

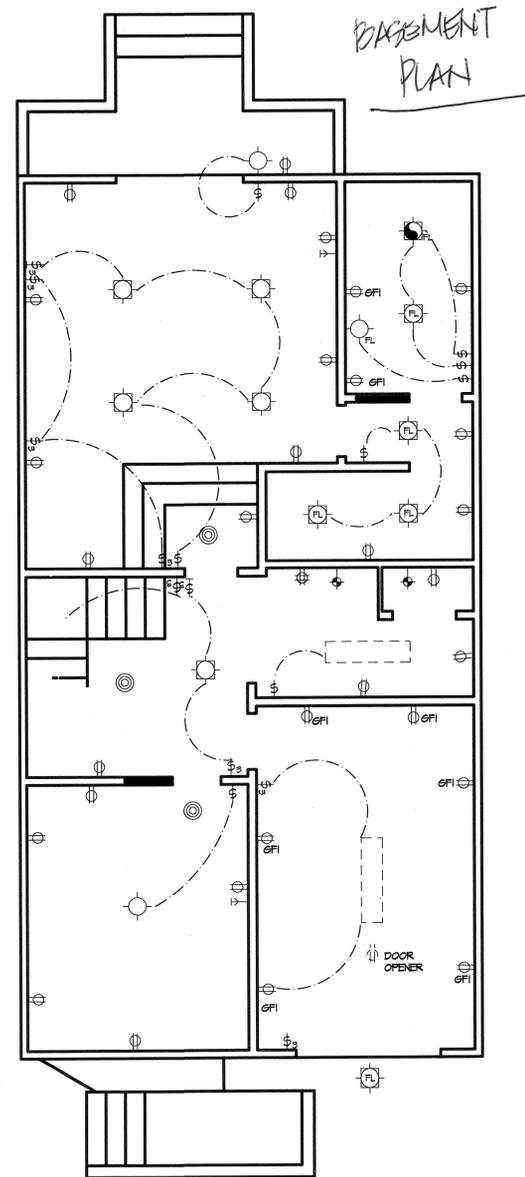
- SWITCH
 - 3-WAY SWITCH
 - 4-WAY SWITCH
 - DIMMER SWITCH
 - SPEAKER VOLUME CONTROL
 - DATA JACK
 - PHONE JACK
 - T.V. CABLE JACK
 - GAS STUB
 - KEY VALVE (GAS)
 - INTERCOM
 - TRACK LIGHTING
 - GARAGE DOOR SWITCH
 - LIGHTED ADDRESS SIGN
 - SMOKE DETECTOR - HARD WIRED, INTERCONNECTED W/ BATTERY BACK-UP
 - JUNCTION BOX 220V
 - DISPOSAL
 - DOORBELL
 - CHIMES
 - MOTION DETECTOR (CEILING)
 - MOTION DETECTOR (WALL)
 - SPEAKER (CEILING)
 - SPEAKER (WALL)
 - SHOWER HEAD
 - HOT WATER STUB
 - COLD WATER STUB
 - HOSE BIB W/ BACKFLOW PREVENTION DEVICE
 - THERMOSTAT
 - SINGLE POLE RECEPTACLE
 - FLUSH FLOOR DUPLEX RECEPTACLE
 - DUPLEX RECEPTACLE
 - 1/2 HOT RECEPTACLE
 - FOURPLEX RECEPTACLE
 - 220V RECEPTACLE
 - INCANDESCENT LIGHT FIXTURE (CEILING)
 - INCANDESCENT LIGHT FIXTURE (WALL)
 - WALL WASHER LIGHT FIXTURE (SURFACE)
 - WALL WASHER LIGHT FIXTURE (RECESSED)
 - LIGHT FIXTURE (RECESSED)
 - FLUORESCENT LIGHT FIXTURE (RECESSED)
 - FLUORESCENT LIGHT FIXTURE (SURFACE)
 - SEE PLAN FOR SIZE
 - FAN
 - INCANDESCENT LIGHT/FAN COMBINATION (RECESSED)
 - FLUORESCENT LIGHT/FAN COMBINATION (RECESSED)
 - CEILING FAN
- (ALSO SEE FLOOR PLAN KEYNOTES LEGEND)

FINAL KITCHEN AND BATHROOM LAYOUT TO BE FINALIZED BY CONTRACTOR. CONTRACTOR SHALL ADHERE TO ALL CODES AND CITY REQUIREMENTS.

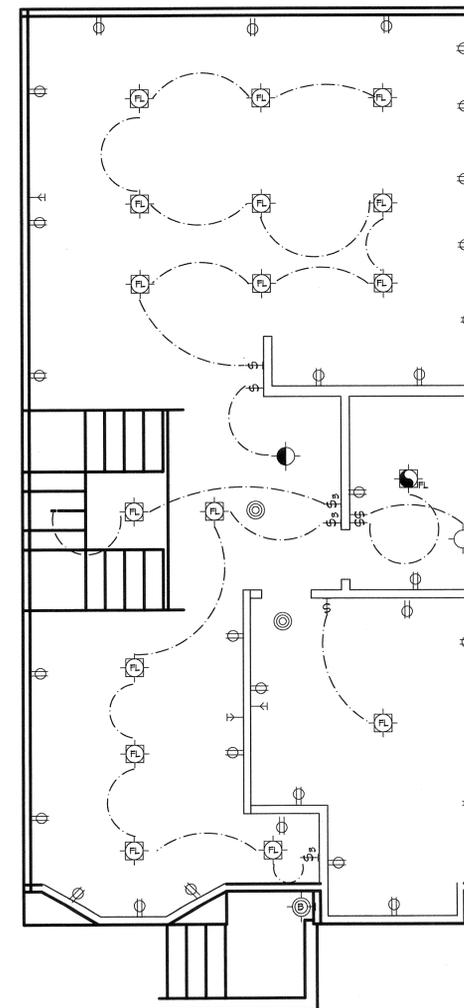


WINDOW TRIM ELEVATION

SCALE: 1 1/2" = 1'-0"



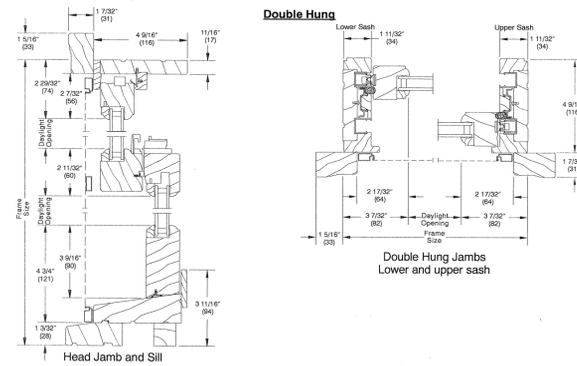
BASEMENT PLAN



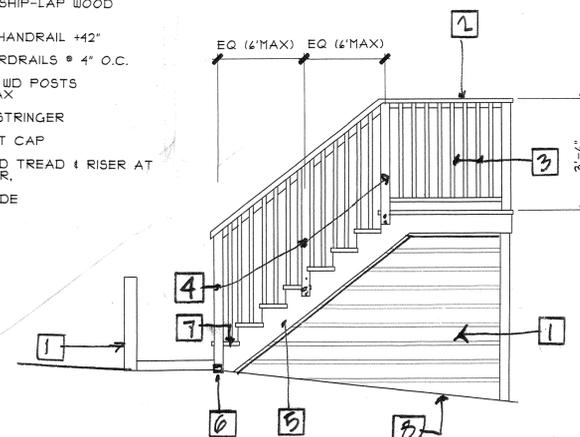
FIRST FLOOR PLAN

WOOD ULTIMATE DOUBLE HUNG

SECTION DETAILS: OPERATING ONLY
SCALE: 3" = 1'-0" (76 = 305)

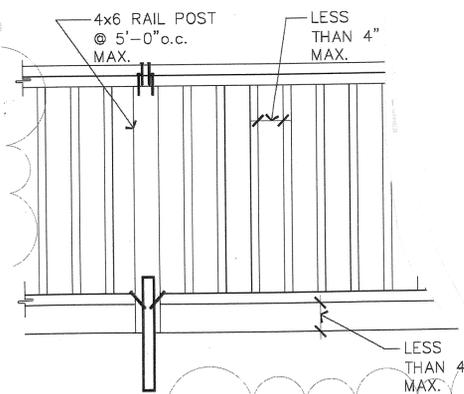


- (E) WALL TO REMAIN W/ (N) IX8 SHIP-LAP WOOD SIDING
- (N) WD HANDRAIL +12"
- (N) GUARDRAILS @ 4" O.C.
- (N) 4x4 WD POSTS @ 4'-0" MAX
- (N) WD STRINGER
- (N) POST CAP
- (N) WOOD TREAD & RISER AT (E) STAIR.
- (E) GRADE

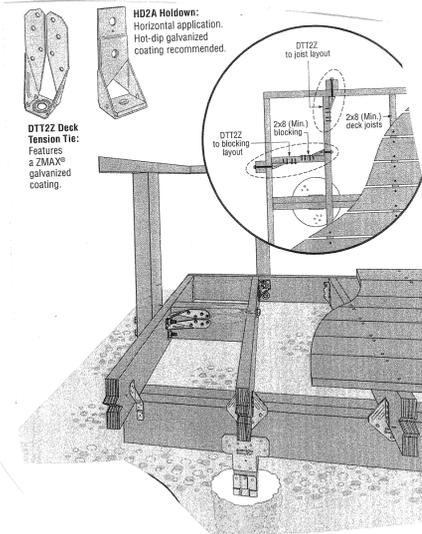


(E) FRONT STAIRS W/ (N) WOOD RAILING

NOTE: REDWOOD OR CEDAR SHALL BE USED THROUGH OUT FOR ALL RAILING, DECKING, AND POSTS. REDWOOD AND CEDAR WOODS SHALL NOT BE MIXED.



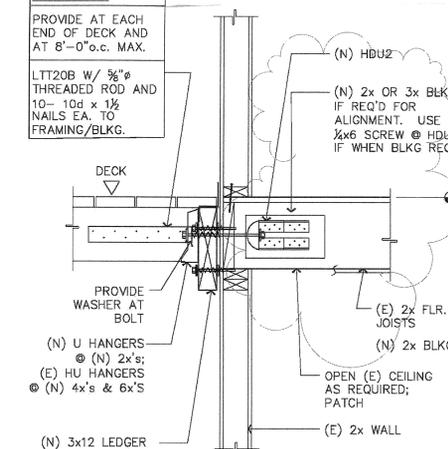
(N) RAILING DTL. NO SCALE



(N) RAIL CONNECTION @ STAIR/LANDING

DECK TIES:

PROVIDE AT EACH END OF DECK AND AT 8'-0" o.c. MAX.
LTT20B W/ 3/4" THREADED ROD AND 10-10d x 1 1/2" NAILS EA. TO FRAMING/BLKG.



(N) DECK TO BLDG TIE DETAIL

DESCRIPTION DATE DRAWN

REVISIONS

FRONT RAILING DETAILS
11/17/10

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

JOB NO. 200910 SHEET

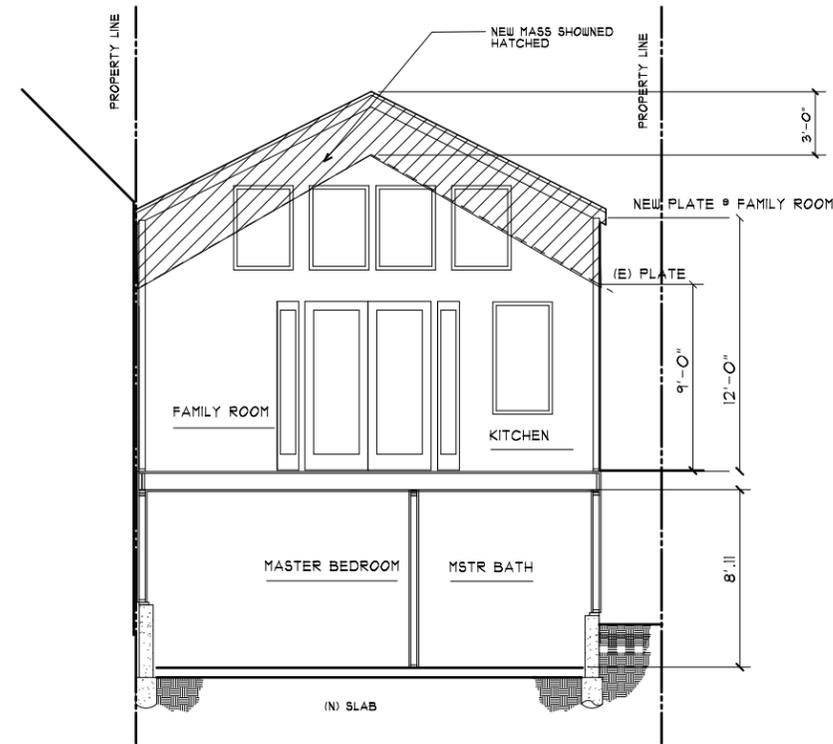
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CHECK TB

DATE 1/10 OF

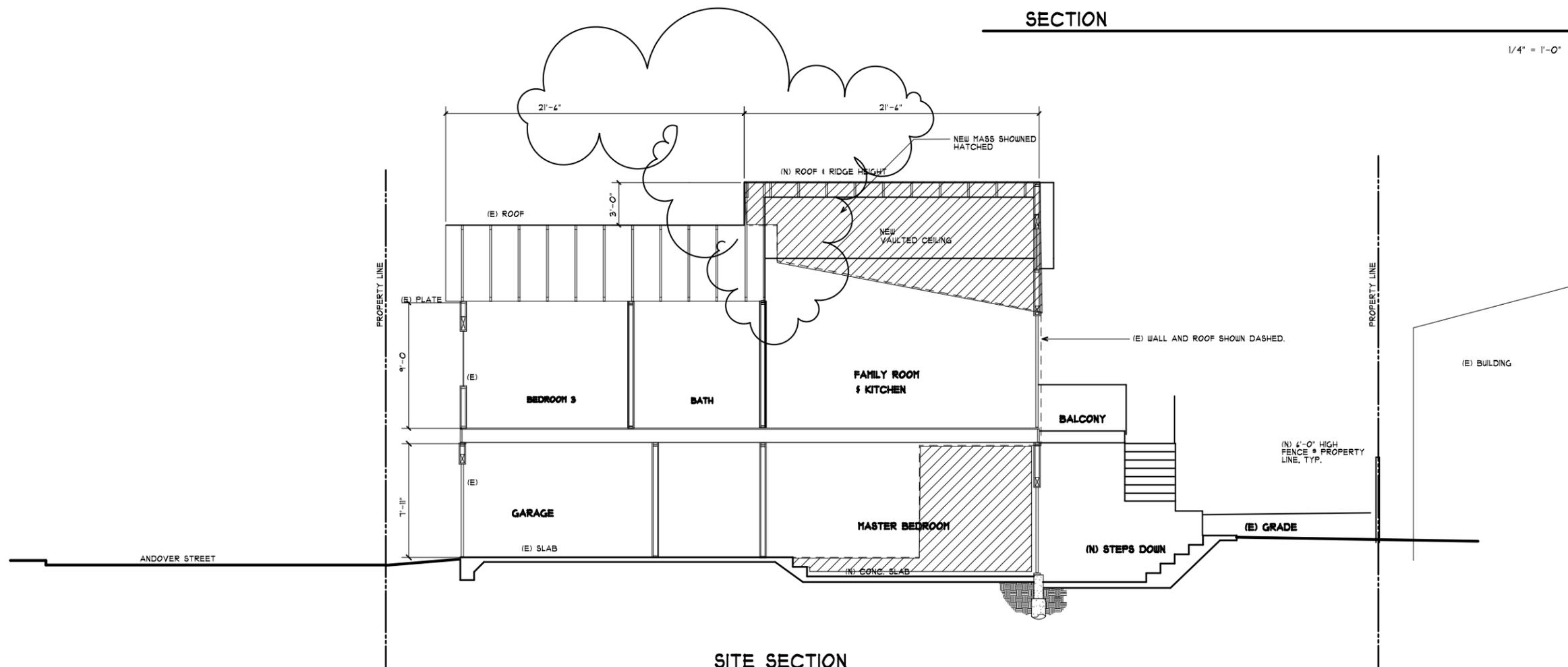
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REMODEL TO
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SECTION

1/4" = 1'-0"



SITE SECTION

1/4" = 1'-0"

REVISIONS	DESCRIPTION	DATE	DRAWN
△			

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

JOB NO.	200910	SHEET	
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CHECK	TLL		
DATE	1-21-11	OF	5.2