

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
JON KWONG,

Appellant(s)

VS.

DEPARTMENT OF BUILDING INSPECTION,

PLANNING DEPARTMENT APPROVAL Respondent

Appeal No. **25-023**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on June 20, 2025, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on June 6, 2025 to Deborah Keane, of an Alteration Permit (to comply with Notice of Violation No. 202534413; lattice support for roses) at 1914 Greenwich Street.

APPLICATION NO. 2025/06/06/8151

FOR HEARING ON September 24, 2025

Address of Appellant(s):

Address of Other Parties:

Jon Kwong, Appellant(s)
c/o Shirley Mu, Attorney for Appellant(s)
Finkelstein & Fujii LLP
1528 South El Camino Real, Suite 306
San Mateo, CA 94402

Deborah Keane, Permit Holder(s)
1914 Greenwich Street
San Francisco, CA 94123



Date Filed: June 20, 2025

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

PRELIMINARY STATEMENT FOR APPEAL NO. 25-023

I / We, **Jon Kwong**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2025/06/06/8151** by the **Department of Building Inspection** which was issued or became effective on: **June 6, 2025**, to: **Deborah Keane**, for the property located at: **1914 Greenwich Street**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **July 10, 2025, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, Natalia.fossi@sfgov.org, kevin.birmingham@sfgov.org deborah@californiacaviar.com

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **July 24, 2025, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, Natalia.fossi@sfgov.org, kevin.birmingham@sfgov.org smu@dgflaw.com

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

Hearing Date: **Wednesday, July 30, 2025, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

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

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via email

Print Name: Shirley Mu, attorney for appellant

Appeal Preliminary Statement

The permit (Application #202506068151) approves a rose climbing trellis that is approximately 25 feet in height and positioned only about an inch away from the appellant's building at 1910 Greenwich St, San Francisco, CA 94123. Although described as a "trellis," the structure is fixed to the ground along the property line, and its large size and function as a barrier make it indistinguishable from a fence. Under the San Francisco Building Inspection Commission Codes Section 456, fences shall not be higher than 10 feet. The trellis far exceeds that limit and should be treated as a fence subject to the same height restriction. Moreover, the trellis poses a fire safety hazard because it is built extremely close to the appellant's siding and appears to be constructed from wood or wood-like combustible material.

Previously, the 1914 Greenwich property owner installed a similar rose-supporting structure of the same height as the current trellis. That structure caused significant damage to the appellant's siding when the owner attached wires and nails directly into the siding to support climbing roses. As the rose bushes grew, their thorns scraped and punctured the siding. Appellant incurred approximately \$15,210 to remove and replace the siding. It is highly likely that similar damage will recur as the roses grow and extend toward the appellant's property from the current trellis. Due to the limitations on including exhibits, the appellant was unable to attach photos of the prior structure, the damaged siding, repair receipts, and the current trellis showing its height and proximity. Appellant can provide these materials once he has an opportunity to expand on his statement after submitting this brief.

Appellant respectfully requests that the permit be revised to (1) reduce the height of the trellis to comply with applicable fence height limits, and (2) require that it be placed at a greater distance from the appellant's siding to prevent likely damage and improve fire safety.

Permit Details Report**Report Date:** 6/20/2025 9:36:47 AM

Application Number: 202506068151
 Form Number: 8
 Address(es): 0507 / 010 / 0 1914 GREENWICH ST
 Description: TO COMPLY WITH NOV #202534413 LATTICE SUPPORT FOR ROSES
 Cost: \$6,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
6/6/2025	TRIAGE	
6/6/2025	FILING	
6/6/2025	FILED	
6/6/2025	APPROVED	
6/6/2025	ISSUED	

Contact Details:**Contractor Details:**

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

Addenda Details:**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
BID-INSP		6/6/25	6/6/25			6/6/25	CHAN MICHAEL	Approved	
INTAKE		6/6/25	6/6/25			6/6/25	HANKINS ETHAN	Administrative	
CP-ZOC		6/6/25	6/6/25			6/6/25	WESTOFF ALEX	Approved	6.6.25. Alex Westhoff. Approved. Lattice support in buildable area. Trent Greenan. Seeking permit for existing trellis within buildable area. Elevation drawing needed.
BLDG		6/6/25	6/6/25			6/6/25	IBARRA JEFF	Approved	OTC
CPB		6/6/25	6/6/25			6/6/25	HANKINS ETHAN	Administrative	

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

Appointments:

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

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

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

Station Code Descriptions and Phone Numbers

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

Technical Support for Online Services

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

City and County of San Francisco © 2025

BRIEF SUBMITTED BY THE APPELLANT(S)

Appeal Number: 25-023
Appeal Title: Kwong vs. DBI, PDA
Subject Property: 1914 Greenwich Street
Permit Type: Alteration Permit
Permit No.: 2025/06/06/8151
Re: Brief for the Appellant
Date: July 10, 2025

I. INTRODUCTION

Appellant Jon Kwong (“Appellant”) is the owner of the property located at 1910 Greenwich Street, San Francisco CA 94123. Respondent Deborah Keane (“Respondent”) owns the adjacent property at 1914 Greenwich Street, San Francisco, CA 94123. On June 6, 2025, San Francisco Planning Department approved Permit No. 202506068151, authorizing an existing ground-fixed rose climbing “trellis” that is approximately 25 feet tall, extends along the property line between Appellant’s and Respondent’s buildings, and positioned only a few inches away from Appellant’s building. Although described as a “trellis/screen,” the structure functions as, and should be regulated as, a fence under San Francisco Building Inspection Commission (BIC) Code section 456, which limits fences to 10 feet in height. The trellis’ excessive height, width, proximity to Appellant’s building, and its use of wood or wood-like combustible material present significant property-damage risks and fire-safety concerns that the current permit did not address.

Appellant respectfully requests that the permit be denied and the trellis removed, or, in the alternative, that the permit be revised to (1) reduce the height of the trellis to comply with applicable fence height limits, and (2) require it to be placed at a greater distance from Appellant’s siding to prevent likely property damage and improve fire safety.

II. STATEMENT OF FACTS

A. The Current Trellis, a Similar Prior Rose-Supporting Structure, and the Resulting Damage

In late 2024, Respondent installed a rose-climbing trellis along the property line between Respondent's property at 1914 Greenwich Street, San Francisco, CA 94123 and Appellant's property at 1910 Greenwich Street, San Francisco CA 94123. The trellis is approximately 25 feet tall and positioned only a few inches away from Appellant's building. Appellant's property is a three-story apartment building, and the trellis extends nearly to its full height. Photographs showing the current trellis's substantial size, height, and proximity to Appellant's structure are attached as **Exhibit 1**.

To construct the trellis, Respondent hired workers who dug a deep hole in the ground, approximately within half a foot from the foundation of Appellant's building, to secure it. During construction, the workers also accessed the roof of Appellant's building without Appellant's permission. Photographs showing Respondent's workers on Appellant's roof without permission are attached as **Exhibit 2**.

This is not the first time Respondent has installed such a structure. Previously, she constructed a similar rose-supporting structure in the same location, which was directly attached to Appellant's building. Photographs of the prior structure showing its height and size are attached as **Exhibit 3**. As the climbing roses grew and climbed upward, they directly attached to Appellant's siding and scraped and punctured it (see **Exhibit 4**). Respondent also attached wires and nails directly into Appellant's siding to hold and support her roses (see **Exhibit 5**). This caused significant damage to Appellant's siding, as shown in **Exhibit 6**. Appellant incurred

approximately \$15,210 to remove and replace the siding. True and correct copies of the receipt are attached as **Exhibit 7**.

As of July 5, 2025, the climbing roses on the current trellis have grown and are already touching Appellant's siding directly, as shown in **Exhibit 8**.

B. Timeline of Violations, Delays, and Evidence of Respondent's Bad Faith

On February 24, 2025, Appellant filed a complaint with the San Francisco Department of Building Inspection ("DBI"), and a case was opened under Complaint Number 202534413.

On March 12, 2025, DBI issued a Notice of Violation to Respondent. The violation description states: "WORK WITHOUT PERMIT," and the code violation description reads: "Observed permanently anchored trellis/screen exceeding 10' in height at east property line behind structure." The corrective action ordered Respondent to: "STOP ALL WORK SFBC 104.2.4," "FILE BUILDING PERMIT WITHIN **30 DAYS**," and "OBTAIN PERMIT WITHIN **60 DAYS** AND COMPLETE ALL WORK WITHIN **90 DAYS**, INCLUDING FINAL INSPECTION SIGNOFF." For the section relating to fees, the Notice states: "NO penalty (Work w/o permit prior to 9/1/60)." However, this structure was installed in 2024, and clearly not prior to 1960. Attached as **Exhibit 9** is a true and correct copy of the Notice of Violation.

Since the Notice of Violation was issued, Appellant has actively attempted to communicate with Respondent through Appellant's attorney, as Respondent would not return Appellant's calls or communicate with him directly. Appellant also actively communicated with the assigned inspector to ensure that Respondent was taking steps to comply with the violation. Despite these efforts, Respondent failed to timely address the violation.

On May 2, 2025, DBI issued a Final Warning Letter to Respondent, and the case was transferred to the Code Enforcement at DBI. Around that time, Appellant communicated with

Code Enforcement staff and learned that a Director’s Hearing was expected to be scheduled for mid-June 2025.

It was not until June 6, 2025 — nearly three months after the initial Notice of Violation and one month after the Final Warning Letter — that Respondent applied for a permit for her trellis. Respondent clearly failed to comply with DBI’s directive to file a permit within 30 days. In fact, the permit was both applied for and approved on the same day, June 6, 2025. Appellant received no notice regarding the permit application.

On June 11, 2025, Appellant discovered the existence of the permit and contacted DBI and the San Francisco Planning Department (“SFPD”) to inquire whether any conditions have been placed on the permit. Appellant was informed that the permit was too recent for the senior inspector to access in PaperVision. As a result, Appellant had no choice but to file this appeal to ensure that his concerns would be addressed.

III. ARGUMENT

A. The Trellis Functions as a Fence and Should Comply with BIC § 456’s 10 Feet Height Restriction.

San Francisco Building Inspection Commission (BIC) Codes Section 456 states: “fences on any property containing a Group R Occupancy shall not be higher than 10 feet”. Although described as a “trellis/Screen,” the Notice of Violation notes that the structure is “permanently anchored” on the ground and located “at east property line behind structure.” (See Exhibit 9.)

A trellis is typically lightweight, decorative, and used to support vertical plant growth. While Respondent’s trellis supports climbing roses, the structure is approximately 25 feet tall and constructed as a rigid, upright barrier, forming a vertical screen that is functionally indistinguishable from a fence. To secure the large structure, Respondent drilled a deep hole into

the ground. Moreover, it is situated directly along the property line, consistent with how fences are typically installed. Its location and large size have the effect of blocking views, light, and access, which are functions traditionally associated with a fence. Thus, even if its intended purpose is to support climbing roses, it effectively serves as a fence.

Therefore, regardless of how the structure is labeled, it should be required to comply with fence height limitations because it serves the same function and causes the same impacts as an over-height fence.

B. The History of Damage and Respondent's Reluctance to Cure the Violation
Demonstrate Bad Faith.

Respondent's prior rose-supporting structure caused significant damage to Appellant's siding as the climbing roses' thorns punctured and scraped the siding as they grew, and Respondent even attached wires and nails directly into the siding to hold and support her roses (See Exhibit 3-6). Appellant incurred approximately \$15,210 to remove and replace the siding (See Exhibit 7). A reasonable property owner would know that a plant-support structure must not be attached to a neighbor's building, nor may wires or nails be placed to another's property. Respondent acted willfully and in bad faith. Similar damage is highly likely to recur because the current roses have the same long, thorny canes as the previous plantings, grow quickly, and are already touching Appellant's siding (see Exhibit 8).

Respondent's bad faith conduct should be discouraged, and Appellant has reasonable concern that the current trellis will cause additional damage. This risk can be prevented if the permit is modified to reduce the trellis's height and to require that it be placed at a greater distance from Appellant's siding.

Furthermore, since the DBI issued a Notice of Violation on March 12, 2025, Respondent has been reluctant to cure the violation, demonstrating disregard for the City's enforcement process. She neither removed the trellis nor applied for a permit until nearly three months later, finally submitting a permit application on June 6, 2025—well beyond the DBI's directive to file within 30 days and obtain approval within 60 days of the initial Notice of Violation. The history of damage, the likelihood of recurring damage, and Respondent's bad-faith delay in addressing the violation all support the requested permit modification.

C. The Trellis' Use of Combustible Material and Proximity to Appellant's Building Creates a Significant Fire Hazard.

The trellis poses a fire safety hazard because it is built extremely close to Appellant's siding and appears to be constructed from wood or wood-like combustible material (See Exhibit 1). This increases the risk that, in the event of a fire, flames could rapidly spread from the trellis to Appellant's building. The climbing roses growing on the trellis also add to the fire risk, especially during dry seasons. As shown in Exhibit 3, overgrowth from a previous structure directly contacted Appellant's siding, compounding the danger of fire spread. The roses on the current trellis have grown quickly and are already touching Appellant's building (see Exhibit 8).

Given that Appellant's building is a three-story apartment complex, the fire risk poses a foreseeable and preventable danger to the safety of its tenants. Therefore, the trellis should be required to maintain a greater distance from Appellant's building.

IV. CONCLUSION

For the reasons stated above, Appellant respectfully requests that the permit be denied and the trellis removed, or, in the alternative, that the permit be revised to (1) reduce the height of the trellis to comply with applicable fence height limits, and (2) require it to be placed at a

greater distance from Appellant's siding to prevent likely property damage and improve fire safety.

Exhibit 1

(Photographs of the Current Trellis)

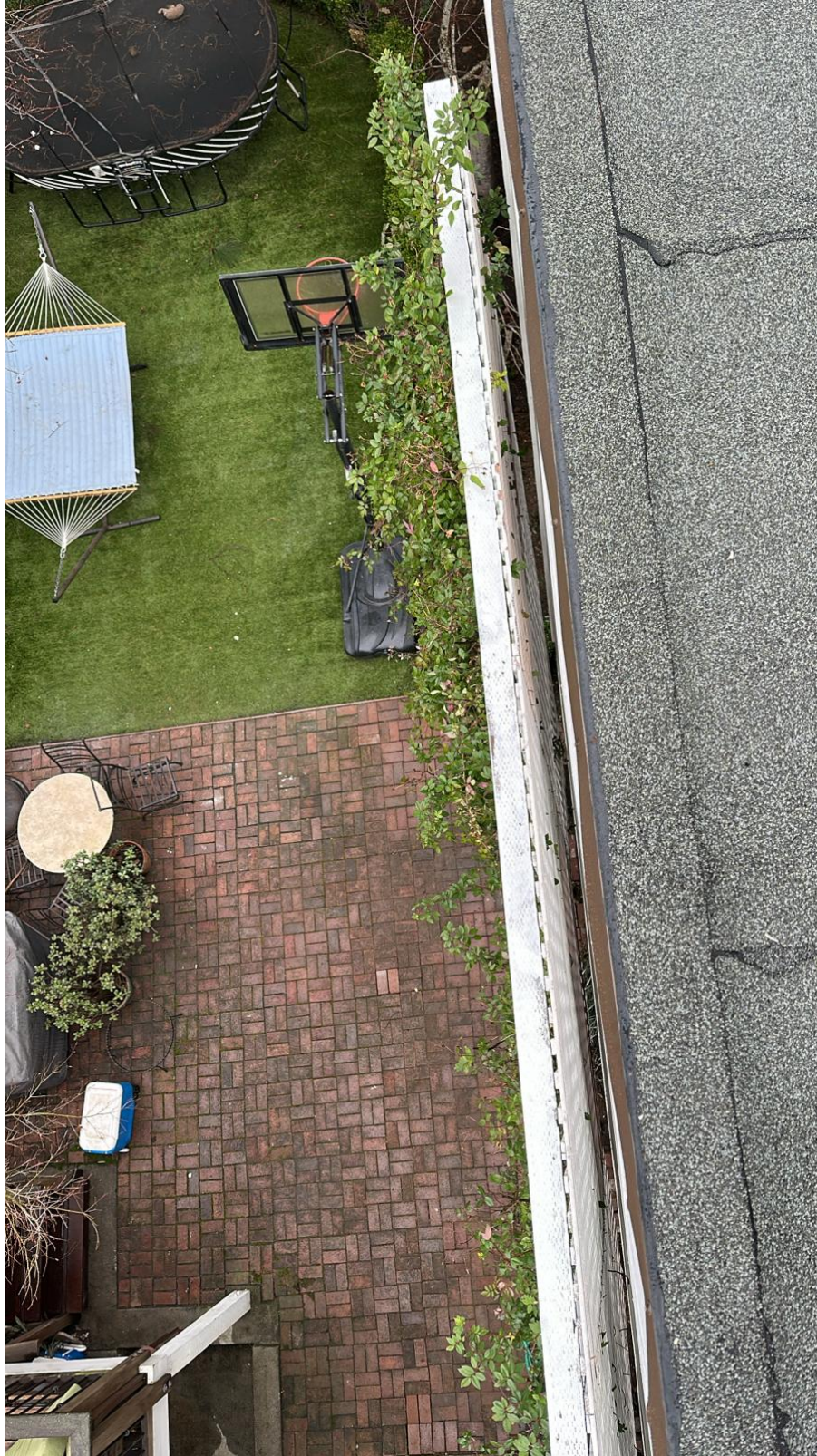
Side view of the current trellis showing its height and proximity to Appellant's building on the left.



Roof view of the current trellis, showing its height and width in relation to Appellant's three-story building on the right.



Roof view of the current trellis.



Roof view of the current trellis showing its proximity to Appellant's building on the left side. The entire right side of the trellis lies within Respondent's property, as the trellis is situated along the boundary line.



EXHIBIT 2

(Photographs Depicting Respondent's Workers on Appellant's Roof
Without Permission)

On November 18, 2024, Respondent's workers accessed Appellant's roof without permission to construct the new trellis.



More photographs of Respondent's workers accessing Appellant's roof without permission to construct the new trellis in late 2024.



More photographs of Respondent's workers accessing Appellant's roof without permission to construct the new trellis in late 2024.



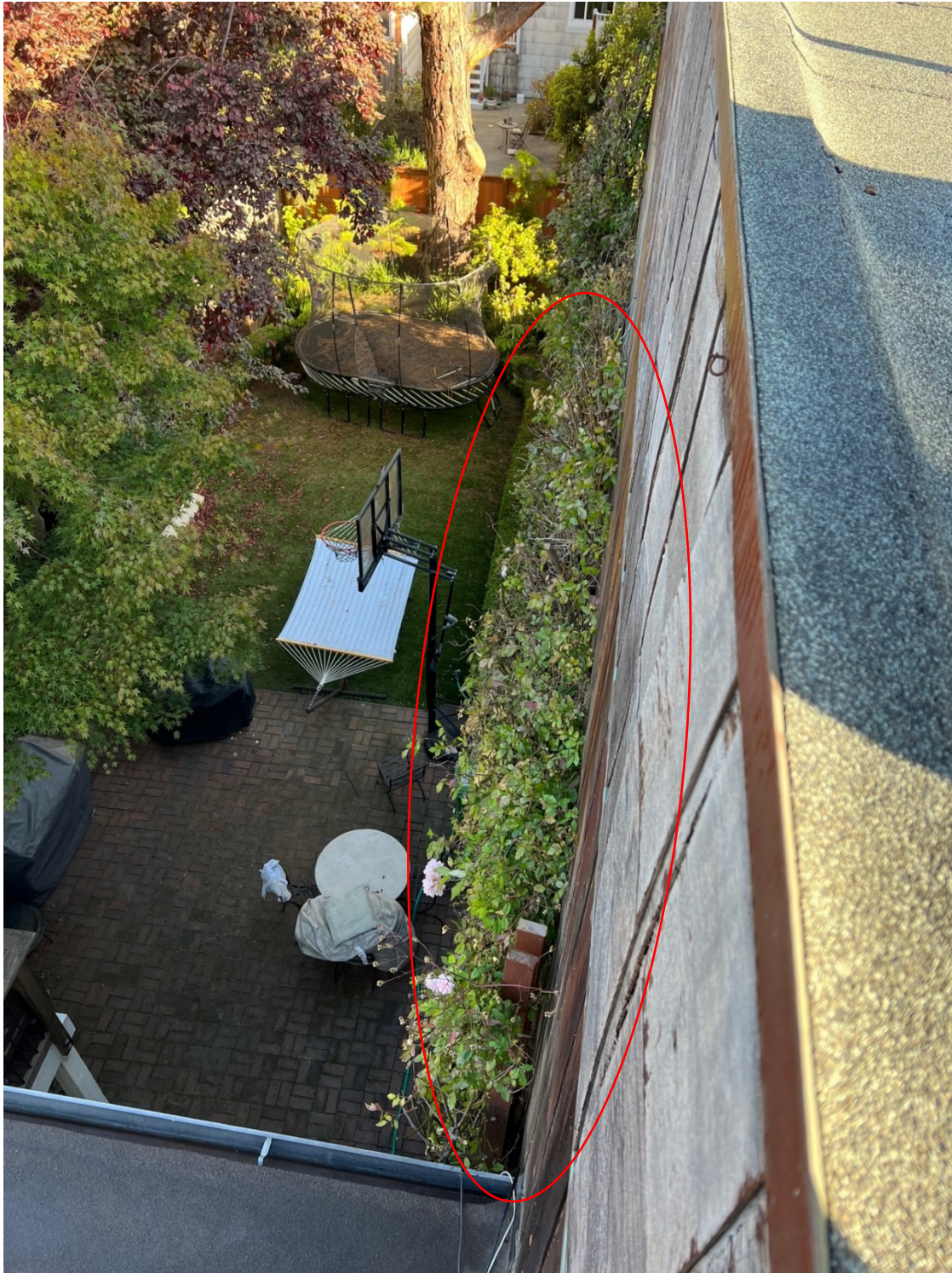
More photographs of Respondent's workers accessing Appellant's roof without permission to construct the new trellis in late 2024.



EXHIBIT 3

(Photographs of the Prior Rose-Supporting Structure)

Roof view of the prior rose-supporting structure, showing its height and width in relation to Appellant's three-story building on the right.



Roof view of the prior rose-supporting structure, showing its large size and how it was directly attached to Appellant's siding on the left.



EXHIBIT 4

(Photographs of the Climbing Roses Growing on the Prior Rose-Supporting Structure)

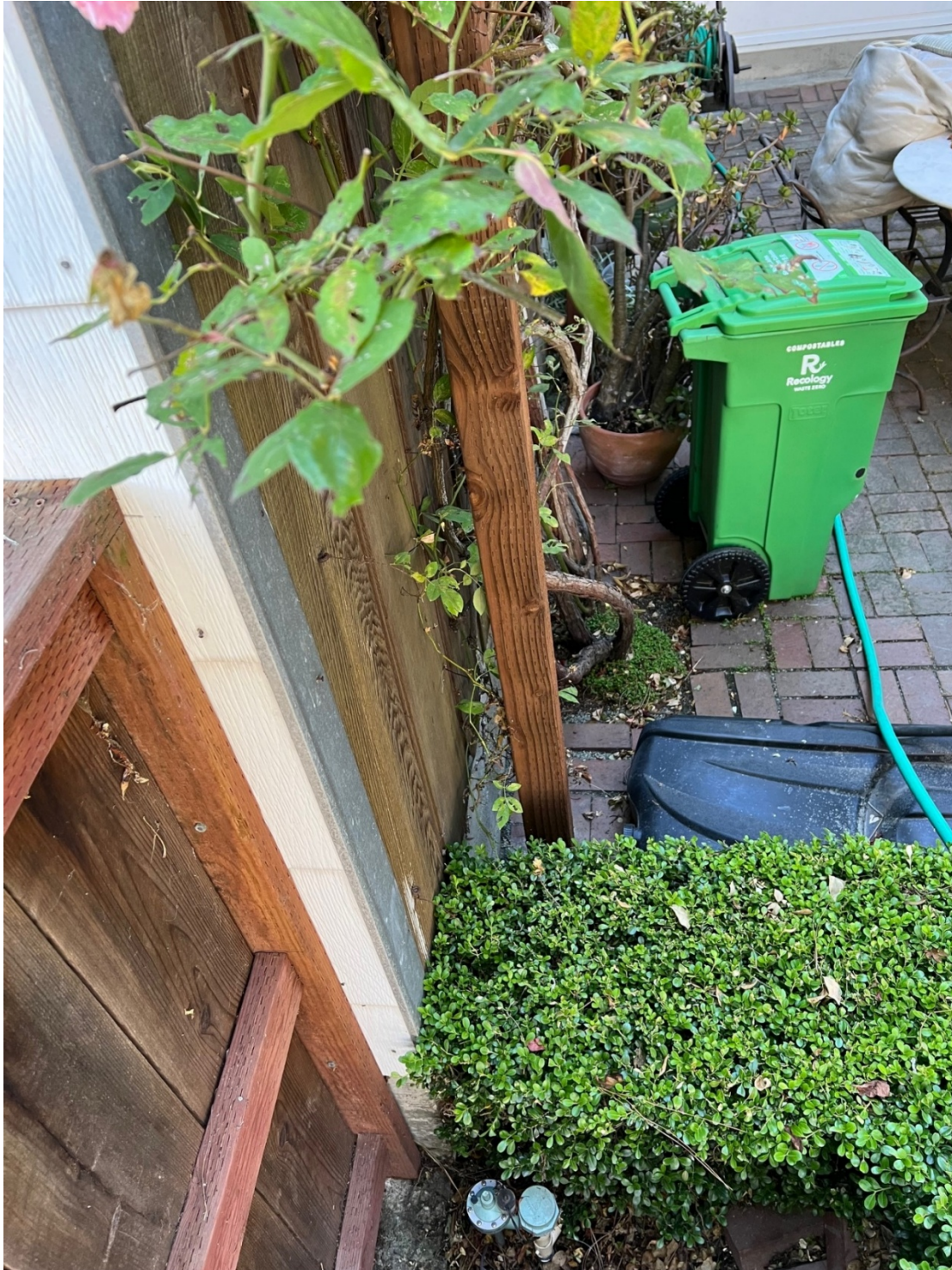
Close-up view of the growing roses on the prior structure, showing their long, thorny canes.



Close-up view of the climbing roses on the prior structure, showing their direct contact with Appellant's siding on the left.



Close-up view of the climbing roses on the prior structure, showing their deep roots.



Close-up view of the climbing roses, showing their thorny canes that have scraped and punctured Appellant's siding.



EXHIBIT 5

(Photographs of the Wires and Nails Placed on Appellant's Old Siding
by Respondent)

Respondent placed nails and wires directly into Appellant's siding to support her climbing roses.



EXHIBIT 6

(Photographs of Appellant's Previously Damaged Siding)







EXHIBIT 7

(Receipts for Appellant's Replacement of Previously Damaged Siding)

Invoice

David Sanchez
650 302 7215
P.O.Box 3064
Redwood city
Can. 94064

Kwong property management
1910 Greanwich st.
San Francisco
12/04/2024
02/03/25

Item	Descriptions	Materials	Price
Remove	<ul style="list-style-type: none">Removed the siding.Removed all the insulation.		
Install	<ul style="list-style-type: none">Installed new insulations.Installed new plywood.Installed the water proof paper.		
The rosas wall (Deborah side)			
		Labor	\$ 8,140.00
		Materials	\$ 1,869.77
Total			\$10,009.77



INVOICE

2/19/25

SERVICE PROVIDER		CUSTOMER		
NHA TRAN GENERAL CONTRACTOR 2720 RUBY AVE SAN JOSE , CALIFORNIA ,95148 Phone: (408) 966 6541		OWNER : ADDRES OF THE JOB : 1910 greenwick st OWNER’S PHONE #: OWNER’S EMAIL:		
Job: labor and material for install the siding at the rear left side of the building				
ID	DESCRIPTION			
	Per your request, we would be pleased to provide labor, hardware and equipments			
	And supervision necessary to complete the following:			
	Scope of work :	LABOR	HARDWARE	TOTAL
1	Labor and material for install the siding at the rear left side of the building	INCLUDE	INCLUDE	\$ 5,200.00
	Warranty includes 24 months of labor, we come back to fix within 24 months free of labor			
THANK YOU FOR YOUR BUSINESS! Nha Construction Inc Signature / Stamp: Date & Place: Owner Signature / Stamp: Date & Place:			Cash	\$ 5,200.00
			Tax	
				\$ 5,200.00

EXHIBIT 8

(Photographs of the Fast-Growing Roses on Current Trellis)

The photograph below was taken on July 5, 2025, showing the roses growing rapidly through the trellis and touching Appellant's siding.



Roof view of the current trellis taken on July 5, 2025, showing the roses growing rapidly through the trellis and touching Appellant's siding.



Additional photographs of the roses, taken on July 5, 2025, showing their direct contact with Appellant's siding.



Additional photographs of the roses, taken on July 5, 2025, showing their direct contact with Appellant's siding.



EXHIBIT 9

(Notice of Violation Issued by DBI)

**NOTICE OF VIOLATION**

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

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco,
CA

Notice: 1 COMPLAINT NUMBER:
202534413

DATE:
03/12/2025

ADDRESS : 1914 GREENWICH ST

BLOCK : 0507 LOT : 010

**OCCUPANCY/USE : R-3 | RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES LESS THAN 3
STORIES**

Y 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.

ON SITE CONTACT :

VIOLATION DESCRIPTION:

Y WORK WITHOUT PERMIT	103A
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED PERMIT	106A.4.4
<input type="checkbox"/> CANCELLED PERMIT PA#:	106A.3.7
<input type="checkbox"/> UNSAFE BUILDING	102A
<input type="checkbox"/> SEE ATTACHMENTS	

CODE VIOLATION DESC : Observed permanently anchored trellis\screen exceeding 10' in height at east property line behind structure. Code/Section: SFBC 103A Monthly monitoring fee applies Code/section: SFBC 110A, Table 1A-K

CORRECTIVE ACTION:

- Y** STOP ALL WORK SFBC 104.2.4
Y FILE BUILDING PERMIT WITHIN **30** DAYS
Y (WITH PLANS) A copy of this notice must accompany the permit application
Y 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 COMMENT DESCRIPTION : If unable to provide documentation of legality of present condition, obtain permit with plans and planning approval to address violation description above. Obtain all required inspections to abate NOV. Permit must state to comply with NOV.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- | | |
|---|---|
| <input type="checkbox"/> 9x Permit Fee (Work w/o Permit after 9/1/60) | <input type="checkbox"/> 2x Permit Fee (Work Exceeding Scope of Permit) |
| <input type="checkbox"/> Other | |
| <input type="checkbox"/> Reinspection Fee \$ | Y NO penalty (Work w/o permit prior to 9/1/60) |
| <input type="checkbox"/> approx. date of work w/o permit | |
| <input type="checkbox"/> value of work performed without permits \$ | |

CONTACT INSPECTOR : Chris Francis BID / 628-652-3612



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

<p>Pursuant to SFBC 107.5 and 106.4.7 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 49 South Van Ness Ave., Suite 1475 (14th Floor). (628) 652-1150</p> <p>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 102.2 & 110.</p> <p>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.</p> <p>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 17264(6) of the Revenue and Taxation Code.</p> <p>WARNING: Section 103 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.</p>	<p>De acuerdo a las Secciones 107.5 y 106.4.7 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 limite 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 dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.</p> <p>ADVERTENCIA: Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendra 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 esten pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102.2 y 110 de el Código de Construcción de Edificios.</p> <p>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 maximo de \$7,500 por cada edificio. Esta Sección tambien 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.</p> <p>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 esta diligentemente, rapidamente y contuamente acusado despues de seis(c) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).</p> <p>ADVERTENCIA: La Sección 103 de el Código de Edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, rehusa cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección tambien impone multas per 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 ocurra.</p>
<p>根據《三藩市建築法規》(即 SFBC) 第 107.5 項和第 106.4.7 項條款的規定，對沒有許可證就已開始的工程和或正在進行的工程，或者超許可範圍的工程，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 South Van Ness 街 49 號 14 樓。電話：(628) 652-1150。</p> <p>警告：如不按照要求立即採取行動，以糾正上述違章行為，經研取證據後當局付諸強制糾正程序的執行。倘對此房地產頒發的強制糾正程序令一經在市內傳喚，則由迫道通知張貼日期的各項與此糾正程序令有關的費用，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 102.2 項和第 110 章條款。</p> <p>警告：《三藩市房屋法規》(即 SFHC) 第 204(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次違章者罰款 200 元，每級違章的最高罰款可達 7,500 元。此項法規規定對每一違章犯罪者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。</p>	<p>警告：任何人通過出租房屋獲得收入，而該房屋已被建築審查局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、以及與該低分規定標準的建築有關的折舊或稅收中扣除稅款。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 1264(c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。</p> <p>警告：《三藩市建築法規》第 103 項條款規定：對於任何違反、不服從、疏忽、忽視、或拒絕遵照此法規者，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。此法規嚴厲反對違法者，如果決定罪，對每天所發生的、每一單獨的犯法行為，將付下高達 500 元的罰款，和/或監禁六個月。</p>

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BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

Appeal Number: 25-023
Appeal Title: Kwong vs. DBI, PDA
Subject Property: 1914 Greenwich Street
Permit Type: Alteration Permit
Permit No.: 2025/06/06/8151
Re: Brief for the Respondent
Date: July 24, 2025

I. INTRODUCTION

Respondent Deborah Keane (“Respondent”) is the owner of the property located at 1914 Greenwich Street, San Francisco, CA 94123. On June 6, 2025, the San Francisco Planning Department approved Permit No. 202506068151, authorizing on Respondent’s property a trellis to support to the rose plants that have existed on the property for many years. The trellis was erected at a cost of more than \$6,000 to Respondent. The structure, at a height of 22 feet, sitting entirely on Respondent’s property supported by four posts and located more than 42 feet from the back property line, was deemed to meet relevant Building Code requirements and was properly approved by the San Francisco Department of Building Inspection despite persistent and continued objections of Appellant Jon Kwong (“Appellant”).

Respondent respectfully requests that the permit be upheld. The structure is not a fence and meets all applicable standards under the Building Code. Moreover, the structure, which sits entirely on Respondent’s property, poses no danger or threat to Appellant’s property or to other property in the neighborhood. Finally, Respondent was diligent in following the helpful guidance of Building Inspection representatives in complying with all requirements to obtain the lawful permit.

II. STATEMENT OF FACTS

A. History of the Rose Plant at 1914 Greenwich Street

In February 2006, Respondent purchased the home at 1914 Greenwich Street, a Category B historic property. The home included planted roses in the back yard. The roses were affixed by wires and nails to the adjacent building at 1910 Greenwich Street. At the time of the home purchase, Respondent was informed by the seller that the rose plants in the back yard had been in place for many decades, dating back prior to the ownership of the home by Barbara Newsom (sister-in-law of U.S. Speaker of the House Nancy Pelosi and aunt of current California Governor Gavin Newsom), who owned the home previous to the owners who sold the property to Respondent in 2006. At the time that Respondent purchased the home, the planted roses were affixed to the exterior blind wall of the adjacent building at 1910 Greenwich Street, and Respondent was informed at the time that the roses had existed in that location “as long as anyone could remember” (see Exhibit 1).

A few years after Respondent purchased 1914 Greenwich, Appellant contacted Respondent to let her know that he intended to renovate the entire exterior of his building at 1910 Greenwich Street. Respondent granted Appellant’s contractor access to her 1914 Greenwich property so that he could assess the work to be done on that adjacent exterior wall. For reasons unknown to Respondent, Appellant and his contractor proceeded to repair and paint the exterior of the entirety of Appellant’s building except for the wall that is adjacent to Respondent’s property.

Again in 2018, Appellant informed Respondent that he would like access to her property so that his construction crew could repair and maintain the roof at 1910 Greenwich. Respondent

granted access to Appellant's workers, and unfortunately Appellant's construction project caused damage to Respondent's property (see Exhibit 2). At no time did Appellant or his workers address Respondent's rose plants that were affixed to Appellant's building.

B. Construction Projects in 2024.

In the summer of 2024, Respondent commenced construction work on her home. Respondent's contractor (who had previously done work for Appellant) focused his work on the front of the 1914 Greenwich property. Jennifer Kwong (presumably Appellant's daughter) contacted Respondent shortly thereafter to inform Respondent that Appellant would be doing work on the exterior building wall adjacent to Respondent's property and would need access on Respondent's property to do the work. In September, Respondent and Appellant agreed that their respective contractors would coordinate access to the respective properties for the construction work. To prepare the area for Appellant's construction work, Respondent had her contractor remove the rose plants from the wall and affix them to a freestanding trellis away from Appellant's exterior wall (see Exhibit 3). No wires or nails were placed on Appellant's exterior wall. Respondent indicated to Jennifer Kwong that Respondent would allow Appellant's contractors to access her property so long as Appellant, Jennifer Kwong or their general contractor signed a standard Property Access Agreement that would hold Respondent harmless for any liability incurred during the access to Respondent's property. After angrily refusing to sign the agreement, Appellant finally relented and had her contractor sign the agreement on November 6, 2024 (see Exhibit 4). While the agreement granted access to Appellant's workers for the period of October 31-November 30, the work in fact took months longer than that.

Shortly following the signing of the Property Access Agreement, Respondent's construction crew informed her that because Appellant's contractor would need to erect

scaffolding on Respondent's property, the roses would need to be moved yet again. Respondent directed her contractor to pull the rose plants far away from Appellant's building so that the scaffolding could be erected (see Exhibit 5).

In the course of working on the exterior wall of 1910 Greenwich, Appellant's construction crew caused damage to Respondent's property. Damages included extensive paint damage to Respondent's brick patio and the destruction of a flower plant in Respondent's yard (see Exhibit 6). After Appellant's construction project was complete, Respondent did not desire to re-affix the rose plants to the exterior wall of Appellant's building, where they had been located for multiple years. Instead, Respondent undertook considerable cost of more than \$6,000 to erect a trellis on which the rose plants could grow (See Exhibit 7). The trellis is located entirely on Respondent's property and away from Appellant's building (See Exhibit 7). The roses are affixed to the trellis and do not interfere with the blind exterior wall of Appellant's building (Exhibit 7)

C. Appellant's Complaints and Respondent's Efforts to Comply with San Francisco Building Codes.

In February 2024, Appellant filed a complaint with the San Francisco Department of Building Inspection alleging that Respondent's trellis was an illegal "fence" built "one inch" from Appellant's building and that the roses had caused alleged damage to Appellant's building that cost more than \$15,000 to repair (see Exhibit 8). On February 25, 2025, Chris Francis performed a site inspection at 1914 Greenwich and indicated to Respondent that the trellis was in compliance, and the case was abated.

After Appellant continued to complain about the trellis, the city issued a Notice of Violation and description of Corrective Action on March 12, 2025. Respondent immediately contacted the Planning Department to discuss how she could achieve compliance for the trellis. Mr. Francis informed Respondent about the procedures that she would need to undertake at the Planning Department to gain a permit for the trellis. After returning from extended travel during the week of April 7, Respondent spoke with Philip Chan of the Planning Department, who gave Respondent detailed instructions on the permitting process. When Respondent returned from more extended travel, she spent nearly an entire day at the Planning Department and secured the permit for the trellis (see Exhibit 8). When Appellant learned that the permit had been issued and that the case would therefore be abated, he filed this Appeal.

III. ARGUMENT

A. Respondent's Trellis Is Not a Fence and Is Not Subject to BIC Sec 456 Height Requirements.

As contemplated by the BIC a fence is a vertical structure typically used to enclose, divide, or provide privacy for outdoor spaces. A fence is primarily intended to enclose an area, mark boundaries, and control access and is often used to create a barrier and ensure privacy and security. Fences are generally constructed of solid or open materials, including wood, metal, or stone and typically cannot exceed a maximum height of 10 feet. BIC Sec 456 requires that a fence not exceed a height limitation of 10 feet.

By contrast, a trellis is an open framework structure, often used to support climbing plants. Trellises are typically lighter and more decorative than fences, often consisting of wood

or metal lattice work. The primary purpose of a trellis does not include creating a barrier and ensuring privacy and security.

Appellant stretches credulity by claiming that Respondent's trellis is a fence. The trellis does not enclose an area, does not mark a boundary and does not create a barrier to ensure privacy. Rather, the primary and sole purpose of Respondent's trellis is to support the rose plants. Indeed, the trellis is located entirely within Respondent's property, as is clear by comparing its location with the location of Appellant's wooden fence that is located on the property line between 1914 Greenwich and 1910 Greenwich. (See Exhibit 7). Moreover, the location of the trellis is adjacent to the blind exterior wall of Appellant's building. In no way does the trellis have the effect of blocking views, light and access, as Appellant erroneously claims.

B. Respondent's Trellis Has Caused No Damage to Appellant's Building, and In Fact, Provides Protection for Appellant's Exterior Blind Wall.

Appellant's claim that Respondent's roses caused damage to the blind wall is a blatant and transparent attempt to shift Appellant's regular building maintenance costs onto Respondent. The trellis is entirely located on Respondent's private property and is neither affixed to nor supported by Appellant's blind exterior wall. The trellis in no way interferes with Appellant's enjoyment of his property. Since Respondent moved to 1914 Greenwich Street in February 2006, Appellant's blind exterior wall adjacent to Respondent's property had been completely unmaintained and unimproved until Appellant's construction project to replace all exterior siding in 2024. During this period of time, Appellant had been aware that for many years, property owners of 1914 Greenwich had maintained rose plants on the property and that indeed those plants had been affixed to Appellant's exterior blind wall with nails and wires for "as long as anyone could remember." Although Appellant years before had renovated the entire exterior of

his building except for the exterior wall adjacent to the 1914 Greenwich property, it was not until 2024 that Appellant decided to incur the costs of finally repairing and replacing the worn and weathered blind wall adjacent to 1914 Greenwich. Despite the many years of failing to maintain that exterior wall, Appellant now misguidedly claims that somehow the trellis and roses have damaged exterior wall.

Ironically, it is obvious that over the years, Respondent's rose plant actually helped protect and preserve Appellant's exterior wall by shielding the wall from weather and sun damage. It is clear that while the uncovered portion of the wall was bleached and damaged, the portion of the wall covered by the roses for many years had maintained a rich brown color (see Exhibit 9). The photos in Appellant's brief alleging damage to the wall actually show the bleached and damaged portion of the wall high above the area that had been covered by Respondent's roses (see Exhibit 9). Moreover, Appellant fails to acknowledge that he was on notice and had acquiesced to the positioning of the roses directly affixed to the exterior wall over many years before and after Respondent's purchase of 1914 Greenwich in 2006. Similarly, Appellant also fails to recognize that currently, Respondent's positioning of the roses on a secure trellis on her property at a safe distance from the exterior wall actually protects that wall from sun and weather damage.

Similar to his claims of damage to the wood siding, Appellant's claim that the trellis and rose plants damaged the foundation of 1910 Greenwich is patently false. The slight crack in the foundation, which begins at the top of the cement and becomes less severe near the bottom, has been there for many years and likely was caused by retrofitting work on the building (see Exhibit 9).

Appellant's assertion that Respondent was somehow negligent in securing the permit for the trellis is directly contradicted by the record (See Exhibit 8). Despite a hectic business travel schedule, Respondent devoted many hours responding to dozens of communications from Appellant and his attorneys. Similarly, Respondent was diligent in devoting significant time and effort to seek guidance from Department of Building Inspection personnel to understand and comply with the permit process. It was only after many phone calls and meetings with DBI representatives that Respondent was able to successfully submit the plans and specifications for the trellis and to secure the permit.

C. The Trellis And the Roses Do Not Constitute a Fire Hazard That Would Justify Overturning Respondent's Permit.

The mere fact that the trellis contains wood materials does not ipso facto constitute an impermissible fire hazard that would justify overturning the issuance of Respondent's permit. First, the entirety of the trellis is on Respondent's property and does not abut the property line. Is Appellant arguing that any wood or structure containing wood must remain at a distance from Appellant's building? The wooden fence that resides on the property line between 1910 and 1914 Greenwich touches Appellant's building and therefore seems like a more significant fire hazard than the trellis. Moreover, both 1910 Greenwich and 1914 Greenwich are constructed with wood materials, and the properties directly touch and abut each other on the property line. In fact, many, if not most, homes in San Francisco are made of wood materials, and many of those homes directly abut and touch each other. Are we to conclude that each of the abutting wooden buildings constitutes a fire hazard to the other building and that therefore their respective building permits should be revoked?

IV. CONCLUSION

For the reasons stated above, Respondent respectfully requests that the permit be upheld. Respondent's permit for the rose-supporting trellis was lawfully issued and poses no risks or dangers to Respondent's neighbors. Respondent acted in good faith throughout the process and endeavors to be a good neighbor. To its great credit, the City of San Francisco historically has enacted and enforced policies to support the natural beauty of the city. The city has recognized that green spaces, trees, plants and flowers are not only beneficial to the environment, but also help make San Francisco unique and special among the great cities of the world. While Respondent's permit is lawful on its face, upholding the permit is also consistent with the city's policy of supporting natural beauty.

Exhibit 1

(Rose Plants as They Were Prior to Fall 2024)

Rose plants affixed to appellant's building going back to the date Respondent purchased the home and prior to that.



Exhibit 2

(Appellant's 2018 Roof Repair and Damage to Respondent's Property)

Appellant's Roof Repair in 2018 resulted in damage to Respondent's property, including discarded building materials.



Damage to siding on Respondent's property caused by Appellant's construction crew.

8:36

5G+ 89



May 19, 2018
8:14 PM



Area left exposed after Appelent's construction crew removed siding and did not replace.

8:36

5G+ 89



May 19, 2018

8:14 PM



Exhibit 3

(Temporary Location of Respondent's Roses in September-October 2024)

For a period of approximately six weeks in September and October 2024, Respondent located her roses on free-standing posts.



Exhibit 4

(Property Access Agreement Between Respondent and Appellant's Contractor Dated 10/31/2024)

Property Access Agreement

This Property Access Agreement (the "Agreement") is made and entered into on this 31 day of Oct, 2024, by and between:

Owner of the Property

Name: Deborah Keane

Address: 1914 Greenwich St SF 94123

(Hereinafter referred to as the "Owner")

Neighbor / Contractor

Name: _____

Address: 1910 Greenwich St SF 94123

(Hereinafter referred to as the "Neighbor")

Recitals:

WHEREAS, the Neighbor has requested permission to enter upon the Owner's property located at 1914 Greenwich St (the "Property") for the purpose of performing work on the Neighbor's adjacent property at 1910 Greenwich (the "Work");

WHEREAS, the Owner is willing to grant the Neighbor temporary access to the Property under the terms and conditions set forth in this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. Grant of Access

The Owner grants the Neighbor, including any contractors, employees, or agents hired by the Neighbor, temporary access to the Property for the sole purpose of performing the necessary Work on the Neighbor's adjacent property.

2. Condition of the Property

The Neighbor agrees to take all reasonable precautions to avoid causing any damage to the Property during the course of the Work. Upon completion of the Work, the Neighbor shall return the Property to the same condition in which it was found prior to the commencement of the Work.

3. Restoration of the Property

In the event that any damage occurs to the Property, the Neighbor shall be responsible for promptly repairing or restoring the Property to the condition it was in prior to the commencement of the Work, at the Neighbor's sole expense.

4. Duration of Access

Access to the Property shall be granted from 10/3/24 (start date) to 11/30/24 (end date). Any extension of access beyond this period must be agreed upon in writing by both parties.

5. Indemnification

The Neighbor agrees to indemnify, defend, and hold harmless the Owner from any and all claims, damages, liabilities, and expenses (including attorney fees) that may arise from the Neighbor's use of the Property in connection with the Work.

6. Insurance

The Neighbor shall ensure that any contractors performing the Work are adequately insured against any potential damages or liabilities arising from their activities on the Property.

7. Miscellaneous

a. This Agreement constitutes the entire understanding between the parties regarding the subject matter hereof.

b. This Agreement shall be governed by and construed in accordance with the laws of the State of CA.

c. Any modifications or amendments to this Agreement must be made in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Owner

Signature: _____

Name: _____

Date: _____

Neighbor

Signature: _____

Name: _____

Date: _____

Deborah Keane
Deborah Keane
10/31/24

Contractor
David Sanchez
David Sanchez
11/06/24
J S G CONSTRUCTION INC

Exhibit 5

(Respondent's Roses Pulled Away from Appellant's Exterior Wall in 2024)

Photo of Respondent's roses pulled away from appellant's exterior wall to accommodate Appellant's scaffolding.



Photo of Respondent's roses pulled away from Appellant's wall in November 2024



Scaffolding erected by Appellant's construction crew in November 2024.



Exhibit 6

(Damage to Respondent's Property from Appellant's 2024 Construction Project)

The appellant's construction crew left Respondent's property littered with paint stains.



More paint damage caused by Appellant's construction crew in 2024.



Photograph of the area where Appellant's construction destroyed Respondent's flowers.



Photograph of Respondent's Flowers before Appellant's Construction crew destroyed them.

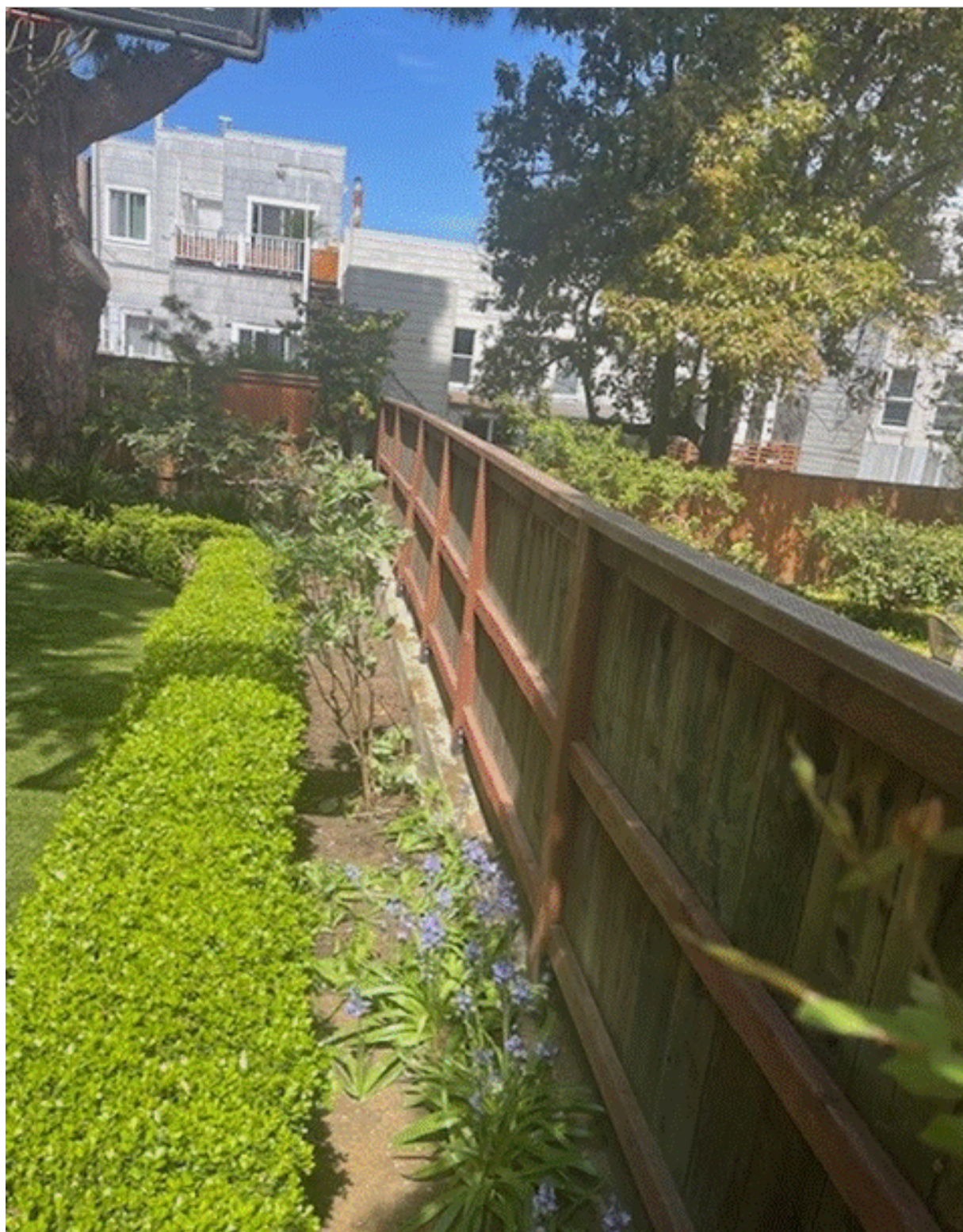


Exhibit 7

(Respondent's Trellis as it Exists Today)

Front view of Respondent's trellis.



Side view of Respondent's trellis, located entirely on Respondent's property.



Side view of Respondent's trellis, located entirely on Respondent's property.



Close up of Respondent's trellis and lack of thorns on the rose plants.



Close up of Respondents' trellis and lack of thorns on the rose plants.



Exhibit 8

(Complaint Data Sheet. Summary of Respondent Efforts to Comply, and
Permit Issued June 6, 2025)



City and County of San Francisco
Department of Building Inspection
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202534413

OWNER/AGENT: KEANE LVG TR
KEANE LVG TR
KEANE DEBORAH TRUSTEE
1914 GREENWICH ST
SAN FRANCISCO CA
94123

DATE FILED: 24-FEB-25

LOCATION: 1914 GREENWICH ST

BLOCK: 0507 LOT: 010

SITE:

RATING: OCCUPANCY CODE

RECEIVED BY: BMCBRIDE DIVISION: BID

COMPLAINT SOURCE: WEB FORM

OWNER'S PHONE --
CONTACT NAME *****
CONTACT PHONE *****

COMPLAINANT: *****

ASSIGNED TO DIVISION: CES

COMPLAINANT'S PHONE *****

DESCRIPTION: date last observed: 21-FEB-25; time last observed: 2/21/2025; identity of person performing the work: Neighbor; contractor; handyman; floor: N/A; unit: N/A; exact location: None of the Above; building type: Residence/Dwelling
WORK W/O PERMIT; STRUCTURAL PROBLEMS; ; additional information: The property owner at 1914 Greenwich St, San Francisco, CA 94123, has a rose climbing fence on the side of their building that is approximately 25 feet high and 24 feet wide. This fence violates San Francisco Building Inspection Commission (BIC) Codes Section 456, which states: "Fences on any property containing a Group R Occupancy shall not be higher than 10 feet." Additionally, the fence is positioned only about an inch away from my building at 1910 Greenwich St, San Francisco, CA 94123, causing damage to its siding as the rose bush's thorns have scraped and punctured it. We incurred approximately \$15,210 to remove and replace the siding. The property owner also dug so
INSTRUCTIONS:

INSPECTOR CURRENTLY ASSIGNED

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
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CES	LAM	6383		
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REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
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02-MAY-25	Jackie Tran	CES	to CES per CF-jt
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COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
24-FEB-25	CASE OPENED	R POWER	CASE RECEIVED		Brenda McBride 24-FEB-25	INS
24-FEB-25	OTHER BLDG/HOUSING VIOLATION	C FRANCIS	CASE UPDATE	Case reviewed and assigned to Complaint Investigation Team per JG;bm	Brenda McBride 24-FEB-25	INS
25-FEB-25	OTHER BLDG/HOUSING VIOLATION	C FRANCIS	CASE ABATED	Site inspection. Plant support is existing. CF	Chris Francis 25- FEB-25	BID

COMPLAINT DATA SHEET**Complaint Number:** 202534413**Owner/Agent:** OWNER DATA
SUPPRESSED**Owner's Phone:** --**Contact Name:** --**Contact Phone:** --**Complainant:** COMPLAINANT DATA
SUPPRESSED**Date Filed:****Location:** 1914 GREENWICH ST**Block:** 0507**Lot:** 010**Site:****Rating:****Occupancy Code:****Received By:** BMCBRIDE**Division:** BID**Complainant's****Phone:****Complaint****Source:****Assigned to****Division:**

WEB FORM

CES

Description:

date last observed: 21-FEB-25; time last observed: 2/21/2025; identity of person performing the work: Neighbor; contractor; handyman; floor: N/A; unit: N/A; exact location: None of the Above; building type: Residence/Dwelling WORK W/O PERMIT; STRUCTURAL PROBLEMS; ; additional information: The property owner at 1914 Greenwich St, San Francisco, CA 94123, has a rose climbing fence on the side of their building that is approximately 25 feet high and 24 feet wide. This fence violates San Francisco Building Inspection Commission (BIC) Codes Section 456, which states: Fences on any property containing a Group R Occupancy shall not be higher than 10 feet. Additionally, the fence is positioned only about an inch away from my building at 1910 Greenwich St, San Francisco, CA 94123, causing damage to its siding as the rose bush's thorns have scraped and punctured it. We incurred approximately \$15,210 to remove and replace the siding. The property owner also dug so

Instructions:**INSPECTOR CURRENTLY ASSIGNED**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
CES	MCCONN	6960		

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
5/2/2025	Jackie Tran	CES	to CES per CF-jt

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIV
02/24/25	CASE OPENED	Power	CASE RECEIVED		Brenda McBride 24-FEB-25	INS
02/24/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Case reviewed and assigned to Complaint Investigation Team per JG;bm	Brenda McBride 24-FEB-25	INS
02/25/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE ABATED	Site inspection. Plant support is existing. CF	Chris Francis 25-FEB-25	BID
03/10/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE CONTINUED	Case continued per inspector Francis-jt	Jackie Tran 10-MAR-25	INS
03/12/25	OTHER BLDG/HOUSING VIOLATION	Francis	FIRST NOV SENT	1st NOV issued per CF;bm	Brenda McBride 12-MAR-25	INS
03/12/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	1st NOV mailed;bm	Brenda McBride 12-MAR-25	INS
03/13/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Posted NOV. CF	Chris Francis 13-MAR-25	BID
03/19/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Received and returned call from owner. Will visit site Friday. CF	Chris Francis 19-MAR-25	BID
03/19/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Received and returned call from rep. Explained NOV process CF	Chris Francis 19-MAR-25	BID
03/21/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Received call and email from owner, returned call CF	Chris Francis 21-MAR-25	BID
03/25/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Received voice message and returned voice message to complainant rep. CF	Chris Francis 25-MAR-25	BID

Department of Building Inspection

05/02/25	OTHER BLDG/HOUSING VIOLATION	Francis	FINAL WARNING LETTER ISSUED	Generated final warning letter. CF	Chris Francis 02- MAY-25	BID
05/02/25	OTHER BLDG/HOUSING VIOLATION	Francis	FINAL WARNING LETTER SENT		Chris Francis 02- MAY-25	BID
05/02/25	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	FWL mailed and referred to CES per CF-jt	Jackie Tran 02-MAY-25	INS
05/02/25	GENERAL MAINTENANCE	Francis	REFERRED TO OTHER DIV	transfer to div CES	Jackie Tran 02-MAY-25	INS
05/05/25	OTHER BLDG/HOUSING VIOLATION	Lam	CASE RECEIVED	case received in CES -mr	Melissa Reyes 05- MAY-25	CES
06/11/25	OTHER BLDG/HOUSING VIOLATION	Lam	CASE UPDATE	Case reassigned to Inspector Declan McConn - CR	Charles Robinson 11- JUN-25	CES
06/11/25	OTHER BLDG/HOUSING VIOLATION	Lam	CASE UPDATE	Owner called, PA 202506068151 to comply issued. -GL	Gilbert Lam 11-JUN-25	CES
06/12/25	OTHER BLDG/HOUSING VIOLATION	McConn	CASE UPDATE	found permit PA 202506068151 to comply with NOV. called owner to see when there are going to get an inspection to final this permit - DMC	Declan McConn 12- JUN-25	CES
06/16/25	OTHER BLDG/HOUSING VIOLATION	McConn	CASE UPDATE	spoke with complainant's rep and told her there is a permit issued to comply with this NOV and when they get a final inspection i will abate this case - DMC	Declan McConn 16- JUN-25	CES
06/18/25	OTHER BLDG/HOUSING VIOLATION	McConn	CASE UPDATE	received call from owner letting me know that they got the permit and will call for an inspection next week - DMC	Declan McConn 18- JUN-25	CES
07/01/25	OTHER BLDG/HOUSING VIOLATION	McConn	CASE UPDATE	found permit PA 202506068151 to comply with this NOV was suspend on 6/20/25 and has a appeal hearing on 7/30/25 - DMC	Declan McConn 01- JUL-25	CES

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

3/12/2025

Inspector Contact Information

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

Technical Support for Online Services

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

CENTRAL PERMIT BUREAU
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
(628) 652-3200

Receipt No: 25064319
Application/Permit No: 202506068151

PERMIT IS GRANTED TO

☐ ERECT ☒ ALTER BUILDING ☐ ERECT SIGN DATE OF ISSUE 06-JUN-25

☐ DEMOLISH BUILDING ☐ GRADE FILING FEE RECEIPT #

☐ LOWER CURB ☐ OCCUPY STREET SPACE

☐ EXCAVATE STREET OR SIDEWALK ☐ POST NOTICE

☐ HOUSE NUMBER CERTIFICATE ☐ REPAIR OR CONSTRUCT SIDEWALK

SUPPLEMENTAL FEE PAID:

☐ FINAL PLAN CHECK ☐ EXPEDITER FEE ☐ PENALTY

☐ STRUCTURAL LTR ☒ DCP FEE

OWNER:

DEBORAH KEANE LVG TR

LOCATION OF JOB: HOUSE NUMBER: EXISTING ☐ ASSIGNED ☐

STREET ADDRESS: 1914 GREENWICH ST 0507/010 BLOCK/LOT

METES AND BOUNDS

FRONTAGE FT 3 TYPE 5 R-3 LEGAL OCCUPANCIES
BUILDING USE 1 FAMILY DWELLING ESTIMATED COST \$ 6,000.00

SIDEWALK SQ. FTGE ST. SPACE LINEAR FT. 9 FT. CURB SECT. TO BE LOWERED

PARKING METER LINEAR FT. PARKING METER DAYS

WORK MUST COMMENCE ON BUILDING WITHIN TIME PER CODE, UNLESS EXTENSION AUTHORIZED PRIOR TO EXPIRATION, IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS SPECIFIED IN NOTICE OF VIOLATION OR ABATEMENT ORDER WILL APPLY.

TIME FOR COMPLETION OF WORK UNDER THIS BUILDING PERMIT EXPIRES 360 Days AFTER DATE OF ISSUANCE. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY. (NOTE: STREET SPACE PERMIT EXPIRES ON COMPLETION OF WORK OR WHEN REVOKED BY DIRECTOR OF PUBLIC WORKS. SEE BACK OF FORM FOR OTHER TIME LIMITS.)

DEBORAH KEANE

PERMIT 25064319

FEE PAYOR

1914 GREENWICH ST

APPEAL

ADDRESS

SF CA 94123

CENTRAL PERMIT BUREAU-D.B.I. EHANKINS

CITY

THIS PERMIT IS GRANTED IN ACCORDANCE WITH PROVISIONS OF THE CHARTER AND ORDINANCES OF THE CITY AND COUNTY OF SAN FRANCISCO AND/OR THE CURRENT STANDARD SPECIFICATIONS OF THE DEPARTMENT OF BUILDING INSPECTION

* ADDITIONAL INFORMATION REGARDING SPECIFIC PERMITS IS GIVEN ON THE BACK OF THIS FORM.

DBI P/C PAID AT FILING

AUDITED FOR REFUND

FEE

DCP PLAN CHECK

488.00

BUILDING

181.63

PLAN REVIEW

847.37

RECORDS RETENTION

2.00

BLDG'S ADS ADMIN FUND

1.00

SUBTOTAL OF FEES WITH APPLICABLE SURCHARGES

\$1,108.00

SURCHARGE

0.00

BOA SURCHARGE

88.00

STRONG MOTION

0.78

SUBTOTAL OTHER FEES

0.78

TOTAL

\$1,108.78

SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK
9003-18(Rev.10/95)

CONDITIONS AND STIPULATIONS

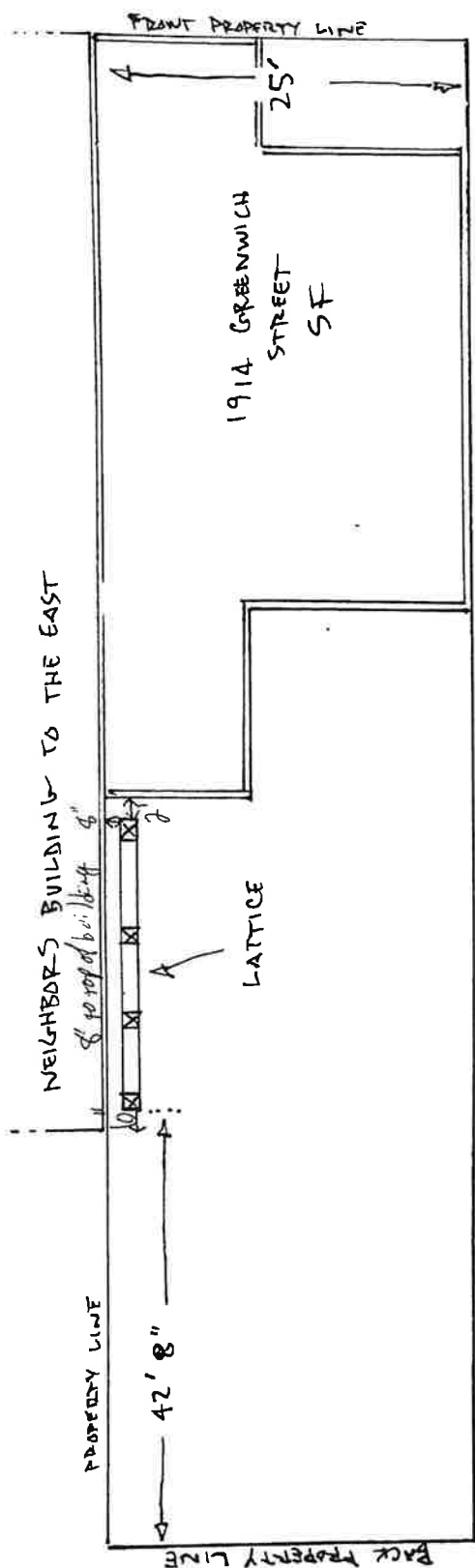
REFER TO:	APPROVED:	DATE:	INSPECTOR:
<input type="checkbox"/>	N/A HOUSING INSPECTION DIVISION, DEPT. OF BLDG. INSPECTION	6/6/25	OK TO PROCEED M. McCHANN BUILDING INSPECTION DIVISION
<input type="checkbox"/>	lattice in building area APPROVED BY ALEX WESTHOFF PLANNING DEPARTMENT DEPARTMENT OF CITY PLANNING		
<input type="checkbox"/>	Jeff Barra, DBI BLDG JUN 06 2025 PLAN REVIEW SERVICES, DEPT. OF BLDG. INSPECTION		
<input type="checkbox"/>	N/A CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION		
<input type="checkbox"/>	MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION		
<input type="checkbox"/>	SAN FRANCISCO FIRE DEPARTMENT		
<input type="checkbox"/>	SF DEPARTMENT OF PUBLIC WORKS / MAYOR'S OFFICE OF DISABILITY (CROSS ONE OUT)		
<input type="checkbox"/>	SF PUBLIC UTILITIES COMMISSION		
<input type="checkbox"/>	DEPT. OF PUBLIC HEALTH / OCII (CROSS ONE OUT)		

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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

OWNER'S AUTHORIZED AGENT

1914 Greenwich St 2025 0606 8151



Jim
Jeff Barra, Dbl BLDG
JUN 06 2025

137.5'

APPROVED BY ALEX WESTHOFF
PLANNING DEPARTMENT

JUN 06 2025

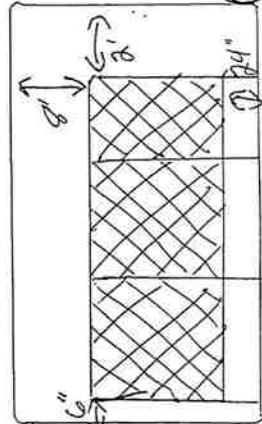
PROJECT INFO

PROJECT - LATTICE
LOT AREA - 3437.5 SF
PARCEL - 0507/010
FLOOR AREA - UNCHANGED
ZONING -
CONSTRUCTION TYPE -
OCCUPANCY - R-3

SCOPE OF WORK

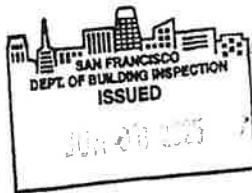
- PROPOSED 22 FT (HIGH) OPEN MID-CENTURY ROSE BUSHES (EXISTING) ON GROUND LEVEL, ON BLIND WALL
- 4X4 POSTS SET EVERY 80 INCHES
- 4 POSTS TOTAL
- STRUCTURE 20 FT WIDE, 22 FT TALL

RECEIVED
JUN 06 2025
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY STANDARD FOR DIGITIZING
ACCEPTED



(DRAWING NOT TO SCALE)

Jeff Barra



BLDG. FORM 3/8

APPROVED FOR ISSUANCE

APPLICATION NUMBER

APPROVAL NUMBER

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRSFORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED
FORM 8 ☐ OVER-THE-COUNTER ISSUANCECITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF
BUILDING INSPECTION OF SAN FRANCISCO FOR
PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS
AND SPECIFICATIONS SUBMITTED HERewith AND
ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE
HEREINAFTER SET FORTH.

NUMBER OF PLAN SETS

DO NOT WRITE ABOVE THIS LINE

DATE FILED	FILED FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	BLOCK & LOT
		1914 GREENWICH ST.	0507/010
RECEIPT NO.	ISSUED	(2A) ESTIMATED COST OF JOB	(2B) REVISED COST
310-314	6/6/25	6.5K	75,000.00
BY: 3.5 DATE: 6/6/25			
INFORMATION TO BE FURNISHED BY ALL APPLICANTS			
LEGAL DESCRIPTION OF EXISTING BUILDING			
(4A) TYPE OF CONSTR.	(5A) NO. OF STORIES OF OCCUPANCY	(6A) NO. OF BASEMENTS AND CELLARS	(7A) PRESENT USE
V	3		RETAIL
(8A) OCCUP CLASS	(9A) NO. OF DWELLING UNITS		
R-2	1		
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION			
(4) TYPE OF CONSTR.	(5) NO. OF STORIES OF OCCUPANCY	(6) NO. OF BASEMENTS AND CELLARS	(7) PROPOSED USE (LEGAL USE)
V	3		RETAIL
(8) OCCUP CLASS	(9) NO. OF DWELLING UNITS		
2-2	1		
(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(12) ELECTRICAL WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(14) CONTRACTOR	E-MAIL	PHONE	CSL NO.
(15) PROPERTY OWNER	ADDRESS	ZIP	E-MAIL
Michael Kono	1914 Greenwich St	94123	
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)			
Lattice Support for 10' x 5' 250 sq. ft. m.			
Supply with 8' x 10' #2 @ 5' x 4' x 13' 415-8' x 10' - 5' x 13'			
ADDITIONAL INFORMATION			
(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?
			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(25) ARCHITECT OR ENGINEER (DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/>)	ADDRESS	CALIF. CERTIFICATE NO.	
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")			
ADDRESS			

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction is to be closer than 8'0" to any wire containing more than 750 volts. See Sec 385, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED, EXCEPT POST-ENTITLEMENT PERMITS IN CONJUNCTION WITH THE CREATION AND/OR LEGALIZATION OF ONE OR MORE HOUSING UNITS(S).

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

☒ OWNER
☐ CONTRACTOR☐ ARCHITECT
☐ AGENT
☐ ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (i) or (ii) designated below, or shall indicate item (iii), (iv), or (v), whichever is applicable. If however item (v) is checked, item (iv) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

() I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

() II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:

Carrier
Policy Number

() III. The cost of the work to be done is \$100 or less.

() IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

() V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent

Date

Exhibit 9

(Roses Did Not Cause Damage as Appellant Alleges)

Photo of Appellant's exterior wall showing no damage; note that reinforcing on the foundation lines up with crack in cement.



Note that the roses served to protect Appellant's wall from sun and weather harm; brown color below vs. severe damage and weathering on top.



Appellants' sun and weather-damaged wall in a place never shielded by Respondent's roses.



Photo showing sun and weather damage near the top of Appellant's wall in the area that was never protected by rose plant.



Crack existing as viewed from Respondent's property originated at the top where it touches and spread downward vertically.



As viewed from Appellant's property, the crack clearly started higher and spread downward.



As viewed from Appellant's property, the crack clearly started higher and spread downward.



BRIEF SUBMITTED BY THE PLANNING DEPARTMENT



BOARD OF APPEALS BRIEF

HEARING DATE: July 30, 2025

July 23, 2025

Appeal Nos.: 25-023
Project Address: 1914 Greenwich Street
Block/Lot: 0507/010
Zoning District: RH-2 (Residential-House, Two Family)
Family and Senior Housing Opportunity Special Use District
Height District: 40-X
Staff Contact: Natalia Fossi, Deputy Zoning Administrator – (628) 652-7306
natalia.fossi@sfgov.org

Introduction

The scope of Building Permit (BP) No. 202506068151 is a lattice to comply with Department of Building Inspection's Notice of Violation No. 202534413. Specifically, the work includes a lattice structure measuring 20 feet wide and 22 feet tall.

Ultimately, the Appellant's arguments are primarily related to fire-safety concerns, and much of their brief is dedicated to issues outside the purview of the Planning Code, such as use of combustible materials and proximity to the Appellant's property.

Analysis

The following key points explain applicable Planning Code requirements and recent changes:

- Ord. No. [248-23](#), also known as the Constraints Reduction Ordinance, became effective on January 14, 2024. Several legislative changes were made by this ordinance and include the

following that apply to the subject property:

- Reduction of the rear yard requirement in this Zoning District from 45 percent of lot depth, or the average of the two adjacent properties, to 30 percent of lot depth with no option to average, per Planning Code Section 134.
 - For the subject property, this reduced the required rear yard from approximately 61 feet 2 inches (45% of lot depth) down to 41 feet 3 inches (30% of lot depth). **The proposed lattice structure is located fully within the buildable area of this lot.**
- Change to neighborhood notification requirements pursuant to Planning Code Section 311.
 - For properties located outside of the Priority Equity Geographies SUD, such as the subject property, only specific scopes of work require 311 notice. These include (1) any vertical alteration, unless at least one new unit is being added, (2) any alteration to a building containing only one Dwelling Unit that both increases the GFA of the existing building by at least 25%, and results in the building having GFA greater than 3,000 square feet and (3) any demolition or new construction that does not result in the addition of at least one new unit. **The proposed lattice structure does not trigger any neighborhood notification requirements under the Planning Code.**
- The subject property is located with a 40-foot height limit district. Planning Code Section 136(c)(19) limits the height of fences to no more than 10 feet in height when located within a required rear yard. The proposed lattice structure is located fully within the buildable area of this lot (not within a required rear yard) and therefore the 10-foot height limit under Planning Code Section 136(c)(19) does not apply. **The proposed lattice structure does not exceed the permitted height.**

In addition to the Planning Code, residential projects must also be consistent with the Residential Design Guidelines. Since the proposed lattice structure is located adjacent to a neighboring blind wall, **the** proposal is consistent with the Residential Design Guidelines.

Conclusion

The proposed lattice structure is compliant with the Planning Code as it is located fully within the buildable area of the lot, does not exceed the permitted height limit, and does not trigger neighborhood notification. The proposal is also consistent with the Residential Design Guidelines. For these reasons, the Planning Department respectfully requests that the Board deny the appeal and uphold the issuance of BP No. 202506068151.

cc: Jon Kwong (Appellant)
Shirley Mu (Attorney for Appellant)
Deborah Keane (Permit Holder)
Joe Ospital (Department of Building Inspection)
Kevin Birmingham (Department of Building Inspection)

BRIEF SUBMITTED BY DBI



Board of Appeals Brief

Hearing Date: July 30, 2025

July 24, 2025

Appeal #: 25-023
Permit: 202506068151
Project Address: 1914 Greenwich St.
Block/Lot: 0507/010
DBI contact: Kevin Birmingham Chief Building Inspector. 628-652-3606,
Kevin.birmingham@sfgov.org

Permit description: To Comply with NOV# 202534413 Lattice support for roses.

This permit was submitted with plans, reviewed by a DBI engineer deemed to meet all related codes and approved.

Conclusion: DBI contends the permit was properly reviewed and approved and therefore the permit should be upheld and the appeal denied.

Kevin Birmingham Chief Building Inspector.