



Date Filed: March 6, 2026

City & County of San Francisco  
**BOARD OF APPEALS**

## **JURISDICTION REQUEST NO. 26-1**

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Date of request: **March 6, 2026.**

**Monica McKay and Josh Gordon** hereby seek a new appeal period for the following departmental action: **ISSUANCE of Alteration Permit, 2026/02/09/5519** by **Department of Building Inspection**, issued to: **Kerry Cooper**, for the property at **158 15th Avenue**, that was issued or became effective on **February 11, 2026**, and for which the appeal period ended at close of business on **February 26, 2026.**

Your **Jurisdiction Request** will be considered by the Board of Appeals on Wednesday, **March 25, 2026** at **5:00 p.m. and will be held in Room 416 of San Francisco City Hall. The parties are encouraged to attend in-person but may also attend via the Zoom video platform.**

Pursuant to Article V, § 10 of the Board Rules, the **RESPONSE** to the written request for jurisdiction must be submitted by the permit, variance, or determination holder(s) and/or department(s) no later than **10 days from the date of filing, on or before March 16, 2026**, and must not exceed 6 pages in length (double-spaced), with unlimited exhibits. An electronic copy shall be submitted to the Board office via email to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org) and [julie.lamarre@sfgov.org](mailto:julie.lamarre@sfgov.org) with additional copies delivered to the opposing parties the same day: [kerrycooper@gmail.com](mailto:kerrycooper@gmail.com) and [anerland@me.com](mailto:anerland@me.com)

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from the requestor, the permit holder, and the department(s) will be allowed. Your testimony should focus on the reason(s) you did not file on time, and why the Board should allow a late filing in your situation.

Based upon the evidence submitted and the testimony, the Board will make a decision to either grant or deny your Jurisdiction Request. Given that the Board has a vacancy, three votes are necessary to grant jurisdiction. If your request is denied, an appeal may not be filed and the decision of the department(s) is final. If your request is granted, **a new five (5) day appeal period shall be created which ends on the Monday following the hearing**, and an appeal may be filed during this time.

Name: Monica McKay and Josh Gordon

Address: 162 15th Avenue, San Francisco, CA 94118

Phone: 562-846-5209

Email: [monica.mckay@gmail.com](mailto:monica.mckay@gmail.com)

**Via Email**

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Signature of Requestor or Agent

San Francisco Board of Appeals  
49 South Van Ness Avenue, Suite 1475  
San Francisco, CA 94103

**Re: Jurisdiction Request – Building Permit No. 202602095519**

**Property: 158–162 15th Avenue, San Francisco, CA**

Dear Members of the Board:

I respectfully submit this statement in support of a jurisdiction request regarding Building Permit No. 202602095519, issued by the San Francisco Department of Building Inspection (“DBI”). The permit appears to have been approved without rectifying the existing Notice of Violation and without adequately addressing the structural condition affecting the adjoining property at 162 15th Avenue.

Had I been aware that this permit had been issued, I would have filed an appeal within the statutory ten-day appeal period. I was not notified of the permit issuance and therefore respectfully submit this jurisdiction request so that the Board may review whether the permit was issued in compliance with applicable code requirements and procedural protections intended to safeguard adjacent structures.

This request is based on the grounds that the permit approval appears to rely on incomplete or inaccurate representation of the existing foundation conditions, that the construction documents do not demonstrate compliance with applicable provisions of the California Building Code (“CBC”) and San Francisco Building Code (“SFBC”) governing excavation and foundation work, and that required notice to adjoining property owners was not properly provided.

#### **I. Existing Structural Condition at 158 15th Ave**

During excavation and foundation work at the project site, it was discovered that the existing foundation at the subject property was physically connected to and structurally integrated with the foundation of the adjacent building at 162 15th Avenue, what my structural engineer has described as a **shared foundation condition**.

Two large excavation pits were dug along the entire length of the shared property line adjacent to my structure. The first three images show two excavation pits adjacent to the building foundation, and the final images show a third excavation pit located beyond the rear of my house.

These excavations run directly along the shared foundation wall between 158 and 162 15th Avenue. There is no visible shoring or temporary structural support protecting the existing foundation while soil beneath and adjacent to the footing has been removed. The site soils consist largely of sand, which raises additional concerns regarding soil migration and loss of lateral confinement.

The excavation work, performed without adequate shoring or grouting, created penetrations and voids adjacent to my foundation and raises serious concerns regarding loss of lateral support and potential settlement or structural movement of the adjoining building.

**See Exhibit 01-04 showing foundation condition.**

**See Exhibit 05 showing letter from the general contractor Avi Edri for 158 15th Ave.**

Because the foundation systems of the two buildings are physically interconnected, any removal, alteration, or excavation affecting one structure directly affects the structural support of the adjacent building. Work affecting this condition requires a coordinated structural engineering solution specifically designed to maintain the stability and support of the adjoining structure.

After this condition was identified, both structural engineers discussed a proposed structural remediation plan. Permit documentation was prepared showing a mutually agreed-upon grouting solution intended to stabilize the affected foundation elements. However, the required shoring agreement was never executed by the property owners at 158 15th Avenue.

## **II. Removal of Structural Elements Affecting the Adjoining Property**

Based on available information, portions of the foundation elements that were structurally connected to the adjacent property appear to have been removed or compromised during excavation and foundation work prior to the implementation of a coordinated structural solution addressing the shared foundation condition.

**See Exhibit 05 showing letter from the general contractor Avi Edri for 158 15th Ave.**

**See Exhibit 06 showing a statement from structural engineer Erevan O'Neill describing the existing conditions.**

**See Exhibit 07 with approved drawings in permit 202602095519**

**See Exhibit 08 with overlay of misrepresented foundation**

Because the adjacent structure relied on these foundation elements for structural support, the removal or alteration of those elements raises serious concerns regarding compliance with building code provisions intended to protect adjoining structures during excavation and foundation work.

The mutually agreed structural remediation plan intended to stabilize the shared foundation is contained in the following document:

**See Exhibit 09 with agreed upon grouting plan**

### **III. Permit Approval Based on Incomplete Representation of Existing Conditions**

The permit application associated with Building Permit No. 202602095519 appears to describe the proposed foundation work in a manner that does not fully disclose or accurately represent the existing shared foundation condition between the subject property and the adjacent building at 162 15th Avenue.

See Exhibit 4 (approved permit drawings).

The construction documents associated with the permit do not appear to provide a comprehensive structural solution addressing the removal or modification of the interconnected foundation elements or demonstrating how the adjoining structure will remain adequately supported during and after construction.

The drawings do not indicate temporary or permanent shoring, underpinning, or other structural support measures protecting the adjacent structure, despite the removal of foundation elements that previously provided support.

Because the permit approval relied on documentation that does not accurately reflect the existing structural conditions, the permit appears to have been issued based on incomplete or inaccurate information regarding site conditions and required corrective measures. In addition, the permit does not appear to rectify the existing Notice of Violation.

Under **San Francisco Building Code §102A**, when the Department of Building Inspection issues a Notice of Violation, the property is considered out of compliance and the violation must be corrected before construction related to that condition may proceed.

### **IV. Applicable Code Provisions**

The conditions described above implicate several provisions of the California Building Code and San Francisco Building Code, including but not limited to:

CBC §105.1 – Permits Required

CBC §107.2.1 – Information on Construction Documents

CBC §1803 and §1807 – Foundation Design and Construction

CBC §3401 – Existing Buildings

SFBC §3307 – Protection of Adjoining Property

SFBC §3307.1–3307.3 – Excavation Adjacent to Existing Buildings

Additionally, **San Francisco DBI Administrative Bulletin AB-036**, governing excavation adjacent to property lines and adjacent structures, requires excavation work to be performed in a manner that preserves the structural stability and lateral support of adjoining foundations and requires appropriate shoring or underpinning systems where necessary.

#### **V. Failure to Provide Required Notice to Adjoining Property Owners**

Excavation and foundation work associated with this project proceeded without proper notice to the adjoining property owner as required by code.

Under **SFBC §3307.2**, when excavation or construction operations may affect the structural support of adjoining buildings, written notice must be provided to adjoining property owners prior to commencing such work.

Because the foundation at the project site was structurally connected to the adjoining building at 162 15th Avenue, excavation and removal of portions of that foundation directly affected the structural support of the neighboring property. Proper notice was not provided prior to this work occurring.

#### **VI. Grounds for Appeal**

For the reasons described above, the permit appears to have been issued in error.

The permit approval relies on inaccurate representation of the existing shared foundation condition affecting the adjacent property. Section details do not accurately reflect the current site conditions. The remaining foundation width adjacent to my structure has reportedly been reduced to approximately **six inches in certain locations despite supporting a four-story building.**

Reducing a foundation to such a narrow width significantly decreases the effective bearing area that distributes structural loads into the supporting soil. The original foundation system is designed to distribute loads over a wider area and provide resistance to settlement, overturning, and sliding forces. Removal of portions of this system increases soil bearing pressure, potentially leading to differential settlement or structural movement. It may also compromise the performance of reinforcing steel designed for the original footing geometry.

Because the excavation removed soil and foundation elements immediately adjacent to an occupied four-story structure, the remaining foundation segments may no longer have adequate lateral confinement or support.

Under **CBC §1804, SFBC §3307, and DBI Administrative Bulletin AB-036**, excavation adjacent to existing buildings must be performed in a manner that maintains the structural stability and support of adjoining foundations at all times during construction.

The absence of engineered shoring, underpinning, or temporary structural support prior to excavation raises concerns that the current condition may not comply with these requirements.

These conditions create a potential risk of settlement, rotation, or structural movement of the adjoining building and therefore present a potential life-safety concern warranting review by the Board.

**In particular, excavation that removes soil or foundation elements supporting an adjacent building without engineered support measures may constitute a condition that could impair the structural integrity of the neighboring structure. Under SFBC §3307 and DBI Administrative Bulletin AB-036, the City has an obligation to ensure that construction activities do not create conditions resulting in the potential impairment of an adjacent structure.**

The conditions described above raise concerns that the work performed may have compromised the structural support system of the adjoining building and therefore warrant further review before construction is allowed to proceed.

The permit drawings do not clearly demonstrate code-compliant protection of the adjoining structure, and the permit appears to have been approved despite unresolved structural issues related to the shared foundation condition.

## **VII. Requested Action**

For these reasons, I respectfully request that the Board of Appeals review the issuance of Building Permit No. 202602095519 and determine whether the permit was issued based on incomplete or inaccurate documentation and without full compliance with applicable building code requirements.

I further request that the Board consider suspending or reconsidering the permit approval until the shared foundation condition has been resolved through an approved structural remediation plan, including the solution identified in exhibit 08.

**See Exhibit 09 with agreed upon grouting plan**

Respectfully submitted,

Monica McKay

Owner 162 15th Ave.

EXHIBIT 01

The excavation pit closest to the front facade you can see stairs indicating entryway into 158 property.



EXHIBIT 02

The excavation pit closest to the front facade you can see stairs indicating entryway into 158 property.



EXHIBIT 03 Image shows the same excavation pit located in the middle of the house.



Third pit dug out into yard



Third pit dug out into yard



## Edri Construction

General Contractor – Class A & B  
701 Cortland Avenue  
San Francisco, CA 94110  
Phone: 415-866-4400  
Email: avi@edriconstruction.com

Date: September 5, 2025

To:  
Homeowners at  
156 and 160 15th Avenue  
San Francisco, CA 94118

### Subject: Upcoming Underpinning Foundation for Shared Foundation

Dear Neighbor,

We are writing on behalf of **Edri Construction**, the licensed general contractor performing foundation and structural work at **158 15th Avenue, San Francisco**.

During the course of construction, we **discovered that the existing foundation walls are shared** between 158 15th Avenue and the adjacent properties to the **north and south** — including your home. This was confirmed through on-site excavation and structural review.

As a result, and in accordance with the requirements of the **City of San Francisco Department of Building Inspection**, we were required to **revise the foundation scope and pull permits** that include the adjacent structures. We are sharing this information with you as a professional courtesy and in the spirit of full transparency.

#### What This Means for You:

- Your property shares a foundation wall with 158 15th Avenue.
- We will be **underpinning the existing shared foundation wall by installing new concrete foundation support underneath it**, entirely within the property line of 158 15th Avenue.
- This work is being **fully funded by the homeowners, Kerry and Ed Cooper, at 158 15th Avenue**.
- The structural upgrade will provide **increased support, stability, and long-term protection** for both your property and theirs.
- The entire project will be professionally inspected and approved by:
  - A **licensed structural engineer**
  - A **certified special inspector**
  - The **City of San Francisco Department of Building Inspection**
- Your property will receive a **significant structural benefit**, with no cost or action required on your part.


We want to assure you that **Edri Construction** is committed to high-quality workmanship, safety, and full compliance with all local building codes. We will take every precaution to protect your property and minimize disruption throughout the process.

If you have any questions or would like more information, please feel free to contact me directly.

Sincerely,

#### Avi Edri

Owner & General Contractor  
Edri Construction  
701 Cortland Avenue  
San Francisco, CA 94110  
Phone: 415-866-4400  
Email: avi@edriconstruction.com

**From:** Erevan O'Neill [erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)   
**Subject:** FW: Checking in  
**Date:** March 3, 2026 at 3:31 PM  
**To:** Monica McKay [monica.mckay@gmail.com](mailto:monica.mckay@gmail.com)

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Monica,

My initial review comments are attached.

To summarize:

The moment they discovered this was a shared foundation the project should have stopped and they should have figured out the work around at that point. Any engineer and contractor would tell you this.

Instead they cut the foundation leaving you with an inadequate and undermined foundation.

They are not following the directives required by section 832. They are not even coming up with a coherent plan of what is required to meet code and stabilize your foundation. This last review I did with Erwins plans got what was required on your property to a point that would be permit ready see the link here from my January review:

<https://www.dropbox.com/scl/fi/jvorxm3r24o5ksadp1l6c/OD-review-01-13-26.pdf?rlkey=7lnybz6vl4runpt668jcm3q8a&dl=0>

Since then the project team has willfully misrepresented the conditions to suit their narrative that they don't need to do anything to your foundation. The DBI should not be approving plans like this (attached email) they are incoherent plans that misrepresent the situation.

When you excavate in sand adjacent to a foundation you need to grout or shore to prevent sand from ravelling out. If you damage someones foundation you have to fix it its as simple as that.

My pictures of the conditions are attached from my site visit last fall

<https://www.dropbox.com/scl/fo/qnlyb40fn7hcse9m6j0x1/APpcaopmexPY1M0GkcYluL0?rlkey=gni69rxqpzz77m8gbq1i8y83z&dl=0>

the link here is what was proposed after this that I approved to be included in the agreement:

<https://www.dropbox.com/scl/fi/judsk1t2hvk99afcb8wo6/162-15th-Avenue-Grouting-PlanDR14.pdf?rlkey=4rmjvb6h4piux0o6ebhry8kd4&dl=0>

Regards

Erevan O'Neill P.E.

**ONE Design**

2845 California Street  
San Francisco CA 94115  
Ph: (415) 828-4412  
[www.onedesignsf.com](http://www.onedesignsf.com)

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**From:** Erevan O'Neill

**Sent:** Thursday, December 11, 2025 3:33 PM

**To:** 'Erwin OToole' <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>

**Cc:** Monica McKay <[monica.mckay@gmail.com](mailto:monica.mckay@gmail.com)>; [colum.regan@gmail.com](mailto:colum.regan@gmail.com)

**Subject:** RF: Checking in

Erwin please see attached redmarks,  
Please revise and resubmit for my review.

Regards  
Erevan O'Neill P.E.

**ONE** Design  
2845 California Street  
San Francisco CA 94115  
Ph: (415) 828-4412  
[www.onedesignsf.com](http://www.onedesignsf.com)

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**From:** Erwin OToole <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>  
**Sent:** Saturday, December 6, 2025 3:21 PM  
**To:** Erevan O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)>  
**Cc:** Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>; [colum.regan@gmail.com](mailto:colum.regan@gmail.com)  
**Subject:** Re: Checking in

Erevan,  
this is my fault for making a mess of this!!

Sorry.

I thought I'd sent them out before thanks giving and I was on vacation last week.

Obviously no work can be done until you agree.

Attached is the issued permit. full underpinning. Also attached is 154 which is grouting only

Please redline as you see fit.

I called the building inspector yesterday to explain my mistake.

Please call with any questions.

On Fri, Dec 5, 2025 at 6:52 AM Erevan O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)> wrote:

Erwin this is unacceptable  
You never provided plans for review or approval. I will be reaching out to the dbi this morning to request the permits be suspended as the permit applicant does not have authority to obtain the permits and in doing so misled the DBI.  
There is the right way to proceed with projects like this and you know what that is

Regards  
Erean O'Neill P.E.  
**ONE** Design  
2845 California Street  
San Francisco CA 94115  
Ph: (415) 828-4412  
[www.onedesignsf.com](http://www.onedesignsf.com)

Begin forwarded message:

**From:** colum regan <[colum.regan@gmail.com](mailto:colum.regan@gmail.com)>  
**Date:** December 4, 2025 at 22:32:36 PST  
**To:** Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>  
**Cc:** Erean O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)>  
**Subject:** Re: Checking in

Have they sent plans yet?, they obviously have plans if they submitted for permit, did you sign an agreement ?

Regards

Colum Regan  
415-919-2368

On Thu, Dec 4, 2025 at 22:27 Monica McKay  
<[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)> wrote:

Sent from my iPhone

Begin forwarded message:

**From:** Abby Tempelsman  
<[Abby.tempelsman@gmail.com](mailto:Abby.tempelsman@gmail.com)>  
**Date:** December 4, 2025 at 8:06:38 PM PST  
**To:** "Emily Brough ([emily@zfplaw.com](mailto:emily@zfplaw.com))"  
<[emily@zfplaw.com](mailto:emily@zfplaw.com)>  
**Cc:** Julian Tempelsman  
<[juliantempelsman@gmail.com](mailto:juliantempelsman@gmail.com)>, Monica McKay  
<[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>  
**Subject:** Fwd: Checking in

Hi Emilv -

I am reaching out because we didn't know that a permit was submitted for our property as referenced in the Cooper's lawyer's email. We reached out to Andrew and he was unaware as well - see his full reply below. I am forwarding to you so we can set up some time as a group to discuss how this impacts our contract and next steps. If too challenging to find a phone call time, we can also discuss via email. Let me know what you think is best at this stage.

Thanks,  
Abby

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

From: **Andrew Scott** <[Ascott@degenkolb.com](mailto:Ascott@degenkolb.com)>

Date: Thu, Dec 4, 2025 at 3:56 PM

Subject: RE: Checking in

To: Abby Tempelsman <[abby.tempelsman@gmail.com](mailto:abby.tempelsman@gmail.com)>

CC: Julian Tempelsman

<[juliantempelsman@gmail.com](mailto:juliantempelsman@gmail.com)>

Interesting. I just looked in the SF DBI database and they appear to be correct – a permit was filed on your property – permit application 20251113952 – with a description of “Grouting in response to pa # 202508193412”

The agent names listed for the application are Erwin OToole and Avi Edri.

<https://sfplanninggis.org/PIM/?tab=Building+Permits&search=154+15TH+AVE>  
<https://dbiweb02.sfgov.org/dbipts/Default.aspx?page=PermitAgents&PermitNo=20251113952>

It would seem that DBI failed to require a signed affidavit for them to submit a permit on your behalf. I recommend discussing with Emily as a next step to see if this materially affects your negotiations (and, if so, appropriate remedies to restore leverage).

You can also inquire with DBI as to how this was allowed (or we can do it on your behalf). At the very least, it may be appropriate to put DBI on notice that you did not (yet) authorize this permit to be pulled on your property.

Let me know if you want to discuss via phone.

Andrew

Andrew N. Scott, Principal, S.E. 4809

Degenkolb Engineers d: 415.354.6409 c: 415.716.9176

From: Abby Tempelsman <abby.tempelsman@gmail.com>

Sent: Thursday, December 4, 2025 3:43 PM

To: Andrew Scott <Ascott@degenkolb.com>

Cc: Julian Tempelsman <juliantempelsman@gmail.com>

Subject: Checking in

Hi Andrew -

I hope you had a great holiday. In working with Emily on the license agreement, the Cooper's lawyer stated that a permit has already been issued for our property -- is that true? I thought Julian and I had to sign off on it. Please let me know when you get a chance.

Best,  
Abby

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Regards

Erwin O'Toole PE

please cc [info@shore-cal.com](mailto:info@shore-cal.com) on all project emails

ShoreCal Engineering Inc

T: 415.531.1009

<p><b>BUILDING / LOT INFO:</b>  <b>ADDRESS:</b> 160 19th Avenue  SAN FRANCISCO, CA 94118</p> <p><b>APN:</b> 020303  107054</p> <p><b>ZONING:</b> RH-2  RESIDENTIAL HOUSE, TWO FAMILY</p> <p><b>STORIES:</b> (8) EXISTING; (8) PROPOSED</p> <p><b>BLDG HEIGHT:</b> (8) 37'-4" (2) 37'-0"</p> <p><b>USE:</b> DWELLING</p> <p><b>UNITS:</b> (2) EXISTING; (2) PROPOSED</p> <p><b>OCCUPANCY TYPE:</b> R-3</p> <p><b>CONSTRUCTION TYPE:</b> 1B (Steel Reinforced)</p> <p><b>LOT AREA:</b> 3,184 SF</p> <p><b>BUILDING AREA:</b> EXISTING = 1,830 SF</p> <p><b>YEAR BUILT:</b> 1919</p>	<p><b>SCOPE OF WORK</b>  1ST FLOOR  PARTIAL FOUNDATION REPLACEMENT IN RESPONSE TO BUILDING PERMIT APPLICATION #2025-0819-3412 WORK.</p> <p><b>OWNER PERMITEE</b>  DORON JOSHUA ASHER  TEL: 415-457-9599</p> <p><b>MATERIALS</b></p> <ol style="list-style-type: none"> <li>1. REINFORCING STEEL: ASTM A615, GRADE 60, #4 AND SMALLER, GRADE 60.</li> <li>2. CONCRETE: NORMAL WEIGHT, U.O.R. WITH COMPRESSIVE STRENGTH OF THE FOLLOWING AT 28 DAYS:  FOOTINGS: 3,500 PSI  3. MINIMUM CONCRETE COVER FOR REINFORCING STEEL:  A. SURFACE PAIRED AGAINST GROUND: 2"  B. FORMED SURFACES BELOW GRADE: 2"  C. SURFACES EXPOSED TO WEATHER: 2"  D. BEAM BARS (INCLUDING STAIRUPS): 1-1/2"  E. ALL OTHERS: 2"  4. ANCHOR BOLT: EPOXY* HLT HITARE 900-45 (ICC ESR-3814) OR SIMPSON SET ET-33 FOR NEAR SCHELLING (ICC ESR-2506) AND SIMPSON SET ET-90 FOR EPOXY BOLT/RODS  5. THREADED ANCHOR RODS: ASTM F1554</li> </ol>		<p>2 Partial Foundation Plan</p> <p>3 Partial Foundation Detail</p>
<p><b>CODES APPLIED:</b></p> <ul style="list-style-type: none"> <li>2022 California Building Code with Local Amendments</li> <li>2022 California Electrical Code (CEC)</li> <li>2022 California Plumbing Code (CPC)</li> <li>2022 California Mechanical Code (CMC)</li> <li>2022 California Energy Code</li> <li>2022 Green Building Code with Local Amendments</li> <li>2022 California Fire Code with Local Amendments</li> </ul>		<p>NOTICE</p> <p>SPECIAL INSPECTION REQUIREMENTS</p> <p>Please see the Special Inspections shown on the approved plan and checked on the</p>	

EXHIBIT 06

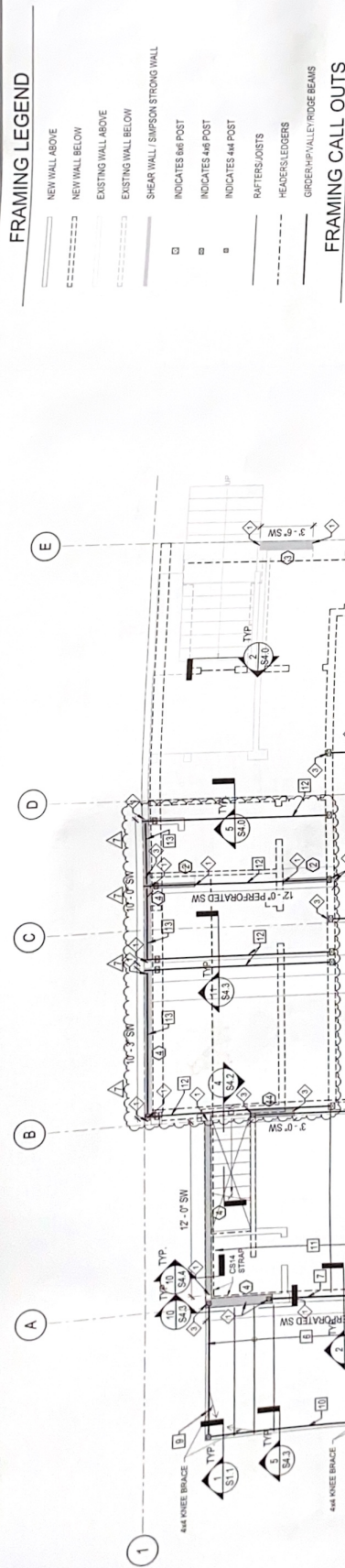
The image shows a technical drawing and a permit application form. On the left is an 'Existing Site Plan' showing a building layout with rooms labeled 'REAR PROPERTY' and 'FRONT BUILDING'. A red line points to a specific area with the text 'RECALL THE SCOPE OF WORK IS CORRECT'. To the right is a permit application form with sections for 'STRUCTURAL OBSERVATION REQUIREMENTS' and 'Special Inspection Services Contact Information'. The form includes fields for project name, address, and contact details. A vertical stamp on the far right reads 'NEW FOUNDATION 2025/11/19'.



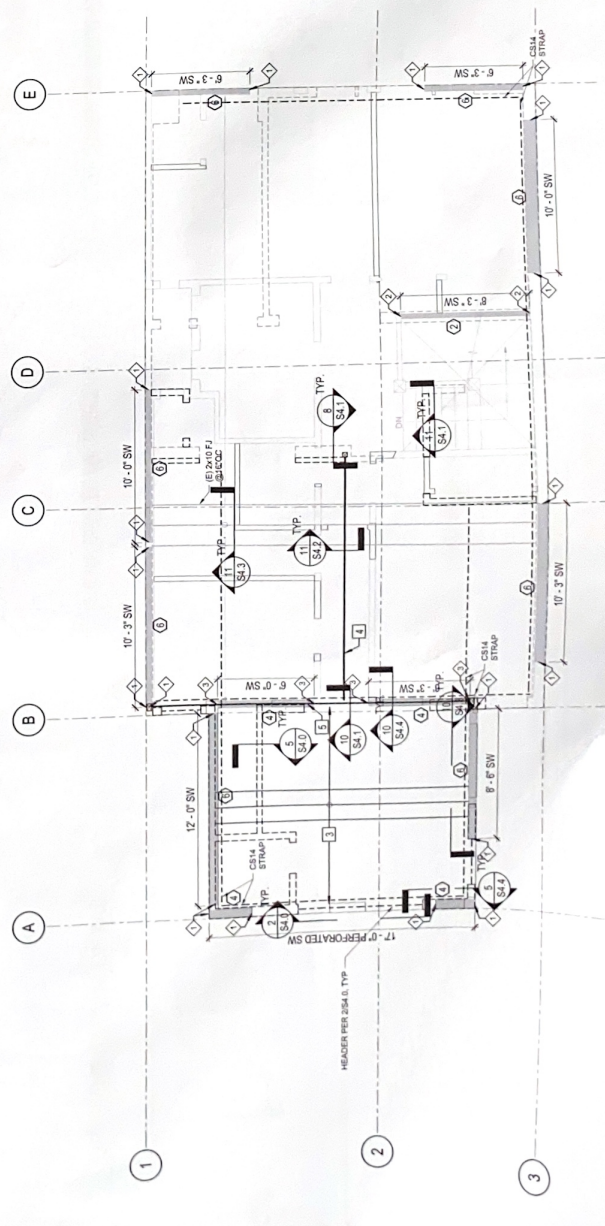
Mail Attachment







2ND FLOOR FRAMING PLAN  
1/4" = 1'-0"



3RD FLOOR FRAMING PLAN  
1/4" = 1'-0"

FRAMING LEGEND

- NEW WALL ABOVE
- NEW WALL BELOW
- EXISTING WALL ABOVE
- EXISTING WALL BELOW
- SHEAR WALL / SIMPSON STRONG WALL
- INDICATES 6x6 POST
- INDICATES 4x6 POST
- INDICATES 4x4 POST
- RAFTERS/JOISTS
- HEADERS/LEDGERS
- GIRDER/VALLEY RIDGE BEAMS

FRAMING CALL OUTS

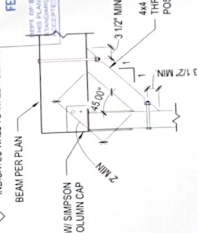
- 1 2x10 ROOF RAFTERS @ 16" O.C. W/ LUS HANGERS AS RECD. PROVIDE SLOPED OR SKEWED OPTIONS AS RECD.
- 2 2x10 CEILING JOIST @ 16" O.C. W/ LUS HANGERS AS RECD.
- 3 2x12 FLOOR JOIST @ 16" O.C. W/ LUS HANGERS AS RECD.
- 4 7" x 11 1/4" 2.0E PARALLAM PSL BEAM
- 5 5 1/4" x 8 1/2" 2.0E PARALLAM PSL BEAM
- 6 2x8 BECK JOIST @ 16" O.C. W/ LUS HANGERS AS RECD.
- 7 3 1/2" x 9 1/4" 2.0E PARALLAM PSL BEAM
- 8 A48 BEAM
- 9 4x10 BEAM
- 10 3 1/2" x 9 1/2" 2x4 1/4" OF GULAM BEAM
- 11 2x10 FLOOR JOIST @ 16" O.C. W/ LUS HANGERS AS RECD.
- 12 7" x 11 1/4" 2.0E PARALLAM PSL BEAM
- 13 5 1/4" x 8 1/2" 2.0E PARALLAM PSL BEAM

FLOOR TO FLOOR HOLD DOWN CALLOUT

- 1 SIMPSON INST37 STRAP, 2x OR 4x STUD
- 2 SIMPSON INST48 STRAP, 2x OR 4x STUD
- 3 SIMPSON INST60 STRAP, 2x OR 4x STUD

SHEAR WALL LEGEND

- INDICATES MINIMUM SHEAR PLYWOOD LENGTH
- INDICATES PLYWOOD AND ANCHOR BOLT TYPE
- WALL TO FOUNDATION HOLD DOWN
- INDICATES WALL TO WALL HOLD DOWN BEAM PER PLAN



FRAMING PLANS  
ADDITION AND ALTERATION  
158 15TH AVE SAN FRANCISCO, CA 94115

REV	DATE	DESCRIPTION
7	1/29/2026	REVISION
6	9/5/2025	REVISION

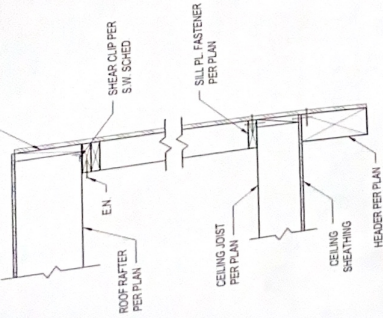
SEIN DATE	1/30/2026
SEIN DATE	1/30/2026
SCALE	As Indicated
DRAWN BY	MY
CHECK BY	MY
PROJECT #	S1.1



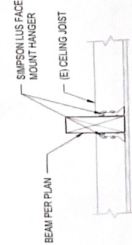
02/11/2026  
CHU LUN DDI  
FEB 12 2026

CHU LUN DDI  
FEB 12 2026

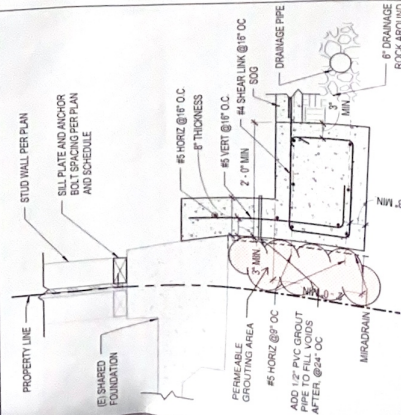
KNEE BRACE  
1  
N.T.S.



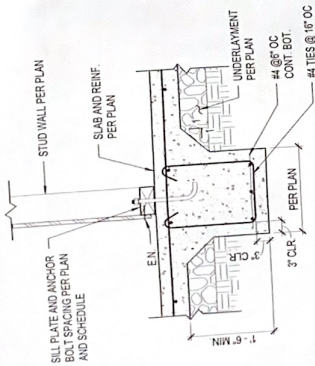
DOUBLE LEVEL FLAT ROOF  
N.T.S. 12



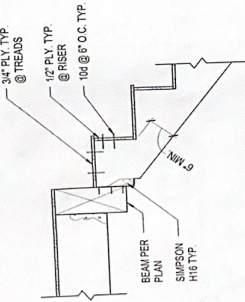
UPTURNED BEAM DETAIL  
N.T.S. 11



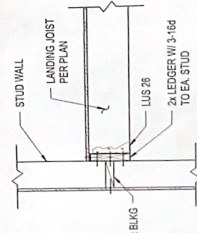
TYP. EXTERIOR FOOTING W/  
S.O.G. N.T.S. 10



TYP. INTERIOR FOOTING W/  
S.O.G. N.T.S. 9

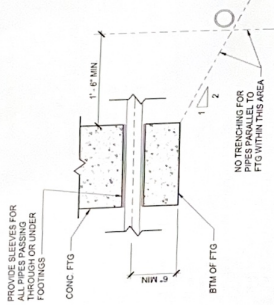


STRINGER TO LANDING TOP

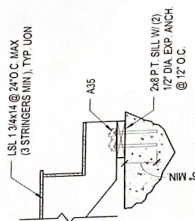


LANDING TO WALL

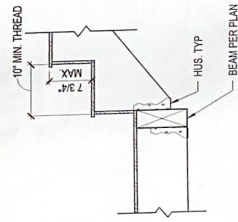
NOTES  
STAIRWAY TO HAVE MIN. 7\"/>



PIPE CLEARANCE @ FOOTING  
N.T.S. 5



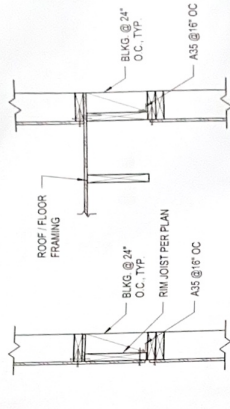
STRINGER TO FOUNDATION



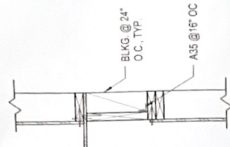
STRINGER TO LANDING BOT

RECEIVED  
FEB 11 2006  
OFFICE OF THE BUILDING OFFICIAL  
CITY OF SAN FRANCISCO

STAIRCASE DETAIL  
N.T.S. 4

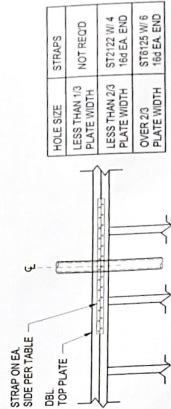


STAIRCASE NEXT TO EXTERIOR WALL

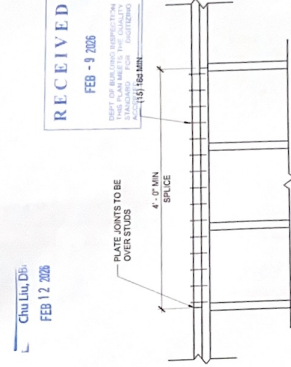


INTERIOR STAIRCASE

WALL FRAMING NEXT TO STAIRCASE OPENING  
N.T.S. 3



STRAP @ PLATE OPENING  
DETAIL N.T.S. 2



TOP PLATE SPLICE DETAIL  
N.T.S. 1

REV	DATE	DESCRIPTION
6	9/5/2025	REVISION
7	1/29/2026	REVISION



SIGN DATE	1/20/2026
SIGN DATE	1/20/2026
SCALE	As indicated
DRAWN BY	MY
CHECKED BY	MY
PROJECT #	



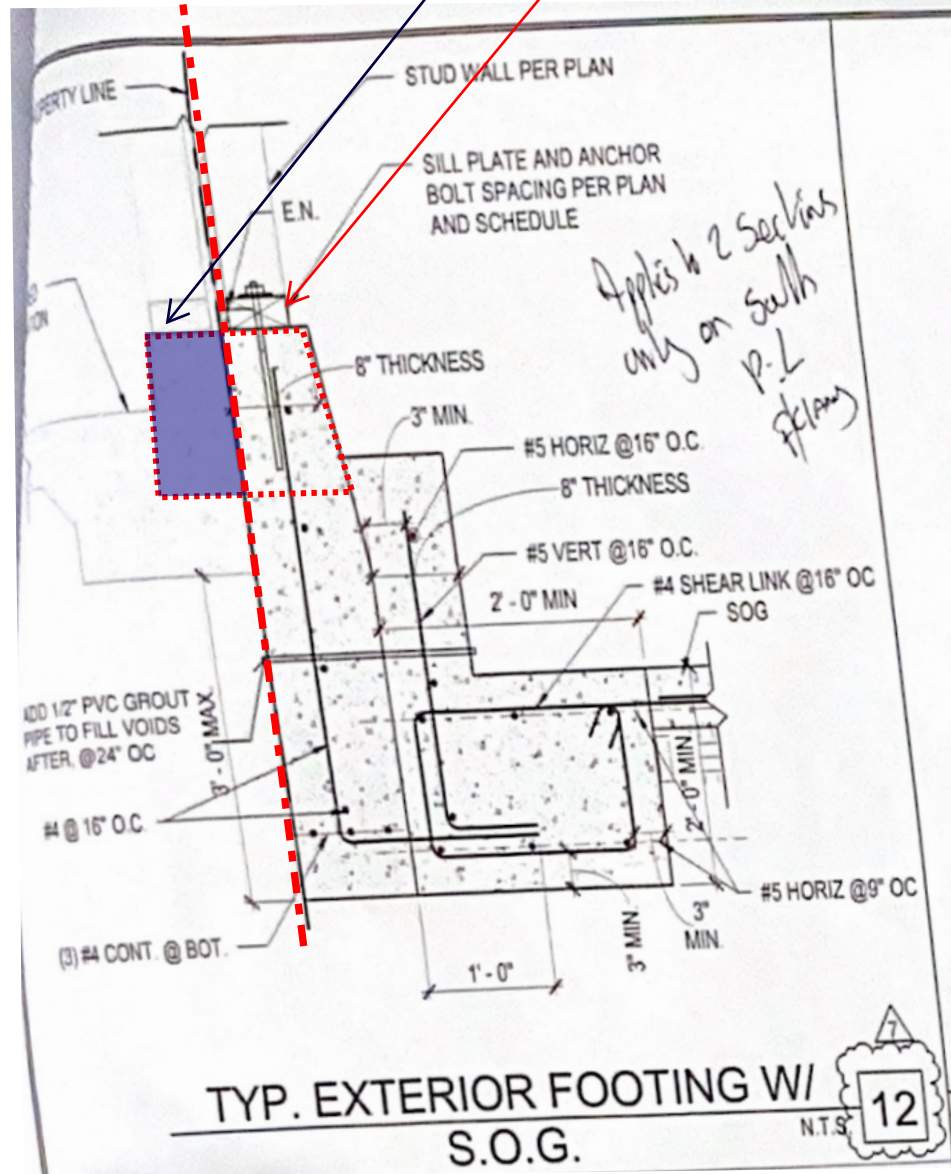
APPROVED PLANS MISREPRESENT EXISTING FOUNDATION

162 15TH AVE CURRENT FOUNDATION (SHOWN IN BLUE)

ORIGINAL FOUNDATION BEFORE CONSTRUCTION (SHOWN DASHED IN RED)

162 15th Ave

158 15th Ave



Building Permit No. 202602095519 12/S3.4

Reducing the foundation to only the portion shown in blue would significantly decrease the effective width of the footing that distributes the load of the wall above into the soil. The original footing is designed to spread structural loads over a larger area and provide stability against settlement, overturning, and sliding. Removing a portion of the footing reduces the bearing area, which increases soil pressure and can lead to differential settlement or movement of the foundation. It can also compromise the intended performance of the reinforcing steel, which was designed assuming the full footing width and proper concrete cover. In addition, reducing the footing removes part of the mass that helps resist lateral and seismic forces, potentially making the wall more susceptible to rotation, sliding, or cracking under load.



Home



## Welcome to our Permit / Complaint Tracking System!

### Permit Details Report

**Report Date:** 3/6/2026 10:01:54 AM

Application Number: 202602095519

Form Number: 8

Address(es): 1374 / 025 / 0 158 15TH AV

Description: Revision to PA 202208251288 foundation support

Cost: \$50,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

#### Disposition / Stage:

Action Date	Stage	Comments
2/9/2026	TRIAGE	
2/9/2026	FILING	
2/9/2026	FILED	
2/11/2026	APPROVED	
2/11/2026	ISSUED	

#### Contact Details:

##### Contractor Details:

License Number: 1070193  
 Name: AVI EDRI  
 Company Name: EDRI CONSTRUCTION INC \*SEE NOTES\*  
 Address: 701 CORTLAND AVE \* SAN FRANCISCO CA 94110-0000  
 Phone:

#### Addenda Details:

##### Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
BID-INSP		2/9/26	2/9/26			2/9/26	CLANCY FERGAL	Approved	APPROVED Fc
INTAKE		2/9/26	2/9/26			2/9/26	WEISS-ISHAH SAGIV	Administrative	
BLDG		2/10/26	2/10/26			2/10/26	MASOUD HAMIDI	Approved	
CPB		2/11/26	2/11/26			2/11/26	MASOUD HAMIDI	Administrative	2/9/26,mpang PA 202508122851 & 202508193412 to be withdrawn prior to issuance

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
3/3/2026	AM	WS	Web Scheduled	OK TO POUR	1

**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
3/3/2026	Fergal Clancy	OK TO POUR	REINFORCING STEEL

**Special Inspections:**

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

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

**Technical Support for Online Services**

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

## **BRIEF SUBMITTED BY THE PERMIT HOLDER(S)**

**BOARD OF APPEALS**  
City and County of San Francisco

Jurisdiction Request No. 26-1  
Permit No. 202602095519  
158 15th Avenue, San Francisco, CA 94118

Response of Permit Holders Ed and Kerry Cooper  
March 16, 2026

**I. INTRODUCTION**

My name is Kerry Cooper. My husband Ed and I have owned 158 15th Avenue for 25 years. We filed our first permit for this remodel project in 2022. It has been a long road, and we have followed every step that the Department of Building Inspections (“**DBI**”) and our licensed consultants have laid out for us.

We ask the Board to deny this Jurisdiction Request, as Requestors’ do not meet the legal requirement to demonstrate an extraordinary case in which DBI caused them to miss the appeal deadline for Permit No. 202602095519 (“**Permit**”).

We are aware that Requestors’ brief contains allegations regarding safety and accuracy of the approved Permit and associated plans. These concerns exceed the scope of the current jurisdiction request and are based on inaccurate and incomplete information. However, we share our neighbors’ interest in ensuring a safe condition for both of our properties. We are continuing to communicate in good faith to resolve Respondents’ concerns outside of an appeal process and have provided general context below on our home remodel and Permit status for reference.

## **II. LEGAL STANDARD FOR LATE JURISDICTION REQUESTS**

Requestors ask the Board to take late jurisdiction over a building permit that was fully reviewed, approved, and ultimately issued by DBI, and for which the 15-day appeal period has run.

Board Rules, Section 10(a) states that the Board can only grant late jurisdiction requests “*in extraordinary cases where it finds that the City intentionally or inadvertently caused the requestors*” to miss the appeal deadline.

Requestors do not meet this burden, so the request should be denied.

Granting late jurisdiction would also subject us to unreasonable costs and delay. Strict appeal timeframes exist to ensure fairness, promote efficiency, and provide permit holders with certainty necessary to invest in property improvements. On March 3, 2026, following expiration of the Permit appeal window, our consultants began associated work which included pouring concrete wall sections in reliance on the approved work scope.

## **III. DBI Did Not Cause Respondents to Miss the Appeal Period**

The Permit was filed and publicly posted in DBI's online tracking system from February 11 through February 26, 2026 – the full 15-day window. (See Exhibit A).

No noticing requirements were triggered by the Permit. DBI followed standard procedure and did nothing to prevent Requestors from appealing during this window.

Respondents' brief devotes several pages to challenging the approved foundation work – citing code provisions, engineering concerns, and structural conditions. However, those

claims are misplaced. They relate to the merits of the Permit and not the legal standard approving late jurisdiction. The only sentence in Respondents' brief that explains missing the standard appeal timeframe is: "I was not notified of the permit issuance." But that does not show an *extraordinary case* or identify any City error or omission which caused them to miss the appeal. DBI does not require neighbor notification for this permit type.

Respondents further argue that proper notice of Project excavation was not provided to them under SFBC §3307. However, this is a civil claim – SFBC §Section 3307 obligations run to the permit applicant, not to the City, and have no bearing on the 15-day Permit appeal window.

#### **IV. Board Precedent Supports Denying This Request.**

In Board case JR 23-3 (2442 Great Highway, October 25, 2023), the requestor missed a permit appeal deadline and sought late jurisdiction on the basis that he had not received City notification of the permit. The Board denied the request 5-0, agreeing with DBI's assessment that late jurisdiction was inappropriate on this basis where there was "no notification requirement."

#### **V. PROJECT/PERMIT CONTEXT**

Debate over Permit merits exceeds the scope of the current jurisdiction request. However, we provided project context and preliminary responses to allegations in Respondents' brief, below.

##### **1. Work stopped in August 2025 and We Spent Months Developing a Solution**

When we began excavation last summer, we discovered our foundation was shared with the neighboring property. This was an unknown condition. By the time Inspector Fergal Clancy came to our home to inspect on August 7, 2025, the excavation had already been paused since July 14. Inspector Clancy documented the discovered shared-foundation condition on both sides of our property line and no further foundation work was performed after that. (See Exhibits B and C).

We spent months trying to come to an agreement with the Requestors on a solution and private agreement allowing us to file permits and to access to our neighbors' property for associated foundation work. These efforts stalled due to private agreement demands we were unable to meet.

When we determined reaching agreement was infeasible, we modified our plan to reduce scope and keep *all of the work within our own property line* so that access onto the neighboring property was no longer required. That effort included a February 6, 2026 meeting with Inspector Clancy and DBI engineer Chu Liu, who stated that the reduced project scope could be addressed through the current Permit and recommended pressure grouting within our property line. This was incorporated. (See Exhibit D; Requestors Exhibit 7, page S4.2, item 10) The current Permit was approved and issued February 11. (See Exhibit A).

## **2. The Permit Remediates the Foundation Condition**

On March 3, 2026, after expiration of the standard 15-day Permit appeal window, we began associated work. Inspector Clancy visited our property and approved the concrete pour. (See Exhibit A). That pour filled the two excavated sections with concrete and

reinforcing steel – the excavations shown in Requestors’ own Exhibits 01 and 02. The former foundation excavations no longer exist in the condition shown in Requestors’ exhibits – they have been filled. (See Exhibit E) DBI continues to supervise the project and our licensed structural engineer remains actively involved.

### **3. Requestor’s Brief Contains Inaccurate Information.**

#### **a. Engineer's Markup Misrepresents Permit Scope.**

The markup provided by Requestors’ engineer as Exhibit 08 to their brief does not accurately depict what the Permit authorizes. The Board can compare it directly with the approved plans (Exhibit 07). The Permit fills the previously excavated sections with reinforced concrete and leaves the remaining foundation intact. The structural risks described by their engineer assume a condition that the Permit does not create.

Moreover, the requestors state that the permits did not disclose the shared foundation condition. This may be a misunderstanding. Page 4.3 in their submission Exhibits 7 and their Exhibit 8 appears to be a photograph with a crumpled corner that obscured the relevant language. The DBI-stamped plans show clearly on that same page: “SHARED FOUNDATION”. (See Exhibit F). However, the plans in the Requestors Exhibit 7 also clearly indicate “SHARED FOUNDATION” on page S4.2 item 10 and page S4.3 item 1.

#### **b. Requestors’ "Agreed Grouting Plan" Was Never Agreed To.**

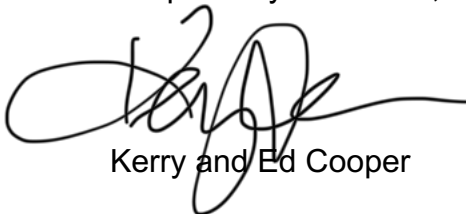
Requestors provide an Exhibit 09, which they inaccurately refer to as an “Agreed Grouting Plan.” Their own engineer disagrees – in his March 3 email to Requestor Ms. McKay, Exhibit 06, he describes it as a plan he "approved to be included in the agreement."

However, no agreement was reached. We wanted one. We spent months negotiating with the Requestors on a solution. Negotiations broke down over demands we could not meet, leaving our project on hold and the foundation exposed resulting in prolonged potential liability. When it became clear an agreement wasn't possible, we pivoted and worked with DBI to find an approach that reduced scope kept all work within our own property line. That is what the Permit does.

## **V. CONCLUSION**

We ask the Board to deny Respondents' request, as they have not met the burden of proof necessary to grant late jurisdiction. DBI neither intentionally nor inadvertently caused Respondents to miss the appeal window. Respondents' concerns regarding Permit merits are misplaced in the current action, and based on inaccurate and incomplete information. Granting late jurisdiction under the circumstances would be inconsistent with Board precedent and subject us to unreasonable cost and delay.

Respectfully submitted,



Kerry and Ed Cooper

158 15th Avenue, San Francisco, CA 94118

[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com); [encooper@yahoo.com](mailto:encooper@yahoo.com)

March 16, 2026



## **Exhibits – Table of Contents**

A – Permit Status Page from DBI Website

B – December 17, 2025 E-mail from Fergal Clancy to Erevan O’Neill

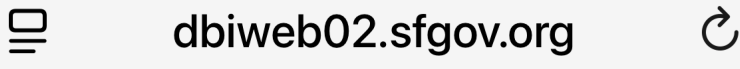
C – Screen Grabs from July 14, 2025 Showing Completed Pit Excavation


D – Email from Fergal Clancy to Ed Cooper, et al., confirming February 6, 2026 meeting

E – Photos Showing Post-Pour View of Excavated Sections


F – Page from Permit Plans, Revealing Obscured Portion from Requestor’s Exhibit

Exhibit A – Permit Status Page from DBI Website





Home



**Welcome to our Permit / Complaint Tracking System!**

**Permit Details Report**

Report Date: **3/8/2026 12:07:05 AM**

Application Number: **202602095519**

Form Number: **8**

Address(es): **1374 / 025 / 0 158 15TH AV**

Description: **Revision to PA 202208251288 foundation support**

Cost: **\$50,000.00**

Occupancy Code: **R-3**

Building Use: **27 - 1 FAMILY DWELLING**

**Disposition / Stage:**

Action Date	Stage	Comments
2/9/2026	TRIAGE	
2/9/2026	FILING	
2/9/2026	FILED	
2/11/2026	APPROVED	
2/11/2026	ISSUED	

**Contact Details:**

**Contractor Details:**

License Number: **1070193**

Name: **AVI EDRI**

Company Name: **EDRI CONSTRUCTION INC \*SEE NOTES\***

Address: **701 CORTLAND AVE \* SAN FRANCISCO CA 94110-0000**

Phone:

**Addenda Details:**

**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
BID-INSP		2/9/26	2/9/26			2/9/26	CLANCY FERGAL	Approved	APPROVED Fc
INTAKE		2/9/26	2/9/26			2/9/26	WEISS-ISHA SAGIV	Administrative	
BLDG		2/10/26	2/10/26			2/10/26	MASOUD HAMIDI	Approved	
CPB		2/11/26	2/11/26			2/11/26	MASOUD HAMIDI	Administrative	2/9/26.mpang PA 202508122851 & 202508193412 to be withdrawn prior to issuance

**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
3/3/2026	AM	WS	Web Scheduled	OK TO POUR	1

**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
3/3/2026	Fergal Clancy	OK TO POUR	REINFORCING STEEL

**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](#)

Exhibit B - December 17, 2025 E-mail from Fergal Clancy to Erevan O'Neill

## Fwd: Checking in

---

From: Erwin OToole (erwin@shore-cal.com)

To: Encooper@yahoo.com

Date: Wednesday, December 17, 2025 at 04:27 PM PST

---

### Regards

Erwin O'Toole PE

[please cc info@shore-cal.com](mailto:info@shore-cal.com) on all project emails

ShoreCal Engineering Inc

T: 415.531.1009

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

From: **Clancy, Fergal (DBI)** <[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)>

Date: Wed, Dec 17, 2025 at 16:01

Subject: RE: Checking in

To: Erevan O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)>

CC: Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>, [ascott@degenkolb.com](mailto:ascott@degenkolb.com) <[ascott@degenkolb.com](mailto:ascott@degenkolb.com)>, Erwin OToole <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>, Kerry Cooper <[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com)>, Saunders, Philip (DBI) <[philip.saunders@sfgov.org](mailto:philip.saunders@sfgov.org)>, Birmingham, Kevin (DBI) <[kevin.birmingham@sfgov.org](mailto:kevin.birmingham@sfgov.org)>, [edricconstruction@gmail.com](mailto:edricconstruction@gmail.com) <[edricconstruction@gmail.com](mailto:edricconstruction@gmail.com)>

Erevan / Monica

Monica it was nice to meet you today and to confirm that the water intrusion we both observed seems to be in part due to the repairs at the shared light Weill on level 3, I did witness some touchdown roofing put in place on 158 and flashed over the void between the both buildings,

There is no further excavation been performed since the correction was issued 08.07.2025 *“Reviewed site conditions of shared footings with property line neighbors on both the north and south sides of the building. Observed three foundation excavation sections on north side and two on south side, including waterproofing, mira drain, rebar, forms and with 158 15th ave portion of shared footing removed. Discussed options with contractor including revision permit to DOCUMENT SHARED FOOTING CONDITION, CHANGE PROPERTY LINE FOUNDATION TO UNDERPINNING AND RESTORE*

REMOVED PORTIONS OF SHARED FOUNDATION correction 1) remove waterproofing and mira drain to expose all shared foundation and call for Reinspection.”

On 08.05.2025 we reviewed and approved a permit 202508052323 that’s revised the original to change where the foundation would be replaced in 4 foot alternating sequential sections

We have since received 2 filed permits bit have not been reviewed by our engineering

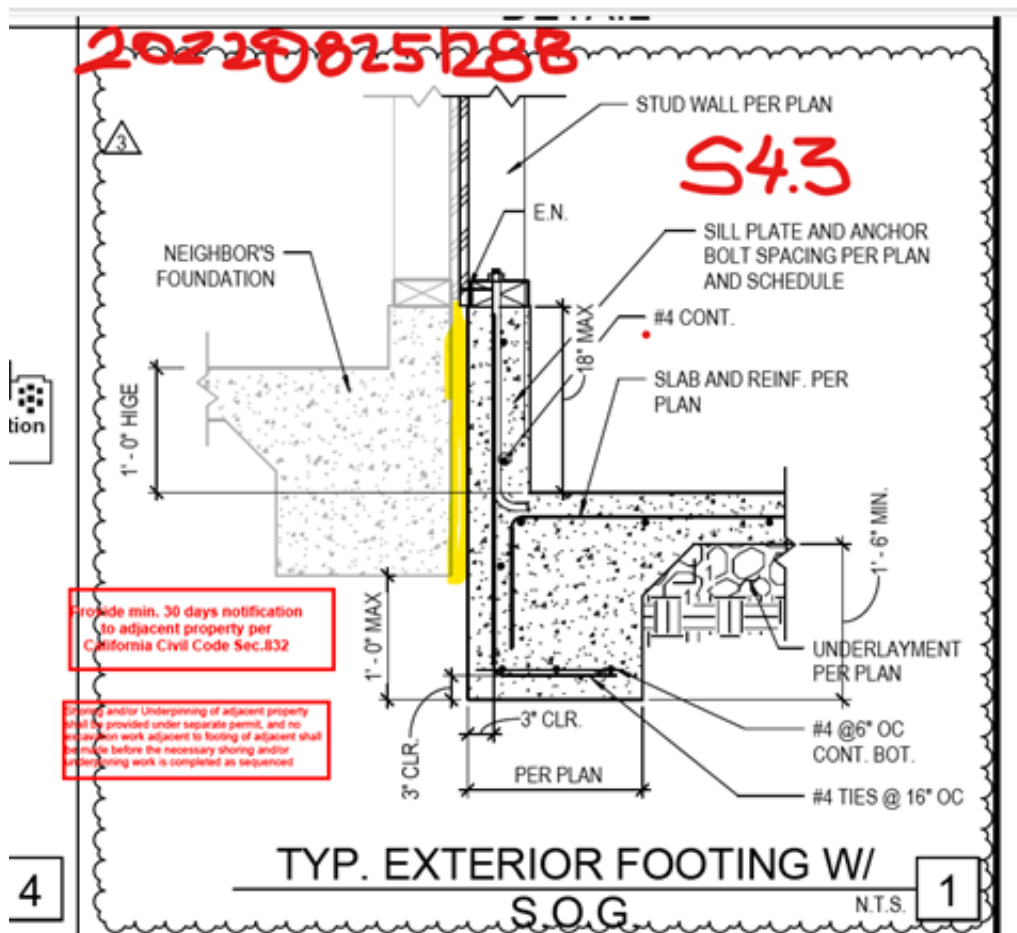
1. filed 08.12.2025 revision to pa # 202208251288 & 202508052323: restore old foundation section A. continue foundation repair in way of underpinning rather than section replacement.

2. filed 08.19.2025 Revision to 202208251288 to document shared footing condition at north and south property lines, change property line foundation to underpinning and restore 5 removed portions of shared foundation.

On the original Main plan 202208251288 we approved this condition page S4.3 detail 1. Which references section 832 of the California civil code . see excerpt below for reference

We (DBI) would hope that all involved would agree to a pathway forward

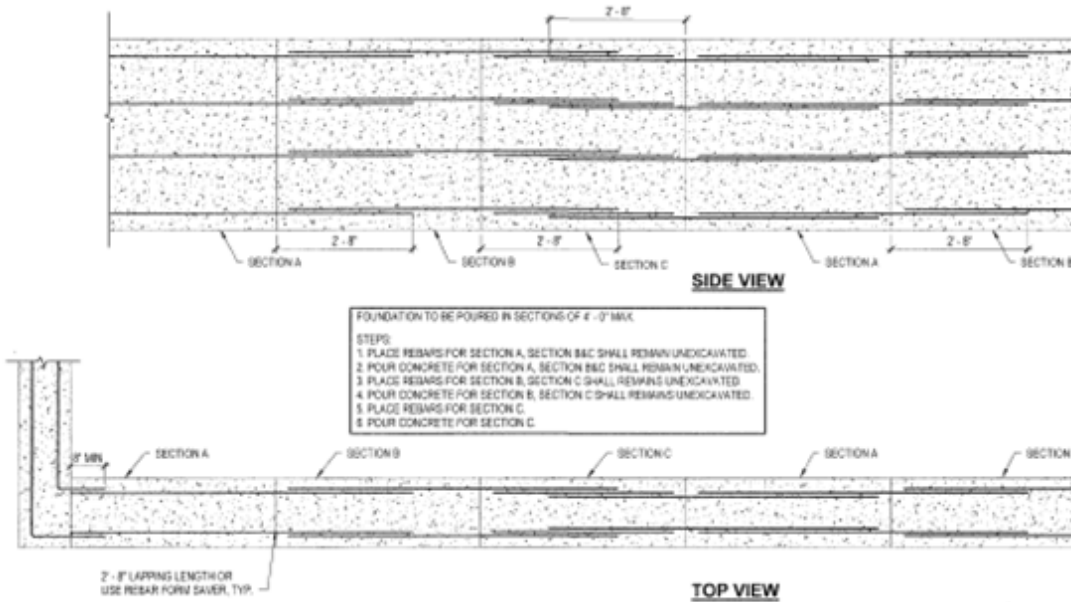
I am always available to discuss and answer any questions you may have moving forward



20250805 2323

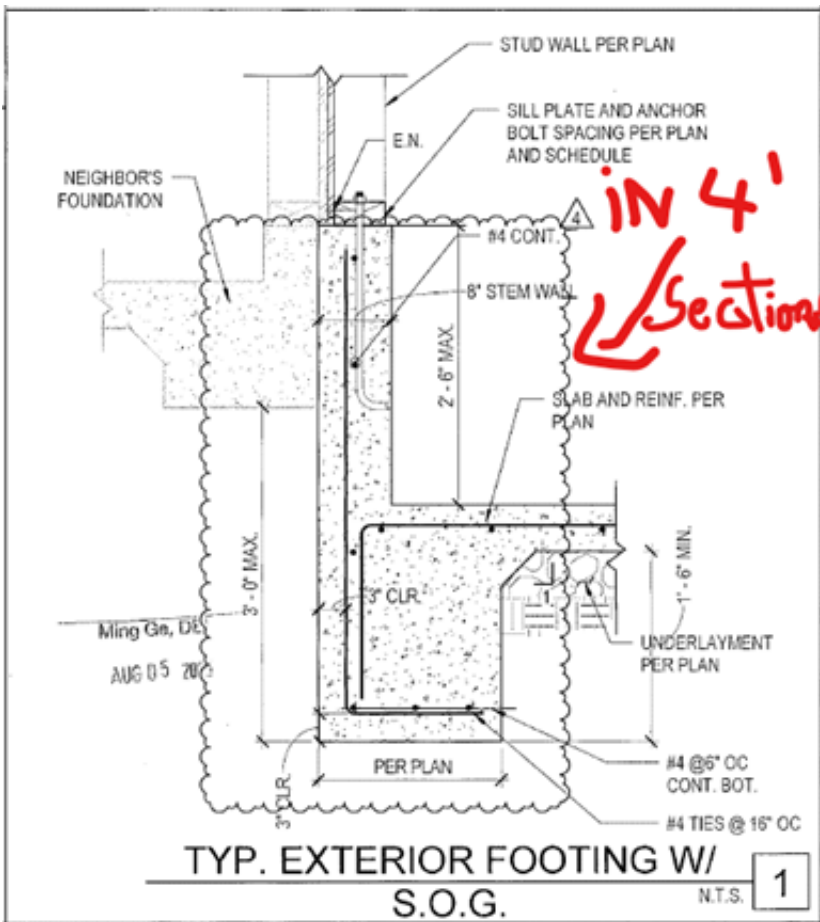
ROOF FRAMING PLAN

1/4" = 1'-0"



SI.2  
↓

POURED IN SECTION DETAIL 4



REV	DATE
SK	
SK	
SC	
DR	
CK	
PR	

## SECTION 3307 – PROTECTION OF ADJOINING PROPERTY

### *San Francisco building code*

**3307.1 Protection required.** Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.

**Note:** Other requirements for protection of adjacent property of adjacent and depth to which protection is requested are defined by California Civil Code Section 832, and is reprinted herein for convenience.

**Section 832.** Each coterminous owner is entitled to the lateral and subjacent support which his land receives from the adjoining land, subject to the right of the owner of the adjoining land to make proper and usual excavations on the same for purposes of construction or improvement, under the following conditions:

1. Any owner of land or his lessee intending to make or to permit an excavation shall give reasonable notice to the owner or owners of adjoining lands and of buildings or other structures, stating the depth to which such excavation is intended to be made, and when the excavating will begin.
2. In making any excavation, ordinary care and skill shall be used, and reasonable precautions taken to sustain the adjoining land as such, without regard to any building or other structure which may be thereon, and there shall be no liability for damage done to any such building or other structure by reason of the excavation, except as otherwise provided or allowed by law.
3. If at any time it appears that the excavation is to be of a greater depth than are the walls or foundations of any adjoining building or other structure, and is to be so close as to endanger the building or other structure in any way, then the owner of the building or other structure must be allowed at least 30 days, if he so desires, in which to take measures to protect the same from any damage, or in which to extend the foundations thereof, and he must be given for the same purposes reasonable license to enter on the land on which the excavation is to be or is being made.
4. If the excavation is intended to be or is deeper than the standard depth of foundations, which depth is defined to be a depth of nine feet below the adjacent curb level, at the point where the joint property line intersects the curb and if on the land of the coterminous owner there is any building or other structure the wall or foundation of which goes to standard depth or deeper then the owner of the land on which the excavation is being made shall, if given the necessary license to enter on the adjoining land, protect the said adjoining land and any such building or other structure thereon without cost to the owner thereof, from any damage by reason of the excavation, and shall be liable to the owner of such property for any such damage, excepting only for minor settlement cracks in buildings or other structures.

**Fergal Clancy**

**Senior Building Inspector**

**Department of Building Inspection**

**City and County of San Francisco**

49 S. Van Ness Ave. | 4th Floor

San Francisco | CA 94103

[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)

Phone: (628) 652-3603

[[sf.gov/dbi](http://sf.gov/dbi)] [SF.gov/DBI](http://SF.gov/DBI)

---

**From:** Erevan O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)>  
**Sent:** Wednesday, December 17, 2025 11:51 AM  
**To:** Clancy, Fergal (DBI) <[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)>  
**Cc:** Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>; [ascott@degenkolb.com](mailto:ascott@degenkolb.com); Erwin OToole <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>; Kerry Cooper <[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com)>; Clancy, Fergal (DBI) <[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)>  
**Subject:** RE: Checking in

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

Good morning Mr Clancy.

I just got off a call with Monica and she informed me of your conversation with her, related to the leaking she is getting in her walls due to the ongoing work the contractor is doing next door.

We now ask that ALL work cease effective immediately and all active permits be suspended until the project sponsor comes up with an effective remedial process to make all necessary corrections.

This is now a matter of emergency and the neighbors contractor continually causing damage to Monica's property is unacceptable.

Regards

Erevan O'Neill P.E.

**ONE** Design

2845 California Street

San Francisco CA 94115

Ph: (415) 828-4412

[www.onedesignsf.com](http://www.onedesignsf.com)

---

**From:** Erevan O'Neill

**Sent:** Wednesday, December 17, 2025 10:58 AM

**To:** 'Erwin OToole' <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>

**Cc:** 'Monica McKay' <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>; '[ascott@degenkolb.com](mailto:ascott@degenkolb.com)'

<[ascott@degenkolb.com](mailto:ascott@degenkolb.com)>; 'Kerry Cooper' <[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com)>; Clancy, Fergal (DBI)

<[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)>

**Subject:** RE: Checking in

**Importance:** High

Erwin,

Im following up on this. We have not had any response from you on this. Please confirm that there is no ongoing work happening out there related to foundations. Moncia has informed me that there is work on going on your clients property – she isn't sure what the nature of the work is. I have cc'd inspector Clancy on this per his request.

He will be conducting a site visit today.

Regards

Erevan O'Neill P.E.

**ONE** Design

2845 California Street

San Francisco CA 94115

Ph: (415) 828-4412

[www.onedesignsf.com](http://www.onedesignsf.com)

---

**From:** Erevan O'Neill

**Sent:** Thursday, December 11, 2025 3:33 PM

**To:** 'Erwin OToole' <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>

**Cc:** Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>; [colum.regan@gmail.com](mailto:colum.regan@gmail.com)

**Subject:** RE: Checking in

Erwin please see attached redmarks,

Please revise and resubmit for my review.

Regards

Erevan O'Neill P.E.

**ONE** Design

[2845 California Street](#)

[San Francisco CA 94115](#)

Ph: (415) 828-4412

[www.onedesignsf.com](http://www.onedesignsf.com)

---

**From:** Erwin OToole <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>

**Sent:** Saturday, December 6, 2025 3:21 PM

**To:** Erevan O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)>

**Cc:** Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>; [colum.regan@gmail.com](mailto:colum.regan@gmail.com)

**Subject:** Re: Checking in

Erevan,

this is my fault for making a mess of this!!

Sorry.

I thought I'd sent them out before thanks giving and I was on vacation last week.

Obviously no work can be done until you agree.

Attached is the issued permit. full underpinning. Also attached is 154 which is grouting only

Please redline as you see fit.

I called the building inspector yesterday to explain my mistake.

Please call with any questions.

On Fri, Dec 5, 2025 at 6:52 AM Erevan O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)> wrote:

Erwin this is unacceptable

You never provided plans for review or approval. I will be reaching out to the dbi this morning to request the permits be suspended as the permit applicant does not have authority to obtain the permits and in doing so misled the DBI.

There is the right way to proceed with projects like this and you know what that is

Regards

Erean O'Neill P.E.

**ONE** Design

2845 California Street

San Francisco CA 94115

Ph: (415) 828-4412

[www.onedesignsf.com](http://www.onedesignsf.com)

Begin forwarded message:

**From:** colum regan <[colum.regan@gmail.com](mailto:colum.regan@gmail.com)>  
**Date:** December 4, 2025 at 22:32:36 PST  
**To:** Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>  
**Cc:** Erean O'Neill <[erevan@onedesignsf.com](mailto:erevan@onedesignsf.com)>  
**Subject:** Re: Checking in

Have they sent plans yet?, they obviously have plans if they submitted for permit, did you sign an agreement ?

Regards

Colum Regan

415-919-2368

On Thu, Dec 4, 2025 at 22:27 Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)> wrote:

Sent from my iPhone

Begin forwarded message:

**From:** Abby Tempelsman <[Abby.tempelsman@gmail.com](mailto:Abby.tempelsman@gmail.com)>  
**Date:** December 4, 2025 at 8:06:38 PM PST  
**To:** "Emily Brough ([emily@zfplaw.com](mailto:emily@zfplaw.com))" <[emily@zfplaw.com](mailto:emily@zfplaw.com)>  
**Cc:** Julian Tempelsman <[juliantempelsman@gmail.com](mailto:juliantempelsman@gmail.com)>, Monica McKay <[moniica.mckay@gmail.com](mailto:moniica.mckay@gmail.com)>  
**Subject:** Fwd: Checking in

Hi Emily -

I am reaching out because we didn't know that a permit was submitted for our property as referenced in the Cooper's lawyer's email. We reached out to Andrew and he was unaware as well - see his full reply below. I am forwarding to you so we can set up some time as a group to discuss how this impacts our contract and next steps. If too challenging to find a phone call time, we can also discuss via email. Let me know what you think is best at this stage.

Thanks,

Abby

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

**From:** Andrew Scott <[Ascott@degenkolb.com](mailto:Ascott@degenkolb.com)>  
**Date:** Thu, Dec 4, 2025 at 3:56 PM  
**Subject:** RE: Checking in  
**To:** Abby Tempelsman <[abby.tempelsman@gmail.com](mailto:abby.tempelsman@gmail.com)>  
**CC:** Julian Tempelsman <[juliantempelsman@gmail.com](mailto:juliantempelsman@gmail.com)>

Interesting. I just looked in the SF DBI database and they appear to be correct – a permit was filed on your property – permit application 20251113952 – with a description of “*Grouting in response to pa # 202508193412*”

The agent names listed for the application are Erwin OToole and Avi Edri.

[https://sfplanninggis.org/PIM/?](https://sfplanninggis.org/PIM/)

[tab=Building+Permits&search=154+15TH+AVE](#)

[https://dbiweb02.sfgov.org/dbipts/Default.aspx?  
page=PermitAgents&PermitNo=202511139522](https://dbiweb02.sfgov.org/dbipts/Default.aspx?page=PermitAgents&PermitNo=202511139522)

It would seem that DBI failed to require a signed affidavit for them to submit a permit on your behalf. I recommend discussing with Emily as a next step to see if this materially affects your negotiations (and, if so, appropriate remedies to restore leverage).

You can also inquire with DBI as to how this was allowed (or we can do it on your behalf). At the very least, it may be appropriate to put DBI on notice that you did not (yet) authorize this permit to be pulled on your property.

Let me know if you want to discuss via phone.

Andrew

Andrew N. Scott, Principal, S.E. 4809

**Degenkolb Engineers** d: 415.354.6409 c: 415.716.9176

---

**From:** Abby Tempelsman <[abby.tempelsman@gmail.com](mailto:abby.tempelsman@gmail.com)>  
**Sent:** Thursday, December 4, 2025 3:43 PM  
**To:** Andrew Scott <[Ascott@degenkolb.com](mailto:Ascott@degenkolb.com)>  
**Cc:** Julian Tempelsman <[juliantempelsman@gmail.com](mailto:juliantempelsman@gmail.com)>  
**Subject:** Checking in

Hi Andrew -

I hope you had a great holiday. In working with Emily on the license agreement, the Cooper's lawyer stated that a permit has already been issued for our property -- is

that true? I thought Julian and I had to sign off on it. Please let me know when you get a chance.

Best,

Abby

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

--

Regards

Erwin O'Toole PE

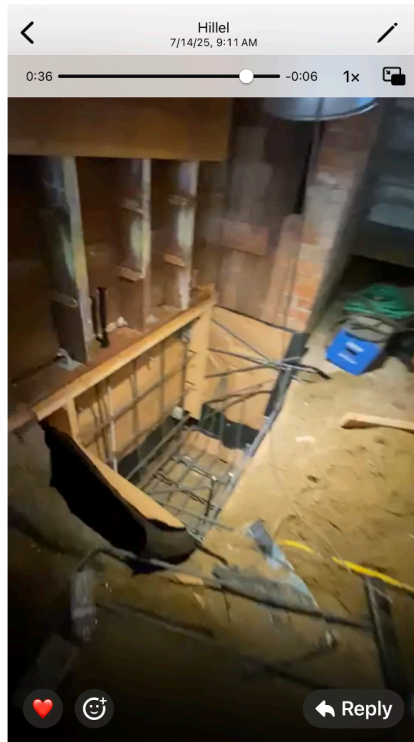
[please cc info@shore-cal.com](mailto:info@shore-cal.com) on all project emails

ShoreCal Engineering Inc

T: 415.531.1009

Exhibit C – Screen Grabs from July 14, 2025 Showing Completed Pit Excavation

Pit Near Front of House bordering 162



Pit Near Middle of House bordering 162



## Exhibit D - Email from Fergal Clancy to Ed Cooper, et al., confirming February 6, 2026 meeting

Sunday, March 8, 2026 at 5:19:05 PM Japan Standard Time

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**Subject:** RE: 158 15th Ave  
**Date:** Tuesday, February 3, 2026 at 8:41:45 AM Japan Standard Time  
**From:** Clancy, Fergal (DBI)  
**To:** Ed Cooper, Kerry Cooper, Avi Edri, Avi Edri, Erwin OToole , Liu, Chu (DBI)  
**CC:** Saunders, Philip (DBI)

Hi all

Can we meet with you at DBI next Friday, YES , 1pm

In advance, What do you have proposed/resolution in mind

Also. Any update with 154 15<sup>th</sup> ave? please include

### **Fergal Clancy**

**Senior Building Inspector**  
**Department of Building Inspection**  
**City and County of San Francisco**  
49 S. Van Ness Ave. | 4th Floor  
San Francisco | CA 94103  
[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)  
Phone: (628) 652-3603  
[sf.gov/dbi](https://sf.gov/dbi) [SF.gov/DBI](https://sf.gov/DBI)

---

**From:** Ed Cooper <[healdsburghouse@gmail.com](mailto:healdsburghouse@gmail.com)>  
**Sent:** Monday, February 2, 2026 9:59 AM  
**To:** Kerry Cooper <[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com)>; Avi Edri <[avi@edriconstruction.com](mailto:avi@edriconstruction.com)>; Clancy, Fergal (DBI) <[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)>; Avi Edri <[cs@edriconstruction.com](mailto:cs@edriconstruction.com)>; Erwin OToole <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)> <[erwin@shore-cal.com](mailto:erwin@shore-cal.com)>; Liu, Chu (DBI) <[chu.liu@sfgov.org](mailto:chu.liu@sfgov.org)>  
**Subject:** Re: 158 15th Ave

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

Hello – I am copying in Chu Liu, who I understand our other engineer, Erwin O’Tool (also copied) worked with on the most recent plans.

Just for reference, the permit that was pulled on 162 15<sup>th</sup> Ave (currently suspended) was number 202511139520.

The building permit for our property (158 15<sup>th</sup> Ave) for the construction project is 202208251288.

We’d appreciate any availability you would have to discuss a new proposed approach to this project this Friday.

Thank you.

---

**From:** Kerry Cooper <[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com)>  
**Date:** Friday, January 30, 2026 at 3:47 PM  
**To:** Avi Edri <[avi@edriconstruction.com](mailto:avi@edriconstruction.com)>, [fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)  
<[fergal.clancy@sfgov.org](mailto:fergal.clancy@sfgov.org)>, Eddie Cooper <[healdsburghouse@gmail.com](mailto:healdsburghouse@gmail.com)>, Avi Edri  
<[cs@edriconstruction.com](mailto:cs@edriconstruction.com)>  
**Subject:** Re: 158 15th Ave

Inspector Clancy,

I understand you spoke with our contractor, Avi Edri, earlier today who requested a meeting with you to discuss our project plan. Can we meet with you at DBI next Friday, February 6th? I also do not now know who else from DBI needs to be included so if you could include them as well, it would be greatly appreciated.

Thank you so much for your time and have a great weekend,  
Kerry

On Thu, Dec 18, 2025 at 10:33 AM Kerry Cooper <[kerrywcooper@gmail.com](mailto:kerrywcooper@gmail.com)> wrote:

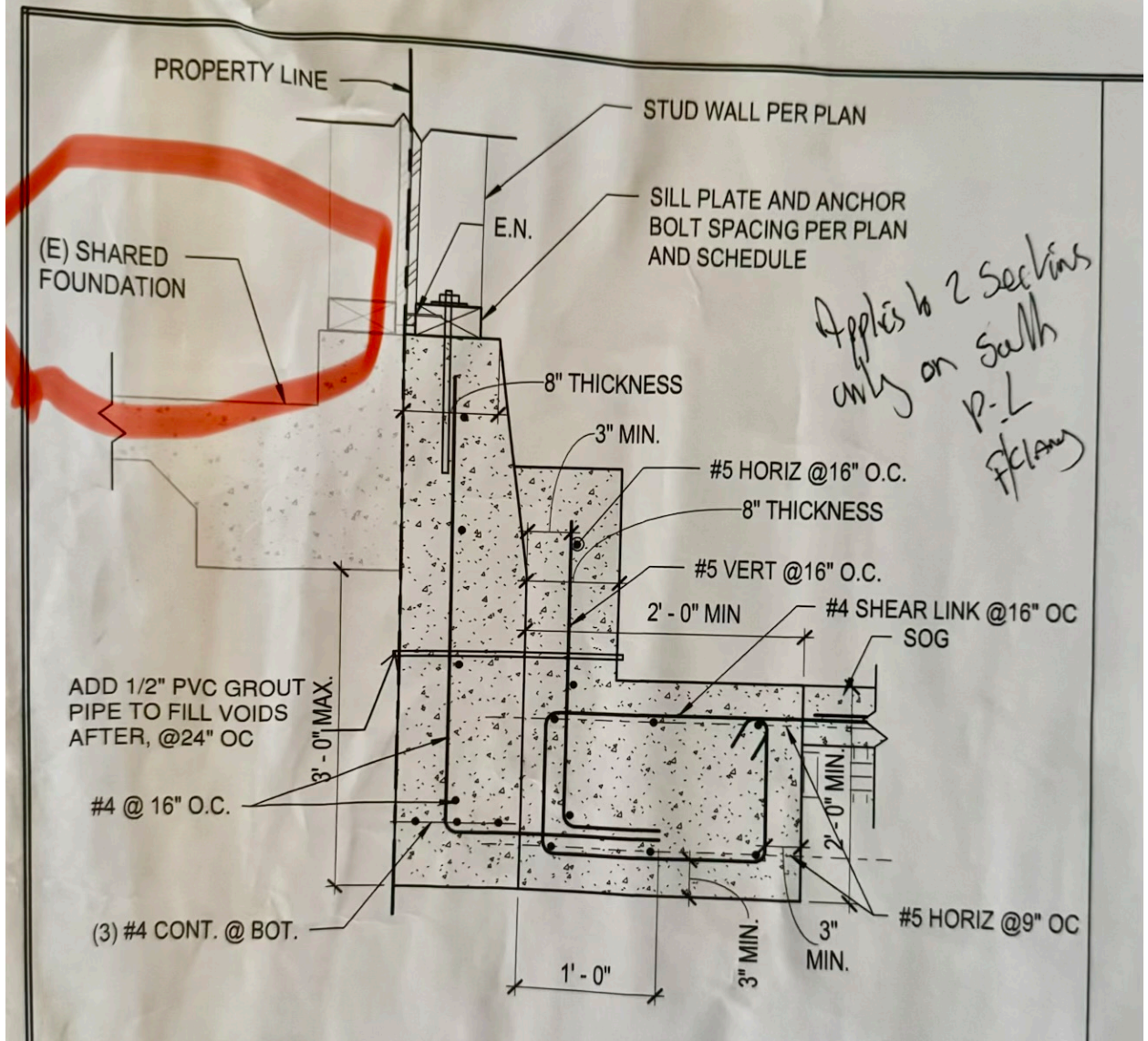
Inspector Clancy would like to have all of the engineers together to review the project at 158 15th Ave, San Francisco, CA 94118. Can you meet this afternoon or tomorrow? I've included Inspector Clancy, Andrew Scott (154 15th), Erwin O'Toole (158 15th) and Erevan (162 15th) on this email. Once we get all 4 of you settled on a time, I would also like to include the home owners and will add them.

Thank you for your attention to this.  
Kerry

Exhibit E - Photos Showing Post-Pour View of Excavated Sections







*Applies to 2 Sections  
only on South  
P-L  
Flange*

**TYP. EXTERIOR FOOTING W/  
S.O.G.**

N.T.S. 12