

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
SIMON SCOTT,

Appeal No. **26-001**

Appellant(s)

VS.

DEPARTMENT OF BUILDING INSPECTION,

PLANNING DEPARTMENT APPROVAL Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on January 2, 2026, 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 December 22, 2025 to Daniel Guinasso, of an Alteration Permit (revision to Permit Application # 2017-0906-6976, second floor new deck to be extended; third floor: adding new deck over new addition; adding new closet at existing rear office to become new bedroom, reference Permit Application No. 2025-0917-5558) at 205 Fairmount Street.

APPLICATION NO. 2025/09/10/5039

FOR HEARING ON February 18, 2026

Address of Appellant(s):

Address of Other Parties:

Simon Scott, Appellant(s)
237 Fairmount Street
San Francisco, CA 94131

Daniel Guinasso, Leahy Guinasso, Permit Holder(s)
c/o Albert Urrutia, Agent for Permit Holder(s)
Atrium Structural Engineering
2451 Harrison Street
San Francisco, CA 94110



Date Filed: January 6, 2026

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

PRELIMINARY STATEMENT FOR APPEAL NO. 26-001

I / We, **Simon Scott**, hereby appeal the following departmental action: **ISSUANCE** of **Alteration Permit No. 2025/09/10/5039** by the **Department of Building Inspection** which was issued or became effective on: **December 22, 2025**, to: **Daniel and Leahy Guinasso**, for the property located at: **205 Fairmount Street**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **January 29, 2026, (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, andrew.perry@sfgov.org; joseph.ospital@sfgov.org and aurretia@atriumstructural.com

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **February 12, 2026, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org; joseph.ospital@sfgov.org and sscott.za@gmail.com

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

Hearing Date: **Wednesday, February 18, 2026, 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:

Signature: Via Email

Print Name: Simon Scott, appellant

Letter of Appeal to Permit Application 202509105039

Date of Appeal: 1/5/2026

This permit includes construction of a deck on the roof of 205 Fairmount St, my neighbor's property.

Since this new deck will be within 1 ft of my property line, it will require a firewall. The property owner plans to build a 6 ft tall firewall along the side of the deck that abuts my property. I am objecting to the construction of this deck and 6 ft firewall for the following reasons:

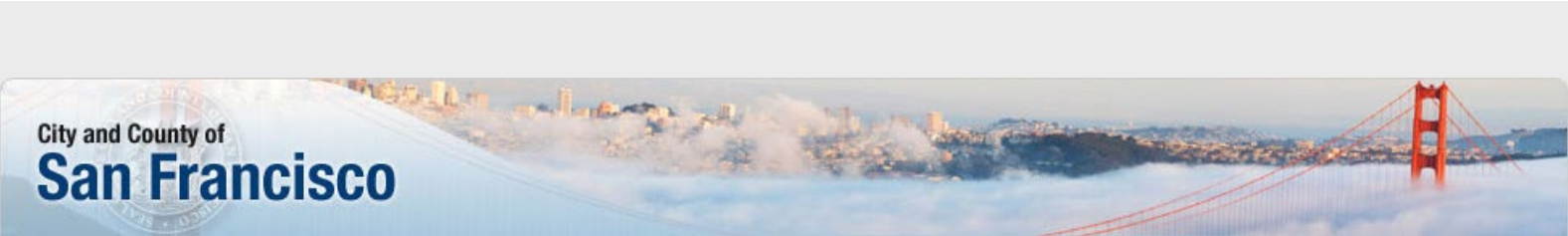
- The latest revision of the permit was approved per Section 136(25)(B)(i), which states that height is limited to 10 ft above grade. However, once all the cumulative permit revisions are considered together, including a new rear addition to the building and a new third floor deck, the height from the grade to the top of the 6ft firewall on the third floor exceeds 10 ft.
- The new deck firewall on the third floor would be taller than any exterior wall along that side of the property. SF Planning Residential Roof Decks Policy document says that reduction of light to adjacent residents should be mitigated when adding a rooftop deck. The construction of the firewall will diminish our backyard by completely closing off the only open side on our yard (we have walls on the other 3 sides), obstructing our sunlight. We are attempting to start a lawn in our backyard, and it won't survive without the sunlight. This new 6 ft firewall along the property line will also block the sky from our kitchen windows, diminishing our quality of life in our home.
- The SF Residential Deck Guidelines document also recommends that decks to be set back 5 feet from building edge, but this deck and firewall are directly on the building edge and property line.

I am therefore requesting that the deck either be built on a part of the property that will not obstruct the only open side of our backyard, or that the deck be moved away from the building edge and that the firewall be replaced with a handrail.

As the notice of permit issuance was only delivered to me 1 business day before the appeal deadline, I would like to reserve the right to update my appeal after fully reviewing the building plans.

Regards,

Simon Scott (237 Fairmount St, San Francisco, CA 94131. Ph: 510-501-2116)



City and County of
San Francisco

[Home](#)



Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 1/6/2026 9:08:17 AM

Application Number: 202509105039

Form Number: 8

Address(es): 6684 / 025 / 0 205 FAIRMOUNT ST

Description: Revision to PA 201709066976 2nd fl (n) deck be extended; 3rd fl - adding (n) deck over (n) addition; adding (n) closet at (e) rear office to become (n) bedroom ref PA 202509175558

Cost: \$18,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/10/2025	TRIAGE	
9/10/2025	FILING	
9/10/2025	FILED	
12/22/2025	APPROVED	
12/22/2025	ISSUED	

Contact Details:

Contractor Details:

License Number: 1095134

Name: SEAN NEVES

Company Name: SJN CONSTRUCTION LLC

Address: 24042 GRAND VIEW AVE * COLFAX CA 95713-0000

Phone:

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		9/10/25	9/10/25			9/10/25	MOK CALVIN	Administrative	
INTAKE		12/11/25	12/11/25			12/11/25	PANGELINAN MARIANNE	Administrative	12/11/25,mpang duplicate application with slight changes to original scope from "3rd floor adding (n) deck over (n) addition under pa#: 201709066976. add (n)closet at (e) rear office to become (n) bedroom. (n) deck under 201709066976 to be extended" to current scope; full set of plans
CP-ZOC		9/18/25	9/18/25			9/18/25	MCCALLUM WILL	Approved	9/18/2025: approved: enlarging deck and adding stair within rear yard using sec 136(25)(B)(i). interior renovation. william.mccallum@sfgov.org
CP-ZOC		12/11/25	12/11/25			12/11/25	MCCALLUM WILL	Approved	12/11/2025: approved: revision to previously approved permit. modification to stair connecting deck to rear yard. william.mccallum@sfgov.org
								Issued	

BLDG		12/17/25	12/17/25			12/17/25	CHAN PHILIP	Comments	Comments OTC
BLDG	1	12/17/25	12/17/25			12/17/25	CHAN PHILIP	Approved	Approved OTC
MECH		12/12/25	12/12/25			12/12/25	GILMARTIN CHRISTIAN	Approved	OTC
SFFD		12/17/25	12/17/25			12/17/25	WONG DAMIEN	Approved	Approved OTC. No Insp. Paper plans to applicant. -DW
CPB		12/22/25	12/22/25			12/22/25	BUFKA SUSAN	Administrative	12/11/25,mpang missing engineer signature on A0.0 and A0.1

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.

[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 APPELLANT(S)

Brief for Appeal No. 26-001 to Permit Application 202509105039

Date: 1/29/2026

Appellant: Simon Scott, 237 Fairmount St, San Francisco

1 Overview of Appeal

Permit application 202509105039 provides for the addition of a new rooftop deck and deck wall, among other things, at 205 Fairmont St. I am the immediate neighbor at 237 Fairmount St. This new 6ft tall wall that Mr Guinasso (the permit holder) is proposing to build along the side of his new roof deck and our property line would significantly cut off the sunlight and fresh air into our backyard. Additionally, it would block all visible sky from our kitchen windows, darkening our house and diminishing our quality of life.

In this brief, we will argue that the addition of this roof deck and wall is just one of many revisions to an older permit, each of which has further mansionized the construction far beyond the existing scope. Due to these revisions and piecemeal changes, there was no public notice or review period regarding the addition of the roof deck and wall, and hence we, the immediate neighbors most affected by the project, have had no opportunity to provide input until now. We will also show that the latest revision to the building permit ignores major guidelines in the [San Francisco Design Standards](#), [Residential Design Guidelines](#) and the [San Francisco Planning Residential Decks Information Handout](#), and that the proposed deck construction makes no attempt to minimize the impact on our access to light and air.

We wish to be good neighbors and we don't want to impede this construction project. However, previous attempts to negotiate with Mr Guinasso on this matter have been futile. Therefore, we are filing this appeal to merely request a minor amendment to the latest revision of the plans: that the materials and height of the wall be adjusted to minimize the impact on our daily quality of life.

2 Negative Impact of Rooftop Deck and Privacy Wall on our Quality of Life

The building plans that were submitted with this permit application show that Mr Guinasso intends to add a rooftop deck on top of a new family room that is currently being constructed at the rear of his house. He also intends to build a 6ft tall solid "privacy wall" along the side of the deck. Since the new family room and rooftop deck are built right up to the property line, this new 6ft wall will also be built directly along the property line. Exhibit A.1 shows the site plan, while Exhibit A.2 shows the rear elevation, with the latest additions highlighted in red.

Our backyard is in the middle of our property, between our house and garage. This new 6 ft wall would be built directly across the only open side of our backyard, as illustrated in Exhibit A.1. The other sides of our backyard are currently bordered by our house, our garage and the fence/tree along the street boundary. Therefore, this new wall would completely box in our backyard. The wall would start at 3ft above the level of our backyard and end up towering at 9ft above, cutting off light and air into our backyard.

Exhibit B shows what we currently see from inside our backyard. Exhibit C shows a rendering of what it would look like if this wall was built, clearly illustrating the impact

that it would have on our quality of life. The height of the proposed wall in Exhibit C was determined by measuring, with a measuring tape, 6 ft up from the current roof level of the newly built family room, and marking reference points that can be used to accurately draw in the new wall. We will note that we have not been given the opportunity to perform a proper shade study, as we only received notice of this new wall after the permit was approved in late December, and hence this rendering is the best that we can provide given the time constraints.

We have been working with Rockridge Geotechnical and Ashley & Vance Engineering to greenify our backyard by converting it into a grass lawn. This new wall would significantly reduce the amount of sunlight the backyard receives, making it difficult to grow grass and enhance our usable open space.

The new wall would not only affect our backyard, but also block the only open sky that we can see from our kitchen. Exhibit D shows what we can currently see out of our kitchen windows, while Exhibit E is a rendering showing what it would look like if this new wall was built. It should be clear that this new 6ft tall wall would significantly impact the light into our kitchen and our everyday quality of life.

Finally, I would like to mention that I am a new homeowner. I put my entire lifesavings into the downpayment on our property last year, and am paying a heavy mortgage every month. I do believe that this new 6ft tall wall could have such a big impact on the quality of life provided by my home that it could easily decrease my property value by 10%.

While I know that this is not a valid reason to appeal a construction project, I do just

wish to highlight the outsized financial impact that this would have on my wife and I. That said, I do not wish to limit Mr Guinasso's ability to enhance his own property, and so I do believe that a compromise can be reached where Mr Guinasso can still construct his new rooftop deck, while the impact on our property can be minimized.

3 New Construction Completely Ignores San Francisco Design Guidelines

3.1 San Francisco Residential Design Guidelines

While we do not oppose the construction of the new roofdeck per se, it must be noted that it does not conform to the [San Francisco Residential Design Guidelines](#). If it had followed these guidelines, this appeal would most likely have been unnecessary. Below is a list of principals we believe were not followed:

- “Maintain light to adjacent properties by providing adequate setbacks” (Design Principles, pg. 5).
 - Exhibit F shows that the new family room, rooftop deck and 6ft wall are all built within inches of the property line that we share with 205 Fairmount St.
 - Exhibits C and E show renderings of the result of how this wall would close off the only open side of our backyard and block the light into our backyard and kitchen.
 - If the deck was appropriately set back from the property line, the need for a firewall could be avoided, and a simple railing could be installed that would not block our light and air.
- “Guideline: Articulate the building to minimize impacts on light and privacy to adjacent properties.” (Rear Yard section, pg. 16). The guidelines further state on that page that “When expanding a building into the rear yard, the impact of that

expansion on light and privacy for abutting structures must be considered”, and that this impact can be minimized with the following design modification: “Provide setbacks on the upper floors of the building” or “Incorporate open railings on decks and stairs.”

- None of these guidelines have been taken into account: the deck is built right up to the property line and the 6ft wall is solid and opaque. Therefore, the impact on our house has not been considered.

3.2 San Francisco Design Standards

The [San Francisco Design Standards](#) describe how massing adjustments should be made at the rear of properties to minimize the impact to neighboring properties. In particular, Section C.6.1 for Single Building Massing states to reduce the volume in the rear beyond the 55% lot depth by the following applicable method: “Provide 5’ side setbacks starting at the second floor and above from adjacent property lines to the 70% lot depth.” This new construction of the family room with roof deck and 6’ wall on top does lie between the 55% and 70% lot depth, but provides zero setbacks on the second floor and above, contrary to these standards.

3.3 San Francisco Residential Decks

Since the construction in question relates to a residential deck, the [San Francisco Residential Decks Public Information Handout](#) is applicable here. Pg. 16 states that: “Elevated decks can potentially have adverse effects on neighboring properties with respect to noise, privacy, and light reduction. Planning recommends at least a 3 foot

setback and encourages a 5 feet setback when a deck proposal starts encroaching on a neighboring property's existing enjoyment of light and privacy.”

It therefore appears that San Francisco design guidelines and principles have been ignored when building this new roof deck and 6 ft wall, and no attempt has been made to minimize impact on the neighbors.

3.4 Code Requirements

Even if the rooftop deck were built without any side setbacks, a 6 ft opaque wall on the property line is excessive. The California building code only requires a 42” high guardrail, while [San Francisco Department of Building Inspection Information Sheet No. FS-06 \(November 2023\) Fire Protection for Residential Decks and Deck Stairways in Rear or Side Yard](#) (Exhibit G) states that “The fire separation distance (FSD) measured from property line for such openings are governed by CBC Table 705.8, unless a one-hour fire-resistive wall is provided extending from the ground to 30 inches above the walking surface of the deck and deck stairway”. Therefore, we believe that all that is required to meet code is a 30” fire barrier and a 42” high guardrail.

Additionally, this fire wall could be made from a transparent material, such as fire-rated glass from companies like [TGP](#), with a metal frame. This lower and transparent wall would massively reduce the impact of this construction on the availability of light and air to us, the immediate neighbors.

As designed, the 6 ft wall would be the highest wall along that side of Mr Guinasso's house. Given that a much more reasonable design solution exists, it appears as if this solid 6 ft wall is being built in spite, to cut out our access to light and air.

4 Multiple Revisions to Original Permit Have Resulted in Larger Construction

The proposed rooftop deck is the result of multiple revisions to the original building permit application 201709066976, and corresponding plans. With each revision, the scope of the project and the building envelope have grown. We are particularly concerned with whether the cumulative effect of all these revisions have been evaluated in their entirety.

The permit history for this construction project can be summarized as follows:

- Permit application 201709066976, issued 6/20/2025: original permit for addition of new bedroom on ground floor, and horizontal extension at rear of property to add new family room and new deck, both on 2nd floor.
- Permit application 202509175558, issued 10/6/2025: revision to original permit 201709066976. Moved family room exterior wall out 12".
- Permit application 202509105039, issued 12/22/2025: revision to original permit 201709066976. Second floor deck from the original permit is enlarged, as well as some interior renovation. After initial Department of City Planning approval was received, this permit application was subsequently revised on 12/11/2025 to add a new rooftop deck and 6' tall privacy wall on top of the new family room. This is the subject of this appeal.

See Exhibit H for a detailed description of all these permit applications and corresponding revisions.

4.1 Lack of Prior Notice and Opportunities to Provide Input

The original permit application 201709066976 triggered a 311 Notification to neighbors on 8/22/2023, asking for community feedback. While we didn't live here at the time, we want to state clearly that we would have had no objection to the original plans contained in the notice. This is because those original plans did not include the rooftop deck, nor the 6ft tall wall along the side of the rooftop deck. For reference, the relevant pages from the 311 Notice plans can be found in Exhibit A, with the new rooftop deck and 6' wall added in red. These new features have been drawn in by us, the appellants, based on notes we made when we initially viewed the plans at the San Francisco Building Records Department on 1/5/2026, before filing this appeal. We have been unable to obtain a copy of the latest revision of the plans ourselves.

It is concerning that we, the neighbors, were given no opportunity to provide input regarding the construction of this new deck and 6ft wall immediately adjacent to our property, given their significant impact on us. Additionally, when verbally discussing this project with Mr Guinasso multiple times during 2025, not once did he mention this rooftop deck or the new 6ft wall. We explicitly asked him then if he was planning on building vertically in any way, and he stated that he was just extending horizontally to add a new family room. This misrepresentation of the project and lack of early notice about the rooftop deck and 6ft wall have denied us the opportunity to provide input and feedback at any stage before now, and have hence forced us to file this appeal.

4.2 Incremental Approvals

The first revision of permit application 202509105039 was approved by Department of City Planning on 9/18/2025 under Sec 136(25)(B)(i) of the San Francisco Building Code, which allows for construction in a yard provided that “the structure shall be limited in height to... 10 feet above grade”. Once this approval was received, the plans were then revised on 12/11/2025 to add the rooftop deck (which is more than 12 ft above grade), and extend the construction up by another 6 ft with the wall. We believe that this revising of the permit application was done intentionally to get the majority of the construction approved under the more relaxed conditions of Sec 136(25)(B)(i), and only once that was approved, revise the plans to show the full anticipated construction height. We believe that if this latest revision of the plans had been included in the 311 notice that was sent to neighbors in 2023, it would have received more opposition from neighbors and scrutiny from the planning department, as everyone would have been aware of the true scope of the project

In fact, Mr Guinasso told us verbally in 2025, before we were aware of the latest revision to the plans, that he has been intentionally submitting multiple incremental revisions of the building plans to the city. He claimed that it is easier to obtain approval for a number of small revisions, rather than submitting the final plans upfront, which likely would have triggered a more detailed review process. It therefore appears that he is mansionizing the project with multiple revisions. We do not believe that this is an honest way to obtain approval for new construction, and we are concerned about what future revisions will entail.

5 Attempts to Negotiate Directly with Neighbor Have Been Unsuccessful

When we first received the notice in the mail on 1/3/2026 that the latest permit revision had been issued for construction of the rooftop deck, I immediately reached out Mr Guinasso to find out more. When we spoke on the phone, he did not mention anything about the 6 ft tall wall until I pushed him for details about a potential wall or railing. I asked him if he would be willing to build a lower wall, or move the deck away from the property line so that a wall would not be required by the fire code, but he was not willing to negotiate. This meant that my only option to open a meaningful dialog regarding the construction was to file an appeal, as the appeal deadline was the day following our call.

After filing the preliminary appeal statement, I emailed Mr Guinasso on 1/27/2026 to ask if he would be willing to consider reducing the height of the wall along the property line and constructing it from a transparent fire-rated material. At the time of filing this brief, I have not received a response.

6 History of Our Relationship with Mr Guinasso

We purchased our home at 237 Fairmount St in early 2025. After we made our offer on the property, Mr Guinasso attempted to halt the sale of the property by filing a building complaint with the city 10 days before closing. He claimed that our house contained non-conforming construction by the previous owner that he wanted corrected. The Department of Building Inspections dismissed his complaint, stating that our house was built as permitted.

Despite this initial hiccup, we have attempted to be as accommodating neighbors as possible. We have not objected to any of the ongoing expansion of his house, including when he started digging up our garage foundations without prior permission. We even allowed his construction crew to remove our fence and use our property to build his new family room wall, as it is so close to the property line. We therefore just ask that Mr Guinasso show us the same accommodation that we have shown him.

7 Our Request to the Board of Appeals

While the San Francisco Design Guidelines do recommend that a roof deck be set back from the property line, we are willing to waive this recommendation so that Mr Guinasso can make the most of the roof space available. At this point, we are therefore merely requesting that Mr Guinasso:

- (a) Use transparent, fire-rated materials to construct the wall along the side of his deck that abuts the property line. One such example would be a wall constructed from fire- and impact-rated glass, with a metal frame.
- (b) And reduce the height of this transparent wall from 6' to a more modest 36", in keeping with the fire code. A 42" metal guardrail could be added above this.

Such a wall would still allow Mr Guinasso to complete his deck construction and enjoy all his outdoor space as planned, without negatively impacting the light into our property and our quality of life. By requesting only this small change, we would still be partially giving up our right to air, as the transparent wall would still block some of the air flow into our backyard. We would also be giving up our privacy, as his new rooftop deck would look down into our yard. However, we are willing to compromise and give up

these things to minimize the impact of our request on his construction. We would also be happy to contribute financially to cover the material cost difference between a transparent and an opaque firewall.

Table of Contents for Exhibits

Exhibit A.1: Site Plan for Proposed Construction

Exhibit A.2: Rear Elevation for Proposed Construction

Exhibit B: Photo from Inside our Backyard

Exhibit C: Rendering of Impact of Proposed Wall on Backyard

Exhibit D: Photo from Inside our Kitchen

Exhibit E: Rendering of Impact of Proposed Wall on Kitchen

Exhibit F: Photo Showing Construction along Property Line

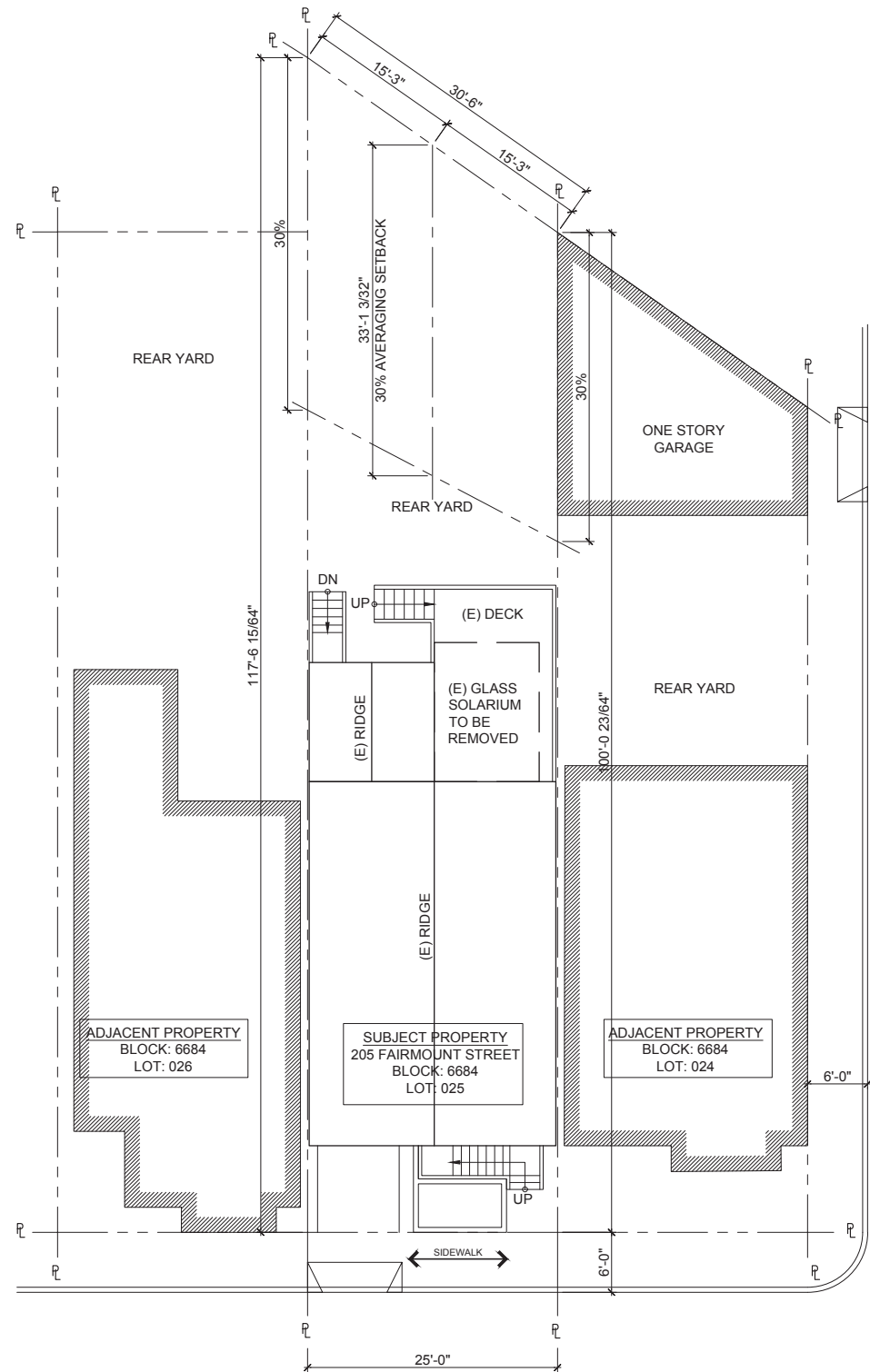
Exhibit G: San Francisco Department of Building Inspection Information Sheet No.

FS-06 (November 2023)

Exhibit H: List of Relevant Permits and Revisions for 205 Fairmount St

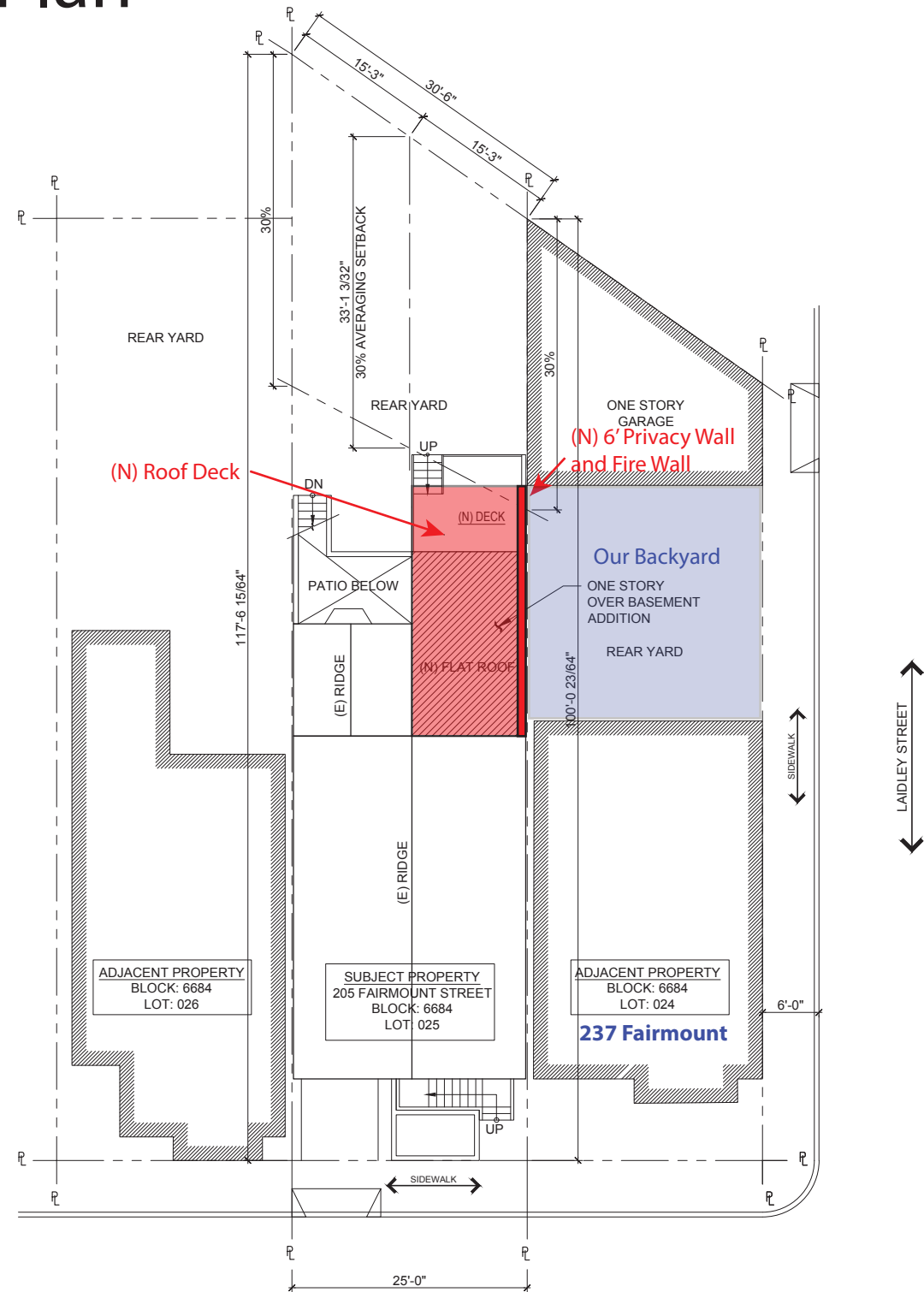
Exhibit A.1

Site Plan



EXISTING SITE PLAN

1/8"=1'-0"



PROPOSED SITE PLAN

1/8"=1'-0"



REV.	DATE	DESCRIPTION

PATRICK BUSCOVICH
AND ASSOCIATES
STRUCTURAL ENGINEERS, INC.
235 MONTGOMERY STREET, SUITE 1140
SAN FRANCISCO, CALIFORNIA 94104
(415) 760-0636
© COPYRIGHT 2019

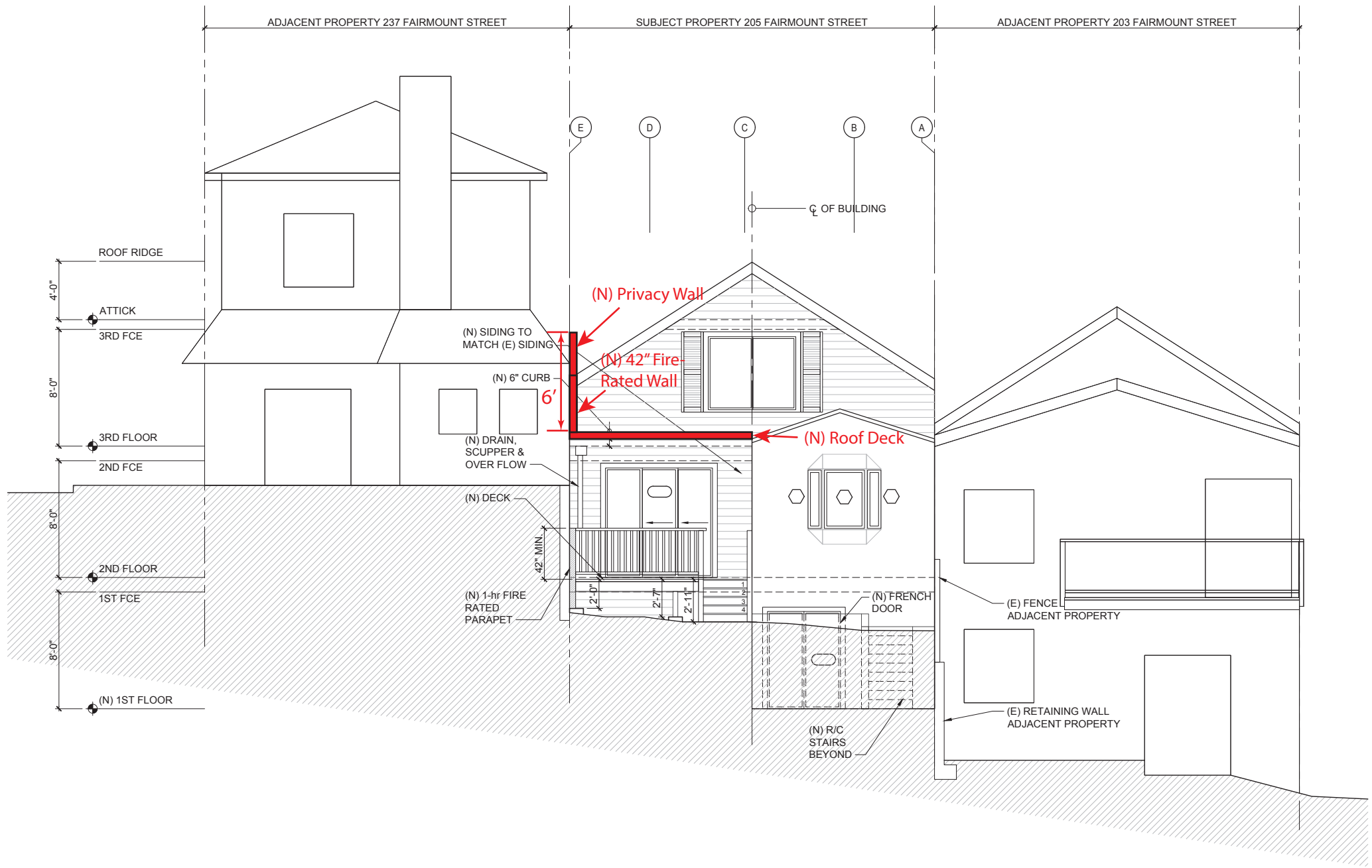


SITE PLAN

DRAWN	AA
ENGINEER	PB
DATE	11/09/21
SCALE	AS NOTED
JOB NO.	21.074.3
SHEET	A0.1

Exhibit A.2

Rear Elevation



PROPOSED REAR ELEVATION - SOUTH

1/4"=1'-0"

REV.	DATE	DESCRIPTION
1		
2		
3		
4		

PATRICK BUSCOVICH
AND ASSOCIATES
STRUCTURAL ENGINEERS, INC.
235 MONTGOMERY STREET, SUITE 1140
SAN FRANCISCO, CALIFORNIA 94104
(415) 760-0636
© COPYRIGHT 2019



ELEVATION

ELEVATION

DRAWN	AA
ENGINEER	PB
DATE	08/13/21
SCALE	1'-0"=1/4"
JOB NO.	21.074.3
SHEET	A3.3
1 OF	10 SHEETS

Exhibit B: Photo from Inside our Backyard



Exhibit C: Rendering of Impact of Proposed Wall on Backyard



Exhibit D: Photo from Inside our Kitchen



Exhibit E: Rendering of Impact of Proposed Wall on Kitchen



Exhibit F: Photo Showing Construction along Property Line



Exhibit G: San Francisco Department of Building Inspection Information Sheet

No. FS-06 (November 2023)



INFORMATION SHEET

NO. FS-06

DATE : November 2023

CATEGORY : Fire Safety

SUBJECT : **Fire Protection for Residential Decks and Deck Stairways in Rear or Side Yard**

PURPOSE : The purpose of this Information Sheet is to clarify the requirements for residential deck and deck stairway protection at the property lines located at the rear or side yards in alterations to existing buildings.

REFERENCE : San Francisco Building Code, Current Edition
California Building Code (CBC), Current Edition
CBC Section 705.2 Exterior Walls, Projections
CBC Section 705.8 Exterior Walls, Openings
CBC Section 705.11 Exterior Walls, Parapets
CBC Section 1015 Guards
CBC Section 1027.5 Exterior Exit Stairways and Ramps, Location

DISCUSSION : Residential decks and deck stairways in the rear or side yards represent an opening in exterior wall lines.

The fire separation distance (FSD) measured from property line for such openings are governed by CBC Table 705.8, unless a one-hour fire-resistive wall is provided extending from the ground to 30 inches above the walking surface of the deck and deck stairway. Note that guard requirements per CBC Section 1015 apply.

Without a fire-resistive wall, the minimum fire separation distance (FSD) of the deck and deck stairway from the property line shall be as follows:

1. For R3 buildings, FSD = 3 feet or more.
2. For R2 buildings, FSD = 5 feet or more, with the exception of egress components.

The discussion on "decks" in this information sheet is in reference to residential decks, which are exterior platforms built above the ground and connected to the main building. It is delineated from "balconies" or pool "decks" as defined by CBC Section 202.

Where the deck or deck stairway serves as a required egress component, the required minimum distance between the property line and the egress component shall be in accordance with CBC Section 1027.5.

Overhang and projections are outside the scope of this information sheet and shall comply with SFBC Section 705.2.



Patrick O'Riordan, C.B.O.

Date

Director

Department of Building Inspection

This Information Sheet is subject to modification at any time. For the most current version, visit our website at sfdbi.org.

Exhibit H: List of Relevant Permits and Revisions for 205 Fairmount St

Permit Details Report**Report Date:** 1/28/2026 6:43:25 PM

Application Number: 201709066976

Form Number: 3

Address(es): 6684 / 025 / 0 205 FAIRMOUNT ST

Description: REFERENCE 202110130348 & 201610140358 ADD 1 BEDRM, CLOSET AND COMPLETE FOUNDATION AT GROUND FLR. REMOVE GLASS SUNROOM AND REAR DECK AT 2ND FLR. HORIZONTAL EXPANSION AT BUILDING REAR WITH ADDING NEW PATIO AT GROUND FLR; NEW FAMILY RM AND DECK AT 2ND FLR.

Cost: \$156,733.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/6/2017	TRIAGE	
9/6/2017	FILING	
9/6/2017	FILED	
4/14/2025	APPROVED	
6/20/2025	ISSUED	

Contact Details:**Contractor Details:**

License Number: 1095134

Name: SEAN NEVES

Company Name: SJN CONSTRUCTION LLC

Address: 24042 GRAND VIEW AVE * COLFAX CA 95713-0000

Phone:

Addenda Details:**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
CPB		11/7/17	11/7/17			11/7/17	TORRES SHIRLEY		
CP-ZOC		11/7/17	1/3/18	1/10/18	7/19/19	8/7/23	CRAWFORD RICK		5/3/21: Hard copy revisions received; Delivered to M. Setyadiputra at Planning. (Jennifer) 1/3/18 sent NOPDR1. Max does not work on Mondays or Fridays 6/22/18 routed plans to planner MS (WS)
CP-NP		8/8/23	8/8/23	8/8/23		11/21/23	SETYDIPUTRA MAX	Approved	11/21/23 Approved. One-story horizontal rear addition at 2nd fl., and new bedroom and closet at 1st/garage floor. Building Permit filed before the effective date of Central Neighborhood SUD. Existing conditioned and unconditioned area ; 2,733 sq.ft. Total New conditioned and unconditioned area: 3,073 sq.ft. 8/8/23: Emailed 311 cover letter - Vlad 8/11/23: Mailed 311 notice 8/22/23; Expires 9/21/23 - Vlad
PRE-BLDG		12/5/23	12/5/23			12/5/23	JONES DAVID	Approved	Pre-plan checked paper submittal, acceptable, DMJ 12/05/2023;
CPB		12/5/23	12/5/23			12/5/23	CHAN AMARIS	Administrative	12/05/23: RECEIVE FROM CONVERSION CART. ROUTE TO PPC FOR CONTINUOUS PLAN CHECK. AMARIS.
BLDG		11/27/23	1/24/24			1/30/24	SOENKSEN RICHARD	Issued Comments	Issued comments, paper plans, emailed to agent 1/30/2024
BLDG	1	3/18/24	3/26/24			3/26/24	SOENKSEN RICHARD	Issued Comments	Issued comments via email to agent. 3/26/2024

BLDG	2	4/8/24	4/9/24			4/10/24	SOENKSEN RICHARD	Issued Comments	Issued comments to agent via email. 4/10/2024
BLDG	3	5/2/24	5/9/24			5/9/24	SOENKSEN RICHARD	Issued Comments	Issued comments. Paper plans, markedup PDF sent to agent 5/9/2024
BLDG	4	5/14/24	5/16/24			5/16/24	SOENKSEN RICHARD	Issued Comments	Issued comments via phone to Architect. 5/16/2024
BLDG	5	5/24/24	5/24/24			5/24/24	SOENKSEN RICHARD	Approved	Approved REV4 paper plans. Agent notified 5/24/2024
PAD-STR		1/24/24	3/11/24			3/11/24	CHAN JOSEPH	Issued Comments	03/11/24: The design has substantial excavation at the ground floor and requires a lateral force resistance system. The permit will be put on hold due to the submittal is substantially incomplete without structural design, structural calculation, SISO form, and reference-approved sets. I left a voice message to EOR Patrick Buscovich, but there was no response. Email PATRICK@BUSCOVICH.COM no longer exists, and all emails were bounced back. There is no other contact information available besides Patrick Buscovich.
PAD-STR	1	5/14/24	5/14/24			6/7/24	CHAN JOSEPH	Issued Comments	06/07/24: Issued structural comment on Rev.0 set 05/14/24: Received first Structural (Rev.0) set on 05/14/24. Schedule a recheck for the week of 05/20. Original PTS record of AOR is Patrick Buscovich who is no longer available, Noticed applicant to update record of new AOR and EOR at CPB.
PAD-STR	2	8/16/24	8/16/24			8/23/24	CHAN JOSEPH	Issued Comments	08/23/24: Issued comment on Rev.2 set
PAD-STR	3	9/23/24	10/4/24			10/18/24	CHAN JOSEPH	Issued Comments	10/18/24: Issued comment on the Rev.3 set 10/10/24: Received Rev.3 set on 10/10/24. Schedule a recheck for the week of 10/14 10/04/24: Issued comment on the Rev.1 set
PAD-STR	4	11/4/24	11/4/24			11/14/24	CHAN JOSEPH	Issued Comments	11/14/24: The recheck is declined due to no typing response. Also, many of my comments have not been addressed to. 11/4/24: Received Rev.5 set on 11/04/24. Schedule a recheck for the week of 11/11/24
PAD-STR		12/10/24	12/10/24			1/27/25	CHAN JOSEPH	Issued Comments	01/27/25: Issued comment on Rev.5 set 12/10/24: Received Rev.5 set on 12/10/24. Schedule a recheck for the week of 12/16/24
PAD-STR	5	12/6/24	12/6/24			12/6/24	CHAN JOSEPH	Administrative	Hello Eric, The recheck is declined because there is no typing response. Also, many of my comments have not been addressed. This permit requires excavation, and the designer has to design it retroactively as a new design if it were built without a permit. Please have Albert to: 1. Provide typing response to each of my comment. 2. Respond to all my comments but not partial ones. Please note that it is important to design the construction with excavation, earth shoring, and special inspection, even if it is retroactively designed. Joseph Chan, P.E Plan Check Engineer Permit Services - Department of Building Inspection (628) 652-3763

									SFDBI.org Sign up for our customer email list
PAD-STR	6	2/24/25	2/24/25			2/24/25	CHAN JOSEPH	Approved	02/24/25: approved Rev.5 set
MECH		1/24/24	4/5/24			4/5/24	LAI JEFF	Issued Comments	4/05/2024-commentnts issued via mail & plans to PPC. 1. Sheet Ao.o; Update GS5 Green Building Form per 2022 Code, the one on plans is for 2019 Code. Provide revision. 2. Sheet A2.1: For gas appliances in garage; provide with a min. 18 in. platform & bollards on plan per CMC-305.o. Provide revision. 3. Sheets A2.1 & A2.2: Provide/Post a Title 24 Report on plans for new addition conditioned floor area. Provide revision. 4. Post a complete iTitle 24 Residential Energy Inspectioni form on plan, also, provide an additional 11x17 loose copy of the energy inspection forms for DBI use. Provide revision.
MECH	1	2/25/25	2/28/25			2/28/25	LAI JEFF	Approved	2/28/2025-approved & plans to PPC
SFFD		3/26/24	3/28/24			3/28/24	UNTALAN JAMES	Approved	Routed to Gauer paper 3/26/24. LP Approved for Fire access only and if sprinklers are required provide water flow information. JDu 03/28/2024. james.untalan@sfgov.org
DPW-BSM		4/15/24	4/16/24			4/16/24	GUZMAN MIGUEL	Approved	No alteration or reconstruction of City Right-of-Way under this permit.
SFPUC		4/18/24	4/30/24			4/30/24	ARRIOLA LAURA	Approved	Undersized Water Meter: Capacity Charge not applicable. Not enough additional fixtures/GPM but proposed water fixtures indicate a larger meter would be appropriate. Permit applicant can contact PUC, New Installation 415.551.2900, for additional information. Signed off in Bluebeam - 4/30/2024 Assessed with charge on BPA-202110130348, 7/12/2022. Return to PPC - 4/30/2024
PERMIT-CTR		6/6/23	6/6/23			6/6/23	PERMIT CENTER USER		06/06/2023: Project received by Permit Center Team and transferred to SF Planning Intake for review (CP-ZOC). Applicants may contact pic@sfgov.org for further project updates. -HB
PERMIT-CTR		9/26/23	9/26/23			9/26/23	JERRY AMY		09/26/2023: Second Set - Project received by Permit Center Team and transferred to SF Planning Intake for review (CP-ZOC). Applicants may contact pic@sfgov.org for further project updates. -AAJ
SFFD		2/28/25	3/3/25			3/4/25	UNTALAN JAMES	Approved	Paper plans routed to HQ on 02/28/25-TK. Assigned to Inspector Untalan - jason.woo@sfgov.org 3/3/25 Approved REV 4 for Fire access only and if sprinklers are required provide water flow information. JDU 03/04/2025. james.untalan@sfgov.org
DPW-BSM		3/4/25	3/5/25			3/5/25	HILLSTROM ERIK	Approved	No alteration or reconstruction of City Right-of-Way under this permit.
SFPUC		3/6/25	3/13/25			3/13/25	FUNG CHARLENE	Approved	Rev Undersized Water Meter: Capacity Charge not applicable. Not enough additional fixtures/GPM but

									proposed water fixtures indicate a larger meter would be appropriate. Permit applicant can contact PUC, New Installation 415.551.2900, for additional information. Signed off in Bluebeam - 4/30/2024 Assessed with charge on BPA-202110130348, 7/12/2022. Return to PPC - 3/13/2025
CP-ZOC		3/13/25	3/24/25			3/24/25	SETYDIPUTRA MAX	Approved	3/24/25 Rev.4 approved. No change to approved Site Permit. The proposal would increase the residence's gross square footage from 2,733 square feet to 3,073 square feet.
PPC		3/25/25	3/25/25			3/28/25	WAI CHUNG WONG	Administrative	3/28/25: To CPB; kw 3/25/25: Drawing index not matching plan sets, (Sheet S1.0A is not in the plan set, but listed in the drawing index) & the expiration date of design professional stamps has expired for entire plan set. Plans on hold at PPC (49 SOUTH VAN NESS, 5TH FL for applicant to make an appointment at dbi.ppcrequest@sfgov.org); kw 3/13/25: To CP-ZOC for restamp rev4; bl 3/5/25: To SFPUC for restamp rev4 (then CP-ZOC); bl 3/4/25: To DPW-BSM for restamp rev4 (then SFPUC and CP-ZOC); bl 2/28/25: To SFFD for restamp rev4 (then DPW-BSM, SFPUC, CP-ZOC); bl 2/25/25: To MECH to review; bl 5/28/24: to HOLD bin pending for PAD-STR & MECH approval;ml 5/23/24: Plans retrieved by BLDG-Richard Soenksen from HOLD Bin; HP 5/1/24: To hold bin pending for BLDG, PAD-STR & MECH approval; kw
CPB		3/28/25	6/20/25			6/20/25	VICTORIO CHRISTOPHER	Administrative	06/20/2025: All fees paid. Issued. Paper Plans, CV 06/16/2025: All documents/approvals completed; Issuance & Invoice Sent including app extension fee, CV 06/09/2025: EXTENSION REQ RECEIVED. WILL REQUIRE CP-ZOC & MGMT/MARK WALLS APPROVAL.MD. 05/30/25: EXTENSION REQUIRE. EXTENSION FORM SENT. AC. 05/30/2025: Documents received, Pending Extension Form, CV 05/19/2025: Follow-Up #1, CV 04/14/2025: Documents requested via e-mail to expeditor & EoR including CalOSHA Safety Permit requirement, CV

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
10/7/2025	AM	CS	Clerk Scheduled	REINFORCING STEEL	1
9/18/2025	AM	CS	Clerk Scheduled	REINFORCING STEEL	1
9/10/2025	AM	CS	Clerk Scheduled	REINFORCING STEEL	1

12**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
10/7/2025	Miguel Padilla	REINFORCING STEEL	REINFORCING STEEL
9/10/2025	Miguel Padilla	REINFORCING STEEL	REINFORCING STEEL
9/4/2025	Miguel Padilla	REINFORCING STEEL	REINFORCING STEEL

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
0			IB1	CF2R-ENV-01-E - FENESTRATION INSTALLATION	
0			24E	WOOD FRAMING	
0			IE1	CF2R-LTG-01-E - LIGHTING - SINGLE FAMILY DWELLINGS	
0			1	CONCRETE (PLACEMENT & SAMPLING)	
0			2	BOLTS INSTALLED IN CONCRETE	
0			4	REINFORCING STEEL AND PRETRESSING TENDONS	REINFORCING STEEL
0			13	SPECIAL GRADING, EXCAVATION AND FILLING (GEO. ENGINEERED)	
0			18A	BOLTS INSTALLED IN EXISTING CONCRETE	
0			18C	PULL/TORQUE TESTS PER SFBC SEC.1607C & 1615C	
0			19	SHEAR WALLS AND FLOOR SYSTEMS USED AS SHEAR DIAPHRAGMS	

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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.

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Permit Details Report**Report Date:** 1/28/2026 6:51:05 PM

Application Number: 202509175558
 Form Number: 8
 Address(es): 6684 / 025 / 0 205 FAIRMOUNT ST
 Description: REVISION TO PA# 201709066976. (N) FAMILY ROOM EXTERIOR WALL TO MOVE 12" OUTWARD.
 Cost: \$4,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/17/2025	TRIAGE	
9/17/2025	FILING	
9/17/2025	FILED	
10/6/2025	APPROVED	
10/6/2025	ISSUED	

Contact Details:**Contractor Details:**

License Number: 1095134
 Name: SEAN NEVES
 Company Name: SJN CONSTRUCTION LLC
 Address: 24042 GRAND VIEW AVE * COLFAX CA 95713-0000
 Phone:

Addenda Details:**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		9/17/25	9/17/25			9/17/25	YU ZHANG REN	Administrative	
CP-ZOC		9/19/25	9/19/25			9/19/25	SPYCHER DAKOTA	Approved	
CP-ZOC		9/29/25	9/29/25			9/29/25	BIHL LAUREN	Approved	Restamp 9/29/25 - revision to permit #201709066976; (n) family room exterior wall to move 12" outward - updates to measurements; lauren.bihl@sfgov.org
CP-ZOC		10/3/25	10/3/25			10/3/25	SITU JIA HONG	Approved	10.03.25: Restamp floor sheet and roof sheet for 12 feet width measurement required by DBI in rear horizontal addition. Same Planning approvals as prior. jiahong.situ@sfgov.org
BLDG		10/3/25	10/3/25			10/3/25	CHAN PHILIP	Approved	Approved OTC
PAD-STR		10/3/25	10/3/25			10/3/25	CHAN PHILIP	Approved	Approved OTC
CPB		10/6/25	10/6/25			10/6/25	SAPHONIA COLLINS	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
10/22/2025	AM	CS	Clerk Scheduled	SHEETROCK NAILING	1
10/15/2025	AM	CS	Clerk Scheduled	REINFORCING STEEL	1
10/10/2025	PM	CS	Clerk Scheduled	REINFORCING STEEL	1

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
10/22/2025	Miguel Padilla	SHEETROCK NAILING	SHEAR WALL

10/15/2025	Miguel Padilla	REINFORCING STEEL	CANCELLATION FOR INSPECTION SCHEDULE
10/10/2025	Miguel Padilla	REINFORCING STEEL	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

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Permit Details Report**Report Date:** 1/28/2026 6:51:54 PM

Application Number: 202509105039

Form Number: 8

Address(es): 6684 / 025 / 0 205 FAIRMOUNT ST

Description: Revision to PA 201709066976 2nd fl (n) deck be extended; 3rd fl - adding (n) deck over (n) addition; adding (n) closet at (e) rear office to become (n) bedroom ref PA 202509175558

Cost: \$18,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/10/2025	TRIAGE	
9/10/2025	FILING	
9/10/2025	FILED	
12/22/2025	APPROVED	
12/22/2025	ISSUED	
1/6/2026	SUSPEND	Per BOA Appeal No.26-001

Contact Details:**Contractor Details:**

License Number: 1095134

Name: SEAN NEVES

Company Name: SJN CONSTRUCTION LLC

Address: 24042 GRAND VIEW AVE * COLFAX CA 95713-0000

Phone:

Addenda Details:**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		9/10/25	9/10/25			9/10/25	MOK CALVIN	Administrative	
INTAKE		12/11/25	12/11/25			12/11/25	PANGELINAN MARIANNE	Administrative	12/11/25,mpang duplicate application with slight changes to original scope from "3rd floor adding (n) deck over (n) addition under pa#: 201709066976. add (n)closet at (e) rear office to become (n) bedroom. (n) deck under 201709066976 to be extended" to current scope; full set of plans
CP-ZOC		9/18/25	9/18/25			9/18/25	MCCALLUM WILL	Approved	9/18/2025: approved: enlarging deck and adding stair within rear yard using sec 136(25)(B)(i). interior renovation. william.mccallum@sfgov.org
CP-ZOC		12/11/25	12/11/25			12/11/25	MCCALLUM WILL	Approved	12/11/2025: approved: revision to previously approved permit. modification to stair connecting deck to rear yard. william.mccallum@sfgov.org
BLDG		12/17/25	12/17/25			12/17/25	CHAN PHILIP	Issued Comments	Comments OTC
BLDG	1	12/17/25	12/17/25			12/17/25	CHAN PHILIP	Approved	Approved OTC
MECH		12/12/25	12/12/25			12/12/25	GILMARTIN CHRISTIAN	Approved	OTC
SFFD		12/17/25	12/17/25			12/17/25	WONG DAMIEN	Approved	Approved OTC. No Insp. Paper plans to applicant. - DW
CPB		12/22/25	12/22/25			12/22/25	BUFKA SUSAN	Administrative	12/11/25,mpang missing engineer signature on Ao.0 and Ao.1

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.

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BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

Permit Holder's Brief for Appeal No. 26-001 Permit No. 2025/09/10/5039

Date: 2/10/2026

Permit Holder: Daniel Guinasso & Margaret Leahy

Mr. Scott argues that the addition of the roof deck and firewall is a revision to an older permit and that we are somehow trying to circumvent the system. On the contrary, this project has taken longer and has cost more than we expected. We have lived in our house for over 30 years and have raised 3 children who we have recently been putting through college. We're only building what we can afford to build. Our second child has just graduated, so we are moving on to the next phase of the project while the constructions crews are still working. Stopping and starting the project costs time and money. By adding the decks now, we can cut costs and complete our egress and project.

The deck and stairs are necessary to complete an egress from the upper-level bedrooms. The parapet firewall is required to complete the deck. We weren't sure we would be able to complete this portion of the project at this time but since everything has taken longer than expected, and with our daughter graduating, we are able to free up some funds and complete this deck project at the same time that we complete the family room, which will save us some time and money.

We have followed all of the proper filings and submissions to DBI to gain legal approval for our project. The addition of the roof deck/egress calls for a 42" parapet 1 hour fire rated wall along the west side of the roof deck. All of the construction and building will be on our property with no part of the structure crossing the property line.

Mr. Scott argues that the new parapet wall will block the only open side of his backyard and block light and air from landing on the new lawn that he is intending to grow in his backyard.

I argue that Mr. Scott has alternative ways to bring sun and light into his backyard. The morning sun rises from the Southeast to the rear of our houses. As exhibit A at 8:28am shows, the sun comes up behind a large tree that blocks the direct sunlight from shining into Mr. Scott's backyard. As shown in exhibit B at 8:40am, and exhibit C at 8:55am, and exhibit D at 10:23am no sun is hitting his backyard. At 10:24 in exhibit E, the house behind us completely blocks the direct sunlight. At 10:51 exhibit F shows the sun has risen and is still not casting light into his yard. Finally, in exhibits G at 1:29 & exhibit G1 1:34pm the sun passes the rear houses and is shining on Mr. Scott's house, but his backyard is blocked by an overgrown 15-foot-tall holly bush that spans the 20-foot length of his yard. The sun is also blocked by the walls of an unpermitted roof deck that sits on top of his garage. Exhibit H shows an inside view of the 15-foot holly bush that raises over twice as high as the proposed parapet firewall. My suggestion would be for Mr. Scott to remove or trim his overgrown holly bush and or remove the unpermitted roof deck that is casting shade on his back yard as well as on our house. The sun stays on that side of his property for several hours, providing plenty of light and air to help grow his new lawn.

Mr. Scott contends that residential design guidelines and code requirements were not followed by the planning department. That is not my expertise. We followed all of the proper procedures and requirements set forth by DBI to have our project approved by all of the necessary departments. I trust that the plan checkers in each of the stages of the approval process are competent and are familiar with all current requirements and guidelines.

Mr. Scott has suggested that we install a glass firewall instead of the solid parapet wall. He has also offered to contribute financially to the cost of the glass wall system. We notified Mr. Scott that we are not interested in a glass wall due to maintenance and privacy concerns for both

properties. Standing in his yard and being able to look up someone's dress who is standing on our deck would not be acceptable.

In my response to Mr. Scott's 1/27/2026 email, I explained the reasons that we would not be interested in a glass wall system. I also explained that I had initially said the parapet firewall would be a 6' foot wall to provide privacy to both properties. The plans call for a minimum height of 42" for the firewall. We would be willing to keep the firewall at 42". That is 2 ½ feet off or just over a 40% reduction.

We ask the board to uphold our permit, that was approved by all of the required departments at DBI, as is with no new conditions, and allow us to finish our project. We thank you for your time and consideration.

Table of Contents for Exhibits

Exhibit A: 8:28am Southeast view of tree blocking morning sun

Exhibit B: 8:40am No sun on deck

Exhibit C: 8:55am No sun on deck

Exhibit D: 10:23am No sun on deck

Exhibit E: 10:24am House to South blocking sun

Exhibit F: 10:51am Sun above house, but no sun in yard

Exhibit G: 1:29pm Sun on Holly tree and garage

Exhibit G1 1:37pm Sun on Holly tree and garage

Exhibit H: Holly tree, inside view w/comparison

Exhibit I: Horizontal Rear Addition Plan

Exhibit A: 8:28am Southeast view of tree blocking morning sun

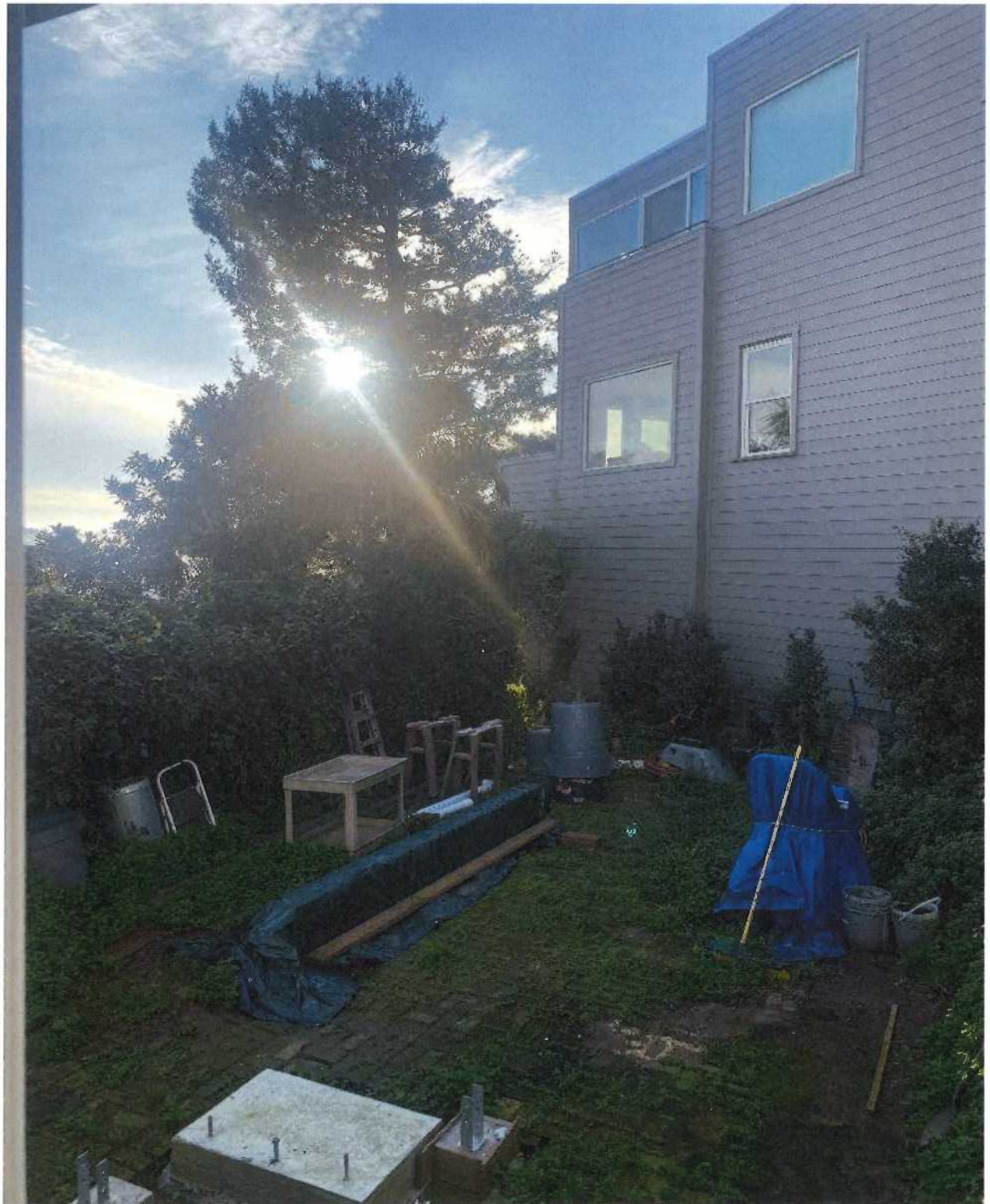


Exhibit B: 8:40am No sun on deck

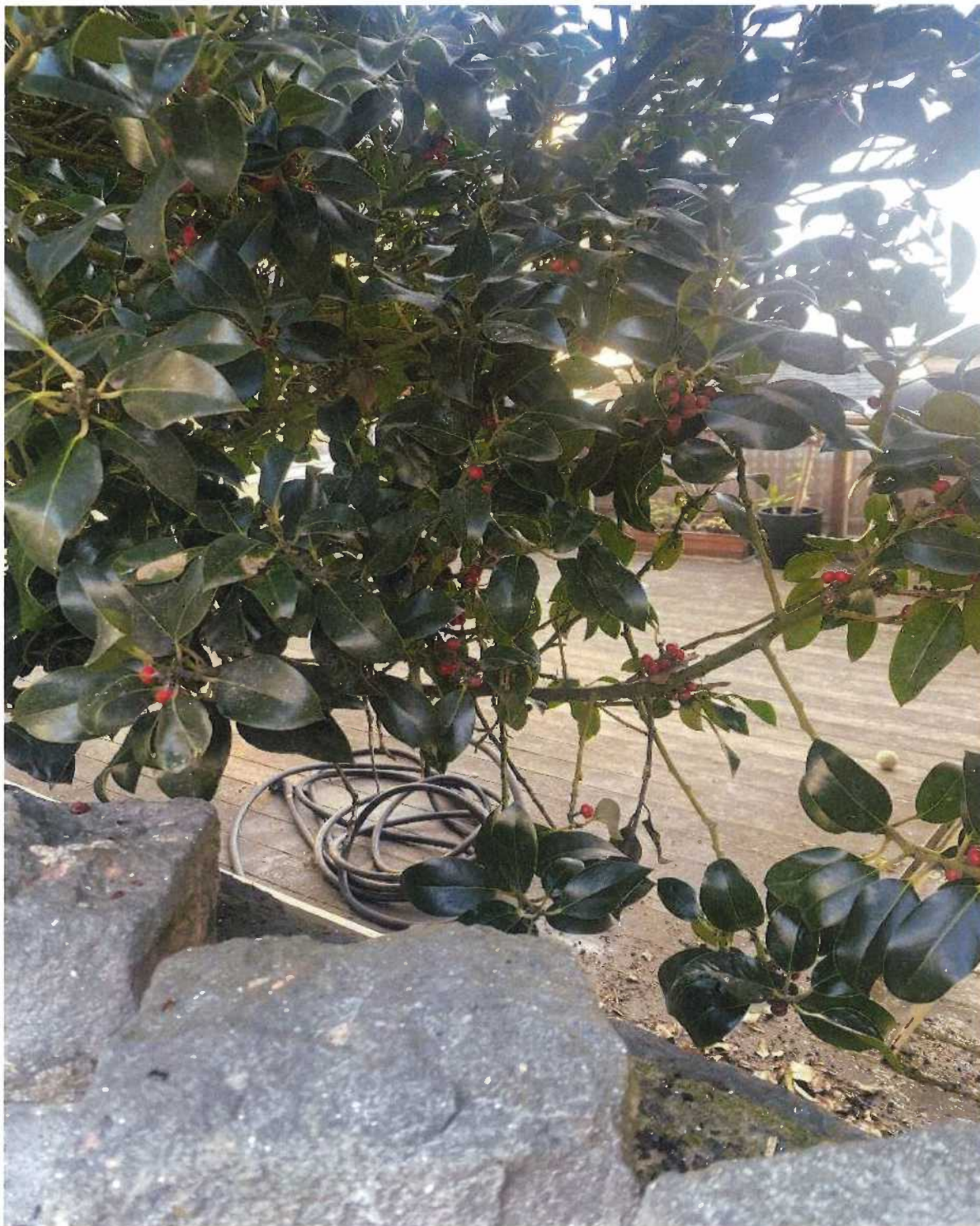


Exhibit C: 8:55am No sun on deck

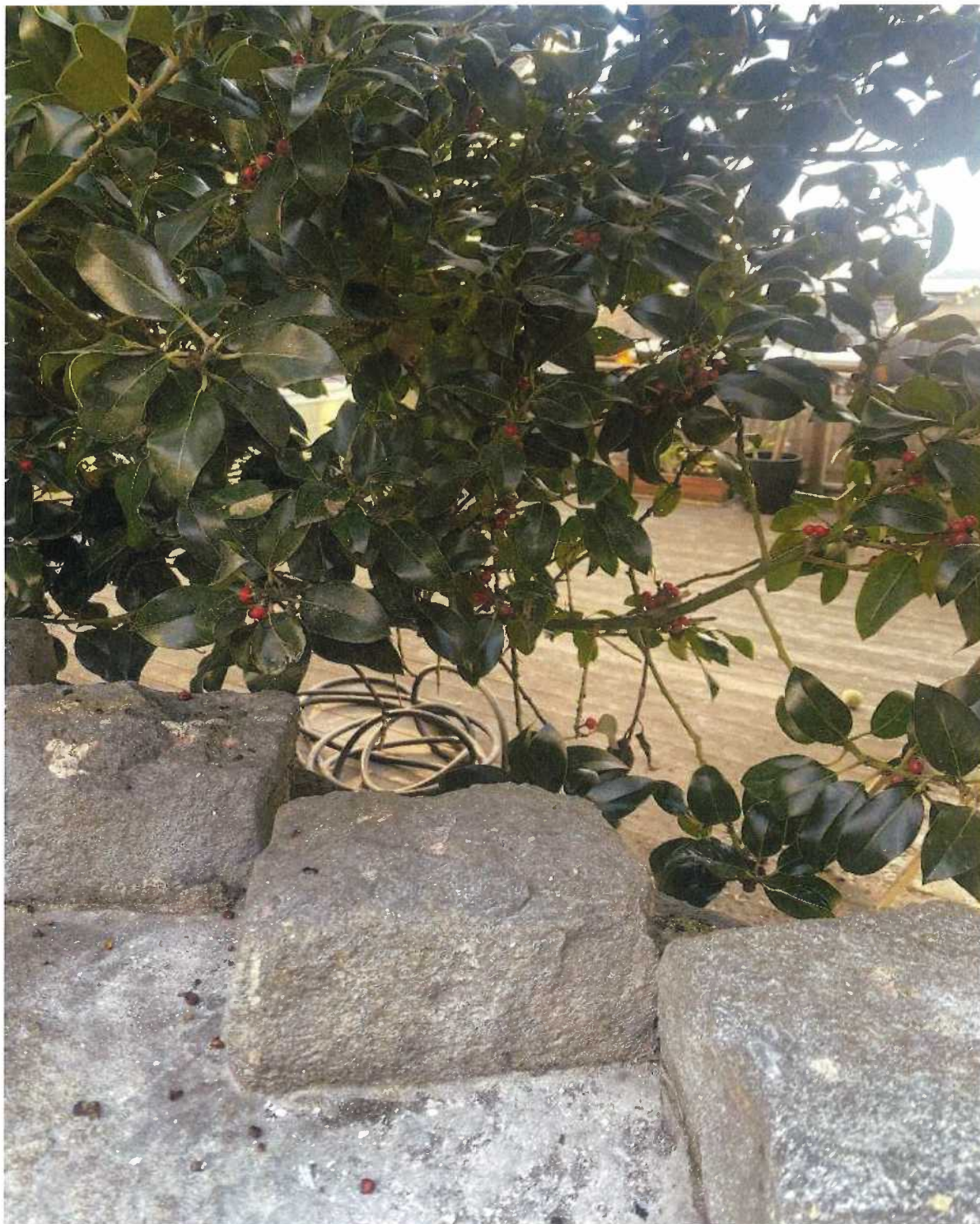


Exhibit D: 10:23am No sun on deck



Exhibit E: 10:24am House to South blocking sun



Exhibit F: 10:51am Sun above house, but not in yard

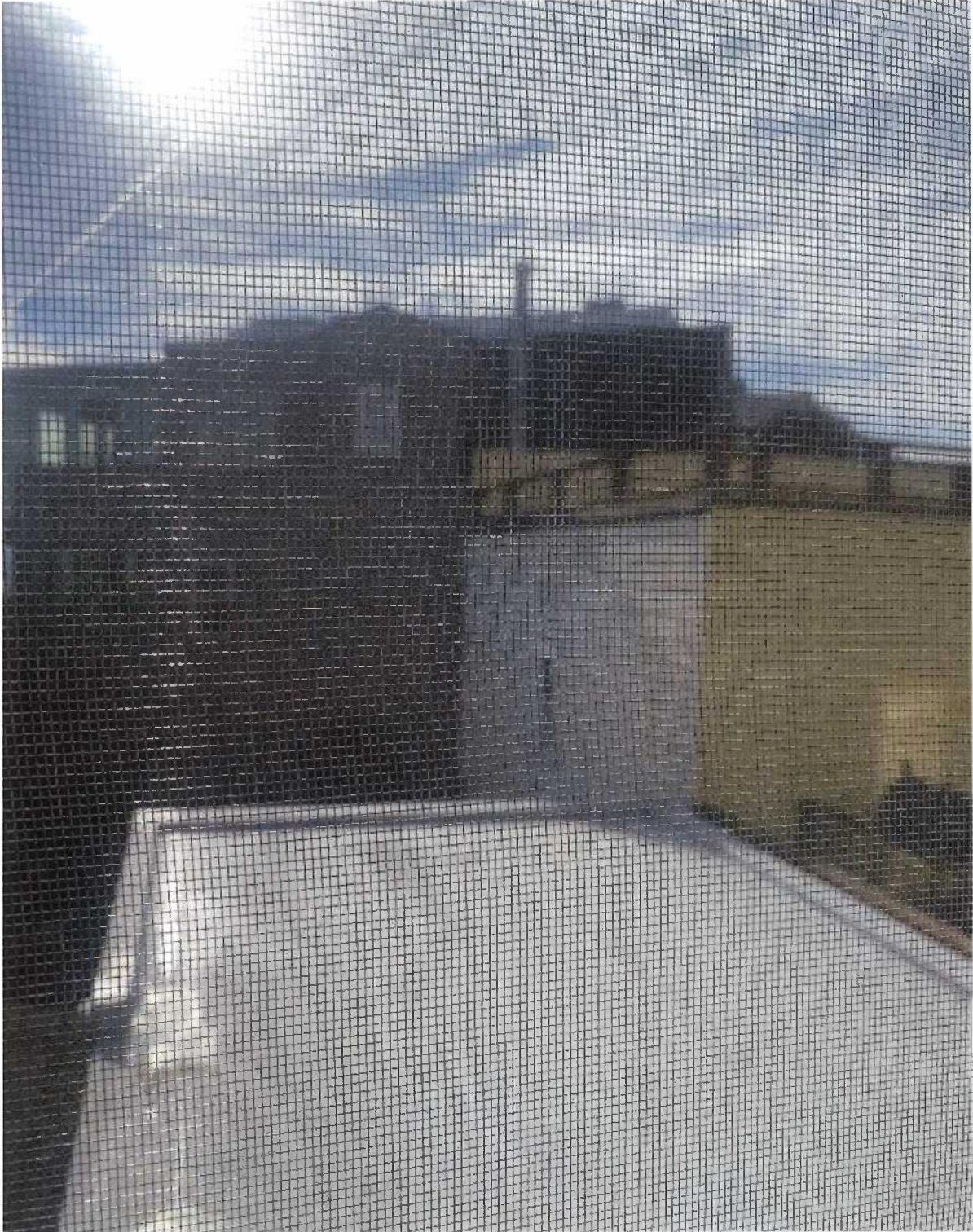


Exhibit G: 1:29pm Sun on holly tree and garage

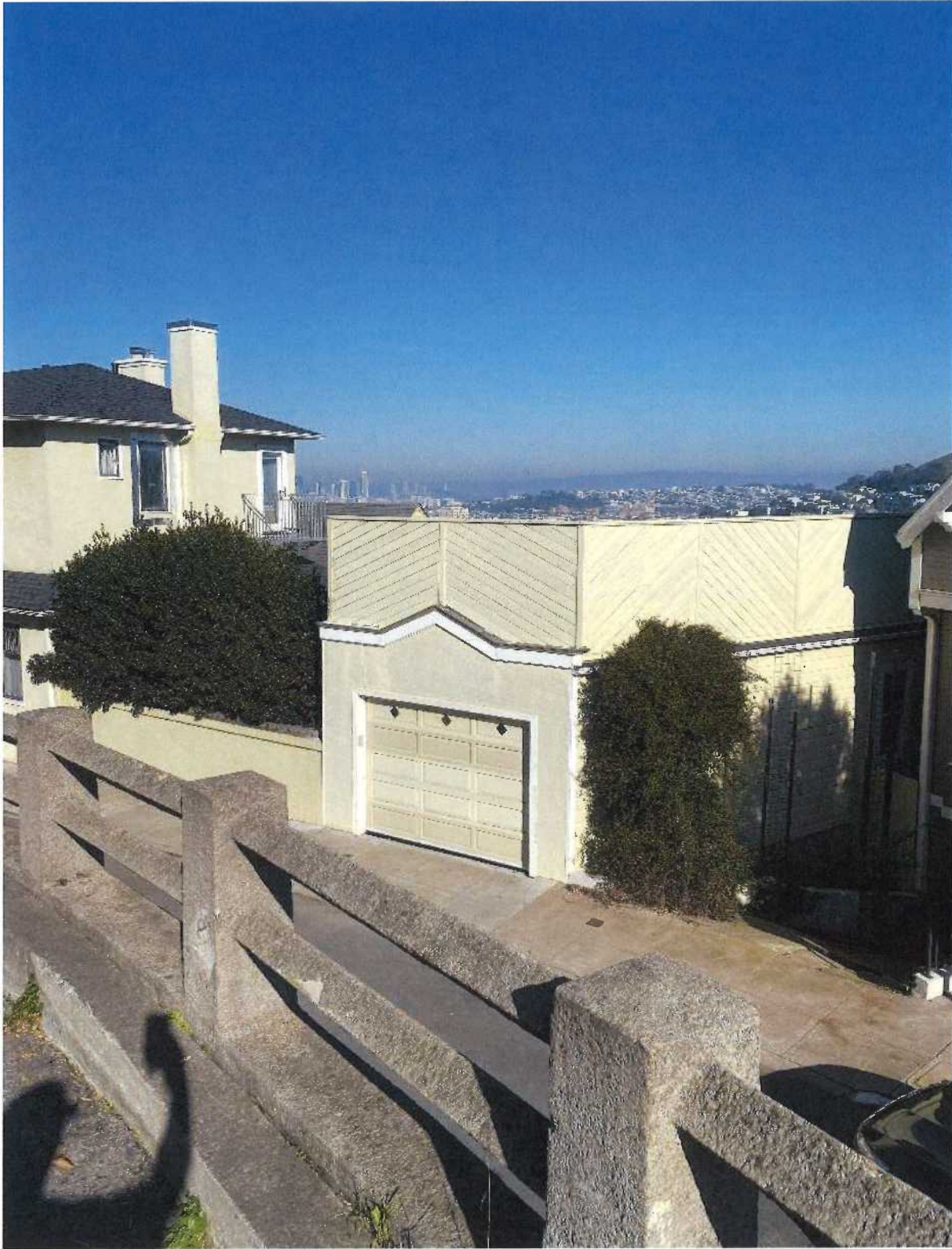


Exhibit G1: 1:37pm Sun on holly tree and garage



Exhibit H: Holly tree, inside view w/comparison



Exhibit I: Horizontal Rear Addition Plans


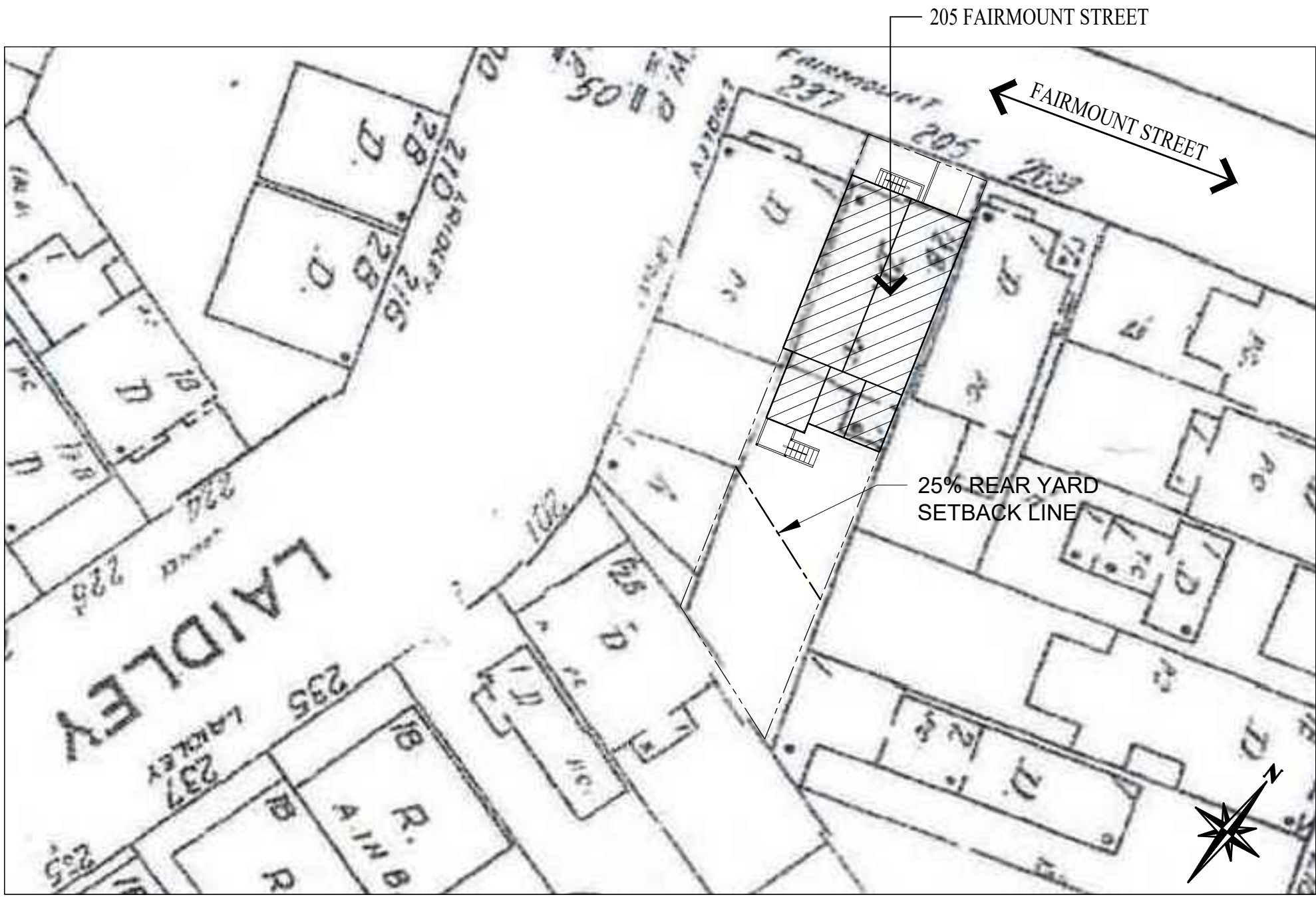
See attached PDF

HORIZONTAL REAR ADDITION

205 FAIRMOUNT STREET
SAN FRANCISCO, CA

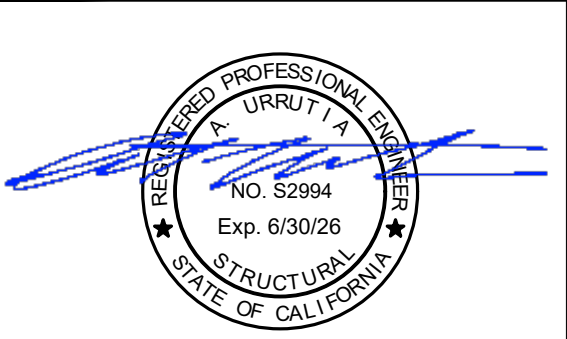
ADDITION 205 FAIRMOUNT STREET

COVER SHEET

PROJECT INFORMATION		JOB DESCRIPTION	DRAWING INDEX																																																																																										
<div>ADDRESS: 205 FAIRMOUNT STREET SAN FRANCISCO, CA</div> <div>BUILDING DEPARTMENT INFO:</div> <div>BUILDING USE: SINGLE FAMILY OCCUPANCY: R-3</div> <div>CONSTRUCTION TYPE EXISTING: TYPE V PROPOSED: TYPE V</div> <div>BASEMENT EXISTING: 0 PROPOSED: 0</div> <div>NUMBER OF STORIES EXISTING: 3 PROPOSED: 3</div> <div>NUMBER OF UNITS EXISTING: 1 PROPOSED: 1</div> <div>SPRINKLER SYSTEM EXISTING: NO PROPOSED: NO</div> <div>TOTAL CUBIC YARD TO BE EXCAVATED AT REAR PATIO 22.2 c.y.</div>		<div>PLANING DEPARTMENT INFO: <div>BLOCK: 6684 LOT: 025 ZONING DISTRICT: RH-1</div><div>NUMBER OF STORIES OF OCCUPANCY: 3</div></div> <div>PROJECT DIRECTORY</div> <div>CONTACT: ATRIUM STRUCTURAL ENGINEERS 2451 HARRISON STREET SAN FRANCISCO, CA 94110 PH: (415)760-0636</div> <div>FIRE SAFETY NOTES<ul style="list-style-type: none">ALL EXITS TO BE MAINTAINED DURING AND AFTER CONSTRUCTIONALL FIRE RATINGS TO BE RESTORED AFTER CONSTRUCTIONALL PENETRATIONS TO BE REPAIREDMUST MAINTAIN EXISTING FIRE LIFE SAFETY SYSTEM DURING CONSTRUCTION</div>	<div>REVISION TO PERMIT #2017-0906-6976 AND PERMIT #2025-0917-5558</div> <div>APPLICABLE CODES 2019 CALIFORNIA BUILDING CODE 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA ELECTRICAL CODE 2019 CALIFORNIA MECHANICAL CODE 2019 CALIFORNIA ENERGY CODE 2019 CALIFORNIA GREEN BLDG. STANDARD, CHAP. 4 2019 SAN FRANCISCO BUILDING CODE ALL PERMIT APPLICATION MUST COMPLY WITH THE PROVISIONS OF THE ABOVE CODES AND THE APPLICABLE CITY CODE AMENDMENTS</div>	<div>DRAWING INDEX: A0.0 COVER SHEET A2.2 EXISTING & PROPOSED SECOND FLOOR PLAN A2.3 EXISTING & PROPOSED THIRD FLOOR PLAN A2.4 FORMS & EERO PLANS A3.3 PROPOSED REAR ELEVATION A3.4 EXISTING & PROPOSED SIDE ELEVATION A3.5 EXISTING & PROPOSED SIDE ELEVATION A4.1 EXISTING & PROPOSED SECTION A4.3 EXISTING & PROPOSED SECTION A5.3 ARCHITECTURAL DETAILS</div>																																																																																									
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09/09/25 - REVISION	A.U.
11/21/25 - REVISION	A.U.

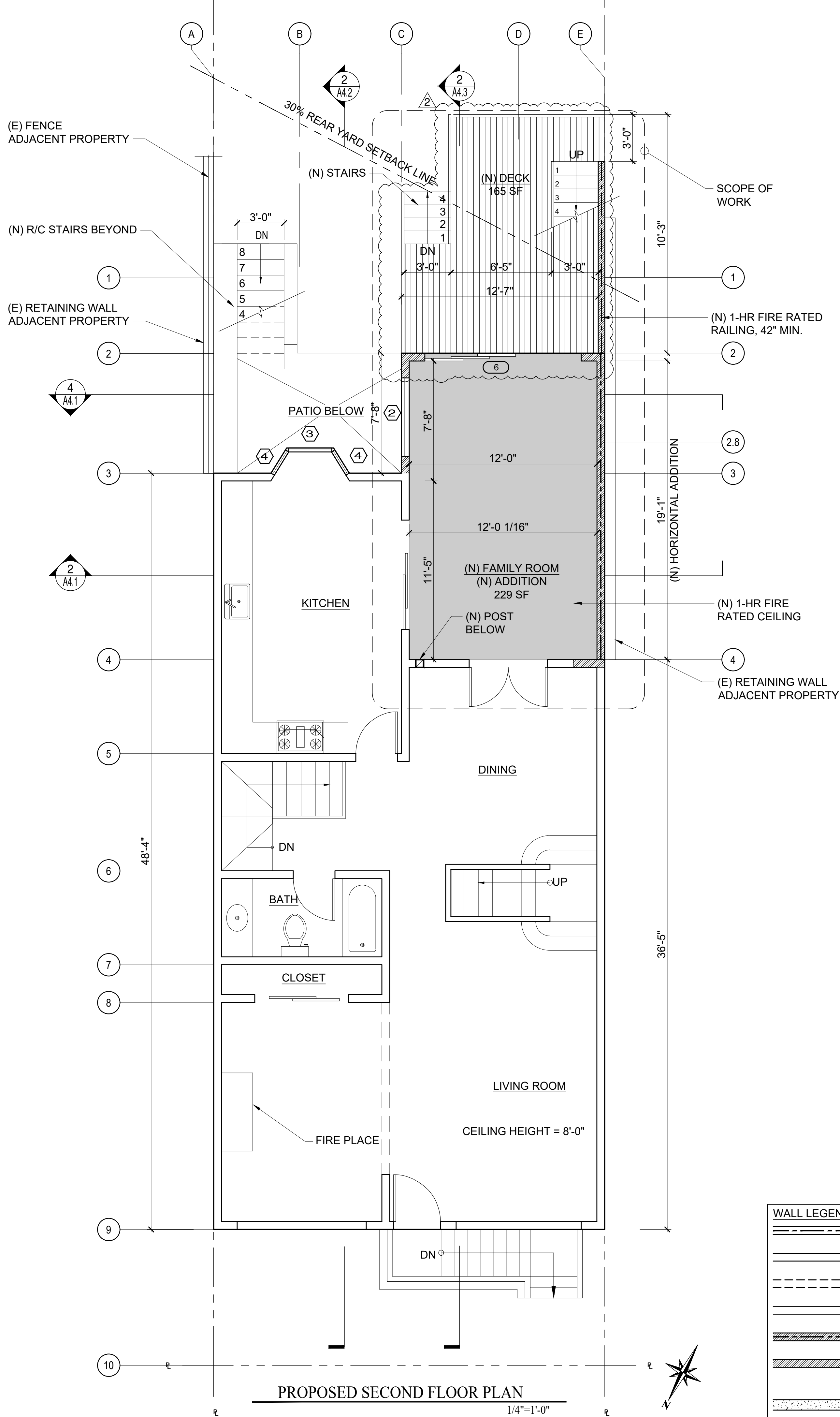
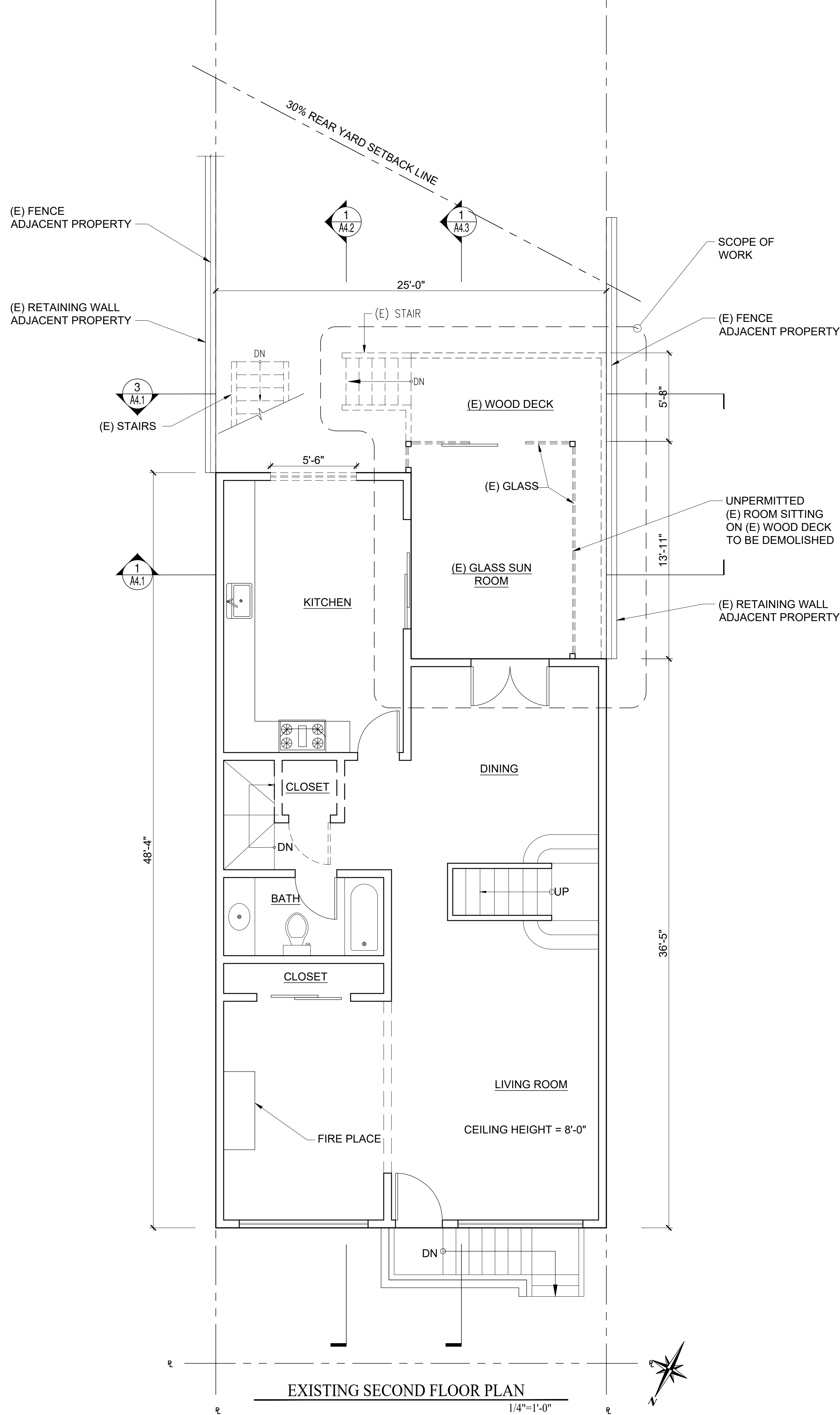
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ALBERT URRUTIA



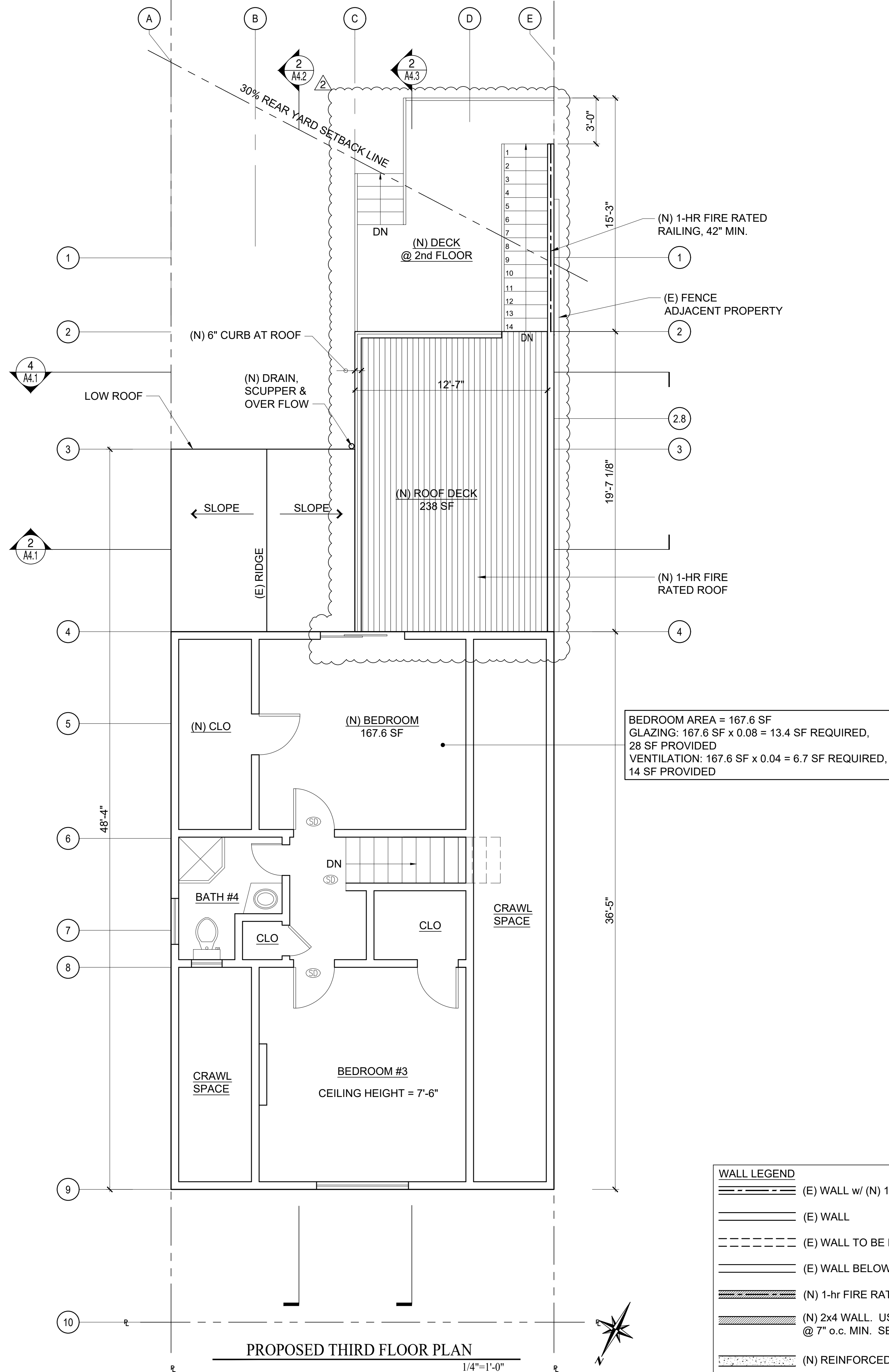
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	(E) WALL BELOW
	(N) 1-hr FIRE RATED WALL
	(N) 2x4 WALL. USE GYP. w/ 6d COOLER @ 7" o.c. MIN. SEE TYP. DETAILS SHEET
	(N) REINFORCED CONCRETE




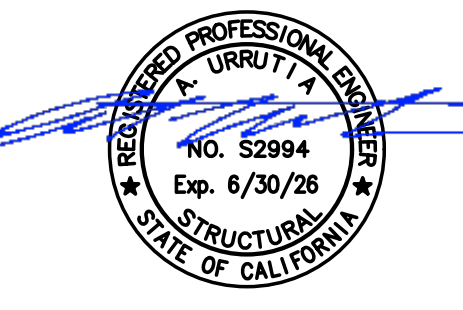
ATRIUM
STRUCTURAL ENGINEERING, INC.
2451 Harrison Street, San Francisco, CA 94110
Ph. (415) 642-7722 Fax. (415) 642-7590
atriumstructural.com

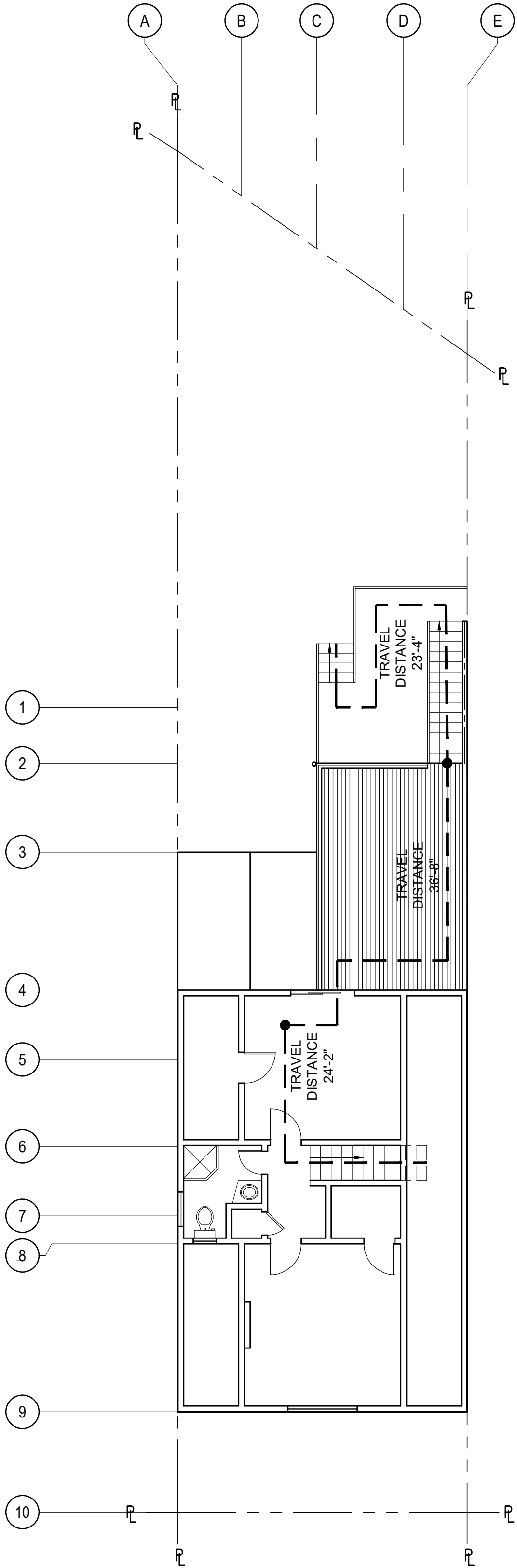
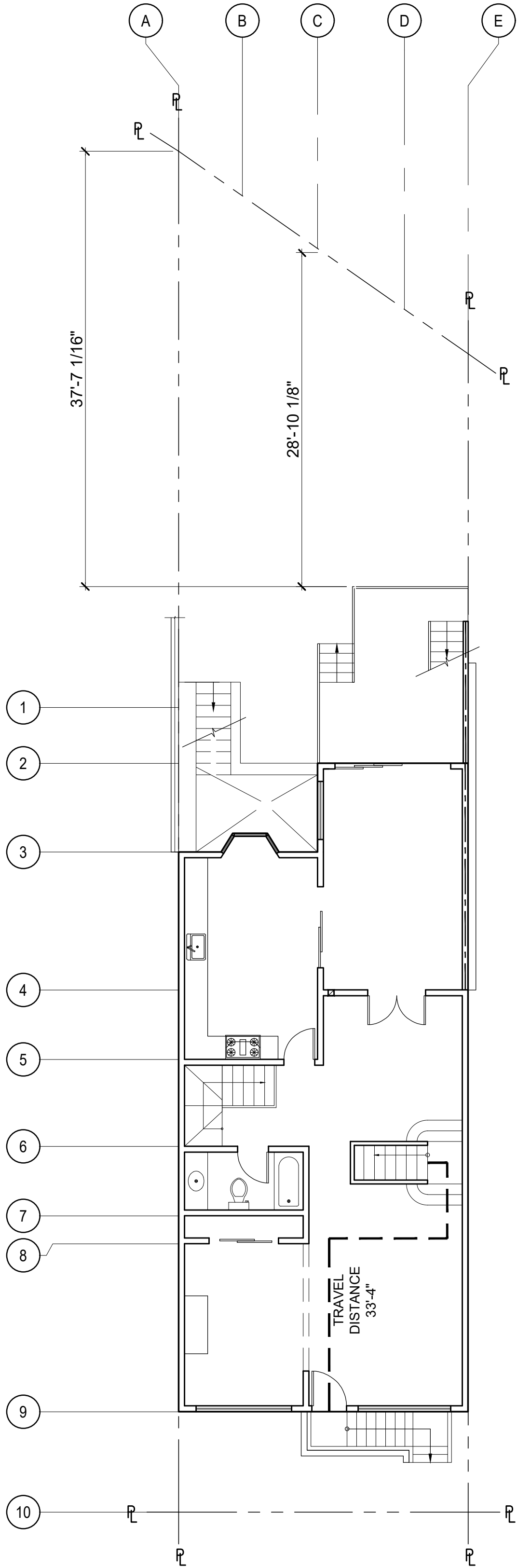
ADDITION
205 FAIRMOUNT STREET

SECOND FLOOR PLAN

REVISIONS		BY
	09/09/25 - REVISION	A.U.
	11/21/25 - REVISION	A.U.
P.A.#		
Date:	09/09/25	
Scale:	1/4"=1'-0"	
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Job No:	1820	
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Of # Sheets		



 2451 Harrison Street, San Francisco, CA 94110 Ph. (415) 642-7722 Fax. (415) 642-7590 atriumstructural.com	
<div>ADDITION</div> <div>205 FAIRMOUNT STREET</div>	
THIRD FLOOR PLAN	
REVISIONS	BY
 09/09/25 - REVISION	A.U.
 11/21/25 - REVISION	A.U.
P.A.#	
	
Date:	09/09/25
Scale:	1/4" = 1'-0"
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Job No:	1820
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2022 SAN FRANCISCO BUILDING CODE

AB-005

ATTACHMENT A



DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
49 South Van Ness Ave, 5th Floor, San Francisco, California 94103

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

DATE SUBMITTED 12/08/25 [Note: This form shall be recorded as part of the permanent construction records of the property]

If no permit application has been filed, a Preapplication Review Fee is required for review of a request for local equivalency or modification, per SFBC Table 1A-B, Item 5. Additional fees may be required by Fire Department and other City review agencies.

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

Permit Application # _____

Property Address: 205 FAIRMOUNT STREET - SF- CA - 94131

Block and Lot: 6684 / 025 Occupancy Group: R3 Type of Construction: VB No. of Stories: 3

Describe Use of Building SINGLE FAMILY DWELLING

Under the authority of the San Francisco Building Code, Sections 104A.2.7 and 104A.2.8; the San Francisco Mechanical Code, Section 302.2; the San Francisco Electrical Code, Section 89.117; and the San Francisco Plumbing Code, Section 301.3; the undersigned requests modifications of the provisions of these codes and/or approval of alternate materials, designs or methods of construction. Two copies of supporting documents, including plans showing the proposed modifications or alternate materials, design or methods of construction, are attached.

Regular Code Requirement (specify Code and Sections)
2022 CBC 1031 REQUIRES EMERGENCY ESCAPE AND RESCUE OPENINGS TO OPEN DIRECTLY INTO A PUBLIC WAY, OR TO A YARD OR COURT THAT OPENS TO THE PUBLIC WAY.

1/1/2023

Page 5-3

2022 SAN FRANCISCO BUILDING CODE

AB-005

PLAN REVIEWER COMMENTS:

RECOMMENDATIONS: [signed off/dated by:]	Approve	Approve with conditions	Disapprove
Plan Reviewer:	_____	_____	_____
Division Manager:	_____	_____	_____
for Director of Bldg. Inspection:	_____	_____	_____
for Fire Marshal:	_____	_____	_____

CONDITIONS OF APPROVAL or OTHER COMMENTS

1/1/2023

Page 5-5

AB-005

2022 SAN FRANCISCO BUILDING CODE

Proposed Modification or Alternate

PER DBI INFORMATION SHEET EG-02, IN LIEU OF PROVIDING EMERGENCY ESCAPE AND RESCUE OPENINGS TO A REAR YARD THAT IS NOT OPEN TO A PUBLIC WAY, WE PROPOSE TO USE THE LOCAL EQUIVALENCY RESCUE CRITERIA ALTERNATIVE 3 - YARD ACCESS FOR RESCUE, WHICH PERMITS EEROS TO OPEN INTO A REAR YARD WITH A MINIMUM DEPTH OF 25 FEET. WE PROPOSE TO PROVIDE VERTICAL ACCESS FROM THE YARD LEVEL--WITH STAIRS COMPLYING WITH CBC SECTION 1011--TO ALLOW THE SAN FRANCISCO FIRE DEPARTMENT TO REACH THE EEROS AND ENTER SLEEPING AREAS FOR OCCUPANT RESCUE, IN PLACE OF 22-FOOT LADDER ACCESS.

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

THE EXISTING BUILDING WAS CONSTRUCTED FROM SIDE PROPERTY LINE TO SIDE PROPERTY LINE LEAVING 0'-0" OF SIDE YARD FOR OCCUPANTS TO GET FROM THE REAR YARD TO THE PUBLIC WAY, OR FOR THE FIRE DEPARTMENT TO BE ABLE TO ACCESS THE REAR YARD TO PERFORM RESCUE OPERATIONS. THE PROPOSED LOCAL EQUIVALENCY PER INFORMATION SHEET EG-002 PROVIDES AN APPROVED ALTERNATIVE METHOD OF MEETING THE INTENT OF THE CODE.

Requested by: PROJECT SPONSOR ARCHITECT/ENGINEER

Print Name: _____ ALBERT URRUTIA

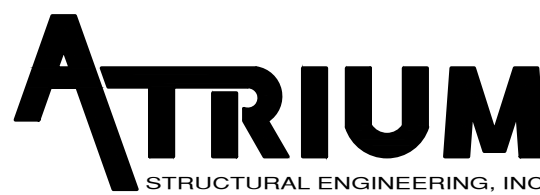
Signature: _____

Telephone: _____ 415-642-7722

[PROFESSIONAL
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Page 5-4

1/1/2023



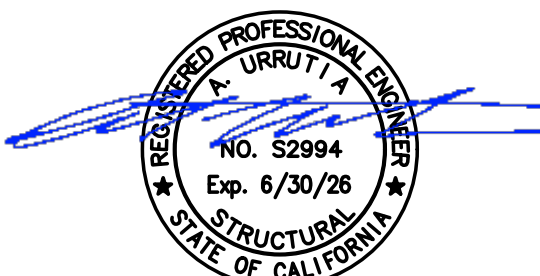
2451 Harrison Street, San Francisco, CA 94110
Ph. (415) 642-7722 Fax. (415) 642-7590
atriumstructural.com

ADDITION
205 FAIRMOUNT STREET

FORMS & EERO PLANS

REVISIONS	BY
<u>09/09/25</u> - REVISION	A.U.
<u>11/21/25</u> - REVISION	A.U.

P.A.#



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Scale: 1/4"=1'-0"
Drawn By: A.U.
Job No: 1820

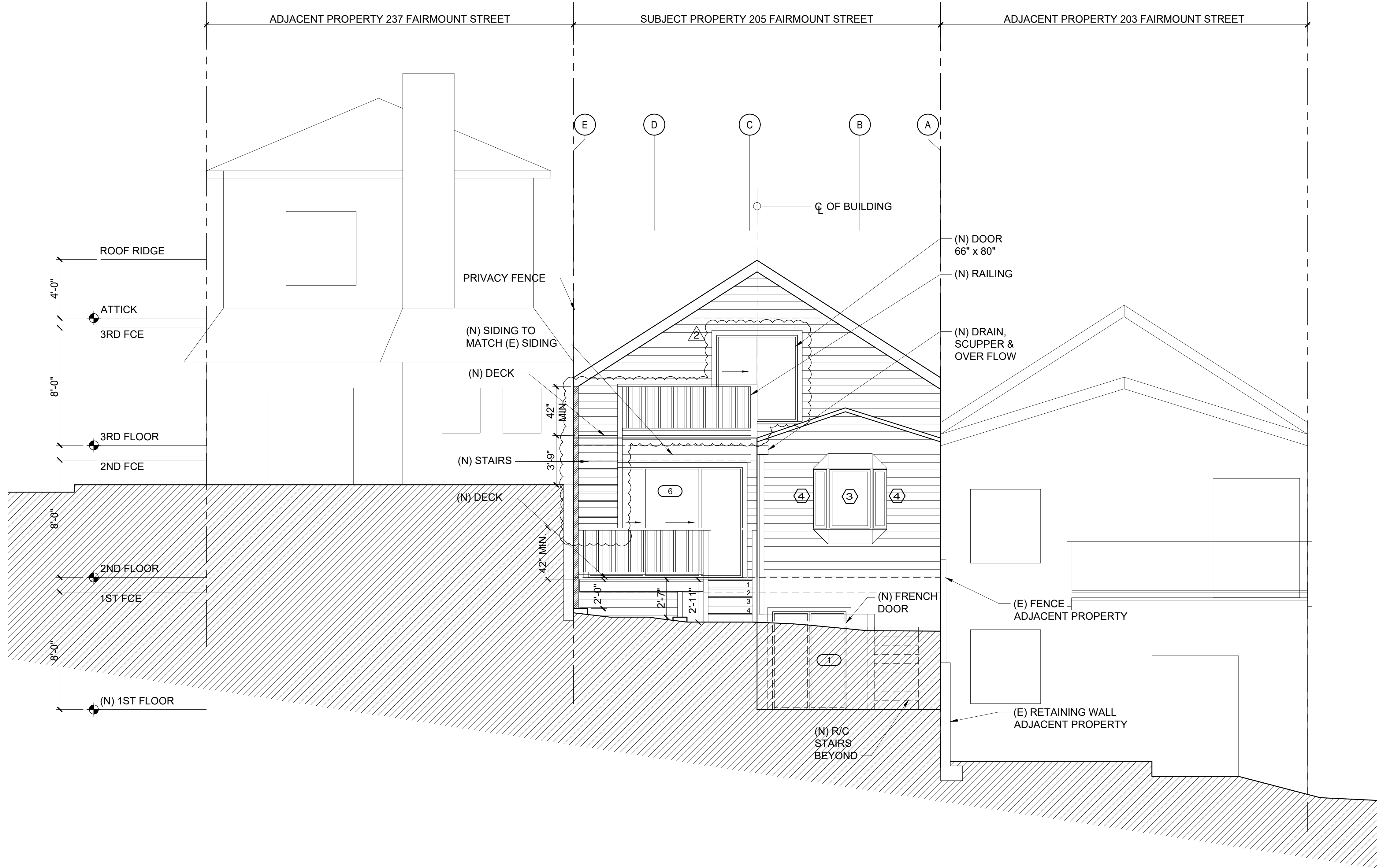
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36x24

ALBERT URRUTIA

Plotted by: andre



PROPOSED REAR ELEVATION - SOUTH
1/4"=1'-0"

ADDITION
205 FAIRMOUNT STREET
ELEVATION

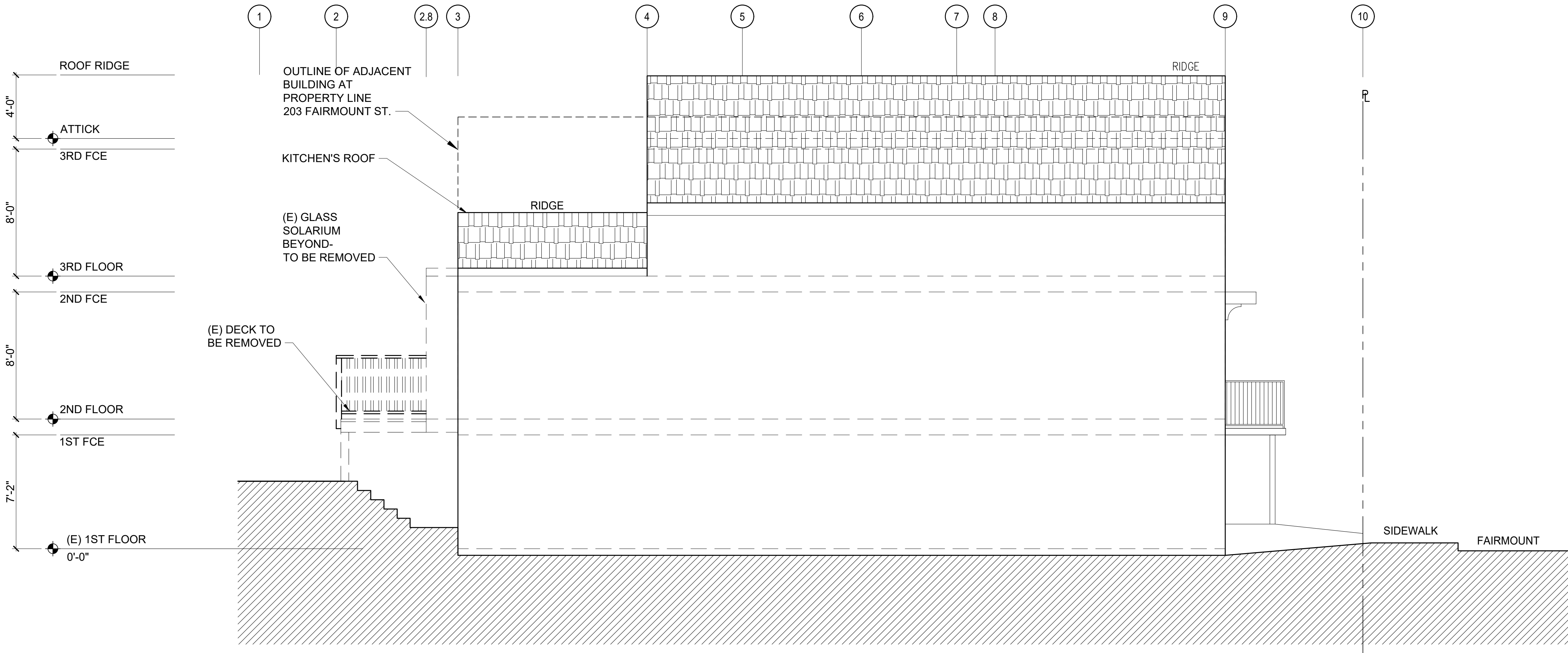
REVISIONS	BY
09/09/25 - REVISION	A.U.
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P.A.#



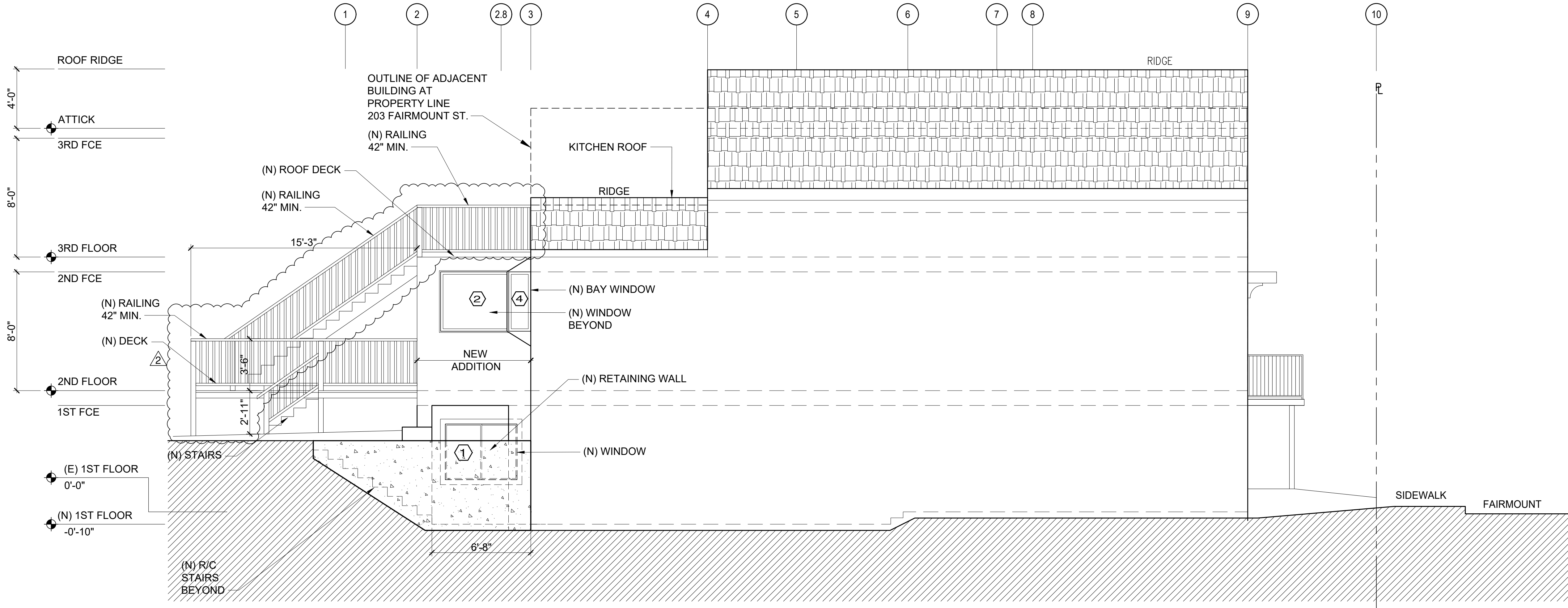
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Job No: 1820

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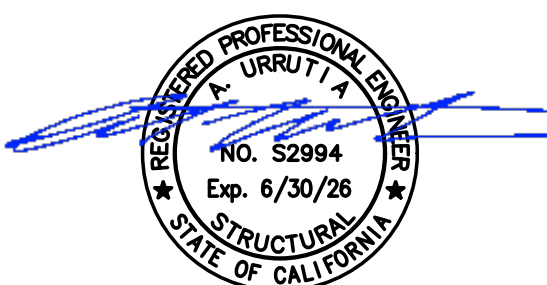
PROPOSED SIDE ELEVATION - EAST

1/4"=1'-0"

ADDITION
205 FAIRMOUNT STREET
ELEVATION

REVISIONS	BY
09/09/25 - REVISION	A.U.
11/21/25 - REVISION	A.U.

P.A.#

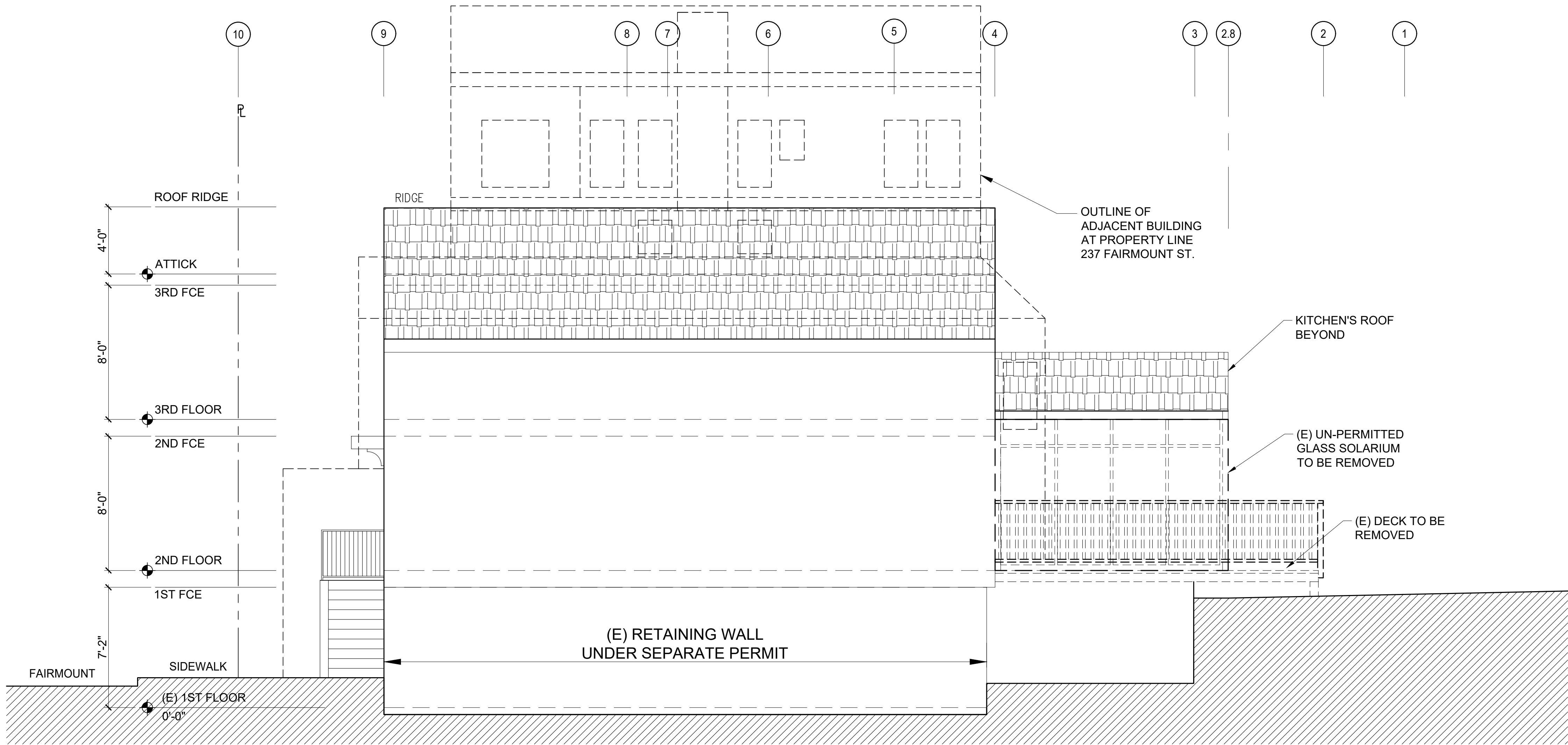


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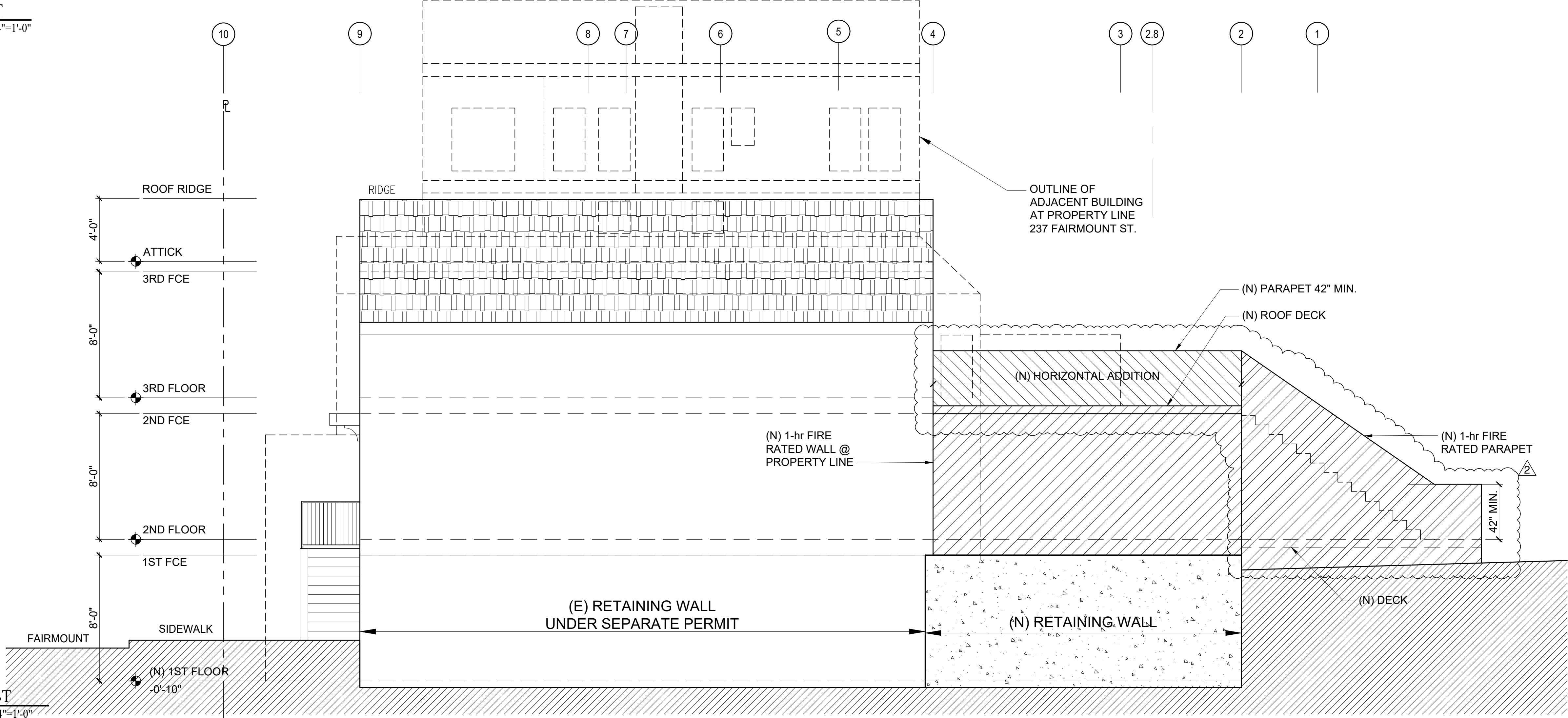
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1/4"=1'-0"



PROPOSED SIDE ELEVATION - WEST

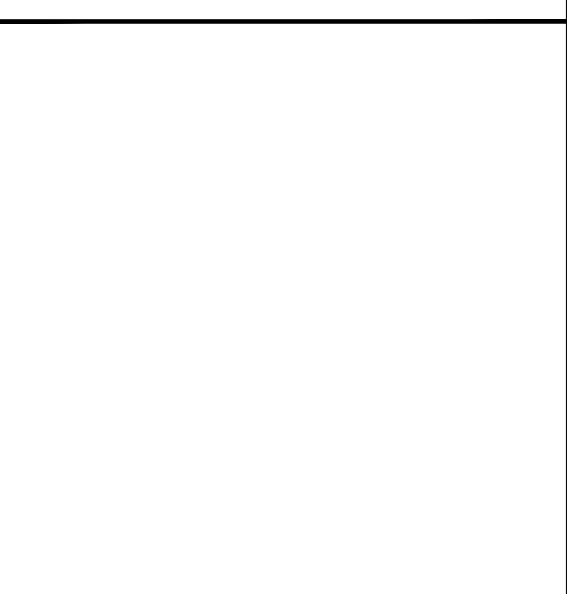
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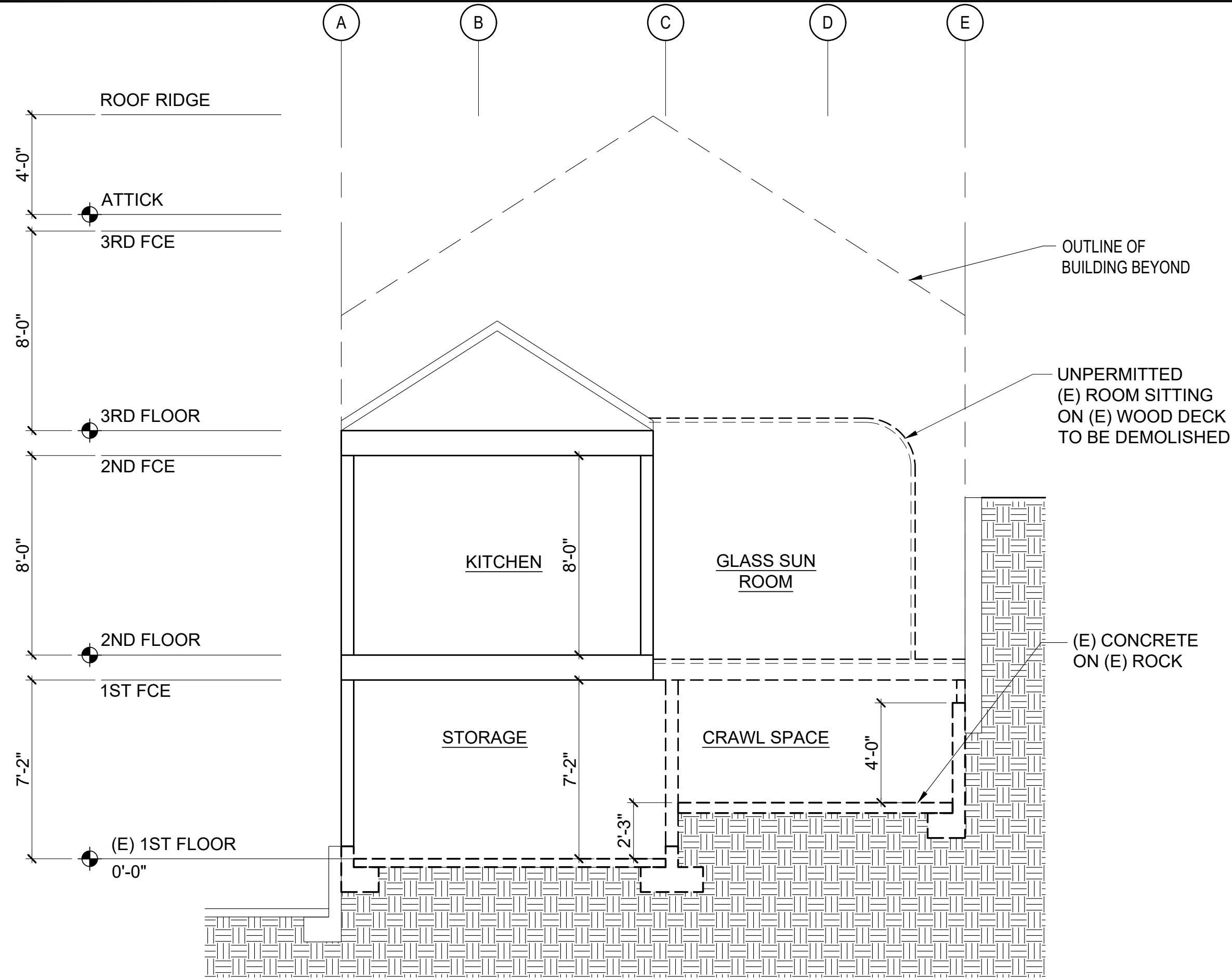
ADDITION
205 FAIRMOUNT STREET
ELEVATION

REVISIONS	BY
09/09/25 - REVISION	A.U.
11/21/25 - REVISION	A.U.

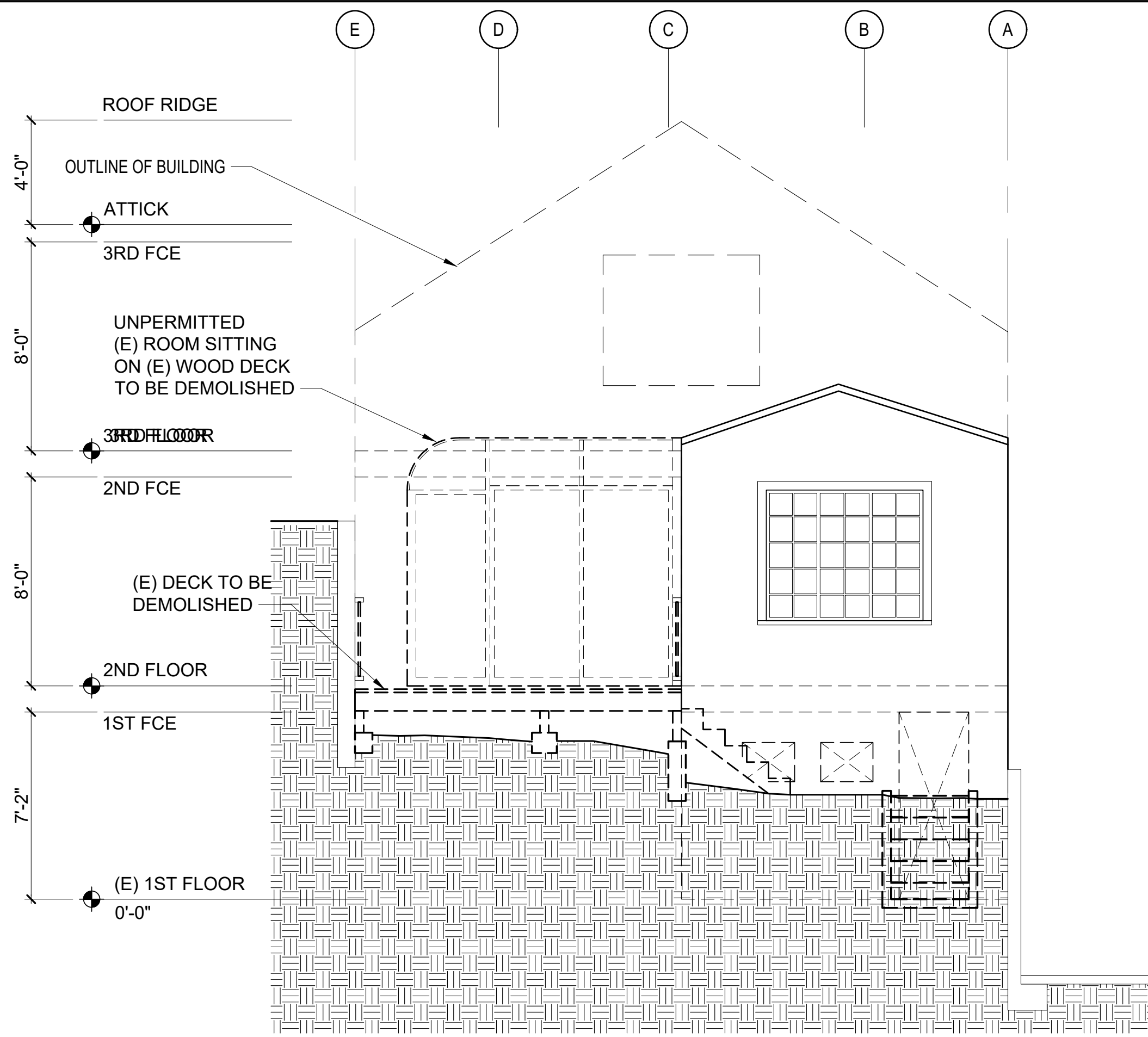
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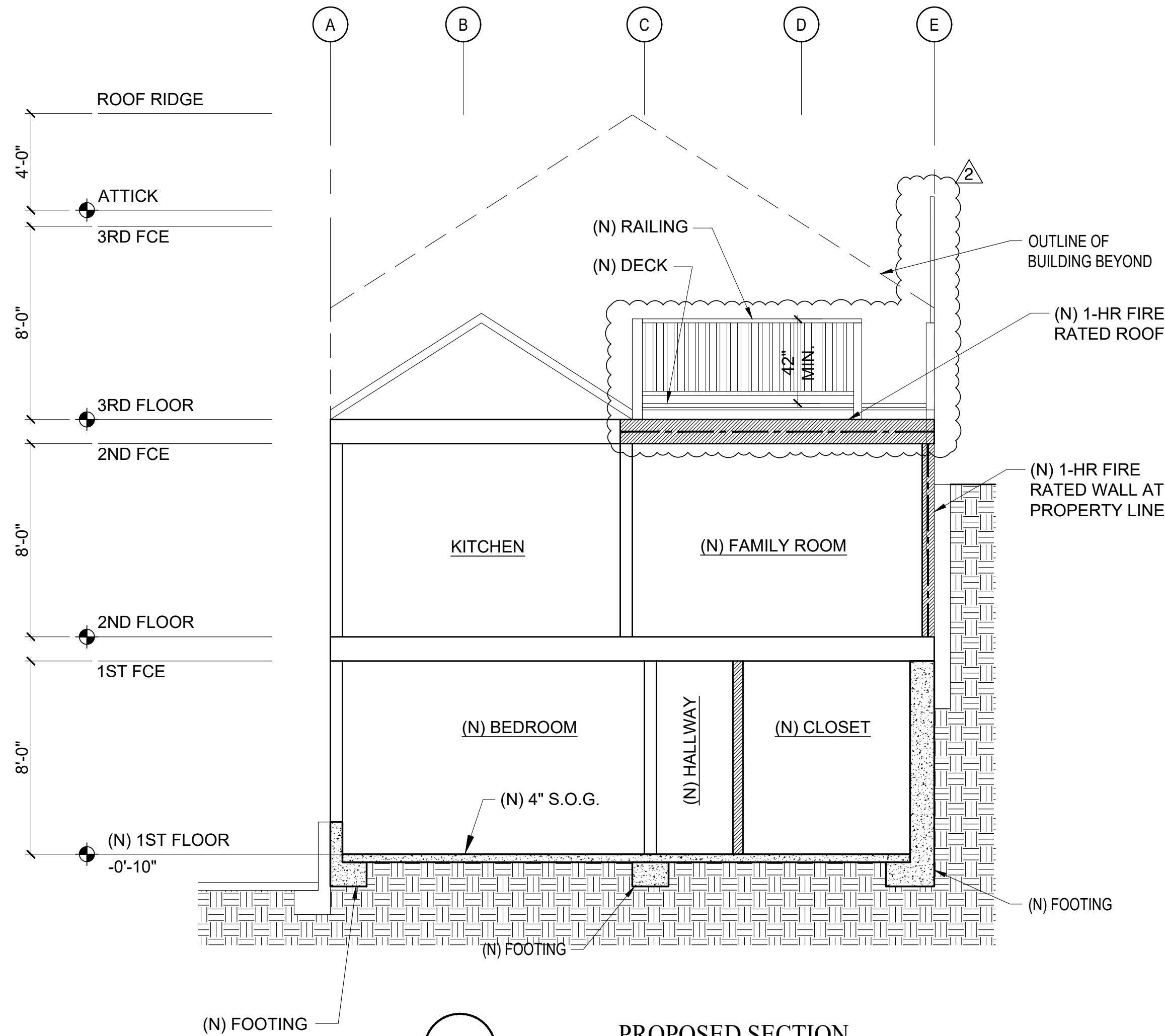
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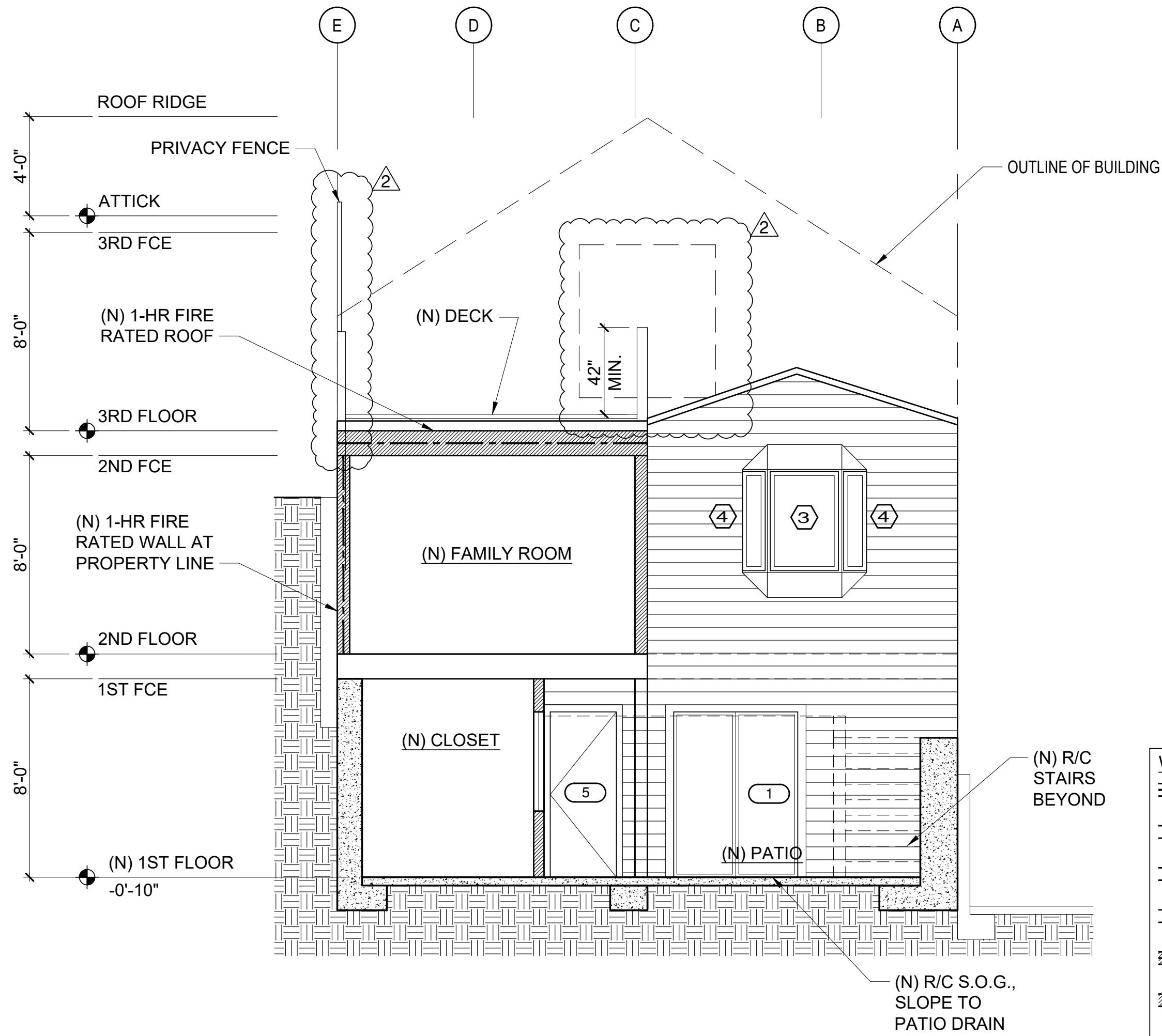
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3 EXISTING SECTION
1/4" = 1'-0"



2 PROPOSED SECTION
1/4" = 1'-0"



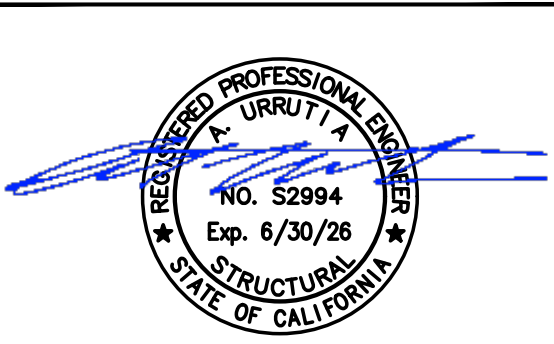
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WALL LEGEND	
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	(E) WALL TO BE DEMOLISHED
	(E) WALL BELOW
	(N) 1-hr FIRE RATED WALL
	(N) 2x4 WALL. USE GYP. w/ 6d COOLER @ 7" o.c. MIN. SEE TYP. DETAILS SHEET
	(N) REINFORCED CONCRETE

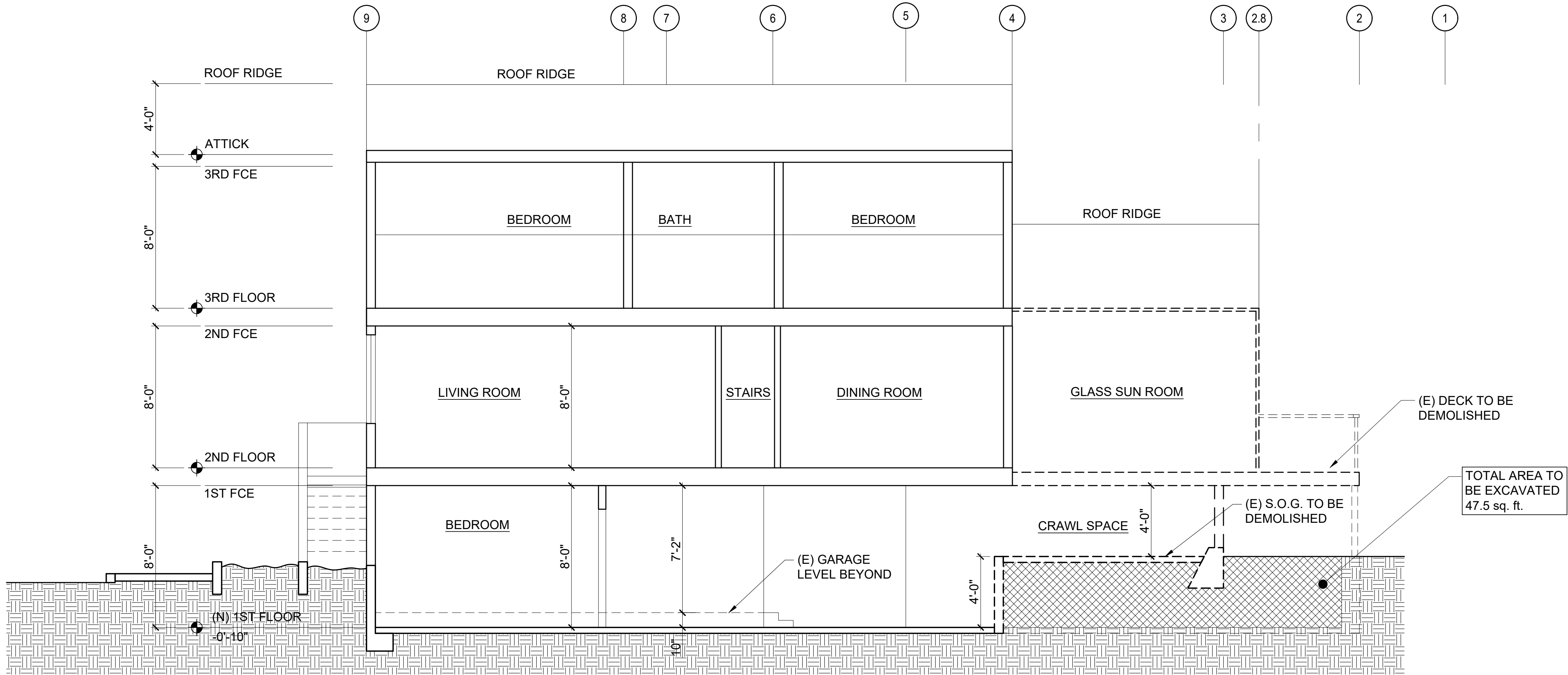
ADDITION
205 FAIRMOUNT STREET
SECTION

REVISIONS	BY
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11/21/25 - REVISION	A.U.

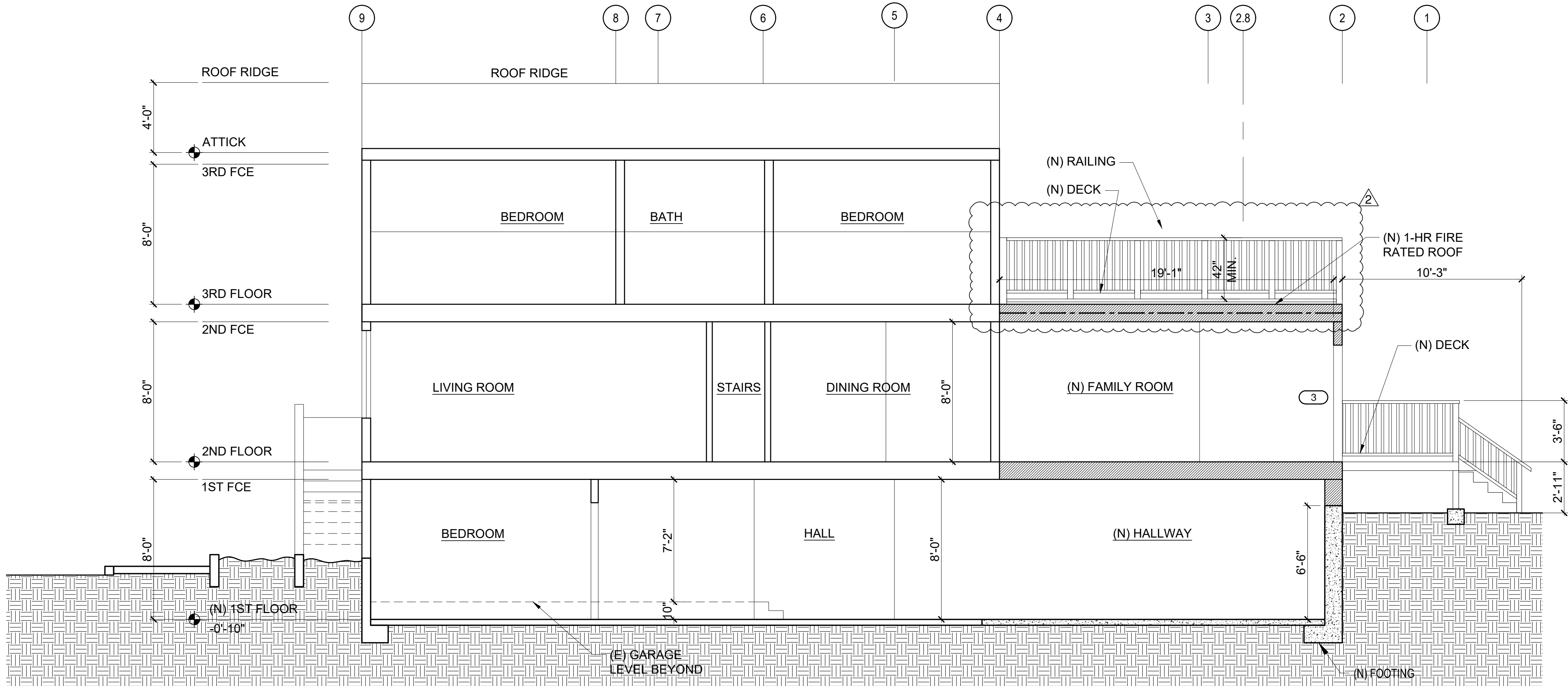
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2 PROPOSED SECTION
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WALL LEGEND	
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	(E) WALL TO BE DEMOLISHED
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	(N) 1-hr FIRE RATED WALL
	(N) 2x4 WALL. USE GYP. w/ 6d COOLER @ 7" o.c. MIN. SEE TYP. DETAILS SHEET
	(N) REINFORCED CONCRETE

ADDITION
205 FAIRMOUNT STREET

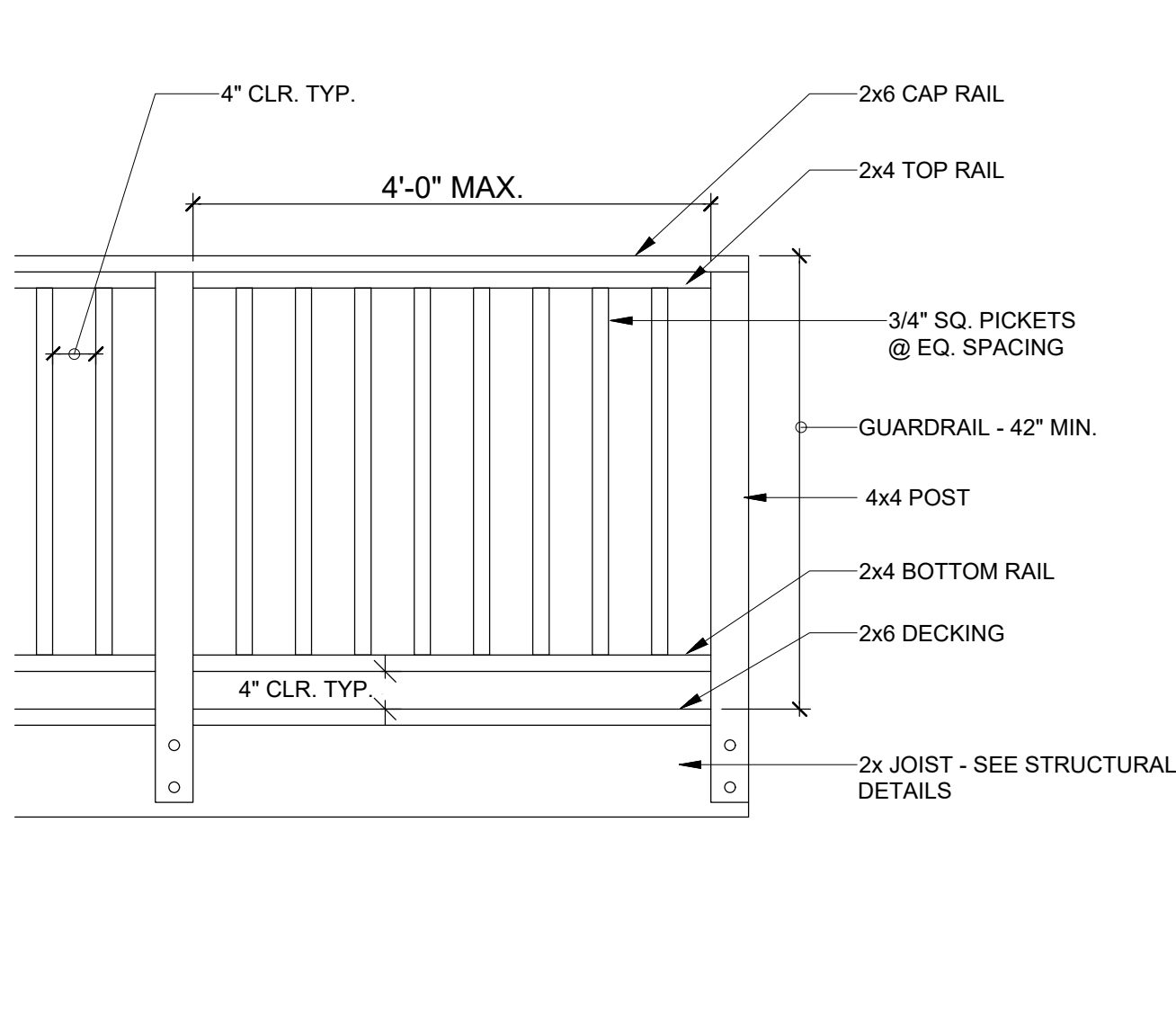
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REVISIONS	BY
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11/21/25 - REVISION	A.U.

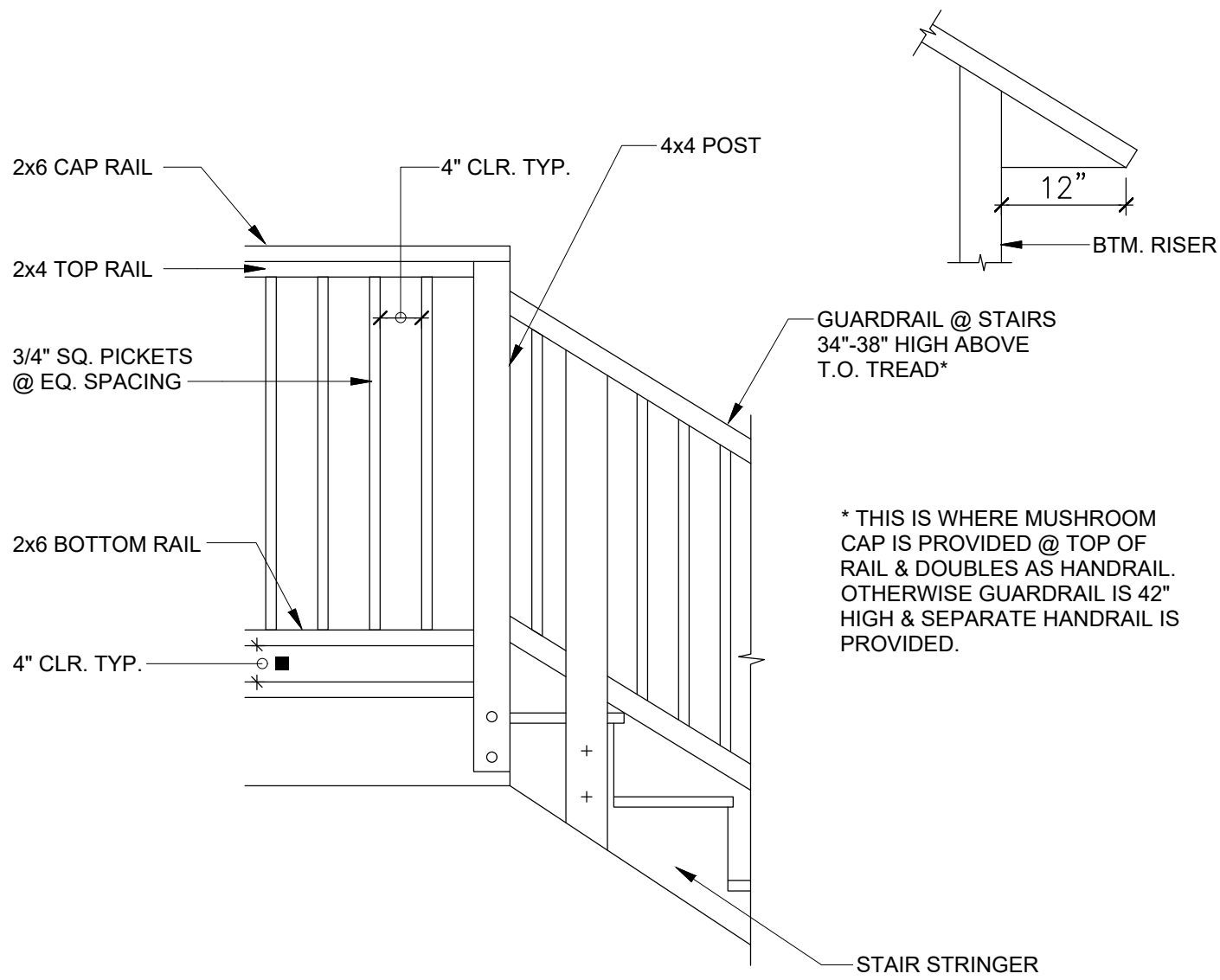
P.A.#



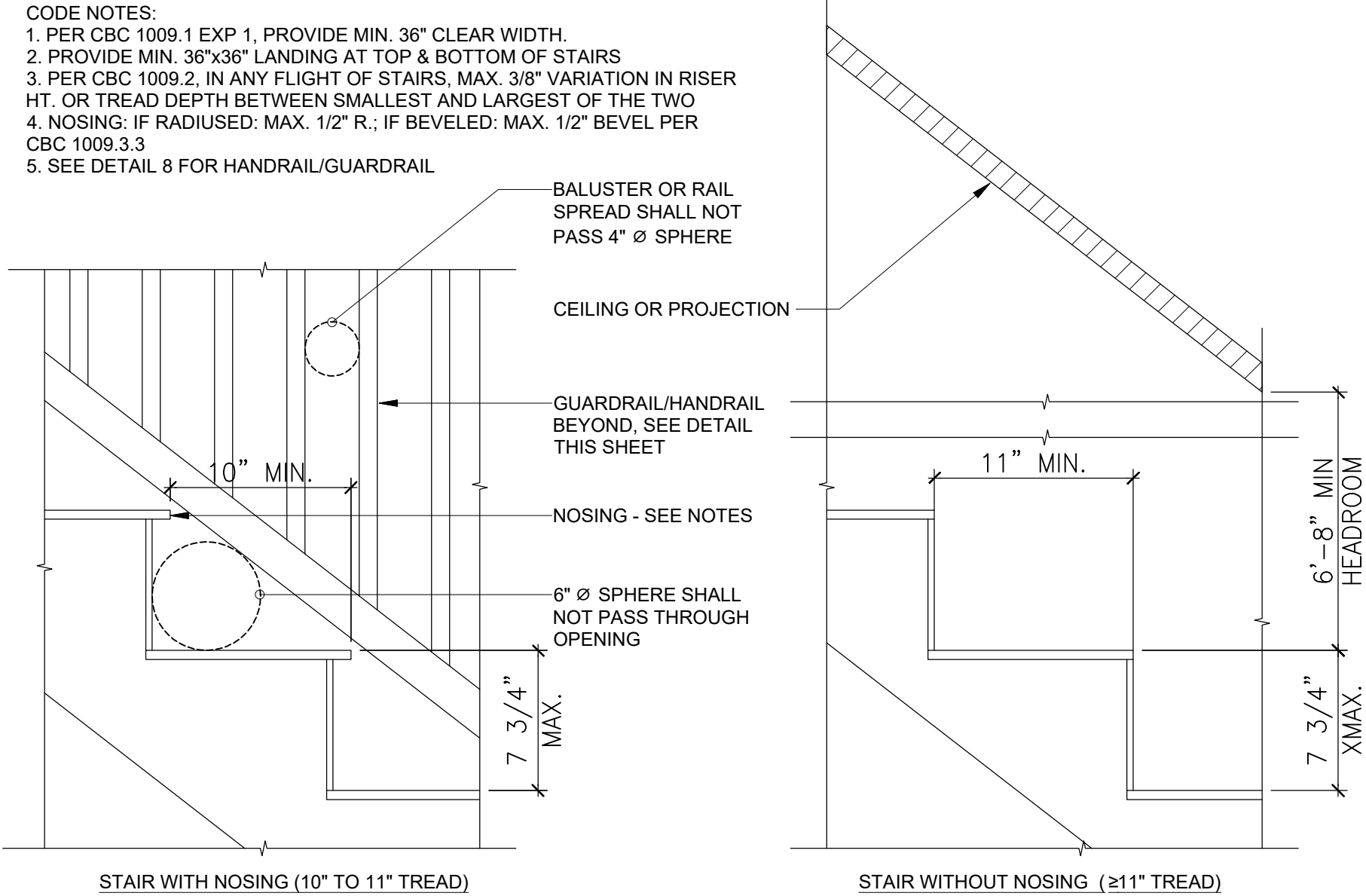
Date:	09/09/25
Scale:	1/4" = 1'-0"
Drawn By:	A.U.
Job No:	1820
Sheet	A4.3
Of # Sheets	



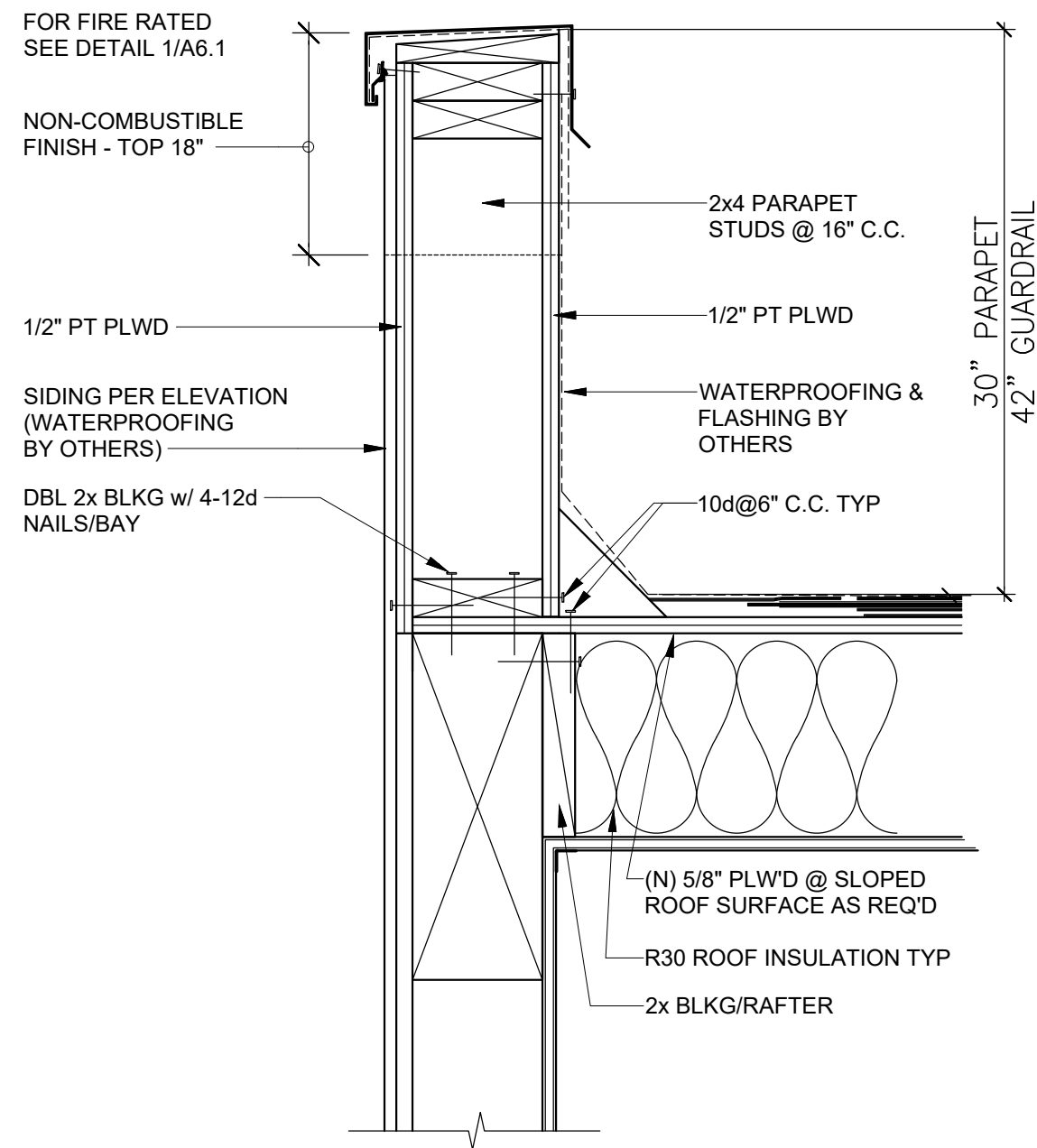
1 TYPICAL GUARDRAIL DETAIL
SCALE: 3/4" = 1'-0"



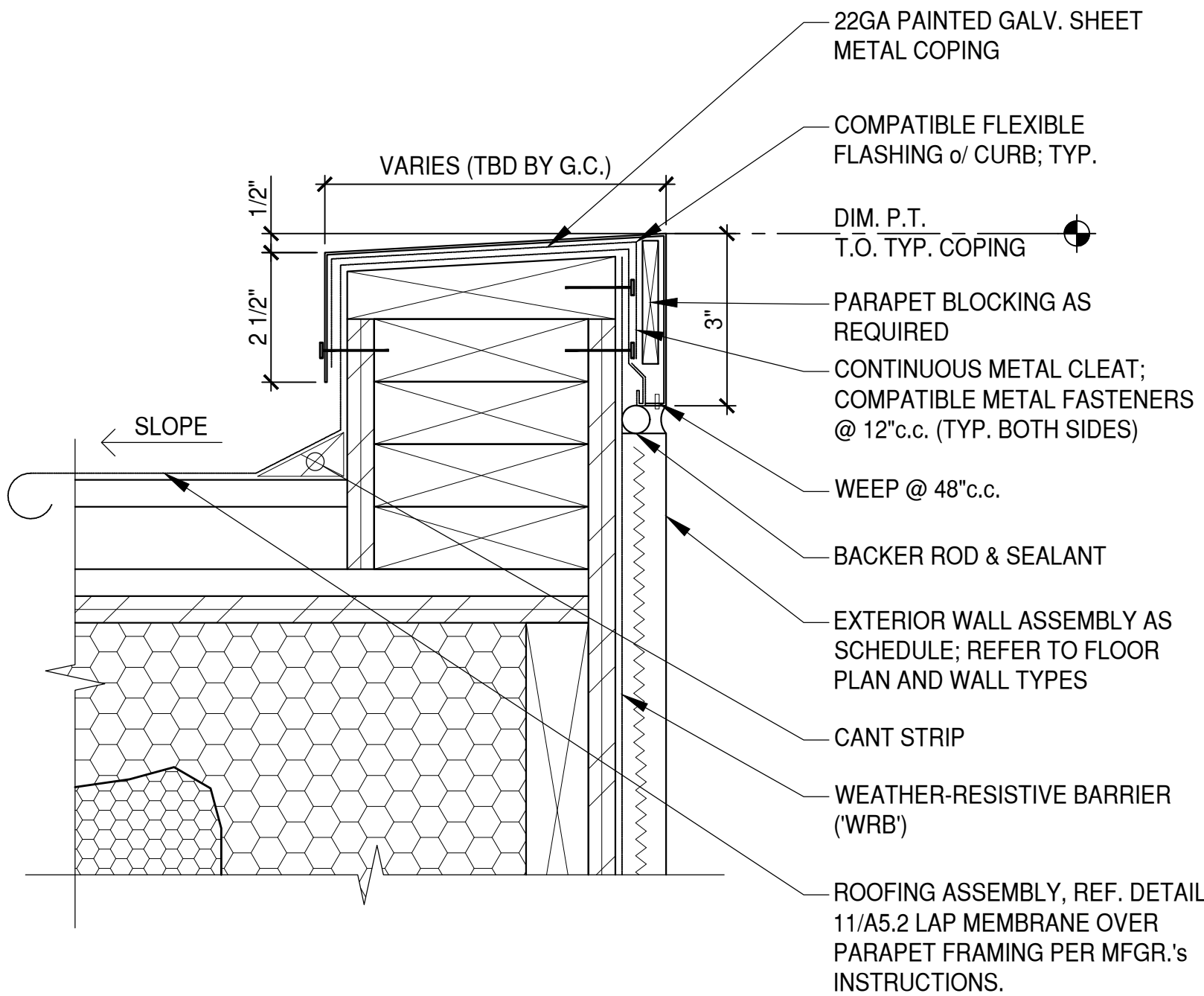
2 TYPICAL GUARDRAIL/STAIRS DETAIL
SCALE: 3/4" = 1'-0"



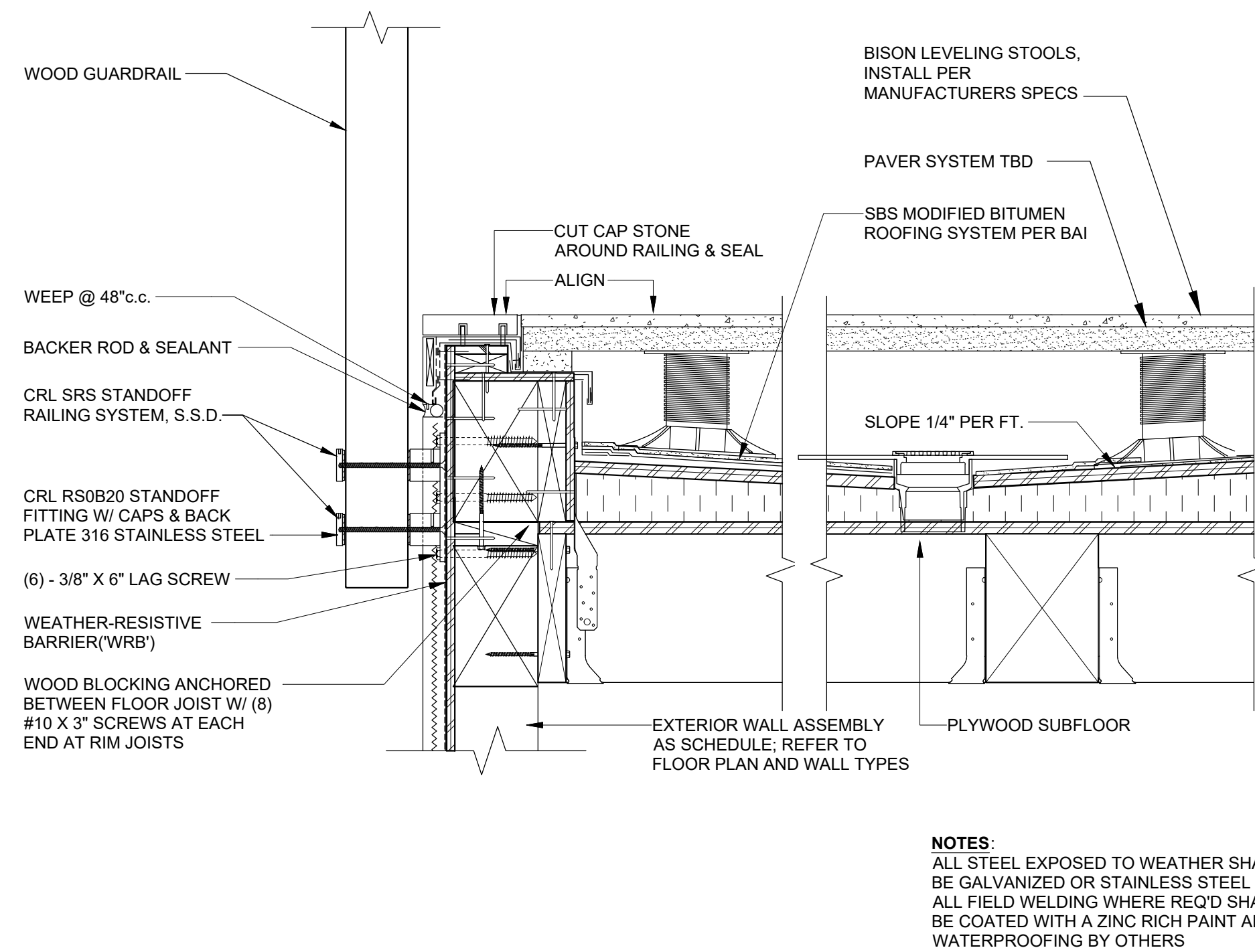
3 TYPICAL STAIR DETAIL
SCALE: 1 1/2" = 1'-0"



4 PARAPET / GUARDRAIL DETAIL
SCALE: 1 1/2" = 1'-0"



5 TYP. ALUMINUM COPING ASSEMBLY
SCALE: 3" = 1'-0"

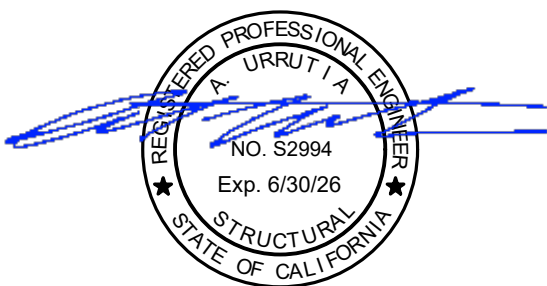


6 DECK SYSTEMS ABOVE ENCLOSED SPACES
SCALE: 1 1/2" = 1'-0"

ADDITION
205 FAIRMOUNT STREET
ARCHITECTURAL DETAILS

REVISIONS	BY
1 09/09/25 - REVISION	A.U.
2 11/21/25 - REVISION	A.U.

P.A.#



Date: 09/09/25
Scale: 1/4"=1'-0"
Drawn By: A.U.
Job No: 1820

Sheet
2
A5.3
Of # Sheets

BRIEF SUBMITTED BY PLANNING DEPARTMENT



BOARD OF APPEALS BRIEF

HEARING DATE: February 18, 2026

February 12, 2026

Appeal No.: 26-001
Project Address: 205 Fairmount Street
Block/Lot: 6684/025
Zoning District: RH-1 (Residential-House, One Family)
Central Neighborhoods Large Residence
Height District: 40-X
Staff Contact: Corey A. Teague, AICP, Zoning Administrator – (628) 652-7328
corey.teague@sfgov.org

The subject permit was reviewed and approved by the Planning Department over-the-counter with a note that the project complied with Planning Code Section 136(c)(25)(B)(i), which allows up to a one-story structure to obstruct into the required rear yard, but not within the rearmost 25% of the lot. While the proposed stairs from the new roof deck appear to meet this requirement, more detailed dimensions are required to confirm. If the stairs are confirmed to be Code-compliant, then no changes are recommended. However, if the stairs are found not to be Code-compliant, then they must be revised or a rear yard variance must be obtained.

The proposed deck, firewall, and privacy screen are all within the permitted buildable area and are Code-compliant. However, while the plans don't provide exact height dimensions for the privacy screen above the firewall, the total height appears to be approximately 12 feet above the grade of the adjacent (Appellant's) rear yard. The Planning Department recommends that the privacy screen be

reduced in height such that it is no higher than 6 feet above the proposed deck floor in order to be more consistent with the Residential Design Guidelines.

cc: Daniel and Leahy Guinasso (Permit Holders)
Simon Scott (Appellant)
Joe Ospital (Department of Building Inspection)

BRIEF SUBMITTED BY DBI



Board of Appeals Brief

Hearing Date: February 18, 2026

February 18, 2026

Appeal #: 26-001
Permit: Alteration Permit #2025-0910-5039
Project Address: 205 Fairmount Street
Block/Lot: 6684/025
DBI contact: Joseph Ospital, Senior Building Inspector. 628-652-3546
Joseph.ospital@sfgov.org

Permit description:

The project before the Board this evening is a revision permit to permit #2017-0906-6976, 2nd floor (n) deck be extended; 3rd floor, adding (n) deck over (n) addition; adding (n) closet at rear € rear office to become (n) bedroom. Reference PA# 2025-0917-5558.

This permit application and plans were reviewed over the counter by an SFDBI Structural Engineer, and all other required agencies.

Conclusion: The Department of Building Inspection believes that this project complies with all applicable Building Code requirements, and therefore the appeal denied.

Joseph Ospital, Senior Building Inspector.

**City and County of San Francisco
Department of Building Inspection**



**Daniel Lurie, Mayor
Patrick O'Riordan, C.B.O., Director**

**Building Inspection Division
49 South Van Ness Avenue, Suite 400– San Francisco CA 94103
(628) 652-3450 – sfdbi.org**