



## DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco

1660 Mission Street, 2<sup>nd</sup> Floor, San Francisco, California 94103-2414

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### NOTICE OF DECISION BOARD OF EXAMINERS MEETING

August 3, 2011

Case No. 2011-01

**Property Addresses: 178 Townsend Street and 2235 Third Street**

On August 3, 2011, the Board of Examiners held a duly noticed public hearing to consider the applicant's proposal to use the 2010 California Building Code (CBC), Sections 1205.2.1, with an equivalency. CBC 1205.2.1 states, "For the purpose of providing natural lighting, any room is permitted to be considered as a portion of an adjoining room where one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room or 25 square feet (2.32 m<sup>2</sup>), whichever is greater."

The equivalency is to provide large glazed openings by the use of sliding or swinging doors, in order to borrow light from the adjoining living space. The glazed openings would not be considered an obstruction to the passage of natural light from the adjoining room.

The permit applications for this issue are: 2011 0408 3769 for 178 Townsend Street) and 2011 0408 3762 for 2235 03<sup>rd</sup> Street, also known as 2235 Third Street, for the purpose of this Decision.

A general overview of the case was given by the Department of Building Inspection (DBI).

Testimony was given by the applicant's representatives and members of the public. Based on the presentation of the oral and written testimony, the Board of Examiners voted 8 to 0 with 1 (one) abstention to approve a motion for the applicant's request for a Local Code Equivalency (as noted above) as follows:

The Board of Examiners approves the aforementioned Local Code Equivalency subject to the following conditions:

- (1) this is a one-time decision that applies only to the two projects being submitted;
- (2) that the application(s) for these two projects be approved as submitted, in that the projects have fully complied with the intent of the code and,
- (3) if another building makes an application for a similar condition, that DBI 'should' issue an Administrative Bulletin (*or resolve the matter by another method*) that makes this (*decision*) a rule. \*

Members present: Mel Cammisa (Chairperson), Manuel Flores (Vice President), Dick Glumac, Kevin Mirkovich, Patrick Buscovish, Robert Fuller, Jason Langkammerer, James Reed. Armin Wolski (Members)

City staff present: DBI – Neil Friedman, Acting Board Secretary,  
San Francisco Fire Department - none

Applicant representatives: Representing Martin Building Company: Patrick McNerney, President;  
Brendan Dunnigan, Architect; James Ruben, Attorney

A Motion was made by Board Member Dick Glumac, and seconded by Board Member Manuel Flores

AYES: Buscovich, Cammisa, Flores, Fuller, Glumac, Langkammerer, Mirkovich, Reed,

ABSTAIN: Wolski

The Motion was adopted by resolution pursuant to the San Francisco Building Code Section 105A.1.11.

Per SFBC Sec.105A.1.12, a tape recording of this meeting is maintained for this Board of Examiner hearing, at DBI. These tape recordings are available for duplication upon request with all costs of duplication be borne by the party requesting duplication.

By: \_\_\_\_\_  
Neil Friedman, Acting Secretary  
Board of Examiners

Note: \* : language added by Secretary in *italics* for the purpose of clarification.

Copy to: All members of this Board of Examiners  
SFFD- Captain Don Fields  
DBI Director – Vivian Day, C.B.O.  
DBI Deputy Director- Edward Sweeney

**BOARD OF EXAMINERS  
EXPIRATION OF SEATS 9/15/2010**

**High-rise Sprinkler – Building Owner**

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