

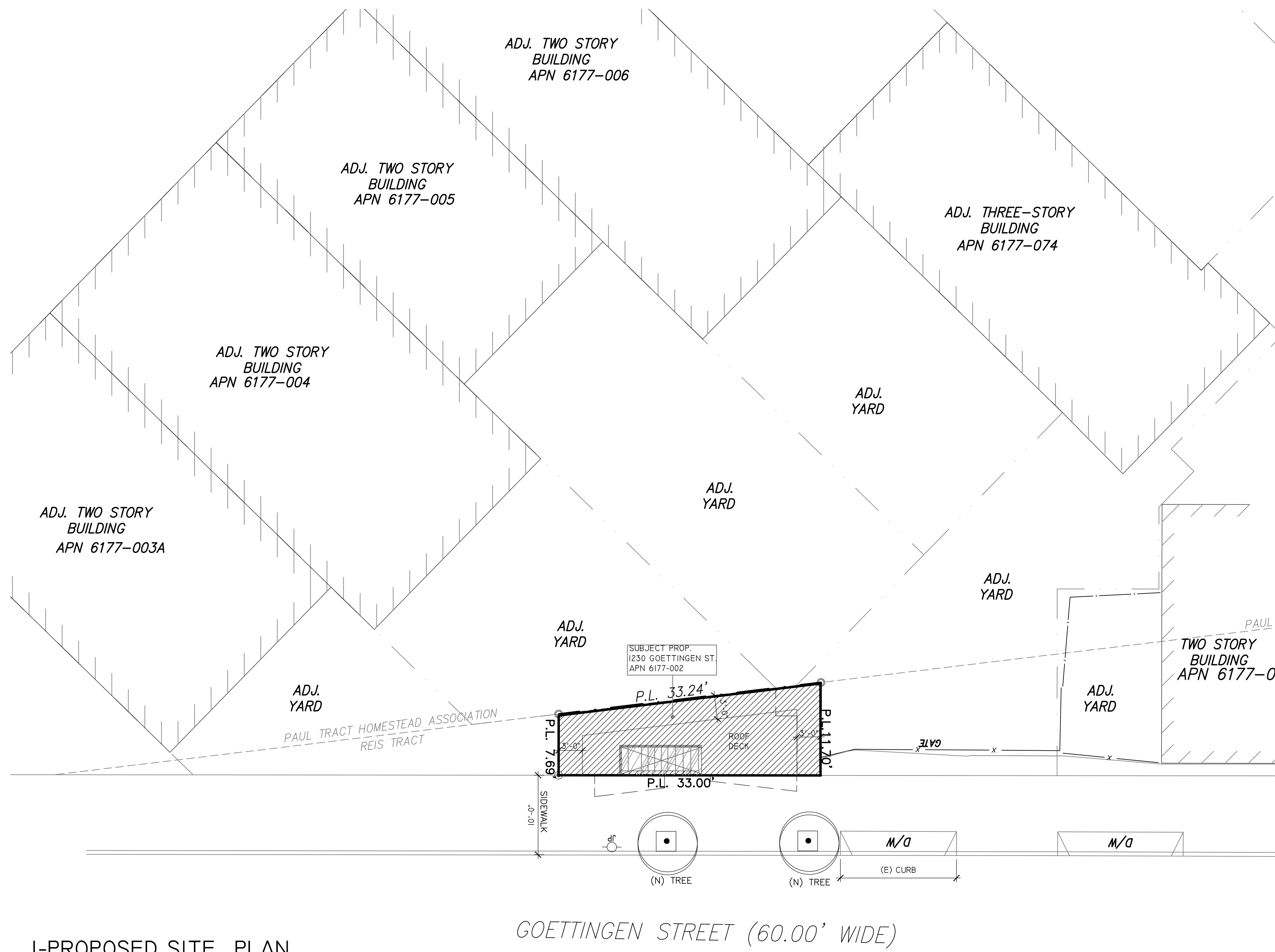
BRIEF SUBMITTED BY THE DETERMINATION HOLDER FOR THE HEARING ON AUGUST 18, 2021

Brief for 1230 Goettingen 2nd appeal

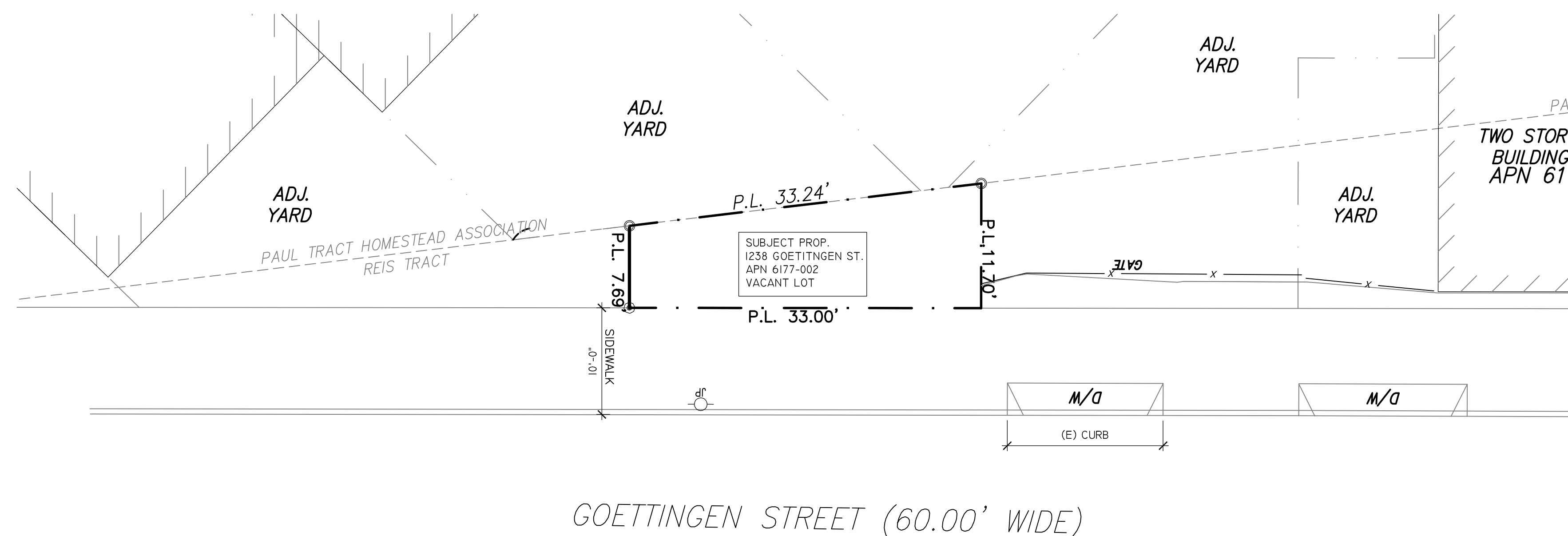
1. Per the last appeal meeting, as the board has instructed me to do the plans have been adjusted to remove the 3rd story room and only a roof deck remains with a deck set back of 3 feet for privacy to all adjoining adjacent neighbors. There is no penthouse staircase and a roof hatch door will be used to access the roof deck.
2. In regards to conformity of the community, I will follow with what was asked by President Honda at the last appeal meeting to make it only a 2 story home. It will be less than 19' in height total and since the home will be recessed into the ground on the short side of the home it will not intrude anyone's view with the street facing bay windows.
3. About the open space, the roof deck will be 162 square feet and on the long side of the home will have a 3' to 5' wide open area with a bicycle parking. This open area was actually never mentioned at the last meeting per my forgetfulness. The open area will be approximately 40 square feet. Considering the size of the lot, I hope the board will also count that open area as a little extra open space if possible.
4. The design of the new home was actually inspired by another home in the neighborhood exactly like mine on a larger scale directly on Wilde Ave and San Bruno Ave (See Exhibits 1, 2, 3, 4). The dimensions on the short side will be almost exactly the same as my new home between 7' to 8'. The other side is about 21' which is 10' feet longer due to the actual length of that building being twice the size of my project. There are multiple units in that property so the

square footage size of the units will be smaller in some and about the same size as the new design.

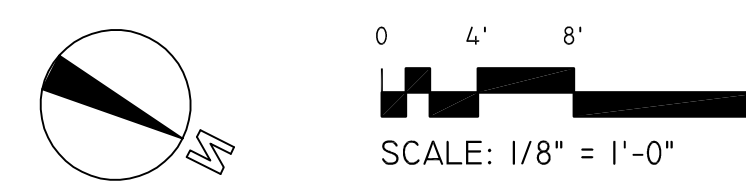
5. In regards to parking, there are actually lots of parking around the area. A few of the public commentors mentioned about parking. I have taken multiple pictures every day for an entire week excluding Sunday in the evening where plenty of parking is around. I know other neighbors who would park half a block to two blocks away then walk home. (See Exhibits). The project will not impede or block any driveways related to 316 Wilde Ave. The 316 Wilde driveway gate is at least 3' to 4' away from the side of the new home. Not to mention the driveway gate for 316 Wilde is 10' long. (See Exhibit)
6. In terms of the environmental effects, the appellant does not really have much in her back yard that will support aerial wildlife nor many bugs (See Exhibit ...). I have a very large garden which many birds would come to nest on or eat the sweet fruit that would grow seasonally (See Exhibit). As mentioned before, the sunlight comes from the southern side of all the buildings so sunlight won't be taken away. The home will be lower than any of the adjoining Wilde street homes so airflow will still continue to flow to all the homes. The new home itself will have windows that can open to enjoy the wind that blows directly from between the west and the north. Plumbing ventilation will be viewable from the roof deck since the deck will have a set back. All water drainage from the rainy season will drain into the gutter which will be directed into the sewer line from sewer laterals that will be installed per building regulation code.



1-PROPOSED SITE PLAN



2-(E) SITE PLAN



GENERAL NOTES

1. ALL DESIGN AND CONSTRUCTION SHALL CONFORM TO ALL FEDERAL, STATE, CITY AND COUNTY CODES AND ORDINANCES. ANY WORK FOUND IN THESE DRAWINGS NOT IN CONFORMANCE WITH ANY APPLICABLE CODES SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER PRIOR TO COMMENCEMENT OF ANY RELATED WORK.
2. ALL WORK SHALL CONFORM TO APPLICABLE LOCAL CODE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SATISFACTORY COMPLETION OF ALL WORK IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS.
4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS.
5. ANY DEVIATION CAUSED BY THE FIELD CONDITIONS, OR ANY CONDITIONS DIFFERENT FROM THOSE INDICATED ON PLANS SHALL BE BROUGHT TO THE ATTENTION OF RAUM. ANY DISCREPANCY NOT REPORTED TO RAUM WILL ABSOLVE RAUM FROM ANY LIABILITY.
6. TYPICAL DETAILS SHALL APPLY WHERE NO SPECIFIC DETAILS OR SECTIONS ARE PROVIDED.
7. DO NOT SCALE THESE DRAWINGS. DIMENSIONS SHOWN ON PLANS OR DETAILS SHALL TAKE PRECEDENCE OVER SCALES SHOWN. ALL INTERIOR DIMENSIONS ARE MEASURED TO FINISHED SURFACES AND ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR SHEATHING, U.N.O.
8. THIS IS A STANDARD PERMIT SET DRAWINGS, FINISHES, SPECIFICATIONS, SHOP DRAWINGS, AND DETAILS BY OTHERS
9. PLUMBING, ELECTRICAL ARE UNDER A SEPARATE PERMIT
10. PROPERTY LINES LOCATION ON SITE PLAN ARE FOR REFERENCE ONLY, AND SHALL VERIFY BY LIC. SURVEYOR.
6. DURING ALL PHASE OF WORK, DO NOT DISTURB THE ADJACENT NEIGHBORS.
9. THE PRECISE DIMENSIONS AND LOCATIONS OF ALL DOORS AND WINDOWS OPENINGS SHALL BE DETERMINED FROM ARCHITECTURAL PLANS AND DETAILS
10. "TYP" SHOULD MEAN THAT THE CONDITION IS REPRESENTATIVE FOR SIMILAR CONDITION, THROUGHOUT.
11. CONTRACTOR SHALL PROVIDE TEMPORARY SANITARY FACILITIES AS REQUIRED BY GOVERNING LAWS AND REGULATIONS. CONTRACTOR SHALL PROVIDE TEMPORARY POWER AND LIGHTING SERVICES FOR THE DURATION OF CONSTRUCTION.
13. CONTRACTOR SHALL GUARANTEE MATERIAL, EQUIPMENT AND WORKMANSHIP FOR A PERIOD OF ONE YEAR FROM THE DATE OF OCCUPANCY.
14. STREET TREES SHALL BE LOCATED EITHER WITHIN A SETBACK AREA ON THE LOT OR WITHIN THE PUBLIC RIGHT-OF-WAY ALONG THE SUBJECT LOT. 24" BOX MIN. SOIL SHALL BE BELOW-GRADE ENVIRONMENT WITH NUTRIENT-RICH, FREE FROM OVERLY-COMPACTED AND GENERALLY CONDUCTIVE TO TREE DEVELOPMENT

PROPERTY DATA

OWNER:	LE LUAN-VU
ADDRESS:	1230 GOETTINGEN ST SAN FRANCISCO, CA 94122
BLOCK/LOT:	6177/002
ZONING:	RH-1 YEAR BUILT:
OCCUPANCY GROUP:	R-3-U
CONSTRUCTION TYPE:	V-B
NUMBER OF UNITS:	1
LOT AREA:	392
PROPOSED 1ST FLOOR AREA:	272
PROPOSED 2ND FLOOR AREA:	353
PROPOSED FLOOR AREA:	625
PROPOSED ROOF DECK AREA:	250
FRONT SETBACK AREA:	0
PLANTER AREA, 20%:	0
PERMEABLE AREA, 50%:	0

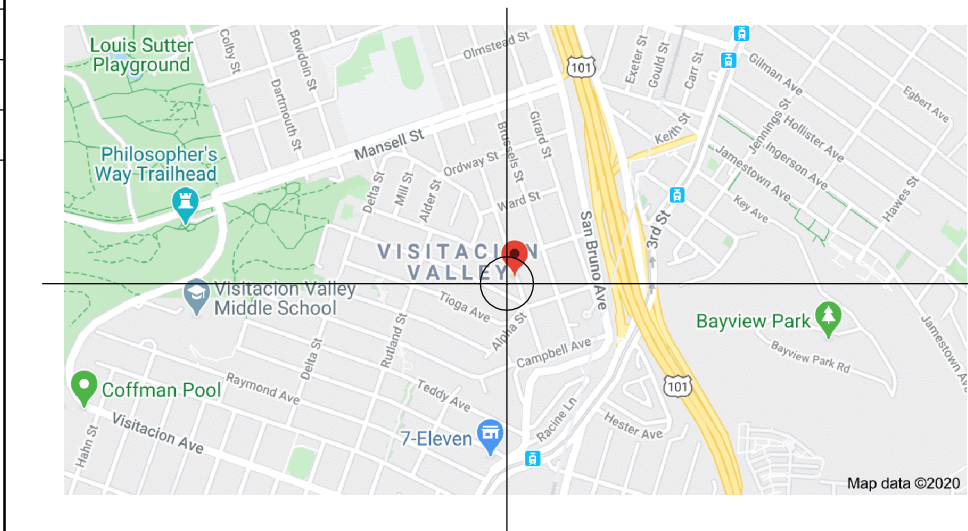
SCOPE OF WORK

-CONSTRUCT THREE-STORY SINGLE FAMILY HOME WOOD FRAME BUILDING AT A VACANT LOT

SHEET INDEX

- A1.0 PROPOSED SITE PLAN AND NOTES
- SURVEY MAP
- A2.0 PROPOSED 1ST FLR PLANS
- A3.0 EXTERIOR ELEVATIONS
- A4.0 BLDG SECTIONS

LOCATION MAP (NTS)



LEGEND

- — — — — ○ PROPERTY LINE
- - - - - REAR YARD SETBACK LINE
- 6' WOOD FENCE LINE
- /// (E) ADJ. BLDG FOOTPRINTS
- ▨ (N) BLDG FOOTPRINT

PROJECT:

NEW RESIDENCE

FOR

LE LUAN-VU

XIE ASSOCIATES, INC
Architectural Design & Planning

26 FARVIEW CT
San Francisco, Ca 94134
Tel: (415) 652-3047

Web: www.xiearchitect.com
Website: www.xiearchitect.com

**1230 GOETTINGEN ST
SAN FRANCISCO
CALIFORNIA**

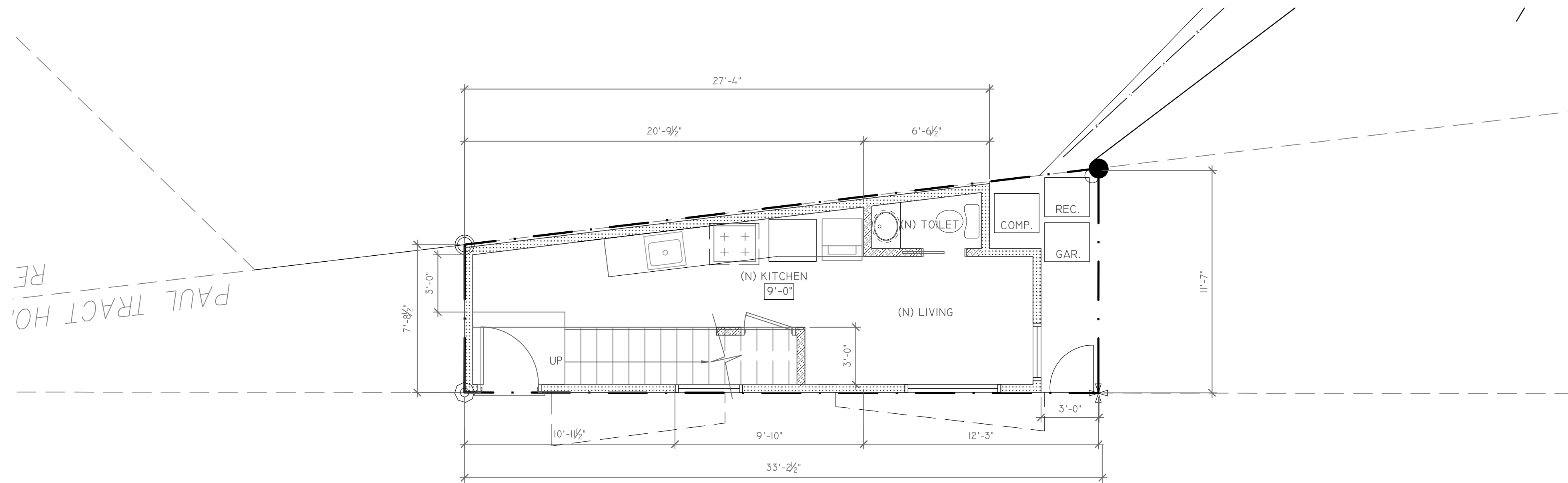
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DATE: 08/11/21



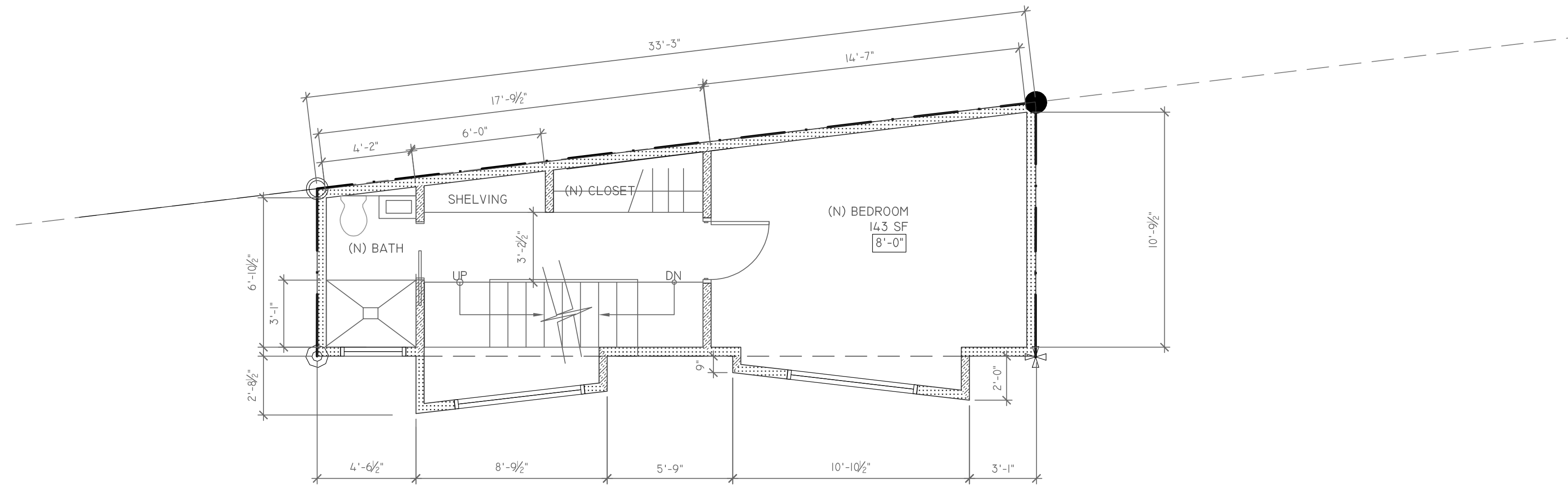
SHEET TITLE

**SITE PLANS
& NOTES**

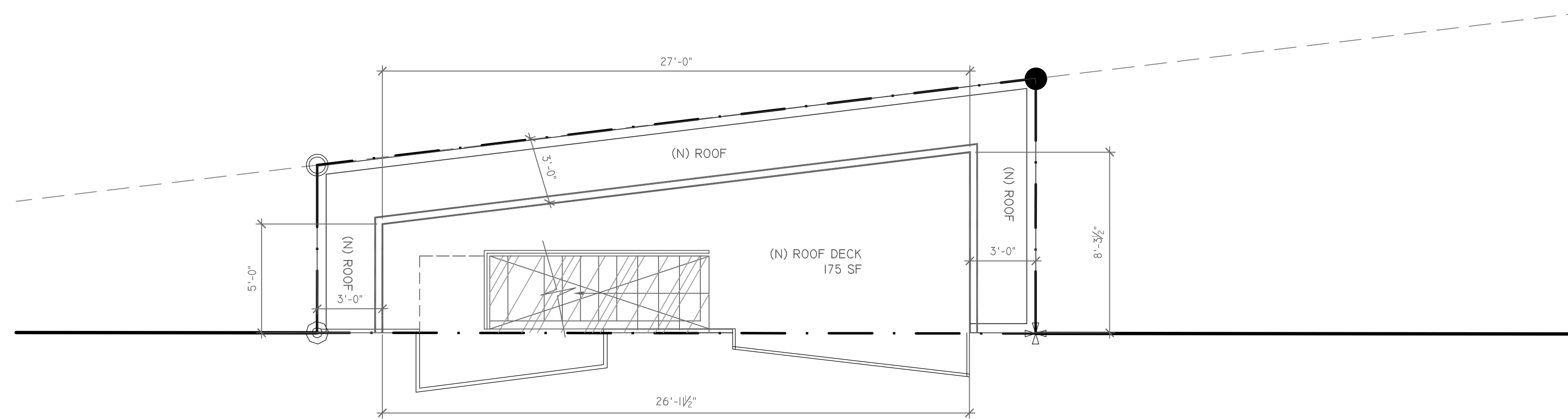
A1.0






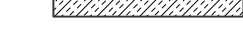


1-PROPOSED 1st FLOOR PLAN
SCALE: 1/4"=1'-0"



2-PROPOSED 2ND FLOOR PLAN
SCALE: 1/4"=1'-0"



3-PROPOSED 3RD FLOOR PLAN
SCALE: 1/4"=1'-0"

-  NEW EXTERIOR WALL, 1-HR RATED
-  NEW EXTERIOR WALL
-  NEW INTERIOR WALL
-  NEW INTERIOR WALL 1-HR RATED
-  NEW DOOR
-  NEW WINDOW

PROJECT:
NEW RESIDENCE
FOR
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SHEET TITLE

FLOOR PLANS

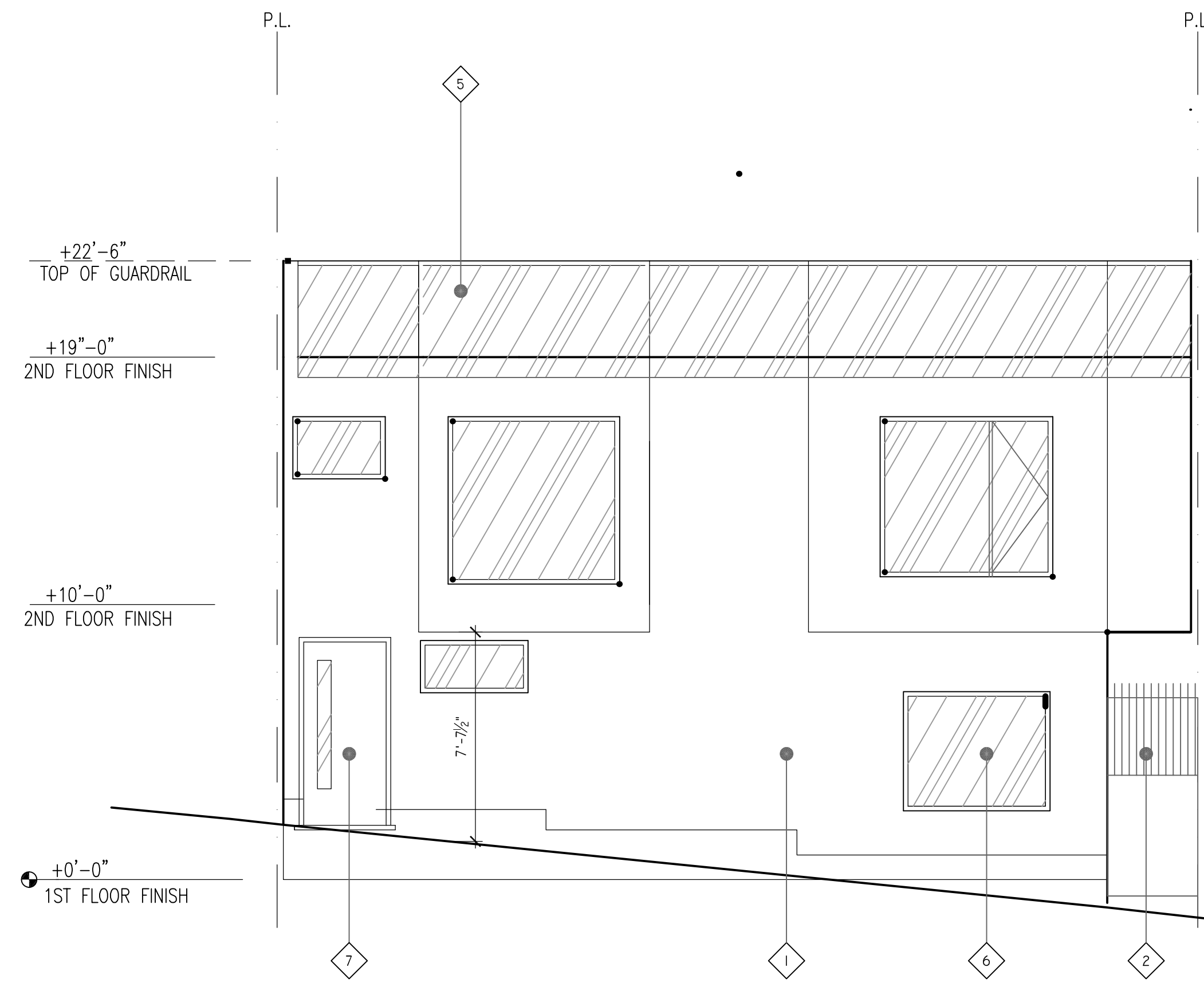
A2.0

GENERAL NOTES

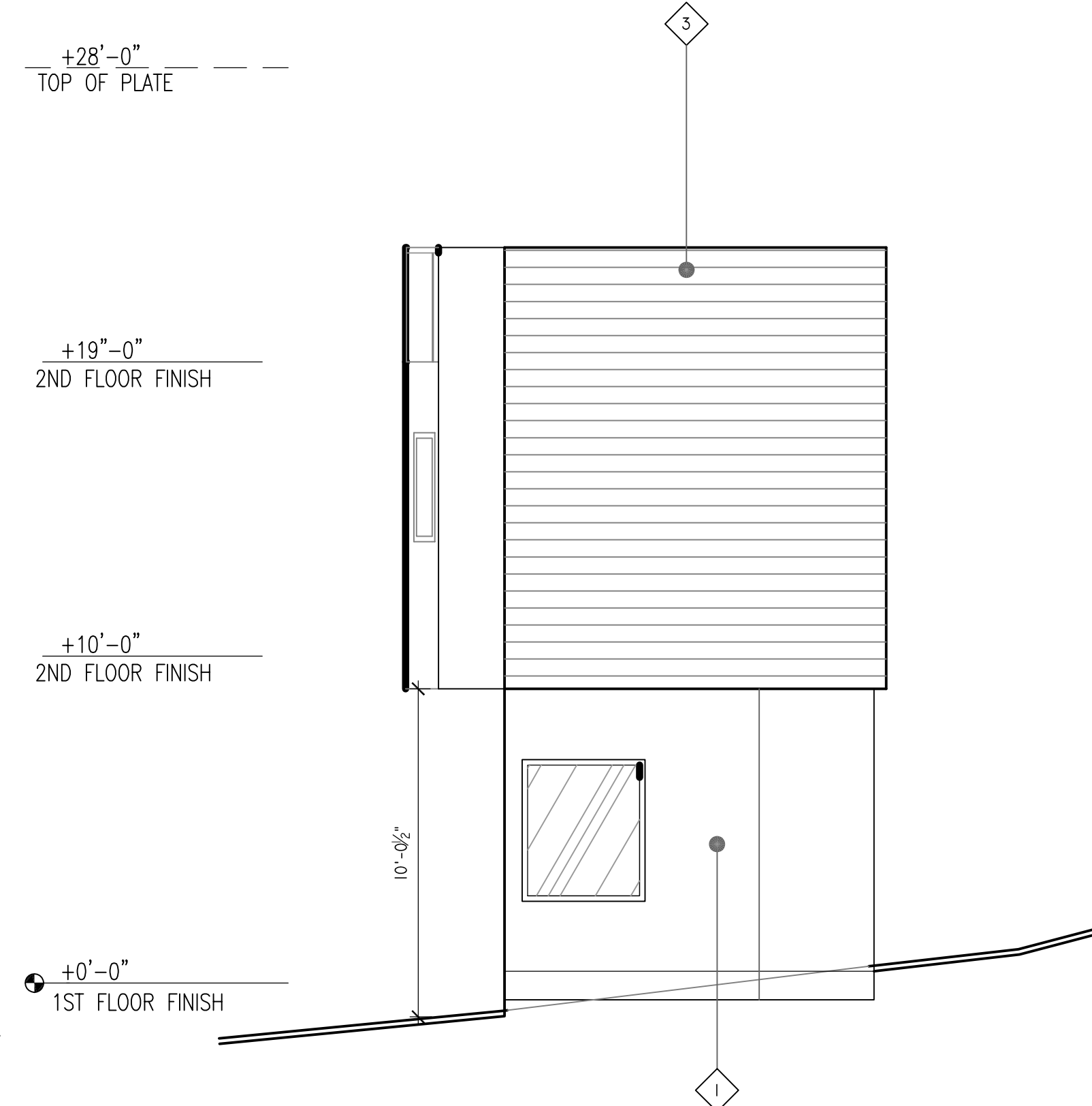
1. CONTRACTOR SHALL FIELD VERIFY ALL (E) CONSTRUCTION RELATED CONDITIONS PRIOR TO COMMENCING WITH ANY WORK
2. ALL THE WEATHER EXPOSED BOLTS OR NAILS SHALL BE GALVANIZED & HOT-DIPPED
3. ALL EXPOSED WOOD MEMBERS SHALL BE RED WOOD OR PRESSURE TREATED
5. THE TOP OF HANDRAILS SHALL NOT BE PLACED LESS 34" NOR MORE THAN 38" ABOVE LANDINGS & THE NOSING OF TREADS. THE HANDGRIP PORTION OF HANDRAILS SHALL NOT BE LESS THAN 1-1/4" NOR MORE THAN 2" IN CROSS SECTION. HANDRAILS PROJECTING FROM A WALL SHALL HAVE A SPACE OF NOT LESS THAN 1-1/2" B/W THE WALL & THE HANDRAIL AND RETURN TO WALL OR FLOOR
6. THE TOP OF GUARDRAILS SHALL NOT BE PLACED LESS 42" A.F.F. RAILING DISTANCE B/W BALUSTERS SHALL NOT MORE THAN 5-1/2" O.C. (SUCH THAT A 4" Ø SPHERE CAN'T PASS THROUGH)
7. ALL CONNECTORS USED IN CONJUNCTION WITH PRESSURE TREATED LUMBER MUST BE HOT-DIPPED ZINC GALVANIZED AND A MIN. GALVANIZATION LEVEL OF G185.

WORK NOTES

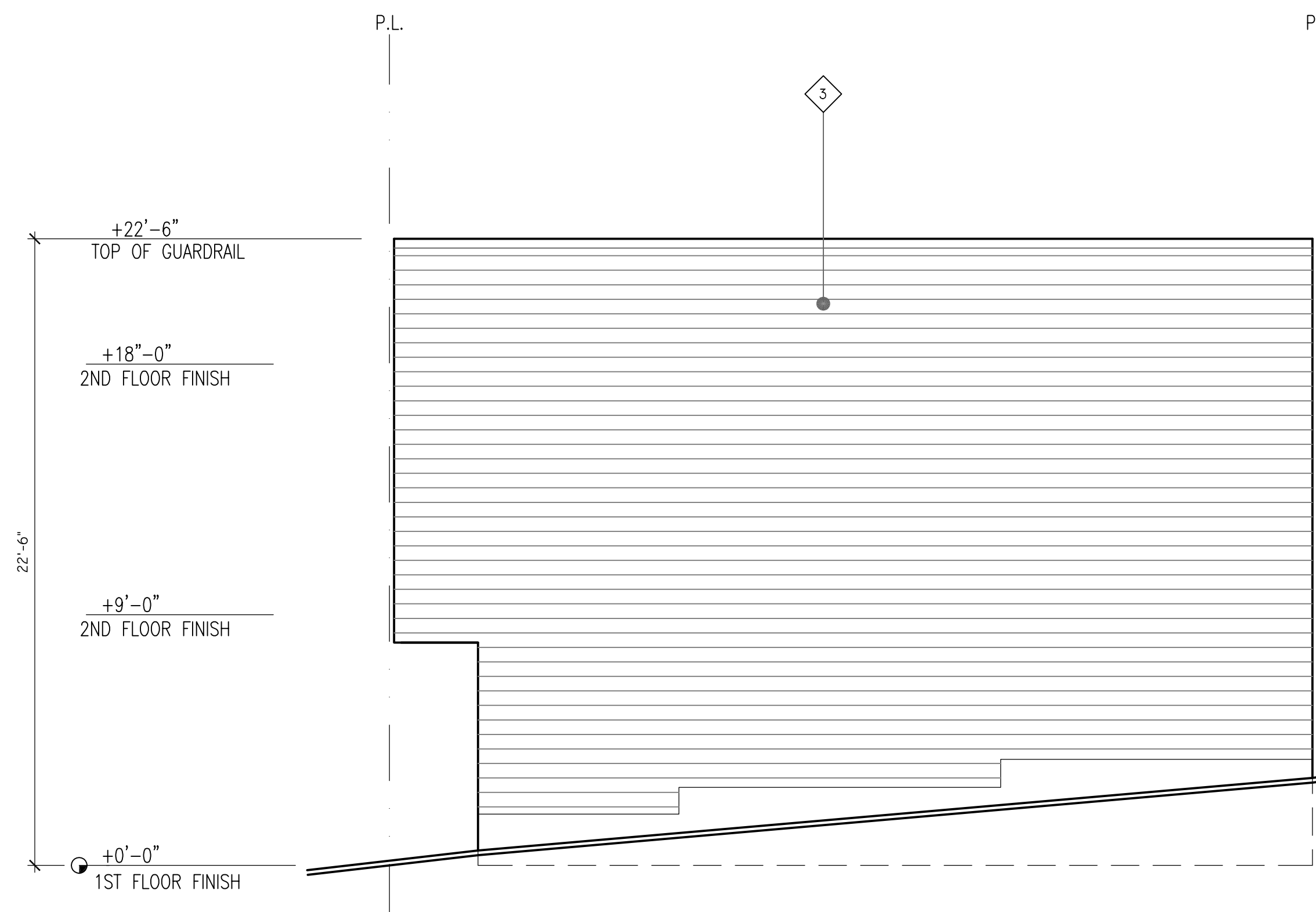
- ① (N) SMOOTH FINISH STUCCO, TYP.
- ② (N) 7'-0" IRON GATE DOOR
- ③ COMPOSITE CEMENT SIDING WALL FINISH @ PROPERTY LINE, 1-HR WALL, TYP.
- ④ (N) WOOD DECK WITH SOLID GUARDRAIL HEIGHT 42" MIN. 1-HR RATED
- ⑤ (N) CLEAR GLASS GUARDRAIL, 42" MIN. HT.
- ⑥ (N) ALUM. CLAD WOOD WINDOW, TYP.
- ⑦ (N) ALUM. CLAD WOOD ENTRY DOOR AT FRONT



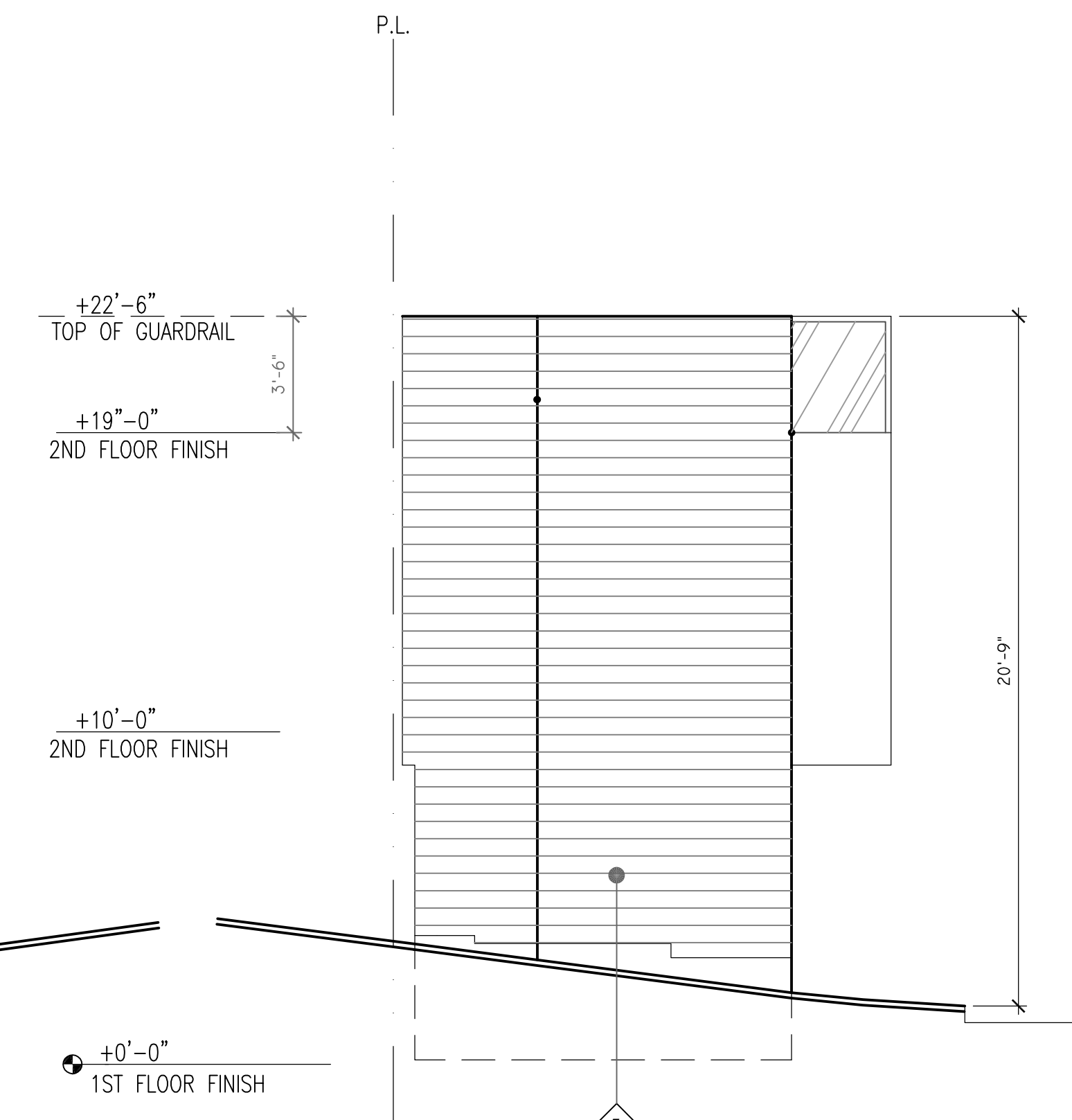
1-PROPOSED FRONT (EAST) ELEVATION
SCALE: 1/4"=1'-0"



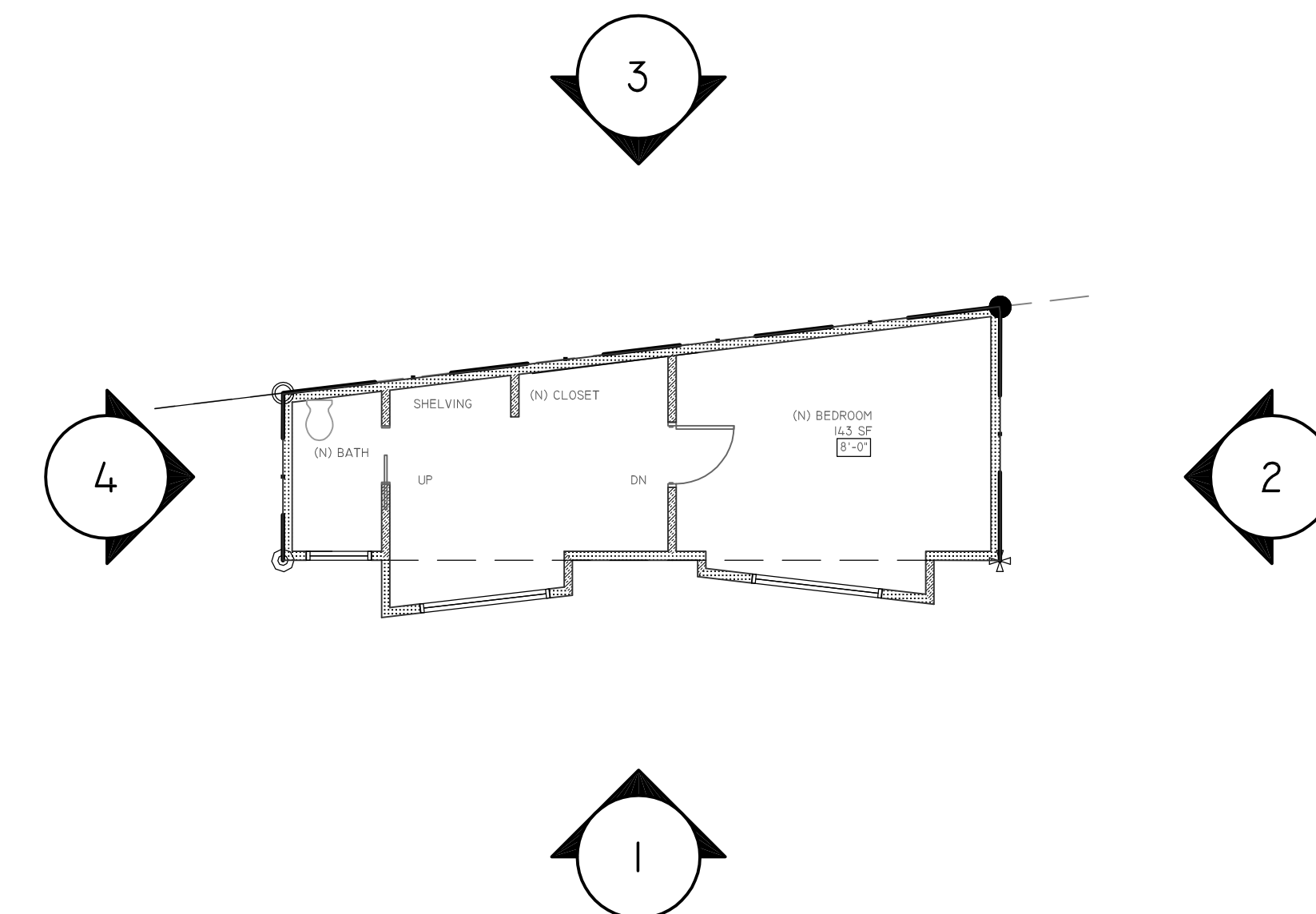
2-PROPOSED RIGHT (NORTH) ELEVATION
SCALE: 1/4"=1'-0"



3-PROPOSED REAR (WEST) ELEVATION
SCALE: 1/4"=1'-0"



4-PROPOSED LEFT (SOUTH) ELEVATION
SCALE: 1/4"=1'-0"



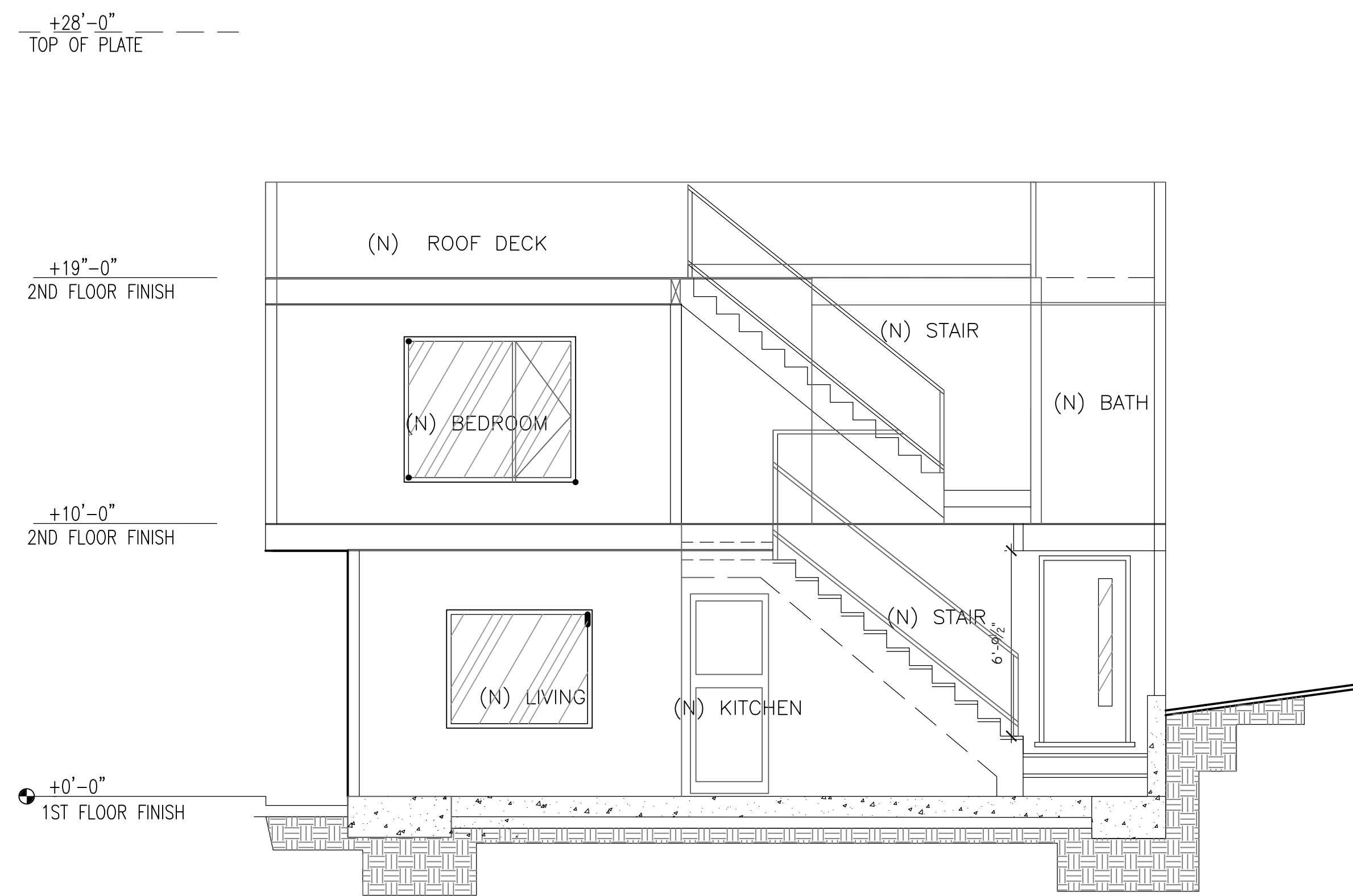
KEY MAP

DRAWN BY: KANG LI
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DATE: 08/11/21

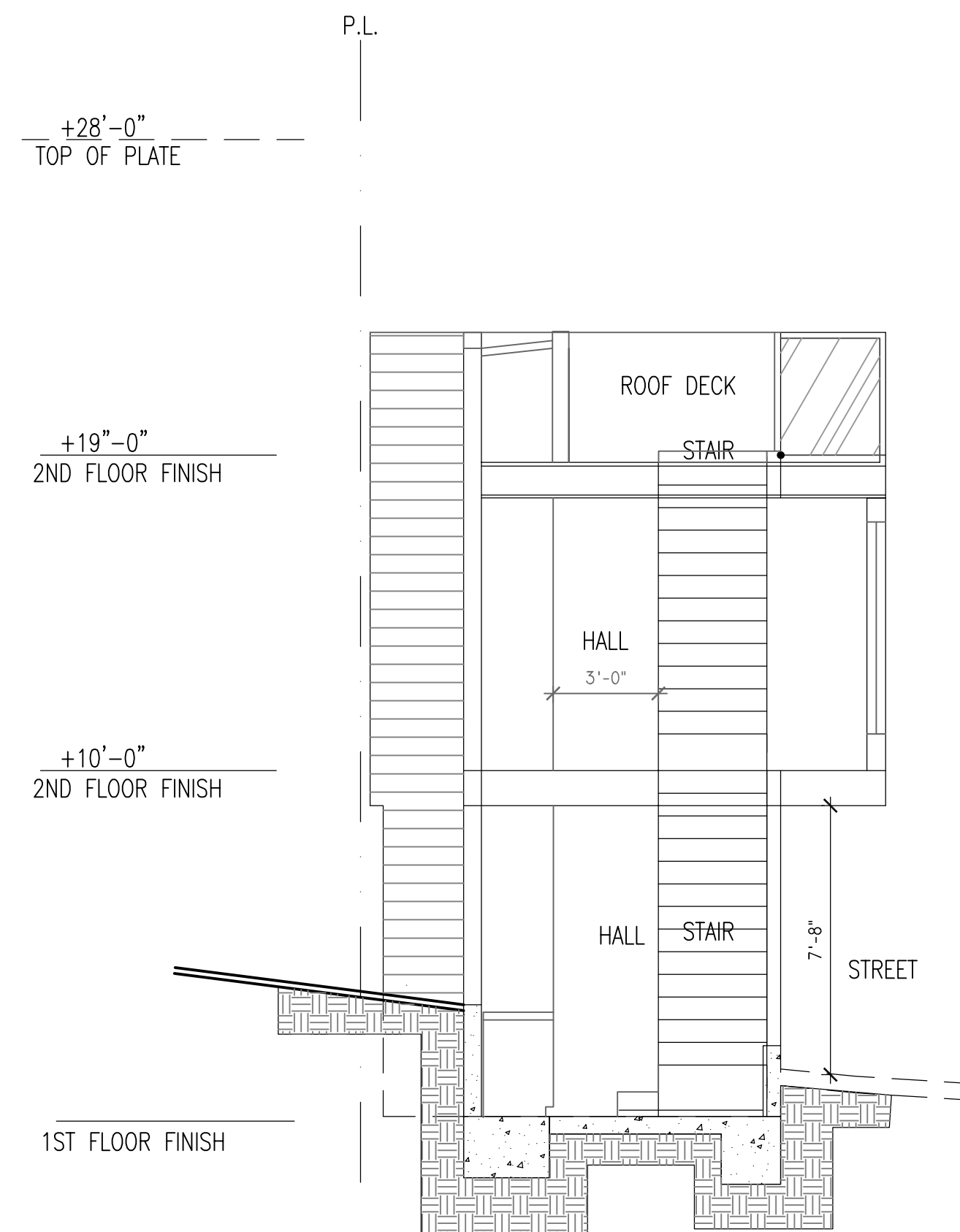


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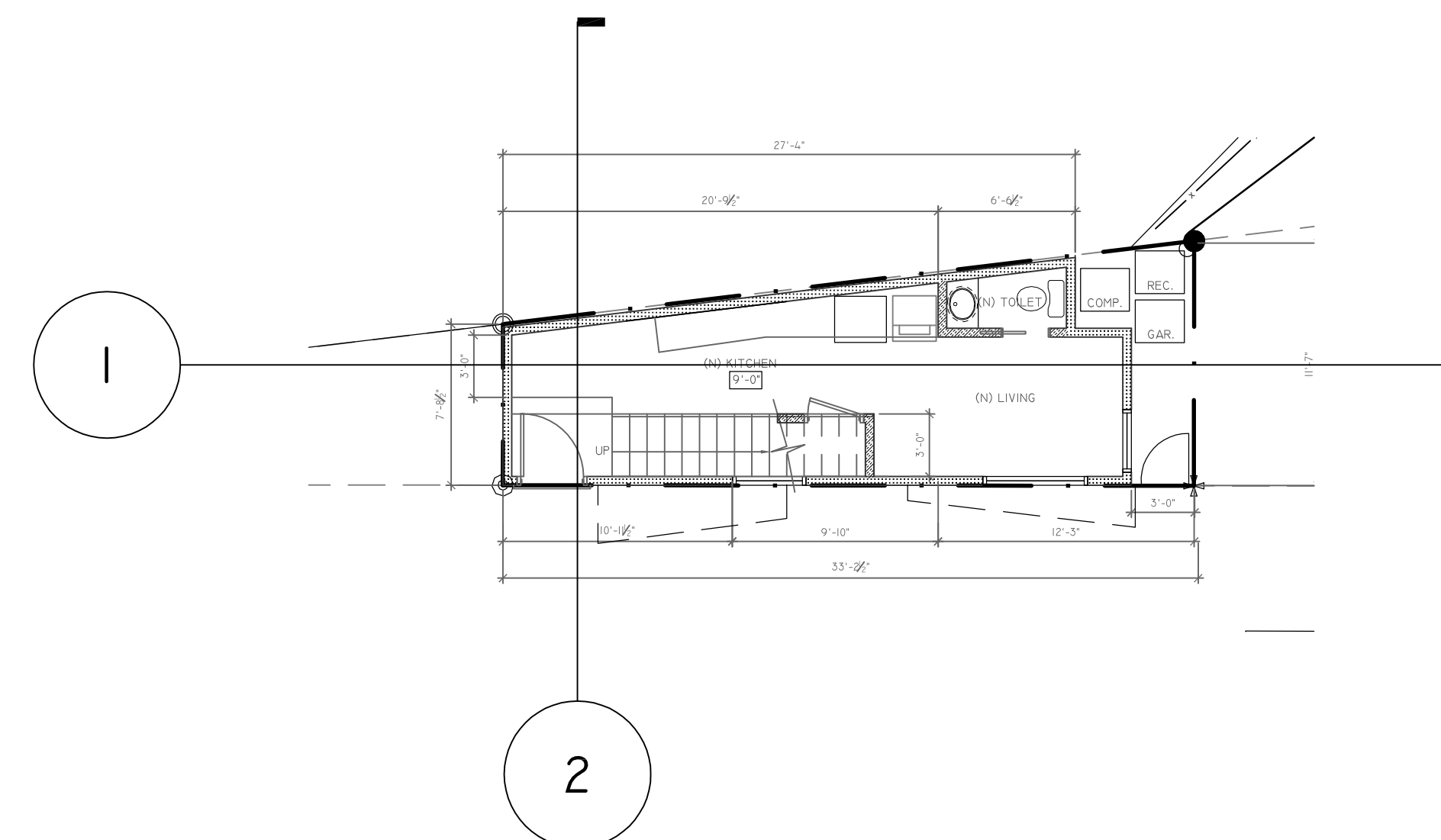
**EXTERIOR
ELEVATIONS**



I-BLDG LONGITUDINAL SECTION
SCALE: 1/4"=1'-0"



2-BLDG CROSS SECTION
SCALE: 1/4"=1'-0"



KEY MAP

PROJECT:

**NEW
RESIDENCE**

FOR

LE LUAN-VU

XIE ASSOCIATES, INC
Architectural Design & Planning
26 FARVIEW CT
San Francisco, Ca 94134
Tel: (415) 652-3047
Web: www.xiearchdesign.com
Website: www.xiearchdesign.com

**1230
GOETTINGEN ST
SAN FRANCISCO
CALIFORNIA**

DRAWN BY: KANGLI
CHECK BY:
DATE: 08/11/21



SHEET TITLE

BLDG SECTIONS

A4.0




314 Window

314 Back yard

312 Garden

1230 Goettingen Project

308 Back yard



This picture was taken at 9AM.
The sun is show from the south
side of apellant's building. Will not
impact sunlight at 306, 308, 312
and 314 Wilde Ave



This Picture
was taken in the
afternoon at 4:35 PM.
Sunlight is not getting hindered
in anyway for anyone concerned
about sunlight



NO PARKING
12am - 3am
FRIDAY
CITY OF OAKLAND

STOP

STOP

STOP



1230 Goettingen Project

BRIEF SUBMITTED BY THE APPELLANT(S) FOR THE HEARING ON AUGUST 18, 2021

Description of Variance Planning Code Section 134 , (no yard), Code 135 (useable open space) and Planning Code 136 (windows over right of way (as to be at least 10 ft about public right of way and this appears to be more like 7 ft on left side of building

Because no Building permits were filed, conditional variance was granted ... There are many concerns over outstanding and multiple design issues including code compliance issues. Extraordinary circumstances were stated by Planning Committee.

Rebuttal: This property was simply an awkward remainder of a division of two historic tracts that didn't follow the road that was put in. It encompasses only 22.5% of the absolute minimum required to build upon in an RH-1 district and is only 15.7% of a normal sized lot. It should never have been sold at fire sale prices, bringing in only about 2\$/day in tax revenue. It may be a legal lot of record, but it is NOT a buildable lot.

During the Appeal to the BOA on July 21st, over a half dozen immediate neighbors called in to protest the building of three floors in this two-story neighborhood. Their concerns were already noted, particularly to the appearance of a plinth wedge of a structure and citing privacy issues for a young family and elders in the neighborhood and the lack of parking and rain drainage, in addition to other environmental concerns. The Appeal Board is to be commended for asking for neighborhood input on the projects plans. As of August 11th, the architect has not met with the neighbors about their concerns as set by the BOA. Nor have they given any plans for the neighbors to peruse.

Since we have not yet seen any required plans, we can only assume that what is left is a two story building with a sliding roof hatch and property line setbacks on three sides for open space and one transit motel size bedroom with variances needed to create a bathroom for the entire house.

It is admirable to want to create housing in an overcrowded city, but how many homeless would be accommodated in an approx. 300 sq. Ft. building without any open space? In removing the third floor that held a bedroom and a shower, in addition of the stairwell and a pittance of an open space not big enough to even accommodate the width of a chair?

The entire lot cannot even park an RV (recreational vehicle) as the average RV is approximately 33 ft long and 8.4ft wide. It wouldn't even fit, but it does give the scale of the size of the lot. A sliding roof hatch requires a stairwell of some sort and that cuts a great deal of space allotted to the only bedroom and bathroom with an outside vanity that is already asking for a front over sidewalk variance.

This is an RH-1 district and has significant impact on all the neighboring properties in terms of Open Space, quality of life and the environment. The neighbors are for the most part elderly and quiet and this will affect them significantly with the noise and chaos of trying to fit in a slice of a two plus story building between building property lines with no space not to impinge on the neighboring properties, behind and next to it. Building on an unlevel lot with no sewer, electrical or water hookups on an unlevel lot needs most definitely care and respect, particularly with a utility pole, also not shown on any plans but is nonetheless there. There is no secondary egress for the neighbors if this is blocked in, nor is there a secondary egress in case of fire or earthquake for the project sponsors.

Environmentally, there is not adequate room for roof drains, utility meters, vents, water pipes, etc. as it is proposed covering the entire lot with no basement for any utilities, storage, etc. Like HVAC. Planning and Building codes have setbacks for a reason, and that includes sunlight, airflow, egress...and rain drainage as it is a downhill site and the water sheets down the hill.

As the building is right up to the sidewalk, and the sidewalk right up to the curb, there is no room of any kind for the natural air purifier from the overhanging bathroom and no more for any street plantings which might mitigate and contribute to the air quality of such tight quarters and window on the sidewalk line.

Overall, the lot does not seem to be legal for building, does not meet the existing neighborhood vibe and presents a spite wall to the Wilde Street neighborhood with regards to air quality, wind and airflow obstruction, potential blocked egress, loss of a small bit of natural open space, rain drainage and gives a bounce off heat sink to the neighborhood and more cars in an already congested area. It is not an ADU, which would require setbacks in any case. The cost of an ADU is around 250,000. according to the state's website and hookups for all services each carry their own costs, as do permits, etc. To continue down the path of this project would be an incredible waste of time and money and do little to promote harmony in the neighborhood.

Just because there's 390 square feet of open, irregular space, created historically in error by the City, there's no reason to build on it to create more problems than it solves having a transit motel size bedroom that serves one family with a hall runner size open space accessible by a roof hatch and extraordinarily little light due to lack of operable windows due to property line positioning and no venting or airflow for that family. It is disrespectful and absurd and divides the neighborhood. It would be a bad precedent for future tiny substandard parcels with lofty expectations. and better suited as open space... Or parking to relieve the congestion of the neighborhood.

Sincerely, Jacqueline Matherne, et al

DRAFT VARIANCE FINDINGS (TO BE CONSIDERED BY THE BOARD IN THE
EVENT THEY INTEND TO GRANT THE APPEAL)

**Board of Appeals
City and County of San Francisco
Appeal No. 21-053: Jacqueline Mathern v. Zoning Administrator
SUBJECT PROPERTY: 1230 Goettingen Street (CASE NO. 2020-005122VAR)**

DRAFT Variance Findings

On July 21, 2021 and August 18, 2021, this Appeal, filed by Jacqueline Mathern (“Appellant”) of the Zoning Administrator’s issuance of rear yard, usable open space and permitted obstruction variances in Case No. 2020- 005122VAR (“Variance”) came on before duly noticed hearings of the Board of Appeals (“Board”). The Variance permitted the construction of a single family, three-story building on a vacant, substandard lot subject certain conditions at 1230 Goettingen Street.

Having heard all the public testimony and reviewed all the documents in the record on the matter, including evidence submitted and testimony presented at the above-referenced hearings, the Board hereby GRANTS the appeal and OVERTURNS the Variance based on the following Findings:

Findings:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

Requirement Met.

- A. The subject lot was originally State-owned property and is uniquely small and shallow, having 33 feet of frontage, an average lot depth of only approximately 10 feet, and a lot area of only 392 square feet.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

Requirement Met.

- A. The project as proposed is minimal and given the small lot size and extremely short lot depth, there is no opportunity for Code-complying rear yard and usable open space for the proposed dwelling unit on the subject property. Due to the compact design, one of

the bay windows is needed to provide a bathroom, which requires less glazing for greater privacy. Additionally, the bedrooms bay is long, but shallow, which reduces its visual impact, but makes it practically difficult to meet the 1/3 glazing requirements on its sides. Literal enforcement of the Code in this situation would result in an unnecessary hardship and practical difficulty to develop the site in the most modest, minimally feasible manner possible.

FINDING 3.

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

Requirement Met.

- A. The lot is a legal lot of record per the 1946 Block Book. Granting this variance will allow the subject property to be improved with a modest building containing a small dwelling unit with as much usable open space that can be fit on a deck, while not otherwise impacting any surrounding properties or mid-block open space, which is a substantial property right possessed by other properties in the same class of district.

FINDING 4.

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

Requirement Not Met.

- A. The Board of Appeals finds that the proposed development does not comply with the Residential Design Guidelines, including provisions related to site design and building scale and form. The proposal results in the overdevelopment of the subject lot (which is a substandard lot of only 392 square feet), is not consistent with neighborhood character, and would have negative impacts on the light, air, and privacy of adjacent properties. As such, the proposal would be materially detrimental to the public welfare and materially injurious to the property and improvements in the vicinity.
- B. The Planning Department received three letters from neighbors in opposition to the proposed project. At the original variance hearing, one member of the public spoke in opposition to the project and three members of the public spoke in support of the project.
- C. Appeal No. 21-053 was filed by an adjacent neighbor on the Zoning Administrator's Variance Decision Letter granting the requested variance. The Board of Appeals received additional public comment during the appeal. While the comment included both support and opposition, the majority of the comment was in opposition to the

project.

FINDING 5.

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Requirement Not Met.

- A. This development is inconsistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority- planning policies and requires review of variance applications for consistency with said policies. While the project provides additional housing, it does so in a manner that is not in keeping with existing housing and neighborhood character.

The effective date of this decision shall be the date of this Notice of Decision and Order.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

The undersigned hereby certify that the findings above were adopted by the Board of Appeals at its regular meeting on August 18, 2021.

Darry Honda, President

Julie Rosenberg, Executive Director

Documents submitted for the hearing on July 21, 2021

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
JACQUELINE MATHERN,)
Appellant(s))
vs.)
ZONING ADMINISTRATOR,)
Respondent)

Appeal No. **21-053**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on June 14, 2021, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on June 3, 2021 to Le Luan-Vu, of a Variance Decision (The proposal is to construct a single family, three-story building on a vacant, substandard lot; Planning Code section 134 requires the rear yard to be at least 30% of the lot depth; the proposed building will cover the entire lot and provide no rear yard and therefore a rear yard variance is required; Planning Code Section 135 requires 300 square feet of usable open space for each dwelling unit and the project proposes only 93 square feet of usable open space on a 2nd floor deck and therefore a usable open space variance is required; the proposed bay windows do not meet Planning Code requirements and therefore a permitted obstruction variance is required; the Zoning Administrator granted the requested variances) at 1230 Goettingen Street.

APPLICATION NO. 2020-005122VAR

FOR HEARING ON July 21, 2021

Address of Appellant(s):

Address of Other Parties:

Jacqueline Mathern, Appellant(s) 308 Wilde Avenue San Francisco, CA 94134	Le Luan-Vu, Determination Holder(s) c/o Bill Guan, Agent for Determination Holder(s) Xie Associates, Inc. 26 Farview Court San Francisco, CA 94131
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Date Filed: June 14, 2021

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

PRELIMINARY STATEMENT FOR APPEAL NO. 21-053

I / We, **Jaqueline Mathem**, hereby appeal the following departmental action: **ISSUANCE of Variance Case No. 2020-005122VAR** by the **Zoning Administrator** which was issued or became effective on: **June 3, 2021**, to: **Bill Guan**, for the property located at: **1230 Goettingen Street**.

BRIEFING SCHEDULE:

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: 4:30 p.m. on **July 1, 2021, (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 should be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, scott.sanchez@sfgov.org and bill@xresearchdesign.com

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **July 15, 2021, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy should be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, scott.sanchez@sfgov.org and mathernjaqueline@icloud.com

The Board's physical office is closed to the public and hard copies of the brief do NOT need to be submitted.

Only photographs and drawings may be submitted by the parties at the hearing.

Hearing Date: **Wednesday, July 21, 2021, 5:00 p.m.**, 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 change 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 copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the preliminary Statement of Appeal.

Appellant or Agent (Circle One):

Signature: Via Email

Print Name: Jaqueline Mathem

Jaqueline Mathern
309 Wilde Ave
San Francisco, Ca 94134

REQUEST FOR APPEAL

To: San Francisco Board of Appeals
From: Jaqueline Mathern
Phone: 415-467-9022
Email: mathernjaqueline@icloud.com
Date: June 14, 2021
Re: San Francisco Planning Department Variance Approval

Appeal Request to reverse the approval of Variance Decision
Case No. 2020-005122VAR 1230 Goettingen St.

1. Project has Absolutely no rear yard and is proposed on an extremely small lot of 392 sq ft. in an RH-1 zoned area not near a corner.
2. Variance states only open space is 93 sq.ft. on a 2nd floor deck. Plans show it as actually a 3rd floor deck, much higher than the two-story existing dwelling further up the hill to the south.
3. Substantial detrimental impact to all of the adjoining properties, loss of light, open space, etc. in clear violation of Planning Department guidelines and historic and documented prior decisions.
4. Architect did not show up for the pre-planning meeting onsite.
5. Project sponsors do not possess a "CLEAR TITLE" to the lot, which is already occupied .
6. At phone-in hearing, unknown technical issues did not allow myself or other concerned neighbors to weigh-in on the matter.



VARIANCE DECISION

Date: June 3, 2021
Case No.: 2020-005122VAR
Project Address: 1230 GOETTINGEN ST
Block/Lots: 6177 / 002
Zoning: RH-1 (RESIDENTIAL- HOUSE, ONE FAMILY)
Height/Bulk: 40-X Height and Bulk District
Applicant: Xie (Bill) Guan
26 Farview Court
San Francisco, CA 94131
Owner: Diep Man Thanh
312 Wilde Avenue
San Francisco, CA 94134
Staff Contact: Kimberly Durandet – 628-652-7315
kimberly.durandet@sfgov.org

Description of Variances – Rear Yard, Usable Open Space, Permitted Obstruction Variances Sought:

The proposal is to construct a single family, three-story building on a vacant, substandard lot.

Planning Code Section 134 requires the rear yard to be at least 30% of lot depth. The proposed building will cover the entire lot and provide no rear yard. Therefore, a variance is required.

Planning Code Section 135 requires 300 square feet of usable open space for each dwelling unit. The project proposes only 93 square feet of usable open space on a 2nd floor deck. Therefore, a variance is required.

Planning Code Section 136 permits bay window projections over the public right of way meeting certain dimensional requirements, having at least 1/3 of the glazing on the sides of the bay, and having at least 50% of the total vertical surfaces of the bay glazed. The proposed bay windows do not meet this requirement. Therefore, a variance is required.

Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.
2. The Zoning Administrator held a public hearing on Variance Application No. 2020-005122VAR on March

24, 2021.

3. No associated building permit has yet been filed for this project.

Decision:

GRANTED, in general conformity with the plans on file with this application, shown as EXHIBIT A, to construct a single family, three-story building on a vacant, substandard lot, subject to the following conditions:

1. The glass area of the vertical surface of the portion of the bedroom bay facing the street shall be not less than 50 percent of the area of that vertical surface. This condition does not include the side areas of the bay.
2. Bicycle parking shall be provided as required by the Planning Code.
3. The project sponsor shall continue to work with the Planning Department to address outstanding design concerns.
4. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if (1) a Site or Building Permit has not been issued within three years from the effective date of this decision; or (2) a Tentative Map has not been approved within three years from the effective date of this decision for Subdivision cases; or (3) neither a Site or Building Permit or Tentative Map is involved but another required City action has not been approved within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
5. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
6. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
7. Minor modifications as determined by the Zoning Administrator may be permitted.
8. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
9. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project, if

applicable.

Findings:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

Requirement Met.

- A. The subject lot was originally State-owned property and is uniquely small and shallow, having 33 feet of frontage, an average lot depth of only approximately 10 feet, and a lot area of only 392 square feet.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

Requirement Met.

- A. The project as proposed is minimal and given the small lot size and extremely short lot depth, there is no opportunity for Code-complying rear yard and usable open space for the proposed dwelling unit on the subject property. Due to the compact design, one of the bay windows is needed to provide a bathroom, which requires less glazing for greater privacy. Additionally, the bedrooms bay is long, but shallow, which reduces its visual impact, but makes it practically difficult to meet the 1/3 glazing requirements on its sides. Literal enforcement of the Code in this situation would result in an unnecessary hardship and practical difficulty to develop the site in the most modest, minimally feasible manner possible.

FINDING 3.

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

Requirement Met.

- A. The lot is a legal lot of record per the 1946 Block Book. Granting this variance will allow the subject property to be improved with a modest building containing a small dwelling unit with as much usable open space that can be fit on a deck, while not otherwise impacting any surrounding properties or mid-block open space, which is a substantial property right possessed by other properties in the same class

of district.

FINDING 4.

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

Requirement Met.

- A. The proposed development is modest and down-slope from the neighboring properties fronting Wilde Avenue. As such, it will not materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity or the mid-block open space.
- B. The Planning Department determined the project to be overall consistent with the Residential Design Guidelines. However, this variance is conditioned such that the project sponsor shall continue to work with the Planning Department to address outstanding design concerns during the review of the associated building permit application.
- C. The Department received 3 letters from neighbors in opposition to the proposed project. At the hearing 1 member of the public spoke in opposition to the project and 3 members of the public spoke in support of the project.

FINDING 5.

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Requirement Met.

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
 - 1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
 - 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will add one small dwelling unit on the property.
 - 3. The proposed project will have no effect on the City's supply of affordable housing.
 - 4. The proposed project does not adversely affect neighborhood parking or public transit.
 - 5. The project will have no effect on the City's industrial and service sectors.
 - 6. The proposed project will have no effect on the City's preparedness to protect against injury and loss

of life in an earthquake.

7. The project will have no effect on the City's landmarks or historic buildings.
8. The project would not affect any existing or planned public parks or open spaces.

The effective date of this decision shall be either the date of this decision letter if not appealed, or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is used, all specifications and conditions of the variance authorization become immediately operative.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit www.sfgov.org/bdappeal.

Very truly yours,



Corey A. Teague, AICP
Zoning Administrator

This is not a permit to commence any work or change occupancy. Permits from appropriate departments must be secured before work is started or occupancy is changed.

BRIEF SUBMITTED BY THE APPELLANT(S)

JACQUELINE MATHERN

Dear Sir or Madam:

I am writing this brief and enclosing some details about the tiny little “so called” lot that semi-exists only as a vacant lot on the City’s charts, and not in actual reality. When I bought my home in 1965 at 308 Wilde Avenue, this lot was not delineated as separate from mine or any other property. The only evidence of something strange was an old rotten phone/utility pole which caused a slight angle to the existing fence line between 308 and 312 Wilde, Lots 4 and 5. Even the wall/fence between 308 and 306, lots 4 and 3 is, and always has been straight and true, and does not correspond to the dogleg on the assessor’s map.

Over the years I have been approached to purchase this property, but as a real estate agent I know the laws, and determined that this property had no value. Besides, I had been unknowingly occupying 75 percent or more of it already. In addition it is I that shouldered the costs of maintaining this property for the last 55 years. I can show invoices for a concrete pad to prevent mud slides, plus the cost of fencing, tree removals instigated by the applicants and trash cleanup on the side of the fence-divided lot 2 (lot in question) that is not even part of my yard. A small piece of this little lot over the years was used for illegal dumping and while the owners and their heirs came and went, none wanted to share in the cost of upkeep. I did show up to a tax deed auction, but on sign-in I was told the owners had redeemed the property and they returned my check for the delinquent taxes. Years later a speculator bought it at another tax deed auction, as the owners and their heirs had finally decided to let it go. I had a few discussions with this gentleman, but since he only had a Tax Deed without clear title, not the Grant Deed, and 312- Lot 5 (applicants) had already grabbed and fenced the other 25% of it, it was a foolish game. The folks at 312 land-

grabbed the 25 percent of the lot long before the owners even stopped paying their taxes, please see enclosed photos. My Attorney advised me to leave it as-is. Those folks at 312 Wilde continue to pester me with their overgrown yard. I installed a double fence well within my own property, and shortly thereafter they started removing the original fence which they had destroyed and did not want to pay half for. The lad once tricked me into cutting down two healthy beautiful trees, an evergreen and a holly that were on this lot, stating that they were attracting all kinds of dangerous unhealthy bugs and his family was getting sick. Years later I reminded him of this, and he can't even remember his own lies. Also, does this not acknowledge that I am the rightful owner? I went to two title companies and both said that they would never provide insurance on the lot, at it was grossly undersized and completely illegal at only 392 sq feet. It is my opinion that this lot should be stricken from the Reis tract map for Block 6177, and redrawn as the boundaries stand today and have for more than 100 years. I am prepared to and will fight this in court. I've already started initial consultations with a local law firm, Adverse possession laws come to mind in this case

Getting back to the proposed project, the oversized height, size and scope and such egregious requests for multiple variances are astounding! When so many established guidelines have to be ignored one would question if the project has any merit at all! I can hardly believe that the applicants would waste their time and money, if not for the fact that the one lad, "Luan Vu Le" works at city hall and somehow believes he can sneak this one by. This is no "tiny house". It is an awkward plank that sticks way above and does not relate in any way to the neighboring Goettingen street roof lines, has no yard, no off-street parking, and proposed windows in my backyard, only a few meters from my legal rear deck. They even propose to grab some street property and even amend the requirements to do so acceptably as if this RH-1 neighborhood is some kind of high-density transit corridor! ***They***

are stifling any movement of fresh air in this small already developed corridor, blocking sunlight to three thriving gardens including mature fruit trees. They are greatly inconveniencing the three neighbors on all sides. Their own yard is already completely jam-packed with annoying distractions and an ADU cottage that recently appeared. In addition, this tall structure with an internal dimension of less than 6 feet at one point will be in full sunlight front to back for the entire day, likely requiring a lot of power to keep cool, further impacting the environment. The sponsor/architect did not even show up at the pre-planning meeting that was scheduled so that I could voice my initial concerns. As it was a dark and cold evening, I sent a representative to the street side of the fence to await their arrival while I monitored the situation from my rear deck. Nobody showed up. This cannot be allowed to proceed. It amounts to nothing more than a “spite wall” and an attempt at a cash-grab, with no regards or thought of the well being and peaceful enjoyment being robbed from their neighbors.

Sincerely, Jackie Mathern, et.al

From: [Mathern Jacqueline](mailto:Mathern_Jacqueline)
To: [BoardofAppeals \(PAB\)](#); [Sanchez, Scott \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); bill@xiearchdesign.com
Subject: Fwd: NE and Sw corners 1230 goettingen
Date: Thursday, July 1, 2021 9:07:33 AM

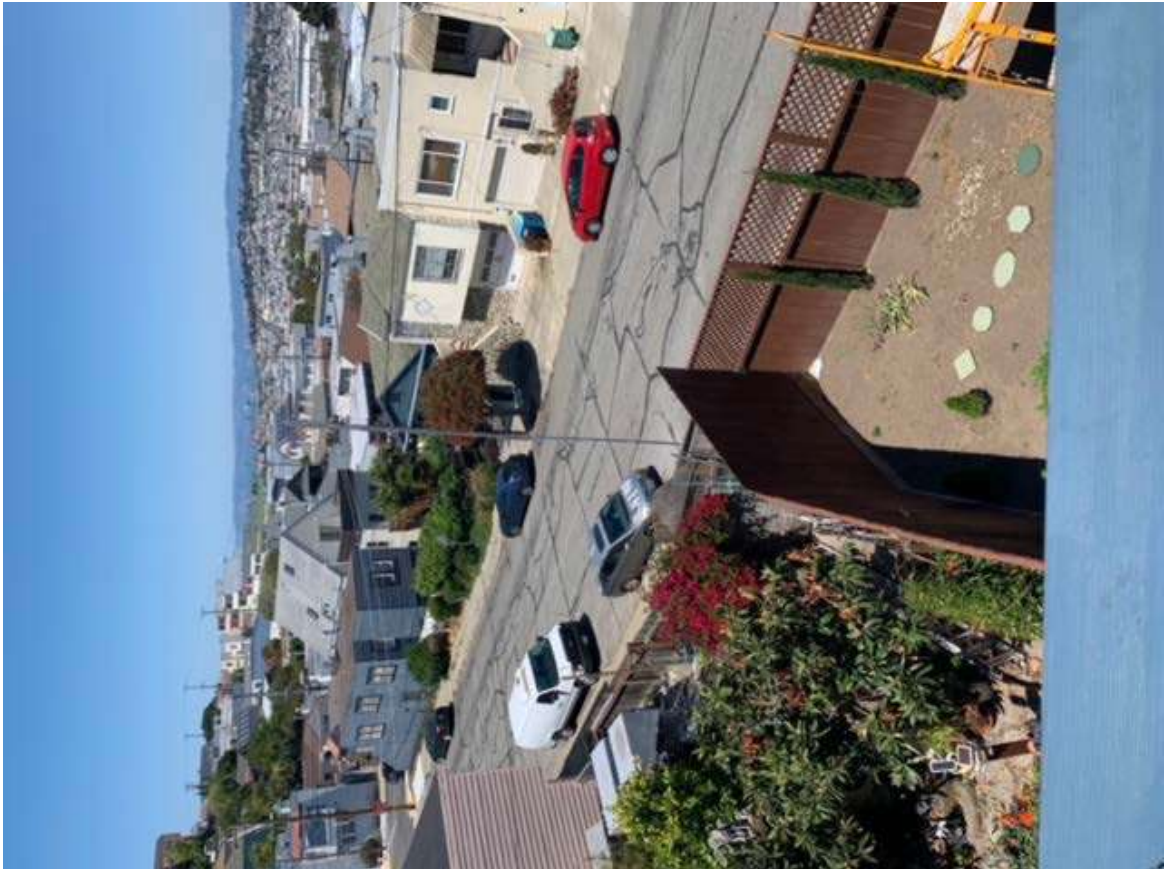
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sent from my iPad

Begin forwarded message:

From: joe bojanowski <bojo444@yahoo.com>
Date: July 1, 2021 at 9:02:20 AM PDT
To: Mathern Jacqueline <mathernjacqueline@icloud.com>
Subject: NE and Sw corners 1230 goettingen

Storey pole at NE corner at 27ft, SW corner at 20 ft, to account for finished floor to be set in grade approximately 4 ft















Sent from my iPhone

DETERMINATION HOLDER'S BRIEF

Brief from the 1230 Goettingen St Property Owner

The reason why a variance was requested since this is a sub-standard legal lot. It was legalized in 1947 by the State of California and grandfathered into the City of San Francisco when the land was given to San Francisco by the State of California. The lot is a small substandard lot which required the Variance to not have a rear yard. For that variance to be approved of, there needed to be some open space for any future occupants to utilize. I am not sure where the appellant may have misunderstood but the open space deck will be above the 2nd-floor space which is the 3rd floor. The plans are to have 2 rooms of at least a decent size for a small family with 1 or 2 children.

The appellant states she will lose open space. The appellant will not lose any open space, since the space being reclaimed never belonged to the appellant in the first place. **(See Exhibit 1)**. The appellant states that space is occupied yet her name has never been on any recorded documents. She has never paid any property taxes to the Tax Collector's Office in regards to the lot in question. So to reiterate, the Appellant will not lose any open space since space never belonged to her. I have a section of a letter she wrote to the Variance Committee stating she did not buy the land since she said it had no value. It is not the appellant's decision to say that land has no value. That is a decision only the City and County of San Francisco can make. **(See Exhibit 2)**.

The appellant states the project is an inconvenience to neighbors. The building and planning commissions don't protect views and sunlight, but stating that matter sunlight will not be blocked from the fruit trees. The building project is being built at least 6 feet away to the north from the trees so it will not be a hindrance. I have talked to the

Asian family that lives where the fruit trees are located the project will not affect them they mentioned. The Asian family wanted to stay as a neutral party since they will be unaffected by the project. This is a ruse lead on by the appellant to try to appeal to the sentiments of the appeal board. A note to mention the sunlight comes from the southern side of the location and not directly from the east, thereby, sunlight will not be taken away from the location. **(See Exhibit 6, 7, 8, and 9)**. As another note to mention for the appellant, had she been to the variance hearing, she would have known that the backside windows will be removed from the architect plans when finally approved by the city planning commission and building departments.

The appellant mentions about the trees she had someone cut down was her own decision. I did mention to her at one point about bird bugs or bird mites was what a friend of mine who worked at Terminix at the time called them was appearing around my roof area and into my home. I was trying to be nice and let her know about the situation in case if they were getting into her house. I even let the other neighbor and appellant next to me know. I never said anything about my family being sick. The bugs happen to appear every year sometime around the end of spring to early or mid-summer. This process at the time suddenly happened and continued for a few years. In the year 2013, I had my roof redone and skylights replaced to install solar panels for my home at which point during the process I sprayed my roof with Bora-care / Tim-Bor to make sure the bugs died and since then no more bugs have appeared. Her saying I tricked her into cutting down her trees is her way of twisting my words around making myself sound like the villain when I am not.

A title company will mainly supply an escrow title with property on the land. Escrows are not required for land contracts. She said she wanted to get an escrow for the land which is not required more or less as an excuse to not buy the land and just take the land for her use. Appellant mentioned she went to a couple of title companies and none would help her. I am not sure if that is a blatant lie or not but I am sure title companies will gladly at least do a title guarantee which is equivalent to an escrow title report to make sure the land is clear of any liens. **(See Exhibit 3 and 4)**. I have a document from the current owner with permission from Greg Forbes the previous owner that showed any previous taxes on the lot not paid for by Maxine Hoagland's family have been levied by the San Francisco Tax Collector when Greg Forbes bought the land. **(See Exhibit 5)**.

The appellant said she had to shoulder the responsibilities to maintain the site. I am wondering why she needed to do so? She should have followed proper procedures and reported to the City and County of San Francisco that the lot was being used for illegal dumping. The city would then route the complaint to the proper department to have that specific department resolve the issue with the owner of the land at that time. The appellant did not do that process and should not have shouldered any cost at all unless she wanted to purposely occupy the land without purchasing it from the owner at that time.

The appellant stated that the architect did not show up for the pre-planning meeting onsite. That is a false statement. The architect was with the owner at the time of the meeting to the end and no one showed up. They were there waiting for around 2 hours on Dec 18, 2019, starting at 6 pm for anyone to show up that wanted to discuss

the architectural plans. The appellant did contact my office telling me that the lot was illegal and said she will not go to the pre-planning meeting even after I told her the lot is legal. **(See Exhibit 10 and 11)**

The appellant states why the owner of lot 002 did not split the cost of her new fence in half. Here is a document from the appellant sent to the variance commission stating she built a brand new fence since she saw her water bill go up and was wondering why. The appellant accuses my client saying they open their fence and stole her water without any proof. My client told me they never did such a thing. She is a very paranoid person that thinks everyone is against her without any reason. **(See Exhibit 12)**

The owner and I do not know what phone technical difficulties you were having during the Variance meeting, but the owner and I have read the letters of your complaint to the Variance Committee. The appellant and Joseph Bojanikowski wanted to be anonymous and did not want the owner or me to know that they were the ones complaining about the Project Variance. Unfortunately for any complaint about the Variance, we are required to know so if needed can make changes to the design within scope. Since you already opted to stay anonymous in your letter I doubt that they wanted to talk at the Variance Hearing. It was quite convenient that your phone suddenly worked after the Variance meeting when you called my office and threatened me saying I will not be able to build this home.

Also attached as exhibits are letters for support of my project from some of the community members living in the area. **(See Exhibit 13-17)**

Exhibit 1

Document Type: Officials Clear All

Grantor/Grantee Name:

Grantor/Grantee Name: Grantor or Grantee

Titles: --All Types--

Document Date: 01/02/1990 To: 06/10/2021

Document Number: To:

Old Doc Number: To:

Block: 6177

Lot: 002

[Search](#) [Basic Search](#) [Custom Sort by](#)

Search Result: 7 Documents
 [Criteria: OfficialRecords, 01/02/1990, 06/10]

10 / Page

Refine Result

- Title(s)**
- TAX DEED ... (2)
 - NTC POW... (2)
 - DEED (1)
 - RESCISSI... (1)
 - NTC SPECI... (1)
- Names**
- hoaglund m... (5)
 - sftc (5)
 - forbes greg (3)
 - diep man th... (2)
 - le luan-vu (2)

Document Number	Document Date	Title(s)	Names		
2021091250	6/7/2021	NTC SPECIAL RESTRICTIONS	(R) LE LUAN-VU (E) SF PLANNING		
2019819388	8/26/2019	DEED	(R) FORBES GREG (E) DIEP MAN THANH		
2015107636	8/10/2015	TAX DEED DFLTD PRPRTY	(R) SFTC (E) FORBES GREG		
2015105995	8/5/2015	RESCISSION NTC DEFAULT	(R) SFTC (E) HOAGLUND MAXINE V		
2015073413	6/9/2015	TAX DEED DFLTD PRPRTY	(R) HOAGLUND MAXINE V (E) FORBES GREG		
2014848805	3/11/2014	NTC POWER SELL TAX DFLTD	(R) HOAGLUND MAXINE V (E) SFTC		
2003520342	8/25/2003	NTC POWER SELL TAX DFLTD	(R) HOAGLUND MAXINE V (E) SFTC		

Over the years I have been approached to purchase this property, but as a real estate agent I know the laws, and determined that this property had no value. Besides, I had been unknowingly occupying 75 percent or more of it already. In addition it is I that shouldered the costs of maintaining this property for the last 55 years. I can show invoices for a concrete pad to prevent mud slides, plus the cost of fencing, tree removals and trash cleanup on the side of the fence-divided lot 2 that is not even part of my yard. A small piece of this little lot over the years was used for illegal dumping and while the owners and their heirs came and went, none wanted to share in the cost of upkeep.

Compose

Inbox 279

Starred

Snoozed

Important

Sent

Drafts 5

Categories

Social 26

Updates 405

Forums

Promotions 837

Building tip

Galang

Garden planting info 23

gia chanh 60

Personal

Suc Khoe 16

t

New meeting

Join a meeting

gouts

Kathy +



Fw: 1230 Goettingen St, SF, CA 94134



Veronica Tran

to me

Mon, Jun 14, 3:57 PM (2 days ago)



Hi co Cathy, please read email below from title company.

Veronica Tran
415-468-2785
Real Estate Broker
CalBRE #01222121

----- Forwarded Message -----

From: Silvia Barragan <sbarragan@firstam.com>
To: Veronica Tran <tranrealestate0157@sbcglobal.net>; Joanne Wong <jjwong@firstam.com>
Sent: Monday, June 14, 2021, 03:38:40 PM PDT
Subject: 1230 Goettingen St, SF, CA 94134

Hi Veronica, we do not sell/issue prelim reports unless we're handling a transaction, we can do a title guaranty which is the equivalent and the cost is 500.00.

Best Regards,

Silvia Barragan

Branch Manager/Sr. Escrow Officer



161 Homer Avenue

Palo Alto, CA 94301

Main 650-323-7775

Direct 650-838-1705 or 650-304-4709

Fax 888-299-0263

Email: sbarragan@firstam.com

LOUIS ,

MORE INFORMATION TO YOU READY FOR THE SURVEYORS. .

I BOUGHT MY HOUSE IN 1965 , I HAD NO KNOWLEDGE OF LOT 2 ,
IN 1993 , THE OWNER OF LOT 2 WANTED TO SELL HER LOT 2
FOR \$6,000 , I SAID NO , SHE TRIED OVER THE YEAR WITH
REAL ESTATE , BUT DIFFICULT TO SELL , THE SUPERFICIAL
OF THE LOT IS ONLY 392 SQUARE FEET ,

MAXINE HOLLAND , DIED IN 2012 , THE LOT WAS PURCHASED
BY GRAIG FORBES IN 2014 , THE TITLE WAS ONLY A
{TAX DEED SALE} THAT REQUIRED HIM TO GO TO COURT
TO CLEAR THE TITLE .

IN 2015 , I DO AS A NEGOTIATOR , HE WAS LIVING IN AN
ANOTHER STATE , I WAS TRYING TO PURCHASE THIS
LOT , THAT IS MOSTLY AN INCONVENIENCE , WORK AND COSTS ,
HE FINNALLY DECIDE ON THE PRICE .

RECORDING REQUESTED BY:
COUNTY OF SAN FRANCISCO
DEPARTMENT OF TAX COLLECTOR

AND WHEN RECORDED MAIL TO:

GREG FORBES
17411 HIGHWAY 82
CARBONDALE CO 81623



San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2015-K107636-00

Acct 19-San Francisco Tax Collector
Monday, AUG 10, 2015 09:01:49
Ttl Pd \$18.00 Rcpt # 0005203764
oma/MA/1-1

Document Transfer Tax - computed on full value of property conveyed \$15.00


Signature of Declarant

CORRECTED TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for fiscal year 1998-1999
and for nonpayment were duly declared to be in default. 98-03081 (Default Number)

This deed is issued to replace/correct a deed issued June 5, 2015 by David Augustine, which misstated the sale date. This deed, between the Tax Collector of SAN FRANCISCO County ("SELLER") and GREG FORBES, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY ("PURCHASER"), conveys to the PURCHASER, free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, the real property described herein which the SELLER sold by public auction to the PURCHASER GREG FORBES on April 24, 2015, pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$2,926.00.

No taxing agency objected to the sale.

In accordance with law, the SELLER hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to:

HOAGLUND MAXINE V described as follows: **Assessor's Parcel Number** 37-6177-002

State of California)
County of San Francisco) Executed on August 7, 2015

David Augustine, Tax Collector
of the County of San Francisco
State of California



By _____

A notary public or another officer completing this certificate verified only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
SAN FRANCISCO COUNTY

On August 7, 2015, before me, Nikhila Pai, Deputy County Clerk and Property Tax Manager, personally appeared DAVID AUGUSTINE, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.




County Clerk and Ex Officio Clerk or Notary Public

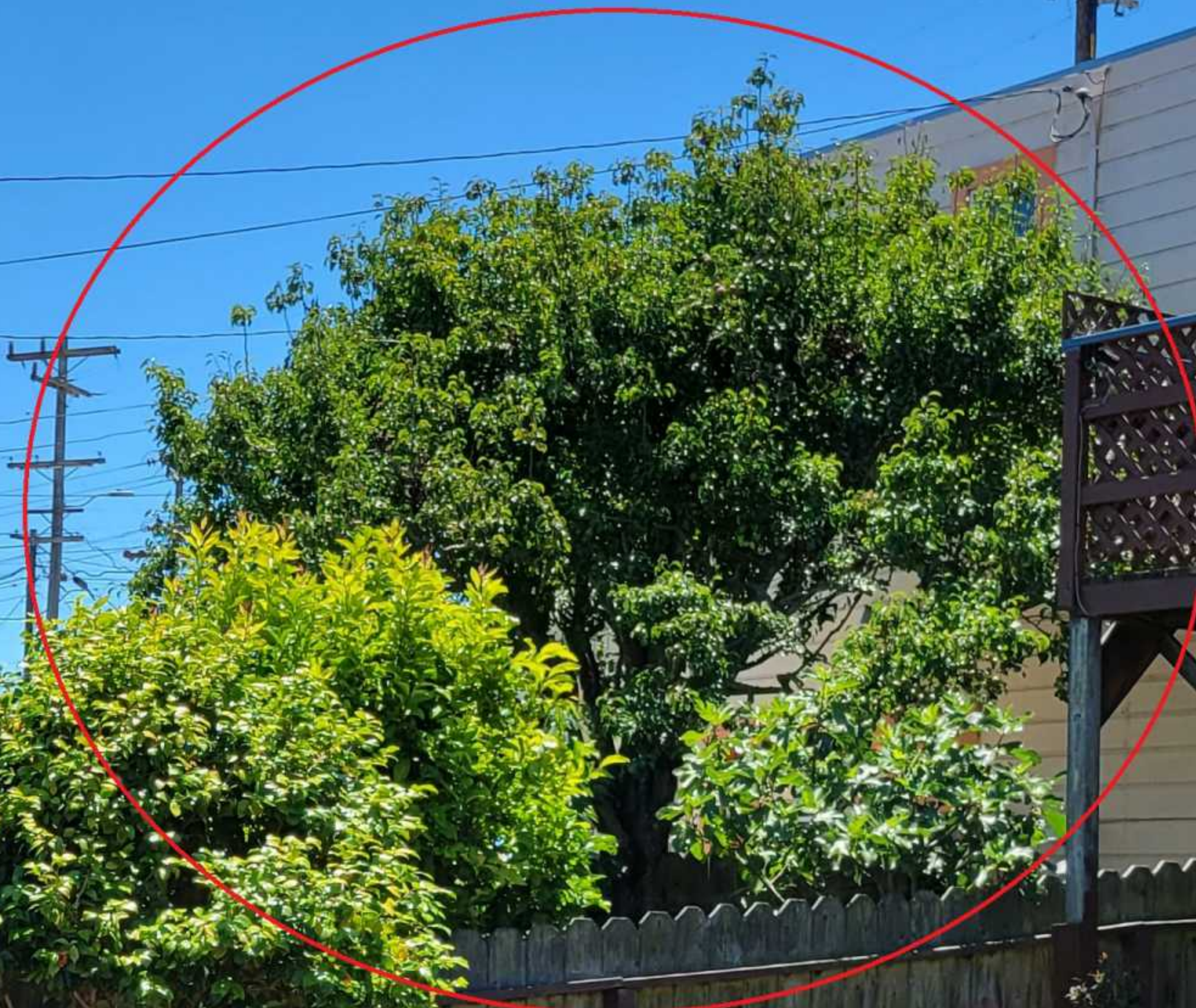


Shadow pointing to the North showing Sun is from the South.





Fruit Trees



NO PARKING
12 NOON TO 3 PM
FRIDAY

NEIGHBORHOOD MEETING

XIE ASSOCIATES, INC

ARCHITECTURAL DESIGN

26 Farview Ct
SAN FRANCISCO, CA 94131
TEL: (415) 652-3047

Adj. neighbors

1230 Goettingen St
312 Wilde Ave
306 Wilde Ave
300 Wilde Ave
308 Wilde Ave
314 Wilde Ave
316 Wilde Ave
1228 Goettingen St
1231 Goettingen St
1237 Goettingen St
1243 Goettingen S

Neighborhood Group

Aron Peskin	city wide
Sue Hestor	
Rex Tabora	
Shamann Walton	
Adrain Simi	city wide
Mary Miles	city wide
George Wooding	city wide
Chuch Turner	city wide
David Villa-lobos	city wide
Kyle Borland	
Jason Castleberry	
Bradley Angel	
Stephan Williams	
Morgan Noble	
Balint/seeber Leseley Kohn	
Nadia Sesay	
Anietie Ekanem	
Mary Ratcliff	
Joelle Kenealey	city wide
Ted Gullicksen	city wide
Tim Paulson	city wide
Danny Campbell	city wide
Dana Beuschel	city wide
John Valdez	city wide
Francesca Panullo	
Russel Morine	
Fran Martin	

XIE ASSOCIATES, INC.

26 Farview Court
San Francisco, CA 94131
415-652-3047

SAN FRANCISCO CA 9410

03 DEC 2019 AM 5 L



XIE ASSOCIATES, INC.

26 Farview Court
San Francisco, CA 94131
415-652-3047

94131-121226



NOTICE OF PRE-APPLICATION MEETING

Date: 12.03.2019

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 1230 Goettingen St, cross street(s) Wilde ave/Harkness ave (Block/Lot#: 6177/004); Zoning: RH-1, in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive formal notification from the city after the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction subject to Section 311;
- Any vertical addition of 7 feet or more subject to Section 311;
- Any horizontal addition of 10 feet or more subject to Section 311;
- Decks over 10 feet above grade or within the required rear yard subject to Section 311;
- All Formula Retail uses subject to a Conditional Use Authorization;
- PDR-1-B, Section 313;
- Community Business Priority Processing Program (CB3P).

The development proposal is to: Construction a new three-stroy single family dwelling unit on a vacant lot facing Goettingst

Existing # of dwelling units:	<u>0</u>	Proposed:	<u>1</u>	Permitted:	<u>2</u>
Existing bldg square footage:	<u>0</u>	Proposed:	<u>610</u>	Permitted:	<u>1200</u>
Existing # of stories:	<u>0</u>	Proposed:	<u>3</u>	Permitted:	<u>4</u>
Existing bldg height:	<u>0</u>	Proposed:	<u>27</u>	Permitted:	<u>40-X</u>
Existing bldg depth:	<u>0</u>	Proposed:	<u>33</u>	Permitted:	<u>33</u>

MEETING INFORMATION:

Property Owner(s) name(s): LE LUAN-VU

Project Sponsor(s): Xin Guan

Contact information (email/phone): bill@xianarchdesign.com/415-632-9047

Meeting Address*: 1230 Goettingen St

Date of meeting: Dec 10 2019 Time of meeting**: 06:00-07:00pm

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

AFFIDAVIT OF CONDUCTING A PRE-APPLICATION MEETING

I, Xie Guan, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction, alteration or other activity prior to submitting a Project Application with the Planning Department in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at 1230 Goettingen St (location/address) on Dec. 18, 2019 (date) from 06:00-07:00pm (time).
3. I have included the mailing list, meeting invitation and postmarked letter, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED ON THIS DAY, Dec. 18, 2019 IN SAN FRANCISCO.

Xie Guan

Signature

Xie Guan

Name (type or print)

Architect

Relationship to Project (e.g. Owner, Agent)
(if Agent, give business name & profession)

1230 Goettingen St

Project Address

PRE-APPLICATION MEETING SIGN-IN SHEET

Meeting Date: Dec. 18 2019

Meeting Time: 06:00 to 07:00 pm

Meeting Address: 1230 Goettingen St

Project Address: 1230 Goettingen St

Property Owner Name: Le Luan-VU

Project Sponsor/Representative: Xie Guan

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1.					<input type="checkbox"/>
2.	One neighbor call, but no one show up at the meeting				<input type="checkbox"/>
3.					<input type="checkbox"/>
4.					<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>
15.					<input type="checkbox"/>
16.					<input type="checkbox"/>

SUMMARY OF DISCUSSION FROM THE PRE-APPLICATION MEETING

Meeting Date: Dec. 18, 2020

Meeting Time: 06:00-07:00pm

Meeting Address: 1230 Goettingen St

Project Address: 1230 goettingen St

Property Owner Name: Le Luan-Vu

Project Sponsor/Representative: Xie Guan

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): _____

none

Project Sponsor Response: _____

none

Question/Concern #2: _____

Project Sponsor Response: _____

Question/Concern #3: _____

Project Sponsor Response: _____

Question/Concern #4: _____

Project Sponsor Response: _____

NEIGHBORHOOD MEETING

XIE ASSOCIATES, INC

ARCHITECTURAL DESIGN

26 Farview Ct
SAN FRANCISCO, CA 94131
TEL: (415) 652-3047

Adj. neighbors

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Neighborhood Group

Aron Peskin	city wide
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George Wooding	city wide
Chuch Turner	city wide
David Villa-lobos	city wide
Kyle Borland	
Jason Castleberry	
Bradley Angel	
Stephan Williams	
Morgan Noble	
Balint/seeber Leseley Kohn	
Nadia Sesay	
Anietie Ekanem	
Mary Ratcliff	
Joelle Kenealey	city wide
Ted Gullicksen	city wide
Tim Paulson	city wide
Danny Campbell	city wide
Dana Beuschel	city wide
John Valdez	city wide
Francesca Panullo	
Russel Morine	
Fran Martin	

8/1/2017 - Build Fence

Before THAT DATE I DID NOTICE A LARGE CONSUMPTION OF MY WATER, FOR MORE THAN 2 YEARS AFTER I PAID ATTENTION TO MY WATER BILLS, SINCE I WAS HOME 3 TO 4 DAYS PER WORK. I CHECKED IF I HAD LEAK. BUT NONE. THEN I LOOK FOR SOMEONE WHO WERE GETTING INTO MY BACKYARD.

SO I DECIDED TO BUILD A NEW FENCE SO I DID / ON 8/01/2017 COMPLETION DATE.

I REALIZED THAT 312 NEXT DOOR WERE IN THEY JUST HAD TO REMOVED 2. BOARDS FROM THE OLD FENCE, THAT WAS EASY.

BUT I COULD NOT PROVE AND NEVER SAID ANYTHING.

SINCE THEN, THERE IS A LOCK ON IT, AND MORE DIFFICULT TO GO OVER THAT HIGHER FENCE -

■



76.3%



To the SF Appeal Board Members

July 5, 2021

Regarding:

Case #2020-005122VAR

Appeal #21-053

I am writing this letter in support of my friend, Luan Vu Le and his family.

My name is Nathan Shapiro. I am a long time neighbor and friend to the residents of 312 Wilde.

They brought to my attention that their plan to build a house on a small lot at 1230 Goettingen

they acquired a while back has been side- tracked and delayed because of a less than friendly

neighbor of theirs. The lot# is 6177-002. After hearing the frivolous and trivial complaints the

neighbor is appealing on, and hearing of prior unpleasant encounters with her, I can only

surmise that this appeal/complaint is based on bitterness and vendetta.

I wish to express my support of this wonderful project the Le family is intending to complete. It

is my impression that they are building this for family use and not for financial gain. These are

not real estate developers; they are simply trying to make the best out of what is rightfully

theirs.

I have noticed a push by City Government to increase the housing stock in our city and I fully

support this idea. It seems that this project could potentially set precedence for other folks to

build on the multitude of smaller lots that will most likely be unused forever.

Therefore, I respectfully ask that you dismiss this ridiculous appeal and allow my friend go

forward with this project. Thank you kindly for your consideration.

Sincerely, Nathan H. Shapiro

376 Wilde Ave.

San Francisco CA. 94134

415-722-8556

A handwritten signature in blue ink that reads "Nathan H. Shapiro". The signature is written in a cursive style with a large, sweeping flourish at the end.

My name is Maggie, I currently live at 325 Wilde Ave, I want to give my support to build 1230 Goettingen Street. I am an asian woman taking care of my parents. I know how dangerous it can be around the area with asians being randomly attacked throughout the city. Having a new home built around the area can hopefully increase the safety of the neighborhood and make the area look nice with a brand new home.

Maggie

6/15/21.

July 7, 2021

To,
SF Appeals Board

Dear Board Members,

This is in regard to the new housing planned at 1230 Goettingen Street, Lot #6177-002 in Visitacion Valley.

I am fully in support of this new housing. As San Francisco suffers from a severe shortage of housing, it is absolutely imperative that new housing is built that is affordable to regular people and not just tech millionaires. The city allows new developments by multi-millionaire developers who only cater to profits for themselves and barely build any affordable housing. It would be absurd and egregious, if this effort by a resident of Visitacion Valley to turn an eyesore vacant lot into a comfortable home for someone, were to be blocked by the city because of neighbors who believe that their "view" should take precedence over housing. I hope the committee will do the right thing and provide this opportunity for simple, new housing to be built in a working class district that has been severely neglected by the city administration.



Sincerely,
Chaitanya Diwadkar
238 Wilde Ave
San Francisco, CA 94134
cdiwadkar@hotmail.com

To The [REDACTED] 1230 Goettingen Street

[REDACTED] live across the street from 1230 Goettingen Street at 321 Wilde Ave. I was able

[REDACTED] caring for this project. I support the 1230 Goettingen Street New Home

[REDACTED] use it will create more housing to help with the city's housing shortage. I hope

you would consider my support with this project when you make your decision.

Thanks,



Sincerely,

Wendy

Hello Appeal Board, I am Dmitri and I live on 1266 Brussel Street. I fully support the construction of the 1230 Goettingen Street New Home. I have talked to the project owner many times before about their project so I am quite familiar with their plans. I think it would be great to see something similar in regards to a Tiny Home of sorts in the city that will hopefully bring a fresh new perspective of additional housing.

Thanks

A handwritten signature in blue ink, appearing to be 'Dmitri', with a long horizontal flourish extending to the right.

06/16/21

PUBLIC COMMENT

HD 7/21/21

FILE

July 8 2021

City and County
Board of appeals
49 South Van ness, Suite 1475
San Francisco, CA 94103

BOARD OF APPEALS

JUL 12 2021

APPEAL # 21-053

Subject: Appeal No. 21-053; 1230 Goettingen Street

Case no. 2020-005122VAR

To Whom It May Concern:


This should not be permitted at all. The proposal to construct a single family home three story building does not meet the planning and zoning code requirements for the city and county, and therefore this should not be granted.

This district is a residential area with two story single family dwelling houses and we want to keep it as it is, no three stories building to be build at all. Three stories will block all of our neighbors view.


The proposed has no rear yard variance. It is the city and country requirements to have 30% rear backyard of the lot depth. Therefore this property proposal construction should not be approved. This is a fire hazard and blocking our views to the neighborhoods.

The vacant lot is not enough space to accommodate the city zoning requirements.

Thank you,


Teresa Meehan

Buu Tu
Buu Tu


Kristy Beebe


Norma Cativo


Anh Luong

Paz Victor

HD 7/21/21

FILE

July 7 2021

City and County
Board of appeals
49 South Van ness, Suite 1475
San Francisco, CA 94103

BOARD OF APPEALS

JUL 12 2021

APPEAL # 21-053

Subject: Appeal No. 21-053; 1230 Goettingen Street

Case no. 2020-005122VAR

To Whom It May Concern:

This should not be permitted at all. The proposed does not meet planning and zoning code requirements and therefore this should not be granted.

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The proposed has no rear yard variance. It is the city and country requirements to have 30% rear backyard of the lot depth. This is a fire hazard to the neighborhoods.

The vacant lot is not enough space to accommodate the city zoning requirements.

Thank you,

Brenda Lemley



HD 7/21/21

FILE

July 7 2021

City and County
Board of appeals
49 South Van ness, Suite 1475
San Francisco, CA 94103

BOARD OF APPEALS

JUL 12 2021

APPEAL # 21-053

Subject: Appeal No. 21-053; 1230 Goettingen Street

Case no. 2020-005122VAR

To Whom It May Concern:

This should not be permitted at all. The proposed does not meet planning and zoning code requirements and therefore this should not be granted.

This district is a residential area with two story single family dwelling houses and we want to keep it as it is, no three stories building to be build at all. Three stories will block all of our neighbors view.

The proposed has no rear yard variance. It is the city and country requirements to have 30% rear backyard of the lot depth. This is a fire hazard to the neighborhoods.

The vacant lot is not enough space to accommodate the city zoning requirements.

Thank you,

Jamie Lemley



RE: Appeal No. 21-052; 390 29th Avenue

BoardofAppeals (PAB) <boardofappeals@sfgov.org>

Mon 7/12/2021 4:21 PM

To: I S Kayton <ikayton@gmail.com>; BoardofAppeals (PAB) <boardofappeals@sfgov.org>

Dear Mr. Kayton,

Thank you for your email. It will be included with public comment for this Appeal.

Regards,

Julie Rosenberg
Executive Director, San Francisco Board of Appeals
49 South Van Ness Avenue, Suite 1475
San Francisco, CA 94103

The Board's physical office is open to the public by appointment only. Please email boardofappeals@sfgov.org or call 628-652-1150 if you would like to meet with a staff member.

From: I S Kayton <ikayton@gmail.com>
Sent: Monday, July 12, 2021 3:13 PM
To: BoardofAppeals (PAB) <boardofappeals@sfgov.org>
Subject: Appeal No. 21-052; 390 29th Avenue

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

Dear Board Members -

As a neighbor living within 150 feet of the subject property, I am strongly against any additional units, unless the adequate number of garage spaces are added at the same time. I assure you that my opinion is shared and supported by all neighbors on the block.

As fellow San Franciscans you are well aware about the abhorrent street parking situation in the City, so there's no need to belabor this point. I simply want to emphasize that while landlords are driven by simple economic considerations, namely, profit making, you, the Board members, must be driven by the concerns of all San Franciscans facing the onslaught of ever more vehicles chasing the ever shrinking number of street parking slots.

Please vote "No" to additional units without additional garage parking.

Thank you,

Igor S. Kayton
387 29th Avenue
San Francisco, CA 94121
415.531.0851

Cave! Cave! Dominus Videt.

Joseph Bojanowski

309 Wilde Avenue
San Francisco Ca 94134

July 16, 2021

San Francisco Board of Appeals:
Appeal # 21-053 1230 Goettingen

To whom it may concern:

Once again I have been asked to weigh-in on the proposed structure that is proposed for the tiny remainder lot that is in my good neighbor's backyard.

1. Background info. The Gentleman and real-estate speculator Greg Forbes gforbes@sopris.net approached me in October 2015 as well as the other neighbors to purchase this property which he had previously bought at a tax auction. The lowest offer he would accept was 5500 dollars. I considered investing the money and was willing to pay the subsequent yearly tax burden in order to prevent anyone from developing this property. I deemed it necessary to preserve the open space and my lovely views of Mt. Diablo from my Kitchen/Living area picture windows. This of course would preserve my property value. I even thought about getting with the neighbor at 312 to assist in them removing their unsightly chicken-coop like structure that they had hastily erected a decade earlier on the 20 percent or so of the lot they did not own but had annexed anyway. The lot was still owned by the Hoaglund estate at this time.
2. *Change of Plan.* I began immediately to wonder if it was a good idea to purchase the lot as it may also have the unwanted effect of upsetting the

neighbors at 312, 316, 306 and 308 Wilde. My property is at at 314, and doesn't share a direct border with, but is very close to, and capped by the lot in question as are the other four Wilde Avenue addresses. I decided to go to the planning department and ask about the possibility to develop this lot. A female Planner at the desk the day I went pulled up the lot info and zoomed into the enhanced Google maps view available to the city on their computer. She reviewed it, spun the computer around for my view and even with a smirk of amusement stated that it would be completely impossible for anyone to squeeze a project on this lot. She even showed it to another Planner that was walking by who appeared interested and they both had a chuckle! It is for this reason I declined to purchase the lot. Thank you Planning Department!

3. Planner Corey Teague in his somewhat hasty approval decision during the March hearing states his idea that since the lot is "down slope" to the properties on Wilde there will be minimal Impact. I have enclosed some pictures that show that notion to be false. Perhaps it is because the Google maps view show the property substantially shifted downhill to the North and not in its actual location. The atrocious looking project is out of scale and relates in absolutely no way to the existing development on the block. The excessive height to width ratio, and profile at 180 degree odds with the slope of the street and height and spacing of the adjacent buildings is readily apparent. I would love to see a model or mock-up in place of the existing error-filled plans.

4. I listened to the hearing, and was unable like others to voice my concerns due to technical difficulties. I was willing to let it go as I had already sent a letter, but then the actual applicant came on and posed as a concerned and approving neighbor and lied about a fence that has been there long before he was. When he levied a false accusation against his 94 year old neighbor, I tried connecting again in earnest to no avail. I think a redo in-person of this hasty pandemic-abbreviated planning hearing is in order.

5. Further note: In addition to the above, concerned neighbors and longtime friends have recently told me that the respondents, the three residents of 312 Wilde, have been canvassing neighbors and misrepresenting their project. Their selling point is that they will clean up and make tidy Goettingen Street. Current and historical photographic evidence shows that the 20 percent of the lot that *they* occupy, and properties further to the north and downhill are the actual culprits of the street garbage.

6. I would like to propose respondents cancel immediately their desire to build this ungainly, too tall and airflow and light-blocking atrocity, and instead clean up the area with the easements intact that both parties currently enjoy.

Sincerely,

Joseph C Bojanowski
Neighbor

June 27th, 2021

To: San Francisco Planning Department – Board of Appeals

Re: Case no. 2020-005122VAR – 1230 Goettingen St.

Dear board members,

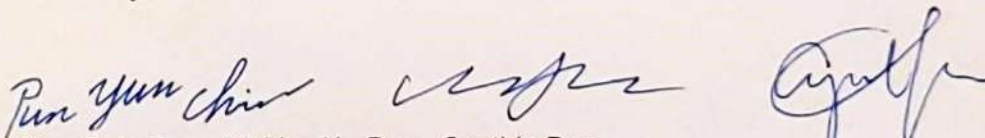
We are the resident and owners of the home at 306 Wilde Ave, located a couple of lots away from the subject property. We are writing to strongly voice our opposition against the proposed construction at 1230 Goettingen St. If constructed as proposed, the three-story building will materially impact our property and the neighboring properties on both Wilde Avenue and Goettingen Street.

The direct impact to my home is that the newly constructed building will be significantly taller than my home and my adjacent neighbor's home. Once constructed it will significantly block sunlight and airflow to the two bedrooms and a sunroom/reading room in the rear portion of my home. As the proposed building will also be one-story higher, I am very concerned about privacy and their residents' abilities to see over and into our bedrooms windows. Additionally, the obstruction will also reduce the sunlight and airflow into our backyard garden where we spend time during the day in our retirement lives enjoying the open space.

The overall impact to the neighboring community is also significant. The proposed building is not uniformed to the other homes on the block in terms of height and lot size. The taller building impacts the current open space the neighbors share from inside and outside of their homes. The proposed building also will not have a garage, in a neighborhood where parking is already significantly scarce where drivers park on driveways obstructing the sidewalk and double-park obstructing traffic, adding a residential house on the block without a garage would add to our existing parking issues. Lastly, there is also a potential public health issue with the proposed building. The owner of the lot has approached us with an offer to sell or provide an easement to them to a portion of our property which is located on our adjacent neighbor's backyard at 308 Wilde Ave. Their reason for wanting ownership or access to the land was that they do not have adequate storage for the trash, recycle and compost bins at their proposed building, therefore they'd like the extra space for trash storage. This brings into the question of sanitation of how potential residents of the proposed building will store their daily trash and compost, and the pest and rodent it can attract to neighboring homes and backyards.

Due to a severe health issue one of us experienced back in March, we were not able to attend to first planning hearing to voice our opposition. Please kindly add this letter to your appeals review to document our opposition to the proposed construction as homeowners and residents for over twenty years.

Sincerely,


Yun Chiu Pun, Kit Yee Ng Pun, Cynthia Pun

306 Wilde Ave, San Francisco, CA 94134 Tel: 415-468-5483

Appeal Letter
Laureta Valencia
314 Wilde Avenue
San Francisco, CA 94134

July 12, 2021

Re: Case No.: 2020-005122VAR

Dear Board Members:

I, Laureta Valencia, resident of 314 Wilde Avenue, appeal the variance decision approving the construction of a three-story building on 1230 Goettingen substandard lot. This disproportionate building will cause loss of open space, natural light, and privacy to at least five of its neighbors. Having no setbacks on all of its sides, this building will sit like a watchtower at the end of our rear yards and will have a direct view of our open space. When we moved to this part of the city from the Sunset area, one of the factors we looked for is yard space and privacy. As a family of five with three young daughters, being able to have our kids in the yard worry-free is money well spent in terms of the high rent we pay for our house. I will not feel safe and comfortable having my three young daughters play in our yard where people could be watching them. Also, this lot is extremely small that the proposed building will cover the entire lot, have one of its bay windows as a bathroom, and will have no setbacks. Living in this tight space is unhealthy and constraining for the dweller. We all need substantial light, air, and space especially with the pandemic we are currently living in. And because of this tight build, it will push conflicts among neighbors. Not only it will take natural light from its neighbors' rooms and gardens, but it will also not provide mid-block open space to maintain airflow. Currently, on our block, people are resorting to storing their garbage bins outdoors which is still legal to some because it is sitting on their private property. But for this lot, does not have a private space to spare for trash storage. Neither a garage to provide parking for its resident/s. Our neighborhood already lacks parking spaces. Vehicles are parked on sidewalks or double-parked on the street overnight. This property will slowly but surely encroach onto the sidewalk or street area. I am uncertain how SF planning adequately accepts multiple variances sought to approve this project. While not too long ago, I was asked to tear down our new fence and have my 4x6 storage on my ample front setback removed (2019-012667ENF).

What is important here, and what I direly ask the board to consider is (1) the fact our neighborhoods are experiencing a great deal of noise, traffic, and congestion as our city grows, it is important to keep our open space and privacy; (2) the fact that the lot is extremely small to build a dwelling, even with the variances, would actually be detrimental to the dweller and its neighbors; and (3) the three-story building, however, it is designed, will be out of scale and incompatible with its surroundings and therefore will not be in keeping with the Master Plan.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Laureta Valencia', with a stylized, cursive script.

Laureta Valencia

Appeal Letter
Laureta Valencia
314 Wilde Avenue
San Francisco, CA 94134

July 12, 2021

Re: Case No.: 2020-005122VAR

Dear Board Members:

I, Laureta Valencia, resident of 314 Wilde Avenue, appeal the variance decision approving the construction of a three-story building on 1230 Goettingen substandard lot. This disproportionate building will cause loss of open space, natural light, and privacy to at least five of its neighbors. Having no setbacks on all of its sides, this building will sit like a watchtower at the end of our rear yards and will have a direct view of our open space. When we moved to this part of the city from the Sunset area, one of the factors we looked for is yard space and privacy. As a family of five with three young daughters, being able to have our kids in the yard worry-free is money well spent in terms of the high rent we pay for our house. I will not feel safe and comfortable having my three young daughters play in our yard where people could be watching them. Also, this lot is extremely small that the proposed building will cover the entire lot, have one of its bay windows as a bathroom, and will have no setbacks. Living in this tight space is unhealthy and constraining for the dweller. We all need substantial light, air, and space especially with the pandemic we are currently living in. And because of this tight build, it will push conflicts among neighbors. Not only it will take natural light from its neighbors' rooms and gardens, but it will also not provide mid-block open space to maintain airflow. Currently, on our block, people are resorting to storing their garbage bins outdoors which is still legal to some because it is sitting on their private property. But for this lot, does not have a private space to spare for trash storage. Neither a garage to provide parking for its resident/s. Our neighborhood already lacks parking spaces. Vehicles are parked on sidewalks or double-parked on the street overnight. This property will slowly but surely encroach onto the sidewalk or street area. I am uncertain how SF planning adequately accepts multiple variances sought to approve this project. While not too long ago, I was asked to tear down our new fence and have my 4x6 storage on my ample front setback removed (2019-012667ENF).

What is important here, and what I direly ask the board to consider is (1) the fact our neighborhoods are experiencing a great deal of noise, traffic, and congestion as our city grows, it is important to keep our open space and privacy; (2) the fact that the lot is extremely small to build a dwelling, even with the variances, would actually be detrimental to the dweller and its neighbors; and (3) the three-story building, however, it is designed, will be out of scale and incompatible with its surroundings and therefore will not be in keeping with the Master Plan.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Laureta Valencia', with a stylized, cursive script.

Laureta Valencia

Longaway, Alec (BOA)

From: Rosenberg, Julie (BOA)
Sent: Friday, July 16, 2021 6:32 AM
To: joe bojanowski
Cc: Longaway, Alec (BOA); BoardofAppeals (PAB)
Subject: RE: 1230 variance appeal plain text (Appeal No. 21-053 @ 1230 Goettingen)

Dear Joe: Thank you for the email. Your public comment for Appeal No. 21-053 will be included in the materials provided to the commissioners. Below are the access instructions if you would like to join the meeting (5 pm on 7/21).

THE PUBLIC MAY JOIN THE MEETING BY COMPUTER OR TELEPHONE:

Access by Computer:

<https://us02web.zoom.us/j/86518369659>

Access by Telephone:

Call: 1 669 900 6833

Webinar ID: 865 1836 9659

Regards,

Julie

Julie Rosenberg
Executive Director, San Francisco Board of Appeals
49 South Van Ness Avenue, Suite 1475
San Francisco, CA 94103

The Board's physical office is open to the public by appointment only. Please email boardofappeals@sfgov.org or call 628-652-1150 if you would like to meet with a staff member.

-----Original Message-----

From: joe bojanowski <bojo444@yahoo.com>

Sent: Thursday, July 15, 2021 8:36 PM

To: Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>

Subject: 1230 variance appeal plain text

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

Joseph Bojanowski
309 Wilde Avenue
San Francisco Ca 94134
July 15, 2021

San Francisco Board of Appeals:
Appeal # 21-053 1230 Goettingen
To whom it may concern:

Once again I have been asked to weigh-in on the proposed structure that is proposed for the tiny remainder lot that is in my good neighbor's backyard.

1. Background info. The Gentleman and real-estate speculator Greg Forbes gforbes@sopris.net approached me in October 2015 as well as the other neighbors to purchase this property which he had previously bought at a tax auction. The lowest offer he would accept was 5500 dollars. I considered investing the money and was willing to pay the subsequent yearly tax burden in order to prevent anyone from developing this property. I deemed it necessary to preserve the open space and my lovely views of Mt. Diablo from my Kitchen/Living area picture windows. This of course would preserve my property value. I even thought about getting with the neighbor at 312 to assist in them removing their unsightly chicken-coop like structure that they had hastily erected a decade earlier on the 20 percent or so of the lot they did not own but had annexed anyway. The lot was still owned by the Hoaglund estate at this time.
 2. Change of Plan. I began immediately to wonder if it was a good idea to purchase the lot as it may also have the unwanted effect of upsetting the neighbors at 312, 316, 306 and 308 Wilde. My property is at 314, and doesn't share a direct border with, but is very close to, and capped by the lot in question as are the other four Wilde Avenue addresses. I decided to go to the planning department and ask about the possibility to develop this lot. A female Planner at the desk the day I went pulled up the lot info and zoomed into the enhanced Google maps view available to the city on their computer. She reviewed it, spun the computer around for my view and even with a smirk of amusement stated that it would be completely impossible for anyone to squeeze a project on this lot. She even showed it to another Planner that was walking by who appeared interested and they both had a chuckle! It is for this reason I declined to purchase the lot. Thank you Planning Department!
 3. Planner Corey Teague in his somewhat hasty approval decision during the March hearing states his idea that since the lot is "down slope" to the properties on Wilde there will be minimal impact. I have enclosed some pictures that show that notion to be false. Perhaps it is because the Google maps view show the property substantially shifted downhill to the North and not in its actual location. The atrocious looking project is out of scale and relates in absolutely no way to the existing development on the block. The excessive height to width ratio, and profile at 180 degree odds with the slope of the street and height and spacing of the adjacent buildings is readily apparent. I would love to see a model or mock-up in place of the existing error-filled plans.
 4. I listened to the hearing, and was unable like others to voice my concerns due to technical difficulties. I was willing to let it go as I had already sent a letter, but then the actual applicant came on and posed as a concerned and approving neighbor and lied about a fence that has been there long before he was. When he levied a false accusation against his 94 year old neighbor, I tried connecting again in earnest to no avail. I think a redo in-person of this hasty pandemic-abbreviated planning hearing is in order.
 5. Further note: In addition to the above, concerned neighbors and longtime friends have recently told me that the respondents, the three residents of 312 Wilde, have been canvassing neighbors and misrepresenting their project. Their selling point is that they will clean up and make tidy Goettingen Street. Current and historical photographic evidence shows that the 20 percent of the lot that they occupy, and properties further to the north and downhill are the actual culprits of the street garbage.
 6. I would like to propose respondents cancel immediately their desire to build this ungainly, too tall and airflow and light-blocking atrocity, and instead clean up the area with the easements intact that both parties currently enjoy.
- Sincerely,
Joseph C Bojanowski
Neighbor

Aug 16th, 2021

To: Board of Appeals – San Francisco

Re: Variance for building at 1230 Goettigen Street. - APPEAL NO. 21-053

Dear board members,

I am writing to voice my opposition for the building of this new residential home at 1230 Goettigen Street. Although the revised plans call for the building of a 2-story home rather than a 3-story home, the house does not conform to the rest of the neighborhood's homes in size and features. At the past meeting, the sponsor of the project cited the home as a solution to the housing crisis in our city. One has to question how does this tiny substandard size home meaningfully serve as a solution? The proposed building is certainly not appropriate for a family to reside long-term, absent a yard and significantly undersize in terms of open space. At the equivalent scale of a small motorhome, it also does not have offstreet parking and lacks adequate storage for trash, recycle and compost bins. At the end of the day, the house if built is only truly suitable for short-term housing or Airbnb, which does not conform to our current neighborhood characteristic of families of mainly long-term residents.

To reiterate the obvious, the proposed building is significantly undersized and substandard in more than one way. The issues at debate are not borderline issues. If approved, it can set a precedent for sardine-can size tiny homes to be erected in substandard trivial lots across the city. At the last meeting, a commissioner made a comment to this case and cited that we should try to "make lemonade with lemons." Candidly, I found the comment to be hurtful, given the struggles our neighborhood has endured over the past decades, lagging behind in public service and public safety, suffering from socio-economic challenges. To be told to make lemonade in response when the neighbors made our collective voices heard to civic leaders was disheartening. One has to question, would residents be told to made lemonade, if this project's location was in St. Francis Woods or Sea Cliff, other neighborhoods with mostly single-family homes?

If we are ultimately forced to make lemonade to accommodate the building of this tiny home, does that mean a citizen can adopt a similar investment and development strategy? At future variance hearings and appeal board hearings, can an investor apply the principle of the "lemonade doctrine" to obtain the require variance approvals despite neighborhood objection?

The proposed project has already disrupted the harmony in the neighborhood. If built, it will likely escalate the friction amongst the immediate neighbors. Please consider to reject this project from being advanced further in consideration of our time, resources and harmony. I sincerely hope the neighbors do not have to collectively spend more time attending other departmental hearings on this specific matter in opposition and stressing out over the matter as many immediate neighbors are elderly.

Sincerely,

Samuel Pun – 306 Wilde Ave, San Francisco

Aug 16th, 2021

To: Board of Appeals – San Francisco

Re: Variance for building at 1230 Goettigen Street. - APPEAL NO. 21-053

We are writing to strongly oppose the construction of the proposed building at 1230 Goettingen Street. Although the plans have been revised, we are still in opposition to the proposed project. We do not think it is appropriate for a house to be built on the site in question. It is adjacent to our backyard and home and we have significant concerns on privacy, airflow, sunlight, and public health if the new home is constructed. The proposed home is so small that it cannot comfortably fit a family as residential housing and lacks features of other homes in the adjacent area such as a yard and garage. If built, it can be expected to be an annex for the sponsor whose existing adjacent home can lead to the new building from the back. This type of proposed building is a perfect candidate for owner-operated Airbnb or rental, but not a true long-term housing solution.

The lot as it exists is truly more appropriate for a community garden of some sort rather than being developed into a small house. We've seen similar community gardens converted from neglected or abandoned lots of similar characteristics in our neighborhood and elsewhere in the city, is that an option here for the city or local residents to buy the lot back and convert it for public use?

We hope the board can consider to stop this proposed building from being built. We strongly urge you to drive to our neighborhood to see the site and location for yourself and see that it is truly not appropriate for building a home before making a decision in support of the construction.

Sincerely,

Cynthia Pun, Yun Chiu Pun, Kit Yee Pun