



SAN FRANCISCO PLANNING DEPARTMENT

Variance Decision

(Reissued May 15, 2014)

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Date: May 15, 2014
Case No.: 2013.0179V
Project Address: 3660 21st Street
Zoning: RH-1 (Residential House, One-Family)
 Dolores Heights Special Use District
 40-X Height and Bulk District
Block/Lot: 3605/019
Project Sponsor: Alice Barkley
 McKenna Long & Aldridge LLP
 Rincon Center II 121 Spear Street, Suite 200
 San Francisco, CA 94105
Staff Contact: Michael Smith – (415) 558-6322
 michael.e.smith@sfgov.org

DESCRIPTION OF VARIANCES – FRONT SETBACK, REAR YARD, AND STREET FRONTAGE VARIANCES SOUGHT:

The subject property contains four existing structures. There are two detached garages located at the front of the lot, a single-family residence located at the rear of the lot, and an accessory greenhouse structure located to the east of the residence which is connected by a covered breezeway. The proposal is to remove both garages at the front of the property and construct a new two-car garage at the east side of the front of the lot. The greenhouse structure would also be removed and replaced by an addition to the east side of the building. An addition would also be constructed at the front of the building. There would be a minimal increase in the height of the building and the light well on the west side of the building would be infilled.

Section 132 of the Planning Code requires a 15-foot front setback for the subject property based upon the average front setback of the two adjacent buildings. The proposal is to remove the two existing detached garages within the front setback and construct a detached, two-car garage at the east side of the front of the lot. The proposed garage would measure approximately 20'-9" square, approximately 14 feet in height above the curb, and extend to the front property line thus encroaching 15 feet into the required front setback.

Section 241 of the Planning Code requires a rear yard of approximately 51'-4" (45%) measured from the rear property line. The proposed enlargement of the rear portion of the building, the side addition, and the light well infill would encroach into the required rear yard; therefore, the project requires a variance from the rear yard requirement of the Planning Code.

Section 144 of the Planning Code does not permit a street-facing garage structure to extend closer to the street than a primary building façade. The proposed detached garage structure would extend 15-foot closer to the street than the primary building façade; therefore, the project requires a variance from the street frontage requirements of the Planning Code.

PROCEDURAL BACKGROUND:

1. The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.
2. The Acting Zoning Administrator held a public hearing on **Variance Application No. 2013.0179V** on **March 6, 2014**.
3. Planning Code Section 311 notification was completed through separate notice for Building Permit Application No. 2013.03.29.3348 from September 13, 2013 to October 13, 2013. One Discretionary Review requests was received from the adjacent neighbor to the west.
4. On March 6, 2014, the Planning Commission held a duly-noticed public hearing to consider Discretionary Review of Building Permit Application No. 2013.03.29.3348 (Case No. 2013.0179D). At this hearing, the Planning Commission voted unanimously to not take Discretionary Review and approve the project as proposed (DRA-0353).

DECISION:

GRANTED, in general conformity with the plans on file with this application, shown as EXHIBIT A, to construct additions to an existing single-family dwelling and construct a detached garage at the front of the lot, subject to the following conditions:

1. Any future physical expansion, even in the buildable area, shall be subject to a new variance request before the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. 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.
5. 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. This Index Sheet of the construction plans shall reference the Variance Case Number.
6. To reduce impacts on the uphill neighbor, the upper roof deck shall be eliminated, and the lower roof garden may be expanded to compensate for the loss of the upper roof deck. The low-sloping roof above the master bedroom may be extended to cover the area that was previously the upper roof deck, and the roof above the living room may become flat to accommodate the expanded lower roof garden.

7. The heights of the roofs above the bedroom and guest suite shall be reduced to further reduce impacts on the uphill neighbor.

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 property is unique in that it is a double-wide lot that is developed with a "ranch style" dwelling with two detached garages at the front of the lot. The low slung nature of the development affords unprotected public views over the property from 21st Street and unprotected private views over the property from nearby residences.
- B. The subject building is unique in that it is located primarily within the required rear yard; however, the building was constructed in 1923 and thus predates the rear yard requirements for the Dolores Heights Special Use District.
- C. The existing building is primarily located on the west side of the lot with a majority of the open space located on the east side of the lot. Most properties within this District have a majority of their open space located at the rear of the lot behind the building.

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 abnormal siting of the subject and adjacent building is not attributable to the current property owners. Literal enforcement of the Planning Code would encourage taller development towards the front of the lot which is a departure from how the lot is currently developed creating a hardship for the property owner(s).
- B. At 15 feet, the required front setback for the subject property is the maximum required by the Code and greater than what generally applies within this District. The larger front setback requirement combined with the 45% rear yard requirement greatly reduces the subject property's buildable area resulting in an unnecessary hardship with no compensating public benefit.

- C. Literal enforcement of the Code would encourage the retention of the two existing detached garages at the front of the property instead of consolidating the structures as proposed to create more open space at the front of the lot.

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. Granting this variance will allow the subject property owner(s) to develop the property in a manner that is consistent with the existing development on the lot which is a property right shared by other property within the District.
- B. Because the existing building is located primarily within the required rear yard, further development of the property within the buildable area of the lot would result in the loss of usable open space. The ability to maintain open space on one's property is a substantial property right possessed by other property within the 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 existing building is far below the permitted height limit for the District. Granting the variance would allow the owner(s) to maintain the building's relative height and develop the property in a manner that would protect public and private views.
- B. The adjacent neighbor at 3666 21st Street requested Discretionary Review of the project citing among other concerns how the project could upset public and private views over the property. By a vote of +7 -0, the Commission decided that the project is consistent with neighborhood character because it retains the building's existing nonconforming "Ranch Style" layout with a minimal increase in building height. Furthermore, the Commission agreed that the objective of the Dolores Heights Special Use District to protect public and private views is enforced through the additional Code provisions for height and rear yard in Section 241 of the Planning Code. The reduction in height that would result from the proposed conditions of approval would reduce impacts on the adjacent neighbor and further protect public views over the subject property.

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.
- B. 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 through retention of the existing building siting and scale. The proposal will preserve the existing single-family 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 would retain two off-street parking spaces for the property and remove the second curb cut to help preserve neighborhood on-street parking. The project would not adversely affect public transit.
 5. The project will have no effect on the City's industrial and service sectors.
 6. The proposed project will be constructed in accordance with current Building Codes 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 utilized, all specifications and conditions of the variance authorization became immediately operative.

The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if (1) a 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 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 the issuance of a necessary Building Permit or approval of a Tentative Map or other City action is delayed by a City agency or by appeal of the issuance of such a permit or map or other City action.

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)

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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 1650 Mission Street, 3rd Floor (Room 304) or call 575-6880.

Very truly yours,



for

John Rahaim
Acting 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.

**Planning Department emails on 3660 21st Street Variance Decision
Between close of Variance Hearing and Variance Decision
(Reissued May 15, 2014)**

3/6/12 Planning Commission/Zoning Administrator joint hearing - 3660 21st Street

1 3/7/14 Peras to Scott Sanchez

ISSUES RE PERA HOME

- roofdeck over family room is in 45% rear yard setback
- penthouse deck at same elevation as our kitchen
- remove it to protect our privacy
- same view as from terrace off family room

2 3/7/14 Scott Sanchez to Peras, cc Michael Smith

- Will review your issues

3 3/10/14 Michael Smith to Alice Barkley, Bridgett Shank (Cox reps)

- forward Pera email

4 3/11/14 Bridgett Shank to Michael Smith, cc Alice Barkley

Response to W T-W re solar panels at hearing and Pera re upper roof deck - Cox willing to accept conditions -

- Eliminate upper roof deck over family room
- Extend roofline of roof above master bedroom to cover area over family room
- This lowpitch roof will be location of south-facing solar panels
- Roof of guest suite and kids bedroom become flat green roofs to avoid casting shadow on Cox solar panels
- Sloped roof over living room will become flat roof deck/garden accessible from family room
- This eliminates Peras concern re privacy

Would you like a drawing/diagram of conditions listed?

5 3/25/14 Michael Smith to Bridgett Shank, cc Alice Barkley

- I will be drafting variance decision within *next 10 days*.
- Please forward full set of reduced plans that incorporate the changes.
- **Have you notified the neighbors of these changes that address their concerns?**

6 3/25/14 Bridgett Shank to Michael Smith, cc Alice Barkley

- Will get updated drawings to you in next day or two
- Have not yet notified neighbors of these changes to address their concerns. In past they have not been very receptive to hearing suggestions that come from us. Since they originally reached out to Sanchez regarding roof deck, would it be possible for you to facilitate this communication?

7 3/25/14 Alice Barkley to Michael Smith, cc Bridgett Shank

- Since plans were subject of the DR and Variance hearing did not include those changes, they should be conditions of approving the variance.
- If Bridgett sends them to the neighbors, I suspect DR requester will be screaming and yelling and Sue Hestor will object.
- Design changes are offered as conditions of approving the variance that will address some of the objections and concerns expressed by neighbors at DR/Variance hearing.
- Bridgett can approach **neighbors across the street**.
- Can you talk to Sanchez whether they can be imposed as conditions granting the variance.

8 3/25/14 Michael Smith to Alice Barkley, cc Bridgett Shank

- Will discuss your comments with the ZA once I receive revised plans

9 3/28/14 Bridgett Shank to Michael Smith, cc Alice Barkley

- **Full set of Revision 4 revised plans** - incorporate changes enumerated below. Modifications are clouded and marked

10 3/21/14 Michael Smith to Bridgett Shank, cc Alice Barkley

- Have revised plans been forwarded to **DR requester**?
- Do you have list of additional conditions of approval (as reflected in the plans) that you want memorialized with the variance decision?
- If not, I suggest crafting the language and forwarding it to me since the changes are self-imposed.

11 4/2/14 Bridgett Shank to Michael Smith, cc Alice Barkley

- Have not forwarded the plans to DR requester (Pera)
- Per Barkley email it was agreed that next step would be for Smith to talk to Sanchez to see if these conditions could be implemented as Conditions of Approval for Variance.
- Since hearing over, don't think it acceptable for us to approach Pera directly - will be seen as change in design.
- Suggested modifications do not substantially change the approved design, but address 2 concerns expressed by neighbors
 - Upper roof deck creating privacy issues (Pera)
 - Solar panel location (Tice-Wallner)

Suggested language for Conditions of Approval

NOTE : Solar panel language not incorporated into Variance

Attached drawing set incl modifications - 3D diagram

12 5/09/14 Smith To Barkley, cc Thai – Thai was out of office but she would email to Barkley PDF of variance decision Monday 5/12/14

13 5/12/14 Thai to Cox, Barkley, Shank - 3660 21st Variance decision issued 5/13/14 by John Rahaim (Planning Director), acting Zoning Administrator

14 5/15/14 Smith to Hestor, Peras, other neighbors with 5/13/14 variance decision

15 5/15/14 Hestor to Smith protesting 2-day delay in distribution

16 5/16/14 Smith to Hestor, Peras, other neighbors with reissued decision dated 5/15/04

5/15/14 RE-ISSUED 3660 21st Variance decision by John Rahaim (Planning Director), acting Zoning Administrator

From: moopera
To: scott.sanchez
Subject: Variances for 3660 21st Street
Date: Fri, Mar 7, 2014 10:44 am
Attachments: Pera Letter 3/6/14 Attached as Last Item Exhibit 2)

Hi Mr. Sanchez,

We were sorry to hear you had a family emergency yesterday - hope everything is okay. We wanted to give this to you yesterday at the Planning Commission meeting explaining our opposition to the project at 3660 21st Street. Our main objection is to the roofdeck over the family room which is in 45% rear yard setback. The proposed penthouse roof deck is at the same elevation as our kitchen - since they have a terrace off their family room that offers the same view we would like this penthouse roof deck removed from the project as it impacts our privacy. Thanks for your time considering this matter.

Gratefully,
The Peras

From: Sanchez, Scott (CPC)
To: moopera@aol.com
Cc: Smith, Michael (CPC)
Subject: RE: Variances for 3660 21st Street
Date: Friday, March 07, 2014 5:04:41 PM

Thank you for the email. We will review your comments related to the variances.
Regards,
Scott F. Sanchez

From: Smith, Michael (CPC)
To: Alice Barkley; "Bridgett Shank"
Subject: FW: Variances for 3660 21st Street
Date: Monday, March 10, 2014 2:12:00 PM

FYI (Forward Pera email)
Michael Smith

From: Bridgett Shank
To: Smith, Michael (CPC)
Cc: Alice Barkley
Subject: RE: Variances for 3660 21st Street
Date: Tuesday, March 11, 2014 10:05:51 AM

Hello Michael,

Thank you for bringing this to my attention. In response to the concern of the solar panels that Wendy Tice-Wallner raised at the hearing and the Pera's concern about the upper roof deck, my clients are willing to accept a condition of approval to modify the roof plan as follows:

1. Eliminate the upper roof deck over the family room by extending the roofline of the roof above the master bedroom to cover the area over the family room. This low-pitch roof will be the location of the solar panels, facing south.
2. The roof of the guest suite and kids' bedroom will become flat green roofs to avoid casting shadow on the solar panel area at the family room.
3. The sloped roof over the living room will become a flat roof deck/garden accessible from the family room. By having the roof deck only above the first floor this should eliminate any privacy concerns raised by the Peras.

Please let me know if you have any questions or would like to see a drawing/diagram of the conditions listed above.

Thank you,
Bridgett Shank

From: Smith, Michael (CPC)
To: "Bridgett Shank"
Cc: Alice Barkley
Subject: RE: Variances for 3660 21st Street
Date: Tuesday, March 25, 2014 11:46:00 AM

Bridgett – I will be drafting the variance decision within the next 10 days. Please forward me a full set of reduced plans that incorporate the changes indicated below. Have you notified the neighbors of these changes that address their concerns?

Michael Smith

From: Bridgett Shank
To: Smith, Michael (CPC)
Cc: Alice Barkley
Subject: RE: Variances for 3660 21st Street
Date: Tuesday, March 25, 2014 1:44:08 PM

Hi Michael,

Thank you, that's great. I will get updated drawings to you as soon as possible – in the next day or two. We have not yet notified the neighbors of these changes to address their concerns. In the past they have not been very receptive to hearing suggestions that come from us. Since they originally reached out to Mr. Sanchez regarding the roof deck would it be possible for you to facilitate this communication?

Warm Regards,
Bridgett Shank

From: Barkley, Alice
To: Smith, Michael (CPC)
Cc: Bridgett Shank (BShank@feldmanarch.com)
Subject: RE: Variances for 3660 21st Street

Michael,
Since the plans that were the subject of the DR and Variance hearing did not include those changes, I suggest that they become conditions of approving the variance. If Bridgett sends them to the neighbors, I suspect the DR requestor will be screaming and yelling and Sue Hestor will object. The design changes are offered as conditions of approving the variance that will address some of the objections and concerns expressed by the neighbors at the DR/Variance consolidated hearing. Bridgett can approach the neighbors across the street. Can you talk to Scott Sanchez whether they can be imposed as conditions granting the variance.
Alice Barkley

From: Smith, Michael (CPC)
To: "Barkley, Alice"
Cc: Bridgett Shank (BShank@feldmanarch.com)
Subject: RE: Variances for 3660 21st Street
Date: Tuesday, March 25, 2014 2:17:00 PM

Alice – I will discuss your comments with the ZA once I receive the revised plans.
Michael Smith

From: Bridgett Shank
To: Smith, Michael (CPC); Barkley, Alice
Subject: RE: Variances for 3660 21st Street
Date: Friday, March 28, 2014 4:00:19 PM
Attachments:
140328_3660 21st - Variance R4_11x17.pdf

Hello Michael,
Please see attached with the full set reduced to 11x17 that incorporate the changes inumerated below into the drawings. All modifications are clouded and marked as Revision 4.
Let me know if you have any questions.
Thank you,
Bridgett Shank,

From: Smith, Michael (CPC)
To: "Bridgett Shank"; Barkley, Alice
Subject: RE: Variances for 3660 21st Street
Date: Monday, March 31, 2014 5:36:00 PM

Thanks, Bridgett. Have the revised plans been forwarded to the DR requestor?
Also, do you have a list of the additional conditions of approval (as reflected in the plans) that you want memorialized within the variance decision? If not, I suggest crafting the language and forwarding it to me since the changes are self-imposed.
Michael Smith

From: Bridgett Shank
To: Smith, Michael (CPC); Barkley, Alice
Subject: RE: Variances for 3660 21st Street
Date: Wednesday, April 02, 2014 10:14:40 AM

Attachments:
140328_3660 21st - Variance & DR Rev4 11x17.pdf
140328_3660 21st - 3D diagram of changes.pdf

Hi Michael,

We have not forwarded the plans to the DR requestor. Per Alice's email below on the 25th, it was agreed that the next step would be for you to talk to the ZA to see if these modifications could be implemented as Conditions of Approval for the Variance. Since we have been through our hearing we don't think it is acceptable for us to approach the DR requestor directly for it will be perceived as changing the design. We believe that these suggested modifications do not substantially change the approved design and yet address the two concerns expressed by the neighbors: 1. The upper roof deck creating privacy issues, (expressed by the DR requestor), and 2. The solar panel location, (expressed by the neighbor across the street, Ms. Tice-Wallner).

Let me know if this works for verbiage for the Conditions of Approval:

To address concerns expressed by neighbors at the DR and Variance Hearing the proposed project shall incorporate the following modifications:

1. The upper roof deck will be eliminated, and the lower roof garden will be expanded.

The low-sloping roof above the master bedroom will be extended to cover the area that was previously the upper roof deck, and the roof above the living room will become flat to accommodate the expanded lower roof garden.

2. The solar PV array will be placed on the south-facing low-sloped roof above the master and family room. The roofs above the bedroom and guest suite will be flat green roofs to avoid casting shadows on the solar array.

Please use the attached drawing set which includes the landscape drawings. For reference I've also included a 3D diagram that you may find helpful in understanding the proposed modifications. Feel free to call if you have any questions.

Warm Regards,
Bridgett Shank

From: Smith, Michael (CPC)
To: "Barkley, Alice"
Cc: Thai, Cathy (CPC)
Subject: RE: Variance Decision
Date: Friday, May 09, 2014 11:48:00 AM

Alice – Cathy is out of the office today so the 21st Street variance decision will be processed on Monday when she returns. She will also email you a PDF copy of the decision on Monday.

Michael Smith

From: Thai, Cathy (CPC)
To: Smith, Michael (CPC); Barkley, Alice
Cc: bshank@feldmanarsh.com
Subject: RE: Variance Decision - 3660 21st Street (2013.0179V)
Date: Monday, May 12, 2014 7:00:34 AM
Attachments: 2013.0179V - 3660 21st Street.pdf
NSR @ 3660 21st Street=2013.0179DV.doc
NSR Instructions - 021314.pdf

Hello! To all, hard copies have been sent out today.
Thanks a lot

From: Smith, Michael (CPC)
To: Sue Hestor ; John O'Duinn; Arnie Lerner; "moopera@aol.com";
"Wendy Tice-Wallner"; "mariannp3666@att.net"
Subject: 3660 21st Street variance decision
Date: Thursday, May 15, 2014 3:30:00 PM
Attachments:
2013 0179V - 3660 21st Street.pdf
All – Attached is the variance decision for 3660 21st Street.
Michael Smith

From: hestor@earthink.net
To: Smith, Michael (CPC); Sanchez, Scott (CPC)
Cc: Angus Pera; Arran Pera
Subject: NOT ACCEPTABLE 3660 20th St variance date
Date: Thursday, May 15, 2014 4:31:15 PM

THIS IS SO OUTRAGEOUS I DON'T KNOW WHERE TO BEGIN.
There was a PARTY to this case. I spoke openly as did my clients - who were shut up. ALTHOUGH there is a RIGHT to speak on variances, the hearing was conducted as though this was ONLY a D.R. with highly restricted testimony. My inquiry on how the right to testify on the VARIANCE issues could be eliminated, was never answered.
YOU had a meeting with my clients - who FILED FOR DR - and knew who you met with.
I demand that the date of the decision be changed to the date you sent it to me and those who ACTIVELY raised questions about this project..
Sue Hestor'

From: Smith, Michael (CPC)
To: Sue Hestor ; John O'Duinn; Arnie Lerner; "moopera@aol.com";
"Wendy Tice-Wallner"; "mariannp3666@att.net"
Subject: reissued variance decision for 3660 21st Street
Date: Friday, May 16, 2014 2:26:00 PM
Attachments: 2013 0179V - 3660 21st Street (reissued).pdf

All – The Department is reissuing the variance decision for 3660 21st Street in response to Sue Hestor's concern that the original decision was issued to the public two days late. The decision is dated the day it was originally emailed (5/15/2014). No changes were made to the content of the original decision only the date and signature have been changed. You will have until 5/25/2014 to appeal the decision should you decide to do so. Please disregard the previous variance decision.
Michael Smith

Letter Attached to 3/7/14 Pera Email To Sanchez

March 6, 2014

To: SF Planning Commission
Attn: Cindy Wu
1650 Mission Street, 4th Floor
San Francisco, CA 94103
From: Arran Pera -DR Requestor
Re: Variance Request for 3660 21st Street-Dolores Heights Special Use District (SUD)

I am a 4th generation San Franciscan. The house at 3666 21st Street has been our family home for over 60 years. My Grandparents, Guido (CCSF Carpenter) and Janet Pera (Wedding Planner) bought this as their family home. It was passed on to my father and my late mother, Angus (CCSF truck driver) and Mariann Pera (Showroom Manager at Gift Center). This was my home in my teenage years through the start of my career as a Police Officer with the S.F.P.D. Because of my job, I cannot list my current address. I currently don't live at 3666 21st Street but am part owner of the property. It is my intention to move back into the house with my wife and two children.

My father has understandably been very upset by the plans for expansion of the adjacent house at 3660 21st Street. With my mom's passing in 2012, my dad has asked me for support with the more complex issues that have arisen, this being one of them. Since my Grandparents had to deal with an addition to this same house back in 1978, my dad wanted me present in dealing with the new owners and their building proposal.

We will be dealing with whatever happens with this property for the rest of our lives. The Cox property was bought in 2012 and is literally right outside our window. We have attempted to work with Cox and his architects and have not made very much headway. Cox and his wife, Visra Vichit-Vadakan have made no substantial changes to this project to reflect our concerns. There are still many unresolved problems, which have yet to be addressed by the owners or their architects: problems with the depiction of 3666 21st Street window elevations, errors in notice to affected neighbors that persist.

From its inception, the scope of the project has been minimized. This has severely eroded trust with the owners and their agents. At our first meeting, they discussed a small renovation. It mushroomed into a defacto demolition. The plans have remained relatively unchanged, only the description of the rooms has evolved.

The Commission must apply the Planning Code and the Dolores Heights Special Use District to balance Cox's need for renovation with our living needs as long-term adjacent neighbors. DHSUD has deep roots in my family. In the late 1970's, this area, along with other areas of the City, was undergoing a boom in development. Fearing that this neighborhood would turn into another over-developed, over-built, predominantly affluent neighborhood, a group of dedicated residents fought to preserve the unique features of Dolores Heights. My Grandmother was one of those concerned residents. She encountered the SAME problem back in 1978 we are now experiencing today.

Back in 1978, a beautiful front garden existed at 3660 21st Street. The owner wanted to expand. In order to preserve his front garden he wanted to build a 2nd story within the existing rear yard setback and filed a variance to build in the rear. Around the same time, Dolores Heights Improvement Club, with the help of Audrey Rodgers and then Supervisor Feinstein, worked to amend SF Planning Code by adding Section 241 with stricter building requirements for Dolores Heights Special Use District to preserve our

neighborhood's unique character.

My father and I look to the Planning Commission to make necessary changes. Not only for our light, air and privacy preservation but to preserve panoramic public views looking northeast over 21st Street. The developer wants to enhance their views by building in the rear setback. The trade off for that ability should be to preserve the public views. Many come from around the world to marvel at the breath-taking, panoramic views of the City. In the past year, I know of one independent film and a cable series that were shot on this very block of 21st Street. The Rolph Mansion, Tom & Jerry's Christmas tree and Ka-Boom attract thousands of tourists and residents alike to this beautiful street. On any given day you will find someone stopping to admire the view or taking photos of the unobstructed views over 3660 21st Street. If the Commission allows building heights and greener to creep even higher, important windows of public access to downtown view corridors will be closed off.

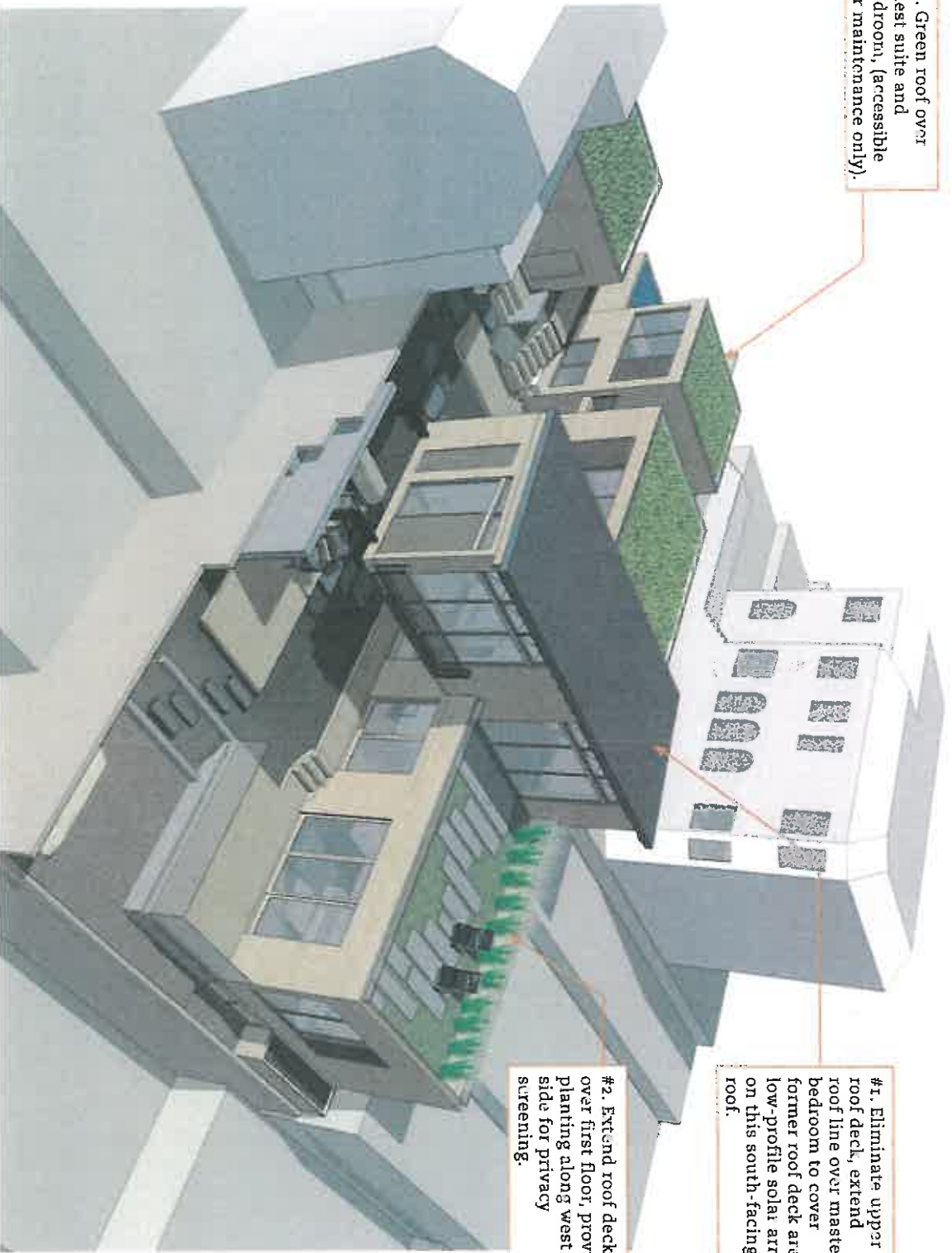
The changes we request:

- No penthouse roof deck - It is a rarely used amenity in this neighborhood because of the wind and fog patterns. Our east facing view will be impacted by this addition. It will be impacted even more severely by roof plantings and dirty glass railings. It is not reasonable that our main living area lose light, privacy and views for something that will only be used a few days out of the year. We use this living space in our house 365 days a year, day and night.
- Roofline be brought down by a few feet to a maximum roof height of 319' to match the bulk height of their current 2nd story. This concession would lower their ceiling heights to 10 feet. In return the public view corridor to downtown over the property would be preserved. This also minimizes negative impacts the project will have on our light, air and privacy of our entire first floor, front yard and rear yard.
- No solar panels over 319' elevations.
- No Trees to Obstruct Public Views from Street.

I respectfully ask that you give careful consideration to this project and the impacts on our property and the public interest. Please use sound reasoning to think this project through.

Sincere Regards,

Arran Pera



#3. Green roof over guest suite and bedroom, (accessible for maintenance only).

#1. Eliminate upper roof deck, extend roof line over master bedroom to cover former roof deck area; low-profile solar array on this south-facing roof.

#2. Extend roof deck over first floor, provide planting along west side for privacy screening.



FELDMAN
ARCHITECTURE

1005 Sansome St, Ste. 240
San Francisco, CA 94111

p 415 252 1441
f 415 252 1440

PROJECT

Cox-Vlicht-Vadakan House
3660 21st St.
San Francisco, CA

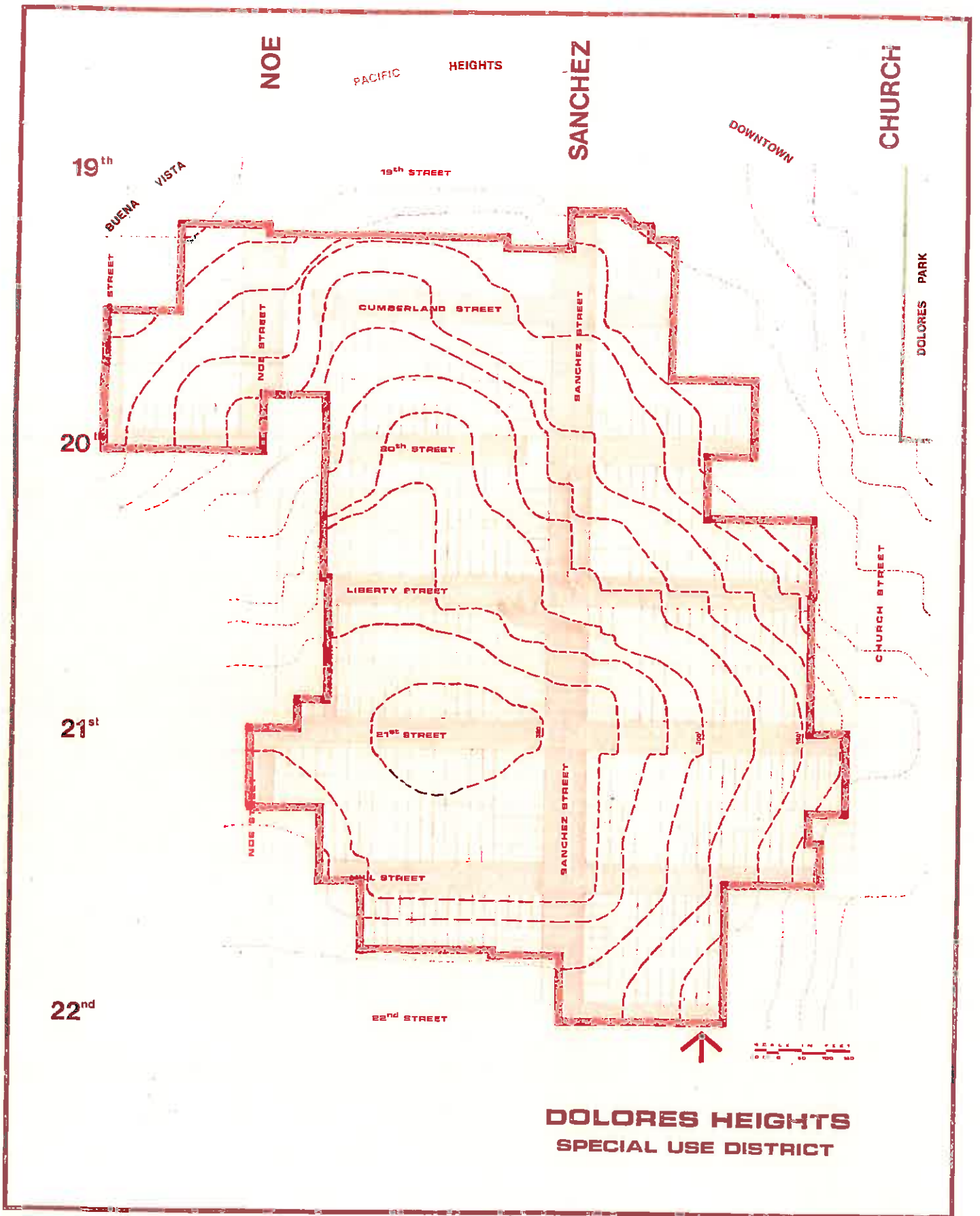
TITLE

Proposed Changes
Birds Eye View

DATE

03.28.2014

Exhibit 3



**DOLORES HEIGHTS
SPECIAL USE DISTRICT**

NEED FOR PARTIES TO TALK FURTHER ON VARIANCE ISSUES

From SFGovTV, Planning Commission March 6, 2014

Arran Pera Testimony at March 6 Hearing

- "At this point, I think the best thing to do is to all sit back down again and talk..."
- "We've been upfront about the variance portion and what we wanted from the get go."
- "What I ask from you (Planning Commission) is for you to make them come and talk to everyone on this so we can come to a better consensus."

Commissioner Rich Hillis comments

"It seems to be about the deck. I encourage the Project Sponsor and DR Requester to continue to talk to each other."

Cox Architect - March 25 Shank to Smith

"We have not yet notified the neighbors of these changes to address their concerns. In the past they have not been very receptive to hearing suggestions that come from us."

Cox Attorney - March 25 Barkley to Smith

"If Bridgett sends them (plans) to the neighbors, I suspect the DR requester will be screaming and yelling and Sue Hestor will object."

EXHIBIT 5

March 5, 2014

To: San Francisco Planning Commission
Attn: Michael Smith & Scott Sanchez
1650 Mission Street 4th Floor

From: Angus Pera
3666 21st Street San Francisco, CA 94114

The following residents have concerns about the **proposed 3660 21st Street project**. Attached are copies of the letters. Original Letters and one set of copies to Michael Smith and one set of copies to Scott Sanchez. Updated 3/5/14 Added Arthur Schmitt & Joe Owen Jr.

Tamra & Robert Marshall	3609 21st Street
Candida Ashe	3615 21st Street
Don Stroh	3622 21st Street
Caroyn Kenady	3632 21st Street
Greg Montana	3639 21st Street
David Pennebaker	3649 21st Street
Wendy Tice-Wallner	3655 21st Street
Eric Holub	3663 21st Street
Linda Sonntag	3676 21st Street
Erwin & Dina Traptic	798 Sanchez Street
Myron Lee	857 Sanchez Street
Thomas Duggan	861 Sanchez Street
Mary & Don Hornbuckle	867 Sanchez Street
Peter & Peggy Cling	870 Sanchez Street
Jim Humes & Joe Quinn	871 Sanchez Street
Jesus & Jane Ramos	875 Sanchez Street
Philippe Vendrolini	337 Liberty Street
David P. Arnesen & Vittorio Sciulli	373 Liberty Street
John O'Duinn	384 Liberty Street
Rikke Cox	353 Hill Street
Hillary Turner	369 Hill Street
Christopher Hall & Bruce McKenzie	382 Hill Street
Pam Hemphill	423 Hill Street
Arthur Schmitt	427 Hill Street
Mary E. Schroer	438 Hill Street
Ann Zuppann	450 Hill Street
Chris McNeill	450 Hill Street
Joe Owen Jr.	66 Corwin Street

Exhibit 6

February 22, 2014

To: **SF Planning Commission**
Attention: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Tamra and Robert Marshall
3609 21st Street
San Francisco, CA 94114

Re: **Opposition to Variance Request for 3660 21st Street, San Francisco 94114**
Case No 2013.0179D Variance Request for 3660 21st Street in Dolores Heights
Special Use District

It has come to our attention that the new owner of the property stated above has requested multiple variances for new construction on the property that are contradictory to the goals of the Dolores Heights Special Use District:

To preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape.

We have been residents on 21st Street for over 18 years and pay attention to the construction projects within the neighborhood and how it may affect the integrity of this unique San Francisco district.

It is customary for Dolores Heights property owners to present new construction plans to the Dolores Heights Neighborhood Association for review to get feedback from the neighbors. This process gives an opportunity for the property owners to understand the Special Use District Guidelines regarding new construction and for concerns about variances to be discussed before the plans go downtown to the city planning commission. To my knowledge, the plans were not presented to the DHNA. We followed this protocol when we put an addition on our home several years ago and we were able to get valuable feedback from the neighborhood committee and made changes to our plans to accommodate neighbor concerns while strengthening neighborhood cohesiveness.

Our concerns for the proposed construction plans are:

- The low profile of the existing home set-back and open front yard space allow for incredible and unique public views of the cityscape from the sidewalks. The views are enjoyed daily by neighbors and tourists who walk up and down the hill, many stopping to photograph the unique vistas of our city along the way.

Recently, we walked by the property while strings and flags were placed to block-out where the new proposed structures may exist and are concerned that new construction would completely block the public views.

- In reviewing a copy of the building plans, we are opposed to the expanse of buildings proposed along the west side of the property, which is way outside the lines of the current home and obstructs almost all of the open space on the ground and above. It also obstructs views of the west side neighbor. All homeowners treasure their views and it should be of high consideration to maintain these views when proposing any new construction.
- The overall square footage of the proposed property is well above the guidelines for the size of the lot.
- We are opposed to windows or outside areas that will allow for direct views into the private spaces or windows of the next-door neighbors. This seems to be the case on both the east and west sides of the property lines.
- We are concerned with the plan to build several separate buildings all located on a lot intended for a single family home.
- An incredible and rare garden on the property was completely demolished before any permits have even been issued for new construction at this address. This was an exquisite garden that we had the opportunity to view on the SF Garden tour and its destruction is a loss to our neighborhood.
- We are concerned that this new property owner has not taken the time to live in the space and get to know the community before proposing this construction plan that requires numerous variances.

We will not be able to attend the meeting on March 6th regarding the issues above but would like our written concerns to be considered. We request that the property owner make adjustments to the construction plan to remain within the constraints of the Dolores Heights Special Use District and then present the proposal of new construction to the review board of the Dolores Heights Neighborhood Association, in order to remain in good faith with the neighbors. Amicable agreement for a beautiful new construction that is in keeping with the character of the area is sure to be possible.

Tamra & Robert Marshall

A handwritten signature in black ink that reads "Tamra + Robert Marshall". The signature is written in a cursive, flowing style.

415-695-9209

To: SF Planning Commission
ATTN: Cindy Wu, President
1650 Mission St, 4th Floor
SF CA 94103-2470

From: Candida Ashe
3615 21st Street
SF CA 94114

Re: Case # 2013.0170D Variance
Requests for 3660 21st Street in
Dolores Heights SUD

I am opposed to the
variance requests for 3660 21st St.
Neighbors will be adversely
affected with views, open space &
garden quality. Seeking to
expand in the 45% rear yard
setback is in violation of
section 241 of the Planning Code.
It is a disgrace to have
torn out the well known & well
loved garden - part of the

Garden Tours. To me this shows
total disregard to the community.

Sincerely,

Chris

Opposition to variance request for 3660 21st St. in Dolores Heights SUD

To: SF Planning Commission, Attn: Cindy Wu, 1650 Mission St. 4th Floor, San Francisco, 94103-2479

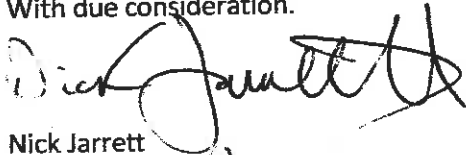
From: Don Stroh, Nick Jarrett, 3622 21st St. San Francisco.

Re: Case No.2013.0179D Variance requests for 3660 21st St. San Francisco in Dolores Heights special use district (SUD)

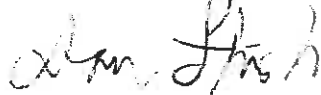
The undersigned neighbors believe that the requested variances from planning code rules regarding back yard requirements should be rejected. We understand that the present structure in the required rear yard is non-compliant and that the planning code prohibits adding to or alterations to a non-compliant structure. Were this to be approved it would set a dangerous precedent endangering the unique character of this special neighborhood.

The applicants appear to have by-passed the Dolores Heights design review committee and should be encouraged to either abide by the rules or take their proposals to those who would be directly impacted.

With due consideration.



Nick Jarrett



Don Stroh

23 February 2014

Opposition to Variance Request for 3660 2st Street in Dolores Heights Special Use District (SUD)

Date: February 22, 2014

To: San Francisco Planning Commission
Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, Ca 94103

From: Carolyn Kenady
3632 21st Street
San Francisco, CA 94114

Re: Case 2013.0179D -Variance Requests for 3660 21st Street in Dolores Heights SUD

I want to register my opposition to the variance requests for 3660 21st Street. The city codes exist to balance the wishes and needs of property owners and the quality of our neighborhoods. These proposed variances significantly affect the quality of this unique neighborhood in terms of views, the open sky and space that all enjoy today. And the property owner can achieve the desired living space with an alternate design that requires no variance.

My concerns include:

- The proposed plan will obstruct the views of the City, downtown, and Bay
 - Many people walk and drive up and down 21st Street to admire this view
 - They stop and take photos daily – aiming their camera over this property
 - There's considerably more visitors/photography during the six weeks when Tom & Jerry's Holiday Tree is up next door at 3650 21st Street
 - Building a higher and bigger home and garage destroys this view amenity
- The heights and location of the structures eliminate open sky and open space – particularly the extension of the property along the western property line.
 - Building a structure from the front to the back of the lot's west edge creates a monolith that blocks enjoyment of the views between homes
 - Adding more rooftop decks to the structure increases the de-facto height of the structure and further blocks the City and Bay view

I'm a San Francisco native. My family has owned our property on the street for nearly 50 years. I walk up and down 21st Street at least four times each day. Our neighborhood has a wonderful residential feel that the City Planning and Building Codes were created to protect. The property owner can build a lovely home with an alternate design that requires no variance. There's a balance here that works. Let's continue it.

Thank you,
Carolyn Kenady
3632 21st Street
ckenady@sbcglobal.net

February 26, 2014

To: S.F. Planning Commission

Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Greg Montana
3639 21st Street
San Francisco, CA 94114

Re: Case No. 2013.0179D Variance Requests for 3660 21st in Dolores Heights Special Use District (SUD)

Dear Commission and Commissioner Wu:

I live across the street from the property at 3660 21st Street.

I believe that new expansions and developments in the Dolores Heights Special Use District should be held to conform to the restrictions and guidelines of the Special Use provision (Sec. 241). This will create a balance that will benefit the neighborhood for all residents and visitors and the preservation of public and private views will be respected and preserved. Allowing development outside the restrictions and guidelines of the Special Use District will set a bad precedent that will only benefit the wealthiest of residents.

The proposed project at 3660 21st Street definitely affects many neighbors, public views and private views. For the longterm benefit of the area, I urge you to stay within the guidelines and restrictions of the Dolores Heights Special Use District when making your decision.

Thank you for your consideration,

Greg Montana

Opposition to Variance Request for 3660 21st Street in Dolores Heights SUD

To: SF Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: David S. Pennebaker
3649 21st Street
San Francisco, CA 94114

Re: Case No. 2013.0179D Variance Requests for 3660 21st in Dolores Heights Special Use District (SUD)

Dear Commission and Commissioner Wu:

I own a home across the street from the subject property at 3660 21st Street. I have lived here since 1994. I grew up in San Francisco in a very modest environment. Living in Dolores Heights is literally a dream come true for me. Owning property is a large part of our long term financial success these days and I have worked very hard to purchase my home and hold on to it. I do feel that I need to speak up about the impact the project at 3660 21st Street will have on several of my neighbor's properties and on the neighborhood as a whole.

In 2008 a project located at 332 Hill Street (behind our home) added 22 vertical feet to the existing structure. We were heartbroken when the project was finished and our view to the South had been blocked by fifty percent. There hasn't been a day that goes by when I don't look out at what is left of the view and wonder if I could have done something to change the outcome. The loss is not only emotional and visual, but financial. I am a real estate agent and I believe that we have lost several hundreds of thousands of dollars in property value. Most of the additional height to 332 Hill Street was added to gain a dramatically tall loft ceiling in the master bedroom, and the addition of a roof deck. It was hardly worth the result of our loss for their gain. If only I had spoken up and asked the owner to compromise, perhaps we would still have our view. Just for the record, we have never seen the family who bought the home use the roof deck. This is why I want to speak up now.

I would like to see properties in the Dolores Heights Special Use District built and renovated within the current special restrictions and guidelines and with a concern for balance that will benefit the preservation of the neighborhood for all residents and visitors. This means that the preservation of public views and private views should be seriously taken into consideration. The increasing wealth in the neighborhood is happening very rapidly. Allowing development outside of the restrictions and guidelines of the SUD will soon result in a neighborhood and environment that will only benefit the wealthiest of residents.

The proposed project at 3660 21st Street definitely affects many neighbors, public views and private views. I hope that you will make every effort to stay within the guidelines and restrictions of the Dolores Heights SUD when making your decisions.

Sincerely,

David S. Pennebaker

Opposition to Variance Request for 3660 21st Street in Dolores Height SUD

To: SF Planning Commission
Attn.: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Wendy Tice-Wallner
3655 21st Street
San Francisco, CA 94114

Re: Case No. 2013.0179D Variance Requests for 3660 21st in Dolores Heights Special Use District (SUD)

Dear Commission and Commissioner Wu:

I own a two story 1910 Edwardian home that is directly across from the subject property, 3660 21st Street. I have lived at my current address for 26 years. I bought my home, in large part, due to the wonderful views it provided to the North and East from the front of the property, which include city views and the hills of Marin County. The Special Use District provisions for Dolores Heights (SF Planning Code Section 241) state their purpose as preserving and providing for an "established area with a unique character and balance of built and natural environment, **with public and private view corridors and panoramas**". The SUD provisions discourage any "**unreasonable obstruction of view and light by buildings or plant materials.**"

Certain aspects of the proposed plans for 3660 21st Street are inconsistent with the SUD provisions and should be remedied before the project is approved. My specific concerns about the project are as follows:

A. The plans call for an unnecessary increase in height over the existing two story structure that impact the views from my home.

The plans call for an increase in the roof height on the building housing a proposed reading room and master bedroom suite. Notably, the existing structure added a second floor pursuant to a variance that had to be obtained under the SUD provisions. If permitted, the new structure would eliminate views from every vantage from the North side of my home. The proposed master bedroom suite ceiling height could be reduced to avoid this result.¹ I would like the structure to stay within the current height footprint.

¹ I have requested from the architect for the project specific information about the height of the master bedroom from floor to ceiling. As of the date of this submission, I have not received that information.

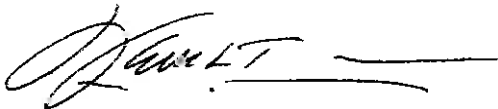
B. The plans call for an unnecessary extension of the existing structure to the East that impact the light and views from my home.

The plans call for the demolition of a one-story greenhouse structure and erection of a two story Master Bedroom suite in its place that would significantly reduce the open corridor of light and views to the North from my home. I would like the structure to stay within the current footprint rather than be extended further to the East.² Attached is a photo that shows the increase in the building footprint to the East. The story poles/flags in the top photo behind the existing eastern garage structure show the proposed increase in the building size to the East. The rendering below the photo was provided by the architect and misrepresents the width of the rear building. The plans would extend that building to only a few feet from the Eastern property line.

C. The height increase and eastern expansion of the structure, as discussed above, also significantly impact public corridors and panoramas, as well as my own.

If the height of the second floor of the rear structure were to be kept to its current height, and the building was not extended further to the eastern property line, the downtown views from those traversing the hill between Sanchez and Church Streets would not be impacted. The 21st Street hill has become a popular tourist spot, and is included in City tours, movies and television productions. Travelers from around the world walk down the hill and experience incredible views of our Downtown and the East Bay. A recent episode of the new HBO series, "Looking" was filmed from a car descending from Sanchez to Church showing precisely the views that will be lost if the project in its current form is approved. The proposed size of the new structure (4200 sq. feet) is out of scale with surrounding homes, and a modest reduction would retain views, panoramas and light, without significantly impacting the ability to build an attractive structure.

The consideration of the Planning Commission of the concerns expressed in my letter is greatly appreciated.



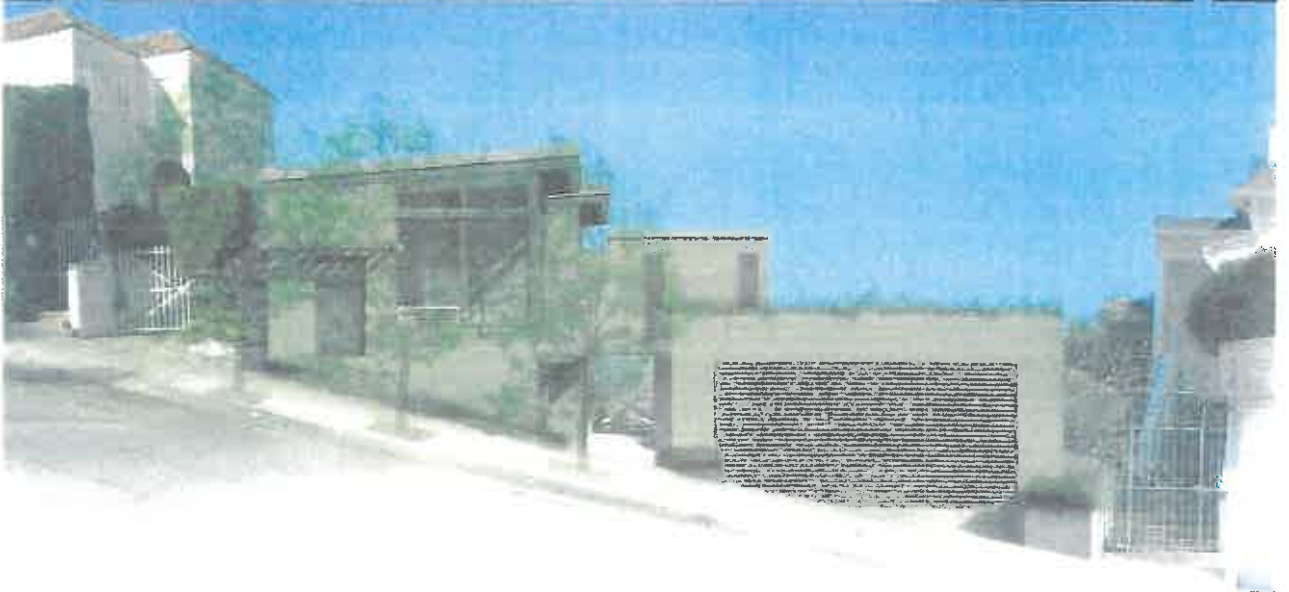
Wendy Tice-Wallner
3655 21st Street
San Francisco, CA 94114
415.647.7633
wtice-wallner@comcast.net

² I have requested from the architect for the project specific information about the increase in expansion of the Master Bedroom suite to the East. As of the date of this submission, I have not received that information.

N

W

E



CIRCLED AREA SHOWS ENCROACHMENT OF PROPOSED BUILDING BY EXPANSION OF STRUCTURE TOWARD THE EASTERN PROPERTY LINE.

HOLUB

3663 21st Street, San Francisco California 94114

To: San Francisco Planning Commission
ATTN: Cindy Wu, President
1650 Mission Street SF CA 94103

from: Eric Holub

25 February 2014

Dear President Wu,

This letter is written in opposition to the variances requested at 3660 21st street.

My family has lived directly across the street, at 3663 21st St, since 1957; I grew up there, in 2010 returned to care for my Mother Florence, who is now 95 and in poor health. Both Florence and my late father Leo were active in the formation of the Dolores Heights Special Use District. They believed then that the neighborhood needed protection from unrestrained development, and their fears have been justified by the reality today.

The proposed changes at 3660 21st street are exactly what the S.U.D. was meant to control. If approved, there will be a considerable loss of open space; and views currently enjoyed by the public and neighbors will be blocked permanently.

It is particularly disturbing that in the original plans, and in the erection of story poles, the true visual impact was

HOLUB

not fully represented. Now a roof garden has been added, which could, depending on railings and plantings, be as significant as an additional floor on the structure. I would add that a roof garden is not a replacement for the lost open space.

I also am concerned about the disruption to the area caused by demolition and construction. There isn't a block of 21st street between Guerrero and Castro that hasn't been affected by long-term construction projects. Contractor's vehicles take away parking spaces from residents, block driveways, etc. I hate to imagine what the congestion would be like if construction overlaps the set-up and take-down of the Christmas tree at 3650 21st.

Eric Holub

**Linda Sonntag
3676 21st Street
San Francisco, CA 94114**

To: SF Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Linda Sonntag
3676 21st Street

**Re: Case No 2013.0179D Variance Requests for 3660 21st Street in Dolores Heights
Special Use District (SUD)**

Dear Ms Wu

I am writing to you to implore the SF Planning Commission to disallow the variances requested for 3660 21st Street. The very landscape of our beloved neighborhood is currently under attack as big money moves in and has the wherewithal to disenfranchise families who have lived here for decades and have adhered to the beauty and character of the neighborhood and the standards defined in the codes that are being violated in this proposed project.

The new owners, at a public meeting with their neighbors, directly expressed their understanding that their requests were causing significant discontent in the neighborhood and that they chose to be good and friendly neighbors. Hence, as an example, they would not include the roof garden in their final plans. The plans submitted for review are in direct opposition to their stated intentions when the plans were first presented by their architect to their neighbors for comment.

Concerns:

- **Major Impact on Public Vistas** enjoyed by people around world & thousands who visit Tom & Jerry's Christmas Tree at 3650 21st Street.
- The Project is a **non-complying structure** currently built to the rear property line. Based on the scope of this project, it would be considered a "**de-facto demolition**".
- The owners are seeking **several variances to expand in the 45% rear yard**

setback, which is in violation of the Section 241 of the Planning Code (Dolores Heights Special Use District).

- They are seeking **additional variance of required front yard set back** (15 ft) so they can tear down one of the two existing garages and merge into one two car garage which will SEVERELY impact the PUBLIC view corridor of downtown.
- They are proposing to expanding the existing structure with two floors of build out in the middle portion of the lot thereby creating a 4 bedroom house with 2 master bedroom suites in the main house and a detached 2 bedroom guest suite located on the front portion of lot in replacement of the front garage.
- They are increasing house by over 1651 square feet for a new total of 4200 sq ft. (Dolores Heights Residential Design Guidelines for this lot size suggest a 3800 sq ft house.
- All weather outdoor spaces:
 - 1. Penthouse roof deck with planters that looks directly into neighbor's kitchen window with planters.
 - 2: Roof Garden accessed through 2nd story family room
 - 3. Two balconies off bedrooms
 - 4. Courtyard
 - 5: Covered Patio
 - 6: Small Yard
- The new owners Intentionally tore out the gorgeous garden designed by the now deceased Landscape Architect, Harlan Hand, which was shown to the public on Garden Tours through the Garden Conservancy. See SF Gate Article <http://www.sfgate.com/bayarea/article/More-than-a-view-bloomsatop-Dolores-Heights-2639160.php>

Please do not allow the families who have lived in harmony for many years to be thwarted and have their desires for a harmonious neighborhood, which includes harmonious designs relating to the rest of their neighborhood, be destroyed.

Very truly yours,



Linda Sonntag,

2/25/2014

TO: SF PLANNING COMMISSION
ATTN: CINDY NU, PRESIDENT
1650 MISSION STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103-2479

FROM: ERWIN & DINA TRAPIC
798 SANCHEZ STREET
SAN FRANCISCO, CA 94114-2947

RE: CASE NO 2013.0179D VARIANCE REQUESTS
FOR 3660 21ST STREET, BLOCK/LOT NO 3605/019
SPECIAL USE DISTRICT DOLORES HEIGHTS

DEAR CINDY:

WE ARE WRITING TO YOU, TO EXPRESS OUR OPPOSITION
AND CONCERN, ABOUT THE VARIANCE REQUESTS FOR
3660 21ST STREET. WE LIVE IN THIS SPECIAL USE DISTRICT
FOR OVER 40 YEARS AND HAVE MET MANY LOCALS AND
INTERNATIONAL TOURISTS, WHO WERE FASCINATED WITH
THE BEAUTIFUL PUBLIC VIEWS, AND HOW OUR CITY PRESENTS
ITSELF, FROM "OUR HILL". THIS AREA IS ON A CITY WALKING TOUR
PUBLISHED IN A BOOKLET FOR TOURISTS AND AS SUCH, AN ASSET
TO THE CITY. WE FEEL, THE GUIDELINES OF THE DOLORES
HEIGHTS SPECIAL USE DISTRICT SHOULD BE FOLLOWED, TO
PRESERVE THIS SPECIAL NEIGHBORHOOD!

THIS VARIANCE REQUESTS, IF GRANTED, WOULD ADVERSELY

✓

AFFECT NEIGHBORS UP AND DOWNHILL AND
ENCROACH ON OPEN SPACE AND
PUBLIC VIEWS!

RESPECTFULLY

John & Diane Trapp

February 25, 2014

San Francisco Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

**RE: Case #2013.0179D – Variance Requests for 3660 21st Street in Dolores Heights
Special Use District (SUD)**

Dear Planning Commission Members,

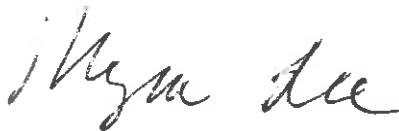
I am writing to voice my opposition to the above-referenced property, as it is proposed. There are some serious concerns that need to be addressed before this project should be given your approval:

- The several variances they are seeking to expand in the 45% rear yard setback. This is in violation of Section 241 of the Planning Code (Dolores Heights Special Use District)
- Additional variance of the required front yard setback (15 feet) so they can do two things ~ merge the two existing garages into one and also build a detached 2-bedroom guest suite in the front lot, replacing the 2nd of the two existing garage structures. This variance would severely impact public views of the downtown corridor.
- Increasing the square footage of the home by over 1651 sq. ft. to a total of 4200 sq. ft., which exceeds the Dolores Heights Residential Design Guidelines for this lot size.
- Various decks/balconies/roof gardens that would look directly into neighboring property windows, creating privacy concerns.

The Dolores Heights Special Use District was put in place for several reasons, one being to encourage that development in the area be in “context and scale with the character and landscape” already established in the area. I believe this project is too “massive” for this particular area and approving it would only encourage others to replace existing structures and homes with large-scale projects that are contrary to the scope of the neighborhood as it exists now.

Thank you for your attention to my concerns.

Sincerely,



Myron Lee
857 Sanchez Street

February 25, 2014

To: S.F Planning Commission
Attn: Cindy Wu
1650 Mission Street, 4th Floor
San Francisco, CA 94

From: Thomas Duggan
861 Sanchez Street
San Francisco, CA 94114

Re: Opposition to Variance Request for 3660 21st Street San Francisco CA 94114
Case No: 2013.0179D Variance Request Dolores Heights Special Use District

Dear Ms. Wu,

I live around the corner from the proposed project at 3660 21st Street that seeks both rear yard and front yard variances. Although the proposed project does not affect me directly I am concerned that the granting of unnecessary variances erodes the spirit of Section 241 and the preservation of the unique features of Dolores Heights as a whole. This particular project seems especially problematic for the neighborhood due to the fact it is a non-conforming structure and affords breathtaking city views for the public due to its position on the lot.

For the past 43 years, I have lived at 861 Sanchez Street and since 1980, directly benefited from the safeguards provided in the language of the Dolores Heights Special Use District. I clearly remember the energy invested by a very concerned and dedicated body of Dolores Heights' citizens, in creating the current zoning we enjoy today under Section 241 of the Planning Code. With the recent flurry of granting of variances I am very concerned. The language specifically calls for no building within a 45% rear yard set back. The current structure is located entirely within the rear yard setback. Now they are seeking to infill portions in the back along the western property line as well as extend the 2nd story in east **within the rear yard set back** as well as **add 2 stories in the front "buildable" portion of this lot.**

The fact that this is being administered as a "de Facto Demolition" has me concerned as well. None of the existing single-family homes in Dolores Heights are considered "affordable housing stock" due to current market values although this neighborhood was established as a working family neighborhood with modest homes. Any house is fair game for demolition under these standards. Tearing down Spanish Eclectic, Edwardian, or Victorian to replace with a "vanilla modern dwell" is a shame. This has to have more stringent standards to protect the neighborhood character and existing residences.

The proposed addition seems out of scale for the neighborhood. A 4200 square foot house is BIG where the average size is roughly 2200 square feet. According to the Dolores Heights Residential Design guidelines, it recommends a house size of roughly 3850 Square feet as the maximum livable space for a lot of this size.

By allowing building in the rear yard setback, the proposed project will infringe on the privacy of the neighbor to the west (3666 21st Street) by allowing them to look directly into the heart of the home, the kitchen, with a rooftop deck at the SAME elevation. As there are **MULTIPLE** proposed outdoor spaces with amazing views for 3660 21st Street, this seems very excessive. At the pre-application meeting for 3660 21st Street, I thought the owner and architect had agreed to remove the stairwell and rooftop deck after *many* attendees voiced their concerns over privacy infringement and lack of use. I was surprised to learn that the deck had not been removed from the plans.

Based on the flags (story poles) that I saw the public vista from 21st Street would be impacted. Any given day, you will find a number of tourists or locals admiring the views all over this hilltop. 21st Street offers very unique midblock views of downtown over 3660 21st Street. The view is really remarkable framed against the Spanish Mediterranean of 3666 21st Street and the Gingerbread Victorian of 3650 21st Street. At Christmas time, tens of thousands flock to see 3650 21st Decked out for the holidays against the twinkling lights of the City over 3660 21st Street. This is a very special view amenity for the public, which has been eroded for the public as of late with the variances being granted. Not everyone can afford to live in Dolores Heights but the view from the street should be protected for all.

Thanks for your time in understanding my position of opposition to the granting of variances for 3660 21st Street.

Sincerely,

Thomas Duggan

WE, DONALD

AND MARY HORNBUCKLE,
ARE SUBMITTING OUR
CONCERNS ABOUT THE
PROPERTY VARIANCE
REQUEST ON 3660 21ST ST,
WE ARE IN PROTEST OF
THE SECTION 241 OF
THE PLANNING CODE
(DOLORE'S HEIGHTS
SPECIAL USE DISTRICTS)
BEING VIOLATED AND
STAND WITH OUR NEIGHBORS
IN REGARDS TO THIS,
WE MUST ALSO DISAGREE
WITH THE HOUSE INCREASE
TO 4200 SQ. FT. WHEN THE
DOLORE'S HEIGHTS RESIDENTIAL
DESIGN GUIDELINES FOR THIS
LOT SIZE SUGGESTS 3800
SQ. FT.
PLEASE SEE FIT TO DENY

ANY PLANS IN VIOLATION
OF ANY CODES ~~AND~~ ANY.
EXPECT OUR PARTICIPATION
IN PROTEST OF ANY
VARIANCES THAT ARE
ALLOWED THAT SHOULD
NOT HAVE BEEN.

THANKS FOR YOUR
CONSIDERATION

DONNIE + MARY
HORNBUCKLE

Donnie Hornbuckle
Mary Hornbuckle

867 SANCHEZ ST.
SF CA 94114

Peter and Peggy Cling
870 Sanchez Street
San Francisco, CA 94114
March 2, 2014

SF Planning Commission
Attention: Cindy Wu, President
1650 Mission Street 4th Floor
San Francisco, CA 94103-2479

**RE: Case #2013.0179D Variance Requests for:
3660 21st Street
Dolores Heights Special Use District (SUD)**

We are writing to express our concerns about the proposed construction at 3660 21st Street. This property falls within the Dolores Heights Special Use District - Section 241 SF Planning Code - and therefore should be required to be designed and built consistent with the provisions of this Special Use District. The Dolores Heights SUD was created to insure that the type of overbuilding, de-greening and disregard of neighbors and neighborhood character that this type of construction, with its requested multiple variances, could and should be prevented. The Dolores Heights SUD is for the benefit the entire neighborhood and not an individual homeowner.

Of special note, and clearly stated in the Dolores Heights SUD, is the intention to "encourage development in context and scale with established character and landscape". The proposed construction at this site does the exact opposite. The expansion of the home by 1651sf (which is slightly smaller than my entire house!) to 4200sf is clearly NOT in scale, it's huge overbuilding with very little open space. We would hope that the planning commission will ask that the proposed construction respect this important statement of purpose of the Dolores Heights SUD. In addition, the privacy of adjacent properties must be maintained. No one should be allowed to construct rooms, balconies or decks that look into another neighbors home or private spaces.

The removal of the front garden designed by well known and highly respected landscape architect, Harlan Hand, as soon as the house sold was a very clear indication to the neighborhood that the new owner had no intention "to conserve existing buildings, plant materials and planted space" as stated in the Dolores Heights SUD.

The proposed construction on this site is requesting variances for virtually every provision of the Dolores Heights SUD which was created to preserve important neighborhood features and which other construction projects have honored throughout the last 35 years. We would hope that the planning commission will see past the current "I want it, I can afford it, therefore I should get it" trend that these plans seem to indicate. We hope that the planning commission will respect the entire Dolores Heights neighborhood by not granting the proposed variances and by requiring that construction at 3660 21st Street meet all of the provisions of the Dolores Heights SUD.

Thank you for your consideration,

Peggy Cling

Peter Cling

From: Jim Humes <jamesmhumes@yahoo.com>

To: moopera <moopera@aol.com>

Subject: 3660 21st Street

Date: Thu, Feb 27, 2014 9:16 pm

CASE #2013.01790

We would like to be added to the list of people objecting to the proposed remodel of 3660 21st Street. The proposal is too big for the lot and neighborhood, and it appears to be inconsistent with the Dolores Heights historic district. We do not oppose reasonable remodels, but this one is excessive and unreasonable.

Thank you. Jim Humes and Joe Quinn. 871 Sanchez Street.

Sent from my iPhone

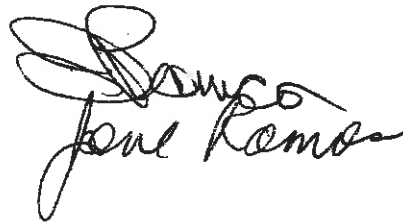
To: San Francisco Planning Commission
att: Cindy Wu
1650 Mission St
San Francisco, CA 94103

February 24, 2014

From: Jesus and Jane Ramos
875 Sanchez St
San Francisco, Ca 94114

Re: Case No. 2013.0179D Variance Requests for 3660 21st Street in Dolores Heights Special Use District

Owners are seeking several variances which, if granted, will dramatically change the character of the street and the quality of life in the neighboring homes. The proposed structure would be out of scale with other homes on the street and will exceed the DHRD guidelines for this lot size. I urge you to not approve the subject variance requests.

A handwritten signature in black ink, appearing to read "Jane Ramos". The signature is stylized and cursive, with the first name "Jane" written in a larger, more prominent script than the last name "Ramos".

To: SF Planning Commission
Attn: Cindy Wu, President
1650 Mission Street 4th Floor
San Francisco, Ca, 94103-2479

From: Philippe Vendrolini
337 Liberty Street
San Francisco, Ca, 94114

**Re: Case no2013.0179D Variance Requests for 3660 21st Street in Dolores Heights
Special Use District (SUD).**

San Francisco, March 1st, 2013

I am writing you this letter to voice our concerns regarding the variance request for 3660 21st street in Dolores Height.

My wife, 2 young daughters, and I live in 337 Liberty Street since 2005. We love this area and are planning on raising our children here.

Even though we don't share direct property line and are at a certain distance from the project, because of the strong up-hill slope from Liberty Street to 21st Street, the extensive new shell of the proposed building will have a direct impact on our sun light in the winter months to our back windows where we get most of our sun light. The impact will be even more significant on the lower unit in our building which we also own and currently rent.

Also, the proposed new second floor (over the existing greenhouse) will look directly into our property and garden and therefore we will loose some level of privacy from that direction.

On a more general note, we also consider the proposed project to be disproportionate with the fabric of this neighborhood, and is on many fronts going against the Dolores Height special use district guidelines, which are in place to protect this special area, the home owners, and the enjoyment of a larger group of citizens.

I can only notice and regret that we have recently seen more and more of those very large scale "remodel" projects on the hill and each one is contributing to deminish the character of this very special place and obstructing many of its beautiful vantage points on the city. This one in particular by its scale would greatly block the downtown views for pedestrians on 21st Street.

We hope the commission can see here an opportunity to find a fair balance between where the sponsor of the project is and the general interest of a larger group of concern residents.

Thank you for your time.

Regards.

Philippe Vendrolini.

ps: We had contacted the owner of the property last year when we heard about the project and voiced our concerns, but so far from seeing the current proposed plans nothing has been modified in the design to acknowledge our concerns.

To: San Francisco Planning Commission
Attn: Cindy Wu, President
1650 Mission St., 4th floor
San Francisco, CA 94103-2479

From: David Arnesen
373 Liberty St.
San Francisco, CA 94114

Re: Case No 2013.0179D Variance Requests for 3660 21st Street in Dolores Heights
Special Use District

Dear Sir or Madam

I am writing to express my opposition to and concern about the variance request for 3660 21st Street. My partner Vittorio Sciulli and I live at 373 Liberty Street, a property behind 3660 21st Street. We support the intention of the Dolores Heights special use district, to provide for a "balance of built and natural environment, with public and private view corridors and panoramas..."

We need to protect the special quality of areas like the Dolores Heights Special Use District. The general public, and both uphill and down hill neighbors of 3660 will be adversely affected by this development.

Variations granted to this property in the late 1970's now seem to be used to justify further encroachment on the limitations in the special use district. Expanding in the 45% rear yard setback, and additional variance of the required front yard setback should not be allowed. Granting a variance will create expectations throughout the neighborhood for similar inconsiderate projects to be approved. I believe that the owners should be encouraged to re-design their expansion plans. Enforcing these requirements can spur owners to design better solutions in the spirit and letter of the special use district

I urge denial of this variance request. Thank you for your consideration of our views.

Sincerely

David P. Arnesen

Vittorio Sciulli

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

From: John O'Duinn [<mailto:john@oduinn.com>]

Sent: Monday, March 03, 2014 7:16 AM

To: Smith, Michael (CPC); Cindy Wu; Sanchez, Scott

Cc: dhicboard@googlegroups.com

Subject: DHIC board response to 3660 21st street (case# 2013.0179D)

hello Michael, Cindy, Scott:

I'm writing to you on behalf of the DHIC board about the proposed project on 3660 21st street.

I met with Angus and Erin Pera (father and son at 3666 21st street) on Saturday, and then Sue Hestor, their lawyer on Sunday. In so doing, I learned about the proposed project at 3660 21st street.

Here is my understanding:

- 1) The SF Planning Dept sent out the notice to "houses within 300 ft", but
 - 1a) excluded the adjacent neighbour at 3666 21st street.
 - 1b) incorrectly categorized the work as "design review", instead of "variance".
 - 1c) gave incorrect cross-street of Diamond.

It is worth noting for the record that this proposed project is on 21st street, between Church and Sanchez (3600 block). I personally live directly one block directly north of the proposed project, on Liberty between Church and Sanchez (note: 300, not 3600, block). Because different streets have such vastly different numbering schemes, I personally remember seeing that notice from Planning Dept and throwing out the notice, wondering why I got notified about some design review on a project near Diamond street, so far outside of my area. It is unclear to me how many other recipients of the notice did the same.

- 2) This proposed construction appears:
 - 2a) large compared to the DHIC SUD codes, and would make it one of the biggest houses in the DHIC SUD.
 - 2b) to involve demolishing and *rebuilding again* in the restricted 45% setback space, with construction going to 3ft from the back lot line. Yet, at the same time, this project would be leaving in-fill spaces between buildings in the middle of the lot. This seems unusual in a variance.
 - 2c) to significantly impact public views of the city from 21st street. This is of particular note to the neighbourhood, as the adjacent downhill house (Tom & Jerry's Christmas Tree) draws very large crowds every Christmas to admire the tree and the spectacular views of the city. This annual tradition would be impacted.

2d) From reading the plans yesterday, I missed the explanation of what "hardship" would justify such significant variances.

Based on the above concerns, the DHIC board ask that SFPlanning Department defer this week's proposed hearing, and send out corrected notices to all within 300ft, so all involved have time to properly evaluate this project.

Given the concerns listed above, and without hearing both sides of this project, the DHIC board currently oppose this variance request in its current form.

Respectfully,

John O'Duinn.
384 Liberty Street
San Francisco
CA 94114.

Board Member DHIC
on behalf of Dolores Heights Improvement Club.

Rikke Cox
353 Hill Street
San Francisco CA 94114

February 28, 2014

SF Planning Commission
Attn: Cindy Wu, President
1650 Mission St, 4th Floor
San Francisco CA 94103-2479

RE: Case No 2013.0179D Variance Requests for 3660 21st St in Dolores Heights SUD

Cindy Wu:

I am writing in opposition to the variance request for 3660 21st St. I live in Dolores Heights SUD and enjoy the views along 21st street. I walk my children down 21st St to the park solely to stop and enjoy the views. We pick out our favorite buildings and then try to find them when we are downtown.

As a resident of the Dolores Heights SUD, I comply with the rules. We all do so in order to preserve and provide for a unique character and balance of public and private views. By complying with the rules we have created a desirable neighborhood to live in. If we continue to allow all these variances we destroy what we have built.

Sincerely,



Rikke Cox

2-24-14

To: San Francisco Planning Commission
Attn: Cindy Wu
1650 Mission St. 4th Floor
S.F., CA 94103-2479

From: Hillary Turner
369 Hill St.
S.F., CA 94114

Dear Ms. Wu,

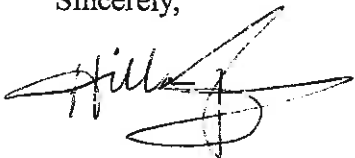
I am writing to let you know how I feel about the building project at 3660 21st, St. in Dolores Heights, SF. I am utterly dismayed at seeing yet another over large, insensitive project being proposed here. I purchased my home in 1978, when this was an actual neighborhood, and people not only knew each other, but respected their neighbors' views and space.

What this neighborhood is becoming makes me very sad and frustrated. Do people really need so much living space? Do we need yet more precious views to be blocked? Is it really necessary to expand beyond the allotted percentage of home to yard?

The penthouse, which will obviously intrude on the next door neighbors' privacy seems to me to be an indication that this is just a start—what about solar panels to come? And anything else that might, again, take away more precious San Francisco views?

Downtown and South of Market show all too clearly what this insensitivity and greed are creating in our once gracious city. Please let us do what is humanly possible to stop this historic district from also becoming another concrete jungle instead of a charming neighborhood. I do not resent progress. I do, however, deeply resent thoughtless, power mongering, building that will forever alter Liberty Hill. View corridors, once cherished, are now disappearing, all too quickly. We must stop this over the top approach for creating needlessly huge residences!

Sincerely,

A handwritten signature in black ink, appearing to read "Hillary Turner". The signature is stylized with a large, sweeping flourish that loops around the end of the name.

Hillary Turner

To: San Francisco Planning Commission
Attn: Cindy Wu, President
1650 Mission St., 4th Floor
San Francisco, CA 94103-2479

From: Christopher Hall & Bruce McKenzie
382 Hill St.
San Francisco, CA 94114

Re: Case No. 2013.0179D Variance Requests for 3660 21st Street in Dolores Heights
Special Use District (SUD)

We are writing to express our concern and vigorous opposition to the multiple variance requests for 3660 21st Street. We are 20-year residents of this neighborhood who live one street over from the property in question.

The area comprising the Dolores Heights SUD is considered by many to be a terrific neighborhood, in no small part because of its views, light, privacy and abundant private gardens. Though the gardens are often compact, the overall effect of so many of them is to create wonderful greenbelts.

The proposed variances at the subject property will serve to undercut the very qualities that make this neighborhood so inviting. They will spoil views of neighbors and of pedestrians on the street; they will diminish sunlight to neighboring properties; they will compromise the privacy of neighboring properties; and they will eliminate precious garden greenspace. The height, bulk and density of the proposed structures on this parcel are out of character with the neighborhood, a neighborhood whose desirable attributes apparently led the owners to purchase here in the first place.

We encourage you to strictly enforce the building guidelines that were put in place in the Dolores Heights SUD specifically to prevent this sort of damage to the fabric of the neighborhood. Not doing so will only encourage others to seek similarly inappropriate and totally unneighborly variances.

Christopher Hall
Bruce McKenzie

To: SF Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Pam Hemphill
423 Hill Street
San Francisco, CA 94114-2918

Re: Case No. 2013.0179D__Variance requests for 3660 21st Street in the Dolores Heights Special Use District

This project with its requests for numerous variances seems to be ignoring the sensible neighborhood protections created by the creation of the DHSUD in 1980. Attached is a copy of City Planning Commission Resolution No. 8472.

This proposed project is not in keeping with the context of the neighborhood. Roof decks violate the privacy of neighbors. Building two units of housing on one lot is not usual and should not be allowed. Also the project seems to concentrate on the west side of the lot, affecting the uphill neighbor the most. All in all, this is not a well-thought out project and deviates greatly from the single residence DHSUD vision.

Please do not approve this project as it stands. The number of variances requested alone is a red flag. It needs to be redesigned and the project sponsor needs to work with both of the neighbors.

Thanks,


Pam Hemphill

SF Planning Commission
1650 Mission Street 4th Floor
San Francisco, CA 94103
Attn: Cindy Wu

Re: Case No. 2013.0179D Variance Requests for 3660 21st St in Dolores Heights

Dear Ms. Wu

My name is Arthur Schmitt. My wife and I own the property at 427 Hill Street in Dolores Heights.

One of the joys of living in the area is the views. The one as you head down from Sanchez on 21st Street should not be impacted by new construction. Why must every purchase of property in the neighborhood involve new construction above and beyond the existing planning codes? I suggest you come out to 21st Street and see how this construction will make all San Franciscans and tourists alike a little poorer.

Arthur Schmitt

Apparition & Variance Request for 3660 - 21st
in Nobles Heights

To San Francisco Planning Commission

Attn: Cindy Wu, President

1650 Mission St 4th floor

San Francisco, Ca 94103-2479

From:



Re: Case No 2013.01790 Variance Requests for 3660 - 21st,
in Nobles Heights Special Use District SUD

Major impact on Public Views, non-complying structure. Seeking variances to expand yard which is in violation of section 241 of the Planning Code. Expanding the existing structure with two floors, build out middle portion of lot, creating a 4 bedroom house with 3 bedroom suite in the main house and a detached 2 bedroom guest suite located on the front portion of lot in place of front garage.

Porchhouse roof deck with planters that
look directly into neighbors kitchen window
with planters. This is an invasion of
privacy.

I urge denial of these variance
requests. Thank you for your
consideration.

Sincerely
Mary E. Schwan

February 28, 2014

SF Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Ann Zuppann
450 Hill Street
San Francisco, CA 94114

Re: Case No. 2013.0179D Variance Requests for 3660 – 21st Street
In Dolores Heights Special Use District (SUD)

Ms. Wu:

I am writing in opposition to the variance requests for the property located at 3660 – 21st street.

I live in the neighborhood and often drive or walk 21st Street for the spectacular and unique views of the city it offers. The impact of the variances requested would severely impact the public vistas enjoyed by city residents, neighborhood residents and visitors to the city.

This residential neighborhood is renowned for its panoramic views of a spectacular city and its skyline. The destruction of this public access to open vistas and natural beauty for the benefit of single property owners appears to be in direct disregard of Section 241 Dolores Heights Special Use District. This section recognizes the value of view corridors, gardens, open panoramas and development to the scale of existing development for the benefit of the public, as well as the specific character of the neighborhood. The preservation of public access to and use of light, open space and unobstructed vistas has been recognized by planning department and I encourage the department to uphold this vision.

The request for a variance relative to the 45% rear yard setback is also in direct conflict to Section 241 of the Planning Code. This neighborhood's character is in part shaped by its mixture of building and gardens/open space; replacing a garden with a building is not in keeping with the character of the neighborhood. I would request that any variance request to erode the 45% of total depth of the lot requirement be denied.

San Francisco has been a city of vistas and openness; the beauty of the city is in its panoramas, its human scale, its light. These should be preserved by the planning department's upholding its own zoning regulations to retain and protect the unique Dolores Heights neighborhood character.

I strenuously oppose the requests for zoning variances at 3660 -21st Street.

Sincerely,



Ann Zuppann
450 Hill Street
San Francisco, CA

February 28, 2014

SF Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

From: Chris McNeill
450 Hill Street
San Francisco, CA 94114

Re: Case No. 2013.0179D Variance Requests for 3660 – 21st Street
In Dolores Heights Special Use District (SUD)

Ms. Wu:

I am writing in opposition to the variance requests for the property located at 3660 – 21st street.

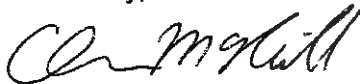
I live in the neighborhood and often drive or walk 21st Street for the spectacular views from the hill.

The impact of the variances requested would severely impact the public vistas enjoyed by city residents, neighborhood residents and visitors to the city. I feel that the density of buildings in the neighborhood would be increased to the detriment of the neighborhood character.

The unique views afforded to all of the downtown skyline and East Bay would be severely impaired, again to the detriment of the neighborhood and the detriment of visitors to the city.

I urge you to deny the requests for zoning variances at 3660 -21st Street.

Sincerely,



Chris McNeill
450 Hill Street
San Francisco, CA 94114

Joseph D. Owen, Jr.

66 Corwin Street / San Francisco, California 94114, USA
415-957-1200 / inbox@procom.admn.org

February 27, 2014

San Francisco Planning Commission
Attn: Cindy Wu, President
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: Case No. 2013.0179D Variance Requests for 3660 21st Street in Dolores Heights
Special Use District (SUD)

Opposition to Variance Request for 3660 21st Street in Dolores Heights SUD

Concerns:

Major Impact on Public Vistas enjoyed by people around world and thousands who visit Tom & Jerry's Christmas Tree at 3650 21st Street every year.

Project is a **non-complying structure** currently built to the rear property line. Based on the scope of this project it is considered "**de-facto demolition.**"

Seeking *several* variances to expand in the **45% rear yard setback**, which is in violation of Section 241 of the Planning Code (Dolores Heights Special Use District).

Seeking **additional variance of required front yard setback** (15 ft.) so they can tear down one of the two existing garages and merge into one two-car garage, which will **SEVERELY** impact PUBLIC view corridor of downtown.

Expanding the existing structure with two floors of build-out in the middle portion of the lot—creating a 4-bedroom house with 2 master bedroom suites in the main house and a **detached 2-bedroom guest suite, located on the front portion of lot, replacing the front garage.**

Increasing house by over 1651 square feet for a new total of 4200 sq. ft. (Dolores Heights Residential Design Guidelines for this lot size suggest a 3800 sq. ft. house.)

All weather outdoor spaces: **1. Penthouse roof deck with planters that looks directly into neighbor's kitchen window.** 2. Roof Garden accessed through 2nd-story family room. 3. Two balconies off bedrooms. 4. Courtyard. 5. Covered Patio. 6. Small Yard.

Intentionally tore out garden designed by now-deceased Landscape Architect Harlan Hand, which was shown to the public on Garden Tours through the Garden Conservancy. (See SF Gate Article <http://www.sfgate.com/bayarea/article/More-than-a-view-blooms-atop-Dolores-Heights-2639160.php>.)

As a neighbor walking this block of 21st Street, I urge that public sight lines not be changed by approval of these variances.

Sincerely,



Joe Owen

Executive Director (Retired)
American Society of Landscape Architects
Northern California Chapter