



February 16, 2009

Planning Commissioners  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: Letter in Support of Discretionary Review Reform

Dear Planning Commissioners:

I would like to register my support of the Commission's and Planning Department's efforts to implement reform of the Discretionary Review process. Currently, a frivolous DR request can exhaust a homeowner's time, financial resources, and emotional capital. These requests increase the backlog, and burden the over-extended resources of the Commission and Planning Department staff as well. The proposed reforms are integral to achieving a true balance between the rights of homeowners and the interests of the greater community.

In all fairness, most DR filings are probably made in good faith by the requestor. However, there seems to be an ungainly misunderstanding of the phrase "exceptional and extraordinary circumstances associated with a proposed project". Prior to the DR process, the projects are reviewed and massaged by Department staff until they are found to comply with Planning Code requirements, the General Plan, and Residential Design Guidelines. DR requests on such projects become, in effect, attempts to *legislate* new Planning code and precedent.

Frivolous DR requests, on the other hand, are often a mean-spirited effort to achieve a personal agenda or personal gain. A modest expansion of the ground floor in a single family home (to accommodate the needs of elderly parents) was opposed by a neighbor who had recently completed an identical expansion; the stated dispute was the style of baluster chosen. Extortion is the only way to describe a DR request heard last year where the requestor offered to withdraw the (time consuming) DR request for a payment of \$80,000. Such requests as these make a mockery of the "public interest" argument, and insult the professionalism of Commission and staff alike.

Please consider the risks and expense to the public, the Planning process, and the individual homeowner as you discuss the proposed reforms. No action or a negative action would be detrimental to all parties concerned.

Thank you very much.

Sincerely,

*Fred T. Horsfield*

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