



Elaine  
Forbes/CTYPLN/SFGOV  
12/05/2008 01:56 PM

To  
cc  
bcc  
Subject Fw: Support Letter for DR Reform

Attachment iv Written Comments, received after case report was issued on 12/4/2008

Dear Planning Commissioners:

I am strongly in favor of the Planning Commission and Planning Department's efforts to reform the Discretionary Review process. I have seen too many people take advantage of this process to intimidate and slow down home remodel projects and now am facing it first hand for ourselves.

We have been going through the procedures to do a home addition and have reached out far in advance to our neighbors to work through all potential concerns with everyone close to us. Unfortunately, there are a very small but very vocal group that have formed and refuse to cooperate with us in earnest because they know they have the upper hand on us by the threat of the DR process. Our architect today was warned by one of the neighbor's fathers that they have set aside \$100,000 for attorneys to fight our project and are ready to use the system to their advantage. We have been willing to negotiate and have successfully come to an agreement with one of our neighbors who was willing to compromise sincerely. Unfortunately, the lax rules of the current DR process gives no motivation for the other neighbors to try to resolve this in sincerity since they know they will be able to tie us up in the DR process and in appeals.

The DR process was set up as a process to appeal projects only when there are exceptional and extraordinary circumstances and the Commission has been advised by the City Attorney that discretion "must be exercised with utmost constraint." Unfortunately, the current DR process has strayed from this and any neighbor can file a DR without supporting facts. They know that by the threat of starting the process that many owners will back down, give in or abandon their projects through intimidation. We need to restore some balance to the system and only allow DR projects when there are "exceptional and extraordinary circumstances".

We don't have the financial resources to fight a long and drawn out battle. These few other neighbors are being backed by deep pockets which puts us at a unfair advantage. Please help end this frivolous waste of our time and the City's money.

We have also seen another couple that we are friends with go through a long battle with their neighbors due to this process in Noe Valley. In the end, they were so beaten down and disgusted with San Francisco that they ended up moving to Seattle. Additionally, we have been watching another couple on our block go through the same ordeal ahead of us with other surrounding neighbors and they have been intimidated and basically black-mailed to give in to their surrounding neighbor's demands.

We are even more vulnerable since we have to apply for a variance to take our home back a few more feet to add a internal staircase. The DHIC Design Review Board commented at our neighbor meeting that our plan was incredibly sensitive to light, air and the preservation of open green space. But, as they brought up, none of this matters because there are a few vocal individuals who don't agree and can hold us up and shoot our project down through the DR process.

I greatly appreciate the Planning Commission and Planning Department being proactive in improving the DR process. Please do initiate these changes as they are long over due and greatly needed.

Please approve the Planning Department's proposed improvements.

Sincerely,

Steve Kopff and Pete Lenox

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[REDACTED]