



# SAN FRANCISCO PLANNING DEPARTMENT

## Discretionary Review Abbreviated Analysis HEARING DATE: JANUARY 27, 2011

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* January 20, 2011  
*Case No.:* 2010.0984D  
*Project Address:* 1350 - 5<sup>th</sup> Avenue  
*Permit Application:* 2010.0809.8339  
*Zoning:* RH-2 (Residential House, Two-Family)  
40-X Height and Bulk District  
*Block/Lot:* 1759/034  
*Project Sponsor:* Jeremy Paul and Cathy Wise (agents)  
Quickdraw Permit Consulting  
60 Otis Street  
San Francisco, CA 94103  
Paul Green (property owner)  
1350 - 5<sup>th</sup> Avenue  
San Francisco, CA 94122  
*Staff Contact:* Sharon M. Young – (415) 558-6346  
[sharon.m.young@sfgov.org](mailto:sharon.m.young@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

### PROJECT DESCRIPTION

The proposal is to construct a two-story addition at the rear of the single-family dwelling. The proposed addition will include (1) removing the existing one-story rear addition; (2) new rear deck at the second floor abutting the south property line; and 3) rear facade modifications to include new windows and doors, trellis, and plaster and wood siding.

### SITE DESCRIPTION AND PRESENT USE

The project site is located at 1350 - 5<sup>th</sup> Avenue, on the east side between Irving Street and Parnassus Avenue; Lot 034 in Assessor's Block 1759 in an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District. The subject lot contains approximately 3,000 square feet and measures 25 feet wide and 120 feet deep. The subject building is an approximately 23-foot-tall, two-story over garage, single-family dwelling constructed in 1910. The existing building is not listed in the Planning Department's 1976 Architectural Survey or the National or California Registers as having architectural significance.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Inner Sunset neighborhood. The neighborhood is within an RH-2 Zoning District with predominantly single and two-family dwellings and a few multi-family dwelling units. The subject and opposite blocks consists of buildings three-to-four stories in height. Most of the buildings on the block were constructed between 1910 and 1930.

**BUILDING PERMIT NOTIFICATION**

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	September 24, 2010 - October 23, 2010	October 25, 2010	January 27, 2011	33 days

**HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	January 17, 2011	January 17, 2011	10 days
Mailed Notice	10 days	January 17, 2011	January 12, 2011	15 days

**PUBLIC COMMENT**

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	--	1 (DR Requestor)	--
Other neighbors on the block or directly across the street	19	--	--
Neighborhood groups	--	--	--

The Planning Department received two emails (dated 11/6/10 and 11/8/10) from a neighbor indicating her support and representing 18 other neighbors on the block in support of the proposed project.

**DR REQUESTOR**

**Andrew Cohen and Julie Taylor**, owners and residents of 1354 - 5<sup>th</sup> Avenue, directly adjacent and south of the project site.

**DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES**

See attached *Discretionary Review Application*, dated October 25, 2010.

**PROJECT SPONSOR'S RESPONSE TO DR APPLICATION**

See attached *Response to Discretionary Review*, dated January 19, 2011.

**ENVIRONMENTAL REVIEW**

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

## RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) has reviewed the request for Discretionary Review and found that the project does not create exceptional or extraordinary adverse impacts to light, air, or neighborhood character and scale as outlined by the DR Requestor. The RDT determined that the proposed two-story rear addition and one-story deck is compatible and consistent with the pattern of development on the subject block and does not encroach into the mid-block open space. In response to the DR Requestor's concerns about impacts on their privacy, light, and air, the RDT does not find the project to create any unusual impacts on the privacy of the neighboring building's interior living spaces. The *Residential Design Guidelines* (RDGs) state that some loss of privacy can be expected when a neighboring structure expands, and the impacts resulting from this project will not be unusual. Furthermore, the proposed deck is one-story tall and will not adversely affect the neighboring property's access to light and air. (RDG pg. 16-17).

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

<b>RECOMMENDATION:</b> Do not take DR and approve project as proposed
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**Attachments:**

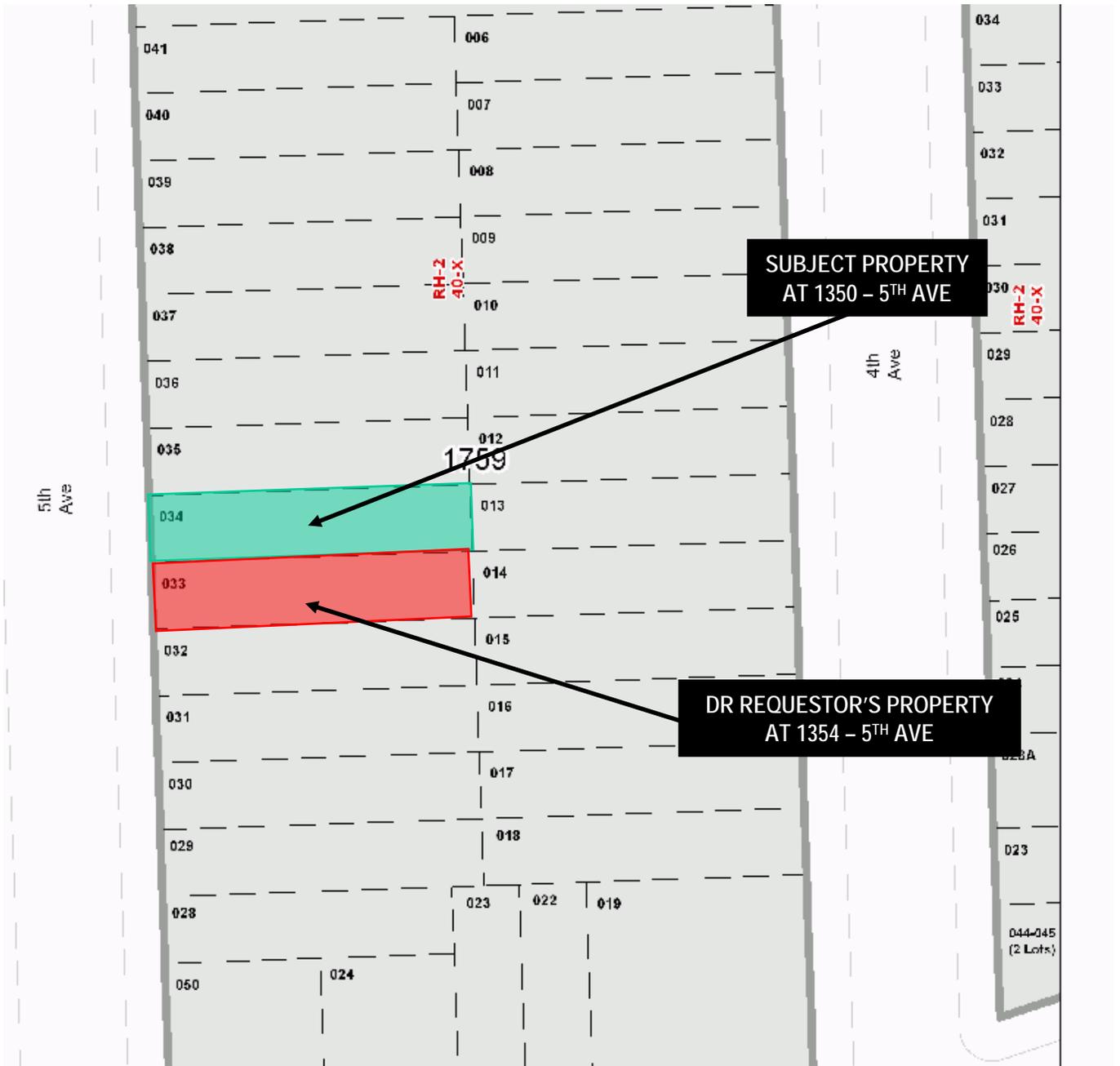
Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photographs  
Section 311 Notice  
DR Application  
Response to DR Application dated January 19, 2011  
Reduced Plans

# Zoning Map

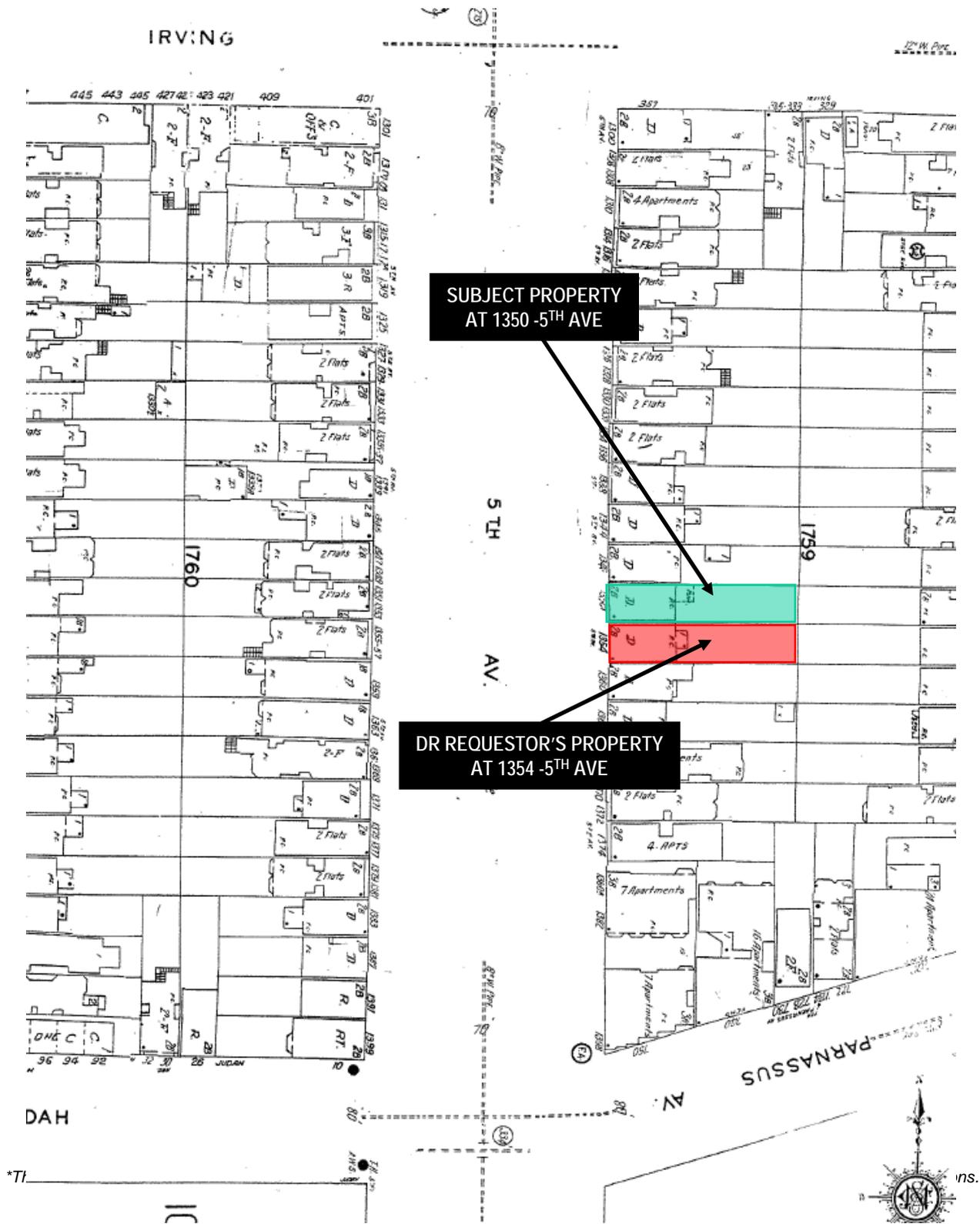


Discretionary Review Hearing  
Case Number 2010.0984D  
1350 - 5<sup>th</sup> Avenue

# Parcel Map



# Sanborn Map\*



Discretionary Review Hearing  
Case Number 2010.0984D  
1350 - 5<sup>th</sup> Avenue



# Aerial Photo\*



**SUBJECT PROPERTY  
AT 1350 – 5<sup>TH</sup> AVE**

**DR REQUESTOR'S PROPERTY  
AT 1354 – 5<sup>TH</sup> AVE**

*\*The Aerial Maps reflect existing conditions in March 2009.*



# Aerial Photo\*



**DR REQUESTOR'S PROPERTY  
AT 1354 - 5<sup>TH</sup> AVE**

**SUBJECT PROPERTY  
AT 1350 - 5<sup>TH</sup> AVE**

*\*The Aerial Maps reflect existing conditions in March 2009.*





**Rear of Subject from East Property line**

**1350 5th**



**Rear Yard 1354 5th - DR Requestor**



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On August 9, 2010, the Applicant named below filed Building Permit Application No. 2010.08.09.8339 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	J. Hulett Jones (agent / architect)	Project Address:	1350 - 5th Avenue
Address:	1 Arkansas Street, Suite D2	Cross Streets:	Irving Street / Parnassus Avenue
City, State:	San Francisco, CA 94107	Assessor's Block /Lot No.:	1759 / 034
Telephone:	(415) 558-0400	Zoning District:	RH-2 / 40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input checked="" type="checkbox"/> FACADE ALTERATION (REAR)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK .....	± 0'	No Change
BUILDING DEPTH .....	± 54'	± 59'6"
REAR YARD .....	± 66'	± 60'6"
HEIGHT OF BUILDING AT REAR (to parapet) .....	± 23'	No Change
NUMBER OF STORIES .....	2 over basement/garage	No Change
NUMBER OF DWELLING UNITS .....	1	No Change
PROJECT DESCRIPTION		

The proposal is to construct a two-story addition at the rear of the single-family dwelling. The proposed addition will include (1) removing the existing one-story rear addition; (2) new rear deck at the second floor abutting the south property line; and (3) rear facade modifications to include new windows and doors, trellis, and plaster and wood siding.

PLANNER'S NAME: Sharon M. Young  
 PHONE NUMBER: (415) 558-6346  
 EMAIL: sharon.m.young@sfgov.org

DATE OF THIS NOTICE: 9/24/2010  
 EXPIRATION DATE: 10/23/2010

Docket copy

# APPLICATION FOR Discretionary Review Application

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: ANDREW COHEN		
DR APPLICANT'S ADDRESS: 1354 5TH AVENUE	ZIP CODE: 94122	TELEPHONE: (415) 515-4947
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: PAUL GREEN AND JULIE TAYLOR		
ADDRESS: 1350 5TH AVENUE	ZIP CODE: 94122	TELEPHONE: (415) 661-9235
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ( )
E-MAIL ADDRESS: Cohen.andrew@gmail.com		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 1350 5TH AVENUE		ZIP CODE: 94122
CROSS STREETS: 5TH AVENUE BETWEEN IRVING AND JUDAH		
ASSESSORS BLOCK/LOT: 17591034	LOT DIMENSIONS:	LOT AREA (SQ FT):
		ZONING DISTRICT: RH-2/40-X
		HEIGHT/BULK DISTRICT: 40-X

## 3. Project Description

Please check all that apply

Change of Use  Change of Hours  New Construction  Alterations  Demolition  Other

Additions to Building: Rear  Front  Height  Side Yard

Present or Previous Use: SINGLE FAMILY DWELLING

Proposed Use: SAME

Building Permit Application No. 2010.08.09.8339 Date Filed: AUGUST 9, 2010

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OCT 25 2010

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4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

N/A

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## Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.

PLEASE SEE ATTACHMENT.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

PLEASE SEE ATTACHMENT.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

PLEASE SEE ATTACHMENT.



1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

The exceptional and extraordinary circumstances that justify review of the project are that the project is inconsistent with both the Planning Code's purpose as well as the Residential Design Guidelines. While we are happy to finally have the property to the north of our home remodeled, we believe the current design ignores key design principals of the Residential Design Guidelines.

The design of the project violates Section III (Site Design) of the Residential Design Guidelines relating to Side Spacing Between Buildings. The design does not respect the existing pattern of side spaces characteristic of the neighborhood as it provides no side yard set backs of the rear extension. The proposed addition is actually a replacement for an existing single story rear yard extension, which we believe extended approximately 12 feet into the rear yard and had side yard set backs of just over 4 feet. Our rear yard extension extends 9 feet into the rear yard, and is set back 4 feet from the property line to the north, and 12.5 feet on the opposite side yard property line, a typical development pattern for the neighborhood.

Furthermore, the design does not articulate the building to minimize impacts on light, air and privacy on our property which are stated goals in the San Francisco Planning Code Section 101(c). The proposed project appears to be set back, south to north starting with a deck at our property line. However, due to the deck being within 5 feet of the property line, it requires a fire rated railing. What this means is that the project has nearly a 2-story tall, 17 foot long wall on our shared property line, with a second story deck that faces directly into our house and down into our yard. The tall, blank wall of the proposed design will significantly impact the light and sense of space provided to our house through two existing windows at the rear of our house (one on ground level and one on the second floor). In addition to the proposed second story deck which will provide the project sponsor with view access into our yard and house, an arborist determined that the addition will destroy a +/- 30 foot tall mature tree on our property with a full canopy that provides significant privacy to our backyard.

The Design Review Checklist (Appendix D to Residential Design Guidelines) asks the following questions, all of which can be answered in the negative.

**Side Spacing (Page 15):**

Does the building respect the existing pattern of side spacing:

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P.C.

No, our rear extension has a side yard set back on both sides as does our neighbor to our south's extension. In addition, the project property's rear extension also had side yard set backs on both sides.

**Rear Yard (Pages 16-17)**

Is the building articulated to minimize the impacts on light to adjacent properties?

No, by discarding the existing side yard and building out to the lot line, the applicant is significantly impacting light to our property and destroying our privacy by destroying our tree.

Is the building articulated to minimize impacts on privacy adjacent to properties?

No, the applicant's design will result in the destruction of a large mature tree on our property that provides our property with privacy and is incorporated into our deck and landscaping.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property; the property of others of the neighborhood would be adversely affected, please state who would be affects, and how.

We welcome the positive impacts of an improved house next to our property. However, the impacts of the current design are unreasonable in that the lack of a side yard set backs strips us of a sense of space and light through two rear windows, one from our kitchen and one from a rear bedroom. The side yard set back pattern of development is typical of the neighborhood and an important feature of the shared mid-block open space, which should be retained for the benefit of the neighborhood. Another benefit of the side yard set backs for the neighborhood is that they allow light access through rear-facing windows of the original, main dwelling structures. In addition, the set backs allow for planting between structures, and our arborist has informed us and our neighbors that the project as proposed will result in the destruction of a large full canopied tree on our property that provides us with privacy and is a significant part of our backyard and the shared mid-block open space.

3. What alternatives of changed to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse affects noted above in question #1.

The proposed project could simply be modified to include the same setback the old structure had. That would be a 4 foot and ¾ inch side yard setback on both levels for the first 12 feet of the addition and a 5 foot setback for the remaining 5 feet of the addition along our shared property line. This set back would provide a buffer that would retain our access to light and air and maintain our privacy, consistent with the intent of the Planning Code and the Residential Design Guidelines. If this change were made, our

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DISCRETIONARY REVIEW APPLICATION – 1350 5<sup>TH</sup> AVENUE  
BUILDING PERMIT APPLICATION 2010.08.09.8339

tree would remain unharmed and our privacy would be maintained, and mature tree growth in the shared mid-block landscape could be retained.

Since the project documents show the garage access stair already has to be rebuilt, the project sponsor could easily shift the basement access stair to the south side of the property. In this location, the garage stairs would provide a four to five foot gap between the proposed structure and our house. The second floor deck could be retained as a balcony, or could be rearranged to face the rear yard instead of our yard. This change would have little or no impact on the living space square footage of the first or second floors.

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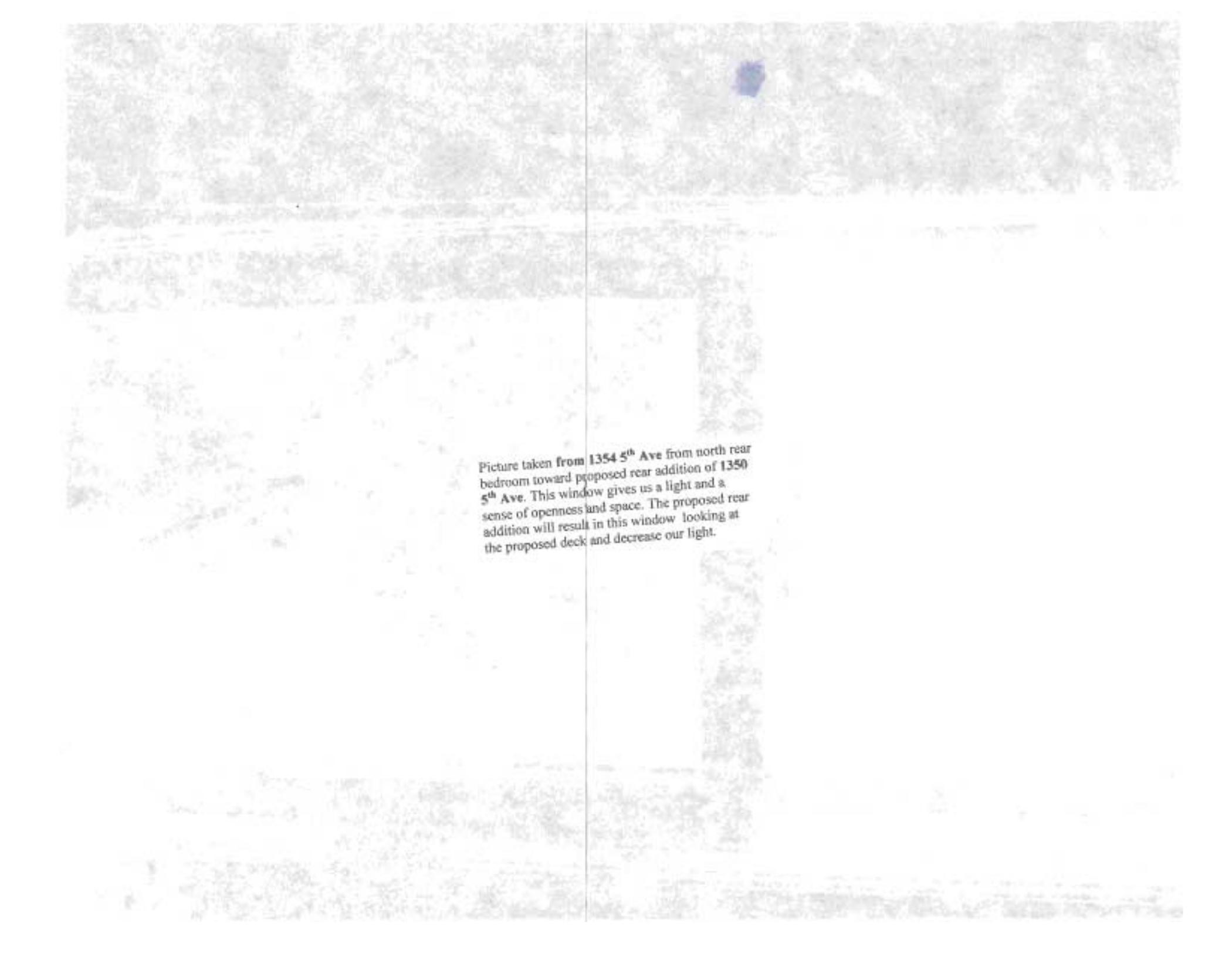
10.0984D



Picture taken from 1354 5<sup>th</sup> Ave looking from rear yard toward our house. Mature tree in picture will be killed or significantly maimed. Rather than having privacy and landscaping, deck from 1350 5<sup>th</sup> Ave will look right into our yard

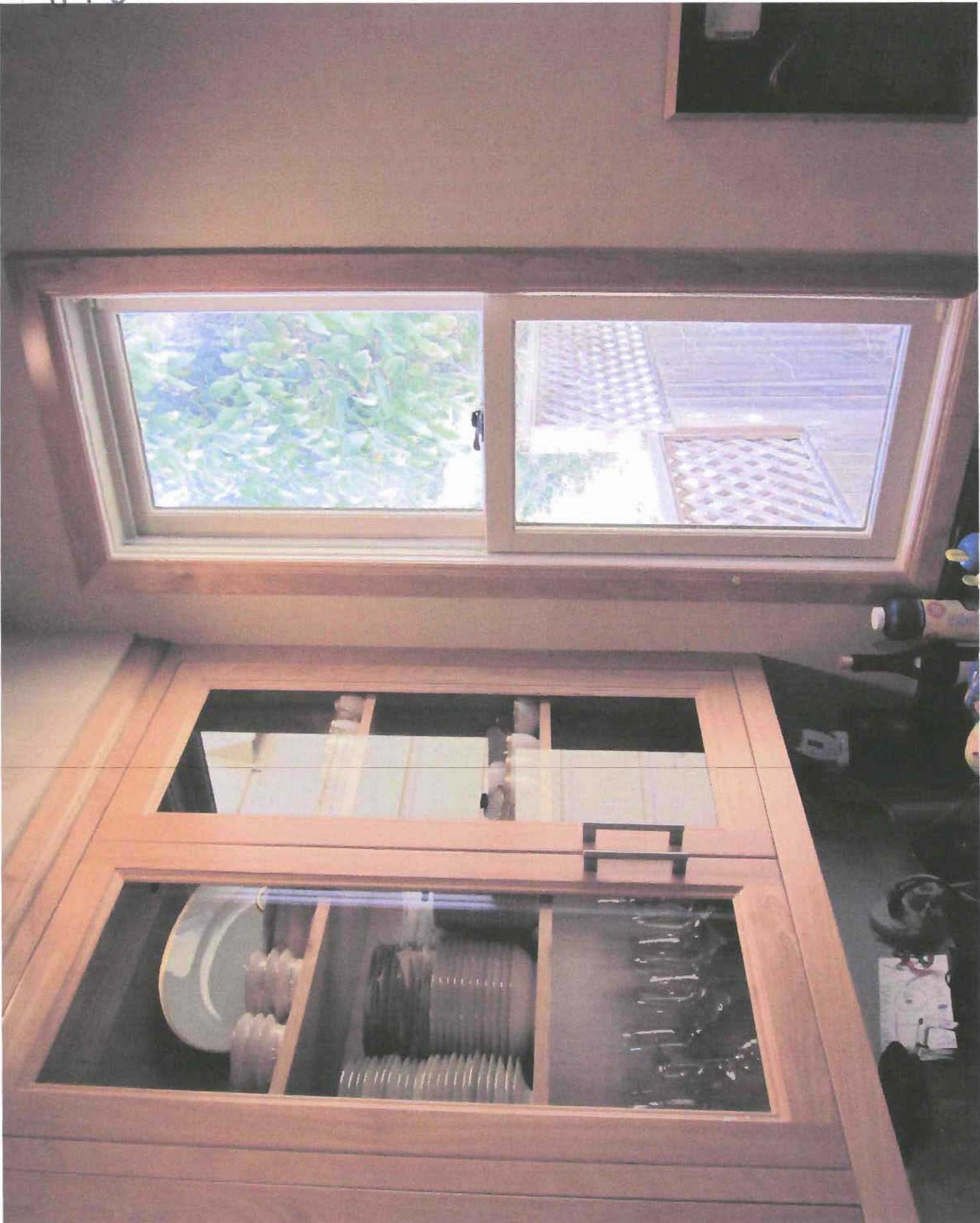


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Picture taken from 1354 5<sup>th</sup> Ave from north rear bedroom toward proposed rear addition of 1350 5<sup>th</sup> Ave. This window gives us a light and a sense of openness and space. The proposed rear addition will result in this window looking at the proposed deck and decrease our light.

10.09840



An aerial photograph of a residential neighborhood. A vertical black line runs through the center of the image, representing a proposed street addition. The area is filled with houses, trees, and streets. The text is centered over the line.

Picture taken from **1354 5<sup>th</sup> Ave** looking out of kitchen window toward where **proposed rear addition of 1350 5<sup>th</sup> Ave.** would be located. The proposed rear addition will result in this window looking at a blank wall. Tree in picture will also be killed or significantly maimed.



10.098 / D

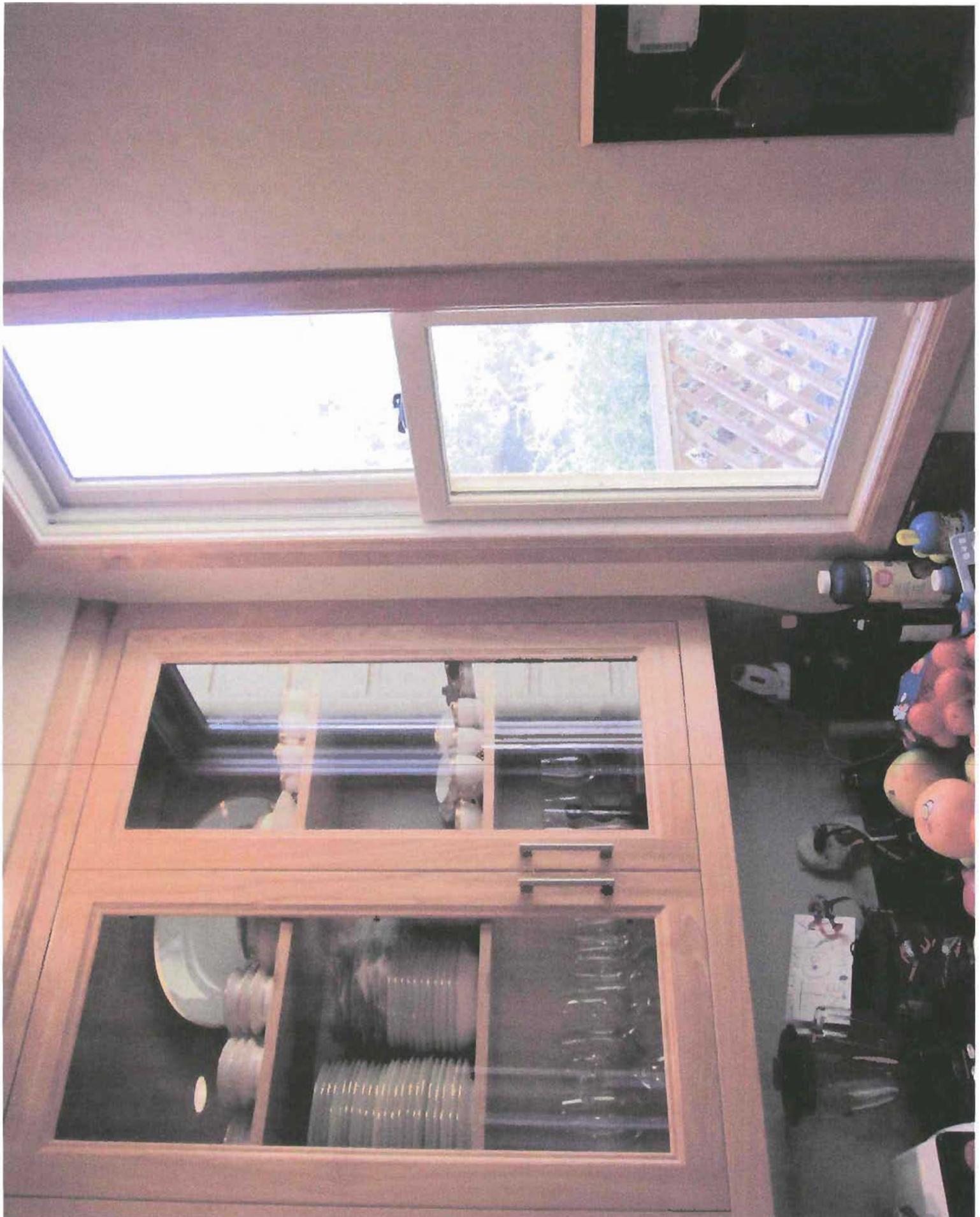
Picture taken from 1354 5<sup>th</sup> Ave from deck toward mature tree. The proposed rear addition will result in killing the tree or significantly cutting back the canopy and maiming the tree.

10.09870





Picture taken from 1354 5<sup>th</sup> Ave looking out of kitchen window toward where proposed rear addition of 1350 5<sup>th</sup> Ave. would be located. Mature tree in picture will be killed or significantly maimed. Light and sense of space will be negatively affected.



10.0984D



Picture taken from 1354 5<sup>th</sup> Ave looking out of kitchen window toward where proposed rear addition of 1350 5<sup>th</sup> Ave. would be located. Currently this window gives us a sense of openness and space. The proposed rear addition will result in this window looking at a blank wall.



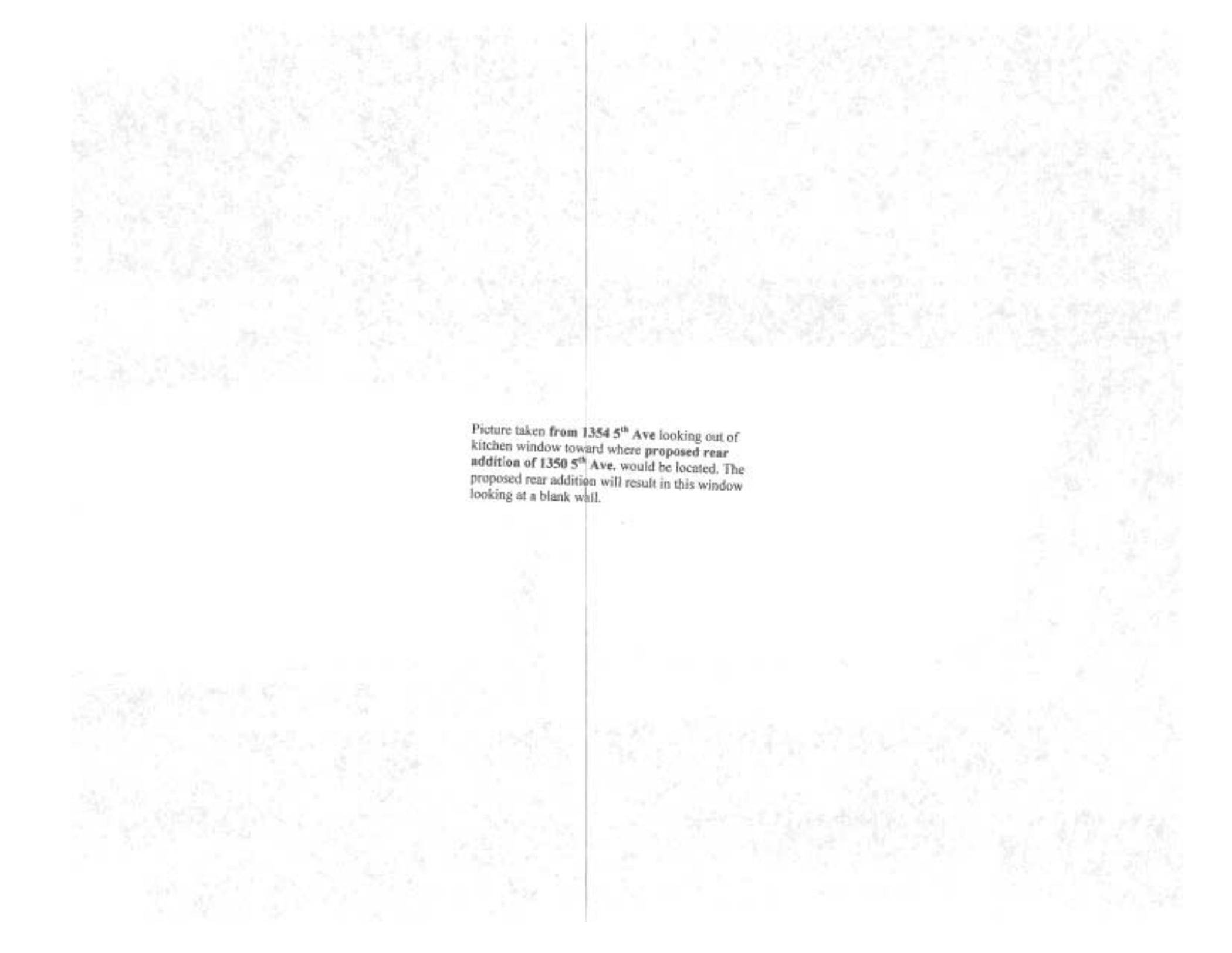
10.0984D



Picture taken from 1354 5<sup>th</sup> Ave looking out of our rear deck (with setback) toward where proposed rear addition of 1350 5<sup>th</sup> Ave. would be located. Mature tree in picture will be killed or significantly maimed.



10.0984D



Picture taken from 1354 5<sup>th</sup> Ave looking out of kitchen window toward where proposed rear addition of 1350 5<sup>th</sup> Ave, would be located. The proposed rear addition will result in this window looking at a blank wall.

## RESPONSE TO DISCRETIONARY REVIEW

**Case Number:** 10.984 D  
**Building Permit Number:** 2010.08.09.8339  
**Address:** 1350 5<sup>th</sup> Avenue

Project Sponsor's Name: Julie Taylor & Paul Green  
Telephone Number: 552-1888

**1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved?**

This project was carefully conceived and designed in close consultation with planning staff to assure both code compliance and incorporation of all elements of the Residential Design Guidelines.

We have acted in good faith and made respectful and responsive modifications to our project for the benefit of this DR requester. We had hoped to have this resolved prior to the necessity of a hearing before the planning commission, and as of this writing, we still hope that will occur. Respectfully commissioners, you have our apologies, if this must go to hearing it is because our best attempts to satisfy our neighbors have failed.

This 5 foot rear yard addition is quite modest and has received support of the residential design team and of planning staff.

This project should be approved because it is a sensitively designed response to the need for additional living space at 1350 5<sup>th</sup> Avenue.

- 2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes indicate whether the changes were made before filing your application with the City or after filing the application.**

We have reduced the projection and the mass of our rear yard addition to the point where it cannot be further reduced and still be economically viable for our family. We are well within the buildable area of this lot, so far from the limits allowed by code that we are not even approaching the 45% rear yard setback limit as we had originally proposed.

- 3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.**

The fence which separates the DR requesters property from the subject property is more than 10 inches from the property line for a substantial distance dividing the rear yards. This is been verified by a surveyor and the DR requesters have grown accustomed to the use of property to which they are not entitled. When this project is built, a property line fence will be installed, which accurately reflects the course of the property line.

The DR requester seeks control of property which is not theirs, and to enjoy the open rear yard of their neighbor, beyond the 45% rear yard setback mandated by planning code. The Green-Taylor family have lived and worked in the inner Sunset neighborhood for many years, they and their three kids look forward to moving into their improved and renovated home on Fifth Avenue, which has been so carefully designed to meet their needs.

If this matter must be resolved in a Discretionary Review Hearing it is with regret that we were unable to resolve our simple issues with our future neighbors. We hope this can be resolved quickly, taking up as little of your valuable time as possible. Thank you for your public service.

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit –additional kitchens count as additional units) .....	<u>1</u>	<u>1</u>
Occupied stories (all levels with habitable rooms) ...	<u>2</u>	<u>2</u>
Basement levels (may include garage or windowless storage rooms) .....	<u>1</u>	<u>1</u>
Parking spaces (Off-Street) .....	<u>1</u>	<u>1</u>
Bedrooms .....	<u>3</u>	<u>4</u>
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	<u>2242</u>	<u>2667</u>
Height .....	<u>23'10"</u>	<u>23'10"</u>
Building Depth .....	<u>54'</u>	<u>59'</u>
Most recent rent received (if any) .....	<u>N/A</u>	<u>N/A</u>
Projected rents after completion of project .....	<u>N/A</u>	<u>N/A</u>
Current value of property .....	<u>N/A</u>	<u>N/A</u>
Projected value (sale price) after completion of project (if known) .....	<u>                    </u>	<u>                    </u>

I attest that the above information is true to the best of my knowledge.


1/18/11
J. Paul for P. Green  
Date
Name (please print)



# SAN FRANCISCO PLANNING DEPARTMENT

## RESIDENTIAL DESIGN TEAM REVIEW

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

DATE: 11/15/10 RDT MEETING DATE: 11/17/10

Reception:  
**415.558.6378**

### PROJECT INFORMATION:

Planner:	<u>Sharon Young</u>	Fax:	<b>415.558.6409</b>
Address:	<u>1350 - 5<sup>th</sup> Avenue</u>	Planning	
Cross Streets:	<u>Irving St &amp; Parnassus Ave</u>	Information:	<b>415.558.6377</b>
Block/Lot:	<u>1759 / 034</u>		
Zoning:	<u>RH-2</u>		
Height/Bulk District:	<u>40-X</u>		
BPA/Case No.	<u>BPA NO. 2010.08.09.8339 / CASE NO. 2010.0984D</u>		
Project Status	<input type="checkbox"/> Initial Review	<input type="checkbox"/> Post NOPDR	<input checked="" type="checkbox"/> DR Filed

### PROJECT DESCRIPTION:

The proposal is to construct a two-story addition at the rear of the single-family dwelling. The proposed addition will include (1) removing the existing one-story rear addition; (2) new rear deck at the second floor abutting the south property line; and 3) rear facade modifications to include new windows and doors, trellis, and plaster and wood siding.

### PROJECT CONCERNS: DR FILED FROM NEIGHBOR AT 1354 - 5<sup>TH</sup> AVE.

- The design does not respect the existing pattern of side spaces characteristic of the neighborhood as it provides no side yard setbacks of the rear extension. The DR requestor has indicated their rear yard extension extends 9 feet into the rear yard, and is set back 4 feet from the property line to the north and 12.5 feet from the property line to the south.
- The design does not articulate the building to minimize impacts on light, air, and privacy to their property since the proposed deck will require a fire-rated railing since it is within 5 feet of the property line (the tall, blank wall of the proposed design will significantly impact the light and sense of space provided to their house through two existing windows at the rear of their house from the kitchen and bedroom), will provide view access to their rear yard, and negatively impact an existing tall mature tree on their property.

### RDT COMMENTS:

- The RDT supports the rear two-story rear addition and one-story deck as proposed, as it is compatible and consistent with the pattern of development on the subject block and does not encroach into the mid-block open space.
- In response to the DR Requestor's concerns about impacts on their privacy, light, and air, the RDT does not find the project to create any unusual impacts on the privacy of the neighboring building's interior living spaces. The RDG's state that some loss of privacy can be expected with a neighboring structure expands, and the impacts resulting from this project will not be unusual. Furthermore, the proposed deck is one-story tall and will not adversely affect the neighboring property's access to light and air.(RDG, pg. 16-17)
- The RDT does not find the project to create or contain any exceptional or extraordinary circumstances, and as such, this DR warrants an abbreviated staff analysis.











