



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: DECEMBER 1, 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: November 21, 2011
Case No.: **2011.0817D**
Project Address: **4366 26th Street**
Permit Application: 2011.02.23.0805
Zoning: RH-1 (Residential House, One-Family)
40-X Height and Bulk District
Block/Lot: 6556/016B
Project Sponsor: Joanna Lynch
4366 26th Street
San Francisco, CA 94131
Staff Contact: Adrian C. Putra – (415) 575-9079
adrian.putra@sfgov.org
Recommendation: **Do not take DR and approve**

PROJECT DESCRIPTION

The project is to construct a horizontal rear extension at the first floor level and add a new basement level at the rear (below the proposed first floor extension). The horizontal rear extension at the first floor level will match the height and depth of an existing one-story rear deck structure that is proposed for demolition as part of the project. The proposed extension at the new basement level has a triangular building footprint, a maximum depth of 24 feet, and is setback at least 3 feet from both side property lines.

SITE DESCRIPTION AND PRESENT USE

The project site is a down sloping lot that also laterally up slopes east to west and contains a two-story, single-family dwelling with a one-level rear deck at second floor level. The lot contains 2,850 square feet, measures 25 feet wide by 114 feet deep, and is located on the north side of 26th Street between Diamond and Douglass Streets. City records show indicate that the structure was originally constructed circa 1955. The existing building is not listed in the Planning Department's 1976 Architectural Survey (AS survey) or the National or California Registers as having architectural significance.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Noe Valley neighborhood. The subject block is located within the RH-1 and RH-2 Districts, but is predominantly developed with single-family dwellings. On the subject block a majority of the lots facing 26th Street are 114 feet deep and around 25 feet wide with the exception of one 30 foot wide lot. Buildings on the subject block are predominately two-to-three stories in height from street view. Buildings ages on the block range from circa 1900 to 1981 with a majority of the buildings being constructed between 1921 and 1955. The adjacent lots to the west (4372 26th Street) and east (4360 26th Street) are both developed with two-story, single-family buildings. The opposite side of 26th Street is zoned RH-1 and developed predominately with two-to-three story, single-family buildings.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	June 22, 2011 – July 22, 2011	July 22, 2011	December 1, 2011	132 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	November 21, 2011	November 21, 2011	10 days
Mailed Notice	10 days	November 21, 2011	November 21, 2011	10 days

PUBLIC COMMENT

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

DR REQUESTOR

Patricia Niland, owner of 4360 26th Street, which is the adjacent property to the east of the project site.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated July 22, 2011.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated August 8, 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) reviewed the proposal prior to 311 notification and supported the project as proposed. The RDT took into consideration the addition's minimal extension above grade

along the west side and 3-0 setback from the east side property line for the one-story basement portion of the addition. (RDG, pg., 25-26)

The RDT conducted a second review of the project after the filing of this DR application and found that DR requestor's privacy concerns are not exceptional or extraordinary when considering that the subject property has an existing rear deck in the same location and height as the proposed addition at the first floor level. Additionally, the RDT found that the windows facing the DR requestor's property would only affect privacy at the DR requestor's rear yard and ground floor (RDGs pages 25-27).

The RDT supports the proposed depth of the rear extension, because the rearmost portion of the extension is located at the bottom of the lot's down slope which is well below the habitable levels of the adjacent buildings. Furthermore, the rearmost (basement level) portion of the addition is only one-story in height, and setback at least approximately 5 feet from the DR Requestor's property. The RDT also believes that the volume of the rear most portion of the addition is similar to the DR requestor's covered rear patio (RDGs pages 25-27).

For reasons stated above the Department finds that the project does not demonstrate an exceptional or extraordinary circumstance.

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.

RECOMMENDATION: Do not take DR and approve
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photographs

Section 311 Notice

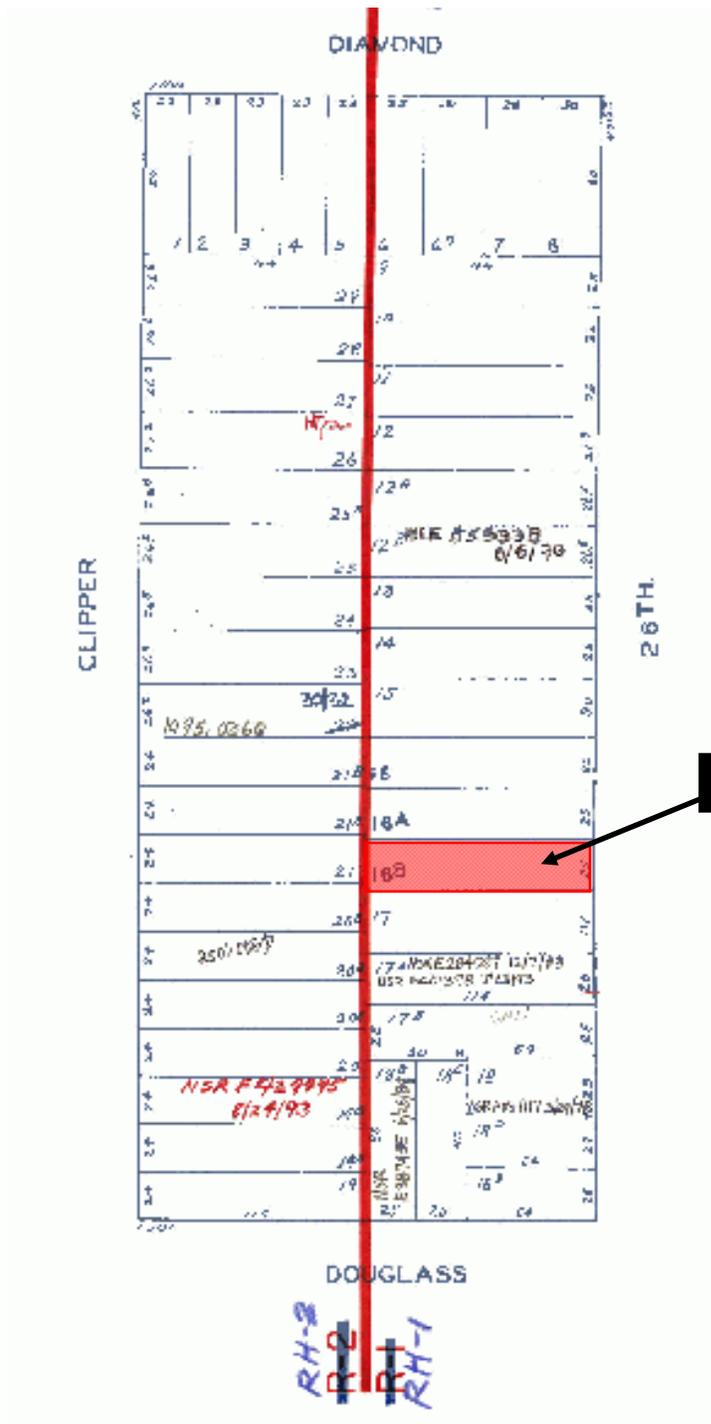
DR Application dated July 22, 2011

Project sponsor submittal:

 Response to DR Application dated August 8, 2011

 Discretionary Review Public Hearing Package which includes Photographs, Reduced Plans, and 3D Renderings

Parcel Map

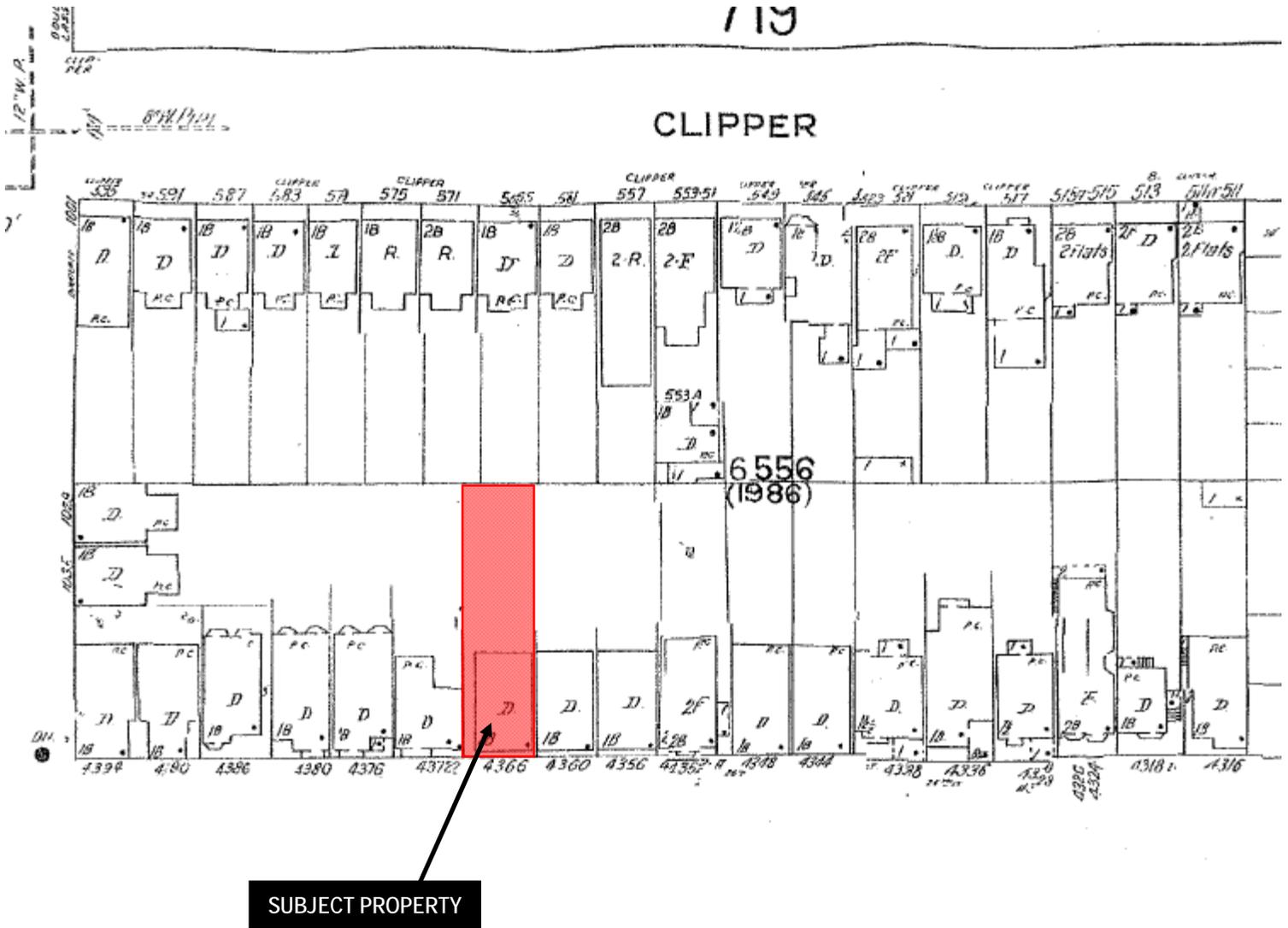


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2011.0817D
Abbreviated Analysis
4366 26th Street

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2011.0817D
Abbreviated Analysis
4366 26th Street

Aerial Photo 1



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2011.0817D
Abbreviated Analysis
4366 26th Street

Aerial Photo 2



Aerial Photo 3

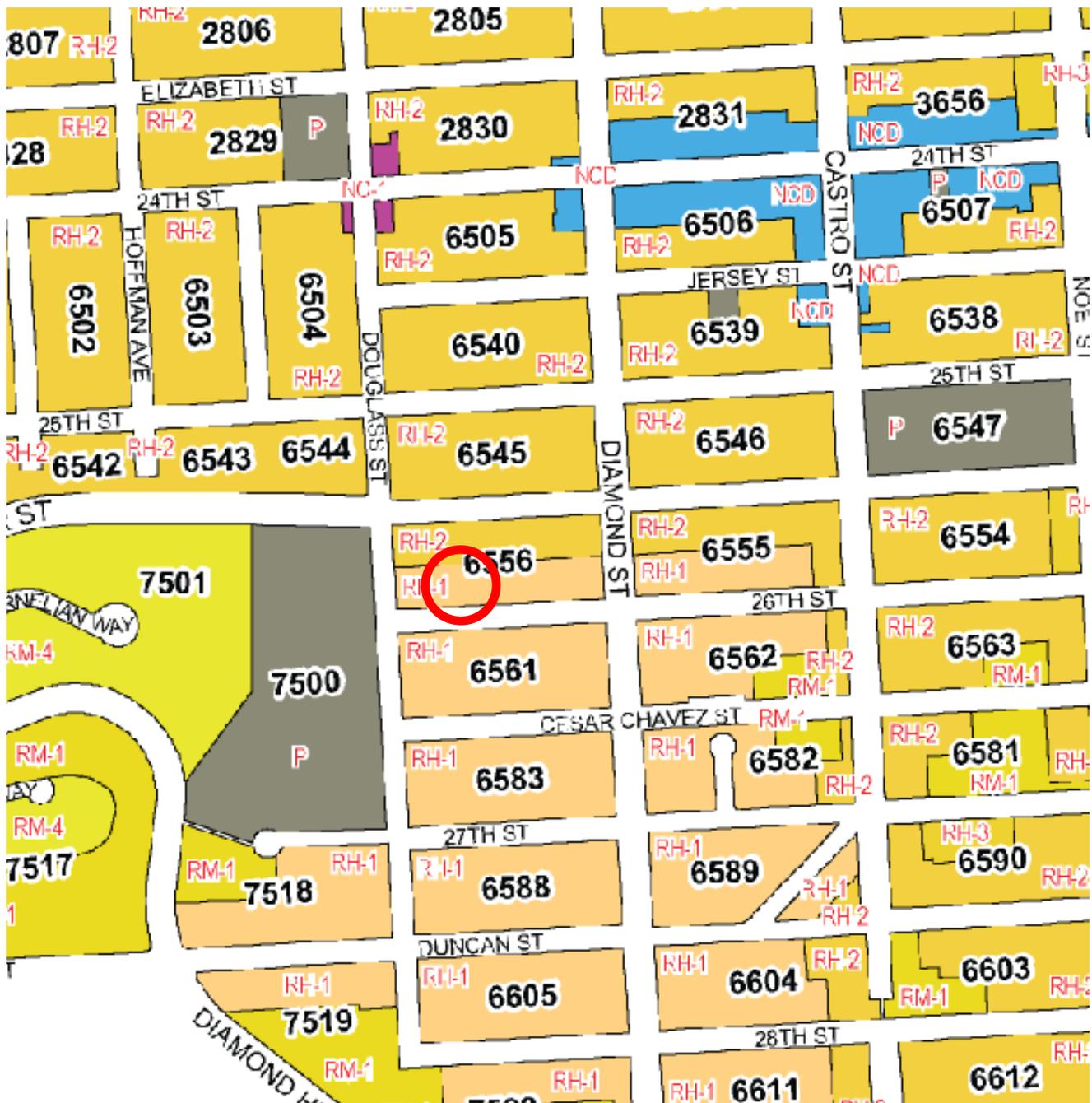
SUBJECT PROPERTY



Aerial Photo 4



Zoning Map



Discretionary Review Hearing
Case Number 2011.0817D
Abbreviated Analysis
4366 26th Street

Site Photo from the front



Discretionary Review Hearing
Case Number 2011.0817D
Abbreviated Analysis
4366 26th Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On February 23, 2011, the Applicant named below filed Building Permit Application No. 2011.02.23.0805 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Joanna Lynch	Project Address:	4366 26 th Street
Address:	4366 26 th Street	Cross Streets:	Diamond & Douglass Streets
City, State:	San Francisco, CA 94131	Assessor's Block /Lot No.:	6556/016B
Telephone:	(917) 399-6974	Zoning Districts:	RH-1 /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 type="checkbox"/> FACADE ALTERATION(S)
<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
BUILDING DEPTH.....	±54 feet (max. including deck)	±78 feet (max.)
REAR YARD.....	±60 feet (min. from deck)	±36 feet (min.)
HEIGHT OF BUILDING (at rear).....	±22 feet, 6 inches (above grade)...	No Change
NUMBER OF STORIES	2	2 over basement level
NUMBER OF DWELLING UNITS	1	No Change
NUMBER OF OFF-STREET PARKING SPACES	1	No Change

PROJECT DESCRIPTION

The subject property is a steeply down sloping lot that contains two-story, single-family dwelling with a one-level rear deck at second floor level. The project is to construct a horizontal rear extension at the first floor level (under the rear deck), and add a new basement level at the rear (below the proposed first floor extension). Please see attached plans.

PLANNER'S NAME: **Adrian C. Putra**
 PHONE NUMBER: **(415) 575-9079**
 EMAIL: **adrian.putra@sfgov.org**

DATE OF THIS NOTICE: **6-22-11**
 EXPIRATION DATE: **7-22-11**

CASE NUMBER:
For each Use Only

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RECEIVED

JUL 22 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Patricia Niland		
DR APPLICANT'S ADDRESS: 4360 26th Street	ZIP CODE: 94131	TELEPHONE: (415)378-7891

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Joanna Lynch		
ADDRESS: 4366 26th Street	ZIP CODE: 94131	TELEPHONE: (917) 399-6974

CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ()
E-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRESS OF PROJECT: 4366 26th Street	ZIP CODE: 94131
CROSS STREETS: Douglass, Diamond	

ASSESSORS BLOCK/LOT	LOT DIMENSIONS	LOT AREA (SQ FT)	ZONING DISTRICT	HEIGHT/BULK DISTRICT
6556 /16B	25' x 114'	2850	RH - 1	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
Residential use

Present or Previous Use:

Residential use

Proposed Use:

Building Permit Application No. 2011.02.23.0805

Date Filed: 22July2011

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.

Although discussions have taken place, no modified plans have been submitted or distributed according to the applicant.

.....

.....

.....

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 site specific sections of the Residential Design Guidelines.

Please see attached additional pages with narrative and photos regarding points A), B) and C) below as well as additional comments. A) The project invades privacy into bedrooms conflicting with the Residential Design Guidelines, Section III Site Design, p. 17. B) The scale of the planned building is not compatible with the depth of surrounding buildings as well as conflicting with the mid-block open space, Section IV, pp. 23, 25-26. C) The structure is out of context and disruptive to the neighborhood character, Sect. II Neighborhood Character.

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:

I am unreasonably impacted by invasion of privacy. George and Agnes Bonawit (4372 26th) state the loss of privacy and light and feel the lack of side elevation drawings misleads neighbors. Ivan and Sue Vican (4376 26th) note that currently the rear yards are somewhat uniform. They feel the plans as presented are incomplete and therefore very confusing and difficult to picture the plan in its entirety. I intend to submit supplemental documentation of similar opinions of other neighbors and am confident other homeowners will submit as well.

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?

I propose an addition that extends no further into the rear yard beyond the footprint of the current ground floor patio. The current patio and deck conform to the other rear yards on the block. I understand the desire to expand and would be amenable to a bedroom/office built on the existing ground floor patio only if there are no windows along the wall adjacent to my property bedrooms and there is no patio/deck off the bedroom/office on the side adjacent to my property bedrooms. Ample light can be captured from the remaining two sides.

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Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: 

Date: 22 July 2011

Print name, and indicate whether owner, or authorized agent:

Patricia E. Niland, owner
Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

- NOTES:
- Required Material.
 - Optional Material.
 - Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only
Application received by Planning Department:
By: _____ Date: _____

11.0817D



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:

Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**

FAX: **415.558.6409**

WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

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Personal Statement

I am the owner-occupant of 4360 – 26th Street which is adjacent and downhill from the applicant. My family purchased the home over 50 years ago. The seller stayed on as tenants for a short time until 1963 when my parents with their six children moved into the home from around the corner on Douglass Street. My youngest brother was less than 1 month old. This is the only family home he has every known. The two of us own the house and reside there.

Noted Discrepancies in the Application

The application does not include side elevation diagrams showing adjacent existing grade. Due to the design of the additional structure this omission makes it extremely difficult for me as well as other neighbors to envision the plan in its entirety.

My back stairs from the deck to the patio are incorrectly located on the plans. They are drawn on the east side of my property, but in fact they are located on the west side *adjacent to the applicant's property*. These stairs are our only access between our ground level bedroom and our extra room one floor below. The applicant's plans for a master bedroom and side deck (approximately 4-5 feet higher than my ground floor) would have them looking directly into these interior rooms and the stairs which connect them.

A few months ago the applicant invited the neighbors to view the plans. I attended. While I was able to have a quick glance at a colorized 3-D drawing at that time, the applicant would not provide a copy when asked. I still have not received a copy.

Also missing from the plan is the total square footage of proposed additional living space. I contacted the applicant's architect and was provided that figure.

Also missing is the measurement of the **total** depth of the proposed final building compared to the property lines. I made two calls to the applicant's structural engineer to obtain these figures because I was curious as to the compliance with

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the 25% rear yard setback. It appears to meet the guidelines **with one inch to spare**, although it is not obvious from the plans that the property line at the sidewalk, which is normally 1-3 additional feet, was included.

Continuation of Discretionary Review Request, Question 1. What are the reasons for requesting Discretionary Review?

- A) **Invasion of Privacy.** The plan conflicts with **Section III Site Design pg 17** of the Residential Design Guidelines. The proposed master bedroom on the ground floor calls for windows and a side deck looking directly down into our ground floor bedroom and outdoor stairs leading to an extra room one floor below. See **Photos #1 and #2**. Due to the slope of the hill, the proposed master bedroom will sit approximately 4-5 feet higher than my ground floor, meaning the windows will also look into my second floor living room. Our homes are attached. The applicant's current second floor deck is already quite invasive. See **Photo # 3**.
- B) **Scale.** Planning Department (PIC) provided me with the applicant's current living space which is 1012 sq. ft. The proposed additional square footage is not evident from the plans. I telephoned the applicant's architect and was informed by him that the planned additional living space is 568 sq. ft. This is a 56% increase. **The new structure will be greater than 1 ½ times its current size.** The scale is not compatible with the surrounding buildings and is contrary to **Section IV Building Scale and Form**. The project, if approved as is, would be inharmonious with the surroundings. The depth of the structures must be reduced. In regards to the height of the addition, **due to the lack of diagrams showing elevation of existing adjacent grades**, it is impossible to even address the issue of height. The City's Residential Design Guidelines also recognize the importance of mid-block open space in the rear yards. (**Sect IV, pg. 25-26**) Clearly the proposed plan, building so far back into the rear yard, unlike any

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other on the block, will leave some if not all neighbors “boxed-in” and cut-off from the mid-block open space.

- C) **Neighborhood Character Especially the Rear Yard Amenities.** The project’s extension into the rear yard is not compatible with the existing visual character on the block. In fact, no rear yard, up or down the block is developed to that depth. See **Photo # 4**. The neighborhood yards are abundant with trees and gardens enriching the space for residents while also providing a welcoming habitat for birds. The residents on our block take pride in the abundance of our common green space which encourages a quality living environment. For these reasons the proposal contradicts **Section II of the Residential Design Guidelines, pg. 7**.

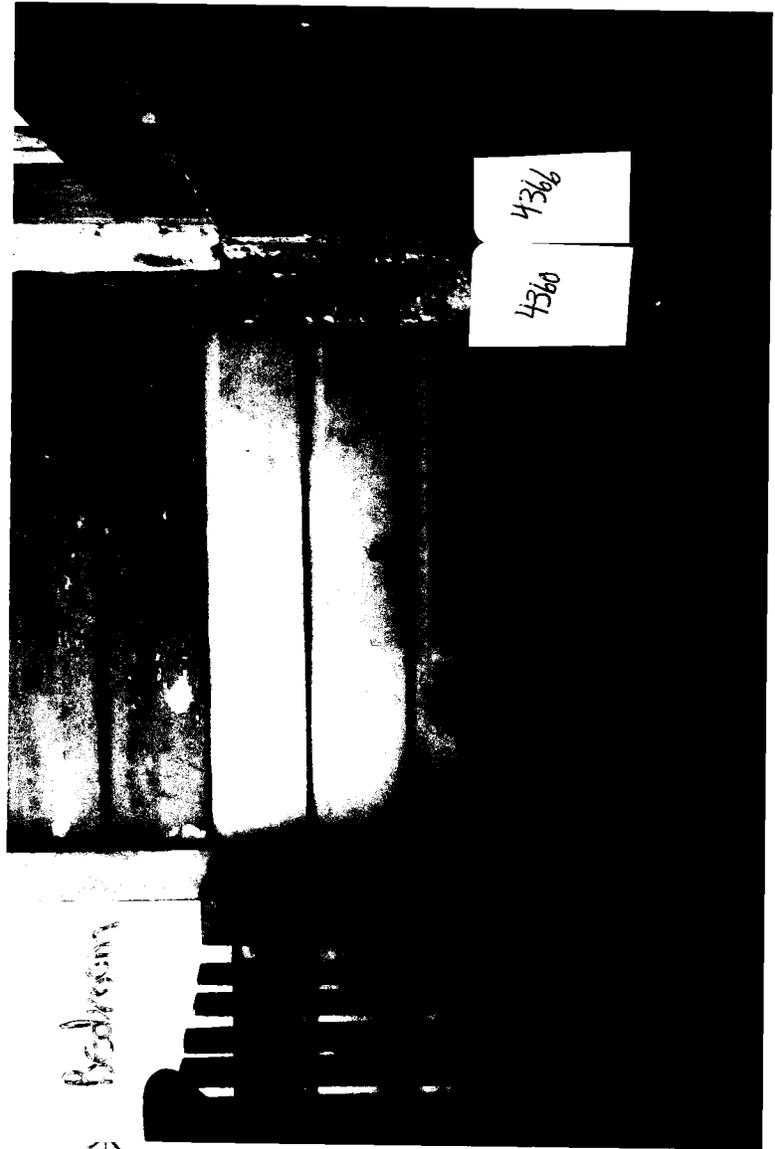
These are only some of the aspects of the applicant’s plan that deserve further review. For example, an outstanding but significant issue is the effect that the proposed structures may have on the wind. Short of hiring an expert at this time, I question the likelihood of changing wind patterns on neighboring property and even the possibility that the proposed structure may create a wind tunnel.

In conclusion, I request that the permit application as submitted is not approved. I hope to have the opportunity to see additional plan diagrams and descriptions and come to a reasonable compromise for all parties concerned.

11-0817D

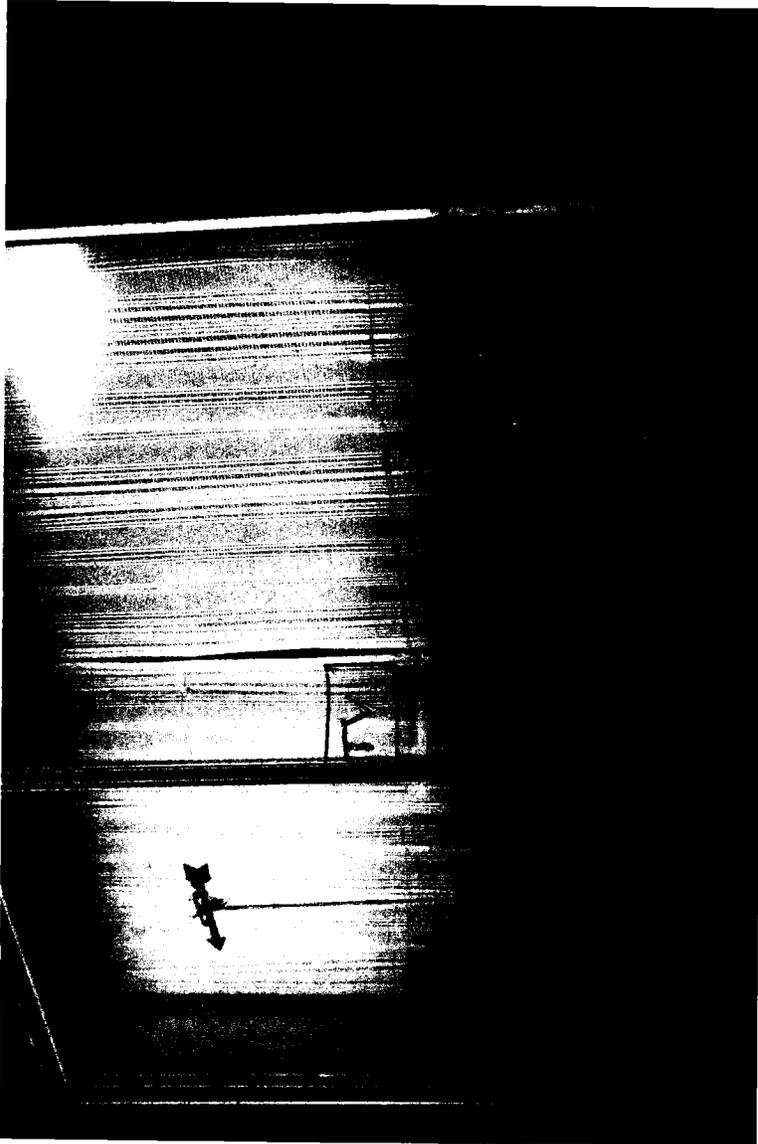
bottom of fence is approx. location of current ground floor of 4366

Photo #2



4366
← Ground floor rear bedroom window, of which lower right hand corner pictured below

Photo #1



Bedroom

corner of bedroom window. Rear ground floor of 4366

11.0817D



#3



#4



SAN FRANCISCO PLANNING DEPARTMENT

RESPONSE TO DISCRETIONARY REVIEW

Case No.: 11, 0817D

Building Permit No.: 2011, 02.23, 0805

Address: 4366 26th St., SF CA 94131

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Sponsor's Name: Joanna & Charles Lynch

Telephone No.: 917-399-6974 (for Planning Department to contact)

- Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.

see attached response

- 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.

see attached response

- 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.

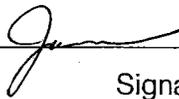
see attached response

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>3</u>
Basement levels (may include garage or windowless storage rooms)	<u>0</u>	<u>0</u>
Parking spaces (Off-Street)	<u>1</u>	<u>1</u>
Bedrooms	<u>3</u>	<u>3</u>
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	<u>≈ 1650 sq ft</u>	<u>≈ 2300 sq ft</u>
Height	<u>22 ft 6"</u>	<u>22 ft 6" (above grade)</u>
Building Depth	<u>54 ft</u>	<u>78 ft</u>
Most recent rent received (if any)	<u>N/A</u>	<u></u>
Projected rents after completion of project	<u>N/A</u>	<u></u>
Current value of property	<u>\$ 1.3 million</u>	
Projected value (sale price) after completion of project (if known)	<u>unknown</u>	

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

	<u>8/8/11</u>	<u>Joanna Lynch</u>
Signature	Date	Name (please print)

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

My husband and I purchased this home in Noe Valley in November 2010 and moved in shortly after with our 1 year-old son. In January 2011 we discovered that we are expecting twins (due September 25, 2011) and it became very apparent that the house that we had just purchased would not be large enough for our soon-to-be extended family.

In the following months, my husband and I have spent significant time and money on this proposed project. We have tried hard to strike a fair balance between our needs for expanded space and the rights of our neighbors. We have studied the San Francisco Residential Design Guidelines (RDG) and have made every attempt to follow these even beyond the minimum standards required under the Planning Code.

We also met with our adjacent neighbors prior to filing the building permit application with the SF Planning Department to explain our situation and to address any concerns they may have. The concerns stated at that time were taken into consideration in our submitted plans.

We had full-size plans and renderings available for review and discussion at our pre-application meeting on April 10, 2011. We were not able to give our only full-size copy of the plans and renderings to Patricia Niland at the meeting. We did offer to email copies of these plans and renderings to Ms. Niland and other guests at the meeting and everyone said it was not necessary.

Subsequent to the pre-application meeting and during the 311 notice period from June 22, 2011 to July 22, 2011, we were very willing to and did meet with all neighbors who contacted us to get more information on the project and to walk-through additional plans (including side elevation diagrams) and renderings.

As further discussed below, we feel strongly that our proposed project has achieved a fair balance between the needs of our family and those of the neighborhood.

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.*

During our meeting with the DR requester on July 21, 2011 (date requested by Ms. Niland), we walked through all factors included in our proposed project that mitigates her concerns regarding privacy (see 3A below). In addition, we told the DR requester that we would be willing to make changes to our plans to eliminate the planned side patio and the full-length window closest to her house. We feel that this change is more than adequate to address any possible privacy concerns.

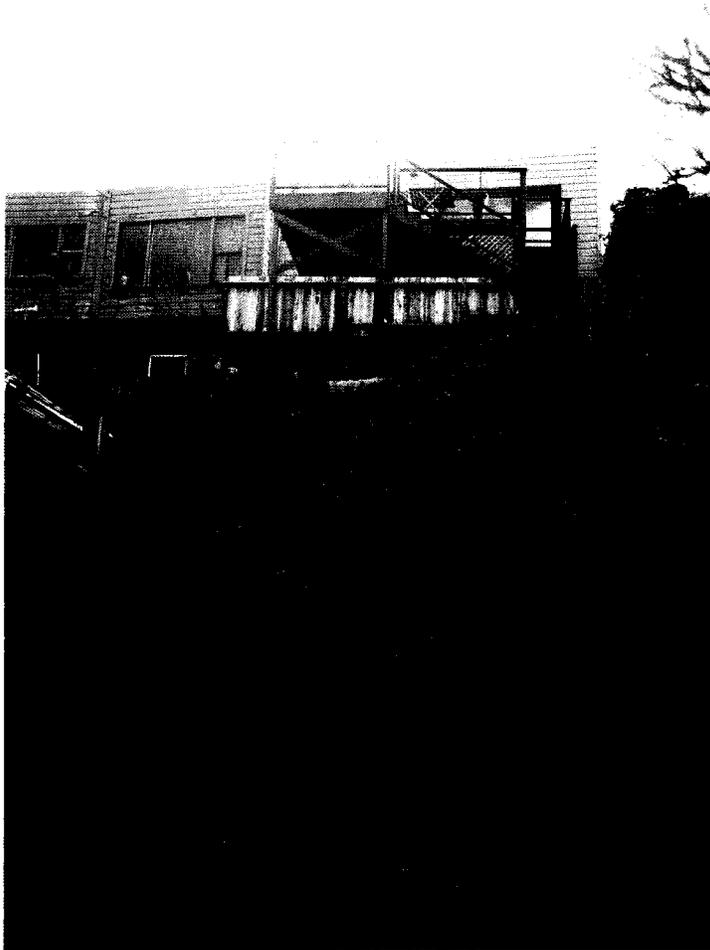
In regards to the general design of the addition, we feel strongly that during our design process, we have proactively tried to address potential concerns of our neighbors (see general plan accommodations in 3 below).

- 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.*

In light of the DR application, we have revisited the RDG and we still feel that the proposed addition more than adequately addresses the concerns listed in the DR application and do not adversely effect the surrounding properties as is alleged in the DR application.

To properly understand the design of our proposed addition, it important to see the topography of our property. The following picture is taken from the back of our property:

Photo A - rear yard of 4366 26th St.



Given the steepness of the slope in both the north-south and the east-west direction, we have chosen a step-down and angled design that can be built into the existing slope, that respects the existing topography and that has no adverse effect to our adjacent neighbors.

A) Invasion of Privacy

The DR application references **Section III Site Design p 17**, which states that

“As with light, some loss of privacy to existing neighboring buildings can be expected with a building expansion. the following design modifications can minimize impacts on privacy; other modifications may also be appropriate depending on the circumstances of a particular project.

- *Incorporate landscaping and privacy screens into the proposal....*
- *Develop window configurations that break the line of sight between houses.*
- *Use translucent glazing such as glass block or frosted glass on windows and doors facing openings on abutting structures.”*

Our existing ground floor patio has a 4½-foot fence on the property line separating our property from the DR requester’s property. We have informed her that this patio fence will remain in place. Also, the DR requester has an approximately 6 foot non-transparent windscreen in between her deck and our fence. These two privacy screens have and will continue to block visual access to each other’s house. Note that with the variations in floor heights and the privacy screens, there is no direct line of sight between the proposed full-length windows and the existing windows of the adjacent building (Photo B).

Photo B – View of 4360 26th Street from ground floor patio of 4366 26th Street



Lastly, our proposed plan calls for a minimum 3 feet side setback that grows wider as it progresses into the rear yard. Photo C below was taken from the northeast edge of the existing ground floor patio with the camera sitting on the fence. The setback of the proposed plan and the angle of the windows away from the DR requester's house would make any potential invasion of privacy less than that shown in Photo C.

Photo C – View of 4360 26th Street (middle floor) from the fence of ground floor patio



As mentioned in Response 2 above, in addition to considerations already taken to preserve privacy for both parties, if necessary, we are willing to eliminate the planned side patio and the full-length window closest to the DR requester's house.

In addition, to the factors above, we note that the DR requester's own deck significantly overshadows (hangs over) the bottom story of their building, obscuring any potential view into the "extra room one floor below" (the ground floor) from our property.

We feel that these measures together are more than adequate to address potential invasion of privacy concerns raised by the DR requester.

In regards to the statement that there would be a loss of privacy and light as it relates to 4372 26th Street, we present the following facts:

- the steepness of the hill means that 4372 is significantly elevated compared to our property
- our proposed addition does not involve extending upwards
- our proposed addition steps down into our rear yard following the existing slope

- Our plans do not include any windows facing uphill toward 4372 26th Street

Therefore, we do not believe there is any impact on privacy or light to 4372 26th Street.

On August 8, 2011, we met with George and Agnes Bonawit, the owners of 4372 26th Street, and went over the proposed plans again. Mr. and Mrs. Bonawit told us that they do not object to the plans as filed. In addition, they do not believe that the plans will result in any loss of privacy or light to their property as stated in the discretionary review application filed by Patricia Niland.

B. Scale

As shown in the attached bird's eye view of our block (Attachment 1 - provided by Google Maps), the depth of our building is relatively shallow compared to many other buildings on our block. Further, our existing house is only 2 stories tall while **over half** of the lots on the block have buildings with 3 or more stories (27 out of 47 lots on the block). Our proposed addition will add approximately 568 square feet of living space yet still results in a house that is modestly sized in comparison to other homes on the block.

The DR application states that, "the proposed plan, building so far back into the rear, unlike any other on the block, will leave some if not all neighbors "boxed in" and cut-off from the mid-block open space."

That is an inaccurate statement. As shown in Attachment 1, 4324-4326 26th Street is on the same block as our house and it protrudes deeper into the rear yard than our proposed addition and does so on all levels (whereas our upper floors would be set back). In addition, our block does have an irregular mid-block open space pattern as discussed in **RPG Section IV, page 26**:

1. 553 Clipper Street is a 3 level detached building (1,455 sft) located at the rear of the lot which is clearly in the middle of the "mid-block open space" (see blue building in Photo **D** and Attachment 1).
2. 4360 26th Street (the DR requester's residence) has a structure with a corrugated roof in the middle of its rear yard that is similar in size and shape to the footprint of our proposed addition. (see triangular shaped structure in Photo D).
3. Other buildings on the block have additions extending into the rear yard with a large variation of depths and sizes/setbacks (see Attachment 1).

Photo D – View of the immediately adjacent mid-block pattern from the east side of our existing deck

Building in rear yard of 553 Clipper --



Structure in rear yard of DR requester's property (4360 26th St)

RPG Section IV, page 26 also states that:

"The following design modifications may reduce the impacts of rear yard expansions; other modifications may also be appropriate depending on the circumstances of a particular project:

- *Set back upper floors to provide larger rear yard setbacks.*
- *Notch the building at the rear or provide setbacks from side property lines.*
- *Reduce the footprint of the proposed building or addition. "*

Our proposed design takes into consideration all three of the modifications suggested above. We have chosen a "notched" design for the rear expansion to minimize the impact on neighbors. The top floor will remain as it currently is. Our second floor will contain a triangle-shaped addition that juts out from underneath the existing deck by a little under 10 feet. The expansion into the rear yard is mostly due to the proposed new room on the ground floor that will be much lower in elevation than our existing floors. In addition, we have included a 3-foot setback on the uphill (west) property line and a setback that starts at 3 feet and extends far away from the downhill (east) side property line. The variation in the east side property line is due to the angled design of the proposed addition. This step-down

design is very similar in concept to the example shown in 2nd drawing on the right-hand side on **page 27 of the RPG Section IV**.

Lastly, we have chosen a footprint that is much less than what the depth and width might suggest given the angled design. The total square footage of the footprint beyond that of the existing house and deck is only 270 square feet (including exterior walls).

C) Neighborhood Character, especially rear yard amenities

The architectural styles and features of the houses in our block are extremely diverse. This is also reflected in the landscaping of the rear yards. In addition, see the comments regarding mid-block variances and scale in B) above.

We have purposefully designed our proposed addition in a way that respects the topography of our property and the block. We have chosen a step-down design to follow the steep slope in the north-south direction and an angled design to follow the significant slant in the east-west direction. We believe this allows the addition to blend in well with the visual character of the block.

Given that the total square footage of the footprint beyond that of the existing house and deck is only 270 square feet and most of that is on a single story level that is significantly set back from the east property line, we do not believe there would be an impact on wind patterns on the neighboring properties.

Additional Considerations

1. Alternative plans proposed by the DR requester

The DR requester has proposed “an addition that extends no further into the rear yard than the foot print of the existing ground floor patio.” This would provide less than 200 square feet of additional living space, which is insufficient for the needs of our expanding family.

2. Rear yard setback calculation

On “additional page 2 of 5” in the DR application, the DR requester states that the proposed building meets the 25% rear-yard setback requirement with “one inch to spare”. We are uncertain as to how the DR requester calculated this figure. As clearly stated in the front of the Section 311 notification package, the total maximum building depth of the proposed condition is 78 feet. The legal depth of our property is 114 feet. As indicated on A-005.00 included in the Section 311 notification package, this results in a minimum rear yard setback of 28.5 feet, which leaves more than 7 feet to spare at the furthest point (west edge). Note that due to the angled design, the distance between the 25% rear-yard setback

line and the eastern point of the addition (edge closest to the DR requester's property) is 21 feet 10 inches.

3. Discrepancies noted in the application as stated by the DR requester

We agree that there are stairs on the west side of the DR requester's properties in addition to some steps on the east side of her property. However given the significant setback of the proposed addition, the angle of the windows in the proposed addition, and the fence between our two properties, we will not be looking directly at the outside stairs from our proposed addition. We also do not believe these exterior stairs are protected from public viewing under the SF Planning code or RPG.

Conclusion

Given all of the reasons stated above, we urge the Planning Commission to approve the permit application as submitted. We would be happy to modify the plans to eliminate the side patio and the full-length window on the ground floor closest to DR requester's property, as discussed in 2) above, if requested by the Planning Commission.

Our family of 3 (soon to be 5) is looking forward to getting to know San Francisco and Noe Valley, and we hope to build strong relationships with our fellow neighbors. Although we acknowledge the concerns of the DR requester and understand that any building changes may cause short-term inconveniences, we believe that with a longer perspective, the proposed addition to 4366 26th Street will be good for our family as long-term Noe Valley residents and good for the overall neighborhood.

③ = 3 stories (or more)



DISCRETIONARY REVIEW

PUBLIC HEARING PACKAGE

House Addition

Lynch Residence

4366 26th Street
San Francisco, California 94131

push

Asheshh Saheba [design architect] 917-757-3410

EXISTING SITE PHOTOGRAPHS

House Addition

Lynch Residence

4366 26th Street
San Francisco, California 94131

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Asheshh Saheba [design architect] 917-757-3410



Site Photo – rear yard of 4366 26th St.



Site Photo – View of 4360 26th Street from ground floor patio of 4366 26th Street

House Addition

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San Francisco, California 94131

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Asheshh Saheba [design architect] 917-757-3410



Site Photo – View of the immediately adjacent mid-block pattern from the east side of our existing deck



Site Photo – View of 4360 26th Street (middle floor) from the fence of ground floor patio

House Addition

Lynch Residence

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San Francisco, California 94131

push
Asheshh Saheba [design architect] 917-757-3410

PROPOSED DESIGN DRAWINGS

House Addition

Lynch Residence

4366 26th Street
San Francisco, California 94131

push

Asheshh Saheba [design architect] 917-757-3410

Lynch
Residence
4366 26th Street
San Francisco, CA 94131

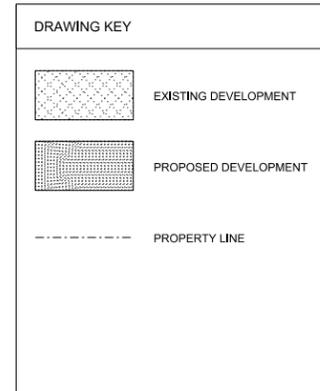
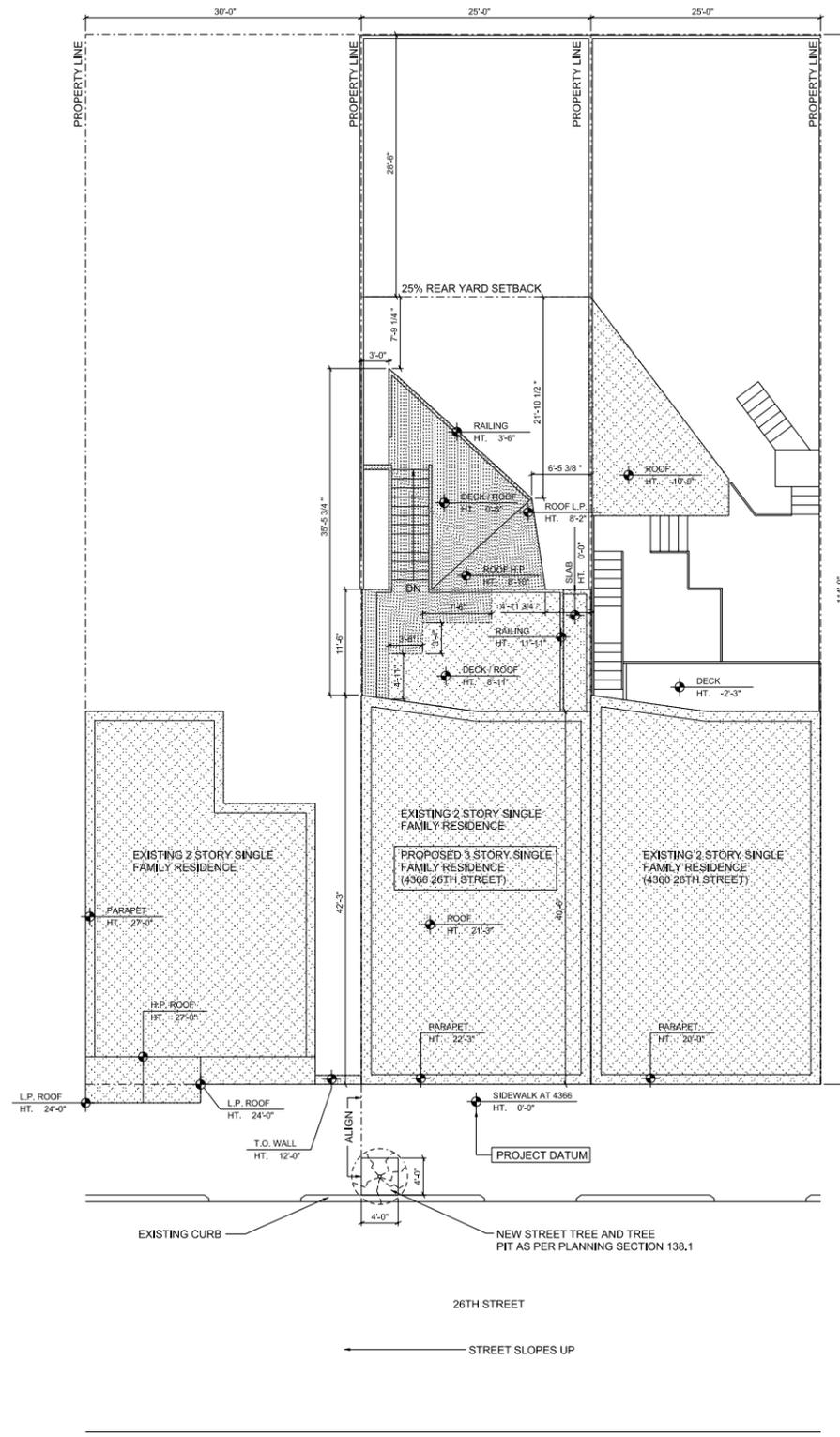
Block: 6556 Lot: 016B

DESIGN ARCHITECT

push
2228 San Jose Avenue, Unit E
Alameda, CA 94501
917-757-3410

STRUCTURAL ENGINEER

Tony Thompson
P.O. BOX 418621
San Francisco, CA 94141
415-722-7746



ISSUE	DATE
PERMIT	02.22.11
CD - 50%	02.25.11
PERMIT - REV 2	05.24.11
PERMIT UPDATE	10.04.11

PLOT PLAN



SCALE
1/8" = 1'-0"

A- 005.00

Lynch Residence
 4366 26th Street
 San Francisco, CA 94131
 Block: 6556 Lot: 016B
 DESIGN ARCHITECT
 push
 2228 San Jose Avenue, Unit E
 Alameda, CA 94501
 917-757-3410
 STRUCTURAL ENGINEER
 Tony Thompson
 P.O. BOX 418621
 San Francisco, CA 94141
 415-722-7746

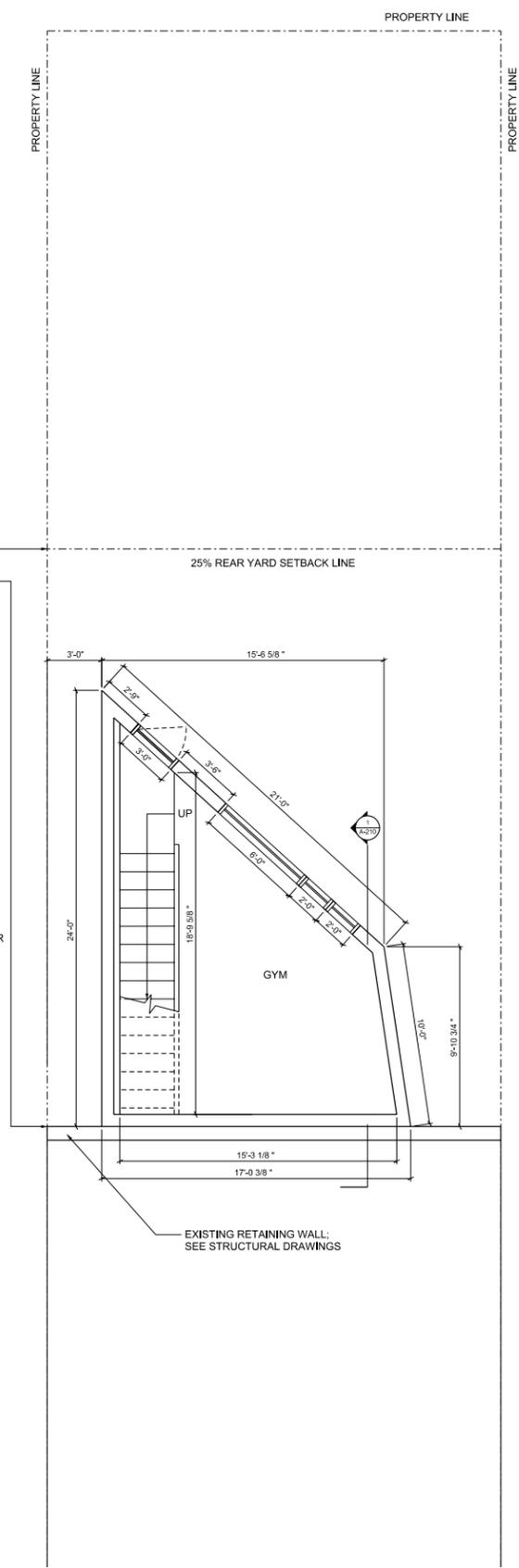
- GENERAL NOTES**
1. ALL INTERIOR PARTITIONS SHALL BE 2x4 WOOD STUDS U.O.N.
 2. PROVIDE ACOUSTICAL INSULATION WITHIN PARTITIONS AT BEDROOM AND BATHROOM.
 3. PROVIDE WATER RESISTANT GWB IN ALL AREAS HAVING A WATER SOURCE INCLUDING BUT NOT LIMITED TO BATHROOMS AND UTILITY CLOSETS.
 4. PROVIDE 16 GA. METAL GROUNDS FOR ATTACHMENT OF MILLWORK, BATHROOM ACCESSORIES, AND OTHER SIMILAR ITEMS REQUIRING SUPPORT.
 5. ALL DOORS TO BE 4" FROM FACE OF GWB, U.O.N.
 6. REFER TO STRUCTURAL AND LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION.
- DRAWING NOTES**
- ① GATE: SEE ELEVATION FOR DETAIL

ISSUE	DATE
PERMIT	02.22.11
CD - 50%	02.25.11
PERMIT UPDATE	10.04.11

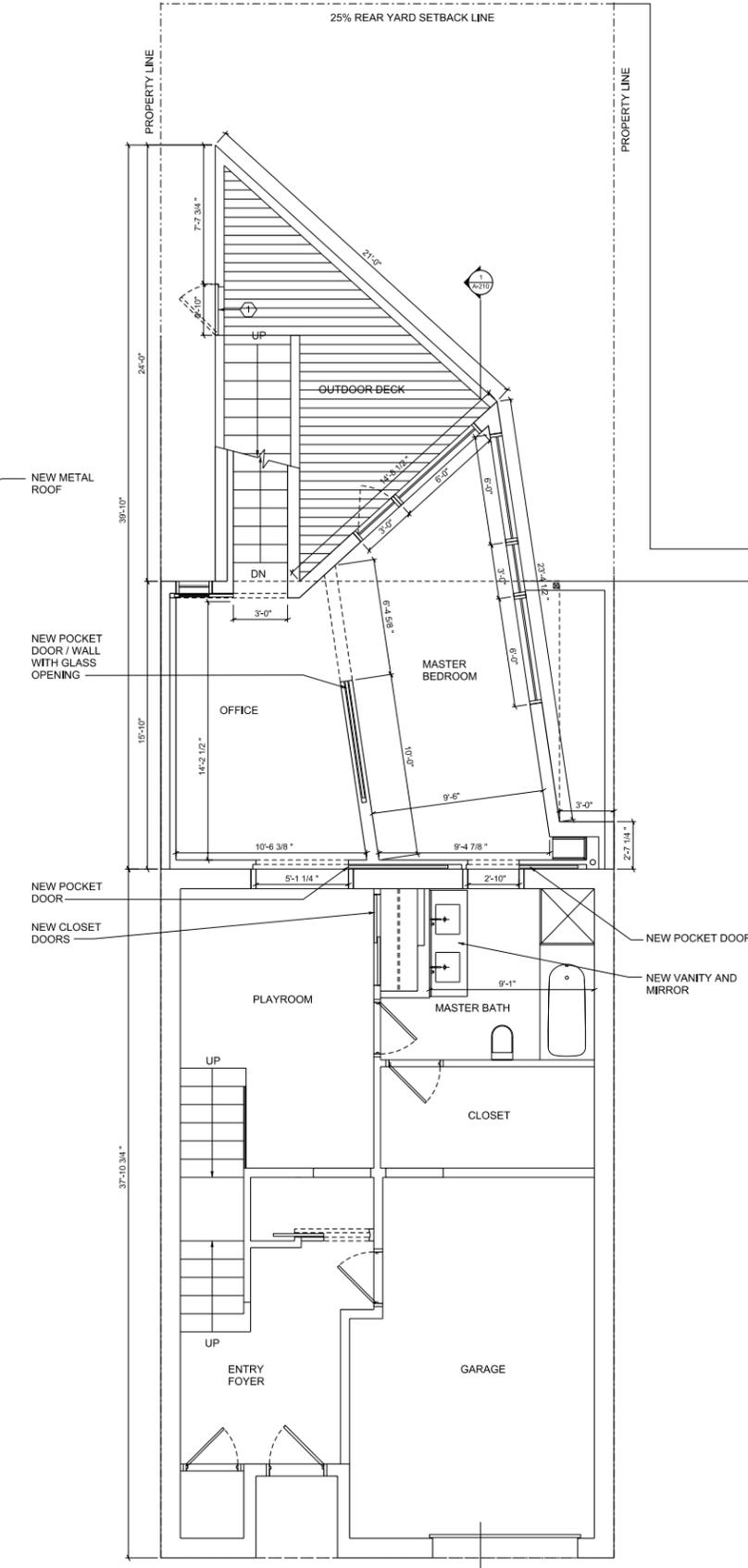
RENOVATION AND ADDITION FLOOR PLANS

SCALE
 1/4" = 1'-0"

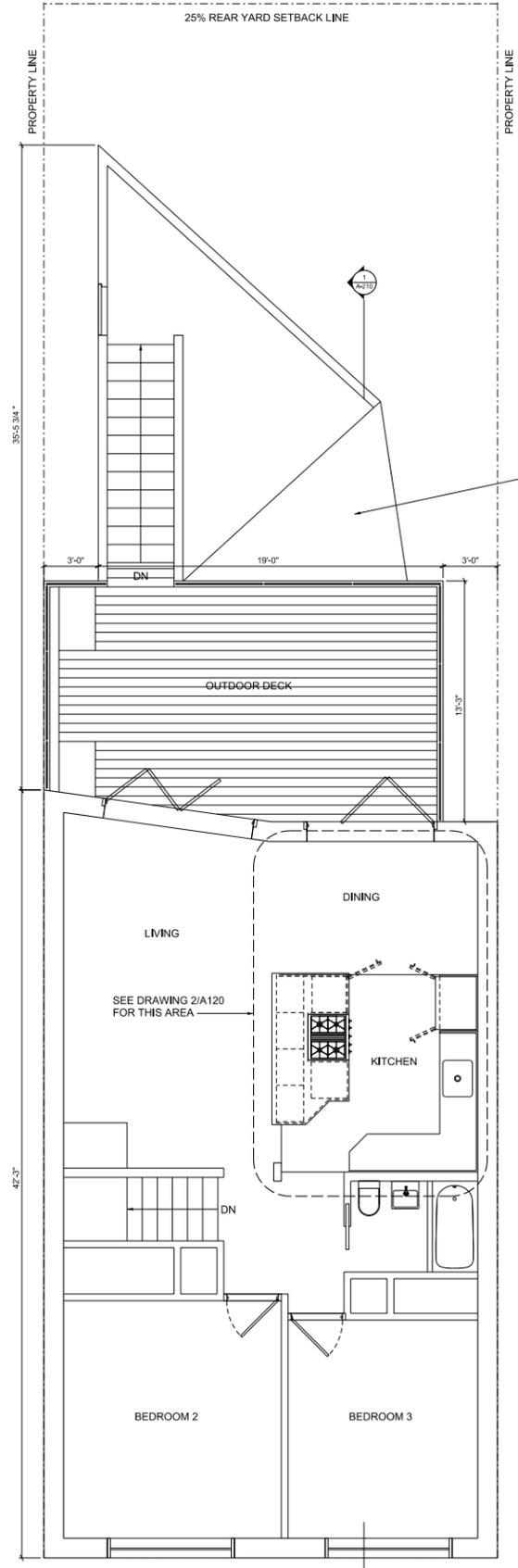
A- 100.00



① LOWER FLOOR PLAN
 1/4" = 1'-0"



② GROUND FLOOR PLAN
 1/4" = 1'-0"



③ SECOND FLOOR PLAN
 1/4" = 1'-0"

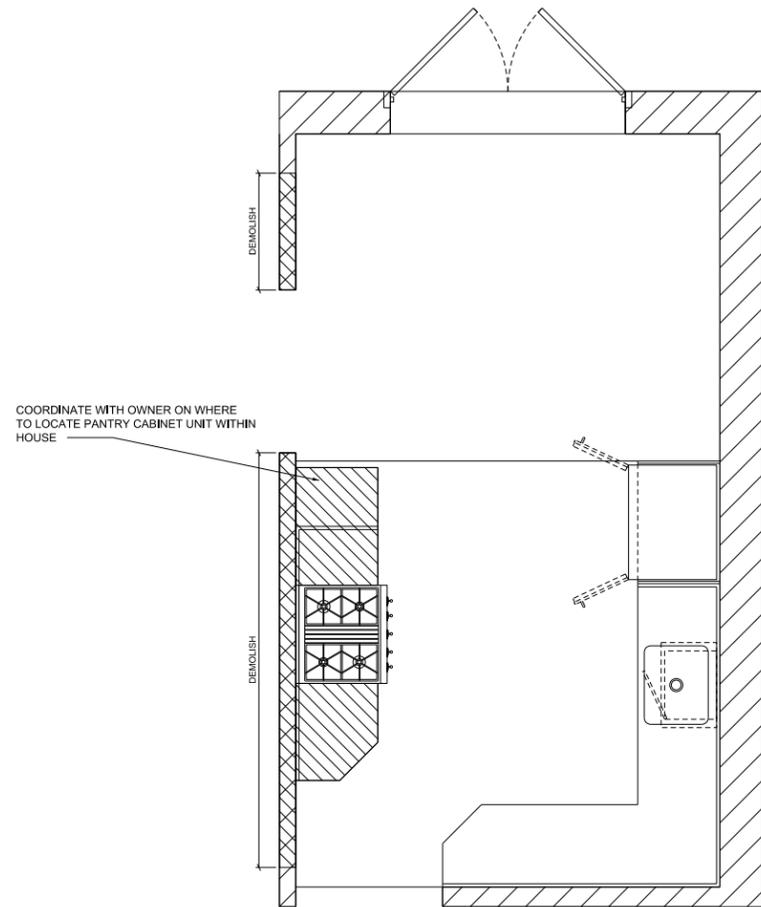
Lynch Residence
 4366 26th Street
 San Francisco, CA 94131
 Block: 6556 Lot: 016B

DESIGN ARCHITECT

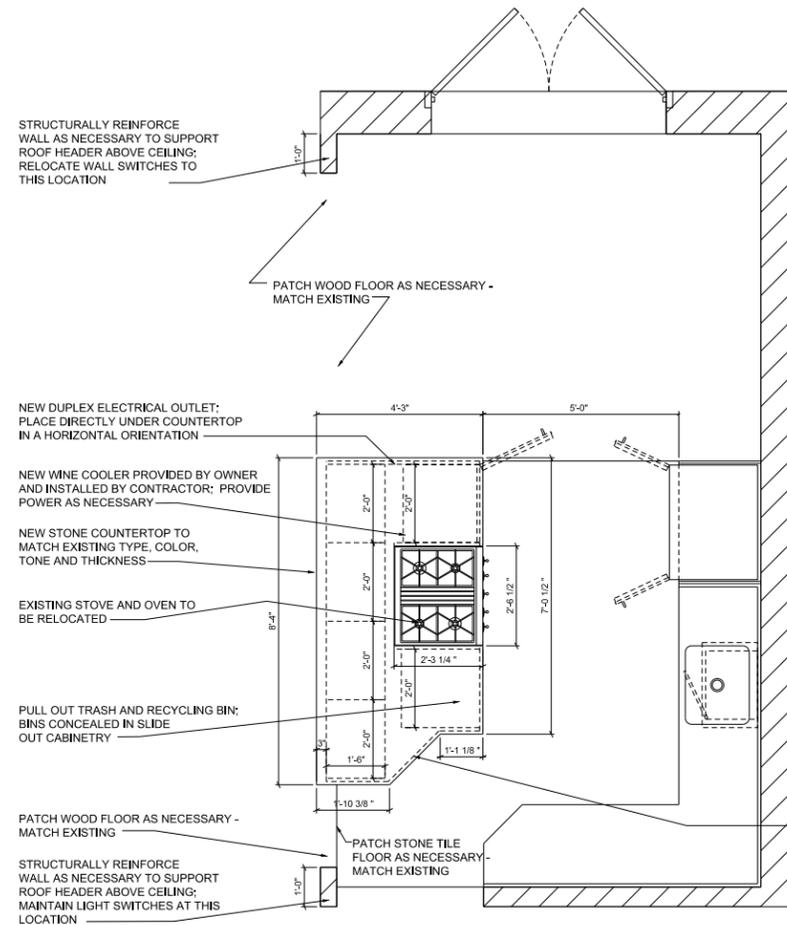
push
 2228 San Jose Avenue
 Unit E
 Alameda, CA 94501
 917-757-3410

STRUCTURAL ENGINEER

Tony Thompson
 P.O. BOX 418621
 San Francisco, CA 94141
 415-722-7746



1 KITCHEN PLAN - EXISTING / DEMO
 1/2" = 1'-0"



2 KITCHEN PLAN - PROPOSED
 1/2" = 1'-0"

- GENERAL NOTES:
1. ALL NEW CABINERY TO MATCH EXISTING - THOMASVILLE CABINERY
 2. PROVIDE CABINERY PANELS AT NORTH AND SOUTH END OF ISLAND; NO TOE KICKS AT THESE LOCATIONS
 3. PROVIDE CABINERY CUT SHEETS WITH ACCESSORIES FOR APPROVAL PRIOR TO PLACING ORDER

- CEILING NOTES ABOVE ISLAND:
1. PATCH DRYWALL CEILING AFTER REMOVAL OF EXISTING WALL
 2. SKYLIGHT TO REMAIN AS IS
 3. REMOVE EXISTING EXHAUST HOOD
 4. PROVIDE NEW VIKING EXHAUST HOOD TO BE ATTACHED TO EXISTING EXHAUST DUCT. OWNER TO PROVIDE SPEC. FOR HOOD.
 5. COORDINATE ON SITE WITH ARCHITECT AND OWNER ON LOCATION AND TYPE OF NEW LIGHT FIXTURE(S) OVER ISLAND

NEW DUPLEX ELECTRICAL OUTLET:
 PLACE DIRECTLY UNDER COUNTERTOP
 IN A HORIZONTAL ORIENTATION

ISSUE	DATE
REVIEW	11.14.10
KITCHEN BID	11.16.10
KITCHEN BID REV. 1	11.29.10
DD UPDATE	12.23.10
PERMIT	02.22.11

KITCHEN
 DEMOLITION
 AND
 RENOVATION
 PLAN



SCALE
 1/2" = 1'-0"

A-120.00

Lynch
Residence
4366 26th Street
San Francisco, CA 94131

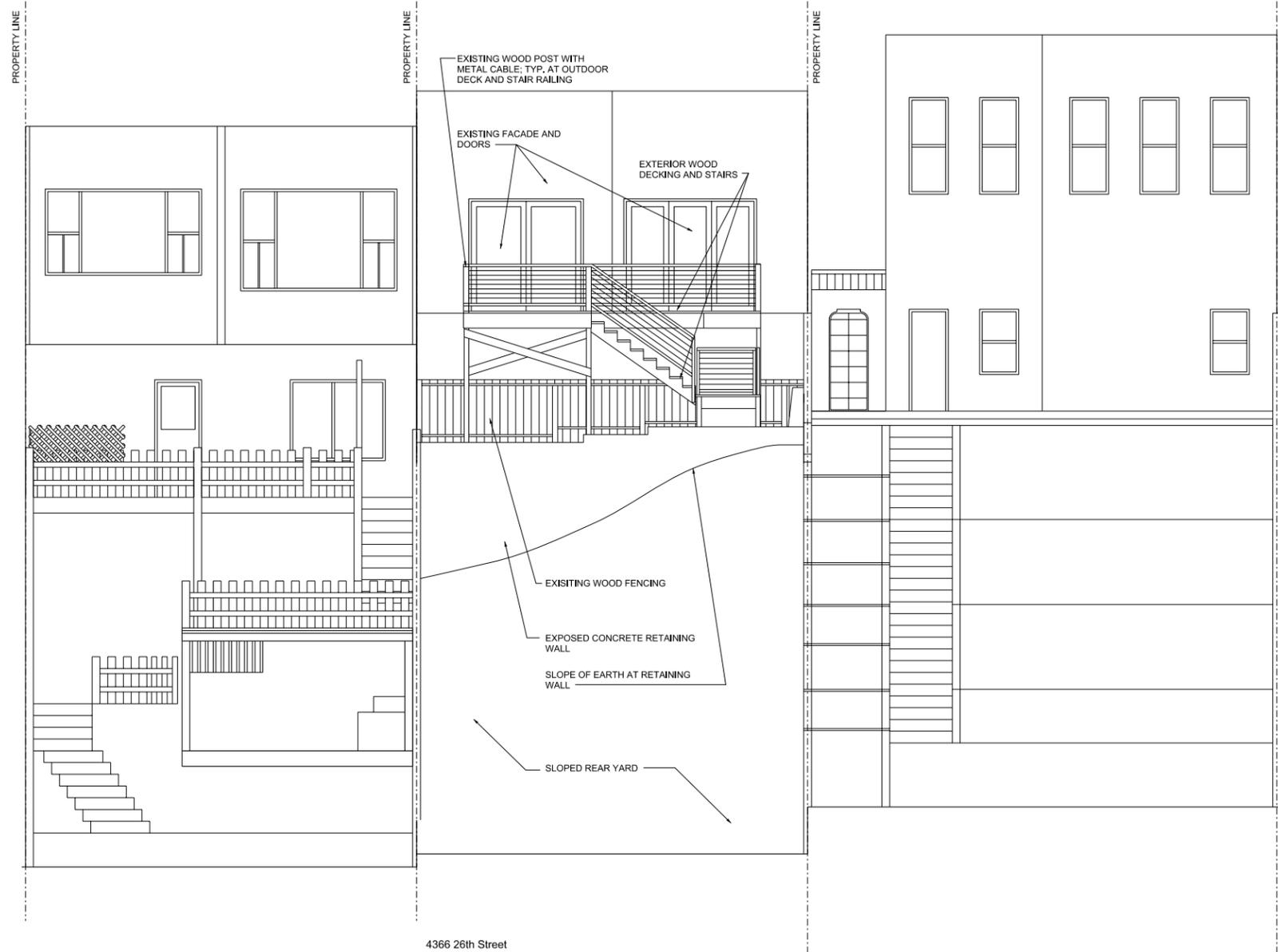
Block: 6556 Lot: 016B

DESIGN ARCHITECT

push
2228 San Jose Avenue, Unit E
Alameda, CA 94501
917-757-3410

STRUCTURAL ENGINEER

Tony Thompson
P.O. BOX 418621
San Francisco, CA 94141
415-722-7746



ISSUE	DATE
PERMT	02.22.11
CD - 50%	02.25.11
PERMT - REV 1	04.20.11

EXISTING
NORTH
ELEVATION

SCALE
1/4" = 1'-0"

A- 200.00

PROPOSED DESIGN RENDERINGS

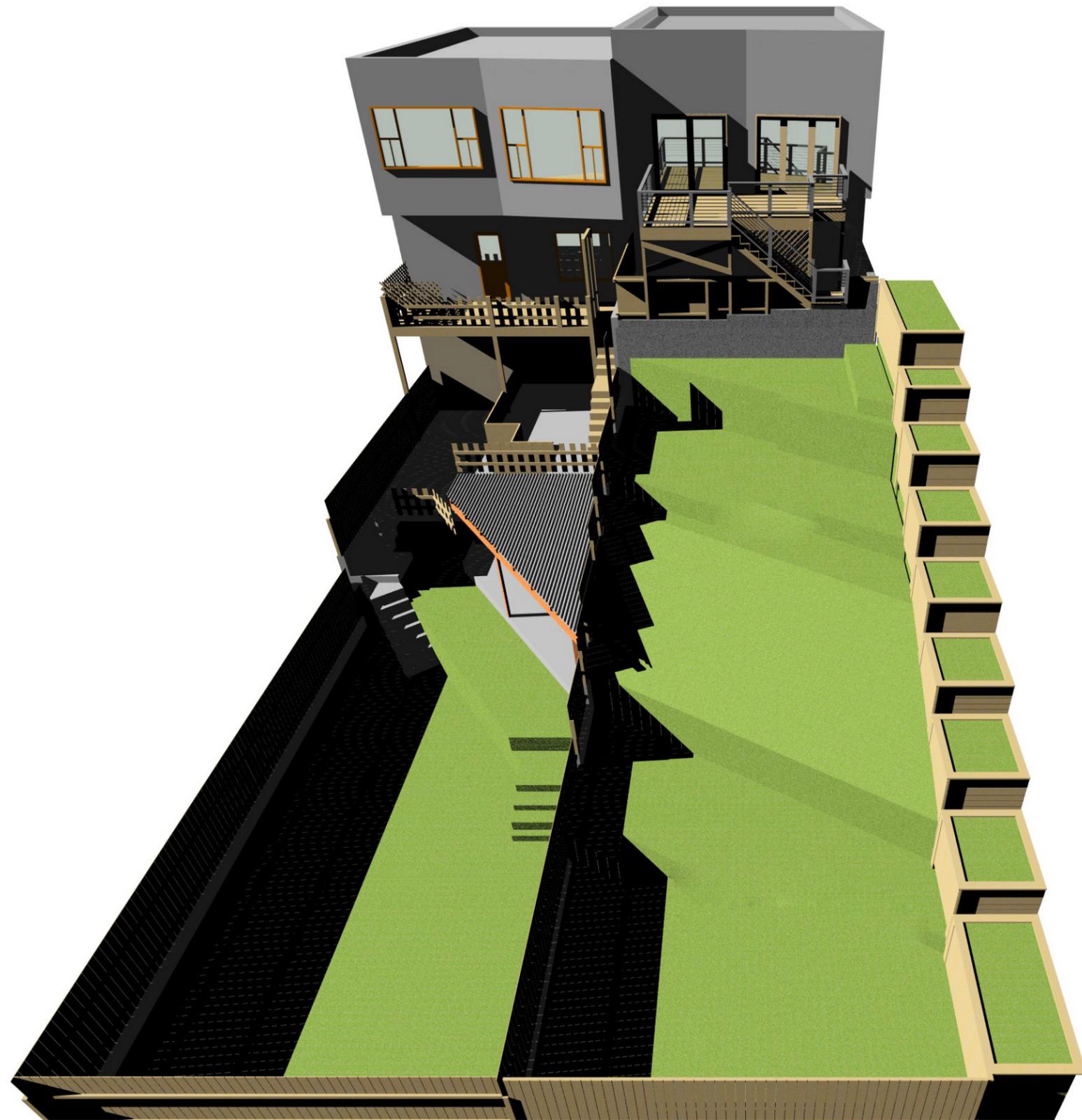
House Addition

Lynch Residence

4366 26th Street
San Francisco, California 94131

push

Asheshh Saheba [design architect] 917-757-3410



Aerial View Looking North: Existing Conditions

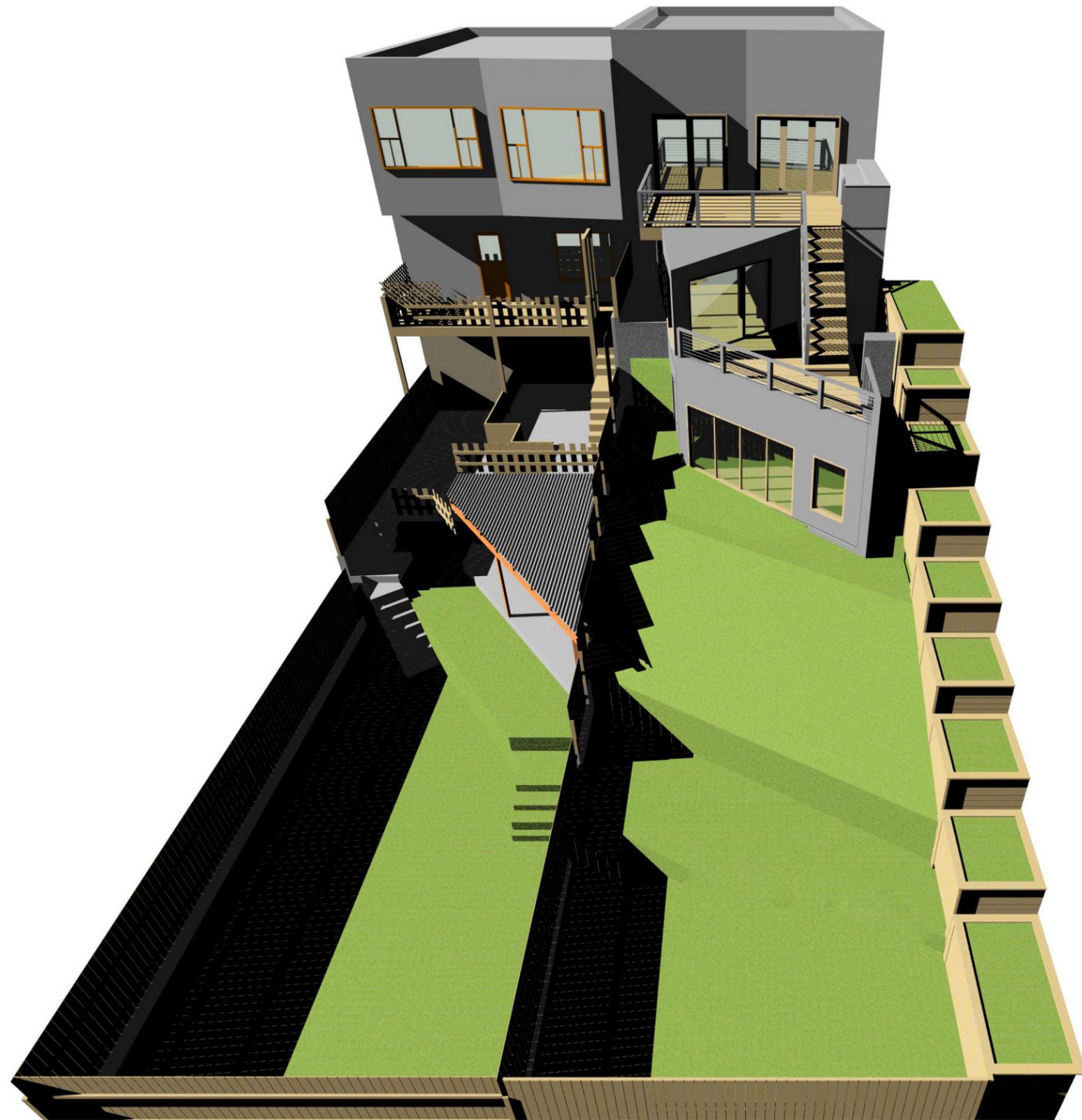
House Addition

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Aerial View Looking North: Proposed Addition

House Addition

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South Elevation from North Property Line: Existing Conditions

House Addition

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South Elevation from North Property Line: Proposed Addition

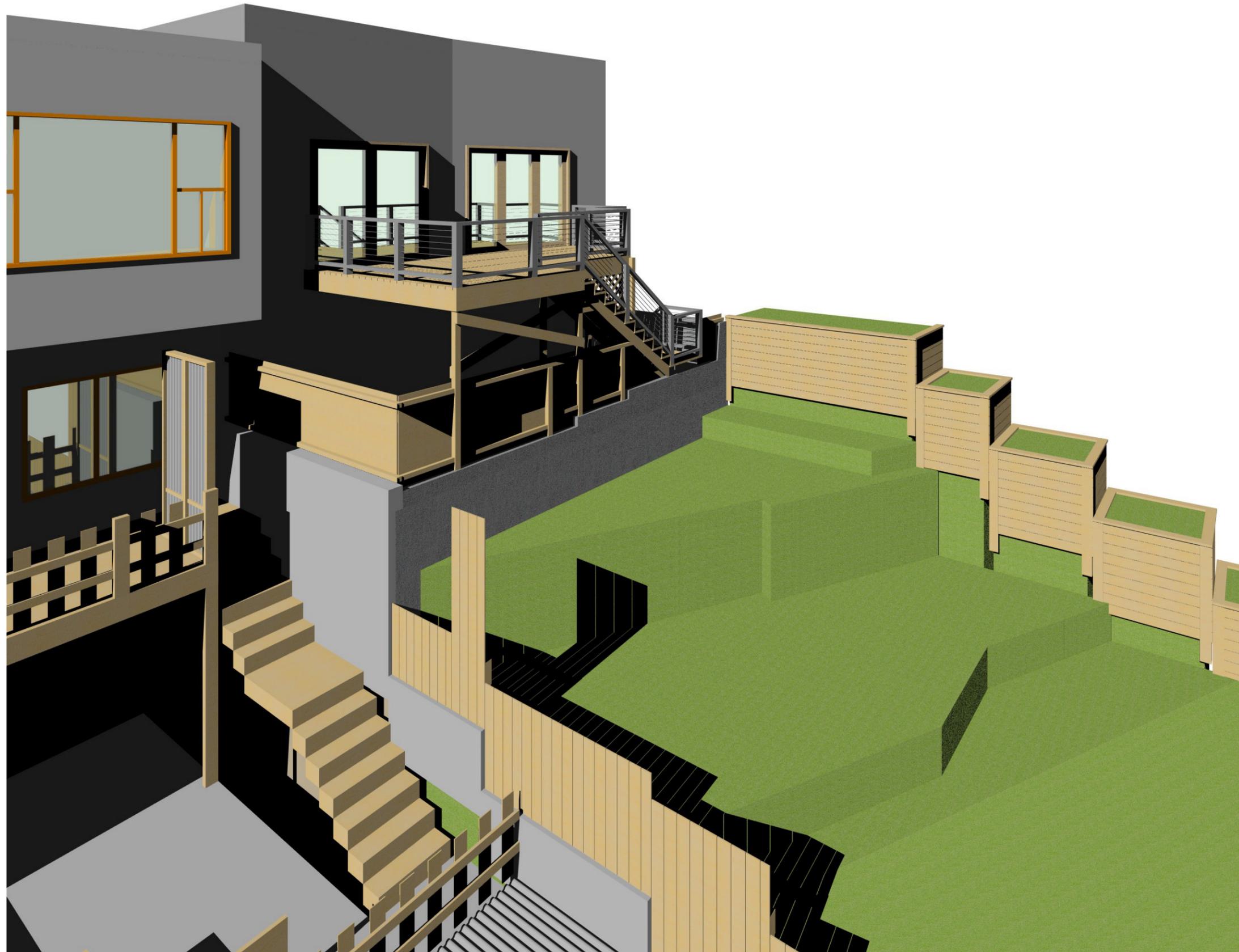
House Addition

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View Looking South-West: Existing Conditions

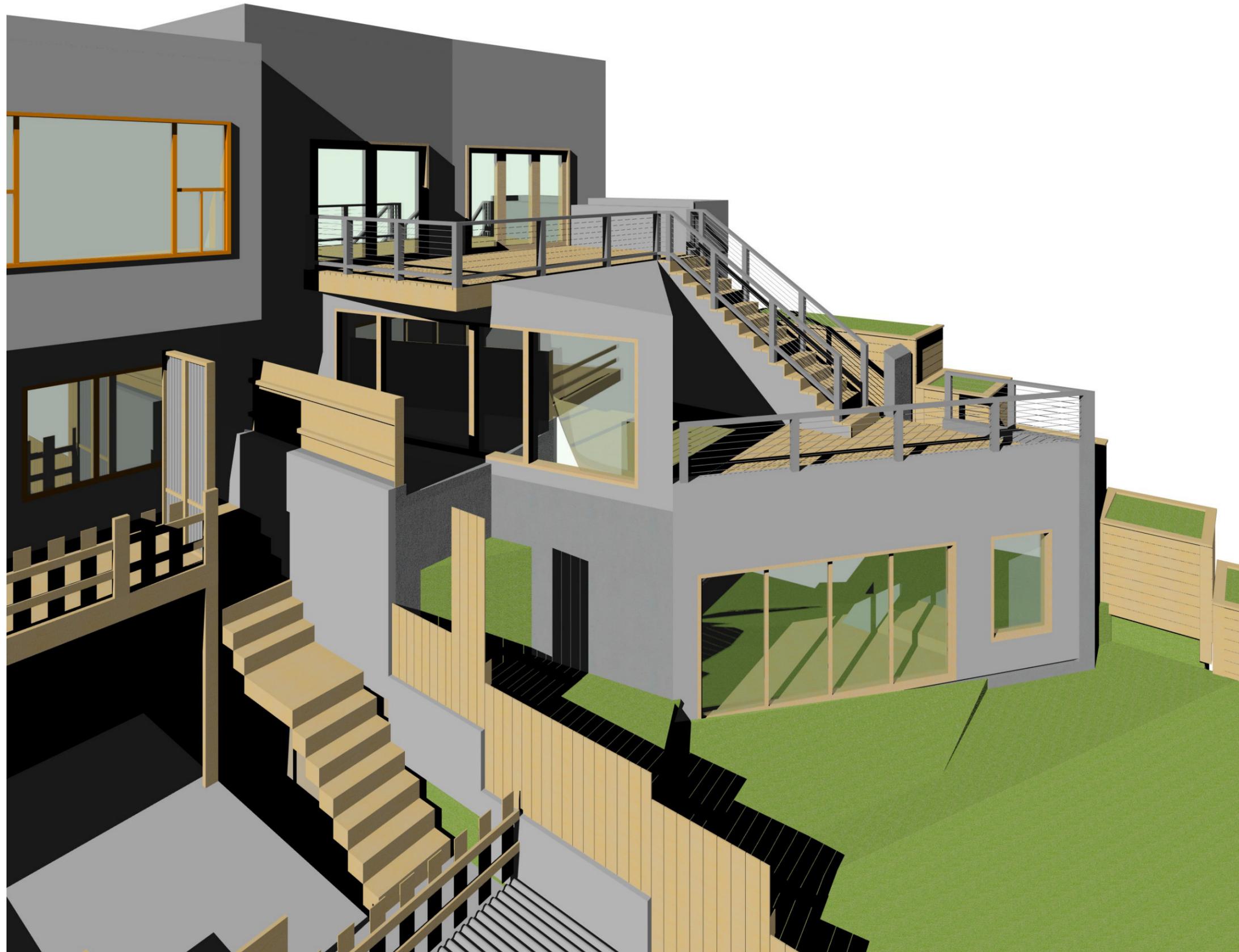
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View Looking South-West: Initial Proposal of Master Bedroom Windows

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Asheshh Saheba [design architect] 917-757-3410