



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: OCTOBER 13, 2011

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

Reception:
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415.558.6409

Planning
Information:
415.558.6377

Date: October 6, 2011
Case No.: **2011.0837D**
Project Address: **10 Lundys Lane**
Permit Application: 2011.0330.3154
Zoning: RH-2 [Residential House, Two-Family]
 Bernal Heights Special Use District
 40-X Height and Bulk District
Block/Lot: 5610/029A
Project Sponsor: Seth Boor
 1686 15th Street
 San Francisco, CA 94103
Staff Contact: Kimberly Durandet – (415) 575-6816
Kimberly.durandet@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The Project Sponsor proposes to convert an existing single-family dwelling of approximately 2,860 square feet into a two-family dwelling. The upper unit will be approximately 1,760 square feet and the new lower unit will be approximately 1,100 square feet through an interior remodel with no expansion of the building envelope.

SITE DESCRIPTION AND PRESENT USE

The Subject Property is a regular lot of 1,750 square feet, approximately 25 feet wide by 70 feet deep. The Subject Property is a single-family, three-story residential building of approximately 2,860 square feet located in a RH-2 (Residential, Two-Family) Bernal Heights Special Use Zoning District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located on the west side of Lundys Lane approximately 80 feet from the corner of Coso Avenue. The surrounding properties within a 150 foot radius consist of seventeen single-family dwellings, seven two-family dwellings, one three-family dwelling, and one five-family dwelling. The properties immediately adjacent to the subject property are single-family dwellings with the exception of the rear adjacent property to the northwest which is a two-family dwelling.

PAST ACTIONS AND ENFORCEMENT HISTORY

DATES	DESCRIPTION	COMMENTS
May-September 2009	Complaints are filed at DBI regarding illegal unit.	Department of Building Inspection (DBI).

DATES	DESCRIPTION	COMMENTS
September-October 2009	New property owner responds to complaints by filing a permit to abate the violation.	Planning Approval Over the Counter (OTC).
March 17, 2010	Building Permit No. 2010.0317.8393 filed for interior remodel and other minor alterations. No change of use requested.	Planning Approval OTC. No 311 required as the proposed interior work met the Rooms Down Matrix.
July-August 2010	Construction begins. Complaints are filed with DBI and Planning that the demolition and reconstruction exceed the scope of the permit and requires a variance from rear yard requirements. Building Permit Application Nos. 2010.0709.6243 and 2010.0827.9763 are filed by the property owner for structural work on foundation and replacement of rear walls which were found to be unsalvageable.	Additional permits filed are reviewed by DBI only for foundation and other structural work.
August 2010	Planning Department receives complaint and begins investigation.	Zoning and Compliance Division-Planning Department.
September 2010	Stop Work Order is issued.	Zoning and Compliance Division-Planning Department and DBI.
September 2010	Mr. Soto files a Request for Jurisdiction of the March 17, 2010 permit, and an Appeal of Building Permit Application No. 2010.0827.9763 (a revision to the March 17 permit).	March permit had Planning approval, DBI review only of the August permit.
November 2010	Board of Appeals hears the case for 10 Lundys Lane. Request for Jurisdiction is denied. Appeal of permit is denied. Mr. Soto requests rehearing.	Results: The footprint of the existing building is a legal non-complying structure predating the Bernal SUD controls for rear yard.
December 2010	Mr. Soto files an Appeal of the Categorical Exemption Determination.	Planning Department and Board of Supervisors
January 2011	Board of Supervisors hears the Appeal of the Categorical Exemption Determination. The Appeal is denied.	Planning Department determination is upheld at the Board of Supervisor hearing.
January 2011	Request for rehearing is denied	Board of Appeals
March 2011	Subject permit is filed for a change of use from single-family to two-family dwelling units.	Planning Department review and noticing required.
June-July 2011	Neighborhood notification period.	Planning Department
August 2011	DR request filed.	Planning Department
October 2011	DR hearing scheduled.	Planning Commission

ISSUES AND OTHER CONSIDERATIONS

PARKING

Bernal Heights SUD parking requirements apply to alterations of existing structures in an RH-2 or RH-3 District: (i) If one or more alterations add 200 square feet or less of usable floor area, no additional parking space is required. (ii) If one or more alterations add over 200 square feet of usable floor area, the parking standards for new construction set forth above shall apply to the entire building. There is no expansion of the usable floor area. Therefore, no additional parking is required. The Northwest Bernal Heights Design Review is concerned that the addition of a dwelling unit without the addition of a parking space even if there is no change to the envelope is problematic, although they acknowledge the Bernal Heights controls are written in this manner. Therefore, although they feel the conversion from one to two residential units without requiring additional parking is not in the spirit of the Elsie Street Plan, the project does meet the current Code requirements and raised no objection to the project.

REAR YARD

The DR Requestor has also asserted that the work done at the rear of the building required a variance from Planning Code requirements per Section 242(e)(2). The Board of Appeals ruled that the footprint of the existing building a legal non-complying structure. The additional square footage was added prior to the Bernal Heights SUD controls and as built would have met the Code requirements at the time of constructions (circa 1970).

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311/312 Notice	30 days	June 30, 2011 – July 30, 2011	August 1, 2011	October 13, 2011	73 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	October 3, 2010	October 2, 2011	11 days
Mailed Notice	10 days	October 3, 2010	October 3, 2011	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	1	0
Other neighbors on the block or directly across the street	0	1	0
Neighborhood groups	0	0	1

The neighbors are concerned that the existing expansion of the house is being legalized without meeting parking or rear yard requirements.

DR REQUESTOR

John DeSoto at 12 Lundys Lane, the adjacent neighbor to the west.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated August 1, 2011.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated August 30, 2011.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301.

RESIDENTIAL DESIGN TEAM REVIEW

There is no exterior alteration associated with this permit. Residential Design Team review was not required.

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 project as proposed
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Attachments:

- Block Book Map
- Sanborn Map
- Zoning and Height Map
- Subject Property Photo
- Aerial Photographs
- Section 311 Notice
- DR Application
- Response to DR Application dated August 30, 2011
- Additional Submission by Property Owner dated October 3, 2011
- Reduced Plans

Parcel Map

BLOCK 5610

SUBJECT PROPERTY

Printed: 22 August, 2011



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Sanborn Map*

SUBJECT PROPERTY



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



Discretionary Review
Case Number 2011.0837D
10 Lundys Lane

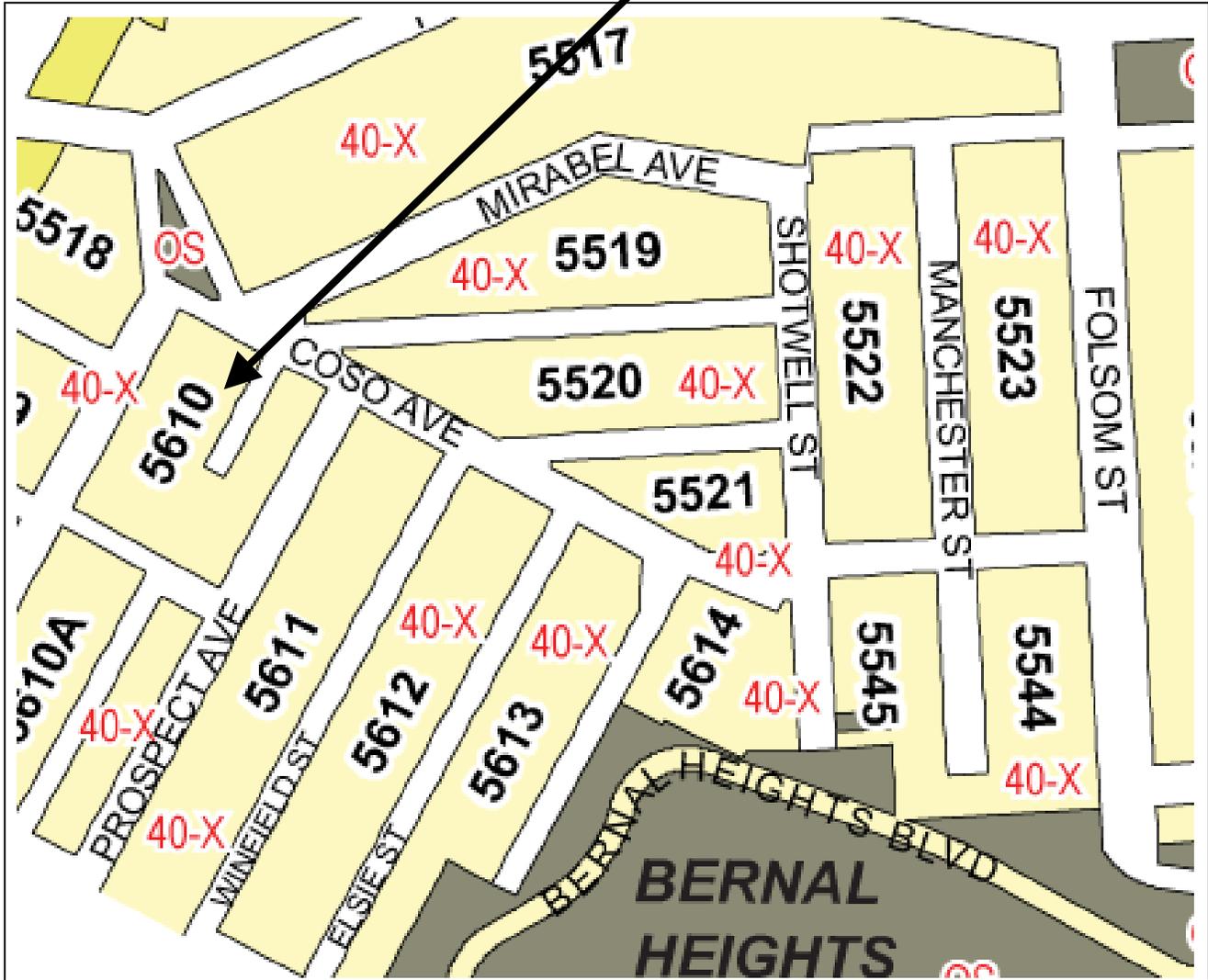
Zoning Map



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Height and Bulk Map

SITE LOCATION



Discretionary Review
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10 Lundys Lane

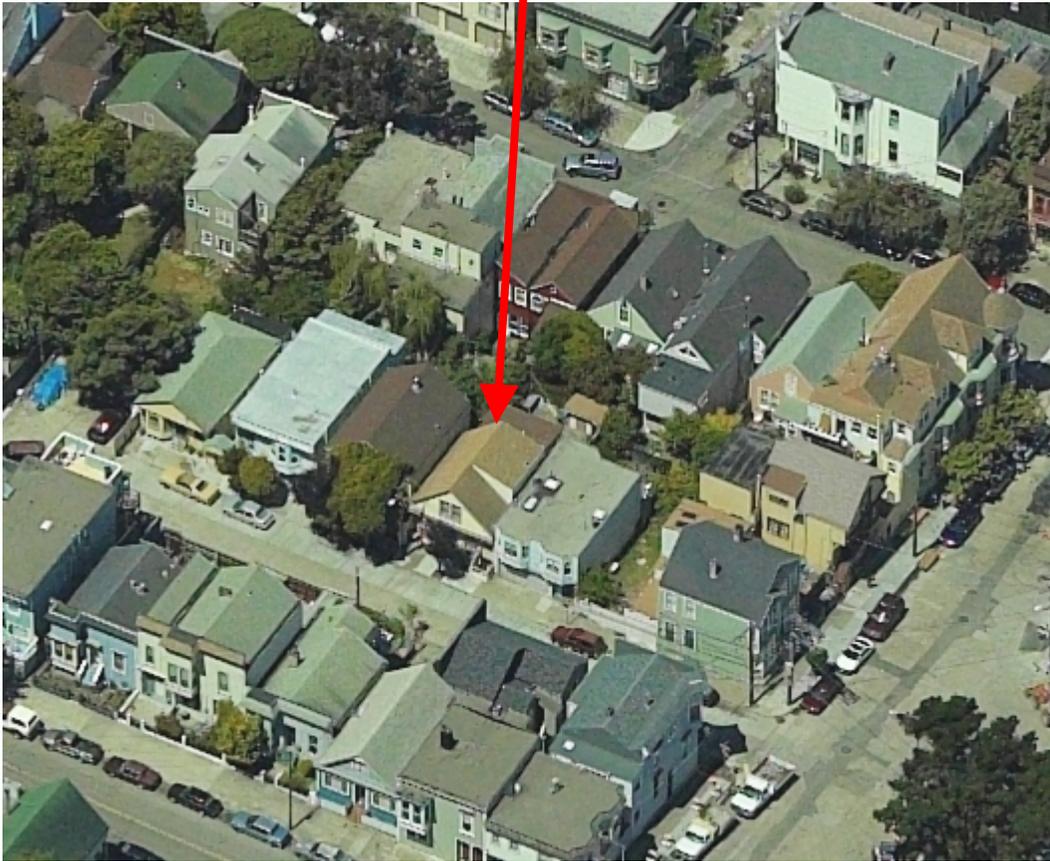
Subject Property



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Aerial Photo West Facing

SUBJECT PROPERTY



Discretionary Review
Case Number 2011.0837D
10 Lundys Lane

Aerial Photo East Facing

SUBJECT SITE



Discretionary Review
Case Number 2011.0837D
10 Lundys Lane



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On March 30, 2011, the Applicant named below filed Building Permit Application No. 2011.0330.3154 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Seth Boor	Project Address:	10 Lundys Lane
Address:	1686 15 th Street	Cross Streets:	Coso Avenue
City, State:	San Francisco, CA 94103	Assessor's Block /Lot No.:	5610 / 029A
Telephone:	(415) 241-7163	Zoning Districts:	RH-2 /40-X Bernal Heights SUD

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 you believe that there are exceptional or extraordinary circumstances associated with the project, you may 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 checked="" 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 type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUILDING USE	Single-Family Dwelling	Two-Family Dwelling
NUMBER OF DWELLING UNITS	1	2
NUMBER OF OFF-STREET PARKING SPACES	0	0
PROJECT DESCRIPTION		

The proposal is convert the existing single-family dwelling into a two-family dwelling within the existing building envelope. No additional parking is required per Planning Code Section 242(e). There are no exterior changes in the scope of work of this permit. See attached plans.

PLANNER'S NAME: Kimberly Durandet
 PHONE NUMBER: (415) 575-6816
 EMAIL: Kimberly.durandet@sfgov.org

DATE OF THIS NOTICE: 6-30-11
 EXPIRATION DATE: 7-30-11

APPLICATION REQUESTING DISCRETIONARY REVIEW ("D.R.")

This application is for projects where there are exceptional and extraordinary circumstances that justify further consideration, even though the project already meets requirements of the Planning Code, City General Plan and Priority Policies of the Planning Code.

D.R. Applicant's Name John Soto / Catherine Soto Telephone No: 517-7288

D.R. Applicant's Address 12 Lundy's Lane
Number & Street (Apt. #)
San Francisco 94110
City Zip Code

D.R. Applicant's telephone number (for Planning Department to contact): 517-7288
If you are acting as the agent for another person(s) in making this request please indicate the name and address of that person(s) (if applicable):

Name _____ Telephone No: _____

Address _____
Number & Street (Apt. #)
_____ City Zip Code

Address of the property that you are requesting the Commission consider under the Discretionary Review: 10 Lundy's Lane

Name and phone number of the property owner who is doing the project on which you are requesting D.R.: Sam Ball and Ann Hughes 643-9825

Building Permit Application Number of the project for which you are requesting D.R.: 201103303154

Where is your property located in relation to the permit applicant's property?
Adjacent to south.

A. ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST
Citizens should make very effort to resolve disputes before requesting D.R. Listed below are a variety of ways and resources to help this happen.

- 1. Have you discussed this project with the permit applicant? YES NO
- 2. Did you discuss the project with the Planning Department permit review planner? YES NO
- 3. Did you participate in outside mediation on this case? Community Board Other

RECEIVED

AUG 01 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
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4. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the results, including any changes that were made to the proposed project so far.

Please see attached typed letter describing this complex situation. No changes were made despite our and other neighbors repeated contacts with applicants, planning staff and neighborhood review board. Applicant proposed mediation last Christmas but our requested meeting date was not accepted and they stated they would not consider any changes.

B. DISCRETIONARY REVIEW REQUEST

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?

Please see attached letter describing this complex situation. Adding this second unit without parking is legal on a technicality according to Planning although the legal square footage of record went from 1250 sq. ft. to 2860.

2. 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 attached typed letter describing this complex situation. This project will increase housing density, overbuilding and parking problems and decrease quality of life. Parking is difficult on this short dead-end alley with 7 usually-filled parking spaces. Often we park blocks away from our home. All homes in the area, not just without a garage like ours, share this problem.

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 B1)?

Please see attached typed letter describing this complex situation. Adverse effects would be reduced by denying the permit to convert to two-family housing, which would still comfortably allow intergenerational occupancy in one unit as we were promised by owners originally, but would estop future or current owners from increasing density and concomitant parking problems on this short lane.

Please write (in ink) or type your answers on this form. Please feel free to attach additional sheets to this form to continue with any additional information that does not fit on this form.

CHECKLIST FOR APPLICANT:

Indicate which of the following are included with this Application:

REQUIRED:

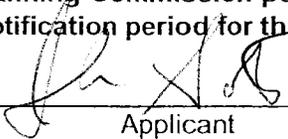
- Check made payable to Planning Department (see current fee schedule).
- Address list for nearby property owners, in label format, plus photocopy of labels.
- Letter of authorization for representative/agent of D.R. applicant (if applicable).
- Photocopy of this completed application.

OPTIONAL:

- Photographs that illustrate your concerns.
- Covenants or Deed Restrictions.
- Other Items (specify).

File this objection in person at the Planning Information Center. If you have questions about this form, please contact Information Center Staff from 8 a.m. to 5 p.m., Monday to Friday.

Plan to attend the Planning Commission public hearing which must be scheduled after the close of the public notification period for the permit.

Signed 
Applicant

8-1-2011
Date

DR Request Information: 2nd Unit- 10 Lundys Lane

10 Lundys Lane, a Bernal Heights Victorian, has had several permits issued over the course of this new owners' project. It has also had its legal square footage drastically changed by the Board of Appeals from 1250 square feet to 2860 during this project. Based on this technicality, plus the 242(e) Planning Code Section treating Bernal Heights differently than the rest of San Francisco by allowing additional units without additional parking if there has been no change in usable space, the property, according to Planner Durandet, may now become two legal units without any off-street parking, on a small dead end alley with small lots, tiny yards, and just 7 parking places, allowing creation of a permanent more intense usage on a small 25x70 foot lot. The parking situation already often requires residents to park far from home.

Close neighbors previously submitted written objections to this square footage increase and 2nd unit project to Bernal Heights Association, Board of Appeals, Board of Supervisors, and Planning. In back, these lots are so small the backyards form a courtyard, and in front numerous houses on the block are without off street parking. We are told the Bernal Heights neighborhood group is working on a change in the codes, due to this project, to close this loophole.

For now, we request that the Planning Commission review what has been done on this project overall, review how the various permits proceeded and their actual effects, consider that permitting a second unit will create a permanent land use that increases both density and parking problems on this alley, which is already unpleasantly congested and very difficult to park on now, negatively affecting the quality of life of the residents, though it will markedly increase the value of the property with little if any effect on the tax base. The plans as existing, with wet bar, bath, and studio bedroom down seem adequate to the purpose of occasional use as intergenerational housing during visits from the East Coast.

This project has a complex history. There had been previous use of the basement area and lower illegal extension by the prior family as overflow sleeping quarters, much of it with a 5.5 foot ceiling height, and with unventilated bathroom and bedroom, and rudimentary kitchen. It had never been rented or had a mailbox and had been used exclusively by first-degree relatives. The neighbor bringing this DR appeal had not appealed it because they were unaware of it, the changeover from small pop-out to large lot wide extension and illegal unit occurred while they lived out of state in Texas during the late 90's through mid 2000s, and on their return it was clear that the neighbors, who had had few advantages and a difficult life, would have been forced into bankruptcy by the combination of fines and an increasing adjustable mortgage, so neighbors exercised the golden rule and did not report them. The neighbor subsequently bankrupted in 2009, forcing sale. Then various parties filed complaints including one of illegal building which was available on the DBI website months before the property sold.

Under new owners, the project was subdivided into numerous permits and plans in such a way that it avoided multiple variances for excessive addition of square footage without off-street parking, backyard requirements, CEQA, and 311 notification until nearly complete. The original project permit was divided up, according to Mr. Gladstone's statement to the Board of Appeals, because it was "quicker" to go ahead "without a 311 notification." Owners started off the series of permits by filing plans returning the basement to legal storage to clear the existing NOV. They orally assured us all aspects of work would meet all codes and be one unit.

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As shown in more detail on the DBI website, briefly the permit structure so far has been as follows, and it appears a 7th permit is in process to widen front stairs and alter their enclosure.

1. No 311 OTC Return basement to legal storage: Property at time is according to record approx 1250 square feet legally

2. No 311 OTC Interior remodel, plans including rooms down: legal 2 level 2 bedroom 1250 sq ft 1 bath becomes 2860 3 level w/ indeterminate number of bedrooms, playrooms, offices, 3 bathrooms. Current usage shown in plans is NOVd illegal use, not legal use per prior permit. Including changes to front, illegal extension, maybe Rooms Down matrix violations.

3. No 311 OTC all new foundation, results in widening basement entrance.

4. No 311 OTC (due to DBI issue with exceeding scope) demolish and rebuild back 20+ feet of building extension: Board of Appeals legal non-complying decision alters square footage of building and rooms down allowing 2nd unit without technical change in square footage or off-street parking. Planning retroactively adds CEQA to this permit during cat-ex/no CEQA appeal.

5. No 311 OTC change front lower level window style

6. 311 Add second legal unit

Neighbors were blindsided by the succession of permits without notification. (Without 311 until the sixth permit) neighbors were unaware what was planned until they actually physically saw the foundation structure after the back 20+ feet of the illegal old shell was demolished months after the project started. They were not allowed to untimely appeal the remodeling permit (#2), only the revision permit (4) for exceeding scope with the demolition. Also unfortunately, in spite of neighbors' interest in negotiation and mediation, attempts to negotiate with the owners were met with various techniques of complete resistance to any changes at all. Though owners once suggested mediation in writing and neighbors agreed and suggested a date, owners dropped the idea when asked what changes they were open to, saying neighbors misunderstood, they were not open to any changes. They suggested drapes to one immediate neighbor and insisted to another that they could not see how their plans affected them.

A still very problematic issue from neighbors' viewpoints is that Mr. Gladstone told the Board of Appeals that owners gave neighbors "full 11 x 18 plans months before the issuance of the first permit" and owners said they voluntarily notified neighbors instead of 311 notification, who all approved the plans. That is incorrect. A half dozen neighboring households, including ours, all objecting to both back extension and 2nd unit (including 3 immediate neighboring households and 4 on the alley) submitted written statements to the Board of Appeals describing no notification, misnotifications, and various misstatements by owners about notification. Board of Appeals perhaps overlooked those letters amongst the many documents.

Regarding the Board of Appeals hearing, two important permits (2 and 4 above) received NOVs, never appealed by new owners who subsequently retained Mr. Gladstone. The Board of Appeals proceeded on a neighbor's moot appeal of the illegality of one already dead NOVd permit.

Owners presented to the Board of Appeals that the project was intergenerational housing (the parties own three properties), that they had been unclear about the legal square footage of the house they had recently purchased, their architect had not thought to check it in spite of an earlier complaint on the City website of illegal building, the planning counter should have

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discovered and explained their error, they had filed multiple permits rather than an umbrella permit because it was “quicker,” and they had relied on city approval of their erroneous plans and would suffer significant financial losses if now required to follow normal procedure.

The Board of Appeals asked Deputy City Attorney Gessner whether for Planning’s purposes they could accept an illegal structure as “legal non-complying.” She deferred “to planning and building department as to whether a legal non-complying use requires some evidence of a permit having also been existed.” Mr Sanchez responded, “the key is that it is a legal, legal non-complying structure. So that is the key finding that we would need to have the board make in order to rescind our stop work order” (to reinstate dead permits and avoid variance hearings.) The B of A on a split vote declared the admittedly illegal (overwhelming evidence included permit search, Sanborn maps, eyewitness testimony, admission from prior owner’s family) extension “legal non-complying,” and declined deputy City Attorney Gessner’s suggestion to add supporting findings that they had reasonable cause for their finding. They declined to hear permit #2 and blocked further appeals. Planning rescinded both stop work orders, one as redundant, one based on B of A decision, retroactively eliminating NOVs, reinstating permit #4, and changing the legal square footage from 1250 to 2860.

So the B of A finding changed the square footage from 1250 to 2860 and according to Planning based on 242(e) Planning Code so allowed a second unit without variance hearing or off-street parking, though neighbors did not clearly understand about the 2nd unit, since one of the owners told them the Bernal Heights Review Board had said they required a variance, and B of A members at the hearing variously said that there might be a variance hearing for the 2nd unit, that neighbors would have a chance to have their concerns addressed again, and warned owners they should not expect such an easy time on that part of the project. The decision was appealed but the B of A declined to rehear the matter.

In conclusion, we are told the neighborhood group is proceeding with a code change request (inspired by this project) to close this additional legal unit without parking or variance loophole and bring the Bernal Heights Plan into line with the rest of the city’s code provisions. From neighbors’ perspective, the actual effects of this project and the way it has been conducted violate the spirit and intent of San Francisco Planning Codes and the Bernal Heights Plan. We have been repeatedly misinformed as well as apparently targeted. We discussed this with a member of the Bernal Heights Review Board whose specialty is mediation and were told this is not unusual in a contested permit process and to just to let it run off our backs. We have done this as much as possible, but neighbors’ voices have not been fairly heard during this apparently expedited project process. We wanted to bring you this project sooner, but were unable to because of how the project was structured. Now we request that the Planning Commission review what has actually been done on this project, review what the various permits actually resulted in, consider that permitting a second unit will create a permanent land use on the tiny 25x70 lot, increasing both density and parking problems on our small cramped alley, which has some of the smallest lots in the city, already quite congested, negatively affecting the quality of life of the residents, both with and, like our home and this project’s home, without garages, and make a determination that a second unit can reasonably not be allowed at this time.

Thank you for your consideration.

11.083

To: Planning Department - Code Compliance
1650 Mission ST. Suite 400 San Francisco, CA 94103-2479
Reception: 415.558.6378 Fax: 415.558.6409

COVER SHEET: OWNER'S RESPONSE TO DISCRETIONARY REVIEW APPLICATION

Building Permit No: 201103303154

From: Samuel Ball
Address: 10 Lundys Lane
Telephone No.: 415-206-1880

Attached please find hard copies of our August 28th emailed Response to Discretionary Review:

-Project Bkgd. and answers questions 1-4 of the "RESPONSE TO DISCRETIONARY REVIEW" form.

-Appendix A: Building-Permit History

-Appendix B: Decisions by the Board of Appeals & Board of Supervisors

-Appendix C: Community Support

-Number of Existing Dwelling Units: 1

-Number of Proposed Dwelling Units: If our project is approved, the ground floor of our home would become a legal dwelling unit. Thus, there would be a total of 2 dwelling units in our building.

-Existing Number of Occupied Stories: 3 -Proposed Number of Occupied Stories: Unchanged

Basement levels, garages or windowless storage rooms: There is 1 Existing windowless Utility Room on the ground floor. No additional rooms are proposed.

Existing Parking spaces (Off-Street): 0 Proposed Parking spaces (Off-street): 0

Bedrooms: No changes are proposed to the existing open floor plan on the ground floor, other than the addition of a stove and two kitchen cabinets. The ground floor has one existing office at the front, which will remain an office. There are no proposed changes to the three upstairs bedrooms.

Existing Gross square footage (floor area from ext. wall to ext. wall): Ground Floor is 1100 gross sq ft / Upstairs is 1760 gross sq ft : no change in sq. footage is proposed.

Existing Building Height from the center of the lot to the top of roof peak: 25'-11 3/4"

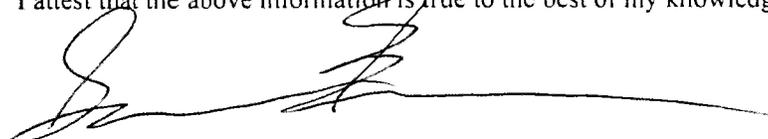
Existing Building Depth 47'-2 1/4" (including 2'-9 1/4" bay in front.)

The proposed changes will have no impact on the Height and Depth of our building.

Current value: Unknown **Proposed value:** Unknown **Projected value (sale price) after completion of project:** Unknown. **Most recent rent received (if any)** 0 **Projected rents after completion of project:** 0

The proposed dwelling unit will be owner-occupied.

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


Signature Date: August 30, 2011 Name: Samuel Ball

August 27, 2011

Samuel Ball, Ann Hughes and David & Nicole Ball
10 Lundys Lane
San Francisco, CA 94110

**10 LUNDYS LANE
OWNER'S RESPONSE TO DISCRETIONARY REVIEW APPLICATION
for permit 201103303154**

Scope of work

The following describes the entire scope of work permit 201103303154 would allow us to perform:

- Add a 30 inch range.
- Replace a 12 inch bar-sink with a new, 20 inch kitchen sink.
- Add two kitchen cabinets.
- Add an internal door to our building.

None of these changes are visible from the outside.

Background

My wife Ann Hughes and I bought our house with my parents, David and Nicole Ball, so they could live downstairs from us. My parents are helping us raise our children. Eventually, we will care for my parents.

My parents are retired educators. My wife Ann is a public school teacher at Hillcrest Elementary. I'm a film director at the nonprofit Citizen Film, which creates documentaries for cultural institutions and social-justice nonprofits. We are not wealthy.

We purchased a severely dilapidated house because it was the only kind of house we could afford near my office and near Ann's school. One reason we chose our location is so we wouldn't have to drive. We have one compact car. My parents use Muni to get around. On my way to work, I walk our children Ayva (8) and Jakob (6) to Buena Vista, the public school they attend. I keep a bicycle at the office and use it to get to appointments. Another reason we chose our house, is that many of the families Ann works with live in our neighborhood. That's important to Ann, whose own grandmother grew up nearby.

Permit 201103303154 would allow us to complete the second phase of our two-phased project to rehabilitate our decrepit building and make it livable for our family. When we bought it, the

structure had faulty plumbing and wiring, holes at the front and back and no heating system (to name just a few of the problems.). We announced our intention to conduct work in two phases because we knew we were on a tight budget for a project that would require a lot of work. Phase 1 would allow my wife and children and me to move in as quickly as possible, minimizing the months of mortgage we would have to pay while our house was under construction. Phase 1 was then conducted with permits that were reviewed and approved by the Planning Department. Those permits were reviewed again and upheld by the Board of Appeals and Board of Supervisors after the DR Requestor began filing appeal after appeal. (See Exhibit A “*Building-Permit History*” and Exhibit B “*Decisions by the Board of Appeals & Board of Supervisors.*”)

Despite the time it took to schedule hearings (the DR Requestor’s first Appeal was filed August 27th and a hearing was not held until November 3rd), Phase 1 has allowed us to repair our home. (My wife and children and me are now living in it. Thus, we are no longer forced to pay a mortgage and all other expenses on an uninhabitable house.) Phase 2 of our project would add a stove and a door so my parents can have independence and privacy while living downstairs from my wife and me and our children.

Neither phase 1 nor phase 2 add to the useable floor space of the building. Neither phase 1, nor phase 2 expand the building envelope in any way.

Our project has broad community support. (See Exhibit C.)

1 – ***Why our Proposed Project Should be Approved*** - The scope of work the permit under review would allow is to add a stove to an existing wet-bar, replace a 12-inch sink with a standard kitchen sink, add two kitchen cabinets and add an internal separation door to an open stairway, which will allow my parents to keep their independence. These proposed changes do not add any floor area. They do not expand the existing building envelope at all, nor do they impact the appearance of the

building façade. The addition of a stove and an internal separation door creates a legal dwelling unit where there was an unpermitted dwelling unit long before we bought the house. The creation of a legal dwelling unit is allowed by the RH-2 zoning of our building.

The portion of the Planning Code that specifically governs our project is Section 242 establishing the Bernal Heights Special Use District. Its purpose is “...to encourage development in context and scale with the established character,...” of this hilly and dense neighborhood made up of relatively small lots.

Sec 242(b) Purposes. In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

This same Section 242 indicates that our proposed project does not trigger additional parking requirements since we have not added to the usable floor area of the house. In RH-2 Districts, “If one or more alterations add 200 square feet or less of usable floor area, no additional parking space is required.” All of the square footage in our original structure before we began any alteration work met the definition of useable floor area. All of the existing floor area was “readily accessible”, and had “more than five feet vertical clearance at any point.”

Sec 242(d) Definitions

(2) "Usable floor area" is the sum of the gross areas of the several floors of a building, measured from the exterior walls or from the center lines of common walls separating two buildings. "Usable floor area" shall not include that floor area devoted to off-street parking or any space or area which is not readily accessible and which has not more than five feet vertical clearance at any point.

Sec 242(e)(4) Parking

(B) RH-2 and RH-3 Building Alterations. The following parking requirements shall apply to alterations of existing structures in an RH-2 or RH-3 District:

(i) If one or more alterations add 200 square feet or less of usable floor area, no additional parking space is required.

Sec 242 is not the only reason we feel our project should be approved. We also feel our project is consistent with the following long-term goals for San Francisco's housing stock:

- Increased number of legal dwelling units while sustaining the character of our existing buildings
- Increased number of small/ affordable units
- Increased number of dwelling appropriate for families
- Renovation done with permits bringing existing uses of aging housing stock up to current safety standards

We've been grateful for community support (See Exhibit C. – Letters and Petition.) Many of our neighbors live as extended families; generations take care of one another. We believe this is an essential community value, and essential to the traditional character of our neighborhood.

2 – What Changes Are We Willing to Make – My parents are helping us to raise our children. We wish to live close to one another, but both households wish to retain some independence and privacy. We wish to add a standard kitchen sink in place of a 12-inch sink, add two kitchen cabinets, and add an internal door, enclosing a stair. None of these changes are visible from the outside. Thus, we do not feel there are any reasonable changes to be made to our plans.

3 – Why the Proposed Project will not have an Adverse Impact -

Under previous permits, we have already renovated and structurally improved a dilapidated building, and now we seek to legitimize with a permit the existing informal dwelling use that was

already established in this RH-2 zoned structure long before we bought our building. None of the improvements we have made nor the ones proposed increase the floor space of the existing structure. In fact, our initial work shaved off several poorly built elements. The dwelling unit we are seeking to legitimize has been in place for a long time. We are not increasing the number of occupants who will potentially live and possibly drive to this house.

The DR Requestor's Application for DR consists mostly of repetitions of previous claims they filed with the Board of Appeals and Board of Supervisors. Those claims have already been thoroughly reviewed by the City (See Exhibit B: decisions by the Board of Appeals and Board of Supervisors.)

The DR Requester's implication is that we are trying to obtain sign-off on a project that would not have been permitted under a single permit submittal. This is simply not true. There is nothing in our series of permits that would not have been acceptable if sought in a single permit. Our permits were applied for and approved as part of a logical progression that is common in construction projects. (See Exhibit A.)

EXHIBIT A: BUILDING-PERMITS HISTORY

- 2009.10.27.9939 - **Abate Illegal Unit** – In response to NOV’s that existed on the property at time of purchase we were required to quickly demolish unwarranted items. This permit allowed us to abate the violations as swiftly as possible, while taking the necessary time to prepare plans for alteration.
- 2010.03.17.8393 – **Alteration Permit** – The main permit we pulled was for the bulk of the alteration of the house. This was all interior work and required no 311 notification. We did however present plans to our neighbors and we indicated that when this work was complete we wished to legalize the existing lower unit for my parents.
- 2010.07.09.6243 - **Additional Foundation** - Once uncovered, the condition of our foundation required far more extensive work than we originally hoped.
- 2010.08.27.9763 – **Replace Additional Portions of Unsound Wall** – We uncovered substantial dry rot in portions of exterior walls which had to be replaced. Ordinarily, additional work required by conditions discovered in the field might be documented at the end of the project with an as-built permit revision. However, at this point there had been several anonymous complaints on the project during construction, so we consulted with our Building Inspector and filed for a new permit to complete the rebuilding in kind of dry-rotted, damaged wall. The DR Requestor then appealed this permit and alleged that the structure we were remodeling was illegal. The Board of Appeals found that the structure was “existing noncomplying” and denied the appeal as well as a request for jurisdiction on the previous permit, and finally a request for re-hearing. The Board of Supervisors was also presented with an Environmental Review of this permit and denied that request. **(Please see Board of Appeals & Board of Supervisors’ decisions – Attached as EXHIBIT B.)**

- 12/15/2010 - DPW Minor Encroachment – **Document Existing Encroachment** – Shortly after the appeals on our project were denied, DPW began receiving anonymous complaints regarding an encroachment onto the sidewalk that was there for many decades before we bought our house. This forced us to document our existing front stairs, which encroach onto the sidewalk by up to 16 inches. This documentation was made as part of a Minor Encroachment Permit. Due to the height of the 1st floor above the sidewalk and distance of the façade from the sidewalk it is safe to assume the stairs have existed in this configuration since the construction of the building some time in the 1890's.

2011.03.30.3148 – **Replace Front Windows** - Two windows under the existing bay window at the façade of the house were found to have insufficient structural headers for current code. They had to be resized by 6” in order to make the required structural change. Normally, a building inspector might request this kind of minor change at the end of a project without requiring the issuance of a separate permit. We decided to exercise an abundance of caution in filing a separate permit application.

2011.03.30.3154 – **Add Kitchen/ Legalize Dwelling Unit**- the permit now before you:

We wish to add a stove for my parents, replace a small sink with a legitimate kitchen sink, and add an interior door and very small interior wall at an open stairway. Neither this permit nor any of the previous permits add square-footage. Neither this permit nor any of the previous permits add height. Neither this permit nor any of the previous permits expand the building envelope at all.

Exhibit B
Decisions by the
Board of Appeals
& Board of
Supervisors.

November 3, 2010

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES - WEDNESDAY, NOV. 03, 2010

**5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B.
GOODLETT PLACE**

PRESENT: President Tanya Peterson, Vice President Kendall Goh, Commissioner Frank Fung and Commissioner Michael Garcia.

Francesca Gessner, Deputy City Attorney, Office of the City Attorney (OCA); Laurence Kornfield, Deputy Director, Department of Building Inspection (DBI); Scott Sanchez, Zoning Administrator (ZA); Carla Short, Department of Public Works Bureau of Urban Forestry (DPW BUF); Cynthia Goldstein, Executive Director, Victor Pacheco, Legal Assistant.

ABSENT: Commissioner Chris Hwang.

(1) **PUBLIC COMMENT:**

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

SPEAKERS: Anonymous Speaker spoke about a City Attorney memorandum dated October 6, 2010 regarding the qualifications of Board members, about the legal concept of "home rule" and inaccuracies he believes exist in the memo. He also spoke about the qualifications of Board members.

(2) **COMMISSIONER COMMENTS & QUESTIONS:**

SPEAKERS: President Peterson thanked the parties and the public for attending, given that activities in the Civic Center area made access to City Hall difficult, and stated that items would only be heard once all parties and their representatives are in attendance.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES:**

Discussion and possible adoption of the October 20, 2010 minutes.

ACTION: Upon motion by President Peterson, the Board voted 4-0-1 (Commissioner Hwang absent) to adopt the October 20, 2010 minutes.

SPEAKERS: None.

PUBLIC COMMENT: None.

(4) **ADDENDUM ITEMS:**

(4a) **JURISDICTION REQUEST:**

Subject property at 10 Lundys Lane. Letter from John & Catherine Soto, requestors, asking that the Board take jurisdiction over BPA No. 2010/03/17/8393, which was issued on March 22, 2010. The appeal period ended April 06, 2010, and the Jurisdiction Request was received at the Board office on Oct. 18, 2010. Permit Holder: Sam Ball. Project: remodel within envelope; new windows at rear; skylights; voluntary strengthening; replace rear awning with overhang; new bathroom; remodel bathroom; new interior stairs; modify front stairs for head height.

ACTION: Upon motion by President Peterson, the Board voted 4-0-1 (Commissioner Hwang absent) to deny the request.

SPEAKERS: John Soto, requestor; Sam Ball, permit holder; Brett Gladstone, attorney for permit holder; Scott Sanchez, ZA.

SPEAKERS: Steve Lightfoot, attorney for appellant; Diane Rosen, appellant; Teresa Guillan, agent for appellant; Benjamin Pierce, permit holder; Muriel Maffre, permit holder; Scott Sanchez, ZA; Laurence Kornfield, DBI.

PUBLIC COMMENT: Judith Rosen spoke in support of the appellant. Dugan Moore and Dave Gardner spoke in support of the permit holders.

(10) APPEAL NO. 10-101

<p>JOHN & CATHERINE SOTO, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent</p>	<p>10 Lundys Lane. Protesting the issuance on Aug. 27, 2010, to Sam Ball, Permit to Alter a Building (revision to BPA No. 2010/03/17/8393; cost savings; revise plans to show rear walls demolished and rebuilt in kind; upon exposing structure the walls were found to be unsalvageable; comply with NOV's). APPLICATION NO. 2010/08/27/9763. FOR HEARING TODAY.</p>
--	--

ACTION: Upon **motion by President Peterson**, the Board voted 3-1-1 (Vice President Goh dissented and Commissioner Hwang absent) to deny the appeal and uphold the permit on the basis that the structure that encroaches into the required rear yard was built before the 1978 Planning Code and is a legal, non-complying structure.

SPEAKERS: John Soto, appellant; Brett Gladstone, attorney for appellant; Ann Hughes, agent for permit holder; Sam Ball, permit holder; Seth Boor, agent for permit holder; Scott Sanchez, ZA; Laurence Kornfield, DBI.

PUBLIC COMMENT: Robert Costello, Vikki Riverstone, Joseph Smooke and Peter Stein spoke in support of the permit holder. Deborah Zell spoke in support of the appellants.

ADJOURNMENT.

There being no further business, President Peterson adjourned the meeting at 10:30 p.m.

This summary statement is provided by the speaker. The content is neither generated by, nor subject to approval or verification of accuracy by, the San Francisco Board of Appeals.

Comments submitted under Item 1: General Public Comment

Good afternoon Commissioners,

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 11, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday
11:00 AM

City and School District Select Committee
Supervisors

2nd and 4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Chu, Avalos

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors

2nd and 4th Thursday
10:00 AM

Land Use and Economic Development Committee
Supervisors

Monday
1:00 PM

Public Safety Committee
Supervisors

1st and 3rd Monday
10:30 AM

Rules Committee
Supervisors

1st and 3rd Thursday
1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 4

101544 [Affirming the Exemption Determination - 10 Lundys Lane]

Motion affirming the determination by the Planning Department that the project located at 10 Lundys Lane is exempt from environmental review. (Clerk of the Board)

Motion No. M11-12

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101545 [Reversing the Exemption Determination - 10 Lundys Lane]

Motion reversing the determination by the Planning Department that the 10 Lundys Lane project is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101546 [Preparation of Findings to Reverse the Exemption Determination - 10 Lundys Lane]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 10 Lundys Lane is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.**101547 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 134-136 Ord Street Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 8, 2010, Case No. 2009.1124DDV, that a project located 134-136 Ord Street is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves construction of a new single-family home at the front of the subject lot, which new building would be located in front of an existing building on the lot, Lot No. 004 in Assessor's Block No. 2657. (District 8) (Appellant: Corbett Heights Neighbors) (Filed December 9, 2010; Companion Measure to File Nos. 101548, 101549, 101550.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers. The President continued the public hearing open to March 1, 2011.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Hearing be **CONTINUED** to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

January 19, 2011

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES - WEDNESDAY, JAN. 19, 2011

**5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B.
GOODLETT PLACE**

PRESENT: President Kendall Goh, Vice President Michael Garcia, Commissioner Frank Fung, Commissioner Chris Hwang and Commissioner Tanya Peterson.

Francesca Gessner, Deputy City Attorney, Office of the City Attorney (OCA); Joseph Duffy, Senior Building Inspector, Department of Building Inspection (DBI); Scott Sanchez, Zoning Administrator (ZA); John Kwong, Department of Public Works, Bureau of Street Use and Mapping (DPW); Dr. Johnson Ojo, Department of Public Health; Cynthia Goldstein, Executive Director; Victor Pacheco, Legal Assistant.

(1) **PUBLIC COMMENT:**

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

SPEAKERS: Ray Hartz spoke about his prior public comment regarding the qualifications of Board members and a related City Attorney opinion. He also spoke about the election of Board officers and his desire for Board members to have an open attitude toward members of the public when they raise issues concerning the operations, policies and procedures of the Board. He spoke about the recommendations made by City agencies appearing before the Board, his perception that the Board members tend to defer to these recommendation, and the impact of this on members of the public.

(2) **ELECTION OF OFFICERS:**

Election of President and Vice President to serve for a one-year term.

ACTION: Upon motion by President Peterson, the Board voted 5-0 to elevate Vice President Goh to the office of President. Upon motion by President Goh, the Board voted 2-3 (Commissioners Fung, Garcia and Peterson dissented) to elevate Commissioner Hwang to the office of Vice President. Lacking the three votes needed to pass, the motion failed. Upon motion by Commissioner Fung, the Board voted 3-2 (President Goh and Commissioner Hwang dissented) to elevate Commissioner Garcia to the office of Vice President.

PUBLIC COMMENT: None.

(3) **COMMISSIONER COMMENTS & QUESTIONS:**

SPEAKERS: None.

(4) **ADOPTION OF MINUTES:**

Discussion and possible adoption of the Jan. 12, 2011 minutes.
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ACTION: Upon motion by President Goh, the Board voted 5-0 to adopt the January 12, 2011 minutes as revised.

SPEAKERS: None.

PUBLIC COMMENT: None.

(5) **ADDENDUM ITEMS:**

(5a) **REHEARING REQUEST:**

Subject property at 10 Lundys Lane. Appeal No. 10-101, <u>Soto vs. DBI</u> , decided Nov. 03, 2010. At that time, the Board voted 3-1-1 to uphold the subject permit on the basis that the construction pre-dates the 1978 Planning Code change, and is a legal non-complying structure. Permit Holder: Sam Ball. Project: revision to BPA No. 2010/03/17/8393; cost savings; revise plans to show rear walls demolished and rebuilt in kind; upon exposing structure the walls were found to be unsalvageable; comply with NOV's; BPA No. 2010/08/27/9763.
--

ACTION: Upon motion by Commissioner Peterson, the Board voted 5-0 to deny the Rehearing Request.

SPEAKERS: John Soto, requestor; Brett Gladstone, attorney for permit holder; Scott Sanchez, ZA.

PUBLIC COMMENT: Rachel Chalmers, Mary Lou Cranna, Anna Marjavi and Kristina De

Nike spoke in support of the permit holder.

(5b) APPEAL NO. 10-073

<p>HOUSING CORPS INC., Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>281 Turk Street. Protesting the issuance on May 24, 2010, to Bay Drugs LLC, Permit to Alter a Building (remodel bath, heating, upgrade electrical, partition walls; replace ceiling tile in grid; all work at commercial unit; vacant locksmith to pharmacy). APPLICATION NO. 2010/05/21/2975. Public Hearing held and closed on Oct. 6, 2010. Motion to grant appeal conditioned upon adoption of findings approved on Oct. 13, 2010. Motion to re-open public hearing and receive additional evidence approved on Dec. 15, 2010. PUBLIC HEARING FOR FURTHER CONSIDERATION AND POSSIBLE ACTION TODAY to re-consider the merits of the appeal and/or to adopt findings in support of the Oct. 13, 2010 motion. Note: Public Comment limited to new material submitted post-Oct. 6, 2010.</p>
--	--

ACTION: Upon motion by President Goh, the Board voted 5-0 to designate the court reporter's transcript as the official record of this matter. Upon motion by Vice President Garcia, the Board voted 2-3 (President Goh, Commissioner Fung and Commissioner Hwang dissented) to deny the appeal and uphold the permit. Lacking the three votes needed to pass, the motion failed. With no further motion made, the permit is upheld as a matter of law.

SPEAKERS: Diana Sam, attorney for permit holder; Colin Dougherty, agent for permit holder; Shaughn Morgan, appellant; Joseph Duffy, DBI.

PUBLIC COMMENT: M.J. Isabell, Mohammed Allababidi, Leonor Gomez Trejo, Mark Blackwood, Jennifer Bickers, Oscar Peña and Norma Carrera spoke in support of the appellant.

(6) APPEAL NO. 10-121

FILE

BOARD OF APPEALS

OCT 28 2010

Lunes, 25 de Oct. 2010

APPEAL # _____

Mariana Sandoval
14 Lundys Lane
San Francisco, CA 94110

10 Lundys Lane 10-101

Tanya Nelson
BOARD OF PERMIT APPEALS
1650 Mission St. #304
San Francisco, CA 94110

Estimada Señora Nelson,

Le estoy escribiendo para apoyar a los esfuerzos de los nuevos propietarios de esta casa, que tienen el derecho de vivir en la casa abuelos así que los niños y los padres, juntos en paz.

Vi a los planes y me parecen bien. La casa no va a cambiar de tamaño. Solamente van a repararla para que sea más habitable.

Yo no quiero que ellos tienen que parar la construcción o vender la casa sin terminar de construirla porque eso es muy mal para la calle y el barrio.

Yo soy del vecinario desde más de 40 años.

Sinceramente,

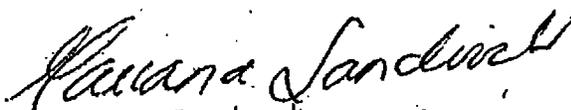

Mariana Sandoval

Exhibit C:
Letters & petition

FILE

BOARD OF APPEALS

OCT 28 2010

APPEAL # 10-101

Appeal 10-101, Soto vs. DBI

Translation of letter from Mariana Sandavol, written in Spanish, date stamped Oct. 28, 2010.

Dear Mrs. Nelson (Peterson):

I am writing to support the efforts of the new property owners of this house, who have the right to live in the house, grandparents as well the children and the parents, all together in peace.

I looked at the plans and they appear fine to me. The house will not change in size. They are only going to repair it so it will be more habitable.

I don't want them to stop the construction or to have to sell the house without finishing construction because that would be very bad for the block and the neighborhood.

I've lived in the neighborhood over 40 years.

Sincerely,

Mariana Sandoval

I, Victor F. Pacheco, Legal Assistant for the BOA, hereby certify that I executed the above Spanish to English translation accurately, effectively, & to the best of my ability.

*- VP
10/28/10.*

FILE

BOARD OF APPEALS

October 25, 2010

OCT 29 2010

From: Yoli Monterrosa 16 Lundys Lane, San Francisco, CA 94110

APPEAL # 10-101

To: Tanya Peterson, President,

About: "The project @ 10 Lundys Lane" - APPEAL HEARING 10-101 November 3rd.

Dear Ms. Peterson,

I am writing to express my support for the project of renovation at 10 Lundys Lane.

I saw all the plans. They are easy to comprehend and I decided they were very good. It will be an improvement over the way the building has been for many years. The old look of the house will be preserved, but it will be in a better state, so that three generations of one family can live in it.

I was pleased to learn that Ann Hughes, the new owner, is a teacher at Hillcrest elementary school. It is good for teachers to live near the community they serve. I know her husband makes documentary films, and I like the idea of having hard working people in our community, too. I know that journalists work hard and do not make much money.

I hope that the City of San Francisco will not make delays on good projects like this: I know that can make them very expensive. The house was in very bad condition when Ann and Samuel bought them.

If delays go on and the project becomes too expensive it could finally prevent letting a good family move in and improve the state of the property. This would very bad.

I do not understand what possible advantage anyone would have from more delay.

Sincerely,


Yoli Monterrosa

Anne Moellering
Susan Cunningham
9 Coleridge Street
San Francisco, CA 94110

FILE

BOARD OF APPEALS

OCT 28 2010

APPEAL # _____

September 26, 2010

We were notified that work on the property directly behind ours at 10 Lundys Lane has stopped because a neighbor appealed a permit. We are concerned about this, because we'd hate for 10 Lundys Lane to become a vacant building for any length of time. The new owners have been particularly open about their plans, making certain that the neighbors all knew of their plans and they have been very very friendly people who we look forward to having as our new neighbors.

When we saw plans for the project last February and again in July, we liked what we saw very much. We liked the idea of fixing up the house at 10 Lundys Lane because it was previously an eyesore, and we very much liked the way they were doing it. The design looked lovely to us and will make for a much nicer back of the house, in keeping with the historic character of the neighborhood. We don't understand what the problem could be.

We would welcome the plans we were shown in February, and again in July being realized, including the modifications to the existing back of the house. This would significantly improve the view from the back of our house.

The owners are taking an eyesore and remodeling it in a character that is consistent with the neighborhood. We are fine having this project to be finished according to the plans the owners showed us, and we certainly don't want an unsafe, vacant building with open walls just over our property line for any length of time.

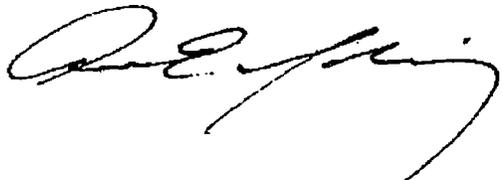
Thank you for your consideration.

Sincerely,



SUSAN L. CUNNINGHAM

9 Coleridge St.



ANNE E. MOELLERING

9 COLERIDGE ST

Lawrence McGlynn <lmcglynn@stanford.edu>

Bernal Heights

December 6, 2010 1:33:32 PM PST

cynthia.goldstein@sfgov.org

avhughes3@gmail.com

Dear Ms. Goldstein,

I live across the street from 10 Lundys Lane in Bernal Heights, and have become aware of the hurdles our new neighbors have been having to jump in order to start, and complete, work on their home. I was very relieved to hear that the Board of Appeals ruled that these new owners could complete the work as planned. They had been keeping the neighborhood up to date on the actual plans and timelines. It has been nice for all of us because the old house had really become an eyesore on such a lovely little street.

It recently came to my attention that another hurdle has been placed in front of this nice little family. I fear that this is going to cause yet another delay to their project, or even worse, that they may just find this hardship is not worth it, and abandon the project. My fear is that this halfway completed home will be sitting there empty, possibly become a fire hazard, nevermind a terrible eyesore.

For the life of me I cannot understand what is motivating the ill will towards this family. They have been so nice and friendly. I do not know them well, but thus far they have been such a welcome addition to the neighborhood. Although I grew up in Marin County, my mother grew up in this neighborhood, and I have known this section of Bernal Heights to be welcoming and friendly. The new owners of 10 Lundys will fit right in.

I am hoping this process can be expedited so that the project can move forward as soon as possible. I really appreciate your time and consideration.

Sincerely,

Lawrence McGlynn MD

8 Prospect Avenue

San Francisco, CA

Dear Executive Director of the Board,

We are neighbors in close proximity to 10 Lundys Lane. We understand that on December 8th, your board will decide whether to uphold the decision you made November 3rd or whether to grant a request for a rehearing. We are hoping you will do what you can to speed up the administrative process.

We are writing because we are very concerned that the project at 10 Lundys Lane is being further delayed due to a request for a rehearing. When we moved into our current house, we were aware that there would be construction nearby and we were prepared for this. The construction crew has been nothing but kind and considerate. However, since we both work long and irregular hours and having prolonged construction next door will be extremely disruptive to our lives.

We feel that the owners of 10 Lundys have been clear and communicative about their plans. From what we understand, the owners are proposing a simple, modest remodel that is considerate of the historical character of the neighborhood and of their neighbors and they are not expanding the existing footprint of the house. We are alarmed to learn there will be yet another delay due to the latest request for a rehearing. We are concerned that there could be more appeals and therefore a more prolonged construction process.

We understand that other neighbors have indicated they will request an environmental review of the project, and that that could delay the project even further. We do understand that it is the neighbor's right to request a rehearing. But we sincerely hope it is within the board's power to expedite the appeals process so that construction can resume immediately after the December 8th rehearing request. It seems to us that this project has been suspended and scrutinized long enough and we sincerely hope you will find away to allow construction to resume immediately as planned.

Thank you for your consideration.

To
Cynthia Goldstein@stg.gov.org
12/07/2010 11:35 AM
Subject
Re: construction at 10 Lundys Lane

Executive Director Goldstein,
Thank you for your email. If you can remove my email address and actual physical address of [redacted], then I think we could still submit the letter as attached. The main concern for me is that I'm a family physician at a community health center in a troubled neighborhood in San Francisco. It is of the utmost importance that any public record not list my personal email address or actual physical address since I have many high-risk patients [redacted] who could be harassed and sued [redacted].
Given that my privacy and personal safety would be at risk, if there's no other way to submit the letter without my name and address on the public record, then I'll have to withdraw it. However, I've attached a version that might be sufficient. Please let me know if this is within the provisions that you mentioned. If not, I'm afraid I won't be able to submit a letter at all.
Thank you,
[redacted]

23 OCT. 2010

FILE

Nicholas Torres
3281 Mission Street
San Francisco, CA 94110

BOARD OF APPEALS

OCT 26 2010

APPEAL # _____

Suj. 10 Lundys Lane

Attn.

Sra. Tanya Nelson
BOARD OF PERMIT APPEALS
1650 Mission St. #304
San Francisco, CA 94110

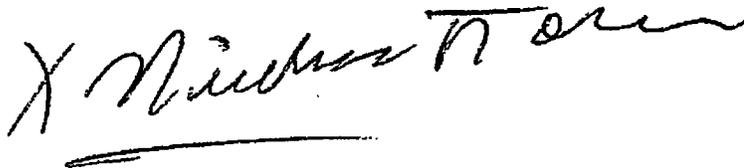
Estimada Sra. Nelson,

Le estoy escribiendo para apoyar a los esfuerzos de los propietarios de esta casa, una familia que conozco bien ya hace 7 años. Conozco a los abuelos así que a los niños. Son una familia muy unida que solo quieren vivir juntos en paz.

Que este tipo de familia no pusiera seguir viviendo en este vecinario sería lástima para el futuro de San Francisco.

Sinceramente,

Nicholas Torres

A handwritten signature in black ink that reads "Nicholas Torres". The signature is written in a cursive style and is positioned to the right of the printed name. Below the signature is a horizontal line.

FILE

FILE

Appeal 10-101, Soto vs. DBI

Translation of letter from Nicholas Torres, written in Spanish, date stamped Oct. 26, 2010.

Dear Ms. Tanya Nelson (Peterson):

I am writing to support the efforts of the property owners of this house, a family which I have known well for over 7 years. I know the grandparents as well as the children. They are a family that is very united, and that only want to live together in peace.

That this kind of family could not keep living in this neighborhood would be a shame for the future of San Francisco.

Sincerely,

Nicholas Torres

I, Victor F. Pacheco, Legal Assistant for the BOA, hereby certify that I executed the above Spanish to English translation accurately, effectively & to the best of my ability.

*- VP
10/28/10*

Sam Ball

To: Scott Sanchez

FILE

Robert Vranizan
Joan McNally
7 Coleridge St.
San Francisco, CA. 94110

BOARD OF APPEALS

September 26, 2010

OCT 28 2010

APPEAL # _____

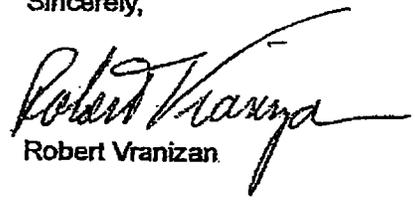
To Whom it May Concern,

I am a neighbor sharing backyard property lines with 10 Lundys Lane in San Francisco. We are writing in support of the current remodeling at 10 Lundys Lane. We understand the project has been halted and would like to see it completed in a timely manner. The thought of a vacant, partially remodeled house sitting idly would only bring unwanted problems to our neighborhood.

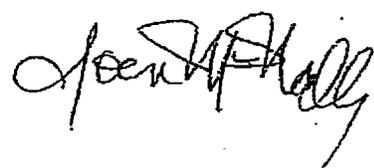
We were excited in February when Sam Ball and Ann Hughes showed us their plans for the project. In July we were equally pleased the plans reflect a home that will bring added value and character to our neighborhood.

The Ball/Hughes family will be a nice addition to our neighborhood and we hope the current issues can be resolved quickly and allow them to continue remodeling.

Sincerely,


Robert Vranizan

Joan McNally



October 30, 2010

To Cynthia Goldstein, Executive Director

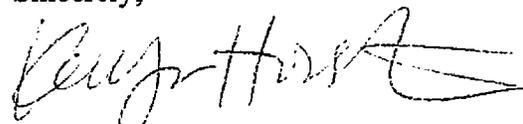
Permits – Board of Appeals
1650 Mission Street, Rm 304
San Francisco, CA 94103

Subject: Permitting construction at 10 Lundys Lane

Dear Ms. Goldstein,

I have reviewed the plans for 10 Lundy Lane and I approve of them. The proposed plans do not negatively affect any adjoining houses and completion of this project will only serve to improve our neighborhood. Please streamline the administrative process so the house can be finished as planned.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn Houston", with a stylized flourish at the end.

Kathryn Houston
29 Coleridge Street
San Francisco, CA 94110

NO 11/3/10

BOARD OF APPEALS

OCT 25 2010 086

APPEAL # 10-101

Christopher Nelson
OWNER
Bad Joe's
3309 Mission St
San Francisco, CA 94110

FILE

October 22, 2010

Re: Soto vs. Dept. of Bldg Inspection -10 Lundys Lane

To the Board of Appeals,

I live in North Bernal and I am a merchant three blocks from 10 Lundys Lane. Turning derelict properties around is important to merchants in the neighborhood in these tough economic times.

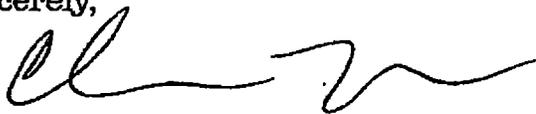
I also think having extended families living in the neighborhood is important both to quality of life and to the economic health of the neighborhood. It is essential to maintain safe, well-maintained family-friendly housing in Bernal Heights.

This is an important public policy issue: can middle-class families afford to renovate uninhabitable buildings in our neighborhood?

Please allow construction on 10 Lundys to resume ASAP.

I look forward to attending the November 3rd hearing with as many of my customers as I can rally, but I hope you can make a decision before then so the house can be repaired and remodeled as planned.

Sincerely,



Christopher Nelson

Barry Nelson
21 Godeus
San Francisco, CA 94110

December 15, 2010

Tanya Peterson
c/o Cynthia Goldstein
SF Board of Appeals
1650 Mission St, Suite 304
San Francisco, CA 94103

RE: 10 Lundys Lane

Dear Tanya,

My name is Barry Nelson, like Ann Hughes I'm an educator in San Francisco. For close to thirteen years I've served the children and families of San Francisco, working in the fields of education and social work. I currently work in the arena of college access, helping some of San Francisco's college bound students become the first in their families to graduate from college.

Like both Ann and her husband Sam Ball, I'm committed to serving the community in which I live, as both an investment and a responsibility. For those of us involved in the lives of San Francisco's young people as educators and mentors, I can't overstate what I truly believe to be the value and importance of living in the community we serve. An essential part of our work as educators is not only having an understanding of the lives and experiences of young people, but also being able to impact their lives outside of the classroom as advocates and as individuals who possess voices in the public arena. Their *lives* implicitly enter the schools and classrooms in which we work and living in the same community only informs our work.

Beyond the idea of understanding, there's a certain kind of trust built upon a shared experience. As educators we may not always find ourselves working with young people from exactly the same ethnic, economic, or cultural background; but there's an opportunity for a shared experience as residents of the same community.

I've lived in Bernal Heights for almost nine years and dream of one day owning a home in the neighborhood I treasure. Though I understand addressing the astronomical cost of living in San Francisco may be beyond the scope of your committee, I believe there are public policy measures that can be taken to ensure that all families have greater access to living in this city. I think it goes without saying that it's extremely difficult to raise a family in San Francisco with the means afforded teachers. The recent experience of Ann Hughes and Sam Ball is not only discouraging, but alarming. An attempt to own a home and raise a family in the community in which they've already lived and contributed to is

being threatened with very limited recourse. Though I don't personally know the individuals attempting to block the proposed rehabilitation of their home, I can't help but question the motivation, as it seems to not only be uncaring, but also vindictive in nature.

It's my belief that the board made the right decision to uphold the permits for 10 Lundys Lane. I hope you exercise your authority to allow Ann Hughes and her family to make the necessary improvements that would allow their home to become fully inhabitable.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry Nelson', written in a cursive style.

Barry Nelson

December 7, 2010

Dear Ms. Goldsetin and Commissioners:

Re: Property at 10 Lundys Lane, San Francisco, California

I'm writing you this to pass along to the Board of Appeals. I am writing on behalf of my mother Mariana Sandoval who has lived at 14 Lundys Lane for over 40 years. English is not her native language so she asked me to write this to you.

She wants the Board to know she supports the project at 10 Lundys Lane because it repairs a house that badly needed repairs and allows a nice family to move in: that is what should be happening in the neighborhood.

My mother would like the board to avoid more delays, so the new owners can move in, because it is difficult to have the house be empty for so long. She would like the new owners to move in as quickly as possible because they are people who want to be part of the community and support their neighbors.

The house has been empty now for almost two years and that is long enough.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edith E. Perez', written in a cursive style.

Edith E. Perez
Previous Resident of 14 Lundys Lane
San Francisco, CA

413 Copeland Street
Pacifica, CA 94044

cc: Director Cynthia Goldstein and Commissioners See attached.

Anna Marjavi
66 Fair Ave.
San Francisco, CA 94110

December 7, 2010

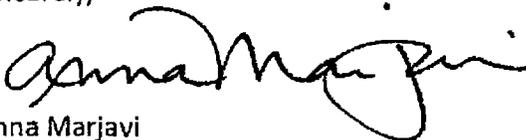
Dear President Peterson and Commissioners Fung, Garcia, Goh, and Hwang:

I was born and raised in Bernal Heights and have lived in the neighborhood for most of my life. In 2003, I was fortunate to buy a fixer-upper house on the North slope of Bernal Heights where I presently live. While I have seen many changes over the years, Bernal continues to be a diverse family-oriented neighborhood with a strong ethic to community-building. With that in mind, I am writing this letter in support of Sam Ball and Ann Hughes and to voice support of their much needed 10 Lundys Lane renovation.

The only way I could afford to stay in Bernal was to buy a house that was dilapidated and remodel it. Like the new owners of 10 Lundys, I reached out to my neighbors and let them know my plans. I was lucky. While the noise and temporary lack of parking from my project was inconvenient for people, they remained cooperative and it was possible for me to expedite repairs and renovations. I would not have been able to stay in Bernal if I had faced a barrage of delays resulting from appeals as the new Lundys owners are facing. I've seen the plans for their house and they are a clear improvement, and easy to understand. I encourage you to allow the project to move forward in an expeditious manner.

I've worked with a non-profit organization in San Francisco on violence prevention for eleven years. Similar to the new owners of 10 Lundys, the only way I could afford to buy a house in Bernal was to purchase a fixer. As a public school teacher, Ann Hughes works with many at risk kids who live in Bernal. Sam Ball has worked with many local nonprofits to help them get their messages out through documentary films. Ann, Sam and their children are a welcome addition to Bernal Heights and their proposed work will improve our neighborhood. The Board has previously ruled in favor of this project, and the owners have accurately addressed issues that were raised. Because this has been a lengthy approval process for Sam Ball and Ann Hughes, I'm concerned that there could be more appeals hearings about the 10 Lundys Lane building permits. I hope that your decision today will allow work to continue so this family can soon move into their new home.

Sincerely,



Anna Marjavi

Shelley Gallivan
6 Prospect
San Francisco, CA 94110

FILE

BOARD OF APPEALS

OCT 26 2010

APPEAL # _____

October 26, 2010

Reference: the project at 10 Lundys Lane

Dear Ms. Peterson,

I viewed a full set of plans for 10 Lundys Lane and they look great. The scale is easy to understand. The design is beautiful. And it preserves the historic look and feel of the house.

We also like the plans because we value living in a neighborhood that is populated by families.

We appreciate that the new owner is an experienced teacher at a local public school.

We hope you will do everything in your power to let Ann and Sam swiftly resume work on their home, as planned, so they can make it habitable for their family.

We want to add that having a vacant property in the neighborhood for many months is an extremely undesirable prospect as it increases the chances of break-ins and vagrancy.

Sincerely,



Shelley Gallivan

Note: A few signatories on petition also wrote letters of support; thus, there is minor duplicity. Petition signatory Stefanie Eldred is a neighbor And wife of Mr. Ball and Ms. Hughes' contractor.

10 LUNDYS LANE

THE UNDERSIGNED HAVE VIEWED THE PROPOSED DESIGN FOR THE PLANS AT 10 LUNDYS LANE. THE UNDERSIGNED SUPPORT THE PROJECT

NAME	ADDRESS	email.
Joffie GARVIN	1417 STOTWELL ST	JGANGARVIN@GMAIL
David Malina	32 Lundy's Lane #3	
TIMOTHY J. LIBBY	67 COLERIDGE ST	
Chris Parkers	69 Coleridge Street	CPARKERS@AOL.COM
Andrea Lino	87 Coleridge St.	andrealino10@gmail.com
Anna Sambora-Ko	72 Coleridge	
KEVIN COOPER	56 Coleridge St	KCOOPER@COMCAST.NET
Chris Deluchi	194 Precita Ave	
CHRISTOPHER SCOFFINA	11 COSO AVE. G.	
Daniel Pepper	37 COSO AVE	
Erin Taylor	28 Mirabel Ave.	
Ken Roberson	25 Coleridge St	roxcane@yahoo.net
LYNDA GRILL	397 PRINCETON ST	
Stefanie Eldred	356 W. Field St, S.W.	SG
DAN RAUCH	75 Coleridge St.	dj.rauch@gmail
Oliver Kronberg	73 Coleridge St 94110	okronberg@gmail
Nick Lieberman	61 Fair Ave.	nickleb@net

10 LUNDYS LANE

THE UNDERSIGNED HAVE VIEWED THE PROPOSED DESIGN FOR THE PLANS AT 10 LUNDYS LANE. THE UNDERSIGNED SUPPORT THE PROJECT.

NAME	ADDRESS
Cornelius Troon	82 Montezuma St. SF 94110
Emily Gibson	4 Prospect Ave SF
Deborah Lundz	10 B PROSPECT AVE SE 94110
Robert Tranter	7 Coleridge St
Susan Carr	37 Prospect St 94110
Mark Clark	33 B Prospect Ave. 94110
Ed Joly	33B Prospect Ave 94110
MARI-JANE GARLAND	11 Prospect Ave 94110
TED LOGAN	9 PROSPECT AVE
Angela Logan	9 Prospect Ave St Ct 94110
Scott Lowe	25 MIRABEL AVE, 94110
John Faria	23 Fair Ave.
Lina Guillen	11 Mirabel Ave 94110
Pyan Loftis	67 Fair Ave
Onnesha Raychandhuri	67 Mirabel Ave.
PRIMO BAYBAYAN	73 MIRABEL AV
Jamima Rose	21 Mirabel Ave
Leann McKernan	1405 Stowell St
Willow Schraeger	41 Mirabel Ave.

10 LUNDYS LANE

THE UNDERSIGNED HAVE VIEWED THE PROPOSED DESIGN FOR THE PLANS AT 10 LUNDYS LANE. THE UNDERSIGNED SUPPORT THE PROJECT.

NAME

ADDRESS

Larry McGlynn

8 Prospect SF 94110

Shelley Gallivan

6 Prospect SF 94110

Helen Kovira

6 Prospect SF 94110

Rachel Chalmers

28 Eugena SF 94110

Mariana Sandoval

14 Lundys Lane

Yolanda Montenegro

6 Lundys Lane -

Michelle Weber

2804 21st St.

Brandon Malachuk

23 Prospect Ave Nudeants@gmail.com

~~Brandon Malachuk~~

10-B Prospect Ave

~~Brandon Malachuk~~

12 PROSPECT MIKEMELLI@GMAIL.COM

Michelle

12 Prospect

His L. Steiner

832 York

Yogita

80 Prospect

Annice Jacoby

24 1/2 Prospect

Anigail L'Esperance

53 1/2 Prospect

Echo Hanson

47 Prospect

Nathan Mathison

45 PROSPECT

KRIS HOGGERHYDE

45 PROSPECT

Tim Dickinson

43 PROSPECT

PK Gunkel

43 PROSPECT

Dear Ms. Peterson, Ms. Goldstein, and other members of the Appeals Commission:

I am writing the message in regards to the property on 10 Lundys Lane, own by Ann Hughes and Sam Ball and their two kids.

My wife and I were Bernal Heights residents for years. Our children were in daycare with Ann and Sam's, but we moved away because we lived in a very cramped place with our two boys.

I'm disappointed we had to do that, so I was glad to hear about your decision November 3rd.

I hope the city will have the vision to find ways to streamline the remodeling process so that there may be a silver lining to the foreclosure crisis and at least some families can afford to buy in San Francisco.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Roman Loyola". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Roman Loyola

Josh Peterson

2748 MATHEWS ST. BERKELEY, CA 94702
TEL. 510-843-7000

FILE

joshpeterson@yahoo.com

BOARD OF APPEALS

OCT 26 2010

APPEAL # _____

October 25, 2010
Cynthia Goldstein
Director
Permits Board of Appeals
1650 Mission Street Suite 304
San Francisco, CA 94103

RE: 10 Lundys Lane Renovation

To the Board of Appeals:

I have worked as an editor for Sam Ball on several Citizen Film projects, most notably "Pourmy," a film he directed about a Jewish mother in the Resistance during the Nazi occupation of France. The film was shown on public television and to more than 20,000 teenagers in classrooms across North America.

After eighteen years editing in the Bay Area, I can say that Citizen Film stands out as one of a very select group of companies that consistently produce excellent, relevant documentary films, employing many local technicians for every project. It would be quite a blow to San Francisco's artistic community, both creatively and economically, if Citizen Film were forced to scale back its work.

My wife and I have two children about the same age as Sam's. After several years in a rented apartment, we spent most of 2006 searching for a house we could buy in San Francisco. We really wanted to stay, but in the end we had to accept the fact that we could not afford to live there, and, like many people we know, we moved to the East Bay. Now I understand Sam and Ann may be forced to make a similar decision, not just because of housing prices, but because they are getting so much resistance for wanting to take a house that's in terrible shape and improve it to make it livable for their family.

I respectfully urge the Board of Appeals to facilitate Sam and Ann's renovation and shorten the costly appeals process so that a hard-working, productive San Franciscan and his family can live in the city they love, a city to which they contribute so much.

Sincerely yours,



Josh Peterson

December 29, 2010

To Whom It May Concern:

KQED has been collaborating with Citizen Film and its principals for more than 10 years.

Here are just a few of the highlights

In 1996, we aired Sam Ball's film *Zimbabwe Wheel* following its premiere at the Sundance Film Festival. The San Francisco Weekly called *Zimbabwe Wheel* "an inspiring look at a San Francisco State University class that teaches wheelchair riders to build their own wheelchairs.

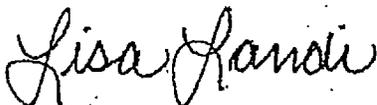
In 2001, we collaborated with Citizen Film director Sophie Constantinou who was director of photography on several of our nationally recognized locally-produced programs, including KQED and its Emmy-Award winning HOME FRONT, about the fight to stop evictions in San Francisco's mission district, and keep the neighborhood's distinctive character alive.

In 2011, we will be working closely with Citizen Film because we are the presenting station for national public broadcast of *Joann Sfar Draws from Memory*, which follows a celebrated graphic novelist through the Algerian and Jewish heritage that inspires his work.

KQED takes on a limited number of San Francisco-based productions for national presentation. KQED has an outstanding track record of effectively and efficiently guiding locally-produced films through the national public television system. That's been due in part to the outstanding quality of Bay Area filmmaking.

Thank you for your consideration.

Sincerely,



Lisa Landi
KQED PRESENTS

FILE

#0 11/3/10



BOARD OF APPEALS

OCT 20 2010

esg

APPEAL # 10-101

Support letter for Ms. Ann Hughes
Soto vs. San Francisco Department of Building Inspection

Dear Ms. Goldstein,

I was Ann's principal at Hillcrest Elementary School from 2003 to 2007. I still serve in the capacity as administrator in SFUSD.

When I was there, I could see that Ann was a good fourth grade teacher at Hillcrest, valued by the pupils, parents and colleagues alike. She was more than that. Ann was a role model and a guide to many of the children and often to their parents as well. Since Hillcrest is a school with a very diverse and often disadvantaged population, this was particularly important. She also mentored new teachers who entered the profession, some of whom were struggling to cope with the problems in their new environment.

I particularly appreciated that she could come to school early and stayed late. I know this was only possible because she lived nearby. Often she was the host of committee meetings and other staff meetings. It helped bring people together, important for a school like Hillcrest. We worked hard at serving a diverse community of parents and children. Children succeed best when they are supported by parents and educators, all working together. Ann also served on the leadership committee a position she still holds at Hillcrest where she is an extremely well-regarded leader. Teachers look up to her.

Ann's dedication to the children did not end in the classroom. She knew that their families were essential to support their education and so she made the effort to have a connection with them. It usually worked wonders. They knew they could talk to Ann about their children's problems, and about what they wanted for them. They trusted her.

I know Ann wants to stay in the neighborhood and live near Hillcrest, where she wants to teach and serve that community for the rest of her working life. But teachers have a hard time staying in the neighborhood, since housing in San Francisco is so expensive—especially if they have children of their own. I strongly hope she'll be able to do that. Teachers of Ann's quality are rare. It is rarer still that they become part of the larger school community the way Ann did. I understand she is now under extreme financial pressure, which may force her to move away: I look on this as a danger to that community.

It is for these reasons that I write to support, as strongly as I can, Ann Hughes and Sam Ball's permit to renovate their home and live in it.

Sincerely,

Mary Lou Cranna

File 1015 '13

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JAN 13 PM 2:04
BY @ 10 Lungys
LPL

Reference: January 11, 2011 Appeal of SF Planning Dept. Cat. Ex.

To the San Francisco Board of Supervisors:

I have known Ann Hughes for seven years in my work as an Instructional Reform Facilitator, and, for the past four years, as Principal of Hillcrest Elementary School.

Ms. Hughes is more than a valued fourth grade teacher at Hillcrest Elementary School, a community school that serves our neighborhood's extraordinarily diverse population. Ms. Hughes is an exemplary teacher, who is a role model and mentor to many children, as well as to new teachers who enter our system.

Ann is a big part of the school community. We are fortunate that she is able to be at school early and stay late because she lives so near school. She is able to volunteer to run school garden days. This has been her pet project. She started the garden, and has found innovative ways to integrate gardening into our curriculum: a connection to the land and to the local environment. The children love it, and learn from it. What's more, she frequently hosts committee meetings and informal gatherings for our ENTIRE staff at her home. This helps build morale and a sense that our school is part of a community.

Ms. Hughes exemplifies passionate commitment to children and education. She sees education as a holistic approach to the child and the child's family. Therefore, she maintains a close relationship to Hillcrest families.

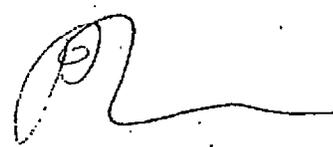
Having close, neighborly relations with Hillcrest parents helps build people's trust that we really are a community school in the truest sense of the word. Ms Hughes is exceptionally open and friendly and parents know they can approach her to discuss the hopes and concerns they have for their children.

Building trust is especially important in working with this large, diverse community we serve. Many of our families live and work within a few blocks of Ann's new home and because she has been teaching for twenty years, she is friends with generations of families.

It is rare, given San Francisco housing prices that teachers stay in the neighborhood after they have children of their own.

Thank you for your consideration.

Sincerely,



Richard Zapien

October 3, 2011

Samuel Ball, Ann Hughes and David & Nicole Ball
10 Lundys Lane
San Francisco, CA 94110

**10 Lundys Lane
Owner's Brief -
Response to DR Request**

**OWNER'S RESPONSE TO DISCRETIONARY REVIEW REQUEST
Re permit 201103303154**

I. Scope of work to be performed under permit 201103303154.

The following describes the entire scope of work this permit would allow us to perform:

- Add a 30 inch range.
- Replace a small, existing 12-inch bar-sink with a full-sized 20-inch kitchen sink.
- Add two kitchen cabinets.
- Add an internal door and non-structural wall enclosing an existing internal stairway in our building.

None of these changes are visible from the outside. These changes constitute the addition of a legal dwelling unit under City rules. This project has been delayed for many months as a result of five previous appeals filed by the DR Applicant, all five of which have been rejected by the Board of Appeals and Supervisors. This is the fourth hearing requested by the DR Applicant. The content of the DR Application is a repetition of content the DR Requestor submitted to the Board of Appeals and Board of Supervisors in December, in appeals that were unanimously rejected by both boards.¹

II. Background

IIA. Why we are pursuing this project:

My wife Ann Hughes and I bought our house with my parents, David and Nicole Ball, so my parents could live downstairs from us. My parents are helping us raise our children. Eventually, we will care for my parents. My parents are retired educators. My wife Ann is a public school teacher at Hillcrest Elementary, where she was a founder of the community garden. I'm a film director at the Mission-District-based nonprofit Citizen Film, which creates documentary films for many of San Francisco's nonprofit social-justice organizations, and nonprofit cultural institutions ranging from the San Francisco Symphony to KQED. We are not wealthy people. We purchased a severely dilapidated house because it was the only kind of house we could afford near my office and near Ann's school. [See **Exhibit A**. Letter from my parents, David and Nicole and **Exhibit B**, about the owners.]

For more than two years, we searched for an affordable house in the community where we work, so we could be directly involved in the community. For example, many children Ann works with live in our neighborhood. Ann maintains relationships with extended families of Hillcrest students and alums. By living near school she's able to organize families to tend the community garden she founded. Ann is able to host gatherings of teachers as part of her role on Hillcrest Elementary's leadership committee. Purchasing and rehabilitating a severely dilapidated building and living together as an extended family is a solution to the problem of finding housing for teachers and artists who serve

¹ See **Exhibit E - Decisions by the Board of Appeals and Board of Supervisors**: the "split decision" the DR Requestor describes in their Application refers to the Board of Appeal's 3-1 rejection of an appeal of a revision permit –an appeal the DR Requestor filed in August, 2010. Every other decision has been unanimous.

San Francisco and wish to live here. See **Exhibit B: About Us and Our Work**. Another important reason we chose our house is so we wouldn't have to drive. My parents use Muni to get around. On my way to work, I walk our children Ayva (8) and Jakob (6) to their neighborhood public school and I keep a bike at my office to get to appointments. We have one compact car for two households.

The addition of a kitchen -not visible from the outside- is important to my parents. We wish to live close to one another as my parents are helping us raise our children, but both households wish to function independently by having their own privacy and kitchens. The door and non-structural wall we propose to add will not be visible from the outside. It will separate our living space from my parents' living space. We do not feel this is an extraordinary circumstance that warrants discretionary review.

II.B. Procedural background:

Permit 201103303154 would allow us to complete the second phase of our two-phased project to rehabilitate a RH-2 zoned “fixer” home and make it livable for our family. When we bought it, the structure had faulty plumbing and wiring, holes at the front and back, foundations that had to be almost entirely replaced, and no heating system at all (to name just a few of the problems.) Before we applied for a remodeling permit, we announced our intention to neighbors and to the City to conduct work in two phases because we knew we were on a tight budget for a project that would require a lot of work. Our project certainly could have been approved under one permit, but we broke our project into two phases in order to allow my wife and children and me to move into our home during construction and limit the number of extra mortgage payments we would have to pay while our house remained uninhabitable. Another reason we broke our project into phases is that the severely dilapidated state of our building made it difficult to assess what it would cost to complete phase 1. Breaking up the work into two phases would allow us to assess our finances before pursuing phase 2, to make sure we would have enough money to complete it. Phase 1 has allowed my wife, my children and me to legally move into our home as soon as possible. Phase 2, the permit before you now, would allow us to complete work on our ground floor which will become my parents' apartment.

III. The DR Requestor's Claims

The DR Requestor has already filed numerous appeals including an appeal of a revision to our main remodeling permit as well as the categorical exemption issued for that revision. In January, the Board of Appeals and Board of Supervisors unanimously upheld the project's approvals. Nevertheless, as a result of the time it took to schedule hearings on the previous claims filed by the DR Requestor, our project to repair a severely dilapidated home and make it livable for our family has already been delayed a year. That's despite the Boards' decisions and despite broad community mobilization in support of our project. **[See Exhibit C: Community Support.]** This has been especially painful for my parents, who have been deprived of precious time with their grandchildren.

The City has already decided that each of the five previous appeals claims filed by the DR Requestor are without merit. The DR Requestor is asking the Planning Commission to make a decision that would effectively overrule these decisions.

The entire content of the DR Request before you is a repetition of claims the DR Requestor has already made to the Board of Appeals and Board of Supervisors. The DR Requestor is asking the Commission to decide that a portion of the space within our building is not considered legal and thus, the conversion to a second unit triggers a parking requirement under Planning Code Section 242. As a result of previous appeals by the DR Requestor, the Board of Appeals considered this very issue three times and affirmed all three times that the existing space in our building, including the area planned for conversion to the second unit, is **legal** space. **See Exhibit D [Permit History] and Exhibit E [Decisions by the Board of Appeals and Board of Supervisors.]** My wife, my children and I live in our home thanks to work we conducted under permits that were properly reviewed and approved by the Planning Department, then upheld by the Board of Appeals and Board of Supervisors. The Supervisors voted unanimously (11-0) to deny the DR Applicant's request that our project undergo a lengthy environmental review. Phase I of our project is complete thanks to permits that underwent intensive scrutiny. At every point of the unusually drawn-out appeals process caused by the DR Requestor², the City thoroughly vetted all of the claims the DR Requestor is now repeating, and found them all to be without merit. The Planning Code, the Planning Dept. and the Board of Appeals are all extremely clear: a parking requirement is **not** triggered under Planning Code Sec 242.

The DR Requestor further states that the DR Requestor feels the City should have issued additional appealable notifications for items such as changing the header on a window by six inches. The Planning Department already determined notification was not required. Issuing notifications that are not required would give the DR Requestor more opportunities to appeal our project, causing more delays, but there is nothing in the DR Requestor's application that validates why additional permits or 311 notifications should be required.

Another allegation that is implicit in the DR Requestor's brief is that we are engaged in a practice called "serial permitting." Serial permitting occurs when multiple permits are pulled for a project that could not otherwise be approved under one permit. That is clearly not the case with our project since neither phase 1 nor phase 2 of our project expand the building envelope at all and neither phase 1 nor phase 2 of our project add floor space. Thus, both phases of our project easily could have been completed under one building permit. We conducted work in phases in order to save time and money. This is consistent with common sense, not just the law, the rules and the Code. **Exhibit F** is a print out of an email with the Northwest Bernal Heights Neighborhood Design Review Board confirming that months before we applied for our phase 1 remodeling permit, we announced our intention to add a second unit at a later date, and that we vetted our two-phased project with the Planning Department. People who are engaged in "serial permitting" do not make it a point to discuss the two phases of their project with neighborhood boards and City Planners. We vetted our two-phased approach with the Planning Department before we bought our home and again when we began applying for permits. The Planning Department has confirmed repeatedly what it communicated to us verbally before we bought our house: **our project does not require a parking variance.** It would be

² In their DR Application, the Applicants imply they accepted mediation. This contradicts their responses to several mediation offers, including repeated mediation attempts by the Bernal Heights Neighborhood Community Center. In January 2011, after the DR Requestor's fourth appeal, the Bernal Heights Community Center's director Joseph Smooke stated "We've reached out to the appellants and invited them to mediation that we would participate in and they have not taken advantage of that. To bring this process before the Board of Appeals and Board of Supervisors seems disingenuous..." (1/11/11 BOS transcript.)

unfair to change the Code after we have already spent most of our life’s savings, plus a mortgage on our project.

IV. – Why permit 2011.03.30.3154, the permit before you now, should be upheld

We wish to add a stove, a standard kitchen sink (in place of our existing 12-inch sink), two kitchen cabinets, plus an internal door and non-structural wall enclosing a stair. None of these changes are visible from the outside. Thus, we do not feel there are any reasonable changes to be made to our plans. These proposed changes do not add any floor area. They do not expand the existing building envelope at all, nor do they impact the appearance of the building façade. This scope of work does not have extraordinary circumstances that warrant discretionary review.

In fact, the work we completed under previous permits shaved off square footage and structures built by previous owners. Under previous permits, we have already renovated and structurally improved a dilapidated building, and now we seek to add a legal dwelling unit. A second **illegal** dwelling unit was already established long before we bought our building; thus, we are not increasing the number of occupants who will potentially live in or drive to and from this house.

The creation of a legal dwelling unit is encouraged by the RH-2 zoning of our building and it is consistent with the Planning Code and specifically Section 242, which governs our project. Sec 242 established the Bernal Heights Special Use District. Its purpose is “...to encourage development in context and scale with the established character...” of this hilly and dense neighborhood made up of relatively small lots.

Sec 242(b) **Purposes.** In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

Our project is consistent with this purpose by creating a new unit within the confines of the existing building envelope thereby maintaining the context and scale of the neighborhood’s established character. This same Section 242 indicates that our proposed project does not trigger additional parking requirements since we have not added to the usable floor area of the house. In this particular Bernal Heights Special District, “If one or more alterations add 200 square feet or less of usable floor area, no additional parking space is required.”³ The square footage in our original structure met the

³ **Sec 242(d) Definitions**

(2) "Usable floor area" is the sum of the gross areas of the several floors of a building, measured from the exterior walls or from the center lines of common walls separating two buildings. "Usable floor area" shall not include that floor area devoted to off-street parking or any space or area which is not readily accessible and which has not more than five feet vertical clearance at any point.

Sec 242(e)(4) Parking

(B) RH-2 and RH-3 Building Alterations. The following parking requirements shall apply to alterations of existing structures in an RH-2 or RH-3 District:

(i) If one or more alterations add 200 square feet or less of usable floor area, no additional parking space is required.

definition of useable floor area before we began any alteration work under the first phase of our project; and all of the existing floor area was “readily accessible”: all of the existing floor area had “more than five feet vertical clearance at any point.” The Board of Appeals confirmed this fact.

The DR Requestor now asks that the Planning Commission disagree with (and overrule) the Board of Appeals, and determine that the project is adding new space triggering a parking requirement. The DR Requestor also implies that there is a loophole in this Section that allows us to avoid a parking requirement. However, the Board of Appeals and Planning Department have correctly interpreted our project as it applies to Section 242 and determined a parking requirement is not triggered. To decide otherwise would be tantamount to changing the Code midway through our project. We strongly believe the Code should NOT be changed to require additional off street parking. As stated earlier it would be unfair to change the Code at this late stage in our project after we have spent most of our savings on our home, and taken out a mortgage, with the intention of adding a second dwelling unit per City rules which the Planning Department communicated to us very clearly. Changing our project to add parking would not only be financially infeasible, it would be inconsistent with Section 242’s stated purpose of maintaining the neighborhood’s context and character. In order to add a parking garage, our 100+ year-old building would have to be lifted, or its façade would have to be demolished.

Sec 242 is not the only reason we feel our project should be approved. We also feel our project is consistent with the following long-term goals for San Francisco’s housing stock:

- Increased number of legal dwelling units while sustaining the character of our existing buildings;
- Increased number of small/ affordable units;
- Increased number of dwelling appropriate for families; and
- Renovation done with permits bringing aging housing stock up to current safety standards.

We’ve been grateful for community support (See **Exhibit C**. – Letters and Petition.) Many of our neighbors live as extended families; generations take care of one another. We believe this is an essential community value that should be supported. We greatly appreciate your time in considering our project and respectfully request that you deny the DR Request.

Sincerely,

Sam Ball, Ann Hughes, Nicole and David Ball

Cc:

Kimberly Durandet, Planner
DR Requestor

Enclosures:

- Exhibit A:** Owner-Occupants’ Statement of Purpose (Letter from David and Nicole Ball)
- Exhibit B:** Personal and Professional Context
- Exhibit C:** Community support
- Exhibit D:** Permit History
- Exhibit E:** Decisions by the Board of Appeals and Board of Supervisors
- Exhibit F:** Email Exchange with NW Bernal Design Review Board
- Exhibit G:** Drawings Detailing the Proposed Scope of Work
- Exhibit H:** Photographs of building façade before remodeling, and during construction.

**10 Lundys - Exhibit A:
Letter from Owner-Occupants**

David and Nicole Ball
23 Cedar Street
Northampton, MA 01060
September 27, 2011

Dear Members of the Board:

We are the parents of Sam Ball, the in-laws of Ann Hughes, and with them co-owners of the house at 10 Lundys Lane, San Francisco. We're writing to ask you to allow us to have a door between our part of the house downstairs and the upstairs where our son and his wife Ann and our grandchildren live, and to have a real kitchen with a stove.

We are retired educators who have lived in Massachusetts for the past forty-two years and would like to move into our house in Lundys Lane as soon as possible. We used much of our life savings to buy this house with our San Francisco family. We planned to move into it on the downstairs floor in a separate apartment; they would have the upper two floors. We want to live in the same building as our children and grandchildren, but of course we envision a separate life for ourselves—the life we have enjoyed as a couple for decades. We want to help take care of our grandchildren, and we assume Sam and Ann will help take care of us as we get older and less able to fend for ourselves, just as we took care of my mother when she got older.

We bought a house that needed extensive renovation, but the price was one we could afford—unlike all the other properties we saw that matched our needs. We had no idea that someone could arbitrarily delay every step, and thus greatly increase the time and costs of renovation.

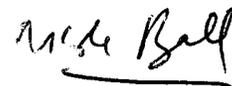
We would like to have a door separating our floor from the floors occupied by our family. The reasons are obvious: we love our grandchildren and love to see them, but we don't want them coming down any time at all, when we're busy with other things. And like most people, we value our privacy. We love our family, but we don't like feeling we're staying in their house, rather than having our own.

The reasons why we want a real kitchen are also obvious: we like to cook for ourselves, and invite family and friends over for dinner, too. You can't make real meals on a hot-plate. We're forced to eat badly, or eat with family upstairs, or go out for dinner. You can't wash dishes in a bar-sink, the only sink we are permitted to have at the moment because of an appeal that seems utterly arbitrary to us.

We really don't understand why we should live without a real kitchen because our neighbor has decided we should not have one—this despite the fact that we discussed our plans with the City even before we bought the house, and despite the fact that the planning code says we can have a kitchen and a separation door that will afford us normal privacy. The appellants express concern about parking in their letter. We do not plan to have a car at all in San Francisco; we have always used public transportation and will continue to do so.

We ask you to do all you can to resolve this situation swiftly.

Sincerely,



David Ball
Nicole Ball

ABOUT THE OWNERS OF 10 LUNDYS LANE

Ann Hughes is a dedicated public school teacher, who has been teaching at Hillcrest Elementary School for 10 years. Ann serves on Hillcrest's leadership committee and as a teacher-mentor in a mentorship program for new teachers at Hillcrest. Ann also started a community garden at her school and can frequently be found there on weekends, working with parents and children to create a lasting community resource that is also a way for children to learn about the environment and sustainability. Many of the families Ann works with live within walking distance of 10 Lundys. This is an important factor in her decision to purchase the home. Ann wants to live close to her school, and to the parents of many of the more than 400 school children she has taught in her career. She works with extended families, not only with the children and their parents. Living near them is important to her. Ann is a fourth generation San Francisco native, whose grandmother grew up nearby in the Mission district. Ann's principal, Richard Zapien, adds: "Ms. Hughes has a passionate commitment to children and education and she sees education as a holistic approach to the child and the child's family. Therefore, she maintains a close relationship to many Hillcrest families who live and work in the neighborhood."

Sam Ball co-founded the documentary production company Citizen Film. For the past 10 years, Citizen Film has been, as its mission says, "dedicated to crafting documentary stories with care and dignity." It "collaborates with cultural institutions and community organizations to create films that foster active engagement in cultural and civic life." Citizen is one of the few documentary companies to employ a full-time year-round staff and it has so far weathered the tough economy without making lay-offs. Citizen Film has made many documentaries that serve local nonprofits including KQED, the Asian Women's Shelter, the Contemporary Jewish Museum, the San Francisco Symphony, the SF DA's Back on Track Program, the CA Endowment, the CA nurses foundation, the San Francisco Foundation and many more.) Citizen Film's work is guided by the belief that character-driven stories can provide audiences with a powerful means for engaging with community. Current projects include a National Endowment for the Arts supported documentary project about the movement to provide free, locally-produced organic school lunches for public school children. Previous collaborations have been presented on public television in the US and abroad (PBS, ARTE, TLC, etc.) and featured at America's most prestigious venues for independent film: the Sundance Film Festival, the Museum of Modern Art – New York, LA County Museum of Art, the Hirshhorn, the Whitney, and more.

Ann and Sam's children **Ayva Ball** (8) and **Jakob Ball** (6) go to a neighborhood public school that is a 7 minute walk from their house: they attend Buena Vista's Spanish Immersion Program.

David Ball (74) is a retired professor. He taught French and Comparative Literature at Smith College in Northampton, Massachusetts from 1969-2002, and worked his way through graduate school in France by teaching English in high schools there.

Nicole Ball (70), also retired from teaching, was born in Paris and taught high school in France for many years. When she came to America, she taught French on both the high school and college level.

David and Nicole now work as free-lance literary translators: in collaboration or alone, they have translated ten novels, books of poetry, and plays from French to English. Their fondest wish is to live in the same house as their dear grandchildren and children. That's why they spent their life's savings, and approved of their son spending his life's savings, to buy the property at 10 Lundys Lane. It seemed like a good, long-term investment in their quality of life.

Exhibit C:
Community Support

FILE

BOARD OF APPEALS

OCT 28 2010

Lunes, 25 de Oct. 2010

APPEAL # _____

Mariana Sandoval
14 Lundys Lane
San Francisco, CA 94110

10 Lundys Lane 10-101

Tanya Nelson
BOARD OF PERMIT APPEALS
1650 Mission St. #304
San Francisco, CA 94110

Estimada Señora Nelson,

Le estoy escribiendo para apoyar a los esfuerzos de los nuevos propietarios de esta casa, que tienen el derecho de vivir en la casa abuelos así que los niños y los padres, juntos en paz.

Vi a los planes y me parecen bien. La casa no va a cambiar de tamaño. Solamente van a repararla para que sea más habitable.

Yo no quiero que ellos tienen que parar la construcción o vender la casa sin terminar de construirla porque eso es muy mal para la calle y el barrio.

Yo soy del vecinario desde más de 40 años.

Sinceramente,

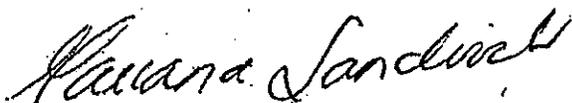

Mariana Sandoval

Exhibit C:
Letters & petition

FILE

BOARD OF APPEALS

OCT 28 2010

APPEAL # 10-101

Appeal 10-101, Soto vs. DBI

Translation of letter from Mariana Sandavol, written in Spanish, date stamped Oct. 28, 2010.

Dear Mrs. Nelson (Peterson):

I am writing to support the efforts of the new property owners of this house, who have the right to live in the house, grandparents as well the children and the parents, all together in peace.

I looked at the plans and they appear fine to me. The house will not change in size. They are only going to repair it so it will be more habitable.

I don't want them to stop the construction or to have to sell the house without finishing construction because that would be very bad for the block and the neighborhood.

I've lived in the neighborhood over 40 years.

Sincerely,

Mariana Sandoval

I, Victor F. Pacheco, Legal Assistant for the BOA, hereby certify that I executed the above Spanish to English translation accurately, effectively, & to the best of my ability.

*- VP
10/28/10.*

FILE

BOARD OF APPEALS

October 25, 2010

OCT 29 2010

From: Yoli Monterrosa 16 Lundys Lane, San Francisco, CA 94110

APPEAL # 10-101

To: Tanya Peterson, President,

About: "The project @ 10 Lundys Lane" - APPEAL HEARING 10-101 November 3rd.

Dear Ms. Peterson,

I am writing to express my support for the project of renovation at 10 Lundys Lane.

I saw all the plans. They are easy to comprehend and I decided they were very good. It will be an improvement over the way the building has been for many years. The old look of the house will be preserved, but it will be in a better state, so that three generations of one family can live in it.

I was pleased to learn that Ann Hughes, the new owner, is a teacher at Hillcrest elementary school. It is good for teachers to live near the community they serve. I know her husband makes documentary films, and I like the idea of having hard working people in our community, too. I know that journalists work hard and do not make much money.

I hope that the City of San Francisco will not make delays on good projects like this: I know that can make them very expensive. The house was in very bad condition when Ann and Samuel bought them.

If delays go on and the project becomes too expensive it could finally prevent letting a good family move in and improve the state of the property. This would very bad.

I do not understand what possible advantage anyone would have from more delay.

Sincerely,


Yoli Monterrosa

Anne Moellering
Susan Cunningham
9 Coleridge Street
San Francisco, CA 94110

FILE

BOARD OF APPEALS

OCT 28 2010

APPEAL # _____

September 26, 2010

We were notified that work on the property directly behind ours at 10 Lundys Lane has stopped because a neighbor appealed a permit. We are concerned about this, because we'd hate for 10 Lundys Lane to become a vacant building for any length of time. The new owners have been particularly open about their plans, making certain that the neighbors all knew of their plans and they have been very very friendly people who we look forward to having as our new neighbors.

When we saw plans for the project last February and again in July, we liked what we saw very much. We liked the idea of fixing up the house at 10 Lundys Lane because it was previously an eyesore, and we very much liked the way they were doing it. The design looked lovely to us and will make for a much nicer back of the house, in keeping with the historic character of the neighborhood. We don't understand what the problem could be.

We would welcome the plans we were shown in February, and again in July being realized, including the modifications to the existing back of the house. This would significantly improve the view from the back of our house.

The owners are taking an eyesore and remodeling it in a character that is consistent with the neighborhood. We are fine having this project to be finished according to the plans the owners showed us, and we certainly don't want an unsafe, vacant building with open walls just over our property line for any length of time.

Thank you for your consideration.

Sincerely,

 9 Coleridge St.
SUSAN L. CUNNINGHAM

 9 COLERIDGE ST
ANNE E. MOELLERING

Lawrence McGlynn <lmcglynn@stanford.edu>
Bernal Heights
December 6, 2010 1:33:32 PM PST
cynthia.goldstein@sfgov.org
avhughes3@gmail.com

Dear Ms. Goldstein,

I live across the street from 10 Lundys Lane in Bernal Heights, and have become aware of the hurdles our new neighbors have been having to jump in order to start, and complete, work on their home. I was very relieved to hear that the Board of Appeals ruled that these new owners could complete the work as planned. They had been keeping the neighborhood up to date on the actual plans and timelines. It has been nice for all of us because the old house had really become an eyesore on such a lovely little street.

It recently came to my attention that another hurdle has been placed in front of this nice little family. I fear that this is going to cause yet another delay to their project, or even worse, that they may just find this hardship is not worth it, and abandon the project. My fear is that this halfway completed home will be sitting there empty, possibly become a fire hazard, nevemind a terrible eyesore.

For the life of me I cannot understand what is motivating the ill will towards this family. They have been so nice and friendly. I do not know them well, but thus far they have been such a welcome addition to the neighborhood. Although I grew up in Marin County, my mother grew up in this neighborhood, and I have known this section of Bernal Heights to be welcoming and friendly. The new owners of 10 Lundys will fit right in.

I am hoping this process can be expedited so that the project can move forward as soon as possible. I really appreciate your time and consideration.

Sincerely,

Lawrence McGlynn MD
8 Prospect Avenue
San Francisco, CA

23 OCT. 2010

FILE

Nicholas Torres
3281 Mission Street
San Francisco, CA 94110

BOARD OF APPEALS

OCT 26 2010

APPEAL # _____

Suj. 10 Lundys Lane

Attn.

Sra. Tanya Nelson
BOARD OF PERMIT APPEALS
1650 Mission St. #304
San Francisco, CA 94110

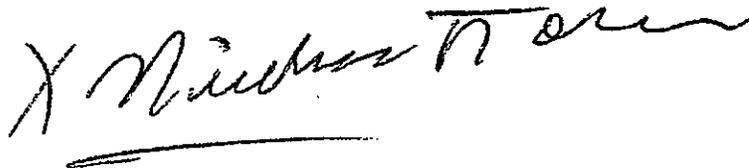
Estimada Sra. Nelson,

Le estoy escribiendo para apoyar a los esfuerzos de los propietarios de esta casa, una familia que conozco bien ya hace 7 años. Conozco a los abuelos así que a los niños. Son una familia muy unida que solo quieren vivir juntos en paz.

Que este tipo de familia no pusiera seguir viviendo en este vecinario sería lástima para el futuro de San Francisco.

Sinceramente,

Nicholas Torres

A handwritten signature in black ink that reads "Nicholas Torres". The signature is written in a cursive style and is positioned to the right of the printed name. A horizontal line is drawn underneath the signature.

FILE

FILE

Appeal 10-101, Soto vs. DBI

Translation of letter from Nicholas Torres, written in Spanish, date stamped Oct. 26, 2010.

Dear Ms. Tanya Nelson (Peterson):

I am writing to support the efforts of the property owners of this house, a family which I have known well for over 7 years. I know the grandparents as well as the children. They are a family that is very united, and that only want to live together in peace.

That this kind of family could not keep living in this neighborhood would be a shame for the future of San Francisco.

Sincerely,

Nicholas Torres

*Cl, Victor F. Pacheco, Legal Assistant for the BOA,
hereby certifies that cl executed the above
Spanish to English translation accurately,
effectively & to the best of my ability.*

*- VP
10/28/10*

Sam Ball

To Scott Sanchez

FILE

Robert Vranizan
Joan McNally
7 Coleridge St.
San Francisco, CA. 94110

BOARD OF APPEALS

September 26, 2010

OCT 28 2010

APPEAL # _____

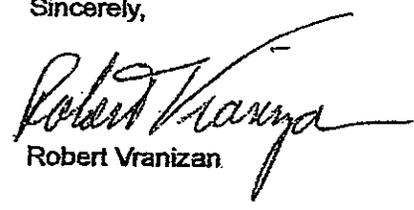
To Whom it May Concern,

I am a neighbor sharing backyard property lines with 10 Lundys Lane in San Francisco. We are writing in support of the current remodeling at 10 Lundys Lane. We understand the project has been halted and would like to see it completed in a timely manner. The thought of a vacant, partially remodeled house sitting idly would only bring unwanted problems to our neighborhood.

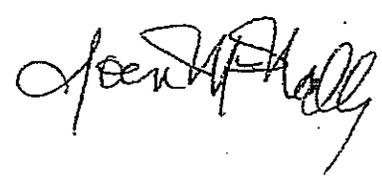
We were excited in February when Sam Ball and Ann Hughes showed us their plans for the project. In July we were equally pleased the plans reflect a home that will bring added value and character to our neighborhood.

The Ball/Hughes family will be a nice addition to our neighborhood and we hope the current issues can be resolved quickly and allow them to continue remodeling.

Sincerely,


Robert Vranizan

Joan McNally



October 30, 2010

To Cynthia Goldstein, Executive Director

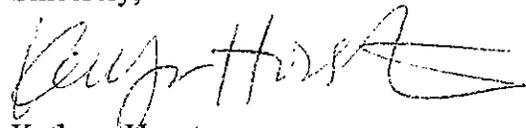
Permits – Board of Appeals
1650 Mission Street, Rm 304
San Francisco, CA 94103

Subject: Permitting construction at 10 Lundys Lane

Dear Ms. Goldstein,

I have reviewed the plans for 10 Lundy Lane and I approve of them. The proposed plans do not negatively affect any adjoining houses and completion of this project will only serve to improve our neighborhood. Please streamline the administrative process so the house can be finished as planned.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn Houston", with a stylized flourish at the end.

Kathryn Houston
29 Coleridge Street
San Francisco, CA 94110

NO 11/3/10

BOARD OF APPEALS
OCT 25 2010 086
APPEAL # 10-101

Christopher Nelson
OWNER
Bad Joe's
3309 Mission St
San Francisco, CA 94110

FILE

October 22, 2010

Re: Soto vs. Dept. of Bldg Inspection -10 Lundys Lane

To the Board of Appeals,

I live in North Bernal and I am a merchant three blocks from 10 Lundys Lane. Turning derelict properties around is important to merchants in the neighborhood in these tough economic times.

I also think having extended families living in the neighborhood is important both to quality of life and to the economic health of the neighborhood. It is essential to maintain safe, well-maintained family-friendly housing in Bernal Heights.

This is an important public policy issue: can middle-class families afford to renovate uninhabitable buildings in our neighborhood?

Please allow construction on 10 Lundys to resume ASAP.

I look forward to attending the November 3rd hearing with as many of my customers as I can rally, but I hope you can make a decision before then so the house can be repaired and remodeled as planned.

Sincerely,



Christopher Nelson

Barry Nelson
21 Godeus
San Francisco, CA 94110

December 15, 2010

Tanya Peterson
c/o Cynthia Goldstein
SF Board of Appeals
1650 Mission St, Suite 304
San Francisco, CA 94103

RE: 10 Lundys Lane

Dear Tanya,

My name is Barry Nelson, like Ann Hughes I'm an educator in San Francisco. For close to thirteen years I've served the children and families of San Francisco, working in the fields of education and social work. I currently work in the arena of college access, helping some of San Francisco's college bound students become the first in their families to graduate from college.

Like both Ann and her husband Sam Ball, I'm committed to serving the community in which I live, as both an investment and a responsibility. For those of us involved in the lives of San Francisco's young people as educators and mentors, I can't overstate what I truly believe to be the value and importance of living in the community we serve. An essential part of our work as educators is not only having an understanding of the lives and experiences of young people, but also being able to impact their lives outside of the classroom as advocates and as individuals who possess voices in the public arena. Their *lives* implicitly enter the schools and classrooms in which we work and living in the same community only informs our work.

Beyond the idea of understanding, there's a certain kind of trust built upon a shared experience. As educators we may not always find ourselves working with young people from exactly the same ethnic, economic, or cultural background; but there's an opportunity for a shared experience as residents of the same community.

I've lived in Bernal Heights for almost nine years and dream of one day owning a home in the neighborhood I treasure. Though I understand addressing the astronomical cost of living in San Francisco may be beyond the scope of your committee, I believe there are public policy measures that can be taken to ensure that all families have greater access to living in this city. I think it goes without saying that it's extremely difficult to raise a family in San Francisco with the means afforded teachers. The recent experience of Ann Hughes and Sam Ball is not only discouraging, but alarming. An attempt to own a home and raise a family in the community in which they've already lived and contributed to is

being threatened with very limited recourse. Though I don't personally know the individuals attempting to block the proposed rehabilitation of their home, I can't help but question the motivation, as it seems to not only be uncaring, but also vindictive in nature.

It's my belief that the board made the right decision to uphold the permits for 10 Lundys Lane. I hope you exercise your authority to allow Ann Hughes and her family to make the necessary improvements that would allow their home to become fully inhabitable.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry Nelson', written over a faint horizontal line.

Barry Nelson

December 7, 2010

Dear Ms. Goldsetin and Commissioners:

Re: Property at 10 Lundys Lane, San Francisco, California

I'm writing you this to pass along to the Board of Appeals. I am writing on behalf of my mother Mariana Sandoval who has lived at 14 Lundys Lane for over 40 years. English is not her native language so she asked me to write this to you.

She wants the Board to know she supports the project at 10 Lundys Lane because it repairs a house that badly needed repairs and allows a nice family to move in: that is what should be happening in the neighborhood.

My mother would like the board to avoid more delays, so the new owners can move in, because it is difficult to have the house be empty for so long. She would like the new owners to move in as quickly as possible because they are people who want to be part of the community and support their neighbors.

The house has been empty now for almost two years and that is long enough.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edith E. Perez', written in a cursive style.

Edith E. Perez
Previous Resident of 14 Lundys Lane
San Francisco, CA

413 Copeland Street
Pacifica, CA 94044

cc: Director Cynthia Goldstein and Commissioners See attached.

Anna Marjavi
66 Fair Ave.
San Francisco, CA 94110

December 7, 2010

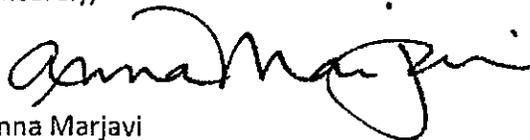
Dear President Peterson and Commissioners Fung, Garcia, Goh, and Hwang:

I was born and raised in Bernal Heights and have lived in the neighborhood for most of my life. In 2003, I was fortunate to buy a fixer-upper house on the North slope of Bernal Heights where I presently live. While I have seen many changes over the years, Bernal continues to be a diverse family-oriented neighborhood with a strong ethic to community-building. With that in mind, I am writing this letter in support of Sam Ball and Ann Hughes and to voice support of their much needed 10 Lundys Lane renovation.

The only way I could afford to stay in Bernal was to buy a house that was dilapidated and remodel it. Like the new owners of 10 Lundys, I reached out to my neighbors and let them know my plans. I was lucky. While the noise and temporary lack of parking from my project was inconvenient for people, they remained cooperative and it was possible for me to expedite repairs and renovations. I would not have been able to stay in Bernal if I had faced a barrage of delays resulting from appeals as the new Lundys owners are facing. I've seen the plans for their house and they are a clear improvement, and easy to understand. I encourage you to allow the project to move forward in an expeditious manner.

I've worked with a non-profit organization in San Francisco on violence prevention for eleven years. Similar to the new owners of 10 Lundys, the only way I could afford to buy a house in Bernal was to purchase a fixer. As a public school teacher, Ann Hughes works with many at risk kids who live in Bernal. Sam Ball has worked with many local nonprofits to help them get their messages out through documentary films. Ann, Sam and their children are a welcome addition to Bernal Heights and their proposed work will improve our neighborhood. The Board has previously ruled in favor of this project, and the owners have accurately addressed issues that were raised. Because this has been a lengthy approval process for Sam Ball and Ann Hughes, I'm concerned that there could be more appeals hearings about the 10 Lundys Lane building permits. I hope that your decision today will allow work to continue so this family can soon move into their new home.

Sincerely,



Anna Marjavi

Shelley Gallivan
6 Prospect
San Francisco, CA 94110

FILE

BOARD OF APPEALS

OCT 26 2010

APPEAL # _____

October 26, 2010

Reference: the project at 10 Lundys Lane

Dear Ms. Peterson,

I viewed a full set of plans for 10 Lundys Lane and they look great. The scale is easy to understand. The design is beautiful. And it preserves the historic look and feel of the house.

We also like the plans because we value living in a neighborhood that is populated by families.

We appreciate that the new owner is an experienced teacher at a local public school.

We hope you will do everything in your power to let Ann and Sam swiftly resume work on their home, as planned, so they can make it habitable for their family.

We want to add that having a vacant property in the neighborhood for many months is an extremely undesirable prospect as it increases the chances of break-ins and vagrancy.

Sincerely,



Shelley Gallivan

Note: A few signatories on petition also wrote letters of support; thus, there is minor duplicity. Petition signatory Stefanie Eldred is a neighbor And wife of Mr. Ball and Ms. Hughes' contractor.

10 LUNDYS LANE

THE UNDERSIGNED HAVE VIEWED THE PROPOSED DESIGN FOR THE PLANS AT 10 LUNDYS LANE. THE UNDERSIGNED SUPPORT THE PROJECT

NAME	ADDRESS	email.
Joffie GARVIN	1417 STOTWELL ST	JGARGARVIN@GMAIL
David Malina	32 Lundys Lane #3	
THOMAS J. LIBBY	67 COLERIDGE ST	
Chris Parkers	69 Coleridge Street	CPARKER@AOL.COM
Andrea Lino	81 Coleridge St.	andrealino10@gmail.com
Anna Samborska	72 Coleridge	
KEVIN COESE	56 Coleridge St	KCOESE@COMCAST
Chris Delucchi	194 Precita Ave	
CHRISTOPHER SCOFFINA	11050 AVE. G.	
Daniel Pepper	37 COSO AVE	
Mary Taylor	28 Mirabel Ave.	
Ken Roberson	25 Coleridge St	roberson@pacbell.net
LYNDA GRILLE	397 PRINCETON ST	
Stefanie Eldred	356 W. Field St, S.F. CA 94110	
DAN RAUCH	75 Coleridge St.	djrauch@gmail.com
Oliver Kronberg	73 Coleridge St 94110	okronberg@pacbell.net
Nick Lieberman	61 Fair Ave.	nicklieb@pacbell.net

10 LUNDYS LANE

THE UNDERSIGNED HAVE VIEWED THE PROPOSED DESIGN FOR THE PLANS AT 10 LUNDYS LANE. THE UNDERSIGNED SUPPORT THE PROJECT.

NAME	ADDRESS
Cornelius Troon	82 Montgomery St. SF 94110
Emily Gibson	4 Prospect Ave SF
Deborah Lanza	10. B Prospect Ave SF 94110
Robert Franigan	7 Coleridge St
Susan Carr	37 Prospect St 94110
Mark Clark	33 B Prospect Ave. 94110
Ed Daly	33B Prospect Ave 94110
MARI-JANE GARLAND	11 Prospect Ave 94110
TED LOGAN	9 PROSPECT AVE
Angela Logan	9 Prospect Ave SF CA 94110
Scott Lowe	25 MIRABEL AVE, 94110
John Faria	23 Fair Ave.
Lina Guillen	11 Mirabel Ave 94110
Pyan Loftis	47 Fair Ave
Onnesha Raychandhuri	67 Mirabel Ave.
PRIMO BAYBAYAN	73 MIRABEL AV
Jamara Pasarin	21 Mirabel Ave
Leann McKernan	1405 Stowell St
Willow Schraeger	41 Mirabel Ave.

10 LUNDYS LANE

THE UNDERSIGNED HAVE VIEWED THE PROPOSED DESIGN FOR THE PLANS AT 10 LUNDYS LANE. THE UNDERSIGNED SUPPORT THE PROJECT.

NAME

ADDRESS

Larry Mc.Glynn 8 Prospect SF 94110

Shelley Gallivan 6 Prospect SF 94110

Heiter Rowira 6 Prospect SF 94110

Rachel Chelmos 28 Eugena SF 94110

Amara Sandoz 14 Lynch Lane

Yoli Monterosa 6 Lundys Ln -

Michelle Coker 2804 21st St.

Brandon Malachuk 23 Prospect Ave Nudeants@gmail.com

~~Anthony~~ 10-B Prospect Ave

~~Mike~~ 12 PROSPECT MIKEMELLI@GMAIL.COM

~~Michelle~~ 12 Prospect

His L. Steiner 832 York

~~Yogto~~ 80 Prospect

Annice Jacoby 24 1/2 Prospect

Anigail L'Esperance 53 1/2 Prospect

Echo Hanson 48 Prospect

Nathan Matthiasen 45 PROSPECT

KRIS HODGERHYDE 45 PROSPECT

Tim Dickinson 43 PROSPECT

PK GARDNER 43 PROSPECT

Dear Ms. Peterson, Ms. Goldstein, and other members of the Appeals Commission:

I am writing the message in regards to the property on 10 Lundys Lane, own by Ann Hughes and Sam Ball and their two kids.

My wife and I were Bernal Heights residents for years. Our children were in daycare with Ann and Sam's, but we moved away because we lived in a very cramped place with our two boys.

I'm disappointed we had to do that, so I was glad to hear about your decision November 3rd.

I hope the city will have the vision to find ways to streamline the remodeling process so that there may be a silver lining to the foreclosure crisis and at least some families can afford to buy in San Francisco.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Roman Loyola". The signature is fluid and cursive, with a large, stylized initial "R" and "L".

Roman Loyola

Josh Peterson

2748 MATHEWS ST. BERKELEY, CA 94702
TEL 510-843-7000

FILE

joshpeterson@yahoo.com

BOARD OF APPEALS

OCT 26 2010

APPEAL # _____

October 25, 2010
Cynthia Goldstein
Director
Permits Board of Appeals
1650 Mission Street Suite 304
San Francisco, CA 94103

RE: 10 Lundys Lane Renovation

To the Board of Appeals:

I have worked as an editor for Sam Ball on several Citizen Film projects, most notably "Pourny," a film he directed about a Jewish mother in the Resistance during the Nazi occupation of France. The film was shown on public television and to more than 20,000 teenagers in classrooms across North America.

After eighteen years editing in the Bay Area, I can say that Citizen Film stands out as one of a very select group of companies that consistently produce excellent, relevant documentary films, employing many local technicians for every project. It would be quite a blow to San Francisco's artistic community, both creatively and economically, if Citizen Film were forced to scale back its work.

My wife and I have two children about the same age as Sam's. After several years in a rented apartment, we spent most of 2006 searching for a house we could buy in San Francisco. We really wanted to stay, but in the end we had to accept the fact that we could not afford to live there, and, like many people we know, we moved to the East Bay. Now I understand Sam and Ann may be forced to make a similar decision, not just because of housing prices, but because they are getting so much resistance for wanting to take a house that's in terrible shape and improve it to make it livable for their family.

I respectfully urge the Board of Appeals to facilitate Sam and Ann's renovation and shorten the costly appeals process so that a hard-working, productive San Franciscan and his family can live in the city they love, a city to which they contribute so much.

Sincerely yours,



Josh Peterson

December 29, 2010

To Whom It May Concern:

KQED has been collaborating with Citizen Film and its principals for more than 10 years.

Here are just a few of the highlights

In 1996, we aired Sam Ball's film *Zimbabwe Wheel* following its premiere at the Sundance Film Festival. The San Francisco Weekly called *Zimbabwe Wheel* "an inspiring look" at a San Francisco State University class that teaches wheelchair riders to build their own wheelchairs.

In 2001, we collaborated with Citizen Film director Sophie Constantinou who was director of photography on several of our nationally recognized locally-produced programs, including KQED and its Emmy-Award winning HOME FRONT, about the fight to stop evictions in San Francisco's mission district, and keep the neighborhood's distinctive character alive.

In 2011, we will be working closely with Citizen Film because we are the presenting station for national public broadcast of *Joann Sfar Draws from Memory*, which follows a celebrated graphic novelist through the Algerian and Jewish heritage that inspires his work.

KQED takes on a limited number of San Francisco-based productions for national presentation. KQED has an outstanding track record of effectively and efficiently guiding locally-produced films through the national public television system. That's been due in part to the outstanding quality of Bay Area filmmaking.

Thank you for your consideration.

Sincerely,



Lisa Landi
KQED PRESENTS

FILE

#0 11/3/10



BOARD OF APPEALS

OCT 20 2010

08

APPEAL # 10-101

Support letter for Ms. Ann Hughes
Soto vs. San Francisco Department of Building Inspection

Dear Ms. Goldstein,

I was Ann's principal at Hillcrest Elementary School from 2003 to 2007. I still serve in the capacity as administrator in SFUSD.

When I was there, I could see that Ann was a good fourth grade teacher at Hillcrest, valued by the pupils, parents and colleagues alike. She was more than that. Ann was a role model and a guide to many of the children and often to their parents as well. Since Hillcrest is a school with a very diverse and often disadvantaged population, this was particularly important. She also mentored new teachers who entered the profession, some of whom were struggling to cope with the problems in their new environment.

I particularly appreciated that she could come to school early and stayed late. I know this was only possible because she lived nearby. Often she was the host of committee meetings and other staff meetings. It helped bring people together, important for a school like Hillcrest. We worked hard at serving a diverse community of parents and children. Children succeed best when they are supported by parents and educators, all working together. Ann also served on the leadership committee a position she still holds at Hillcrest where she is an extremely well-regarded leader. Teachers look up to her.

Ann's dedication to the children did not end in the classroom. She knew that their families were essential to support their education and so she made the effort to have a connection with them. It usually worked wonders. They knew they could talk to Ann about their children's problems, and about what they wanted for them. They trusted her.

I know Ann wants to stay in the neighborhood and live near Hillcrest, where she wants to teach and serve that community for the rest of her working life. But teachers have a hard time staying in the neighborhood, since housing in San Francisco is so expensive—especially if they have children of their own. I strongly hope she'll be able to do that. Teachers of Ann's quality are rare. It is rarer still that they become part of the larger school community the way Ann did. I understand she is now under extreme financial pressure, which may force her to move away: I look on this as a danger to that community.

It is for these reasons that I write to support, as strongly as I can, Ann Hughes and Sam Ball's permit to renovate their home and live in it.

Sincerely,

Mary Lou Cranna

File 1015 '13

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 JAN 13 PM 2:04
BY [Signature]

Reference: January 11, 2011 Appeal of SF Planning Dept. Cat. Ex. @ 10 Lundys

To the San Francisco Board of Supervisors:

I have known Ann Hughes for seven years in my work as an Instructional Reform Facilitator, and, for the past four years, as Principal of Hillcrest Elementary School.

Ms. Hughes is more than a valued fourth grade teacher at Hillcrest Elementary School, a community school that serves our neighborhood's extraordinarily diverse population. Ms. Hughes is an exemplary teacher, who is a role model and mentor to many children, as well as to new teachers who enter our system.

Ann is a big part of the school community. We are fortunate that she is able to be at school early and stay late because she lives so near school. She is able to volunteer to run school garden days. This has been her pet project. She started the garden, and has found innovative ways to integrate gardening into our curriculum: a connection to the land and to the local environment. The children love it, and learn from it. What's more, she frequently hosts committee meetings and informal gatherings for our ENTIRE staff at her home. This helps build morale and a sense that our school is part of a community.

Ms. Hughes exemplifies passionate commitment to children and education. She sees education as a holistic approach to the child and the child's family. Therefore, she maintains a close relationship to Hillcrest families.

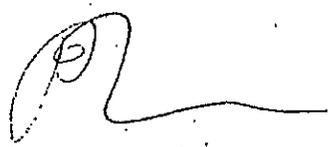
Having close, neighborly relations with Hillcrest parents helps build people's trust that we really are a community school in the truest sense of the word. Ms Hughes is exceptionally open and friendly and parents know they can approach her to discuss the hopes and concerns they have for their children.

Building trust is especially important in working with this large, diverse community we serve. Many of our families live and work within a few blocks of Ann's new home and because she has been teaching for twenty years, she is friends with generations of families.

It is rare, given San Francisco housing prices that teachers stay in the neighborhood after they have children of their own.

Thank you for your consideration.

Sincerely,



Richard Zapien

Exhibit D: Permit History

- 2009.10.27.9939 - **Abate Illegal Unit** – In response to NOV's that existed on the property at time of purchase we were required to quickly demolish unwarranted items. This permit allowed us to abate the violations promptly before taking the necessary time to prepare plans for alteration.
- 2010.03.17.8393 – **Alteration Permit** – This is the main permit we pulled for the alteration of the house. This was all interior work and required no 311 notification. We did however present a full set of drawings to our neighbors, including the DR Requestor, before we applied for this permit, and we discussed that once the alteration work on the plans was complete, we wished to convert the ground floor into a dwelling unit for my parents. At that time, the DR Requestor voiced no objections. However, the DR Requestor filed an appeal: a request for jurisdiction over this permit, many months into construction. The Board of Appeals denied the Request by a vote of 4-0 after considering the issue of whether our existing floor space and building envelope is legal. The DR Requestor subsequently appealed the Planning Department's determination that our project is exempt from environmental review under the California Environmental Quality Act.
- 2010.07.09.6243 - **Additional Foundation** - Once uncovered, the condition of our foundation required far more extensive work than we originally hoped.
- 2010.08.27.9763 – **Replace Additional Portions of Unsound Wall** – We uncovered substantial dry rot in portions of exterior walls which had to be replaced. Ordinarily, additional work required by conditions discovered in the field might be documented at the end of the project with an as-built permit revision. However, at this point there had been several anonymous complaints on the project during construction, so after consulting with our Building Inspector, we filed for a new permit to complete the rebuilding in kind of dry-rotted, damaged wall. The DR Requestor then appealed this permit and alleged that the structure we were remodeling was illegal. The Board of Appeals found

that the structure was “existing noncomplying” and denied the appeal as well as a request for jurisdiction on the previous permit, and finally a request for re-hearing. The Board of Supervisors was also presented with a request for an Environmental Review of this permit. This resulted in further delays.

- 12/15/2010 - DPW Minor Encroachment – **Document Existing Encroachment** – After the first two appeals on our project were denied by the Board of Appeals, DPW began receiving anonymous complaints regarding an encroachment onto the sidewalk that was there since our building was originally constructed more than a century ago. This required us to document our existing front stairs. This documentation was made as part of Minor Sidewalk Encroachment Permit 10MSE-0428. **Due to the height of the 1st floor above the sidewalk and distance of the façade from the sidewalk, it is safe to assume this encroachment has been in existence since the construction of the building more than a century ago.** DPW also stipulated that we conduct concrete work to alleviate the grade of the existing sidewalk by 2” and create additional sidewalk clearance by moving a concrete stairs back by 1 inch and reconfiguring the placement of a tree well. The DPW official who oversaw the encroachment permit told us she logged more than three hours on the case due to multiple calls from “an inquiring neighbor” and that one of the questions posed by this inquiring neighbor was whether there was anything else to appeal.

2011.03.30.3148 – **Replace Front Windows** - Two windows under the existing bay window at the façade of the house were found to have insufficient structural headers for current code. They had to be resized by 6” in order to make the required structural change. Normally, a building inspector might request this kind of minor change at the end of a project without requiring the issuance of a separate permit. We decided to exercise an abundance of caution in filing a separate permit application.

2011.03.30.3154 – **Add Kitchen/ Legalize Dwelling Unit**- the permit now before you:

We wish to add a stove for my parents, replace a small sink with a legitimate kitchen sink, and add an interior door and non-structural wall at an open stairway. Neither this permit nor any of the previous permits add to the legal height of our building. Neither this permit nor any of the previous permits add usable floor space. Neither this permit nor any of the previous permits expand the building envelope at all.

EXHIBIT E: DECISIONS

**by the BOARD of
APPEALS and BOARD
of SUPERVISORS**

**Pt. 1: BOARD OF APPEALS
MEETING MINUTES
WEDNESDAY, NOV. 3, 2010**

November 3, 2010

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES - WEDNESDAY, NOV. 03, 2010

**5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B.
GOODLETT PLACE**

PRESENT: President Tanya Peterson, Vice President Kendall Goh, Commissioner Frank Fung and Commissioner Michael Garcia.

Francesca Gessner, Deputy City Attorney, Office of the City Attorney (OCA); Laurence Kornfield, Deputy Director, Department of Building Inspection (DBI); Scott Sanchez, Zoning Administrator (ZA); Carla Short, Department of Public Works Bureau of Urban Forestry (DPW BUF); Cynthia Goldstein, Executive Director, Victor Pacheco, Legal Assistant.

ABSENT: Commissioner Chris Hwang.

(1) **PUBLIC COMMENT:**

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

SPEAKERS: Anonymous Speaker spoke about a City Attorney memorandum dated October 6, 2010 regarding the qualifications of Board members, about the legal concept of "home rule" and inaccuracies he believes exist in the memo. He also spoke about the qualifications of Board members.

(2) **COMMISSIONER COMMENTS & QUESTIONS:**

SPEAKERS: President Peterson thanked the parties and the public for attending, given that activities in the Civic Center area made access to City Hall difficult, and stated that items would only be heard once all parties and their representatives are in attendance.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES:**

Discussion and possible adoption of the October 20, 2010 minutes.

ACTION: Upon motion by President Peterson, the Board voted 4-0-1 (Commissioner Hwang absent) to adopt the October 20, 2010 minutes.

SPEAKERS: None.

PUBLIC COMMENT: None.

(4) **ADDENDUM ITEMS:**

(4a) **JURISDICTION REQUEST:**

Subject property at 10 Lundys Lane. Letter from John & Catherine Soto, requestors, asking that the Board take jurisdiction over BPA No. 2010/03/17/8393, which was issued on March 22, 2010. The appeal period ended April 06, 2010, and the Jurisdiction Request was received at the Board office on Oct. 18, 2010. Permit Holder: Sam Ball. Project: remodel within envelope; new windows at rear; skylights; voluntary strengthening; replace rear awning with overhang; new bathroom; remodel bathroom; new interior stairs; modify front stairs for head height.

ACTION: Upon motion by President Peterson, the Board voted 4-0-1 (Commissioner Hwang absent) to deny the request.

SPEAKERS: John Soto, requestor; Sam Ball, permit holder; Brett Gladstone, attorney for permit holder; Scott Sanchez, ZA.

SPEAKERS: Steve Lightfoot, attorney for appellant; Diane Rosen, appellant; Teresa Guillan, agent for appellant; Benjamin Pierce, permit holder; Muriel Maffre, permit holder; Scott Sanchez, ZA; Laurence Kornfield, DBI.

PUBLIC COMMENT: Judith Rosen spoke in support of the appellant. Dugan Moore and Dave Gardner spoke in support of the permit holders.

(10) APPEAL NO. 10-101

<p>JOHN & CATHERINE SOTO, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent</p>	<p>10 Lundys Lane. Protesting the issuance on Aug. 27, 2010, to Sam Ball, Permit to Alter a Building (revision to BPA No. 2010/03/17/8393; cost savings; revise plans to show rear walls demolished and rebuilt in kind; upon exposing structure the walls were found to be unsalvageable; comply with NOV's). APPLICATION NO. 2010/08/27/9763. FOR HEARING TODAY.</p>
---	--

ACTION: Upon motion by President Peterson, the Board voted 3-1-1 (Vice President Goh dissented and Commissioner Hwang absent) to deny the appeal and uphold the permit on the basis that the structure that encroaches into the required rear yard was built before the 1978 Planning Code and is a legal, non-complying structure.

SPEAKERS: John Soto, appellant; Brett Gladstone, attorney for appellant; Ann Hughes, agent for permit holder; Sam Ball, permit holder; Seth Boor, agent for permit holder; Scott Sanchez, ZA; Laurence Kornfield, DBI.

PUBLIC COMMENT: Robert Costello, Vikki Riverstone, Joseph Smooke and Peter Stein spoke in support of the permit holder. Deborah Zell spoke in support of the appellants.

ADJOURNMENT.

There being no further business, President Peterson adjourned the meeting at 10:30 p.m.

This summary statement is provided by the speaker. The content is neither generated by, nor subject to approval or verification of accuracy by, the San Francisco Board of Appeals.

Comments submitted under Item 1: General Public Comment

Good afternoon Commissioners,

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 11, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors	Monday 1:00 PM
Public Safety Committee Supervisors	1st and 3rd Monday 10:30 AM
Rules Committee Supervisors	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 4

101544 [Affirming the Exemption Determination - 10 Lundys Lane]

Motion affirming the determination by the Planning Department that the project located at 10 Lundys Lane is exempt from environmental review. (Clerk of the Board)

Motion No. M11-12

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101545 [Reversing the Exemption Determination - 10 Lundys Lane]

Motion reversing the determination by the Planning Department that the 10 Lundys Lane project is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101546 [Preparation of Findings to Reverse the Exemption Determination - 10 Lundys Lane]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 10 Lundys Lane is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.**101547 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 134-136 Ord Street Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 8, 2010, Case No. 2009.1124DDV, that a project located 134-136 Ord Street is exempt from environmental review under Categorically Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves construction of a new single-family home at the front of the subject lot, which new building would be located in front of an existing building on the lot, Lot No. 004 in Assessor's Block No. 2657. (District 8) (Appellant: Corbett Heights Neighbors) (Filed December 9, 2010; Companion Measure to File Nos. 101548, 101549, 101550.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers. The President continued the public hearing open to March 1, 2011.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

January 19, 2011

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES - WEDNESDAY, JAN. 19, 2011

5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B.
GOODLETT PLACE

PRESENT: President Kendall Goh, Vice President Michael Garcia, Commissioner Frank Fung, Commissioner Chris Hwang and Commissioner Tanya Peterson.

Francesca Gessner, Deputy City Attorney, Office of the City Attorney (OCA); Joseph Duffy, Senior Building Inspector, Department of Building Inspection (DBI); Scott Sanchez, Zoning Administrator (ZA); John Kwong, Department of Public Works, Bureau of Street Use and Mapping (DPW); Dr. Johnson Ojo, Department of Public Health; Cynthia Goldstein, Executive Director; Victor Pacheco, Legal Assistant.

(1) **PUBLIC COMMENT:**

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

SPEAKERS: Ray Hartz spoke about his prior public comment regarding the qualifications of Board members and a related City Attorney opinion. He also spoke about the election of Board officers and his desire for Board members to have an open attitude toward members of the public when they raise issues concerning the operations, policies and procedures of the Board. He spoke about the recommendations made by City agencies appearing before the Board, his perception that the Board members tend to defer to these recommendation, and the impact of this on members of the public.

(2) **ELECTION OF OFFICERS:**

Election of President and Vice President to serve for a one-year term.

ACTION: Upon motion by President Peterson, the Board voted 5-0 to elevate Vice President Goh to the office of President. Upon motion by President Goh, the Board voted 2-3 (Commissioners Fung, Garcia and Peterson dissented) to elevate Commissioner Hwang to the office of Vice President. Lacking the three votes needed to pass, the motion failed. Upon motion by Commissioner Fung, the Board voted 3-2 (President Goh and Commissioner Hwang dissented) to elevate Commissioner Garcia to the office of Vice President.

PUBLIC COMMENT: None.

(3) **COMMISSIONER COMMENTS & QUESTIONS:**

SPEAKERS: None.

(4) **ADOPTION OF MINUTES:**

Discussion and possible adoption of the Jan. 12, 2011 minutes.

ACTION: Upon motion by President Goh, the Board voted 5-0 to adopt the January 12, 2011 minutes as revised.

SPEAKERS: None.

PUBLIC COMMENT: None.

(5) **ADDENDUM ITEMS:**

(5a) **REHEARING REQUEST:**

Subject property at 10 Lundys Lane. Appeal No. 10-101, Soto vs. DBI, decided Nov. 03, 2010. At that time, the Board voted 3-1-1 to uphold the subject permit on the basis that the construction pre-dates the 1978 Planning Code change, and is a legal non-complying structure. Permit Holder: Sam Ball. Project: revision to BPA No. 2010/03/17/8393; cost savings; revise plans to show rear walls demolished and rebuilt in kind; upon exposing structure the walls were found to be unsalvageable; comply with NOV's; BPA No. 2010/08/27/9763.

ACTION: Upon motion by Commissioner Peterson, the Board voted 5-0 to deny the Rehearing Request.

SPEAKERS: John Soto, requestor; Brett Gladstone, attorney for permit holder; Scott Sanchez, ZA.

PUBLIC COMMENT: Rachel Chalmers, Mary Lou Cranna, Anna Marjavi and Kristina De

Nike spoke in support of the permit holder.

(5b) APPEAL NO. 10-073

<p>HOUSING CORPS INC., Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>281 Turk Street. Protesting the issuance on May 24, 2010, to Bay Drugs LLC, Permit to Alter a Building (remodel bath, heating, upgrade electrical, partition walls; replace ceiling tile in grid; all work at commercial unit; vacant locksmith to pharmacy). APPLICATION NO. 2010/05/21/2975. Public Hearing held and closed on Oct. 6, 2010. Motion to grant appeal conditioned upon adoption of findings approved on Oct. 13, 2010. Motion to re-open public hearing and receive additional evidence approved on Dec. 15, 2010. PUBLIC HEARING FOR FURTHER CONSIDERATION AND POSSIBLE ACTION TODAY to re-consider the merits of the appeal and/or to adopt findings in support of the Oct. 13, 2010 motion. Note: Public Comment limited to new material submitted post-Oct. 6, 2010.</p>
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ACTION: Upon motion by President Goh, the Board voted 5-0 to designate the court reporter’s transcript as the official record of this matter. Upon motion by Vice President Garcia, the Board voted 2-3 (President Goh, Commissioner Fung and Commissioner Hwang dissented) to deny the appeal and uphold the permit. Lacking the three votes needed to pass, the motion failed. With no further motion made, the permit is upheld as a matter of law.

SPEAKERS: Diana Sam, attorney for permit holder; Colin Dougherty, agent for permit holder; Shaughn Morgan, appellant; Joseph Duffy, DBI.

PUBLIC COMMENT: M.J. Isabell, Mohammed Allababidi, Leonor Gomez Trejo, Mark Blackwood, Jennifer Bickers, Oscar Peña and Norma Carrera spoke in support of the appellant.

(6) APPEAL NO. 10-121

EXHIBIT F –HISTORY OF COMMUNICATION between ARCHITECT SETH BOOR and NW BERNAL DESIGN REVIEW BOARD

From: "brandonpowell@mac.com" <brandonpowell@mac.com>
Date: October 20, 2010 10:35:35 AM PDT
To: Seth Boor <sboor@boorbridges.com>
Subject: **Re: 10 Lundys Recollections**
Reply-To: "brandonpowell@mac.com" <brandonpowell@mac.com>

That sounds fine. Good luck!

Sent on the Sprint® Now Network from my BlackBerry®

From: Seth Boor <sboor@boorbridges.com>
Date: Wed, 20 Oct 2010 13:02:40 -0400
To: brandonpowell@mac.com<brandonpowell@mac.com>
Subject: RE: 10 Lundys Recollections

Brandon,

Thank you for the response. I believe I understand.

I would like to indicate that you did eventually agree to approve the dwelling unit part of the project based on Julian Banales' interpretation of the code. But I will be careful to qualify with the board's belief that the additional unit should trigger parking and the fact that you feel it is an oversight of the language in 242 that you plan to address.

Let me know if that is still off the mark.

As you know, even if the appeals board upholds our original permit we will still be in the same situation of issuing a 311 notification to add the dwelling unit. We fully expect and welcome the discussion around this issue. Although we wish it were a little more neighborly and open on the part of some...

Best,
Seth

From: brandonpowell@mac.com [mailto:brandonpowell@mac.com] **Sent:** Wednesday, October 20, 2010 9:46 AM **To:** Seth Boor **Subject:** Re: 10 Lundys Recollections

Seth, Generally correct, but I think that characterizing the board as generally

supportive of the additional dwelling unit is inaccurate. Ultimately we were generally opposed but acknowledged that there was no basis for that position with a literal reading of the code. We maintain that the project is not within the spirit of the Elsie Street Plan, and we will seek the modification of the code to close what we consider to be a loophole. Regards, Brandon
Sent on the Sprint® Now Network from my BlackBerry®

From: Seth Boor <sboor@boorbridges.com>

Date: Wed, 20 Oct 2010 12:29:27 -0400

To: Brandon Powell (brandonpowell@mac.com)<brandonpowell@mac.com>

Subject: 10 Lundys Recollections

Hi Brandon,

We are preparing our reply to the Appellants brief for 10 Lundys. I am reviewing our early communications with your board and I want to make sure I do not misrepresent. We are answering accusations of 'serial permitting' and of misleading people about our project. We strongly feel these charges are misplaced.

Below are my recollections put together from email and plans on file. Please let me know if you agree or have different impressions. I am happy to send along the relevant emails I am referencing for your review.

Thanks again for your professionalism and helpfulness throughout this project.

Best,
Seth

11/09 - I first contacted the design review board describing our project and requesting a preliminary review

12/09 - met with 2 members of bernal design board for preliminary review of schematic plans. We presented plans with the whole project on it including lower floor dwelling unit. In conversation the general feeling was the dwelling unit would definitely require full review by the board, the alteration would not as long as planning did not consider it as requiring 311

12/9 - followed up by email, indicated that we would not pursue the lower dwelling unit as part of this permit.

1/10 - design board followed up w/ Letter of Understanding via email. gave us approval for the project and indicated our agreement to perform a neighborly outreach to the properties immediately touching our property lines (12 Lundys and 8 Lundys), as well as the three structures directly behind the subject property (7,9 and 11 Coleridge).

3/10 - emailed board to say we completed our outreach with no objections, and that we had received planning department approval.

6/10 - emailed board to say we would like to begin process for reviewing the dwelling unit addition. requested time to present formally.

8/4/10 - presented to board after mailing their required pre-notification package. board generally supported design but was concerned about lack of parking variance and requested consult with planning

8/10 - Julian Banales confirms interpretation of 242 that parking not required if less than 200 sf added

9/2/10 - board indicates approval, will begin drafting letter

9/24/10 - we respond that complaints have caused us to defend our permit with the board of appeals... will not be pursuing dwelling unit until resolved

seth boor, aia

boor bridges architecture

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t: 415 241 7163

f: 415 241 7164

sboor@boorbridges.com

www.boorbridges.com



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08/04/10 NWBH Design Review

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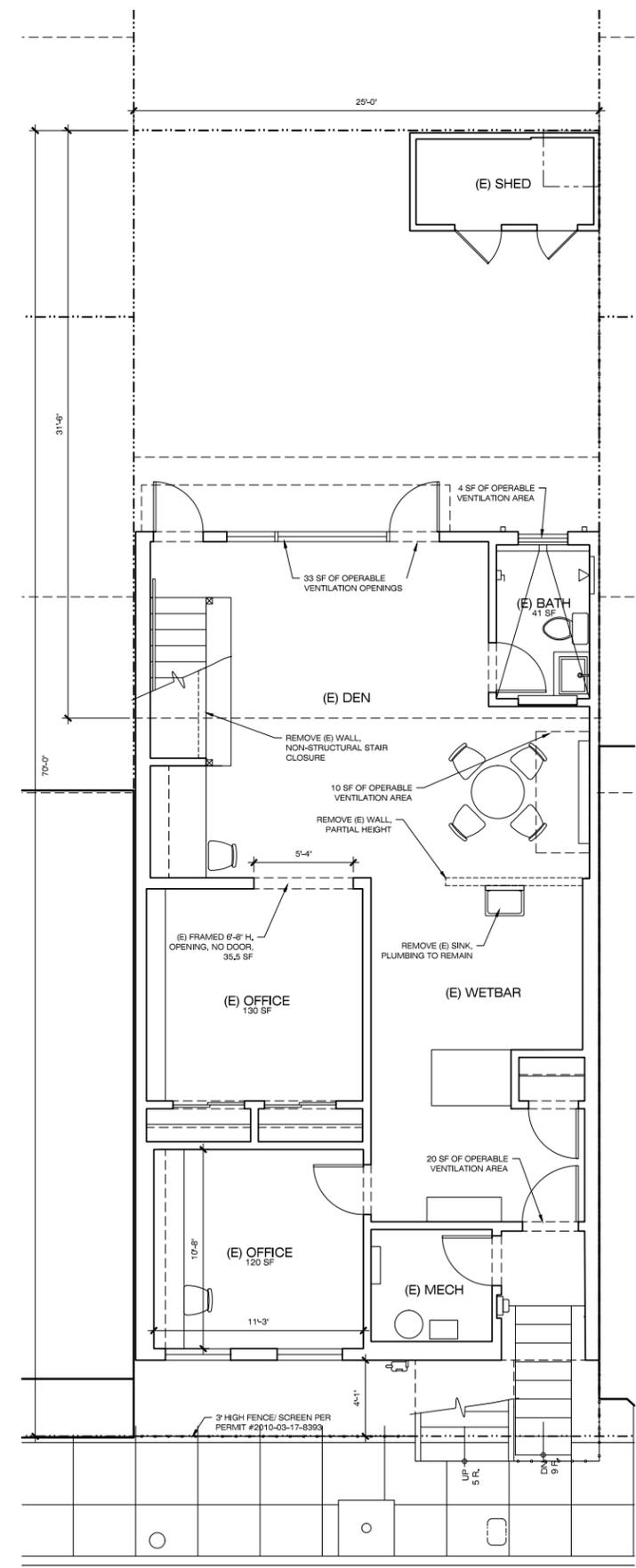
PROJECT **Lundy's Lane**
10 Lundy's Lane
San Francisco, CA 94110

NUMBER 200921

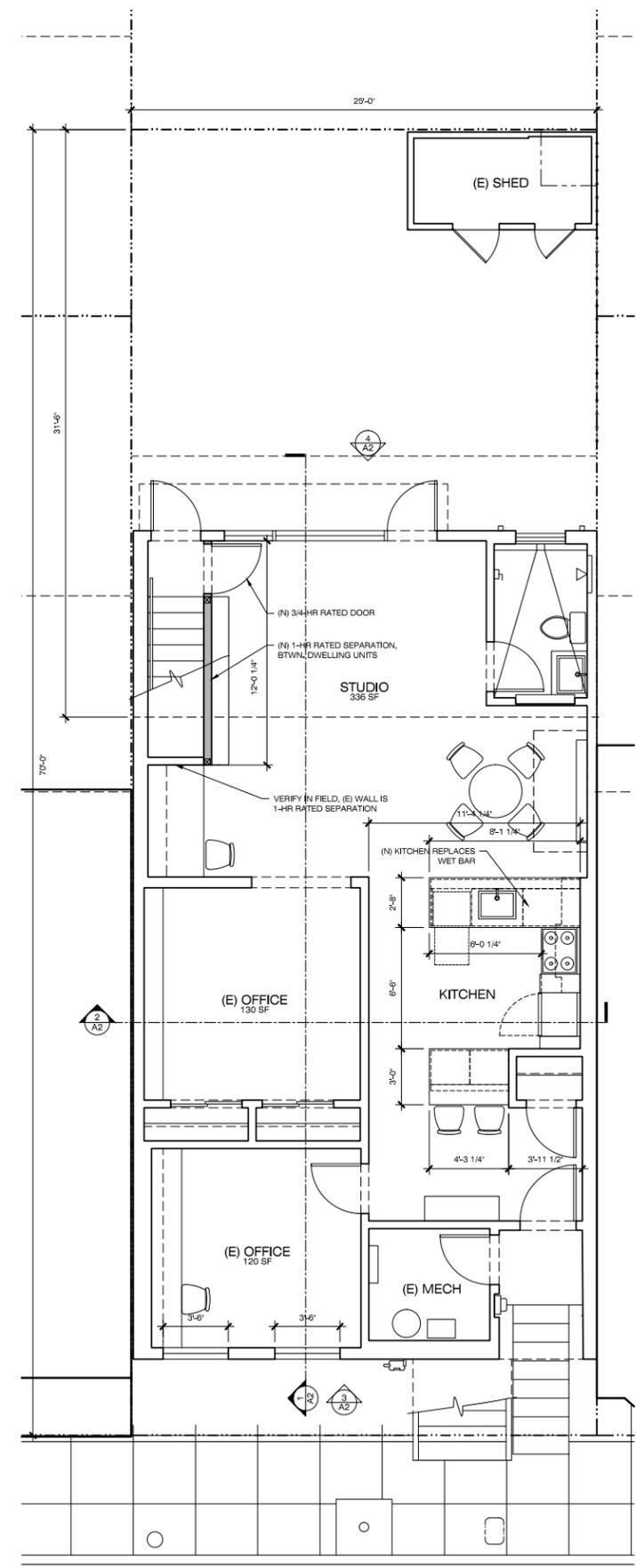
CONTACT Seth Boor - 415 241 7163

FLOOR PLANS &
REFLECTED CEILING PLAN

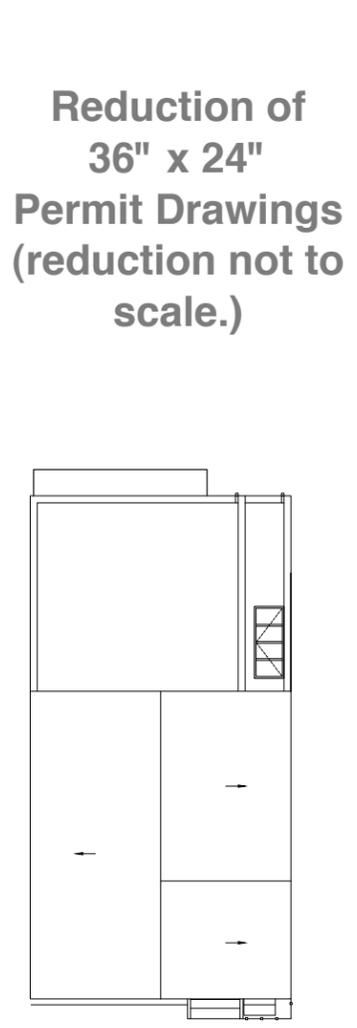
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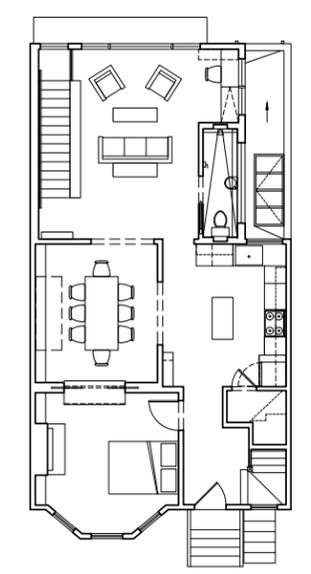
1 EXISTING/ DEMOLITION PLAN - 1ST FLOOR
1/4" = 1'-0"



2 PROPOSED PLAN - 1ST FLOOR
1/4" = 1'-0"

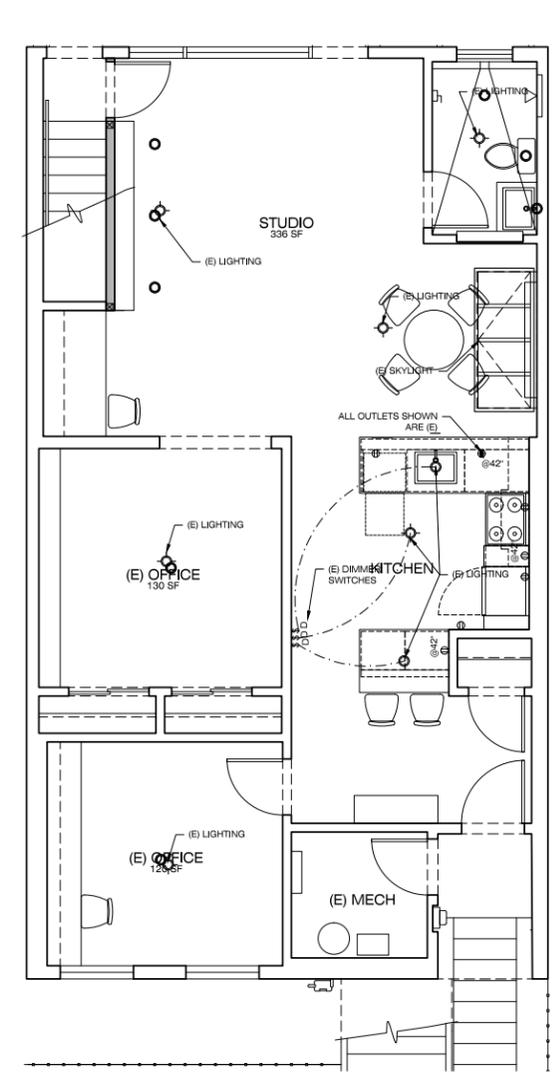


5 PLAN - ROOF - NO WORK
1/8" = 1'-0"

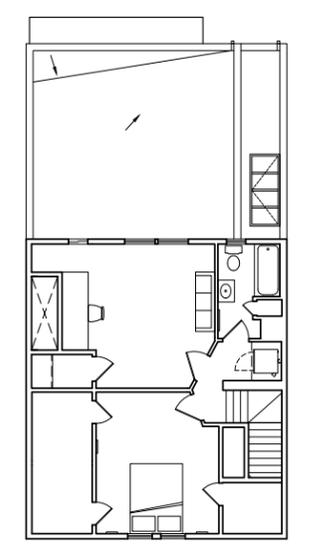


3 PLAN - 2ND FLOOR - NO WORK
1/8" = 1'-0"

Reduction of
36" x 24"
Permit Drawings
(reduction not to
scale.)



6 REFLECTED CEILING PLAN - 1ST FLOOR
1/4" = 1'-0"



4 PLAN - 3RD FLOOR - NO WORK
1/8" = 1'-0"

3/29/2011 C:\Don\Projects\200921-Lundy's Lane\Drawings\200921 - Dwelling Unit Permit\A1 - PLANS.dwg SETH BOOR

10 Lundys Lane: Existing Façade Before Construction.





existing lower entry area & gate

Front Facade - Existing Before Construction

photo taken 2009-08-24



siding removed to raise head height of lower entry per original permit, will be replaced to match existing

Front Facade - Construction Progress

photo taken 2010-12-08

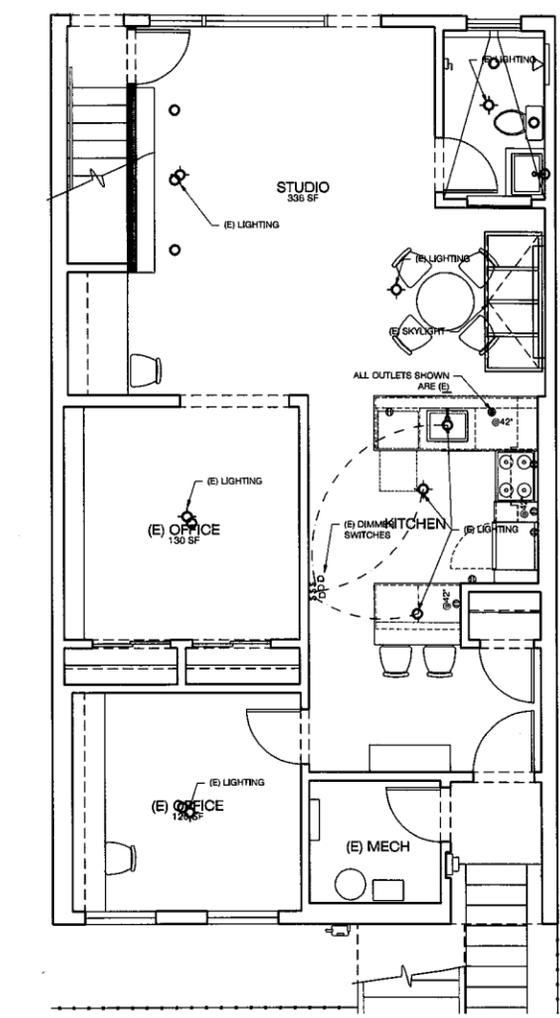
Site Photographs

10 Lundys Ln near the end of Phase I Construction

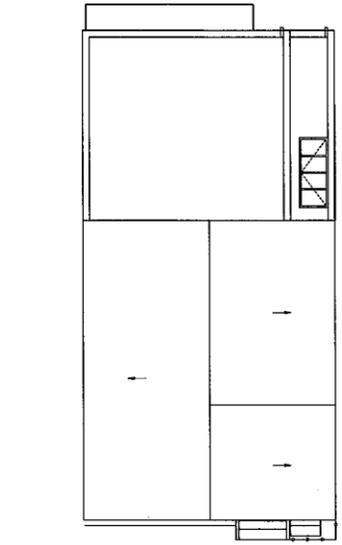




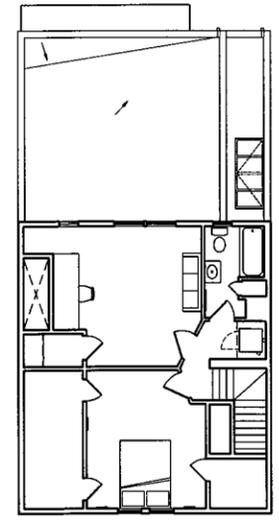
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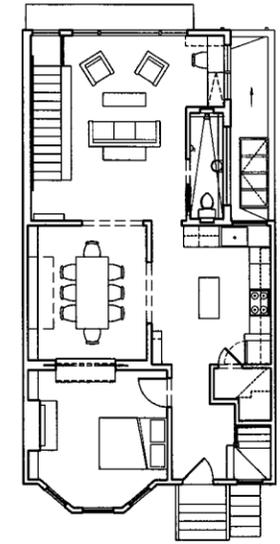
6 REFLECTED CEILING PLAN - 1ST FLOOR
1/4" = 1'-0"



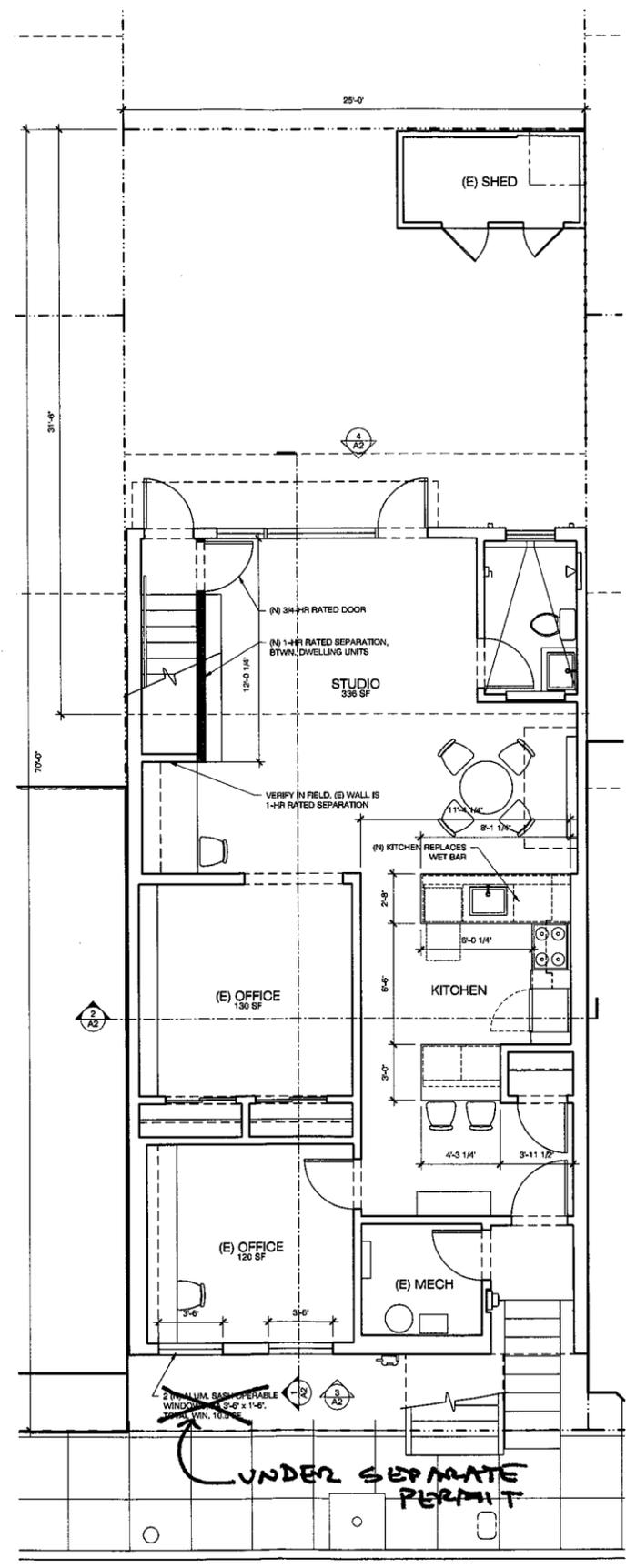
5 PLAN - ROOF - NO WORK
1/8" = 1'-0"



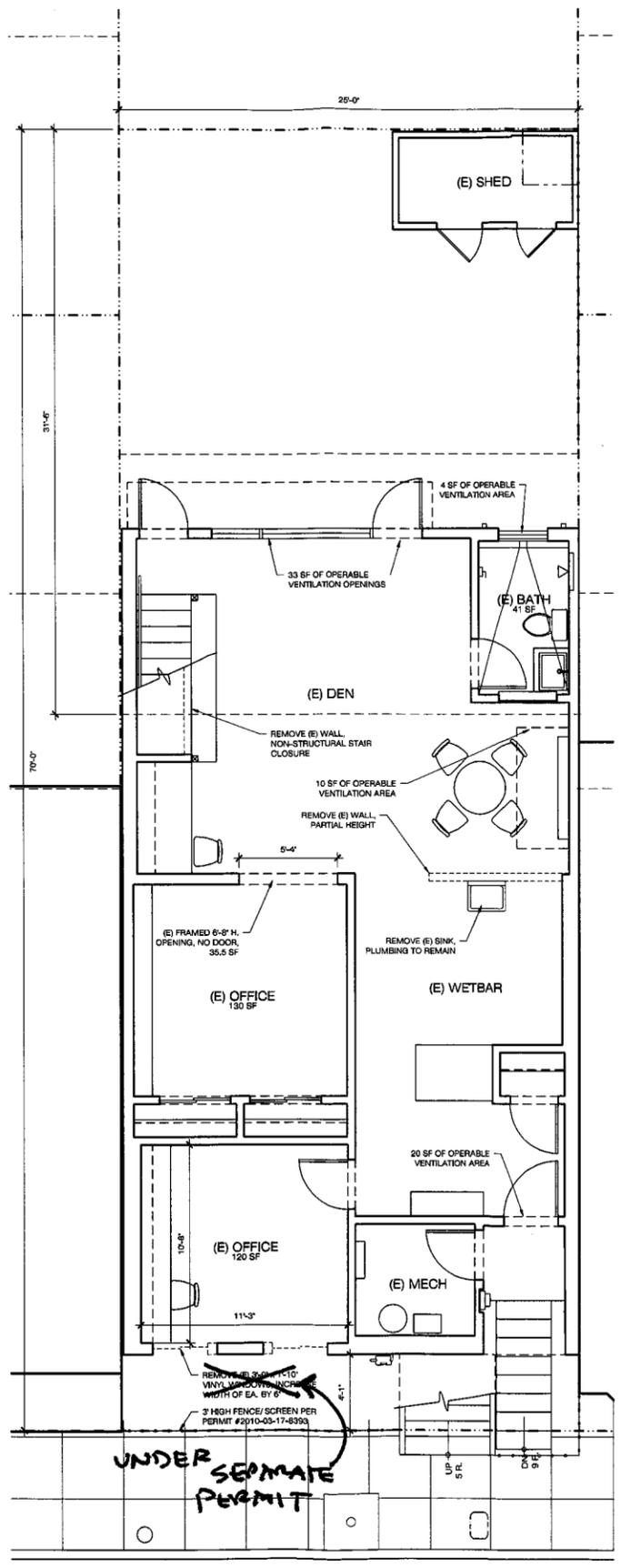
4 PLAN - 3RD FLOOR - NO WORK
1/8" = 1'-0"



3 PLAN - 2ND FLOOR - NO WORK
1/8" = 1'-0"



2 PROPOSED PLAN - 1ST FLOOR
1/4" = 1'-0"



1 EXISTING/ DEMOLITION PLAN - 1ST FLOOR
1/4" = 1'-0"

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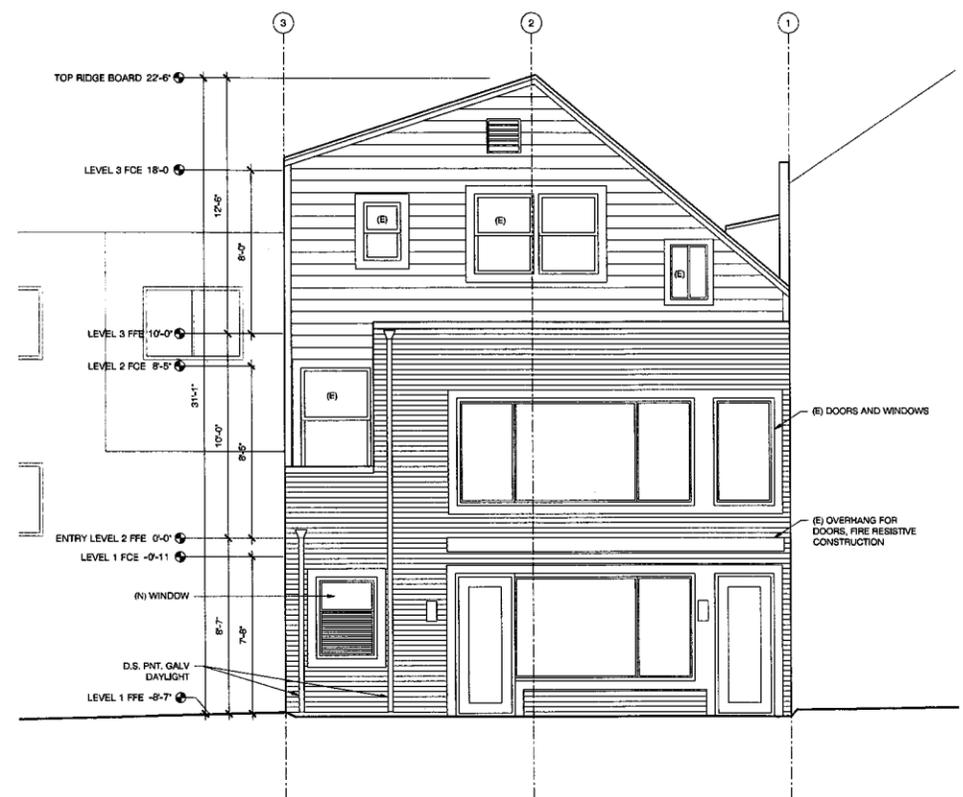
NUMBER 200921
CONTACT Seth Boor - 415 241 7163

FLOOR PLANS & REFLECTED CEILING PLAN

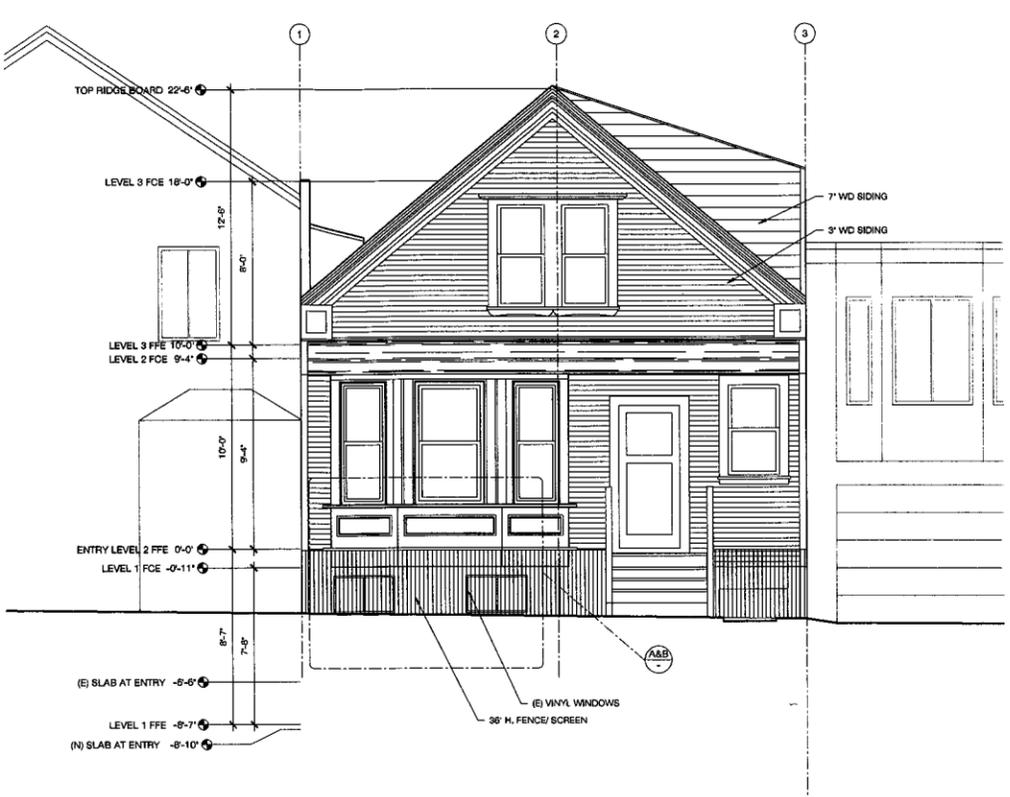
A1



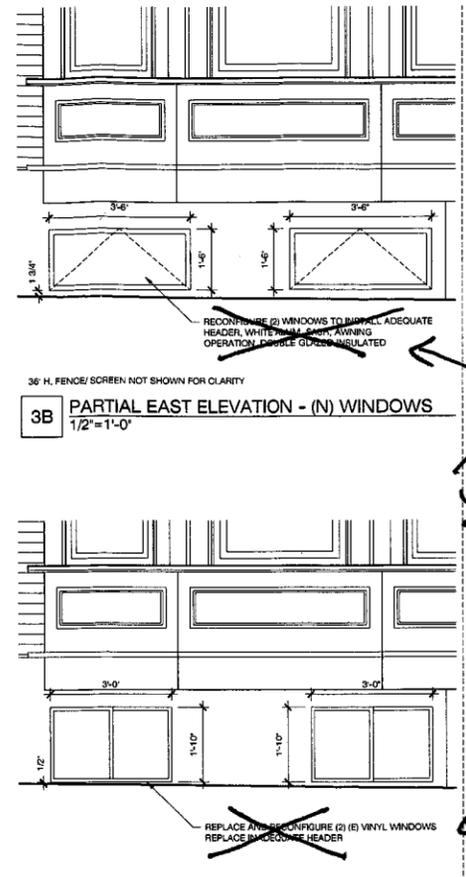
UNDER SEPARATE PERMIT



4 WEST ELEVATION - REAR - NO CHANGES
1/4"=1'-0"

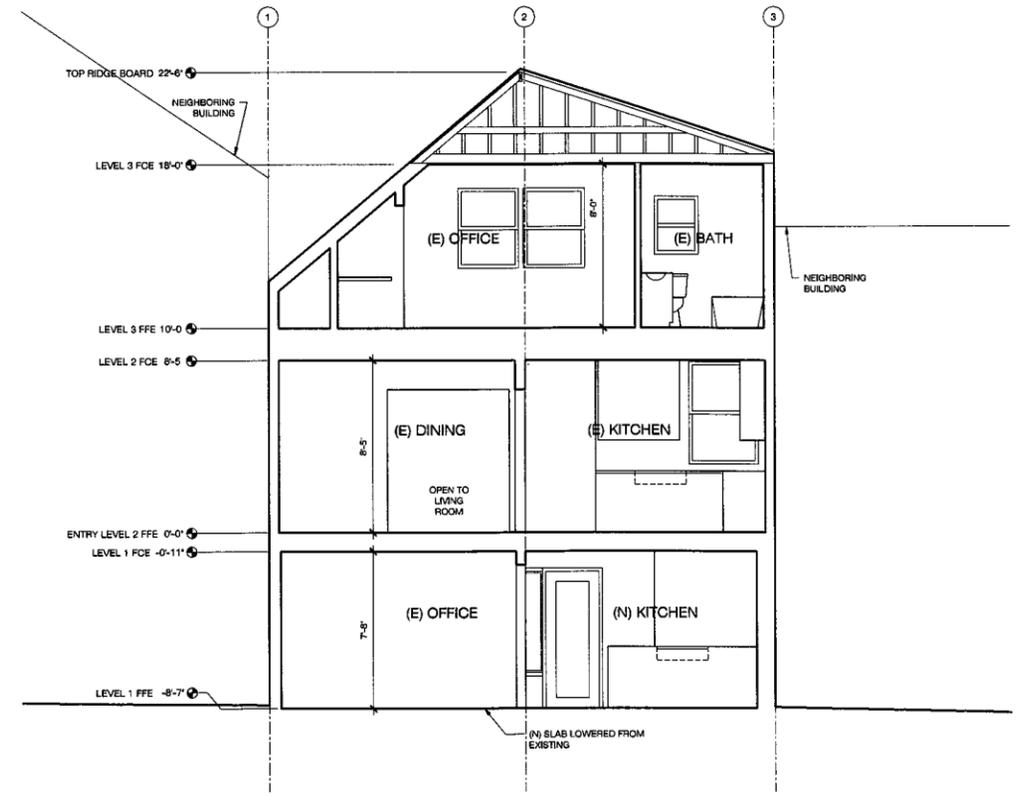


3 EAST ELEVATION - FRONT - EXISTING
1/4"=1'-0"

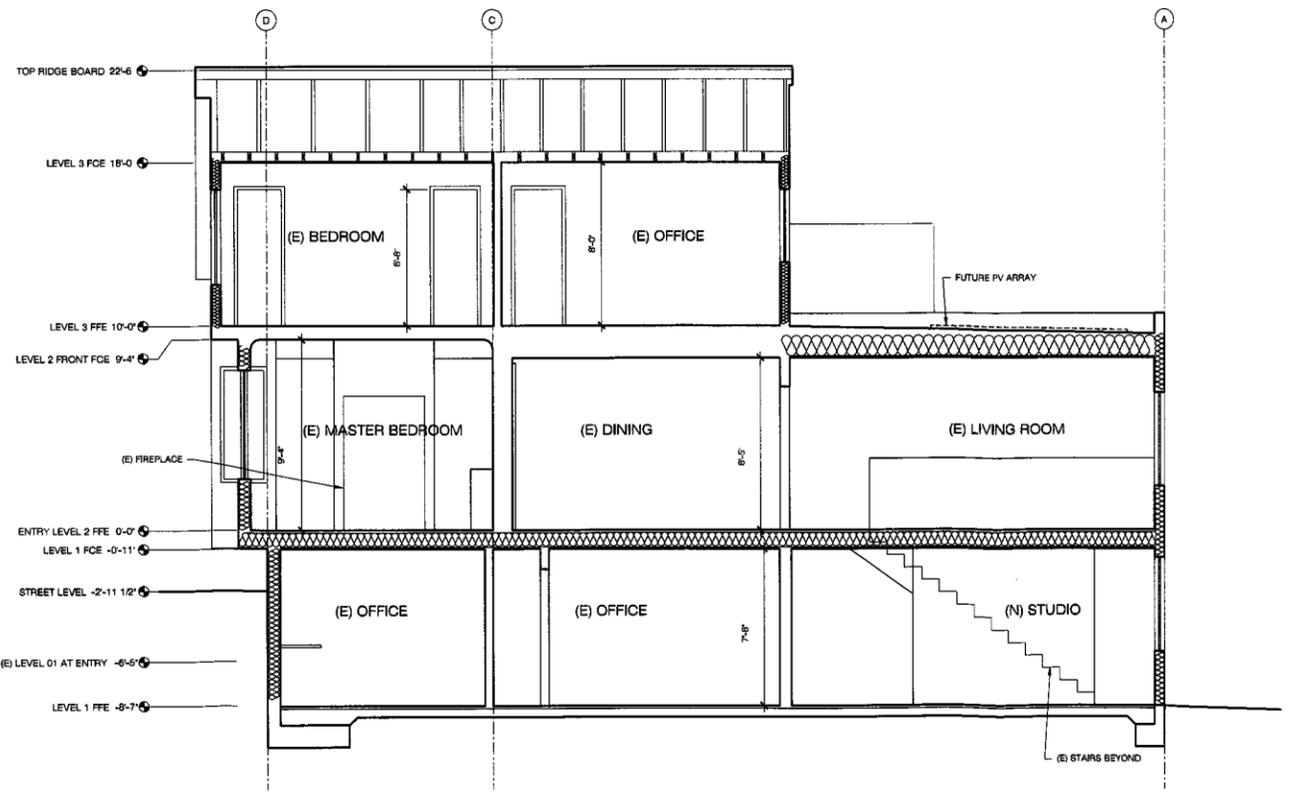


3B PARTIAL EAST ELEVATION - (N) WINDOWS
1/2"=1'-0"

3A PARTIAL EAST ELEVATION - (E) WINDOWS
1/2"=1'-0"



2 BUILDING CROSS SECTION
1/4"=1'-0"



1 BUILDING LONG SECTION
1/4"=1'-0"

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BUILDING SECTIONS AND ELEVATIONS
A2