



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Full Analysis

HEARING DATE DECEMBER 14, 2017

*Date:* December 7, 2017  
*Case No.:* 2015-008473DRP  
*Project Address:* 531 30<sup>th</sup> Street  
*Permit Application:* 2015.09.14.6920  
*Zoning:* RH-2 (Residential House, Two-Family)  
40-X Height and Bulk District  
*Block/Lot:* 6651/020  
*Project Sponsor:* Bana Inc.  
71 Blake Street  
San Francisco, CA 94118  
*Staff Contact:* Nancy Tran – (415) 575-9174  
[nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)  
*Recommendation:* **Do not take DR and approve the project as proposed**

1650 Mission St.  
Suite 400  
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**415.558.6378**

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**415.558.6409**

Planning  
Information:  
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### PROJECT DESCRIPTION

The proposal is to construct an approximately 640 gross square foot vertical addition to the existing single-family residence. The Project includes interior remodeling and exterior changes to roofing and windows. No other work is proposed on site. A Variance hearing for the proposed construction yard was held by the Zoning Administrator on July 26, 2017.

### SITE DESCRIPTION AND PRESENT USE

The Project is located on the south side of 30<sup>th</sup> Street, between Laidley and Noe Streets, Block 6651, Lot 020. The subject property is located within the RH-2 (Residential-House, Two Family) Zoning District and the 40-X Height and Bulk District. The property is developed with an existing two-story single-family residence constructed circa 1900 and sited wholly within the rear yard.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located on the northern side of Glen Park bordering Noe Valley and in Supervisor District 8. Parcels within the immediate vicinity consist of residential single-, two- and three-family dwellings of varied design and construction dates. Properties on the south side of 30<sup>th</sup> Street laterally slope up from the street toward Laidley Street. Billy Goat Hill Park is located west of the subject property.

## BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	Jul 17, 2017 – Aug 16, 2017	Aug 24, 2017	Dec 14, 2017	112 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	Dec 4, 2017	Dec 4, 2017	10 days
Mailed Notice	10 days	Dec 4, 2017	Dec 4, 2017	10 days

## PUBLIC COMMENT

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

## DR REQUESTOR

Benjamin Cook & Diana Searce, 21 Laidley Street, San Francisco, CA 94131

Requestor is the adjacent abutter located south of the subject property.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

**Issue #1:** The Project is out-of-scale with respect to height and appears to exceed the height maximum based on slope.

**Issue #2:** The Project will impact light, air and privacy.

**Alternative Proposed:** The DR Requestor recommends reducing the proposed vertical addition's height to 7', lowering the roof ridge and providing a hipped roof over west wall of the dressing room. The dressing room/closet should be reduced along the west wall and its southerly window should be omitted or relocated to increase privacy.

See attached *Discretionary Review Application*, dated August 24, 2017.

## PROJECT SPONSOR'S RESPONSE

**Issue #1:** The proposal's "scale of development" is "appropriate" and "consistent with the location of adjacent buildings." The DR Requestor erroneously contends that the Project Sponsor built the existing house at the rear of the lot and the proposed addition would exceed the 40' height maximum. The nonconforming building was constructed in 1900 prior to the Project Sponsor's purchase and the proposal's height is within the allowable height limit. The DR Requestor's referenced Code section with respect to height reduction based on slope is a nonissue as the property's slope (less than 20%) is higher than the at the front property, not lower.

**Issue #2:** The subject property is considered a corner lot and was constructed in the rear yard before current Planning Code regulations. Corner lots "usually do not, and are not required to contribute to mid-block open spaces which are intended to enhance the free flow of air and light within a block. The property in question has no mid-block open space and therefore cannot provide light and air." Further, the existing structure abuts "the DR Requestor's side building wall" and cannot "be required to provide light and air for those properties in its immediate vicinity." The Project Sponsor met with the DR Requestor and was amenable to modifications to the roof slope/form and removal of the dressing room window to provide additional privacy. The Project Sponsor, however, did not agree to the request for reducing massing at the easterly portion (dressing room/closet) since it is located 15' from the DR Requestor's building and would not cause impacts to light and air.

See attached *Response to Discretionary Review*, dated November 28, 2017.

## PROJECT ANALYSIS

The subject property is an upsloping mid-block lot located in an area of mixed visual character and scale. Houses across from the subject property appear to be one story over garage and those on the block face range from one to three levels over garage. The reduced height limit from 40' to 35' as mentioned by the DR Requestor is applicable when "the average ground elevation at the rear line of the lot is *lower* by 20 or more feet than at the front line thereof;" this does not apply to the subject *upsloping* lot where the rear property line is approximately 15'5" *higher* than the front. The proposed vertical addition will be approximately 36'5" in height (from existing building grade to roof midpoint) and is below the allowable 40' height limit for RH-2 zoned properties per Planning Code Section 261.

The proposed vertical addition maintains the existing building footprint which is 3'6" set back from the rear property line and increases to 10' at the addition's easterly portion. The project is appropriately configured to respond to adjacent building conditions. The provided setback, roof form modification and window removal in response to negotiations with the DR Requestor contributes to preserving adjacent light, air and privacy. Both Planning Code and the Residential Design Guidelines state "with any building expansion or new construction, some loss of light and privacy to existing neighboring structures is to be expected." Upon review of the DR Requestor's concerns, the Residential Design Advisory Team does not believe that the proposal presents extraordinary or exceptional circumstances with respect to height, light, air and privacy as ample side spacing is provided.

## ENVIRONMENTAL REVIEW

The Department determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet). Upon review of Environmental Application Case No. 2015-015618ENV, historic preservation staff concluded that the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

## RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Advisory Team (RDAT) reviewed the project following the submittal of the Request for Discretionary Review and found that the proposed project is compatible with the San Francisco Residential Design Guidelines and does not present any exceptional or extraordinary circumstances.

**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.**

## BASIS FOR RECOMMENDATION

- The proposed project meets all applicable requirements of the Planning Code.
- The project is residential and has no impact on neighborhood-serving retail uses.
- Given the scale of the project, there will be no significant impact on the existing capacity of the local street system or MUNI.

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

Design Review Checklist  
Parcel Map  
Sanborn Map  
Aerial Photograph  
Zoning Map  
Height & Bulk Map  
Context Photograph  
CEQA Categorical Exemption Determination  
Section 311 Notice  
DR Notice  
DR Application dated August 24, 2017  
Response to DR Application dated November 28, 2017  
Project Plans



## Design Review Checklist

### NEIGHBORHOOD CHARACTER (PAGES 7-10)

QUESTION	
The visual character is: (check one)	
Defined	
Mixed	X

Comments:

### SITE DESIGN (PAGES 11 - 21)

QUESTION	YES	NO	N/A
<b>Topography (page 11)</b>			
Does the building respect the topography of the site and the surrounding area?	X		
Is the building placed on its site so it responds to its position on the block and to the placement of surrounding buildings?			X
<b>Front Setback (pages 12 - 15)</b>			
Does the front setback provide a pedestrian scale and enhance the street?			X
In areas with varied front setbacks, is the building designed to act as transition between adjacent buildings and to unify the overall streetscape?			X
Does the building provide landscaping in the front setback?	X		
<b>Side Spacing (page 15)</b>			
Does the building respect the existing pattern of side spacing?			X
<b>Rear Yard (pages 16 - 17)</b>			
Is the building articulated to minimize impacts on light to adjacent properties?	X		
Is the building articulated to minimize impacts on privacy to adjacent properties?	X		
<b>Views (page 18)</b>			
Does the project protect major public views from public spaces?			X
<b>Special Building Locations (pages 19 - 21)</b>			
Is greater visual emphasis provided for corner buildings?			X
Is the building facade designed to enhance and complement adjacent public spaces?			X
Is the building articulated to minimize impacts on light to adjacent cottages?			X

Comments:

### BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
<b>Building Scale (pages 23 - 27)</b>			
Is the building's height and depth compatible with the existing building scale at	X		

the street?			
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	X		
<b>Building Form (pages 28 - 30)</b>			
Is the building's form compatible with that of surrounding buildings?	X		
Is the building's facade width compatible with those found on surrounding buildings?	X		
Are the building's proportions compatible with those found on surrounding buildings?	X		
Is the building's roofline compatible with those found on surrounding buildings?	X		

Comments:

### ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
<b>Building Entrances (pages 31 - 33)</b>			
Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building?			X
Does the location of the building entrance respect the existing pattern of building entrances?			X
Is the building's front porch compatible with existing porches of surrounding buildings?			X
Are utility panels located so they are not visible on the front building wall or on the sidewalk?	X		
<b>Bay Windows (page 34)</b>			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?			X
<b>Garages (pages 34 - 37)</b>			
Is the garage structure detailed to create a visually interesting street frontage?			X
Are the design and placement of the garage entrance and door compatible with the building and the surrounding area?			X
Is the width of the garage entrance minimized?			X
Is the placement of the curb cut coordinated to maximize on-street parking?			X
<b>Rooftop Architectural Features (pages 38 - 41)</b>			
Is the stair penthouse designed to minimize its visibility from the street?			X
Are the parapets compatible with the overall building proportions and other building elements?			X
Are the dormers compatible with the architectural character of surrounding buildings?			X
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?			X

Comments:

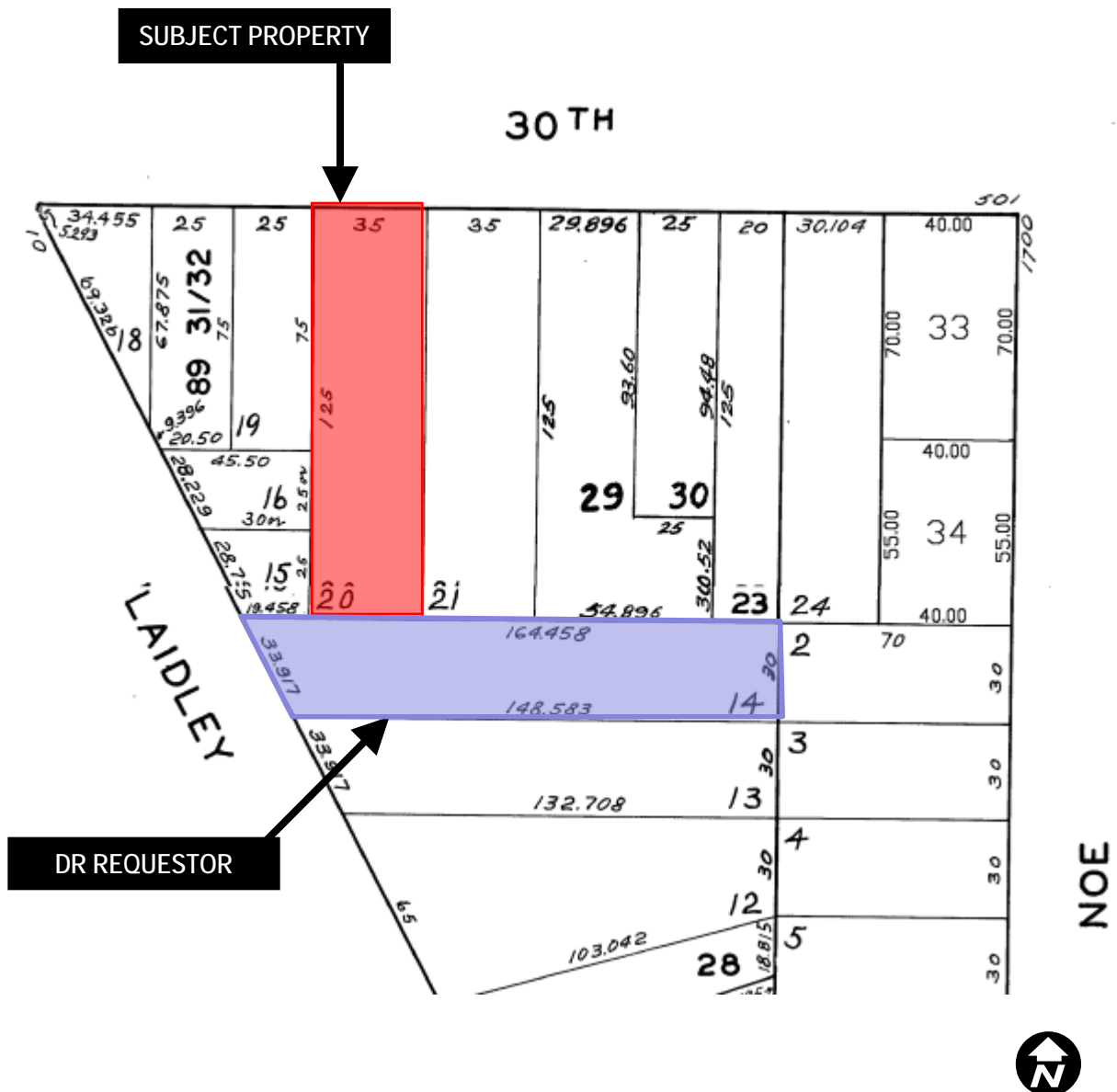
**BUILDING DETAILS (PAGES 43 - 48)**

QUESTION	YES	NO	N/A
<b>Architectural Details (pages 43 - 44)</b>			
Are the placement and scale of architectural details compatible with the building and the surrounding area?	X		
<b>Windows (pages 44 - 46)</b>			
Do the windows contribute to the architectural character of the building and the neighborhood?	X		
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	X		
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	X		
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	X		
<b>Exterior Materials (pages 47 - 48)</b>			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	X		
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?	X		
Are the building's materials properly detailed and appropriately applied?	X		

**Comments:**

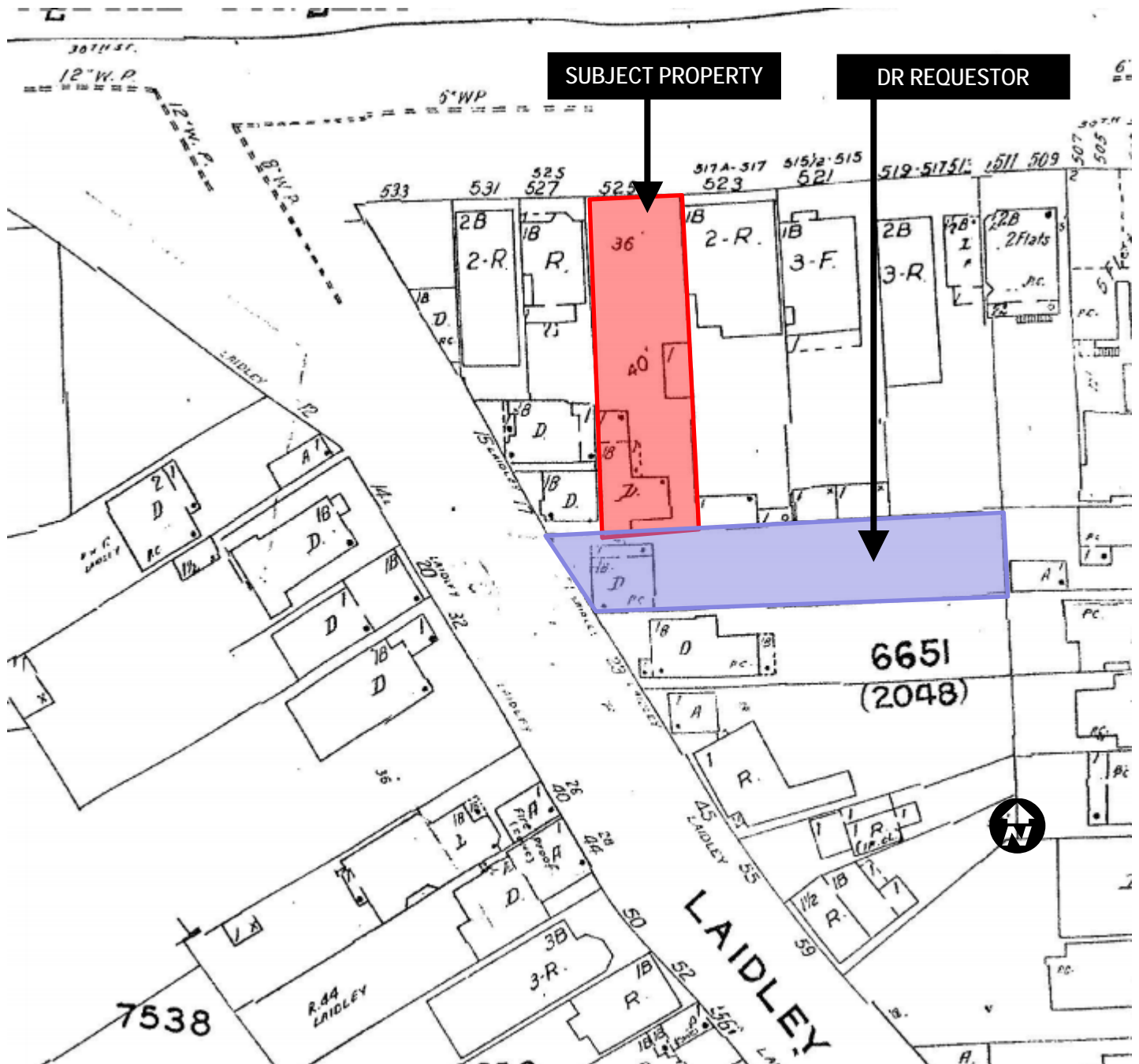
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# Parcel Map



Discretionary Review Hearing  
Case Number 2015-008473DRP  
531 30<sup>th</sup> Street

# Sanborn Map\*



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

Discretionary Review Hearing  
**Case Number 2015-008473DRP**  
 531 30<sup>th</sup> Street

# Aerial Photo

SUBJECT PROPERTY



DR REQUESTOR

Discretionary Review Hearing  
Case Number 2015-008473DRP  
531 30<sup>th</sup> Street



# Zoning Map



Discretionary Review Hearing  
Case Number 2015-008473DRP  
531 30<sup>th</sup> Street

# Context Photo



Discretionary Review Hearing  
Case Number 2015-008473DRP  
531 30<sup>th</sup> Street





# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
531-30th Street		6651/020	
Case No.	Permit No.	Plans Dated	
2015-015618ENV		09/04/2015	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Vertical third-floor addition to an existing two-story single family dwelling. Interior and facade changes.			

### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input checked="" type="checkbox"/>	<b>Class 1 – Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<b>Class</b> _____

### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maier program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maier layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
Comments and Planner Signature (optional): Erica Russell <div style="font-size: small; margin-top: 5px;"> Digitally signed by Erica Russell  DN: cn=Erica Russell, o=City Planning, ou=Environmental Planning, email=Erica.Russell@cityofsf.org  Date: 2016.08.02 15:00:27 -0700 </div>	

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE  
TO BE COMPLETED BY PROJECT PLANNER**

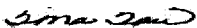
<b>PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)</b>	
<input type="checkbox"/>	<b>Category A: Known Historical Resource. GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	<b>Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.</b>
<input type="checkbox"/>	<b>Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST**  
**TO BE COMPLETED BY PROJECT PLANNER**

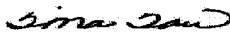
<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the <i>Residential Design Guidelines</i> .
<input type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input checked="" type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW**  
**TO BE COMPLETED BY PRESERVATION PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<b>9. Other work</b> that would not materially impair a historic district (specify or add comments):  <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____
<input checked="" type="checkbox"/>	<b>10. Reclassification of property status.</b> <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C a. Per HRER dated: _____ <i>(attach HRER)</i> b. Other <i>(specify)</i> : _____
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b> Based upon permit history and plans, subject building was drastically altered in 2001 and lacks sufficient integrity. As such, the property is not eligible as a historic resource.	
Preservation Planner Signature: 	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**  
**TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either <i>(check all that apply)</i> : <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA.</b>	
	Planner Name: <b>Tina Tam</b>  Project Approval Action:  <b>Building Permit</b>  If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature:    Digitally signed by tina tam DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=tina tam, email=tina.tam@sfgov.org Date: 2016.10.26 15:00:50 -07'00'
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.		

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT  
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. <b>CEQA FORM</b>	

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



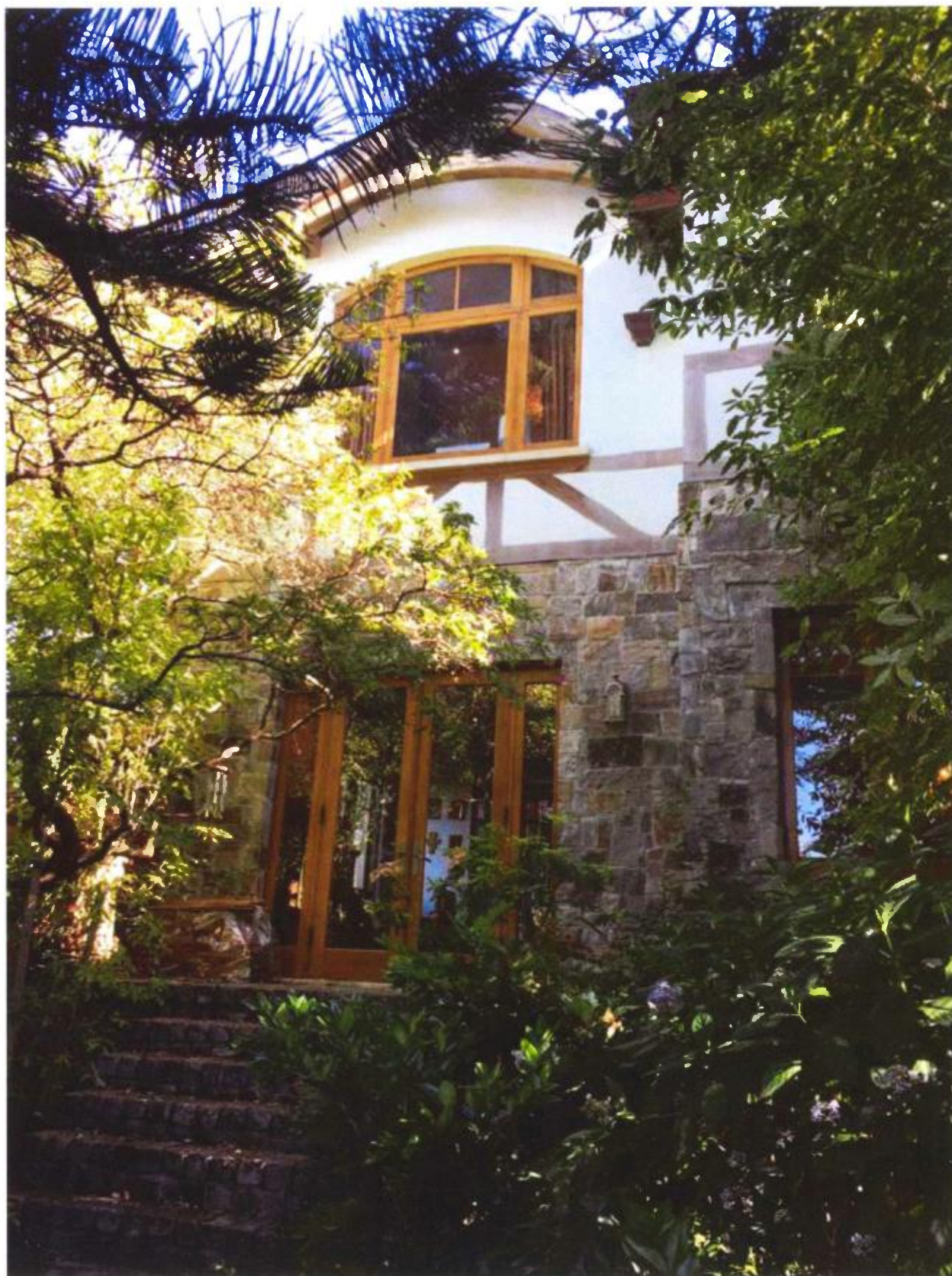


Fig.3 - 531 30th Street – Partial view of front (north) facades, 2016



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **September 14, 2015**, the Applicant named below filed Building Permit Application No. **2015.09.14.6920** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>531 30<sup>th</sup> Street</b>	Applicant:	<b>Bana Inc.</b>
Cross Street(s):	<b>Laidley Street</b>	Address:	<b>71 Blake Street</b>
Block/Lot No.:	<b>6651/020</b>	City, State:	<b>San Francisco, CA 94118</b>
Zoning District(s):	<b>RH-2 / 40-X</b>	Telephone:	<b>(415) 716-9099</b>
Record No.:	<b>2015-015618PRJ</b>	Email:	<b>banainc@icloud.com</b>

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed 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.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	79 feet – 5 inches	No Change
Side Setbacks	3 feet – 4 inches / 1 inch	No Change
Building Depth	42 feet – 1 inch	No Change
Rear Yard	3 feet – 6 inches	No Change
Building Height	26 feet – 1 inch	36 feet – 5 inches
Number of Stories	2	3
Number of Dwelling Units	1	1
Number of Parking Spaces	1	1
PROJECT DESCRIPTION		
The proposal is to construct a third story vertical addition on the existing single-family dwelling. The project includes a rear setback variance request. Information for the Variance hearing will be submitted through a separate notice. See attached plans.		
The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.		

### For more information, please contact Planning Department staff:

Planner: Nancy Tran  
Telephone: (415) 575-9174  
E-mail: nancy.h.tran@sfgov.org

Notice Date: 7/17/17  
Expiration Date: 8/16/17



# GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at [www.communityboards.org](http://www.communityboards.org) for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at [www.sfplanning.org](http://www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org). If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

**Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

## BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

## ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at [www.sfplanning.org](http://www.sfplanning.org). An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.



VERTICAL ADDITION FOR SINGLE FAMILY DWELLING

531 30TH STREET

SAN FRANCISCO CA 94131

COVER SHEET, PROJECT DATA, WINDOW DETAIL

A0

A01

A1

A11

A13

A2

A21

A23

A24

A25

GENERAL NOTES:

1. CONTRACTOR SHALL VISIT THE SITE, REVIEW THE BUILDING SHELL DRAWINGS AS SUBMITTED BY THE LANDLORD AND BECOME THOROUGHLY FAMILIAR WITH THE SITE CONDITIONS PRIOR TO BEGINNING OR CONSTRUCTION.

2. ALL WORK SHALL BE PERFORMED IN STRICT COMPLIANCE WITH LOCAL, COUNTY, STATE AND FEDERAL CODES AND ORDINANCES.

3. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES.

4. CONTRACTOR TO VERIFY ALL DIMENSIONS, INCLUDING CLEARANCES REQUIRED BY OTHER TRADES, AND NOTIFY THE LANDLORD OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK. ALL DIMENSIONS ARE TO THE FACE OF THE FINISHED SURFACE UNLESS NOTED OTHERWISE. ALL DIMENSIONS TO BE TAKEN FROM DESIGNATED DATUM POINT. DO NOT SCALE DRAWINGS.

5. CONTRACTOR SHALL PATCH AND REPAIR ALL EXISTING WALLS, FLOORS, CEILINGS OR OTHER SURFACES IDENTIFIED TO REMAIN THAT MAY BECOME DAMAGED DURING THE COURSE OF THE WORK.

6. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING PERMITS FOR THE PROTECTION, PLUMBING, MECHANICAL AND ELECTRICAL SYSTEMS PRIOR TO INSTALLATION OF SUCH SYSTEMS.

SCOPE OF WORK

VERTICAL ADDITION OF THIRD FLOOR (818 SF) FOR EXISTING TWO STORY SINGLE FAMILY DWELLING

VICINITY MAP

SCALE: NTS

PROJECT DATA

PROPERTY OWNER: DEBORA L. GADOLE  
531 30TH STREET, SF, CA 94131  
415-541-7878

BLOCK: 0801  
LOT: 008  
TYPE OF CONSTR: TYPE 1-3  
SPRINKLERS: NON-SPRINKLERED  
NO. OF STORIES: (3) 2, (N) 3  
PRESENT USE: SINGLE FAMILY DWELLING  
(P) OCCUPANCY: R3  
ZONING: RH-2  
HEIGHT & BULK: 48-X

APPLICABLE CODES:

JURISDICTION: CITY AND COUNTY OF SAN FRANCISCO BUILDING CODE:  
2013 CALIFORNIA BUILDING CODE ADVERTISEMENTS  
2013 CALIFORNIA MECHANICAL CODE  
2013 CALIFORNIA ELECTRICAL CODE  
2013 CALIFORNIA PLUMBING CODE  
2013 CALIFORNIA FIRE CODE  
2013 CALIFORNIA ENERGY CODE  
2013 CALIFORNIA FIRE CODE & ALL RELATED  
2013 SAN FRANCISCO BUILDING CODE ORDINANCES  
OF THE CITY & COUNTY OF SAN FRANCISCO

SHEET INDEX

COVER SHEET, PROJECT DATA, WINDOW DETAIL

A0

A01

A1

A11

A13

A2

A21

A23

A24

A25

SCOPE OF WORK

VERTICAL ADDITION OF THIRD FLOOR (818 SF) FOR EXISTING TWO STORY SINGLE FAMILY DWELLING

VICINITY MAP

SCALE: NTS

GROSS AREA SUMMARY TABLE

FLOOR	(C) SQUARE FOOTAGE	(N) TOTAL SQUARE FT	NET CHANGE
GROUND FLOOR	1,054 SF	1,054 SF	0 SF (NO CHANGE)
SECOND FLOOR	848 SF	848 SF	+22 SF
THIRD FLOOR	0 SF	818 SF	+818 SF
TOTAL	1,902 SF	2,719 SF	+818 SF

LANDSCAPING CALCULATIONS

LANDSCAPING REQUIREMENTS:

LANDSCAPING PROVIDED = 0.000786'X35' = 54 SF REQ'D SEE 2/101

SIZE OF FRONT SETBACK = 150 SF IN FORM OF (C) LANDSCAPING.

PERMISSIBLE REQUIREMENTS:

SIZE OF FRONT SETBACK = 0.000786'X35' = 124 SF REQ'D SEE 2/101

PERMISSIBLE AREA PROVIDED = 150 SF IN FORM OF (C) SEE 2/101

STREET TREE CALCULATIONS

STREET TREE REQUIREMENTS:

(C) PLANTINGS / (C) PER TREE = 1 TREE REQ'D SEE 2/101

WOOD WINDOW SECTION

REVISIONS

NO.	DESCRIPTION	DATE

COVER SHEET, PROJECT DATA, WINDOW DETAIL

DATE: 08/10/2017

SCALE: AS NOTED

SHEET: A0

531 30TH STREET

SAN FRANCISCO CA 94131

BANA INC.

71 BLAKE STREET

SAN FRANCISCO, CA 94118

TEL. 415-752-2824

311 NOTICED PLANS



























# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

## NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, December 14, 2017**

Time: **Not before 1:00 PM**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**

Case Type: **Discretionary Review**

Hearing Body: **Planning Commission**

PROPERTY INFORMATION		APPLICATION INFORMATION	
Project Address:	<b>531 30<sup>th</sup> Street</b>	Case No.:	<b>2015-008473DRP</b>
Cross Street(s):	<b>Laidley Street</b>	Building Permits:	<b>2015.09.14.6920</b>
Block /Lot No.:	<b>6651/020</b>	Applicant:	<b>Bana Inc.</b>
Zoning District(s):	<b>RH-2 / 40-X</b>	Telephone:	<b>(415) 752-2824</b>
Area Plan:	<b>N/A</b>	E-Mail:	<a href="mailto:banainc@aol.com">banainc@aol.com</a>

### PROJECT DESCRIPTION

The Request is for **Discretionary Review** of Building Permit Application No. 2015.09.14.6920 proposing to construct an approximately 640 gross square foot vertical addition above the existing nonconforming building located within the rear yard. A Variance hearing for the proposed construction yard was held by the Zoning Administrator on July 26, 2017.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

### ADDITIONAL INFORMATION

**ARCHITECTURAL PLANS:** If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans of the proposed project will also be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org>

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

**FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:**

Planner: **Nancy Tran** Telephone: **(415) 575-9174** E-Mail: [nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)

# GENERAL INFORMATION ABOUT PROCEDURES

## HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

## APPEAL INFORMATION

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

## ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at [www.sfplanning.org](http://www.sfplanning.org). An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Application for Discretionary Review

CASE NUMBER: 2015-008473DRP  
For Staff Use only

DR Application

# APPLICATION FOR Discretionary Review

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: BENJAMIN COOK + DIANA SCARCE		
DR APPLICANT'S ADDRESS: 21 LAIDLEY STREET		
ZIP CODE: 94131	TELEPHONE: (415) 425 4614	
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: DEVEN GADULE		
ADDRESS: 531 30th Street		
ZIP CODE: 94131	TELEPHONE: (415) 541 7978	
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS: 		
ZIP CODE: 	TELEPHONE: ( )	
E-MAIL ADDRESS: 		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 531 30th Street		ZIP CODE: 94131
CROSS STREETS: LAIDLEY Street		
ASSESSORS BLOCK/LOT: 6651 / 020	LOT DIMENSIONS: 35 x 125	LOT AREA (SQ. FT.): 4375
ZONING DISTRICT: RH-2		HEIGHT/BULK DISTRICT: 40X

## 3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☒ Demolition ☐ Other ☐

Additions to Building: Rear ☒ Front ☐ Height ☒ Side Yard ☒

Present or Previous Use: Residential

Proposed Use: Residential

Building Permit Application No. 2015.9.14.6920

Date Filed: Sept 14 2015

#### 4. Actions Prior to a Discretionary Review Request

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

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

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

*See attached letter*



## Discretionary Review Request

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

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

see attached letter

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

see attached letter

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

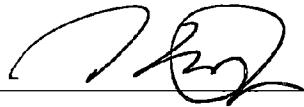
see attached letter

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

16 OCT 2017

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

☒ Owner ☐ Authorized Agent (circle one)

The Cook Family  
21 Laidley Street  
San Francisco CA 94131

August 16, 2017

Dear Planning Commission,

We are concerned neighbors seeking a Discretionary Review of the proposed construction project at 531 30<sup>th</sup> Street. By way of background, it's important to note that the house at 531 30<sup>th</sup> Street was not built at the front of the property, as are all their neighbors following traditional planning guidance. Instead, the neighbor chose to build against the rear property line, which abuts our property. As a result, their house sits right against our house and already limits our privacy, light, and air. Construction of their existing house occurred prior to our moving into our house, so we had no say in the matter. That said, the neighbor now wishes to *further build up vertically* along the same back of the property line. We are concerned with the proposed final height and size of the project, given its location at the back edge of the property, and its negative impact on our privacy and access to light and air. While we do not wish to keep our neighbor from building out his house, we seek to make sure they do so in a way that does not unfairly impact our own property. We are enclosing this letter as part of our Discretionary Review application to outline our specific concerns and proposal to the neighbor to mitigate the impacts, as well as describe our experience working with the neighbor on the proposal to date.

The bedrooms of our two boys are along the shared property line that will be impacted by the vertical addition to 531, as it's proposed. They will receive significantly less light and ventilation due to the additional story. Along with the loss of light/air to our boys' bedrooms, the vertical addition is also visually impactful to our family room and our own bedroom. We enclosed some 3D diagrams from our architect showing the impact of the proposed addition as well as some photos of the existing conditions.

Regarding the overall height of the project: The existing site at 531 30<sup>th</sup> Street slopes heavily upwards from the street frontage; the existing home at 531 sits in the rear yard setback at the high point of the site. The project proposes a height increase from 26'-1" to 36'-5". The front portion of the new sloped roof nearly intersects the 40'-0" max height as enumerated in the site section on A3.3 of the proposed drawings. The proposed addition at 531 30<sup>th</sup> Street is being built entirely in the rear yard setback, up to the 40'-0" height limit on an upwards sloping lot, which is very impactful to our property and what we understand from our architects is counter to the objectives laid out in the Planning Code and Residential Design Guidelines relating to height limits on a sloped lot.

Our architect has also noticed some discrepancies in the proposed drawings related to the overall height limit for the site. It appears that the overall height limit is being taken from the average grade of the site, not the average grade at the perimeter of the building as stated in section 260 of the Planning Code. Also, the overall height limits are not shown on the proposed elevations and building sections, so it is not clear that the project stays within the 40'-0" height limit at all points of the roof. Also, it is unclear in the drawings whether or not the site slopes more than 20'-0" from front to back. If the site is sloping more than 20'-0" from front to back, the overall height limit for the property would be 35'-0" instead of 40'-0" as listed in the Planning Code Section 261.2.

The 3<sup>rd</sup> floor addition at 531 is proposing a gable roofs with interior sloped ceilings. The top plate height of the 3<sup>rd</sup> story addition is proposed at 9'-0" above the 3<sup>rd</sup> Floor finished floor while the interior ridge height is 13'-10 1/2" (see section A3.2 of the proposed drawings). A 9'-0" top plate height seems excessive given the close proximity to the rear property line and neighboring properties, especially considering that much of this is a storage area. The Bedroom and Dressing room spaces would be more than adequate with a 7'-0" top plate height and a lower ridge height.

We would like to be certain the project meets the objectives and principles of the Planning code. Typically, when constructing an addition within a defined setback, the Planning Code requires a reduction in the height limit to reduce the overall massing of the project and its impact on adjacent neighboring properties. The Residential Design Guidelines states:

*"Articulate the building to minimize impacts on light and privacy to adjacent properties....the following design modifications can minimize impacts on light; other modifications may also be appropriate depending on the circumstances of a particular project:*

- *Provide setbacks on the upper floors of the building.*
- *Include a sloped roof form in the design."*

We believe the overall massing of the vertical addition could be reduced to minimize impact on the neighboring properties without impacting the neighbors project goals. Minor reductions to the massing of the roof forms and lowering the top plate heights would lessen the impact on our living spaces along the shared property line.

We met with the neighbor, Mr. Gadula, and his architect Ahmad on July 27 to review the proposed project and discuss its impact on us. We reviewed many of the above concerns with Mr. Gadula and his architect Ahmad Bala and proposed three requests that would mitigate the impact to our house. In particular, we've asked Mr. Gadula to consider three alterations to his current plans to reduce the overall massing of the vertical addition to 531 and increase our access to light/air in the Ground Floor bedrooms at 21 Laidley.

1. Reduce the size of the 3<sup>rd</sup> floor Dressing Room and Closet by moving the outer wall West by several feet.
2. Lower the new Roof Ridge and add a hipped roof over the West Wall of the Dressing Room to minimize the overall massing of the vertical addition.
3. Omit or relocate the window on the South wall of the dressing room for increased privacy between properties.

See the enclosed diagram labeled "2015-008473VAR\_21 Laidley\_proposed alterations" to help clarify these suggested alterations.

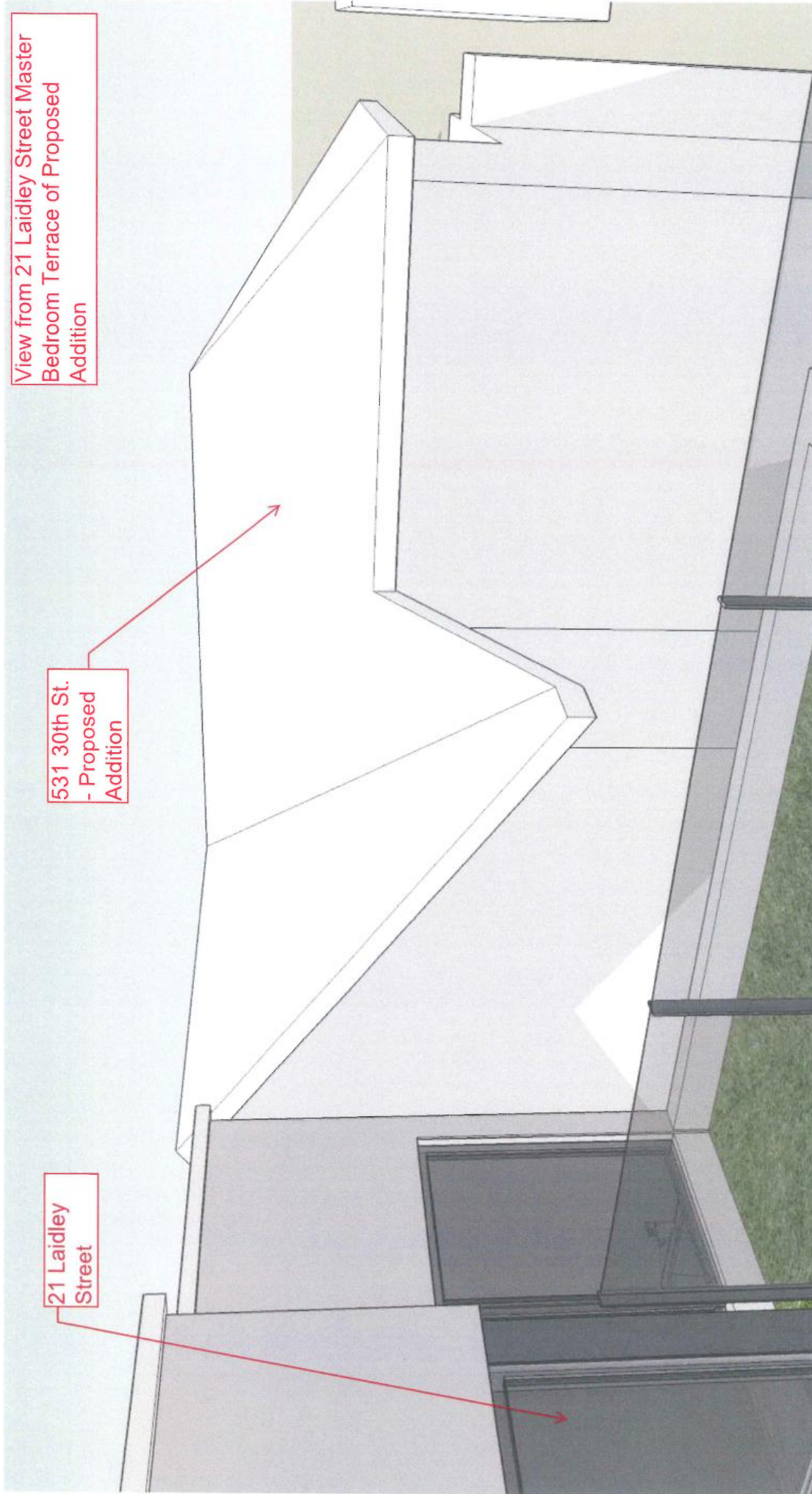
Given these requests, Mr. Gadula offered to meet some but not all of these requests. He offered to provide a hipped roof at the West wall of the Dressing Room. He also offered to omit the window in the Dressing Room that was looking directly on to our property. While we appreciate these minor concessions, he was not willing to consider our first and primary request to reduce the size of a storage area. We believe this is a minor concession to us that will reduce the massing and its impact on our property and the neighborhood without heavily effecting Mr. Gadula's project goals.

We respect Mr. Gadula's right to improve his property and we look forward to finding an appropriate solution that is suitable and positive for both parties and both homes. We respectfully request the participation of the Planning Department through the Discretionary Review process to allow us to do so as efficiently as possible.

Sincerely,

Benjamin Cook & Diana Searce





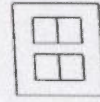
View from 21 Laidley Street Master  
Bedroom Terrace of Proposed  
Addition

531 30th St.  
- Proposed  
Addition

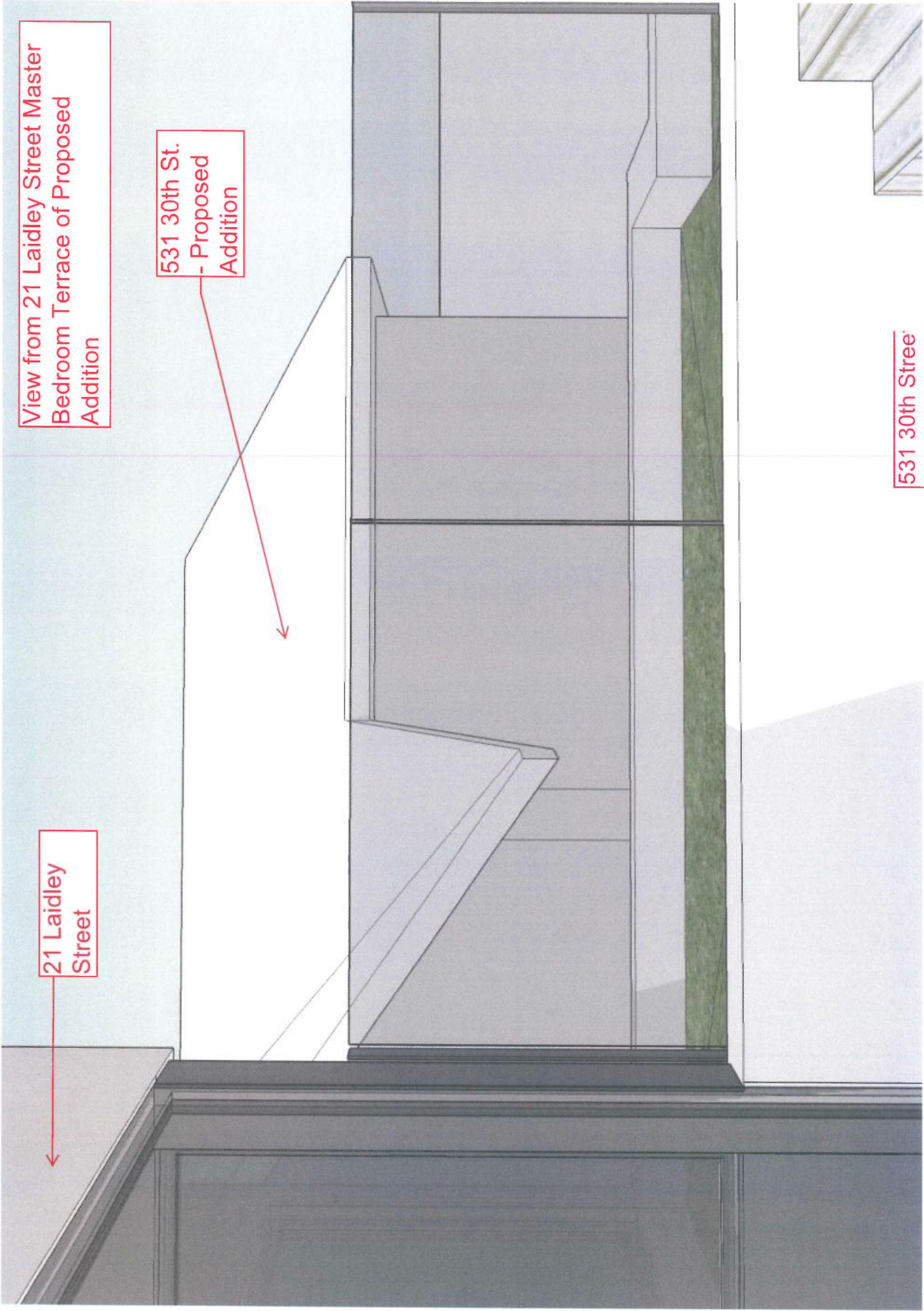
21 Laidley  
Street



View from 21 Laidley Street Master  
Bedroom of Proposed Addition



531 30th St.  
Proposed Addition



View from 21 Laidley Street Master  
Bedroom Terrace of Proposed  
Addition

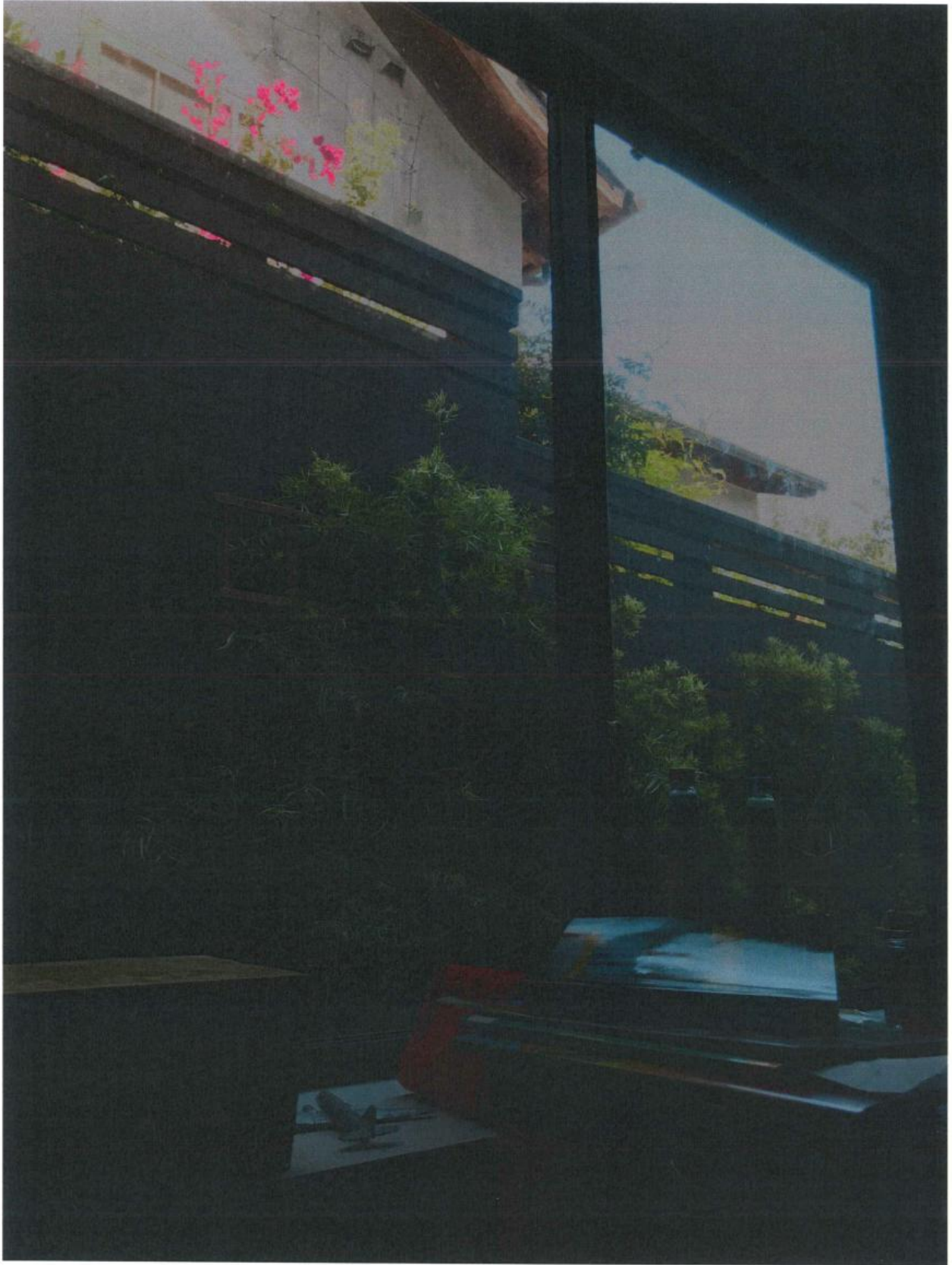
531 30th St.  
- Proposed  
Addition

21 Laidley  
Street





**Current View from Master Bedroom**



Boy Bedroom #1 current view





Boy Bedroom #2 current view

**RESPONSE TO**  
**DISCRETIONARY**  
**REVIEW (DRP)****San Francisco**  
**Planning****SAN FRANCISCO PLANNING DEPARTMENT**  
1650 MISSION STREET, SUITE 400  
SAN FRANCISCO, CA 94103-2479  
MAIN: (415) 558-6378 SFPLANNING.ORG**Project Information**Property Address: **531 30th Street**Zip Code: **94131**Building Permit Application(s): **2015-008473**

Record Number:

Assigned Planner: **Nancy Tran****Project Sponsor**Name: **Ahmad Larizadeh**Phone: **(415) 716-9099**Email: **banainc@aol.com****Required Questions**

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

**SEE ATTACHED**

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

**SEE ATTACHED**

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

**SEE ATTACHED**

## Project Features

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1(one)	1(one)
Occupied Stories (all levels with habitable rooms)	3 (Three)	3 (Three)
Basement Levels (may include garage or windowless storage rooms)	None	None
Parking Spaces (Off-Street)	1 (one)	1(one)
Bedrooms	3 (Three)	4 (Four)
Height	28.9'	38'
Building Depth	42.1'	42.1'
Rental Value (monthly)	N/A	N/A
Property Value	\$740,000	N/A

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

Signature:

Date:

Printed Name:

- ☐ Property Owner  
☐ Authorized Agent

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



## INTRODUCTION

The DR Respondent (“Respondent”) Mr. Deven Gadula, the owner of the subject property respectfully submit the following Memorandum of Points and Authorities, true and correct copies hereto attached and marked as Exhibits, in support of his opposition to Mr. Benjamin Cook’s (the DR Requester) request for a Discretionary Review against the Planning Department’s support for a Building Permit Application (BPA) for minor alterations on the Respondent’s property.

A brief look at the rambling declarations purporting to support an equally rambling Discretionary Review Application clearly underscores not just the correctness of the Planning Department’s decision to dismiss Mr. Cook’s objections, but the frivolity of his entire Discretionary Review request, wasting the Planning Department’s time and tax payers’ money in processing and reviewing these endless Requests. Mr. Cook’s endless ramblings hardly correctly cited any Code Section that justifies his claim that his kid’s bed rooms, 15 feet away from the subject building are entitled to light and air, or that his own bedroom is entitled to an additional view. Rather the purported speculation that he will be deprived of air, light and/or his privacy would be violated are simply another recapitulation of Mr. Cook’s endless dissatisfaction with his neighbor’s very minor alteration and the Planning Department decision to accept it.

Essentially, Mr. Cook cannot prove that the project would deprive his property of air, light and privacy, because it does not. Mr. Cook states not a single authority to support the ground on which such a Discretionary Review shall lie. The request emanate from a singular, vindictive and malicious urge for a view from his bedrooms (see exhibit A @ Pgs 2&3) at the expense of Mr. Gadula’s legal enjoyment of his property. Mr. Gadula is therefore respectfully asking this

Commission to put an end to this madness and rule to not take a Discretionary Review, and allow the property owner to continue his minor alteration as this entire request is indeed frivolous.

### **DISCRETIONARY REVIEW REQUEST**

That the Respondent's "house sits right against our house" and that the proposed vertical addition would block light and air to their boys' bedrooms at the ground level floor which is already largely block by the existing fence running along the side property line as indicated by Mr. Cook himself (see exhibit A @ Pg 9), and would "visually" block his family room and his own room." These assertions range from erroneous understanding of the Code such as that he has a right to view from his bedroom or that the ceiling height should be lowered to 7 feet (see exhibit A @ Pg 2) so as to allow him a clear view of down town, when in fact Building and Planning codes stipulate that the ceiling (vertical) clearance of any habitable space shall be no lower than 7.5 feet, to such outright untruths as that the building is forty feet high, and then to a sordid lack of common sense to believe that a sun rising from the east will be blocked to a house on the east by a property to its north side or that a building would block light, air and ventilation to rooms in another house 15 feet away.

### **PROPERTY IDENTIFICATION AND CODE ANALYSIS**

531 30<sup>th</sup> Street (hereinafter, the subject property) Lot: 020 in Assessor's Block 6651, in RH-2 (Residential House, Two-Family) District and 40-X Height and Bulk District. Mr. Cook argues, rather erroneously that the property owner decided to build his house at the rear of his property instead of to the front like all other properties (see exhibit A @ pg 2). This underscores Mr. Cook's lack of

understanding of the property history vis-a- vis the current Code. The building was originally constructed in 1900 before the current Codes came into effect and at the time of its construction, its location was legal. The property itself is located on the south side of 30<sup>th</sup> Street.

The subject property is grossly underutilized; it is 35 feet wide and 125 feet deep for a total of 4,375 square feet of lot area. The property can legally have two dwelling units with 1000s of square foot of floor area, but the property currently has a single family dwelling with only 895 square feet of habitable area, per public records. The structure is built at the rear of the Lot; approximately three feet away from the rear property line. The front setback is extensive; approximately 79.5 feet deep and densely populated with trees and similar environmental properties, (see exhibit B @ A01), it is therefore not feasible for any extension to the front without cutting down the existing trees that have become a part of this neighborhood character for decades. Contrary to the assertion of Mr. Cook, the site slopes much less than 20% upwards from the street frontage and the existing home sits in the rear yard setback. In the Planning Code parlance, it is legal but noncomplying.

### THE PROPOSAL

The proposal is, pursuant to revisions and recommendation of the Planning Department, a 500 Sq. Ft addition at the rear of the 3rd floor of the subject property at 531 30<sup>th</sup> Street. The alteration would include a bathroom, removal of the existing powder room to extend an existing room at the second floor level. The project would increase the building height from 28.9' to 38, (see Exhibit B @ A2.1) for the existing height and (Exhibit B @ A2.4) for the proposed height. The proposed addition is entirely in the rear yard setback, but within the existing building envelope and would go no further than the existing real building wall.



## **THE APPLICABLE CODES**

### **1. SECTION 121(E)(2) OF THE PLANNING CODE**

The property at 531 30<sup>th</sup> Street is within 125 feet of the corner of Laidley and 30<sup>th</sup> Street, it is therefore technically a Corner Lot per Section 121(e)(2) of the Planning Code, which provides that any lot having its street frontage entirely within 125 feet of the intersection of two streets that intersect at an angle of not more than 135 degrees shall be considered a corner lot. The implication of this is that corner lots usually do not, and are not required to contribute to mid-block open spaces which are intended to enhance the free flow of air and light within a block. The property in question has no mid-block open space and therefore cannot provide light and air.

### **2. SECTION 134 OF THE PLANNING CODE**

The entire project is at the rear of the property, the house itself is located in the required rear yard. The provision of the above mentioned mid-block-open space is derived from Section 134 of the Rear Yard provision of the Planning Code. the explicit intent of the rear yard requirement of the Planning Code is to ensure the protection and continuation of established mid- block, landscaped open space, for light and air for itself and other buildings in the immediate vicinity, However, the current structure does not have the required rear yard because it was constructed before the current code came into effect and by its very configuration, abutting the DR Requester's side building wall, it has no mid-block corridor. It cannot therefore be required to provide light and air for those properties in its immediate vicinity.

### **3. SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS.**

Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which

conform to the other requirements of this Section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit. Those are the areas designed for sun and light and air. These sensitive areas require direct access to the dwelling units and bedrooms. These accesses should be provided for the kid's bedrooms directly from the existing decks. The subject property has no obligation to provide such light and air to the bedroom.

**SEC. 140: ALL DWELLING UNITS IN ALL USE DISTRICTS TO FACE ON AN OPEN AREA.**

In each Dwelling Unit in any use district, the required windows (as defined by Section 504 of the San Francisco Housing Code) of at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code shall face directly on an open area. This is the only Section of the Planning Code that addresses lights into rooms. There is no requirement that the adjacent or abutting property must provide light and air into any bedroom.

Besides, the windows in question are side property line windows, which are generally not permitted. However, if the property owner decides to install such windows, both Building and Planning Departments have determined that for purposes of air, light and ventilation, such windows must be pulled back by at least three (3) feet away from the side property line. Mr. Cook's side building wall is setback by 3.5 feet from its side property line and the kid's bedrooms are therefore legally provided with access to light, air, and ventilation and do not need the abutting property to provide light and air into those rooms..

## **SEC. 261. HEIGHT LIMITS APPLICABLE TO CERTAIN RH DISTRICTS.**

Mr. Cook in error, is of the opinion that that the current property owner “chose to build” the house at the rear of the Lot,(see exhibits A @ Pg 2); this is a falsity, a falsity because Mr. Cook knows or should know that his assertion is false. The official records indicate that the house was built in 1900, so the current owner could not have built it. And then goes on to state two paragraphs down that the proposed increase in height would take a building, even by his own admission that is currently 28.9 ‘ to 40’ in height when the property will only be 38’. Mr. Cook pins his miscalculation on another error that the property slopes 20% upwards (see Exhibit A @ pg 2). The problem is that the slope is far less that 20%, and the building is nowhere near 40 feet high.

But even if the building height was 40’, which it is not, because the elevation on the site plan indicates that the entire building height with the addition is only 38 feet in height (see Exhibit B @ A2.4). The Planning Code is very clear on this issue and give right to all properties in this RH-2 Zoning District a height limit of 40 feet. The Code stipulates in relevant portions that’ “ No portion of a dwelling in any RH-2 District shall exceed a height of 40 feet, except that the permitted height shall be reduced to 35 feet where the average ground elevation at the rear line of the lot is lower by 20 or more feet than at the front line thereof: Planning Code Section 261(C ) (2). The height clearly is a nonissue.

### **Mr. BENJAMIN COOK’S REAL MOTIVE**

What the DR Requester seems to be seeking is an unfettered view of the City’s down town area and since that is not a protected right, he has deceptively cloaked his real desire for such “view” by referring to it as “air and light” and where he



could not hide his real motive, such as his view from his bedroom and living room, he unabashedly calls it what it actually is, by saying , “ ... the vertical addition is also **Visually** impactful to our family room and our own bedroom”. (Exhibit A @ Pg 2). This commission therefore must reject this deception just as the Planning Department has done.

The project owner has engaged in a scale of development appropriate to this neighborhood and consistent with the location of adjacent buildings. The DR Requester himself had engaged in a pattern of development that was so humongous that the neighbors had to bend backwards to allow it. There is no midblock corridor that runs through the subject block that is affected by the proposed project. The sun rises from the east and covers 75% of Mr. Cook’s property before it even touches the subject property. In fact the proposal in question would preserve the continuity of any light and air to the DR Requester’s property and maintains the neighborhood character.

### PLANNING DEPARTMENT ACTION

The Planning Department (the Department) after reviewing all documents, with the requested revisions, agreed that the 500 Sq. Ft. addition by the owner was necessary to create a more habitable space for the owner’s family with little or no impact on the neighbors, and that any increase to the front of the building would create an unnecessary hardship to the owner with no public benefit, as it would destroy most of the vegetation that has been a part of the neighborhood character for decades. After a series of revisions and discussion, the Department accepted the project for the proposed minor changes to provide adequate habitable space for the owner and his family.



## REQUIRED QUESTIONS

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

On August 31, 2015, there was a neighborhood meeting at the subject property (531 30<sup>th</sup> Street) with respect to the proposed project. The DR Requesters; Mr. Benjamin Cook participated in the said meeting (see exhibit C). The existing house and a model of the proposed project was carefully reviewed and discussed in details. It was agreed after minor adjustments that this was a modest alteration and Mr. Cook then said he would have no problem with it. However, after that meeting the Planning Department requested very little changes with respect to the design.

Based on this meeting the project owner was of the opinion that he would have no opposition, especially when few months earlier Mr. Cook had proposed a more extensive remodeling project which the neighborhood eventually approved, their initial opposition to the size of the proposal which impacted the privacy of some neighbors and the ambience of their view, notwithstanding. So the project owners were shocked that Mr. Cook would oppose their project because he wants to maintain a view which Planning Department has never used as a factor for approving a project.

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

Mr. Cook stipulates that his primary concern with the minor vertical floor addition that would result in a height increase is its impact on light and air for his

kid's bedrooms on the ground floor; the massing of the 3rd story Dressing Room and Closet. He has two Ground Floor bedrooms (at 21 Laidley Street) with windows along his side property line which is the rear property line of the subject property. These windows are 15 feet away from the subject property but the DR Requester erroneously believes that they would be impacted by the vertical addition. But Mr. Cook's real concern was that the small addition would partially interfere with his privacy and view.

**These positions are erroneous for the following reasons:**

The DR Requester's property is east of Laidley Street and it abuts the subject property which is on the north side of 30<sup>th</sup> Street. So when the sun rises from the east, it will have covered approximately 75% of the DR Requester's property before it gets to the Subject project. And because the DR Requester's property abuts the subject property, both properties would be exposed at the same to the sun, and therefore impossible for Mr. Cook's property to be blocked by the subject property, and by extension air is even more difficult to block. (See Exhibit D). So what the DR Requester really wants is an unprotected right, a privilege that no one else has; an unfettered view, a view to down town. But because he knows that views are not protected, he willfully misrepresented his request in the rights to "air and light".

However, to maintain a good neighborly relationship and to avoid an unnecessary waste of time through Discretionary Review and appeals, on July 25, 2017 a neighborhood meeting was held with the DR Requestor again. The following demands were made by the DR Requester and the project owner responded thus:

**A. REDUCE THE SIZE OF THE 3RD FLOOR DRESSING ROOM AND CLOSET BY MOVING THE OUTER WALL IN THE WESTERLY DIRECTION;**

The distance between the DR Requester's building and the project building's Dressing Room / Closet exterior wall is 15 feet. So this is not really about light and air, it is all about "view" which he knows is not protected. But to reduce the massing of the closet area, the project owner willingly moved/reduce the outer wall of the closet by approximately three feet westward. (see Exhibit G)

**B. LOWER THE NEW ROOF RIDGE OVER THE DRESSING ROOM AND ADD A HIP TO THE END OF ROOF TO MINIMIZE THE OVERALL MASSING OF THE VERTICAL ADDITION.**

The project sponsors were amenable to these suggestions. However, when they proposed to slope the roof to lower the roof ridge as agreed, Planning Department thought it weird and architecturally awkward in shape. In addition, lowering the roof ridge as proposed would reduce the vertical ceiling clearance to 7' with a deficiency of .5 foot of vertical clearance for habitable rooms, and therefore not Code complying. The Planning Department rejected it.

Besides they did not believe that the configuration of the two properties and the height addition would create an obstruction to light and air. The Planning Department, like the project owner, believed that the DR Requester's unspoken concern is his access to view. But one can clearly see from Mr. Cook's main floor area, a view of the downtown completely unaffected because Mr. Cook had cut most of the trees in their own back yard. (see exhibit A @Pg 8),



**C. Omit or relocate the window on the South wall of the dressing room for increased privacy between properties.**

The project owner completely removed the Dressing Room window so as to put to rest the issue of privacy. (See exhibit G)

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

The DR Requestor on August 15, 2017 wrote: "As outlined in our meeting on July 25th, we are concerned about the impact of the vertical addition on our privacy, light, and air. In particular, we're concerned about the massing of the Dressing Room and Closet. We would again ask that you consider reduction of the massing of the closet area. In particular, we request you move the outer wall of the closet at least two and a half feet to the west. If you are willing to consider this, we believe we have a resolution". The project owner has fulfilled every single demand by the DR Requester except the one objected to by the Planning Department; the outer wall of the closet was moved to the west by three feet, and completely removed the window to settle the privacy issue. (see Exhibit G). However, as indicated above, the reduction of the roof line to approximately 7 feet was not only noncomplying but architectural awkward and therefore unacceptable to the Planning Department. And since Planning Department believed that any such design would compromise the architectural integrity of the building, and that the design as presented did not block any light and air to the house on Laidley Street, the project owner was advised to not change the existing design.

## ***EXHIBIT A***

# APPLICATION FOR Discretionary Review

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: <b>BENJAMIN COOK + DIANA SCARCE</b>		
DR APPLICANT'S ADDRESS: <b>21 LAIDLEY STREET</b>	ZIP CODE: <b>94131</b>	TELEPHONE: <b>(415) 425 4614</b>

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: <b>DEVEN GADOLE</b>		
ADDRESS: <b>531 30th Street</b>	ZIP CODE: <b>94131</b>	TELEPHONE: <b>(415) 541 7978</b>

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

## 2. Location and Classification

STREET ADDRESS OF PROJECT: <b>531 30th Street</b>	ZIP CODE: <b>94131</b>
CROSS STREETS: <b>LAIDLEY Street</b>	

ASSESSOR'S BLOCK/LOT: <b>6651 / 020</b>	LOT DIMENSIONS: <b>35 x 125</b>	LOT AREA (SQ FT): <b>4375</b>	ZONING DISTRICT: <b>RH-2</b>	HEIGHT/BULK DISTRICT: <b>40 X</b>
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## 3. Project Description

Please check all that apply  
 Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☒ Demolition ☐ Other ☐

Additions to Building: Rear ☒ Front ☐ Height ☒ Side Yard ☒

Present or Previous Use: **Residential**

Proposed Use: **Residential**

Building Permit Application No. **2015.9.14.6920**

Date Filed: **Sept 14 2015**

The Cook Family  
21 Laidley Street  
San Francisco CA 94131

August 16, 2017

Dear Planning Commission,

We are concerned neighbors seeking a Discretionary Review of the proposed construction project at 531 30<sup>th</sup> Street. By way of background, it's important to note that the house at 531 30<sup>th</sup> Street was not built at the front of the property, as are all their neighbors following traditional planning guidance. Instead, the neighbor chose to build against the rear property line, which abuts our property. As a result, their house sits right against our house and already limits our privacy, light, and air. Construction of their existing house occurred prior to our moving into our house, so we had no say in the matter. That said, the neighbor now wishes to *further build up vertically* along the same back of the property line. We are concerned with the proposed final height and size of the the project, given its location at the back edge of the property, and its negative impact on our privacy and access to light and air. While we do not wish to keep our neighbor from building out his house, we seek to make sure they do so in a way that does not unfairly impact our own property. We are enclosing this letter as part of our Discretionary Review application to outline our specific concerns and proposal to the neighbor to mitigate the impacts, as well as describe our experience working with the neighbor on the proposal to date.

The bedrooms of our two boys are along the shared property line that will be impacted by the vertical addition to 531, as its proposed. They will receive significantly less light and ventilation due to the additional story. Along with the loss of light/air to our boys bedrooms, the vertical addition is also visually impactful to our family room and our own bedroom. We enclosed some 3D diagrams from our architect showing the impact of the proposed addition as well as some photos of the existing conditions.

Regarding the overall height of the project: The existing site at 531 30<sup>th</sup> street slopes heavily upwards from the street frontage, the existing home at 531 sits in the rear yard setback at the high point of the site. The project proposes a height increase from 26'-1" to 36'-5". The front portion of the new sloped roof nearly intersects the 40'-0" max height as enumerated in the site section on A3.3 of the proposed drawings. The proposed addition at 531 30<sup>th</sup> Street is being built entirely in the rear yard setback, up to the 40'-0" height limit on an upwards sloping lot, which is very impactful to our property and what we understand from our architects is counter to the objectives laid out in the Planning Code and Residential Design Guidelines relating to height limits on a sloped lot.

Our architect have also noticed some discrepancies in the proposed drawings related to the overall height limit for the site. It appears that the overall height limit is being taken from the average grade of the site, not the average grade at the perimeter of the building as stated in section 260 of the Planning Code. Also, the overall height limits are not shown on the proposed elevations and building sections, so it is not clear that the project stays within the 40'-0" height limit at all points of the roof. Also, it is unclear in the drawings whether or not the site slopes more than 20'-0" from front to back. If the site is sloping more than 20'-0" from front to back, the overall height limit for the property would be 35'-0" instead of 40'-0" as listed in the Planning Code Section 261.2

2



The 3<sup>rd</sup> floor addition at 531 is proposing a gable roofs with interior sloped ceilings. The top plate height of the 3<sup>rd</sup> story addition is proposed at 9'-0" above the 3<sup>rd</sup> Floor finished floor while the interior ridge height is 13'-10 1/2" (see section A3.2 of the proposed drawings). A 9'-0" top plate height seems excessive given the close proximity to the rear property line and neighboring properties, especially considering that much of this is a storage area. The Bedroom and Dressing room spaces would be more than adequate with a 7'-0" top plate height and a lower ridge height.

We would like to be certain the project meets the objectives and principles of the Planning code. Typically, when constructing an addition within a defined setback, the Planning Code requires a reduction in the height limit to reduce the overall massing of the project and its impact on adjacent neighboring properties. The Residential Design Guidelines states:

*"Articulate the building to minimize impacts on light and privacy to adjacent properties....the following design modifications can minimize impacts on light; other modifications may also be appropriate depending on the circumstances of a particular project:*

- Provide setbacks on the upper floors of the building.*
- Include a sloped roof form in the design."*

We believe the overall massing of the vertical addition could be reduced to minimize impact on the neighboring properties without impacting the neighbors project goals. Minor reductions to the massing of the roof forms and lowering the top plate heights would lessen the impact on our living spaces along the shared property line.

We met with the neighbor, Mr. Gadula, and his architect Ahmad on July 27 to review the proposed project and discuss its impact on us. We reviewed many of the above concerns with Mr. Gadula and his architect Ahmad Bala and proposed three requests that would mitigate the impact to our house. In particular, we've asked Mr. Gadula to consider three alterations to his current plans to reduce the overall massing of the vertical addition to 531 and increase our access to light/air in the Ground Floor bedrooms at 21 Laidley.

1. Reduce the size of the 3<sup>rd</sup> floor Dressing Room and Closet by moving the outer wall West by several feet.
2. Lower the new Roof Ridge and add a hipped roof over the West Wall of the Dressing Room to minimize the overall massing of the vertical addition.
3. Omit or relocate the window on the South wall of the dressing room for increased privacy between properties.

See the enclosed diagram labeled "2015-008473VAR\_21 Laidley\_proposed alterations" to help clarify these suggested alterations.

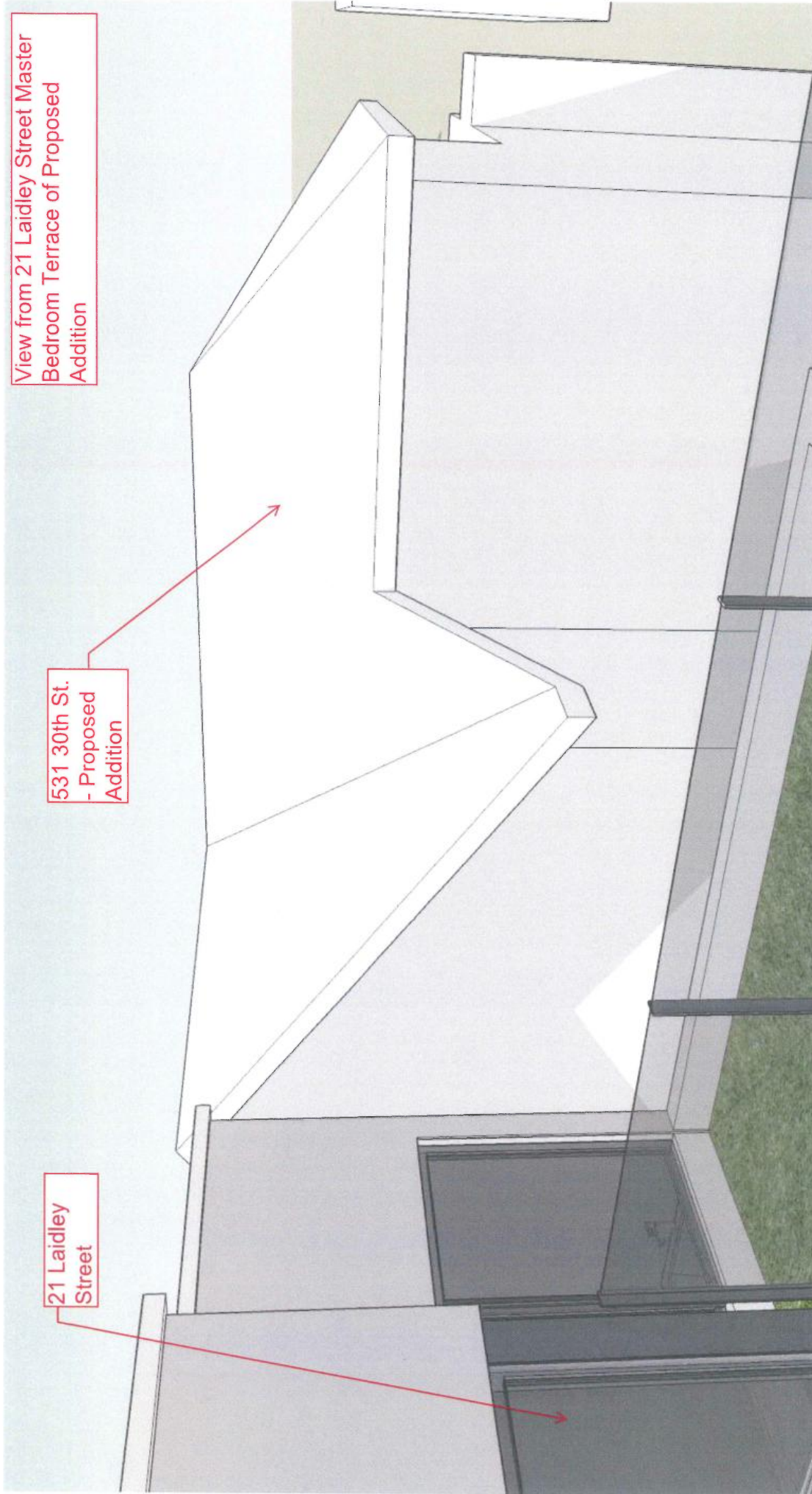
Given these requests, Mr. Gadula offered to meet some but not all of these requests. He offered to provide a hipped roof at the West wall of the Dressing Room. He also offered to omit the window in the Dressing Room that was looking directly on to our property. While we appreciate these minor concessions, he was not willing to consider our first and primary request to reduce the size of a storage area. We believe this is a minor concession to us that will reduce the massing and its impact on our property and the neighborhood without heavily effecting Mr. Gadula's project goals.

We respect Mr. Gadula's right to improve his property and we look forward to finding an appropriate solution that is suitable and positive for both parties and both homes. We respectfully request the participation of the Planning Department through the Discretionary Review process to allow us to do so as efficiently as possible.

Sincerely,

Benjamin Cook & Diana Searce





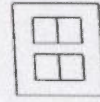
View from 21 Laidley Street Master  
Bedroom Terrace of Proposed  
Addition

531 30th St.  
- Proposed  
Addition

21 Laidley  
Street



View from 21 Laidley Street Master  
Bedroom of Proposed Addition

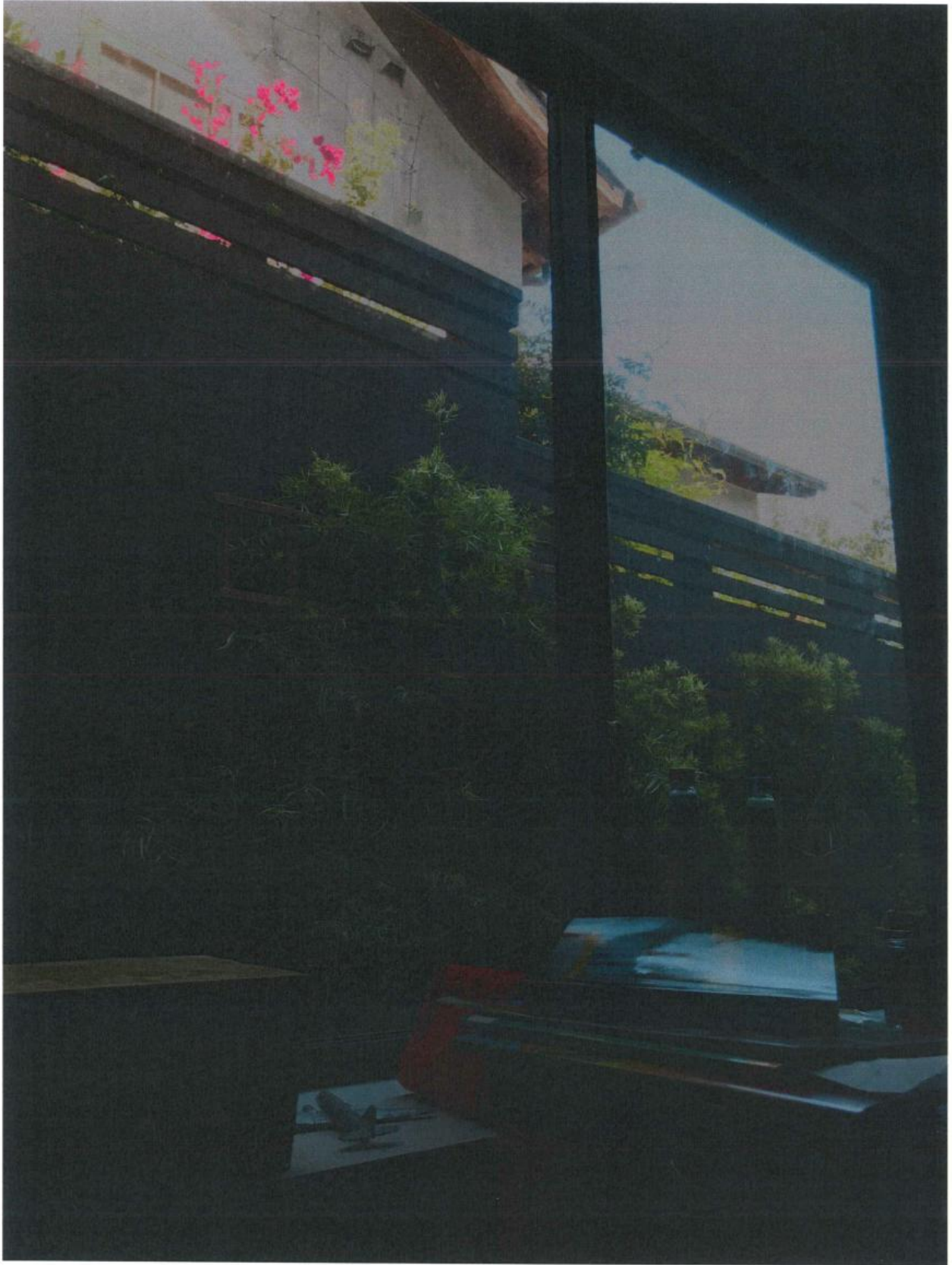


531 30th St.  
Proposed Addition



**Current View from Master Bedroom**





Boy Bedroom #1 current view



## EXHIBIT B

VERTICAL ADDITION FOR SINGLE FAMILY DWELLING  
531 30TH STREET  
SAN FRANCISCO CA 94131

**GENERAL NOTES:**

**1. CONTRACTOR SHALL VISIT THE SITE, REVIEW THE BUILDING SHELL DRAWINGS AS SUBMITTED BY THE LANDLORD AND BECOME THOROUGHLY FAMILIAR WITH THE SITE CONDITIONS PRIOR TO BIDDING OR CONSTRUCTION.**

**2. ALL WORK SHALL BE PERFORMED IN STRICT COMPLIANCE WITH LOCAL, COUNTY, STATE AND FEDERAL CODES AND ORDINANCES.**

**3. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES.**

**4. CONTRACTOR TO VERIFY ALL DIMENSIONS, INCLUDING CLEARANCES REQUIRED BY OTHER TRADES, AND NOTIFY THE LANDLORD OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK. ALL DIMENSIONS ARE TO THE FACE OF THE FINISHED SURFACE UNLESS NOTED OTHERWISE. ALL DIMENSIONS TO BE TAKEN FROM DESIGNATED DATUM POINT. DO NOT SCALE DRAWINGS.**

**5. CONTRACTOR SHALL PATCH AND REPAIR ALL EXISTING WALLS, FLOORS, CEILINGS OR OTHER SURFACES IDENTIFIED TO REMAIN THAT MAY BECOME DAMAGED DURING THE COURSE OF THE WORK.**

**6. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING PERMITS FOR FIRE PROTECTION, PLUMBING, MECHANICAL AND ELECTRICAL SYSTEMS PRIOR TO INSTALLATION OF SUCH SYSTEMS.**

## PROJECT DATA

**PROPERTY OWNER:** **DEVEN R. GADULE**  
**531 30TH STREET, SF, CA 94131**  
**415-541-7978**

BLOCK: 6651

LOT: 020

TYPE OF CONSTR: TYPE V-B

**SPRINKLERS:** **NON-SPINKLERED**

**NO. OF STORIES:** (E) 2, (N) 3

**PRESENT USE:** SINGLE FAMILY DWELLING

(E) OCCUPANCY: R3

**ZONING:** RH-2

**HEIGHT & BULK:** 40-X

**APPLICABLE CODES:**

**JURISDICTION: CITY AND COUNTY OF SAN FRANCISCO BUILDING CODE:**

2013 CALIFORNIA BUILDING CODE ADMENDMENTS  
2013 CALIFORNIA MECHANICAL CODE  
2013 CALIFORNIA ELECTRICAL CODE  
2013 CALIFORNIA PLUMBING CODE  
2013 CALIFORNIA ENERGY CODE  
2013 CALIFORNIA FIRE CODE & ALL RELATED  
2013 SAN FRANCISCO BUILDING CODE ORDINANCES  
OF THE CITY & COUNTY OF SAN FRANCISCO

## SHEET INDEX

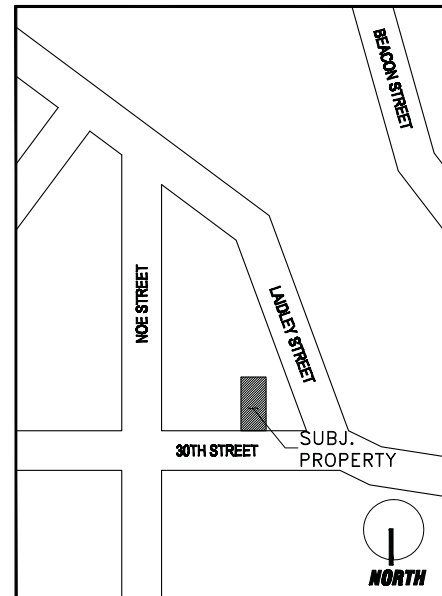
A0	COVER SHEET, PROJECT DATA, WINDOW DETAIL
A01	EXISTING AND PROPOSED SITE PLANS
A1	EXISTING GROUND FLOOR AND SECOND FLOOR PLANS
A1.1	EXISTING ROOF PLAN
A1.2	PROPOSED GROUND FLOOR AND SECOND FLOOR PLANS
A1.3	PROPOSED THIRD FLOOR AND ROOF PLANS
A2	EXISTING FRONT AND WEST ELEVATIONS
A2.1	EXISTING REAR AND EAST ELEVATIONS
A2.2	EXISTING FRONT (STREET) ELEVATION
A2.3	PROPOSED FRONT AND WEST ELEVATIONS
A2.4	PROPOSED REAR AND EAST ELEVATIONS
A2.5	PROPOSED FRONT (STREET) ELEVATION
A3	EXISTING BUILDING SECTIONS
A3.1	EXISTING SITE SECTION
A3.2	PROPOSED BUILDING SECTIONS
A3.3	PROPOSED SITE SECTION

## SCOPE OF WORK

- VERTICAL ADDITION OF THIRD FLOOR (616 SF) FOR EXISTING TWO STORY SINGLE FAMILY DWELLING

### VICINITY MAP

**SCALE: NTS**



## GROSS AREA SUMMARY TABLE

FLOOR	(E) SQUARE FOOTAGE	(N) TOTAL SQUARE FT	NET CHANGE
GROUND FLOOR	1,054 SF	1,054 SF	0 SF (NO CHANGE)
SECOND FLOOR	926 SF	948 SF	+22 SF
THIRD FLOOR	0 SF	616 SF	+616 SF
TOTAL	1,980 SF	2,618 SF	+638 SF

## LANDSCAPING CALCULATIONS

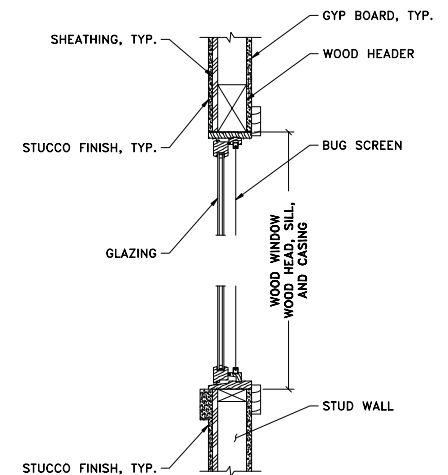
LANDSCAPING REQUIREMENTS:  
20% OF FRONT SETBACK =  $0.20 \times 7.66' \times 35' = 54$  SF REQ'D  
LANDSCAPING PROVIDED = 180 SF IN FORM OF (E) LANDSCAPING,  
SEE 2/A01

PERMEABILITY REQUIREMENTS:  
50% OF FRONT SETBACK =  $0.50 \times 7.66' \times 35' = 134$  SF REQ'D  
PERMEABLE AREA PROVIDED = 180SF IN FORM OF (E) LANDSCAPING,  
SEE 2/A01

## STREET TREE CALCULATIONS

STREET TREE REQUIREMENT:  
(30' FRONTAGE) / (20' PER TREE) = 1 TREE REQ'D  
1 (E) TREE PROVIDED.  
SEE 2/A01

## REVISED PLANS



**1 WOOD WINDOW SECTION**  
N.T.S.

DATA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

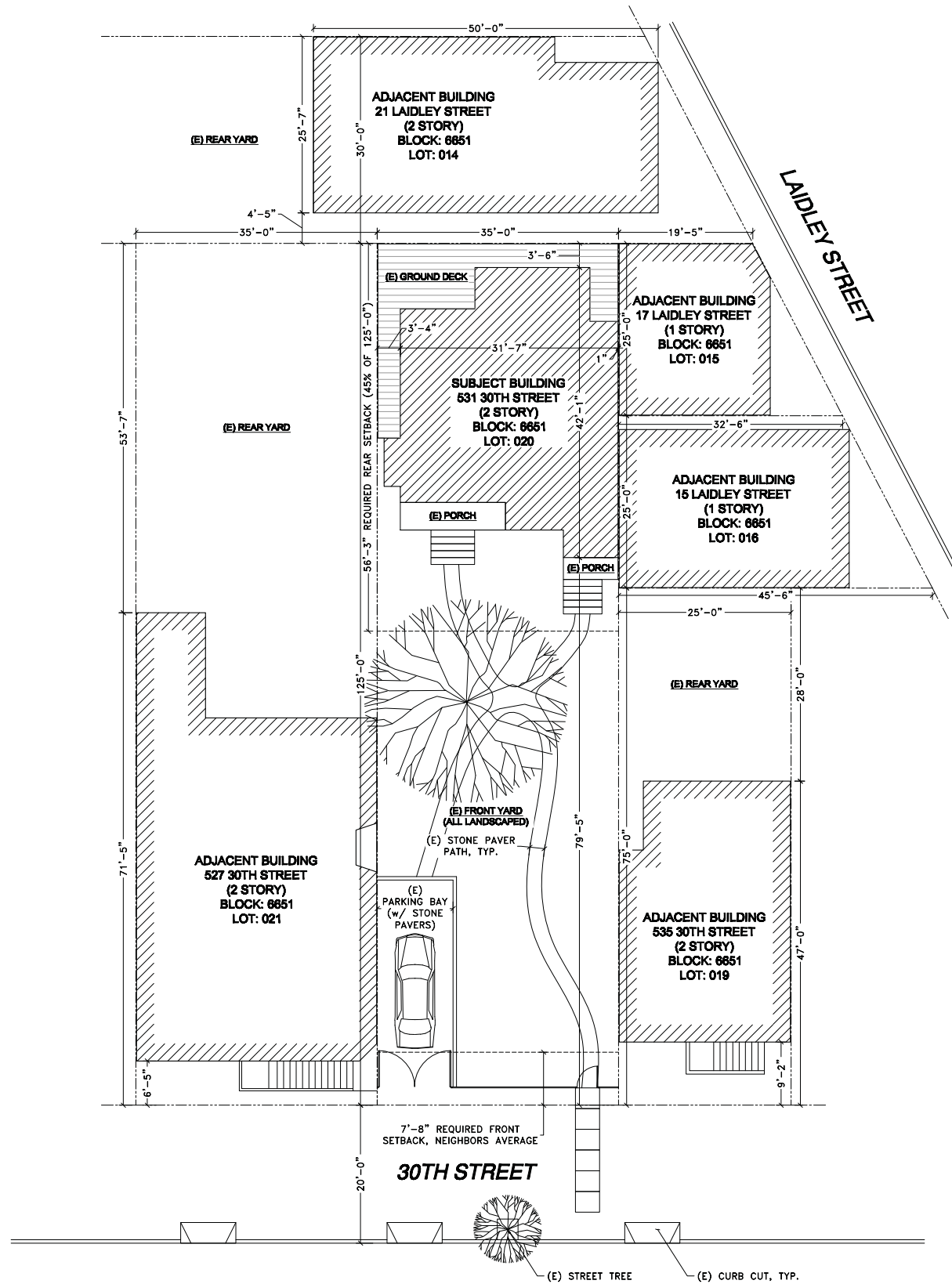
COVER SHEET,  
PROJECT DATA,  
WINDOW  
TAIL

TE: 08/08/2017

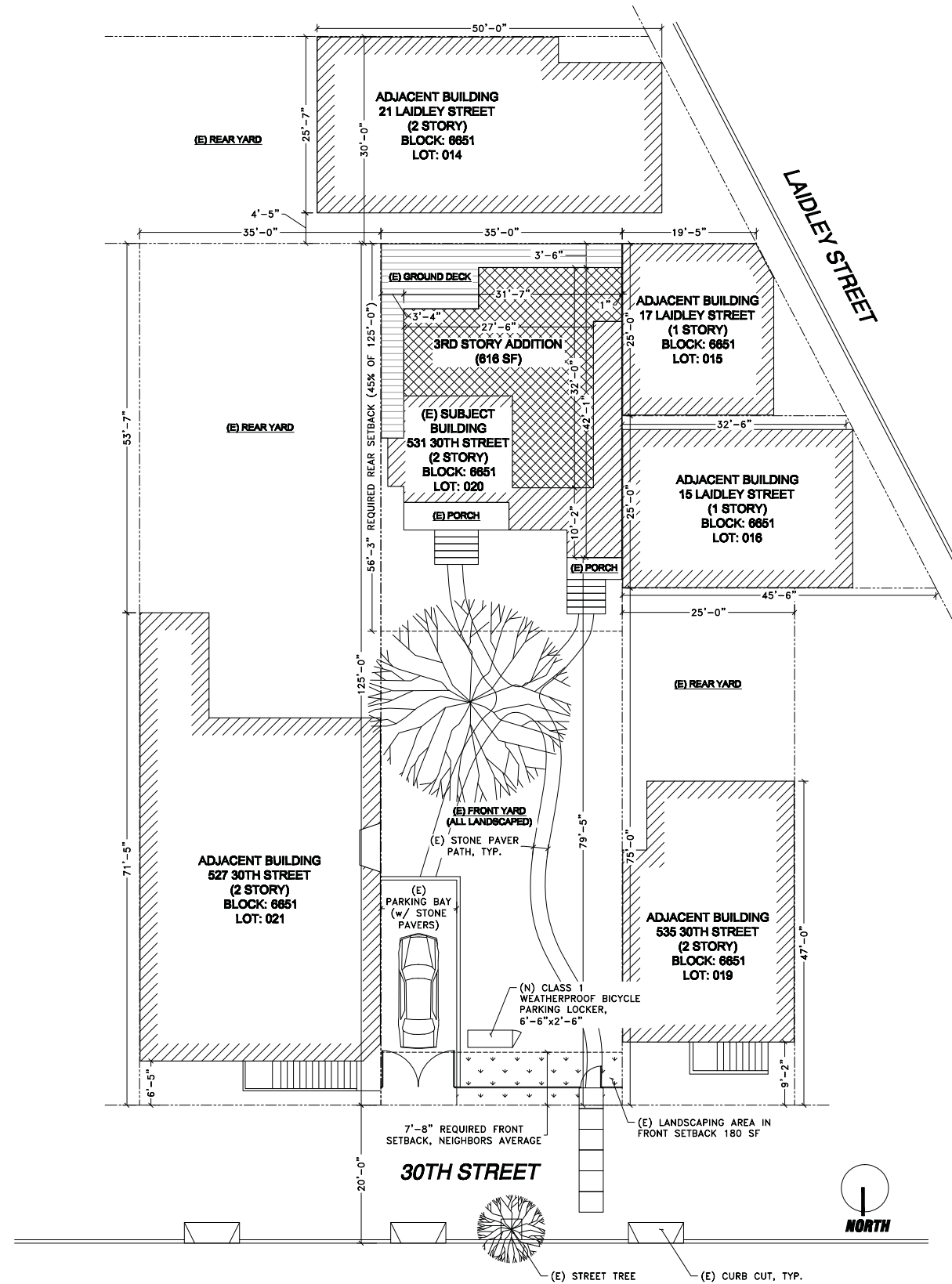
**SALE: AS NOTED**

**EET:**

A0



1 EXISTING SITE PLAN  
1" = 10'-0"



2 PROPOSED SITE PLAN  
1" = 10'-0"

REVISIONS

BANA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

EXISTING AND  
PROPOSED  
SITE PLANS

DATE: 08/08/2017

SCALE: AS NOTED

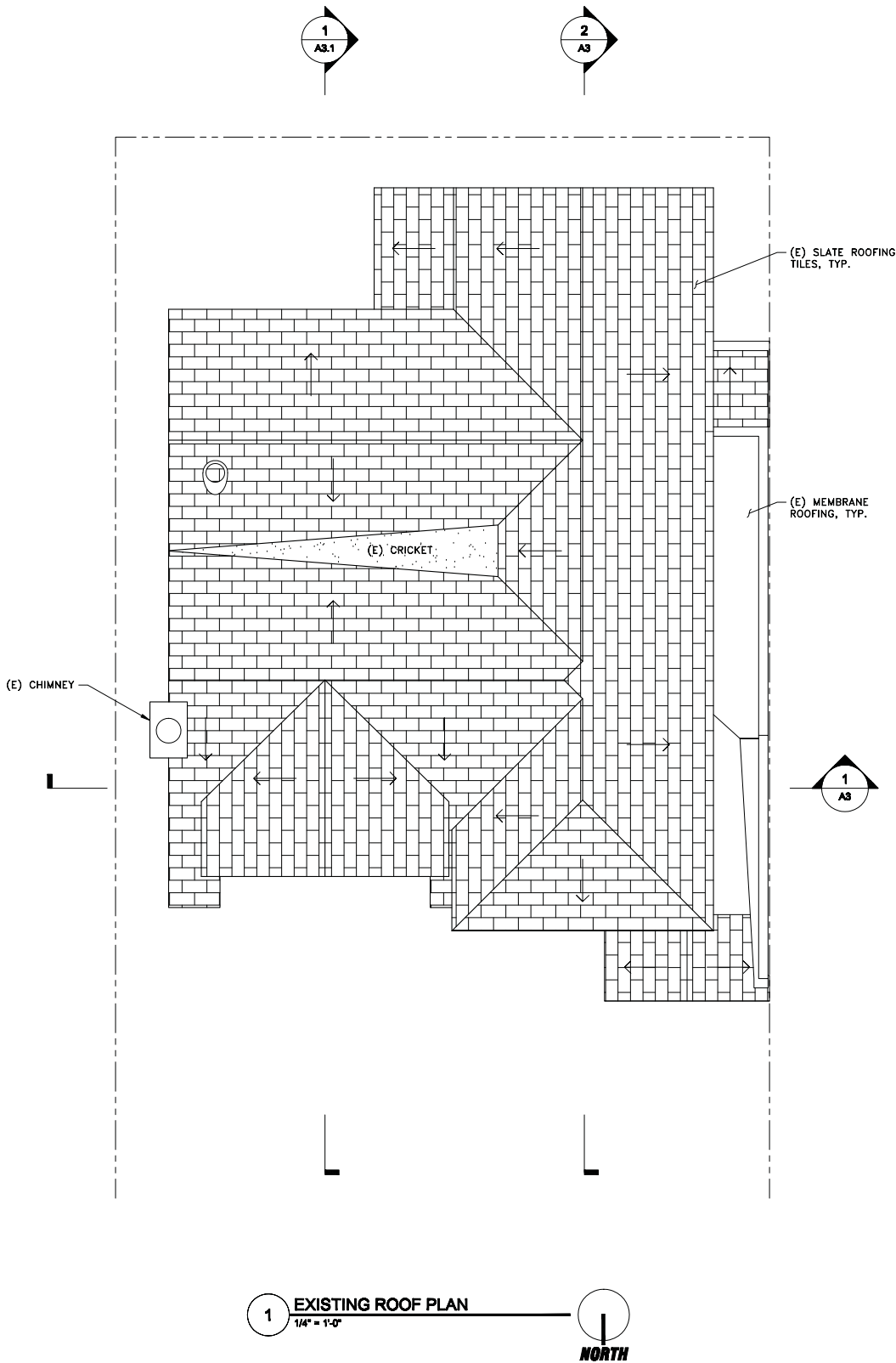
SHEET:

A01



LEGEND

- (E) EXISTING  
(N) NEW / PROPOSED  
(R) REPLACE (E)  
SH SINGLE HUNG WINDOW  
SL SLIDER WINDOW  
CS CASEMENT WINDOW  
F FIXED WINDOW  
FL FULL LITE DOOR  
FURN GAS FURNACE  
AFF ABOVE FINISH FLOOR  
CLR CLEAR  
DN DOWN  
HT HEIGHT  
MIN MINIMUM  
MAX MAXIMUM  
SF SQUARE FOOT (FEET)  
SAD SEE ARCHITECTURAL DRAWINGS  
SSD SEE STRUCTURAL DRAWINGS  
TYP TYPICAL  
VIF VERIFY IN FIELD  
UON UNLESS OTHERWISE NOTED  
W/H WATER HEATER
- (E) WALLS  
(E) TO BE REMOVED  
NEW WALL w/ R-15 INSULATION  
NEW WALL
- ⊙<sub>SD</sub> HARDWIRED SMOKE ALARM  
w/ BATTERY BACKUP  
⊙<sub>S-CO</sub> SMOKE / CARBON MONOXIDE ALARM  
COMBO, HARDWIRED w/ BATT BACKUP  
⌈<sub>8</sub> BATHROOM FLUORESCENT FAN LIGHT,  
EQUIPPED w/ HUMIDISTAT



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EXISTING ROOF  
PLAN

DATE: 08/08/2017

SCALE: AS NOTED

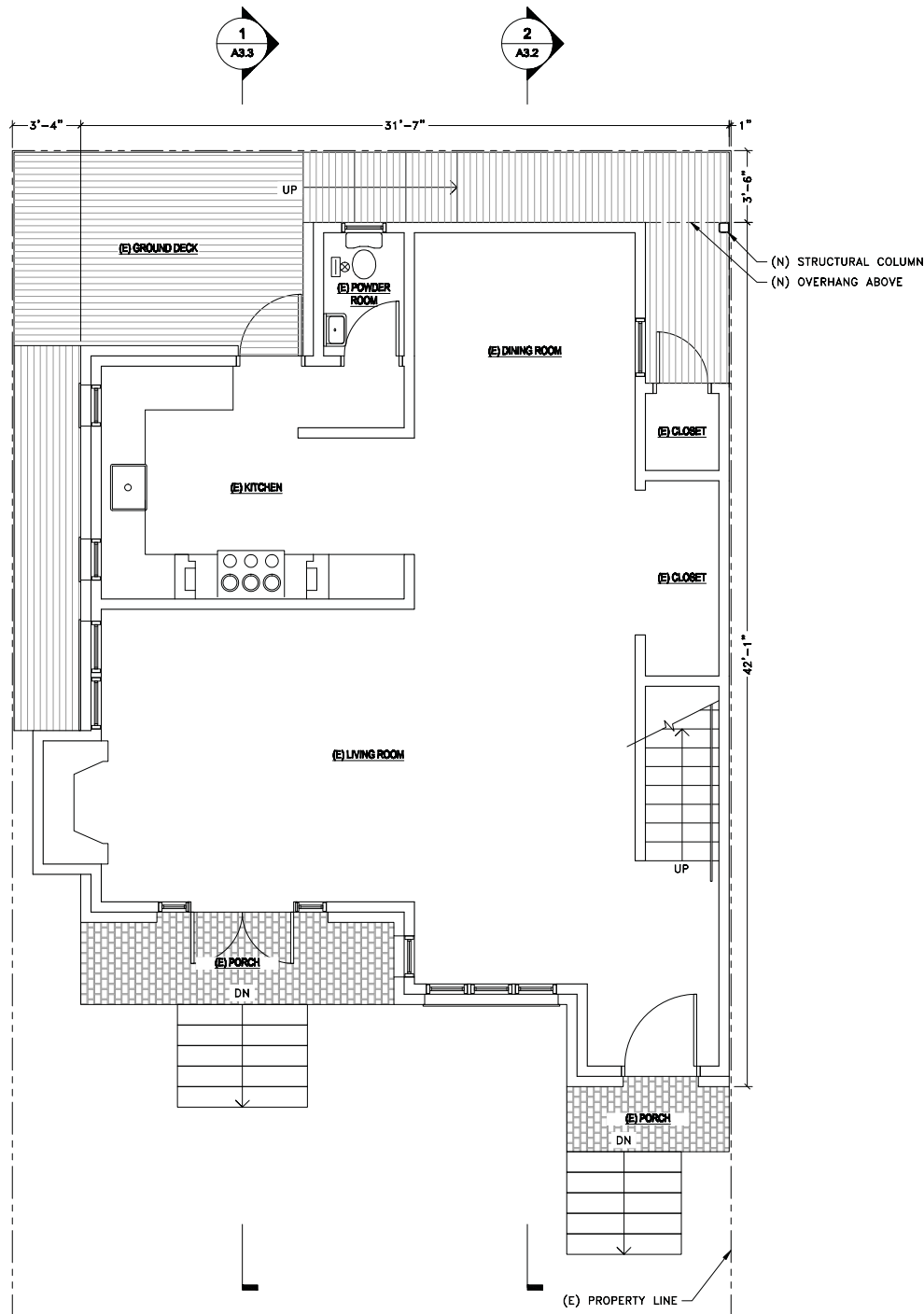
SHEET:

A1.1



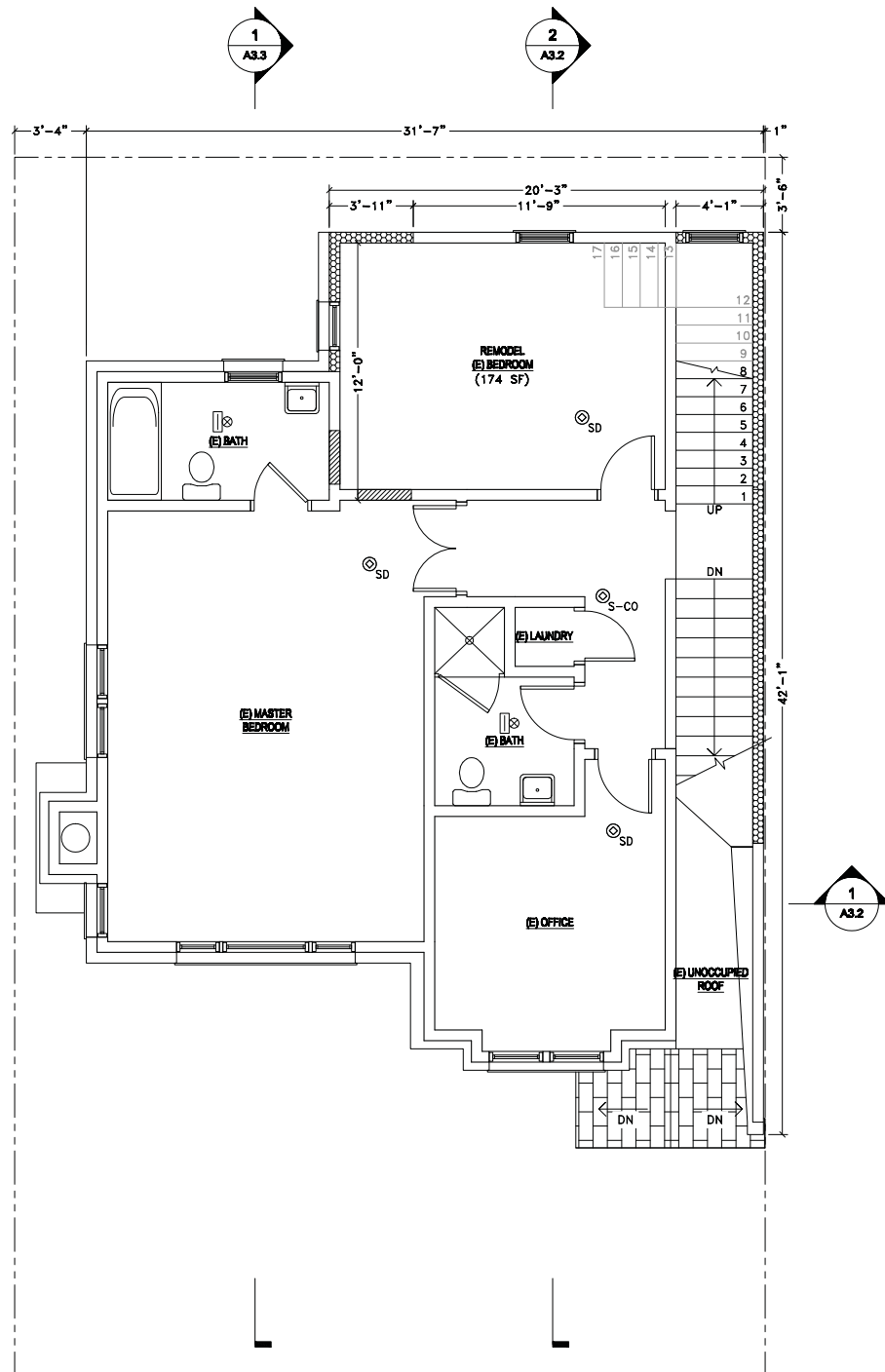
LEGEND

- (E) EXISTING  
(N) NEW / PROPOSED  
(R) REPLACE (E)  
SH SINGLE HUNG WINDOW  
SL SLIDER WINDOW  
CS CASEMENT WINDOW  
F FIXED WINDOW  
FL FULL LITE DOOR  
FURN GAS FURNACE  
AFF ABOVE FINISH FLOOR  
CLR CLEAR  
DN DOWN  
HT HEIGHT  
MIN MINIMUM  
MAX MAXIMUM  
SF SQUARE FOOT (FEET)  
SAD SEE ARCHITECTURAL DRAWINGS  
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TYP TYPICAL  
VIF VERIFY IN FIELD  
UON UNLESS OTHERWISE NOTED  
W/H WATER HEATER
- (E) WALLS  
(E) TO BE REMOVED  
NEW WALL w/ R-15 INSULATION  
NEW WALL
- SD HARDWIRED SMOKE ALARM  
w/ BATTERY BACKUP  
S-co SMOKE / CARBON MONOXIDE ALARM  
COMBO, HARDWIRED w/ BATT BACKUP  
BATHROOM FLUORESCENT FAN LIGHT,  
EQUIPPED w/ HUMIDISTAT



1 PROPOSED GROUND FLOOR PLAN  
1/4" = 1'-0"

(E) CONDITIONED SPACE:  
1,054 SF



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

(E) CONDITIONED SPACE:  
926 SF  
(N) CONDITIONED SPACE:  
22 SF

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SAN FRANCISCO CA 94131

PROPOSED  
GROUND  
FLOOR AND  
SECOND FLOOR  
PLANS

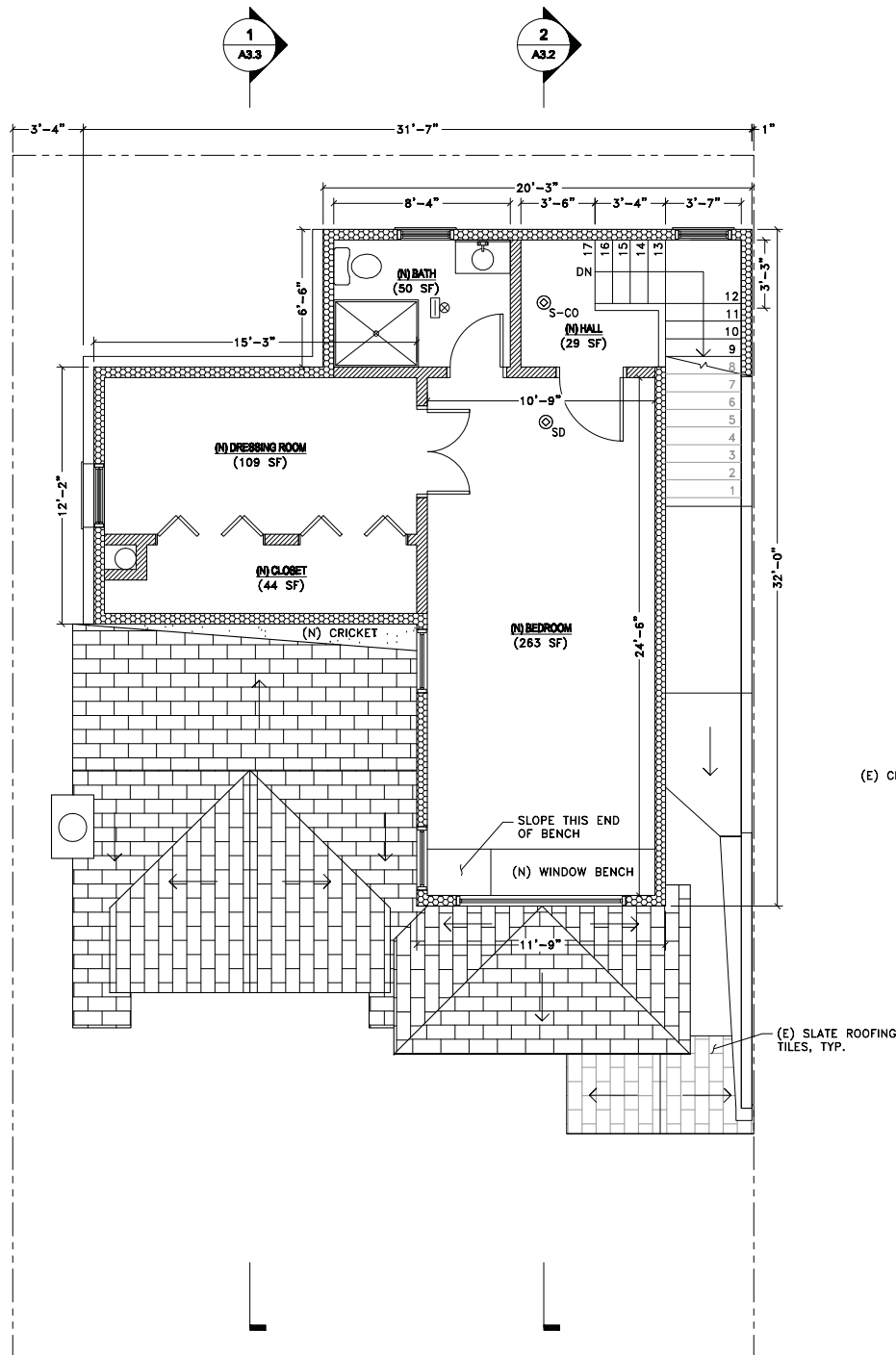
DATE: 08/08/2017

SCALE: AS NOTED

SHEET:

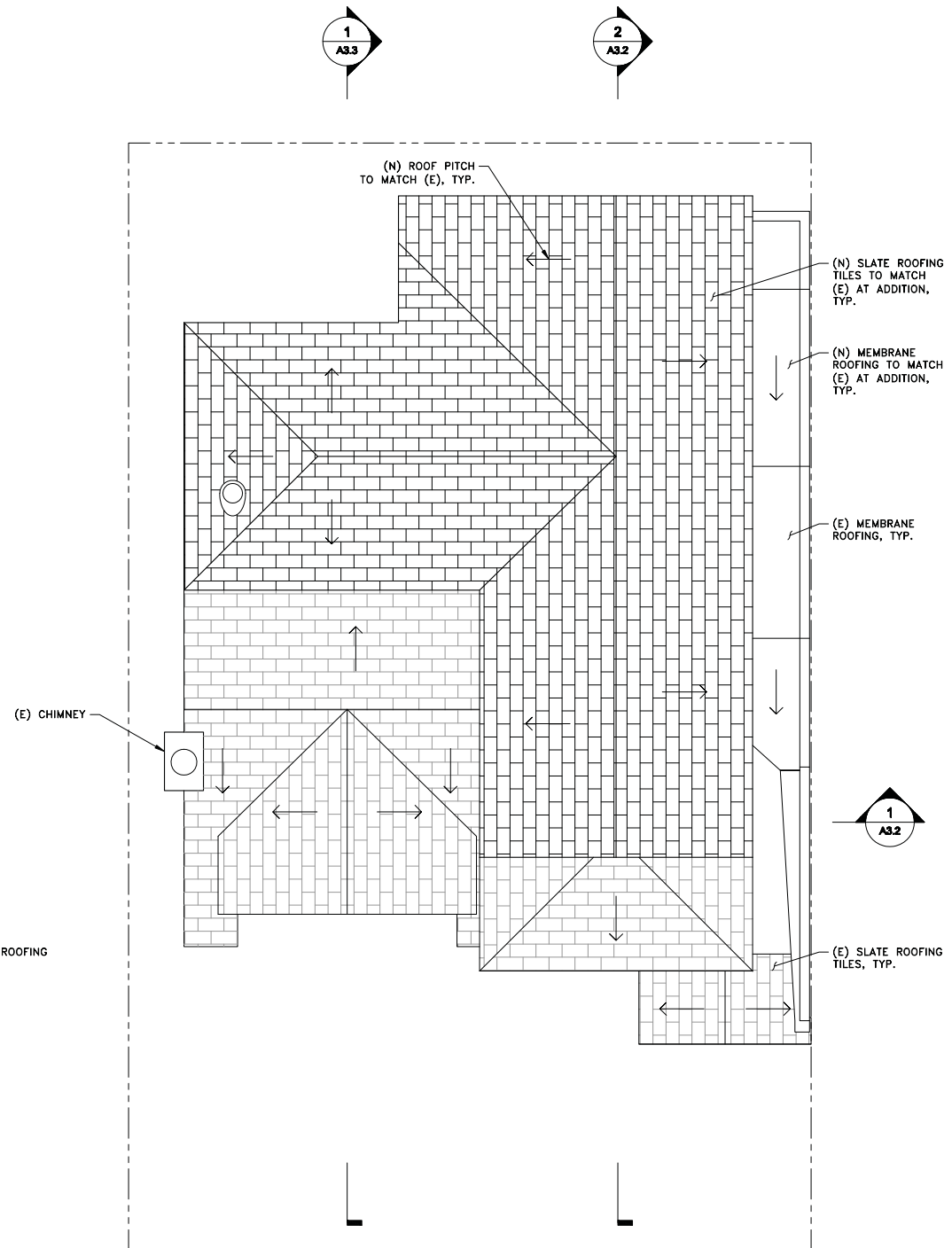
A1.2

- LEGEND**
- (E) EXISTING  
(N) NEW / PROPOSED  
(R) REPLACE (E)  
SH SINGLE HUNG WINDOW  
SL SLIDER WINDOW  
CS CASEMENT WINDOW  
F FIXED WINDOW  
FL FULL LITE DOOR  
FURN GAS FURNACE  
AFF ABOVE FINISH FLOOR  
CLR CLEAR  
DN DOWN  
HT HEIGHT  
MIN MINIMUM  
MAX MAXIMUM  
SF SQUARE FOOT (FEET)  
SAD SEE ARCHITECTURAL DRAWINGS  
SSD SEE STRUCTURAL DRAWINGS  
TYP TYPICAL  
VIF VERIFY IN FIELD  
UON UNLESS OTHERWISE NOTED  
W/H WATER HEATER
- (E) WALLS  
(E) TO BE REMOVED  
NEW WALL w/ R-15 INSULATION  
NEW WALL
- SD HARDWIRED SMOKE ALARM  
w/ BATTERY BACKUP  
S-co SMOKE / CARBON MONOXIDE ALARM  
COMBO, HARDWIRED w/ BATT BACKUP  
BATHROOM FLUORESCENT FAN LIGHT,  
EQUIPPED w/ HUMIDISTAT



1 PROPOSED THIRD FLOOR PLAN  
1/4" = 1'-0"

(N) CONDITIONED SPACE:  
616 SQ FT



2 PROPOSED ROOF PLAN  
1/4" = 1'-0"

NORTH

BANA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

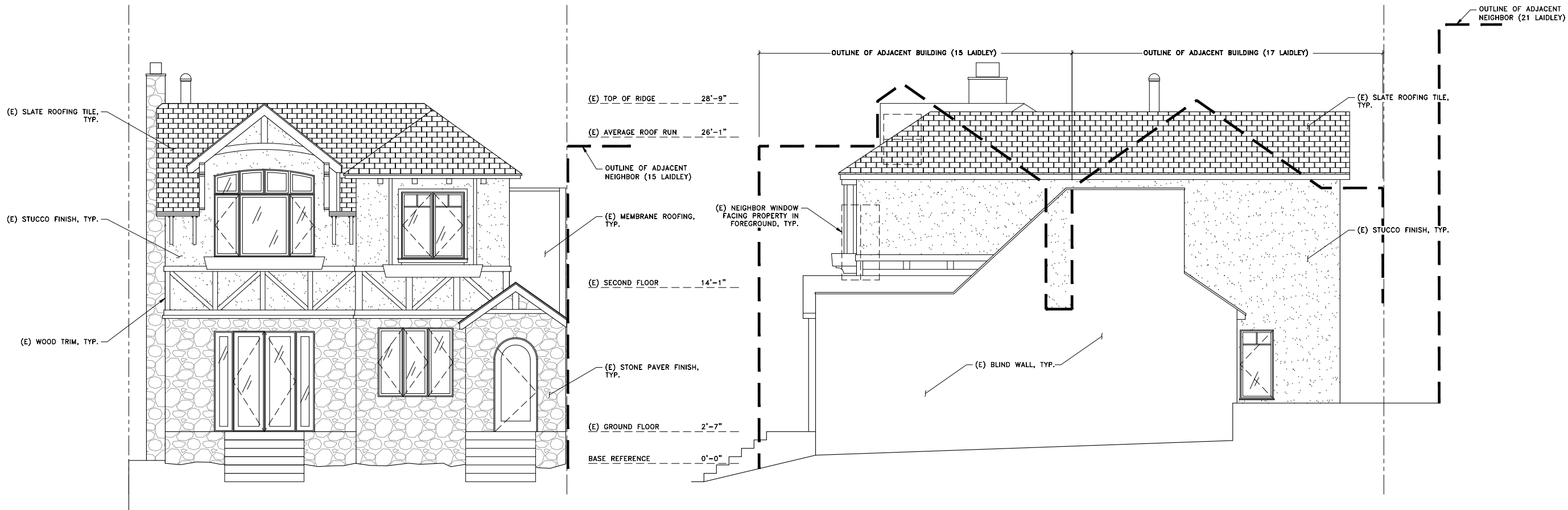
PROPOSED  
THIRD FLOOR  
AND ROOF  
PLANS

DATE: 08/08/2017

SCALE: AS NOTED

SHEET:

A1.3



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

2 EXISTING WEST ELEVATION  
1/4" = 1'-0"

BANA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

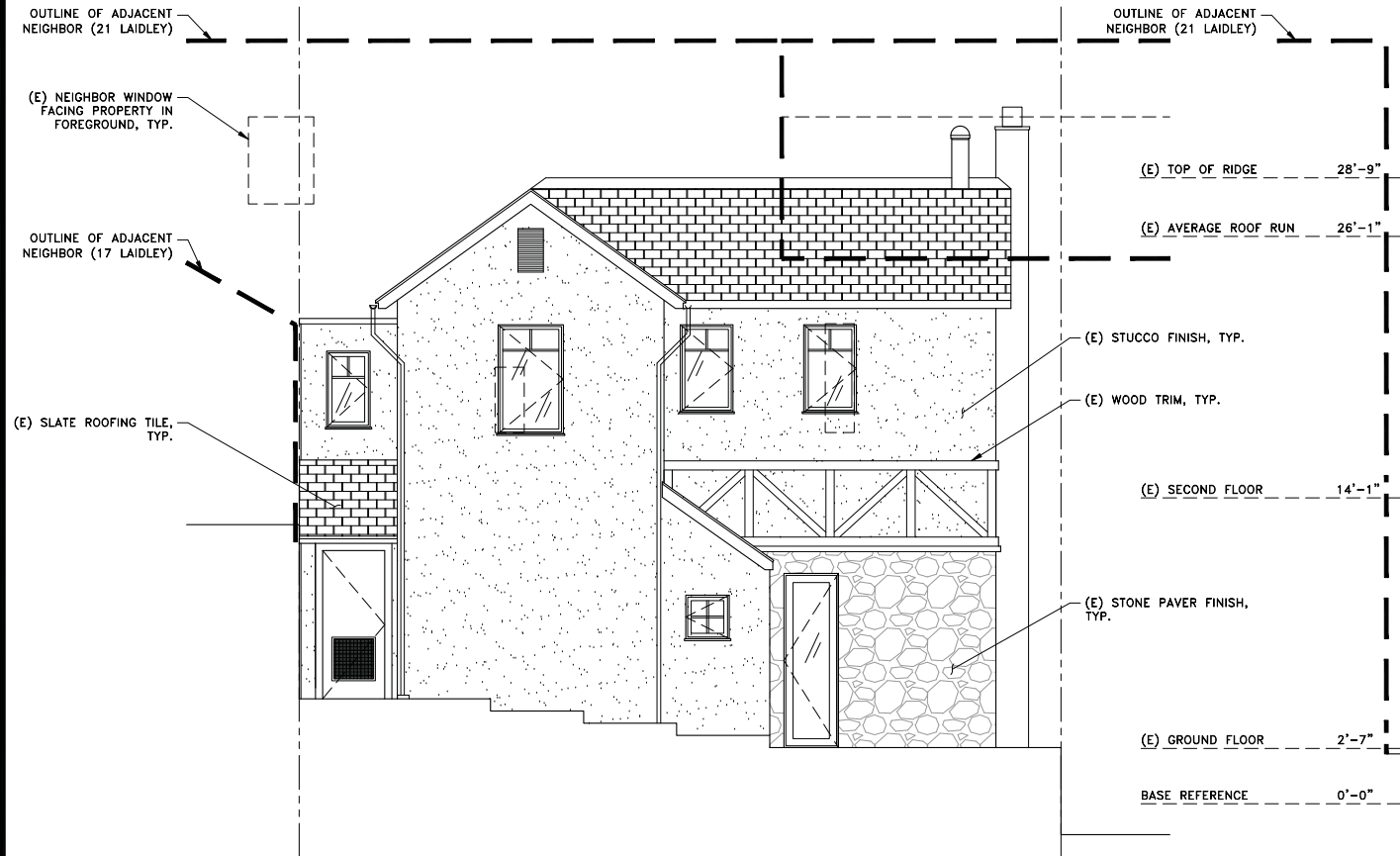
EXISTING  
FRONT AND  
WEST  
ELEVATIONS

DATE: 08/08/2017

SCALE: AS NOTED

SHEET:

A2



1 EXISTING REAR ELEVATION  
1/4" = 1'-0"



2 EXISTING EAST ELEVATION  
1/4" = 1'-0"

REVISIONS

BANA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

EXISTING REAR  
AND EAST  
ELEVATIONS

DATE: 08/08/2017

SCALE: AS NOTED

SHEET:

A2.1



REVISIONS

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71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

EXISTING  
FRONT  
(STREET)  
ELEVATION

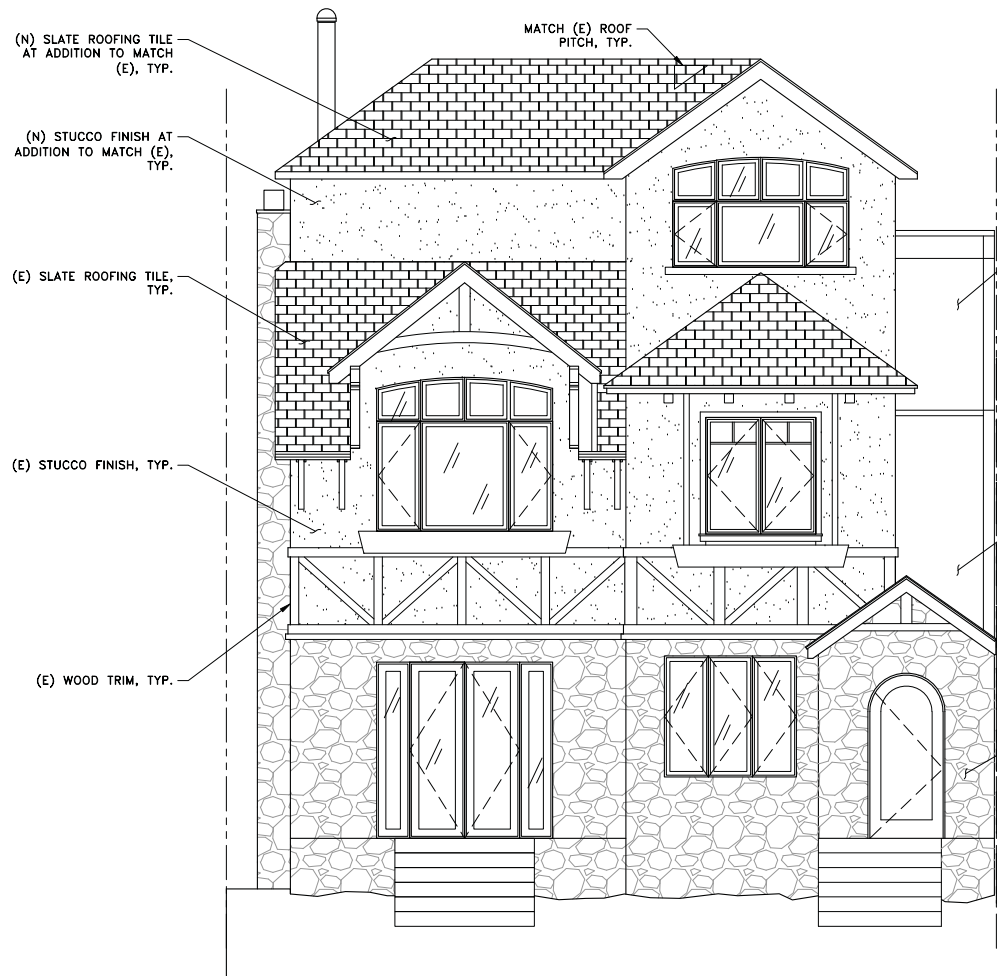
DATE: 08/08/2017

SCALE: AS NOTED

SHEET:

A2.2





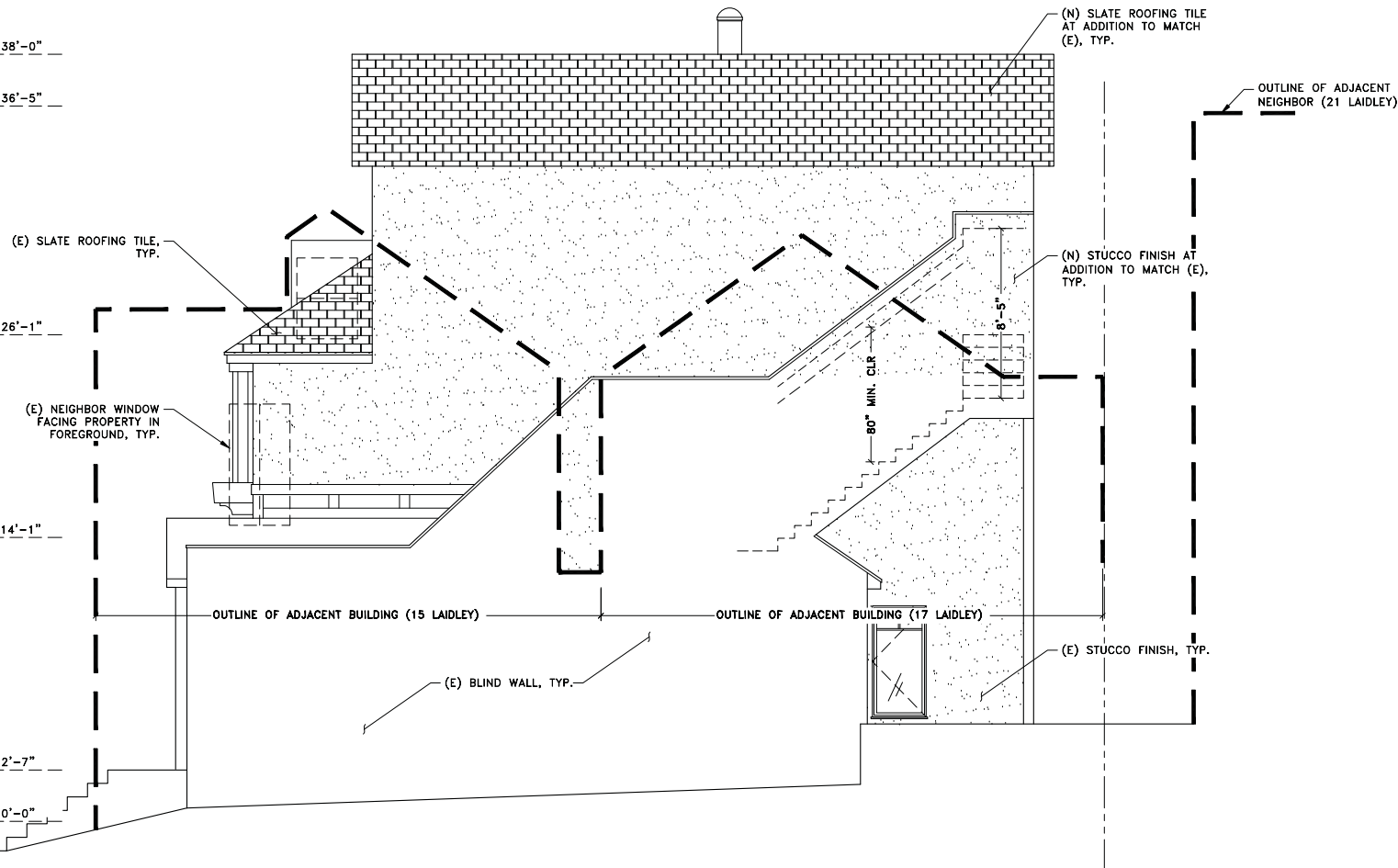
1 PROPOSED FRONT ELEVATION  
1/4" = 1'-0"

(N) TOP OF RIDGE 38'-0"  
(N) AVERAGE ROOF RUN 36'-5"

(N) MEMBRANE ROOFING AT ADDITION TO MATCH (E), TYP.  
OUTLINE OF ADJACENT NEIGHBOR (15 LAIDLEY)  
(N) THIRD FLOOR 26'-1"

(E) MEMBRANE ROOFING, TYP.  
(E) SECOND FLOOR 14'-1"

(E) STONE PAVER FINISH, TYP.  
(E) GROUND FLOOR 2'-7"  
BASE REFERENCE 0'-0"



2 PROPOSED WEST ELEVATION  
1/4" = 1'-0"

BANA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

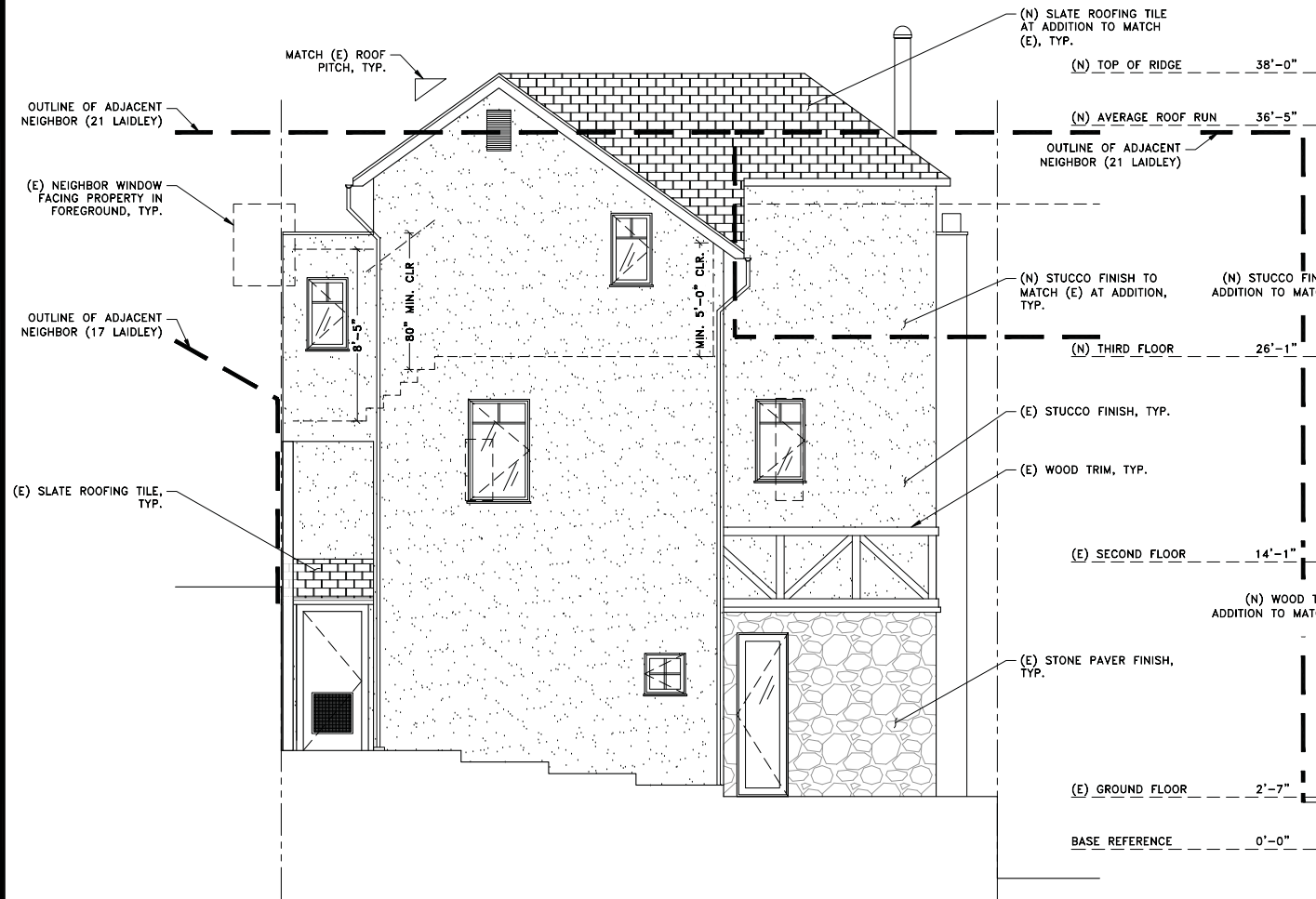
PROPOSED  
FRONT AND  
WEST  
ELEVATIONS

DATE: 08/08/2017

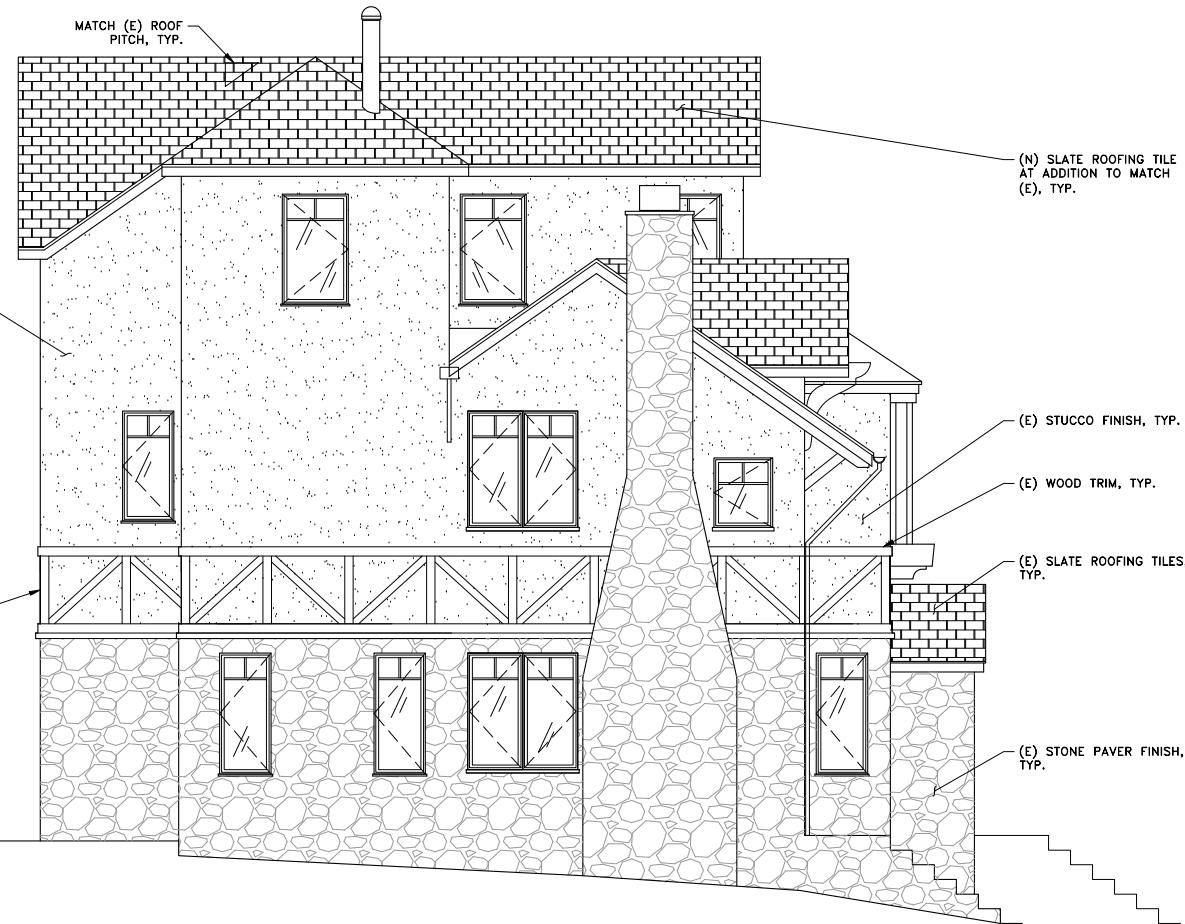
SCALE: AS NOTED

SHEET:

A2.3



1 PROPOSED REAR ELEVATION  
1/4" = 1'-0"



2 PROPOSED EAST ELEVATION  
1/4" = 1'-0"



1 **PROPOSED FRONT (STREET) ELEVATION**  
1/4" = 1'-0"

REVISIONS

BANA INC.  
71 BLAKE STREET  
SAN FRANCISCO, CA 94118  
TEL. 415-752-2824

531 30TH STREET  
SAN FRANCISCO CA 94131

PROPOSED  
FRONT  
ELEVATION

DATE: 08/08/2017

SCALE: AS NOTED

SHEET:

A2.5

## EXHIBIT C



Pre-Application Meeting

Summary of discussion from the  
Pre-Application Meeting

Meeting Date: 8.31.2015  
 Meeting Time: 5:30 PM  
 Meeting Address: 531 30TH STREET  
 Property Address: 531 30TH STREET  
 Project Owner Name: DEVEN GABULA  
 Project Sponsor Representative: DEVEN GABULA

Please summarize the questions/requests and your responses from the Pre-Application meeting in the space below. Please also allow the project to be modified in response to any concerns.

Question Concern 1: The owner is concerned about the impact of the project on the existing view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house.

Project Sponsor Response:

Question Concern 2: A concern from the owner of the property is that the project will impact the view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house.

Project Sponsor Response:

Question Concern 3: The owner is concerned about the impact of the project on the existing view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house.

Project Sponsor Response:

Question Concern 4: The owner is concerned about the impact of the project on the existing view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house. The owner is asking for a design that will preserve the view from the house.

Pre-Application Meeting

## Pre-Application Meeting Sign-in Sheet

Meeting Date: 8.31.2015  
 Meeting Time: 5:30 PM  
 Meeting Address: 531 30TH STREET  
 Property Address: 531 30TH STREET  
 Project Owner Name: DEVEN GABULA  
 Project Sponsor Representative: DEVEN GABULA

Please print your name below, along with address and/or affiliation with neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project. It is for documentation purposes only.

NAME/ORGANIZATION	ADDRESS	PHONE	EMAIL	SEND PLANS
MIK GERA	543 30th St	408-391-1061	Ngha@Outcast.v	
Dan Adams	15 Laidley St	915-280-4181	dadams@outcast.v	X
James Adams	531 30th St	408-391-1061	James@outcast.v	
Stacy Rogers	531 30th St	408-391-1061	Stacy@outcast.v	
Ben Cook	211 Laidley St	408-391-1061	Ben@outcast.v	
Robyns Winkler	9 Laidley St	408-391-1061	Robyns@outcast.v	
LEE TOPLE	32 Laidley			



## EXHIBIT D

lot1 into lots33&34 for 2002 roll

6651

FAIRMOUNT T.R. BLK. 23  
MISSION & 30<sup>TH</sup> ST. HD UNION

REVISED '71  
" '72  
" '73  
" '82  
" '89  
Revised 2002



541-30TH ST. & 9TH LAIDLEY ST.

A CONDOMINIUM		
LOT	UNIT	% COMM. AREA
31	541	50.31
32	9	49.69

# EXHIBIT E







