



# SAN FRANCISCO PLANNING DEPARTMENT

## Discretionary Review Abbreviated Analysis HEARING DATE: JULY 25, 2019

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Suite 400  
San Francisco,  
CA 94103-2479

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Planning  
Information:  
**415.558.6377**

*Date:* July 12, 2019  
*Case No.:* 2017-000987DRP-04  
*Project Address:* 27 17<sup>th</sup> Avenue  
*Permit Application:* 2018.0625.2842  
*Zoning:* RH-1 [Residential House, One-Family]  
40-X Height and Bulk District  
*Block/Lot:* 1341/026  
*Project Sponsor:* John Kantor  
256 16<sup>th</sup> Avenue  
San Francisco, CA 94110  
*Staff Contact:* David Winslow – (415) 575-9159  
[David.Winslow@sfgov.org](mailto:David.Winslow@sfgov.org)  
*Recommendation:* **Take DR and Approve with Modifications**

### PROJECT DESCRIPTION

The proposed project consists of demolition of a garage structure occupying a portion of the required rear yard and new construction of a four-story single-family residence.

### SITE DESCRIPTION AND PRESENT USE

The site is a 25'-0" wide x 120'-0" lot with an existing one-story garage. This block of 17<sup>th</sup> Avenue is a 60'-0" wide dead-end right-of-way that terminates in the Presidio.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

This property on 17<sup>th</sup> Avenue is set amongst a group of 3-4 story single-family houses with varying front setbacks from the street. The buildings to the North have a generally consistent alignment with respect to the rear yards, that extend further than the subject building. The building to the immediate South sits on a shallow lot and extends about half as far into the mid-block open space. The surrounding buildings vary in architectural style and character.

### BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	February 21, 2019 – March 25, 2019	3.25. 2019	7.25. 2019	101 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	July 5, 2019	July 5, 2019	20 days
Mailed Notice	20 days	July 5, 2019	July 5, 2019	20 days
Online Notice	20 days	July 5, 2019	July 5, 2019	20 days

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	10	0
Neighborhood groups	0	0	0

## ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15303 (Class Three – New Construction, up to three new single-family residences.)

## DR REQUESTORS

### DR requestor #1:

Alan Greinetz of 20 18<sup>th</sup> Avenue, the neighbor to the rear (West) of the proposed project.

### DR requestor #2:

Jerry Dratler of 40 17<sup>th</sup> Avenue, a neighbor across the street to the East of the proposed project.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

### DR requestor #1:

1. Work that was performed without the benefit of a permit including the removal of a three-story bay extending over the side lot line of the adjacent building has created need for heightened review, along with monitoring to ensure project is completed in accordance with Code.
2. The proposed project does not conform to several Residential Design Guidelines:
  - *Design Buildings to be Compatible with the Patterns and Architectural Features of Surrounding Buildings.* The proposed face lacks architectural detail compatible with the surrounding neighborhood.

- *Design the Scale of the Building to be Compatible with the Height and Depth of Surrounding Buildings.* The proposed building is out of scale with the surrounding neighborhood.
  - *Design the Building's Form to be Compatible with that of Surrounding Buildings.*
  - *Design the Placement and Scale of Architectural Details to be Compatible with the Building and Surrounding Area.*
  - *Use Windows that Contribute to the Architectural Character of the Building and the Neighborhood.*
  - *Articulate the Building to Minimize Impacts on Light and Privacy to Adjacent Properties.* The quantity and size of the proposed decks impacts the privacy of properties that front on 18<sup>th</sup> Avenue and Lake Street, as well as properties across 17<sup>th</sup> Avenue.
3. Exceptional and extraordinary circumstance exist since the proposal is contingent on the approval of 25 17<sup>th</sup> Avenue and is not designed to respect the nuances of the adjacent key lot/

Proposed alternatives:

1. Reduce the size of the project to approximately 4,000 s.f.
2. Reduce the size of the deck on the second floor to 6' deep remove and firepit.
3. Remove the third-floor deck
4. Remove the rear 4<sup>th</sup> floor deck
5. Reduce the width of the building in the rear to provide a 5' side setback from the south lot line and an approximately 67'-6" rear setback along the south lot line.

See attached *Discretionary Review Application*, dated March 25, 2019.

DR requestor #2:

1. The property owner failed to submit a site survey, which is a requirement for new construction.
2. The project does not conform to several Residential Design Guidelines:
  - Design the Scale of the Building to be Compatible with the Height and Depth of Surrounding Buildings.
  - Design Buildings to be Compatible with the Patterns and Architectural Features of Surrounding Buildings.
  - Use Windows that Contribute to the Architectural Character of the Building and the Neighborhood.
  - Articulate the Building to Minimize Impacts on Light and Privacy to Adjacent Properties.
3. The proposed building is contingent on the approval of the 27 17<sup>th</sup> Avenue, the building to the North. The adjacent property to the South, which is a key lot, has not been considered in the design.

Proposed alternatives:

1. Provide a site survey.

2. Reduce the scale at the rear to be consistent with the homes in the neighborhood.
3. Allow only a reasonably sized rear deck.
4. Reduce the size of the project to approximately 3,500 s.f

See attached *Discretionary Review Application*, dated March 15, 2019.

## PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The sponsor has complied with the Residential Design Guidelines (RDGs) in relation to the DR requestor's issues related to scale and height, neighborhood character, light and privacy.

See attached *Response to Discretionary Review*, dated April 30, 2019.

## RESIDENTIAL DESIGN TEAM REVIEW

The project application does include a site survey by a licensed land surveyor.

The Department's Residential Design Advisory Team (RDAT) re-reviewed this and confirmed that this project does present exceptional or extraordinary circumstances with respect to height, scale, neighborhood character, light, privacy, and parking. Staff recommends the following modifications to respond to issues brought forth by the DR requestors.

Specifically:

1. The project appears to be overparked with a garage that provides space for more than the maximum allowable number of cars to be parked. Staff recommends reducing the size of the garage by moving the demising wall between parking and residential space 5'-6" forward. This should still allow independent vehicular access.
2. While the Department does not evaluate the scale of residential projects on square footage or floor area ratios, RDAT did find the project is massed to disproportionately to surrounding neighbors. Staff recommends that to harmonize with the scale of the buildings at the rear and maintain access to mid-block open space the project should:
  - a) Reduce the horizontal expansion at the rear of the second floor by approximately 5' to column line 7;
  - b) Reduce the horizontal expansion at the rear of the third floor by approximately 8' to column line 6, while maintaining a 5' side setback on the upper floors from the South property line; and
  - c) Setback the front of the fourth story 15' from the front building wall, the approximate average between the two adjacent buildings, to harmonize the scale of the building at the street.
3. Provide angled bays with glass on all sides and refine the proportions, scale, and pattern, of windows in keeping with the surrounding architectural character.



4. Provide solid parapets at the roof decks to be more in keeping with the character with the surrounding buildings.
5. Setback the decks a minimum of 5' from all property lines, consistent with Department's criteria for minimizing potential nuisance to neighboring properties. With the proper setbacks and solid parapets, staff believes the location and size of decks are appropriate.

<b>RECOMMENDATION:</b> <b>Take DR and Approve with Modifications</b>
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**Attachments:**

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photographs

Section 311 Notice

CEQA Determination

DR Applications

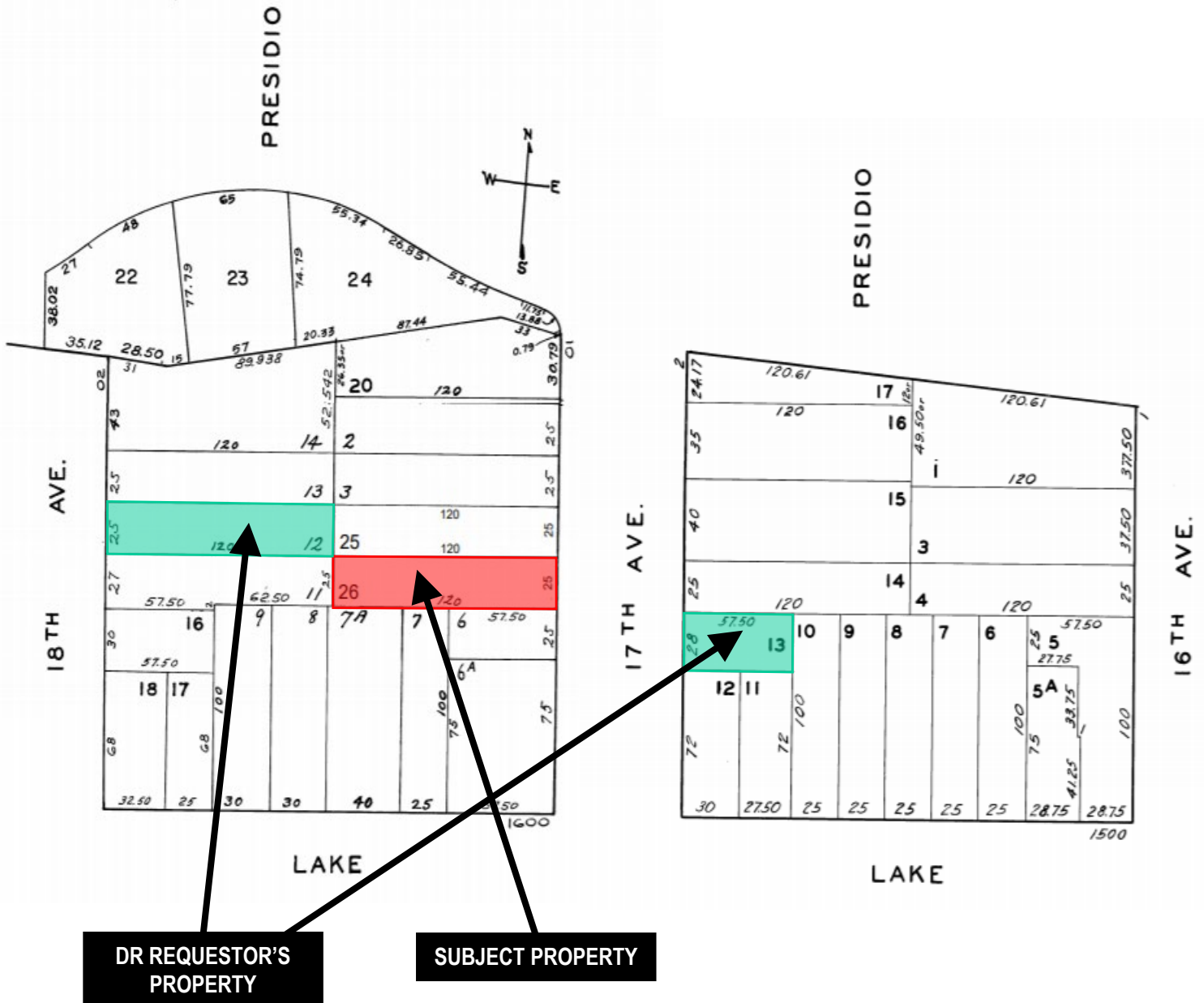
Letters from neighbors- (See letters included in packet for 25 17<sup>th</sup> Ave.)

Response to DR Application, dated April 30, 2019

Reduced Plans

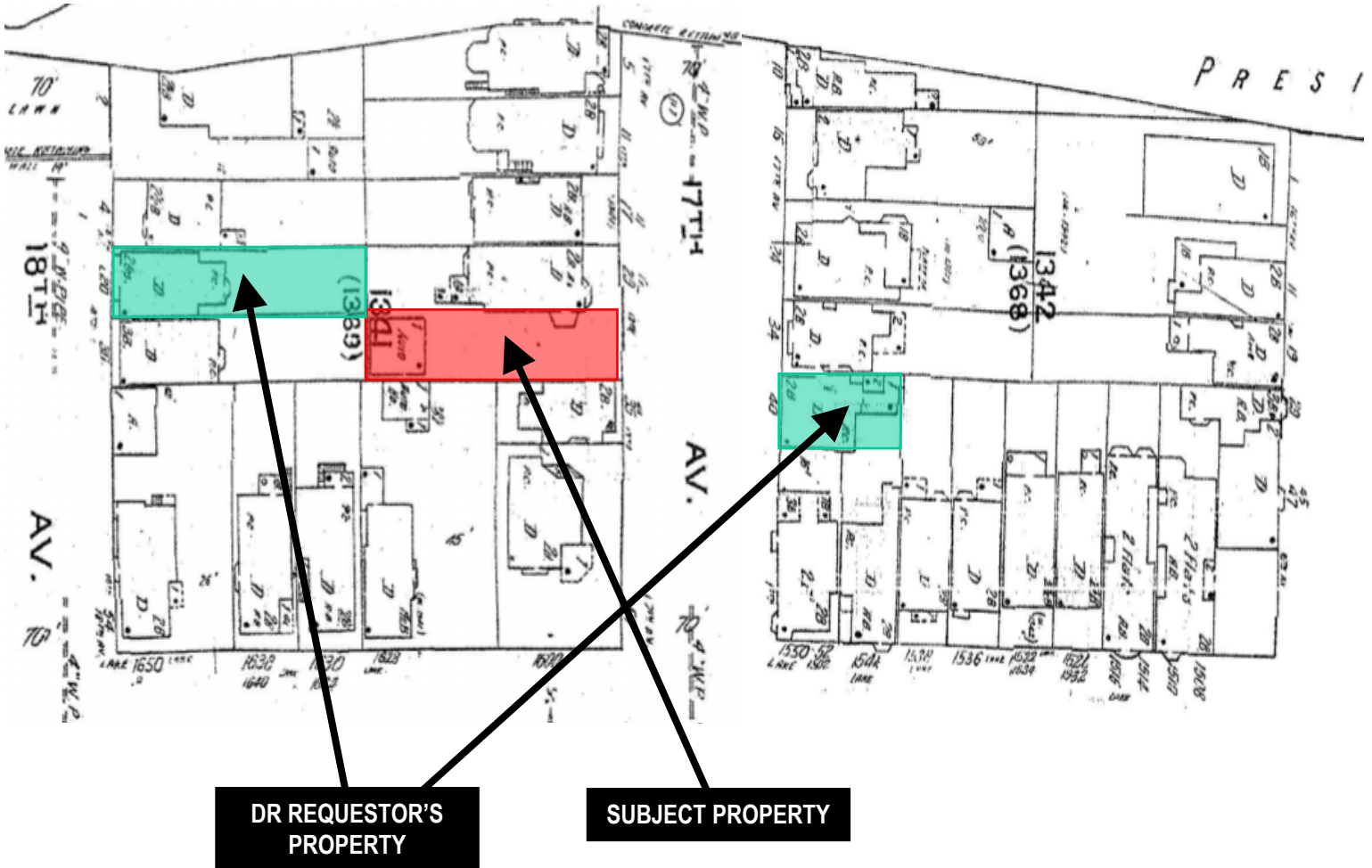
# Exhibits

# Parcel Map



Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue

# 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 2017-000987DRP-04  
27 17<sup>th</sup> Avenue

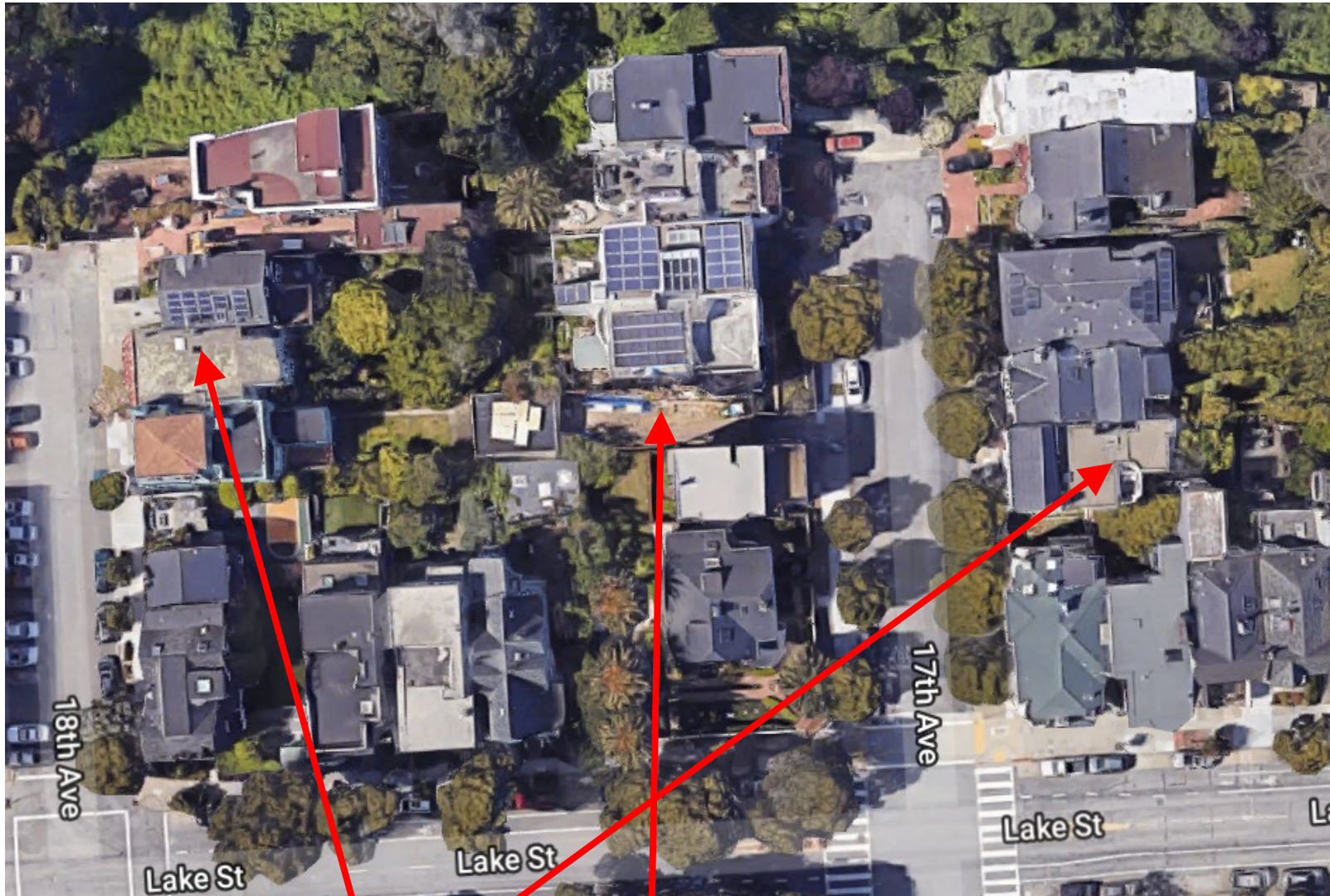
# Zoning Map



Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

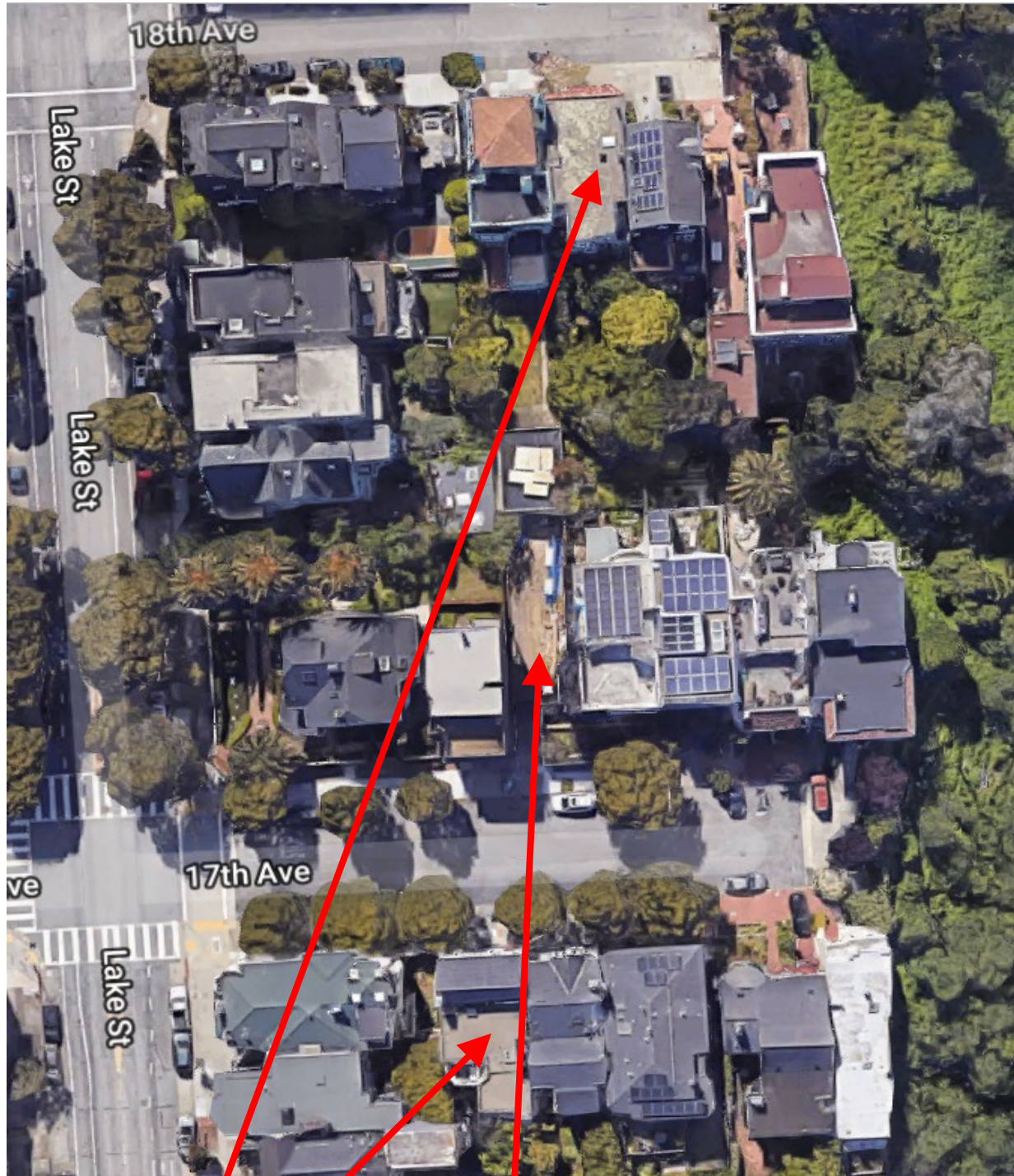
SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

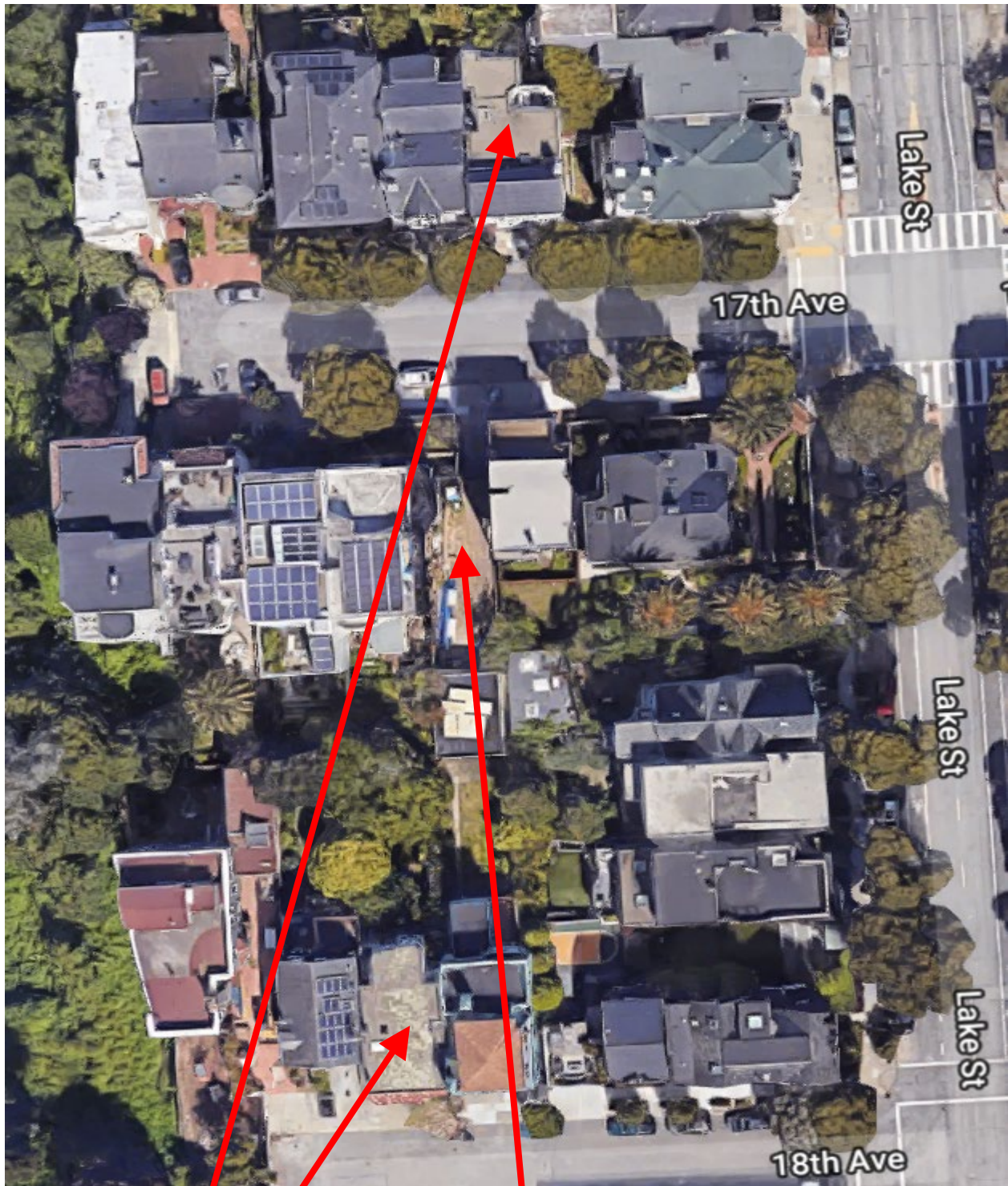
SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

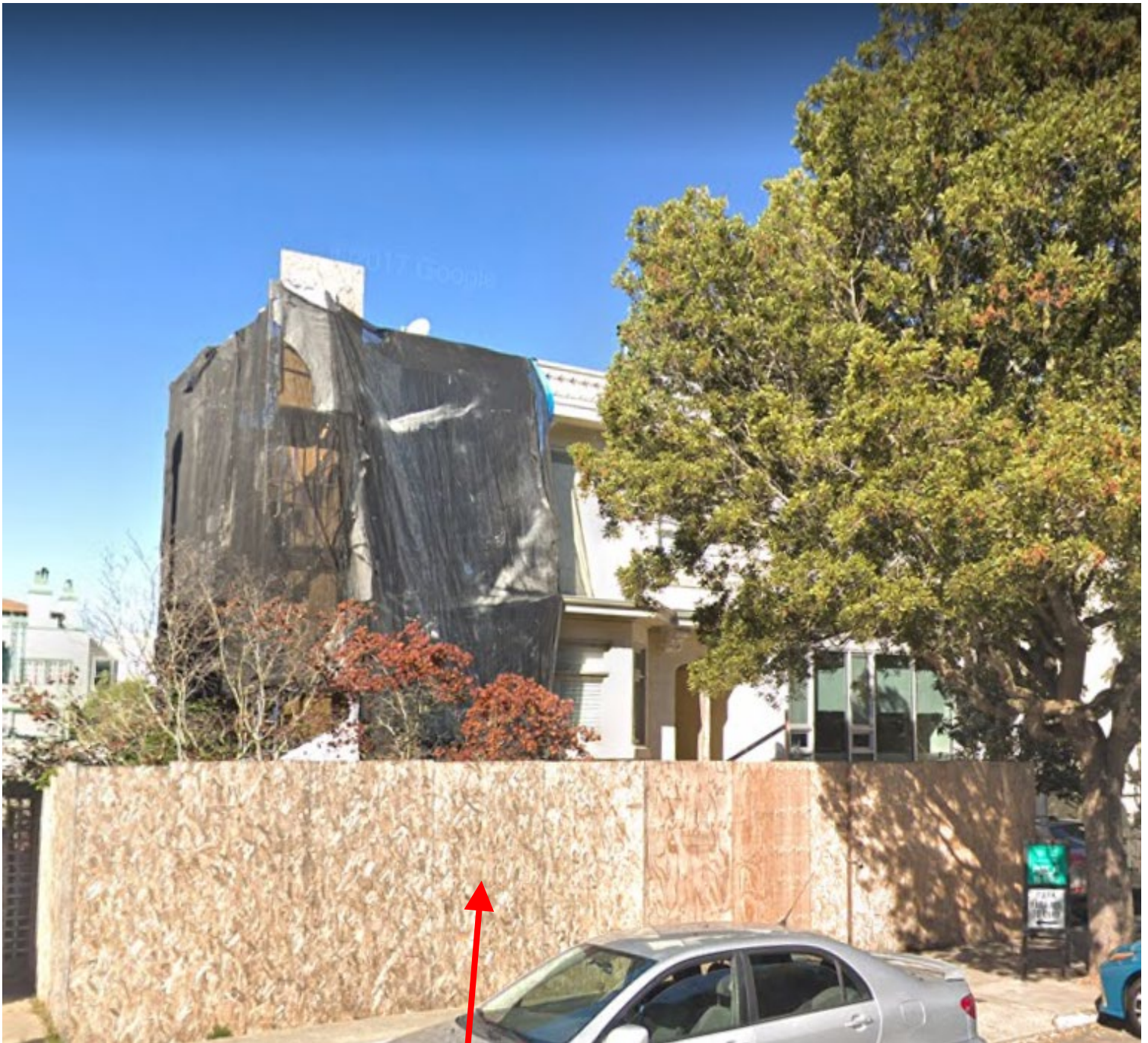
SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue



# Site Photo



**SUBJECT PROPERTY**

Discretionary Review Hearing  
Case Number 2017-000987DRP-04  
27 17<sup>th</sup> Avenue



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **June 25, 2018**, Building Permit Application No. **201806252842** was filed for work at the Project Address below.

**Notice Date: 2/21/19**

**Expiration Date: 3/25/19**

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>27 17th Avenue</b>	Applicant:	<b>John Kantor</b>
Cross Street(s):	<b>Lake Street</b>	Address:	<b>256 16<sup>TH</sup> Avenue</b>
Block/Lot No.:	<b>1341 / 026</b>	City, State:	<b>San Francisco, CA</b>
Zoning District(s):	<b>RH-1/40-X</b>	Telephone:	<b>(415) 412-6798</b>
Record Number:	<b>2017-000987PRJ</b>	Email:	<b>kantor@pacbell.net</b>

You are receiving this notice as an owner or occupant of property 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 that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, 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 checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Two-car garage	Residential, Single-family
Front Setback	± 90'-5"	± 11'-0"
Side Setbacks	± 1'-10", 2'-0"	± 0
Building Depth	± 29'-7 ½ "	± 77'-0"
Rear Yard	± 0	± 33'-3"
Building Height	± 8'-7"	± 35'-0"
Number of Stories	1	4
Number of Dwelling Units	0	1
Number of Parking Spaces	2	No change
PROJECT DESCRIPTION		
The project proposes to demolish an existing deck structure and one-story garage at the rear of the property and construct a new four-story, single family residence. 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		

To view plans or related documents, visit [sf-planning.org/notices](http://sf-planning.org/notices) and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

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

Sylvia Jimenez, 415-575-9187, [Sylvia.Jimenez@sfgov.org](mailto:Sylvia.Jimenez@sfgov.org)

# 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, contact the Planning Information Center (PIC) at 1660 Mission Street, 1st Floor (415) 558-6377 or [pic@sfgov.org](mailto:pic@sfgov.org). 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), 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 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.





# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
27 17th Avenue		1341021
<b>Case No.</b>		<b>Permit No.</b>
2017-000987ENV		201707071206
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input checked="" type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input checked="" type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b> Interior remodel of existing structure and new foundation to single family residence. Rear addition and lot split. To erect a 4 stories, one dwelling single family dwelling, no basement, type v-a  Includes work under permit #201806252842s.		

### STEP 1: EXEMPTION CLASS

<b>The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).</b>	
<input checked="" type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six 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.
<input type="checkbox"/>	<b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>
<input type="checkbox"/>	<b>Class ____</b>

## STEP 2: CEQA IMPACTS

### TO BE COMPLETED BY PROJECT PLANNER

<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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<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?  <i>if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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? If yes, archeo review is required (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). If yes, Environmental Planning must issue the exemption.
<input type="checkbox"/>	<b>Slope = or &gt; 25%:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.</b>
<b>Comments and Planner Signature (optional):</b> Alexandra Kirby	

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

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Property Information Map)	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input checked="" type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>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 checked="" 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 Residential Design Guidelines.
<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 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 checked="" 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 PROJECT 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 checked="" type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  New construction compatible with surrounding mixed context - not located in an identified district. Demolition of non-historic deck and garage structures.  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Reclassify to Category A  a. Per HRER or PTR dated  b. Other (specify): </div> <div> <input type="checkbox"/> Reclassify to Category C  (attach HRER or PTR) </div> </div>
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</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> Updated Cat. Ex to correct scope as inclusive of work indicated on related permits.	
<b>Preservation Planner Signature:</b> Alexandra Kirby	

## STEP 6: CATEGORICAL EXEMPTION DETERMINATION

### TO BE COMPLETED BY PROJECT PLANNER

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Building Permit	<b>Signature:</b> Elizabeth Gordon Jonckheer
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	07/15/2019
	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 approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	



## 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)
27 17th Avenue		1341/021
Case No.	Previous Building Permit No.	New Building Permit No.
2017-000987PRJ	201707071206	
Plans Dated	Previous Approval Action	New Approval Action
	Building Permit	
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.	

### 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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.	
Planner Name:	Date:



MAR 25 2019

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
PIC

### Discretionary Review Requestor's Information

Telephone: 415.305.0019

Telephone: 415.412.6798

Building Permit Application No(s): **2018.06.25.2842**

PRIOR ACTION		YES	NO
Have you discussed this project with the permit applicant?		<input checked="checked" type="checkbox"/>	
Did you discuss the project with the Planning Department permit review planner?		<input checked="checked" type="checkbox"/>	
Did you participate in outside mediation on this case? (including Community Boards)			<input checked="checked" type="checkbox"/>
<p>Changes Made to the Project as a Result of Mediation.</p> <p>If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes that were made to the proposed project.</p>			

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

- 
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 unreasonably affected, please state who would be affected, and how.

- 
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?

# DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.



Signature



Name (Printed)

Relationship to Requestor  
(i.e. Attorney, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

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

25 17<sup>th</sup> Avenue (Horizontal Expansion and Demolition), BPA No.: 2017.0707.1206  
27 17<sup>th</sup> Avenue (Demolition and New Construction), BPA No.: 2018.0625.2842

## Discretionary Review Request

- 1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. 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 Policies or Residential Design Guidelines? Please be specific and site-specific sections of the Residential Design Guidelines.**

The reasons for requesting the Discretionary Review are three-fold:

1. A record of work performed without the benefit of a permit and a disregard to consider neighbor concerns has resulted in the need for a heightened project evaluation and the request to include monitoring mechanisms so as to ensure project implementation is completed in accordance with Code;
2. The proposal does not meet the standards in the Residential Design Guidelines; and,
3. There are exceptional and extraordinary circumstances pertaining to a complex review process that relies on work performed without the benefit of a permit (namely, the demolition of the encroaching bay window and chimney and a subsequent lot split for a property with an active NOV), and the assumption of an approval of a proposed building that has not yet been approved (27 17<sup>th</sup> Avenue).

### **1. Work Performed without the Benefit of a Permit**

In June 2016, an over the counter permit (BPA No.: 2016.0616.0104) was issued to remove lath and plaster and repair dry rot on the subject property. The actual scope of work included the demolition and removal of two decks, a chimney, and a bay window (Exhibit 1: Image of bay window and decks before unpermitted demolition). The result was a series of complaints, notices of violation, enforcement cases, and an appeal. During this time, with the 'encroaching' bay window, decks and chimney now removed, a lot subdivision was proposed and subsequently deemed compliant in February 2017. Despite common practice that all permit activity be placed on hold for properties with violations, the lot split occurred, and the project sponsor submitted two project proposals – a remodel of the existing property and a new construction on the now vacant lot. During approximately the same time, permits were issued to replace the existing foundation (BPA Nos: 2016.0106.6439, 2016.0701.1417, 2017.0830.6367, 2017.1213.6333), again, notices of violations and corrections and an appeal occurred. The Board of Appeals eliminated the abatement of the bay and deck from the abatement permit and allowed the property owner to continue with a permitted foundation replacement and a voluntary seismic upgrade. The foundation replacement and seismic upgrade have not been completed, the project was abandoned in August of 2018. It is suspected the scope of unpermitted work completed by the sponsor also included the creation of usable floor area at the first floor expanding the home from

what was advertised when it was purchased by the project sponsor as a 3,710 square foot home, to a 5,067 square foot home (Exhibit 2: Existing square foot differential). The result of this pre-emptive enlargement from a 3,710 square foot home to a proposed 5,589 square foot home reduces the current proposal to a 522 square foot expansion when the total 1,879 square foot expansion should be considered. Lastly, the pre-application meetings were well attended and neighbors raised a large number of questions and concerns (Exhibit 3: 27 17<sup>th</sup> Avenue Pre-app sign-in sheet and summary of comments). The meeting's intention is to initiate neighbor communication and identify issues and concerns. **These issues and concerns were not addressed, and the proposed projects do not adhere to the context-specific issues that have been raised by neighbors including: mass, design, and privacy.**

## **2. Residential Design Guidelines**

The Residential Design Guidelines articulate expectations regarding the character of the building environment and are intended to promote design that will protect neighborhood character. The proposed project disrupts the cohesive neighborhood identity and disturbs the unique setting of this small dead-end block. What follows is a list of the guidelines that are not adhered to. Generally, there is support and a request for: an overall size reduction (including in proposed depth) so that the proposed projects (both 25 and 27 17<sup>th</sup> Avenue) are compatible with the existing buildings on the block and scale at the mid-block open space; and a redesign of the front facade to incorporate important architectural features, fenestration and entry patterns and materials.

Design Principle: Ensure that the building's scale is compatible with the surrounding buildings.

Neighborhood Character: Design Principle: Design buildings to be responsive to the overall neighborhood context, in order to preserve the existing visual character.

**Guideline: In areas with a defined visual character, design buildings to be compatible with the patterns and architectural features of surrounding buildings.**

Design Principle: Design the building's scale and form to be compatible with that of surrounding buildings, in order to preserve neighborhood character.

**Guideline: Design the scale of the building to be compatible with the height and depth of surrounding buildings.**

**Guideline: Design the building's form to be compatible with that of surrounding buildings.**

*The plans as proposed do not support the construction of appropriately-scaled buildings for the block.*

The two proposed homes of approximately 5,500 square feet are 76% larger than the existing average (3,130 sf) of the ten homes on 17<sup>th</sup> Avenue north of Lake Street and is roughly four times the average-sized home in San Francisco (Exhibit 4: Current home-size comparison). **We support an expansion of a home that is limited to a size that is**

**compatible with other homes on the street and propose that 27 17<sup>th</sup> Avenue be no more than 4,000 square feet and 25 17<sup>th</sup> Avenue no more than 5,000 square feet (retain existing building envelope).** We believe this reduction, while still larger than most buildings on the block, will be more compatible with the existing neighborhood character and mid-block open space.

Design Principle: Provide architectural features that enhance the neighborhood's character.

Building Details: Design Principle: Use architectural details to establish and define a building's character and to visually unify a neighborhood.

**Guideline: Design the placement and scale of architectural details to be compatible with the building and the surrounding area.**

**Guideline: Use windows that contribute to the architectural character of the building and the neighborhood.**

*The proposal's front façade lacks architectural detail compatible with the building and surrounding area.*

This block of 17th Ave, and in fact most nearby blocks, is dominated by older homes with rich architectural detail and divided wood windows. Exterior facades often include several building materials with stucco and/or shingle facades and wood trim. Windows and their surrounds are wood with substantial depth and detail. Floors are generally distinguished by setbacks or belt courses. Entries are most often inset behind arched entry porches. Rooflines are enhanced by cornice lines and large corbels. There is only one building on this block that is modern and lacking in detail.

The proposed façade of the building at 27 17<sup>th</sup> Avenue is out of character and lacks architectural detail commensurate with other buildings on the block. The only other house similar to it is an anomaly. The proposed design not only does not contribute to the character of the block; it detracts from it substantially. Buildings can be decidedly and unabashedly modern while acknowledging adjacent character, detail and material; this building makes no effort to fit into the neighborhood.

Design Principle: Place the building on its site so it responds to the topography of the site, its position on the block, and to the placement of surrounding buildings.

**Guideline: Articulate the building to minimize impacts on light and privacy to adjacent properties.**

*The proposal to provide over 1,000 square feet of decks on multiple levels as part of a horizontal addition generates privacy impacts.*

Currently, the rear wall of 25 17<sup>th</sup> Avenue is comprised of a very small deck (only 4' deep and maybe 40 square feet) on the top floor and doors and stairs leading from the second to first floor. The adjacent lot, which proposes 27 17<sup>th</sup> Avenue, currently houses

a garage that includes a rear wall with 2 double hung windows. The proposal includes approximately 1,112 square feet of decks (25 17<sup>th</sup> Avenue: 200 square foot roof deck at the second floor, and two roof decks on the 4<sup>th</sup> floors: front deck approximately 312 square feet, rear deck approximately 200 square feet) (27 17<sup>th</sup> Avenue: approximately 247 square foot deck at the second floor, an approximately 70 square foot deck at the third floor, and an approximately 100 square foot deck in the rear on the 4<sup>th</sup> floor and an approximately 200 square foot deck in the front on the 4<sup>th</sup> floor). The unusual number of proposed decks in addition to the proposed horizontal addition with floor to ceiling glass doors impacts the privacy of the mid-block open space and properties that reside on 18<sup>th</sup> avenue looking east, and Lake Street looking north. (Exhibit 5: Mid-block open space rendering and photo). The fourth floor roof in the front of 25 17<sup>th</sup> Ave is inaccurately labeled as a deck and the proposal to create a new roof deck raises privacy concerns for the east side of 17<sup>th</sup> Avenue (Exhibit 6: Image of existing 4<sup>th</sup> floor 'roof deck').

**3. Exceptional and Extraordinary Circumstances: 25 27<sup>th</sup> Avenue has not yet been approved, and 35 17<sup>th</sup> Avenue is a key lot.**

In addition to the work performed without benefit of a permit described above, the proposal for 27 17<sup>th</sup> Avenue assumes the approval of the proposal for 25 27<sup>th</sup> Avenue. On its own, the proposal to develop the vacant lot would likely require a greater reduction in building depth, a lightwell for the bay window, and a project designed in keeping with the nuances provided by the key lot at 35 17<sup>th</sup> Avenue and of the neighborhood character in general.

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

The projects as proposed and described above will create unreasonable impacts associated with building mass and privacy. In both cases, the projects have submitted revised drawings but have proposed minimal reduction in square footage and replaced much of the reduction with the addition of decks. For example, when the proposal for 25 17<sup>th</sup> Avenue was initially submitted to the Planning Department, the existing square footage was stated to be 4,858 square feet and the project proposed expanding the building to 6,054 square feet. In response to Planning Department requests, the project was revised to slightly reduce the building envelope and to add the unpermitted demolition. The revision increased the existing square footage to 5,067 and reduced the proposed square footage to 5,589 square feet. The revision resulted in a reduction of 465 square feet. For 27 17<sup>th</sup> Avenue, the proposal was revised from 5,689 square feet to



5,500 square feet, a reduction of approximately 189 square feet. Impacts still exist as a result of the project.

The adjacent lot to the south (35 17<sup>th</sup> Avenue) is a key lot and measures 57'5" and includes an 8' rear yard. It has three side, property line windows that depend on the lot at 27 17<sup>th</sup> Avenue for light. The project at 27 17<sup>th</sup> Avenue has been designed to accommodate light for one of those windows. The Residential Design Guidelines include articulating the building to minimize impacts on light and privacy to adjacent properties and to provide setbacks on upper floors of the building to protect these windows. In addition, lot 7 fronts Lake Street and the rear yard abuts the south side lot line of 27 17<sup>th</sup> Avenue (lot 26) (Exhibit 7: Lot map). The proposal to extend the building at the side property line all the way back to only a 33 foot rear setback on the ground floor, to extend the second floor 5 feet past the existing adjacent building (lot 6, 35 17<sup>th</sup> Avenue), and add a deck on the roof of the ground floor raises privacy concerns for the occupants of 1600 Lake Street (lot 7) and 1628 Lake Street (lot 7A).

The addition of five decks to the mid-block open space provided by the two properties coupled with floor to ceiling glass doors constitute an intrusion of privacy and light and need to be sufficiently reduced to honor this space.

**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?**

In response to the adverse effects noted in number 1 above, we propose the following changes be made:

1. Implement a monitoring mechanism so as to ensure the project is implemented accordingly to the approved permit. Any variations in scope should be brought back before the Planning Commission for review.
2. Amend the project design to significantly reduce the mass of both buildings:

**27 17<sup>th</sup> Avenue**

- Reduce the size of the proposed project to approximately 4,000 square feet so as to be more compatible with the average size of homes on the block and to respect the mid-block open space,
- Reduce the size of the deck on the 2<sup>nd</sup> floor from 13' to 6' deep and remove the firepit,
- Remove the deck on the 3<sup>rd</sup> floor,
- Remove the rear deck on the 4<sup>th</sup> floor,
- Reduce the width of the building in the rear to provide a 5 foot setback from the south lot line and an approximately 67.5 foot rear setback along the south lot line.

### **25 17<sup>th</sup> Avenue**

- Reduce the size of the proposed project to approximately 5,000 square feet so as to be more compatible with the average size of homes on the block and to respect the mid-block open space
  - Remove the front and rear 4<sup>th</sup> floor decks
3. Add sheets in the 27 17<sup>th</sup> Avenue plan set (BPA 2018.06.25.2842) that do not only show the proposed addition but the existing condition so that plans accurately reflect what currently and legally exists.

### **Exhibits**

- Exhibit 1: Image of bay window and decks before demolition  
Exhibit 2: Existing square foot differential  
Exhibit 3: Pre-app sign-in sheet and summary of comments  
Exhibit 4: Current home-size comparison  
Exhibit 5: Mid-block open space rendering and photo  
Exhibit 6: Existing 4<sup>th</sup> floor 'roof deck'  
Exhibit 7: Lot map

**Exhibit 1: Bay window and decks before demolition**





**Exhibit 1: Bay window and decks before demolition**





## Exhibit 2: Existing square foot differential

25 17th Ave. Existing SF	Realtor	B/K Plans	Difference
1st Floor	368	1,371	1,003
2nd Floor	1,264	1,479	215
3rd Floor	1,410	1,504	94
4th Floor	<u>668</u>	<u>713</u>	<u>45</u>
TOTALS	3,710	5,067	1,357

---

# Exhibit 3: Pre-App sign-in sheet and summary of comments submitted by Project Sponsor

## Notice of Pre-Application Meeting

July 5, 2017

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 27 17th Avenue cross street(s) Lake Street (Block/Lot#: 1341/026; Zoning: RM-1), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at [www.sfgov.org/dbi](http://www.sfgov.org/dbi).

The Pre-Application process serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification after the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☒ New Construction;
- ☐ Any vertical addition of 7 feet or more;
- ☐ Any horizontal addition of 10 feet or more;
- ☐ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization;
- ☐ PDR-I-B, Section 313;
- ☐ Community Business Priority Processing Program (CB3P).

The development proposal is to: New Construction of a S.F.D.

Existing # of dwelling units: <u>0</u>	Proposed: <u>1</u>	Permitted: <u>0</u>
Existing bldg square footage: <u>624 SF</u>	Proposed: <u>6,490 SF</u>	Permitted: <u>624 SF</u>
Existing # of stories: <u>1</u>	Proposed: <u>4</u>	Permitted: <u>1</u>
Existing bldg height: <u>8'-7"</u>	Proposed: <u>35'-0"</u>	Permitted: <u>8'-7"</u>
Existing bldg depth: <u>29'-7.5"</u>	Proposed: <u>77'-0"</u>	Permitted: <u>29'-7.5"</u>

### MEETING INFORMATION:

Property Owner(s) name(s): Twenty Five 17th Avenue, LLC

Project Sponsor(s): Tim Brown/ Jonathan Kantor

Contact information (email/phone): kantor@pacbell.net / 415-412-6798

Meeting Address\*: @ the home of Carol & Mark Lerdal 17 17th Avenue, San Francisco, CA 94121

Date of meeting: 07/20/2017

Time of meeting\*: 6:00-7:30PM

\*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

\*\*Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at [pic@sfgov.org](mailto:pic@sfgov.org). You may also find information about the San Francisco Planning Department and on-going planning efforts at [www.sfplanning.org](http://www.sfplanning.org).

## Pre-Application Meeting Sign-in Sheet

Meeting Date: 07/20/2017

Meeting Time: 6:00-7:30PM

Meeting Address: 17 17th Avenue

Project Address: 27 17th Avenue

Property Owner Name: Twenty Five 17th Avenue, LLC

Project Sponsor/Representative: Tim Brown / Jon Kantor

Please print your name below, state your address and/or affiliation with a 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
1. JERRY DRATLER	40-17th Ave			<input checked="" type="checkbox"/>
2. Sandra Dratler	40-17th Ave			<input type="checkbox"/>
3. Daniel Neumayer			daniel.neumayer@gmail.com	<input checked="" type="checkbox"/>
4. Gwendolyn Rothman			phonegwendolyn@gmail.com	<input type="checkbox"/>
5. Eileen Noller	34 17th Ave St		Noller2895@SBCglobal.net	<input type="checkbox"/>
6. Stephanie	35-17th Ave St		stephanie@stephaniepark.com	<input type="checkbox"/>
7. Peter U. Winkler	129 24th Ave			<input type="checkbox"/>
8. Nancy Clark	1628 Lake St			<input checked="" type="checkbox"/>
9. Jim Riley	1601 Lake St			<input checked="" type="checkbox"/>
10. Carl Lerdol	17-17th Ave			<input type="checkbox"/>
11. Pat Furlong	316 17th Ave		pfurlong@sbcglobal.net	<input checked="" type="checkbox"/>
12. Chris Hockett	24-17th Ave		chris.hockett@davispc.com	<input checked="" type="checkbox"/>
13. Doreen Hockett	"		dahockett@gmail.com	<input checked="" type="checkbox"/>
14. SARA STEPHENS	16-17th Ave			<input checked="" type="checkbox"/>
15.				<input type="checkbox"/>
16.				<input type="checkbox"/>
17.				<input type="checkbox"/>
18.				<input type="checkbox"/>

## Affidavit of Conducting a Pre-Application Meeting, Sign-in Sheet and Issues/Responses submittal

I, Timothy Brown, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction, alteration or other activity prior to submitting any entitlement (Building Permit, Variance, Conditional Use, etc.) in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at 17 17th Avenue, San Francisco, CA (location/address) on July 20, 2017 (date) from 6:00 - 7:30PM (time).
3. I have included the mailing list, meeting invitation and postmarked letter, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED ON THIS DAY, July 20th, 2017 IN SAN FRANCISCO.

  
Signature

Timothy Brown

Name (type or print)

Owner

Relationship to Project (e.g. Owner, Agent)  
(if Agent, give business name & profession)

27 17th Avenue

Project Address



①

# Summary of discussion from the Pre-Application Meeting

14 people + Carol

Meeting Date: Th. July 20, 2017  
 Meeting Time: 6pm  
 Meeting Address: Lordal Home  
 Project Address: 17th Av.  
 Property Owner Name: Tim Brown  
 Project Sponsor/Representative: Jon Kantor } Intro New Bldg, Plans, Q/A

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): blg w/ lot

Jon 4 story bldg N to bldgs b/t 25 - 5 17th Av on the 3 S. side  
Zoning RH1 - lot depth, lot & what were proposed

Project Sponsor Response: any lot set back, rear

① RH1 - What are those rules?

① 120 deep lot 70' is 90ft

Front - no further 2nd floor, 2 adjoining neighbors in our case

Question/Concern #2: avg b/t ours + Stephens bldg, were set back farther than

rec'd.

Also, in adj. neighborhood 35 ft ht limit. We won't exceed

Project Sponsor Response: Elevators & provide will not go above existing elevator "dog house"

② Elev. in both houses? A) Yes

Question/Concern #3: what about on both sides?

A) on Lordal's side

Carol - we did meeting & decided all that

Project Sponsor Response: 3 stories permitted to 4th story step back but

we will go 75% limit.

10ft back after 1st story.

Question/Concern #4: planning code allows for full 90ft. but we'll

Step it back. Not need it

④ What's The Grey A) Bay. Voice popping out beyond set back?

How far does it come out?

Project Sponsor Response: Carol - " " has it.

where " " Front but " " has it.

A) Trapezoid allowed bigger if not 3ft. allowed.

view from south:

⑤ How far beyond Stephens bldg is it extend at the line/stories?

It looks like a commercial bldg

Carol - like mine?

⑥ No windows on that wall? You could sell posters on it

A) b/c South no windows allowed

51' 76' ? Peeks 50 from 90 = 40ft?

Deirdre  
arrived  
to pmg it  
hideous.  
Ms. Peeks  
agrees.

St  
Does not extend

(2)

## Summary of discussion from the Pre-Application Meeting

Meeting Date: \_\_\_\_\_  
 Meeting Time: \_\_\_\_\_  
 Meeting Address: \_\_\_\_\_  
 Project Address: \_\_\_\_\_  
 Property Owner Name: \_\_\_\_\_  
 Project Sponsor/Representative: \_\_\_\_\_

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): \_\_\_\_\_

(A) Not starting at 90ft  
 Peels: but my house is at the front  
 A) No yours is slightly set back

Project Sponsor Response: Peels - Lot is 59'  
 from back of house to back fence  
 10-15' back.

Question/Concern #2: \_\_\_\_\_

(A) ~~Hard~~ Existing garage.

Project Sponsor Response: \_\_\_\_\_

(A) Computational Rules but  
 6,500 sq ft

Question/Concern #3: \_\_\_\_\_

52ft at Lot.  
 Project Sponsor Response: 42ft for other  
 No windows?  
 Illegal

Question/Concern #4: \_\_\_\_\_

(A) Might be able if fire rated glass.  
 Unknown you can put these right at property  
 line can 3ft back.

Project Sponsor Response: \_\_\_\_\_

but avg house on this blk is 3500 sq. ft. (from 31 website)  
 why need to bld such a big house on this blk?  
 Carol - why ask 2 houses on this blk is already that big  
 or bigger?...

(A) 100-yr old data & in some cases 100% incorrect

(A) But not application for this blk except Landals so why  
 the need for the A to this in butting up to Lake, 18th, 17th.  
 this is way out of scale w/ City.

(3)

## Summary of discussion from the Pre-Application Meeting

Meeting Date: \_\_\_\_\_  
 Meeting Time: \_\_\_\_\_  
 Meeting Address: \_\_\_\_\_  
 Project Address: \_\_\_\_\_  
 Property Owner Name: \_\_\_\_\_  
 Project Sponsor/Representative: \_\_\_\_\_

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):

A) Using this data is ~~not~~ not correct & 100 yrs old.

Ex -> it's wrong & therefore incrs the livable space in envelope

Project Sponsor Response: A) Aerial shot, lots of ppl on this blk. Sun porch & infilled by ppl & that's livable as well

Question/Concern #2:

We are only req'd. Sq ftage under roof & to the outer edge of envelope. If you get 3 appraisers to come out you'll get 3 diff reads. What I have done is work with the "data provided" home next door, 5,060 sq ft is more than 60%.

Levada's 44 sq ft but 6300 sq ft 43% diff

Question/Concern #3:

1896 sq ft

Dedre's -> 5400 sq ft 100% diff from when

Project Sponsor Response:

Where the sq ft? 2134 -> dede off back outside envelope

Question/Concern #4:

info on website it's not

4100 sq ft

29% diff

That's tiny.

Project Sponsor Response:

5 homes diff's read,

Steph's House 3200 on website

A) I selected these homes b/c permits to see it but my estimation is 4,000 - 4,050.

That big wall 42-52 longer than Steph's?

A) So if I say  $42 \times 41 = 1600$  sq ft. that exceeds Steph's box ... 1800 - 2000 bigger than Steph's house

④

## Summary of discussion from the Pre-Application Meeting

Meeting Date: We can change pick houses & look at avg  
Meeting Time: Steph's house a little bigger some ppl did work  
Meeting Address: Steph's is bigger than Steph's house the avg  
Project Address: So you're proposing 1600-2000 bigger than  
Property Owner Name: avg  
Project Sponsor/Representative: (A) Steph & you have Key lots (smaller lots).

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):

this house + others not Key lots  
Lerdals 6300 sq ft. proposing slightly bigger than that

Project Sponsor Response:

5200 sq ft

⑭

all 6 lots

Jerry's 38 ft wide

Question/Concern #2:

Deidre ours is double (lot & 1/2).  
On presidio side is narrower.

Project Sponsor Response:

⑮

Why are you wanting to build a bigger house?

Why when we neighbors don't want & not respecting our views & issues.

Question/Concern #3:

(A) Look at what we're proposing the front is 25 ft wide  
(That's the extent of the lot).

Project Sponsor Response:

But that matches all the houses on east side of blk. It will look same as all others (except if you are standing on Lake St).

Question/Concern #4:

But this is the most Southern side... will this impact the Lerdals light?

Project Sponsor Response:

Carol Lerdal - the inch goes down towards & so we lose v. little light

⑯

How far behind?

A) 2nd, 3rd, 4th fl. 10 ft behind Lerdals  
32" past at 2nd fl on a 9' ceiling.

⑰

Why are you doing it?

A) Carol - why would we do it? We did it b/c we needed a kitchen but you did it to your own home.



(5)

## Summary of discussion from the Pre-Application Meeting

Meeting Date:

it will &amp; why are we fighting, it will happen

Meeting Time:

repeats

Meeting Address:

Deirdre → why are overall experience inside

Project Address:

the block

Property Owner Name:

Project Sponsor/Representative:

Impact Steph, Nancy push back, backyd.

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):

(18) From my window, I will see this w/ no detail. That looks like something experience you have

Project Sponsor Response:

down in first house

Nancy - you get that wall

(A) Architecturally → you want arch'l. break up.

Question/Concern #2:

Interest - to look at. That looks like every block in the Marina.

Project Sponsor Response:

Can't - can you put windows in?

That's a massive wall.

(19) We own 1600 Lake (2 lots) we got proposals for

Question/Concern #3:

Large house 3rd floor we never considered for our neighbors. to Deirdre's pt if you like are having an effect on me... the only thing has been what can be done.

Project Sponsor Response:

(20) Deirdre - would you consider downsizing it?

30 ft back as big as you can

A) 15 ft back

Question/Concern #4:

(21) So biggest impact is Steph's house, cutting out 2-3 windows of Nancy. Encourage you to

Project Sponsor Response:

renovate that

(22) Nancy's garage wall

Terrace looks into Nancy's

people stand on Terrace would look into everyone's house.

So this area could be an area that

Something can be done. Something decorative &amp;

factual... (A) Trellis w/ plants, etc.

can we come &amp; discuss how to make it

work.

(23)

Steph → Plumb Tree

A) Look at it w/ you &amp; reach out w/ email + ph

(24) Jerry → Preapp Meeting Notice  
5500 sq ft  
6500 > 1000 sq ft diff?

Pre-Application Meeting (6)

(A) 2 reasons. ① sq ft age for 1st preapp meet. There was a lot of discussion & when I provided the updated sq ft age b/c we had to remove sq ft from garage not being part of 7.

Meeting Date: \_\_\_\_\_  
Meeting Time: So remove those & the sq ft age today 12  
Meeting Address: It is 6 ft back from new house b/c avg 17  
Project Address: \_\_\_\_\_  
Property Owner Name: \_\_\_\_\_  
Project Sponsor/Representative: 6 ft x 25 ft wide x 3 stories = 450 ft

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns. Set back 15 ft

Question/Concern #1 by (name of concerned neighbor/neighborhood group): 59 ft x 25

\* New house 500 sq ft larger? 525 sq ft diff  
Project Sponsor Response: (A) 25<sup>th</sup> 450 What is the sq ft age diff & where? 27<sup>th</sup> 500

Question/Concern #2:

(25) Are you digging foundation deeper?

Project Sponsor Response: A) Your house (Steph) had a seismic upgrade 1989 & they often break it into sections... directed by experienced & often enter into agreement for underpinning & underpinning agreement

Question/Concern #3:

1/4" - 1/2"

Project Sponsor Response:

(26) That's all the space 6 ft houses?

(27) New construction bears underpin?

Question/Concern #4:

(A) Yes, we will

Levelling underpinned ours

(28) Steph if you dig around Tim concerned

Project Sponsor Response: Around. Southern Foundation sand will shift

(A) We're a long way away from that & that will get engineered on.

(29) Wittgenstein → Steph's property wall →

(A) We're req'd to make a 1- wall

Steph not req'd to "

4th story Artist window & try to come up

## Summary of discussion from the Pre-Application Meeting

Meeting Date: w/ Solu w/ her.

Meeting Time:

Meeting Address:

Project Address:

Property Owner Name:

Project Sponsor/Representative:

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):

Living Room first 12 ft, then stain glass

So when you anchored didn't take into consideration I had many windows on the north side. So you thought ok to block it?   
 A thought you would have brought up these concerns when we

Question/Concern #2:

32 We had Smos (March 1 meeting) No new plans when do we get new plans?

Project Sponsor Response:

email - we submitted July 7th & sent plans out No one got them?

Question/Concern #3:

33 Property Values - wall pushed into garden space & so taking away open backyard space that you're reclaiming

Project Sponsor Response:

narrowed, is there not a way to pull it back? You're nailed, you're nailed, is there not a way to pull it back? Lendal's past everyone. ~~When we~~ We're past Lendal's by

Question/Concern #4:

32" after 1st story 10ft back that's 7ft & change.

Project Sponsor Response:

maybe can pull back 1st story & have a smaller terrace at 1st story to allow for more open space

34 Property Value

Ter instead of open space see a big brick wall

35 City has code - been to planning?

A) Bdg might have suggestions

why Pre-App. Meet. is req'd now. Before submittal. It could go to planning but we can try to incorp. some AS.

- (36) Alex Nie other work done? → where, w/ Rectangle Bay?  
Pre-Application Meeting (8)  
(A) Yes 1 on 26th b/t Calif + Lake more Strucco & metal rail  
1950's Edwardian 261-26th A.  
Steph New Richmond Special S. →

## Summary of discussion from the Pre-Application Meeting

Meeting Date: \_\_\_\_\_  
Meeting Time: \_\_\_\_\_  
Meeting Address: \_\_\_\_\_  
Project Address: \_\_\_\_\_  
Property Owner Name: \_\_\_\_\_  
Project Sponsor/Representative: \_\_\_\_\_

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): \_\_\_\_\_

- (37) When the unpermitted demo was done - Asbestos contained.  
Will you test for Asbestos?  
Project Sponsor Response: (A) subcontractor hired to do grade to grave.  
I have pictures to refute that any abatement was done.  
Jim. Do it for the new owners. Incentive.

Question/Concern #2: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

Question/Concern #3: \_\_\_\_\_

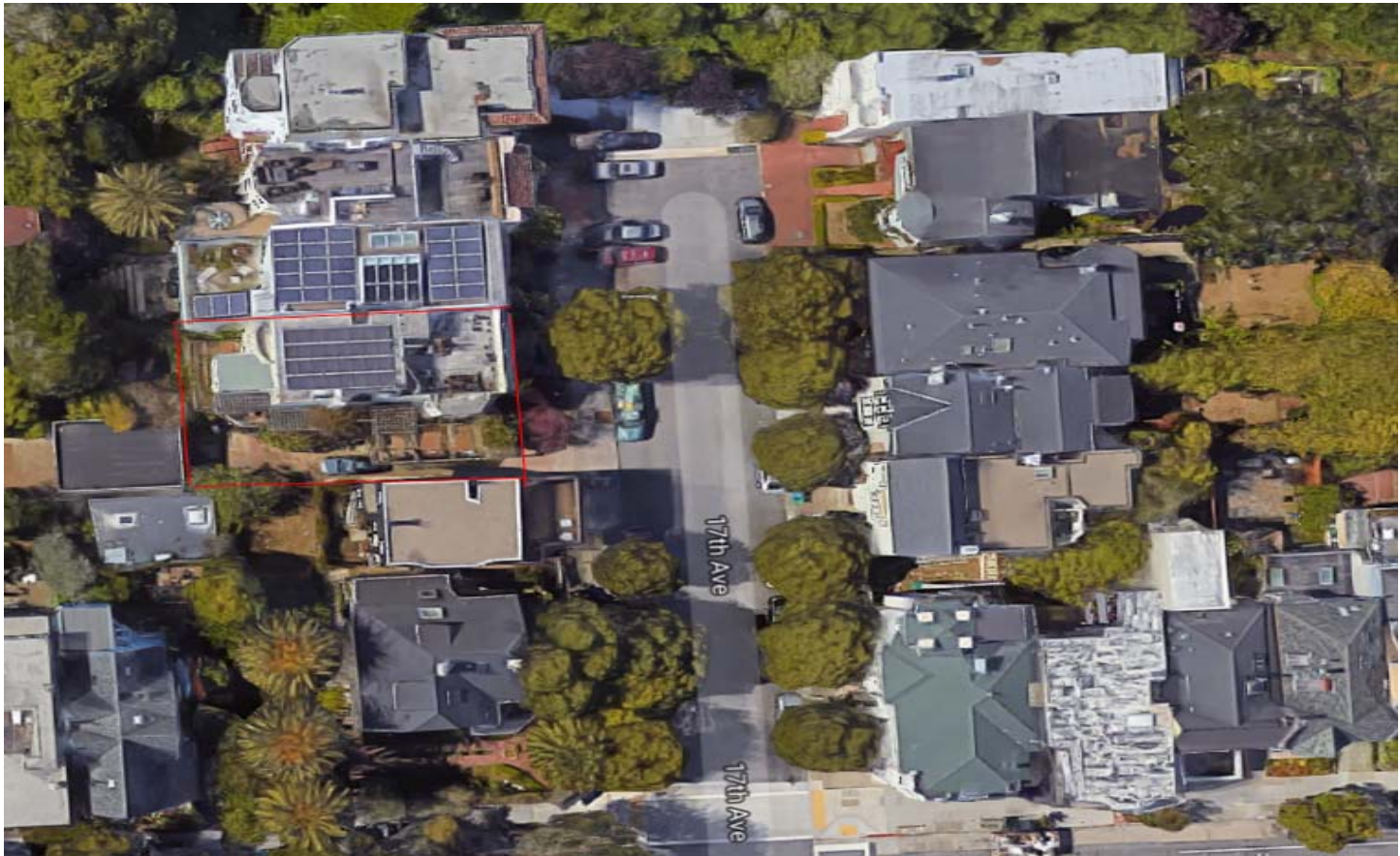
Project Sponsor Response: \_\_\_\_\_

Question/Concern #4: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_



## Exhibit 4: Current home-size comparison



As-is current homes

17th. Ave.		17th. Ave.		17th. Ave.		17th. Ave.	
PIM		Pim		Proposed 25 and 27 the			
<u>house #</u>	<u>Existing</u> <u>sq. ft.</u>	<u>house #</u>	<u>Existing</u> <u>sq. ft.</u>	<u>house #</u>	<u>sq. ft.</u>	<u>house #</u>	<u>sq. ft.</u>
<u>West side of St.</u>		<u>East side of St.</u>		<u>West side of St.</u>			
#5	2,907	#10	3,138	#5	2,907	#10	3,138
#11	3,597	#16	3,010	#11	3,597	#16	3,010
#17	4,382	#24	2,691	#17	4,382	#24	2,691
#25	3,564	#34	2,665	#25	6,054	#34	2,665
				#27	5,500		
#35	3,197	#40	2,154	#35	3,197	#40	2,154
total	17,647		13,658	total	25,637		13,658
average	3,529		2,732	average	4,273		2,732
total		31,305					

block average

3,131

1. Density for #25 17th Ave. doubled after the lot split.
2. The 3 largest homes on the block are #11,17 and #25. The proposal for #25 and #27 would result in four homes in a row with an average size of 4,883 sq. ft. This is way over scale for the block!
3. The proposed 2,490 square ft. addition to 25 17th Ave. is near the avg. size (2,732 sq. ft.) of the five existing homes on the east side of 17th Ave.
4. Increasing #25 by 2,490 sq. ft. is like adding a 3rd house to the west side of 17th Ave.
5. The proposed 5,500 sq. ft. size of #27 is 1,971 sq. ft or 56% larger than the existing five homes on the west side of the block.



**Exhibit 5: Mid-block open space rendering**









Exhibit 6: Existing 4th floor 'roof deck'





Exhibit 6: Lot Map (highlight showing affected properties)

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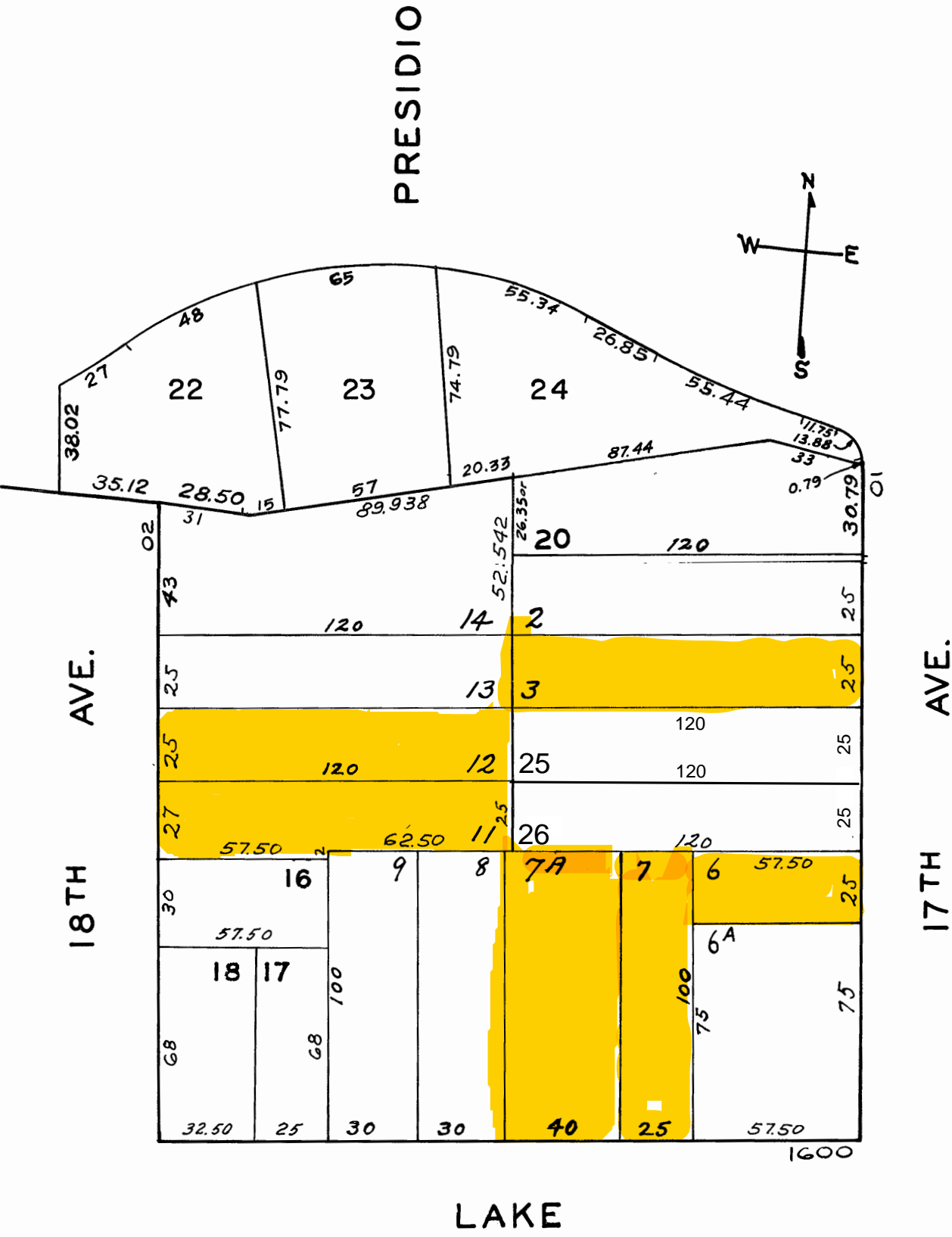
1341

RICHMOND BLK. 55

REVISED '60  
REVISED '64  
REVISED '76  
" '85

Lot 21 into lots 25 & 26 for 2018 roll

REVISED 2018



March 19, 2019

Sylvia Jimenez, Senior Planner  
San Francisco Planning Department  
1650 Mission street  
San Francisco CA 94103

**Re: Building Permit Application Numbers 201707071206 and 201806252842**

Dear Ms. Jimenez,

We the undersigned neighbors have reviewed the proposed plans provided in the Section 311 Notices for the above referenced projects located at 25 17th Avenue and 27 17th Avenue by developers Jon Kantor and Tim Brown, and we strongly object to both.

We find the expansion of 25 17th Ave. from approximately 3,700 sf to 5,589 sf and the construction of a new house at 27 17th Ave. of 5,500 sf to be out of character with our neighborhood in both size and design.

We request that Planning require the following:

- **Size reduction of both buildings** to be compatible with the existing buildings on the block and to be compatible with the existing building scale at the mid-block open space;
- Size reduction accommodated in the addition by a reduction in depth.;
- **Redesign of the front facade** by a qualified contextual architect to incorporate important architectural features, fenestration and entry patterns and materials; and
- **Reduction in rear first story deck** of 27 17th Ave. near the neighbors to the south and reduction of the expansion of 25 17th Ave.

**Residential Design Guideline: Design the scale of the building to be compatible with the height and depth of surrounding buildings.**

**We support the construction of appropriately-scaled buildings for the block, but the plans as proposed do not accomplish this.**

Ms. Sylvia Jimenez  
March 19, 2019  
Page Two

The plans for the addition to the existing building located at 25 17th Ave. show that it will be increasing in size by approximately 1,900 sf and totaling 5,589 sf on a 3,000 sf lot. The expanded house on this lot will be 1.75 times larger than the average-sized home on this block (3,130 sf), as well as two times over the average size home in this neighborhood and four times over the average-sized home in San Francisco. We support the expansion of the home be limited to a size that is compatible with other homes on the street and limited to no more than 500 sf by reducing the length of the building for a 4,000 square foot home. We believe this reduction will complement the blocks existing neighborhood character and mid-block open space.

**Residential Design Guideline: Use architectural details to establish and define a building's character and to visually unify a neighborhood.**

**The proposal's front façade lacks architectural detail compatible with the building and surrounding area.**

This block of 17th Ave, and in fact most nearby blocks, is dominated by older homes with rich architectural detail and divided wood windows. Exterior facades often include several building materials with stucco and/or shingles facades and wood trim. Windows and their surrounds are wood with substantial depth and detail. Floors are generally distinguished by setbacks or belt courses. Entries are most often inset behind arched entry porches. Rooflines are enhanced by cornice lines and large corbels. There is only one building on this block that is modern and lacking in detail.

The proposed façade of the building at 27 17<sup>th</sup> Ave. is out of character, and lacks architectural detail commensurate with other buildings on the block. The only other house similar to it sticks out like a sore thumb. It not only does not contribute to the character of the block; it detracts from it substantially and uses the worst designed building on the block as its model. Buildings can be decidedly and unabashedly modern while acknowledging adjacent character, detail and material; this building makes no effort to fit into the neighborhood.



Ms. Sylvia Jimenez  
March 19, 2019  
Page Three

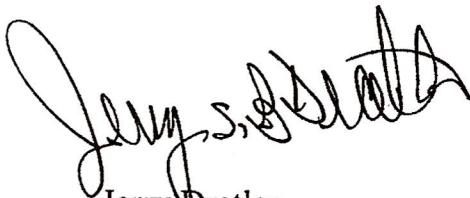
**Residential Design Guideline: Articulate the building to minimize impacts on light and privacy to adjacent properties.**

**The proposal to provide a total of five new rear decks, and one new deck at the front of 27 17<sup>th</sup> Ave. impacts privacy for abutting structures.**

We find the massive intrusion into the mid-block space to be unacceptable. Both proposed projects at 25 17<sup>th</sup> Ave. and 27 17<sup>th</sup> Ave. look like cruise ships with the addition of five rear decks, three rear decks at 27 17<sup>th</sup> Ave. and two rear decks at 25 17<sup>th</sup> Avenue. The noise and the loss of privacy in our open space is unacceptable. We suggest one deck per house.

We have attached various photographs and illustrations of the proposed projects in context of the neighborhood for your reference. Thank you for your consideration of our concerns.

Sincerely,



Jerry Dratler  
40 17<sup>th</sup> Avenue  
[dratler@sonic.net](mailto:dratler@sonic.net)



Alan Greinetz  
20 18<sup>th</sup> Avenue  
[apgreinetz@aol.com](mailto:apgreinetz@aol.com)

Attachments



# NEIGHBORS:

Name	Address	Signature
<u>JERRY S. BRATLER</u>	<u>40 17th Ave</u>	<u>[Signature]</u>
<u>Sandra J. Drake</u>	<u>40 17th Ave</u>	<u>[Signature]</u>
<u>Jim Riley</u>	<u>1601 Lake St</u>	<u>[Signature]</u>
<u>Josiah Clark</u>	<u>1628 Lake St</u>	<u>[Signature]</u>
<u>Trent Hu</u>	<u>5-17th Ave</u>	<u>[Signature]</u>
<u>Judith L. Rosen</u>	<u>30-18th Ave</u>	<u>JUDITH L. ROSEN</u>
<u>SUSIE GREINERZ</u> <u>Greinerz</u>	<u>20-18th Ave</u>	<u>[Signature]</u>
<u>Alan GREINERZ</u>	<u>20-18th Ave</u>	<u>[Signature]</u>
<u>EVELYN</u> <u>Walker</u> <u>WALKER</u>	<u>34 17th Ave</u>	<u>Evelyn Walker</u>
<u>David Heron</u>	<u>10 17th Ave</u>	<u>[Signature]</u>
<u>Colette Brooks</u>	<u>10 17th Ave.</u>	<u>[Signature]</u>
<u>Nancy T. Clark</u>	<u>1628 Lake St</u>	<u>Nancy T. Clark</u>

# NEIGHBORS:

Name	Address	Signature
<u>W Bonhan</u>	<u>#4-18<sup>th</sup> Ave</u>	<u>Wm Bonhan</u>
<u>L Fong</u>	<u>4-18<sup>th</sup> ave</u>	<u>[Signature]</u>
<u>Sarah Sweed</u>	<u>1630 LAKE STREET</u>	<u>SARAH SWEEDLER</u>
<u>Moise cohen</u>	<u>1638 LAKE ST.</u>	<u>[Signature]</u>
<u>Deborah Cohen</u>	<u>1638 Lake Street</u>	<u>[Signature]</u>
<u>HILL FERGUSON</u>	<u>1650 Lake St</u>	<u>[Signature]</u>
<u>Charnice Ferguson</u>	<u>1658 Lake St</u>	<u>[Signature]</u>
<u>Stephanie Fong</u>	<u>3517th</u>	<u>[Signature]</u>
<u>SARA STEPHENS</u>	<u>16-17<sup>th</sup> AVE</u>	<u>[Signature]</u>
<u>Deirdre Hockett</u>	<u>24 17<sup>th</sup> ave</u>	<u>Deirdre Hockett</u>
<u>Cliff Hockett</u>	<u>24-17<sup>th</sup> Ave</u>	<u>Cliff Hockett</u>
<u>Brooke Bangier</u>	<u>11-17<sup>th</sup> Ave</u>	<u>[Signature]</u>

**NEIGHBORS:**

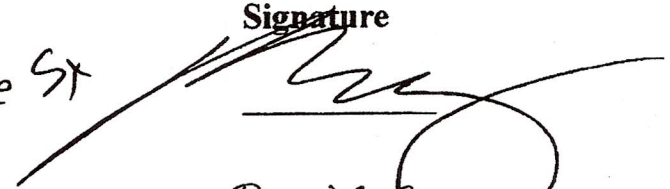
**Name**

**Address**

**Signature**

Montgomery Woods

1600 Lake St



Daniel Newmayer 1600 Lake St.

Daniel Newmayer

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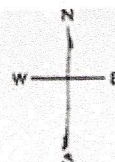
## **DR List of Signatures**

Louise Fong  
Bill Bohnam  
Alan Greinetz  
Susie Greinetz  
Judi Rosen  
Genny Ferguson  
Hill Ferguson  
Moise Cohen  
Deborah Cohen  
Sara Sweedler  
Nancy Clark  
Montgomery Woods  
Daniel Neumeyer  
Stephanie Peek  
Brooke Bengier  
Trent Hu  
Colette Brooks  
David Harrison  
Sara Stephens  
Deirdre Hockett  
Chris Hockett  
Evelyn Walker  
Sandra Dratler  
Jerry Dratler  
Jim Riley

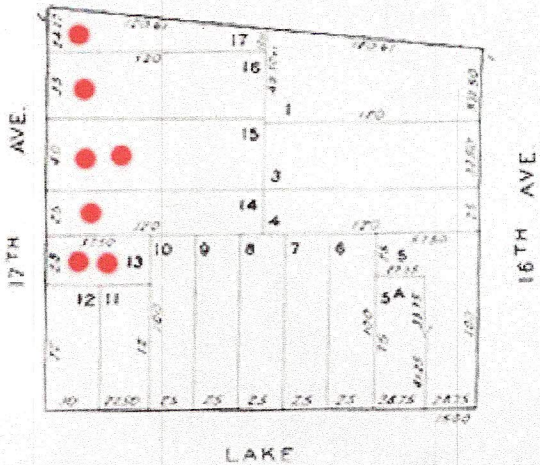
**March 22, 2019**

Block 1341- Lot 13  
Block 1341- Lot 13  
Block 1341- Lot ~~13~~ 12  
Block 1341- Lot ~~10~~ 12  
Block 1341- Lot 11  
Block 1341- Lot 16, 17, 18  
Block 1341- Lot 16, 17, 18  
Block 1341- Lot 9  
Block 1341- Lot 9  
Block 1341- Lot 8  
Block 1341- Lot 7A  
Block 1341- Lot 7,6A  
Block 1341- Lot 7,6A  
Block 1341- Lot 6  
Block 1341- Lot 2  
Block 1341- Lot 20  
Block 1342- Lot 17  
Block 1342- Lot 17  
Block 1342- Lot 16  
Block 1342- Lot 15  
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Block 1342- Lot 14  
Block 1342- Lot 13  
Block 1342- Lot 13  
Block 1377- Lot 1



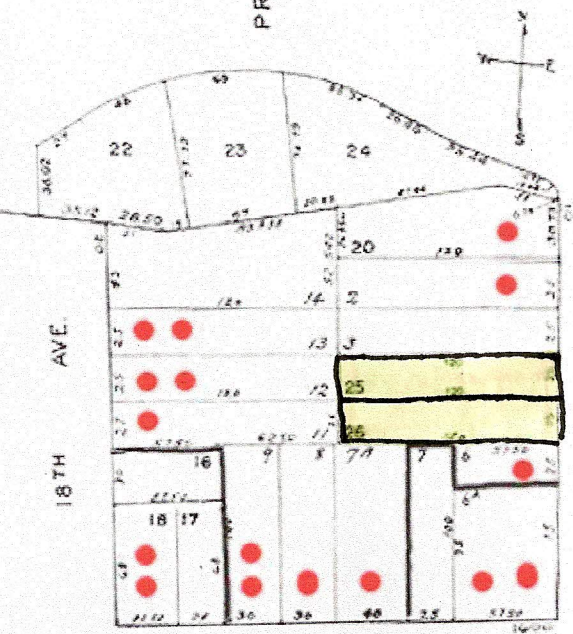


PRESIDIO

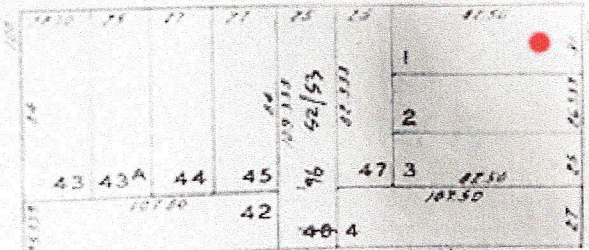


LAKE

PRESIDIO



LAKE





# DISCRETIONARY REVIEW PUBLIC (DRP)

## APPLICATION PACKET

Pursuant to Planning Code Section 311, the Planning Commission may exercise its power of Discretionary Review over a building permit application.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org), or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Please read the [Discretionary Review Informational Packet](#) carefully before the application form is completed.

### WHAT TO SUBMIT:

- ☐ Two (2) complete applications signed.
- ☐ A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
- ☐ Photographs or plans that illustrate your concerns.
- ☐ Related covenants or deed restrictions (if any).
- ☐ A digital copy (CD or USB drive) of the above materials (optional).
- ☐ Payment via check, money order or debit/credit for the total fee amount for this application. (See [Fee Schedule](#)).

### HOW TO SUBMIT:

To file your Discretionary Review Public application, please submit in person at the Planning Information Center:

Location: 1660 Mission Street, Ground Floor  
San Francisco, CA 94103-2479

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電415.575.9010。請注意，規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



# DISCRETIONARY REVIEW PUBLIC (DRP)

## APPLICATION

### Discretionary Review Requestor's Information

Name:

Address:

Email Address:

Telephone:

### Information on the Owner of the Property Being Developed

Name:

Company/Organization:

Address:

Email Address:

Telephone:

### Property Information and Related Applications

Project Address:

Block/Lot(s):

Building Permit Application No(s):

### ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case? (including Community Boards)		
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 that were made to the proposed project.		

## 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 standards of the Planning Code and the Residential Design Guidelines. 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

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 unreasonably affected, please state who would be affected, and how.

See attached

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?

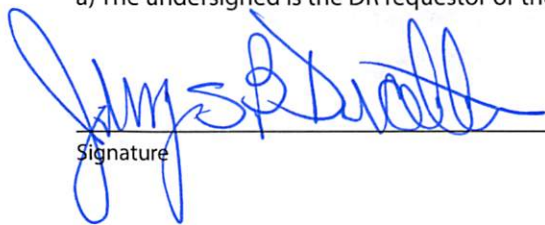
See attached



# DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.



Signature

Jerry S. B. Dratler

Name (Printed)

Relationship to Requestor  
(i.e. Attorney, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

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

***1. What are the reasons for requesting the Discretionary Review? The project meets the standards of the Planning Code and Residential Design Guidelines. 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 Policies or Residential Design Guidelines? Please be specific and site-specific sections of the Residential Design Guidelines.***

There are two reasons for requesting a Discretionary Review.

1. The property owner failed to submit the required site survey for the new home. The document that was submitted is a map and not a site survey.
2. The proposed 5,500 square ft. home does not meet the standards in the Residential Design Guidelines.

**1. The property owner failed to submit the required site survey for the new home. The document that was submitted is a map and not a site survey.**

The property owner failed to submit a site survey which is required under the local and state codes. The property owners submitted a document that is titled "Architectural Site Survey", which is map and not a survey( Exhibit 1, survey memo). The surveyor's statement and signature block at the bottom of the document defines the scope of work performed by or supervised by the surveyor. The signature block states the "map" was prepared by me or under my direction.

The intent of the illegal removal of the south wall of 25 17<sup>th</sup> Ave. was to create a second lot that is 25 feet wide. The only way of determining if lot 026 is 25 ft wide is through a site survey. The boundary note of the map that was submitted states, " it is not the intent of this map to provide a formal boundary resolution for the subject property shown hereon". The document that was submitted does not confirm lot 026 is a 25-foot wide lot.

Note 1 of the map states the map was prepared " in strict conformance with our client's or his agent's requirements". Was the "Architectural Site Survey" prepared in conformance with professional standards and if so which professional standard.

The surveyor who prepared the "Architectural Site Survey" is the same surveyor who submitted the final Certificate of Compliance application which created lots 025 and 026 to the Department of Public Works 25-days after the Certificate of Compliance Application was approved.

***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 unreasonably affected, please state who would be affected, and how.***

**Design principle:** Ensure the building's scale is compatible with the surrounding buildings. The proposed home at 25 17<sup>th</sup> Ave. is not appropriately scaled for the block.

1. The proposed construction of a new 5,500 sq. ft. home at 27 17<sup>th</sup> Ave. is out of scale with the ten existing homes on 17<sup>th</sup> Ave. North of Lake St. that average 3,131 sq. ft. (Exhibit 2, sq. ft. table). The proposed new home and the expansion of the existing home at 25 17<sup>th</sup> Ave. to 5,569 square ft. result in two homes of 11,089 square ft. adjacent to the existing 4,382 square ft. home at 17 17<sup>th</sup> Ave. Having three homes in a row that total 15,471 square feet would create a huge massing problem (exhibit 3, illustration of proposed homes). The three homes would exceed the square footage of the five homes on the other side of the block. The average size of the three homes 5,157 square ft. (17,25, and 27 17<sup>th</sup> Ave.) is twice the size of our home at 40 17<sup>th</sup> Avenue.

2. The proposed new home has four outside decks, three in the back and one in the front of the house. Four decks are excessive and intrusive in a city like San Francisco where homes extend out to their lot boundary lines. Four decks intrude on the privacy of neighboring homes. The proposed front deck intrudes on the privacy of the neighbors on the east side of 17<sup>th</sup> Ave. The three rear decks intrude on the privacy of the Lake Street neighbors and 18<sup>th</sup> Ave neighbors.

**Design principle:** Provide architectural features that enhance the neighborhood's character.

1. The front façade (exhibit 4, façade picture) of the proposed home clashes with the existing neighborhood homes. The large canopy at the front of the home is out of place. The proposed style and building materials are also not in keeping with the character of the neighborhood.

2. The proposed south wall of 27 17<sup>th</sup> Ave. is out of character with two important neighborhood homes south of 27 17<sup>th</sup> Ave. on Lake Street. 1600 Lake Street is the home of the late Charles Sutro and 1628 Lake Street, one of the first homes on the block, was constructed in the 1890's. Both homes are worthy of the designation Structure of Merit enjoyed by 1650 Lake Street. The current owners of 1600 Lake Street have owned the home since the 1960's and have maintained the home's character and rose garden.

The proposed size of the south wall of 27 17<sup>th</sup> Ave. would dramatically alter the neighbor's interaction with the late Charles Sutro's rose garden at 1600 Lake Street. **Mr. Sutro's rose garden is a source of delight to all of the neighbors who can view the garden and pedestrians walking on Lake Street.** The neighbors who's lots are adjacent to the rose garden and the neighbors on the south side of Lake Street have the

best view of the rose garden (exhibit 5, rose garden). The garden is also visible to autos entering 17<sup>th</sup> Ave. North of Lake Street.

Former S. F. mayor Sutro's son Charles was a noted gardener who maintained a well-known rose garden with majestic palm trees on the lot between 1600 and 1628 Lake Street. Charles Sutro's 1936 obituary states, "his later years have been spent almost exclusively among the flowers, in whose raising he took profound pleasure". " His rose garden at the family home at 1600 Lake Street was a source of continued delight to his friends and a perpetual joy to him".

***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?***

1. The property owner should be required to submit a site survey signed by a licensed surveyor.
2. My neighbors and I would like the scale of the two proposed homes (25 and 27 17<sup>th</sup> Ave.) scaled down to be consistent with the existing homes in the neighborhood. This would also retain the existing mid-block open space.
3. The four decks proposed for 27 17<sup>th</sup> Ave. should be reduced to no more than one reasonably sized rear deck. A front deck reduces the privacy of the homes on the east side of 17<sup>th</sup> Ave. North of Lake Street.
4. 27 17<sup>th</sup> Ave. is new construction; a well-designed new home is not constrained by the lifestyles and construction limitations that exist in 100-year-old homes. 27 17<sup>th</sup> Ave. should be slightly larger than the average home on the block, perhaps 3,500 sq. ft.

**Attached exhibits**

Exhibit 1- Site Survey memo

Exhibit 2- Schedule of the size of the ten existing homes on 17<sup>th</sup> Ave. North of Lake Street

Exhibit 3- Picture of two proposed homes

Exhibit 4- Picture of proposed façade 27 17<sup>th</sup> Ave.

Exhibit 5 – Picture of rose garden

Exhibit 6- Letter signed by homeowners and list of homeowner addresses.



**To:** Mr. Brown, Mr. Kantor

**CC:** Ms. Jimenez, Ms. Gordon-Jonkheer, Mr. Teague

**From:** Jerry Dratler

**Subject:** I would like to meet with you the week of March 11 to review the site survey submitted with the architectural plans for 27 17<sup>th</sup> Avenue

**Date:** March 09,2019

Mr. Brown and Mr. Kantor - I would like to meet with you the week of March 11 to review the site survey you submitted with the plans to construct a new home at 27 17<sup>th</sup> Avenue. If a meeting is not possible, I ask that you respond to my concerns by email.

The site survey submitted for 27 17<sup>th</sup> Avenue (lot 026 of block 1341 ) is a map and not a survey. I list six reasons why the "Architectural Site Survey" is both inaccurate and not a true survey.

1. The word map is used 11 time on the document.
2. The surveyor's signed statement at the bottom of the map states the document is a map.

**SITE PERMIT REVISION**  
DEC 24 2018  
THE SURVEYOR CERTIFIES THAT THIS MAP  
WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD  
SURVEY.

**SURVEYOR'S STATEMENT:**  
THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD  
SURVEY.

DATE 12-17-18

*Frederick T. Seher*  
FREDERICK T. SEHER, PLS  
LICENSE NO. 6216

**PROFESSIONAL LAND SURVEYOR**  
FREDERICK T. SEHER  
No. 6216  
STATE OF CALIFORNIA

**ARCHITECTURAL SITE SURVEY**  
BLOCK 1341, LOT 026  
SAN FRANCISCO, CA 94121

SHEET	1
OF 1 SHEETS	
JOB NO.:	1910-15

3. Note 1 of the map states the map was prepared “in strict conformance with our client’s or his agent’s requirements.” Was the “ Architectural Site Survey” prepared in conformance with professional standards and if so which professional standard?
4. Why did you not file a Record of Survey? The map’s boundary notes state the document’s boundary line representations cannot be relied on. The map’s boundary notes state , “ it is not the intent of this map to provide a formal boundary resolution for the subject property shown hereon”. The note goes on to state that a Record of Survey would be required under California Law to establish the property’s boundary lines.
  - The map references a September 04, 2015 field survey conducted by the surveyor who filed your Certificate of Compliance application claiming lot 021 of block 1341 was two separate lots. Your surveyor had a professional obligation to file a Record of Survey when he submitted the plat map for lots 025 and 026 which was sent to the Assessor for recordation. His plat map contained a boundary line ( the lot line between lot 025 and 026) that was not on the 2016 Map of Record (1985 revision of block map 1341) and California State law required your surveyor to file a Record of Survey
5. The “Architectural Site Survey” does not conform to section 107.2.5 of the California Building Code which requires an accurate boundary line survey.
6. The legal description for lot 026 referenced in the map is invalid. The map references the April 17, 2018 recorded legal description for lot 026 of block 1341. The referenced legal description is from the recording of your approved 2017 Certificate of Compliance application.
  - The S. F. Department of Public Works sent your approved COC application to the Assessor for recordation, a copy is attached.
  - The application sent to the Assessor included two legal descriptions (Exhibits A) and two plat maps ( Exhibit B). **Both exhibit A and Bs are invalid.**
    - Your surveyor acknowledged the problem in the February 14, 2017 email he sent DPW (attached).
      - In the email the surveyor states, “ I am not entirely sure this COC will be able to be used by the client or title company as it appears to be missing certain elements; legal description of the compliant parcels, exhibit A, two exhibit B’s one

marked preliminary the other signed, missing ownership page and maybe other elements that I'm not aware of. Please advise. Thank you".

- The preliminary legal description (exhibit A) and plat map (exhibit B) dated October 2016 are invalid because they lack a surveyor's seal and signature.
- The legal description and plat map dated February 2017 with a surveyor's signature and seal are invalid because they were prepared 24 days after the COC application was approved.

I have attached copies of the map notes and a copy of the COC application the S. F. DPW sent the Assessor for recordation.

Regards,  
Jerry Dratler

NOTE: TO ANYONE HAVING ANY TYPE OF  
INTEREST IN THIS MAP PLEASE BE ADVISED  
AS FOLLOWS:

1. THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENT'S OR HIS AGENT'S REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO FREDERICK T. SEHER & ASSOCIATES, INC.; FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY ON THIS JOB.
2. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR JONATHAN KANTOR AND THAT IT REMAINS THE PROPERTY OF FREDERICK T. SEHER & ASSOCIATES, INC. WHETHER THE PROJECT (IF ANY PROPOSED) ON THIS SITE IS CONSTRUCTED OR NOT.
3. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENT(S) PREPARED BY FREDERICK T. SEHER & ASSOCIATES, INC. IN RELATION HEREOF SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN FOR: BUILDING PERMIT AND LAND SUBDIVISION. FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFFSITE OR ONSITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSES, INTENT & CONTRACT. LIABILITY SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK T. SEHER & ASSOCIATES, INC. DISAVOWS ANY AND ALL RESPONSIBILITY.
4. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE TRANSFERS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MAPS) AND/OR THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAP (WHICHEVER COMES FIRST) SHALL VOID ALL INFORMATION, HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.
5. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 3 ABOVE.
6. THAT THE USE OF THIS MAP BY OTHER CONSULTANTS OR CONTRACTORS ON BEHALF OF OUR CLIENT SHALL PROMPT THE IMMEDIATE FULFILLMENTS OF ALL CLIENT'S OBLIGATIONS TO FREDERICK T. SEHER & ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO.
7. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN HEREON.
8. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. A SIGNED PRINT DELIVERED TO THE CLIENT OR CLIENT REPRESENTATIVE CONSTITUTES OUR PROFESSIONAL WORK PRODUCT, AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR FOR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.



**BOUNDARY NOTES:**

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE LAW. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

**DATE OF FIELD SURVEY:**

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON SEPTEMBER 4, 2015.

**SURVEY REFERENCE:**

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED:

LOT 026: RECORDED APRIL 17, 2018, DOCUMENT NUMBER 2018-K601874-00

**UTILITY NOTE:**

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

**PROJECT BENCHMARK - DESCRIPTION:**

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF CALIFORNIA STREET AND 17TH AVENUE, ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. N.E. CORNER, CROW CUT OUTER RIM SWI.  
ELEVATION = 121.553'

**GENERAL NOTE:**

THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRIPLINES THEREOF.

4-1, p17

**Steinberg, David (DPW)**

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**From:** Ryan, James (DPW)  
**Sent:** Wednesday, February 15, 2017 9:28 AM  
**To:** Frederick T. Seher; Mapping, Subdivision (DPW)  
**Cc:** Storrs, Bruce (DPW); 'Jon Kantor'  
**Subject:** RE: 9190\_COC

We will get that corrected.

James

**From:** Frederick T. Seher [mailto:rick@sflandsurveyor.com]  
**Sent:** Tuesday, February 14, 2017 6:24 PM  
**To:** Mapping, Subdivision (DPW)  
**Cc:** Storrs, Bruce (DPW) ; Ryan, James (DPW) ; 'Jon Kantor'  
**Subject:** RE: 9190\_COC

Tsege et al,

I'm not entirely sure this COC will be able to be used by the client or title company as it appears to missing certain elements; legal description of the compliant parcels, exhibit "A", two exhibit "B's" one marked preliminary the other signed, missing ownership page and maybe other elements that I'm not aware of. Please advise. Thank you.

Kind regards,

Rick Seher

**Frederick T. Seher & Associates, Inc.**  
Professional Land Surveyors  
841 Lombard Street  
San Francisco, CA 94133  
415-921-7690 Office  
415-921-7655 Fax

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**From:** Mapping, Subdivision (DPW) [mailto:Subdivision.Mapping@sfdpw.org]  
**Sent:** Tuesday, February 14, 2017 3:49 PM  
**To:** Frederick T. Seher  
**Subject:** 9190\_COC

Rick,

Attached is a confirmed copy of COC 9190.

RECORDING REQUESTED BY  
DEPARTMENT OF PUBLIC WORKS  
THE CITY AND COUNTY SURVEYOR  
1155 MARKET STREET, THIRD FL  
SAN FRANCISCO, CA 94103

WHEN RECORDED MAIL TO

NAME OFFICE OF THE ASSESSOR-RECORDER  
ELIZABETH COOPER  
MAILING ADDRESS 1 DR CARLTON B. GOODLETT PLACE  
ROOM 190  
CITY, STATE SAN FRANCISCO, CA  
ZIP CODE 94102-4698

San Francisco Assessor-Recorder  
Carmen Chu, Assessor-Recorder  
DOC- 2017-K406467-00

Check Number 1883-7334

Wednesday, FEB 08, 2017 15:40:40

Ttl Pd \$33.00

Rcpt # 0005550347

ear/AB/1-7

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

APN: 1341-021

### CERTIFICATE OF COMPLIANCE

The City and County of San Francisco has determined that the parcels described in Exhibits "A", and "B", attached hereto and made a part hereof, comply with the applicable provisions of Title 7, Division 2, Subdivisions, of the Government Code, cited as the Subdivision Map Act, and all local Ordinances enacted pursuant thereto.

As provided by Section 66499.35, the City and County Surveyor of San Francisco hereby issues this Certificate of Compliance free of any conditions.

Block: 1341

Old Assessor's Parcel Number(s): 021

New Assessor's Parcel Number(s): 025 & 026

Address: 25 17<sup>th</sup> Ave

Owners: Twenty Five 17<sup>th</sup> Avenue, LLC, a California Limited Liability Company

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcels described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcels may require issuance of a permit or permits, or other grant or grants of approval.

Description Approved:

*Bruce R. Storrs*  
Bruce R. Storrs, L.S. 6914  
City and County Surveyor  
Department of Public Works



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of San Francisco )

On January 07, 2017 before me, Monserate Sandra Galdamez, Notary Public, personally appeared Bruce R. Storrs, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

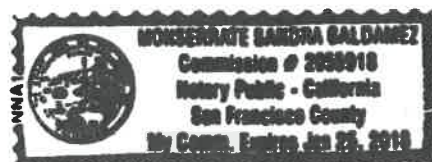
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

*Monserate Sandra Galdamez*

(Seal)





October 13, 2016

**APPLICATION FOR CERTIFICATE OF COMPLIANCE**

I (We), the undersigned property owner(s) (or the owner's authorized agent) of that certain real property located at:

Address 25 17<sup>th</sup> Avenue, San Francisco, California

Assessor's Block and Lot APN 1341-021

Property described in Document No./Book and Image:

DOC. 2015-K157130-00

(Provide complete recording information for current vesting deed)

Hereby request the City and County of San Francisco to determine whether said real property complies with the provisions of Government Code Section 66410, etc., The California Subdivision Map Act, as shown on the attached Exhibit A and B.

I (We), Twenty Five 17<sup>th</sup> Avenue, LLC, a California Limited Liability Company

(Print or type name in full)

being duly sworn, depose and say that I am (We are) the owner(s) of the property involved in this application and that the statements and information herein contained are in all respects true and correct to the best of my (our) knowledge and belief.

Signed 

Twenty Five 17<sup>th</sup> Avenue, LLC, a California Limited Liability Company

By: Jonathan Kantor, Manager


A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

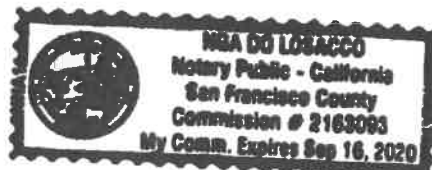
State of California

County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 17<sup>th</sup> day of \_\_\_\_\_

October 2016, by Jonathan Kantor, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

  
Notary Public





October 13, 2016

**GENERAL ACKNOWLEDGMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

State of California

County of San Francisco

On 10/17/16 before me, Nga Do Losacco  
(insert name and title of the officer)

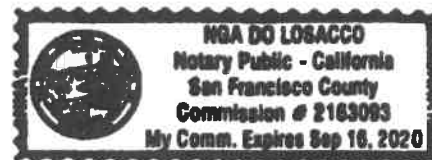
Personally appeared Jonathan Kantor  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary



October 24, 2016

**EXHIBIT "A"**

**LEGAL DESCRIPTIONS OF COMPLIANT PARCELS**

**PARCEL "A"**  
**(APN: 1341- )**

*Real property in the City of San Francisco, County of San Francisco, State of California, described as follows:*

*Commencing at a point on the westerly line of 17<sup>th</sup> Avenue, distant thereon 125 feet northerly from the northerly line of Lake Street, running thence northerly and along said westerly line of 17<sup>th</sup> Avenue 25 feet, thence at a right angle westerly 120 feet, thence at a right angle southerly 25 feet, thence at a right angle easterly 120 feet to the westerly line of 17<sup>th</sup> Avenue and the point of commencement.*

*Being a part of Outside Land Block No. 55*

**PARCEL "B"**  
**(APN: 1341- )**

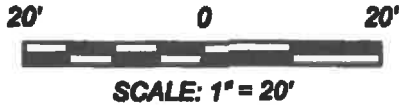
*Real property in the City of San Francisco, County of San Francisco, State of California, described as follows:*

*Beginning at a point on the westerly line of Seventeenth Avenue, distant thereon 100 feet northerly from the point formed by the intersection of the westerly line of Seventeenth Avenue with the northerly line of Lake Street; and running thence northerly along said line of Seventeenth Avenue 25 feet; thence at a right angle westerly 120 feet; thence at a right angle southerly 25 feet; and thence at a right angle easterly 120 feet to the point of beginning.*

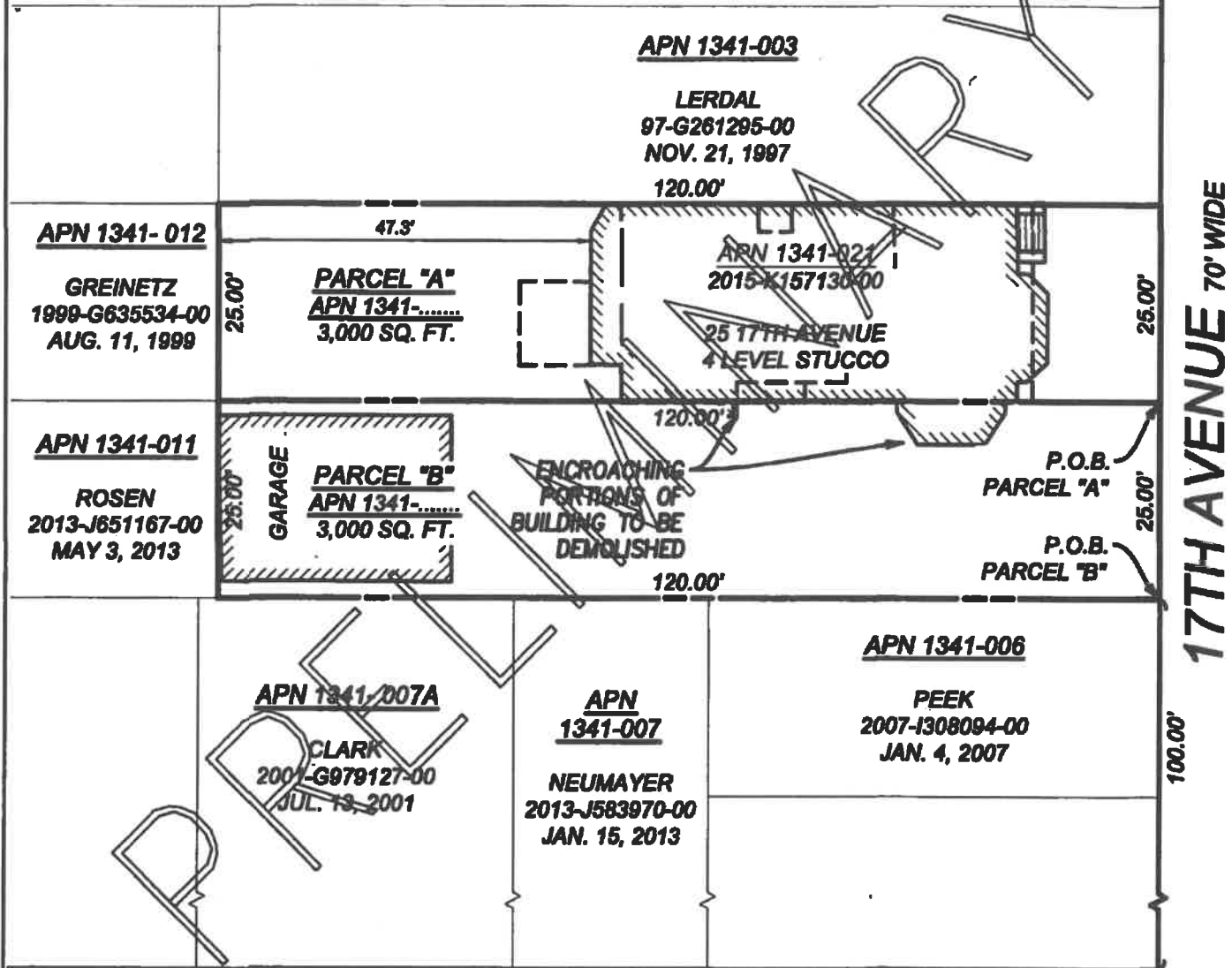
*Being a part of Outside Land Block "M", also known as Outside Land Block No. 55*

**LEGEND**

P.O.B. POINT OF BEGINNING



**ASSESSOR'S  
BLOCK 1341**



ALL ANGLES ARE 90° UNLESS  
OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN  
FEET AND DECIMALS THEREOF

**LAKE STREET**  
80' WIDE

SURVEY:  
FTS  
DRAWN:  
HRF  
CHECKED:



**Frederick T. Seher & Associates, Inc.**  
PROFESSIONAL LAND SURVEYORS  
841 LOMBARD STREET, SAN FRANCISCO, CA  
PHONE (415) 921-7690 FAX (415) 921-7655

**EXHIBIT "B"**  
PLAT TO ACCOMPANY LEGAL DESCRIPTIONS  
APN 1341-021

JOB NO. 1910-15

DATE: OCT, 2016

SCALE: 1" = 20'

SHEET NO. 1 OF 1

February 1, 2017

**EXHIBIT "A"**

**LEGAL DESCRIPTIONS OF COMPLIANT PARCELS**

**PARCEL "A"**  
**(APN: 1341-025)**

*Real property in the City of San Francisco, County of San Francisco, State of California, described as follows:*

*Commencing at a point on the westerly line of 17<sup>th</sup> Avenue, distant thereon 125 feet northerly from the northerly line of Lake Street, running thence northerly and along said westerly line of 17<sup>th</sup> Avenue 25 feet, thence at a right angle westerly 120 feet, thence at a right angle southerly 25 feet, thence at a right angle easterly 120 feet to the westerly line of 17<sup>th</sup> Avenue and the point of commencement.*

*Being a part of Outside Land Block No. 55*

**PARCEL "B"**  
**(APN: 1341-026)**

*Real property in the City of San Francisco, County of San Francisco, State of California, described as follows:*

*Beginning at a point on the westerly line of Seventeenth Avenue, distant thereon 100 feet northerly from the point formed by the intersection of the westerly line of Seventeenth Avenue with the northerly line of Lake Street; and running thence northerly along said line of Seventeenth Avenue 25 feet; thence at a right angle westerly 120 feet; thence at a right angle southerly 25 feet; and thence at a right angle easterly 120 feet to the point of beginning.*

*Being a part of Outside Land Block "M", also known as Outside Land Block No. 55*



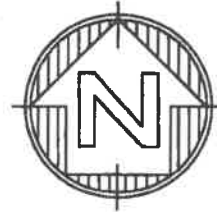


**LEGEND**

P.O.B. POINT OF BEGINNING



SCALE: 1" = 20'

**ASSESSOR'S  
BLOCK 1341**APN 1341-003
 LERDAL  
 97-G261295-00  
 NOV 21, 1997  
 120.00'
APN 1341-012
 GREINETZ  
 1999-G635534-00  
 AUG 11, 1999

25.00'

PARCEL "A"  
APN 1341-025  
 3,000 SQ. FT.

APN 1341-021  
 2015-K157130-00

 P.O.B.  
 PARCEL "A"

25.00'

APN 1341-011
 ROSEN  
 2013-J651167-00  
 MAY 3, 2013

25.00'

PARCEL "B"  
APN 1341-026  
 3,000 SQ. FT.

 P.O.B.  
 PARCEL "B"

25.00'

120.00'

120.00'

APN 1341-007A
 CLARK  
 2001-G979127-00  
 JUL 13, 2001

APN  
1341-007

 NEUMAYER  
 2013-J583970-00  
 JAN. 15, 2013
APN 1341-006
 PEEK  
 2007-I308094-00  
 JAN. 4, 2007

100.00'

17TH AVENUE 70' WIDE

 ALL ANGLES ARE 90° UNLESS  
 OTHERWISE NOTED

 ALL DISTANCES ARE MEASURED IN  
 FEET AND DECIMALS THEREOF
**LAKE STREET**

80' WIDE

SURVEY  
FTSDRAWN  
HRF

CHECKED.

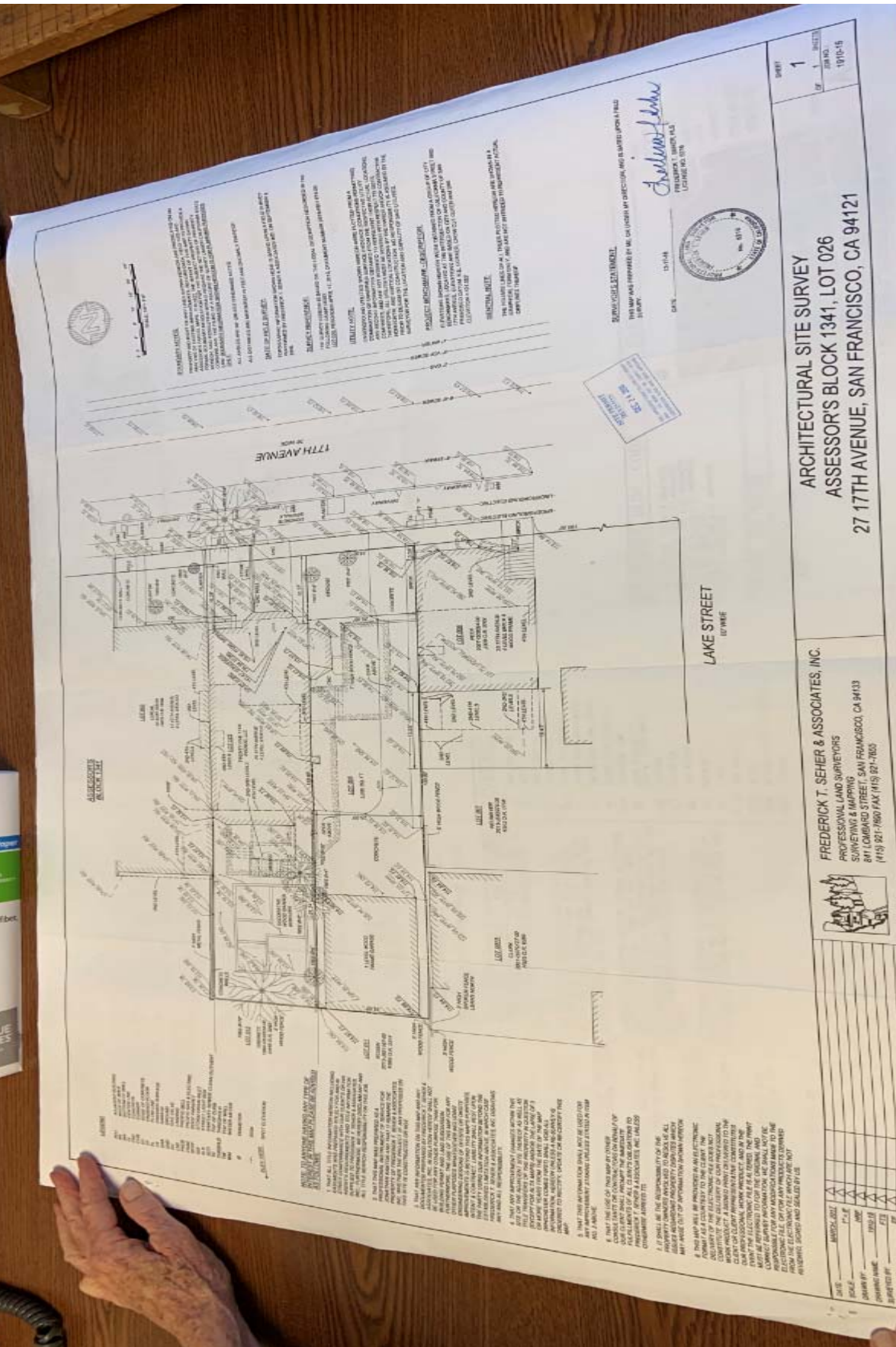
**Frederick T. Seher & Associates, Inc.**
 PROFESSIONAL LAND SURVEYORS  
 841 LOMBARD STREET, SAN FRANCISCO, CA  
 PHONE (415) 921-7690 FAX (415) 921-7655
**EXHIBIT "B"**
**PLAT TO ACCOMPANY LEGAL DESCRIPTIONS**  
**APN 1341-025 AND 026**

JOB NO. 1910-15

DATE FEB, 2017

SCALE 1" = 20'

SHEET NO 1 OF 1



ARCHITECTURAL SITE SURVEY  
ASSESSOR'S BLOCK 1341, LOT 026  
27 17TH AVENUE, SAN FRANCISCO, CA 94121

EDWARD T. SEHER & ASSOCIATES, INC.

### PROFESSIONAL LAND SURVEYORS

**SURVEYING & MAPPING**  
CALL EDWARDS CA 94133

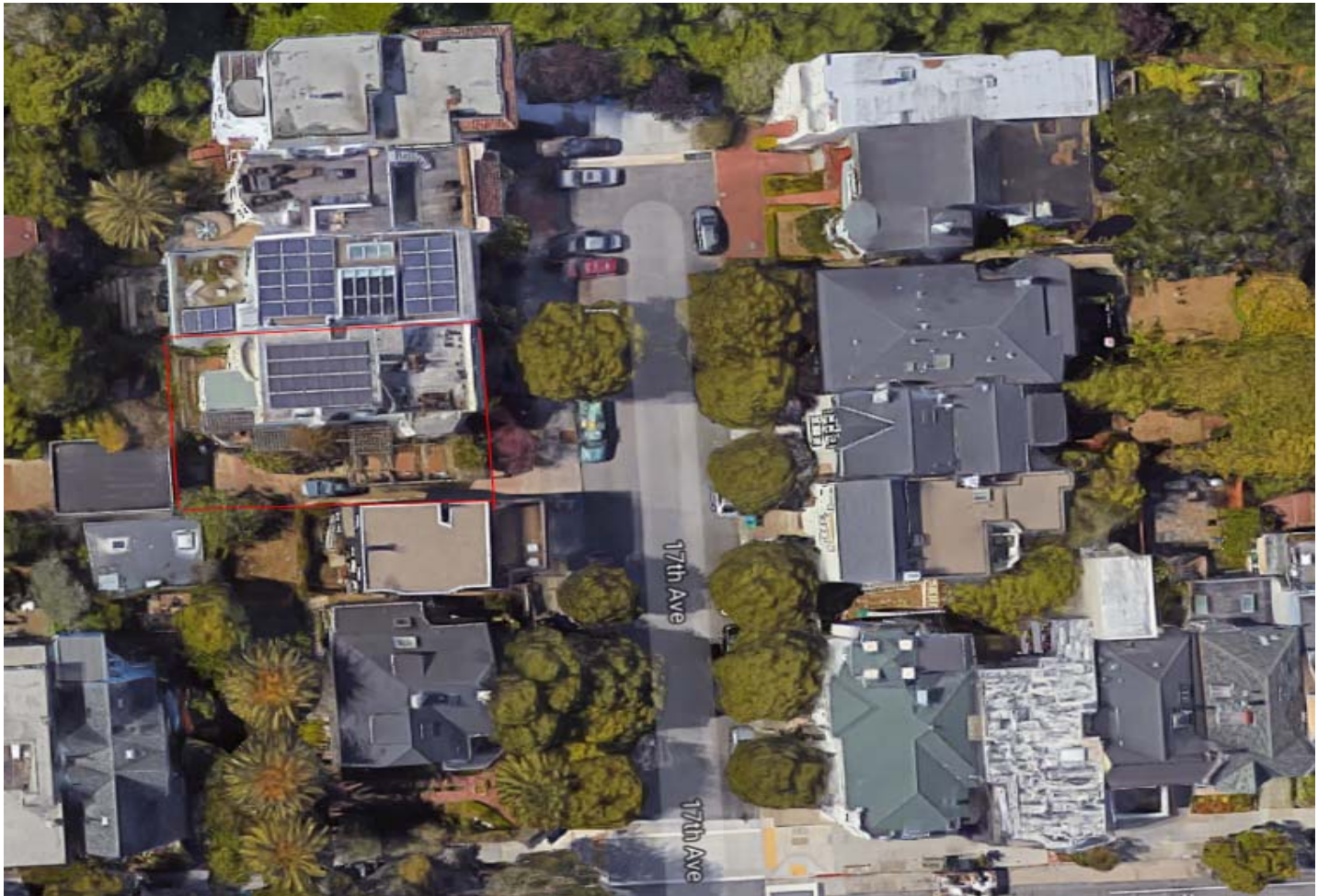
301 LOMBARD STREET, 3RD FLOOR  
BALTIMORE, MD 21202  
TEL: 410-528-3600 FAX: 410-528-7855

1. The first step is to identify the problem or question that needs to be answered.

1



**17 th Ave. North of Lake St.**  
**Ten homes**



PIM		Pim		Proposed #25 & # 27			
<u>house #</u>	<u>Existing</u> <u>sq. ft.</u>	<u>house #</u>	<u>Existing</u> <u>sq. ft.</u>	<u>house #</u>	<u>sq. ft.</u>	<u>house #</u>	<u>sq. ft.</u>
<u>West side of St.</u>		<u>East side of St.</u>		<u>West side of St.</u>		<u>East side of St.</u>	
#5	2,907	#10	3,138	#5	2,907	#10	3,138
#11	3,597	#16	3,010	#11	3,597	#16	3,010
#17	4,382	#24	2,691	#17	4,382	#24	2,691
#25	3,564	#34	2,665	#25	5,589	#34	2,665
				#27	5,500		
#35	3,197	#40	2,154	#35	3,197	#40	2,154
total	17,647		13,658	Total	25,172		13,658
Average	3,529		2,732	Average	4,195		2,732
Total		31,305					
Block average		3,131					









1611 Lajo St  
San Francisco, California  
Jan 2017



Google







# 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: 27 17th Avenue

Zip Code: 94121

Building Permit Application(s): 201806252842

Record Number: 2017-00987DRP(03/04)

Assigned Planner: Sylvia Jimenez

## Project Sponsor

Name: 27 17th Ave, LLC - Tim Brown/Jon Kantor

Phone: (415) 412-6798

Email: kantor@pacbell.net

## 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.)

We have worked collaboratively w/ the Planning Department since 7/2016 and have done everything requested, including: permit to abate enforcement case; massing which is fully RH-1 compliant w/out need for variance or CU; further massing reductions to incorporate residential design guidelines; accommodation of neighbor concerns for "mid-block open space", rear yard size, 4th story window and lightwell; and maintained massing and density in-keeping w/ other 4 similar homes on block.

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.

Changes made since our outreach/submittal include: 10% increase in rear yard; setbacks at the south rear PL of 5', 10' & 12.5' @ 2F, 3F and 4F respectively (rear decks incorporate setback); overall reduction in massing from outreach 6,490sf to 311 notification 5,500sf; protected south neighbor's 4th story PL window and matched lightwell; changed elevator to eliminate need for a "penthouse"; and designed envelope significantly smaller than was proposed by southern neighbor (letter 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.

DR is asking for reductions in mass based on information in the PIM system that grossly misrepresents sqft of homes on the block, including his own (i.e. PIM of #25 3,564sf vs. actual prior to construction of 5,057sf). Their use of inaccurate information makes this appear to be a large home when in fact it is actually smaller than the average size of the 4 similar homes on the block (#5, #11, #17 & #25) based on remodel plan submittals and other online resources.



## 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)	0	1
Occupied Stories (all levels with habitable rooms)	1	4
Basement Levels (may include garage or windowless storage rooms)	0	0
Parking Spaces (Off-Street)	2	2
Bedrooms	0	4
Height	NA	35'3"
Building Depth	NA	77'
Rental Value (monthly)	NA	NA
Property Value	\$1mil	\$5mil

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

Signature:



Date: April 30, 2019

Printed Name: Timothy Brown

- ☒ 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.*

April 26, 2019

Mr. David Winslow  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco, CA 94103  
Re: Addendum to DR for #2018.0625.2842

Mr. Winslow:

There were 4 general premises under which Mr. Dratler and Mr. Greinetz filed their request for Discretionary Review:

1. How to address work that occurred beyond the scope of an active permit and the abatement of the open Planning Department enforcement item and two Building Department notices of violation.
2. The Bureau of Street Use and Mapping acceptance and approval of the Certificate of Compliance recognizing the existence of two lots at 25 and 27 17th Avenue.
3. Their belief that the proposed home does not meet the standards in the Residential Design Guidelines for size and massing.
4. Their concern for proper monitoring and oversight once construction restarts.

In regards to #1, outstanding Planning Enforcement action, 2016-009806ENF and Building Department NOV #201623795 and #201757399 are completely addressed within the scope of #2018.0625.2842. We have worked in cooperation with Planning Department staff for more than 2 1/2 years to ensure we are compliant. Building permit application 2017.0518.6923 addressed the open enforcement case. The permit was issued on 8/1/2017 and immediately appealed on 8/2/2017. As a result of a Board of Appeals hearing, the Board requested that we address the outstanding enforcement case under the plans that include the full scope of the remodel. Our permit application #2018.0625.2842 meets all of Planning's requests for compliance.

Item #2 relates to the acceptance and approval of our application for a Certificate of Compliance submitted to the Bureau of Street Use and Mapping on 10/25/2016 and recorded on 2/9/2017.

The COC did not effectuate a lot split. The BSM determined 2 separate - 25'X120' lots located at 25 and 27 17th Avenue always existed and that referring to 25 17th Avenue for the past number of years as 1 - 50'X120' lot was not accurate as a legal lot merger never took place. To be clear, there was never a subdivision or lot split, only the recognition that the property line still exists. Effectively, you had 1 owner that may or may not have realized they owned 2 congruous lots. The actions taken by BSM staff have been fully reviewed by Bruce Storrs, County Surveyor, John Malamut, Land Use Specialist In the City Attorneys Office and Mohammed Nuru, Director of DPW. Despite numerous Sunshine requests and a Whistle Blower Complaint the actions taken by

BSM stand (see attached letter from Mohammed Nuru to Mr. Dratler). Any work beyond the scope of permit and/or property line encroachments had no bearing on the COC application process. Furthermore because the COC proved that the property line still exists, no approval from the Planning or Building Departments was required.

Item #3 addresses the size of the proposed new home.

An online street/aerial view shows that the proposed home at 27 17th Avenue (see attached) is very similar in size to the homes located at addresses 5, 11, 17 and 25 17th Avenue. The DR applicants continue to reference the highly inaccurate square footage from the Planning Department's PIM system in the Assessor/Recorders database, instead of accurate records on completed remodels (11 & 17) available at the 4th floor of the Building Department, which show each of these homes to be much larger than the PIM system shows. The average of the 4 homes above far exceeds the proposed new home at 27 17th Avenue. The DR filers must know the information in the PIM system is inaccurate, but continue to use it to fit a false narrative. Mr. Dratler continues to present his home as a 2,154sf SFR, despite having submitted remodel plans in 2001 that clearly showed his home to be more than 4,080sf. Either Mr. Dratler's home magically increased in size by 89%, he submitted inaccurate plans, or the information in the PIM system is inaccurate. Likewise, Mr. Greinetz completed an addition and remodel of his home in 2015 with plans showing existing square footage of 3,564sf and a finished remodel of 3,631sf, yet the PIM system still reflects his original home size of 2,659sf, a 37% misrepresentation. The PIM system shows 25 17th Avenue to be 3,564sf. However, the home prior to any construction was 5,057sf, a misrepresentation of 42%. This information holds true for all the homes on 17th Avenue. The PIM system cannot be used to perform comparisons because of these vast discrepancies between what it shows and what really exists. We can appreciate that a DR filer might be unaware of work their neighbors have completed, but question why Mr. Dratler would continue to misrepresent the facts when he should at least be aware of the size of his own home. Lastly, DR filer's massing exhibit inaccurately depicts the proposed rear massing of the remodel at 25 17th Ave.

Finally, with regards to item #4, we respectfully defer to Planning/Building Department staff and know that many inspections will take place during the course of construction. It is during these times that DBI will be able to monitor our performance and compliance with building to approved plans.

We would conclude with the fact that: neither DR filer is negatively impacted by the new home, (one is a diagonal rear yard neighbor, the other lives across 17th Avenue; and we have not had one southern neighbor contact us with any questions or concerns after our significant envelope reductions.

Sincerely,



Tim Brown, Owner/Sponsor



London N. Breed  
Mayor

Mohammed Nuru  
Director

San Francisco Public Works  
1 Dr. Carlton B. Goodlett Pl.  
Room 348  
San Francisco, CA 94102  
tel 415-554-6920

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)  
[twitter.com/mrcleansf](https://twitter.com/mrcleansf)

December 3, 2018

Jerry Dratler  
40 17<sup>th</sup> Avenue  
San Francisco, Ca. 94121

Mr. Dratler:

Thank you for raising your concerns about Public Works issuance of a Certificate of Compliance for 25 17<sup>th</sup> Avenue with myself and other City Officials. I requested Bruce Storrs, our City and County Surveyor and the signatory to the Certificate of Compliance, to brief me about this matter and the new information you presented. As part of my briefing from Mr. Storrs, he shared with me the attached letter from July 19, 2018 that he sent to you detailing the basis for his decision regarding the Certificate of Compliance for 25 17<sup>th</sup> Avenue (Project Identification 9190), which was recorded February 8, 2017.

As he stated in that letter:

*"For multiple properties to be merged, some action imparting public notice needs to take place, and the action imparting public notice also requires some subdivision mapping or governmental action to legally merge the lots."*

In your recent letter to the City dated November 26, 2018 "draft letter dated November 05 2018 version 6.pdf", you provided an attachment on page 3 with the header "1975 Approved merger application exhibit 2. We have searched the title history for these properties and determined that this is not a recorded document, does not impart public notice, and did not received the proper City approval to legally merge the parcels as required by the California Civil Code, the Subdivision Map Act (California Government Code), and the San Francisco Subdivision Code. In San Francisco, the only City department authorized to approve a merger is Public Works. The City Planning Commission cannot unilaterally take an action to legally merge lots. Consequently, this document does not satisfy any of the requirements Mr. Storrs mentioned above in this July 19, 2018 letter to you.

Out of an abundance of caution, Mr. Storrs did contact the Planning Department and asked them to research their records on these properties to determine the relevance, if any, of the document you presented to us. While the Planning Department did find a copy of this document in its historic file on the properties, there were no other documents, resolutions, motions, or Planning Commission actions associated with it or on record with the Planning Department. The Planning Department hypothesized that this document may have been related to a proposed merger that Public Works referred to Planning for its input and recommendation, but that ultimately the City (through



Public Works) never approved the merger. Given that Public Works and the Planning Department have no other records relating to this 1975 document and there is no recorded document in the chain of title evidencing a legal merger of the lots, we view this document as a historic relic that has no bearing on Mr. Storrs's determination as represented in the Certificate of Compliance that these lots have not been merged.

Further, the code compliance issues raised in your letter are not relevant to the Certificate of Compliance. The Planning Department and the Department of Building Inspection have jurisdiction over those matters and are responsible for following up with the property owner to resolve the issues.

Consequently, I stand by the February 8, 2017 Certificate of Compliance, issued under the auspices of San Francisco Public Works by the City and County Surveyor, and the representations in Mr. Storrs's July 19, 2018 letter. Mr. Storrs's Certificate of Compliance decision is final and not appealable.

Best regards,

A handwritten signature in blue ink, appearing to read 'Mohammed Nuru', with a long horizontal stroke extending to the right.

Mohammed Nuru

STEPHANIE PEEK

35 17TH AVENUE SAN FRANCISCO CALIFORNIA 94121  
415 387.3750 stephanie@stephaniepeek.com • stephaniepeek.com

22 May 2016

Jon Kantor  
256 - 16th Avenue  
San Francisco CA 94118

Dear Jon,


When you and Tim visited my studio on the top floor of my house north of Lake on 17th Avenue, you talked of working with us so I thought that sooner rather than later it would be a good idea to put forward some of my concerns about your upcoming new building in the driveway of 25 -17th Avenue.

I think there are design steps that can be taken which, while maintaining as much square footage as you need to make a profit on your investment, could minimize negative impacts on my property.

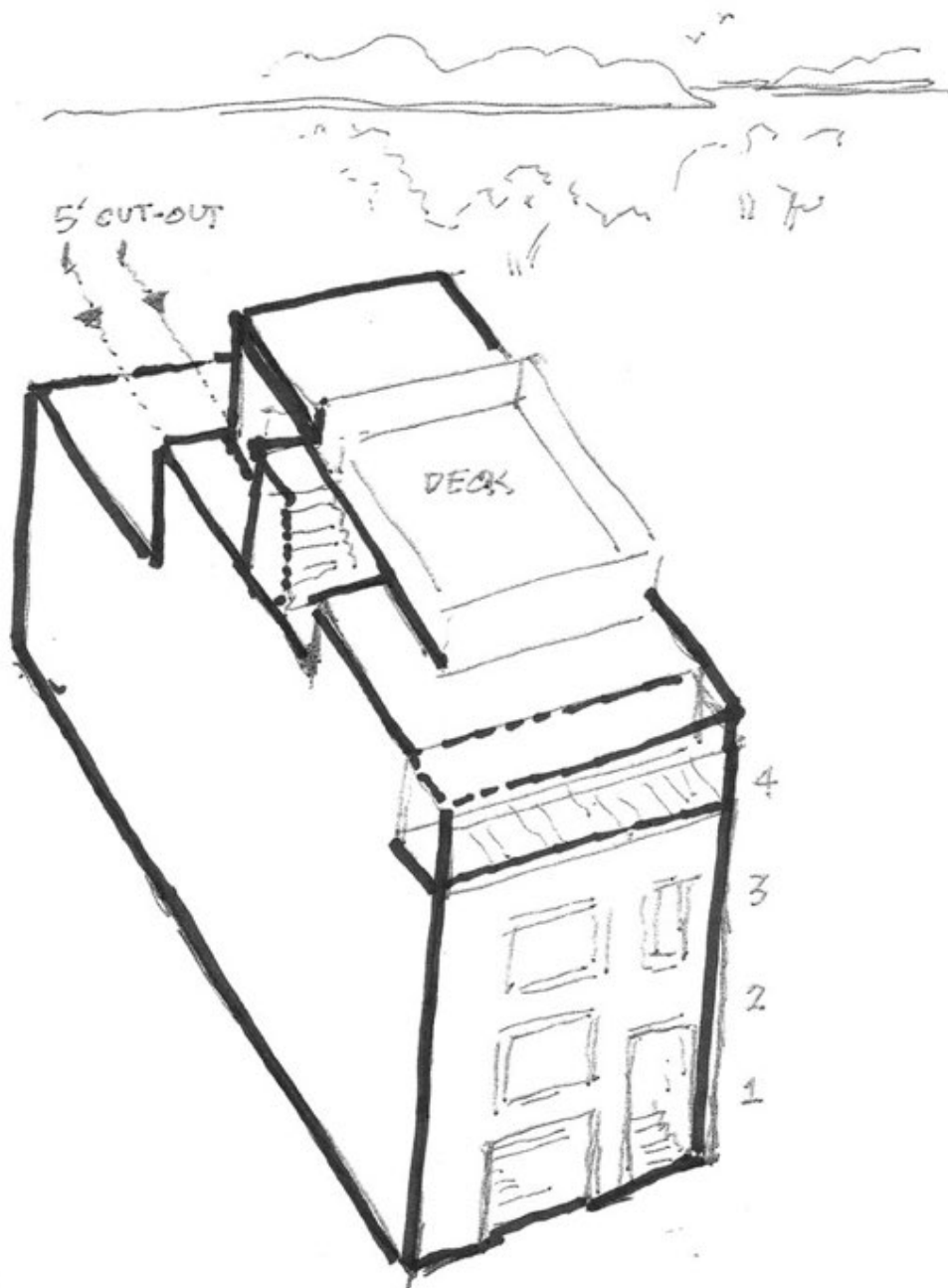
As a working artist, my greatest need is natural light in my studio on my top floor. In order to not lose much north light, a possible solution comes to mind. On the top 4th floor, you might build out to my north awning window and then design an exterior staircase to a possible roof deck. That would provide a cutout so that there is still light coming in my north window. Please see attached sketch I made.

I know your consideration of this request will insure a harmonious building process and we neighbors will look forward to working with you.

Thank you,

  
Stephanie Peek

cc: Tim Brown  
Enclosed: Drawing



ROUGH SKETCH OF NEW HOUSE 17<sup>TH</sup> AVE.  
STEPHANIE PECK  
20 MAY 2016





17th Ave



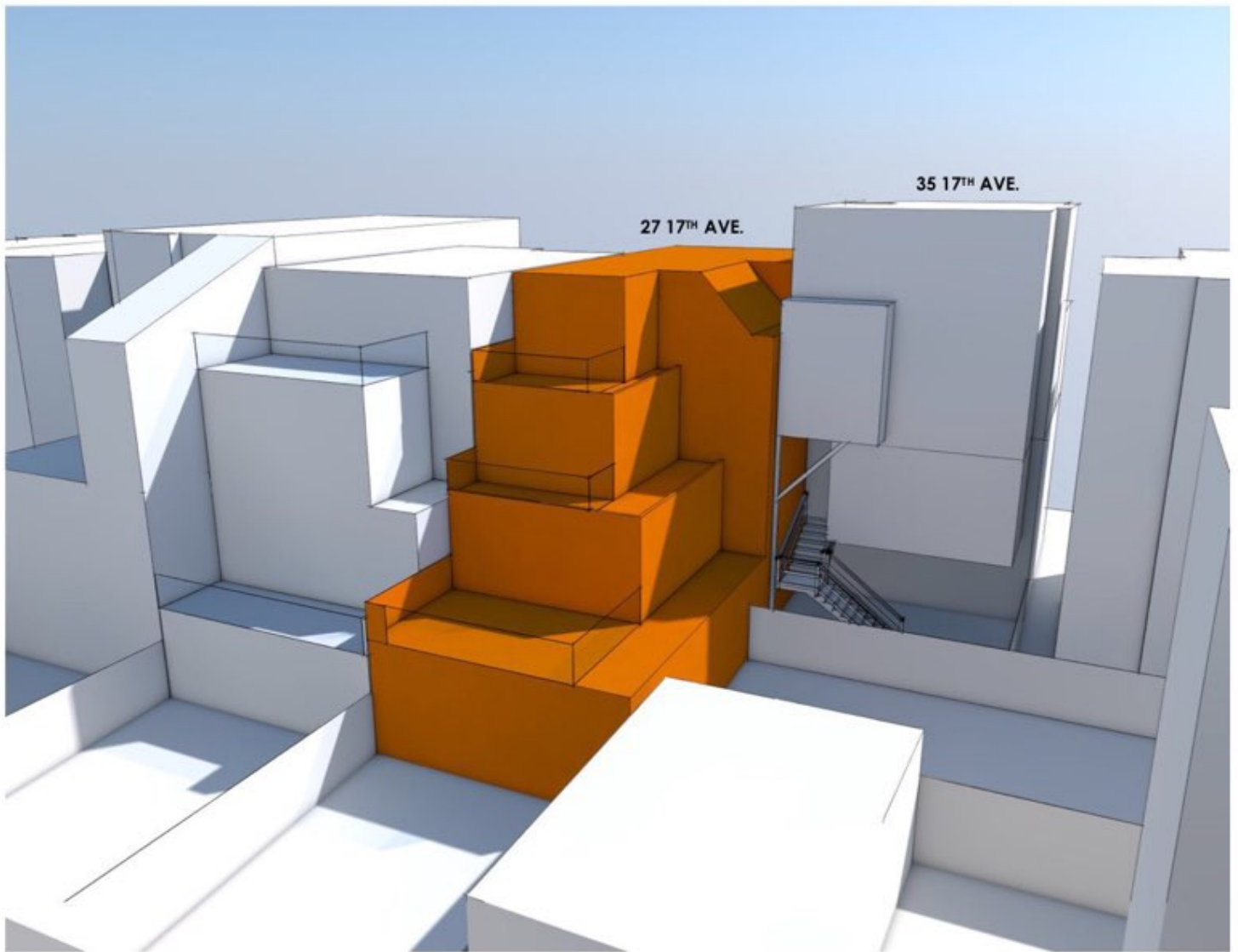
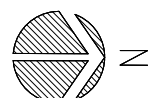
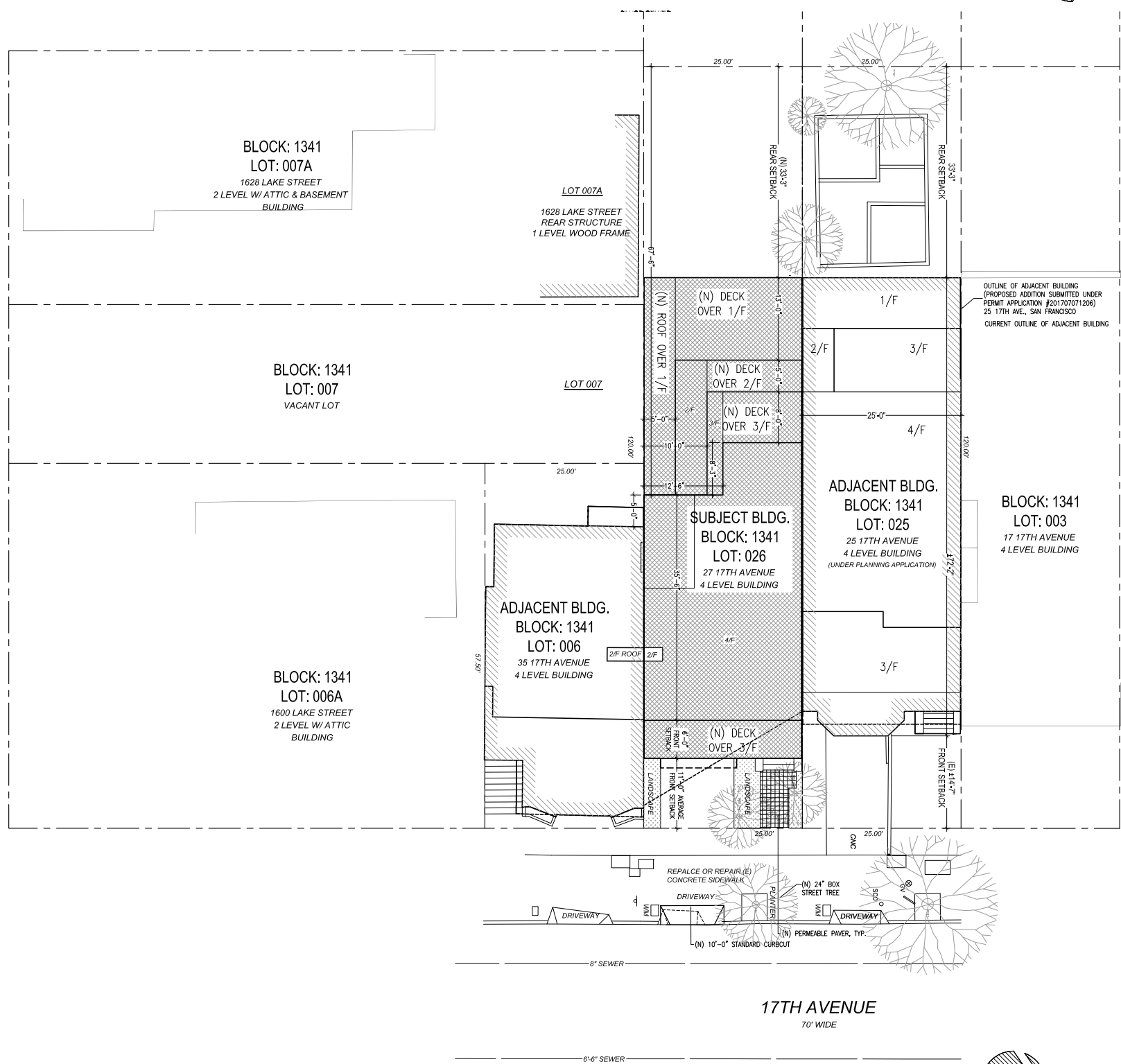
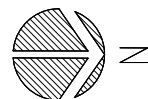
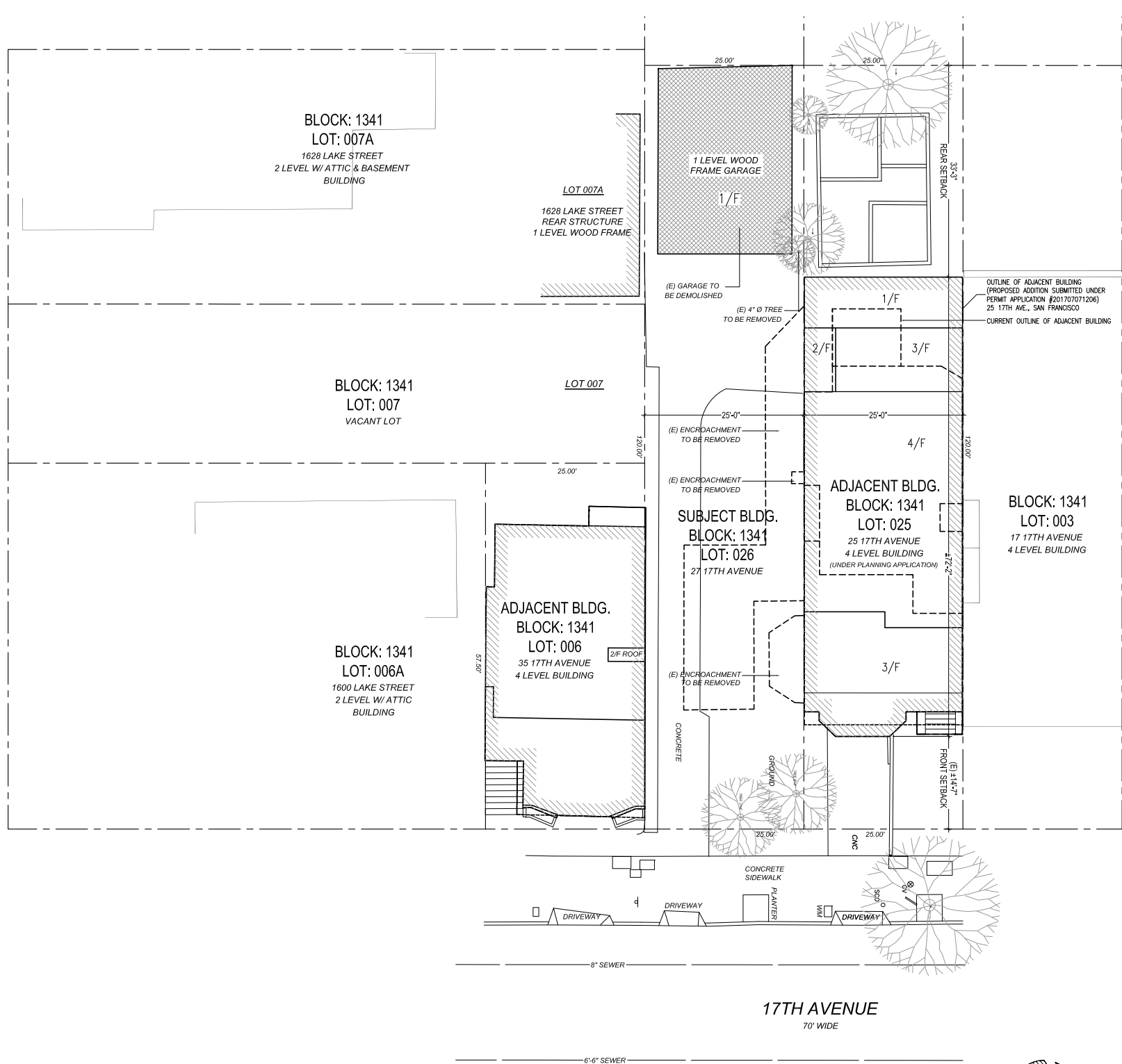
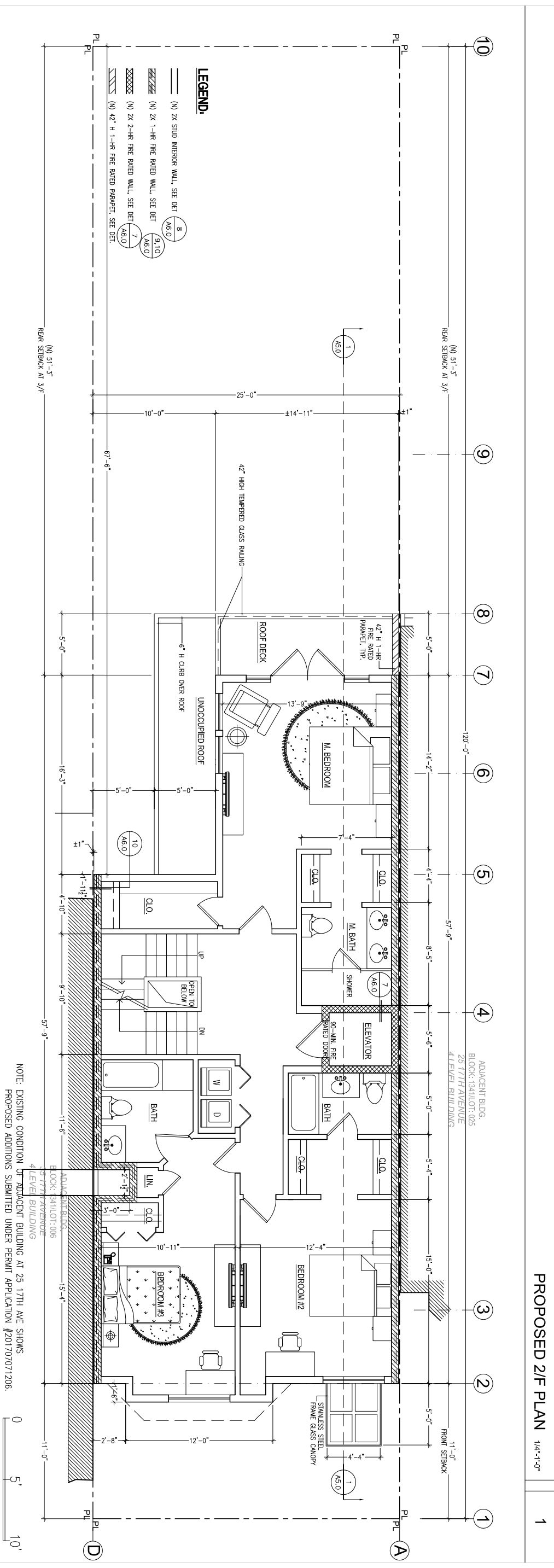
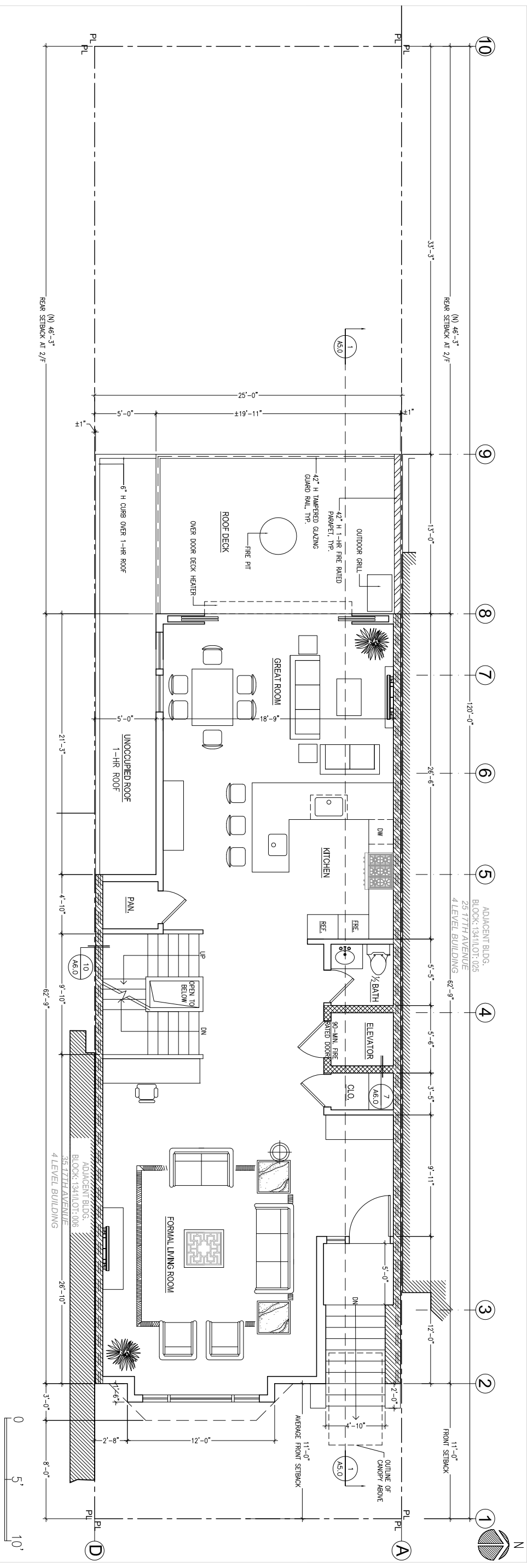


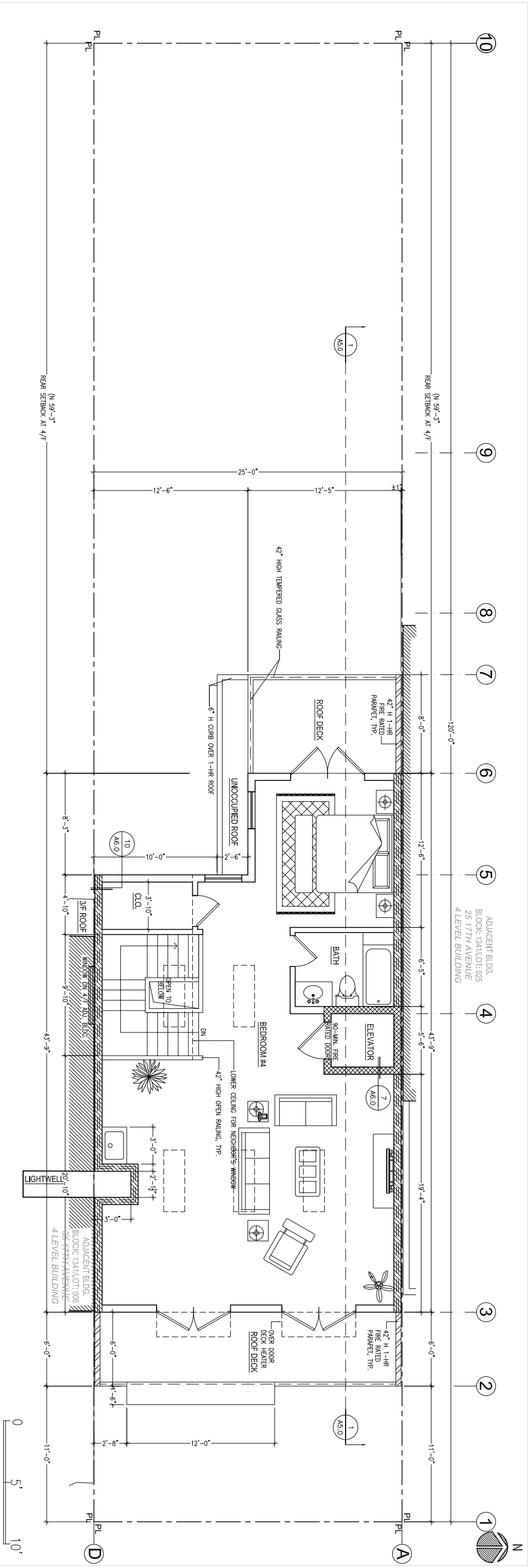
FIGURE 4: PROPOSED MASSING OF DESIGN "B", VIEWED FROM THE REAR OF THE PROPERTY.







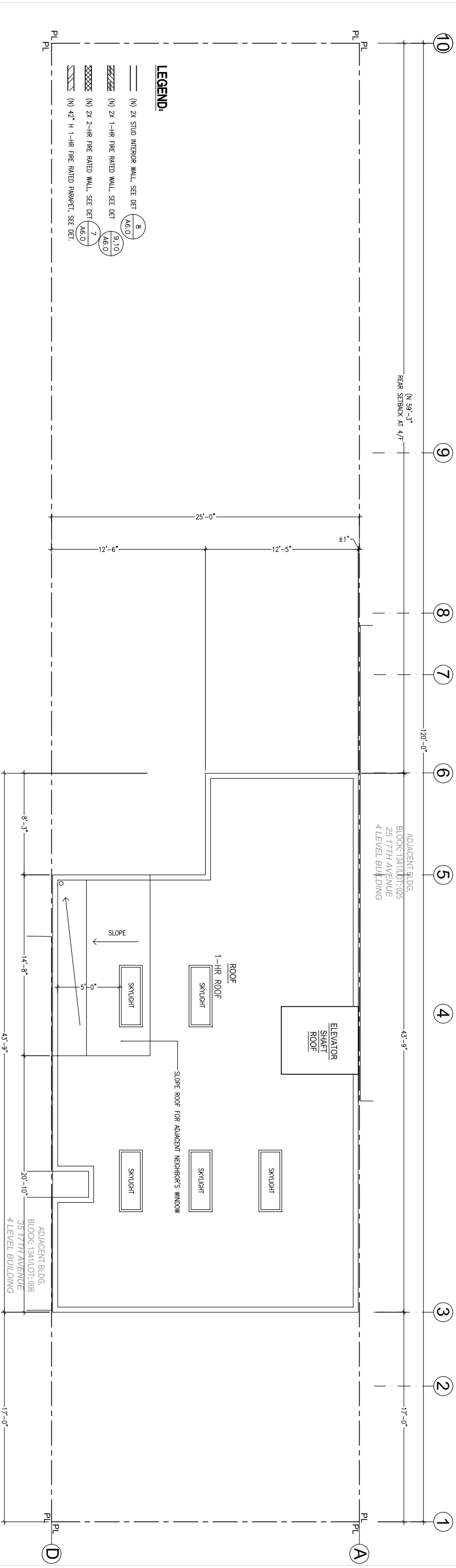




PROPOSED 4/F PLAN

1/4"=1'-0"

1



LEGEND:

- (N) 2X STUD INTERIOR WALL, SEE DET 8 A6.0
- (N) 2X 1-HR FIRE RATED WALL, SEE DET 9.10 A6.0
- (N) 2X 2-HR FIRE RATED WALL, SEE DET 7 A6.0
- (N) 42" H 1-HR FIRE RATED PARAPET, SEE DET.

NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

PROPOSED ROOF PLAN

1/4"=1'-0"

1



NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

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

1



NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

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

1



NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

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

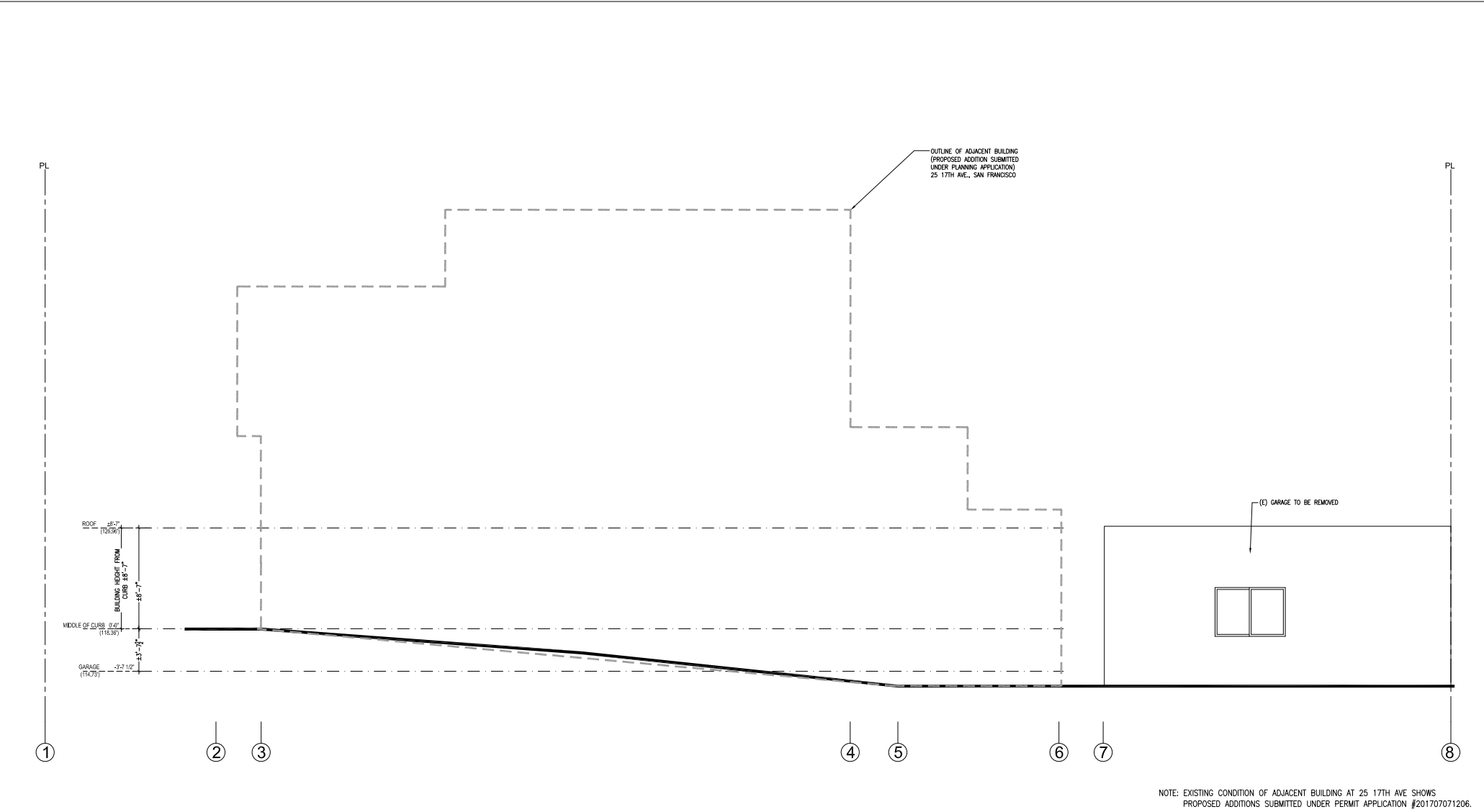
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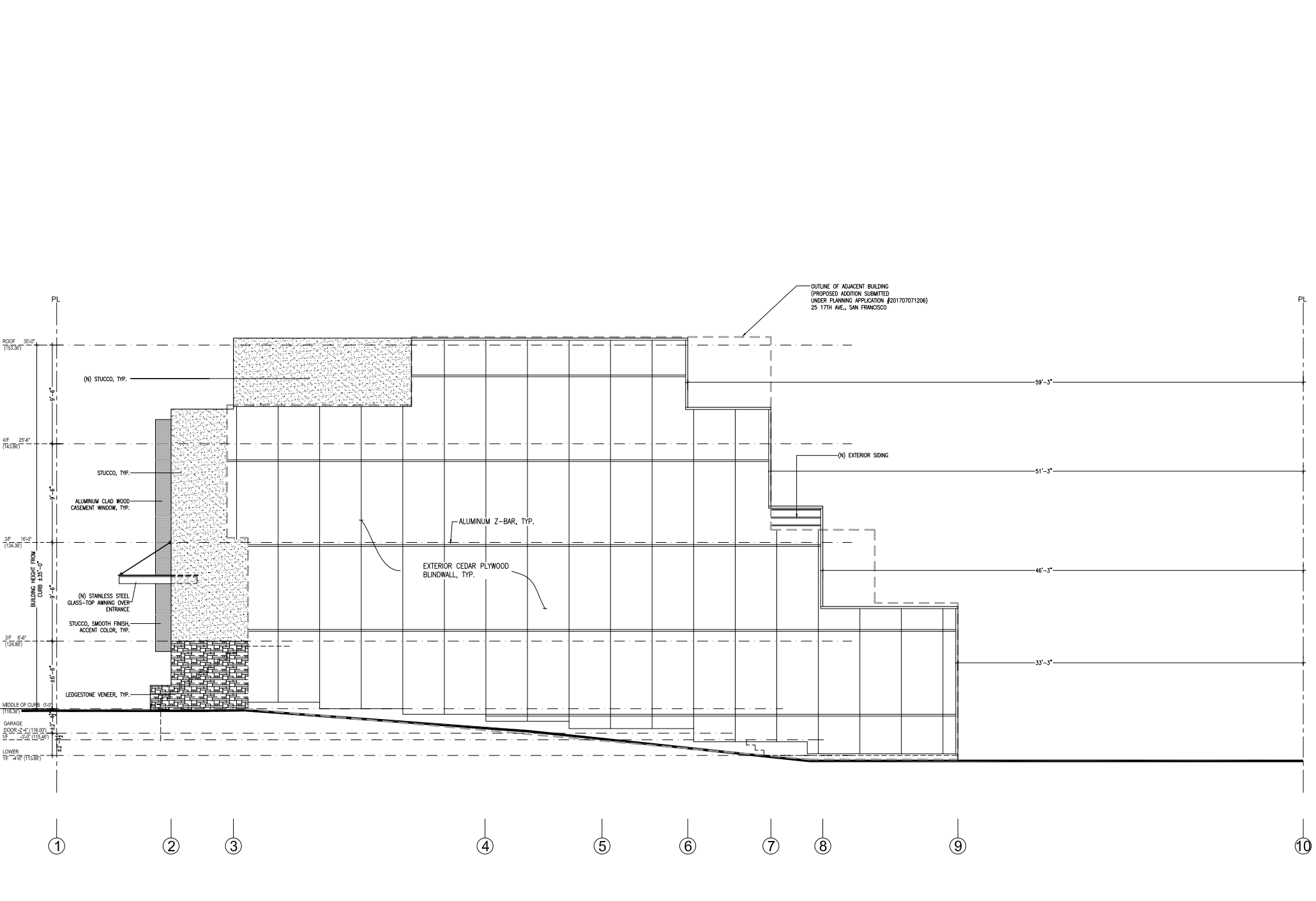
NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

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

1

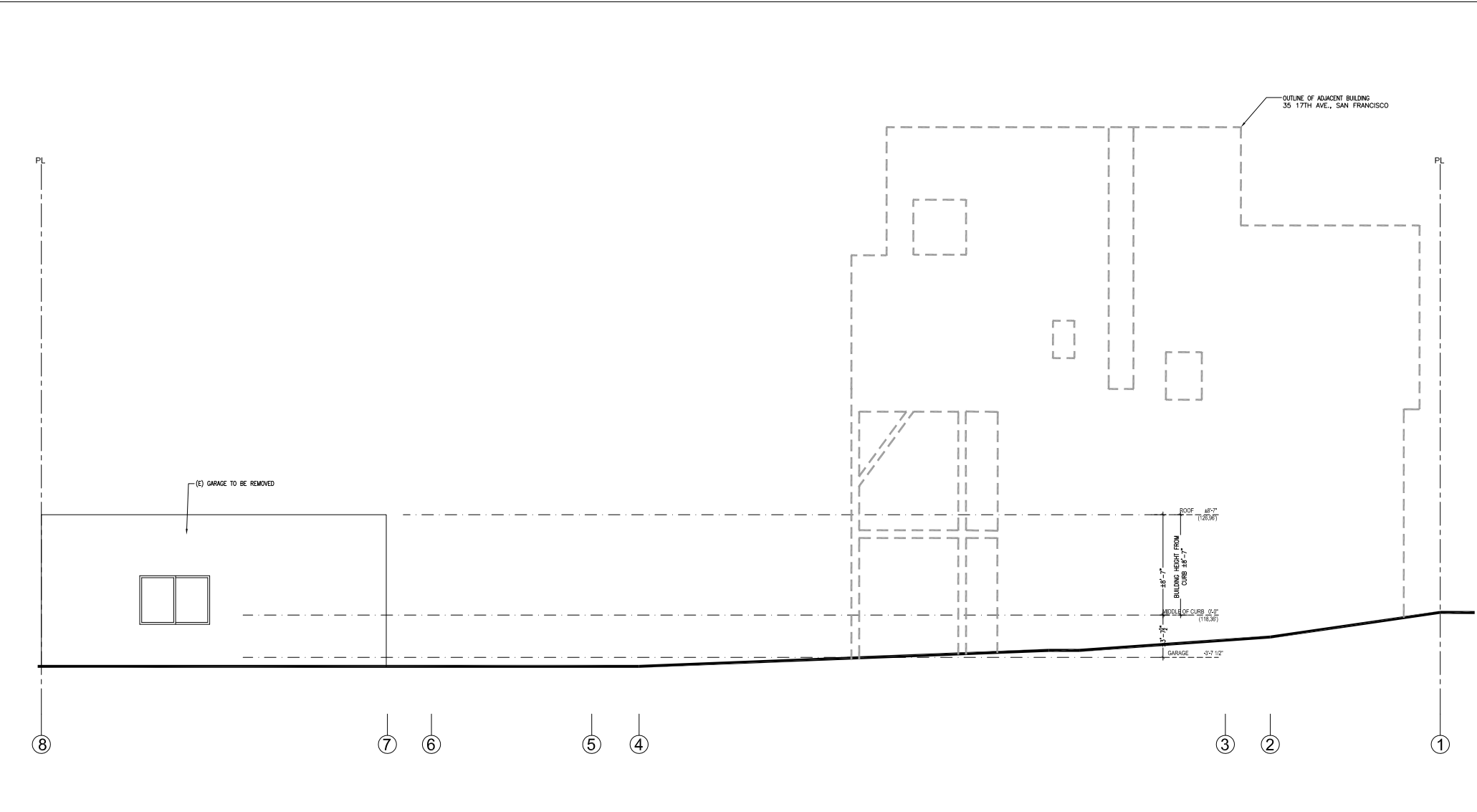


EXISTING NORTH ELEVATION 1/4"=1'-0" 1

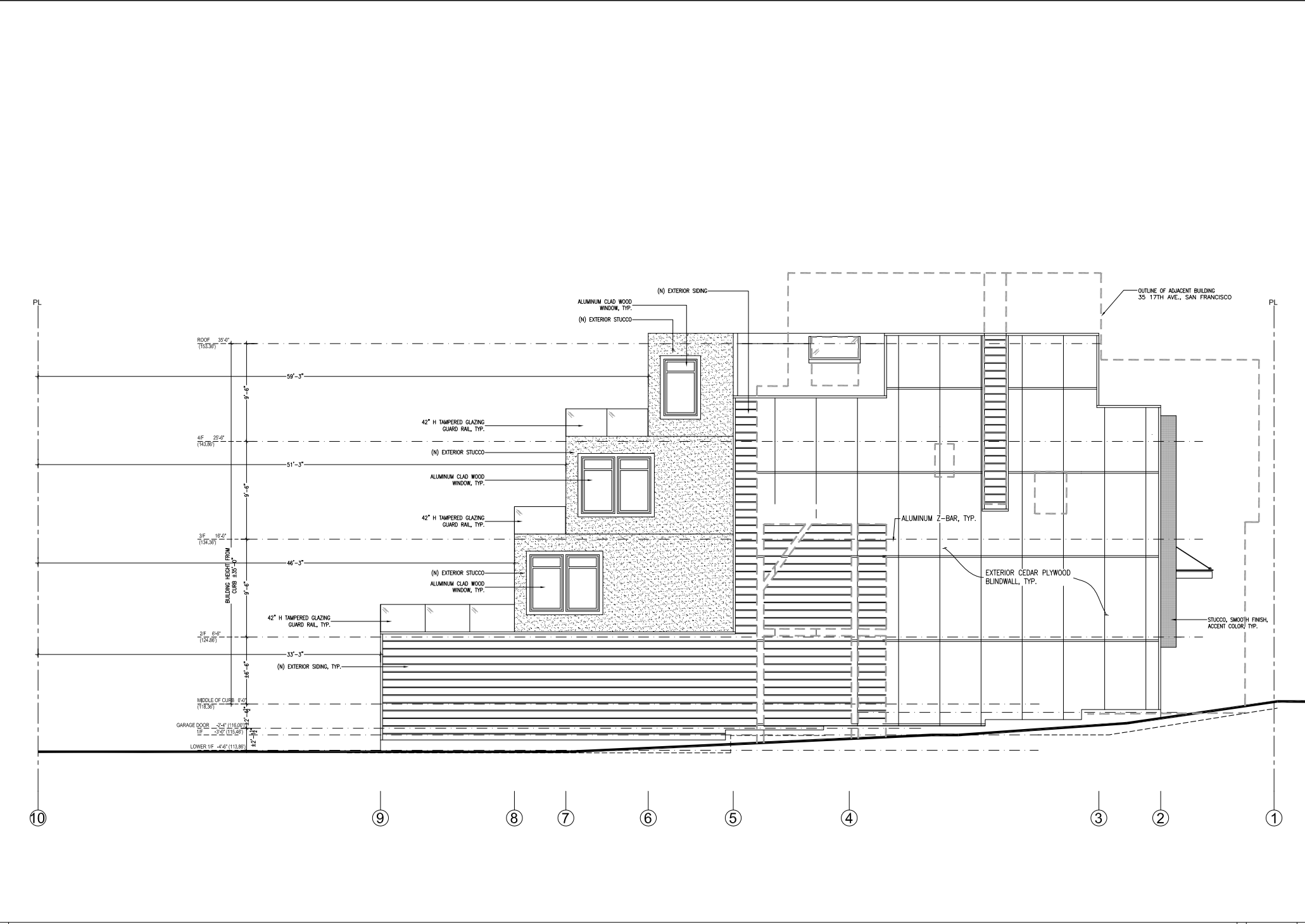


PROPOSED NORTH ELEVATION 1/4"=1'-0" 1

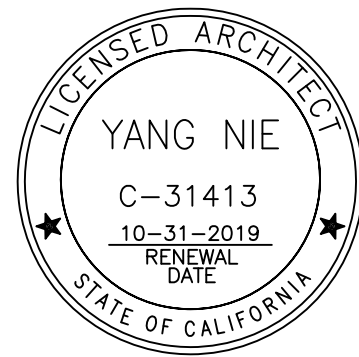




EXISTING SOUTH ELEVATION	1/4"=1'-0"	1
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PROPOSED SOUTH ELEVATION	1/4"=1'-0"	1
--------------------------	------------	---



27 17TH AVE.  
SAN FRANCISCO  
CA 94121  
  
NEW  
CONSTRUCTION  
OF A S.F.D.

SITE PERMIT

© 2019 NIE YANG ARCHITECTS  
REVISIONS 1  
REVISIONS 2  
REVISIONS 3

SCALE  
AS NOTED  
DATE  
07/15/2019  
JOB NO.  
170210  
SHEET TITLE

PROPOSED PLOT PLAN

LAKE STREET  
80' WIDE

BLOCK: 1341  
LOT: 007A  
1628 LAKE STREET  
2 LEVEL W/ ATTIC & BASEMENT  
BUILDING

LOT 007A  
1628 LAKE STREET  
REAR STRUCTURE  
1 LEVEL WOOD FRAME

BLOCK: 1341  
LOT: 007  
VACANT LOT

LOT 007

BLOCK: 1341  
LOT: 006A  
1600 LAKE STREET  
2 LEVEL W/ ATTIC  
BUILDING

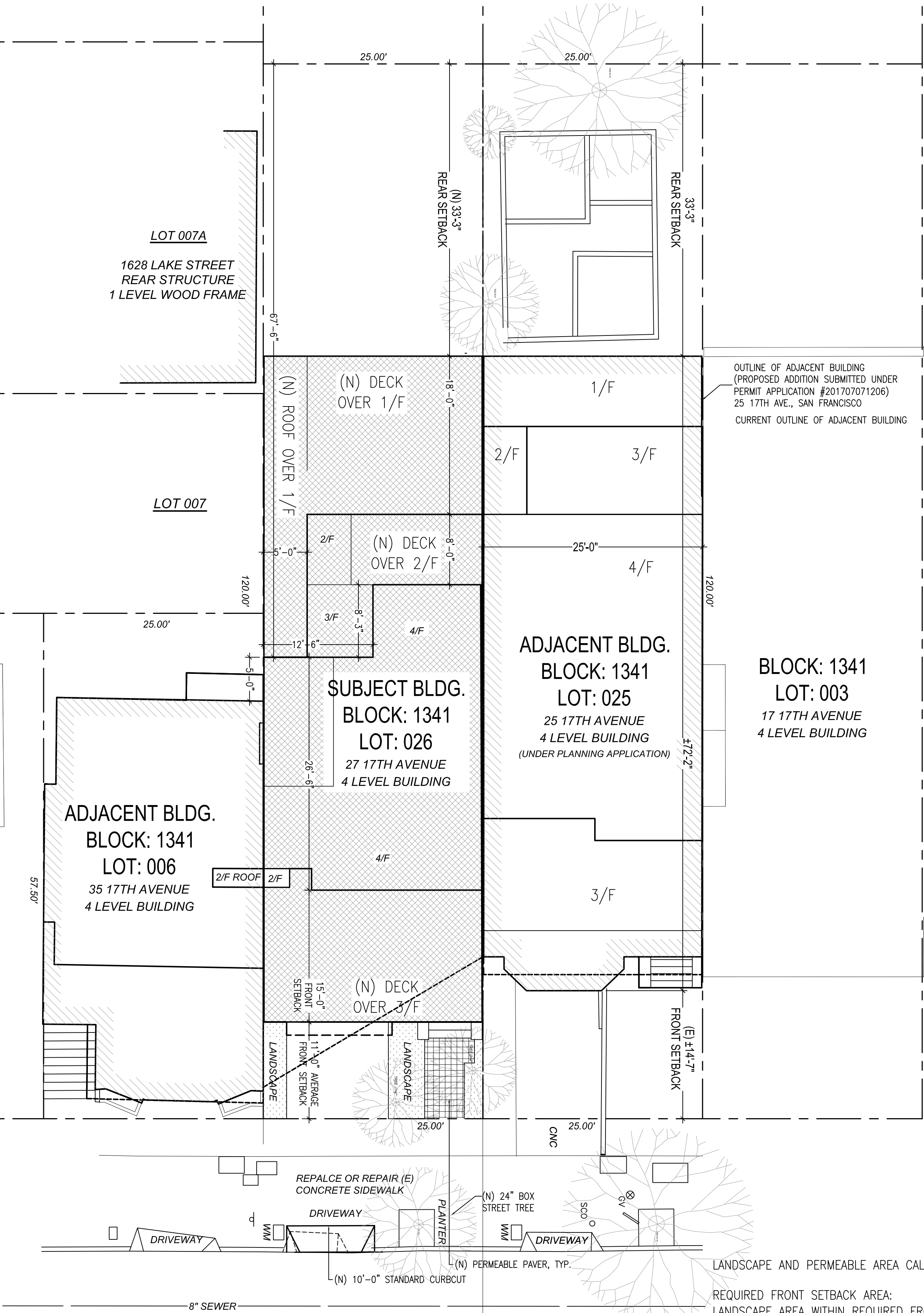
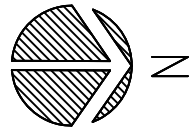
ADJACENT BLDG.  
BLOCK: 1341  
LOT: 006  
35 17TH AVENUE  
4 LEVEL BUILDING

BLOCK: 1341  
LOT: 011  
30 18TH AVENUE  
4 LEVEL BUILDING

SUBJECT BLDG.  
BLOCK: 1341  
LOT: 026  
27 17TH AVENUE  
4 LEVEL BUILDING

ADJACENT BLDG.  
BLOCK: 1341  
LOT: 025  
25 17TH AVENUE  
4 LEVEL BUILDING  
(UNDER PLANNING APPLICATION)

BLOCK: 1341  
LOT: 003  
17 17TH AVENUE  
4 LEVEL BUILDING



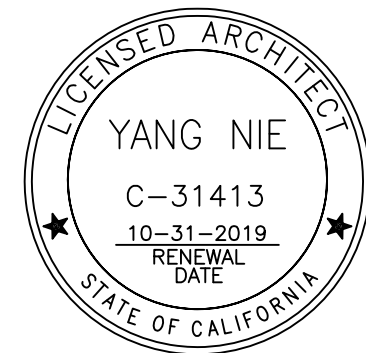
LANDSCAPE AND PERMEABLE AREA CALCULATION:

REQUIRED FRONT SETBACK AREA:  
LANDSCAPE AREA WITHIN REQUIRED FRONT SETBACK:  
PERMEABLE AREA WITHIN REQUIRED FRONT SETBACK:

275 S.F. ( REQUIRED 11' FRONT SETBACK)  
107 S.F. (39% OF REQUIRED FRONT SETBACK AREA)  
151 S.F. (44 S.F. PERMEABLE PAVER + 107 S.F. LANDSCAPE AREA)  
(55% OF REQUIRED FRONT SETBACK AREA)

NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

100 OLD COUNTY RD, STE.100A  
BRISBANE, CA 94005  
TEL. 415 203 2371  
FAX. 415 354 8389  
EMAIL. NYARCHITECTS@GMAIL.COM





# NEW CONSTRUCTION OF A S.F.D.


## SITE PERMIT

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REVISIONS 

REVISIONS 

REVISIONS 

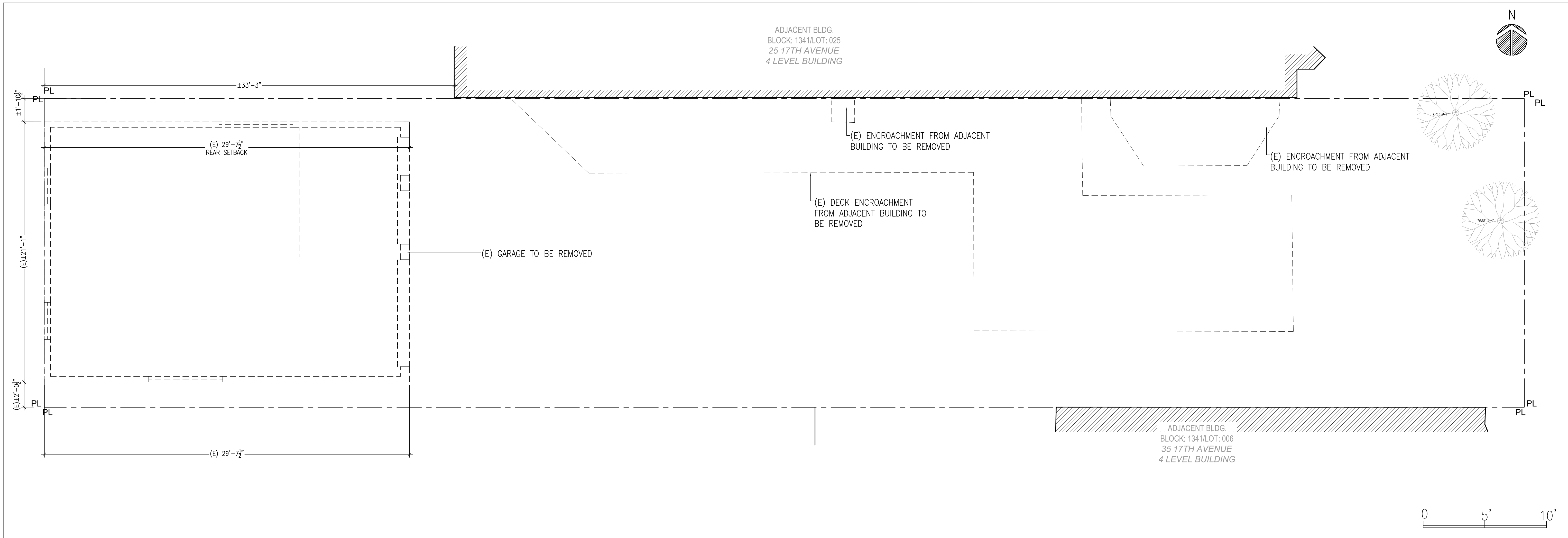
SCALE	1/4"=1'-0"
DATE	07/15/2019
JOB NO.	170210
SHEET TITLE	

EXISTING 1/F PLAN  
PROPOSED 1/F PLAN

SHEET NO. \_\_\_\_\_

## A2.0

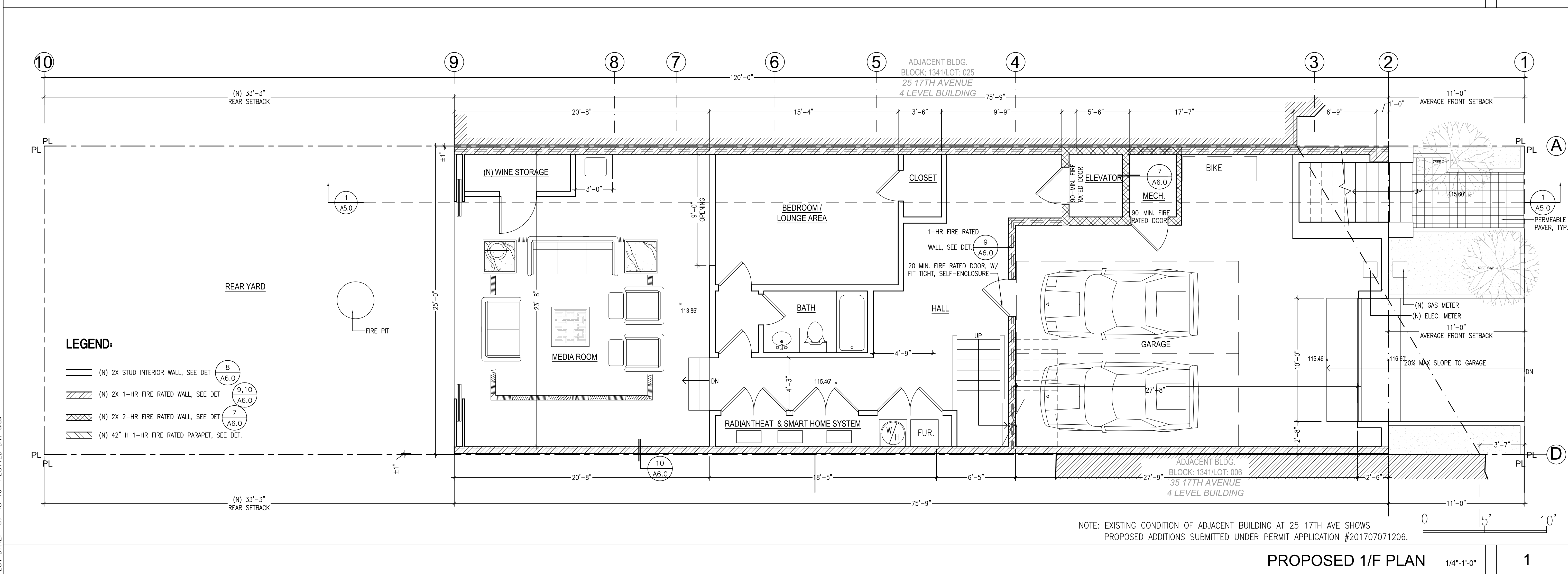
of 17 Sheets



EXISTING 1/F PLAN

1/4"-1'-0"

1



### PROPOSED 1/F PLAN

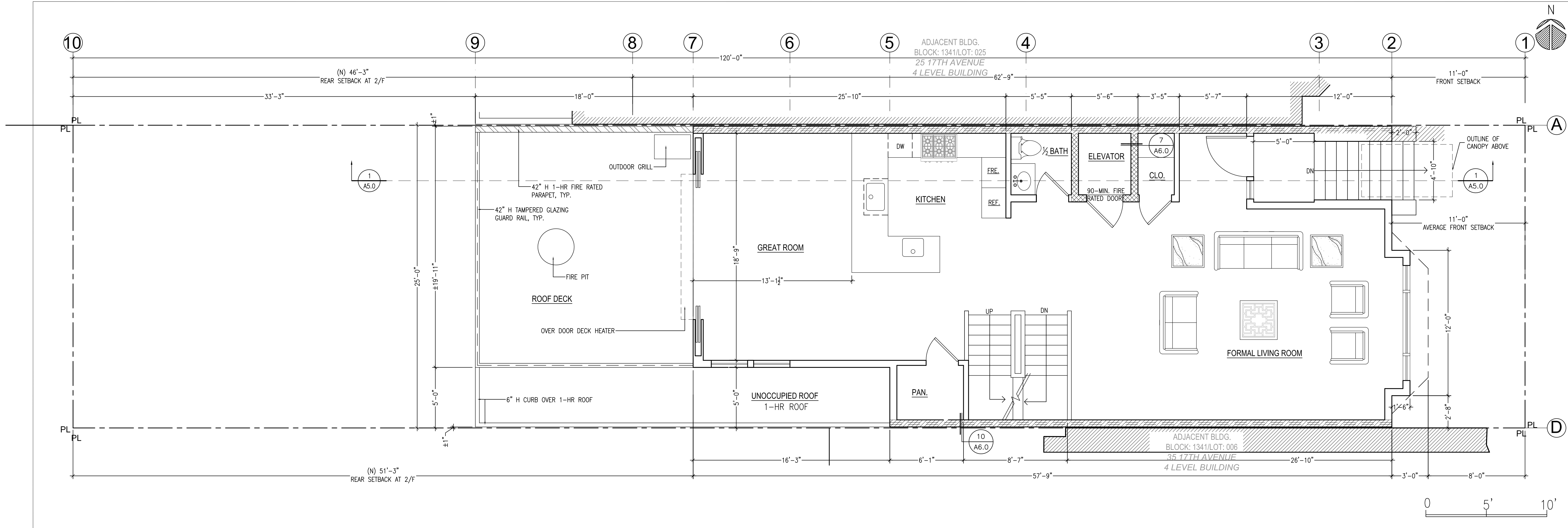
1/4"-1'-0"

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NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

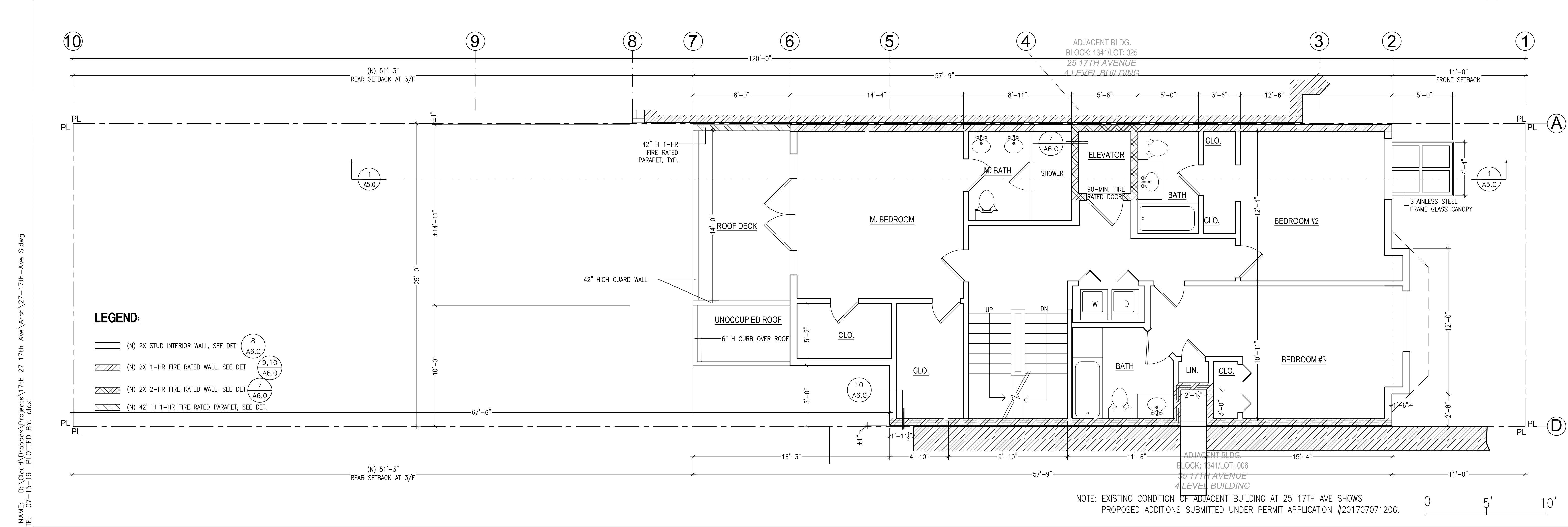
DRAWING NAME: D:\Cloud\Dropbox\Projects\17th 27 17th Ave\Arch\27-17th-Ave S.dwg  
PLOT DATE: 07-15-19 PLOTTED BY: alex

DRAWING NAME: D:\Cloud\Dropbox\Projects\17th 27 17th Ave\Arch\27-17th-Ave S.dwg  
PLOT DATE: 07-15-19 PLOTTED BY: alex



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

1



PROPOSED 3/F PLAN 1/4"=1'-0"

1

**NIE YANG ARCHITECTS**  
ARCHITECTURE PLANNING  
100 OLD COUNTY RD, STE.100A  
BRISBANE, CA 94005  
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FAX. 415 354 8389  
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27 17TH AVE.  
SAN FRANCISCO  
CA 94121

NEW  
CONSTRUCTION  
OF A S.F.D.

**SITE PERMIT**

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REVISIONS 1  
REVISIONS 2  
REVISIONS 3

SCALE  
1/4"=1'-0"  
DATE  
07/15/2019  
JOB NO.  
170210  
SHEET TITLE

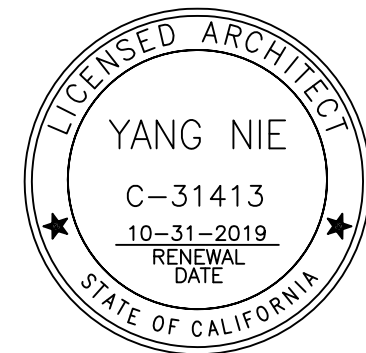
PROPOSED 2/F PLAN  
PROPOSED 3/F PLAN

SHEET NO.

**A2.1**

Of 17 Sheets





# NEW CONSTRUCTION OF A S.F.D.

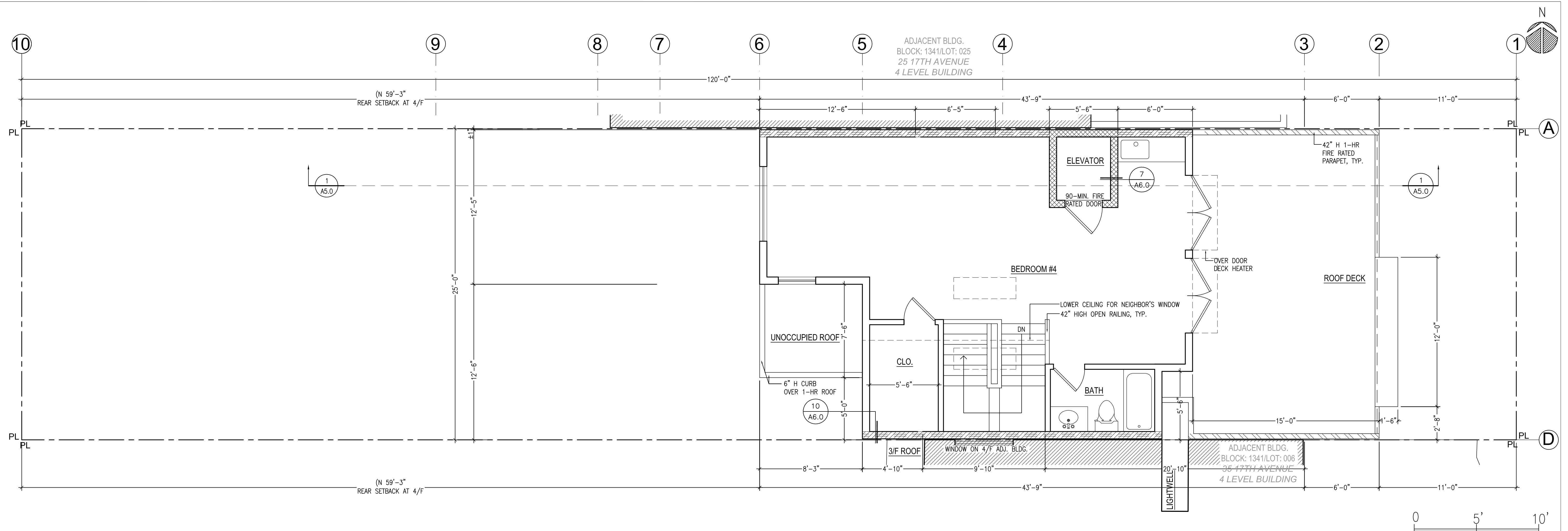
## SITE PERMIT

REVISIONS 3

SHEET TITLE

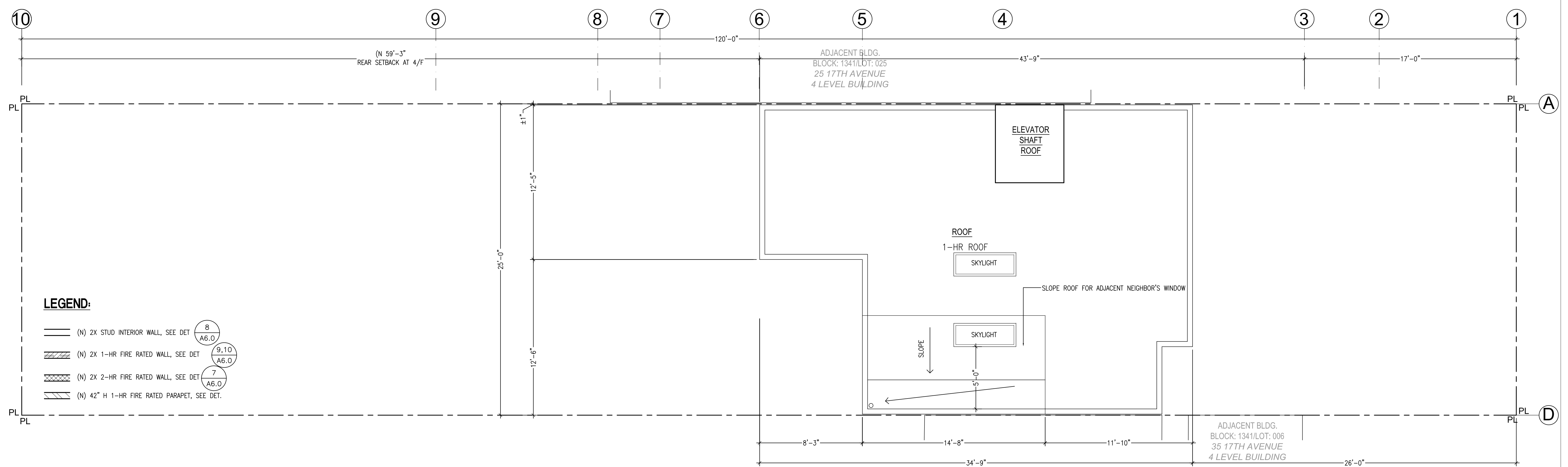
SHEET NO. \_\_\_\_\_








Of 17 Sheets



PROPOSED 4/F PLAN 1/4"-1'-0"

1



	(N) 2X STUD INTERIOR WALL, SEE DET	
	(N) 2X 1-HR FIRE RATED WALL, SEE DET	
	(N) 2X 2-HR FIRE RATED WALL, SEE DET	
	(N) 42" H 1-HR FIRE RATED PARAPET, SEE DET.	

NOTE: EXISTING CONDITION OF ADJACENT BUILDING AT 25 17TH AVE SHOWS  
PROPOSED ADDITIONS SUBMITTED UNDER PERMIT APPLICATION #201707071206.

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

1