

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
BUD RYERSON, _____)
Appellant(s))
vs.)
ZONING ADMINISTRATOR, _____)
Respondent

Appeal No. **26-011**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on March 2, 2026, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on February 25, 2026 to Star Family Revocable Trust, of a Variance Decision (the proposal is to construct a vertical addition, replace the rear-stair structure, and remodel the interior of a single-family home; the replacement stairs and firewall will be located within the required rear yard, and therefore a rear yard variance is required; Planning Code Section 242(e)(3) requires a total mass reduction of 650 square feet from the total permitted building area; the project proposes a mass reduction of approximately 288 square feet, therefore a mass reduction variance is required; the Zoning Administrator GRANTED the rear yard and mass reduction variances) at 170 Bocana Street.

CASE NO.. 2024-009969VAR

FOR HEARING ON April 15, 2026

Address of Appellant(s):

Address of Other Parties:

Bud Ryerson, Appellant(s) 175 Bocana Street San Francisco, CA 94110	Star Family Revocable Trust, Determination Holder(s) c/o Francis Kun, Agent for Determination Holder(s) Atelier Designs PO Box 2169 Gilroy, CA 95021
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Date Filed: March 2, 2026

**CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS**

PRELIMINARY STATEMENT FOR APPEAL NO. 26-011

I / We, **Bud Ryerson**, hereby appeal the following departmental action: **ISSUANCE of Variance Case No. 2024-009969VAR** by the **Zoning Administrator** which was issued or became effective on: **February 25, 2026**, to: **Star Family Revocable Trust**, for the property located at: **170 Bocana Street**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **March 26, 2026**, (no later than three Thursdays prior to the hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org; joseph.ospital@sfgov.org; aubale@yahoo.com and frank@atdes.net

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **April 9, 2026**, (no later than one Thursday prior to hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org; joseph.ospital@sfgov.org and bud@budryerson.com

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, April 15, 2026, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Bud Ryerson, appellant

To the San Francisco Board of Appeals:

I am a resident of the Bernal Heights Special Use District (SUD) and neighbor to a proposed building project at 170 Bocana Street. The sponsors of this project requested and, six months after their hearing, were granted a variance to the SUD by Zoning Administrator (ZA) Corey Teague.

In his decision letter dated February 25th, 2026 (attached), the ZA cast aside a "literal enforcement" [131] of the Bernal SUD in favor of the project gaining a "modest increase in usable floor area and improved livability" [153, 154]. The extreme inequity of this exchange should by itself strike anyone as unbalanced.

Looking to the past, the ZA cited no precedent or comparable decision. He proposed no amended calculation for mass-reduction. And he offered no clear guidance going forward. Instead, he referred only vaguely to some kind of "practical difficulty or unnecessary hardship" [132] without specifying what that difficulty or hardship might be.

I can go on; but briefly, the ZA's letter was specious, vague, arbitrary and inaccurate throughout. And left intact, his wrongful decision would establish a clear, present and future danger to the neighborhood.

To be clear, my neighbors and I do not oppose improvement, we do not oppose development, we do not oppose this project. We only oppose this unnecessary and unwarranted variance to the Bernal SUD building code.

We have worked diligently over the years to preserve the character and the integrity of our quaint, historic, and unique area of San Francisco in part by creating the Bernal SUD — and by jealously defending it. If we are allowed to appeal, we would ask you to simply affirm the "literal enforcement" of the law.

Thank you,

Bud Ryerson

175 Bocana Street

San Francisco, CA 94110

415-282-5268



REISSUED VARIANCE DECISION

Date: February 25, 2026
Case No.: 2024-009969VAR
Project Address: 170 Bocana Street
 Block/Lots: 5620/019
Zoning: RH-1 (Residential-House, One Family)
 Bernal Heights SUD
Height/Bulk: 40-X Height and Bulk District
Applicant: Francis Tan Kun
 PO Box 2169
 Gilroy, CA 95021
Owner: The Star Family Revocable Trust
 12546 Northampton Court
 Saratoga, CA 95070
Staff Contact: Tina Tam – 628-652-7385
 tina.tam@sfgov.org

Description of Variance – Rear Yard and Mass Reduction Variance Sought:

The project proposes to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing single-family building.

Planning Code Section 242(e)(2)(A) requires the subject lot to maintain a rear yard equal to 35% of the lot depth. The proposed replacement stairs and firewall will be located within the required rear yard. Therefore, a variance is required.

Planning Code Section 242(e)(3) requires a total mass reduction of 650 square feet from the total permitted building area. The project proposes a mass reduction of approximately 288 square feet. Therefore, a variance is required.

Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.
2. The Zoning Administrator held a public hearing on **Variance Application No. 2024-009969VAR on August 27, 2025**. Public notice was provided jointly with the variance hearing pursuant to Planning Code Section 311. No request for Discretionary Review was filed.

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3. Revised plans were submitted on **January 26, 2026**, that removed the proposed rear extension on the ground floor and provided updated mass reduction calculations.
4. A final decision letter was issued on **February 6, 2026**, and was emailed to the applicant and other interested parties that had requested a copy of the issued letter. However, due to a technical issue, that email was not received by any party outside the City’s system. This reissued decision letter supersedes the original decision, but includes the same findings, and is being reissued to ensure adequate notice of the final decision to all interested parties.

Decision:

GRANTED, in general conformity with the revised plans on file with this application, shown as EXHIBIT A, to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing, single-family building, subject to the following conditions:

1. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if a Site or Building Permit has not been issued within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
2. The proposed firewall for the new stair structure in the rear must be no taller than required by the Building Code.
3. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is consistent with this variance approval. If the Zoning Administrator determines that a future proposal is not consistent with this variance approval, then they may require either notice to adjacent and/or affected property owners or a new variance be sought and justified.
4. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
5. Minor modifications as determined by the Zoning Administrator may be permitted.
6. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

Findings:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

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FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

Requirement Met.

- A. While lots in Bernal Heights are typically small, lots on the east-facing half of the subject block are particularly small, having a depth of only 55 feet. The lots on the west-facing half of the subject block are a more typical depth of 70 feet. Additionally, the subject lot slopes down from front to rear such that a portion of the ground floor is below grade and behind then front entry, which limits the useability of that interior space. Finally, the adjacent building to the north extends approximately 7 feet deeper than the subject building.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

Requirement Met.

- A. Due to the circumstances described above, the literal enforcement of the mass reduction and rear yard requirements would have outsized and unintended impacts on the development and enjoyment of the subject property. For a lot that is 55 feet in depth, the 650 square-foot mass reduction represents a more significant reduction of development potential of the site than typical. The shifting of the rear stair structure will allow one of the new ground floor bedrooms to directly access the rear yard.

FINDING 3.

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

Requirement Met.

- A. Granting this variance will allow the subject property to provide modest increase in useable floor are and improved livability substantial impacts to surrounding properties, which is a substantial

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property right possessed by other properties in the same class of district.

FINDING 4.

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

Requirement Met.

- A. While the project will increase the mass at the top floor, that massing will only be 13 feet deep by approximately 24 feet wide, and will be set back nearly 15 feet from the front of the building. Given the narrowness of the street and the existing street trees, that new mass will be minimally visible from Bocana Street. The relocated stair structure and firewall in the rear will be no taller than required by the Building Code and will be adjacent to the deeper blind wall of the adjacent building.
- B. The Department received written and oral opposition from several neighbors. However, no request for Discretionary Review was filed and the Department determined the project to be consistent with the Residential Design Guidelines.

FINDING 5.

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Requirement Met.

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
 - 1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
 - 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing dwelling unit on the property.
 - 3. The proposed project will have no effect on the City's supply of affordable housing.
 - 4. The proposed project does not adversely affect neighborhood parking or public transit.
 - 5. The project will have no effect on the City's industrial and service sectors.

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6. The proposed project will have no effect on the City’s preparedness to protect against injury and loss of life in an earthquake.
7. The project will have no effect on the City's landmarks or historic buildings.
8. The project would not affect any existing or planned public parks or open spaces.

The effective date of this decision shall be either the date of this decision letter if not appealed, or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is used, all specifications and conditions of the variance authorization become immediately operative.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit sfgov.org/bdappeal.

Very truly yours,



Corey A. Teague, AICP
Zoning Administrator

**This is not a permit to commence any work or change occupancy.
Permits from appropriate departments must be secured before work is started or occupancy is changed.**

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ROSS INDEN, _____)
Appellant(s))
vs.)
ZONING ADMINISTRATOR, _____)
Respondent

Appeal No. **26-013**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on March 2, 2026, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on February 25, 2026 to Star Family Revocable Trust, of a Variance Decision (the proposal is to construct a vertical addition, replace the rear-stair structure, and remodel the interior of a single-family home; the replacement stairs and firewall will be located within the required rear yard, and therefore a rear yard variance is required; Planning Code Section 242(e)(3) requires a total mass reduction of 650 square feet from the total permitted building area; the project proposes a mass reduction of approximately 288 square feet, therefore a mass reduction variance is required; the Zoning Administrator GRANTED the rear yard and mass reduction variances) at 170 Bocana Street.

CASE NO. 2024-009969VAR

FOR HEARING ON April 15, 2026

Address of Appellant(s):

Address of Other Parties:

Ross Inden, Appellant(s) 164 Bocana Street San Francisco, CA 94110	Star Family Revocable Trust, Determination Holder(s) c/o Francis Kun, Agent for Determination Holder(s) Atelier Designs PO Box 2169 Gilroy, CA 95021
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Date Filed: March 6, 2026

**CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS**

PRELIMINARY STATEMENT FOR APPEAL NO. 26-013

I / We, **Ross Inden**, hereby appeal the following departmental action: **ISSUANCE of Variance Decision (Case No. 2024-009969VAR)** by the **Zoning Administrator** which was issued or became effective on: **February 25, 2026**, to: **Star Family Revocable Trust**, for the property located at: **170 Bocana Street**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **March 26, 2026**, (no later than three Thursdays prior to the hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org; carey.mcelroy@sfgov.org; aubale@yahoo.com and frank@atdes.net

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **April 9, 2026**, (no later than one Thursday prior to hearing date). The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org; carey.mcelroy@sfgov.org and rossinden@gmail.com

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, April 15, 2026, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the Preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Ross Inden, appellant

To whom it may concern:

According to the decision letter, the project will have “no effect on the City’s landmarks or historic buildings”. However, the project will have an impact on my historic property at 164 Bocana Street, and raises the question as to how the Zoning Administrator determined that it would not. The decision was based on the “preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district” but appears to ignore that same right of 164 Bocana Street.

164 Bocana Street is an earthquake shack located adjacent and to the north of the subject property. As a single story building, it relies on light from sky lights that are on the south side of the property’s roof ridge, i.e., on the same side as the subject property. The increased height of the subject property, allowed by granting this variance, will substantially decrease my enjoyment of my property, and because this is an historic building, I will likely be constrained in what I can do to compensate for the lost light. The negative impact of the shadow, especially in winter, from the subject property’s taller, flatter roof line and all that entails (e.g., increased heating bills in a damp, dark, and less desirable place to dwell) will be permanent and will impact my enjoyment of my property as well as its market value. I am also concerned that the firewall to the rear stairs will completely block me in, impeding the only source of fresh air to my tiny back deck and to the rooms in the rear of my property.

Best regards,

Ross

Ross Inden



REISSUED VARIANCE DECISION

Date: February 25, 2026
Case No.: **2024-009969VAR**
Project Address: **170 Bocana Street**
Block/Lots: 5620/019
Zoning: RH-1 (Residential-House, One Family)
Bernal Heights SUD
Height/Bulk: 40-X Height and Bulk District
Applicant: Francis Tan Kun
PO Box 2169
Gilroy, CA 95021
Owner: The Star Family Revocable Trust
12546 Northampton Court
Saratoga, CA 95070
Staff Contact: Tina Tam – 628-652-7385
tina.tam@sfgov.org

Description of Variance – Rear Yard and Mass Reduction Variance Sought:

The project proposes to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing single-family building.

Planning Code Section 242(e)(2)(A) requires the subject lot to maintain a rear yard equal to 35% of the lot depth. The proposed replacement stairs and firewall will be located within the required rear yard. Therefore, a variance is required.

Planning Code Section 242(e)(3) requires a total mass reduction of 650 square feet from the total permitted building area. The project proposes a mass reduction of approximately 288 square feet. Therefore, a variance is required.

Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.
2. The Zoning Administrator held a public hearing on **Variance Application No. 2024-009969VAR on August 27, 2025**. Public notice was provided jointly with the variance hearing pursuant to Planning Code Section 311. No request for Discretionary Review was filed.

3. Revised plans were submitted on **January 26, 2026**, that removed the proposed rear extension on the ground floor and provided updated mass reduction calculations.
4. A final decision letter was issued on **February 6, 2026**, and was emailed to the applicant and other interested parties that had requested a copy of the issued letter. However, due to a technical issue, that email was not received by any party outside the City's system. This reissued decision letter supersedes the original decision, but includes the same findings, and is being reissued to ensure adequate notice of the final decision to all interested parties.

Decision:

GRANTED, in general conformity with the revised plans on file with this application, shown as EXHIBIT A, to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing, single-family building, subject to the following conditions:

1. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if a Site or Building Permit has not been issued within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
2. The proposed firewall for the new stair structure in the rear must be no taller than required by the Building Code.
3. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is consistent with this variance approval. If the Zoning Administrator determines that a future proposal is not consistent with this variance approval, then they may require either notice to adjacent and/or affected property owners or a new variance be sought and justified.
4. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
5. Minor modifications as determined by the Zoning Administrator may be permitted.
6. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

Findings:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

Requirement Met.

- A. While lots in Bernal Heights are typically small, lots on the east-facing half of the subject block are particularly small, having a depth of only 55 feet. The lots on the west-facing half of the subject block are a more typical depth of 70 feet. Additionally, the subject lot slopes down from front to rear such that a portion of the ground floor is below grade and behind then front entry, which limits the useability of that interior space. Finally, the adjacent building to the north extends approximately 7 feet deeper than the subject building.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

Requirement Met.

- A. Due to the circumstances described above, the literal enforcement of the mass reduction and rear yard requirements would have outsized and unintended impacts on the development and enjoyment of the subject property. For a lot that is 55 feet in depth, the 650 square-foot mass reduction represents a more significant reduction of development potential of the site than typical. The shifting of the rear stair structure will allow one of the new ground floor bedrooms to directly access the rear yard.

FINDING 3.

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

Requirement Met.

- A. Granting this variance will allow the subject property to provide modest increase in useable floor are and improved livability substantial impacts to surrounding properties, which is a substantial

property right possessed by other properties in the same class of district.

FINDING 4.

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

Requirement Met.

- A. While the project will increase the mass at the top floor, that massing will only be 13 feet deep by approximately 24 feet wide, and will be set back nearly 15 feet from the front of the building. Given the narrowness of the street and the existing street trees, that new mass will be minimally visible from Bocana Street. The relocated stair structure and firewall in the rear will be no taller than required by the Building Code and will be adjacent to the deeper blind wall of the adjacent building.
- B. The Department received written and oral opposition from several neighbors. However, no request for Discretionary Review was filed and the Department determined the project to be consistent with the Residential Design Guidelines.

FINDING 5.

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Requirement Met.

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
 - 1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
 - 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing dwelling unit on the property.
 - 3. The proposed project will have no effect on the City's supply of affordable housing.
 - 4. The proposed project does not adversely affect neighborhood parking or public transit.
 - 5. The project will have no effect on the City's industrial and service sectors.

6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
7. The project will have no effect on the City's landmarks or historic buildings.
8. The project would not affect any existing or planned public parks or open spaces.

The effective date of this decision shall be either the date of this decision letter if not appealed, or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is used, all specifications and conditions of the variance authorization become immediately operative.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit sfgov.org/bdappeal.

Very truly yours,



Corey A. Teague, AICP
Zoning Administrator

**This is not a permit to commence any work or change occupancy.
Permits from appropriate departments must be secured before work is started or occupancy is changed.**

ABBREVIATIONS:

A/C	AIR CONDITIONER
AL	ALUMINUM
A.B.	ANCHOR BOLT
A.P.A.	AMERICAN FLYWOOD ASSOCIATION
A.P.N.	ASSESSOR PARCEL NUMBER
BM	BEAM
BLK'G	BLOCKING
BLDG	BUILDING
BOTT.	BOTTOM
CAB	CABINET
CLO	CLOSET
C.J.	CEILING JOIST
COL	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
D	DRYING MACHINE
DET.	DETAIL
DIA.	DIAMETER
DIAG.	DIAGRAM
D.W.	DISH WASHER
DBL	DOUBLE
DR	DOOR
D.S.	DOWN SPOUT
D.F.	DOUGLAS FIR
D.H.	DOUBLE HUNG WINDOW
EA.	EACH
ELECT.	ELECTRICITY
ELEV.	ELEVATION
ENCL.	ENCLOSED
EQ.	EQUAL
EXT.	EXTERIOR
(E), EX	EXISTING
F	FOR
F.F.	FACE FRAMED
FIN. FLR	FINISH FLOOR
F.O.C.	FACE OF CURB or FACE OF CONCRETE
F.O.S.	FACE OF STUD
F.S.	FIBERGLASS
FIX.	FIXTURE
FLASH	FLASHING
FLOR.	FLOURESCENT
FLR.	FLOOR
FTG.	FOOTING
F.A.U.	FORCED AIR UNIT
G.I.	GALVANIZE IRON
G.A.	GAUGET
GLS.	GLASS
GLU. LAM.	GLUE LAMINATED
GLZ.	GLAZING
G.P.F.	GALLONS PER FLUSH
GR.	GRADE
GYP. BD.	GYPSPUM BOARD
HDR.	HEADER
H.V.	HEAT VENT
H.D.	HOLD DOWN
I.C.B.O.	INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS
INSUL.	INSULATION
JST	JOIST
LINO.	LINOLEUM
M.B.	MACHINE BOLT
MFR.	MANUFACTURER
M.C.	MEDICINE CABINET
MTL.	METAL
MIN.	MINIMUM
(N)	NEAR
N.T.S.	NOT TO SCALE
O.V.	OVER
O.C.	ON CENTER
O/O	OVER
O.H.	OVER HANG
PR	PAIR
P.C.	PHOTO CELL
P.S.	PAINT GRADE
P.L.Y.W.	PLYWOOD
PKT.	POCKET
P.B.	PUSH BUTTON
P.T.	PRESSURE TREATED
REF.	REFRIGERATOR
RD'ND	REPAWOOD
REQ'D.	REQUIRED
R.S.	REVERSE
REV.	REVERSE
R.O.	ROUGH OPENING
S.E.L.	SELECT STRUCTURAL
STR.	STRENGTH
S.H.	SINGLE HUNG
SL. GLS.	SLIDING GLASS
DR.	DOOR
SHTG.	SHEETS
SHT	SHEET
S & P	SHELF & POLE
SHWR.	SHOWER
S.C.	SOLID CORE
S/CLO	SELF CLOSER
S.G.	STAIN GRADE
SPEC'S	SPECIFICATIONS
SQ.	SQUARE
STD	STANDARD
SURR	SURROUND
SIM	SIMILAR
TEMP.	TEMPERED
GLS	GLASS
T & G	TONGUE & GROOVE
THK.	THICK
TYP.	TYPICAL
U.N.O.	UNLESS NOTED OTHERWISE
U.B.C.	UNIFORM BUILDING CODE
U.P.C.	UNIFORM PLUMBING CODE
U.M.C.	UNIFORM MECHANICAL CODE
VERT.	VERTICAL
W	WASHING MACHINE
WC	WATER CLOSET
WH.	WATER HEATER
WI	WIRE
WD.	WOOD
WI.	WROUGHT IRON
WIND.	WINDOW
W.P.	WATER PROOF
W.S.	WEATHER STRIP
W.W.M.	WELDED WIRE MESH

UBALE RESIDENCE

170 BOCANA STREET SAN FRANCISCO, CA 94110



GENERAL NOTES:

- The following architectural specifications shall conform with the current CRC, CBC, and local ordinances. The California Building Standards is based on the current CMC, CPC and CEC in use.
- Civil, Soil and Structural Engineers Specifications take precedence over the following architectural specifications.
- The contractor and / or subcontractor shall verify all dimensions on the drawings and shall notify the Designer of any discrepancies prior to starting the work.
- Trade names and manufacturers referred to are for quality standards only. Specifications will be permitted as approved by the owner.
- The contractor shall be responsible for the satisfactory completion of all work in accordance with the project plans and specifications and to meet and/or exceed standard construction industry building practices.
- All doors and windows to the outside or unconditioned areas shall be weather stripped. All manufacturers products shall be approved by the American National Standard Institute (ANSI).
- Pre-fab fireplace manufacturer shall provide models and approvals to the City Building Department.
- Skiplight manufacturers shall submit the design detail with engineer's calculations and brochure to the City Building Department for review and approval. Provide ICC listings or equal.
- Guardrails shall be built to resist 200 lb. per in any direction. Guardrails shall be 42" high with intermediate members 4" o.c.
- Provide 30" min. clear width at water closets (15" min. each way from center of water closet).
- Provide underfloor access 18" x 24"
- Provide underfloor ventilation not less than 1/150th of the underfloor area.
- Provide attic ventilation not less than 1/150th of the area of the attic.
- Veneer anchors shall be design per current CRC.
- Stairway designs shall per current CRC.
- Tempered safety glass typical at all exterior sliding doors, sidelights adjacent to doors, any glass less than 18" from floor, interior shower enclosures and any window above tub or inside shower enclosures or any hazardous location for which glazing can be subject to human impact.
- Smoke detectors shall be installed in every room and at a point centrally located in the corridor or area giving access to each separate sleeping areas. In new construction all smoke detectors shall be hardwired with a battery back-up. Smoke detectors installed in existing buildings may be solely battery operated.
- All lath and plaster shall conform to current CRC. Exterior lath and plaster (stucco) shall be applied 7/8" thick min. in no less than 3 coats over wire mesh lath, over 2 layer 15# grade 17' felt with neep screeds (typical unless noted otherwise).
- Provide approved flashing at all openings in the exterior walls such as doors, windows, skylights, vents, pipes, ducts, etc. In such a manner as to make them water proof. All metal flashing shall be Ga. 26 or 30, unless noted otherwise.
- Provide a min. 12" x 12" access to all tub shut off.
- All dimensions are given as face of stud unless noted otherwise.
- All dimensions take precedence over scale. Do not scale drawings.
- These documents were prepared for a negotiated contract between owner and builder / contractor. Not all conditions and details are shown. It shall be the owner and builder / contractor's responsibility to select all finishes and fixtures.

CONCRETE and FOUNDATION (refer to Structural General Notes for additional information)

- Slabs on grade shall be 4" min. thickness. See drawings for sand, rock Base and reinforcement. Slab on grade shall be placed in alternate panels. No panel shall exceed 25 linear feet in width or 600 sq. ft. in area, unless separated by control joints.
- All exterior concrete slabs (Patios, driveways, and walkways) to have a minimum slope of 1/8" per foot to prevent ponding of water.
- Construction joints shall be thoroughly air and wat. cleaned and roughened to expose coarse aggregates. Surface to receive concrete shall be maintained continuously wet at least three hours in advance of pouring.
- For footing: ultimate compressive strength at 28 days shall be 2500 PSI, max. aggregate size 1 1/2", slump 4" and min. cement of 4-1/2 sacks per yard of mix, max. water content: 7 gallons per sack. Slab on grade: Ultimate compressive strength at 28 days shall be 2500 PSI, Max. aggregate size 3/4", slump 3-1/2" and min. cement content of 5-1/2 sacks per yard of mix, max. water content of 6-1/2 gallons per sack.
- Transit mixed concrete shall conform to ASTM specification C-114 and above provision.
- Concrete strength to be verified by standard cylinder tests made by an approved testing laboratory.
- The excavated bottom of all footings shall extend to elevation marked on Foundation Detail sheet.
- Footing shall be poured in neat excavation without side forms whenever possible.
- Anchors, bolts, inserts and other hardware to be set in concrete shall be firmly set in position before concrete is placed.
- Stepped foundations shall be used where the ground slopes more than 1 foot vertical to 10 feet horizontal. Top and bottom of foundation to be level.
- Reinforcing steel shall be grade 60 with deformation per ASTM specification A-615 and welded wire mesh per ASTM specification A-185.
- Splices in reinforcing shall lap 32 diameters in concrete and 48 diameters in concrete block. Reinforcing shall be bent 18" min. around corners in walls and pilasters.
- No. 4 rebars continuous top and bottom of all concrete stem walls w/ 20" lap at all joints and corners. Horizontal rebars to be placed 3" from respective top or bottom of concrete foundation.
- Provide UFER electric ground w/ 2 no. 4 rebars 20" long embedded in footing in opposite directions. Install 55CC continuous from UFER to water pipe, but not to gas pipe.
- Provide 5/8" diameter x 10" (min.) anchor bolts w/ 3" sq. x 1/4" thk. steel plate washer and nut at 4'-0" o.c. one-story and at 4'-0" o.c. two-story, unless noted otherwise on shear wall schedule. Locate anchor bolts within 12" from corners and butt joint.
- See Shear Wall Schedule for anchor bolt spacing at shear walls.
- Install 6" x 14" galvanized screen foundation vents.
- Provide two 6" x 14" galvanized screen foundation vent per car space in garage exterior wall. For additions, extend existing utilities (i.e. pipes, hose bibs, etc.) removed due to placement of new addition, to exterior wall of new addition.
- For cold joints, drill 1/2" dia. holes into existing concrete, brush and air clean hole, pack and epoxy grout (use Adhesive Engineer's concrete or equal). Provide 24" min. lap into new concrete and tie to continuous rebar at top and bottom of new footing.

CARPENTRY:

- Rafters, joists, beams, girders, posts and mullions to be Douglas Fir, Coast region graded based on Standard Grading and dressing rules no. 16 of the West Coast Lumber Inspection Bureau.
 - Minimum grade to be used except as noted on drawings:
- | | |
|-------------------------------|-------------|
| Structural Joists | #2 |
| Plank and Rattens | |
| Structural light framing | #2 |
| Light framing and "Nail studs | Std. Grade. |
| Beams and stringers | #1 |
| Posts and timber | #1 |
- Nailing for framing shall be with box nails, number and size per current CRC Nailing Table, except as noted on plans and details. Nails shall not be driven closer together than 1/2 of their length, nor closer to the edge of member than 1/4 their length except for sheathing. Min. penetration of 1/2 their length.
 - Sill plates on concrete shall be 5x6 (min.) Foundation Grade Redwood, or treated DF. Sill plates shall be bolted to the concrete w/ 5/8" dia x 10" (min.) anchor bolts w/ 3"x3"x1/4" thk. washer. Bolts shall not be placed more than 12" from end of plates.
 - Metal framing devices shall be as manufactured by Simpson's company or as approved equal.
 - Framing clips (i.e. PC & FB) shall be provided top and bottom of all posts, mullions and double studs at edges of openings.
 - Provide double joists under all parallel partition.
 - Where plywood sheathing is used on roof or floor, sheets shall be laid perpendicular direction of joists. Plywood sheets shall be staggered. Min. area of sheet to be 16 sq. ft. All plywood is to be DF structural II grade or exterior use C-C or C-D grade.
 - Edge of plywood sheet not nailed to stud, joists or solid blocking shall be blocked by 2 x 4 and nailed with edge nailing unless tongue and groove is used.
 - Subfloor to be 3/4" DF C-D & 6" plywood, nailed perpendicular to floor joists with 8d at 6" o.c. edges and 10" o.c. field.
 - Subfloor applied directly over girders to be 1-1/8" DF C-D & 6" plywood, nailed with 10d at 6" o.c.
 - Provide rafter ties at 48" o.c. where ceiling joists are perpendicular to rafters.
 - Furring shall be 2x6 min. or the same size as rafter, whichever is greater.
 - Bolts bearing on wood shall have standard cast iron or malleable washers. Bolt holes shall be drilled 1/16" larger than bolt diameter. Threads shall not bear on wood. Lag screws pre-drill holes same as diameter of root thread. Enlarge to shank diameter for length of shank.
 - Columns and posts at exterior locations or subject to water splash shall be 1" above finished floor and shall bear on a metal base plate or a foundation plate or sill as specified Sec. 2304.11.2.7, CBC.
 - Where stud nail about masonry walls the stud shall be 2 x 4 DF 11' member and anchored with 1/8" x 3" Rammed' drivepins @ 24" o.c.
 - All studs shall be continuous and uninterrupted for the entire full height of the wall unless supported laterally by ceiling floor or rafter joists perpendicular to the wall. The max. allowable wood stud height shall be per Sec. 2308.9, CBC.
 - Provide firestop to cut off all concealed draft openings (both vertical and horizontal) not to exceed 10'-0".
 - No cripple wall studs supporting a floor shall be less than 14" high. For cripple walls exceeding 4'-0" in height, such walls shall be framed of studs having the size required for an additional story.

MECHANICAL:

- All mechanical shall be installed per Uniform Mechanical Code and City ordinances currently in use.
- Solid fuel, oil, gas require outside / attic / underfloor combustion air. Size and location of combustion air vents determined by current UMC.
- Furnace rooms shall comply w/ current CMC.
- Provide automatic night setback thermostats on all furnaces. Total output for all furnaces shall not exceed 125,000 BTUs.
- Provide 6" clearance in combustion air side of furnace room and 30" working space in front of all heating controls.
- Where there is a water heater or gas furnace located in the garage and a door from the garage to dwelling, provide min. 1 sq. in. outside combustion air per 1000 BTU w/ 1/2 high and 1/2 low vents for water heater.
- Garage applications shall have flame ignition 18" above floor and protected from auto impact.
- Venting of appliances shall comply w/ current CMC.
- Provide clearance at range top to combustible materials per current CMC. For exception, see current CMC for requirements.
- All appliances shall be approved by a recognized testing agency.
- Provide seismic strapping for water heater, top and bottom.
- Interior bathroom fans shall provide 5 air changes per hour.
- Provide automatic dampener at all ventilation fans.
- Gas piping shall not be embedded in or below slabs within building or pass under foundation.
- Sheet metal to be a minimum of 26 Ga. g. unless otherwise noted. Provide valley flashing.
- Provide spark arrestors on all chimneys.

PLUMBING:

- All plumbing installation shall conform to the current California Plumbing Code and City ordinances currently in use.
- Provide approval from the Sanitary District.
- Provide a 6" sand bed and cover if plastic or VCP is used for sewer line.
- A 4" cleanout to grade shall be installed within the first 4 feet from property line, where lateral enters the property and shall be housed in a concrete box with removable cover.
- Backflow device shall be installed if required by Sanitary District.
- Condensate drains shall not enter sanitary system.
- Regulators are required for pressures in excess of 80 lbs.
- Floor drains shall be equipped with trap primers.
- Water heaters located within the building shall have drain from heater to exterior location.
- Water closets installed in any building within the City shall be limited to not more than 1.25 gallons per flush. EXCEPTION: Excessive long sewer laterals or other unforeseen circumstances that would impair the proper removal of wastes need not comply.
- Shower heads shall meet the following flow rate requirements:
 - Single Showerhead- 1.8 gpm at 80 PSI.
 - Multiple showerheads serving one shower.
- Multiple showerheads serving one shower - Combined flow rate of all showerheads and/or other shower outlets controlled by a single valve - 1.8 gpm at 80 psi. C6BSC Section 4.305.1.3.21
- Faucets shall have flow rate requirements:
 - Lavatory faucets- 1.2 gpm at 60 psi (minimum shall not be less than 0.8 gpm at 20 psi).
 - Kitchen faucets- 1.8 gpm at 60 psi.
- Toilet drains over living, dining, family rooms to be cast iron for sound control.

SHEET INDEX:

- CS-1 PROJECT DATA, LOCATION MAP, GENERAL NOTE, ARCHITECTURAL SITE PLAN
- A-1 EXISTING AND NEW SITE PLAN
- A-2 EXISTING AND NEW GROUND FLOOR PLAN
- A-3 EXISTING AND NEW FIRST FLOOR PLAN
- A-4 EXISTING ATTIC FLOOR EXISTING FLOOR, NEW SECOND FLOOR PLAN
- A-5 EXISTING AND NEW FRONT ELEVATION
- A-6 EXISTING AND NEW REAR ELEVATION
- A-7 EXISTING AND NEW SIDE ELEVATIONS
- A-8 EXISTING AND NEW BUILDING SECTIONS
- A-9 ROOF PLAN
- A-10 MASS REDUCTION CALCULATION DIAGRAM

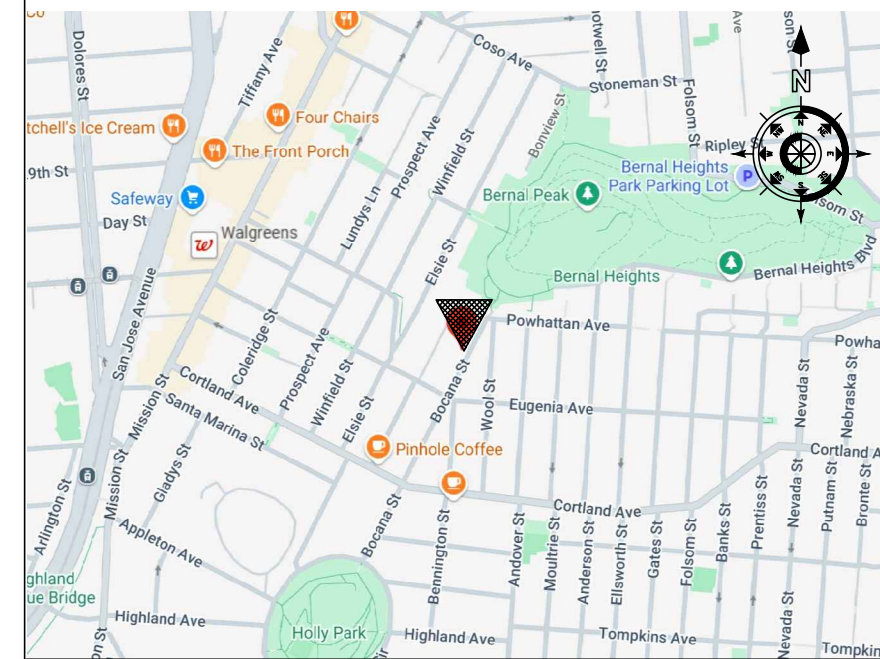
PROJECT DATA:

OWNER:	MR. and MRS. ARUN UBALE and SHILPA TORASKAR
ADDRESS:	170 BOCANA STREET SAN FRANCISCO, CA 94110
ASSESSOR PARCEL No.:	56-20-019
CONSTRUCTION TYPE:	VB
OCCUPANCY:	RB, SINGLE FAMILY RESIDENCE
ZONING DISTRICT:	RH-1
LOT AREA:	1648.15 SF
EXISTING BUILDING AREA:	
FIRST FLOOR LIVING AREA:	474.32 SF
GROUND FLOOR:	498.55 SF
(EXISTING UNCONDITIONED SPACE TO BE REMODELED TO NEW LIVING SPACE ADDITION, EXISTING 1-CAR GARAGE TO REMAIN)	
TOTAL EXISTING GROSS AREA:	1477.87 SF
PROPOSED NEW LIVING AREA:	
NEW GROUND FLOOR	
LIVING ADDITION:	750.95 SF
ADDITION AT GROUND	
LIVING AREA:	67.00 SF
EXISTING FIRST FLOOR LIVING AREA:	474.32 SF
NEW ADDITION AT	
FIRST FLOOR:	27.96 SF
NEW SECOND FLOOR:	516.50 SF
TOTAL NEW LIVING AREA:	2,841.73 SF
NEW 1-CAR GARAGE:	265.00 SF
TOTAL BUILDING AREA:	2,606.73 SF

SCOPE OF WORK:

- REMODEL AND ADDITION TO EXISTING GROUND FLOOR AREA TO INCLUDE CONVERTING EXISTING UNCONDITIONED SPACE INTO NEW LIVING SPACE TO INCLUDE 2-BEDROOMS, MEDIA ROOM, FULL BATHROOM, LAUNDRY CLOSET.
- REMODEL EXISTING 1-CAR GARAGE LOCATED AT GROUND FLOOR.
- REMODEL AND ADDITION TO EXISTING FIRST FLOOR TO INCLUDE REMODEL EXISTING LIVING AREA, DINING AREA, KITCHEN, FULL BATHROOM, BEDROOM, AND NEW STAIRCASE TO NEW SECOND FLOOR AREA.
- REMODEL/ ADDITION EXISTING ATTIC SPACE TO INCLUDE ADDITION OF NEW MASTER SUITE w/ MASTER BATHROOM, MASTER WALK-IN CLOSET, STUDY/ DEN.

LOCATION MAP:



CONSTRUCTION SHALL CONFORM TO THE FOLLOWING CODES:

- 2025 SAN FRANCISCO BUILDING CODE
- 2025 SAN FRANCISCO EXISTING BUILDING CODE
- 2025 SAN FRANCISCO MECHANICAL CODE
- 2025 SAN FRANCISCO PLUMBING CODE
- 2025 SAN FRANCISCO ELECTRICAL CODE
- 2025 SAN FRANCISCO GREEN BUILDING CODE
- 2025 CALIFORNIA FIRE CODE (WITH LOCAL AMENDMENTS)
- 2025 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS CODE
- AND ANY ADDITIONAL LOCAL CITY PLANNING AND BUILDING CODE AND REQUIREMENTS AND CITY OF SAN FRANCISCO REACH CODES.

ATTIC VENTILATION CALCULATION:

- 1 UNIT ATTIC VENT = 216 (3/4 50 INJ)
- 1 UNIT "EYE BROW" VENT = 12 50 INCH
- 14"x24" WINDOW VENT UNIT = 232 50 INCH
- 14"x8" VENT UNIT = 180 50 INCH

FIRE SPRINKLER NOTES:

- 1. -NONE-

REVISIONS:

NO.	DATE	DESCRIPTION

ATELIER DESIGNS
Drafting and Design Service Firm
P.O. BOX 2169
GILROY, CA 95021
Phone nos. (408) 767-2135 (408) 806-8188
Website: www.atelierdesign.com

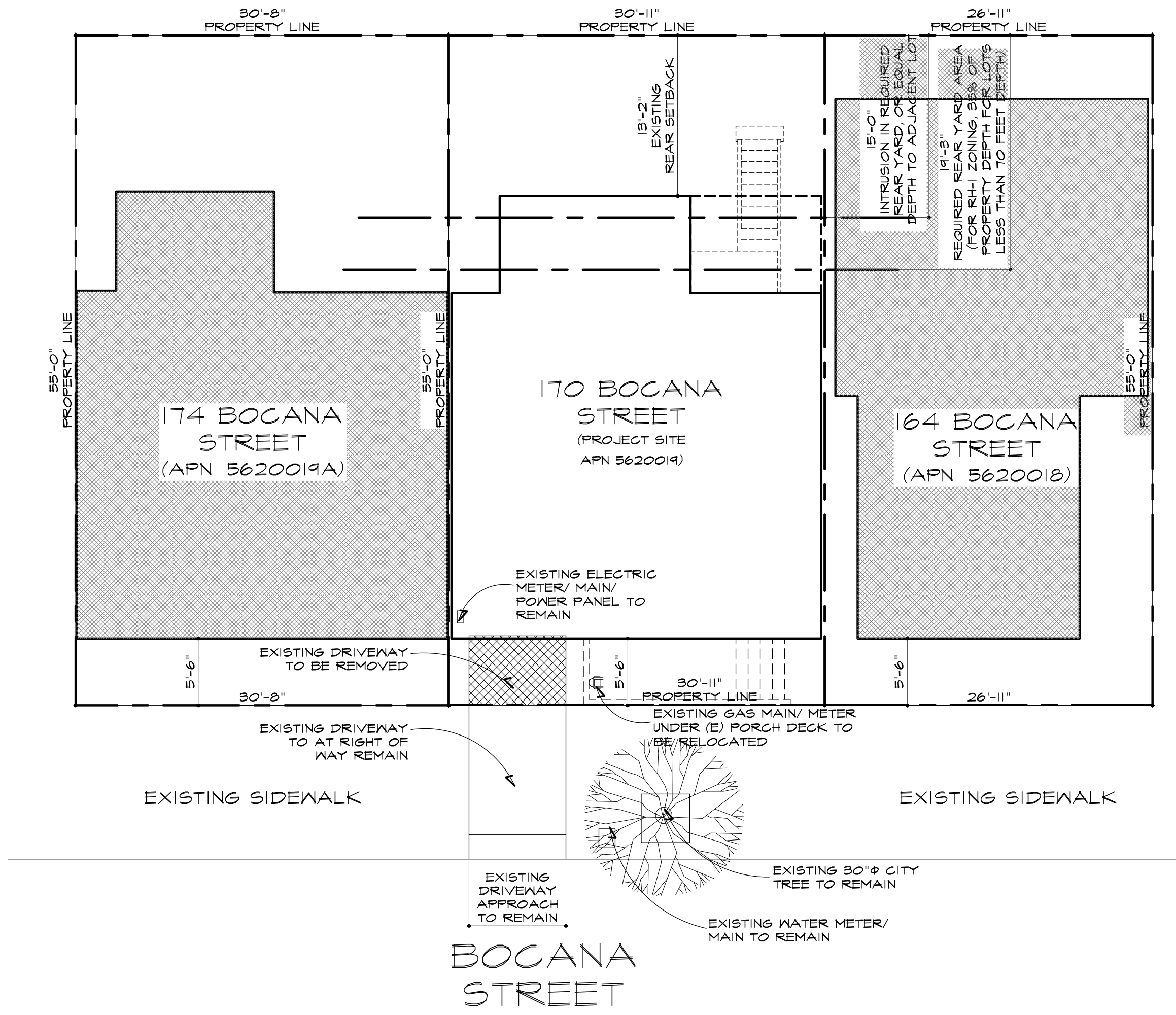
RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
170 BOCANA DRIVE
SAN FRANCISCO, CA 94110

JOB NO: UBALE
DATE: JAN 23 2026
DRAWN BY: FT KUN
SCALE: AS NOTED

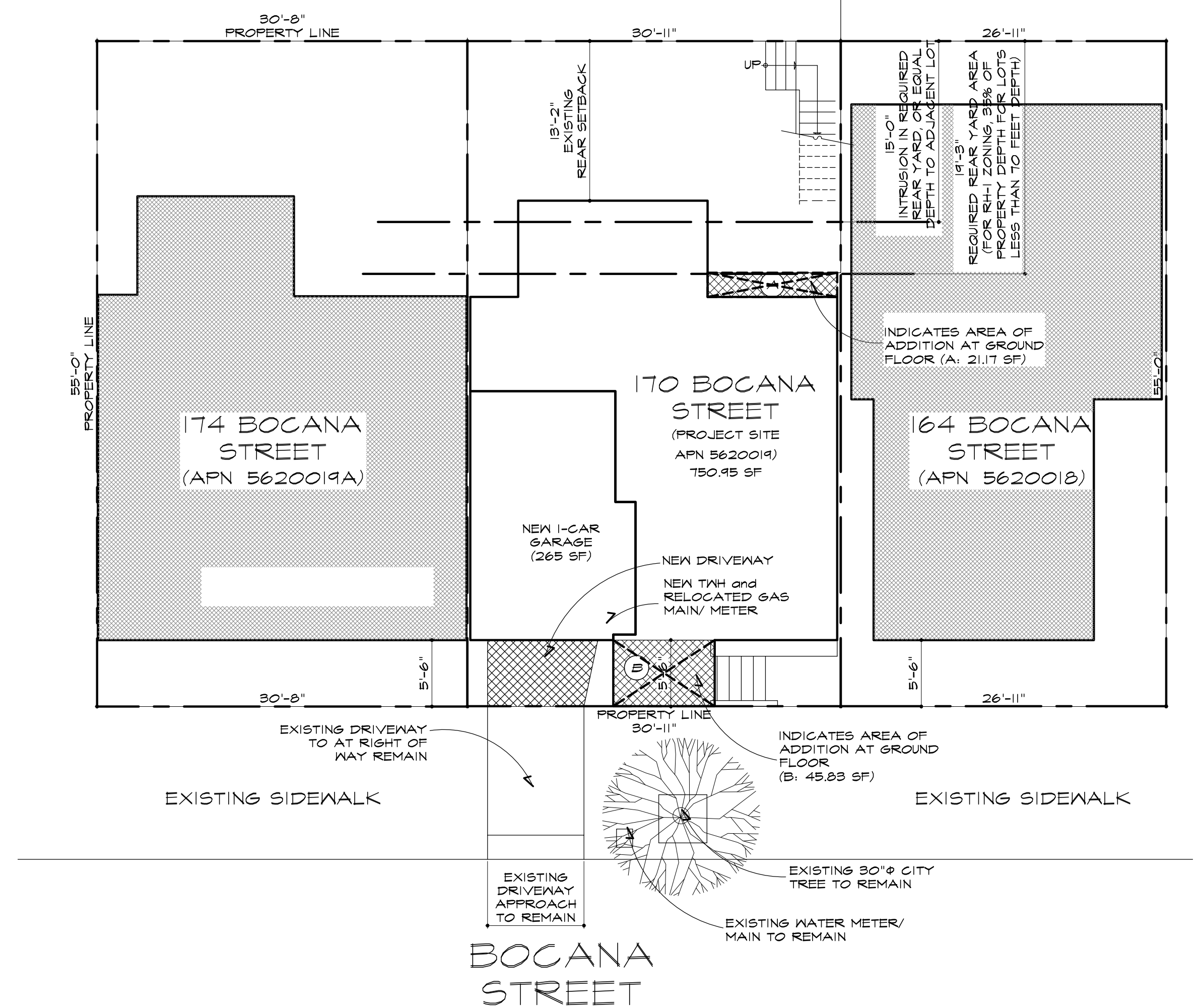
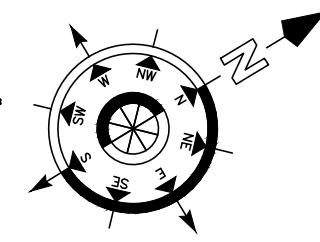
CS-1

ARCHITECTURAL SITE PLAN NOTES:

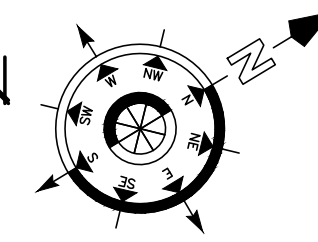
- This architectural site plan is not intended as a boundary survey.
- This architectural site plan does not guaranty accurate location of all or any legal boundaries, property lines, setbacks, easements, utilities, buildings and other items on the project site. The designer or author of this architectural site plan shall not be held liable for any inaccuracies, discrepancies and/or omissions in comparison to any other legal documentation or survey generated by a professional civil engineer or licensed land surveyor or in comparison with any official recorded maps or plans with any government recognized recording or mapping agency.
- Homeowner and/or his/her authorized agent/ representative shall verify the location of all legal boundaries, property lines, setbacks, easements, buildings and other legal requisites of the property prior to start of construction.
- Homeowner and/or his/her authorized agent/ representative shall employ services of a licensed land surveyor or licensed civil engineer to conduct an independent survey of the property in order to accurately verify and document all legal boundaries, property lines, setbacks, easements, buildings and other legal requisites of the property.
- Dimension, notes and survey information shown on this architectural site plan are to be referenced with plans prepared by the civil engineer or licensed land surveyor of record of the project, if such services are retained by the Homeowner and/or contractor. All dimensions, notes, survey information and other site information shown on plans prepared by the civil engineer or licensed land surveyor of record shall supercede any dimensions and notes shown on this architectural site plan.
- Should the city determine that this project requires additional information, such as site survey, geotechnical report, soils report, environmental assessments or reports and any other reports, research or additional information as determined by the local city planning/building department as required items in order to process the plans, the owner shall employ the services of licensed professionals that can supply such information and services.
- Atelier Designs shall not be held liable for any delay or additional cost to this project caused/ or due to adjustments, changes and/ or revisions to the plans as required by any additional findings and reports submitted by licensed professional consultants such as Licensed Land Surveyors, Civil Engineers, Geotechnical/ Soils Engineer or others licensed professional retain by the Owner or his/ her authorized agent/ representative or as deemed required and necessary by the local City/ or County Building and/ or Planning Department or other governmental agency.



EXISTING SITE PLAN
SCALE 1/8" = 1'-0"



NEW SITE PLAN
SCALE 1/8" = 1'-0"



REVISIONS:

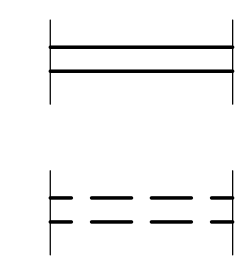
ATELIER DESIGNS
Drafting and Design Service Firm
P.O. BOX 2169
GILROY, CA 95021
Phone nos. (408) 767-2135 (408) 806-8188
Website: www.atldes.net

RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
170 BOCANA DRIVE
SAN FRANCISCO, CA 94110

JOB NO: UBALB
DATE: JAN 28 2026
DRAWN BY: FT KUS
SCALE: AS NOTED

A-1

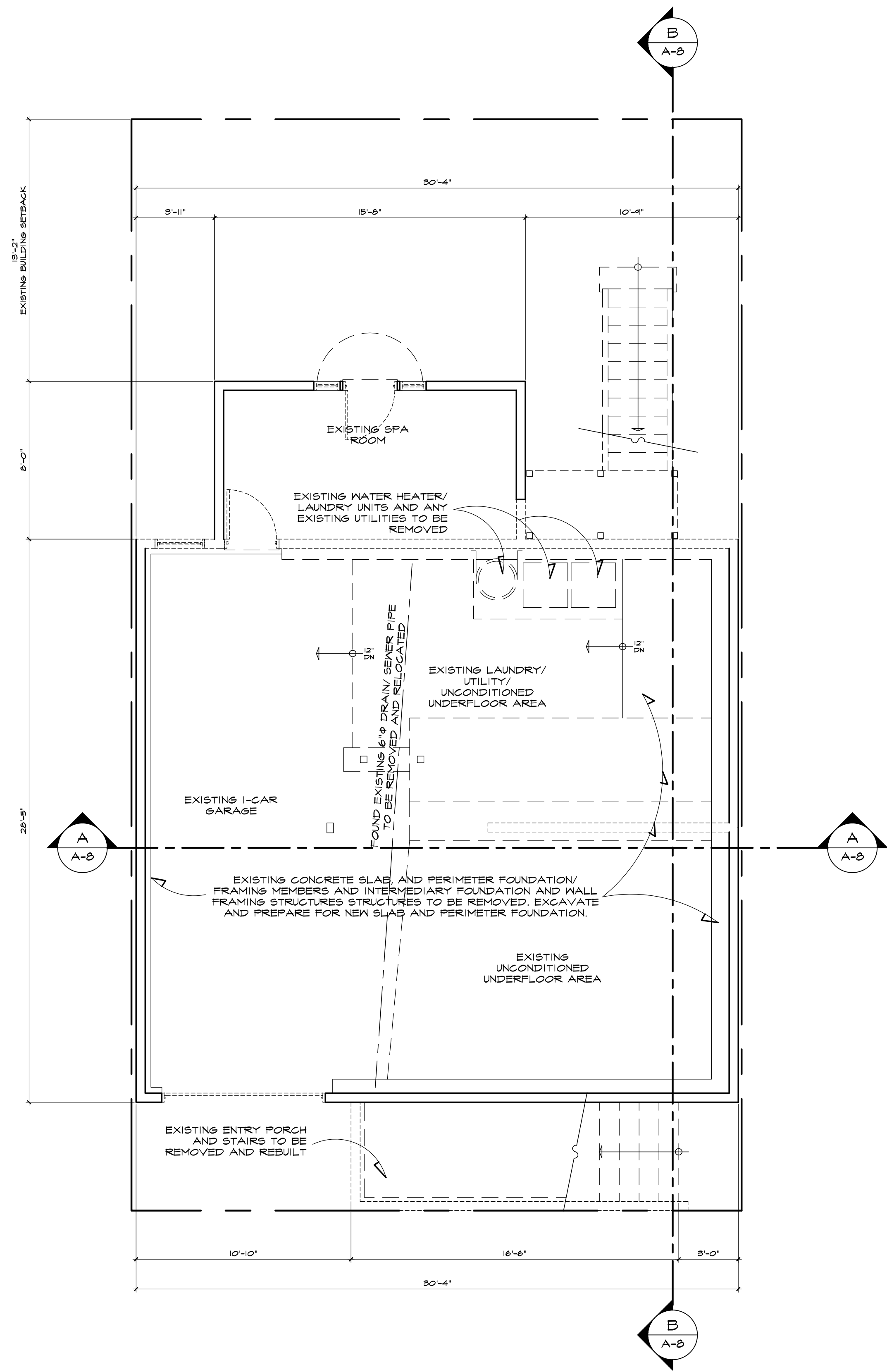
NOTES and LEGEND:



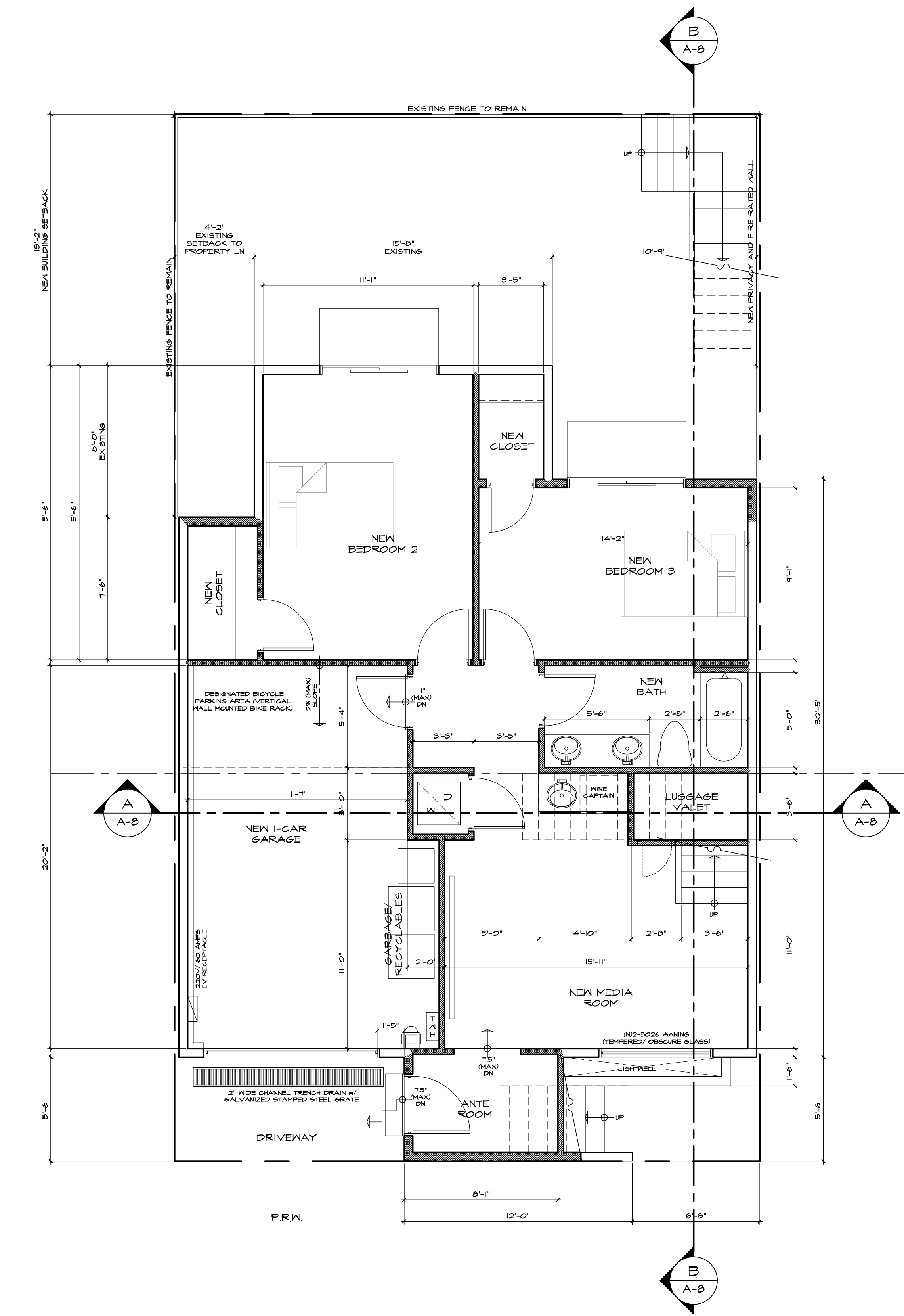
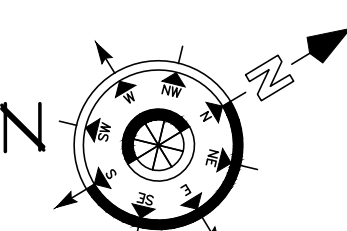
INDICATES NEW 2x4 WOOD STUD WALLS AT 16" O.C.

INDICATES EXISTING WALLS AND STRUCTURE(S) TO BE DEMOLISHED, REMOVED OR REPLACE (AS NOTED ON THE PLANS)

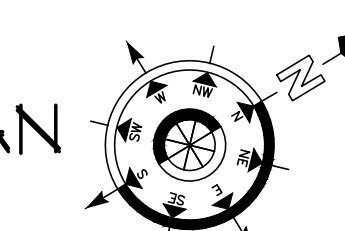
DIMENSIONS SHOWN ARE MEASURED TO APPROXIMATE FACE OF STUDS (F.O.S.). FIELD VERIFY ALL FINISH TO FINISH SURFACE DIMENSIONS.



**GROUND FLOOR
AS-BUILD/ DEMOLITION PLAN**
SCALE 1/4" = 1'-0"



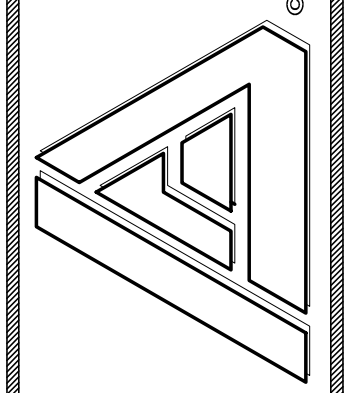
**GROUND FLOOR
NEW FLOOR PLAN**
SCALE 1/4" = 1'-0"



NO.	DATE	DESCRIPTION

NOTICE
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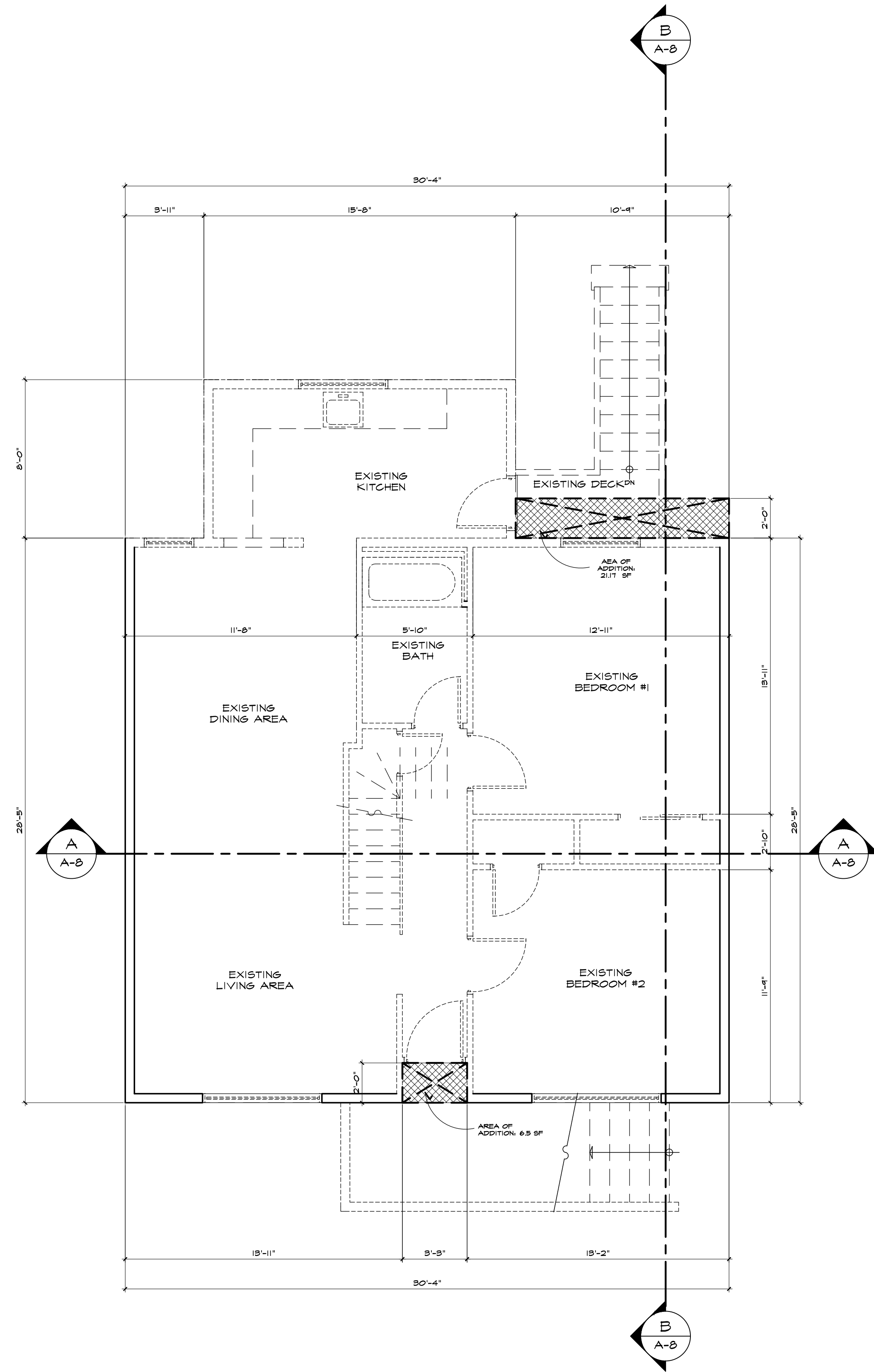
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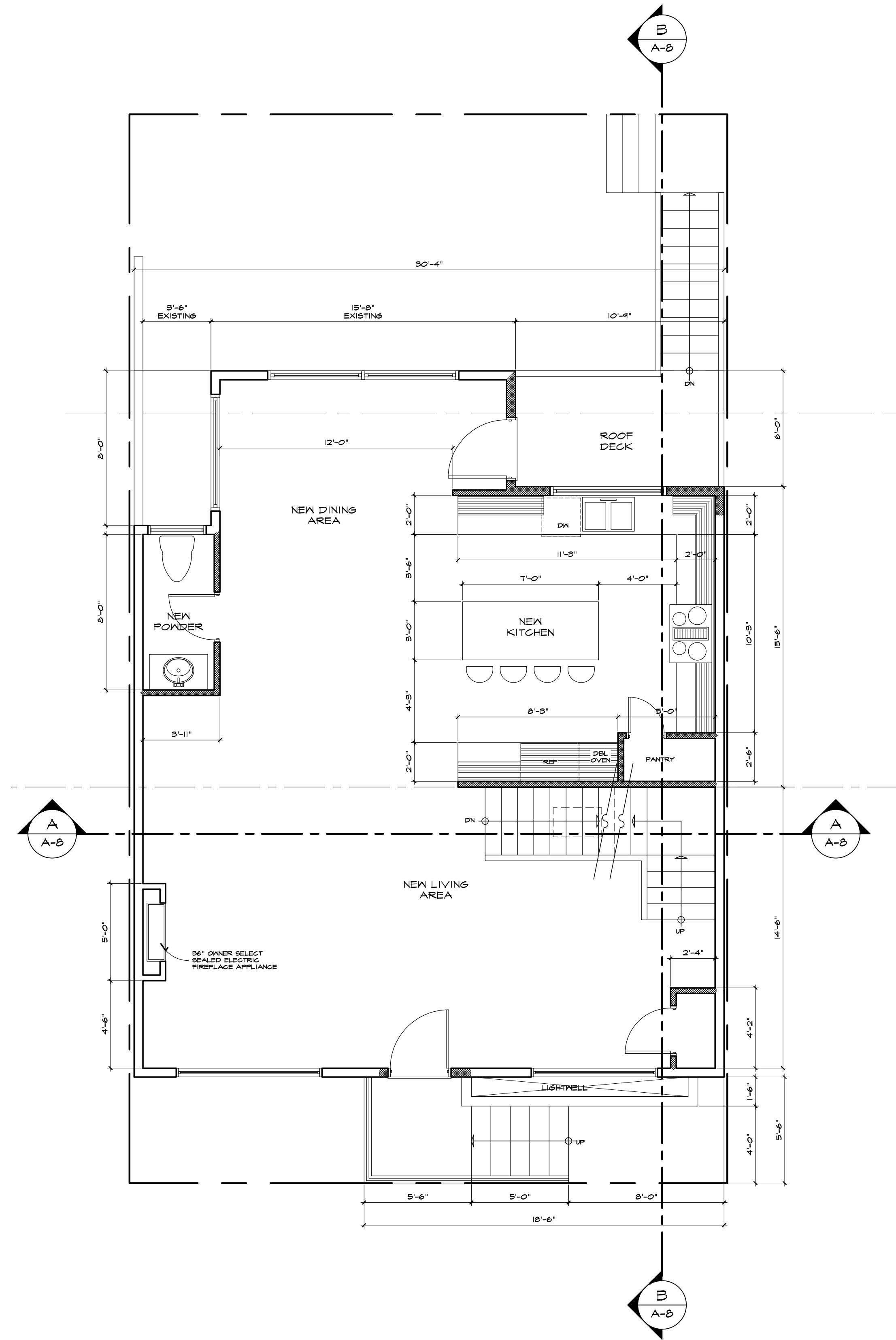
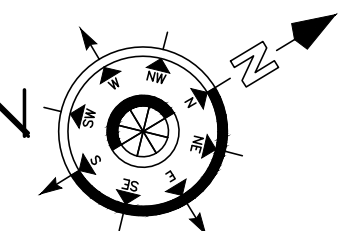
RESIDENTIAL ADDITION and REMODEL FOR:
**THE STAR FAMILY
REVOCABLE TRUST**
170 BOCANA DRIVE
SAN FRANCISCO, CA 94110

JOB NO: UBALE
DATE: JAN 28 2026
DRAWN BY: FT KUS
SCALE: AS NOTED

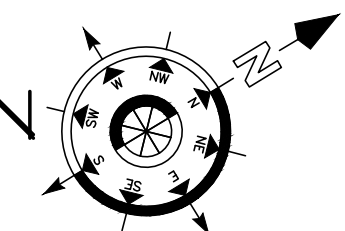
A-2



FIRST FLOOR
AS-BUILD/DEMOLITION PLAN
SCALE 1/4" = 1'-0"



FIRST FLOOR
NEW FLOOR PLAN
SCALE 1/4" = 1'-0"



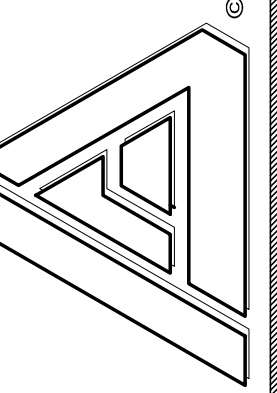
NOTES and LEGEND:

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NO.	REVISIONS

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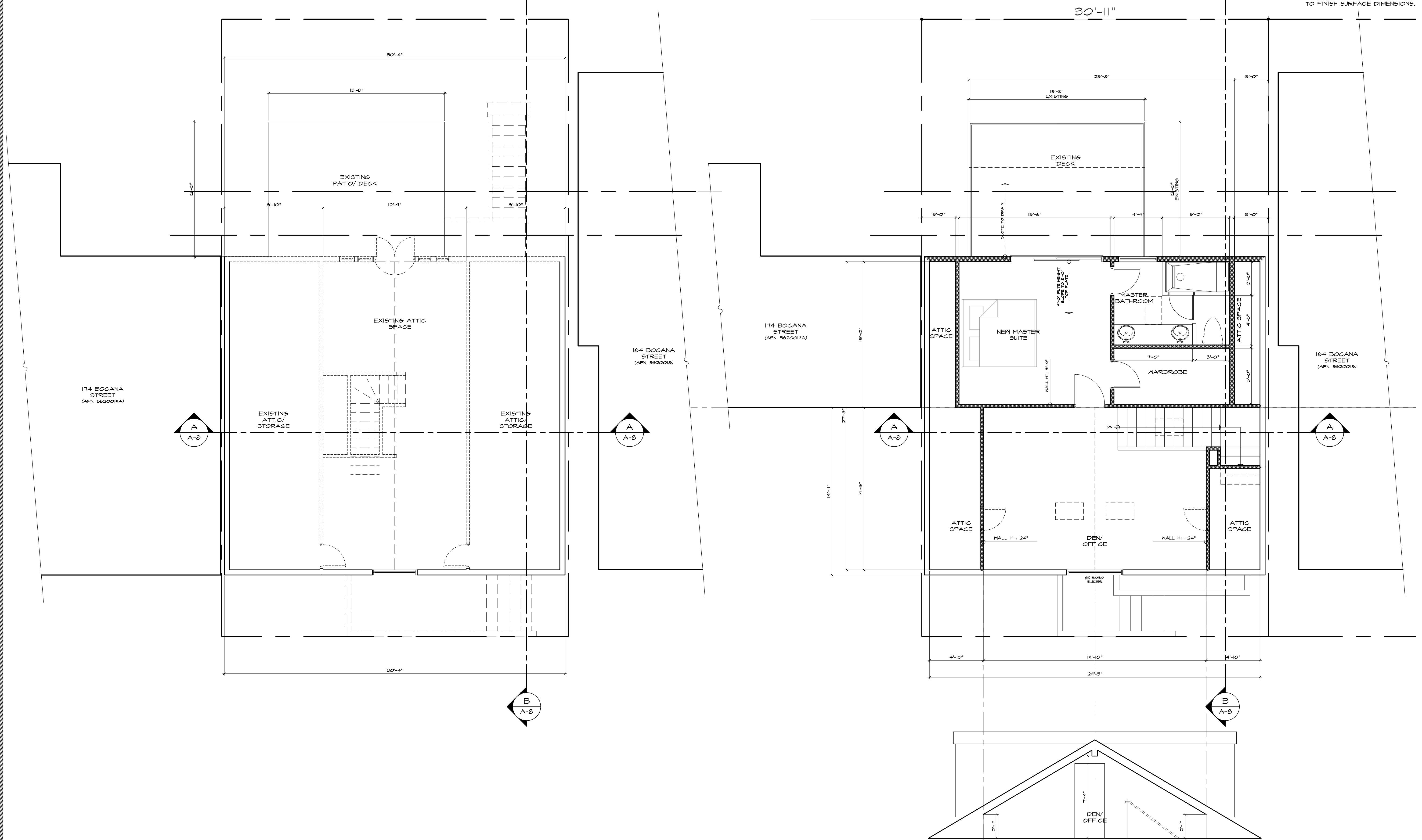


RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
170 BOCCANA DRIVE
SAN FRANCISCO, CA 94110

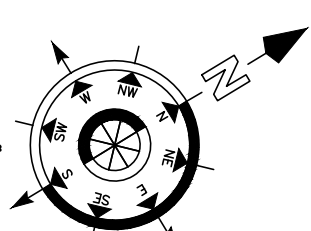
JOB NO: UBALB
DATE: JAN 23 2026
DRAWN BY: FT KUN
SCALE: AS NOTED

A-3

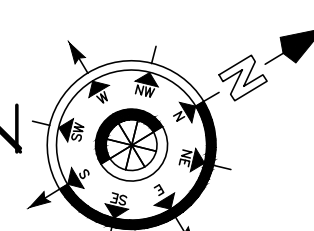
NOTES and LEGEND:
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EXISTING ATTIC FLOOR
 AS-BUILD/ DEMOLITION PLAN
 SCALE 1/4" = 1'-0"



SECOND FLOOR
 NEW FLOOR PLAN
 SCALE 1/4" = 1'-0"



RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
 170 BOCANA DRIVE
 SAN FRANCISCO, CA 94110

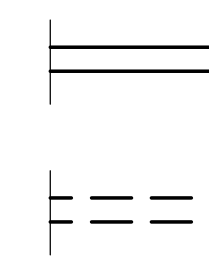
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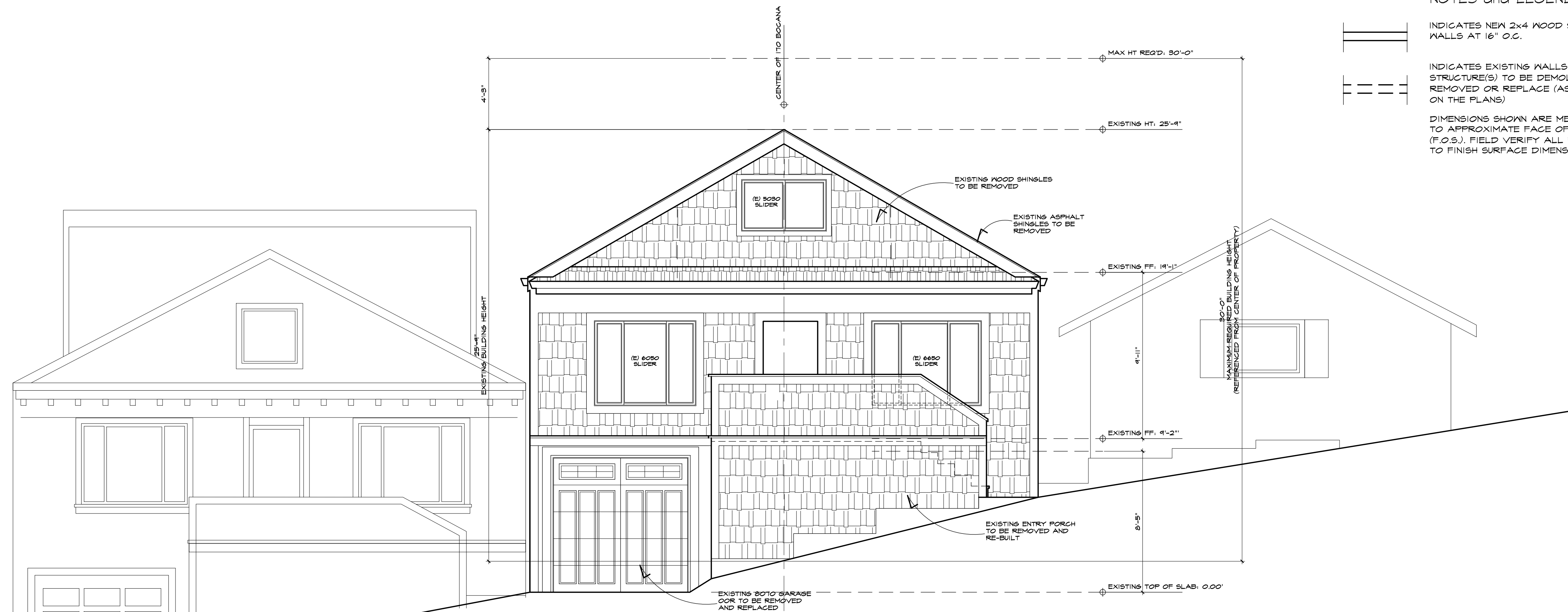
JOB NO: UBALE
 DATE: JAN 28 2026
 DRAWN BY: FT KUS
 SCALE: AS NOTED

A-4

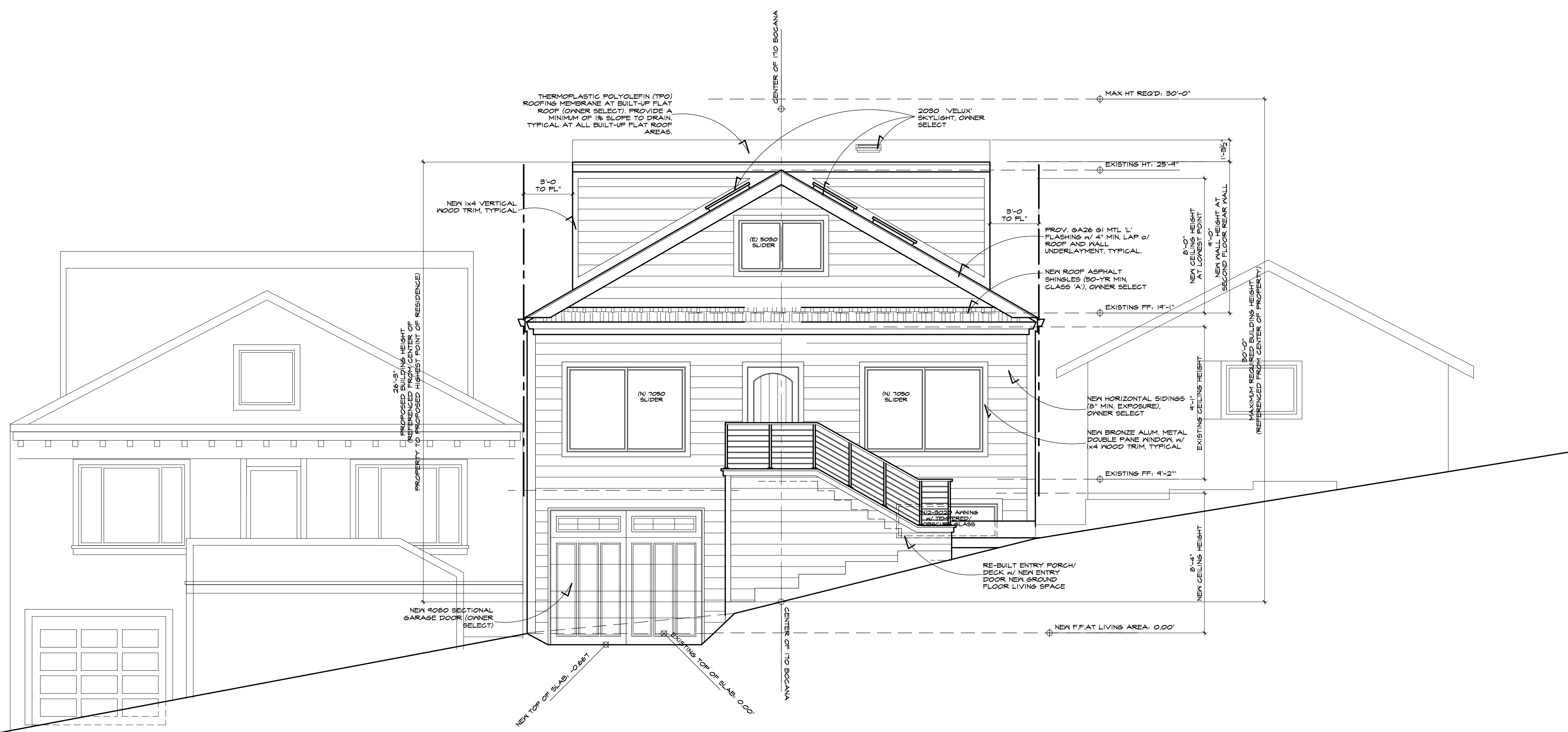
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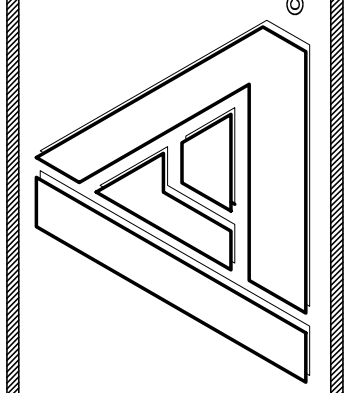
EXISTING FRONT ELEVATION
 SCALE 1/4" = 1'-0" (EAST)



PROPOSED FRONT ELEVATION
 SCALE 1/4" = 1'-0" (EAST)

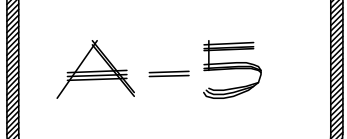
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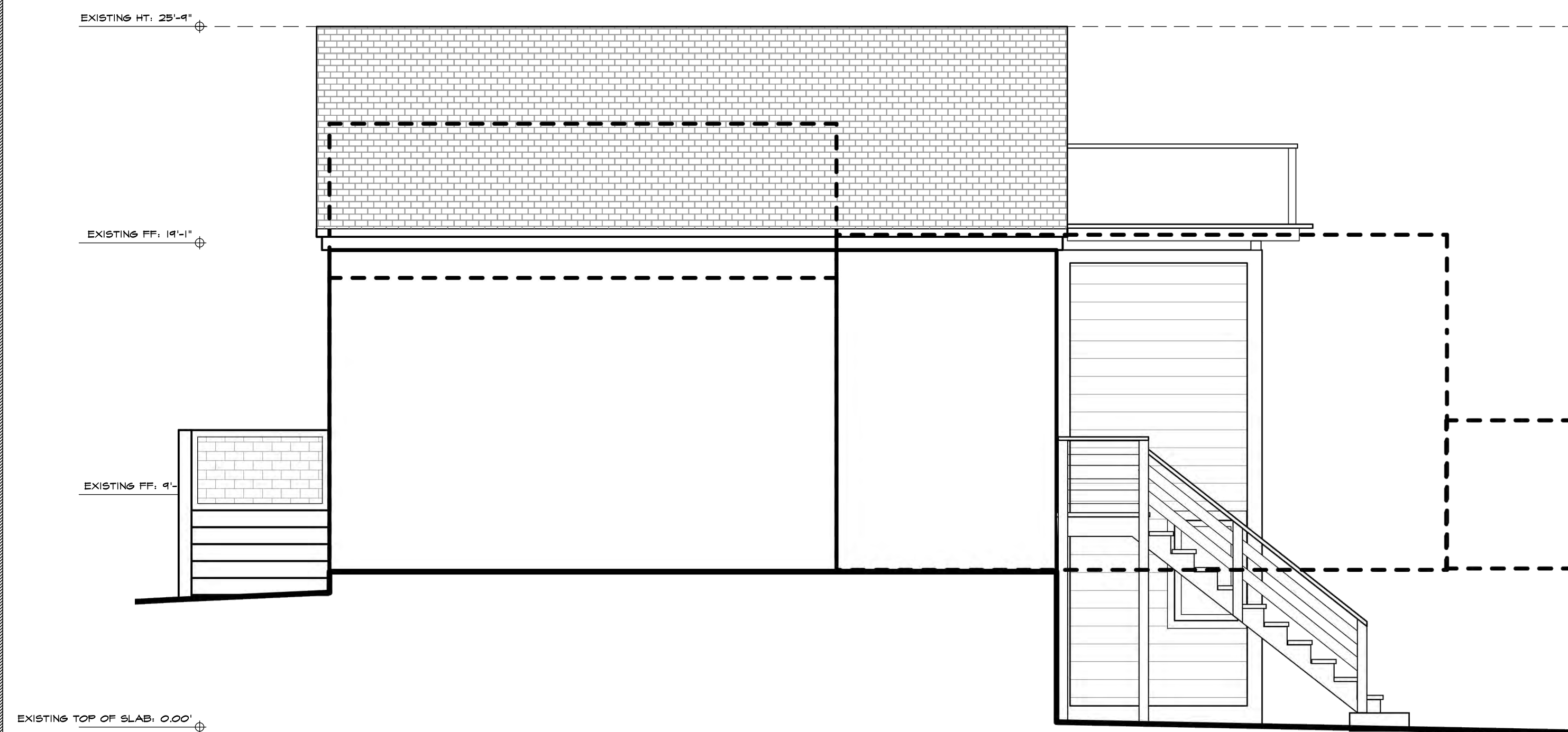
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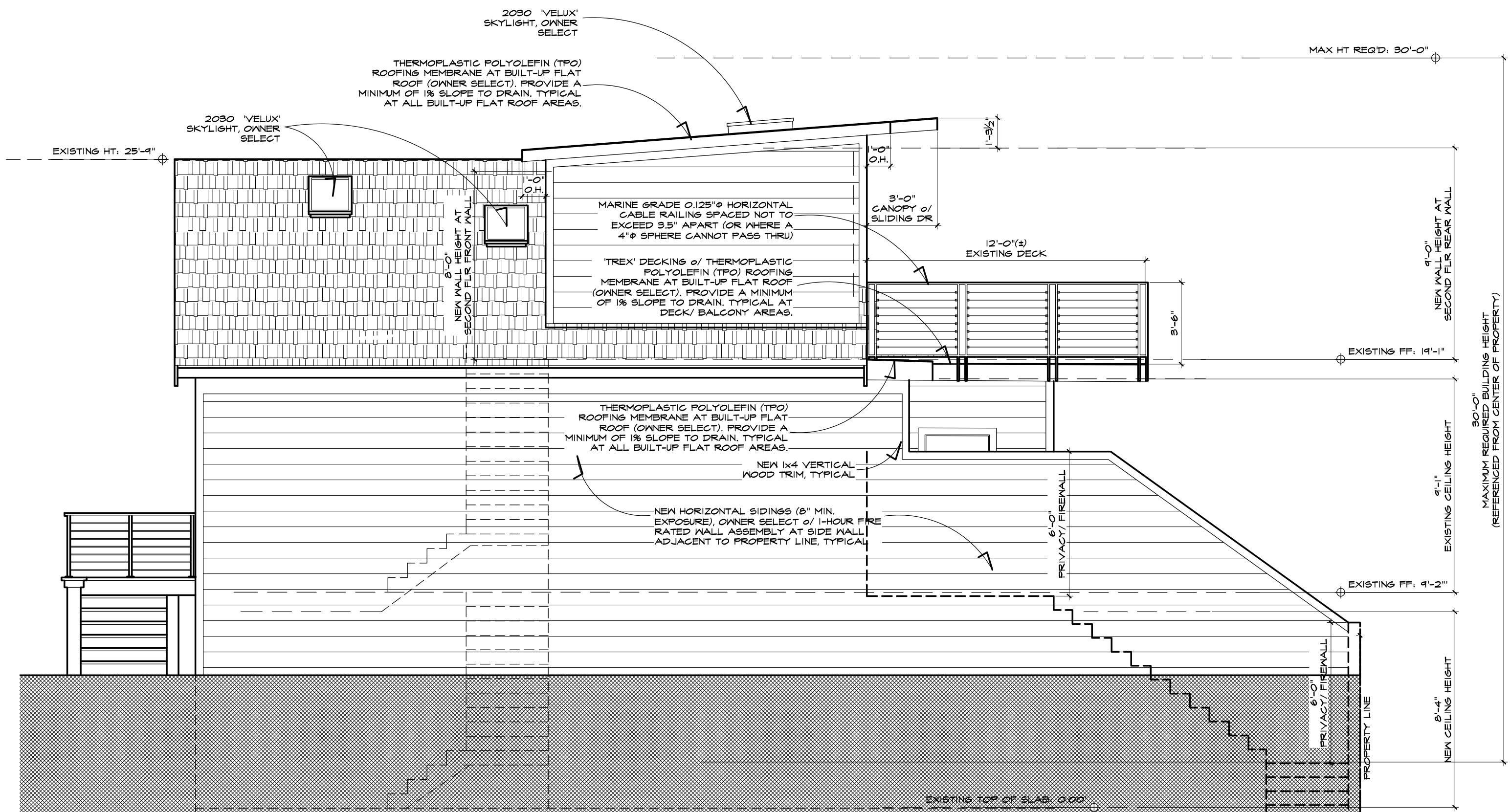
RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
 170 BOCANA DRIVE
 SAN FRANCISCO, CA 94110

JOB NO: UBALB
 DATE: JAN 28 2026
 DRAWN BY: FT KUS
 SCALE: AS NOTED

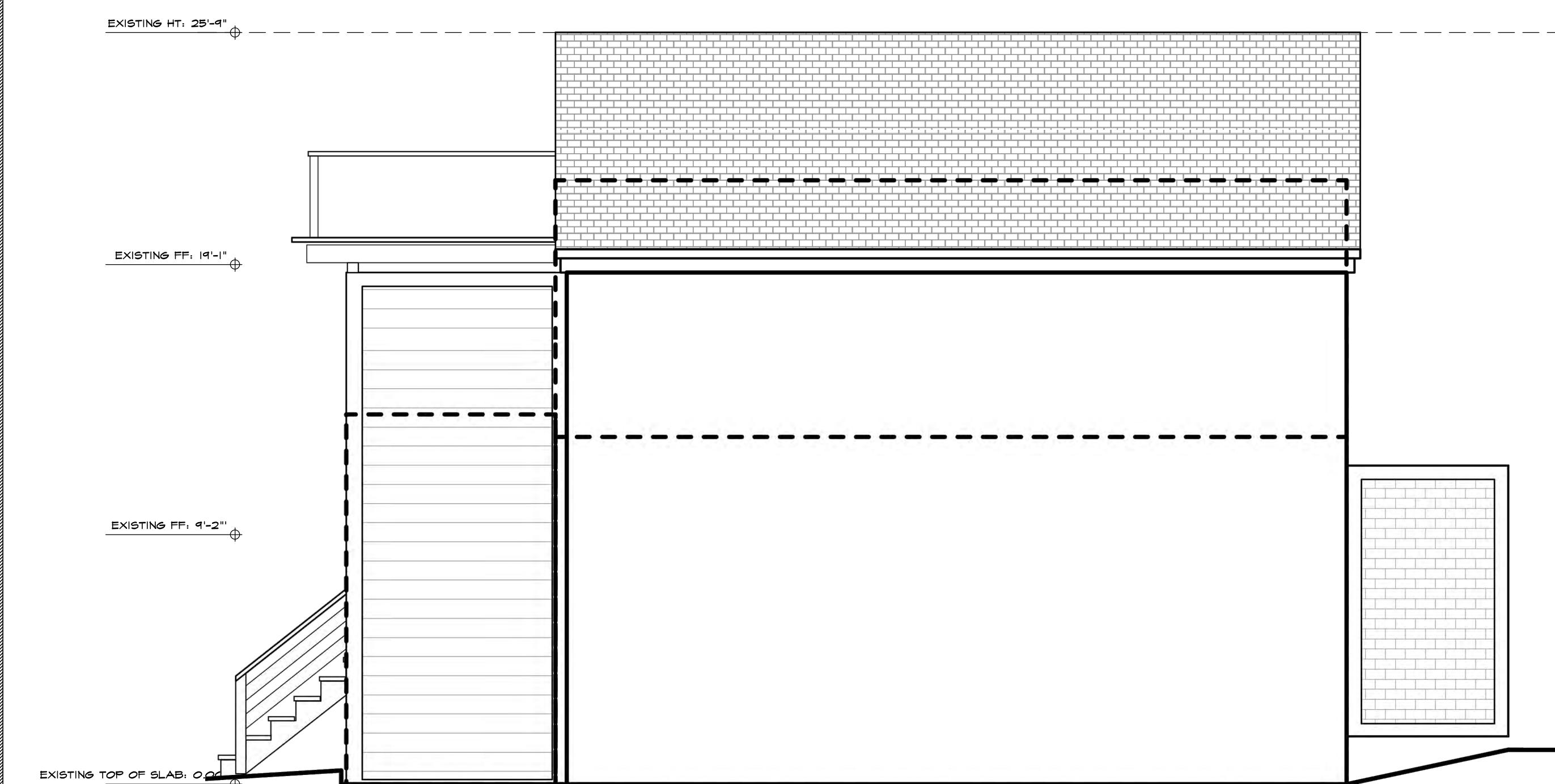




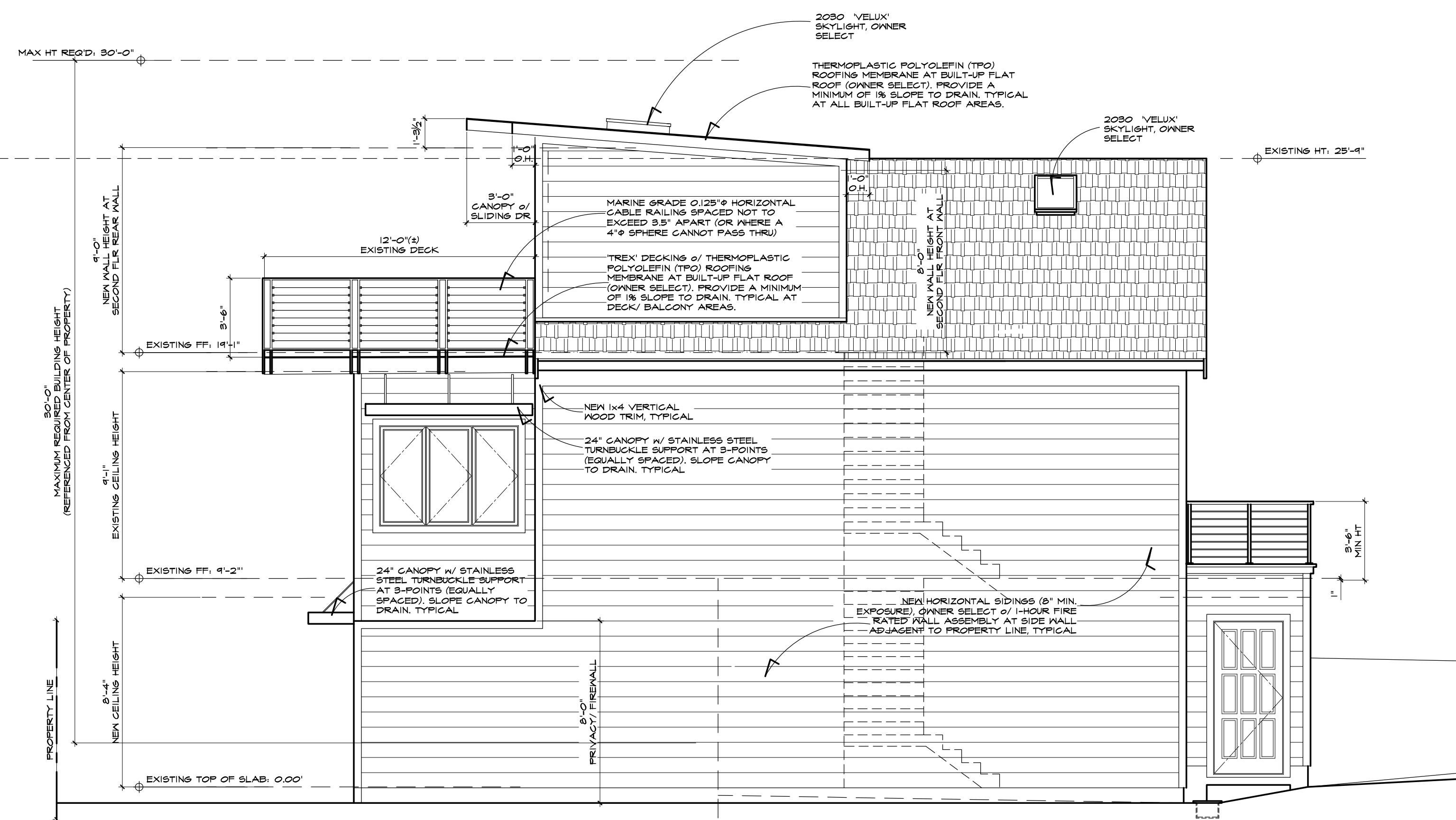
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SCALE 1/8" = 1'-0" (NORTH)



PROPOSED RIGHT SIDE ELEVATION
SCALE 1/8" = 1'-0" (NORTH)



EXISTING LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0" (SOUTH)



PROPOSED LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0" (SOUTH)

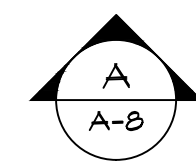
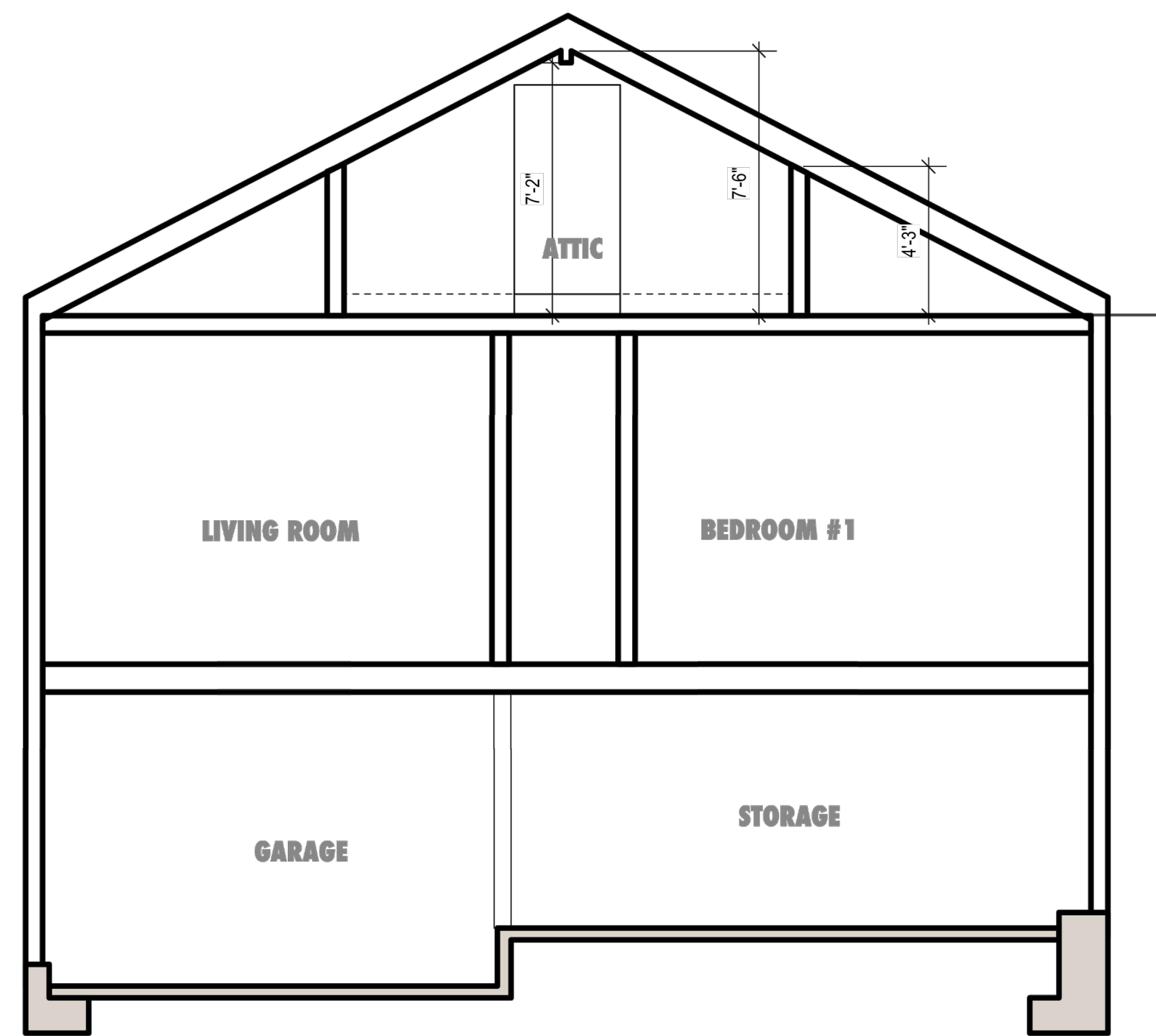
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RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
170 BOGANA DRIVE
SAN FRANCISCO, CA 94110

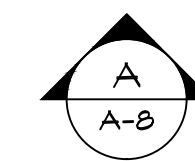
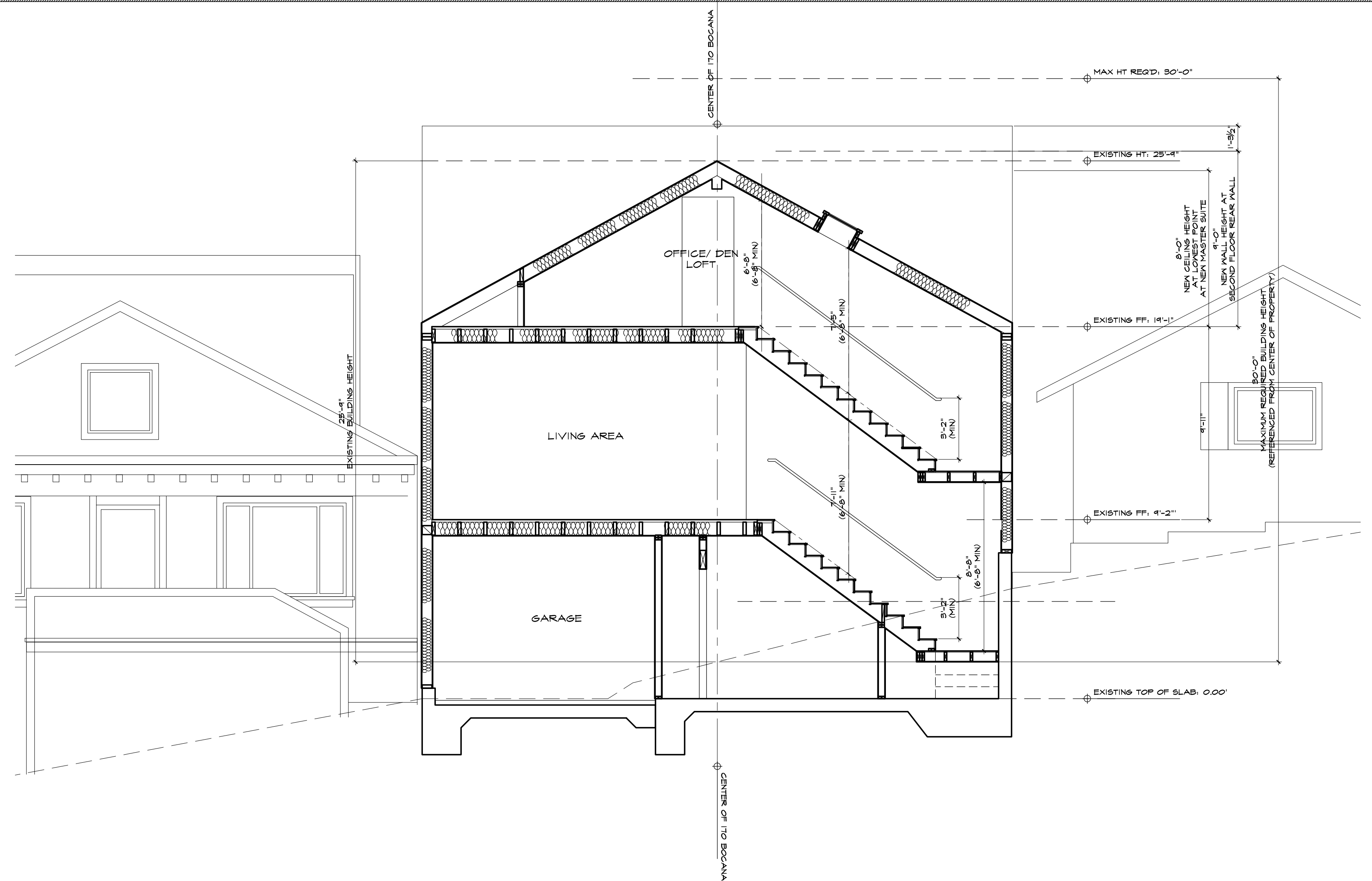
JOB NO: UBALÉ
DATE: JAN 28 2026
DRAWN BY: FT KUS
SCALE: AS NOTED

A-7

EXISTING HT. 25'-4"
 EXISTING FF. 14'-4"
 EXISTING FF. 9'-2"
 EXISTING TOP OF SLAB. 0.00'

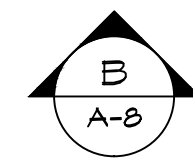
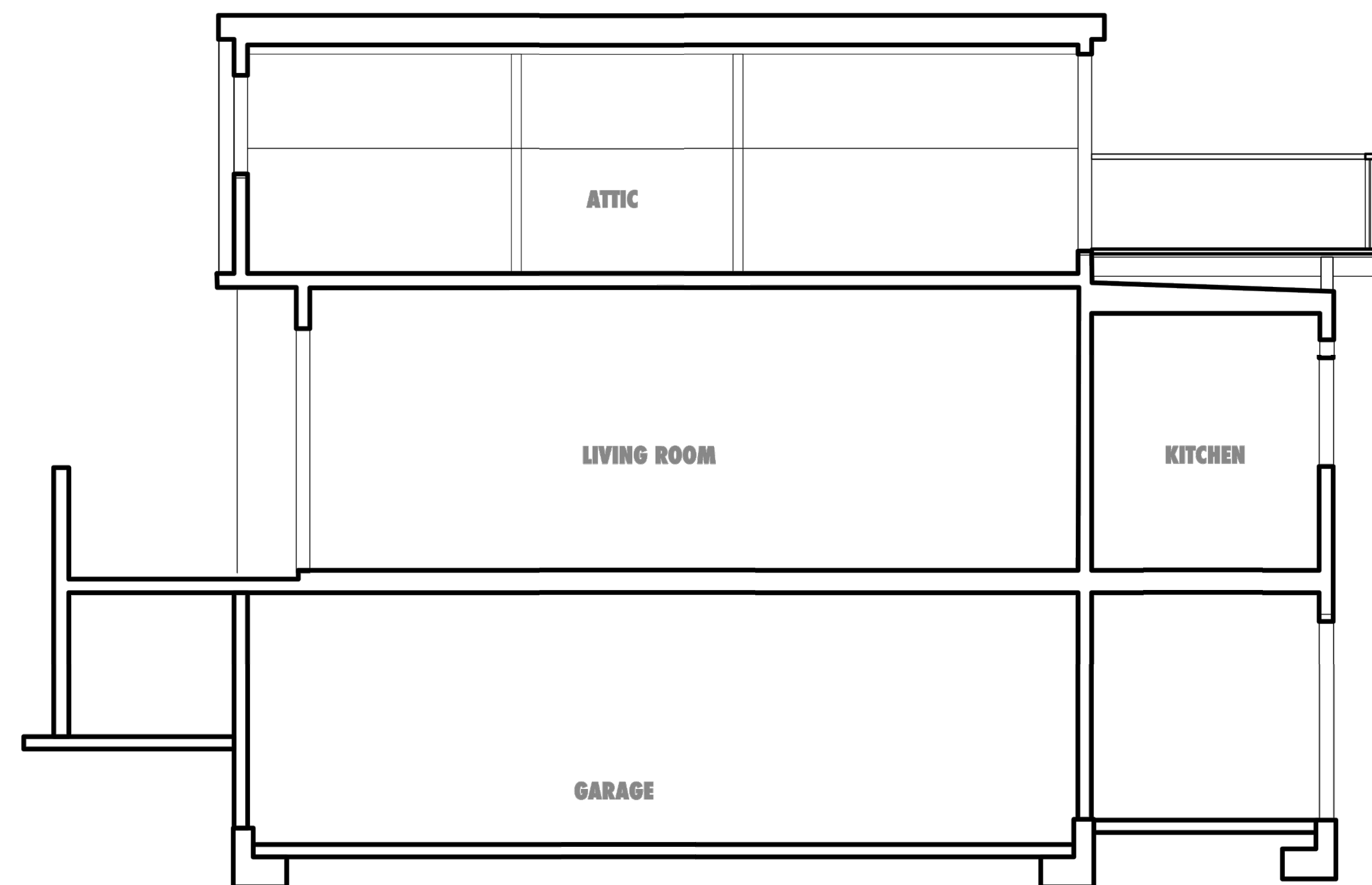


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 SCALE 1/4" = 1'-0"

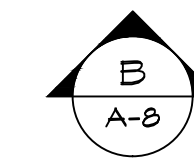
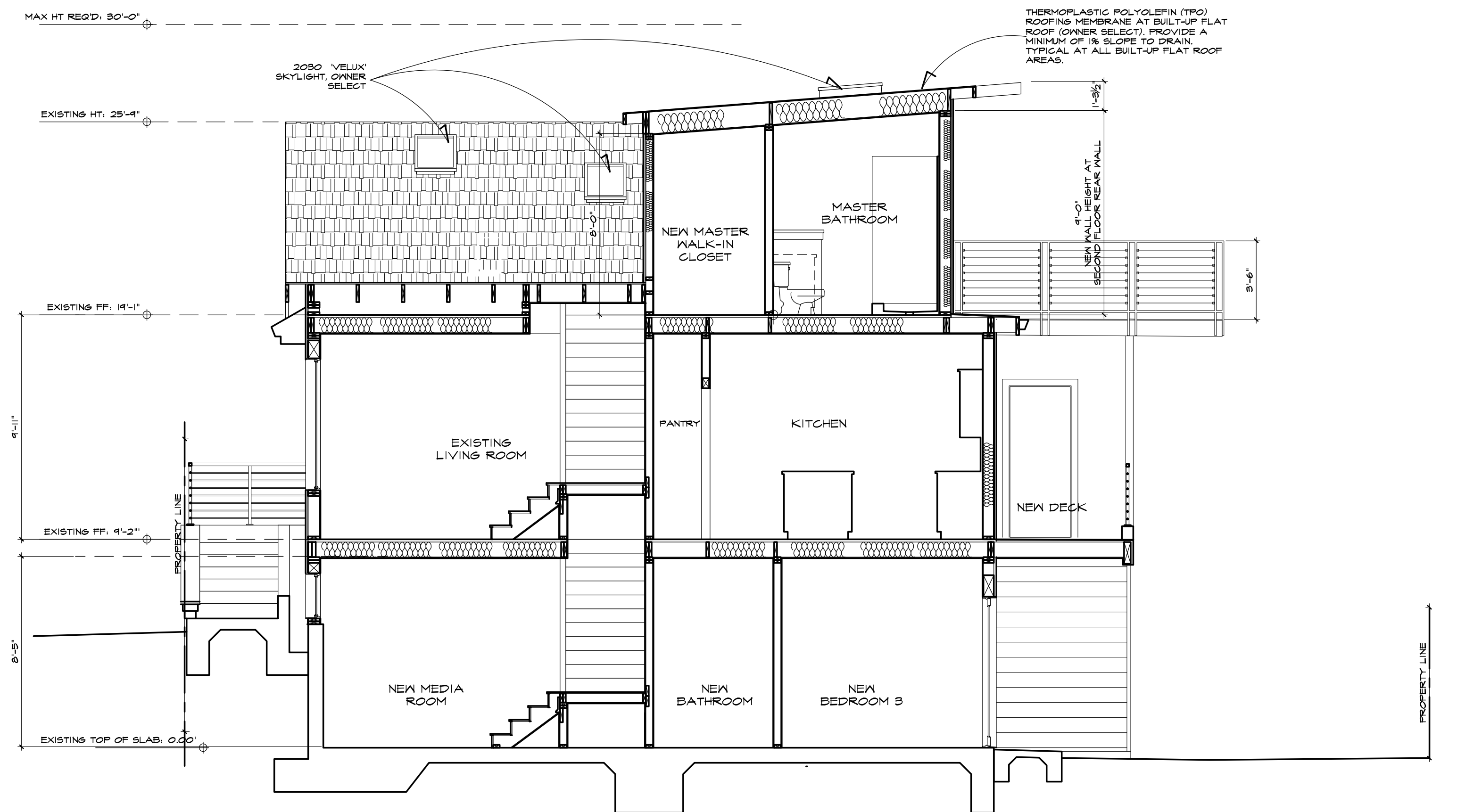


BUILDING SECTION
 SCALE 1/4" = 1'-0"

EXISTING HT. 25'-4"
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 EXISTING FF. 9'-2"
 EXISTING TOP OF SLAB. 0.00'



EXISTING BUILDING SECTION
 SCALE 1/4" = 1'-0"

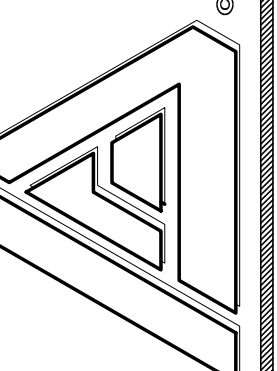


BUILDING SECTION
 SCALE 1/4" = 1'-0"

NO.	DATE	REVISIONS

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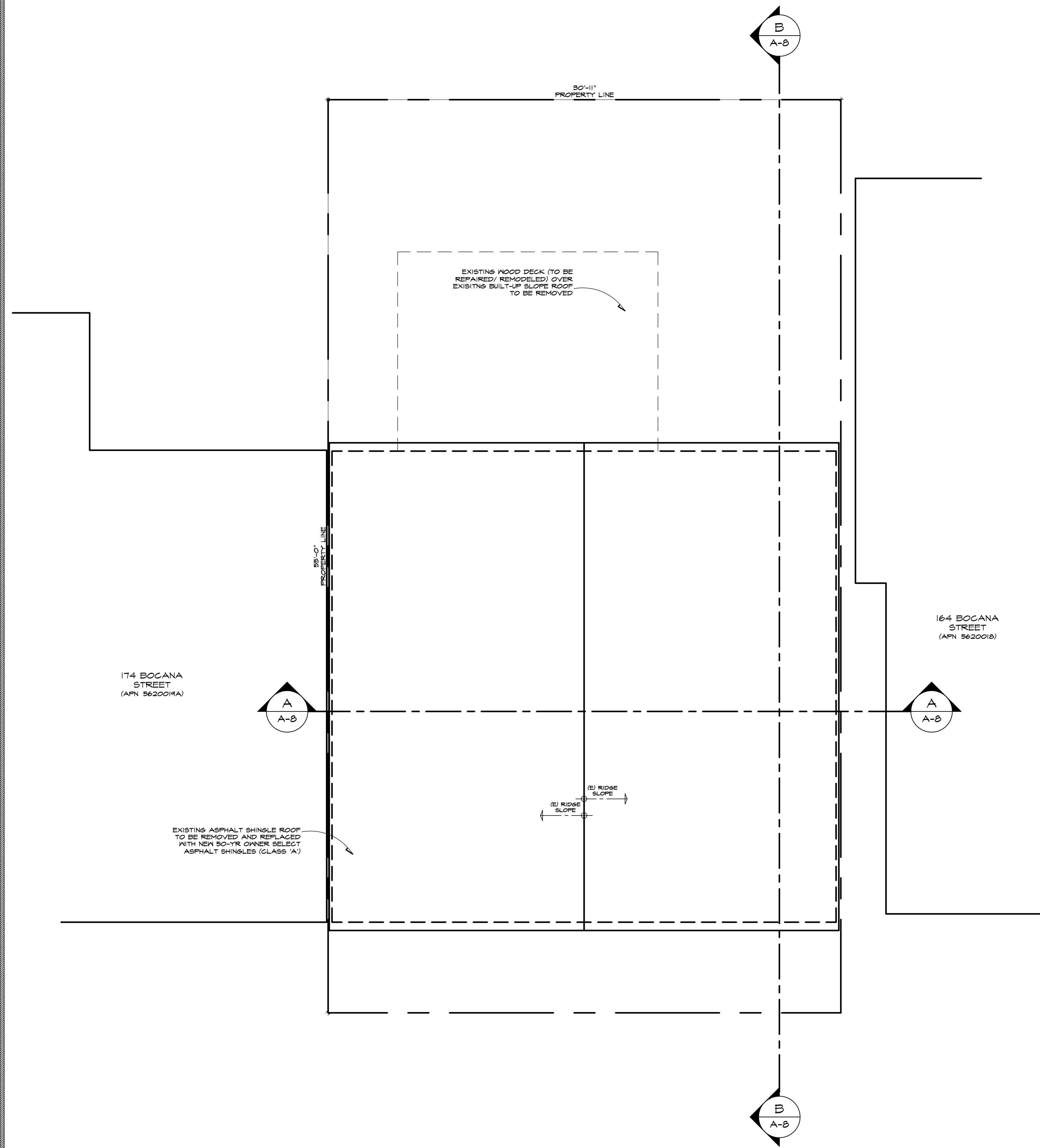
RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
 170 BOCCANA DRIVE
 SAN FRANCISCO, CA 94110

JOB NO: UBAL
 DATE: JAN 28 2026
 DRAWN BY: FT KUS
 SCALE: AS NOTED

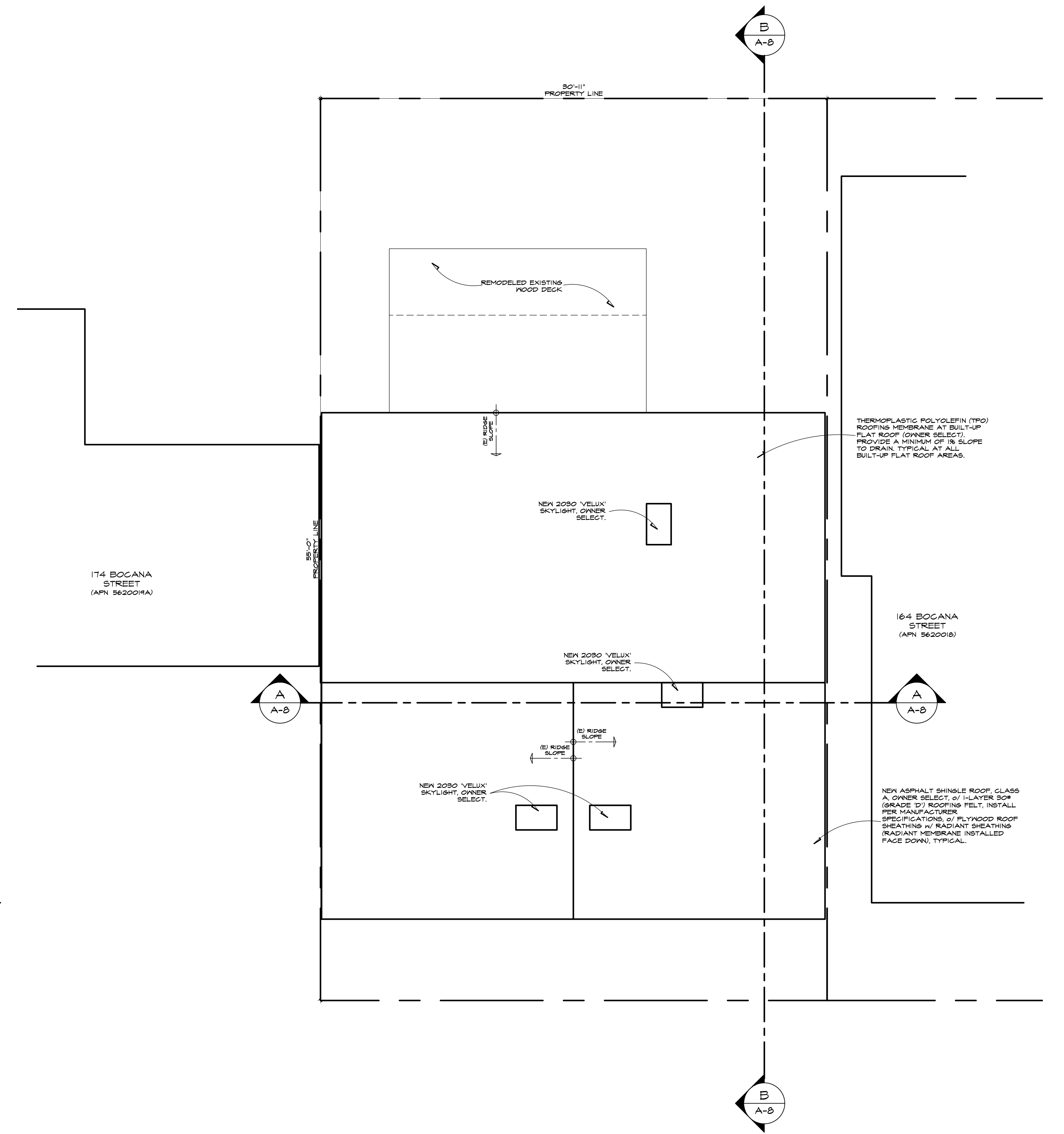
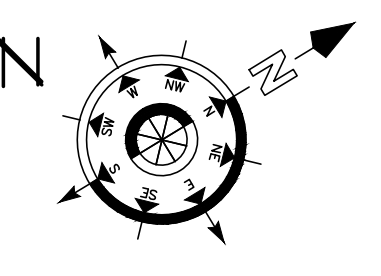
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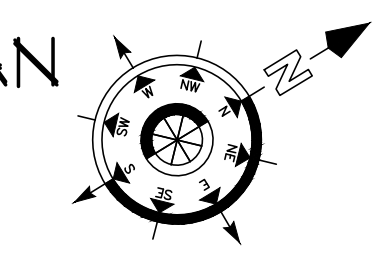
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EXISTING ROOF PLAN
SCALE 1/4" = 1'-0"



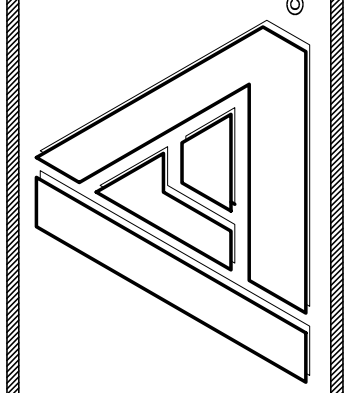
NEW ROOF PLAN
SCALE 1/4" = 1'-0"



NO.	DATE	REVISIONS

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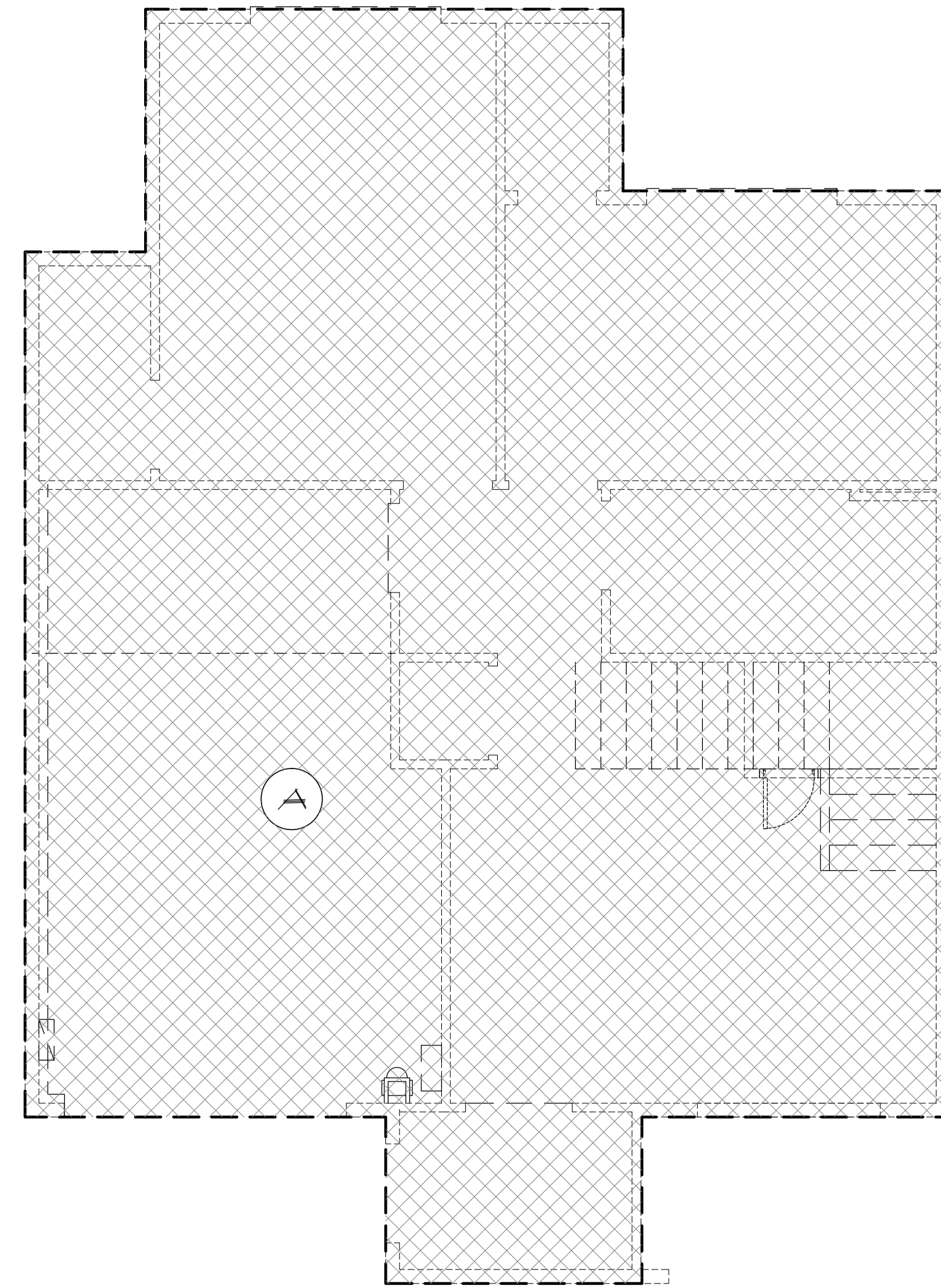


RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
170 BOCANA DRIVE
SAN FRANCISCO, CA 94110

JOB NO:	UBALE
DATE:	JAN 28 2026
DRAWN BY:	PT KUS
SCALE:	AS NOTED

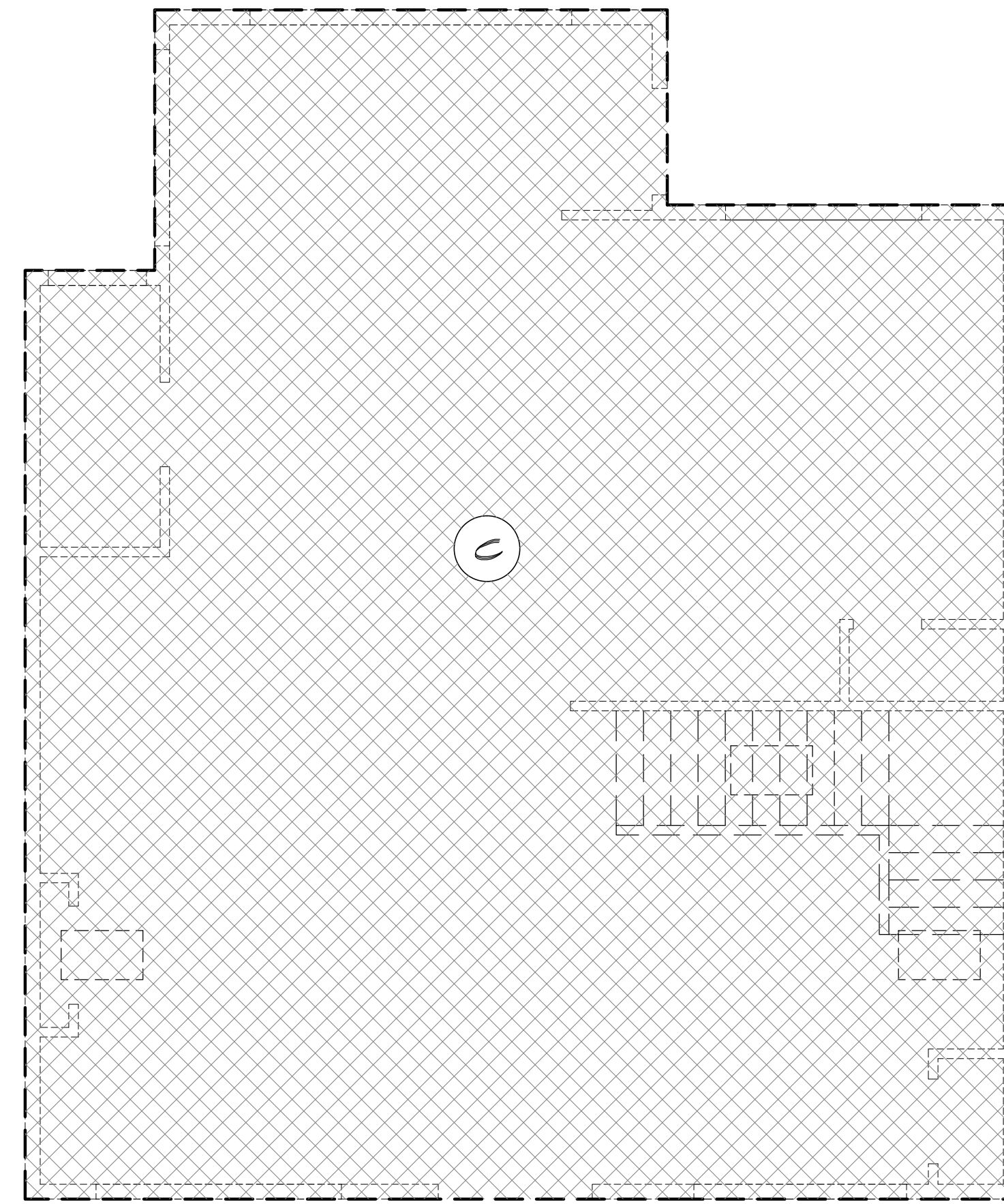
A-9

MASS REDUCTION CALCULATION DIAGRAM



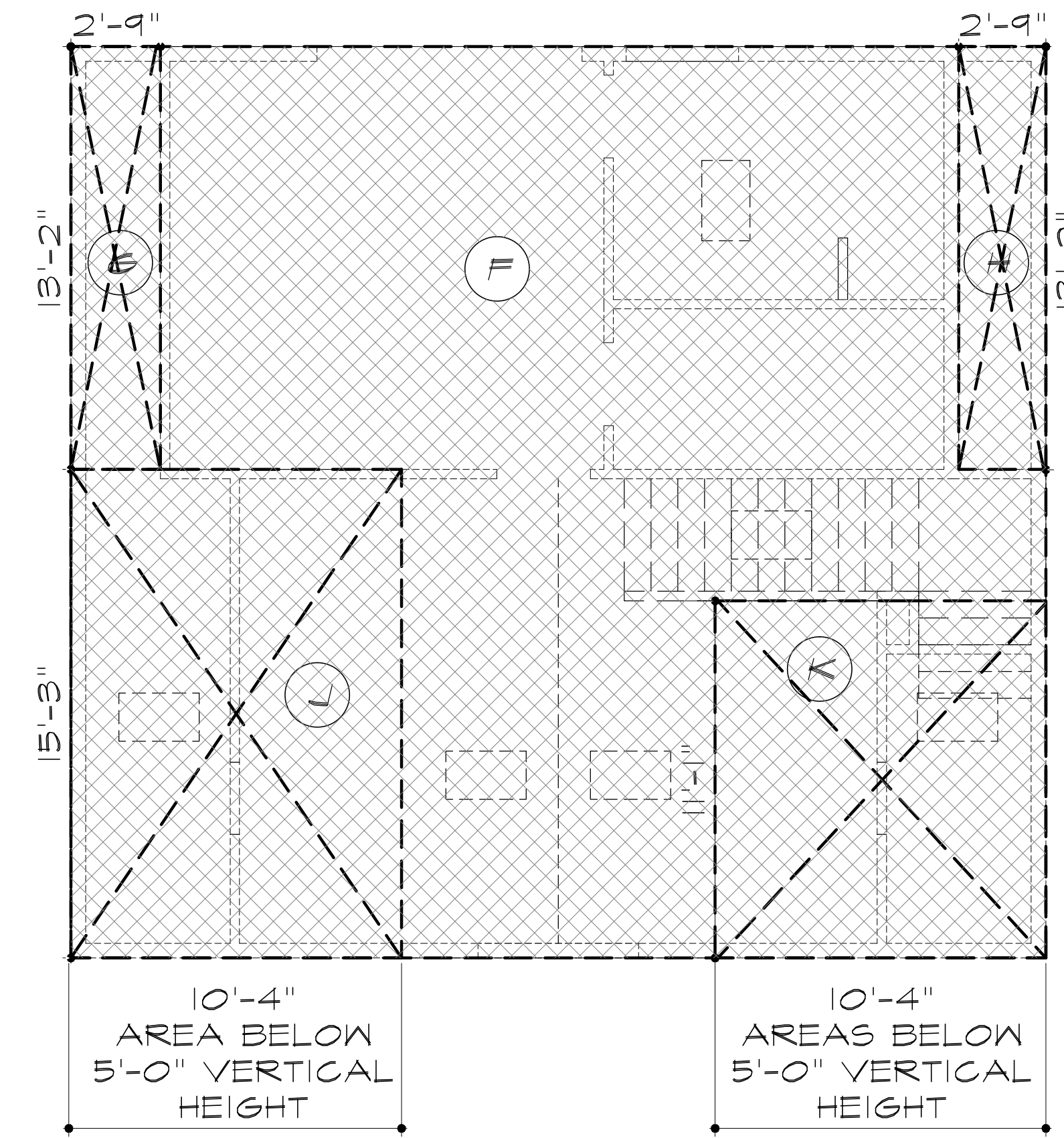
GROUND FLOOR PLAN

A TOTAL GROUND FLOOR AREA: 1083.00 SF



FIRST FLOOR PLAN

C TOTAL FIRST FLOOR AREA: 1007.23 SF



SECOND FLOOR PLAN

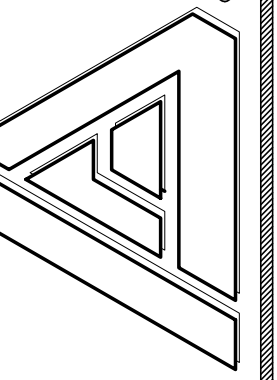
F	TOTAL SECOND FLOOR AREA:	861.00 SF
G	LESS UNHABITABLE AREAS and AREAS w/ LESS THAN 5'-0" VERTICAL HEIGHT: 2'-4" X 13'-2":	-36.20 SF
H	LESS UNHABITABLE AREAS and AREAS w/ LESS THAN 5'-0" VERTICAL HEIGHT: 2'-4" X 13'-2":	-36.20 SF
L	LESS UNHABITABLE AREAS and AREAS w/ LESS THAN 5'-0" VERTICAL HEIGHT: 10'-4" X 15'-3":	-157.58 SF
K	LESS UNHABITABLE AREAS and AREAS w/ LESS THAN 5'-0" VERTICAL HEIGHT: 10'-4" X 11'-1":	-114.52 SF
TOTAL SECOND FLOOR NET AREA:		516.50 SF

TOTAL SQUARE FEET OF QUALIFIED BUILDABLE AREA:	
GROUND FLOOR NET AREA:	1083.00 SF
FIRST FLOOR NET AREA:	1007.23 SF
SECOND FLOOR NET FLOOR AREA:	516.50 SF
TOTAL NET BUILDABLE AREA:	2606.73 SF

NO.	REVISIONS

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RESIDENTIAL ADDITION and REMODEL FOR:
THE STAR FAMILY
REVOCABLE TRUST
170 BOGANA DRIVE
SAN FRANCISCO, CA 94110

JOB NO: UBALB
DATE: JAN 28 2026
DRAWN BY: FT KUS
SCALE: AS NOTED

BRIEF SUBMITTED BY THE APPELLANT
APPEAL NO. 26-011

San Francisco Board of Appeals
49 South Van Ness Avenue, Suite 1475
San Francisco, CA 94103
boardofappeals@sfgov.org

Appeal No.: 26-011
Appeal Title: Ryerson vs. ZA
Subject Property: 170 Bocana Street
Determination Type: Variance
Case No.: 2024-009969VAR

To President Huang and Commissioners of the Board:

Introduction

My name is Bud Ryerson. I live at 175 Bocana St. in Bernal Heights, across from the proposed project. On behalf of myself and a community of concerned neighbors, I am appealing the Variance Decision Letter of February 25th, 2026, that authorizes unnecessary and unjustified encroachment into the rear yard area required by 242(e)(2) of the San Francisco Planning Code and construction beyond the mass reduction requirement of 242(e)(3), and which was wrongfully and erroneously decided.

We believe that:

1. The evidence presented by the Project Sponsors did not honestly and properly justify or support their claims of hardship and unequal treatment.
2. The Zoning Administrator’s decision was biased against the community in favor of the project sponsors. It was unsupported by accurate, objective, and knowable criteria. It was improperly considered and erroneously decided.
3. The Planning Department’s official processes and procedures were not faithfully followed or fairly executed before, during and after this decision.

Definitions

VDL – Variance Decision Letter

Sponsor - project sponsors, collectively and individually

ZA - Zoning Administrator Corey Teague

Planning – San Francisco Planning Department

Code - San Francisco Planning Code

SUD - Bernal Heights Special Use District

ADU - Accessory Dwelling Unit

1. Sponsor’s claims are unsupported and unjustified

For Bernal Heights, this particular lot is neither unusual nor particularly difficult. Most homes on Bocana Street were built before 1921, most have low ceiling heights on the ground floor. The requirements of the SUD have been in effect for fifty years. The Sponsor was well aware of these circumstance before purchasing the property and planning his project.

No record of any specific evidence of unique or special circumstances was ever introduced to justify their requested variances. There is no record of unnecessary hardship or practical difficulty attributable to the property that the literal enforcement of the specified provisions of the SUD would create. There is no evidence that a variance was needed to preserve the enjoyment of any substantial property right of the Sponsor that is possessed by other properties in the same class of district. No enjoyment deficit and no need were ever demonstrated. The mere fact that it might be easier, more desirable, cheaper, or more profitable for the Sponsor to do the project out of compliance with the SUD does not constitute an unnecessary difficulty or hardship.

Purchasing property with knowledge of lot, neighborhood and Code limitations does not preclude applying for a variance. But it is the Sponsor’s ambition to maximize the size and the value of their property that prompted their request for the privilege of a variance. There’s

nothing wrong with ambition, and there’s nothing wrong with asking, but mere frustrated ambition is not a hardship and does not justify a variance from the SUD.

The Sponsor’s affidavit argues at length that existing non-compliant ground floor ceiling heights justify their claims of unnecessary hardship and unequal treatment. But at some time prior to the Variance Hearing on August 27th, 2025, the Sponsor decided to dig out the ground floor to gain the ceiling height they need. So, no more hardship there, I suppose.

In an email to Planning on August 27th, 2025, just after the Variance Hearing, the Sponsor writes: *“At this stage, we are simply requesting a variance for a very small amount of additional square footage on the ground floor.”* (Exhibit Q) If that amount were truthfully “very small”, a Variance Hearing would never have been required. The Code, Sec. 305(c) says: *“...if the variance requested involves a deviation of less than 10% from the Code requirement, the Zoning Administrator may at the Zoning Administrator’s option either hold or not hold such a hearing.”*

Even without “a very small” variance, there are many elegant and practical alternatives for the Sponsor to complete their project, the execution of which will be materially detrimental to the neighborhood and materially injurious to other properties in the vicinity.

1a. Sponsor’s claim of a comparable project

In their affidavit, the Sponsor cites a project at 223 Bocana St. (Exhibit A2, p.2, Item 3) for which a variance was granted. That project was a complex structure consisting of multiple dwelling units on an irregular, trapezoidal lot, fronting onto two different streets. The removal of an existing dwelling unit would have been required; the existing structure was currently dwarfed by its neighbors; it was close by a busy commercial district; and it was well away from the Sponsor’s property. There is very little to compare between that project and the Sponsor’s.

The sponsor overlooks several nearer and more comparable projects, such as: Project 2019-012197PRJ 174 BOCANA ST.; Project 2025-001040PRL Project Light (PRL) 162 BOCANA ST.; and Project 2013.1887V Variance (VAR) 170 BOCANA ST., none of which received a variance.

1b. Sponsor’s claim of no injury or detriment to neighbors

The San Francisco General Plan exists to minimize the blockage of morning sun from adjacent properties, promote the harmony in the visual relationship and transition between new and older buildings, and preserve neighborhood character and buildings of historical interest. In their affidavit, the Sponsor swore that there would be no injury or detriment to properties in the vicinity. Their claim is purely speculative and completely unsupported.

Mr. Ross Inden, the owner of the historic earthquake shack at 164 Bocana, north of and adjacent to the project, claims that the Sponsor’s project will block direct light into his windows, his south-facing skylights and onto his property in general. He also claims the project will further restrict air flow onto and around his property.

In their drawings, the Sponsor state “Existing Building Height” as 25’9”. Drawings of the same structure, submitted to Planning in 2013, show the property with an existing “Building Height” of 19’8” (Exhibit D1). We believe the Sponsor’s measurements may be inaccurate, and accurate measurements are vital to the calculation of potential shadowing effects.

The normal remedy for these conflicting claims is for the Planning’s Historic Preservation Technical Specialists to prepare an Historic Resource Review of the proposed project’s deleterious and irreversible effects on the historically significant adjacent property.

1c. Sponsor’s shifting stories and justifications

At a pre-application with the neighbors on December 4th, 2024, my wife and I both heard the Sponsor say that they planned to sell their home in Saratoga and move their entire family here to San Francisco. In answer to a question, they said plainly that this not an investment property or for office use or anything else. They continued that this is where they would live, eat, cook, clean, and walk in the neighborhood, “for pretty much forever.”

The original drawings for the project (Exhibit N) described a ground floor ADU with a kitchen, bath, two bedrooms and a “lounge.” On January 13th, 2025, in the Sponsor’s sworn affidavit, repeated reference is made to the proposed ADU as justification of their needs. (Exhibit P, p.6,7) The Sponsor also swore that, “*By granting this variance, the home will provide for a comfortable ADU for their aging parents, as well as a comfortable home for the family that will become great members of the community.*” (Exhibit P, p.7, Item 3) and, “*by following the **literal enforcement** of the specified provisions of this district, the addition of an ADU in the ground floor would not be achieved.*” (Exhibit P, p.6 Item 2 - emphasis added)

On June 4th, 2025, after learning that the proposed ADU would not be compliant with the Code, the variances previously required for an ADU became necessary to “*provide for a comfortable living space on the ground floor... and a media room for Mrs. Ubale’s aging parents.*” (Exhibit A2, p.2, Item 3 – blue highlight) In addition to a media room, the comfortable space will include an ante room, a luggage valet and a wine captain (Exhibit C).

On June 23rd, 2025, in an email to Planning, the Sponsor “added to the record” that they had been working out of an office in San Mateo until a couple of years ago, are now renting office space on California St. in San Francisco, and “have been looking for a 2nd house in San

Francisco since 2023.” Apparently, this dwelling will become a *pied-à-terre* for the Sponsor when business brings them San Francisco.

1d. Sponsor’s knowingly false declaration of neighbor support

In an August 12th, 2025, email, the Sponsor declared to Planning that two close neighbors were “supportive of the revised plan” and “encouraging about getting the work completed.” (Exhibit E, p.2) But the neighbors were surprised - and annoyed - to learn of their supposed endorsement (Exhibit F). When discovered, the Sponsor complained to Planning that *“I wasn’t aware that it would be uploaded to a public server — the message was intended solely for your internal reference.”* Perhaps what the Sponsor “intended” was to not get caught misrepresenting neighborhood support.

1e. General objections to the variance

We are appealing this decision because there is no hardship, no unfairness nor any other justification for these variances. There are no exceptional or extraordinary circumstances applicable to this property and project that distinguish it from nearby properties or projects with the same zoning requirements.

In any case, these variances and the VDL are inconsistent with the general purpose and intent of the SUD. The Sponsor has no collective, individual or existential need to exceed the requirements of the SUD. Overruling this VDL will result in no practical difficulties or unnecessary hardship to the Sponsor.

This VDL constitutes a grant of special privilege to the Sponsor and will create an undesirable perception that weakens and undermines the authority and purpose of the SUD.

2. Zoning Administrator’s decision is erroneous and unjustified

The Sponsor of this project requested and, six months after their hearing, was granted a variance to the SUD by the ZA, who listed five “findings” in his VDL (Exhibit H, p.3-5). We believe that these so-called findings are specious, vague, arbitrary, hypocritical and inaccurate, and taken together, they establish a dangerous precedent for the future of our neighborhood.

Phrases such as, “massing will **only** be 13 feet deep”, “new mass will be **minimally** visible”, “**modest** increase in useable floor area”, “**literal** enforcement of specified provisions” are all specious, deliberate and subjective minimizations that sound innocent but are actually biased, deceptive and misleading.

The ZA is consistently vague and provides no explanation of what he proposes. He does not cite specific examples, comparable situations, decisions or statutes. The ZA refers to some kind of “practical difficulty or unnecessary hardship” without specifying what that difficulty or hardship might be.

Every lot in the SUD is subject to the same mass reduction requirements, which is a mathematical formula. In his VDL, the ZA casts aside “literal enforcement” of the SUD in return for the Sponsor gaining a “modest increase in usable floor area and improved livability.” This is a very unbalanced proposition. And the ZA appears to rule that mass reduction requirements can vary according to lot size. But the ZA proposes no defined criterion for an alternate calculation. Furthermore, the ZA does not limit his decision’s prospective reach and allows it to stand as precedent for future decisions with no clear guidance going forward.

The ZA insists that some sections of the Code be enforced, such as fire safety, but hypocritically declines to enforce other sections of the code, such as mass reduction and back-yard requirements, which presumably the ZA considers less worthy.

The ZA abuses his discretion by effectively rewriting our historic building codes to the oppression and disregard of the community at large. As a public official, his duty is to the people of San Francisco and we believe that this VDL represents a violation of that public trust.

2a. Our objections to specific findings

The ZA finds that, *"The lots on the west-facing half of the subject block are a more typical depth of 70 feet."* This is plainly wrong. All of the lots on the west-facing half of the block are irregularly shaped and they vary between 30 and 105 feet deep. On the east-facing side, every lot is 55 feet deep. The Sponsor knew the lot size, and knew or should have known the SUD mass reduction requirements when they purchased the property.

The ZA finds a unique hardship in that, *"the subject lot slopes down from front to rear such that a portion of the ground floor is below grade and behind the front entry, which limits the useability of that interior space."* Bernal Heights is a hill. All of the lots slope one way or another. If a sloping lot was exempt from the SUD, there would be no SUD. This particular slope is a geologic feature that extends all the way down the block. It is not unique to the Sponsor’s lot. And the ZA appears to reverse the disadvantage of a sloped lot. A lot that slopes down to the rear opens the ground floor out into the rear yard and actually provides more light, usability and enjoyment of its interior space than one that slopes the other way. The Sponsor’s own drawings show two bedrooms with sliding doors that that open into the rear yard.

The ZA finds that, *“The adjacent building to the north extends approximately 7 feet deeper than the subject building.”* There is no evidence in the record that this non-compliant extension preceded the SUD. The Sponsor was aware of it when he purchased the property. Therefore, it is a self-created hardship. We believe the ZA is wrong to consider this existing non-compliance as a justification for his decision.

The ZA finds that, *“The literal enforcement of the mass reduction and rear yard requirements would have outsized and unintended impacts on the development and enjoyment of the subject property.”* The ZA echoes the Sponsor’s very own words (see p.5) when he says “literal enforcement” like it's a bad thing. The SUD requirements are not guidelines, they are hard limits that are intended to be literally enforced. And their impact in this case is minor. In the words of the ZA himself, the SUD would impact only a “**modest** increase in useable floor area.” Every recent project in this neighborhood has respected the limits of the SUD. The ZA should respect them, too.

The ZA finds that, *“For a lot that is 55 feet in depth, the 650-square-foot mass reduction represents a more significant reduction of development potential of the site than typical.”* On the Sponsor’s block, many other development projects have been completed without any need to exceed mass-reduction requirements. The ZA cites no objective standard to describe what is “typical” or evaluate how “more significant” this particular mass reduction might be.

The ZA finds that, *“Granting this variance will allow the subject property to provide modest increase in usable floor area and improved livability... which is a substantial property right possessed by other properties in the same class of district.”* Even within the limits of the SUD, the Sponsor can still almost triple the useable floor area of their property, just like their

neighbors. No further "modest increase" is justified. And, beyond floor area, the ZA finds no other specific instance of "improved livability" to justify his decision.

3. Flawed processes and procedures

The Code says that the ZA, *"shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in this Code"* (SEC.305(a)). And the Code defines Objective Standards as, *"a standard that does not involve personal or subjective judgment and is publicly available and uniformly verifiable by reference to a benchmark or criterion and knowable."* The ZA has considerable discretion, but the words "shall," "strict" and "quantitative" are clear and unequivocal. In this case, the ZA showed clear bias toward the Sponsor by using words like "modest" and "minimal" and by echoing the Sponsor’s own prejudicial use of the term "literal enforcement."

Sec 306.2 of the Code says: *"The Zoning Administrator shall set a time and place for a hearing thereon within a reasonable period. In the case of an application for a variance, such period shall not exceed 30 days from the date upon which the application is accepted for filing."*

The date for the Variance Hearing was set for June 25th, 2025, and notice was sent to the community. The ZA arbitrarily changed the date from June 25th to August 27th, 2025, without any notice or opportunity for response from the community. If that wasn’t a violation of the Code, it was clearly unfair and represents a failure of due process.

The Code Sec 306.4(d)(1) says: *"In the case of variances, the decision of the Zoning Administrator shall, unless deferred upon the request or consent of the applicant, be rendered within 60 days from the date of conclusion of the hearing."* Sixty days after hearing, on November 3rd, 2025, I wrote to Planning: *"We do not understand why this decision is taking so*

long. And frankly, we are becoming concerned.” (Exhibit J, p.2) Planning confirmed that the Sponsor was “not making any additional design changes,” and that the ZA, “currently has this under advisement.” (Exhibit J, p.1) There is no record of any request by or consent from the applicant for a delay.

We believe that Planning has a duty to work with the community as well as the developer; but for the next four months, until the VDL was issued on February 5th, 2026, Planning called and met exclusively with the Sponsor. On January 16th, 2026, the ZA even wrote to the Sponsor to tell him he intended to grant the variances (Exhibit K, p.2). But during this period, the ZA showed complete disregard for the community by deliberately and knowingly keeping us in the dark about what he was doing.

Planning’s Accela website listed the Sponsor’s project as “Under Review” even after the VDL was issued (Exhibit L). The Status only changed sometime after I informed the ZA of Planning’s apparent failure to notify the community as had been promised back in in November of 2025. (Exhibit J, blue highlight)

In an email on August 19th, 2025, Planning wrote that they, “*changed your saved document for this email to background documents so it will not be for public view.*” (Exhibit E, p.1) Even now, relevant documents seem to appear and disappear from the website without notice or explanation. Requests for records of communications regarding who controls why, when, and what information this website displays for this project have been unresponsive. (Exhibit M, p.2, Item 6)

Conclusion

We, the community and I, do not oppose improvement, we do not oppose development, and we do not oppose this project. We oppose unnecessary and unjustified disregard for our SUD. In this case, the Sponsor has failed to accurately present evidence and the ZA has failed to fairly represent the public interest.

Findings of fact must be based upon competent, material, objective, knowable and substantial evidence that exists in the record. The ZA’s findings in this ZDL are specious, vague, arbitrary, hypocritical and inaccurate throughout. The ZA’s decision is not fair and does not represent a reasonable exercise of his discretion. If left intact, this wrongful decision will establish a clear, present and future danger to our neighborhood.

For years, we have worked to preserve the unique character of our quaint and historic neighborhood by creating the SUD and by zealously defending it. We believe that granting extraordinary advantages to this one owner will create a corresponding dis-advantage for all the other homeowners who have played by the rules.

We who live closest to this project are opposed to these variances. We have included a petition with signatures of eighteen close neighbors of Sponsor’s project (Exhibit G) who all requested denial of the variances. On behalf of our community, we honestly, reasonably and respectfully request that you honor and enforce our SUD, and uphold our appeal of the ZDL.

In the end, we just want everyone to play fairly and by the same rules.



VARIANCE FROM THE PLANNING CODE

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

Pursuant to Planning Code Section 305, the Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in the Planning Code. The first pages consist of instructions which should be read carefully before the application form is completed.

For more information email the Planning counter at the Permit Center at pic@sfgov.org.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. 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628.652.7550。請注意, 規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A VARIANCE?

The Planning Code regulates the use of property, including the size, design, and siting of buildings that may be constructed on a piece of property. The Planning Code has standards for buildings that govern such features as rear yards, front setbacks, usable open space, height, and parking. A variance is a request for an exception to a Planning Code standard. The Zoning Administrator is the City official that interprets and maintains the Planning Code.

WHEN IS A VARIANCE NECESSARY?

There may be special circumstances that make it difficult for a project to meet all of the Planning Code requirements. In those instances, a project sponsor may request that the Zoning Administrator grant a Variance from the Code provisions. Under the City Charter (Section 4.105), the Zoning Administrator has the power to grant only those variances that are consistent with the general purpose and the intent of the Planning Code. The power to grant a variance shall be applied only when the plain and literal interpretation and enforcement of the Code would “result in practical difficulties, unnecessary hardships, or where the results would be inconsistent with the general purpose of the [Code].”

Planning Code Section 305(c) outlines the five criteria that must be met in order for the Zoning Administrator to grant a variance. The Section 305(c) criteria are as follows:

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;
2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;
3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;
4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and
5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

HOW DOES THE PROCESS WORK?

Upon submittal of a complete application to the Planning Department, the Zoning Administrator will schedule a public hearing to consider whether to grant the Variance. Variance hearings typically occur on the last Wednesday of each month. Upon issuing the formal written decision either granting or denying the Variance in whole or in part, the Zoning Administrator shall forthwith transmit a copy the Variance decision letter to the applicant. The action of the Zoning Administrator shall be final and shall become effective 10 days after the date of his written decision except upon the filing of a valid appeal to the Board of Permit Appeals as provided in Section 308.2 of the Planning Code.

WHAT HAPPEN ONCE A VARIANCE IS APPROVED? HOW LONG IS A VARIANCE APPROVAL GOOD FOR?

Within approximately 30 to 60 days, the Zoning Administrator will issue a Variance Decision Letter. The authorization and rights vested by virtue of the decision letter shall be deemed void and cancelled if

1. a Building Permit has not been issued within three (3) years from the effective date of the decision; or
2. a Tentative Map has not been approved within three (3) years from the effective date of the decision for Subdivision cases; or
3. neither a Building Permit or Tentative Map is involved but another required City action has not been approved within three (3) years from the effective date of the decision.

FEES

Please refer to the [Planning Department Fee Schedule](#) available at www.sfplanning.org. For questions related to the Fee Schedule, please email the Planning counter at the Permit Center at pic@sfgov.org.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.

WHAT APPLICANTS SHOULD KNOW ABOUT THE PUBLIC HEARING PROCESS

A. The Zoning Administrator encourages applicants to meet with all community groups and parties interested in their application early in the entitlement process. In many cases, this is required as part of the Pre-application process. Department staff is available to assist in determining how to contact interested groups. Neighborhood organization lists are available on the Department's website. Notice of the hearing will be sent to groups in or near the neighborhood of the project. The applicant may be contacted by the Planning Department staff with requests for additional information or clarification. An applicant's cooperation will facilitate the timely review of the application.

B. The Zoning Administrator requests that applicants familiarize themselves with the procedure for public hearings, which are excerpted from the Planning Commission's Rules and Regulations below.

Hearings. A public hearing may be held on any matter before the Zoning Administrator at either a Regular (every 4th Wednesday of the month) or a Special Meeting. The procedure for such public hearings shall be as follows:

1. A description of the issue by Zoning Administrator along with the Planning Department's recommendation.
 2. A presentation of the proposal by the project sponsor for a period not to exceed 5 minutes.
 3. A presentation of opposition to the proposal, by organized opposition, for a period not to exceed 3 minutes.
 4. Public testimony from proponents of the proposal. An individual may speak for a period not to exceed 3 minutes.
 5. Public testimony from opponents of the proposal would be taken under conditions parallel to those imposed on proposal proponents, not to exceed 3 minutes.
 6. The project sponsor or applicant will be given a period, not to exceed 3 minutes, within which to clarify any questions raised in previous testimony.
 7. Discussion by the Zoning Administrator on the matter.
 8. The Zoning Administrator may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
- C. **Opportunities for Appeals by Other Bodies:** Zoning Administrator actions on Variances are final unless appealed to the Board of Appeals within 10 days of the Zoning Administrator's written decision.



VARIANCE FROM THE PLANNING CODE

SUPPLEMENTAL APPLICATION

Property Information

Project Address:

Block/Lot(s):

The Project is seeking a variance from Planning Code Section(s):

Variance Findings

PLEASE SEE ATTACHED DOCUMENT

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;
2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;
3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature

Name (Printed)

Date

Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Variance Findings

Pursuant to Planning Code

Appeal No: 26-011 - Exhibit A2

Administrator needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

RESPONSE: The home was built in 1921 with a ceiling height of 8' at the 1-car parking area, and a height of less than 5 feet in the ground floor where the proposed living area addition will be added, and setback and height regulations as established by the Bernal Heights Special Use District and rear yard setback requirements were not in existence at the time.

The existing rear yard area of 523.56 sf will be reduced to 439 sf. The proposed 86 sf of additional living space area in the rear of the home will require encroachment of the existing open space located northerly in the rear yard area where an existing dilapidated wood staircase structure that services as the access to the existing first floor, and adjacent to the house at 164 Bocana Street. Allowing this addition, as well as the proposed height increase, the home will still maintain the minimum open space area, and provide for a comfortable area for a living space addition with the proper building code compliant required minimum vertical height to be defined as a living space.

2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

RESPONSE: No major expansion or remodel to the existing structure have occurred since the house was built, This project proposes a total area of addition at the ground floor of 130 sf, and reclaiming the existing unconditioned ground floor area into the proposed living space addition by raising the building to achieve the minimum vertical height required to satisfy the building code definition of a living space, while rehabilitating/ remodeling and maintaining the existing 1-car garage space with provisions for a space for private bicycle parking, and the recycling and trash bins.

At the first floor, an addition of 86 sf that follows the footprint of the addition on the ground floor, and remodel of the entire space that includes remodeling and relocation of the kitchen, dining, living and bedroom space and full bathroom, addition of new staircase to access the ground floor, as well as the new second floor area.

An addition of 559.69 sf of new second floor space with master suite complimented with private master bathroom, walk-in closets, and an area for an office/ den located in the existing attic space.

The additional height proposed in order to provide the minimum height requirement for the living area addition in the ground floor will result in an increase in the building's height, but will still be under the maximum required building height of 30 feet.

The existing exterior shingle sidings shall be replaced with horizontal sidings, maintaining the architectural style of the home with minimal impact to the existing aesthetics of the home, and help maintain the eclectic traditional craftsman style architectural motif presently dominating the neighborhood and surrounding buildings. By following the literal enforcement of the specified provisions of this district, the addition of living area in the ground floor would not be achieved since the existing conditions required will not allow for a living space to have the minimum height requirement that fits the definition of a comfortable living space thru no fault of the current homeowners.

3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

RESPONSE: A property on 223 Bocana Street was granted a variance (2020004817VAR) for a new bedroom and bathroom. The variance also granted the addition of a new roof deck in the rear. Our proposed project would be consistent with that variance by adding a reasonable amount of square footage to create a comfortable new second floor living space and a more comfortable first floor layout for the family that will reside in this home. By granting this variance, the home will provide for a comfortable living space in the ground floor that will include 2-bedrooms, a common bathroom, laundry closet, and a media room for Mrs. Ubale's aging parents, as well as a comfortable home for the family that will become great members of the community.

4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity;

RESPONSE: Granting this variance would improve the livability of the subject property and does not impede on the properties or improvements in the vicinity.

The proposed second floor addition does not exceed the maximum building height requirements and will match the existing peak established by the existing gable end roof feature of the existing home.

5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

RESPONSE: The proposed project will be consistent with the City of San Francisco's SEC. 101.1. which states that:

(1) **That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.**

-Project does not impact any retail and future opportunities.

(2) **That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.** --

Proposed front exterior design preserves the existing character of the home and preserves the character of the neighborhood.

(3) **That the City's supply of affordable housing be preserved and enhanced.**

-Affordable housing will not be affected by this project.

(4) **That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**


-the project will not have an impact on local parking and other public transit services.

(5) **That a diverse economic base be maintained by protecting the industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.**

-our proposed project will maintain the residential use of this property, thereby, in keeping the property as a single family residence, no industrial and service sectors will be displaced, and future opportunities for resident employment and ownership will be maintained and enhanced.

- (6) **That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.**
-the project will be executed with the strictest compliance with the current building codes that requires seismically sound structural designs.
- (7) **That landmarks and historic buildings be preserved.**
-no historic landmarks or structures will be affected.
- (8) **That our parks and open space and their access to sunlight and vistas be protected from development.**
-project does not impact any parks and open space.

Appeal No: 26-011 - Exhibit B

 Outlook

RE: 170 Bocana Street Variance Hearing, Wednesday, 25 June 2025

From Frank ATDES <frank@atdes.net>

Date Mon 6/23/2025 5:12 PM

To Enchill, Charles (CPC) <charles.enchill@sfgov.org>; aubale@yahoo.com <aubale@yahoo.com>

Hello Charles

Also, please add to the record the following about my clients.

Arun Ubale is a technology consultant and works with clients mostly in Bay Area. Last couple of years he has been coming to San Francisco almost on a weekly basis. (Genentech, Gilead, Tangerine).

Shilpa Toraskar, who is a Sr. Director at BFA Industries (Beauty For All). They had an office at 201 Baldwin Ave, San Mateo, CA 94401 and was working from there until two years back. They have been renting an office twice a week from WeWork at 600 California St, San Francisco, CA 94108 and she has to come there on a weekly basis, sometime more to attend conference and meeting executive team.

They have been looking for the 2nd house in San Francisco since 2023. They checked everywhere and they found what they were looking for within their budget and they bought this house in August 2024. They want to move into this house and they are not real estate developers or builders. They can give you in writing that they would move into this house. We are very surprised to see that Bud and Olga are telling us not to move here. Should we consider this as a discrimination? Owners can stay wherever they want, it is their personal choice where they want to stay and when.

Thank you.

sincerely

Francis T Kun

Atelier Designs

www.atdes.net

email: frank@atdes.net

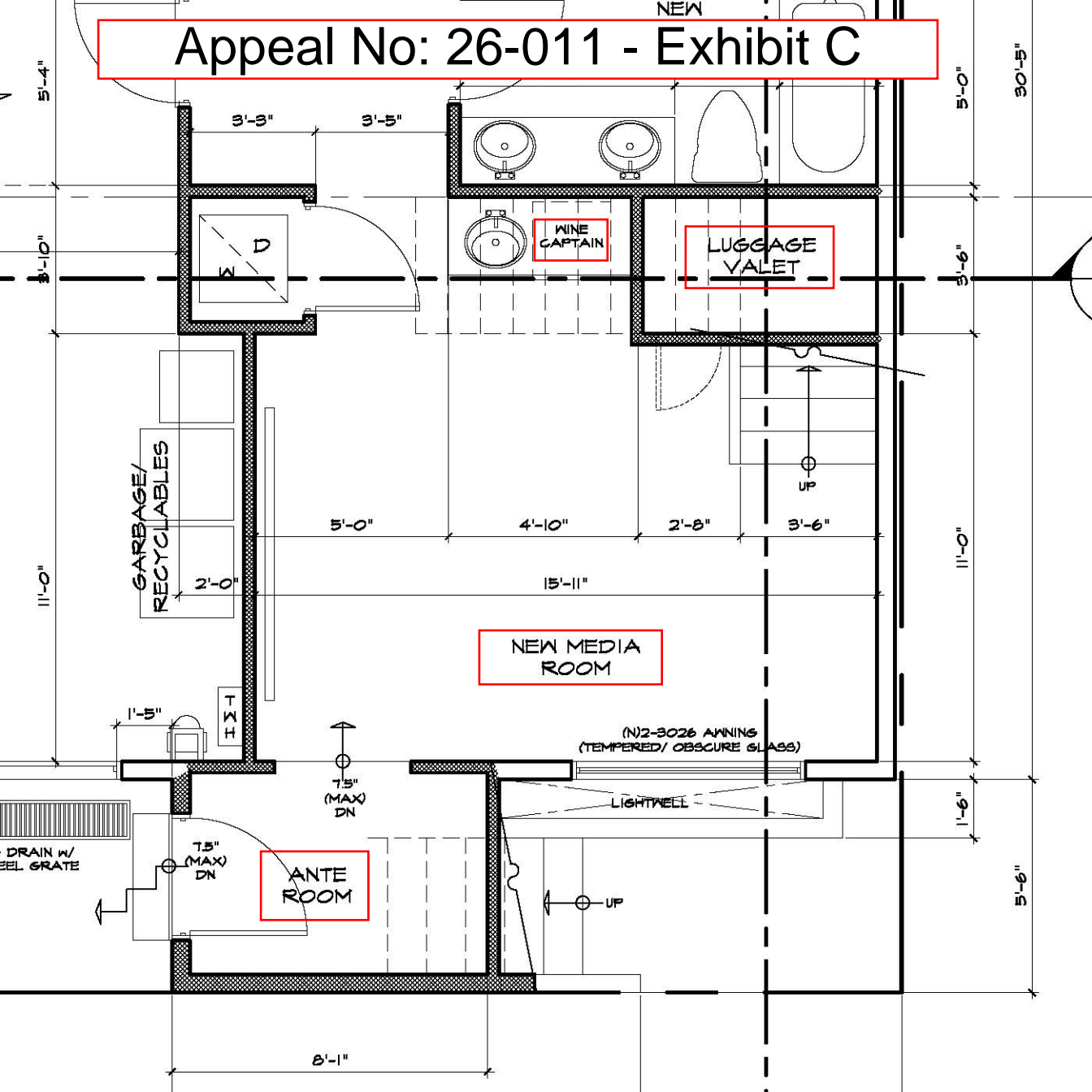
(408) 806-8188, (408) 767-2135

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From: Frank ATDES <frank@atdes.net>

Sent: Monday, June 23, 2025 4:31 PM

Appeal No: 26-011 - Exhibit C



12.04.13	PROPOSED
12.09.13	REV/CLASSIFICATION



www.knock-ad.com
ryan@knock-ad.com
415-215-2647

MONSARRAT RESIDENCE
170 BOCANA STREET, SAN FRANCISCO, CA 94110

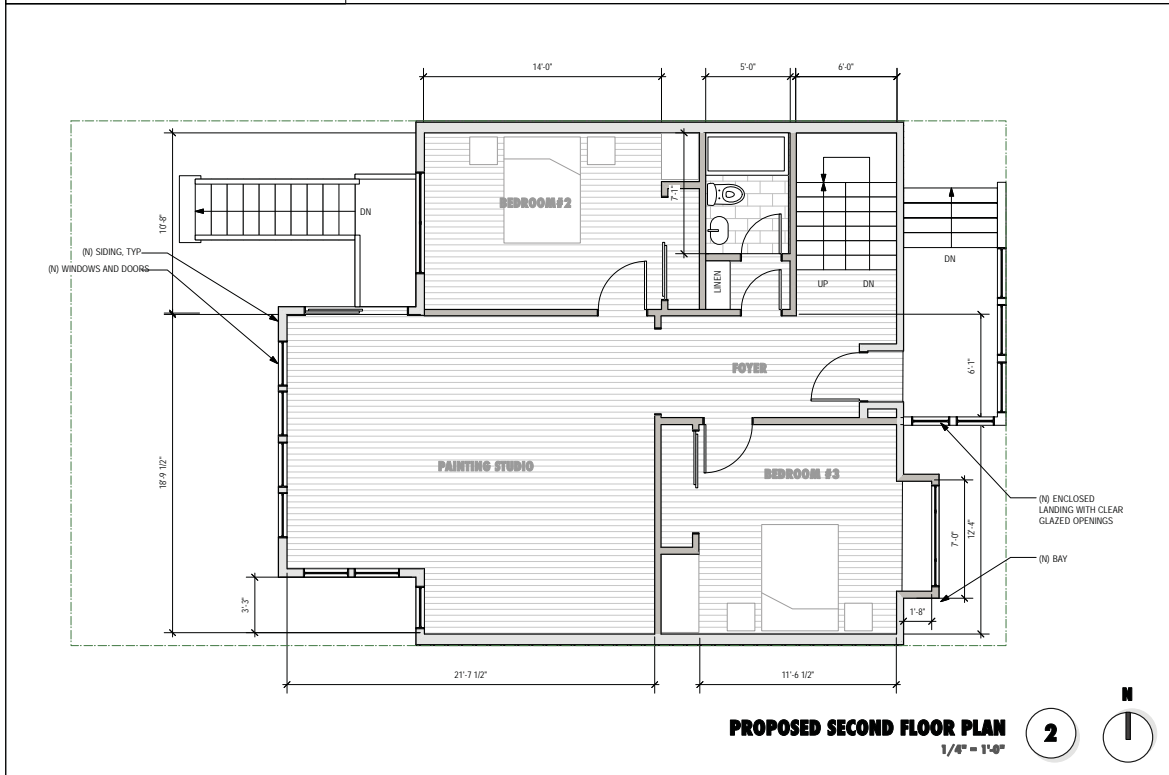
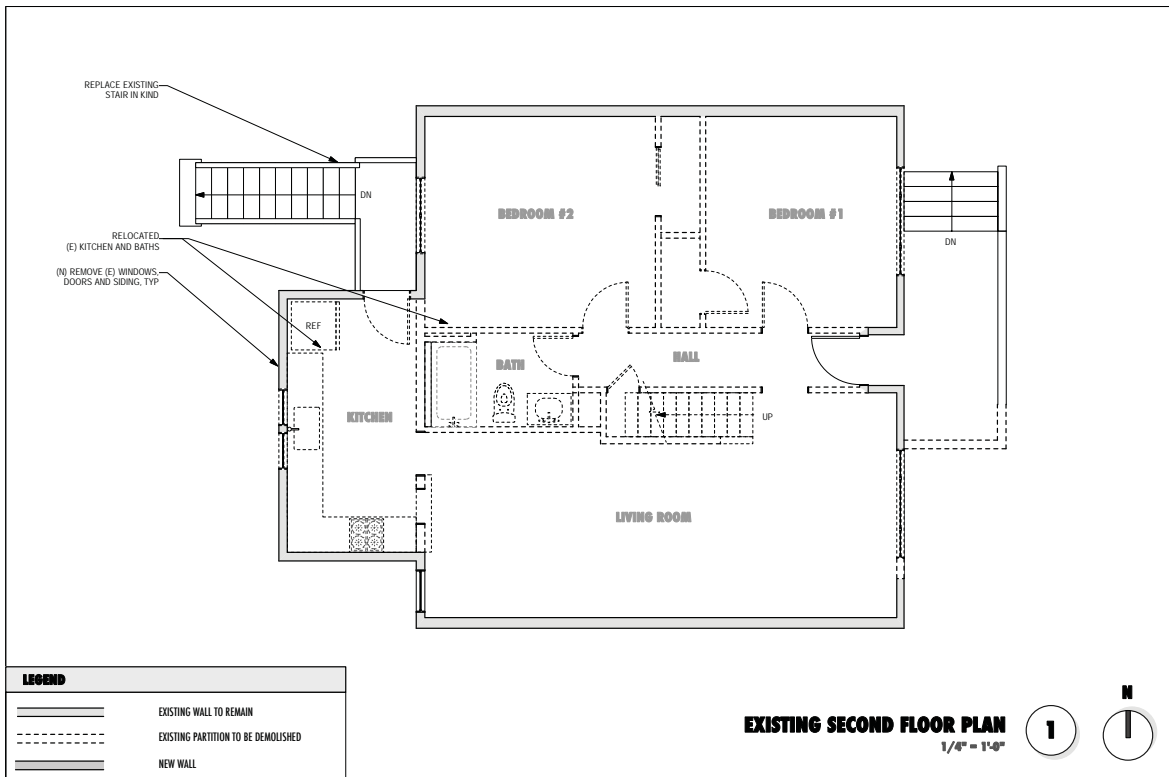
permit #:

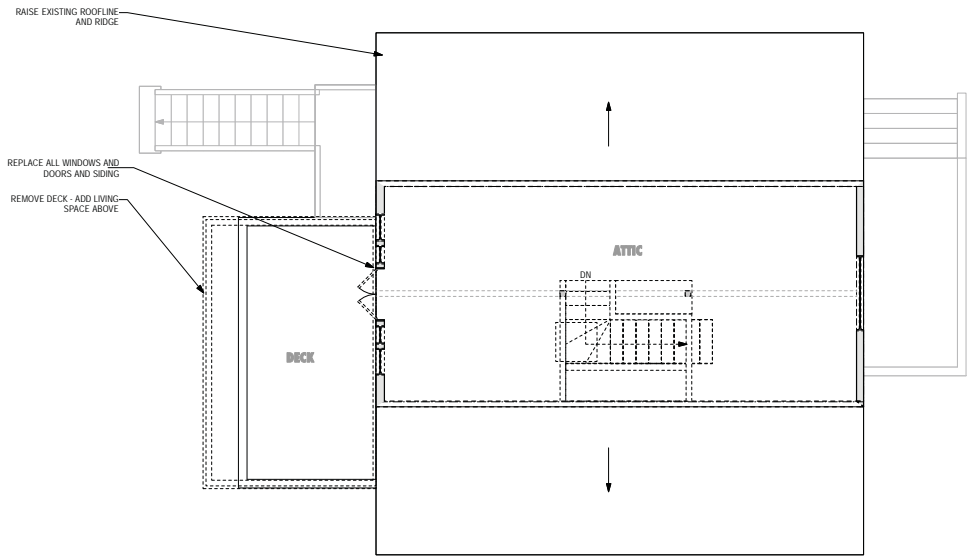
SECOND FLOOR PLANS

All drawings and written material appearing herein constitute original and confidential work of the Architect and may not be duplicated, used, or disclosed without the written consent of the Architect.

A2.2

SCALE:
PLOT DATE:

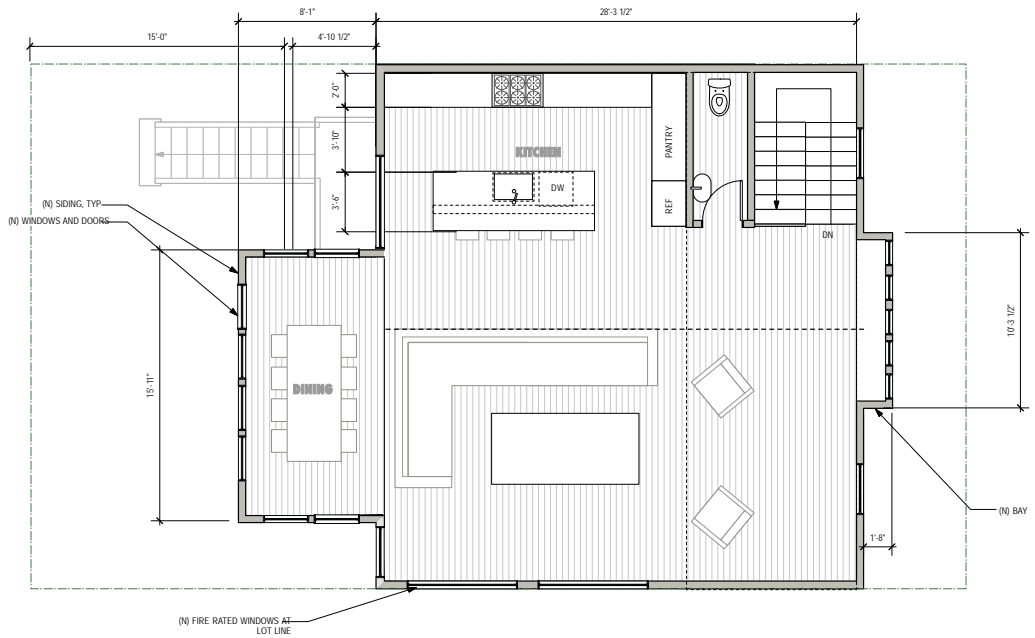




LEGEND

	EXISTING WALL TO REMAIN
	EXISTING PARTITION TO BE DEMOLISHED
	NEW WALL

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



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

13.04.13	PROBIFICATION
13.09.13	REV/CLASSIFICATION



www.knock-ad.com
ryan@knock-ad.com
415-215-2647

MONSARRAT RESIDENCE
170 BOCANA STREET, SAN FRANCISCO, CA 94110

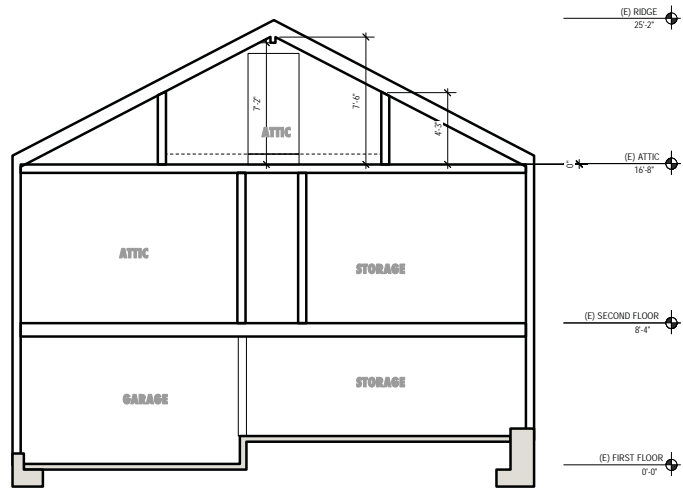
permit #:

THIRD FLOOR PLANS

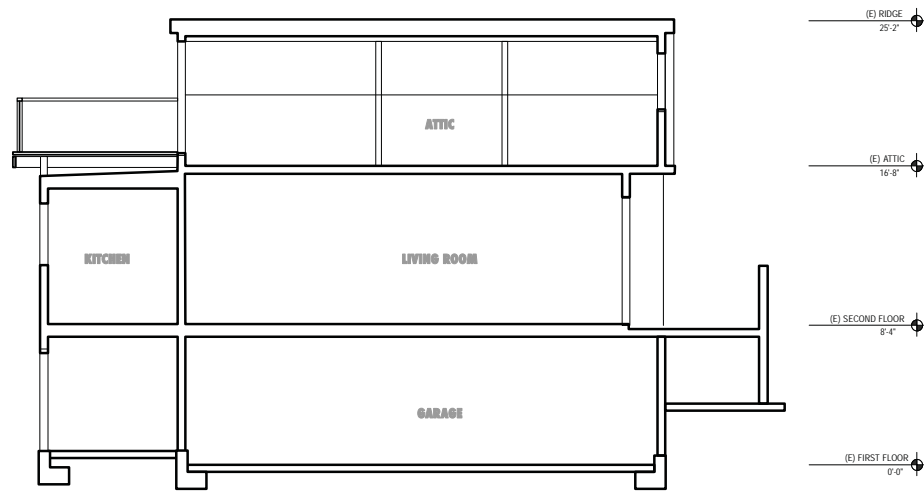
All drawings and written material appearing herein constitute original and confidential work of the Architect and may not be duplicated, used, or disclosed without the written consent of the Architect.

A2.3

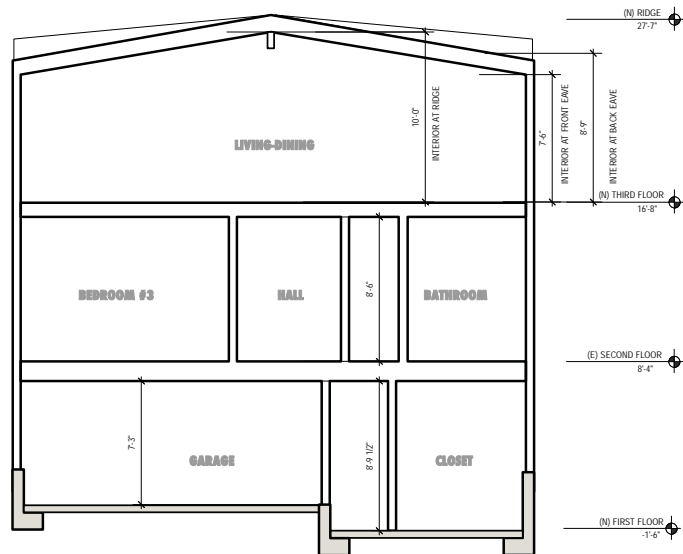
SCALE:
PLOT DATE:



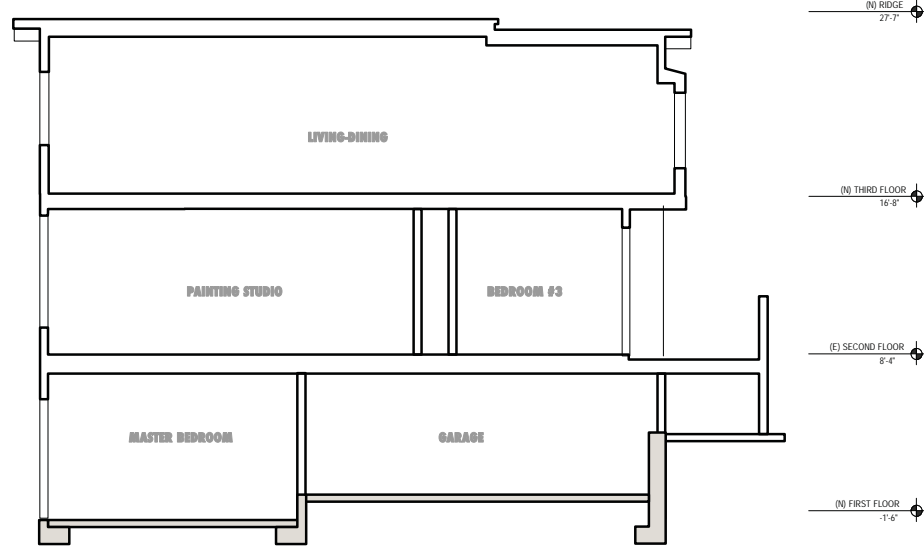
EXISTING TRANSVERSE SECTION **3**
1/4" = 1'-0"



EXISTING LONGITUDINAL SECTION **1**
1/4" = 1'-0"



PROPOSED TRANSVERSE SECTION **4**
1/4" = 1'-0"



PROPOSED LONGITUDINAL SECTION **2**
1/4" = 1'-0"

12.04.13	PROBIFICATION
12.09.13	REV/CLASSIFICATION



K a+d
KNOCK architecture
+ design
www.knock-ad.com
ryan@knock-ad.com
415-215-2647

MONSARRAT RESIDENCE
170 BOCANA STREET, SAN FRANCISCO, CA 94110
permit #:

BUILDING SECTIONS

All drawings and written material appearing herein constitute original and copyrighted work of the Architect and may not be duplicated, used, or disclosed without the written consent of the Architect.

A4.0

SCALE:
PLOT DATE:

Appeal No: 26-011 - Exhibit E

From: [Enchill, Charles \(CPC\)](#)
To: [Parinas, Suzette \(CPC\)](#); [Fossi, Natalia \(CPC\)](#); [Teague, Corey \(CPC\)](#)
Subject: Re: Neighbor Support for Reduced Plan – 170 Bocana Street
Date: Tuesday, August 19, 2025 1:35:47 PM

Understood. Thank you Suzy.

Charles Enchill, Senior Preservation Planner
Districts 9 & 10, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7551 | www.sfplanning.org
[San Francisco Property Information Map](#)

Please note that I'm acting team lead through Friday, August 22nd. There may be a delay in response to previously assigned projects as I respond to additional team inquiries. Thank you for your patience.

From: Parinas, Suzette (CPC) <Suzette.Parinas@sfgov.org>
Sent: Tuesday, August 19, 2025 1:30 PM
To: Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Enchill, Charles (CPC) <charles.enchill@sfgov.org>
Subject: RE: Neighbor Support for Reduced Plan – 170 Bocana Street

Hi Charles,

I changed your saved document for this email to background documents so it will not be for public view.

Best,
Suzette E. Parinas
Zoning Administrator's Office/Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7398 | | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Arun <aubale@yahoo.com>
Sent: Tuesday, August 19, 2025 12:06 PM
To: Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Enchill, Charles (CPC) <charles.enchill@sfgov.org>
Cc: Francis <frank@atdes.net>; Parinas, Suzette (CPC) <Suzette.Parinas@sfgov.org>
Subject: Re: Neighbor Support for Reduced Plan – 170 Bocana Street

Hi Charles,
I hope you're doing well.
I'm following up regarding the email I sent referencing my neighbors at 174 and 179 Bocana Street. I wasn't aware that it would be uploaded to a public server – the message was intended solely for your internal reference. To clarify: while I had kept both neighbors informed and had not received any objections, they reached out to me last night to express that they do not wish to be named or associated with any public documentation. It was my oversight to assume they'd be okay with this, and I sincerely apologize. Out of respect for their wishes, I kindly request that both their names – and my previous email – be removed from the official record and any public postings.
Thank you for your understanding, and I'm sorry for any inconvenience this may have caused.
Best regards,
Arun

On Tuesday, August 12, 2025 at 12:03:32 PM PDT, Arun <aubale@yahoo.com> wrote:

Hi Charles,
Thanks for confirming.
I also want to share that **Jenn Panasik**, my immediate neighbor at **174 Bocana Street**, and **Eduardo Aliaga**, my neighbor across the street at **179 Bocana Street**, are both supportive of the revised plan. They were also okay with the previous plan. They have been very encouraging about getting the work completed so we can move in. I've met with both of them multiple times in person and have exchanged numerous emails to keep them updated and to answer any questions. They've been great neighbors and very supportive throughout this process.
Thanks again, and I hope you have a great rest of the day.
Best regards,
Arun

On Tuesday, August 12, 2025 at 07:55:13 AM PDT, Enchill, Charles (CPC) <charles.enchill@sfgov.org> wrote:

Received. Thank you Arun.

Charles Enchill, Senior Preservation Planner
Districts 9 & 10, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7551 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Arun <aubale@yahoo.com>

Sent: Monday, August 11, 2025 4:13 PM

Appeal No: 26-011 - Exhibit F

Jen Panasik <jpanasik@gmail.com>

8/18/2025 11:07 PM

Re: 170 Bocana Street

To Bud Ryerson <bud@budryerson.com>

That doesn't represent my position at all and I've asked him already once not to assume my intentions. Thanks for sending this. I'll bring it up with him (but annoyed I have to since I already asked him not to use me).

Here's what I wrote to him on June 21, 2025:

Hi Arun – as I mentioned, I'm on vacation and not checking messages. I'm not writing a letter and acceptance of your plans because I'm not getting involved in your permitting process. My neighbors are not in agreement with your need for a variance and they want to uphold a non-variance neighborhood to keep the character intact. I'm not signing their petition and I'm not writing a letter of agreement or acceptance of your plans.

I know this is a tough process, but it's one that is your responsibility. In the future, please don't assume any of my intentions just because I haven't responded to you. Thank you.

x
jen

On Mon, Aug 18, 2025 at 10:32 PM Bud Ryerson <bud@budryerson.com> wrote:

Dear Jen,

Today, in the Planning Depot. archives, I noticed an email from the owners of 170 Bocana (attached). They claim to have your support for their project. The last word I heard from you was that you were "going to stay neutral" and you were "not getting involved" in their permitting process.

Whatever you want to do is fine with me; but I would like to be sure that they are accurately representing your support. Can you please just drop me a line and let me know?

Thanks,

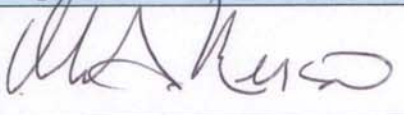


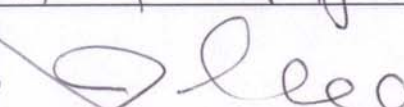
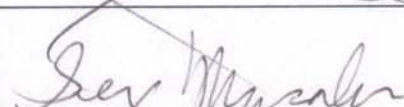
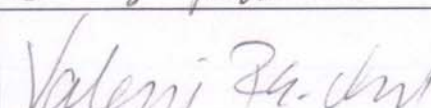
Bud

Petition to Deny Application for Variances

Project Number: 2024-009969VAR Variance (VAR) 170 BOCANA


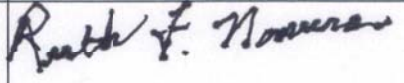
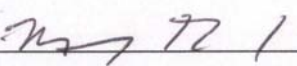
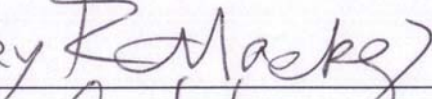
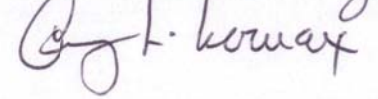
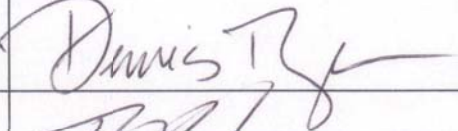
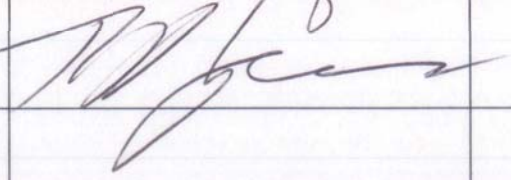
Appeal No: 26-011 - Exhibit G

Petition summary and background	Outside the limits of the City Planning Code and the character of our neighborhood. A permit for the proposed project requires approval of two "variances" (exceptions) from the Code by the Zoning Administrator. A description of the proposed project and the two requested variances is attached.
Action petitioned for	We, the undersigned, are concerned neighbors who request that the Zoning Administrator deny these variances.

Printed Name	Signature	Address	Comment or Email	Date
Olga Ryerson		175 Bocana St.	OARYERSON@yahoo.com	06/14/25
Steven Bougon		223 Bocana St	bocana@bougon.com	06/19/25
Marie Grimes	Marie Grimes	169 Bonview St.		06/14/25
Randi Myrseth		158 Bocana St	Randimyrseth158@gmail.com	6/14-25
Joan & Leo Galt		158 Bocana St		
George Maraluso		154 Bocana ST		6/15/25
Valerie Reichert		156 Bocana St	reichertvalerie@gmail.com	6/15/25

Petition to Deny Application for Variances
Project Number: 2024-009969VAR Variance (VAR) 170 BOCANA

Petition summary and background	Outside developers propose to enlarge the existing structure at 170 Bocana Street beyond the limits of the City Planning Code and the character of our neighborhood. A permit for the proposed project requires approval of two "variances" (exceptions) from the Code by the Zoning Administrator. A description of the proposed project and the two requested variances is attached.
Action petitioned for	We, the undersigned, are concerned neighbors who request that the Zoning Administrator deny these variances.

Printed Name	Signature	Address	Comment or Email	Date
ALLEN NOMURA		177 BOCANA ST.		6/15/25
Ruth Nomura		178 BOCANA ST		6/15/25
MARY ROWELL		218 Coetland Ave		6/20/25
Robin Mackey		249 Bocana St		6/20/25
Gary Lomax		177 Bonview st		6/21/2025
Dennis Tyler		177 Bonview St		6/21/2025
THOMAS W. RYERSON		175 BOCANA ST. SF, CA 94110	BUD @ BUDDRYERSON.COM	6/22/25



REISSUED VARIANCE DECISION

Date: February 25, 2026
Case No.: 2024-009969VAR
Project Address: 170 Bocana Street
Block/Lots: 5620/019
Zoning: RH-1 (Residential-House, One Family)
 Bernal Heights SUD
Height/Bulk: 40-X Height and Bulk District
Applicant: Francis Tan Kun
 PO Box 2169
 Gilroy, CA 95021
Owner: The Star Family Revocable Trust
 12546 Northampton Court
 Saratoga, CA 95070
Staff Contact: Tina Tam – 628-652-7385
 tina.tam@sfgov.org

Description of Variance – Rear Yard and Mass Reduction Variance Sought:

The project proposes to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing single-family building.

Planning Code Section 242(e)(2)(A) requires the subject lot to maintain a rear yard equal to 35% of the lot depth. The proposed replacement stairs and firewall will be located within the required rear yard. Therefore, a variance is required.

Planning Code Section 242(e)(3) requires a total mass reduction of 650 square feet from the total permitted building area. The project proposes a mass reduction of approximately 288 square feet. Therefore, a variance is required.

Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.
2. The Zoning Administrator held a public hearing on **Variance Application No. 2024-009969VAR on August 27, 2025**. Public notice was provided jointly with the variance hearing pursuant to Planning Code Section 311. No request for Discretionary Review was filed.

3. Revised plans were submitted on **January 26, 2026**, that removed the proposed rear extension on the ground floor and provided updated mass reduction calculations.
4. A final decision letter was issued on **February 6, 2026**, and was emailed to the applicant and other interested parties that had requested a copy of the issued letter. However, due to a technical issue, that email was not received by any party outside the City's system. This reissued decision letter supersedes the original decision, but includes the same findings, and is being reissued to ensure adequate notice of the final decision to all interested parties.

Decision:

GRANTED, in general conformity with the revised plans on file with this application, shown as EXHIBIT A, to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing, single-family building, subject to the following conditions:

1. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if a Site or Building Permit has not been issued within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
2. The proposed firewall for the new stair structure in the rear must be no taller than required by the Building Code.
3. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is consistent with this variance approval. If the Zoning Administrator determines that a future proposal is not consistent with this variance approval, then they may require either notice to adjacent and/or affected property owners or a new variance be sought and justified.
4. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
5. Minor modifications as determined by the Zoning Administrator may be permitted.
6. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

Findings:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

Requirement Met.

This is reversed. The slope of this lot actually increases usability of the interior space.

- A. While lots in Bernal Heights are typically small, lots on the east-facing half of the subject block are particularly small, having a depth of only 55 feet. The lots on the west-facing half of the subject block are a more typical depth of 70 feet. Additionally, the subject lot slopes down from front to rear such that a portion of the ground floor is below grade and behind then front entry, which limits the useability of that interior space. Finally, the adjacent building to the north extends approximately 7 feet deeper than the subject building.

A know, non-compliant extension of a neighbor building is neither exceptional nor extraordinary and does not justify an exemption from the Code.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

What difficulty or hardship?

Requirement Met.

Compared to what?

What's typical? What's the new formula?

- A. Due to the circumstances described above, the literal enforcement of the mass reduction and rear yard requirements would have outsized and unintended impacts on the development and enjoyment of the subject property. For a lot that is 55 feet in depth, the 650 square-foot mass reduction represents a more significant reduction of development potential of the site than typical. The shifting of the rear stair structure will allow one of the new ground floor bedrooms to directly access the rear yard.

What shifting structure? What happened to "limited useability"?

FINDING 3.

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

Requirement Met.

- A. Granting this variance will allow the subject property to provide modest increase in useable floor are and improved livability substantial impacts to surrounding properties, which is a substantial

This phrase does not make sense as written. Is it a typo?

property right possessed by other properties in the same class of district.

Which comparable other properties "provide a modest increase in floor area and improved livability"? Examples please?

FINDING 4.

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

Requirement Met.

- A. While the project will increase the mass at the top floor, that massing will only be 13 feet deep by approximately 24 feet wide, and will be set back nearly 15 feet from the front of the building. Given the narrowness of the street and the existing street trees, that new mass will be minimally visible from Bocana Street. The relocated stair structure and firewall in the rear will be no taller than required by the Building Code and will be adjacent to the deeper blind wall of the adjacent building.
- B. The Department received written and oral opposition from several neighbors. However, no request for Discretionary Review was filed and the Department determined the project to be consistent with the Residential Design Guidelines.

Planning did not suggest or advise the community to file a DR.

FINDING 5.

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Requirement Met.

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
 1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing dwelling unit on the property.
 3. The proposed project will have no effect on the City's supply of affordable housing.
 4. The proposed project does not adversely affect neighborhood parking or public transit.
 5. The project will have no effect on the City's industrial and service sectors.

There are claims to the contrary,
and no evidence as to which
claim is true.

6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
7. The project will have no effect on the City's landmarks or historic buildings.
8. The project would not affect any existing or planned public parks or open spaces.

The effective date of this decision shall be either the date of this decision letter if not appealed, or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is used, all specifications and conditions of the variance authorization become immediately operative.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit sfgov.org/bdappeal.

Very truly yours,



Corey A. Teague, AICP
Zoning Administrator

This is not a permit to commence any work or change occupancy.
Permits from appropriate departments must be secured before work is started or occupancy is changed.



Appeal No: 26-011 - Exhibit H2

1000 Market Street, Suite 1400
San Francisco, CA 94103
www.sfplanning.org

REISSUED VARIANCE DECISION

Date: February 25, 2026
Case No.: 2024-009969VAR
Project Address: 170 Bocana Street
Block/Lots: 5620/019
Zoning: RH-1 (Residential-House, One Family)
 Bernal Heights SUD
Height/Bulk: 40-X Height and Bulk District
Applicant: Francis Tan Kun
 PO Box 2169
 Gilroy, CA 95021
Owner: The Star Family Revocable Trust
 12546 Northampton Court
 Saratoga, CA 95070
Staff Contact: Tina Tam – 628-652-7385
 tina.tam@sfgov.org

Description of Variance – Rear Yard and Mass Reduction Variance Sought:

The project proposes to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing single-family building.

Planning Code Section 242(e)(2)(A) requires the subject lot to maintain a rear yard equal to 35% of the lot depth. The proposed replacement stairs and firewall will be located within the required rear yard. Therefore, a variance is required.

Planning Code Section 242(e)(3) requires a total mass reduction of 650 square feet from the total permitted building area. The project proposes a mass reduction of approximately 288 square feet. Therefore, a variance is required.

Procedural Background:

1. The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.
2. The Zoning Administrator held a public hearing on **Variance Application No. 2024-009969VAR on August 27, 2025**. Public notice was provided jointly with the variance hearing pursuant to Planning Code Section 311. No request for Discretionary Review was filed.

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4. A final decision letter was issued on **February 6, 2026**, and was emailed to the applicant and other interested parties that had requested a copy of the issued letter. However, due to a technical issue, that email was not received by any party outside the City's system. This reissued decision letter supersedes the original decision, but includes the same findings, and is being reissued to ensure adequate notice of the final decision to all interested parties.

Decision:

GRANTED, in general conformity with the revised plans on file with this application, shown as EXHIBIT A, to construct a vertical addition, replacement of the rear stair structure, and interior remodeling of the existing, single-family building, subject to the following conditions:

1. The authorization and rights vested by virtue of this decision letter **shall be deemed void and cancelled** if a Site or Building Permit has not been issued within three years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
2. The proposed firewall for the new stair structure in the rear must be no taller than required by the Building Code.
3. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is consistent with this variance approval. If the Zoning Administrator determines that a future proposal is not consistent with this variance approval, then they may require either notice to adjacent and/or affected property owners or a new variance be sought and justified.
4. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
5. Minor modifications as determined by the Zoning Administrator may be permitted.
6. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

Findings:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

Requirement Met.

- A. While lots in Bernal Heights are typically small, lots on the east-facing half of the subject block are particularly small, having a depth of only 55 feet. The lots on the west-facing half of the subject block are a more typical depth of 70 feet. Additionally, the subject lot slopes down from front to rear such that a portion of the ground floor is below grade and behind then front entry, which limits the useability of that interior space. Finally, the adjacent building to the north extends approximately 7 feet deeper than the subject building.

FINDING 2.

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in a practical difficulty or unnecessary hardship not created by or attributed to the applicant or the owner of the property.

Requirement Met.

- A. Due to the circumstances described above, the literal enforcement of the mass reduction and rear yard requirements would have outsized and unintended impacts on the development and enjoyment of the subject property. For a lot that is 55 feet in depth, the 650 square-foot mass reduction represents a more significant reduction of development potential of the site than typical. The shifting of the rear stair structure will allow one of the new ground floor bedrooms to directly access the rear yard.

FINDING 3.

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

Requirement Met.

- A. Granting this variance will allow the subject property to provide modest increase in useable floor are and improved livability substantial impacts to surrounding properties, which is a substantial

property right possessed by other properties in the same class of district.

FINDING 4.

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

Requirement Met.

- A. While the project will increase the mass at the top floor, that massing will only be 13 feet deep by approximately 24 feet wide, and will be set back nearly 15 feet from the front of the building. Given the narrowness of the street and the existing street trees, that new mass will be minimally visible from Bocana Street. The relocated stair structure and firewall in the rear will be no taller than required by the Building Code and will be adjacent to the deeper blind wall of the adjacent building.
- B. The Department received written and oral opposition from several neighbors. However, no request for Discretionary Review was filed and the Department determined the project to be consistent with the Residential Design Guidelines.

FINDING 5.

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

Requirement Met.

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
 - 1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
 - 2. The proposed project will be in keeping with the existing housing and neighborhood character. The proposal will preserve the existing dwelling unit on the property.
 - 3. The proposed project will have no effect on the City's supply of affordable housing.
 - 4. The proposed project does not adversely affect neighborhood parking or public transit.
 - 5. The project will have no effect on the City's industrial and service sectors.

6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
7. The project will have no effect on the City's landmarks or historic buildings.
8. The project would not affect any existing or planned public parks or open spaces.

The effective date of this decision shall be either the date of this decision letter if not appealed, or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted variance is used, all specifications and conditions of the variance authorization become immediately operative.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 (14th Floor), call 628-652-1150, or visit sfgov.org/bdappeal.

Very truly yours,



Corey A. Teague, AICP
Zoning Administrator

**This is not a permit to commence any work or change occupancy.
Permits from appropriate departments must be secured before work is started or occupancy is changed.**

Appeal No: 26-011 - Exhibit J

Enchill, Charles (CPC) <charles.enchill@sfgov.org>

11/4/2025 6:27 PM

Re: 170 Bocana Street Variance Hearing, Wednesday, August 27, 2025

To Bud Ryerson <bud@budryerson.com> • Teague, Corey (CPC) <corey.teague@sfgov.org> Copy
Olga Ryerson <oaryerson@gmail.com>

Hello Bud and Olga,

I'm responding to your email since Corey is out of office until Friday. On September 14th the owner confirmed they are not making any additional design changes. All your communications have been received. The Zoning Administrator currently has this under advisement and you'll be notified as an interested party when a decision is issued. Thank you for your patience.

Best,

Charles Enchill, Senior Preservation Planner
Districts 9 & 10, Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7551 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Bud Ryerson <bud@budryerson.com>

Sent: Monday, November 3, 2025 1:39 PM

To: Teague, Corey (CPC) <corey.teague@sfgov.org>

Cc: Enchill, Charles (CPC) <charles.enchill@sfgov.org>; Olga Ryerson <oaryerson@gmail.com>

Subject: 170 Bocana Street Variance Hearing, Wednesday, August 27, 2025

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mr. Corey Teague, Zoning Administrator
Office of the Zoning Administrator
Department of City Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103
corey.teague@sfgov.org

Subject: 170 Bocana Street Variance Hearing (Rear Yard; Mass Reduction)
Wednesday, August 27, 2025

Dear Mr. Teague,

At a hearing on August 27th, 2025, I represented a community of concerned neighbors regarding a variance (2024-009969VAR) for a project (2024-009969PRJ) in Bernal Heights. Since that time more than two months ago, I have heard nothing from the Project Planner, Mr. Charles, Enchil or anyone else regarding the status of that project. And I have been checking San Francisco Planning Department's Accela website regularly for any updates.

According to the Accela website, the Record Status for this project still says "Under Review"; and there have been no further "attachments" to the page since August 20th, 2025, one full week before the hearing. Also, there are still no recordings, videos, minutes or an agenda posted to the Zoning Variance Hearing Archives for that hearing on August 27th, 2025.

We are aware that the wheels of government can turn slowly, but it is our understanding that the Zoning Administrator will usually make a decision within 60 days of a hearing. We do not understand why this decision is taking so long. And frankly, we are becoming concerned that we may not have been included in the announcement of your decision.

When you can, please let us know the approximate date for the announcement of your (presumably) upcoming decision so that we can inform our community and, if necessary, begin to prepare our response.

Respectfully,

Bud & Olga Ryerson
175 Bocana Street
San Francisco, CA 94113
415-282-5268

cc: Charles Enchill, Senior Preservation Planner
Districts 9 & 10, Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
charles.enchill@sfgov.org

Appeal No: 26-011 - Exhibit K

Please see page 2

Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7328 | sfplanning.org

[San Francisco Property Information Map](#)

From: Arun <aubale@yahoo.com>
Sent: Friday, January 16, 2026 3:45 PM
To: Teague, Corey (CPC) <corey.teague@sfgov.org>
Cc: Francis <frank@atdes.net>; Tam, Tina (CPC) <tina.tam@sfgov.org>
Subject: Re: Final Plan Confirmation – 170 Bocana Street

Hi Corey,

No worries at all, and no need to apologize. I hope you had a great holiday season.

Thank you for the update — we really appreciate it, and thank you as well for your continued time and attention on this case.

I'm available to meet on Friday, 1/23, anytime between 10:00 AM and 12:00 PM, depending on what's most convenient for you. Francis is also available during that window. Please let us know which time works best, and we'll plan accordingly.

Hi Tina,

Nice to e-meet you, and we look forward to working with you.

Have a great weekend,

Arun

On Jan 16, 2026, at 1:33 PM, Teague, Corey (CPC) <corey.teague@sfgov.org> wrote:

Arun,

I first want to apologize for the delayed response, as I had communicated before that I would be able to respond by the end of the year, and that unfortunately did happen. However, I do want to let you know that I intend to grant the variance pursuant to the revised plans. But before I do so, I want to meet with you again to go over the plans and numbers in detail to ensure we have the most accurate calculation as possible for the actual amount of mass reduction provided.

To that end, please let me know if you are available at any of the following times:

-Tuesday, 1/20, at 4:30pm

-Wednesday, 1/21/ between 4:00 and 5:00pm

-Friday, 1/23 – very flexible that day

Finally, I also want to let you know that Charles recently left the Department. Tina Tam is the manager of development review in this area, and she is copied on this email. Thanks.

Corey A. Teague, AICP, LEED AP

Zoning Administrator

Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7328 | sfplanning.org

[San Francisco Property Information Map](#)

From: Teague, Corey (CPC)

Sent: Friday, December 19, 2025 2:56 PM

To: 'Arun' <aubale@yahoo.com>; Enchill, Charles (CPC) <Charles.Enchill@sfgov.org>

Cc: Francis <frank@atdes.net>

Subject: RE: Final Plan Confirmation – 170 Bocana Street

Appeal No: 26-011 - Exhibit L



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For technical issues or error messages email cpc.publicportal@sfgov.org. Providing a screenshot, error message, and the action being taken can speed the response or correction greatly.

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Please note the date at the bottom of this screen grab, February 12th, 2026, seven days after the VDL was issued.

**Record 2024-009969PRJ:
Project Profile (PRJ)
Record Status: Under Review
Expiration Date: 01/31/2024**

[Record Info ▾](#)

For Documents:

1. **Select the record of interest ***
2. **Click Record Info**
3. **Select Attachments**

* To list project records, click on Record Info and select Related Records.

Documents available online do not represent the full administrative record. To review the complete file for active records, please contact the assigned planner. To review closed records, please request the record via email at CPC-RecordRequest@sfgov.org.

Work Location

170 BOCANA ST
, 94110 *

February 12th, 2026

Record Details

Project Description:

On the ground floor, remodel the existing 1-car garage and convert the unconditioned space into 2 bedrooms and media room. On the first floor, remodel the existing kitchen, bedrooms, living and dining area, convert existing attic into new second-floor w/ master suite, laundry, den.

► More Details

Appeal No: 26-011 - Exhibit M

Bud Ryerson <bud@budryerson.com>

3/22/2026 10:53 PM

RE: 170 Bocana - Immediate Disclosure Request - Public Record Request

To CPC-RecordRequest <cpc-recordrequest@sfgov.org> • Teague, Corey (CPC) <corey.teague@sfgov.org> Blind copy bud@budryerson.com

March 23rd, 2026

Chan Son, Executive Secretary
Record Request
San Francisco Planning
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

Dear Mr. Chan Son,

At the Variance Hearing held on August 27th, 2025, I had the opportunity to speak for three minutes on behalf of myself and sixteen neighbors who live closest to the project in opposition to the variance under consideration and about the history and importance of the Bernal SUD building codes.

At the hearing, the Zoning Administrator (ZA) said:

*"You all can take in the full public comment and continue working with the project planner to see if there are any revisions or tweaks that you are interested in or potentially interested in making to the project or again you may land on a position where it's you get to a place where we can't make any more revisions without making the project not really feasible and so this is kind of what we're finally proposing. Wherever that gets, that's fine, but **that will then be kind of the final proposal.**"* (emphasis added)

After the hearing, in an email to Sr. Planner Charles Enchill and the ZA on September 14th, 2025, the project sponsors declared:

*"This is our **final plan confirmation... We are not making any additional design changes.**"* (emphasis in the original)

In an email to me on November 4th, Sr. Planner Enchill assured me of the sponsors' "final" decision.

The records you provided to me on March 16th indicate that for the next several months after the Variance Hearing on August 27th, public officials and the project sponsors held meetings or virtual meetings, exchanged messages, left voicemail and participated in phone calls with each other individually and collectively. These public officials apparently discussed matters of public concern, e.g. the outcome of a public hearing, in private and completely out of the public view. The existence and substance of these discussions were never revealed to the public.

My records request of March 6th, 2026, included all records whether electronic or written including emails, letters, memorandums, notes, text messages, voicemail, audio or video recordings, phone records, etc., related in any way, directly or indirectly, to the property at 170 Bocana Street known as Block 5620/019. I believe that the records that you did send to me on March 16th, 2026, are incomplete. Please facilitate my request and help me obtain a full disclosure of the records that I requested.

1. Please provide records of any kind of any relevant meetings or virtual (i.e. Microsoft Teams) meetings, including calendar entries, whether electronic or written, times, dates, durations, participants, all notes, whether electronic or written, and recordings.
2. Please provide records of any relevant voice mails, text messages or phone conversations, including calendar entries, whether electronic or written, times, dates, durations, participants, all notes, whether electronic or written, and recordings of any kind.
3. Please provide any and all records, electronic or written, of what was discussed during these meetings, and any records of any communication between any public officials related in to these meetings including calendar entries,

whether electronic or written, times, dates, durations, participants, all notes, whether electronic or written, and recordings of any kind.

In his emails, the ZA requested a database of Board of Appeals decisions. What was done with this information? What further public records or documents were produced?

4. Please provide any and all records, electronic or written, that resulted from the ZA's receipt, use of, discussion of, or analysis of the database mentioned above.

On February 5th, 2026, the ZA released his decision without notification to anyone other than the project sponsors. On February 6th, the ZA wrote, "*I don't know if anyone signed the sheet or specifically asked to receive a copy of the VDL.*" The ZA claims that he neglected to notify anyone other than the project sponsors, despite the assurance of Sr. Planner Enchill, due to a "technical glitch".

5. Please provide all records regarding this "technical glitch" including all records to or from any City department related to the investigation, i.e. the Department of Technology, the ultimate conclusion of this investigation, and any subsequent records that resulted from the investigation.

Finally, the Planning Department's public information website remained unchanged for weeks after issuance of the Variance Decision Letter. It still said the variance was "Under Review." Furthermore, there used to be at least ten pages of "attachments" to this page; and the last time I looked, there were less than six.

6. Please provide any records whether electronic or written including emails, letters, memorandums, notes, text messages, voicemail, audio or video recordings, phone records regarding the status and the content of the Planning Department's public website for this matter, who maintains it, who decides what it should say, what it should show, what it should hide, and when it should change, what were the changes, how were they carried out and by whom.

I realize this might be a lot. but this information is important to my appeal and I appreciate your help. Please let me know if you have any questions or concerns. And please keep me advised of your progress in completing my request.

Thank you very much,

Bud Ryerson
175 Bocana Street
San Francisco, CA 94110
415-282-5268

On 03/09/2026 1:54 PM PDT CPC-RecordRequest <cpc-recordrequest@sfgov.org> wrote:

Bud,
Thank you for contacting the Planning Department. Please note we are only able to produce records under Planning purview.

We are in receipt of your Immediate Disclosure Request. Pursuant to SF Administrative Code Section 67.25(a), we have determined that this is not a simple, routine or otherwise readily answerable request. Therefore, we will be processing it as a standard request and strive toward providing you with a complete response within 10 days of receipt. Finally, if we are unable to collect the information due to the voluminous nature or multiple agencies involved, we may be forced to invoke an extension, not to exceed 14 days (pursuant to SF Administrative Code Section 67.25(b) and CA Government Code Section 7922.535(a).

For this reason, we are treating your Immediate Disclosure Request as a standard public records request, subject to the normally applicable 10-day response time, with a possible extension. Accordingly, we will be in touch with you regarding the request by no later than March 16, 2026.

Thank you,

Chan Son, Executive Secretary
Record Request
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7346 | www.sfplanning.org (<http://www.sfplanning.org/>)
San Francisco Property Information Map (<https://sfplanninggis.org/pim/>)

From: Teague, Corey (CPC) <corey.teague@sfgov.org>
Sent: Friday, March 06, 2026 11:29 AM
To: Bud Ryerson <bud@budryerson.com>
Cc: BoardofAppeals (PAB) <boardofappeals@sfgov.org>; CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Subject: RE: 170 Bocana - Immediate Disclosure Request - Public Record Request

Bud,
I'm copying our records request staff so that they can coordinate the Planning Department response to your request. You also included the board of appeals on your email. It's not clear if you are requesting any records from the, but if so, please work directly with their staff on such a request. Thanks.

Corey A. Teague, AICP, LEED AP
Zoning Administrator

Current Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628-652-7328 | [sfplanning.org](http://www.sfplanning.org) (<http://www.sfplanning.org/>)
San Francisco Property Information Map (<http://www.sfplanninggis.org/pim/>)

From: Bud Ryerson <bud@budryerson.com>
Sent: Friday, March 6, 2026 9:41 AM
To: Teague, Corey (CPC) <corey.teague@sfgov.org>
Cc: BoardofAppeals (PAB) <boardofappeals@sfgov.org>
Subject: 170 Bocana - Immediate Disclosure Request - Public Record Request

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Immediate Disclosure Request - Public Record Request

Corey Teague, Zoning Administrator
Office of the Zoning Administrator
Department of City Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103
corey.teague@sfgov.org

Dear Administrator Teague,

I am appealing your Variance Decision Letter of February 25th regarding the property at 170 Bocana Street to the San Francisco Board of Appeals. To better understand your decision and the underlying process by which you reached it, I need to know more about your communications with the project sponsors.

Therefore, I am writing to your office to request immediate disclosure of all records since October 30th, 2024, related in any way, directly or indirectly, to the property at 170 Bocana Street known as Block 5620/019.

This immediate disclosure request is directed not only to you, but to all your associates, superiors, subordinates and to anyone in any department who may have had any involvement with that property, such as Planners Charles Enchill and Ella Samonsky.

Under the California Public Records Act § 6250 et seq., and the San Francisco Sunshine Ordinance, San Francisco Administrative Code Section 67.1, I am requesting an opportunity to inspect or obtain copies of all such documents whether electronic or written including emails, letters, memorandums, notes, text messages, voicemail, audio or video recordings, phone records, etc.

The San Francisco Administrative Code Section 67.21 requires a response as soon as possible and within ten days following receipt of this request. If access to the records I am requesting will take longer, please contact me with information about when I might expect copies or the ability to inspect the requested records. Additionally, please acknowledge receipt of this request for public records at your earliest convenience.

Please call me at (415) 282-5268 if you would like clarification to the documents I am seeking. Copies can be emailed to me atbud@budryerson.com, if they are abundant, I or my representative can come in to review the documents first and then indicate those we wish copied for a charge.

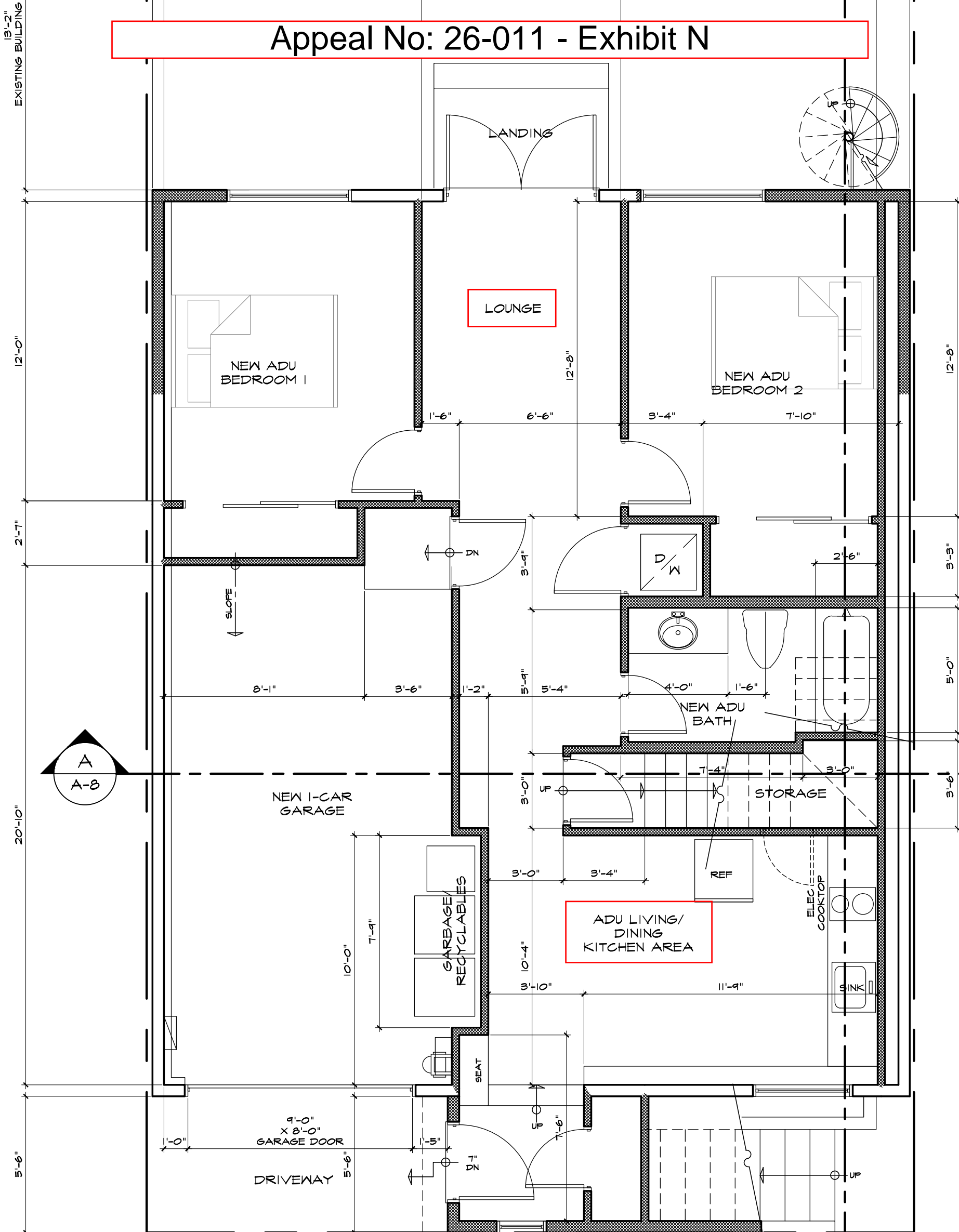
Also, in addition to the Planning Department, the Real Estate Division, the Department of Public Works, and the Office of the City Attorney, please advise me as to what other departments may have records related to this issue.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Respectfully,

Bud Ryerson
175 Bocana Street
San Francisco, CA 94110
415-282-5268

Appeal No: 26-011 - Exhibit N





VARIANCE FROM THE PLANNING CODE

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

Pursuant to Planning Code Section 305, the Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in the Planning Code. The first pages consist of instructions which should be read carefully before the application form is completed.

For more information email the Planning counter at the Permit Center at pic@sfgov.org.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. 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628.652.7550。請注意, 規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A VARIANCE?

The Planning Code regulates the use of property, including the size, design, and siting of buildings that may be constructed on a piece of property. The Planning Code has standards for buildings that govern such features as rear yards, front setbacks, usable open space, height, and parking. A variance is a request for an exception to a Planning Code standard. The Zoning Administrator is the City official that interprets and maintains the Planning Code.

WHEN IS A VARIANCE NECESSARY?

There may be special circumstances that make it difficult for a project to meet all of the Planning Code requirements. In those instances, a project sponsor may request that the Zoning Administrator grant a Variance from the Code provisions. Under the City Charter (Section 4.105), the Zoning Administrator has the power to grant only those variances that are consistent with the general purpose and the intent of the Planning Code. The power to grant a variance shall be applied only when the plain and literal interpretation and enforcement of the Code would “result in practical difficulties, unnecessary hardships, or where the results would be inconsistent with the general purpose of the [Code].”

Planning Code Section 305(c) outlines the five criteria that must be met in order for the Zoning Administrator to grant a variance. The Section 305(c) criteria are as follows:

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;
2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;
3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;
4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and
5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

HOW DOES THE PROCESS WORK?

Upon submittal of a complete application to the Planning Department, the Zoning Administrator will schedule a public hearing to consider whether to grant the Variance. Variance hearings typically occur on the last Wednesday of each month. Upon issuing the formal written decision either granting or denying the Variance in whole or in part, the Zoning Administrator shall forthwith transmit a copy the Variance decision letter to the applicant. The action of the Zoning Administrator shall be final and shall become effective 10 days after the date of his written decision except upon the filing of a valid appeal to the Board of Permit Appeals as provided in Section 308.2 of the Planning Code.

WHAT HAPPEN ONCE A VARIANCE IS APPROVED? HOW LONG IS A VARIANCE APPROVAL GOOD FOR?

Within approximately 30 to 60 days, the Zoning Administrator will issue a Variance Decision Letter. The authorization and rights vested by virtue of the decision letter shall be deemed void and cancelled if

1. a Building Permit has not been issued within three (3) years from the effective date of the decision; or
2. a Tentative Map has not been approved within three (3) years from the effective date of the decision for Subdivision cases; or
3. neither a Building Permit or Tentative Map is involved but another required City action has not been approved within three (3) years from the effective date of the decision.

FEES

Please refer to the [Planning Department Fee Schedule](#) available at www.sfplanning.org. For questions related to the Fee Schedule, please email the Planning counter at the Permit Center at pic@sfgov.org.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.

WHAT APPLICANTS SHOULD KNOW ABOUT THE PUBLIC HEARING PROCESS

A. The Zoning Administrator encourages applicants to meet with all community groups and parties interested in their application early in the entitlement process. In many cases, this is required as part of the Pre-application process. Department staff is available to assist in determining how to contact interested groups. Neighborhood organization lists are available on the Department's website. Notice of the hearing will be sent to groups in or near the neighborhood of the project. The applicant may be contacted by the Planning Department staff with requests for additional information or clarification. An applicant's cooperation will facilitate the timely review of the application.

B. The Zoning Administrator requests that applicants familiarize themselves with the procedure for public hearings, which are excerpted from the Planning Commission's Rules and Regulations below.

Hearings. A public hearing may be held on any matter before the Zoning Administrator at either a Regular (every 4th Wednesday of the month) or a Special Meeting. The procedure for such public hearings shall be as follows:

1. A description of the issue by Zoning Administrator along with the Planning Department's recommendation.
 2. A presentation of the proposal by the project sponsor for a period not to exceed 5 minutes.
 3. A presentation of opposition to the proposal, by organized opposition, for a period not to exceed 3 minutes.
 4. Public testimony from proponents of the proposal. An individual may speak for a period not to exceed 3 minutes.
 5. Public testimony from opponents of the proposal would be taken under conditions parallel to those imposed on proposal proponents, not to exceed 3 minutes.
 6. The project sponsor or applicant will be given a period, not to exceed 3 minutes, within which to clarify any questions raised in previous testimony.
 7. Discussion by the Zoning Administrator on the matter.
 8. The Zoning Administrator may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
- C. **Opportunities for Appeals by Other Bodies:** Zoning Administrator actions on Variances are final unless appealed to the Board of Appeals within 10 days of the Zoning Administrator's written decision.



VARIANCE FROM THE PLANNING CODE

SUPPLEMENTAL APPLICATION

Property Information

Project Address:

Block/Lot(s):

The Project is seeking a variance from Planning Code Section(s):

Variance Findings

PLEASE SEE ATTACHED DOCUMENT

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature

Name (Printed)

Date

Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Variance Findings

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

RESPONSE: The home was built in 1921 with a ceiling height of 8' at the 1-car parking area, and a height of less than 5 feet in the ground floor where **the proposed ADU** will be added, and setback and height regulations as established by the Bernal Heights Special Use District and rear yard setback requirements were not existence at the time.

The existing rear yard area of 523.56 sf will be reduced to 406.05 sf. The proposed 116.50 sf of addition area will require encroachment of spaces adjacent on each side of existing structure, but not exceeding said structure currently encroaching into the established rear yard area. Allowing this addition, as well as the proposed height increase, the home will still maintain the minimum open space area, and provide for a comfortable area for **an ADU** with 2-bedrooms with the proper building code compliant required minimum vertical height to be defined as a living space.

2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

RESPONSE: No major expansion or remodel to the existing structure have occurred since the house was built, this project proposes a total area of addition at the ground floor of 116.50 sf, and reclaiming the existing unconditioned ground floor area into **the proposed 2-bedroom ADU** by raising the building to achieve the minimum vertical height required to satisfy the building code definition of a living space, while rehabilitating/ remodeling and maintaining the existing 1-car garage space with provisions for a space for the recycling and trash bins.

At the first floor, an addition of 116.50 sf that follows the footprint of the addition on the ground floor, and remodel of the entire space that includes remodeling and relocation of the kitchen, dining, living and bedroom space and full bathroom, addition of new staircase to access the ground floor, as well as the new second floor area.

An addition of 990.66 sf of new second floor space with master suite, and a great room that can also serve as the family room.

The additional height proposed in order to provide the minimum height requirement for **the ADU** will result in an increase in the building's height, but will still be under the maximum required building height of 30 feet.

The existing exterior shingle sidings shall be replaced with horizontal sidings, maintaining the architectural style of the home with minimal impact to the existing aesthetics of the home, and help maintain the eclectic traditional craftsman style architectural motif presently dominating the neighborhood and surrounding buildings. **By following the literal enforcement of the specified provisions of this district, the addition of an ADU in the ground floor would not be achieve** since the existing conditions required will not allow for **an ADU** to have the minimum height requirement that fits the definition of a comfortable living space thru no fault of the current homeowners.

3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

RESPONSE: A property on 223 Bocana Street was granted a variance (2020004817VAR) for a new bedroom and bathroom. The variance also granted the addition of a new roof deck in the rear. Our

proposed project would be consistent with that variance by adding a reasonable amount of square footage to create a comfortable new second floor living space and a more comfortable first floor layout for the family that will reside in this home. **By granting this variance, the home will provide for a comfortable ADU for their aging parents, as well as a comfortable home for the family that will become great members of the community.**

4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity;

RESPONSE: Granting this variance would improve the livability of the subject property and does not impede on the properties or improvements in the vicinity.

The proposed second floor addition does not exceed the maximum building height requirements and will match the existing peak established by the existing gable end roof feature of the existing home.

5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

RESPONSE: The proposed project will be consistent with the City of San Francisco's SEC. 101.1. which states that:

- (1) **That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.**
-Project does not impact any retail and future opportunities.
- (2) **That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.**
-Proposed front exterior design preserves the existing character of the home and preserves the character of the neighborhood.
- (3) **That the City's supply of affordable housing be preserved and enhanced.**
-Affordable housing will not be affected by this project.
- (4) **That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**
-the project will not have an impact on local parking and other public transit services.
- (5) **That a diverse economic base be maintained by protecting the industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.**
-our proposed project will maintain the residential use of this property, thereby, in keeping the property as a single family residence, no industrial and service sectors will be displaced, and future opportunities for resident employment and ownership will be maintained and enhanced.
- (6) **That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.**
-the project will be executed with the strictest compliance with the current building codes that requires seismically sound structural designs.
- (7) **That landmarks and historic buildings be preserved.**
-no historic landmarks or structures will be affected.
- (8) **That our parks and open space and their access to sunlight and vistas be protected from development.**
-project does not impact any parks and open space.

Appeal No: 26-011 - Exhibit Q

I wanted to keep you updated. Following our meeting, we connected with Ross at 164 Bocana and plan to send him a final response by the end of this week or early next week, after we complete our review. I'll provide another update to you both at that time.

Thank you again for your guidance and patience as we work through this process.

Best regards,

Arun

On Wednesday, August 27, 2025 at 07:25:32 PM PDT, Arun <aubale@yahoo.com> wrote:

Hi Charles,

Attached is a copy of today's presentation for your records. Thank you again for setting up the meeting. This process is new to us, and we are navigating it step by step. I truly appreciate your support and patience throughout.

Hi Corey,

Thank you for your time today, hearing us and for addressing our questions. Until the presentation, we were not aware of any concerns from Ross at 164 Bocana, as we had not received any email or call from him. We heard his comments today, and we will follow up with him separately to address his concerns. Please allow us a few days, and we will circle back.

I have carefully reviewed the plans again today, and we are in full compliance with all city planning codes, rules, and regulations. The project has been significantly reduced — the height is well below 30 feet, the upper floor has been pulled back within the footprint, and the massing on the first floor has been reduced. We have worked hard to accommodate neighbor concerns, and I have personally spent considerable time meeting and talking with neighbors. At this stage, we are simply requesting a variance for a very small amount of additional square footage on the ground floor.

Thanks once again, and I will be in touch soon with an update.

Best regards,

Arun

BRIEF SUBMITTED BY THE APPELLANT FOR APPEAL NO. 26-013

APPEAL STATEMENT

Appellant: Ross Inden

Property Address: 164 Bocana Street, San Francisco, CA

Project Address: 170 Bocana Street, San Francisco, CA

I. INTRODUCTION

I am appealing the approval of this variance due to procedural deficiencies and because the required findings under Section 305(c) of the Planning Code are not adequately supported by the record.

II. IRREGULAR AND OPAQUE PROCESS

The variance process unfolded over an extended period with no clear or consistent communication to neighboring property owners.

The decision only came to light after the appeal window had effectively passed, and was later reissued with a new appeal period due to a reported technical issue.

While Appellant did ultimately attend and speak at the hearing, the lack of timely and reliable updates limited meaningful participation by affected neighbors and may have impacted the completeness of the record considered in the decision.

III. FINDING 1 – NO UNIQUE OR EXTRAORDINARY CIRCUMSTANCE

The Zoning Administrator cites small lot depth (55 feet), slope, and neighboring building depth as “exceptional circumstances.”

However:

- Small lot sizes are common in Bernal Heights
- Sloping conditions are typical throughout Bernal Heights and do not constitute an exceptional or extraordinary circumstance under the Planning Code.
- Variations in adjacent building depth are typical in the district

These conditions do not rise to the level of “exceptional or extraordinary” as required by the Code.

IV. FINDING 2 – HARDSHIP IS SELF-CREATED AND NOT UNNECESSARY

The stated hardship relates primarily to:

- Mass reduction limits
- Rear yard requirements
- Desire for improved interior layout and yard access

These are design-driven preferences, not hardships inherent to the property.

The need to shift stairs or increase usable floor area does not constitute an unnecessary hardship under the Code.

V. FINDING 3 – VARIANCE NOT NECESSARY FOR PROPERTY RIGHTS

The variance is justified as enabling a “modest increase in usable floor area” and improved livability.

However:

- The property already functions as a residential dwelling
- The proposed changes go beyond preservation of a basic property right

This represents an enhancement, not a necessity.

VI. FINDING 4 – MATERIAL DETRIMENT TO ADJACENT PROPERTY

The decision concludes that the project will not be materially injurious.

This conclusion is unsupported.

My property, located immediately adjacent, will experience:

- Reduced daylight to south-facing skylights that serve as primary interior light sources
- Increased enclosure due to raised mass within approximately 3 feet of the property line
- Potential reduction in airflow

Additionally, the project record contains discrepancies in the stated existing building height (25'9"–26'4" vs. approximately 19'8" in prior submissions), calling into question the accuracy of any shadow and impact analysis.

The conclusion of “no material detriment” is therefore premature and unsubstantiated.

VI-A. SCALE OF PROPOSED EXPANSION CONTRADICTS FINDINGS

The project is described as providing a “modest increase in usable floor area.”

However, the proposal increases the building from approximately 925 square feet to nearly 3,000 square feet—more than a threefold expansion.

This scale of development is inconsistent with the characterization of the project as modest and suggests that the variance is being used to enable substantial expansion rather than to address a true hardship.

The project justification references multiple programmatic elements (additional bedrooms, bathrooms, media room, office, and expanded living spaces), which reflect design preferences rather than necessity for reasonable use of the property.

VII. FINDING 5 – CONFLICT WITH GENERAL PLAN

The project is stated to be consistent with General Plan policies.

However, the project conflicts with key principles, including:

- Minimizing loss of light to adjacent properties
- Maintaining compatibility between new construction and existing structures
- Preserving neighborhood character and historically significant buildings

My property is a historically recognized earthquake shack that is uniquely sensitive to changes in light and proximity.

The project’s impacts were not adequately evaluated in this context.

VIII. NEED FOR FURTHER REVIEW

Given the proximity to a historically significant structure and the unresolved impacts described above, the project should be subject to further review, including evaluation by Historic Preservation staff and proper shadow analysis.

IX. CONCLUSION

For the reasons stated above, including lack of notice, unsupported findings, and significant impacts on my property, I respectfully request that the variance be reconsidered, denied, or remanded for further review.

INDEN: 164 BOCANA STREET



Front of 164 Bocana Street. 170 Bocana is located to the left.



Earthquake shack sitting room with two south facing skylights



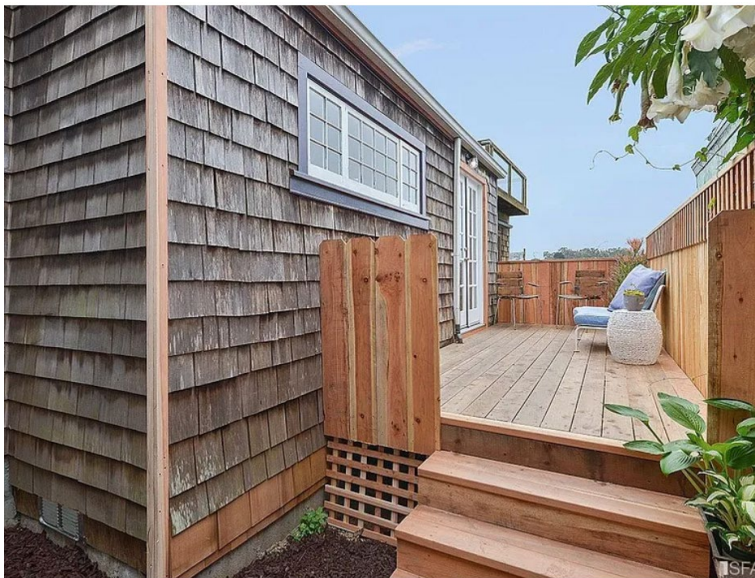
Kitchen. The north wall of 170 Bocana can be seen through the kitchen window



Rear deck looking to the south. The green building on the right in the photo is directly to the rear of the property line



View to the north. Green building on the left is directly to the rear of the property line. Shingle clad building is the immediate neighbor, 162 Bocana Street, which is on the property line to the north of 164 Bocana.



The deck of 170 Bocana Street can be seen to the south of 164 Bocana, just beyond the roof line. This is the only open space from surrounding buildings.



View to the south from the deck of 164 Bocana Street.

BRIEF SUBMITTED BY THE DETERMINATION
HOLDER(S)

BOARD OF APPEALS BRIEF

April 7, 2026

Property Address: 170 Bocana Street

Appeal Nos.: 26-011 and 26-013

Respondent/Project Sponsor: Arun Ubale, Property Owner

I. INTRODUCTION

These appeals challenge the Zoning Administrator's approval of a substantially revised and reduced residential project at 170 Bocana Street.

The approval was issued following a thorough Planning review process and reflects a design that complies with the Planning Code and satisfies the required variance findings.

The record demonstrates a transparent and iterative design process, including multiple rounds of revisions made in response to both Planning staff and neighbor feedback. The final approved project reflects these reductions and refinements.

By contrast:

- Appellant Bud raises concerns regarding alleged misrepresentation, interior use, and ownership intent, which do not relate to the physical characteristics of the approved project.
- Appellant Ross raises concerns regarding shadow, skylight, and massing that appear to rely on earlier iterations of the project, rather than the final approved plans.

I.A. MULTIPLE APPEALS AND SCOPE OF REVIEW

This response addresses two separate appeals filed regarding the same project:

- Appeal No. 26-011 (Appellant: Bud Ryerson)
- Appeal No. 26-013 (Appellant: Ross Inden)

While both appeals challenge the Zoning Administrator’s decision, they raise different types of concerns.

Certain arguments—particularly those relating to shadow, skylight, and building mass—are based on earlier versions of the project that were subsequently revised during the Planning process.

The final approved plans reflect substantial reductions and modifications made through the Planning process, including changes in response to staff feedback and neighbor input.

II. PROJECT EVOLUTION AND GOOD FAITH PROCESS

The project evolved through a deliberate and collaborative process, consistent with Planning review practices.

A. Early Engagement

- A neighborhood meeting was held on December 21, 2025 prior to finalizing the design.
- Initial concepts included a broader program, including a potential ADU.

B. Planning Feedback and Initial Revisions

- After submission, Planning staff provided feedback.

- The project was revised to better align with Planning Code requirements.

C. Voluntary Postponement to Address Neighbor Concerns (Ryan & Michelle, 171 Bonview Street)

Prior to the originally scheduled June variance hearing:

- Ryan and Michelle were unable to attend the neighborhood meeting as they were out of town
- They provided feedback the day before the hearing.

In response:

The project sponsor immediately requested postponement of the hearing to allow time for direct engagement.

Following this:

- Multiple meetings were held.
- Their concerns were incorporated into the design through meaningful reductions.

This demonstrates that the project was not advanced prematurely, but instead refined through engagement.

D. Substantial Reductions Based on Neighbor Input

Following these discussions:

- Upper floor massing was reduced.
- Height was lowered (approximately 3 feet).

- Side extensions were reduced.
- Overall bulk was minimized.

These reductions were not minor refinements, but substantial changes that materially decreased the project's scale and potential impacts.

Neighbor support confirms this:

“We definitely appreciate your efforts... we would not oppose it in a hearing.” (Exhibit I)

E. Further Reductions at Direction of the Zoning Administrator

Even after incorporating neighbor feedback:

- The Zoning Administrator requested additional reductions.
- Ground floor rear extension was further removed.
- The project was brought to setback compliance.

The final approved project reflects independent Planning direction to achieve the minimum necessary design.

These additional modifications, requested by the Zoning Administrator, ensured that the project reflects the minimum necessary variance rather than a maximum build-out.

F. Appellant Ross Engagement and Second Postponement

- Prior to the August hearing, no concerns were raised by Appellant Ross.

- At the hearing, Ross expressed concerns for the first time, primarily related to skylight and rear massing.

In response:

The project sponsor requested postponement at the hearing to allow time to review and understand these concerns.

G. Post-Hearing Communication with Appellant Ross

Following the postponement:

- The project sponsor reached out to Appellant Ross to confirm that he was reviewing the updated, reduced version of the project.
- The project sponsor clarified that the project had already been revised to reduce height and massing, including a reduction of approximately 3 feet in overall height.
- Appellant Ross confirmed via email that he had reviewed the revised plans presented at the hearing, including the lowered height and setbacks (Exhibit J).

No further design changes were required following this exchange.

This acknowledgment occurred prior to final approval, demonstrating that Appellant Ross was aware of the revised project configuration.

III. COMPARISON OF INITIAL AND APPROVED PROJECT

The appeals rely, in part, on earlier iterations of the project.

However, the approved design is materially different and significantly reduced, including:

- Removal of approximately 15 feet of front extension.
- Elimination of front vertical addition.
- Reduced upper floor footprint.
- Lower overall building height.
- Reduced side massing.
- Further reduction of ground floor rear extension.

These differences are documented in:

- Exhibit A – Initial Plan
- Exhibit B – Final Approved Plan

IV. SITE CONDITIONS AND LACK OF IMPACT

The primary concerns raised in the appeals relate to potential impacts on skylights, light access, and rear yard conditions. As demonstrated below, the approved project does not introduce any such impacts.

A. Front Skylight (South-Facing) – No Impact

Exhibit C demonstrates the location of the neighboring front (south-facing) skylight.

The approved project:

- Includes no horizontal expansion at the front of the building.
- Includes no vertical addition at the front.
- Maintains the existing front building plane and height.

Key Result:

Because there is no change to the front building envelope, there is no new structure that could obstruct or alter light reaching the neighboring skylight.

Conclusion:

The approved project introduces no new shadow source and no obstruction to the front skylight.

B. Rear Skylight (South-Facing) – No Impact

Exhibit D demonstrates the location of the neighboring rear skylight relative to the existing blind wall.

The existing condition shows:

- The skylight is located above the neighboring blind wall.
- Its light exposure is dependent on open sky above that wall.

The approved project:

- Includes no vertical addition near the skylight.
- Includes no horizontal extension at the top floor toward the rear property line.

- Does not introduce any new upper-level mass adjacent to the skylight.
- The proposed firewall remains below the height of the neighboring blind wall.

Key Result:

Light access to the skylight is determined by open sky above the existing blind wall, and the approved project does not extend into that sky exposure plane.

Conclusion:

The approved project cannot reduce light to the skylight under any condition, and introduces no new shadow or obstruction.

C. Rear Yard – Firewall, Elevation, and Visibility

Exhibits E and F illustrate the rear yard conditions, including elevation differences, existing structures, and visibility between the subject property and the neighboring property to the rear.

These exhibits show:

- The neighboring property includes a tall blind wall at the rear property line.
- The subject property sits at a lower elevation relative to the neighboring yard.
- Existing fence and neighboring wall already separate the properties and prevent direct visibility between them.

Additionally:

- The proposed firewall remains below the height of the neighboring blind wall.

- Rear steps and lower-level elements remain below the height of the existing fence.
- The approved rear design does not extend above the existing wall or fence line.

Key Result:

All proposed rear elements remain below existing build features on the neighboring property and do not extend into the neighbor's line of sight.

Response to Appellant Ross's Claim

Appellant Ross asserts that the project would "block" his rear area and impede air and openness to his deck and rear rooms.

However, the physical conditions shown in Exhibits E and F demonstrate that:

- The project does not introduce any structure above the existing blind wall or fence.
- It does not enclose or overtake the neighboring rear space.
- It does not alter the existing open-air condition above the blind wall.

Conclusion:

The approved project does not create enclosure, does not block openness, and does not impact light, air, or visibility at the neighboring rear yard, deck, or rear-facing rooms.

D. Streetscape and Neighborhood Character

Exhibits G and H show the project in the context of the surrounding neighborhood.

These exhibits demonstrate:

- The rear addition is not visible from the public right-of-way.
- Existing slope and site conditions naturally screen the structure.
- The front façade and building presence remain unchanged.

Conclusion:

The project maintains the existing visual rhythm and scale of the block, preserving neighborhood character.

V. RESPONSE TO APPELLANT BUD

Appellant Bud raises concerns regarding alleged misrepresentation, interior use, and ownership intent. These concerns do not relate to the basis of the Zoning Administrator's approval and were addressed as part of that approval.

A. No Misrepresentation Occurred

The allegation of misrepresentation is unsupported.

- The project evolved through a standard Planning review process, including multiple rounds of revisions.
- All revisions were made transparently and reflected in the plans reviewed by the Zoning Administrator.
- The approval was based on the final revised plans, not earlier concepts.

Appellant Bud references earlier discussions of potential uses, including an accessory dwelling unit (ADU), and compares them to the current interior layout.

However, these references relate to preliminary concepts and do not affect the approved project. The Zoning Administrator's decision was based on the final building envelope, massing, and physical design reflected in the approved plans.

Design evolution is a normal part of the Planning process and does not constitute misrepresentation.

B. Interior Use Does Not Affect the Approved Project

References to:

- media room
- luggage valet
- other interior features

do not relate to the basis of the Zoning Administrator's decision.

The approval was based on the project's:

- building envelope
- height and bulk
- physical relationship to surrounding properties

Interior layouts, amenities, or room designations do not alter these physical characteristics and therefore do not affect the approved design.

C. Occupancy and Future Use

Appellant Bud also raises concerns regarding potential future occupancy, including whether the property will be used as a primary residence, secondary residence, or otherwise.

These considerations are speculative and do not relate to the physical characteristics of the approved project. The Zoning Administrator's decision was based on the design as proposed and approved, not on potential future use.

D. Issues Already Considered

The concerns raised by Appellant Bud were presented during the variance process and were considered by the Zoning Administrator in issuing the approval.

The appeal does not introduce new material information beyond what was already considered by the Zoning Administrator.

VI. RESPONSE TO APPELLANT ROSS

Appellant Ross raises concerns regarding skylights, shadow, massing, and impacts to light and air.

These concerns are fully addressed by the approved plans and the existing site conditions described in Section IV.

A. Skylights and Shadow

As described in Section IV:

- The approved project includes no expansion at the front, and therefore does not affect the front, south-facing skylight.
- At the rear, the project includes no vertical addition near the skylight and no upper-level extension toward the property line.

Based on these conditions, the approved project does not introduce a new obstruction or shadow pathway to either skylight.

B. Rear Yard, Light, and Air

Appellant Ross expresses concern that the project will “block in” the rear yard and affect light and air.

As described in Section IV:

- The proposed firewall remains below the height of the neighboring blind wall.
- Rear elements, including steps, remain below the fence line.
- The open sky exposure above the neighboring property remains unchanged.

The approved project does not extend into the open sky plane above the rear yard and does not alter the existing light and air conditions.

C. Reliance on Earlier Plans

The approved project reflects substantial reductions from earlier iterations, including reduced height, massing, and rear extension.

To the extent Appellant Ross's concerns rely on earlier versions of the project, they do not reflect the approved plans.

VII. MINIMUM NECESSARY VARIANCE

The approved project reflects the minimum necessary variance to achieve a reasonable residential use of the property.

This conclusion is supported by the record, including:

- Multiple rounds of design reduction throughout the Planning process.
- Revisions made in response to neighbor feedback.
- Additional reductions required by Planning staff and the Zoning Administrator.
- A final design that was specifically reviewed and approved as meeting the required variance findings.

The approved plans reflect a balanced outcome that reduces massing and potential impacts while maintaining a functional residential layout.

VIII. CONCLUSION

The record demonstrates:

- A transparent and collaborative design process.
- Significant reductions from the initial proposal.

- Meaningful engagement with neighbors, including responsive design changes.
- Independent review and direction from Planning staff and the Zoning Administrator.
- A final approved project that satisfies the required variance findings.

The appeals rely on:

- Earlier versions of the project that were subsequently revised.
- Concerns that are not supported by, or reflected in, the final approved plans.

For the reasons described above, the record supports the Zoning Administrator's approval of the proposed project.

The Respondent respectfully requests that the Board uphold the approval and deny both appeals.

Respectfully submitted,

Arun Ubale

Project Sponsor/Property Owner

170 Bocana Street

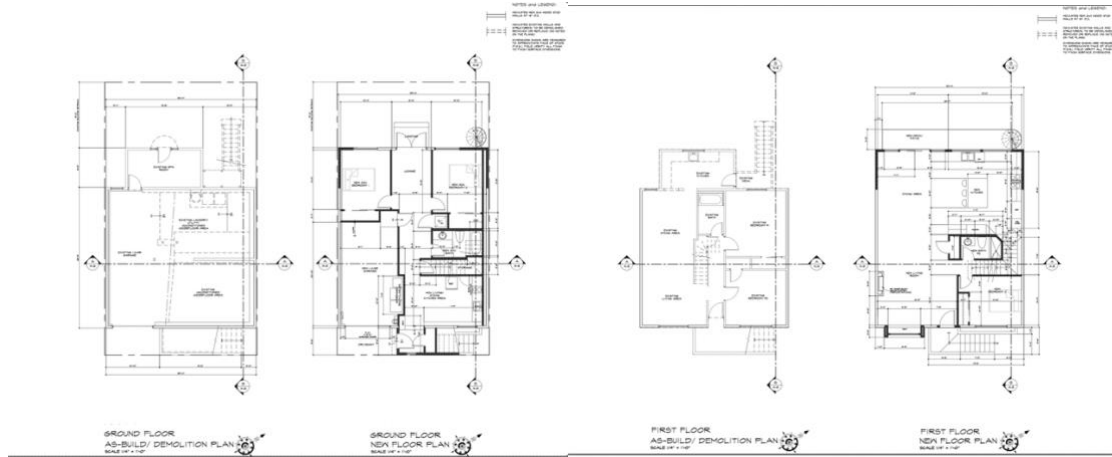
IX. EXHIBITS

The following exhibits are submitted in support of this response:

- Exhibit A – Initial Project Plans (Before Revisions)
- Exhibit B – Final Approved Plans (After Reductions)
- Exhibit C – Front Skylight (South-Facing)
- Exhibit D – Rear Skylight (South-Facing)
- Exhibit E – Rear Yard Visibility (Fence and Line of Sight)
- Exhibit F – Rear Yard Conditions (Blind Wall, Steps and Relative Heights)
- Exhibit G – Streetscape View (Looking Down Bocana Street)
- Exhibit H – Streetscape View (Looking Up Bocana Street)
- Exhibit I – Neighbor Support Email (Ryan & Michelle)
- Exhibit J – Email Acknowledgment from Appellant Ross

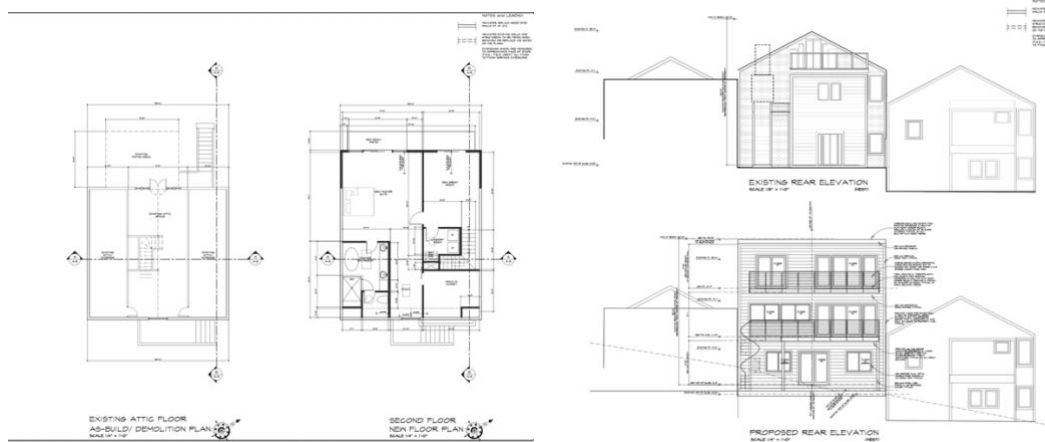
Exhibit A – Initial Project Plans (Before Revisions)

Larger Massing, Higher Height, Front and Back Extension



Ground Floor

First Floor



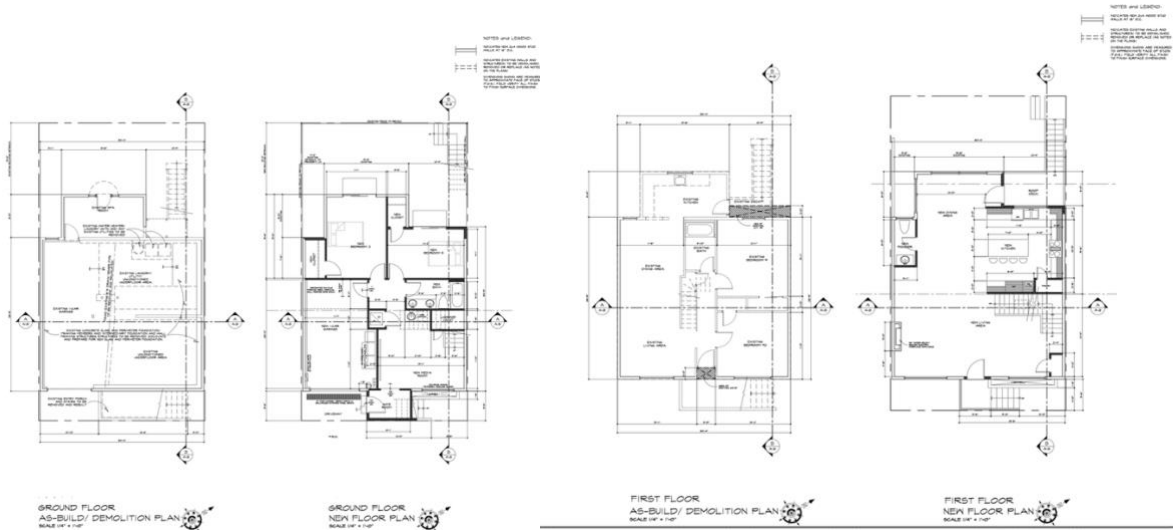
Second Floor

Rear Elevation

Full plan sets are available upon request and are part of the Planning record.

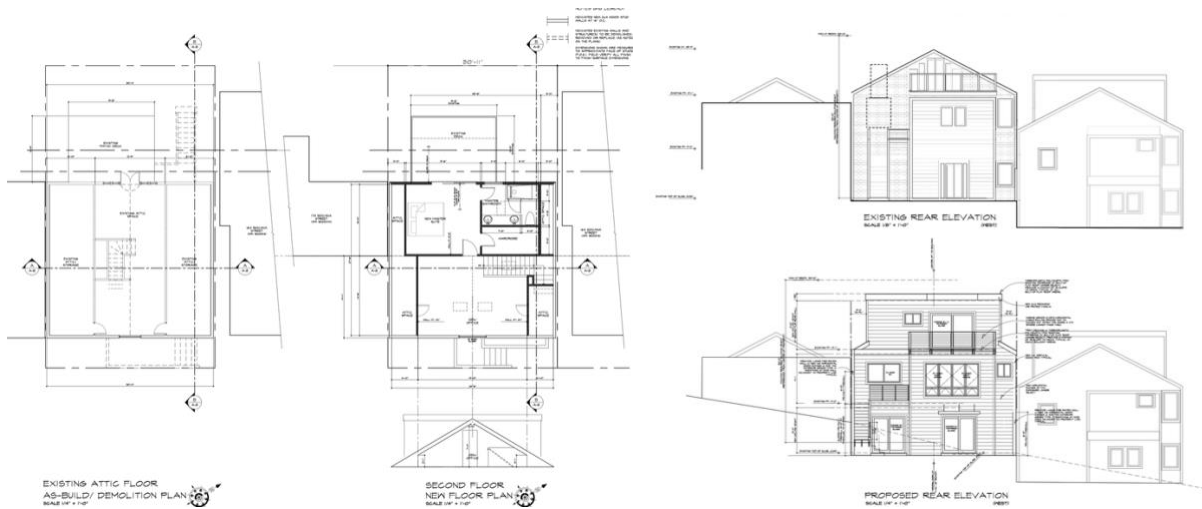
Exhibit B – Final Approved Plans (After Reductions)

Reduced Height, Reduced Massing, No Front and Back Extension



Ground Floor

First Floor



Second Floor

Rear Elevation

Full plan sets are available upon request and are part of the Planning record.

Exhibit C – Front Skylight (South-Facing)



The approved project maintains the existing front building plane and height, with no vertical or horizontal expansion at the front.

As a result, no new structure is introduced that could obstruct or alter light to the neighboring skylight.

Exhibit D – Rear Skylight (South-Facing)



The neighboring skylight receives light from the open sky above the existing blind wall. The approved project includes no new upper-level mass at the rear, reflects reductions from earlier designs, and the firewall remains below the height of the blind wall. As a result, the project does not introduce any obstruction and cannot reduce light to the skylight.

Exhibit E – Rear Yard Visibility (Fence and Line of Sight)



Existing fence and blind wall prevent direct line of sight between properties. The approved project does not extend above these existing elements and does not introduce any new visibility.

Exhibit F – Rear Yard Conditions (Blind Wall, Steps and Relative Heights)



The subject property sits at a lower elevation, and the existing wall already defines the visual and spatial boundary between properties. Proposed firewall and steps remain below the height of the existing blind wall and fence. The project does not extend into the open sky plane above the neighboring property. Accordingly, the approved project does not introduce any new condition that did not already exist.

Exhibit G – Streetscape View (Looking Down Bocana Street)



The site's downward slope and existing tree canopy limit visibility of rear structures from the public right-of-way. The approved rear addition is not visible from the street and does not alter the streetscape or neighborhood character.

Exhibit H – Streetscape View (Looking Up Bocana Street)



Even when viewed from uphill along Bocana Street, the rear portion of the property remains screened by existing trees and site conditions. Only the front façade is visible from the public right-of-way, and the approved rear addition is not visible from any street vantage point.

Exhibit I – Neighbor Support Email (Ryan & Michelle)

Email from adjacent neighbors (Ryan and Michelle, 171 Bonview Street) confirming review of the revised plans and expressing support for the project following design reductions.

Ryan Schmidt

From: ryanschmidt24@yahoo.com

To: Arun

Cc: Michelle Lee

Mon, Aug 11, 2025 at 8:03 AM

Hi, Arun.

Good morning! Thanks a lot for the update and sending the revised plans. Our apologies for the delay in reviewing it and getting back to you. If you and your wife and son were at the property Saturday, we are sorry to have missed you.

Regarding the plans, we see as you note that the second (upper) floor now remains within the existing rear footprint, and is very similar to Jenn's in not extending to fully to the side property lines. It maintains the same deck location and height as the existing (and with no roof over the deck). In addition, we see that the finished max proposed roof height is also nearly 3 feet lower than in the previous iteration. We also note that yes, the ground floor extension is the same as previously planned. We do observe that the proposed first floor does extend back slightly towards us (almost 2 ft) on the north side, but not to the extent of the ground floor.

We definitely appreciate your efforts to revise the plans in response to our concerns and input, and overall are okay with the revised plan. We would not oppose it in a hearing for a variance.

Best,

Ryan

Exhibit J – Email Acknowledgment from Appellant Ross

Email exchange with Appellant Ross confirming that he reviewed the revised plans presented at the hearing, including height and setbacks.

From:rossinden@gmail.com

To:Arun

Thu, Aug 28, 2025 at 2:57 PM

Hi Arun,

Yes, I saw the revised plans that you used in your presentation (with the lowered height and set backs).

Best,

Ross

On Aug 28, 2025, at 6:34 AM, Arun <aubale@yahoo.com> wrote:

Hi Ross,

I just realized, I wasn't sure whether you are looking at the current new updated reduced plan. We have already reduced the height by 3 ft from previous version. Could you please send me the plan you are looking at to make sure we both are on the same page?

Thanks

Arun

BRIEF SUBMITTED BY THE PLANNING DEPARTMENT



BOARD OF APPEALS BRIEF

HEARING DATE: April 15, 2026

April 4, 2026

Appeal Nos.: 26-011 and 26-013
Project Address: 170 Bocana Street
Block/Lot: 5620/019
Zoning District: RH-1 (Residential-House, One Family)
Bernal Heights SUD
Height/Bulk: 40-X
Staff Contact: Corey A. Teague, AICP, Zoning Administrator – (628) 652-7328
corey.teague@sfgov.org

Background & Analysis

The Variance Decision Letter (VDL) for the subject project was first issued on February 6, 2026. However, it was discovered that a technical error in the Department’s email system resulted in interested parties not receiving a copy of the decision. Therefore, the VDL was reissued on February 25th. The public hearing for this variance was held on August 17, 2025. The two Appellants provided opposition to the project at the hearing and also submitted their concerns in writing, along with a petition for denial signed by several other neighbors. One email of support was submitted by the immediate neighbor to the west at 171 Bonview Street.

At the hearing the Zoning Administrator (ZA) acknowledged that variances in Bernal Heights are typically challenging due to the need to balancing the context and controls in Bernal Heights while also considering the practical difficulties of making reasonable additions to already modest homes. This is especially true for the Mass Reduction requirement in Bernal Heights. While that control is agnostic on

where the massing is reduced, it is almost always related and limiting to 3rd story additions. The ZA also acknowledged that the project sponsor would reach out to the neighbors to see if there were revisions the project sponsor could make to accommodate their concerns, but also that it was possible that they may not be able to agree on any such revisions. At that point, the ZA had fully received and understood the neighbors' concerns regarding the project.

The VDL is included in the appeal documents, and so is not included as an exhibit to this brief. Additionally, the VDL's findings lay out the rationale for granting the variance, and so this brief does not significantly elaborate on that overall rationale. Instead, this brief addresses several specific concerns and claims raised in the Appellants' briefs.

As noted, Mass Reduction variances are often an issue of balancing, and most require some level of design revisions and considerations. Historically speaking, the vast majority of proposed Mass Reduction variances are granted, although they are also typically limited in terms of how much extra square footage is allowed. While the Department's digital variance records for cases prior to 2013 are less complete, an analysis of the 27 Mass Reduction cases going back to 1997 found that 25 of those variances were granted and only one was disapproved (Exhibit A).

To be clear, this list is not comprehensive, as such a list would require additional time and effort to locate and authenticate the records. Additionally, variance cases that were withdrawn are not shown on this list. But this analysis helps show a pattern of approving Mass Reduction variances when they are found to be balanced and generally necessary to accommodate the addition of a reasonable 3rd story.

The Appellants note that the ZA's findings don't match the project sponsors proposed findings in their application. However, the ZA's decision to grant or deny a variance is per their discretion and there is no obligation to agree with or use any proposed findings submitted by an applicant. The Appellants claim that the hearing could have been administrative without a hearing. However, the Planning Code gives the

ZA the discretion to not hold a public hearing if the variance is for less than a 10% deviation from the underlying control. It is not a requirement to forgo a public hearing, and the proposed Mass Reduction variance in this case is greater than 10%.

The Appellants claim the proposed 2103 variance (sought by a previous property owner) for the subject property was abandoned because it was determined it would not be granted. The Department's records do not include any statement to that effect, but the public hearing for that case was continued due to concerns raised by neighbors (including the current Appellants), and the case was eventually cancelled due to inactivity. However, it's important to note that the 2013 project proposal was significantly larger than the current proposal because it included a full 3rd story build out and also triggered an open space variance.

The Appellants question why the measured height of the existing building is listed as 25 feet 9 inches for the current project but only 19 feet 8 inches in plans for the prior variance proposal at the subject property in 2013. The reason is that the 2013 plans measured to the mid-point of the sloped roof of the existing building, whereas the current plans measured the height to the top of the sloped roof.

The Appellants claim that additional historic preservation review is necessary due to potential impacts to the adjacent property to the north that contains an earthquake shack. However, except within historic districts, preservation review is limited to the potential impacts of the subject building if it is determined to be a historic resource. As such, no additional preservation review is required.

The Appellants claim that in granting the variance the ZA abused their discretion, and that the neighbors should have been engaged in the process after the public hearing. But the ZA did not abuse their discretion, as the granting of the variance and supporting rationale were fully within their discretion and consistent with similar cases in the past. Additionally, once public comment has been submitted in writing and given at the public hearing, the ZA is aware of any public concerns and those are considered in

the final decision. It is also common, and necessary, for the ZA to engage with a project sponsor after a case has been taken under advisement to work through additional plan review, comments, and plan revisions. This case was no different.

The Appellants raise concern over the ZA's use of certain terms like modest, reasonable, and literally, and contend that represents a bias towards the project sponsor. However, words like modes and reasonable are simply the ZA's way of describing how they view the proposal, and they do not represent any bias. Additionally, the term "literally" is part of required Finding No. 2 for considering a variance, which is the source of that term's use in the VDL.

The Appellants raise a concern that granting the variance deviates from Bernal Heights specific controls. However, by definition, any granted variance is specifically to allow a deviation from the specific underlying controls. Additionally, the Appellant's claim the ZA should have employed objective standards for evaluating each required finding. However, each case is reviewed within its own context, and such objective evaluation standards have never been required or employed for variances. As an example, a rear yard variance was granted for one of the Appellant's properties at 164 Bocana St in 1991, but no object evaluation standards were called out in that VDL.

Finally, the Appellants' dispute the statement in the VDL that the lots on the west side of the subject block are all 70 feet deep (as opposed to the lots on the eastern side only being 55 feet deep). However, the current Assessor's block map (Exhibit B) clearly shows that those lots all have a depth of 70 feet.

Conclusion

The subject variance was granted with a full understanding of the neighbors' concerns and there was no attempt to exclude the neighbors from the process. From the pre-application meeting in 2024, to the emailed comments, to the oral comments at the public hearing, the public were provided multiple opportunities to provide input (and they did). Additionally, the ZA has a policy (not a Code requirement) to provide a copy of the issued VDL to any members of the public that so request. And in this case, reissued the VDL when it was confirmed that those parties did not receive the issued VDL due to a technical issue.

Overall, while these types of proposal in Bernal Heights can be challenging to review, the project is consistent with Residential Design Guidelines and was determined to meet the required 5 findings to grant the variance. As such, the Department respectfully requests that the Board deny the appeals.

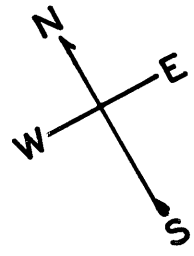
cc: Bud Ryerson (Appellant 26-011)
Ross Inden (Appellant 26-013)
Joe Ospital (Department of Building Inspection)

EXHIBIT A

PAST MASS REDUCTION VARIANCE CASES (Not Comprehensive)

Address	Case No.	Date Closed	Decision
450 Prentiss St	2024-000288VAR	4/14/25	Approved
7 Bennington St	2023-011709VAR	2/11/25	Approved
246 Bocana St	2024-002517VAR	1/14/25	Approved
1454 Cortland Ave	2023-006538VAR	8/15/23	Approved
25 Bennington St	2023-002751VAR	6/26/23	Approved
11 Wright St	2022-001562VAR	10/12/22	Approved
105 Jarboe Ave	2021-000979VAR	1/3/24	Approved
180 Holladay Ave	2021-000274VAR	9/9/21	Approved
148 Bocana St	2020-008913VAR	7/30/21	Approved
223 Bocana St	2020-004817VAR	3/17/21	Approved
144 Bonview St	2019-002916VAR	3/11/19	Approved
1715 Alabama St	2016-012810VAR	6/18/18	Disapproved
5 Winfield St	2015-002013VAR	8/10/16	Approved
5 Winfield St	2015-002013VAR	8/10/16	Approved
1719 Alabama St	2014-001116VAR	10/29/15	Approved
170 Bocana St	2013.1887VAR	4/6/17	Cancelled
56 Aztec St	2013.1128VAR	3/6/14	Approved
1201 Cortland Ave	2011.0793V	11/28/12	Approved
68 Aztec St	2008.0423V	1/23/09	Approved
285 Nevada St	2008.0403V	6/13/08	Approved
201 Andover St	2007.1286V	2/22/08	Approved
562 Ellsworth St	2005.0349V	11/10/05	Approved
85 Wool St	2004.0859V	3/28/05	Approved
322 Rutledge St	2002.0377V	6/26/02	Approved
37 Montezuma St	2000.298V	8/23/00	Approved
371 Prentiss St	2000.236V	4/26/00	Approved
40 Montezuma St	1997.583V	10/22/97	Approved

EXHIBIT B



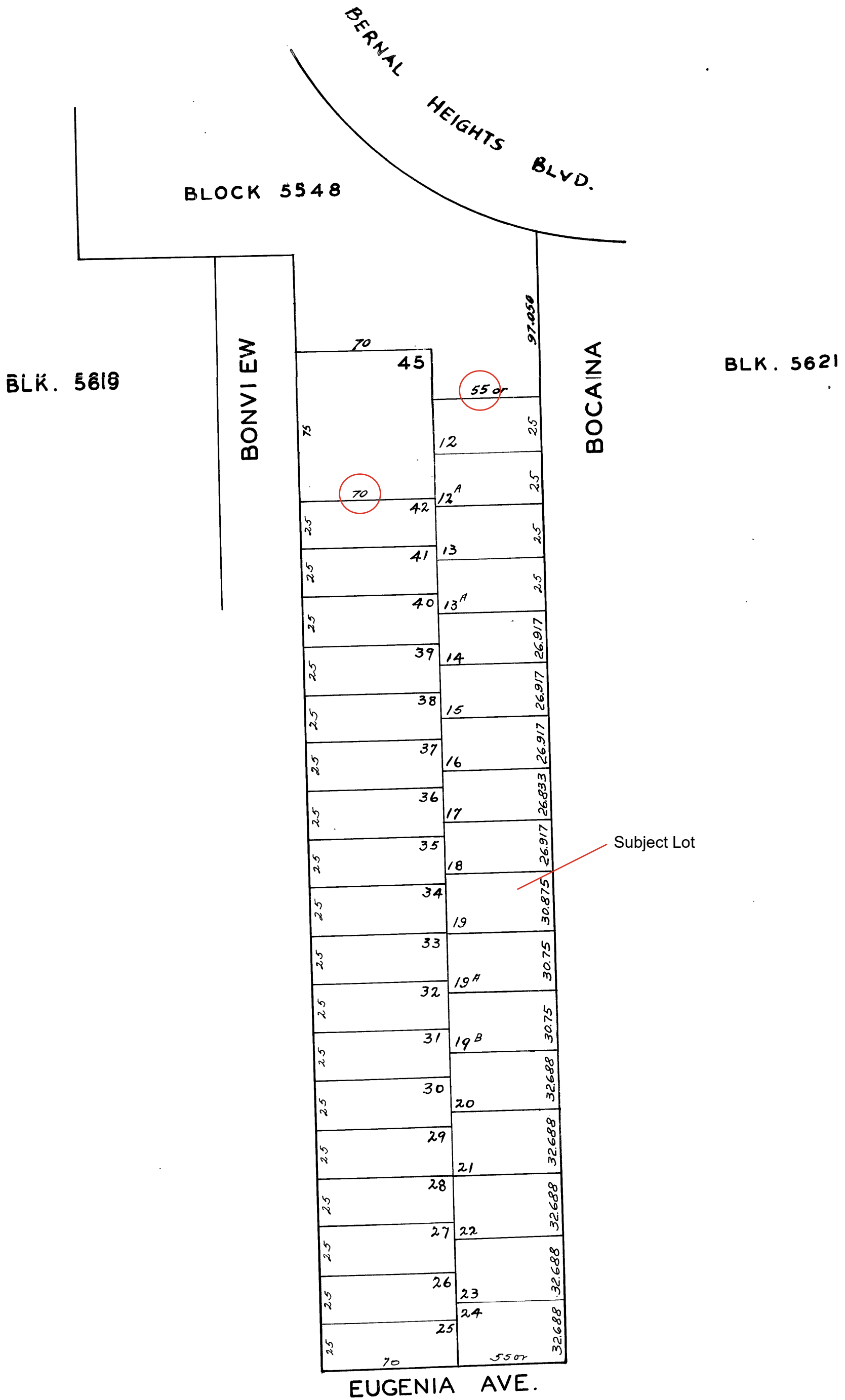
5620

GIFT MAP NO. 3
LOTS 613-672

REVISED '69
" '73

LOTS MERGED

Lots 2/7, 53/58, into Lot 1 - 1936
" 45 " " 44 - 1955
" 8/11 " " 1 - 1956
" 48/52 " " 1 - 1956



PUBLIC COMMENT

Lamarre, Julie (BOA)

From: Zack Johnson <zjohnson@gmail.com>
Sent: Thursday, April 9, 2026 9:40 AM
To: BoardofAppeals (PAB)
Subject: Appeals 26-011 and 26-013

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I'm writing in support of the homeowners at 170 Bocana St.

They applied for a variance, and it was granted. In a sane system, that would be the end of it. They should've been allowed to break ground on the project immediately.

It's not as if they're trying to build a skyscraper or a chemical plant. I live across the street, and I don't think I would've even noticed this construction if it had been done in secret.

Nobody is going to be harmed by this, and it's absurd that some busybody with no stake in the matter is allowed to waste so much time and taxpayer money.

We turned a bunch of sand dunes into the greatest city in the world by building things. We should be embarrassed by how difficult we've made it to continue that work.

Zack Johnson
183 Bocana St