

November 16, 2005

Nick Elsner, Senior Plan Checker
Division of Street-Use Permits
Department of Public Works
875 Stevenson Street, Room 460
San Francisco, CA 94103

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PERMIT SECTION

Subject: Cover Letter for Major Encroachment Permit Application - Reed Street

Dear Nick:

The Zoning Administrator (ZA) has granted our request for a variance, case number 2005.0607V, on October 26, 2005. The rear-yard variance sought, "to construct a two-car garage at the rear of the subject lot, with access from Reed Street. Accessing this garage would require extending the improved portion of Reed Street by 20 more feet." (quoting from the variance application).

The zoning approval for the street extension and the garage naturally requires an approval from DPW for the street extension. The ZA therein will include language in his ruling that requires DPW to issue the major encroachment permit, prior to the release of the DBI construction permit for the garage.

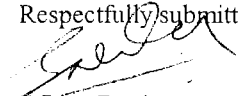
The Zoning Administrator listened to three speakers in opposition to the variance application, all representing the owners of 17/44 Reed Street. He found their arguments "had no merit" and ruled in favor of using the Reed Street right-of-way for vehicular access. He, therein, gave zoning approval for street extension. He, also, dismissed preservation of the "garden" in the public right-of-way, which was installed without a permit. The ZA additionally denied Mr. Stolz's plea to suspend or cancel the existing permit for our concrete retaining walls.

We submit that a timely decision from DPW on the issue of the Reed Street right-of-way extension will bypass the intermediate, contentious issue of removing the brick structure to facilitate access for the construction of retaining walls and avoid unnecessary acrimony between the two parties. These will also curtail the inevitable delays, as we work through various departments and consequent cost overruns. Delaying the decision on the Reed Street right-of-way extension will again raise the time-consuming issue of access for retaining walls construction.

I have attached letters of support from neighbors, including the owners of the two properties abutting Reed Street on the West, uphill from 17 Reed. These letters address garden vs. street extension issues, shed light on the "history" before my time and the discussion in Mr. Atkinson's letter of Oct 24th. The owner of 37/39 Priest with frontage on Reed Street, also spoke at the variance hearing in support of the project and expressed her desire to have the street extended an additional 20 feet further up the Reed Street right-of-way to her property. Obviously, this will need to be the subject of a separate permit by her.

Finally, please find the attached material, which I understand are the requirements for this Major Encroachment Permit application. If there is any additional material needed, please contact Heidi Liebes at Winder Liebes Architects (415-318-8634 x4004), my architects for this project.

Respectfully submitted,


Sanjay Dani