

653 -655 FELL STREET
LOT SUBDIVISION HEARING
June 3rd, 2014





653 FELL STREET

SUBJECT PROPERTY – VIEW FROM FELL STREET



653 FELL STREET

SUBJECT PROPERTY – VIEW FROM HICKORY STREET

653-655 FELL STREET

PROJECT SUMMARY

Existing Condition:

- Subject Property is a 2-unit building fronting on Fell Street and a garage fronting on Hickory Street.
- The 2-units share a common laundry shed located at the rear of the 1st Floor Unit.
Although the First Floor Tenant has direct access to the laundry room, this room is not part of his lease.
- The garage structure fronting on Hickory Street is one story – 3 car garage.
The parking spaces are rented to other tenants. The garage is not part of the 2-unit leases.

Proposed Scope of Work:

- A lot subdivision was filed on 4/30/2013.
- At this time, there is no proposed development for the subdivided lot. Per code, A single family residence will be permitted.
- Plans for the lot subdivision were favorably reviewed by planning.
- Notification letters were sent to neighbors within a 300' radius.
- A notice of Public Hearing was posted on the garage door and on the window of First Floor tenant, Mr. Jeremy Herzog, on October 3rd for a hearing date on October 23rd.
- The Public Hearing went well with no objections. Mr Herzog was not present at the Public Hearing.
- The variance was granted on January 6th 2014, subject to recording a Notice of Restrictions and Conditions. The NSR# J853350 was recorded on 3/21/14. The variance approval was made 3/26/14 and the recommendation for Tentative Map Approval was done March 25th 2014 and the Tentative Map Approval was obtained on April 7th 2014.
- The conditional approval of the lot split on 6/was issued on 6/3/13 by Vivian Hwang.
“subject to the completion of the demolition work of the garage structure and part of the main building at the rear as shown on the tentative parcel map.” “Note that a separate building permit is required for any work to the buildings which this review is not a part of”



**SAN FRANCISCO
PLANNING DEPARTMENT**

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

NOTICE OF PUBLIC HEARING

Hearing Date: **Wednesday, October 23, 2013**
 Time: **9:30 AM**
 Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 408**
 Case Type: **Variance (Lot Size, Rear Yard, Open Space & Parkir**
 Hearing Body: **Zoning Administrator**

PROPERTY INFORMATION		APPLICATION INFORMATION	
Project Address:	653-655 Fell Street	Case No.:	2013.0712V
Cross Street(s):	Webster Street	Building Permit:	TBD
Block / Lot No.:	0829/024	Applicant/Agent:	Guillermo Loyola
Zoning District(s):	RH-3 / 40-X	Telephone:	510-339-9905
Area Plan:	n/a	E-Mail:	memo@rww-llc.com
PROJECT DESCRIPTION			
<p>The proposal is to subdivide a through lot containing a two-unit building fronting on Fell Street and a garage fronting on Hickory Street. The structure fronting on Fell Street will be reduced by approximately six feet in depth at the rear.</p> <p>SECTION 121 OF THE PLANNING CODE requires the size of the proposed lots to be a minimum of 2,500 square feet each. The proposed lot subdivision would create an approximately 1,750 square foot lot for the property fronting on Fell Street and an approximately 1,250 square foot lot for the property fronting Hickory Street.</p> <p>SECTION 134 OF THE PLANNING CODE requires a rear yard equal to 25 percent of the lot depth or 15 feet, whichever is greater. The required rear yard for the structure fronting on Fell Street would be approximately 17 feet while the proposed rear yard would be approximately three feet.</p> <p>SECTION 135 OF THE PLANNING CODE requires 100 square feet of private open space for each dwelling unit, 266 square feet of common open space, or a sufficient combination of private and common open space. The proposed lot fronting on Fell Street containing two units would provide approximately 86 square feet of private open space and 146 square feet of common open space where 266 square feet are required.</p> <p>SECTION 159 OF THE PLANNING CODE requires that required parking spaces for one-family and two-family dwellings be located on the same lot as the dwellings served. The proposed subdivision would result in the required parking spaces being located on a separate lot; therefore, a variance is required.</p>			
ADDITIONAL INFORMATION			
<p>FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF: Planner: Christine Lamorena Telephone: 415-575-9085 Mail: christine.lamorena@sfgov.org</p>			
<p>ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: http://sf-planning.org/ftp/files/notice/2013.0712V.pdf</p>			

中文詢問請電: 558.6378

Para información en Español llamar al: 558.6378

City and County of San Francisco



Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

PAID: 5/23/13
PAID 1276

RECEIVED
MAY 23 2013
DEPT OF BUILDING INSPECTION
FOR SUBDIVISION
REFERENCE REVIEW ONLY



Phone: (415) 554-5827
Fax: (415) 554-5324

<http://www.sfdpw.com>
subdivision.mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor

1155 Market Street, 3rd Floor
San Francisco, CA 94103

Bruce R. Storms, City and County Surveyor

Date: May 20, 2013

Department of Building Inspection
1680 Mission Street, Room 2019
San Francisco, CA 94103

Project ID: 7534			
Project Type: 2 Lot Subdivision			
Address#	StreetName	Block	Lot
653 - 655	PELL ST	0829	024
Tentative Map Referral			

To Whom It May Concern:

Pursuant to Section 1325 of the City and County of San Francisco Subdivision Code and Section 4.105 of the 1986 City Charter, a print of the above referenced Tentative Map is submitted for your review and consideration. Under the provisions of the Subdivision Map Act and the Subdivision Code, your Department must respond to the Bureau of Street-Use and Mapping within 30 days of the date of this letter. Failure to do so constitutes automatic approval from your department. Thank you for your timely review of this Tentative Map.

Sincerely,

Bruce R. Storms
Bruce R. Storms, P.L.S.
City and County Surveyor

- BRS/st
Enclosures:
- | |
|-----------------------|
| Tentative Map |
| DBI Requirements Form |
| Application Fee |

RECEIVED
MAY 23 2013

This Tentative Map has been:

____ Approved by DBI

X Conditionally Approved by DBI, Subject to the following conditions (Any requested documents should be sent in with a copy of this letter to Department of Building Inspection at the above address):

SUBJECTS TO THE COMPLETION OF DEMOLITION WORK OF THE GARAGE STRUCTURE AND PART OF THE MAIN BUILDING AT REAR AS SHOWN ON THE TENTATIVE PARCEL MAP.

Date NOTE THAT A SEPARATE BUILDING PERMIT IS REQUIRED FOR ANY WORK TO THE BUILDINGS WHICH THIS REVIEW IS NOT A PART OF.

VIVIAN HUNTER 6/5/13

"IMPROVING THE QUALITY OF LIFE IN SAN FRANCISCO" We are dedicated individuals committed to teamwork, customer service and continuous improvement in partnership with the community.

Customer Service

Teamwork

Continuous Improvement



POSTING ON GARAGE DOOR FROM OCTOBER 3RD TO OCTOBER 23RD



POSTING ON WINDOW OF Mr. HERZOG FROM OCTOBER 3RD TO OCTOBER 23RD
POSTING WAS INSTALLED FROM INSIDE Mr. HERZOG'S WINDOW

LOCATION MAP



APPLICABLE CODES

1. 2010 CALIFORNIA RESIDENTIAL CODE (CRC)
2. 2010 CALIFORNIA FIRE CODE (CFC)

PROJECT DATA

ADDRESS:	653-655 FELL STREET, SAN FRANCISCO, CA
OCCUPANCY GROUP:	RE
USE:	RESIDENTIAL (SINGLE)
CONTINGENT USE:	0
NUMBER OF STORIES:	2
NUMBER OF BUILDING UNITS:	2
LOT AREA:	5000 SF
LOT COVER:	41.12%

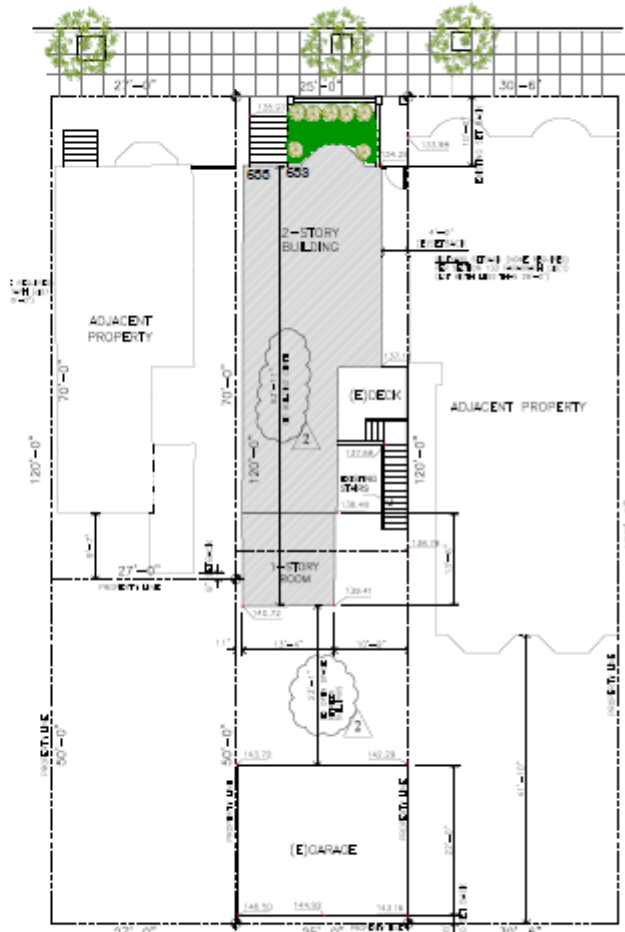
SCOPE OF WORK

REMOVE 1 STORY GARDEN TOOL ROOM FOR LOT SPLIT AND VARIANCE FOR REDUCED LOT SITE

SYMBOLS

	NORTH ARROW		DOOR NAME
	INTERIOR WALL		SHEET NO.
	ELEVATION		DETAIL NO.
	FLOOR INTERNAL		SCHEDULE
	ELEVATION WITH LINE		CONCRETE
	ENTRY HALL		GARAGE
	NEW WALL		MASONRY WALL
	FRONT STEP		

FELL STREET

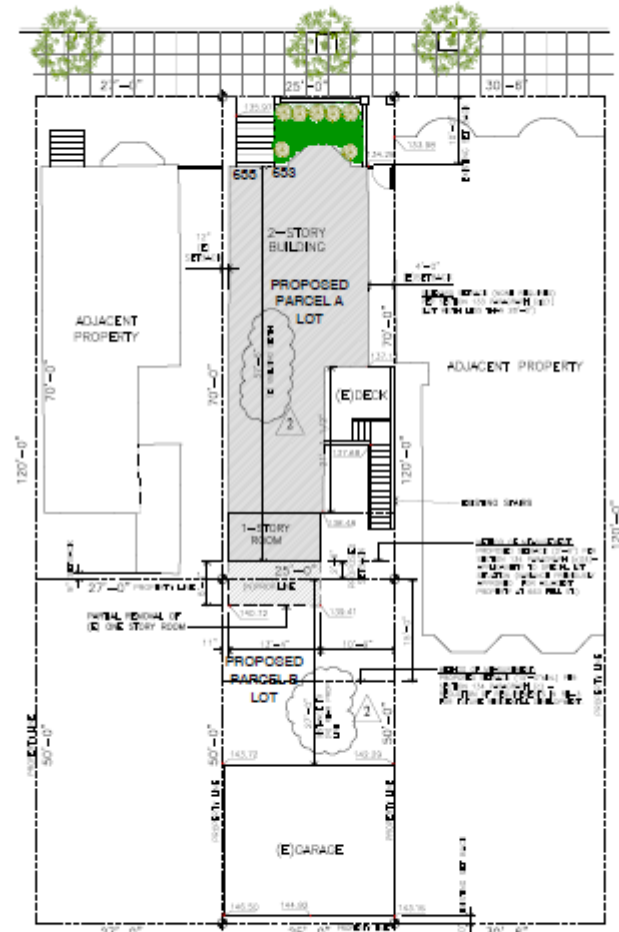


HICKORY STREET

EXISTING SITE PLAN

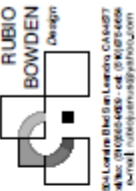


FELL STREET



HICKORY STREET

PROPOSED SITE PLAN

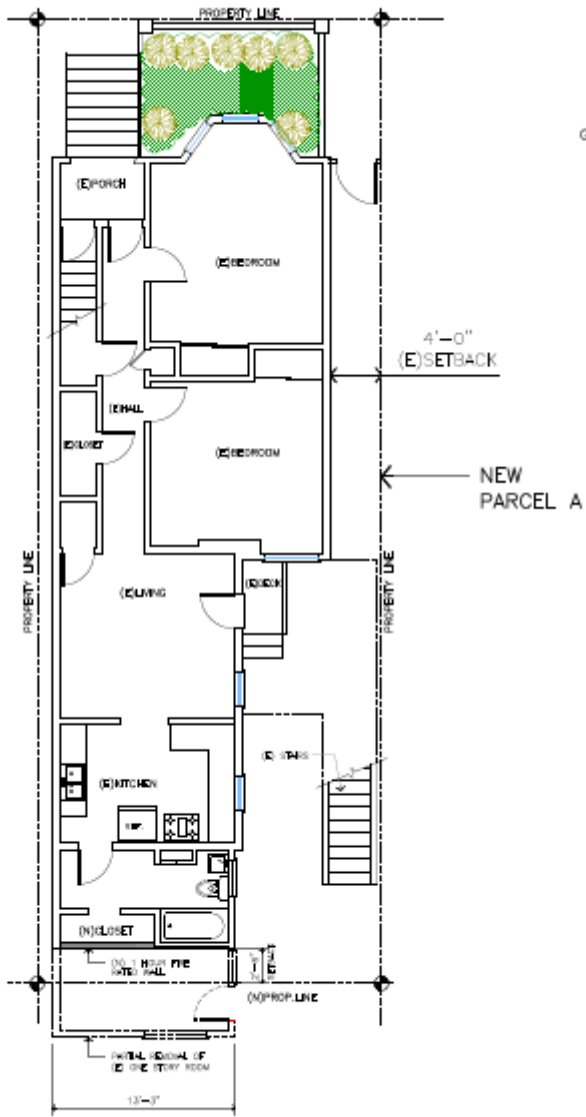


BUILDING ALTERATION FOR LOT SPLIT
 653-655 FELL STREET, SAN FRANCISCO, CA

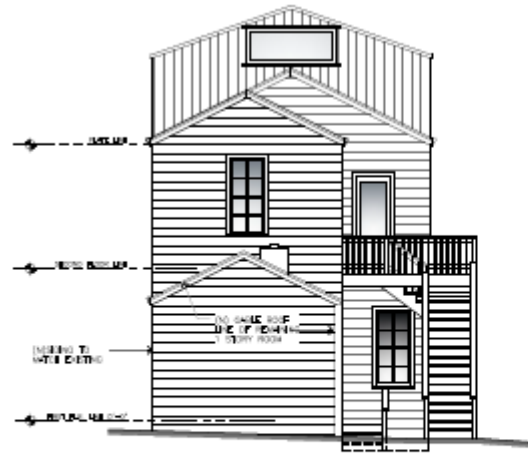
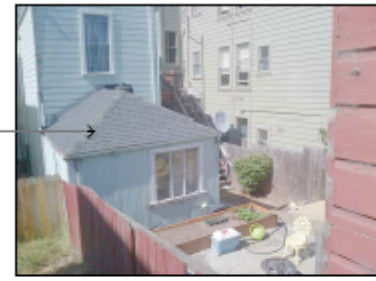
NO.	DATE	BY
1	04/30/2013	ETL
2	05/01/2013	PLANNING DEPT
3	05/02/2013	PLANNING DEPT

SITE PLAN

A.1

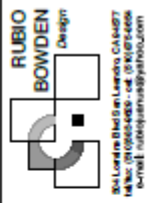


(E) ONE STORY GARDEN TOOL ROOM TO BE PARTIALLY REMOVED



ELEVATION

PROPOSED FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"



BUILDING ALTERATION FOR LOT SPLIT
653-655 FELL STREET, SAN FRANCISCO, CA

DATE	DESCRIPTION
04/30/2013	REVISION

FIRST FLOOR PLAN
ELEVATION

SCALE 1/8" = 1'-0"

A.2

Mr. Herzog filed an appeal on April 9th 2014.

A hearing was held on May 6th during which Mr. Herzog raised the following concerns:

1. That he was not notified of the project, that he didn't understand what it meant at the time. That he didn't know who the owner is and that he only spoke to a secretary.
2. That his unit was being reduced by 86 sqft.
3. That his was losing parking spaces – section 159 of the planning code
4. That he was losing his open space – section 135 of the planning code

In Response to the tenant's concerns, the owner would like to point out that it is not their intent to be adversary to Mr. Herzog. Rather, they tried to reach out to him via mail to arrange for a meeting to discuss the project. No response was received. See attached copy of Letter dated 4/24/14.

There is also a property manager, Eric Wayne (RWW Properties), with whom Mr. Herzog has been in contact with regarding some maintenance issues, and to accounting regarding the rent.

The loss of 86 sqft in question is a common laundry area. This area is not part of the tenant's lease. However, the owner realizes the inconvenience of losing access to this amenity and is proposing to relocate the washer and dryer to an area that will be accessible to both tenants.

Parking spaces are not lost- The 3-car garage fronting hickory remains unchanged. The garage was never a part of the tenant's lease.

Loss of open space – Although the lot subdivision will reduce the rear yard, the tenant's access to sunlight will not be impacted.



6114 La Salle Avenue tel 510.339.9905
Suite 535 fax 510.339.9906
Oakland, CA 94611

April 24, 2014

Mr. Jeremy D. Herzog
653 Fell Street
San Francisco, CA 94102

Subject: 653 Fell Street Appraisal

Dear Mr. Herzog,

We recently received notice of your appeal dated April 9, 2014, of the tentative approval of a lot subdivision by the City and County of San Francisco Department of Public Works by notice dated April 8, 2014. We are surprised that you have chosen to appeal the tentative decision rather than coming forward during the variance application process. Notice of our application for the variance was given by mail in compliance with local ordinance and the law to all persons residing within a 300 foot radius of the application site. In addition, notices were prominently posted on the garage door and in your window. Pictures of the postings are provided to you with this letter. We would have preferred to deal with any of your concerns during that application process.

We are committed to proceeding with the application and believe it will be granted, however, we want to insure that you understand the purpose and nature of the variance before the hearing. To this end, we would like to meet with you at a convenient time in the next 10 days to go over our application and explain the next steps in the process. We are confident that once we have had the chance to lay out the proposal to you that you will no longer object to the variance.

Please contact Eric Wayne at 510-318-4201 as soon as possible to arrange the meeting.

We look forward to meeting with you.

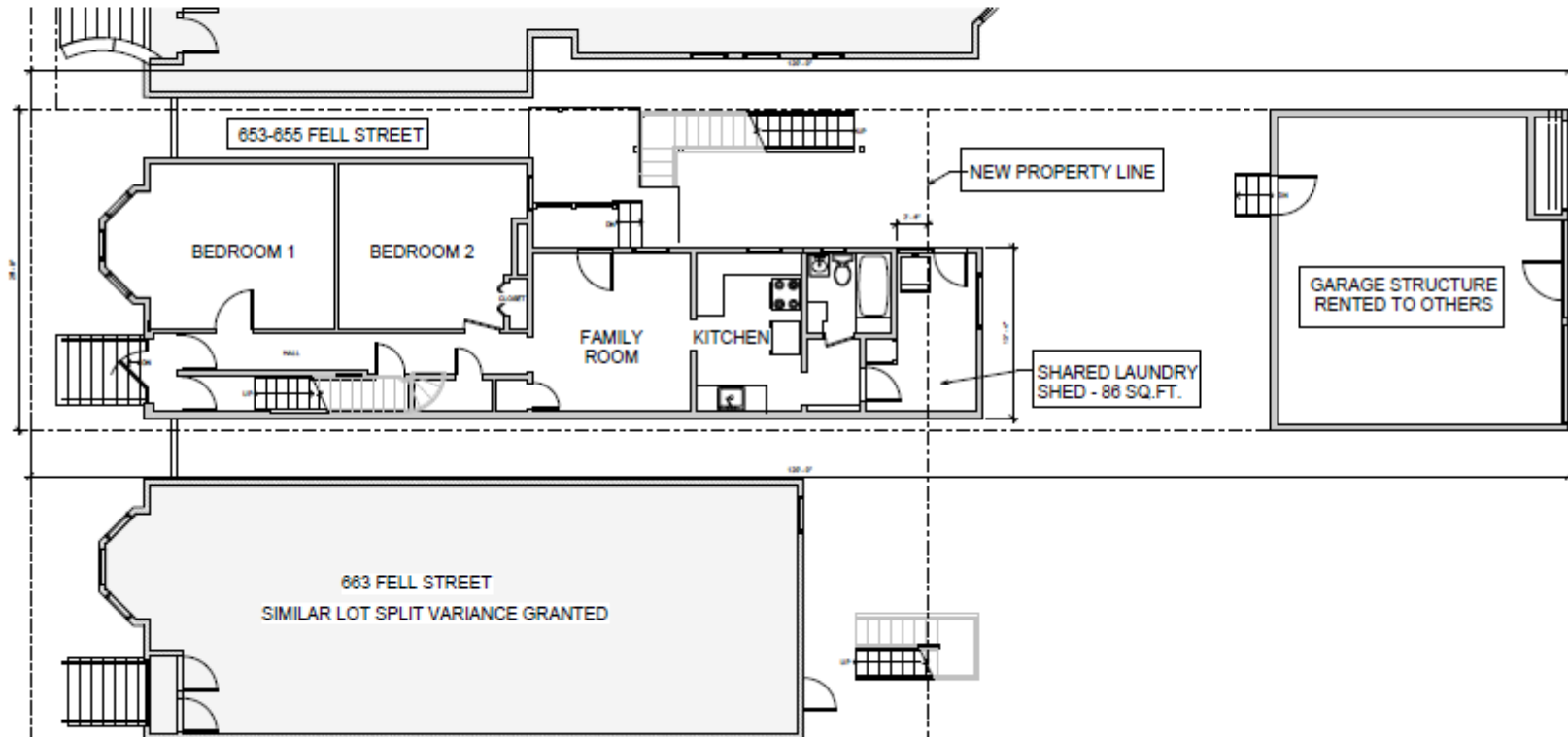
Sincerely,

A handwritten signature in blue ink, appearing to read 'Reid Settlemier', is written over a light blue circular stamp.

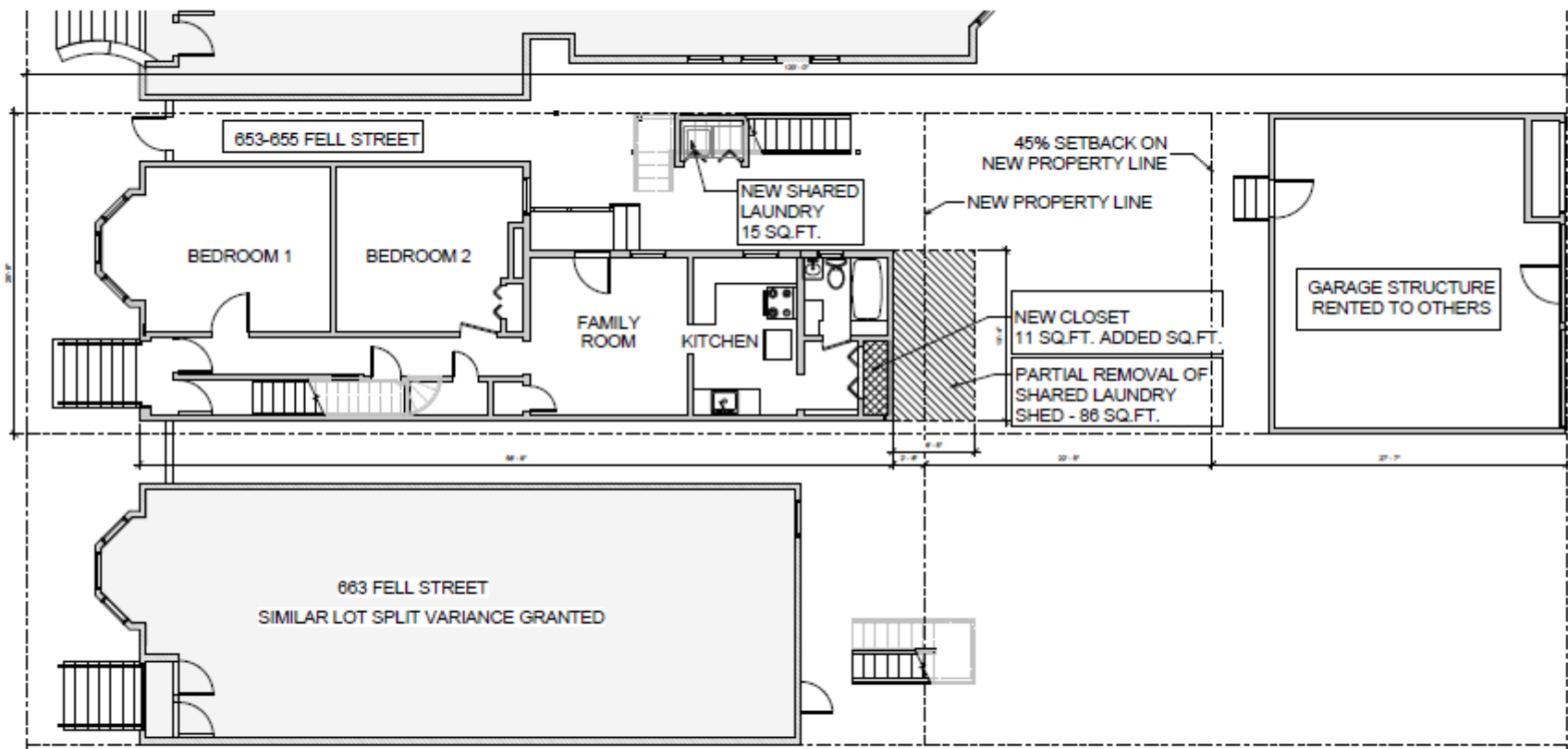
Reid Settlemier
RWW Properties LLC

Attachments: Email from Sergio Giannoni dated 10/13/13 containing postings on property

SHARED LAUNDRY SHED



↑ LEVEL 1 EXISTING
128'-0"



2 LEVEL 1 PROPOSED
1/4" = 1'-0"

In conclusion, we believe the request for the lot subdivision is in keeping with the guidelines of the San Francisco General Plan and similar lot subdivisions granted on the subject block.

1. The addition of another lot will complement the retail aspect of the neighborhood. The potential addition of housing for renters or homeowners will bring additional spending power to the community and enhance business growth.

2. It is the project intent to respect and preserve the character, cultural and economic diversity of the neighborhood. The existing character of the neighborhood is comprised of a wonderful mix of newer and older buildings. There are all kinds of cultural and economic diversity in and around the Fell Street corridor. The potential for additional housing will complement the existing mix and maintain the cultural balance.

3. The duplex 653-655 Fell Street will remain with the 2 current rent controlled tenants in place. Should the lot be developed on Hickory street, it will provide additional new housing while preserving low cost housing on Fell Street.

4. It is not the project intent to overburden the streets or neighborhood parking. In addition, Mass transit and car share programs are very successful in the Hayes Valley neighborhood.

5. The project has no affect on the Industrial and service sectors. The Subject neighborhood is for the most part residential.

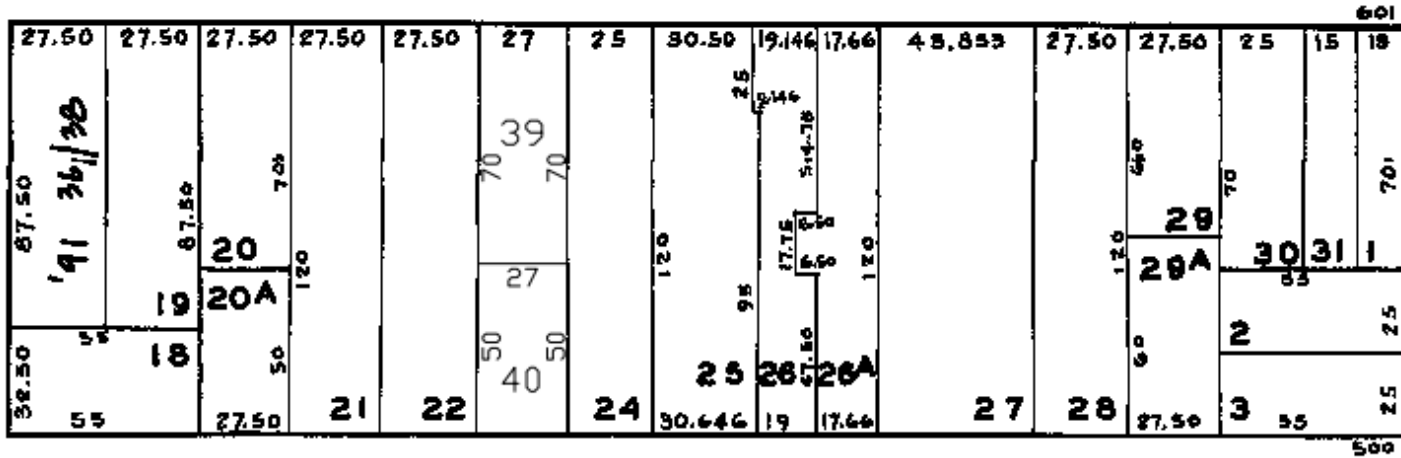
6. Should the lot be developed on Hickory, The building will meet new city codes and enhance the safety of the neighborhood, thereby benefitting the community as a whole.

7 There is a fair of mix of newer and older construction in the immediate neighborhood. About half the buildings on Hickory Street are newer construction and complement the existing older buildings. We are not aware of any landmark historic buildings on the immediate block.

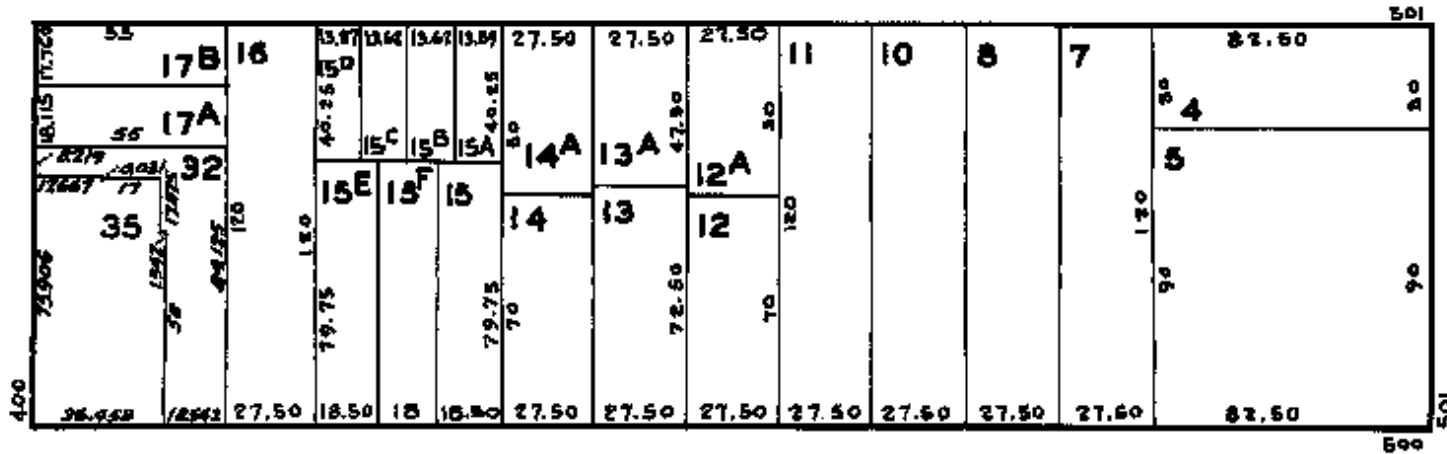
8 No parks will be affected by the lot split or development. The property is south facing in the back and access to sunlight will not be affected. At least 8 lots on the subject block have been subdivided, included 663 Fell street, located next to subject property.

9 The proposed project is in conformance with article 10 of the planning code and the secretary of the interior's standards.

FELL



HICKORY



OAK

PATTERN OF LOT SUBDIVISIONS ON SUBJECT BLOCK

WEBSTER

BUCHANAN



653 FELL STREET

663 FELL STREET
SIMILAR LOT
SUBDIVISION
GRANTED ON
3/8/08

SUBJECT PROPERTY – VIEW FROM FELL STREET



653 FELL STREET

663 FELL STREET
SIMILAR LOT SUBDIVISION
GRANTED ON 3/8/08

SUBJECT PROPERTY – VIEW FROM HICKORY STREET