



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Tentative Parcel Map Appeal 653-655 Fell Street

**DATE:** May 30, 2014  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** John Rahaim, Planning Director – Planning Department (415) 558-6411  
Christine Lamorena, Case Planner – Planning Department (415) 575-9085  
**RE:** File No. 140355 Planning Case No. 2013.0712S – Appeal of approval of a Tentative Parcel Map for 653-655 Fell Street

**HEARING DATE:** June 3, 2014

**ATTACHMENTS:** A. Planning Department Referral Letter (dated May 25, 2014)  
B. Variance Decision Letter (dated January 6, 2014)  
C. Variance Notice and Poster

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

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**PROJECT SPONSOR:** RWW Properties, LLC, 6114 La Salle Avenue #535, Oakland, CA 94551

**APPELLANT:** Jeremy D. Herzog, 653 Fell Street, San Francisco, CA 94102

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### INTRODUCTION:

This memorandum and the attached documents are in response to the letter of appeal (“Appeal Letter”) to the Board of Supervisors (the “Board”) regarding the Department of Public Works (“DPW”) April 7, 2014 approval of a Tentative Parcel Map for a two lot subdivision at 653-655 Fell Street. The application was filed with DPW on April 30, 2013 and referred to the Planning Department (the “Department”) for review on May 20, 2013. Related variances for lot size, rear yard, open space, and parking were heard at a public hearing before the Zoning Administrator on October 23, 2013 and granted on January 6, 2014 (Case No. 2013.0712V). Recommendation for approval by the Department was made on March 25, 2014 and issued by DPW on April 7, 2014. The Appeal Letter to the Board was filed on April 9, 2014 by Jeremy D. Herzog and referenced the proposed project in Case No. 2013.0712S. The Appellant states that he was unaware of the proposed subdivision and requests further time to research the issues. The Appeal Letter does not include any specific concerns.

The hearing on the matter occurred on May 6, 2014 and was continued to June 3, 2014. Since the hearing, the Project Sponsor and Appellant have submitted additional letters.

The decision before the Board is whether to uphold or overturn the Tentative Parcel Map approval for the two lot subdivision.

Memo

**SITE DESCRIPTION & PRESENT USE:**

The subject property is a through lot with lot frontages on Fell Street and Hickory Street, located on the south side of Fell Street between Webster and Buchanan Streets. The subject lot is 25 feet wide by 120 feet deep and is developed with a three-story, two-unit building constructed circa 1900 fronting on Fell Street. A three-car garage at the rear of the property fronts on Hickory Street.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD:**

The subject property is located in the Western Addition. The property directly west located at 663 Fell Street is a two-story, two-unit building constructed circa 1900. An application to subdivide the lot was granted on September 12, 2008. The subject property's proposed subdivision matches the property lines of this adjacent subdivided lot. The property directly east located at 647-651 Fell Street is a through lot and contains a three-story over garage, six-unit building constructed circa 1908.

**PROJECT DESCRIPTION:**

The proposal is to subdivide the through lot into two lots containing a two-unit building fronting on Fell Street and a garage fronting on Hickory Street and requires the approval of the Tentative Parcel Map. The proposed Parcel A fronting on Fell Street would be 25 feet wide by 70 feet deep and the proposed Parcel B fronting on Hickory Street would be 25 feet wide by 50 feet. The existing building fronting on Fell Street would be reduced by approximately six feet in depth at the rear.

**BACKGROUND:**

***2013 – Tentative Parcel Map Application filed, Variance Application filed & heard***

On April 30, 2013, a Tentative Parcel Map application was filed with DPW to subdivide the lot into two lots and referred to the Department for review on May 20, 2013.

On July 2, 2013, a Variance application (Case No. 2013.0712V) was filed in relation to the subdivision, requesting variances from Lot Area (Planning Code Section 121), Rear Yard (Planning Code Section 134), Open Space (Planning Code Section 135), and Parking (Planning Code Section 159).

The Zoning Administrator conducted a duly noticed public hearing on October 23, 2013. Notification of the hearing included a 20-day mailed notice to property owners within 300 feet of the subject property and 10-day posted notice (Attachment C), which was placed in the Appellant's window. The notice included information about the public hearing and a description of the proposed project, which included language regarding the reduction of building depth and proposed subdivision.

At no time during the noticing period did the Appellant contact Department staff to voice concerns in opposition to the project nor did the Appellant appear at the public hearing to speak against the item.

***2014 – Variance Application granted, Tentative Parcel Map approved.***

On January 6, 2014, the Zoning Administrator granted the variances (Attachment B).

Variance decisions issued by the Zoning Administrator can be appealed to the Board of Appeals within 10 calendar days from the date of the Variance Decision Letter. On January 16, 2014 the period to appeal the Variance Decision to the Board of Appeals expired. No appeals were filed.

On March 25, 2014, the Department found that the project was consistent with the General Plan as well as provisions of the Planning Code and recommended approval of the Tentative Parcel Map (Attachment A). On April 7, 2014, DPW issued the Tentative Parcel Map approval.

**APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:**

*Issue No. 1:* The Appellant states that as a result of the subdivision, six feet of his home would be demolished.

*Response No. 1:* The proposal to subdivide the lot and reduce the existing building by six feet was considered during the Variance review process. On January 6, 2014, the Zoning Administrator granted the variances (Attachment B) and no appeals to the decision were filed.

*Issue No. 2:* The Appellant is concerned about the reduction of his rear yard and usable open space.

*Response No. 2:* Variances for Rear Yard pursuant to Planning Code Section 134 and Open Space pursuant to Planning Code Section 135 were granted on January 6, 2014 by the Zoning Administrator (Attachment B). Variance decisions issued by the Zoning Administrator can be appealed to the Board of Appeals within 10 calendar days from the date of the Variance Decision Letter. However, no requests to appeal the Variance Decision were filed.

*Issue No. 3:* The Appellant alleges that as a result of the subdivision, the City is altering the contract between the landlord and Appellant, which he also alleges allows for exclusive use of the rear portion of the building and rear yard.

*Response No. 3:* The landlord is the Project Sponsor of the project and any matter involving the lease is a civil issue between the landlord and tenant (Appellant).

*Issue No. 4:* The Appellant argues that DPW findings 1-5 for the subdivision are defective or insufficient.

*Response No. 4:* The Appellant confuses findings between the Zoning Administrator's Variance Decision and action taken by DPW. The mechanism to voice concerns or oppose a decision would be through filing an appeal within 10 calendar days from the date of the Variance Decision to the Board of Appeals. As previously stated, no appeals to the Board of Appeals were filed.

**CONCLUSION:**

For the reasons stated above, we believe that our review and recommendation of approval of the Tentative Parcel Map application provides an accurate analysis of the proposed project. Therefore, for the reasons articulated in Attachments A, B, and C, the Department recommends that the Board uphold DPW's approval for the Tentative Parcel Map to subdivide the lot into two lots.



**Department of Public Works  
Office of the City and County Surveyor**

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

**Bruce R. Storrs**, City and County Surveyor

**Edwin M. Lee**, Mayor  
**Mohammed Nuru**, Director

**Fuad S. Sweiss, PE, PLS**,  
City Engineer & Deputy Director of Engineering

Date: May 20, 2013

Department of City Planning  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

<b>Project ID:</b> 7534			
<b>Project Type:</b> 2 Lot Subdivision			
<b>Address#</b>	<b>StreetName</b>	<b>Block</b>	<b>Lot</b>
653 - 655	FELL ST	0829	024
<b>Tentative Map Referral</b>			

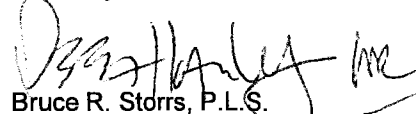
Attention: Mr. Scott F. Sanchez

Pursuant to Section 1325 of the City and County of San Francisco Subdivision Code and Section 4.105 of the 1996 City Charter, a print of the above referenced Map is submitted for your review, CEQA and General Plan conformity determination. Under the provisions of the Subdivision Map Act and the City and County of San Francisco Subdivision Code, your Department must respond to the Bureau of Street-Use and Mapping within 30 days of the receipt of the application or CEQA Determination per SMA 664521(c). Under these same state and local codes, DPW is required to approve, conditionally approve, or disapprove the above referenced map within 50 days of the receipt of the application or CEQA Determination per SMA 664521(c). Failure to do so constitutes automatic approval. Thank you for your timely review of this Map.

**Enclosures:**

- Print of Parcel Map
- List "B"
- Proposition "M" Findings
- Photos

Sincerely,

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


\_\_\_\_\_ The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from environmental review per Class 1 California Environmental Quality Act Guidelines.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the following conditions (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address): **SEE ATTACHED NSR**

\_\_\_\_\_ The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code. Due to the following reasons (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

**PLANNING DEPARTMENT**


DATE 03.25.14

  
\_\_\_\_\_  
FOR Mr. Scott F. Sanchez, Zoning Administrator

*"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.*

**DOCKET COPY**  
**DO NOT REMOVE**  
NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY: )  
And When Recorded Mail To: )  
Name: **RWW PROPERTIES, LLC.** )  
Address: **6114 La Salle Ave #535** )  
City: **Oakland** )  
State: **California** )

  
San Francisco Assessor-Recorder  
Carmen Chu, Assessor-Recorder  
**DOC- 2014-J853350-00**  
Check Number 4681  
Friday, MAR 21, 2014 15:14:39  
Ttl Pd \$24.00 Rcpt # 0004906908  
okc/KC/1-4

Space Above this Line for Recorder's Use

**CERTIFIED COPY**

I (We) RWW PROPERTIES, LLC. the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows:

**(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)**

**BEING ASSESSOR'S BLOCK: 0829 LOT: 024**

**COMMONLY KNOWN AS: 653-655 Fell Street**

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to a variance granted by the Zoning Administrator of the City and County of San Francisco on **January 6, 2014 (Case No. 2013.0712V, to subdivide a through lot containing a two-unit building fronting on Fell Street and a garage fronting on Hickory Street. The existing structure fronting on Fell Street will be reduced by approximately six feet in depth at the rear.**

**The restrictions and conditions of which notice is hereby given are:**

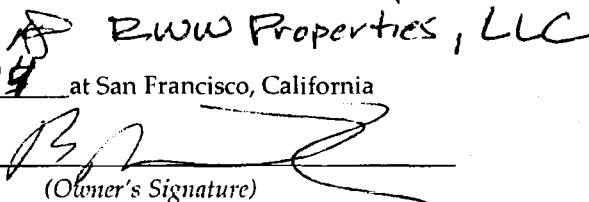
**GRANTED**, in general conformity with the plans on file with this application, shown as EXHIBIT A, to subdivide a through lot containing a two-unit building fronting on Fell Street and a garage is fronting on Hickory Street, subject to the following conditions:

1. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The newly created lot fronting on Hickory Street will be limited to one dwelling unit.
5. 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.
6. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project. This Index Sheet of the construction plans shall reference the Variance Case Number.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

Dated: MARCH 20, 2014 at San Francisco, California  
  
(Owner's Signature)

***This signature(s) must be acknowledged by a notary public before recordation;  
add Notary Public Certification and Official Notarial Seal Below.***

CL/jms/653-655 Fell Street/NSR

**EXHIBIT A**  
**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF **SAN FRANCISCO**, STATE OF **CALIFORNIA**, AND IS DESCRIBED AS FOLLOWS:

**COMMENCING AT A POINT ON THE SOUTHERLY LINE OF FELL STREET, DISTANT THEREON 164 FEET 6 INCHES EASTERLY FROM THE EASTERLY LINE OF WEBSTER STREET; RUNNING THENCE EASTERLY ALONG SAID LINE OF FELL STREET 25 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 120 FEET TO THE NORTHERLY LINE OF HICKORY STREET; THENCE WESTERLY ALONG SAID LINE HICKORY STREET 25 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 120 FEET TO THE POINT OF COMMENCEMENT.**

**BEING A PART OF WESTERN ADDITION BLOCK NO. 287**

**ACKNOWLEDGMENT**

State of California  
County of Alameda)

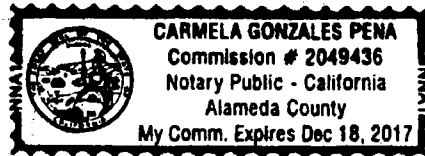
On March 20, 2014 before me, Carmela Gonzales Pena  
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature  (Seal)







# SAN FRANCISCO PLANNING DEPARTMENT

## Variance Decision

*Date:* January 6, 2014  
*Case No.:* 2013.0712V  
*Project Address:* 653-655 FELL STREET  
*Zoning:* RH-3 (Residential, House, Three-Family)  
40-X Height and Bulk District  
*Block/Lots:* 0829/024  
*Applicant:* Guillermo Loyola  
RWW Properties, LLC  
6114 La Salle Avenue #535  
Oakland, CA 94611  
*Staff Contact:* Christine Lamorena – (415) 575-9085  
christine.lamorena@sfgov.org

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

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Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### DESCRIPTION OF VARIANCES – LOT SIZE, REAR YARD, OPEN SPACE AND PARKING VARIANCES SOUGHT:

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 existing structure fronting on Fell Street will be reduced by approximately six feet in depth at the rear.

**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.

**Section 134 of the Planning Code** requires a rear yard equal to 25 percent of the lot depth or 15 feet, whichever is greater for each lot. The required rear yard for the lot fronting on Fell Street would be approximately 17 feet while the proposed rear yard would be approximately three feet.

**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 where 100 square feet are required and 146 square feet of common open space where 266 square feet are required.

**Section 159 of the Planning Code** stipulates 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.

**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. 2013.0712V** on **October 23, 2013**.
3. Planning Code Section 311 notification is not required for the proposal.

**DECISION:**

**GRANTED**, in general conformity with the plans on file with this application, shown as EXHIBIT A, to subdivide a through lot containing a two-unit building fronting on Fell Street and a garage fronting on Hickory Street, subject to the following conditions:

1. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The newly created lot fronting on Hickory Street will be limited to one dwelling unit.
5. 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.
6. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project. This Index Sheet of the construction plans shall reference the Variance Case Number.

**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. The subject block is bifurcated by Hickory Street with lots on its north and south sides. The subject property is located on the north side of Hickory Street. Many lots on the south side of Hickory Street, directly across from the subject property, as well as the property immediately adjacent and to the west at 663 Fell Street, were subdivided and developed with buildings fronting on the front and rear of their respective lots.
- B. The subject property has a lot depth of 120 feet, which is deeper than the typical lot depth of 100 feet.

**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. The literal enforcement of the Planning Code would preclude development on the proposed lot that is similar to approximately eight lots directly across Hickory Street and adjacent to the subject property, a practical difficulty or unnecessary hardship not created by or attributed to the applicant or to the owner of the property.

**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. Other properties on the block have enjoyed the ability to split lots and create development on Hickory Street, a substantial property right possessed by other properties in the same class of district. Variances were granted to other similar projects on the subject block. Specifically, nearby projects include the properties at 663 Fell Street, located immediately adjacent to the subject property, which was granted lot size, rear yard, open space and off-street parking variances on March 20, 2008 (Case No. 2007.1044V) and 513 and 519 Hickory Street, located directly across Hickory Street, which were granted lot size, rear yard, open space and off-street parking variances on November 8, 1990 (Case No. 1990.094V).

**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. The proposal will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity as there are no proposed physical alterations to

expand the structures and the lot subdivision would occur on a block with similar conditions. Previously approved lot size, rear yard, open space, and parking variances in the nearby area include 663 Fell Street (Case No. 2007.1044V) and 513 and 519 Hickory Street (Case No.1990.094V).

B. The Planning Department received no opposition to the proposed project.

**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 two dwelling units 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 utilized, all specifications and conditions of the variance authorization became immediately operative.

The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if (1) a Building Permit has not been issued within three years from the effective date of this decision; or (2) a Tentative Map has not been approved within three years from the effective date of this 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 years from the effective date of this decision. However, this authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit or approval of a Tentative Map or other City action is delayed by a City agency or by appeal of the issuance of such a permit or map or other City action.

**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 1650 Mission Street, 3<sup>rd</sup> Floor (Room 304) or call 575-6880.

Very truly yours,



Corey A. Teague  
Acting Zoning Administrator

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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.

CL: G:\DOCUMENTS\2013\Vs\2013.0712\2013.0712V - 653-655 Fell St - Decision Letter.doc

Copy to I:\Decision Documents\Variance Decision Letters\2013\2013.0712V - 653-655 Fell St - Decision Letter



**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 & Parking)**  
 Hearing Body: **Zoning Administrator**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: <b>653-655 Fell Street</b>	Case No.: <b>2013.0712V</b>
Cross Street(s): <b>Webster Street</b>	Building Permit: <b>TBD</b>
Block / Lot No.: <b>0829/024</b>	Applicant/Agent: <b>Guillermo Loyola</b>
Zoning District(s): <b>RH-3 / 40-X</b>	Telephone: <b>510-339-9905</b>
Area Plan: <b>n/a</b>	E-Mail: <b>memo@rww-llc.com</b>

## PROJECT DESCRIPTION

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.

**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.

**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.

**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.

**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.

## ADDITIONAL INFORMATION

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

Planner: **Christine Lamorena** Telephone: **415-575-9085** Mail: [christine.lamorena@sfgov.org](mailto:christine.lamorena@sfgov.org)

**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>

中文詢問請電: **558.6378**

Para información en Español llamar al: **558.6378**

# GENERAL INFORMATION ABOUT PROCEDURES

## VARIANCE HEARING INFORMATION

Under Planning Code Section 306.3, you, as a property owner or resident within 300 feet of this proposed project or interested party on record with the Planning Department, are being notified of this Variance Hearing. **You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant/Agent or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and neighborhood association or improvement club, as they may already be aware of the project.

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

## BUILDING PERMIT APPLICATION INFORMATION

There is no associated Building Permit Application with this Variance request.

## BOARD OF APPEALS

An appeal of the approval (or denial) of a **variance application** by the Zoning Administrator may be made to the **Board of Appeals within 10 days** after the **Variance Decision Letter** is issued by the Zoning Administrator.

An appeal of the approval (or denial) of a **building permit application** by the Planning Department may be made to the **Board of Appeals within 15 days** after the **building permit** is issued (or denied) by the Director of the Department of Building Inspection.

Appeals must be submitted in person at the **Board's office at 1650 Mission Street, 3rd Floor, Room 304**. For further information about appeals to the Board of Appeals, including current fees, **contact the Board of Appeals at (415) 575-6880**.

## ABOUT THIS NOTICE

The Planning Department is currently reviewing its processes and procedures for public notification as part of the Universal Planning Notification (UPN) Project. The format of this Public Hearing notice was developed through the UPN Project and is currently being utilized in a limited trial-run for notification of Variance Hearings.

If you have any comments or questions related to the UPN Project or the format of this notice, please visit our website at <http://upn.sfplanning.org> for more information.