



SAN FRANCISCO PLANNING DEPARTMENT

May 8, 2009

Nicholas Ballard
California Mortgage Advisors
4304 Redwood Highway, Ste. 100
San Rafael, CA 94903
Tel: 415-526-1941

**RE: ZONING LETTER FOR THE PROPERTY AT 1303 BUCHANAN STREET
BLOCK: 0733 LOT: 030**

Dear Mr. Ballard:

This letter is in response to your correspondence of May 8, 2009 requesting zoning information for the property at 1303 Buchanan Street (Block: 0733; Lot: 030). This property is located in the NC-S (Neighborhood Commercial Shopping Center District) Zoning District and 50-X Height-Bulk District. Residential uses, including single-family dwellings, are principally permitted uses within the NC-S Zoning District.

The subject property is not in any Special Use District. The subject property was located in the Western Addition A-2 Redevelopment Project Area; however, this plan area expired on December 31, 2008. Our Property Information Report for the subject property is attached.

The subject lot was created as part of a 30-lot subdivision of Block: 0733; Lot: 002, as authorized by Case No. 2005.0848S (see attached). The subject property contains a single-family dwelling, as authorized under Building Permit Application Numbers 200504200393 and 200708301370 (see attached).

The Planning Code Section 181(d) and 188(b) allow a legally constructed structure that is destroyed by fire, other calamity, or by act of God or the public enemy to be restored to its original condition and use provided that such restoration is permitted by the Building Code and is started within one year and diligently prosecuted to completion. This allows the reconstruction of a non-conforming use, a non-complying building or conditional use that has all applicable building permits and a Certificate of Occupancy on record with the Department of Building Inspection. Uses, buildings and features not legally built or established may be replaced only with uses, buildings or features that conform to current standards.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Letter of Determination
1303 Buchanan Street
Block: 0733; Lot: 030
May 8, 2009

Information regarding violations of the Building Code as well as the Certificate of Occupancy is the jurisdiction of the Department of Building Inspection. For violations please contact this department at:

Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

This letter and the attached information sheets should provide you with a summary of the information requested in the letter dated May 8, 2009. The Planning Department has not made a site inspection to determine the existence of possible unabated violations of the Planning Code. Our current records do not indicate any Planning Code violations. Any additional research needed shall be subject to time and materials billing at the standard Planning Department rates. If you should have any further questions please contact Scott Sanchez at (415) 558-6326.

If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Permit Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Permit Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



SCOTT F. SANCHEZ

For: Lawrence B. Badiner
(Zoning Administrator)

Attachments:

Letter of Determination Request
Property Information Report
Parcel Map
Case Tracking Summary (Case No. 2005.0848)
Letter of Determination for 1300 Eddy Street (August 20, 2004)
Permit Details for Building Permit Application No. 200504200393
Permit Details for Building Permit Application No. 200708301370

May 8, 2009

Lawrence Badiner
Zoning Administrator
San Francisco Planning Department
1660 Mission Street, Suite 400
San Francisco, CA 94103

URGENT: Barnaby Payne and Jessica Huang
1303 Buchanan Street, San Francisco, CA 94115.
Lot 30, Block 733

Dear Mr. Badiner:

With respect to the above listed property, please issue a Letter of Zoning Conformance verifying that the property is in fact zoned RM-3 for 3 dwelling unit, residential house. Please verify that the property is a single unit and not multi-family.

While the subject's correct zoning is listed with the Tax Collector, other City offices still list the previous zoning of NCS. We need to verify that the subject is a single family dwelling and in compliance with its zoning.

This is an urgent matter as it is otherwise not possible to refinance Mr. Payne and Mrs. Huang's loan. Mr. Payne will deliver a check to your office in the amount of \$115 for issuance of the Letter of Zoning Conformance.

- When completed, and in addition to mailing a copy to the owners, please fax a copy to my attention at the following number: 415-451-3550.

Your assistance in expediting this matter is greatly appreciated.

Sincerely,



Nicholas Ballard
California Mortgage Advisors
4304 Redwood Highway, Ste. 100
San Rafael, CA 94903
Tel: 415-526-1941

San Francisco Planning Department
Office of Analysis and Information Systems

PROPERTY INFORMATION REPORT

Block 0733 Lot 030 Census Tract 159 Census Block 106

Site Address: 1300 - 0 EDDY ST

Site Zip Code: 94115

OWNER

PAYNE BARNABY & HUANG JESSI
1303 BUCHANAN ST
SAN FRANCISCO CA
94115

PROPERTY VALUES

Land	\$119,421.00	Sales Date	07/29/2008
Structure	\$348,559.00	Price	\$700,000.00
Fixture	\$0.00		
Other	\$0.00		

PHYSICAL CHARACTERISTICS

Lot Frontage	0.00	Year Built	2007
Lot Depth	0.00	Stories	3
Lot Area	0.00	Assessor Units	0
Lot Shape		Bedrooms	3
Building Sq.Ft.	1,900.00	Bathrooms	2
Basement Sq.Ft.	0.00	Rooms	7
		Assessor Use	DWELLING (ONE UNIT)

Authorized Use

Original Use

PLANNING INFORMATION

Zoning	NC-S	Planning District	5
Height Limit	50-X	SUD	
Quadrant	NORTHWEST	SSD	
Leg. Setback		Redevelopment Area	NOT IN RDA PROJECT AREA

Notices of Special Restrictions:

Non-Conforming Uses:

Comments:

Physical characteristics information is not guaranteed accurate or complete

APPLICABLE REGULATIONS (Special Zones)

Type	Value	Description
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PARCEL EVENTS (Special Instructions, Determination Letters, Project Reviews)

Date	Type	Description
08/05/2004	Letter	1300 Eddy Street - Letter of Determination - Consistency w/ Sec. 304 Planning Commission would have authority to approve PUD as a

San Francisco Planning Department
Office of Analysis and Information Systems

PROPERTY INFORMATION REPORT

Block 0733

Lot 030

Census Tract 159

Census Block106

BUILDING PERMIT APPLICATIONS

Appl. No.	Act Date	Status	Description
200708301370	01/02/2008	FINAL INSPEC	BLDG.#2- TO CORRECT APPL# 200504200393-S, S-1 & S-2.THE ADDRESS SHOULD BE READ AS 1303 BUCHANAN ST. INSTEAD OF 1300 EDDY ST. BLDG # 2 AND LOT # SHOULD BE READ AS LOT #030 INSTEAD OF LOT #002.

PERMIT APPEALS

Appeal No.	Appl. No.	Case No.	Hearing	Nature of Appeal	Hearing Result
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Redrawn 1961

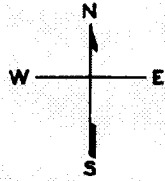
LOTS MERGED
3 INTO LOT 2 - 1944
4F 40 - '49

733

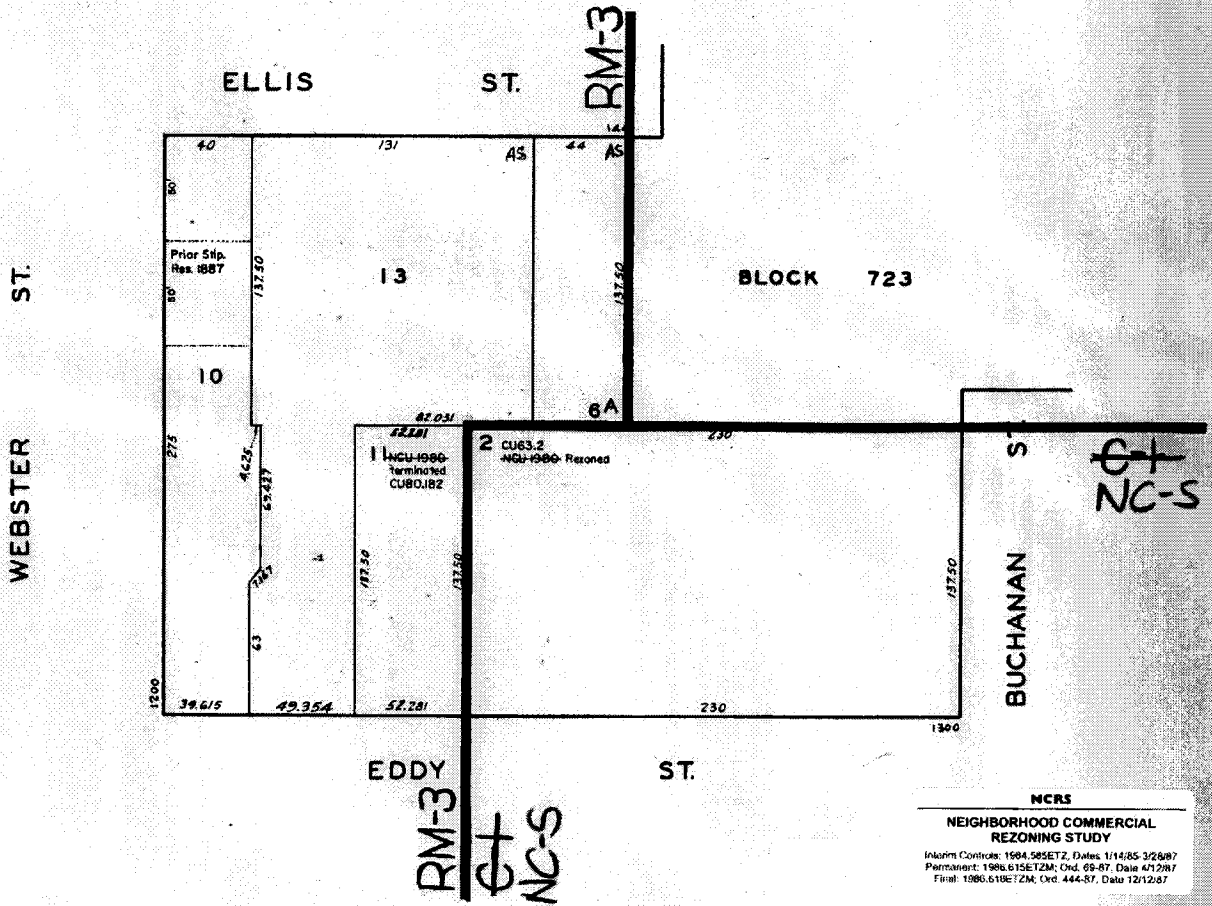
PTN. W.A. BLK. 279

SFRA-WA-A2
WESTERN ADDITION A-2
REDEVELOPMENT AREA
Contact SF Redevelopment Agency
749-2400

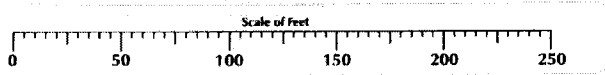
REVISED	'60
1	'61
2	'62
3	'64
4	'67



50-X



NCRS
NEIGHBORHOOD COMMERCIAL
REZONING STUDY
Enactment: 1984, 505ETZ, Dates: 1/14/85 - 3/28/87
Permitment: 1986, 615E12M, Ord. 69-87, Date: 4/1/87
Final: 1986, 618E72M, Ord. 444-87, Date: 12/12/87



Case Tracking

Case No. 2005.0848
Project Name 1300 EDDY ST
Parcel Number 0733 / 002 **Zoning**
Cross Streets N BTWN WEBSTER AND BUCHANAN
Sponsor Jay Drake
Description 30-LOT SUBDIVISION

Case Information

<u>Suffix</u>	<u>File Date</u>	<u>Planner</u>	<u>Docket Location</u>	<u>Status</u>	<u>Close Date</u>
S	07/22/2005	CECILIA JAROSLAWSKY	NORTHWEST	Closed	11/08/2006

Case Information

<u>Construction Cost</u>	<u>Initial Fee</u>	<u>Balance</u>
	\$1,790.00	

<u>Action Date</u>	<u>Entity</u>	<u>Action</u>	<u>Action No.</u>
08/30/2005	ZA	'05 MAP APPROVED, RESUMMITTED 11/06.	



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER (415) 558-6378	DIRECTOR'S OFFICE PHONE: 558-6411 4TH FLOOR FAX: 558-6426	ZONING ADMINISTRATOR PHONE: 558-6350 5TH FLOOR FAX: 558-6409	PLANNING INFORMATION PHONE: 558-6377 MAJOR ENVIRONMENTAL FAX: 558-5991	COMMISSION CALENDAR INFO: 558-6422 INTERNET WEB SITE SFGOV.ORG/PLANNING
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August 20, 2004

James A. Reuben, Esq.
Reuben & Junius, LLP
235 Pine Street, Suite 1600
San Francisco, CA 94104

Dear Mr. Reuben,

**Re: Letter of Determination
1300 Eddy Street
Block 0733, Lot 002
SFRA Project Area, Western Addition A-2
Underlying Zoning: NC-S (Neighborhood Commercial Shopping Center District)
50-X Height and Bulk District**

I am in receipt of your request for a determination regarding the Planning Commission's authority to approve a Planned Unit Development (PUD) as a conditional use on the above-referenced property, once the property reverts to the jurisdiction of the Planning Department from the San Francisco Redevelopment Agency (SFRA) at the end of 2008.

Specifically, you wish to know if the Planning Commission, via a PUD, can allow a project that creates lot sizes of less than 1,500 square feet and rear yards of less than 25 percent of the lot depth. Planning Code Section 304 allows the Planning Commission to authorize PUDs as conditional uses if the site is at least a half acre in area and is under one ownership, and if the proposed development meets the criteria applicable to conditional uses and other criteria specified in Section 304(d)(1) through (8).

Pursuant to Planning Code Section 121(e)(2), the minimum lot area in an NC-S District is 2,500 square feet (or 1,750 square feet if the lot's street frontage is entirely within 125 feet of an intersection). With regard to rear yard requirements, rear yards are not required in NC-S Districts. Under Section 305, the Zoning Administrator has the authority to grant variances from the strict application of quantitative standards of the Planning Code, including minimum lot area.

As indicated above, the developer of a property with an area of at least a half-acre, to be developed as integrated units, may elect to submit the project as a PUD, to be reviewed by the Planning Commission as a conditional use. The PUD process allows the Planning Commission to modify certain Planning Code provisions, including minimum lot area and minimum rear yard depth, in order for a project to achieve superior overall design that will complement the design and values of the area surrounding the project site.

James A. Reuben, Esq.
Letter of Determination – 1300 Eddy Street
August 20, 2004
Page 2 of 2

If anyone believes that this determination represents an error in interpretation of the Planning Code or abuse of discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the **Board of Appeals located at 1660 Mission Street, Room 3036, San Francisco or call (415) 575-6880.**

If you have any questions regarding this letter please contact **David Lindsay at (415) 558-6393.**

Sincerely,

Lawrence B. Badiner,
Zoning Administrator

CN/DRL:N:\ZA\Determin\2004\1300 Eddy Street

cc: David Lindsay, Planning Department

Department of Building Inspection

Online Permit And Complaint Tracking

Permit Details Report



Report Date: 5/8/2009 3:26:24 PM

Application Number: 200504200393
Form Number: 2

Address(es): 0733/002 /0 1300 EDDY ST
Description: BLDG #2 - TO ERECT 3 STORIES OF 1 FAMILY DWELLING
Cost: \$204,000.00
Occupancy Code: R-3
Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
4/20/2005	TRIAGE	
4/20/2005	FILING	
4/20/2005	FILED	
2/24/2006	PLANCHECK	
2/27/2006	APPROVED	
3/2/2006	ISSUED	
1/2/2008	COMPLETE	CFC Issued

Contact Details:

Contractor Details:

License Number: UNDECIDED
Name: UNDECIDED UNDECIDED
Company Name: UNDECIDED
Address: UNDECIDED * UNDECIDED CA 00000-0000
Phone:

Addenda Details:

Description:

SITE PERMIT

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	4/20/05	4/20/05			4/20/05	SHEK KATHY	DCP-N/A
2	REDEV	4/28/05	5/5/05			5/5/05	BRANICK ELENA	
3	PAD-MECH	7/5/05	7/8/05			7/8/05	CAYABYAB MERLIN	NO WORK DONE
3	PAD-MAJ	5/11/05	6/6/05	10/13/05		12/22/05	YAU WILLY HOI-C	
4	SFFD	10/19/05	10/19/05			10/19/05	BALLARD MARIO	all applications "R-3" no fire review required
5	DPW-BSM	1/4/06	2/13/06			2/13/06	MINIANO DANNY	DPW/BSM sign off on job card required (05MSE-0430; 06MSE-0040; 05IE-0372) PRIOR TO DBI FINAL. AS NOTED ON PLANS.
6	PAD-MAJ	2/16/06	2/16/06			2/16/06	YAU WILLY HOI-C	
7	REDEV	2/17/06	2/17/06			2/17/06	BRANICK ELENA	
8	ONE-STOP	2/24/06	2/24/06			2/24/06	JOE MAOE	
9	CPB	2/24/06	2/27/06			2/27/06		SFUSD & SAFETY PERMIT REQ. APPROV BY BYAN

This permit has been issued. For information pertaining to this permit, please call 415 558 6096.

Station Code Descriptions and Phone Numbers

Technical Support for Online Services

If you need help or have a question about this service, please visit our [support area](#).



Department of Building Inspection

Online Permit And Complaint Tracking

Permit Details Report

Report Date: 5/8/2009 3:25:41 PM

Application Number: 200708301370
 Form Number: 8

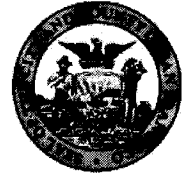
Address(es): 0733/030 /0 1303 BUCHANAN ST
 BLDG.#2- TO CORRECT APPL# 200504200393-S, S-1 & S-2.THE ADDRESS SHOULD BE READ AS 1303 BUCHANAN ST. INSTEAD OF 1300 EDDY ST. BLDG # 2 AND LOT # SHOULD BE READ AS LOT #030 INSTEAD OF LOT #002.

Description: BE READ AS 1303 BUCHANAN ST. INSTEAD OF 1300 EDDY ST. BLDG # 2 AND LOT # SHOULD BE READ AS LOT #030 INSTEAD OF LOT #002.

Cost: \$1.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING



Disposition / Stage:

Action Date	Stage	Comments
8/30/2007	TRIAGE	
8/30/2007	FILING	
8/30/2007	FILED	
9/10/2007	APPROVED	
9/10/2007	ISSUED	
1/2/2008	COMPLETE	Final Inspection/Approved

Contact Details:

Contractor Details:

License Number: UNDECIDED
 Name: UNDECIDED UNDECIDED
 Company Name: UNDECIDED
 Address: UNDECIDED * UNDECIDED CA 00000-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	PAD-PC	8/30/07	8/30/07			8/30/07	SETYADIPUTRA MAX	
2	CPB	9/7/07	9/7/07			9/7/07	CHUNG JANCF	

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Station Code Descriptions and Phone Numbers

Technical Support for Online Services

If you need help or have a question about this service, please visit our [support area](#).