



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

February 26, 2009

Edw. Lee Hammack
3687 Folsom Street
San Francisco, CA 94110

RE: **1795 Sanchez Street**
Block: 6654 Lot: 033

Dear Mr. Hammack:

This letter is in response to your request for a zoning letter of determination for the property at 1795 Sanchez Street. This parcel is located in the Glen Park Neighborhood within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The request is whether the subject lot is considered triangular shaped with side lot lines that converge to a point (as described in Section 130(d) of the Code) for purposes of calculating the rear yard requirement.

Your request argues that the subject lot should be treated as a lot whose side lot lines converge to a point to allow the property owners a reasonable addition to the rear of their building. You prefer this determination because it places the addition at the rear of the building, it is supported by both of the adjacent neighbors, and determining the required rear yard to be located at another location would create a design hardship for the owners.

The subject property is located at the intersection of Sanchez and Randall Streets with approximately 24-feet of frontage on Sanchez Street and over 36-feet of frontage on Randall Street. The lot is an irregularly shaped quadrilateral. Sanchez and Randall Streets intersect at the subject property at a 130-degree angle. The building on the subject lot is clearly oriented towards the Sanchez Street frontage.

To determine if the side lot lines converge to a point you must determine which property lines represent the side property lines. Determining which property lines are the side property requires you to determine if the lot is a corner or interior lot. Section 102.15 of the Code defines a corner lot as a lot bounded on two or more adjoining sides by streets that intersect at an angle of 135-degrees or less. A lot not meeting this requirement is considered an interior lot. City records and your plans clearly indicate that Sanchez and Randall Streets intersect at a 130-degree angle which means that the subject property is a corner lot as defined by Code. Since the building is oriented towards the Sanchez Street frontage Sanchez Street represents the front lot line and the opposite property line to the east represents the rear property line. Per Section 134 of the Code, the required rear yard for the property is 15-feet measured from and parallel to the rear property line. Although this is not the most advantageous way calculate the rear yard requirement for your project it is consistent with the stipulations of the Code. It should be noted that the existing building is legal noncomplying because it encroaches into this required open area. You will need

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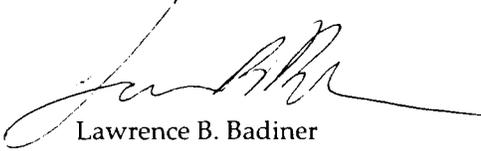
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to seek and justify a rear yard variance from the Code to construct an addition at the rear of the building as desired. While I would not presume to prejudge a variance application prior to a public hearing much less submittal, it seems to me that the unusual shape and size of the subject property suggest that meeting the standards for granting a variance is within the realm of possibility.

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,



Lawrence B. Badiner
Zoning Administrator

cc: Michael E. Smith, Planner

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