



SAN FRANCISCO PLANNING DEPARTMENT

October 31, 2007

Randi Goldstein
Prudential California Realty
1430 Taraval Street
San Francisco, CA 94116

**RE: Letter of Determination
1240 Twin Peaks Boulevard
Assessor's Block 2821/Lot 021**

Dear Mr. Goldstein:

I am writing in response to your letter of September 20, 2007. In that letter, you requested a determination regarding the application of the dimensional requirements for a dwelling at the above referenced property and the possibility of constructing a 40 ft tall building on the property. The subject property is within an RH-1 (Residential House, One Family) District and within the 40-X Height and Bulk District.

The subject property is an irregularly shaped, steeply up sloping lot. Due to the irregular shape, the required rear yard would be an angled line intersecting the west property line at a point 24 feet from the rear property line and intersecting the east property line at a point 19 feet from the rear property line. The height limit for property in an RH-1 district is 35 feet; however the height may be increased to 40 feet if the elevation of the lot at the rear property line is at least 20 feet higher than the elevation at the front property line. In addition, in the first 10 feet of the lot, the building cannot exceed 40 feet above the height of the curb regardless of the slope of the lot.

The method of measuring height can place further limits on the height of the front of the building in addition to the limitations of the 40 ft height district. Planning Code Section 102.12(c) establishes the method for determining the heights of buildings within the first 10 feet of the front property line. Planning Code Section 102.12(c) reads as follows:

*"Where the lot slopes upward from a street at the centerline of the building or building step, **such point shall be taken at curb level for purposes of measuring the height of the closest part of the building within 10 feet of the property line of such street**; at every other cross-section of the building, at right angles to the centerline of the building or building step, such point shall be taken as the average of the ground elevations at either side of the building or building step at that cross-section. The ground elevations used shall be either existing elevations or the elevations resulting from new grading operations encompassing an entire block. Elevations beneath the building shall be taken by projecting a straight line between ground elevations at the exterior walls at either side of the entire building in the same plane."*

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The relevant clause of this Section is in bold face type above and requires that the portion of the proposed building within ten feet of the front property line on an up sloping lot cannot exceed the height limit feet as measured from the height of the curb. Your property is located within a 40 feet height district and under this requirement the height of the building at the front property line and the first ten feet of the building back from the front property line cannot exceed a height of 40 feet as measured at the top of the curb.

A final consideration for siting a building on the subject property is the requirements of the Residential Design Guidelines. The Residential Design Guidelines (Guidelines) articulate expectations regarding the character of the built environment and are intended to promote design that will protect neighborhood character, enhancing the attractiveness and quality of life in the City. The Guidelines address basic principles of urban design that will result in residential development that maintains cohesive neighborhood identity, preserves historic resources, and enhances the unique setting and character of the City and its residential neighborhoods. The Guidelines also suggest opportunities for residential designs to further San Francisco's goal of environmental sustainability. The Guidelines are important as you plan the development of the property especially as they pertain to height and community character. The Guidelines are available on line at <http://www.sfgov.org/site/uploadedfiles/planning/Documents/resdesfinal.pdf>.

If anyone has substantial reason to believe that there was an error in interpretation of the provisions of the Planning Code, or abuse of discretion on the part of the Zoning Administrator, they may file an appeal with the Board of Appeals (1660 Mission Street, Room 3036 telephone: 575-6880) within fifteen (15) days of the date of this letter.

I hope this letter adequately addresses the questions in your letter. If you have any questions regarding this determination, please feel free to contact Rick Crawford of my staff, (415) 558-6358.

Sincerely,

Lawrence B. Badiner,
Zoning Administrator

cc: Rick Crawford, Planner

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