

PLANNING DEPARTMENT CITY AND COUNTY OF SAN FRANCISCO

Notice of Hearing on Application for Zoning Variance

Remote Hearing via Video & Teleconferencing
(See Access Information Below)

Live, Wednesday, June 24, 2020

Session Begins at 9:30 A.M.

Public Hearing

Corey A. Teague, Zoning Administrator

Eva Atijera-Taylor, Recording Secretary
Scott Sanchez, Producer

Notice is hereby given to the general public and to owners of the subject property and other property within 300 feet that an application for variance under the Planning Code as described below has been filed with the Zoning Administrator.

Any remaining questions concerning this application review process may be answered by the Planning Information Center at (415) 558-6377.

Variance Calendars and **Audio Recording of the Hearing** are available on the Internet at <http://www.sfplanning.org>

Accessible Meeting Policy

Hearings are **normally** held at **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 408, Fourth Floor**, San Francisco, CA 94103. The closest accessible BART Station is the Civic Center Station located at the intersection of Market, Hyde and Grove Streets. Accessible curb side parking has been designated at points along McAllister Street. Accessible MUNI Lines serving City Hall are the 42 Downtown Loop, 9 San Bruno and 71 Haight/Noriega and the F Line. Accessible MUNI Metro Lines are the J, K, L, M, N and T. For more information regarding MUNI accessible services, call **311 within San Francisco, (415) 701-2311 outside Bay Area, or TTY (415) 701-2323**. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting **Lulu Hwang at (415) 558-6318** at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should call our accessibility **hotline at (415) 554-8925** to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Cell Phone and/or Sound-Producing Electronic Devices Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Know Your Rights under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact The Administrator by mail at 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by E-mail at sotf@sfgov.org.

Attention: *Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administration Code 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite #220, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site <http://www.ci.sf.ca.us/ethics/>.*

ENGLISH:

For language assistance or to request an assistive device for a hearing, please call 415-558-6309. Please make requests at least 48 hours in advance of the hearing.

SPANISH:

Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-558-6309. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE:

歷史保護委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-558-6309。請在聽證會舉行之前的至少48個小時提出要求。

TAGALOG:

Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-558-6309. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN:

За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-558-6309. Запросы должны делаться минимум за 48 часов до начала слушания.

**ZONING ADMINISTRATOR
NOTICE OF HEARING ON
APPLICATION FOR ZONING VARIANCE**

Notice is hereby given to the general public and to owners of the subject property and other property within 300 feet that an application for variance under the Planning Code as described below has been filed with the Zoning Administrator and will be considered at a PUBLIC HEARING to be held on the date and time listed on the first page of this Calendar:

Remote Access to Information and Participation

In accordance with Governor Gavin Newsom’s statewide order for all residents to “Shelter-in-Place” - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

On April 3, 2020, the Planning Department was authorized to resume their hearing schedule through May 31, 2020 remotely. Therefore, the Zoning Administrator’s hearings will be held via videoconferencing and allow for remote public comment.

*The Zoning Administrator strongly encourages interested parties to submit their comments in writing to their assigned Planner, in advance of the hearing. **To view the hearing, please use the following link at the start of the hearing:** The Microsoft Teams app is only supported by Chrome and Explorer (Safari does not).*

[Watch the Variance Hearing](#)

This link may also be accessed on the Remote Hearings page of the Planning Department website. Members of the public may also call into the hearing to provide comment by dialing one of the following numbers during the hearing using the information below:

USA Toll-Free	USA Caller Paid/International Toll	Access Code
888-278-0296	214-765-0479	5670133

*Wait for the Public Comment to be announced for your Item, **then Dial ‘1’ then ‘0’** to be added to the speaker line. Mute the microphone in your computer and use the microphone in your cell phone/telephone only to avoid echoes and background noise. Wait for your turn to speak; you will be prompted by the system message.*

As the COVID-19 emergency progresses, please visit the Planning Department’s website regularly to be updated on the current situation as it affects the hearing process of the Zoning Administrator.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Zoning Administrator will consider a request for continuance to a later date. He may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

To be continued to Wednesday, July 22, 2020 at the regularly scheduled Monthly Variance Hearing; by remote hearing using video and teleconferencing technology:

1. **2019-013505VAR** (MATTHEW DITO)
25 - 6TH AVENUE, Lot 004 in Assessor's Block 1352 in an RH-1 (Residential-House, One Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes a two-story horizontal addition at the rear on the northern property line and a one-story horizontal addition at the rear on the southern property line. The project also proposed to relocate an existing bay window at the rear of the property.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of 36 feet. The existing building is partially located within the required rear yard and the proposed addition would result in additional encroachments. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<https://notice.sfplanning.org/2019-013505VAR.pdf>

2. **2019-020106VAR** (STEPHANIE CISNEROS)
3355- 21ST STREET, Lot 087 in Assessor's Block 3617 in a RH-3 (Residential House Three Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to reconstruct an existing three-story egress stair and associated landings within the required rear yard.

PLANNING CODE SECTION 134 requires that the property maintain a rear yard of 45 percent, or approximately 56 feet. The existing building projects into the required rear yard by approximately 14 feet and the proposed reconstructed three-story egress stair and landing will project an additional 6 feet. Therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-020106VAR.pdf>

To be continued indefinitely:**3. 2020-001056VAR (WILL HUGHEN)**

2 MIDCREST WAY, Lot 019 in Assessor's Block 2824 in a RH-1(D)
(Residential-House, One Family-Detached) Zoning District and a 40-X Height
and Bulk District

REAR YARD VARIANCE SOUGHT: The proposal is to legalize a second-floor deck extending into the required rear yard of the subject property. The property contains an existing two-story single-family residence on an irregularly shaped corner lot.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of 30 percent of the lot depth, but in no case less than 15 feet. The existing deck was constructed without a benefit of a building permit application and encroaches approximately 3 feet into the required rear yard. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<https://notice.sfplanning.org/2020-001056VAR.pdf>

B. CONSENT CALENDAR

All items listed hereunder constitute a Consent Calendar and are considered to be routine by the Zoning Administrator. There will be no separate discussion of these items unless a member of the public so requests, in which case the matter shall be removed from the Consent Calendar and considered as a separate item at this time or at a future hearing.

INSTRUCTION TO THE MEMBERS OF THE PUBLIC: *Items will only be taken off the Consent Calendar if the request is made by email no later than 9:00 am on the day of the hearing. Please email any such request to: Corey.Teague@sfgov.org. Items will not be removed from the Consent calendar during the hearing.*

4. 2015-000878VAR (CHRISTY ALEXANDER)

300 GRANT AVENUE, Lots 013 & 014 in Assessor's Block 0287, located within a C-3-R Zoning District and an 80-130-F Height & Bulk District.

PERMITTED OBSTRUCTION VARIANCE SOUGHT: The project proposes an art installation attached to the north façade (Harlan Place elevation) of a previously approved building located at 300 Grant Avenue (currently under construction). The structure is a 98 foot tall, wind-activated kinetic artwork consisting of aluminum vanes mounted on black plastic bearings and supported by stainless steel cables attached to stand-offs that would extend over the sidewalk at varying depths, up to a maximum of 4 feet 4 inches.

PLANNING CODE SECTION 136 allows certain building features to extend over the public right-of-way, provided that such features meet requirements for

dimensions and separation. Artworks are not a category of feature that is permitted to extend over the public-right-of-way. In addition, the dimensions of the proposed artwork exceed the allowable projection dimensions of any of the features listed within Section 136. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2015-000878VAR.pdf>.

5. **2019-019636VAR** (MONICA GIACOMUCCI)
2519 HARRISON STREET, Lot 029 in Block 4147 in a Residential House -Two Family (RH-2) Zoning District and 40-X Height and Bulk District

REAR YARD VARIANCE SOUGHT: The proposal is to construct a first-story rear deck with straight-run stairs leading into the rear yard and a bay window and balcony at the second story of the rear facade.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard based on the average of neighboring rear yard areas, provided that there are no obstructions within the last 25 feet of the lot. The existing rear yard is 25 feet. The proposed rear deck and stair would encroach approximately 15 feet into the required rear yard. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-019636VAR.pdf>.

6. **2019-016261VAR** (DAVID WEISSGLASS)
85 POPE STREET, Lot 048A in Assessor's Block 6463 in a RH-1 (Residential-House, One Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to legalize a two-story building and deck expansion within rear yard that was constructed without the benefit of a building permit. An application to legalize an unauthorized dwelling unit at the ground floor is separately proposed under Building Permit No. 201908279964.

PLANNING CODE SECTION 134 requires the property to maintain a rear yard of at least 30% of the property depth, or nearly 60 feet. The existing building was legally noncomplying within the required rear yard with an angled rear wall. The building had been expanded further into the rear yard without the benefit of a building permit, furthering the noncomplying condition. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-016261VAR.pdf>.

C. REGULAR CALENDAR**7. 2019-013872VAR (CATHLEEN CAMPBELL)**

591 CLIPPER STREET, Lot 019A in Assessor's Block 6556 in a RH-2 (Residential House Two Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to legalize the construction of a one-story accessory structure in required rear yard and permit the addition of approximately 15 square feet to accommodate a full bath.

PLANNING CODE SECTION 134 requires the subject property is to have a rear yard of 60 feet 5 inches. The proposed accessory structure would fall entirely within the required rear yard. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-013872VAR.pdf>.

8. 2019-016047VAR (CHRISTOPHER MAY)

1350 HAYES STREET, Lot 015 in Assessor's Block 1201, located within an RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height & Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to construct a new two-story single-family dwelling at the rear of the lot, behind the existing two-story single-family dwelling. The new dwelling would be approximately 20 feet in height and would measure approximately 892 square feet.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 34 feet. The proposed rear structure will be located entirely within the required rear yard. Therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-016047VAR.pdf>.

9. 2018-013693VAR (KIMBERLY DURANDET)

319 MOULTRIE STREET, Lot 033 in Block 5663 in the Residential House -One Family (RH-1) Zoning District and 40-X Height and Bulk District

REAR YARD VARIANCE SOUGHT: The proposal is to legalize an existing deck with firewalls and spiral stairs that is located within the required rear yard and extends to within 1 foot of the rear lot line.

PLANNING CODE SECTION 242 requires the subject property to maintain a rear yard of approximately 24.5 feet. The existing rear yard is only 14 feet and the proposed rear deck would encroach up to approximately 1 foot from the rear property line. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:

<http://notice.sfplanning.org/2018-013693VAR.pdf>

10. **2015-008247VAR** (LAURA AJELLO)

440-448 WALLER STREET, 012 & 013 in Assessor's Block 0860 in a RH-3 (Residential-House, Three-Family Dwelling) Zoning District and a 40-X Height and Bulk District.

LOT SIZE, REAR YARD & FRONT SETBACK VARIANCES SOUGHT: The proposal is to merge and re-subdivide two lots fronting on Waller Street and create two new lots fronting on Laussat Street. The existing noncomplying building in the rear yard that straddles the current lot line will be demolished and replaced with two new 3-story-over-basement two-family dwellings. One-story vertical additions with roof decks and 4-story horizontal additions at the rear of each of the dwellings on Waller Street are proposed, plus a new garage within the 440 Waller Street building.

PLANNING CODE SECTION 121 requires a minimum lot size of 2,500 square feet. The newly created lots fronting on Laussat Street measure 1,250 each. Therefore, a Lot Size Variance is required.

PLANNING CODE SECTION 132 requires the new lot adjacent to 235 Laussat to maintain a front setback of 1.5 feet. The proposed setback is 1 foot. Therefore, a Front Setback Variance is required.

PLANNING CODE SECTION 134 requires properties to maintain a rear yard of approximately 17 feet for the proposed 70-foot deep lot. The proposed setback is 12 feet. Therefore, a Rear Yard Variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:

<http://notice.sfplanning.org/2015-008247VAR.pdf>

11. **2020-002440VAR** (MATTHEW DITO)

56 SCENIC WAY, Lot 011 in Assessor's Block 1303, located within an RH-1(D) (Residential House-One Family, Detached) Zoning District and a 40-X Height & Bulk District.

REAR YARD & SIDE YARD VARIANCES SOUGHT: The project proposes to demolish and rebuild a second-floor deck at the rear of the subject property. A third-floor roof deck is also proposed at the rear of the building.

PLANNING CODE SECTION 133 requires the subject property maintain two side yards of three feet each. The proposed reconstruction of the second-floor deck provides an approximately 2-foot side yard setback to the south. Therefore, a side yard variance is required.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 33 feet. The proposed reconstruction of the second-floor deck extends 5 feet 6 inches into the required rear yard. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2020-002440VAR.pdf>.

12. **2020-002793VAR** (MATTHEW DITO)
13 PRESIDIO TERRACE, Lot 038 in Assessor's Block 1355, located within an RH-1(D) (Residential House-One Family, Detached) Zoning District and a 40-X Height & Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to construct a deck on a garage located in the required rear yard. The proposed deck would have stairs descending to the rear yard, as well as an elevated walkway connecting it to an existing deck at the rear of the primary residential building.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard equal to 30 percent of the lot depth at any given point. The proposed stairs and walkway for the deck are located within the required rear yard. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2020-002793VAR.pdf>.

13. **2018-007914VAR** (MATTHEW DITO)
172 - 21ST AVENUE, Lot 024 in Assessor's Block 1380, located within an RH-2 Zoning District and a 40-X Height & Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to demolish and reconstruct a deck and stairs at the rear of the property.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 28 feet. The existing deck and stairs are located entirely within the required rear yard. The proposed reconstruction would result in a smaller footprint, but also would be located entirely in the required rear yard. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2018-007914VAR.pdf>

14. 2020-000122VAR (MATTHEW DITO)

2920 BROADWAY, Lot 003 in Assessor's Block 0957, located within an RH-1(D) Zoning District and a 40-X Height & Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes a two-story horizontal addition at the rear of the building. A bay window is also proposed at the rear of the building on the third story.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 41 feet. The existing building is partially located within the required rear yard and, although the project results in a net reduction in the amount of square footage encroaching into the required rear yard, the proposed additions would result in new areas of encroachment on the first, second, and third floors. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2020-000122VAR.pdf>.

15. 2013.0846VAR (LINDA AJELLO HOAGLAND)

140 - 142 JASPER PLACE, Lot 032 in Block 0103 in the Residential-Mixed, Moderate Density (RM-2) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The subject property contains a 2-story over-basement building with two dwelling units. The proposal is to construct a vertical, one-story addition to expand the top unit, retrofit the basement level to expand the lower unit, and reconfigure the rear wall.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard equal to 45% of the lot depth, or the average depth of adjacent buildings. However, the rear yard may not be less than 15 feet pursuant to averaging. Additionally, the building height can be no more than 30 feet within the last 10 feet of averaging. The subject property's required rear yard gains an additional 12 feet through averaging, and the proposed vertical addition is greater than 30 feet in height and extends into the last 10 feet gained by averaging. Therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2013.0846VAR.pdf>.

C. PUBLIC COMMENT:

At this time, members of the public may address the Zoning Administrator on items of interest to the public that are within the subject matter jurisdiction of the Zoning Administrator except agenda items. With respect to agenda items, your opportunity to address the Zoning Administrator will be afforded when the item is reached in the meeting. Each member of the public may address the Zoning Administrator for up to three minutes.

The Zoning Administrator will not take action on any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the Zoning Administrator may:

- (1) respond to statements made or questions posed by members of the public; or
- (2) request staff to report back on a matter at a subsequent meeting; or
- (3) direct staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT

Hearing Procedures

The **Zoning Administrator** typically holds Variance Hearings on the **4th Wednesday of each month at 9:30 a.m.**, at the **San Francisco City Hall, Room 408**. City Hall is located at One Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Hearings are open to the public.

At the hearing, the **Project Sponsor** (Variance Applicant) will be given 5 minutes to present their case, including relevant testimony and evidence. The hearing room is equipped with a projector that can display photographs, architectural plans or other drawings and images. **Members of the public** will be given 3 minutes each to speak on the item. If a member of the public speaks against an item, the Project Sponsor will be given a 3-minute **rebuttal**.

Persons attending a hearing may comment on any scheduled item. When speaking, please note that a **timer** is displayed for each speaker and indicates how much time remains. Speakers will hear a loud sound indicating that the speaker's opportunity to address the Zoning Administrator has ended.

Please note that some items may appear on the **Consent Calendar**. These items are considered routine and may be granted by the Zoning Administrator. There is no separate discussion of consent items unless the Zoning Administrator, member of the public or staff so requests, in which event the matter is removed from the Consent Calendar and will be moved to the Regular Calendar in the Agenda.

In addition, the Zoning Administrator may consider a request for **continuance** to a later date. He may choose to continue the item to the date proposed, to continue the item to another date, or to hear the item on this calendar.

After all of the testimonies are submitted, the Zoning Administrator will consider the evidence, deliberate, and either make a decision, take the matter under advisement, or continue the matter in order for additional information to be presented.

Each hearing ends with **general public comment**, at which time members of the public may address the Zoning Administrator for up to 3 minutes on items of interest to the public that are within the subject matter jurisdiction of the Zoning Administrator, except agenda items. With respect to Agenda items, your opportunity to address the Zoning Administrator will be afforded when the item is reached during the meeting.

All Agenda of Variance Hearings and its Audio Recording (from June 2010 to present) are available on our website for access.

Sound-Producing Devices Prohibited

The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Zoning Administrator may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

Decision Letter and Appeal Process

No decision is final until a **Variance Decision Letter** is issued. Due to current backlogs, decision letters may take **up to 2 months** to complete from the date of the hearing. The Zoning Administrator's action to grant or deny a variance application may be appealed to the Board of Appeals within **10 days** of the date of the Decision Letter. For more information on how to file an appeal, please contact the **Board of Appeals** in person at 1650 Mission Street, Suite 304, call **(415) 575-6880**, or visit the [San Francisco Board of Appeals](#) website.

If any members of the public would like to receive a copy of the signed Variance Decision Letter via email, please send a request by email addressed to the Planner assigned to the case. The name of the Planner can be found in this Agenda, in the notice that you received in the mail, or in the poster posted on the subject property.

Protest of Fee or Exaction

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

The Zoning Administrator's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.

Challenges

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator or Planning Commission, at, or prior to, the public hearing.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code

If the Zoning Administrator's or Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA

94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Privacy Policy

SF Planning is committed to protecting the privacy rights of individuals and security measures are in place to protect personally identifiable information (PII), i.e. social security numbers, driver's license numbers, bank accounts. Members of the public are not required to provide PII to the Commission or Department, as all written submittals and oral communications become part of the public record, which can be made available to the public for review and/or viewable on Department websites. Members of the public submitting materials containing PII are responsible for redacting said sensitive information prior to submittal of documents to Planning.