



LETTER OF DETERMINATION

November 19, 2020

Michael Harris
333 Cumberland Street
San Francisco, CA 94114

Record No.: **2020-008864ZAD**
Site Address: **4010 21st Street**
Assessor's Block/Lot: **2751 / 006E**
Zoning District: **RH-2 (Residential-House, Two Family)**
Staff Contact: **Ryan Balba, Ryan.Balba@sfgov.org, 628-652-7331**

Dear Michael Harris:

This letter is in response to your request for a Letter of Determination regarding the property at 4010 21st Street. This parcel is located in the RH-2 (Residential-House, Two Family) Zoning District and the 40-X Height and Bulk District. The request seeks confirmation on how to determine the rear yard for this mid-block parcel with limited access.

Planning Code Section 130 establishes the general rules for the location of yards and setbacks. Per Planning Code Section 130(b), **the required minimum depth of any yard shall be measured generally at right angles to the lot line.** As the subject property has three distinct lot depths, we would calculate the rear yard for each segment separately.

Planning Code Section 134 establishes the rear yard requirement for RH-2 Zoning districts as follows: "The minimum rear yard depth shall be equal to 45% of the total depth of the on lot which the building is situated..." While this requirement can be reduced to no less than 25% or 15' (whichever is greater) based upon conditions on adjacent lots per Section 134(e), none of the adjacent properties can be used for averaging due to the configuration of said lots. Given this condition, this property is subject to the 45% requirement.

Further, your Letter of Determination request references an interpretation, "rear yard, etc. on landlocked lot" which states the following:

A lot is landlocked but is connected to the street by narrow easements centered on the common side property lines of two lots. The broad side of the lot parallels the street. **The buildable area of the lot in this case is along the lot line closest to the street to which the easement leads even though this places the front of the lot along its broad side.** Also, the easements do not count in the buildable area.

However, the subject property does not have an easement, but a driveway that is part of the property. Thus, this interpretation is not relevant for this property.

Based on the information submitted and described above, it is my determination that the rear yard requirement of this mid-block parcel with limited access would be calculated as follows: Segment 1 is 150' deep and would require a 67.5' rear yard, Segment 2 is 35' deep and would require a 15.75' rear yard, and finally Segment 3 is 75' deep and would require a 33.75' rear yard.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination 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.

APPEAL: An appeal may be filed with the Board of Appeals within 15 days of the date of this letter if you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator. Please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475, call (628) 652-1150, or visit www.sfgov.org/bdappeal.

Sincerely,



Scott F. Sanchez
Acting Zoning Administrator

cc: Property Owner
Neighborhood Groups
BBN Requestor (If Any)
Ryan Balba, Planner