

PLANNING DEPARTMENT CITY AND COUNTY OF SAN FRANCISCO

Notice of Hearing on Application For Zoning Variance

CITY HALL - Room 408
1 Dr. Carlton B. Goodlett Place

Wednesday, July 22, 2015

Session Begins at 9:30 A.M.

Public Hearing

Scott F. Sanchez, Zoning Administrator

Eva Atijera-Taylor, Recording Secretary

Gino Salcedo, Assistant Recording Secretary

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 held at **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 408, Fourth Floor**, San Francisco, CA. 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.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

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 sof@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, time, and place listed on the first page of this Calendar:

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 indefinitely at the regularly scheduled monthly Variance Hearing at City Hall:

1. 2008.0410V

(TINA CHANG)

799 CASTRO STREET / 3878 - 21ST STREET, Lot 024 in Assessor's Block 3603 in a RH-2 (Residential- House, Two Family) Zoning District and a 40-X Height and Bulk District.

LOT AREA, FRONT SETBACK AND REAR YARD VARIANCES

SOUGHT: The subject property contains two structures. The building at the front is an existing one-story, limited, non-conforming commercial structure. The building at the rear is a two-story-over-basement, two-unit dwelling structure. The Project proposes the change of use of the existing one-story commercial structure to a four-story single-family dwelling unit. The Project also proposes a lot subdivision, proposing two separate lots; the front lot containing a single-family dwelling unit and the rear lot containing the existing two-unit residential structure.

SECTION 121 requires a minimum lot area of 2,500 square feet, except that the minimum lot area for any lot having its street frontage entirely within 125 feet of the intersection of two streets shall be 1,750 square feet. The proposed lots will measure less than the required minimum areas, therefore a variance is required.

SECTION 132 requires a setback amounting to 1/2 the front setback of the adjacent property, for corner lots. The Project requires a 4'-4.5" setback; however, a 0'-0" is proposed. Therefore, a variance is required.

SECTION 134 requires a rear yard amounting to 45% of lot depth in RH-2 Zoning Districts. Although the project increases the existing setback of 8'-0" to 10'-0" between the two structures, both proposed lots will contain encroachments within the required rear-yard setback. 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://sf-planning.org/ftp/files/notice/2008.0410V.pdf>.

A. 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.

2. 2015-002204VAR (ALEXANDRA KIRBY)

1522 BUSH STREET, Lot 006 in Assessor's Block 0666 in an RC-4 (Residential - Commercial, High Density) Zoning District, Van Ness Special Use District, Van Ness Automotive Special Use District, and a 130-V Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to convert an existing two-story over basement automotive repair garage to three dwelling units with an Arts Activities use at the ground floor. The existing historic building currently occupies the entire through lot which has frontages on both Bush and Austin Streets and therefore there is no existing rear yard. The proposal includes the removal of a central portion of the roof to create an open patio at the second floor and a deck at the roof level to provide adequate usable open space for the dwelling units. No expansions of the building envelope are proposed.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 30'. The project provides no rear yard. Therefore, the project requires a variance from the rear yard requirements of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-002204VAR.pdf>

5. 2015-003768VAR

(BRITTANY BENDIX)

2462 FILBERT STREET, Lot 009B in Assessor's Block 0513 in a RH-1 (Residential, House, Single Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal includes a roof deck with elevator penthouse and a horizontal addition at the rear of the three-story-over-basement single-family house.

SECTION 134 OF THE PLANNING CODE requires that the subject property provide a rear yard equal to 25 percent of the lot depth. The size of the subject lot varies with regard to depth. The western portion of the lot is 11.25 feet wide with a depth of 155 feet and a required rear yard of 38.75 feet. The eastern portion of the lot is 13.75 feet wide with a depth of 137.5 feet, and a required rear yard of 34.38 feet. The proposal includes an open 19-foot tall exterior staircase on the eastern portion of the lot that will extend 7 feet into the required rear yard area and result in a rear yard of 27.38 feet. Therefore, the project requires a variance from the Planning Code's rear yard requirements.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-003768VAR.pdf>.

6. 2013.1330V

(DOUG VU)

1900 MISSION STREET, Lot 001 in Assessor's Block 3554 in a Mission St NCT (Mission Street Neighborhood Commercial Transit) Zoning District and a 80-B Height and Bulk District.

REAR YARD AND STREET FRONTAGE VARIANCES SOUGHT: The proposal includes the demolition of an approximately 1,690 sq. ft. automotive service station and construction of a seven-story, 83 ft. tall, 17,543 sq. ft. mixed-use building that will cover the entire lot with 844 sq. ft. of ground floor commercial space, eleven dwelling units, and five off-street parking spaces. The proposed building does not have any rear yard and will provide off-street parking adjacent to the public right-of-way, necessitating a rear yard modification and street frontage variance.

PER SECTION 134 OF THE PLANNING CODE, the property is required to maintain a rear yard equal to 25% of the lot depth beginning at the lowest story containing a dwelling unit, or 21 feet 9 inches; therefore, the proposal to construct a new building without a rear yard requires a rear yard modification.

PER SECTION 145.1 OF THE PLANNING CODE, off-street parking at street grade must be set back at least 25 feet on the ground floor from any facade facing a street and from the front of the development. The frontage devoted to parking and loading ingress or egress is also limited to no more than one-third of the lot width, or 8 feet. Therefore, the

proposal for off-street parking without any setback and 26 feet of frontage devoted to ingress or egress requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2013.1330V.pdf>.

7. **2015-001191VAR** (LAURA AJELLO)

3233 - 3235 CLAY STREET, Lot 025 in Assessor's Block 1007 in an RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to demolish a portion of the non-complying structure at the rear of the four-unit building and construct a three-story horizontal addition in its place. The proposed area of work is partially located within the required rear yard.

Pursuant to PLANNING CODE SECTION 134, the subject lot is required to maintain a rear yard of approximately 37 feet based on the average of the adjacent rear building walls. The proposed project will provide approximately 15 feet and a portion of the proposed building height at the rear exceeds the 30 foot height limit for the last 10 feet of the permitted building depth. Therefore, the project requires a variance from the rear yard requirement.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-001191VAR.pdf>.

8. **2014-002993VAR** (LAURA AJELLO)

238-240 PARKER STREET, Lot 020 in Assessor's Block 1087 in an RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X Height and Bulk District.

FRONT SETBACK VARIANCE SOUGHT: The proposal is to construct a two-story vertical addition above an existing two-story, two-unit building.

The PLANNING CODE requires the subject property to maintain a front setback of approximately 5'-5". The building extends to within approximately 1.5' of the front property line and has a bay window that encroaches 6 inches over the sidewalk. The existing building is noncomplying and the proposed project will maintain the noncomplying setback at the new third floor. The new fourth story would be set back 15 feet from the front property line. The third story encroachment requires a front setback variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-002993VAR.pdf>.

9. 2014.0863V

(MARCELLE BOUDREAUX)

3198 MARKET STREET, Lot 052 in Assessor's Block 2659 in a RH-2 (Residential Two-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal seeks to build a new, three-story building with two dwelling units (total of approximately 2,200 sf) on a vacant lot.

PLANNING CODE SECTION 134 requires a rear yard depth of 23 feet for the subject property. A portion of the rear of the building extends approximately 18 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://sf-planning.org/ftp/files/notice/2014.0863V.pdf>.

10. 2014-003126VAR

(MICHAEL SMITH)

4630 - 19TH STREET, Lot 026 in Assessor's Block 2700 in a RH-2 Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to demolish the existing one-car garage located at the rear of the property and to construct a new, larger, two-car garage in its place. The proposed garage would be set back 3'-6" from the rear property line and measure 21' in depth, 25' in width, and 10'-8" in height. A 24'-9" yard would be maintained between the proposed garage and the dwelling at the front of the property.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 41'-5" measured from the rear property line. The proposed detached garage structure would extend to within 3'-6" of the rear property line; therefore, the project requires a variance from the rear yard requirement of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-003126VAR.pdf>.

11. 2014.1489V

(TINA CHANG)

660 SANCHEZ STREET, Lot 008 in Assessor's Block 3601 in a RH-1 (Residential Home, One-Family) Zoning District and a 40-X Height and Bulk District. The property falls within the Dolores Heights Special Use District

REAR YARD AND FRONT SETBACK VARIANCES SOUGHT: The subject property is developed with an existing, non-complying, three-story-over-garage, single-family home that already encroaches into the required rear yard with an approximately 5' x 15' volume on the north side of the property and required front setback with a garage taller than 10' above grade. The project sponsor proposes to expand this volume to span the entire width of the property, though no deeper into the required rear yard. The Project also includes excavation at the garage and first floor levels, providing one additional parking space and living space across the two levels, and a roof deck above the 4th level.

SECTION 241 requires a rear yard depth amounting to 45% of the total lot depth. The Project requires a rear yard depth amounting to 47'-3"; however, a rear yard of approximately 42' is proposed. Therefore, a variance is required.

SECTION 132 requires that where one or both adjacent buildings have front setbacks, any building or addition shall be set back to the average of the two adjacent setbacks. The project proposes the expansion of an existing garage in the required front setback of 13'-6". 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://sf-planning.org/ftp/files/notice/2014.1489V.pdf>.

12. 2014.0533V

(TODD KENNEDY)

1235 SANCHEZ STREET, Lot 024A in Assessor's Block 6549 in a RH-2 (Residential- House, Two Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to horizontally expand the existing third story of the single-family dwelling. The proposed third floor expansion would be 18 feet in depth and 30 feet 6 inches wide.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 15 feet. The existing building encroaches to the rear property line at all levels. The proposed third floor expansion will expand the third floor within the required rear yard; therefore, the project requires a variance from the rear yard requirement.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014.0533V.pdf>.

13. **2014-000198VAR** (TODD KENNEDY)
2 DOUGLASS STREET, Lot 1 in Assessor's Block 2625 in a RH-2 (Residential-House, Two-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to remove an existing deck at the rear of the existing single-family dwelling and replace with a smaller deck.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 31 feet. The proposed deck extension would have a 7 foot distance from the rear lot line; therefore, the project requires a variance for a total deviation of 24 feet from the rear yard requirement of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-000198VAR.pdf>.

14. **2015-000287VAR** (TODD KENNEDY)
179 MENDOSA AVENUE, Lot 095 in Assessor's Block 2206 in an RH-1 Residential-House, One Family Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct an open deck on the first floor at the rear of the existing single-family dwelling. The proposed addition would be directly below an existing open deck at the second floor with the exact same size and dimensions.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 17 feet 8 inches. The proposed deck extension would encroach 7 feet into the rear yard; therefore, the project requires a variance for a total deviation of 7 feet from the rear yard requirement of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-000287VAR.pdf>.

15. 2015-002694VAR

(WAYNE FARRENS)

2800 BROADWAY STREET, Lot 027 in Assessor's Block 0958 in a RH-1(D) (Residential - House, One Family - Detached) Zoning District and a 40-X Height and Bulk District.

FRONT SETBACK VARIANCE SOUGHT: The proposal is to replace an existing wood gate at the front property line with an approximately 8-foot high opaque wrought iron gate.

PER SECTION 132 OF THE PLANNING CODE the subject property is required to maintain an approximately 10.75-foot deep front setback. Per Section 136 of the Planning Code, solid fence heights within the required front setback are limited to 3 feet. Therefore, the project requires a variance from the front setback requirements of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-002694VAR.pdf>.

16. 2015-002691VAR

(WAYNE FARRENS)

2808 BROADWAY STREET, Lot 028 in Assessor's Block 0958 in a RH-1(D) (Residential - House, One Family - Detached) Zoning District and a 40-X Height and Bulk District.

FRONT SETBACK VARIANCE SOUGHT: The proposal is to construct an approximately 8-foot high fence and gate at the front property line. The proposed fence will consist of open wrought iron railings and the proposed gate will be opaque, consisting of decorative wrought iron work over a solid metal panel.

PER SECTION 132 OF THE PLANNING CODE the subject property is required to maintain an approximately 10.75-foot deep front setback. Per Section 136 of the Planning Code, the height of solid fences within the required front setback is limited to 3 feet and the height of decorative railings that are at least 75 percent open is limited to 6 feet. Therefore, the project requires a variance from the front setback requirements of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-002691VAR.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.

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.