



# SAN FRANCISCO PLANNING DEPARTMENT

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September 12, 2007

KIPP Bayview Academy  
Attention: Denise Hall  
1060 Key Avenue  
San Francisco, CA 94124

**RE:** Request for Written Determination regarding placement of a modular structure as temporary office space on a school site.

**Street Address:** 1060 Key Avenue  
**Block/Lot:** 4994/002  
**Zoning:** RH-1

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

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Dear Ms. Hall,

This letter is in response to your correspondence of July 6, 2007, requesting a written determination regarding the placement of a modular building, for additional office space, at the above-mentioned property. This property is located in the RH-1 zoning district, with 35-foot height and X-bulk limitations. The subject property is not in any Special Use District. Historic or architectural ratings and our case tracking records for the subject property are attached. The following determination has been made:

## DETERMINATION

The proposal is to place a modular building, as temporary office space, on a school site at 1060 Key Avenue. The Planning Code does not specify any provisions for modular buildings as a temporary use and therefore treats them as permanent structures. Accordingly, the structure and its intended use would be considered accessory to the site's principal use which is a school.

Planning Code Section 204 stipulates that related minor uses must be either, (a) necessary to the operation or enjoyment of a lawful principal use or conditional use, or (b) appropriate, incidental and subordinate to any such principle use. Office space, as an accessory use to a school, would be permitted provided it meets the limitations set forth in Section 204.2 and does not involve or require any of the following:

- (a) The use of more than  $\frac{1}{4}$  of the site's total occupied floor area.
- (b) The use of show windows or window displays or advertising to attract customers or clients (except for an identifying sign, regulated in Article 6).
- (c) The conduct of any activity of a profit making or commercial nature, except as an integral part of the permitted principal or conditional use.

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In summary, a modular office building in the proposed circumstances is a permitted accessory use. The addition of a modular building requires a building permit application. The structure will then be reviewed to determine the compatibility of the proposal with the neighborhood. Additionally, residents neighboring the site, as well as, interested neighborhood organizations will be notified.

Please direct any questions regarding this letter to Brittany Bendix at (415) 575-9089.

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 1660 Mission Street, Room 3036, San Francisco, or call (415) 575-6880.

Sincerely,

Lawrence B. Badiner  
Zoning Administrator

CC: Brittany Bendix

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