



# SAN FRANCISCO PLANNING DEPARTMENT

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## Letter of Determination

January 5, 2010

Arnie Lerner, AIA, CASp  
1108C Bryant Street  
San Francisco, CA 94103

RE: 2235 – 20<sup>TH</sup> AVENUE  
BLOCK: 2329 LOT: 002E

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

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Dear Mr. Lerner:

Planning Department staff has reviewed your letter dated December 3, 2009, requesting a determination about the ability to add a secondary dwelling-unit without off-street parking at the ground floor of the existing single-family home, located at 2235 – 20<sup>th</sup> Avenue in an RH-1 District, in order to accommodate the needs of a multi-generational family with an elderly mother and a physically disabled daughter.

The Property at 2235 – 20<sup>th</sup> Avenue (Block 2329, Lot 002E) is a mid-block property measuring approximately 3,000 square-feet (25'-0" wide x 120'-0" long), located between Rivera and Santiago Streets, in the Parkside Neighborhood and RH-1 (Residential House, One-Family) District. The property is currently developed with a one-story-over-garage single-family dwelling with one off-street parking space, built circa 1925.

The Zoning Administrator's Bulletin 93.1, known as the *Rooms Down Matrix*, does not typically allow the construction of a secondary kitchen at the ground floor when there is direct access to the street and limited visual and spatial connection to the floor above. However, in this particular case, where the property involved provides housing for elderly and disabled family members, the Zoning Administrator hereby permits the aforementioned ground floor development without any additional off-street parking.

The ground floor of the Subject Property shall be used only as accessory living space to the existing single-family dwelling. Furthermore, the ground floor shall not be used as a separate dwelling-unit or rooming-unit, and no boarder shall reside therein, with the exception of a family member who necessitates assisted living.

In order to allow a secondary kitchen at the ground floor of the subject single-family dwelling, the Planning Department will require that the Property Owner record a Notice of Special Restriction (NSR) with the City's Assessor's/Recorder's Office. The Notice will provide a caveat that the secondary kitchen must be removed when it is no longer occupied by a family member who is a senior citizen or physically disabled person. The Department will require an annual occupancy report to show that the ground floor continues to be occupied by protected class of person. If the unit is no

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longer occupied by a protected class of person, the Property Owner will be required to remove the secondary kitchen at the owner's expense and comply fully with Bulletin 93.1. The NSR will be furnished to you by the Planning Department after the approval of your plans and permit.

Lastly, the plans attached to this Letter of Determination Request, dated November 24, 2009, show a three-story horizontal rear expansion as part of the project to add a secondary kitchen at the ground floor of the Subject Property. The horizontal rear addition will require review by the Department's Residential Design Team, and may necessitate modifications and/or reductions to the massing in order to comply with the Residential Design Guidelines. Furthermore, a horizontal rear addition of this nature necessitates a Pre-Application meeting with the immediate neighbors and the Parkside Neighborhood Organizations prior to submittal of the Building Permit Application; it will also require a 30-day neighborhood notification (Section 311 Notification) to property owners and tenants within 150'-0" of the Subject Property after submittal of the Building Permit Application. The Pre-Application packet is available under the "Applications" link accessed via [www.sf-planning.org](http://www.sf-planning.org).

Should you have any questions about the contents of this letter, please contact Elizabeth Watty of my staff at (415) 558-6620. If you believe that this determination represents an error in interpretation of the Planning Code or abuse of discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, 3<sup>rd</sup> Floor, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Lawrence B. Badiner  
*Zoning Administrator*

cc: Elizabeth Watty, Planner

EW: G:\Documents\LETTERS OF DETERMINATION\2235 - 20th Avenue - 2nd unit in RH-1 District.doc