



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

March 31, 2016

Howard Blecher
BBUD
3343 - 22nd Avenue
San Francisco CA 94110

Site Address: 826 - 828 Central Avenue
Assessor's Block/Lot: 1159/017B
Zoning District: RH-3 (Residential, House, Three-Family) District / 40-X
NOPA Historic District
Staff Contact: Sharon M. Young, (415) 558-6346 or sharon.m.young@sfgov.org
Record No.: 2016-003096ZAD

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Blecher:

This letter is in response to your request for a Letter of Determination regarding the property at 826 - 828 Central Avenue. The subject property is located within the RH-3 (Residential, House, Three-Family) Zoning District, NOPA Historic District, and 40-X Height and Bulk District. The subject lot is approximately 1,664 square feet in area (20.167 feet wide by 82.50 feet deep) and is occupied by a two-story over basement, two-family dwelling constructed circa 1900. The existing building is listed in the NOPA Historic District as having architectural significance (Category A – Historic Resource Present).

The request is to (1) release the Notice of Special Restrictions No. F211099 to provide the property owners the full development potential of their property; (2) release all of the developmental restrictions under Notice of Special Restrictions No. F173750 granted under Variance Case No. 92.271V which legalized the subdivision of Lots 17A, 17B, and 17; and (3) enabling the property owners the ability to add a third dwelling unit to the subject property.

BACKGROUND ON NOTICE OF SPECIAL RESTRICTIONS

Notice of Special Restrictions (NSR F211099) under Building Permit Application No. 9200595 specified the following restrictions for the development of the property:

1. That said lower (floor) basement area shall be used only as accessory to the dwelling above, as under the RH-3 zoning of the subject property, Section 209.1 of the City Planning Code provides that one (1) three-family shall occupy a lot and that Section 151 of said Code provides that one (1) standard-size, independently accessible, on-site off-street parking space shall be provided for any new dwelling unit and the subject property contains no (0) such additional space; and
2. That this lower floor (basement) shall not be used as a story of residential occupancy nor as a separate dwelling unit or rooming unit, and no boarder shall reside therein; that utility, other services, mailbox and doorbells shall be provided for this property solely on a two-family basis; and

Howard Blecher
BBUD
3343 - 22nd Street
San Francisco CA 94110

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3. That for the purposes of this restriction and the City Planning Code, installation of any appliances for cooking, such as a stove or hot plate, in the lower (basement) area shall be deemed creation of a kitchen and therefore creation of an additional separate dwelling unit as defined in Section 102.6 of the City Planning Code.
4. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.

Notice of Special Restrictions (NSR F173750) under Variance Case No. 92.271V specified the following restriction for the development of the property:

1. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.

DETERMINATION

I have reviewed the Planning Department records and supplemental information you provided, and conclude that Notice of Special Restrictions (NSR F211099) is no longer necessary due to amendments and interpretations of the Planning Code regarding addition of dwelling units and development of ground floor accessory rooms in residential buildings. As such, the addition of a third dwelling unit on the subject property may be permitted if the proposed project meets current Planning Code requirements, residential design, environmental, and historic preservation guidelines within the RH-3 Zoning District, NOPA Historic District, and 40-X Height and Bulk District.

The condition contained in Notice of Special Restrictions (NSR F173750) is still necessary and must be retained. Such condition is a standard condition of approval for all variances, was not appealed or contested at the time of the Variance Decision and can only be removed through the variance process. It should be noted that this condition does not automatically require a new variance for any expansion of the building envelope, as it allows the Zoning Administrator to determine that a variance is not required if the project "complies with all applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings." If your proposed addition complies with these requirements, a new variance would not be required.

A "Release from Notice of Special Restrictions" is enclosed to be recorded at the San Francisco Recorder's Office. This release form will remove the restrictions established in 1992 from Notice of Special Restrictions (NSR F211099).

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

Howard Blecher
BBUD
3343 - 22nd Street
San Francisco CA 94110

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826 - 828 Central Avenue

permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

APPEAL: 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 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, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

Enclosure: Release of Notice of Special Restrictions

cc: Sharon M. Young, Planner
Seminar House Revocable Trust, 826 - 828 Central Avenue, San Francisco CA 94115
Neighborhood Groups



SAN FRANCISCO PLANNING DEPARTMENT

RECORDING REQUESTED BY

And When Recorded Mail To:

Name: Scott F. Sanchez
Zoning Administrator
Address: 1650 Mission Street, Suite 400
City: San Francisco, CA 94103

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

(Space Above This Line For Recorder's Use)

RELEASE OF NOTICE OF SPECIAL RESTRICTIONS

Property Address: 826 - 828 Central Avenue

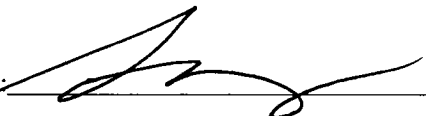
Block and Lot: 1159/017B

Notice is given that the Notice of Special Restrictions recorded on the land records on **September 28, 1992** as **Document No. F211099** under Building Permit Application No. 9200595 and of the Official Records is hereby **RELEASED** as it pertains to the property situated in the City and County of San Francisco, State of California, more particularly described as follows:

(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)

Said Notices of Special Restrictions are no longer necessary or applicable to the subject property which is occupied by a two-story over basement, two-family dwelling. A proposal for the addition of a third dwelling unit on the subject property may be permitted if the proposed project meets the current Planning Code requirements, residential design, environmental, and historic preservation guidelines within the RH-3 Zoning District, NOPA Historic District, and 40-X Height and Bulk District. The Notice of Special Restrictions provided under Document No. F173750 related to Variance Case No. 92.271V remain in effect.

Dated: 3.31.16 at San Francisco California

By: 

Scott F. Sanchez

Zoning Administrator

PLANNING DEPARTMENT

CITY AND COUNTY OF SAN FRANCISCO

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of SAN FRANCISCO }

On MARCH 31st 116 before me, PUNAMBHAI C. PATEL
(Here insert name and title of the officer)

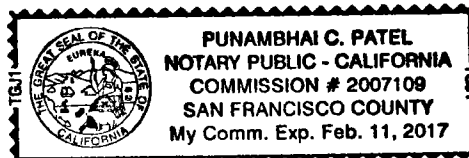
personally appeared SCOTT F SAUCIER
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- _____ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

TO: Scott Sanchez
Zoning Administrator
Planning Department
City & County of San Francisco
1650 Mission St #400,
San Francisco, CA 94103
T: (415) 558-6350,
E: Scott.Sanchez@sfgov.org

FROM: SEMINARHOUSE REVOCABLE TRUST
Property Owner
826 & 828 Central Ave,
San Francisco, CA 94115
T: 415 293-8099
E: unitedadr1@gmail.com

R # 2016 - 003096 ZAD
CK # 1016 # 645 -
D LINDSAY (NV)

Howard Blecher
Consultant
BBUD
3343 22nd Street
San Francisco, CA 94110
M: 415-364-8478
E: howard.bbud@gmail.com

RE: Request for Letter of Determination
NSR F211099, NSR F173750 & Variance 92.271V Conditions & Restrictions
826 & 828 Central Ave, San Francisco, CA 94115
Block/Lot: 1159/017B

DATE: February 28, 2016

Dear Mr. Sanchez,

The Property Owner requests that the Notice of Special Restrictions Under the City Planning Code, No. F211099 (the "NSR") be released so that the Property Owner may enjoy the full development potential of his property. Furthermore, the Property Owner requests that all of the developmental restrictions outlined in the granted variance (Case No. 92.271V) "to legalize the subdivision of Lots 17A, 17B and 17" (the "Variance") be released. The Property Owner asks that the Zoning Administrator consider that the Planning Code and approval process already provides sufficient measures to ensure that any expansion of the building or additional unit would meet the exposure, open space and other requirements and enhance San Francisco's housing stock. This would enable the Property Owner to add a third dwelling unit as part of the one building occupying this lot. The language of the NSR associates it with the Variance and the completed Building Permit No. 9200595 "To Remove In Law Apts Work Done Previous [sic] (Basement) Without Permit" (the "Building Permit").

We feel that it is appropriate to remove this restriction for the following reasons:

- This property is located in the RH-3 Zoning District which, according to Planning Code Section 209.1, permits three dwelling units per lot as a principally permitted use.
- The NSR is described on the "San Francisco Property Information Map" (<http://propertymap.sfplanning.org/>) as "Restriction: 2-Family Use Only." Similarly, the Planning Department sign-off on the Building Permit limits the building "for use as a two (2) family dwelling...only," referring to F211099 dated 9/28/92. In fact, none of the four "restrictions and conditions" listed in the NSR explicitly limit the building to two-family use. They are as follows:

From F211099:

1. "...said lower floor (basement) area shall be used only as accessory to the dwelling above..."

RECEIVED

MAR 04 2016

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEPTION DESK

2. "...this lower floor (basement) shall not be used as a story of residential occupancy nor as a separate dwelling unit or rooming unit..."
 3. "installation of any appliances for cooking...in the lower floor (basement) area shall be, deemed creation of a kitchen..."
 4. "No vertical or horizontal expansion -of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator..."
- "Restriction and Condition 1" in the NSR states that "said lower floor (basement) area shall be used only as accessory to the dwelling above" because "Section 151 of said [City Planning] Code provides that one (1) standard-size, independently accessible, on-site, off-street parking space shall be provided for any new dwelling unit and "the subject property contains no (0) such additional spaces." This justification is inconsistent with the current version of the Planning Code which, via Planning Code Sections 155.1 and 155.2 allow for bicycle parking in lieu of automobile parking. Any of the proposed projects described below could accommodate a bicycle parking space as defined in the Planning Code.
 - The chronology of 1992 documentation colors the NSR as a punitive measure, instituted well after the Building Permit is approved and the Variance is granted. The NSR excessively and unnecessarily burdens the Property Owner. Please note the following timeline:
 - January 13, 1992: The Owner in 1992 applied for the Building Permit well in advance of the Variance application.
 - May 10, 1992: The Owner in 1992 applied for the Variance.
 - August 7, 1992: The Variance was granted by the Planning Department. There is no restriction of the use of the lower floor (basement) area as a dwelling unit nor is there a restriction of the building to two-family use.
 - August 12, 1992: Notice of Special Restrictions Under the City Planning Code, No. F173750 (the "NSR1") is issued (on file with the SF County Recorder) in close chronological proximity to the Variance and echoes almost verbatim the "restrictions and conditions" in the Variance— there is no restriction of the use of the lower floor (basement) area as a dwelling unit nor is there a restriction of the building to two-family use.
 - September 28, 1992: The NSR is issued restricting the use of the lower floor (basement) area as a dwelling unit but there is no restriction of the building to two-family use.
 - Our proposed project appears physically and administratively feasible (see below)
 - Dwelling units have been recently successfully and legally added to buildings and lots of similar size and organization
 - There is a well-recognized need for additional dwelling units in San Francisco. "Executive Directive 13-01: Housing Production & Preservation of Rental Stock" issued by Mayor Lee in 2013 is indicative of the need for housing it directs the agencies (such as the Planning Department) to align their policies and discretion with this overall goal. The new dwelling unit that we propose will help address that need by adding to San Francisco's housing stock.

We have conducted a preliminary assessment of this project with representatives of the San Francisco Planning Department, the San Francisco Department of Building Inspection, the San Francisco Fire

Department, contractors, structural engineers and architects and believe in the physical and administrative feasibility of adding a dwelling unit—except for the aforementioned restrictions. Specifically, we are considering the options outlined below. We understand that there would be additional planning and construction issues to be resolved for either project and as we pursue these options a cost-benefit analysis will reveal the preferred choice. For both options we expect to use the “Bicycle Parking” means of satisfying the parking requirement for the new unit per Planning Code Sections 155.1 and 155.2. Neither of the two existing legal units have off-street parking spaces. We hope to implement one of the following two options.

Basement Option

Creating a dwelling unit in the Basement may be a preferred option given that it has no visual impact on neighboring buildings and the surrounding area, is simpler to service with utility connections and requires fewer structural improvements to the building than the Additional Story Option. We will improve the access stairs from the public way to make them code-compliant and will lower the floor to achieve the required ceiling height. We understand that the Usable Open Space (Sec. 135) and Exposure (Sec. 140) requirements may be of particular consideration for this project but we have been evaluating designs to meet these requirements and are prepared to discuss these with SF Planning staff. Furthermore, the Basement Option will avoid conflict with the requirements for Historic Preservation as this building is categorized as “A - Historic Resource Present.”

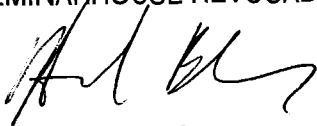
Additional Story Option

Creating a dwelling unit in an additional story will require a further extension of utility connections and may require more significant structural improvements to the building than the Basement Option. As the building is in the 40-X Height and Bulk District there is room to expand vertically within the defined limits of the district. While the Usable Open Space (Sec. 135) and Exposure (Sec. 140) requirements may be more directly resolved at the upper level, there will be some visual impact on neighboring buildings and the surrounding area. As noted above, this building is categorized as “A - Historic Resource Present.” Our discussions with Current Planning and Historic Preservation staff have encouraged us to also request a change of Historic Resource given that the front façade appears Planning staff to have been significantly modified since it was constructed in 1900.

Thank you for your time and consideration. You may contact the Property Owner’s Consultant at 415-364-8478 and by email at howard.bbud@gmail.com if you have any comments or questions.

Sincerely,

SEMINARHOUSE REVOCABLE TRUST, Property Owner



Howard Blecher, Consultant
(on behalf of Seminarhouse Revocable Trust)

Request for Letter of Determination
NSR F211099, NSR F173750 & Variance 92.271V
Conditions & Restrictions
826 & 828 Central Ave, San Francisco, CA 94115
Block/Lot: 1159/017B
February 28, 2016

Attachments:

- San Francisco Property Information Map” (<http://propertymap.sfplanning.org/>) for Block/Lot 1159/017B, retrieved February 27, 2016
- 3R Report (December 6, 2011)
- Land Survey (May 2013)
- Building Permit File No: 9200595 (from SFDBI Archives)
- Variance Application: Case No. 92.271 (from SF Planning Archives)
- Variance Decision: Case No. 92.271 (from SF Planning Archives)
- NSR No.: F173750 (from SF County Recorder)
- NSR No.: F211099 (from SF Planning Archives)
- Photos of Basement



Report of Residential Building Record (3R) (Housing Code Section 351(a))

BEWARE: This report describes the current legal use of this property as compiled from records of City Departments. There has been no physical examination of the property itself. This record contains no history of any plumbing or electrical permits. The report makes no representation that the property is in compliance with the law. Any occupancy or use of the property other than that listed as authorized in this report may be illegal and subject to removal or abatement, and should be reviewed with the Planning Department and the Department of Building Inspection. Errors or omissions in this report shall not bind or stop the City from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. The preparation or delivery of this report shall not impose any liability on the City for any errors or omissions contained in said report, nor shall the City bear any liability not otherwise imposed by law.

Address of Building **826 - 828 CENTRAL AV**Block **1159**Lot **017B****Other Addresses**

1. A. Present authorized Occupancy or use: **TWO FAMILY DWELLING WITH PARTY WALL**
 B. Is this building classified as a residential condominium? Yes No
 C. Does this building contain any Residential Hotel Guest Rooms as defined in Chap. 41, S.F. Admin. Code? Yes No
 2. Zoning district in which located: **RH-3** 3. Building Code Occupancy Classification: **R-3**
 4. Do Records of the Planning Department reveal an expiration date for any non-conforming use of this property? Yes No
 If Yes, what date? **The zoning for this property may have changed. Call Planning Department, (415) 558-6377, for the current status.**
 5. Building Construction Date (Completed Date): **UNKNOWN**
 6. Original Occupancy or Use: **UNKNOWN**
 7. Construction, conversion or alteration permits issued, if any:

Application #	Permit #	Issue Date	Type of Work Done	Status
99059	91547	Jul 31, 1947	REPAIR PORCHES & INSTALL STAIRS - CFC	C
135819	126370	Sep 07, 1951	ASBESTOS SIDING ON FRONT OF BUILDING ONLY (818-828 CENTRAL AV)	C
266795	238904	Jun 26, 1962	REPLACE UPPER & REPAIR PORCH	C
411411	369340	Aug 24, 1972	COMPLY WITH BUREAU OF BUILDING INSPECTION FILE 12944 - CFC 2FD PARTY WALL	C
9010604	646590	Jun 29, 1990	REPAIR FIRE DAMAGE - REPLACE SHEET ROCK IN 2 FRONT ROOMS, REPLACE BURNED EXTERIOR SIDING, REPLACE BROKEN WINDOW, CARPET, PAINT, REPAIR ROOF. REMOVE IN LAW APARTMENT (ABATEMENT)	C
9200595	717526	Mar 15, 1993	REMOVE IN-LAW APTS	C
200507157748	1061095	Jul 15, 2005	REMODEL KITCHEN - NEW SINK, COUNTER TOP, CABINETS, DISHWASHER, FRIDGE, MINOR SHEET ROCK & ELECTRICAL	C
200801082032	1143223	Jan 08, 2008	REMOVE TWO SECTIONS OF BEARING WALLS, ADD TWO PARALLAM BEAMS/POSTS & FOOTINGS. REMOVE NON BEARING PARTITION, ADD TWO STORAGE CLOSETS IN BATHROOM	C

8. A. Is there an active Franchise Tax Board Referral on file? Yes No
 B. Is this property currently under abatement proceedings for code violations? Yes No
 9. Number of residential structures on property? **1**
 10. A. Has an energy inspection been completed? Yes No B. If yes, has a proof of compliance been issued? Yes No

1660 Mission Street - San Francisco CA 94103 - (415) 558-6080
Report of Residential Record (3R)

Page 2

Address of Building 826 - 828 CENTRAL AV

Block 1159

Lot 017B

Other Addresses

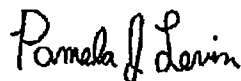
Date of Issuance: 06 DEC 2011

Date of Expiration: 06 DEC 2012

By: MAY YU

Report No: 201111297151

Patty Herrera, Manager, Records Management Division



Pamela J. Levin, Deputy Director
Department of Building Inspection

THIS REPORT IS VALID FOR ONE YEAR ONLY.

The law requires that, prior to the consummation of the sale or exchange of this property, the seller must deliver this report to the buyer and the buyer must sign it.

(For Explanation of terminology, see attached)

EXPLANATION OF TERMS USED IN REPORT OF RESIDENTIAL RECORDS (3R REPORT)

Residential Building: A residential building is a building or a portion thereof containing one or more dwelling units but not including hotels containing 30 or more guest rooms, or motels.

1A. Present Authorized Occupancy or Use: Number of units presently found to be legal based on the building permits on file. If the Department is unable to establish the authorized occupancy of the building based on permits on file "UNKNOWN" will be indicated.

1B. Condominiums: Refers to the type of ownership of the building.

1C. Residential Hotel Guest Rooms: Certain hotels are regulated as to use and occupancy if they contain Residential Guest Rooms. Call Housing Inspection Services at 558-6220 for information.

2. Zoning District: The main uses of property permitted by the Planning Code in each zoning district are as follows:

P	(Public Use) district
RH-1(D)	(House, One-Family, Detached Dwellings) district
RH-1	(House, One-Family) district
RH-1(S)	(House, One-Family with Minor Second Unit) district
RH-2	(House, Two-Family) district
RH-3	(House, Three-Family) district
RM-1	(Mixed Residential, Low Density) district
RM-2	(Mixed Residential, Moderate Density) district
RM-3	(Mixed Residential, Medium Density) district
RM-4	(Mixed Residential, High Density) district
RC-1	(Residential-Commercial Combined, Low Density) district
RC-2	(Residential-Commercial Combined, Moderate Density) district
RC-3	(Residential-Commercial Combined, Medium Density) district
RC-4	(Residential-Commercial Combined, High Density) district
C-1	(Neighborhood Shopping) district
C-2	(Community Business) district
C-3-0	(Downtown Office) district
C-3-R	(Downtown Retail) district
C-3-G	(Downtown General Commercial) district
C-3-S	(Downtown Support) district
C-M	(Heavy-Commercial) district
M-1	(Light Industrial) district
M-2	(Heavy Industrial) district
NC-1	(Neighborhood Commercial Cluster) district
NC-2	(Small-Scale Neighborhood Commercial) district
NC-3	(Moderate-Scale Neighborhood Commercial) district
NC-5	(Neighborhood Commercial Shopping Center) district
Chinatown Mixed Used Districts	
CCB	(Chinatown Community Business) district
(CR/NC	(Chinatown Residential/Neighborhood Commercial) district
CRV	(Chinatown Visitor Retail) district
South of Market Mixed Use Districts	
MUR	Mixed Use Residential district
RED	(Residential Enclave) district
SPD	(South Park) district
RSD	(Residential Service) district
SLR	(Service/Light Industrial/Residential) district
SLI	(Service/Light Industrial) district
SSO	(Service/Secondary Office) district
Mission Bay Districts	
MB-R-1	(Mission Bay Lower Density Residential) district
MB-R-2	(Mission Bay moderate Density Residential) district
MB-R-3	(Mission Bay High Density Residential) district
MB-NC-2	(Mission Bay Small Scale Neighborhood Commercial) district
MB-NC-3	(Mission Bay Moderate Scale Neighborhood Commercial) district
MB-NC-S	(Mission Bay Neighborhood Commercial Shopping Center) district
MB-O	(Mission Bay Office) district
MB-CI	(Mission Bay Commercial-Industrial) district
MB-H	(Mission Bay Hotel) district
MB-CF	(Mission Bay Community Facilities) district
MB-OS	(Mission Bay Open Space) district

All buildings are subject to certain standards concerning dwelling unit density, lot coverage, off street parking, building height and bulk, etc., which vary according to zoning district. Call the Planning Department at 558-6377 or go to their website at <http://www.sf-planning.org/> for additional information.

3. Building Code Occupancy Classification: Present classification of building in accordance with Building Code reference.

Class I	Institutional
Class B	Business
Class R-1	Residential – Transient Hotels & Motels
Class R-2	Residential – Apartments and Condominiums with 3 or more units, Residential Hotels
Class R-3	1 or 2 family dwellings, including housekeeping rooms

4. Non-conforming Use: When a use is located in a district preceding the one for which the use is first listed above, this may indicate illegal status or legal non-conforming status. Any date at which legal non-conforming status is scheduled to expire will be stated on the face of this report. You are advised to inquire in these cases and in any other questionable cases at the Zoning Division of the Planning Department at 558-6377.

5. Building Construction Date: The year the building was constructed.

6. Original Occupancy or Use: The number of residential unit(s) when the building was constructed.

7. Permit Application: This section shows all issued building permit applications for this property, the permit number, the date issued and the description of work. Status: It indicates the status of the permit application:

C – the work was completed;

I – permit has been issued;

N – no job card found;

X – the permit expired (work not started or not completed);.

8A. Franchise Tax Board Referral: The City will advise the State Franchise Tax Board to deny all deductions being claimed on income property by an owner, when that owner fails to comply in a timely manner with a notice(s) of violation issued by the Department of Building Inspection. For additional information please call Housing Inspection Services at 558-6220.

8B. Abatement Proceedings: The legal action taken to have a property brought into code compliance. This includes holding hearings, recording orders of abatement against the property, and City Attorney action.

The City may also perform the work and place a lien against the property. Call Housing Inspection Services at 558-6220 or Code Enforcement at 558-6454 for additional information.

9. Number of residential structures on property: The number of legal residential structures on one lot.

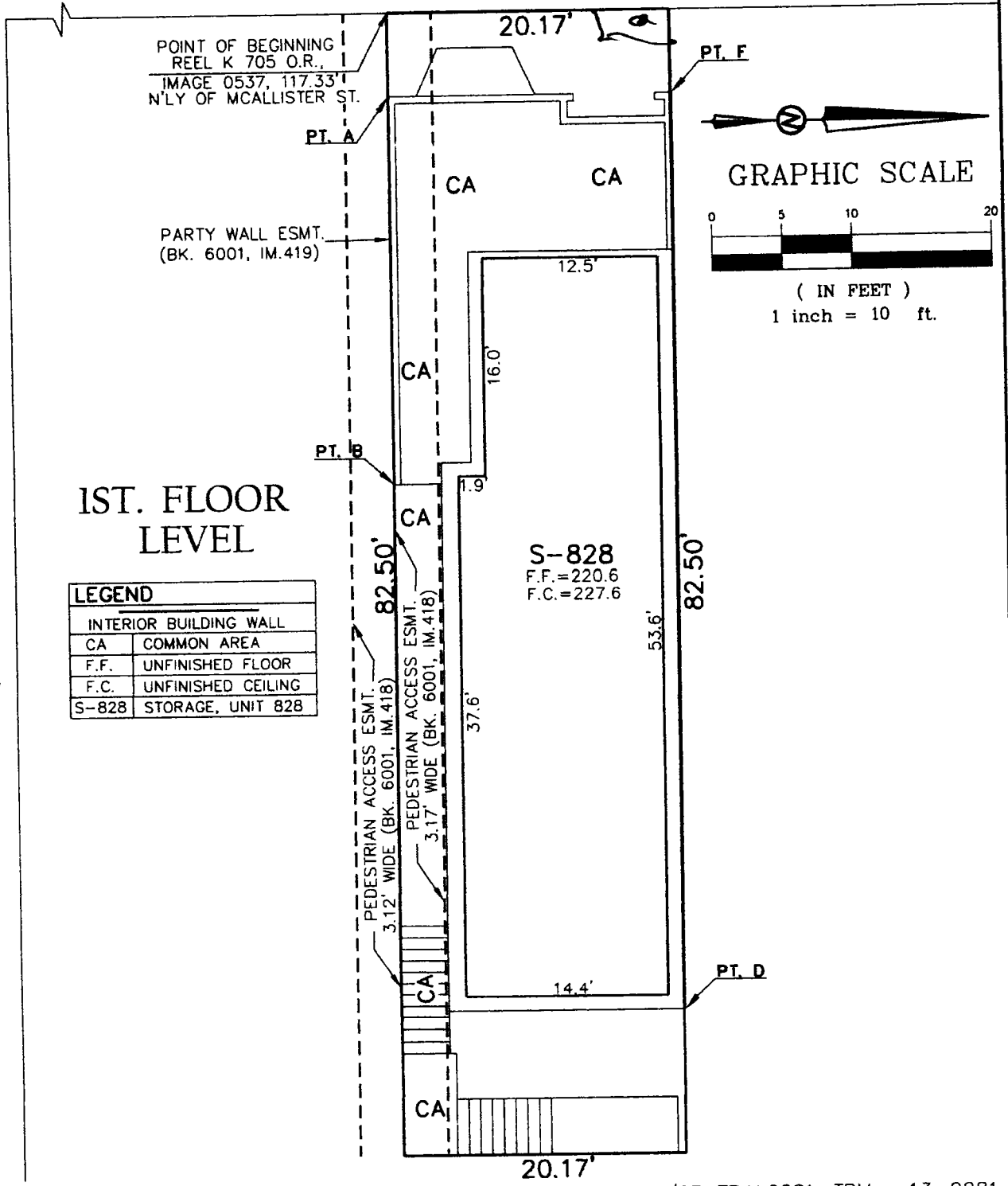
10. Energy Conservation Ordinance: Compliance with this ordinance is required before an owner sells a property. Questions should be directed to Housing Inspection Services at 558-6220.

EXHIBIT B

UNIT DIAGRAMS FOR THE CONDOMINIUM PLAN OF
826-828 CENTRAL AVENUE
 SAN FRANCISCO MAY 2013 CALIFORNIA

CENTRAL AVENUE {68.75' WIDE}

MCALLISTER STREET
 {68.75' WIDE}



POINT OF BEGINNING
 REEL K 705 O.R.,
 IMAGE 0537, 117.33'
 N'LY OF MCALLISTER ST.

PT. A

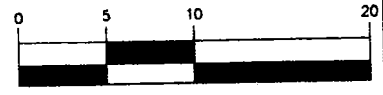
PARTY WALL ESMT.
 (BK. 6001, IM.419)

PT. B

PT. F



GRAPHIC SCALE



(IN FEET)
 1 inch = 10 ft.

1ST. FLOOR
 LEVEL

LEGEND	
(Solid line)	INTERIOR BUILDING WALL
CA	COMMON AREA
F.F.	UNFINISHED FLOOR
F.C.	UNFINISHED CEILING
S-828	STORAGE, UNIT 828

82.50'

PEDESTRIAN ACCESS ESMT.
 3.12' WIDE (BK. 6001, IM.418)

PEDESTRIAN ACCESS ESMT.
 3.17' WIDE (BK. 6001, IM.418)

37.6'

S-828
 F.F. = 220.6
 F.C. = 227.6

53.6'

82.50'

PT. D

20.17'

EXHIBIT B

UNIT DIAGRAMS FOR THE CONDOMINIUM PLAN OF
826-828 CENTRAL AVENUE
 SAN FRANCISCO MAY 2013 CALIFORNIA

CENTRAL AVENUE {68.75' WIDE}

MCALLISTER STREET
 {68.75' WIDE}

1ST. FLOOR LEVEL

LEGEND	
INTERIOR BUILDING WALL	
CA	COMMON AREA
F.F.	UNFINISHED FLOOR
F.C.	UNFINISHED CEILING
ST-828	STEP, UNIT 828

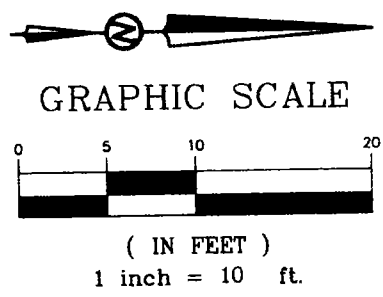
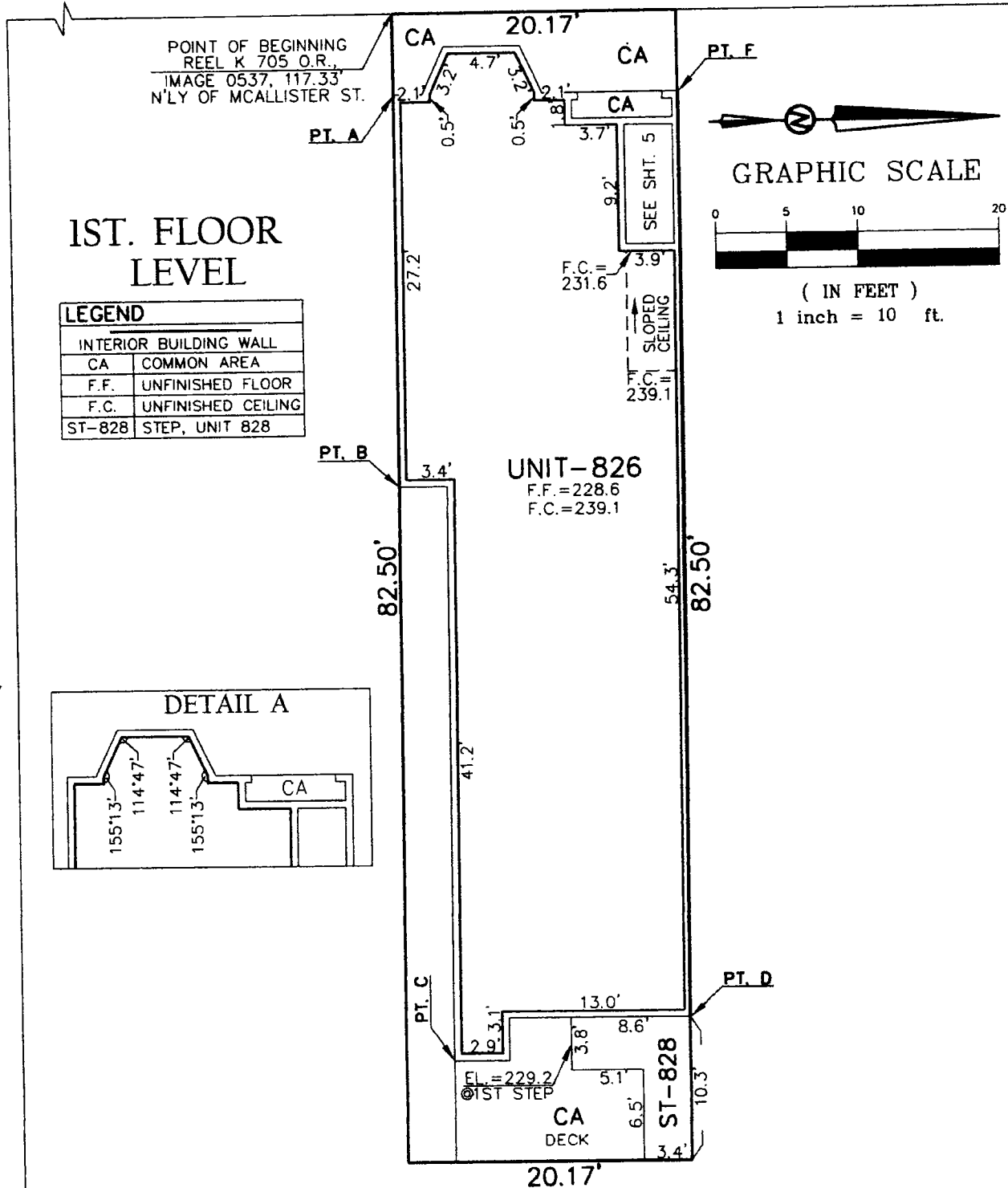
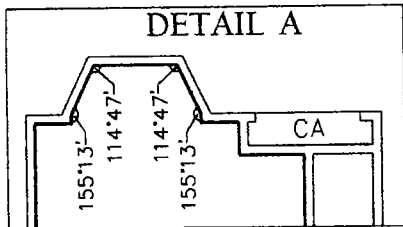
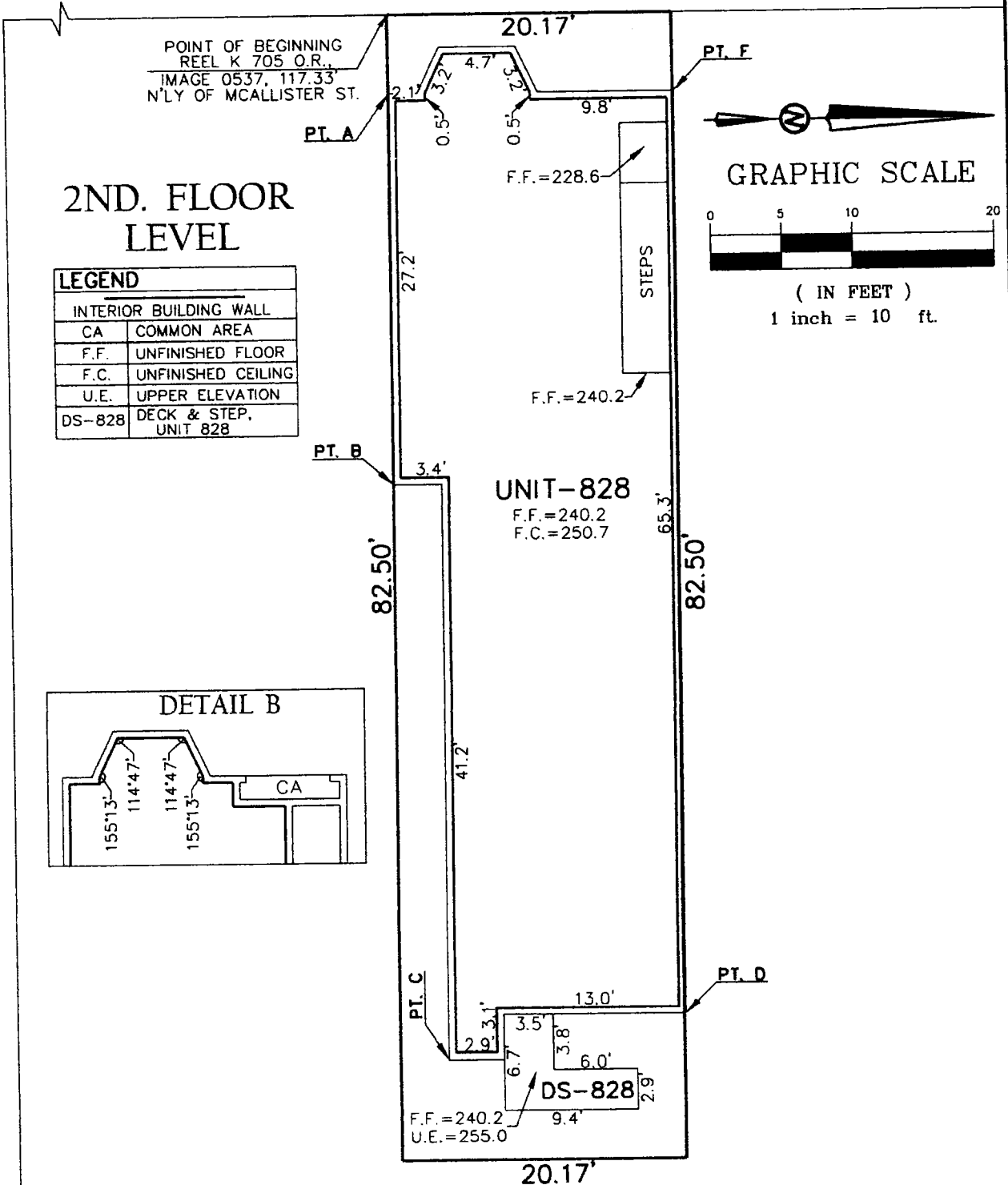


EXHIBIT B

UNIT DIAGRAMS FOR THE CONDOMINIUM PLAN OF
826-828 CENTRAL AVENUE
 SAN FRANCISCO MAY 2013 CALIFORNIA

CENTRAL AVENUE {68.75' WIDE}

MCALLISTER STREET
 {68.75' WIDE}



LEGEND

INTERIOR BUILDING WALL	
CA	COMMON AREA
F.F.	UNFINISHED FLOOR
F.C.	UNFINISHED CEILING
U.E.	UPPER ELEVATION
DS-828	DECK & STEP, UNIT 828

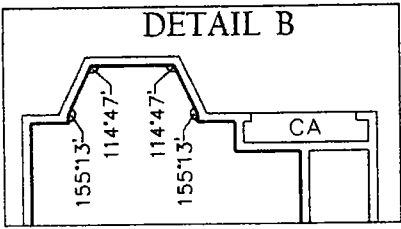
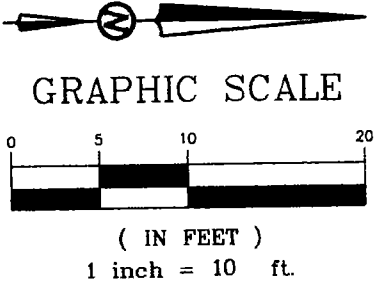


EXHIBIT B

AN ADDENDUM TO THE CONDOMINIUM PLAN OF
826-828 CENTRAL AVENUE
ASSESSOR'S BLOCK 1159, LOT 017B
SAN FRANCISCO, CALIFORNIA

SCHEDULE OF UNDIVIDED INTEREST IN COMMON AREA
THE PERCENTAGE OF OWNERSHIP INTEREST OF EACH OWNER AS A TENANT IN
COMMON IS AS FOLLOWS:

ASSESSOR'S LOT NUMBER	UNIT NUMBER	FLOOR AREA RATIO	PERCENTAGE INTEREST
XX	826	0.49	49%
XX	828	0.51	51%
TOTAL		1.00	100%

EXHIBIT B

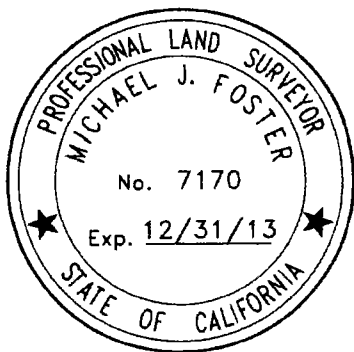
UNIT DIAGRAMS FOR THE CONDOMINIUM PLAN OF
826-828 CENTRAL AVENUE
SAN FRANCISCO CALIFORNIA
MAY 2013

GENERAL NOTES:

1. THE SUBDIVISION DEPICTED HEREON IS SUBJECT TO THE PROVISIONS OF THE DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT.
2. A UNIT CONSISTS OF THE AREA BOUNDED BY THE INTERIOR UNFINISHED SURFACES OF ITS PERIMETER WALLS, BEARING WALLS, FLOORS, FIREPLACES, CEILINGS, WINDOWS AND INTERIOR PORTIONS OF WINDOW FRAMES AND TRIM, DOORS (INCLUDING WINDOWS IN DOORS) AND INTERIOR PORTIONS OF DOOR FRAMES AND TRIM; INCLUDING BOTH THE PORTIONS OF THE BUILDING SO DESCRIBED AND THE AIRSPACE SO ENCOMPASSED. A UNIT INCLUDES (i) THE WALLBOARD, PLASTER, AND PAINT ON ALL INTERIOR SURFACES LOCATED OR EXPOSED WITHIN THE UNIT, (ii) WINDOW SASHES OR OTHER ELEMENTS THAT DIRECTLY CONTACT THE GLASS PORTION OF THE WINDOW, (iii) DOOR AND WINDOW HARDWARE AND ALL MECHANICAL ELEMENTS OF DOORS AND WINDOWS, (iv) PLUMBING, HEATING, AIR CONDITIONING AND ELECTRICAL FIXTURES OR APPLIANCES LOCATED OR EXPOSED WITHIN THE UNIT, AND (v) WATER HEATERS, FURNACES OR AIR CONDITIONERS SERVING ONLY THE UNIT. A UNIT DOES NOT INCLUDE (i) STRUCTURAL COMPONENTS OF WALLS, CEILINGS, AND FLOORS, (ii) ANY PORTION OF THE FRAMES OF WINDOWS OR EXTERIOR DOORS NOT EXPOSED WITHIN A UNIT INTERIOR, OR (iii) PORTIONS OF PLUMBING, HEATING, AIR CONDITIONING, OR ELECTRICAL SYSTEMS SERVING MORE THAN ONE UNIT.
3. THE COMMON AREA CONSISTS OF THE ENTIRE PROPERTY EXCEPT FOR THE UNITS.
4. A CONDOMINIUM IS A UNIT TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON AREA.
5. THE DIMENSIONS AND ELEVATIONS ON THE UNITS SHOWN ON THESE SHEETS ARE INTENDED TO BE THE UNFINISHED FLOORS, WALLS, AND CEILINGS OF THE UNIT.
6. ALL ANGLES ARE 90 DEGREES OR 45 DEGREES UNLESS OTHERWISE NOTED.
7. ALL FIRST FLOOR LEVEL WALLS ARE 0.6' THICK AND ALL OTHER WALLS ARE 0.5' THICK UNLESS OTHERWISE NOTED.
8. ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.
9. THE ELEVATIONS SHOWN ON THESE SHEETS ARE BASED ON CITY OF SAN FRANCISCO DATUM. THE BENCH MARK FOR THIS SURVEY IS CROW CUT OUTER RIM SW1 AT SOUTHEAST CORNER INTERSECTION OF CENTRAL AND GOLDEN GATE AVENUES, ELEVATION = 239.374.
10. THE AREA LABELLED "S-828" ON SHEET 3 IS A STORAGE AREA. AN EASEMENT FOR THE EXCLUSIVE USE OF SAID STORAGE AREA SHALL BE GRANTED AS APPURTENANCE TO UNIT 828.
11. THE AREA LABELLED "ST-828" ON SHEET 4 IS A STEPS AREA. AN EASEMENT FOR THE EXCLUSIVE USE OF SAID STEPS AREA SHALL BE GRANTED AS APPURTENANCE TO UNIT 828.
12. THE AREA LABELLED "DS-828" ON SHEET 5 IS A DECK & STEPS AREA. AN EASEMENT FOR THE EXCLUSIVE USE OF SAID DECK & STEPS AREA SHALL BE GRANTED AS APPURTENANCE TO UNIT 828.

SURVEYOR'S STATEMENT:

THESE UNIT DIAGRAMS WERE PREPARED BY ME, OR UNDER MY DIRECTION, AND ARE BASED UPON A FIELD SURVEY, AT THE REQUEST OF URS LAEUCHLI IN APRIL OF 2013. IN CONFORMANCE WITH THE DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT, SECTION 1351(E)(2), THESE UNIT DIAGRAMS ARE THE "THREE-DIMENSIONAL DESCRIPTION" PORTION OF THE CONDOMINIUM PLAN.



DATE: MAY 29, 2013

MICHAEL J. FOSTER, L.S. 7170
EXPIRATION DATE: DECEMBER 31, 2013

BAY AREA LAND SURVEYING INC.

961 MITCHELL WAY
EL SOBRANTE, CA 94803
PHONE (510) 223-5167

SHT. 1 OF 6 F.B. # 465 /CENTRAL2281-TPM 13-2281


OFFICIAL COPY



ADDRESS OF JOB		BLOCK/LOT		APPLICATION NO.	
826	CENTRAL	AV	1159 /017B	9200595	
OWNER NAME				TELEPHONE	
EDWIN LINGSCH				648-1516	
ESTIMATED COST	FILE DATE	DISPOSITION	DISPOSITION DATE	PERMIT NO.	EXPIRE DATE
\$9,600	1/13/92	ISSUED	03/15/93	717526	09/15/93
FORM CONST. TYPE	OCCUPANCY CODES	PLANS	STORIES	UNITS	DISTRICT
3 5	R-3	2	2	2	PCD 37
CONTACT NAME				TELEPHONE	
STANDARD DESCRIPTION/BLOG. USE				OTHER DESCRIPTION	
2 FAMILY DWELLING				REMOVE IN-LAW APTS	
SPECIAL INSPECTIONS?		FIRE ZONE		COMPLIANCE WITH REPORTS	
NO		NO			
SPECIAL USE DISTRICT		TIDF			
		PENALTY			
		YES			
NOTES:					
<p style="text-align: center;">PERMIT INSPECTION RECORD DEPARTMENT OF PUBLIC WORKS CITY AND COUNTY OF SAN FRANCISCO BUILDING INSPECTION JOB CARD</p>					
9003-15					

OFFICIAL COPY



DATE	BUILDING INSPECTORS' JOB RECORD
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7/6/93	All work completed.
WORK COMPLETED. FINAL CERTIFICATE POSTED.	
APP. NO. 9200595	 BUILDING INSPECTOR

OFFICIAL COPY

SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

Dept. of Public Works

MAR 15 1993

(E)

1.20.93

LANGER

JAN 25 1993

3/80 9200595 APPLICATION NUMBER

OSHA APPROVAL NEEDED

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

OFFICE COPY

FORM 3 OTHER AGENCIES REVIEW REQUIRED FORM 8 OVER-THE-COUNTER ISSUANCE

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF PUBLIC WORKS OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

2 NUMBER OF PLAN SETS

Form with fields: DATE FILED (1-13-92), PERMIT RECEIPT NO. (234852), STREET ADDRESS OF JOB (806-828 Center), BLOCK & LOT (1159 0178), ESTIMATED COST OF WORK (\$500), PERMITTED COST (\$9000), DATE (1-20-93)

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

Form with sections: DESCRIPTION OF EXISTING BUILDING (WOOD FRAME, 2 UNITS, TWO FAMILY), DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION (WOOD FRAME, 2 UNITS, 2 FAMILY), (11) WILL STREET SPACE BE USED DURING CONSTRUCTION?, (12) ELECTRICAL WORK TO BE PERFORMED?, (13) PLUMBING WORK TO BE PERFORMED?, (14) GENERAL CONTRACTOR (NONE), (15) OWNER (Edwin Edmondson, 3272 Mission St, SF, CA 94110, 648-1516), (16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REMOVE IN LAW APARTS WORK DONE PREVIOUS WITHOUT PERMIT)

ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY

Form with sections: (17) DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING?, (18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT, (19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING?, (20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA, (21) WILL SIDEWALK OVER-SUBMERGED SPACE BE REPAIRED OR ALTERED?, (22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?, (23) ANY OTHER EXISTING BLDG. ON LOT (IF YES, SHOW ON PLOT PLAN), (24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?, (25) ARCHITECT OR ENGINEER DESIGN, (26) CONSTRUCTION TENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO DESIGN CONSTRUCTION TENDER, ENTER "UNKNOWN")

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit... No person of building or structure of scaffolding used during construction, to be closer than 60" to any wire containing more than 750 volts... Permit to San Francisco Building Code, the building permit shall be posted on the job... Grade lines as shown on drawings accompanying this application are assumed to be correct... ANY APPLICATION SUBMITTED HEREIN OR BY CODE MAY BE APPEALED... CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING PERMIT... APPROVAL OF THE BUILDING DEPARTMENT DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS... SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED... SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) or (24)... THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED... In dwellings all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment... CHECK APPROPRIATE BOX: OWNER, ARCHITECT, ENGINEER, LESSEE, AGENT WITH POWER OF ATTORNEY, CONTRACTOR, ATTORNEY IN FACT

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE: The Permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions... In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have on file, or file with the Central Permit Bureau, either Certificate (I) or (II) or (III) designated below or shall indicate item (IV) or (V) or (VI) below, whichever is applicable... I certify that in the performance of the work for which this Permit is issued, I shall not employ any person in any manner so as to become subject to the workman's compensation laws of California... I further acknowledge that I understand, in the event that I should become subject to the workman's compensation provisions of the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked... I certify as the owner (or the agent of the owner) that in the performance of the work for which this Permit is issued, I will employ a contractor who complies with the workman's compensation laws of California and who has on file, or prior to the commencement of any work will file, with the Central Permit Bureau evidence that workman's compensation insurance is carried

APPLICANT'S CERTIFICATION I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

Edwin Edmondson 1/12/93 Applicant's Signature Date

If the image of this document appears less sharp than this notice, it is due to the quality of the original.

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SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

INSPECTOR NAMED ON FACE OF APPLICATION (TELEPHONE NO. 555-5555) HAS REVIEWED WORK AND APPROVED IT FOR AN ADDITIONAL PERIOD OF TIME TO BE DONE IN HIS DISTRICT OFFICE.

Any electrical wiring work will be done in separate rooms.

B. Green 11-2-91
BUILDING INSPECTOR, BUR. OF BLDG. INSP.

APPROVED FOR USE AS A TWO (2) FAMILY DWELLING ON TWO (2) STORIES OF RESIDENTIAL OCCUPANCY OVER BASEMENT ONLY. AS PER REVISED PLANS DATED JANUARY 13, 1992, FOR CODE COMPLIANCE. *Bay Paul* OCT 27 1992
DEPARTMENT OF PLANNING
CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW

APPROVED NOTICE OF SPECIAL RESTRICTIONS
E311019 RECORDED *01 2 92*

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:

CIVIL ENGINEER, BUR. OF BLDG. INSPECTION

APPROVED:

BUREAU OF ENGINEERING

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

APPROVED:

REDEVELOPMENT AGENCY

APPROVED:

Comply E CED complaint DC 27445
HA
Comply Order of violation 146524
OK for CED
1-20-93

HOUSING INSPECTION DIVISION

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application and attached statements of conditions or stipulations, which are hereby made a part of this application.

[Signature] *Agail*

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

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APPLICATION FILING FEE
 PLAN CHECKING RECEIPT

234852

DATE 1/18

RECEIVED BY [Signature]

BUILDING APPLICATION NUMBERS

19000595

BUREAU APPLICATION

PERMITS FOR AMPLIFICATION, FILING AND CHECKING PLANS, PRESCRIBED BY SAN FRANCISCO BUILDING CODE

ESTIMATE COST OF JOB PERMITTER REVENUE 7080	PLAN CHECK FEE REVENUE 7220			FILING FEE 7220	DEMOLITION NOTICE FEE 1212
<u>500</u>	FOR CONST.	ALTERATION	SIGNS	<u>28.35</u>	
FIRE FEE 7200	DCI FEE 7081	FULL PLAN CHECK FEE 1/4 PLAN CHECK FEE <input checked="" type="checkbox"/> 8% STRUCTURAL <input type="checkbox"/> 7% ARCHITECTURAL <input type="checkbox"/> 5% ENERGY <input type="checkbox"/>		CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS CENTRAL PERMIT BUREAU	

8203-01 10/97

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CENTRAL PERMIT BUREAU
450 McALLISTER STREET
SAN FRANCISCO, CA 94102

Appl. # _____
Address _____

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number N/A License Class _____

Expiration Date _____ Contractor _____

PRINT

SIGNATURE _____

Owner-Builder Declaration

I hereby affirm that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below.)

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed cancelled.

architect, agent
 I, as owner, am contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractors Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed cancelled.

I am exempt under Business and Professions Code Sec. _____
Reason _____

Date 1/13/92 Architect (PRINT) _____
 Agent (PRINT) _____

Owner (PRINT) Edward F. Langsdorf
(SIGNATURE) Edward F. Langsdorf

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5.

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CERTIFICATION OF AUTHORIZED AGENT

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the S.F. Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the agent of the owner and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct.

If the image of this document appears less sharp than this notice, it is due to the quality of the original.

Edwin F. Linger
Applicant's Signature

Edwin F. Linger
Type of Print Name

W 000 9116 Calif
Identification
(Drivers Lic. No., etc.)

Edwin F. Linger
Owner/Lessee

1/13/92
Date



RECORDING REQUESTED BY)
)
 And When Recorded Mail To:)
)
 Name: ED LINGSCH REALTOR)
 3232 Mission St)
 Address: San Francisco, CA 94110)
)
 City:)
)
 State: California)

SEP 28 1992
 CONFORMED COPY of document recorded on _____
 at _____ as No. F211099
 This document has not been compared with
 the original
 SAN FRANCISCO COUNTY RECORDER.

Space Above This Line For Recorder's Use

NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

I (We) Edwin F. Lingsch and Ann Lingsch, the owner(s) of
 that certain real property situated in the City and County of San Francisco,
 State of California, more particularly described as follows:

(PLEASE ATTACHED THE LEGAL DESCRIPTION AS ON DEED)

BEING Assessor's Block: 1159; Lots: 17B,
 commonly known as 826-828 Central Avenue,

hereby give notice that there are special restrictions on the use of said
 property under Part II, Chapter II of the San Francisco Municipal Code (City
 Planning Code).

Said restrictions consist of conditions attached to a variance granted by
 the Zoning Administrator of the City and County of San Francisco on August 7,
 1992 (Case No. 92.217V) permitting the subdivision of Lots 17A, 17B and 17
 and the approval of Building Permit Application No. 9200595 by the Department of
 City Planning and are conditions that had to be so attached in order that said
 application could be approved under the City Planning Code. (Building Form 3.)

The plans filed with the present application indicate on the lower floor
 (basement) of the two (2) family dwelling at 826-828 Central Avenue: no (0)
 bedroom, no (0) social, recreation or family room, four (4) storage rooms (for
 incidental storage to the dwelling units above only), and no (0) bath, said
 rooms having independent access to the street by way of a tradesman's entrance.

The restrictions and conditions of which notice is hereby given are:



NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

1. That said lower floor (basement) area shall be used only as accessory to the dwelling above, as under the RH-3 zoning of the subject property, Section 209.1 of the City Planning Code provides that one (1) three-family dwelling shall occupy a lot AND that Section 151 of said Code provides that one (1) standard-size, independently accessible, on-site, off-street parking space shall be provided for any new dwelling unit and the subject property contains no (0) such additional spaces; and
2. That this lower floor (basement) shall not be used as a story of residential occupancy nor as a separate dwelling unit or rooming unit, and no boarder shall reside therein; that utility, other services, mailbox and doorbells shall be provided for this property solely on a two-family basis; and
3. That for the purposes of this restriction and the City Planning Code, installation of any appliances for cooking, such as a stove or hot plate, in the lower floor (basement) area shall be deemed creation of a kitchen and therefore creation of an additional separate dwelling unit as defined in Section 102.6 of the City Planning Code.
4. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.

The use of said property contrary to these special restrictions shall constitute a violation of the City Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco.

OFFICIAL COPY



NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

Dated: September 1992 at San Francisco, California.

Edwin F. Lingsch
(Signature of Owner)
Ann Lingsch

STATE OF CALIFORNIA)
) ss.
CITY AND COUNTY OF SAN FRANCISCO)

In San Francisco, before me, DAVID F. GALLAGHER, the undersigned, a Notary Public, in and for said City and County and State, personally appeared Edwin F. Lingsch and Ann Lingsch personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he or she (they) executed the same.

WITNESS my hand and official seal.



Signature David F. Gallagher (This area for official notarial seal.)

OFFICIAL COPY

SAN FRANCISCO

DEPARTMENT OF
PLANNING AND INSPECTION

BEGINNING at a point on the easterly line of Central Avenue, distant thereon 117 feet, 4 inches northerly from the northerly line of McAllister Street; running thence northerly along said line of Central Avenue 20 feet, 2 inches; thence at a right angle easterly 82 feet, 6 inches; thence at a right angle southerly 20 feet, 2 inches; thence at a right angle westerly 82 feet, 6 inches to the point of beginning.

BEING a portion of Western Addition Block No. 611.



City and County of San Francisco
 Department of City Planning

450 McAllister Street
 San Francisco, CA 94102

August 7, 1992

VARIANCE DECISION

UNDER THE CITY PLANNING CODE
 CASE NO. 92.217V

APPLICANT: Ed Lingsch
 3232 Mission Street
 San Francisco, CA 94110

PROPERTY IDENTIFICATION: 822-28 CENTRAL AVENUE, east side between McAllister Street and Golden Gate Avenue; Lots 17A, 17B and 17 in Assessor's Block 1159 in an RH-3 (House, Three-Family) District.

DESCRIPTION OF VARIANCE SOUGHT: MINIMUM LOT AREA VARIANCE SOUGHT: The proposal is to legalize the subdivision of Lot 17A, 17B and 17 that occurred in 1952 without City Planning Department Authorization.

Section 121 of the Planning Code requires a minimum lot area of 2,500 square feet. Lot 17 is 1,657 square feet, Lot 17A is 1,636 square feet and Lot 17B is 1,664 square feet. All three lots are deficient in lot area. Lot 17 is 1,657 square feet.

PROCEDURAL BACKGROUND:

1. This proposal was determined to be categorically exempt from Environmental Review.
2. The Zoning Administrator held a public hearing on Variance Application No. 92.217V on June 24, 1992.

DECISION: GRANTED, to legalize the subdivision of Lots 17A, 17B and 17 in general conformity with plans on file with this application, shown as Exhibit A and dated April 20, 1992, subject to the following conditions:

ADMINISTRATION
 (415) 558-6414

CITY PLANNING COMMISSION
 (415) 558-6414
 FAX: 558-6425

PLANS AND PROGRAMS
 (415) 558-6294
 FAX: 558-6408

IMPLEMENTATION / ZONING
 (415) 558-6377



CASE NO. 92.217V
822-28 Central Avenue
August 7, 1992
Page Two

1. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.
2. The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

Section 305(c) of the City Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDINGS:

FINDING 1.

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district.

REQUIREMENT MET.

- o The subject property is already improved with three functionally independent properties, all of which predate the Code lot size provisions that would disallow the current building configuration.
- o Had the owners applied for a lot split with the proposed configuration at the time of construction of the third house, the lot split would have been approved and the houses would now be legal, non-complying structures. The present proposal does not alter the old pattern of use for the property.
- o Although the granting of the subject variance will create lots that are smaller than required by the Planning Code, this is necessary to allow continued use of the separated lots and maintain the current site conditions.



CASE NO. 92.217V
822-28 Central Avenue
August 7, 1992
Page Three

FINDING 2. That owing to such exception and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.

REQUIREMENT MET.

- o Literal enforcement of the minimum lot size requirements of the Planning Code would prevent the separate ownership of the three functionally independent properties that have existed for decades.
- o Literal enforcement of the lot size requirements in this case would prohibit the reasonable sale and home ownership of dwelling units developed long before minimum lot size requirements were adopted. The siting and independent character of the dwellings on the subject property imposes an unnecessary hardship on this applicant if he is not allowed to divide the property as proposed.

FINDING 3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district.

REQUIREMENT MET.

- o The granting of this variance is the best and most feasible manner by which the property owners can enjoy the same full use of their property that similarly situated property owners enjoy. Applications for renovations or improvements to the properties may be subject to denial without this variance. And without this variance, in the event of catastrophic destruction of the structure on this lot, the owner may be disallowed to rebuild, thus rendering the property worthless.
- o As mentioned above, granting of this variance is necessary for the property owner to enjoy the full development potential of similar lots in the immediate vicinity. Legal division of the property as proposed will allow further flexibility and independence in matters of development, property transfer, maintenance, financing and insurance.



CASE NO. 92.217V
822-28 Central Avenue
August 7, 1992
Page Four

FINDING 4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

REQUIREMENT MET.

- o This proposal would produce no physical change in the appearance or development pattern of this area. The above conditions to this variance decision, combined with the current provisions of the City Planning Code, would not allow an increase in the intensity of development of this lot from its present condition.

FINDING 5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

REQUIREMENT MET.

- o The proposal is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. The proposal is in harmony with the Residence Element of the Master Plan to encourage residential development when it preserves or improves the quality of life for residents of the City.
- o City Planning Code Section 101.1 establishes eight priority planning policies and requires review of variance applications for consistency with said policies. Review of the relevant priority planning policies yielded the following determinations:
 - A. That the proposed project will be in keeping with the existing housing and neighborhood character.
 - B. That the proposed project will have no effect on the City's supply of affordable housing, public transit or neighborhood parking, preparedness to protect against injury and loss of life in an earthquake, commercial activity, business or employment, landmarks and historic buildings, or public parks and open space.

The effective date of this decision shall be either the date of this decision letter if not appealed or the date of the Notice of Decision and Order if appealed to the Board of Permit Appeals.

Once any portion of the granted variance is utilized, all specifications and conditions of the variance authorization became immediately operative.

OFFICIAL COPY



CASE NO. 92.217V
822-28 Central Avenue
August 7, 1992
Page Five

The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if a Building Permit has not been issued within three years from the effective date of this decision; however, this authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit is delayed by a City agency or by appeal of the issuance of such a permit.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Permit Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Permit Appeals in person at City Hall (Room 154-A) or call 554-6720.

Very truly yours,

Robert W. Passmore
Assistant Director of
Planning-Implementation
(Zoning Administrator)

=====

THIS 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.

RWP/AMF:pg/VARI/1169



City and County of San Francisco
Department of City Planning

450 McAllister Street
San Francisco, CA 94102

August 7, 1992

VARIANCE DECISION

UNDER THE CITY PLANNING CODE
CASE NO. 92.217V

APPLICANT: Ed Lingsch
3232 Mission Street
San Francisco, CA 94110

PROPERTY IDENTIFICATION: 822-28 CENTRAL AVENUE, east side between McAllister Street and Golden Gate Avenue; Lots 17A, 17B and 17 in Assessor's Block 1159 in an RH-3 (House, Three-Family) District.

DESCRIPTION OF VARIANCE SOUGHT: **MINIMUM LOT AREA VARIANCE SOUGHT:** The proposal is to legalize the subdivision of Lot 17A, 17B and 17 that occurred in 1952 without City Planning Department Authorization.

Section 121 of the Planning Code requires a minimum lot area of 2,500 square feet. Lot 17 is 1,657 square feet, Lot 17A is 1,636 square feet and Lot 17B is 1,664 square feet. All three lots are deficient in lot area. Lot 17 is 1,657 square feet.

- PROCEDURAL BACKGROUND:
1. This proposal was determined to be categorically exempt from Environmental Review.
 2. The Zoning Administrator held a public hearing on Variance Application No. 92.217V on June 24, 1992.

DECISION: **GRANTED**, to legalize the subdivision of Lots 17A, 17B and 17 in general conformity with plans on file with this application, shown as Exhibit A and dated April 20, 1992, subject to the following conditions:

1. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.
2. The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

Section 305(c) of the City Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

FINDINGS:

- FINDING 1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district.

REQUIREMENT MET.

- o The subject property is already improved with three functionally independent properties, all of which predate the Code lot size provisions that would disallow the current building configuration.
- o Had the owners applied for a lot split with the proposed configuration at the time of construction of the third house, the lot split would have been approved and the houses would now be legal, non-complying structures. The present proposal does not alter the old pattern of use for the property.
- o Although the granting of the subject variance will create lots that are smaller than required by the Planning Code, this is necessary to allow continued use of the separated lots and maintain the current site conditions.

FINDING 2. That owing to such exception and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.

REQUIREMENT MET.

- o Literal enforcement of the minimum lot size requirements of the Planning Code would prevent the separate ownership of the three functionally independent properties that have existed for decades.
- o Literal enforcement of the lot size requirements in this case would prohibit the reasonable sale and home ownership of dwelling units developed long before minimum lot size requirements were adopted. The siting and independent character of the dwellings on the subject property imposes an unnecessary hardship on this applicant if he is not allowed to divide the property as proposed.

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REQUIREMENT MET.

- o The granting of this variance is the best and most feasible manner by which the property owners can enjoy the same full use of their property that similarly situated property owners enjoy. Applications for renovations or improvements to the properties may be subject to denial without this variance. And without this variance, in the event of catastrophic destruction of the structure on this lot, the owner may be disallowed to rebuild, thus rendering the property worthless.
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REQUIREMENT MET.

- o This proposal would produce no physical change in the appearance or development pattern of this area. The above conditions to this variance decision, combined with the current provisions of the City Planning Code, would not allow an increase in the intensity of development of this lot from its present condition.

FINDING 5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

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The effective date of this decision shall be either the date of this decision letter if not appealed or the date of the Notice of Decision and Order if appealed to the Board of Permit Appeals.

Once any portion of the granted variance is utilized, all specifications and conditions of the variance authorization became immediately operative.

CASE NO. 92.217V
822-28 Central Avenue
August 7, 1992
Page Five

The authorization and rights vested by virtue of this decision letter shall be deemed void and cancelled if a Building Permit has not been issued within three years from the effective date of this decision; however, this authorization may be extended by the Zoning Administrator when the issuance of a necessary Building Permit is delayed by a City agency or by appeal of the issuance of such a permit.

APPEAL: Any aggrieved person may appeal this variance decision to the Board of Permit Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Permit Appeals in person at City Hall (Room 154-A) or call 554-6720.

Very truly yours,



Robert W. Passmore
Assistant Director of
Planning-Implementation
(Zoning Administrator)

=====

THIS 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.

RWP/AMF:pg/VARI/1169

SAN FRANCISCO, CALIF. RECORDER'S OFFICE
Space Division, Recorder
DOC # 1737150

RECORDING REQUESTED BY)
And When Recorded Mail To:)
Name: EDWIN F. LINGSCH)
Address: 822-28 CENTRAL)
City:)
State: California)

Wednesday, August 19, 1992 11:01:00
Re: 4.00 --- Pa 1.00
Stp 1.00 --- Mic 1.00
Act 1.00 ---
TOTAL -> 8.00
REEL PAGE# IMAGE 04-02

Space Above This Line For Recorder's Use

NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

I (We) Edwin F. Lingsch, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California, more particularly described as follows:

(PLEASE ATTACHED THE LEGAL DESCRIPTION AS ON DEED)

BEING Assessor's Block: 1159; Lots: 17A, 17B and 17,
commonly known as 822-28 Central Avenue,

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (City Planning Code).

Said restrictions consist of conditions attached to a variance granted by the Zoning Administrator of the City and County of San Francisco on August 7, 1992 (Case No. 92.217V) permitting the subdivision of Lots 17A, 17B and 17.

The restrictions and conditions of which notice is hereby given are:

1. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.

PARCEL II:

BEGINNING at a point on the easterly line of Central Avenue, distant thereon 117 feet, 4 inches northerly from the northerly line of McAllister Street; running thence northerly along said line of Central Avenue 20 feet, 2 inches; thence at a right angle easterly 82 feet, 6 inches; thence at a right angle southerly 20 feet, 2 inches; thence at a right angle westerly 82 feet, 6 inches BEING a portion of WESTERN ADDITION BLOCK NO. 611.

A. P. N. LOT 17B BLOCK NO, 1159

F173750

NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

The use of said property contrary to these special restrictions shall constitute a violation of the City Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco.

Dated: August 12, 1992 at San Francisco, California.

Edwin F. Lingsch
(Signature of Owner)

Edwin F. Lingsch

STATE OF CALIFORNIA)
) ss.
CITY AND COUNTY OF SAN FRANCISCO)

In SAN FRANCISCO, before me, DAVID F. GALLAGHER, the undersigned, a Notary Public, in and for said City and County and State, personally appeared EDWIN F. LINGSCH personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he ~~or she~~ (they) executed the same.

WITNESS my hand and official seal.

Signature David F. Gallagher (This area for official notarial seal.)



SEP 28 1992

RECORDING REQUESTED BY)
)
And When Recorded Mail To:)
)
Name: ED LINGSCH REALTOR)
)
Address: 3232 Mission St.)
)
San Francisco, CA 94110)
)
City:)
)
State: California)

CONFORMED COPY of document recorded on _____
at _____ as No. F211099
This document has not been compared with
the original
SAN FRANCISCO COUNTY RECORDER.

Space Above This Line For Recorder's Use

NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

I (We) Edwin F. Lingsch and Ann Lingsch, the owner(s) of
that certain real property situated in the City and County of San Francisco,
State of California, more particularly described as follows:

(PLEASE ATTACHED THE LEGAL DESCRIPTION AS ON DEED)

BEING Assessor's Block: 1159; Lots: 17B,
commonly known as 826-828 Central Avenue,

hereby give notice that there are special restrictions on the use of said
property under Part II, Chapter II of the San Francisco Municipal Code (City
Planning Code).

Said restrictions consist of conditions attached to a variance granted by
the Zoning Administrator of the City and County of San Francisco on August 7,
1992 (Case No. 92.217V) permitting the subdivision of Lots 17A, 17B and 17 and
the approval of Building Permit Application No. 9200595 by the Department of
City Planning and are conditions that had to be so attached in order that said
application could be approved under the City Planning Code. (Building Form 3.)

The plans filed with the present application indicate on the lower floor
(basement) of the two (2) family dwelling at 826-828 Central Avenue: no (0)
bedroom, no (0) social, recreation or family room, four (4) storage rooms (for
incidental storage to the dwelling units above only), and no (0) bath; said
rooms having independent access to the street by way of a tradesman's entrance.

The restrictions and conditions of which notice is hereby given are:

826 - 828 CENTRAL

NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

1. That said lower floor (basement) area shall be used only as accessory to the dwelling above, as under the RH-3 zoning of the subject property, Section 209.1 of the City Planning Code provides that one (1) three-family dwelling shall occupy a lot AND that Section 151 of said Code provides that one (1) standard-size, independently accessible, on-site, off-street parking space shall be provided for any new dwelling unit and the subject property contains no (0) such additional spaces; and
2. That this lower floor (basement) shall not be used as a story of residential occupancy nor as a separate dwelling unit or rooming unit, and no boarder shall reside therein; that utility, other services, mailbox and doorbells shall be provided for this property solely on a two-family basis; and
3. That for the purposes of this restriction and the City Planning Code, installation of any appliances for cooking, such as a stove or hot plate, in the lower floor (basement) area shall be deemed creation of a kitchen and therefore creation of an additional separate dwelling unit as defined in Section 102.6 of the City Planning Code.
4. No vertical or horizontal expansion of the subject buildings shall be allowed unless such expansion is specifically authorized by the Zoning Administrator after the property owner or authorized agent has sought and justified a new variance request pursuant to the public hearing and all other applicable procedures of the City Planning Code. However, the Zoning Administrator, after finding that such expansion complies with applicable Codes, is compatible with existing neighborhood character and scale, and does not cause significant loss of light, air, view or privacy to adjacent buildings, may determine that a new variance is not required.

The use of said property contrary to these special restrictions shall constitute a violation of the City Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco.

BEGINNING at a point on the easterly line of Central Avenue, distant thereon 117 feet, 4 inches northerly from the northerly line of McAllister Street; running thence northerly along said line of Central Avenue 20 feet, 2 inches; thence at a right angle easterly 82 feet, 6 inches; thence at a right angle southerly 20 feet, 2 inches; thence at a right angle westerly 82 feet, 6 inches to the point of beginning.

BEING a portion of Western Addition Block No. 611.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

Dated: September 1992 at San Francisco, California.

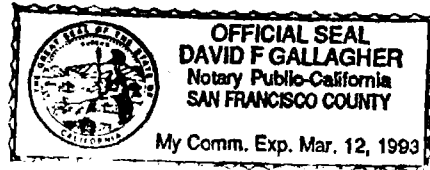
Edwin F. Lingsch
(Signature of Owner)

Ann Lingsch

STATE OF CALIFORNIA)
) ss.
CITY AND COUNTY OF SAN FRANCISCO)

In San Francisco, before me, DAVID F. GALLAGHER, the undersigned, a Notary Public, in and for said City and County and State, personally appeared Edwin F. Lingsch and Ann Lingsch personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he or she (they) executed the same.

WITNESS my hand and official seal.



Signature David F. Gallagher (This area for official notarial seal.)

APPLICATION SUBMITTAL CHECKLIST

APPLICATIONS LISTED BELOW SUBMITTED TO THE DEPARTMENT OF CITY PLANNING MUST BE ACCOMPANIED BY THIS CHECKLIST AND ALL REQUIRED MATERIALS. THE CHECKLIST IS TO BE COMPLETED AND SIGNED BY THE APPLICANT OR AUTHORIZED AGENT, AND A DEPARTMENT STAFF PERSON.

REQUIRED MATERIALS (check correct column)

Application, with all blanks filled in	Environmental Evaluation	Conditional Use	Reclassification Variance
300-foot radius map	_____	_____	_____
Address labels (original)	_____	_____	_____
Address labels (copy of the above)	_____	_____	_____
Site Plan	_____	_____	_____
Floor Plan	_____	_____	_____
Elevations	_____	_____	_____
Section 303 Requirements (shown on info sheet)	_____	_____	_____
Prop. M Findings	_____	_____	_____
Photographs	_____	_____	_____
Check payable to Dept. of City Planning	_____	_____	_____
Application signed by owner or agent	_____	_____	_____
Letter of authorization for agent	_____	_____	_____

BE ADVISED THAT SOME APPLICATIONS WILL REQUIRE ADDITIONAL MATERIALS NOT LISTED ABOVE. THE ABOVE CHECKLIST DOES NOT INCLUDE MATERIAL NEEDED FOR CITY PLANNING REVIEW OF A BUILDING PERMIT. THE "APPLICATION PACKET" FOR BUILDING PERMIT APPLICATIONS WILL LIST THOSE MATERIALS.

- NOTES: --- The items with dashes through the blank typically would not apply. Nevertheless, in a specific case, staff may require the item.
- * Two sets of original labels and one Xerox copy of addresses of adjacent property owners and owners of property across street.
- Fill in "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.

NO APPLICATION WILL BE RECEIVED BY THE DEPARTMENT UNLESS THE APPROPRIATE COLUMN ON THIS FORM IS FILLED IN. RECEIPT OF THIS CHECKLIST, THE ACCOMPANYING APPLICATION, AND REQUIRED MATERIALS BY THE DEPARTMENT SHALL ONLY SERVE TO OPEN A CITY PLANNING FILE FOR THE PROPOSED PROJECT. AFTER THE FILE IS ESTABLISHED IT WILL BE ASSIGNED TO A SPECIFIC STAFF PERSON. AT THAT TIME, THE STAFF PERSON ASSIGNED TO THE PROJECT WILL REVIEW THE APPLICATION TO DETERMINE WHETHER IT IS COMPLETE OR WHETHER ADDITIONAL INFORMATION IS REQUIRED IN ORDER FOR THE DEPARTMENT TO MAKE A DECISION ON THE PROPOSAL.

ACKNOWLEDGMENT AND SIGNATURES

OTHER APPLICATIONS THAT MAY BE REQUIRED: _____

By signing below, I acknowledge: that I have read and completed this form in its entirety; that I understand that receipt of these materials by the Department does not mean that the application has been accepted as complete; that all of the information provided in this application is accurate.

Date: _____

Signature: _____

Print name, and indicate whether owner, or authorized agent: _____
 Owner/Authorized Agent (circle one)

APPLICATION RECEIVED BY DEPARTMENT

By: Harvey Jones
 Date: 4/26/91



City and County of San Francisco
Department of City Planning

450 McAllister Street
San Francisco, CA 94102

ADMINISTRATION
(415) 568-6414
CITY PLANNING COMMISSION
(415) 568-6414
PLANS AND PROGRAMS
(415) 568-6264
IMPLEMENTATION / ZONING
(415) 568-6377

DATE: 5/10/92

PROJECT ADDRESS: 822-828 Central

ASSESSOR'S BLOCK/LOT 1159/17A.17B

ESTIMATED CONSTRUCTION COSTS

TYPE OF APPLICATION: Var. Use

OCCUPANCY CLASSIFICATION: 2 Family

BUILDING TYPE: 2 Family

TOTAL GROSS SQUARE FEET OF CONSTRUCTION NA

ESTIMATED SQUARE FOOTAGE:

BY PROPOSED USES: Same

ESTIMATED CONSTRUCTION COST 0

ESTIMATE PREPARED BY: NA

FEE ESTABLISHED: _____

SAR/228/8/89r



**City and County of San Francisco
Department of City Planning**

**450 McAllister Street
San Francisco, CA 94102**

ADMINISTRATION
(415) 850-6414
CITY PLANNING COMMISSION
(415) 850-6414
PLANS AND PROGRAMS
(415) 850-4264
IMPLEMENTATION / ZONING
(415) 850-6377

DATE: 5/10/92

PROJECT ADDRESS: 822-828 Central

ASSESSOR'S BLOCK/LOT: 1150/17A, 17B

ESTIMATED CONSTRUCTION COSTS

TYPE OF APPLICATION: VARIANCE

OCCUPANCY CLASSIFICATION: Two-Family

BUILDING TYPE: Two-Family

TOTAL GROSS SQUARE FEET OF CONSTRUCTION N/A

ESTIMATED SQUARE FOOTAGE: _____

BY PROPOSED USES: SAME

ESTIMATED CONSTRUCTION COST -0-

ESTIMATE PREPARED BY: N/A

FEE ESTABLISHED: _____

SAR/228/B/89r

APPLICATION SUBMITTAL CHECKLIST

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	<u>APPLICATIONS</u>		
	<u>Environmental</u>	<u>Conditional Use</u>	<u>Reclassification Variance</u>
<u>REQUIRED MATERIALS</u> (check correct column)			
Application, with all blanks filled in	___	___	___
300-foot radius map	___	___	___
Address labels (original)	* ___	___	___
Address labels (copy of the above)	* ___	___	___
Site Plan	___	___	___
Floor Plan	___	___	___
Elevations	___	___	___
Section 303 Requirements (shown on info sheet)	___	___	___
Prop. M Findings	___	___	___
Photographs	___	___	___
Check payable to Dept. of City Planning	___	___	___
Application signed by owner or agent	___	___	___
Letter of authorization for agent	___	___	___

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- * Two sets of original labels and one Xerox copy of addresses of adjacent property owners and owners of property across street.
- Fill in "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.

NO APPLICATION WILL BE RECEIVED BY THE DEPARTMENT UNLESS THE APPROPRIATE COLUMN ON THIS FORM IS FILLED IN. RECEIPT OF THIS CHECKLIST, THE ACCOMPANYING APPLICATION, AND REQUIRED MATERIALS BY THE DEPARTMENT SHALL ONLY SERVE TO OPEN A CITY PLANNING FILE FOR THE PROPOSED PROJECT. AFTER THE FILE IS ESTABLISHED IT WILL BE ASSIGNED TO A SPECIFIC STAFF PERSON. AT THAT TIME, THE STAFF PERSON ASSIGNED TO THE PROJECT WILL REVIEW THE APPLICATION TO DETERMINE WHETHER IT IS COMPLETE OR WHETHER ADDITIONAL INFORMATION IS REQUIRED IN ORDER FOR THE DEPARTMENT TO MAKE A DECISION ON THE PROPOSAL.

ACKNOWLEDGMENT AND SIGNATURES

OTHER APPLICATIONS THAT MAY BE REQUIRED: _____

By signing below, I acknowledge: that I have read and completed this form in its entirety; that I understand that receipt of these materials by the Department does not mean that the application has been accepted as complete; that all of the information provided in this application is accurate.

Date: _____

Signature: _____

Print name, and indicate whether owner, or authorized agent: _____ Owner/Authorized Agent (circle one)

APPLICATION RECEIVED BY DEPARTMENT

By: _____

Date: _____

PLR/309/r11/91

Date 5/10/92

City Planning Case No. 92-2171

Address 822-828 Central

Assessor's Block 1159 Lot(s) 17A, 17B

Proposal: MINIMAL LOT AREA - MAX AREA

EIGHT PRIORITY MASTER PLAN POLICIES

As a result of the passage of Proposition M (Section 101.1 of the San Francisco Planning Code), findings that demonstrate consistency with the eight priority policies of Section 101.1 must be presented to the Department of City Planning before your project application can be reviewed for general conformity with San Francisco's Master Plan.

Photographs of the subject property are required for priority policy review and must be submitted as part of the application.

INSTRUCTIONS TO APPLICANTS: Please present information in detail about how your application relates to each of the eight priority policies listed below. The application will be found to be incomplete if the responses are not thorough. Use a separate document and attach if more space is needed.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The property will provide continued enhancement to the neighborhood by providing much needed housing within the City & County of San Francisco. This is not a retail property. The property is located in a residential neighborhood.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood;

This residential building is already occupied; therefore the existing housing & neighborhood character will remain the same.

1.2

3. That the City's supply of affordable housing be preserved and enhanced;

Because this is an existing residential unit, already occupied the City's supply of affordable housing will not be impeded in any manner.

4. **That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;**

This property is not a commercial development development,
the property is already occupied therefore, there will be
no commuter traffic that would impede Muni transit service or
overburden our streets or neighborhood parking.

5. **That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;**

Because this is a residential building, consistent with the
makeup of the neighborhood, it will enhance future opportunities
for residential living & possible ownership.

6. **That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;**

The granting of this variance will not be detrimental
to the public welfare. The building is consistent with the
surrounding buildings in the neighborhood. The building is
accessible to emergency vehicles with no obstructions.

7. **That landmarks and historic buildings be preserved; and**

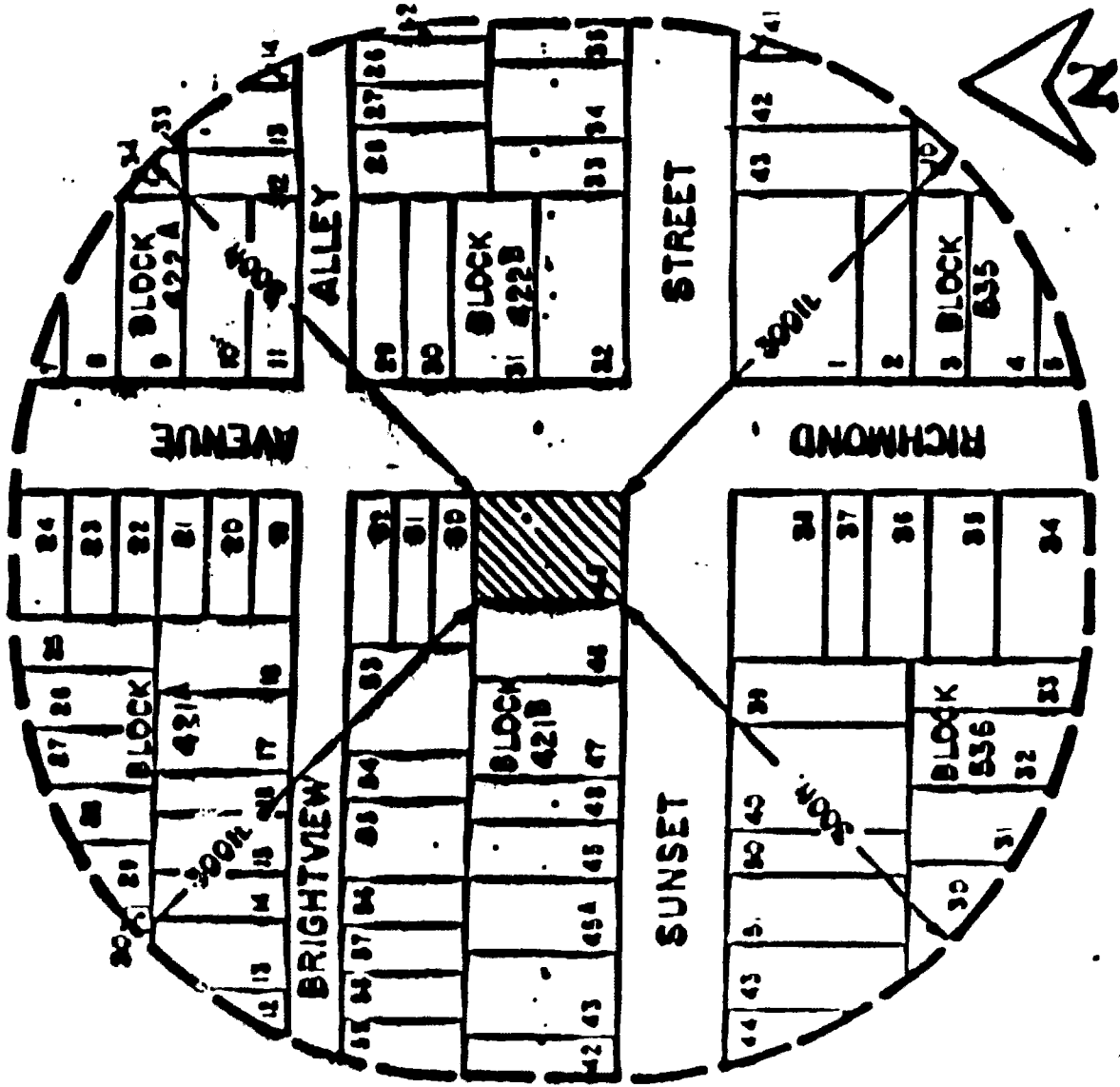
The subject property is not a landmark or historic building.

8. **That our parks and open space and their access to sunlight and vistas be protected from development.**

The subject property does not impede the City's parks or
open space and will be in harmony with the general purpose and
intent of this Code and will not adversely affect the Master
Plan.



300-FOOT RADIUS MAP INSTRUCTIONS



NOTE: THIS EXAMPLE IS NOT TO REQUIRED SCALE

1. A 300-foot radius map, drawn to a scale of 1 inch to 50 feet, either the original on TRACING paper or a blueprint copy (no xerox copy accepted) is required for submittal with applications under the City Planning Code, including variance, reclassification (rezoning), set-back, conditional use, and certain subdivision applications.
2. The map must show all properties within 300 feet of the EXTERIOR boundaries of the property which is the subject of the application.
3. A list of the names and addresses, including the block and lot for each one, of all owners of the properties within 300 feet of the subject property and gummed labels with the same data is to be submitted with these applications. The latest Citywide Tax Roll is available at the office of the Tax Collector, Room 107, City Hall, for the preparation of this list. The labels will be used to mail notice of the time and place of the public hearing required.
4. If you wish to prepare the materials yourself, block maps may be traced at the office of the Assessor, Room 101, City Hall, or may be purchased at the office of the Purchaser, Room 270, City Hall. The width of the public right-of-way for the streets separating the blocks may be determined at the Bureau of Maps and Surveys, Room 352, City Hall, telephone 554-5827.
5. You may, for a fee that varies by firm, have a private drafting service prepare these materials.



M

Type Of Application To Be Submitted: Variance

1. Owner/Applicant Information

Property Owner's Name: Ed Lingsch
Address: 3232 Mission St. Zip: _____ Telephone: (415) 648-1516
Applicant's Name: Ed Lingsch
Address: 3232 Mission S.F., CA Zip: 94110 Telephone: (415) 648-1516
Contact for Project Information: Robert L. McGurn
Address: 263 San Marcos Ave. Zip: 94116 Telephone: (415) 661-8547

2. Location and Classification

Street Address of Project: 822-824-826-828 Central S.F., CA Zip: _____
Cross Streets: Golden Gate Avenue
Assessors Block/Lot: Block 1159, 17A, 17B Lot Dimensions: _____ Lot Area (SqFt): _____
Zoning District: RH-3 House, three family Height/Bulk District: _____

3. Project Description

Please Check

Change of Use Change of Hours New Construction
Alterations Demolition Other

Describe what is to be done: SEE ATTACHED

Additions to Building:

Rear Front Height Side Yard

Present or Previous Use: TWO-FAMILY

Proposed Use: _____

Building Permit Application No. _____ Date Filed: _____

4. Action(s) Requested (Include Planning Code Section which authorizes action)

5. Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.

Signed: [Signature] Date: 5/10/92
ED LINGSCH Applicant or Owner
(Print Name of Applicant in Full)



**City and County of San Francisco
Department of City Planning**

**450 McAllister Street
San Francisco, CA 94102**

ADMINISTRATION
(415) 558-6414
CITY PLANNING COMMISSION
(415) 558-6414
PLANS AND PROGRAMS
(415) 558-6264
IMPLEMENTATION / ZONING
(415) 558-6377

V

THIS COVER EXPLANATION IS TO ACCOMPANY ALL APPLICATION FORMS GIVEN TO THE PUBLIC.

**PROCEDURES FOR FILING APPLICATIONS
WITH THE
DEPARTMENT OF CITY PLANNING**

AN ADVANCE APPOINTMENT IS REQUIRED TO FILE MOST APPLICATIONS. The environmental evaluation, conditional use, variance and all other Planning Department applications except those specifically exempted below are accepted only by the Application Intake Planner and only by appointment. The Application Intake Planner does not make direct appointments. **You make the appointment in advance by leaving a message at 558-6378.** The message you leave should include, 1) the fact that you or your agent want an appointment to submit an application, 2) your name or the name of your agent and 3) the telephone number at which you or your agent can be reached during business hours. The scheduling clerk will call you or your agent to set up the appointment. This person will not be able to answer your questions about the application except for the appointment schedule. If you have questions about how to complete the application, please discuss them with an Information Desk Planner at 450 McAllister Street, Room 502, between the hours of 10 to 12 and 1 to 5, Monday through Friday (558-6377). **The Information Desk is closed during lunch hour.**

At the time scheduled for submittal to the Application Intake Planner, the completed materials must be brought to 450 McAllister Street, 5th Floor, Room 502. At that time, the fee will be determined on the basis of estimated construction costs. All drawings, photographs and other materials required for this application must be included with the completed application form and cannot be "borrowed" from any related application. The application will be accepted only when it is complete in all respects. Applications which are not totally complete in accordance with the application's instructions must be rejected and, when complete, must be submitted during a rescheduled appointment.

AN APPOINTMENT IS NOT REQUIRED TO FILE THE FOLLOWING APPLICATIONS:

- discretionary review
- certificate of appropriateness, or any other application pertaining to an historic district or architecturally significant building
- shadow study.
- The completed application form and required additional materials for these applications along with a check must be brought to the Information Desk during its hours noted above and the **TOTALLY COMPLETE APPLICATION** will be received by the Counter Staff.

THESE PROCEDURES DO NOT APPLY TO THE FOLLOWING APPLICATIONS:

- Applications pertaining to certain downtown buildings when the applicant was told by staff to follow alternative submittal procedures.
- Bureau of Building Inspection (BBI) applications such as building, alteration, demolition, grading, fire or plumbing permits.
- Health or Police permits reviewed by this Department.
- Forms, plans, fees, photographs, drawings and all other materials required for those applications must be filed with the Department administering the respective application procedure.



City and County of San Francisco
Department of City Planning

450 McAllister Street
San Francisco, CA 94102

This is an application to the Zoning Administrator for a variance from City Planning Code requirements. The staff of the Department of City Planning is available to answer general questions regarding the preparation of this application. Telephone (415) 558-6377 for further information.

INSTRUCTIONS

1. An incomplete application will not be accepted. Please type or print, use additional pages if necessary, and follow instructions carefully. The materials on the checklist and explained below are required for the public hearing on variance applications which are scheduled once a month.
2. These materials must be provided, in addition to the completed application:
 - 300-FOOT RADIUS MAP:** A map showing the subject property, and all other properties within a radius of 300 feet of the exterior boundaries of the subject property. See the sheet provided with this application for detailed instructions.
 - ADDRESS LIST:** Two printed lists, one on self-adhering labels, showing in numerical order by Block and Lot the names, addresses and zip codes of the last-known owners of all properties within the 300-foot radius. The names and addresses are available to the public at the Tax Collector's Office and are those shown on the latest city-wide assessment roll. Also, include all names and addresses of agents as well as owners, attorneys and other parties you wish notified of the hearing.

AUTHORIZATION: If the applicant in this case is the authorized agent of the property owner rather than the owner himself, a letter signed by the owners and creating or acknowledging that agency must be included:

PLANS: In all cases, the application must be accompanied by sufficient plans for a proper determination of the case. In most cases, a plot plan will be required, showing the subject lot and adjacent lots, and existing and proposed structures. Where the size or use of floor areas is material to the case floor plans will be required. Drawings of building elevations will be necessary in some cases. The Department staff will assist you in determining what plans are required. A north arrow and scale shall be shown on each plan, and unless an exception is specifically granted the scale shall be not less than 1" = 20' for plot plans, 1/8" = 1' - 0" for floor plans, and 1/2" = 1' - 0 for plans showing layout of parking and loading.

UNMOUNTED PHOTOGRAPHS of subject site and adjacent buildings may be submitted and are often helpful in reviewing the case. These should be of a size adequate to show the nature of the property.

COVENANTS OR DEED RESTRICTIONS on the property relevant to the subject matter of this application, submit a copy of them and indicate their expiration date, if any.

FEES: Under Section 350 of the City Planning Code, a fee must be collected with your application. A fee schedule based upon cost of construction is available from the Department.

Eight Master Plan Policies: Attached to this application is a form for completing the Section 101 or "Prop M" Findings.

The California Environmental Quality Act and local ordinances implementing that Act require ENVIRONMENTAL EVALUATION before certain variance applications may be considered. A SEPARATE APPLICATION and fee is required for that environmental review. If required, it must be completed PRIOR TO the variance hearing.

All plans and other exhibits submitted with this application will be retained as part of the permanent public record in this case.



VARIANCE APPLICATION

Project Address _____
Assessor's Block _____ Lot # _____

The Charter and the City Planning Code authorize the Zoning Administrator to hear and make determinations regarding applications for variances from the strict application of quantitative standards in the City Planning Code. He has the power to grant only such variances as may be in harmony with the general purpose and intent of the Code and in accordance with the general and specific rules contained therein; and he has the power to grant such variances only to the extent necessary to overcome such practical difficulty or unnecessary hardship as may be established in accordance with the provisions for variance. In granting any variance the Zoning Administrator must specify the character and extent thereof, and must also prescribe such conditions as are necessary to secure the objectives of the Code. No variance shall be granted whole or in part whose effect would be substantially equivalent to a reclassification of property; or which would permit any use, any height or bulk of a building or structure, or a sign, not expressly permitted for the district or districts of the subject location; or which would grant a privilege for which a conditional use procedure is available; or which would change a definition of the Code. See Sections 305, & 306 - 306.5.

The City Planning Code sets forth the following five requirements all of which must be met if a variance is to be granted. State in detail the manner in which you believe each of these requirements is met in this case:

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district:

This property was subdivided by the previous owners illegally. It is our intention to legalize the lot split. The property has exceptional circumstances due to the split of the property. Denying the variance would create unnecessary hardship not created by or attributable to the applicant or the owner of the property.

2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this City Planning Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.

If City Plannign will not allow legalization of this property which is necessary for the preservation & enjoyment of a substantial right of the subject property, the owner will have to get a demo permit & demolish the property &/or buy the other lot next door that was also illegally subdivided.

3. That the variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district:

The variance is necessary in order to provide continued residential space for the tenants now occupying the building. In addition, the property was purchased as 2 seperate lots & we having been payingt taxes on 2 seperate lots for the past 20 years.

4. That the granting of such variance will not be materially detrimental to the public welfare or materials and injurious to the property or improvements in the vicinity:
The granting of such a variance will not be materially detrimental to the public welfare or materially injurious to the property. The granting of this variance will provide continued housing that is much need in the City and County of San Francisco.

5. That the granting of such variance will be in harmony with the general purpose and intent of this City Planning Code and will not adversely affect the Master Plan.

The City & County of San Francisco is in great need of housing, this provides housing. The property is in harmony with the general purpose and intent of the City Planning Code in that it does change the use or maintenance of an existing use of any land or structure contrary to the provisions of Sec. 175.



