



# SAN FRANCISCO PLANNING DEPARTMENT

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September 21, 2007

Nancy Goebel  
Green Hill Tower Association  
1070 Green Street  
San Francisco, CA 94133

**RE: Enclosure of Deck  
1070 Green Street, #403  
Block 0121A, Lot 012  
RM-2 (Residential, Mixed, Moderate Density) District  
40-X Height and Bulk District**

Dear Ms. Goebel:

I am writing in response to your letter dated August 1, 2007 in which you inquired about the enclosure of a deck as it relates to floor area ratio (FAR). For the reasons set forth below, it is my determination that the proposed enclosure of the deck for Unit 403 is permitted.

A letter from the Zoning Administrator dated March 7, 1967 indicated that the existing building was at the maximum FAR of 10 to 1 allowed under the zoning controls for the R-5 (High-Density Multiple Residential) District. Any enclosures of decks or terraces would result in additional floor area that would increase the building's FAR above the permitted FAR. For that reason, decks or terraces on the existing building could not be enclosed.

Since that letter was issued, there have been several regulatory changes that affect the subject property. The zoning has changed from an R-5 District to an RM-2 District, which has an FAR of 1.8 to 1. Pursuant to Section 124(b) of the Planning Code, in R Districts, the FAR limit does not apply to dwellings or other residential uses. Since the proposed deck enclosure involves a dwelling, it is exempt from the FAR limit.

Provided that the dwelling in question continues to comply with the usable open space requirement and all other relevant Planning Code requirements, the proposed deck enclosure is permitted.

If you have substantial reason to believe that there was an error in the interpretation of the Planning Code or abuse of discretion on the part of the Zoning Administrator, you may file an appeal within fifteen (15) days of the date of this letter. For further information, please contact the Board of Appeals in person at 1660 Mission Street, Room 3036 or call (415) 575-6880.

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

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If you have any questions regarding this matter, please contact Michael Li at (415) 558-6396.

Sincerely,

Lawrence B. Badiner  
Zoning Administrator

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