

**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
TAMERA BRIONES,

Appeal No. 14-096

)  
Appellant(s)  
)

)  
vs.  
)

)  
DEPARTMENT OF BUILDING INSPECTION,  
PLANNING DEPARTMENT APPROVAL Respondent  
)

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on May 13, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on April 28, 2014, to Pat Howson, Alteration Permit (one-story rear addition; legalize ground floor unit; convert from 2-unit R3 to 3-unit R2; new fire sprinkler system to be provided under separate permit) at 1767 Northpoint Street.

**APPLICATION NO. 2012/07/30/6039"S"**

**FOR HEARING ON July 02, 2014**

**Address of Appellant(s):**

**Address of Other Parties:**

Tamera Briones, Appellant c/o Stephen Williams, Attorney for Appellant 1934 Divisadero Street San Francisco, CA 94117	Pat Howson, Permit Holder c/o Jaemin Chang, Attorney for Permit Holder 235 Pine Street #1500 San Francisco, CA 94104
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CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS

Date Filed:

BOARD OF APPEALS

MAY 13 2014

APPEAL # 14-096

**PRELIMINARY STATEMENT OF APPEAL**

I / We, **Tamera Briones**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit BPA NO. 2012/07/30/6039"S** by the **Department of Building Inspection** which was issued or became effective on: **April 28, 2014**, to: **Pat Howson**, for the property located at: **1767 Northpoint St.**

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **June 12, 2014, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Respondent's and Other Parties' Briefs are due on or before: **June 26, 2014, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

**Only photographs and drawings may be submitted by the parties at hearing.**

Hearing Date: **Wednesday, July 02, 2014, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit an original and 10 copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

***If you have any questions please call the Board of Appeals at 415-575-6880***

**The reasons for this appeal are as follows:** see attached.

Appellant or Agent (Circle One):

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

*STEPHEN WILLIAMS*

**PRELIMINARY STATEMENT OF APPEAL**

Date

Filed:

BOARD OF APPEALS

MAY 13 2014

APPEAL #

14-096

## SUMMARY OF REASONS OR GROUNDS FOR APPEAL CONTINUED:

Permit is issued to "legalize" an additional dwelling unit (ADU) in violation of the district zoning. The ADU is being added via the subject permit without a density permit waiver or other proper mechanism for such a change of use. Historic documents and permit history indicate the building is a two-unit structure and the new unit was added illegally via permit manipulation following the 1989 earthquake. The new unit was added w/o permits or density waiver or waiver of required off-street parking. Project does not comply w/ new legislation for the addition or construction of such ADU. New unit violates multiple requirements for ADU under new legislation including construction of new space and conversion of condominium. PLANS for project are NOT code compliant and fail to show full extent of build out. Adjacent buildings profile and elevations are not shown and neighbors cannot determine full extent of impacts. Current site has multiple code violations and constructs w/o permits.

Jili



Capacity Charges  
Water: \$ 99.50  
Wastewater: \$ 298.50  
6/3/14

JUL 30 2012

THIS APPLICATION SUBMITTED FOR SITE PERMIT ONLY. NO WORK MAY BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

BUILDING ENLARGEMENT  
DESCRIPTION  
 VERTICAL  
 HORIZONTAL

LOG. ORN. 3/8

APPLICATION NUMBER: 2012.07.30.0039

BOARD OF APPEALS

MAY 13 2014  
PEAL # 14-096

APR 28 2014

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS  
FORM 3  OTHER AGENCIES REVIEW REQUIRED  
FORM 8  OVER-THE COUNTER ISSUANCE  
2 NUMBER OF PLAN SETS  
DO NOT WRITE ABOVE THIS LINE

DATE FILED 7-30-2012	FILED FEE RECEIPT NO. 12071191	(1) STREET ADDRESS OF JOB 1767 NORTHPOINT ST.	BLOCK & LOT 0436F-08
PERMIT NO. 1323063	ISSUED 4-28-14	(24) ESTIMATED COST OF JOB \$ 30,000	(28) REVISED COST: \$ 150,000

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING					
(4A) TYPE OF CONSTR. SB	(5A) NO. OF STORIES OF OCCUPANCY 3	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE TWO UNITS	(8A) OCCUP. CLASS R-3	(9A) NO. OF DWELLING UNITS 2
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION					
(4) TYPE OF CONSTR. CB	(5) NO. OF STORIES OF OCCUPANCY 3	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) THREE UNITS	(8) OCCUP. CLASS R-2	(9) NO. OF DWELLING UNITS 3

(14) GENERAL CONTRACTOR DUNNOR	ADDRESS	PHONE	CALIF. LIC. NO.	EXPIRATION DATE
(15) OWNER, LESSEE (CROSS OUT ONE) PAT HANLON	ADDRESS 1763 NORTHPOINT ST.	PHONE (FOR CONTACT BY DEPT.) 415 922-7423		

(18) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)  
ONE-STORY ROOF ADDITION TO BEDROOM LIVING ROOM  
LEGALIZE GROUND FLOOR UNIT AND CONVERT FROM 2-UNIT R-3 TO 3-UNIT R-2. NEW FIRE SPRINKLER SYSTEM TO BE PROVIDED UNDER SEPARATE PERMIT.

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? NO	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT.	(19) DOES THIS ALTERATION CREATE DECK OR PORCH, EXTENSION TO BUILDING? NO	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? NO	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? NO	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) NO	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO
(25) ARCHITECT OR ENGINEER (DESIGN) JAN LEPIKOVSKY	ADDRESS 4070 WEST SUNSET BLVD #20 LOS ANGELES	CALIF. CERTIFICATE NO.	
(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN") NA	ADDRESS		

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction, to be closer than 6' to any wire containing more than 750 volts See Sec 306, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The contractor is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown on drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (19) (11) (12) (13) (23) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In discharge of all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX  
 OWNER  
 LESSEE  
 CONTRACTOR  
 ARCHITECT  
 AGENT  
 ENGINEER

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 THEREIN WILL BE COMPLIED WITH.

9023-02 (REV. 1/02)

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 or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (I), or (II) designated below or shall include item (III), or (IV), or (V), whichever is applicable. If however item (V) is checked item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

- ( ) I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ( ) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:  
Carrier \_\_\_\_\_  
Policy Number \_\_\_\_\_

( ) The cost of the work to be done is \$100 or less.

( ) 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with 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 for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a pre-qualified copy of the form with the Central Permit Bureau.

Signature of Applicant or Agent \_\_\_\_\_ Date \_\_\_\_\_

OFFICE COPY

**CONDITIONS AND STIPULATIONS**

<input checked="" type="checkbox"/>	APPROVED: CISCO THIS APPLICATION APPROX FOR SITE PERMIT ONLY NO WORK MAY BE STARTED UNTIL THE CONSTRUCTION PLANS HAVE BEEN APPROVED BY THE BUILDING INSPECTOR, DEPT. OF BLDG. INSP. Stephen Kwok, DBI JAN 15 2014	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: HORIZONTAL EXTENSION PER PLANS, MEASURING 17' X 15' & FIREWALL ALONG EAST PL. NOTICE OF SPECIAL RESTRICTIONS 70123536104 RECORDED 10/31/14 Approved Planning Department DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: CIVIL ENGINEER, DEPT. OF BLDG INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: As noted on plans. By LTC 4/25/14 LTC 5/20/13 Long Tian Cy, DPWBSM BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: SFPUC Capacity Charges See attached SFPUC Capacity Charge Invoice for total amount due. DBI will collect 50% or more of the total amount before the Site Permit is issued. Any balance will be billed and collected by SFPUC directly. SFPUC SFPUC Laura Artola Laura Artola 3/3/14 BUILDING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

BOARD OF APPEALS

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

5

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

Number of attachments

\_\_\_\_\_  
 OWNER'S AUTHORIZED AGENT



June 26, 2014

via hand delivery

Ann Lazarus, President  
San Francisco Board of Appeals  
1650 Mission, Room 304  
San Francisco, CA 94103

RE: **Appeal of Building Permit Application (Alteration) #201207306039**  
**1763-1765 (1767) North Point**  
**Board of Appeals Appeal # 14-096**  
**Hearing Date: July 17, 2014**  
**Appellants Opening Brief**

President Lazarus and Members of the Board:

**Introduction**

My office represents Tamera Briones who owns and resides at 1771 North Point, the single-family home directly to the west of the subject property. Ms. Briones purchased her home after the building was extensively remodeled in 2006. Ms. Briones' appeal is based on her objection to the applicant's failure to follow the new and mandatory statutory process to attempt to "legalize" an illegal unit. The permit appealed to the Board is to essentially rezone the subject lot and legalize an additional dwelling unit (hereafter "ADU") above and beyond what is permitted in this District and without having met any of the mandatory criteria of the new legislation passed by the Board of Supervisors.

This is an unusual factual situation because the Planning Department approved this "legalization" prior to the recent amendment to Planning Code with the addition of Section 207.3, (added April 17, 2014 and effective as of May 17, 2014). The proposal and project before the Board does not comply with this new Section and therefore the appeal must be granted. As a matter of law, the subject application must be returned to the Department to ensure complete compliance with that new Section which was enacted during the pendency of this application and subsequent appeal.

Further, the approved plans for the proposed expansion of the subject building are all but incomprehensible and are not compliant with the basic requirements of the Planning Code. The plans fail to clearly or completely show neighboring buildings, the openings in those buildings, or dimensions. As a result, the potential impacts from the expansion cannot be fully determined and have not been fully vetted with the neighbors. Ms. Briones asks that the Board grant her appeal and she requests that the application be returned for compliance with Section 207.3 and other related mandatory requirements of the Planning Code and the Building Code.

**Historic Documents and Permit History Show that the Subject Building Is a Two Unit Building With An Unpermitted Additional Unit Exceeding the Density Limit**

The subject building was constructed in 1932. Historic records for water service indicate water service was first activated to the site on October 26, 1932. The service was for residential occupancy and for two (2) flats. Attached hereto as Exhibit 1 is a copy of historic San Francisco Water Department records for the subject building at 1763-65 North Point Street. As indicated on the second page of the Exhibit, a new water main service was installed in January 1956 and the service was “renewed” for two (2) residential units on June 30, 1988. At no time has the water service to the building been increased beyond two residential units and the present service is for two (2) residential units only. The subject property is zoned RH-2.

Similarly, the permit history for the site also shows that there are only two permitted units on the site. Attached hereto and marked as the Exhibit 2 are copies of various permit summaries, inspection records and approved permits from the 1990s all of which attest that the subject property is a two (2) family dwelling. At no point prior to the present application was a permit sought to add an additional unit to the subject property. The Department acknowledges this fact and acknowledges that the subject site contains an illegal and unpermitted dwelling unit.

Finally, the historic Sanborn Maps (1950-1999) for the block and surrounding area are attached as Exhibit 3. The Maps also make crystal clear that the subject property was constructed originally as two (2) flats and was never legally changed to any other usage. At no point was an additional unit authorized, applied for or legally constructed at the site. The method or statutory authority by which the current application seeks to “legalize” the unpermitted unit beyond that which is allowed by the Code is unclear and unspecified in the application. There is no code section referenced in the application or in the permit that was issued which would allow a conversion of a non-conforming, illegal unit to a legal unit.

### **Project Description**

The proposed project is multifaceted. The project is an expansion of a non-conforming illegal unit and a condominium conversion. First, the project proposes an extensive horizontal rear extension (seventeen feet (17’) into the rear yard) and a reconfiguration of the interior of the building. The project includes an extensive expansion of the illegal unit on the ground floor. However, the Planning Department allows the applicant to engage in a legal fiction whereby a different unit is merely designated as the non-conforming unit and therefore the actual nonconforming unit can be greatly expanded in violation of planning Code section 181(b). That permit application is 2012.07.30.6039.

There is also a companion application to convert the units in the building to condominiums. That condominium conversion application is number 2012.1059 Q. These applications were filed simultaneously and must be considered as one project. Therefore, the applicant sought to simultaneously expand and “legalize” a non-permitted/non-conforming unit and at the same time, convert that unit and the other units in the subject building to condos. As



noted below, such a project is directly at odds with the over-arching goals of the City's Housing Policies--- the retention of affordable rental housing stock.

**The Planning Code Was Amended During the Pendency of the Application and this Appeal**

In the present instance, there was a substantial change in applicable law between the time that the Planning Department reviewed, approved and passed on the permits in question (October 2012 –April 2013) and the permit's issuance on April 28, 2014 and the subsequent suspension of the permit with the filing of this appeal on May 15, 2014. During the pendency of the application for the subject permit, the issue of increasing density and unit count by "legalizing" existing ADU's was taken up by the Board of Supervisors and as a result, Planning Code Section 207.3 was added to the Code on April 18, 2014 and became effective on May 17, 2014.

Section 207.3 represents a substantial change in the law and the underlying policies for an applicant seeking authorization ("legalization") of a dwelling unit that was constructed without permits in existing residential buildings. These units, often known as "in-law" or "granny" units are found throughout the City. Often these illegal units have been built into the basements, garages, and attics of existing buildings or in rear-yard structures. The unit in this case was constructed at the rear of the garage.

The policy objectives leading to the passage of Section 207.3 are simple: It is a benefit to the City to legalize and make safe more affordable rental housing units. Although many of these units may not meet existing Planning Code requirements, the units constitute a major source of San Francisco's affordable housing units and also help out homeowners trying to make a mortgage payment. Many of these units already meet life and safety standards, and many may require only exceptions from density, open space, and other Planning Code requirements in order to become "legal."

Section 207.3 now provides a specific and *mandatory* mechanism that must be followed to grant legal status to an illegally constructed dwelling unit in an existing building zoned for residential use. However, such legalization may only be granted if several public policy objectives are met by the unit in question. The legislation favors encouraging the legalization of these units and is rooted in a belief that such a policy can add legitimate units to the supply of affordable housing, ensure that these units are safe and habitable. The policy will also allow the City to properly include these units when calculating the City's existing housing supply. A copy of the new Section 207.3 is attached hereto as Exhibit 4.

Many other California Cities had already taken this step in dealing with such housing units. Lawmakers at the State level had some ten years earlier in 2003 passed California Government Code Section 65852.150, the "Second Unit Legislation" to help preserve and encourage affordable rental housing units and the legalization of such units which exist in cities all across California.

**The Project Must Be Reviewed and Approved Under the New Statute**

The Dept's discretion to increase the unit count and density above the zoning for a particular lot is limited and may only be accomplished under the strict control of statute. The Dept cannot not simply issue a permit to "legalize" an increase in unit density as it has in this instance (the permit actually states that it is to "legalize" an increase in density and the illegal unit). The Dept is bound by and must apply the law and other statutes, and codified standards that are applicable to the circumstances and facts of any matter before it. The court in City and County of San Francisco v. Board of Permit Appeals (1989) 207 Cal.App.3d 1099, stated as follows:

"[The Board's] power must be exercised within the bounds of all applicable city charter, ordinance and code sections, and any action on its part that exceeds those bounds is void." (citations omitted) Id. at 1105.

Further, if, as in the present case, a situation exists where the law has changed between the point in time when the permitting agencies passed on the permit in question and the time when the permit is finally issued, the Board of Appeals must apply the law in effect at the time in which the permit is finally issued and approved by the Board. Avco Community Developers, Inc. v. South Coast Regional (1976) 17 Cal.3d 785, 793.

This rule of law has been well established in cases specifically involving the San Francisco Board of Appeals. The courts have concluded that:

"Under traditional principles of administrative law, the Board of Permit Appeals in its *de novo* review is bound to apply the zoning ordinances in effect at the time of its final decision, not those in force at the time of preliminary proceedings before any subordinate agency." Save Our Skyline v. Bd. of Permit Appeals (1976) 60 Cal.App.3d 512, 521; quoting from, Russian Hill Improvement Assn. v. Bd. of Permit Appeals (1966) 66 Cal.2d 34, at 46.

Accordingly, the new Section 207.3 must be applied to the permit application before the Board and a new application must be submitted by the applicant which meets the requirements of the new statute and attempts to show how this particular site meets the criteria of the new law.

Section 207.3 sets forth the scope of its application as follows:

***“(b) Scope.***

*(1) Except as provided in subsection (2) below, this Section 207.3 shall apply to an existing building or an ancillary structure on the same lot, that is located in a district where residential use is principally permitted, and that has one or more dwelling units that were constructed prior to January 1, 2013 without benefit of permit and used as residential space. One of the unauthorized dwelling units per lot meeting this threshold requirement may be granted legal status under this Section, regardless of the density limits of the zoning district.” (emphasis added)*

The use of the mandatory term “shall” makes clear that an applicant intending to “legalize” an ADU in the City must satisfy the provisions of Section 207.3. The subject property has an “unauthorized dwelling unit” which was constructed prior to 2013 and if the applicant hopes to gain legal status for the unit, it may only be granted under this new statute. There is no

other provision in the Planning Code which allows for “legalization” of such units and the Board of Supervisors has indicated by passage of this new law an “intent” to occupy and regulate this area of the City’s housing law. The applicant before the Board must apply under the new statute and must satisfy the mandatory criterion of the new statute.

**The Application (and the Unit) Violates the Underlying Policies of Section 207.3 and Cannot meet the Specific Criteria of the New Law**

Because the new Section and the underlying policies leading to its passage are aimed at increasing the stock of the City’s affordable rental housing, there are criteria in the new law which must be met by any application to “legalize” such housing. For example, the unit or units cannot have a record of evictions of tenants (the Dept must check with the Rent Board) and the unit may not be a condominium or some other form of housing for sale. Because the policy goal is to increase affordable rental housing, such circumstances are directly contrary to the underlying policies of the statute.

The Section does provide for numerous exceptions from the requirements of the Planning Code such as exceptions to minimum required open space, rear yard and exposure. Such units are generally required to meet all of the applicable Building Code provisions to assure that life/safety issues will be safeguarded.

In this instance, the subject unit cannot meet the criteria of the statute. The neighbors can testify that there have been numerous evictions from the unit over the years by the applicant and, more importantly, as part of this application, the applicant is seeking to convert the units to condominiums for future sale. This is directly at odds with the terms and express language of the statute. The purpose of the statute is to preserve affordable rental housing in the form of “in-laws” and “granny flats,” not to destroy affordable rental housing and fatten the wallets of applicants who can now “legalize” such unit and convert them to units that may be sold

separately. Such a result is strictly and specifically forbidden by the terms and provisions of the new statute as follows:

*“(h) **Subdivision and Lot Splits Prohibited.** Notwithstanding the provisions of Article 9 of the Subdivision Code, a lot with an additional unit authorized under this Section 207.3 may not be subdivided in a manner that would allow for the additional unit to be sold or separately financed pursuant to any condominium plan, housing cooperative, or similar form of separate ownership.”*

Allowing such units to be vacated through eviction and then sold as condominiums is directly contrary to the intent and underlying policies of the legislation. Such a result would actually create financial incentives for removing affordable rental stock from the marketplace. Unfortunately, that is exactly what is occurring in this instance. The application for the subject permit to “legalize” the ADU in this instance includes an application to also convert that unit to a condominium. Attached as Exhibit 5 is a copy of a Notice of Special Restrictions filed as a result of Condominium Conversion Application 2012.1059Q which is a companion to the application to “legalize” the ADU.

**The New Law Also Requires Pre-Application “Screening” of the Unit by the Building Dept**

The new policy for “legalizing” units constructed without permits passed by the Board of Supervisors is a comprehensive legislative package which not only amended the Planning Code but which also amended the Building Code, the Administrative Code and the subdivision codes. Accordingly, the legislation includes mandatory steps which must be taken prior to the submission of an application for the legalization of a dwelling unit installed without a permit. The San Francisco Building Code was amended to add new section 106A.3.1.3. A copy of that new Code Section is attached as Exhibit 6.

As set forth therein, the new statutory process requires an extensive screening procedure for applicants seeking legalization of dwelling units installed without permits. The applicant must complete a checklist form from the DBI, provide evidence of utility usage at the site and submit an assessment from a licensed contractor, architect or engineer who has reviewed the site for building code violations. After completing the screening process, the applicant may then file applications with the Departments in compliance with the new code sections seeking legalization of the dwelling unit. Obviously, the application and permits before the Board of Appeals have not complied with any part of this comprehensive statutory scheme and must be returned to the Department for compliance.

**The Plans Are Incomplete and Do Not Comply With Planning Code Requirements**

Planning Code §311(c)(5)(E) requires that drawings illustrating proposed projects “shall include a site plan, floor plans and elevations documenting dimensional changes that correspond to the basic features included in the written notice.” The plans are also required to illustrate the “full lots and structures of the directly adjacent properties.” Further, Subsection (H) states as follows:

*(H) The existing and proposed elevations shall document the change in building volume: height and depth. Dimensional changes shall be documented, including overall building height and also parapets, penthouses and other proposed vertical and horizontal building extensions. The front and rear elevations shall include the full profiles of the adjacent structures including the adjacent structures' doors, windows and general massing. Each side elevation shall include the full profile of the adjacent building in the foreground of the project, and the adjacent windows, lightwells and general massing shall be illustrated.*

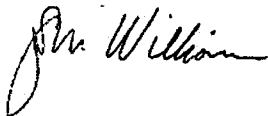
The plans for the proposed project fall far short of complying with this mandatory section. The site elevations do not include a full profile of the adjacent buildings and do not portray windows, lightwells or the general massing of the adjacent building. The plans appear to be specifically designed to mask the full extent of the seventeen-foot (17') rear yard extension

and it is impossible to judge the impacts of the proposed project because the plans are deficient and do not illustrate the adjacent buildings as required. Appellant requests that new plans be generated which fully comply with the disclosures required by the Planning Code and that said plans be re-circulated to the community during the screening process and in compliance with the comprehensive legislative scheme passed by the Board of Supervisors.

**Conclusion**

The Neighbors respectfully request that the Board of Appeals grant the appeal before it and require the project sponsor to comply with the new comprehensive legislative policies which have been put into place by the Board of Supervisors for the legalization of dwelling units constructed without permits. The project is required by law to comply with this new legislation and the proposal falls far short of meeting the policy initiative designed for the preservation of affordable rental housing. The proposal must be returned to the Department of Building Inspection for the initial "screening" process and application and then reviewed by Planning for compliance with the new legislative scheme. Finally, the plans for the proposed project do not meet the basic requirements of the Planning Code and the neighbors are at a loss to fully understand the extent of the project or the possible impacts on their homes.

Very Truly Yours,



Stephen M. Williams

# EXHIBIT 1



SHUT OFF (Date and Number)	TURN ON (Date and Number)	CAUSE

**Application for Service Installation**

193-3800

1763-65 *North Point* Street

Location *130 E. Tennessee*

San Francisco

*Oct 26/37*

To the San Francisco Water Department:  
Board of Public Works

You are hereby requested and authorized to make service installation for water supply at

SCANNED

179610

*North Point 130 E Tennessee*

for account of

(Signed) *James W. McCabe* Owner

*Top 132 E Tennessee*

By \_\_\_\_\_ Architect-Plumber-Agent

NOTE: This order covers service installation only; a separate order is required for supply.

Order taken by \_\_\_\_\_

**Application for Service Installation**

Size of Main.....  
Size of Service 3/4  
**RENEWED** IP DATE 6/30/88  
Location of Tap raw main 1/3/82  
724 ft. of 7 line cut  
136 ft. of 12 line of 12  
136 ft. of 12 line of 12  
Size of Meter 1403848 3/4  
Service Order No. 3673  
Distributor Order No.....  
Date Installed 10/24/32  
Meter Set Order No. 1480  
Date Meter Set 10/24/32  
Class of Building.....  
Class of Occupancy 2 flats  
Class of Rating Reg  
Entered on Map Book Edwin

(Rating Inspection Slip to Be Pasted Here.)

NOV 1 1932

# EXHIBIT 2

## Permits, Complaints and Boiler PTO Inquiry

### Permit Details Report

**Report Date:** 6/23/2014 4:21:47 PM

Application Number: 9402449

Form Number: 8

Address(es): 0436F/028/01763 NORTH POINT ST  
0436F/028/01763 NORTH POINT ST

Description: REAR WALL INSTALL VINYL SIDING ICBO 3985

Cost: \$3,200.00

Occupancy Code: R-3

Building Use: 28 - 2 FAMILY DWELLING

### Disposition / Stage:

Action Date	Stage	Comments
2/15/1994	FILED	
2/15/1994	APPROVED	
2/15/1994	ISSUED	
6/15/1994	EXPIRED	

### Contact Details:

### Contractor Details:

### Addenda Details:

#### Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	2/15/94	2/15/94					

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

### Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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### Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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### Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

### Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

## Permits, Complaints and Boiler PTO Inquiry

### Permit Details Report

**Report Date:** 6/23/2014 4:28:11 PM

Application Number: 9013636

Form Number: 3

Address(es): 0436F/028/0 1765 NORTH POINT ST

Description: REMOVE INTERIOR NON BEARING PARTITION WALLS

Cost: \$15,000.00

Occupancy Code: R-3

Building Use: 28 - 2 FAMILY DWELLING

### Disposition / Stage:

Action Date	Stage	Comments
7/12/1990	FILED	
8/22/1990	APPROVED	
9/24/1990	ISSUED	
2/28/1991	COMPLETE	

### Contact Details:

### Contractor Details:

### Addenda Details:

#### Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
0	CNT-PC					8/3/90		
0	CNT-PC					8/8/90		
0	HIS					7/26/90		
0	CPB					8/8/90		REVISIONS SUBMITTED
0	CPB					8/22/90		LOG TO DCP FOR REVISION OF PLANS PER W. LAU
0	CP-ZOC					8/22/90		FOR WORK AT HOUSEKEEPING UNIT ONLY, ELECTRIC KIT CH

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

### Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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### Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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### Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

### Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

## Permits, Complaints and Boiler PTO Inquiry

### Permit Details Report

**Report Date:** 6/23/2014 4:27:32 PM

Application Number: 9017482

Form Number: 3

Address(es): 0436F/028/0 1765 NORTH POINT ST

Description: INSTALL FOOTING 2'-0" BELOW GRADE BY 2'-0" X2'-0" WIDE

Cost: \$3,900.00

Occupancy Code: R-3

Building Use: 28 - 2 FAMILY DWELLING

### Disposition / Stage:

Action Date	Stage	Comments
9/4/1990	FILED	
9/20/1990	APPROVED	
9/24/1990	ISSUED	
2/11/1991	COMPLETE	

### Contact Details:

### Contractor Details:

### Addenda Details:

#### Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
0	HIS					9/7/90		
0	CNT-PC					9/11/90		

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

### Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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### Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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### Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

### Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

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SAN FRANCISCO  
DEPARTMENT OF  
BUILDING INSPECTION

ADDRESS OF JOB		BLOCK/LOT	APPLICATION NO.		
1765 NORTH POINT ST		0436F/028	9017482		
OWNER NAME			TELEPHONE		
PAM LEONARD WENDY LYNCH			923-9128		
ESTIMATED COST	FILE DATE	DISPOSITION	DISPOSITION DATE	PERMIT NO.	EXPIRE DATE
\$3,900	9/04/90	ISSUED	09/24/90	653926	01/24/91
FORM CONST TYPE	OCCUPANCY CODES	PLANS	STORIES	UNITS	DISTRICT
3 5	R-3	2	3	2	DAHI BID 4
CONTACT NAME					TELEPHONE
GREEN CONST.					4
STANDARD DESCRIPTION BLDG USE		OTHER DESCRIPTION			
2 FAMILY DWELLING		INSTALL FOOTING 2'-0" BELOW GR ADE BY 2'-0" X 2'-0" WIDE			
SPECIAL INSPECTIONS?	NO	FIRE ZONE			
SPECIAL USE DISTRICT		TIDF	NO		
		PENALTY	NO		
COMPLIANCE WITH REPORTS					
NOTES					
PERMIT INSPECTION RECORD DEPARTMENT OF PUBLIC WORKS CITY AND COUNTY OF SAN FRANCISCO BUILDING INSPECTION JOB CARD					

OFFICIAL COPY

SAN FRANCISCO



DATE	BUILDING INSPECTORS JOB RECORD
10/1/90	O.K. TO FOUR GRADE BEAM-
/ /	ENG MUST DO USE OF
/ /	#3 STRIPS (#4 PER PLAN)
10/2/90	PLYWOOD O.K. - <i>[Signature]</i>
1/7/91	SEE 10-1-90 NOTE FOR
/ /	FINAL REVISIONS. <i>[Signature]</i>
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2/11/91	
<div style="border: 1px solid black; padding: 2px; display: inline-block;">           WORK COMPLETED FINAL CERTIFICATE POSTED         </div>	
APP. NO.	<i>[Signature]</i>
9017482	BUILDING INSPECTOR



000604

INSPECTION

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

APPROVED  
Dept. of Public Works

FEB 15 1994

NONE [Signature]

CONTACT DISTRICT INSPECTOR AT START OF WORK (TELEPHONE NO. 558-6096). APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES.

BIBS FORM 3/8

APPROVAL NUMBER: 09402418

DATA APPROVAL REF ID: [ ]

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS

FORM 3 [ ] OTHER AGENCIES REVIEW REQUIRED  
FORM B [ ] OVER-THE-COUNTER ISSUANCE  
8 NUMBER OF PLAN SETS

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 PURPOSES SET FORTH.

COPIES

DATE FILED: 2-15-94  
PERMIT NO.: 139926  
ESTIMATED COST OF JOB: 3200  
STREET ADDRESS OF JOB: 1763-65 NORTH POINT  
BLOCK & LOT: 436F 28

INFORMATION TO BE FURNISHED BY ALL APPLICANTS  
DESCRIPTION OF EXISTING BUILDING: 2 FAMILY  
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION: 2 FAMILY  
REAR WALL - INSTALL VINYL SIDING

ADDITIONAL INFORMATION -- FORM 3 APPLICANTS ONLY  
DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING? NO  
DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING? NO  
DOES THIS ALTERATION CREATE NEW GROUND FLOOR AREA? NO

IMPORTANT NOTICES  
No change shall be made in the character of the occupancy or use without first obtaining a Building Permit...  
Grade lines as shown on drawings accompanying this application are assumed to be correct...  
BUILDINGS NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

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...  
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...

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.  
Applicant's Signature: [Signature] Date: 2-15-94

000605

INSPECTION

CONDITIONS AND STIPULATIONS

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

REFER TO:	APPROVED: CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 558-8056). THIS APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODE.  Any electrical or plumbing work will require appropriate separate permits.  BUILDING INSPECTOR, BUR. OF BLDG. INSP.	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  CIVIL ENGINEER, BUR. OF BLDG. INSPECTION	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  BUREAU OF ENGINEERING	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  REDEVELOPMENT AGENCY	DATE: _____ REASON: _____  NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____  NOTIFIED MR. _____

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

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.

Number of attachments  \_\_\_\_\_

OWNER'S AUTHORIZED AGENT \_\_\_\_\_

000606

PERMIT  
INSPECTION

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

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.

*Herb Hirsch*

Applicant's Signature

Herb Hirsch

Type or Print Name

CA 50364888

Identification  
(Drivers Lic. No., etc.)

WENDY LYNCH

Owner/Leasee

2-15-94

Date

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INSPECTION

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

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 296170 License Class B1  
Expiration Date 10-31-94 Contractor Better Properties Inc  
Mark Hunsch  
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.

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 \_\_\_\_\_

Architect (PRINT) \_\_\_\_\_

Date \_\_\_\_\_  Agent (PRINT) \_\_\_\_\_

Owner (PRINT) \_\_\_\_\_

(SIGNATURE) \_\_\_\_\_

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.

OFFICIAL COPY



ADDRESS OF JOB		BLOCK/LOT	APPLICATION NO.
1763 NORTH POINT ST		0436F/028	9402449
OWNER NAME			TELEPHONE
WENDY LYNCH			922-1364
ESTIMATED COST	FILE DATE	DISPOSITION	DISPOSITION DATE PERMIT NO. EXPIRE DATE
\$3,200	2/15/94	ISSUED	02/15/94 739726 06/15/94
FORM CONST. TYPE	OCCUPANCY CODES	PLANS	STORIES UNITS DISTRICT
8 5	R-3	0	2 2 BID-INSP 04
CONTACT NAME			TELEPHONE
BETTER PROPERTIES INC.			334-9438
STANDARD DESCRIPTION/BLDG. USE		OTHER DESCRIPTION	
2 FAMILY DWELLING		REAR WALL INSTALL VINYL SIDING ICBO 3985	
SPECIAL INSPECTIONS?	NO	FIRE ZONE	
SPECIAL USE DISTRICT		TIDF	NO
		PENALTY	NO
NOTES:		COMPLIANCE WITH REPORTS	
9003-15		PERMIT INSPECTION RECORD DEPARTMENT OF PUBLIC WORKS CITY AND COUNTY OF SAN FRANCISCO BUILDING INSPECTION JOB CARD	

OFFICIAL COPY



DATE	BUILDING INSPECTORS JOB RECORD
3/03/84	NEW VINYL SIDING AT REAR
/ /	ELEVATION COMPLETE / OK
/ /	TO FINAL <span style="border: 1px solid black; padding: 2px;">STH</span>
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WORK COMPLETED. FINAL CERTIFICATE POSTED.

APP. NO. 9402449 *Peth J. Huntington*  
S. T. Huntington, CSD BUILDING INSPECTOR

# EXHIBIT 3





# 1974 Certified Sanborn Map



# 1988 Certified Sanborn Map





# 1999 Certified Sanborn Map



# EXHIBIT 4

**SEC. 207.3. AUTHORIZATION OF DWELLING UNITS CONSTRUCTED WITHOUT A PERMIT IN AN EXISTING BUILDING ZONED FOR RESIDENTIAL USE.**

Notwithstanding Section 207.2 or any other provision of this Code, certain dwelling units that were constructed without benefit of permit in an existing residential building or in an ancillary structure located on the same lot may be granted legal status subject to the conditions and procedures set forth below. For purposes of this Section 207.3, a dwelling unit shall not include single room occupancy units.

**(a) Purpose and Findings.**

(1) In California Government Code Section 65852.150, the Legislature declared that second units are a valuable form of housing in California because they "provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods" and that "homeowners who create second units benefit from added income, and an increased sense of security."

(2) San Francisco has long had a housing shortage, especially of affordable housing. The housing market continues to be tight and housing costs are beyond the reach of many households. Policy 1.5 of the City's 2009 Housing Element states that secondary units in existing residential buildings represents a simple and cost-effective method of expanding the City's housing supply.

(3) The City has no definitive information on the number of dwelling units that have been added to existing residential buildings without the benefit of a permit, but unofficial estimates indicate that as many as 30,000 to 40,000 such dwelling units exist as of 2013. Often these illegal units have been built in the basements, garages, and attics of existing buildings or in rear-yard structures. While many of these units may not meet existing Planning Code requirements, they constitute a major supply of San Francisco's affordable housing units, often meet life and safety standards, and may require only exceptions from density, open space, and other Planning Code requirements in order to become legal.

(4) Providing a mechanism to grant legal status to an illegally constructed dwelling unit in an existing building zoned for residential use furthers several public policy objectives. By encouraging the legalization of these units, the City can add legitimate units to the City's supply of affordable housing, ensure that these units are safe and habitable, and properly include these units when calculating the City's existing housing supply.

**(b) Scope.**

(1) Except as provided in subsection (2) below, this Section 207.3 shall apply to an existing building or an ancillary structure on the same lot, that is located in a district where residential use is principally permitted, and that has one or more dwelling units that were constructed prior to January 1, 2013 without benefit of permit and used as residential space. One of the unauthorized dwelling units per lot meeting this threshold requirement may be granted legal status under this Section, regardless of the density limits of the zoning district.

(2) **No-fault Eviction.** The Department shall not approve an application for legalization if any tenant has been evicted from the unit pursuant to Administrative Code Sections 37.9(a)(9) through (a)(14) where the tenant was served with the notice of eviction after March 13, 2014 if the notice was served within ten (10) years prior to filing the application for legalization. Additionally, the Department shall not approve an application for legalization of the unit if any tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8) where the tenant was served with a notice of eviction after March 13, 2014 if the notice was served within five (5) years prior to filing the application for legalization. The Department shall verify with the Rent

Board that no no-fault eviction had been filed. This subsection (b)(2) shall not apply if the tenant was evicted under Administrative Code Section 37.9(a)(11) and the applicant(s) have either: (A) certified that the original tenant reoccupied the unit after the temporary eviction or (B) submitted to the Department a declaration from the property owner or the tenant certifying that the property owner or the Rent Board has notified the tenant of the tenant's right to reoccupy the unit after the temporary eviction and the tenant chose not to reoccupy it.

(c) **Notices of Violation.** If the Director or Zoning Administrator has issued a notice of violation for the unauthorized unit for which legalization is being sought and all violations would be corrected by legalization of the unit, the Director or Zoning Administrator shall:

(1) temporarily suspend the notice of violation and enforcement action upon initiation of the legalization process by the owner or owner's authorized agent and acceptance of the required applications by the City; and

(2) rescind the notice of violation and remove any related liens on the property if legalization of the unit is approved within one year of initiation of the process set forth in subsection (d).

(d) **Legalization Application.** The Department shall approve an application to legalize an existing dwelling unit if the unit complies with Planning Code requirements as specified in subsection (e) below and with other City codes as specified in subsection (f) below, if the Rent Board verifies that no no-fault eviction was filed pursuant to subsection (b)(2) above, and if the permit application is completed at and plans approved by the Department of Building Inspection. In compliance with the State's Second Unit Law (California Government Code 65852.2), the Department shall exercise ministerial approval of the application if the dwelling unit is in a single-family home and thus within the scope of the State's Second Unit Law.

(e) **Compliance with Planning Code Requirements; Exceptions.**

(1) A dwelling unit authorized under this Section 207.3 must satisfy all applicable requirements of this Code except for the rear yard requirements set forth in Section 134, the usable open space requirements set forth in Section 135, and the light and air requirements set forth in Section 140, and except as otherwise provided in this Section 207.3.

(2) One such dwelling unit on the lot is allowed to exceed the permitted density authorized for that zoning district provided that a residential use is principally permitted in that zoning district. Authorization of an additional unit over the density limits will not change the official zoning classification of the lot; provided, however, that the additional dwelling unit shall count towards the density limits if the parcel is under its density limit capacity.

(3) Off-street parking requirements may be reduced to the extent necessary to retain dwelling units authorized under this Section 207.3, without requiring compliance with Sections 305, 161(j) or 307(g) or (i) of this Code.

(f) **Compliance With Other City Codes.** A dwelling unit authorized under this Section 207.3 must meet all applicable provisions of other City codes other than the provisions of the Planning Code cited in subsection (e). Any Code equivalencies authorized under the Building Code, Electrical Code, Plumbing Code, Mechanical Code, Fire Code, or other applicable Code shall be considered by the relevant agency.

Legalization of a dwelling unit under this Section 207.3 shall not affect whether the dwelling unit is subject to the Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code). A dwelling unit that was subject to the Residential Rent Stabilization and Arbitration Ordinance prior to legalization under this Section 207.3 shall remain subject to the Residential Rent Stabilization and Arbitration Ordinance after legalization. Landlords shall pay

relocation assistance to tenants who are temporarily displaced due to work required for dwelling unit legalization pursuant to the provisions in Section 37.9C of the Residential Rent Stabilization and Arbitration Ordinance or California Civil Code Section 1947.9 for displacements of less than 20 days.

(g) **Additional Dwelling Unit Considered a Lawful Nonconforming Use.** Any dwelling unit authorized under this Section 207.3 shall be considered a lawful nonconforming use subject to the provisions of Planning Code Sections 180 through 189; provided, however, that expansion of the additional dwelling unit within the building envelope shall be permitted as part of the legalization process.

(h) **Subdivision and Lot Splits Prohibited.** Notwithstanding the provisions of Article 9 of the Subdivision Code, a lot with an additional unit authorized under this Section 207.3 may not be subdivided in a manner that would allow for the additional unit to be sold or separately financed pursuant to any condominium plan, housing cooperative, or similar form of separate ownership.

(i) **Merging Secondary and Original Units.** If the property owner wants to merge the secondary and original units, the owner may request merger pursuant to Section 317 of this Code. If the Planning Department or Commission approves the merger, the secondary unit will be removed from the Planning Department's Master List and the Assessor-Recorder's records after the final certificate of occupancy is obtained and the merger has occurred .

(j) **Reports.** Six months from the effective date of this Section 207.3 and every six months for the first three years after the effective date, the Zoning Administrator and the Director of the Department of Building Inspection shall issue a joint report on the effectiveness of the additional dwelling unit authorization program. After three years, the report will be included in the City's Annual Housing Inventory. The report shall, at a minimum, state the number of screening forms and building permit applications that have been filed pursuant to this Section 207.3. For the first three years, copies of these reports shall be submitted to the Clerk of the Board of Supervisors, the Mayor, and the Controller. Upon receiving the reports one year and two years after the effective date, the Clerk of the Board of Supervisors shall schedule a public hearing for each report on the agenda of the appropriate Board of Supervisors committee to consider the effectiveness of the program.

(k) **Master List of Additional Dwelling Units Approved.** The Planning Department shall create and maintain a master list of dwelling units approved pursuant to the provisions of this Section 207.3 and corresponding property addresses for use by the San Francisco Rent Stabilization and Arbitration Board, Tax Assessor, and other interested City departments, boards or commissions.

(Added by Ord. 43-14, File No. 131148, App. 4/17/2014, Eff. 5/17/2014)



# EXHIBIT 5

Vol 111  
✓

CONFORMED COPY of document recorded

RECORDING REQUESTED BY: )  
R. Boyd McSparran )  
And When Recorded Mail To: )  
Name: )  
Goldstein, Gellman, et al., )  
Address: )  
1388 Sutter Street, #1000100 )  
City: )  
San Francisco )  
State: California 94109 )

10/31/2012, 2012J536114  
on \_\_\_\_\_ with document no. \_\_\_\_\_  
This document has not been compared with the original  
SAN FRANCISCO ASSESSOR-RECORDER

COPY

Space Above this Line For Recorder's Use

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

I (We) M. PATRICIA HOWSON, Trustee, 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:  
*J. H. PATRICIA HOWSON REV. TRUST. U/D 2/16/95*

**(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)  
BEING ASSESSOR'S BLOCK: 0436F; LOT: 028,  
COMMONLY KNOWN AS: 1763-1765A NORTH POINT ST.**

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 (Planning Code).

Said Restrictions consist of conditions attached to the approval of Building Permit Application No.  
2012.07.30.6039 by the Planning Department and are conditions that had to be so attached in order  
that said application could be approved under the Planning Code; and attached to the approval of  
Condominium Conversion Application No. 2012.1059Q by the Planning Department as a referral  
from the Department of Public Works, Bureau of Street-Use and Mapping, Project ID: 7301.

The tentative map filed with the present application indicates that the subject building at 1763-  
1765A North Point Street is a three-unit building located in a RH-2 (Residential, House, Two-  
Family) Zoning District. Within the RH-2 Zoning District, a maximum of two dwelling units can  
be considered legal and conforming to the Planning Code. The remaining one unit must be  
considered a legal, nonconforming dwelling unit.

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


1. That said non-conforming unit is known as unit indicated as unit # 1765 and  
located on the 2<sup>nd</sup> floor, shall not be expanded beyond 1750 square feet, as

per the RH-2 zoning of the subject property, Section 209.1 of the City Planning Code provides that not more than two (2) dwellings shall occupy a lot, AND that Section 181 of said Code provides that any legal non-conforming conditions may remain, so long as such use is not intensified;

2. That the legal non-conforming third unit cannot be merged or eliminated, unless as reviewed and approved by the City Planning Department;
3. That the remaining two dwelling units shall remain legal and conforming, subject to all of the restrictions of the Code, and any other applicable City Codes. In case of conflict, the more restrictive City Code shall apply;
4. Minor modifications as determined by the Zoning Administrator may be permitted; and
5. The property owner(s) shall record a copy of these conditions with the Office of the Recorder of the City and County of San Francisco as part of the property records for the block and lot identified above.

The use of said property contrary to these special restrictions shall constitute a violation of the 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; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses herein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

Dated: Oct 30, 2012 at San Francisco, California.

  
\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Signature of Owner)

**This signature must be notarized prior to recordation; add Notary Public Certification and Official Notarial Seal below:**

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF NORTH POINT STREET, DISTANT THEREON 130 FEET EASTERLY FROM THE EASTERLY LINE OF FILLMORE STREET; RUNNING THENCE EASTERLY ALONG SAID LINE OF NORTH POINT STREET 25 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 137 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE WESTERLY 25 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 137 FEET AND 6 INCHES TO THE POINT OF COMMENCEMENT.

BEING A PORTION OF MARINA GARDENS.

APN: Lot 28, Block 436F

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

On October 30, 2012, before me, LINDA E. FROST, a Notary Public, personally appeared Mary Patricia Howson, 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(ies) 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.



Linda E. Frost  
Linda E. Frost  
Notary Public, State of California

My commission expires 1-29-14

# EXHIBIT 6

**106A.3.1.3 Authorization of dwelling units installed without a permit.**

(a) **Screening required.** Prior to filing a permit application to legalize an existing unauthorized dwelling unit under Section 207.3 of the Planning Code, the owner of the building or the owner's authorized agent shall submit the following information to the Department for the purpose of determining whether the unauthorized dwelling unit can comply with the requirements of this Code or other codes administered and enforced by the Department, or whether equivalencies from Code requirements can be obtained:

(1) a Dwelling Unit Legalization Checklist form, created by the Department, together with floor plans for the entire building and a plan showing the location of all structures on the subject lot;

(2) evidence from the San Francisco Water Department, telephone, gas or electric records, written lease agreements, or other evidence acceptable to the Department showing that the dwelling unit for which approval is sought existed prior to January 1, 2013;

(3) an assessment prepared by a licensed contractor, architect, or engineer that outlines a plan to comply with all applicable requirements of the Building Code and other Codes administered and enforced by the Department; and

(4) other information as the Building Official shall require.

(b) **Imminent and substantial hazard.** If the Department identifies an imminent and substantial hazard as described in Section 102A.16 of this Code during the screening process, the Department shall inform the applicant of the appropriate remedial actions and notifications to tenants. The Department shall not pursue remedial code enforcement actions and notifications to tenants based solely on information provided by the applicant during the screening process, unless the Department identifies an imminent and substantial hazard or the applicant consents.

(c) **Application process; required permit(s).** After completion of the screening process required by subsection (a) a property owner or the owner's authorized agent may file applications with the Department, Fire Department, or other City department for any building or other permits that are required in order to legalize one existing unauthorized dwelling unit on the property. The application(s) shall refer explicitly to this Section 106A.3.1.3 and Section 207.3 of the Planning Code. If there is more than one existing unauthorized unit on the site, the owner or agent shall designate the unauthorized unit for which legalization is sought. The approval, issuance, expiration, or cancellation of an application filed pursuant to this Section 106A.3.1.3 and any resulting permits shall be in accordance with the provisions of all City codes, except as provided below. Cancellation or disapproval of the application or any resulting permit shall terminate all rights under this Section created by the application. A dwelling unit is not lawful unless and until all necessary approvals have been obtained.

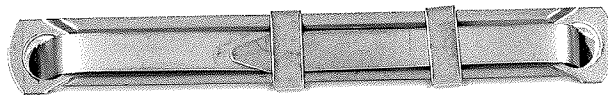
(d) **Notices of violation.** If the Department has issued a notice of violation for the unauthorized unit for which legalization is being sought and all violations would be corrected by legalization of the unit, the Director shall:

(1) temporarily suspend the notice of violation and enforcement action upon initiation of the process set forth in subsection (a) by the owner or owner's authorized agent and acceptance of the required applications by the City; and

(2) rescind the notice of violation and remove any related liens on the property if legalization of the unit is approved within one year of initiation of the process set forth in subsection (a).

(e) **Funding resources information.** The Department shall provide information about the Mayor's Office of Housing and Community Development Code Enforcement Rehabilitation Fund and other potential funding sources that may be available for code compliance.





COPY

Appeal No. 14-096  
San Francisco, Board of Appeals

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Tamera Briones,  
Appellant,

vs.

Dr. Patricia Howson, Permit Holder,  
Respondent.

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**RESPONDENT DR. PATRICIA  
HOWSON'S BRIEF**

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Subject Property: 1767 Northpoint Street

Date: Wed., July 16, 2014  
Time: 5:00 PM  
Location: City Hall, Room 416  
One Dr. Carlton B. Goodlett, Place.  
San Francisco, CA

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JAEMIN CHANG  
Fox Rothschild LLP  
235 Pine Street, Suite 1500  
San Francisco, CA 94104-2734  
Telephone: 415.364.5540  
Facsimile: 415.391.4436

Attorney for Dr. Patricia Howson, Permit Holder

Respondent Dr. M. Patricia Howson respectfully requests that the Board deny Appellant Tamera Briones's Appeal. In support, Dr. Howson submits the following in response to the Appellant's Opening Brief.

## I. INTRODUCTION

Appellant Tamera Briones ("Appellant") brings a frivolous appeal to delay Respondent Dr. M. Patricia Howson's subdivision and property improvement. Basing her principle argument on an erroneous set of facts and assumptions, Appellant asserts that Dr. Howson's permit seeks to "legalize" an illegal unit on the ground floor, and therefore the underlying policies of the amended Planning Code section 207.3 should apply retroactively to Dr. Howson's permit.

Appellant's appeal is entirely meritless for the following reasons:

1. Dr. Howson is not attempting to "legalize" any illegal units. Each of the three units at the subject property were built pursuant to valid permits, including the ground floor unit. All three units are legal, with one unit being a legal and nonconforming unit.

2. In approving the permit, the Department of Building Inspection ("DBI") and the Department of City Planning ("Planning") correctly determined that the amended Planning Code section 207.3 does not apply to Dr. Howson's property. Section 207.3(b) of the Planning Code limits the scope of its applicability to properties with "one or more dwelling units that were constructed prior to January 1, 2013 **without benefit of permit.**" Therefore, there is no error or abuse of discretion on the part of DBI or Planning to consider in this appeal.

3. The Board cannot overlook the two crucial facts in this case that place Dr. Howson's property clearly outside the reach of the Planning Code Section 207.3-- there are no illegal units and the subject permit does not seek to legalize an illegal unit under Planning Code section 207.3. Therefore, the underlying policies of Section 207.3 similarly do not apply here.

More importantly, applying the underlying policies to prohibit Dr. Howson's condominium conversion would result in regulatory taking by the Board in violation of Dr. Howson's due process and constitutional rights.

As further outlined below in section III, the Appellant's appeal is entirely without merit and constitutes a waste of the City and County's resources. The factual and legal bases for Dr. Howson's permit are overwhelming. Based on the evidence and legal analysis detailed below, Dr. Howson respectfully requests that the Board deny the Appellant's appeal in its entirety.

## **II. HISTORY OF 1763, 1765, 1765A (NOW 1767) NORTH POINT PROPERTY**

The following summarizes the building history of 1763, 1765, 1767 (formerly 1765A) North Point (hereinafter, "Subject Property") from the date of its original construction in 1932 to the present. (For brief summary, see Exs. A and B.)

1. In 1932, under the permit number 2151, the original construction, a two unit residential building, was constructed. (Ex. D)
2. In 1937, under the permit number 31303, a bedroom was added. (Ex. E)
3. In 1963, under the permit number 255117, termite control work was performed. (Ex. F.)
4. In 1966, under the permit number 294537, the Subject Property was classified as and approved for "2 families and 1 housekeeping unit." This permit indicated that the zoning designation for the Subject Property is R-3<sup>1</sup>. (Ex. G.)

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<sup>1</sup> It is unclear whether the designation of "R-3" under the heading "Zone" on the 1966 permit is equivalent to today's occupancy class R-3 designation. We look to the City Zoning Administrator to provide the historic use of the designation "R-3" as used in the 1966 permit.

5. In 1972, under the permit number 363165, fire related repairs were made. (Ex. H.)
6. In 1987, under the permit number 560894, termite repairs were performed. (Ex. I.)
7. In 1990, under the permit numbers 646996, 647083, 649921, 650961, and 653926, earthquake damage repairs, including seismic upgrades, were performed. (Ex. A, page 1; Ex. J.)
8. In 1990, under the permit number 653928 (application number 9013636), the ground floor unit was remodeled. (Ex. K.)
9. In 1994, under the permit number 739726, new siding was installed to the rear wall. (Ex. L.) Dr. Howson purchased the Subject Property in April 1994.
10. In 2006, Appellant purchased the adjacent property 1771 North Point.
11. In 2011, under the permit number 1243941, Dr. Howson began remodeling the interior of the Subject Property. (Ex. A, page 1.)
12. In February 2012, during the interior remodel work, the Subject Property was awarded the right to condo-convert. (Ex. M.) On February 24, 2012, Dr. Howson submitted the condo-conversion application and began working toward that end.
13. On July 30, 2012, Dr. Howson submitted the subject site plan permit application (2012.0730.6039) along with a set of site plans to DBI. This permit application indicates that the current occupancy class for the Subject Property is R-3; and, after the proposed alteration, the occupancy class would change to R-2. (Ex. Q.)
14. Between August 2012 and April 2014, DBI performed physical inspections of the Subject Property; Dr. Howson and her project manager met with the City's agencies; the site

plans were revised to comply with and accommodate all code related issues; the tentative map was submitted, approved and recorded; and the Planning directed Dr. Howson to record the special restriction that one of the units remain a “legal and nonconforming” unit; such special restriction was recorded; and other directives were similarly complied with. (Exs. N-O.) Dr. Howson and her construction professionals complied with each of the directives from the DBI, the Planning, the Bureau of Fire Prevention and Public Safety, the Bureau of Engineering, and the San Francisco Public Utility Commission in connection with the permit approval and the condo-conversion process.

15. On April 28, 2014, the subject site permit was approved. (See Ex. Q.)

Simply put, all work at the Subject Property has been performed with the benefit of valid permits -- from the original construction to the proposed project that is the subject of this appeal.

### **III. ANALYSIS OF APPELLANT’S ARGUMENTS**

#### **A. All Three Dwelling Units Are Legal Units Built With The Benefit Of Permits Issued By The DBI.**

Appellant’s principle argument is fundamentally flawed because she assumes that Dr. Howson seeks to legalize an “illegal” unit. The true fact is that Dr. Howson’s property consists of three legal units. What the Appellant refers to as “an illegal unit on the ground floor<sup>2</sup>” was permitted in 1937 under permit application number 31532. In 1966, the Subject Property was

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<sup>2</sup> Dr. Howson’s agent, Tony Fong, included the confusing language -- “legalize ground floor unit” in paragraph 18 of the subject permit application no. 2012.07.30.6039. However, the subject permit application was accompanied by a detailed set of site plans. Each of the public agencies involved in connection with this permit (DBI, Planning, Fire Department, and Public Safety) examined and approved the permit and its accompanying plans pursuant to the Special Restriction (which requires one of the units to remain a legal nonconforming unit). As reflected in respective agencies’ records, Dr. Howson’s permit application and plans received careful review and scrutiny from each agency. The revised version of Dr. Howson’s plans received full approval from DBI, City Planning, Fire Department, and all other relevant agencies.

approved and classified as having two dwelling units and one housekeeping unit. (See Ex. A & G.) In other words, the so called “illegal unit” is in fact a “legal” unit which was built with the benefit of valid permits issued in 1937, 1966 and 1990.

Despite the abundantly clear permit history available to the Appellant and her attorney<sup>3</sup>, Appellant intentionally omitted from her opening brief the building permits issued in 1937 and 1966 for the ground floor unit. The Appellant included as exhibits the original permit for the two dwelling units and certain permits from 1990 for renovation work on the ground floor unit. Relying on her scant permit history, the Appellant urges this Board to apply the amended Planning Code section 207.3 and return the permit to DBI for compliance with the requirements set forth in section 207.3.

The amended Planning Code section 207.3(b)(1) explicitly states its scope and explains that “this Section 207.3 shall apply to an existing building . . . that has one or more dwelling units that were constructed prior to January 1, 2013 without benefit of permit and used as residential space.” (Underline provided.) As outlined in detail in section II above, each of the three units at the Subject Property was built pursuant to valid building permits<sup>4</sup>.

In sum, section 279.3 of the Planning Code is inapplicable here because all three units (2 dwelling and 1 housekeeping) were and are legal units built with the benefit of valid permits. (See 3R report.)

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<sup>3</sup> As the Board may have noted, the Appellant included the permits from 1932 and 1990 but omitted 1937 and 1966 permits.

<sup>4</sup> The two original units were built in 1932, under the permit number 2151; the third unit was built in 1937, under the permit number 31303; and approved in 1966, under the permit number 294537. (Exs. D, E, & G.)

**B. The Ground Floor Unit Is A Legal Nonconforming Unit.**

As early as 1966, DBI and Planning consistently used the term “housekeeping unit” and zoning/occupancy class designation of “R-3” in connection with the Subject Property. (Exs. G, K, & N.) Under the current code designations, R-3 indicates building code occupancy class of “1 or 2 family dwellings, including housekeeping rooms.” (See Ex. A, p. 3.) From the Planning’s perspective, the Subject Property has three dwelling units -- two family units and one house keeping unit.

The Subject Property is located in RH-2 zoning district, a two family house district. (Ex. A, p. 1.) Assuming three families occupied the Subject Property at any time, such use would arguably constitute a nonconforming use. Section 180(a)(1) of the Planning Code defines a “nonconforming use” as “a use which existed lawfully at the effective date of this Code, or of amendments thereto, . . . and which fails to conform to one or more of the use limitations under Articles 2, 6, 7 and 8 of this Code that then became applicable for the district in which the property is located.” Additionally, section 180(h) provides that “[i]f the administrative record regarding a nonconforming unit does not provide conclusive evidence that the unit is illegal, it shall be presumed to be a legal nonconforming unit.” Section 181(c) of the Planning Code provides that if the unit is nonconforming as to density:

(1) A dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units set forth in Sections 207.5, 208, 209.1, 209.2, or 215 of this Code for the district in which it is located shall be classified as a nonconforming use under Section 180 of this Code, but only to the extent that such dwelling or other housing structure exceeds the permitted density.

(2) In districts where a dwelling unit is a principally permitted use, this Section 181 shall not apply with respect to enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or other housing structure, consisting of those dwelling units or other housing units which exceed the permitted density,

so long as such enlargements, alterations, or reconstruction do not otherwise extend beyond the building envelop as it existed on January 1, 2013.

These Planning Code sections, among others, provide the basis for DBI, Planning, and other agencies to classify the Subject Property as having “two legal units conforming to the Planning Code” and one legal, nonconforming dwelling unit. (Ex. O, p. 1.)

Notwithstanding the inarticulate description of the proposed work in the subject permit, “legalize ground floor unit,” the Department of Building Inspection, Department of City Planning, and other agencies all reached the correct conclusion that the Subject Property had three legal units and approved the permit pursuant to the totality of the facts and records available to them.

By any of these measures outlined above, each of the units, including the housekeeping unit, are legal units. Again, contrary to the Appellant’s argument that this Board should apply Planning Code section 207.3 or its underlying policies, the explicit language of the code limits its scope to properties with one or more units “built without benefit of permits.” Even though one of the three units is considered a nonconforming, it still remains a legal unit built with the benefit of a valid building permit. Therefore Planning Code section 207.3 does not apply here.

**C. The Underlying Policies of the Planning Code section 207.3 Cannot be the Basis to Grant the Appeal.**

The Appellant urges the Board to effectively prohibit Dr. Howson’s condo conversion of her property by applying the “underlying policies” of the Planning Code section 207.3 -- to increase the City’s rental stock. If the Board followed the Appellant’s flawed argument, the Board would find itself ignoring the explicit language of the Planning Code section 207.3. Although this argument is patently disingenuous, it is nonetheless analyzed here.

Before the Board could even apply the subsection 207.3(h) of the Planning Code which prohibits subdivision of a property with a “legalized” unit, the Board must find that (1) there is



an illegal unit, and (2) the illegal unit has been “legalized” under the Planning Code section 207.3. As the Board can conclude from the complete permit history recited above, the Subject Property has no illegal units and no units have been legalized under the Planning Code section 207.3. In essence, the Appellant is asking the Board to overlook these two crucial facts that place Dr. Howson’s property clearly outside the reach of the Planning Code Section 207.3. Under these facts, applying the policies of the Planning Code section 207.3 to the Subject Property would result in a regulatory taking by the Board in violation of Dr. Howsons’ due process and constitutional rights<sup>5</sup>.

Therefore, the Board should apply the language expressed in Planning Code section 207.3 – not the underlying policies – and deny this appeal to uphold the approved permit.

**D. Appellant’s Sole Motivation Behind This Appeal Is To “Pay Back” For Dr. Howson’s Complaints Filed With DBI About Appellant’s Construction Of A Wooden Fence On The Property Line Fire Wall.**

The Appellant’s property, 1771 North Point, has been significantly renovated in recent years. In connection with the Appellant’s construction projection, Dr. Howson objected to her construction of a wooden fence on top of the 8-foot property line fire wall. This wooden fence is approximately 10 feet tall and was installed at the second floor level of the Appellant’s property. Dr. Howson attempted to engage the Appellant to discuss a neighborly resolution. The Appellant ignored Dr. Howson’s communication about the same. Having reached a deaf ear, Dr. Howson lodged her complaint with the Department of Building Inspection. Confirming Dr.

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<sup>5</sup> (See *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854; The Board’s application of the underlying policies in this case where the facts are outside the scope of the Section 207.3 would constitute a clear abuse of the Board’s authority because there is no connection to furthering the policies.)

Howson's concerns, DBI concluded that the wooden fence was a fire hazard and built beyond the scope of the Appellant's permit. (Ex. R) In response, the Appellant threatened to retaliate against Dr. Howson and ultimately filed this appeal. (Ex. V.)

**E. Dr. Howson's Neighbors Support The Permitted Project.**

Appellant's concluding remarks are similarly misleading. She states in her conclusion section of her brief that "the Neighbors respectfully request that the Board of Appeals grant the appeal..." This is not so. Mr. Williams does not represent anyone other than the sole appellant, Ms. Briones.

The subject permit seeks to improve Dr. Howson's property in line with her efforts to build a sustainable home for herself and her partner, Mr. J. Peter Ross. Since purchasing the Subject Property, Dr. Howson has implemented solar energy and gray water recycling systems. (See, Exs. S & T.) The Subject Property earns energy credit from PG&E. Dr. Howson's efforts are known and welcomed by her neighbors. Dr. Howson's neighbors support her building project approved in the subject permit. (Ex. U.)

**IV. CONCLUSION**

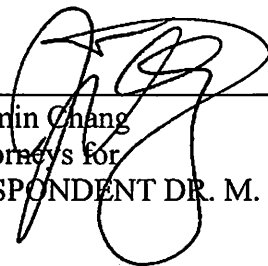
It is clear from the Appellant's omission of crucial building permits from her brief, deceptive recitation of facts, i.e. red herring, that her appeal is unsupported in fact or in law. This appeal is brought before the Board as a means to retaliate against Dr. Howson for her complaint lodged with DBI. The delay caused by the appeal has resulted in significant economic damages to Dr. Howson. With each day passing, Dr. Howson is losing her income from the Subject Property.

Based on each of the foregoing, Dr. Howson respectfully requests that the Board deny the appeal in its entirety and that the permit be upheld.

Dated: July 10, 2014

FOX ROTHSCHILD LLP

By

  
\_\_\_\_\_  
Jaemin Chang  
Attorneys for  
RESPONDENT DR. M. PATRICIA HOWSON

### Table of Contents

<b>Exhibit</b>	<b>Description</b>
A	3R Report of 1763-1757 North Point Property (“Subject Property”)
B	San Francisco Planning Department Property Information Report
C	Photographs of the Subject Property
D	Building permit No. 2151 (Application No. 201403) issued October 11, 1932
E	Building permit No. 31303 (Application No. 31532) issued November 27, 1937
F	Building permit No. 255117(Application No. 284497) issued July 31, 1963
G	Building permit No. 294537 (Application No.. 293521) issued May 19, 1966
H	Building permit No. 363165 (Application No. 405169) issued January 24, 1972
I	Application for Building Permit No. 8700723 for building permit No. 560894 issued January 14,1987
J	Application for Building Permit Nos. 9013271, 9013359, 9015830, and 9016666 for building permits Nos. 646996, 647083, 649921, and 650961, issued in 1990.
K	Building permit No. 653928 (Application No. no. 9013636) issued September 24, 1990.
L	Building permit No. 739726 (Application No. 09042449) issued February 15, 1994.
M	Condo Conversion Application Receipt No. BID1117
N	DBI Inspection Report
O	San Francisco Recorder’s Notice of Special Restrictions Under the Planning Code dated October 30, 2012
P	Approval of Tentative Map for 3 Units Condo Conversion dated November 13, 2012
Q	Application for Building Permit No. 201207306039 with permit history for building permit No. 1323063 issued April 28, 2014
R	DBI Complaint re Wooden Fence on 1771 North Point Property
S	Utility bill for 1763-1765 North Point Street dated June 24, 2014
T	PG&E statement for service period of May 14, 2014 to June 13, 2014
U	Letters of support
V	Email from Tamera Briones to M. Patricia Howson dated February 28, 2014

# EXHIBIT A



**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 **1763 - 1765 NORTH POINT ST**

Block **0436F**

Lot **028**

**Other Addresses**

1. A. Present authorized Occupancy or use: **TWO FAMILY DWELLING & A HOUSEKEEPING ROOM**

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-2**

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): **1932**

Original Occupancy or Use: **TWO FAMILY DWELLING**

7. Construction, conversion or alteration permits issued, if any:

Application #	Permit #	Issue Date	Type of Work Done	Status
201403	2151	Oct 11, 1932	NEW CONSTRUCTION	C
31532	31303	Nov 27, 1937	ADD BEDROOM	C
284497	255117	Jul 31, 1963	TERMITE CONTROL	C
293521	294537	May 19, 1966	COMPLY WITH DEPARTMENT OF PUBLIC HEALTH (DPH) NOTICE - CFC 2FD & HOUSEKEEPING ROOM	C
405169	363165	Jan 24, 1972	REPAIR FIRE DAMAGE: REPLACE BURN RUSTIC ON EAST ROOF ELEVATION, REPAIR SHEETROCK AS REQUIRED AND PAINT	C
8700723	560894	Jan 14, 1987	REPAIR & CHEMICALLY TREAT TERMITE DAMAGE, REPAIR REAR WALL, REPAIR PORCH AND STAIR ASSEMBLY	C
9013271	646996	Jul 05, 1990	REMOVE BROKEN SLAB IN GARAGE, DRIVEWAY	C
9013359	647083	Jul 09, 1990	REMOVE (E) CABINETS, REMOVE CRACKED PLASTER AND REPLACE WITH SHEETROCK. INSTALL NEW CABINETS, REPLACE ANY DRY ROT STUDS. INSTALL NEW WOOD SASH WINDOW OVER SINK IN KITCHEN	C
9015830	649921	Aug 09, 1990	REMOVE CRACKED STUCCO FROM REAR WALL GROUND FLOOR 8' HIGH 24' WIDE, REPLACE DRY ROTTED SILL AND 5 DRY ROTTED STUDS, RE-STUCCO	C
9016666	650961	Aug 21, 1990	REMOVE INTERIOR PARTITION NON-BEARING WALLS TO ALLOW FOR REMOVAL OF EARTHQUAKE DAMAGED CONCRETE FLOOR SLAB. POUR NEW CONCRETE SLAB IN GARAGE AND DRIVEWAY	C
9013636	653928	Sep 24, 1990	REMOVE INTERIOR NON-BEARING PARTITION WALLS TO ALLOW FOR EASE OF DAMAGED CONCRETE FLOOR REMOVAL. POUR REPLACEMENT CONCRETE SLAB 4" THICK. REINSTALL PARTITION WALLS AS BEFORE. POUR REPLACEMENT CONCRETE IN GARAGE FLOOR AREA	C
9017482	653926	Sep 24, 1990	INSTALL FOOTING BELOW GRADE TO PROVIDE BASE FOR NON-BEARING SHEARWALL TO BE INSTALLED AS VOLUNTARY SEISMIC UPGRADE. REFERENCE TO APPL. #9013636 & #9016666	C

Address of Building 1763 - 1765 NORTH POINT ST

Block 0436F

Lot 028

Other Addresses

Application #	Permit #	Issue Date	Type of Work Done	Status
9402449	739726	Feb 15, 1994	INSTALL VINYL SIDING AT REAR WALL	C
201104013356	1243941	Aug 03, 2011	INTERIOR REMODEL OF 3 EXISTING BATHROOMS TO REPLACE FINISHES AND FIXTURES, INSTALL OF UNDEMAND WATER HEATERS AND NEW BATHROOM AND REPLACEMENT OF EXISTING DAMAGED WINDOWS OF FINISHES AS REQUIRED	I

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

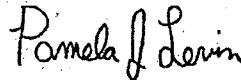
Date of Issuance: 08 MAR 2012

Date of Expiration: 08 MAR 2013

By: TUTI SUARDANA

Report No: 201202278726

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
<b>Chinatown Mixed Used Districts</b>	
CCB	(Chinatown Community Business) district
(CR/NC)	(Chinatown Residential/Neighborhood Commercial) district
CRV	(Chinatown Visitor Retail) district
<b>South of Market Mixed Use Districts</b>	
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
<b>Mission Bay Districts</b>	
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 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

San Francisco Planning Department  
Office of Analysis and Information Systems

**PROPERTY INFORMATION REPORT**

Block 0436F      Lot 028      Census Tract 126      Census Block 109

Site Address: 1763      - 1765      NORTH POINT      ST

Site Zip Code: 94123

**OWNER**

M PATRICIA HOWSON REVOC TRU  
1763-1765 NORTH POINT ST  
SAN FRANCISCO CA  
94123

**PROPERTY VALUES**

Land	\$417,378.00	Sales Date	04/15/1994
Structure	\$634,316.00	Price	\$829,000.00
Fixture	\$0.00		
Other	\$0.00		

**PHYSICAL CHARACTERISTICS**

Lot Frontage	25.00	Year Built	1932
Lot Depth	137.50	Stories	2
Lot Area	3,437.50	Assessor Units	3
Lot Shape	R	Bedrooms	0
Building Sq.Ft.	3,590.00	Bathrooms	3
Basement Sq.Ft.	0.00	Rooms	11

**Assessor Use** FLATS AND DUPLEX

**Authorized Use** TWO FAMILY DWELLING & HOUSEKEEPING RM  
**Original Use** TWO FAMILY DWELLING

**PLANNING INFORMATION**

Zoning	RH-2	Planning District	2
Height Limit	40-X	SUD	
Quadrant	NORTHWEST	SSD	
Leg. Setback		Redevelopment Area	NOT IN RDA PROJECT AREA

**Notices of Special Restrictions:**

**Non-Conforming Uses:**

**Comments:**

*Physical characteristics information is not guaranteed accurate or complete*

**PARCEL EVENTS (Special Instructions, Determination Letters, Project Reviews)**

Date	Type	Description
02/25/2008	Instruction	Flood Notification: This lot is in a block that has the potential to flood during storms. See the accompanying notice. Applicant to contact Cliff Wong at 554-8339.
10/02/2006	Instruction	Recycled Water Ordinance--New construction of 40,000 sq.ft. or more, or addition of 10,000 sq.ft. or more of irrigated space must include plumbing to supply recycled water.

San Francisco Planning Department  
Office of Analysis and Information Systems

**PROPERTY INFORMATION REPORT**

Block 0436F

Lot 028

Census Tract 126

Census Block 109

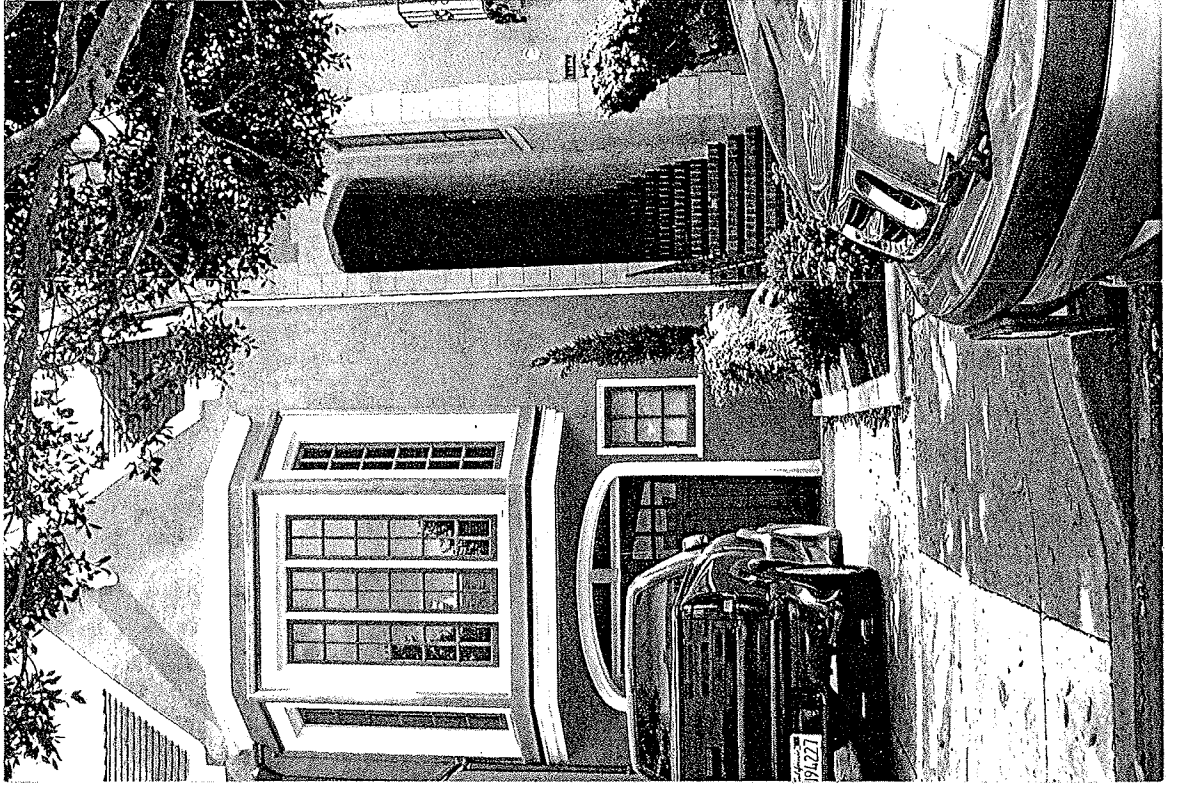
**BUILDING PERMIT APPLICATIONS**

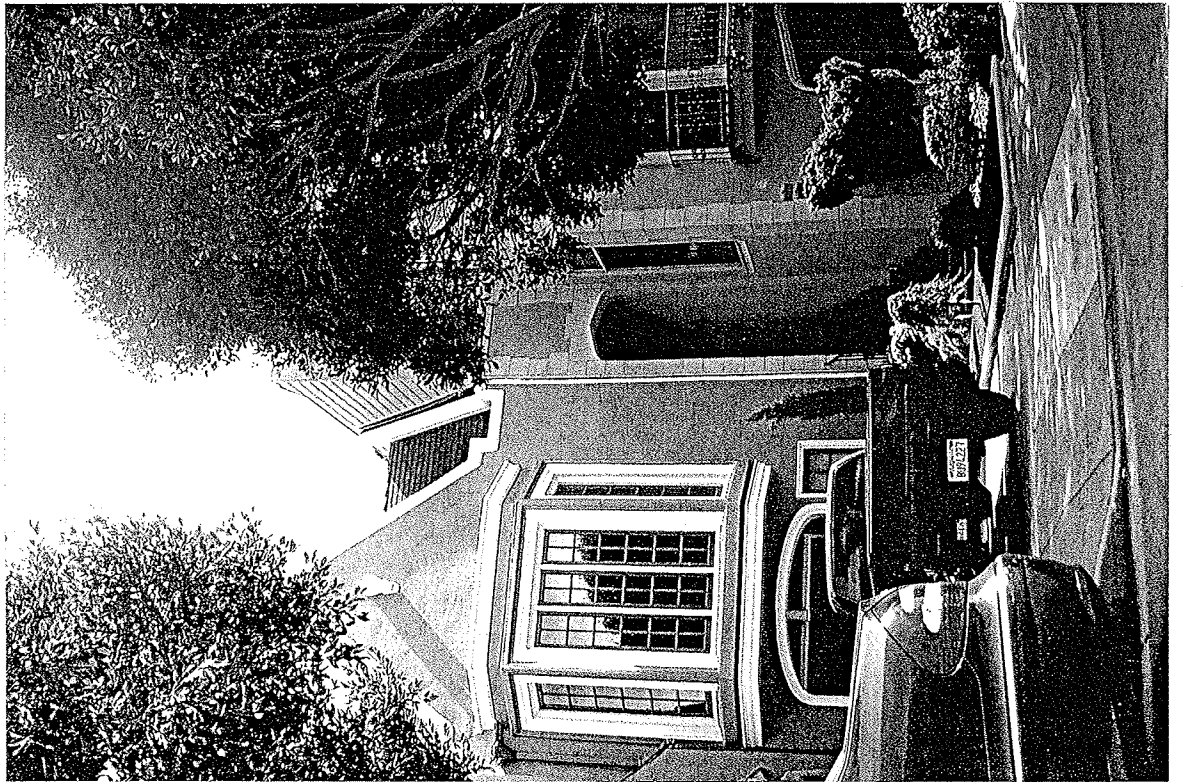
Appl. No.	Act Date	Status	Description
9402449	06/15/1994	EXPIRED	REAR WALL INSTALL VINYL SIDING ICBO 3985
9017482	02/11/1991	COMPLETE	INSTALL FOOTING 2'-0" BELOW GRADE BY 2'-0" X 2'-0" WIDE
9016666	10/26/1990	COMPLETE	NON-BEARING WALLS, EARTHQUAKE DAMAGE
9015830	02/11/1991	COMPLETE	REMOVE CRACKED STUCCO FROM REAR WALL GROUND FLOOR
9013636	02/28/1991	COMPLETE	REMOVE INTERIOR NON BEARING PARTITION WALLS
9013359	01/17/1991	COMPLETE	REPLACE CABINETS, PLASTER W/SHEETROCK, DRY ROT STUDS, SASH WINDOW
9013271	01/17/1991	COMPLETE	REMOVE EXISTING BROKEN BROKEN SLAB IN GARAGE DRIVEWAY.
8700723	04/21/1987	COMPLETE	TERMITE REPAIR

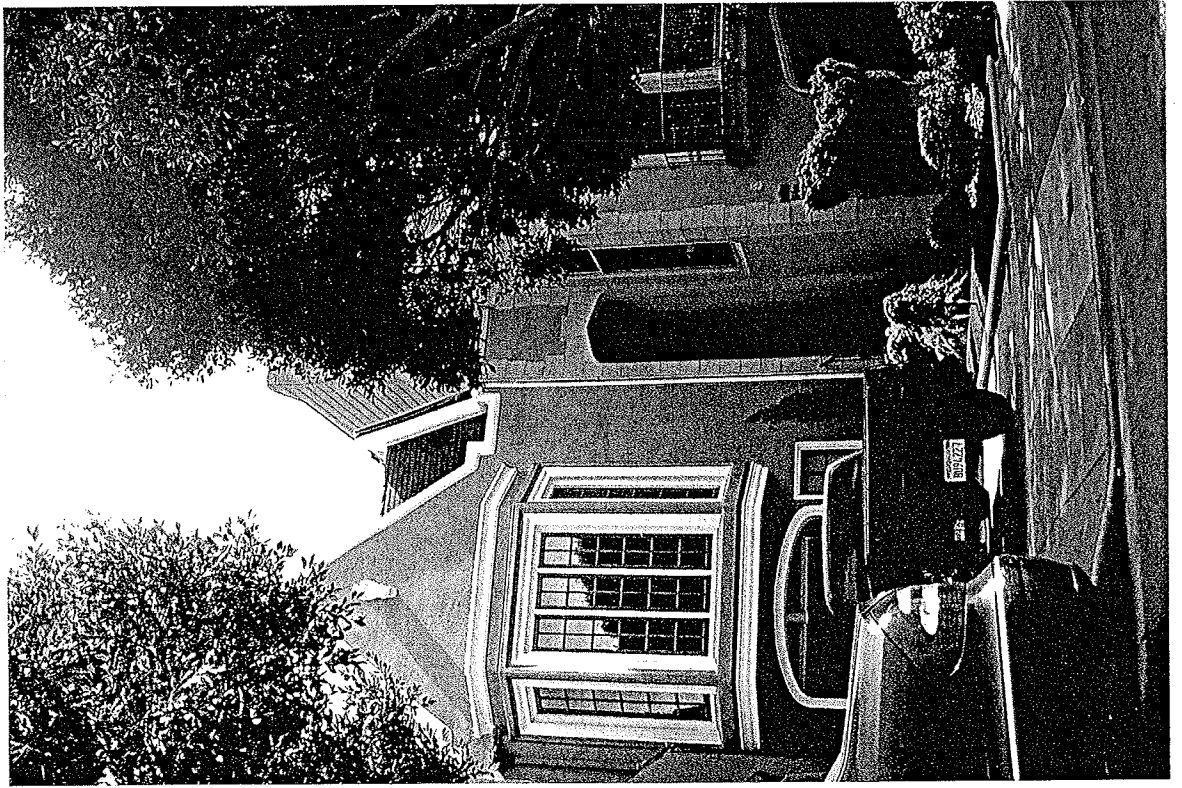
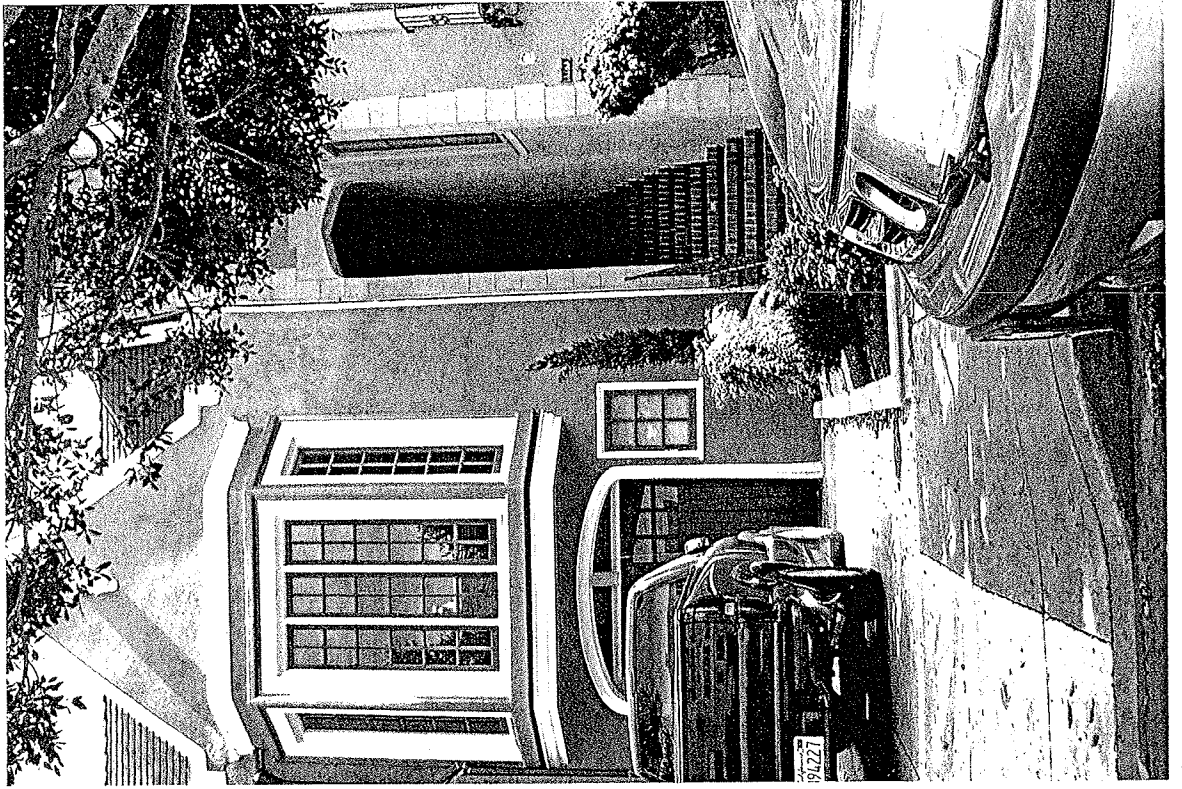
**PERMIT APPEALS**

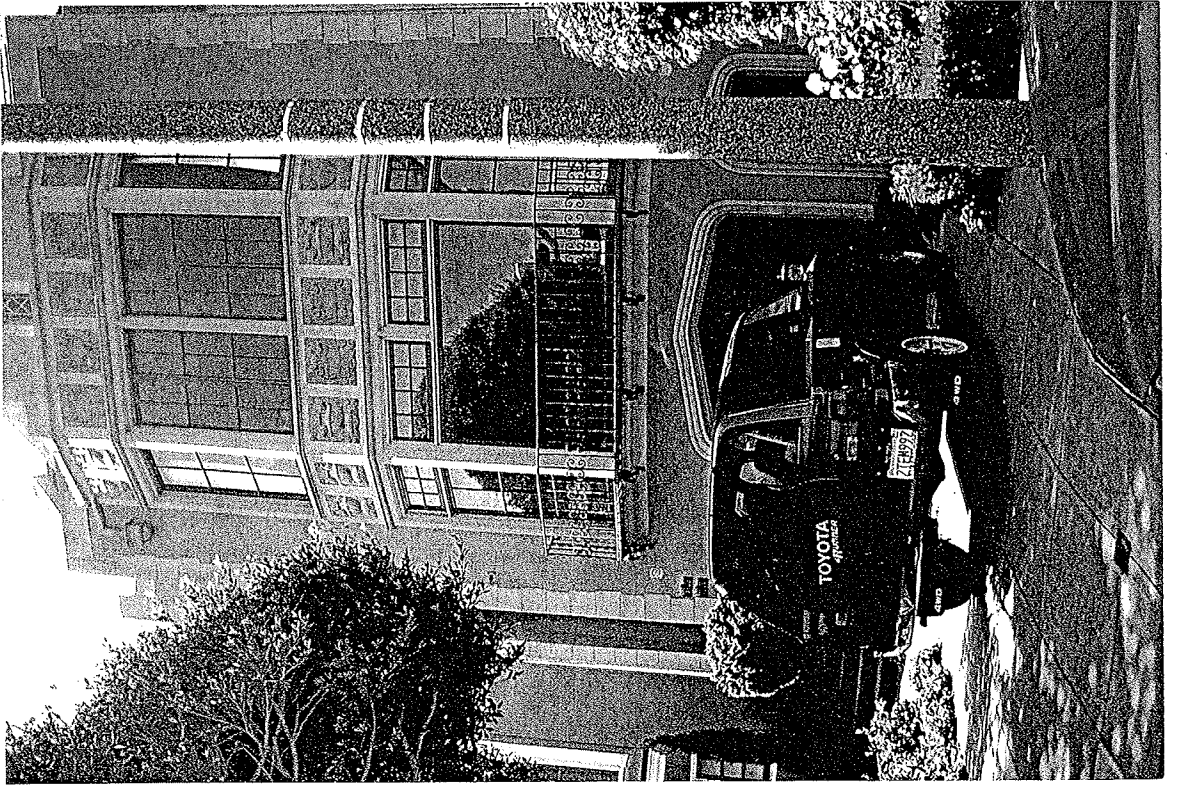
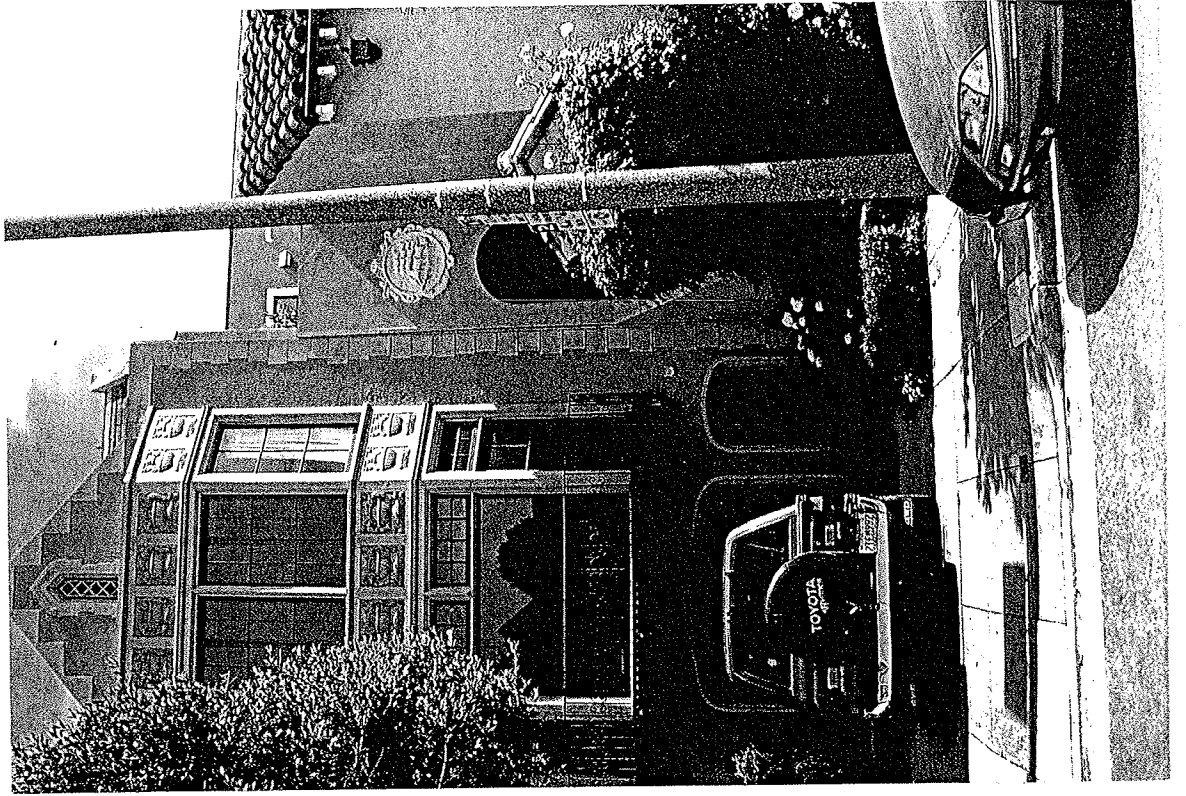
Appeal No.	Appl. No.	Case No.	Hearing	Nature of Appeal	Hearing Result
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# EXHIBIT C

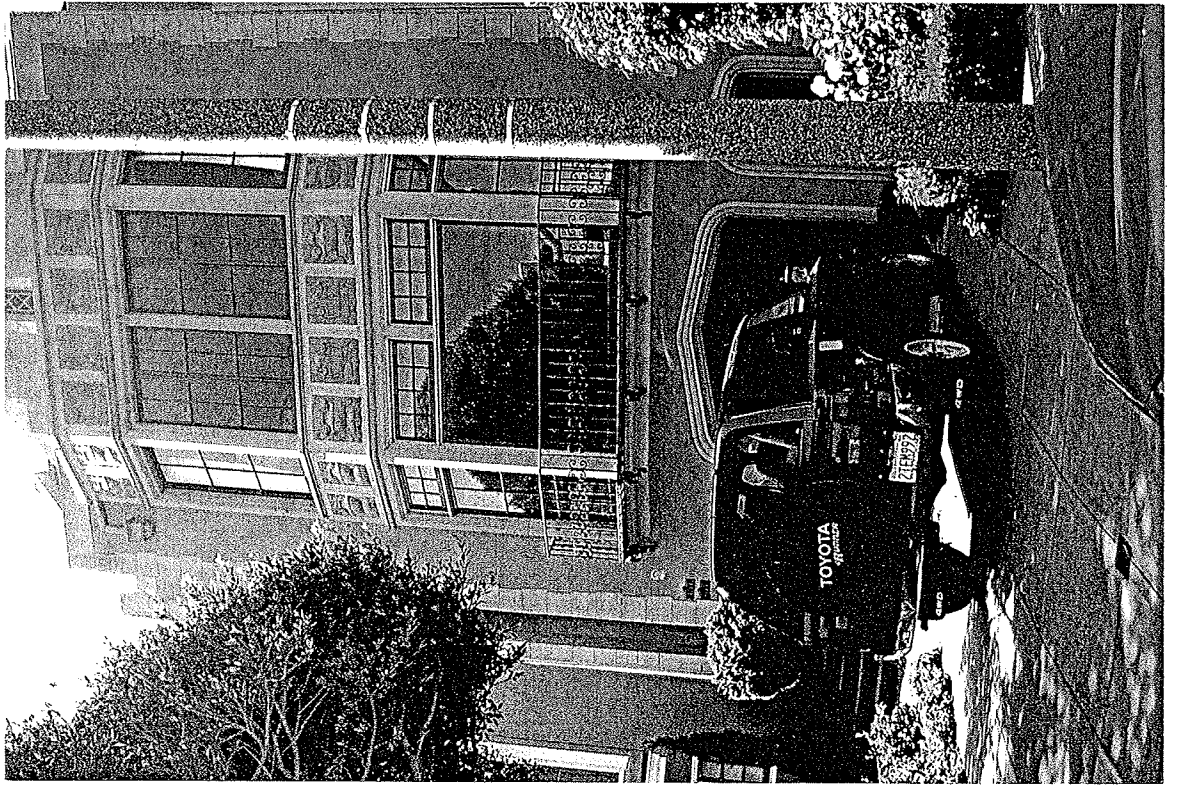
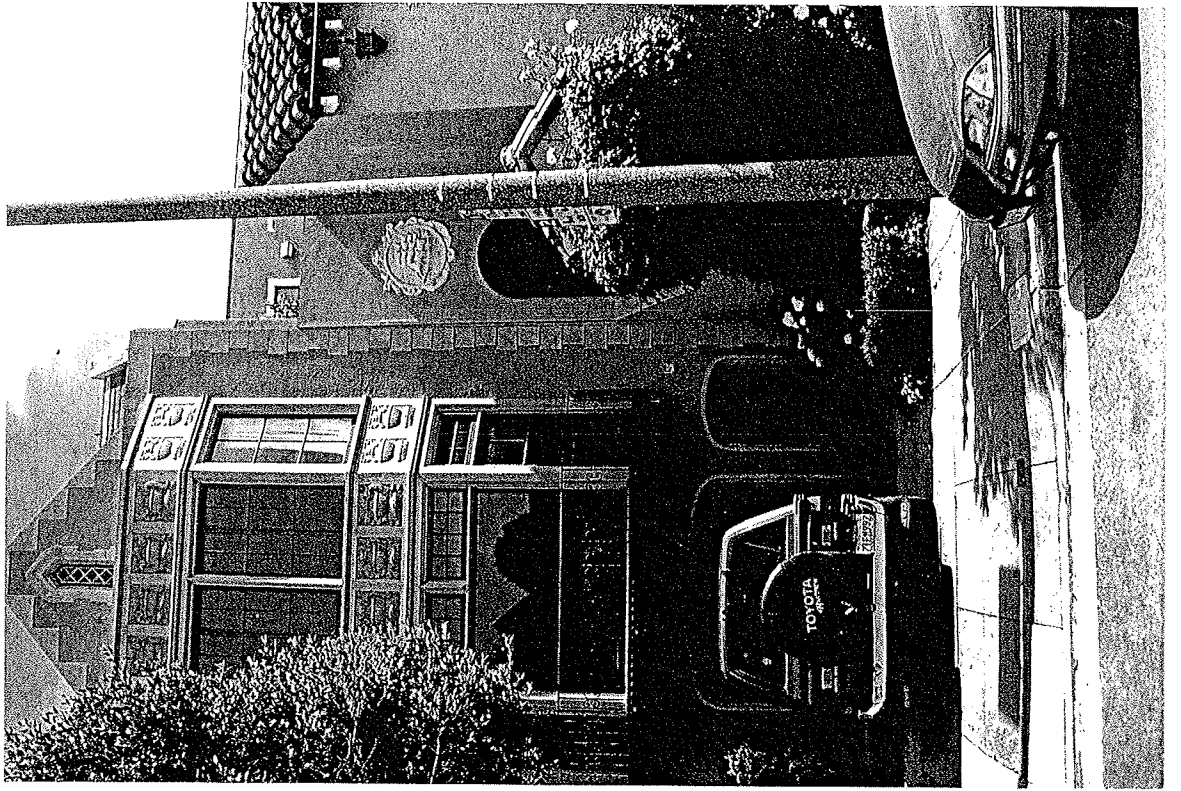


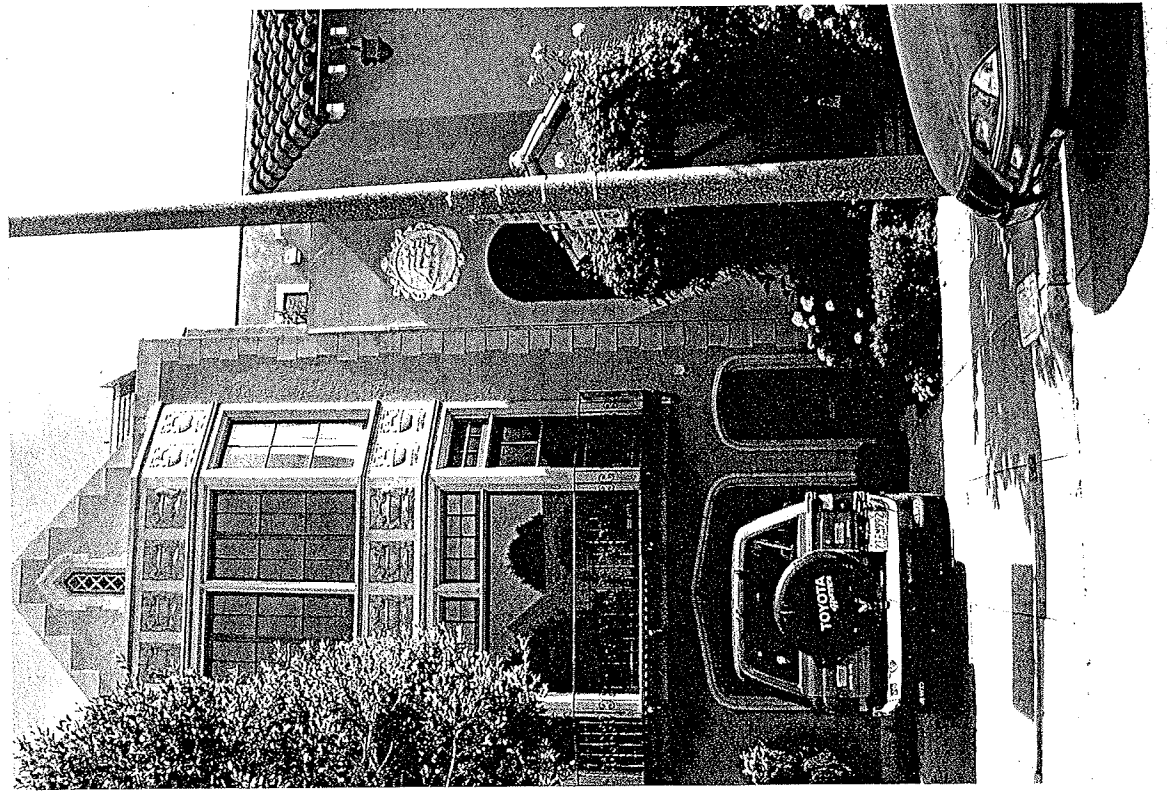
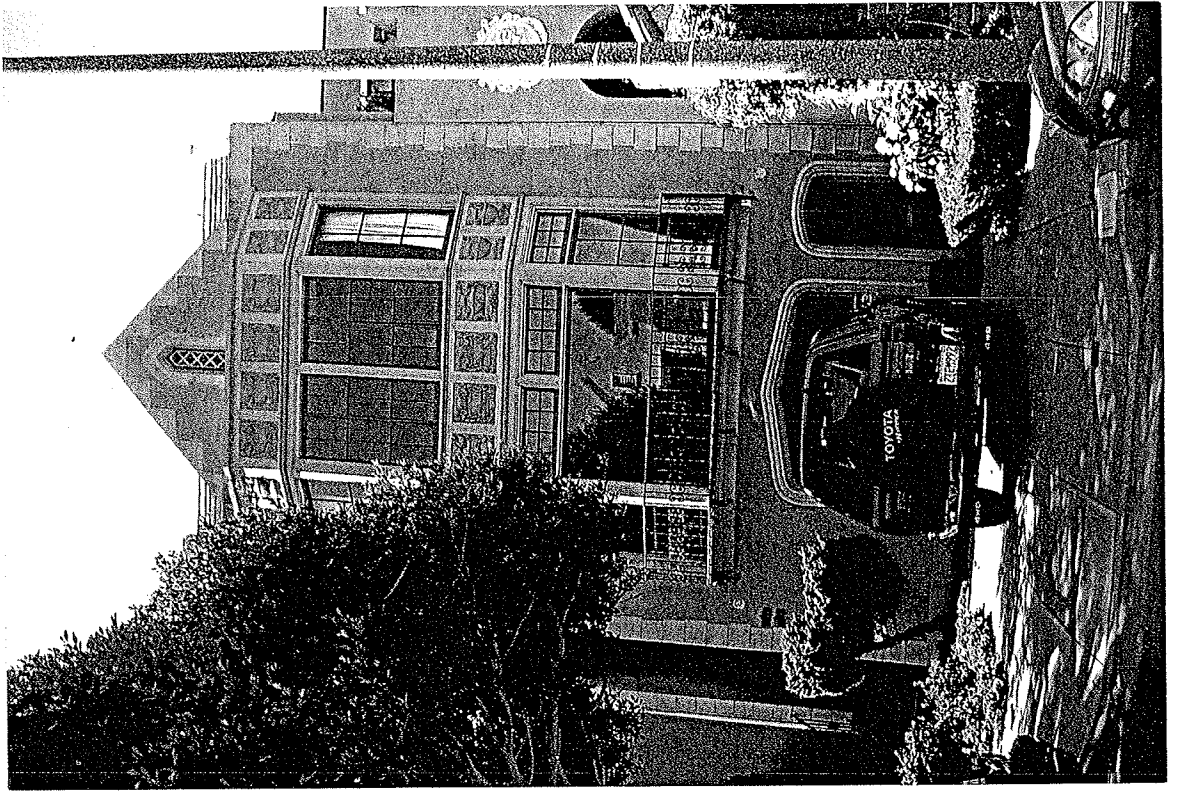


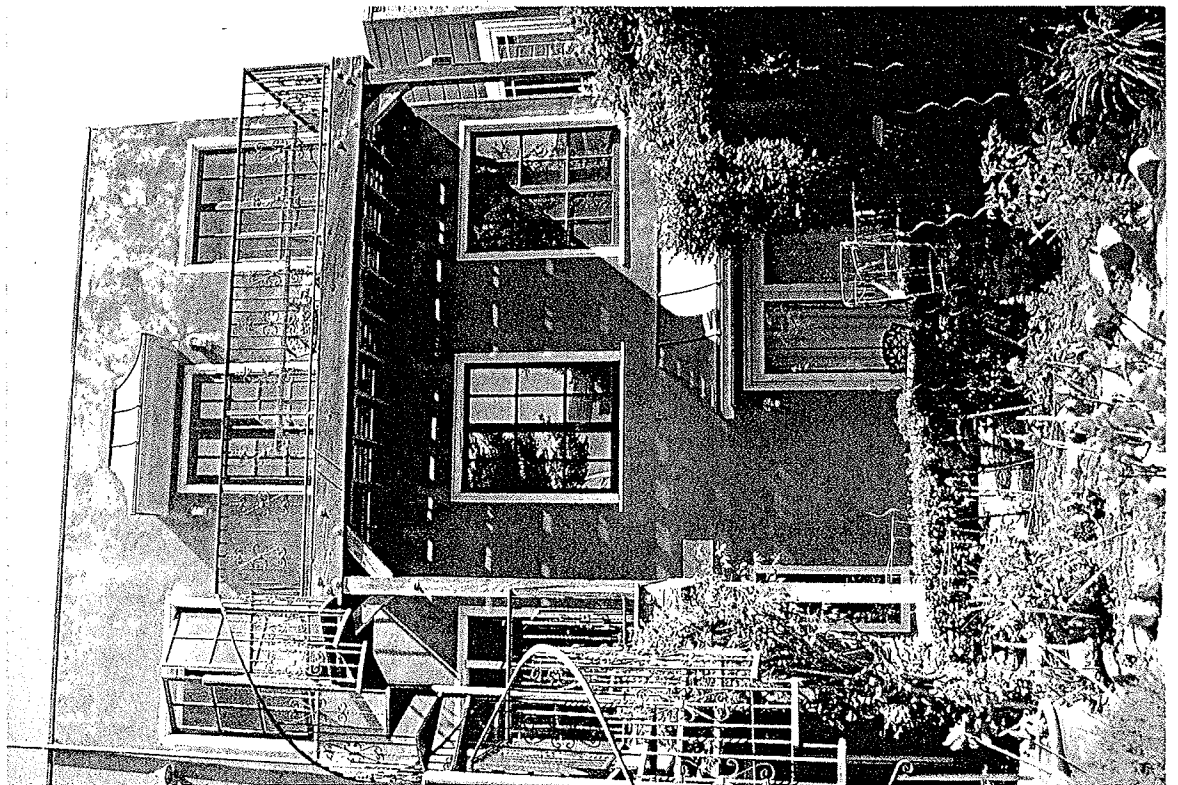
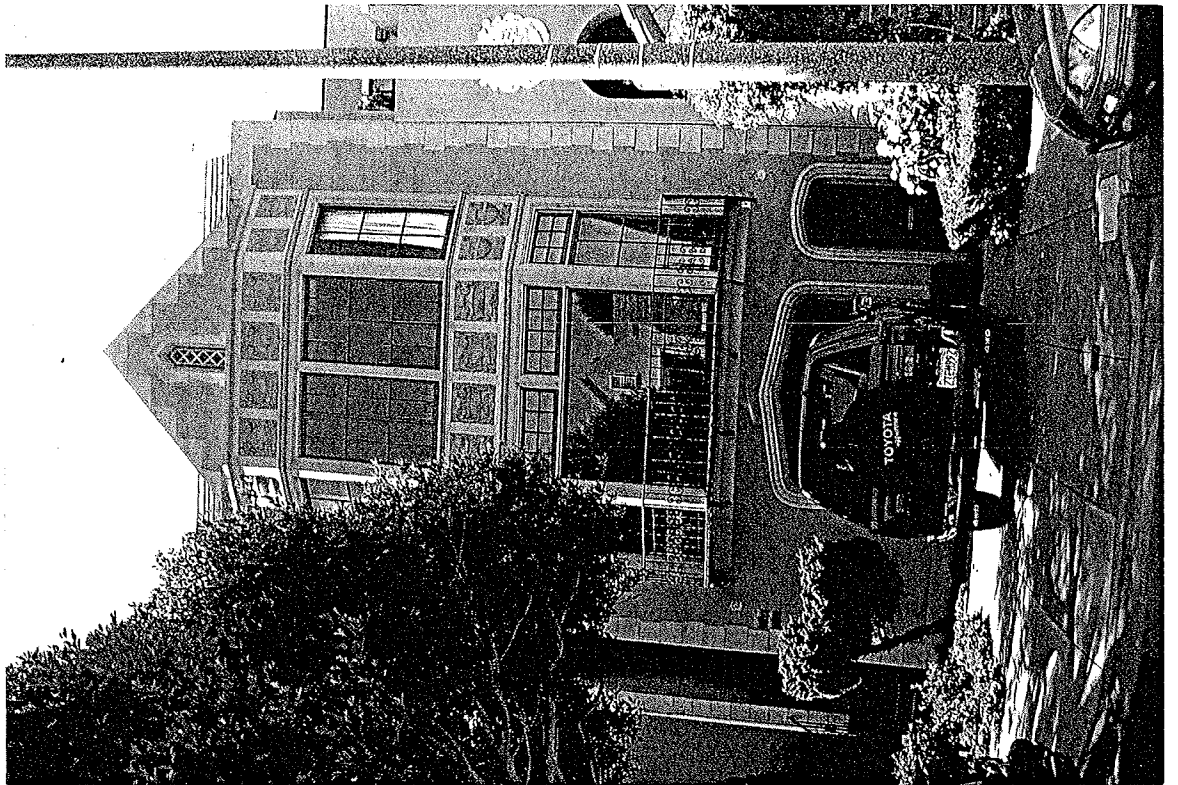












# EXHIBIT D

Bureau of Fire Prevention and Public Safety  
 Construct and install on building to satisfaction of Bureau of Fire Prevention the following fire protection equipment and appliances:

F. D. (Dry) Standpipes  
 Wet Standpipes  
 Hose Reels

Tanks  
 Down Pipes  
 Automatic Fire Pumps  
 Automatic Sprinkler System  
 Water Supply Connection  
 Ground Floor Pipe Casings  
 Refrigeration  
 Incinerators

*All fire alarm chimneys and lines on job and in rear of store.*

Approved: *Chief S. B. A. Munn*  
 Bureau of Fire Prevention and Public Safety

Approved:

Superintendent Bureau of Building Inspection  
 Approved: *10/10/32*  
*John C. Glass*  
 City Planning Commission

Approved:

Director of Public Health

Approved:

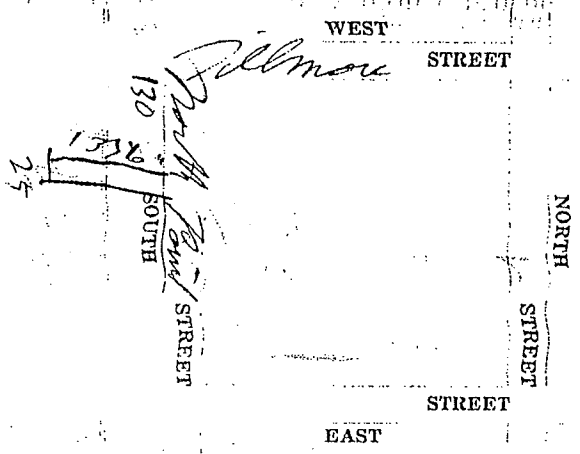
Department of Electricity

Approved:

Bureau of Engineering

Approved:

Art Commission



BDDG. FORM No. 201403  
 APPLICATION OF

*James L. Scapron* Owner

FOR PERMIT TO ERECT  
 2 STORY FRAME BUILDING  
 1763-45 North East

Location *5 North Point*

*130 South*

Cost \$ *6,000.00*

Filed *OGT 8 1932*

Approved:

*151*  
 Superintendent Bureau of Building Inspection

Permit No. \_\_\_\_\_  
 Issued \_\_\_\_\_  
 Certificate of Final Completion \_\_\_\_\_  
 Applied for *10/10/32*  
 Issued \_\_\_\_\_  
 1932 No. \_\_\_\_\_

The Department will call up telephone No. West 4952 if any alterations or changes are necessary on the plans submitted.

By James W. McCall  
Address 1101 Green St  
(13) Owner James W. McCall  
Address 1101 Green St

License No. \_\_\_\_\_ State of California  
License No. \_\_\_\_\_ City and County of San Francisco  
(12) Contractor James W. McCall  
Address 1761 Beach St

(11) Plans and specifications prepared by James W. McCall  
Other than Architect or Engineer  
Address \_\_\_\_\_  
License No. \_\_\_\_\_ State of California  
License No. \_\_\_\_\_ City and County of San Francisco

(10) Engineer None  
Address \_\_\_\_\_  
License No. \_\_\_\_\_ State of California  
License No. \_\_\_\_\_ City and County of San Francisco

(9) Architect None  
Address \_\_\_\_\_  
License No. \_\_\_\_\_ State of California  
License No. \_\_\_\_\_ City and County of San Francisco

(8) I hereby certify and agree, if a permit is issued, that all the provisions of the BUILDING LAW, THE BUILDING ZONE ORDINANCES, SET-BACK LINE REQUIREMENTS AND THE FIRE ORDINANCES OF THE CITY AND COUNTY OF SAN FRANCISCO and the STATE HOUSING ACT OF CALIFORNIA will be complied with, whether herein specified or not; and I hereby agree to save, indemnify and keep harmless the City and County of San Francisco against all liabilities, judgments, costs and expenses which may in anywise accrue against said city and county in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk placed by virtue thereof, and will in all things strictly comply with the conditions of this permit.

(7) Contractor (DOES) carry Workmen's Compensation Insurance. (DOES NOT)

(6) Any other building on lot at present. None

(5) Size of lot. Ft. Front 25 Ft. Rear 137'6" Ft. Deep \_\_\_\_\_

(4) Purpose or Occupancy Breeding No. of rooms 9 No. of families 2

(3) Total Cost \$ 6000.00

(2) Number of Stories 2 (WITH) Basement (WITHOUT)

(1) Location of Lot 5 Side of North Front Street \_\_\_\_\_  
Assessor's Lot No. 3 Block No. 7

Application is hereby made to the Department of Public Works of the City and County 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:

Oct. 1932  
193

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS  
CENTRAL PERMIT BUREAU  
APPLICATION FOR BUILDING PERMIT  
FRAME BUILDING

BLDG. FORM  
**2**

Write in Ink—File Two Copies  
James W. McCall  
Name, Street & Room No. 1931

# EXHIBIT E

**BUREAU OF FIRE PREVENTION AND PUBLIC SAFETY**

Construct and Install on Building to Satisfaction of Bureau of Fire Prevention the Following Fire Protection Equipment and Appliances

- F. D. (Dry) Standpipes.....
- Wet Standpipes.....
- Hose Reels.....
- Tanks.....
- Downpipes.....
- Automatic Fire Pumps.....
- Automatic Sprinkler System.....
- Water Service Connection.....
- Groundfloor Pipe Casings.....
- Refrigeration.....
- Incinerators.....

APPROVED:  
*[Signature]*  
 Bureau of Fire Prevention and Public Safety

Fire Marshal

APPROVED:

Superintendent  
 Bureau of Building Inspection

APPROVED: 11/27/37

*[Signature]*  
 City Planning Commission

APPROVED:

Director of Public Health

APPROVED:

Department of Electricity

APPROVED:

Bureau of Engineering

APPROVED:

Art Commission

*Report favorably  
 A. D. Mitchell  
 Nov 26 1937*

BLDG. FORM.

**3**

No. 31532

APPLICATION OF

*P. Barzilles*  
 Owner

FOR PERMIT TO MAKE  
 ADDITIONS, ALTERATIONS OR  
 REPAIRS  
 TO BUILDING

Location *1763 North Point St*

Cost \$ *285.00*

NOV 24 1937

Filed *[Signature]* 11/27/37

APPROVED:

*[Signature]*  
 Superintendent  
 Bureau of Building Inspection

Permit No. *31532*

Issued



Write in Ink--File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS  
BLDG. FORM

CENTRAL PERMIT BUREAU

APPLICATION FOR BUILDING PERMIT

3

ALTERATION

Nov. 24

1937

Application is hereby made to the Department of Public Works of the City and County 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:

(1) Location *1763 North Point St.*

(2) For what purpose is present building now used? *Flats*

(3) For what purpose will building be used hereafter? *Flats*

(4) Total Cost \$ *285.00*

(5) Description of work to be done. *Removing glass roof and walls and replace them with 2x4 studs rustic + plaster, 2x6 ceiling joists and rafters, composition roof, one window 4-0 x 5-0 for bed room.*

(6) Contractor (DOES) carry Workmen's Compensation Insurance.

~~(DOES NOT)~~

(7) Supervision of construction by *Grant Martinelli Const. Co.*

Address *44 Mary St.*

I hereby certify and agree, if a permit is issued, that all the provisions of the BUILDING LAW, THE BUILDING ZONE ORDINANCES, SET BACK LINE REQUIREMENTS AND THE FIRE ORDINANCES OF THE CITY AND COUNTY OF SAN FRANCISCO and the STATE HOUSING ACT OF CALIFORNIA will be complied with, whether herein specified or not; and I hereby agree to save, indemnify and keep harmless the City and County of San Francisco against all liabilities, judgments, costs and expenses which may in anywise accrue against said city and county in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk placed by virtue thereof, and will in all things strictly comply with the conditions of this permit.

(8) Architect *None*

Certificate No.  
State of California

License No.  
City and County of San Francisco

Address

(9) Engineer *None*

Certificate No.  
State of California

License No.  
City and County of San Francisco

Address

(10) Plans and specifications prepared by  
Other than Architect or Engineer

Address

(11) Contractor *Grant Martinelli Const. Co.*

License No. *11893*  
State of California

License No. *611*  
City and County of San Francisco

Address *44 Mary St.*

(12) Owner *P. Baruffe*

Address *1436 Galvey St.*

By *G. Martinelli*

Owner's Authorized Agent.

THE DEPARTMENT WILL CALL UP TELEPHONE NO. IF ANY ALTERATIONS OR CHANGES ARE NECESSARY ON THE PLANS SUBMITTED.

RECORDED

# EXHIBIT F

FOR PERMITS  
WORK ONLY.

7-1-63  
Approved:  
B. B. Wood

to expedite ~~CRG~~ ~~Setbacks~~ zoning classification  
has not been checked. Approval is for the work described  
only and is not to be construed as approval of the project  
or proposed use as stated in this application.  
Approved for single family use only  
Approved for maintenance only

*Crook*  
Department of City Planning

Approved:

*W. J. ...*  
Bureau of Fire Prevention & Public Safety

Approved:

Civil Engineer, Bureau of Building Inspection

Approved:

Bureau of Engineering

Approved:  
ELLIS D. BOA  
Department of Public Health

Approved:

Department of Electricity

Approved:

Art Commission

Approved:

Boiler Inspector

Approved:

Redevelopment Agency

Approved:

Parking Authority  
No portion of building or structure or scaffolding used during construction to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 885 California Penal Code.

REFER TO:

- Bureau of Engineering
- BBI Struct. Engineer
- Boiler Inspector
- Art Commission
- Dept. of Public Health
- Dept. of Electricity
- Redevelopment Agency
- Parking Authority

Approved *June 25* 1963  
Provided the following conditions are complied with:

*For maintenance only*

BLDG. FORM

3 APPLICATION OF

Mrs. Frank Kolos  
FOR PERMIT TO MAKE  
ADDITIONS, ALTERATIONS or REPAIRS  
TO BUILDING

Location 1763-65 North Point Street

Total Cost \$ 800.00  
JUN 24 1963

Filed \_\_\_\_\_ 19\_\_

APPROVED:

APPROVED  
Public  
JUL 31 1963

*[Signature]*  
SUPERINTENDENT  
PERMITS SECTION  
Superintendent, Bureau of Building Inspection

Permit No. 255117

Issued JUL 31 1963 19\_\_

Write in Ink—File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS  
BLDG. FORM

CENTRAL PERMIT BUREAU

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS

June 21 1963

3

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:

1763-1765 North Point Street

- (1) Location.....
- (2) Total Cost (\$) 800.00 (3) No. of Stories 3 (4) Basement or Cellar  yes  no
- (5) Present Use of building Residence (6) No. of families 3
- (7) Proposed Use of building Residence (8) No. of families 3
- (9) Type of construction 5 (10) Proposed Building Code Classification 18
- (11) Any other building on lot No. (must be shown on plot plan if answer is yes.)
- (12) Does this alteration create an additional story to the building?  No  Yes
- (13) Does this alteration create a horizontal extension to the building?  No  Yes
- (14) Does this alteration constitute a change of occupancy?  No  Yes
- (15) Electrical work to be performed  No  Yes
- (16) Plumbing work to be performed  No  Yes
- (17) Automobile runway to be altered or installed  No  Yes
- (18) Sidewalk over sub-sidewalk space to be repaired or altered  No  Yes
- (19) Will street space be used during construction?  No  Yes

(20) Write in description of all work to be performed under this application:

(Reference to plans is not sufficient)

"TERMITE" CONTROL WORK, per Report No. 419798A, dated June 18, 1963, of which a copy is attached.

At front wall, remove damaged wood and replace with new. Re-stucco. Install vents in bay window and in front-stairs columns. Cut base of jamb at garage, side, and rear doors. Install footings. At side stairs, install a concrete bottom step. In partition wall between garage and alley, install concrete piers under posts. Remove termite infestation in furnace area at left side of garage. Remove stained paper on walls of alley. In ground-floor apt., in bathroom, cut base of door jambs; install concrete footings.

- (21) Supervision of construction by M. Halperin Address.....
- (22) General Contractor UNL-2328 California License No 116595  
Address THE HALPERIN COMPANY  
4042 23rd Street  
SAN FRANCISCO 14, CALIF.
- (23) Architect or Engineer (for design) California Certificate No.....  
Address.....
- (24) Architect or Engineer (for construction) California Certificate No.....  
Address.....

(25) 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 applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or subsidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assignees.

(26) Owner Mrs. Frank Kolos (Phone WA1 - 9619)  
Address 1765 North Point St., SF For contract by Bureau

By *[Signature]* Address above  
Owner's Authorized Agent or Owner's Authorized Architect, Engineer or General Contractor.

CERTIFICATE OF FINAL COMPLETION AND/OR PERMIT OF OCCUPANCY MUST BE OBTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGEMENT OF THE BUILDING OR A CHANGE OF OCCUPANCY PURSUANT TO SEC. 808 AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED.

Pursuant to Sec. 304, San Francisco Building Code, the building permit shall be posted on job. Owner is responsible for approved plans and application being kept at building site.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED.

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

# EXHIBIT G



Write in Ink—File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS  
BLDG. FORM

CENTRAL PERMIT BUREAU

3

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS

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:

- (1) Location *1765 North Point St. P.O. 94123 Geo. G. F.*
- (2) Total Cost (\$) *28,000.00* (3) No. of Stories *2* (4) Basement or Cellar *NO*
- (5) Present Use of building *27 Rts. + 1 Lab.* (6) No. of families *3*
- (7) Proposed Use of building *27 Rts. + 1 Lab.* (8) No. of families *3*
- (9) Type of construction *5* (10) *1.8.2* Proposed Building Code Classification
- (11) Any other building on lot *NO* (must be shown on plat plan if answer is yes)
- (12) Does this alteration create an additional story to the building? *NO*
- (13) Does this alteration create a horizontal extension to the building? *NO*
- (14) Does this alteration constitute a change of occupancy? *NO*
- (15) Electrical work to be performed *NO* (16) Plumbing work to be performed *NO*
- (17) Automobile runway to be altered or installed *NO*
- (18) Sidewalk over sub-sidewalk space to be repaired or altered *NO*
- (19) Will street space be used during construction? *NO*
- (20) Write in description of all work to be performed under this application:  
(Reference to plans is not sufficient)

*comply with Board of Health*

- (21) Supervision of construction by \_\_\_\_\_ Address \_\_\_\_\_
- (22) General Contractor \_\_\_\_\_ California License No. \_\_\_\_\_  
Address \_\_\_\_\_
- (23) Architect or Engineer \_\_\_\_\_ California Certificate No. \_\_\_\_\_  
(for design) Address \_\_\_\_\_
- (24) Architect or Engineer \_\_\_\_\_ California Certificate No. \_\_\_\_\_  
(for construction) Address \_\_\_\_\_
- (25) 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 applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or sub-sidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assigns.
- (26) Owner *Stella Kalos* (Phone *Walnut 1-6888*)  
Address *1765 North Point St. P.O.* For contract by Bureau
- By \_\_\_\_\_ Address \_\_\_\_\_  
Owner's Authorized Agent to be Owner's Authorized Architect, Engineer or General Contractor.

CERTIFICATE OF FINAL COMPLETION AND/OR PERMIT OF OCCUPANCY MUST BE OBTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGEMENT OF THE BUILDING OR A CHANGE OF OCCUPANCY PURSUANT TO SEC. 808 AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED.

Pursuant to Sec. 804, San Francisco Building Code, the building permit shall be posted on job. Owner is responsible for approved plans and application being kept at building site.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WORK OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRE AND PLUMBING MUST BE OBTAINED.

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

# EXHIBIT H



Approved:

Zone \_\_\_\_\_  
CPC Setbacks \_\_\_\_\_  
I hereby certify that the Department of City Planning has reviewed the requested permit and has determined that use of this structure does not conform to the City Planning Code.  
Department of City Planning

Approved:

Bureau of Fire Prevention & Public Safety

Approved:

Civil Engineer, Bureau of Building Inspection

Approved:

Bureau of Engineering

Approved:

Department of Public Health

Approved:

Department of Electricity

Approved:

Art Commission

Approved:

Boiler Inspector

Approved:

Redevelopment Agency

Approved:

Parking Authority

No portion of building or structure or scaffolding used during construction to be closer than 6' to any wire containing more than 750 volts. See Sec. 385 California Penal Code.

REFER TO:

- Bureau of Engineering
- BBI Struct. Engineer
- Boiler Inspector
- Art Commission
- Dept. of Public Health
- Dept. of Electricity
- Redevelopment Agency
- Parking Authority

Approved: 1/17 1972

Provided the following conditions are complied with:

BLDG. FORM

No. 405169

APPLICATION OF

STELLA KOLOS

Lessee  
Owner

FOR PERMIT TO MAKE  
REVISIONS, ALTERATION  
OR REPAIRS  
TO BUILDING

Location

1765

NOLITA POINT

Total Cost \$

450.00

Filed

JAN 4, 1972

APPROVED JAN 18 1972

APPROVED  
Dept. Public Works  
JAN 24 1972

Approved  
Superintendent  
MUNICIPAL BUILDING INSPECTION

Superintendent, Bureau of Building Inspection

Permit No. 363165

Issued

JAN 24 1972

19

Write in Ink—File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS  
BLDG. FORM

CENTRAL PERMIT BUREAU

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS

3

JAN 4 1972

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:

- (1) Location 1765 NORTH POINT
- (2) Total Cost (\$) 4500 (3) No. of Stories 2 (4) Basement or Cellar Yes
- (5) Present Use of building 2-FLATS (6) No. of families 2
- (7) Proposed Use of building SAME (8) No. of families 2
- (9) Type of construction 3 (10) Proposed Building Code Classification I
- (11) Any other building on lot No (must be shown on plot plan if answer is yes.)
- (12) Does this alteration create an additional story to the building? No
- (13) Does this alteration create a horizontal extension to the building? No
- (14) Does this alteration constitute a change of occupancy No
- (15) Electrical work to be performed No (16) Plumbing work to be performed No
- (17) Automobile runway to be altered or installed No
- (18) Sidewalk over sub-sidewalk space to be repaired or altered No
- (19) Will street space be used during construction? No
- (20) Write in description of all work to be performed under this application:  
(Reference to plans is not sufficient)

- FIRE DAMBERS
- ① REPLACE BURN RUSTIC ON  
FRONT PORCH (2 LINTILION)
- ② REPAIR SAGGY ROCK AS REQUIRED
- ③ PAINTING

- (21) Supervision of construction by CONTRACTOR Address \_\_\_\_\_
- (22) General Contractor FRANK S. ANDERSON, INC. California License No. 139961  
Address 330 FIRST ST.
- (23) Architect or Engineer \_\_\_\_\_ California Certificate No. \_\_\_\_\_  
(for design) Address \_\_\_\_\_
- (24) Architect or Engineer \_\_\_\_\_ California Certificate No. \_\_\_\_\_  
(for construction) Address \_\_\_\_\_

(25) 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 applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or sub-sidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assignees.

- (26) Owner STELLA KOLOS (Phone 921-6819)  
Address 90 CONTRACTOR For contact by Bureau  
By FRANK S. ANDERSON Address 330 FIRST ST.

CERTIFICATE OF FINAL COMPLETION AND/OR PERMIT OF OCCUPANCY MUST BE OBTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGEMENT OF THE BUILDING OR A CHANGE OF OCCUPANCY PURSUANT TO SEC. 808 AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED.

Pursuant to Sec. 304, San Francisco Building Code, the building permit shall be posted on job. Owner is responsible for approved plans and application being kept at building site.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED.

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

CONSTRUCTION LENDER  
(Enter name and branch designation if any. If there is no known construction lender, enter "unknown".)  
ADDRESS

# EXHIBIT I

RECEIVED

CONTACT DESIGNER... THIS APPLICATION... DEPARTMENT OF PUBLIC WORKS

APPROVED JAN 16 1987 Franklin Lee SUPERINTENDENT

APPROVED FOR ISSUANCE JAN 18 1987

BLDG FORM 318 APPLICATION NUMBER 03700723

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

FORM 3 OTHER AGENCIES REVIEW REQUIRED FORM B 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.

NUMBER OF PLAN SETS 7-23-87

OFFICE COPY

APPROVAL NUMBER

DATE FILED 1-16-87 PERMIT NO. 320894 PLUMBING PERMIT RECEIPT NO. ISSUED 1/16/87 (1) STREET ADDRESS OF JOB 1763 NORTHPOINT ST. BLOCK & LOT 436F-28 (2A) ESTIMATED COST OF JOB \$4,455.00 (2B) REVISED COST: BY: DATE:

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

DESCRIPTION OF EXISTING BUILDING (6A) TYPE OF CONSTR. 5N (6B) NO. OF STORIES OF OCCUPANCY: 2 (6C) NO. OF BASEMENTS AND CELLARS: 1 (6A) PRESENT USE DWELLING (6B) OCCUP. CLASS R1 (6A) NO. OF DWELLING UNITS: 3 DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION (6A) TYPE OF CONSTR. 5N (6B) NO. OF STORIES OF OCCUPANCY: 2 (6C) NO. OF BASEMENTS AND CELLARS: 1 (6A) PROPOSED USE (LEGAL USE) DWELLING (6B) OCCUP. CLASS R1 (6A) NO. OF DWELLING UNITS: 3 (10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? YES NO (11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES NO (12) ELECTRICAL WORK TO BE PERFORMED? YES NO (13) PLUMBING WORK TO BE PERFORMED? YES NO (14) GENERAL CONTRACTOR MARKOFF TERMITE CO., 182 SCHOOL ST., DALY CITY 992-8900 CALIF. LIC. NO. 4739 EXPIRATION DATE 6-89 (15) OWNER - LYNCH ADDRESS SAME PHONE (FOR CONTACT BY BUREAU)

(14) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT) REPAIR & CHEMICALLY TREAT TERMITE DAMAGE REPAIR REAR WALL REPAIR PORCH AND STAIR ASSEMBLY \*\*SEE ATTACHED REPORTS 10-14-86 No structural work

ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY

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

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit... No portion of building or structure or scaffolding used during construction, to be closer than 6' to any wire containing more than 750 volts... Grade lines as shown on drawings accompanying this application are assumed to be correct... ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED. BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED... 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 THERETO WILL BE COMPLIED WITH.

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... 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 THERETO WILL BE COMPLIED WITH. Applicant's Signature Paul Martin Date 1-16-87

# EXHIBIT J

CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 558-8006). THIS APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED. MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES.

**APPROVED**  
Dept. of Public Works

JUL 9 1990

*R. J. [Signature]*

*1600 Jackson*

APPROVED FOR ISSUANCE  
JUL 9 1990

3/8

09013359

APPLICATION NUMBER

OSHA APPROVAL REQUIRED

APPROVAL NUMBER

**APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS**

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS**

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 WITH DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

FORM 3  OTHER AGENCIES REVIEW REQUIRED

FORM 1  OVER-THE-COUNTER ISSUANCE *RS*

NUMBER OF PLAN SETS *1-23-91*

DATE FILED <i>7-9-90</i>	PLANS PER RECEIPT NO.	(1) STREET ADDRESS OF JOB <i>1763 Northpoint St.</i>	BLOCK & LOT
PERMITS NO. <i>647083</i>	ISSUED <i>7-9-90</i>	(2A) ESTIMATED COST OF JOB <i>15,000.-</i>	(2B) REVISED COST: BY: DATE:

**INFORMATION TO BE FURNISHED BY ALL APPLICANTS**

DESCRIPTION OF EXISTING BUILDING				(8A) OCCUP. CLASS <i>R-1</i>	(9A) NO. OF DWELLING UNITS <i>3</i>
(4A) TYPE OF CONSTR. <i>Remodel</i>	(4B) NO. OF STORIES OF OCCUPANCY <i>3</i>	(4C) NO. OF BASEMENTS AND CELLARS <i>0</i>	(7A) PRESENT USE <i>Residential - duplex</i>		
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION				(8) OCCUP. CLASS <i>R-1</i>	(9) NO. OF DWELLING UNITS <i>3</i>
(5) TYPE OF CONSTR. <i>Remodel</i>	(5B) NO. OF STORIES OF OCCUPANCY <i>3</i>	(5C) NO. OF BASEMENTS AND CELLARS <i>0</i>	(7) PROPOSED USE (LEGAL USE) <i>Residential - duplex</i>		
(10) IS AUTO REPAIR SHOP TO BE CONSTRUCTED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(13) PLUMBING WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
(14) GENERAL CONTRACTOR <i>GREEN CONSTRUCTION</i>		ADDRESS <i>1534 Dwight Way Berkeley Ca</i>	PHONE <i>561745</i>	CALIF. LIC. NO. <i>4/91</i>	EXPIRATION DATE
(15) OWNER - LESSEE (CROSS OUT ONE) <i>Paul Leonard/Wendy Lynch</i>		ADDRESS <i>1763 Northpoint SF</i>	ZIP <i>94123</i>	PHONE (FOR CONTACT BY BUREAU) <i>828-9755</i>	
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT) <i>Remove existing cabinets, remove cracked plaster so replace with sheetrock as needed. Install new cabinets. Replace any dry rot studs. Install new wood sash window over sink in kitchen.</i>					

**ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY**

(17) DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IS (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT.	(19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALK COVER OR SIDEWALK SPACE BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? IF YES, SHOW ON PLAN PLASH.	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(24) ARCHITECT OR ENGINEER DESIGN <input type="checkbox"/> CONSTRUCTION <input checked="" type="checkbox"/>		ADDRESS	CALIF. CERTIFICATE NO.		
(25) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESCRIPTION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOW")					

**IMPORTANT NOTICES**

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit, notwithstanding such change. See San Francisco Building Code and San Planning Hearing Code.  
No portion of building or structure of scaffolding used during construction, to be closer than 10' to any wire containing more than 750 volts. See Sec. 385, California Penal Code.  
Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.  
Orders shall be shown on drawings accompanying this application are assumed to be correct. If errors are shown on drawings, the applicant is responsible for providing corrected drawings and files together with complete details of retaining walls and wall footings required must be submitted to this bureau for approval.  
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWERS 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 challenges of 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. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:  
( ) I. Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.  
(X) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.  
( ) III. An exact copy or duplicate of (I) certified by the Director or (II) certified by the insurer.  
( ) IV. The cost of the work to be performed is \$100 or less.  
( ) V. 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 Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.  
( ) VI. 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 THERETO WILL BE COMPLIED WITH.

*Cheryl Green* *7-9-90*  
Applicant's Signature Date

CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 558-6096). THIS APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODE.

APPROVED FOR ISSUANCE  
 DISTRICT INSPECTOR: JOHN JACKSON  
 TITLE: 2-2  
 BE:  YES  NO  
 EXP:  YES  NO

BLDG. FORM 3/8  
 9018886  
 PERMITS NUMBER

OSHA APPROVAL REQD   
 APPROVAL NUMBER

**APPLICATION FOR BUILDING PERMIT - ADDITIONS, ALTERATIONS OR REPAIRS**  
 CITY AND COUNTY OF SAN FRANCISCO  
 DEPARTMENT OF PUBLIC WORKS

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.

FORM 3  OTHER AGENCIES REVIEW REQUIRED  
 FORM 8  OVER-THE-COUNTER ISSUANCE WJ  
 NUMBER OF PLAN SETS: 1.23.91

DATE FILED: 8/21/90 PLUMBING FEE RECEIPT NO. (1) STREET ADDRESS OF JOB: 1765 Northpoint St. BLOCK & LOT: 436F/028  
 PERMIT NO.: 650961 ISS. #/3: 8-21-90 (2A) ESTIMATED COST OF JOB: 10,000.- (2B) REVISED COST: \_\_\_\_\_ BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**INFORMATION TO BE FURNISHED BY ALL APPLICANTS**

DESCRIPTION OF EXISTING BUILDING					
(4A) TYPE OF CONSTR.:	(5A) NO. OF STORES OF OCCUPANCY:	(6A) NO. OF BASEMENTS AND CELLARS:	(7A) PRESENT USE:	(8A) OCCUP. CLASS:	(9A) NO. OF DWELLING UNITS:
<u>5-0</u>	<u>3</u>	<u>0</u>	<u>Dwelling</u>	<u>B-1</u>	<u>3</u>
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION					
(4) TYPE OF CONSTR.:	(5) NO. OF STORES OF OCCUPANCY:	(6) NO. OF BASEMENTS AND CELLARS:	(7) PROPOSED USE (LEGAL USE):	(8) OCCUP. CLASS:	(9) NO. OF DWELLING UNITS:
<u>5-0</u>	<u>3</u>	<u>0</u>	<u>Dwelling</u>	<u>B-1</u>	<u>3</u>

(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? YES  NO   
 (11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES  NO   
 (12) ELECTRICAL WORK TO BE PERFORMED? YES  NO   
 (13) PLUMBING WORK TO BE PERFORMED? YES  NO

(14) GENERAL CONTRACTOR: GREEN CONSTRUCTION ADDRESS: 624 Dwight Way, Berkeley Ca. PHONE: (415) 841-1111 CALIF. LIC. NO.: 56745 EXPIRATION DATE: 1/91

(15) OWNER - LESSEE (CROSS OUT ONE): Wendy Lynch, Pam Leonard ADDRESS: 1765 Northpoint ZIP: 94123 PHONE (FOR CONTACT BY BUREAU): 923-9128

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT):  
Remove interior partitions non-bearing walls to allow for removal of earthquake damaged concrete floor slab. Pour new concrete slab in apt. ~~garage~~ garage and driveway.  
ALL OTHER IMPROVEMENT STILL PENDING UNDER 9013636  
REQUIRING CITY PLANNING APPROVAL

**ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY**

(17) DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING? YES  NO   
 (18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT.: \_\_\_\_\_  
 (19) DOES THIS ALTERATION CREATE, DECK OR HORIZ. EXTENSION TO BUILDING? YES  NO   
 (20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.: \_\_\_\_\_  
 (21) WILL SIDEWALK COVER SUBSIDEWALK BE REPAIRED OR ALTERED? YES  NO   
 (22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES  NO   
 (23) ANY OTHER EXISTING BLDG. ON LOT? IF YES, SHOW ON PLOT PLAN: YES  NO   
 (24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES  NO

(25) ARCHITECT OR ENGINEER DESIGN  CONSTRUCTION  ADDRESS: \_\_\_\_\_ CALIF. CERTIFICATE NO.: \_\_\_\_\_

(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN"). ADDRESS: \_\_\_\_\_

**IMPORTANT NOTICES**

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.  
 No portion of building or structure or scaffolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 385, California Penal Code.  
 Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.  
 Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and soil borings required must be submitted to this bureau for approval.  
 ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
 BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
 APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWERS 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 drawings orulating materials must have a clearance of not less than two inches from all electric wires or equipment.  
 CHECK APPROPRIATE BOX:  
 OWNER  ARCHITECT  ENGINEER  
 LESSEE  AGENT WITH POWER OF ATTORNEY  
 CONTRACTOR  ATTORNEY IN FACT  
 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.

**NOTICE TO APPLICANT**

**HOLD HARMLESS CLAUSE:** The Permittee(s) by acceptance of the permit, agrees 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. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:  
 ( ) I. Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.  
 (X) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.  
 ( ) III. An exact copy or duplicate of (I) certified by the Director or (II) certified by the insurer.  
 ( ) IV. The cost of the work to be performed is \$100 or less.  
 ( ) V. 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 Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.  
 ( ) VI. 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 Signature: Cheryl Green Date: 8/21/90

APPROVED  
Dept. of Public Works

AUG 09 1990

SUPERINTENDENT  
BUREAU OF BUILDING INSPECTION  
MR. TODD JACKSON

BIG FORM 3/8

APPLICATION NUMBER 09015830

OSHA APPROVAL REQ'D

CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 558-6096). THIS APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODE.

APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3  OTHER AGENCIES REVIEW REQUIRED  
FORM B  OVER-THE-COUNTER ISSUANCE  
NUMBER OF PLAN SETS 123/91

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS

OFFICE COPY

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.

DATE FILED 8-9-90 AND FEE RECEIPT NO. 649921 (1) STREET ADDRESS OF JOB 1765 Northpoint St BLOCK & LOT (2) ESTIMATED COST OF JOB \$5000. (3) REVISED COST: DATE:

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

DESCRIPTION OF EXISTING BUILDING (6A) TYPE OF CONSTR. 5-N (6B) NO. OF STORES OF OCCUPANCY 3 (6C) NO. OF BASEMENTS AND CELLARS 0 (6D) PRESENT USE: Residential (6E) OCCUP. CLASS R-1 (6F) NO. OF DWELLING UNITS 3  
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION (4) TYPE OF CONSTR. 5-N (4B) NO. OF STORES OF OCCUPANCY 3 (4C) NO. OF BASEMENTS AND CELLARS 0 (4D) PROPOSED USE (LEGAL USE): Residential (4E) OCCUP. CLASS R-1 (4F) NO. OF DWELLING UNITS 3  
(10) IS AUTO HIGHWAY TO BE CONSTRUCTED OR ALTERED? NO (11) WILL STREET SPACE BE USED DURING CONSTRUCTION? NO (12) ELECTRICAL WORK TO BE PERFORMED? NO (13) PLUMBING WORK TO BE PERFORMED? NO  
(14) GENERAL CONTRACTOR: Green Construction 1534 Dwight Way Berkeley CA 94705 4/91  
(15) OWNER: Wendy Lynch 1765 Northpoint St. SF 94123 923.9128

(14) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)  
Remove cracked stucco from rear wall ground floor 8' high 24' wide. Replace dry rotted sill and 5 dry rotted studs. Replace stucco. NEW TO MATCH EXISTING.

NON-STRUCTURAL REPAIR WORK ONLY

ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY  
(17) DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING? NO  
(18) WILL SIDEWALK OVER SURF SIDEWALK SPACE BE REPAIRED OR ALTERED? NO  
(19) DOES THIS ALTERATION CREATE DECK OR PORCH, EXTENSION TO BUILDING? NO  
(20) ANY OTHER EXISTING BLDG. DAMAGE? IF YES, SHOW ON FLOOR PLAN  
(21) WILL THIS BUILDING BE EXTENDED BEYOND PROPERTY LINE? NO  
(22) ARCHITECT OR ENGINEER DESIGN? NO  
(23) ARCHITECT OR ENGINEER DESIGN? NO  
(24) CONSTRUCTION LICENSE (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LICENSE, ENTER "UNKNOWN")

IMPORTANT NOTICES  
No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.  
No portion of building or structure or scaffolding used during construction, to be closer than 8'0" to any wire containing more than 750 volts. See Sec. 365, California Penal Code.  
Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.  
Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this bureau for approval.  
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A 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 changing 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  
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 THERETO WILL BE COMPLIED WITH.

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. If however, item (VII) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:  
( ) I. Certificate of Consent to Self-insure issued by the Director of Industrial Relations.  
(X) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.  
( ) III. An exact copy or duplicate of (I) certified by the Director or (II) certified by the insurer.  
( ) IV. The cost of the work to be performed is \$100 or less.  
( ) V. 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 Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.  
( ) VI. I certify as the owner (or the agent of the owner) that in the performance of the work (or which this Permit is issued, I will employ a contractor who complies with the workman's compensation laws of California and who has an (F), or prior to the commencement of any work will file, with the Central Permit Bureau evidence that workman's compensation insurance is carried.  
Cheryl Green 8/7/90  
Applicant's Signature Date



CONDITIONS AND STIPULATIONS

APPROVED:  *[Signature]*

**APPROVED**  
 Dept. of Public Works  
 THE 28 1950

*[Signature]*  
 BUILDING INSPECTOR, BUR. OF BLDG. INSP.

BUILDING INSPECTOR, BUR. OF BLDG. INSP.

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

**OFFICE COPY**

DEPARTMENT OF CITY PLANNING

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

CIVIL ENGINEER, BUR. OF BLDG. INSPECTION

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

BUREAU OF ENGINEERING

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

DEPARTMENT OF PUBLIC HEALTH

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

REDEVELOPMENT AGENCY

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

APPROVED:  *[Signature]*

HOUSING INSPECTION DIVISION

DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

NOTIFIED MR. \_\_\_\_\_

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.

Number of attachments  \_\_\_\_\_ OWNER'S AUTHORIZED AGENT

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

**APPROVED**  
Dept. of Public Works

JUL 6 1990

APPROVED FOR ISSUANCE  
JUL 6 1990

APPROVAL NUMBER: 09013271

APPROVAL NUMBER: 09013271

APPROVAL NUMBER: 09013271

**APPLICATION FOR BUILDING PERMIT**  
**ADDITIONS, ALTERATIONS OR REPAIRS**

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

NUMBER OF PLAN SETS: 1-23-91

**CITY AND COUNTY OF SAN FRANCISCO**  
**DEPARTMENT OF PUBLIC WORKS**

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF PUBLIC WORKS FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE REGULATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HERINAFTER SET FORTH.

DATE PAID: 7/6/90

PERMIT NO.: 646996

BUILD: 71590

(1) STREET ADDRESS OF JOB: 1765 Northpoint St. 1763, 1763A

(2) ESTIMATED COST OF JOB: \$5,000

(3) REVISIONS COST: \$

DATE:

**INFORMATION TO BE FURNISHED BY ALL APPLICANTS**

**DESCRIPTION OF EXISTING BUILDING**

(1) TYPE OF CONSTR.: Residential

(2) NO. OF STORIES OF OCCUPANCY: 3

(3) NO. OF BASEMENTS AND CELLARS: 1

(4) PRESENT USE: occupied by owners

(5) OCCUP. CLASS: RI

(6) NO. OF DWELLING UNITS: 3

**DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION**

(1) TYPE OF CONSTR.: Residential

(2) NO. OF STORIES OF OCCUPANCY: 3

(3) NO. OF BASEMENTS AND CELLARS: 1

(4) PROPOSED USE (LEGAL USE): occupied by owners

(5) OCCUP. CLASS: R1

(6) NO. OF DWELLING UNITS: 3

(7) IS AUTO DRIVEWAY TO BE CONSTRUCTED OR ALTERED? YES  NO

(8) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES  NO

(9) ELECTRICAL WORK TO BE PERFORMED? YES  NO

(10) PLUMBING WORK TO BE PERFORMED? YES  NO

(11) GENERAL CONTRACTOR: Green Construction

(12) OWNER: Wendy Lynch, Pam Leonard

(13) ADDRESS: 1765 Northpoint St. 94123

(14) ADDRESS: 1534 Dwight Way Berkeley, CA 94703

(15) ADDRESS: 1765 Northpoint St. 94123

(16) PHONE: 848-9755

(17) PHONE: 848-9755

(18) PHONE: 848-9755

(19) PHONE: 848-9755

(20) PHONE: 848-9755

(21) PHONE: 848-9755

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**ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY**

(1) DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING? YES  NO

(2) WILL SIDEWALK OVER WALL FOOTING BE REPAIRED OR ALTERED? YES  NO

(3) ARCHITECT OR ENGINEER (DESIGN)  CONSTRUCTION

(4) CONSTRUCTION LICENSE (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LICENSE, ENTER "UNKNOWN")

**IMPORTANT NOTICES**

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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

**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 THERETO WILL BE COMPLIED WITH.

Cheryl Green 7/6/90  
Applicant's Signature Date

**NOTICE TO APPLICANT**

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In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have on 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. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:

( ) I. Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.

( ) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.

( ) III. An exact copy or duplicate of (I) certified by the Director or (II) certified by the insurer.

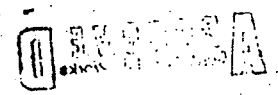
( ) IV. The cost of the work to be performed is \$100 or less.

( ) V. 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 Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.

( ) VI. 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.

CONDITIONS AND STIPULATIONS

APPROVED: [ ]  
DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_



BUILDING INSPECTOR, BUREAU OF BLDG. INSPECTION

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

OFFICE COPY

DEPARTMENT OF CITY PLANNING

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

CIVIL ENGINEER, BUR. OF BLDG. INSPECTION

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

BUREAU OF ENGINEERING

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

DEPARTMENT OF PUBLIC HEALTH

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

REDEVELOPMENT AGENCY

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

APPROVED: [ ]

HOUSING INSPECTION DIVISION

DATE: \_\_\_\_\_  
REASON: \_\_\_\_\_  
NOTIFIED MR. \_\_\_\_\_

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

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.

Number of attachments [ ]

OWNER'S AUTHORIZED AGENT \_\_\_\_\_

# EXHIBIT K

**APPROVED**  
Dept. of Public Works

ISEP 24 1990

SUPERINTENDENT  
BUREAU OF BUILDING INSPECTION

DAMIZ ad  
Todd JACKSON

318  
09013636

11-15-90  
APPROVAL NUMBER

**APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS**

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS

OFFICE COPY  
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.

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

2 NUMBER OF PLAN SETS 01/23/91

DATE FILED 7/11/90	PLANS FILED 21/22/90	(1) STREET ADDRESS OF JOB 1765 Northpoint ST. 436 F / 28	BLOCK & LOT MOCK & LOT
PERMIT NO. 653928	ISSUED 9-24-90	(2A) ESTIMATED COST OF JOB 25,000	(2B) REVISED COST OF JOB 25,000

**INFORMATION TO BE FURNISHED BY ALL APPLICANTS**

(1A) TYPE OF CONTE. SN	(1A) NO. OF STORIES OF OCCUPANCY 3	(1A) NO. OF BASEMENTS AND CELLARS 0	(1A) PROPOSED USE, LEGAL USE Residential	(1A) OCCUP. CLASS. R-3	(1A) NO. OF DWELLING UNITS 2
(1B) TYPE OF CONTE. SN	(1B) NO. OF STORIES OF OCCUPANCY 3	(1B) NO. OF BASEMENTS AND CELLARS 0	(1B) PROPOSED USE, LEGAL USE Residential	(1B) OCCUP. CLASS. R-3	(1B) NO. OF DWELLING UNITS 2

(14) GENERAL CONTRACTOR  
GREEN (Construction) 1584 Dwight Way Berkeley 561745 4/91

(15) OWNER - LESSEE (CHECK ONE)  
Wendy Lynch 1765 Northpoint SF. 94123 848-9788

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)  
Remove interior non-bearing partition walls to allow for ease of damaged concrete floor removal. Pour replacement concrete slab 4" thick. Reinstall partition walls as were previously existing. Pour replacement concrete in garage floor area.

**ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY**

(17) DOES THIS ALTERATION CREATE ADDITIONAL SPACE TO BUILDING? NO	(18) IF (17) IS YES, STATE THE HEIGHT AT CENTER LINE OF FRONT PROPERTY LINE NO	(19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING? NO	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA NO
(21) WILL SIDEWALK OVER SLAB SIDEWALK SPACE BE REPAIRED OR ALTERNATE? NO	(22) WILL BUILDING LETTING BE BEYOND PROPERTY LINE? NO	(23) ARE THERE EXISTING BODS ON LOT (IF YES, SHOW ON PLOT PLAN) NO	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO

(25) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF NONE IS KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN")

**IMPORTANT NOTICES**

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building structure or scaffolding used during construction, to be closer than 60" to any wire containing more than 750 volts. See Sec. 385, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this bureau for approval.

ANY SPECIFICATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED. BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A 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), (27) or (24). THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings all involving 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

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

**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 2800 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. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below.

( ) I. Certificate of Consent to Self-insure issued by the Director of Industrial Relations.  
 (X) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.  
 ( ) III. An exact copy or duplicate of (II) certified by the Director or (I) certified by the insurer.  
 ( ) IV. The cost of the work to be performed is \$100 or less.  
 ( ) V. 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 Labor Code of California and fail to comply forthwith with the provisions of Section 2800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.  
 ( ) VI. 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 an 17a, or prior to the commencement of any work will file, with the Central Permit Bureau evidence that workman's compensation coverage is correct.

Cheryl Green 7/11/90  
Applicant's Signature Date

CONDITIONS AND STIPULATION

APPROVED

APPROVED:

*John C. ...*  
BUILDING INSPECTOR, BUREAU OF BLDG. INSPECTION

838 5 938

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.

APPROVED:

Not reviewed by the Department of City Planning. This permit constitutes no indication that use of this property does or does not conform to the City Planning Code.

DEPARTMENT OF CITY PLANNING

APPROVED: as per plans and per application only for housekeeping unit only. 436 F/28 RH-2

CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW

*Stephan ...*  
AUG 22 1990  
BUREAU OF THE PREVENTION & PUBLIC SAFETY  
DEPARTMENT OF CITY PLANNING

APPROVED:

2889-SHS

CIVIL ENGINEER, BUREAU OF BLDG. INSPECTION

APPROVED:

BUREAU OF ENGINEERING

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

APPROVED:

REDEVELOPMENT AGENCY

APPROVED:

For work stated in application only.  
Approval of this Application does not constitute approval of the use and occupancy of this building

R. FUNG Sr. Housing Inspector

HOUSING INSPECTOR

I agree to comply with the conditions and stipulations of the various laws, ordinances, rules and regulations which are hereby made a part of this application, and a checked agreement of conditions or stipulations, which are hereby made a part of this application.

Name of medicine

OWNER'S AUTHORIZED AGENT

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

INSERT

11X14

HERE

# EXHIBIT L



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

00064

**APPROVED**  
Dept. of Public Works

FEB 15 1994

*None* *OK* *7 yee*

CONTACT DISTRICT INSPECTOR AT START OF WORK (TELEPHONE NO. 558-6096). THIS APPLICATION IS APPROVED WITH THE UNDERSTANDING THAT IT DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES.

APPROVED FOR ISSUANCE  
FEB 15 1994

APPLICATION NUMBER  
09402449

**APPLICATION FOR BUILDING PERMIT  
ADDITIONS, ALTERATIONS OR REPAIRS**

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS

FORM 3  OTHER AGENCIES REVIEW REQUIRED  
FORM B  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 THERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSES HEREIN SET FORTH.

NUMBER OF PLAN SETS: 1-1-95

DATE FILED 2-15-94	PERMITS RECEIPT NO.	(1) STREET ADDRESS OF JOB 1763-65 NORTH POINT	BLOCK & LOT 436F 28
PERMIT NO. 139726	ISSUED 2-15-94	(2A) ESTIMATED COST OF JOB 3200 <sup>00</sup>	(2B) REVERSED COST

**INFORMATION TO BE FURNISHED BY ALL APPLICANTS**

DESCRIPTION OF EXISTING BUILDING					
(1A) TYPE OF CONSTR. 5	(1A) NO. OF STORES OF OCCUPANCY 2	(1A) NO. OF BASEMENTS AND CELLARS 1	(1A) PRESENT USE 2 FAMILY	(1A) OCCUP. CLASS R3	(1A) NO. OF DWELLING UNITS 2
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION					
(1B) TYPE OF CONSTR. 5	(1B) NO. OF STORES OF OCCUPANCY 2	(1B) NO. OF BASEMENTS AND CELLARS 1	(1B) PROPOSED USE (REG. USE) 2 FAMILY	(1B) OCCUP. CLASS R3	(1B) NO. OF DWELLING UNITS 2
(10) IS AUTO HIGHWAY TO BE CONSTRUCTED OR ALTERED? NO	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? NO	(12) WILL ELECTRICAL WORK TO BE PERFORMED? NO	(13) WILL PLUMBING WORK TO BE PERFORMED? NO	(14) WILL MECHANICAL WORK TO BE PERFORMED? NO	(15) WILL OTHER WORK TO BE PERFORMED? NO
(16) GENERAL CONTRACTOR: Better Properties Inc. 1205 Plymouth Ave. S.F. 374-9438 29670 10-31-94					
(17) OWNER - LINDSEY (KNOCK OUT ONE): WENDY LARSH 1763 NORTH POINT SF 94123 922-1364					
(18) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT): REAR WALL - INSTALL VINYL SIDING 1080 3985					

**ADDITIONAL INFORMATION -- FORM 3 APPLICANTS ONLY**

(19) DOES THIS ALTERATION CREATE ADDITIONAL STOREY TO BUILDING? NO	(20) IF (19) IS YES, STATE NEW HEIGHT AT REAR LINE OF FRONT FL.	(21) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENDING TO BUILDING? NO	(22) IF (21) IS YES, STATE NEW SQUARE FLOOR AREA	(23) WILL SIDEWALK OVER SUB SIDEWALK SPACE BE REQUIRED OR ALTERED? NO	(24) WILL SIDEWALK EXTEND BEYOND PROPERTY LINE? NO	(25) ANY OTHER EXISTING BLDG. ON LOT (IF YES, SHOW ON PLAN)? NO	(26) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO
(27) ARCHITECT OR ENGINEER (DESIGN) <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/>							
(28) CONSTRUCTION UNDER APPROPRIATE AND BRANCH DESIGNATION IF ANY, IF THERE IS NO DESIGN CONSTRUCTION UNDER THIS PERMIT.							

**IMPORTANT NOTICES**

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.  
No portion of building or structure or scaffolding used during construction, to be closer than 5'0" to any wire containing more than 750 volts. See Sec. 385, California Penal Code.  
Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.  
Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cut and fills together with complete details of retaining walls and wall footings required must be submitted to this bureau for approval.  
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A 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  
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 THERETO WILL BE COMPLIED WITH.

**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 file item (IV) or (V) or (VI) below, whichever is applicable. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:  
( ) I. Certificate of Consent to Self-insure issued by the Director of Industrial Relations.  
(X) II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.  
( ) III. An exact copy or duplicate of (I) certified by the Director or (II) certified by the insurer.  
( ) IV. The cost of the work to be performed is \$100 or less.  
( ) V. 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 Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.  
( ) VI. 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 provides the commencement of any work will file, with the Central Permit Bureau evidence that workman's compensation insurance is carried.  
Applicant's Signature: *Wendy Larsh* 2-15-94

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6  
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### CONDITIONS AND STIPULATIONS

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

REFER TO: <input type="checkbox"/>	APPROVED: CONTACT DISTRICT INSPECTOR NAMED ON FACE OF APPLICATION AT START OF WORK (TELEPHONE NO. 558-4036). THIS APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT CONSTITUTE AN APPROVAL OF THE BUILDING WORK AUTHORIZED MUST BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODE. Any electrical or plumbing work will require appropriate separate permits. BUILDING INSPECTOR, BUR. OF BLDG. INSPECTION <i>[Signature]</i> 2-183	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: CIVIL ENGINEER, BUR. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

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

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.

Number of attachments

OWNER'S AUTHORIZED AGENT

# EXHIBIT M



**CITY AND COUNTY OF SAN FRANCISCO**  
**DEPARTMENT OF BUILDING INSPECTION**  
 1660 Mission Street  
 San Francisco, CA 94103-2414

# PAYMENT RECEIPT

Printed on: 02/24/2012 03:59:30 PM

**Building Inspection Division**

Phone:(415)558-6570

Fax:(415)558-6261

Payment Date: 02/24/2012

Job Address

Receipt Number: BID01117

**1763 NORTH POINT ST - CC7120**

Issued By: CYSIP

Payment received from:

Application Number:

PATRICIA HOWSON

Condo Conversion CC7120

1763 NORTHPOINT ST

SAN FRANCISCO CA 94123

1763 NORTH POINT ST - CC

Condo conversion for 1763-1765-1765A Northpoint St (application for physical inspection).

Payment received for the items indicated:

Fee Description	Payment Amount	Complaint#/ (if applicable)
BID Condo Conversion	\$2,300.00	
BID Tech Fee	\$46.00	

**TOTAL**

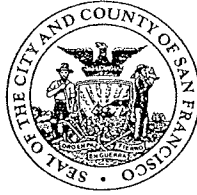
**\$2,346.00**

BY \_\_\_\_\_

**CUSTOMER COPY**

*Alwin Lau*  
*558-6349*

# EXHIBIT N



**Date of Report:** May 14, 2012

**Date of Inspection:** 4/14/12

**Report of Condition at:** 1763-1765 North Point Street

**Physical Inspection:** CC- 7120

**Owner of Record:** M. Patricia Howson, et al

**Block:** 0436F **Lot:** 028

**Mailing Address:** 1763 North Point Street,  
San Francisco, CA 94123

### Description of Property

The premises contain a 3 story, wood framed, Type V building without basement. There is an arrangement for 2 dwelling units R-3 occupancy on 2 floors. The ground level (1<sup>st</sup> floor) is used as private garage U occupancy and a house keeping room.

The original construction date of this building was 1932, according to the report of residential building record (pa#201403). There are no other outstanding Building, Electrical and Plumbing violations notices issued against this building, according to our Complaints Tracking System. The dimensions of this lot are 25ft. x 137.5ft. and is zoned RH-2.

### Building and Housing Inspection Report

The San Francisco Building, Housing and Mechanical Code violations contained herein are those that were observed at the time of inspection. If other, or similar, concealed violations become evident as corrective work progresses, they also shall be corrected in accordance with the San Francisco Building, Housing and Mechanical Code.

#### General Building:

1. Obtain all required inspections including final inspection for PA201104013356. SFBC Sec.106 et Seq; SFHC Sec.301

**Housekeeping Room:**

✓ No visible building code violations observed at time of this inspection.

**1763-65 North Point Street (both units):**

2. Obtain all required inspections including final inspection for PA201104013356. SFBC Sec.106 et Seq; SFHC Sec.301
3. No record of approved building permit was found for the addition of rear deck with spiral stairs at rear of building. If you have documentation disproving this, please provide this office with all relevant information. SFBC section 101,106 and 108; SFHC section 301
4. If documentation cannot be provided for item #2 and the owner chooses to retain the current use (or restore to the last approved use), it will be necessary to file acceptable plans/drawings, along with your building permit application. SFBC Sec. 106 et seq. & Chapter 34.

If you require any further information regarding this portion of the report, please call building inspector Adwin Lau at 415-558-6349 (desk) or 415-558-6570(main) between 7:30AM to 4:00 PM, or by email [adwin.lau@sfgov.org](mailto:adwin.lau@sfgov.org)

### Electrical Inspection Report

The San Francisco Electrical Code violations contained herein are those that were observed at the time of inspection. If other, or similar, concealed violations become evident as corrective work progresses, they also shall be corrected in accordance with the San Francisco Electrical Code.

#### Common Areas and Systems:

- ✓ 1. Install a separate electrical panelboard to supply the circuits serving common-area house loads, SFEC Section 210.25

#### Unit #1763:

- ✓ 2. Replace the open-lamp type luminaire/s (light fixture) in the hall closet closet/s with an enclosed-lamp type, SFEC Section 410.8
- ✓ 3. Replace the missing luminaire/s (light fixture) in the kitchen, breakfast room & rear bedroom, SFEC Section 89.13 & 210.70
- ✓ 4. Correct the ungrounded or open-ground condition in the dining room breakfast room & living room receptacle wiring, SFEC Section 89.116, 89.126 and 406.3
- ✓ 5. Install ground-fault protection for the kitchen receptacle outlet/s, SFEC Section 210.8
- 6. Restore all required egress and/or emergency illumination, San Francisco Housing Code Section 504 (g), SFEC Sections 89.116, 210.70, & 700.16 through 22

#### Unit #1765:

- ✓ 7. Correct the ungrounded or open-ground condition in the dining room, living room & breakfast room receptacle wiring, SFEC Section 89.116, 89.126 and 406.3
- ✓ 8. Replace the missing luminaire/s (light fixture) in the breakfast room, SFEC Section 89.13 & 210.70
- ✓ 9. Restore all required egress and/or emergency illumination, San Francisco Housing
- 7 ✓ 10. Code Section 504 (g), SFEC Sections 89.116, 210.70, & 700.16 through 22



**Housekeeping Unit:**

11. Restore all required egress and/or emergency illumination, San Francisco Housing Code Section 504 (g), SFEC Sections 89.116, 210.70, & 700.16 through 22
12. Replace the unapproved MC cable wiring in the storage & egress areas with an electrical installation suitable for the conditions of use, SFEC Article 89. 126
13. Replace the unapproved NMC cable wiring in the storage area with an electrical installation suitable for the conditions of use, SFEC Article 89. 126
14. Install ground-fault protection for the kitchen receptacle outlet/s, SFEC Section 210.8

Based on the above report, the violations contained herein shall be corrected by a California State licensed electrical contractor, subject to electrical permit and inspection requirements. **NO ELECTRICAL WORK SHALL BE PERFORMED UNTIL A VALID ELECTRICAL PERMIT IS ISSUED.**

If you need additional information regarding this report, please telephone Inspector Jeff Molinari at 415-558-6068. Office hours: 7:30 to 8:30 AM and 3:15 to 4:00 PM.

### **Plumbing Inspection Report**

The San Francisco Plumbing and Mechanical Code violations contained herein are those that were observed at the time of inspection. If other, or similar, concealed violations become evident as corrective work progresses, they also shall be corrected in accordance with the San Francisco Plumbing and Mechanical Code.

#### **Common Area:**

1. Install vacuum breakers on all hose bibbs. CPC Sec 603.4.7
2. Provide proper flue termination at the light well or ventilation shaft. CPC Sec 510.62

#### **1763 North Point (Upper Unit):**

3. Provide access to washer valves. CPC Sec 605.5
4. Install vacuum breakers at the hand held shower. CPC Sec 603.4.7

#### **1765 North Point (Lower Unit):**

5. Provide access to washer valves/ CPC Sec 605.5
6. CPC Install vacuum breaker at the hand held shower. CPC Sec 603.4.7

If you require any further information or assistance regarding this portion of the report, please call Inspector Richard Strabel at 558-6046 between 7:30 – 8:30 AM and 3:00 – 4:00 PM.

## INSTRUCTIONS TO OBTAIN PERMITS FOR CONDOMINIUM CONVERSION

### 1. APPLICANT TO OBTAIN ONE (1) BUILDING PERMIT. APPLY "BUILDING PERMIT" AT 1660 MISSION STREET, 1<sup>ST</sup> FLOOR.

Bring a copy of your "Report of Physical Inspection" for reference.  
Write **"To Comply with Physical Inspection Report #CC-7120"**  
on Line 16 of Building Application (description of work)

### 2. PLANS REQUIRED ALONG WITH BUILDING APPLICATION FOR THIS PROJECT.

→ X YES Item #2: legalize or remove rear wood decks

### 3. APPLICANT TO OBTAIN ELECTRICAL PERMIT/S

California state licensed contractors C-10 will be required.  
Under the "Description of Work by this Permit":

Write: **To Comply with Physical Inspection Report #CC-7120 (Electrical Report)**

### 4. APPLICANT TO OBTAIN ONE (1) PLUMBING PERMIT

California state licensed contractors C-36 will be required.  
Under the "Description of Work Covered By This Permit":

Write: **To Comply with Physical Inspection Report #CC-7120 (Plumbing Report)**

### 5. FOLLOW UP INSPECTIONS

Have the application (permit) numbers with you when call for inspections.  
CALL 415-575-6955 to schedule building, electrical and plumbing inspections.  
District Inspectors for Building, Electrical and Plumbing will be responsible for all the required follow up inspections including the final inspections.

### 6. ON THE DATE OF INSPECTION APPOINTMENT

Provide Building Job Card for District Electrical & Plumbing Inspectors to sign off.  
**Prior** to final building inspection, the electrical and plumbing inspectors have to sign off your building job card.

### 7. PROJECT COMPLETION


A certificate of final completion and occupancy (CFC) will be issue by the district building inspector upon final sign off on building job card.

### 8. ADDITIONAL CONTACT INFORMATION

Call (415) 558-6349 if you need further assistance.  
Or go to [www.sfdbi.org](http://www.sfdbi.org) and look for staff phone directory.

# EXHIBIT O

RECORDING REQUESTED BY: )  
 R. Boyd McSparran )  
 And When Recorded Mail To: )  
 Name: )  
 Goldstein, Gellman, et al., )  
 Address: )  
 1388 Sutter Street, #1000 )  
 City: )  
 San Francisco )  
 State: California 94109 )



San Francisco Assessor-Recorder  
 Phil Ting, Assessor-Recorder  
**DOC- 2012-J536114-00**  
 Check Number 4729  
 Wednesday, OCT 31, 2012 14:58:48  
 Ttl Pd \$23.00 Rcpt # 0004543820  
**REEL K764 IMAGE 0892**  
 okc/DM/1-4

) Space Above this Line For Recorder's Use

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

I (We) M. PATRICIA HOWSON, Trustee *J. H. PATRICIA HOWSON REV. TRUST. U/D 2/16/9*, 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 ATTACH THE LEGAL DESCRIPTION AS ON DEED)  
 BEING ASSESSOR'S BLOCK: 0436F; LOT: 028,  
 COMMONLY KNOWN AS: 1763-1765A NORTH POINT ST.**

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 (Planning Code).

Said Restrictions consist of conditions attached to the approval of Building Permit Application No. 2012.07.30.6039 by the Planning Department and are conditions that had to be so attached in order that said application could be approved under the Planning Code; and attached to the approval of Condominium Conversion Application No. 2012.1059Q by the Planning Department as a referral from the Department of Public Works, Bureau of Street-Use and Mapping, Project ID: 7301.

The tentative map filed with the present application indicates that the subject building at 1763-1765A North Point Street is a three-unit building located in a RH-2 (Residential, House, Two-Family) Zoning District. Within the RH-2 Zoning District, a maximum of two dwelling units can be considered legal and conforming to the Planning Code. The remaining one unit must be considered a legal, nonconforming dwelling unit.

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

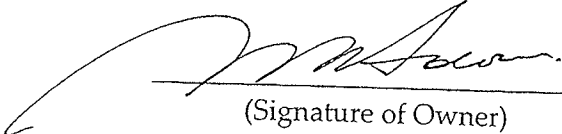
1. That said non-conforming unit is known as unit indicated as unit # 1765 and located on the 2<sup>nd</sup> floor, shall not be expanded beyond 1750 square feet, as

per the RH-2 zoning of the subject property, Section 209.1 of the City Planning Code provides that not more than two (2) dwellings shall occupy a lot, AND that Section 181 of said Code provides that any legal non-conforming conditions may remain, so long as such use is not intensified;

2. That the legal non-conforming third unit cannot be merged or eliminated, unless as reviewed and approved by the City Planning Department;
3. That the remaining two dwelling units shall remain legal and conforming, subject to all of the restrictions of the Code, and any other applicable City Codes. In case of conflict, the more restrictive City Code shall apply;
4. Minor modifications as determined by the Zoning Administrator may be permitted; and
5. The property owner(s) shall record a copy of these conditions with the Office of the Recorder of the City and County of San Francisco as part of the property records for the block and lot identified above.

The use of said property contrary to these special restrictions shall constitute a violation of the 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; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses herein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

Dated: Oct 30, 2012 at San Francisco, California.

  
\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Signature of Owner)

**This signature must be notarized prior to recordation; add Notary Public Certification and Official Notarial Seal below:**

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF NORTH POINT STREET, DISTANT THEREON 130 FEET EASTERLY FROM THE EASTERLY LINE OF FILLMORE STREET; RUNNING THENCE EASTERLY ALONG SAID LINE OF NORTH POINT STREET 25 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 137 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE WESTERLY 25 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 137 FEET AND 6 INCHES TO THE POINT OF COMMENCEMENT.

BEING A PORTION OF MARINA GARDENS.

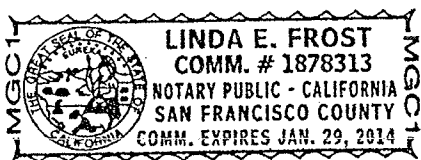
APN: Lot 28, Block 436F

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

On October 30, 2012, before me, LINDA E. FROST, a Notary Public, personally appeared Mary Patricia Howson, 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(ies) 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.



Linda E. Frost  
Linda E. Frost  
Notary Public, State of California

My commission expires 1-29-14



# EXHIBIT P



Department of Public Works  
Office of the City and County Surveyor

875 Stevenson Street, Room 410  
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

Edwin M. Lee, Mayor  
Mohammed Nuru, Director  
Fuad S. Sweiss, PE, PLS,  
City Engineer & Deputy Director of Engineering

Date: November 13, 2012

Approval of Tentative Map for  
**3 Units Condo Conversion**

Address	Block	Lot
1763 - 1765 NORTH POINT ST	0436F	028

Dear Sir/Madam:

This is to advise you that based on our findings the City and County Surveyor has made his decision affirming the approval of the subject Tentative Map.

The City and County Surveyor, together with the Planning Department and Department of Building Inspection have reviewed the application for conformity with the General Plan, and with the requirements of the Subdivision Map Act, the San Francisco Subdivision Code and applicable regulations for the Tentative Map.

Subdivision Code Section 1314 provides that an appeal of the decision of the City and County Surveyor may be made to the Board of Supervisors, located at 1 Dr. Carlton B. Goodlett Place, Room 244, telephone number (415) 554-5184.

**Any such appeal must be filed in writing with the Clerk of the Board within ten (10) days of the date of this letter along with a check in the amount of \$284 made out to the Department of Public Works.**

The file for this project is available for viewing at the Office of the City and County Surveyor located at 875 Stevenson Street, Room 410 during regular business hours.

If you have any questions on this matter, please contact us at (415) 554-5827, or our email address: [subdivision.mapping@sfdpw.org](mailto:subdivision.mapping@sfdpw.org)

Sincerely,

Bruce R. Storrs, P.L.S.  
City and County Surveyor  
City and County of San Francisco

# EXHIBIT Q



Capacity Charges  
 Water: \$ 99.50  
 Wastewater: \$ 298.50  
 60 3/3/14

JUL 30 2012

THIS APPLICATION SUBMITTED FOR SITE PERMIT ONLY. NO WORK MAY BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

APPROVED FOR ISSUANCE

APPROVAL NUMBER: 201207306038

BUILDING ENLARGEMENT  
 DESCRIPTION  
 VERTICAL  
 HORIZONTAL

APPROVED  
 DEPT. OF BUILDING INSPECTION  
 APR 28 2014

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS  
 CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

FORM 3  OTHER AGENCIES REVIEW REQUIRED  
 FORM 8  OVER-THE COUNTER ISSUANCE  
 2 NUMBER OF PLAN SETS  
 APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION 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.

BOARD OF APPEALS

MAY 13 2014  
 APPEAL # 14-096

DATE FILED 7-30-2012	FILING FEE RECEIPT NO. 12071191	(1) STREET ADDRESS OF JOB 1767 NORTHPOINT ST.	BLOCK & LOT 0436F-018
PERMIT NO. 1323063	ISSUED 4-28-14	(2A) ESTIMATED COST OF JOB \$ 30,000	(2B) REVISED COST: \$ 150,000

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING					
(4A) TYPE OF CONSTR. EB	(5A) NO. OF STORES OF OCCUPANCY 3	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE TWO UNITS	(8A) OCCUP. CLASS R-3	(9A) NO. OF DWELLING UNITS 2
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION					
(4) TYPE OF CONSTR. EB	(5) NO. OF STORES OF OCCUPANCY 3	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) THREE UNITS	(8) OCCUP. CLASS R-3	(9) NO. OF DWELLING UNITS 3
(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? NO	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? NO	(12) ELECTRICAL WORK TO BE PERFORMED? NO	(13) PLUMBING WORK TO BE PERFORMED? NO		
(14) GENERAL CONTRACTOR IDWNTOR	ADDRESS	PHONE	CALIF. LIC. NO.	EXPIRATION DATE	
(15) OWNER, LESSEE (CROSS OUT ONE) PAT HANSON	ADDRESS 1763 NORTHPOINT ST.	BTRC#	PHONE (FOR CONTACT BY DEPT.) (415) 922-7423		
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT) ONE-STORY REAR ADDITION TO BECOME LIVING ROOM LEGALIZE GROUND FLOOR UNIT AND CONVERT FROM 2-UNIT R-3 TO 3-UNIT R-2. NEW FIRE SPRINKLER SYSTEM TO BE PROVIDED UNDER SEPARATE PERMIT.					

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? NO	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT. NO	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? NO	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT. 250
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? NO	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? NO	(23) ANY OTHER EXISTING BLDG. ON LOT (IF YES, SHOW ON PLOT PLAN) NO	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO
(25) ARCHITECT OR ENGINEER (DESIGN) <input checked="" type="checkbox"/> CONSTRUCTION <input type="checkbox"/> JAN LAPICOVSKY	ADDRESS 9470 WEST SUNSET BLVD #70 LOS ANGELES	CALIF. CERTIFICATE NO.	
(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN") N/A			

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.  
 No portion of building or structure or scaffolding used during construction, to be closer than 60" to any wire containing more than 750 volts (See Sec 385, California Penal Code).  
 Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The contractor is responsible for approved signs and application being kept at building site.  
 Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to the department for approval.  
 ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.  
 BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.  
 APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A 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  
 AGENT  
 ENGINEER  
 TONY FONG  
 415-810-4583

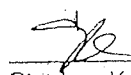



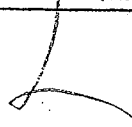


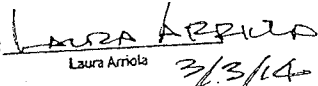
NOTICE TO APPLICANT

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 or actions.  
 In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (I), or (II) designated below or shall indicate item (III), or (IV), or (V), whichever is applicable. If however item (V) is checked item (IV) must be checked as well. Mark the appropriate method of compliance below.  
 I hereby affirm under penalty of perjury one of the following declarations:  
 ( ) I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.  
 ( ) II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:  
 Carrier \_\_\_\_\_  
 Policy Number \_\_\_\_\_  
 ( ) III. The cost of the work to be done is \$100 or less.  
 ( ) IV. 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 workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with 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 for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.  
 Signature of Applicant or Agent \_\_\_\_\_  
 Date \_\_\_\_\_

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.

**CONDITIONS AND STIPULATIONS**

<input checked="" type="checkbox"/>	<p>APPROVED: CISCO THIS APPLICATION APPROV FOR SITE PERMIT ONLY NO WORK MAY BE STARTED UNTIL THE CONSTRUCTION PLANS HAVE BEEN APPROVED BY THE BUILDING INSPECTOR, DEPT. OF BLDG. INSP.</p> <p style="text-align: right;">                   Stephen Kwok, DBI                  JAN 15 2014             </p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	<p>APPROVED: HORIZONTAL EXPANSION FOR PLANS, MEASURING 17' X 15' &amp; FIREWALL ALONG EAST PL</p> <p style="text-align: center;"><input checked="" type="checkbox"/> NOTICE OF SPECIAL RESTRICTIONS</p> <p style="text-align: right;">                 2012753614 RECORDED 10/31/13                    DEPARTMENT OF CITY PLANNING             </p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	<p>APPROVED:</p> <p style="text-align: center;">                   BUREAU OF FIRE PREVENTION &amp; PUBLIC SAFETY             </p>	BOARD OF APPEALS MAY 13 2014 APPEAL # 14-096 DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	<p>APPROVED:</p> <p style="text-align: center;">                   MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION             </p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	<p>APPROVED:</p> <p style="text-align: center;">                   CIVIL ENGINEER, DEPT. OF BLDG INSPECTION             </p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	<p>APPROVED:</p> <p>As noted on plans.</p> <p style="text-align: right;">                 LTC 4/25/14                  By LTC 5/20/13                  Llong Tian Cy, DPW/BSM             </p> <p style="text-align: center;">BUREAU OF ENGINEERING</p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	<p>APPROVED:</p> <p style="text-align: center;">                   DEPARTMENT OF PUBLIC HEALTH             </p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	<p>APPROVED:</p> <p style="text-align: center;">                   REDEVELOPMENT AGENCY             </p>	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	<p>APPROVED:</p> <p>SFPUC Capacity Charges See attached SFPUC Capacity Charge Invoice for total amount due. DBI will collect 50% or more of the total amount before the Site Permit is issued. Any balance will be billed and collected by SFPUC directly.</p> <p style="text-align: right;">                 SFPUC                   Laura Arriola 3/3/14             </p> <p style="text-align: center;">BUILDING INSPECTION DIVISION</p>	DATE: _____ REASON: _____ NOTIFIED MR. _____

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

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

Number of attachments    
 OWNER'S AUTHORIZED AGENT

# Permits, Complaints and Boiler PTO Inquiry

## Permit Details Report

**Report Date:** 5/20/2014 7:09:33 PM  
**Application Number:** 201207306039  
**Form Number:** 3  
**Address(es):** 0436F / 028 / 0 1767 NORTH POINT ST  
**Description:** 1 STORY REAR ADDITION TO BECOME LIVING ROOM. LEGALIZE GROUND FLOOR UNIT AND CONVERT FROM 2-UNIT R-3 TO 3-UNIT R-2. NEW FIRE SPRINKLER SYSTEM PER NFPA 13R/ 13, TO BE PROVIDED UNDER SEPARATE PERMIT.  
**Cost:** \$150,000.00  
**Occupancy Code:** R-2  
**Building Use:** 28 - 2 FAMILY DWELLING

## Disposition / Stage:

Action Date	Stage	Comments
7/30/2012	TRIAGE	
7/30/2012	FILING	
7/30/2012	FILED	
4/28/2014	APPROVED	
4/28/2014	ISSUED	
5/14/2014	SUSPEND	per BOA's request dated 05/14/2014

## Contact Details:

### Contractor Details:

**License Number:** OWN  
**Name:** OWNER OWNER  
**Company Name:** OWNER  
**Address:** OWNER \* OWNER CA 00000-0000  
**Phone:**

## Addenda Details:

### Description:SITE

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	7/30/12	7/30/12			7/30/12	CHEUNG WAI FONG	
2	CP-ZOC	7/30/12	10/16/12	10/17/12		5/8/13	LAI SHARON	5/8/13: approved single-story rear horizontal extension with fire wall; NSR #2012J536114, dated 10/31/12 - designatenon-conforming unit as #1765 located on the 2nd floor and shall not be expanded beyond 1750sf. NOPDR NOPDR#2 12/21/12
3	CP-NP	3/28/13	3/28/13			4/26/13	LAI SHARON	Section 311 Cover Letter Mailed: 2/27/13 Section 311 mailed: 3/28/13 Exp: 4/26/13 (Milton)
4	BLDG	5/9/13	5/17/13	11/7/13	1/15/14	1/15/14	KWOK STEPHEN	
5	SFFD	1/16/14	2/12/14	2/12/14		4/22/14	ENG AMY	2/12/14 comments issued/mailed to owner
6	DPW-BSM	5/17/13	5/20/13			5/20/13	CY LIONGTIAN	5-20-13 A separate permit from the Bureau of Street-Use & Mapping (BSM) is required for work involving alteration, reconstruction or repair of sidewalk, curb or gutter in the City right-of-way. DPW/BSM sign off is required.
7	SFPUC	2/12/14	3/3/14			3/3/14	ARRIOLA LAURA	Permit has been assessed a Capacity Charge. 50% paid with permit fees; balance due within 12 months of permit issued date. See Invoice attached to application. Route to PPC - 03/03/14.
8	CP-ZOC	4/22/14	4/23/14			4/23/14	LAI SHARON	New sheets, no changes in scope of work beyond 311 notification. Maintain second level unit as existing illegal non-conforming
9	DPW-BSM	4/24/14	4/25/14			4/25/14	CY LIONGTIAN	4-25-14 A separate permit from the Bureau of Street-Use & Mapping (BSM) is required for work involving alteration, reconstruction or repair of sidewalk, curb or gutter in the City right-of-way. DPW/BSM sign off is required.
10	PPC	4/25/14	4/25/14			4/25/14	SAMARASINGHE	4/25/14: to CPB.grs 4/22/14: Revised set needs CP ZOC and BSM restamp. To CP

11 CPB 4/25/14 4/28/14 4/28/14 CHEUNG WAI FONG 4/28/14: approved. no SFUSD fee. wf  
*Plan for CP 20 C. gov 3/4/4. Hold 13th; sat. gov*

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

**Appointments:**

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
---------------	-----------	------------------------	-------------------

**Special Inspections:**

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

**Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

# EXHIBIT R



## Permits, Complaints and Boiler PTO Inquiry

### COMPLAINT DATA SHEET

**Complaint Number:** 201469981

Owner/Agent: OWNER DATA  
SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA  
SUPPRESSED

Date Filed: 04/28/2014

Location: 1771 NORTH POINT ST

Block: 0436F

Lot: 027

Site:

Rating:

Occupancy Code:

Received By: Gregory Slocum

Division: INS

Complainant's Phone:

Complaint Source: TELEPHONE

Assigned to Division: BID

Description: Wood wall built on property line fire wall; fire hazard and in violation to codes. Ref. Complaints 201456081, 201446776

Instructions:

### INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	FESSLER	6252	4	

### REFERRAL INFORMATION

#### COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
04/28/14	CASE OPENED	BID	Fessler	CASE RECEIVED	
05/08/14	WRK OVER PRMIT SCOPE	BID	Fessler	PERMIT RESEARCH	researching permit history TF

### COMPLAINT ACTION BY DIVISION

**NOV (HIS):**

**NOV (BID):**

[Online Permit and Complaint Tracking](#) home page.

### Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

## Permits, Complaints and Boiler PTO Inquiry

### COMPLAINT DATA SHEET

**Complaint Number:** 201456081

Owner/Agent: OWNER DATA  
SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA  
SUPPRESSED

Date Filed: 03/05/2014

Location: 1771 NORTH POINT ST

Block: 0436F

Lot: 027

Site:

Rating:

Occupancy Code:

Received By: JingJing Lu

Division: BID

Complainant's Phone:

Complaint Source: TELEPHONE

Assigned to Division: BID

Description: Fire wall at south east property line has been increased in height by approx 8' beyond scope of 201309045955

Instructions:

### INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	FESSLER	6252	4	

### REFERRAL INFORMATION

#### COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
03/05/14	CASE OPENED	BID	Fessler	CASE RECEIVED	
04/02/14	WITHOUT PERMIT - OTHER	BID	Fessler	CASE CLOSED	spoke with contractor about placing combustible material upon a property line wall is in violation of the building code. TF

### COMPLAINT ACTION BY DIVISION

**NOV (HIS):**

**NOV (BID):**

Inspector Contact Information

[Online Permit and Complaint Tracking](#) home page.

### Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

# EXHIBIT S



**SAN FRANCISCO WATER, POWER AND SEWER**  
Services of the San Francisco Public Utilities Commission

**Payment Remittance Address**      **Account Number:**  
P.O. Box 7369  
San Francisco, CA 94120-7369

**Bill Date:** 06/24/2014  
**Auto Pay to settle on or after:** 07/09/2014  
**Total Amount:** \$57.75

San Francisco  
**Water  
Power  
Sewer**

**Website Address**  
www.sfwater.org

**Service Address:**  
1763 - 1765 North Point St

**Questions?**  
Please call us at 415-551-3000

**Customer Name:**  
Howson, Patricia

Your current water charge includes \$10.44 for costs attributable to water rate increases resulting from the issuance of Water System Improvement Revenue Bonds authorized by the voters in 2002. An owner of a residential rental unit may pass through 50% of this cost to tenants. For more information, contact the SF Rent Board at 25 Van Ness Ave, Suite 320, or call (415) 252-4602 or visit the Rent Board website at [www.sfgov.org/rentboard](http://www.sfgov.org/rentboard).

California is in a drought!  
Do your part to conserve water. Shorter showers. Turn off faucets. Replace old showerheads, toilets and clothes washers. Fix Leaks. Only full loads in dish and clothes washers. Learn more, [sfwater.org/conservation](http://sfwater.org/conservation).

My account launch May 2014  
Available this May, first release of new My Account web portal - see your daily water use, access and pay your bills online!  
Enroll at [my.account.sfwater.org](http://my.account.sfwater.org)

**Summary of Charges as of 06/24/2014**

<b>Previous Balance</b>	<b>\$70.09</b>	
06/10/14 Payment	-70.09	
<b>Total Previous Balance</b>		<b>\$0.00</b>
<b>Current Charges - See Below</b>	<b>\$57.75</b>	
<b>Total Current Charges</b>		<b>\$57.75</b>
<b>Total Amount Due</b>		<b>\$57.75</b>

**Calculation of Current Charges**

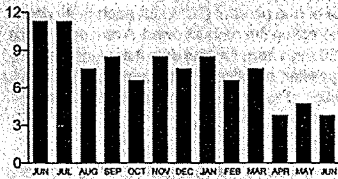
<b>Water Service - Residential Multiple Family (3 Dwelling Units)</b>	<b>\$26.40</b>
Service from 05/24/2014 to 06/24/2014	
Water Service Charge	8.40
Tier 1 - Water Consumption Charge 4.00 units @ \$4.50	18.00
<b>Sewer Services</b>	<b>\$31.35</b>
<b>Multiple Family Residence (3 Dwelling Units)</b>	
95% Wastewater Flow Factor	
Total Discharge units 3.80 (4.00 units X 95%)	
Service from 05/24/2014 to 06/24/2014	
Tier 1 - Wastewater Charge 3.80 units @ \$8.25	31.35
<b>Current Charges</b>	<b>\$57.75</b>

**Meter Reading 05/23/2014 - 06/24/2014**

Meter Number	Meter Size	Previous Reading	Current Reading	Consumption
0020366620	5/8	282	286	4
Total consumption in units of water				4
Total consumption in gallons of water				2,992
Next scheduled meter reading on or about 07/24/2014				

**Compare Your Water Consumption**

(in units of water)



A unit of water is 748 gallons.

Bill Period	Days	Gallons	Gals/Day	Cost/Day
This Year	32	2992	93	\$1.80
Last Year	61	19448	318	\$5.69

Please see reverse side for important information.



**SAN FRANCISCO WATER, POWER AND SEWER**  
Services of the San Francisco Public Utilities Commission

Please detach and return this bottom portion with your payment.

**Account Number:**  
**Service Address:** 1763 - 1765 North Point St

Please check here if you have comments on the reverse side.

**Auto Pay to settle on or after**      **July 09, 2014**

**Total Amount:**      **\$57.75**

I want to make a CAP

Charitable Contribution of: \$ \_\_\_\_\_

Howson, Patricia  
1763 N Point St  
San Francisco CA 94123-1714

Make check payable to:

**SF - WATER**  
**P O BOX 7369**  
**SAN FRANCISCO CA 94120-7369**

# EXHIBIT T



**PACIFIC GAS AND ELECTRIC COMPANY**  
**NET ENERGY METERING ELECTRIC STATEMENT**  
**THIS IS NOT A BILL**



Service Dates: May 14,2014 to June 13,2014

Includes True-up period from Jul 2013 to Jun 2014

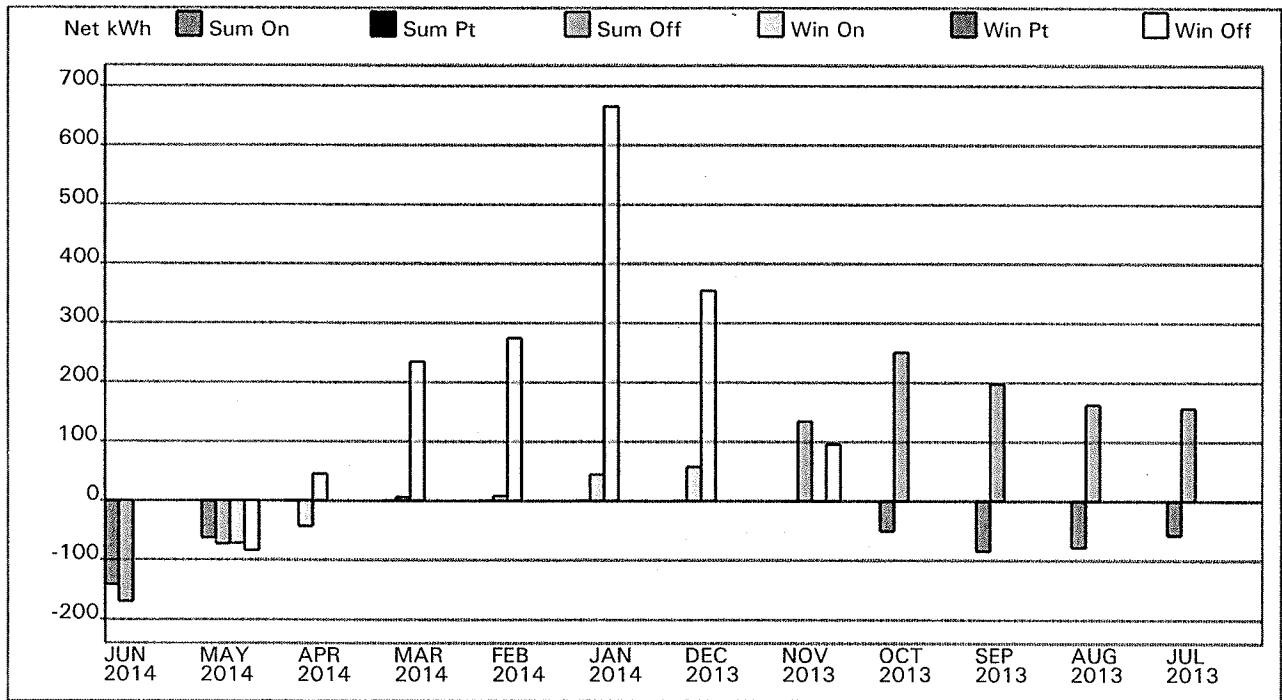
HOWSON, PATRICIA MD  
 1765 N POINT ST # A  
 SAN FRANCISCO, CA. 94123

Rate Schedule: E 7TH/NEMS  
 Account ID:  
 Service ID:

**ENERGY TRUE-UP HISTORY:**

BILLING MONTH	BILL TO DATE	SUMMER ON	SUMMER OFF	WINTER ON	WINTER OFF	TOTAL ENERGY	ENERGY CHARGES /CREDITS
JUN 2014	06/13/14	-142	-170			-312	\$-62.30
MAY 2014	05/14/14	-63	-73	-72	-84	-292	\$-43.15
APR 2014	04/14/14			-43	45	2	\$-1.12
MAR 2014	03/14/14			6	234	240	\$20.96
FEB 2014	02/12/14			8	274	282	\$24.31
JAN 2014	01/13/14			44	665	709	\$66.75
DEC 2013	12/12/13			57	354	411	\$36.76
NOV 2013	11/12/13	-1	134	-1	95	227	\$18.65
OCT 2013	10/14/13	-51	250			199	\$4.00
SEP 2013	09/12/13	-85	197			112	\$-11.31
AUG 2013	08/13/13	-79	162			83	\$-12.24
JUL 2013	07/15/13	-58	156			98	\$-5.95
<b>TOTALS</b>						<b>1,759</b>	<b>\$35.36</b>

\*\*Energy Charges/Credits (-) include all energy related amounts and taxes.



# EXHIBIT U

May 28, 2014

SF Board of Appeals

I have lived on Northpoint St. for nine years and I have known Pat Howson to be a kind and considerate neighbor. I have no objection whatsoever to Pat's addition to her house. I find the objections of her neighbor to be unreasonable and without merit.

Thank you,

Mary Jo Litke

1745 Northpoint

(415) 441-5515

Maryjolitke@gmail.com



Linda J. Klett  
Robert J. Klett  
3632 Fillmore Street  
San Francisco, CA 94123  
(415) 346-4348

June 30, 2014

Re: Letter in Support of Dr. Howson's Project at 1765 North Point Street

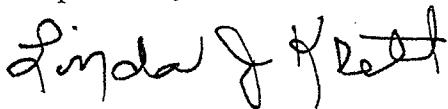
Dear President and Members of San Francisco Board of Permit Appeals:

We, neighbors of Ms. Pat Howson, write this letter in support of the work approved under the permit number 2012/07/30/6039"S" for 1767 North Point Street property. Our residence is located at 3632 Fillmore Street, which is on the same block as 1767 North Point Street property. We have lived at this location for 22 years. We also know that Pat Howson has been a long time resident of our neighborhood. Several years ago, a much larger project was constructed adjacent to our home. In comparison, it is our opinion that Ms. Howson's project is considerably smaller in scale.

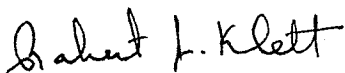
We received Ms. Howson's Section 311 notice(s) – the first one was received in 2013 and the second notice was received earlier this year. We did not attend the neighborhood meetings held by Ms. Howson because we do not object to her project.

We support Pat's backyard addition and the scope of work stated in her permit number 2012/07/30/6039"S". We strongly disagree with the actions of the owner of 1771 North Point Street.

Respectfully,



Linda J. Klett



Robert J. Klett

# EXHIBIT V

**Chang, Jaemin**

---

**From:** M PATRICIA HOWSON <patzonline@mac.com>  
**Sent:** Friday, February 28, 2014 8:18 PM  
**To:** Chang, Jaemin  
**Subject:** Fwd: timing

REDACTED

Begin forwarded message:

**From:** Tamera Briones <tbriones@me.com>  
**Subject:** timing  
**Date:** February 28, 2014 at 17:22 PST  
**To:** M PATRICIA HOWSON <patzonline@mac.com>

Pat,

You should call the city on Monday. Today way too soon.

Go ahead please call again.

And what you should know -- pay back she is a bitch.

T.

Sent from my iPad

**PROJECT SCOPE OF WORK**

**APPLICABLE CODES**

- NEW 218 SQ. FT. GROUND-FLOOR ADDITION TO UNIT 1765A.
- INTERIOR REMODEL OF UNIT 1765A.
- CONVERT 249 SQ. FT. OF EXISTING GARAGE STORAGE AREA INTO ONE NEW BATHROOM AND ONE NEW BEDROOM.
- DEMOLISH EXISTING WOOD DECK AND NON-CONFORMING STAIRS.
- NEW CODE-COMPLIANT EXIT STAIR FOR UNITS 1765 AND 1763.
- NEW APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM IN UNIT 1765A TO BE SUBMITTED UNDER SEPARATE PERMIT.
- 1-HR FIRE RATED CONSTRUCTION OF EXTERIOR WALLS AND CEILING AT 1st FLOOR UNIT.
- LEGALIZE GROUND FLOOR UNIT.

- 2010 CALIFORNIA BUILDING CODE (CBC)  
 2010 CALIFORNIA RESIDENTIAL CODE (CRC)  
 2010 CALIFORNIA ELECTRICAL CODE  
 2010 CALIFORNIA ENERGY CODE  
 2010 CALIFORNIA PLUMBING CODE  
 2010 CALIFORNIA MECHANICAL CODE  
 2010 SAN FRANCISCO BUILDING CODE AMENDMENTS  
 SAN FRANCISCO MUNICIPAL CODE (SFG)

**BUILDING DATA**

PROPERTY ADDRESS:	1763, 1765 & 1765A NORTH POINT STREET, SAN FRANCISCO, CA 94103	
APN#:	0436F-028	
LOT DIMENSIONS:	137'-6" X 25'-0"	
LOT AREA:	3,437.5 SQ.FT.	
ZONING:	RH-2	
STORIES:	3	
NO. OF DWELLING UNITS:	3 UNITS	
AREA CALCULATIONS	EXISTING (SQ.FT.)	PROPOSED (SQ.FT.)
HABITABLE AREA	3,590	4,040 (+450)
NON-HABITABLE AREA	920	671 (-249)
TOTAL BUILDING AREA	4,510	4,728 (+218)
BUILDING DIMENSIONS	EXISTING	PROPOSED
HEIGHT	34'-6"	SAME
DEPTH	73'-10"	90'-4"
SETBACKS	REQUIRED	PROVIDED
FRONT	10'-1"	SAME
SIDE	0'-0"	SAME
REAR (SFGC 134.C.1)	37'-1"	SAME

**DRAWING INDEX**

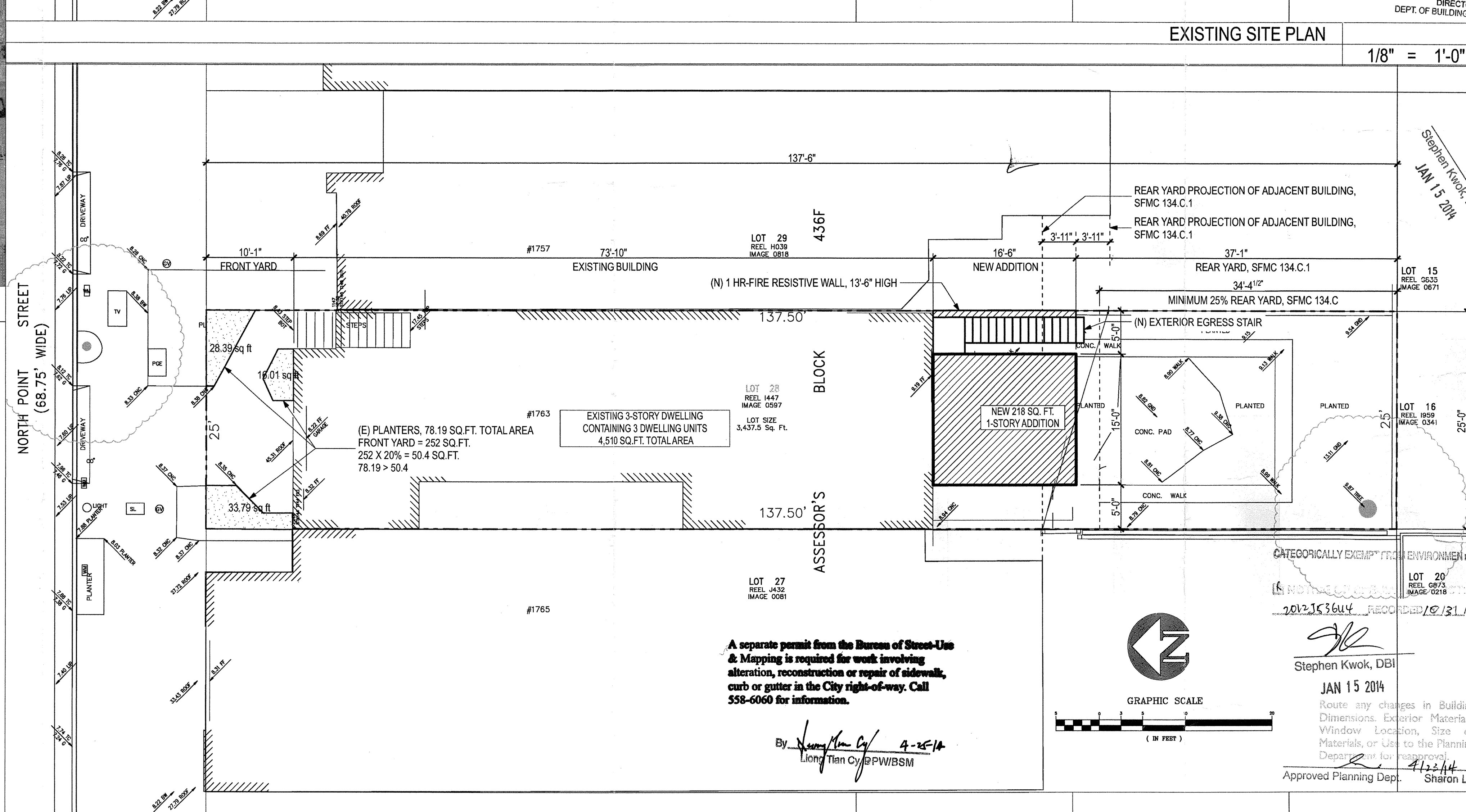
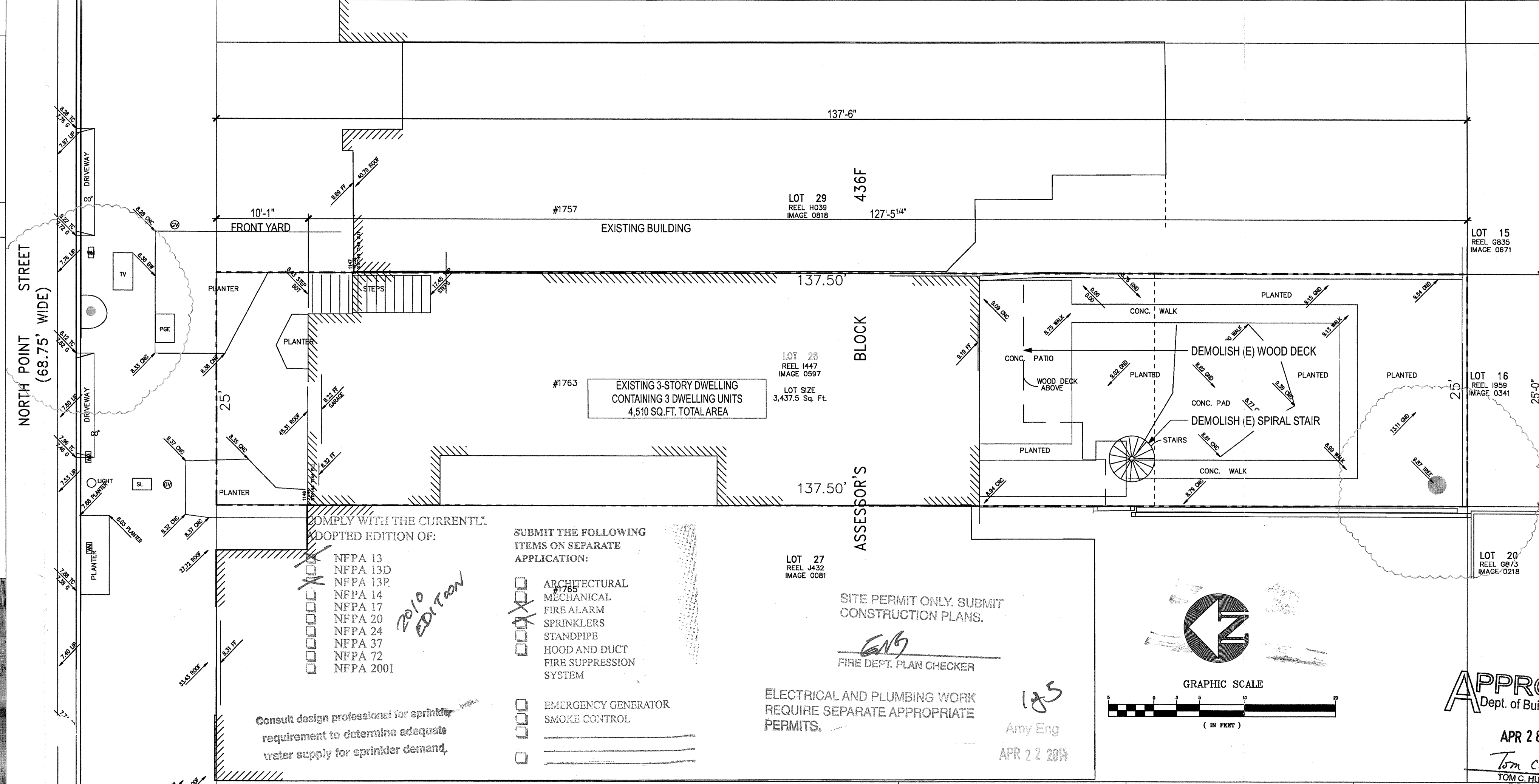
- A-1.0 SITE PLAN, VICINITY PLAN & PROJECT DATA
- A-2.0 1ST FLOOR DEMOLITION PLAN & FLOOR PLAN
- A-2.1 2ND & 3RD FLOOR PLANS
- A-3.0 EXISTING EXTERIOR ELEVATIONS
- A-3.1 PROPOSED EXTERIOR ELEVATIONS

JAN 15 2014  
 Stephen Kwok, DBI  
 DEC. CLASS: EXISTING R-3 PROPOSED R-2  
 Stephen Kwok, DBI  
 JAN 15 2014

**FIRE SPRINKLER AND / OR FIRE ALARM IS REQUIRED UNDER SEPARATE PERMIT**



**VICINITY MAP**



**HOWSON RESIDENCE  
 ADDITION AND REMODEL**

1767  
 1767 NORTH POINT STREET  
 SAN FRANCISCO, CA, 94123

ARCHITECT:  
 HUMMINGBIRD DESIGN  
 4470 WEST SUNSET BOULEVARD #701  
 LOS ANGELES, CA 90027  
 TEL: (213) 908-3949 EMAIL: INFO@HBRDESIGN.COM

STRUCTURAL ENGINEER:  
 XXX  
 XXX  
 XXX  
 TEL: XXX XXX XXXX EMAIL: XXX@XXX

CONTRACTOR:  
 XXX  
 XXX  
 XXX  
 TEL: XXX XXX XXXX EMAIL: XXX@XXX

**SITE PERMIT  
 REVISION**  
 JAN 12 2014

THIS APPLICATION SUBMITTED FOR SITE PERMIT ONLY. NO WORK MAY BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

**NOT FOR CONSTRUCTION**

THIS APPLICATION APPROVED FOR SITE PERMIT ONLY. NO WORK MAY BE STARTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED.

**APPROVED**  
 Dept. of Building Insp.  
 APR 28 2014  
 Tom C. Hill, S.E.  
 DIRECTOR  
 DEPT. OF BUILDING INSPECTION



ARCHITECT'S SEAL

RAW CHECK COMMENTS	01-02-14
SITE PERMIT RE-SUBMITTAL #3	08-16-13
SITE PERMIT RE-SUBMITTAL #2	01-10-13
SITE PERMIT RE-SUBMITTAL	11-15-12
SITE PERMIT SUBMITTAL	2-15-12

**Capacity Charges**  
 Water: 499.50  
 Wastewater: 278.50  
 Total: 778.00

SFPUC, Laura Beretta  
 Laura Arfols

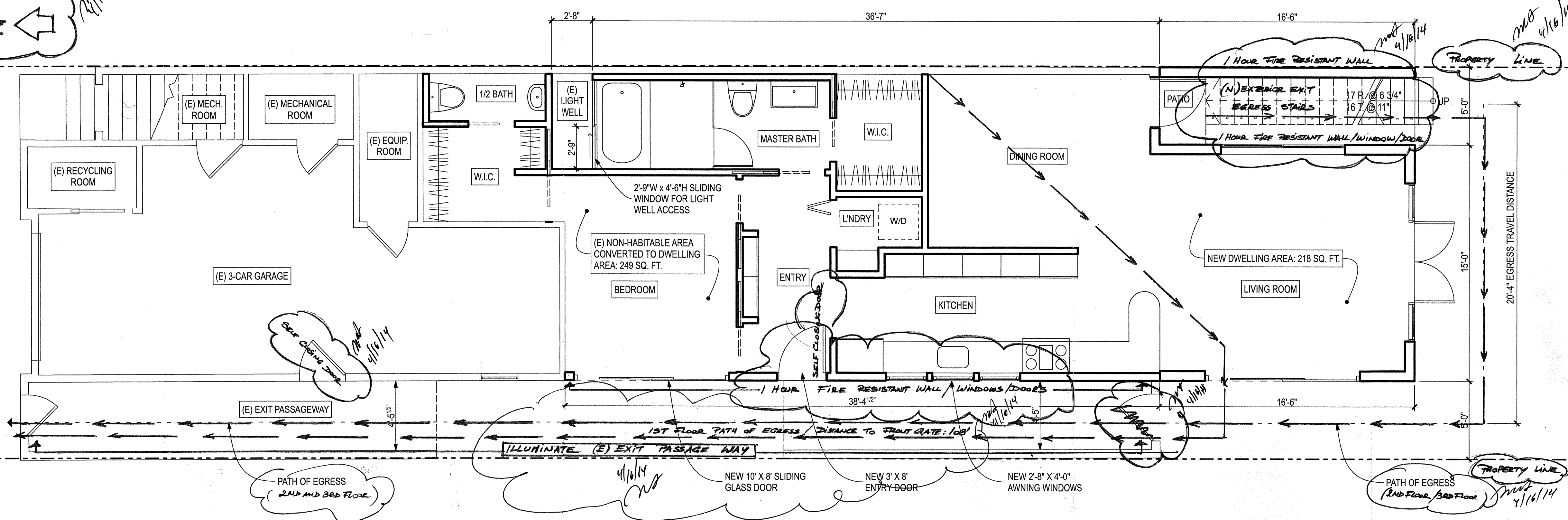
SFPUC Capacity Charges  
 See attached SFPUC Capacity Charge Invoice for total amount due. 25% will collect 25% or more of the total amount before the Site Permit is issued. Any balance will be billed and collected by SFPUC directly.

SFPUC - Please be advised:  
 Your plans and future work indicate a large water meter. Please contact your contractor, Architect, or SFPUC for more information.  
 IF THIS DRAWING IS NOT 24" X 36" IT IS A REDUCED PRINT, REFER TO GRAPHIC SCALE

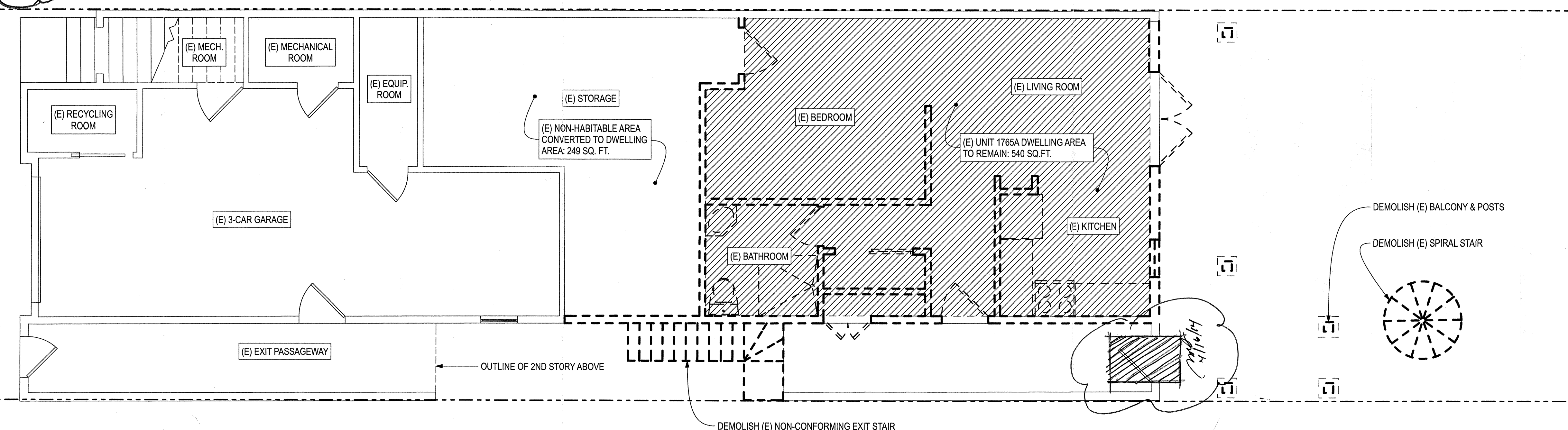
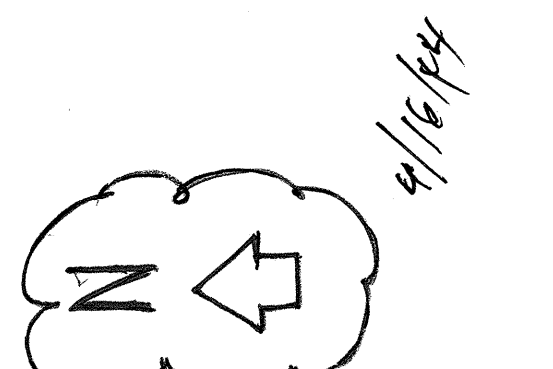
**SITE PLAN,  
 VICINITY MAP &  
 PROJECT DATA**

SHEET TITLE:  
**A-1.0**  
 SHEET NUMBER:

2012-0730-6039-SRA



1ST FLOOR PLAN 2  
1/4" = 1'-0"



1ST FLOOR DEMOLITION PLAN 1  
1/4" = 1'-0"

NOTES:

- 1. XX
- 2. XX
- 3. XX
- 4. XX
- 5. XX

HOWSON RESIDENCE  
ADDITION AND REMODEL

1767  
1765A NORTH POINT STREET  
SAN FRANCISCO, CA, 94123

ARCHITECT:  
HUMMINGBIRD DESIGN  
4470 WEST SUNSET BOULEVARD #701  
LOS ANGELES, CA 90027  
TEL: (213) 508-5949 EMAIL: INFO@HBRDESIGN.COM

STRUCTURAL ENGINEER:  
XXXX  
XXXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

CONTRACTOR:  
XXXX  
XXXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

SITE PERMIT  
REVISION  
JAN 15 2014

THIS APPLICATION SUBMITTED FOR SITE PERMIT  
ONLY. NO WORK MAY BE STARTED UNTIL  
CONSTRUCTION PLANS HAVE BEEN APPROVED.

NOT FOR CONSTRUCTION

PHASE:

APPROVED  
Dept. of Building Insp.

APR 28 2014

Tom C. Hui, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION



ARCHITECT'S SEAL

SITE PERMIT RE-SUBMITTAL #3	09-16-13
SITE PERMIT RE-SUBMITTAL #2	01-10-13
SITE PERMIT RE-SUBMITTAL	11-15-12
SITE PERMIT SUBMITTAL	2-15-12

ISSUE NO.	ISSUE DATE
-----------	------------

Route any changes in Building Dimensions, Exterior Materials, Window Location, Size or Materials, or Use to the Planning Department for reapproval.

Sharon Lai  
Approved Planning Dept. 4/23/14

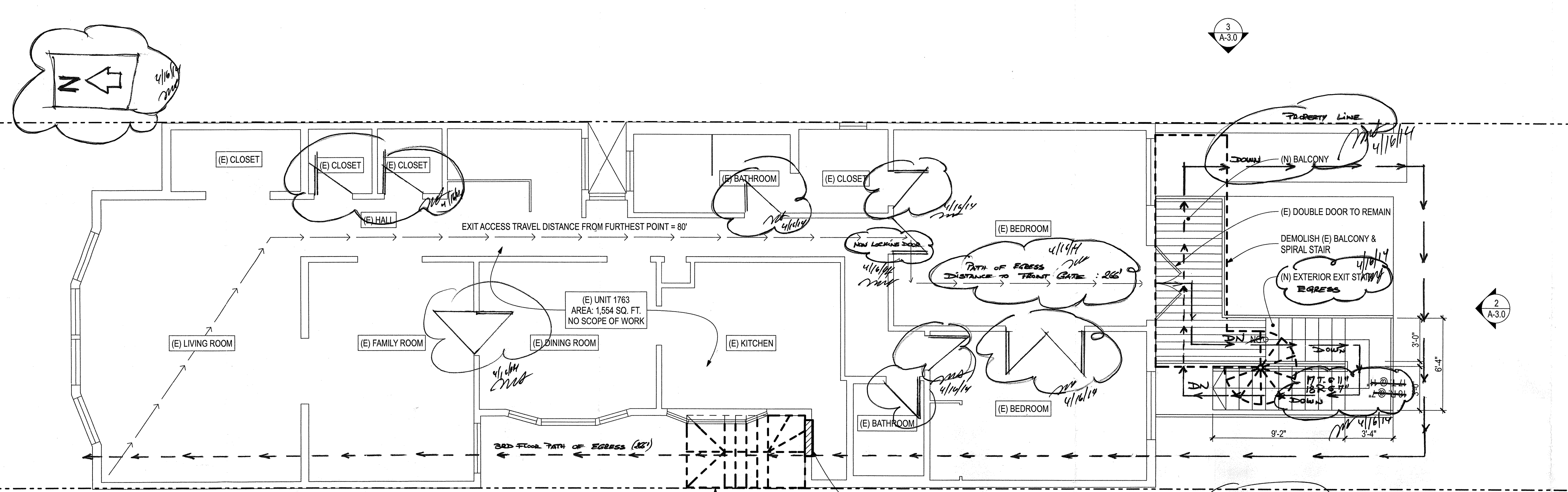
Amy Eng  
APR 22 2014

Stephen Kwok, DBI  
JAN 15 2014

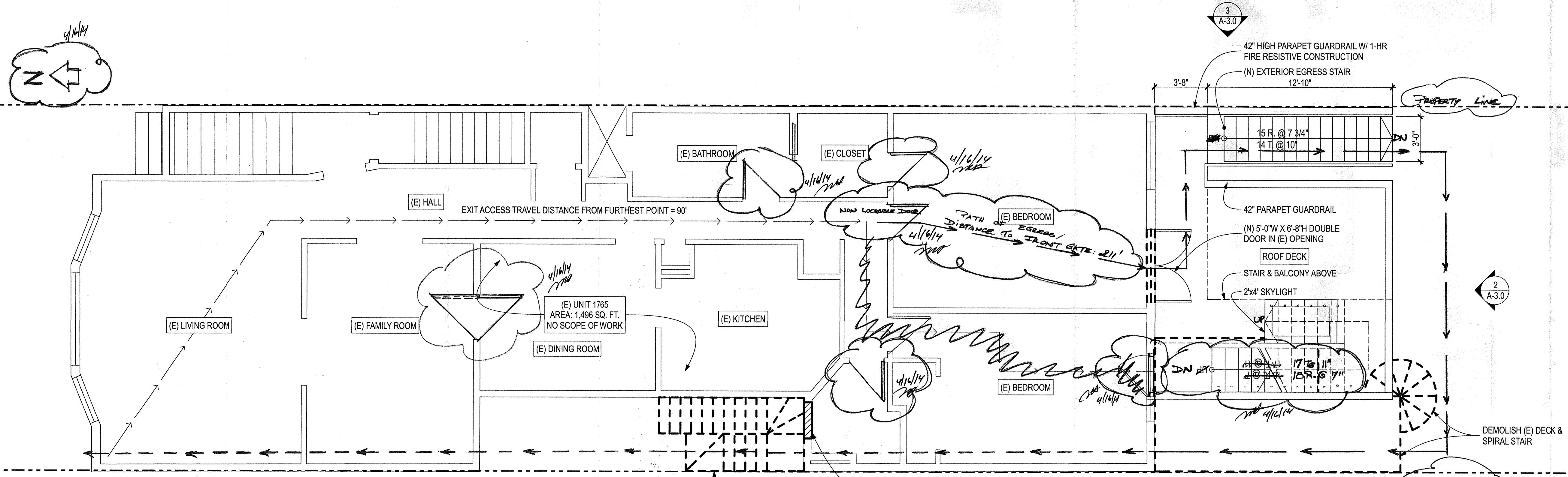
1ST FLOOR  
DEMOLITION PLAN  
& FLOOR PLAN

SHEET TITLE:

A-2.0  
SHEET NUMBER:



3RD FLOOR PLAN 1/4" = 1'-0"



2ND FLOOR PLAN 1/4" = 1'-0"

NOTES:

- 1. XX
- 2. XX
- 3. XX
- 4. XX
- 5. XX

HOWSON RESIDENCE  
ADDITION AND REMODEL

1767  
1255A NORTH POINT STREET  
SAN FRANCISCO, CA, 94123

ARCHITECT:  
HUMMINGBIRD DESIGN  
4470 WEST SUNSET BOULEVARD #701  
LOS ANGELES, CA 90027  
TEL: (213) 908-5949 EMAIL: INFO@HBRDESIGN.COM

STRUCTURAL ENGINEER:  
XXXX  
XXXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

CONTRACTOR:  
XXXX  
XXXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

SITE PERMIT  
REVISION  
JAN 2 2014

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CONSTRUCTION PLANS HAVE BEEN APPROVED.

NOT FOR CONSTRUCTION

APPROVED PHASE:  
Dept. of Building Insp.

APR 28 2014

Tom C. Hui  
TOM C. HUI, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION



ARCHITECT'S SEAL

SITE PERMIT RE-SUBMITTAL #3	09-16-13
SITE PERMIT RE-SUBMITTAL #2	01-10-13
SITE PERMIT RE-SUBMITTAL	11-15-12
SITE PERMIT SUBMITTAL	2-15-12

ISSUE NO.	ISSUE DATE
-----------	------------

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1/23/14  
Approved Planning Dept. Sharon Lal...

IF THIS DRAWING IS NOT 24" X 36" IT IS A REDUCED PRINT, REFER TO GRAPHIC SCALE

Stephen Kwok, DBI  
JAN 15 2014

2ND & 3RD FLOOR PLANS

SHEET TITLE:

A-2.1

SHEET NUMBER:

Amy Eng  
APR 22 2014

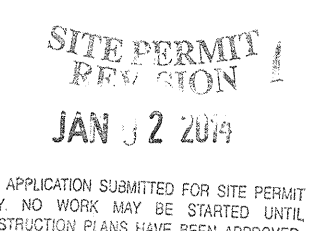
**HOWSON RESIDENCE  
ADDITION AND REMODEL**

1767  
1767A NORTH POINT STREET  
SAN FRANCISCO, CA 94123

ARCHITECT:  
HUMMINGBIRD DESIGN  
4470 WEST SUNSET BOULEVARD #701  
LOS ANGELES, CA 90027  
TEL: (213) 908-6949 EMAIL: INFO@HBIRODESIGN.COM

STRUCTURAL ENGINEER:  
XXX  
XXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

CONTRACTOR:  
XXX  
XXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

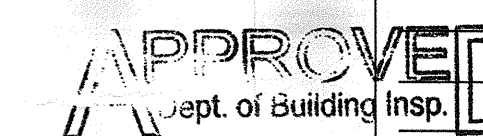


**NOT FOR CONSTRUCTION**

PHASE :



ARCHITECT'S SEAL



APR 28 2014

Tom C. Hill, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION

SITE PERMIT RE-SUBMITTAL #3	09-16-13
SITE PERMIT RE-SUBMITTAL #2	01-10-13
SITE PERMIT RE-SUBMITTAL	11-15-12
SITE PERMIT SUBMITTAL	2-15-12

ISSUE NO.	ISSUE DATE

Route any changes in Building Dimensions, Exterior Materials, Window Location, Size or Materials, or Use to the Planning Department for reapproval.

Sharon La...  
Approved Planning Dept.

EXISTING NEIGHBOR WINDOW FACING PROPERTY LINE

EXISTING DECK & STAIR TO BE DEMOLISHED

EXISTING NEIGHBOR DOOR FACING PROPERTY LINE

Stephen Kwok, Dist  
JAN 15 2014

Amy Eng  
APR 22 2014

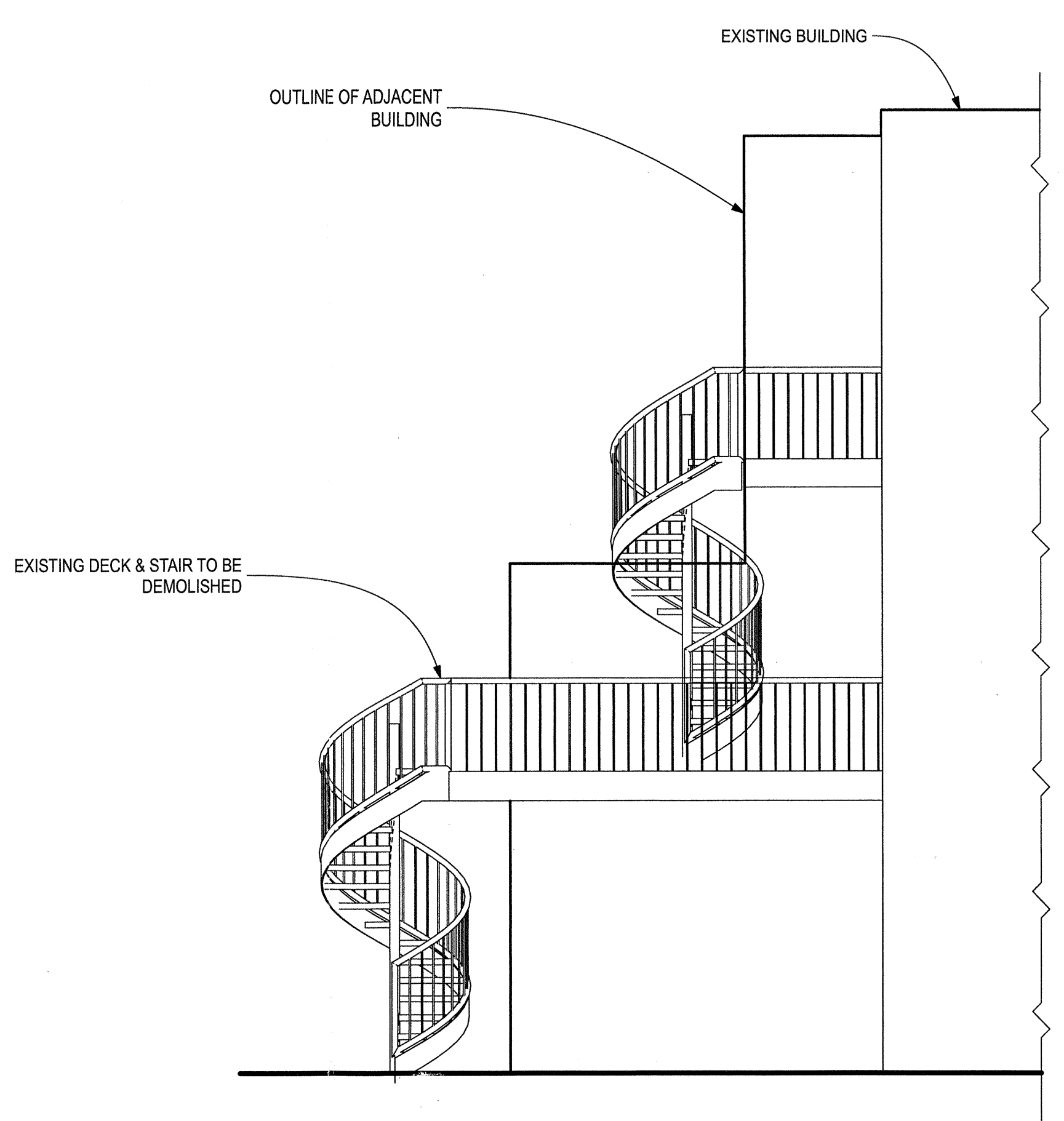
IF THIS DRAWING IS NOT 24" X 36" IT IS A REDUCED PRINT, REFER TO GRAPHIC SCALE

**EXISTING  
EXTERIOR  
ELEVATIONS**

SHEET TITLE :

**A-3.0**

SHEET NUMBER :



EAST ELEVATION

1/4" = 1'-0"

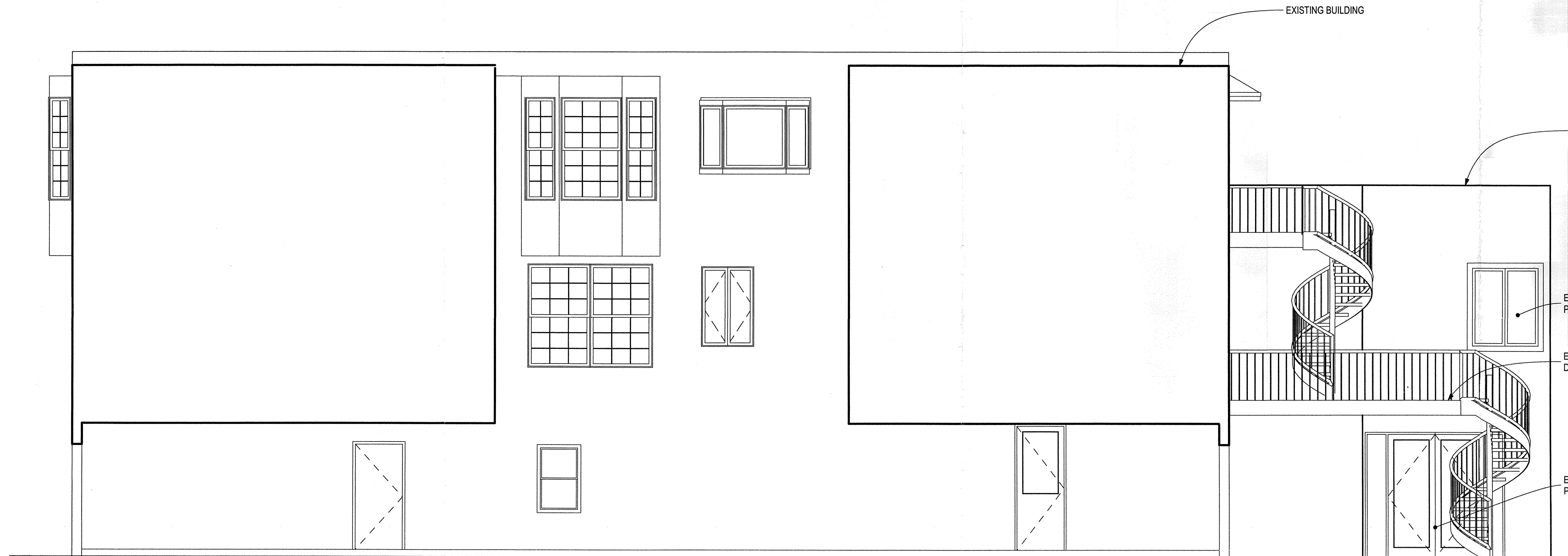
3



SOUTH ELEVATION

1/4" = 1'-0"

2



WEST ELEVATION

1/4" = 1'-0"

1

**HOWSON RESIDENCE  
ADDITION AND REMODEL**

1767  
1767 NORTH POINT STREET  
SAN FRANCISCO, CA 94123

ARCHITECT:  
HUMMINGBIRD DESIGN  
4470 WEST SUNSET BOULEVARD #701  
LOS ANGELES, CA 90027  
TEL: (213) 908-6949 EMAIL: INFO@HBRDESIGN.COM

STRUCTURAL ENGINEER:  
XXXX  
XXXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX  
CONTRACTOR:  
XXXX  
XXXX  
TEL: XXX XXX XXXX EMAIL: XXX@XXX

**SITE PERMIT  
REVISION**  
JAN 2 2014

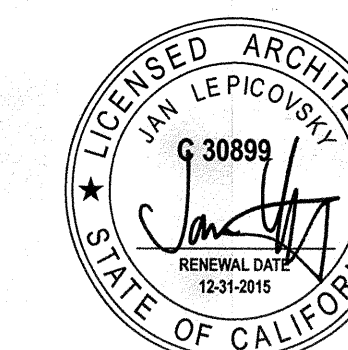
THIS APPLICATION SUBMITTED FOR SITE PERMIT  
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**NOT FOR CONSTRUCTION**

**APPROVED**  
Dept. of Building Insp.

APR 28 2014

Tom C. Hui  
DIRECTOR  
DEPT. OF BUILDING INSPECTION



ARCHITECT'S SEAL

SITE PERMIT RE-SUBMITTAL #3	09-16-13
SITE PERMIT RE-SUBMITTAL #2	01-10-13
SITE PERMIT RE-SUBMITTAL	11-15-12
SITE PERMIT SUBMITTAL	2-15-12

ISSUE NO.	ISSUE DATE

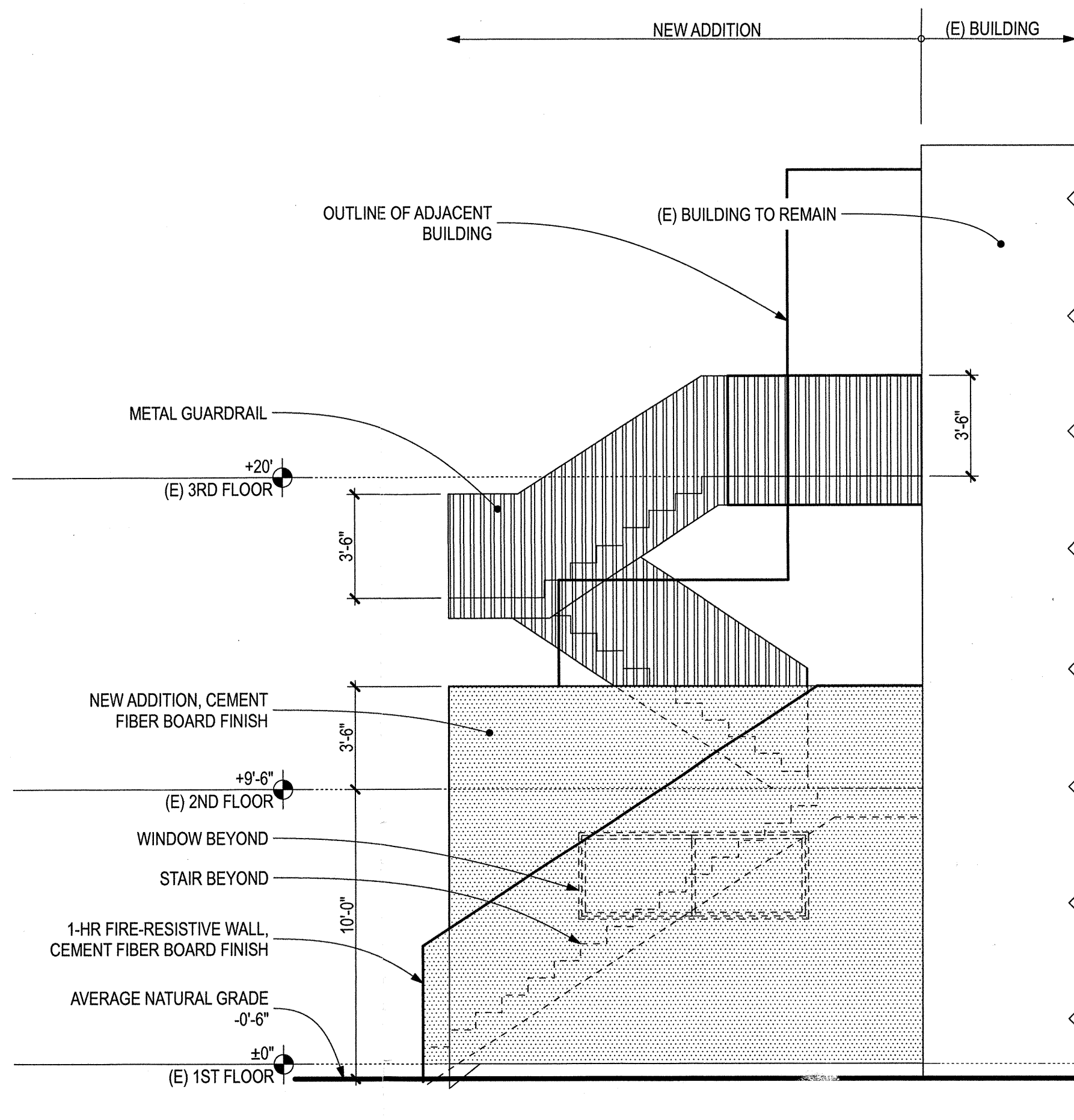
IF THIS DRAWING IS NOT 24" X 36" IT IS A REDUCED PRINT, REFER TO GRAPHIC SCALE

**PROPOSED  
EXTERIOR  
ELEVATIONS**

SHEET TITLE:

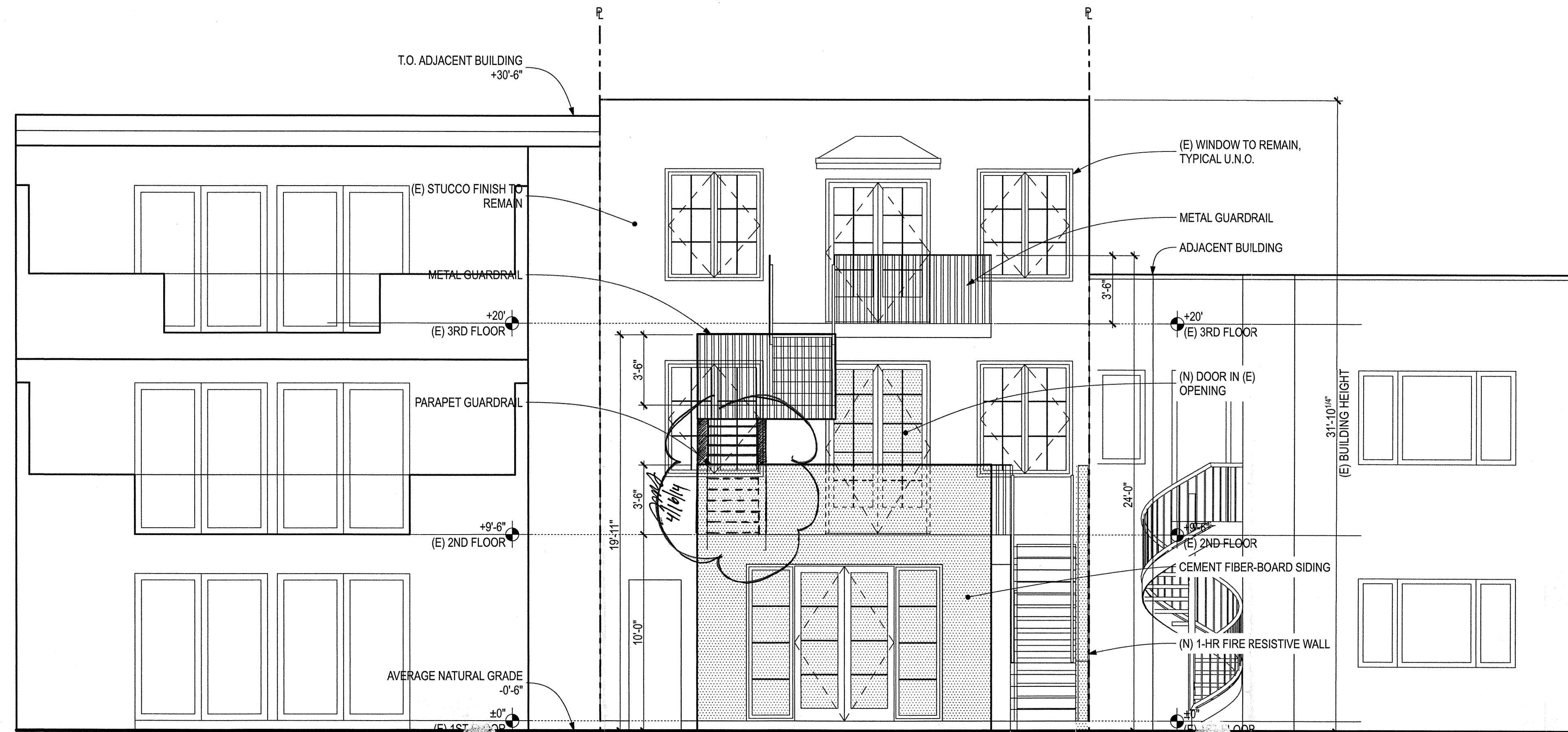
**A-3.1**

SHEET NUMBER:



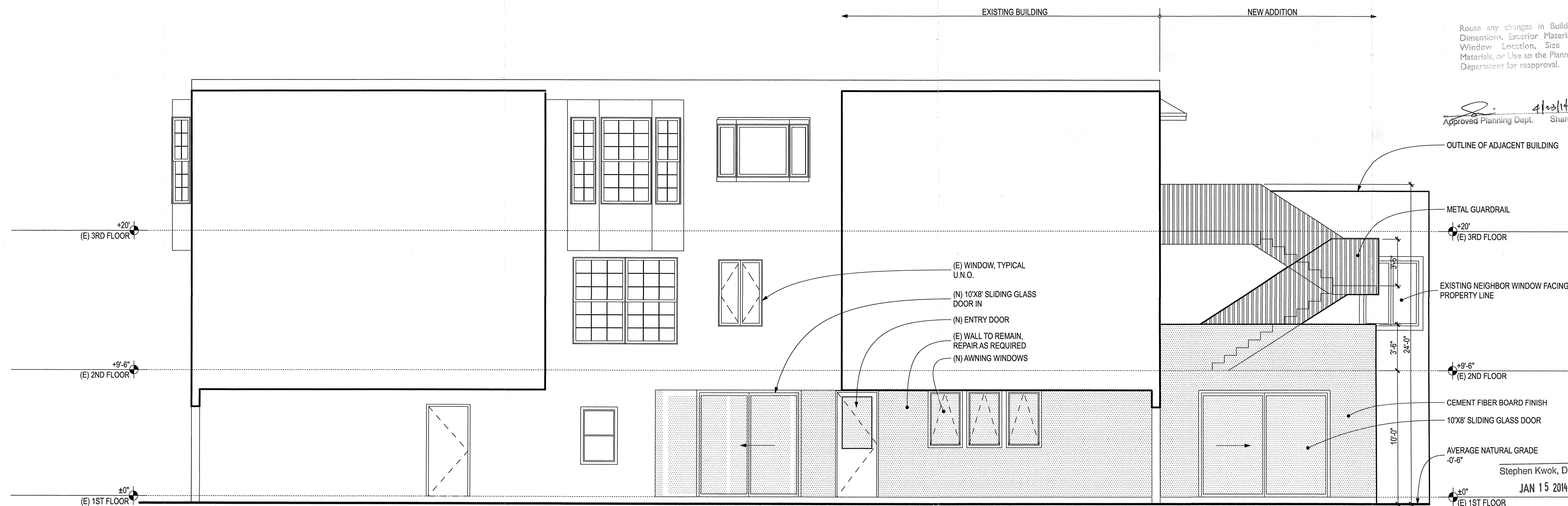
**EAST ELEVATION**

1/4" = 1'-0"



**SOUTH ELEVATION**

1/4" = 1'-0"



**WEST ELEVATION**

1/4" = 1'-0"

Stephen Kwok, DBI  
JAN 15 2014

Amy Eng  
APR 22 2014

© 2011 HUMMINGBIRD DESIGN



CONFORMED COPY of document recorded

RECORDING REQUESTED BY: )  
R. Boyd McSparran )  
And When Recorded Mail To: )  
Name: )  
Goldstein, Gellman, et al., )  
Address: )  
1388 Sutter Street, #1000100 )  
City: )  
San Francisco )  
State: California 94109 )

10/31/2012, 2012J536114  
on \_\_\_\_\_ with document no \_\_\_\_\_  
This document has not been compared with the original  
SAN FRANCISCO ASSESSOR-RECORDER

COPY

) Space Above this Line For Recorder's Use

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

I (We) M. PATRICIA HODGSON, Trustee <sup>A. H. PATRICIA HODGSON REV. TRUST. U/D 2/16/95</sup> 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 ATTACH THE LEGAL DESCRIPTION AS ON DEED)  
BEING ASSESSOR'S BLOCK: 0436F; LOT: 028,  
COMMONLY KNOWN AS: 1763-1765A NORTH POINT ST.

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 (Planning Code).

Said Restrictions consist of conditions attached to the approval of Building Permit Application No. 2012.07.30.6039 by the Planning Department and are conditions that had to be so attached in order that said application could be approved under the Planning Code; and attached to the approval of Condominium Conversion Application No. 2012.1059Q by the Planning Department as a referral from the Department of Public Works, Bureau of Street-Use and Mapping, Project ID: 7301.

The tentative map filed with the present application indicates that the subject building at 1763-1765A North Point Street is a three-unit building located in a RH-2 (Residential, House, Two-Family) Zoning District. Within the RH-2 Zoning District, a maximum of two dwelling units can be considered legal and conforming to the Planning Code. The remaining one unit must be considered a legal, nonconforming dwelling unit.

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

1. That said non-conforming unit is known as unit indicated as unit # 1765 and located on the 2<sup>nd</sup> floor, shall not be expanded beyond 1750 square feet, as

per the RH-2 zoning of the subject property, Section 209.1 of the City Planning Code provides that not more than two (2) dwellings shall occupy a lot, AND that Section 181 of said Code provides that any legal non-conforming conditions may remain, so long as such use is not intensified;

2. That the legal non-conforming third unit cannot be merged or eliminated, unless as reviewed and approved by the City Planning Department;
3. That the remaining two dwelling units shall remain legal and conforming, subject to all of the restrictions of the Code, and any other applicable City Codes. In case of conflict, the more restrictive City Code shall apply;
4. Minor modifications as determined by the Zoning Administrator may be permitted; and
5. The property owner(s) shall record a copy of these conditions with the Office of the Recorder of the City and County of San Francisco as part of the property records for the block and lot identified above.

The use of said property contrary to these special restrictions shall constitute a violation of the 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; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses herein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

Dated: Oct 30, 2012 at San Francisco, California.

  
(Signature of Owner)

(Signature of Owner)

This signature must be notarized prior to recordation; add Notary Public Certification and Official Notarial Seal below:

SL G:\DOCUMENTS\Address Files\1763-65 North Point St\2012.07.30.6039\1765 North Point St - NSR.doc

APPROVED  
Dept. of Building Insp.

APR 23 2012  
Page 2 of 2  
Tom C. Hui  
TOM C. HUI, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION

RECEIVED  
JAN 02 2013  
DEPT. OF BUILDING INSPECTION  
THIS PLAN MEETS THE QUALITY  
STANDARDS FOR IMAGING  
ACCEPTED

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF NORTH POINT STREET, DISTANT THEREON 130 FEET EASTERLY FROM THE EASTERLY LINE OF FILLMORE STREET; RUNNING THENCE EASTERLY ALONG SAID LINE OF NORTH POINT STREET 25 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 137 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE WESTERLY 25 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 137 FEET AND 6 INCHES TO THE POINT OF COMMENCEMENT.

BEING A PORTION OF MARINA GARDENS.

APN: Lot 28, Block 436F

STATE OF CALIFORNIA )

COUNTY OF SAN FRANCISCO )

) ss.

On October 30, 2012, before me, LINDA E. FROST, a Notary Public, personally appeared Mary Patricia Howson, 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(ies) 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.



*Linda E. Frost*

Linda E. Frost  
Notary Public, State of California

My commission expires 1-29-14

**APPROVED**  
Dept. of Building Insp.

APR 28 2014

*Tom C. Hui*  
TOM C. HUI, S.E.  
DIRECTOR  
DEPT. OF BUILDING INSPECTION

**RECEIVED**

JAN 02 2014

DEPT. OF BUILDING INSPECTION  
THIS PLAN SETS THE QUALITY  
STANDARD FOR IMAGING  
ACCEPTED