



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## APPEAL OF TENTATIVE MAP

**3000-3012 Larkin Street and 898 North Point Street**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**DATE:** May 29, 2020

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Nick Foster, Senior Planner; [nicholas.foster@sfgov.org](mailto:nicholas.foster@sfgov.org)  
Aaron Starr, Manager of Legislative Affairs; [aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)  
Daniel Sider, Director of Executive Programs; [dan.sider@sfgov.org](mailto:dan.sider@sfgov.org)

**RE:** Board of Supervisors File No. 200503 - Appeal of the approval of Tentative Map for 3000-3012 Larkin Street and 898 North Point Street

**HEARING DATE:** June 9, 2020

**ATTACHMENTS:** Exhibit A: Planning Department Tentative Map Decision (April 29, 2020)  
Exhibit B: Tentative Final Map (February 5, 2020)  
Exhibit C: Variance Decision; Case No. VZ70.61 (December 18, 1970)  
Exhibit D: Variance Decision; Case No. 2018-001289VAR (September 21, 2018)  
Exhibit E: Board of Appeals Notice of Decision & Order (November 14, 2018)

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**PROJECT SPONSOR:** Waterfront Management, LLC; represented by Peggy Berlese, Law Offices of Herzig & Berlese

**APPELLANT:** Serge Etcheverry

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## INTRODUCTION

On May 15, 2020, Mr. Serge Etcheverry (“Appellant”) filed an appeal of the Tentative Map approval for a 4-lot vertical subdivision of the subject property (“Property”) located at 3000-3012 Larkin Street and 898 North Point Street (Lot 024 of Assessor’s Block 0025). Requests for subdivisions are under the jurisdiction of the Department of Public Works but are referred to the Planning Department to ensure that the request complies with applicable requirements of the Planning Code and the goals and objectives of the General Plan.

## PROJECT DESCRIPTION

The proposed subdivision is associated with a larger development project that involves the demolition of an existing commercial building on the western portion of the Property and the construction of a 4-story, mixed-use building containing ground floor commercial space, five dwelling units, and four off-street parking spaces in a below-grade garage (“Project”). The Property also includes an existing building immediately to the east of the proposed new structure which contains two dwelling units above three commercial levels, some of which are below grade. While physical changes to the eastern structure are not included in the Project, the structure is included in the Tentative Map.

Memo

## **PROCEDURAL BACKGROUND**

1. Building Permit Application No. 201412163783 for new construction associated with the Project was filed on December 16, 2014, approved by the Planning Department on October 16, 2015, and issued by the Department of Building Inspection on February 11, 2016.
2. The Project was granted a Class 1 and Class 3 Categorical Exemption from the California Environmental Quality Act ("CEQA") under Case No. 2014-003088ENV.
3. The Project Sponsor filed an application with the Department of Public Works on February 9, 2016 to subdivide the Property such that the former Lot 009 at 882-888 North Point Street would revert back to its original lot configuration. The referral for that subdivision was approved by the Planning Department on March 10, 2016. The Department of Public Works issued a Tentative Map approval of the subdivision on March 30, 2016.
4. Shortly after the Tentative Map approval on March 30, 2016, the sponsor brought to the attention of the Planning Department Variance Case No. VZ70.61 ("1970 Variance"; Exhibit C). Owing to filing and storage errors made nearly 50 years ago, current staff at the Planning Department were not aware of this Variance. The 1970 Variance provided relief from lot coverage, open space, and density requirements in order to allow a lot line adjustment at the Property. A condition of approval of that Variance required that a portion of the Property remain as open space.
5. Because the Project would build on land designated as open space under the 1970 Variance, the project sponsor filed a new Variance application ("2018 Variance"; Case No. 2018-001289VAR) on January 23, 2018 in order to remove the open space restriction. The Zoning Administrator held a public hearing on the 2018 Variance on February 28, 2018 and removed the open space condition through a Decision Letter (Exhibit D) issued on September 21, 2018.
6. An appeal of the 2018 Variance was filed with the Board of Appeals on October 1, 2018. The Appeal was heard on November 17, 2018 and was rejected, thus upholding the granting of the Variance (Exhibit E). The appellant in that matter was the same appellant as in this matter.
7. The project sponsor filed a subdivision application with the Department of Public Works on February 6, 2020 to create four new airspace lots: one lot containing the five new dwelling units; one lot containing the new commercial unit; one lot containing the two existing dwelling units; and one lot containing the three existing commercial units (Exhibit B). On the basis that the subdivision was consistent with all applicable permits, Variances, and Notices of Special Restriction, the referral for that subdivision was approved by the Planning Department on April 29, 2020 (Exhibit A). The Department of Public Works issued a Tentative Map approval of the condominium conversion on May 6, 2020.

## APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the Appeal Letter are each described below and are followed by the Department's response:

### **ISSUE #1: The Appellant opposes the off-street parking approved in the Project.**

**RESPONSE #1: While the provisions of today's Planning Code would not require the Project to provide off-street parking, the provisions in effect during the Project's review and approval did require off-street parking. Regardless, today's Planning Code permits the amount of parking provided.**

When the Project's original building permit application was issued in 2016, Planning Code Section 151 required off-street parking for both residential and non-residential uses. One off-street parking space was required for each dwelling unit while one space was required for each 500 square feet of occupied floor area of retail space. With five dwelling units and approximately 700 square feet of retail space, the Project was required to provide a total of six off-street spaces, and in fact provided seven spaces, one more than required.

Effective January 21, 2019, Ordinance 311-18 amended the Planning Code in order to eliminate off-street parking requirements throughout the City. Instead, accessory off-street parking is now permitted up to the specific maximum amounts listed in Planning Code Sections 151 and 151.1. After this Ordinance became effective, the Project was modified to eliminate three of the approved spaces, for a remaining total of four spaces. This is well below the nine spaces allowed for the Project under today's Code.

### **ISSUE #2: The Appellant states that the 1970 Variance requires open space on the Property.**

**RESPONSE #2: While a condition of approval associated with the 1970 Variance did require open space, that condition was eliminated as part of the 2018 Variance. The Appellant previously and unsuccessfully appealed that decision separately.**

The 1970 Variance (Exhibit C) authorized a lot line adjustment involving both the Property and the adjacent parcel to the north. Specifically, it authorized the expansion of the Property and the diminution of the adjacent parcel to the north by shifting their shared lot line 30 feet to the north. While this added an undeveloped piece of land to the Property, it also triggered Variances for the existing apartment building on the northern parcel for lot coverage, usable open space, and density. Condition No. 1 of that Variance required that the area transferred through the lot line adjustment "remain as open space in perpetuity."

While the Project complies with the Planning Code's requirements for usable open space and rear yard, it nonetheless encroaches approximately 10 feet into the encumbered "open space" pursuant to Condition No. 1 of the 1970 Variance. Accordingly, the project sponsor submitted the 2018 Variance to remove Condition No. 1 of the 1970 Variance.

On September 21, 2018, the 2018 Variance was approved, and Condition No. 1 of the 1970 Variance was replaced with a requirement that no construction above a height of 13' be located within 10 feet of the parcel to the north. The Project Sponsor subsequently submitted revised plans (Exhibit D) to the Zoning Administrator on August 31, 2018 consistent with the 2018 Variance approval.

An appeal of the 2018 Variance was filed on October 1, 2018. The Board of Appeals heard the appeal on November 17, 2018 and voted to deny the appeal and uphold the granting of the 2018 Variance (Exhibit E).

**ISSUE #3: The appellant states that the Property is hosting illegal short-term rentals.**

**RESPONSE #3: While unpermitted short-term rentals had previously occurred at the Property, enforcement action led to the abatement of the unpermitted rentals in 2017.**

The Planning Department's Office of Short-Term Rentals is responsible for registering eligible hosts and enforcing the City's short-term rental regulations. A complaint alleging illegal short-term rentals at the Property was filed and an enforcement case (Case No. 2017-000633ENF) was opened on January 17, 2017. Subsequently, illegal short-term rentals were observed within two dwelling units and on May 4, 2017, a Notice of Complaint, followed by a Notice of Violation, were sent to the Property Owner. The short-term rental listings were removed, and the violation and applicable penalties were upheld after an administrative appeal hearing. The enforcement case was abated on November 14, 2017.

## **CONCLUSION**

The various contentions by the Appellant are without merit. Issues raised in the Appeal Letter are at best misleading, irrelevant, or have already been adjudicated and unsuccessfully appealed. Moreover, they relate to Planning Code compliance and not to the City's Tentative Map process or approval. The Department recommends that the Board uphold the Tentative Map approval.

## **Exhibit A**

**Planning Department Tentative Map Decision (April 29, 2020)**



**TENTATIVE MAP DECISION**

Date: February 25, 2020

Department of City Planning  
 1650 Mission Street, Suite 400  
 San Francisco, CA 94103

<b>Project ID:</b> 10332			
<b>Project Type:</b> BEING A 4 LOT VERTICAL SUBDIVISION, PROPOSED LOT 1 BEING 5 NEW RESIDENTIAL CONDOMINIUM UNITS, PROPOSED LOT 2 BEING 1 NEW COMMERCIAL SPACE, PROPOSED LOT 3 BEING 3 NEW COMMERCIAL CONDOMINIUM UNITS, AND PROPOSED LOT 4 COMPRISED OF 2 EXISTING RESIDENTIAL APARTMENTS			
<b>Address#</b>	<b>StreetName</b>	<b>Block</b>	<b>Lot</b>
3000 - 3012	LARKIN ST	0025	024
898	NORTH POINT ST	0025	024
<b>Tentative Map Referral</b>			

Attention: Mr. Corey Teague.

Please review\* and respond to this referral within 30 days in accordance with the Subdivision Map Act.

(\*In the course of review by City agencies, any discovered items of concern should be brought to the attention of Public Works for consideration.)

Sincerely,

**Adrian VerHagen** Digitally signed by Adrian VerHagen  
 Date: 2020.02.25 11:46:21 -08'00'

for, Bruce R. Storrs, P.L.S.  
 City and County Surveyor

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class  , CEQA Determination Date  , based on the attached checklist.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

PLANNING DEPARTMENT

Signed

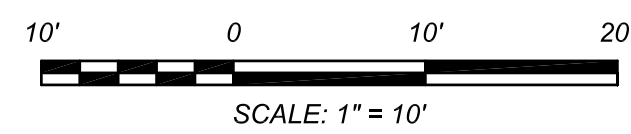
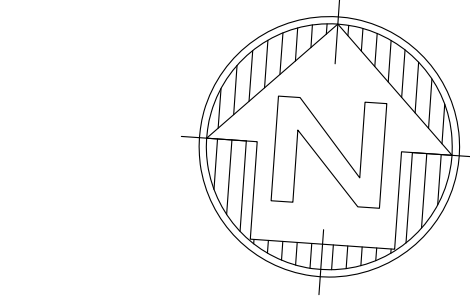
Date

Planner's Name   
 for, Corey Teague, Zoning Administrator

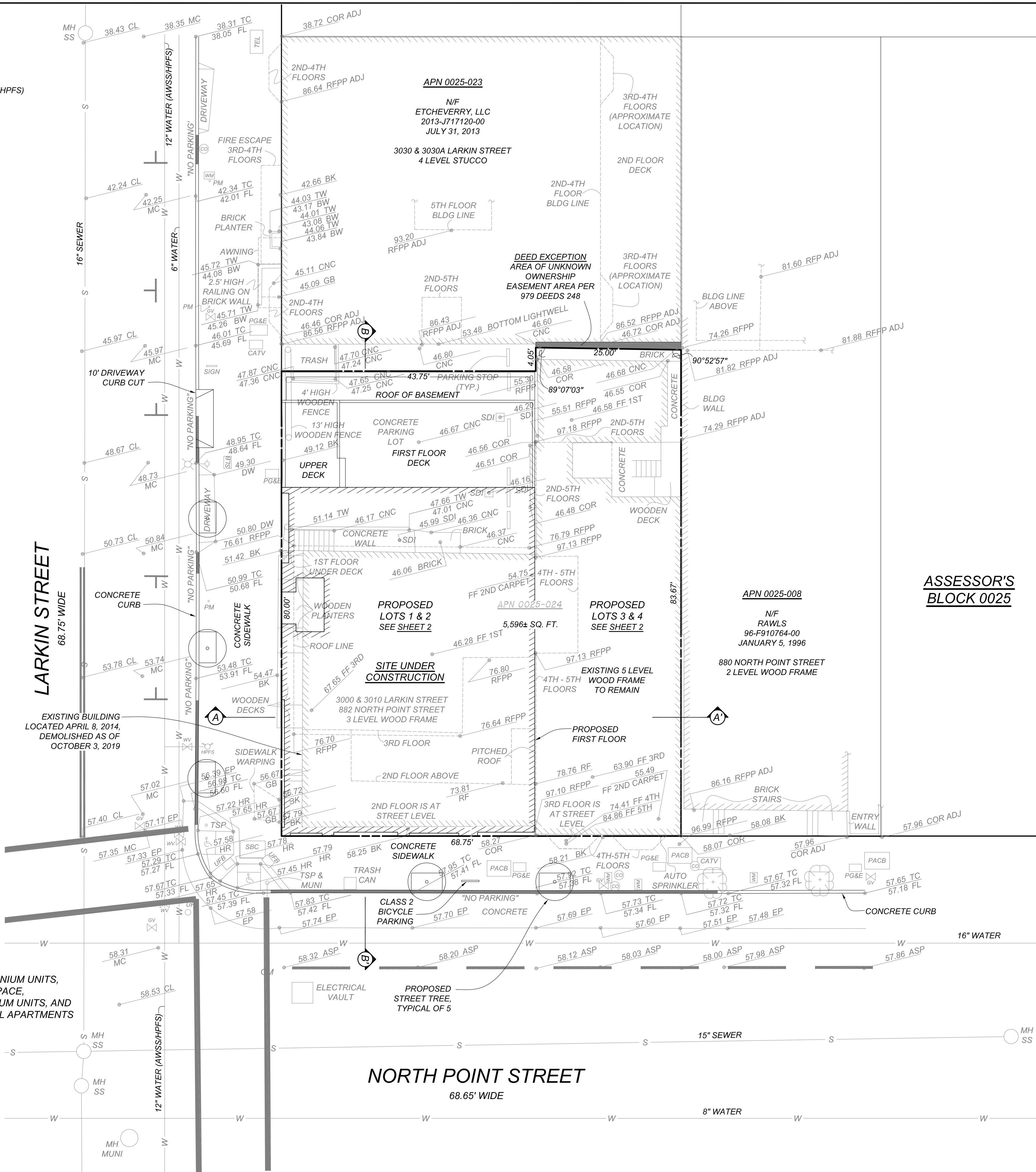
**Exhibit B**  
**Tentative Final Map (February 5, 2020)**

**LEGEND**

- ADJ ADJACENT BUILDING
- ASP ASPHALT
- AWSS AUXILIARY WATER SUPPLY SYSTEM (HPFS)
- BK BACK OF WALK
- BLDG BUILDING
- BW BOTTOM OF WALL
- CATV CABLE TELEVISION
- CL CENTER LINE
- CNC CONCRETE
- COR CORNER
- DW DRIVEWAY
- EP EDGE OF PAVEMENT
- FF FINISHED FLOOR
- FL FLOW LINE
- GB GRADE BREAK
- GV GAS VALVE
- HPFS HIGH PRESSURE FIRE SYSTEM
- MC MIDDLE OF CURVE
- MH MANHOLE
- PACB PACIFIC BELL
- PG&E PACIFIC GAS & ELECTRIC
- PM PARKING METER
- PS PARKING STOP
- RF ROOF
- RFPP ROOF PARAPET
- RFP ROOF PEAK
- SDI STORM DRAIN INLET
- SLB STREET LIGHT BOX
- SSCO SANITARY SEWER CLEAN OUT/VENT
- TC TOP OF CURB
- TSP TELEPHONE BOX
- TLP TRAFFIC SIGNAL POLE
- TW TOP OF WALL
- TYP TYPICAL
- UFB UNIDENTIFIED BOX
- UFL UNIDENTIFIED LID
- WDW WINDOW
- G GAS LINE
- S SANITARY SEWER LINE
- OM OVERHEAD MUNI LINE
- UE UNDERGROUND ELECTRIC LINE
- W WATER LINE
- Ø DIAMETER
- FIRE HYDRANT
- GAS VALVE
- HANDICAP RAMP
- STREET LIGHT
- LIGHT POST
- PAINT STRIPE
- SANITARY SEWER CLEAN OUT/VENT SIGN
- ELEV DESC SPOT ELEVATION
- TREE
- WATER METER
- WATER VALVE



**PROJECT DESCRIPTION:**  
 BEING A 4 LOT VERTICAL SUBDIVISION,  
 PROPOSED LOT 1 BEING 5 NEW RESIDENTIAL CONDOMINIUM UNITS,  
 PROPOSED LOT 2 BEING 1 NEW COMMERCIAL SPACE,  
 PROPOSED LOT 3 BEING 3 NEW COMMERCIAL CONDOMINIUM UNITS, AND  
 PROPOSED LOT 4 COMPRISED OF 2 EXISTING RESIDENTIAL APARTMENTS



**NOTE: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP PLEASE BE ADVISED AS FOLLOWS:**

1. THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENT'S OR HIS AGENT'S REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO FREDERICK T. SEHER & ASSOCIATES, INC., FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY ON THIS PROJECT.
2. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR WATERFRONT MANAGEMENT LLC AND THAT IT REMAINS THE PROPERTY OF FREDERICK T. SEHER & ASSOCIATES, INC. WHETHER THE PROJECT (IF ANY PROPOSED) ON THIS SITE IS CONSTRUCTED OR NOT.
3. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENT(S) PREPARED BY FREDERICK T. SEHER & ASSOCIATES, INC. IN RELATION HEREOF SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN FOR LAND SUBDIVISION, FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFFSITE OR ONSITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSES, INTENT & CONTRACT. LIABILITY SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK T. SEHER & ASSOCIATES, INC. DISCLAIMS ANY AND ALL RESPONSIBILITY.
4. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE TRANSFERS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MAPS) AND/OR THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAP (WHICHEVER COMES FIRST) SHALL VOID ALL INFORMATION, HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.
5. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 3 ABOVE.
6. THAT THE USE OF THIS MAP BY OTHER CONSULTANTS OR CONTRACTORS ON BEHALF OF OUR CLIENT SHALL PROMPT THE IMMEDIATE FULFILLMENTS OF ALL CLIENT'S OBLIGATIONS TO FREDERICK T. SEHER & ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO.
7. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN HEREON.
8. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. A SIGNED PRINT DELIVERED TO THE CLIENT OR CLIENT REPRESENTATIVE CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR FOR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

**BOUNDARY NOTES:**

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

**UTILITY NOTE:**

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

**GENERAL NOTE:**

THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRIPLINES THEREOF.

**DATE OF FIELD SURVEY:**

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON APRIL 8, 2014 AND FIELD VERIFIED ON OCTOBER 3, 2019.

**SURVEY REFERENCE:**

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED:

- ① APN 0025-024: RECORDED MAY 29, 2009, DOCUMENT NUMBER 2009-1772281-00

**PROJECT BENCHMARK - DESCRIPTION:**

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF NORTH POINT STREET AND LARKIN STREET; ELEVATIONS ARE BASED ON OLD CITY AND COUNTY OF SAN FRANCISCO DATUM. S.E. CORNER, CROW CUT OUTER RIM SWL. ELEVATION = 57.55'

**OWNERS:**

WATERFRONT MANAGEMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
 888 NORTH POINT STREET  
 SAN FRANCISCO, CA 94109

**SURVEYOR'S STATEMENT:**

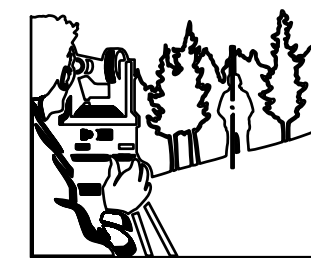
THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY.



*Frederick T. Seher*  
 FREDERICK T. SEHER, PLS  
 LICENSE NO. 6216

FEBRUARY 5, 2020  
 DATE:

DATE:	FEBRUARY, 2020		
SCALE:	1" = 10'		
DRAWN BY:	RH		
DRAWING NAME:	2255-19		
SURVEYED BY:	FTS		
CHECKED BY:	FTS		
CHECKED BY:			
NO.	BY	DATE	REVISIONS

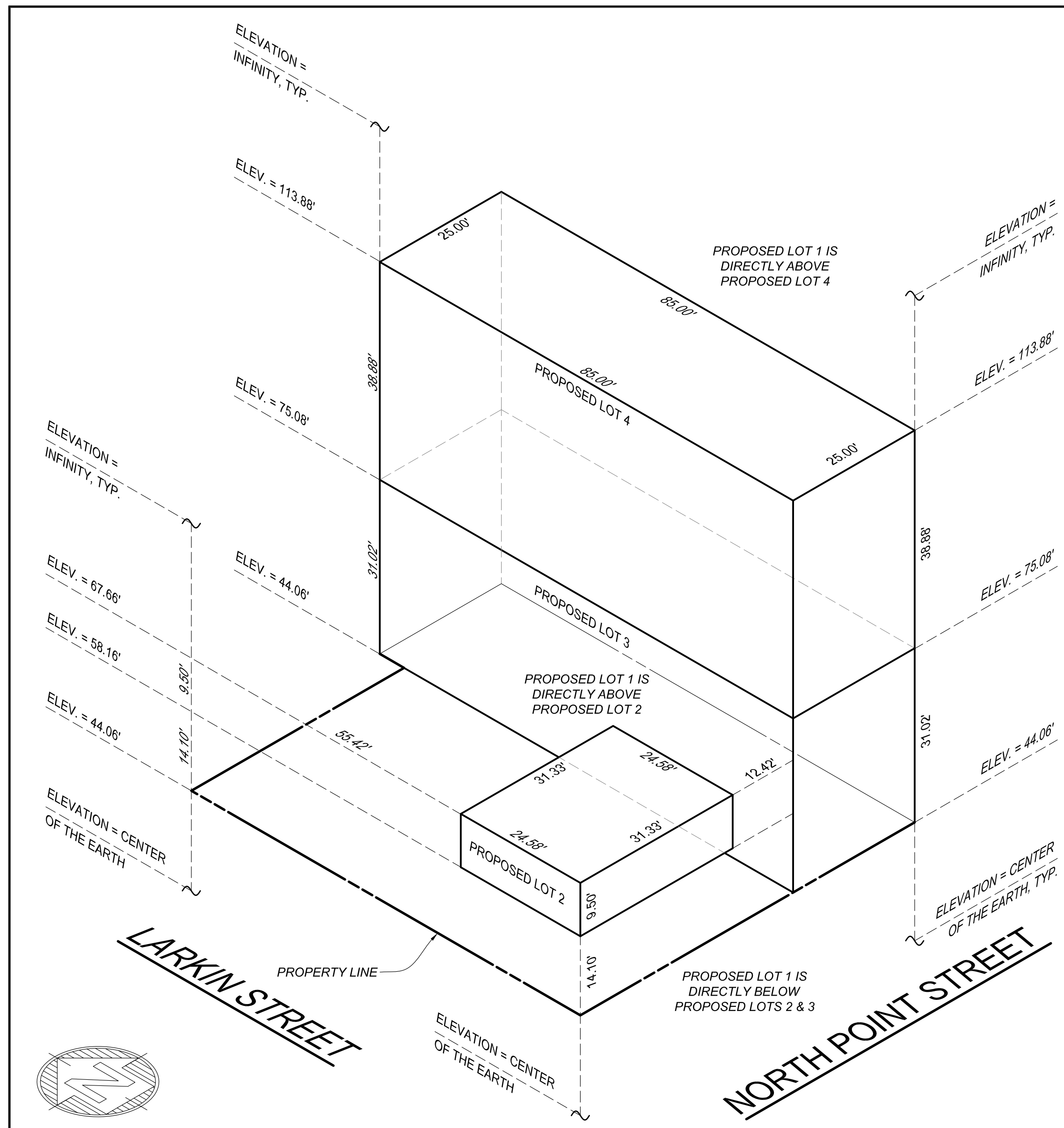


**FREDERICK T. SEHER & ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS  
 SURVEYING & MAPPING  
 841 LOMBARD STREET, SAN FRANCISCO, CA 94133  
 (415) 921-7690 FAX (415) 921-7655

**TENTATIVE FINAL MAP, BEING A 4 LOT VERTICAL SUBDIVISION, LOT 1 BEING 5 NEW RESIDENTIAL CONDOMINIUM, LOT 3 BEING 3 NEW COMMERCIAL CONDOMINIUMS 3000-3008 LARKIN STREET & 898 NORTH POINT STREET, SAN FRANCISCO, CA ASSESSOR'S PARCEL NUMBER (APN): 0025-024**

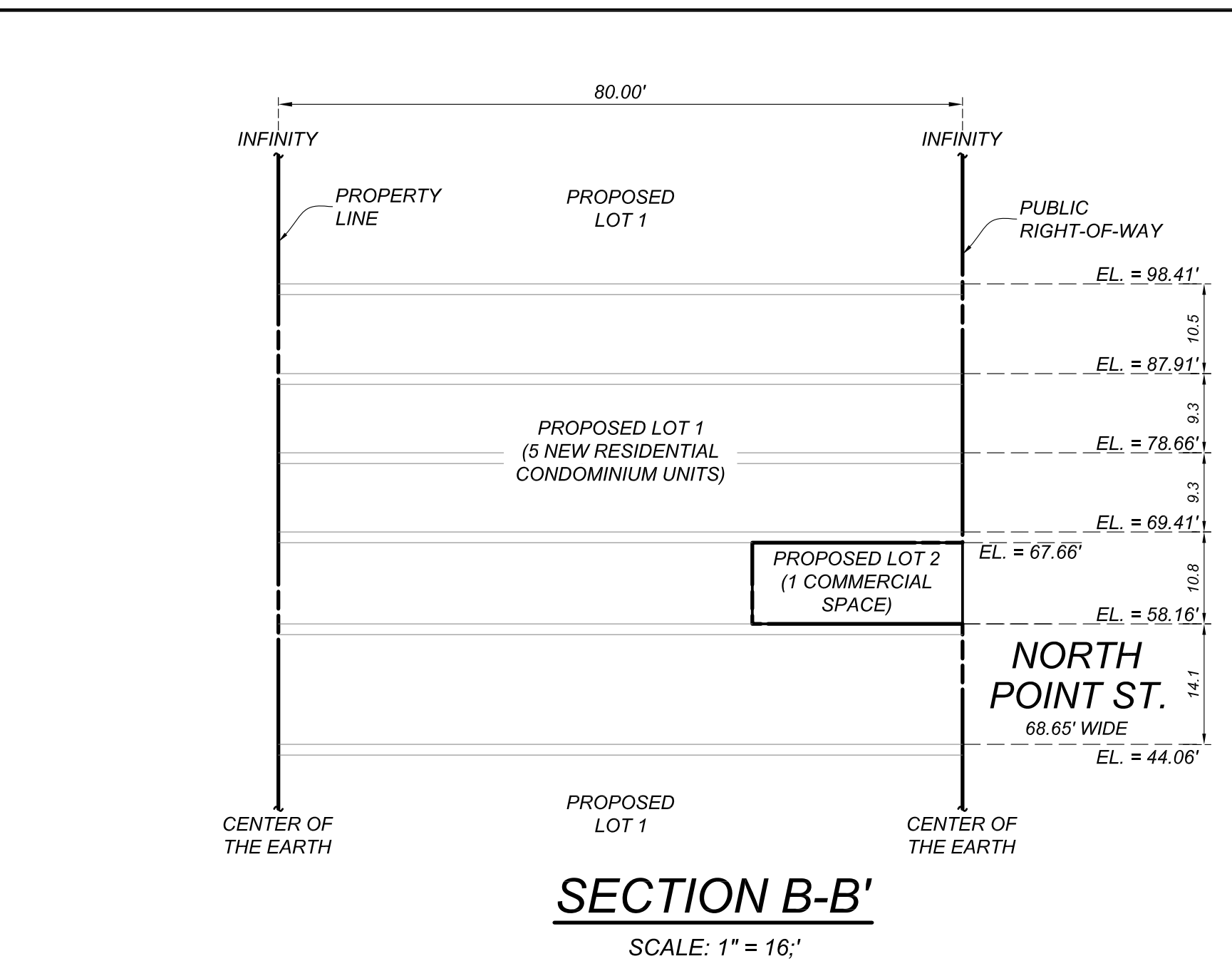
SHEET	1
OF	2 SHEETS
JOB NO.	2255-19





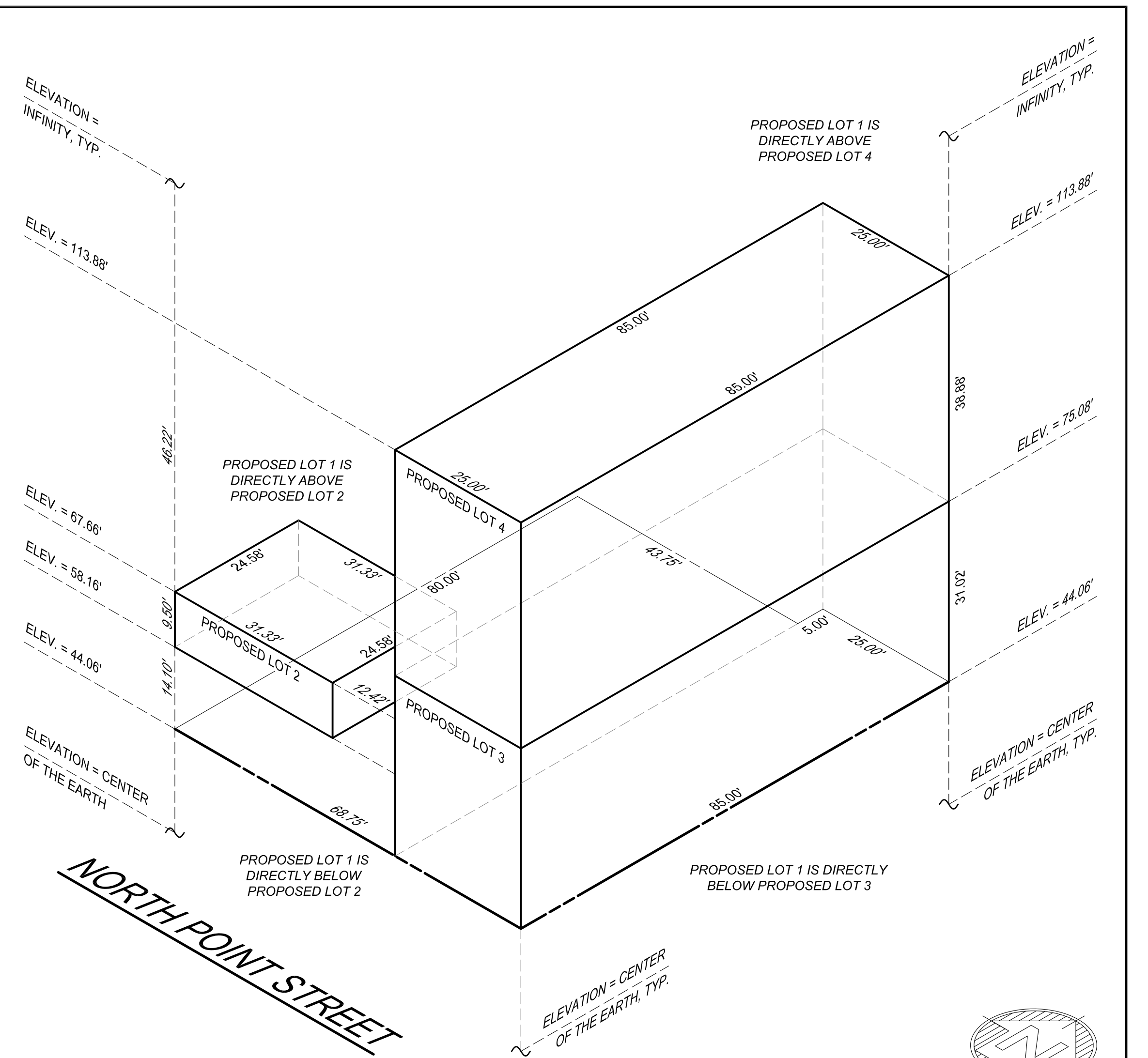
**SOUTHWEST ISOMETRIC VIEW**

SCALE: 1" = 16'



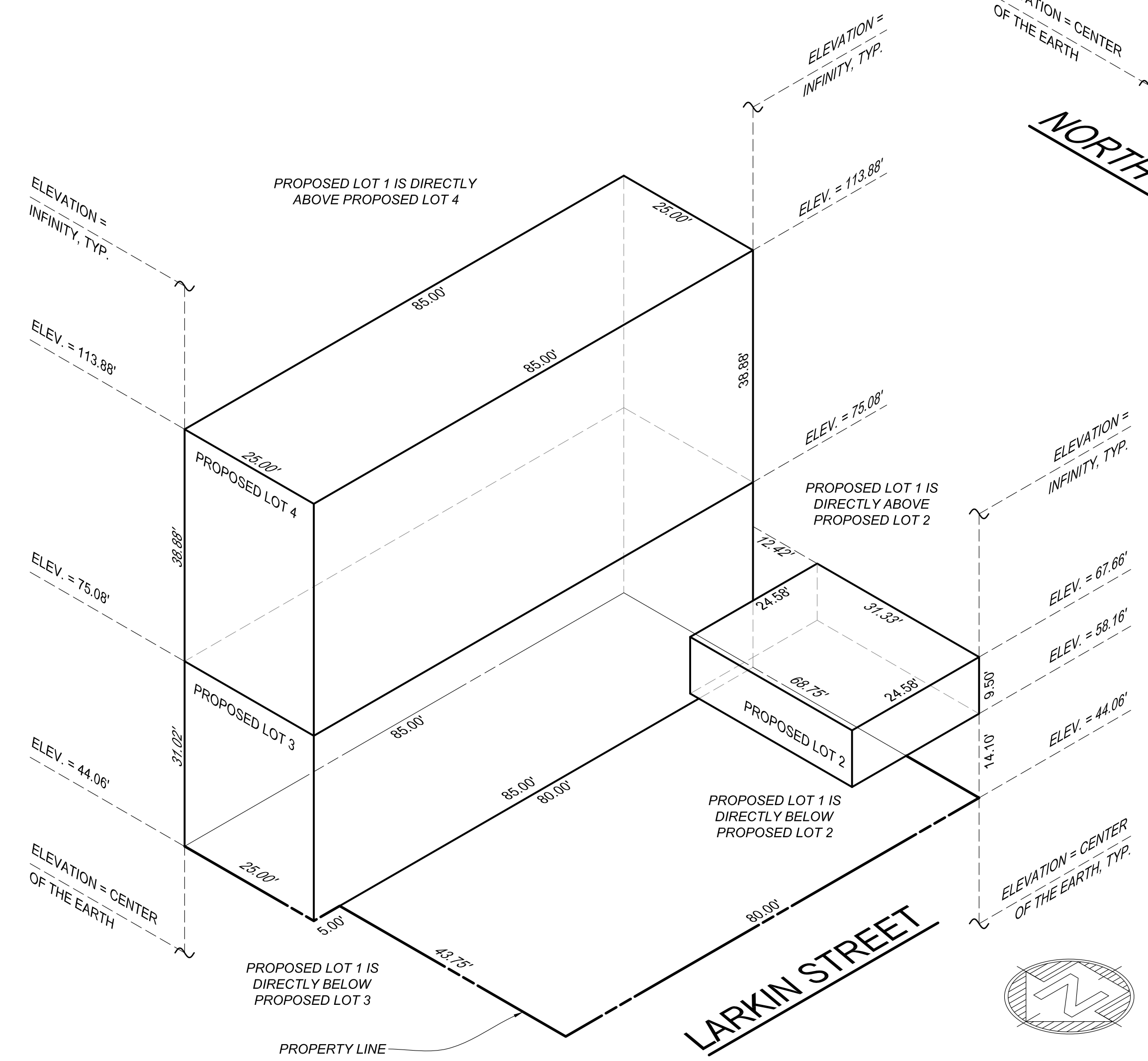
**SECTION B-B'**

SCALE: 1" = 16'



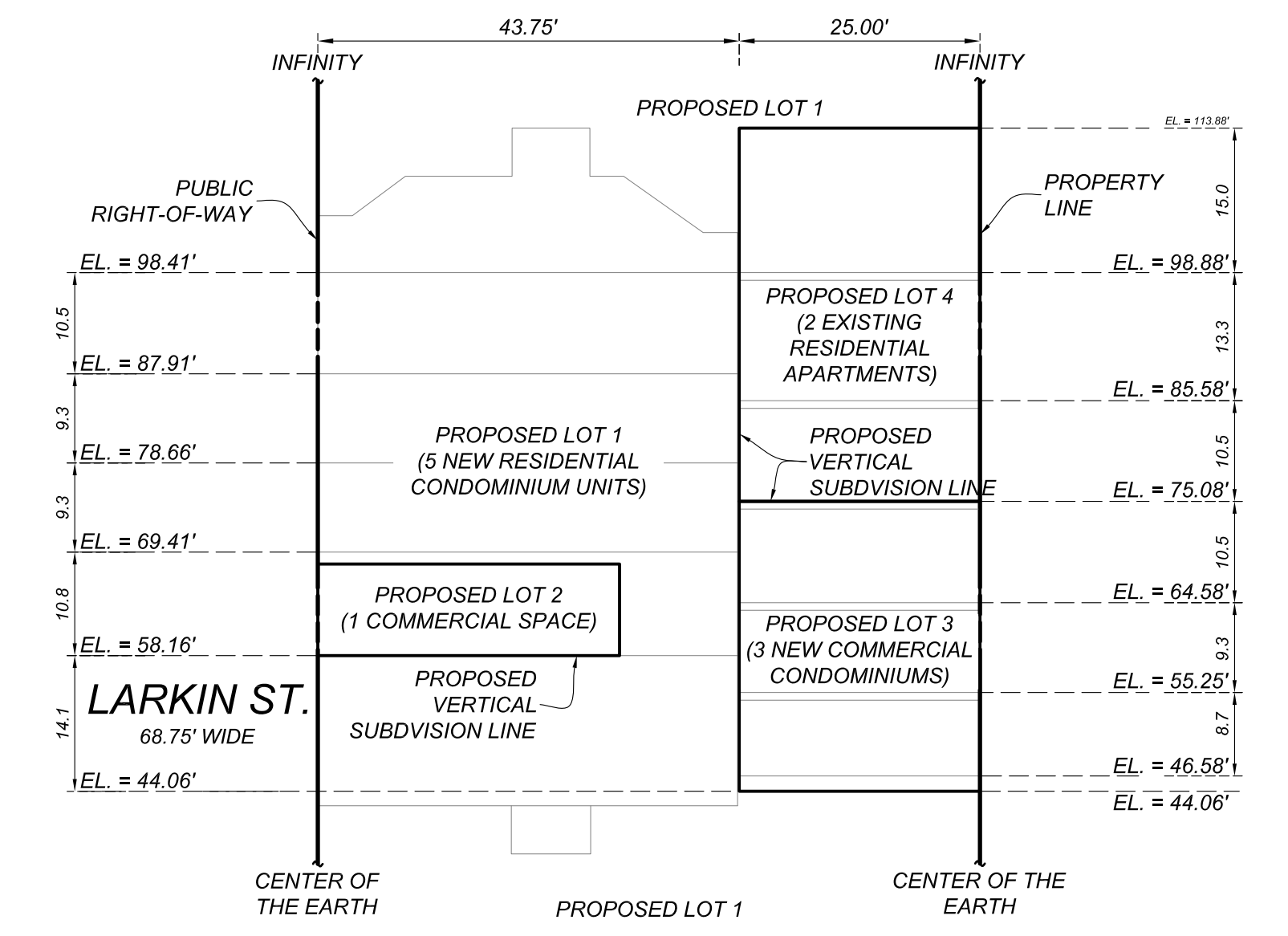
**SOUTHEAST ISOMETRIC VIEW**

SCALE: 1" = 16'



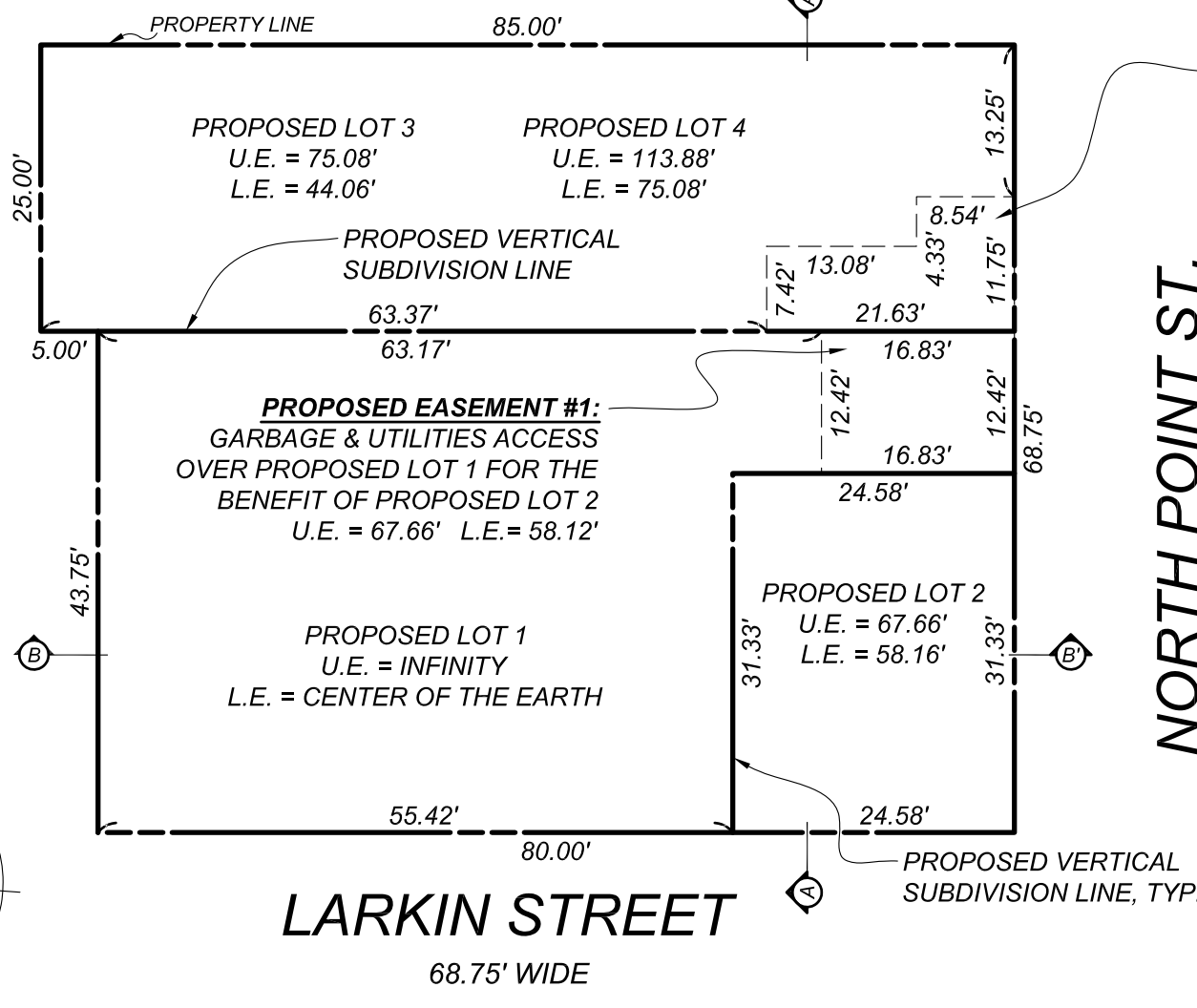
**NORTHWEST ISOMETRIC VIEW**

SCALE: 1" = 16'



**SECTION A-A'**

SCALE: 1" = 16'



**PROPOSED VERTICAL SUBDIVISION LOT PLAN**

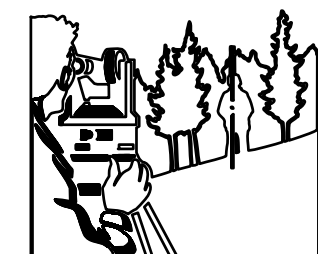
SCALE: 1" = 16'

**PROPOSED EASEMENT #2:**  
INGRESS / EGRESS OVER  
PROPOSED LOT 3 FOR THE  
BENEFIT OF PROPOSED LOT 4  
U.E. = 75.08' L.E. = 44.06'

**NORTH POINT ST.**  
68.65' WIDE

**NOTE:** PROPOSED LOT 1  
IS DIRECTLY ABOVE  
PROPOSED LOTS 2 & 4  
AND DIRECTLY BELOW  
PROPOSED LOTS 2 & 3

DATE:	FEBRUARY, 2020		
SCALE:	1" = 16'		
DRAWN BY:	RH		
DRAWING NAME:	2255-19		
SURVEYED BY:	FTS		
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CHECKED BY:			
NO.	BY	DATE	REVISIONS



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**TENTATIVE FINAL MAP, BEING A 4 LOT VERTICAL SUBDIVISION, LOT 1 BEING 5 NEW RESIDENTIAL CONDOMINIUMS, LOT 3 BEING 3 NEW COMMERCIAL CONDOMINIUMS 3000-3008 LARKIN STREET & 898 NORTH POINT STREET, SAN FRANCISCO, CA ASSESSOR'S PARCEL NUMBER (APN): 0025-024**

SHEET	2
OF	2 SHEETS
JOB NO.	2255-19

## **Exhibit C**

**Variance Decision; Case No. VZ70.61 (December 18, 1970)**



CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF CITY PLANNING

100 LARKIN STREET · CIVIC CENTER · SAN FRANCISCO 2, CALIFORNIA

Date of This Letter: December 18, 1970

Last Date for Filing Appeal: December 28, 1970

Mr. George Imperiale  
655 Pine Street  
San Francisco, California

Re: VZ70.61  
3020 Larkin Street, east side 50 feet  
north of North Point Street; Lot 11 in  
Assessor's Block 25, in a C-2 (Community  
Business) zoning district.

Dear Mr. Imperiale:

This is to notify you and other interested parties that your application under the City Planning Code for a variance pertaining to the above property and described as follows:

COVERAGE, USABLE OPEN SPACE AND DENSITY VARIANCES SOUGHT:  
The proposal is to split lot 11 into 2 parcels: the southernmost vacant portion of the lot which has 30 feet of frontage on Larkin to be transferred to the abutting corner lot and the northern most portion which has 57.5 feet of frontage on Larkin and is developed with an apartment house. As a result of the proposed resubdivision, the apartment house lot would not meet City Planning Code standards for permitted lot coverage, usable open space or density.

which application was considered by the Zoning Administrator at a public hearing on November 18, 1970, has been decided as follows:

GRANTED, for the transfer of the southernmost vacant portion of lot 11, having 30 feet of frontage on Larkin Street and a depth of 43.75 feet, to lot 10 prior to the construction on lot 10 of a commercial building in general conformity with the land use indicated on the Schematic Site Plan by R. E. Onorato and Associates, marked "Exhibit A" and on file with this application. This variance shall be considered granted on the additional CONDITION that:

1. The transferred portion of the lot remain as open space in perpetuity and
2. A deed restriction to this effect approved as to form by the Zoning Administrator be filed with the Recorder of the City and County of San Francisco prior to the approval of any building permits on the resulting enlarged lot, and

3. The variance on the resulting reduced lot 11 shall apply only to the existing development, and upon demolition of the existing apartment building, any new construction must meet Planning Code standards.

I FINDINGS OF FACT

1. Assessor's lot 11 is an interior lot with 87.5 feet frontage on Larkin Street and a depth variously of 43.75 feet and 68.75 feet with an area of 5140.625 square feet.
2. Lot 11 is presently occupied by an 11 unit apartment building. Uncovered open space on the existing lot amounts to 2318.75 square feet. The apartment building covers approximately 55 per cent of the lot. Assessor's lot 10, adjacent to the south of lot 11 is vacant.
3. The proposal is to transfer the southernmost 30 feet of present lot 11 to lot 10, in order to provide additional open plaza area for a proposed commercial building on lot 10, leaving lot 11 with a total area of 3828.125 square feet far larger than the 2500 square foot minimum required by the City Planning Code.
4. The transferred area would remain as open space under the applicant's proposal.
5. Lot 11 is zoned C-2 and since 1964 has been subject to the density standard of one dwelling unit for each 600 square feet of lot area; the existing building, built prior to current zoning Code standards, exceeds the maximum density now permitted, with a ratio of lot area to dwelling units of approximately 467 square feet per unit. The proposed reduction in the size of lot 11 would reduce this figure to 348 square feet per dwelling unit, considerably less than required by the Code.
6. After transfer of the subject portion of lot 11, 1006.25 square feet of open space would remain on lot 11, or approximately 91.5 square feet per dwelling unit. The Code now requires at least 150 square feet of open space for each dwelling unit.
7. After transfer of the subject portion of lot 11, the apartment building would cover 73.7 per cent of the remaining lot. The Code limits lot coverage to a maximum of 65 per cent for an interior lot.
8. The apartment building on lot 11 is not developed in a manner using open space that would be transferred to lot 10 other than as light and air to windows on the south side of the building. This window exposure would be retained under the applicant's proposal to retain the subject area that would be transferred to lot 10 as open plaza area.

9. The Ghirardelli Square area is developing rapidly as an intense commercial area which attracts residents of the area and tourists.
10. The applicant proposes to include the open area in a development of open courtyards emphasizing the natural environment which is intended to link together with the open access Aquatic Park and Ghirardelli Square to the north and west.
11. The lots on the east side of Larkin Street, directly opposite Ghirardelli Square such as the subject lots 10 and 11 are logical sites for immediate and future expansion of the commercial area. Thus, a commercial development on lot 11 may be expected in the future.
12. In a C-2 district the rear yard, lot coverage and usable open space requirements of the Planning Code apply only from the window sill level of the lower story, if any, occupied as a dwelling.
13. No one appeared in opposition to the application at the public hearing.

## II CONCLUSIONS BASED UPON THESE FINDINGS

The Charter and Section 305(c) of the Planning Code specify five requirements that must all be met if a variance is to be granted, and the Charter and Code also specify that this variance decision must set forth the findings upon which these requirements are deemed to be, or not to be, met in each case. The five requirements, therefore, are listed below and, on the basis of the findings herein set forth, they are deemed to be, ~~or~~ not to be, met in this case as indicated.

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

REQUIREMENT MET because, as shown in the Findings, the intended use of the subject portion of Assessor's lot 11 that would be transferred to lot 10 will not change its basic nature as open space and will, indeed, guarantee that it remains as such when such a guarantee could not otherwise be made in a C-2 zoning district. It will do so in a manner which will benefit residents of the City as a whole and increase the usability and attractiveness of the existing area for tenants of the residential building.

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

December 18, 1970

REQUIREMENT MET because the strict enforcement of the City Planning Code provisions in this case would call for the impractical and unreasonable alteration or destruction of the existing apartment building or prevent the applicant from realizing a well-conceived concept of open space development which will serve the tenants and visitors of lots 11 and 10 without any compensating public benefit.

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

REQUIREMENT MET because the same class of district permits 100 per cent coverage of lots for commercial purposes, and other such lots in the area are so developed, adding none of the open space amenities to neighboring residences which granting a variance under the stated condition will guarantee. The applicant proposes to develop the rest of the newly enlarged corner lot to less than the maximum permitted coverage in the zoning district, and less than that of neighboring properties, in order to provide even more open area for the enjoyment of the public as well as commercial tenants.

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

REQUIREMENT MET because granting the variance will allow a development of lots 11 and 10 that will add to the open space amenities now available to those two C-2 zoned lots in keeping with similar amenities available at Ghirardelli Square and Aquatic Park in this area of the City which is changing rapidly from an earlier industrial character to uses conducive to shopping, recreation and tourist attractions. The proposed development, including the open court on the portion of lot 11 under discussion, is designed to tie in with other development in the area and should be at the same time an attraction in itself for the public. Thus, the proposal actually adds to and strengthens existing amenities of neighboring properties.

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

REQUIREMENT MET because in considering the nature of this area and the purposes of open space provisions of the Planning Code and of the Master Plan in general, that open space may be considered even more desirable which can serve not only the needs of the tenants on one particular lot but in addition other citizens and neighbors. The proposed development.

Mr. George Imperiale

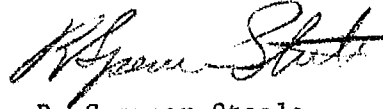
- 5 -

December 18, 1970

made possible by this variance strengthens the natural beauty of this neighborhood and adds to the beneficial attractions of the City as a whole while fulfilling intentions of the Master Plan. The variance allows development in the spirit of the intention of Code provisions and, thus, is both necessary and desirable.

This decision will become effective if no appeal from this decision has been filed as provided in Section 308.2 of the City Planning Code on or before the last date for filing as noted above.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R. Spencer Steele".

R. Spencer Steele  
Zoning Administrator

RSS/RWP/en

## **Exhibit D**

**Variance Decision; Case No. 2018-001289VAR (September 21, 2018)**  
**[including architectural plans for the Project]**





# SAN FRANCISCO PLANNING DEPARTMENT

## Variance Decision

*Date:* September 21, 2018  
*Case No.:* **2018-001289VAR**  
*Project Address:* **898 NORTH POINT STREET**  
*Zoning:* C-2 (Community Business)  
40-X Height and Bulk District  
*Block/Lots:* 0025/024  
*Applicant:* Jeremy Schaub  
1360 9<sup>th</sup> Avenue, Suite 210  
San Francisco, CA 94122  
Jeremy@gabrielngarchitects.com  
*Owner:* Waterfront Management LLC  
888 North Point Street  
San Francisco, CA 94109  
*Staff Contact:* Nicholas Foster – (415) 575-9167  
[nicholas.foster@sfgov.org](mailto:nicholas.foster@sfgov.org)

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### DESCRIPTION OF VARIANCE – MODIFICATION OF CONDITION OF APPROVAL OF PRIOR VARIANCE DECISION SOUGHT:

The Decision Letter for Variance Case No. VZ70.61 (Exhibit A) was issued on December 18, 1970, with multiple conditions to allow a property line adjustment involving the subject property and the adjacent property at 3030 Larkin Street. Condition No. 1 of that letter required the portion of the subject property that was transferred from the adjacent lot through the lot line adjustment to “remain as open space in perpetuity.” The proposal is to modify that Decision Letter by removing Condition No. 1.

**Planning Code Section 305(d)** provides that any violation of any specification or condition so imposed by a variance decision shall constitute a violation of this Code and may constitute grounds for revocation of the variance. While the building proposed through Building Permit Application No. 201412163783 complies with the rear yard requirements for the subject lot, the new building would nonetheless encroach approximately 10 feet into the encumbered “open space” portion of the subject lot pursuant to Condition No. 1 of Variance Case No. VZ70.61.

**Planning Code Section 174** states that “Every condition, stipulation, special restriction and other limitation imposed by administrative actions pursuant to this Code, whether such actions are discretionary or ministerial, shall be complied with in the development and use of land and structures. All such conditions, stipulations, special restrictions and other limitations shall become requirements of this Code, and failure to comply with any such condition, stipulation, special restriction or other limitation shall constitute a violation of the provisions of this Code.” Condition No. 1 of the Decision Letter issued for Variance Case No. VZ70.61 requires a 30-foot rear setback only on the subject property at 898 North Point Street. Pursuant to Planning Code Sections 174 and 305, this setback represents a quantitative control that may be varied pursuant to the variance procedures of Section 305. Therefore, a

new variance is required to modify the Decision Letter issued for Variance Case No. VZ70.61 to remove or replace Condition No. 1.

#### PROCEDURAL BACKGROUND:

1. The Decision Letter for Variance Case No. VZ70.61 was issued on December 18, 1970. At that time, the subject property at 898 North Point Street was Lot 010, and the property at 3030 Larkin Street was Lot 011. The Variance authorized a 30-foot adjustment of the shared lot line between these two properties to the north, such that Lot 011 required Variances from Planning Code requirements for lot coverage, usable open space, and density. Condition No. 1 of this decision letter stated "The transferred portion of the lot remain as open space in perpetuity."
2. Upon the lot line adjustment being approved, the property at 3030 Larkin Street changed from Lot 011 to Lot 023, which it remains today. At that time the subject property at 898 North Point Street changed from Lot 010 to Lot 022. However, Lot 022 was later merged with the adjacent Lot 009 at 882-888 North Point Street, creating Lot 024 as it exists today.
3. Building Permit Application No. 201412163783 for the new construction of a 4-story residential building with ground floor retail on the subject property was filed on December 16, 2014. This permit was not subject to neighborhood notification, but the Project Sponsor did hold a Pre-Application meeting for neighbors on November 11, 2014. The property owner and all tenants of the adjacent property at 3030 Larkin Street were invited to attend. However, the meeting sign-in sheet did not include the property owner or any tenants from 3030 Larkin Street.
4. The proposal to demolish the existing commercial building and newly construct a 4-story residential building with ground floor retail was granted a Class 1 and Class 3 Categorical Exemption from the California Environmental Quality Act ("CEQA") (Case No. 2014-003088ENV). Building Permit Application No. 201412163783 for the proposed new construction was approved by the Planning Department on October 16, 2015, and it was issued by the Department of Building Inspection on February 11, 2016.
5. The owner of the subject property filed an application with the Department of Public Works on February 9, 2016 to subdivide Lot 024 such that the former Lot 009 at 882-888 North Point Street would revert back to its original lot configuration. The referral for that subdivision was approved by the Planning Department on March 10, 2016. The Department of Public Works issued a Tentative Map approval of the subdivision on March 30, 2016. However, a Final Map has not yet been approved.
6. Variance Case No. VZ70.61 was not listed on the Planning Department's Property Information Map (PIM) on its website, and therefore did not initially come to the attention of the Planning Department. The Project Sponsor discovered Variance Case No. VZ70.61 and the associated Notice of Special Restrictions (NSR) recorded on the subject property after Building Permit Application No. 201412163783 was issued and the Tentative Map was approved, at which time they notified the Planning Department.

7. Variance Case No. 2018-001289VAR was filed on January 23, 2018. The Zoning Administrator held a public hearing on **Variance Application No. 2018-001289VAR** on **February 28, 2018**.
8. The Project Sponsor submitted plans (Exhibit B) to the Zoning Administrator on August 31, 2018 representing a proposed revision to the plans associated with Building Permit Application No. 201412163783. The revised proposal is consistent with this Decision Letter and all other relevant controls of the Planning Code.

**DECISION:**

**GRANTED**, to replace Condition No. 1 of the Decision Letter issued on December 18, 1970 for Variance Case No. VZ70.61 with the following condition:

**New Condition:** No building wall on Lot 024 may be closer than 10 feet from its northern property line shared with Lot 023. However, this does not apply to the first story of development within the 10-foot setback, up to a maximum height of 13 feet as measured from the top of the curb at the property line along Larkin Street. Any deck(s) and associated railings above this first story must be set back at least 5 feet from the shared property line, and such railings may only be the minimum height required by the Building Code.

This decision is subject to the following additional conditions:

1. The authorization and rights vested by virtue of this decision letter are immediately operable upon issuance of this letter.
2. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
3. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for new construction on the subject property. This Index Sheet of the construction plans shall reference the Variance Case Number.

**FINDINGS:**

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

**FINDING 1.**

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

**Requirement Met.**

- A. The Decision Letter issued for Variance Case No. VZ70.61 required the portion of the subject property that was transferred from the adjacent lot through the lot line adjustment to “remain as open space in perpetuity.” This area measures 30 feet in depth. The original variance anticipated that the subject lot would be developed with a commercial building. However, current proposal for the property is a 5-unit residential building with a small ground floor commercial space (see Exhibit B). The Planning Code requires new dwelling units at the subject property to provide off-street accessory parking, and the General Plan and Planning Department policy encourage curb cuts to be as far from intersections as possible to reduce potential conflicts.

The subject property has a shallow depth of only 80 feet, and it slopes down to north, creating an elevation difference of approximately 11 feet along the Larkin Street frontage. The property’s frontage along North Point Street is occupied by a MUNI bus stop with a red curb. As such, the Larkin Street frontage is the only viable location for a new curb cut, especially if the partially subterranean level is to be used as a parking garage. Additionally, due to the sloping nature of the site, it is physically necessary to place the curb cut and garage entrance as deep into the property as possible along Larkin Street to allow adequate access and maneuverability. These factors represent exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class of district.

**FINDING 2.**

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

**Requirement Met.**

- A. The circumstances described above result in little to no opportunity for Code-complying off-street accessory parking at the site unless it is accessed as far down-slope on the Larkin Street frontage as possible. Requiring a 30-foot rear setback at all levels of the subject property represents a greater rear yard than required by the Planning Code (i.e. 20 feet) and is an unnecessary hardship toward providing Code-complying off-street accessory parking, which is due to the context of the site’s topography and layout, and is not created by or attributed to the applicant or the owner of the property.

**FINDING 3.**

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

**Requirement Met.**

- A. Granting this variance will allow the subject property to develop a residential building with the maximum density permitted by the Planning Code, while providing Code-required off-street

accessory parking using generally the same location for its garage access along Larkin Street as is currently used for the site's rear parking lot. Developing a Code-complying project that maximizes density, is consistent with relevant design guidelines and the General Plan, and is respectful of its surroundings, is a substantial property right of the subject property possessed by other property in the same class of district.

**FINDING 4.**

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

**Requirement Met.**

- A. Granting the variance will allow a Code-complying project that maximizes density, is consistent with design guidelines and the General Plan, and is respectful of its surroundings. The new condition to replace the original Condition No. 1 of the Decision Letter for Variance Case No. VZ70.61 ensures that no structure above the garage level will be within 10 feet of the property line to the north shared with 3030 Larkin Street. The adjacent 5-foot side setback on Lot 023 means that above the garage level there will be at least 15 feet between the 3030 Larkin Street building and any new structure developed on the subject property. As a matter of comparison, 15 feet is generally the minimum rear yard required by the Planning Code for a residential project. However, because the required rear yard of the subject property is 20 feet, the separation between the 3030 Larkin Street building and any new structure on the subject property will effectively be 25 feet above the garage level.
- B. The building at 3030 Larkin Street includes a central corridor on each residential level, so that each dwelling unit in the building fronts either on Larkin Street or the property's rear yard. The building includes a lightwell along its southern façade, facing the subject property, which is occupied by stairs. It is also covered by a semi-transparent material. As such, the lightwell does not actually provide any additional light to the dwelling units.

Each unit (one front, one rear) at 3030 Larkin Street along its southern façade has 3 windows on that façade. However, one such window is within a closet, and the other two windows provide light to a living room that also has windows fronting either Larkin Street or the rear yard. Therefore, none of the windows on the southern façade of 3030 Larkin Street are used for singular access to light in primary rooms. Additionally, this decision also requires any deck and railings above the garage level of the subject property to be set back at least 5 feet from shared property line.

This decision allows the garage level of the subject property to rise to a height of 13 feet with no rear setback, and requires at least a 10-foot rear setback above the garage level. However, it effectively creates a 25-foot separation between the building on Lot 023 and any future building on Lot 024 due to the 5-foot setback on Lot 023 and the subject property's 20 foot rear yard requirement. These setbacks represent standard development within the City and will not be materially detrimental to the public welfare or materially injurious to the property at 3030 Larkin Street or any other improvements in the vicinity.

- C. The Decision Letter for Variance Case No. VZ70.61 granted variances to the property at 3030 Larkin Street for lot coverage, useable open space, and density. Although the subject property at 898 North Point Street did not require or receive a variance due to the lot line adjustment, Condition No. 1 of that decision did restrict the lot by requiring a 30-foot open area setback at the rear of the property. Granting this new variance to replace Condition No. 1 of the Decision Letter for Variance Case No. VZ70.61 will only affect the subject property, and will not affect any of the variances granted for lot coverage, open space, or density at Lot 023 (3030 Larkin Street).
- D. The Project Sponsor received no opposition when they conducted the Pre-Application meeting for the project in November 2014, or as part of any noticing required by the Department of Building Inspection for the issuance of Building Permit Application No. 201412163783. However, multiple speakers at the variance hearing on February 28, 2018 spoke in opposition to the proposal to completely remove the required setback pursuant to Condition No. 1 of the Decision Letter for Variance Case No. VZ70.61. The speakers included the property owner of 3030 Larkin Street, his counsel, his brother, and two separate tenants at 3030 Larkin Street.

**FINDING 5.**

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

**Requirement Met.**

- A. This development is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character, and maintaining housing stock.
1. Existing neighborhood retail uses will not be adversely affected by the proposed project.
  2. The proposed project will be in keeping with the existing housing and neighborhood character.
  3. The proposed project will have no effect on the City's supply of affordable housing.
  4. The proposed project does not adversely affect neighborhood parking or public transit.
  5. The project will have no effect on the City's industrial and service sectors.
  6. The proposed project will have no effect on the City's preparedness to protect against injury and loss of life in an earthquake.
  7. The project will have no effect on the City's landmarks or historic buildings.

8. The project would not affect any existing or planned public parks or open spaces.

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

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

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

**APPEAL:** Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Appeals in person at 1650 Mission Street, 3<sup>rd</sup> Floor (Room 304) or call 575-6880.

Very truly yours,



Corey A. Teague  
Acting Zoning Administrator

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THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OCCUPANCY. PERMITS FROM APPROPRIATE DEPARTMENTS MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

### ABBREVIATIONS

&	AND
@	AT
⊕	CENTER LINE
∅	DIAMETER
#	FOUND OR NUMBER
#	PROPERTY LINE
A.D.	AREA DRAIN
ADJ.	ADJACENT
ALUM.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECTURAL
AWN.	AWNING WINDOW
BD.	BOARD
BLDG.	BUILDING
BLKG.	BLOCKING
BM.	BEAM
BOT.	BOTTOM
C.B.	CATCH BASIN
C.O.	CLEANOUT
CAB.	CABINET
CLG.	CEILING
CLO.	CLOSET
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONST.	CONSTRUCTION
CORR.	CORRIDOR
CSMT.	CASEMENT WINDOW
D.H.	DOUBLE HUNG WINDOW
DBL.	DOUBLE
DEPT.	DEPARTMENT
DET.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN.	DOWN
DR.	DOOR
DIW.	DISHWASHER
DWG.	DRAWING
E	EAST
(E)	EXISTING
EA	EACH
EL	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EQ.	EQUAL
EXT.	EXTERIOR
F.D.	FLOOR DRAIN
F.D.C.	FIRE DEPT. CONNECTION
F.G.	FIXED GLASS WINDOW
F.P.	FIREPLACE
FDN.	FOUNDATION
FIN.	FINISH
FLR.	FLOOR
FLUOR.	FLUORESCENT
FT.	FOOT OR FEET
FTG.	FOOTING
G.F.I.	GROUND FAULT
INTERRUPTER	INTERFERENCE
G.S.M.	GALVANIZED SHEET METAL
GA	GAUGE
GL.	GLASS
GND.	GROUND
GYP.	GYPSONUM
H.B.	HOSE BIBB
HDWD.	HARDWOOD
HORIZ.	HORIZONTAL
HR.	HOUR
HT.	HEIGHT
INSUL.	INSULATION
INT.	INTERIOR
LAV.	LAVATORY
LT.	LIGHT
MAX.	MAXIMUM
MECH.	MECHANICAL
MET.	METAL
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
N	NORTH
(N)	NEW
N.T.S.	NOT TO SCALE
NO. OR #	NUMBER
O.C.	ON CENTER
O.F.D.	OVERFLOW DRAIN
O.H.	OVERHANG
OBS.	OBSOLETE
OPNG.	OPENING
P/L	PROPERTY LINE
PL	PLATE
PLYWD.	PLYWOOD
PT	POINT
Q.T.	QUARRY TILE
R	RISER
R.D.	ROOF DRAIN
R.W.	REDWOOD
R.W.L.	RAIN WATER LEADER
RAD.	RADIUS
REFR.	REFRIGERATOR
REINF.	REINFORCED
REQ.	REQUIRED
RET.	RETAINING
S	SOUTH
S.G.D.	SLIDING GLASS DOOR
S.H.	SINGLE HUNG WINDOW
SIM.	SIMILAR
SL	SLIDER WINDOW
SPEC.	SPECIFICATION
SQ.	SQUARE
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRL.	STRUCTURAL
SYM.	SYMMETRICAL
T.&G.	TONGUE & GROOVE
THK.	THICK
TYP.	TYPICAL
T.G.	TEMPERED GLASS
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
W	WEST
W	WITH
WO	WOOD
W/O	WITHOUT
WP.	WATERPROOF
WT.	WEIGHT

### DRAWING INDEX

A-0	PROJECT INFORMATION & RENDERING
A-1.0	SITE / ROOF PLAN
A-2.0	BASEMENT PLAN
A-2.1	FIRST FLOOR PLAN
A-2.2	SECOND FLOOR PLAN
A-2.3	THIRD FLOOR PLAN
A-2.4	FOURTH FLOOR PLAN
A-2.5	ROOF PLAN
A-3.0	ELEVATION ON NORTH POINT STREET
A-3.1	LEFT ELEVATION (LARKIN STREET)
A-3.2	REAR AND RIGHT ELEVATIONS
A-3.3	SECTIONS



RENDERING LOOKING NORTH EAST AT SUBJECT SITE

#### NOTES

PROVIDE FIRE SPRINKLER SYSTEM AND STANDPIPES THROUGHOUT THE BLDG. AND UNDER SEPARATE PERMIT. FIRE SPRINKLER SYSTEM TO BE DESIGN-BUILT BY A LICENSED FIRE PROTECTION CONTRACTOR.

PROVIDE FIRE ALARM SYSTEM UNDER SEPARATE PERMIT CONSTRUCTION COST OF THIS PERMIT DOES NOT INCLUDE SPRINKLER AND FIRE ALARM SYSTEM.

PROVIDE EMERGENCY LIGHTING PER SEC. 1006.3

PROVIDE EXIT SIGNS PER SEC. 1011

PROVIDE STAIR IDENTIFICATION WITH SIGN PER SEC. 1022.8.1

TWO HOUR STAIR ENCLOSURE FOR 4 OR MORE STORIES WITH 90 MIN. DOOR WITH CLOSER PER SEC. 1022.2

TWO HOUR SHAFT ENCLOSURE FOR ELEVATOR

PROVIDE ONE HOUR CONSTRUCTION W/ SOUND INSULATION BETWEEN UNIT AND PUBLIC AREA

PROVIDE SMOKE ALARMS PER SEC. 907.2.11.2

PROVIDE CARBON MONOXIDE ALARMS PER SEC. 420.6

ALL FIREPLACES SHALL BE "UL LISTED"

PROVIDE TEMPERED (SAFETY) GLASS AT HAZARDOUS LOCATIONS PER SEC. 2406.4

ROOF DRAIN AND OVERFLOW DRAIN AT ROOF OR DECK SHALL CONNECT TO CITY SEWER

TRASH ROOM COMPLY W/ SEC. 713.13

COMPLY W/ SECURITY REQUIREMENTS PER S.F.B.C. SEC. 1005A

EXIT ENCLOSURE VENTILATION PER S.F.B.C. SEC. 1022.6

PROVIDE GARAGE VENTILATION PER SEC. 406.6.2

PROVIDE FLOOR DRAIN AT GARAGE PER SEC. 406.4.5

ALL LIGHTS SHALL COMPLY WITH 2013 CALIFORNIA TITLE 24 RESIDENTIAL STANDARDS

UNDERPINNING & SHORING IF REQUIRED UNDER SEPARATE PERMIT.

STATE INDUSTRIAL SAFETY PERMIT IS REQUIRED

SEE SOIL REPORT PREPARED BY MICHELUCCI & ASSOCIATES, INC., DATED MARCH 13, 2015

#### ACCESSIBILITY STATEMENT

PER SEC. 1134A.2 - ONLY 1 BATHROOM IN EACH DWELLING UNIT NEEDS TO COMPLY W/ THE REQUIREMENTS FOR THE PHYSICALLY DISABLED, AND INDICATED AS "ACCESSIBLE" ON PLANS.

COMMERCIAL SPACE TO FULLY COMPLY W/ THE REQUIREMENTS FOR THE PHYSICALLY DISABLED

APPLICABLE CODES & ORDINANCES

2013 CALIFORNIA BUILDING CODE (CBC), W/ SAN FRANCISCO AMENDMENTS

2013 CALIFORNIA MECHANICAL, ELECTRICAL, AND PLUMBING CODES, W/ SAN FRANCISCO AMENDMENTS

2013 CALIFORNIA FIRE CODE, W/ SAN FRANCISCO AMENDMENTS

2013 CALIFORNIA ENERGY CODE - TITLE 24

2013 NFPA 13 STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS

2010 NFPA 72 - FIRE ALARM CODE

2006 NFPA 101 - LIFE SAFETY CODE

#### SCOPE OF WORK

NEW MIXED-USE 4-STORY 5 DWELLINGS & GROUND FLOOR COMMERCIAL

#### PROJECT DATA

BUILDING PERMIT APPLICATION #: 2014-1216-3783

BLOCK/LOT: 0025 / 024

ZONING: C-2 / S.U.D. WATERFRONT 2

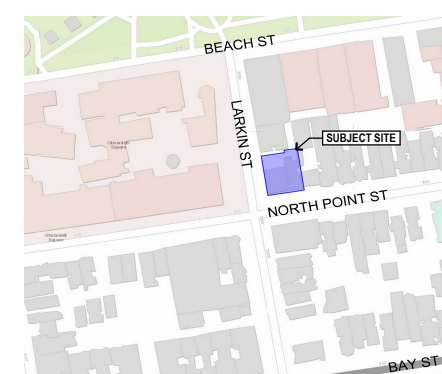
OCCUPANCY: S-2 / M / R-2

NUMBER OF UNITS: 5 RESIDENTIAL & COMMERCIAL

NUMBER OF STORIES: 4 OVER BASEMENT

TYPE OF CONSTRUCTION: V-A (FULLY SPRINKLERED)

#### VICINITY MAP



#### GENERAL NOTES

PLEASE TAKE NOTICE THAT THE DRAWINGS AS PREPARED BY SCHAUB LY ARCHITECTS, INC. FOR THE PROJECT ARE LIMITED TO THE EXTENT AS REQUIRED FOR PLAN CHECK PURPOSES BY CITY AGENCIES HAVING JURISDICTION OVER THE PROJECT.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DESIGN-BUILD (DESIGN AND INSTALL) ALL SYSTEMS AND ELEMENTS AS REQUIRED FOR THE CONSTRUCTION OF THE PROJECT, INCLUDING BUT NOT LIMITED TO PLUMBING, MECHANICAL, FIRE SPRINKLER AND ELECTRICAL SYSTEMS; AND ALL DETAILS FOR ROOFING, FLASHING, WATERPROOFING AND SOUND PROOFING STANDARDS.

THE USE OF THESE DRAWINGS FOR THE CONSTRUCTION OF THE PROJECT SHALL CONSTITUTE THE CONTRACTOR'S REPRESENTATION THAT IT HAS REVIEWED AND VERIFIED THE BUILDABILITY OF THE PROJECT AS SHOWN ON THESE DRAWINGS IN THE LIGHT OF SITE CONDITIONS AND APPLICABLE CODE REQUIREMENTS; AND THAT ONCE CONSTRUCTION HAS COMMENCED, THE CONTRACTOR SHALL UNDERTAKE FULL RESPONSIBILITIES TO DESIGN-BUILD ALL ELEMENTS AND MAKE NECESSARY ADJUSTMENTS AS REQUIRED FOR THE COMPLETION OF THE PROJECT IN ITS ENTIRETY PURSUANT TO ALL APPLICABLE CODE REQUIREMENTS, TRADE AND WORKMANSHIP STANDARDS.

ALL CONSTRUCTION WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY BUILDING CODE AND INTERNATIONAL BUILDING CODE, AS WELL AS ALL APPLICABLE FEDERAL, STATE, OSHA, BAY AREA AIR QUALITY MANAGEMENT DISTRICT, COUNTY AND CITY ORDINANCES, AMENDMENTS AND RULINGS. THE CITY CODE SHALL GOVERN WHEN IT AND THE IBC OR ANY OTHER REFERENCE CODES AND STANDARDS ARE IN CONFLICT.

THE CONTRACTOR SHALL GIVE ALL NOTICES NECESSARY AND INCIDENTAL TO THE LAWFUL EXECUTION OF THE WORK.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF THE LOT, EASEMENT, SOIL CONDITIONS, ALL PROPOSED DIMENSIONS, INCLUDING EXCAVATION, UNDERPINNING, DRAINAGE AND UTILITY LINES AT SUBJECT PROPERTY, AS WELL AS, AT ADJACENT PROPERTIES. IF THE CONTRACTOR ENCOUNTERS DISCREPANCIES IN THE DRAWINGS, HE SHALL CONTACT THE ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF CORRECTIONS TO THE WORK IF HE NEGLECTS TO ADHERE TO THIS PROCESS.

THE DRAWINGS ARE INTENDED TO DESCRIBE AND PROVIDE FOR A FINISHED PIECE OF WORK. THE CONTRACTOR SHALL UNDERSTAND THAT THE WORK HEREIN DESCRIBED SHALL BE COMPLETED IN A GOOD AND WORKMANLIKE MANNER AND IN EVERY DETAIL ALTHOUGH EVERY NECESSARY ITEM INVOLVED IS NOT PARTICULARLY MENTIONED. EXCEPT AS OTHERWISE SPECIFICALLY STATED, THE CONTRACTOR SHALL PAY FOR ALL NECESSARY PERMITS, FEES, MATERIALS, LABOR, TOOLS, AND EQUIPMENT FOR THE ENTIRE COMPLETION OF THE WORK INTENDED TO BE DESCRIBED.

AT ALL TIMES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS AT THE JOB SITE, INCLUDING SAFETY OF PEOPLE, SUBJECT PROPERTY, AND ADJACENT PROPERTIES. THE ARCHITECT SHALL NOT REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES.

THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR, CONSTRUCTION MEANS, TECHNIQUES, SEQUENCES OR PROCEDURES, FOR THE OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTORS PERFORMING ANY OF THE WORK OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN CONFORMANCE WITH THE PLANS AND SPECIFICATIONS.

ALL DRAWINGS, SPECIFICATIONS, AND INFORMATION FURNISHED HERewith ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND SHALL BE HELD CONFIDENTIAL AND SHALL NOT BE USED FOR ANY PURPOSE OR PURPOSES OTHER THAN THOSE FOR WHICH THEY HAVE BEEN SUPPLIED AND PREPARED. THE ARCHITECT'S DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS. FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, EXCEPT BY AGREEMENT IN WRITING, AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT.

ANY DRAWINGS ISSUED WITHOUT THE APPROVAL STAMP, SIGNED AND DATED BY THE BUILDING DEPARTMENT SHALL BE CONSIDERED IN THE PRELIMINARY STAGE AND SHALL NOT BE USED FOR CONSTRUCTION.

DO NOT SCALE DRAWINGS.

#### SYMBOLS

⊕	COLUMN GRID LINE	EL. = XX.XX"	ELEVATION
—		—	EXISTING STUD WALL
⊙	SECTION / DETAIL IDENTIFICATION SHEET NUMBER	—	NEW STUD WALL
⊙	INTERIOR ELEVATION #	—	NEW DOOR
⊙	INTERIOR ELEVATION # SHEET NUMBER	—	EXISTING WALL/DOOR TO BE REMOVED
⊙	ENLARGED PLAN SECTION OR DETAIL REFERENCE	—	EXISTING WALL/DOOR TO REMAIN
⊙	DOOR NUMBER	—	WALL DETAIL NUMBER
⊙	WINDOW NUMBER	—	

Date		By
11/25/14	SITE PERMIT	YIP
4/21/15	PLANNING	YIP
8/19/15	PLANNING	YIP
8/28/15	OWNER REVISION	YIP
9/21/15	PLANNING	YIP
6/16/16	WD	MML
2/8/17	OWNER REV.	MML
8/17/18	TOWNHOUSE UNIT	MML
8/31/18	PARAPET	JS



Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS

Job 140410

Sheet **A-1.0**

Of 12 Sheets

Area Calculation (In Square Feet):

	4th Floor	3rd Floor	2nd Floor	1st Floor	Basement	Total
Unit #3008*	2,362					2,362
Unit #3006*		1,024				1,024
Unit #3004*		1,032				1,032
Unit #3002*			1,024			1,024
Unit #3000*			1,030	924		1,954
Retail #898*				698		698
Common Area**	418	522	570	898	521	2,929
Garage					2,958	2,958
<b>Total</b>	<b>2,780</b>	<b>2,578</b>	<b>2,624</b>	<b>2,520</b>	<b>3,479</b>	<b>13,981</b>

Total Retail Area = 698 S.F.

Total Living Area for all Units = 7,396 S.F.

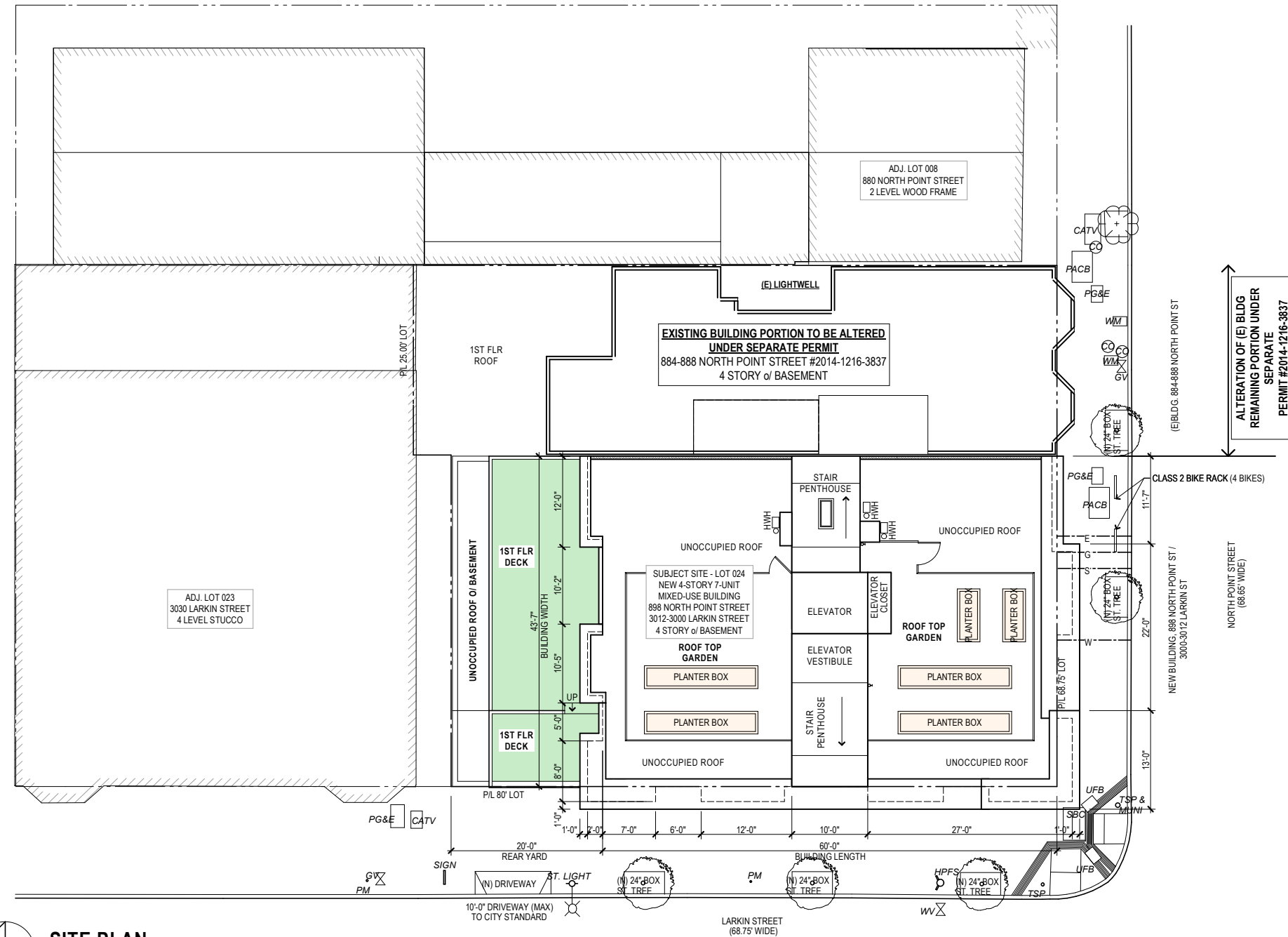
Total Garage & Common Area = 5,887 S.F.

Total Gross Area = 13,981 S.F.

Area Calculation as shown is intended for permit application purposes only and shall not be used for selling or leasing purposes. Final square footage and finished dimensions may vary from these plans due to construction variables.

\* Unit area includes net area inside of unit only

\*\* Common area includes all areas outside of unit (common stair/hallway, exterior walls, etc.)



**SITE PLAN**

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

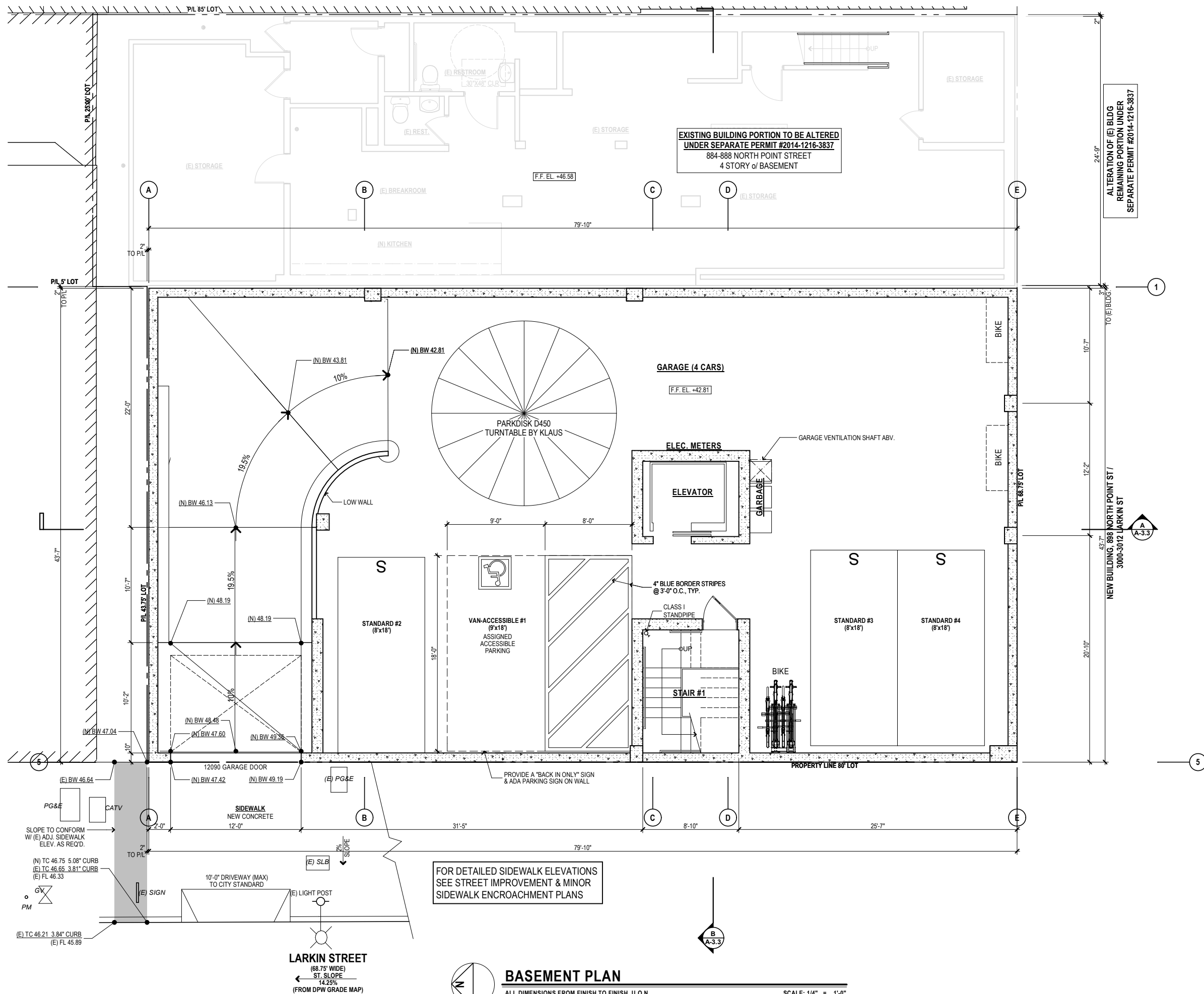
SCALE: 1/8" = 1'-0"

Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS

Job 140410

Sheet  
**A-2.0**

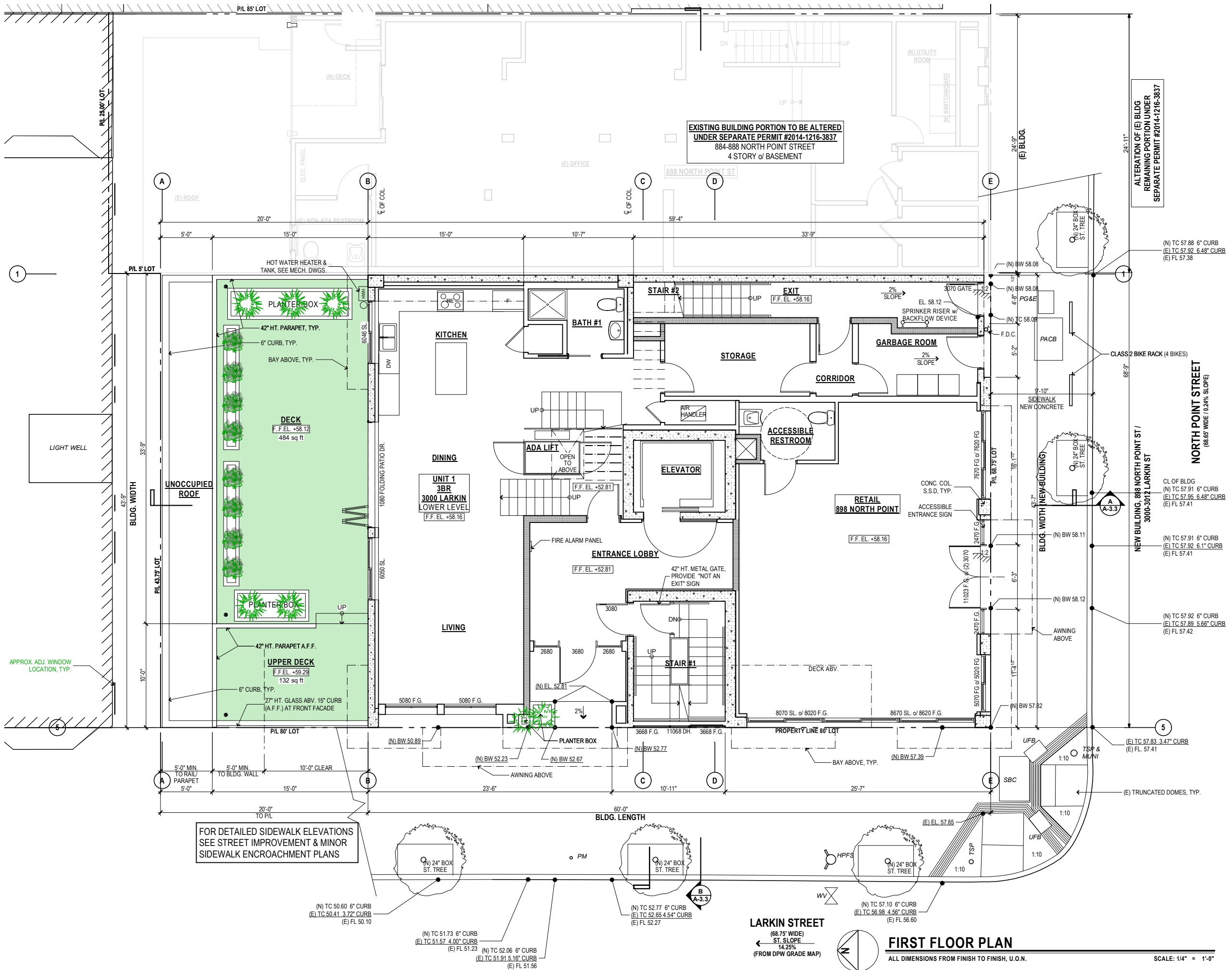
Of 12 Sheets



Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS

Job 140410

Sheet **A-2.1**



FOR DETAILED SIDEWALK ELEVATIONS  
SEE STREET IMPROVEMENT & MINOR  
SIDEWALK ENCROACHMENT PLANS

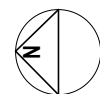
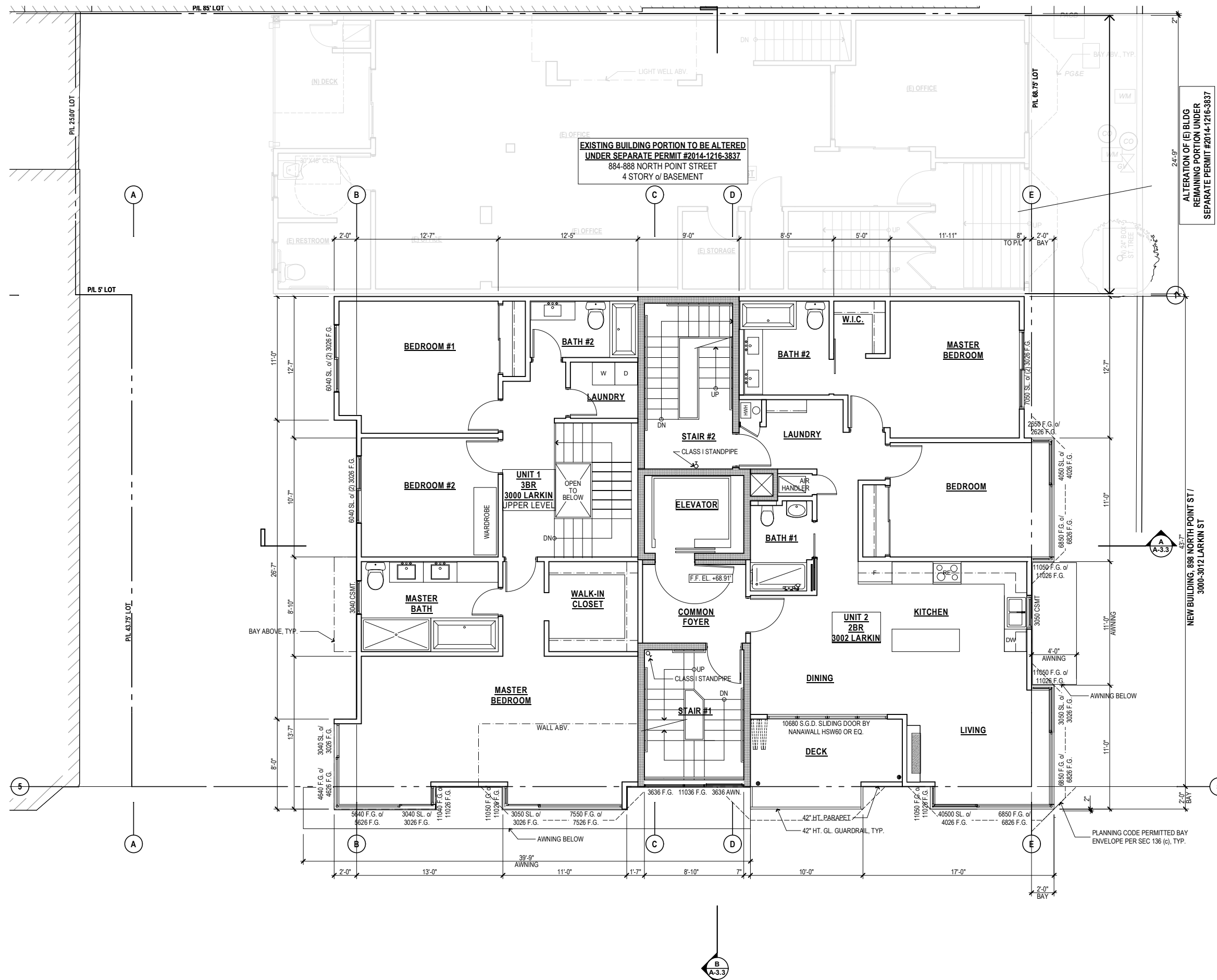
**LARKIN STREET**  
(68.75' WIDE)  
ST. SLOPE  
14.25%  
(FROM DPW GRADE MAP)

**FIRST FLOOR PLAN**  
ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

SCALE: 1/4" = 1'-0"

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Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS

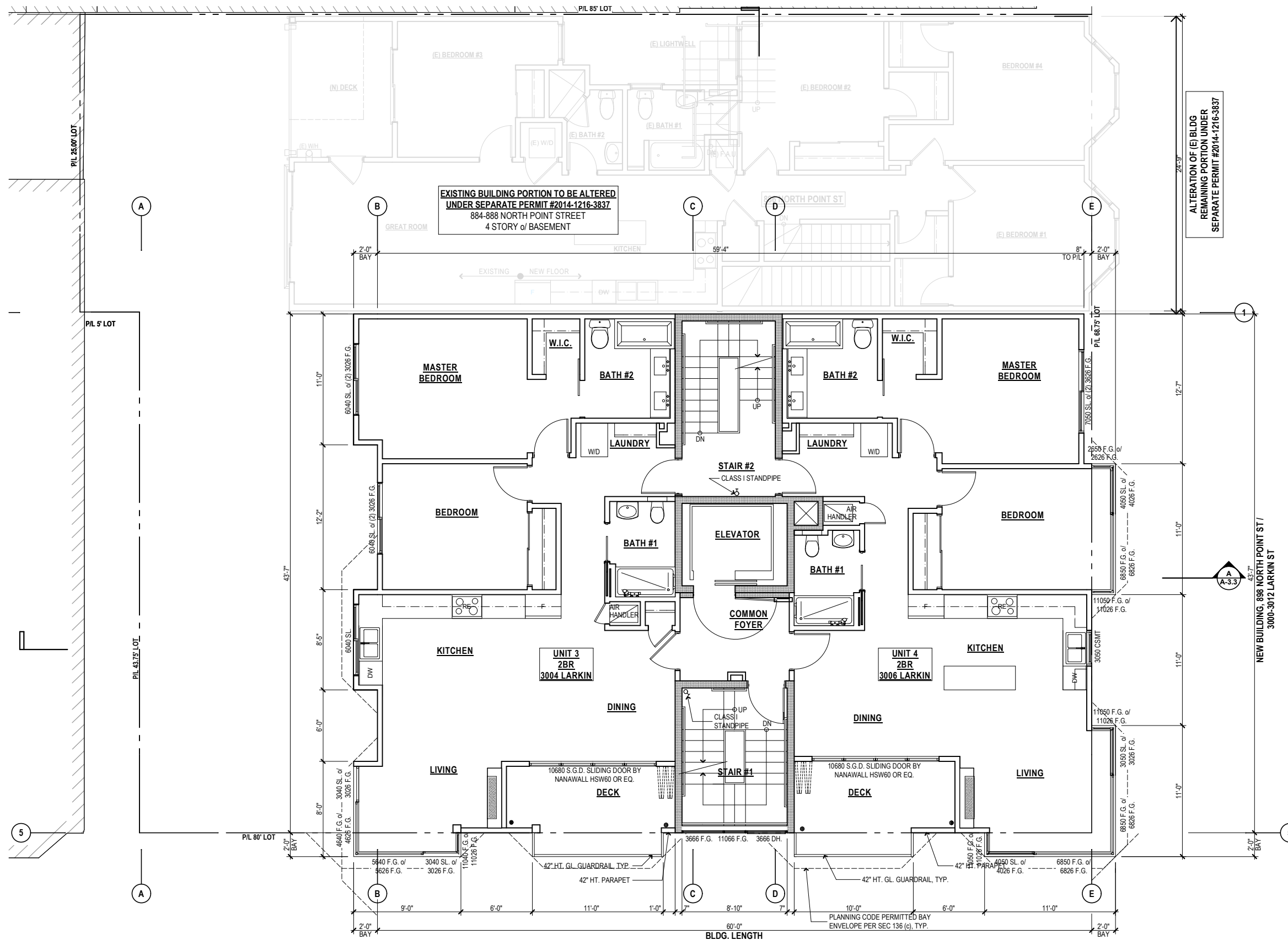


## SECOND FLOOR PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

SCALE: 1/4" = 1'-0"

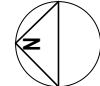
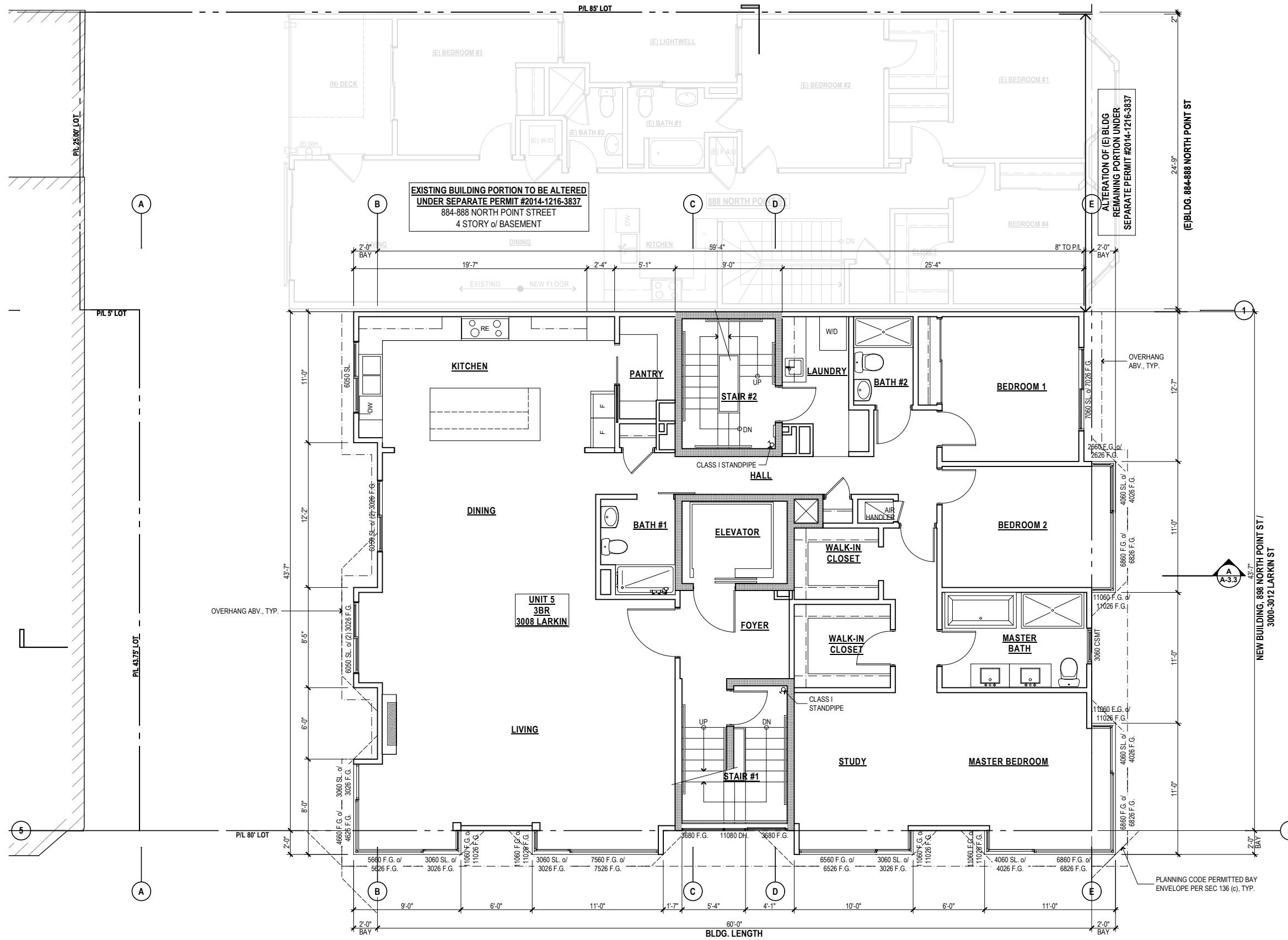
Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS



LEGEND			
	CONCRETE WALL		DOOR SCHEDULE SEE SHEET A-4.2
	2 HOUR WALL		WINDOW SCHEDULE SEE SHEET A-4.3
	1 HOUR WALL		WALL DETAIL SEE SHEET A-5.1

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Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS



### FOURTH FLOOR PLAN

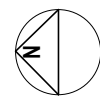
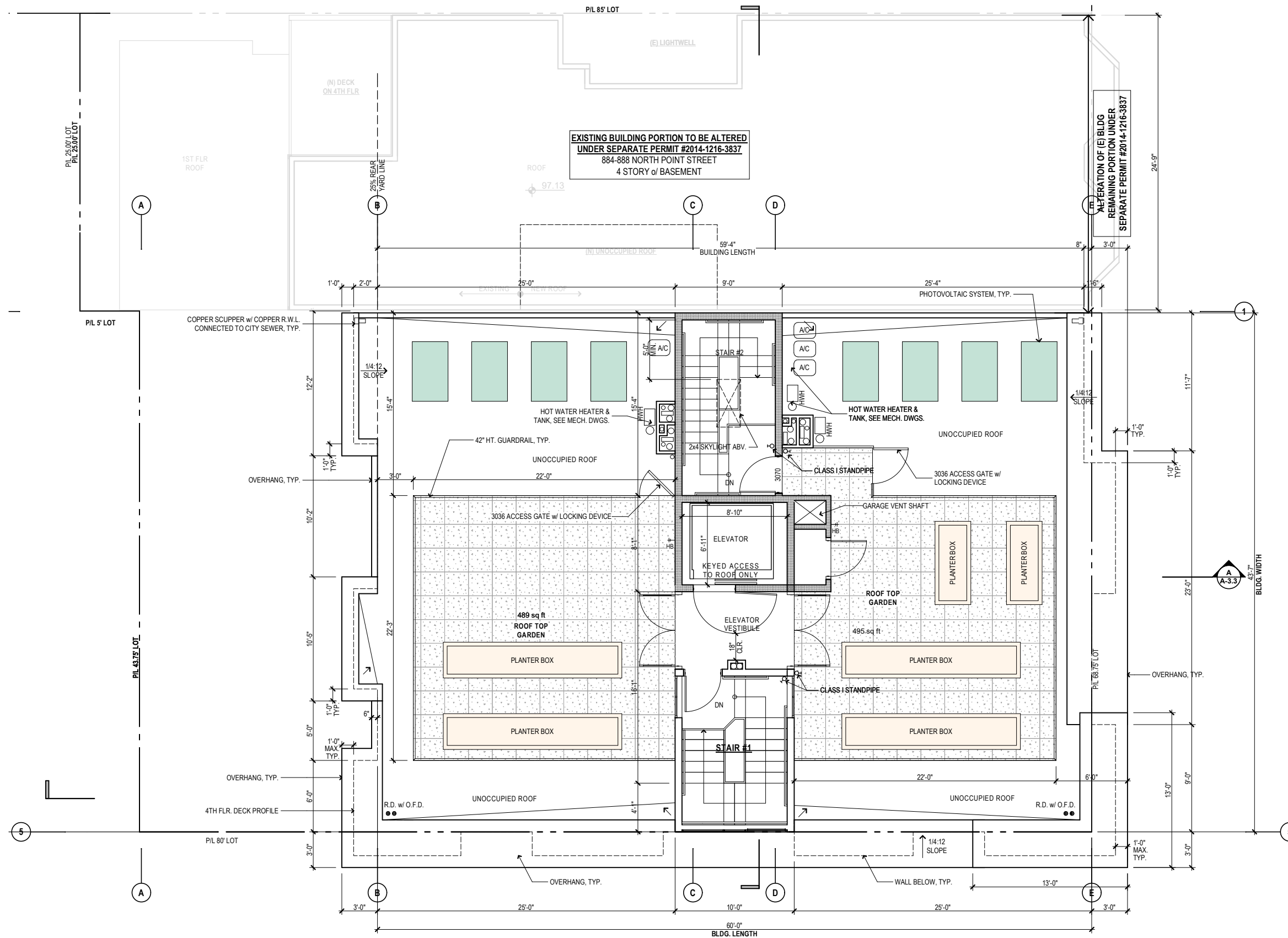
ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

SCALE: 1/4" = 1'-0"

LEGEND			
	CONCRETE WALL		DOOR SCHEDULE SEE SHEET A-4.2
	2 HOUR WALL		WINDOW SCHEDULE SEE SHEET A-4.3
	1 HOUR WALL		WALL DETAIL SEE SHEET A-5.1

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Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS



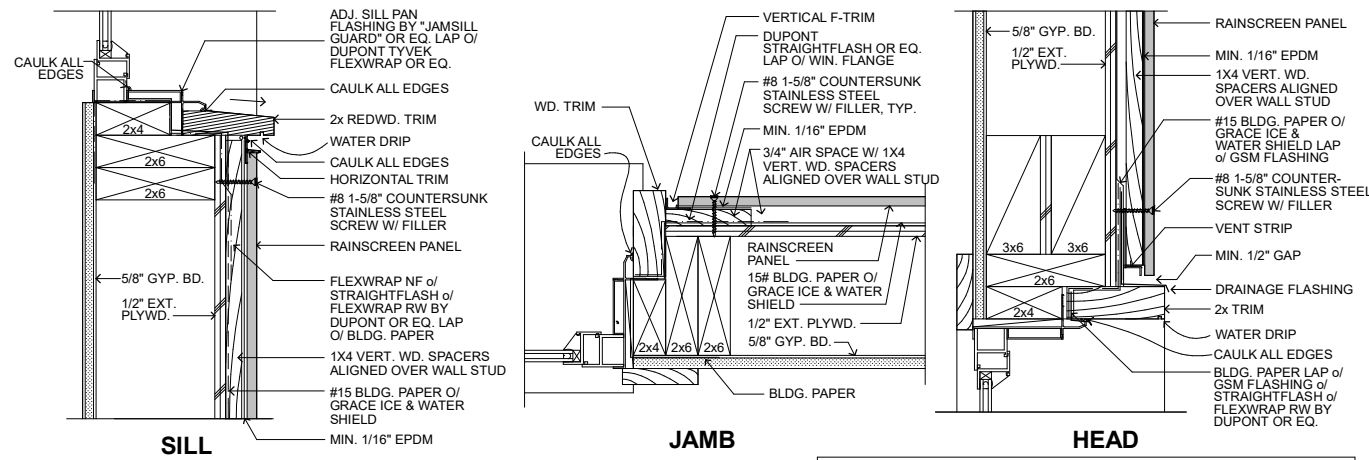
## ROOF PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

SCALE: 1/4" = 1'-0"

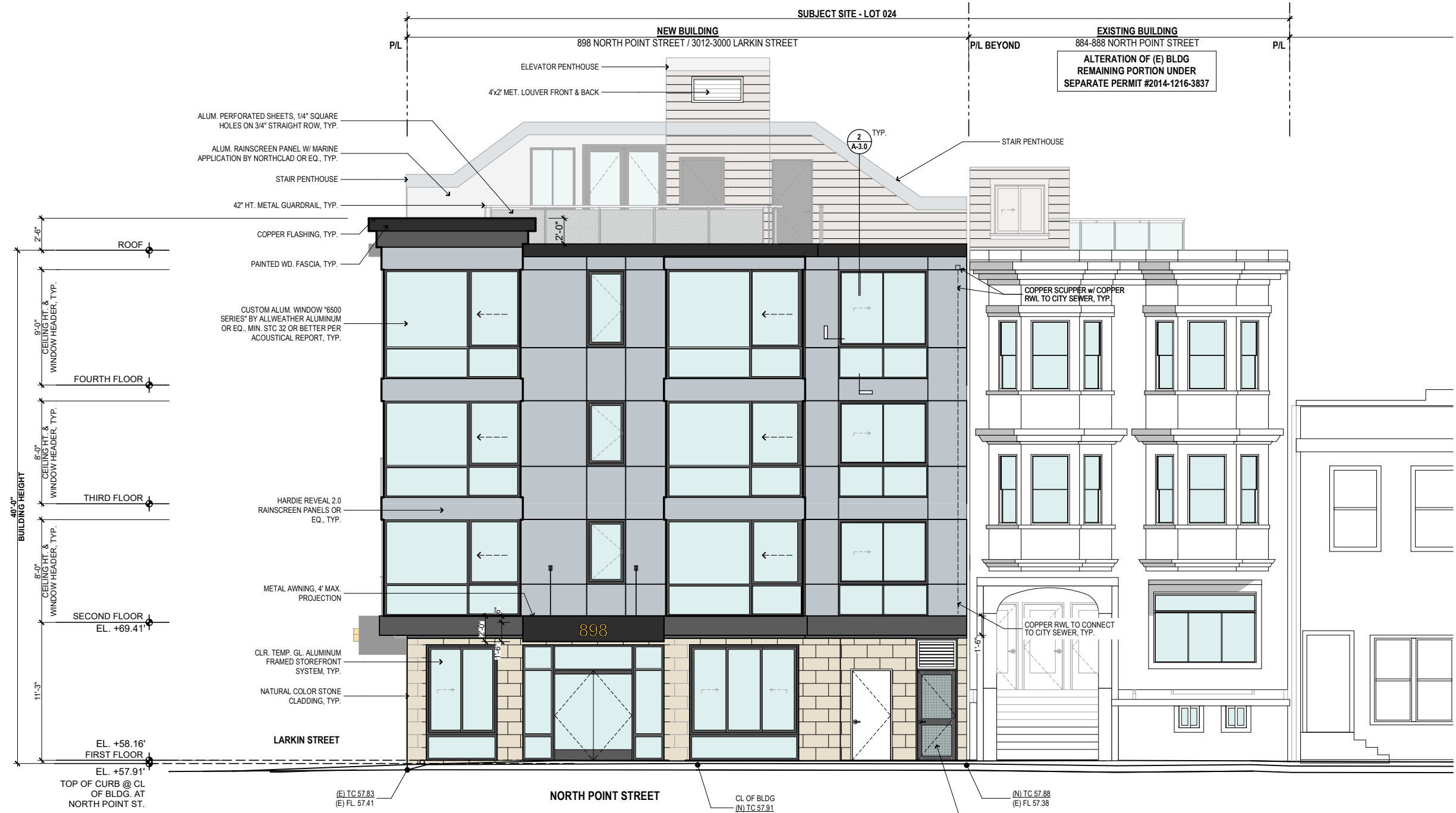
LEGEND	
	CONCRETE WALL
	2 HOUR WALL
	1 HOUR WALL
	DOOR SCHEDULE SEE SHEET A-4.2
	WINDOW SCHEDULE SEE SHEET A-4.3
	WALL DETAIL SEE SHEET A-5.1

Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS



1. PROVIDE FLASHING SYSTEM BY DUPONT TYVEK OR EQ., U.O.N.
  2. INSTALL ALL WINDOWS & FLASHING PER MFR. INSTRUCTIONS
  3. VERIFY EGRESS SIZES W/ MANUFACTURER
- ALUM. WINDOW BY BONELLI OR EQ., TYP.

**2 WINDOW DETAIL - RAINSCREEN**  
SCALE 3" = 1'-0"



**FRONT ELEVATION AT NORTH POINT ST. LOOKING NORTH**  
ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N. SCALE: 1/4" = 1'-0"



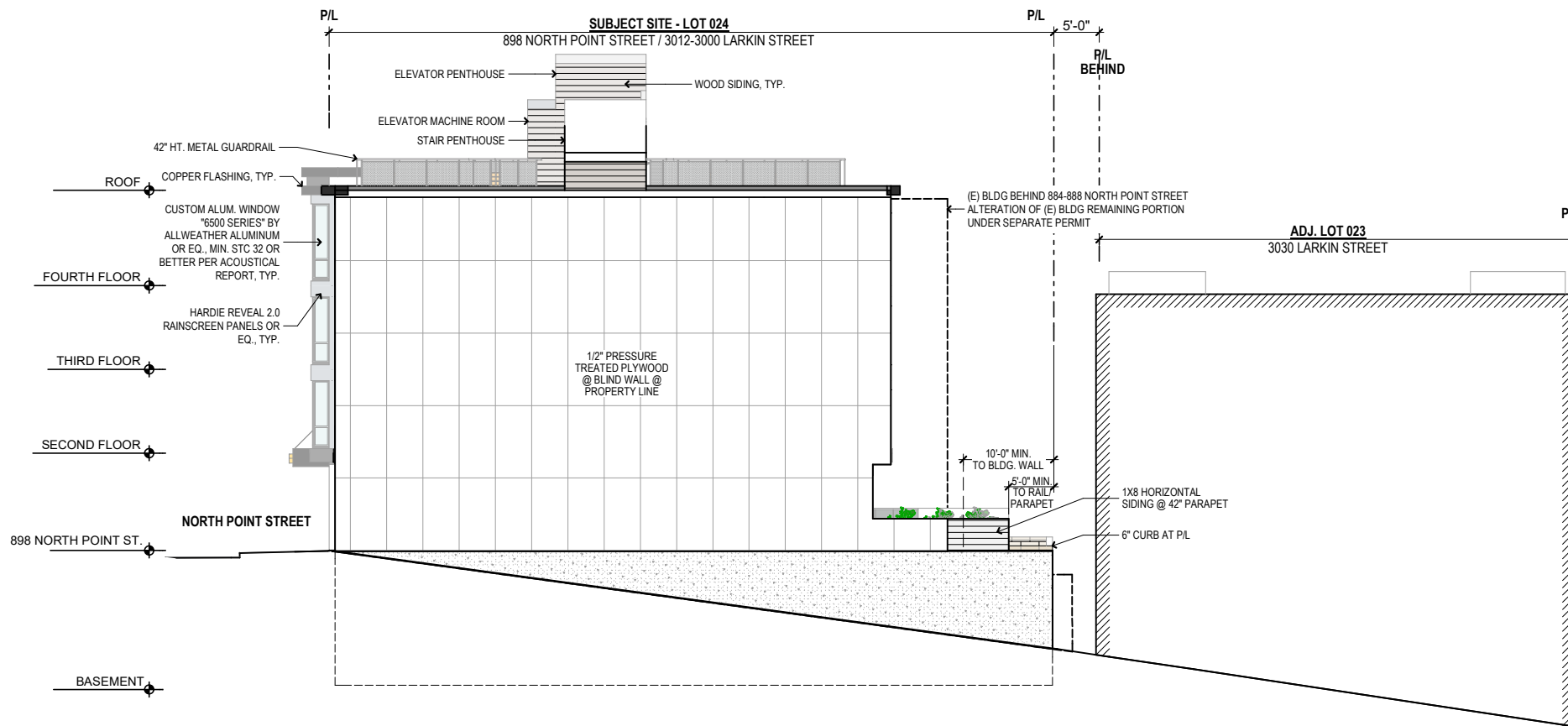
Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS



**1 LEFT ELEVATION AT LARKIN ST. LOOKING EAST**  
1/4" = 1'-0"

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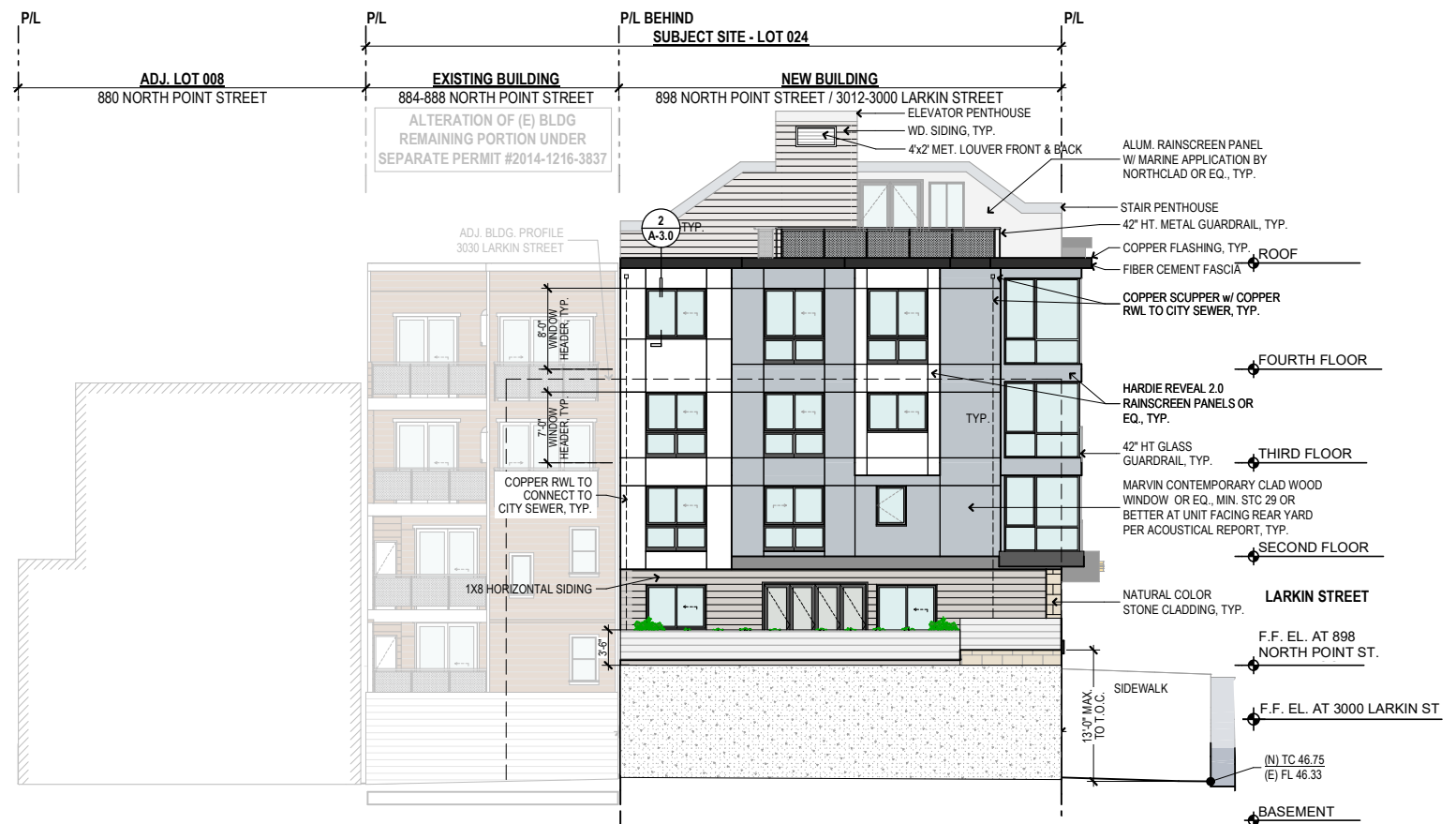
Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS



## RIGHT ELEVATION LOOKING WEST

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

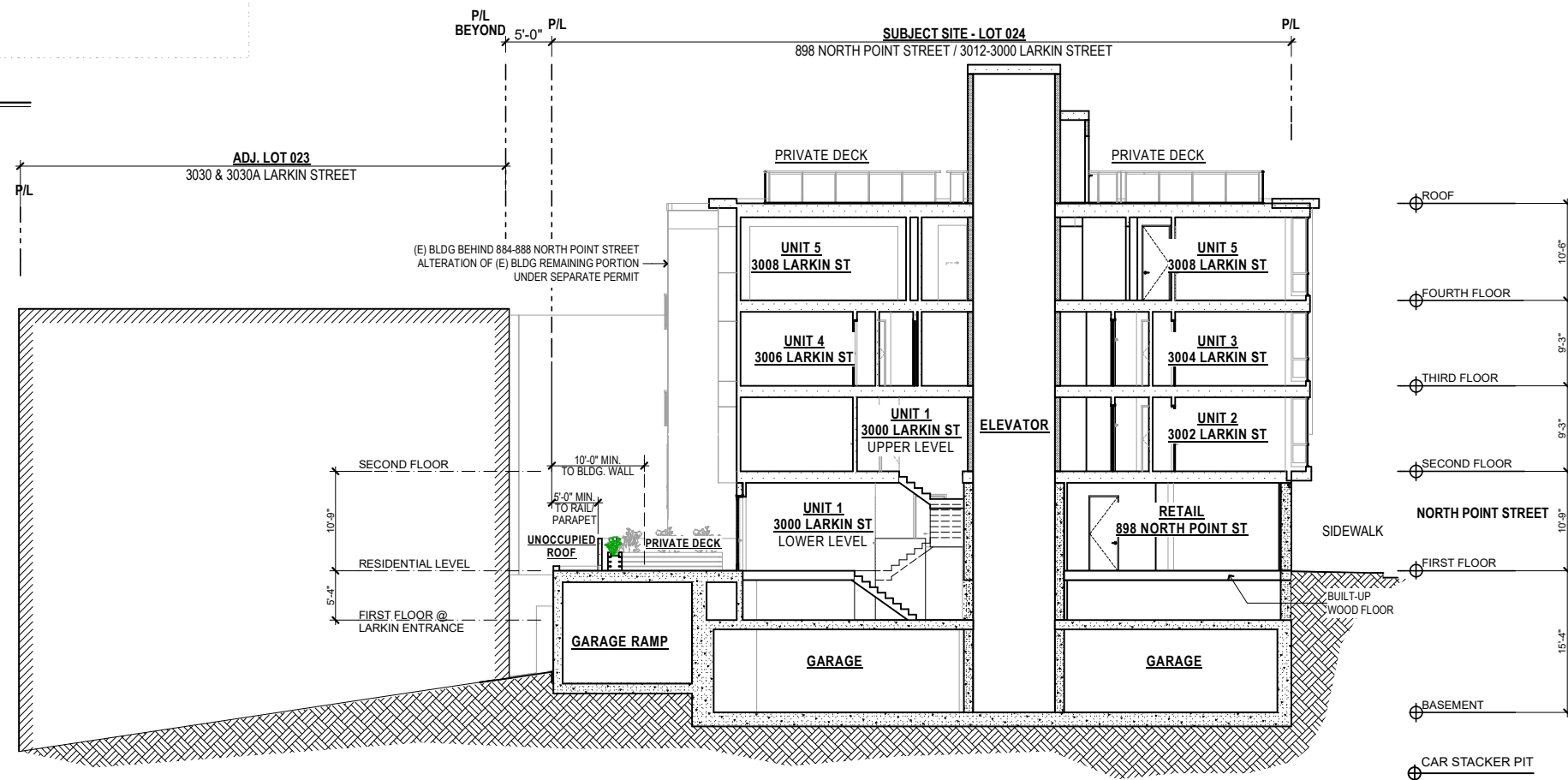
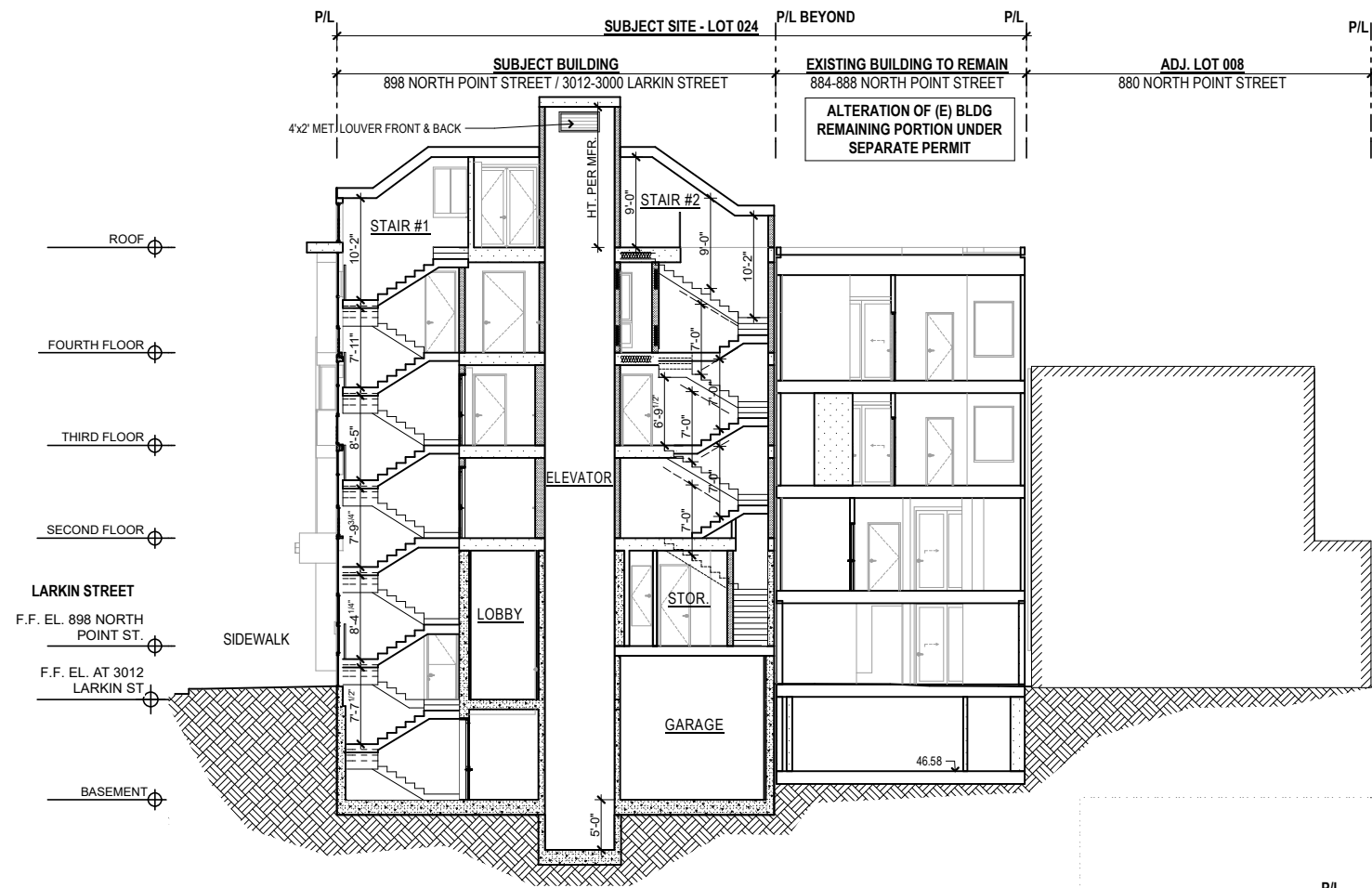
SCALE: 1/8" = 1'-0"



## REAR ELEVATION LOOKING SOUTH

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

SCALE: 1/8" = 1'-0"



SECTIONS

Date	By
11/25/14	SITE PERMIT YIP
4/21/15	PLANNING YIP
8/19/15	PLANNING YIP
8/28/15	OWNER REVISION YIP
9/2/15	PLANNING YIP
6/16/16	WD MML
2/8/17	OWNER REV. MML
8/17/18	TOWNHOUSE UNIT MML
8/31/18	PARAPET JS

Job 140410

Sheet

**A-3.3**

## **Exhibit E**

**Board of Appeals Notice of Decision & Order (November 14, 2018)**

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of  
SERGE ETCHEVERRY & ETCHEVERRY LLC, )  
Appellant(s) )  
vs. )  
ZONING ADMINISTRATOR, )  
Respondent

Appeal No. 18-131

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on October 01, 2018, 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 September 21, 2018 to Waterfront Management LLC, of a Variance Decision (Modification of Condition of Approval of Prior Variance Decision Case No. VZ70.61 by removing Condition No. 1 which required the portion of the subject property that was transferred from the adjacent lot through a lot line adjustment to "remain as open space in perpetuity"; New Condition: No building on subject property may be closer than 10 feet from northern property line (not applicable to first story development within the 10-foot setback, up to a maximum height of 13 feet); any deck(s) and associated railings above this first story must be set back at least 5 feet from the shared property line) at 898 North Point Street

CASE NO. 2018-001289VAR

FOR HEARING ON November 14, 2018

Address of Appellant(s):	Address of Other Parties:
Serge Etcheverry & Etcheverry LLC, Appellants c/o Stephen Williams, Attorney for Appellant Law Offices of Stephen M. Williams 1934 Divisadero Street San Francisco, CA 94115	Waterfront Management LLC, Variance Holder c/o Jeremy Schaub, Agent for Variance Holder Schaub Ly Architects 1360 9th Avenue San Francisco, CA 94122


NOTICE OF DECISION & ORDER

The hearing on the aforementioned matter came before the Board of Appeals of the City & County of San Francisco on NOVEMBER 14, 2018.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, §14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **DENIES THE APPEAL AND ORDERS** that the GRANTING of the subject variance by the ZONING ADMINISTRATOR is UPHeld on the basis that that the five findings required under Planning Code Section 305(c) were met.

BOARD OF APPEALS  
CITY & COUNTY OF SAN FRANCISCO

Last Day to Request Rehearing: November 26, 2018  
Request for Rehearing: None  
Rehearing: None  
Notice Released: November 27, 2018

  
\_\_\_\_\_  
Frank Esang, President

  
\_\_\_\_\_  
Julie Rosenberg, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure, §1094.6.