Executive Summary
Conditional Use

Hearing Date: November 12, 2020

Record No.: 2019-017837CUA
Project Address: 1812-1816 Green Street
Zoning: RH-2 (Residential-House, Two-Family) Zoning District
40-X Height and Bulk District
Block/Lot: 0543/007
Project Sponsor: Thomas Tunny
One Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: Adrian Dollard
San Francisco, CA 94123
Staff Contact: Katie Wilborn– (628) 652-7355
Katherine.wilborn@sfgov.org

Recommendation: Disapproval

Project Description

The Project seeks to legalize an unauthorized Dwelling Unit Merger from a Two-Family Dwelling to a Single-Family Residence at 1812-1816 Green Street. The project also seeks to legalize unpermitted alterations at the subject property, including an interior remodel and residential demolition throughout, a roof deck, and front façade alterations that are not code compliant and have not been reviewed for the purposes of CEQA. The subject property was a two-unit dwelling in 2002, when the applicants purchased the property, evicted the longstanding (23-year) tenant on two separate occasions, and proceeded to conduct unpermitted alterations to merge the dwelling units, despite numerous notices, cancellations, suspensions from both the Department of Building Inspections and the Planning Department, and a Board of Appeals hearing supporting Planning’s suspension request. This project seeks to retroactively approve the unpermitted work and legalize the residential merger from 2-units to a single-family residence. The project was scheduled for Planning Commission on March 5, 2020, was continued to March 12, 2020, where it was continued indefinitely. The case is now scheduled for this hearing date, November 12, 2020.
Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 317 and 303, to legalize unpermitted building alterations and an unauthorized residential merger of an approximate 2,600 sq. ft. two-unit dwelling to a single-family residence within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District.

Issues and Other Considerations

• Public Comment & Outreach.
  - Support/Opposition: The Department has received (0) letters in support and (1) letter in opposition to the Project.
    - In March 2020, when the project was originally scheduled for Planning Commission hearing, there was (1) letter in opposition to the Conditional Use Authorization, and (3) inquiries regarding the project.
  - Outreach: None. The original Planning Commission hearing date (March 5, 2020) was duly noticed, as was the current hearing date (November 12, 2020).

• Accuracy of Submitted Application:

  Use
  The application submitted states that the two-story-over-basement structure contained one legal unit and one unauthorized unit. The application states that the property's legal use was “Single Family,” per a 3-R report the applicant received in 2002. The application included the 3-R Report from 2002, which stated the property's Current Use as “Single-Family” and the Original Use as “Single-Family.” However, the 3-R reports issued thereafter (2005, 2008, and 2020 respectively, see Exhibit F) rectify this error and state that the property's current use as “Two Units” and the Original Use as “Unknown.” Historic maps, plans, photos, permit applications, and occupancy reports (as indicated in historic newspapers and as shown more recently by the Rent Arbitration Board, see Exhibit A for a summary of the project’s Land Use, Permit, and Occupancy histories) indicate that the subject property was a Two-Family Dwelling from approximately 1884 until the applicant purchased the property in 2002. Evidence provided by the former tenant at a previously held Board of Appeals Hearing (June 11, 2003) states that she resided in the upper unit (#1816) for 23 years before being evicted through an Owner-Move-In by the applicants. The tenant was able to relocate to the vacant, lower level unit (#1812), as is required under Administrative Code 37.9(8)(iv), whereas the tenant was evicted again using the Ellis Act (see Exhibit A for a summary of eviction events and Exhibit H for Eviction Records). The tenant’s longstanding tenure in Unit #1816 corroborates the maps and Assessor’s Summary that the property was – and currently, the legal use is – two residential “flats” (units with separate, dedicated entries).

Cost Analysis
Additionally, the cost analysis provided by the applicant estimates that adding an Accessory Dwelling Unit at the basement level would be twice as much as adding an as-of-right unit, per the Department of Building
Inspection’s Permit Technicians Cost Schedule (see Exhibit C for Cost Analyses). The applicant does not provide any evidence that substantiates this estimation is warranted.

**Plans**
Lastly, the applicant’s submitted plans that do not accurately represent the site’s existing conditions. The plans omit the unpermitted roof deck (added in 2002; see Exhibit E for Maps and Context Photos) and inaccurately shows a unit at the basement level. Staff has noted these inaccuracies on the plans (Exhibit B).

**Financial Feasibility of Returning a Residential Unit:**

- **Cost to Add an ADU, Provided by the Applicant (2006 and 2020)**
The applicant has not provided a cost analysis or demonstrated that adding an as-of-right residential unit back to the property would be financially infeasible. The applicant provided (1) contractor quote in 2006, which estimated the construction of an Accessory Dwelling Unit (ADU) being between $78,000 and $130,000, located at the basement level of the building’s existing envelope, behind the garage. In 2006, the applicant stated that this cost was prohibitive. In 2020, with the Conditional Use Authorization application, the applicant provided (1) contractor quote for an Accessory Dwelling Unit (ADU) to be located in the same, at the previously proposed basement location, behind the garage. The 2020 scope of work included: excavation for a code compliant ceiling, foundation work, radiant heating, fire sprinklers, and relocating mechanical systems. The applicant has stated that the cost to add an ADU at the basement would be $525,200, which is over four-times the amount submitted in 2006.

- **Average Costs, Per DBI and Planning Resources**
Furthermore, the average cost of construction to legalize a dwelling unit was approximately $65,000 as of December 2018 (per the Department of Building Inspection’s Permit Technicians Cost Estimate guide. See Exhibit C for more information related to this and the project’s Cost Analyses). The applicant has not stated why the cost to add an ADU at the basement is nearly eight times the average cost and half the size of the unit which was removed without authorization.

- **Appraisals**
Additionally, the applicants have not provided an independent appraisal to indicate that this ADU’s construction cost, or the reconstruction of the removed unit, would exceed the monetary gain in value of the property as a result of adding a unit. The applicant did not submit any appraisals for the property as a single-family residence, a single-family residence with an ADU, or as a two-unit residence. Furthermore, the neighborhood is primarily (24%) comprised of Two-Family dwellings, with many condominium conversions having taken place in the immediate vicinity since the unauthorized merger in 2002 (see Exhibit D’s Land Use Data for more information on the surrounding neighborhood context and how it has changed since 2002), which suggests that the presence of multiple units has not hindered home-ownership opportunity or sales in the surrounding area. Therefore, Planning staff cannot determine or reasonably state that the cost to add a unit, as-of-right or an Accessory Dwelling Unit, is financially infeasible and would exceed the monetary gain in property value.

- **Density Limits.**
The subject lot is in an RH-2 (Residential-House, Two Family) Zoning District, which generally permits up to two units per lot. Additional Accessory Dwelling Units (ADUs) are permitted under California State Law above
the generally permitted density. The subject property contains a 2-car garage and finished basement with direct access to the rear yard, in a zoning district that does not require off-street parking. The area is predominantly composed of 2-to-4-Family residences, as of October 2020 (see Exhibit D for additional information on the neighborhood context).

- **Tenant History:**
  - Are any units currently occupied by tenants: (NO)
    - The subject property is currently being used as a single-family residence by the applicant.
  - Have any tenants been evicted: (YES)
    - Owner-Move-In:
      The Residential Rent Stabilization and Arbitration Board records (see Exhibit H) show that the upper unit (#1816) was occupied by a resident for 23+ years who was evicted through an Owner Move In (OMI) when the property was purchased by the applicant (May 2002). The tenant was able to relocate to the empty, lower unit (#1812) in June 2002.
    - Ellis Act Eviction:
      In July 2002, the tenant was issued another eviction notice. Using the Ellis Act, the tenant was given a 120-day eviction notice within a week of relocating to the lower unit, per the Rent Board Records (see Exhibit A for an Eviction Summary and Exhibit H for the Rent Board records).

      The tenant attended the 2003 Board of Appeals hearing and was actively involved in the case's initial enforcement actions. The property was subject to Rent Control. Currently, as a legal, two-unit building, it remains subject to Rent Control, if there were to ever be a unit added or tenants residing at the property. Legalization to a Single-Family residence would negate the rent protection placed on the Subject Property.

  - Have there been any tenant buyouts within the past 10 years: (NO)
    - The subject property is being used as a single-family residence by the applicant since the (2) evictions took place in 2002. The eviction that took place was not a tenant buyout but was an Owner-Move-In and an Ellis Act Eviction.
Unpermitted Building Use:

Evictions and Building Permit Applications

The subject property is a legal, two-family dwelling subject to Rent Control protections, that underwent an unauthorized residential merger from 2002 to 2003, while enforcement action was being pursued and building permit applications were suspended. The applicants utilized the Owner-Move-In and Ellis Act Eviction processes to remove a tenant from the subject property and perform unpermitted alterations that resulted in the elimination of a residential unit by merger. Under the Rent Ordinance Section 37.9(a), Ellis Act Evictions are typically utilized for buildings undergoing a change of use. However, the applicant did not receive the authorization to change the buildings use in 2002. Furthermore, per Section 37.9(a) and as outlined in the Rent Board’s Bulletin Topic No. 213, “the landlord is required to have obtained all the necessary permits before serving the [Ellis Act] eviction notice, including any permits necessary to remove an ‘illegal’ dwelling unit” (as stated in Topic No. 213, included in Exhibit H’s Eviction Records). The applicants purchased the property on May 31, 2002. On June 7, 2002, the applicant’s issued a 30-day Owner-Move-In Eviction notice to the tenant of (upper unit) #1816 Green Street. On July 12, 2002, the applicants issued a 120-day Ellis Act Eviction notice to the same tenant, who had relocated to the (vacant, lower level) #1812 Green Street unit. The applicant was issued the second eviction notice just four days after relocating. The applicant’s first building permit application (#200209116208, listed as “2 Units”) was filed on September 11, 2002; two months after the tenant had already been issued the Ellis Act Eviction Notice. The applicant listed the property as two units until a revision permit was sought in January of 2003 (200301286145), and subsequent enforcement action followed as work continued while permits were suspended (see Exhibits A for a Summary of the Building Permit Application, Exhibit I for Building Permit Records, and Exhibit J for Board of Appeals Documentation).

Serial Permitting

The subject property never received authorization to change use from a two-dwelling unit structure to a single-family residence. The 3-R report which stated the property as “Single-Family” was issued in error, and the property’s address, configuration, and occupancy clearly indicated that there were two units at the property. Regardless if the unit was authorized or unauthorized (although significant evidence shows that the subject property was a legal two units, see Exhibits A, E, and I), the applicant would have needed a Project Application and mandatory Discretionary Review hearing for the residential merger. Instead, many small, over-the-counter permits were sought, with revision addendums that consistently misrepresented the use and scope of work.

Planning Commission Discretion over Residential Mergers

Under Planning Commission Resolution No. 16053, any Building Permit Application submitted after December 14, 2000, that proposes to remove a dwelling unit through elimination or merging, is subject to Planning Commission’s Discretionary Review (DR) through a Mandatory DR Hearing. Since enforcement action began 2002, the Planning Commission has not had the opportunity to opine on this project’s dwelling unit merger. Per 3-R Reports dated 2005, 2008, and 2020 (included in Exhibit B) and supporting historical evidence, such as Water Tap records, Fire Insurance Maps, and Building Permit Applications (see Exhibits E and I for Maps and Building Permit Applications, respectively), the subject property’s legal use is a Two-Family Dwelling. The current condition is a legal, Two-Family Dwelling that has been merged into a Single-Family without authorization. The applicants listed the property for sale in 2005 as a “Single Family Residence” with descriptors such as: “custom restorations, spacious three levels, luxurious floor plan,
gracious entry foyer, tons of storage, and unusually large” (see documentation included in Exhibit C). The property has since been used as a single-family residence without authorization for over 18 years.

- **Unpermitted Building Alterations:**
  The subject property has undergone at least six unpermitted alterations since the date of applicant’s purchase (May 31, 2002), including interior demolition, a roof deck, and significant front façade changes to an age-eligible (Category B) property, which were not reviewed for its environmental impacts as required under the California Environmental Quality Act (CEQA). Additionally, the front façade alterations are not code compliant, as they infringe on the Front Yard Setback and intensify the legal, nonconforming structure.

**Environmental Review**

The Project has not undergone environmental review, as the Department is recommending disapproval of the application and CEQA review is not required to deny a project. Should the Commission wish to approve the Project, environmental review will be required.

**Basis for Recommendation**

The Department finds, on balance, that the Project is not compatible with the intentions of the RH-2 (Residential-House, Two-Units) Zoning District, nor the Objectives and Policies of the General Plan. The Project would legalize the loss of a rent controlled unit, a two-fold eviction of a longtime tenant, and 18 years of unpermitted alterations at the subject property which avoided environmental review. Considering the City’s housing needs, the loss of a residential unit subject to tenure protections is not consistent with several City policies. The Department also finds the project is not compatible with the surrounding neighborhood (RH-2, RH-3, NCD, and RM-2 Zoning Districts in the immediate vicinity, with the majority of properties containing two-to-four units), and would be of detriment to the supply of affordable housing stock in the area.

**Attachments:**

Draft Motion – Conditional Use Authorization
Exhibit A – Exhibit Summaries (Tenancy, Building Records, and Enforcement)
Exhibit B – Plans
Exhibit C – Cost Analyses
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – 3-R Reports (Report of Residential Building Record)
Exhibit G – Project Sponsor Brief
Exhibit H – Eviction Records
Exhibit I – Building Permit Application Records
Exhibit J – Board of Appeals Hearing Records
Exhibit K – Enforcement Records
PREAMBLE

On October 10, 2020, Thomas Tunny of Reuben, Junius, and Rose, LLP (hereinafter “Project Sponsor”) filed Application No. 2019-017837CUA (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for a Conditional Use Authorization to legalize the removal of a residential unit via a residential merger from a two-unit flat to a single-family residence (hereinafter “Project”) at 1812-1816 Green Street, Block 0543 Lot 007 (hereinafter “Project Site”).


On November 12, 2020, the San Francisco Planning Commission (hereafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-017837CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-017837CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby disapproves the Conditional Use Authorization as requested in Application No. 2019-017837CUA, based on the following findings:
FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. Project Description. The Project proposes to legalize a residential merger, whereas one dwelling unit was removed from a two-unit, two-story-over-garage residential building, to establish the legal use as a single-family dwelling. The building had a residential flat typography, whereas one unit occupied each story with a dedicated entry, prior to being merged into one unit. The Project also seeks to legalize the demolition and unpermitted work at the property which resulted in the residential merger. This request, along with the associated Building Permit Application, seeks to abate Planning Enforcement Case Nos. 2020-005902ENF and 7402_ENF, and Building Inspection Complaint Nos. 202038181 and 200561775.

Although the applicant states that the unit at the second story was an unauthorized unit at the time of removal, the subject property’s address files, plans, photos, and occupant history indicate that there were two legal “flats” (a residential unit with a dedicated entry, typically occupying an entire story) at the time of purchasing the property (May 31, 2002).

3. Site Description and Present Use. The Project is located on the northern side of Green Street near the intersection of Octavia Street, on Lot 007 of Block 0543 (with a lot area of approximately 2,500 square feet), which have approximately 25-ft of frontage along Green Street. The lot contains one structure and is legally considered a two-unit residential flat. The subject property underwent an unauthorized dwelling unit merger, resulting in the removal of one residential unit located at the second story. Historic maps from 1893, 1913, and 1950, as well as occupant records and evidence provided by the former tenant, indicates that the subject property was used as a two unit residential flat since 1893. The structure’s date of construction is unknown, and therefore the building’s original use is characterized as unknown. The residential merger from two units to one unit is proposed for legalization.

4. Surrounding Properties and Neighborhood. The Project Site is located in a RH-2 (Residential-House, Two-Family) Zoning District and 40-X height and Bulk District within the Marina neighborhood. The immediate surrounding neighborhood is zoned for similarly low-density (2-4 unit) residential uses, with some residential-over commercial uses in the nearby Neighborhood Commercial District (NCD). The immediate block is composed of RH-2, RH-3, and RM-2 Zoning Districts, characterized by two- to three-story buildings that range from one-unit (1824 Green Street) to six-unit (1840 Green Street) residential dwellings, with the majority of properties being two- to four-unit residential buildings.

5. Public Outreach and Comments. The Department has received one comment in opposition to the Project proposing to legalize the work, from the former tenant of Unit 1816, in March of 2020. The comment noted that the unit was occupied, legal, and was subject to rent control.

6. Planning Code Compliance. The Commission finds that the Project is inconsistent with the relevant provisions of the Planning Code in the following manner:

   A. Removal of Residential Dwelling Units. Planning Code Section 317(g)(2) sets forth the following
criteria for the Planning Commission to consider when reviewing applications for a Residential Merger of Residential Units or Unauthorized Units:

1. Whether removal of the unit(s) would eliminate only owner-occupied housing, and if so, for how long the unit(s) proposed to be removed have been owner occupied;
   
   No. The residential merger resulted in removing a unit which was tenant-occupied by a person unrelated to the owner.

2. Whether removal of the unit(s) and the merger with another is intended for owner occupancy;
   
   Yes. The merger was completed so the property owners could occupy both units as a single-family dwelling.

3. Whether removal of the unit(s) will remove an affordable housing unit as defined in Section 401 of this Code or housing subject to the Residential Rent Stabilization and Arbitration Ordinance;
   
   Yes. The legalization of the residential merger (from two units to a legal single-family residence) would result in the removal of two rent-controlled units from San Francisco’s housing stock, subject to the Residential Rent Stabilization and Arbitration Ordinance.

4. If removal of the unit(s) removes an affordable housing unit as defined in Section 401 of this Code or units subject to the Residential Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed;
   
   No. The project would not provide a replacement unit, nor would the resulting single-family residence have a greater net number of bedrooms than the two units’ number of bedrooms combined. Previous permits and plans indicate that the upper story (Unit 1816) contained two bedrooms and the first story (Unit 1812) contained two bedrooms. The project proposes to legalize a three-bedroom, single-family residence. The net number of units has been reduced; the net number of bedrooms has been reduced; and the affordability of two rental controlled units would be lost with the legalization of the project.

5. How recently the unit being removed was occupied by a tenant or tenants;
   
   In 2002, the tenant of Unit 1816 was evicted through an Owner-Move-In. The tenant had resided in upper story flat (Unit 1816) for 23 years and their 2-bedroom monthly rental rate was $1,017.00. The tenant was offered the vacant, 2-bedroom flat at the lower level (Unit 1812) and was then evicted months later through the Ellis Act, during unpermitted renovations at the subject property to merge the two units. Since 2002, there has been ongoing Enforcement action from the Department of Building Inspections and the Planning Department, and one Board of Appeals hearing, which upheld the suspension request of all building permit Applications at the subject property.

6. Whether the number of bedrooms provided in the merged unit will be equal to or greater than
the number of bedrooms in the separate units;

No. Per building permits and plans (dated April 6, 2002), the two units had a net of four bedrooms. The upper story flat (Unit 1816) contained two bedrooms, and the lower story flat (Unit 1812) contained two bedrooms. The project proposes to legalize a single-family dwelling with three bedrooms.

7. Whether the removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations;

No. No apparent design or functional deficiencies are evident within previous permit and plan submittals, nor through Building Complaints or tenant testimony.

8. The appraised value of the least expensive Residential Unit proposed for merger only when the merger does not involve an Unauthorized Unit.

Not applicable. Both units have already undergone an unpermitted residential merger, between 2002 and 2006, so appraisal of each individual unit is infeasible.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The project proposes to legalize the removal of an occupied residential unit and the merger of two units subject to the Rent Stabilization and Arbitration ordinance. This residential merger would eliminate two affordable units from San Francisco's housing stock and is neither necessary nor desirable when considering the City's current housing and affordability crisis.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

(1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed project would not alter the subject property's current building envelope, but would legalize unpermitted work that resulted in a residential merger, which would alter the property’s use from multi-family to single-family. Known work that has taken place at the subject property, without benefit of building permits or inspections, includes interior renovations throughout, front façade alterations, and the addition of a roof deck.

(2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such
traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking or loading for residential uses. The project would not have any vehicular or traffic impact to the immediate neighborhood or citywide.*

(3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposed project would not result in any noxious or offensive emissions.*

(4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The proposed project does not require any additional treatments to landscaping, screening, parking and loading area, service areas, lighting, or signs.*

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code, but is not consistent with objectives and policies of the General Plan, as detailed below.*

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

*The project is not located within a Neighborhood Commercial District.*

8. **General Plan Compliance.** The Project is, on balance, not consistent with the following Objectives and Policies of the General Plan:

**HOUSING ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1**

**IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY’S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.**

Policy 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.2
Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas such as Treasure Island, Candlestick Park and Hunter’s Point Shipyard.
Policy 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 2
RETAIN EXISTING HOUSING UNITS AND PROMOTE SAFETY AND MAINTENANCE STANDARDS WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1
Discourage the demolition of sound existing housing, unless the demolition results in a new increase of affordable housing.

Policy 2.2
Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing.

OBJECTIVE 3
PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.1
Preserve rental units, especially rent controlled units, to meet the City’s affordable housing needs.

Policy 3.4
Preserve “naturally affordable” housing types, such as smaller and older ownership units.

OBJECTIVE 4
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1
Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.3
Provide a range of housing options for residents with special needs for housing support and services.

Policy 4.5
Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

OBJECTIVE 5
ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.

Policy 5.6
Offer displaced household the right of first refusal to occupy replacement housing units that are comparable in size, location, cost, and rent control protection.

**OBJECTIVE 9**  
**PRESERVE UNITS SUBSIDIZED BY THE FEDERAL, STATE, OR LOCAL SOURCES.**  

Policy 9.1  
Protect the affordability of units at risk of losing subsidies or being converted to market rate housing.

Policy 9.2  
Continue prioritization of preservation of existing affordable housing as the most effective means of providing affordable housing.

**OBJECTIVE 11**  
**SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO’S NEIGHBORHOODS.**  

Policy 11.2  
Ensure implementation of accepted design standards in project approvals.

Policy 11.4  
Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6  
Foster a sense of community through architectural design, using features that promote community interaction.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**OBJECTIVE 1**  
**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**  

Policy 1.3  
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7  
Recognize the natural boundaries of districts and promote connections between districts.
The proposed project to legalize the removal of a residential dwelling unit via merger and change the legal use of the property to single-family dwelling, would result in a net decrease of two affordable units from San Francisco's housing stock. Legalization of the unpermitted work is not consistent with the neighborhood character and would be subject to CEQA review and would need to comply with all relevant City Codes to ensure the unpermitted construction did not diminish the long-term habitation and safety of the subject property.

9. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

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

The project site does not possess any neighborhood-serving retail uses.

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

The project proposed to legalize the removal of a residential unit through residential merger. The subject property is located in a RH-2 (Residential-House, Two-Family) Zoning District, with the majority of properties along subject property's block containing 2-4 residential units. For these reasons, the Project would not protect and preserve the cultural and economic diversity of the neighborhood, nor would it conserve the existing housing and neighborhood character of the immediate area.

C. That the City's supply of affordable housing be preserved and enhanced,

The project proposes to legalize the removal of a rent-controlled unit through a residential merger and change the legal use of the property to a legal single-family dwelling. The property previously contained two rent-controlled dwelling units that had tenant protections under the Residential Rent Stabilization and Arbitration Ordinance. Therefore, legalizing the removal of one unit through residential merger, would result in the net loss of two rent controlled units and does not preserve or enhance the City's supply of affordable housing.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The project would not increase commuter traffic and will have no effect on MUNI transit service or overburden our streets or neighborhood parking.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.
The project will not displace any service or industry establishment, and will not affect industrial or service sector uses or related employment opportunities.

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

The project proposed to legalize construction that was undertaken without the benefit of permits and inspections. The subject property would need to be evaluated in order to ensure the unpermitted work performed conforms to the structural and seismic safety requirements of the City Building Code. However, the denial of the Conditional Use Authorization would also result in greater preparedness to protect against injury in that the structure would be required to comply with all relevant City codes, including structural requirements.

G. That landmarks and historic buildings be preserved.

Currently, the project site does not contain any City Landmarks or historic buildings.

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

The project will have no impact on existing parks or open space.

10. The Project is not consistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would not promote the health, safety and welfare of the City.
DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **DISAPPROVES Conditional Use Authorization Application No. 2019-017837CUA** subject to the following conditions attached hereto as

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 12, 2020.

Jonas P. Ionin
Commission Secretary

AYES:
NAYS:
ABSENT:
ADOPTED: November 12, 2020
EXHIBIT A - EXHIBIT SUMMARIES

Exhibit A Contents:

1. **Summary of Events** (including Land Use records, Tenancy, and Board of Appeals Hearing history).

2. **Building Permit Application Summary**, corresponds to EXHIBIT I - Building Permit Application Records.

3. **Enforcement History Summary**, corresponds to EXHIBIT K - Enforcement Records
Summary of Events: 1812-1816 Green Street's Timeline

This timeline is divided by relevant categories and is then summarized at the end of each sections. The categories are: Land Use, Tenant Eviction History, and Previous Hearing Timeline.

LAND USE SUMMARY:

(Refer to “EXHIBIT I – BPA HISTORY” for more information on the summary listed below)

- 1884 – 1936: Property listed as “Two Family / Flats”
- 1942: Listed as Dwelling (no number specified)
- 1990 – 1993: Listed as “Two Family / Flats”
- 1996: Listed as “Four Apartments”
- 2000: Listed as “R”
- 2002: “2 Units” (per applicants)
- 2003: “1 Unit” (per applicants)

TENANT EVICTION TIMELINE:

- December 13, 2000 – Resolution No. 16078 is adopted by the Planning Commission, requiring Discretionary Review for any building permit applications that result in the removal of a Legal Dwelling Unit, through merger with another unit or its complete elimination.

- April 15, 2002 – Tenant (mid-50s teacher, tenant of 1816 Green Street for 23 years, rent: $1,017.00/month for 2-Bedroom Unit) was notified that building would be sold.

- April 24, 2002 – 3-R report was issued stating “Single-Family” as original and current use.

- May 31, 2002 – Applicants purchase property.

- June 7, 2002 – “Owner-Move-In” is filed with Rent Board and a 30-Day Notice was given to tenant of Unit 1816 (upper level “flat”) that the unit shall be taken off the rental market via Owner-Move-In. Tenant was offered (as legally required under Administrative Code Section 37.9(8)(iv)) to move into the unoccupied, lower-level unit #1812.

- July 8, 2002 – Withdrawal of Unit 1816 from rental market with the Rent Board; tenant moves to smaller, lower unit (#1812) for $900.00/month rental rate (as required by Administrative Code 37.8(iv)).

EXHIBIT A
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
July 12, 2002 – Ellis Act Withdrawal is filed for Unit 1812 with the Rent Board; applicant is given 120-Day Notice.

August 8, 2002 – Memorandum of Notice Regarding the Withdrawal of Rental Units from Rent or Lease” submitted to Rent Board.

August 9, 2002 – Tenant calls and files a complaint with the Rent Board.

November 9, 2002 – Tenant is evicted from Unit 1812 through Ellis Act; withdrawal of unit from rental market is finalized with the Rent Board.

Tenant Eviction Summary:

- 1979-2002: Tenant resides at Unit 1816 (upper level)
- 5/31/2002: Applicants purchase property
- 6/7/2002: “Owner Move In” filed with Rent Board and 30-day notice issued to tenant
- 7/8/2002: Withdrawal of Unit 1816, tenant moves to Unit 1812
- 7/12/2002: “Ellis Act Eviction” filed with Rent Board and 120-day notice issued to tenant
- 8/8/2002: Memo. of Notice to the Rent Board, withdrawing rental units from market.

PREVIOUS HEARINGS TIMELINE:

- March 25, 2003 – Zoning Administrator (ZA) issues a decision letter to suspend all Building Permit Applications

- April 9, 2002 – Applicants file for an Appeal on the ZA suspension request to the Board of Appeals.

- June 4, 2003 – Board of Appeals hearing for Request for [Building Permit] Suspension; Appeal No. 3-053; Meeting suspended and rescheduled for June 11, 2003.

- June 11, 2003 – Board of Appeals Hearing (presided over by president F. Fung), suspension request upheld and gives direction to applicant to file for a Residential Merger

- June 20, 2003 – Request for Rehearing filed, scheduled for July 9, 2003

- July 9, 2003 – Request for Rehearing, scheduled for the “Indefinite Calendar or Call of the Chair” calendar. Rehearing scheduled for April 19, 2006.

- (Exact Date Unknown, Early-2005) – Applicants list property for sale as Single-Family Dwelling through Paragon Real Estate.

EXHIBIT A
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
- July 7, 2005 – Applicants formally withdraw property from market, per letter to Paragon.

- March 29, 2006 – Request for Indefinite Continuance for April 19, 2020 Board of Appeals Hearing


- March 5, 2020 – Scheduled for Planning Commission; Conditional use Authorization to legalize a residential merger through residential demolition and unpermitted alterations. Requested continuance to March 12, 2020

- March 12, 2020 – Item scheduled for Indefinite Continuance, so applicant can pursue a Board of Appeals hearing for faulty 3-R Report (issued 2002).

- November 12, 2020 – Planning Commission Hearing scheduled; Applicant is requesting an indefinite continuance to pursue a Board of Appeals hearing on a Unit Count Verification permit (with DBI).

**Previous Hearing Summary:**

- 3/25/2003: ZA Decision Letter, suspension of BPAs
- 4/9/2003: Applicants File for Appeal to ZA Letter
- 6/4/2003: Hearing Rescheduled
- 6/11/2003: Decision UPHELD (Appeal No. 03-053)
- 6/20: Request for rehearing
- 7/7/2003: Request for Indefinite Continuance; scheduled for 4/16/2006
- 3/5/2020: Scheduled for Planning Commission; Continued
- 3/12/2020: Indefinite Continuance
- 11/12/2020: Planning Commission Hearing

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**EXHIBIT A**
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
## Summary of Building Permit Application (BPA) History

<table>
<thead>
<tr>
<th>Dated</th>
<th>Address Listed</th>
<th>Permit</th>
<th>Scope of Work</th>
<th>Occupancy</th>
<th>Notations / Relevant Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/30/1884</td>
<td>1812-1816 Green &quot;NS&quot; [north-south] 50&quot; &quot;W&quot; [West] of Octavia</td>
<td>Spring Valley Water Works (No-Plans Permit)</td>
<td>Water connection</td>
<td>2 Families</td>
<td>1210 Sq Feet, 2 Story. Later inspected in December 1, 1884, June 1888, and September 1890. Trail Meter 09/16/16</td>
</tr>
<tr>
<td>4/19/1918</td>
<td>1816 Green</td>
<td>Public Works Permit # 81413 (Not listed on 3-R)</td>
<td>Rear porch and stairs, interior alterations</td>
<td>Family Use Two Flats</td>
<td>Owner: P.Nella</td>
</tr>
<tr>
<td>8/5/1921</td>
<td>1816 Green St</td>
<td>BPA # 100498 (No-Plans Permit) (Not listed on 3-R)</td>
<td>Concrete the back yard at basement level</td>
<td>(Does not specify)</td>
<td>Owner: P. Nella (same as above)</td>
</tr>
<tr>
<td>10/6/1930</td>
<td>1816 Green St</td>
<td>BPA # 1466489 (No-Plans Permit) (Not listed on 3-R)</td>
<td>Private Garage</td>
<td>2 Flats</td>
<td>Owner: P. Nella (same as above)</td>
</tr>
<tr>
<td>12/1/1936</td>
<td>1816 Green St</td>
<td>BPA # 24091 (No-Plans Permit)</td>
<td>New rear porch</td>
<td>Flats</td>
<td>Owner: P. Nella (same as above)</td>
</tr>
<tr>
<td>3/10/1942</td>
<td>1816 Green Street</td>
<td>BPA # 65866 (No-Plans Permit)</td>
<td>Siding replacement (asbestos siding shingles, light green) and new roofing (green)</td>
<td>dwelling</td>
<td>Owner: Peter Nella (same as above)</td>
</tr>
<tr>
<td>4/12/1990</td>
<td>1812, 1816 Green St</td>
<td>Public Works Electrical Permit (Permit number illegible) (No-Plans Permit) (Not listed on 3-R)</td>
<td>2 Meters</td>
<td>(Does not specify)</td>
<td>Owner: Fong</td>
</tr>
<tr>
<td>10/26/1990</td>
<td>1812/1816 Green St</td>
<td>BPA # 09022288 (No-Plans Permit) (Not listed on 3-R)</td>
<td>Underpin (E) foundation at property line</td>
<td>2 Dwelling Units</td>
<td>Permit was Cancelled 07/02/1991 [Reason Unknown]. 2 Stories of occupancy, 1 Basement/Cellar. Owners: Stanley C. &amp; Helen S. Fong</td>
</tr>
</tbody>
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<tr>
<td>7/29/1996</td>
<td>1812-16 Green St</td>
<td>BPA # 9613666 (No-Plans Permit)</td>
<td>Remove old roofing materials, install new</td>
<td>Apts. 4 Dwelling Units</td>
<td>Owner: Mr. Fong. Information states: 3 stories of occupancy, 4 units, and property use as &quot;Apts.&quot; Expired on 11/05/1999.</td>
</tr>
<tr>
<td>5/15/2000</td>
<td>1812-16 Green St</td>
<td>Electrical Permit (DBI). Permit # 211130 (No-Plans Permit)</td>
<td>Underground service conversion</td>
<td>&quot;R&quot;</td>
<td>Owner: Stanley Fong (same as above). List &quot;existing&quot; as electrical feeders.</td>
</tr>
<tr>
<td>8/14/2000</td>
<td>1812-16 Green St</td>
<td>Plumbing and Mechanical (DBI). Permit # 400070 (No-Plans Permit)</td>
<td>Replace structural elements, small roof and water heater</td>
<td>House</td>
<td>Owner: Mr. Stanley Fong (same as above)</td>
</tr>
<tr>
<td>12/10/2002</td>
<td><strong>Note:</strong> the property was purchased 5/31/2002 by the current owners / applicants</td>
<td>BPA # 200209116208 (Plans Included)</td>
<td>Remodel existing kitchen, bathroom, and interior finishes</td>
<td>2 Units</td>
<td>Owner: Adrian Dollard. Permit filed 9/11/2002, Issued 12/10/2002. Planning reviewed and conditioned &quot;no exterior changes.&quot; Issued Job Card references &quot;unit 1812 only (lower unit).&quot; Cost of construction listed: $55,000.00. Billing address on permit receipt listed as 2937 Webster Street. Plans included; clearly shows (2) residential flats, each with (2) bedrooms. Expired 1/13/2006</td>
</tr>
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<tr>
<td>1/28/2003</td>
<td>1812-1816 Green St</td>
<td>BPA # 200301286145 (Plans Included)</td>
<td>Revision to BPA # 200209116208. Relocate existing proposed staircase. Delete wet bar at 1st floor to regular cabinet.</td>
<td>1 unit (existing and proposed)</td>
<td>This permit was an over-the-counter revision, which was later cancelled and the beginning of enforcement action. The BPA was not reviewed by Planning, and instead received only one signature / review by DBI staff member R.T.Wu. The permit was then suspended 3/26/2003 per DCP Enforcement and NOV letter issued for 2002091166208.</td>
</tr>
<tr>
<td>Exact Date</td>
<td>(N/A - no permit filed. No address listed)</td>
<td>No Permits on record</td>
<td>Roof deck appears in Aerial Photographs, beginning in 2003.</td>
<td>(N/A - no permit filed)</td>
<td>Roof deck with hatch from 2nd floor bedroom installed in 2003 (exact date unknown; no permits on file).</td>
</tr>
<tr>
<td>2/21/2003</td>
<td>1812-1816 Green St</td>
<td>BPA # 200302218004 (No-Plans Permit)</td>
<td>Voluntary compliance - remove illegal kitchen and occupancy separation</td>
<td>1 unit</td>
<td>No permits necessary - this item listed for informational purposes only.</td>
</tr>
<tr>
<td>3/25/2003</td>
<td>1812-1816 Green Street</td>
<td>Suspension Request by Zoning Administrator (Larry Badiner), Suspension Request of BPA # 200301286145</td>
<td></td>
<td></td>
<td>Permit was never issued; permit was suspended on 5/28/2003 and cancelled on 8/12/2003. Cost of construction listed as $3,500.00. Cancelled 8/12/2003.</td>
</tr>
<tr>
<td>4/9/2003</td>
<td>1812 Green St</td>
<td>Applicants file for an Appeals Hearing (Board of Appeals) on the Zoning Administrator's decision letter requesting a suspension of BPA (above).</td>
<td></td>
<td></td>
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<td>7/16/2003</td>
<td>1812 Green St</td>
<td>BPA # 200307179722 (Plans Included)</td>
<td>Repair as needed and repaint front fascial new entrance porch</td>
<td>&quot;Two unit classification under protest&quot;</td>
<td>Plans (included) were reviewed and approved by David Lindsey (Current Planning's Northwest Team Leader), with the condition &quot;Approved per application for repair work.&quot; The plans indicate that a french door and portico would be added to the front facade, to create a small, common lobby / vestibule for both units. The proposed plans indicate that the (2) existing, &quot;residential flat&quot; entries will maintain their separate entries and independent access from the proposed lobby. Cost of construction listed as $12,000.00. Expired 1/13/2006.</td>
</tr>
<tr>
<td>8/5/2003</td>
<td>1812 Green</td>
<td>Electrical Permit # E200308051183</td>
<td>To change address to 1812 only (remove 1816).</td>
<td>Residential</td>
<td>Electrical Permit issued. Only scope of work listed is &quot;to change address to 1812 only (Remove 1816).&quot;</td>
</tr>
<tr>
<td>8/20/2003</td>
<td>1816 Green</td>
<td>BPA # 200308202548 (No Plans on Record)</td>
<td>Renovate existing bathroom and add a new bathroom, new storage at laundry room at 2nd floor unit 1816 only. Revision to permit # 200209116208.</td>
<td>2 Units</td>
<td>Over-the-counter (OTC) issuance on 8/20/2003 as a revision to 200209116208. Was not reviewed by Planning and there was a Suspension on all Building Permit Applications while an Board of Appeals Hearing was being scheduled (a Suspension request on BPA # 200301286145 and 200209116208 was being appealed). This permit was a revision to one of the permits under the suspension order. Therefore, this permit never should have been issued. The cost of construction listed as $35,000.00. Suspended (along with all other BPAs on 11/05/2003). Permit expired on 4/12/2005.</td>
</tr>
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<tr>
<td>4/16/2008</td>
<td>1812 Green Street</td>
<td>DCP Project Application # 2008.0442; BPA # 2007120399456</td>
<td>Mandatory Discretionary Review of Dwelling Unit Merger. Project seeks to legalize the merging of the existing 2 dwelling units into a single unit. The permit application is to comply with notice of Violation #200561775 (Work without permit).</td>
<td>1 Unit</td>
<td>Cancelled due to the following reasons on 1/2/2009: Failure to submit requested or required revisions; No response from applicant; de facto abandonment of project.</td>
</tr>
<tr>
<td>12/10/2018</td>
<td>1812 Green St</td>
<td>DCP Application # 2018-0166544PRJ; BPA # 2018120667615</td>
<td>No work to be done; application is for unit count verification.</td>
<td>1 Unit</td>
<td>Closed 05/01/2020; the Planning Department does not opine / create 3-R Reports. Applicant advised to seek permit review with DBI exclusively.</td>
</tr>
<tr>
<td>10/7/2019</td>
<td>1812 Green St</td>
<td>DCP Project Application # 2019-017837PRJ; BPA # 201812067615</td>
<td>Current Project: Conditional Use Authorization to legalize an unauthorized residential merger.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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ENFORCEMENT CASE SUMMARY
(Provided by Enforcement Planner Rachna)

Site Address: 1812-1816 Green Street
Property Owner: Dollard Adrian E & Anne L
Assessor’s Block/Lot: 0543/007
Zoning District: RH-2, House Districts, Two-Family
Complaint Number: 7402_ENF
Code Violation: Section 317: Unauthorized Dwelling Unit Merger of Two-Family Dwelling into a Single-Family Dwelling Use
Penalty Assessed: Not yet assessed
Time & Materials Fee: Accruing until the violation is abated

TIMELINE OF INVESTIGATION

July 13, 2005: Department of Building Inspection (DBI) received complaint that two units have been merged without Planning and Building Department Approval. Complaint referred to the Planning Department.

July 21, 2005: The Planning Department issued a Notice of Violation.

April 1, 2006: Board of Appeals upheld suspension of BPA No. 2003.01.28.6145 as it misrepresented the existing legal two-unit use as a single-family and was inaccurately being used as a justification in another permit BPA 2003.02.21.8004 to remove kitchen from the first floor and constituted a Dwelling Unit Merger subject to a mandatory Discretionary Review process.

April 13, 2006: Letter from the property owner’s legal representative to indicate that the property owner advised to file an application for dwelling unit merger

October 4, 2007: The Planning Department sent a Notice to Cease Violation

December 3, 2007: BPA No. 2007.12.03.9456 filed to seek legalization of unit merger of two units into a single-family dwelling.

April 16, 2008: Discretionary Review Application (DRA) No. 2008.0442 filed to seek legalization of merger of two dwelling units into a single-family unit.

January 22, 2010: BPA No. 2007.12.03.9456 was cancelled due to failure to submit required documents to process this application.

January 10, 2011: DRA No. 2008.0442 cancelled as the required documents not submitted to complete the review of this application.
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 4, 2011</td>
<td>Director’s Hearing held at DBI against the violation.</td>
</tr>
<tr>
<td>April 25, 2012</td>
<td>The Planning Department sent a reminder notice, Enforcement Notification.</td>
</tr>
<tr>
<td>June 8, 2012</td>
<td>The Planning Department staff met with the property owner to discuss issues. The owner indicated that he intends to file a Letter of Determination (LOD) request to seek determination that the above property is a legal single-family dwelling unit and wants to resolve this issue with DBI.</td>
</tr>
<tr>
<td>September 8, 2014</td>
<td>Case under continuous investigation at DBI.</td>
</tr>
<tr>
<td>April 7, 2015</td>
<td>The property owner submitted documents to the Planning and Building Department to suggest legal use is single-family.</td>
</tr>
<tr>
<td>October 14, 2015</td>
<td>The Planning Department staff advised the property owner to work with DBI to get determination on the authorized use prior to 1921.</td>
</tr>
<tr>
<td>November 19, 2015</td>
<td>The Planning Department staff met with the property owner to discuss issues and abatement process.</td>
</tr>
<tr>
<td>July 25, 2016</td>
<td>The Planning Department staff contacted the property owner to check the status of case at DBI. Advised to submit additional supporting documents.</td>
</tr>
<tr>
<td>August 16, 2016</td>
<td>The Planning Department staff advised the property owner to submit a formal request for LOD to seek a formal determination on the authorized use of the property.</td>
</tr>
<tr>
<td>November 8, 2016</td>
<td>The Planning Department staff contacted the property owner to check status of submittal at DBI.</td>
</tr>
<tr>
<td>December 27, 2016</td>
<td>The Planning Department staff contacted the property owner to check status of LOD submittal and submittal at DBI.</td>
</tr>
<tr>
<td>January 8, 2017</td>
<td>The property owner informed that he was working with DBI to resolve issues.</td>
</tr>
<tr>
<td>May 14, 2018</td>
<td>The Planning Department staff contacted the property owner to check status of submittal at DBI.</td>
</tr>
<tr>
<td>June 11, 2018</td>
<td>The property owner informed that he was working with DBI to resolve issues.</td>
</tr>
<tr>
<td>August 17, 2018</td>
<td>Meeting and coordination with DBI. The property owner required to provide documents to show how the property was being used since 1940.</td>
</tr>
<tr>
<td>November 6, 2018</td>
<td>Meeting with DBI staff and the property owner.</td>
</tr>
<tr>
<td>December 6, 2018</td>
<td>BPA 2018.12.06.7615 submitted to establish use of property as a single-family</td>
</tr>
<tr>
<td>October 7, 2019</td>
<td>The property owner submitted Conditional Use Authorization Application to see merger of two-family dwelling into a single-family dwelling.</td>
</tr>
</tbody>
</table>
EXHIBIT B - PLANS

Accepted with the Project Application and Conditional Use Authorization Supplemental Application on 10/07/2019.

***Please Note: Planning Staff has made comments in orange, to clarify inaccuracies and provide additional information.
GENERAL NOTES

1. ALL WORKS SHALL COMPLY WITH THE REQUIREMENTS OF THE FOLLOWING CALIFORNIA CODE, REGARDLESS OF DETAILS OR PLANS:
   2016 CALIFORNIA BUILDING CODE
   2016 CALIFORNIA ELECTRICAL CODE
   2016 CALIFORNIA MECHANICAL CODE
   2016 CALIFORNIA PLUMBING CODE
   2016 CALIFORNIA FIRE CODE

2. DETAILS AND DIMENSIONS OF CONSTRUCTION SHALL BE VERIFIED AT THE SITE BY THE CONTRACTOR, AND DISCREPANCIES BETWEEN THE PLANS AND EXISTING CONDITIONS SHALL BE REPORTED PROMPTLY TO THE ENGINEER OF RECORD.

3. DO NOT SCALE THESE DRAWINGS.

4. MERCURY ENGINEERING GROUP ASSUMES NO RESPONSIBILITY FOR THE SUPERVISION OF CONSTRUCTION OR THE PROPER EXECUTION OF THE WORK SHOWN ON THESE DRAWINGS. SAFETY METHODS AND TECHNIQUES ARE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

5. THE GENERAL CONTRACTOR SHALL VERIFY AND ASSUME RESPONSIBILITY FOR ALL DIMENSIONS AND SITE CONDITIONS. THE GENERAL CONTRACTOR SHALL INSPECT THE EXISTING BUILDING CONDITIONS AND MAKE NOTE OF EXISTING CONDITIONS PRIOR TO SUBMITTING PROPOSING. NO CLAIM SHALL BE ALLOWED FOR DIFFICULTIES ENCOUNTERED WHICH COULD HAVE REASONABLY BEEN INFERRRED FROM SUCH AN EXAMINATION.

6. THE GENERAL CONTRACTOR SHALL REPORT, IN WRITING, ANY AND ALL EXISTING SITE/BUILDING CONDITIONS AND MAKE NOTE OF EXISTING CONDITIONS PRIOR TO SUBMITTING PROPOSING. NO CLAIM SHALL BE ALLOWED FOR DIFFICULTIES ENCOUNTERED WHICH COULD HAVE REASONABLY BEEN INFERRRED FROM SUCH AN EXAMINATION.

7. THE GENERAL CONTRACTOR SHALL HOLD RESPONSIBILITY FOR APPLYING FOR, AND OBTAINING, ALL REQUIRED INSPECTIONS TO CONFORM WITH LOCAL BUILDING AND FIRE CODES.

8. CONTRACTOR SHALL ENSURE THAT GUIDELINES SET FORTH IN THE CODES AND AMENDMENTS:
   - 2016 SAN FRANCISCO BUILDING CODE AMENDMENTS
   - 2016 SAN FRANCISCO ELECTRICAL CODE AMENDMENTS
   - 2016 SAN FRANCISCO MECHANICAL CODE AMENDMENTS
   - 2016 SAN FRANCISCO PLUMBING CODE AMENDMENTS
   - 2016 SAN FRANCISCO GREEN BUILDING CODE AMENDMENTS
   - 2016 CALIFORNIA BUILDING CODE
   - 2016 CALIFORNIA FIRE CODE
   - 2016 CALIFORNIA HISTORICAL BUILDING CODE
   - 2016 SAN FRANCISCO EXISTING BUILDING CODE

9. DETAILS SHOWN ARE TYPICAL. SIMILAR DETAILS APPLY IN SIMILAR SITUATIONS.

10. ALL ASSEMBLIES SHALL BE OF APPROVED CONSTRUCTION.

11. INSTALL ALL FIXTURES, EQUIPMENT, AND MATERIALS PER MANUFACTURER'S RECOMMENDATIONS AND THE REQUIREMENTS OF THE CODES.

12. THE GENERAL CONTRACTOR SHALL PROVIDE AND INSTALL SUFFICIENT SAFETY METHODS AND TECHNIQUES FOR ALL WALL-MOUNTED FIXTURES AND ANY OTHER ITEMS ATTACHED TO THE WALLS.

13. PROVIDE FIRE-RATING AND DRAFTSTOPPERS AT ALL CONCEALED DRAFT OPENINGS (VERTICAL AND HORIZONTAL) AS PER 2016 CBC SEC. 717.

14. MECHANICAL, PLUMBING, ELECTRICAL, AND MECHANICAL SYSTEMS SHALL BE LISTED BY A NATIONALLY RECOGNIZED AND APPROVED AGENCY.

15. ALL SMOKE DETECTORS TO BE HARD WIRED.

16. ALLOVER GLASS SHALL BE AFFIXED WITH A PERMANENT LABEL PER CBC 2406.2.

17. PROVIDE SAFETY GLAZING AT ALL WALKING SURFACE LOCATION, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE. GLAZING TO BE RESTORED AFTER CONSTRUCTION AND PENETRATIONS REPAIRED.

18. PROVIDE A2.2 SECOND & THIRD FLOOR PLANS.

19. ALL EXITS TO BE MAINTAINED DURING AND AFTER CONSTRUCTION.

20. THE CUSTOMER SHALL ENSURE THAT GUIDELINES SET FORTH IN THE CODES AND AMENDMENTS:
   - 2016 SAN FRANCISCO BUILDING CODE AMENDMENTS
   - 2016 SAN FRANCISCO ELECTRICAL CODE AMENDMENTS
   - 2016 SAN FRANCISCO MECHANICAL CODE AMENDMENTS
   - 2016 SAN FRANCISCO PLUMBING CODE AMENDMENTS
   - 2016 SAN FRANCISCO GREEN BUILDING CODE AMENDMENTS
   - 2016 CALIFORNIA BUILDING CODE
   - 2016 CALIFORNIA FIRE CODE
   - 2016 CALIFORNIA HISTORICAL BUILDING CODE
   - 2016 SAN FRANCISCO EXISTING BUILDING CODE

WORKS SHALL ALSO COMPLY WITH THE FOLLOWING SAN FRANCISCO CODES AND AMENDMENTS:

21. PROVIDE SAFETY GLAZING AT ALL HAZARDOUS LOCATIONS, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE. GLAZING TO BE RESTORED AFTER CONSTRUCTION AND PENETRATIONS REPAIRED.

22. PROVIDE SAFETY GLAZING AT ALL WALKING SURFACE LOCATION, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE.

23. PROVIDE SAFETY GLAZING AT ALL WALKING SURFACE LOCATION, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE.

24. PROVIDE SAFETY GLAZING AT ALL WALKING SURFACE LOCATION, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE.

25. PROVIDE SAFETY GLAZING AT ALL WALKING SURFACE LOCATION, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE.

26. PROVIDE SAFETY GLAZING AT ALL WALKING SURFACE LOCATION, INCLUDING GLAZING WITHIN 18 INCHES OF A WALKING SURFACE.
Planning Staff Note:
Please be aware that there is an unpermitted roof deck at the subject property which is not shown on the applicant's plans. Please reference "EXHIBIT E - MAPS AND CONTEXT PHOTOS" for images and information on this roof deck.

Planning Staff Note:
Approximate location of unpermitted roof deck
Planning Staff Note: Please be aware that the "Existing" plan (above) is inaccurate. There currently are no kitchen facilities at the basement level and the space is divided by interior partitions. Please see "EXHIBIT E - MAPS AND CONTACT PHOTOS" for accurate images taken by Planning Dept. Staff during a site visit on 04/02/2019.

Mercury Engineering Group
12 Gough Street, Ste 100
San Francisco, CA 94103
TEL: 415.992.3383

Planning Staff Note: Please be aware that the "Existing" plan (above) is inaccurate. There currently are no kitchen facilities at the basement level and the space is divided by interior partitions. Please see "EXHIBIT E - MAPS AND CONTACT PHOTOS" for accurate images taken by Planning Dept. Staff during a site visit on 04/02/2019.
1. **RATED INTERIOR WALL**

   - **STEP 1:** Attach corner strips with Simpson Strong-Tie® screws to framing and block ends of the wall structure. Insert paper or similar approved flashing materials, with galvanized nails or powder coated staples.

   - **STEP 2:** Install window weatherproofing detail.

2. **RATED EXTERIOR WALL**

   - **STEP 1:** Attach sill strip with Simpson Strong-Tie® screws to framing and block ends of the wall structure. Insert paper or similar approved flashing materials, with galvanized nails or powder coated staples.

   - **STEP 2:** Install window weatherproofing detail.

3. **1 HR RATED CEILING/FLOOR**

   - **STEP 1:** Attach corner strips with Simpson Strong-Tie® screws to framing and block ends of the floor structure. Insert paper or similar approved flashing materials, with galvanized nails or powder coated staples.

4. **FLOORING DETAIL - HARDWOOD**

   - **STEP 1:** Install hardwood flooring detail.

5. **FLOORING DETAIL - TILE**

   - **STEP 1:** Install tile flooring detail.

6. **STAIR ANCHOR DETAIL**

   - **STEP 1:** Install stair anchor detail.

7. **TREAD & RISER**

   - **STEP 1:** Install tread and riser detail.

8. **WATER HEATER SEISMIC STRAP DETAIL**

   - **STEP 1:** Install water heater seismic strap detail.

9. **BATHROOM/KITCHEN FIXTURE LEGEND**

   - **LEGEND:**
     - DW: Dishwasher
     - SINK: Sink
     - DRYER: Dryer
     - WASHER: Washer
     - WASHER/DRYER COMBO: Washer/Dryer Combo
     - SHOWER: Shower
     - BATHROOM SINK: Bathroom Sink
     - TOILET: Toilet
     - REFRIGERATOR: Refrigerator
     - STOVE/RANGE: Stove/Range

10. **WINDOW FRAMING DETAIL**

    - **NOTES:**
      - Use Simpson Strong-Tie® screws for openings less than 8" wide.
      - Simpson head sizes: 4d, 8d, 10d, 12d
      - Use 2x4 studs @ 16" o.c.
      - Use 2x4 sill stabilizer treated for 40 lb. (concrete)

11. **(N) DUCT DETAIL**

    - **NOTES:**
      - Use flexible ducting material.
      - Use metal ducting material.

12. **(N) RADIANT HEATING DETAIL - CONCRETE**

    - **NOTES:**
      - Use radiant heating panels.
      - Use concrete slab.

13. **STAIR DETAILS**

    - **NOTES:**
      - Use Simpson Strong-Tie® screws for framing and block ends.
      - Use 2x4 studs @ 16" o.c.
      - Use 2x4 sill stabilizer treated for 40 lb. (concrete)
EXHIBIT C – COST

Exhibit C Contents:

1. **Cost Analysis for Adding an ADU**, provided by applicant on **02/07/2020** upon request from staff (totaling **$524,200.00**).

2. **Cost Analysis for Adding a Unit**, provided by applicant on **01/10/2006** upon request of staff (totaling **$72,000.00**, or $130,000.00 with foundation work included).

3. **The City’s Cost Analysis for Adding ADUs and Units**, as assessed by Planning Staff from resource documents and correspondence with the Planning Department’s (DCP) Accessory Dwelling Unit (ADU) Specialists and staff architects, and the Department of Building Inspection’s (DBI) Permit Technicians, who evaluate scopes of work and assign fees based on average construction costs for those scopes of work proposed.

4. **Cost Analysis of what the Applicant Spent to Remove the Legal Unit**, as assessed by Planning Staff from the applicant’s Building Permit Applications (BPA) from 2002 and 2003.
   - See “EXHIBIT H” for more information on the Subject Property’s Permit History.

5. **Property Listing Documentation**, from 2005 when the applicants listed the property for sale as a "Single Family Home." Property was removed from market, per letter to Paragon Real Estate from the applicants (attached).
Planning Staff Note:
This estimate proposed a 2-bedroom unit with a common entry in the basement, totaling 820 square feet.

Please note that the unit which was removed without permits, was a 2-bedroom residential flat (one unit occupying an entire floor above grade, with a dedicated entry), and was 1,335 square feet (per plans dated 04/06/2002, submitted with BPA no. 2003.01.28.6145).

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>U/M</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>SELECTIVE DEMOLITION</td>
<td>820</td>
<td>$25.00</td>
<td>20,500.00</td>
</tr>
<tr>
<td>FOUNDATION DEMOLITION &amp; EXCAVATION (CODE CEILINGS)</td>
<td>820</td>
<td>$65.00</td>
<td>53,300.00</td>
</tr>
<tr>
<td>NEW FOUNDATION</td>
<td>820</td>
<td>$100.00</td>
<td>82,000.00</td>
</tr>
<tr>
<td>FRAMING &amp; DRYWALL</td>
<td>820</td>
<td>$75.00</td>
<td>61,500.00</td>
</tr>
<tr>
<td>PLUMBING (INCL ADU RADIANT)</td>
<td>820</td>
<td>$85.00</td>
<td>69,700.00</td>
</tr>
<tr>
<td>MECHANICAL (RELOCATE + REPLACE UPPER UNIT FAUS)</td>
<td>1.00</td>
<td>$17,500.00</td>
<td>17,500.00</td>
</tr>
<tr>
<td>ELECTRICAL</td>
<td>820</td>
<td>$65.00</td>
<td>53,300.00</td>
</tr>
<tr>
<td>FIRE SPRINKLERS (NEW LIVING AREA + GARAGE + EGRESS)</td>
<td>1.00</td>
<td>$27,500.00</td>
<td>27,500.00</td>
</tr>
<tr>
<td>PAINTING</td>
<td>820</td>
<td>$20.00</td>
<td>16,400.00</td>
</tr>
</tbody>
</table>

ALLOWSANCES:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>U/M</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERMITS &amp; CITY FEES</td>
<td>1.00</td>
<td>$20,000.00</td>
<td>20,000.00</td>
</tr>
<tr>
<td>INTERIOR FINISHES (FLOORS, DOORS, CABINETS, TILE)</td>
<td>820</td>
<td>$100.00</td>
<td>82,000.00</td>
</tr>
<tr>
<td>INTERIOR FIXTURES (PLUMBING, LIGHTING, APPLIANCES)</td>
<td>820</td>
<td>$25.00</td>
<td>20,500.00</td>
</tr>
</tbody>
</table>

SUBTOTAL SERVICES $401,700.00
SUBTOTAL ALLOWANCES $122,500.00
TOTAL $524,200.00

Planning Staff Note:
Please see additional documentation within "EXHIBIT C - COST ANALYSES" for cost estimations that are used by Department of Building Inspections staff and the Planning Department's Accessory Dwelling Unit Specialists, for calculating cost of construction and expenses related to dwelling unit additions. Please also see "EXHIBIT C - COST ANALYSES" for an approximate summary of the expenses (based on Building Permit Applications pulled by the applicant between 2002 and 2003) that the applicant spent to have the pre-existing unit removed without issued permits.
January 10, 2006

VIA MESSENGER

Ms. Rachna
Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

Re: 1812-1816 Green Street

Dear Ms. Rachna:

This letter will provide you with the additional requested information for Adrian and Anne Dollard’s (the “Dollards”) property located at 1812-1816 Green Street (the “Property”).

**PROPOSAL TO CREATE A NEW SECOND UNIT IN THE BUILDING**

The requested information for the proposed second unit at the garden level of the building is as follows:

<table>
<thead>
<tr>
<th>Room</th>
<th>Square Feet</th>
<th>Ceiling Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom 1</td>
<td>165</td>
<td>84.3”</td>
</tr>
<tr>
<td>Living Room</td>
<td>173</td>
<td>84”</td>
</tr>
<tr>
<td>Kitchen/Dining</td>
<td>315</td>
<td>83.3” to 84.3”</td>
</tr>
<tr>
<td>Bathroom</td>
<td>36</td>
<td>83.3”</td>
</tr>
</tbody>
</table>

A copy of the current floor plans for the lower, main and upper levels are attached hereto as Exhibit 1.

For the additional information you requested, the proposed cost budget for the lower level unit is approximately $72,000.00 without the removal of the columns. An additional cost
Ms. Rachna  
January 10, 2006  
Page 2

of approximately $58,000.00 will be required to remove the columns and to construct the steel moment frame. A copy of a proposal from D & A Construction Company, Inc. is attached hereto as Exhibit 2.

Given the unexpectedly high estimated expenses and the physical challenges associated with making a second garden-level unit comply with applicable building codes, the Dollards will apply for a unit merger.

If you have any questions or concerns, please do not hesitate to contact Alice Barkley or me.

Very truly yours,

Kenneth K. Tze  
for  
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

KKT/jaz  
Encls.  
(1) Lower, Main and Upper Level Floor Plans  
(2) Cost Proposal

cc: Adrian and Anne Dollard  
Johnny DaRosa  
Donal Duffy (w/o Exhibits)  
Alice Barkley
December 8, 2006

Mr. Adrian Dollard  
1816 Green Street  
San Francisco, California

Re: Lower floor renovation located at 1816 Green Street, San Francisco

Dear Mr. Dollard:

Per your requested, below is the preliminary budget estimate to renovate the above subject project:

Scope of work:
- Relocate existing furnaces (2 units) and water heaters (2 units)
- Construct a new kitchen, with all plumbing and appliances
- Modify walls and interior finishes.

Total estimates for the above scope of work is $72,000.00

**Option 1:** Remove existing columns and beam and replace with steel moment frame system:
- Provide engineering study and design
- Excavation and new foundation
- Temporally support for 3 stories structure.
- Fire proofing
- Sheet rock finish
- Other finishes

Total estimates for the above scope of work is $58,000.00

If you have further question please feel free to give me a call at 650-692-4072

Thank you.

Sincerely,

Johnny DaRosa

Planning Staff Note: Additional Option(s) appear to not have been provided and/or was omitted from the estimate which was forwarded to staff.
The City’s Cost Analysis for Adding ADUs & Units

Where square footage is required to calculate the estimated cost, staff used 1,335 square feet as the unit of measurement, since this was the size of the unit which was removed (per 2003 plans) via residential merger.

<table>
<thead>
<tr>
<th>Resource (Date)</th>
<th>Scope of Work</th>
<th>Approx. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ADU Handbook</strong> <em>(Published December 2018)</em> <a href="https://sfplanning.org/resource/accessory-dwelling-unit-handbook">https://sfplanning.org/resource/accessory-dwelling-unit-handbook</a>*</td>
<td>Adding an Accessory Dwelling Unit to an existing property’s basement level <em>(See Pg. 87-89 of the ADU handout for reference.)</em></td>
<td>$304,790.00 <em>(or $335,268.00 to include 2-years of ~ 5% increased construction costs)</em></td>
</tr>
<tr>
<td><strong>Department of Building Inspection’s Cost Schedule</strong> <em>(Prepared by DBI Technical Services Division, for internal reference, in 2017. Obtained by Planning staff from DBI staff via email on 10/28/2020 for Cost Estimation and Cost Verification purposes, as it relates to this Conditional Use Authorization request.)</em></td>
<td>Construction of Basement Units within R-3 occupancies <em>(See Pg. 23 of (Internal) DBI Cost Schedule)</em></td>
<td>$185.33 x sq.ft (1,335 sq.ft.) = $247,415.00</td>
</tr>
<tr>
<td></td>
<td>Tenant Improvements <em>(General)</em> <em>(Pg. 2)</em></td>
<td>$126.74 x sq. ft (1,335 sq.ft.) = $169,197.00</td>
</tr>
<tr>
<td></td>
<td>Construction at Upper Floors and Tenant Improvements <em>(Pg. 24)</em></td>
<td>$63.61 x sq.ft. (1,335 sq.ft.) = $84,919.00</td>
</tr>
<tr>
<td></td>
<td>Construction of a New Kitchen in R-3 Occupancies <em>(Pg. 27)</em></td>
<td>$10,561.00</td>
</tr>
<tr>
<td><strong>Comparable Projects</strong> <em>(Accessory Dwelling Unit Specialists, Current Planning Staff, and Staff Architect examples of Projects with similar site conditions which added a Unit. Assessed 10/28/20)</em></td>
<td>Construct (1) Unit where no plumbing, electric, or HVAC connections exist (“ground up”)</td>
<td>~ $400 x sq.ft. (1,335) = $534,000.00</td>
</tr>
<tr>
<td></td>
<td>Add (1) ADU at ground floor of 2-unit building <em>(w/grading)</em></td>
<td>$145,000.00</td>
</tr>
<tr>
<td></td>
<td>Add (1) ADU within existing parking garage area at ground floor of existing multi-family</td>
<td>$60,000.00</td>
</tr>
<tr>
<td></td>
<td>Legalize existing unit with extensive layout changes</td>
<td>$25,000.00</td>
</tr>
</tbody>
</table>
**Cost Analysis of what the Applicant Spent to Remove the Legal Unit (per BPAs on record)**

The following is a list of Building Permit Applications (BPAs) that the applicant filed with the City. These BPAs have an “Estimated Cost of Job” listed, which is used to assess DBI permitting fees. The following BPAs may not be wholly inclusive of the work performed at the Subject Property, nor may they be an accurate representation of the expenses spent to remove the Unit; however, these cost estimates are provided as a reference, in response to the applicant’s submittal of “Financial Infeasibility” to add back a unit.

For more information on the BPAs listed below, see “EXHIBIT I – BUILDING PERMIT HISTORY BRIEF.”

<table>
<thead>
<tr>
<th>BPA Number</th>
<th>Date Filed</th>
<th>Cost of Job</th>
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<tbody>
<tr>
<td>2002.09.11.6208</td>
<td>12/10/2002</td>
<td>$55,000.00</td>
</tr>
<tr>
<td>2003.02.21.8004</td>
<td>02/21/2003</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>2003.07.17.9722</td>
<td>07/16/2003</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>2003.08.20.2548</td>
<td>08/20/2003</td>
<td>$35,000.00</td>
</tr>
</tbody>
</table>

**Approx. Total: $105,500.00**
(As assessed from filed Building Permit Applications)**

**Please note that the approximate total amount (above) only includes the “cost of construction” scoped of work which were submitted on Building Permit Applications. However, there was construction at the subject property without benefit of permit (such as the roof deck, see “EXHIBIT I”) and as such, those expenses were not memorialized in any Building Permit Application’s estimates. Additionally, this approximate total does not include Filing, Permitting, or Enforcement Fees. Please be advised that this total amount is an estimate, based on the resources available to Planning Staff.**
1812 Green St
San Francisco, CA 94123
MLS ID#: 291331

$2,699,000
4 Bed, 3.5 Bath
3,254 Sq. Ft.

Estimated payment:
$12,051 Per Month*
Change Assumptions
Check Local Rates

Map & Directions
Save This Listing
Send to a Friend
Send to your REALTOR®

Single Family Property, Area: Pacific Heights, County: San Francisco, Year Built: 1884, Two story, Garage, Dining room, Laundry room, Hardwood floors

To access this webpage directly, use http://www.realtor.com/Prop/1049230006

This listing is brokered by: Paragon Real Estate Group
Office: (415) 738-7070

Property Features
- Single Family Property
- Area: Pacific Heights
- County: San Francisco
- Year Built: 1884
- 4 total bedroom(s)
- 3.5 total bath(s)
- Approximately 3254 sq. ft.
- Two story
- Style: Traditional, Victorian
- Dining room
- Laundry room
- Hardwood floors
- Garage
- Heating features: Central, Radiant
- Interior features: Carpet, Dishwasher, Disposal, Double oven, Formal dining rm, Foyer, Freezer, Gas range, Kitchen isle, Microwave, Pantry, Refrigerator, Room addition, Security features, Storage rm, Tub/separate shower
- Exterior features: Auto. garage door, Deck, Garden area, Landscaping, Parking space(s), Patio, Public water, Storage/out-bldg (s)
- Exterior construction: Wood siding
- Roofing: Composition, Wooden shake/shingle

Find out more.
1812 Green St
San Francisco, CA94123

$2,699,000
4 Bed, 3.5 Bath
3,254 Sq. Ft.
MLS ID#: 291331

Wendy M Storch
Office: (415) 565-0500
Voice Mail: (415) 701-2631
Fax: (415) 701-2681

Single Family Property, Area: Pacific Heights, County: San Francisco, Year Built: 1884, Two story, Garage, Dining room, Laundry room, Hardwood floors

To access this listing directly, use http://www.realtor.com/Prop/1049230006

Property Features
- Single Family Property
- Area: Pacific Heights
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- Exterior construction: Wood siding
- Roofing: Composition, Wooden shake/shingle

Formatted for easy printing so you can take this with you. Remember to say you found it on REALTOR.com®.
1812 Green
Offered at $2,699,000
Status: Active

Features List
Bedrooms: 4
Bathrooms: 3.5
Parking: 2
View:

- 4 Bedrooms/3.5 Baths
- Gorgeous period detail w/custom restorations
- Enormous professional grade kitchen
- Elegant double parlor
- Formal dining room w/granite bar
- Master suite w/loft & view roof deck
- Walk-out deck and garden
- Garden level Au Pair (legality of au pair rooms at lower level unwarranted)
- 2 Car Parking

Description

http://www.paragon-re.com/ParagonListingDetail.aspx?ID=280
7/25/2005
Just steps from the Union Street shops and restaurants, this gracious home, on a flat block, has all the space on three levels, luxurious floor plan, beautiful period details: hardwood floors, high ceilings, a state-of-the-art kitchen.

Enter the handsome facade through wrought-iron gates to a gracious entry foyer featuring leaded-glass transom. Gleaming hardwood floors grace the main level of the home. Period and restored details include custom chandeliers, high ceilings with crown poly dentil moldings, custom woodwork, paint colors and though oversized windows. The double parlor living rooms open to a formal dining room with a granite fireplace, side-by-side Sub-Zero refrigerator, two separate Fisher & Paykel drawers, a walk-in pantry and beautifully crafted ceiling-height Cherry wood cabinetry with handsomely oversized center island which functions as a breakfast bar with plenty of storage plus a full sink. The large tiled deck, convenient for barbecuing and enjoying the tranquility of the outdoors. 1 & 1/2 baths complete the home.

On the top floor, is a spacious and private master suite including a sitting area, enormous custom closet. The spacious master bath features a travertine floor with radiant heat, a clawfoot tub, a custom extrawide walk-in closet, tons of storage, and an unusually large shower enclosure boasting a massaging spa shower jet. An upper level loft, currently used as a workout room and office leads to a private balcony with views of the Golden Gate Bridge. Three other bedrooms on this level have the same high ceilings and a lovely West Coast vibe. One bathroom features a marble counter and double sinks. There is a front loading laundry and access to generous attic storage space throughout.

On the lower level is a legal fifth bedroom, currently used as a media room and kid's retreat, second floor quarters featuring a bedroom and sitting room which open to a charming garden. The garage with an interior access to this level.

Just move right into this fabulous home in one of the most sought after neighborhoods in the city!

Offered By

Gary Johnson
1160 Battery Street
San Francisco, CA 94111
Direct 415.738.7068
Fax 415.738.7168
Mobile 415.971.6211
gjohnson@paragon-re.com
http://www.GaryJohnsonHomes.com

Wendy Storch
180 Redwood Street #350
San Francisco, CA 94102
Direct 415.701.2631
Fax 415.701.2681
wstorch@paragon-re.com
MODIFICATION OF TERMS
AUTHORIZATION AND RIGHT TO SELL,
ACQUIRE OR RENT
(C.A.R. Form MT, Revised 4/02)

The Authorization and Right To Sell for, if checked, □ Authorization to Acquire, □ Authorization to Lease or Rent dated July 7, 2005, between Paragon Real Estate Group ("Broker") and Anne and Adrian Collard ("Principle(s)"), regarding the real property or manufactured home described as 1812 Green Street, San Francisco, CA is modified as follows:

PRICE: The listing price, price range, lease or rental amount shall be changed to:

Dollars ($_________)

EXPIRATION DATE: The expiration date is changed to:

OTHER: Property to be withdrawn from the market effective August 3, 2005. All marketing details and pictures to removed from the multiple listing service.

All other terms of the Authorization and Right to Sell, Authorization to Acquire, or Authorization to Lease or Rent, as applicable, remain in full force and effect, except as modified herein.

I acknowledge that I have read and understand this Modification Agreement and have received a copy.

Date August 2, 2005
San Francisco, California

Principal Anne Collard
Paragon Real Estate Group
Buyer/Agent

Principal/Agency

By: Mary Johnson, Wendy Starch

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EXHIBIT D – LAND USE DATA

Exhibit D Contents:

1. Land Use Information
2. Land Use Data in Immediate Vicinity (October 2020)
# Land Use Information

**PROJECT ADDRESS:** 1812-1816 GREEN STREET  
**RECORD NO.:** 2019-01783CUA

## GROSS SQUARE FOOTAGE (GSF)

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Net New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Parking GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Residential GSF</td>
<td>Approx. 2,600</td>
<td>No Change</td>
</tr>
<tr>
<td>Retail/Commercial GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Office GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Industrial/PDR GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Medical GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Visitor GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>CIE GSF</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Usable Open Space</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Public Open Space</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Other</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

## PROJECT FEATURES (Units or Amounts)

<table>
<thead>
<tr>
<th>Existing</th>
<th>Net New</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling Units - Affordable</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Dwelling Units - Market Rate</td>
<td>N/A</td>
<td>1</td>
</tr>
<tr>
<td>Hotel Rooms</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Number of Buildings</td>
<td>1</td>
<td>No Change</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>2+ Basement</td>
<td>No Change</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Bicycle Spaces</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Car Share Spaces</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Other</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Land Use Data in Immediate Vicinity

As assessed on October 30, 2020, per 3-R reports on record for each respective parcel. “Immediate Vicinity” is shown within the black rectangle and is defined as the subject block (0543), properties that face the subject block, and properties within 150-foot radius of the subject property.

Image courtesy: https://sfplanninggis.org/pim/map.html?search=1812%20GREEN%20ST

Map Key

Zoning: RH-2, RH-3, RM-1, RM-2, P, NCD
Housing Typology (per Assessors): Dwelling, Flats & Duplex, Condominium, Apartments
Occupancy (per 3-R Reports): Example:

This parcel (Block/Lot 0554/002) is a Two-Family Flat/Duplex in a RH-2 Zoning District.

Land Use Data & Neighborhood Characteristics

Per the Assessor - Recorder and 3-R Reports, the area is composed of:

- (41) Total residential properties (all housing types included).
  - (14) residences (34%) are without 3-R Reports.
- (6) Single-Family Residences = 14% of total properties
- (10) Two-Family Residences = 24% of total properties
- (4) Three-Family Residences = 10% of total properties
- (7) Four-to-Six Family Residences = 17% of total

EXHIBIT D – LAND USE DATA
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
2003 vs. 2020 Land Use Data & Neighborhood Characteristics

Per the Assessor-Recorder and 3-R Reports, the area is composed of:

**With "Unknown Occupancies"**

- **2003**
  - (9) Unknown: 24%
  - (3) Four-to-Six-Fam. properties: 8%
  - (4) Three-Family: 11%
  - (14) Two-Family: 37%

- **2020**
  - (14) Unknown Legal Use (No 3-R): 34%
  - (6) Single-Family: 14%
  - (10) Two-Family: 24%
  - (7) Four-to-Six-Family properties: 17%
  - (4) Three-Family: 10%

**Without "Unknown Occupancies"**

- **2003**
  - (3) Four-to-Six-Family properties
  - (4) Three-Family
  - (14) Two-Family

- **2020**
  - (6) Single-Family
  - (7) Four-to-Six-Family properties
  - (4) Three-Family
  - (10) Two-Family

**Note:** The information recorded in 2003 (data shown left) counted 38 total residential properties, with 9 of said properties having "unknown" occupancies. Of the data collected in 2020 (data shown right), staff counted 41 residential properties, with 14 of those properties having "unknown" occupancy data (3-R reports) on file. The 2003 notations were recorded by the former Northwest Team Leader, who has since retired and cannot verify how this information was gathered or what method was used to confirm occupancy. The 2020 data used 3-R reports to determine occupancy. Where 3-R reports were not recorded, properties were omitted from the graphical data (above). Given these circumstances, it's worth noting that the 2003 information (left) may not represent all of the occupancy types in the area, or be the legal uses (defined by 3-R reports). The graphical information is provided to give context on the immediate vicinity’s Neighborhood Characteristics and Land Use, and how it has changed over time.
EXHIBIT E – MAPS & CONTEXT PHOTOS

Exhibit E Contents:

1. Parcel Map
2. Sanborn Map*
3. Zoning Map
4. Historic Maps
5. Aerial Photos
6. Site Photos
Sanborn Map

*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*
Zoning Map

EXHIBIT  E – MAPS & CONTEXT PHOTOS
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
1893 HISTORIC MAPS: 1812-1816 Green Street
formerly: 1806-1808 Green Street

Images courtesy of:
1893 Fire Insurance Map, Volume 4, Sheet 93L. Source SF Library

1893 Occupants: (2) addresses

Source:
https://books.google.com/books?id=WWowAQAAMAAJ&pgis=_c&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

1893 Sanborn maps: (2) addresses
between 1893 and 1913, 1806-1808 Green St. becomes 1812-1816 Green St.

1812-1816 Green St.

"Two Flats"
EXHIBIT E – MAPS & CONTEXT PHOTOS
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
Aerial Photo – View 3

EXHIBIT E – MAPS & CONTEXT PHOTOS
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
Site Photos
Previous Condition

Dated: July 2002
Image courtesy: explorer.pictometry.com/

Dated: 2002 Real Estate (Redfin) Photo

Undated Assessor’s Photo (image left)
Image courtesy of the applicant.
Site Photos

Subject Property

Dated: September 2004
Image courtesy: explorer.pictometry.com/

Dated: August 2014
Image courtesy: GoogleMaps.com
Site Photo
Current Condition

Dated: April 2019
Image courtesy: https://www.google.com/maps/place/1812+Green+St,+San+Francisco,+CA+94123

EXHIBIT E – MAPS & CONTEXT PHOTOS
Conditional Use Authorization
Case Number 2019-017837CUA
1812-1816 Green Street
EXHIBIT F - 3-R REPORTS

Exhibit F Contents:


2. **(2005) 3-R Report**, correcting the error and listing the property as "Two-Family" currently and "Unknown" original use.

3. **(2007) 3-R Report**, listing the property as "Two-Family" currently and "Unknown" original use.

4. **(2020) 3-R Status**, listing the property as "Two-Family" currently and "Unknown" original use.
CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
1660 Mission Street, San Francisco CA 94103

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 Department of Planning and the Department of Building Inspection.

Address of Building: 1812 1816 GREEN ST

Other Addresses

1. Present authorized occupancy or use: ONE FAMILY DWELLING
   A. Is this building classified as a 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: R2-1
   3. Building Code Occupancy Classification: R3

3. Do Department of City Planning Records show 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 City Planning, (415) 586-6377, for the current status.

4. Building Construction Date: 1900

5. Original occupancy or use: ONE FAMILY DWELLING

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

<table>
<thead>
<tr>
<th>Application #</th>
<th>Permit #</th>
<th>Issue Date</th>
<th>Type of Work Done</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>23880</td>
<td>24091</td>
<td>02-DEC-36</td>
<td>ADD NEW PORCH</td>
<td>N</td>
</tr>
<tr>
<td>68619</td>
<td>65866</td>
<td>10-MAR-42</td>
<td>ASBESTOS SIDING</td>
<td>N</td>
</tr>
<tr>
<td>961366</td>
<td>799684</td>
<td>29-JUL-86</td>
<td>REROOFING</td>
<td>X</td>
</tr>
<tr>
<td>9613666</td>
<td>799684</td>
<td>29-JUL-96</td>
<td>RE-ROOFING</td>
<td>X</td>
</tr>
</tbody>
</table>

7. A. Is this property within a project area for which a redevelopment plan has been approved by the Board of Supervisors? Yes ☑ No
   B. Is this property within a or does it abut upon the right-of-way of a freeway route which has been adopted by the California State Highway Commission and approved by the Board of Supervisors? Yes ☑ No
   C. Does the property abut upon a street to be widened pursuant to action of the Board of Supervisors? Yes ☑ No
   D. Is this property a conservation area? Yes ☑ No

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 structures on property? 1

10. Is Building in Fire Zones? Yes ☑ No

11. Has energy inspection been completed? Yes ☑ No

12. A. Is Building in Fire Zones? Yes ☑ No
   B. If yes, has a proof of compliance been issued? Yes ☑ No

Date of Issuance: 24 APR 2002
Date of Expiration: 24 APR 2003
By: MICHAEL RODMAN
Report No: 200204225013

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

Report of Residential Building Record (3R)  
(Housing Code Section 351(a))  
Customer Service Division  
(415) 558-6081

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  1812 - 1816 GREEN ST  
Block 0543  Lot 007

Other Addresses

1. A. Present authorized Occupancy or use: TWO FAMILY DWELLING
   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): UNKNOWN

6. Original Occupancy or Use: UNKNOWN

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

<table>
<thead>
<tr>
<th>Application #</th>
<th>Permit #</th>
<th>Issue Date</th>
<th>Type of Work Done</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>81413</td>
<td>81413</td>
<td>19-APR-18</td>
<td>CONVERT FROM ONE TO TWO UNIT</td>
<td>N</td>
</tr>
<tr>
<td>100498</td>
<td>100498</td>
<td>05-AUG-21</td>
<td>CONCRETE THE BACK YARD ON THE BASEMENT</td>
<td>N</td>
</tr>
<tr>
<td>188788</td>
<td>146489</td>
<td>09-OCT-30</td>
<td>PRIVATE GARAGE</td>
<td>C</td>
</tr>
<tr>
<td>23380</td>
<td>24091</td>
<td>02-DEC-36</td>
<td>ADD NEW PORCH</td>
<td>C</td>
</tr>
<tr>
<td>68619</td>
<td>65866</td>
<td>10-MAR-42</td>
<td>ASBESTOS SIDING</td>
<td>C</td>
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<tr>
<td>9114677</td>
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<tr>
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<td>799684</td>
<td>29-JUL-96</td>
<td>RE-ROOFING</td>
<td>X</td>
</tr>
<tr>
<td>200209116208</td>
<td>983045</td>
<td>11-SEP-02</td>
<td>REMODEL KITCHEN &amp; BATHROOMS</td>
<td>N</td>
</tr>
<tr>
<td>200308202548</td>
<td>1003211</td>
<td>20-AUG-03</td>
<td>REVISE PA#200209116208 - UNIT #1816 - RENOVATION (E) BATH &amp; ADD A NEW BATHROOM, NEW STORAGE, LAUNDRY</td>
<td>X</td>
</tr>
<tr>
<td>200307179722</td>
<td>1017980</td>
<td>24-FEB-04</td>
<td>REPAIR AS NEED &amp; REPAINT FRONT FASCIAL NEW ENTRANCE PORCH</td>
<td>N</td>
</tr>
</tbody>
</table>

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 ✓

COPY
Original issued by
May Yu
Address of Building 1812 - 1816 GREEN ST

Date of Issuance: 15 JUL 2005
Date of Expiration: 15 JUL 2006
By: ALAN WHITESIDE
Report No: 200507122533

Block 0543 Lot 007

Patty Herrera, Supervisor, Customer Service Division

Isam Hasenin, P.E., C.B.O.
Director, Department of Building Inspection

THIS REPORT IS VALID FOR ONE YEAR ONLY.

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(For Explanation of terminology, see attached)
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Address of Building 1812 - 1816 GREEN ST

Other Addresses

1. A. Present authorized Occupancy or use: TWO FAMILY DWELLING
   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: R1-2
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): UNKNOWN

6. Original Occupancy or Use: UNKNOWN

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

<table>
<thead>
<tr>
<th>Application #</th>
<th>Permit #</th>
<th>Issue Date</th>
<th>Type of Work Done</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>81413</td>
<td>81413</td>
<td>19-APR-18</td>
<td>NEW REAR PORCH &amp; STAIR, CHANGE SINK AROUND &amp; PUT IN NEW WASH TRAY &amp; BOILER, MOVE 1 DOOR &amp; WINDOW, WORK DONE ON THE 2ND FL. ON THE 1ST FL TO PUT NEW STAIR DOWN TO BSMT WILL HAVE THE PRESENT PORCH. 1 PARTITION IN BSMT &amp; CEMENT PASSAGE WAY, 1 NEW DRESSER IN DINING RM IN 2ND FL. CONVERT FROM 1 TO 2 UNIT</td>
<td>N</td>
</tr>
<tr>
<td>100498</td>
<td>100498</td>
<td>05-AUG-21</td>
<td>CONCRETE THE BACK YARD ON THE BASEMENT</td>
<td>N</td>
</tr>
<tr>
<td>188788</td>
<td>146489</td>
<td>09-OCT-30</td>
<td>PRIVATE GARAGE</td>
<td>C</td>
</tr>
<tr>
<td>23380</td>
<td>24091</td>
<td>02-DEC-36</td>
<td>ADD NEW REAR PORCH</td>
<td>C</td>
</tr>
<tr>
<td>68619</td>
<td>65866</td>
<td>25-MAR-42</td>
<td>ASBESTOS SIDING</td>
<td>C</td>
</tr>
<tr>
<td>9613666</td>
<td>799684</td>
<td>29-JUL-96</td>
<td>RE-ROOFING</td>
<td>X</td>
</tr>
<tr>
<td>200209116208</td>
<td>983045</td>
<td>10-DEC-02</td>
<td>REMODEL KITCHEN &amp; BATHROOMS &amp; INSTERIO FINISHES</td>
<td>X</td>
</tr>
<tr>
<td>200301286145</td>
<td>985997</td>
<td>28-JAN-03</td>
<td>RELOCATE (E) PROPOSED STAIR CASE. REVISION TO APPLICATION #200209116208 DELETE WET BAR AT 1ST FLOOR TO REGULAR CABINET</td>
<td>X</td>
</tr>
<tr>
<td>200308202548</td>
<td>1003211</td>
<td>20-AUG-03</td>
<td>REVISE PAR#200209116208 - UNIT #1816 - RENOVATION (E) BATH &amp; ADD A NEW BATHROOM, NEW STORAGE, LAUNDRY ROOM AT 2ND FLOOR</td>
<td>X</td>
</tr>
<tr>
<td>200307179722</td>
<td>1017980</td>
<td>24-FEB-04</td>
<td>REPAIR AS NEED &amp; REPAINT FRONT FASCIA NEW ENTRANCE PORCH</td>
<td>X</td>
</tr>
</tbody>
</table>

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

RECEIVED

MAY 19 2008

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
NEIGHBORHOOD PLANNING
Address of Building  1812 - 1816 GREEN ST

Date of Issuance: 19 MAY 2008
Date of Expiration: 19 MAY 2009
By: MAY YU
Report No: 200805129930

Block 0543      Lot 007

Patty Herrera, Supervisor, Customer Service Division

Isam Hasenin, P.E., C.B.O.
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)
A 3-R report indicates the legal authorized use of a residential building on the date of the report. If subsequent permits are approved for the building that would change the number of dwelling units, it is the property owner's responsibility to file an application with DBI to generate an updated 3-R report.

**Authorized Use:** TWO FAMILY DWELLING

**Original Use:** UNKNOWN

**Address:** 1812 - 1816 GREEN ST

**Parcel:** 0543 - 007

**Report No.:** 202005201625

**Issued:** 05/20/2020

* Fields marked with an asterisk are only visible to City staff.
Submitted by the Project Sponsor via email on 10/26/2020.

Additional supporting documents (“Project Sponsor Exhibits”) are attached separate from this Commission Packet, for Commission review.
October 26, 2020

Planning Commission
City of San Francisco
1650 Mission Street
San Francisco, CA 94103

Re: Unit Count Verification of 1812 Green Street & Conditional Use Authorization Application

Dear Commissioners:

We are the residents and owners of 1812 Green Street in San Francisco. The Planning Commission is scheduled to consider our Conditional Use Authorization (“CU”) application on November 12, 2020. We believe that Planning Commission action on our CU application would be premature at this time. In our view, the City should first determine whether the original and current legal authorized use of our home is as a single family residence, and therefore our removal of an illegal unit more than a decade ago was lawful (and permitted at that time). It is our understanding that Planning Department staff does not oppose the proposed continuance.

At a 2018 meeting with representatives of the Planning Department and the Department of Building Inspection, we were directed to file a permit application for a Unit Count Verification as a means of resolving this unusual case. We filed that application in November 2018 and requested it include routing to Planning Staff even though such permits normally are not routed that way. When Planning Staff reviewed the Unit Count application, they directed us to file the present CU application. However, Planning Staff has not acted upon our Unit Count Verification permit application, which we believe should be resolved prior to the CU application.

The substance of our Unit Count Verification application is that records from the time of our home’s construction show it was a single family home never legally converted to use as two flats. In contrast, the CU application begins with the contrary premise that the home is legally a two-unit building from which the second unit has been illegally removed. We would like a determination from the appropriate City authority on the question of the home’s original authorized use. In 2018, as described above, we were advised by representatives of the Planning Department and the Department of Building Inspection that the Unit Count Verification permit process was the appropriate method for obtaining that determination, through the action of DBI or the Board of Appeals thereafter if necessary. Because the two active applications have inconsistent perspectives on our home’s authorized use which greatly affects your decision on our the CU Application, we would request that the Planning Commission continue the CU
application and direct the Planning Staff to deny the Unit Count Verification permit application so that we may have the home’s original authorized use decided before coming back to the Planning Commission in the event the home is determined to be two units.

We are making this request because as the homeowners we are eager to conclude this matter as expeditiously as possible. The unresolved nature of our case, following the myriad of different ways city officials have so far directed us to attempt to resolve it, is a significant source of stress for our family -- the prospect of having to leave the only home our children have ever known in the city they love is gut-wrenching. We thank you in advance for consideration of our request. Below, we set out the detail underlying our belief that our house was originally built as (and currently is legally) a single family residence.

**Background of Request**

We have lived in our present neighborhood for the past 20 years and our three children, Connor (age 19), Erin (age 18) and Kate (age 12) attended neighborhood schools. In the spring of 2002, we were residing in a two-bedroom apartment three blocks from our current home with Connor and were expecting our second child and first daughter. We began looking for a new home in the same neighborhood to accommodate our growing family. We strongly preferred to remain in San Francisco rather than leave town to find more room to raise children as many of our friends were doing at the time – we did not want to become part of the exodus of families that San Francisco has seen in recent years.

When we toured 1812-16 Green Street, it was being used as two two-bedroom flats. The seller of the building supplied us with (i) a 3-R Report dated April 24, 2002 and (ii) a computer printout from the Planning Department Office of Analysis and Information Systems, each stating that the 1812 Green Street building’s original and current legal authorized was as a One Family Dwelling. See Exhibit 1. Many single-family homes in San Francisco were illegally converted into duplexes or apartments during the two World Wars, including many in our neighborhood, so it was not surprising to us that the legal use of the building differed from how it was actually being used when we first saw it. In addition to the City of San Francisco’s official records showing One Family Dwelling as the legal authorized use of the building, the physical condition of the building supported our belief that the home had been illegally converted into flats. Specifically, we observed that (1) the plumbing for the second floor kitchen was located on the exterior walls, while all other plumbing for the second floor were inside the walls, including those for the second floor bathroom immediately adjacent to the second floor kitchen (suggesting the kitchen was installed after the original construction), (2) the wall forming the second floor bedrooms was made of particle board which was not fixed to the unit’s floor, (3) the refrigerator in the second-floor kitchen was housed in a recessed closet (complete with a clothes hanger rod), (4) the two makeshift bedrooms on the ground floor were (i) a breakfast nook off of the kitchen and (ii) the rear portion of a classic Victorian double parlor, which was separated from the front parlor by French doors of relatively recent vintage.

Based on the April 24, 2002 3-R Report and the supporting physical condition of the building, we purchased 1812-16 Green Street with the intention of restoring it to its original and current legal authorized use as a One Family Dwelling. We began using the building as a single
family home and started obtaining permits to revert the building to a single family home. After completing work in the ground floor and basement area, we submitted an application on February 21, 2003 to remove the illegal second floor kitchen. After the permit was issued, a planner in the Planning Department who had not been involved in our submissions requested the permit be routed to her (unbeknownst to us). Without any discussion with us, this planner then returned the permit to the Department of Building Inspection (“DBI”) with a notation to suspend the permit on the basis that the property was being used as a duplex. This planner retired on the same day that she took this action on our permit, and I subsequently learned she was a close, personal friend of a previous tenant in our building, raising questions about the circumstances around and the propriety of her actions on our case.

After an extensive review of archival materials, we have recently unearthed evidence which establishes that 1812-16 should be classified as a One Family Dwelling. As set out more fully below, this evidence shows that 1812-16 Green Street was originally built as a single family residence and that it was never lawfully converted into a duplex. Accordingly, we respectfully submit that the current legal authorized use of 1812-16 Green Street is as a One Family Dwelling.

1812-16 Green Street was Originally Built as a Single Family Residence

Our house was originally built as a family home and is listed on the Sanborn Fire Insurance Map of 1886-93 as a single family dwelling. See Exhibits 2 & 3. As one will note when reviewing the map, our home is the third property west of the northwest corner of the intersection of Octavia and Green Streets -- the street numbering on our block has changed a bit over the last 120 years, but the building footprints/dimensions shown on the map match the existing footprint today. As the map and accompanying symbol legend show, our home is listed as a two-story single family residence (“D” means single family dwelling, and the superscript numeral “2” indicates two stories with no garage or basement). Other properties in our neighborhood (and surveyed by the same mapmakers) are listed as “flats”, thus making the contrast between those buildings and single family homes even clearer. See Exhibit 4. The Sanborn Fire Insurance Map was created to inventory the properties covered by it in order to help prepare insurance companies for potential future insurance loss claims by residents. In our case, the Sanborn Fire Insurance Map of 1886-93 shows that our home was being used as a single family dwelling at the time when the building was first constructed and occupied.

Other contemporaneous records also show that our home was originally built as a single family residence. According to the California Daily Alta publication, a local merchant named Christopher Archibald Marshall purchased the lot on which our house stands for $1,000 on May 3, 1884. See Exhibit 5. In addition, the City of San Francisco’s Block Book records from 1893 and 1910 (the earliest two available) list Mr. Marshall as the owner of the subject property. See Exhibits 6 & 7. These records show that Marshall owned the property at least through the year 1910. There is no original building permit on file for our home, but records of the Spring Valley Water Works indicate that residential water service first began to the house in November 1884. The applicant for water service was Mr. C.A. Marshall. See Exhibit 7A. These facts taken together establish that Mr. Marshall either constructed himself or (more likely) commissioned
the construction of the building, which he completed in late 1884 after having purchased the property in the spring of that year.

The property’s water records also evidence the existence of one unit originally, and later two. The water company block service register shows one original address for our home that was later crossed out and changed to two addresses (at the same time several other houses on the block were re-numbered). See Exhibit 7A. It appears from a note in the adjacent column that this re-numbering occurred in 1953 (or at least the register was updated to show the re-numbering in 1953). On the water service “Application and Agreement” page, it appears an original street number for the property address was written over from a single number and changed to “1812 – 16”. The phrase “2 families” on this same page appears to be a later addition to the document, and the original water service amounts were of the type associated with single family homes. See Exhibit 7A.

Residential directories and voter registries also show that Marshall personally resided in the home and occupied all of the building himself. Specifically, the Crocker-Langley San Francisco Directories of 1898-1900 list Christopher A. Marshall as residing in the building. See Exhibit 8. The 1896 Voter Register for the 13th Precinct, 41st Assembly District of San Francisco County also lists Mr. Marshall as residing in the building. See Exhibit 9. Importantly, under the columns labeled “Floor” and “Room” of residence, the Voter Register shows Mr. Marshall as occupying “All.” In contrast, other entries on the same register page show other voters who occupy only a floor of a building (listed as “1 All” or “2 All”, meaning all of the first or second floors, respectively) or only a portion of a building’s floor (listed as “1 Bk”, meaning the back portion of the first floor). These two independent sources show that the building was originally occupied by its first owner, Mr. Marshall, as opposed to multiple tenants.

In sum, all of the evidence from independent third party sources referenced above establishes that our home was built in 1884 by Christopher Archibald Marshall, who owned the building through at least 1910 and who personally occupied the entire home. While we agree the home was subsequently used as two flats, it’s original construction and use was as a single family dwelling.

1812-16 Green Street Was Never Lawfully Converted into a Duplex

Attached to this letter is the entire permit history for our building prior to the time we purchased it in 2002 as produced at our request by DBI. See Exhibit 10. Unfortunately, the permit history is inconsistent and does not shed much light on the legal authorized use of our home. There are permits where the applicant lists the current use as flats (See Exhibit 10 -- 1918, 1930, 1936), and others earlier and later in time that make no mention of the current use (See Exhibit 10 -- 1921) or simply list the use as “dwelling” (See Exhibit 10 -- 1942). Even those permits where the contractor references flats are misleading because they also only refer to one address for the property (1816 Green Street), not two. It is important to note that an applicant’s description of a property’s use on a permit application does not establish the legal authorized use of a property – only a city agency can do that. For example, if we built a new two family residence pursuant to validly issued permits and then we subsequently incorrectly listed the
property’s use as a single family dwelling on a remodeling permit application, the approval of that permit would not change the legal authorized use of our property into a single family dwelling. Likewise the water service records also show that the house originally had one address (which looks like 1808 Green Street).

As discussed in the preceding section, our home was originally built as a single family residence. If the house subsequently was legally converted into a duplex, there should be a permit evidencing the work required to do so. But there is no record of any such permit. See Exhibit 10.

In addition, if a permit to convert our building into a duplex was obtained at some point in time, one would expect the duplex conversion to have been done in compliance with building codes/regulations/customs in place at the time such a permit was issued. Several aspects of the physical condition of our building demonstrate that no code-compliant conversion ever took place. Specifically, the “upper unit” of the duplex would have no bedrooms at all were it not for a particle-board dividing wall that separated what was originally a Victorian double-parlor layout. In addition to the material being of relatively recent origin, the “wall” touched but was not fixed to the unit’s floor (and by floor we mean the finished hardwood floors, not the structural subfloor). Building codes have certainly become stricter over the years, and some building techniques used in the old days wouldn’t pass muster today, but “floating walls” made of particle board have never been a part of code-compliant renovations. Likewise, the “upper unit” kitchen was not installed in compliance with applicable building codes. First, the gas supply to the stove had no emergency shut-off valve of any kind and the gas supply line traveled up the exterior wall of the building with no insulation or bracing. Second, the water supply for the upper kitchen originated in the building’s garage where the hot water heaters are located. Because the permit history indicates that the garage was not added to the building until 1930 (See Exhibit 10 -- 1930), we know that the kitchen was added at or after that time (and we know which building code was in force at that time). The hot water supply to the kitchen was not installed in compliance with that code. Specifically, the hot water supply was an un-insulated copper pipe which originated in the garage at the hot water heater, traveled up the outside of the building two stories before entering the interior through a drilled hole in the exterior siding, then traveled exposed through the living area to supply first a wash sink and then the kitchen sink. This was a dangerous set-up that resulted in a skin burn for at least one person who had the misfortune to touch the exposed pipe in the living area. This water supply arrangement (and likely the entire kitchen installation) does not comply with the building codes in effect at the time the kitchen was added.

In short, our home was originally built and used as a single family residence. There is no permit on file for the conversion of our home into a duplex, and the make-shift way the building was converted into two family use establishes that the conversion was not done in compliance with applicable building codes – it was an illegal duplex conversion which was never sanctioned by the proper City of San Francisco authorities.
Conclusion

In closing, we would be remiss if we failed to recount what a nightmare this ordeal with our home has been. Our home’s permitted occupancy is not an esoteric question for us – it is a real problem fraught with emotional stress and potential financial hardship. We are not real estate developers trying to flip houses; we are just a couple trying to raise our family in a city we love. We spent all of our savings to buy a fixer-upper home that appeared to have been illegally converted into flats and we relied upon the City of San Francisco’s official description of the original and current legal authorized occupancy of the home as a One Family Dwelling. We placed our trust in our city officials, but now if the city does not allow us to occupy the house as a single family residence as the city originally had said we could, we face the prospect of having to leave the only home that our children have ever known because we cannot live in separate flats.

For all of the reasons described above and based on the newly discovered evidence we are supplying today, we request you conclude that the legal authorized use of our home is as a One Family Dwelling.

Respectfully submitted,

Anne and Adrian Dollard
Provided by the Residential Rent Stabilization and Arbitration Board on 01/14/2020.

Duplicative records were omitted.
Rent Board Response to Request from Planning Department for Eviction History Documentation
Re: 1812-1816 Green St.

This confirms that the undersigned employee of the San Francisco Rent Board has reviewed its database records pertaining to the above-referenced unit(s) to provide records that may demonstrate evidence of residential use. All searches are based upon the street addresses provided.

☐ No database records were identified.

There are no Rent Board records in our database related to your search request for the property address requested. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

☒ Yes, the following records were identified:
  o See attached documents

Pursuant to your request, we have searched the Rent Board's database for records related to the property requested. Attached are some Rent Board records resulting from our search. These records can be used as evidence of prior and/or current residential use of the property. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

Regarding the records provided, please note that the data in the "# of units" field was imported from another department's database in 2002 and may not be accurate. It does not represent a determination by the Rent Board of the number of units at the property.

Signed: [Signature]

Van Lam
Citizens Complaint Officer

Dated: 1-14-20

The Rent Board is the originating custodian of these records; the applicability of these records to Planning permit decisions resides with the Planning Department.
Eviction Notice M020730

Property Address

1816 Green Street

1812-1816 Green Street Building

Complex

11412020

M020730 06/10/02 $1,017.00

Eviction_ID File Date Rent Paid

☐ OMI 37.9(i) or (j) Estoppel Filed

☐ OMI Constraints Until

Date: 06/07/05

☐ Additional 37.9C Relocation Claimed

Cause For Eviction

☐ Non-payment of Rent

☐ Habitual Late Payment of Rent

☐ Breach of Lease Agreement

☐ Nuisance

☐ Illegal Use of Unit

☐ Failure to Sign Lease Renewal

☐ Denial of Access to Unit

☐ Unapproved Subtenant

☐ Owner Move In

☐ Condo Conversion

☐ Demolition

☐ Capital Improvement

☐ Substantial Rehabilitation

☐ Ellis Act Withdrawal

☐ Lead Remediation

☐ Development Agreement

☐ Good Samaritan Tenancy Ends

☐ Roommate Living in Same Unit

☐ Other

☐ Severance of Housing Service

Players

Name (First, M., Last) | Primary Phone | Other Phone | Role | Strt # | Unit # | Active |
---|---|---|---|---|---|---|
Diane Doron | | | Tenant | 1816 | | Yes No |
Daniel Bornstein | (415) 409-7611 | | Landlord's Agent/Atty/Rep | 1816 | | Yes No |
Adrian and Anne Dollard | | | Owner Moving In | 1816 | | Yes No |
RECORDING REQUESTED BY:
City and County of San Francisco
Residential Rent Stabilization & Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102
(415) 252-4602

WHEN RECORDED MAIL TO:
City and County of San Francisco
Residential Rent Stabilization & Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102
(415) 252-4602

NOTICE OF CONSTRAINTS ON REAL PROPERTY
(to be recorded by the Rent Board)

Pursuant to San Francisco Administrative Code Chapter 37, Section 37.9B, constraints on re-rental apply to a rental unit which a tenant vacates after receiving a notice to quit based on Section 37.9(a)(8) of the San Francisco Rent Ordinance.

The real property where the rental unit is located is specifically described as:

Block: 0543
Lot: 007

Name of Owner(s): Adrian Dollard and Anne Dollard

The constraints apply to the following rental unit:

Address: 1816 Green Street, San Francisco, CA 94123.

The date of service of the notice to quit was June 7, 2002.

The constraints set forth in San Francisco Administrative Code Sections 37.9B(a) and 37.9B(b) apply to the rental unit until: June 7, 2005. (Three years from date of service of notice to quit)


Joseph P. Grubb, Executive Director
San Francisco Residential Rent Stabilization and Arbitration Board
30 DAY NOTICE OF TERMINATION OF TENANCY

TO: Diane Doron, Does 1 to 20, and any other occupant(s) claiming the right to possession of:

1816 Green Street
City and County of San Francisco, State of California, including all garage(s), storage and common areas

NOTICE IS HEREBY GIVEN that pursuant to Civil Code §1946, San Francisco Administrative Code §37.9(a)(8), your tenancy of the aforesaid premises is terminated thirty (30) days after service of this notice upon you (excluding the date of service). Rent will be due on a pro rata basis through the last day of the notice period if that day does not coincide with the end of a rental period.

Possession of the aforesaid premises is sought pursuant to San Francisco Administrative Code §37.9(a)(8). The landlords of the aforesaid premises, Adrian Dollard and Anne Dollard, seek to recover possession in good faith, without ulterior reasons and with honest intent for use as their and their minor children’s principal place of residence for a period of at least 36 continuous months.

Pursuant to the Rules and Regulations of the San Francisco Residential Rent Stabilization and Arbitration Board §12.14 and the San Francisco Administrative Code §37.9B, you are also notified that:

(1) Adrian Dollard and Anne Dollard, husband and wife, are the owners of record, with a recorded 100% community property ownership interest with right of survivorship, in the above described property.

(2) The deed by which Adrian Dollard and Anne Dollard hold their current percentage of ownership was duly recorded on May 31, 2002.

Pursuant to San Francisco Administrative Code §37.9B, a copy of which is attached hereto and incorporated by this reference as though fully stated herein, you are also notified that:

(1) Adrian Dollard and Anne Dollard currently reside at premises which they rent, specifically, 2937 Webster Street, San Francisco, CA.

(2) Adrian Dollard and Anne Dollard, husband and wife, are the owners of record, with a recorded 100% community property ownership interest with right of survivorship property ownership interest, of the following residential properties: 1812 Green Street, San Francisco, CA; 1816 Green Street, San Francisco, CA. Neither Adrian Dollard nor Anne Dollard has any ownership interest in any other residential property. Adrian Dollard’s and Anne Dollard’s minor children do not have any ownership interest in any residential property.

Pursuant to San Francisco Administrative Code § 37.9(8)(iv), you are further informed that if a comparable unit owned by landlord becomes vacant and available before the recovery of possession, the landlord shall rescind the notice to vacate. If a non-comparable unit becomes available before the recovery of possession, the landlord shall offer that unit to the tenant at a rent based on the rent that the tenant is paying, with upward or downward adjustments allowed based upon the condition, size, and other amenities of the replacement unit. Accordingly, you are hereby notified that a non-comparable unit owned by landlord is currently vacant and available, specifically, 1812 Green Street, San Francisco, CA, and is hereby offered to you at rental rate of $900.00, per month.
30 Day Notice of Termination of Tenancy

(3) The current monthly rent for 1816 Green Street, San Francisco, CA, is $1,017.00. In the event the subject premises are no longer occupied by Adrian Dollard and Anne Dollard and their minor children as their principal place of residence within the 36 month period following the expiration of the notice and if offered for rent within that 36 month period, you have the right to re-rent the subject premises at the same rent adjusted by San Francisco Administrative Code §37.9B(a).

(4) Pursuant to San Francisco Administrative Code §37.9B(d), each tenant who has resided at 1816 Green Street, San Francisco, CA, for 12 or more months is entitled to receive relocation costs from the landlord in the amount of $1,000.00, per tenant, as follows: $500.00 per tenant for relocation costs upon service of this notice and $500.00 per tenant upon tenant's vacating the subject premises.

Pursuant to San Francisco Administrative Code §37.9(i), you have 30 days in which to invoke its protections by serving a statement and any supporting evidence on the landlord's authorized agent, Daniel Bornstein, Esq., by US mail or hand delivery that you are claiming to be a member of the classes protected. The protected classes are those persons 60 years or older who have been living in the subject premises for 10 or more years or are disabled as defined by San Francisco Administrative Code §37.9(i)1(b)ii, and have been living in the subject premises for 10 years or more, or are catastrophically ill as defined by San Francisco Administrative Code §37.9(i)1(b)ii, and have been living in the subject premises for 5 years or more.

Service of your statement and any supporting evidence on the landlord shall be complete on the date on which a mailed statement and evidence is either postmarked or hand delivered to Daniel Bornstein, Esq., the landlord’s authorized agent who is authorized to receive same at Bornstein & Bornstein, 2590 Geary Blvd., San Francisco, CA 94115. Your failure to serve a statement on the landlord’s authorized agent within the 30 day period shall be deemed an admission that you are not a member of a protected class.

If you have not vacated the subject premises as of 30 days from the date of service of this notice upon you, a lawsuit will be brought against you for possession of said premises. In such an event, you may be liable for unpaid rent, damages, statutory penalties and costs of suit which may include attorneys’ fees.

Pursuant to San Francisco Administrative Code §37.9(a)(8), the facts described above constitute grounds for recovery of possession of your rental unit by the owner.

This notice is given in good faith and without ulterior motives and with honest intent as required by San Francisco Administrative Code §37.9(c).

Your rent for the premises is due and payable up to and including the date of termination of your tenancy pursuant to the notice.

You are hereby notified that advice regarding this notice is available from the Residential Rent Stabilization and Arbitration Board of the City and County of San Francisco, 25 Van Ness Avenue, Suite 320, San Francisco, CA 94102.

cc: SF Rent Board
enc.: Bornstein Check #____($500 - Doron)

Daniel Bornstein, Esq.
Bornstein & Bornstein
Landlord’s Attorneys & Duly Authorized Agent
San Francisco Administrative Code Sec. 37.9B

Tenant Rights In Evictions Under Section 37.9(a)(8).

[Added by Ord. No. 293-98 effective November 1, 1998]

(a) Any rental unit which a tenant vacates after receiving a notice to quit based on Section 37.9(a)(8), and which is subsequently no longer occupied as a principal residence by the landlord or the landlord's grandparent, parent, child, grandchild, brother, sister, or the landlord's spouse, or the spouses of such relations must, if offered for rent during the three-year period following service of the notice to quit under Section 37.9(a)(8), be rented in good faith at a rent not greater than that which would have been the rent had the tenant who had been required to vacate remained in continuous occupancy and the rental unit remained subject to this Chapter. If it is asserted that a rent increase could have taken place during the occupancy of the rental unit by the landlord if the rental unit had been subjected to this Chapter, the landlord shall bear the burden of proving that the rent could have been legally increased during that period. If it is asserted that the increase is based in whole or in part upon any grounds other than that set forth in Section 37.3(a)(1), the landlord must petition the Rent Board pursuant to the procedures of this Chapter. Displaced tenants shall be entitled to participate in and present evidence at any hearing held on such a petition. Tenants displaced pursuant to Section 37.9(a)(8) shall make all reasonable efforts to keep the Rent Board apprised of their current address. The Rent Board shall provide notice of any proceedings before the Rent Board to the displaced tenant at the last address provided by the tenant. No increase shall be allowed on account of any expense incurred in connection with the displacement of the tenant.

(b) Any landlord who, within three years of the date of service of the notice to quit, offers for rent or lease any unit in the which possession was recovered pursuant to Section 37.9(a)(8) shall first offer the unit for rent or lease to the tenants displaced in the same manner as provided for in Sections 37.9A(c) and (d).

(c) An owner who endeavors to recover possession under Section 37.9(a)(8) shall, in addition to complying with the requirements of Section 37.9(c), inform the tenant in writing of the following and file any written documents informing the tenant of the following with the Rent Board within 10 days after service of the notice to vacate;

(1) The identity and percentage of ownership of all persons holding a full or partial percentage ownership in the property;
(2) The dates the percentages of ownership were recorded;
(3) The name(s) of the landlord endeavoring to recover possession and, if applicable, the names(s) and relationship of the relative(s) for whom possession is being sought and a description of the current residence of the landlord or relative(s);
(4) A description of all residential properties owned, in whole or in part, by the landlord and, if applicable, a description of all residential properties owned, in whole or in part, by the landlord's grandparent, parent, child, grandchild, brother, or sister for whom possession is being sought;
(5) The current rent for the unit and a statement that the tenant has the right to re-rent the unit at the same rent, as adjusted by Section 37.9B(a) above;
(6) The contents of Section 37.9B, by providing a copy of same; and
(7) The right the tenant(s) may have to relocation costs and the amount of those relocation costs.

(d) Each individual tenant of any rental unit in a building containing two or more units who receives a notice to quit based upon Section 37.9(a)(8), and who has resided in the unit for 12 or more months, in addition to all rights under any other provision of law, shall be entitled to receive relocation expenses of $1,000 from the owner, $500 of which shall be paid at the time of the service of the notice to vacate, and $500 of which shall be paid when the tenant vacates. An owner who pays relocation costs as required by this subsection in conjunction with a notice to quit need not pay relocation costs with any further notices to quit for the same unit that are served within 180 days of the notice that included the required relocation payment. The relocation costs contained herein are separate from any security or other refundable deposits as defined in California Code Section 1950.5. Further, payment or acceptance of relocation costs shall not waive any other rights a tenant may have under law.
PROOF OF SERVICE

I, Daniel Bornstein, declare:

I am an active member of the State Bar of California, not a party to this action, over the age of eighteen years old and my business address is 2590 Geary Boulevard, San Francisco, California 94115.

On the date set forth below, I served the foregoing 30 Day Notice of Termination of Tenancy on the following person(s) pursuant to California Civil Code §1946, by placing a true copy thereof enclosed in a sealed envelope(s), and sending same by certified mail, return receipt requested, with postage fully prepaid. I deposited said envelope(s) in the mail at San Francisco, California. Said envelope(s) was/were addressed as follows:

Diane Doron
1816 Green Street
San Francisco, CA 94123

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and this declaration was executed on June 7, 2002, at City and County of San Francisco, State of California.

Daniel Bornstein
## Eviction Notice M020898

**Property Address**

<table>
<thead>
<tr>
<th>Number</th>
<th>Street Name</th>
<th>Street</th>
<th>Unit#</th>
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<tbody>
<tr>
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<td>Green 1812-1816</td>
<td>2</td>
<td>94123</td>
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Complex: 1812-1816 Green Street 2 94123

### Cause For Eviction

- [ ] Non-payment of Rent
- [ ] Habitual Late Payment of Rent
- [ ] Breach of Lease Agreement
- [ ] Nuisance
- [ ] Illegal Use of Unit
- [ ] Failure to Sign Lease Renewal
- [ ] Denial of Access to Unit
- [ ] Unapproved Subtenant
- [ ] Owner Move In
- [ ] Condo Conversion
- [ ] Demolition
- [ ] Capital Improvement
- [ ] Substantial Rehabilitation
- [x] Ellis Act Withdrawal
- [ ] Lead Remediation
- [ ] Development Agreement
- [ ] Good Samaritan Tenancy Ends
- [ ] Roommate Living in Same Unit
- [ ] Other
- [ ] Severance of Housing Service

### Players

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<th>Name (First, M.I., Last)</th>
<th>Primary Phone</th>
<th>Other Phone</th>
<th>Role</th>
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<th>Unit #</th>
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<td>Tenant</td>
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<td>Adrian E. Dollard</td>
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<td>Anne L. Dollard</td>
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<td>Landlord</td>
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<td>Clifford E. Fried</td>
<td>(415) 552-6230</td>
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## Action Log

**Petition # L021171**  
**1812-1816 Green Street**

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<th>By</th>
</tr>
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<td>7/12/02</td>
<td>Notice of Intent to Withdraw Residential Units (Ellis) filed at R.B.</td>
<td>Cathy Helton</td>
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<td>7/12/02</td>
<td>Notice of Termination of Tenancy for unit 1812 filed at R.B.</td>
<td>Cathy Helton</td>
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<td>7/24/02</td>
<td>TT packet mailed.</td>
<td>Cathy Helton</td>
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<td>7/24/02</td>
<td>NOC prepared.</td>
<td>Cathy Helton</td>
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<td>7/31/02</td>
<td>Rec'd Notice of Interest in Renewed Accomodations from tt Doron, unit 1812.</td>
<td>Cathy Helton</td>
</tr>
<tr>
<td>8/ 8/02</td>
<td>Rec'd LL's Memorandum of Notice recorded 8/8/02 as Doc 2002H218096</td>
<td>Cathy Helton</td>
</tr>
<tr>
<td>8/ 9/02</td>
<td>Called T- T was evicted from unit 1816 for OMI and moved to non-comparable unit 1812, and now T is being evicted from 1812 under Ellis; so OMI NOC for unit 1816, and Ellis NOC for 1812.</td>
<td>Timothy Lee</td>
</tr>
<tr>
<td>2/25/03</td>
<td>NOC to Recorder's Office.</td>
<td>Cathy Helton</td>
</tr>
<tr>
<td>4/21/03</td>
<td>NOC returned from Recorder's Office. NOC recorded on 2/25/03 as DOC-2003-H367727-00 @ Reel 1331, Image 0624. File moved upstairs.</td>
<td>Cathy Helton</td>
</tr>
<tr>
<td>12/10/03</td>
<td>NOC's copied for Fatima Sikin of Wiegel &amp; Fried and file returned to drawer</td>
<td>Elvira James</td>
</tr>
</tbody>
</table>
MEMORANDUM OF NOTICE
REGARDING WITHDRAWAL OF RENTAL UNIT FROM RENT OR LEASE
(to be recorded by owner)

This memorandum evidences that the undersigned, as the owners of the property described in Exhibit A attached, have filed a notice with the San Francisco Residential Rent Stabilization and Arbitration Board, which contents are certified under penalty of perjury, stating the intent to withdraw from rent or lease all units at said property, pursuant to San Francisco Administrative Code Section 37.9A and the Ellis Act.

I declare under penalty of perjury under the laws of the State of California that the above statements are true and correct. This notice is signed on

8/7/02, in San Francisco, California.

ADRIAN E. DOLLARD

(signature)

RE: Property located at 1812/1816 Green Street in San Francisco, California.

ALL OWNERS MUST SIGN. Attach an additional declaration and signature for each owner.

NOTICE: RESTRICTIONS ON THE FUTURE USE OF THE PROPERTY WILL APPLY TO SUCCESSORS IN INTEREST PURSUANT TO SAN FRANCISCO ADMINISTRATIVE CODE SECTION 37.9A.
I declare under penalty of perjury under the laws of the State of California that the above statements are true and correct. This notice is signed on

8/7/02

(date)

in San Francisco, California.

(city)

ANNE L. DOLLARD

(signature)

RE: Property located at 1812/1816 Green Street in San Francisco, California.

ALL OWNERS MUST SIGN. Attach an additional declaration and signature for each owner.

NOTICE: RESTRICTIONS ON THE FUTURE USE OF THE PROPERTY WILL APPLY TO SUCCESSORS IN INTEREST PURSUANT TO SAN FRANCISCO ADMINISTRATIVE CODE SECTION 37.9A.

25 Van Ness Avenue, Suite 320, San Francisco, CA 94102
Report to Residential Rent Stabilization and Arbitration Board
City and County of San Francisco pursuant to
[RENT ORDINANCE SECTION 37.9A(I)(1)]

The owner herewith reports the following pursuant to 37.9A(I):

I. **OWNER INFORMATION**
   Name: ADRIAN E. DOLLARD, ANNE L. DOLLARD
   Address: c/o Wiegel & Fried, LLP
            attn: Clifford E. Fried, Esq.
            414 Gough Street, San Francisco, CA 94102-4464

II. **PROPERTY INFORMATION**
    Address: 1812 / 1816 Green Street, San Francisco, California 94123

III. **TENANCY INFORMATION**

   It has been 3 months since the Notice of Intent to Withdraw Residential Units from the Rental Market has been filed. There is nothing to report as there are no units in which the tenants have vacated.

   I declare under penalty of perjury that the information provided on this Report to Residential Rent Stabilization and Arbitration Board, City and County of San Francisco, pursuant to [RENT ORDINANCE SECTION 37.9A(I)(1)] is true and correct to the best of my knowledge and belief.

   Executed on 10/7/02, 2002, San Francisco, California.

   [Signature]

   ADRIAN E. DOLLARD
NOTICE OF CONSTRAINTS ON REAL PROPERTY
(to be recorded by the Rent Board)

Pursuant to Government Code Section 7060.2 and San Francisco Administrative Code Chapter 37, Section 37.9A, the City of San Francisco has determined to apply constraints to successors in interest to an owner(s) who has withdrawn residential accommodations from rent or lease.

The real property where the accommodations are located is specifically described as:
See Attachment A, legal description of property.

Name of Owner(s): Adrian E. Dollard and Anne L. Dollard

Block: 0543 Lot: 007

Address: 1812-1816 Green Street, San Francisco, CA 94123.

The date on which the accommodations are to be withdrawn from rent or lease is November 9, 2002.

The constraints set forth in the following sections apply to the property until the dates indicated:

- Government Code Section 7060.2(b) and San Francisco Administrative Code Sections 37.9A(d):
  November 9, 2004. (Two years from date of withdrawal)

- Government Code Section 7060.2(a)&(d) and San Francisco Administrative Code Section 37.9A(a) & (b):
  November 9, 2007. (Five years from date of withdrawal)

- Government Code Section 7060.2(c) and San Francisco Administrative Code Section 37.9A(c)(2):
  November 9, 2012. (Ten years from date of withdrawal)

Dated: January 7, 2003
Joseph P. Grubb, Executive Director,
San Francisco Rent Board
<table>
<thead>
<tr>
<th>Block</th>
<th>0543</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot</td>
<td>007</td>
</tr>
<tr>
<td>Number of Units</td>
<td>2</td>
</tr>
<tr>
<td>Class</td>
<td>F</td>
</tr>
<tr>
<td>Year Built</td>
<td>1900</td>
</tr>
</tbody>
</table>

**Address**

<table>
<thead>
<tr>
<th>Street Number</th>
<th>1812</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Name</td>
<td>Green</td>
</tr>
<tr>
<td>Unit Number</td>
<td>1812-1816 Green Street</td>
</tr>
</tbody>
</table>

**Building Name**

1812-1816 Green Street

**Complex Name**

DOLLARD ADRIAN E & ANNE L

**Owner**

<table>
<thead>
<tr>
<th>Owner Name</th>
<th>DOLLARD ADRIAN E &amp; ANNE L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Address Ln1</td>
<td>1812 GREEN ST</td>
</tr>
<tr>
<td>Owner Address Ln2</td>
<td>SAN FRANCISCO</td>
</tr>
<tr>
<td>Owner Address Ln3</td>
<td>CA</td>
</tr>
<tr>
<td>Owner Address Ln4</td>
<td></td>
</tr>
<tr>
<td>Owner Address Zip</td>
<td>94123</td>
</tr>
</tbody>
</table>

**Assessor - Property Address 10/1/02**

<table>
<thead>
<tr>
<th>Assessor - Property Address 10/1/02</th>
<th>040543 007 1812 - 1816 GREEN ST</th>
</tr>
</thead>
<tbody>
<tr>
<td>020621 2003 000000000</td>
<td>02 000063956000003830200000</td>
</tr>
<tr>
<td>S0011400000205311020</td>
<td>901005</td>
</tr>
<tr>
<td>F 07D</td>
<td></td>
</tr>
</tbody>
</table>

**Assessor - Owner 10/1/02**

<table>
<thead>
<tr>
<th>Assessor - Owner 10/1/02</th>
<th>040543 007 DOLLARD ADRIAN E &amp; ANNE L 1812 GREEN ST</th>
</tr>
</thead>
<tbody>
<tr>
<td>020621 2003 000000000</td>
<td>02 0000639560000038302000007 F 07D</td>
</tr>
<tr>
<td>S0011400000205311020</td>
<td>901005</td>
</tr>
</tbody>
</table>

**Assessors data - 1/1/98**

| Assessors data - 1/1/98 | 0543 007 F 1816 1812 GREEN ST0000 FONG STANLEY C & HELEN S TRS FONG |
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Francisco

On August 1, 2002 before me, Fatmaha S. Sikin
personally appeared Amanda Anne Demic

Name and Title of Officer: Jane Doe, Notary Public

Personally known to me
Approved to me on the basis of satisfactory evidence

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

WITNESS my hand and official seal.

FATIMAH S. SIKIN
Commission # 1347223
Notary Public - California
San Francisco County
My Comm. Expires Mar 19, 2006

______________________________
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Memorandum of Notice Regarding
Lease

Document Date: 8/17/02

Number of Pages: 3

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name: Amanda Anne Demic

☐ Individual
☐ Corporate Officer — Title(s): ________________________________
☐ Partner — Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: ________________________________

Signer Is Representing: ________________________________

© 1999 National Notary Association • 8350 DeSoto Ave. • P.O. Box 2402 • Chatsworth, CA 91311-2402 • www.nationalnotary.org
Prod No 5907
Reorder Call Toll Free • 1-800-876-6827
NOTICE OF INTEREST IN RENEWED ACCOMMODATIONS

To: Adrian and Anne Dollard

My name is Diane Doron

I am/was a tenant at 1824 Green St, San Francisco, California 94123

I wish to be contacted by the owner in the event that the accommodations at this address are again offered for rent or lease within ten years from the date on which they are withdrawn from rent or lease. I can be contacted at or through the following address(es) and wish any notice to renew the tenancy be sent to me as follows:

<table>
<thead>
<tr>
<th>First Address</th>
<th>Second Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diane Doron</td>
<td>Diane Doron</td>
</tr>
<tr>
<td>C/o Hamlin Schol</td>
<td>C/o John Lorraine</td>
</tr>
<tr>
<td>2129 Vallejo St</td>
<td>1824 Green St</td>
</tr>
<tr>
<td>S.F. 94123</td>
<td>S.F. 94123</td>
</tr>
<tr>
<td>Phone: 415-922-0300</td>
<td>Phone: 415-922-0300</td>
</tr>
</tbody>
</table>

If you wish to include additional addresses, please attach a separate sheet of paper with the address(es) legibly written under the title "NOTICE OF INTEREST IN ACCOMMODATIONS - ADDITIONAL ADDRESSES." IT IS IMPORTANT TO UPDATE THIS INFORMATION IF THE TENANT LATER CHANGES HIS/HER ADDRESS BECAUSE THE OWNER IS ONLY OBLIGATED TO ATTEMPT TO CONTACT THE TENANT AT THE LAST ADDRESS GIVEN BY THE TENANT. BE SURE THESE OTHER ADDRESSES ARE FORWARDED TO BOTH THE OWNER(S) AND THE SAN FRANCISCO RENT BOARD.

This notice should be given to the owner(s) no later than 30 days after the day the tenant has vacated the property to be withdrawn. This notice can also be given to the San Francisco Rent Board, 25 Van Ness Avenue, Suite 320, San Francisco CA 94102 at any time.

7/30/02 (Date)  

(Date)  

NOTE: EACH TENANT WHO IS INTERESTED IN RECEIVING NOTICE THAT THE ACCOMMODATIONS AT THIS ADDRESS ARE AGAIN OFFERED FOR RENT OR LEASE MUST FILE A SEPARATE NOTICE OF INTEREST IN RENEWED ACCOMMODATIONS.
NOTICE OF TERMINATION OF TENANCY

TO: DIANE DORON
and DOES 1 to 20, and any other occupant claiming the right to possession

Premises to which this notice relates:

1812 Green Street
City and County of San Francisco, California
including all parking, storage and common areas

NOTICE IS HEREBY GIVEN that your tenancy of the aforesaid premises is terminated as of 120 days after the filing of a Notice of Intent to Withdraw Residential Units from the Rental Market pursuant to San Francisco Administrative Code Section 37.9A. Please refer to the Notice to Tenant of Filing of Notice of Intent to Withdraw served on you by separate mailing to ascertain the date of that filing. You are required to deliver possession of the aforesaid premises to the owner of the aforesaid premises, on or before the expiration of said period.

Rent will be due on a pro rata basis through the last day of the notice period if that day does not coincide with the end of a rental period. If you exercise a right to extend, as set forth below, rent will be due on a pro rata basis through the last day of the extended period.

Possession of the aforesaid premises is sought pursuant to San Francisco Administrative Code (SFAC) Section 37.9(a)(13) and California Government Code Section 7060 et.seq. The owner of the premises wishes to withdraw from rent or lease all rental units within any detached physical structure and, in addition, in the case of any detached physical structure containing three or fewer rental units, any other rental units on the same lot, and complies in full with SFAC Section 37.9A and California Government Code Section 7060 et.seq. with respect to each such unit; provided, however, that a unit classified as a residential unit under chapter 41 of the SFAC which is vacated under this subsection may not be put to any use other than that of a residential hotel unit without compliance with the provisions of Section 41.9 of SFAC.

You have rights and obligations under SFAC Section 37.9A, including the tenant’s right to renew the tenancy if proper notification is given within 30 days after vacating the unit, and the tenant’s entitlement to payment in certain circumstances.

If you are a lower income household, defined by Section 50079.5 of the California Health and Safety Code, you shall be entitled to receive $4,500.00 before vacating the premises. If you are 62 years of age or older, or if you are disabled within the meaning of Section 12955.3 of the California Government Code, you shall be entitled to receive $3,000.00 before vacating the premises. The payments due to any unit which is occupied by more than one tenant shall be divided equally among all the occupying tenants, excluding those tenants who are separately entitled to payments due to age or disability.

You are hereby notified that you may have rights under SFAC Section 37.9A (f)(1) and Section 7060.4(a)
of the California Government Code, which provides:

"Any public entity, which, by a valid exercise of its police power, has in effect any control or system of control on the price at which accommodations are offered for rent or lease, may require by statute or ordinance, or by regulation as specified in Section 7060.5, that the owner notify the entity of an intention to withdraw those accommodations from rent or lease and may require that the notice contain statements, under penalty of perjury, providing information on the number of accommodations, the address or location of those accommodations, the name or names of the tenants or lessees of the accommodations, and the rent applicable to each residential rental unit.

Information respecting the name or names of the tenants, the rent applicable to any residential rental unit, or the total number of accommodations, is confidential information and for purposes of this chapter shall be treated as confidential information by any public entity for purposes of the Information Practices Act of 1977, as contained in Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code. A public entity shall, to the extent required by the preceding sentence, be considered an "agency," as defined by subdivision (d) of Section 1798.3 of the Civil Code."

You are further notified that you have rights under SFAC 37.9A(c) and California Government Code Section 7060.2(a)(4), which provides:

"Any owner who offers accommodations again for rent or lease shall first offer the unit for rent or lease to the tenant or lessee displaced from that unit by the withdrawal pursuant to this chapter, if the tenant has advised the owner in writing within 30 days of the displacement of his or her desire to consider an offer to renew the tenancy and has furnished the owner with an address to which that offer is to be directed. That tenant, lessee, or former tenant or lessee may advise the owner at any time during the eligibility of a change of address to which an offer is to be directed.

If the owner again offers the accommodations for rent or lease pursuant to this subdivision, and the tenant or lessee has advised the owner pursuant to this subdivision of a desire to consider an offer to renew the tenancy, then the owner shall offer to reinstate a rental agreement or lease on terms permitted by law to that displaced tenant or lessee.

This offer shall be deposited in the United States mail, by registered or certified mail with postage prepaid, addressed to the displaced tenant or lessee at the address furnished to the owner as provided in this subdivision, and shall describe the terms of the offer. The displaced tenant or lessee shall have 30 days from the deposit of the offer in the mail to accept the offer by personal delivery of that acceptance or by deposit of the acceptance in the United States mail by registered or certified mail with postage prepaid."

Based upon the above provisions, the owner believes that you are not entitled to any payment. If you believe that you are entitled to a payment, please notify owner immediately, in writing, why you should receive a payment, and please include documents that substantiate your entitlement to payment.

You are further notified of your rights and the landlord’s rights under SFAC 37.9A(f)(4) and California Government Code Section 7060.4(b) which provides in pertinent part:

"...if the tenant or lessee is at least 62 years of age or disabled, and has lived in his or her accommodations for at least one year prior to the date of delivery to the public entity of the notice of intent to withdraw pursuant to subdivision (a), then the date of withdrawal of the accommodations of that tenant or lessee shall be extended to one year after the date of delivery of that notice to the public entity, provided that the tenant
Notice of Intent to Withdraw
Residential Units from the Rental Market

[RENT ORDINANCE SECTION 37.9A]

NOTE: Owners seeking to withdraw from the rental market their units which are subject to the San Francisco Rent Ordinance must submit this completed form to the Rent Stabilization Board Office. Submittal may be by personal delivery, registered mail, or certified mail. Please refer to the specific procedures pursuant to Section 37.9A of the San Francisco Rent Ordinance.

I. OWNER INFORMATION

(All owners of the property must be listed. If additional space is needed, attach a separate sheet using the same format.)

Name: ADRIAN E. DOLLARD, ANNE L. DOLLARD
Address: c/o Wiegel & Fried, LLP
attn: Clifford E. Fried, Esq.
414 Gough Street, San Francisco, CA 94102-4464
Phone number: 415-552-8230

II. PROPERTY INFORMATION

Address: 1812 / 1816 Green Street, San Francisco, California 94123.
Number of units: two.
Legal Description: attach a legal description of the property and mark it as Attachment A. *
*This Notice of Intent to Withdraw Residential Units will not be processed by the Rent Board without a legal description, which is required by the San Francisco Recorder's Office.

III. UNIT INFORMATION

(List all units, including owner-occupied, commercial and vacant units, and all occupants of the property must be listed. If additional space is needed, attach a separate sheet using the same format.)

UNIT #   DATE TENANCY COMMENCED   NAME OF EACH CURRENT OCCUPANT   CURRENT RENT

phone: (415) 252-4600
Fax: 252-4699

FORM 3
25 Van Ness Avenue, #320
San Francisco, CA 94102-6033
or lessee gives written notice of his or her entitlement to an extension to the owner within 60 days of the date of delivery to the public entity of the notice of intent to withdraw. In that situation, the following provisions shall apply:

(1) The tenancy shall be continued on the same terms and conditions as existed on the date of delivery to the public entity of the notice of intent to withdraw, subject to any adjustments otherwise available under the system of control.

(2) No party shall be relieved of the duty to perform any obligation under the lease or rental agreement.

(3) The owner may elect to extend the date of withdrawal on any other accommodations up to one year after date of delivery to the public entity of the notice of intent to withdraw, subject to paragraphs (1) and (2)...

If, subject to the above, you fail to vacate on or before the expiration of said 120 day period, or the expiration of the extended period if you exercise a right to extend, the landlord intends to take legal action against you which could result in a judgment against you which would include costs and necessary disbursements and attorney's fees as may be allowed by law.

You are hereby notified that advice regarding this notice is available from the Residential Rent Stabilization and Arbitration Board of the City and County of San Francisco.

This notice is intended as a notice terminating your tenancy. This notice supersedes all prior notices.

Any notification from you to the owner may be given to the owner in writing and delivered in care of owner's attorneys designated below.

By: Dennis C. Hyde, Attorneys for Owner ADRIAN E. DOLLEARD
414 Gough Street
San Francisco, CA 94102-4464
Telephone: 415-552-8230

ellis.not (rev. 10/24/01)
Notice of Intent to Withdraw
Residential Units from the Rental Market

[RENT ORDINANCE SECTION 37.9A]

IV. OWNER'S DECLARATION

Do you certify that actions have been initiated as required by law to terminate all existing tenancies on the property by service of a written notice of termination of tenancy?

☒ Yes ☐ No

I declare under penalty of perjury, under the laws of the State of California, that the information provided on this Notice of Intent to Withdraw Form, including any attachments, is true and correct to the best of my knowledge and belief.

Executed on July 12, 2002, in San Francisco, California.

ADRIAN E. DOLLARD
(print name)

(Signature)

ALL OWNERS MUST SIGN. Attach an additional declaration and signature for each owner of record. Attorneys and/or non-attorney representatives may not sign the owner's declaration on behalf of an owner.
Residential Rent Stabilization and Arbitration Board
City and County of San Francisco

Notice of Intent to Withdraw
Residential Units from the Rental Market

[RENT ORDINANCE SECTION 37.9A]

I declare under penalty of perjury, under the laws of the State of California, that the information provided on this Notice of Intent to Withdraw Form, including any attachments, is true and correct to the best of my knowledge and belief.

Executed on ________________, in San Francisco, California.

ANNE L. DOLLARD
(print name)

(Signature)

ALL OWNERS MUST SIGN. Attach an additional declaration and signature for each owner.
Rent Board

Topic No. 213: Evictions to Demolish or Permanently Remove a Unit From Housing Use

General Information

A landlord may evict a tenant pursuant to Ordinance Section 37.9(a)(10) if the landlord seeks in good faith and without ulterior motive to demolish or to otherwise permanently remove the rental unit from housing use. The landlord is required to have obtained all the necessary permits before serving the eviction notice, including any permits necessary to remove an “illegal” dwelling unit. Further, California Civil Code 1940.6 requires the landlord to give notice to the tenant prior to applying to any public agency for a permit to demolish a residential unit.

Notice Requirements

In addition to general eviction notice requirements, there are specific requirements for eviction notices where the landlord seeks to demolish or permanently remove the unit from housing use, including:

- The landlord must obtain all necessary permits for the work before giving the eviction notice to the tenant.
- The eviction notice must state the current lawful rent for the unit.
- The notice must advise the tenant of their right to receive relocation payments, including a statement describing the additional relocation expenses available for eligible tenants who are senior or disabled and for households with children. A copy of Rent Ordinance Section 37.9C regarding a tenant’s right to relocation payments must also be attached to the notice.
- The notice must include a warning that the tenant must advise the landlord in writing within 30 days if the tenant is claiming a protected status pursuant to Rent Ordinance Section 37.9(j), and that the failure to do so will be deemed an admission that the tenant is not protected.
The notice must be filed with the Rent Board, accompanied by a proof of service on the tenant, within ten days of service of the notice on the tenant.

**Relocation Payments**

Landlords are required to pay relocation expenses to tenants who are being evicted for the landlord to demolish or permanently remove the unit from housing use. Pursuant to Ordinance Section 37.9C, each authorized occupant, regardless of age, who has lived in the unit for at least one year is entitled to a relocation payment of $4,500.00, with a maximum payment of $13,500.00 per unit. In addition, each elderly tenant who is 60 years or older, and each disabled tenant, and each household with one or more minor children, is entitled to an additional payment of $3,000.00. Each year commencing March 1, 2007, the amount of these relocation payments, including the maximum relocation expenses per unit, is adjusted for inflation.

If the landlord seeks to demolish an unreinforced masonry building pursuant to Building Code Chapters 16B and 16C, the amount of relocation costs is governed by Ordinance Section 37.9A(e) and not Ordinance Section 37.9C. The relocation costs required by Ordinance Section 37.9A(e) are similar but not identical to the relocation payments required under Ordinance Section 37.9C.

Information regarding current relocation payment amounts are available in the [Forms Center](https://sfrb.org/topic-no-213-evictions-demolish-or-permanently-remove-unit-housing-use) of the Rent Board's website. A list of relocation payment amounts is also available at the Rent Board's office.

The landlord is required to give all occupants of the unit written notice of relocation rights on or before the date of service of the eviction notice and shall also provide a copy of Ordinance Section 37.9C. Such notification shall include a statement describing the additional relocation expenses available for eligible tenants who are senior or disabled and for households with children. The landlord must file a copy of this notification with the Rent Board within 10 days after service of the notice, together with a copy of the eviction notice and proof of service upon the tenant. Within 30 days of receiving a tenant’s claim for the additional payment because of age, disability, or having children in the household, the landlord must inform the Rent Board in writing of the tenant’s claim and whether or not the landlord disputes the claim. However, the Rent Board does not have authority to accept or decide petitions regarding a tenant’s claim for additional relocation expenses based on age, disability or having children in the household. Such disputes must be resolved in another forum.

Half of the required relocation payment must be paid at the time the notice to vacate is served, and the second half must be paid when the unit is vacated. Any additional payments required due to a tenant’s age or disability, or due to a household with a minor child, must be paid within fifteen calendar days of the landlord’s receipt of written notice from the tenant of entitlement to the additional relocation payment along with supporting evidence, and the second half must be paid when the unit is vacated.
**Protected Status During the School Year for Households with Minor Children and School Employees**

The landlord may not evict a tenant from the unit for the landlord to demolish or permanently remove the unit from housing use during the school year if a child under 18 or a person who works at a school in San Francisco (an "educator") resides in the rental unit, is a tenant in the unit or has a custodial or family relationship with a tenant in the unit, and the tenant has resided in the unit for 12 months or more.

Any tenant who claims to have protected status must notify the owner of the tenant’s protected status within 30 days of receiving either an eviction notice or a written request from the owner to declare the tenant’s protected status. The tenant must also include evidence supporting the claim of protected status. The tenant’s failure to submit a statement within the 30-day period shall be deemed an admission that the tenant does not have protected status. The landlord may contest a tenant’s claim of protected status either by filing a petition with the Rent Board or through eviction proceedings in court.

For the purpose of determining whether a tenant has a protected status, the following definitions apply:

"**Custodial relationship**" means, with respect to a child and a tenant, that the tenant is a legal guardian of the child, or has a court-recognized caregiver authorization affidavit for the child, or has provided full-time custodial care of the child pursuant to an agreement with the child’s legal guardian or court-recognized caregiver and has been providing that care for at least one year or half of the child’s lifetime, whichever is less.

"**Educator**" means any person who works at a school in San Francisco as an employee or independent contractor of the school or of the governing body that has jurisdiction over the school, including, without limitation, all teachers, classroom aides, administrators, administrative staff, counselors, social workers, psychologists, school nurses, speech pathologists, custodians, security guards, cafeteria workers, community relations specialists, child welfare and attendance liaisons, and learning support consultants.

"**Family relationship**" means that the person is the parent, grandparent, brother, sister, aunt, or uncle of the child or educator, or the spouse or domestic partner of such relations.

"**School**" means any state-licensed child care center, state-licensed family day care, and/or any public, private, or parochial institution that provides educational instruction for students in any or all of the grades from kindergarten through twelfth grade.

"**School year**" means the first day of instruction for the Fall Semester through the last day of instruction for the Spring Semester, as posted on the San Francisco Unified School District website for each year.

**Rent Limitations For Five Years**

https://sfrb.org/topic-no-213-evictions-demolish-or-permanently-remove-unit-housing-use
Pursuant to Ordinance Section 37.3(f), effective November 9, 2015, for five years after the expiration of the eviction notice to demolish or permanently remove a rental unit from housing use, the initial base rent for the subsequent tenancy cannot exceed the lawful rent in effect at the time the previous tenancy was terminated, plus any annual rent increases available under the Rent Ordinance.

February 2019
SAN FRANCISCO
PLANNING COMMISSION
RESOLUTION NO. 16078

ADOPTING CRITERIA TO EVALUATE BUILDING PERMIT APPLICATIONS THAT RESULT IN
THE REMOVAL OF A LEGAL DWELLING UNIT.

WHEREAS, On December 14, 2000, the Planning Commission adopted Resolution No.
16053 requiring Discretionary Review of any pending or future building permit application that results
in the removal of a legal dwelling unit, through merger with another unit or its complete elimination.
In evaluating each permit application, the Planning Commission resolved to make findings as to
whether the application is consistent with applicable objectives and policies of the Residence
Element of the General Plan and Section 101.1 of the Planning Code (General Plan Priority
Policies); and

The Commission also resolved to consider adoption of additional evaluation criteria for the
review of applications. On January 18, 2001, draft Criteria were presented to the Planning
Commission and public testimony was received on the matter.

NOW, THEREFORE BE IT RESOLVED, That in evaluating building permit applications for
the removal of a legal dwelling unit, the Planning Commission will consider the following Criteria:

1. Removal of the unit will not be detrimental to the supply of housing and any hardships
   resulting from displacement are minimized

2. Removal of the unit will bring the building closer into conformance with the prevailing
dwelling unit density in the area, and other Planning Code provisions

3. Removal of the unit is necessary to correct design or functional deficiencies

4. Removal of the unit is necessary to preserve or rehabilitate a designated landmark
   or other listed building

5. The units are intended for occupancy by the owner; and

These Criteria are considered in addition to an evaluation of the application's consistency
with the General Plan and Planning Code Section 101.1. In processing the applications, Planning
Department Staff is directed to provide assistance to applicants in completing the application forms,
and to schedule the pipeline projects as expeditiously as possible.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission on

Andrea Green
Acting Commission Secretary
EXHIBIT I – BUILDING PERMIT APPLICATION RECORDS

Copies of the Building Permit Applications
(listed in the EXHIBIT A - Building Permit Application Summary)
APPLICATION and AGREEMENT.

I hereby agree to take Water from the Spring Valley Water Works, at the rate of $ \[ \text{per month, payable monthly in advance, in U.S. Gold Coin.} \]

\[ \text{Date of Supply, Jan 6} \]

\[ \text{San Francisco, Nov 30, 1884} \]

And I hereby covenant and agree that I will protect and cause to be protected the said corporation from all claims for damage occasioned by the settling of any of the pipe-works for the supply of water under this application.
TO THE HONORABLE
THE BOARD OF PUBLIC WORKS
OF THE CITY AND COUNTY OF SAN FRANCISCO

Gentlemen:
The undersigned respectfully petition your Honorable Board for permission to do the following work at corner side of ______ street _____ feet of ______ street

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE

New porch ______
Plus 4 x 4 - 2 x 8 posts
Change work around and put in new mast tray & Boiler
Put one door & window
This is to be done on the second floor
Put the first floor to just above stairs box
To basement will lead the present porch which is shown on sketch

One partition in basement & current passage
One new dresser in dining room in second story

Estimated cost of work, $375.00

Building to be used as ______

In consideration of the granting of the foregoing application, I hereby agree to save the City and County of San Francisco harmless from all costs and damages which may accrue from the use or occupancy of the sidewalk, street or sub-sidewalk space in the said work.

Name of Architect: ______

Owner

Address: ______

Name of Builder: ______

Address: ______

Per ______

Report: ______

favorably


J. H. Jordan
Inspector

April 27, 1915
Gentlemen:
The undersigned respectfully petition your Honorable Board for permission to do the following work at corner
side of 1816 Green street  feet.

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE

Concrete the back yard and the basement

Estimated cost of work, $200.00

Building to be used as

In consideration of the granting of the foregoing application, I hereby agree to save the City and County of San Francisco harmless from all costs and damages which may accrue from the use or occupancy of the sidewalk, street or sub-sidewalk space in the said work.

Name of Architect: P. S. Ball Owner
Address

Name of Builder: 1816 Green St. Address

Address

Report favorably

P. H. Collins Inspector

Aug. 5, 1912
APPLICATION FOR BUILDING PERMIT
ALTERATION

Application is hereby made to the Board 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

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

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

(4) Total Cost $325.

(5) Description of work to be done: Private Gasage

(6) Contractor

(7) Supervision of construction by:

I hereby certify and agree, if a permit is issued, that all the provisions of the BUILDING LAW 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

(9) Engineer

(10) Plans and Specifications prepared by other than Architect or Engineer

(11) Owner
**APPLICATION FOR BUILDING PERMIT**

**ALTERATION**

<table>
<thead>
<tr>
<th>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:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1)</strong> Location</td>
</tr>
<tr>
<td><strong>(2)</strong> For what purpose is present building now used?</td>
</tr>
<tr>
<td><strong>(3)</strong> For what purpose will building be used hereafter?</td>
</tr>
<tr>
<td><strong>(4)</strong> Total Cost</td>
</tr>
<tr>
<td><strong>(5)</strong> Description of work to be done</td>
</tr>
</tbody>
</table>

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

**Supervision of construction by**

**Address**

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

Certificate No. | License No. | State of California | City and County of San Francisco
--- | --- | --- | ---

**(9)** Engineer

Certificate No. | License No. | State of California | City and County of San Francisco
--- | --- | --- | ---

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

**Address**

**(11)** Contractor

License No. | License No. | State of California | City and County of San Francisco
--- | --- | --- | ---

**(12)** Owner

**Address**

**Owner's Authorized Agent.**

THE DEPARTMENT WILL CALL UP TELEPHONE NO.  **IF ANY ALTERATIONS OR CHANGES ARE NECESSARY ON THE PLANS SUBMITTED.**
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: 1516 Green Street

2. For what purpose is present building now used? 

3. For what purpose will building be used hereafter? 

4. Total Cost: 700.00

5. Description of work to be done: Cover entire front and return with Johns-Manville asbestos shingle shingles, light green. Cover entire roof with Johns-Manville roll roofing, color green.

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

7. Supervision of construction by: N. J. Louza

Address: 2906 Mission Street

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 ORDI-

NANCES 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

Certificate No. 
State of California
Address

9. Engineer

Certificate No. 
State of California
Address

10. Plans and specifications prepared by

Other than Architect or Engineer

Address

11. Contractor: United Roofing and Siding Company

License No. 55011 
State of California
Address: 2906 Mission Street

12. Owner: Peter Wells

Address: 1516 Green Street

By United Roofing and Siding Company

The Department will call up telephone no. if any alterations or changes are necessary on the plans submitted.
<table>
<thead>
<tr>
<th>OUTLETS</th>
<th>SERVICES</th>
<th>SPECIAL EQUIPMENT</th>
<th>SPECIAL EQUIPMENT</th>
<th>FEES</th>
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<tr>
<td>2</td>
<td>7</td>
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</table>

**2-METERS**

**FIXTURES**

**FEEDERS**

**PAYMENT RECEIPT**

**EQUIPMENT**

**TOTAL FEE** $56

**PAID AT REHEARSAL** $40

**BALANCE DUE** $16

**OVERPAID** $0

**APPROVED**

**C. Poo**

**9/12/90**
Cancellation

APPLICATION FOR BUILDING PERMIT

ADDITIONS, ALTERATIONS OR REPAIRS

FORM 2 OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS OF SAN FRANCISCO. THE PERMIT TO BUILD IS ISSUED TO THE PARTY WHOSE NAME IS LISTED AT THE TOP OF THIS FORM.

DATE PENDED: 01/26/90

(1808/1816 GREEN ST., 543-7)

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

DESCRIPTION OF EXISTING BUILDING

2. NUMBER OF PLAN SETS

GENERAL CONSTRUCTION

ADDRESS

PHONE

ZIP

PHONE (FOR CONTACT OR BUFFER)

ADDITIONAL INFORMATION — FORM 3 APPLICANTS ONLY

HOLD HARMLESS CLAUSE: The Permittee, 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, damages and losses, and all costs and expenses resulting from operations under this permit, regardless of negligence on the part of the City and County of San Francisco, and to hold the City and County of San Francisco harmless from the defense of the City and County of San Francisco against all such claims, demands and actions.

NOTICE TO APPLICANT:

CERTIFICATE OF WORKMANSHIP: Certificate of Workman’s Compensation Insurance issued by an admitted insurer.

Signature:

Date: 10/26/90

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 HERETO AND ACCORDING TO THE DESCRIPTION

AND FOR THE PURPOSE HEREOF AS SET FORTH.

APPLICANT’S CERTIFICATION

APPLICATION IS HEREBY MADE FOR THE CONSTRUCTION

DESCRIBED IN THIS APPLICATION. ALL THE PROVISIONS OF THE PERMIT AND ALL

REQUIREMENTS OF THE CITY AND COUNTY OF SAN FRANCISCO ARE HEREIN

AGREED TO AND AGREED TO BE OBSERVED.

[Signature]

Date: 10/26/90
APPLICATION FOR PERMIT TO INSTALL
PLUMBING, AND MECHANICAL

JOB ADDRESS
1812-16 Green St.

BLDG.

BUILDING USE
Flats

J. Alt.

X

ADDRESS
1519 Chula Vista Drive Belmont, CA 94002

OWNER OF BLDG.
Stan & Helen Fong

PHONE
415/593-2679

JOB ADDRESS
1519 Chula Vista Drive Belmont, CA 94002

DATE
6/22/93

PHONE
415/362-7046

COMPANY NAME
H & F Plbg. Inc.

SIGNATURE

ADDRESS
925 Jackson Street, San Francisco, CA 94133

CITY
San Francisco

STATE
CA

ZIP
94133

INULA CONTRACTOR'S LICENSE NO.
279049

CLASS
C16-36

EXP. DATE
8/31/93

'S NOT VALID FOR PERMIT IF ANY EMPLOYEE DESCENDS INTO EXCAVATION DEEPER THAN 5'

NUMBER OF INSPECTIONS REQUIRED: 1

PLUMBING PERMIT ISSUANCE FEE: 0-68.50 EA. = 68.50

WATER PERMIT ISSUANCE FEE: 16.55

GAS PERMIT ISSUANCE FEE:

MECHANICAL PERMIT ISSUANCE FEE:

SEWER REPAIR OR TRAP REPLACEMENT FEE:

TOTAL PERMIT FEE: 85.05

DESCRIPTION OF WORK COVERED BY THIS PERMIT: Provide new 1" copper water service to building.

DO NOT WRITE BELOW THIS LINE FOR OFFICIAL USE ONLY

DATE

6/23/93

RESP.

OK

INSTALLS

New 1" water service passed.

J. E. Finally

NOT VALIDATED DATED AND SIGNED
BY CHIEF PLUMBING INSPECTOR

OCT.

JUN 23 93

NOTE: SEE BACK OF GREEN COPY FOR CERTIFICATION OF COMPLIANCE WITH CALIF. STATE LABOR CODE SECTION 3800.

INSPECTOR'S REPORT

FORM 3023 (REV. 10/91)

INSPECTOR

OCT.

JUN 23 93

DEPARTMENT OF PUBLIC WORKS
459 MALLISTER STREET
ROOM 104
SAN FRANCISCO, CA. 94102-4584

PLEASE MAKE CHECK PAYABLE TO:

DEPARTMENT OF PUBLIC WORKS
459 MALLISTER STREET
ROOM 104
SAN FRANCISCO, CA. 94102-4584

NOTE: SEE BACK OF GREEN COPY FOR CERTIFICATION OF COMPLIANCE WITH CALIF. STATE LABOR CODE SECTION 3800.
# Reroofing

## Application for Building Permit

**Form 2**  
**Other Agencies Review Required**

**Number of Plan Sets:** 2

**Applicant:** Mr. Fang  
**Address:** 1812 Green St.

**City and County of San Francisco**  
**Department of Building Inspection**

**Approval Date:** Jul 29, 1338

**Notice to Applicant:**

- **Notice of Payment:** This permit is issued for the construction described in the application. All provisions of the permit and all laws and ordinances thereof will be complied with.

### Legal Description of Existing Building

- **Type of Improvements:**
  - **Existing:** R-1
  - **Proposed:** R-1

### Description of Building After Proposed Alteration

- **Remove Old Roofing Materials**
- **Install 1 Layer of 28 lbs Base Felt**
- **Install 1 Layer of 100 lbs Roofing**

### Important Notices

- **Notice of Payment:** Your permit is issued under the provisions of Section 3800 of the Labor Code of the State of California, and the applicant shall be responsible for all costs and expenses incurred in the performance of the work for which this permit is issued.

### ADDITIONAL INFORMATION

### Notice to Contractor

**Address:** 1719 WALKER ST.  
**Phone:** 912-82620

**Date:** Jul 29, 1338

**Contractor:**

**יוני סאנס**

**Signature of Applicant or Agent:**

**Date:** Jul 29, 1338
**APPLICATION/PERMIT FOR ELECTRICAL WIRING and/or FIXTURES**

**SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION**

**ELECTRICAL DIVISION 558-6030**

**PERSONNEL NAME:** STANLEY FONG
**TELEPHONE:** (650) 513-3679

**CONTRACTOR:** JIMMYS ELECTRIC
**TELEPHONE:** 564-1868

**LOCATION:** 1842-22ND AVE
**CITY:** SAN FRANCISCO, CA. 94122

---

**SPECIAL EQUIPMENT**

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Aw (kW)</th>
<th>Equipment</th>
<th>Rw (hp)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UNDERGROUND SERVICE CONVERSION</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FEES**

- INSPECTION FEE: $500
- TOTAL FEE: $500
- PENALTY FEE: $0
- SURCHARGE: $0
- PAID AT FILING: $500
- BALANCE DUE: $0
- OVERPAID: $0

---

**NOTICE TO APPLICANT—LOSS/HINDSIGHT CLAUSE:** The permittee is responsible for the work done under the permit, and agrees to indemnify and hold harmless the City and County of San Francisco, their agencies, officers, employees, and agents for all claims, damages or actions against them resulting from any negligence or carelessness on the part of the permittee. The permittee further agrees to indemnify and hold harmless the City and County of San Francisco, their agencies, officers, employees, and agents for all claims, damages or actions resulting from any negligence or carelessness on the part of the person(s) authorized to perform the work under the permit.

---

**SIGNED:** JUL 13 2000

**FILING:** 5/11/00

---

**STATE FUND:** Policy number: #3614948-79

---

**CERTIFICATION:**

I, the applicant for this permit, do hereby certify that the work for which this permit is issued is necessary to make the premises of the Building Inspection Department of San Francisco safe and in compliance with all applicable codes and ordinances. I further certify that the work is being done in a proper and workmanlike manner and that I will comply with all applicable laws, rules, and regulations.

**SIGNATURE:**

DATE: 5/11/00
**PERMIT NO.** P100070

**LOCATION/PERMIT TO INSTALL**

**PLUMBING, AND MECHANICAL**

**PLUMBING ADDRESS:** 1812-16 GRAYS ST

**BUCKET** | **BLD. USE** | **HOME SE**
---|---|---

**STORIES** | 1 | **OWNERS OF BLD.** | **MR. STANLEY FONG**
---|---|---|---

**PHONE** | 650-593-2679

**1519 CHULA VISTA DR BERNON CA 94002**

I hereby affirm that I am licensed under provisions of Chapter 9 (Commencing with Sec. 7000) or Division 3 of the Business and Professions code, and my license is in full force and effect.

<table>
<thead>
<tr>
<th><strong>CONTRACTOR SIGNATURE</strong></th>
<th><strong>DATE</strong></th>
<th><strong>CLASS</strong></th>
<th><strong>LICENSE NO.</strong></th>
<th><strong>PROJECT DESCRIPTION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>CA. JEE Plumbing Co.</td>
<td>8/14/2004</td>
<td>C-36</td>
<td>506683-1-2002</td>
<td><strong>PLUMBING</strong></td>
</tr>
</tbody>
</table>

**NOT VALID FOR PERMIT IF ANY EMPLOYEE DESCENDS INTO EXCAVATION DEEPER THAN 5'**

- **NUMBER OF INSPECTIONS REQUIRED:** 1
- **PLUMBING PERMIT ISSUANCE FEE:** $68.00 EA.
- **WATER PERMIT ISSUANCE FEE:** $68.00
- **GAS PERMIT ISSUANCE FEE:** $68.00
- **MECHANICAL PERMIT ISSUANCE FEE:** $68.00
- **SEWER REPAIR OR TRAP REPLACEMENT FEE:** $0.00

**TOTAL PERMIT FEE:** $105.16

**DESCRIPTION OF WORK COVERED BY THIS PERMIT:** Replace 2" leader in both small rocky 7.86 and 5.83 ft for IT Builders.

3. 1/4" x 4' 1" 1/4" x 26.6 ft BLDG. USE pipe. 2/4" x 43.1 ft BLDG. USE pipe in basement.

<table>
<thead>
<tr>
<th><strong>DATE</strong></th>
<th><strong>INSP. INITIALS</strong></th>
<th><strong>REMARKS</strong></th>
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</thead>
<tbody>
<tr>
<td>8/14/2000</td>
<td>Approved by Formal</td>
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</tbody>
</table>

**NOT VALID UNLESS DATED AND SIGNED BY CHIEF PLUMBING INSPECTOR**
APPLICATION FOR BUILDING PERMIT, ADDITIONS, ALTERATIONS OR REPAIRS

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

NUMBER OF PLAN SETS

DATE FILED

TRIE BLK NO. 121  ST 121  ST 141  ST 161

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

IMPORTANT NOTICES

ADDITIONAL INFORMATION

NOTICE TO APPLICANT
I agree to comply with all conditions and 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: 0

Owners Authorized Agent
OFFICE HOURS: THE BUILDING INSPECTION DIVISION IS OPEN DAILY, MONDAY THRU FRIDAY, FROM 7:30 a.m. TO 5:00 p.m. DISTRICT BUILDING INSPECTORS KEEP OFFICE HOURS DAILY, MONDAY THRU FRIDAY, FROM 7:30 a.m. TO 8:30 a.m. and FROM 3:00 p.m. TO 4:00 p.m.
REQUESTS FOR INSPECTIONS ARE TAKEN ONLY DURING THE HOURS OF 8:30 A.M. TO 3:00 P.M. BY CALLING (415) 558-6096

APPLICATION NO. 12-08-11/00/62204 
PERMIT NO. 038145 
ISSUED 12-10-2002

JOB ADDRESS: 1212-1816 4th Street
BLOCK: 
LOT: 

NATURE OF WORK: Remodel Bath, Kitchen & interior finishes

WORK PERMITTED UNDER AUTHORITY OF THIS BUILDING PERMIT NUMBER MUST START BY 90 days and BE COMPLETED BY 12-10-2002.

WORK UNDERWAY MUST BE INSPECTED AT LEAST EVERY NINETY (90) DAYS IN ORDER TO PREVENT EXPIRATION DUE TO ABANDONMENT OF WORK.

EXTENSIONS OF THE “START” & “COMPLETE WORK” DATES OF THIS BUILDING PERMIT NUMBER MAY BE GRANTED UPON WRITTEN REQUEST PRIOR TO THE DATES NOTED ABOVE.

For information on the Permit Process, Building Plans Review, Access Issues, etc., please see page 4 of this JOB CARD for useful and appropriate telephone numbers.

ELECTRICAL & PLUMBING WORK MUST HAVE PERMITS SEPARATE FROM A BUILDING PERMIT.

KEEP THIS CARD POSTED IN A CONSPICUOUS PLACE ON THE JOB SITE AT ALL TIMES. PLANS AND PERMIT DOCUMENTS SHALL BE ON THE JOB SITE AT ALL TIMES WHEN WORK IS IN PROGRESS. AFTER COMPLETION OF WORK, RETAIN THIS CARD FOR YOUR RECORDS.
1/16/03 OK to pour 2 spread footings

4-8-03 P"OK" to code, Unit 182, only except Rear Bath

Firebox all down lines (Excl. Fcu)

4/21/03 Review form O.F. in Unit 182

4/24/03 OK to cover Unit 182
downdrafts

4/29/03 Strock nails OK pending inspection of strock downdrafts

8/14/03 For final

a) To verify boxing of downdraft

b) Approved revision as built

c) Headdress @ (n) Stove to be

d) Handrail height 34"-38"

2) Weatherstrip ext doors

8/22/03 First floor work complete

Per drawing + PA 200308202548

To proceed w/ second floor work:

First floor OK to occupy
# Inspection Record

**Application No.:** 000000  
**Permit No.:** 983045  
**Issued:** 12/10/2002  
**Job Address:** 1612-1616 Green Street  
**Nature of Work:** Kitchen, bathroom remodel for (812 only)

<table>
<thead>
<tr>
<th>Do Not Pour Concrete until the following are signed</th>
<th>Inspections</th>
<th>Dates</th>
<th>Inspectors</th>
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<tbody>
<tr>
<td>Foundation Forms</td>
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<td>Foundation Steel</td>
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<td>Grounding Electrode</td>
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<tr>
<td>O.K. TO POUR</td>
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<tr>
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<tbody>
<tr>
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<td>Electrical Underground</td>
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<td>Fire Service Underground</td>
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<tr>
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<td>Rough Electrical</td>
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<td>Rough Plumbing</td>
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<td>Sound Transmission</td>
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<tr>
<td>Rough Sprinklers (PLBG)</td>
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<td>Rough Sprinklers (FIRE)</td>
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<tr>
<td>Flue &amp; Vents (PLBG)</td>
<td>8/4/2003</td>
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<td>Lath</td>
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<td>O.K. TO COVER</td>
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<tr>
<th>Additional Work Requiring Approvals</th>
<th>Inspections</th>
<th>Dates</th>
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**Certificate of Final Completion**

**Warning:** The provisions of your building inspection permit will be nullified unless all final inspections are completed.
PERMIT IS GRANTED TO

☐ ERECT ☐ ALTER BUILDING ☐ ERECT SIGN ☐ DEMOLISH BUILDING ☐ GRADE ☐ LOWER CURB ☐ OCCUPY STREET SPACE ☐ EXCAVATE STREET OR SIDEWALK ☐ POST NOTICE ☐ HOUSE NUMBER CERTIFICATE ☐ REPAIR OR CONSTRUCT SIDEWALK

SUPPLEMENTAL FEE PAID:

☐ FINAL PLAN CHECK ☐ EXPEDITER FEE ☐ PENALTY ☐ STRUCTURAL LTR ☐ DCP FEE

OWNER:

DOLLARD ADRIAN E & ANNE L 249-8934

LOCATION OF JOB:

STREET ADDRESS

1812 GREEN ST 0543/007
1816 GREEN ST 0543/007

METES AND BOUNDS

2 5 R-3

FRONTAGE FT # STORIES TYPE LEGAL OCCUPANCIES

BUILDING USE 2 FAMILY DWELLING ESTIMATED COST $ 55,000.00

SIDEWALK SQ. FTGE ST. SPACE LINEAR FT. 9 FT. CURB SECT. TO BE LOWERED

WORK MUST COMMENCE ON BUILDING WITHIN 90 days OF DATE OF ISSUANCE OF THIS PERMIT, UNLESS EXTENSION AUTHORIZED. IF UNDER ENFORCEMENT ORDERS SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY.

TIME FOR COMPLETION OF WORK UNDER THIS BUILDING PERMIT EXPIRES 12 Months AFTER DATE OF ISSUANCE. IF UNDER ENFORCEMENT ORDERS SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY. (NOTE: STREET SPACE PERMIT EXPIRES ON COMPLETION OF WORK OR WHEN REVOKED BY DIRECTOR OF PUBLIC WORKS. SEE BACK OF FORM FOR OTHER TIME LIMITS.)

ANNE/ADRIAN DOLLARD 650-692-4072

APPEAL ☐

FEE PAID AT FILING ☐

AUDITED FOR REFUND ☐

FILING FEE RECEIPT # 833657

SUBTOTAL FEES 795.11

TOTAL $ 802.81

*SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK*

9003-18(Rev.10/95)
**APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS**

**FORM S □ OTHER AGENCIES REVIEW REQUIRED
FORM 2 □ OVER-THE-COUNTER ISSUANCE**

**NUMBER OF PLAN SETS**

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**INFORMATION TO BE FURNISHED BY ALL APPLICANTS**

**LEGAL DESCRIPTION OF EXISTING BUILDING**

**DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION**

**ADDITIONAL INFORMATION**

**NOTICE TO APPLICANT**

**APPLICATIONS CERTIFICATION**

**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 6'6" to any wire containing more than 150 volts. See Sec. 586, 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 any stipulation required herein or by Code may be appealed.

Any work in description of all work to be performed under this application (reference to plans is not sufficient). Recite existing proposed specimen stickers. Revision to September 11, 2008.

Delete wet bar @ 1st floor & regular cabinetry.

**FRANK Y. CHIU, DIRECTOR**

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION**

**APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTOR 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.**

**APPROVAL NUMBER**

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**APPLICATION 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 thereof will be complied with.

**SIGNATURE**

**APPROVED**

**DEPARTMENT OF BUILDING INSPECTION**

**JAN 28, 2003**

9003-03 (REV. 1/02)
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

OWNERS AUTHORIZED AGENT
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<td>D &amp; A CONSTRUCTION CO, INC.</td>
<td>6506924072</td>
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| 9003-1 | 200209116208 |
CANCELLATION

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED

FORM 8 ☐ OVER-THE-COUNTER ISSUANCE

NUMBER OF PLAN SETS

2

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PERMIT TO BUILD, ASSETIONED IN THE PLANS AND SPECIFICATIONS SUBMITTED HERETO AND ACCORDING TO THE SECTIONS AND FOR THE PURPOSE HEREFORTH SET FORTH.

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

[Table with fields: (10) TYPE OF CONSTRUCTION: [ ] SINGLE FAMILY; (20) NUMBER OF STORIES OR BASEMENTS: [ ] SINGLE FAMILY; (30) PROPOSED USE: [ ] SINGLE FAMILY; (40) LOCAL ADDRESS: [ ] K-3; (50) GENERAL CONTRACTOR: [ ] Address; (60) NO. OF STORY TO KNEE: [ ] Address; (70) OCCUPANCY: [ ] K-3; (80) OCCUPANCY CLASS: [ ] Address]

ADDITIONAL INFORMATION

[Table with fields: (10) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT: [ ] YES; (20) IF YES, STATE CENTER LINE OF ADDITION: [ ] YES; (30) ADDITIONAL SPACE REQUIRED: [ ] K-3; (40) PLUMBING TO BE REPAIRED OR TERMED: [ ] K-3; (50) REPAIRS OR REPAIRS TO BE COMPLETE BY: [ ] K-3; (60) CONSTRUCTION UNDER LEFT HAND AND REGULATIONS FOR ANY, IF ANY: Address]

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE: The permissibility of non-compliance of the permit, the building is not in accordance with the City and County of San Francisco laws and any and all claims, demands and actions for damages resulting from violations under this permit, regardless of negligence of any person in any manner as to become subject to the workers’ compensation laws 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 WITNESS WHEREOF, the officer hereby certifies that a permit is hereby issued for the construction described herein. All the provisions of the permit and all laws and ordinances hereunto will be complied with.

[Signature of Applicant] 2/21/03

NOTICE TO APPLICANT

APPLICANTS 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.

[Signature of Applicant] 2/21/03

90045 (REV. 1/01)

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

Number of attachments

OWNERS AUTHORIZED AGENT
Permit Details Report

Report Date: 10/30/2020 1:25:14 PM

Application Number: 200302218004
Form Number: 3
Address(es): 0543 / 007 / 0 1812 GREEN ST
0543 / 007 / 0 1816 GREEN ST
Description: VOLUNTARY COMPLIANCE/REMOVE ILLEGAL KCHN AND OCCUPANCY SEPERATION
Cost: $3,500.00
Occupancy Code: R-3
Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

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Contact Details:
DAROSE AND ASSOC.

Contractor Details:

Addenda Details:

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<td>HAREGGEWAIN</td>
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<td>legal use appears to be 2 units/no illegal kitchen exists - DR for DUM required</td>
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For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.
March 25, 2003

Mr. Frank Chiu, Director
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

Re: 1812-1816 Green Street
Assessor’s Block 043; Lot 007
Building Permit Application No.: 2003.01.28.6145

Dear Mr. Chiu,

This letter is to request that the Department of Building Inspection suspend Building Permit Application No. 2003.01.28.6145. This permit was submitted as a revision to Permit No. 2002.09.11.6208, which proposed alterations to the second floor of the building. Because the work appeared to affect only the interior, it was approved by the Department of Building Inspection without any review by the Planning Department. However, the permit incorrectly represented the current legal use of the property as a single family residence. The initial September 28 permit correctly identified the current and proposed use of the property as a two-family dwelling. The legal use of the property as two dwelling units is substantiated by the 1918 Sanborn Insurance Map and numerous building permits dating from 1930 to 2002. (The applicant has subsequently used the January 28 permit as the basis for submitting a third building permit application (Application No. 2002.02.21.8004), proposing to remove what is now being represented as an illegal kitchen on the first floor. It is our position that the kitchen is not illegal. Removal of the kitchen and the associated work would be considered a dwelling unit merger, and subject to mandatory Discretionary Review by the Planning Commission prior to approval.)

The Planning Department is requesting the suspension of the above-referenced Building Permit Application. Work approved under Building Permit Application No. 2002.09.11.6208 may proceed.

If you have any questions regarding this matter, you may contact me at (415) 558-6350.

Appeal: Any aggrieved person may appeal this decision letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1660 Mission Street, 3rd Floor, Room 306, or call 575-6880.
Mr. Frank Chiu, Director  
Department of Building Inspection  
Re: 1812-1816 Green St.  
March 25, 2003  
Page 2

Sincerely,

[Signature]

Lawrence B. Badiner  
Zoning Administrator

CC: Adrian Dollard, 1812-1816 Green Street, San Francisco, CA 94123 (Owner)  
Darosa & Associates, 475 El Camino Real, Millbrae, CA 94030 (Architect)  
Jeremy Paul, Quickdraw Permit Consulting, 60 Otis Street, San Francisco, CA 94103 (Owner's Representative)  
Wing Lau, Chief Building Inspector, DBI  
Marvin Ruiz, Chief Building Inspector, Enforcement, DBI  
Patrick O'Riordan, Building Inspector, District 4, DBI  
Kaye Simonson, DCP
April 9, 2003

President Arnold Y. K. Chin
San Francisco Board of Appeals
City and County of San Francisco

Re: Building Permit Application Number 2003/01/28/6145
1812 Green Street

Dear President Chin and Honorable Members of the Board:
On behalf of Adrian and Anne Dollard I wish to appeal the Zoning Administrator's decision letter of March 25, 2003 suspending the aforementioned permit.

The subject property was the first home purchase made by the Dollard family; when the Report of Residential Record (3R) issued by the Department of Building Inspection stated that the house is a single family dwelling, they accepted that information as fact.

The Planning Department now insists that the 3R issued by the City is incorrect and that the Dollards own a Duplex.

On subsequent submittal we shall provide evidence that this property is indeed a legal single family dwelling and we shall ask this Board to reinstate both this properly issued permit and the Dollard family's trust in their city government.

Respectfully Submitted,

Jeremy Paul
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE ANY STIPULATION REQUIRED HEREIN OR BY CODE. ANY APPEAL OF THIS APPLICATION IS TO BE MADE TO THE CITY AND COUNTY OF SAN FRANCISCO, DEPARTMENT OF BUILDING INSPECTION IN CONFORMITY WITH THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO. IT IS UNDERSTOOD THAT NO PORTION OF BUILDING OR STRUCTURE OR SCAFFOLDING USED DURING CONSTRUCTION, WHICH VARIANCE IS GRANTED, TO BE CLOSER THAN 10 FT TO PRACTICE LINE.
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|         | FEB 12, 2004 |      |        |

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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: [ ]
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<th>ADDRESS OF JOB</th>
<th>BLOCK/LOT</th>
<th>APPLICATION NO.</th>
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<tr>
<td>1812 GREEN ST</td>
<td>0543/007</td>
<td>200307179722</td>
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<table>
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<tr>
<td>DOLLARD ADRIAN E &amp; ANNE L</td>
<td>(415)552-1888</td>
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</tbody>
</table>

NOTES:

PERMIT INSPECTION RECORD
DEPARTMENT OF PUBLIC WORKS
CITY AND COUNTY OF SAN FRANCISCO
BUILDING INSPECTION JOB CARD
**Electrical Permit**

**Permit# E200308051183**

Printed on: 08/05/2003 08:09:23 AM

**Job Address:**
1812 GREEN ST

**Block/Lot/Structure Number:**
0543/007/0

**District:**
9

**Occupancy:** Residential

**Floor/Suite:** 1ST FLOOR

**Owner:**

<table>
<thead>
<tr>
<th>Owner Name</th>
<th>Phone1</th>
<th>Phone2</th>
<th>Homeowner permit approved by</th>
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<tbody>
<tr>
<td>DOLLARD ADRIAN E &amp; ANNE L</td>
<td>(415)249-8934</td>
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**Contractor:**

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<tr>
<td>D &amp; A CONSTRUCTION CO. INC.</td>
<td>756772</td>
<td>B1</td>
<td>31-DEC-04</td>
<td>350884</td>
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<th>State</th>
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<tr>
<td>475 EL CAMINO REAL #308</td>
<td>MILLBRAE</td>
<td>CA</td>
<td>94030-0000</td>
<td>(415)559-1918</td>
<td>(650)280-6063</td>
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**Applicant/Occupant Name:**

<table>
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**EID Use Only:**

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<tr>
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<th>Plumbing permit No</th>
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<tr>
<td></td>
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**Description of Work:**

**TO CHANGE ADDRESS TO 1812 ONLY. (REMOVE 1816)**

**Work Scope**

<table>
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<tr>
<th>Type</th>
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<td></td>
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<td>ADDITIONAL INSPECTION FEE</td>
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**Surcharge:** $6.38

**Total Fees:** $133.88
APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

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

NUMBER OF PLAN SETS:

CHECK APPROPRIATE BOX
- Grade lines as shown on drawings accompanying this application are assumed to be correct if BLINDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED.

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

ADDITIONAL INFORMATION

IMPORTANT NOTICES

NOTICE TO APPLICANT

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

9000-00 (REV. 10/01)
<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Approved</th>
<th>Date</th>
<th>Reason</th>
<th>Notified Mr.</th>
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<tr>
<td>Building Inspector, Dept. of Bldg. Inspection</td>
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<tr>
<td>Department of City Planning</td>
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<tr>
<td>Bureau of Fire Prevention &amp; Public Safety</td>
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<td>Department of Public Health</td>
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<td>Redevelopment Agency</td>
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<tr>
<td>Housing Inspection Division</td>
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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
<table>
<thead>
<tr>
<th>ADDRESS OF JOB</th>
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<td>200308202548</td>
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NOTES: 20020911420B

PERMIT INSPECTION RECORD
DEPARTMENT OF PUBLIC WORKS
CITY AND COUNTY OF SAN FRANCISCO
BUILDING INSPECTION JOB CARD

0003-15
MEMORANDUM REQUESTING CANCELLATION OF A BUILDING PERMIT APPLICATION

DATE: January 2, 2009

TO: Ms. Vivian Day, C.B.O., Acting Director
   Department of Building Inspection

FROM: Mary Woods, Planner
   for Lawrence Badiner, Zoning Administrator

RE: Building Permit Application No.: 2007.12.03.9456
   Address: 1812 - 16 Green Street
   Assessor's Block / Lot: 0543 / 007

The above referenced application for a building permit is being returned for cancellation. The application cannot be approved for one or more of the following reasons:

- Failure to submit requested or required revisions
- Failure to provide proof of Occupancy, Agency, or Ownership
- Failure to provide recorded Notice of Special Restrictions
- Failure to submit Conditional Use, Variance or other Discretionary Application
- Project disapproved by Planning Commission or Board of Appeals
- Withdrawn at applicant's request per letter dated:
- No response from applicant
- De facto abandonment of project
- Other: ____________________________

www.sfplanning.org
Report for: **1812 GREEN ST**

Planning Applications

Permits are required in San Francisco to operate a business or to perform construction activity. The Planning Department reviews most applications for these permits to ensure that the projects comply with the Planning Code. The 'Project' is the activity being proposed. For a glossary of terms, visit Planning Code section 102, or the Help section of this site.

**2019-017837PRJ Project Profile (PRJ)**
- **Opened:** 10/7/2019  
- **Status:** Under Review 10/21/2020  
- **Assigned Planner:** Katherine Wilborn: katherine.wilborn@sfgov.org / 628-652-7355  
- The project is seeking a Conditional Use Authorization (CUA) to legalize an unauthorized residential merger at

**2019-017837CUA Conditional Use Authorization (CUA) 1812-1816 GREEN ST**
- **Opened:** 10/7/2019  
- **Status:** Under Review 1/30/2020  
- **Assigned Planner:** Katherine Wilborn: katherine.wilborn@sfgov.org / 628-652-7355

**2018-016544PRJ Project Profile (PRJ)**
- **Opened:** 12/10/2018  
- **Status:** Closed 5/1/2020  
- **Assigned Planner:** Mary Cheung-Woods: mary.woods@sfgov.org / 628.652.7350  
- NO WORK TO BE DONE, APPLN IS FOR UNIT COUNT VERIFICATON. 2002 3-R REPORT SHOWS USE 1-FAMILY.

**2008.0442 Project Profile (PRJ)**
- **Opened:** 4/16/2008  
- **Status:** Closed  
- **Assigned Planner:** Planning counter: pic@sfgov.org / 628.652.7300  
- Mandatory Discretionary Review of dwelling unit merger from two to one unit.

**Address:** 1812 GREEN ST, SAN FRANCISCO, CA 94123  
**Further Info:**  
**Related Records:**
- Related Documents: 7402_ENF
- Project Features: 2008.0442
- Accela Citizen Access: -2008.0442D
- Accela Automation: 200712039456

**2008.0442D Discretionary Review - Mandatory (DRM) 1812 GREEN ST**
- **Opened:** 4/16/2008  
- **Status:** Closed - Cancelled 1/10/2011  
- **Assigned Planner:** Mary Cheung-Woods: mary.woods@sfgov.org / 628.652.7350

Permitted Short Term Rentals
- **None**

Building Permits
Applications for Building Permits submitted to the Department of Building Inspection.

Active Permits

Permit 201812067615
Status: FILED  
Status Date: 12/6/2018  
Planner: Wilborn Katherine

No work to be done, appln is for unit count verification. 2002 3-r report shows use 1-family. Illegal 2nd unit removed in 2003 w/c was permissible @ time. Orig sanborn fire ins & water co record show house built as single family & thre is no permit for conversion to flats. Owner request determination

Originally Filed: 12/6/2018  
Address: 1812 GREEN ST  
Existing Use: 1 FAMILY DWELLING  
Parcel: 0543/007  
Proposed Use: 1 FAMILY DWELLING  
Existing Units: 1  
Construction Cost: $1.00  
Proposed Units: 1

Permit 201812067615
Status: FILED  
Status Date: 12/6/2018  
Planner: Wilborn Katherine

No work to be done, appln is for unit count verification. 2002 3-r report shows use 1-family. Illegal 2nd unit removed in 2003 w/c was permissible @ time. Orig sanborn fire ins & water co record show house built as single family & thre is no permit for conversion to flats. Owner request determination

Originally Filed: 12/6/2018  
Address: 1816 GREEN ST  
Existing Use: 1 FAMILY DWELLING  
Parcel: 0543/007  
Proposed Use: 1 FAMILY DWELLING  
Existing Units: 1  
Construction Cost: $1.00  
Proposed Units: 1

Completed Permits

Permit 200712039456
Status: CANCELLED  
Status Date: 1/22/2010  
Planner: Woods Mary

To legalize the merging the existing 2 dwelling units into a single unit. The permit application is to comply with notice of violation # 200561775 (work without permit).

Originally Filed: 12/3/2007  
Address: 1816 GREEN ST  
Existing Use: 2 FAMILY DWELLING  
Parcel: 0543/007  
Proposed Use: 1 FAMILY DWELLING  
Existing Units: 2  
Construction Cost: $1,000.00  
Proposed Units: 1

Permit 200308202548
Status: EXPIRED  
Status Date: 4/12/2005

Renovate existing bathroom and add a new bathroom, new storage at laundry room at 2nd flr unit 1816

 Originally Filed: 8/20/2003  
Address: 1816 GREEN ST  
Existing Use: 2 FAMILY DWELLING  
Parcel: 0543/007  
Proposed Use: 2 FAMILY DWELLING  
Existing Units: 2
### Permit 200307179722
- **Status:** EXPIRED
- **Status Date:** 1/13/2006
- **Planner:** Lindsay David

**Construction Cost:** $35,000.00

**Proposed Units:** 2

**Repair as needed & repaint front fascial. New entrance porch**

**Originally Filed:** 7/17/2003
**Address:** 1812 GREEN ST

**Existing Use:** 1 FAMILY DWELLING
**Parcel:** 0543/007

**Proposed Use:** 1 FAMILY DWELLING
**Existing Units:** 2

**Construction Cost:** $12,000.00
**Proposed Units:** 2

### Permit 200302218004
- **Status:** CANCELLED
- **Status Date:** 8/12/2003
- **Planner:** Simonson Kaye

**Voluntary compliance/remove illegal kitchen and occupancy separation**

**Construction Cost:** $3,500.00
**Proposed Units:** 1

**Relocate (e)proposed staircase; rev to 200209116208; delete wet bar @1st flr to regular cabinet**

**Originally Filed:** 1/28/2003
**Address:** 1816 GREEN ST

**Existing Use:** 1 FAMILY DWELLING
**Parcel:** 0543/007

**Proposed Use:** 1 FAMILY DWELLING
**Existing Units:** 1

**Construction Cost:** $1.00
**Proposed Units:** 1
| Permit          | Status          | Status Date | Original Filed             | Address       | Existing Use     | Parcel       | Proposed Use     | Construction Cost | Existing Units | Proposed Units |
|-----------------|-----------------|-------------|-----------------------------|---------------|------------------|--------------|------------------|-------------------|----------------|----------------|}
| 200209116208    | EXPIRED         | 1/13/2006   | 9/11/2002 11:23:33 AM       | 1816 GREEN ST | 2 FAMILY DWELLING | 0543/007    | 2 FAMILY DWELLING | $55,000.00        | 2              | 2              |
| 200209116208    | EXPIRED         | 1/13/2006   | 9/11/2002 11:23:33 AM       | 1812 GREEN ST | 2 FAMILY DWELLING | 0543/007    | 2 FAMILY DWELLING | $55,000.00        | 2              | 2              |
| 9613666        | EXPIRED         | 11/5/1999   | 7/29/1996                   | 1812 GREEN ST | APARTMENTS       | 0543/007    | APARTMENTS       | $6,000.00         | 0              | 0              |
| 9114677        | EXPIRED         | 7/20/1992   | 8/15/1991                   | 1812 GREEN ST | 2 FAMILY DWELLING | 0543/007    | 2 FAMILY DWELLING | $2,000.00         | 2              | 2              |
| 9022288        | CANCELLED       | 7/2/1991    | 10/30/1990                  | 1812 GREEN ST | 2 FAMILY DWELLING | 0543/007    | 2 FAMILY DWELLING | $1.00             | 2              | 2              |

**Applicant's purchase property 05/31/2002**

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<th>Construction Cost</th>
<th>Existing Units</th>
<th>Proposed Units</th>
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</table>
Additional Permits

Additional Permits (electrical, plumbing, etc) lodged with the Department of Building Inspections.

Complaints

The Planning Department and the Department of Building Inspection operate programs that ensure compliance with the San Francisco Planning Code and Building Inspection Commission Codes respectively. Additionally, they respond to customer complaints of potential code violations and initiate fair and unbiased enforcement action to correct those violations and educate property owners to maintain code compliance.

Planning Department Complaints

Active

2020-005902ENF Enforcement (ENF) 1812 Green St
Assigned Planner: Rachna Rachna: Rachna.Rachna@sfgov.org / 628-652-7404
Constructed roof deck without a permit.

7402_ENF Enforcement (ENF) 1812 GREEN ST
Opened: 8/26/2005  Status: On Hold 12/6/2018
Assigned Planner: Rachna Rachna: Rachna.Rachna@sfgov.org / 628-652-7404
city records indicate that this building is a two unit structure based upon realtor flyer, one dwelling unit has

Completed

5349_ENF Enforcement (ENF) 1812 GREEN ST
Opened: 3/27/2003  Status: Closed - Informational 12/12/2012
Assigned Planner: Rachna Rachna: Rachna.Rachna@sfgov.org / 628-652-7404
To suspend Permit Application 200301286145 per letter from Dept of City Planning. city records indicate that

Department of Building Inspection Complaints

Complaint 202038181
Unpermitted roof deck.

Status: CASE UPDATE 9/24/2020  Date Filed: 6/12/2020

Address : 1812 GREEN ST  Site : 1816 Green St
Parcel : 0543/007

Complaint 200561775
2 units have been merged w/o planning or building approval.

Status: CASE CONTINUED 9/8/2014  Date Filed: 7/13/2005

Address : 1816 GREEN ST  Site :
Parcel : 0543/007
Complaint 200339245
Dpc suspended the building permit 200301286145

Status: CASE ABATED 5/24/2012  Date Filed: 3/26/2003

Address: 1812 GREEN ST  Site:
Parcel: 0543/007
EXHIBIT J – BOARD OF APPEALS HEARING RECORDS

Materials related to the Board of Appeals (BOA) Hearing (06/11/2003).
March 25, 2003

Mr. Frank Chiu, Director
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

Re: 1812-1816 Green Street
Assessor’s Block 043; Lot 007
Building Permit Application No.: 2003.01.28.6145

Dear Mr. Chiu,

This letter is to request that the Department of Building Inspection suspend Building Permit Application No. 2003.01.28.6145. This permit was submitted as a revision to Permit No. 2002.09.11.6208, which proposed alterations to the second floor of the building. Because the work appeared to affect only the interior, it was approved by the Department of Building Inspection without any review by the Planning Department. However, the permit incorrectly represented the current legal use of the property as a single family residence. The initial September 28 permit correctly identified the current and proposed use of the property as a two-family dwelling. The legal use of the property as two dwelling units is substantiated by the 1918 Sanborn Insurance Map and numerous building permits dating from 1930 to 2002. (The applicant has subsequently used the January 28 permit as the basis for submitting a third building permit application (Application No. 2003.02.21.8004), proposing to remove what is now being represented as an illegal kitchen on the first floor. It is our position that the kitchen is not illegal. Removal of the kitchen and the associated work would be considered a dwelling unit merger, and subject to mandatory Discretionary Review by the Planning Commission prior to approval.)

The Planning Department is requesting the suspension of the above-referenced Building Permit Application. Work approved under Building Permit Application No. 2002.09.11.6208 may proceed.

If you have any questions regarding this matter, you may contact me at (415) 558-6350.

**APPEAL:** Any aggrieved person may appeal this decision letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1660 Mission Street, 3rd Floor, Room 306, or call 575-6880.
Mr. Frank Chiu, Director  
Department of Building Inspection  
Re: 1812-1816 Green St.  
March 25, 2003  
Page 2

Sincerely,

[Signature]

Lawrence B. Badiner  
Zoning Administrator

LBB/KES: N:\Z\BPA's\Suspension\1812-1816 Green St.doc

CC: Adrian Dollard, 1812-1816 Green Street, San Francisco, CA 94123 (Owner)  
Darosa & Associates, 475 El Camino Real, Millbrae, CA 94030 (Architect)  
Jeremy Paul, Quickdraw Permit Consulting, 60 Otis Street, San Francisco, CA 94103 (Owner’s Representative)  
Wing Lau, Chief Building Inspector, DBI  
Marvin Ruiz, Chief Building Inspector, Enforcement, DBI  
Patrick O’Riordan, Building Inspector, District 4, DBI  
Kaye Simonson, DCP
NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT the above named appellant(s) appeals to 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 Request for Suspension dated March 25, 2003, subject property at 1812-1816 Green Street, addressed to Frank Chiu, Director of the Dept. of Building Inspection, that Building Permit Application No(s). 2003/01/26/6145 be suspended for the reason that this permit incorrectly represented the current legal use of the property as a single family dwelling when it is in fact a two-family dwelling, and for the reason that the said permit is now being used as justification for a third Building Permit Application (2002/02/21/8004) which proposes to remove an illegal kitchen on the 1st floor, which is not illegal, and said proposal instead constitutes a dwelling unit merger subject to a mandatory Discretionary Review process.

Address & Tel. of Appellant(s):
A. & A. Dollard, Appellant(s)
C/o Jeremy Paul, Agent for Appellant(s)
60 Otis Street
SF, CA 94103
415.552.1888

I, ___________ J. Paul ___________ declare under penalty of perjury that the foregoing is true and correct. Entered on _______ April 9, 2003 _______ at San Francisco, California.

FOR HEARING ON _______ June 4, 2003 _______

Appellant or Agent

NOTICE OF DECISION & ORDER

The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on June 11, 2003, and the order was UPHELD by the Board of Appeals.

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 orders that the subject Permit Suspension Request by the Zoning Administrator is UPHELD.
NOTIFICATION TO ADJOINING PROPERTY OWNERS

BLOCK    LOT    SUBJECT PROPERTY    OWNER
0543     007    1812 Green Street    Adrian & Anne Dollard(Appellant)
          same, SF CA 94123

042      01     1810 Green Street    Dawn Greiner Tr.
          same, SF CA 94123

043      01     1806 Green Street    Thomas Stauffer
          same, SF CA

021      01     2711 Octavia Street    Bernard & Sandra Orsi
          74 St. Thomas Wy
          Tiburon, Ca 94920

CONCERNED CITIZEN: Diane Doron, c/o The Hamlin School, 2129 Vallejo Street, SF, CA 94123.
Tel: 567-2689.

June 4, 2003: Upon motion by Pres. Chin, the Board voted 5-0 to reschedule the case to Wednesday, June 11, 2003.


June 20, 2003: REQUEST FOR REHEARING will be considered by the Board at its regular scheduled meeting of Wednesday, July 9, 2003.

July 9, 2003: Upon motion by Comm. Shoemaker, the Board voted 5-0 to continue to the "Indefinite Calendar or Call of the Chair" so that the appellants can go forward with the DR hearing at the P.C.

Notice sent to department. Notice sent to all parties.
3251-3253 Steiner St. / 2205 Lombard St.; Appeal No(s). 03-036; Clear Channel vs. DBI, PDA

Proposed findings submitted by Brett Gladstone, attorney for Margaret Pocoroba, Permit Holder(s). For discussion and adoption if the rehearing request (Item 3B) is denied by the Board.

**ACTION:** Upon motion by Commissioner Shoemaker, the Board voted 5-0 to continue the consideration of findings to July 30th, 2003 with the public hearing closed.

**SPEAKERS:** Catharine Barnes, DCA, in response to a request from the Board agreed to review the three sets of findings proposed for adoption and to advise the Board as to the differences between them before further consideration of the matter. Brett Gladstone, attorney for the permit holder, said he opposes a continuance of the matter since the appellant's proposed findings were submitted late and therefore should not be considered by the Board. Jared Eigerman, attorney for appellant, said his proposed findings had been submitted timely.

**3D) REHEARING REQUEST:**

1812 Green Street; Appeal No(s). 03-053; Dollard vs. Zoning Administrator

Letter from Jeremy Paul, Agent for Adrian & Anne Dollard, Appellant(s), requesting rehearing of Appeal No(s). 03-053, decided June 11, 2003. At that time, upon motion by Commissioner Sugaya, the Board voted 2-3 (President Chin, Vice President Harrington, & Commissioner Saunders dissented) to uphold the subject Permit Suspension Request by the Zoning Administrator. Four votes being required to overturn any departmental action, the motion passed, and the ZA's Permit Suspension Request was upheld. Reason(s) for Suspension: the subject permit (BPA No. 2003/01/28/6145) incorrectly represented the current legal use of the property as a single family dwelling when it is a two-family dwelling, and for the reason that the permit is now being used as justification for a third permit (BPA No. 2002/02/21/8004) which proposes to remove an illegal kitchen on the 1st floor, which is not illegal, and the proposal constitutes a dwelling unit merger subject to the mandatory Discretionary Review process.

**ACTION:** Upon motion by Commissioner Shoemaker, the Board voted 5-0 to continue the matter to the Call of the Chair so that the appellants can go forward with a mandatory DR hearing at the Planning Commission.

**SPEAKERS:** Jeremy Paul, agent for appellants, asked the Board to grant a rehearing or continue to the Call of the Chair so that discussions can continue with the Department and they can reach an agreement making a rehearing unnecessary.

**4) CONSENT ITEMS (DBI PENALTY):**

With the consent of the Department of Building Inspection, the Board will proceed to a vote without testimony to reduce the penalty (investigation fee) to two times the regular fee as provided for in the Building Code. Without consent the Board will take testimony and then decide the appeal.
June 19, 2003

President Arnold Y. K. Chin  
San Francisco Board of Appeals  
City and County of San Francisco

Re: Appeal 03-053  
Application 2003.01.28.6145  
Hearing Date June 11, 2003

Dear President Chin and Honorable Members of the Board:

On behalf of Adrian and Anne Dollard I wish to request a rehearing of their appeal of the Zoning Administrator’s decision letter of March 25, 2003, suspending the above-referenced permit.

As you may recall, the thrust of the Dollard’s appeal is that the Zoning Administrator’s determination that their home is a duplex is contradicted by both 1) a Report of Residential Record issued at the time the Dollards purchased their first home in San Francisco indicating the current (and former) authorized use of the building to be a one family dwelling and 2) the Planning Department’s prior approval of the permit in question.

A majority of the Board voted in favor of this appeal, but the Dollards failed to receive the four votes needed to overturn the Zoning Administrator’s decision. There is a sound basis for rehearing made by Commissioner Shoemaker who indicated, when casting his vote against the Dollards, that if certain contentions brought to light by the appellant could be further substantiated, he would change his vote in their favor. The Dollards respectfully request the opportunity to present such evidence to the Board.

Respectfully submitted,

Eve Hodson
for Jeremy Paul
November 5, 2003

Adrian Dollard
1812-1816 Green Street
San Francisco, CA 94123

Darosa & Associates
475 El Camino Real, #308
Millbrae, CA 94030

Jeremy Paul
Quickdraw Permit Consulting
60 Otis Street
San Francisco, CA 94103

PROPERTY ADDRESS 1812-1816 Green St. ASSESSOR’S PARCEL NO.: Blk 543 Lot 007

The subject permit application is under Planning Department review. The application is now on
hold, until we receive the information, revisions and/or materials listed below, and verify their
accuracy.

1. The building permit application states that the existing and proposed use is
   one unit. Per the Board of Permit Appeals ruling, the legal use of this
   property is two units. The building permit application must be amended to
   indicate that the present and proposed use of the building is two-family.

2. The Planning Code does not allow porches as permitted obstructions in the
   front setback. Show the actual front setbacks of the adjacent buildings on
   the site plan so we can determine the required front setback for this
   property. Revise the porch so the supporting columns are not located in the
   required front setback.

   • Please provide the information, revisions and/or materials requested above within thirty days
     of the date of this Notice. This application may be sent to the Department of Building
     Inspection for cancellation if a complete response is not received in that time.

   • You may file any plan revisions responding to this notice at the Plans Approval Division, 1660
     Mission Street, 2nd Floor, at no extra charge. (Please do not submit plans directly to the
     Planning Department – they will not be accepted.) Also, be advised that failure to address all
     the items listed above, leading to additional requests for revisions beyond those filed in
     response to this notice, may require a Back Check Fee for Permit Revisions Planning Code
     Section 355(a)(2) and Administrative Code Section 10F.1). If you file additional plan revisions
     in the future, those plan revisions may be subject to the Back Check Fee.

   • All plans submitted must be to an appropriate scale, e.g., plot plan 1" = 10' or 20'; floor plans
     1/8" or 1/4" = 1' with the uses of all rooms and spaces labeled. Plans must be signed and
stamped by the architect or engineer who prepared them, in accord with Department of Building Inspection requirements.

- Please label photos, 3-R reports, and similar (non-plan) documents with the project address and mail them to 1660 Mission St, Fifth Floor, San Francisco 94103-2414, or submit them to the Planning Department Receptionist on the Fifth Floor, in either case directed to the attention of the Planner named below.

Please contact Kaye Simonson at (415) 558-6321 with any questions concerning this notice.
April 13, 2006

VIA MESSENGER
(415) 575-6885

Mr. Frank Fung
President, Board of Appeals
1660 Mission Street, Room 3036
San Francisco, CA 94103

Re: Request for Hearing
Appeal No(s): 03-053
1812-1816 Green Street

Dear Mr. Fung:

Ours office was recently retained by Adrian & Anne Dollard ("Appellants") to represent them in Board of Appeal No. 03-053 originally filed by Jeremy Paul on behalf of the Appellants. After reviewing the file, we have reviewed the matter and found that the Appellants purchased the building in 2002 only after they were provided with a 3-R Report stating that the subject property was a single-family home.

We have advised the Appellants to withdraw the appeal for a rehearing and to proceed with an application for unit merger before the Planning Commission.

Very truly yours,

[Signature]

Alice Suet Yee Barkley
for
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

cc: Adrian and Anne Dollard (via e-mail)
April 13, 2006

VIA FACSIMILE & U.S. MAIL
(415) 575-6885

Mr. Frank Fung
President, Board of Appeals
1660 Mission Street, Room 3030
San Francisco, CA 94103

Re: Request for Hearing
Appeal No(s): 03-053
1812-1816 Green Street

Dear Mr. Fung:

Ours office represents Adrian & Anne Dollard ("Appellants") in Board of Appeal No. 03-053. Appellants hereby withdraw this appeal for a rehearing.

Please contact this office if you have any questions or concerns.

Very truly yours,

Kenneth K. Tze
for
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

KKT/fs
BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO
MEETING MINUTES - WEDNESDAY, JUNE 11, 2003

5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B. GOODLETT PLACE

PRESENT: President Arnold Chin, Vice President Kathleen Harrington, Commissioner Hisashi Sugaya, Commissioner Sabrina Saunders, and Commissioner Douglas Shoemaker.

Catharine Barnes, Deputy City Attorney (DCA); Lawrence Badiner, Zoning Administrator (ZA); Laurence Kornfield, Chief Building Inspector, DBI (CBI DBI); Tony Wolcott, Acting Urban Forester, Dept. of Public Works, Bureau of Urban Forestry (AUB BUF); Naomi Little, Executive Director of the Taxi Commission (ED TC); Robert Feldman, Executive Secretary and Victor Pacheco, Legal Assistant, for the Board; and Claudine Woeber, Official Court Reporter.

(1) PUBLIC COMMENT:

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

SPEAKERS: None.

(2) COMMISSIONERS COMMENTS & QUESTIONS:

SPEAKERS: None.

(3) ADDENDUM ITEMS: None.

(4) APPEAL NO. 03-025

| QUERIDA MIA RIVIERS, Appellant(s) | Appealing the revocation on February 3, 2003, of taxi medallion No(s). 52.
| vs. TAXI COMMISSION, Respondent | RESOLUTION NO. 2003-05.

FOR HEARING TODAY.

ACTION: Upon motion by Vice President Harrington, the Board voted 5-0 to overrule the revocation on condition that the subject medallion be suspended for 2 months.
MEETING MINUTES, BOARD OF APPEALS, JUNE 11, 2003 - PAGE 2

SPEAKERS: Naomi Little, ED TC, said that the revocation was imposed because the Commission concluded that the appellant committed fraud in falsifying records to cover up the fact that she had not met the full time driving requirement for many years and described the appellant’s history of covering up her failure to meet the rules. Robert Moore, attorney for appellant, admitted his client’s errors and argued that the rules should not be imposed on his client’s situation as a disabled elderly person who served for many years as a driver before becoming disabled.

Public comment for TC: Mark Gruberg for the UTW said that overruling this Commission action would send the wrong message to medallion holders who do not drive but want to keep medallions for their retirement pension for the rest of their life. Rua Graffis said there are 6000 drivers in the industry and only 900 have medallions while there are several thousand on the waiting list for a medallion. She said owner-drivers insure safety to the public and keep up their cabs. Martin Kazinski said that he is a driver and that he’s been on the waiting list for 11 years, and that if he’s caught without proper waybills he’ll receive a $50 citation, while the appellant broke the rules 700 times and the revocation should be upheld. Public comment for the appellant: Brooks Dyer said laws are ephemeral and can be changed and he described how the driving requirements have changed over the years causing an injustice here. Robert Cesana said this is a matter of principle and that there is no provision in Prop. K for medallion holders who get old, tired and sick. Carl Macmurdoo said the current process causes hazardous conditions and that the appellant did not forge documents herself, and that she did not know about the law.

(5) APPEAL NO. 03-076

<table>
<thead>
<tr>
<th>ALI HZAMI, Appellant(s)</th>
<th>Appealing the revocation on May 14, 2003, of Driver of Public Passenger Vehicle Permit No(s). 105810.</th>
</tr>
</thead>
<tbody>
<tr>
<td>vs.</td>
<td>RESOLUTION NO. 2003-22. FOR HEARING TODAY.</td>
</tr>
<tr>
<td>TAXI COMMISSION, Respondent</td>
<td></td>
</tr>
</tbody>
</table>

ACTION: Upon motion by Vice President Harrington, the Board voted 5-0 to uphold the revocation.

SPEAKERS: Sgt. Vincent Simpson, Police Dept. Taxi Detail, said the revocation was because of the behavior of the appellant who treated passengers badly more than once which generated many complaints, and that the appellant represented a serious threat to public safety. Ali Hzami, appellant, explained the complaints against him and the incidents, which he said occurred on a bad day for him; he asked for another chance since this is the only way he can make a living for his family. His wife does not work and he cannot find a job. Public comment for appellant: Mohamed Arbi, friend of the appellant, said they are from a small mountain village in Tunisia and that he is sure the problems would not happen again if the Board would give the appellant another chance to drive. No public comment for Taxi Commission.
(6) **APPEAL NO. 03-053**

| ADRIAN & ANNE DOLLARD, Appellant(s) | 1812-1816 Green Street. Appealing a Request for Suspension dated March 25, 2003, addressed to Frank Chiu, Director of the Dept. of Building Inspection, that Building Permit Application No(s). 2003/01/28/6145 be suspended for the reason that this permit incorrectly represented the current legal use of the property as a single family dwelling when it is in fact a two-family dwelling, and for the reason that the said permit is now being used as justification for a third Building Permit Application (2002/02/21/8004) which proposes to remove an illegal kitchen on the 1st floor, which is not illegal, and said proposal instead constitutes a dwelling unit merger subject to a mandatory Discretionary Review process. FOR HEARING TODAY. |
| vs. | ZONING ADMINISTRATOR, Respondent |

**ACTION:** Upon motion by Commissioner Sugaya, the Board voted 2-3 (President Chin, Vice President Harrington and Commissioner Saunders dissented) to uphold the permit suspension request. Four votes being required to overturn a departmental action, the motion passed and the permit suspension request was upheld.

**SPEAKERS:** Lawrence Badiner, ZA, described the series of permits for the property back to 1930, which shows that the building is a two-family house. He cited the two addresses on it and the tenancy of Ms. Doran, whose letter is in the file, which describes her tenancy in one of the units since 1973 and her eviction by the appellants. He said the appellants are sophisticated people and are both attorneys. He asked the Board to uphold the permit suspension request, which would lead to a DR hearing under the Commission’s guidelines requiring mandatory DR for unit mergers. Jeremy Paul, agent for appellants, said the detrimental reliance argument applied in his case since his clients relied on the 3R report, which describes the lawful use as single-family, and that no prior permits made the house a lawful two-family house. He said the building has been a lawful one-family house since it was constructed. **Public comment for appellants:** Paul Friedman said the appellants bought the house with the intention of using it as a one-family house, and that they relied on the City document; he also said the former tenant’s accusations were false. Adrian Dollard, co-appellant, described his efforts to placate the former tenant and asked the Board to allow the use as single-family.
ITEMS (7A) & (7B) SHALL BE HEARD TOGETHER:

(7A) APPEAL NO. 02-105

EMPRESS HOTEL LLC, Appellant(s) vs. ZONING ADMINISTRATOR, Respondent

111 Mason Street.
Appealing a determination dated May 29, 2002, addressed to Andrew Zacks, that the Hotel Bijou at the subject property never abandoned its tourist hotel use for a period of time exceeding three consecutive years, and that the tourist hotel use could have been restored without conditional use (CU) authorization.
FOR HEARING TODAY.

(7B) APPEAL NO. 02-106

EMPRESS HOTEL LLC, Appellant(s) vs. ZONING ADMINISTRATOR, Respondent

2-16 Turk Street / 1-25 Mason Street.
Appealing a determination dated May 29, 2002, addressed to Andrew Zacks, that the Hotel Metropolis at the subject property never abandoned its tourist hotel use for a period of time exceeding three consecutive years, and that the tourist hotel use could have been restored without conditional use (CU) authorization.
FOR HEARING TODAY.

ACTION: Both appeals withdrawn by the appellant prior to meeting.

SPEAKERS: None.

(8) APPEAL NO. 03-040

ELIZABETH FREITAS, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent

1915 Diamond Street.
Appealing the denial on March 13, 2003, of a Permit to Alter Building (on a single-family house: correct record to show legal housekeeping unit, comply with NOV #200225189, remodel kitchen and bath in housekeeping unit, and repair exterior rear stairs).
APPLICATION NO. 2003/02/19/7803.
FOR HEARING TODAY.

ACTION: Upon motion by President Chin, the Board voted 5-0 to overrule the denial and grant the permit on condition that the housekeeping unit meet the Building Code.
MEETING MINUTES, BOARD OF APPEALS, JUNE 11, 2003 - PAGE 5

SPEAKERS: Jeremy Paul, agent for appellant, said this is a case of detrimental reliance since his client relied on the 3R report, and he read into the record the caveat at the top of the 3R form regarding the lawful use of the property. Lawrence Badiner, ZA, said that a housekeeping unit is considered to be a dwelling unit under the Planning Code. No public comment.

ITEMS (9A) & (9B) SHALL BE HEARD TOGETHER:

(9A) APPEAL NO. 03-057

RICHARD PETROCCHI, Appellant(s) 111 Manchester Street.
 vs. 
DEPT. OF BUILDING INSPECTION, Appealing the denial on April 14, 2003, of
Respondent Permit to Demolish a Building (2-story
PLANNING COMMISSION DISAPPROVAL single-family dwelling with 800sf of ground
floor area).
APPLICATION NO. 2002/04/22/4580.
§ 14 Party: KENDALL GOH FOR HEARING TODAY.

(9B) APPEAL NO. 03-084

RICHARD PETROCCHI, Appellant(s) 111 Manchester Street.
 vs. 
DEPT. OF BUILDING INSPECTION, Appealing the denial on April 14, 2003, of
Respondent Site Permit to Erect a Building (3-story
PLANNING COMMISSION DISAPPROVAL single family dwelling with 800sf of ground
floor area).
APPLICATION NO. 2002/04/22/4585S.
§ 14 Party: KENDALL GOH FOR HEARING TODAY.

ACTION: Upon motion by Commissioner Shoemaker, the Board voted 4-1 (Commissioner Sugaya dissented) to overrule the denials and grant the permits with the revised plans dated May 16, 2003.

SPEAKERS: Lawrence Badiner, ZA, explained the action of the Planning Commission in denying the two permits and the role of the neighbors in the matter, who think the proposed house is too large and should have the 4th level deleted and the whole house shifted four feet to the front of the lot. Stephen Antonaros, agent for appellant, described his efforts to meet the concerns of the Commission and the neighbors in the revised plans submitted to the Board. Lulu Petrocchi, wife of appellant, expressed her frustration at the actions of the neighbors who criticized her efforts to revise the plans to meet their concerns. She described how the house came to be deteriorated over many years as a rental. Kendall Goh, § 14 party, asked the Board to uphold the denial of both permits because the proposed house will be too tall and deep for this area of Bernal Heights, which is characterized by smaller houses. No public comment for appellant. Public comment for the Planning Commission: Ginger Rhea said she strongly opposes the demolition of the old Victorian, which has been allowed to deteriorate by the owners. Dennis Davenport described how he had rehabilitated his own house, obtaining a variance to add on to it. He read Mrs. Shubert's
testimony to the Board since she had to leave the meeting. Roif Kvalvik stood with Ginger Rhea who read his statement to the Board.

Richard Petrocchi, appellant, said he is a former City employee, that he is not as wealthy as the neighbors say he is, and that he intended to build an appropriate new building compatible with the area. He said that to remodel the old house would cost almost as much as building a new one. Laurence Kornfield, CBI DBI, explained the Code provisions regarding counting of stories and the requirements for them.

(10) APPEAL NO. 03-058

| BALUCA INC., Appellant(s) | 316 – 11th Street. |
| vs. | Appealing a determination dated April 9, 2003, addressed to Eric Whitaker, that despite the passage of less than 3 years since the closure of "Twenty Tank Brewery" which possessed a Place of Entertainment permit as a legal non-conforming use, the Place of Entertainment permit may not be re-established because the illegal office use that followed the brewery's closure constitutes clear intent to abandon the legal non-conforming use (night-time entertainment) under Planning Code § 183. FOR HEARING TODAY. |
| ZONING ADMINISTRATOR, Respondent |

ACTION: Upon motion by Vice President Harrington, the Board voted 5-0 to overrule the subject determination with findings as read into the record by Vice President Harrington.

SPEAKERS: Larry Badiner, ZA, explained his determination and the process that Planning used to reach its conclusions as to the use of the property. Eric Whitaker, attorney for appellant, described the business his client proposed for the building, and explained how the previous use showed the owner had not abandoned the place of entertainment use, which should be allowed to his client. Public comment for appellant: Jeremy Paul explained that places of entertainment need help in order to survive. No public comment for the ZA.

There being no further business President Chin adjourned the meeting at 9:34 p.m.

Arnold Y. K. Chin, President

Robert H. Feldman, Executive Secretary

Transcripts of these hearings can be obtained from Ms. Claudine Woeber, the Official Court Reporter, 506-0430.
BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ADRIAN & ANNE DOLLARD, ________________
Appellant(s)

 Vs.

ZONING ADMINISTRATOR, ________________
Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT the above named appellant(s) appeals to 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 Request for Suspension dated March 25, 2003, subject property at 1812-1816 Green Street, addressed to Frank Chiu, Director of the Dept. of Building Inspection, that Building Permit Application No(s). 2003/01/28/6145 be suspended for the reason that this permit incorrectly represented the current legal use of the property as a single family dwelling when it is in fact a two-family dwelling, and for the reason that the said permit is now being used as justification for a third Building Permit Application (2002/02/21/8004) which proposes to remove an illegal kitchen on the 1st floor, which is not illegal, and said proposal instead constitutes a dwelling unit merger subject to a mandatory Discretionary Review process.

Address & Tel. of Appellant(s):

A. & A. Dollard, Appellant(s)
C/o Jeremy Paul, Agent for Appellant(s)
60 Otis Street
SF, CA 94103
415.552.1888

Address & Tel. of Other Parties:

N/A

I, ______________J. Paul_________________ declare under penalty of perjury that the foregoing is true and correct. Entered on __________April 9, 2003_________ at San Francisco, California.

FOR HEARING ON __________June 4, 2003_________

Appellant or Agent

NOTICE OF DECISION & ORDER

The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on June 11, 2003, and the order was UPHELD by the Board of Appeals.

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 orders that

the subject Permit Suspension Request by the Zoning Administrator is UPHELD.

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO

Frank Fung, President

Last Day to Request Rehearing: June 23, 2003
Request for Rehearing: April 19, 2006 (withdrawn)
Rehearing: None
Notice Released: April 14, 2006

Robert H. Feldman, Executive Secretary

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.
April 13, 2006

VIA MESSENGER
(415) 575-6885

Mr. Frank Fung
President, Board of Appeals
1660 Mission Street, Room 3036
San Francisco, CA 94103

Re: Request for Hearing
Appeal No(s): 03-053
1812-1816 Green Street

Dear Mr. Fung:

Ours office was recently retained by Adrian & Anne Dollard ("Appellants") to represent them in Board of Appeal No. 03-053 originally filed by Jeremy Paul on behalf of the Appellants. After reviewing the file, we have reviewed the matter and found that the Appellants purchased the building in 2002 only after they were provided with a 3-R Report stating that the subject property was a single-family home.

We have advised the Appellants to withdraw the appeal for a rehearing and to proceed with an application for unit merger before the Planning Commission.

Very truly yours,

Alice Suet Yee Barkley
for
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

ASYB/fs

cc: Adrian and Anne Dollard (via e-mail)
July 21, 2005

Anne L & Adrian E Dollard
1812-1816 Green Street
San Francisco, CA  94123

RE:  Violation of Planning Code Article 2, Use Districts
     Illegal Merger of two-family dwelling units into a single-family dwelling unit
     Site Address:  1812-1816 Green Street, San Francisco, CA  94123
     Assessor’s Block:  0543; Lot:  007
     Zoning District:  RH-2, Residential, House Districts, Two-Family

Dear property owner:

The Planning Department has received a code violation complaint on your above referenced property. According to the complaint, the above property has illegally been converted into a single-family dwelling unit and is being offered for sale as a single-family dwelling unit. Our research on the Internet confirms that the property is listed as a single-family dwelling unit with Paragon Real Estate Group. The purpose of this notice is to inform you about the code issues involved so that you can take appropriate action to bring your property in compliance with the Planning Code.

The above property is located in RH-2 Zoning District and is authorized for two-family dwelling units. The permit records on this property also indicate that the property always contained two-family dwelling units. It seems that the property has now been converted into a single-family dwelling unit without any authorization. As you are aware, merger of dwelling units requires a mandatory Discretionary Review hearing at the Planning Commission. In 2003, a Building Permit Application no. 200302218004 to remove the kitchen from the first floor unit of your property was disapproved by the Planning Department. A Building Permit Application no. 200301286145 incorrectly showing the legal use of your property as a single-family dwelling was also suspended by the Planning Department in 2003. Upon appeal of suspension of this permit, the Board of Appeals upheld the suspension. At a request for rehearing, the Board continued the matter to the call of chair so that you can go forward with the discretionary review hearing at the Planning Commission. To date, you have not filed for such application with the Planning Department. Non-compliance with this requirement and illegal merger of dwelling units into a single-family dwelling unit is a violation of the Planning Code.
The Planning Department recommends that you apply for a building permit to reinstate the property to its authorized two-family use within 15 days from the date of this notice. Alternatively, you may apply for a Dwelling Unit Merger Process at the Planning Department to merge two-family dwelling units at your property into a single-family dwelling unit. If you believe that your property is in compliance with the Planning Code, you should provide such evidence to the Planning Department. If you do not provide evidence of code compliance or steps taken to abate the violation by August 05, 2005, further steps will be taken for the violation. After an appeal process and referral to the City Attorney, the Planning Code Section 176 (c)1 sets forth civil penalties for violations of provisions of the Planning Code, not to exceed $500 for each day such violation is committed or permitted to continue. The pending violation would prevent the approval of any new building permits and other applications that you may wish to pursue in the future. The Planning Code Section 307(c) also sets forth standards for the inspection of premises to verify the use of a property. Please contact us to arrange for a site visit when the violation is abated.

Should you have any questions about the contents of this notice, please contact the code enforcement Planner, Rachna by phone at (415) 575-6806 or e-mail at Rachna.Rachna@sfgov.org.

If any interested party believes that this order to remove a violation of the Planning Code is an abuse of discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within fifteen (15) days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals at (415) 575-6880 located at Room 3036, 1660 Mission Street, San Francisco.

Sincerely,

Lawrence B. Badiner
Zoning Administrator

CC: Carla Johnson, Chief Building Inspector, DBI
Ernie Llorente, City Attorney’s Office
Board of Appeals
Michela Alioto-Pier, Supervisor District 2
Paragon Real Estate Group
April 13, 2006

VIA FACSIMILE & U.S. MAIL
(415) 575-6885

Mr. Frank Fung
President, Board of Appeals
1660 Mission Street, Room 3036
San Francisco, CA 94103

Re: Request for Hearing
Appeal No(s): 03-053
1812-1816 Green Street

Dear Mr. Fung:

Ours office represents Adrian & Anne Dollard (“Appellants”) in Board of Appeal No. 03-053. Appellants hereby withdraw this appeal for a rehearing.

Please contact this office if you have any questions or concerns.

Very truly yours,

[Signature]

Kenneth K. Tze
for
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

KKT/fs
FINAL NOTICE TO CEASE VIOLATION

October 4, 2007

Anne L. & Adrian E. Dollard
1812 Green Street
San Francisco, Ca 94123

RE: Violation of Planning Code Section 174 and Planning Commission Policy No. 17264
Illegal Dwelling Unit Merger of two separate dwelling units into a single-family dwelling unit
Site Address: 1812-1816 Green Street, San Francisco, CA 94123
Assessor's Block: 0543; Lot: 007
Zoning District: RH-2, Residential, House Districts, Two-Family
Complaint No.: 5349

Dear Anne and Adrian Dollard:

As you are aware, a Planning Code violation on your above referenced property is still pending and needs to be resolved. The above property is in violation of Planning Code in that it has been converted from two separate dwelling units into a single-family dwelling unit without authorization from the Planning Commission. The Planning Commission Policy No. 17264 requires a Mandatory Discretionary Review (DR) process for the removal of a legal dwelling unit. This notice summarizes our previous actions and communications on the violation and reiterates the requirements to bring the above property in compliance with Planning Code.

On March 26, 2003, a Building Permit Application (BPA) # 200301286145 was suspended as it misrepresented the legal use of above property as a single-family dwelling unit. This application was used as a basis to seek a permit under another BPA # 200302218004 to remove the second kitchen from the property, which constituted a Dwelling Unit Merger (DUM) and required a mandatory Discretionary Review process. You appealed the suspension of BPA # 200301286145 to the Board of Permit Appeals. On July 9, 2003, the Board of Appeals upheld the suspension and required you to go through the mandatory Discretionary Review process. However, no such application was filed with Planning Department.

On July 14, 2005, it was brought to the Planning Department's attention that the above property was put on the market as a single-family dwelling unit. On July 21, 2005, we sent you a Notice of Violation requiring you to either reinstate the above property to its authorized use as two units or file a Discretionary Review Application for the merger of two dwellings units into a single-family dwelling unit. On August 17, 2005, I met with your attorneys Alice Barkley and Kenneth Tze at Luce, Forward, Hamilton, & Scripps LLP to discuss the options to abate the violation. On October 19, 2005, I received a letter from Mr. Tze. In this letter, Mr. Tze, proposed to comply with the Notice of Violation by creating a second unit on the ground floor and submitted the conceptual plans and background history on the property. Upon review of this proposal, I requested a site visit, which was conducted on November 30, 2005. After the site visit, I requested additional information on the proposal to ensure if the proposal would meet the
Planning and Building code requirements. On January 10, 2006, I received additional details on the proposal. After another review of the proposal, I informed Mr. Tze that the proposal would not meet the Planning Code requirements. Subsequently on April 13, 2006, you withdrew your appeal for a rehearing on the suspended BPA #200301286145 and decided to proceed with the DR process for the merger of two dwelling units into a single-family dwelling unit.

In August 2006, Mr. Tze discussed the DR application process with us and obtained the Planning Commission DUM Policy. In October 2006, Mr. Tze informed us that you were working on the DR application. In May 2007, I contacted Mr. Tze to check the status of the DR application. Mr. Tze indicated that he would confer with you and inform us on the status. To date, we have not received any further information or a DR Application.

The Planning Code Section 174 requires compliance with conditions prescribed by the Zoning Administrator, City Planning Commission, and Board of Permit Appeals in actions on appeals on Building Permits and other actions. Accordingly, the Planning Department requires that you file a mandatory DR Application for the Dwelling Unit Merger latest by October 31, 2007. Please submit the DR Application and a new Building Permit Application at the Planning Information Counter of Planning Department located at 1660 Mission Street. The DR application and the Planning Department fee schedule are available from the Planning Department website http://www.sfgov.org/site/planning_index.asp?id=25143.

Please note that the case will be referred to City Attorney on November 1, 2007 for further enforcement action and imposition of penalties, if the DR and the Building Permit Applications are NOT submitted to the Planning Department by the above date. The Planning Code Section 176(c)(1) sets forth civil penalties for violations of the provisions of Planning Code, no less than $200 for each day such violation is committed or permitted to continue. The pending violation would also prevent the approval of any new building permits and other applications that you may wish to pursue in the future.

Should you have any questions, please contact me by phone at (415) 575-6806 or e-mail at Rachna.Rachna@sfgov.org.

Sincerely,

Rachna
Code Enforcement Planner

CC: Edward Sweeney, Chief Building Inspector, Department of Building Inspection
Alex Tse, City Attorney's Office
Michela Alloco-Pier, Supervisor District 2
Alice Barkley, Luce, Forward, Hamilton, & Scripps LLP
Kenneth Tze, Luce, Forward, Hamilton, & Scripps LLP
Board of Appeals, Case NO. 03-053
David Lindsay, Planning Department
ENFORCEMENT NOTIFICATION

April 25, 2012

Property Owner
Anne L & Adrian E Dollard
1812 Green Street
San Francisco, CA 94123

Site Address: 1812 Green Street
Assessor’s Block/Lot: 0543/007
Zoning District: RH-2, House Districts, Two-Family
Complaint Number: 5349 & 7402
Code Violation: Section 317, Dwelling Unit Merger without Authorization
Administrative Penalty: $250 Each Day of Violation
Respond By: Within 15 days from April 25, 2012
Staff Contact: Rachna, (415) 575-6806 or rachna.rachna@sfgov.org

The Planning Department’s records show that a Planning Code violation exists on the above referenced property that needs to be resolved. As the owner and leaseholder of the subject property, you are a responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

DESCRIPTION OF VIOLATION

The subject property is authorized for two-family dwelling use. The violation pertains to the use of the property as a single-family dwelling use without a Dwelling Unit Removal authorization pursuant to Planning Code Section 317. Previously, the Planning Department sent you a Notice of Violation on July 21, 2005 and a Notice to Cease Violation on October 4, 2007 to abate this violation. On December 3, 2007, you filed a Building Permit Application (BPA) No. 200712039456 and on April 16, 2008, you filed a Discretionary Review Application (DRA) No. 2008.0442 to legalize the merger of two dwelling units into a single-family unit. On January 9, 2009, the BPA No. 200712039456 was cancelled as you failed to submit documents required to process this application. This application was extended upon your request till January 22, 2010. However, you did not complete this application during the extension period and consequently; the Planning Department also cancelled the DRA application on January 10, 2011.

Pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation shall be complied with in the use of land and structures to the effect that the existing lawful use or proposed use of a structure or land conforms to the provisions of the Planning Code. Such conditions, stipulations, special restrictions and other limitations include conditions prescribed by the Planning Commission and by the Board of Permit Appeals on appeals and in actions on permits. Failure to comply with any of these provisions constitutes a violation of Planning Code and is subject to enforcement process under Code Section 176.
HOW TO CORRECT THE VIOLATION

The Planning Department requires that you immediately proceed to abate the violation as following.

1. File a Dwelling Unit Removal Application for merger of the two-family dwelling into a single-family dwelling at the above property; or,

2. If you do not intend to seek the Dwelling Unit Removal process, file a Building Permit Application to reinstate the subject property to its authorized use as two separate and independent dwelling units with two separate kitchens.

You may download a Dwelling Unit Removal Application from the Planning Department’s website at http://www.sf-planning.org and get information on the application process. You may also visit the Planning Department’s Public Information Counter located at 1660 Mission Street, telephone: (415) 558-6377 for any questions regarding the planning process. Please contact the Department of Building Inspection located at 1660 Mission Street, telephone: (415) 558-6088, website: www.sfgov.org/dbi, regarding the Building Permit Application process.

To prevent further enforcement action and avoid accrual of penalties, the responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated.

TIMELINE TO RESPOND

The responsible party has fifteen (15) days from the date of this notice to contact the staff planner noted above and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code within fifteen (15) days from the date of this notice will result in issuance of a Notice of Violation and Penalty (Notice of Violation) by the Zoning Administrator. Administrative penalties of up to $250 per day will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

1) Request for Zoning Administrator Hearing. The Zoning Administrator’s decision is appealable to the Board of Appeals.

2) Appeal of the Notice of Violation and Penalty to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below $100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

3) Request for alternative review by the Planning Director under the process set forth in Planning Code Section 176.1.
ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(c)(1), the Planning Department shall charge for ‘Time and Materials’ to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department’s Conditions of Approval. Accordingly, the responsible party is currently subject to a fee of $1153 for ‘Time and Materials’ cost associated with the Code Enforcement investigation. Please submit a check payable to ‘San Francisco Planning Department’ for Code Enforcement Fund within 15 days from the date of this notice. Additional fees will continue to accrue until the violation is abated. This fee is separate from the administrative penalties as noted above and is not appealable.

OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.

cc: Edward Sweeney, Deputy Director, Department of Building Inspection

中文詢問請電: 558.6378
Para información en Español llamar al: 558.6378