



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

August 10, 2017

David Haun
Zack de Vito Architecture
156 South Park
San Francisco, CA 94107

Site Address:	88 Museum Way/236 States Street
Assessor's Block/Lot:	2620/097
Zoning District:	RH-2 (Residential-House, Two Family)
Staff Contact:	Nancy Tran, (415) 575-9174 or nancy.h.tran@sfgov.org

Dear Mr. Haun:

This letter is in response to your request for a Letter of Determination regarding the property at 88 Museum Way/236 States Street. The subject parcel is a through lot located between States Street and Museum Way within the RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk Districts. The request seeks clarification of how potential development on an undeveloped portion of the lot, along Museum Way, may be allowed.

Per Planning Code Section 134(a)(2), a rear yard equal to 45% of its lot depth is required for properties within the RH-2 (Residential-House, Two Family) Zoning District. A Zoning Administrator interpretation (dated 11/86) further clarifies that "frontage (and consequently the rear yard location) is usually chosen on the basis of what will provide a rear yard that most closely conforms to the requirement for the lot." The subject lot is developed with a two unit building fronting States Street with the rear yard extending to Museum Way. In the case of the subject lot, selecting States Street as the frontage with Museum Way as the rear property line provides a rear yard that most closely conforms to the requirements for the lot.

Planning Code Section 134(c)(4)(C), development on through lots may be permitted at both ends of the lot provided that both adjacent lots are developed with residential structures at each end. In the case of the subject lot, while both adjacent lots are through lots, neither lot contains residential structures at each end (both adjacent lots are developed with residential structures on the Museum Way frontage only and rear yards on the States Street frontage).

Planning Code Section 134(c)(4)(B) states that a lot which abuts along both side property lines lots that front on another street or alley are subject to a required rear yard of 25% or 15 feet, whichever is greater. In the case of the subject lot, both adjacent lots front on Museum Way and the subject property fronts along States Street; therefore, the subject property requires a rear yard of 31.25 feet (25% of lot depth).

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

On January 17, 1978, the Zoning Administrator granted a rear yard variance for the subject property (Case No. VZ77.70) to allow the construction of a garage within the required rear yard (the decision also includes the granting of a lot width variance to legalize the re-subdivision of the subject and adjacent property to the east). The construction of the garage was required as a condition of approval to be performed "as an integral element in the proposed rehabilitation, reconstruction and enlargement of the two-family dwelling known as 236 States Street." It should be noted that the City's review of the project at this time found that the subject building fronting States Street was located within the buildable area of the lot and the proposed garage (fronting Museum Way) was located within the required rear yard.

On August 5, 1981, the Zoning Administrator granted a variance for the subject property (Case No. VZ81.16) to modify the conditions of approval from the 1978 decision to allow the project sponsor to submit a building permit application to construct the two-car garage within 24 months of recordation of the condominium parcel map for the subject property.

On March 28, 1986, Building Permit Application No. 8503733 was issued to allow construction of a garage with entry and storage along the Museum Way frontage of the subject property. This permit was appealed to the Board of Appeals (Appeal No. 86-090), which granted the appeal on April 30, 1986 and conditioned the permit that "the ridge point be lowered to 11 feet with a sidewall height of seven feet." On November 24, 1986, the subject permit expired because no work had been performed and no further extensions could be granted.

As proposed in the plans submitted with the Letter of Determination request (dated July 10, 2017), the two-story over basement accessory structure is sited within the required rear yard and would require a variance, consistent with previous determinations, including the 1978 variance decision. The project also requires neighborhood notification pursuant to Section 311 for new construction and an Environmental Evaluation application as work appears to be located on 20% or more slope and propose up to 8 feet of excavation (to footing). It should be noted that the Property Information Map (PIM) lists the subject property as containing a known historic resource (Larco Building); however, it also lists an address of 214 States Street. This information will be reviewed by the Department's preservation staff to determine its accuracy.

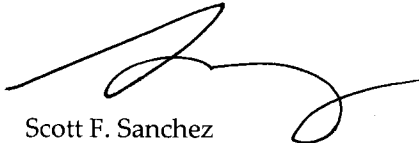
Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

David Haun
156 South Park
San Francisco, CA 94107

August 10, 2017
Letter of Determination
88 Museum Way

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Nancy Tran, Planner
Neighborhood Groups

July 10, 2017

Office of the Zoning Administrator
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Letter of Determination Request

for: 88 Museum Way APN 2620/097
associated condo on this parcel is:
236 States, APN 2620/096

Mr. Scott Sanchez and Zoning Staff,

R # 2017-009238 ZAD
CK # 121 \$ 664.-
D WASHINGTON (SW)

I am requesting a Letter of Determination for 88 Museum Way, clarifying how potential development on an undeveloped portion of the lot, along the Museum Way frontage, is allowed. There are several Planning Code sections that may apply, but the details of this lot make it somewhat unclear as to which is most appropriate. There is a history of approved and required garage, variance, and appeal for this parcel, also.

Existing Property Synopsis Exhibit EX-A Site Plan and Site Section

This parcel is the only through-lot on this block that has an address on two different streets. It has two street frontages and, potentially, two front yards. The condominiums, 88 Museum Way and 236 States occupy a single three story building on the southern edge of the parcel, at States Street. The lot is steeply sloped downhill from Museum to States. 88 Museum Way occupies the top two floors of the building, and has its physical address and its only access from Museum Way. 236 States, the unit below it, only has its access and its physical address from States Street. No right of way easements exist. It is not possible to access one condominium from, through or around the other unit. There is no existing onsite parking.

Existing Adjacent Property Synopsis: Exhibit EX-B Block Diagram and EX-C Site Photos

The two adjacent properties are through-lots. 80 & 82 Museum Way, and 96 & 100 Museum Way each have multi unit residential buildings and garages at Museum Way and rear yards along States. Of the seven adjacent contiguous through-lots, five of them have buildings on, and addresses on, Museum Way. 230 States is the only example out of this seven with a building on, and address on, States Street. All of the other through-lots on this block have a single address on one street only. The block to the south bordered by States and Ord features similar examples of through-lots, with two or one buildings along the streets on through-lots. The overall neighborhood and urban pattern is open midblock space and buildings along the streets.

Planning Code Sections:

Several Planning Code sections cited below might apply:

Section 132 (a) or 132(d)(2) applies as the basic requirement for front yards and would allow development at 88 Museum Way front yard and preserve the mid lot open space.

Section 134(c)(4)(B) applies as a rear yard, but it would require development to be held 25' minimum from Museum Way.

Section 134(c)(4)(C) applies as a rear yard, if the adjacent through-lots each have two buildings, however the adjacent through lots each have one building with two units. If applicable, this section would allow development along Museum Way and preserve mid lot open space.

Development Proposal Synopsis:

The proposal is to construct a two-car garage at Museum Way with a secure front entryway and stairs down to the garden. The building would contain an elevator, a basement, and gym / yoga space above the garage with a roof deck above that. This would create a two story facade along Museum way with a basement below it at garden level. A new sidewalk would connect the adjacent sidewalks, which are currently interrupted at 88 Museum Way.

Reasonable Need to Develop:

A two-car garage was required when the condominium map was approved, but the garage was never built. There is no existing parking on the parcel. (see permit history below, and EX-H1-3) To construct this garage would certainly improve the use and enjoyment of 88 Museum Way. The existing fence at Museum Way provides little privacy or security to the garden and entry.

Appropriateness:

88 Museum Way is the first un-built gap along Museum Way from the West. The two adjacent properties contribute to the predominant neighborhood street pattern of 2 and 3 story facades. For #88, development at Museum Way would contribute and reinforce the street pattern and connect the sidewalk for pedestrians. Development here would also maintain mid-block open space. Adjacent properties have no windows on property line, so there would be no affect on light and air.

Permit History:

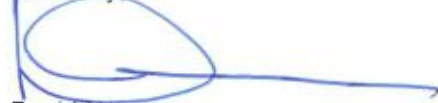
1. A condition of the condominium approval, was that a 2 car garage be built (1981.016). This permit was approved with additional time granted, to build under Variance 1981.016V. A garage and storage below is shown on the Assessor map. The garage and garden use is solely for 88 Museum way and is recorded with the Assessor. (EX-H and EX-D)
2. A Building Permit was approved for a garage under BPA8503733. (EX-E)
3. An appeal was filed. Appeal was upheld and permit for garage was modified with conditions APL 86-090. (EX-F) I do not know what the conditions were.
4. The garage was never built and the permit expired in 1986.

Letter of Determination Request:

Can the Zoning Administrator please clarify which of the cited Planning Code sections is most applicable, or otherwise cite more applicable sections. If no sections clearly apply, then please prescribe the process that would be required to apply for a building permit for development at Museum Way frontage.

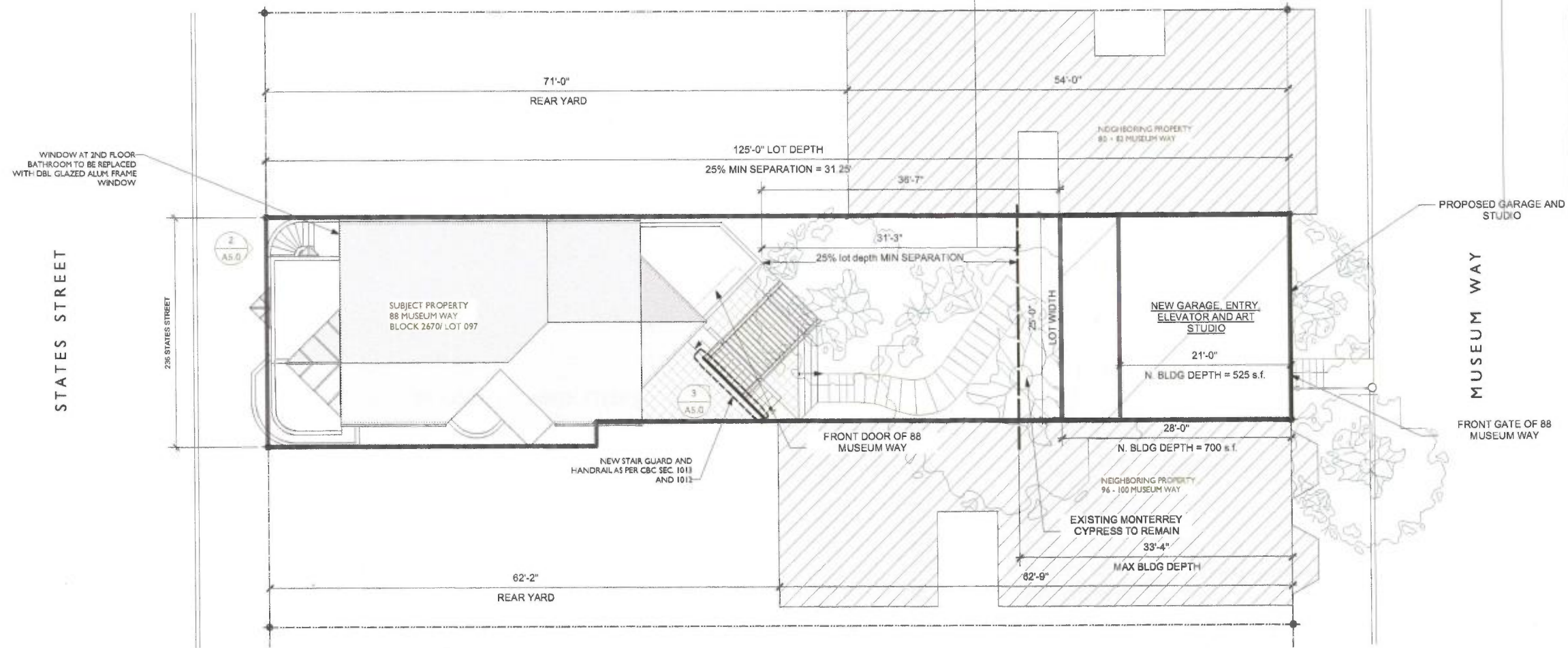
Thank you for your attention to this matter.

Sincerely,



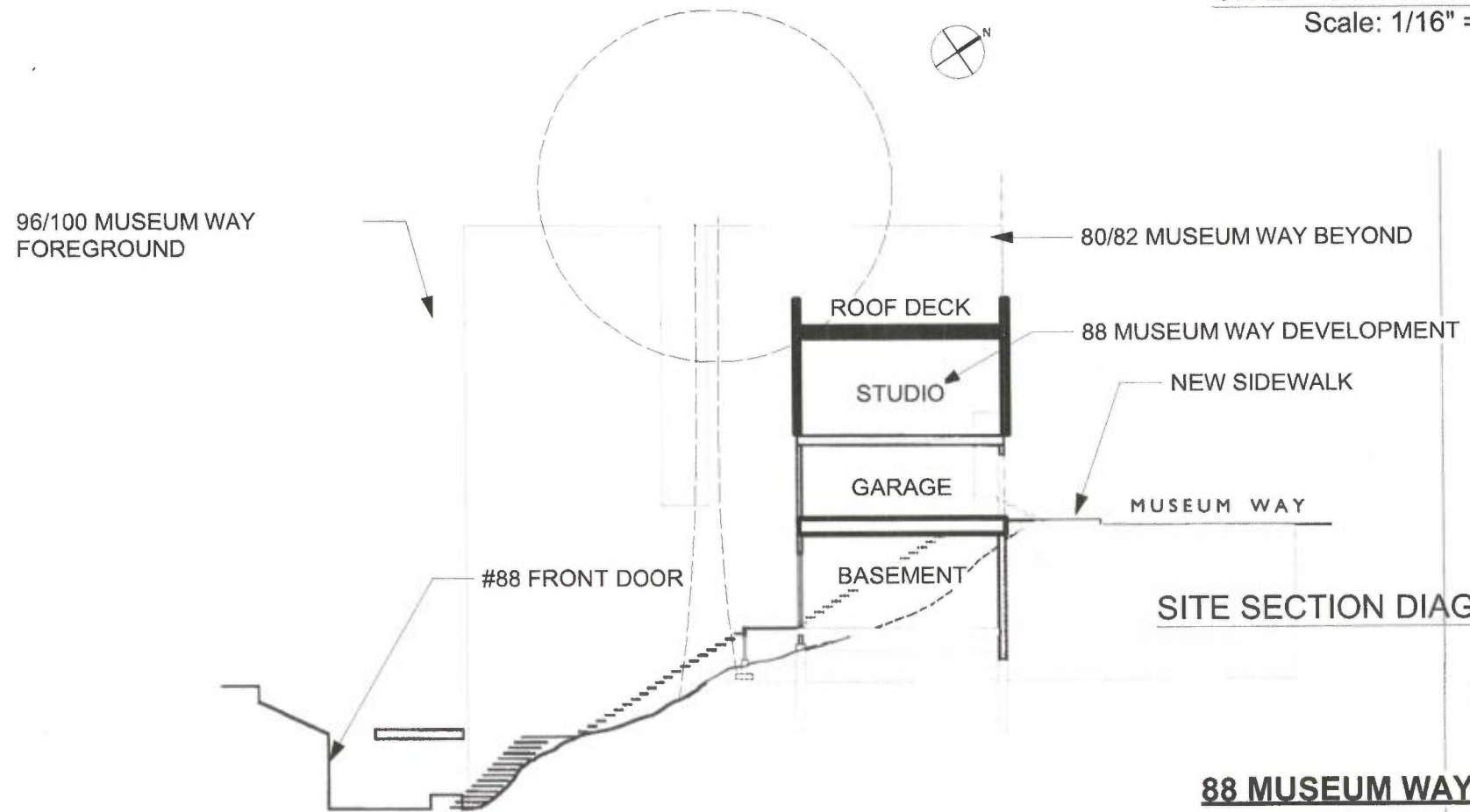
David Haun,
Project Architect
Zack de Vito Architecture

ATTN: CHECK FOR \$564.00



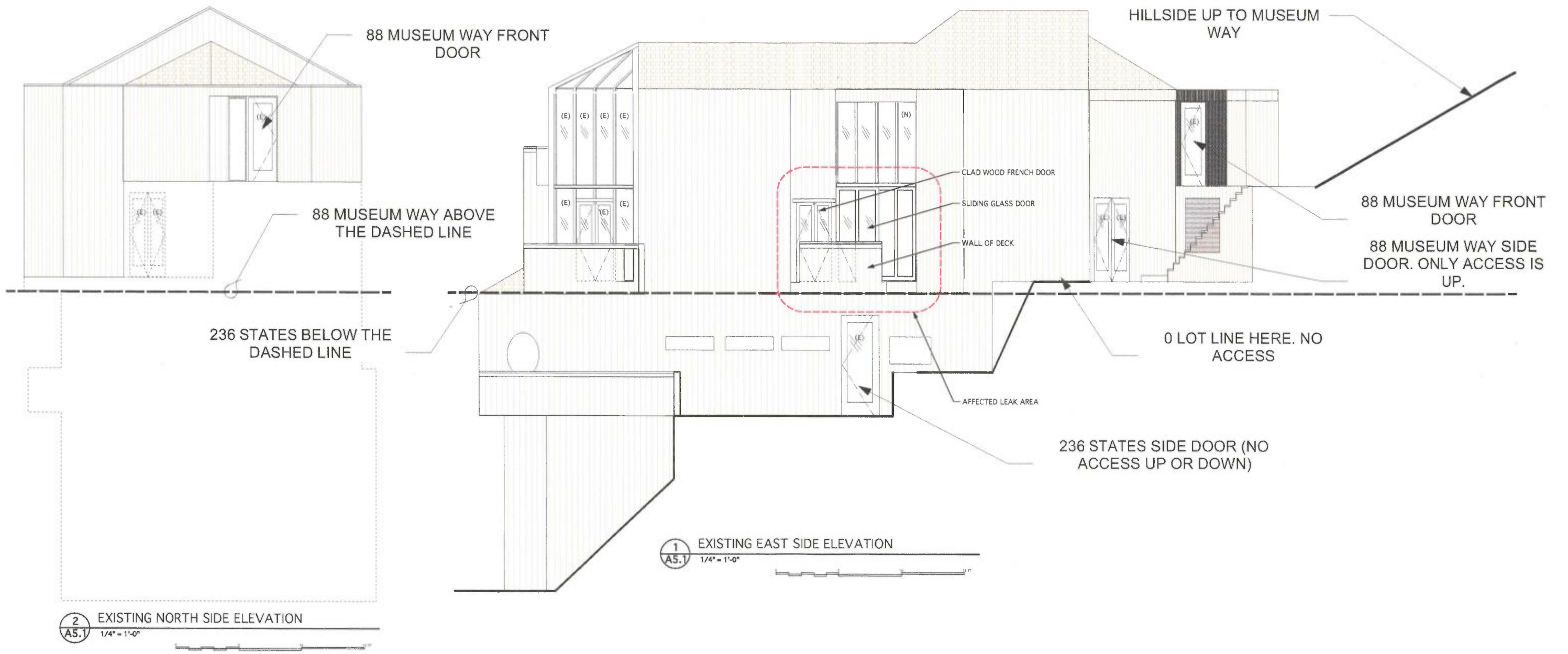
SITE PLAN DIAGRAM
Scale: 1/16" = 1'-0"

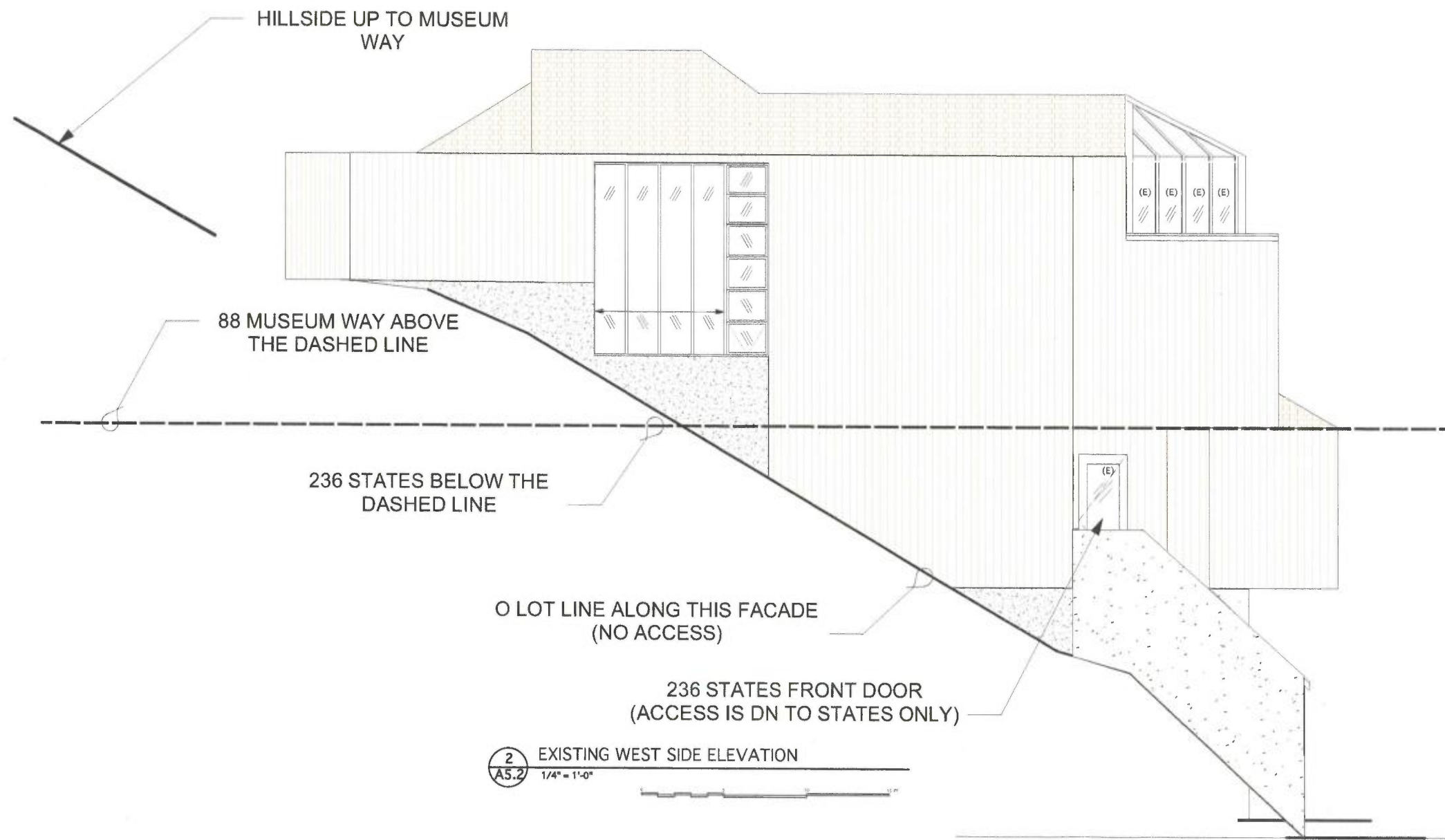
1



SITE SECTION DIAGRAM

2





HILLSIDE UP TO MUSEUM WAY

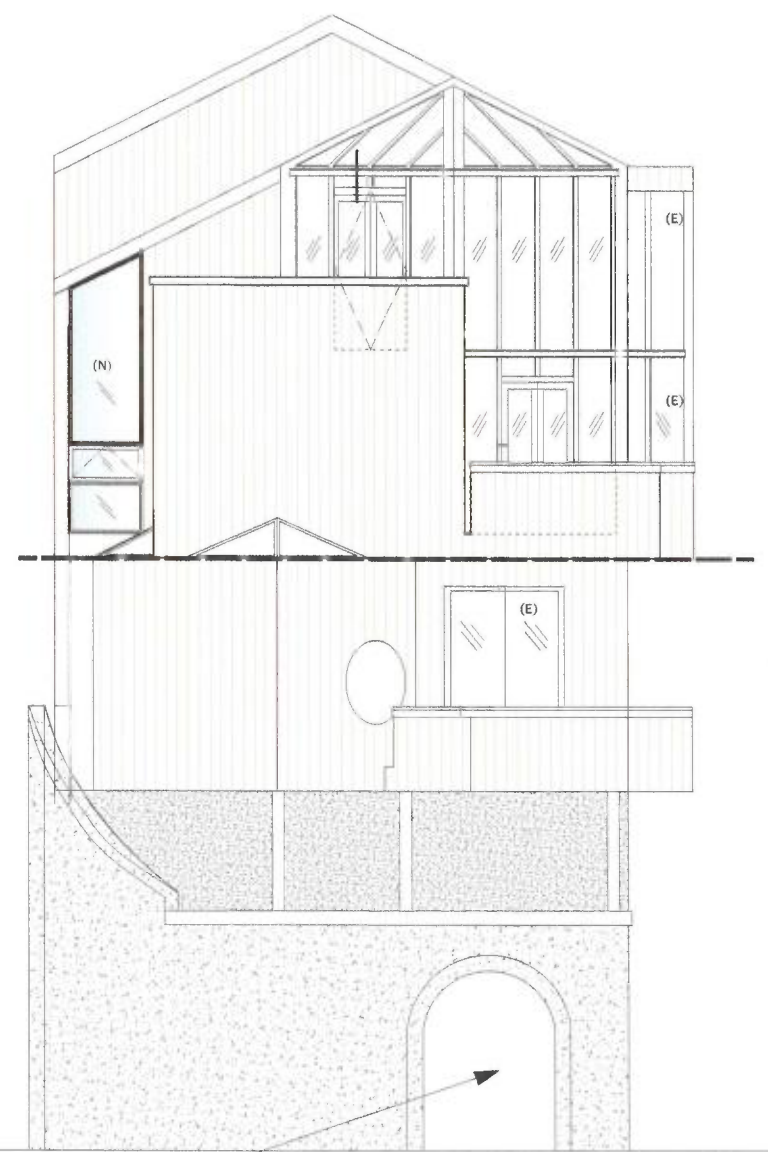
88 MUSEUM WAY ABOVE THE DASHED LINE

236 STATES BELOW THE DASHED LINE

0 LOT LINE ALONG THIS FACADE (NO ACCESS)

236 STATES FRONT DOOR (ACCESS IS DN TO STATES ONLY)

2
A5.2
1/4" = 1'-0"



2
A5.2
1/4" = 1'-0"

236 STATES ENTRY GATE @ STATES ST.

For technical issues or error messages email planning@sf.gov. All emails should include "ACA" in the subject line. Providing a screenshot, error message, and the action being taken can speed the response or correction greatly.



Home **Planning**

Search Applications/Permits

Record 1981.016:
Project Profile (PRJ)

Record Status: Closed

Record Info Custom Component

For Documents:

1. Select the record of interest *
2. Click Record Info
3. Select Attachments

* To list project records, click on Record Info and select Related Records.

Documents available online do not represent the full administrative record. To review the complete file for active records, please contact the assigned planner. To review closed records, please request the record via email at RecordRequests@sf.gov.

Work Location

236 STATES ST
0001
SAN FRANCISCO CA 94114

[View Addressmap: 236 States St](#)

Record Details

Project Description:

236 States St

Variance's - Off Street Parking And Lot Width Modify the conditions pr

Variance's - Off Street Parking And Lot Width Modify the conditions prescribed in VZ 77 70 which legalized the resubdivision of the subject lot with conditions requiring provision of 2 off street parking spaces immediately to permit the garage to be constructed within 24 months from the date of approval of the condominium conversion.

More Details

Parcel Information

Parcel Number: 2620087	Lot: 087
Block: 2620	Parcel Area: 0
Land Value: 0	Improved Value: 0
Exemption Value: 0	

EX-D

For technical issues or error messages email planning@cityofsanfrancisco.gov. Please include 'ACA' in the subject line. Providing a screenshot, error message, and the action being taken can speed the response or correction greatly.



Home

Planning

Search Applications/Permits

Record 1981.016V:

Variance (VAR)

Record Status: Closed - Approved

Record Info ▾

Custom Component

For Documents:

1. Select the record of interest *
2. Click Record Info
3. Select Attachments

* To list project records, click on Record Info and select Related Records.

Documents available online do not represent the full administrative record. To review the complete file for active records, please contact the assigned planner. To review closed records, please request the record via email at planning@cityofsanfrancisco.gov

planning@cityofsanfrancisco.gov

Work Location

236 STATES ST

0001

SAN FRANCISCO CA 94114

[View Address on a Map](#)

Record Details

Project Description:

236 States St

Variance's - Off Street Parking And Lot Width Modify the conditions pr

Variance's - Off Street Parking And Lot Width Modify the conditions prescribed in VZ7770 which legalized the resubdivision of the subject lot with conditions requiring

provision of 2 off street parking spaces immediately to permit the garage to be constructed within 24 months from the date of approval of the condominium conversion



▸ More Details

Search Applications/Permits

Record 86-090:

Appeals (APL)

Record Status: Closed

Record Info

Custom Component

For Documents:

- 1. Select the record of interest *
- 2. Click Record Info
- 3. Select Attachments

* To list project records, click on Record Info and select Related Records.

Documents available online do not represent the full administrative record. To review the complete file for active records, please contact the assigned planner. To review closed records, please request the record via email at records@cityofwyo.com

[Records@cityofwyo.com](mailto:records@cityofwyo.com)

Work Location

Record Details

Project Description:

88 MUSEUM WY

▼ **More Details**

Application Information Table

APPEAL INFORMATION

Hearing Date:	<u>04/30/1986</u>
Appeal Reason:	Other
Appeal Reason Desc:	PROTEST ISSUANCE OF PERMIT TO ERECT
Appeal Record Type:	Other
Hearing Body:	Board of Appeals
Appeal Result:	UPHOLD, GRANT PERMIT WITH CONDITION
Appeal Findings:	<u>UPHOLD, GRANT PERMIT WITH CONDITION</u>

Parcel Information

Parcel Number:	Lot:
2620096	096
Block:	
2620	

WHAT WERE CONDITIONS?

EX-F

City and County of San Francisco

Home Permit Services Plan Review Inspection Services Most Requested Key Programs

Home Most Requested

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 6/19/2017 2:34:29 PM

Application Number: 8503733
 Form Number: 2
 Address(es): 2620 / 097 / 0 88 MUSEUM WY
 Description:
 Cost: \$17,000.00
 Occupancy Code: M-1
 Building Use: 86 - PRKNG GARAGE/PRIVATE

Disposition / Stage:

Action Date	Stage	Comments
4/12/1985	FILED	
2/19/1986	APPROVED	
3/28/1986	ISSUED	
4/8/1986	APPEAL	UPHELD W/CONDITIONS 4/30/86 86-090 APL
11/24/1986	EXPIRED	
11/24/1986	EXPIRED	Work Not Completed

Contact Details:

Contractor Details:

Addenda Details:

Description:

Seq	Revision	Action	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
0	DPW-BSM					2/19/86		
0	DPW-BSM					2/19/86		
0	CP-ZOC					8/1/85		
0	DBI					8/27/85		LOG OUT/NO WORK DONE,NOT REQUIRED
0	PAD-MECH					8/6/85		LOG OUT/NO WORK DONE,NOT REQUIRED
0	PAD-STR					8/26/85		
0	CPB					2/19/86		ERROR #14

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

EX-E

When Recorded Mail to:

Jack Wholey, Esq.
Tosta & Browning Law Corporation
785 Market Street, 14th Floor
San Francisco, California 94013

SECOND AMENDMENT

1-4

TO THE

DECLARATION

OF

CONDITIONS, COVENANTS, AND RESTRICTIONS

OF

236 STATES STREET,

A CONDOMINIUM

WHEREAS, the undersigned are the Owners of all of the Condominium Units in that certain condominium project known as 236 States Street, which project and owners are defined in that certain "Declaration of Conditions, Covenants and Restrictions of 236 States Street, a Condominium," recorded on November 23, 1981 as Instrument No. D149276, in the Office of the Recorder of the County of San Francisco, State of California, as amended by the "First Amendment to the Declaration of Conditions, Covenants and Restrictions of 236 States Street, a Condominium", recorded on March 30, 1984 in Book D638, Page 185, and on May 16, 1984 in Book D675, Page 1989 (which Declaration and First Amendment are collectively referred to hereinafter as "the Declaration"); and

WHEREAS, the property is more particularly defined and delineated on that certain map entitled "Parcel Map of 236 States Street," which was recorded on November 19, 1981 in Book 22 of Parcel Maps, at pages 4 to 6 inclusive, in the Office of the Recorder of the County of San Francisco, State of California; and

WHEREAS, the Owners of Units are empowered by Section 8.4 of the Declaration to amend the Declaration pursuant to the terms thereof; and

WHEREAS it is the intention of the Owners of all the Units to amend the Declaration.

THEREFORE, the Declaration is amended as follows:

EX-G1

1. Article II, Section 2.2(c) is amended to read in full as follows:

"(c) Restricted Common Area. Portions of the Common Area referred to as "Restricted Common Area" are hereby set aside and allocated for the exclusive use of the Owners of the Units. The Restricted Common Area shall consist of the exclusive easements to use the garden area (G-2), the storage area (S-1), the deck areas (D-1, D-2A, D-2B, D-2C) and the two-level garage structure containing parking areas (P-1, P-2) on the upper level and storage area (S-2) on the lower level, as such areas are designated on the Condominium Plan. Parking areas (P-1, P-2) and storage area (S-2) respectively shall consist of the air space bounded by and contained within the respective interior surfaces of the perimeter walls, floors, ceilings, doors and windows, if any, and including such interior surfaces, of each level of the two-level garage structure which contains said areas. Such easements shall be appurtenant to respective Units as set forth below:

<u>Unit No.</u>	<u>Restricted Common Area</u>
1 236 STATES	S-1; D-1
2 88 MUSEUM	S-2; G-2; D-2A; D-2B; D-2C; P-1; P-2"

IN WITNESS WHEREOF the undersigned, being the Owners of all of the Units in the project, has executed this amendment on this 3rd day of December, 1985.

OWNERS:

UNIT 2:


JOHN F. KRAUSE

UNIT 1:


DAVID FRITZ KIRK


RICHARD RAYMOND ALBRIGHT

10:m05

0310 986

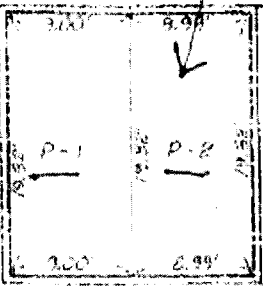
6

0310 985
FLR. ELEV. 385.50
CLG. ELEV. 373.50

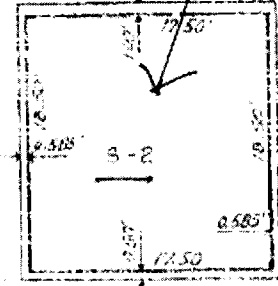
GARAGE

STORAGE

MUSEUM WAY



FLR. ELEV. 386.50
CLG. ELEV. 376.50



MUSEUM WAY ENTRY

Table for Percentage of Interest in Common Area

SQ. FT.	UNIT	LOT	%
717.92	1	96	25.17
2199.86	2	97	74.83

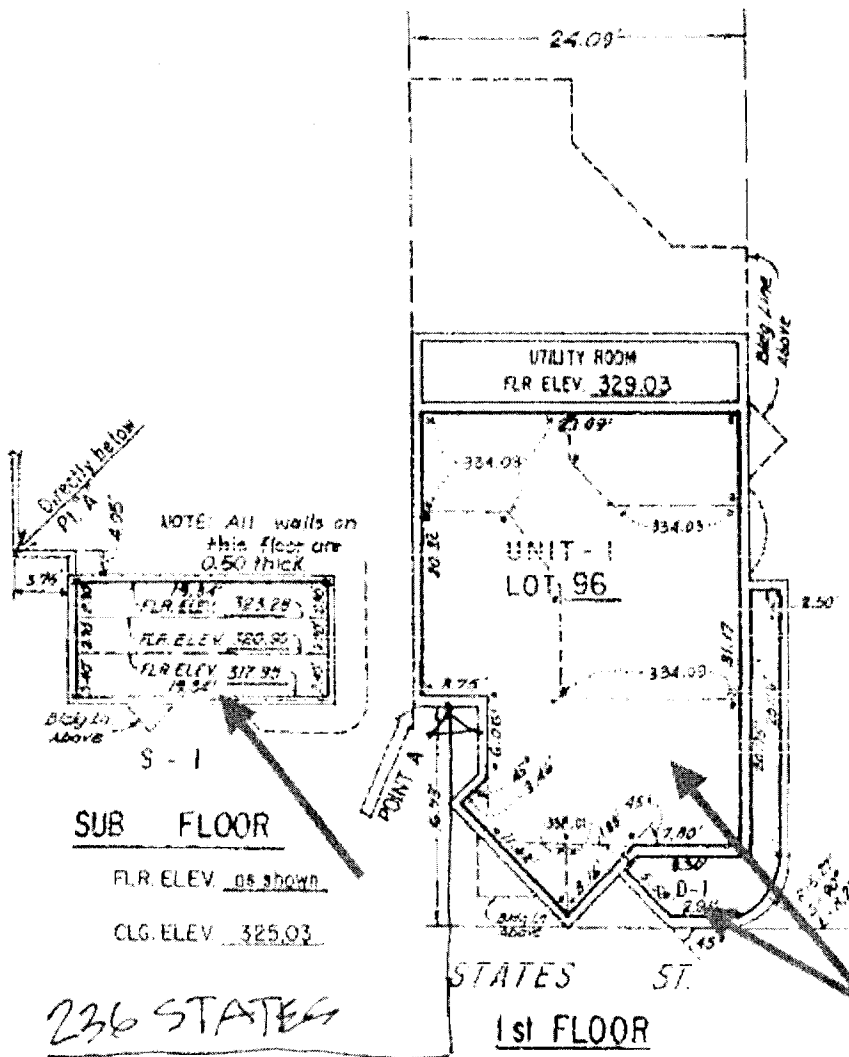
AMENDED DEC 3, 1985
FOR G2, S-2, P-1 & P-2

UPPER LEVEL
UNIT - 2
LOT 97

PARCEL MAP OF 236 STATES STREET A CONDOMINIUM

BEING A RESUBDIVISION OF LOT 87
A PORTION OF ASSESSOR'S BLK. NO. 2620
SAN FRANCISCO, CALIFORNIA

TRANSAMERICAN ENGINEERS & ASSOCIATES



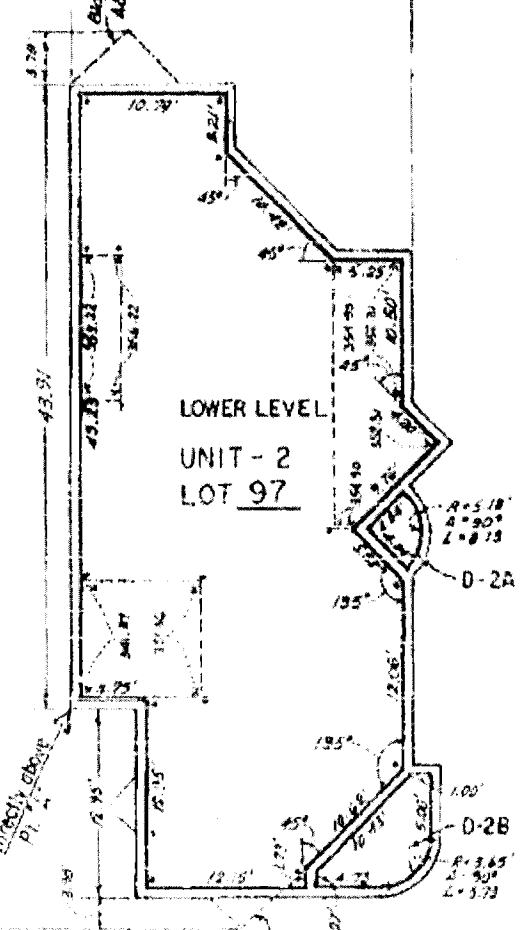
SUB FLOOR

FLR. ELEV. AS SHOWN
CLG. ELEV. 325.03

236 STATES
ENTRY

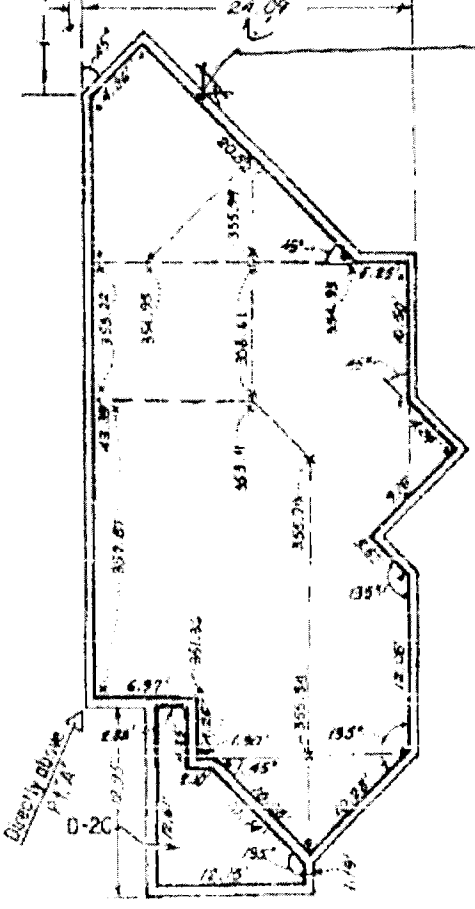
1st FLOOR
FLR. ELEV. 326.03
CLG. ELEV. 335.12 except as shown

NOTE: All walls this floor



2nd FLOOR

FLR. ELEV. 336.12
CLG. ELEV. 343.66 except as shown



3rd FLOOR

FLR. ELEV. 344.66
CLG. ELEV. 352.31 except as shown

NOTE: 336.52 indicates Ceiling Elev.

EX-H

OWNER'S CERTIFICATE:

I HEREBY CERTIFY THAT I AM THE ONLY OWNER OF THE PARCELS OF PROPERTY SHOWN ON THIS MAP AND THAT I AM THE ONLY PERSON WHOSE PROPERTY IS AFFECTED BY THE SUBDIVISION SHOWN HEREON. I HEREBY CERTIFY THAT I HAVE CONSENTED TO THE MAKING AND RECORDING OF THIS MAP AND THE MAKING OF A REPRODUCED MAP AND ENCLOSURE AS SHOWN HEREON AND I HEREBY CERTIFY TO THE MAKING AND RECORDING OF THIS MAP AND THE MAKING OF A REPRODUCED MAP AND ENCLOSURE AS SHOWN HEREON IN ACCORDANCE WITH CHAPTER 1, TITLE 4, DIVISION 10 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.

ON THIS 18 DAY OF October, 1958.

WITNESSED BY ME AND BEFORE ME, Notary Public in and for the State and County of San Francisco, personally appeared Alfred Broughton and Alfred Broughton known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.



Alfred Broughton
BY COMMISSION EXPIRES 1/1/65

TRUSTEE'S ACKNOWLEDGMENT:

STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO
ON THIS 18 DAY OF October, 1958, before me, Neil Abbott, Notary Public in and for the State and County of San Francisco, personally appeared Alfred Broughton and Alfred Broughton.

KNOWN TO ME TO BE THE Alfred Broughton and Alfred Broughton respectively, of the corporation that executed the within instrument and also known to me to be the persons who executed it on behalf of said corporation and acknowledged to me that such corporation executed the same and further acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.



Neil Abbott
BY COMMISSION EXPIRES 1/1/65

CITY ENGINEER'S CERTIFICATE:

I, James G. Moore, City Engineer of the City and County of San Francisco do hereby certify that I have examined this parcel map entitled "Parcel Map of 236 States Street", San Francisco, California, comprising 1 sheets, that the subdivision as shown hereon is substantially the same as is shown on the tentative map and any approved modifications thereof, that all provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map have been complied with and I am satisfied that said map is technically correct.

DATED THIS 2 DAY OF Nov, 1958.

James G. Moore
CITY ENGINEER
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

SURVEYOR'S CERTIFICATE:

I DO HEREBY STATE THAT DURING THE YEAR OF 1976 A SURVEY WAS MADE UNDER MY DIRECTION AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN ON THIS MAP ENTITLED "Parcel Map of 236 States Street", San Francisco, California, comprising 1 sheets. I DO HEREBY CERTIFY THAT THE MONUMENTS AND BENCH MARKS ARE OF THE CHARACTER AND OCCUPY OR WILL OCCUPY THE POSITIONS INDICATED ON THE WITHIN MAP AND THAT THEY ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE REPRODUCED AND THAT THE SURVEY IS AS SHOWN.

WITNESSED BY ME AND SEAL THIS 18 DAY OF October, 1958.

TRANSAMERICAN SURVEYING & ASSOCIATES - BY E. ABRAHAM
I.E. 5078

RECORDATION DATA:
FILED FOR RECORDING THIS 18 DAY OF October, 1958, AT San Francisco
IN VOLUME 31 OF PARCEL MAP BOOK 18 AT PAGE 4 OF 6
INCLUDES OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AT THE REQUEST OF
Alfred Broughton & Alfred Broughton

Alfred Broughton
COUNTY ENGINEER
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

PARCEL MAP OF
236 STATES STREET
A COMMERCIAL
BEING A RESUBDIVISION OF LOT 21
A PORTION OF ABRESON'S BLK. NO. 2420
SAN FRANCISCO, CALIFORNIA

D149224
RECORDED IN BOOK 18
PAGE 4
OCT 19 1958
OFFICE OF THE COUNTY ENGINEER
SAN FRANCISCO, CALIFORNIA

9/13
JR

EX-H²
JAN 1960

LEVANT ST.

MUSEUM WAY

GARAGE

Assessor's

Block 2620

25

LOT 87

615.00'

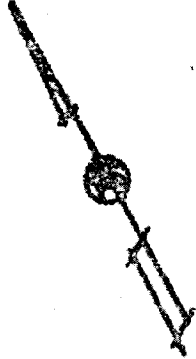
14.20'

1500'

STATES (50') STREET

All Cross on
Face Per Plot.

Area 108
Improvements
Crossed Plotted



GENERAL NOTES

1. THE SHOWN LOTS AND BUILDINGS ARE SHOWN WITHIN THE CITY OF SAN FRANCISCO, CALIFORNIA, AND ARE SUBJECT TO THE CITY CODE.
2. "UNIT" MEANS A PORTION OF A BUILDING OR STRUCTURE WHICH IS SEPARATELY OWNED, OCCUPIED, RENTED, LEASED, OR OTHERWISE USED AS A SINGLE DWELLING UNIT, AND WHICH IS NOT A PORTION OF A BUILDING OR STRUCTURE WHICH IS USED AS A SINGLE DWELLING UNIT. THE PORTION OF A BUILDING OR STRUCTURE WHICH IS USED AS A SINGLE DWELLING UNIT SHALL BE CONSIDERED A UNIT UNDER SECTION 1500 OF CALIFORNIA CIVIL CODE.
3. "COMMON AREA" MEANS ALL LOTS AND IMPROVEMENTS NOT OWNED WITHIN A UNIT. THE COMMON AREA ALSO INCLUDES BUT NOT BE LIMITED TO: ALL STAIRWAYS AND LIFT WELLS, ELEVATOR SHAFTS, PIPES AND CONDUITS FOR THE SERVICE OF SAID UNITS, FLOORS, CEILING, ROOFING, CURBS AND STAIRS TO THE IMPROVED SURFACE THEREOF, ALL REPAIRS OF LOCATION WITHIN THE SAID COMMON AREA.
4. THE OWNER OF EACH UNIT SHALL BE AN EXCLUSIVE OCCUPANT IN THE COMMON AREA AS SHOWN ON THIS MAP.
5. ALL ANGLES SHOWN ARE 90 DEGREES UNLESS OTHERWISE SPECIFIED.
6. ALL WALLS ARE 0.25' THICK UNLESS OTHERWISE NOTED.
7. THE SPECIALLY IMPROVED PARCELS SHOWN ON SHEET 1, 2-1 AND 2-2 ARE STORAGE AREAS PROVIDED FOR THE EXCLUSIVE USE OF SAID AREAS SHALL BE GRANTED AS APPROPRIATE TO PARTICULAR UNITS.
8. AREA DESIGNATED 2-1A, 2-1B, 2-1C, 2-1D, 2-1E, 2-1F, 2-1G, 2-1H, 2-1I, 2-1J, 2-1K, 2-1L, 2-1M, 2-1N, 2-1O, 2-1P, 2-1Q, 2-1R, 2-1S, 2-1T, 2-1U, 2-1V, 2-1W, 2-1X, 2-1Y, 2-1Z, 2-1AA, 2-1AB, 2-1AC, 2-1AD, 2-1AE, 2-1AF, 2-1AG, 2-1AH, 2-1AI, 2-1AJ, 2-1AK, 2-1AL, 2-1AM, 2-1AN, 2-1AO, 2-1AP, 2-1AQ, 2-1AR, 2-1AS, 2-1AT, 2-1AU, 2-1AV, 2-1AW, 2-1AX, 2-1AY, 2-1AZ, 2-1BA, 2-1BB, 2-1BC, 2-1BD, 2-1BE, 2-1BF, 2-1BG, 2-1BH, 2-1BI, 2-1BJ, 2-1BK, 2-1BL, 2-1BM, 2-1BN, 2-1BO, 2-1BP, 2-1BQ, 2-1BR, 2-1BS, 2-1BT, 2-1BU, 2-1BV, 2-1BW, 2-1BX, 2-1BY, 2-1BZ, 2-1CA, 2-1CB, 2-1CC, 2-1CD, 2-1CE, 2-1CF, 2-1CG, 2-1CH, 2-1CI, 2-1CJ, 2-1CK, 2-1CL, 2-1CM, 2-1CN, 2-1CO, 2-1CP, 2-1CQ, 2-1CR, 2-1CS, 2-1CT, 2-1CU, 2-1CV, 2-1CW, 2-1CX, 2-1CY, 2-1CZ, 2-1DA, 2-1DB, 2-1DC, 2-1DD, 2-1DE, 2-1DF, 2-1DG, 2-1DH, 2-1DI, 2-1DJ, 2-1DK, 2-1DL, 2-1DM, 2-1DN, 2-1DO, 2-1DP, 2-1DQ, 2-1DR, 2-1DS, 2-1DT, 2-1DU, 2-1DV, 2-1DW, 2-1DX, 2-1DY, 2-1DZ, 2-1EA, 2-1EB, 2-1EC, 2-1ED, 2-1EE, 2-1EF, 2-1EG, 2-1EH, 2-1EI, 2-1EJ, 2-1EK, 2-1EL, 2-1EM, 2-1EN, 2-1EO, 2-1EP, 2-1EQ, 2-1ER, 2-1ES, 2-1ET, 2-1EU, 2-1EV, 2-1EW, 2-1EX, 2-1EY, 2-1EZ, 2-1FA, 2-1FB, 2-1FC, 2-1FD, 2-1FE, 2-1FF, 2-1FG, 2-1FH, 2-1FI, 2-1FJ, 2-1FK, 2-1FL, 2-1FM, 2-1FN, 2-1FO, 2-1FP, 2-1FQ, 2-1FR, 2-1FS, 2-1FT, 2-1FU, 2-1FV, 2-1FW, 2-1FX, 2-1FY, 2-1FZ, 2-1GA, 2-1GB, 2-1GC, 2-1GD, 2-1GE, 2-1GF, 2-1GG, 2-1GH, 2-1GI, 2-1GJ, 2-1GK, 2-1GL, 2-1GM, 2-1GN, 2-1GO, 2-1GP, 2-1GQ, 2-1GR, 2-1GS, 2-1GT, 2-1GU, 2-1GV, 2-1GW, 2-1GX, 2-1GY, 2-1GZ, 2-1HA, 2-1HB, 2-1HC, 2-1HD, 2-1HE, 2-1HF, 2-1HG, 2-1HH, 2-1HI, 2-1HJ, 2-1HK, 2-1HL, 2-1HM, 2-1HN, 2-1HO, 2-1HP, 2-1HQ, 2-1HR, 2-1HS, 2-1HT, 2-1HU, 2-1HV, 2-1HW, 2-1HX, 2-1HY, 2-1HZ, 2-1IA, 2-1IB, 2-1IC, 2-1ID, 2-1IE, 2-1IF, 2-1IG, 2-1IH, 2-1II, 2-1IJ, 2-1IK, 2-1IL, 2-1IM, 2-1IN, 2-1IO, 2-1IP, 2-1IQ, 2-1IR, 2-1IS, 2-1IT, 2-1IU, 2-1IV, 2-1IW, 2-1IX, 2-1IY, 2-1IZ, 2-1JA, 2-1JB, 2-1JC, 2-1JD, 2-1JE, 2-1JF, 2-1JG, 2-1JH, 2-1JI, 2-1JJ, 2-1JK, 2-1JL, 2-1JM, 2-1JN, 2-1JO, 2-1JP, 2-1JQ, 2-1JR, 2-1JS, 2-1JT, 2-1JU, 2-1JV, 2-1JW, 2-1JX, 2-1JY, 2-1JZ, 2-1KA, 2-1KB, 2-1KC, 2-1KD, 2-1KE, 2-1KF, 2-1KG, 2-1KH, 2-1KI, 2-1KJ, 2-1KK, 2-1KL, 2-1KM, 2-1KN, 2-1KO, 2-1KP, 2-1KQ, 2-1KR, 2-1KS, 2-1KT, 2-1KU, 2-1KV, 2-1KW, 2-1KX, 2-1KY, 2-1KZ, 2-1LA, 2-1LB, 2-1LC, 2-1LD, 2-1LE, 2-1LF, 2-1LG, 2-1LH, 2-1LI, 2-1LJ, 2-1LK, 2-1LL, 2-1LM, 2-1LN, 2-1LO, 2-1LP, 2-1LQ, 2-1LR, 2-1LS, 2-1LT, 2-1LU, 2-1LV, 2-1LW, 2-1LX, 2-1LY, 2-1LZ, 2-1MA, 2-1MB, 2-1MC, 2-1MD, 2-1ME, 2-1MF, 2-1MG, 2-1MH, 2-1MI, 2-1MJ, 2-1MK, 2-1ML, 2-1MM, 2-1MN, 2-1MO, 2-1MP, 2-1MQ, 2-1MR, 2-1MS, 2-1MT, 2-1MU, 2-1MV, 2-1MW, 2-1MX, 2-1MY, 2-1MZ, 2-1NA, 2-1NB, 2-1NC, 2-1ND, 2-1NE, 2-1NF, 2-1NG, 2-1NH, 2-1NI, 2-1NJ, 2-1NK, 2-1NL, 2-1NM, 2-1NN, 2-1NO, 2-1NP, 2-1NQ, 2-1NR, 2-1NS, 2-1NT, 2-1NU, 2-1NV, 2-1NW, 2-1NX, 2-1NY, 2-1NZ, 2-1OA, 2-1OB, 2-1OC, 2-1OD, 2-1OE, 2-1OF, 2-1OG, 2-1OH, 2-1OI, 2-1OJ, 2-1OK, 2-1OL, 2-1OM, 2-1ON, 2-1OO, 2-1OP, 2-1OQ, 2-1OR, 2-1OS, 2-1OT, 2-1OU, 2-1OV, 2-1OW, 2-1OX, 2-1OY, 2-1OZ, 2-1PA, 2-1PB, 2-1PC, 2-1PD, 2-1PE, 2-1PF, 2-1PG, 2-1PH, 2-1PI, 2-1PJ, 2-1PK, 2-1PL, 2-1PM, 2-1PN, 2-1PO, 2-1PP, 2-1PQ, 2-1PR, 2-1PS, 2-1PT, 2-1PU, 2-1PV, 2-1PW, 2-1PX, 2-1PY, 2-1PZ, 2-1QA, 2-1QB, 2-1QC, 2-1QD, 2-1QE, 2-1QF, 2-1QG, 2-1QH, 2-1QI, 2-1QJ, 2-1QK, 2-1QL, 2-1QM, 2-1QN, 2-1QO, 2-1QP, 2-1QQ, 2-1QR, 2-1QS, 2-1QT, 2-1QU, 2-1QV, 2-1QW, 2-1QX, 2-1QY, 2-1QZ, 2-1RA, 2-1RB, 2-1RC, 2-1RD, 2-1RE, 2-1RF, 2-1RG, 2-1RH, 2-1RI, 2-1RJ, 2-1RK, 2-1RL, 2-1RM, 2-1RN, 2-1RO, 2-1RP, 2-1RQ, 2-1RR, 2-1RS, 2-1RT, 2-1RU, 2-1RV, 2-1RW, 2-1RX, 2-1RY, 2-1RZ, 2-1SA, 2-1SB, 2-1SC, 2-1SD, 2-1SE, 2-1SF, 2-1SG, 2-1SH, 2-1SI, 2-1SJ, 2-1SK, 2-1SL, 2-1SM, 2-1SN, 2-1SO, 2-1SP, 2-1SQ, 2-1SR, 2-1SS, 2-1ST, 2-1SU, 2-1SV, 2-1SW, 2-1SX, 2-1SY, 2-1SZ, 2-1TA, 2-1TB, 2-1TC, 2-1TD, 2-1TE, 2-1TF, 2-1TG, 2-1TH, 2-1TI, 2-1TJ, 2-1TK, 2-1TL, 2-1TM, 2-1TN, 2-1TO, 2-1TP, 2-1TQ, 2-1TR, 2-1TS, 2-1TT, 2-1TU, 2-1TV, 2-1TW, 2-1TX, 2-1TY, 2-1TZ, 2-1UA, 2-1UB, 2-1UC, 2-1UD, 2-1UE, 2-1UF, 2-1UG, 2-1UH, 2-1UI, 2-1UJ, 2-1UK, 2-1UL, 2-1UM, 2-1UN, 2-1UO, 2-1UP, 2-1UQ, 2-1UR, 2-1US, 2-1UT, 2-1UU, 2-1UV, 2-1UW, 2-1UX, 2-1UY, 2-1UZ, 2-1VA, 2-1VB, 2-1VC, 2-1VD, 2-1VE, 2-1VF, 2-1VG, 2-1VH, 2-1VI, 2-1VJ, 2-1VK, 2-1VL, 2-1VM, 2-1VN, 2-1VO, 2-1VP, 2-1VQ, 2-1VR, 2-1VS, 2-1VT, 2-1VU, 2-1VV, 2-1VW, 2-1VX, 2-1VY, 2-1VZ, 2-1WA, 2-1WB, 2-1WC, 2-1WD, 2-1WE, 2-1WF, 2-1WG, 2-1WH, 2-1WI, 2-1WJ, 2-1WK, 2-1WL, 2-1WM, 2-1WN, 2-1WO, 2-1WP, 2-1WQ, 2-1WR, 2-1WS, 2-1WT, 2-1WU, 2-1WV, 2-1WW, 2-1WX, 2-1WY, 2-1WZ, 2-1XA, 2-1XB, 2-1XC, 2-1XD, 2-1XE, 2-1XF, 2-1XG, 2-1XH, 2-1XI, 2-1XJ, 2-1XK, 2-1XL, 2-1XM, 2-1XN, 2-1XO, 2-1XP, 2-1XQ, 2-1XR, 2-1XS, 2-1XT, 2-1XU, 2-1XV, 2-1XW, 2-1XX, 2-1XY, 2-1XZ, 2-1YA, 2-1YB, 2-1YC, 2-1YD, 2-1YE, 2-1YF, 2-1YG, 2-1YH, 2-1YI, 2-1YJ, 2-1YK, 2-1YL, 2-1YM, 2-1YN, 2-1YO, 2-1YP, 2-1YQ, 2-1YR, 2-1YS, 2-1YT, 2-1YU, 2-1YV, 2-1YW, 2-1YX, 2-1YY, 2-1YZ, 2-1ZA, 2-1ZB, 2-1ZC, 2-1ZD, 2-1ZE, 2-1ZF, 2-1ZG, 2-1ZH, 2-1ZI, 2-1ZJ, 2-1ZK, 2-1ZL, 2-1ZM, 2-1ZN, 2-1ZO, 2-1ZP, 2-1ZQ, 2-1ZR, 2-1ZS, 2-1ZT, 2-1ZU, 2-1ZV, 2-1ZW, 2-1ZX, 2-1ZY, 2-1ZZ.
9. ERECTION, PIPE ESCAPES AND OTHER IMPROVEMENTS ON STATES STREET ARE ALLOWED BY BUILDING PERMITS AND ARE SUBJECT TO THE RESTRICTIONS SET FORTH IN THE BUILDING CODE OF THE CITY AND COUNTY OF SAN FRANCISCO.
10. AREA DESIGNATED 2-2 SHALL BE A COMMON AREA FOR THE EXCLUSIVE USE OF UNIT-2. SEE SHEET 2-2.
11. WHEN SUCH ERECTIONS BEING ARE MADE ON CITY BLOCK AND ARE LOCATED WEST A CORNER OF CITY BLOCK BEING, LOCATED AT THE INTERSECTION OF LEVANT & STATES STS.
12. THE SPECIALLY IMPROVED PARCELS SHOWN ON SHEET 1, 2-1 AND 2-2 ARE STORAGE AREAS PROVIDED FOR THE EXCLUSIVE USE OF SAID AREAS SHALL BE GRANTED AS APPROPRIATE TO PARTICULAR UNITS.

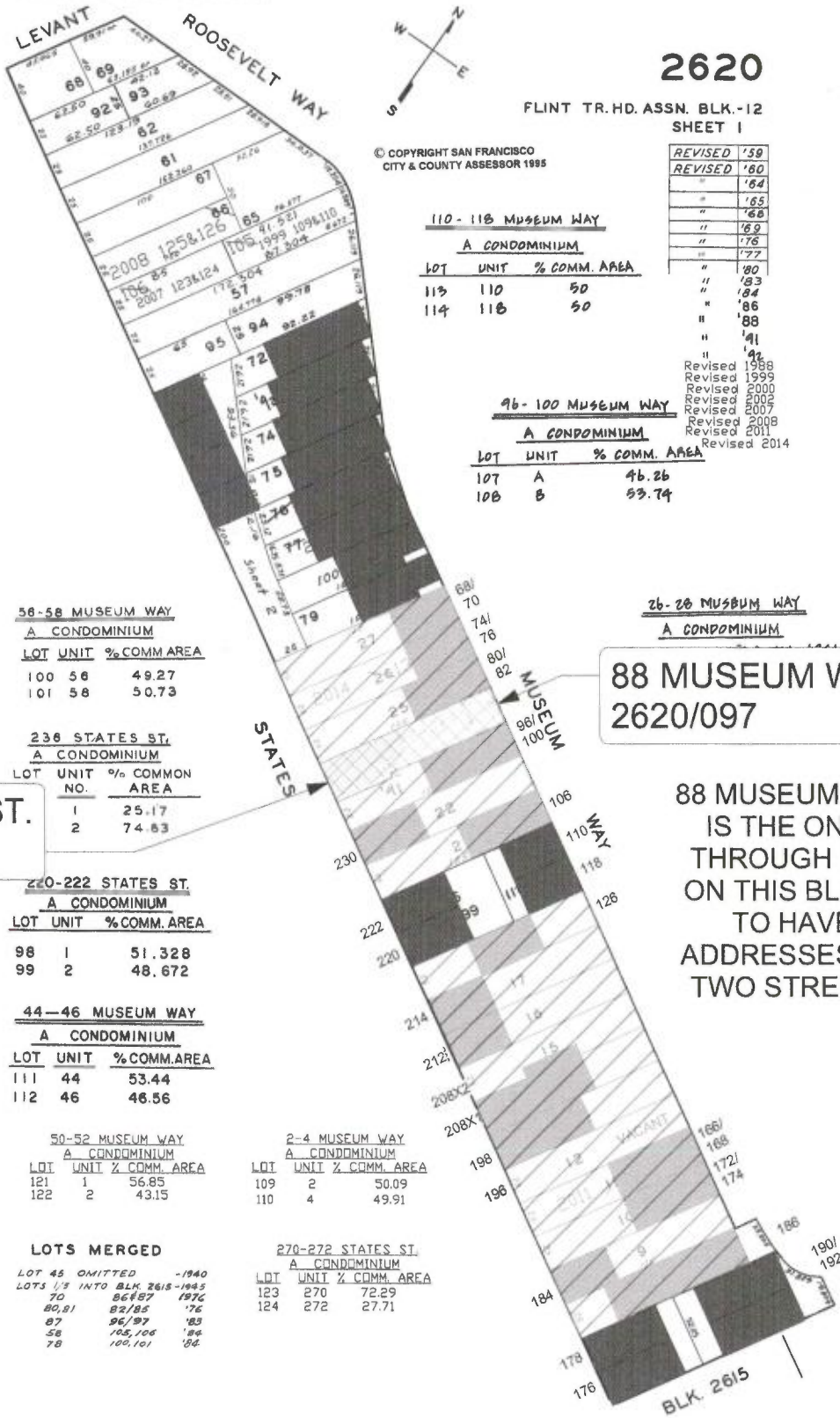
PARCEL MAP
OF 236 STATES STREET
A CONDOMINIUM
 BEING A RESUBDIVISION OF LOT
 A PORTION OF ASSESSOR'S B.L. NO. 1181
 SAN FRANCISCO, CALIFORNIA

PREPARED BY
 201-1000
 SHEET 1 OF 1

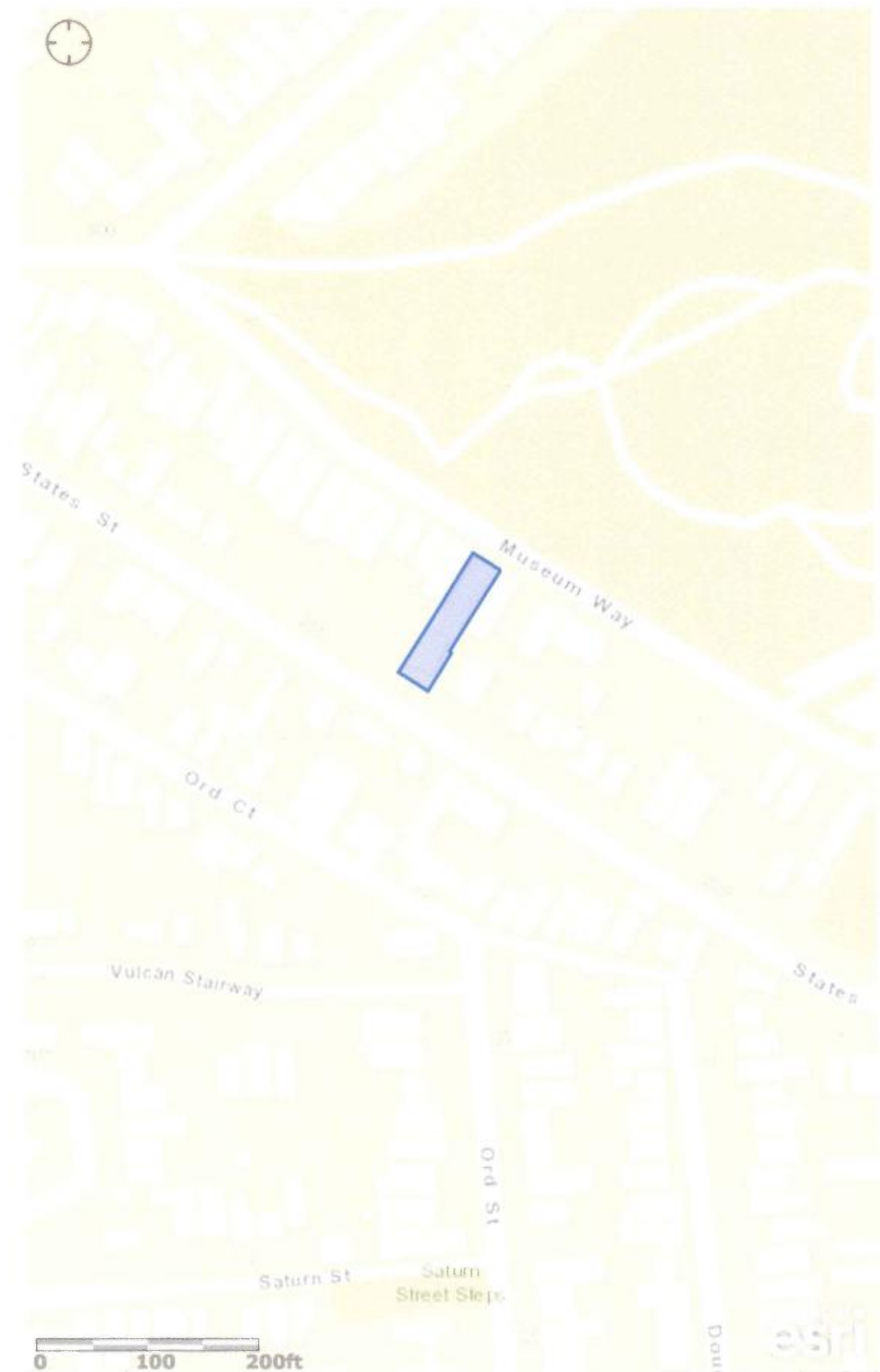
EX-H³

lot76 into lots111&112 for 1988 roll
 lot105 into lots109&110 for 1999 roll
 lots6&7&64 into lots19&120 for 2000 roll
 lot77 into lots21&122 for 2002 roll
 lot106 into lots23&124 for 2007 roll
 lot66 into lots25&126 for 2008 roll
 lot11 into lots27&128 for 2011 roll

lot26 into lots133&134 for 2014 roll



BLOCK DIAGRAM



PARCEL INFO MAP



AERIAL VIEW

1

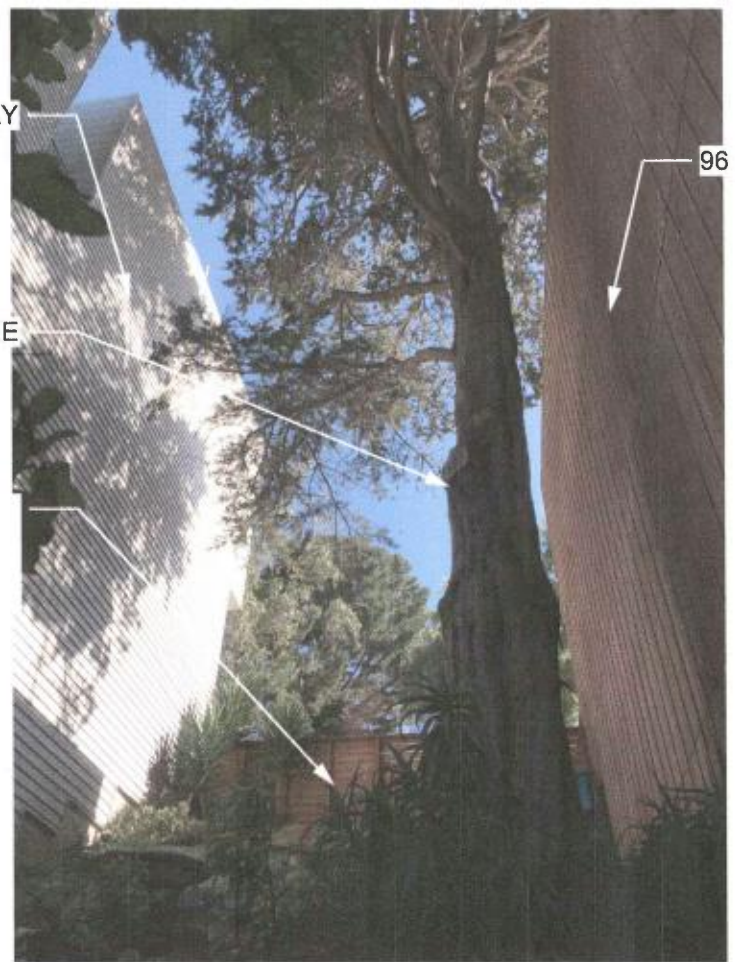
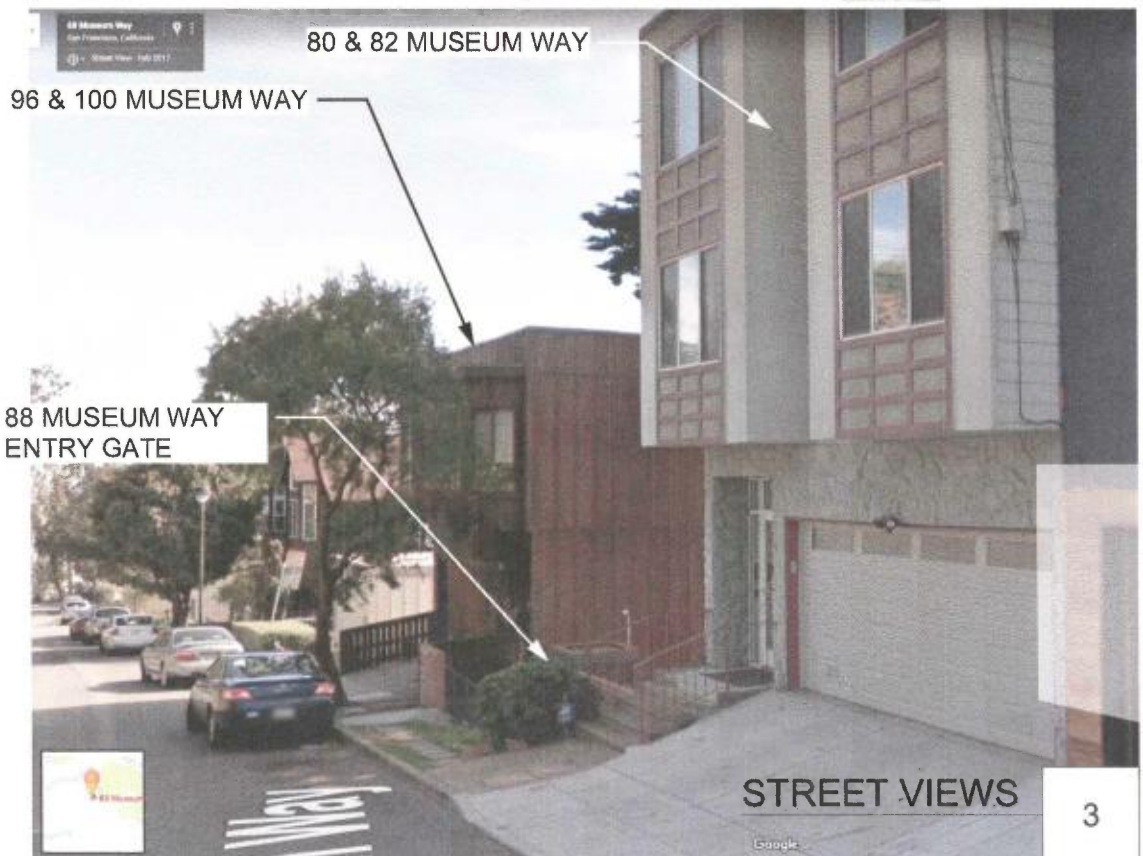


PHOTO OF 88 GARDEN

2



STREET VIEWS

3