



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

October 23, 2017

Maurice Hoory
1230 Monte Verde Court
Los Altos, CA 94024

Site Address: 106 Midcrest Way
Assessor's Block/Lot: 2825/017
Zoning District: RH-1(D) (Residential-House, One Family Detached)
Staff Contact: Gabriela Pantoja, (415) 575-8741 or gabriela.pantoja@sfgov.org
Record Number: 2017-010044ZAD

Dear Mr. Hoory,

This letter is in response to your request for a Letter of Determination regarding the property at 106 Midcrest Way. This parcel is located in the RH-1(D) (Residential-House, One Family Detached) Zoning District and 40-X Height and Bulk District.

This request is for the release of Notice of Special Restrictions (NSR) recorded on the land records by Maurice Hoory on November 17, 1988 as Document No. E274182 which restricts the subject existing structure to a single family dwelling unit and the subject structure's lower floor (garage) area as accessory to the dwelling unit. The NSR restricts the lower floor (garage) area from being used as a separate dwelling unit or rooming unit that contains cooking appliances (i.e. stove or hot plates), and the servicing of the existing structure beyond those means required for a single dwelling unit (i.e. additional mailboxes, doorbells, and utility services). The Planning Department placed such restrictions on the approval of Building Permit Application No. 0812254 in order to assist in the enforcement of code requirements and correction of the installation of an illegal dwelling unit at the subject structure. Given recent changes in State and Local law that allow for Accessory Dwelling Units (ADUs), it has been determined that the restrictions contained in the NSR are no longer necessary for the subject property and shall be released.

Attached is a copy of a Notice of Special Restrictions (NSR) releasing Document No. E274182. Please record the document, provide a copy of the recorded NSR to our staff. If you have any questions, please feel free to contact the planner assigned to your project as noted above. Additionally, please be advised that a building permit application would be required to add an ADU to the subject property.

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.

www.sfplanning.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Maurice Hoory
1230 Monte Verde Court
Los Altos, CA 94024

October 23, 2017
Letter of Determination
106 Midcrest 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
Neighborhood Groups
Gabriela Pantoja, Planner



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

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Suite 400
San Francisco,
CA 94103-2479

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Information:
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RECORDING REQUESTED BY:)
)
And When Recorded Mail To:)
)
Name: Scott F. Sanchez)
Zoning Administrator)
Address: 1650 Mission Street, Suite 400)
City: San Francisco, CA 94103)

) Space Above this Line For Recorder's Use

RELEASE OF NOTICE OF SPECIAL RESTRICTIONS

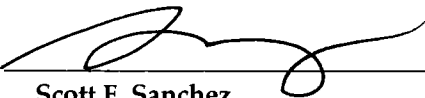
Property Address: 106 Midcrest Way
Block and Lot: 2825/017

Notice is given that the Notice of Special Restrictions recorded on the land records by **Maurice Hoory** on **November 17, 1988** as **Document No. E274182** of the Official Records is hereby **RELEASED** as it pertains to the property situated in the City and County of San Francisco, State of California, more particularly described as follows:

(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)

Said Notice of Special Restrictions is no longer necessary for the reason that it has been determined that the listed restrictions and conditions in Notice of Special Restrictions **Document No. E274182** are no longer necessary for the subject property given recent changes in State and Local law that allow for Accessory Dwelling Units (ADUs).

Dated: 10.23.17 at San Francisco California

By: 
Scott F. Sanchez
Zoning Administrator
PLANNING DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

LEGAL PROPERTY DESCRIPTION

DESCRIPTION

The land referred to herein is situated in the State of California, City and County of San Francisco, and is described as follows:

Lot 17 in Block 2825, according to Map entitled, "Map of Midtown Terrace, Subdivision No. 2, San Francisco, California", filed in the office of the City and County of San Francisco, State of California, June 5, 1952, and recorded in Map Book "R", at pages 28, 29 and 30.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)

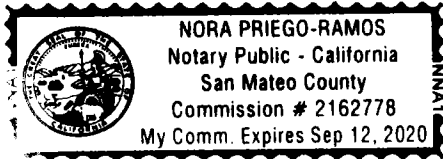
On October 23, 2017 before me, Nora Priego-Ramos, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared -----Scott Sanchez-----
Name(s) of Signer(s)

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Release of Notice of Special Restrictions - 100 Midcrant Document Date: 10/20/17
Number of Pages: 1 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Scott Sanchez
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: Zoning Administrator
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____