Letter of Determination

September 9, 2016

Pat Buscovich
Patrick Buscovich & Associates
235 Montgomery Street, Suite 1140
San Francisco, CA 94104-2906
patrick@buscovich.com

Site Address: 1335 Mariposa Street
Assessor’s Block/Lot: 4003 / 030
Zoning District: RH-3 / 40-X (Residential House, Three-Family)
Staff Contact: Ming Yeung, (415) 575-9183 or ming.yeung@sfgov.org
Record No.: 2016-011391ZAD

Dear Mr. Buscovich:

This letter is in response to your request for a Letter of Determination regarding the property at 1335 Mariposa Street. The subject property is located in an RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District. The property currently contains 11 units and a guestroom in a 3-story building.

The request seeks a release of the Notice of Special Restrictions recorded on the land records by Al Baldini on September 26, 1988 as Document No. E249973 which restricts the structure to 11 residential dwelling units and a guestroom, and which restricts the guestroom from containing cooking facilities, and requires it to contain a full bath, clothes closet and sleeping area. The request seeks to remove the guestroom on the ground floor by authorizing the conversion of the guestroom into a dwelling unit (with cooking facilities) and the merging of two dwelling units on the second floor into one dwelling unit, resulting in a total of 11 dwelling units within the building (and resulting in no change in the total number of dwelling units in the subject building).

Attached is a copy of a Notice of Special Restrictions (NSR) releasing Document E249973. Please record the document, provide a copy of the recorded NSR to our staff, and include the recorded NSR on full-size sheets attached to your plan set needed to process your building permit application. If you have any questions, please feel free to contact Ming Yeung, the planner assigned to your project.

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

www.sfplanning.org
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.

**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  
Ming Yeung, Planner
RECORDING REQUESTED BY:  

And When Recorded Mail To:  

Name: Scott Sanchez  
Zoning Administrator  

Address: 1650 Mission Street  
Suite 400  

City, State: San Francisco, CA 94109  


RELEASE OF NOTICE OF SPECIAL RESTRICTIONS  
UNDER THE PLANNING CODE  

Property Address: 1335 Mariposa Street  
Block and Lot: 4003 / 030  

Notice is hereby given that the Notice of Special Restrictions recorded on the land records by Al Baldini on September 26, 1988 as Document No. E249973 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:  

(LEGAL DESCRIPTION ATTACHED AS EXHIBIT A)  

Said Notice of Special Restrictions is no longer necessary for the reason that Building Permit Application No. 2016.04.05.3916 will remove the guestroom on the ground floor by authorizing the conversion of the guestroom into a dwelling unit and the merging of two dwelling units on the second floor into one dwelling unit, resulting in a total of eleven dwelling units within the building (resulting in no change in the number of dwelling units in the subject building). The restrictions and conditions in Notice of Special Restrictions E249973, listed above, shall be superseded by this Notice of Special Restrictions and no longer apply to the property.  

Dated: 8.8.16 at San Francisco California  

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

Beginning at the point of intersection of the southerly line of Mariposa Street and the easterly line of Connecticut Street; running thence southerly and along said line of Connecticut Street 45 feet; thence at a right angle easterly 100 feet; thence at a right angle northerly 45 feet to the southerly line of Mariposa Street; thence at a right angle westerly along said line of Mariposa Street 100 feet to the point of beginning.

Being part of POTRERO NUEVO BLOCK NO. 244.

Lot 30, Block 4003.
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 August 11, 2016 before me, Nora Prieo-Ramos, Notary Public

personally appeared Scott Sanchez

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that he/she/they signed the same 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

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: Deed
Document Date: 8/18/16
Number of Pages: 2
Signer(s) Other Than Named Above: none
Dear Z.A Sanchez,

I am requesting a formal Letter Of Determination (LOD) by the Zoning Administrator (ZA) to release the Notice of Special Restriction (NSR).

E249973
Permit 8715643
09/26/1988

Sincerely,

Pat Buscovich
Interspousal Transfer Deed

Grant Deed (Excluded from Reappraisal Under Proposition 13 i.e., Cal. Const. Art 13A§1 et seq.)

The undersigned Grantor(s) declare under penalty of perjury that the following is true and correct:

- Documentary transfer tax is $0.

- Computed on full value of property conveyed, or $0 computed on full value less value of liens and encumbrances remaining at time of sale, or $0 exempt from imposition of the Documentary Transfer Tax pursuant to Revenue and Taxation Code §11927(a), on transferring community, quasi-community, or quasi-marital property assets between spouses, pursuant to a judgment, an order, or a written agreement between spouses in contemplation of any such judgment or order.

Other exemptions:

- Unincorporated area: City of San Francisco and

- This is an Interspousal Transfer under §63 of the Revenue and Taxation Code and Grantor(s) has (have) checked the applicable exclusion from Reappraisal under Proposition 13:

- A transfer to a trust for the beneficial use of a spouse, or the surviving spouse of a deceased transferor, by a trustee of such a trust to the spouse of the trustee.

- A transfer which takes effect upon the death of a spouse.

- A transfer to a spouse or former spouse in connection with a property settlement agreement or decree of dissolution of a marriage or legal separation, or

- A reversion, transfer, or termination, solely between spouses, of any co-owner's interest.

- The distribution of a legal entity's property to a spouse or former spouse in exchange for the interest of such spouse in the legal entity in connection with a property settlement agreement or a decree of dissolution of a marriage or legal separation.

- Other.

GRANTOR(S): Al Baldini & Susan Baldini, husband & wife as community property hereby GRANT(S) to SUSAN BALDINI, an unmarried woman, as her sole and separate property the following described real property in the City and County of San Francisco, State of California:

See Exhibit "A" attached hereto and made a part hereof.

Deed is exempt from transfer tax under section #11021.

Al Baldini

Susan Baldini

September 15, 1993

Notary's Signature

Title Order No. Escrow, Loan or Attorney File No.

MAIL TAX STATEMENTS AS DIRECTED ABOVE
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
San Francisco County

9/24/93 Jennifer Gee
On 9/24/93 personally appeared Susan Baldiviez
previously known as Susan Fish

I hereby declare and acknowledge under penalty of perjury that the signature(s) attached hereto on the instrument is that of the above-named person(s) and that the above-named person(s) is the person(s) whose signature(s) are attached hereto and is/are authorized to sign on behalf of the above-named person(s) and that none of the persons executing this instrument is acting in a representative capacity.

WITNESS my hand and official Seal

[Signature]

IN WITNESS WHEREOF, I have hereunto set my hand and official Seal.

[Signature]

[Seal]

Date: 9/24/93

[Official Seal]

[Seal]

[Seal]
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of: California
County of: San Francisco

On: 11/11/93 before me, Jennifer Gee,

personally appeared: Al Baldini

Personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person 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.

[Signature]

CERTIFICATE OF NOTARY

This certificate is to be attached to the document described at right:

Title or Type of Document

Number of Pages

Date of Document

[Signature]

OPTIONAL SECTION

SIGNER IS REPRESENTING:

NAME OF PERSONS OR ENTITY(IES)

[Signature]

CAPACITY CLAIMED BY SIGNER

[Signature]

[Signature]
EXHIBIT 'A'

Beginning at the point of intersection of the southerly line of Mariposa Street and the easterly line of Connecticut Street; running thence southerly and along said line of Connecticut Street 45 feet; thence at a right angle easterly 100 feet; thence at a right angle northerly 45 feet to the southerly line of Mariposa Street; thence at a right angle westerly along said line of Mariposa Street 100 feet to the point of beginning.

Being part of POTRERO NUEVO BLOCK NO. 244.

Lot 30, Block 4003.
GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

AL BALDINI and SUSAN BALDINI, husband and wife, as community property and
AL BALDINI, a married man, who acquired title as an unmarried man

hereby GRANT(S) to

AL BALDINI and SUSAN BALDINI, husband and wife, as community property

the real property in the City of San Francisco
County of San Francisco

BEGGINING at the point of intersection of the southerly line of Mariposa Street and the
easterly line of Connecticut Street; running thence southerly and along said line of
Connecticut Street 45 feet; thence at a right angle northerly 45 feet to the southerly line of Mariposa Street; thence at a right angle
erasterly along said line of Mariposa Street 100 feet to the point of beginning.

BEING part of Potrero Nuevo Block No. 244.

Dated November 4, 1987

STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

On September 6, 1987

before me, the undersigned, a Notary Public in and for said State personally appeared: AL BALDINI and
SUSAN BALDINI

personally known to me (or 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.

WITNESS my hand and official seal.

Signature: [Signature]

MAIL TAX STATEMENTS AS DIRECTED ABOVE

STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

OFFICIAL SEAL

NOTARY PUBLIC - CALIFORNIA

This area for official notarial seal

1002 (6/92)
APPENDIX FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 OTHER AGENCIES REVIEW REQUIRED

NUMBER OF PLAN SETS

NAME AND DATE OF JOB

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

DESCRIPTION OF EXISTING BUILDING

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

ADDITIONAL INFORMATION — FORM 3 APPLICANTS ONLY

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.

The portion of building or structure if modified, used or occupied, shall conform to the California Building Code and the San Francisco Housing Code.

The building shall be in accordance with the San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and applicant on having kept or obtained the permit.

Grade lines shown on drawings accompanying this application are to be continued in lifetime use of the grade lines are not shown as shown revised drawing showing current grade lines, the line and this together with complete details of grading and all necessary details must be included to receive permission.

If any portion of the building is to be used as a dwelling unit, the building must be in accordance with the California Building Code.

A BUILDING PERMIT NOT TO BE OCCURRED UNTIL CERTIFICATE OF COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF COMPLETION IS ISSUED. WHERE APPROVED, APPROVED ANY APPLICATION FOR BUILDING PERMIT, ALL REQUIRED PERmits or REPAIRS MUST BE OBTAINED IN THE BUILDING PERMIT IS ISSUED.

In submitting all required information, must have a clearance of not less than two months from all active fire or expansion.

CHECK APPROPRIATE BOX

OWNER
ARCHITECT
ENGINEER
AGENT WITH POWER OF ATTORNEY
CONTRACTOR
ATTORNEY IN FACT

APPLICANT'S CERTIFICATION

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

NOTICE TO APPLICANT

The Permits are to be returned by the owner and kept together with the complete plans of grading and all necessary details must be included in the permit for approval.

If the condition is not modified, the building shall be in accordance with the California Building Code and the San Francisco Housing Code.

The building permit shall be posted on the job. The owner is responsible for approved plans and applicant on having kept or obtained the permit.

A BUILDING PERMIT NOT TO BE OCCURRED UNTIL CERTIFICATE OF COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF COMPLETION IS ISSUED. WHERE APPROVED, APPROVED ANY APPLICATION FOR BUILDING PERMIT, ALL REQUIRED PERMITS OR REPAIRS MUST BE OBTAINED IN THE BUILDING PERMIT IS ISSUED.

In submitting all required information, must have a clearance of not less than two months from all active fire or expansion.

CHECK APPROPRIATE BOX

OWNER
ARCHITECT
ENGINEER
AGENT WITH POWER OF ATTORNEY
CONTRACTOR
ATTORNEY IN FACT

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF PERMIT IS ISSUED FOR CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THEREIN WILL BE COMPLIED WITH.
NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE

I (We), Al Baldini, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California, more particularly described as follows (or see attached sheet marked Exhibit A on which property is more fully described):

BEGINNING at the point of intersection of the southerly line of Mariposa Street and the easterly line of Connecticut Street; running thence southerly and along said line of Connecticut Street 45 feet; thence at a right angle easterly 200 feet; thence at a right angle northerly 45 feet to the southerly line of Mariposa Street; thence at a right angle westerly along said line of Mariposa Street 100 feet to the point of beginning.

BEING Assessor's Block 4003, Lot 30, hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (City Planning Code).

Said restrictions consist of conditions attached to the approval of Building Permit Application No. B715643 by the Department of City Planning and are conditions that had to be so attached in order that said application could be approved under the City Planning Code. (Building Form 5).

The plans filed with the present application indicate an eleven (11)-family dwelling and separate ground floor (first floor) guest room at 1335 Mariposa Street.

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

1. That the structure contains eleven (11) dwelling units and one (1) separate guest room on three (3) floors of occupancy; and

2. That, as under the RH-3 zoning of the subject property, Section 208.1(e) of the City Planning Code provides that not more than one (1) three-family dwelling shall occupy a lot and said property is authorized for an eleven-family dwelling with separate guest room AND that Section 151 of said Code provides that one (1) independently accessible, on-site, off-street parking space shall be provided for any new dwelling units and the subject property contains no (0) such additional space(s); and

3. That the first floor (ground floor) shall contain three (3) studio apartments and one (1) guest room; and

4. That the kitchen cabinets, facilities and utilities be removed to source in the guest room; that the former kitchen area in the guest room be utilized as a clothes closet; and
5. That said guest room shall contain no cooking facilities; that said guest room shall contain a full bath, clothes closet, and sleeping area; and

6. That for the purposes of this restriction and the City Planning Code, installation of any appliances for cooking, such as a stove or hot plate shall be deemed creation of a kitchen and therefore creation of an additional separate dwelling unit as defined in Section 105.6 of the City Planning Code.

The use of said property contrary to these special restrictions shall constitute a violation of the City Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses herein restricted are thereby permitted and in conformity with the provisions of the City Planning Code, this document would no longer be in effect and would be null and void.

Dated: Sept 23, 1988 at San Francisco, California

[Signature of Owner]

Al Baldini

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

On Sept 23, 1988, before me, Lester D. Canedo, the undersigned, a Notary Public, in and for said City and County and State, personally appeared Al Baldini, personally known to me (or proved to be 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 or she (they) executed the same.

WITNESS my hand and official seal.

Signature [Notary Public] (This area for official notarial seal)

PLM/11/71