



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: SEPTEMBER 16, 2010

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: September 9, 2010
Case No.: **2010.0490D**
Project Address: **5 Seymour Street**
Zoning: RH-3 (Residential House, Three-Family)
40-X Height and Bulk District
Block/Lot: 1154/024
Project Sponsor: Mark Topetcher, Architect
828 Divisadero Street
San Francisco, CA 94117
Staff Contact: Shelley Caltagirone – (415) 588-6625
Shelley.Caltagirone@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The proposal is to legalize work performed without permit, including the construction of a dormer at the north slope of the roof; construction of a trellis above the rear deck at the second floor level; and replacement/installation of windows at the front and rear facades. Under the current permit application, the existing dormer would be reconstructed and set back 10 feet from the front façade. All other building details and dimensions would remain as currently built. See attached plans for details.

SITE DESCRIPTION AND PRESENT USE

The project site is located at 5 Seymour Street, on the west side between Turk Street and Golden Gate Avenue; Lot 024 in Assessor's Block 1154 in an RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. The subject lot contains approximately 2,250 square feet and measures 25 feet wide by 90 feet deep. The subject building is an approximately 40-foot-tall (at ridge), two-story-with-attic, two-unit residence constructed circa 1900.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Western Addition neighborhood. The neighborhood includes RH-3 and RM-1 zoning districts with NC-2 zoning along Divisadero Street to the west of the subject block. The subject block-face and the opposite block-face consist primarily of residential one- and two-family dwellings ranging in height between two and three stories, with larger multi-family apartment buildings at the corner lots. Most buildings on the block were constructed before 1900 and are built in Victorian and Revival styles. Adjacent to the north of the property is a two-story-with-attic, two-family house designed as a twin to the subject property. Adjacent to the south of the property is a one-story-over-garage, single-family house.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311/312 Notice	30 days	May 10, 2010 – June 9, 2010	June 9, 2010	September 16, 2010	99 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 6, 2010	September 6, 2010	10 days
Mailed Notice	10 days	September 6, 2010	September 3, 2010	13 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		1	
Other neighbors on the block or directly across the street			
Neighborhood groups			

The DR Requestor is the only neighbor who has expressed concern about the project. The Requestor’s comments are presented in the attached *Discretionary Review Application*, dated June 9, 2010.

DR REQUESTOR

Mark and Maryline Linares, owners and residents of 7 Seymour Street located immediately to the north of the subject property.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated June 9, 2010, and supplemental letter, dated September 7, 2010.

PROJECT SPONSOR’S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated September 8, 2010.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the legalized addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team found that the project contains no exceptional or extraordinary circumstances. The team found that the legalization and modification of the dormer and the legalization of the windows and trellis would cause no significant negative impacts to the light, air, or privacy of the adjacent properties. Furthermore, they found that the design is in keeping with the visual character of the subject building and of the surrounding neighborhood.

Under the Commission’s pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

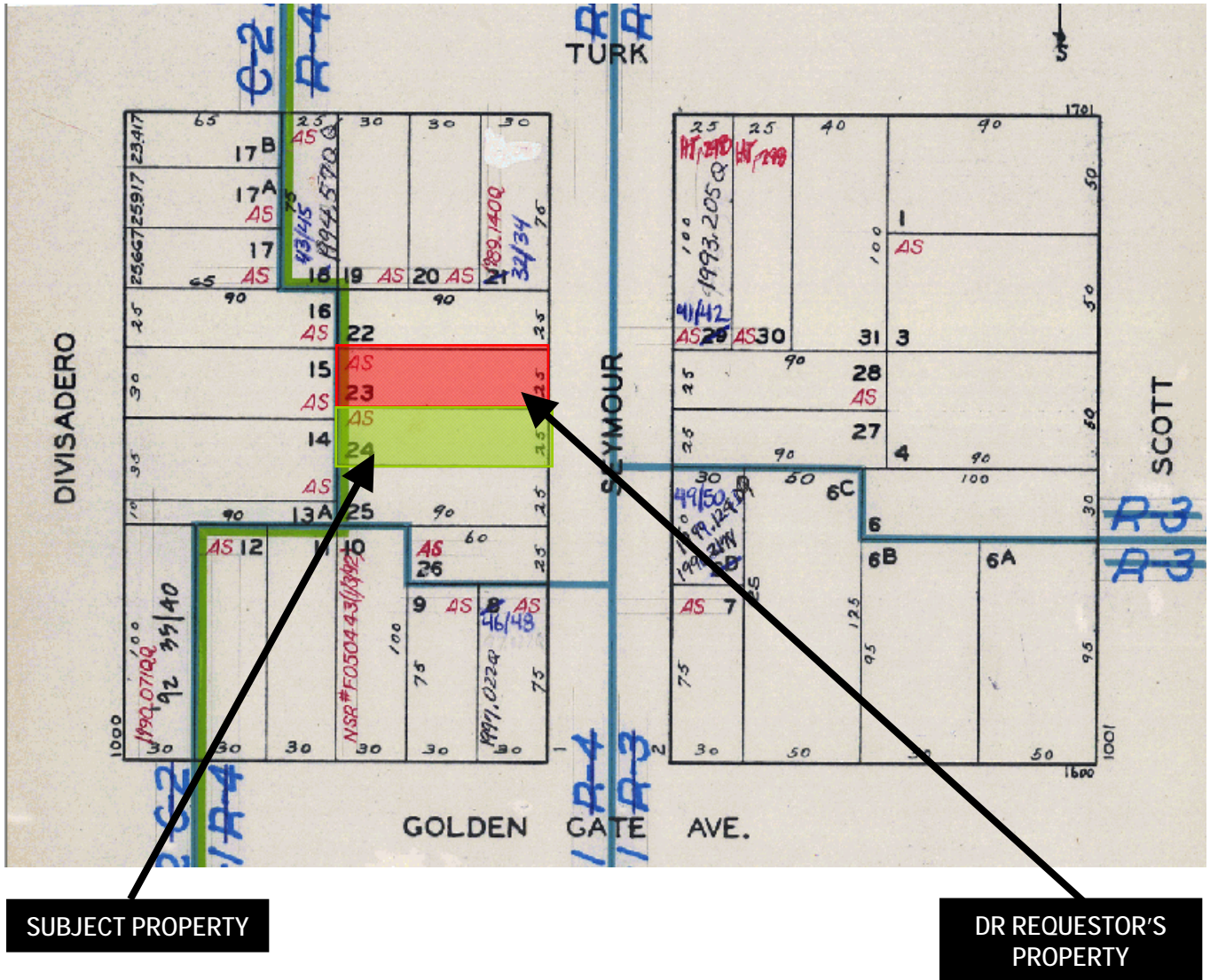
RECOMMENDATION: Do not take DR and approve project as proposed
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Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
DR Application
Response to DR Application
Reduced Plans

SC: G:\DOCUMENTS\Cases\DR\5 Seymour\5 Seymour St_DR Abbreviated Analysis.doc

Block Book Map



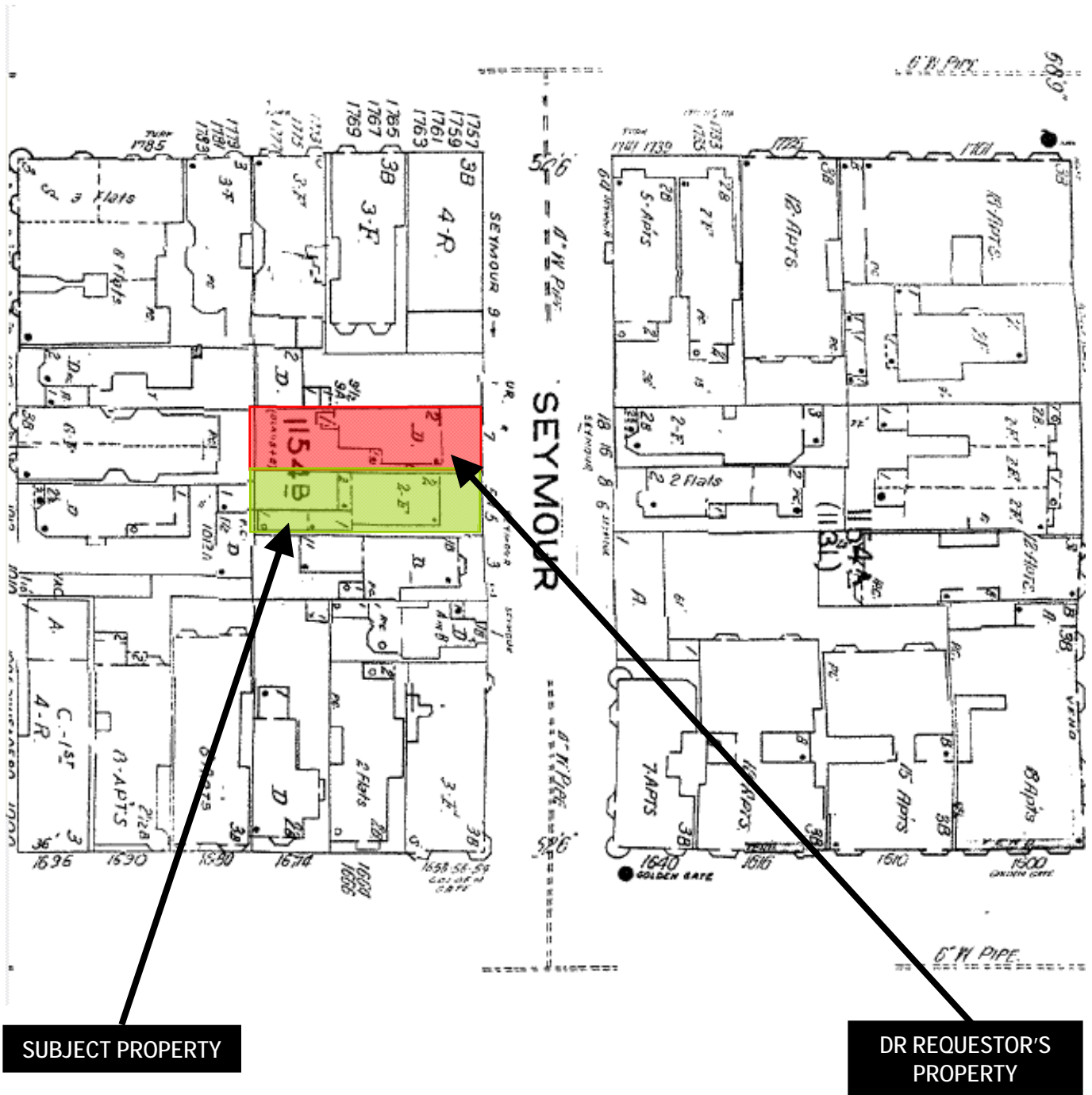
SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



Discretionary Review Hearing
 Case Number 2010.0490D
 5 Seymour Street

Sanborn Map*

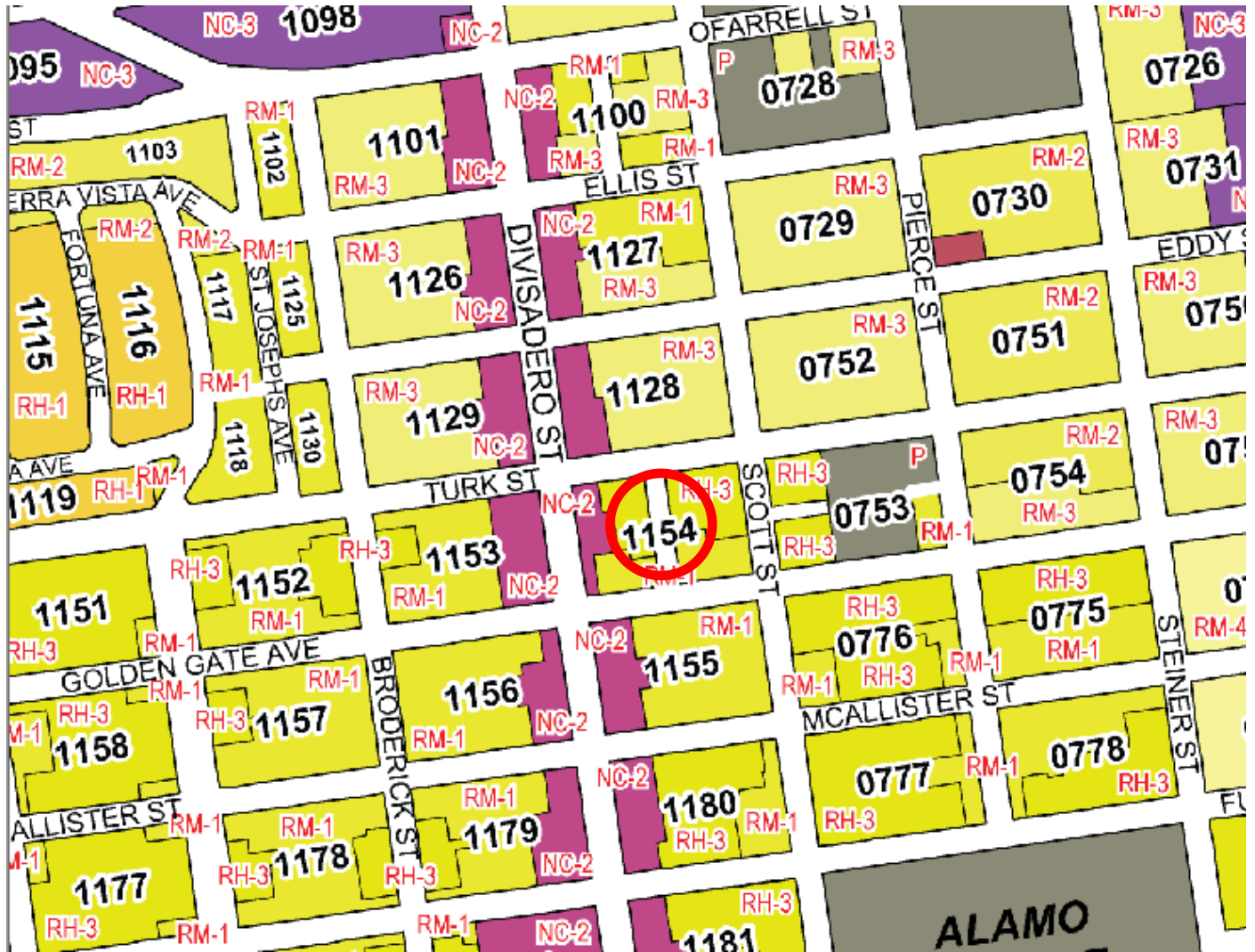


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
 Case Number 2010.0490D
 5 Seymour Street

Zoning Map



ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS

RH-1(D) RH-1 RH-1(S) RH-2 RH-3

RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS

RM-1 RM-2 RM-3 RM-4

NEIGHBORHOOD COMMERCIAL DISTRICTS

NC-1 NC-2 NC-3 NCD NC-S

SOUTH OF MARKET MIXED USE DISTRICTS

SPD RED RSD SLR SLI SSO

COMMERCIAL DISTRICTS

C-2 C-3-S C-3-G C-3-R C-3-O C-3-O(SD)

INDUSTRIAL DISTRICTS

C-M M-1 M-2

CHINATOWN MIXED USE DISTRICTS

CRNC CVR CCB

RESIDENTIAL-COMMERCIAL DISTRICTS

RC-3 RC-4

REDEVELOPMENT AGENCY DISTRICTS

MB-RA HP-RA

DOWNTOWN RESIDENTIAL DISTRICTS

RH DTR TB DTR

MISSION BAY DISTRICTS

MB-OS MB-O

PUBLIC DISTRICT

P



Aerial Photograph



SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY



Site Photograph



View of front facade looking northwest.

Discretionary Review Hearing
Case Number 2010.0490D
5 Seymour Street

Site Photograph



View of 5, 7, and 9 Seymour Street looking southwest.

Discretionary Review Hearing
Case Number 2010.0490D
5 Seymour Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **June 12, 2008**, the Applicant named below filed Building Permit Application No. **2008.06.12.4326** (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Mark Topetcher, Architect	Project Address:	5 Seymour Street
Address:	828 Divisadero Street	Cross Streets:	Turk Street and Golden Gate Ave.
City, State:	San Francisco, CA 94117	Assessor's Block /Lot No.:	1154/024
Telephone:	(415) 415-645-3005	Zoning Districts:	RH-3/40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input checked="" type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input checked="" type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUILDING USE	Two-Family Dwelling	No Change
FRONT SETBACK	16 feet, 6 inches	No Change
BUILDING DEPTH	49 feet, 6 inches	No Change
REAR YARD	24 feet, 0 inches	No Change
HEIGHT OF BUILDING (to ridge)	40 feet, 0 inches	No Change
NUMBER OF STORIES	3	No Change
NUMBER OF DWELLING UNITS	2	No Change
NUMBER OF OFF-STREET PARKING SPACES	1	No Change
PROJECT DESCRIPTION		

The proposal is to legalize work performed without permit, including the construction of a dormer at the north slope of the roof; construction of a trellis above the rear deck at the second floor level; and replacement/installation of windows at the front and rear facades. Under the current permit application, the existing dormer would be reconstructed and set back 10 feet from the front façade. All other building details and dimensions would remain as currently built. See attached plans for details.

PLANNER'S NAME:	Shelley Caltagirone	DATE OF THIS NOTICE:	5/10/2010
PHONE NUMBER:	(415) 558-6625	EXPIRATION DATE:	6/9/2010
EMAIL:	shelley.caltagirone@sfgov.org		

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. Call the nonprofit organization Community Boards at (415) 920-3820. They are specialists in conflict resolution through mediation and can often help resolve substantial disagreement in the permitting process so that no further action is necessary.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfgov.org/planning). You must submit the application to the Planning Information Center during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check for \$300.00, for each Discretionary Review request payable to the Planning Department. If the project includes multi building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the Board of Appeals within 15 days after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including their current fees, contact the Board of Appeals at (415) 575-6880.

APPLICATION REQUESTING DISCRETIONARY REVIEW ("D.R.")

This application is for projects where there are exceptional and extraordinary circumstances that justify further consideration, even though the project already meets requirements of the Planning Code, City General Plan and Priority Policies of the Planning Code.

D.R. Applicant's Name MARK AND MARYLINE LINARES Telephone No: 415-282-5978

D.R. Applicant's Address 7 SEYMOUR STREET
Number & Street (Apt. #)
SAN FRANCISCO 94115
City Zip Code

D.R. Applicant's telephone number (for Planning Department to contact): 415-282-5978
If you are acting as the agent for another person(s) in making this request please indicate the name and address of that person(s) (if applicable):

Name _____ Telephone No: _____

Address _____
Number & Street (Apt. #)
_____ City Zip Code

Address of the property that you are requesting the Commission consider under the Discretionary Review: 5 SEYMOUR STREET, SAN FRANCISCO, CA 94115

Name and phone number of the property owner who is doing the project on which you are requesting D.R.: WINSTON MONTGOMERY AND MARGARET NELSON

Building Permit Application Number of the project for which you are requesting D.R.: 2008.0612.4326

Where is your property located in relation to the permit applicant's property?
ADJACENT PROPERTY (NORTH SIDE)

A. ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

Citizens should make very effort to resolve disputes before requesting D.R. Listed below are a variety of ways and resources to help this happen.

- 1. Have you discussed this project with the permit applicant? YES NO
- 2. Did you discuss the project with the Planning Department permit review planner? YES NO
- 3. Did you participate in outside mediation on this case? Community Board Other NO

L. J. Miller
Approved L. James Miller

6-9-2010

10.04900

4. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the results, including any changes that were made to the proposed project so far.

NO RESULT WAS ACCOMPLISHED WHEN PROJECT DISCUSSED WITH APPLICANT, PLANNING STAFF. PROPERTY WAS ADDED ON VERTICALLY AND HORIZONTALLY WITHOUT PERMIT AND INSPECTIONS AND IS IN VIOLATION OF THE SF BUILDING AND PLANNING CODE, WHICH RESULTED IN NEGATIVELY IMPACTING OUR PROPERTY AT 7 SEYMOUR ST. THE REVISED PLANS UNDER NOTICE 311 PROVIDED FOR 5 SEYMOUR ARE INACCURATE, MISLEADING AND INCOMPLETE.

B. DISCRETIONARY REVIEW REQUEST

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies?

THE PROJECT DOES NOT MEET THE STANDARDS OF THE SF PLANNING CODE. THE PROJECT IS IN VIOLATION OF THE MINIMUM STANDARDS OF THE PLANNING CODE, WHICH NEGATIVELY IMPACTS OUR PROPERTY. THE PROJECT NEEDS TO MEET THE SF PLANNING CODE. THE PROJECT ALSO REPRESENT MULTIPLE SAFETY HAZARDS.

2. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

I BELIEVE OUR PROPERTY IS ADVERSELY AFFECTED BY THE PROPERTY AT 5 SEYMOUR STREET. OUR FAMILY (COMPOSED OF 2 ADULTS AND 4 CHILDREN) ARE DEPRIVED OF PRIVACY, VIEW, SUNLIGHT AND AIR QUALITY DUE TO THE FACT THAT 5 SEYMOUR STREET ILLEGALLY ADDED ON VERTICALLY AND HORIZONTALLY WITHIN INCHES OF THE SIDE PROPERTY LINE, WHICH IS ALSO A MAJOR SAFETY CONCERN, BEYOND THE ALLOWABLE STANDARDS REQUIREMENTS SET BY THE SF PLANNING CODE AND WITHOUT STRUCTURAL REVIEW.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above (in question B1)?

THE PROPERTY NEEDS TO MEET ALL BUILDING AND STRUCTURAL STANDARDS OF THE SF PLANNING CODE (SEE COPY OF LETTER WITH ATTACHMENTS SENT TO THE ABATEMENT APPEALS BOARD DATED 06/04/10), WHICH INCLUDES, BUT IS NOT LIMITED TO, THE ELIMINATION OF THE HORIZONTAL AND VERTICAL TOP FLOOR ADDITION, CONVERTED TO ITS ORIGINAL ROOF LINE AND PROPERTY DEPTH.

THE REAR DECK, KITCHEN, ETC NEED TO MEET ALL STANDARDS OF THE SF PLANNING CODE AND ² SCALED BACK.

10.0490D

Please write (in ink) or type your answers on this form. Please feel free to attach additional sheets to this form to continue with any additional information that does not fit on this form.

CHECKLIST FOR APPLICANT:

Indicate which of the following are included with this Application:

REQUIRED:

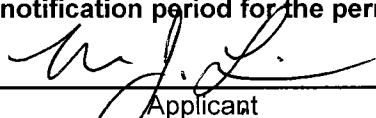

- Check made payable to Planning Department (see current fee schedule).
- Address list for nearby property owners, in label format, plus photocopy of labels.
- Letter of authorization for representative/agent of D.R. applicant (if applicable).
- Photocopy of this completed application.

OPTIONAL:

- Photographs that illustrate your concerns.
- Covenants or Deed Restrictions.
- Other Items (specify). **LETTER WITH ATTACHMENTS ADDRESSED TO THE ABATEMENT APPEALS BOARD DATED 06/04/10**

File this objection in person at the Planning Information Center. If you have questions about this form, please contact Information Center Staff from 8 a.m. to 5 p.m., Monday to Friday.

Plan to attend the Planning Commission public hearing which must be scheduled after the close of the public notification period for the permit.

Signed  Applicant 06/09/10 Date


Date: September 7, 2010

To Shelley Caltagirone, Preservation Planner
San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103
Shelley.Caltagirone@sfgov.org

From: Mark and Maryline Linares
7 Seymour Street
San Francisco, CA 94115
on-shore@comcast.net

Re: Case #2010.0490D
RESPONSE TO THE DISCRETIONARY REVIEW FOR APPLICATION NO. 2008.06.124326
Subject Property: 5 Seymour Street

The Application No. 2008.06.124326 Proposes to legalize work performed without permit, including:

- 1) The construction of a dormer at the North slope of the roof,
- 2) The construction of a trellis above the rear deck,
- 3) The installation of windows at the subject two-unit property

Dear Shelley,

The following is our response to the Discretionary Review for 5 Seymour Street.

We oppose the project due to the following:

- 1) THE ILLEGAL ADDITION OF 562 SQ. FT. HAS NEVER GONE THROUGH STRUCTURAL AND ARCHITECTURAL REVIEW, BUILDING, PLUMBING, OR ELECTRICAL INSPECTION. THIS REPRESENTS A REAL LIFE SAFETY ISSUE.

The top floor labeled as a dormer, is the result of an illegal conversion by the current owner, Winston Montgomery of a traditional attic into a habitable space of approx. 562+ sq. ft., with a full bathroom.

The alteration proposed under the current permit application consists of solely reconstructing a small portion of the "dormer" so that it sets back 10 feet from the front façade (located at the North/East side of the top floor, now a 4th floor).

Since the North/East side of the top floor already sets back 5 feet from the front façade, the modified portion is of approx. 20 sq. ft, which includes the removal of 2 windows out of 10 windows. Please note that the illegal addition also has 3 skylights.

The proposed permit application only addresses what is visible to the public eye, whose impact is limited. It completely ignores the significant negative impact that the illegal addition has on the adjacent property at 7 Seymour Street in terms of safety, privacy, noise, and access to sunlight.

Please note that the illegal addition built by the current owner has no impact on all other adjacent neighbors, including 3 Seymour Street due to location and design.

The top floor addition if legalized will become a warranted habitable space of approx. 542+ sq. ft. that has never gone through architectural and structural review, or ever completed inspections (all floors are framed with 2x4 exterior and interior walls - identically framed by the same developer that originally built 5 and 7 Seymour Street in the 1860s).

Mr. Winston Montgomery never was a licensed contractor and there is a legitimate concern that the actual structure of the property does not adequately support the top floor addition. This is a life safety and liability issue.

The proposed space to be legalized was never inspected for the plumbing and electrical work illegally performed at the top floor by Mr. Winston Montgomery. These are a life safety and liability issues that may not be ignored.

2) THE ILLEGAL ADDITION VIOLATES THE SAN FRANCISCO BUILDING CODE HEIGHT AND SETBACK REQUIREMENTS.

a) *Violation of the San Francisco building code height requirements:*

The illegal addition violates the San Francisco building code height requirements due to the fact that the average ceiling height of the illegal addition is less than 5 to 6 feet high throughout. Please note that Mr. Winston Montgomery did not buy a property with an existing illegal addition. Mr. Montgomery constructed the top floor illegal addition without permit **and** constructed the illegal addition in violation of the building code requirements set by DBI.

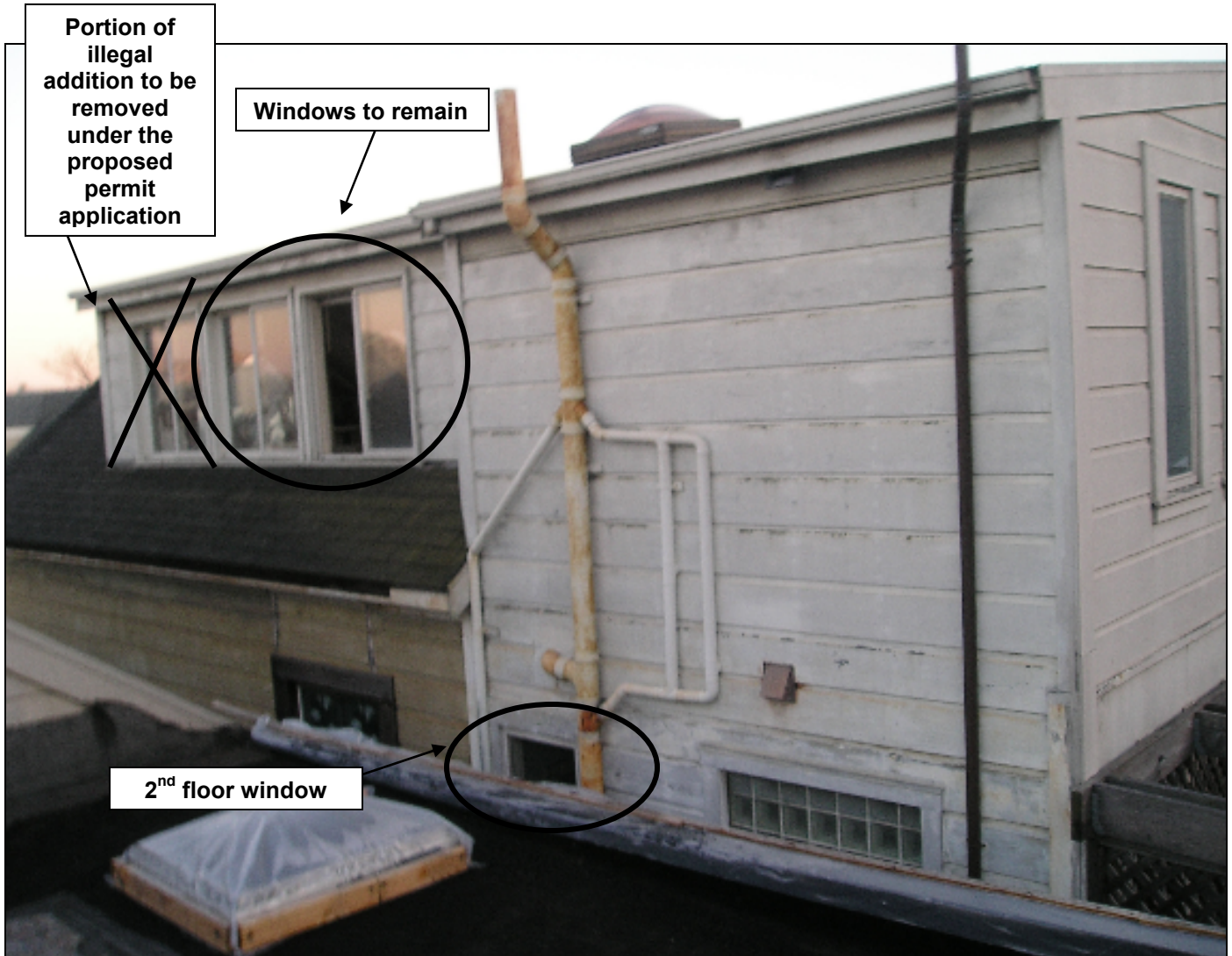
Under the San Francisco Building Inspection Commission Code, Housing Code 2007 Edition, (Chapter 5) Space and Occupancy Standards, Section 503 Room Dimensions (a) Ceiling Heights. “Unless legally constructed as such, no habitable room shall have a ceiling less than seven feet six inches.”

When we addressed these concerns to Mr. Mark Topetcher, the architect representing Mr. Winston Montgomery for the legalization of the top floor vertical addition, Mr. Topetcher’s response was that Mr. Montgomery’s property is higher than ours by 4 feet. This is incorrect. The difference in height between 5 and 7 Seymour Street is not due to the fact that the illegal top floor addition has a higher ceiling height, but instead, is due to the fact that the street elevation and property sub-grade is higher at 5 Seymour Street than at 7 Seymour Street (the street slopes down from South to North and sub-grade is 18” to 2’ higher at 5 Seymour) and because 5 Seymour Street was previously lifted and set higher when a garage was installed.



b) Violation of the San Francisco building code setback requirements:

Under the proposed permit application, the two remaining side windows of the illegal addition facing our property and our house are 2 ft 6" from the property line. This is a life safety and liability issue. The exact location of the property line has been tirelessly disputed by Mr. Winston Montgomery despite the existence of an historical stake precisely indicating where the property line is. Furthermore, please note that if Mr. Winston Montgomery's calculations were correct, a significant portion of our property would be located and encroaching our adjacent neighbor's property and structure at 9 Seymour Street.



5 SEYMOUR STREET

Photograph taken from 7 Seymour Street

The 2nd floor shown above has a side window 3 ft. x 2 ft., six inches from the property line. When the 2nd floor window is opened –it opens out-, it encroaches our property and walkway. It represents a life safety and liability issue. Please note that the other windows of the 2nd floor shown on photograph were illegally installed by Mr. Winston Montgomery. They all deprive 7 Seymour Street of any privacy.

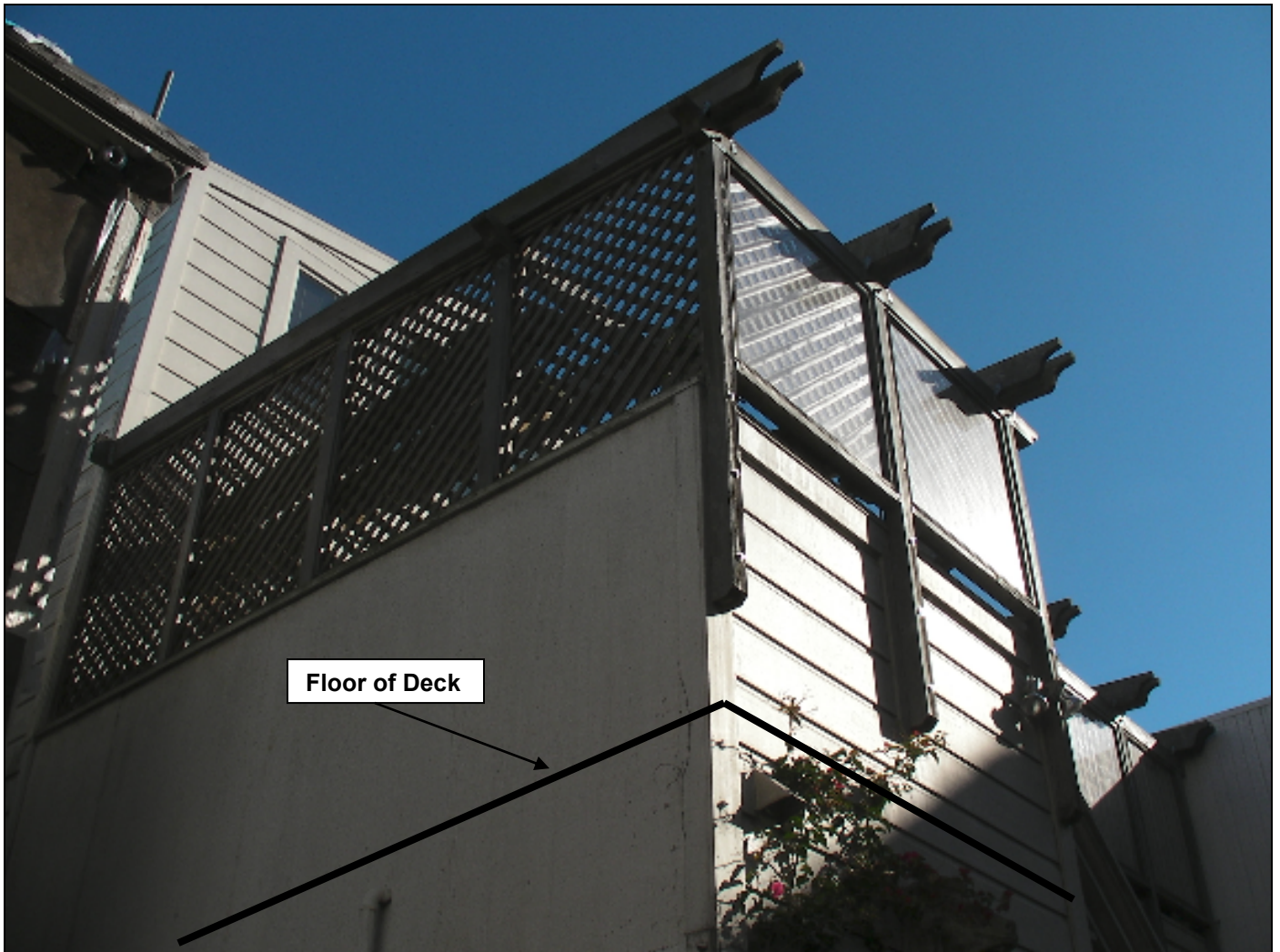
3) THE ILLEGAL VERTICAL CONSTRUCTION OF THE TRELLIS

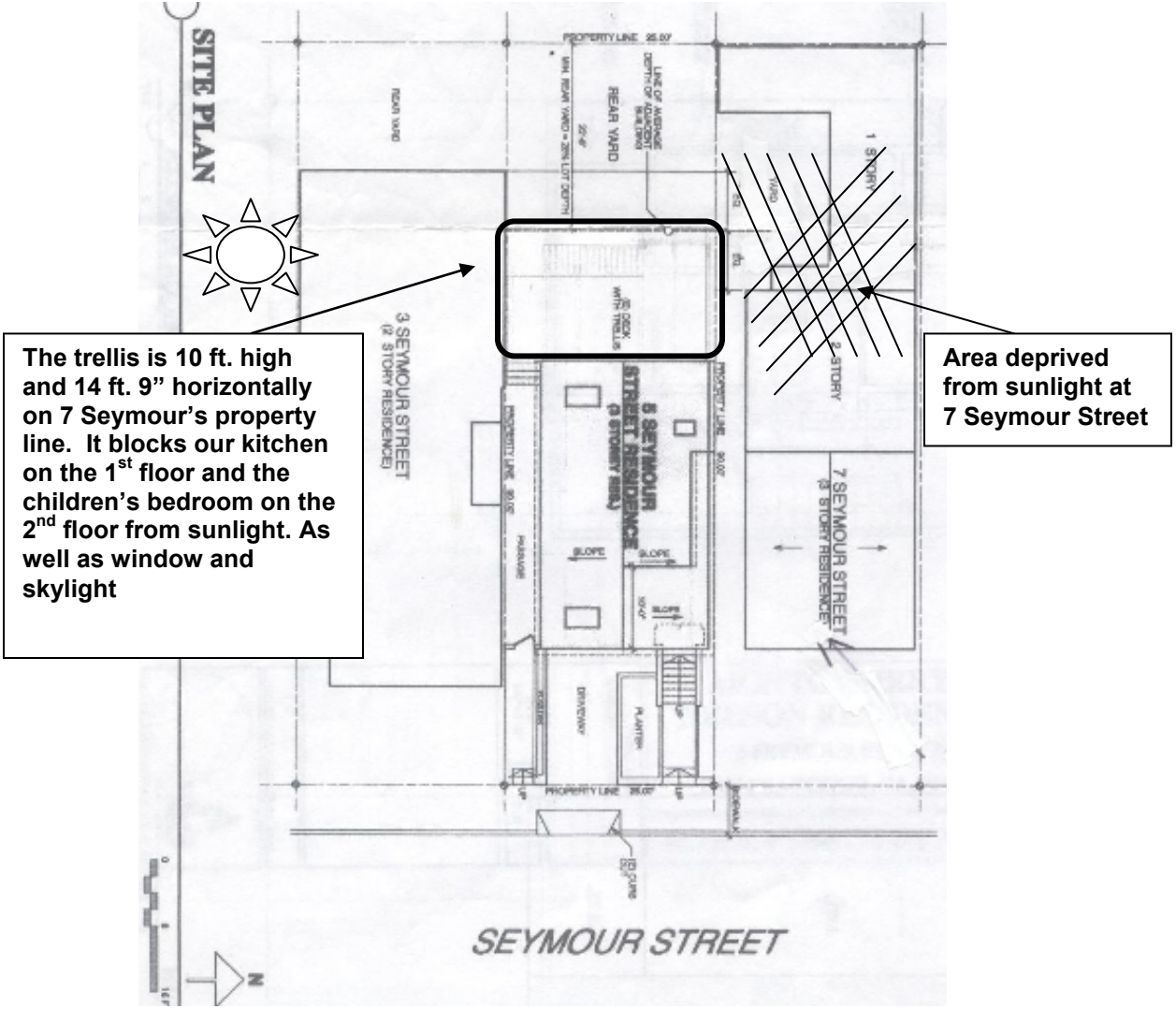
The construction of a solid trellis above the rear deck obstructs the direct sunlight coming from the South to our home at 7 Seymour, rear cottage, and rear yard. The horizontal roof trellis also overhangs 2 inches of 7 Seymour's property line. It has lattice walls and epoxy plastic over lattice above solid wall railings, which makes it a room, not a deck.

Please note that the vertical structure (deck and trellis) is 6 inches away from the property line. When we addressed our concerns to Mr. Winston Montgomery's architect, Mr. Mark Topetcher, Mr. Topetcher stated that under this permit application, only the illegal addition was under review and nothing else.

There is a real concern that Mr. Topetcher has not only been informed of what is actually really being reviewed and maybe worse, that Mr. Topetcher has already been informed of the outcome of the discretionary review.

Also, when we mentioned to Mr. Topetcher that the architectural drawings he provided were full of inaccuracies (i.e. 5 Seymour Street only shows one entrance door instead of two, our property only has 2 stories and not 3, etc...), Mr. Topetcher stated that it did not matter due to the fact that again, only the illegal addition was under review.





The trellis is 10 ft. high and 14 ft. 9" horizontally on 7 Seymour's property line. It blocks our kitchen on the 1st floor and the children's bedroom on the 2nd floor from sunlight. As well as window and skylight

Area deprived from sunlight at 7 Seymour Street

DISCRETIONARY REVIEW



5 SEYMOUR STREET

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 - (B) **NEIGHBOR LETTER [RESTRAINING ORDER]**
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 - (E) **SITE PERMIT DRAWINGS**

Response to DR: Building Permit Application # 2008.0612.4326

1. According to my understanding the Planning Department staff has determined that my project at 5 Seymour St. (which is actually to legalize work previously done without a permit) is in compliance with the S.F. Planning Code and meets neighborhood design guidelines. This project has existed since 1987 and Mark and Maryline Linares, the DR requesters, who purchased their residence at #7 in the spring of 2007 and who are licensed plumbing and general building contractors, had the opportunity to observe the dormer and the roof extension before they decided to purchase their property. There will be no additional loss of light or privacy to their home since these conditions existed when they moved in. If they are concerned with the safety of the dormer it would be in their best interest, I believe, to help facilitate my obtaining permits as soon as possible since my wife and I will have to get all the usual DBI inspections and engineering approvals. I have made several attempts to fix the plumbing in the alley/side yard between the two buildings (#5 and #7 Seymour) but the DR requesters have refused me entry. This area, in which we share ownership, can only be accessed from their property. The DR requesters and my wife and I have been at odds for many months and I do not feel comfortable meeting with them. In fact two sets of my neighbors, Brian Burchmore and Sarah Lecain at 9 Seymour and Mike Weaver and John Schaaf at 1741 Turk (corner of Seymour) have been forced to obtain restraining orders against the DR requesters because of their harassing behavior (Case numbers CCH-10-571039 and CCH-10-571041). My architect, Mark Topetcher, did however offer to meet with the Linares at his office nearby on Divisadero Street any time between August 25 and September 3 to discuss their concerns.
2. To meet the requirements of the Planning staff I am going to remove the front section of the dormer to meet the neighborhood design guidelines. I am also removing a triangular shaped window at the front of the dormer and replacing a window on the third floor front façade with a window more historically appropriate. In response to the DR requesters' concerns I am willing to move the vents on the north side of my building and make non operable a pre-existing bathroom window that opens onto the alley/side yard. I also will gladly bring up to code the plumbing that is installed on the north side exterior wall of my house and install a gutter as soon as I am granted access by the Linares. Again, if the DR requesters are concerned with their family's safety they will allow this as soon as possible. I have already paid over \$1,000 to the Code Enforcement Division of DBI because I have not been able to correct these conditions. I have filed a lawsuit against the DR Requesters to obtain access.
3. As previously stated, this project has been in existence since 1987 and with the alterations I am making it will meet all current requirements of the Planning Code, including the neighborhood design guidelines. The dormer does not adversely affect the DR requesters' light or privacy since because of the placement of their windows on their second story they would receive essentially the same amount of light whether the dormer was there or not. I also am providing for the Commission photographs of other

dormers in San Francisco that were permitted on peaked roof houses of similar vintage. In fact there is one right next door to me at #3 Seymour Street and we share an alley/side yard just like on the North side of my house. Other photos I have provided show that dormers have been allowed to extend all the way to the rear of the structures. The dormer was added to increase the size of our house's upper unit which was very small. The building was legally divided into two units in the 1920's. The complete removal of the dormer would make the upper unit less habitable. The third floor of our house was occupied when we purchased it in 1987 and used as an illegal third unit. It has since been abated.

Additional information:

The DR requesters have attached to their "Application Requesting Discretionary Review" a packet they sent to the Abatement Appeals Board concerning my hearing before the AAB on a related matter on June 16, 2010. In it they discuss a permit (#9117303) my wife and I received from the City in February of 1992 for a kitchen addition and other work. Despite their assertions to the contrary this work was fully approved and inspected by the SFDBI and I received a final inspection and a Certificate of Occupancy. The DR requestor's accusations that this work was somehow illegal has been investigated and found to be without merit by Donal Duffy of DBI among others.

I believe this request for a Design Review by my next door neighbors, Maryline and Mark Linares, is not about light, privacy or Planning Commission guidelines but as retaliation for my reporting them to the SFDBI when work that they starting performing soon after they moved into their house threatened my property. I enclose a copy of the N.O.V. # 200733175 they received. It cites them for excavating below their foundation and illegally removing all the soil from their front yard which endangered my front stairs and foundation. I enclose some photos of the dangerous conditions they created.

I respectfully request that the Planning Commission not take Design Review of this project, instead letting me legalize the dormer following the requirements of Planning staff. Thank you very much.

Sincerely,

Winston Montgomery
5 Seymour St.
San Francisco, CA 94115

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit –additional kitchens count as additional units)	<u>1</u>	<u>1</u>
Occupied stories (all levels with habitable rooms) ...	<u>3</u>	<u>3</u>
Basement levels (may include garage or windowless storage rooms)	<u>1</u>	<u>1</u>
Parking spaces (Off-Street)	<u>2</u>	<u>2</u>
Bedrooms	<u>3</u>	<u>3</u>
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	<u>2,140</u>	<u>2,128</u>
Height	<u>39' - 6"</u>	<u>39' - 6"</u>
Building Depth	<u>49' - 9"</u>	<u>49' - 9"</u>
Most recent rent received (if any)	<u>N/A</u>	<u>N/A</u>
Projected rents after completion of project	<u>\$2,300</u>	<u>\$2,100</u>
Current value of property	<u>\$900,000</u>	<u>\$850,000</u>
Projected value (sale price) after completion of project (if known)	<u>Unknown</u>	<u>Unknown</u>

I attest that the above information is true to the best of my knowledge.

Signature	Date	Name (please print)
-----------	------	---------------------



San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

September 7, 2010

Dear Commissioners,

The project for 5 Seymour Street that you are considering for Discretionary Review and filed by next-door neighbors Maryline and Mark Linares should be dismissed. The dormer, windows and trellis in question existed prior to the D.R. applicant's purchase of the adjoining property at 7 Seymour Street in 2007. The scope of work documented under this permit is to legalize portions of the existing structure that were built over twenty-three years ago without permits. The scope that is governed by the Planning Department has been modified to conform to all applicable Neighborhood and Preservation Design Guidelines, and Planning Codes. The current design is supported by the Planning Department.

The permit was filed in response to a Notice of Violation issued by the Department of Building Inspection, #200847691, dated 2/29/08 and believed to be the result of retaliatory complaints by the D.R. applicant as the direct result of receiving their own N.O.V. [see Attach. 'A']. There is a history of antagonism by the D.R. applicants toward their neighbors on Seymour St. where several neighbors have had obtain restraining orders against them [see Attach. 'B']. Their property is not adversely affected by the presence of the dormer or rear trellis. There is no adverse impact on light and air, as the existing conditions were already present upon their purchase of 7 Seymour Street. The Owners of 5 Seymour Street have agreed to reduce the size of the dormer by creating a further setback from the front façade.

I met with the D.R. applicants at my office on September 2, 2010 to discuss the project in the hopes of understanding their concerns and finding a possible way forward. They were quite clear about refusing to respond to my inquiries as "giving me the answers" they intend to use to fight the project, as well as Mark Linares bemoaning that the only reason they came was so we couldn't tell the Commission they refused to meet. They restated the numerous issues outlined in their letter to the Abatement Appeals Board and attached to their D.R. application. They were also accusatory about the permit documents being "inaccurate, misleading, and incomplete" and made threats to my professional standing. Though Mr. Linares is a contractor, he was dismissive of the necessary steps of gaining a permit. No alternatives or changes, short of removing the dormer in its entirety and lowering the existing ridge height, would be considered. Unfortunately, the Linares indicated that they intend to fight this project before the Planning Commission. I hope that you will find no further consideration is required for this project and all matters can be put to rest by approving the project without further change.

Sincerely,

Mark J. Topetcher,
Architect

27 August 2010

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

I am writing this letter of support for my next-door neighbors Winston and Peggy. OBI permit # 2008.0612.4362 for the legalization of the dormer at 5 Seymour Street. The architectural design of 5 Seymour Street actually enhances the neighborhood. I have been a resident of Seymour Street for over 29 years, and have had Winston and Peggy as neighbors for over 25 years. Winston Montgomery is a pillar in the community he is involved with the Alamo Square community project, which he has served for countless years.

~fJ~

3 Seymour Street

August 26, 2010

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

RE: Building Permit # 2008.0612.4326

Dear Commission Members:

We are writing to support Winston Montgomery's and Peggy Nelson's application referenced above. We have been neighbors with Winston and Peggy for just shy of 12 years now, and have found them both to be excellent people of impeccable moral character, and very cooperative and reasonable in all of our dealings with them on neighborhood and personal matters. We are aware that they have lived on Seymour Street since the 1980s. Our lot is at the corner of Turk Street and Seymour Street: it has a 25' frontage on the south side of Turk Street, and 100' depth along the west side of Seymour Street. We can clearly see Winston and Peggy's house from the back of our lot.

We support the legalization of their dormer (and other related work) pursuant to the current plans of which we have received notice. We are of the opinion that their house at 5 Seymour fits into the character of the neighborhood, and actually contributes to it. When we moved into our residence in 1998, we were aware of the existence of Winston and Peggy's modification to the top floor of 5 Seymour and had no issue with it; we still have no issue with it the way it is now, and will have no issue with it if it is modified according to the proposed plans.

We are aware that Mark and Maryline Linares of 7 Seymour are opposing this permit. We are definitely of the opinion that the primary reason they are opposing the permit is to retaliate against Winston and Peggy for Winston's having reported the Linares' own building code violations shortly after the Linares' moved into 7 Seymour in 2007. Ever since the Linares' moved in, there has been trouble in the neighborhood: if the Linares' do not "like" you, then you are considered by them to be their "mortal enemy," and they will do everything within their power to bring you down and to make your life a living hell. In fact, a few weeks ago, we had to resort to bring a Civil Action for Harassment in California Superior Court against both Mark and Maryline Linares (i.e., get restraining orders) so they would stop threatening violence against us and harassing us. In addition, after they decided they "didn't like" us, they immediately called OBI and DPW on our building to start the City in on us. Additionally, two adjacent property owners to their north also recently obtained restraining orders against both Linares' for the exact same kind of psychotic, anti-social and threatening behavior. SFPD have been called repeatedly on the Linares' after their threats and outrageous acts.

The Linares' complaint that the dormers interfere with light is ludicrous because first, California law recognizes no legal right to "light;" second, Mark Linares is an experienced, licensed contractor who presumably properly inspected his property and adjacent buildings before making the decision to purchase 7 Seymour. Any reasonable person who was concerned with "loss of light and privacy" would have made the decision not to purchase the property in question, not to raise the issue after the fact in a forum like the Board of Appeals where a Winston and Peggy are making modifications to accommodate the original complaint made by the *same*, now-objecting neighbor.

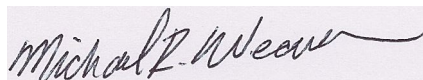
Again, we urge you to do the right thing, which is to approve the building permit so that two good people can *also* do the right thing: Winston and Peggy still face many difficulties ahead, given the fact that they have to deal with a difficult situation as referenced above.

Sincerely,

Jot:C~f~

1741 Turk St.

San Francisco, CA 94115



Michael R. Weaver

1741 Turk St.

San Francisco, CA 94115

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

Dear San Francisco Planning Commission:

I am writing today to express my support for Winston Montgomery and Peggy Nelson' effort to legalize their existing 2nd story dormer, permit #2008.0612.4326.

I have lived in the neighborhood for 17 years and have been living at 9 Seymour for over 3 years. I would have never noticed that the dormer was not part of the original building except for this hearing. It does not obstruct any views and fits nicely with the neighborhood.

The alterations proposed will increase light and open space.

Winston and Peggy have worked closely with the other neighbors on Seymour Street and as long term residents have done much to improve their home and their neighborhood.

I strongly encourage you to approve this application.

Regards,

~
Brian Burchmore
9 Seymour
San Francisco, CA
94115

August 25, 2010

Nancy E. Beauregard
1735 Turk Street
San Francisco, CA 94115

August 29,2010

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

RE: Building Permit # 2008.0612.4326

Dear Commission Members:

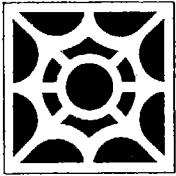
I am writing on behalf of my neighbors, Winston Montgomery and Peggy Nelson, and their application for the above building permit.

While I live on Turk Street, my back deck overlooks 3, 5, 7 and 9 Seymour Street. With the exception of 7 Seymour St., these are charming and well maintained homes, and owned by thoughtful and considerate neighbors.

I fully support the work Winston and Peggy are requesting to do to bring their dormer into compliance with SF building codes. I know they will undertake this in a responsible manner.

I ask that you approve the building permit.

• • • ~ ~
” ” ”
Nancy E. Beauregard



The Alamo Square Neighborhood Association Newsletter

August, 2003 / Published by the Alamo Square Neighborhood Association / Box 15372 / San Francisco, CA 94115

July Minutes



President Sue Valentine opened ASNA's July meeting, held at the Archbishop's Mansion, 1000 Fulton Street, at 7:30 P.M.

Guests, Jerry Tilton, Park Section Supervisor of the Recreation and Park Department, and David Clifton, the park gardener, responded to questions from the membership.

Mr. Tilton identified Marvin Yee of the Park's Capital Division as the representative involved in construction planning and Dan McKenna, head of Urban Forestry, as primarily responsible for tree planting.

Watering problems are due to a deteriorating system with parts up to 100 years old and a newer, approximately twenty five year old automatic irrigation system with 120 control valves that now often have to be located with a metal detector. Many of the electric wires working the system were cut when trenches were dug for the new light standards. These problems are being addressed and areas now covered with brown grass should soon turn green again.

Marvin Yee would be the person to contact for a new master plan. In response to the assertion that planning at the park sounded fragmented, David Clifton, the gardener, stated that it was not and that work orders were delivered to Mr. Tilton to correct problems as they occurred. New trees have not been planted to replace those removed in that we are in competition with 200 other City parks for such services. If we wanted more trees we should call the Urban Forestry unit. When the condition of the stairs leading into the park on one corner was brought up, the gardener stated he wanted to remove foliage abutting the entrance to deter homeless people from camping there at night. He mentioned that cleaning up after them was unpleasant.

Due to staff cuts at the annuals nursery, more perennials will be planted. This statement generated a number of questions regarding the feasibility of ASNA volunteers helping out in the park and the Association funding the purchase of plantings. It was noted we have accumulated approximately \$8,000 in funds for park improvements. Mr. Tilton pointed out that the park dept. had a volunteer office located near Kezar Stadium that we could contact. Another member advised we adhere to a master plan worked out by a landscape architect. Buena Vista Park was identified as an example of a local park that was heavily served by volunteers.

While admitting the attractiveness of the new light standards in the Square, some members are concerned that they are shorter than those originally identified as appropriate and that when the older, less appealing ones are removed, the park will again be inadequately illuminated. There was also an unresolved discussion on how to beautify unpainted concrete cylinders that support the lights.

Sue Valentine announced that several changes proposed by ASNA for the Falletti's shopping complex at the B. of A. site on Fell have been adopted. Eric Smith updated members on the

(Minutes continued on page 2)



ASNA's August General Meeting,
will be held on Monday, August 25, 2003
at 5 Seymour Street,

(1 block east of Divisadero between Golden Gate & Turk)

Refreshments 7:00pm

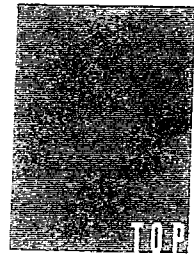
7:30pm to 7:45pm Walk-through tour of parlors
at 16 Seymour Street for a brief glimpse of
folk art ceiling murals

7:45pm Return to 5 Seymour for Business Meeting.
Speaker: Community Board Representative

Bulletin Board

THE 21st ANNUAL ALAMO SQUARE NEIGHBORHOOD FLEA MARKET: SATURDAY AUG 9TH. ASNA's annual flea market is scheduled for Saturday August 9th, 9:00 A.M. to 4:00 P.M. on Scott, Fulton & Hayes Streets at the Square. To volunteer to work in the food booth, or to help set up or take down the food booth tent, please call Eric Smith, Chairman of this year's event, at 441-8640. To reserve a selling space, contact C.M. Walsh at 346-0512, and to donate items to sell at the donations booth and volunteer for the membership table, call Joe Pecora at 567-5197. The flea market is our major fund raiser of the year and always a lot of fun for volunteers and profitable for the vendors. Unex-

(continued on page 2)



TOPETCHER
ARCHITECTURE

828 DIVISADERO
SAN FRANCISCO
CALIFORNIA 94117
TEL 415 359 9997
FAX 415 359 9986
toparchitecture.com

Mr. Edward Sweeney, Secretary
Abatement Appeals Board
1660 Mission Street, 3rd Floor,
San Francisco, CA 94103

May 5, 2010

Dear Mr. Sweeney,

I am writing in reference to the project at 5 Seymour St. and our permit application #2008-0612-4326 to correct the N.O.V. # 200847691 dated 2/29/08. As you may know, the progress has been slow on resolving the issues related to legalizing the existing third floor dormer. It has always been the intent of the Owner to comply in a timely manner to the N.O.V. that we believe to be the direct result of the owners at 7 Seymour St. in retaliation to N.O.V.s that they have incurred on their property.

Permit drawings were prepared and submitted in late 6/08 for the dormer at 5 Seymour St. The Planning Department undertook review of the project in 9/08 to determine the legality of the existing structure. The review by Planning and their preservation design team resulted in comments received on 2/17/09. Revisions were made to the drawings and transmitted to the Planner in 3/09. Prior to formally submitting the revisions, a Pre-application meeting was requested by my office to DBI on 6/15/09 to clarify several issues that could potentially impact changes to the dormer requested by Planning. The response letter to the Pre-application meeting was received on 9/3/09.

The permit package was then revised to reflect the Planning Department's conditions for approval on 10/9/09 and included the Pre-app response letter. As a result of the adjacent northern neighbor's additional comments to Planning on 10/29/09, a further review had to be undertaken. We received additional comments from Planning on 11/20/09 requesting added documentation to address potential issues. We requested clarification for a few issues 1/12/10. We responded with preliminary amended drawings that were conveyed to Planning on 3/10/10, and again on 3/19/10 but were not yet submitted as a formal revision pending planning feedback. Additional requests by Planning for further changes to the drawings were made again on 4/15/10. This was also in response to clarify the project as it related to the northern neighbor. We finally received notice that Planning was ready to proceed with the 311 Notification on 4/23/10, but Planning now required new mailing labels because too much time had passed from their original submittal. We submitted the design revisions and new labels on 5/3/10. Neighborhood notification will now commence on 5/10/10 and expire on 6/9/10.

We have made all responses as requested, in a timely manner to the city. There should be no penalty levied against the property owner as a result of the lengthy review carried out by Planning and DBI, and we believe intentionally delayed and complicated by the owners of 7 Seymour St.

Sincerely,

Mark J. Topetcher, Architect



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NUMBER: 200736370
DATE: 19-DEC-07

ADDRESS: 5 SEYMOUR ST

OCCUPANCY/USE: ()

BLOCK: 1154 LOT: 024

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: NELSON MARGARET D MONTGOME
MAILING ADDRESS: NELSON MARGARET D MONTGOM
5 SEYMOUR ST
SAN FRANCISCO CA

PHONE #: --

94115

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

A complaint has been filed with this department regarding roof drainage at above property. SFBC 1506.1 states all water from roof areas which total more than 200 sf shall drain to building drain. Roof areas on north side of building drain onto adjacent property at rear of property along north property line. Fence removed resulting in a 2 ft plus differential in height. SFBC Section 1506.1, 1611.6

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

415-558-6120

- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN 14 DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Install downspouts to connect gutters to city drain system. Retain soil in rear yard. If retaining wall is greater than 4 ft. A building permit is required.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY
(WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT

VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: BID

DISTRICT :

By:(Inspector's Signature) _____



NOTICE OF VIOLATION
of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NOTICE: 2

NUMBER: 200736370
DATE: 22-JAN-08

ADDRESS: 5 SEYMOUR ST

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 1154 LOT: 024

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: NELSON MARGARET D MONTGOME
MAILING: NELSON MARGARET D MONTGOM
ADDRESS: 5 SEYMOUR ST
SAN FRANCISCO CA

PHONE #: --

94115

PERSON CONTACTED @ SITE: NELSON MARGARET D MONTGOMERY W

PHONE #: --

VIOLATION DESCRIPTION:

VIOLATION DESCRIPTION:	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

You failed to comply with Notice of Violation dated 12/19/07. Therefore, this department has initiated abatement proceedings against the property. SFBC Section 1506.1 & 1611.6

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-558-6120
- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED 19-DEC-07, THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

You will be notified of time, date & place of Director's Hearing of Code Enforcement Division.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: BID

DISTRICT :

By:(Inspectors's Signature) _____



08.05

NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NUMBER: 200847691
DATE: 29-FEB-08

ADDRESS: 5 SEYMOUR ST
OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 1154 LOT: 024

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: NELSON MARGARET D MONTGOME
MAILING ADDRESS: NELSON MARGARET D MONTGOM
5 SEYMOUR ST
SAN FRANCISCO CA

PHONE #: --

94115

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

A complaint has been filed with this department regarding the third floor of above structure. Photographs have been submitted by complainant. 1) Pacific aerial survey dated 4/19/86, 2) Pacific aerial survey dated 5/4/88, neither photograph shows the dormer type roof presently in place on north elevation of structure. SFBC Section 106.1.1.

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

415-558-6120

- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Provide documentation to inspector named below within 21 days of receipt of this notice as to legality of 3rd floor addition (dormer on north side of property).

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: BID

DISTRICT :

By: (Inspectors's Signature) _____



Mr. Jeff Ma
Plan Review Manager
D.B.I.
1660 Mission St. 2nd flr.
San Francisco, Ca. 94103

July 15, 2009

Re: Pre-application meeting for 5 Seymour St. / P.A. 2008-0612-4326 held on July 2, 2009

The following is a summation of a pre-application meeting for the project to legalize an existing third floor dormer on a R-3 two unit building. The Planning Department is requesting modifications to the present structure and the following is D.B.I.'s input on the code sections that will be required to be met for the alteration permit sited above.

Background: There is a recent N.O.V. for the dormer that has been in existence for over twenty years. The N.O.V. is the result of a dispute with the adjacent northern neighbor who had been doing substantial renovations on their property without a permit. There is permit history for other work on the subject property at 5 Seymour St. that indicates the existence of the third floor occupancy but does not document the dormer. As a result, Planning is requiring the existing dormer to comply with preservation alteration guidelines for potential historic resources. Therefore, Planning would like the present dormer to be truncated and set further back from the street façade. In considering their requirements, we would like to know if any of the following 2007 CBC sections apply:

1. Can DBI consider the existing dormer structure as existing and that only changes to it comply with the 2007 CBC?

Response: The existing dormer is to be legalized and will need an engineer to verify conditions of the dormer.

2. How will DBI treat the remaining existing third floor habitable space? Since there are no changes proposed there, is it considered legal habitable space?

Response: The existing third floor use as habitable space will be considered as a legal existing use.

3. Since this is a dormer, compliance with section 704.8 Allowable area of openings, the percentage of window openings is in direct conflict with the physical limitations of a dormer's wall area. Can the remaining existing unprotected dormer window area be maintained?

Response: Yes, the entire wall areas of the north face of the dormer within the setback area range can be used in calculating allowable opening areas, and as per CBC definition for a wall.

4. Even though the existing dormer is less than five feet from the property line, the existing structural elements are not 1 hr rated and the existing roof is not 1-hour rated, can a parapet as required by section 704.11 be omitted?
Response: A parapet is not required, however ²(~~2~~) layers of 5/8" type 'X' GWB should be installed within dormer areas that are $\leq 5'-0"$ of the property line.
5. Will current Title 24 requirements need to be met for the entire existing third floor and/or dormer area if there are no physical alterations to the space?
Response: No Title 24 will be required for the entire third floor, as it is existing space (see item #2 response), however T24 requirements will need to be met for the dormer.
6. If the dormer is considered a new structure, what structural code requirements will be applied and how will the existing structural conditions be considered relative to chapter 23, among other sections?
Response: An engineer will need to verify and document existing framing and structural system for the dormer.
7. Considering item 2. [above], will there be any structural requirements for the remaining third floor space if there is any occupancy question?
Response: None required (see item #2 response).
8. If the existing third floor access stair does not meet section ~~1093~~ ^{1009.3} exception 4 and there is no change proposed, can it be considered to be adequate for egress without any alteration?
Response: No change required (see item #2 response).
9. Can the existing 36" high guardrails ["guards"] at the third floor stair be considered acceptable if there are no alterations to the existing space other than modification of the dormer area and they do not comply fully with section 1013?
Response: No Change required (see item #2 response).

Respectfully submitted,

Mark J. Topetcher,
Architect

Approved:


Jeff Ma
D.B.I.

c.c. W. Montgomery



5 SEYMOUR STREET
CIRCA 1987

GOLDENGATE AVE.

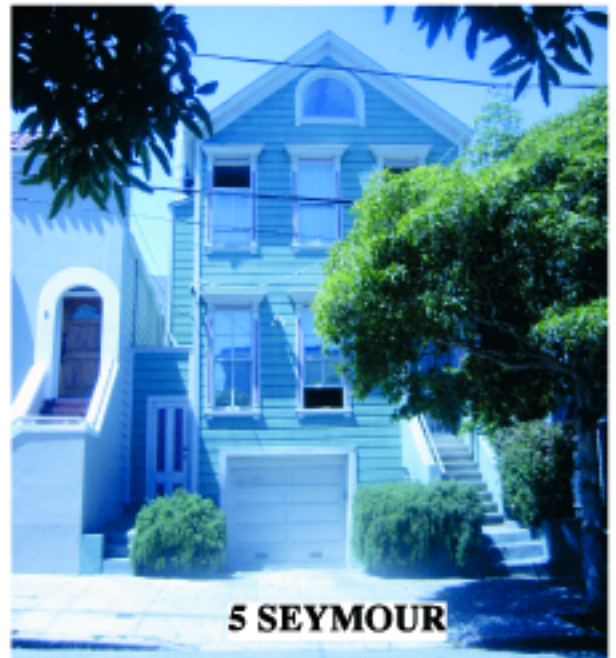


WEST SIDE OF SEYMOUR STREET

TURK ST.



EAST SIDE OF SEYMOUR STREET



5 SEYMOUR

SUBJECT PROPERTY



TURK ST.

WEST SIDE OF SEYMOUR STREET



GOLDENGATE AVE.

EAST SIDE OF SEYMOUR STREET

SUBJECT PROPERTY

EXISTING DORMER

D.R. APPLICANT PROPERTY



5 & 7 SEYMOUR



7 SEYMOUR

7 SEYMOUR



REAR / LOOKING NORTH EAST

**7 SEYMOUR
SOUTHERN
WINDOWS**



REAR / LOOKING NORTH EAST

TRELLIS



REAR / 5 SEYMOUR



NORTH / 5 SEYMOUR

**DORMER INTERIOR /
LOOKING EAST**

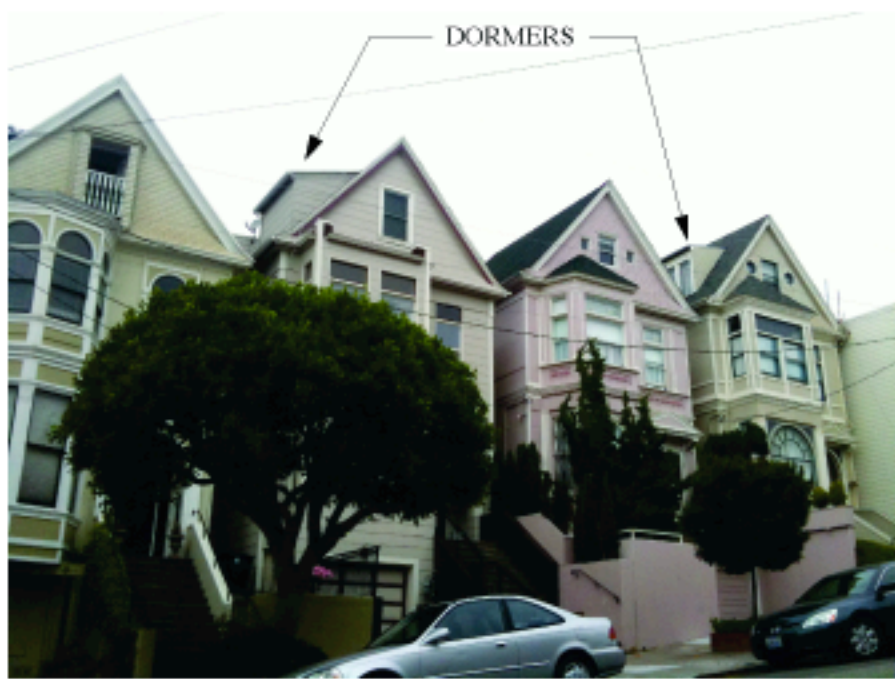


**DORMER INTERIOR /
LOOKING WEST**

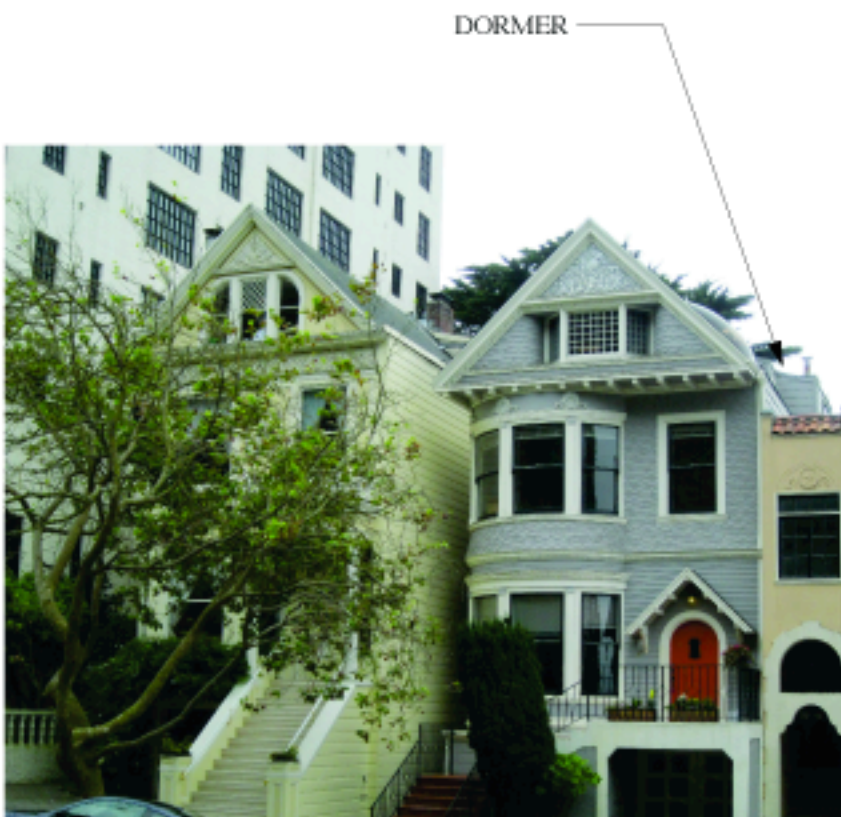


**FROM DORMER /
LOOKING NORTH WEST**





STEINER ST. NEAR SACRAMENTO



**NEIGHBORHOOD
DORMER EXAMPLES**



SCOTT ST. NEAR FULTON



SCOTT ST. NEAR FULTON





NOTICE OF VIOLATION
of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 200733175
DATE: 30-NOV-07

ADDRESS: 7 SEYMOUR ST

OCCUPANCY/USE: R-3 (I) RESIDENTIAL

BLOCK: 1154 LOT: 023

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: LINARHS MARYLINE & MARK J
MAILING: LINARES MARYLINE & MARK J
ADDRESS: 7 SEYMOUR ST
SAN FRANCISCO CA

PHONE #: --

94115

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

CODE/SECTION#

<input type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

Following a complaint made to this office the following conditions were observed at 7 Seymour Street:

- 1) Vertical cut at south property line greater than 2ft
- 2) Vertical cut approx 3ft. deeper than bottom of foundation
- 3) Front stairs approx 3ft. above excavated front yard
- 4) Removal of interior finishes

No building permit on file for construction at above address.
SFBC Section UBC 3306, UBC 106.1.1, UBC 1003.3

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

415-558-6120

- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

• FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Obtain building permit to reflect scope of work to be performed at 7 Seymour Street.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY
(WORK W/O PERMIT PRIOR TO 9/1/60)
- APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: BID

DISTRICT :

By: (Inspector's Signature) _____

ATTACHMENT 'A'

August 26, 2010

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

RE: Building Permit # 2008.0612.4326

Dear Commission Members:

We are writing to **support Winston Montgomery's and Peggy Nelson's application referenced above**. We have been neighbors with Winston and Peggy for just shy of 12 years now, and have found them both to be excellent people of impeccable moral character, and very cooperative and reasonable in all of our dealings with them on neighborhood and personal matters. We are aware that they have lived on Seymour Street since the 1980s. Our lot is at the corner of Turk Street and Seymour Street: it has a 25' frontage on the south side of Turk Street, and 100' depth along the west side of Seymour Street. We can clearly see Winston and Peggy's house from the back of our lot.

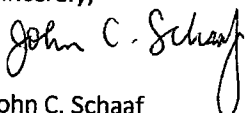
We support the legalization of their dormer (and other related work) pursuant to the current plans of which we have received notice. We are of the opinion that their house at 5 Seymour fits into the character of the neighborhood, and actually contributes to it. When we moved into our residence in 1998, we were aware of the existence of Winston and Peggy's modification to the top floor of 5 Seymour and had no issue with it; we still have no issue with it the way it is now, and will have no issue with it if it is modified according to the proposed plans.

We are aware that Mark and Maryline Linares of 7 Seymour are opposing this permit. We are definitely of the opinion that the primary reason they are opposing the permit is to **retaliate** against Winston and Peggy for Winston's having reported the Linares' own building code violations shortly after the Linares' moved into 7 Seymour in 2007. Ever since the Linares' moved in, there has been trouble in the neighborhood: if the Linares' do not "like" you, then you are considered by them to be their "mortal enemy," and they will do everything within their power to bring you down and to make your life a living hell. In fact, a few weeks ago, we had to resort to bring a Civil Action for Harassment in California Superior Court against both Mark and Maryline Linares (i.e., get restraining orders) so they would stop threatening violence against us and harassing us. In addition, after they decided they "didn't like" us, they immediately called DBI and DPW on our building to start the City in on us. Additionally, two adjacent property owners to their north also recently obtained restraining orders against both Linares' for the exact same kind of psychotic, anti-social and threatening behavior. SFPD have been called repeatedly on the Linares' after their threats and outrageous acts.

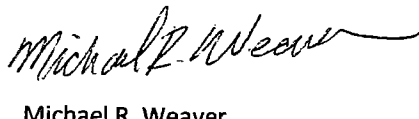
The Linares' complaint that the dormers interfere with light is ludicrous because first, California law recognizes no legal right to "light;" second, Mark Linares is an experienced, licensed contractor who presumably properly inspected his property and adjacent buildings before making the decision to purchase 7 Seymour. Any reasonable person who was concerned with "loss of light and privacy" would have made the decision not to purchase the property in question, **not** to raise the issue after the fact in a forum like the Board of Appeals where a Winston and Peggy are making modifications to accommodate the original complaint made by the **same**, now-objecting neighbor.

Again, we urge you to do the right thing, which is to approve the building permit so that two good people can *also* do the right thing: Winston and Peggy still face many difficulties ahead, given the fact that they have to deal with a difficult situation as referenced above.

Sincerely,



John C. Schaaf
1741 Turk St.
San Francisco, CA 94115



Michael R. Weaver
1741 Turk St.
San Francisco, CA 94115

ATTACHMENT 'B'

HOELZ-

APPROVED
Dept. of Public Works

FEB 11 1992

SUPERINTENDENT
BUREAU OF BUILDING INSPECTION
STAN LEE

APPROVED FOR ISSUANCE

FILED
FORM
3
8

09-1-1992

OSHA APPROVAL REQUIRED
APPROVAL NUMBER:

**APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS**

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS**

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

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 HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

2 NUMBER OF PLAN SETS

OR/R

FILED SEPT. 18, 1991	FILED FEE RECEIPT NO. 231461	(1) STREET ADDRESS OF JOB 5 SEYMOUR STREET	BLOCK & LOT 1154-24
PERMIT NO. 091705	ISSUED 2-11-92	(A) ESTIMATED COST OF JOB \$25,000	(B) REVISED COST DATE: 12/27/91

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

DESCRIPTION OF EXISTING BUILDING			
(4) TYPE OF CONSTR. 5 N	(5A) NO. OF STORES OF OCCUPANCY. 3	(6A) NO. OF BASEMENTS AND CELLARS. 1	(7A) PRESENT USE: DUPLEX
(8A) OCCUP. CLASS R-3	(9A) NO. OF DWELLING UNITS. 2		

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION			
(1) TYPE OF CONSTR. 5 N	(2) NO. OF STORES OF OCCUPANCY. 3	(6) NO. OF BASEMENTS AND CELLARS. 1	(7) PROPOSED USE (LEGAL USE) DUPLEX
(8) OCCUP. CLASS R-3	(9) NO. OF DWELLING UNITS. 2		

(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED? NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? NO <input checked="" type="checkbox"/>
---	---	---	---

4) GENERAL CONTRACTOR: OWNER/BUILDER
 5) OWNER - LESSEE (CROSS OUT ONE): WINSTON MONTGOMERY
 ADDRESS: 5 SEYMOUR ST. ZIP: 94115
 PHONE (FOR CONTACT BY BUREAU): 922-9102

(6) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT):
 REMOVE EXISTING KITCHEN, REAR DECK & STAIRS, REMOVE MISC. NON-BEARING PARTITIONS, INTERIOR PLASTER WALLS + CEILING FINISHES ON FIRST FLOOR, BUILD NEW KITCHEN, REAR DECK + STAIRS. BUILD NEW INTERIOR STAIR TO BASEMENT + INSTALL NEW NON-BEARING PARTITIONS + INTERIOR FINISHES, FRAME NEW OPENINGS IN EXISTING WALLS, INSTALL NEW METAL FIREPLACE. MODIFY ELECTRICAL + PLUMBING AS NEEDED. PERMITS TO BE OBTAINED BY SUB-CONTRACTORS

ADDITIONAL INFORMATION - FORM 3 APPLICANTS ONLY

7) DOES THIS ALTERATION CREATE ADDITIONAL STORY TO BUILDING? NO <input checked="" type="checkbox"/>	(16) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT. NO <input checked="" type="checkbox"/>	(19) DOES THIS ALTERATION CREATE DECK OR PORCH EXTENSION TO BUILDING? NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT. 1,015
1) WILL SIDEWALK OVER SUBSIDEWALK SPACE BE REPAIRED OR ALTERED? NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT (IF YES, SHOW ON PLOT PLAN) NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO <input checked="" type="checkbox"/>
5) ARCHITECT OR ENGINEER (DESIGN) CONSTRUCTION: PAUL H. JOHANSON ADDRESS: 1463 WILLARD ST. SAN FRANCISCO 94117		CALIF. CERTIFICATE NO. C 3860	
4) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN"). NONE			

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' to any wire containing more than 750 volts. See Sec. 385, 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 actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this bureau for approval.
 ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.
 BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.
 APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) or (24). THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.
 In dwellings all insulating materials must have a clearance of not less than two inches near all electrical wires or equipment.

CHECK APPROPRIATE BOX
 OWNER ARCHITECT ENGINEER
 LESSEE AGENT WITH POWER OF ATTORNEY
 CONTRACTOR ATTORNEY IN FACT

APPLICANT'S CERTIFICATION

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

NOTICE TO APPLICANT

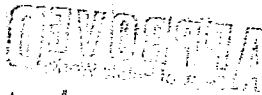
HOLD HARMLESS CLAUSE: The Permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, in conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have on file, or file with the Central Permit Bureau, either Certificate (I) or (II) designated below or shall indicate item (IV) or (V) or (VI) below, whichever is applicable. If however, item (VII) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:

- () I. Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.
- () II. Certificate of Workman's Compensation Insurance issued by an admitted insurer.
- () III. An exact copy or duplicate of (I) certified by the Director or (II) certified by the insurer.
- () IV. I certify that in the performance of the work for which this Permit is issued, I shall not employ any person in any manner so as to become subject to the workman's compensation laws of California. I further acknowledge that I understand, in the event that I should become subject to the workman's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the Permit herein applied for shall be deemed revoked.
- () V. I certify as the owner (or the agent of the owner) that in the performance of the work for which this Permit is issued, I will employ a contractor who complies with the workman's compensation laws of California and who has on file, or prior to the commencement of any work will file, with the Central Permit Bureau evidence that workman's compensation insurance is carried.

Winston Montgomery SEPT 18, 1991
 Applicant's Signature Date

ATTACHMENT (C)

CONDITIONS AND STIPULATIONS

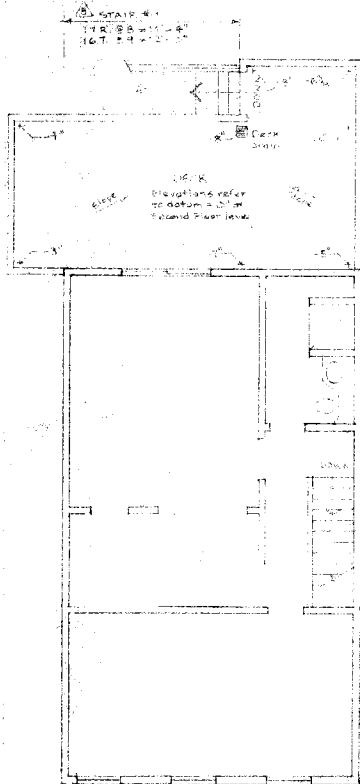
REFER TO:	APPROVED:  N/A 12/27/11 D. Dang BUILDING INSPECTOR, BUR. OF BLDG. INSP.	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: FIRE PLANS AND APPLICATION 1154.24 R.H.3 DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: AT STAY ON WORK (ORDINANCE NO. 588-6030), THIS APPLICATION IS APPROVED WITHOUT SITE INSPECTION AND DOES NOT GUARANTEE AN APPROVAL OF THE BUILDING WITH ALL ORDINANCES. Any electrical or plumbing work will require appropriate separate permits. SPECIAL INSPECTIONS AND TESTS CODE SECTIONS 306. CIVIL ENGINEER, BUR. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. D. Dang
<input type="checkbox"/>	APPROVED: BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

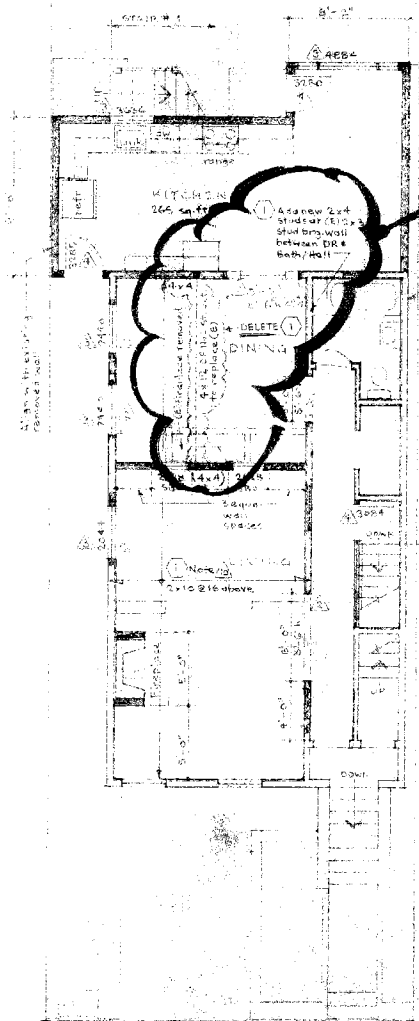
I agree to comply with all conditions or stipulations of the various building departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Attachments

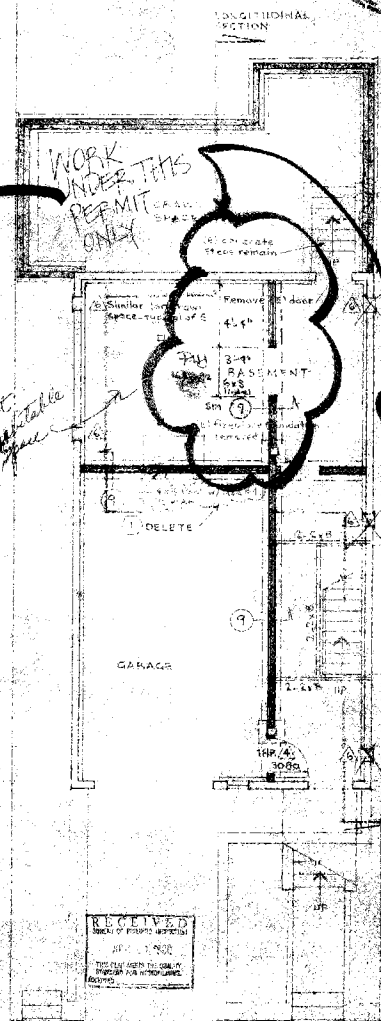
OWNER'S AUTHORIZATION



SECOND FLOOR PLAN
1/4" = 1'-0"



FIRST FLOOR PLAN
1/4" = 1'-0"

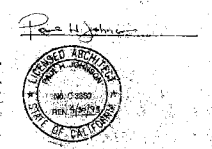


BASEMENT PLAN
1/4" = 1'-0"

- 1. Existing
- 2. To be removed by Owner
- 3. To be replaced
- 4. To be added
- 5. To be removed by Contractor
- 6. To be added by Contractor
- 7. To be removed by Contractor
- 8. To be added by Contractor
- 9. To be removed by Contractor
- 10. To be added by Contractor

APPROVED
APR 24 1964

- 1. New 2x4 studs @ 16" o.c. beside existing wall to support new ceiling.
- 2. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 3. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 4. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 5. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 6. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 7. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 8. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 9. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.
- 10. New 2x4 studs @ 16" o.c. between DR & Bath/Hall.

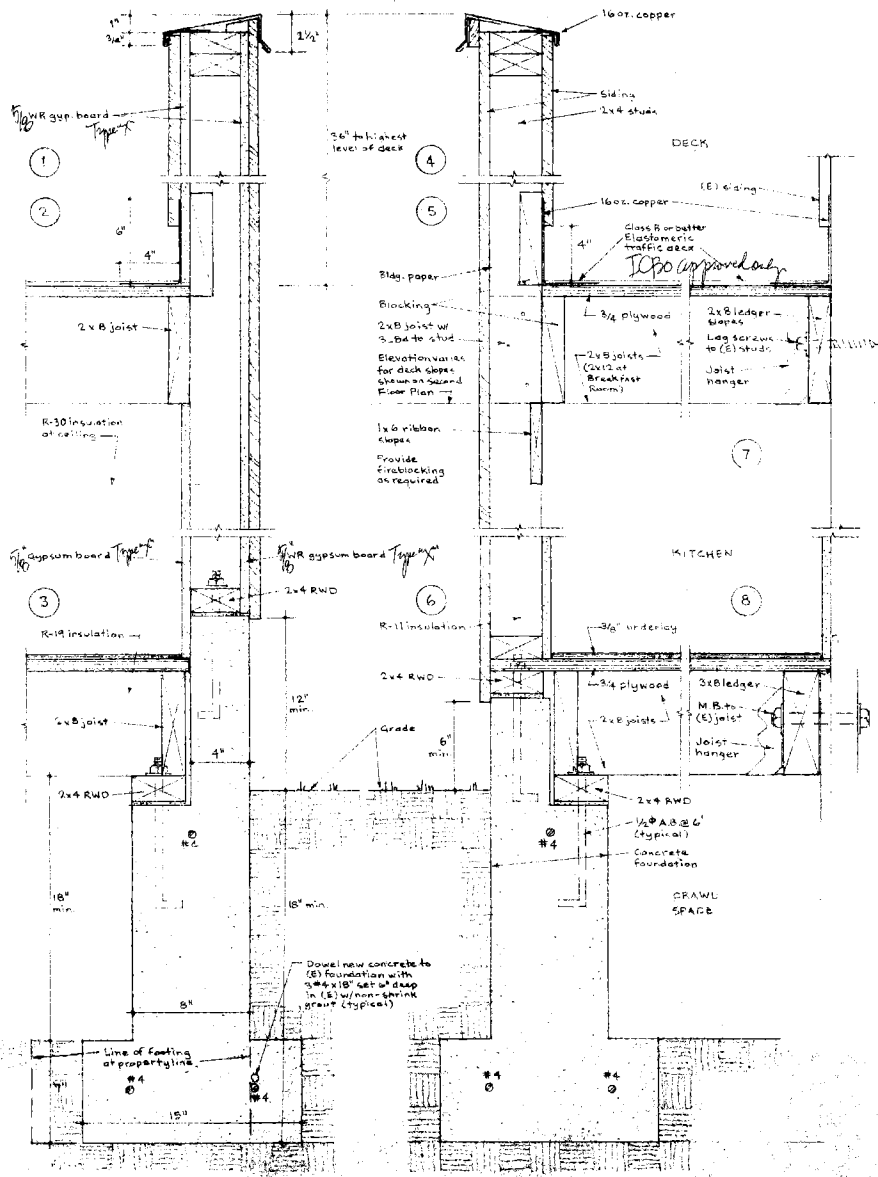


Submitted to: Margaret Nelson
Witness: Margaret Nelson
Margaret Nelson

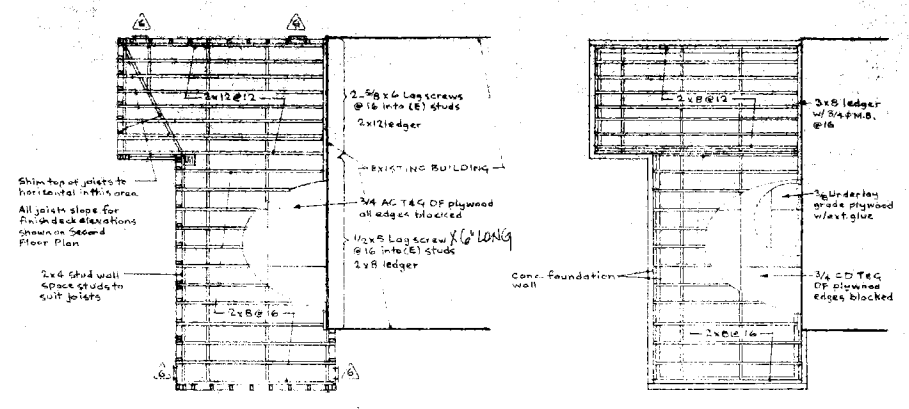
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APR 24 1964

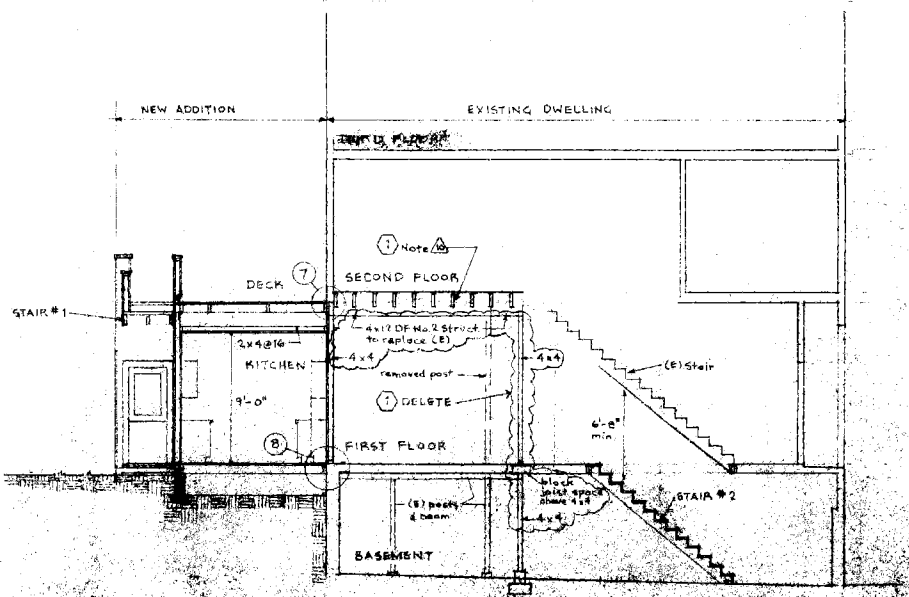


DETAILS
3/4" = 1'-0"



DECK FRAMING PLAN
1/4" = 1'-0"

FLOOR FRAMING PLAN
1/4" = 1'-0"



LONGITUDINAL SECTION
1/4" = 1'-0"

APPROVED
Date of Public Hearing
APR 22 1982
J.P.P.
JAMES P. PETERSON
COUNTY ENGINEER

Received



RECEIVED
APR 11 1982
COUNTY ENGINEER



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #1

February 17, 2009

Mark Topetcher
828 Divisadero
San Francisco, CA 94117

RE: 5 Seymour Street (Address of Permit Work)
2008.06.12.4326 (Building Permit Application Number)

The Planning Department has received your Building Permit Application for review. Your application is being held because the following information is required before it is accepted as complete and/or is considered Planning Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy.

In order to proceed with our review of your Building Permit Application, the following is required:

1. **Requirement.** The project must comply with the Residential Design Guidelines, specifically the guidelines for new dormers (p. 40). After reviewing the project with the Residential Design Team, the consensus was that the team does not support the design because the dormer is located too close to the front facade and detracts from the architectural character of the building. Therefore, the team recommends that the design be revised so that the dormer is set back a minimum of 10' from the front facade, as described in the Residential Design Guidelines, (p. 40), and that the triangular window be removed and replaced with wood siding to lend the dormer a more traditional appearance.
2. **Requirement.** The project must comply with the Residential Design Guidelines, specifically the guidelines for new windows (p. 44). It appears that the attic window at the front facade has been installed without the benefit of permit. Unless the property owner can provide a permit for this work, then the window should be replaced with a rectangular, wood-framed window of a size and configuration that is in keeping with the historic character of the facade.

The applicant must provide the requested information within thirty (30) days. The application will be sent back to the Department of Building Inspection for cancellation if the applicant does not comply with this notice.

**All plans submitted must be to an appropriate scale: site plan 1/8" = 1'; floor plans 1/4" = 1'.
Plans should be clearly labeled.**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

NOPDR #1 sent to:
Mark Topetcher
828 Divisadero
San Francisco, CA 94117

February 17, 2009
2008.06.12.4326
5 Seymour Street

All plan revisions must be filed at the Department of Building Inspection, Permit Processing Center, 1660 Mission Street, 1st Floor. Do not submit plans directly to the Planning Department. No plans will be accepted by mail or messenger. Plans must be signed by preparer, architect or engineer.

Please respond fully with all requested information and any plan revisions necessary to comply with the Planning Code. You may file any plan revisions responding to this notice at no extra charge. However, please 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, will require a Back-Check Fee for Permit Revisions (\$191 per hour, Planning Code Sections 355(a)2). If you file additional plan revisions in the future, those plan revisions will be subject to the Back-Check Fee.

Please direct any questions concerning this notice to the assigned planner, **Shelley Caltagirone at (415) 558-6625 or shelley.caltagirone@sfgov.org**. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment.

Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

G:\DOCUMENTS\Permits\NPR\Seymour_5_NPR.dot



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #2

November 20, 2009

Mark Topetcher
828 Divisadero
San Francisco, CA 94117

RE: 5 Seymour Street (Address of Permit Work)
2008.06.12.4326 (Building Permit Application Number)

The Planning Department has received your Building Permit Application for review. Your application is being held because the following information is required before it is accepted as complete and/or is considered Planning Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy.

In order to proceed with our review of your Building Permit Application, the following is required:

1. **Requirement.** The scope of work for the subject building permit application should include the legalization of any and all alterations to the property previously undertaken without permit. In further reviewing the permit history for the property, the Department was unable to find evidence that the following features were constructed with the benefit of permit:
 - a. The rear portion of the dormer, the portion that extends fully to the north wall and appears on permit plans for #9205997, does not appear to have been constructed with permit. In order to be legalized, this feature must be in compliance with the current Planning Code and Residential Design Guidelines (RDGs), which restrict development at the property lines where it may negatively impact the adjacent property's access to light, air, and privacy. If an issued permit cannot be produced to verify the feature's legality, then the work will be reviewed by the Residential Design Team for conformance with the RDGs, and the Department may request alterations to the feature.
 - b. The five 3rd floor windows at the rear elevation do not appear to have been constructed with permit. They are not shown on permit #9205997, indicating that they were likely installed after 1992. The windows appear to be in compliance with the Planning Code and Residential Design Guidelines and can be legalized under the subject building permit application.
 - c. The trellis above the rear deck does not appear to have been constructed with permit. It is not shown on permit #9205997, indicating that it was likely installed after 1992. The trellis appears to be located within the required rear yard, which means that a Variance from Section 134 of the Planning Code must be sought and granted in order to legalize the feature. Alternatively, the trellis may be proposed to be eliminated.

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Suite 400
San Francisco,
CA 94103-2479

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Planning
Information:
415.558.6377

NOPDR #2 sent to:
Mark Topetcher
828 Divisadero
San Francisco, CA 94117

November 20, 2009
2008.06.12.4326
5 Seymour Street

2. **Requirement.** In accordance with Requirement No. 1, please adjust the project description and estimated construction cost accordingly on the building permit application to include the expanded scope of work.
3. **Requirement.** Please provide photographs of the rear (west) and side (north) walls to verify the existing conditions shown on plans.
4. **Requirement.** Please clearly identify both the existing and the proposed conditions for all plans and elevations. Currently pages A2.0 and A4.0 inaccurately depict the proposed condition of the dormer and front window as "existing." Also, both the 3rd floor and roof plans are inaccurately labeled with "No Work". Separate drawings should be used to depict the existing and proposed conditions where changes are proposed. Where the existing condition includes non-permitted features, note these on the plans as "work previously performed without permit to be legalized under current permit." The proposed plans should show the proposed changes to the existing, non-permitted dormer, the front window, and any additional features to be changed (see Requirement No. 1).
5. **Requirement.** Please indicate all existing exterior vents/gutters/mechanical equipment on plans and elevations and specifically those attached to the side (north) wall. It appears from the photographs of this area that these features protrude over the property line and onto the adjacent property to the north (7 Seymour Street). If this condition is accurate, then the elements should be re-designed so as to be contained on the subject property.

The applicant must provide the requested information within thirty (30) days. The application will be sent back to the Department of Building Inspection for cancellation if the applicant does not comply with this notice.

All plans submitted must be to an appropriate scale: site plan 1/8" = 1'; floor plans 1/4" = 1'. Plans should be clearly labeled.

All plan revisions must be filed at the Department of Building Inspection, Permit Processing Center, 1660 Mission Street, 1st Floor. Do not submit plans directly to the Planning Department. No plans will be accepted by mail or messenger. Plans must be signed by preparer, architect or engineer.

Please respond fully with all requested information and any plan revisions necessary to comply with the Planning Code. You may file any plan revisions responding to this notice at no extra charge. However, please 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, will require a Back-Check Fee for Permit Revisions (\$191 per hour, Planning Code Sections 355(a)2). If you file additional plan revisions in the future, those plan revisions will be subject to the Back-Check Fee.

Please direct any questions concerning this notice to the assigned planner, **Shelley Caltagirone** at (415) 558-6625 or shelley.caltagirone@sfgov.org. Contact the assigned planner to set up any meeting, should

NOPDR #2 sent to:
Mark Topetcher
828 Divisadero
San Francisco, CA 94117

November 20, 2009
2008.06.12.4326
5 Seymour Street

one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment.

Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

cc: Winston Montgomery, Property Owner, 5 Seymour Street
Edward Sweeney, Deputy Director, DBI
Anthony Greico, Code Enforcement, DBI
Rachna, Code Enforcement, Planning Department

SC: G:\DOCUMENTS\Permits\NPR\5 Seymour_NPR 2.doc

GENERAL NOTES: 5 SEYMOUR STREET

1.CODE COMPLIANCE: All work is to be performed in accordance with all governing Codes: "CBC 2007" Ordinances and Regulations.

2.JOB COORDINATION & SAFETY: Contractor shall be responsible for the development, coordination and execution of construction methods and procedures. The Contractor shall also be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with his work.

3. JOB CLEANLINESS: Contractor shall on a daily basis leave the construction site "broom clean" at the end of the work day. At substantial completion, the Contractor shall turn to the Owner a spotlessly clean house, including clean mirrors, glass, light bulbs, walls, floors, cabinetry inside and out, bathroom fixtures, tiles and appliances.

4.CONSTRUCTION QUALITY: No guarantee for quality of construction is implied or intended by the architectural documents, and the Contractor shall assume full responsibility for any or all construction deficiencies.

5.CONTRACT DOCUMENT REVIEW: Contractor shall review all Contract Documents. If fifteen days elapse from the time the Contractor receives the plans and signs to perform the work, and the Owners have not been notified of any errors, omissions or objections, the Owners will consider the documents approved by the Contractor for the performance of his/her work.

6.DISCREPANCIES: In case of any discrepancy notify the Owners before proceeding. Contractor shall be responsible for correction of work at his/her own expense for work installed in conflict with the Contract Documents.

7.DIMENSIONS: All dimensions shown on plans are to face of stud, unless otherwise noted. All dimensions shown on interior elevations are finish dimensions. No dimensions shall be taken by measuring from the drawings. Details take precedence over general sections or plans. Written dimensions take precedence over scale. All dimensions shall be verified in the field for coordination with existing and new conditions.

8.SUBSTITUTIONS: The Contractor will be held to furnish under his Proposal all work described herein. All materials and articles of any kind necessary for this work are subject to the approval of the Owners.

9.MANUFACTURED ITEMS: Transport, handle, store, protect and install manufactured items in strict accordance with manufacturer's recommendations. Should conflict exist between construction documents and manufacturer's instructions, consult with Designer.

10.DEMOLITION: Protect all areas, products and finishes from damage from construction operations, weather, theft. Remove all walls, structural elements, finishes, paving, and utilities as indicated on the drawings as required for new construction. Remove only those elements necessary for completion of project, replace or repair elements unnecessarily removed or damaged during construction. Remove materials from site and dispose of in accordance with applicable codes.

11.ASBESTOS: Asbestos removal is not intended to be covered by this contract. If Asbestos is suspected, a testing agency must be hired to verify, and special procedures must be used for removal and disposal. Friable asbestos is the dangerous type and was used extensively for pipe insulation, fireproofing and certain building materials up to 1970.

12. CUTTING AND PATCHING: Cut and fit components as required; patch disturbed areas to match adjacent materials and finishes.

13.ATTIC VENTILATION: Ventilating area shall not be less than 1/150th of the net area of the space ventilated. If at least 50% of required ventilation is provided in the upper portion of the space, then ventilating area may be 1/300th of the attic space per section 3205(c).

14.WATER TIGHTNESS: Contractor shall verify that all work on the exterior of the project is watertight. All joints and surfaces exposed to the elements shall be tested for water tightness prior to substantial completion.

15.WATERPROOF MEMBRANE: Install a waterproof membrane under the Master Shower floor @ the Master Bath. Wrap the membrane up a minimum of 8" on all surrounding surfaces.

16. GLAZING: Tempered glazing is required as per UBC 2406. Glazing to be tempered includes but is not limited to: glazing that is less than 18" above finish floor; within 24" radius of doors; Glass door and panels of shower and bathtub enclosures and adjacent glazed openings within 60" above a standing surface and drain inlet shall be fully tempered, laminated safety glass as per UBC 2406.3 & 4; skylights; etc...

17.DRYWALL: All drywall to be 5/8" thick. Install metal corner beads at all outside corners. Fasten drywall to framing with drywall screws. All drywall is to be sanded three times to produce a smooth finish for all walls and ceilings. All drywall shall be finished so that it is smooth, with no bumps or craters. All joints to be taped and sanded so that there is no distinguishable transition. Contractor shall deliver all new or repaired walls perfectly even. The owners' and designer's criteria will be the sole measure for approval of the finished work.

18.BLOCKING: Provide solid blocking as necessary for all wall mounted shelves, fixtures and fittings. See interior elevations, where applicable.

19.HANDRAILS AND GUARDRAILS: All handrails at stairs are 34" above tread nosing. All guardrails are 36" minimum to finish floor, U.O.N. See interior elevations or details, as applicable, for guardrail design.

20.VENTING: Attic: Ventilating area shall not be less than 1/150 of the net area of the space ventilated.

21. SHOWER AND TUB W/ SHOWER : Provide ceramic tile or stone finish at all shower and tub w/ shower areas to a minimum height of 70" above the drain inlet over a moisture resistant underlayment (typical). Verify with interior elevations, if applicable. ALL showers & shower/tub combinations to have pressure balance mixing valves as per UPC section 410.7

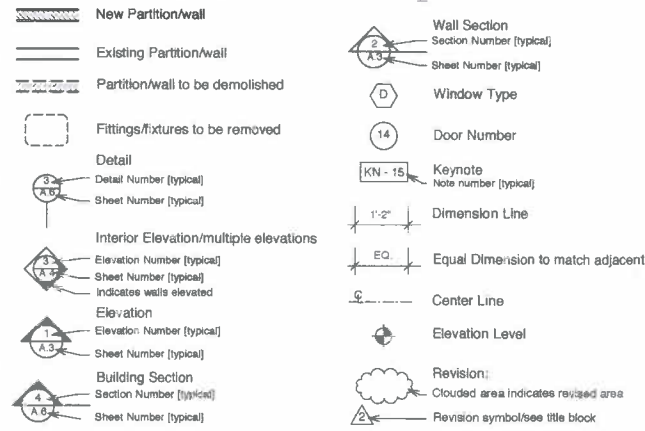
22. PLUMBING:All work is design/build by the Plumbing contractor and is to meet required codes and Title 24 requirements. Low flow plumbing fixtures & fittings will be used in all bathrooms, etc... Toilets to have a max. allowable flush of 1.6 gal. When there are fixtures @ three levels, cast iron or other approved non-plastic materials for drain, waste, & vents is to be used.

23. TITLE 24 RESIDENTIAL LIGHTING REQUIREMENTS

BATHROOMS, LAUNDRY, GARAGE & UTILITY ROOMS:

- All HE lighting, unless lighting is controlled by certified occupant sensor(s)
- must be manual-on motion sensor
- must not have "always-on" option

DRAWING SYMBOL LEGEND



PROJECT DESCRIPTION

THE SCOPE OF WORK UNDER THIS PERMIT INCLUDES THE LEGALIZATION OF THE (5) REAR WINDOWS LOCATED ON THE EAST SIDE ON THE 3RD FLOOR, LEGALIZATION OF REAR PORTION OF THE DORMER, LEGALIZATION OF THE REAR DECK WD. TRELLIS ON THE 2ND FLOOR AND MODIFYING THE EXISTING PLUMBING VENTS ON THE NORTHSIDE TO BE CONTAINED ON THE PROPERTY.

SCOPE OF WORK ALSO INCLUDES MODIFICATION OF THE 3RD FLOOR DORMER ON THE EAST(STREET) SIDE, REMOVING THE EXIST. TRIANGULAR WINDOW ON THE EAST SIDE OF THE DORMER AND REPLACING THE EXISTING EAST SIDE 3RD FLOOR WINDOW WITH A NEW WINDOW.

PROJECT DATA

NUMBER OF STORIES: 3
 BASEMENT: 1
 OCCUPANCY CLASS: R-3
 ZONING: RH-2

SHEET INDEX:

- A1.0 SITE PLAN
- PROJECT INFO.
- A2.0 EXISTING PLANS
- A2.1 PROPOSED PLANS
- A4.0 EXISTING EXTERIOR ELEVATIONS
- EXISTING SITE PHOTOS
- A4.1 PROPOSED EXTERIOR ELEVATIONS

TOPETCHER ARCHITECTURE INC
 828 DIVISADERO
 SAN FRANCISCO
 CALIFORNIA 94117
 TEL 415 359 9997
 FAX 415 359 9986
 toparchitecture.com

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DATE	ACTION
MAY 30, 2008	PERMIT SET
OCT. 9, 2009	REVISIONS
JAN. 12, 2010	REVISIONS
MAR. 12, 2010	REVISIONS

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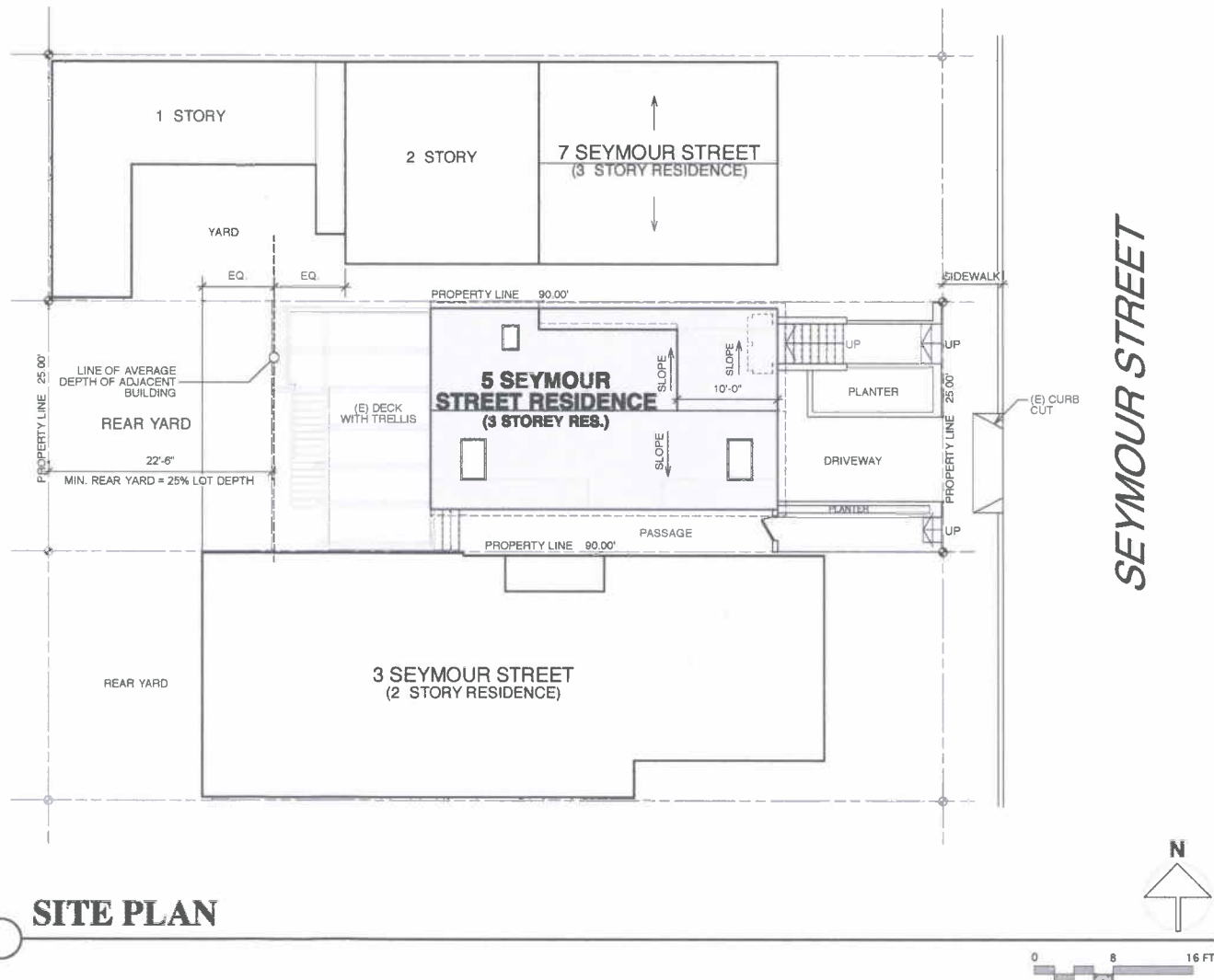
**MONTGOMERY/
 NELSON RESIDENCE
 5 SEYMOUR STREET
 SAN FRANCISCO, CA. 94115
 BLOCK # 1154 LOT # 24**

**SHEET TITLE
 PROJECT INFORMATION
 SITE PLAN**

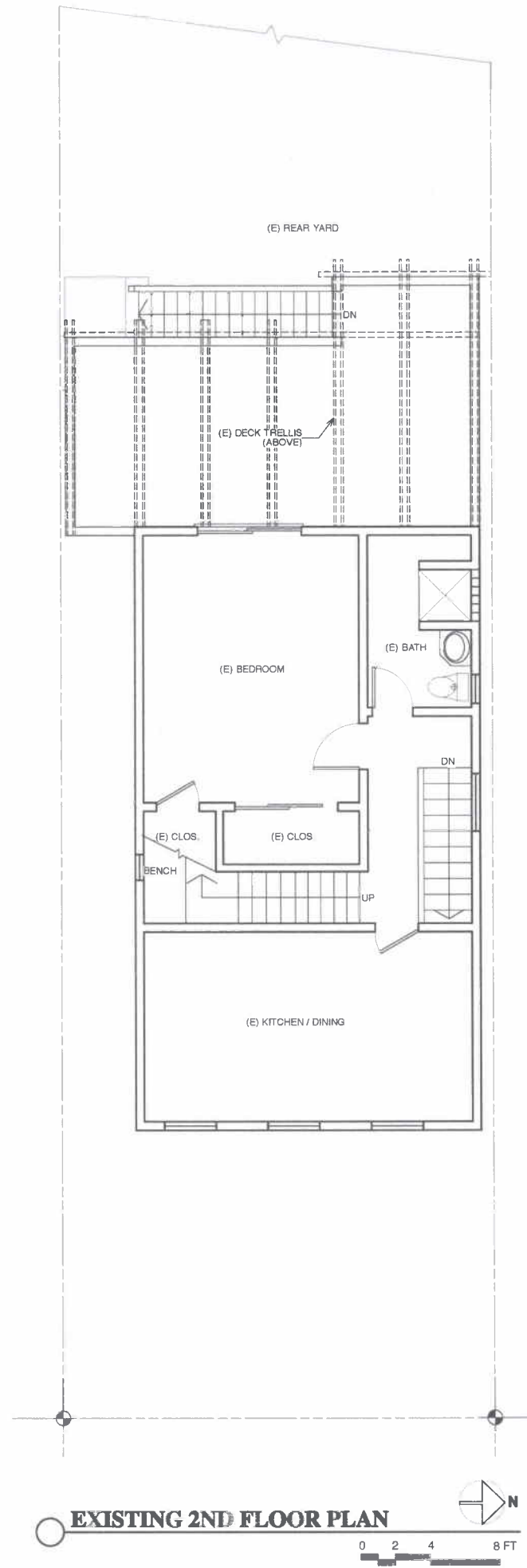
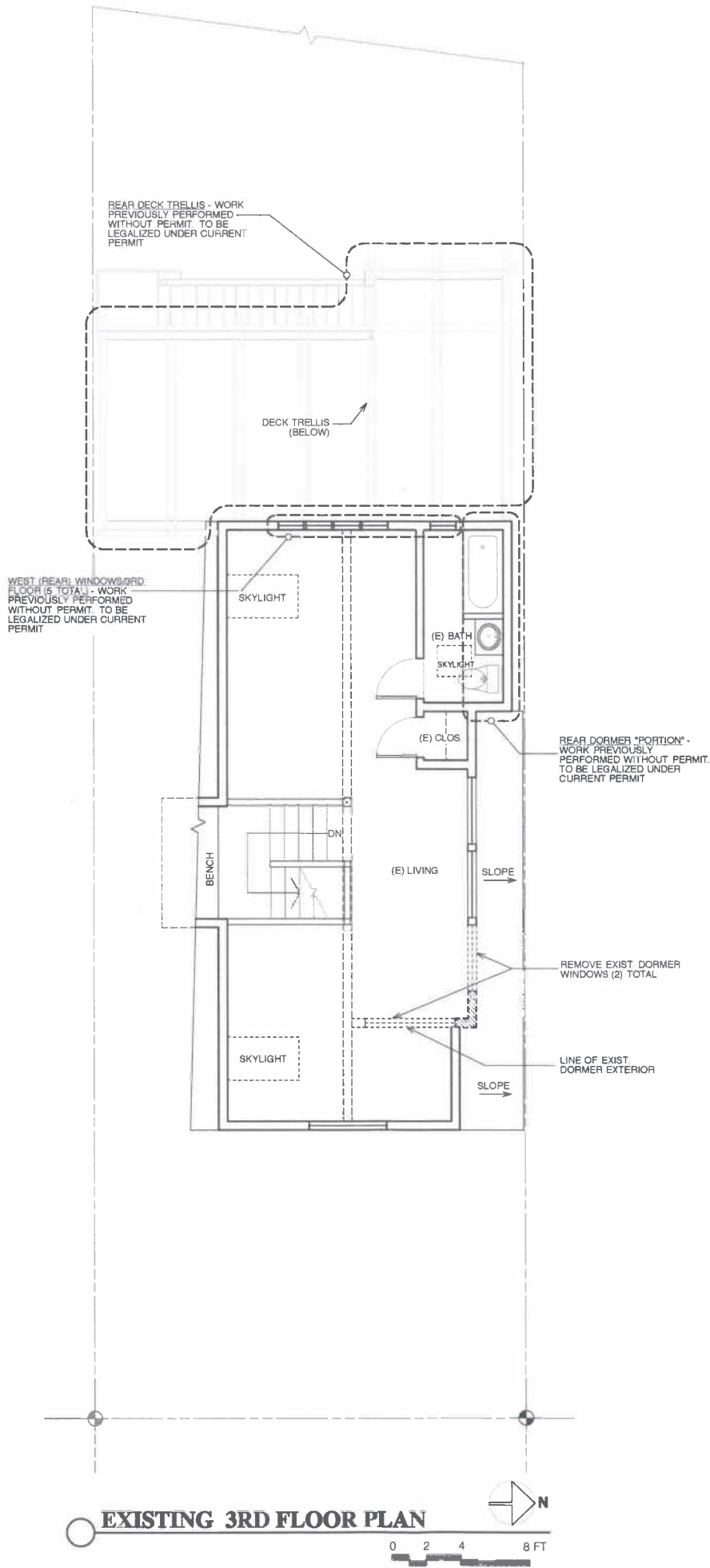
SCALE: 1/8"=1'-0"
 JOB NO. 08.05

MARK J. TOPETCHER, ARCHITECT, CAL. LIC. # 63878, EXP. 01/11

SHEET
**A
 1.0**



SITE PLAN



TOPETCHER ARCHITECTURE INC
 828 DIVISADERO
 SAN FRANCISCO
 CALIFORNIA 94117
 TEL 415 359 9997
 FAX 415 359 9986
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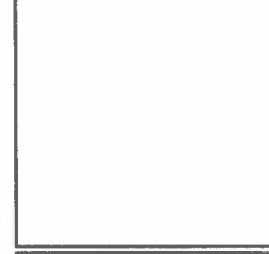
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**MONTGOMERY/
 NELSON RESIDENCE**
 5 SEYMOUR STREET
 SAN FRANCISCO, CA. 94115
BLOCK # 1154 LOT # 24

SHEET TITLE
EXISTING PLANS

SCALE: 1/4"=1'-0"
 JOB NO. 08.05



MARK J. TOPETCHER, ARCHITECT, CA. LIC. # 61996, EXP. 1/11

**A
 2.0**

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ARCHITECTURE INC
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 SAN FRANCISCO
 CALIFORNIA 94117
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MAR. 12, 2010	REVISIONS

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**MONTGOMERY/
 NELSON RESIDENCE**
 5 SEYMOUR STREET
 SAN FRANCISCO, CA. 94115
BLOCK # 1154 LOT # 24

SHEET TITLE
PROPOSED PLANS

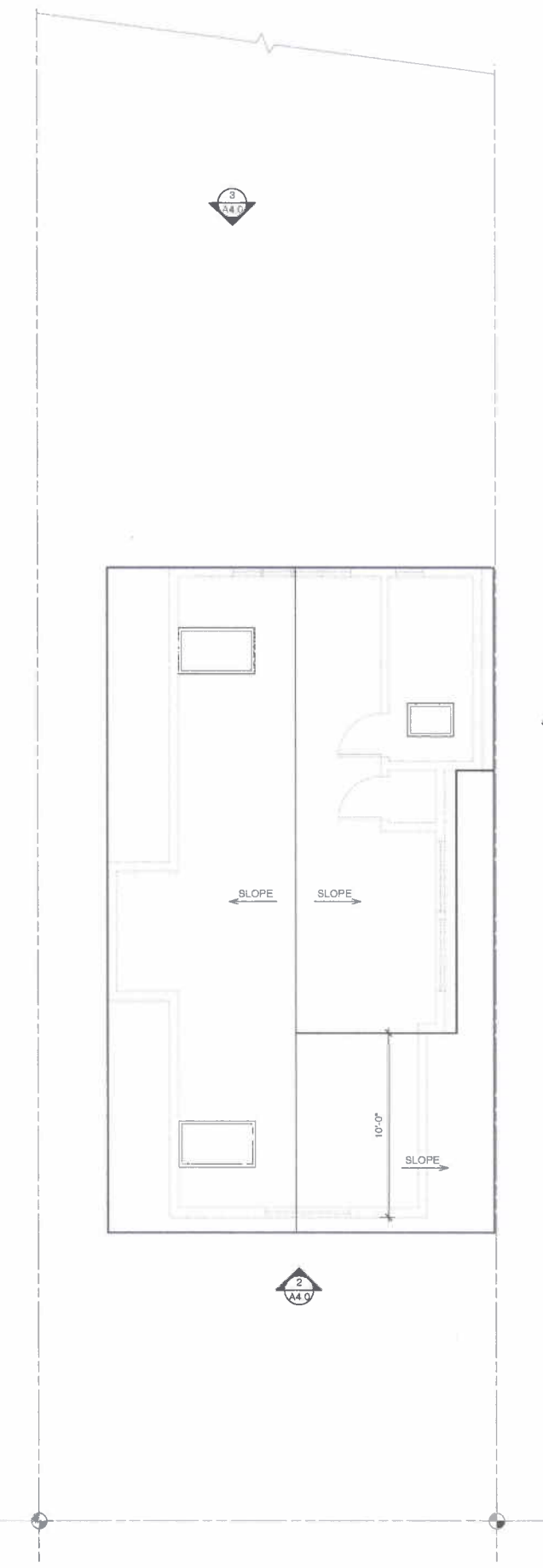
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JOB NO.
 06.05



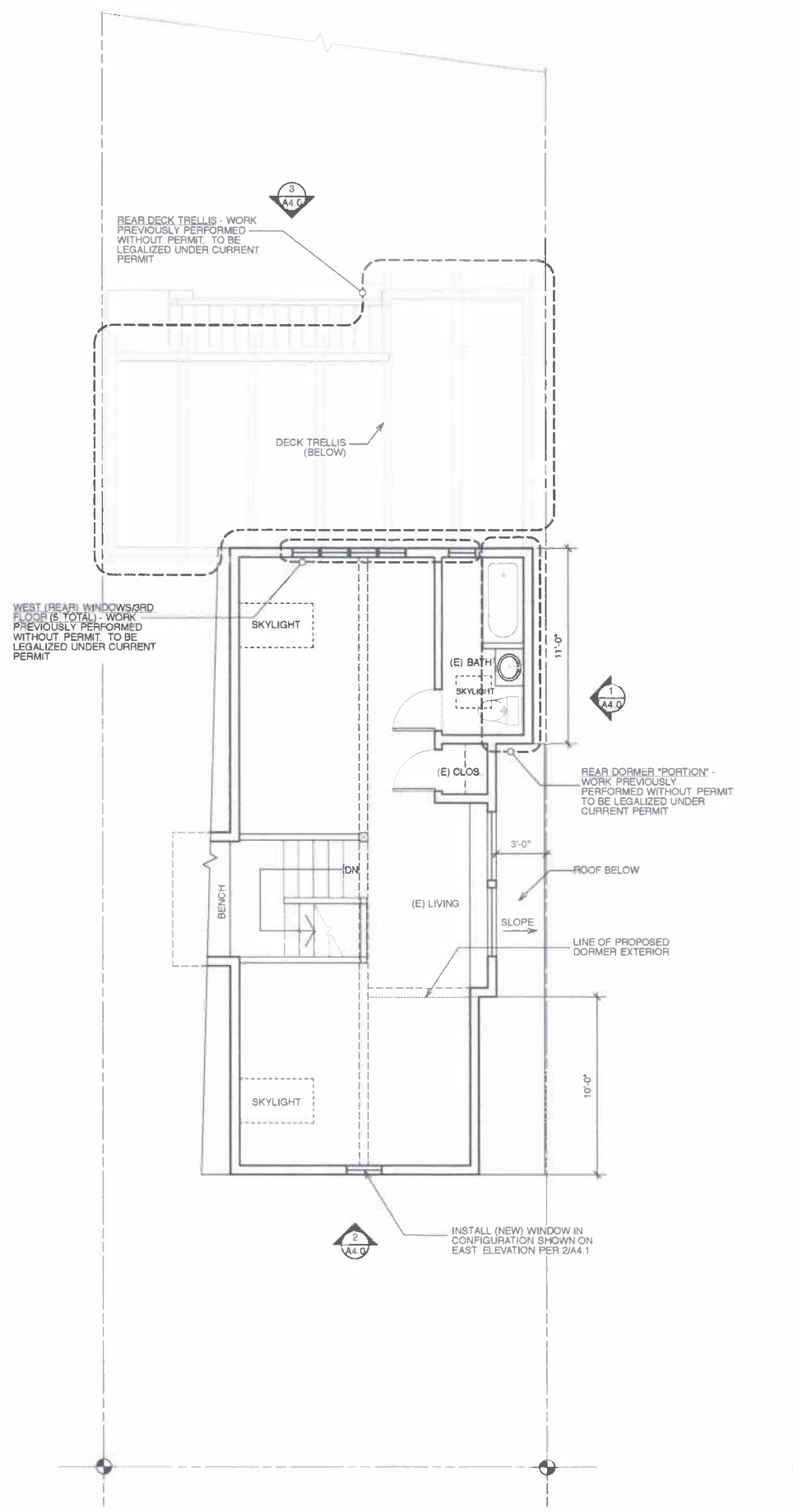
MARK / TOPETCHER ARCHITECT CA, L.C. # 0 00000, EXP. 01/11

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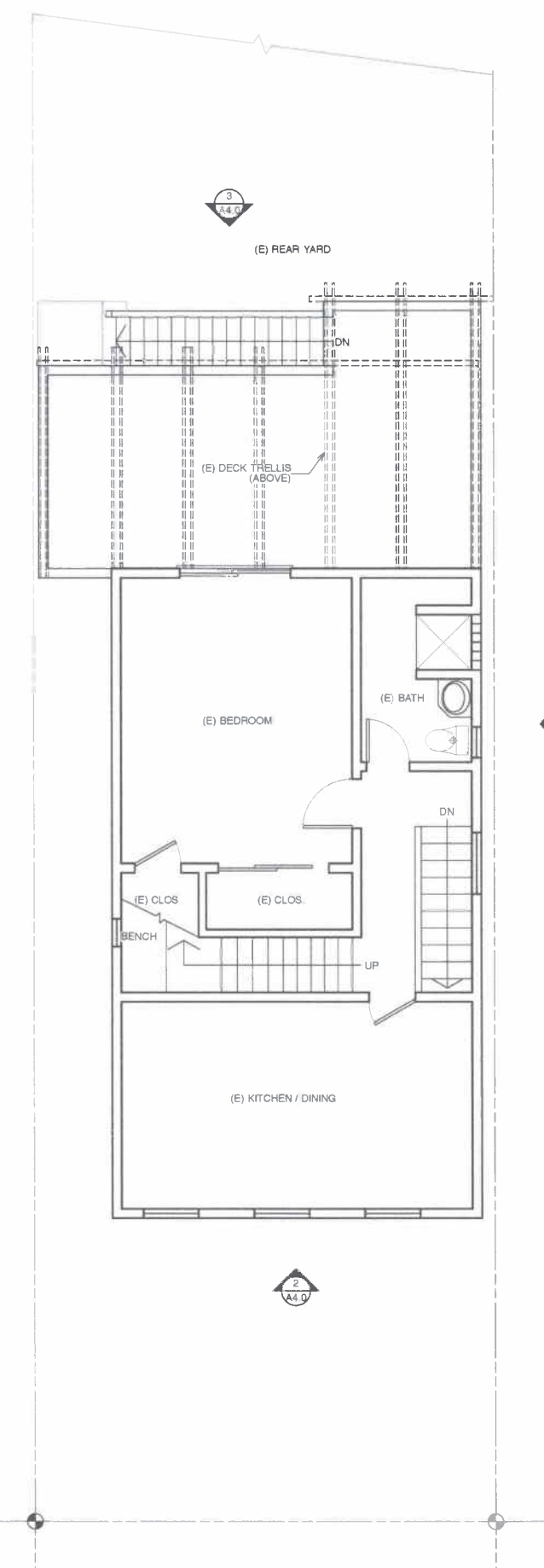
PROPOSED ROOF PLAN

0 2 4 8 FT



PROPOSED 3RD FLOOR PLAN

0 2 4 8 FT



PROPOSED 2ND FLOOR PLAN

0 2 4 8 FT



EAST (STREET) PERSPECTIVE



EAST (STREET) PERSPECTIVE



WEST (REAR) PERSPECTIVE



WEST (REAR) PERSPECTIVE

WEST (REAR) WINDOWS, 3RD FLOOR (6 TOTAL) - WORK PREVIOUSLY PERFORMED WITHOUT PERMIT. TO BE LEGALIZED UNDER CURRENT PERMIT

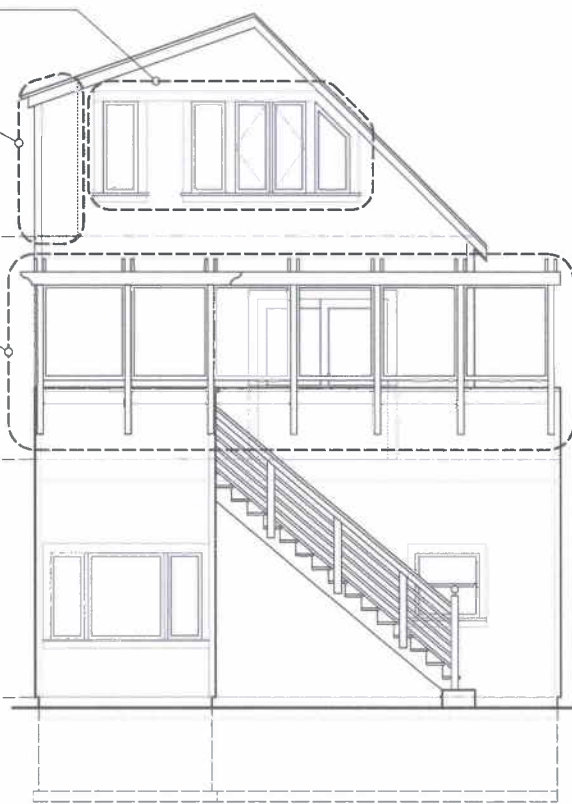
REAR DORMER "PORTION" - WORK PREVIOUSLY PERFORMED WITHOUT PERMIT. TO BE LEGALIZED UNDER CURRENT PERMIT

THIRD FLOOR

REAR DECK W/D TRELLIS - WORK PREVIOUSLY PERFORMED WITHOUT PERMIT. TO BE LEGALIZED UNDER CURRENT PERMIT

SECOND FLOOR

FIRST FLOOR



3 EXISTING WEST (REAR) ELEVATION



NORTHEAST PERSPECTIVE



NORTHEAST PERSPECTIVE



NORTHEAST PERSPECTIVE



NORTHSIDE PERSPECTIVE

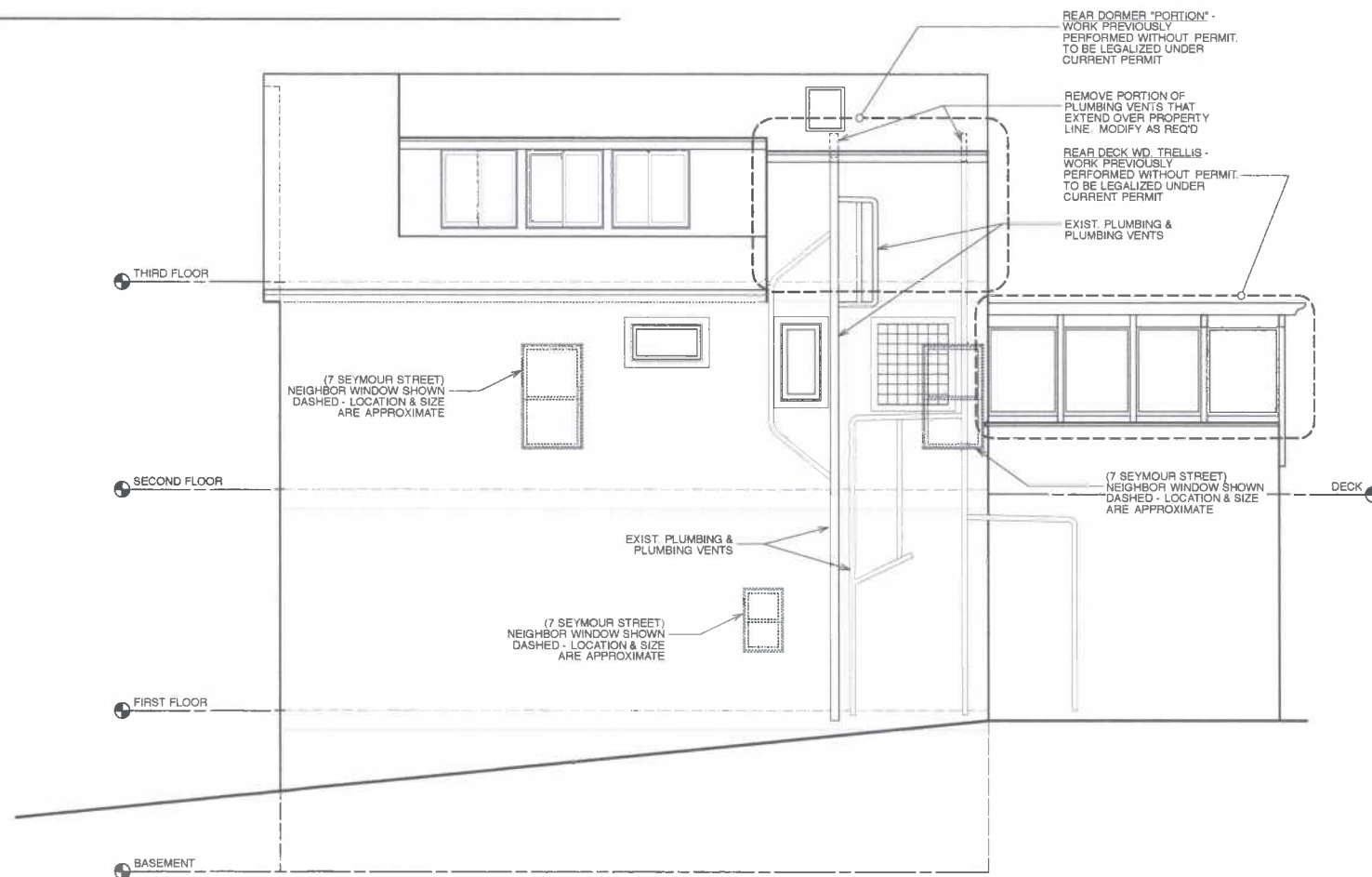


NORTHSIDE PERSPECTIVE

EXISTING SITE PHOTOS



2 EXISTING EAST (STREET) ELEVATION



1 EXISTING NORTH ELEVATION

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CALIFORNIA 94117
TEL 415 359 9997
FAX 415 359 9986
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**MONTGOMERY/
NELSON RESIDENCE**
5 SEYMOUR STREET
SAN FRANCISCO, CA. 94115
BLOCK # 1154 LOT # 24

SHEET TITLE
EXISTING ELEVATIONS
EXISTING SITE PHOTOS

SCALE: 1/4"=1'-0"
JOB NO. 08.05

MARY J. TOPETCHER, ARCHITECT, CALIF. LIC. # 83888, EXP. 5/31
SHEET
**A
4.0**

TOPETCHER
ARCHITECTURE INC

828 DIVISADERO
SAN FRANCISCO
CALIFORNIA 94117
TEL 415 359 9997
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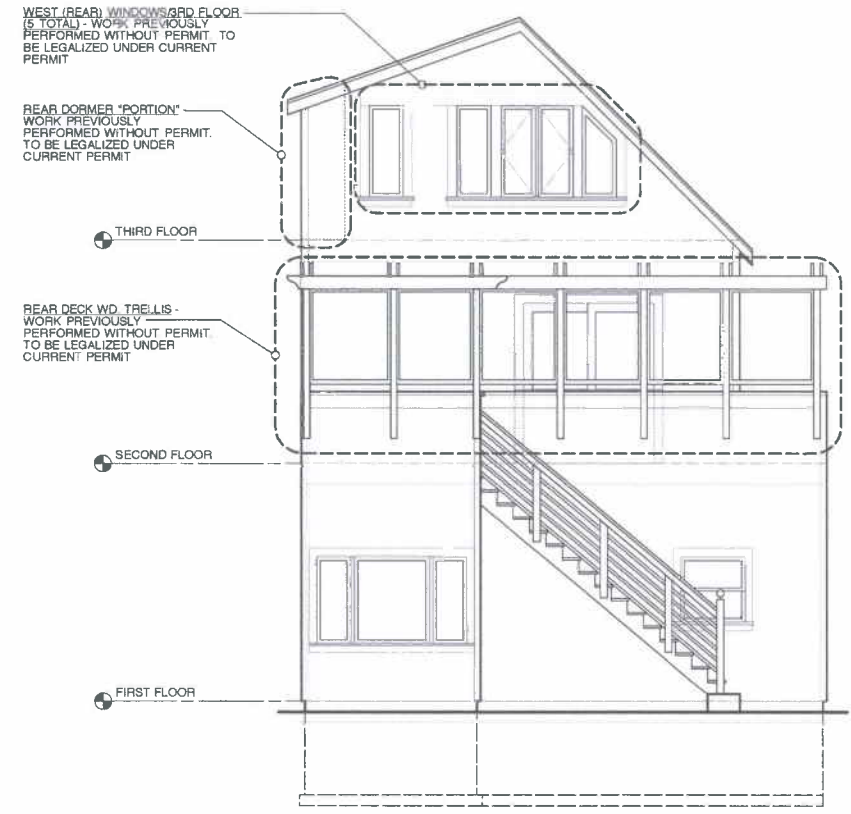
**MONTGOMERY/
NELSON RESIDENCE**
5 SEYMOUR STREET
SAN FRANCISCO, CA. 94115
BLOCK # 1154 LOT # 24

SHEET TITLE
PROPOSED ELEVATIONS

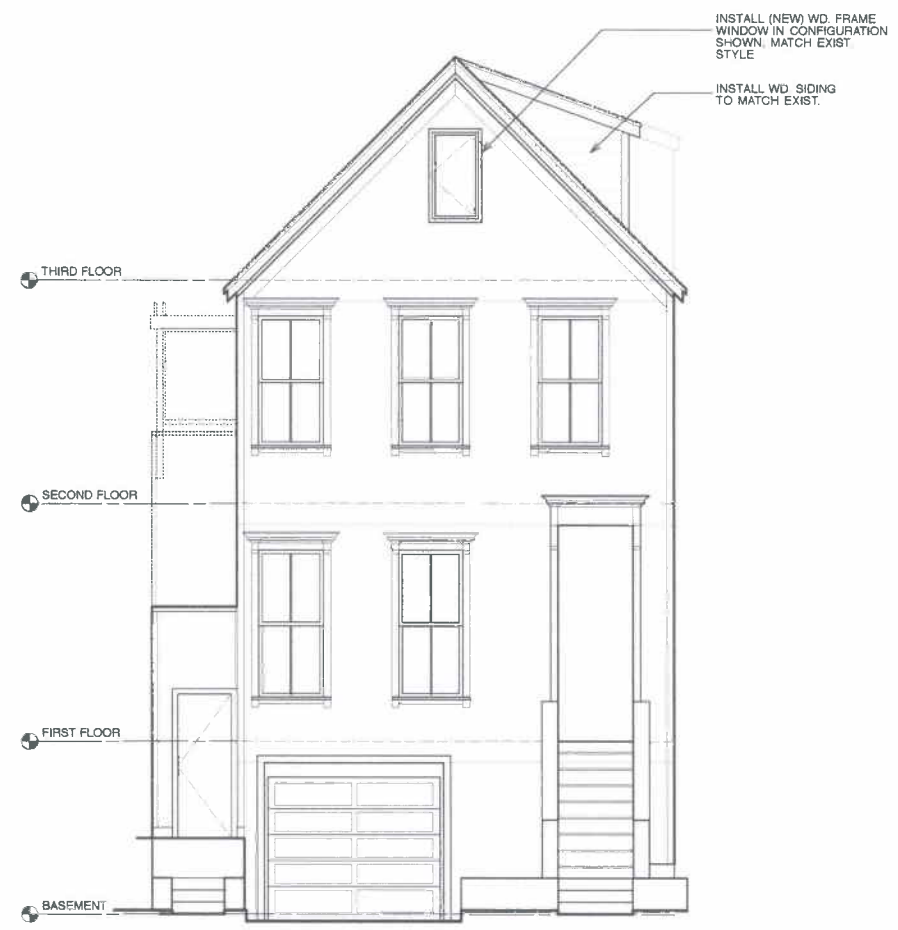
SCALE: 1/4"=1'-0"
JOB NO. 06.05

MARK J. TOPETCHER, ARCHITECT, CALIF. LIC. # 65189, EXP. 5/11

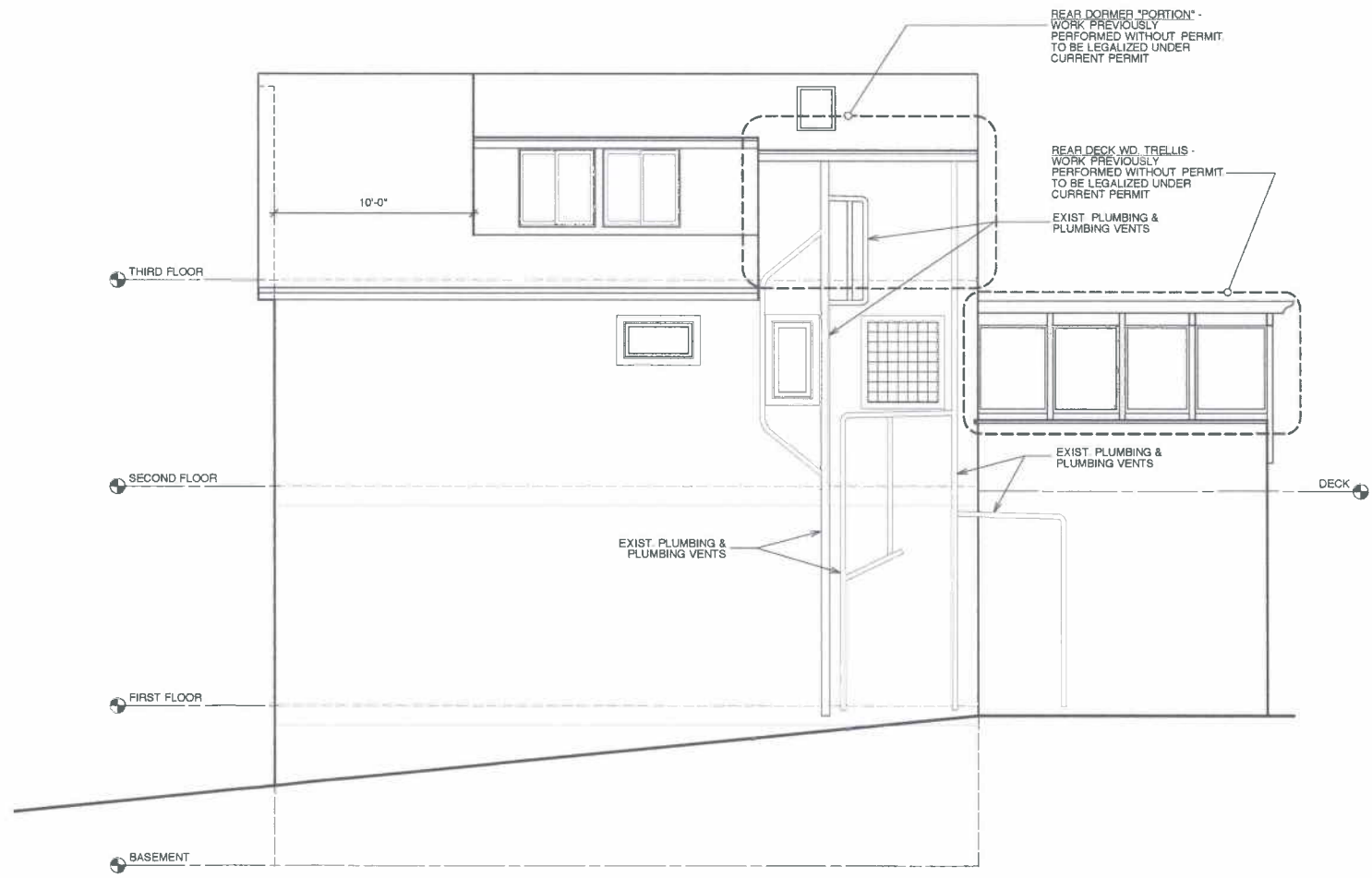
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**A
4.1**



3 PROPOSED WEST (REAR) ELEVATION



2 PROPOSED EAST (STREET) ELEVATION



1 PROPOSED NORTH ELEVATION