



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis

HEARING DATE: JANUARY 10, 2013

*Date:* January 3, 2013  
*Case No.:* **2012.1156D**  
*Project Address:* **1265-1267 BAY STREET**  
*Permit Application:* 2012.04.24.9016  
*Zoning:* RM-1 (Residential, Mixed, Low Density)  
40-X Height and Bulk District  
*Block/Lot:* 0473/015A  
*Project Sponsor:* Mark Topetcher  
828 Divisadero Street  
San Francisco, CA 94117  
*Staff Contact:* Christine Lamorena – (415) 575-9085  
[christine.lamorena@sfgov.org](mailto:christine.lamorena@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal is to add a third dwelling unit and construct a horizontal addition consisting of a three-story component (ranging from 12 to 24 feet deep by 20 feet wide) and a two-story component (approximately 11 feet deep by 18 feet wide) which includes a covered deck at the second story and an open deck above, at the rear of the two-story over garage, two-unit building. The horizontal addition is set back 3 feet 6 inches from the west property line and 5 feet from the east property line, which is the property line shared with the DR Requestor. Various interior alterations are also proposed.

### SITE DESCRIPTION AND PRESENT USE

The project site contains a two-story-over-garage, single-family dwelling constructed in 1924 on an approximately 28-foot wide by 138-foot deep lot with a lot area of approximately 3,895 square feet. The subject lot is located on the south side of Bay Street between Gough and Franklin Streets in the Marina Neighborhood.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

On the subject block-face, the buildings consist of one- to three-story over garage, single- and multi-family dwellings. Fort Mason is located on the opposite facing block. The subject block-face is zoned RM-1 (Residential, Mixed, Low Density while the opposite block is zoned P (Public).

The building located immediately to the west is a two-story over garage, four-unit building extending significantly deeper into the lot than the subject building extends into its lot while the building located immediately to the east is a two-story over garage, two-unit building. The DR Requestor owns and resides in the building immediately to the east of the project site.

**BUILDING PERMIT NOTIFICATION**

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311/312 Notice	30 days	August 1, 2012 – August 30, 2012	August 28, 2012	January 10, 2013	135 days

**HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	December 31, 2012	December 31, 2012	10 days
Mailed Notice	10 days	December 31, 2012	December 31, 2012	10 days

**PUBLIC COMMENT**

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	1 (Property Owner, 1265-1267 Bay St.)	1 (DR Requestor, 1259-1261 Bay St.)	X
Other neighbors on the block or directly across the street	X	X	X
Neighborhood groups	X	X	X

**DR REQUESTOR**

Bina Shah, representative of the 1259-1261 Bay Street Condo Association and part owner of 1259 Bay Street, a two-story over garage, two-unit condominium building located immediately to the west of the project site. Property owners represented include Richard Muth of 1259 Bay Street along with Marke Brzezinski and Jasleen Kukreja of 1261 Bay Street.

**DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES**

See attached *Discretionary Review Application*, dated August 28, 2012.

**PROJECT SPONSOR’S RESPONSE TO DR APPLICATION**

See attached *Response to Discretionary Review*, dated August 21, 2012.

**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 addition will not result in an increase of more than 10,000 square feet).

### **RESIDENTIAL DESIGN TEAM REVIEW**

The Residential Design Team (RDT) found that the proposed project meets the standards of the Residential Design Guidelines (RDGs) and that the project does not present any exceptional or extraordinary circumstances for the following reasons:

- The project appropriately reduces massing by providing side setbacks on both sides of the addition while also providing transitions in depth and height from the adjacent building to the west and the adjacent building to the east.
- The two-story component of the project consists of a ground floor addition and two decks with open railing and would not adversely affect the DR Requestor's light at the rear yard.

**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.**

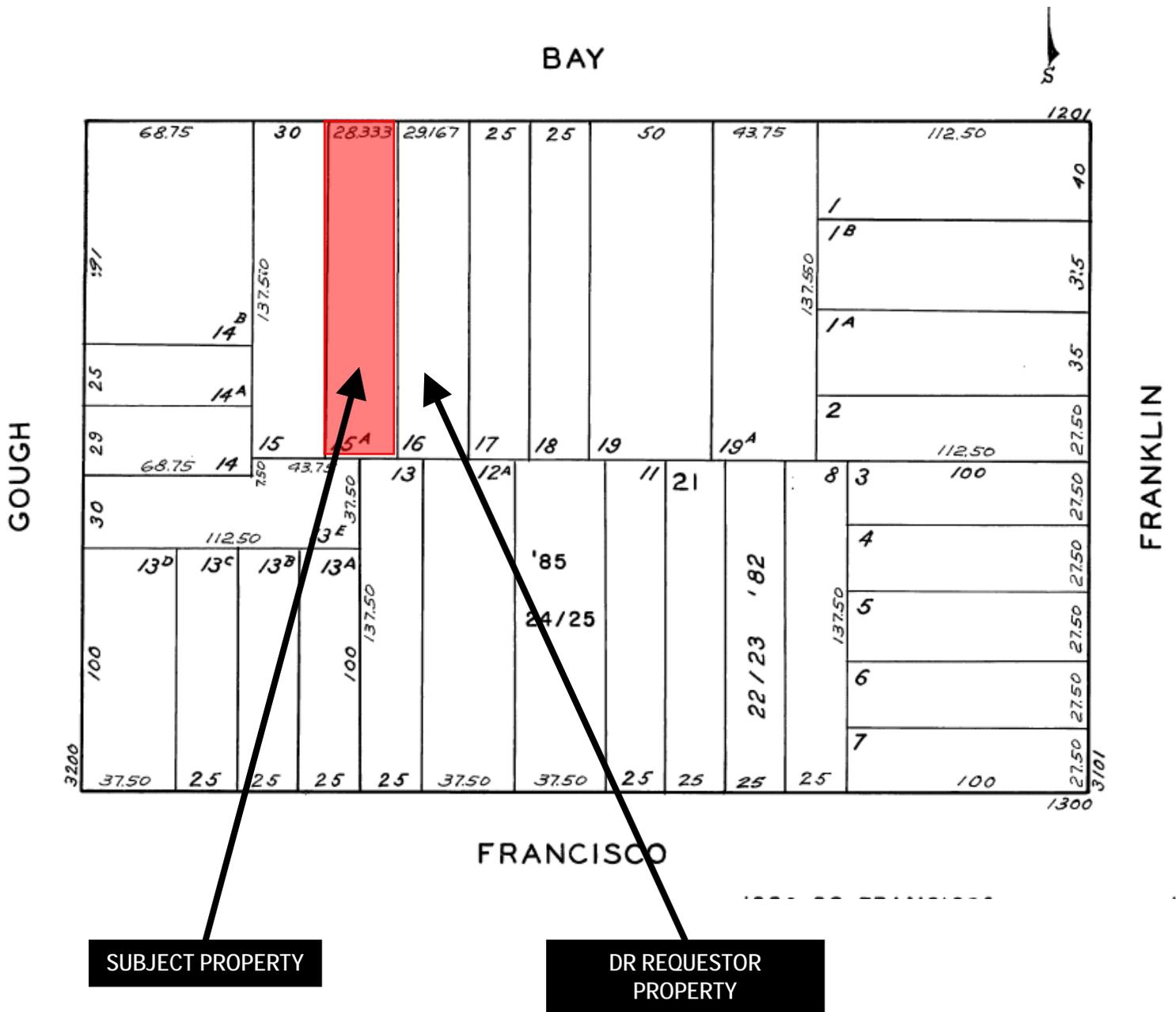
<b>RECOMMENDATION:</b> <b>Do not take DR and approve project as proposed</b>
------------------------------------------------------------------------------

**Attachments:**

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

*CL: G:\DOCUMENTS\2012\DRs\2012.1156\1265-1267 Bay St - DR Analysis.doc*

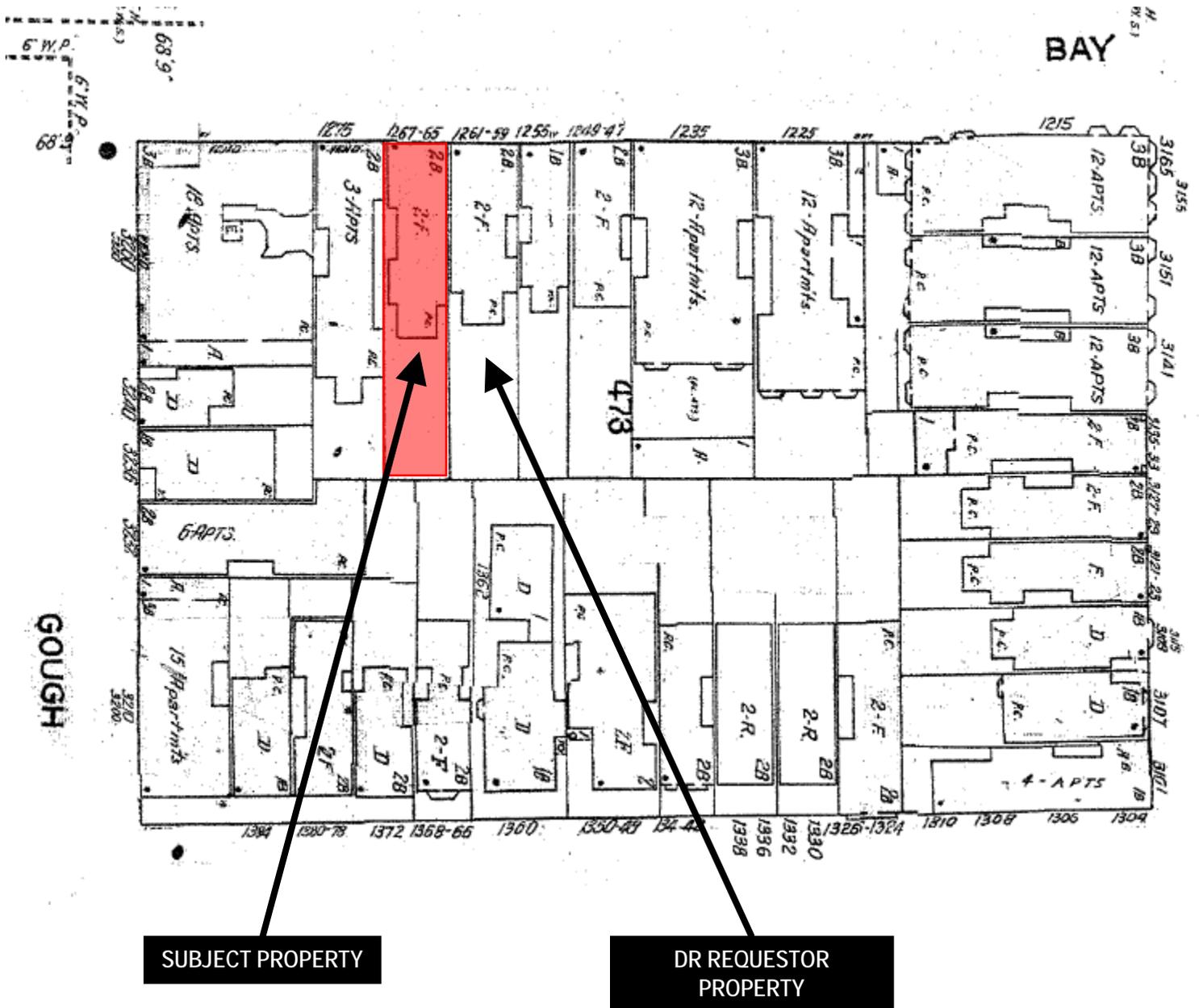
# Parcel Map



Discretionary Review Hearing  
 Case Number 2012.1156D  
 1265-1267 Bay Street  
 Block/Lot 0473/015A



# Sanborn Map\*



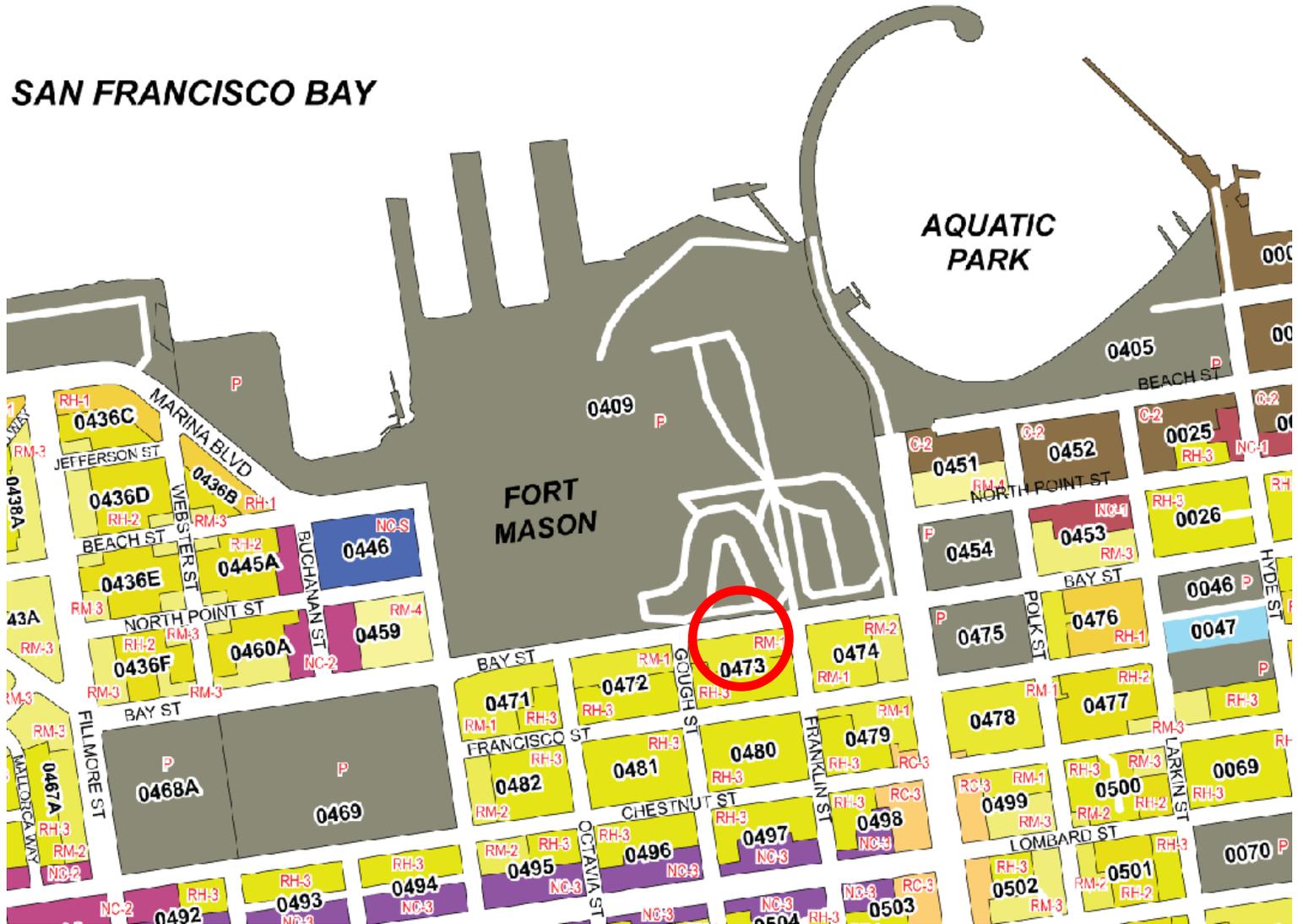
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing  
 Case Number 2012.1156D  
 1265-1267 Bay Street  
 Block/Lot 0473/015A

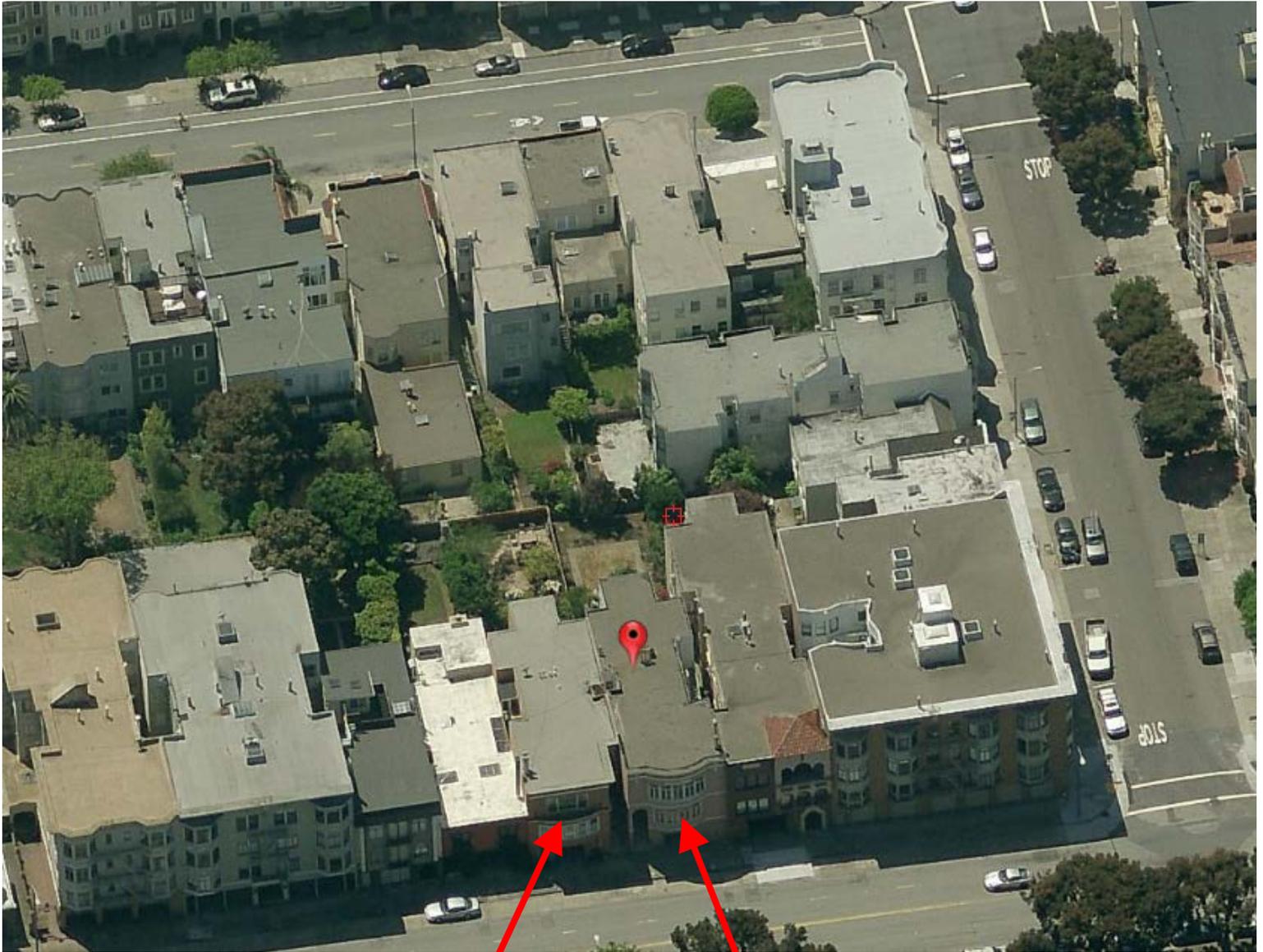
# Zoning Map

SAN FRANCISCO BAY



Discretionary Review Hearing  
Case Number 2012.1156D  
1265-1267 Bay Street  
Block/Lot 0473/015A

# Aerial Photo (looking south)



DR REQUESTOR  
PROPERTY

SUBJECT PROPERTY

Discretionary Review Hearing  
Case Number 2012.1156D  
1265-1267 Bay Street  
Block/Lot 0473/015A

# Aerial Photo (looking north)

SUBJECT PROPERTY

DR REQUESTOR  
PROPERTY



Discretionary Review Hearing  
Case Number 2012.1156D  
1265-1267 Bay Street  
Block/Lot 0473/015A



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On April 24, 2012, the Applicant named below filed Building Permit Application No. 2012.04.24.9016 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Mark Topetcher	Project Address:	1265-1267 Bay Street
Address:	828 Divisadero Street	Cross Streets:	Gough & Franklin
City, State:	San Francisco, CA 94117	Assessor's Block /Lot No.:	0473/015A
Telephone:	(415) 359-9997	Zoning Districts:	RM-1 /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 you believe that there are exceptional or extraordinary circumstances associated with the project, you may 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 type="checkbox"/> VERTICAL EXTENSION		<input checked="" type="checkbox"/> CHANGE # OF DWELLING UNITS <input 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 .....	Residential .....	No Change
FRONT SETBACK .....	Approx. 2 feet .....	No Change
SIDE SETBACKS .....	None .....	No Change
BUILDING DEPTH .....	Approx. 79 feet .....	Approx. 102 feet
REAR YARD .....	Approx. 57 feet .....	Approx. 34 feet
HEIGHT OF BUILDING .....	Approx. 31 feet .....	No Change
NUMBER OF STORIES .....	2 over garage .....	No Change
NUMBER OF DWELLING UNITS .....	2 .....	3
NUMBER OF OFF-STREET PARKING SPACES .....	2 .....	3

### PROJECT DESCRIPTION

The proposal is to construct a two-three story horizontal addition (approximately 23 feet deep by 20 feet wide) at the rear of the two-story over garage, multi-family building. The project includes adding a third dwelling unit, various interior alterations, a new roof deck above the proposed second story addition, and the addition of one parking space in the existing garage. See attached plans.

PLANNER'S NAME: Christine Lamorena

PHONE NUMBER: (415) 575-9085

EMAIL: christine.lamorena@sfgov.org

DATE OF THIS NOTICE: 8/01/2012

EXPIRATION DATE: 8/30/2012

# 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, or online at [www.communityboards.org](http://www.communityboards.org) for a facilitated discussion in a safe and collaborative environment through mediation. Community Boards acts as a neutral third party and has, on many occasions, helped parties reach mutually agreeable solutions.
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.sfplanning.org](http://www.sfplanning.org)). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org) or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. 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.

CASE NUMBER:  
For Staff Use only

12.1156D

# APPLICATION FOR Discretionary Review

RECEIVED

AUG 28 2012

CITY & COUNTY OF S.F.

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: Ms. Bina Shah, owner/representative 1259 - 61 Bay Street Condo Association, 1259 Bay St, S.F., CA; Richard Muth 1259 Bay St, SF; Marek Brzezinski and Jasleen Kukreja 1261 Bay Street, SF, CA		
DR APPLICANT'S ADDRESS: 1259 - 61 Bay Street, San Francisco, CA	ZIP CODE: 94123	TELEPHONE: (415) 307-0500

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Mr. Attilio Cosgrove		
ADDRESS: 1265-67 Bay Street, San Francisco, CA	ZIP CODE: 94123	TELEPHONE: (415) 359-9997

CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Christopher Rose; Rose Architecture; Jermev Paul, consultant		
ADDRESS: 81 Bay Vista Drive, Mill Valley, CA	ZIP CODE: 94941	TELEPHONE: (415) 956-0788
E-MAIL ADDRESS: Rosearch@aol.com		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 1265-67 Bay Street, San Francisco, CA	ZIP CODE: 94123
CROSS STREETS: Between Gough and Franklin Streets	

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0473 / 015A	28.333' W. 137.55' L.	3,897 sq.ft.	R-3	

## 3. Project Description

Please check all that apply

Change of Use  Change of Hours  New Construction  Alterations  Demolition  Other

Additions to Building: Rear  Front  Height  Side Yard   
24 - Apartments

Present or Previous Use:  
24 - Apartments

Proposed Use: 201204249016

Building Permit Application No.

4/24/12

Date Filed:

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

A cursory presentation was made by the sponsor architect on 3/14/12 of initially a single story project with statements that the project would have no impact on the neighboring properties. He assured us that it would not reduce the value and quality of living of our houses. Later, we were given plans for a larger 3 story expansion with decks which we expressed our disapproval, yet no alterations to the project scope were offered. We were shocked to receive the notification plans for a full 3-story addition with multiple decks, with no opportunity to mediate a response. It has been brought to the planner's attention, the fact that the application drawings are incorrect in the depiction of the existing condition dimensions by which building limits are calculated and a rejection of this project is requested. See attached single story project.

## Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

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 or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

This project imposes a severe, detrimental and permanent impact upon the urban open space of the General Plan. The open space, within the interior of the 1200 block of Bay St. / 1300 block of Francisco St. will be adversely altered in aspects of light and shadow, imposition of a projecting building mass into the open space arena, and the disruption of the interior block pattern. This project will also create dramatic privacy, light and ventilation hardships for the residences of 1259 - 61 Bay St. on all floors of living. Additionally, following a professional on-site survey commissioned by the DR applicant of the adjacent lots and a comparison of the project drawings, it is determined that the project application has been fraudulently and incorrectly drawn in its dimensions and extents by the project sponsor architect.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

The specific impact involves a building mass that projects into the rear yard area, which includes outdoor decks, and living areas with sight lines directly facing the private bedroom windows of the 1259-61 Bay St. west elevation. This project also dramatically reduces a shared light well that is essential to the interior room light and ventilation in the 1259 - 61 Bay Street dwellings. The overall greater detrimental impact to the rear yard surface area open to the sky, the disruption of the consciously acquired public domain that shapes the interior urban setting of this particular block of the Marina, and the substantial precedent established for the future erosion of the urban open space domain is unacceptable. The shadow projected by this expansion will reduce afternoon light by 60%; refer to shadow study provided.

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 #1?

It is clear that the application documents are incorrect in their dimensional extents. The project shows a 23' -1" full rear extension based on an averaged adjacent set back calculation where both properties are incorrectly dimensioned to the project scope advantage. The project must be corrected and the allowed net 9'-6" extension based on the accurate averaged set back enforced. Additionally the revised project must be stepped back in massing from the rear yard on the upper floors to mitigate the impact of shadow on the common open space, adjacent properties, as well as impact on the privacy of adjacent dwellings. The infill of the interior light well must be deleted, as this creates a untenable hardship to the 1259 - 61 Bay Street residences and would also require signed adjacent neighbor approval which we decline.

12.11560

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: Bina Shah

Date: 8/27/12

Print name, and indicate whether owner, or authorized agent:

BINA SHAH, OWNER  
Owner / Authorized Agent (circle one)

12.11560

Ms. Bina Shah  
Representative for the 1259 – 1261 Bay Street Condo Association  
1259 Bay Street  
San Francisco, CA 94123

20<sup>th</sup> of August, 2012

Ms. Christine Lamorena  
San Francisco Planning Department  
1650 Mission Street, Ste 400  
San Francisco, CA 94103

Re: Building Permit Application 311 notification for 1265 – 1267 Bay St., SF  
Application No. 2012.04.24.9016

Dear Ms. Lamorena,

We wish to bring to your attention an attempt to commit fraud with the documents on the above building permit application which show gross inaccuracies in the site measurements mailed out to us under section 311 of the Planning Code.

It appears that the licensed architect who submitted these documents has intentionally lied about the depth of the adjacent buildings to the west and east in order to skew the rear building wall limitations under section 134 of the planning code. Approximately a combined 15 feet has been added to the depth of the adjacent buildings beyond the actual conditions. Please see the attached survey and analysis of the actual dimensions and allowable set building size.

I am not an attorney and I do not know the standards of professional conduct for licensed architects in California. However this dishonesty on a signed stamped document should disqualify both the validity of this section 311 notification, and the signatory from all future filings with the City of San Francisco.

Please keep me informed of your investigation and prosecution in this matter.

Sincerely,

Bina Shah  
[ebinashah@hotmail.com](mailto:ebinashah@hotmail.com)  
Tel: 415-931-7881

cc:  
Dennis Herrera, City Attorney  
John Rahaim, Director of Planning  
David Lindsay

12.1156D

Ms. Bina Shah [ebinashah@hotmail.com](mailto:ebinashah@hotmail.com)  
Representative for the 1259 – 1261 Bay Street Condo Association  
1259 Bay Street  
San Francisco, CA 94123

27<sup>th</sup> of August, 2012

San Francisco Planning Department  
Ms, Christine Lamorena  
1650 Mission Street  
San Francisco, CA 94103

Re: Building Permit Application 311 notification for 1265 – 1267 Bay St., SF  
Application No. 2012.04.24.9016

RE: 1265-67 Bay Street Permit application

Dear Ms. Lamorena,

I have not received any responsive action to my concerns regarding the above project application from either the planning department or the sponsoring architect. I am compelled at this time to file a Discretionary Hearing Application to address the grossly inaccurate and fraudulent depiction of the project scope and context; the misleading and manipulative actions of the sponsor architect in the representation of the project; as well as the detrimental and permanent impact this project will have on our community and the negative precedent it will establish for future impact on our open green space.

Please find the documents for the Discretionary Review Application and all supporting documents to be delivered to the Planning Department today. I have retained the architect Chris Rose to prepare this application as well as the Permit Consultant Jeremy Paul to serve as council for our case and hearing.

Sincerely,

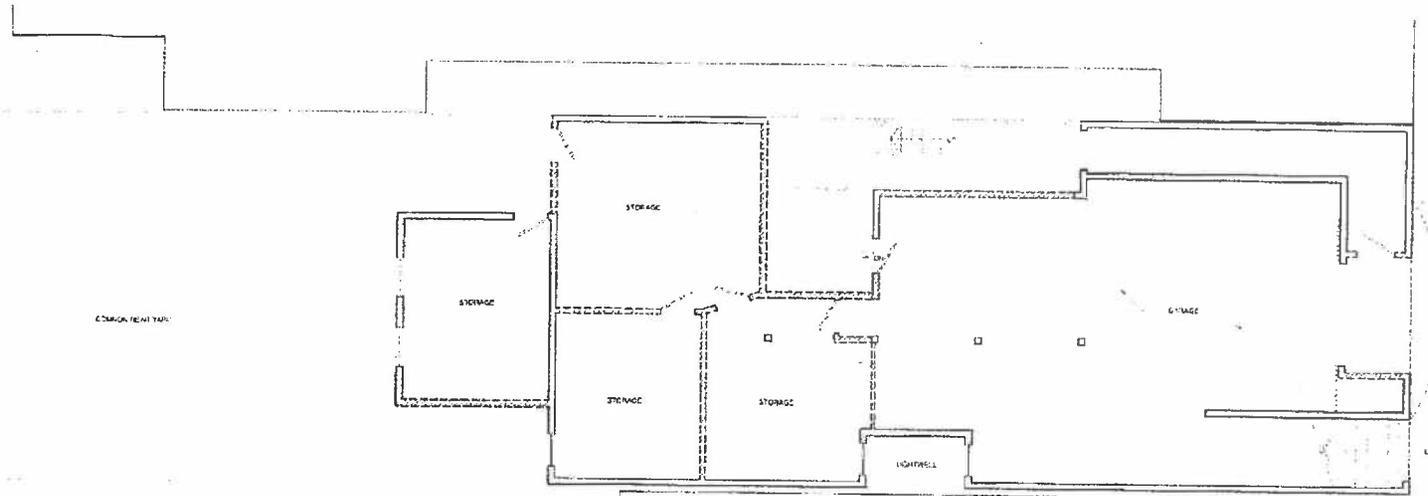
Bina Shah

# PROPOSED SINGLE STORY PROJECT

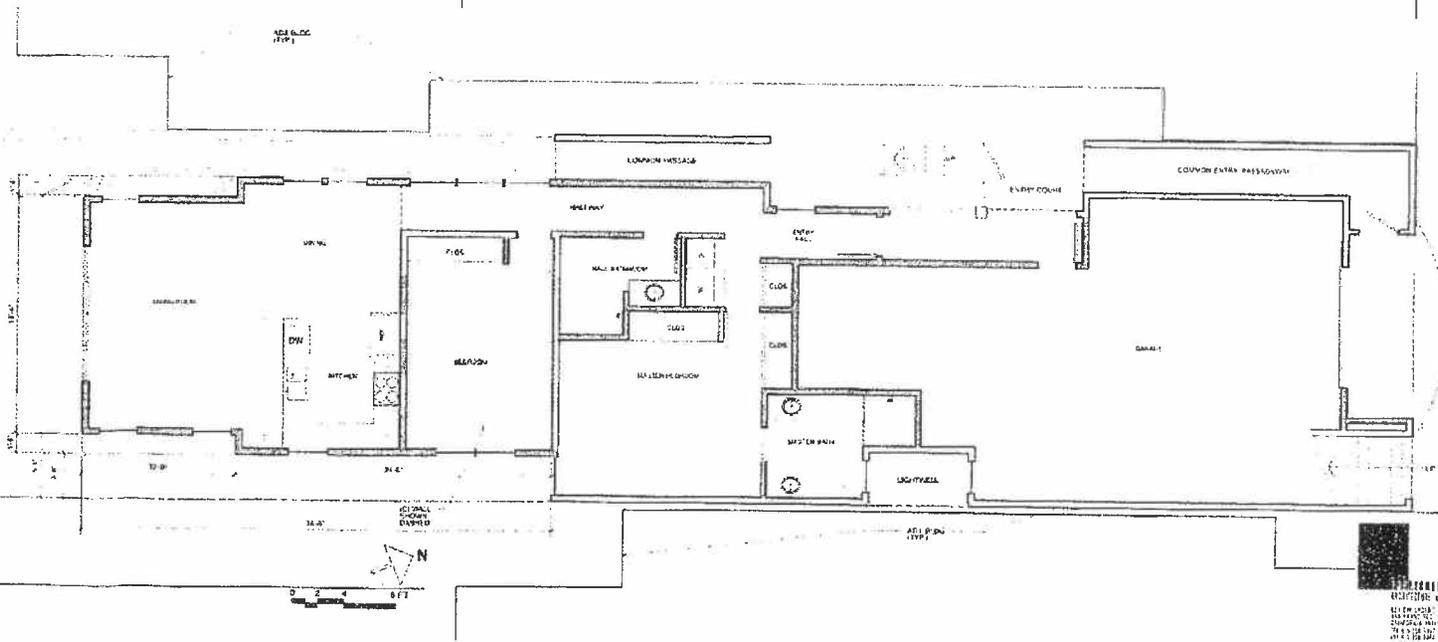
**RESIDENCES**  
1265 - 1267 BAY STREET  
SAN FRANCISCO, CA 94109

March 16, 2012

EXISTING FIRST FLOOR PLAN



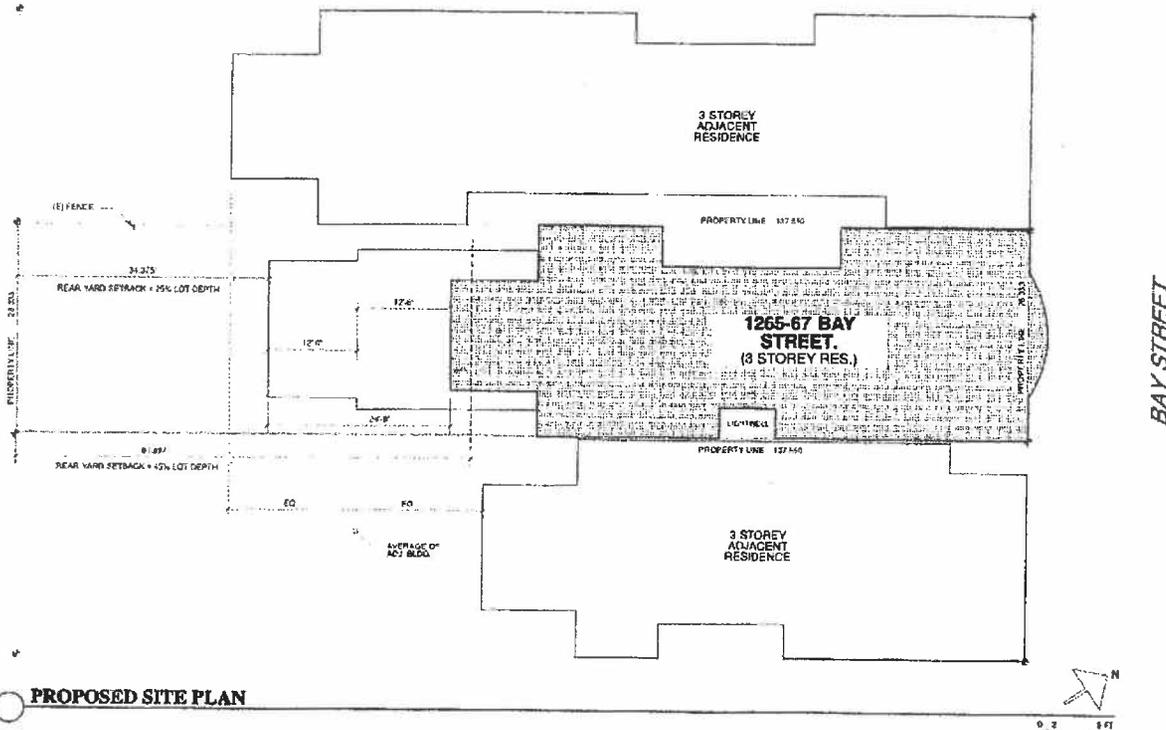
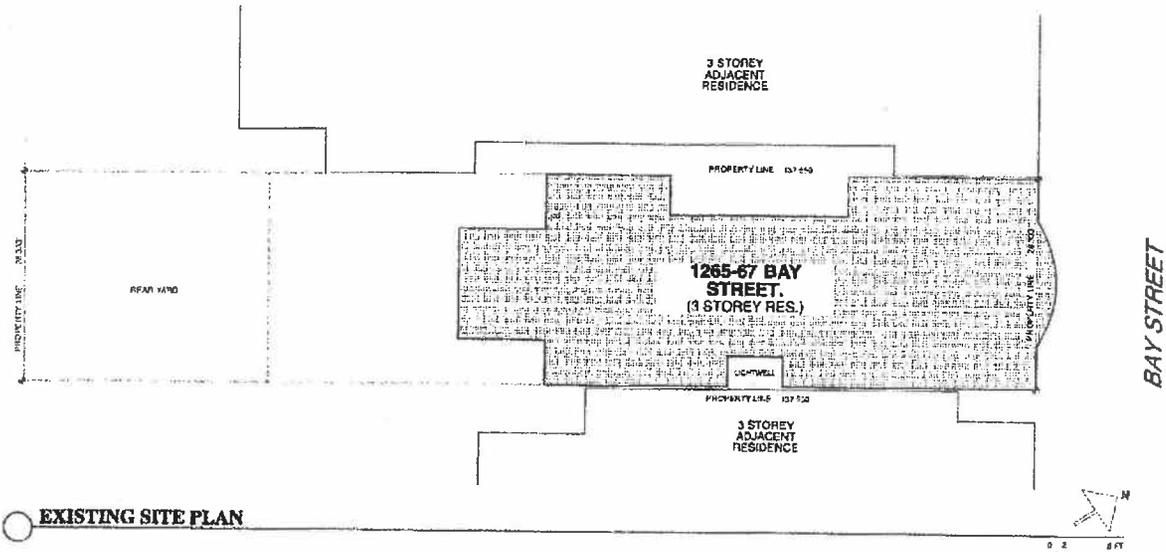
PROPOSED FIRST FLOOR PLAN



12.1156D

12.1156D

**RESIDENCES**  
 1265-1267 BAY STREET  
 SAN FRANCISCO, CA 94109



12.1156D

March 16, 2012

**DATE PLOTTED**  
 03/16/2012 10:58:11 AM  
 1265-67 BAY STREET  
 SAN FRANCISCO, CA 94109

Christopher Rose  
Rose Architecture  
81 Bay Vista Drive  
Mill Valley, CA 94941  
CA license 26690



16<sup>th</sup> of August 2012

San Francisco Planning Department  
Ms, Christine Lamorena  
1650 Mission Street  
San Francisco, CA 94103

Re: Building Permit Application 311 notification for 1265 – 1267 Bay Street, SF  
Application No. 2012.04.24.9016

Dear Ms. Lamorena,

This letter is to confirm and acknowledge the incorrect dimensions and corresponding graphical extents of the proposed project above submitted by the sponsoring architect.

These incorrect dimensions and juxtapositions were use to arrive at an inaccurate calculation of average set back within the existing rear yard area and which is not within allowable limits of encroachment for rear yard areas.

My office verified the dimensions submitted with a laser transom measuring device and the correct dimensional information is listed below comparative with the permit application submitted information.

Distance from rear property line proposed		Actual Dimension
1275 Bay Street	<u>26'-0"</u> stated	31'-1" 29 9
1265-67 Bay St.	no dimensions given; Drawn to scale at 56'-6"	53'-10" 57 8
1259-61 Bay St.	<u>61.897'</u> stated	57'8" 61 1

Please refer to the attached actual existing condition drawing and a copy of the permit application drawing with referenced dimensions. This actual existing condition drawing has been drawn to the exact matching scale of the proposed drawing.

Sincerely,

Chris Rose

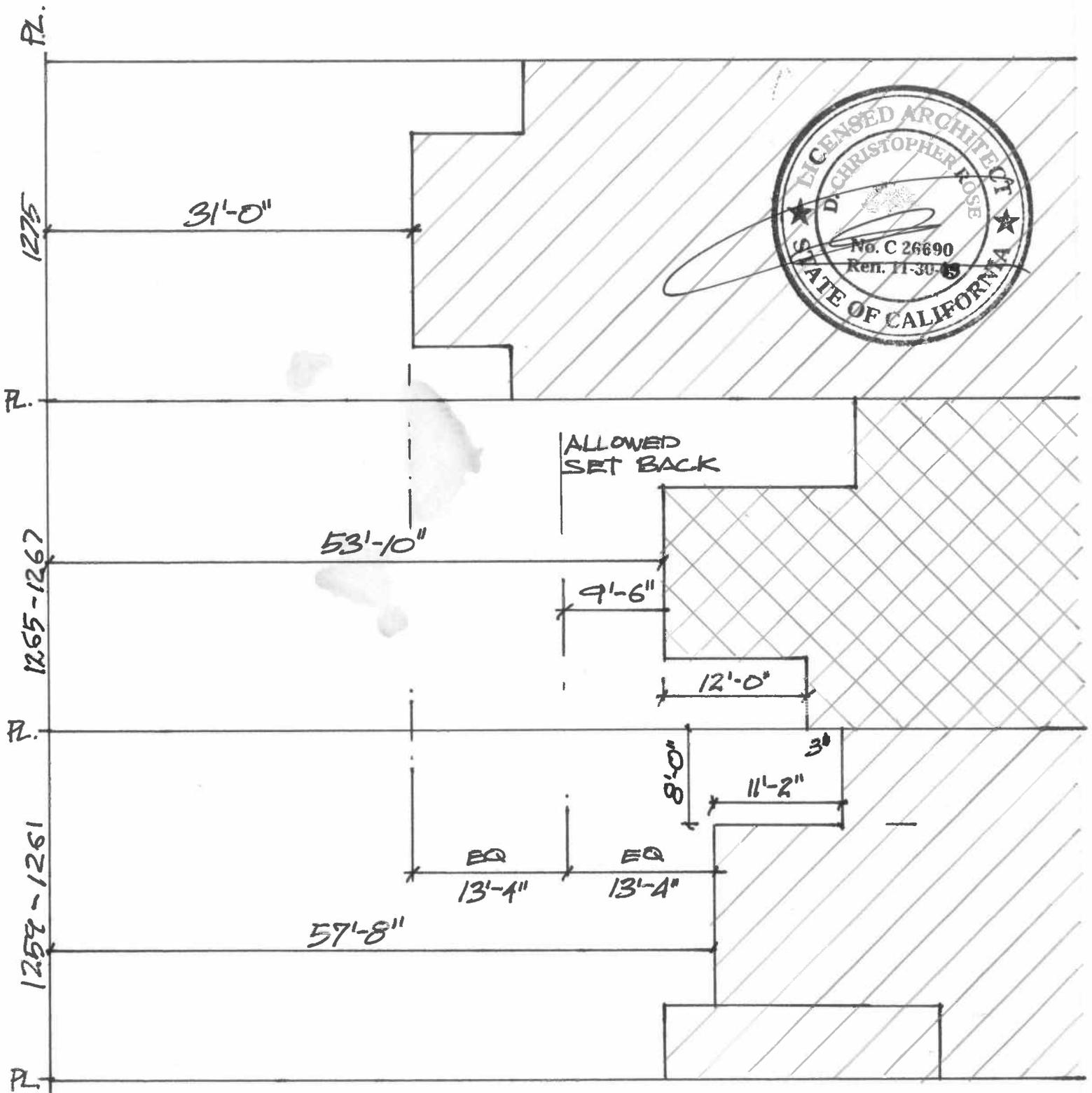
A handwritten signature in black ink, appearing to be "Chris Rose", written over a horizontal line.

12.1156B

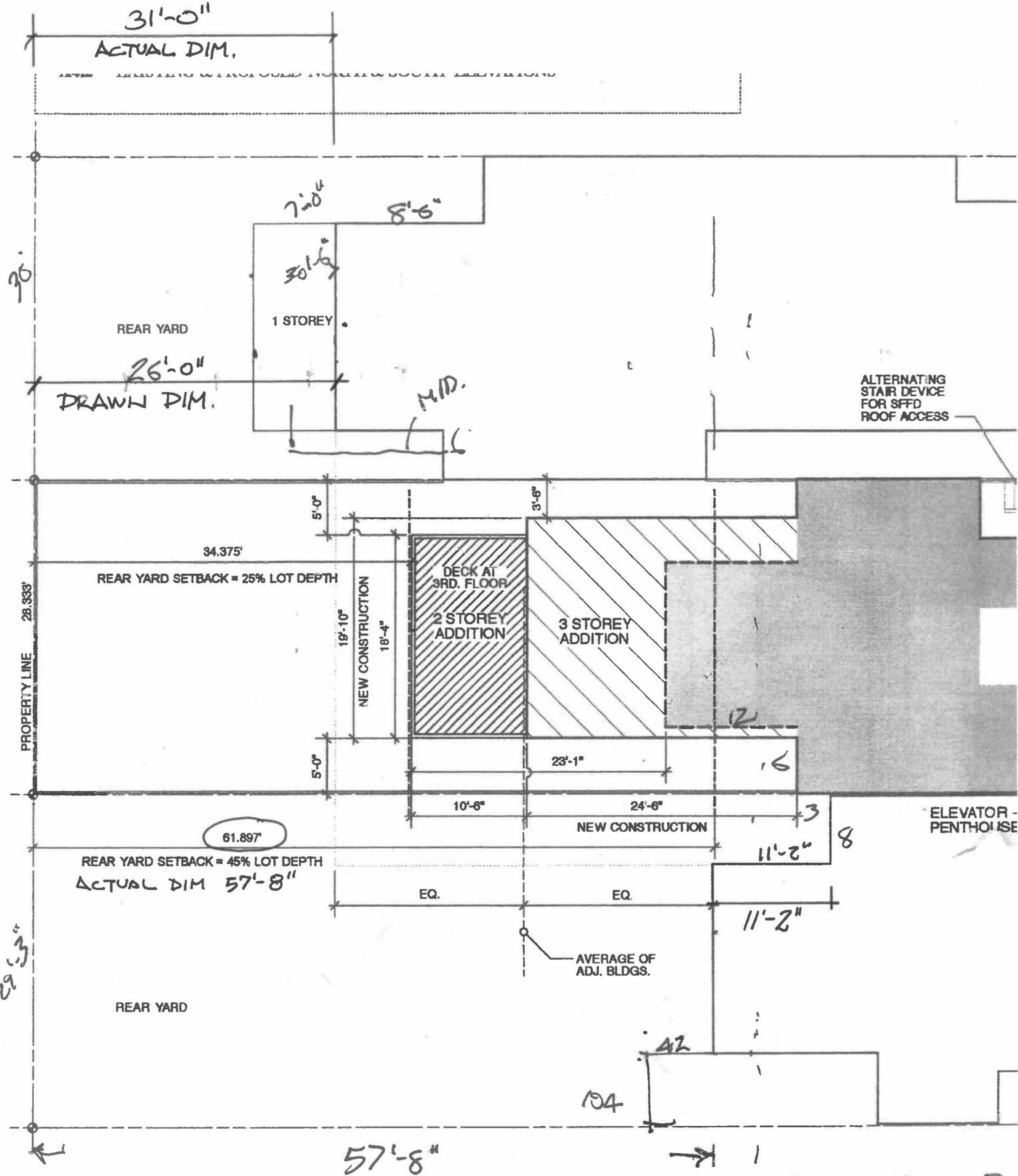
# SET BACK ANALYSIS

ACTUAL DIMENSIONS

1265-1267 BAY ST.



12.1156D



**SITE PLAN**

12.11560

FRAUDULENT PERMIT DOCUMENT

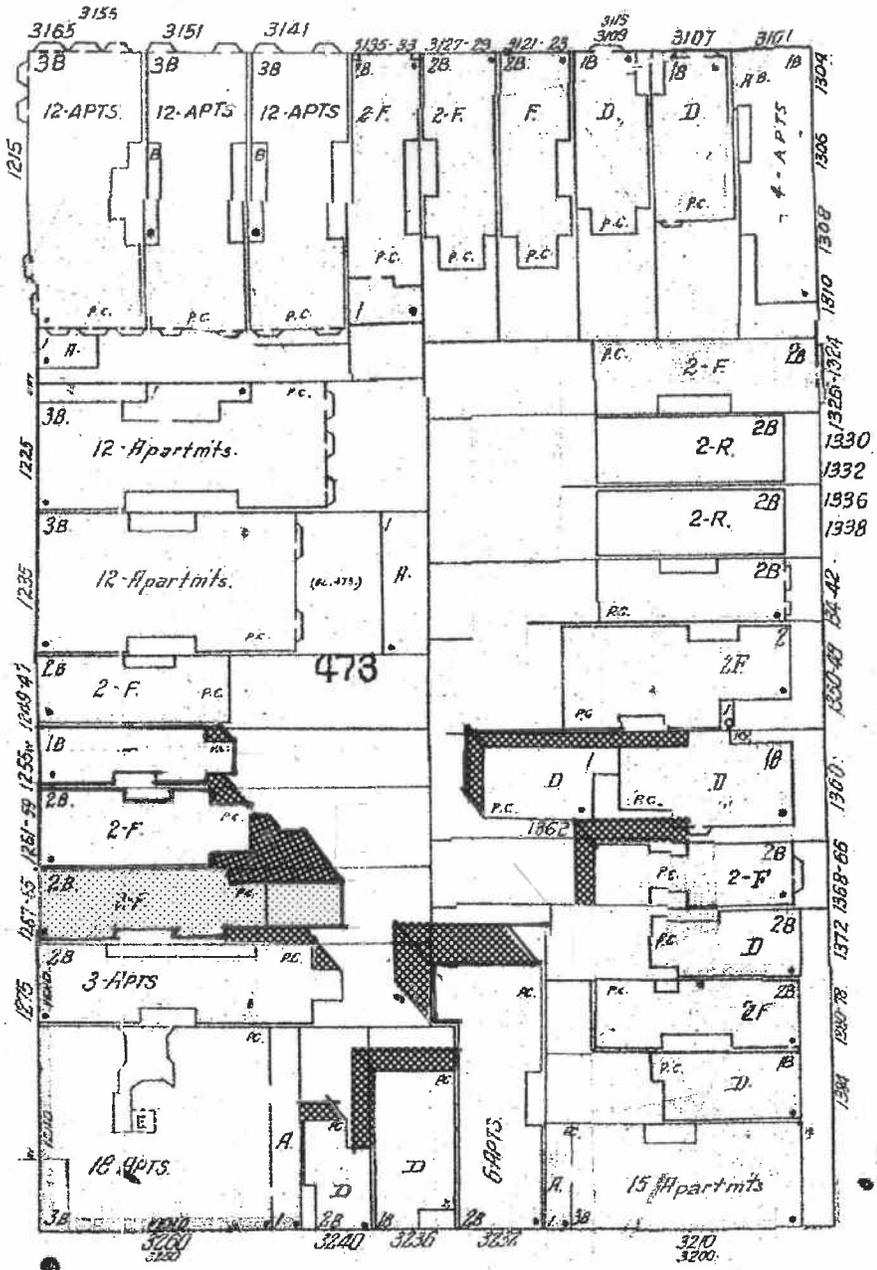
8/27/12

M I L  
U. S.  
M A S S O N  
A R T



TH  
(A.W.S.)

BAY



456

DR APP.  
1259-61 BAY ST.

PROPOSED  
1265-67  
BAY ST.

68'9"

TH  
(A.W.S.)

TH  
(A.W.S.)

6' W.P.

6' W.P.

6' W.P.

GOUGH

SHADOW STUDY

12.1156D

Rear yard view from 1275 Bay Street



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1259-61  
BAY ST.

---

1265-67  
BAY ST.

1275  
BAY ST.

12.1156D

**View of interior block open space and block pattern  
1200 block of Bay Street / 1300 block of Francisco Street**



12.11560

1259-61  
BAY ST.

1265-67  
BAY ST.

Rear yard view from 1259-61 Bay Street



1259-61  
BAY ST.

1265-67  
BAY ST.

12.11560

Rear yard view from 1265-67 Bay Street



12.1156D

Rear yard view from 1265-67 Bay Street



1259-61  
BAY ST.

1265-67  
BAY ST.

1275  
BAY ST.

12.1156D

Before the San Francisco Planning Commission

**PROJECT SPONSOR'S SUBMITTAL IN RESPONSE TO  
REQUEST FOR DISCRETIONARY REVIEW**

1265-1267 Bay Street

Project Sponsor: Topetcher Architecture  
For Attilio Cosgrove and Geri Berkvam

Building Permit Application No. 2012.04.24.9016

Hearing Date:  
January 10, 2012

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**SAN FRANCISCO  
PLANNING DEPARTMENT**

**RESPONSE TO DISCRETIONARY REVIEW**

Case No.: 12.1156D  
 Building Permit No.: 201204249016  
 Address: 1261-65 Bay St.

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

Reception:  
 415.558.6378

Fax:  
 415.558.6409

Planning  
 Information:  
 415.558.6377

Project Sponsor's Name: Mark Topetcher / Topetcher Architecture  
 Telephone No.: 415-359-9997 (for Planning Department to contact)

- Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.  
 The project meets the Planning Code and Neighborhood Design Guidelines, creates an additional unit, and expands the present two units for family-size residences. Trees on the DR Requestor's eastern boundary already cast shadows on their property [see Attachs. 1.0]. The south-facing addition is 11'-6" north of the rear of the adjacent western building [see Attach. 2.0]. Staff advised us of accusations by the DR Requestor that the applicant was attempting to commit fraud. The DR Requestor's proof was a set of grossly inaccurate dimensions misstating measurements by as much as 36" [see Attach. 2.1]. We met on site with staff and Bina Shah (DR Requestor) and verified all measurements. This resulted in shortening only the third floor enclosed extension by approximately 6" [see Attach. 2.2].
- What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.  
 The eastern side setback was increased from 3'-6" to 5'-1". This was in response to the concerns expressed at the June 22, 2012 Pre Application meeting. Also, the pair of double windows at both the new baths on the second and third floors was changed to have obscure translucent glazing to address privacy concerns [see Attach. 3.0]. The eastern guardrail on the second floor deck was made solid to provide some further privacy screening as a result of concerns expressed by the D.R. applicant at the April 22 Pre-Application meeting. Finally, the Planning Department was contacted to insure that our measurements conformed to the Planning Code and were to their satisfaction [see Attach. 2.1].
- If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.  
 We met with the DR Requestor on two separate occasions and invited them to contact us with any specific request to address their concerns & received no further comment or input, short of not pursuing any change. The project cannot be changed without impacting the owners' goal to create family-size residential units with exterior open space immediately adjacent to each unit. As third generation owners with no intent to sell, and hopes to someday return to living here [currently residing in St. Louis], it is important for them to be able to maintain the property as a viable entity and as future homes for them and their children. The project will be a civic good, esthetically pleasing, an asset for neighborhood property values, and represent the quality construction that the neighborhood deserves.

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

- 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) .....		2	3
Occupied stories (all levels with habitable rooms) ...		2	3
Basement levels (may include garage or windowless storage rooms) .....		1	1
Parking spaces (Off-Street) .....		2	3
Bedrooms .....		4	8
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....		3,394 sq. ft.	5,149 sq. ft.
Height .....		31' - 11"	31' - 11"
Building Depth .....		78' - 8"	101' - 7"
Most recent rent received (if any) ..... Total for 2 units.....		\$7,586	N/A
Projected rents after completion of project Total for 3 units		N/A	\$13,500
Current value of property .....		\$1,740,000	\$1,740,000 *
* Appraiser stated that the value would decrease because the building would not be able to be fast-tracked for condo conversion if there were 3 units.			
Projected value (sale price) after completion of project (if known) .....		N/A	N/A

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

\_\_\_\_\_  
 Signature Date Name (please print)  
 Mark Topetcher

## **Introduction:**

Attilio Cosgrove and his sister Geri Berkvam (“Project Sponsors”), propose to add a new third unit at the first floor and to expand the two existing flats on the second and third floors respectively, at the existing two family home (“Project”) located at 1261 & 1265 Bay Street (“Project Site”) set back 34’-4 ½” from the rear property line. Horizontal rear additions are proposed at each floor of the Project, which fall 11’-6” short of the adjacent neighbors to the west, and extend at the first floor 26’ – 8 ¾” and extend at the third floor 15’-11” beyond the neighbors to the east, who are the DR Requestors. The existing rear of the Project already extends 3’-10” beyond the same eastern neighbors.

## **Background:**

The Project Sponsors and Project Architect [Topetcher Architecture] presented a one-story rear horizontal addition to add a new third unit to the building containing two tenant-occupied units at 1261-1265 Bay St. on March 16, 2012 at a neighborhood Pre-Application meeting. The DR Requestors, Bina Shah and Richard Muth, were in attendance at this meeting. They voiced objections to the proposed single story addition as it obstructed their view of the rear open space at 1265-67 and would result in looking at a flat roof from their rear windows. The original one story design was amended with parapets and a permit application was made. While the application was being made, one of the units became vacant and notice to vacate was given by the second unit. The Project Sponsors took this opportunity to re-evaluate their proposed project and decided to pursue expanding the other two units to each be able to accommodate a family. The project was redesigned to include a horizontal addition containing a new bedroom and bath at both the second and third floors with the proposed rear yard setback remaining the same at 34’-4 ½”. The Project is set back from both side property lines, even though a setback would not be required on the west, given the existing neighboring structure there extends to this side property line. The Project’s western side-setback accommodates the existing property line openings of 1275 Bay St. by doing so. The existing light well at 1265-1267 Bay St. will be reduced to accommodate new private elevator hoist way. The modified light well will mirror the exposed portion of the adjoining light well at 1259-1261 Bay St., as per San Francisco Neighborhood Design Guidelines.

A second neighborhood meeting was then held on June 22, 2012 to present the revised designs to the neighbors. The DR Requestors, Bina Shah, Richard Muth, and Marek Brzezinski were the only neighbors in attendance at this second meeting. They voiced their objections to the redesigned project and noted their concerns about blocking their daylight and decreasing their property values. They had no comment about Project Sponsors’ desire and need to create family size units.

## **Project Sponsor’s Changes to the Plans:**

The proposed project cannot be changed without impacting the Sponsors’ goal to create family-size residential units with exterior open space immediately adjacent to each unit. As third generation owners with no intent to sell, it is important for them to be able to maintain the property as a viable entity.

The east side setback of the Project’s entire addition at all floors was increased from 3’ – 6” to 5’- 1” from the side property line. Window openings at the proposed bathrooms on the second and third floor were changed to have obscure glazing. The new bedroom windows at these levels will maintain the same amount of eastern-facing transparent glazing that currently exists, but will relocate the openings further to the south and away from being directly opposite the DR Requestors’ west facing window openings [see pg. 3]. The eastern guardrail on the second floor deck was made solid to provide some further privacy screening as a result of concerns expressed by the DR Requestors at the April 22 Pre Application meeting. The Project Sponsors discussed adding landscaping along the eastern property line to screen the addition with the DR Requestors, and are still open to doing so. Although agreement was not reached, the Project Sponsors have made significant efforts to address the concerns of the DR Requestors.

## **Response to Discretionary Review Requestor’s Concerns:**

The Project Sponsor and Project Architect have met with the D.R. requestors at the two initial neighborhood meetings, held on March 16, 2012 and June 22, 2012. In addition, the Project Sponsor and Project Architect have worked closely with city planner Christine Lamorena and complied with all requests made by Ms. Lamorena and the Planning Department.

- The issues regarding light/shadows appear to be grasping at straws to oppose the project when you view the breadth and height of the trees on the D.R. applicant’s eastern boundary that cast enormous shadows on the requestor's property [see pages 7-11].
- The proposed rear horizontal extension will not extend into the rear open space as much as the immediate neighboring structure to the west does. Considering that our rear yards are facing south and the new rear of the Project is 11’- 6” feet further north than the southern rear of the existing building to the immediate west of the project site, this existing building shades both of our properties [see photos pages. 10-11].
- We met with the D.R. requestor on two separate occasions and invited them to contact us with any specific request to address their concerns and never received any further comment or input on how we could amend our project, short of not pursuing any change. We were, however, informed via the Planning Department, of accusations by the D.R. applicant accusing the project team of attempting to commit fraud. Their only proof was a set of grossly incorrect dimensions, made by their architect, which misstated measurements by as much as 36” [see pages 4-5]
- After receiving the concerns that the DR Requestors submitted to the Planning Department, we met on site with Planning staff and Bina Shah (DR Requestor) and verified all measurements. This was the first opportunity for us to enter the Requestor’s property & that of the western neighbor at 1275 Bay St. to directly verify these adjoining structures’ setbacks. This resulted in shortening the Project’s third floor enclosed extension by approximately 6” [see pg. 6].

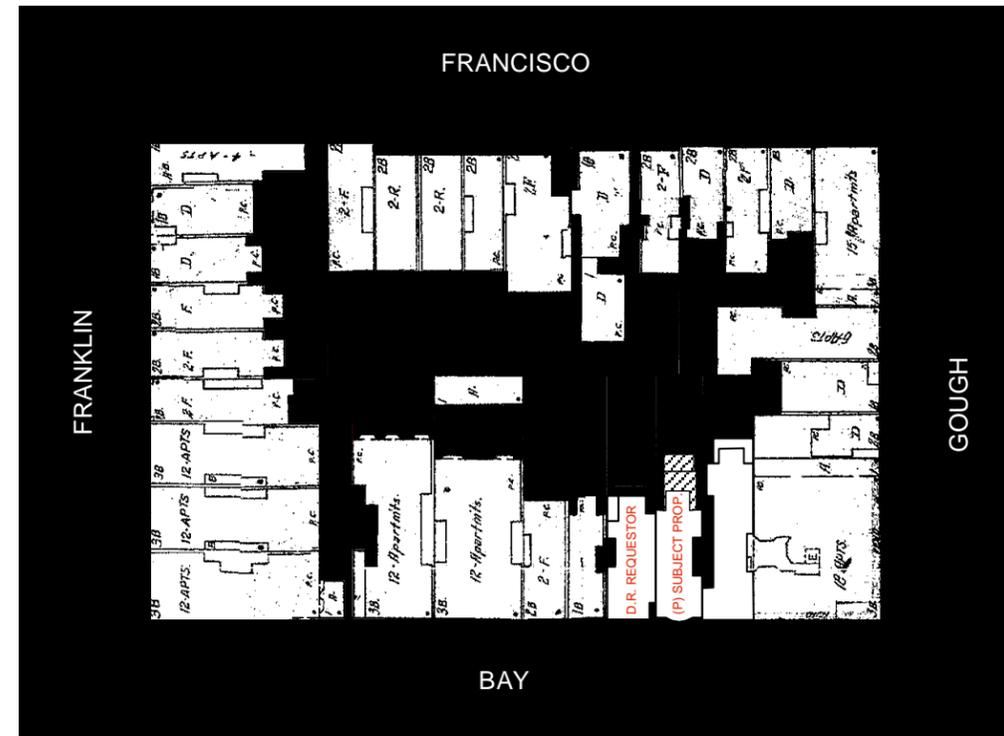
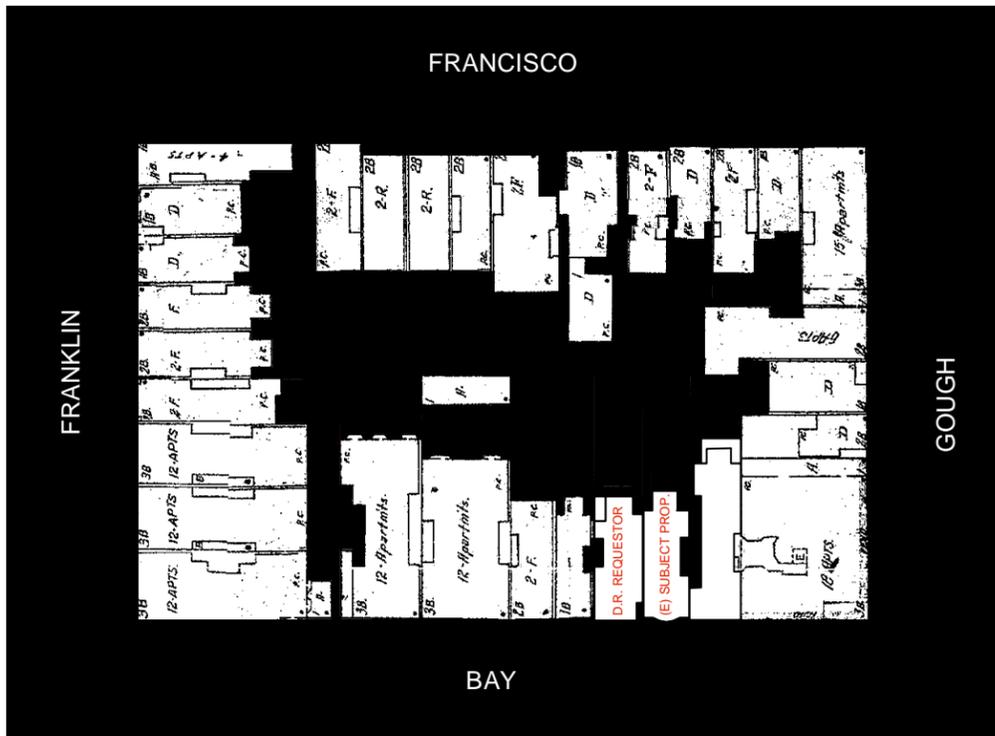
Finally, the Planning Department was contacted to insure that our measurements conformed to the Planning Code and were to their satisfaction.



LOOKING EAST (SIDE PROP. LINE) AT D.R. REQUESTOR'S PROPERTY.



LOOKING SOUTH (REAR & SIDE PROP. LINE) AT NEIGHBORING PROPERTIES.



EXISTING FIGURE-GROUND STUDY

PROPOSED FIGURE-GROUND STUDY

**REAR WINDOWS / PRIVACY:**



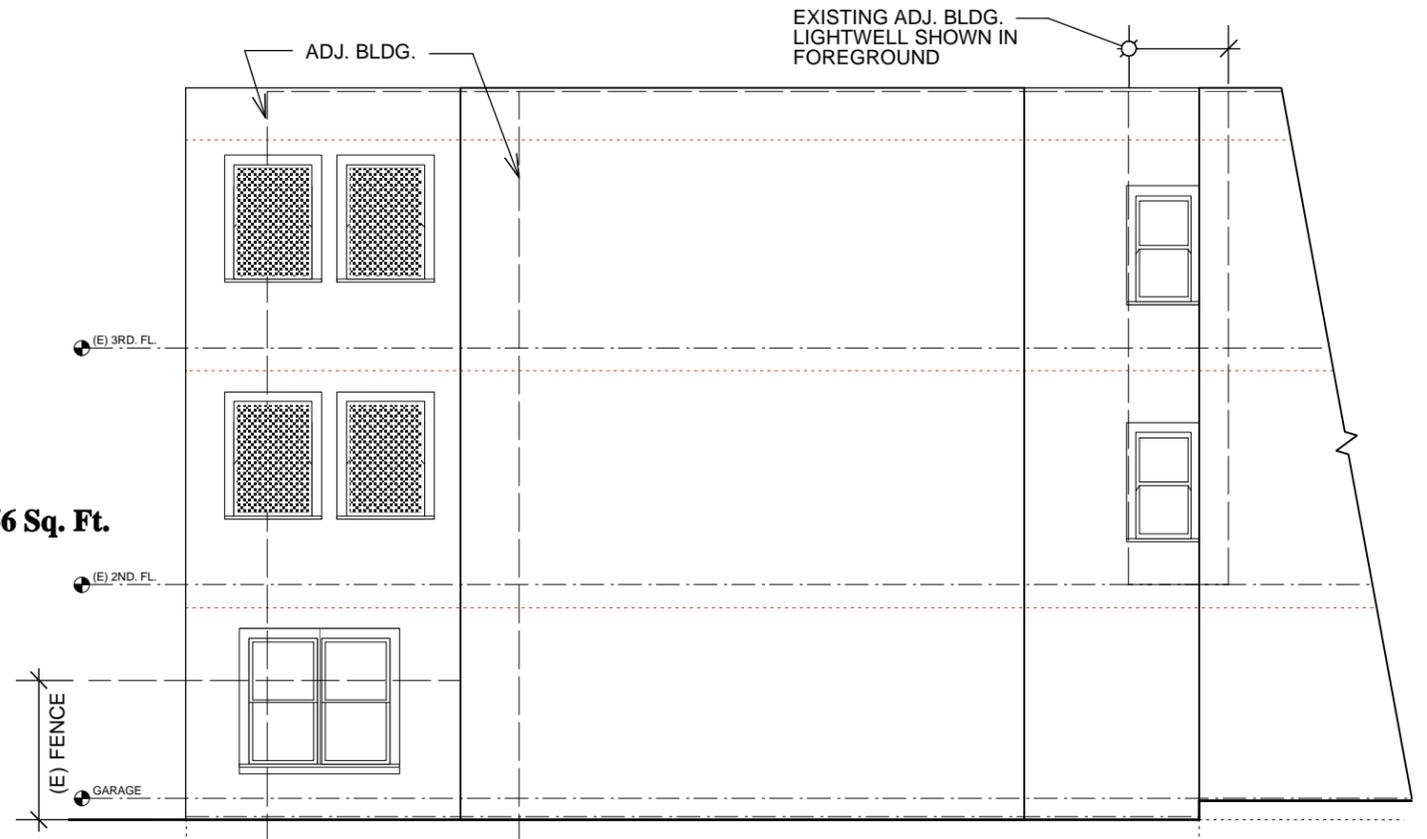
**LOOKING DUE EAST** to the D.R. Requestors windows from existing sunroom on second floor of building.

The proposed bath windows that are generally in the same location are 12" narrower and 6" higher than the existing windows and they will have obscure glazing. As a result there will be no issue at these new windows. See sheets A2.1 and A2.2

**GLAZING @ 2ND. AND 3RD. FLOORS**

 = 28 Sq. Ft. OF TRANSPARENT GLAZING @ 2ND. & 3RD. FLOORS EACH

**TOTAL EXISTING GLAZING @ REAR / EAST ELEVATION = 56 Sq. Ft.**



**EXISTING EAST ELEVATION**

**GLAZING @ 2ND. AND 3RD. FLOORS**

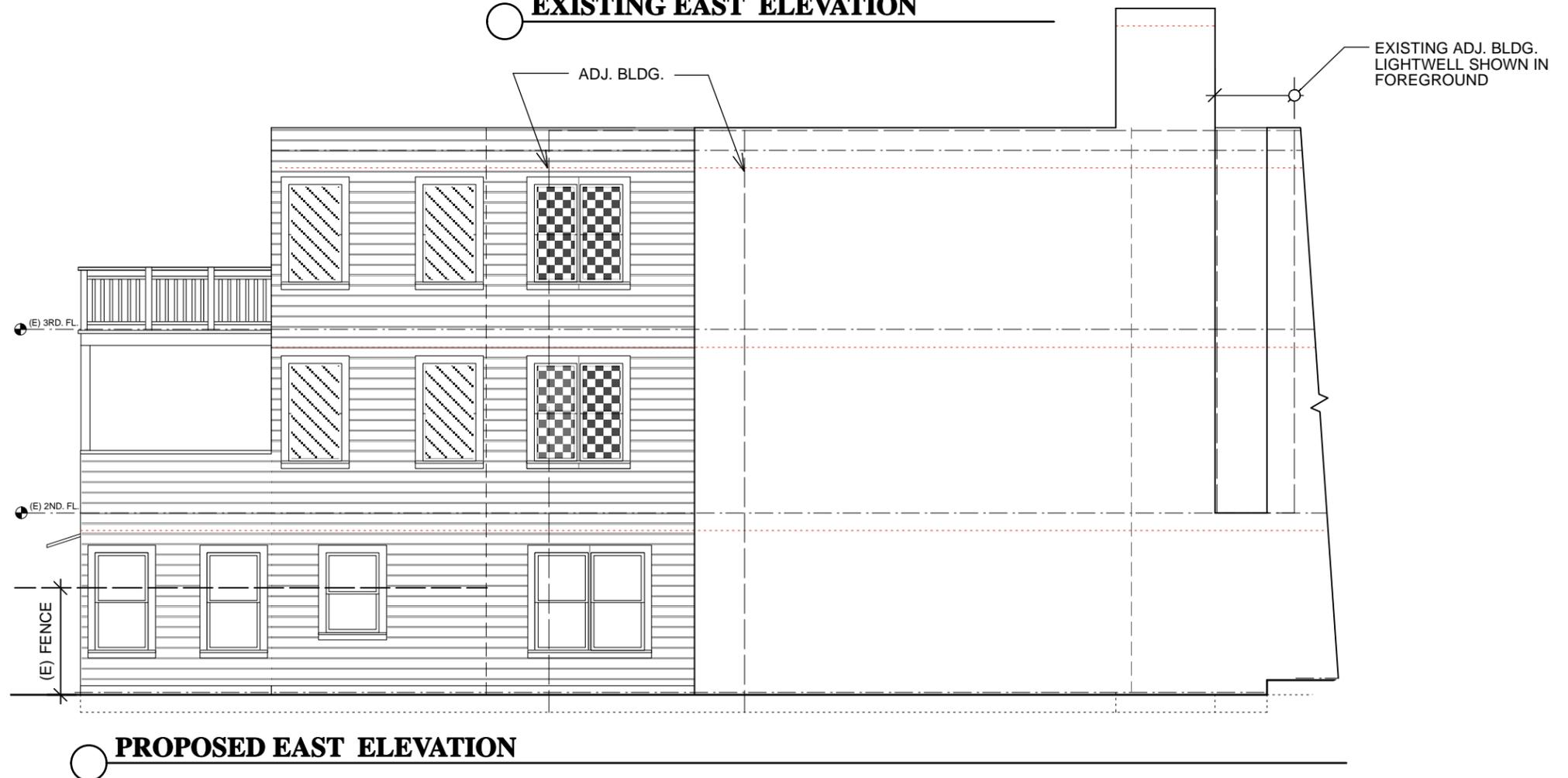
 = 28 Sq. Ft. OF TRANSPARENT GLAZING @ 2ND. & 3RD. FLOORS EACH

**TOTAL GLAZING = 56 Sq.Ft.**

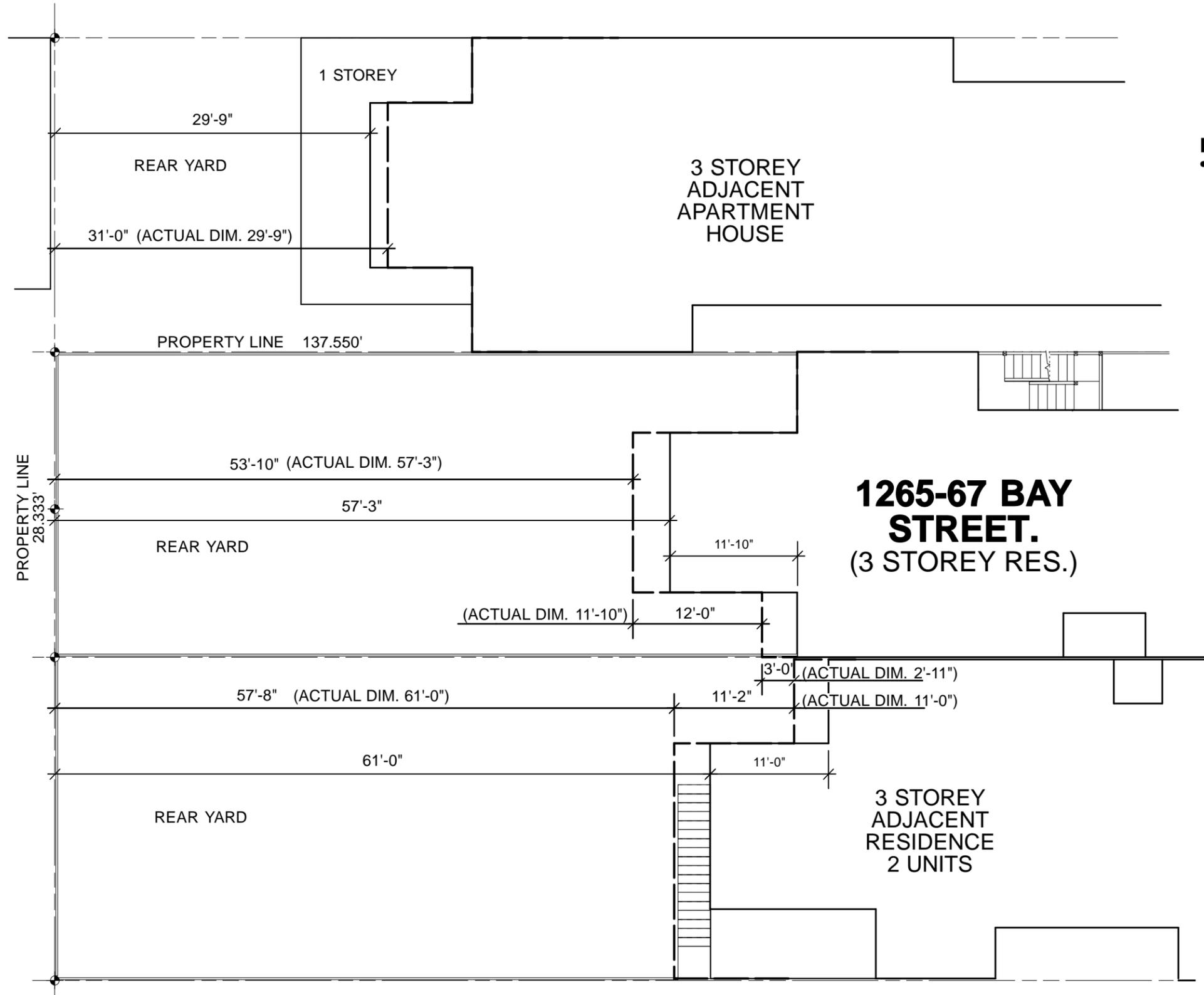
 = 22 Sq. Ft. OF OBSCURE GLAZING @ 2ND & 3RD. FLOORS EACH

**TOTAL GLAZING = 44 Sq. Ft.**

**THEREFORE NO INCREASE IN TRANSPARENT GLAZING**



**PROPOSED EAST ELEVATION**



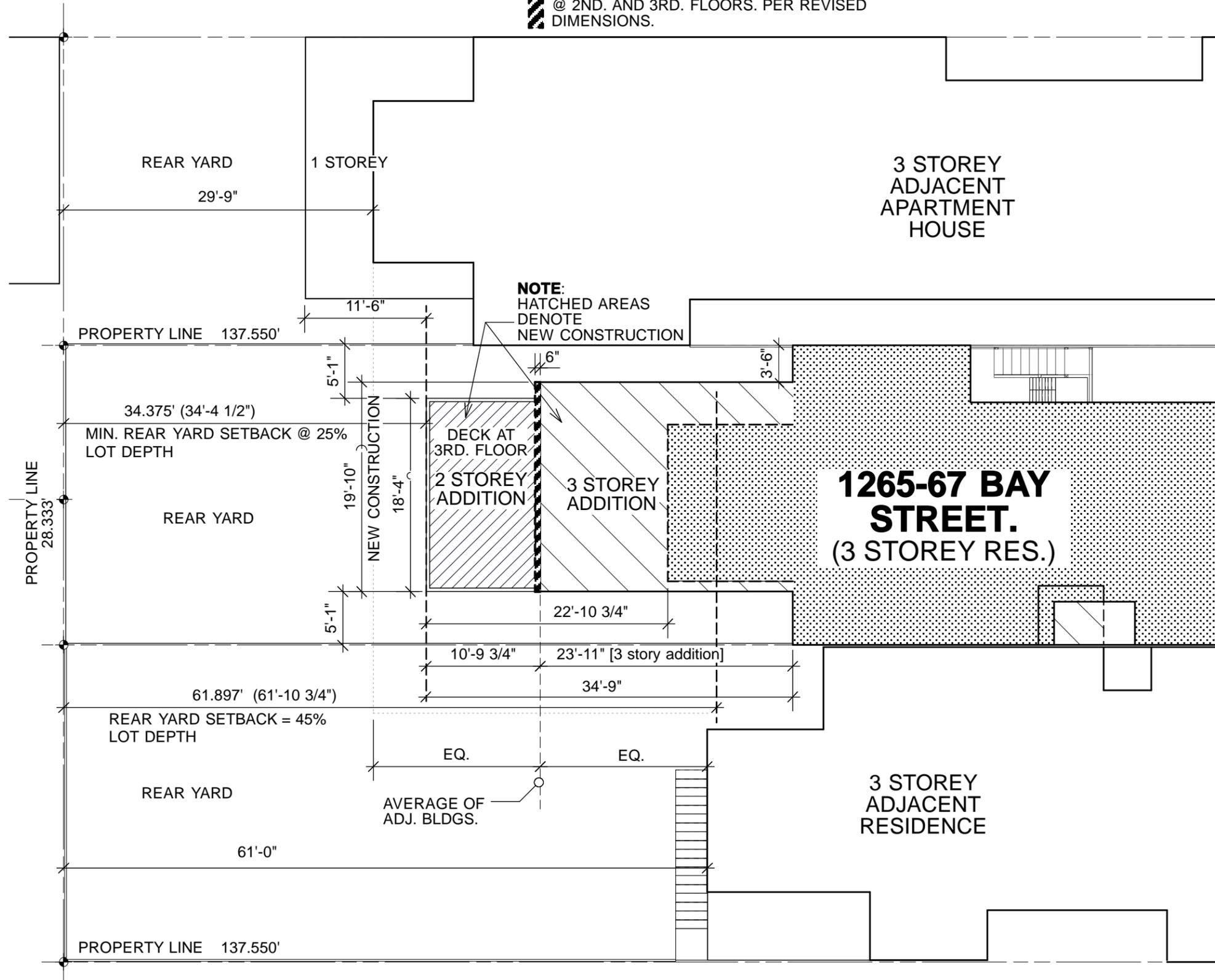
**NOTE:**  
• DASHED BUILDING OUTLINES  
BASED ON DIMENSIONS  
PROVIDED BY D.R. REQUESTOR.

○ **EXISTING SITE PLAN WITH D.R. REQUESTOR'S DIMENSIONS**



**NOTE:**

DENOTES REDUCTION OF BUILDING VOLUME @ 2ND. AND 3RD. FLOORS. PER REVISED DIMENSIONS.



**NOTE:**  
HATCHED AREAS  
DENOTE  
NEW CONSTRUCTION

**1265-67 BAY STREET.**  
(3 STOREY RES.)

**PROPOSED SITE PLAN**



**NOTE:**

▨ DENOTES REDUCTION OF BUILDING VOLUME @ 2ND. AND 3RD. FLOORS. PER REVISED DIMENSIONS.



**PROPOSED EAST ELEVATION DIAGRAM**

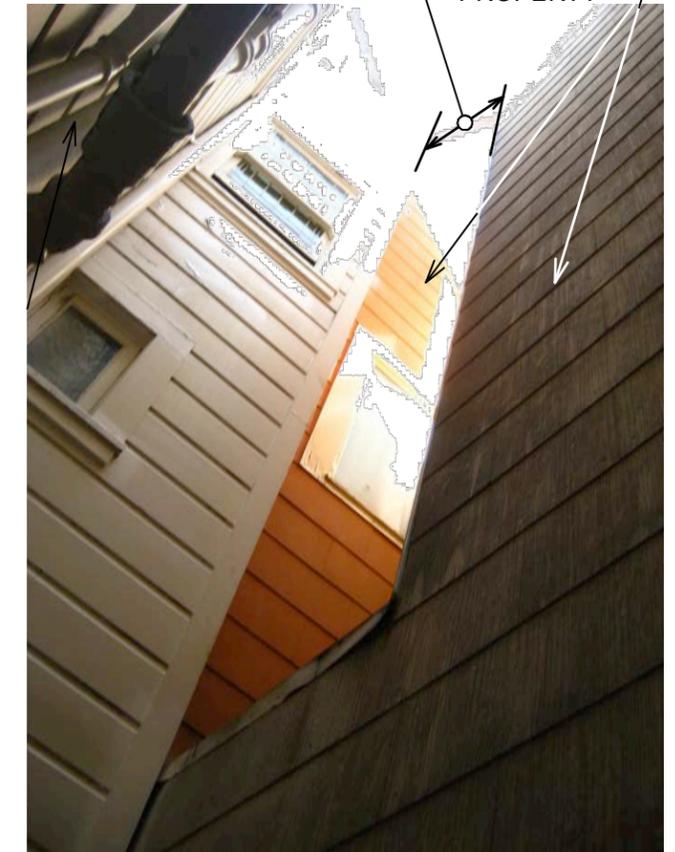
**LOOKING DUE EAST** to the D.R. Requestors lightwell from existing lightwell on 1265 bay street.

The existing lightwell @ 1259 - 1261 Bay will not be encroached upon by the proposed project at 1265 - 1267 Bay.

The proposed elevator does not overlap into the adjacent neighbors lightwell.

**(E) LIGHTWELL CONNECTION:**

1259-1261 BAY D.R. REQUESTOR'S PROPERTY



1259-1261 BAY D.R. REQUESTOR'S PROPERTY



1259-1261 BAY D.R. REQUESTOR'S PROPERTY





LOOKING NORTH EAST.



REAR YARD OF SUBJECT PROPERTY LOOKING NORTH WEST.



LOOKING WEST (SIDE PROP. LINE) @ NEIGHBORING PROPERTIES



EXISTING SITE PLAN  
MARCH 20th. @ 10:00 a.m.



PROPOSED SITE PLAN  
MARCH 20th. @ 10:00 a.m.



EXISTING SITE PLAN  
MARCH 20th. @ 3:00 p.m.





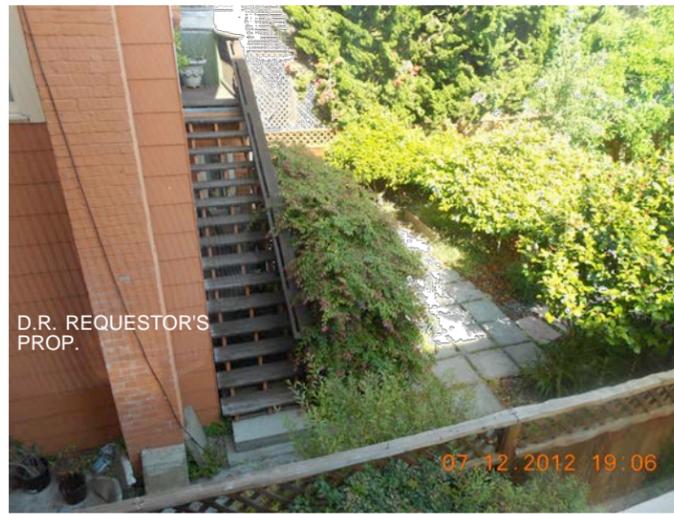
**LOOKING SOUTH (SIDE PROP. LINE)**

AUG. 12th, 2012  
Approx. 11:30 a.m.



**LOOKING SOUTH (SIDE PROP. LINE)**

AUG. 12th, 2012  
Approx. 5:00 p.m.



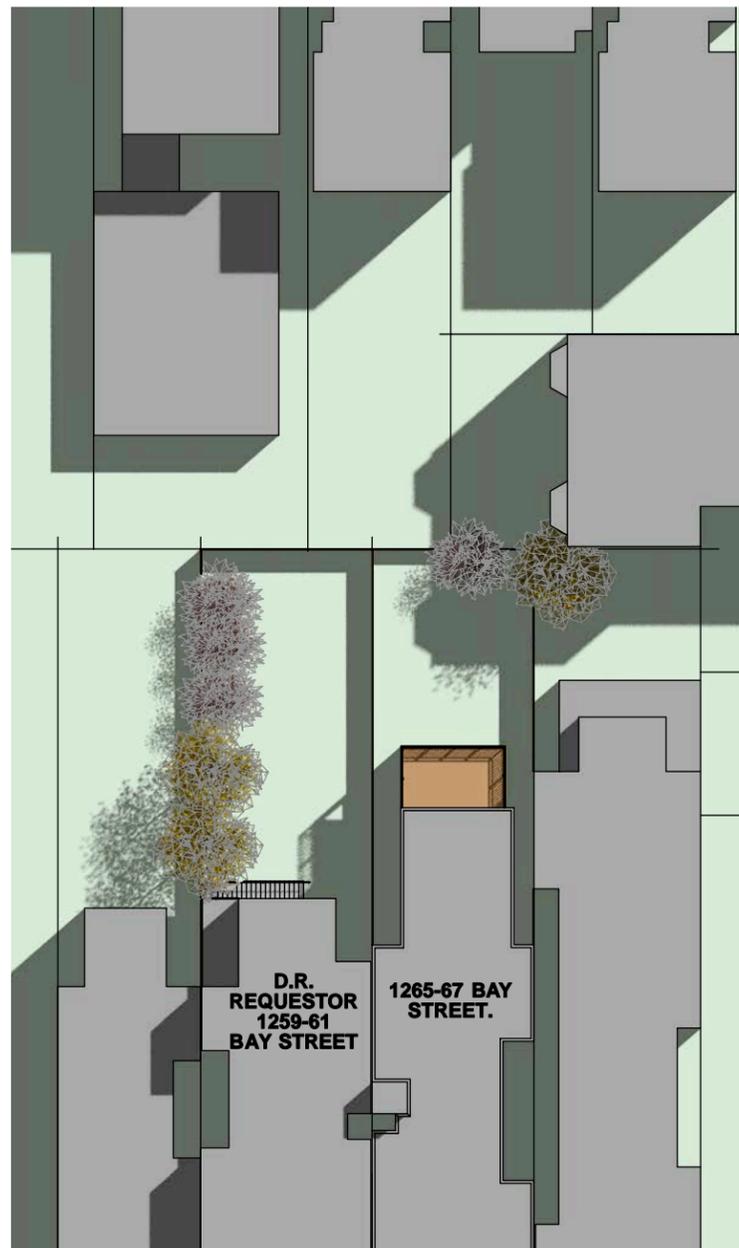
**LOOKING EAST (SIDE PROP. LINE) @ D.R. REQUESTOR'S REAR YARD**

AUG. 12th, 2012  
Approx. 5:00 p.m.



**LOOKING EAST (SIDE PROP. LINE)**

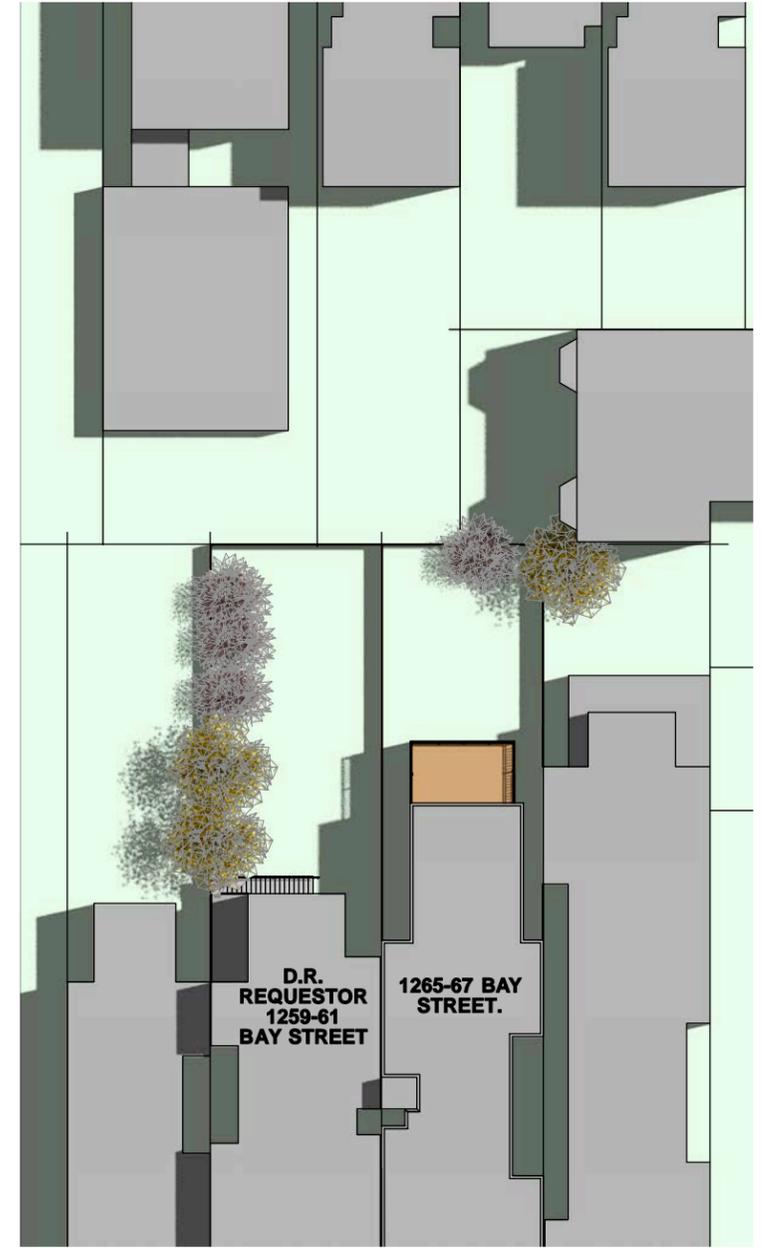
AUG. 12th, 2012  
Approx. 5:00 p.m.



**PROPOSED SITE PLAN**  
MARCH 20th. @ 3:00 p.m.



**EXISTING SITE PLAN**  
JUNE 21st. @ 3:00 p.m.



**PROPOSED SITE PLAN**  
JUNE 21st. @ 3:00 p.m.





**LOOKING NORTH** SEPT. 13th, 2012  
Approx. 3:00 p.m.



**LOOKING NORTH** SEPT. 13th, 2012  
Approx. 3:00 p.m.



**LOOKING EAST** DEC. 6th, 2012  
Approx. 3:00 p.m.



**EXISTING SITE PLAN**  
OCT. 20th. @ 1:00 p.m.



**PROPOSED SITE PLAN**  
OCT. 20th. @ 1:00 p.m.



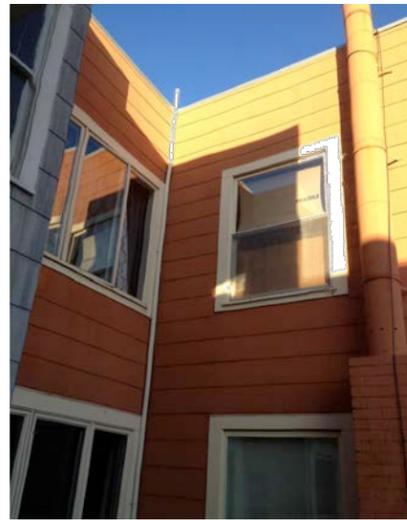
**EXISTING SITE PLAN**  
OCT. 20th. @ 3:00 p.m.





**LOOKING EAST @  
D.R. REQUESTOR'S  
PROPERTY**

DEC. 6th., 2012  
Approx. 3:00 p.m.



**LOOKING EAST @  
D.R. REQUESTOR'S  
PROPERTY**

DEC. 6th., 2012  
Approx. 3:00 p.m.



**LOOKING  
SOUTH EAST**

DEC. 6th., 2012  
Approx. 3:00 p.m.



**LOOKING NORTH**

DEC. 6th., 2012  
Approx. 3:00 p.m.



**PROPOSED SITE PLAN  
OCT. 20th. @ 3:00 p.m.**

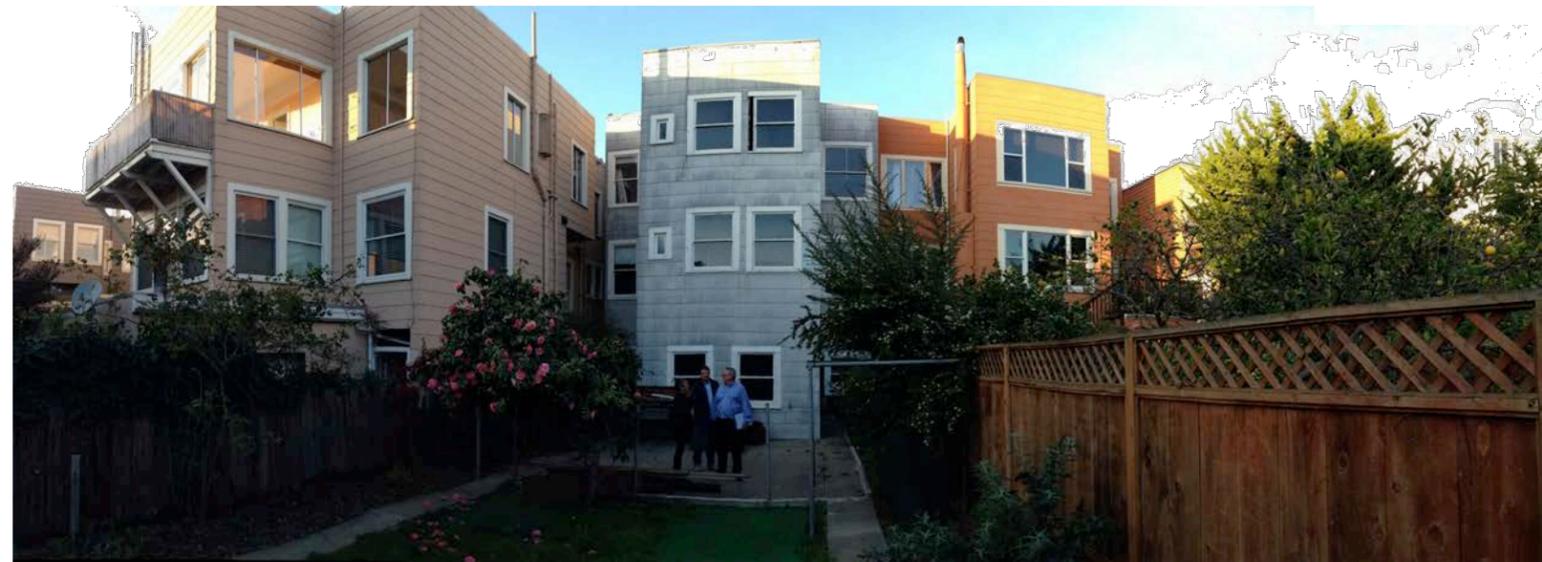


**EXISTING SITE PLAN  
DEC. 22 @ 1:00 p.m.**



**PROPOSED SITE PLAN  
DEC. 22 @ 1:00 p.m.**





LOOKING NORTH

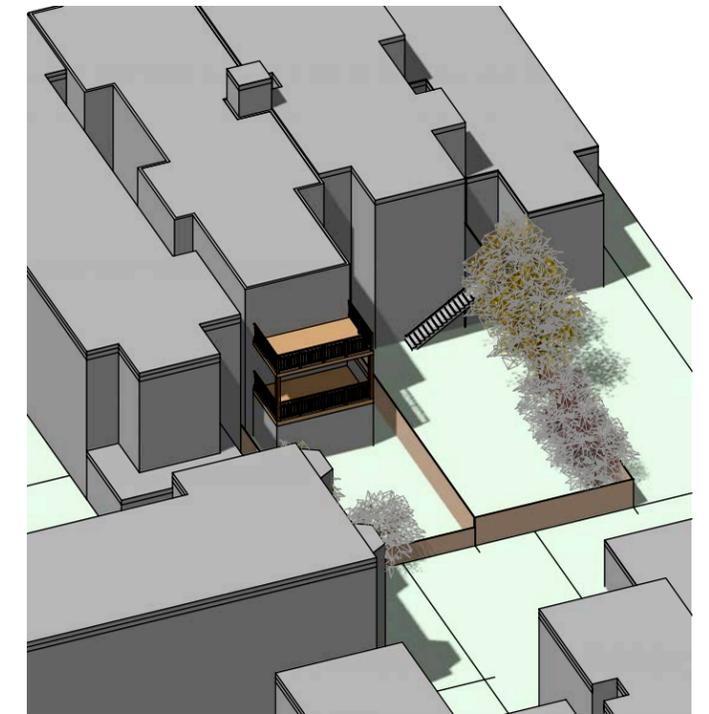
DEC. 6th. 2012  
Approx. 3:00 p.m.



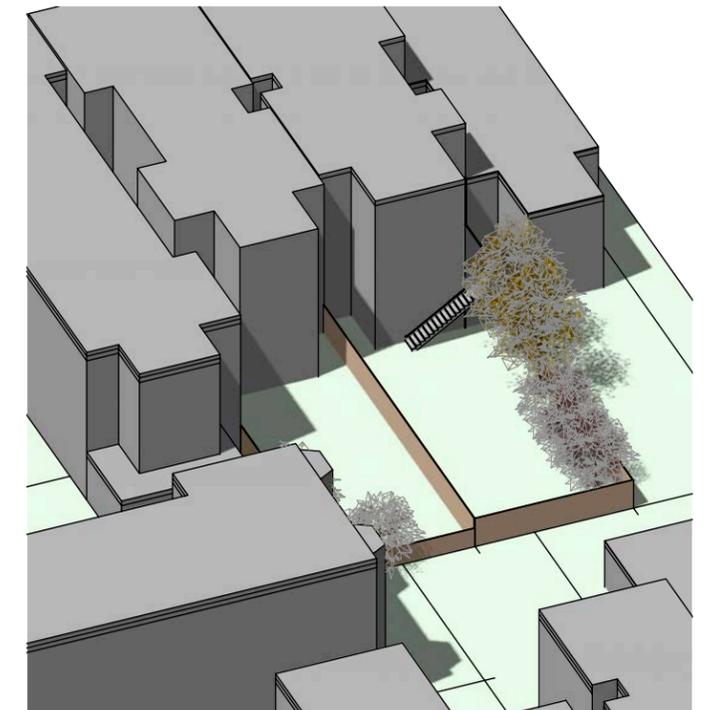
EXISTING SITE PLAN  
DEC. 22 @ 2:00 p.m.



PROPOSED SITE PLAN  
DEC. 22 @ 2:00 p.m.



PROPOSED AXONMETRIC  
JUNE 21ST. @ 3:00 p.m.



EXISTING AXONMETRIC  
JUNE 21ST. @ 3:00 p.m.



**PRINTING RECORD**

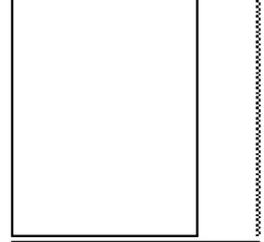
DATE	ACTION
MAR. 15, 2012	PROGRESS PRINT
MAR. 16, 2012	NEIGHB. PREAPP. MTG.
APRIL 20, 2012	SITE PERMIT SUBMITTAL
JUNE 22, 2012	NEIGHB. PREAPP. MTG. 2
JUNE 28, 2012	PLANNING COMMENTS
JULY 20, 2012	PLANNING COMMENTS 2
SEPT. 10, 2012	INTERIOR RENO. PERMIT
SEPT. 13, 2012	PLANNING COMMENTS 3

All drawings and written material appearing herein constitute the original and approved work of Topetcher Architecture Inc. and the same may not be duplicated, used or disclosed without written consent.

**BAY ST. RESIDENCES**  
 1265-1267 BAY STREET  
 SAN FRANCISCO, CA. 94109  
 BLOCK # 0473 LOT # 015A

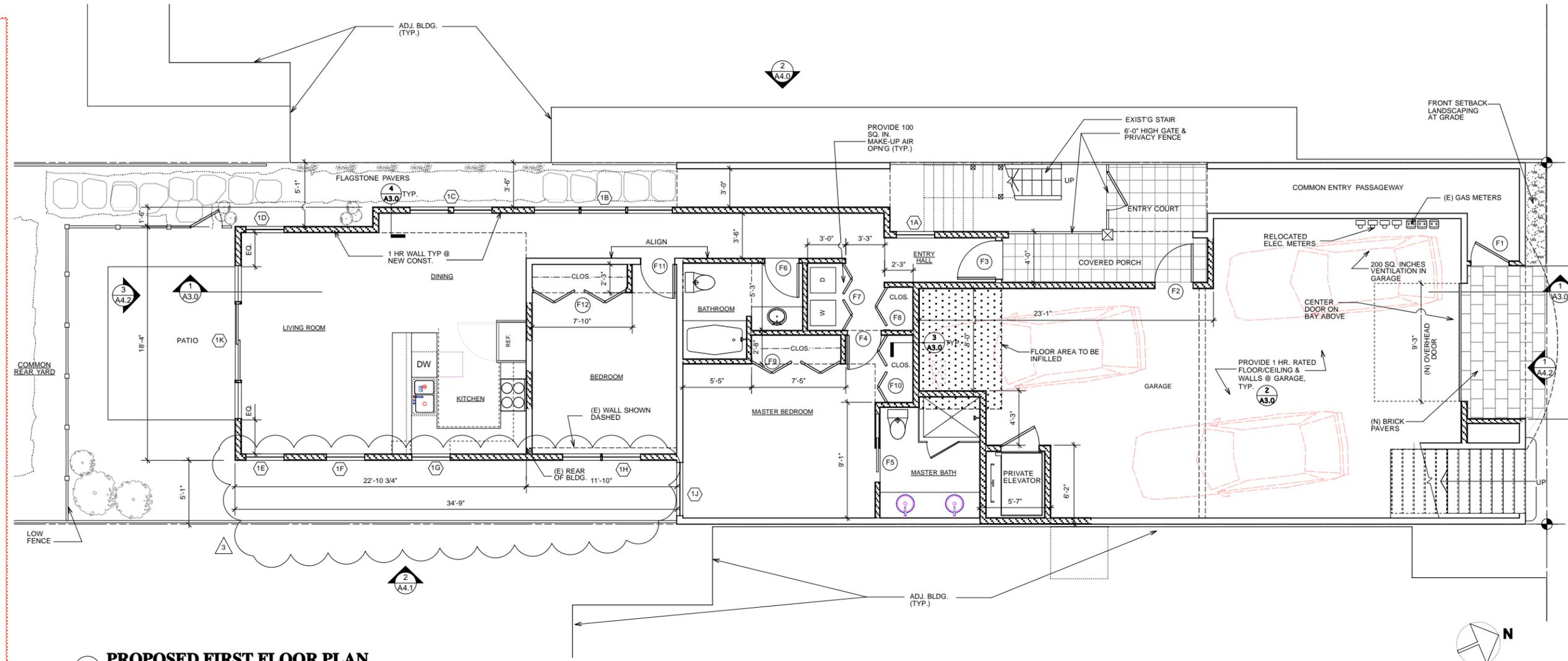
**SHEET TITLE**  
 (E) DEMO. 1ST. FL.  
 PROPOSED 1ST. FL.  
 DEMO LEGEND

SCALE: 1/4"=1'-0"  
 JOB NO. 12.02

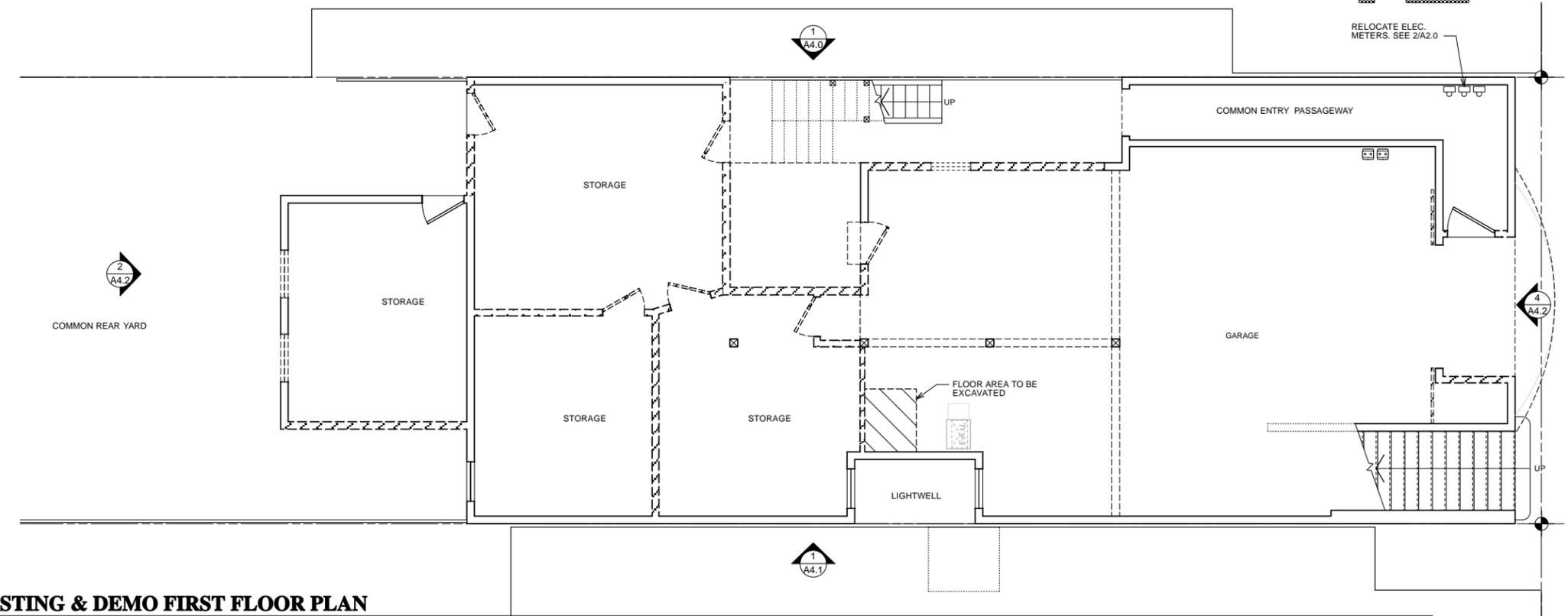


MARK J. TOPETCHER, ARCHITECT CAL. LIC. # 21879, EXP. 5/15

**A 2.0**



- DEMOLITION LEGEND:**
- EXISTING WALLS & PARTITIONS TO REMAIN
  - FIXTURES TO BE REMOVED
  - FLOOR / ROOF FRAMING TO BE REMOVED
  - WALLS & PARTITIONS TO BE REMOVED



**PRINTING RECORD**

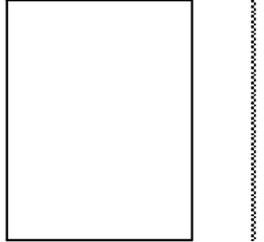
DATE	ACTION
MAR. 15, 2012	PROGRESS PRINT
MAR. 16, 2012	NEIGHB. PREAPP. MTG.
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SEPT. 13, 2012	PLANNING COMMENTS 3

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**BAY ST. RESIDENCES**  
 1265-1267 BAY STREET  
 SAN FRANCISCO, CA. 94109  
 BLOCK # 0473 LOT # 015A

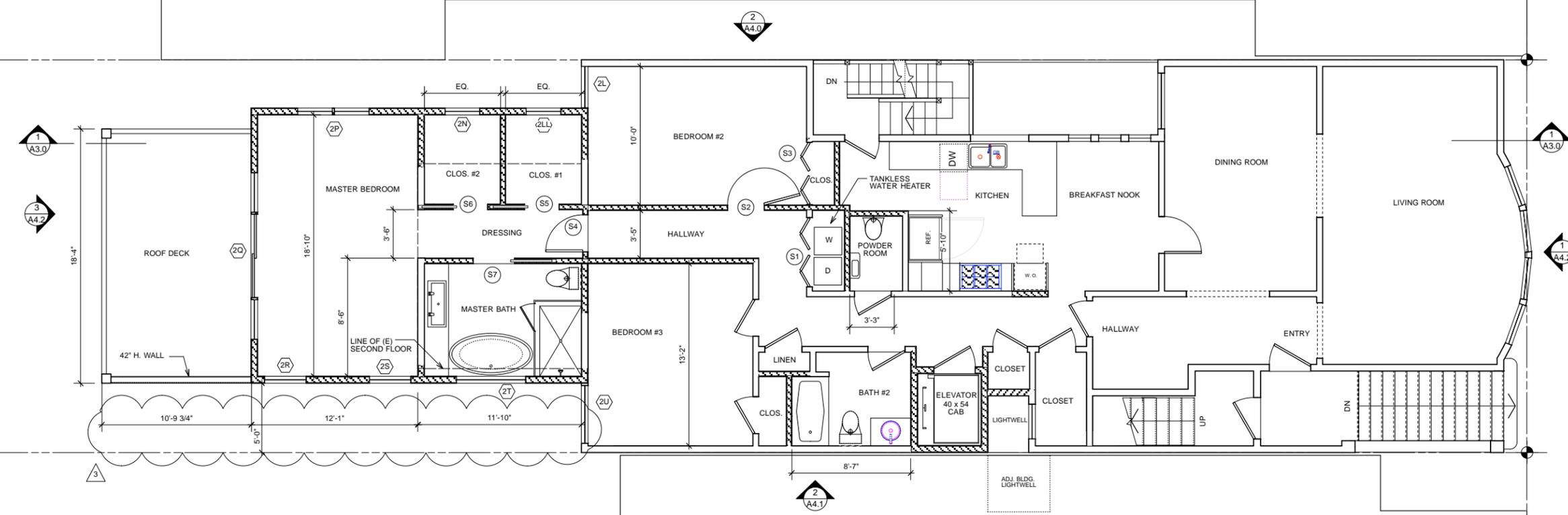
**SHEET TITLE**  
 (E) & DEMO 2ND.  
 FLOOR PLAN  
 PROPOSED 2ND.  
 FLOOR PLAN

SCALE: 1/4"=1'-0"  
 JOB NO. 12.02

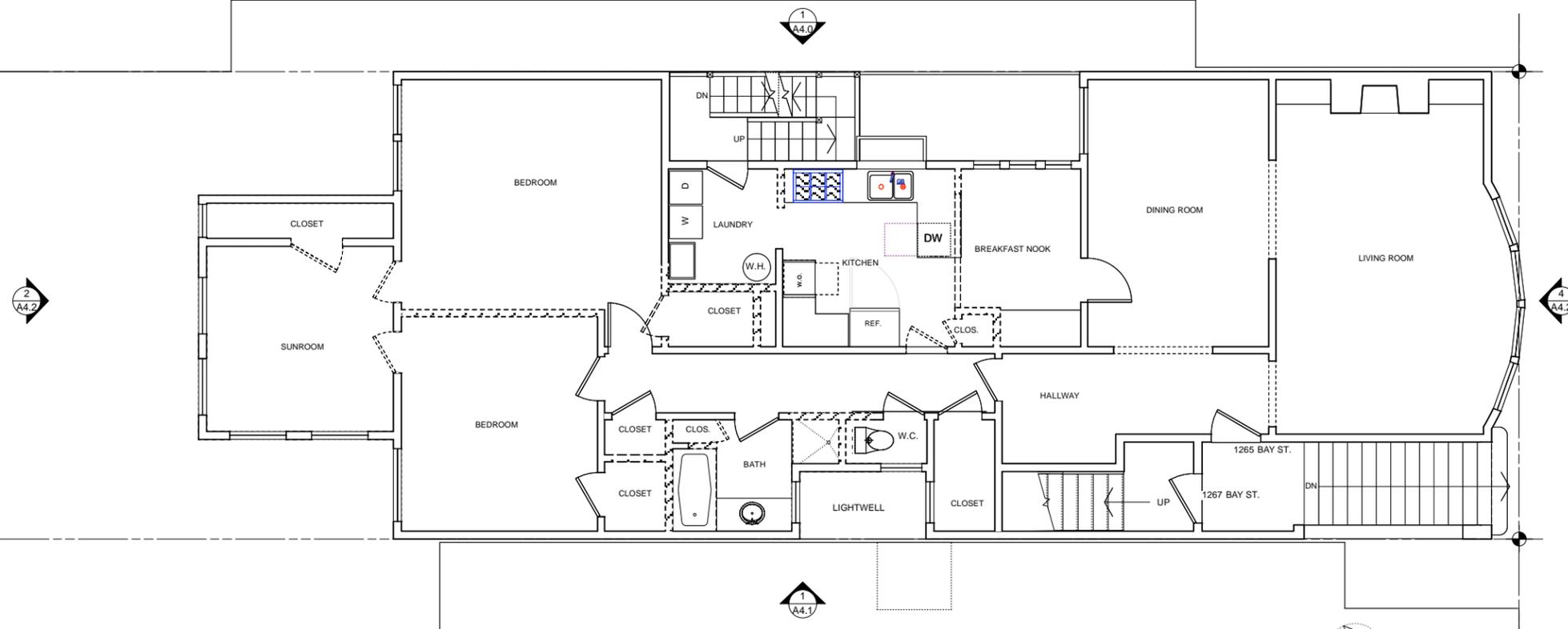


MARK J. TOPETCHER, ARCHITECT CALIF. C 21897, EXP. 6/31

**A 2.1**



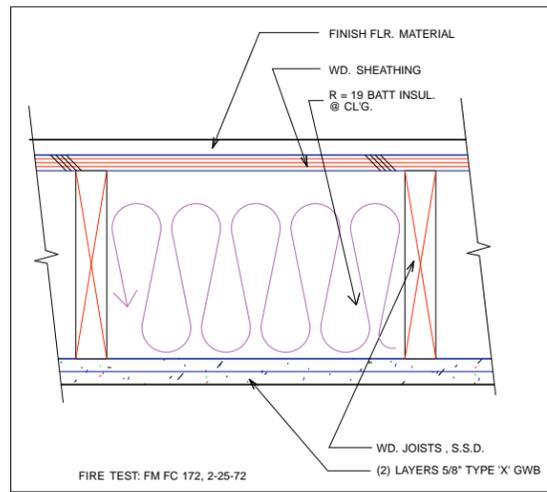
**PROPOSED SECOND FLOOR PLAN**



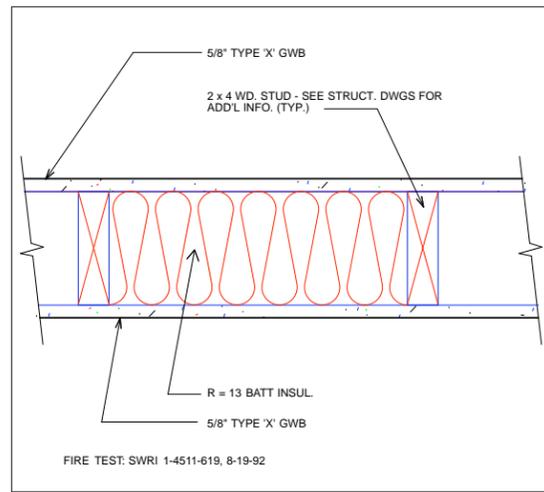
**EXISTING SECOND FLOOR PLAN**



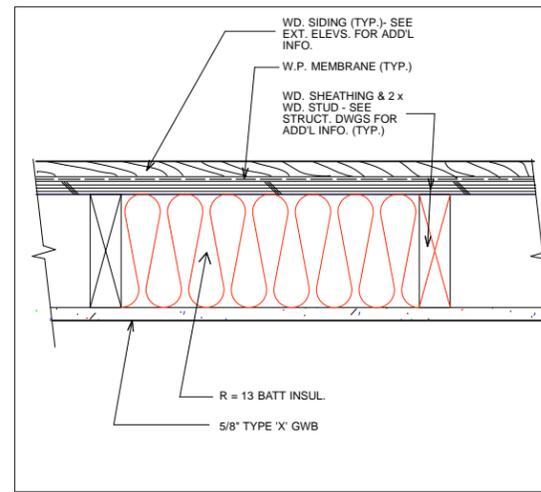




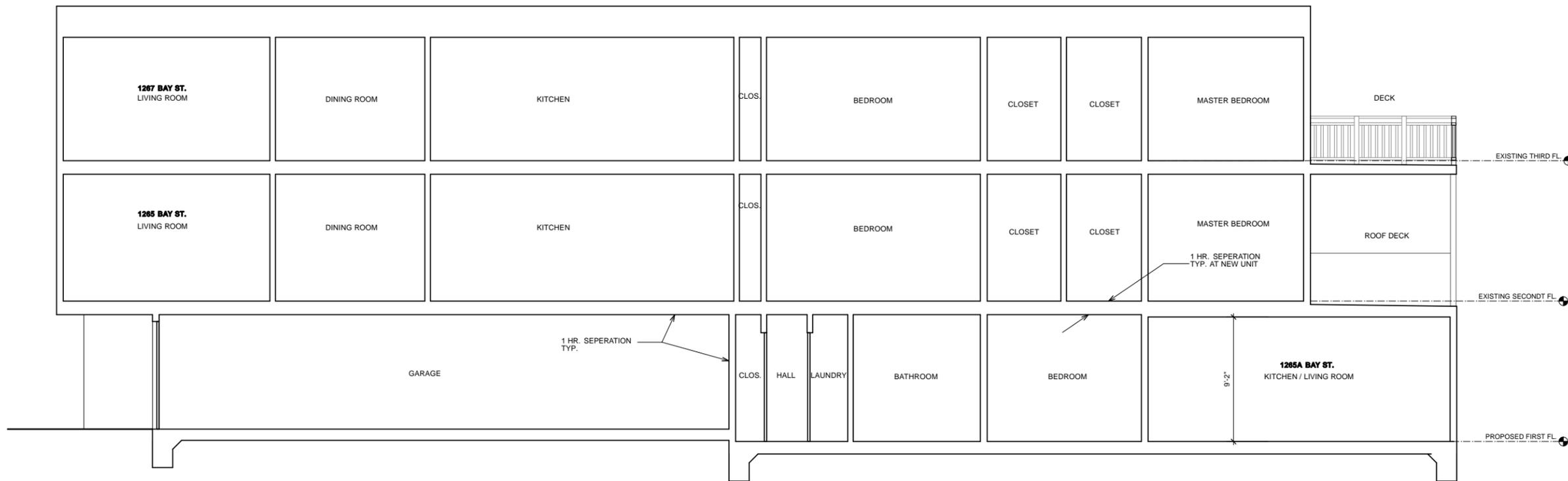
2 **TYP. 1 HR FLOOR / CEILING DETAIL**  
3" = 1'-0"



3 **TYP. 1 HR INT. WALL DETAIL**  
3" = 1'-0"



4 **NEW EXTERIOR WALL W/SIDING**  
3" = 1'-0"



1 **PROPOSED BUILDING SECTION**

**TOPATCHER**  
ARCHITECTURE INC

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

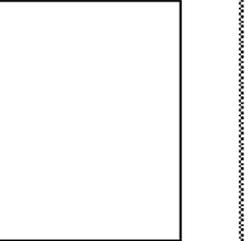
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**BAY ST. RESIDENCES**  
1265-1267 BAY STREET  
SAN FRANCISCO, CA. 94109  
BLOCK # 0473 LOT # 015A

**SHEET TITLE**  
PROPOSED BLDG.  
SECTION  
ARCH. DETAILS

SCALE: 1/4" = 1'-0"  
JOB NO. 12.02



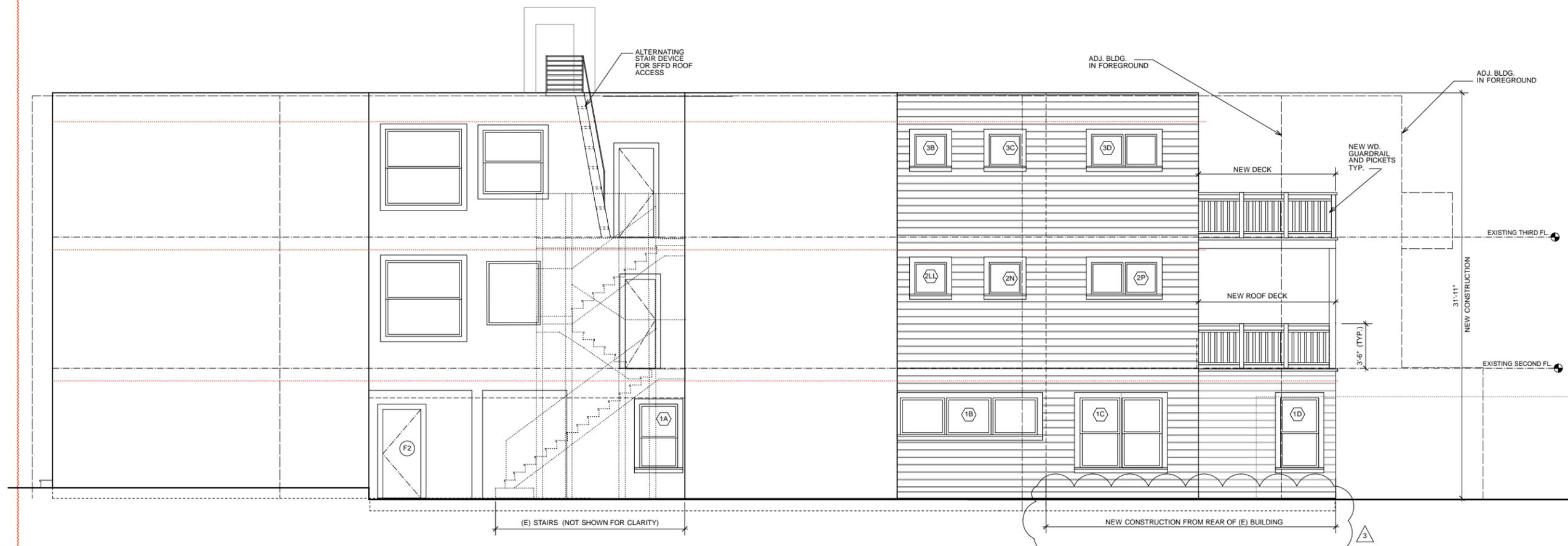
MARK J. TOPATCHER ARCHITECT CA. LIC. # 35898, EXP. 5/13

SHEET **A 3.0**

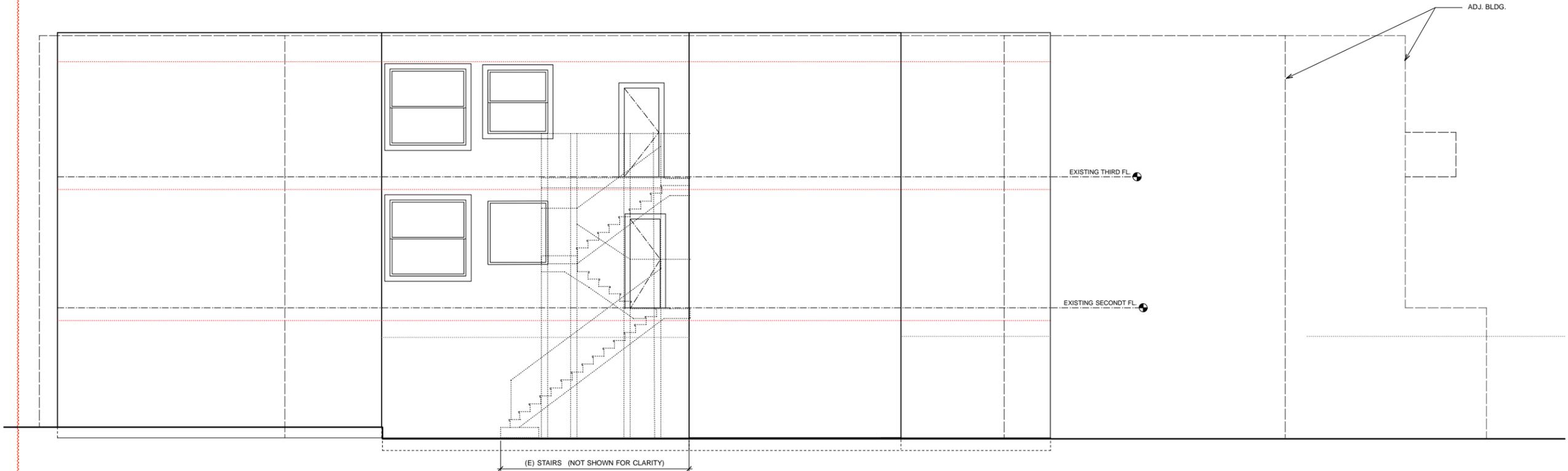
**PRINTING RECORD**

DATE	ACTION
MAR. 15, 2012	PROGRESS PRINT
MAR. 16, 2012	NEIGHB. PREAPP. MTG.
APRIL 20, 2012	SITE PERMIT SUBMITTAL
JUNE 22, 2012	NEIGHB. PREAPP. MTG. 2
JUNE 28, 2012	PLANNING COMMENTS
JULY 20, 2012	PLANNING COMMENTS 2
SEPT. 10, 2012	INTERIOR RENO. PERMIT
SEPT. 13, 2012	PLANNING COMMENTS 3

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**2 PROPOSED WEST ELEVATION**



**1 EXISTING WEST ELEVATION**

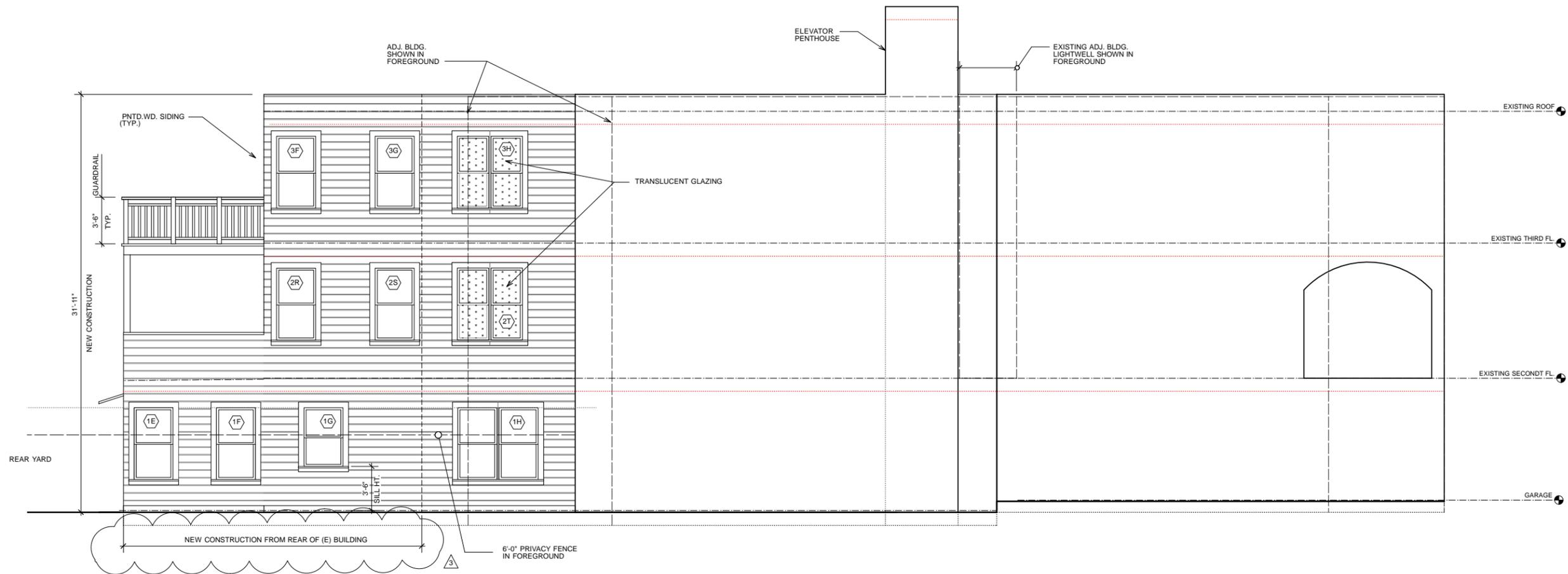
**BAY ST. RESIDENCES**  
 1265-1267 BAY STREET  
 SAN FRANCISCO, CA. 94109  
 BLOCK # 0473 LOT # 015A

**SHEET TITLE**  
 (E) EAST ELEVATION  
 PROPOSED EAST ELEVATION

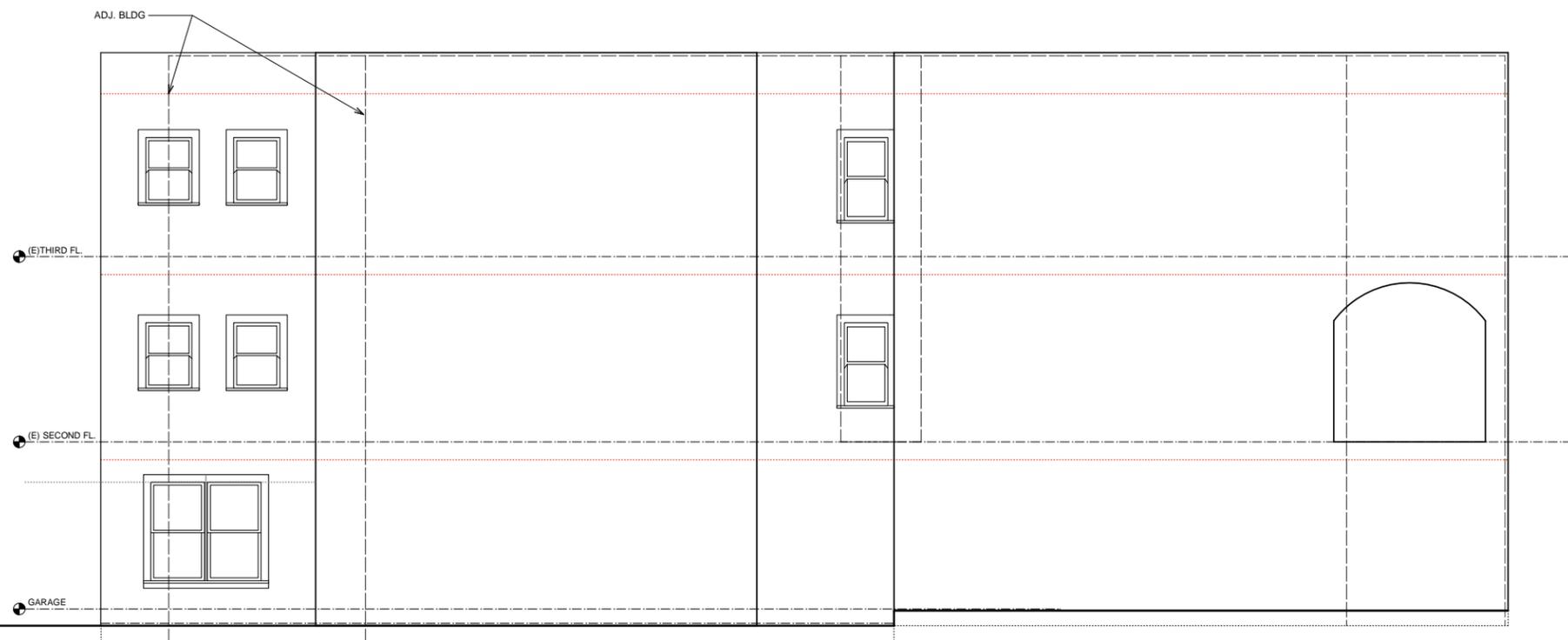
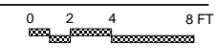
SCALE: 1/4"=1'-0"  
 JOB NO: 12.02

MARK 2 TOPETCHER ARCHITECT CA, LLC © 2012, EXP. 5/15

**A 4.0**



2 PROPOSED EAST ELEVATION



1 EXISTING EAST ELEVATION

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

**PRINTING RECORD**

DATE	ACTION
MAR. 15, 2012	PROGRESS PRINT
MAR. 16, 2012	NEIGHB. PREAPP. MTG.
APRIL 20, 2012	SITE PERMIT SUBMITTAL
JUNE 22, 2012	NEIGHB. PREAPP. MTG. 2
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JULY 20, 2012	PLANNING COMMENTS 2
SEPT. 10, 2012	INTERIOR RENO. PERMIT
SEPT. 13, 2012	PLANNING COMMENTS 3

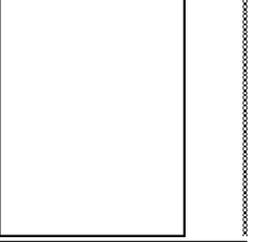
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**BAY ST. RESIDENCES**  
 1265-1267 BAY STREET  
 SAN FRANCISCO, CA. 94109  
 BLOCK # 0473 LOT # 015A

**SHEET TITLE**

PROPOSED EAST ELEVATIONS
EXISTING EAST ELEVATIONS

SCALE: 1/4"=1'-0"	JOB NO. 12.02
----------------------	------------------



MARK J. TOPETCHER, ARCHITECT CA. LIC. # C 21079, EXP. 5/13

SHEET  
**A 4.1**

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

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SEPT. 13, 2012	PLANNING COMMENTS 3

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**BAY ST. RESIDENCES**  
 1265-1267 BAY STREET  
 SAN FRANCISCO, CA. 94109  
 BLOCK # 0473 LOT # 015A

**SHEET TITLE**  
 PROPOSED AND EXISTING NORTH ELEVATIONS  
 SITE PHOTOS

SCALE: 1/4"=1'-0"  
 JOB NO. 12.02

MARK J. TOPETCHER ARCHITECT CA LIC. # C 28879, EXP. 5/15

**A 4.2**



**3 PROPOSED SOUTH (REAR) ELEVATION**



**4 EXISTING NORTH (FRONT) ELEVATION**



**2 EXISTING SOUTH (REAR) ELEVATION**



**1 PROPOSED NORTH (FRONT) ELEVATION**

