

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES – WEDNESDAY, JANUARY 12, 2022

REMOTE MEETING VIA ZOOM

PRESENT: President Darryl Honda, Vice President Rick Swig, Commissioner Ann Lazarus, Commissioner Tina Chang and Commissioner Jose Lopez.

Brad Russi, Deputy City Attorney, Office of the City Attorney (CAT); Corey Teague, Zoning Administrator, Planning Department (PD); Julie Rosenberg, Executive Director; Alec Longaway, Legal Assistant.

(1) **PUBLIC COMMENT**

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. At the discretion of the Board President, public comment may be limited to two minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

PUBLIC COMMENT: None.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: None.

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the January 5, 2022 minutes.

ACTION: Upon motion by Vice President Swig, the Board voted 5-0 to adopt the January 5, 2022 minutes.

PUBLIC COMMENT: None.

(4) APPEAL NO. 21-109

<p>SCOTT PLUTA, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p>	<p>4300 17th Street.</p> <p>Appealing the ISSUANCE on December 9, 2021, to Scott Pluta, of a Variance Decision (DENIAL of a Lot Size Variance and a Rear Yard Variance. The project proposes to construct a new 3,128 gross-square-foot, 3-story, 2-unit building on a new 1,458 square foot lot. The new lot would be created through a subdivision of an existing 2,916 square foot corner lot. An Accessory Dwelling Unit would be added at the ground floor of the existing 4,382 gross-square-foot 3-story, 2-unit building (4300 17th Street) that is located on the remaining 1,458 square feet of the original lot. Planning Code Section 121 requires that the minimum lot area for any lot having its street frontage entirely within 125 feet of an intersection shall be 1,750 square feet. The project proposes a subdivision of the existing lot to create two 1,458 square foot lots, therefore both lots would require a variance for lot size. Planning Code section 134 requires properties in the RH-2 Zoning District to maintain a rear yard equivalent to 45% of the total lot depth at grade level and at each succeeding story of the building, which may be reduced down to 25% of the lot depth based on the qualifying adjacent buildings. Both the existing and proposed buildings would extend practically the full depth of their respective lots, resulting in nearly full lot coverage on both lots, exceeding the depth of the required rear yards of 18 feet 2 inches and 16 feet 2 inches. Therefore, both proposed lots would require a rear yard variance. The Zoning Administrator denied both the Lot Size and Rear Yard Variances).</p> <p>CASE NO. 2019-013808VAR. FOR HEARING TODAY.</p>
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ACTION: Upon motion by Vice President Swig, the Board voted 5-0 to deny the appeal and uphold the denial of the variance on the basis that the five findings required by Planning Code Section 305(c) have not been met.

SPEAKERS: Scott Pluta, appellant; Corey Teague, PD.

PUBLIC COMMENT: Paul Allen, Casey Rando, Sonia Rainer, Greg Rando, Bill Holtzman, Tim Wu, Dirk Aguilar, Maryann Dresner, Maria Chambers Hutchins, Joseph Accordino and Eric Murphy spoke in support of the Department.

ADJOURNMENT.

There being no further business, President Honda adjourned the meeting at 6:19 p.m.

The supporting documents for this meeting can be found at the following link:

<https://sfgov.org/bdappeal/meeting/board-appeals-january-12-2022-supporting-documents>

A video of this meeting, can be found at the following link:

https://sanfrancisco.granicus.com/player/clip/40272?view_id=6&redirect=true