

**BOARD OF APPEALS**

**CITY & COUNTY OF SAN FRANCISCO**

**DRAFT MEETING MINUTES – WEDNESDAY, DECEMBER 1, 2021**

**REMOTE MEETING VIA ZOOM**

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

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

ABSENT: Commissioner Tina Chang

(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: Carl Macmurdo, Marcelo Fonseca, Charles Rathbone, Nathan Dwiri and Robert Cesana spoke about taxi medallions and the regulation of the taxi industry in San Francisco.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

ACTION: Vice President Swig wished everyone a Happy Hanukkah and a great holiday season.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the November 17, 2021 minutes.

ACTION: Upon motion by Vice President Swig, the Board voted 4-0-1 (Commissioner Chang absent) to adopt the November 17, 2021 minutes.

PUBLIC COMMENT: None.

**(4) REHEARING REQUEST FOR APPEAL NO. 21-050**

**Subject property at 408-412 Cortland Avenue.** Maher Memarzadeh, Appellant, is requesting a rehearing of Appeal No. 21-050, MAHER MEMARZADEH vs. ZONING ADMINISTRATOR, decided October 27, 2021. At that time, upon motion by Vice President Swig, the Board voted 4-0-1 (President Honda absent) to deny the appeal and uphold the Revised Variance Decision (denying a rear yard variance) on the basis that the five findings required by Planning Section 305(c) have not been met. **Determination Holder: Maher Memarzadeh. Determination Description:** The project proposes to construct a one-story vertical addition to the rear building that will include a roof deck and increase the height, as measured above the basement story, from 16 feet 2 inches at the roof peak to over 32 feet. The new story is proposed to be used as a neighborhood-serving commercial use. The project also proposes a stairway and firewall along the eastern property line to provide access from the second story of the front building to the new roof deck on the rear building. Planning Code section 134 requires the subject property to maintain a rear yard equal to 25% of the lot depth at the second story and above and at the first story if it contains a Dwelling Unit. The existing building at the rear of the lot occupies the entirety of the required rear yard and the proposed addition will increase the rear building envelope within the required rear yard, therefore a rear yard variance is needed. The Zoning Administrator denied the rear yard variance on the basis that the five findings required under Planning Code section 305(c) have not been met. **Case No.:** 2015-008499VAR.

**ACTION:** Upon motion by Commissioner Lazarus, the Board voted 4-0-1 (Commissioner Chang absent) to deny the request on the basis that there is neither new information nor manifest injustice.

**SPEAKERS:** Thomas Havel, agent for appellant; Corey Teague, PD.

**PUBLIC COMMENT:** Sue Hestor spoke in support of the Planning Department.

**ADJOURNMENT.**

There being no further business, President Honda adjourned the meeting at 5:34 p.m.

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

<https://sfgov.org/bdappeal/meeting/board-appeals-december-1-2021-supporting-documents>

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

[https://sanfrancisco.granicus.com/player/clip/39989?view\\_id=6&redirect=true](https://sanfrancisco.granicus.com/player/clip/39989?view_id=6&redirect=true)