

# **BOARD OF APPEALS**

## **CITY & COUNTY OF SAN FRANCISCO**

### **DRAFT MEETING MINUTES – WEDNESDAY, SEPTEMBER 7, 2022**

#### **HYBRID MEETING (IN-PERSON AND REMOTE ACCESS VIA ZOOM)**

#### **5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B. GOODLETT PLACE**

PRESENT: President Rick Swig, Vice President Jose Lopez, Commissioner Alex Lemberg and Commissioner John Trasviña.

Brad Russi, Deputy City Attorney, Office of the City Attorney (CAT); Tina Tam, Deputy Zoning Administrator, Planning Department (PD); Matthew Greene, Acting Chief Building Inspector, Department of Building Inspection (DBI); 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.

SPEAKERS: None.

#### **(2) COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: President Swig acknowledged the departure of the Board's esteemed legal counsel, Brad Russi. He stated that Mr. Russi was the backbone of the organization and noted that he provided guidance to keep the commissioners on track. President Swig acknowledged that Mr. Russi helped the commissioners stay organized and informed and made sure that the Board was providing the best opinions for the public. He thanked Mr. Russi for his service and wished him the best on the continuation of his career with the City.

Commissioner Trasviña joined President Swig in expressing his appreciation for Mr. Russi. He stated that he was very impressed with the timeliness, quality, and responsiveness of his legal presentations. He acknowledged that the Board as a City body was very well served by the City Attorney's Office. He stated that he knew Mr. Russi, in his next position, would continue to serve members of commissions by making sure they complied with the law. Commissioner Trasviña expressed his gratitude and appreciation for Mr. Russi and wished him well in his next steps.

Vice President Lopez echoed the sentiments of his fellow commissioners and expressed appreciation for Mr. Russi. He stated that Mr. Russi's advice was always on point. He acknowledged that it was difficult to give legal advice on the fly, but Mr. Russi carried it out very well. He stated that he hoped that the people in Mr. Russi's next assignment appreciated how fortunate they were to have his service and advice.

Commissioner Lemberg echoed the sentiments of their fellow commissioners. They stated that they very much appreciated Mr. Russi's presence at the Board. They acknowledged that having city attorneys who are devoted to ethics and the order of the law is extremely important. They stated that they were grateful for Mr. Russi's service to the body and the City. They stated that Mr. Russi will be missed.

Brad Russi thanked the commissioners for their kind words and stated that he really enjoyed the assignment to the Board of Appeals for the last six years. He acknowledged that he had the opportunity to work with many different commissioners and two excellent Executive Directors, Julie Rosenberg and Cynthia Goldstein. He stated that this was an assignment that he has enjoyed as much or more than the others and that he would miss working with the commissioners and attending the hearings.

PUBLIC COMMENT: None.

**(3) ADOPTION OF MINUTES**

Discussion and possible adoption of the August 24, 2022 minutes.

ACTION: Upon motion by Commissioner Trasviña the Board voted 4-0 to adopt the August 24, 2022 meeting minutes as amended by Commissioner Lemberg to correct a pronoun in Item 3.

PUBLIC COMMENT: None.

**ITEMS (4A) AND (4B) SHALL BE HEARD TOGETHER**

**(4A) APPEAL NO. 22-057**

<p>LINDA ZIDER, Appellant(s)</p> <p>vs.</p> <p>DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>1335 Bay Street. Appealing the ISSUANCE on July 22, 2022, to Vassiliki Peritos, of an Alteration Permit (erect new 2-story, Type 5-A, R-3 structure at rear for one ADU per 162-16 (Per Ca. Gov. Code Section 65852.2) (No work to front R-2, 4-unit structure on lot)). PERMIT NO. 2022/0207/7451. FOR HEARING TODAY.</p>
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**(4B) APPEAL NO. 22-058**

<p>RON SOMERS, Appellant(s)</p> <p>vs.</p> <p>DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>1335 Bay Street. Appealing the ISSUANCE on July 22, 2022, to Vassiliki Peritos, of an Alteration Permit (erect new 2-story, Type 5-A, R-3 structure at rear for one ADU per 162-16 (Per Ca. Gov. Code Section 65852.2) (No work to front R-2, 4 unit structure on lot)). PERMIT NO. 2022/0207/7451. FOR HEARING TODAY.</p>
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**ACTION:** Upon motion by Vice President Lopez, the Board voted 4-0 to deny the appeals and uphold the permit on the basis that it was properly issued.

**SPEAKERS:** Stephen Williams, attorney for appellant (Linda Zider, Appeal No. 22-057); Ron Somers, appellant (Appeal No. 22-058); Scott Emblidge, attorney for permit holder (Vassiliki Peritos); Tina Tam, PD; Matthew Greene, DBI.

**PUBLIC COMMENT:** Seth Miller, Kyle Louse, Sid Mitra, Jere Rae Mansfield and Jeanne Elliott spoke in support of the appellants.

**ADJOURNMENT.**

There being no further business, President Swig adjourned the meeting at 7:04p.m.

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

<https://sfgov.org/bdappeal/meeting/board-appeals-september-7-2022-supporting-documents>

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

[https://sanfrancisco.granicus.com/player/clip/41971?view\\_id=6&redirect=true&h=f1e85f5ec4b5fec28d2e4dd92a18b91b](https://sanfrancisco.granicus.com/player/clip/41971?view_id=6&redirect=true&h=f1e85f5ec4b5fec28d2e4dd92a18b91b)