(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.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the April 22, 2020 minutes.

(4) **JURISDICTION REQUEST NO. JR-20-2**

**Subject property at 4298 Mission Street.** Letter from Gawfco Enterprises, Inc. DBA: Mission Fuel and Food, requestor, asking that the Board take jurisdiction over the denial of a Retail Tobacco Sales Permit (EHD ID# 104326) which was issued on March 18, 2020. The appeal period ended on April 2, 2020, and the jurisdiction request was filed at the Board office on April 6, 2020. **Determination Holder:** Gawfco Enterprises, Inc. DBA: Mission Fuel and Food. **Description of Decision:** Pursuant to SF Health Code section 19H.4(f), no new permit shall be issued if the Applicant will be located within 500 feet of an existing establishment. The subject property is located within 500 feet of three other establishments that have a valid SFDPH Tobacco Sales Permit and the Applicant does not qualify for any exceptions under the Health Code.

(5) **JURISDICTION REQUEST NO. JR-20-1**

**Subject property at 1117 Sanchez Street.** Letter from Debbie Jue and Randolph Toy, requestors, asking that the Board take jurisdiction over Site Permit No. 2018/01/18/8926, which was issued on April 19, 2019. The appeal period ended on May 6, 2019, and the jurisdiction request was filed at the Board office on February 28, 2020. **Permit Holder:** Tom Kavanagh. **Permit Description:** One story vertical addition to existing single-family home and remodel of existing living space.
ITEMS (6A) AND (6B) SHALL BE HEARD TOGETHER

(6A) APPEAL NO. 20-023

| PHILIP LALONDE, Appellant(s) | 2467 Pacific Avenue. Appealing the ISSUANCE on February 25, 2020, to M3 Pacific Properties LLC, of an Alteration Permit (renovation of four-story over basement multi-family residential building; the use remains unchanged as a two-unit residential building; modifications include renovation of all floors, new garage at basement level and elevator to first floor, new dormer, addition of three bathrooms, new roof deck at fourth level). PERMIT NO. 2019/10/16/4578. FOR HEARING TODAY. |
| vs. DEPT. OF BUILDING INSPECTION, Respondent | PLANNING DEPT. APPROVAL |

(6B) APPEAL NO. 20-024

| RAMSEY WALKER and STEPHANIE TUTTLE, Appellant(s) | 2467 Pacific Avenue. Appealing the ISSUANCE on February 25, 2020, to M3 Pacific Properties LLC, of an Alteration Permit (renovation of four-story over basement multi-family residential building; the use remains unchanged as a two-unit residential building; modifications include renovation of all floors, new garage at basement level and elevator to first floor, new dormer, addition of three bathrooms, new roof deck at fourth level). PERMIT NO. 2019/10/16/4578. FOR HEARING TODAY. |
| vs. DEPT. OF BUILDING INSPECTION, Respondent | PLANNING DEPT. APPROVAL |
ITEMS (7A) AND (7B) SHALL BE HEARD TOGETHER

### (7A) APPEAL NO. 19-116

| SIX DOGS LLC, Appellant(s) | 3426-3432 22nd Street. Appealing the REVOCATION on September 30, 2019, to Six Dogs LLC, of a Building Permit (Nine permits were issued to remodel the four unit building; repair rear stairs, front facade and soft story seismic work. However, a site visit has revealed that work exceeded the scope of the approved permits and the plans contain inaccurate information. This is documented in Notice of Violation number 201987211). PERMIT NOS. 2018/07/12/4400, 2018/07/23/5200, 2018/08/01/6151, 2018/11/21/6573, 2018/11/21/6577, 2018/11/21/6578, 2018/11/21/6579, 2018/11/21/6580, 2018/12/24/9088. FOR FURTHER CONSIDERATION. Note: On December 4, 2019, upon motion by President Swig, the Board voted 4-0-1 (Commissioner Honda recused) to continue this matter to March 18, 2020 so that the project sponsor can: (1) meet with the appropriate city departments to resolve the issues identified at the hearing, and (2) provide a complete and full set of plans. |
| vs. DEPT. OF BUILDING INSPECTION, Respondent | |

### (7B) APPEAL NO. 19-118

| PAT BUSCOVICH, Appellant(s) | 3426-3432 22nd Street. Appealing the REVOCATION on September 30, 2019, to Six Dogs LLC, of a Building Permit (Nine permits were issued to remodel the four unit building; repair rear stairs, front facade and soft story seismic work. However, a site visit has revealed that work exceeded the scope of the approved permits and the plans contain inaccurate information. This is documented in Notice of Violation number 201987211). PERMIT NOS. 2018/07/12/4400, 2018/07/23/5200, 2018/08/01/6151, 2018/11/21/6573, 2018/11/21/6577, 2018/11/21/6578, 2018/11/21/6579, 2018/11/21/6580, 2018/12/24/9088. FOR FURTHER CONSIDERATION. See Note in (7A), above. |
| vs. DEPT. OF BUILDING INSPECTION, Respondent | |
ADJOURNMENT.

Note: The materials for each item on this agenda may include some or all of the following documents: Preliminary Statement of Appeal; Departmental determination being appealed; briefs submitted by Appellants, Permit Holders, Respondent Departments or Other Parties; submittals by members of the public; and correspondence. These items, and any materials related to an item on this agenda that are distributed to the Board members at the hearing, are available for public inspection at the Board's website (http://www.sfgov.org/boa) and at the Board’s office during normal office hours (Monday to Friday, 8:00 a.m. to 5:00 p.m., 1650 Mission Street, Room 304) and in the hearing room on the date the matter is scheduled to be heard. Please call 415-575-6880 if you have any questions concerning this agenda.

Date posted: May 1, 2020

MEMBERS OF THE BOARD OF APPEALS

<table>
<thead>
<tr>
<th>ANN LAZARUS</th>
<th>PRESIDENT</th>
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<tbody>
<tr>
<td>DARRYL HONDA</td>
<td>VICE PRESIDENT</td>
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<td>RACHAEL TANNER</td>
<td>COMMISSIONER</td>
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<tr>
<td>EDUARDO SANTACANA</td>
<td>COMMISSIONER</td>
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PROCEDURE AT HEARINGS

Except when the Presiding Officer finds good cause to order the presentations otherwise, the order of presentation of an appeal shall be as follows: (a) the appellant shall speak first and shall be allowed seven minutes to present relevant testimony and evidence. Then the permit holder, representatives of the department, board, commission or person from whose order the appeal is taken, and/or other parties, shall be allowed seven minutes for presentation of relevant testimony and evidence. Three minutes for rebuttal shall be provided to all parties in this same order; (b) the Board may request a departmental response at its own discretion. For rehearing requests and jurisdiction requests, each party shall be allowed three minutes to present testimony and evidence, with no rebuttal.

Other persons desiring to speak before the Board on an appeal may speak once for up to three minutes, unless the presiding officer further limits time uniformly.

Those members of the public who intend to testify about a particular appeal and wish to have the Board give their testimony evidentiary weight for purposes of deciding the appeal are asked to take an oath. Please note that any member of the public may speak without being sworn-in pursuant to their rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code).
SPECIAL NOTES

The Board reserves the right to not start an item on the agenda after 10:00 p.m.

If the Board continues a matter to a specific date that is announced to the parties in the hearing room, no additional mailed notice will be sent. Please call the Board office at 415-575-6880 for scheduling or other information during regular business hours or visit our website at www.sfgov.org/boa.

The complete Rules of the Board are available for review at the Board office, and on our website.

Material submitted by the public for Board review prior to a scheduled hearing before the Board, should be addressed to the Board President, and be received at the Board office, 1650 Mission Street, Room 304, no later than 4:30 p.m. one Thursday prior to the scheduled public hearing. Persons unable to attend the scheduled public hearing may submit written comments regarding a calendared item to the Board office. Comments received before noon on the day of the hearing will be made a part of the official record and will be brought to the attention of the Board at the public hearing. For complete distribution to all Commissioners of the Board, necessary staff and case files, submit an original and ten copies. Please note that names and addresses included in these submittals will become part of the public record. Submittals may be made anonymously.

Pursuant to Government Code § 65009, if you challenge, in court, the approval of a variance or development permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Appeals at, or prior to, the public hearing.

Calendared items are sometimes withdrawn or rescheduled the day of hearing or are taken out of order to accommodate special needs. The Board urges all parties to be present in the hearing room from 5:00 p.m. so that everyone has an opportunity to participate in the relevant public hearing when it is called.

PROHIBITION OF SOUND-PRODUCING ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

ACCESSIBILITY INFORMATION

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call the accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the City’s efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals. To obtain a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting, please contact the Board office at least 48 hours before the meeting at (415) 575-6880.
The closest accessible BART station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible curbside parking has been designated at points along McAllister Street. Accessible MUNI lines serving City Hall are the 42 Downtown Loop, 9 San Bruno and 71 Haight/Noriega and the F line. Accessible MUNI Metro lines are the J, K, L, M, and N. For more information regarding MUNI accessible services, call (415) 923-6142.

City Hall is accessible to persons using wheelchairs and other assistive mobility devices. Wheelchair access is provided at the Grove, Van Ness and McAllister streets via ramps. Wheelchair access at the Polk Street/ Carlton B. Goodlett entrance is provided through a wheelchair lift.

American sign language interpreters, translation services and/or sound enhancement will be available upon request by contacting Board staff at (415) 575-6880 at least 48 hours prior to the hearing.

**KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force: by mail to Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-5163; or by e-mail at sotf@sfgov.org. Citizens interested in obtaining a free copy of the Sunshine Ordinance may request a copy from the Sunshine Ordinance Task Force Administrator or by printing Chapter 67 of the San Francisco Administrative Code on the internet at www.sfgov.org/sunshine.

**LOBBYING ACTIVITY/CAMPAIGN CONTRIBUTIONS**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102; telephone: (415) 252-3100; email ethics.commission@sfgov.org; web site www.sfgov.org/ethics.
Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

**SUGGESTIONS TO IMPROVE EFFICIENCY**

The Board welcomes suggestions from the public regarding improvement of the efficiency of its operations. Please direct your comments and suggestions to Board staff, at 415-575-6880 or fax 415-575-6885. A customer satisfaction survey form is available at the meetings, the Board office, and on the Board's web site, www.sfgov.org/boa.

**ONLINE VIDEO STREAMING OF MEETINGS**

Online video streaming and audio and video file downloads of Board meetings are available at: https://sanfrancisco.granicus.com/ViewPublisher.php?view_id=6.

**BOARD OF APPEALS**
**CITY & COUNTY OF SAN FRANCISCO**
1650 Mission Street, Room 304
San Francisco, California 94103