

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES – WEDNESDAY FEBRUARY 7, 2018

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

PRESENT: President Frank Fung, Vice President Rick Swig, Commissioner Darryl Honda and Commissioner Bobble Wilson.

Brad Russi, Deputy City Attorney, Office of the City Attorney (OCA); Corey Teague, Acting Zoning Administrator (ZA); Heather Johnson, Senior HR Consultant, Department of Human Resources (DHR); Cynthia Goldstein, Executive Director; Gary Cantara, Legal Assistant.

ABSENT: Commissioner Ann Lazarus.

(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. 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: Jerry Dratler spoke about a lot merger and Certificate of Compliance for the property at 25 17th Avenue, a Sunshine Ordinance request to the Department of Public Works about that property, his efforts to file an appeal with the Board of Appeals on this issue and alleged violations by the developer of the subject property.

(2) COMMISSIONER COMMENTS & QUESTIONS

SPEAKERS: None.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the January 31, 2018 minutes.

ACTION: Upon motion by Commissioner Honda, the Board voted 4-0-1 (Commissioner Lazarus absent) to adopt the January 31, 2018 minutes.

SPEAKERS: None.

PUBLIC COMMENT: None.

(4) CLOSED SESSION

PUBLIC EMPLOYEE APPOINTMENT – Executive Director, Board of Appeals – ACTION

Open Session:

Public Comment (on all matters pertaining to the closed session item).

Vote on whether to hold closed session pursuant to CA Gov't Code § 54957(b)(1) and San Francisco Administrative Code § 67.10(b).

Closed Session:

Evaluate written job applications.

Reconvene to Open Session:

- a) Vote whether to disclose any or all discussions held in closed session pursuant to San Francisco Administrative Code § 67.12(a).
- b) Disclosure of action taken in closed session.

START TIME: 5:10 p.m.

END TIME: 5:50 p.m.

IN ATTENDANCE: President Frank Fung, Vice President Rick Swig, Commissioner Darryl Honda, Commissioner Bobbie Wilson, Brad Russi, OCA, Heather Johnson, DHR, Cynthia Goldstein and Gary Cantara.

ACTION: Upon motion by President Fung, the Board voted 4-0-1 (Commissioner Lazarus absent) to hold a closed session. Upon motion by President Fung, the Board voted 4-0-1 to not disclose what was discussed during the closed session.

PUBLIC COMMENT: None.

(5) APPEAL NO. 17-189

JOE KENAS, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	524-528 Valencia Street. Protesting the ISSUANCE on November 20, 2017, to Nilesh Patel, of an Alteration Permit (comply with Notice of Violation Nos. 201776595 and 201600246; exterior work only; revise BPA No. 2012/09/05/8944 Local Equivalency AB-019; modifications to rear fire escape drop down ladder). APPLICATION NO. 2017/10/30/2694. FOR HEARING TODAY.
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ACTION: Upon motion by Commissioner Honda, the Board voted 4-0-1 (Commissioner Lazarus absent) to continue the appeal to February 28, 2018 to allow time for Department of Building Inspection to evaluate whether the plans are in compliance with Administrative Bulletin AB-019.

SPEAKERS: Joe Kenas, appellant; Patrick Mora, agent for permit holder; Corey Teague, ZA; Joseph Duffy, DBI.

PUBLIC COMMENT: None.

ITEMS (6A) AND (6B) SHALL BE HEARD TOGETHER

(6A) APPEAL NO. 17-187

ELLEN TSANG, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	2650-2652 Hyde Street. Protesting the ISSUANCE on November 20, 2017, to Craig & Marina Greenwood, of a Site Permit (remodel upper unit of two-unit building; change rear portion of existing gable roof to flat roof with roof deck above; interior remodel of third floor below roof, including remodeled bathroom; new stair to roof; remodel interior stair; new small deck at level three). APPLICATION NO. 2015/07/08/0940S. FOR HEARING TODAY.
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(6B) APPEAL NO. 17-188

EDGAR BRINCAT, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	2650-2652 Hyde Street. Protesting the ISSUANCE on November 20, 2017, to Craig & Marina Greenwood, of a Site Permit (remodel upper unit of two-unit building; change rear portion of existing gable roof to flat roof with roof deck above; interior remodel of third floor below roof, including remodeled bathroom; new stair to roof; remodel interior stair; new small deck at level three). APPLICATION NO. 2015/07/08/0940S. FOR HEARING TODAY.
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ACTION: Upon motion by Vice President Swig, the Board voted 4-0-1 (Commissioner Lazarus absent) to deny the appeals and uphold the permit on the basis that it was properly issued.

SPEAKERS: Edgar Brincat, appellant (Appeal No.17-188); Ellen Tsang, appellant (Appeal No.17-187); Craig Greenwood, permit holder; Dean Martelli, agent for permit holder; Corey Teague, ZA; Joseph Duffy, DBI.

PUBLIC COMMENT: None.

(7) APPEAL NO. 17-190

STEVEN FAIG & ARCEIL JURANTY, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent	122 Rivoli Street. Protesting the ISSUANCE on November 20, 2017, to Roya Rassai, of an Alteration Permit (to comply with Complaint No. 201716752: taking a wall, trellis and post down to be replaced at a later time with permitted fence and gate). APPLICATION NO. 2017/11/20/4465. FOR HEARING TODAY.
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ACTION: Withdrawn.

SPEAKERS: Ryan Patterson, attorney for appellants; Robia Crisp, attorney for permit holder; Joseph Duffy, DBI.

PUBLIC COMMENT: None.

(8) ADOPTION OF BUDGET

Discussion and possible adoption of the departmental budgets for fiscal years 2018-19 and 2019-20.
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ACTION: Upon motion by Commissioner Honda, the Board voted 4-0-1 (Commissioner Lazarus absent) to adopt the budget proposal for fiscal years 2018-2019 and 2019-2020.

SPEAKERS: Director Goldstein provided an overview of the budget proposals.

PUBLIC COMMENT: None.

ADJOURNMENT.

There being no further business, President Fung adjourned the meeting at 7:50 p.m.