

**BOARD OF APPEALS**

**CITY & COUNTY OF SAN FRANCISCO**

**MEETING MINUTES - WEDNESDAY, NOVEMBER 5, 2014**

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

PRESENT: President Ann Lazarus, Commissioner Frank Fung and Commissioner Darryl Honda.

Robert Bryan, Deputy City Attorney, Office of the City Attorney (OCA); Scott Sanchez, Zoning Administrator (ZA); Joseph Duffy, Senior Building Inspector, Department of Building Inspection (DBI); Cynthia Goldstein, Executive Director; Victor Pacheco, Legal Assistant.

ABSENT: Vice President Arcelia Hurtado and Commissioner Bobbie Wilson.

(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: None.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: None.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the October 15, 2014 minutes.

ACTION: Upon motion by Commissioner Honda, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to adopt the October 15, 2014 minutes.

SPEAKERS: None.

PUBLIC COMMENT: None.

**(4) JURISDICTION REQUEST**

**Subject property at 157 Randall Street.** Letter from John Clifford & Charlene Attard, requestors, asking that the Board take jurisdiction over BPA No. 2013/06/25/0447, which was issued by the Department of Building Inspection on April 25, 2014. The appeal period ended on May 12, 2014, and this jurisdiction request was filed at the Board office on Sept. 22, 2014. Project: 28sf horizontal addition to 3<sup>rd</sup> floor; raise roof 8'10"; interior remodel of kitchen and miscellaneous improvements; construct deck on top of garage at 2<sup>nd</sup> floor; 3<sup>rd</sup> floor rear deck. Permit Holders: Maneesh Jain & Nadia Ramsaroop.

**ACTION:** Upon motion by Commissioner Fung, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to deny the request.

**SPEAKERS:** John Clifford, requestor; Charlene Attard, requestor; Nadia Ramsaroop, permit holder; Brett Gladstone, attorney for permit holder; Scott Sanchez, ZA; Joseph Duffy, DBI.

PUBLIC COMMENT: None.

**(5) APPEAL NO. 14-155**

LETICIA LUNA, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent	246 Tingley Street. Appealing the IMPOSITION OF PENALTY on August 25, 2014, for construction work done without a permit. APPLICATION NO. 2014/08/25/4616. FOR HEARING TODAY.
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**ACTION:** Upon motion by Commissioner Fung, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to continue this matter to November 12, 2014 in order to allow the missing Commissioners to participate in the final vote.

**SPEAKERS:** Leticia Luna, appellant; Joseph Duffy, DBI.

PUBLIC COMMENT: None.

**(6) APPEAL NO. 14-151**

STACY MILLER & GEETA BHADAURIA, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent	1485 Clay Street #10. Protesting the ISSUANCE on August 13, 2014, to Clay Street Investors LLC, of an Alteration Permit (renovation of kitchen and bathroom; all in kind; no walls removed; all plumbing and electrical as needed). APPLICATION NO. 2014/08/13/3751. FOR HEARING TODAY.
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ACTION: Upon motion by Commissioner Fung, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to continue this matter to November 12, 2014 to allow the permit holder to submit drawings indicating the scope of work.

SPEAKERS: Stacy Miller, appellant; Geeta Bhaduria, appellant; Manoj Kapoor, permit holder; Scott Sanchez, ZA; Joseph Duffy, DBI.

PUBLIC COMMENT: Alexander Purlats spoke in support of the appellants.

**ITEMS (7A), (7B) & (7C) SHALL BE HEARD TOGETHER:**

**(7A) APPEAL NO. 14-098**

MARIA MARANGHI, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	1020 Filbert Street. Protesting the ISSUANCE on March 20, 2014, to Xelan Prop 1 LLC, of an Alteration Permit (remove illegal unit and convert back to legal use as single family home; connect both floors with new stair case interior). APPLICATION NO. 2014/03/20/1296. FOR HEARING TODAY.
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**(7B) APPEAL NO. 14-101**

MARIA MARANGHI, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent	1000 Filbert Street. Protesting the ISSUANCE on May 08, 2014, to Xelan Prop 1 LLC, of an Alteration Permit (three kitchen and four bathroom remodel; units 1008, 1002, 1006 and 1000; no structural work). APPLICATION NO. 2014/05/07/5172. FOR HEARING TODAY.
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**(7C) APPEAL NO. 14-104**

MARIA MARANGHI, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent	1000 Filbert Street. Protesting the ISSUANCE on May 19, 2014, to Xelan Prop 1 LLC, of a Plumbing Permit (install forced air furnace). APPLICATION NO. PM2014/05/19/847. FOR HEARING TODAY.
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ACTION: Upon motion by Commissioner Fung, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to continue all three appeals to the Call of the Chair to allow time for all Notices of Violation to be resolved and any required permit applications to be filed.

SPEAKERS: Nancy Conway, attorney for appellant; Karen Uchiyama, attorney for permit holder; Joseph Duffy, DBI.

PUBLIC COMMENT: Patrick Buscovich spoke in support the appellant.

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**(8) APPEAL NO. 14-150**

LYNN MAHR, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	926 Garfield Street. Protesting the ISSUANCE on August 27, 2014, to Lily Esteban, of an Alteration Permit (two walls and one door to be removed; garage to be restored to original condition). APPLICATION NO. 2014/08/25/4676. FOR HEARING TODAY.
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ACTION: Upon motion by President Lazarus, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to continue this matter to January 28, 2015 to allow the Department of Building Inspection to inspect the ground floor.

SPEAKERS: Lynn Mahr, appellant; Lily Esteban, permit holder; Scott Sanchez, ZA; Joseph Duffy, DBI.

PUBLIC COMMENT: Jeffrey Solano spoke in support of the appellant.

**(9) APPEAL NO. 14-099**

PAMELA MILLER, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	3828 Cesar Chavez Street. Protesting the ISSUANCE on May 07, 2014, to Hela Campbell, of an Alteration Permit (disconnect and remove stove, refrigerator and sink; over-the-counter permit to demolish unwarranted rental unit; incorporating cottage back into and with the lower flat). APPLICATION NO. 2014/05/07/5151. FOR HEARING TODAY.
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ACTION: Upon motion by President Lazarus, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to continue this matter to January 28, 2015 in order to allow the missing Commissioners to participate in the final vote.

SPEAKERS: Dave Crow, attorney for appellant; Karen Uchiyama, attorney for permit holder; Scott Sanchez, ZA; Joseph Duffy, DBI.

PUBLIC COMMENT: Norma Dela Fuente spoke in support of the permit holder.

**(10) APPEAL NO. 14-153**

PAUL D. SCOTT, Appellant(s) vs.  ZONING ADMINISTRATOR, Respondent	1531 Montgomery Street/ 302 Greenwich Street. Appealing the ISSUANCE on August 14, 2014, to Paul D. Scott, of a Letter of Determination (regarding whether the non-conforming restaurant use once located at the subject property [Julius' Castle] has been abandoned). FOR HEARING TODAY.
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**ACTION:** Upon motion by Commissioner Honda, the Board voted 3-0-2 (Vice President Hurtado and Commissioner Wilson absent) to reschedule this matter to January 14, 2015 at the request of the appellant.

**SPEAKERS:** Paul Scott, appellant; Scott Sanchez, ZA.

**PUBLIC COMMENT:** Patricia Shean and Gordon Francis spoke in support of the ZA.

**ADJOURNMENT.**

There being no further business, President Lazarus adjourned the meeting at 9:50 p.m.