

**BOARD OF APPEALS**

**CITY & COUNTY OF SAN FRANCISCO**

**MEETING MINUTES - WEDNESDAY, OCTOBER 15, 2014**

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

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

Robert Bryan, Deputy City Attorney, Office of the City Attorney (OCA); Scott Sanchez, Zoning Administrator (ZA); Cynthia Goldstein, Executive Director; Victor Pacheco, Legal Assistant.

ABSENT: Vice President Arcelia Hurtado.

(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: Commissioner Fung noted a minor correction needed on the caption for agenda item #5 to reflect the correct square footage as 4,000.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the October 8, 2014 minutes.

ACTION: Upon motion by Commissioner Honda, the Board voted 4-0-1 (Vice President Hurtado absent) to adopt the October 8, 2014 minutes.

SPEAKERS: None.

**REGULAR MEETING, BOARD OF APPEALS, OCTOBER 15, 2014 - PAGE 2**

PUBLIC COMMENT: None.

**(4) APPEAL NO. 14-126**

<p>CAROLE BROWN, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>179 Hamerton Avenue. Protesting the ISSUANCE on June 26, 2014, to Scott Dylewski, of an Alteration Permit (new deck at rear of main level of existing house with exterior stair to the rear yard; new doors at the rear main level; replace windows "in-kind"; new lower living level; alter lower level to remodel existing bedroom and incorporate new hallway). APPLICATION NO. 2014/06/04/7453. PUBLIC HEARING HELD ON SEPT. 17, 2014. FOR FURTHER CONSIDERATION TODAY. <b>Note: matter was continued to allow time for the permit holder to submit revised plans and a written consent from the southern adjacent neighbor regarding the firewall issue.</b></p>
--	--

**ACTION:** Upon motion by Commissioner Fung, the Board voted 4-0-1 (Vice President Hurtado absent) to grant the appeal and issue the permit on the condition that it be modified as reflected in the revised plans dated October 9, 2014 and so that the section detail on the plans clearly shows the firewalls 42" above the deck; and with a finding that the notice requirement has been met.

**SPEAKERS:** Appellant did not appear; Shannon Leonard, permit holder; Scott Dylewski, permit holder; Scott Sanchez, ZA.

PUBLIC COMMENT: None.

**(5) APPEAL NO. 14-093**

<p>ACADEMY OF ART UNIVERSITY, Appellant(s) vs. ZONING ADMINISTRATOR, Respondent</p>	<p>2295 Taylor Street aka 701 Chestnut Street. Appealing the ISSUANCE on April 25, 2014, of a Notice of Violation &amp; Penalty (alleging violations of the Planning Code regarding establishment of unauthorized non-residential use in excess of 4,000sf in the North Beach Neighborhood Commercial District). FOR HEARING TODAY.</p>
---	---

**ACTION:** This matter was withdrawn after the parties addressed the Board.

**SPEAKERS:** Alan Murphy, attorney for appellant; Scott Sanchez, ZA.

PUBLIC COMMENT: None.

**REGULAR MEETING, BOARD OF APPEALS, OCTOBER 15, 2014 - PAGE 3**

(6) **SPECIAL ITEM**

Discussion and possible adoption of the departmental annual report for fiscal year 2013-2014.

ACTION: Upon motion by Commissioner Honda, the Board voted 4-0-1 (Vice President Hurtado absent) to adopt the Board of Appeals annual report for fiscal year 2013-2014.

SPEAKERS: Director Goldstein provided the Board with an overview of the report.

PUBLIC COMMENT: None.

(7) **CLOSED SESSION**

A. Open Session: Vote on whether to hold closed session.

An Executive Session has been calendared to discuss the following:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: Executive Director and Executive Secretary; Name: Cynthia Goldstein

This closed session is pursuant to California Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b)

B. Reconvene in Open Session

(i) Possible report on actions taken in closed session pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

(ii) Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

ACTION: Upon motion by President Lazarus, the Board voted 4-0-1 (Vice President Hurtado absent) to go into closed session. After the closed session, upon motion by Commissioner Fung the Board voted 4-0-1 (Vice President Hurtado absent) to not disclose the content of the closed session.

SPEAKERS: None.

PUBLIC COMMENT: None.

**ADJOURNMENT.**

There being no further business, President Lazarus adjourned the meeting at 6:00 p.m.