BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES - WEDNESDAY, JANUARY 8, 2014

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

PRESENT: President Chris Hwang, Vice President Ann Lazarus, Commissioner Frank Fung, Commissioner Darryl Honda and Commissioner Arcelia Hurtado.

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); Carla Short, Urban Forester, Department of Public Works, Bureau of Urban Forestry (DPW BUF); Cynthia Goldstein, Executive Director; Victor Pacheco, 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. 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 Honda welcomed back Zoning Administrator Scott Sanchez and thanked Corey Teague for his service as Acting Zoning Administrator.

PUBLIC COMMENT: None.

(3) ADOPTION OF MINUTES:

Discussion and possible adoption of the December 18, 2013 minutes.

ACTION: Upon motion by President Hwang, the Board voted 5-0 to adopt the December 18, 2013 minutes.

SPEAKERS: None.

PUBLIC COMMENT: None.

(4) **APPEAL NO. 13-135**

MICHAEL SHAFFER & RICHARD TSAI, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	801 & 803 Kansas Street. Protesting the ISSUANCE on October 09, 2013, to Chris Cobb, Alteration Permit (repair/replace existing stairway and porch at rear of building; new decking for required means of egress; add firewall; provide new support footings to porch and stairway; comply with NOV No. 200996781 and 200790973). APPLICATION NO. 2012/10/30/3118. FOR HEARING TODAY.

ACTION: Upon motion by President Hwang, the Board voted 5-0 to continue this matter to February 5, 2014 to allow time for revised plans to be submitted.

SPEAKERS: Michael Shaffer, appellant.

PUBLIC COMMENT: None.

(5) **APPEAL NO. 13-143**

SELENE TOY, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	819 Brussels Street. Protesting the ISSUANCE on October 24, 2013, to Guo Jin Liu, Alteration Permit (remodel existing single family house and rear horizontal extension 2-story & garden tool room on ground floor to back yard; with street level 2 bedroom, study room, playroom and one full bath room, upper floor add a master bedroom with full bath room). APPLICATION NO. 201304174760S. FOR HEARING TODAY.

ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to deny the appeal and uphold the permit on the basis that it is Code compliant.

SPEAKERS: Patrick Wong, agent for appellant (through interpreter David Yeh); Carson Yu, agent for permit holder; Scott Sanchez, ZA.

PUBLIC COMMENT: None.

(6) **APPEAL NO. 13-157**

GRINLING MACCLELLAND, Appellant(s) vs. DEPT. OF PUBLIC WORKS BUREAU OF URBAN FORESTRY, Respondent	276 Francisco Street. Appealing the DENIAL on October 28, 2013, of Tree Removal Permit (removal of one (1) privately-maintained street tree with replacement adjacent to the subject property). ORDER NO. 181790. FOR HEARING TODAY.

ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to continue the matter to January 29, 2014 to allow time for the Department of Public Works (DPW) to assess whether two trees can be planted at the property.

SPEAKERS: Grinling MacClelland, appellant; Carla Short, DPW BUF.

PUBLIC COMMENT: None.

(7) **JURISDICTION REQUEST:**

Subject property at 2508 – 19th Avenue. Letter from Eva Tang, requestor, asking that the Board take jurisdiction over BPA No. 2013/06/21/0186, which was issued on June 21, 2013; the appeal period ended on July 08, 2013 and the jurisdiction request was filed at the Board office on July 11, 2013. Permit Holder: Hui Cory Yu. Project: recommencement and completion of work approved under BPA No. 2002/03/13/1301 (to erect a three-story single-family dwelling).

ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to deny the request.

SPEAKERS: Eva Tang, requestor; Javier Solorzano, agent for permit holder.

PUBLIC COMMENT: None.

ITEMS (8A) AND (8B) SHALL BE HEARD TOGETHER:

(8A) **APPEAL NO. 13-094**

EDDY LAU, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent	2508 - 19th Avenue. Protesting the ISSUANCE on July 16, 2013, to Hui Cory Yu, Alteration Permit (to obtain final inspection for work approved under BPA No. 2005/05/16/2573; all work is completed) APPLICATION NO. 2013/07/16/1907. FOR HEARING TODAY.

(8B) **APPEAL NO. 13-167**

EVA TANG, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent	2508 - 19th Avenue. Protesting the ISSUANCE on December 03, 2013, to Hui Yu, Alteration Permit (revision to BPA No. 2002/03/13/1301; change foundation design to "mat" foundation; revision to BPA No. 2013/06/21/0186). APPLICATION NO. 2013/11/05/1188. FOR HEARING TODAY.

ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to grant the appeals and uphold the permits on the condition that (1) the construction permit set of drawings be provided to the appellants; and (2) the agreed upon 24" between the bottom of the permit holder's new footing and the bottom of the installed underpinning of the appellant's property be maintained.

SPEAKERS: Eddy Lau, appellant; Patrick Buscovich, agent for appellants; Javier Solorzano, agent for permit holder; Joseph Duffy, DBI.

PUBLIC COMMENT: None.

ADJOURNMENT.

There being no further business, President Hwang adjourned the meeting at 7:30 p.m.