

# **BOARD OF APPEALS**

## **CITY & COUNTY OF SAN FRANCISCO**

### **DRAFT MEETING MINUTES – WEDNESDAY, JUNE 21, 2023**

#### **REGULAR MEETING (IN-PERSON AND REMOTE ACCESS VIA ZOOM)**

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

PRESENT: President Rick Swig, Vice President Jose Lopez, Commissioner Alex Lemberg, Commissioner John Trasviña and Commissioner J.R. Eppler.

Jen Huber, Deputy City Attorney, Office of the City Attorney (CAT); Corey Teague, Zoning Administrator, Planning Department (PD); Julie Rosenberg, Executive Director; Alec Longaway, 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. 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.

SPEAKERS: None.

#### **(2) COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: President Swig mentioned the San Francisco Giants going for a 10<sup>th</sup> game winning streak.

PUBLIC COMMENT: None.

#### **(3) ADOPTION OF MINUTES**

Discussion and possible adoption of the June 7, 2023 minutes.

ACTION: Upon motion by Commissioner Trasviña, the Board voted 5-0 to adopt the June 7, 2023, meeting minutes.

PUBLIC COMMENT: None.

**(4) APPEAL NO. 23-018**

<p>JENNIFER DESIMONE, Appellant(s)</p> <p>vs.</p> <p>DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>485-485A Day Street. Appealing the ISSUANCE on April 13, 2023, to John Ford and Wynn Taylor Ford, of a Site Permit (horizontal expansion to rear vertical expansion, add one floor; remodel interior including kitchen and general layout; add three bedrooms and two bathrooms at the new 3rd floor; add an ADU behind the existing garage at the 1st floor; new windows and cement plaster at front; new roof deck above 3rd floor). PERMIT NO. 2020/11/17/9094. FOR HEARING TODAY. <b>Note: On June 7, 2023, upon a motion by Commissioner Trasviña, the Board voted 5-0 to continue this matter to June 21, 2023, at the request of the parties.</b></p>
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ACTION: None. The appeal was withdrawn prior to the hearing.

**(5) APPEAL NO. 23-017**

<p>1281-1283 GREENWICH STREET PROPERTY LLC, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p>	<p>1281-1283 Greenwich Street. Appealing the ISSUANCE on April 6, 2023, of a Violation &amp; Penalty Decision (Planning Department records indicate that the subject property is currently authorized for two-family dwelling unit use and the violation pertains to the unauthorized merger of the dwelling units in violation of Planning Code Section 317. Additionally, work was conducted without the required permits in violation of Planning Code Section 175). COMPLAINT NO. 2022-007739ENF. FOR HEARING TODAY. <b>Note: On May 31, 2023, upon motion by Commissioner Trasviña, the Board voted 5-0 to continue this Item to June 21, 2023, at the request of the parties.</b></p>
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ACTION: Upon motion by Commissioner Lemberg, the Board voted 5-0 to deny the appeal and uphold the Violation & Penalty Decision on the basis that the Zoning Administrator did not err or abuse his discretion and the determination was properly issued.

SPEAKERS: Alexander Merritt, attorney for appellant; Corey Teague, PD.

PUBLIC COMMENT: None.

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

**(6A) APPEAL NO. 19-139**

<p>YIN KWAN TAM FAMILY TRUST, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p>	<p>2861-2865 San Bruno Avenue. Appealing the ISSUANCE on November 26, 2019, of a Request for Suspension of building permits (building expansion without Planning Department review or approval and substantial construction work being done without permits; plumbing and electric work along with tile and cabinet work was done for what appears to be six kitchens and the property is allowed to have two units; the Planning Department requires that the project on the subject property be combined with the project at the adjacent property, 2867-2899 San Bruno Avenue, which is owned by the same owners, and authorized as a single project as both properties meet the definition of a single Lot per Planning Code Sec. 102; the Planning Department requests suspension of these permits so that the permit holder can submit a Conditional Use Authorization with a correct and updated scope of work and accurate plans; demolition calculations will also be required). PERMIT NOS. 2013/12/30/5201, 2017/04/03/3064, 2017/08/28/6129. FOR HEARING TODAY. <b>Note: On May 31, 2023, upon motion by Commissioner Lemberg, the Board voted 5-0 to continue these Items to June 21, 2023, at the request of the parties.</b></p>
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ACTION: None. The appeal was withdrawn prior to the hearing.

**(6B) APPEAL NO. 20-036**

<p>YIN KWAN TAM FAMILY TRUST, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p>	<p>2861-2865 San Bruno Avenue.</p> <p>Appealing the ISSUANCE on April 30, 2020 of a Notice of Violation (the violations pertain to excessive demolition of an existing mixed use (two dwelling units over ground floor commercial) building and unpermitted deviations to the approved architectural design; the property is authorized for two dwelling units on the second floor and commercial use on the ground floor; four additional unpermitted dwelling units were created by splitting each of the two authorized dwelling units into two separated dwelling units on the second, third, and fourth floor resulting in a total of six dwelling units at the property; additionally, substantial demolition and interior and exterior alterations were done without permits and approval by the Planning Department).</p> <p>COMPLAINT NO. 2019-020031ENF. FOR HEARING TODAY.</p> <p><b>See note in (6A) above.</b></p>
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**ACTION:** Upon motion by Commissioner Lemberg, the Board voted 5-0 to continue this matter to July 26, 2023, at the request of the parties.

**SPEAKERS:** None.

**PUBLIC COMMENT:** None.

**ADJOURNMENT.**

There being no further business, President Swig adjourned the meeting at 7:02 p.m.

The supporting documents for this meeting can be found at the following link:

<https://sf.gov/meeting/june-21-2023/board-appeals-hearing-june-21-2023>

A video of this meeting, can be found at the following link:

[https://sanfrancisco.granicus.com/player/clip/43971?view\\_id=6&redirect=true&h=8f14fc9858c1eca301bd87f44c5d9bff](https://sanfrancisco.granicus.com/player/clip/43971?view_id=6&redirect=true&h=8f14fc9858c1eca301bd87f44c5d9bff)