

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, NOVEMBER 15, 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); Matthew Greene, Acting Deputy Director Inspection Services, Department of Building Inspection (DBI); Chris Buck, Urban Forester, San Francisco Public Works, Bureau of Urban Forestry (SFPW-BUF); 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 and remote public participation may be limited to two minutes per person. If it is demonstrated that public comment and remote public participation will cumulatively exceed 15 minutes, the President may continue Public Comment and/or remote public participation to another time during the meeting.

SPEAKERS: Marc Bruno spoke about his appeals that were heard on September 27, 2023. He indicated that the Board asked DBI to inspect the property for illegal work, but that this inspection was not completed. Mr. Bruno stated that he raised this matter with the Board on November 1, 2023, and that this was the third time that he was before the Board on this matter.

President Swig asked Deputy Director Matthew Greene to provide a written response to the Board, in a timely fashion, addressing Mr. Bruno's concerns.

Commissioner Trasviña noted that, at the last meeting, as reflected on the draft minutes, he asked what could be done for Mr. Bruno's situation without the necessity of the Board taking any action. Commissioner Trasviña stated that he appreciated Mr. Bruno following up on this matter. He further stated that he believed Mr. Greene or a representative from DBI should be in contact with Mr. Bruno, so that as much progress as possible could be made and that DBI's written report to the Board could include any action items, if necessary.

(2) COMMISSIONER COMMENTS & QUESTIONS

SPEAKERS: President Swig thanked the commissioners for arriving on time despite the APEC traffic.

Commissioner Trasviña noted the great importance of the activities of the week, namely that it was Big Game week. He noted that the majority of the Board members were Stanford graduates, which he believed boded well for the outcome of the big game [against Cal].

Commissioner Lemberg and Deputy City Attorney Huber both indicated they were Cal graduates.

Commissioner Eppler noted that the Board previously had numerous disagreements, but that the commissioners were always able to shake hands and be friendly afterwards. He stated that he hoped, regardless of the outcome of the game, they would be able to do the same thing at the next meeting. He also stated, "beat Cal".

PUBLIC COMMENT: Marc Bruno spoke about his previous appeal of a plumbing permit. He stated that the Board's decision was to revise the permit to include the units that were getting work performed inside. He believed he should be able, under the authority of the Building Code, to appeal this revised permit. He asked the Board to give him permission to appeal the permit that he believed was incorrectly labeled as being reinstated.

Commissioner Trasviña asked what authority the Board had to regain jurisdiction over the permit referenced by Mr. Bruno. Executive Director Rosenberg advised that the Board could not regain jurisdiction, and that the Board's previous decision on this matter was final.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the November 1, 2023 minutes.

ACTION: Upon motion by Commissioner Eppler, the Board voted 5-0 to adopt the November 1, 2023, hearing minutes.

PUBLIC COMMENT: None.

(4) APPEAL NO. 23-048

WILLIAM TWEEDIE and ROSE SNELL, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS, BUREAU OF URBAN FORESTRY, Respondent	22-24 Sargent Street. Appealing the issuance, on September 21, 2023, to William Tweedie, of a Public Works Order (denial of the property owner's request to remove one street tree without replacement; the structure of the tree is considered good and the vigor is also healthy). ORDER NO. 208643. FOR HEARING TODAY.
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ACTION: Upon motion by Vice President Lopez, the Board voted 5-0 to grant the appeal and issue the order on the condition it be revised to allow the removal of the subject tree. This motion was made on the basis that: (1) the new utility pole installed by PG&E makes the site unsustainable for the tree to remain, and (2) BUF agreed that the tree should be removed.

SPEAKERS: Chris Buck, BUF; William Tweedie, appellant; Rose Snell, appellant.

PUBLIC COMMENT: None.

(5) APPEAL NO. 23-046

<p>ANIL KAVIPURAPU, Appellant(s)</p> <p>vs.</p> <p>DEPT. OF BUILDING INSPECTION, Respondent</p>	<p>1331-1333 Church Street. Appealing the ISSUANCE on September 19, 2023, to Ken Chin, of an Alteration Permit (repair the damaged framing in-kind in the fire egress stairs in the lightwell; structural repair only, no change in size; new guardrail, less than 50% repair). PERMIT NO. 2023/06/29/1194. FOR HEARING TODAY.</p>
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ACTION: Upon motion by President Swig, the Board voted 5-0 to continue this Item to January 10, 2024, so that: (1) the Board can get an opinion from DBI on whether two permits are required to repair the staircase (one permit from each adjoining property), and (2) the parties can work together on resolving their issues.

SPEAKERS: Anil Kavipurapu, appellant; Monika Kavipurapu, appellant; Ken Chin, permit holder; Matthew Greene, DBI.

PUBLIC COMMENT: None.

ADJOURNMENT.

There being no further business, President Swig adjourned the meeting at 7:09 p.m.

The supporting documents for this meeting can be found at the following link:
<https://sf.gov/meeting/november-15-2023/board-appeals-hearing-november-15-2023>

A video of this meeting, can be found at the following link:
https://sanfrancisco.granicus.com/player/clip/44901?view_id=6&redirect=true&h=a39ce45a98220cb4cd2f5df487c6d0e