

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, SEPTEMBER 11, 2024

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 Jose Lopez, Commissioner Rick Swig, Vice President John Trasviña, and Commissioner J.R. Eppler.

Jen Huber, Deputy City Attorney, Office of the City Attorney (CAT); Tina Tam, Deputy Zoning Administrator, Planning Department (PD); Kevin Birmingham, Acting Chief Building Inspector, Department of Building Inspection (DBI); 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: None.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: President Lopez acknowledged the victims who were lost 23 years ago on September 11th. He further acknowledged the victims' families. He noted that many of the victims were native to San Francisco and the Bay Area and included people who were on Flight 93. He recognized that the people on that flight were considered heroes for reducing the extent of the tragedy of that day.

Commissioner Trasviña thanked President Lopez for his important words. He added that American Airlines flight attendant Betty Ong was on Flight 11 and was the first to communicate to the towers about the horrific situation taking place in the air. Commissioner Trasviña noted that Betty Ong was a graduate of George Washington High School and a proud San Franciscan. He stated that everyone, including her family, was proud of her.

PUBLIC COMMENT: None.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the August 28, 2024 minutes.

ACTION: Upon motion by Commissioner Swig, the Board voted 4-0 to adopt the August 28, 2024 minutes.

PUBLIC COMMENT: None.

(4) ELECTION OF THE VICE PRESIDENT

ACTION: Upon motion by President Lopez, the Board voted 4-0 to elect Commissioner Trasvina as Vice President of the Board.

PUBLIC COMMENT: None.

(5) APPEAL NO. 24-044

<p>SANCHEZ GARCIA, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p>	<p>1465 Oakdale Avenue. Appealing the ISSUANCE on July 12, 2024, to Rafeal Sanchez Garcia, of a Notice of Violation (Records indicate that the subject property is currently authorized for Single-Family Dwelling use; the violations pertain to the unauthorized Group House use, the creation of four Unauthorized Dwelling Units (UDU), parking in the required open space, installation of new metal fences and gates, and the building of a shed at the front of the subject property without benefit of permit and approval from the Planning Department). Complaint Number 2023-005472ENF. FOR HEARING TODAY.</p>
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ACTION: Upon motion by Commissioner Swig, the Board voted 4-0 to deny the appeal and uphold the Notice of Violation on the basis that the Acting Zoning Administrator did not err or abuse her discretion and the Notice of Violation was properly issued because the violations exist on the property.

SPEAKERS: Perry Mayorga, agent for appellant; Rafael Garcia Sanchez, appellant; Victor Gutierrez agent for appellant; Tina Tam, PD; Kevin Birmingham, DBI.

PUBLIC COMMENT: None.

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

(6A) APPEAL NO. 24-043

JASON FILIPPI and GABOR TURSCHL, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent	4000 21st Street. Appealing the ISSUANCE on July 19, 2024, to Roman Radu, of an Alteration Permit (foundation sequence and temporary shoring for retaining wall as approved under Permit Application 2022/11/17/6788). PERMIT NO. 2024/06/03/3554. FOR HEARING TODAY.
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(6B) APPEAL NO. 24-045

STEVE BAIN and ANDREW GARD, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent	4000 21st Street. Appealing the ISSUANCE on July 19, 2024, to Roman Radu, of an Alteration Permit (foundation sequence and temporary shoring for retaining wall as approved under Permit Application 2022/11/17/6788). PERMIT NO. 2024/06/03/3554. FOR HEARING TODAY.
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ACTION: Upon motion by President Lopez, the Board voted 4-0 to deny the appeals and uphold the permit on the basis it was properly issued.

SPEAKERS: Steve Bain, appellant (Appeal No. 24-045); Jeremy Paul, agent for appellants (Appeal No. 24-043); Tom Tunny, attorney for permit holder; Radu Roman, permit holder; Tina Tam, PD; Kevin Birmingham, DBI.

PUBLIC COMMENT: None.

ADJOURNMENT.

There being no further business, President Lopez adjourned the meeting at 7:24 p.m.

The supporting documents for this meeting can be found at the following link:
<https://www.sf.gov/meeting/september-11-2024/board-appeals-hearing-september-11-2024>

A video of this meeting, can be found at the following link:
https://sanfrancisco.granicus.com/player/clip/46879?view_id=6&redirect=true