

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, MARCH 1, 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); Tina Tam, Deputy Zoning Administrator, Planning Department (PD); Matthew Greene, 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 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 welcomed Deputy City Attorney Jen Huber and thanked Deputy City Attorney Jon Givner for his great service to the Board.

Commissioner Lemberg welcomed Jen Huber, and they stated that they looked forward to many very interesting conversations about the Board's legal ins and outs.

Vice President Lopez welcomed Jen Huber, thanked her for her transition to the City, and stated that he looked forward to working with her. He also thanked Mr. Givner for his great service to Board and the City.

Commissioner Trasviña welcomed Jen Huber. He further thanked Jon Givner and other members of City Attorney Chiu's team who have very ably represented the Board in its proceedings. Commissioner Trasviña also acknowledged the presence of two young people in the audience, and he made a point of welcoming them to the hearing.

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Commissioner Eppler stated that he was amazed, in his short time on the Board, by how much of the Board's work is making sure that the community is heard. He noted the Board's role in educating the community on the process and procedures of the City so that the public could effectively advocate for their needs, even if the Board was not able to provide the outcome they were seeking. He stated that he hoped the young people in the audience would get a taste of how city government worked and thanked them for being at the hearing. Commissioner Eppler also thanked Jon Givner for his service and welcomed Jen Huber.

PUBLIC COMMENT: None.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the February 22, 2023 minutes.

ACTION: Upon motion by Commissioner Lemberg, the Board voted 5-0 to adopt the February 22, 2023, hearing minutes as amended by Commissioner Lemberg. The amendment corrected the spelling of the appellant's last name in Item 5 from "Subharwal" to "Sabharwal".

PUBLIC COMMENT: None.

(4) APPEAL NO. 22-088

TERRANCE MARSEILLE and MARLENE MARSEILLE, Appellant(s)	285 Sea Cliff Avenue.
vs.	Appealing the ISSUANCE on November 17, 2022, to Todd Berardi, of an Alteration Permit (revision to Building Permit # 2022/0127/6780; add one 3rd-floor deck and one roof deck).
DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	PERMIT NO. 2022/0524/4848. FOR HEARING TODAY.

ACTION: Upon motion by Commissioner Eppler, the Board voted 5-0 to deny the appeal and uphold the permit on the basis that it was properly issued.

SPEAKERS: Steven Williams, attorney for appellants; Marlene Marseille, appellant; Alyssa Warnock, permit holder; Brian O'Neill, attorney for permit holder; Grant Lee, agent for permit holder; Ryan Patterson, attorney for permit holder; Tina Tam, PD; Matthew Greene, DBI.

PUBLIC COMMENT: None.

(5) APPEAL NO. 23-004

JIM REID, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	3420-3424 16th Street. Appealing the ISSUANCE on January 25, 2023, to Jay Davidson, of an Alteration Permit (Existing 3-unit building: modify lower unit at 3424 16th Street; remove window at rear yard bay and replace with a door to allow access to the rear yard; modify alcove at rear to provide a laundry area at lower level and infill door at lower unit at kitchen area with one hour wall). PERMIT NO. 2023/01/23/0604. FOR HEARING TODAY.
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ACTION: Upon motion by Commissioner Lemberg, the Board voted 4-1 (President Swig dissented) to continue this matter to April 12, 2023, so that the parties can attempt to come to an agreement, with the participation of DBI, on an alternative solution.

SPEAKERS: Jim Reid, appellant; Jay Davidson, permit holder; Tina Tam, PD; Matthew Greene, DBI.

PUBLIC COMMENT: None.

ADJOURNMENT.

There being no further business, President Swig adjourned the meeting at 7:27 p.m.

The supporting documents for this meeting can be found at the following link:
<https://sf.gov/meeting/march-1-2023/board-appeals-hearing-march-1-2023>

A video of this meeting, can be found at the following link:
https://sanfrancisco.granicus.com/player/clip/43114?view_id=6&redirect=true&h=e16f7c01954222fdba4326dbbc67a30