ZONING ADJUSTMENTS BOARD AGENDA
THURSDAY, MAY 11, 2000
7:00 PM

COUNCIL CHAMBERS, OLD CITY HALL
2134 MARTIN LUTHER KING JUNIOR WAY
BERKELEY, CALIFORNIA 94704

CONSENT CALENDAR PROCEDURES

Due to the extreme length of the Zoning Adjustments Board agenda, a Consent Calendar will be used to approve certain types of applications at one time. The Consent Calendar is divided into two parts:

Part 1  Routine business such as amendments of use permits not subject to a public hearing and items proposed for continuance. (Please note that items proposed for continuance to a date certain will not be renoticed by mail or posting on site.)

Part 2  Public hearings on use permits and variances that are apparently non-controversial, on which no adverse comment has been received, and on which the Zoning Officer has made a favorable recommendation.

The Chairperson of the Board will announce the items on the Consent Calendar at 7:05 p.m. Anyone present who wishes to speak on an item should raise his or her hand and advise the chairperson, and the item will be pulled. Any applicant, member of the audience, or Zoning Adjustments Board Member may require that a Consent Calendar II item be removed from the Calendar for discussion and testimony. Items pulled from the Consent Calendar will be heard following "Continued" Matters.

PUBLIC TESTIMONY PROCEDURES

The Board may limit the number of speakers and the length of time allowed to each speaker. Persons wishing to offer testimony are encouraged to submit their comments in writing. If you want to speak at a public hearing, you must turn in a speaker card by 7:15 p.m. on the night of the hearing. Cards may also be submitted at the Zoning Counter at 2120 Milvia Street prior to 5 p.m. on the day of the hearing.

Note: Attendees at public meetings are reminded that other attendees may be sensitive to various odors, whether natural or manufactured, in products and materials. Please help the City respect these needs.
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A G E N D A

Roll Call 7:00 PM

Public Comment 7:00 PM

Business Meeting

1. Chair’s Report
2. Current Business/Committee Appointments: ZAB/DRC Workshop

NOTE: PSA = Permit Streamlining Act Board Meeting Deadline Date For Action

Consent Calendar I

4. 1811 CEDAR STREET
   Request by Patrick MacArdle for a Variance to construct a one story addition within 9 feet 6 inches of the front property line – UP #00-10000044 (Mike Tolbert)
   PSA Action Date: June 8, 2000
   Continued From: None
   Recommendation: Continue to May 25, 2000

5. 1155 EUCLID AVENUE
   Request by Ian MacKinlay to convert a 492 square foot existing basement floor into a second unit – UP #00-10000045 (Mike Tolbert)
   PSA Action Date: June 8, 2000
   Continued From: None
   Recommendation: Continue to May 25, 2000

6. 2924 SACRAMENTO STREET
   Request by Aaron Vitale to change the use of an existing two story commercial building to two dwelling units; to raise the building and add a level of ground parking; to construct a 36 foot high, 2,132 square foot, three story addition at the front of the lot which would contain a ground floor commercial lease space with two dwelling units above and; to allow the construction of a mixed use project having 40.3% lot coverage where 40% is allowed and a zero front yard setback where 15 feet are required – UP #99-10000098 (Gisele Sorensen)
   PSA Action Date: July 1, 2000
   Continued From: April 13 and 27, 2000
Consent Calendar I – Continued:

7. **2001 ALLSTON WAY**
   Modification of Use Permit #A1801 and Variance #1356 for seismic upgrade, and a mezzanine addition that will result in an addition of 990 square feet of space – UP #00-70000007 (Gisele Sorensen)
   
   **PSA Action Date:** June 8, 2000
   **Continued From:** None
   **Recommendation:** Approve

Consent Calendar II

None

Review of Use Permit

8. **1616 LA VEREDA ROAD**
   Review of Use Permit #99-10000045 regarding violation of Condition #1 (Matt LeGrant)
   
   **PSA Action Date:** Not Applicable
   **Continued From:** None
   **Recommendation:** To be delivered at Board Meeting

Hearing on Continued Items

9. **1608 FOURTH STREET**
   Request by Peter Meier for SPI 1608 4th Street Associates to modify Use Permit #99-10000052 to allow the deletion of the service drive at Cedar Street at the northwest corner of the site and elimination of a total of nine parking spaces and the widening of the two driveways to 24’ each at the property line where a maximum of 20 feet is allowed – UP #00-70000005 (Gisele Sorensen)
   
   **PSA Action Date:** May 25, 2000
   **Continued From:** April 13, 2000
   **Recommendation:** Approve

10. **2434-36 MARTIN LUTHER KING JR. WAY**
    Request by Jeffrey Rice to construct a two story, 877 square foot single family house with an average height of 18’2” to the rear of an existing duplex - UP #00-10000004 (Gisele Sorensen)
    
    **PSA Action Date:** July 27, 2000
    **Continued From:** April 13, 2000
    **Recommendation:** Approve as modified
New Hearing

11. **2161 DWIGHT WAY**  
   Request by Harry Haimovitch, AIA, to rehabilitate and convert an existing one story industrial building (a non-conforming use) to two dwelling units and three parking spaces would be provided - UP #00-10000028 (Xandra Grube)  
   **PSA Action Date:** June 8, 2000  
   **Continued From:** None  
   **Recommendation:** Approve

12. **755 FOLGER STREET**  
   Request by David Wilson to raise the existing non-conforming single family residence to add 1,000 square feet of light manufacturing space – UP #00-10000006 (Greg Powell)  
   **PSA Action Date:** July 27, 2000  
   **Continued From:** April 27, 2000  
   **Recommendation:** Approve

13. **600 WOODMONT AVENUE**  
   Request by Dev and Harinder Dhanoa to demolish a 2,936 square foot single family house and build a new, 5,216 square foot single family house (including attached garage) – UP #00-10000036 (Xandra Grube)  
   **PSA Action Date:** June 22, 2000  
   **Continued From:** None  
   **Recommendation:** Deny

14. **Administrative Use Permits Approved by the Zoning Officer**

   1521 Acton St  
   2835 Benvenue Ave  
   1241 Evelyn Ave  
   576 Neilson Ave

   1542 Addison St  
   1009 Cedar St  
   2727 Hearst Ave  
   2475 Telegraph Ave

   2734 Benvenue Ave  
   1119 Cragmont Ave  
   2746 Mathews St

Informational/Communication

Adjourn
Legal Notice Concerning Your Legal Rights:

If you object to a decision by the Zoning Adjustments Board to approve or deny a permit or variance for a project, the following requirements and restrictions apply:

1. You must appeal to the City Council within fourteen (14) days after the Notice of Decision of the action of the Zoning Adjustments Board is mailed. It is your obligation to notify the Current Planning Division in writing to receive a Notice of Decision when it is completed.

2. Pursuant to Code of Civil Procedure, Section 1094.6(b), no lawsuit challenging a City Council decision to deny a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.

3. Pursuant to Government Code, Section 65009(c)(5), no lawsuit challenging a City Council decision to approve (with or without conditions) a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.

4. In any lawsuit that may be filed against a City Council decision to approve or deny a permit or variance, the issues and evidence will be limited to those raised by you or someone else at a public hearing or in writing delivered prior to the close of the last public hearing on the project.

Communication Access

To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call 644-6480 (voice) or 644-6915 (TDD); at least five (5) working days notice will ensure availability.

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