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 re-noticed 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 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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AGENDA

Roll Call 7:00 PM

Public Comment 7:00 PM

Business Meeting

1. Chair’s Report

2. Current Business/Committee Appointments

3. Future Agenda Items

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

4. 61 TUNNEL ROAD

Request by Sandra Arnsdorf to allow a parking pad in the front setback; to cover more than 50% of the front yard with paving and; to allow the fence on the east side of the lot to exceed six feet to a maximum height of ten feet – UP #00-10000080 (Xandra Grube)

PSA Action Date: New Date to be Assigned
Continued From: None
Recommendation: Continue Off Calendar

Consent Calendar II

5. 801 GRAYSON STREET

Request by V. Allan Palmer for Bayer Corporation to modify the footprint of the 1st Phase of the warehouse and to change the approval regarding PQ3 – UP #00-70000028 (Margaret Kavanaugh-Lynch)

PSA Action Date: 12-15-00
Continued From: None
Recommendation: Approve

ZONING ADJUSTMENTS BOARD AGENDA
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6. 2101 MILVIA STREET Request by Chris Hudson for Panoramic Interests to modify Use Permit #00-10000074 by obtaining a demolition permit prior to the issuance of a building permit for the purpose of soil compaction prior to the rainy season – MOD #00-70000021 (Steve Solomon)

PSA Action Date: 11-19-00
Continued From: None
Recommendation: Approve

Hearing on Continued Items

7. 1825 BERKELEY WAY Request by Himmat Kataria to allow the construction of a single family dwelling and to allow a second main building to be located within 4’ 8” of the rear property line – UP #00-10000099 (Steve Solomon)

PSA Action Date: 11-27-00
Continued From: 10-12-00
Recommendation: Continue to 11-27-00

8. 1621 OREGON STREET Request by David Miller to allow a 1,260 square foot major residential addition of an existing 1,726 square foot single family dwelling and to allow the vertical “extension” of non-conforming walls – UP #00-20000056 (Steve Solomon)

PSA Action Date: None (Appeal)
Continued From: None
Board Action: Approve

New Hearing

9. 1200 ASHBY AVENUE Request by ARC, Inc., to modify Use Permit #7744 to revise the site plans, floor plans and elevations of the existing fuel station and to intensify the use; to demolish the main building used for non-residential purposes; to allow the construction of a quick service restaurant with carryout service; to allow the sale of food for immediate consumption as part of the retail store; to allow the sale of alcoholic beverages; to allow for twenty-four operations of facility and; to allow parking between the front property line and the main building in a designated mode – UP #00-10000084 (Margaret

2120 Milvia Street, Berkeley, CA 94704 Tel: 510.705.8111 TDD: 510.644.6915 Fax: 510.540-1393
E-mail: planning@ci.berkeley.ca.us
10. **1035 CARLETON STREET**

Request by Michael Raven to add 702 square foot third story to an existing 3,296 square foot two story office building to create a new 2,340 square foot live/work unit with deck – UP #00-10000074 (Xandra Grube)

- **PSA Action Date:** 11-12-00
- **Continued From:** None
- **Recommendation:** Approve

11. **2224-2230 DERBY STREET**

Request by Ron Giddings to convert a fourplex to a duplex and to construct a 1,571 square foot, two story (plus mezzanine) addition to the rear of an existing two story residential structure – UP #00-10000053 (Gisele Sorensen)

- **PSA Action Date:** 01-09-01
- **Continued From:** None
- **Recommendation:** Approve

12. **1419 FIFTH STREET**

Request by Niels Traynor to allow establishment of a combination of commercial and residential uses – UP #00-10000091 (Pierce Macdonald)

- **PSA Action Date:** 11-23-00
- **Continued From:** None
- **Recommendation:** Approve

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

- 2219-2221 Fifth St
- 1670 W. Frontage Rd
- 1068 Spruce St
- 1650 University Ave

14. **Information/Communication**
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.

AG102600