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.
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

3. Future Agenda Items

4. Other Matters

   a. Board Policy Direction on Major Residential Additions

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 2922 DOMINGO AVENUE Request by Ann Laver to modify Use Permit #9979 to installawnings, heaters and outdoor seating – MOD #00-70000012 (Steve Solomon)

   PSA Action Date: 11-27-00
   Continued From: None
   Recommendation: Approve

6. 1621 OREGON STREET Request by David Miller to allow a 1,260 square foot major residential addition to 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 of AUP)
   Continued From: 10-12-00, 10-26-00
   Recommendation: Continue to 12-14-00
7. **2025 ROSE STREET**
   Request by Robert Richerson to modify Use Permit #97-1000003 which allowed the construction of four dwellings, to reduce the number of dwellings to three and permit attached garages instead of open parking spaces – MOD #00-70000034 (Matt LeGrant)
   
   **PSA Action Date:** 01-11-01
   **Continued From:** None
   **Recommendation:** Approve

8. **1109 STERLING AVENUE**
   Request by Allan Brochier to construct a single family dwelling; to allow the garage to abut the front property line where a 20’ front yard setback is required; and to let the structure’s height be 32’5” – UP #00-10000049 (Steve Solomon)
   
   **PSA Action Date:** 02-07-01
   **Continued From:** 09-28-00, 10-12-00
   **Recommendation:** Continue to 12-14-00

**Consent Calendar II**

9. **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, 10-26-00
   **Recommendation:** Approve

10. **1035 CARLETON STREET**
    Request by Michael Raven to allow client and customer visits to an approved live/work unit – UP #00-10000074 (Xandra Grube)
    
    **PSA Action Date:** 01-11-01
    **Continued From:** None
    **Recommendation:** Approve

11. **2224-30 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:** 01-11-01
    **Continued From:** 10-26-00
    **Recommendation:** Continue to 12-14-00
Hearing on Continued Items

12.  **1812 FIFTH STREET**  
Request by Sandy Simon and Robert Brady to modify Use Permit #97-10000117 which established a live/work artist studio, to reclassify the project as a mixed-use development, including one residential dwelling, and one artist studio and gallery – UP #00-70000117  
  (Pierce Macdonald)  
  
  PSA Action Date: 01-11-01  
  Continued From: 11-09-00  
  Recommendation: Approve

13.  **2422 FIFTH STREET**  
Request by David Trachtenberg to demolish a two-story residential structure and to construct a dwelling unit above parking, and a separate two-story structure for office/warehouse use – UP #00-10000078  
  (Gisele Sorensen)  
  
  PSA Action Date: 02-20-01  
  Continued From: 10-12-00  
  Recommendation: Approve

14  **1301 OXFORD STREET**  
Request by James Samuels on behalf of Congregation Beth El to construct a two-story, approximately 35,000 square foot religious assembly use that will include a 7,500 square foot nursery school and afternoon religious school with 35 uncovered parking spaces – UP #99-10000079  
  (Steve Solomon)  
  
  PSA Action Date: 90 days after EIR certified  
  Continued From: 11-09-00  
  Recommendation: Certify EIR

New Hearing

15.  **2034 CEDAR STREET**  
Request by Ali Eslami to modify Use Permit #00-10000101 to add a second dormer at the third-story level, setback 5’0” from the side property line; and a Variance to exceed permitted lot coverage of 35% for a three-story building, 46% proposed  
  (Xandra Grube)  
  
  PSA Action Date: 11-27-00  
  Continued From: None  
  Recommendation: Deny Variance; Approve Modification
New Hearing (Continued)

16. **1204 FRANCISCO STREET**
Request by Horace Gilford to construct a 20-foot high, two-story, single family house (2,120 square feet) with attached garage (380 square feet) on a lot with an existing 18-foot high, two-story, 1,455 square foot, single family house and to reduce the rear yard to 5 feet (20 feet required) – UP #00-10000097 (Gisele Sorensen)

   PSA Action Date: 12-14-00
   Continued From: None
   Recommendation: Approve Modified Design

17. **2022 GRANT STREET**
Remanded by City Council: Request by Paul Mileck to convert an existing non-conforming retail grocery to a professional office – UP #00-10000067 (Steve Solomon)

   PSA Action Date: None
   Recommendation: Approve

18. **1425 MILVIA STREET**
Request by Dennis Caputo to increase the height of existing duplex by two feet maintaining non-conforming two-foot side yard setback; construct a 642 square foot, two-story, major residential addition at rear of structure; and conversion of duplex to single family dwelling unit – UP #00-20000121 (Gisele Sorensen)

   PSA Action Date: 12-14-00
   Continued From: None
   Recommendation: Approve non-conforming height extension and conversion; Deny major residential addition

19. **61 TUNNEL ROAD**
Request by Sandra Amsdorf to legalize an accessory dwelling unit; 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: 12-14-00
   Continued From: None
   Recommendation: Approve with modifications

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

2949 Avalon Ave  
2727 College Ave  
825 Shattuck Ave  
2801 Russell St  
91 Whitaker
Information/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. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:

   A. That this belief is a basis of your appeal.

   B. Why you believe that the decision or condition constitutes a “taking” of property as set forth above.

   C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City...
Council and in court.
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.