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.
ZONING ADJUSTMENTS BOARD AGENDA
THURSDAY, DECEMBER 14, 2000
PAGE 2 OF 9

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

4. Other Matters

A. Zoning Adjustments Board Meeting Rules – Acceptance of communications received on meeting day/night.

B. Definition of Cultural Uses for Density Bonus Purposes

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 2811 BENVENUE AVENUE
   Appeal of Zoning Officer’s decision to approve Administrative Use Permit to establish a hot tub – AUP #00-20000161 (Pierce Macdonald)
   PSA Action Date: None
   Continued From: None
   Recommendation: Continue to 01-11-01

6. 1938 CHANNING WAY
   Request by Linda Zsilavetz to allow the demolition of the existing dwelling unit and to allow the creation of a dwelling unit – UP #00-10000092 (Greg Powell)
   PSA Action Date: 12-14-00
   Continued From: None
   Recommendation: Continue for re-notification
7. **161 PANORAMIC WAY**
   Request by Bruce Kelley to modify use Permit #A1980 to allow extension of time limit – MOD #00-7000023 (Pierce Macdonald)
   
   **PSA Action Date:**
   **Continued From:** None
   **Recommendation:** Continue to 01-11-01

8. **1414 WALNUT STREET**
   Request by Shannon McDougall for Sprint PCS to allow the installation of a wireless communications facility – AUP #00-20000152 (Greg Powell)
   
   **PSA Action Date:** 02-22-01
   **Continued From:** None
   **Recommendation:** Continue to 01-11-01

---

**Consent Calendar II**

9. **1901 ASHBY AVENUE**
   Request by Tom Clyde for Ashby Playhouse to allow establishment of a theatre and to allow incidental beer and wine sales during evening performance intermissions – UP #00-10000095 (Pierce Macdonald)
   
   **PSA Action Date:** 01-25-01
   **Continued From:** None
   **Recommendation:** Approve

10. **1155 FRANCISCO STREET**
    Request by Nancy Sabin to allow a moderate impact home occupation – UP #00-10000107 (Christina Ratcliffe)
    
    **PSA Action Date:** 01-24-01
    **Continued From:** None
    **Recommendation:** Approve
Consent Calendar I – Continued:

11. 874 INDIAN ROCK AVENUE  Request by Ron Bogley to construct a one story, 346 square foot accessory dwelling unit on a lot with one main dwelling unit and a garage – UP #00-10000102 (Gisele Sorensen)

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

Hearing on Continued Items:

12. 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: 12-14-00
   Continued From: 10-26-00, 11-27-00
   Recommendation: Approve conversion; Deny addition

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: 02-08-01
   Continued From: 10-12-00, 11-27-00
   Recommendation: Approve

14. 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) to the rear of 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: 11-27-00
   Recommendation: Deny
Hearing on Continued Items – Continued:

15. **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:** 01-11-01
   - **Continued From:** 11-27-00
   - **Recommendation:** Approve

16. **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)
   - **Continued From:** 10-12 & 26-00, 11-27-00
   - **Recommendation:** Approve

17. **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:** 04-11-01
   - **Continued From:** 11-09 & 27-00
   - **Recommendation:** Certify EIR; Continue Use Permit to 01-11-01

18. **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, 11-27-00
   - **Recommendation:** Approve
New Hearing:

19.  2034 CEDAR STREET  
Request by Ali Eslami for a Variance to exceed permitted lot coverage by allowing use of the attic as a third floor – UP #00-10000101  (Xandra Grube)  
  PSA Action Date:  01-28-01  
  Continued From:  None  
  Recommendation:  Approve

20.  1728 DELAWARE STREET  
Request by Patrick Mebine to modify Use Permit #98-1000083 to legalize complete demolition of dwelling where a partial demolition was approved – MOD #00-70000039  (Matt LeGrant)  
  PSA Action Date:  01-25-01  
  Continued From:  None  
  Recommendation:  Consideration restoration proposal

21.  1255 EASTSHORE HIGHWAY  
Request by Bob Dailey to construct more than 40,000 square feet of new floor area in a new three story building consisting of approximately 6,000 square feet of manufacturing and 15,300 square feet of parking on the ground floor and a total of approximately 43,900 square feet of mini-storage warehouse on the second and third floor; to permit more than 40,000 square feet of mini-storage warehouse, approximately 43,900 square feet requested and; to allow a driveway in excess of 20 feet in width, 24 feet requested –UP #00-10000071  (Daniel Vanderpriem)  
  PSA Action Date:  05-07-01  
  Continued From:  None  
  Recommendation:  Approve

22.  3112 ELLIS STREET  
Request by Allen Ledet to construct two single family structures on a vacant lot with each structure proposing to be 1,272 square feet, two stories with an average height of 19.5 feet – UP #00-10000042  (Gisele Sorensen)  
  PSA Action Date:  01-11-01  
  Continued From:  None  
  Recommendation:  Approve
<table>
<thead>
<tr>
<th>#</th>
<th>Location</th>
<th>Request &amp; Details</th>
<th>PSA Action Date</th>
<th>Continued From</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.</td>
<td>2176 KITTREDGE</td>
<td>Thomas Reddy to modify Use Permit #99-70000030 to permit alteration to an approved plan for an enclosed cashier and open waiting area in conjunction with an existing car wash – MOD #00-70000020 (Gisele Sorensen)</td>
<td>12-14-00</td>
<td>None</td>
<td>Deny</td>
</tr>
<tr>
<td>24.</td>
<td>2724 PIEDMONT</td>
<td>Julie Posey for a Variance to allow lot coverage of 43% when 40% is allowed by code; for a Variance to allow the main structure to reduce the required front yard setback to 10 feet, 8 inches when 20 feet is required; to allow the horizontal extension of a structure with a non-conforming 2 foot side yard setback and; to allow a major residential addition of 519 square feet – UP #00-10000094 (Christina Ratcliffe)</td>
<td>03-21-01</td>
<td>None</td>
<td>Deny</td>
</tr>
<tr>
<td>25.</td>
<td>2025 ROSE</td>
<td>Robert Richerson to modify Use Permit #97-10000003 to reduce the number of approved dwelling units from four to three, replace open parking spaces with private garages and increase the floor area by 1,960 square feet – MOD # (Matt LeGrant)</td>
<td>01-11-01</td>
<td>11-27-00</td>
<td>Approve</td>
</tr>
<tr>
<td>26.</td>
<td>2237 TENTH</td>
<td>David Taylor to construct a 1,754 square foot, two story, single family house on a 5,400 square foot vacant lot – UP #00-10000087 (Gisele Sorensen)</td>
<td>01-11-01</td>
<td>None</td>
<td>Approve</td>
</tr>
</tbody>
</table>
27. **Administrative Use Permits Approved by the Zoning Officer**

- 1329 Arch St
- 845 Euclid Ave
- 1010 Overlook Rd
- 1198 San Pablo Ave
- 921 University Ave
- 816 Bancroft Way
- 1198 Keeler Ave
- 750 Potter St
- 1210-1214 Seventh St
- 1862 Catalina Ave
- 2777 Ninth St
- 2209 Prince St
- 2318 Shattuck Ave

28. **Information/Communication**

A. Chronicle Housing Poll: Homeowners Going Bust

**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.
Legal Notice Concerning Your Legal Rights – Continued:

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.