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

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. 1284 SAN PABLO AVENUE Request by George McDermott to modify Use Permit #A954 and #97-70000033 to establish an additional bingo hall operator – UP #00-70000029 (Xandra Grube)
    PSA Action Date: 01-15-01
    Continued From: None
    Recommendation: Approve

6. 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: 12-14-00
Recommendation: Continue to 01-25-01

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Consent Calendar II

7. **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: 12-14-00
   Recommendation: Receive and File (Application Withdrawn)

8. **2176 KITTREDGE STREET**
   Request by Thomas Reddy to modify Use Permit #99-70000030 to permit the 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)
   
   PSA Action Date: 03-12-01
   Continued From: 12-14-00
   Recommendation: Continue to 01-25-01

Appeal of Administrative Use Permit

NOTE: Appeal of Administrative Use Permits are not subject to public hearing and no public testimony will be taken at this time. The Board can choose to set the matter for public hearing or affirm the decision of the Zoning Officer to grant the permit.

9. **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: 12-14-00
   Recommendation: Affirm Zoning Officer's decision

10. **1010 OVERLOOK ROAD**
    Appeal of Zoning Officer's decision to approve Administrative Use Permit #00-20000130 to construct an 896 square foot major residential addition and to extend a non-conforming front yard setback (Pierce Macdonald)
    
    PSA Action Date: None
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Appeal of Administrative Use Permit - Continued:

11. 1210-14 SEVENTH STREET
Appeal of Zoning Officer's decision to approve Administrative Use Permit #00-20000158 to allow a 24 hours storage yard for towed vehicles (Deborah Diamond)

PSA Action Date: None
Continued From: None
Recommendation: Affirm Zoning Officer's decision

Hearing on Continued Items:

12. 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: 03-14-01 (With Extension)
Continued From: 11-27-00, 12-14-00
Recommendation: Approve as Modified

13. 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)

Action Date: 01-11-01
Continued From: 11-27-00, 12-14-00
Recommendation: Approve

14. 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, 12-14-00
Recommendation: Approve
Hearing on Continued Items - Continued:

15. **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, 12-14-00
    **Recommendation:** Take Public Testimony and Continue Public Hearing

16. **2237 TENTH STREET**
    Request by 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)
    
    **PSA Action Date:** 01-11-01
    **Continued From:** 12-14-00
    **Recommendation:** Approve

New Hearing:

17. **1938 CHANNING WAY**
    Request by Linda Zsilavetz to allow the elimination of an existing dwelling unit through conversion of an existing duplex; to create a dwelling unit; to allow the continuation of a non-conforming 2’6” setback and; to allow the reduction of the building-to-building setback from the required 16’ to 12’6” – UP #00-10000092 (Greg Powell)
    
    **PSA Action Date:** 03-21-01
    **Continued From:** None
    **Recommendation:** Approve
New Hearing - Continued:

18. **2025 CHANNING WAY**
Request by Clark Plehiers to construct a four story, 17,281 square foot single 43-unit residential building; to construct a 38 foot high, five story building where a maximum height of 35 feet and maximum of 3 stories are allowed by right and; a Variance to allow 58% coverage where 35% is the maximum allowed by right – UP #00-10000022 (Gisele Sorensen)

   PSA Action Date: 04-22-01  
   Continued From: None  
   Recommendation: Deny

19. **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 15,500 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: 12-14-00  
   Recommendation: Approve

20. **2025 ROSE STREET**
Request by 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)

   PSA Action Date: 01-11-01  
   Continued From: 11-27-00, 12-14-00  
   Recommendation: Approve

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

   916 Bataan Ave   1825 Eastshore Hghwy   845 Euclid Ave
22. **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.

Legal Notice Concerning Your Legal Rights - Continued:

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.

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