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, JULY 12, 2001
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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

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 1521 LA LOMA AVENUE Request by Marcy Wong for Bruce Jackan and Beth Simmons to construct a 1,572 square foot major residential second story addition to an existing 1,978 square foot, one story, single family house - UP #99-20000186 (Gisele Sorensen)

   PSA Action Date: 09-13-01
   Continued From: 06-14&28-01
   Recommendation: Continue to 07-26-01

6. 1277 ALCATRAZ AVENUE Request by Anwar Al-Ariemy to construct an additional single family house - UP #01-10000016 (Pierce Macdonald)

   PSA Action Date: 10-25-01
   Continued From: None
   Recommendation: Continue to 09-13-01
Consent Calendar II

7.  2517 SACRAMENTO STREET
Request by Central Works Theater to operate a live theater for an audience to 49 persons, for approximately one year - UP #01-10000037 (Margaret Kavanaugh-Lynch)

PSA Action Date: 08-09-01
Continued From: None
Recommendation: Approve

Appeal of Administrative Use Permits:

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.

8.  762 ENSENADA AVENUE
Appeal of Zoning Officer's decision to approve Administrative Use Permit #00-20000216 to construct a 1,200 square foot, second floor addition (Greg Powell)

PSA Action Date: None (Consideration of Appeal)
Continued From: 04-26-01, 05-24-01, 06-14&28-01
Recommendation: Approve

Hearing on Continued Items:

None

New Hearing:

9.  2700 BANCROFT WAY
Request by Scott Lorenz for Westminster House to demolish an annex to a City Landmark and construction of a new three story student housing annex with a 24 space garage underneath - UP #01-10000075 (Greg Powell)

PSA Action Date: 10-11-01
Continued From: None
New Hearing - Continued:

10. **2034 CEDAR STREET**
    Request by Ali Eslami for a Variance to exceed lot coverage and reduce front yard setback and to modify Use Permit #99-10000027 - UP #01-10000039 (Xandra Grube)

    **PSA Action Date:** 08-09-01  
    **Continued From:** None  
    **Recommendation:** Approve

11. **1712 EUCLID AVENUE**
    Request by William Cieslak for a Modification of Use Permit #8617 to legalize change of use from group living accommodations to office for an institutional use - MOD #01-70000014 (Xandra Grube)

    **PSA Action Date:** 07-26-01  
    **Continued From:** None  
    **Recommendation:** Approve

12. **771 SAN LUIS ROAD**
    Request by John Hopkins to construct a new dwelling, and a new garage with studio above within the front yard setback - UP #01-10000023 (Margaret Kavanaugh-Lynch)

    **PSA Action Date:** 08-09-01  
    **Continued From:** None  
    **Recommendation:** Approve

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

    5 Ajax Pl  
    1077 Cragmont Ave  
    1117 Miller Ave  
    1717 Allston Way  
    1325 Derby St  
    1915 Napa Ave  
    1422 Blake St  
    1732 La Vereda Ave  
    2463 Prince St

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. 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 the City Clerk's Office at 981-6900 (voice) or 981-6903 (TDD); at least five (5) working days notice will ensure availability.

Ag071201