CONSENT CALENDAR PROCEDURES

Due to the 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:

Consent Calendar I  Routine business such as modifications 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.)

Consent Calendar II  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 recommends approval.

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 Boardmember 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 Items.

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
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AGENDA

Roll Call 7:06 PM

Public Comment 7:07 PM - Resignation of Gene Poschman

Business Meeting

1. Chair’s Report
2. Current Business/Committee Appointments
3. Future Agenda Items
4. Other Matters
   A. Amendments to Zoning Ordinance to accommodate Landmarks Ordinance revision - Discussion with comments to be conveyed to City Attorney

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 1192 LAUREL STREET  Request by Jeffery Frank to modify Variance #00-10000115 to expand attic space by approximately 50 square feet - MOD #01-70000038 (Steve Solomon)
   PSA Action Date: 12-13-01
   Continued From: None
   Board Action: Approved - 8-0-0 (Weinberger - Absent)

6. 1439 OXFORD STREET  Public Hearing on an appeal of an Administrative Use Permit for a request by Victor Hanson for Kenneth and Eric Schmier to alter a non-conforming 3 foot side setback (4 feet required) - AUP #01-20000110 (Matt LeGrant)
   PSA Action Date: None
   Continued From: None
   Board Action: Continued to 11-26-01
Consent Calendar I - Continued:

7. 1508 WARD STREET

Request by Richard Schwarzmann to construct an additional dwelling unit; to extend the height of a wall within a one foot setback where a four foot setback is required and; to construct a 10 foot unenclosed accessory structure, trellis and gate - UP #01-1000072 (Pierce Macdonald)

PSA Action Date: 02-04-02
Continued From: 10-11&25-01
Board Action: Continued to 11-26-01

Consent Calendar II

None

Public Comment on Draft EIR

8. 2407 DANA STREET

Review of Draft EIR for request to relocate and rehabilitate McKinley Annex; construct a 42,000 square foot, three-story education and administration building over a two-level underground parking structure; and renovate existing Sanctuary and Christian Education Building - UP #00-10000118 (Deborah Diamond)

PSA Action Date: 05-10-02 (date specified by court settlement)
Continued From: None
Board Action: Conducted Public Hearing and Continued to 11-26-01
Appeal of Administrative Use Permit

Please Note: Appeals of Administrative Use Permit 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. 2720 EIGHTH STREET
   Request by Elliott Abrams to construct two three-story, two unit buildings containing 6,440 square feet on a vacant lot - AUP #00-20000183 (Gisele Sorensen)
   
   PSA Action Date: None
   Continued From: None
   Board Action: Set for Public Hearing on 12-13-01

Hearing on Continued Items

10. 1277 ALCATRAZ AVENUE
    Request by Anwar Al-Ariemy to construct an additional single family house and to reduce the building separation between two main buildings to 4.3 feet - UP #01-10000016 (Pierce Macdonald)
    
    PSA Action Date: 11-08-01
    Continued From: 09-13-01, 10-04,11&25-01
    Board Action: Continued to 12-13-01 for purposes of re-design - 8-0-0 (Weinberger - Absent)

11. 2001 BANCROFT WAY
    Request by Kava Massih Architects to demolish an existing dwelling unit and existing 13-room hotel; to construct a 30-room hotel and one dwelling unit; to construct a building with over 10,000 square feet of gross floor area (23,227 square foot proposed); and to construct a building with an FAR of over 2.0 (2.75 proposed) - UP #01-10000021 (Greg Powell)
    
    PSA Action Date: 12-13-01
    Continued From: 10-04&25-01
    Board Action: Approved with added condition - 8-0-0 (Weinberger - Absent)
Hearing on Continued Items - Continued:

12. 1513 BELVEDERE AVENUE  Appeal of Zoning Officer's decision to approve Administrative Use Permit - #00-20000210 to construct a fence and trellis (Christina Ratcliffe)
    
    PSA Action Date: None
    Continued From: 05-24-01, 06-14-01, 08-09-01, 09-13-01, 10-11&25-01
    
    Board Action: Denied Administrative Use Permit - 8-0-0
    (Weinberger - Absent)

New Hearing:

13. 830 BANCROFT WAY  Request by Carol Kress and Elizabeth Beringer to modify UP #A1463 to eliminate the condition requiring the rental of 10 off-site parking spaces - MOD #01-70000024 (Hector Lopez)
    
    PSA Action Date: 12-13-01
    Continued From: None
    
    Board Action: Continued to 11-26-01

14. 356 PANORAMIC WAY  Public Hearing on an appeal of an Administrative Use Permit for a request by John Fordice to allow for the construction of a wall within a non-conforming setback and to reduce the number of dwelling units from two to one - AUP #01-20000057 (Greg Powell)
    
    PSA Action Date: None
    Continued From: None
    
    Board Action: Approved with modified finding - 8-0-0
    (Weinberger - Absent)

15. 2320 SEVENTH STREET  Request by Christopher and Loren Bello to construct a 728 square foot, two story dwelling on a lot containing an existing dwelling - UP #01-10000080 (Hector Lopez)
    
    PSA Action Date: 11-08-01
    Continued From: None
    
    Board Action: Approved on CCII with added conditions - 8-0-0
    (Weinberger - Absent)
New Hearing - Continued:

16. **1820 SOLANO AVENUE**

Request by Avi Nevo and David Trachtenberg to construct a new building; to demolish a commercial building; Variance to modify the applicable off-street parking requirement to allow 29 parking spaces where 37 are required; Variance to modify off-street loading requirements to allow one on-street metered loading zone where one off-street loading zone is required; to modify the front yard setback requirement to permit construction of the building and the garage entrance at the front (east) property line where a 15 foot front yard setback is required and; to allow trash enclosure opening five feet from adjacent residential property where 50 feet are required - UP #01-10000074  (Carole Kajita)

**PSA Action Date:** 01-10-02  
**Continued From:** None  
**Board Action:** Conducted Public Hearing and Continued to 11-26-01

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

- 1701 Capistrano Ave  
- 1122 Oxford St  
- 1743 Lincoln St  
- 2415 Spaulding Ave  
- 59 Northgate Ave  
- 54-56 Tamalpais Rd

18. **Information/Communication**

A. Letters from Victoria Ortiz and Jennifer Elrod regarding Brothers Liquors

**Adjourned:** 12:30 AM
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.

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