



Z O N I N G
A D J U S T M E N T S
B O A R D

NOTICE OF PUBLIC HEARING

2707 Rose Street

Use Permit #09-10000038 to demolish an existing two-story, 2,477 square foot, single-family dwelling and three one-car garages to construct a two-story, 6,478 square foot, single-family dwelling, with a 3,394 square foot, 10-car garage on a 29,714 square foot parcel.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance Section 23B.32.020, on **Thursday, January 28, 2010**, at the Maudelle Shirek Building (formerly Old City Hall), 2134 Martin Luther King, Jr. Way, second floor Council chambers (wheelchair accessible). The meeting starts at 7:00 p.m.

PERMITS REQUIRED:

- Use Permit to demolish an existing dwelling unit;
- Use Permit to construct a dwelling unit;
- Administrative Use Permit to allow a 35-foot average height limit (28-feet is the maximum); and
- Administrative Use Permit to reduce front yard setback to 16-feet (20-feet is required).

PARTIES INVOLVED:

- Owner: Mitchell D Kapor
543 Howard Street, Suite 500, San Francisco
- Applicant: Donn Logan, (MARCY WONG DONN LOGAN ARCHITECTS)
800 Bancroft Way, Suite 200, Berkeley

ZONING DISTRICT: R-1 (H)

ENVIRONMENTAL REVIEW STATUS: Categorically exempt under Section 15332 of the California Environmental Quality Act (CEQA) Guidelines ("In-fill Housing").

ATTACHMENTS: Vicinity map, project plans (some drawings not included to facilitate mailing; all drawings are available for public review; see "Further Information" below).

PUBLIC COMMENT

Comments may be made verbally at the public hearing and in writing before the hearing. Those wishing to speak at the hearing must submit a speaker card by 7:15 p.m. The Board may limit the number of speakers and the time granted to each speaker. Written comments to the Board are encouraged and should be directed to:

Land Use Planning Division
2120 Milvia Street
Berkeley, CA 94704

Fax: (510) 981-7420
E-mail: zab@ci.berkeley.ca.us

To assure distribution to Board members prior to the meeting, **correspondence must be received by 12:00 noon, seven (7) days before the meeting.** 15 copies must be submitted of any correspondence with more than ten (10) pages or any item submitted less than seven days before the meeting.

NOTICE CONCERNING YOUR LEGAL RIGHTS

If you object to a decision of the Zoning Adjustments Board, the following apply:

1. Appeals to the City Council must be filed with the City Clerk within 14 days after notice of the Board's decision is mailed. It is the appellant's obligation to inquire with the Current Planning Division to determine when a Notice of Decision is mailed.
2. No lawsuit challenging a City decision to approve (Government Code §65009(c)(5)) or deny (Code of Civil Procedure §1094.6(b)) a Use Permit or Variance may be filed more than 90 days after the date the decision becomes final, as defined in Code of Civil Procedure §1094.6(b). Any lawsuit not filed within that 90-day period will be barred.
3. Any lawsuit challenging a City decision to approve or deny a Use Permit or Variance will be limited to the issues and evidence raised orally or in writing at a public hearing on the project.

COMMUNICATION ACCESS

To request a meeting agenda in large print, Braille, or on audiocassette, or to request a sign language interpreter for the meeting, call (510) 981-7410 (voice) or 981-7474 (TDD). Notice of at least five (5) business days will ensure availability. Agendas are also available on the Internet at: www.ci.berkeley.ca.us.

FURTHER INFORMATION

Questions about the project should be directed to the project planner, Greg Powell, at (510) 981-7414 or gpowell@ci.berkeley.ca.us. All project application materials, including full-size plans, may be viewed at the Permit Service Center (Zoning counter), 2120 Milvia Street, during normal office hours.

Figure 1: Vicinity Map

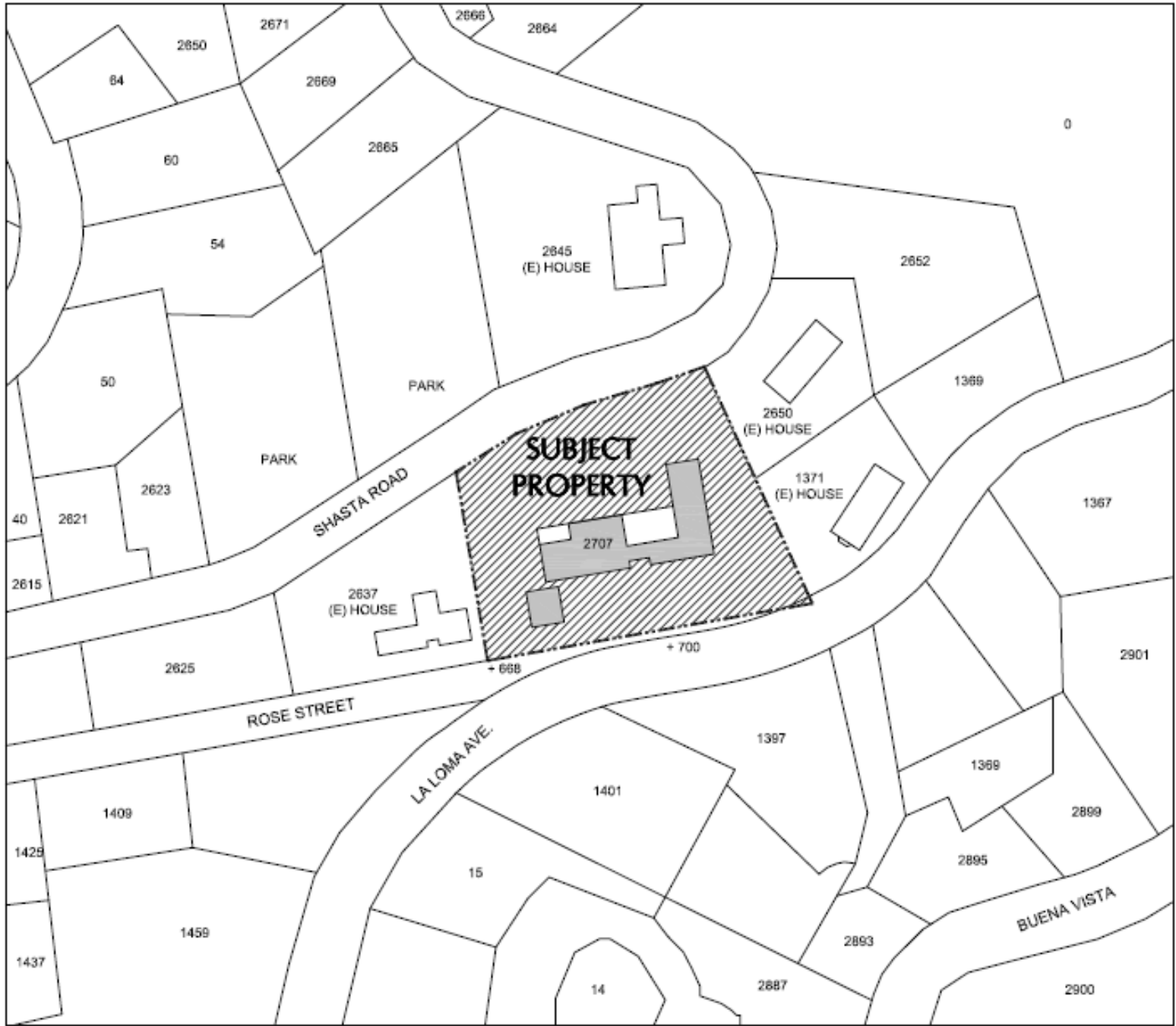


Figure 2: Site Plan

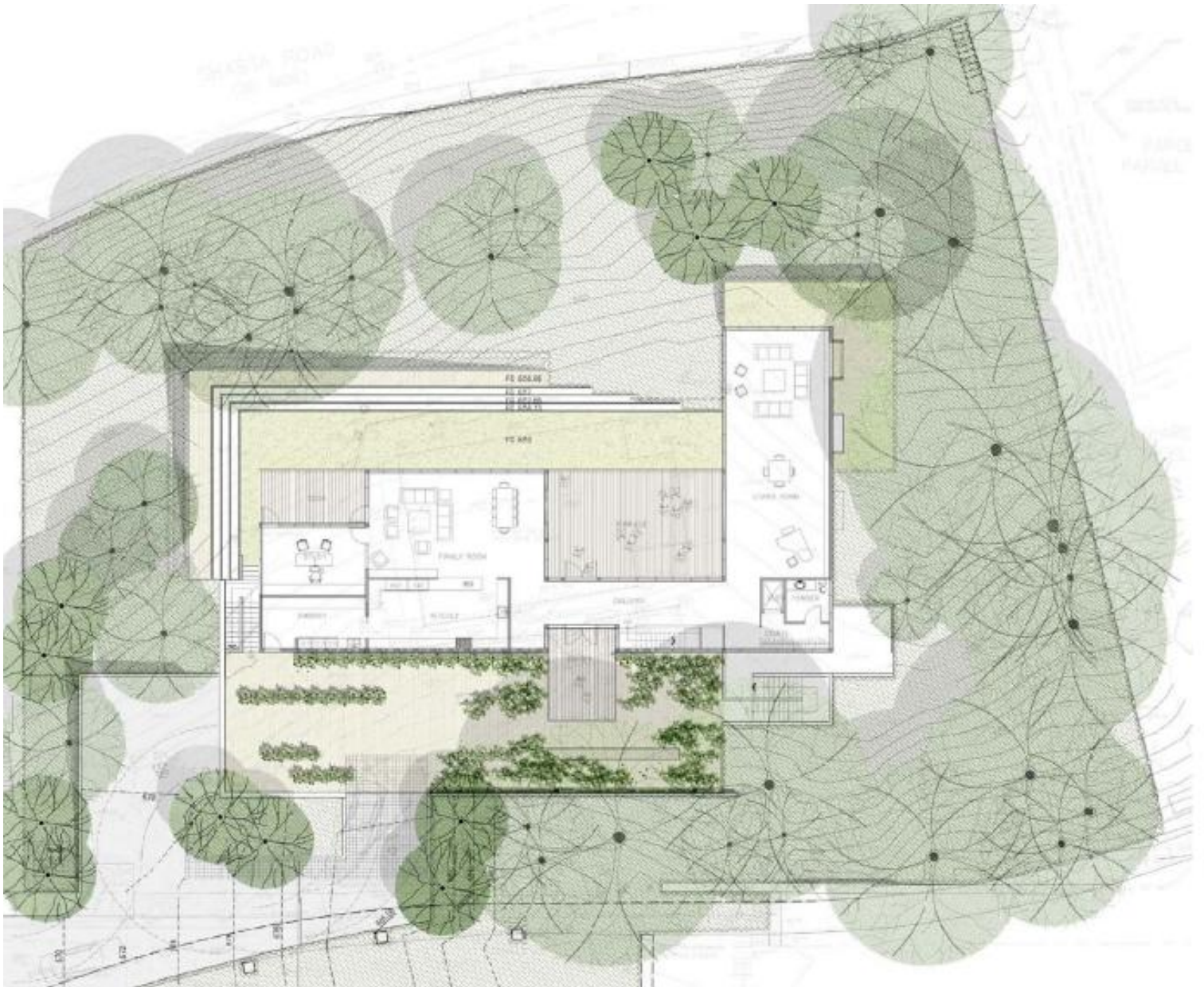


Figure 4: Elevation, from Rose Street (southern view)



Figure 5: Elevation, from Shasta Road (northern view)

