



## **ABATEMENT APPEALS BOARD**

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### **NOTICE OF MEETING**

**Wednesday, April 17, 2013 at 9:00 a.m.**

**City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416**

**Aired Live on SFGTV Channel 78**

### **AGENDA:**

**The Abatement Appeals Board (AAB) will take public comment on every item appearing on the agenda. Members of the public who address the Board have the discretion on whether or not they wish to identify themselves for the record.**

**A. CALL TO ORDER and ROLL CALL.**

**B. OATH: All parties giving testimony before this Board today will rise, raise their right hands and be sworn.**

**C. APPROVAL OF MINUTES: Discussion and possible action to adopt the minutes for the meeting held on December 19, 2012 and February 20, 2013.**

**D. Discussion and possible action to adopt a rule regarding Requests for Continuances that conforms to San Francisco Building Code Section 105A.2.6.**

**E. NEW APPEALS: Order of Abatement(s).**

**1. CASE NO. 6775: 481 Minna Street**

**Owner of Record and Appellant:** Nikita Holdings LLC, 579 O'Farrell Street,  
San Francisco, CA 94102

**Agent for the Appellant:** Robert Noelke, 1019 Howard Street, San Francisco, CA  
94103

**ACTION REQUESTED BY APPELLANT:** The appellant has requested three (3) to six (6) additional months to complete the required code abatement work cited.

**Testimony, deliberation and possible action to uphold, modify or reverse the Order of Abatement.**

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### **MEMBERS OF THE BOARD      DEPARTMENT REPRESENTATIVES**

Kevin Clinch, President      Edward Sweeney, Deputy Director and Secretary to the Board (415) 558-6142

Myrna Melgar, Vice President      Sonya Harris, BIC Secretary (415) 558-6164

Frank Lee, Commissioner      Teresita Sulit, Recording Secretary (415) 558-6267

Warren Mar, Commissioner

Angus McCarthy, Commissioner

Dr. James McCray, Jr., Commissioner      **CITY ATTORNEY'S OFFICE REPRESENTATIVE**

Debra Walker, Commissioner      Jana Clark, Deputy City Attorney (415) 554-4634

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**2. CASE NO. 6776: 767 North Point Street**

**Owner of Record and Appellant:** Charles B. Engelberg, 767 North Point Street, San Francisco, CA 94109

**Owner of Record and Appellant:** Charles B. Engelberg, 4 Birdie Drive, Novato, CA 94949

**Attorney for the Appellant:** David Edward May, 476 Jackson St., 3<sup>rd</sup> Floor, San Francisco, CA 94111-1624

**ACTION REQUESTED BY APPELLANT:** The appellant is requesting the Director's Order be overturned and requesting the Abatement Appeals Board's assistance in resolving the outstanding code violations.

**Testimony, deliberation and possible action to uphold, modify or reverse the Order of Abatement.**

**3. CASE NO. 6777: 1325 Portola Drive**

**Owner of Record and Appellant:** Sofia U. New, 219 De Long Street, San Francisco, CA 94112

**ACTION REQUESTED BY APPELLANT:** To put the process on hold due to the suspended permit.

**Testimony, deliberation and possible action to uphold, modify or reverse the Order of Abatement.**

**F. GENERAL PUBLIC COMMENT**

**G. ADJOURNMENT**

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**KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE**  
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE AT 554-6075.

**ACCESSIBLE MEETING INFORMATION POLICY**

The meeting will be held at the City Hall Building, located at 1 Dr. Carlton B. Goodlett Place, 4th Floor, Room 416. The closest accessible BART station is the Civic Center Station at 8th (at the United Nations Plaza) and Market Streets.

Accessible MUNI/Metro lines servicing this location are the J-Church, K-Ingleside, L-Taraval, —Ocean View, and N-Judah at Van Ness and Civic Center Stations; 9-San Bruno, 71-Haight, and 42-Downtown bus lines. For information about MUNI accessible services call (415) 923-6142.



The Commission meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

Accessible seating for persons with disabilities (including those using wheelchairs) will be available. Assistive Listening devices will be available at the meeting. A sign language interpreter will be available upon request. Agendas and Minutes of the meeting are available in large print/tape form and/or readers upon request. Please contact the **Deputy Director and Secretary to the Board, Edward Sweeney at (415) 558-6142** or the **Building Inspection Commission Secretary, Sonya Harris at (415) 558-6164** or the **Recording Secretary, Teresita Sulit at (415) 558-6267** at least 72 hours in advance of the meeting to request for these services.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call (415) 558-6164 or (415) 558-6267 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such persons, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

**POLICY STATEMENT OF PUBLIC HEARING OR MEETING**

Pursuant to Section 67.7-1(c) of the San Francisco Administrative Code, members of the public who are unable to attend the public meeting or hearing may submit written comments regarding a calendared item to the Secretary, at 1660 Mission Street, 3<sup>rd</sup> Floor, San Francisco, CA 94103 or at the place of the scheduled hearing before the proceedings begin. These written comments shall be made a part of the official public record and these comments will be brought to the attention of the members of the Abatement Appeals Board. [Twenty copies are necessary.]

**POLICY STATEMENT OF PUBLIC COMMENT**

**FOR THIS MEETING OF THE ABATEMENT APPEALS BOARD**--and until such time as a policy is formally adopted,--it is the interim cooperative intent of the Abatement Appeals Board of the City & County of San Francisco that, at the point so designated as **Public Comment** on the following Calendar, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board--excepting calendar items. With respect to calendar items, the public's opportunity to address the Board will be afforded when the item is reached in the meeting. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the chairperson may continue **Public Comment** to another time during the meeting.

**SAN FRANCISCO LOBBYIST ORDINANCE**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administrative Code Sec. 16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market St. #701, SF, CA 94102 or (415) 554-9510 voice, or (415) 703-0121 fax, or <http://www.ci.sf.ca.us/ethics/> - web.