



DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

ACCESS APPEALS COMMISSION

MINUTES

(Subject to approval by the Commission)

Wednesday, October 22, 2003

1:00 P.M.

City Hall

1 Dr. Carlton B. Goodlett Way, Room 416

1. CALL TO ORDER AND ROLL CALL

The meeting of the Access Appeals Commission was called to order by President Brown at 1:20 PM.

COMMISSION MEMBERS PRESENT: Ms. Alyce G. Brown, President
Mr. Francis K. Chatillon
Ms. Enid Lim
Mr. Linton Stables III

COMMISSION MEMBERS ABSENT: Ms. Roslyn Baltimore, Vice-President

CITY REPRESENTATIVES: Mr. Neil Friedman, DBI, Acting Secretary
Ms. Teresita Sulit DBI, Recording Secretary
Ms. Doris M. Levine, Reporter

5. REHEARING OF APPEAL (out of order on the agenda) (ACTION)
a) Appeal No. 03-01 (2000301296180) Louis H. Felthouse

Since Commissioner Chatillon had to leave the Commission meeting earlier than usual, President Brown suggested that the Commission proceed immediately to the appeal on the agenda, case 03-01, 350 Sansome Street.

The appellant, Mr. Louis Felthouse, was sworn in.

Commissioner Stables suggested that since the Summary of the Appeal had been read and entered into testimony once before, that it not be read again.

Secretary Friedman said that Secretary Torres-Gil had compiled a new summary of permits for 350 Sansome Street (labeled, 'Staff Report'), dated September 23. However, the summary had not been included in the package given to the Commissioners.

Mr. Felthouse stated that he was hoping to break the deadlock of '2 to 2' that had been voted previously for 350 Sansome Street. Since 5 Commissioners were not present, he requested that the case be postponed again.

Commissioner Stables made a motion to continue the case to the next regularly scheduled session of the AAC

President Brown said that the Commission had skipped a meeting in the hope that 5 Commissioners would be present. She stated that she wanted to talk more about the appeal before voting on its continuance.

Commissioner Stables said that this might be a problem, because then the Commission would actually be discussing the case, and that the purpose of the request for a continuance was to have all 5 Commissioners present to discuss the case. He reaffirmed that the motion to continue the case was 'on the floor.'

Deputy City Attorney Boyajian said that she thought Commissioner Stables was correct; that the Commission should not get into a discussion of the appeal itself. Her understanding however, was that the Commission wanted an update on the project (the subject of the appeal) and whether it had been being constructed during this 'limbo' and without the accessible restroom. That is a discussion that is not actually part of the discussions of the 'merits' of the appeal.

Commissioner Stables said that this was not a discussion of the motion 'on the floor', and wondered if the Commission should not vote on the motion first, and then have the other discussion (i.e., about the current state of the construction project.)

A vote was taken on Commissioner Stables's motion to continue the case.

President Brown: yes
Commissioner Stables: yes
Commissioner Chatillon: yes
Commissioner Lim: yes.

The motion was passed 4-0.

President Brown then explained to Mr. Felthouse that the Commission was not trying to make this difficult but that she would like to have an update on the project.

Mr. Felthouse stated that since he had last been before the Commission, the project's permit application was revised to include a single accommodation accessible toilet room within the tenant space. The permit was issued and the construction has been completed with the exception of the toilet room. The project is awaiting the decision of the Commission regarding the appeal.

Commissioner Chatillon and President Brown (on behalf of the full Commission), apologized to Mr. Felthouse about not being able to hear the case. The next meeting at which this case can be heard will be November 12.

2. **PUBLIC COMMENT:** None

3. **APPROVAL OF MINUTES (from September 24, 2003)**

Commissioner Stables made a motion to approve the minutes. President Brown stated that a formal vote was not necessary.

All Commissioners approved the minutes.

4. **REVIEW OF COMMUNICATION ITEMS:** None

5. **REHEARING OF APPEAL:**

a) Appeal No. 03-01 (200301296180) **Louis H. Felthouse**

NOTE: this item was heard out of order at the beginning of the Commission meeting.

6. **STAFF QUESTIONS AND COMMENTS**

Secretary Friedman asked if Commissioner Lim needed any additional information about 350 Sansome Street, Case 03-01. Commissioner Lim replied that she was familiar with that building, as she has attended meetings there. Secretary Friedman asked if however, she were familiar with the case. She replied that she was.

Commissioner Stables reminded Secretary Friedman that the next hearing would include the Annual Commission elections.

President Brown said that the election should be put on the agenda for the next meeting.

7. **PUBLIC COMMENT:** None

8. **ADJOURNMENT:**

The meeting was adjourned by President Brown at approximately 2:00 PM.

Summary of Motions:

350 Sansome Street:

A motion was made by Commissioner Stables to continue the case.

The motion passed 4-0.

Neil Friedman, Senior Building Inspector

Department of Building Inspection

Acting Secretary to the Access Appeals Commission