

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES – WEDNESDAY, JANUARY 28, 2026

REGULAR MEETING (IN-PERSON AND REMOTE ACCESS VIA ZOOM)

5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B. GOODLETT PLACE

PRESENT: President John Trasviña, Vice President Rebecca Saroyan, Commissioner Jose Lopez, and Commissioner Robin Abad Ocubillo.

Jesse Mainardi, Deputy City Attorney, Office of the City Attorney (CAT); Corey Teague, Zoning Administrator, Planning Department (PD); Joseph Ospital, Senior Building Inspector, Department of Building Inspection (DBI); Gregory Slocum, Commercial Permit Manager, Department of Public Works, Bureau of Street Use and Mapping (SFPW-BSM); Kyle Thomas, Manager of Port Security, Port of San Francisco (PRT); Julie Lamarre, Executive Director; Alec Longaway, Legal Assistant.

(1) PUBLIC COMMENT

At this time, 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 except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. At the discretion of the Board President, public comment and remote public participation may be limited to two minutes per person. If it is demonstrated that public comment and remote public participation will cumulatively exceed 15 minutes, the President may continue Public Comment and/or remote public participation to another time during the meeting.

SPEAKERS: None.

(2) ELECTION OF THE OFFICERS

ACTION: Upon motion by Vice President Lopez, the Board voted 4-0 to re-elect President Trasviña to serve as President of the Board.

Upon motion by Vice President Lopez, the Board voted 4-0 to elect Commissioner Saroyan to serve as Vice President of the Board.

PUBLIC COMMENT: None.

(3) COMMISSIONER COMMENTS & QUESTIONS

SPEAKERS: President Trasviña thanked Commissioner Lopez for his service as Vice President and stated that he looked forward to working closely with Vice President Saroyan in her new role. President Trasviña also provided an update on the proposed legislation that would take away the Board's jurisdiction over appeals of city-initiated tree removal permits. He noted that the matter was taken up at

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the previous meeting and acknowledged the large volume of public comment received. He stated that he had shared those views and others and had good conversations with key people throughout City Hall.

Commissioner Lopez welcomed Commissioner Abad to the Board and stated that he very much looked forward to serving alongside him.

PUBLIC COMMENT: None.

(4) ADOPTION OF MINUTES

Discussion and possible adoption of the January 14, 2026 minutes.

ACTION: Upon motion by President Trasviña, the Board voted 4-0 to adopt the January 14, 2026 minutes.

PUBLIC COMMENT: None.

(5) SPECIAL ITEM

Board of Appeals Budget Priorities for Fiscal Years 26-27 and 27-28. This is an opportunity for members of the public to provide the Boards' input on budget priorities pursuant to Section 3.3(b)(1) of the Administrative Code, in advance of the Board's consideration of the FY 26-27 and FY 27-28 budget.

SPEAKERS: President Trasviña stated that the Board wanted to hear from members of the public about the budget and budget priorities. He noted that the Board would be discussing the budget at a subsequent meeting.

PUBLIC COMMENT: None.

(6) REHEARING REQUEST FOR APPEAL NO. 25-036

Subject property at 1942 & 1960 Folsom Street. Teamsters Local 665, Appellant, is requesting a rehearing of Appeal No. 25-036, TEAMSTERS LOCAL 665 vs. ZONING ADMINISTRATOR, decided November 19, 2025. At that time, upon motion by Commissioner Swig, the Board voted 3-0-1 (Vice President Lopez absent) to deny the appeal and uphold the Letter of Determination on the basis that the Zoning administrator did not err and the determination was properly issued. **Determination Holder:** DD Holdings A, LLC. **Determination Description:** The request seeks determinations by the Zoning Administrator (ZA) on: (1) the proposed land use of the existing warehouse building (the proposed business would use the existing warehouse to create, test, and refine an autonomous delivery system including assembling and maintenance of drones, and drone technology; accessory office space and break rooms would also be located within the existing warehouse for employees), and (2) a determination of Laboratory Use's inclusion of outdoor testing of autonomous aerial delivery systems (drone testing would be conducted on the outside off-street parking lot between the hours of 9 a.m. and 6:00 p.m.) The ZA determined that the proposed land use is a Laboratory Use as defined in Planning Code Section 102 and that Laboratory Use is principally permitted at the subject location. **Record No.:** 2025-005253ZAD.

ACTION: None. This matter was withdrawn prior to the hearing.

(7) APPEAL NO. 25-040

SAVIOR MICALLEF, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS, BUREAU OF STREET USE & MAPPING, Respondent	<p>(Revocation of Street Vendor Permit). Appealing the ISSUANCE on September 18, 2025, to Savior Micallef, of a Public Works Order (The Public Works Department revoked Street Vendor Permit No. 25VDR-00012 because of a history of non-compliance and violation of City rules and regulations beginning on October 7, 2023). ORDER NO. 212110.</p> <p>FOR HEARING TODAY.</p> <p>Note: On November 5, 2025, upon motion by President Trasviña, the Board voted 4-0 to continue this matter to December 17, 2025, given the late hour. The Board further asked the parties to submit briefs addressing the following: (1) The notice provided to the permit holder for the underlying hearing and the Board of Appeals hearing, (2) what transpired at the underlying hearing, (3) the process of the hearing officer's recommendation to the Department (including what was communicated to the permit holder at the underlying hearing), (4) the notice given to the permit holder after the hearing officer made a decision, (5) whether a suspension can be imposed instead of a revocation and the impact a suspension would have on the permit (with an explanation of the logistics of a suspension), and (6) logs of all communications that Public Works had with the permit holder about the revocation hearing process.</p> <p>On November 21, 2025 this matter was rescheduled, at the initiation of the Board Office and with the agreement of the parties, from December 17, 2025 to January 14, 2026 due to the busy calendar. On December 18, 2025, the matter was rescheduled to January 28, 2026, at the initiation of the Board Office and with the agreement of the parties, due to a busy calendar on January 14, 2026.</p>
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ACTION: Upon motion by President Trasviña, the Board voted 3-1 (Commissioner Abad dissented) to continue this matter to March 11, 2026 so that Public Works could provide the following information: (1) A chart enumerating the violations which includes the dates, types of violations and facts supporting the violations, and the amounts of the penalties. The chart should also specify if the fines were paid and when they were paid; (2) A legal analysis as to whether multiple charges issued at once are considered a single violation or multiple violations for the purposes of Public Works

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Code, Article 5.9, Section 5.9-11; and (3) the legal authority for the officers to depart from the fine schedule that is in the ordinance.

SPEAKERS: Savior Micallef, appellant; Gregory Slocum, SFPW-BSM; Kyle Thomas, PRT.

PUBLIC COMMENT: None.

(8) APPEAL NO. 25-054

<p>SIMON and KATHERINE LITTLE, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p>	<p>20 Burnside Avenue.</p> <p>Appealing the ISSUANCE on November 21, 2025, to Simon and Katherine Little, of a Variance Decision (The proposal is to remove the existing, approximately four-foot tall fence and construct a new six-foot tall solid fence at the front of the property containing a two-story, single-family building. Planning Code Section 132 requires the subject property to provide a front setback equal to the adjacent property with the shortest front setback. The required front setback at 20 Burnside Avenue is approximately 7 feet 6 inches from the property line on Burnside Avenue. The proposed fence would be within the required front setback and exceed the 3-foot-tall solid fence permitted by Section 136(c)(17). Alternatively, Section 136(c)(16) also permits a 6-foot-tall decorative railing or grille work, other than wire mesh, that is at least 75 percent open to perpendicular view. The proposed fence is fully within the required front setback, is 6 feet tall and is less than 75 percent open to perpendicular view. Therefore, a variance is required at the subject property. The Zoning Administrator denied the front yard variance).</p> <p>CASE NO.: 2025-003868VAR.</p> <p>FOR HEARING TODAY.</p>
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ACTION: Upon motion by Vice President Saroyan, the Board voted 4-0 to continue this matter to March 4, 2026 to allow time for the appellant to prepare written findings, in consultation with the Zoning Administrator, to support the issuance of a variance. The findings for the variance shall take into consideration the promotion of privacy and safety for the appellants' children and the impact of the fence on the public. The parties shall consider the height, setback location relative to the property line, and the permeability of the fence.

SPEAKERS: Simon Little, appellant; Corey Teague, PD.

PUBLIC COMMENT: None.

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(9) APPEAL NO. 25-055

MATTHEW GEIS and SANDRA GROOM, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	678 Vermont Street. Appealing the ISSUANCE on November 26, 2025, to Jason O'Connor, of an Alteration Permit (revision to Permit Application No. 202506309746; full in-kind replacement of the existing rear deck located in the rear yard setback per SF Planning Code Section 188.1; minor floor layout and structural modifications; update the heating to a boiler for radiant floor heating and domestic water heating). PERMIT NO. 2025/11/24/0260. FOR HEARING TODAY.
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ACTION: Upon motion by President Trasviña, the Board voted 3-1 (Commissioner Lopez dissented) to grant the appeal and issue the permit on the condition it be revised to require that the scope of work be revised as follows: Reconstruction and legalization of rear yard deck located in the rear yard setback per SF Planning Code Section 188.1, maintaining all required fire separation distances from property lines; the northern property line shall have a three-foot setback, the southern property line shall have a three-foot set back or firewall; minor floor layout and structural modifications; update heating to boiler for radiant floor heating and domestic water heating. This motion was made on the basis that it improves privacy for the appellants and makes the project Code compliant.

SPEAKERS: Andrew Catterall, attorney for appellant; Matthew Geis, appellant; Leanne O'Connor, permit holder; Corey Teague, PD; Joseph Ospital, DBI.

PUBLIC COMMENT: Joe Duffy spoke in support of the permit holders.

(10) APPEAL NO. 25-058

LAUREN NEMETH and TIM FAYE, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent	2198 Jackson Street. Appealing the ISSUANCE on December 9, 2025, to Diane Xu, of an Alteration Permit (kitchen in-kind renovation, new cabinets, fixtures, connection gas & water line). PERMIT NO. 2025/12/09/1363. FOR HEARING TODAY.
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ACTION: Upon motion by Vice President Saroyan, the Board voted 4-0 to grant the appeal and issue the permit on the condition it be revised: (1) to specify that the kitchen remodel shall be performed on the first floor, (2) to specify that all appliances shall be electric, not gas, (3) to update the occupancy type to correctly reflect an R-2 occupancy, and (4) to change the use code to 024 to reflect the last approved use. This motion was made based on the Department's recommendation given that there were errors in the original permit, and these changes make the permit Code compliant.

SPEAKERS: Emily Brough, attorney for appellants; Lauren Nemeth, appellant; Tim Faye, appellant; Tom Tunny, attorney for permit holder; Corey Teague, PD; Joseph Ospital, DBI.

PUBLIC COMMENT: Marina stated that she agreed with the Board in terms of compliance with the permit. She further stated that the appellants have not demonstrated how they would be impacted

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by the kitchen and that she believed the permit holder should be able to move forward with the permit.

ADJOURNMENT.

There being no further business, President Trasviña adjourned the meeting at 10:17 p.m.

The supporting documents for this meeting can be found at the following link:

<https://www.sf.gov/meeting-20260128-board-of-appeals-hearing-january-28-2026>

A video of this meeting, can be found at the following link:

https://sanfrancisco.granicus.com/player/clip/51680?view_id=6&redirect=true