

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, AUGUST 12, 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, Commissioner Lily Wong, and Commissioner Robin Abad Ocubillo.

Jesse Mainardi, Deputy City Attorney, Office of the City Attorney (CAT); Megan Ryan, Deputy City Attorney (CAT), representing the Department of Public Health (DPH); Jennifer Callewaert, Director, Environmental Health Branch (DPH); Michelle Vega, Principal Environmental Health Inspector (DPH); Corey Teague, Zoning Administrator, Planning Department (PD); Carey McElroy, Senior Building Inspector, Department of Building Inspection (DBI); Javier Rivera, Manager, Private Sector Permits, Department of Public Works (SFPW); Julie Lamarre, Executive Director; Alec Longaway, Legal Assistant.

ABSENT: Vice President Rebecca Saroyan and Commissioner Jose Lopez.

(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) COMMISSIONER COMMENTS & QUESTIONS

SPEAKERS: President Trasviña welcomed everyone to the hearing. He stated that the Board was prepared and wanted to hear from the parties. He noted that he and Commissioner Abad had recently been reappointed and that they would continue their public service on the Board for another four years (Mayor Lurie reappointed President Trasviña and President Mandelman reappointed Commissioner Abad). He stated that, to the extent that they merited a continuation in public service, it was greatly due to the work the commissioners did together. He further acknowledged the contributions of Board staff and Deputy City Attorney Mainardi.

PUBLIC COMMENT: None.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the July 15, 2026 minutes.

ACTION: Upon motion by President Trasviña, the Board voted 3-0-2 (Vice President Saroyan and Commissioner Lopez absent) to adopt the July 15, 2026 minutes.

PUBLIC COMMENT: None.

(4) REHEARING REQUEST FOR APPEAL NO. 25-059

Subject property at 3446 Balboa Street. Jing Huang and Liyan Wang, Appellants, are requesting a rehearing of Appeal No. 25-059, JING HUANG and LIYAN WANG vs. DEPT. OF PUBLIC HEALTH, decided May 20, 2026. At that time, upon motion by Commissioner Lopez, the Board voted 3-2 (President Trasviña and Vice President Saroyan dissented) to deny the appeal and uphold the order on the basis that it was properly issued. **Determination Holders: Jing Huang and Liyan Wang.** **Determination Description:** Revocation of Massage Establishment Health Permit and imposition of \$7,500 in administrative fines for solicitation of lewd conduct or prostitution and engaging in lewd conduct or performing sex acts. The business owners shall be ineligible for a Massage Business Permit for five years from the date of permit revocation. **Permit No.:** ME-120465. Note: This rehearing request was originally scheduled to be heard on June 30, 2026. It was rescheduled to August 12, 2026, at the request of the appellants and with the agreement of the department.

ACTION: Upon motion by Commissioner Abad, the Board voted 3-0-2 (Vice President Saroyan and Commissioner Lopez absent) to deny the request on the basis that there was neither new evidence nor manifest injustice, and the appellants' arguments that there was a miscarriage of justice by the department was not substantiated.

SPEAKERS: Paul Horcher, attorney for requestor; Megan Ryan, CAT.

PUBLIC COMMENT: Doug Dietz, Cherry Lei, Adolfo Castillo, Dickson Chew, Chris M., an anonymous caller (who identified himself as a nearby business owner), Paul, and Paul spoke in support of the appellants.

Two anonymous callers spoke in support of the department.

(5) REHEARING REQUEST FOR APPEAL NO. 26-029

Subject property at 2722-2724 Folsom Street. Michael Turon, Appellant, is requesting a rehearing of Appeal No. 26-029, MICHAEL TURON vs. ZONING ADMINISTRATOR decided July 15, 2026. At that time, upon motion by Commissioner Abad, the Board voted 4-0-1 (Vice President Saroyan absent) to deny the appeal and uphold the Letter of Determination on the basis that the Zoning Administrator did not err or abuse his discretion. **Determination Holder: Michael Turon.** **Determination Description:** The Zoning Administrator determined that: (1) the City may lawfully include a State-law Accessory Dwelling Unit (ADU)--(required by Gov. Code Sections 66310-66342 to be processed ministerially) inside a discretionary Conditional Use Authorization (CUA), and (2) the City may condition issuance of any ADU permit on recording a Notice of Special Restrictions (NSR) that the ADU is subject to rent-increase caps in Rent Ordinance Section 37.3. Regarding the applicant's question about whether cancelled Building Permit No. 2025/0106/7778 must be reinstated to, inter alia, document the approved removal by merger, the Zoning Administrator stated that the question was better directed to DBI, however, the Zoning Administrator noted that

Section 4.4 of the Settlement (between the applicant and City) required the applicant to revise Building Permit Application No. 2018/0706/3908 to document removal of the Unauthorized Dwelling Unit. Regarding the applicant's request to modify conditions on the NSR, the Zoning Administrator stated that the Planning Code does not authorize the Zoning Administrator to alter the language of the conditions to be included in the NSR required by Planning Commission Motion No. 21747. **Record No.:** 2025-006337ZAD.

ACTION: Upon motion by President Trasviña, the Board voted 3-0-2 (Vice President Saroyan and Commissioner Lopez absent) to deny the request on the basis that there was neither new evidence nor manifest injustice.

SPEAKERS: Commissioner Wong disclosed that she sits on the Planning Department's Community Equity Advisory Council which advises the Department's staff on strategies to engage diverse communities. She stated that this work had not involved the appellant, and she did not accept any payment or honorarium for this work. She further stated that she did not believe sitting on the Council would have an impact on her ability to be fair and impartial for the case. Samuel Ray, attorney for requestor; Corey Teague, PD.

PUBLIC COMMENT: None.

(6) APPEAL NO. 26-026

ALLIE CHEN, Appellant(s) vs. ZONING ADMINISTRATOR, Respondent	1261-1263 3rd Avenue. Appealing the ISSUANCE on April 7, 2026, to Allie Chen, of a Notice of Violation & Penalty Decision (The three-story building at the subject property is currently authorized for a two-family dwelling use with garage and a sleeping room on the ground floor, one dwelling unit on the second floor, and second dwelling unit on the third floor. The Zoning Administrator issued a Notice of Violation for the following Planning Code Violations: (1) work without a permit (Section 175), and (2) Unauthorized Dwelling Unit (UDU) (Section 317); the violations pertain to the conversion of the sleeping room behind the garage on the ground floor into a UDU with independent and direct access and its own kitchen amenities and full bathroom without benefit of a building permit and authorization from the Planning Department). RECORD NO. 2021-011425ENF. FOR HEARING TODAY. Note: On May 27, 2026, this matter was rescheduled, at the initiation of the Board office and with the agreement of the parties, from June 10, 2026 to June 17, 2026 because it was the only case on the June 10, 2026 calendar. The June 17, 2026 hearing was canceled due to a lack of a quorum, therefore the matter was rescheduled to July 15, 2026. On July 15, 2026 upon motion by President Trasvina, the Board voted 4-0-1 (Vice President Saroyan absent) to continue this matter to August 12, 2026 given that the appellant was unable to attend the hearing on July 15, 2026.
--	---

ACTION: Upon motion by Commissioner Wong, the Board voted 3-0-2 (Vice President Saroyan and Commissioner Lopez absent) to continue this matter to September 2, 2026, at the request of the appellant's son, on the basis that the appellant has extenuating circumstances related to her family situation.

SPEAKERS: Commissioner Wong disclosed that she sits on the Planning Department's Community Equity Advisory Council which advises the Department's staff on strategies to engage diverse communities. She stated that this work had not involved the appellant, and she did not accept any payment or honorarium for this work. She further stated that she did not believe sitting on the Council would have an impact on her ability to be fair and impartial for the case.

Chris Chen, appellant's son, and Corey Teague, PD.

PUBLIC COMMENT: None.

(7) APPEAL NO. 26-020

ERNIE BEFFEL, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS, BUREAU OF STREET USE & MAPPING, Respondent	25th Street (from Douglas Street to Homestead Street) and Homestead Street (Between 24th & 25th Street) 87, 55 & 31 Homestead Street and 4505 25th St. Appealing the ISSUANCE on March 20, 2026, to PG&E, of an Excavation Permit (excavation on the sidewalk/curb to replace utility poles). PERMIT NO. 26EXC-00282. FOR HEARING TODAY. Note: On May 20, 2026, upon motion by President Trasviña, the Board voted 5-0 to continue this matter to August 12, 2026, so that the parties can submit briefs and the Board can see if there is action taken by the Board of Supervisors with respect to the undergrounding of lines at this location.
--	--

ACTION: Upon motion by President Trasviña, the Board voted 3-0-2 (Vice President Saroyan and Commissioner Lopez absent) to continue this matter to September 16, 2026, so that the absent commissioners can deliberate and vote on the matter. The commissioners expressed their intention to support a motion to grant the appeal and revoke the permit on the basis that it was improperly issued because the permit holder did not submit a Tree Protection Plan as required by Public Works Code Section 808(c)(3).

SPEAKERS: Commissioner Wong disclosed that PG&E made a donation in early 2026 to her nonprofit employer for the purposes of funding the Sunset Night Market. She stated that she received no financial benefit from that donation and that she did not believe it would impact her ability to be fair and impartial in this matter.

Ernie Beffel, appellant; Juan Oldham, agent for permit holder; Javier Rivera, SFPW.

PUBLIC COMMENT: Renil Bejoy, Legislative Aide for Board of Supervisors' President Rafael Mandelman, spoke in support of the appellant. He noted that the subject location is in President Mandelman's District and that President Mandelman was the author of the recent Board resolution which initiated undergrounding at this location. He explained that San Francisco followed the new process for undergrounding lines found in Rule 20B, which funds undergrounding through an assessment on the property owners of the area.

ADJOURNMENT.

There being no further business, President Trasviña adjourned the meeting at 7:53 p.m.

The supporting documents for this meeting can be found at the following link:
<https://www.sf.gov/meeting-20260812-board-of-appeals-hearing-august-122026>

A video of this meeting, can be found at the following link:
https://sanfrancisco.granicus.com/player/clip/53004?view_id=6&redirect=true