

# **BOARD OF APPEALS**

## **CITY & COUNTY OF SAN FRANCISCO**

### **DRAFT MEETING MINUTES – WEDNESDAY, SEPTEMBER 2, 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 Lily Wong.

Jesse Mainardi, Deputy City Attorney, Office of the City Attorney (CAT); Corey Teague, Zoning Administrator, Planning Department (PD); Carey McElroy, Senior Building Inspector, Department of Building Inspection (DBI); Charlie Murphy, Assistant Superintendent, San Francisco Public Works, Bureau of Urban Forestry (SFPW-BUF); Julie Lamarre, Executive Director; Alec Longaway, Legal Assistant.

ABSENT: Commissioner Robin Abad Ocubillo.

#### **(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: Richard Rothman stated that he follows the Board's hearings and is concerned about commissioner attendance. He recalled a recent appeal when there was not a full board and a party asked if they could present their case when all commissioners were present. The request was denied and the party still had to present the case. Mr. Rothman referred to another case when a party needed four votes in order to prevail and only three commissioners were present at the hearing. He stated that he did not know why the commissioners did not attend the meetings and thought it was not fair to the public.

#### **(2) COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: President Trasviña welcomed everyone to the hearing and gave an update on what had transpired since the Board's special item on the August 26, 2026 calendar. The special item involved proposed legislation that would remove the right to appeal certain city-initiated tree removals to the Board of Appeals. At that meeting, the Board voted 4-0 to direct the President, with assistance from the Executive Director, to: (1) develop comments in opposition to the part of the proposed legislation that eliminated appeal rights, and (2) to send those comments to the Board of Supervisors, the Mayor's office and the relevant department.

President Trasviña stated that he drafted and sent the letter. He noted that the Board of Supervisors took its first reading and vote on this legislation on September 1, 2026. He stated that, although the supervisors discussed the substantive points raised by the Board of Appeals, they

voted 7-4 to support the legislation without the amendment sought by the Board of Appeals to restore its jurisdiction. He stated that the matter would be back before the Board of Supervisors for a second reading and vote.

PUBLIC COMMENT: None.

**(3) ADOPTION OF MINUTES**

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| Discussion and possible adoption of the August 26, 2026 minutes. |
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ACTION: Upon motion by President Trasviña, the Board voted 4-0-1 (Commissioner Abad absent) to adopt the August 26, 2026 meeting minutes.

PUBLIC COMMENT: None.

**(4) APPEAL NO. 26-039**

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| NINA SALTMAN, Appellant(s)                                       | 4227 26th Street.                                                                                                                                                                                                                                                                                   |
| vs.                                                              | Appealing the Issuance, on July 24, 2026, to Nina Saltman, of a Public Works Order (Denial of an application to remove one significant tree, a Mexican Fan Palm, with replacement. The tree is 35 feet in height and has had decades of growth to reach its current size and should be maintained). |
| SAN FRANCISCO PUBLIC WORKS, BUREAU OF URBAN FORESTRY, Respondent | ORDER NO. 300186 (Permit No. 795261).<br>FOR HEARING TODAY.                                                                                                                                                                                                                                         |

ACTION: Upon motion by Vice President Saroyan, the Board voted 4-0-1 (Commissioner Abad absent) to continue this matter to October 14, 2026, so that: (1) BUF can determine if it is feasible for a DPW engineer to evaluate the safety of the retaining wall, and if so, the engineer will perform a safety analysis, and (2) BUF can submit the notes from the arborist who provided information to the hearing officer at the underlying DPW hearing. This motion was made on the basis that the commissioners did not have enough information to decide the appeal.

SPEAKERS: Nina Saltman, appellant; Charlie Murphy, BUF.

PUBLIC COMMENT: Judith spoke in support of the appellant.

**(5) APPEAL NO. 26-026**

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| <p>ALLIE CHEN, Appellant(s)</p> <p>vs.</p> <p>ZONING ADMINISTRATOR, Respondent</p> | <p>1261-1263 3rd Avenue.</p> <p>Appealing the ISSUANCE on April 7, 2026, to Allie Chen, of a Notice of Violation &amp; 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 an independent and direct access and its own kitchen amenities and full bathroom without benefit of a building permit and authorization from the Planning Department).</p> <p>RECORD NO. 2021-011425ENF.<br/>FOR HEARING TODAY.</p> <p><b>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 August 12, 2026, 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.</b></p> |
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**ACTION:** Upon motion by Vice President Saroyan, the Board voted 4-0-1 (Commissioner Abad absent) to deny the appeal and upheld the Notice of Violation and Penalty Decision on the basis that the Zoning Administrator did not err or abuse his discretion.

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 her service on the Council. 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 spoke on behalf of the appellant, his mother; Corey Teague, PD; Carey McElroy, DBI.

PUBLIC COMMENT: None.

**(6) APPEAL NO. 26-040**

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| KERI PANKOW and JEFF MOELLER,<br>Appellant(s) | 649 28th Street.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| vs.                                           | Appealing the issuance on July 16, 2026, of a<br>Suspension Request (the Planning Department is<br>requesting that DBI suspend a building permit.<br>(The subject permit was issued on August 29,<br>2022 to allow vertical and horizontal additions to<br>the existing building. An inspection by Planning<br>Department staff confirmed that this scope of<br>work had been exceeded including the removal<br>of all framing at the front façade and side walls<br>above the second floor without Planning<br>Department approval. The Planning Department<br>requests that DBI suspend Building Permit No.<br>202102013766 to allow the permit holder to<br>obtain a revision permit to document the work<br>that was undertaken without authorization). |
| ZONING ADMINISTRATOR, Respondent              | PERMIT NO. 2021/0201/3766.<br>FOR HEARING TODAY.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

ACTION: None. The appeal was withdrawn prior to the hearing.

**ADJOURNMENT.**

There being no further business, President Trasviña adjourned the meeting at 7:15 p.m.

The supporting documents for this meeting can be found at the following link:  
<https://www.sf.gov/meeting-20260902-board-of-appeals-hearing-september-2-2026>

A video of this meeting, can be found at the following link:  
[https://sanfrancisco.granicus.com/player/clip/53098?view\\_id=6&redirect=true](https://sanfrancisco.granicus.com/player/clip/53098?view_id=6&redirect=true)