



Residential Appeals Committee

Michael Colbruno, Chair

Vien Truong, Vice Chair

Madeleine Zayas-Mart

February 3, 2010

Regular Meeting

Notice – Staff reports are now available on-line. See web site download instructions below.

CONVENE

4:30 P.M.

Hearing Room 1, City Hall

One Frank Ogawa Plaza

ROLL CALL

DISCUSSION

APPEALS

The Residential Appeals Committee will take testimony on each appeal. If you challenge a Residential Appeals Committee decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Zoning Division, Community and Economic Development Agency, at, or prior to, the public hearing; provided, however, such issues were previously raised in the appeal itself.

Following testimony, the Residential Appeals Committee will vote on the report prepared by staff. If the Residential Appeals Committee reverses/overturns the staff decision and no alternate findings have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Residential Appeals Committee at a later date with appropriate findings and, as applicable, conditions of approval that the Residential Appeals Committee will consider in making a final decision.

Unless otherwise noted, the decisions in the following matters are final and not administratively appealable. Any party seeing to challenge these decisions in court must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Community and Economic Development Agency, Planning and Zoning Division, at 510-238-3941.

Staff reports are available on-line, generally one week prior to each meeting, at www.oaklandnet.com by searching “Frequently Visited Pages” located on the City of Oakland Homepage. Clicking on “Planning Commission Meetings” will open a menu of Planning Commission and Committee Agendas. Staff reports are available by clicking on the highlighted case file number. For further information, please call **510-238-3941**.

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the Planning Department at 510-238-3941 or TDD 510-238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.



Location:	408 Gravatt Drive (APN: 048H-7606-044-00) (12/01/09)
Proposal:	Appeal of Zoning Administrator’s approval of an application for a new 3,744 square foot single-family home on a vacant parcel.
Appeal Case File Number:	A09-263
Appellants:	Beth and Sean McCleary; Michael Carthage and Joseph Garcia
Original Applicant and Property Owner:	Juan Espinoza (510) 843-4406
Original Case File Number:	<i>DR 08-298</i>
Planning Permits Required:	Regular Design Review for construction of a new single-family dwelling
General Plan:	Hillside Residential
Zoning:	R-30 Single Family Residential Zone
Environmental Determination:	Exempt, Section 15303(a) of the State CEQA Guidelines: New construction of one single-family residence; Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning
Historic Status:	Not a Potential Designated Historic Property (vacant lot)
Service Delivery District:	2
City Council District:	1 - Brunner
Status:	Application approved by Zoning Administrator on November 18, 2009; Appealed December 1, 2009
Action to be Taken:	Public Hearing
Staff Recommendation:	Uphold Zoning Administrator’s Approval
Finality of Decision:	Final Decision
For further information:	Contact case planner Holly Pearson at (510) 238-3079 or hpearson@oaklandnet.com .

OPEN FORUM

At this time members of the public may speak on any item of interest within the Committee's jurisdiction, generally subject to a two-minute time limit per speaker.

ADJOURNMENT

By 5:30 unless extended by a majority of Commissioners present.
The regular business meeting commences at 6:00 p.m.

NEXT REGULAR MEETING:

To be determined