

File No. 130995

Committee Item No. _____

Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date November 26, 2013

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Budget and Budget Justification
- Subcontract Budget
- Contract/Agreement
- Agreement/Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Joy Lamug

Date November 21, 2013

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee -
2 124-5th Avenue, Apartment 5]

3 **Motion denying the appeal seeking a waiver, adjustment, or reduction of the**
4 **condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th**
5 **Avenue, Apartment 5.**

6
7 WHEREAS, On September 13, 2013, Appellant William Jeffery Rolf submitted an
8 application for condominium conversion under Subdivision Code, Section 1396.4(j), for the
9 building located at 124-5th Avenue, Apartment 5, Assessor's Block No. 1364, Lot No. 034; and

10 WHEREAS, On October 7, 2013, the Appellant filed a timely appeal to the Board of
11 Supervisors for a reduction, adjustment, or waiver of the fee requirements based upon the
12 absence of any reasonable relationship or nexus between the impact of development and the
13 amount of the fee charged; and

14 WHEREAS, On November 26, 2013, this Board held a duly noticed public hearing to
15 consider the appeal filed by the Appellant; and

16 WHEREAS, This Board has reviewed and considered all documents submitted by the
17 Appellant and all other written records before the Board of Supervisors, and heard testimony
18 and received public comment regarding the appeal; said documents and testimony are
19 incorporated herein by reference; now, therefore, be it

20 MOVED, That the Board concludes that the Appellant has not met the burden of
21 presenting substantial evidence to support the appeal, including comparable technical
22 information to support the Appellant's position that there is no reasonable relationship or
23 nexus between the impact of development and the amount of the fee charged; and, be it

1 FURTHER MOVED, That the Board denies the Appellant's request to waive, adjust, or
2 reduce the fee, and hereby approves the imposition of the fee pursuant to Subdivision Code,
3 Section 1396.4(j).
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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee:
- An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee:
- 4. Request for letter beginning "Supervisor inquires"
- 5. City Attorney request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

Clerk of the Board

Subject:

Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5

The text is listed below or attached:

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5.

Signature of Sponsoring Supervisor: *Alicia Miller for*

For Clerk's Use Only:

130995