

1 [Denying Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee -
2 273A-29th Street]

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 273A-29th**
5 **Street.**

6
7 WHEREAS, On August 16, 2013, Appellants Jasmine Oberste and Anne Michele
8 Smart submitted an application for condominium conversion under Subdivision Code Section
9 1396.4(j) for the building located at 273A-29th Street, Assessor's Block No. 6633, Lot No. 025;
10 and

11 WHEREAS, On September 26, 2013, the Appellants filed a timely appeal to the Board
12 of Supervisors for a reduction, adjustment or waiver of the fee requirements based upon the
13 absence of any reasonable relationship or nexus between the impact of development and the
14 amount of the fee charged; and

15 WHEREAS, On November 19, 2013, this Board held a duly noticed public hearing to
16 consider the appeal filed by the Appellants; and

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

21 MOVED, That the Board concludes that the Appellants has not met the burden of
22 presenting substantial evidence to support the appeal, including comparable technical
23 information to support the Appellants' position that there is no reasonable relationship or
24 nexus between the impact of development and the amount of the fee charged; and be it
25

1 FURTHER MOVED, That the Board denies the Appellants' 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).

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25