

Chair: David Parker
Vice Chair : Ron Cabanayan
Comissioner: Elizabeth Chien-Hale
Comissioner: Timothy Kenny

Comissioner: Karen Parsons
Comissioner: Robyn Shearin
Comissioner: Thomas Skinner

REGULAR MEETING AGENDA

6:30 p.m.

APRIL 12, 2018

**SAN JOSÉ CITY HALL,
COUNCIL CHAMBERS**

1. CALL TO ORDER & ORDERS OF THE DAY

2. OPENING REMARKS AND APPROVAL OF MINUTES

- a. Recommendation: Approval of minutes for February 8, 2018.

3. REQUEST FOR DEFERRALS

4. CONSENT CALENDAR

a. **[41 WIGWAM COURT \(685-01-007\)– SUMMARY ABATEMENT](#)**

(Tony Gonzalez, Code Enforcement Inspector / Phuoc Vinh Phan, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement and uphold the abatement actions to secure the one (1) window, two (2) doors and one (1) garage roll up door to prevent unauthorized entry and access.

Recommendation: Affirm the summary abatement action on January 22, 2018 as set forth in the Staff Report dated February 21, 2018.

b. **[75 HAYES AVENUE \(690-05-030\)– SUMMARY ABATEMENT](#)**

(Tony Gonzalez, Enforcement Inspector / Avtar S. & Jashvinder Kaur Khella, Jaspal Kaur Baines, & Daljit Gill, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement and uphold the abatement actions to secure the ten (10) windows, two (2) doors and one (1) garage roll up door to prevent unauthorized entry and access.

Recommendation: Affirm the summary abatement action on January 31, 2018 as set forth in the Staff Report dated February 21, 2018.

c. **683 NORTH WHITE ROAD (592-11-063) SUMMARY ABATEMENT**

(Tony Gonzalez, Code Enforcement Inspector / Anita Viray, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement and uphold the abatement actions to secure the six (6) windows, one (1) patio slider, one (1) door and one (1) garage roll up door to prevent unauthorized entry and access.

Recommendation: Affirm the summary abatement action on January 17, 2018 as set forth in the Staff Report dated February 21, 2018.

d. **924 GERARD WAY (601-32-036) SUMMARY ABATEMENT**

(Tony Gonzalez, Code Enforcement Inspector / Carol Pohl, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement and uphold the abatement actions to secure the eight (8) windows, one (1) patio slider, two (2) doors and one (1) garage roll up door to prevent unauthorized entry and access.

Recommendation: Affirm the summary abatement action on November 14, 2017 as set forth in the Staff Report dated February 21, 2018.

5. DEFERRED AND/OR CONTINUED ITEMS

6. PUBLIC HEARINGS

a. **APPEAL OF TOW-CAR BUSINESS ASSISTANT PERMIT**

Conduct a Public Hearing on the Appeal of the denial of Refugio Aldama application for a Tow-Car Business Assistant's Permit pursuant to San Jose Municipal Code Section 6.66.200.

b. **RECYCLE PLUS PROGRAM SPECIAL ASSESSMENT LIENS**

Conduct a Public Hearing to consider the adoption of a resolution confirming the report from the Director of Finance concerning the Recycle Plus Program accounts with bills in a delinquent status as of March 21, 2018 and direct the Director of Finance to place a special assessment against the property to be secured by a lien to be recorded with the Santa Clara County Recorder's Office.

c. **87 LA QUINTA 612-54-059 ADMINISTRATIVE REMEDY**

(William Gerry, Code Enforcement Inspector / Robert M. Stewart, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed order to require that on or before June 30, 2018, the Property Owner shall:

- Submit all plans, structural calculations and Title 24 documents with the payment of all Plan Check Fees to the City of San Jose Building Division located on the 1st floor of Development Services at City Hall 1st flr. 200 E. Santa Clara St.
- Obtain all required permits to legalize the unpermitted alterations (addition of two (2) support posts under a rear balcony).
- Complete all corrective building work to legalize the unpermitted alterations (addition of two (2) support posts under a rear balcony) and obtain a final clearance inspection (final permit) from the City of San Jose Building Division.

Recommendation: Issue an administrative order as set forth in the Staff Report dated February 22, 2018.

7. REQUEST FOR EXCUSED ABSENCE

8. OTHER BUSINESS

9. PUBLIC COMMENT

(Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Board. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Board.)

10. ADJOURNMENT

The next regular meeting will be April 26, 2018 at 6:30 p.m. at the City Hall, Council Chambers.

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

You may speak to the Board about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Board. Please be advised that, by law, the Board is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Board unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Board items may be viewed on the Internet at <http://sanjoseca.gov/index.aspx?nid=341>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14th Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Board meeting may not be the final documents approved by the Board. Contact the Office of the City Clerk for the final document.

On occasion the Board may consider agenda items out of order.

The **APPEALS HEARING BOARD** meets every Second (2nd) and Fourth (4th) Thursday of each month at 6:30 p.m. If you have any questions, please direct them to the Board staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

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