

Chair: Karen Parsons
Vice Chair: Ron Cabanayan
Commissioner: Timothy Kenny
Commissioner: Brett Williamson

Commissioner: Genevieve Altwer
Commissioner: Jon Budas
Commissioner: David Hook

AMENDED
REGULAR MEETING AGENDA
November 13, 2025
6:30 p.m.
Council Chambers

How to observe the Meeting (no public comment):

1. Online at <https://sanjoseca.zoom.us/j/96120868944>; or
2. By Phone: (888) 475 4499. Webinar ID is 961 2086 8944. Alternative phone numbers are:
US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).

1. CALL TO ORDER & ORDERS OF THE DAY

2. OPENING REMARKS AND APPROVAL OF MINUTES

- a. Recommendation: Approval of minutes for [October 9, 2025](#).

3. REQUEST FOR DEFERRALS

- a. [161 BLOSSOM HILL RD \(APN 690-34-001\) ADMINISTRATIVE REMEDY - DEFERRAL REQUESTED BY PROPERTY OWNER](#)
(David Parker, Code Enforcement Inspector / GBR MAGIC SANDS MHP LLC, Property Owner)

[Request for deferral from Property Owner via email November 6, 2025](#)

Deferral request by Property Owner

- b. [49 E Santa Clara St \(AKA 35, 29, 43, and 45 E Santa Clara St, 9 N 2nd St\) \(APN 467-21-045\) - ADMINISTRATIVE REMEDY](#)
(Wayne Cirone, Code Enforcement Inspector / James K. Eu, Grace L. Eu, and David Eu, as Trustees of the 9 N. Second Street Trust, Property Owner)

[Request for deferral from Property Owner via email November 4, 2025](#)

Deferral request by Property Owner

4. CONSENT CALENDAR

a. [200 N BASCOM AVE \(274-21-044\) - SUMMARY ABATEMENT](#)

(Wayne Cirone, Code Enforcement Inspector / Suresh Deopura, Anilkumar S Surpur & Ashwini A Surpur, and Shishu Bedi, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement to remove solid waste, overgrown vegetation, and graffiti from the property, and to secure the vacant lot by repairing damaged sections of cyclone fencing.

Recommendation: Affirm the summary abatement actions on August 19 and August 20, 2025, as set forth in the Staff Report dated October 27, 2025.

b. [2325 CORY AVE \(274-51-048\) - SUMMARY ABATEMENT](#)

(Angel Esparza, Code Enforcement Inspector / Henry Pham, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement order and notice of hearing to trim the overgrown vegetation in all yard areas on July 25, 2025 and July 28, 2025.

Recommendation: Affirm the summary abatement action on July 25 and July 28, 2025, as set forth in the Staff Report dated October 27, 2025.

c. [1276 N CAPITOL AVE \(APN 589-22-034\) - SUMMARY ABATEMENT](#)

(Manuel Duarte, Code Enforcement Inspector / Balbir Sing Dhillon and Ranbir Kaur Dhillon, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement reflecting the actions by Code Enforcement to condemn, board up and restrict access to the fire damaged accessory building converted to a living space without permits posing an imminent hazard to the occupants.

Recommendation: Affirm the summary abatement action taken on August 6, 2025 as set forth in the Staff Report dated October 27, 2025

d. [1814 HILLSDALE AVE \(419-05-054\) – SUMMARY ABATEMENT](#)

(Wayne Cirone, Code Enforcement Inspector / Laura Read Baca, Trustee of The Dennis E. Baca Revocable Trust, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement to board with plywood, two breached entry points at the side and rear of the building.

Recommendation: Affirm the summary abatement actions on October 10, 2025, as set forth in the Staff Report dated October 28, 2025.

5. DEFERRED AND/OR CONTINUED ITEMS

6. PUBLIC HEARINGS

- a. [404. 418, 420, 430 S 2ND ST, 98 E SAN SALVADOR ST & 415 S 3RD ST \(APN 467-47-042, 467-47-041, 467-47-024, 467-47-040, 467-47-023, – ADMINISTRATIVE REMEDY](#)
(Wayne Cirone, Code Enforcement Inspector / DTSJ 420 S2 LLC, DTSJ 415 S3 LLC, DTSJ 98 E SAN SALVADOR LLC, Property Owner)

The Director of Planning, Building, and Code Enforcement requests a hearing on a proposed order to require the Property Owner to take the corrective actions to maintain minimum appearance and security standards per SJMC section 17.38; cover with sufficient paint, siding or stucco any unfinished boarded openings; repair or replace any damaged sections of fencing to deter unauthorized access; properly store garbage and rubbish bins; maintain vegetation to acceptable lengths; maintain the property free of graffiti, demonstrate with evidence compliance with SJMC section 17.38.200 by obtaining a valid, unexpired building permit towards the rehabilitation and repair of the property, or that the property no longer constitutes a public nuisance, or that the property has been rehabilitated and is actively being offered for sale, lease, or rent.

Recommendation: Issue an administrative order as set forth in the Staff Report dated October 27, 2025.

- b. [161 BLOSSOM HILL RD \(APN 690-34-001\) ADMINISTRATIVE REMEDY - DEFERRAL REQUESTED BY PROPERTY OWNER](#)
(David Parker, Code Enforcement Inspector / GBR MAGIC SANDS MHP LLC, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed order to require the Property Owner to take the corrective actions listed in the Compliance Order dated April 23, 2025 to: cease all unpermitted uses of the parcel; and remove everything related to any unpermitted use including but not limited to, privies, canopies, tables, chairs, food trucks and automobiles from the parcel; and cease all parking on unpaved surfaces.

Recommendation: Issue an administrative order as set forth in the Staff Report dated October 27, 2025

DEFERRAL REQUESTED BY PROPERTY OWNER

- c. [1814, 1816 & 1818 HILLSDALE AVE, \(APN 419-05-054, 419-05-055 & 419-05-060\) – ADMINISTRATIVE REMEDY](#)
(Wayne Cirone, Code Enforcement Inspector / Laura Read Baca, Trustee of The Dennis E. Baca Revocable Trust, Property Owner)

The Director of Planning, Building, and Code Enforcement requests a hearing on a proposed order to require the Property Owner to take the corrective actions listed in the Compliance Order dated May 15, 2025; to maintain minimum appearance and security standards per SJMC section 17.38; cover with sufficient paint, siding or stucco any unfinished boarded openings; repair or replace any damaged sections of boarding to deter unauthorized access; remove solid waste; maintain vegetation to acceptable lengths; maintain the property free of graffiti, demonstrate with evidence compliance with SJMC section 17.38.200 by obtaining a valid, unexpired building permit towards the rehabilitation and repair of the property, or that the property no longer constitutes a public

nuisance, or that the property has been rehabilitated and is actively being offered for sale, lease, or rent.

Recommendation: Issue an administrative order as set forth in the Staff Report dated October 28, 2025.

- d. **1855/1857 O'Toole Ln (APN 237-32-068) - ADMINISTRATIVE REMEDY**
(Manuel Duarte, Code Enforcement Inspector / Alan P Balcunas and Karen D Balcunas, Trustees of the Alan and Karen Balcunas Trust, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed order to require the Property Owner to take the corrective actions to obtain a Building permit to address the unpermitted tenant improvements completed to the subject units. The permit shall address all associated subtrades and receive final inspection.

Recommendation: Issue an administrative order as set forth in the Staff Report dated October 28, 2025.

- e. **49 E Santa Clara St (AKA 35, 29, 43, and 45 E Santa Clara St, 9 N 2nd St) (APN 467-21-045) - ADMINISTRATIVE REMEDY- DEFERRAL REQUESTED BY PROPERTY OWNER**
(Wayne Cirone, Code Enforcement Inspector / James K. Eu, Grace L. Eu, and David Eu, as Trustees of the 9 N. Second Street Trust, Property Owner)

Conduct a public hearing on the appeal of the Director's Decision dated August 4, 2025, sustaining the Compliance Order dated January 28, 2025, to require the Property Owner to meet compliance with all sections of the Compliance order on or within 120 days of August 4th, 2025 (December 2, 2025).

Maintain minimum appearance and security standards per SJMC section 17.38; cover with sufficient paint, siding or stucco any unfinished boarded openings; repair or replace any damaged sections of boarding to deter unauthorized access; remove solid waste; maintain the property free of graffiti, demonstrate with evidence compliance with SJMC section 17.38.200 by obtaining a valid, unexpired building permit towards the rehabilitation and repair of the property, or that the property no longer constitutes a public nuisance, or that the property has been rehabilitated and is actively being offered for sale, lease, or rent.

DEFERRAL REQUESTED BY PROPERTY OWNER

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 December 11, 2025, at 6:30 p.m. City Hall, Council Chambers.

The [Code of Conduct](#) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

[The Levine Act](#) requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution on the form located on [the Levine Act webpage](#).

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 <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/code-enforcement/appeals-hearing-board>.

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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