

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

Commissioner: Jon Budas  
Commissioner: David Hook  
Commissioner: Brett Williamson

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**AMENDED  
REGULAR MEETING AGENDA  
April 10, 2025  
6:30 p.m.  
Council Chambers**

**How to observe the Meeting (no public comment):**

1. Online at <https://sanjoseca.zoom.us/j/97839886442> ; or
2. By Phone: (888) 475 4499. Webinar ID is 9783 988 6442. 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 [March 27, 2025](#).

**3. REQUEST FOR DEFERRALS**

- a. **ITEM 6A: 1053 S WHITE RD (484-31-047) ADMINISTRATIVE REMEDY**  
(Hector Ortiz, Code Enforcement Inspector/ Jane C. Lee, Property Owner)  
**Request for deferral from Property Owner email April 3, 2025**

**Deferral requested by Property Owner**

**4. CONSENT CALENDAR**

- a. **1433 THE ALAMEDA (261-23-024) SUMMARY ABATEMENT**  
(Wayne Cirone, Code Enforcement Inspector/ Baku AS, Inc. c/o Azad Seyidov, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement to clean and secure the structure at 1433 The Alameda with chain link fencing at the entrance of the building on March 19, 2025.

Recommendation: Affirm the summary abatement actions on March 19, 2025, as set forth in the Staff Report dated March 24, 2025.

**5. DEFERRED AND/OR CONTINUED ITEMS**

## 6. PUBLIC HEARINGS

a. [1053 S WHITE RD \(484-31-047\) ADMINISTRATIVE REMEDY- DEFERRAL](#)  
**REQUESTED BY PROPERTY OWNER**

(Hector Ortiz, Code Enforcement Inspector/ Jane C. Lee, Property Owner)

Conduct a public hearing on the appeal of the Director's Decision dated **June 15, 2022** to sustain the **August 27, 2019** Compliance Order to require the Property Owner to cease the improper occupancy of the rear unpermitted accessory units and remove all personal items that indicate occupancy, submit plans and apply for a permit to remove the unpermitted building, complete all corrective work for the above noted violation(s) and obtain a final clearance inspection (final permit) by **June 15, 2022**, for the property located at 1053 S White Rd.

### **DEFERRAL REQUESTED BY PROPERTY OWNER**

b. [1800 SEAVIEW DR \(486-14-006\) ADMINISTRATIVE REMEDY](#)

(Oscar Martinez, Code Enforcement Inspector/ Shen Pengyu, Property Owner)

Conduct a public hearing on the appeal of the Director's Decision dated **March 8, 2023** to sustain the **December 1, 2021** Compliance Order to require the Property Owner to submit a copy of proposed plans in digital format via email to Building Code Compliance, submit the preapproved plans with all required documentation to the City of San Jose Building Division permit, pay all required fees and obtain a final permit by **August 20, 2023**, for the property located at 1800 Seaview Dr.

c. [374 SURBER DR \(689-25-109\) ADMINISTRATIVE REMEDY](#)

(David Parker, Code Enforcement Inspector/ Oksana Stepaneeva, as Trustee of the Oksana Stepaneeva Living Trust, Property Owner)

Conduct a public hearing on the appeal of the Director's Decision dated **January 16, 2025** to sustain the **October 28<sup>th</sup>, 2024** Compliance Order to require the Property Owner to obtain a tree removal permit and complete all permit conditions/corrective work by **February 28, 2025**, for the property located at 374 Surber Dr.

d. [163 W SANTA CLARA ST \(259-35-062\) ADMINISTRATIVE REMEDY](#)

(Manuel Duarte, Code Enforcement Inspector/ Masson Partners LLC C/O Michael Messinger, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed order to require the Property Owner to immediately cease the post-midnight activities until otherwise approved with a Special Use Permit and take the corrective actions to obtain a Planning, Building and Public Works permit to address all of the other violations. The building permit shall address all associated subtrades and receive final inspection.

Recommendation: Issue an administrative order as set forth in the Staff Report dated March 12, 2025.

e. [1368 DUBERT LN \(477-32-165\) ADMINISTRATIVE REMEDY](#)

(Jose Segura, Code Enforcement Inspector/ Jimmy Lee, Property Owner)

Conduct a public hearing on the appeal of the Director's Decision dated **December 7, 2023** to sustain the **August 11, 2023** Compliance Order to require the Property Owner to obtain a final building permit for the post by Unit 1 and the replaced balcony handrail materials **on or before 120 days from December 7, 2024**, for the property located at 1368 Dubert Ln.

**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 24, 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 <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:**

City of San José  
Attn: Regina Lizaola  
200 East Santa Clara Street- 4th Fl  
San José, California 95113  
Tel: (408) 535-7915 or (408) 294-9337 (TTY)  
Email: [AHBSecretary@sanjoseca.gov](mailto:AHBSecretary@sanjoseca.gov)