



City of San José Appeals Hearing Board

Chair: Karen Parsons
Comissioner: Elizabeth Chien-Hale
Comissioner: Timothy Kenny

Vice Chair : Ron Cabanayan
Comissioner: Rajwant (Raji) Bains

REGULAR MEETING AGENDA AUGUST 22, 2019

6:30 p.m

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 July 25, 2019.
3. REQUEST FOR DEFERRALS
4. CONSENT CALENDAR
5. DEFERRED AND/OR CONTINUED ITEMS
6. PUBLIC HEARINGS

- a **867 PETER PAN AVENUE (484-36-070)– PROPOSED ABATEMENT**
(Tony Gonzalez, Code Enforcement Inspector/ David B. Gomez Marcelina Castillo Rodriguez, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to consider the adoption of a proposed abatement order to require the property owner by the end of ten (10) calendar days of the date of service of the Board’s resolution to:

1. Remove and properly dispose of the dangerous accumulation of solid waste as defined in SJMC 9.10.280, including garbage, debris household items and all other miscellaneous items on the front yard.
2. Place a chain link fence across the front of the property to prevent future illegal dumping

Recommendation: Adopt the proposed abatement order requiring the property owner to take abatement action as set forth in the Staff Report dated July 10, 2019.

- b. **2220 BUSINESS CIRCLE (277-04-022)- APPEAL OF DIRECTOR’S HEARING**
(Carolyn Slezak, Code Enforcement Inspector/ William Cefalu, Trustee under the William Cefalu Revocable Trust Uta Dated March 22, 1996, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed order to require the Property and Business Owners to immediately cease, upon issuance of the Board’s resolution of this matter, operation of a business (other than an

office use) between the hours of 12:00 midnight and 6:00 a.m. without an approved Conditional Use Permit issued by the City of San Jose Planning Division.

Recommendation: Issue an administrative order as set forth in the Staff Report dated August 8, 2019.

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 September 12, 2019, at 6:30 p.m at 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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