

SUMMARY ACTION MINUTES



BOARD OF SUPERVISORS
Planning Meeting
1:00PM

Regular Meeting

TUESDAY, JUNE 10, 2008

COUNTY ADMINISTRATION BUILDING
SUPERVISORS' CHAMBERS
1221 OAK STREET
FIFTH FLOOR, ROOM 512
OAKLAND, CALIFORNIA

SCOTT HAGGERTY, PRESIDENT	DISTRICT 1
GAIL STEELE	DISTRICT 2
ALICE LAI-BITKER, VICE-PRESIDENT	DISTRICT 3
NATE MILEY	DISTRICT 4
KEITH CARSON	DISTRICT 5

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COMMUNITY DEVELOPMENT DIRECTOR

RICHARD E. WINNIE
COUNTY COUNSEL

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

CHRIS BAZAR
ASSISTANT AGENCY DIRECTOR

BRIAN E. WASHINGTON
ASSISTANT COUNTY COUNSEL

MISSION

*TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND
ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.*

VISION

ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter **not** on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. **NOTE:** Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a **two-week** continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday **two** weeks before the meeting date or earlier when a Holiday intervenes.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. The Board of Supervisors' meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required. If you have questions regarding the agenda, please call (510) 208-4949.

Attention: The Alameda County internet address is www.acgov.org. All regular Board of Supervisors' meetings held in the Board Chamber can be heard live on the Board's web page. In order to log on, please do the following: click on the County's homepage as noted above and click on the "[Board of Supervisors Meeting - LIVE! Broadcast](#)" link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board's web page <http://www.acgov.org/board/index.htm>. All documents are archived on the web page for a period of 6 months.

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1:00 P.M.

CALL TO ORDER AND SALUTE TO FLAG

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (three cases)

CONSENT CALENDAR

2341 5 **Approved as recommended with the inclusion of Item #2 & #3 being continued to July 8, 2008**

X

1. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance.

Approved as recommended

FILE 23307

2. **VARIANCE, V-12072, JOE and MARIA MENEZES** – Appeal of Judy Armstrong, Barbara and Ed Arri, Mary Tureaud, Soodie and John Rayatkah, Paul and Meiya Armijo from the Planning Commission’s decision to approve a variance to allow construction of an attached addition providing a 28-foot building where 25 feet is the maximum allowed, in a R-1-B-E (Single Family Residence, 6,000 square foot Minimum Building Site Area) District, located at 3462 Bridle Drive, north side, approximately 100 feet north of Cantle Avenue, Fairview area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 425-0090-015-00.

Continue to July 8, 2008

FILE 23141

3. **VARIANCE, V-12079, WILLIAM CONSTANZO** – Appeal of William Constanzo from the decision of the East County Board of Zoning Adjustment to deny an application to allow building site status on a 3.5 parcel where 5 acres is required, in an ‘A’ (Agricultural) District, located on Christiansen Road, east side, corner southeast of Bruns Avenue, Livermore area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 099B-7020-001-11.

Continue to July 8, 2008

FILE 23432

4. **TENTATIVE PARCEL MAP, PM-9408– PALOMARES CATTLE COMPANY**– Application to subdivide one 666.25 acre parcel into six agricultural lots, in an A (Agricultural) District, located on Palomares Road, east side, approximately 3.02 miles south of Palo Verde Road, unincorporated area of Alameda County, bearing County Assessor’s designation: APN 085A-3701-008-00.

Castro Valley Municipal Advisory Council action: Approve the project.

Planning Commission action: Approve the project.

Planning Staff recommendation: Uphold the Planning Commission’s action and approve the project.

Approved as recommended

FILE 23622

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5. **NOTICE OF NON-RENEWAL OF A LAND CONSERVATION PRESERVE (WILLIAMSON ACT) CONTRACT – SUSAN G. CHRISTENSEN TRUST** - Application request for non renewal of Agricultural Preserve contract, 1973-27, one parcel containing approximately 69 acres in an “A” (Agricultural) District, located on the west side of Cull Canyon Road, 6 miles north of Heyer Road, unincorporated Castro Valley area, Pleasanton Township; bearing County Assessor’s designation: 085-0510-003-00.
Planning Staff recommendation: Approve the project.
Approved as recommended **FILE 23337**

REGULAR CALENDAR

6. **VARIANCE, V-12066, BERNIE SHANKLIN** - Appeal of Peter MacDonald, on behalf of Bernie Shanklin, from three conditions of the final approval of the application to allow the construction of an accessory building 22 feet in height where 15 feet is the maximum, in a R-1-L-B-E (Single Family Residence, Limited Agricultural, 5 acre Minimum Building Site Area) District, located at 1824 Almond Avenue, east side, approximately 0.5 miles north of Tesla Road, Livermore area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 099-1150-018-00.
Board of Zoning Adjustments (East) action: Approve the height portion of the variance with conditions.
Planning Staff recommendation: Absent any formal modified proposal from the applicant, Staff recommends that the decision of the EBZA be upheld.
1324 5 **Upheld EBZA decision with the following conditions:** **FILE 23623**
X

Hours of operation Monday – Friday 8 am – 6 pm;
No auto body work on Saturday or Sunday;
No other businesses allowed to operate on property;
Soften walls;
Board directed staff to co-ordinate with the Public Health Department on pool issues to make sure no threat of insects with West Nile Virus;
Building to be completed within 1 year;
Removal of containers in 16 months
Code Enforcement Officer to conduct site visit

7. **VARIANCE, V-12080, KENNETH A. KREMER** – Appeal of Kenneth A. Kremer from the decision of the Board of Zoning Adjustments to deny the application to allow expansion of a nonconforming use (2 story secondary unit with reduced setbacks) with a subdivision of the site into 2 lots, in an R-1-CSU-RV (Single Family Residence) District, located at 22440 Charlene Way, east side approximately 200 feet southeast of Redwood Road, unincorporated Castro Valley area of Alameda County, bearing Assessor’s Parcel Number: 416-0130-001-00.
Castro Valley Municipal Advisory Council action: Deny the variance.
Board of Zoning Adjustments (West) action: Deny the variance.
Planning Staff Recommendation: Uphold the appeal and approve the variance.
4321 5 **Upheld the decision of the WBZA and sustained the appeal** **FILE 23368**
X

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- 8. **PARCEL MAP, PM-9236, and VARIANCE, V-12071, BRIAN LESUR** – Appeals of:
 - a. Hollis Lesur from the decision of the Planning Director to deny Parcel Map PM-9236, and
 - b. Daniel Grimes from the decision of the West Board of Zoning Adjustment to approve the variance to permit a 0-foot street side yard setback where a 10-foot setback is required with the subdivision of one parcel containing 0.37 acres into two parcels, with Boundary Adjustment (BA-15-07), in an R-1-CSU-RV (Single Family Residence, Secondary Unit, Recreational Vehicle) District, located at 19223 Carlton Avenue, west side, approximately 380 feet south of Massachusetts Street, unincorporated Castro Valley Area of Alameda County, Designated Assessor=s Parcel Number: 084B-0441-043-00.

Castro Valley Municipal Advisory Council action: Denied the Parcel Map.
Board of Zoning Adjustments (West) action: Approve the Variance with a condition to the Boundary Adjustment to be revised and transfer 1,278 additional square feet from 19227 Carlton Avenue.
Planning Director’s action: Uphold the CVMAC action and deny the Parcel Map.
Planning Staff Recommendation: Uphold the BZA’s action and approve the Parcel Map with conditions as recommended by that Board.

4231 5 **Upheld the decision of the WBZA, approved the variance and deferred action on** **FILE 23624**
 X **tentative parcel map, continuing the item to a future date**

- 9. **ZONING UNIT, ZU-2183rd and TENTATIVE PARCEL MAP, PM-7475 - THOMPSON** - Appeal of Ron Thompson from the condition being imposed by the Planning Department requiring installation of obscure/fogged glass on the windows facing the west side of the house on lot #6 (4101 Toddika Lane, 084-0726-097-00), part of a project approved by the Board of Supervisors on February 5, 2004 and final subdivision approval by the Planning Director on February 25, 2004, located at 4101 through 4131 Toddika Lane, west of Forest Avenue, approximately 70 feet west of Omega Avenue, Castro Valley area of unincorporated Alameda County, bearing Assessor’s Parcel Numbers: 084-0726-092-00 through 084-0726-097-00.

Planning Commission action: Deny the appeal.
Planning Staff recommendation: Uphold the Planning Commission’s decision and deny the appeal.

4321 5 **Upheld the decision of the Planning Commission and denied the appeal** **FILE 23625**
 X

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

None

BOARD OF SUPERVISORS’ REMARKS

None

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

None

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ADJOURNED

No further business appearing, the meeting is adjourned.

REVIEWED BY: _____
PRESIDENT, BOARD OF SUPERVISORS

REVIEWED BY: _____
CLERK, BOARD OF SUPERVISORS

**** KEY ****

Left Margin Notes

1	President Haggerty	A	Abstained
2	Supervisor Steele	X	Excused
3	Supervisor Lai-Bitker	N	No
4	Supervisor Miley	BO	Board Order
5	Supervisor Carson		

Right Margin Notes

C	Contract
O	Ordinance
R	Resolution
LIB	Library

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