

MINUTES OF MEETING
WEST COUNTY BOARD OF ZONING ADJUSTMENTS
NOVEMBER 15, 2006
APPROVED DECEMBER 13, 2006

The meeting was held at the hour of 1:30 p.m. in the Alameda County Building, 224 West Winton Avenue, Hayward, California.

REGULAR MEETING: 1:30 p.m.

MEMBERS PRESENT: Members; Frank Peixoto, Jewell Spalding, Lester Friedman and Dawn Clark-Montenegro.

MEMBERS EXCUSED: Chair; Ron Palmeri.

OTHERS PRESENT: Phil Sawrey-Kubicek, Senior Planner; Yvonne Bea Grundy, Recording Secretary

There were approximately 10 people in the audience.

CALL TO ORDER:

The meeting was called to order by the Chair at 1:30 p.m.

ANNOUNCEMENTS BY THE CHAIR: The Chair, Ron Palmeri was excused. Vice Chair Frank Peixoto made no announcements.

OPEN FORUM:

Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes.

No one requested to be heard under open forum.

CONSENT CALENDAR:

1. **GUADALUPE LOZA/FRED FULCHER, CONDITIONAL USE PERMIT, C-8271**– Application to allow continued operation of a drive-in business (catering truck), in a PD-ZU-1487 (Planned Development, 1487th Zoning Unit) District, located at 691 West A Street, north side, corner, northwest of Royal Avenue, unincorporated Hayward area of Alameda County, bearing Assessor's Parcel 0432-0016-035-00. (Continued from February 11, April 14, April 28, May 26, July 14, September 8, October 13, 2004, March 23, June 22, October 12, December 14, 2005, March 22, May 24 and September 13, 2006; to be continued to March 28, 2007).
2. **JOSE RAMIRO, CONDITIONAL USE PERMIT, C-8489** – Application to allow the continued operation of a tavern "The Stadium Club" in an ACBD (Ashland Cherryland Business District Specific Plan) – Transit Corridor District, located at 15698 East 14th Street, east side, corner north of Plaza Drive, unincorporated Ashland area of Alameda County, designated Assessor's Parcel Number: 080-0034-007-00. (Continued from October 11, 2006; to be continued to December 6, 2006).

3. **RAYMOND WONG / RAJESHWAR SINGH – CONDITIONAL USE PERMIT, C-8492 and VARIANCE, V-11997** – Application to construct two new secondary dwelling units and retain the existing dwelling as the third unit providing a 12 foot wide driveway where 15 feet are required; a 16 foot rear yard where 20 feet are required; and 7,440 square feet of lot area where 7,500 square feet is required for a third unit in an R-2-B-E (Two Family Residence with a Minimum Building Site Area of 8,750 square feet) District, located at 16790 Los Banos Street in the unincorporated Ashland area of Alameda County, designated Assessor's Parcel Number: 080-0083-007-01. (Continued from July 12, 26, August 23, September 27 and October 11, 2006; to be continued to December 13, 2006).
4. **JOE TEIXEIRA, VARIANCE, V-12023 and PARCEL MAP, PM-9237** – Application to subdivide one parcel into three lots and a variance to allow a four foot setback from a private street where 10 feet is required, in an R-1-CSU-RV (Single Family Residence, Secondary Unit, Recreational Vehicle) District, located at 19448 Lake Chabot Boulevard, east side, approximately, 250 feet north of Barlow Drive, unincorporated Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084B-0529-038-04. (Continued from October 25, 2006; to be continued to December 13, 2006).

REGULAR CALENDAR

1. **SEVENTH STEP FOUNDATION, INCORPORATED, CONDITIONAL USE PERMIT, C-8515** – Application to allow continued operation of a 24 bed Residential Care Facility and expansion from 24 beds to 34 beds, in the "R-S-SU" (Suburban Residence, Secondary Unit) District, located at 475 Medford Avenue, south side, approximately 100 feet east of the intersection with Haviland Avenue, unincorporated Cherryland area, Assessor's Parcel Numbers: 429-0019-002-00 and 429-0019-026-02. (Continued from October 25, 2006).

The recommendation was approval of the application. Staff reminded the Board that the application had come before them on October 25, 2006. Public testimony was submitted. At the Board's request, the application was continued to gather additional data from the Department of Corrections. Members Friedman and Spalding voiced concern about the possible emotional impact on residents as a result of an increase at the facility. In addition Board Members did not believe one bathroom was sufficient to service an increase. Additional questions regarding the staff report were as follows:

- Has the facility received approval for the additional beds from the State Licensing Board
- Were any comments received from the Health Department
- Will staffing be increased if the expansion is approved
- Do the residents receive a stipend for work performed at the facility
- Is there a method to track residents that are asked to leave the program

Staff reviewed testimony given at the prior hearing regarding calls to the Sheriff. No outside complaints were received. Calls have periodically been made by Seven Step staff members when a resident became unruly. The Cherryland Association has not placed compliant calls to the Sheriff's Department. However the Association is not in favor of expansion. They feel the neighborhood has an over concentration of care facilities. Staff has not received written documentation from the State regarding the proposed expansion or restroom facilities but the applicant should be able to supply documentation. The Health Department has not responded with any comments. Member Friedman pointed out the fact that

the each bedroom was approximately 100 to 150 square feet. Divided by the number of persons, the proposed area does not allow much more space than a jail cell. In addition, he was not convinced that the lack of external complaints was a sustainable argument that could support required variance findings. Public testimony was opened.

Mr. Ron Doyle, the Executive Director of Seven Step Foundation was present. Mr. Doyle has been with the Foundation for 25 years. He understands that honest citizens might be afraid of parolees however parolees already live in the community. The Seven Step Foundation takes people off of the street and puts them in a rehabilitation program. Roughly, 494 parolees are released each year into Hayward. There is no method to calculate how many specifically come to Cherryland. Once released if there is no place for parolees to go they live in homeless shelters, with relatives or in their cars. Without encouragement, healthy food etc. parolees are likely to fall into old patterns. Only 22% will succeed in changing their lives. The graduation rate at the Seven Step Foundation is at least twice that. It is the only male parolee facility in Hayward. There is one woman's facility. When a parolee is released they get \$200 dollars. Most have to purchase civilian clothes, and a bus ticket. This leaves only \$50 dollars to get food, and shelter. When a parolee checks in with the parole officer they must also report an address. At that time if a parolee does not have an address, the parole officer has the option of sending the parolee back to jail however most jails are already over crowded. People need a safe place to go and Seven Step wants to provide a safe environment. The program has 15 staff members. The number of shifts each person works has been increased to accommodate the proposed expansion. The bedrooms are slightly crowded but they are only used for sleeping. Lights out is at 10:00 p.m., and there is no T.V. or radio in the bedrooms. Most residents have jobs, and work varied shifts. Not everyone is there at the same time. Some people shower at night. The additional bunk beds have been set up so County staff and the community can actually see how the space will be used.

The Fire Department has already conducted an inspected the property. A certificate will be issued if the application for the expansion is granted. Staff is willing to move out of their offices to create more room. At night the dining room could be converted into sleeping quarters to create more room. The State gives Seventh Step \$45 dollars per day for each resident. That does not cover the entire cost to operate the program. Fifteen years ago that amount was \$58 dollars. In addition to helping more parolees re-integrate into the community, the facility will be able to use the increased funding. Residents are pre-screened and tested randomly for drugs. If a resident is found positive for drug use or has a bad attitude they are asked to leave. Most leave on their own, as they were on their own when they came into the program. If there is an issue, the Sheriff is called to assist. This does not happen often. When it does, the parole officer is contacted. If the officer believes there is a problem they come to pick up the parolee.

Member Friedman commented that during his law career he had done legal work on behalf of people in San Quentin Prison. He acknowledged that the program is necessary. Ideally the foundation needs an additional location. Unfortunately that is not an option at this time. He asked Mr. Doyle if modular buildings could be added to the property. In his opinion 4 additional bathroom facilities would be an appropriate number to accommodate the expansion. Another option might be to add 3 showers, and a half bathroom to the home. Presently the home has approximately 1,200 square feet of usable space after bathroom, kitchen etc. is deducted. The proposed increase would mean that 7 people would share, 180 square feet of bed room space. Mr. Doyle said that the residents have somewhat of a different perspective. The residents don't mind sharing a room. A roommate is part of the positive support system that keeps residents, straight. Seventh Step also runs an after support facility in Hayward. All of the residents have roommates, and appreciate the constant support. Currently the Foundation does not have enough funding to start an additional facility.

Member Spalding asked Mr. Doyle the following questions:

- Has Seven Step applied for any community grants through the City of Hayward

- Do residents share the work at the facility

Mr. Doyle confirmed that the Foundation had received block grants which allowed the: installation of dual pane windows, fire alarms, kitchen fire suppression equipment, and driveway re-surfacing. All residents have chores which include, mopping and cleaning. The work is part of their rehabilitation. Most residents have jobs, too. Work outside the facility must be supervised. The, 10 to 12 residents that do not have jobs outside the facility have 39 hours of class instruction per week.

Ms. Erica Campisi of the Cherryland Association told the Board that she had toured the facility. The rooms were crowded with seven bunk beds, but the facility was well run and very clean. The Association is not in favor of the increased number of residents, due to the high number of care facilities in Cherryland. There is an HIV Facility and a Women's Parolee Facility in the area too. Ms. Campisi said although she has never witnessed people sleeping under bridges, other Bay Area Communities like, Pleasanton, Dublin and Livermore can accommodate care facilities as well as Cherryland. The Association does not believe allowing an additional 10 residents will make a dramatic impact as the overall the success of the program is only 54%. Eventually other communities will have to participate to make a true difference.

Mr. Doyle clarified that Seven Step was not affiliated with the women's program, the HIV or with the sex offenders program in the area. Many facilities and programs in the area are not licensed. Seventh Step is a licensed program. Mr. Doyle recommended there be a crack down on un-licensed, un-supervised homes in the area. The recidivism rate in California is about 78%. Putting 10 more people in a program will have an impact. Mr. Doyle asked the Board for their support and invited them to visit the site. Public testimony was closed.

Member Spalding asked if the CUP was transferable. Staff clarified that the use permit applied to the site but could be conditioned to prevent transferability.

Member Friedman said although the mission of the Foundation was laudable, he could not support the expansion. Member Friedman motioned to approve continued operation of the 24 bed, Residential Care Facility, and deny the request to expand capacity to 34 beds. He did not believe the applicant made the required findings, regarding the expansion.

Member Spalding asked a question to the motion: might an application for additional block grants and/or redevelopment funds to expand the home, including bathroom facilities be a positive consideration, regarding the application. Board Member Friedman said that an addition to the facility would have to be submitted as a separate application. Consideration would be given at the time of submittal. Based on the current space available, Member Friedman confirmed the motion would remain as previously stated. The motion died, due to lack of a second.

Member Spalding motioned to grant the application to renew the continued use of the 24 bed, Residential Care Facility, and to grant the expansion to 34 beds, based on the testimony given. Although she shared the reservations of fellow Board Members, the facility has proven to be one of the best in the business. Condition #9 shall be modified to reflect that transportation vehicles shall not use horns to summon residents. Condition #12 shall be modified to reflect that the Use Permit cannot be transferred to another operator. Language shall be included requiring that residents continue to participate in daily work performed at the facility. The motion died, due to lack of a second.

Vice Chair Peixoto gave the gavel to Member Clark who acted as, temporary Chair. Member Peixoto motioned to grant the application for renewal of the continued use of, a 24 bed Residential Care Facility. The Conditional Use Permit to expire in a period of 3 years. The expansion of the facility to 34 beds shall be denied. Based on the existing size of the rooms, the presence of additional residents could affect the

health and safety of the present tenants. Member Friedman seconded the motion. Member Spalding interjected that all Board Members seemed to be in agreement on the continued use but disagreed on the expansion. Member Spalding asked staff if the vote on the application could be taken in two parts. Staff confirmed that a vote could be taken separately on the continued use and the expansion. Member Peixoto re-stated the motion to grant the application for renewal of the continued use of a 24 bed, Residential Care Facility. The Conditional Use Permit to expire in a period of 3 years. Member Friedman seconded the motion. Member Spalding asked for a modification to include her previous recommendations: Condition #9 shall be modified to reflect that transportation vehicles shall not use horns to summon residents. Condition #12 shall be modified to reflect that the Use Permit cannot be transferred to another operator. Language shall be included requiring that residents continue to participate in daily work performed at the facility. Member Peixoto accepted the modification. Acting Chair, Clark called for the vote. Motion to approve the continued use of the 24 bed, Residential Care Facility for a period of 3 years, carried 4/0. Chair Palmeri was excused.

Acting Chair, Clark, returned the gavel to Vice Chair Peixoto. Members then considered the second part of the application regarding the expansion of the facility. Vice Chair Peixoto, restated his motion to deny the expansion of the facility to 34 beds. Based on the existing size of the rooms, the presence of additional residents could affect the health and safety of the present tenants. Member Friedman seconded the motion. The Vice Chair called for the vote regarding the expansion. In response, Member Clark introduced a new motion. She moved to continue the second part of the application to allow the applicant to re-address the footprint of the facility. The applicant can explore the alteration of the interior space to perhaps add one more bathroom and an additional bedroom. The applicant said a continuation was acceptable. The facility has already considered possibilities such as, removing office space to add a bathroom. At the end of the day, the T.V. room and dining area could be used for sleeping quarters. This could ease the perceived over crowding. Member Friedman said that additional bathrooms were necessary. Written documentation had not been presented verifying State requirements, regarding restroom and bathing facilities. He did not believe the home was capable of expanding to the extent necessary to accommodate an increased number of residents.

The Vice Chair called for order, and pointed out that the motion to deny the expansion had not been acted on. He determined that Board Members Clark and Spalding were in favor of the expansion. Member Friedman and Vice Chair Peixoto were not in favor of expansion of the Residential Care Facility to, 34 beds. As the vote for expansion was tied, 2 in favor of approval vs. 2 in favor of denial, the application will be referred to the Planning Commission for a determination of the proposed expansion. Chair Palmeri was excused.

2. **TONY TANG / FONG & FONG, PARCEL MAP, PM – 8605 – and VARIANCE, V-11987** - Application to subdivide one parcel measuring 20,568 square feet (0.47 acres) into two parcels, resulting in median lot widths respectively of 62 feet, six inches and 47 feet, six inches where 80 feet is required in an R-1-B-E-CSU-RV (Single Family Residence, 10,000 square foot Minimum Building Site Area, 80 feet Median Average Width, Secondary Unit with Recreational Vehicle) District, located at 17472 Almond Road, north side, approximately 600 feet southwest of Vineyard Road, unincorporated Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084D-1250-031-01. (Continued from June 14, July 12, August 9, September 13, October 11, November 8 and October 11, 2006).

Staff recommended approval of the application. The Castro Valley Municipal Advisory Council reviewed the application and on a 6/0 vote, recommended denial. Initial Board questions were as

follows:

- What was the basis of the CVMAC denial recommendation
- Will each lot meet minimum width requirements
- Are there other parcels in the vicinity that have a configuration with a dwelling on both the front and rear lot
- Have there been any variances granted in the area for the same request

Staff reported that CVMAC did not believe special circumstances applied to the property. Staff then gave an overview of the variance application. An access easement would be required from proposed lot #1 to access, lot #2. The reduction of lot #1 to create the easement would reduce it to the point that it would not meet the minimum square footage requirements for the R-1-B-E Zoning District. Both proposed lots #1 and #2 would meet the minimum lot width. Larger parcels exist in the area that can be divided into 3 or 4 home sites. In this case the special circumstance does not relate to the possibility of sub-division, but to the shape of the parcel. If the parcel were wider and not as deep, the lots could be placed next to one another both having access from Almond Road. Thus far, there have been no variances issued for easements that cross another parcel for access. Public testimony was opened.

Mr. Richard Fong represented property owners, Mr. & Mrs. Tang. Mr. Fong believed special circumstances did apply as a result of the property. The parcel has the square footage to accommodate two lots at ten thousand square feet. Due to the configuration and width of the overall parcel, an access road would be necessary to gain access to the proposed rear parcel. The fire department would require that easement to be 20 feet wide. As a result of the road area being deducted from the net lot area, the minimum square footage of lot #1 cannot be met. However the minimum width requirement of 80 feet can be met as 90 feet would be in excess of the requirement. If the variance request were granted for the front lot it would only be 8% smaller than neighboring lots. The proposed rear lot would be 1%, larger than most neighboring lots. The staff report points out the fact that properties with similar circumstances would be given consideration. The Subdivision Ordinance allows for consideration of reasonable judgment for variances up to a, 10% deficiency in lot size. Recently projects have been approved for 5 lots at 75 feet wide. Comparably the deficiency is the same, in an 8% range. Member Friedman asked Mr. Fong if an attempt had been made to obtain a boundary adjustment from the neighboring property to avoid the necessity of a variance. Mr. Fong confirmed an attempt had been made to purchase additional property but the neighbors were not interested in altering their property boundaries.

Mr. Tom Hines, who lives at 4538 Grenadier Place, introduced himself. Mr. Hines property is approximately, 12,754 square feet. He has lived in the area for 5 years. He showed photographs, documenting the location of his property in reference to the applicant's. The applicant's project would have a direct impact on his property. The proposed driveway would be a distance of 8 feet from his home, and adjacent to his bedroom wall. Early morning traffic on the driveway could wake up family members. The area is also zoned for RV's. A motor home would create additional noise. In addition, mature oak trees would have to be removed to add the proposed driveway. Mr. Hines was told the neighboring property could not be subdivided when he purchased his property. The Tang's asked another neighbor to sell a section of property in order to complete the project without a variance. The request was rejected. The neighbors did not want a visible driveway off of the main street (Almond Road). They believe a road would ruin the rural feeling of the neighborhood. Mr. Hines agreed. Member Spalding explained that type of lot is defined as a flag lot. She asked staff what was the standard rear yard setback for the neighborhood. Staff responded 20 feet. Compensating open space could possibly be used to go up to 10 feet on some lots. Mr. Hines continued his testimony. People purchased property in the

neighborhood because the greenery provides privacy. His view will be impacted. The immediate neighbors are opposed to the project as well, as it will affect the value of surrounding properties. Standard lot sizes have been set, and upheld for the area. Properties of similar size that have requested variances have been denied. Mr. Hines closed his testimony, and asked the BZA to follow the CVMAC recommendation of denial.

Mr. Rick Jones testified that he lived at the property to the immediate left of Mr. Hines. The north side of his property borders the applicant's property. He has lived in the area for 8 years and participates in a neighborhood watch program. Neighbors in the watch group are not in favor of the application. They do not want substandard lots created in the area. People live in the area because they enjoy large properties and would like to retain the open wide, open feeling along the road. The proposed project is comparably 62% smaller than other lots in the immediate neighborhood. The smaller of the two lots would be in the front section of the property. An existing gate and fence post on a neighboring property would have to be removed to install a road. The previous owner of the applicant's property owned horses. Mr. Jones said it was his understanding that the applicant was told when he purchased the property, it could not be subdivided. Mr. Jones did not think it was helpful to hire an attorney to push the project through. Recently another project which proposed a subdivision of smaller lots was attempted. In the end the applicant had to bring the lots up to the minimum standards. Another application for a large subdivision is being proposed on Wildwood Place. People in the neighborhood do not want to establish precedence for small lots. In addition to public testimony, Mr. Jones submitted letters written by residents who were not able to attend the recent hearings. The consensus is neighbors, are opposed to the project, and in favor of preserving the neighborhood in its current state.

Ms. Zeld Durden who lives at 4603 Grenadier Place, introduced herself to the Board. She has lived in the area for 7 years and clarified that Mr. Hines had lived in the area approximately the same amount of time. She said the Damiani's are the neighbors that were approached by the Tangs to sell a piece of their property. The property is over 20,568 square feet. Originally the Damiani's had two separate parcels. One section was originally a separate small parcel below their backyard fence. They combined the two for tax purposes, and to prevent the smaller parcel being sold for the purposes of subdividing the neighboring parcel. Ms. Durden then read a letter written by Rick and Rose Damiani's. The Damiani's are against the proposal. Some of their concerns are as follows: Granting the variance will undermine the 10,000 square foot, lot minimum for the area. Smaller lots would compromise privacy and land values. A second home on the rear of the applicant's property would invade the privacy of the Damiani's as well as other neighbors. Ms. Durden continued and said she had also attended neighborhood meetings. No one present at the meetings was in favor of the proposal. A larger number of people would have attended Board Hearings, but many had to work. What she enjoys about the neighborhood is the diversity of older people, and young couples. They are people that plan to remain in the area, not move up to Danville. Their neighborhood is well established, and distinctly different from the Five Canyons neighborhood. Side walks are optional. Large established trees blend in well. Ms. Durden believed the information presented regarding the project was not wholly true. New homes have been built, however most lots are 13 to 14 thousand square feet in total area.

Mr. Fong returned to rebut previous testimony. The applicants were never told they could not subdivide nor do they believe real estate documents prevented that option. There are two driveways on the parcel. A gate exists on the driveway that allows access to the rear of the property. This is where the prior owner kept their horses. To familiarize neighbors with the property the Tang's hosted a dinner. After the dinner some of the neighbors were in agreement with the revised design proposal. The applicant did attempt to purchase property from the neighboring, Damiani Family based on the given configuration of their lot. Mr. Fong stated that when the purchase attempt was not successful, special circumstances applied to the lot due to the existing shape. All of the oak trees along the driveway can be preserved. Additional landscape buffering can be added to mitigate sound transmission. An entrance to allow fire trucks is

required to be 20 feet. Alameda County Fire Department has approved a tapered road design. Regarding square footage, two excessively large lots in the neighborhood skew statistical averages. Special circumstances are present due to the requirement of an access road to the rear parcel. If road square footage were not deducted, both parcels would meet zoning requirements. In the past, consideration has been given to properties with similar circumstances. Board Members had the following additional questions for the applicant:

- At the time of purchase what did the Real Estate Disclosure document contain regarding subdivision
- Was it the applicant's intent to subdivide the parcel at the time of purchase
- Is the property zoned for a second unit
- Can the Tang's gain access from the entry road next to the neighboring property to the north
- Regarding Condition #3, can the applicant address the possible detrimental impact to neighboring properties

Mr. Fong told the Board that the owners did not plan to subdivide although they were aware that other lots in the area had been subdivided. To date, he has not reviewed the Tang's Real Estate Disclosure documents but he does not believe they prohibit subdivision. The property is zoned for a second unit. The intent was the Tangs would live in one home, and build a second home on the property for their parents. Since the applicant has to go through the application process they would like to apply for subdivision as well. The perception that the driveway would be detrimental to neighbors is not factual. The driveway would be more than 8 feet away from the neighboring home. There would not be a constant stream of vehicles, just normal traffic during normal hours, people going to work etc. The driveway would be open to Almond Road which would mitigate some of the noise. Additional landscaping would also be installed to absorb sound transmission. Mr. Fong said the applicant did not have access to the road on the neighboring properties. The applicant would not like to pursue easement access at this time. Considering comments from some of the neighbors, proposed access may be an exercise in futility. Public testimony was closed.

Vice Chair Peixoto asked staff if this lot was considered a flag lot. Staff confirmed it was. He also pointed out that CVMAC voted 6/0 to, deny the application. His second observation was that a parcel map of the area showed 10 lots which are less than 80 feet in width, and 4 lots less than ten thousand total square feet on Almond Avenue. On Grenadier Place there are 2 lots which are less than 80 feet in width. The Vice Chair acknowledged that although the proposed road was classified as a key lot, it was not normal in all respects.

Member Spalding pointed out that the conflicting testimony had been given as to the actual location of the house on the neighboring property. As a result it is difficult to determine the impact of the proposed driveway. She also acknowledged that the former stable road in existence cannot be made accessible. Therefore, a second fire truck accessible road would be necessary. To create access to a second parcel in the rear, a flag lot would also be required. This solution is not a preferred method in this area because of challenges like topography. Zoning requirements regarding key lots was recently created in response to those stringent demands. Member Spalding disagreed with the staff finding that driveway area deducted from overall lot area is considered a special circumstance. The deduction is a requirement in the B-E Combining District. The proposed lot would be 62.2% smaller than the lots of the immediate neighbors. No testimony has been submitted to the contrary. The shape of the parcel is rectangular, and the width is 110 feet. This width is larger than ordinance requirements.

Member Spalding motioned to deny the application. There are no special circumstances present regarding the property. Granting the application would constitute special privilege due to the rectangular shape and configuration of the lot. Member Friedman seconded the motion. Member Clark was in favor of approval of the application. Motion to deny the application carried 3/1. Chair Palmeri was excused.

STAFF COMMENTS & CORRESPONDENCE: Board Members were reminded that a class in Ethics Training for Public Officials had to be completed by the end of the year.

CHAIR'S REPORT: No Chair's Report was submitted.

BOARD'S ANNOUNCEMENTS, COMMENTS AND REPORTS: Board Member Spalding asked staff to provide the Board with a list of community care facilities that had expired licenses or no license documentation on file.

Member Pexioto asked for a copy of County Telecommunication Standards. Staff will send out information with future meeting materials, and do a presentation on telecommunications sites.

Member Clark asked staff to verify that Conditions of Approval had been met for a cell site at the Bayfair Mall.

Board Members asked County Counsel to research the possible impact of a recent decision made by the California Supreme Court, regarding conflict of interest and adjudicating bodies. County Counsel will research the decision, and report back.

ADJOURNMENT:

There being no further business, the hearing adjourned at 3:15.

CHRIS BAZAR - SECRETARY
WEST COUNTY BOARD OF ZONING ADJUSTMENTS