

AGENDA



Thursday, July 29, 2010

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 152**

Subject: Conduct a public hearing and consider an appeal by Mity Myhir Clay of a decision by the Building and Fire Code Board of Appeals to deny standing and decline to review staff's issuance of a building permit for 4605 Avenue B.

For More Information: Don Birkner, 974-1952; Sylvia Arzola, 974-6448.

On May 19, 2010, the Planning and Development Review Department issued a building permit for construction of a duplex at 4605 Avenue B, which is located within the North Hyde Park NCCD. Staff determined that the duplex was in compliance with the zoning, McMansion and NCCD requirements. After the building permit was issued, several property owners in the area raised concerns that staff had misinterpreted several sections of the city code related to the NCCD and the McMansion Ordinance. Several citizens then attempted to register as interested parties and filed an appeal of the building permit with the Building & Fire Code Board of Appeals. A stop work order was issued pending the Board's decision. The Board rejected the appeal based on lack of standing, and the Board's decision is being appealed to the City Council.