

1 [Denying Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee -  
2 273A-29<sup>th</sup> Street]

3 **Motion denying the appeal seeking a waiver, adjustment or reduction of the**  
4 **condominium conversion fee in Subdivision Code Section 1396.4(j) for 273A-29<sup>th</sup>**  
5 **Street.**

6  
7 WHEREAS, On August 16, 2013, Appellants Jasmine Oberste and Anne Michele  
8 Smart submitted an application for condominium conversion under Subdivision Code Section  
9 1396.4(j) for the building located at 273A-29<sup>th</sup> Street, Assessor's Block No. 6633, Lot No. 025;  
10 and

11 WHEREAS, On September 26, 2013, the Appellants filed a timely appeal to the Board  
12 of Supervisors for a reduction, adjustment or waiver of the fee requirements based upon the  
13 absence of any reasonable relationship or nexus between the impact of development and the  
14 amount of the fee charged; and

15 WHEREAS, On November 19, 2013, this Board held a duly noticed public hearing to  
16 consider the appeal filed by the Appellants; and

17 WHEREAS, This Board has reviewed and considered all documents submitted by the  
18 Appellants and all other written records before the Board of Supervisors, and heard testimony  
19 and received public comment regarding the appeal. Said documents and testimony are  
20 incorporated herein by reference; now, therefore, be it

21 MOVED, That the Board concludes that the Appellants has not met the burden of  
22 presenting substantial evidence to support the appeal, including comparable technical  
23 information to support the Appellants' position that there is no reasonable relationship or  
24 nexus between the impact of development and the amount of the fee charged; and be it  
25

1           FURTHER MOVED, That the Board denies the Appellants' request to waive, adjust or  
2 reduce the fee, and hereby approves the imposition of the fee pursuant to Subdivision Code  
3 Section 1396.4(j).

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



**City and County of San Francisco**

**Tails**

**Motion: M13-155**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 130951

**Date Passed:** November 26, 2013

Motion denying the appeal seeking a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street.

November 19, 2013 Board of Supervisors - CONTINUED


Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 26, 2013 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang and Yee  
Noes: 2 - Farrell and Wiener

File No. 130951

**I hereby certify that the foregoing Motion was APPROVED on 11/26/2013 by the Board of Supervisors of the City and County of San Francisco.**

  
for Angela Calvillo  
Clerk of the Board