



**City of Santa Barbara**  
Community Development

**Memorandum**

DATE: September 15, 2015

TO: Building & Fire Code Appeals Board

FROM: Lonnie Cassidy, Building Plan Check Supervisor

SUBJECT: Ratification of Hardship — 219 Meigs Road.

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**RATIFICATION OF HARDSHIPS**

Pursuant to the 2013 State Building Code, Section 11B-202.4 Exception 8, whenever the Building Official determines that application of all of the accessibility provisions of the code create an unreasonable hardship, the Building Official's determination must be ratified by the local Appeals Board. "Ratification" is a review and approval (by vote) of the basis for the granting of the hardship. The Appeals Board may choose to not ratify the Building Official's decision and then must give the Building Official additional direction relative to the extent of accessibility that the Board feels is reasonable.

According to the 2013 State Building Code definition of "Unreasonable Hardship", the question before the Appeals Board during any accessibility hardship ratification is this:

Is the extent of accessibility being required by the Building Official reasonable after considering the following?

- *The cost of providing access as prescribed by the Code*
- *The cost of all construction contemplated*
- *The impact of Code mandated access improvements on the financial feasibility of the project*
- *The nature of accessibility which would be gained or lost by granting a hardship*
- *The nature of the use of the facility under construction and its availability to persons with disabilities*

**PROJECT:**

In this particular situation, an existing 18 unit apartment complex owned by the Santa Barbara Housing Authority has undergone extensive site renovations. The extent of the work being proposed is estimated to be over \$410,000.00 and would trigger "Path of Travel" obligations to the area of alterations. This would include making the existing accessible parking stalls compliant with the 2013 CBC accessibility requirements. The code requires one accessible stall at each "type" of parking. This site would require an accessible stall at the carports and at the open parking areas. The code requires a minimum vertical clearance of 8'-2" at the carport however the current clearance is 8'-1". The cost of construction for modifying the height of the existing carport beam is estimated to be \$120,000 by the project architect.

State access regulations require that a minimum of 20% of the project valuation be invested in bringing the existing buildings into compliance with recent design standards. The building owner has spent \$230,000.00 on barrier removal which includes new accessible parking stalls, accessible routes, new entries and new accessible bathroom & kitchens at two units. The project included the addition of a compliant non-roofed van accessible stall.

#### RECOMMENDATION

In light of the above, the City Building Official recommends ratification of the building owner's request for a hardship and eliminating the need to spend an additional \$120,000.00 to raise the height of the carport beam. A copy of the project's Access Compliance, Construction Valuation and Hardship forms have been attached in order to help clarify the costs associated with this recommendation.



City of Santa Barbara  
 Building & Safety Division  
**Building & Fire Code Board of Appeals**  
**Request for Appeal**

Community  
 Development  
 Department  
 630 Garden Street  
 805-564-5485

Project Address: 219 Meigs Rd New Case # BLD2015-01054

Check One:  Residential Single Family  Residential Multi-family  Commercial  Mixed Use

Person Submitting Appeal: Toms Moore Phone Number: 805 963 4399

Property Owner: Housing Authority of City of S.B.

FEES: (as per current Fee Ordinance). \$ \_\_\_\_\_

Briefly describe the issue, including all applicable code section(s): Assigned access, parking to be same as for others (covered) 11B-208.2.3.4  
Vertical clearance 97" min. 11B-502.5  
Clear space within access, stall

Briefly describe the appeal which is being requested. Include the reason(s) for being unable to comply with the code requirements and provide any supporting documentation that may aid in the decision making process: to allow 97" vert. dr instead of 98"  
required, and to allow (2) 4" stl posts to fall within  
the accessible parking stall. Achieving full compliance  
would require rebuilding (E) carpet.

Signature of Applicant: Toms Moore Date: 9/15/15

THIS SPACE FOR OFFICE USE ONLY		Approved	Denied
Fire Department review by: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
Building & Safety review by: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
Comments: _____			
_____			
_____			



City of Santa Barbara  
 Building & Safety Division  
**Request For Relief From  
 Unreasonable Hardship**

Community Development  
 630 Garden Street  
 805-564-5485

(Above Valuation Threshold)  
 2013 California Building Code, 11B-202.4, Exception 8.

1. Address of building or tenant space involved: 219 Meigs Rd

2. **BLD2015-01054**

3. Occupancy Classification: R-2.

4. Expected or potential use by persons with accessibility needs: Two residential units being converted to accessible or adaptable.

5. Reason for Hardship Request: Proposed assigned access parking space must be located within (E) curbside or otherwise covered. (E) covered parking does not comply in vert. clearance 11B-209.2.3.4 and that st. posts fall within the parking/access space. Rebuilding curbside to comply would be costly and beyond scope of project.

6. Total adjusted cost of project (less accessibility requirements): \$ 33,000 (A)

20% of total cost of project: \$ 6,600 (20%A)

7. Path of Travel features to be constructed:

FEATURE	REMARKS	COST
Accessible entrance		\$ 20,000
Accessible route to altered area		\$ 60,000
Parking		\$ 40,000
At least one accessible restroom for each sex	Interior remodel @ 2 units - includes	\$ 110,000
Accessible telephones	bathrooms + kitchen	\$
Drinking fountain		\$
When possible, additional accessible elements		\$

Total: \$ 270,000 (B)

City of Santa Barbara  
 Building & Safety Division  
**Request For Relief From Unreasonable Hardship**  
 2013 California Building Code, 11B-202.4, Exception 8.  
 (Continued from page 1)

Address: \_\_\_\_\_

**BLD2015-0** \_\_\_\_\_

8. Accessibility features subject to unreasonable hardship:

FEATURE	REMARKS	COST
Accessible entrance	_____	\$ _____
Accessible route to altered area	_____	\$ _____
Parking	<u>Raising curbs</u>	\$ <u>120,000</u>
At least one accessible restroom for each sex	<u>root - rebuilding</u>	\$ _____
Accessible telephones	<u>curb cut</u>	\$ _____
Drinking fountain	_____	\$ _____
When possible, additional accessible elements	_____	\$ _____
		Total: \$ <u>120,000</u> (C)

9. The accessibility features, that will be constructed, increase construction by 700 %. (B divided by A) Must be greater than 20% of A.

10. The accessibility features, subject to unreasonable hardship, would increase construction by 1060 %. (C divided by A)

11. Additionally, barrier removal is ongoing obligation for the Americans with Disabilities Act and the granting of an unreasonable hardship does not exempt the obligation of removing barriers in a reasonable time frame. By signing this document, you acknowledge that the project will be in reasonable compliance with Chapter 11B of the California Building Code. but will not necessarily fully comply with the Americans With Disabilities Act.

12. Name of Owner: Housing Authority  
 Signature: [Signature] for Housing Authority  
 Telephone number: (805) 897-1060

(office use only)	
Building Division Approved by: _____	Title: _____
Signature: _____	Date: _____



City of Santa Barbara  
 Building & Safety Division  
**CONSTRUCTION VALUATION**

Community Development  
 630 Garden Street  
 805-564-5485

The Applicant is mandated by State law to provide an estimated value of work proposed on each application for a building permit. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. 2013 California Building Code Section [A] 109.3.

\*\*\*\*\* PLEASE COMPLETE THE FOLLOWING \*\*\*\*\*

Site Address: 219 Meigs Rd Permit #: BLD2015-01469

Area of New Building: \_\_\_\_\_ Sq. Ft.

Area of Addition: \_\_\_\_\_ Sq. Ft.

Area of Remodel: \_\_\_\_\_ Sq. Ft.

Valuation is based on:  RS Means  Marshall Swift  Engineering News & Review

Contractor bid

I certify the value of all proposed construction work covered by the permit application including: all structural work, finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevator, labor costs and all permanent equipment is:

\$ \_\_\_\_\_ Building Construction Cost \$ 140,000 Site Work Cost

Thomas Moore  
 Printed Name of Qualified Professional

[Signature]  
 Signature

9/8/15  
 Date

Architect  
 Title / Role



City of Santa Barbara  
 Building & Safety Division  
**CONSTRUCTION VALUATION**

Community Development  
 630 Garden Street  
 805-564-5485

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\*\*\*\*\* PLEASE COMPLETE THE FOLLOWING \*\*\*\*\*

Site Address: 219 Meigs Rd Permit #: BLD2015 ~~01469~~  
 01054

Area of New Building: \_\_\_\_\_ Sq. Ft.

Area of Addition: \_\_\_\_\_ Sq. Ft.

Area of Remodel: \_\_\_\_\_ Sq. Ft.

Valuation is based on:  RS Means  Marshall Swift  Engineering News & Review  
*Contractor bid*

I certify the value of all proposed construction work covered by the permit application including: all structural work, finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevator, labor costs and all permanent equipment is:

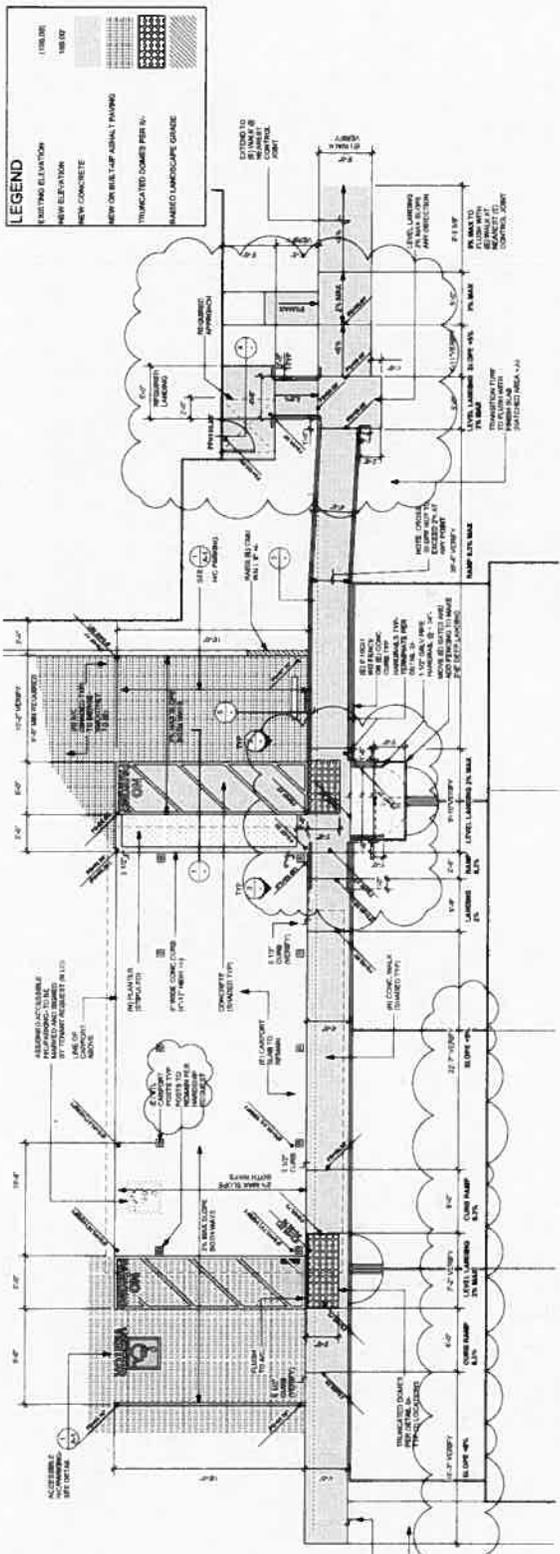
\$ 120,000 Building Construction Cost \$ 150,000 Site Work Cost

Thomas Moore  
 Printed Name of Qualified Professional

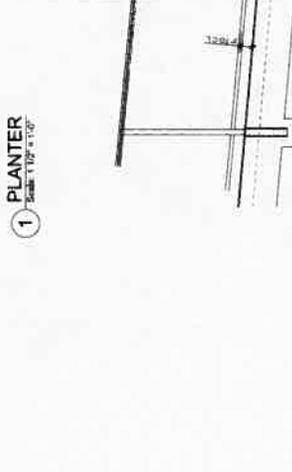
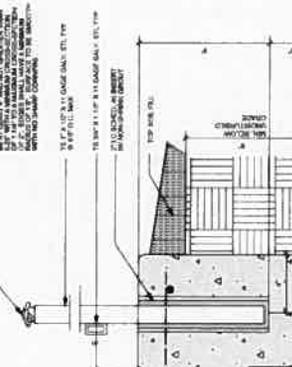
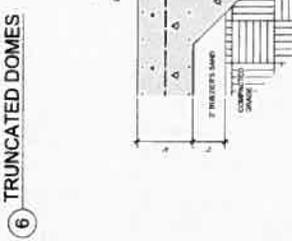
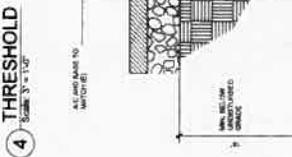
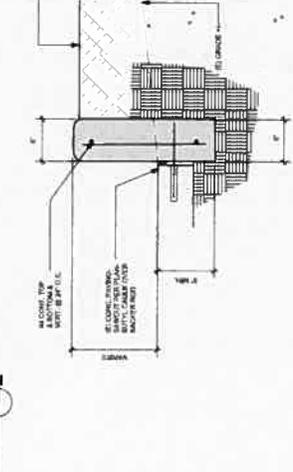
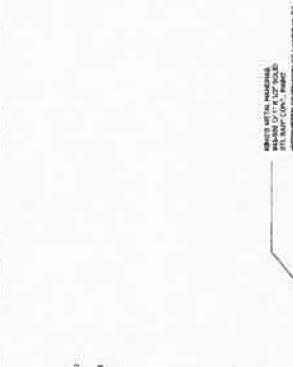
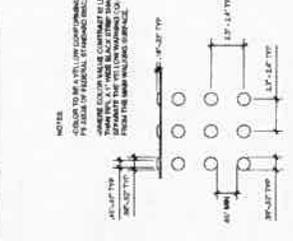
[Signature] 9/8/15  
 Signature Date

Architect  
 Title / Role

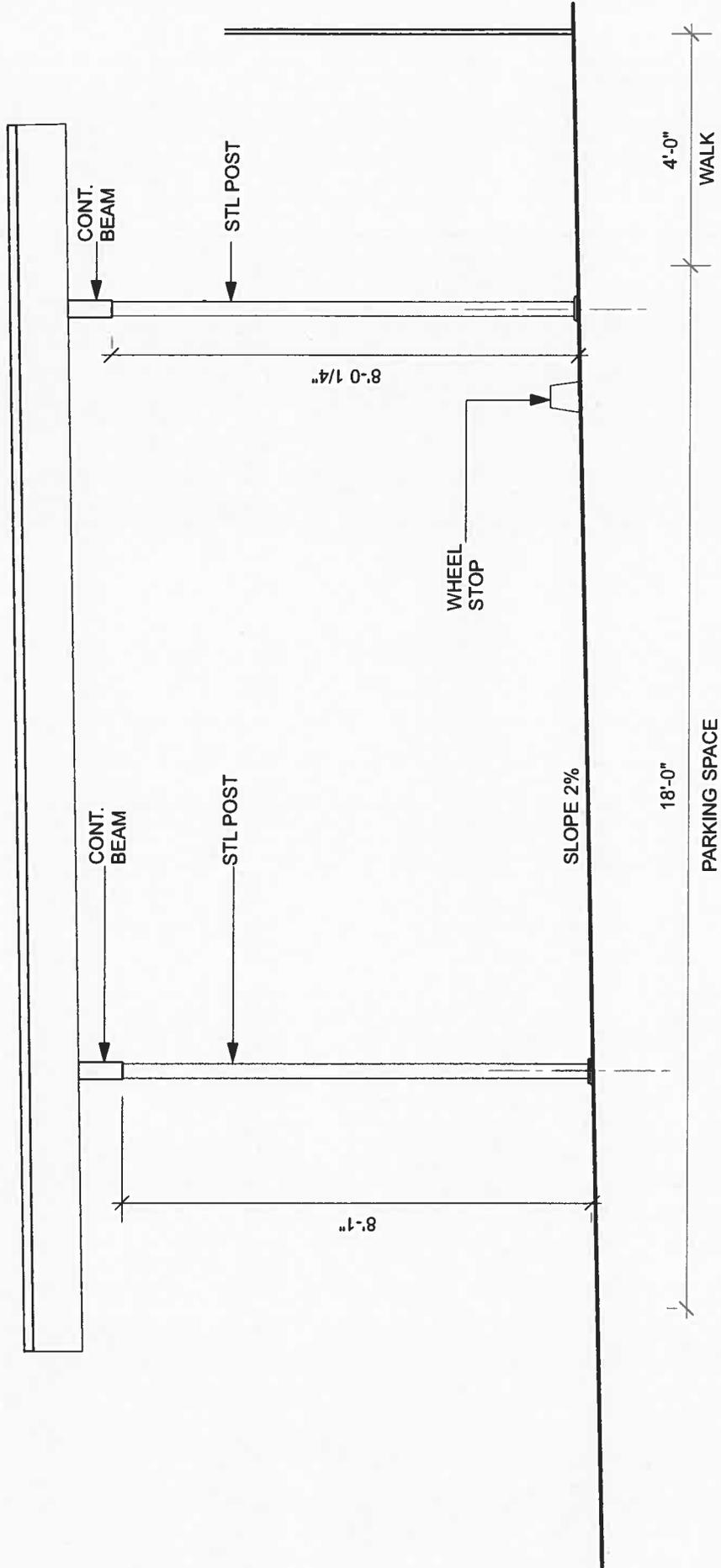




**ENLARGED SITE PLAN**  
 Scale: 3/16" = 1'-0"



RR @ 24" O.C.



SECTION: EXISTING CARPORT STRUCTURE AT PROPOSED COVERED H/C PARKING SPACE  
219 MEIGS ROAD