



**CITY OF SANTA BARBARA
BUILDING AND FIRE CODE BOARD OF APPEALS
MINUTES**

Thursday, December 01, 2016 **David Gebhard Public Meeting Room: 630 Garden Street 2:30 P.M.**

BOARD MEMBERS:

PATRICK C. CARROLL, *Chair*
BONNIE ELLIOT
JOHN MALONEY
ERIC NORTON PEDERSEN
VINCENT WOOD

STAFF:

ANDREW STUFFLER, Chief Building Official
JOE POIRE, Fire Prevention Division Chief
KRystal M. VAUGHN, Commission Secretary

Website: www.SantaBarbaraCa.gov

CALL TO ORDER.

Substitute Chair Pedersen called the Board meeting to order at 2:30 p.m.

ATTENDANCE:

Members present: Elliot, Pedersen (Substitute Chair) and Wood
Members absent: Carroll, and Maloney.
Staff present: Stuffler and Vaughn

GENERAL BUSINESS:

A. Public Comment:

Public comments opened at 2:35 p.m.

1. **Jim Marston** spoke as a repetitive of the Americans with Disabilities (ADA) community and advised the board that the ADA community does not have adequate time to submit public comment once documents are available for public view on the City website and he would like it to be rectified. He also commented on how Mr. Stuffler's staff reports are required to cover five listed

elements and feels the last three items listed on the staff reports cover letter do not get covered in the report.

Public comments closed at 2:39

B. Approval of Minutes.

Motion: **Approval of the minutes of the Building and Fire Code Board of Appeals meeting of November 3, 2016, as amended.**

Action: Wood/Elliot, 3/0/0. (Carroll, and Maloney absent) Motion carried.

C. Announcements, Requests by Applicants for Continuances and Withdrawals.

Mr. Stuffer announced the following:

1. Due to the City Holiday closure, the January 5, 2017 meeting is cancelled.
2. The February 2, 2017 meeting will be from 1:00 p.m. – 3:00 p.m. rather than the regularly scheduled time, 2:30 p.m. – 5:30 p.m.
3. Chair Carroll will be absent from today's meeting and the Board elected Board Member Pedersen to act as Chair in Chair Carroll's absence.

SUBJECT ITEMS

1. **24 Helena** – Appeal of the Decision of the Building Official.

Description: Notice of Violation requiring that unpermitted construction to be removed or made legal via the application, plan review, and issuance of a building permit.

POSTPONED AT THE APPELANTS REQUEST.

2. **7 W. Figueroa St.** -- Ratification of Hardship.

Description: Accessible path of travel to altered area.

Time: 2:43 p.m.

Present: David Carlson, CASP; Lonny Cassidy, Christy Forman; and Andrew Stuffer, Chief Building Official, City of Santa Barbara;

Public comment opened at 2:53 p.m.

1. **Jim Marston:** expressed that there is missing data in the staff report presented to the Board and provided a document titled "Board of Appeals Item IV.2" listing six items (A-F) and urged the Board to request this information before making a decision on the Ratification of Hardship request.
2. **Will Rehling:** expressed confusion regarding the expenditures listed in the staff report and asked staff to clarify the funds spent on the projects ADA improvements. In addition, he asked staff to explain what a CASP report was and clarify if the full report or partial report was included in the staff report. Lastly, he made a comment that some buildings deemed Historic Structures are eligible to use the Historic Building Code Exemption however, he urged the Board to consider the possibility that some structures may have historic exteriors and none historic interiors; so therefore, in that case, there should be no exemption put on interior ADA improvements.

Public comments re-opened at 3:23 p.m.

1. **Will Rehling:** expressed confusion on if the current permit was for the second floor only or the second and third floor. In addition, he urged the Board to consider postponing this item until they could review both the second and third floor at one hearing since the current understanding is that the permit is only for the second floor.
2. **Jim Marston:** expressed the dimension of the elevator does not meet code and advised that he visited the site and there is work being done on the second and third floor.

Public comments re-closed at 3:40 p.m.

Motion: **The Board moved to approve the ratification of hardship as the applicant has demonstrated that the elevator car meets the “t” provisions for accessibility and turn around within the elevator car, which is an alternate method of compliance from prior years.**

Action: Wood/Pederson , 2/1/0. (Elliot opposed; Carroll, and Maloney absent) Motion carried.

There being no further business to come before the Building and Fire Code Board of Appeals, Board Member Elliott moved, second by Wood, and carried by a vote of 3 to 0 to adjourn the meeting at 3:44 P.M on Thursday, December 01, 2016, in the David Gebhard Public Meeting Room, 630 Garden Street, Santa Barbara, CA 93101.