



# City of Santa Barbara

## BUILDING AND FIRE CODE BOARD OF APPEALS MINUTES MAY 3, 2018

2:30 P.M.  
David Gebhard Public Meeting Room  
630 Garden Street  
[SantaBarbaraCA.gov](http://SantaBarbaraCA.gov)

### BOARD MEMBERS:

Patrick C. Carroll, *Chair*  
Bonnie Elliot  
Nick Koonce  
Eric Pedersen  
Marsha Zilles

### STAFF:

Andrew Stuffer, Chief Building Official  
Joseph Poire, Fire Prevention Division Chief  
Greta Walters, Executive Assistant

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### ELECTION OF MEETING CHAIR

Motion: The board elected Marsha Zilles to chair the meeting.  
Action: Koonce/Elliot, 3/0/0. Motion carried.

### CALL TO ORDER

The Board meeting was called to order at 2:35 P.M. by Chair Zilles.

### ATTENDANCE

Members present: Elliot, Koonce, Zilles  
Members absent: Carroll, Pedersen  
Staff present: Stuffer, Walters

### GENERAL BUSINESS

- A. Public Comment: Public comment opened at 2:36 P.M. There was no public comment. Public comment closed at 2:36 P.M.
- B. Approval of the Minutes: Approval of the March 1, 2018, Minutes was moved to the June 7, 2018, meeting.
- C. Announcements, requests by appellants for continuances and withdrawals, future agenda items, and appeals.

Chief Building Official Andrew Stuffer reported that the owner of 1332 Kenwood (Item 3. Appealing Decision to Issue a Notice of Violation – 1332 Kenwood Road) lived out of state and

NOTE: Agenda schedule is subject to change as cancellations occur.

could not be present at this meeting. He noted that the item would be moved to the June 7, 2018, meeting agenda.

Board member Nick Koonce asked the Chief Building Official to look into the recording of a covenant for 1532 Anacapa Street.

## **SUBJECT ITEMS**

### **1. Appealing Decision to Placard as “Unsafe” – 15 Chapala Street**

*Description:* “Unsafe” Placards at Hazardous Balcony Installations

Present: No appellants were present.

Staff Presentation: Chief Building Official Andrew Stuffer stated that he supported the staff report and the decision to placard 15 Chapala Street balcony installations. The appellant was not present. There were no questions from the Board of Appeals members.

Public Comment: The item was opened for public comment at 2:42 P.M. and closed when no member of the public spoke.

Motion: **Approval of the Decision to Placard as "Unsafe" – 15 Chapala Street**

Action: Zilles/Koonce, 3/0/0. Motion carried.

### **2. Appealing Accessibility Compliance Decision – 1330 Chapala**

*Description:* New Multi-Family Accessible Kitchen Reach Ranges for Outlets

Present: Elijah M. Pearce, Architect

Staff Presentation: Chief Building Official Andrew Stuffer stated that he supported the staff report, and informed the board that the staff inspector for this project, Rick Welch, is a certified access specialist. Mr. Stuffer explained that federal guidelines are more accommodating than the State of California’s with respect to countertop reach. (Note: The federal government’s Fair Housing Act allows a 25.5-inch maximum depth of the countertop; 2013 California Building Code allows 24 inches in depth for a side approach.) He added that the community needed to hear the board’s collective decision about its interpretation of regulations since there would be implications for other projects in the city.

Public Comment:

The item opened for public comment at 2:45 P.M.

Mr. Pearce, the project’s architect, explained that reach range was open to interpretation of California law and argued that the design meets the intent of the code—a 24-inch reach range—when reach is measured from the base cabinet. With respect to outlet accessibility, the Mr. Pearce argued that his firm’s interpretation of the code allows for an inaccessible outlet as long as an accessible, comparable one is provided in the same area. He stated that the firm’s design met that interpretation.

Board Members Elliot and Koonce were in agreement that the City’s concerns about the countertop reach and outlet accessibility should have been noted during plan check, before construction began.

Skip Szymanski, of the Housing Authority of the City of Santa Barbara spoke in support of the appellant, particularly with respect to items that were approved by the City according to the plans.

The meeting closed to public comment at 3:30 P.M.

Motion #1: **Uphold Accessibility Compliance Decision – 1330 Chapala Street**  
Action #1: 1/2/0. Motion did not carry.

Motion #2: **Find in favor of the appellant with the understanding that the City's interpretation is generally supported by the Board as long as it is shown consistently on the approved plans.**  
Action #2: 3/0/0. Motion carried.

The board encouraged City staff to enforce the 24-inch reach-range interpretation during plan check, as measured from the largest protrusion. They also advised that accessible outlets should be available on each side of a corner. They asked staff to review plans with these new specifications in mind.

Recess:

Chair Zilles called for a brief recess at 3:40 P.M.

Board Member Koonce departed, having recused himself from the final appeal item.

The meeting reconvened at 3:42 P.M.

3. **Appeal of the Decision to Issue a Permit – 836 De La Guerra**  
*Description:* Building Permit for Accessory Dwelling Unit Construction

Present: Mara Hochman, Appellant  
William Curran, Appellant

Staff Announcement:

Chief Building Official Andrew Stuffer explained to the board and appellants that with two unexpected board member absences and one recusal, the board no longer had a quorum to hear the appeal. The appellants asked the Mr. Stuffer to make arrangements for a special meeting. He agreed to request a special meeting and noted that the item would be continued to a future meeting.

Chair Marsha Zilles adjourned the meeting at 3:54 P.M.