



# City of Santa Barbara

## BUILDING AND FIRE CODE BOARD OF APPEALS SPECIAL MEETING MINUTES MAY 17, 2018

12:00 P.M.  
David Gebhard Public Meeting Room  
630 Garden Street  
[SantaBarbaraCA.gov](http://SantaBarbaraCA.gov)

### BOARD MEMBERS:

Patrick C. Carroll  
John Maloney  
Eric N. Pedersen  
Vincent E. Wood  
Marsha Zilles

### STAFF:

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

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### ELECTION OF MEETING CHAIR

**Motion:** The board elected Patrick Carroll to chair the meeting.  
**Action:** 4/0/0. Motion carried.

### CALL TO ORDER:

The Full Board meeting was called to order at 12:07 p.m. by Chair Carroll.

### ATTENDANCE

Members present: Carroll, Maloney, Wood, Zilles  
Members absent: Pedersen  
Staff present: Stuffer and Walters

### GENERAL BUSINESS

- A. Public Comment:
1. The meeting opened for public comment at 12:08. There was no public comment, and the meeting closed to public comment at 12:08.
- B. Approval of Minutes:
- Motion: Approve the minutes of the Building and Fire Code Board of Appeals meeting of **March 1, 2018**, as submitted.  
Action: Maloney/Carroll, 4/0/0. Motion carried.
- C. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals:

There were no announcements made by Chief Building Official Andrew Stuffer.

## **SUBJECT ITEMS**

### 1. **Appealing Decision to Issue a Permit – 836 De La Guerra Terrace**

*Description:* Building Permit for Accessory Dwelling Unit (ADU) Construction

- a. Present: Mara Hochman and William Curran, Appellants
- b. Staff Presentation: Chief Building Official, Andrew Stuffer, stated that he supported the findings presented in the staff report.

Appellant Presentation: William Curran presented and spoke in opposition to the ADU permit and construction at 836 De La Guerra Terrace for the following reasons: the property is in a high-fire district; 40 neighbors are concerned about fire safety; the street is narrow and crowded; the neighborhood is concerned about emergency access and evacuation; the subject property is located in front of the only fire hydrant on the street. (A copy of Mr. Curran's presentation is available upon request.) Olga Ilna, Mara Hochman, Russ Spencer, Molly Baur, and Susan Cappiello ceded their time to William Curran.

- c. Public Comment: Public comment on the item opened at 12:29 p.m.
  - 1. Sylvia Corral, in attendance as a landlord, asked the Board not to allow ADUs in very expensive neighborhoods.
  - 2. Miles Barrett observed that a new permit might be required for 836 De La Guerra, and wondered if a newly issued permit would have to comply with the new Ordinance.

Public comment on the item closed at 12:54 p.m.

- d. Board Discussion: The Board discussed concerns about fire safety with respect to automatic fire sprinkler protection and evacuations in the event of an emergency. The Board also discussed the process for reviewing and approving ADU applications. The Board made the finding that it was not clear to the public that compliance with the State Fire Code was adequately confirmed prior to building permit issuance.

### **Standing Motion: Uphold the Decision to Issue a Permit at 836 De La Guerra Terrace**

Action: Maloney/Wood, 0/4/0. Motion did not carry.

### **Motion: Overturn the Decision to Issue a Permit at 836 De La Guerra Terrace and Require the Fire Marshal to Re-Confirm Compliance with the State Fire Code as Adopted by the City.**

Action: Maloney/Wood, 4/0/0. Motion carried.

### **Motion: That City Staff ask City Administrator to review the current ADU Ordinance for retroactivity for all ADU applications since the State law took effect.**

Action: Maloney/Wood, 4/0/0. Motion carried.

**\* MEETING ADJOURNED AT 1:16 P.M. \***