



City of Santa Barbara

BUILDING AND FIRE CODE BOARD OF APPEALS MINUTES SEPTEMBER 6, 2018

2:30 P.M.
David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

BOARD MEMBERS:

Paul Spieler, *Chair*
Nick Koonce
Ken McLellan
John Maloney
Vincent E. Wood

STAFF:

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

CALL TO ORDER

The Full Board meeting was called to order at 2:34 PM by Chair Spieler.

ATTENDANCE

Members present: Koonce, McLellan, Maloney, Spieler, and Wood

Members absent: None

Staff present: Plan Check Supervisor Lonnie Cassidy, Senior Plans Examiner and Certified Access Specialist (CASp) Elizabeth Sorgman, Chief Building Official Andrew Stuffer, and Executive Assistant Greta Walters

GENERAL BUSINESS

A. Public Comment:

The meeting opened for public comment at 2:34 PM. No one chose to speak, so the meeting was closed to public comment at 2:34 PM.

B. Approval of Minutes:

Motion: Approve the minutes of the Building and Fire Code Board of Appeals meeting of **August 2, 2018**, as submitted.

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

C. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals:

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

1. Nick Koonce recused himself from hearing the 417 Samarkand item.
2. Paul Spieler asked the board to reconsider hearing the item concerning 1209–1211 Chino Street to review the merits of the appeal.

Motion: Bring 1209–1211 Chino Street—Appeal of Notice of Violation back to the October 2018 Building and Fire Code Board of Appeals for hearing.

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

Appeal of Building Permit Issuance—417 Samarkand

Actual time: 2:37 PM

Present: Mary Auchincloss-DelBonis, Appellant

Staff comments: Lonnie Cassidy, Plan Check Supervisor, briefed the board members. She stated that the application for 417 Samarkand was reviewed by all required city departments in accordance with the state law passed for accessory dwelling units (ADUs). She noted that the City stood by the approval of the ADU building permit for the subject address.

Appellant's comments: Mary Auchincloss-DelBonis, owner of the adjoining property located at 3054 Hermosa Road, stated that the water drainage plan proposed for 417 Samarkand is not adequate to manage the storm water drainage that will result from the project. She added that the work will result in damage to the adjoining property at Hermosa by failing to manage incremental drainage resulting from impervious surface areas and by concentrating surface flows from the site toward the Hermosa property. She stated to the board that the project will cause a nuisance to the adjoining property at Hermosa in violation of California Plumbing Code section 1101.2.

Public comment opened at 3:05 PM.

Patrick Marr, architect and civil engineer for the owner of 417 Samarkand, stated that he'd followed the city's best practices for managing storm water and explained to the board the steps taken to plan for drainage. Bruce Caron, owner of 417 Samarkand, noted that the deck area is permeable.

Chief Building Official stated that the city had applied state and city plumbing code appropriately.

Board discussion: Chair Paul Spieler explained that the board's job was to review decisions made by the Building and Safety Division, and to determine if the code had been interpreted properly. The chair explained that if the board doesn't see information that indicates Building and Safety overlooked details or if no new information has been brought forward for the board's consideration, they have to consider upholding the decision of the Chief Building Official.

Public comment closed at 3:38 PM.

Standing Motion: Uphold the decision of the Chief Building Official to issue a permit to 417 Samarkand Drive.

Action: 4/0/0. Motion carried.

Update on Accessible Path of Travel—1105 Chapala

Present: Addison Thompson, Member, Santa Barbara Club

Announcements: Vince Wood recused himself from hearing the 1105 Chapala item. Nick Koonce returned to the meeting. John Maloney stated that he'd done work professionally at the Santa Barbara Club (1105 Chapala) in the past but was not involved in the current project. Chief Building Official Andrew Stuffer introduced Elizabeth Sorgman to the board, noting that she was a Certified Access Specialist (CASp).

Staff comments: The CBO explained that the appellant's design professional had inadvertently added a new trash enclosure to the plans that would have required an accessible path of travel. The club's management is working with the designer to re-establish a baseline of minimum compliance without the trash enclosure included in the scope of the project. With this aspect of the project resolved, Mr. Stuffer stated that he did not expect the matter to return to the Board of Appeals unless there is still dispute about code interpretation.

Public comment opened at 3:55 PM.

Will Rehling of Accessible Santa Barbara stated that in reviewing the plans, he noticed that the bathrooms appeared to be inaccessible. He added that although the Santa Barbara Club is private, it earns money through public use of the club facilities for events. He stated that many of the board's decisions involve equivalent facilitation, so the members should study the definition and scrutinize projects to ensure they're meeting the definition of equivalent facilitation.

Public comment closed at 3:59 PM.

Motion: Adjourn the meeting.

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