



# City of Santa Barbara

## BUILDING AND FIRE CODE BOARD OF APPEALS MINUTES MAY 7, 2020

2:30 P.M.  
GoToWebinar  
[SantaBarbaraCA.gov](https://www.santabarbaraca.gov)

### BOARD MEMBERS:

Paul Spieler, Chair  
Jose Barajas  
Jeff Hornbuckle  
Nick Koonce  
James Langhorne  
John Maloney  
James Marston

### STAFF:

Andrew Stuffer, Chief Building Official  
Joe Poire, Fire Prevention Division Chief  
Maria F. Sanchez, Administrative Specialist  
Greta Walters, Executive Assistant

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**Note:** These minutes are a summary of the meeting; an audio recording of this meeting is available at <https://www.santabarbaraca.gov/gov/brdcomm/ac/bfcba/audio.asp>

### CALL TO ORDER

The Full Board meeting was called to order at 2:31 p.m. by Chair Spieler.

### ATTENDANCE

Members present: Barajas, Hornbuckle, Koonce, Langhorne, Marston, Maloney, and Spieler

Members absent: None

Staff present: Chief Building Official Andrew Stuffer  
Administrative Specialist Maria F. Sanchez  
Executive Assistant Greta Walters

### GENERAL BUSINESS

A. Public Comment:

The meeting opened for public comment at 2:33 p.m. No one chose to speak, so the chair closed the public comment portion of the meeting.

B. Approval of Minutes:

Motion: Approve the minutes of the Building and Fire Code Board of Appeals meeting of **February 6, 2020**, as submitted.

Action: Marston / Koonce 7/0/0. Motion carried.

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

- C. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals:
1. Chief Building Official Stuffer announced the following:
    - a. CBO Stuffer announced that in order to hear the ratification of hardship, the Board needed a ratio of two to five, with two out of five members representing the disabled community. Board Members Maloney and Hornbuckle volunteered to not participate as voting members. CBO Stuffer asked these two board members not to comment on this matter so that they did not influence the Board's decision. Mr. Stuffer asked Board Members Hornbuckle and Maloney to listen to the hearing item in case the matter returned to the Board at a later date and their involvement was required. The meeting continued with five voting members: Koonce, Marston, Barajas, Maloney, and Spieler.

### **7 W. Figueroa - Ratification of Hardship - Elevator Exemption**

**Speakers:**

- Staff: Chief Building Official Andrew Stuffer
- Channah Morris and Lewis Rayburn, Nelson Worldwide

**Discussion:** CBO Stuffer presented the City's report to the Board. He explained that the City's Building and Safety staff approved the unreasonable hardship request due to two primary factors: 1) The impact of Code mandated "Path of Travel" improvements to the elevator made the project unfeasible, and 2) The appellant addressed the signage and restroom accessibility issues that the Board required in the Board's December 2019 decision involving this building.

The CBO responded to questions from the Board Members.

Channah Morris and Lewis Rayburn of Nelson Worldwide presented their case for ratification of hardship. They responded to questions from the Board Members.

Public comment opened at 3:34 p.m.

No one chose to speak, so public comment was closed.

Public comment closed at 3:35 p.m.

**Motion:** To ratify hardship waiver for the elevator, contingent upon the installation of a wheelchair lift, vertical or inclined, to the raised offices on the second floor. Alternatively, the appellant may return to this board with a thorough cost analysis and structural analysis, including three competitive bids for further consideration.

**Findings:**

1. There appears to be floor area available on the second floor to provide a chair lift, and
2. The applicant's estimated cost of a chair lift was close to the 20% minimum Path of Travel investment obligation of the Building Code
3. The cost of installing a new elevator greatly exceeded the 20% minimum Path of Travel investment obligation of the Building Code

**Action:** Koonce/ Barajas 5/0/0. Motion carried.

**Motion:** Nick Koonce made a motion to adjourn the meeting. The motion was seconded by Jim Marston.

**Action:** Koonce/ Marston 5/0/0. Motion carried.

The meeting adjourned at 3:50 p.m.