



# **ACCESS APPEALS COMMISSION MINUTES**

## **Regular Meeting Wednesday, September 11, 2019**

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### **1. CALL TO ORDER AND ROLL CALL**

#### **COMMISSION MEMBERS PRESENT:**

Mr. Arnie Lerner, FAIA, CASp, President  
Mr. William Scott Ellsworth, Vice President  
Mr. Kevin Birmingham Commissioner  
Ms. Alyce Brown, Commissioner  
Mr. Walter Park, Commissioner

#### **CITY REPRESENTATIVES:**

Thomas Fessler, Secretary  
Austin Yang, Deputy City Attorney

### **2. PUBLIC COMMENT: (DISCUSSION)**

There were no public comments.

### **3. REVIEW AND APPROVAL OF MINUTES: (DISCUSSION AND POSSIBLE ACTION)**

Minutes from the June 12, 2018 meeting were adopted as written.

### **4. REVIEW OF COMMUNICATION ITEMS: (DISCUSSION)**

The secretary provided the latest snap shot of the number and type of Category Checklist Compliance forms submitted to the Building Department in response to the Access Business Entrance (ABE) program. The secretary explained that the last notification regarding the ABE deadlines resulted in a large response from property owners, causing the voice mailbox and email address devoted to ABE program to become over whelmed. Future compliance numbers should reflect a higher rate of compliance with the ABE program.

The commission questioned whether the staffing level was sufficient for the ABE program. Presently, four clerics and two building inspectors process forms and answer questions specific to the ABE program along with other duties. Permit applications are processed by the plan review staff in normal fashion, mostly over the counter, and issued permits by district building inspectors.

**5. REQUEST FOR RAIFICATION OF AN UNREASONABLE HARDSHIP 647 BOSWORTH STREET AAC-19-03 (DISCUSSION & POSSIBLE ACTION)**

After discussing the details of the case presented by the Architect Rachel Malchow and property owner Rosemary Woo, the commission unanimously voted to ratify the unreasonable hardship with two added conditions; provide visual stripping at the step and a handrail or grab bar on both sides of the step depending on the greatest usability.

**6. DISCUSSION OF ORDINANCE #51-16 ACCESSIBLE BUSINESS ENTRANCE (DISCUSSION)**

There was discussion regarding the establishment of guidelines for requesting unreasonable hardship. The commissioners suggested posting previous decisions on the department's website for the public to understand the conditions for approval of unreasonable hardships. They also requested the secretary to draft a letter to Public Works regarding the requirement for minor sidewalk encroachment permits when power door operators or call buttons are installed to address the ABE program.

**7. ADJOURNMENT: (ACTION)**

The meeting was adjourned at 2:40 P.M.

Thank you,



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Thomas Fessler  
Senior Building Inspector  
Department of Building Inspection  
Secretary to the Access Appeals Commission