



BOARD OF APPEAL RULES AND REGS SUMMARY

APPEALABLE DECISIONS?

An appeal is made when either an applicant or a third-party files a request for a decision to be reviewed by the next level of decision-making authority, and asks for a formal change to an official decision on a request for variance, alternate means and methods, or modification requests. These decisions are made by the Santa Barbara County Fire Marshal or his designee(s) with regard to Chapters 10 and 15 of the Santa Barbara County Code of Ordinances, the California Fire or WUI Codes, the Fire Department's Development Standards, and Title XIV, Minimum Fire Safe Regulations.

Not all decisions made by Fire Department or its staff are appealable decisions.

WHAT IS THE TIME LIMIT?

All appeals must be filed in writing within 30 calendar days of the date on which the decision was issued. To compute the length of an appeal period, begin counting with the day after the decision was issued. An exception to the time limit is made when a quorum of three members is not currently appointed to the Board of the Appeals. In this case, appeals must be filed in writing within 30 calendar days of the appointment of at least three members onto the Board of Appeals.

WHO MAY FILE AN APPEAL?

Appeals may be filed by any person, or their agent, directly aggrieved by a decision that is subject to appeal.

HOW TO SUBMIT?

Appeal applications or a letter requesting an appeal and a \$200 fee, or applicable be at the time of submittal, must be submitted to the Clerk of the Board of Appeals at the Clerk of the Board offices located at **105 E. Anapamu St. in Santa Barbara (Room 407)** or **511 E. Lakeside Pkwy. in Santa Maria.**

WHAT TO SUBMIT?

The Appellant should submit the original request for variance or alternate means and methods request documentation or the Santa Barbara County Fire Department's Request for Modification or Alternative Design and Methods Review form.

The Appellant may submit up to 5 additional pages of reasoning for the members of the Board of Appeals to consider. All submissions must be formatted in a minimum 11-point font.

The Appellant may submit a plan set up to 5 pages for members of the Board of Appeals to consider.

WHAT IS THE HEARING PROCESS?

- Once the appellant has submitted the application or letter, fee and desired documents to the Clerk of the Board of Appeals, a hearing will be scheduled by the Clerk of the Board of Appeals for the Appellant, the Fire Department official and the members of the Board of Appeals.
- The Board of Appeals is subject to the Brown Act and will conduct its meetings in accordance with all applicable laws.
- The Appellant shall submit supporting documents to the Clerk of the Board 7 calendar days prior to the hearing date.
- The Board of Appeals will be provided the materials submitted by all parties at least 5 calendar days prior to the hearing.
- Each party will have 10 minutes to make comments for their respective positions.
- After the 10 minute comment period, each party will have 3 minutes for rebuttals.
- The Board of Appeals will deliberate in closed session after the comment and rebuttal periods.

HOW WILL I FIND OUT ABOUT THE BOARD'S DECISION?

The Chair of the Board of Appeals will submit the Board's decision to the Clerk of the Board of Appeals.

The Clerk of the Board of Appeals will notify the Appellant via Certified US Mail and email address on file of the Board of Appeals decision within 10 business days.

The decision made by the Board of Appeals is **final**.