

Appeal to the Board of Examiners, Appeals and Condemnation

Appeal Type:

- Building Regulation
 Accessibility Regulation

Department Use Only

Case #:

BFFS

Please print clearly (or typewritten). All applicable portions of application must be completed.

Information	Project Address:			Project #:(Plan Check/Permit)		Legal Description (Lot, Block, Tract, APN):		
	Appellant's Name:			Owner's (or Officer's) Name:			Job Status: (Please check box)	
	Address:			Address:			<input type="checkbox"/> Proposed <input type="checkbox"/> In Plan Check <input type="checkbox"/> Under Construction	
	Phone: ()			Phone: ()			Project Type: (Please check box)	
	Fax: ()			Fax: ()			<input type="checkbox"/> New Building <input type="checkbox"/> Addition <input type="checkbox"/> Alteration/Remodel <input type="checkbox"/> Change of Use	
	Email:			Email:				
	Present Use:	Proposed Use:	Occupancy:	Occupant Load:	Type of Constr.:	No. of Stories:	Bldg. Height:	No. of Units:

Provide a clear statement of the issue that the Board is requested to address. The section(s) of the applicable code or standard that is the subject of the request or appeal must be cited. All applications shall be submitted along with a request letter. See the back for additional information.

Request	
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Provide justification for the claim of impracticality or hardship in complying with the code and a finding of equivalency to the code for your proposed alternate materials, design and methods of construction.

Justification	
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Please specify the type of evidence submitted. Attach supporting documentations, drawings or reports to substantiate claims made herein. See the section "Substantial Material" on the back for additional information.

Evidence	
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Signature of Appellant

Date

Signature of Owner

Date

FILING INSTRUCTIONS AND INFORMATION

The Board of Examiners, Appeals and Condemnation (Board) is entrusted to determine the suitability of alternate methods and materials and types of construction, review the determinations relative to the correction of substandard conditions in buildings and to abate nuisances, hear written appeals regarding enforcement of State regulations pertaining to access to public accommodations by persons with disabilities, and review any action taken by the Building Official in the enforcement or interpretation of the Long Beach Municipal Code or other ordinances of the City or laws and statutes of the State. In addition, the Board presides over Administrative Citation Appeal Hearings as neutral hearing officers weighing evidence to determine whether an appeal should be granted or denied.

Appeals to the Board shall be submitted on this application form along with a request letter. The request letter shall describe the scope of the project and elaborate on the reason and justification for the hearing. The appellant is required to provide the pertinent information, listed below, on the application form:

- **Project Address.** Provide the address of the project or jobsite for which the hearing is requested.
- **Project Number.** Provide the project number that was assigned to the plan check or permit, where applicable.
- **Appellant.** Provide the name of the individual who will be presenting this case to the Board.
- **Owner.** Provide the name of the property or building owner and/or developer for the project address.
- **Contact Information.** Provide the complete mailing address(es), phone and fax numbers, and email address(es) of the appellant and/or owner/developer.
- **Request.** Provide a clear statement of the issue that the Board is requested to address. The section(s) of the applicable code or standard that is the subject of the appeal must be cited. The issue may be an interpretation or application of a code provision or a finding on the equivalency to code requirements of an alternate materials, design and methods of construction and equipment.
- **Justification.** Provide justification for the claim of impracticality or hardship in complying with the code and a finding of equivalency to the Code for your proposed alternate materials, design and methods of construction.
- **Evidence.** Submit plans, details or other evidences that the appellant would like the Board to consider that clarifies or substantiates the request. Refer to the "Substantial Material" section for additional information.

Two copies of the application and substantial materials must be submitted to the Building Official at the time of filing and shall be accompanied by a filing fee in the amount as set forth in the current City of Long Beach's Master Fee Schedule (based on 3 hours of Staff and Board's time plus applicable surcharges). If, upon review, the application form and/or any substantial material provided is found to be insufficient or in need of clarity, additional information may be requested. The request letter and appeal application shall be addressed to:

Building Official
Community Development Department
411 West Ocean Boulevard, 2nd Floor
Long Beach, CA 90802

The application and substantial material should be submitted at least **FOUR WEEKS PRIOR** to the scheduled hearing. The appellant will be notified by the Department of Development Services of the scheduled hearing date when all of the pertinent information has been provided. Please refer to the "Schedule of Board Hearing" section below for additional information.

SUBSTANTIAL MATERIAL

The information provided should be of sufficient detail and clarity to explain and describe the desired appeal or variance to the action taken by the Building Official in the enforcement or interpretation of Long Beach Municipal Code Title 18 or to the California Code of Regulations, Title 24-California Building Standards Code. The following information or data are suggested materials to be submitted (all data submitted will become part of the Board file):

- Evidence of acceptance of a particular product, method or material by an approved and recognized agency such as ICC-ES, IAPMO-ES, NFPA, SFM, other jurisdictions, etc.
- Evidence showing behavior of a particular product, method, or material as tested by a recognized laboratory or accredited testing agency.
- Construction documents such as plans, drawings, sketches illustrating method of application, specifications, procedure and calculations showing ability of product.
- Floor plans, cross-sections, elevations, plot plans, and/or construction details.
- Alternate material where applicable, and
- Any pertinent information or data of a reliable nature (i.e. pictures, drawings, reports, etc.).

SCHEDULE OF BOARD HEARING

The Board of Examiners, Appeals, and Condemnation (BEAC) meets once a month on every third Monday at 1:30 p.m. in the new Long Beach City Hall, 411 W. Ocean Blvd., 4th Floor (Queen Mary Conference Room), Long Beach, CA 90802. Hearings will not be held on months when cases are not filed. Hearings will be scheduled when the Superintendent of Building and Safety or a duly authorized representative has reviewed the application for completeness. Please note that the Board will **ONLY** hear the appeal when the appellant or his/her authorized representative is in attendance at the hearing to personally present his/her case.