

EL DORADO COUNTY PLANNING AND BUILDING DEPARTMENT

BOARD OF APPEALS

MINUTES

Thursday, July 13, 2017 3:00pm
Room 248, Building C
2850 Fairlane Court, Placerville, CA 95667

1. Call to Order

Chairman Garry Gates called the meeting to order at 3:04pm

2. Adoption of Agenda

Jeff Haberman moved to adopt the agenda, Colleen Malone seconded.

Ayes: Garry Gates, Stephen Twist, Bill Carey, Colleen Malone, Dwayne Nystrom, James Rahrick, Jeff Haberman

Noes:

Abstain:

Absent:

3. Determine Quorum

Board Members Present:

Garry Gates, Stephen Twist, Bill Carey, Colleen Malone, Dwayne Nystrom, James Rahrick, Jeff Haberman

Board Members Absent:

None

Staff Present:

Tom Burnette, Deputy Director/Building Official, Michael Elliott, Supervising Civil Engineer, Rachel McFatter, Senior Civil Engineer, Cara Bishop, Administrative Technician

Others Present:

Jerry Ponzo, Steven Ponzo, Tracy Ponzo, Charles D. Moore, Bo Grebitus, Craig Horner, David McGhee, Marcie Ponzo, Derek Jette, Dan Delac

4. New Business

A. Appeal #2017-01, Jerry Ponzo Business Owner – Backyard Dreams

Chairman Garry Gates opened the Public Hearing for Appeal #2017-01 with a reminder of time limitations for public discussion to 2 – 3 minutes per person.

Discussion

Board of Appeals Member, James Rahrick, and a Plan Review Engineer for the City of Elk Grove stated his jurisdiction received a deck plan review from Backyard Dreams with a similar method of building and would like to make the fact known for objection purposes. Tom Burnette said he had no objections and thought James Rahrick could be objective. Then he asked Jerry Ponzo if he had any objections and he responded no.

Tom Burnette explained his handouts:

1. Agenda
2. Appeal application from Jerry Ponzo with a letter from applicant
3. El Dorado County (EDC) Government Code Ordinance #3862
4. Excerpt from page A1.0 of plans by Civil Engineer Craig Horner
5. 2016 California Building Code applicable highlighted Section 104.11
6. 2016 California Residential Code (for reference only) highlighted Section R104.11
7. 2016 California Building Code applicable highlighted Section 1.8.7 and 1.8.8
8. 2016 California Residential Code (for reference only) highlighted section 1.8.8
9. 2016 California Building Code applicable highlighted section 1703.4

Tom Burnette explained that they are before the Board of Appeals to decide if the Alternate Materials request qualifies as an alternate material and meets the intent of the code. He stated all Alternate Materials Requests are required to be approved by the Board of Appeals per Ordinance #3862. Tom Burnette stated that the permit review showed that the documents submitted did not meet the intent of the code under the Alternate Materials Methods, but that is for the Board to decide, not us to decide. It is the Building Departments opinion it did not meet the intent.

Jerry Ponzo introduced himself, guests and presented information about his wire mesh deck system. He informed the Board he had samples on display for them to review.

Bill Carey requested to see the product display.

Adjourned downstairs to see that product at 4:00pm

Meeting resumed at 4:33pm

The following were witnesses who spoke on behalf of the products safety, reliability, and aesthetically pleasing look: Bo Grebitus, Certified Inspector, Charles Moore, homeowner, Dave McGhee, homeowner, Derek Jette, homeowner, Cory Smith, former employee, Dan DeLac, homeowner, Dave Brisley, tile company owner.

Jerry Ponzo thanked EDC and the Board for their courtesy. He stated this delay has adversely affected his company.

There was discussion between the Board and the applicant regarding product use and technical merits.

Michael Elliott, Supervising Civil Engineer handed out and reviewed the following documents:

1. Deck Framing Plan
2. Deck Assembly Detail
3. First Plan Review Letter (dated March 9, 2017)
4. Washington State University Report (resubmitted in response to plan check)
5. ASTM E72 – 10 (Standard Test Methods of Conducting Strengths Tests of Panels for Building Construction)
6. Second Plan Review Letter (dated March 29, 2017)
7. Engineer letter, Craig M. Horner, P.E., (dated June 1, 2017)
8. Engineer letter, Imad Abu-Markheih, P.E., (dated June 2, 2017) in response to 2nd plan review
9. Email string between Rachel McFatter, Senior Civil Engineer and Dr. J. Daniel Dolan, P.E., Washington State University (beginning June 12, 2017)

Michael Elliott's review of item 9 included the following statements: "The tests that were ran were not for decks, but for low barbecue walls, and I would not agree to using the values in the altered report that I reviewed for any structural use because of 1) the alterations, 2) the issue of non-accredited lab tests being included, 3) unwitnessed test data being added, and 4) non-compliant testing that would have had to be done to obtain the results shown."

Garry Gates opened the meeting up for public discussion

There was open discussion with additional personal appeals by customers to allow use of this product.

The Board had open forum discussion and Sr. Engineer; Rachel McFatter stated that Jerry Ponzo had submitted a revision to the permit for having pan deck under it. The revision used a steel deck below the wire mesh deck. After further discussion, Tom Burnette asked Jerry Ponzo to state whether we were to proceed with the steel deck permit revision or the original alternate material deck permit. Jerry Ponzo responded to proceed with the steel deck revision for this permit.

Board member Dwayne Nystrom stated that the revision would eliminate the need for an alternate material and then made a motion to dismiss the appeal, James Rahrlick seconded.

More Board discussion produced a revision to the first motion. Jeff Haberman moved that the Board is dismissing the appeal and we are asking the County to provide the engineer information of what they would be looking for going down the engineering process of approval for the wire mesh deck. Colleen Malone seconded.

Ayes: Garry Gates, Stephen Twist, Bill Carey, Colleen Malone, Dwayne Nystrom, James Rahrlick, Jeff Haberman

Noes:

Abstain:

Absent:

5. Meeting dismissed by Chairman Garry Gates at 6:37pm