



BUILDING AND SAFETY APPEALS BOARD REPORT

HEARING DATE: May 12, 2025

AGENDA ITEM # 2

Project Description

APN: 0594-201-09-0000

Appellant: Joseph Santiago

Representative: Joseph Santiago

Community: Pioneertown

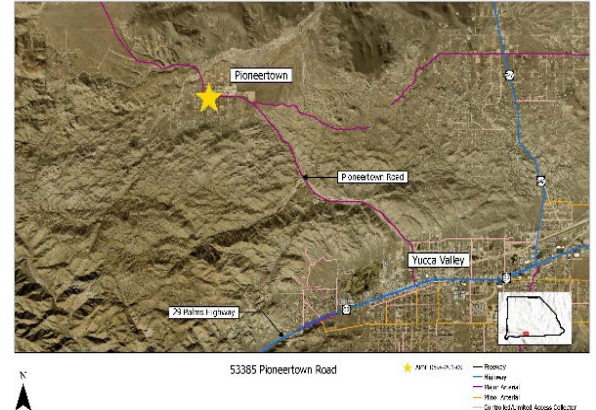
Location: 53385 Pioneertown Rd. Pioneertown, CA 92268

Project No.: BMISC-2024-00138

Staff: Greg Griffith, Engineering Manager, Building & Safety
Matthew Weise, Administrative Supervisor, Building & Safety

Request: Consider item continued from February 3, 2025, meeting. An appeal of the revocation of building permits SFR-2021-00730, SFR-2021-00731, and ACCR-2020-00334

Vicinity Map



SITE INFORMATION

Parcel Size: 1.26 acres

Zoning: SD-Res/RL (Special Development/Residential Rural Living)

Terrain: Flat

Vegetation: Native grass

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE CATEGORY	LAND USE ZONING DISTRICT
Site	Single Family Residence	Rural Living (RL)	Special Development – Residential (SD-RES)
North	Livestock Ranch	Rural Living (RL)	Special Development – Residential (SD-RES)
South	Vacant	Rural Living (RL)	Special Development – Residential (SD-RES)
East	Single Family Residence	Rural Living (RL)	Special Development – Residential (SD-RES)
West	Vacant	Rural Living (RL)	Special Development – Residential (SD-RES)

AGENCY

Community:

Pioneertown

Water Service:

Mojave Water Agency

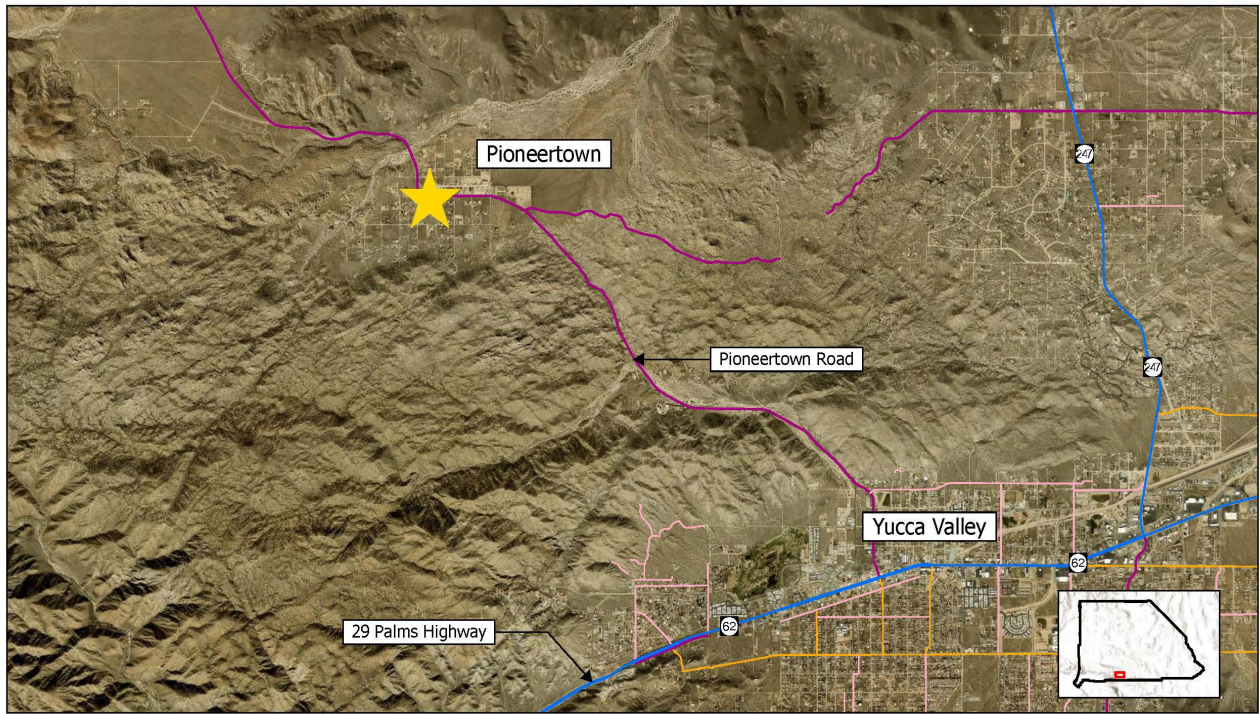
Sewer Service:

N/A

STAFF RECOMMENDATION: The Board of Appeals sustains the Building Official's decision to revoke Building Permit(s) SFR-2021-00730, SFR-2021-00731, and ACCR-2020-00334

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REGIONAL MAP



53385 Pioneertown Road

★ APN: 0594-201-09

- Freeway
- Highway
- Major Arterial
- Minor Arterial
- Controlled/Limited Access Collector

VICINITY MAP



53385 Pioneertown Road



APN: 0594-201-09

Parcels



***Primary Residence
SFR-2021-00730
View 1: Looking West
Taken 03/11/2025***



***Primary Residence
SFR-2021-00730
View 2: Looking South
Taken 03/11/2025***



Primary Residence
SFR-2021-00730
View 3: Looking East
Taken 03/11/2025



APPELLANT REQUEST

This is an appeal filed by Joseph Santiago (Appellant) for the revocation of Permit No's. SFR-2021-00730, SFR-2021-00731, and ACCR-2020-00334 (Permits). As part of the appeal, the Appellant requests the following actions:

1. Return the permits to Issued status.
2. Maintain "one pass, all pass" status.*
3. Return to normal schedule (180 days on passing inspection).*
4. Close Code Enforcement case #C201903524.*

** The Building Board of Appeals authority is limited to approving or denying the Building Official's decision to revoke the building permit (CBC 113). Details of the inspection process are outlined in the Building Code.*

The staff report for the original Building Board of Appeals hearing on February 3, 2025, is included as an attachment to this subsequent report.

FEBRUARY 3, 2025, APPEALS BOARD OUTCOME

On February 3, 2025, the Building Board of Appeals (Appeals Board) considered presentations by staff and the Appellant. Based on the discussion, the Appeals Board unanimously supported a motion to allow the Appellant an additional 90 days to obtain approval of the building permits necessary for installation of the relocated single-family residence (SFR). As part of the motion, the Appeals Board directed Building and Safety staff to work with the Appellant to achieve compliance within this timeframe, and required the Appellant to submit and receive approval for plans before the next hearing date that accurately depict the full scope of work for the project. In this case, the scope of work includes details/calculations to show how the relocated building would be secured to the foundation, and how the building (which was delivered to the subject site in several pieces) would be put back together.

COORDINATION EFFORTS TO ACHIEVE COMPLIANCE

As directed by the Appeals Board, immediately after the February 3rd hearing, staff initiated communications with Mr. Santiago to assist with achieving the approved plans. Several staff members were involved in this effort during the subsequent weeks. (See Exhibit 1).

Staff reached out to the Appellant via email and phone calls. Several phone calls to the Appellant were not answered. (Staff was later informed by Mr. Santiago, at a meeting on March 14th, that his preferred method of communication is email). It was important for staff to work with the Appellant to establish a schedule for timely submittal and review of the anticipated plans – with the goal to achieve the Appeal Board’s desire for resolution of this matter. This goal was conveyed to the Appellant on several occasions (2/14/25 email, 3/12/25 letter, 3/14/25 meeting), each time with a recommended submittal timeline that identified key milestones and timing for both the Appellant and County teams.

Throughout this period, the Appellant asserted that his intention was to submit plans in accordance with the State Historic Building Code. Staff clarified several times with Mr. Santiago that the plans must comply with the California Building Code. Specifically, the Historic Building Code was not applicable as evidence of the historic significance at the 53385 Pioneertown Road location has not been provided to the county.

The Appellant indicated that he was working with the State Historic Board to clarify the historic status of his structures. In addition, he asserts that the historic status of the structure(s) is not restricted to their former location, in Huntington Beach. Staff stated that without formal determination, such as a State or Federal listing of the property within San Bernardino County, the County would not be able to support Mr. Santiago’s request to review plans under the State Historic Code. On this matter, staff and Mr. Santiago were not able to come to an agreement.

CALIFORNIA STATE HISTORICAL BUILDING AND SAFETY BOARD CODE DEVELOPMENT & APPEALS ADVISORY COMMITTEE (CDAAC)

Based on Mr. Santiago’s statement about his contact with the State Board, staff contacted the CDAAC and requested notification of the upcoming hearing for Mr. Santiago’s item. As requested, staff received notification that the matter would be considered by the CDAAC at a meeting on April 11, 2025, and was provided a link to the meeting.

On April 11, the CDAAC heard testimony from the Appellant, County staff, and received public comments. The State Board concurred that determination of a structure's historic significance is a function of the local authority (County of San Bernardino) or alternately structures may be listed on a State or federal Registry. In conclusion the CDAAC "Recommend denying the appeal to allow the local jurisdiction to finalize their determination". This motion was carried with a 6 in favor 0 opposed and the State Board will make this action final on May 14, 2025.

RECORD OF COMMUNICATIONS

Various communication methods were utilized in an attempt to achieve project compliance and support the Appellants efforts. E-mails and written correspondence up to publication of this report are included in Exhibit 1 of this report.

- 2/6/25: Email from Building Official Maged Soliman to Joseph Santiago
- 2/14/25: Call from Building Inspection Manager John Neubert to Joseph Santiago. No answer, so a voicemail was left requesting a call back.
- 2/14/25: Letter from Maged Soliman to Joseph Santiago via email (see Exhibit 2)
- 2/18/25: Email from Joseph Santiago to Maged Soliman
- 2/18/25: Call from Executive Assistant Priscilla Rivera to Joseph Santiago to schedule a meeting. Joseph Santiago declined to meet.
- 2/21/25: County mailed memory stick with video of 2/3/25 hearing to Joseph Santiago (in response to Appellant's request for written transcript of the meeting).
- 2/27/25: Call from Assistant Director Susan O'Strander to Joseph Santiago. No answer, so a voicemail was left requesting a call back.
- 3/4/25: Email from Joseph Santiago to Maged Soliman and Building Manager Greg Griffith requesting a meeting.
- 3/4/25: Email from Priscilla Rivera to Joseph Santiago to schedule a meeting.
- 3/10/25: Call from Joseph Santiago to the Call Center identifying his availability to meet on Friday 3/14 from 2:00-3:00 p.m.
- 3/12/2025: Email from Susan O'Strander to Joseph Santiago clarifying submittal timeline and desire to connect/meet.
- 3/12/2025: Email from Joseph Santiago to Susan O'Strander.
- 3/14/25: In-person meeting with Joseph Santiago, Maged Soliman, Susan O'Strander, Greg Griffith, and Priscilla Rivera. (see Exhibit 3) (Meeting was rescheduled from 2:00 to 1:00 due to a conflict and to ensure all could attend).

- 3/18/25: Email from Joseph Santiago to meeting attendees (3/14 meeting notes).
- 3/25/25: Email from Priscilla Rivera to all meeting attendees (3/14 meeting minutes).
- 04/02/25: Email from Joseph Santiago to Priscilla Rivera informing County staff of the California State Historical Building Safety Board Code Development & Appeals Advisory Committee (CDAAC) meeting on April 11, 2025.
- 4/18/25 Email from Joseph Santiago to the County proposing a hybrid plan check approach.
- 4/22/25 Email from Maged Soliman to Joseph Santiago in response to 4/18 inquiry.

BOARD OPTIONS AND RECOMMENDED ACTION

The Appeals Board is requested to consider the matter and take an action. Although the Appellant has requested several actions, the Board's authority is limited to denying or granting the Building Official's revocation of the building permit. The details of these options are provided below, and resolutions for each are included as attachments to this packet. The staff's recommendation is to deny the appeal.

Option 1: Deny the appeal and adopt the proposed findings and written determination for upholding the Building Officials' decision to revoke permit nos. SFR-2021-00730, SFR-2021-00731, and ACCR-2020-00334. Authorize the Chair of the Appeals Board to execute the written decision and to make non-substantive edits as needed (refer to Exhibit 7).

Should the Board deny the appeal, the Appellant would need to resubmit new plans for County review.

OR

Option 2: Grant the appeal and adopt the proposed findings and written determination for setting aside the Building Officials' decision to revoke permit nos. SFR-2021-00730, SFR-2021-00731, and ACCR-2020-00334. Authorize the Chair of the Appeals Board to execute the written decision and to make non-substantive edits as needed (refer to Exhibit 8).

Should the Board grant the appeal, the County would return the Appellant's plans to regular status and obtain approval on the plans. This means the Appellant would need to update the plans to be complete, including needed information on the proposed scope of work, including

but not limited to details/calculations to show how the relocated building would be secured to the foundation, electrical, plumbing, and how the building would be put back together.

ATTACHMENTS

Exhibit 1: Email chain between SB County and Santiago

Exhibit 2: Letter from M. Soliman to J. Santiago Recommended Compliance Timeline, February 14, 2025

Exhibit 3: Agenda, meeting of March 14, 2025

Exhibit 4: Emails between Huntington Beach Planning Department and SB County

Exhibit 5: Huntington Beach 2014 Historic Survey including 506 7th St and code legend

Exhibit 6: DSA Meeting Notice and Agenda for 4/11/2025 for Code Development and Appeals Advisory Committee for appeal for property at 53385 Pioneertown Rd.

Exhibit 7: State Historical Building and Safety Board Executive Director Review of appeal for property at 53385 Pioneertown Rd.

Exhibit 8: DSA Form 162 Historical Building Code Appeals submittal to include findings

Exhibit 9: SBC LUS Findings to Deny the Appeal

Exhibit 10: SBC LUS Findings to Grant the Appeal

Exhibit 1

From: Soliman, Maged

Sent: Thursday, February 6, 2025 12:21 PM

To: graphicviolencedesn@yahoo.com

Cc: Rivera, Priscilla <Priscilla.Rivera@lus.sbcounty.gov>; Griffith, Greg <Greg.Griffith@lus.sbcounty.gov>; Neubert, John <John.Neubert@lus.sbcounty.gov>; Weise, Matthew <Matthew.Weise@lus.sbcounty.gov>; O'Strander, Susan <Susan.OStrander@lus.sbcounty.gov>

Subject: Pioneertown

Mr. Santiago,

I hope this email finds you well. As you are aware, the Building and Safety Appeals Board (Board) met on February 3, 2025, to discuss your appeal regarding permits revocation for your property at 53385 Pioneertown Rd, Pioneertown.

The Board determination was to reconvene in 90 calendar days, depending on the availability of the Board chambers. The Board made it clear that no further construction or activity should occur during this period. The Board clarified that applicant has responsibility to submit plans to allow timely review and **achieve approval on or before May 5, 2025**. A Board meeting will be held on May 12, 2025 unless the Appellant withdraws his appeal. In addition, the Board indicated that these were not to be BREV, but rather, a new complete submittal package and work to be done by a licensed engineer or licensed architect.

Based on the time frame established by the Board, you must obtain all approvals for the structures on or before May 5, 2025. To ensure allowances for the initial plan check and one re-check, B&S recommends that you have your revised plans submitted Via the EZOP website under your existing permit numbers, no later than March 5, 2025. Once the plans have been uploaded, please notify Matthew Weise at matthew.weise@lus.sbcounty.gov to ensure the plans are routed to the necessary departments.

Furthermore, B&S is requesting that you provide the water will serve letter discussed in the appeals meeting on or before February 14, 2025 to update their records.

We look forward to working with you and bringing this project to completion additionally feel free to contact me if you have any questions.

Thank you,

Maged Soliman, PE, CBO, CASp
Chief Building Official
Land Use Services Department
Phone: (909) 387-4150

On Friday, February 14, 2025 at 03:48:14 PM PST, Soliman, Maged <maged.soliman@lus.sbcounty.gov> wrote:

Dear Mr. Santiago

Please see the above attached letter for recommended compliance timeline for Pioneertown project.

I am available to assist if you would like to call me to discuss this letter. My telephone number is 909-387-4150.

I believe John Neubert left you a message earlier today to request a conference call.

Thank you.

Maged Soliman, PE, CBO, CASp

Chief Building Official

Land Use Services Department

Phone: (909) 387-4150

385 N. Arrowhead Avenue, First Floor

San Bernardino, CA 92415-0187



From: joseph santiago <graphicviolencedesn@yahoo.com>
Sent: Tuesday, February 18, 2025 5:54 PM
To: Soliman, Maged <Maged.Soliman@lus.sbcounty.gov>
Cc: Rivera, Priscilla <Priscilla.Rivera@lus.sbcounty.gov>
Subject: Re: Recommended Compliance - Pioneertown

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hello Maged

Thanks for your synopsis of the hearing result and the timing suggestion emails. Is there an official letter that the B&S Board will send? On official letterhead like the Hearing Notice was?

I ask because I believe the language of the Board's directive was "no construction activity", NOT "no construction, no activity". The latter seems to preclude clean up/organization and is antithetical to good community relations. It would be best for us both to have the transcript of the hearing so we don't miss anything. It is important to include items like their admonition to you and your staff, "... no messing around!", which I then volunteered to comply with as well. The Board also adamantly stated this was "NOT to be a new application", just a re-submission of plans with more detailed drawings and descriptions. I should not have to pay fees twice or resubmit any of the 100+ attachments on the EZOP. That's one of the reasons we're still using the existing permit numbers SFR-2021-00730, SFR-202100731 and ACCR-2020-00334. On that note, I don't have the Water Will Serve letter in hand at the moment but I do have, attached, the 4/20/2022 Permit Requirements document from B&S confirming receipt of it (highlighted, 2nd Page). I would have been able to attach an actual copy if I hadn't been locked out of my EZOP Attachment files.

Also, after our extensive hearing, with part of the decision specifically barring any construction activity, it occurred to me that the local community will be seeing no progress for the 90 days. I would like to at least clean and organize the site so that the complaints and "outcry" are kept to a minimum. No construction work, erecting roof parts, etc, just cleaning, organizing and carting away debris and trash. I want to make sure you know I'm eager to cooperate and move forward amicably with a mind toward the community.

In the meantime, I've already met a few times with my architect/engineer and draftsman who are well into the ordered detail changes to the plans which will still be based on historic code (CHBC). The ADU and Garage have inarguable historic qualification documentation available. The "...officially adopted... inventory or survey..." list (mentioned by your counsel at the hearing), highlighting the two structures, is attached. The corresponding DPR Forms are attached for your convenience as well. The Main House documentation may not be as plain and simple but I guarantee you it will be confirmed as qualified under the "determined eligible for...state or local historical registers..." provision of Title 24 8-218–Q, similar to the ADU and Garage, as it was by your predecessors in '20, '21 and '23 along with the CE Mediator in 2020 as well.

I would also like to have a sit down with your staff once I have an initial 3 plan sets to make sure I maximize efficiency and include everything your team needs to see. Likely in early March, not too far off your suggested schedule.

Lastly, I want to keep the SB County B&S Board members updated on our cooperation and progress. Since Priscilla Rivera has informed me you are legally not allowed to send me their emails I will cc all correspondence through Priscilla Rivera so that she can cc the Board on all communications. I suggest you do the same. Thank You.

Sincerely

Joseph D. Santiago

Pioneertown



Soliman, Maged

To: graphicviolencedesn@yahoo.com

Cc: Rivera, Priscilla; Griffith, Greg; Neubert, John; Weise, Matthew; O'Strander, Susan

Follow up. Completed on Wednesday, February 19, 2025.

Reply Reply All Forward

Thu 02/06/2025 12:21 PM

Mr. Santiago,

I hope this email finds you well. As you are aware, the Building and Safety Appeals Board (Board) met on February 3, 2025, to discuss your appeal regarding permits revocation for your property at 53385 **Pioneertown Rd, Pioneertown**.

The Board determination was to reconvene in 90 calendar days, depending on the availability of the Board chambers. The Board made it clear that no further construction or activity should occur during this period. The Board clarified that applicant has responsibility to submit plans to allow timely review and **achieve approval on or before May 5, 2025**. A Board meeting will be held on May 12, 2025 unless the Appellant withdraws his appeal. In addition, the Board indicated that these were not to be BREV, but rather, a new complete submittal package and work to be done by a licensed engineer or licensed architect.

Based on the time frame established by the Board, you must obtain all approvals for the structures on or before May 5, 2025. To ensure allowances for the initial plan check and one re-check, B&S recommends that you have you revised plans submitted Via the EZOP website under your existing permit numbers, no later than March 5, 2025. Once the plans have been uploaded, please notify Matthew Weise at matthew.weise@lus.sbcounty.gov to ensure the plans are routed to the necessary departments.

Furthermore, B&S is requesting that you provide the water will serve letter discussed in the appeals meeting on or before February 14, 2025 to update their records.

We look forward to working with you and brining this project to completion additionally feel free to contact me if you have any questions.

Thank you,

Maged Soliman, PE, CBO, CASp

Chief Building Official

Land Use Services Department

Phone: (909) 387-4150

385 N. Arrowhead Avenue, First Floor

San Bernardino, CA 92415-0187



From: joseph santiago <graphicviolencedesn@yahoo.com>
Sent: Tuesday, March 4, 2025 9:27 AM
To: Soliman, Maged <Maged.Soliman@lus.sbcounty.gov>; Rivera, Priscilla <Priscilla.Rivera@lus.sbcounty.gov>
Subject: 53385 Pioneertown Road Hearing Decision

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Hello Maged and Priscilla

Thank you for the video transcript of the Hearing.

The video had some surprising revelations for me and I believe you, Maged, will find them eye-opening as well. First and foremost, the final Hearing Decision is not what either of us thought. Boardmember Weldy's motion, which both of us seemed to remember as the final, was not the final. Weldy withdrew that motion at the suggestion of the County Counsel for a substitute motion that carried 4-0. That motion reads:

"To continue this hearing for no less than 90 days to the first available date for this room with direction for appellant and County to work together to try to appease the deficiencies currently in place."

That's it. Everything else was withdrawn.

That said, I believe the other motion's long discussion makes a very reasonable guideline to how we should "work together" as ordered. There were several points in the discussion of the Weldy motion that three or more of the members agreed on. They are, in order of appearance:

"doesn't mean you can go out there and start building things"

"the Permit doesn't go away"

"fulfill the additional information... for a viable concept plan and building plan so that you can explain to the County what it is your going to do and how you're going to do it. So they all know what they're inspecting when they go out there."

"Approved plans, [not submitted plans]"

"but no messing around [directed at B&S], reasonable expectation of turnaround from you guys [B&S]"

"will be mostly comprised of existing plans... not a BREV... but you won't be starting from scratch"

"Your really gonna be supplementing that information [existing plans]."

"Scope of Work is the important thing."

"NOT NEW PERMITS (all 4 members agreed), same permit numbers", B&S Staff replied, "If it can be done as an alteration of the existing permits, we'll do it that way."

So those are the details I think we should adhere to. One member did bring up his doubts about getting historic provenance in time but it got no traction much less majority agreement. As I mentioned and attached in my last email, the proof of qualification for the ADU and Garage are unassailable and the Main House has been "determined eligible for... official inventories..." by your predecessors three times over in addition to the official CE mediation finding (CHBC SECTION 8-218—Q. QUALIFIED HISTORICAL BUILDING OR PROPERTY.). I will be submitting CHBC-compliant supplemented plans accordingly.

I would like very much to meet with you and Greg Griffith to discuss and redline the initial plan sets this Friday, March 7th or Monday, March 10th. I may even be ready sooner if it suits your schedule, I will know how much sooner by end of day today.

Please let me know what works for you. Thanks.

Sincerely

Joseph D Santiago

From: Rivera, Priscilla

Sent: Tuesday, March 4, 2025 4:42 PM

To: joseph santiago <graphicviolencedesn@yahoo.com>

Subject: RE: 53385 Pioneertown Road Hearing Decision

Hello Mr. Santiago,

Would you like to come in on Monday March 10th at 2:00 p.m. or Friday March 14th at 2:00 p.m.?

Please let me know which time and date works best for you.

THANK YOU

Priscilla Rivera

Executive Administrative Assistant I, B&S

Land Use Services Department

Phone: 909-387-4111

385 N. Arrowhead Ave., 1st Floor

San Bernardino, CA 92415



Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

www.SBCounty.gov

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From: O'Strander, Susan <Susan.OStrander@lus.sbcounty.gov>
Sent: Wednesday, March 12, 2025 6:34 PM
To: graphicviolencedesn@yahoo.com
Cc: Soliman, Maged <Maged.Soliman@lus.sbcounty.gov>; Rivera, Priscilla <Priscilla.Rivera@lus.sbcounty.gov>
Subject: 53385 Pioneertown Rd, Pioneertown

Hello Mr. Santiago,

In our February 14, 2025, letter (attached), several recommendations were included to help you meet the timeline for submitting revised plans. These recommendations were based on the 90-day continuance granted by the Building Board of Appeals on February 3, 2025. The additional time allows us an opportunity to work together to meet the Board's directive.

The recommended submittal timeline identifies tasks and timing for both the Applicant and the County. This is attached for your use, and includes key milestones, such as allowing 30 days to consult with design professionals and submit complete plans for initial review by LUS staff. Unfortunately, the first milestone of March 5 has passed without submittal of your plans. Missing this deadline reduces the County's ability to reasonably review your plans and act on your request within the anticipated schedule.

I, along with our Executive Secretary, Priscilla Rivera, have reached out several times to contact you. I wanted to connect with you and discuss any concerns you may have. After multiple attempts, Priscilla recently ascertained your availability for the requested meeting and scheduled an in-person meeting on Friday, March 14th.

Our goal is to work together with you to ensure this process moves forward smoothly. As such, the team and I are available to assist in any way we can. Please let me know if you need any support or if there are obstacles we can help address.

We look forward to our meeting with you at 1:00 p.m. on Friday, March 14.

Thanks,

Sue.



Susan O'Strander, AICP

Assistant Director, Land Use Services

385 N. Arrowhead Ave, 1st Floor | Office: (909) 387-4518
San Bernardino, CA 92415 | Mobile: (909) 991-2530

Rivera, Priscilla

From: joseph santiago <graphicviolencedesn@yahoo.com>
Sent: Wednesday, March 12, 2025 10:34 PM
To: O'Strander, Susan; Soliman, Maged
Cc: Rivera, Priscilla
Subject: Re: 53385 Pioneertown Rd, Pioneertown

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Hello Susan, (Maged and Priscilla as well)

Thank you for reaching out.

I am well aware of the county's February 14th suggested timeline letter, as I responded to it accordingly. My comments about the recommendations still stand.

I am very much aware of the submittal timeline which is why I tried so many times to meet with Maged this past Monday in spite of being held up at your local FedEx Office for just 15 minutes. It surprised me that Maged would put off the meeting for several days over a 15 minute delay at the printer. That doesn't seem like "working together".

While you mention that Priscilla reached out several times, you fail to mention that I have reached back and out even more. I have communicated with Priscilla extensively about the canceled meeting, the rescheduled Friday 3/14/25 meeting at 2pm and the new one that was again rescheduled to Friday at 1pm. That meeting is supposed to help avoid an extra submittal period or other such delay.

Also, I have not previously received any form of communication from you, Susan, no emails, phone calls or texts. Nor has Priscilla ever mentioned you or any attempts from you to communicate. You should also be aware that Maged has funneled all communication with me through Priscilla and I have communicated with him ,cc-ing Priscilla since. I cc her on all my communications so she can forward to the Boardmembers for transparency, as agreed. Please let me know what method you have attempted to communicate with prior so I can look in my spam folder or check phone messages. etc.

Lastly, there were several issues that I invited comment on in my 2/18/25 and 3/4/25 emails to Maged. I still have no answers from anyone at the County. Nothing about the official appeal decision language or letterhead, nothing about the historic provenance issue, etc. The latter never should have been an obstacle in the first place so I've proceeded as previously noted in my aforementioned emails to Maged.

All that said, my goal is also to work together with you to ensure this process moves forward smoothly. I have taken this extra time to further refine the plan sets to avoid further delay.

I look forward to our meeting as well. Thank you.

Sincerely
Joseph D. Santiago

From: joseph santiago <graphicviolencedesn@yahoo.com>
Sent: Tuesday, March 18, 2025 4:31 PM
To: Soliman, Maged <Maged.Soliman@lus.sbcounty.gov>
Cc: Rivera, Priscilla <Priscilla.Rivera@lus.sbcounty.gov>
Subject: 53385 Pioneertown Road Mtg Synopsis 5/14/25

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Hello Maged

I wanted to share my notes from our meeting Friday, 5/14/25. As you know, I believe it is important that all of our communications are documented for transparency. The following is my best recollection of what was said and by whom. You'll recall that you stopped me showing the newly detailed plans because, as previously submitted, the first page had CHBC code compliance noted and was titled with Historic Preservation Project Pioneertown House Move-On. Sue said you all wanted that removed, I said that's not going to happen. Here's what was said from there:

Greg Griffith:

- Claims only CBC prevails, structures not qualified (I state this isn't true and refer all of you to the evidence I provided in my recent email to you.)
- Claims records of ADU rating 6L/not historic (The Historic Survey docs I bring show rating C for both ADU and Garage. C is well qualified.)
- Claims to have "talked to the State Architect & Huntington Beach" (Probably DSA office only and jr HB counter staff who know nothing of CHBC law. Says nothing about SHBSB or its executive Director. Refused to even look at the copy of the CHBC that I brought to the meeting.)
- Claims structures are no longer historic due to moving (CHBC is very clear that moved structures remain historic and are still protected by code. There is no code language that even mentions borders or distances for retaining historic qualifications.)
- Claims "Huntington Beach said it isn't historic" (0 proof, no names of Staff at any level, no letters, emails or documents as back up)
- Claims if Huntington Beach allowed it to be moved, it couldn't be historic (HB has no such ordinance nor any that protects historic properties. Even National Register and State Register structures can be moved or demolished if privately-owned and there are no local laws to protect them. The point of the CHBC is to provide protections/incentives IF the private owner so chooses. Its literally enticement to preserve, moving included.)
- Claims "No one here accepted Historic Documentation EVER!" (This is a ridiculous claim. The historic documents I submitted were first requested by Staff and then accepted by Staff multiple times.)
- Claims original permits were "ONLY for a foundation!" (Plans clearly show "CHBC", "HISTORIC PRESERVATION PROJECT... HOUSE MOVE ON". Even better, the permit record

from 2022 with Greg Griffith's signature, says RELOCATE SINGLE FAMILY RESIDENCE OF 1604 SQ FT LIVABLE, without even referencing a foundation, much less foundation only.)

- Claims Huntington Beach Historic Survey listing ADU and Garage is "expired" (With no explanation of how or why.)
- Claims none of the structures are eligible for CHBC protections because, "They're not historic HERE!" (CHBC 8-218 – Q says otherwise.)

Susan O'Strander:

- Claims, along with you and Griffith, only CBC prevails, all 3 structures are not qualified for CHBC protection (Not true, as above.)
- Claims records of ADU rating 6L/not historic (Not true. Docs provided show rating C/well qualified.)
- Admits she didn't see DPRs w/ survey lists I sent (I included those because its exactly the list she called for in the Hearing. We have the video!)
- Claims the structures are not on "the state list" so they are not qualified (The law is clear that this isn't a requirement, its one option among many.)
- No code language, historic or otherwise, or SHBSB opinions, is cited. (Again- HSC 18961 "... shall consult with [SHBSB]... prior to... action...")

Maged Soliman:

- Claims, along with O'Strander and Griffith, only CBC prevails, all 3 structures are not qualified for CHBC protection (Not true, as above.)
- Claims I asked to communicate only through Priscilla Rivera (I said "not at all, I just requested we cc her for transparency emails to the Board)
- Admits there was no response to my notice of forthcoming CHBC compatible plans emailed over three weeks prior
- Asks me, "Would you be willing to submit separate CHBC and CBC compatible plans simultaneously? (My response: "If my pockets were deeper than my reach, sure. but they are not. I would rather spend the time and money on finishing the project.")

Me:

- Claims CHBC prevails. Countering Staff, Santiago cites the first of multiple CHBC code sections for proof. (Griffith immediately shouts him down.)
- Replies to news of Staff CBC-only demands, "Then this meeting is pointless. I emailed you weeks ago that plans would be CHBC compatible with proof of historic qualification attached. You've wasted over 3 weeks of my deadline time now."
- Says to Soliman, "Sending an email response, Maged, would have saved all of us wasted time, gas and money"
- Says to Soliman and O'Strander, "Please read that email and the attachments I sent with it."
- Says "I've asked the SHBSB for a Hearing" (To confirm the aforementioned CHBC applicability and alleged unlawful actions taken by SB County)
- Says SHBSB hearing should be in early April, about 3-weeks.

After all that we agreed to end the meeting and keep each other posted on the SHBSB's activities in that regard.

So that's a pretty comprehensive run down of the flurry of Staff statements and my responses. My rebuttals/comments are in parentheses. I have attached the Historic Survey docs for the ADU and Garage again for your convenience, along with the main house permit doc from 2022 with Griffith's signature. I can guarantee you that there's a similar digital paper trail that shows the requests for and acceptance of all the historic proof by your forebears. No amount of bluster and bullying can erase that.

If you have anything to add or correct about what was said in the meeting, please let me know. I have to say that this does not seem like the cooperation or working together that the Board demanded of us. My evidence is by the book and it seems your team refuses to even acknowledge the book exists. I suppose the SHBSB will have to determine the lawful course of action from here.

Sincerely

Joseph D. Santiago

Exhibit 2

385 N. Arrowhead Avenue San Bernardino, CA 92415 | Phone: 909.387.8311 Fax: 909.387.3223



Land Use Services Department Building and Safety

www.SBCounty.gov

Mark Wardlaw
Director

Marlene Ambriz
Assistant Director

Susan O'Strander
Assistant Director

February 14, 2025

Subject: Recommended Compliance Timeline for Revised Plans – 533385 Pioneertown Road

Dear Mr. Santiago,

Pursuant to the action of the Building and Safety Appeals Board ("Board"), your appeal has been continued for approximately 90 days in order to provide you time to submit a new application for a building permit with revised plans that clearly define the scope of your project. The 90-day continuance from February 4, 2025, gives you until approximately May 5, 2025, to meet the Board's directive.

In order to assist and facilitate compliance with the Board's deadline, the Building and Safety Division has developed the attached schedule, which outlines projected timelines for submission, review, and approval. We welcome your input on the proposed schedule. However, given the scope of work, the proposed timeline allows for project preparation, coordination with your design professional, and county review. The County anticipates conducting an initial plan review and one additional recheck, provided that all identified deficiencies are addressed promptly. Accordingly, we believe meeting the May 5 deadline will be contingent upon adherence to this or a similar schedule by both parties.

The compliance timeline includes key dates, highlighted in yellow, to include:

- 30 days for consulting with design professionals and submitting complete plans, engineering reports, and construction details for initial review.
- 15 days for Building and Safety's initial plan review.
- 14 days for you to make corrections and submit plans to Building and Safety.
- 14 days for Building and Safety final plan review.
- 7 days for you to upload additional documents, and pay fees due

Additionally, as noted in my email dated February 6, 2025, please submit a Water Availability "Will Serve Letter" to Land Use Services. The Will Serve Letter will be necessary in the review of the permit.

Please review the attached proposed timeline for further details. Should you have any questions or require clarification, I am available to assist. I look forward to working with you to ensure the successful completion of this project.

Please see the attachment included.

Best regards,

Maged Soliman

Maged Soliman, PE
Building Official of Building and Safety Division
County of San Bernardino

BOARD OF SUPERVISORS

COL. PAUL COOK (RET.)
First District

JESSE ARMENDAREZ
Second District

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CURT HAGMAN
Fourth District

JOE BACA, JR.
Vice Chair, Fifth District

Luther Snoke
Chief Executive Officer

Recommended Pioneertown Submittal Timeline			
Resource Names	Task Name	Duration	Finish
	Recommended Pioneertown Permit Timeline	91 days	Mon 05/05/25
	Building Permit Application Submittal		
Applicant	Prepare complete package of Plans /Drawing/Engineering	30 days	Wed 03/05/25
Applicant	Submits Complete application and Building plans in EZOP	1 day	Wed 03/05/25
SB County	Anticipated Review Building and Safety 1st Review turnaround	14 days	Th. 03/20/25
SB County	Verify Compiles all comments and uploads package to EZOP	1 day	Fri 03/21/25
Applicant	Revise Plans uploads corrections	14 days	Fri 04/04/2025
SB County	Final review of revised plans to ensure all comments are addressed	14 days	Fri 04/18/25
SB County	Uploads any additional forms needed and invoices fees due	1 day	Mon 04/21/25
Applicant	Uploads completed documents, Will serve letter, and pays fees due	7 days	Mon 04/28/25
SB County	Final review for completeness and issues permit	3 days	Th. 05/01/25
Yellow indicates proposed dates and tasks to be completed by applicant			

Exhibit 3

MEETING AGENDA

Location: 385 N. San Bernardino Ave, 1st Floor. Teamwork

Date: March 14, 2025

Time: 1:00 pm

AGENDA DETAILS

I. INTRODUCTIONS

- a. Santiago Team
- b. San Bernardino County Staff

II. NEW BUSINESS

- a. Historic Status - [National Register of Historic Places \(U.S. National Park Service\)](https://ohp.parks.ca.gov/), <https://ohp.parks.ca.gov/>
- b. Design review California Building Code
- c. Recommended Schedule

Recommended Pioneertown Submittal Timeline			
Resource Names	Task Name	Duration	Finish
	Recommended Pioneertown Permit Timeline	91 days	Mon 05/05/25
	Building Permit Application Submittal		
Applicant	Prepare complete package of Plans /Drawing/Engineering	30 days	Wed 03/05/25
Applicant	Submits Complete application and Building plans in EZOP	1 day	Wed 03/05/25
SB County	Anticipated Review Building and Safety 1st Review turnaround	14 days	Th. 03/20/25
SB County	Verify Compiles all comments and uploads package to EZOP	1 day	Fri 03/21/25
Applicant	Revise Plans uploads corrections	14 days	Fri 04/04/2025
SB County	Final review of revised plans to ensure all comments are addressed	14 days	Fri 04/18/25
SB County	Uploads any additional forms needed and invoices fees due	1 day	Mon 04/21/25
Applicant	Uploads completed documents, Will serve letter, and pays fees due	7 days	Mon 04/28/25
SB County	Final review for completeness and issues permit	3 days	Th. 05/01/25

Yellow indicates proposed dates and tasks to be completed by applicant

- d. Milestones and Submittal package

III. CONCLUSION

- a. Next Meeting TBD

Exhibit 4

Hello,

Permit history shows that the garage was built in 2020. This is not included in the historical designation.

Thank you,



Carolyn Camarena

Assistant Planner

Community Development

Office: (714) 536-5554

carolyn.camarena@surfcity-hb.org



2000 Main Street, Huntington Beach, CA 92648

HB ACA – Apply Online, Check Status, & Schedule Inspections:

<https://huntingtonbeachca.gov/aca>

From: Griffith, Greg <Greg.Griffith@lus.sbcounty.gov>

Sent: Tuesday, March 18, 2025 9:53 AM

To: Camarena, Carolyn <Carolyn.Camarena@surfcity-hb.org>

Cc: Permit Center <permitcenter@surfcity-hb.org>

Subject: RE: Historical property

Hi Carolyn,

Thank you for the quick response. For the address 1816 Main St. would that include the garage?

Thanks

Greg Griffith, PE, LEED AP

From: Camarena, Carolyn <Carolyn.Camarena@surfcity-hb.org> **On Behalf Of** Permit Center

Sent: Tuesday, March 18, 2025 9:46 AM

To: Griffith, Greg <Greg.Griffith@lus.sbcounty.gov>

Subject: RE: Historical property

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Hello,

1816 Main is in the registry for historical significance. 506 7th street is not listed as historically significant.

Thank you,



Carolyn Camarena

Assistant Planner

Community Development

Office: (714) 536-5554

carolyn.camarena@surfcity-hb.org



2000 Main Street, Huntington Beach, CA 92648

From: Griffith, Greg <Greg.Griffith@lus.sbcounty.gov>

Sent: Friday, March 14, 2025 10:23 AM

To: Permit Center <permitcenter@surfcity-hb.org>

Subject: Historical property

You don't often get email from greg.griffith@lus.sbcounty.gov. [Learn why this is important](#)

To Whom it may concern:

I would like to verify if the following properties are on the city's historical register or list:

1816 Main St.

506 7th St.

Thank you

Greg Griffith, PE, LEED AP

Engineering Manager

Building and Safety Division

Land Use Services Department

Phone: 909-387-8311

Exhibit 5



#	APN	Address	Land Use	Year Built	Status Code
760	024-131-08	506 7th St	Single Family Dwelling	1905	6L
761	024-131-09	504 7th St	Single Family Dwelling	1905	3CS
762	024-131-11	523 Pecan Ave	Multi Family Dwelling	1939	6Z
763	024-131-12	519 Pecan Ave	Single Family Dwelling	1905	3CS
764	024-131-15	509 Pecan Ave	Single Family Dwelling	1915	3CS
765	024-131-17	501 6th St	Single Family Dwelling	1905	6Z
766	024-131-26	513 Pecan Ave	Single Family Dwelling	1917	6Z
767	024-132-01	428 7th St 613 Pecan Ave	Single Family Dwelling	1905	3S/5S1
768	024-132-03	420 7th St	Multi Family Dwelling	1957	6Z
769	024-132-04	412 7th St	Single Family Dwelling	1920	6Z
770	024-132-05	410 7th St	Single Family Dwelling	1910	6Z
771	024-132-06	406 7th St	Single Family Dwelling	1907	5S2
772	024-132-07	402 7th St	Single Family Dwelling	1917	5S2
773	024-132-08	614 Orange Ave	Single Family Dwelling	1917	3CS
774	024-132-09	423 6th St	Single Family Dwelling	1917	6Z
775	024-132-10	421 6th St	Single Family Dwelling	1913	6Z
776	024-132-12	415 6th St	Single Family Dwelling	1917	5S2/6L
777	024-132-13	411 6th St	Single Family Dwelling	1920	5S2



Following is a summary of properties that do not appear historically significant at this time and are not historical resources for the purposes of CEQA:

Status Code	Amount	Notes
5S2/5S1/6L	1	Identified in 1986; on the City's General Plan; since altered
5S2/6L	24	Identified in 1986; since altered
5S2/6Z	5	Identified in 1986; heavily altered
5S3/6L	39	Not eligible, may warrant consideration in local planning; could be locally eligible once the local criteria are established
6L	459	Not eligible, may warrant consideration in local planning
6Z	831	Not eligible at any level
7N	735	Needs to be reevaluated
7N1	1	Pier; listed on National Register, would need rehabilitation to retain NR listing
7R	43	Not evaluated
/	5	No such address, no status given
2143		Total Properties Not Historically Significant

Exhibit 6



CODE DEVELOPMENT & APPEALS ADVISORY COMMITTEE (CDAAC)

MEETING NOTICE AND AGENDA CODE DEVELOPMENT & APPEALS ADVISORY COMMITTEE (CDAAC)

**Friday, April 11, 2025, at 1:00 p.m.
at 1102 Q Street, Suite 5100, Sacramento, CA 95811**

Notice is hereby given that the California State Historical Building Safety Board Code Development & Appeals Advisory Committee (CDAAC) will **hear, discuss, deliberate and/or take action** on the agenda as identified in the items below.

This meeting can be attended by the public in person or online via Zoom.

Written comments will be provided to the CDAAC members if the comments are received by 5:00 p.m. on Friday, April 4, 2025. Receipt of written comments after this date may not allow sufficient time to be reviewed by the committee prior to the meeting. Submit written comments to the CDAAC at shbsb@dgs.ca.gov

Address: 1102 Q Street, Suite 5100, Sacramento, CA 95811
(Google Maps Link: <https://maps.app.goo.gl/a2YT85HJgGyA4v17A>)

or attend online via Zoom.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85730238755?pwd=v7qbCDqXIUyRcUugCfwHW9xxzxAh2V.1>

Passcode: 999143

Join via audio:
USA 215 446 3656 US Toll
USA 888 363 4734 US Toll-free
Conference code: 684348

Members of the public are welcome to join the meeting in person or via Zoom. Closed captioning is available via Zoom's automated live transcriptions.

Should technical assistance or accommodations be needed to participate in the CDAAC meeting, please contact Gregory Hartley at (279) 799-4349 or Gregory.hartley@dgs.ca.gov



CODE DEVELOPMENT & APPEALS ADVISORY COMMITTEE (CDAAC)

AGENDA ITEMS

Start 1:00 p.m.

- I. Open Session - Call to Order and Roll Call
- II. Comments From the Public on Issues Not on This Agenda: CDAAC may receive comments from the public on matters not on the agenda. Matters raised may be briefly discussed by CDAAC and/or placed on a subsequent agenda. No discussion by CDAAC on items raised during this agenda item will occur.
- III. Appeals
 - a) 53385 Pioneertown Road
- IV. Discussion on Code Proposals and Process
- V. Next meeting and agenda topics
- VI. Adjournment

Exhibit 7



STATE HISTORICAL BUILDING SAFETY BOARD

3/27/2025

Subject: *Executive Director Review of Appeal for the property at 53385 Pioneer Town Road, Pioneertown, CA 92268*

Authority of the State Historic Building Safety Board (hereafter the Board)

Pursuant to Health and Safety Code Section 18960(c):

The [Historic Building Safety] board shall also act as a review body to state and local agencies with respect to interpretations of this part [Part 2.7 of the Health and Safety Code (aka. The Historic Building Code)] as well as on matters of administration and enforcement of it. The board's decisions shall be reported in printed form.

(1) Notwithstanding subdivision (b) of Section 18945, if any local agency administering and enforcing this part or any person adversely affected by any regulation, rule, omission, interpretation, decision, or practice of this agency representing a building standard wishes to appeal the issue for resolution to the State Historical Building Safety Board, these parties may appeal to the board. The board may accept the appeal only if it determines that issues involved in the appeal have statewide significance.

(2) The State Historical Building Safety Board shall, upon making a decision on an appeal pursuant to paragraph (1), send a copy to the State Building Standards Commission.

Code Development and Appeals Advisory Committee Guidance

On 19 April 2024 the Board created the Code Development and Appeals Advisory Committee (hereafter the Committee), in part, to consider and advise the Board regarding appeals. The Committee may receive and provide recommendations to the Board on appeals. The Committee may not act on behalf of the Board. The Committee may recommend: "Denial of the appeal"; "Approval of the appeal" or "further study" by the appellant". The Committee may make additional recommendations to either the appellant or the local jurisdiction as deemed appropriate by the Committee. Committee recommendations must be based on majority vote of a quorum. Additional information may be provided to the Board by the Committee to substantiate the Committee's recommendations. Based on committee discussions and recommendations, appellants may select to continue the appeal to be heard by the Board or withdraw the appeal. In considering the facts of the appeal, the committee must consider whether the structure or property is a qualified historic building or property, as defined. Pursuant to Health and Safety Code 18960(c) the Committee must also determine if the issues involved in the

Eric Driever, Executive Director • 1102 Q Street, Suite 5100, Sacramento, California 95811 • (916) 443-9829
Department of General Services • Division of the State Architect • Historical Building Safety Board
State of California • Gavin Newsom, Governor

Page 2

appeal have statewide significance. These recommendations must accompany the Committee's findings to the Board.

Appeal Documents

On 17 March, 2025 staff received an appeal submitted by Mr. Joeseeph Santiago relating to a building permit issued in the County of San Bernardino, permit No. SFR-21-00730 dated 09/28/2022, expiring 3/27/2023. The permit is to relocate a single-family residence. Related permits included in the appeal are SFR-2021-00731 and ACCR-2020-00334 for a detached ADU and detached garage respectively.

The appellant has submitted DSA Form 162 Historical Building Code Appeal and supplemental documents relating to the appeal. Not all subject building permits issued by San Bernardino County have been received. All documents were emailed on 17 March 2025. Documents provided to staff were submitted in three separate emails with attachments in no specific organized fashion. For ease of reference by the Committee, staff has organized the supplemental documents including page separators with descriptions.

The County of San Bernardino provided a staff report created to inform the San Bernardino Building and Safety Board regarding a hearing for the subject property. That report is provided in the Committee packet both in its original unaltered form as well as a separate copy submitted by the appellant with appellant commentary and annotations. The appellant has also provided some fragmented information regarding Historic registries and a presentation with other supplemental information and appeal information.

Description of Issues Being Appealed

The appellant is appealing the revocation of the building permits based on numerous references including Health and Safety Code 18954, 18961 and the California Historic Building Code (CHBC) Section 8-102.1.2, 8-102.1.5, 8-103.1, 8-105.1, 8-218, 8-303.7, 8-801.3 and Chapter 8-9. Supporting documents include an annotated copy of the staff report dated February 3, 2025 regarding the subject permits which details staff recommendations and findings. Comments and annotations are provided by the appellant. Additionally, a copy of the staff report was provided by the county which is not annotated for committee reference.

The appellant asserts that action was taken by the county without consultation of the State Historic Building Safety Board (SHBSB). Note that no regulation or law is known to require consultation of the SHBSB by a local entity prior to taking action, whether ministerial or by board action. The SHBSB may be consulted by local enforcement authorities but is not required. The appeals process by nature is to appeal an action taken by a local jurisdiction. Without the determination by the Board of "statewide significance" the Board may not take action.

Page 3

The appellant is appealing various administrative actions made by the County of San Bernardino in their revocation of the permits that do not appear to be within the authority of the State Historical Building Safety Board's purview. For example, the appellant asserts that the county may not have provided due process in not demanding or allowing resubmittal within 90 days prior to revocation. Additionally, some annotations object to the county not considering the COVID Pandemic in their decision-making process. It is recommended that the portions of the appeal related to these actions not be considered in the appeal.

Qualifying Nature of the Buildings

The appellant has described the qualifying nature of the buildings in the submitted DSA Form 162. The appellant indicates that the county did not consider the qualifying nature of the buildings when revoking the permits. As indicated in the referenced San Bernardino staff report the county denies that the buildings are a qualified historic structure. Currently, San Bernardino does not have a Historic building committee or commission charged with the maintenance of a local historic registry or to review and consider claims of historic buildings or properties.

The supporting documentation submitted by the appellant include images of pages taken from reports and lists issued by the State of California, Department of Parks and Recreation Historic Resources Inventory for the single-family residence and the City of Huntington Beach Historic Resources Report dated May 4, 1987 for the detached ADU and detached Garage. It is noted that very few details connecting the buildings listed in the Historic Registries to those identified in the photographs is provided in the supporting documentation.

Submitted documents are photographs of pages from registries. No complete registry was provided. A complete historic structures report for each building was not provided, hence, making a determination of the exact nature of the historic fabric and nature of the buildings difficult. In the partial information provided relating to the historic nature of the buildings some references to local [Huntington Beach] context are made, bringing into question whether, when removed from the original context, the nature of the once qualified historic structure is still considered a qualified historic structure. Supplemental documents provided indicate the residence may have been relocated more than once. A complete history of the relocations has not been provided. For example, no bill of lading recording the relocation of the structure(s) from the address indicated the historic registry to the final location. The single-family residence has been relocated but, according to the aforementioned San Bernardino staff report the ADU and Garage have not yet been relocated. Precise tracking of the structures from one location to the next is not evident in the submitted supplemental information. The executive director makes no recommendations relating to the qualifying nature of the buildings to the Committee.

Description of Statewide Significance

The appellant indicates on the DSA Form 162, five enumerated reasons that issues included in the appeal should be considered of statewide significance. Items 1-4 relate

Page 4

the determination of a qualified historic structure. As indicated herein, issues relevant to this appeal relate to the relocation of a qualified historic structure and to what extent the historic fabric or structure is tied to its original context. Would a qualified historic structure lose its qualified status once removed from the context. Are there conditions for which this would not be the case? The executive director makes no recommendations to the committee relating to items 1-4. Other considerations are the state of reconstruction or disrepair of remaining historic fabric of the buildings. Item 5 asks the Board to consider whether a local jurisdiction may act on a permit without consulting the SHBSB. AS stated previously, no statute or regulation is known to require a local agency to consult with the SHBSB prior to taking action. Further, pursuant to Health and Safety Code 18957: "Nothing in this part shall be construed to prevent authorized building or fire officials from the performance of their duties when in the process of protecting the public health, safety, and welfare." The Executive Director recommends that the assertions made by the appellant in relation to item 5 are not accurate and therefore recommended to not be considered when determining statewide significance.

Recommendations

In summary, the Committee may consider the qualifying nature of the buildings and whether the relocation of these structures jeopardizes their reported previous qualified status. The Committee may also consider whether these issues relating to the qualified status is of statewide significance. However, these two issues may be considered moot when considering the nature of the appeal is related to administrative and apparent ministerial actions not within the purview of the SHBSB (i.e. revocation of building permits due to reported inaction and public safety). While it is typical that historic restoration requires longer construction durations due to the additional detailed work, neither the Health and Safety Code Part 2.7, the Historic Building Code, nor Title 24, Part 8 the California Historic Building Code limit such ministerial actions taken by a local jurisdiction nor is it required that longer permit schedules or special administrative procedures are a requirement of local jurisdictions based upon a qualified historic status of a building. It is therefore recommended, should the appellant wish to advance the appeal to the full Board, that the Committee recommend denial of the appeal.

Sincerely,



3/27/2025

Eric Driever,
Executive Director

Exhibit 8



162

HISTORICAL BUILDING CODE APPEAL

This form shall be completed by any appellant adversely affected by regulation, rule, omission, interpretation, decision or practice relating to the Title 24 Part 8, California Historic Building Code pursuant to Health and Safety Code 18960. Provide a brief description of the qualifying historic nature of the facility, a detailed description of the issue being appealed including code references, the historic use, present use and proposed use of the building or facility, and why the appellant asserts statewide significance of the issue. Attach additional documentation as necessary to explain the issue and support the appeal.

Building/facility Owner: Joseph D. Santiago		Building Permit #: SFR-2021-00730	
Local Authority Having Jurisdiction: San Bernardino County			
Project Name: Hi Point House (Main House 1926), Leatherman House (ADU 1890), Garage (1914)			
Project Street Address: 53385 Pioneertown Road			
City: Pioneer Town		CA	Zip: 92268
Date Appeal Submitted: 02/10/2025		Applicable Code Sections: Various	
Attached pages?: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (____ pages)			
APPELLANT			
Name: Joseph D. Santiago		Contact Name: Same	
Email: graphicviolencedesn@yahoo.com		Phone Number (714) 206-1965	
DESIGN PROFESSIONAL			
Name of Design Professional in General Responsible Charge:			
Professional License #: N/A		N/A	
Signature: N/A <small>DESIGN PROFESSIONAL IN GENERAL RESPONSIBLE CHARGE</small>			
DESCRIPTION OF QUALIFYING HISTORIC ASPECTS OF PROPERTY (Refer to California Historic Building Code Chapter 8-2 Definitions, if available include the historic structures report for the facility, attach additional pages if necessary)			
<p>Project consists of three historic structures, Main House, ADU and Garage. All are out of county move-ons, dissected for long distance transport. Plans were approved multiple times by multiple staff, including previous Directors, from 2021-23. Reconstruction efforts are well under way, with multiple inspections passed.</p> <p>Hi Point House: 99 years old, high style Greek Revival Craftsman, no mods, 20s development of So Cal, moved once before (LA Co has no list, no DPRs) Present/past use: SFR. STATUS: Moved onto site, reassembled on new foundation with reconstructed subfloor, stabilized and stitched back together with roof left unfinished and uncovered by County order. Last inspection, for subfloor, passed 11/7/2024.</p> <p>Leatherman House: 125+ years old, Colonial Revival Craftsman, few mods, Charles Leatherman home, turn of century development of So Cal, moved once before. (local DPR and Survey List attached). Present/past use: SFR/ADU. STATUS: Foundation poured and block partially set, waiting move-on. Currently stored offsite.</p> <p>Garage: 110 years old, Bungalow Craftsman, no mods, turn of century development of So Cal, (local DPR and Survey List attached) STATUS: Foundation poured/complete, awaiting move-on. Currently stored offsite.</p>			

HISTORICAL BUILDING CODE APPEAL

DESCRIPTION OF ISSUE BEING APPEALED (Include specific code references and any related regulation, rule, omission, interpretation, decision or practice being appealed and include the historic use, present use and proposed use of the building or facility. Attach additional pages if necessary).

The San Bernardino County Building and Safety Department (SB Co) unlawfully revoked the building permits for the three structures listed above. Unabated, this would result in the ordered removal/demolition of the historic structures. The SB Co Building and Safety Board of Appeals (SB Board) heard the appeal and took action without consult to obtain review with SHBSB. The following Codes and details are most relevant.

HEALTH AND SAFETY CODE – HSC
DIVISION 13. HOUSING [1700-19997]

PART 2.7.STATE HISTORICAL BUILDING CODE [18950-18962]

HSC 18954 "The building official of every... County... shall apply... pursuant to Section 18959.5 in permitting... moving or continued use... of a qualified historical building or structure."

SB County Staff admitted no knowledge of CHBC's existence until months after taking action on property/project. Staff currently profess contrary opinions formed from "phone call to DSA"- not CHBC itself or SHBSB members or SHBSB Staff. SB County Staff made no effort to educate themselves on use of CHBC. Previous Staff accepted Historic Structures as such 3 times each and a Code Enforcement mediator determined the Hi Point House structure, specifically, eligible for CHBC protections in 2020.

HSC 18961 "... and shall consult with the State Historical Building and Safety Board to obtain its review prior to undertaking action or making decisions on variances or appeals that affect qualified buildings or structures"

SB County Staff made no effort to contact SHBSB before taking action to revoke permits, nor did the SB County Building and Safety Board in making its appeal decision to demand plan resubmittal and approval within 90 days or revocation stands. Staff gave "no construction, no activity" order in guise of board decision. No activity for protecting structures has resulted in water damage from recent atmospheric river storm systems.

No prior consult with SHBSB makes any action taken unlawful.

California Historical Building Code (CHBC)

8-102.1.2 Relocation.

8-102.1.5 Unsafe buildings.

8-103.1 Authority. "local enforcing agency... shall apply... moving or continued use..."

8-105.1- Repairs. "in-kind... original or historic methods"

8-218 – Q QUALIFIED HISTORICAL BUILDING PROPERTY "or determined eligible for..."

8-303.7 Alteration and repair. "continued use of original methods... , amount... is not limited..."

8-801.3 Scope "new materials... to match existing conditions."

Chapter 8-9 MECHANICAL, PLUMBING, AND ELECTRICAL REQUIREMENTS

SB County has no laws preventing out-of-county move-ons, historic or otherwise.

SB County has refused to even look at revised plans due to their compliance with CHBC prevailing, not CBC only. Even with full DPRs and Local Survey Lists for the ADU and Garage, they refuse to accept legitimate proof or acceptance thereof made by previous staff members and CE mediator, multiple times. Staff have made wild claims that previous submittal was for "a foundation only" when each of the permitted plan sets clearly indicate "Historic Preservation Project... Move-on" with "CHBC" prevailing at the top of the code list. Proof of historicity was also submitted and accepted for all 3 structures by previous Staff at Director levels in three departments- Planning, B&S and CE.

SB County Staff began Revocation Action before even visiting the site with arbitrary scheduling decisions to rush the project to completion. B&S Director and senior Staff member made 1st visit 6 weeks later. Immediately on arrival, Staff member announces " The Board of Supervisors is on this- so you better take it seriously!"

HISTORICAL BUILDING CODE APPEAL

Director winces and shoots him a withering look and he mumbles " we should probably keep that between us..." Director agrees. I sent email confirming those facts and most of the relevant conversation, asking for correction. Director obfuscated, did not deny. Onsite, both told me to ignore half the order, regarding the ADU and garage, because they're not yet on site. Staff kept the deadline, with the ADU, anyway. Both said "Just make progress." I made significant progress on the first of two deadlines but was halted by the permit revocation well before the second deadline arrived. Had the schedule been considered with the CHBC in mind, I could have met the last deadline. The most telling oddity is the lack of any mention/concern, even two months in, with historicity issues, the materials and methods issues or any plan submittal issues. Just "Get it all done by the deadlines." The later issues seemed to be backfill for overkill. Combined with their comments about the Board of Supervisors, it all seems grotesquely political and highly unlawful.

PREFERRED OUTCOME OF SHBSB APPEAL:

Nullify/vacate unlawful action of SB County Staff and of SB B&S Board

Confirm historic status and protections for all three structures.

A return to open status permits for all 3 structures. Standard 180-day renewal with inspections passed.

A return to 1 structure passes-all 3 structures pass status for inspections and following 180 days.

An order to SB County to educate Staff on actual meaning and implementation of CHBC.

An order to SB County to cooperate with this project and future historic projects using broad interpretation of CHBC to meet the spirit of the law- making historic preservation projects easier and more cost effective while maintaining reasonable safety.

DESCRIPTION OF STATEWIDE SIGNIFICANCE (Provide a description of why the appellant feels there is a statewide significance related to the issue. Attach additional pages if necessary).

HISTORICAL BUILDING CODE APPEAL

There are several Issues of Statewide Significance at stake here:

1. What is the meaning of "... determined eligible for listing..." in CHBC 8-218 – Q? By whom? In the complete absence of a local list or even program, as is the case with SB County, who or what determines eligibility? A preservation expert or professional? A Code Enforcement Mediator, a CE Director, a Planning Director and a B&S Director– as was the case with the permits prior here?

We think the determination For the Hi Point House has already been made officially in several ways here– previous Staff, at Director level, in every department, for each structure, multiple times. CE Mediator as well. Otherwise it should be, an historic preservation expert whether volunteer or professional or a municipal historic preservation board guided by an officially adopted preservation program. The Leatherman House and the Garage are already well documented with irrefutable proof.

2. Does a structure's historicity evaporate when it is moved (pretty sure this is a NO)? What about when it moves to a different jurisdiction? Can it only be reevaluated by the new jurisdiction? Only the old one?

We think it is ridiculous to interpret any CHBC code section this way. Especially when "moving" is supported so prominently in so many sections of the code. SB County in particular has no laws against moving in and no preservation program of any kind or at any level. Moved historic resources properly sited are of value to any community to which they are relocated and restored.

3. Can a property that's been locally listed be delisted even if it hasn't lost any of its original features or has actually regained some original features as with the ADU in this case (overlaid siding removed exposing original RW double lap)? Can a new Muni delist or disqualify another Muni's listing because its been relocated there?

We think the historicity travels no matter where within the state the resource is moved to. Southern California, especially in the period of these structures, was literally crawling with moved houses. The rapid development of farms to suburbs and the expansion of industries like oil extraction put thousands of homes on the move. Both the Hi Point House and the Leatherman House had already been moved at least once each.

4. Is an officially adopted local historic survey listing required to be updated regularly? Can such a survey expire as SB County Staff have contended? Does a new survey negate an older one? An update?

We know from experience that surveys are generally expanded and updated to account for demolitions and newly qualified structures, NOT to delist already qualified structures. The CHBC is designed to encourage preservation by making it more accessible, less expensive and easier, while maintaining reasonable safety.

5. Can Muni Staff take action against a permitted historical move-on restoration project without consulting the SHBSB, as SB County has here, or does the historic property owner have to move to the appeal level to trigger the law? And what if the Staff action will allow harm to the historic resource, as it has here, before any kind of appeal is heard? What if the Muni doesn't have a B&S Board or any Board of Appeals?

We think this is a big NO. The HSC is clear that taking action against a qualified historic structure with no prior consult with the SHBSB is unlawful at any level -especially if it will cause harm to the resource.

We expect some of these issues may have already been adjudicated. Others likely not. We request clarity and favorable action on all of them. Thank you.

Sincerely
Joseph D. Santiago

HISTORICAL BUILDING CODE APPEAL

HISTORICAL BUILDING SAFETY BOARD USE ONLY – FROM THIS PAGE FORWARD	
HISTORICAL BUILDING SAFETY BOARD STAFF	
Received by: Eric Drierer	Date Received: March 18, 2025
Appeal Title: 53385 Pioneertown Road	Appeal #: 25-01
CODE DEVELOPMENT AND APPEALS ADVISORY COMMITTEE (CDAAC)	
Meeting date:	
<p>Technical Response by Code Development and Appeals Advisory Committee (attach additional pages if needed):</p> <p>On April 11, 2025, the Code Development and Appeals Advisory Committee considered this appeal, heard testimony by the appellant, Joseeph Santiago. Testimony from the County of San Bernardino Greg Griffith, Engineering Manager for Building and Safety Division and Susan Ostrander, Assistant Director with Land Use Services in San Bernardino County, was also provided. Information provided to the committee and the public prior to the meeting was supporting documentation provided by the appellant, and an Executive Summary from the Executive Director. Public comment was received during the meeting.</p> <p>Arguments for the appellant focused on the qualifying aspects of the buildings included in the appeal to substantiate the claim that the historic nature of the buildings should have been a consideration of the county allowing for an extension of the permits.</p> <p>Contrary to the appellants claim, information provided by the appellant and local jurisdiction as well as comments received by members of the public stating expertise indicated that while the buildings were once a contributing factor to their neighborhood in Huntington Beach, their removal from that community places that specific categorization at risk and have accordingly been removed from the City of Huntington Beach's registry. The buildings were not determined to be on a State or National registry.</p> <p>Information provided by the local authority indicated that while an appeal was heard, no final action has been made by the Building and Safety Appeals Board. A follow-on meeting by that Appeals Board would consider action on the part of San Bernardino County.</p> <p>Comments from the Committee concurred that a determination by the local authority that the structure(s) are a qualified historic building must be made. Alternatively, the structures may be listed on either a State or Federal registry.</p> <p>The Code Development and Appeals Advisory Committee considered the following motion by Board member Glenn Good, Seconded by Board member Ida Clair:</p> <p>"Recommend denying the appeal to allow the local jurisdiction to finalize their determination."</p> <p>A roll call vote was taken and the motion carried 6 in favor and 0 opposed to recommend denial of the appeal.</p> <p>Due to the ministerial nature of the motion, this will be placed on the next consent agenda for the State Historic Building Safety Board planned for May 14, 2025.</p>	
APPEAL RECOMMENDATION	
<input type="checkbox"/> Approve	<input checked="" type="checkbox"/> Disapprove
<input type="checkbox"/> Withdrawn by Appellant	
Date: April 11, 2025	
Forward to Historical Building Safety Board unless withdrawn.	

Exhibit 9

SAN BERNARDINO COUNTY BUILDING AND SAFETY APPEALS BOARD WRITTEN DETERMINATION RE THE APPEAL OF JOSEPH D. SANTIAGO

We, the Building and Safety Appeals Board (the “Board”) of San Bernardino County (the “County”), pursuant to Section 63.0105(d)(11)(g) of the San Bernardino County Code (the “SBCC”), hereby issue the following written decision.

WHEREAS, on November 20, 2024, the County Building Official revoked Permits No. SFR-2021-00730, SFR-2021-00731, and ACCR-2020-00334 related to the construction and establishment of a primary single-family residence (the “SFR”), a detached accessory dwelling unit (the “ADU”) and a detached garage, respectively, at 53385 Pioneertown Road in the unincorporated community of Pioneertown (the “Property”).

WHEREAS, pursuant to Section 63.0105(c) of the SBCC, an appeal of the Building Official’s determination was filed by the permittee and property owner, Mr. Joseph D. Santiago (the “Appellant”) challenging the revocation of “Permits SFR-2021-00730, SFR-2021-00731, (and expiry of ACCR-2020-00334) [collectively the “Permits]” (the “Appeal”).

WHEREAS, on February 3, 2025, the Board heard and considered the Appeal. The Board reviewed the record of the proceedings in this matter, the written documents submitted by the Appellant and the Land Use Services Department (the “Department”), and the oral arguments and testimony of the parties and interested persons.

WHEREAS, the Board finds the evidence supports the Building Official’s revocation of the Permits pursuant to Section 105.6 of the California Building Code (the “CBC”), which is adopted and incorporated by reference into the SBCC.

WHEREAS, the Board finds that construction activity at the project site had been suspended or abandoned and that justifiable cause for an extension of the Permits did not exist due to previous delays and time afforded the Appellant, the lack of work that has occurred on the Property since issuance of the Permits, and the incorrect and inaccurate claim that the structures are subject to historical building standards.

WHEREAS, the Board further finds that the evidence establishes that the condition of the structures and Property were unsafe and a danger to human life or the public welfare based on the structure being improperly supported, in pieces, unsecured, and exposed in violation of the CBC and SBCC.

WHEREAS, the Board denies the appeal and upholds the Building Official’s decision to revoke the Permits.

RESOLVED, that the recitals above are true and correct and are hereby adopted as the findings and determination of the Board.

Scott Rice
Chair, Building and Safety Appeals Board

Exhibit 10

SAN BERNARDINO COUNTY BUILDING AND SAFETY APPEALS BOARD WRITTEN DETERMINATION RE THE APPEAL OF JOSEPH D. SANTIAGO

We, the Building and Safety Appeals Board (the “Board”) of San Bernardino County (the “County”), pursuant to Section 63.0105(d)(11)(g) of the San Bernardino County Code (the “SBCC”), hereby issue the following written decision.

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WHEREAS, on February 3, 2025, the Board heard and considered the Appeal. The Board reviewed the record of the proceedings in this matter, the written documents submitted by the Appellant and the Land Use Services Department (the “Department”), and the oral arguments and testimony of the parties and interested persons.

WHEREAS, the Board finds the evidence does not support the Building Official’s revocation of the Permits pursuant to Section 105.6 of the California Building Code (the “CBC”), which is adopted and incorporated by reference into the SBCC.

WHEREAS, the Board grants the appeal and sets aside the Building Official’s decision to revoke the Permits. The Board directs the Department to return the Permits to regular status.

RESOLVED, that the recitals above are true and correct and are hereby adopted as the findings and determination of the Board.

Scott Rice
Chair, Building and Safety Appeals Board