



City of San Jose Building Division

Application for Unreasonable Hardship
Exceptions to Disabled Access requirements

Fee Paid (Y/N) \_\_\_\_\_

Receipt No. \_\_\_\_\_

Date Submitted \_\_\_\_\_

Plan Check No. \_\_\_\_\_ Building Permit No. \_\_\_\_\_

Project \_\_\_\_\_

Description \_\_\_\_\_

Project Address \_\_\_\_\_

Owner/Applicant: (Print) \_\_\_\_\_ Telephone No.: \_\_\_\_\_

A. General Exception, Section 1134B.2.1: Applicable to existing buildings where total valuation of all construction performed does not exceed \$118,400.00. The specific accessibility features that create a hardship may be exempted. A description of access features to be provided shall be listed in the appropriate section below, and a detailed cost estimate for all elements shall be attached to this form.

- 1. Cost of proposed project \$ \_\_\_\_\_
2. Total amount spent on other projects at this tenant space within the past three years \$ \_\_\_\_\_
3. Total Cost (Line 1 + Line 2) \$ \_\_\_\_\_

If (Line 3) exceeds the current set valuation threshold of \$118,400 then full compliance is required of all accessibility elements (listed 1 to 5 below).

If (Line 3) is less than the valuation threshold of \$118,400, then 20 percent x (Line 1) = \$ \_\_\_\_\_ is the minimum amount required to be spent for accessibility compliance.

Table with 5 columns: Accessibility Elements, Is this feature accessible?, Is equivalent facilitation provided?, If not, is this feature going to be made accessible?, If so, the cost of making feature accessible? Rows include Accessible entrance, Access path, Sanitary facilities, Drinking fountains, Elevators, and Others.

Total cost of providing these access elements:

Applicant's Statement of Impact on the financial feasibility of the project by providing full access compliance (you may attach additional information): \_\_\_\_\_

Description of access features to be provided: (Detailed cost estimate of all elements shall be attached)

Owner/Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Your request for accessibility compliance due to unreasonable hardship is:

Not Approved
Approved

Note: The determination of an unreasonable hardship exception by this office does not allow for exemption from any part of the California Codes and Regulations Title 24 Disabled Accessibility requirements or Federal Americans with Disability Act laws.

Name of the Code Official (Please print) \_\_\_\_\_ Signature \_\_\_\_\_
Date \_\_\_\_\_

**City of San Jose Building Division**

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**B. Specific Exceptions: (Do not use this portion if Part A has been completed)**

This part is generally used for remodels exceeding the threshold amount of \$118,400 and where Title 24 allows an Unreasonable Hardship exception from specific accessibility features (i.e. equivalent facilitation for restrooms, Figure 11B-1C; garage headroom clearance, section 1130B; elevator in existing buildings, section 1134B.2.1, exception 2, etc.)

<b>Exception requested</b>	<b>Code Section</b>	<b>Cost of making feature Accessible (Attach documentation)</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
		<b>Total:</b> _____

**Description of items to be provided:**

\_\_\_\_\_

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The cost of all construction contemplated and cost of improvements for last three years is: \$ \_\_\_\_\_

The access features increase the cost of construction by: *(percentage of construction cost)* \_\_\_\_\_

**Impact on financial feasibility of the project if the requested exception is not granted:**

\_\_\_\_\_  
\_\_\_\_\_

The facility is used by the general public for the purpose of \_\_\_\_\_

Name of Applicant/Owner (please print) \_\_\_\_\_ Signature \_\_\_\_\_

**Findings and decisions of the enforcing code official:**

\_\_\_\_\_  
\_\_\_\_\_

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Name of Code Official (please print) \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_



**CITY OF SAN JOSE**  
**BUILDING DIVISION**

**DISABLED ACCESS CHECKLIST FORM FOR EXISTING BUILDINGS Page 1 of 3**

*(This form "Disabled Access Checklist Form for Existing Buildings" in addition to "Unreasonable Hardship Exception Request for Existing Buildings" form must be completed for all building permit applicants requesting unreasonable hardship exception or equivalent facilitation.)*

Item	Existing Complies		Proposed Improvement		Non-Complying Items	Cost of Improvement
	Full	Equiv	Full	Equiv		
<b>RESTROOMS - Section 1115B:</b>						
Separate accessible facility for each sex						
Toilet Facilities - Multiple accommodation toilet						
- Wheelchair clearance 60" turn;						
Passageway leading to restroom:						
- all doors shall have 32" min. width						
- level area of 60" on the door swing side						
- level area of 44" where the door swings away						
- 24" on the strike side of door for exterior landings						
- 18" on the strike side of the door for interior landings						
- 48" min. space between consecutive doors (vestibule)						
Signage (symbols for restroom doors):						
- Sign in braille w/raised letters on wall @ strike side						
- Men - an equilateral triangle 1/4" thick with edges 12" long						
- Women - a circle 1/4" thick and 12" diameter						
- Unisex - a 12" diameter circle with a triangle superimposed on the circle						
- Symbol shall be centered 60" above floor						
Access Aisle:						
- 44" min. aisle width						
- 48" min. space in front of compartment door						
Clear turn-around space within bathroom:						
- 60" circle measuring 27" high above floor						

Item	Existing Complies		Proposed Improvement		Non-Complying Items	Cost of Improvement
	Full	Equiv	Full	Equiv		
<b>Main Accessible Closet:</b>						
- Entry door - automatic closer						
- Clear width 32" door when located at end of stall						
- Latch - Flip over or sliding						
<b>Water closet fixture space requirement:</b>						
- 18" from adjacent wall to center line of fixture						
- 48" min. clear in front of water closet if end access						
- 60" min. clear in front of water closet, front access						
- 32" min. from water closet to adjacent wall or partition						
- 28" min. from water closet to adjacent fixtures						
<b>Water Closet Grab Bars:</b>						
- Mounted 33" above floor						
- Side bar 42" long						
- Rear bar 36" long						
- Diameter - 1 1/4" to 1 1/2"						
<b>Lavatory Fixtures:</b>						
- 30"x48" clear space all fixtures						
- 18" min. from adjacent wall to center line						
- Counter height of 34"						
- Clearance under apron - 29" A.F.F. for 8"						
- Toe Clearance						
- Hot water pipes insulated						
- Lever or push type facets						
- Mirror - bottom edge max. 40" A.F.F.						
- Toilet tissue dispensers - 12" from front edge						

**DISABLED ACCESS CHECKLIST FORM FOR EXISTING BUILDINGS (CONT'D)**

Item	Existing Complies		Proposed Improvement		Non-Complying Items	Cost of Improvement
	Full	Equiv	Full	Equiv		
<b>Urinals:</b>						
- 30"x48" clear space in front on men						
- min. 14" projection						
- max. 17" above floor						
- max. 44" A.F.F. for flush controls						
<b>Towels, Waste Receptacles, etc. - max. 40" A.F.F. to operate part:</b>						
- Waste dispenser						
- Paper towel dispenser						
- Sanitary napkin dispenser						
<b>WATER FOUNTAINS:</b>						
- 32" min. width						
- 18" min. depth						
- Knee space under 27" HT x 8" deep min.						
- Bubbler -36" max. A.F.F.x6" max. from front						
- Clear approach space of 30"x48"						
<b>TELEPHONES:</b>						
- Clear floor space of 30"x48" allowing either forward or parallel approach						
- Highest operable part - 54" max.						
- Overhang - 19" max.						
- Enclosure entrance -30" wide & 27" high min.						
- Equipment						
? Receiver that generates magnetic fields						
? Min. 1 per bank or 25% shall have volume control						
? Chord length - 29" min. long						
? Controls - push button						
? Min. 1 text phone for 4 or more phone avail						
<b>PARKING:</b>						
- Car parking						
- Van parking						
- Curb ramps						
- Signs						