
MEETING DATE: Tuesday, May 8, 2008
MEETING TIME: 10:00 a.m.
MEETING LOCATION: City Council Chambers, 125 East 3rd Street, Salida, CO

Present: Planner MacDonald, Planning Tech Jefferson, Easterly, Hardwick, Lay,
LeBaron, Acting Building Official, Bill Paradise
Absent: Tim Dillon and Steve Tucker

AGENDA SECTION:

I. CALL TO ORDER BY CHAIRPERSON

Hardwick called the meeting to order at 10:00 a.m.

II. APPROVAL OF THE MINUTES

Not Applicable

II. UNSCHEDULED CITIZENS

None

III. AMENDMENT(S) TO AGENDA

V. HEARINGS

1. 113 E. Sackett Avenue, Appeal Application.

- *Open Hearing.* Hardwick opened the hearing on the application.
- *Staff Review of Application.* No review was provided.
- *Applicant's Presentation.* **Linda Osborne** owner, 113 East Sackett Avenue. The applicant is appealing requirements of the Building Official, to construct an exhaust pipe on the west wall of the two-story building. The building was built on the property line and the application was denied based on I.B.C. Section 705.11, where construction is not permitted to breach a lot line. The past owners of this building did not have a hood system and it is now required by code that restaurants have a hood and exhaust. **Osborne** obtained an easement agreement from the adjacent property owner, Peter Simonson, who owns the Victoria Tavern. Simonson owns the alley between the Victoria

Tavern and Osborne's restaurant. The easement allows Osborne sufficient airspace at the boundary between the two properties. **Hardwick** asked about the duct and where would it be located on the building. **Osborne's** mechanical engineer explained to the board that the duct for the vent is 18" x 16" and that it would be on the exterior west wall. Osborne is having the hood installed for an interior gas grill. _____ wanted to know if the contractor was aware of the duct lines which currently run through the alley and if they were being utilized. He also wanted to know if the applicant could use one of those lines to avoid more clutter in the alley.

The board me out from the building and Osborne's conso use and the exhaust pipe would be on the west side of her building. The pipe and construct a firewall on the south property line. Due to the type of construction of the structure, a metal canopy supported by metal columns, it is not necessary to replace the sewer line or build the firewall.

- *Public Input.*
- *Board Discussion.* The Commission discussed the subject property and asked a number of questions. Issues raised included: where does the pipe lay, what is the depth of the sewer and what section would need to be replaced? A Board member asked if there was a foundation and whether there would be future construction under the canopy.

The applicant gave a brief history of the structure, why the existing canvas canopy was being upgraded to metal due to safety issues. Walker also brought up the lack of flammability of steel.

The Board continued discussion. Additional comments included: Is the firewall a plan change? A question on the material being used under the canopy (gravel). Concern that a person can pour a slab over the sewer line. A question was raised as to the height of the canopy and whether a backhoe could get under the canopy. Replacement of the sewer line under the canopy could cost more at a later date. The code is quite specific; property owner should comply with the code.

Hardwick suggested that more discussion on the firewall was needed. The Board raised a number of issues pertaining to the firewall including: what

does the code require, how will the firewall be built, where will the roofline extend to and questions on the footings for the structure.

- *Close Hearing.*
- *Board Action.* Board member Dillon moved and Commissioner Lay seconded a motion to deny both appeals based on the on the following:

The code is very clear and it is not a question of interpretation.

All in favor.

VI. NEW BUSINESS

2. Nomination of a Chair and Vice-Chair.
Discussion on who should chair was debated. Dillon made a motion to appoint Hardwick as Chair and Lay as Vice-Chair. LeBaron seconded the motion. All in favor.
3. Standard Meeting Time.
Planner Phelan requested that the Board decide on a time to hear any future appeals. The Board agreed upon 7:00 a.m.

VII. UNFINISHED BUSINESS

None

VIII. BOARDS COMMENTS

None

IX. ADJOURN

The Board adjourned at 7:45 a.m.

