

COLORADO SPRINGS, COLORADO
FIRE BOARD OF APPEALS MEETING MINUTES
PIKES PEAK REGIONAL BUILDING DEPARTMENT
2880 INTERNATIONAL CIRCLE
April 8, 2016 – 8:30AM to 10:00AM

Present were: Chairperson Roger Wallace, Vice Chairperson Dean Doiron, Secretary Brett Lacey, and Fire Board of Appeals (FBA) Members Vince Colarelli, David Helmer, John Putnam, and Christine Riggs.

Also present were: Scott Stewart of Newport Company; Colorado Springs Fire Department's Office Specialist Tiffany Drummond, Captain Barry Madison, Deputy Fire Marshal Jeffery Loveless, Fire Protection Engineer II Dee Withee, and Administrative Technician Katha Snow.

Absent were: FBA Member Michael Ward.

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Chairperson Roger Wallace called the meeting to order at 8:33am.

ADMINISTRATIVE

Approval of the March 11, 2016 Fire Board of Appeals Meeting Minutes

Motion made by Mr. Colarelli to approve the March 11, 2016 Fire Board of Appeals Meeting Minutes, seconded by Mr. Doiron.

Motion passed 6-0.

Contractor Licensing

Fire Alarm Contractor B

1. Name of Company: Frontier Electric of Washington, Inc.
Owner: Larry Gibson
Applicant: Jason Stevenson
RME: Jason Stevenson

Fire Marshal (FM) Lacey reported that the applicant meets Pikes Peak Regional Building Code requirements for the Fire Alarm Contractor B license. FM Lacey recommended approval.

Motion made by Mr. Putnam, second by Mr. Doiron, to approve applicant for the Fire Alarm Contractor B license.

Motion passed 6-0.

Fire Suppression Contractor B

1. Name of Company: Elite Hood Cleaning & Fire Protection Co.
Principal Officers: Nicholas VanBuskirk, President
Applicant: Nicholas VanBuskirk
RME: Nicholas VanBuskirk

Fire Marshal (FM) Lacey reported that the applicant meets Pikes Peak Regional Building Code requirements for the Fire Suppression Contractor B license. FM Lacey recommended approval.

Motion made by Mr. Colarelli, second by Mr. Doiron, to approve applicant for the Fire Suppression Contractor B license.

Motion passed 6-0.

APPEAL ITEM

1. Request by Newport Company, Inc. for relief of 2009 IFC Appendix K as Amended by City Ordinance 12-111, Section K105.1.2 Hardened Structure – Exterior cladding, eaves and soffits shall be constructed of ignition-resistant materials approved by the *Fire Code Official*. Approved materials include, but are not limited to: fiber-cement board, stucco, masonry/brick, manufactured stone, and similar materials. Natural wood/cedar siding, hardboard, vinyl, and similar combustible materials are not allowed.
Location: 4045 Hermitage Road, Colorado Springs, CO

Fire Marshal Lacey stated that 4045 Hermitage Road is located within the City of Colorado Springs' southwest jurisdiction, which contains some of the City's oldest and most heavily forested areas. The region poses a significant risk to wildfire, and the likelihood of fire exposure in Stratton Preserve, Stratton Forest and Skyway is inevitable.

Deputy Fire Marshal (DFM) Jeff Loveless presented historical information pertaining to Newport Company's request for a variance for materials used on the construction of the 4045 Hermitage Road home, which lies within the Hillside Overlay Zone of the City of Colorado Springs. For the purpose of aesthetics, Newport Company proposes the use of ¾" tongue-and-groove material on the building's soffit area above the deck. Colorado Springs Fire Department (CSFD) supports the appellant's request, of which a similar variance was approved for a property located on Spurwood Drive.

FBA Member John Putnam confirmed with DFM Loveless that it is the CSFD's recommendation to accept the proposed variance. DFM Loveless explained that CSFD is in favor of the ordinance for the following collective reasons: the distance between the soffit and the deck is 10'; the soffit will be constructed from ½" plywood, 5/8" sheetrock, fire tape, and ¾" tongue-and-groove planks; the tongue-and-groove planks will be treated with stained polyurethane; and the remainder of the structure is code compliant.

FBA Member Christine Riggs stated that she has previously worked on projects with Newport Company and that no favoritism relating to this appeal will be granted. Ms. Riggs is not affiliated in any manner with the 4045 Hermitage Road project.

Ms. Riggs asked what type of sheetrock material will be utilized. Scott Stewart of Newport Company explained that a 5/8" exterior sheetrock will be used when constructing the soffit. Mr. Stewart emphasized that, with exception to the 120sq' of tongue-and-groove planks that will be 20' above the ground, the structure is constructed of concrete and stucco and has minimal combustibility capabilities.

Mr. Stewart stated that the tongue-and-groove planks are to be used only on the structure's upper deck.

Ms. Riggs asked if there is a landscape fire mitigation plan in affect. Mr. Stewart explained that the property is a zero lot line and everything is common space with no trees and no vegetation, just grass. The homeowners association is very committed to mitigation.

FM Lacey referenced page 23 of the agenda that displays the property's lot and existing vegetation. FM Lacey explained that the property will be required to comply with all aspects of Appendix K, including landscaping requirements.

With the intent of anticipating fire behavior, Mr. Putnam referenced page 22 of the agenda and asked where directionally the wooded area off of Cheyenne Mountain Zoo Road lies. Mr. Stewart stated that the referenced wooded area is west of Cheyenne Mountain Zoo Road. Mr. Putnam asked if fire behavior would typically travel down the mountain, from west to east. Mr. Stewart stated, yes in regards to the direction of fire behavior and noted that the deck that the variance is being requested for is located on the east side of the structure.

FM Lacey stated that in relation to where Colorado lays within the hemisphere that fire in Colorado typically moves from southwest to northeast. However, fire is not predictable and, as stated in the National Institute of Fire Standards and Technology's (NIST) case study on the Waldo Canyon fire, wildfire exposure is principally limited when mitigation steps similar to what CSFD encourages are in place. NIST's study substantiates that a most significant problem in the case of Waldo Canyon's fire was conflagration, or structure to structure propagation of fire. Such evidence supports why Appendix K is significant in controlling ember insult. CSFD staff collaborated with the applicant and feels relatively comfortable with the design.

Motion made by Mr. Putnam to approve the variance as proposed within the agenda, seconded by Ms. Riggs.

Motion passed 6-0.

Board members supported their votes:

Mr. Putnam, “Being the insurance guy out here, I am somewhat sensitive to the exposure to wildfire. At the same point in time, I think it makes sense to be sensible. The experts say that they are okay with this. That persuaded me to say that we should make a variance to this particular situation.”

Ms. Riggs, “I seconded the motion because they are providing an adequate means and methods to meet the intent of the code. The area of the combustible surface is limited. Those 120 square feet, being 120 feet above the ground, to me, is a minimal risk in the long term.”

Mr. Colarelli, “I voted to approve based on the same rationale stated previously.”

Mr. Wallace, “I in turn would say the same thing in regards to that. I also say that the homeowner having worked with the fire department has done their due diligence in regards to the necessary steps.”

Mr. Doiron, “I agree as well. I know that the fire department takes this very seriously. Without knowing all of the technical aspects, I tend to lean toward their recommendation. If they are comfortable with it, it makes me comfortable with it. I know that they care and that they do take it very seriously.”

Mr. Helmer, “I agree with my fellow board members and I have nothing new to add.”

DISCUSSION ITEM

1. Deed Requirements

Fire Marshal Lacey expressed concern to the Board by stating that when a residential variance, such as the aforementioned, 4045 Hermitage Road appeal, is approved by Fire Board of Appeals there is not a reasonable process in place that allows future owners of a variance approved property to remain in compliance with Fire Board’s mandates specific to the residence. Fire Marshal Lacey opened for discussion the Board’s views on if it would be appropriate to have FBA variances filed with a property’s deed.

Mr. Wallace agreed that a process that informs property owners of a FBA variance needs to be in place. Mr. Wallace recommended attaching FB minutes, specific to the variance approved property, to its deed.

Mr. Colarelli stated that requiring the variance to be tied to the deed is an extreme position and recommended that the notice of all variance approvals by Fire Board be similar to the process that Pikes Peak Regional Building Department (PPRBD) practices when recording a variance.

It was determined by FM Lacey that DFM Loveless will research PPRBD’s process for recording historic residential variance approvals. DFM Loveless will report his findings on PPRBD’s process during May 13, 2016’s FBA meeting.

2. CSFD's stand on variance requests specific to Appendix K (impromptu/not an agenda item)

Due to the number of requests that come before FBA for relief of Appendix K, FM Lacey requested Fire Board members to provide comment on if CSFD works efficiently and prudently with appellants who request modifications specific to Appendix K.

Ms. Riggs stated that the number of appeals appearing before Fire Board is appropriate. On a professional level, Ms. Riggs welcomes the opportunities that FBA has granted her to be informed of alternative methods and materials that appellants are discovering when making unconventional recommendations in order to meet code.

Mr. Wallace agreed with Ms. Riggs.

ADJOURN

Motion made by Mr. Colarelli to adjourn the meeting, seconded by Mr. Putnam.

Motion passed 6-0.

Meeting adjourned at 9:08am.

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Respectfully,



Brett T. Lacey, Fire Marshal
Colorado Springs Fire Department