

MASTER BOARD OF APPEALS

AGENDA

JANUARY 9, 2019

The Master Board of Appeals will meet on Wednesday, January 9, 2019, at 6:30 p.m., in the City Council Chambers, Civic Center Complex, 350 Kimbark Street.

The following items are on the agenda:

- 1.) Call to Order
- 2.) Roll Call
- 3.) Approval of the November 7, 2018, minutes

PUBLIC HEARING

- 4.) MBA19-0001 – 606 Mountain View Avenue, a Variance request for Interpretation of the IEBC section 804.1 Code.
- 5.) Old Business:
- 6.) New Business:
- 7.) Adjourn

IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN AN MBA MEETING, PLEASE CONTACT LINDA MEADE AT 651-8951.

MASTER BOARD OF APPEALS

MINUTES

NOVEMBER 7, 2018

The Master Board of Appeals met on Wednesday, November 7, 2018, at 6:30 p.m., in the City Council Chambers, Civic Center, 350 Kimbark Street.

Chairperson Russell called the meeting to order at 6:30 p.m., and asked for roll call. Board members present were Mr. Don Russell, Mr. Tom Martinez and Ms. Geri Boone. Mr. Dave Bishton and Mr. Kim Logan were absent. Also present were J McKnight, Acting Chief Building Official, Michele Goldman, Fire Captain, Marc Sampson, Assistant Fire Marshall and Linda Meade, Recording Secretary.

Chairperson Russell asked for approval of the September 5, 2018 meeting minutes.

MR. RUSSELL MADE A MOTION TO APPROVE THE SEPTEMBER 5, 2018, MINUTES, MR. MARTINEZ SECONDED. THE VOTE WAS UNANIMOUSLY IN FAVOR.

MBA18-002 - REQUEST FOR AN APPEAL TO TITLE 9 AND 16 OF THE LONGMONT MUNICIPAL CODE TO APPLY SECTION 903.2.8 TO SECTION 419, LIVE/WORK UNITS.

Mark Sampson introduced the case while explaining the applicant has not submitted any construction drawings, he has not submitted any plans from a registered engineer or registered architect to go forth with reviewing or permits. At previous meetings with the applicant he was told it would be classified as a Live/Work Unit.

The applicant was not present. It was decided to hear the case. Mr. Sampson, Assistant Fire Marshal and the Board were unclear what exactly the applicant would be submitting for plans and how to proceed with any given approval with none present. Mr. Sampson said as a Live/Work unit the area would need to be suppressed.

Mr. McKnight said there were no plans submitted to the Building Inspection for permitting review. Mr. Russell said it is very hard for the Board to evaluate a decision without detail. Ms. Boone said there is nothing submitted to reflect it would be a multi-story, only the main level and the basement. Mr. Martinez said that the applicant is not here to explain the language in his submittal and a statement made in his application is not accurate in regards to how fire generates air. He added there are very few egress's to this building.

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Mr. Sampson said he would be free to run his business as a B occupancy currently but he could not reside in the B occupancy as part of the Site Plan process.

MS. BOONE MADE A MOTION TO DENY THE APPLICANTS APPLICATION, MR. MARTINEZ SECONDED. THE VOTE WAS UNANIMOUSLY IN FAVOR OF DENIAL.

OLD BUSINESS – Term limits on the Master Board

Ms. Goldman said she would be happy to pursue an ordinance or council communication for deleting this requirement of term limits for the Board.

MR. MARTINEZ MADE A MOTION TO DIRECT STAFF TO PURSUE REMOVING THE TERM LIMIT REQUIREMENT FROM THE MASTER BOARD. MR. RUSSELL SECONDED, THE VOTE WAS UNANIMOUSLY IN FAVOR.

NEW BUSINESS – Mr. Sampson said the 2018 amendments in ordinance form are in the City Attorney's office and they are still shooting for adoption with the effective date of January 1st, 2019.

MS. BOONE MADE A MOTION TO ADJOURN THE MEETING AT 7:20, MR. RUSSELL SECONDED. THE VOTE WAS UNANIMOUSLY IN FAVOR. THE MEETING WAS ADJOURNED.

Donato Russell

Chairperson

Linda Meade Recording Secretary



MASTER BOARD OF APPEALS
VARIANCE APPLICATION

CASE # MBA19-0001
RECEIPT # 109907
DATE RECEIVED 12/12/18

Name of applicant 606 Mountain View Holding Co. LLC: Greg L Thrush - agent
Applicant's address 930 Glenview Drive, Berthoud CO 80513
Applicant's home phone 970-532-5989 Work phone

TYPE OF APPEAL (Check one)

Table with 3 columns: X, Type of Appeal, Fee. Rows include Master Board Standard Variance Application fee, All International Code, Title 9 and Title 16 Appeals, Fees for applications which do not fall within any of the above categories, and Special meetings requested on other than regular meeting dates.

Address of building or property 606 Mountain View Avenue, Longmont 80501

Brief statement of the decision or order protested (attach copy of notice or other pertinent information)

1. As indicated in the existing building code section 804.1: corridors shall be fire-resistance rated in accordance with IBC table 1020.1. The corridor walls required to be fire-resistance rated shall comply with section 708 for fire partitions. Please note that all doors/windows within the corridor will need to be rated per table 716.5 and be self-closing; in addition any openings/penetrations (doors, fire dampers, etc.) will need to comply with 708.6 and 708.7. Please revise drawings and indicate the exact wall listing (UL or GA listing) and detail(s) associated with this requirement.

Brief statement of the relief sought and your reasons why the decision or order protested should be reversed

We are requesting an exception for the fire resistant corridor rating considering there is no change to the current occupancy or square footage. The alterations being made are limited in extent, and also the interior building style (exposed beam and deck) does not lend itself to enclosed corridors without affecting the interior aesthetics. Although sprinkling the building is a code alternative the cost relative to the proposed alterations is excessive, therefore we propose installing a new fire alarm system to bring the building into closer compliance with public health and safety regulations.

Will legal council represent the applicant? Yes No X

Signature Greg L Thrush

Date 12/6/18

Memo

Date: 12/27/2018

To: Master Board of Appeals

From: Marc Sampson- Assistant Fire Marshal, Ozzy Tarin- Plans Examiner, and Greg Wetzberger- Fire Protection Engineer

RE: MBA 19-001 606 Mountain View Ave.

Pursuant to Longmont Municipal Code Sections 16.30.030. Applicant is requesting an appeal variance to Title 9 and 16 of the Longmont Municipal Code.

Applicant is requesting to appeal a decision rendered jointly by both Building Inspection and Fire Department on the requirement to either provide a 1hr rated corridor or provide an automatic fire sprinkler system in accordance with section 903.3.1.1.

The applicant applied for tenant finish permit to an existing building located at 606 Mountain View Avenue. The level of the work was determined to be a level 2 alteration based upon the 2015 International Existing Building Code section 504.

504.1 Scope. Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.

Based on the requirements of level 2 alteration section 804.1.1 for corridor ratings, the rating is allowed to be reduced in accordance with the International Building Code section 1020.1 when an automatic fire sprinkler system is installed per section 903.3.1.1. (Code sections shown below)

804.1.1 Corridor ratings. Where an approved automatic sprinkler system is installed throughout the story, the required fire-resistance rating for any corridor located on the story shall be permitted to be reduced in accordance with the International Building Code. In order to be considered for a corridor rating reduction, such system shall provide coverage for the stairway landings serving the floor and the intermediate landings immediately below.

**TABLE 1020.1
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With sprinkler system ^c
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	Not Permitted	0.5
I-2 ^a , I-4	All	Not Permitted	0
I-1, I-3	All	Not Permitted	1 ^b

a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3.

b. For a reduction in the *fire-resistance rating* for occupancies in Group I-3, see Section 408.8.

c. Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

The applicant is requesting to bring the building into “Closer Compliance with Public Health and Safety Requirements” with a new installation of a Fire Alarm System in the building in lieu of Rated Corridors or Automatic Fire Sprinkler System. This alternative is not supported by either adopted codes (2015- International Building Code and 2015- International Fire Code). Staff is also not in support of this proposal as a fire alarm system will only provide notification to the occupants of a fire event, initiating building evacuation, and will not provide them a protected egress path that a Rated Corridor or Automatic Sprinkler System would provide. The “In lieu of” proposal and Level 2 alterations outlined does not meet health, life and fire safety requirements without the required 1 hour Fire-Resistance Rating or Automatic Fire Sprinkler Protection.

The board may grant a variance for the relief requested or as may be modified by the board to satisfy the following standards for eligibility for a variance:

- a. That the applicant demonstrate significant hardship that is not the result of negligence, oversight or other self-imposed condition;
- b. That the relief granted under the conditions presented as nearly as practical conforms to the existing standards;
- c. That the board specifically determines and finds by clear and convincing evidence presented by the applicant that the variance requested or granted as modified will not negatively impact the health, safety or quality of life of the applicant or the public.