



Present Fire Board of Appeals Board Members (6):

David Hewett, Chair
Ron Honn, Vice Chair
Vince Colarelli
Mike Riggs
Jannic Ekornes
Laurie Olsen

Industry Represented:

Small Business
Citizen At-Large
Building
Architecture
Fire Suppression
Insurance

Not Present (0):

Industry Represented:

Vacant Position (1):

-

Industry Represented:

Large Business

Present Fire Board of Appeals Secretary

Brett T. Lacey, Fire Marshal

Representing:

Colorado Springs Fire Department

Additional Attendee(s):

Desirae Tucker, Administrative Assistant Senior
Mellisa Wutzke, Administrative Assistant Senior
Captain Richard Valdez, Deputy Fire Marshal
Connie Manning, Compliance Coordinator
Roland Peterson, Senior Fire Inspector
Phil Valdez, Senior Fire Inspector
Jacob Watson, Fire Protection Engineer I
Michael Starke, Fire Inspector II
Sarah DaCosta, Administrative Assistant II
Kris Cooper, Deputy Fire Marshal
Katie Claar, Engineer II
Keith Buckmiller, Citizen
Randy Purvis, Homeowner
Robin Purvis, Homeowner
Scott Hente, Builder
Nelson Daily, Citizen

Representing:

Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Fire Department
Colorado Springs Utilities
400 Dahlia Street
400 Dahlia Street
400 Dahlia Street
Robert Scott General Contractors, Inc.
Observer

CALL TO ORDER

1. Board Chair Hewett called the meeting to order at 8:28 A.M. and promptly conducted a roll call.

ADMINISTRATIVE

1. Approval of Meeting Minutes

Board Member Colarelli motioned to approve the meeting minutes.
Board Member Olsen seconded the motion.

The motion passed unanimously.

2. Contractor Licensing

A. Fire Alarm Contractor B

- i. Business Name:** APEX Integrated Systems, LLC
Applicant: Mikel Foster
RME: Mikel Foster

Fire Marshal Lacey stated applicant meets the requirements and recommended approval.

**Board Member Colarelli motioned to approve the application.
Board Member Honn seconded the motion.
The motion passed unanimously.**

3. Appeal

- A. Request by Builder Scott Hente of Robert Scott General Contractors, Inc., on behalf of homeowners Randy and Robin Purvis, requests relief from Colorado Springs City Ordinance 18-50, *Fire Prevention Code and Standards Appendix B, Fire-Flow Requirements for Buildings, Section B105.1* located at 400 Dahlia St., Colorado Springs, CO 80904**

Fire Marshal Lacey provided a background of the Colorado Springs Fire Department (CSFD) working with Builder Scott Hente on behalf of homeowners, Randy and Robin Purvis on the construction of a new home located at 400 Dahlia Street, Colorado Springs, Colorado. Due to the size of the home, the water flow available does not meet the fire flow code requirements. The water flow in this area is one of the remaining areas in Colorado Springs that are below the fire flow requirements. Fire Marshal Lacey introduced Katie Claar, Engineer II from the Water Infrastructure Planning at Colorado Springs Utilities (CSU) and she has been working with CSFD's Fire Protection Engineer, Dee Withee. For several months, discussions transpired to try and come up with a resolution to the water supply for the Purvises. Fire Protection Engineer Withee offered the appellants two resolutions. One was to install a residential sprinkler system or, two, to install a monitored alarm system. The intent for the monitored alarm system is if the CSFD could get early notification and rapid response, the fire could be kept to a minimal size. The appellants agreed to the monitored alarm system and the permit was issued. The appellants have since changed their minds and decided to appeal to the Fire Board of Appeals.

Fire Marshal Lacey introduced Roland Peterson, Senior Fire Inspector, CSFD.

Senior Fire Inspector Peterson provided information concerning the proposed residence at 400 Dahlia Street. The structure is a 5B building of 4938 square feet requiring a fire flow of 2000 gallons per minute (gpm). There is a theoretical fire flow of 800 gpm as well as an actual fire flow on 8/24/22 of 1388 gpm and a simultaneous fire flow on 10/4/22 of 1563 gpm. This is significantly short of the required fire flow. A compromise was made to allow a monitored alarm system in lieu of a fire sprinkler system

Chair Hewett asked for clarification that the initial expectation was a fire (sprinkler) system and the CSFD agreed to a fire alarm (monitoring system).

Senior Fire Inspector Peterson confirmed Chair Hewett's statement.

Fire Marshal Lacey clarified that the requirement is to have the required fire flow for the size of the house requested. There was further discussion between the appellant and the CSFD and the two options were offered. Upon further deliberation, it was decided that the CSFD would be ok with the alarm (monitoring) system.

Senior Fire Inspector Peterson stated there is an amendment in the fire code that allows a 50% reduction in fire flow requirement if the structure is sprinklered but have no less than 1500 gpm requirement at any given time for any given structure.

Chair Hewett asked if there were any other questions from the board for the CSFD.

Chair Hewett asked Builder Scott Hente to the podium.

Builder Scott Hente shared a presentation.
(All supplemental documents follow these minutes).

Scott Hente stated they are requesting relief from the fire flow requirement specifically for the monitored alarm system for the house under construction at 400 Dahlia Street. There are several reasons they are asking for this request. They are replacing an older structure with a new home constructed to the current fire code requirements which is the 2018 Wildland Urban Interface (WUI) fire code requirements. This neighborhood has never been advised that fire flow is an issue, and he believes there is sufficient fire flow for firefighting purposes. He referenced a map in his presentation of the neighborhood where 400 Dahlia Street is located that he received from CSU. He highlighted the location of 400 Dahlia Street and the two nearest fire hydrants. Fire hydrant 768C is 25 feet from the property line of the new house. He used this map as a basis to define the neighborhood. The previous map showed 25 separate single-family residences in addition to other structures such as sheds and detached garages. With one exception, the ages of the homes range from 33 to 119 years old. To the best of his knowledge, with one exception, no home in the neighborhood has a sprinkler system or a monitored alarm system. 400 Dahlia Street will be the only home built on the referenced map built to current fire codes and will be held to a higher standard of fire flow than any of the other houses, some of that are over 100 years old. The previous structure at 400 Dahlia Street was a dilapidated art studio that was built 60 years ago. It was a fire hazard and not in compliance with anything. If his customers had not purchased the lot, this structure would still be there today and present a hazard to the neighborhood. His customers have replaced this with a structure that is in compliance with modern fire codes, recent city ordinances, and 2018 WUI requirements. The Purvises are 32-year residents of this neighborhood. Their current residence is three doors from 400 Dahlia Street. None of the residences have ever been told this is an issue, and if it is an issue, why have there been no improvements to the overall system? Scott Hente confirmed that they have been in communication for many months with the CSFD before and after they pulled the permit. During this time, he asked CSU why they have not fixed the water issue. He was told it came down to money. The house they are building is being held to a higher standard and a higher fire code. They (appellants) believe there is sufficient flow. The appellants waited until after they pulled the permit to ask for this waiver because they started asking questions of others, including fire flow professionals, and former firefighters if this is really an issue. There are two hydrants that are on a double loop and if you use one of the hydrants shown on the map, it can handle multiple handlines that are available to the fire department. There are also the banks of the preconnected hoses that are on the fire trucks. Thus, the appellants feel there is sufficient flow, especially concerning a house that is being built to modern standards with materials such as ignition-free exterior surfaces. Since they are building to

the newest, most current standards, they are asking the requirement for the monitored alarm system to be waived.

Chair Hewett asked if there are any questions from the board members.

Board Member Colarelli asked Scott Hente about the change of the 400 square feet in the house compared to what was originally submitted.

Scott Hente replied he is not sure what he is referring to as the plans submitted to the building department have been submitted and approved.

Board Member Colarelli stated okay, and that the remainder of his questions are for the CSFD.

Board Member Riggs stated Scott Hente referenced hazards to existing residences and asked if he knows the size of the existing residences.

Scott Hente replied he has a list of all of them and they run the gamut ranging in size from very small to a couple that are bigger than what they are building.

Board Member Riggs stated when the appellant received the permit, they made some decisions that were revised on the permit in November, and it was agreed that a fire alarm system would be installed.

Scott Hente stated all of those were agreed to before the issuing of the permit, there have been no changes since the permit was issued.

Board Member Riggs asked if it was agreed to in the permit.

Scott Hente replied yes, and they agreed to that. He further stated that Fire Marshal Lacey is correct in that the process to get this home approved took more than a year. There were several factors contributing to this including the waiver of replat with the city, supply chain issues, and increasing costs. There was a desire to get the project going and they agreed to install a monitored fire alarm system when the permit was issued. It was after this that the appellant started to consult with fire professionals which led to additional conversations with Fire Marshal Lacey. The appellant has been working on this for several months and almost initiated this request at the time they pulled the permit.

Board Member Ekornes asked if he knew if there are plans for CSU to improve the water lines in the area.

Scott Hente stated that he would let CSU answer that question, but every time he has talked to them, he has been told that it is going to cost a lot of money and they can't get to it. Because CSU cannot improve their infrastructure, they are asking one homeowner to bear the cost of that failure of not improving their infrastructure and he feels that is unfair.

Chair Hewett stated that Scott Hente commented that he is building a newer home and everything else in the area is not being required to upgrade.

Scott Hente stated there is one other possible exception in the map.

Chair Hewett stated he understood, but what it is important to understand is the Fire Board of Appeals (FBA) does not have the authority or the right to go back to an existing home and require they bring it up to standard unless something is being done. The rest of the

neighborhood can be referenced, but there is no enforcement ability to an existing structure unless they intend to make changes to that existing structure.

Scott Hente agrees but this is a hindrance for anyone that wants to make improvements if they know that they are going to have these increased costs.

Chair Hewett responded that he understood, but wants to make sure he understands Scott Hente's point of contention which is the rest of the homeowners do not have to abide by this because of their age.

Scott Hente is not trying to suggest automatically enforcing that, what he is saying is there is now one house that is held to this higher standard when the rest are not. If the desire is to fight a fire and protect the neighborhood, is that being done? He is not sure that it is.

Board Member Colarelli stated this has become an increasingly common problem. He knows from the commercial side he has had to take extraordinary measures to provide fire flow in buildings that would otherwise not require them because of a decrease in fire flow or decrease in water pressure in the CSU system. He can site 5 buildings in the last 18 months where he has had to do that.

Scott Hente stated he is not a fire professional but has someone in attendance who is and would like him to speak if the board will allow it.

Chair Hewett said absolutely.

Keith Buckmiller introduced himself. He has been in the fire service since 1980 with 35 years at the CSFD. He referenced a slide from Scott Hente's presentation that shows a 1300-gallon fire hydrant that would provide that much flow. That provides 5, 2 ½ inch lines that would provide 265 gpm. That is a lot of water. Also at 212 degrees, one cubic foot of water will expand 1600 times and that is what will be putting the fire out. Although the CSFD's numbers state what is generated is less than what is applicable, a lot of fire can be put out with that hydrant, he has done it before and is still doing it today. That is a lot of water. With the ISO (Insurance Service Office) rating, continuous water flow in Colorado Springs, the training of the CSFD firefighters, and the water system that gives a high ISO rating, a lot of work can be done with that much water. He thinks there is a lot of overkill in the numbers presented. If there was a conflagration in the area like the Marshall Fire, that hydrant will be relied upon for all the other houses, and it is not going to be there. The Purvises house will have a 1-hour rating on the inside and outside, so fire coming from the outside will take 1 hour to get in, and fire on the inside will take 1 hour to get out. In that process, the whole neighborhood is going to go up in flames, and firefighters will be put in there with an inadequate water system, to be able to catch those hydrants to do a pump and run to fight the fires. The system is bad, CSU should be put on notice that it is bad, and the neighborhood should be notified that it is bad. To put \$16,000-\$20,000 into the house on Dahlia, he does not see the reasoning behind that. He reiterated that there is a lot of water and that if the house caught on fire, he would put it out.

Chair Hewett asked if there were any questions from the board.

Scott Hente stated Mr. Purvis, the property owner, would like to address the board.

Property owner, Randy Purvis wanted to address the square footage issue. To his understanding, when the plans were first submitted, the architect added up the square footage in the garage, main floor, basement, the front and back porch and came to that figure. The CSFD stated that was a nice starting point, but additional measurements are

required to include the eave overhang and the area underneath the deck. That is how they got the additional 300 to 400 square feet which is what pushed the house up to a significantly higher category.

Board Member Colarelli thanked Mr. Purvis.

Chair Hewett asked if there were any additional questions or comments from the board.

Board Member Colarelli asked Chair Hewett if the board could ask CSFD staff questions.

Chair Hewett responded certainly.

Board Member Colarelli asked Senior Fire Protection Engineer Peterson if he had any historical data on what the fire flows have been in the area and if they have changed.

Fire Marshal Lacey stated that Katie Claar, CSU engineer, should speak to that.

Board Member Colarelli responded that he would table that question for a minute. He stated that in the write-up, the building's allowable square footage is described like a commercial building as opposed to a residential building. There is approximately 1700 square feet on the lower level of this building, presuming that there was a drywall assembly under the joist and the door was a fire-rated door that goes up. Is there a strategy that the homeowner might be able to consider allowing for fire separation between the upper and lower level to reduce the allowable square footage?

Senior Fire Inspector Peterson replied that the requirements to separate a building for fire flow purposes require a 2-hour unpenetrated fire wall. To create two separate dwelling units with that 2-hour horizontal assembly with no penetrations is the only way, per the adopted fire code, that it could be accomplished.

Board Member Colarelli stated technically, there is a solution available if the appellant is willing to consider it.

Senior Fire Inspector Peterson responded yes.

Board Member Colarelli asked in the plans as approved, would there have been a requirement for smoke detectors in the house regardless of the monitored fire alarm system.

Senior Fire Inspector Peterson replied that the smoke detectors, being 120 volt tied together with a battery backup are a requirement of the building code.

Board Member Colarelli clarified that the additional requirement from a technical standpoint, is the addition of the monitoring to that system.

Senior Fire Inspector Peterson stated that the technical requirement would be an NFPA (National Fire Protection Association) 72 compliant system that dials out to dispatch.

Board Member Colarelli clarified it is a monitored system with a dialer as compared to a traditional smoke detector system.

Senior Fire Inspector Peterson stated the traditional smoke alarms required from the building code sound individually and based on how they are wired, will sound all together.

A smoke detector goes to a central panel with a dialer that calls a monitoring company that calls dispatch.

Board Member Colarelli thanked him.

Board Member Riggs asked about fire flow reduction for fire sprinklers which is outlined in (NFPA)1142. In the IFC (International Fire Code) there is a provision for the fire marshal to potentially decrease fire flow and fire duration. Has he looked at that or has this been applicable in the past? Is there a pathway forward? The code could be read to imply rural communities as a part of that passage in (IFC)103.1.

Fire Marshal Lacey responded that Colorado Springs is not considered rural as it has a water distribution system. In rural fire departments, there is hard suction you can draft from static water sources or portable tanks. None of the CSFD apparatus have hard suction because of the robust distribution system. The only reasonable approach to deal with the lack of water was the mechanisms proposed by Fire Protection Engineer Withee. The fire suppression system is an active measure to address the fire in its incipient stage. With that proposal, there could be a tradeoff for insurance with possible payback for that system. The next alternative at a lower cost, is the monitored fire alarm system because if the CSFD gets early notification fast response, there would be less fire to use the water available to extinguish the fire in a way that former Chief Buckmiller spoke to.

Board Member Riggs asked how the fire flow gpm can be utilized for different size buildings and how the relationship between gpm increases and building square footage increases going tandem. Are there differences in how that availability affects how a fire is fought?

Fire Marshal Lacey provided a history of fire flow testing, research, and standards and how those standards from 1914 are utilized today. However, materials of today, like plastics and resins, burn vastly differently than materials from 1914. The relative conversion of the amount of water required to quench a fire based on steam conversion given the amount of fuel load per square foot, determines the amount of flow we are comfortable with to control the fire assuming maximum probable loss or involvement of that fire.

Board Member Riggs thanked Fire Marshal Lacey for his perspective.

Board Chair Hewett stated part of that comment is fires of today are going to burn faster and hotter than what the numbers dictated in the calculations.

Fire Marshal Lacey responded affirmatively, but continued research is comfortable to honor the tables as provided. Given the current application, the resources available such as technical equipment, and the way fire equipment is utilized.

Board Chair Hewett stated he understood and asked if there were any questions.

Board Member Colarelli asked about the statement about the CSFD's ability to fight a fire with limited water based on certain gpm and handline available. Will he comment on the CSFD's ability to fight a fire in this location given the limited amount of water flow?

Fire Marshal Lacey responded the CSFD will do the best job they can with the limited fire flow available. The only thing he can guarantee is that fire is unpredictable and the CSFD does an exceptional job. The only thing he is comfortable with as the fire code official is

looking at the square footage, the type of construction, and the fire code with the tables of fire flow.

Board Chair Hewett stated this comes back to the issue of response time and the potential of unnoticed burning. If the home was unoccupied at the time of a fire, the alarm that was agreed upon is the key element, is that correct?

Fire Marshal Lacey agreed and explained that it is the CSFD's premise behind the consideration of the reduced fire flow that this would be acceptable due to the early notification and response.

Fire Marshal Lacey had Senior Fire Inspector Peterson return to the podium.

Senior Fire Inspector Peterson provided additional information about construction in the neighborhood. 411 Columbia Road, a property that touches 400 Dahlia, was a 2017 tear-down/rebuild of a home and was equipped with a residential fire sprinkler system. A home at 613 Columbia Court just received a certificate of occupancy and has a fire alarm system provided by Westerns States Fire Protection. 606 and 696 Columbia, and 516 Laurel Street have monitored fire alarm systems. 969 Columbia Court has both a fire alarm and a fire sprinkler system. These are five examples of homes in the area with systems one which is directly adjacent to 400 Dahlia Street.

Board Chair Hewett asked if these are all remodeled or built in a recent time period.

Senior Fire Inspector Peterson responded affirmatively with 969 Columbia Court being the oldest which was permitted in 2001.

Board Chair Hewett thanked Senior Fire Inspector Peterson.

Board Member Ekornes asked if a neighbor wanted to remodel their house, would they have to install a sprinkler system or alarm system?

Senior Fire Inspector Peterson responded it is based on the increase in square footage. He gave the example at 7 Swallow Drive which is a current remodel/addition that is across from 400 Dahlia Street. The addition did not increase the fire flow requirement for that structure.

Fire Marshal Lacey addressed the board and stated Sarah (DaCosta) was handing out the Staff Summary Report which was not included in the packet provided to the board and the appellants. It is a summary of the CSFD's staff opinion. He apologized for the omission and stated it would not happen again. (All supplemental documents follow these minutes).

Board Chair Hewett asked about the remodels Senior Fire Inspector Peterson mentioned. What are the square footages of these houses? He also stated 400 Dahlia Street is at 4938 square feet.

Senior Fire Inspector Peterson replied 613 Columbia Court is slightly smaller than 400 Dahlia Street being in the 3000 to 4000 square foot range. 411 Columbia Road is a comparable size, but he does not know the exact square footage. He is not familiar with the square footage of the others but believes they are roughly in the 3000 to 4000 square feet range.

Board Chair Hewett stated this neighborhood is going through a renaissance in other homes in the recent time period and asked if the appellant agree with that statement.

Scott Hente stated it varies house by house, some are remodels, and some are modernizing.

Board Chair Hewett stated that there is activity in the neighborhood.

Scott Hente replied that there is activity, and some do not change in square footage. He asked to address Board Member Colarelli's question.

Board Chair Hewett confirmed he could.

Scott Hente stated this is the first time he is seeing this document (referencing the Staff Summary Report).

Board Chair Hewett affirmed this is the case for the board as well,

Scott Hente stated Board Member Colarelli asked about the separation between the lower floor and the upper floor. Per the current fire code, he has to drywall the lid of the basement or if it is an unfinished area, he has to apply a fire retardant and has to provide a certificate at the time of the final building inspection. Thus, there is a separation between floors. There are other things they have done to decrease the fire risk at this home such as arc fault circuit protectors, the drywall is better, and other things required in the building code that help protect the structure even more than the structure that was there previously. He does not want the board to think he misled them. He used the homes in the map he was provided by CSU and the homes Senior Fire Inspector Peterson referenced were outside that map.

Board Chair Hewett stated he understood nor did he think that was the neighborhood and thanked Scott Hente.

Fire Marshal Lacey apologized for the omission of the Staff Summary Report, it is his responsibility that the packet is complete. The Staff Summary Report is provided to everyone as to why the recommendation was given. He offered everyone to take time to read it. The summary goes along with the recommendation that has been verbalized in testimony.

Board Chair Hewett appreciates Fire Marshal Lacey's comments and for everyone to take time to read the Staff Summary Report.

Scott Hente asked if CSU to come up to address the board.

Board Chair Hewett stated the job of the board is to review everything, but this board is not in control of CSU. He does want to hear the information and asked Katie Claar to the podium.

Katie Claar, CSU Engineer II provided information on the water flow in this neighborhood. The fire flow is low in this area because of aged infrastructure, the area is provided water from a single feed and has 6-inch pipelines. Eventually, these will be replaced with eight-inch water mains but there is no telling when the budget will be available. They have a finished water linear asset program where they have a risk model that considers the size, material, condition, and criticality of all the water mains and prioritizes all the water mains throughout the city that need to be replaced. Eventually, these water mains will fall under that. They have had a lot of fire studies for vulnerable areas within the city. They have

some recommendations to improve the fire flows in this area, but it depends on when the budget becomes available to do projects in this area.

Board Member Colarelli asked if it is her opinion that the fire flow has decreased over time in this area.

Engineer II Claar thinks they have decreased marginally because of aging infrastructure and as the pipe degrades, fire flows decrease. Due to the size of the pipes and the location she believes the flow was low at the time of construction.

Board Member Colarelli stated there was an actual fire flow of 1388(gpm). What would have been expected 20 years ago?

Engineer II Claar is not sure how much higher it would have been 20 years ago but does not think it would have been that much higher.

Board Member Colarelli asked if it would likely have been 2000(gpm).

Engineer II Claar responded no.

Board Member Colarelli asked if it would likely have been 1500(gpm).

Engineer II Claar replied yes.

Board Member Colarelli inquired if the aging infrastructure would cause this to decrease by 10%.

Engineer II Claar replied approximately.

Board Member Colarelli stated to be clear, the aging infrastructure is wear and tear on the inside face of the pipes.

Engineer II Claar responded with a confirmation.

Board Member Colarelli asked if this would increase friction loss and reduce flow.

Engineer II Claar responded with a confirmation.

Fire Marshal Lacey stated the material found in aging infrastructure such as cast iron, tuberculates, and corrodes causing the pipe diameter to shrink and reduce water flow. Current materials have eradicated this problem.

Board Chair Hewett asked if there are additional comments or questions from the board members or the appellant.

Appellant Randy Purvis stated per a map from CSU, there is a line coming west on Pikes Peak Avenue that turns north up Columbia and there is a second line coming down from Mesa that enters at the end of Columbia Road. It is a bi-fed neighborhood.

Board Member Colarelli stated that the CSFD has asked the appellant to install a monitored fire detection and fire alarm system as compared to the fire alarm and detection system that they would have to install under the code. What is their aversion to installing the system?

Appellant Randy Purvis responded there are three steps in the fire alarm system as he understands it. One is the code bare minimum, where there are alarms at various points throughout the house that are tied together that alarms only inside the building. The other end of the extreme, which is what they are being asked to do, is the alarm is all wired together to a central panel and the central panel buys a cell phone line. This neighborhood does not have good cell service, which brings additional concerns. The in-between option is a fire alarm/burglar alarm system that is monitored by an external agency. He thinks the bare minimum cost of this is about \$500 to \$600 and asked (Scott Hente) for confirmation.

Scott Hente does not think it costs that much but does not think of this as an additional cost as that is part of the building code, and it is built into the cost of the house.

Board Chair Hewett stated that he (Randy Purvis) is talking about the additional cost for the monitored alarm system.

Scott Hente stated he knows that cost.

Board Chair Hewett stated that is what Randy Purvis is trying to resolve.

Scott Hente stated that he knows that cost.

Board Chair Hewett asked what the cost is.

Scott Hente stated it is in the \$16,000 to \$20,000 range.

Randy Purvis stated he estimates the in-between option cost is \$1000 to \$2000.

Board Chair Hewett asked Board Member Colarelli if this answers his question.

Board Member Colarelli questioned if the compelling reason for the variance is to avert the additional cost.

Randy Purvis stated, in his point of view, it is the additional expense for a benefit that cannot be rationalized by the cost of the benefit. He can rationalize the in-between option where an alert is sent to an outside company.

Board Member Colarelli thanked him.

Board Chair Hewett asked if there were any additional questions or comments from the appellant.

Scott Hente responded no.

Board Chair Hewett asked if Fire Marshal Lacey had any additional comments.

Fire Marshal Lacey responded no.

Board Chair Hewett explained the process in the voting procedure.

Board Chair Hewett stated he has heard no further comments from the board, the appellant, or the fire marshal. He requested a motion to approve or deny from the board.

Board Member Riggs motioned to deny the request for relief from Colorado Springs City Ordinance 18-50, *Fire Prevention Code and Standards*

Appendix B, Fire-Flow Requirements for Buildings, Section B105.1 located at 400 Dahlia St., Colorado Springs, CO 80904.

Ekornes seconded the motion.

The motion passes unanimously.

Board Chair Hewett explained he will ask each board member individually for their vote and the reason for their vote.

Board Member Olsen denied the request stating when it comes down to it, the fire department's ammunition is water supply, despite all the equipment, training efficiency, the firefighters and adequate water supply for this type of home is critical and plays the most important role in saving lives and property. She agrees the monitored fire alarm system is reasonable.

Board Member Riggs voted to disapprove the appeal. The intent of the code is incremental improvement to improve not only your own structure but for the benefit and safety of those surrounding the facility. The code is pretty prescriptive but also provides options for what you can do in certain locations and guidelines whether that is a cap on square footage based on known elements, or through fire sprinkler systems, or through alternative means and methods. One of the alternative means and methods that the fire marshal has within his authority is to allow a monitored fire alarm system. Between those options, there are things that are available that could be employed and thinks this is a reasonable element to be employed.

Board Member Colarelli voted to deny and could not have said it better than Mr. Riggs.

Board Member Ekornes agrees with the motion. He stated that the national building code requires sprinkler systems in all buildings, but the CSFD has not adopted that. He thinks it is reasonable that they have allowed the appellant to do a monitored alarm system and also, it was agreed to in a meeting before the permit was approved that it would be supplied.

Board Vice Chair Honn votes with the group and sticking with the code and enforcing the code. He believes it is a reasonable accommodation.

Board Chair Hewett votes to deny. His reasoning is the appellant is in a situation where it is a changing neighborhood and, in his mind, is asking to keep what is in the neighborhood, unfortunately, the reality of where we live today, we have to have these codes. We have seen two egregious fires in our city in the last ten to twelve years. It is our job to protect our city and that is a job for every citizen here. We each get different ways we have to do that whether it be in a remodeling instance or a rebuilding instance. It does seem harsh at times, it doesn't always seem fair, but we don't have the legal ability to go back to every house and say you are coming up to today's code. But we do have the ability in the system that we live in to say that something new has to come within code or something is being remodeled. And so, we do the best we can. So, at this point, based on our vote today, your appeal is denied.

Board Chair Hewett asked if there are any other questions or comments.

ADJOURN

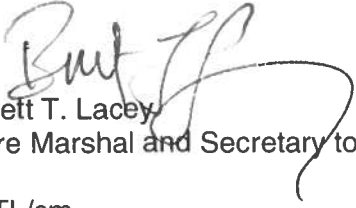
Board Member Colarelli motioned to adjourn.

Board Member Olsen seconded the motion.

The motion passed unanimously.

The meeting adjourned at 9:34 A.M.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Brett T. Lacey". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Brett T. Lacey
Fire Marshal and Secretary to the Fire Board of Appeal

BTL/cm

