

HUERFANO COUNTY BUILDING AUTHORITY BOARD AGENDA

June 06, 2024 at 3:00 PM Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Google Meet: meet.google.com/jtn-scsu-ecp | Meeting ID: jtn-scsu-ecp

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- 1. PLEDGE OF ALLEGIANCE
- 2. ROLL CALL
- 3. MINUTES REVIEW
 - **a.** May 16, 2024 Minutes
- 4. APPOINTMENTS
- 5. NEW BUSINESS
 - a. Michelle Glenn-
 - **b.** Everything Evergreen-
 - c. Bob Sleeper-
 - d. Engineer Fraud
- 6. OLD BUSINESS
 - a. Patel-
 - b. J&O Roofing-
 - **c.** Tanner
- 7. DISCUSSION
- 8. ADJOURNMENT
- 9. UPCOMING MEETINGS



HUERFANO COUNTY BUILDING AUTHORITY BOARD MINUTES

May 16, 2024 at 3:00 PM Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

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1. PLEDGE OF ALLEGIANCE

Meeting started at 3:05 pm.

2. ROLL CALL

Present at the meeting was HCBA Members:

Mary Norby-Chairperson

Jacque Sikes-Vice Chairperson

Ryan Gies

Bruce Allen

Others Present:

Bob Martin- Walsenburg Building Inspector

Cheri Chamberlain-Huerfano County Land Use Office

Ryan Sablich-Huerfano County Land Use Office Via Google Meet

Public in attendance:

Chris Morales

Keith Parsons

Mr. Tanner

3. MINUTES REVIEW

Motion made by Ryan Gies and second by Bruce Allen to approve the minutes as written.

Motion passed unanimously.

a. April 18, 2024 Minutes

4. APPOINTMENTS

5. NEW BUSINESS

a. Tanner- Building Permits14-115, 17-039

Motion made By Bruce Allen to table until next meeting, second by Ryan Gies to have the Building Inspectors do an onsite inspection to see if they need to bring in an engineer to check the integrity of the structure and also what needs to be done to get them up to date in the 2015 I.R.C. Codes.

6. OLD BUSINESS

a. Timberline-

No communication with Timberline prior to the meeting.

b. Patel-

Motion made by Ryan Gies and Second by Bruce Allen to continue clean up of the site and have completed within 10 days starting May 17th 2024. Then fence off the entirety of the buildings having a six foot barrier fence at least 10 feet from the buildings within 14 days from May 17th, 2024. This manner will be brought back to the HCBA to the first meeting in June (June 6, 2024)

Motion passed unanimously.

Ryan Gies made a motion and second by Jacque Sikes for the Hotel to be in compliance with the condemnation of the building:

- 1. Two building permits need to be pulled by a commercial contractor prior to anyone having access or being in the buildings.
- 2. The Building Inspector will have to inspect the buildings, site any deficiencies and have them corrected prior to the release of the condemnation and the release of the fence.

Motion passed unanimously with the HCBA Board members asking Mr. Patel if he understood what is being requested by the Board and Mr. Patel asked for the County to send him examples of the fencing.

c. Keith Parsons 6 Month Review- 20-069

Motion made by Jacque Sikes and second by Bruce Allen for staff to research and get with the Attorneys of both parties (Parsons' and Turkey Ridge POA) for evidence to see if litigation is the reason for the delay in Parson's moving forward with making progress on his building permit. Motion passed with three yeah and Mary Norby recused herself from the motion.

d. Chris Morales 6 Month Review- 17-145

Bruce Allen made a motion and second by Jacque Sikes to extend Chris Morales building permit 17-145 for another six months as he has shown improvement with his build. Motion passed unanimously.

7. DISCUSSION

a. Maria Lake-

Discussion about the two manufactured homes going up in the Maria Lake division.

8. ADJOURNMENT

9. UPCOMING MEETINGS

Huerfano County Land Use Department

401 Main Street, Suite 304 Walsenburg, Colorado 81089 719-738-1220, Ext. 103



Item 5a.

Huerfano County Board of Adjustment Staff Report – Permit # LU-24-015, Variance Glenn Meeting Type – Public Hearing

Meeting Date: Monday May 20, 2024

Request Summary

With this Application Michelle Glenn (the Applicant) requests the following:

The applicant Michelle Glenn, is seeking a variance from setback requirements established in Section 1.03 of the Land Use Code to place a shipping container on property lines. Her intent is to create privacy between the campground nearby and her property.

The subject property is zoned Rural Residential. Zoning standards for this district are set forth in LUR Section §1.03.

Background

On April 25, 2024, Glenn submitted an application for a variance and has paid an application fee of \$75, plus fees for public noticing of \$20.00 and postage for notifying adjacent owners for \$27.00.

Code References

The following Code Sections are applicable to this application and may be referenced by the Huerfano County Board of Adjustment in their evaluation of the request:

§ 1.03.02

UR Urbanizing Residential District

This district is created to accommodate the urbanizing areas of Huerfano County where relatively high density residential and associated commercial and service development has occurred, is occurring or is desired to occur.

Minimum district size: 10 acres Minimum lot area: ½ acre Minimum lot width: 50 feet Front yard setback: 20 feet Side yard setback: 10 Rear yard setback: 20 feet

Maximum structure height: 40 feet Maximum lot coverage: 30 percent

Staff Recommendation:

- 1. Approval- without any special conditions.
- **2. Conditional-** approval with a description of the special conditions.
- **3. Denial-** indicating for the record the reason(s) for such action.
- **4. Continuation-** until a future date to gather more information or obtain clarification or for any other items needed.

1 LU-24-015 Glenn

6

Board of Adjustment Public Hearing Decision:

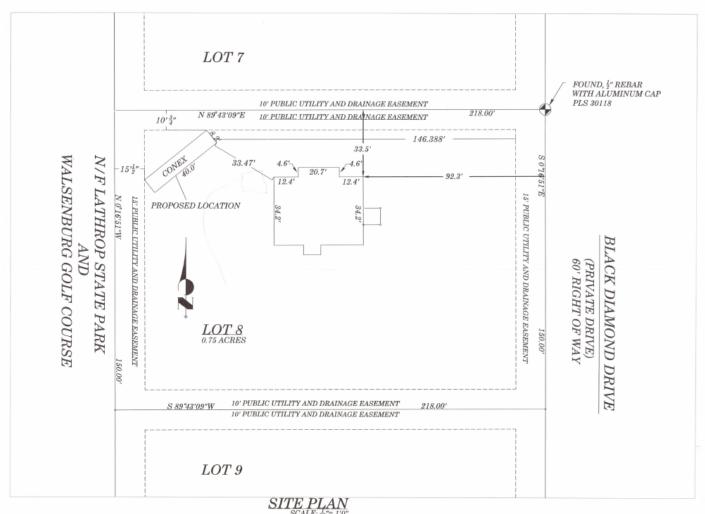
On Monday May 20th the Huerfano County Board of Adjustment made a motion, a second and a unanimous vote to approve Michelle Glenn's Variance to be able to change the setbacks by 4.5 feet. For an alternative building. The alternative building must first be approved by the Huerfano County Building Authority Board prior to being built.

Enclosures

2

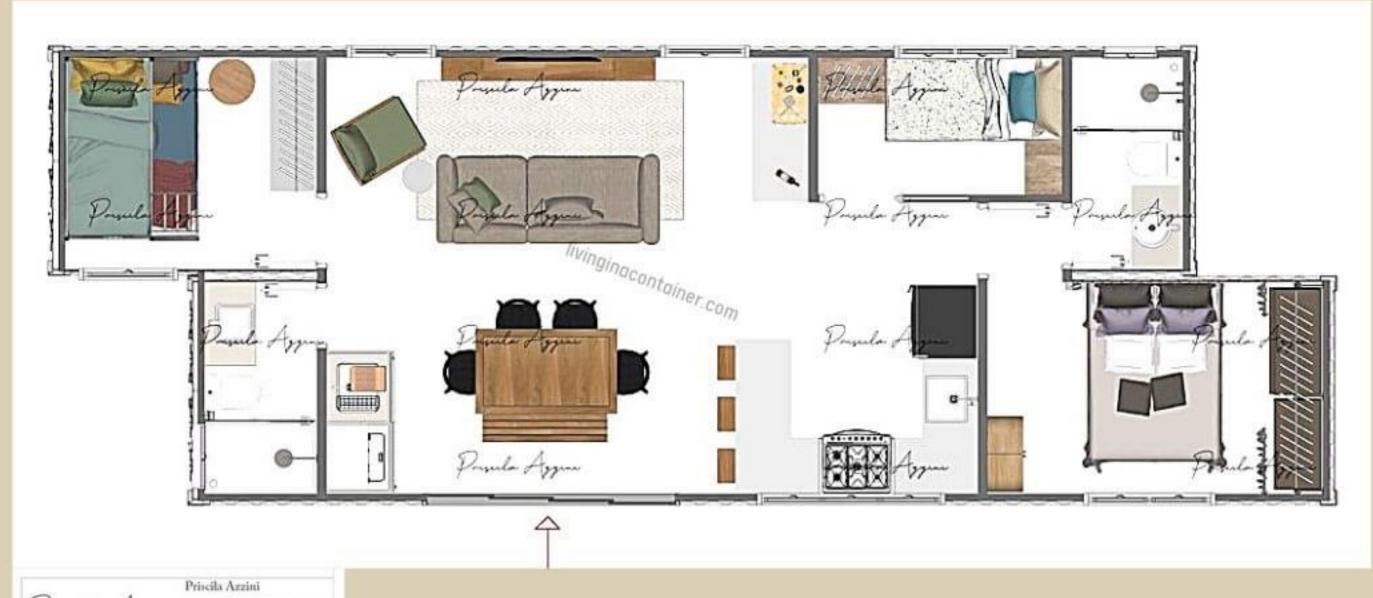
- Application Materials
 - 1. Land Use Application
 - 2. Letter of Intent
 - 3. Proof of Ownership
 - 4. Adjacent Property Owners

Site Map/Vicinity Maps



LU-23-015 Glenn





Priscila Azzini
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Item 5b.

Huerfano County Land Use 401 Main Street, Suite 304 Walsenburg, Colorado 81089 719-738-1220, Ext. 117



Huerfano County Building Authority Board (HCBA) Staff Report

Complaint: Contractor Everything Evergreen put in an application for a Contractor's License and began and almost completed a solar project prior to obtaining the contractor's License. Everything Evergreen also did the entire solar project without obtaining a building permit. The solar company claimed that they didn't have to obtain a building permit as they were building the solar under the original building permit BP 21-142, which was closed out and finale on 8/14/2023.

Currently: The Contractor's License is current, the building permit has been applied for.

Key Considerations: Since the build began and completed prior to obtaining a building permit, it is against section 109.4 of the 2021 IBC and Section XI C. of the Huerfano County Code Enforcement Policy. (See attached)

Staff Thoughts/Comments: To double the permit fee according to the regulations.

Suchen 109 fres 06 2021 IBC

| 109.1 Payment of fees.

Item 5b.

if any, has been paid. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee,

Premium Code Insights: Code Change Details Hearing Videos

Study Topics

[A] 109.2 Schedule of permit fees. P

governing authority. Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable

Premium Code Insights:

Hearing Videos

Code Change Details

Study Topics

[A] 109.3 Permit valuations.

can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall reflect the total value of work,

Premium Code Insights:

Code Change Details

Hearing Videos

[A] 109.4 Work commencing before permit issuance.

be in addition to the required permit fees Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the building official that shall

Premium Code Insights:

Code Change Details

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[A] 109.5 Related fees. P

apps

Item 5b.

Premium Code Insights : he payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work thorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law. Code Change Details

Hearing Videos

CODE ENLOBCEMENT BOLICY HUREREANO COUNTY

code compliance by revoking permits or approvals to the extent authorized by law in appropriate cases. In particular, it is the County's policy to use permit revocation in cases in which corrective action may not be effective in bringing the subject property into code compliance due to the nature of the violation and deliberateness of the code violation's actions to avoid compliance.

- Report to Code Enforcement. If permit or approval follow-up reveals that the conditions or requirements of a permit or approval have not been met, Public Works, Building, Planning, or other staff shall inform Code Enforcement staff of such violation and the information shall be entered in the Code Enforcement records.
- 2. Revocation Procedure.

Prior to revocation of a permit, staff in the appropriate division shall determine the following:

- a. Whether the criteria for permit revocation set forth in the applicable code
- provisions exist;

 D. The severity and deliberateness of the deviation from the permit or
- approval requirements or conditions; and c. Whether compliance can be achieved more effectively through other
- code enforcement methods.

C. Double-Fee Permits "Times Two Provision".

The adopted building codes allow the County to charge double the normal fee for permits issued after-the-fact for construction performed without required permits. It is the County's policy to maximize the incentives to comply with County codes by double-fees, to the extent authorized by law.

D. Restricting Acceptance or Issuance of Development Permits.

In some cases, land use applications, right-of-way permits, building permits, or other County applications or permits may not be accepted or may be denied for property upon which

Huerfano County Land Use 401 Main Street, Suite 304 Walsenburg, Colorado 81089 719-738-1220, Ext. 117



Item 5c.

Huerfano County Building Authority Board (HCBA) Staff Report

Reason this is coming to the Board:

Sleeper- Permit # 20-056 is ready to be renewed

Currently:

Mr. Sleeper's basing his build off his social security check, so it is going slow but he is keeping a steady progress. At this point, he is in the middle of plumbing and electrical inspections. I did talk to Luke Hanson (State Electrical Inspector), who is also working with him to help him along with his house.

Huerfano County Building Regulations:

Key Considerations:

He is making steady progress and is keeping in touch with all of the agencies to make sure he is doing things right.

Staff Thoughts/Comments:

I see no reason to keep from renewing his permit at this time.

Huerfano County Land Use 401 Main Street, Suite 304

Walsenburg, Colorado 81089 719-738-1220, Ext. 117



Item 5d.

Huerfano County Building Authority Board (HCBA) Staff Report

Complaint:

We had a Colorado Registered Engineer call our office to notify us his wet stamp had been used against his approval by someone who was not a Colorado Engineer. When reviewing building permits, we came across **four** builds that had the fraudulent company on them with the Colorado Registered Engineer stamp of a deceased person. When Colorado DPO was contacted, the deceased person's license number was registered under the company *Advanced Design Build LLC*, we were told by the staff member that they only assign license numbers to individuals not companies—the stamp was reissued to Bradley Hudson Ermel. We were given a contact (June Nieto) in licensing, requested to file a complaint, and requested to send an email to the Colorado Engineers Board about our situation.

Currently:

We contacted June Nieto, who then forwarded us to someone else because she only did new licensing. The gentleman asked for us to submit the complaint form and David Weihrich and Advanced Design Build LLC will be going before the board in June. We have not filed a complaint because there is not a registered license to lodge a complaint against.

Staff Thoughts/Comments:

The Department is going to reach out to the Pueblo Regional Building Department to see what direction they will be taking with this situation.















































