
Minutes

1. **Call to Order:** Chairperson Ed Pinalto called the meeting to order at 7:05pm. Zoning Board members Rodger Lull, Ed Herman and Jesse Garetson were present.

2. **Public Comments:** None

3. **NEW BUSINESS:**

- Discuss and vote to approve minutes of the 5/13/2024 Zoning Board Meeting and the 6/10/2024 joint Work Session

Motion to approve the minutes of the 5/13/2024 Zoning Board meeting as amended made by Zoning Board member Jesse Garetson. Seconded by Zoning Board member Ed Herman. Motion carried 4-0.

Motion to approve the minutes of the 6/10/2024 joint work session as presented made by Zoning Board member Jesse Garetson. Seconded by Zoning Board member Ed Herman. Motion carried 4-0.

- Discuss and possible action on Zoning Code proposal revisions from the recommendation of the Board of Trustees / Zoning Board Workshop on June 10th, 2024.
 - Review latest Fence Permit Form draft proposed with the addition of site plan drawing. Addition of space for permit fee. Send to Board.
 - Renewal of Building Permits beyond the two-year completion and update Fee Schedule to reflect Building Permit Renewal (Section 17. H)

Zoning Board member Rodger Lull asked what the benefit would be for the Town and residents to have a renewal fee and to require updates. He believes the required update in the current zoning code refers to a variance. The Zoning Board does not issue building permits, but variances. The Zoning Board can control a variance.

Zoning Board member Jesse James stated that this item has been discussed before. This proposal would be going forward from when it is approved by the Trustees. The goal is to encourage someone to complete their projects.

Zoning Board chairperson Ed Pinalto referenced Gunnison County, which requires construction to commence within 180 days or risk the expiration of a permit.

There was lengthy discussion about permits expiring and related implications.

Zoning Board member Jesse Garetson states that this section might need to be more plain. There was discussion about changes to an ongoing [3 years or older] permit.

Motion to accept the verbiage as read by Chairperson Ed Pinalto with regard to building permit renewal with the inclusion of the following: Changes to footprint, increased square footage or altered dripline requires a new permit made by Zoning Board member Jesse

Garetson. Seconded by Zoning Board member Ed Herman. Motion carried 3-1. Zoning Board member Rodger Lull voted no.

- Demolition Permit for the demolition of a structure and update Fee Schedule to reflect fees for a Demolition Permit (Section 17)

Zoning Board Chairperson Ed Pianalto summarized the comments from the joint Zoning Board/Board of Trustees work session.

The State requires a permit from the State at a minimum. Part of that permit requires asbestos and lead identification and abatement. That is a state requirement. Most Towns and Counties in the State use the State permit. Some also have tracking to make sure that a permit has been secured from the State. There was discussion about smoke and trash. Zoning Board member Jesse Garetson stated that he thought the nuisance ordinance covered smoke. There was discussion about condemning buildings and the need for permits. There was discussion about whether this is a Zoning issue.

Motion that the Town of Pitkin require a State demolition permit made by Zoning Board member Jesse Garetson. Seconded by Zoning Board member Ed Herman. Motion carried 3-1. Zoning Board member Rodger Lull voted no.

Public comments: Sara Gibb

- Update of Appendix “A” International Residential Code version
 - Current Ordinance No. 2, Series 2002 – specifies UBC - 1997

Chairperson Ed Pianalto summarized the discussion points from the joint Zoning Board/Board of Trustees work session.

Zoning Board member Jesse Garetson agrees that the Town should continue with the 1997 Uniform Building Code. Zoning Board member Ed Herman also agrees.

Motion to clarify in the Zoning Code that the Uniform Building Code of 1997 is used as the standard made by Zoning Board member Rodger Lull. Seconded by Zoning Board member Jesse Garetson. Motion carried 4-0.

- Section 18: Board of Zoning Adjustment Subsection C – Variances – add verbiage that explains the process of the variance to include first approved/denied by ZBA. Appeal process to the BoT. Also includes variances on Town property.

There was discussion about whether the process for appeals to the trustees should be outlined in the Zoning Code or another document developed by the Board of Trustees. There was discussion about timelines on filing an appeal. Zoning Board member Rodger Lull stated that the Zoning Board can hear variance requests more than once if something changes after the initial request is denied.

Suggestions: Appeals of Zoning Board decisions must be made in writing and filed with the Town Clerk.

- Checklists for Building Permit Inspections including Final Inspections and Certificate of Occupancy.

Zoning Board member Jesse Garetson stated that the certificate of occupancy should be reinstated. Zoning Board chairperson Ed Pianalto stated that section 108 in the 1997 UBC lists all the inspections that are to be completed, including certificate of occupancy. There was discussion about including a checklist of inspections in the Zoning Code.

Item tabled until all Zoning Board members can review the checklists in the 2012 Code compared to the UBC 1997 verbiage. Zoning Board Chairperson Ed Pianalto will email this information to the Town Clerk for disbursement.

- Section 19: Violations Subsection B. - Clarify responsibility for drafting and mailing of certified letters.

There was discussion about sending letters.

Motion to leave section 19-B as written in section made by Zoning Board member Jesse Garetson. Seconded by Zoning Board member Rodger Lull. Motion carried 4-0.

Public comment: Sara Gibb

- Section 18: B: Duties and Powers. - Clarify responsibility for drafting and posting of meeting notices.

Zoning Board chairperson Ed Pianalto stated that the current system – all items for the meeting submitted by Wednesday 5pm to the Clerk, Clerk sends to Chairperson, Chairperson drafts agenda and sends to Clerk by noon on Friday for posting – has been working well.

There was discussion about 18-B-2 about whether the 24-hour notice might interfere with someone keeping Sunday. Clerk Sara Gibb reported that because the final agenda is provided by Friday at noon to allow posting before the weekend.

Motion to leave section 18-b-2 as written made by Zoning Board member Ed Herman. Seconded by Zoning Board member Jesse Garetson. Motion carried 4-0.

4. OLD BUSINESS:

- Discuss updates to the Building Permit spreadsheet and update OWTS Data and review any new permits or closed permits.

Updated building permit tracking spreadsheet has been sent out to the Zoning Board members. Zoning Board Chairperson Ed Pianalto is obtaining permit information from Building Inspector Tom Gibb's monthly report. More permits are being completed in a timely manner.

- 5. ADJOURN: Motion to adjourn made by Zoning Board member Ed Herman. Seconded by Zoning Board member Jesse Garetson. Motion carried 4-0. Meeting adjourned at 9:12 pm**