

## MINUTES FROM BOARD OF APPEALS (BOA) MEETING

Board Members were provided with the agenda.

Members present were Steve Lucas, Chris Allison, Mark Belford, Paul Higman. Guest: Will Birchfield, Estes Valley Planning Area. Staff members present were Building Official Eric Fried, Building and Code Compliance Technician Katie James.

### Agenda

- A. **Approval of minutes from previous meeting**
- B. **Proposed Amendments to Larimer County Building Codes regarding Vacation Rentals in the Estes Valley Planning Area Guest: Will Birchfield, Estes Park Chief Building Official**
- C. **Proposed Amendments to Larimer County Building Codes regarding establishing a 30-day time limit to file appeals of rulings by the Chief Building Official**

A. The minutes of the previous meeting were reviewed and approved.

B. Discussion of Vacation Rentals in the Estes Valley Planning Area.

Building Official Eric Fried reviewed the proposed code amendments and the timeline and process they are following towards adoption in the Estes Valley Planning Area.

Definitions were reviewed for Vacation Rentals, Large Vacation Rental, Hotel, Small Hotel. Mixed Use buildings that include Vacation Rentals are considered Small Hotels.

The scoping provisions of both the International Residential (IRC) and Building Codes will be amended to allow most Vacation Rentals, and Large Vacation Rentals that were legally registered with the Town of Estes Park prior to April 1, 2017, to be reviewed under the IRC. All Vacation Rentals will need to pass a 20-party Life Safety Survey and receive a Certificate of Occupancy as a Vacation Rental prior to March, 2019. Registered Vacation Rentals have been inspected by Estes Valley Zoning staff, and those that had bedroom/bathroom counts that did not match county records had research done on the parcel and as-built permits obtained through Larimer County Building Department.

Larimer County Amendments will first go to the Board of Appeals, then the Estes Valley Planning Commission as a courtesy for informational purposes, then to the Board of County Commissioners.

Estes Valley has adopted a Property Maintenance Code. Larimer County has not. Vacation Rentals in the Estes Valley Planning Area (outside the Town of Estes Park) will not be required to meet the Estes Park Property Maintenance Code. Vacation Rental IBC Amendments are not yet approved by Estes Park.

If the owner does not follow the requirements for the Vacation Rental (they do not have or pass inspection, they stop posting occupancy requirements and phone numbers of the owners, for instance) their Certificate of Occupancy and registration can be revoked.

Chris Allison started the discussion of inspection of the rentals and how to keep an eye on the safety of the building. A life safety inspection fee could be collected to cover inspector's time as they review existing rentals so the use may continue. Town of Estes Park will charge \$200 per Vacation

Rental Life Safety inspection. Steve Lucas is concerned about enforcement and fire safety, stating there is an assumption of safety when people stay in a Vacation Home they rent.

Motion: Steve recommended Larimer County adopt the change to the amendments with provision for periodic regular inspection and tracking change of ownership. Recommend approval with inspection ever three years (\$200) or at change of ownership. 2<sup>nd</sup> – Mark.  
Motion passed.

C. Discussion of Proposed Amendment to Larimer County Codes: 30 day time limit to file Appeal of Rulings by the Chief Building Official.

The Building Official explained that there was no current time limit in code for appealing his determinations. The Land Use Code uses a 30 day limit for similar appeals of determinations by the Community Development Director. Board members thought this was reasonable and wondered why there was no time limit already adopted.

Motion to approve: Mark  
2<sup>nd</sup> – Steve.  
Motion passed.

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William Van Horn, Chair

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Eric Fried, Staff Liaison