

TOWN OF PAYSON
 BUILDING ADVISORY BOARD
 MINUTES OF THE REGULAR MEETING
 January 2, 2008

- A Chairman Barber called the duly posted regular meeting of the Building Advisory Board to order at 4:30 p.m. in the Town Council Chambers. Meeting Time & Place
- B MEMBERS PRESENT: Jon Barber, James Garner, Gary deSzendeffy, Herm Holtz, Don Monteath, and Rob Myer. ABSENT: Ralph Bossert. Roll Call
- C STAFF PRESENT: Ray LaHaye, Chief Building Official; Bob Lockhart, Fire Marshal; and Chris Floyd, Secretary. Staff Present
- D OTHERS PRESENT: Leonie Dobbins, Pat Randall, Shirley McGeary, Clmn. Ed Blair, Cliff Potts, and Carolyn Stanley. Others Present
- E The appeal is for the Red Elephant Bakery located at 1101 South Beeline Highway. Appeal Red Elephant Bakery
- Chairman Barber stated with the Building Advisory Board acting as the Board of Appeals they didn't have any authority to change the code but to make sure it was being interpreted properly.

Ray LaHaye, Chief Building Official, commented that the Board had copies of the applicable sections of the code being considered.

Carolyn Stanley, one of the landlords, asked if this Board had the authority to re-interpret the ruling of the inspector. Chairman Barber stated that the Board would review the interpretation of the inspector which would ultimately go to the code officials. He noted that the Board has to verify if it is in-line with what the code requires.

Ray LaHaye, Chief Building Official, explained what the Board does when there is a written appeal, which includes reading the applicable sections of the code to make sure it is being interpreted in a consist manner with the intent of the code. The Board will not waive anything but make sure that the decision of the code officials is followed appropriately.

Leonie Dobbins, appellant and owner of the Red Elephant Bakery, stated that the appeal was based on use. She felt the code didn't address her small operation where approximately 90% of everything prepared was baked in the oven. She commented that this was a vegetarian kitchen with no deep frying in this kitchen. Ms. Dobbins also noted that all of her inspections by the Gila County Health Department have resulted in an excellent grade over the last three (3) years. She

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felt this bakery used less grease in its food preparations, therefore, was less of a fire danger. So please reconsider the installation of a Type II hood instead of a Type I.

Cliff Potts, a partner in the real estate at this location, stated that he had no concerns with the use of the kitchen as is due to the low intensity use. He stated that this was a unique use and could be considered cottage industry. He is concerned with protection of his property but felt it was a low use. Mr. Potts commented that Ms. Dobbins has proposed to put in a heavier gauge range hood.

James Garner clarified how the Board reviews and determines appeals.

Shirley McGeary spoke in favor of the bakery.

Pat Randall stated that the hood requirement should be followed.

Chairman Barber questioned the occupancy classification. Ray LaHaye, Chief Building Official, stated that it was a B (business) occupancy which covers cooking.

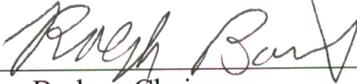
There was a lengthy discussion regarding the financial aspect of the requirement, the adopted codes, type of hood required, the draft letter presented by the owner of the bakery, the role of the Board, and the possibility of getting other bids for the hood.

- A Jim Garner moved, seconded by Don Monteath, that this appeals Board not grant Motion To Not the appeal based on the rules for this Board that do not allow us to change the codes Grant Appeal and that we have made a decision that the Fire Marshal has interpreted the codes correctly.

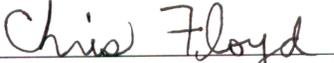
There was discussion of the motion regarding this being a life safety issue, level of regulations, and making the decision based on the codes; motion carried 6-0.

- B Ray LaHaye, Chief Building Official, stated that the January 11, 2008, presentation Energy Code is a result of the Board's previous meeting regarding energy. He has a gentleman scheduled to make a presentation to the Board regarding energy conservation and the different programs that are available.

- C With no further items on the agenda, Chairman Barber adjourned the Building Adjournment Advisory Board meeting at approximately 5:55 p.m.


 Jon Barber, Chairman

1-17-12
 Approved


 Chris Floyd, Secretary