



Staff Report

To: BOZAR
From: Astrid Matison, Building Official
Meeting Date: BOZAR, July 29, 20225
RE: 219 Gothic Avenue Scott Truex Appeal

PROJECT TITLE: 219 Gothic Avenue Addition/remodel

SUMMARY: Consideration of the appeal of **Scott A. Truex, Lucille J. Beckman and Lisa A. D'Arrigo** of a staff decision regarding building code to disallow reuse of existing windows at the existing home located at 219 Gothic Avenue, Tract 1, Gothic Paradise Subdivision in the R1C zone. (Truex)

-An appeal of the Building Official's decision per Section 18-13-100 is requested.

LEGAL DESCRIPTION: Tract 1, Gothic Paradise Subdivision

ADDRESS: 219 Gothic Avenue

ZONE DISTRICT: R1C

OWNER: Scott A. Truex, Lucille J. Beckman and Lisa A Darrigo

APPLICANT: Scott A. Truex

DRC MEMBERS: n/a

STAFF MEMBER: Jessie Earley, Senior Planner

ATTACHMENTS

1. Plans
2. GIS Map

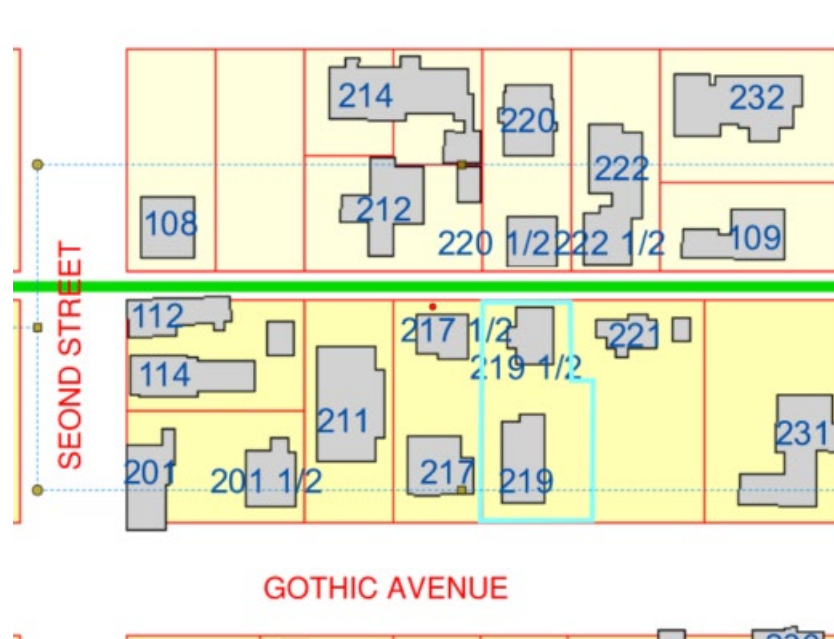
These packet materials are available at this [link](#). Staff can provide paper copies of the packet upon request.

PROJECT DESCRIPTION

1. Appeal the Building Official code requirement for new windows to be installed in the new north addition

PUBLIC NOTICE

This item was properly noticed per Section 16-22-110 (c). The affidavit of posting is on file in the Community Development Department.



- I. **Background/Overview:** Scott Truex submitted plans for a remodel and addition of the main house. BOZAR approved the plans in October of 2024, and subsequently Scott obtained a permit for the work on June 26th, 2025. Scott is appealing the code requirement for installing new windows in the new addition walls. Scott would like to re-use and install existing 2003 windows in the new walls of the addition.

II. **Building Code Interpretation:**

The Building Official applied the following code provisions.

2021 IECC R502.1 General.

Additions to an existing building, building system or portion thereof shall conform to the provisions of this code as those provisions relate to new construction without requiring the unaltered portion of the existing building or building system to comply with this code. Additions shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code where the addition alone complies, where the existing building and addition comply with this code as a single building, or where the building with the addition does not use more energy than the existing building. Additions shall be in accordance with [Section R502.2](#) or [R502.3](#).

R502.3.1 Building envelope.

New building envelope assemblies that are part of the addition shall comply with [Sections R402.1](#), [R402.2](#), [R402.3.1](#) through [R402.3.5](#),

R402.1 General.

The building thermal envelope shall comply with the requirements of [Sections R402.1.1](#) through [R402.1.5](#).

Overview: The existing 2003 windows were under 2003 International Energy Conservation Code (IECC) requirements concerning maximum U-value in relation to Figure 902.1(6) Colorado_listing Gunnison County as Climate Zone 17, and the 15% window to gross exterior wall area detailed in Table C502.2.4 (3), would have had a U-value of 0.35. The current 2021 IECC states that if you are replacing or building new, all building materials must be new to comply with this code. The climate zones have been re-



categorized and Gunnison County is listed as “Climate Zone 7 – Very Cold.” As it relates to Table C402.5, U-value for new windows is no higher than 0.28 (fixed)/0.32 (operable). U-value measures how well a building material or component, like a window conducts heat. It essentially quantifies the rate at which heat flows through a given area of a material for each degree of temperature difference between its two sides. A lower U-value indicates a better insulation, meaning less heat is transferred through the material.

III. Appeal of Staff Decision: Section 18-13-100 and 2021 IRC Section R112.2 (Criteria for Decision)

Town Code Sec. 18-13-100. - Appeals from Building Inspector.

Any person desiring to appeal any order, requirement, decision, action, omission or determination by the Building Inspector under this Chapter must file such appeal with the Board within thirty (30) days after such action by delivering the same to the Town Clerk. Such appeal shall be in writing and shall contain all the data and information necessary for a clear understanding and intelligence action by the Board.

2021 International Residential Code Section R112.2 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

Motion:

Make a motion to **deny** or approve the applicants’ request to install existing 2003 windows in the new addition walls based upon 2021 IECC Section (s) R502.1, R502.3.1, and R402.1.