



2880 International Circle Colorado Springs, CO 80910

Building A Better Community
Thru Education and Enforcement



“CAN WE TALK?”

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Regional Building Department

QUESTION: I am a house flipper, after being cited on several occasions for remodeling without the proper license and permits, I took the contractors test and am now a licensed contractor in El Paso County. I was recently cited for converting a carport to a garage without a permit. The carport is located on the side yard property line. I tried to get a permit to install an overhead door in this structure and was told I need a permit for the entire building. Wouldn't the carport be “Grandfathered” because of the age of the building?

ANSWER: Nowhere in the Building Codes will you find “Grandfathered” used. There are numerous carports located in El Paso County that are staked to the ground and are considered ‘temporary structures’. However converting a carport to a garage would obviously change the status of the structure from temporary to permanent, and this involves permitting the entire structure. Unlike carports, garages are regularly used to store equipment with flammable liquids in them like lawn mowers and snow throwers as well as gasoline and other flammable products. Because of this, converting a carport to a garage will require an approved foundation plan as well as framing and electrical permitted. The altered structure will also have to meet the required setbacks and lot coverage regulations . Being a licensed contractor you should have checked out the unpermitted

carport before you purchased the property, and the carports location on the property line should have raised a red flag for you. There's a good chance you will have to remove the entire structure. You may, however attempt to obtain a variance for the carport's location on the lot.

QUESTION: I am living in a rental that is unsafe. I can't get my landlord to fix anything. Can you declare this place uninhabitable?

ANSWER: I receive these types of calls several times a week. The Pikes Peak Regional Building Department does not enforce the Housing Code, which includes the property maintenance code. In the City of Colorado Springs Code Enforcement enforces the Housing Code, Code Enforcement is part of the Colorado Springs Police Department their phone number is 444-7891. Manitou Springs currently has their Police Department enforcing the Housing Code, El Paso County has it's own Code Enforcement officers their number is 520-6300. Some of the smaller jurisdictions in El Paso County don't have the budgets to regulate enforcement of the Housing Code, so it's left up to the County to do so.

A landlord is obligated to assure the habitability of the housing units being rented. There are minimum standards the landlord must meet as set forth in the Housing Code. On September 1,2008 the General Assembly of the State of Colorado enacted House Bill HB08-1356. The Bill is too long to reprint here, but it gives the tenant the tools to force landlords to provide acceptable housing conditions that will meet the minimum Housing Standards. The Bill also spells out the responsibilities of the tenant's regarding the maintenance of the property. To view the entire Bill, you can access it through the State of Colorado website.

Be advised, it will take more than just a phone call on the part of the tenant to correct the problems. HB08-1356 requires that the tenant put his or her concerns in writing and that they be sent to the Landlord, or Manager via certified mail. It is imperative that you, as the tenant, document your efforts to get the landlord to address the problems at the property.

Just as you would do your due diligence before buying a home, a renter should perform, perhaps to a lesser degree, due diligence before signing a lease. Check a properties history and check on the management of the property to be sure you won't encounter the problems that renter's horror stories are made of.

Good Luck!

Submit your questions to: terryb@pprbd.org or mail to: Pikes Peak
Regional Building Department
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