



## **BUILDING COMMITTEE MINUTES**

March 4, 2009

9:00 a.m.

**MEMBERS PRESENT:** Chairman Brian Olson  
Vice Chairman Jim Larson  
Mr. Larry Whittaker  
Mr. Chad Holladay  
Mr. John Clarke

**MEMBERS ABSENT:** Mr. Todd Anderson

**OTHERS PRESENT:** Mr. Jim Pepper, Chief Building Inspector  
Mr. Roger Lovell, Plans Supervisor  
Mr. Brett Phillips, Contractor Licensing  
Mr. Todd Welch, Regional Building Counsel  
Ms. Linda Gardner, Executive Administrative Assistant

### **PROCEEDINGS:**

Chairman Brian Olson called the meeting to order at 9:03 a.m.

#### **1. CONSIDERATION OF FEBRUARY 4, 2009 MINUTES**

A motion was made by Jim Larson to **APPROVE** the February 4, 2009, Building Committee Minutes as written, seconded by John Clarke; the motion carried unanimously.

#### **2. COMPLAINTS**

There were no Complaints to discuss.

#### **3. CONSENT LICENSE REQUESTS**

**Building Contractor A-1 (General)**

GERALD H. PHIPPS, INC. – WILLIAM BREAKER (NEW EXAMINEE)  
HALL-IRWIN CORPORATION – DANIEL WORDEN (EXAMINEE TO NEW CO.)  
HC BECK, LTD. – TODD BERRY  
HOLDER CONSTRUCTION GROUP, LLC – WILLIAM HEADLEY (NEW EXAMINEE)  
ROBERTS MANAGING CONTRACTORS, INC. – CALVIN ROBERTS  
ROBINSON CONSTRUCTION COMPANY – KIRK MOISAN

**Building Contractor B-1 (General Limited)**

WILLIAMS CONSTRUCTION CORPORATION – WENDALL WILLIAMS (NEW EXAMINEE)

**Building Contractor C (Homebuilder)**

NEW LIFE CONSTRUCTION CO., INC. – MICHAEL LANCASTER (NEW EXAMINEE)  
O'MAC CONSTRUCTION, INC. – WILLIAM O'MELIA  
SAVIO CONSTRUCTION – LOUIS SAVIO (UPGRADE LICENSE)  
THE OVERLOOK AT WOLF RANCH, LLC – GREG GEIST (EXAMINEE TO NEW CO.)

**Building Contractor D-1 (Retaining Walls)**

MUNSON'S LANDSCAPING AND EXCAVATION – JACK MUNSON

**Building Contractor D-1 (Roofing)**

CALVIN TURNER ROOFING, LLC – CALVIN TURNER  
CHAP'S ENTERPRISES, LLC – JOHN CHAPMAN (EXAMINEE TO NEW CO.)  
FRONT RANGE ROOFING COMPANY – MARGARET RINEHART (NEW EXAMINEE)  
WESTERN ROOFING SPECIALIST, LLC – NATHANIEL TEBEDO (BACKUP EXAMINEE)

**Building Contractor D-1 (Siding)**

FRONT RANGE ROOFING COMPANY – MARGARET RINEHART (NEW EXAMINEE)

**Building Contractor D-1 (Woodstove)**

G.P. HERRMAN GAS – GERALD HERRMANN (ADDITIONAL LICENSE)

**Building Contractor E (Remodeling/Maintenance)**

AROUND THE HOUSE, INC. – KIRT BYERLY  
BALDOCK'S CONSTRUCTION – MICHAEL BALDOCK

BART BELL – BART BELL

**Building Contractor F-1 (Solar Energy)**

SOLARTEK ENERGY OF DENVER, INC. – SEAN MURPHY

A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the above-listed Consent License Requests, seconded by Jim Larson; the motion carried unanimously.

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

**Building Contractor A-1 (General)**

CUTTING EDGE CONSTRUCTION COMPANY – PHILIP JUNG (UPGRADE LICENSE)\*

Philip Jung appeared and stated he has had his “C” license for two years and has been doing primarily remodeling work. He stated he is submitting proposals for some fast food restaurants and two gymnasiums, which is the purpose for getting his “A-1” license. Jim Pepper stated Mr. Jung does not have any ground-up construction experience.

Executive Session from 9:31 a.m. to 9:39 a.m. for legal advice.

A motion was made by Chad Holladay to recommend to the Board of Review **DENIAL** of the license request due to Mr. Jung’s lack of experience, seconded by Jim Larson; the motion carried 3:1. John Clarke opposed.

A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** a “B” license, with the limitation of one “B” permit to be pulled for an interior remodel only of 5,000 square feet or less, and no ground-up “B” permits may be obtained, seconded by John Clarke; the motion carried 3:2. Jim Larson and Chad Holladay opposed.

**Building Contractor B-1 (General Limited)**

MCCRACKEN CUSTOM CONST., INC. – MATTHEW MCCRACKEN\*

Matthew McCracken stated he has been in the construction business since he was 16 years old, and his experience includes residential homes, schools and commercial projects. He said he has been doing custom woodworking for the past two years, and is currently doing interior remodels. He said he had a “C” license, which expired, and when he retested he tested for a “B” license. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of a “B-1” license, with the limitation of one “B-1” permit for a

tenant finish, and then Mr. McCracken must reappear before the Building Committee to have the restriction removed, unlimited below, seconded by Larry Whittaker; the motion carried unanimously.

**Building Contractor D-1 (Roofing)**

A-ALL PHASE ROOFING – MATHEW MCKINLEY\*

Mathew McKinley appeared and stated he has 15 years roofing experience in Colorado and Wyoming. He said he has a project for an insurance company in El Paso County, which is the reason for getting his license. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the “D-1” (Roofing) license, with the limitation of five permits at any one time; after five permits have been completed, the restriction will be removed, seconded by John Clarke; the motion carried unanimously.

**Building Contractor E (Remodeling/Maintenance)**

PHIL DOZIER CONSTRUCTION – PHIL DOZIER (REINSTATEMENT)\*

Phil Dozier appeared and stated his license expired and he is here to request that it be reinstated without retesting. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of reinstatement of the “E” (Remodeling/Maintenance) license upon completion of the “E” License test and payment of the back fees and penalties, seconded by John Clarke; the motion carried unanimously.

**Building Contractor F-1 (Solar Energy)**

C & C ROOFING & CONSTRUCTION, INC. – NICK CARPENTER (ADDITIONAL LICENSE)\*

Nick Carpenter stated he has been in the roofing business since 1990. He stated he is getting a number of requests for solar installation, which is the purpose for this license request. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of the “F-1” (Solar Energy) license, seconded by Larry Whittaker; the motion carried unanimously.

\* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 980 Golden Hills Road, Permit G82453 – Ron Palmer, R. W. Palmer Construction, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6'6½" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- b) 9373 Rockingham Drive, Permit G74387 – Bert Bennett, owner, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6'6" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- c) 7440 Alameda Court, Permit G86540 – Marilyn Wheeler, owner, requests variances to:  
  
Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6'6" under furred-down beams, pipes and ducts where a minimum of 6'8" is required; and  
  
Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'4" where a minimum of 7'6" is required.
- d) 2325 Vanreen Drive, Permit G86558 – Brian Rief, Independent Construction & Repairs, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6'6" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- e) 3481 Monica Drive, Permit G46327 – John McKnire, owner, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6'5½" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- f) 2450 Lake Meadow Drive, Permit G76992 – Daniel Weber, owner, requests a variance to allow use of Section R806.4, 2006 International Residential Code, where the use of the 2003 International Residential Code, Section R806.1, is required for attic ventilation.
- g) 6155 Moorfield Avenue, Permit G87987 – Tony Mahathey, Mahathey Homes, Inc., requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'4" where a minimum of 7'6" is required.

- h) 7845 West Highway 24 – William and Marilyn Hensley, owners, requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'3" where a minimum of 7'6" is required.

A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of the Consent Calendar variance requests, seconded by Chad Holladay; the motion carried unanimously.

### **VARIANCE REQUESTS**

- 5. 9494 Federal Drive, Permit G60516 – Gerri Kielhofner, Architect, requests variances to Table 601, 2003 International Building Code, to:
  - a) Allow fire retardant treated plywood (FRTW) on sloped roof trusses above a 2-hour concrete roof structure;
  - b) Allow fire-retardant treated OSB on roof trusses above a mechanical mezzanine that is unoccupied and has 1-hour sprayed fire protection on the roof structure;
  - c) Allow non-treated OSB roof sheathing.

Gerri Kielhofner appeared and stated this structure is the Renaissance Hotel. Jim Pepper stated RBD supports each of these variance requests. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of Variance Requests 5(a), (b) and (c), based on RBD's support, seconded by Jim Larson; the motion carried unanimously.

- 6. 7875 Deer Hill Grove – Bruce Barr, Art C. Klein Construction, Inc., requests a variance to Section 903.2.2, 2003 International Building Code, to waive the requirement for a sprinkler system for an "E" occupancy, where required.

No one appeared. A motion was made by Jim Larson to **TABLE** this variance request until the end of the meeting, seconded by John Clarke; the motion carried unanimously.

- 7. 27 South Tejon Street, Permit G72516 – Lynne Wasinger, Oz Architecture, requests a variance to Table 715.3, 2003 International Building Code, to allow an oversized 13' x 3' door of equal construction to a Class A, 3-hour rated door without a UL listed rating.

Lynne Wasinger appeared and stated this variance request is **WITHDRAWN**.

*John Clarke recused himself from the following variance request.*

8. 217 and 219 North Wahsatch – Barbara Martinez, Construction Pros, requests a variance to Section RBC203.1, 2005 Pikes Peak Regional Building Code, to allow a “C” licensed contractor to obtain a permit requiring a “B” license.

Barbara Martinez appeared and stated she has a “C” license, and she intends to take the test to get her “B” license, but she would like to get a variance to obtain a permit for this project prior to getting her license due to time constraints. She said this remodeling project is for three units at 217 North Wahsatch and eight units at 219 North Wahsatch. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of this variance request for 219 North Wahsatch only, with the stipulation the Ms. Martinez gets her “B” license before obtaining a permit for 217 North Wahsatch; and that a letter from the property owner be submitted to RBD stating he understands that Ms. Martinez is requesting this variance request, seconded by Jim Larson; the motion carried 3:1. Chad Holladay opposed.

9. Carl Garrison, Hoffman Construction Company of America, requests a variance to Section 201.10.4, 2005 Pikes Peak Regional Building Code, to waive the requirement for retesting for a building contractor “A” license.

This variance request was **WITHDRAWN**.

10. 7440 Alameda Court, Permit 86540 – Marilyn Wheeler, owner, requests a variance to RBC303.4.9, 2005 Pikes Peak Regional Building Code, to allow a ceiling height in a non-habitable space to be 6’9” where 7’ is required.

Wayne DeLabarre appeared and stated the previous owner partially finished this bathroom, and Ms. Wheeler is completing it; but due to ductwork, it does not allow for a Code compliant ceiling height. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of this variance request due to existing conditions, seconded by Larry Whittaker; the motion carried unanimously.

11. 20385 True Vista Circle, Permit G83365 – Gary Tremaine, owner, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’2” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Gary Tremaine appeared and stated this is a basement finish in a house which was built in 1992; and due to existing conditions, he is unable obtain more than 6'2" under the soffit. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of this variance request due to existing conditions, seconded by John Clarke; the motion carried unanimously.

12. 5472 Thresher Lane, Permit G82119 – Margarito Martinez, MTZ Management, Inc., requests a variance to Section RBC303.4.10, Exception 2, to allow a basement soffit width of 60% of the floor area where a maximum of 50% of the floor area is required. *This variance was postponed from the February 4, 2009, Building Committee meeting due to non-appearance.*

Margarito Martinez appeared and stated this is a 14' x 14' room, and the soffit extends to 60% of the floor area. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of this variance request, seconded by Chad Holladay; the motion carried unanimously.

13. 6727 Annanhill Place, Permit G81676 – Larry Magers, owner, requests a variance to Section R310.2, 2003 International Residential Code, to allow a 24" egress window well where a minimum of 36" is required.

Larry Magers appeared and stated he did not complete the basement when the house was built, and the builder installed 24" window wells on one side of the house. He said the window wells are next to a driveway, which would make it difficult to enlarge the window wells. A motion was made by Chad Holladay to recommend to the Board of Review **DENIAL** of the variance request due to due to life safety issues, seconded by John Clarke; the motion carried unanimously.

14. 5532 Old River Drive, Permit G00371 – James Mekler, owner, requests a variance to Section R311.3, 2003 International Residential Code, to allow a hallway width of 35" where a minimum of 36" is required.

James Mekler appeared and stated he is finishing his basement and the existing hallway does not allow for expansion. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of this variance request due to existing conditions, seconded by Jim Larson; the motion carried unanimously.

- 14a. 8 South Nevada Avenue, Permit G87069 – David Schneider, Landco Equity Partners, requests a variance to allow use of Section 603.2.1, 2003 International Existing Building Code, where use of Section 707.4, 2003 International Building Code, is required for exit

enclosures.

Tommy Pucciano, Architect, appeared and stated this is a 100-year old structure, consisting of the Mining Exchange Building, the Independence Building and the Freeman Telegraph Building. He said they are using the existing stairwells, which they are enclosing with walls and rated doors. He said they are asking for a variance to use the 2003 International Existing Building Code, which allows for a 1-hour enclosure, whereas the 2003 International Building Code requires a 2-hour enclosure. He said they are also installing a sprinkling system, an accessible elevator for emergency personnel and a new stairway to further improve the egress in and out of the building. Shelley Savage, RBD Plans Examiner, appeared and stated the issue is the current stair enclosures are not complete; they are open on one side. She said currently it is a 3-A building with 1-hour floor/ceiling assemblies, whereas 2-hour floor/ceiling assemblies are required by the 2003 International Building Code. Roger Lovell stated the problem is that they do not have the supporting structure for a 2-hour wall. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the variance request because it is an existing building and we do not want to prohibit construction and improvement of older buildings, seconded by Jim Larson; the motion carried unanimously.

- 14b. 1750 East Boulder Street – Matthew Hood, Barnes Architects, requests a variance to Section 903.2.1.2, 2003 International Building Code, to allow an unsprinklered canopy to be installed where a fully sprinklered canopy is required.

Matthew Hood appeared and stated this is a stand alone building canopy which is building No. 9 at the United States Olympic Center. He said it is constructed with noncombustible steel, with a metal deck and rubber roof. Roger Lovell stated that Code states that if there is a roof on a structure, it constitutes building area. He said the building next to the canopy is a fully sprinklered dining area. Mr. Lovell stated that Code allows us to treat multiple buildings on one lot as one building provided the allowable area works for all of those buildings; but the existing building is fully sprinklered, therefore, that would mean that the canopy must be fully sprinklered. He said if we treat them as separate buildings, then we have to meet the fire separation distances between the canopy and the existing building. He said the canopy is too close to the existing building; therefore, it would have to meet the fire rated construction in order to waive the sprinkler system. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the variance request because of the disconnect from the existing building to the canopy and the low risk of a fire spreading from the main building to the canopy, seconded by Chad Holladay; the motion carried unanimously.

- 14c. 675 Brundidge Court, Permit G74979 – Dwight Hunnicutt, owner, requests a variance to Section R310.2, 2003 International Residential Code, to allow two 24” egress window wells

where a minimum of 36” is required.

Dwight Hunnicutt appeared and stated this house was built in 1996 and the builder put 30” window wells on one side of the house and 24” window wells on the other side of the house. A motion was made by Chad Holladay to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues, seconded by Larry Whittaker; the motion carried unanimously.

- 14d. 6155 Moorfield Avenue, Permit G87987 – Tony Mahathey, Mahathey Homes, Inc., requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 6’7” over a landing at top of stairs where a minimum of 7’6” is required.

No one appeared. A motion was made by Jim Larson to **TABLE** this variance request until the end of the meeting, seconded by Chad Holladay; the motion carried unanimously.

- 14e. 8510 Smoky Falls, Permit G74275 – Nathan Raulie, owner, requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7’ where a minimum of 7’6” is required.

Nathan Raulie appeared and stated he is finishing the basement of his home himself and the room above this bedroom is one step down from the remainder of the floor system, which lowers the floor joists so he is not able to obtain the ceiling height required by Code in the basement bedroom. A motion was made by Jim Larson to recommend to the Building Committee **APPROVAL** of the variance request due to existing conditions, seconded by Chad Holladay; the motion carried unanimously.

- 14f. 7225 Oak Hills Trail, Permit G76576 – Jeff White, Penguin’s Coat, requests a variance to allow use of Section R806.4, 2006 International Residential Code, where the use of the 2003 International Residential Code, Section R806.1, is required for attic ventilation. *The product used is Demilec Sealection Agribalance spray foam insulation.*

Jeff White appeared and stated he is asking for a variance to use the Demilec Sealection Agribalance spray foam insulation. He stated this Demilec product is a little more dense than the Demilec product that has been approved by RBD and has a higher R value. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of this variance request due to the fact that it has met all of the testing requirements that were met by the previously approved Demilec product, seconded by Chad Holladay; the motion carried unanimously.

- 14g. 12845 Black Forest Road, Permit G68197 - Jeff White, Penguin's Coat, requests a variance to allow use of Section R806.4, 2006 International Residential Code, where the use of the 2003 International Residential Code, Section R806.1, is required for attic ventilation. *The product used is Demilec Sealection Agribalance spray foam insulation.*

Jeff White appeared and stated he is asking for a variance to use the Demilec Sealection Agribalance spray foam insulation. He stated this Demilec product is a little more dense than the Demilec product that has been approved by RBD and has a higher R value. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of this variance request, seconded by John Clarke; the motion carried unanimously.

- 14h. 1310 West Woodmen, Permits G63769 and G74907 - Jeff White, Penguin's Coat, requests a variances to allow use of Section R806.4, 2006 International Residential Code, where the use of the 2003 International Residential Code, Section R806.1, is required for attic ventilation with the following products:

- (1) *The product used is Demilec Sealection Agribalance spray foam insulation for the house attic; and*

Jeff White appeared and stated he is asking for a variance to use the Demilec Sealection Agribalance spray foam insulation. He stated this Demilec product is a little more dense than the Demilec product that has been approved by RBD and has a higher R value. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of this variance request, seconded by John Clarke; the motion carried unanimously.

- (2) *The product used is Demilec Heat Lock spray foam insulation in the pool attic.*

Jeff White stated they are using the Demilec Heat Lock spray foam insulation in the pool area due to the humidity. He said the Heat Lock is a closed cell foam and more resistant to the humidity. He said this Demilec product does not yet have an ES Report. He said they will apply a 15 minute thermo barrier on top off the Demilec product. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of this variance request due to the fact that the Demilec Heat Lock spray foam insulation does meet the criteria of testing and the other Demilec products have been accepted by the Committee, with the stipulation that the technical data on this product is submitted to RBD, and this product does waive the need for attic ventilation in the pool attic, seconded by Chad Holladay; the motion carried unanimously.

Break from 11:39 a.m to 11:48 a.m.

*The following item was heard out of order.*

16. **NEW BUSINESS**

a) CableLock System as a Consent Item

David Hutto, Olshan Foundation, and Karl Breckon, BEC Engineering, appeared. Mr. Brecken stated this product is used primarily for foundation repair. He said this product has been tested extensively, and it is a pressed piling system. He said Olshan currently has approximately 10,000 installations per year with this system. Mr. Brecken presented a sample of the materials used and demonstrated the installation method for the Committee. He said the system is currently going through the required testing process for ICC approval, and he anticipates that it will be completed by the end of the year. He said each system is designed for the home and the soils conditions. A motion was made by John Clarke to recommend to the Board of Review that the CableLock System be **ADDED** to the Consent Calendar, with the stipulation that a Colorado Engineer approve the product and installation for each project, and that it is inspected and approved after installation by the same engineer, for the next 12 months or until it is approved by the ICC, seconded by Jim Larson; the motion carried unanimously.

15. **UNFINISHED BUSINESS**

a) Annual Glazing Permit Discussion

Jim Pepper appeared and stated RBD would like to implement a \$500 annual glazing permit for large glazing contractors. He said RBD is in the process of implementing annual permits in other areas of construction. He said RBD will bring this matter before the Building Committee at the April 1, 2009, meeting for further discussion.

b) Tabled Items

A motion was made by Jim Larson to **POSTPONE** all of the tabled items until the April 1, 2009, Building Committee meeting, seconded by John Clarke; the motion carried unanimously.

16. **NEW BUSINESS**

- a) CableLock System as a Consent Item

*This item was heard after 14h.*

The meeting adjourned at 12:34 p.m.