



BUILDING COMMITTEE MINUTES

June 3, 2009

9:00 a.m.

MEMBERS PRESENT: Chairman Brian Olson
Vice Chairman Jim Larson
Mr. Larry Whittaker
Mr. Todd Anderson
Mr. Thomas McDonald
Mr. John Clarke

MEMBERS ABSENT: Mr. Chad Holladay

OTHERS PRESENT: Mr. Henry Yankowski, Building Official
Mr. Jim Pepper, Chief Building Inspector
Mr. Blake Nunnelley, Commercial Building Inspector
Mr. Roger Lovell, Plans Supervisor
Mr. Terry Brunette, Contractor Licensing
Mr. Todd Welch, Regional Building Counsel
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Brian Olson called the meeting to order at 9:09 a.m.

1. CONSIDERATION OF MAY 6, 2009 MINUTES

A motion was made by Jim Larson to **APPROVE** the May 6, 2009, Building Committee Minutes as written, seconded by Todd Anderson; the motion carried unanimously.

2. COMPLAINTS

There were no Complaints to discuss.

3. CONSENT LICENSE REQUESTS

Building Contractor A-1 (General)

COLAINO & ASSOCIATES, INC. – THOMAS COLAINO
CRANE CONSTRUCTION CO. – JON ELGERT
DAVID A. FIEDLER – DAVID FIEDLER
LANDMARK GENERAL CONTRACTORS, INC. – JAMES COLSTON
R2 CONSTRUCTION CO., LLC – CRAIG STEINMETZ (EXAMINEE TO NEW CO.)

Building Contractor A-2 (General)

FAR NORTH DEVELOPMENT, INC. – PETER MARTINEK

Building Contractor B-1 (General Limited)

BLUE BEAR CO. – JAMES KENNEDY
BUSH DÉCOR AND FIXTURE, INC. – DAREK AXTMAN (NEW EXAMINEE)
ENGINEERED STRUCTURES, INC. – NATALIE WALTMAN
PROLINE CONSTRUCTION COMPANY – ROBERT SIEMERING

Building Contractor C (Homebuilder)

DLM ENTERPRISES – DAVID MATA
FRONT RANGE LANDSCAPES, INC. – WAYNE REID (EXAMINEE TO NEW CO.)
JERRY MCCLINTON – JERRY MCCLINTON
KAYCO, LLC – NOLAN STENERSEN

Building Contractor D-1 (Roofing)

1-DERFUL ROOFING & RESTORATION – RONALD ANTENER (ADDITIONAL EXAMINEE)
CRS COMMERCIAL ROOFING SPECIALISTS, INC. – DAVID MEQUET
DIESTLER ROOFING & CONSTRUCTION – HAROLD DIESTLER (EXAMINEE TO NEW CO.)
IMAGE CONSTRUCTION & MAINTENANCE – ROBERT SHEPPARD
NEW LIFE ROOFING & CONSTRUCTION, INC. – EMERSON DROULLARD
PPP ROOFING, INC. – DENNIS PARADISO (ADDITIONAL LICENSE)
TOTAL HOME EXTERIORS, INC. – JENNIFER RIMKUS

Building Contractor D-1 (Towers)

TELECOMMUNICATIONS CONTRACTING CO., INC. – RICHARD TASCHEK

Building Contractor D-3B (Wrecking)

CUSTOM ENVIRONMENTAL SERVICES, INC. – JOSEPH DOYLE

Building Contractor D-5A (Sign)

SHAW SIGN & AWNING, INC. – WILLIAM VALASEK

Building Contractor E (Remodeling/Maintenance)

RNP MAINTENANCE – WILLIAM BROWN
WILLIAM AUSTIN – WILLIAM AUSTIN

Building Contractor F-1 (Solar Energy)

SOL SOURCE ENERGY SOLUTIONS – JESSE COURTEMANCHE (ADDITIONAL LICENSE)

A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** the Consent License Requests, seconded by Todd Anderson; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

The following Item No. 8 was called out of order and combined with the License Request Considered Individually for B & J Contractors, Inc. – Johnny Garcia (Upgrade License).

8. Fred Johnny Garcia requests a variance to RBC201.6.1, 2005 Pikes Peak Regional Building Code, to waive the testing requirement for an “A” license.

Building Contractor A-1 (General)

B & J GENERAL CONTRACTORS, INC. – JOHNNY GARCIA (UPGRADE LICENSE)*

Johnny Garcia appeared and stated he has 48 years of construction experience, B & J General Contractors has been in business 32 years, and he has been involved in the construction of 54 commercial projects, specializing in commercial remodels. He stated he took the “A” license test in 1977, but the Building Committee did not feel he had adequate experience at that time to have an “A” license, even though he passed the required test. He said he was given a “C” license at that time and he later upgraded the “C” license to a “B” license. Jim Larson and Larry Whittaker stated the Building Committee believes it is necessary for Mr. Garcia to take the “A” license test, because the codes have changes substantially since 1977. A motion was made by Jim Larson to recommend to the Board of Review **DENIAL** of both the license request and the variance request, and recommends that Mr. Garcia take the “A” test, and once he passes the “A” test, he does not have to reappear before the Building Committee to have it approved, seconded by John Clarke; the motion carried unanimously.

DGJ CONSTRUCTORS – DONALD JOHNSON (UPGRADE LICENSE, NAME CHANGE)*

Donald Johnson appeared and stated he would like to upgrade his “C” license to an “A” license for an upcoming project to build a retail store, and to do some tenant finishes in the future. He stated he has been a carpenter for an “A” contractor for the past four years, working on the Cheyenne Mountain State Park, and the Banning Lewis Ranch Clubhouse and school. He said he has had his “C” license for 15 years. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a “B” license, with the limitation of two permits until completed, at which point Mr. Johnson can reappear before the Building Committee to request his “A” license, seconded by Todd Anderson; the motion carried unanimously.

Building Contractor C (Homebuilder)

ARTHUR OSUCH – ARTHUR OSUCH*

Arthur Osuch appeared and stated he built a home for himself, and assisted his father in the construction of five other houses. He said he has been a superintendent for New Life Construction for the past two years, building primarily home additions. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of a “C” license, with the limitation of one ground-up project at any one time, either a house or an addition, and unlimited remodels; upon completion of one ground-up project, Mr. Osuch should consult with RBD staff to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

PROGENY CONSTRUCTION, LLC – RICHARD ORNELAS*

Richard Ornelas appeared and stated he had a remodeler’s license in San Antonio, and when he relocated to Phoenix, he was a framing foreman. He said he then moved to Dallas, Texas where he went through a boot camp training course for building, and worked for Fox & Jacobs after completing the course. He said he was a framing superintendant for the Woodman Point Subdivision and the Cheyenne Parks and Recreation Visitors’ Center in El Paso County. He said he has some potential prospects for building homes in El Paso County, which is the reason for requesting his license. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of the “C” (Homebuilder) license, with the limitation of decks, interior remodels, and one ground-up permit (addition or house) until completed, at which time he must consult with RBD staff to have the restriction removed, seconded by John Clarke; the motion carried unanimously.

SAREN STRUCTURES – BRAD SAREN*

Brad Saren appeared and stated he has been a roofing contractor for the past ten years, and has been working with a number of local builders in El Paso County. He stated he has also been “moonlighting” and performing some framing and tile work. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of the “C” (Homebuilder) license, with the limitation of one ground-up permit (addition or house) at any one time, and Mr. Saren must reappear before the Building Committee to have the restriction removed, seconded by Jim Larson; the motion carried unanimously.

WESTERN SUMMIT CONSTRUCTION – DOYLE BRUECKNER*

Doyle Brueckner appeared and stated he has 14 years construction experience. He said he has built four duplexes and one six-plex from the ground-up, as well as numerous houses, in Pagosa Springs, Colorado. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of the “C” (Homebuilder) license, with the limitation of two permits open at any one time, and Mr. Brueckner must reappear before the Building Committee after completing the two permits to have the restriction removed, seconded by John Clarke; the motion carried unanimously.

Building Contractor D-1 (Roofing)

BLUE BOYS EXTERIOR – ALBERT PEREZ*

Albert Perez appeared and stated he has extensive roofing experience and has reroofed over 400 houses and the roof on St. Theresa’s Church in Pueblo, Colorado. 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 open at any one time, until completed, at which time Mr. Perez should consult with RBD staff to have the restriction removed, seconded by Todd Anderson; the motion carried unanimously.

TURNER MORRIS, INC. – TIMOTHY MORRIS (REINSTATEMENT)*

Timothy Morris appeared and stated he has 25 years of commercial roofing experience, and his license was not renewed by his clerical staff in an effort to save money. He stated he was not aware of this at the time, and he is trying to correct this matter now. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the reinstatement of the “D-1” (Roofing) license, with the stipulation that all back fees and penalties are paid, seconded by Todd Anderson; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 8725 Country Creek Trail, Permit G40190 – Scott Cleveringa, homeowner, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6’7” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.
- b) 12252 Point Reyes Drive, Permit G91834 – Brenda Redman, homeowner, 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) 6742 Annanhill Place, Permit G88552 – James Quinn, homeowner, 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.
- d) 6596 LaPlata Peak Drive, Permit G72719 – Cary Gulsby, homeowner, 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) 6205 Colfax Terrace, Permit G94039 – Ryan Zeestraten, White Owl Construction, requests a variance to Section R310.1, 2003 International Residential Code, to allow a 50” windowsill height in existing conditions in a basement finish where a maximum of 44” is allowed, with the stipulation that a step is permanently installed under the window sill that is at least 11½” depth, 6” rise, and the full width of the window opening.

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

VARIANCE REQUESTS

- 5. 423 North Cascade Avenue – Aspen Roofing requests a variance to Section R902.1, 2003 International Residential Code, as amended by Appendix D, City of Colorado Springs Ordinance 05-135, 2005 Pikes Peak Regional Building Code, to allow wood roofing products where Class A roof covering is required.

Roger Grace, Holladay Grace Roofing, appeared and stated he is appearing on behalf of Steve Seder of Aspen Roofing, whose father just passed away. He said Mr. Seder is the President of the El Paso County Roofers' Association. He said this is the McAllister House Museum, and it is in the historical district. He said the Roofer' Association is donating a new roof to the Museum. He said they are requesting a variance to use No. 1 wood cedar shingles. Mr. Grace said they are using a Veltrax underlayment to limit the fire danger. Jim Pepper stated the Fire Department has contacted him and stated they do not object to this variance request, nor does RBD staff object to the variance request. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of this variance request because it is a historical building, seconded by Todd Anderson; the motion carried unanimously.

6. 5904 Prairie Schooner Drive, Permit G86463 – Steve Connelly, Oculus Architects, Inc., requests a variance to Section 721.1, 2003 International Building Code, to request to demonstrate alternative method of compliance for 1-hour protection of roof structure as required by Table 601, 2003 International Building Code.

Steve Connelly appeared and stated he is representing Villa Sports, and this variance request is to approve an alternative method of protection of the 1-hour fire resistant qualities in a new addition to a swimming pool. He said the plans indicated a fire resistant coating when the building permit was obtained, and they are requesting a variance under the alternate means of protection to prove by structural calculations that the beams they were protecting did not require any fire proofing due to the size of the beams. He said this is a swimming pool, so it is a low class ignition source. Roger Lovell stated this is 1B construction, which requires a 1-hour roof assembly. He said the 1-hour roof assembly requires all of the structural components of the roof to be protected with 1-hour construction or 1-hour spray fire proofing. He said it is a fully sprinklered building, and the fire risk is low. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of the variance request due to the explanations of Steve Connelly and Roger Lovell, seconded by Todd Anderson; the motion carried unanimously.

7. 230 South Valley Road, Permit G93624 – John Marshall, homeowner, requests variances to Section R202, 2003 International Residential Code to:
 - a) Allow a 2-story unheated sunroom where only 1-story is permitted; and
 - b) Allow (3) unheated sunrooms to have less than 40% glazing in walls and roof where 40% or more is required.

John Marshall appeared and stated he is rebuilding from a fire in January. He said the primary area is a 12' x 12' two level room and the other area is an 8' x 10' one level

room. He said there is 120 square feet of glass in a 144 square foot area. He said he is concerned about over glazing or overheating the rooms. Roger Lovell stated there are two issues, i.e., Code requires that sun rooms are limited to one story and the requirement of 40% or more glazing in the walls and roof. Mr. Marshall stated the windows are operable, and there are French doors in the entry of each sunroom. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the variance requests 7a and 7b because they are trying to create some passive solar capabilities, seconded by Jim Larson; the motion carried 4:1. John Clarke opposed.

8. Fred Johnny Garcia requests a variance to RBC201.6.1, 2005 Pikes Peak Regional Building Code, to waive the testing requirement for an "A" license.

This item was heard out of order during Item No. 2.

9. 7150 Nettlewood Place, Permit G90110 – Mark Shibe, homeowner, requests a variance to Section R905.2.2, 2003 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch of 1:12 where it is required to be at least a 2:12 pitch. *This item was tabled from the May 6, 2009, Building Committee meeting due to non-appearance.*

Mark Shibe appeared and stated this is a 12' x 12' deck with a roof. He said this roof was built five or six years ago by a contractor who told him he did not need a permit. Jim Pepper stated a permit was never obtained for the patio structure itself, so we are not certain the structure can support the roof. Jim Larson stated Mr. Shibe should consult with RBD staff regarding necessary steps to obtain a permit for the patio structure. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the variance request based on the photographs and the fact that the structure is five years old and does not leak, and this variance request does not include the supporting structure for the roof, seconded by Jim Larson; the motion carried unanimously.

10. 2024 Calle Corona, Permit G91386 – Dan Howerton, Empire Roofing, requests a variance to Section R905.2.7, 2003 International Residential Code, to allow one layer of roofing felt where two layers of ASTM D226 roofing felt is required for roof slopes between 2:12 and 4:12.

Dan Howerton appeared and stated he installed one layer of 30 pound felt, where two layers of 15 pound felt are required. He said the homeowner has accepted the 30 pound felt and he has given the homeowner a two year extension on the roof warranty. A motion was made by Jim Larson to recommend to the Board of Review **APPROVAL** of the variance request because the homeowner is aware of the problem, he approves the work as is, and a two year

extension on the warranty was given to the homeowner, seconded by John Clarke; the motion carried unanimously.

11. 312 Comanche Village Drive, Permit G73197 – Mike Nelson, A-Aardvark Roofing Co., requests a variance to Section R905.2.7, 2003 International Residential Code, to allow one layer of roofing felt where two layers of ASTM D226 roofing felt is required for roof slopes between 2:12 and 4:12.

Mike Nelson appeared and stated he inadvertently missed the pitch and the double felt requirement. He said he has not been paid by the homeowner, and the homeowner is refusing to communicate with him. He said he has placed a lien on the house for the costs of reroofing the house. A motion was made by Jim Larson to recommend to the Board of Review **DENIAL** of the variance request because the homeowner is not willing to accept the work done, it is a 15-pound felt and not the required 30-pound felt, and the warranty has not been extended, seconded by John Clarke; the motion carried unanimously.

- 11a. 6804 Palace Drive – George Atkins, owner, requests variances to:

- a) Section R310.1, 2003 International Residential Code, to allow a 53” sill height where a maximum of 44” is allowed for an egress window.
- b) Section R310.1.2, 2003 International Residential Code, to allow a 23” net clear opening height where a minimum of 24” is required for an egress window.
- c) Section R310.1.1, 2003 International Residential Code, as amended by Section RBC303.4.17, 2005 Pikes Peak Regional Building Code, to allow an emergency escape and rescue opening with a net clear opening of 3.5 square feet where 4.5 square feet is required.

George Atkins appeared and stated he just bought this house. He said currently there is a finished recreation room and laundry room in the basement, and he is trying to add a wall to add a bedroom in the basement. He said the house was built in 1972, and the current variance requests are due to existing conditions. Paul Rafton, Rafton General Contractors, said the window in question has a 53” windowsill height, the total window is a 4’ x 2’, and the opening side is a 2’ x 2’. A motion was made by John Clarke to recommend to the Board of Review **DENIAL** of variance requests 11a, 11b, and 11c due to life safety issues, seconded by Jim Larson; the motion carried unanimously.

12. **UNFINISHED BUSINESS**

- a) Update on School Inspections

Jim Pepper stated School Districts 2, 3, 8, 11 and 20 have agreed to work with RBD for their plan reviews and inspections. He said Blake Nunnelley will be RBD's coordinator, and he has extensive experience in this area.

b) Use of Contractor License

Jim Pepper stated RBD staff has researched this issue extensively. He said it is difficult for RBD to apply restrictions to a contractor when he is working for more than one company; therefore, RBD does not support this issue.

c) Internet Subscriptions for Board Members

Jim Pepper stated the Advisory Board did not support giving the Board members RBD internet subscriptions at no costs to the Board members.

d) Office Lease with Senator Udall

Todd Welch stated RBD is in the process of negotiating a lease with Senator Udall's office for office space in the old floodplain area at RBD.

e) Plan Review Update

Roger Lovell stated the Costco project on North Nevada has started the foundation work; the Kohl's store was permitted on May 5th; and the Lowe's store is ready to permit. He said there are two rapid response projects; the first is a Fed Ex expansion on Spectrum Loop. The plans have been approved and it will be permitted very soon. The second project is for Hewlett Packard, and a permit should be issued very shortly for the foundation only.

13. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:25 a.m.