



BUILDING COMMITTEE MINUTES

November 4, 2009

9:00 a.m.

MEMBERS PRESENT: Chairman Brian Olson
Mr. Larry Whittaker
Mr. Todd Anderson
Mr. Thomas McDonald
Mr. Chad Holladay
Mr. John Clarke

MEMBERS ABSENT: Vice Chairman Jim Larson

OTHERS PRESENT: Mr. Henry Yankowski, Building Official
Mr. Jim Pepper, Chief Building Inspector
Mr. Frank Atchison, Senior Building Inspector
Mr. Roger Lovell, Plans Supervisor
Mr. Todd Welch, Regional Building Counsel
Mr. Terry Brunette, Special Investigator/Licensing
Mr. Brett Phillips, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Brian Olson called the meeting to order at 9:02 a.m.

1. **CONSIDERATION OF OCTOBER 7, 2009 MINUTES**

A motion was made by Chad Holladay to **APPROVE** the October 7, 2009, Building Committee Minutes as written, seconded by Larry Whittaker; the motion carried unanimously.

The following Item No. 5 was heard out of order.

5. 780 Prairie Star Circle, Permit H07609 – Howard Keller, homeowner, requests variances to:
- a) Section R403.1.4.1, 2003 International Residential Code, to allow less than the required 30” frost protected piers/foundation.

John Jones, Plans Examiner for RBD, appeared and stated he has been working with Mr. Keller to assist him in getting his plans approved by RBD. He said Mr. Keller purchased the house three years ago and is now enclosing an existing patio. He said the existing patio has concrete piers that are sitting on a 3½” to 4” concrete slab instead of being on concrete piers. Harold Keller appeared and stated he has not had any engineering done to date for the patio. He said he does not intend to heat the enclosed patio. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that an engineer’s report is submitted to RBD approving the existing structure, seconded by Todd Anderson; the motion carried unanimously.

- b) Section RBC303.4.39, 2005 Pikes Peak Regional Building Code, to allow non-floating walls in a patio enclosure.

John Jones stated Mr. Keller intended to float the walls, but found it to be too difficult. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that an engineer’s report be submitted to RBD indicating that the floating walls can be waived, seconded by Todd Anderson; the motion carried unanimously.

- c) Section R905.2.2, 2003 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12.

John Jones stated the pitch is very low on the roof, and Code prohibits the use of asphalt shingles on this type of roof slope. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request for the existing roof, but if Mr. Keller reroofs the patio, it must be Code compliant, seconded by Todd Anderson; the motion carried unanimously.

Johnny Johnson, member of the Board of Review of RBD appeared to give the Building Committee a report based on the decision by the Board of Review regarding the variance for 115 North Tejon, Colorado Springs, Colorado. He stated the Board of Review felt the Building Committee made the correct decision on the information presented, but the variance applicant presented additional information during the Board of Review, i.e. the installation of a water wash system on the entry wall to the building; therefore, the Board of Review overturned the decision of the Building Committee and approved the variance request.

2. COMPLAINTS

- a) A complaint has been brought against Maiko Williams, licensee for Over the Top, Inc., by Pikes Peak Regional Building Department, for violation of Section RBC201.2(4), 2005 Pikes Peak Regional Building Code, for allegedly allowing Colorado Roof Exchange to use your license to contract to perform roofing work at 2467 Cather Circle, Colorado Springs, CO.

Terry Brunette appeared, was sworn in, and stated the details of the complaint. Maiko Williams appeared, was sworn in, and stated he has never heard of this complaint, he has not worked at this address, and he has no idea what the complaint is about. Todd Welch stated he brought a complaint against Colorado Roof Exchange because they were contracting with homeowners and then hiring local contractors to do the work, and Mr. Williams has done work for Colorado Roof Exchange. He said he has been in contact with the attorney for Colorado Roof Exchange and was informed that they will no longer be contracting in El Paso County until they have a license in El Paso County. He said Mr. Williams was brought before the Building Committee on this complaint because he was listed on the contract with the homeowner as the contractor that would be supplying the materials and doing the work.

Todd Welch stated he believes that Mr. Williams does not understand that he should not be letting Colorado Roof Exchange use his license to do work in El Paso County. Jim Pepper appeared, was sworn in, and stated Mr. Williams' record with RBD is in good standing, with the exception of this one complaint. A motion was made by John Clarke to recommend to the Board of Review that because Mr. Williams did not understand the Code pertaining to this issue, an Incident Report be put in Mr. Williams file, seconded by Chad Holladay; the motion carried unanimously.

- b) A complaint has been brought against Richard Runyan, licensee for The Timberstone Group, Inc., by Pikes Peak Regional Building Department, to explain why Permit G01088, 6210 Wilson Road, Colorado Springs, CO has not been completed.

Terry Brunette appeared, was sworn in, and stated the details of the complaint. Rick Runyan appeared, was sworn in, and stated he agreed to assist a business associate, Janice Dalton, in the construction of a deck on her house. He said Ms. Dalton was supplying materials for another project to his brother/business partner, and they had a dispute over that project. Mr. Runyan said Ms. Dalton requested that he terminate work on her deck during the dispute with his brother. He said he has since entered into an agreement with Ms. Dalton to let him finish the deck and close the permit. He said he is asking RBD for an additional 90 days to complete the work and final the permit. A

motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** to reopen the permit for an additional 90 days in order to final the permit, seconded by Todd Anderson; the motion carried 3:1. Larry Whittaker abstained.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

THE COLORADO COLLEGE – RICK GREENE (NEW EXAMINEE)

Building Contractor B-1 (General Limited)

DC BUILDERS – DARREN WILLIAMS (REINSTATEMENT)

Building Contractor C (Homebuilder)

PHOENICIAN CONSTRUCTION – DAVID POLLOCK

Building Contractor D-1 (Roofing)

AMBROSE EXTERIORS, INC. – MIKE HOFFMAN
FIXINS HOME SERVICES – ANTHONY KOURI
SJC BUILDING – SHANE COLCLASURE
WRIGHTWAY REPAIRS, LLC – KELLY WRIGHT

Building Contractor D-1 (Siding)

GENESIS EXTERIORS, INC. – DAVID BLYTHE (ADDITIONAL LICENSE)
R & R KUSTOM EXTERIORS – RICHARD REED

Building Contractor D-3B (Wrecking)

HIGH COUNTRY EARTHWORKS – MICHAEL GALVIN

Building Contractor D-4 (Moving)

ROCKY MOUNTAIN STRUCTURAL MOVERS, INC. – WILLIAM DAVIS

Building Contractor E (Remodeling/Maintenance)

CUSTOM CHRISTIAN CREATIONS – JEREMY MADDOX
ORANGE VAN CONSTRUCTION, LLC – PRESTON HOBBS
REBATH OF COLORADO – MICHAEL ALLEN

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor A-1 (General)

JM WESTON HOMES, LLC – JOHN BISSETT*

John Bissett appeared and stated he plans to build condominium complexes, which will include community centers and clubhouses. He said he currently has a 3-plex and 4-plex townhome project in Plan Review which will require a “C” license. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a “C” license, with the limitation of permits for two multi-family buildings at any one time, at which time RBD staff may remove the restriction, seconded by Todd Anderson; the motion carried unanimously.

Building Contractor B-1 (General Limited)

COLORADO RESCON – JACK DENNISON*

Jim Pepper stated RBD staff has moved this license request to the Consent License Requests, and Jack Dennison will not be appearing today.

STARR HANDYMAN SERVICES – MICHAEL STARR*

Michael Starr appeared and stated his experience has been primarily residential work, but his future plans include commercial tenant finishes, which is the purpose for getting his “B-1” license. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of the “B-1” (General Limited) license, with the limitation of one open permit until completed, unlimited below, seconded by John Clarke; the motion carried unanimously.

Building Contractor C (Homebuilder)

HAND-IT-TO-ME – RYAN HARDING*

Ryan Harding appeared and stated most of his experience has been overseas. He said he managed the construction of a seminary in Costa Rica, and he has been performing primarily handyman work, small additions, and basement remodels since returning to the United States. A motion was made by Chad Holladay to recommend to the Board of Review

APPROVAL of the “C” (Homebuilder) license, with the stipulation that **no** ground-up residential construction can be done, with the exception of additions. Mr. Harding is limited to two “C” permits at any one time, until completed, unlimited below, at which time he can work with RBD staff to have the restriction removed, seconded by Todd Anderson; the motion carried unanimously.

HOME REPAIR SHOP – RICHARD VAUGHN*

Richard Vaughn appeared and stated he has been building houses since he was in high school. He said he moved to Colorado this past July, and prior to that we was doing insurance work in Missouri and Texas. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the “C” (Homebuilder) license, with the stipulation that **no** ground-up residential construction can be done, with the exception of additions. Mr. Harding is limited to two “C” permits at any one time, until completed, unlimited below, at which time he can work with RBD staff to have the restriction removed, seconded by Todd Anderson; the motion carried unanimously.

T. ANTHONY CONSTRUCTION, LLC – TOM TELLUP*

Tom Tellup appeared and stated he has been in residential construction for the past 14 years, and has built four ground-up houses with his father’s assistance, but most of his work has been in the framing field. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the “C” (Homebuilder) license, with the limitation two “C” permits until completed, unlimited below; at which time Mr. Tellup can reappear before the Building Committee to have the restriction removed, seconded by Todd Anderson; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 5285 Pinon Valley Road, Permit H08351 – Chris Cambridge, CK Construction, LLC, requests variances 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; and

Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6’5” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

- b) 4160 Stonehaven Drive, Permit H07524 – Philip Collier, Our Family Builders, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6’5” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.
- c) 828 Fire Rock Place, Permit H09792 – Albert Wills, Challenger Homes, Inc., 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.
- d) 6204 Saddlebred Way, Permit H06470 – Journey Homes, LLC 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.
- e) 5010 Chipita Pines Drive, Tripper Gott, Powers Insulation, requests a variance to Section R806.4, 2006 International Residential Code, where the use of the 2003 International Residential Code, Section R806.1, is required for attic ventilation.

A motion was made by Todd Anderson 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. 780 Prairie Star Circle, Permit H07609 – Howard Keller, homeowner, requests variances to:
 - a) Section R403.1.4.1, 2003 International Residential Code, to allow less than the required 30” frost protected piers/foundation.
 - b) Section RBC303.4.39, 2005 Pikes Peak Regional Building Code, to allow non-floating walls in a patio enclosure.
 - c) Section R905.2.2, 2003 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12.

This variance request was heard out of order after Item No. 1.

- 6. 2445 East Cache La Poudre Street – Dwight Miller, Lantz-Boggio Architects, P.C., requests a variance to Section 1109.2, 2003 International Building Code, to allow a bathroom located in the therapy area of this building to be exempt from the accessibility requirement.

Dwight Miller appeared and stated this structure will be a new skilled nursing facility. He said this restroom will be used as a therapy tool, and must represent a normal bathroom in a residential home, so the patients may be trained for this situation. He said the purpose is to train the patients for the circumstances in their own homes. Roger Lovell stated RBD staff supports this variance request, with the stipulation that this variance request is for this tenant only. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of this variance request because there is an accessible restroom within 20 feet, with the stipulation that if there is a tenant change, the variance will no longer apply, seconded by Tom McDonald; the motion carried unanimously.

Break from 10:18 a.m. to 10:29 a.m.

7. 1740 Pepperwood Drive – Greg Gulliksen, CSNA Architects, requests a variance to Section 1109.2, 2006 International Building Code, to allow a non-accessible restroom, where prohibited.

Mark Wilsey, Director of Support Services with the Harrison School District, appeared and stated this variance request is for a restroom in a 1,500 square foot remodel of an existing classroom at Carmel Middle School. He said they have entered into a partnership with Peak Vista Health to provide health services in the Pikes Peak Park area, which is currently based in the Carmel Middle School, in an area of 400 square feet. He said they are increasing the size of their space to 1,500 square feet, and they have requested that this non-ADA restroom be installed for staff only.

Greg Gulliksen appeared and stated the surrounding area in the building will have ADA compliant restrooms. Roger Lovell stated because this structure is a school, it is built under the 2006 International Building Code, and the Code states that the restroom must be accessible. He said we can determine the fixture count for the entire building, and not just the addition. Jim Pepper stated RBD staff supports this variance request. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of this variance request because there is an ANSI standard restroom in the area, seconded by Todd Anderson; the motion carried unanimously.

8. 8570 Criterion Drive, Suites 100, 184, and 190 – Jim Poe, Artisan Pipe Systems, requests a variance to Section 1109.2, 2003 International Building Code, to allow non-ADA showers in ADA restrooms, where prohibited.

Jim Poe appeared and stated he was not aware an ADA shower was required, when they selected the non-ADA shower and installed it. Roger Lovell stated all three suites have a non-ADA shower. Mr. Poe stated the showers are pre-manufactured fiberglass enclosures,

and are in an ADA restroom. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the owner and tenants submit a letter to RBD accepting the fact that the showers are non- ADA accessible, and may have implications from the Americans for Disabilities Association, seconded by John Clarke; the motion carried unanimously.

9. 75 El Pomar Road – John Goodloe, CSNA Architects, requests variances to:

- a) Section 1109.2, 2003 International Building Code, to allow existing non-compliant public restroom to remain, where prohibited.

John Goodloe appeared and stated this project is the Broadmoor West Hotel. He said they are renovating an existing building that was built in 1974, and the restroom in the basement has not been updated since 1974. He said they are replacing the plumbing fixtures, vanities, and toilet partitions. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of the variance request because this is a remodel of the existing conditions, and not a major structural change, seconded by Chad Holladay; the motion carried unanimously.

- b) Table 1014.1, 2003 International Building Code, to allow one exit where two exits are required from existing room.

John Goodloe stated this is the Louise Stratta Room, which has an occupancy of 56, and they are replacing the exit door. He said they are installing a double door that swings out with panic hardware, but Code requires a second exit. Roger Lovell stated the Fire Department is not opposed to this variance request. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of the variance request because it is improving an existing condition, and the Colorado Springs Fire Department is not opposed to the variance request, seconded by Tom McDonald; the motion carried unanimously.

10. 1520 River Drive, Permit H03460 – J. J. Wilcox, Wilcox Roofing, Inc., 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

J. J. Wilcox appeared and stated this was an oversight, and the homeowner approves the current construction method. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the homeowner submits a letter to RBD stating they approve the current construction method,

and Mr. Wilcox gives a one-year extension on the warranty to the homeowner, seconded by Todd Anderson; the motion carried unanimously.

11. 3640 Camels View, Permit G44554 – Fountainhead Homes, LLC requests a variance to Section R311.5.4, 2003 International Residential Code, to allow an 18” landing where a minimum of 36” is required.

Bruce Fallhowe, Fountainhead Homes, LLC, appeared and stated the 18” landing is on the main entry and there are four other entries with 36” landings. He said the other entries all have sliding glass doors. A motion was made by Larry Whittaker to recommend to the Board of Review **DENIAL** of the variance request because it is easy to correct, seconded by John Clarke; the motion carried unanimously.

12. 7409 Chancellor Drive – Paul Sutton, Peak Basement Systems, requests a variance to allow FSI 288 Push Pier System to be installed as an alternate method of construction, where prohibited.

Paul Sutton stated he is requesting a variance request for this address and to have the product added to the RBD Consent Calendar. Jim Pepper stated that RBD would have granted this as an alternate methods of construction for this one address, but since Mr. Sutton would like the product added to the RBD Consent Calendar, RBD elected to have it brought before the Building Committee. Mr. Sutton stated he is using this product in other jurisdictions with great success. He said it has been tested at CTL Thompson’s Fort Collins facility, which is an IAS approved lab. Roger Lovell stated RBD supports this variance request and approval as a Consent Calendar item. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Tom McDonald; the motion carried unanimously.

A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the FSI 288 Push Pier System to be added to the Consent Calendar variance requests, seconded by Todd Anderson; the motion carried unanimously.

13. 1536 Chadderton Court, Permit G95044 – Glenn Goode, homeowner, requests a variance to Section R301.6, 2003 International Residential Code, to design a shade structure to not accommodate snow loads as required per Code.

Glenn Goode stated he is constructing a deck on his house with a retractable cloth canopy with a 2” x 8” frame. He said it is designed to hold the same snow load as a solid roof structure. Roger Lovell stated RBD does not support this variance request because the awning will not support the snow load. He said his calculations indicate that it will only carry a five pound snow load, which is not adequate. He said Mr. Goode is asking for a

variance to waive the installation of a required support beam for aesthetic reasons. Mr. Goode stated the frame and piers are adequate to support a solid roof, but the Zoning Department will not allow a solid roof. A motion was made by Todd Anderson to recommend to the Board of Review **DENIAL** of the variance request, seconded by John Clarke; the motion carried unanimously.

14. 7828 Fort Smith Road – Jeanette Nye, homeowner, requests a variance to Section 403.1.4.1, 2003 International Residential Code, to allow less than the required 30” frost protected piers/foundation.

Jeanette Nye stated she purchased the house in 2008 and discovered that a permit was never pulled on the addition to the garage. She said she pulled a permit and has had it inspected, and was informed that it would pass the inspection with the approval of this variance request. She said the foundation is a 24” slab foundation. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of this variance request because we do have an approval letter from an engineer, seconded by Todd Anderson; the motion carried unanimously.

15. 6380 Vail Circle – Robert Piersant requests a variance to Section R905.4.2, 2003 International Residential Code, to allow a 2.7:12 roof slope where a 3:12 roof slope is required.

Robert Piersant appeared and stated they are reroofing a patio due to hail damage with a steel roof. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the roofing contractor install ice and water shield on the perimeter edge, seconded by Tom McDonald; the motion carried unanimously.

16. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

17. **NEW BUSINESS**

Chad Holladay stated he was contacted by a homeowner to repair work by another contractor in this area. He said he has repaired 60 roofs in this area to correct work by other contractors. He said his concern is that these roofs should be inspected when they are built. Todd Welch stated we cannot make a determination about this without putting people on notice about this issue. He said we have to give the builders an opportunity to present their case. Henry Yankowski suggested we put this issue on the Agenda for the January 6, 2009, Building Committee meeting.

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The meeting adjourned at 11:31 a.m.