



BUILDING COMMITTEE MINUTES

December 2, 2009

9:00 a.m.

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

MEMBERS ABSENT: Mr. John Clarke
Mr. Vince Colarelli

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 9:04 a.m.

1. **CONSIDERATION OF NOVEMBER 4, 2009 MINUTES**

A motion was made by Tom McDonald to **APPROVE** the November 4, 2009, Building Committee Minutes as written, seconded by Todd Anderson; the motion carried unanimously.

2. **COMPLAINTS**

- a) A complaint has been brought against Howard Sanders, licensee for Sanders Construction, by Nancy Benko for performing construction work on her deck at 3301 Birnamwood Drive, Colorado Springs, Colorado without obtaining a permit, in violation of Section RBC105.1, 2005 Pikes Peak Regional Building Code.

Terry Brunette appeared, was sworn in, and stated the details of the complaint. Howard Sanders appeared, was sworn in, and stated Mrs. Benko initially hired him to do some interior trim work. He said the contractor that built the deck walked off the job and did not stain the deck. He said Mrs. Benko then requested that he correct the defective work on the deck from the previous contractor. Mr. Sanders said he did not do any structural work on the deck. He stated he did prepare a proposal for structural work he felt the deck required, which would have required a permit, but Mrs. Benko did not hire him to do this work. Jim Pepper appeared, was sworn in, and stated replacing the screws in the deck does not require a permit. He said Mr. Sanders has a good record with RBD. A motion was made by Larry Whittaker to **DISMISS** this complaint, seconded by Tom McDonald; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor B-1 (General Limited)

BLUE LINE BUILDING SERVICES, INC. – DOUGLAS CORDES

Building Contractor B-2 (General Limited)

TEXAS ALLIANCE GROUP, INC – LAWRENCE SOPTICK

Building Contractor C (Homebuilder)

PINKERTON HOMES – JAMES PINKERTON

Building Contractor D-1 (Roofing)

1ST CHOICE ROOFING – JOHN HOPPER
BIGHORN ROOFING & EXTERIORS, LLC – MACLYN STRINGER
BOERSMA ROOFING, INC. – DARIN BOERSMA
C3 CONSTRUCTION, LLC – J.R. OSBORNE
GREENER CONSTRUCTION SERVICES – JON-PAUL RUCKER
LEGACY EXTERIORS OF COLORADO, LLC – CORT ARKELL

Building Contractor D-1 (Siding)

GREENER CONSTRUCTION SERVICES – JON-PAUL RUCKER

Building Contractor D-5A (Sign)

ARTISAN SIGNS & DESIGNS – DON TORTORICH (EXAMINEE TO NEW CO.)
PRECISION SIGN COMPANY – WILLIAM STUPANSKY (NEW EXAMINEE)

Building Contractor E (Remodeling/Maintenance)

TIM THE TOOLMAN, LLC – TIMOTHY MILLER

Building Contractor F-1 (Solar Energy)

FOUNTAIN VALLEY ELECTRIC CONT., INC. – GUY JORDAN (ADDITIONAL LICENSE)
SEDLAK ELECTRIC – JOHN SEDLAK (ADDITIONAL LICENSE)
SOUND ENERGY – ADAM TOZER

Building Contractor F-2 (Solar Energy Limited)

WHITNEY ELECTRIC COMPANY – CRAIG WHITNEY (ADDITIONAL LICENSE)

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor A-1 (General)

JOSHUA'S CONSTRUCTION - JOSHUA LEVAD*

Joshua Levad appeared and stated he has 15 years of construction experience, performing electrical work, framing, residential remodeling, and finish trim work. He said he has been a subcontractor for most of his career, and has had his own construction company. He said most of his work has been residential work. Mr. Levad said the primary reason for getting his "A-1" license is to expand his business and give him the ability to do commercial work. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a "C" license, with the limitation of one permit at any one time until completed, and then he must reappear to have the restriction removed, unlimited below, seconded by Larry Whittaker; the motion carried unanimously.

Building Contractor A-2 (General)

J CONSTRUCTION – JONG YI*

Jong Yi appeared and stated he applied for an “A-1” license, so this request is modified to reflect that this request is for an “A-1” license. He said he has been in the construction field since 2001, performing siding, framing, electrical work, and restaurant remodeling work. He said he has two commercial projects lined up, which will require this license. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of a “C” license, with the limitation of no ground-up “C” work, unlimited below, and one “A” and one “B” permit, subject to RBD staff approval, and he must reappear to have the restriction removed, seconded by Todd Anderson; the motion carried unanimously.

Building Contractor C (Homebuilder)

ANA ZOOK – ANA ZOOK*

Ana Zook appeared and stated she is renovating two houses, which will require a “C” license. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) license, with the limitation of no ground-up permits, and two open “C” permits at any one time until completed, unlimited below, and then she can reappear to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

HOME ADAPTIVE SOLUTIONS – RICKY LANE*

Ricky Lane appeared and stated he has been doing construction work since 1993, primarily as a superintendent on commercial projects. He said he also has built several ground-up custom houses in other jurisdictions. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) license, with the limitation of two ground-up permits until completed, at which time he can work with RBD staff to have the restriction removed, unlimited remodels, seconded by Chad Holladay; the motion carried unanimously.

Building Contractor D-1 (Roofing)

CAMELBACK ROOFING – ROSS HENDRICKSON*

Ross Hendrickson appeared and stated he has been doing construction work since 1975, and has performed both residential and commercial work. A motion was made by Chad

Holladay to recommend to the Board of Review **APPROVAL** of the “D-1” (Roofing) license, with the limitation of five permits until completed, and then he can work with RBD staff to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

SOUTHERN COLORADO ROOFING AND HAULING – MATTHEW CLARKE*

Matthew Clarke appeared and stated his father owns a roofing company, and he worked with him as he was growing up. He said he is interested in doing primarily flat work. He said he has worked for a number of roofing companies in El Paso County over the years, in both the residential and commercial areas. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the “D-1” (Roofing) license, with the limitation of five permits at any one time until completed, and then he can work with RBD staff to have the restriction removed, seconded by Larry Whittaker; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 7840 Delmonico Drive, Permit H11532 – Gregory Nyquist, homeowner, requests variances to:

Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7’5” 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 6’6” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

- b) 4977 Dewar Drive, Permit G91450 – Dionne Hubbard, homeowner, requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7’4½” where a minimum of 7’6” is required.

- c) 9535 Hardin Road, Permit G97466 – Craftsman Basement Finish Company, Inc., requests variances 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; and

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.

- d) 4130 Pony Track Drive, Permit G79584 – American Siding & Construction Co., 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) 3135 Pelican Grove, Permit G81876 – American Siding & Construction Co., 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.
- f) 9630 Carrington Drive, Permit H07028 – Jonathan Williams, Adobe Homes, Inc., requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit height of 6'7" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- g) 11559 Cranston Drive, Permit H11825 – Bob Royce, homeowner, 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.
- h) 5336 Stone Fence Drive, Permit H10107 – Michael Dombrowski, The Springs Builder, 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.
- i) 7730 Midnight Road, Permit H08911 – Luke Turk, Cabin Creek Construction, 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.
- j) 6015 Waterfall Loop, Permit H12952 – Christian Nowak, homeowner, 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.
- k) 990 Glenrock Drive, Permit H03060 – Penguin's Coat 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.

- l) 4810 Rusina Road, Permit G73485 – Penguin’s Coat 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.
- m) 150 Salisbury Court, Permit H12838 – 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.
- n) 392 East Garden of the Gods Road, Permit H13334 – Paul Sutton, Peak Basement Systems, requests a variance to allow an FSI 288 Push Pier System to be installed as an alternate method of construction, where prohibited.
- o) 4689 Skywriter Circle, Permit H04857 – Jeff and Linda Chan, homeowners, request a variance to Section R310.1, 2003 International Residential Code, to allow two 48” windowsill heights 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 Todd Anderson to recommend to the Board of Review **APPROVAL** of the Consent Calendar variance requests, seconded by Larry Whittaker; the motion carried unanimously.

VARIANCE REQUESTS

- 5. 0 Gold Hill Mesa Drive – John Bissett, JM Weston Homes, requests a variance to Section 602, Table 602, 2003 International Building Code, to allow reduction of the minimum distance for exterior building walls from the nearest side property line from 10’ to 5’, where prohibited.

No one appeared. A motion was made by Todd Anderson to **TABLE** this variance request until the end of the meeting, seconded by Tom McDonald; the motion carried unanimously.

- 6. Paul Sutton, Peak Basement Systems, requests a variance to allow the FSI Helical Pier System to be installed as an alternate method of construction, where prohibited, and added as an RBD Consent Calendar item.

Paul Sutton appeared and stated he would like to have the FSI Helical Pier System added to the RBD Consent Calendar. He said this is a “screw type” product that is rotated into the ground into bedrock. Roger Lovell stated RBD staff does not oppose this variance request, as long as the supporting documentation that was submitted is stamped by a licensed

engineer. A motion was made by Larry Whittaker to recommend to the Board of Review **APPROVAL** of this variance request, with the stipulation that the documentation is approved by an engineer, seconded by Tom McDonald; the motion carried unanimously.

7. 1935 Alpine Drive – Walter Campbell, homeowner, requests a variance to Section RBC106.1.3, 2005 Pikes Peak Regional Building Code, to waive the Code requirement for plans stamped by an architect or engineer licensed in the State of Colorado.

Lou Campbell appeared and stated she **WITHDRAWS** the variance request.

8. 4130 Pony Track Drive, Permit G79584 – American Siding & Construction requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'2", where a minimum of 7'6" is required.

This item was heard out of order after Item 12.

9. 3135 Pelican Grove, Permit G81876 – American Siding & Construction requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'2", where a minimum of 7'6" is required.

This item was heard out of order after Item 12.

10. 7428 Straggler Circle, Permit H11364 – James Waldron, homeowner, requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 6'9", where a minimum of 7'6" is required.

James Waldron appeared and stated he is finishing his basement, and the existing ductwork does not allow for Code compliant ceilings. Jim Pepper stated RBD staff does not oppose this variance request. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to existing conditions, seconded by Chad Holladay; the motion carried unanimously.

11. 809 East Vermijo Avenue, Permit G98852 – Nancy Wile, homeowner, requests a variance to Section RBC303.4.10, Exception 2, 2005 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6'4" under furred-down beams, pipes and ducts where it is required to be a minimum of 6'8".

Nancy Wile appeared and stated she bought this house with the intent of remodeling it and selling it or renting it, but discovered that the basement had been finished by the previous owners without a permit. She said she obtained a permit and is now trying to have it inspected so she can close the permit, and she discovered the soffit height was not Code

compliant. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request due to existing conditions, seconded by Todd Anderson; the motion carried unanimously.

12. 4865 Brown Valley Lane – James Wince, 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 less than 2:12.

James Wince appeared and stated his garage roof was damaged from hail and he would like to have it reroofed with shingles. He said the roofing contractor intends to cover the entire roof with ice and water shield. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the entire roof is covered with ice and water shield, and a metal drip edge installed, seconded by Todd Anderson; the motion carried unanimously.

Break from 10:38 a.m. to 10:50 a.m.

Items 8 and 9 were heard out of order after No. 12.

8. 4130 Pony Track Drive, Permit G79584 – American Siding & Construction requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'2", where a minimum of 7'6" is required.

Rick Duggan, American Siding & Construction, appeared by telephone due to weather delays. Mr. Duggan stated this is a 2" x 2" dropped ceiling in a basement finish, and they are unable to obtain Code compliant ceiling heights due to existing conditions. He said this work was done prior to permit and they are trying to obtain the variance so they can close the permit. Jim Pepper stated there is also a 26½" hallway width that is out of Code. A motion was made Tom McDonald to **POSTPONE** this variance request until the January 6, 2010, Building Committee meeting so the corrections can be made to the hallway width, seconded Chad Holladay; the motion carried unanimously.

9. 3135 Pelican Grove, Permit G81876 – American Siding & Construction requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7'2", where a minimum of 7'6" is required.

Rick Duggan, American Siding & Construction, appeared by telephone due to weather delays. Mr. Duggan said existing conditions do not allow for Code compliant ceiling heights. A motion was made by Todd Anderson to recommend to the Board of Review **APPROVAL** of this variance request due to existing conditions, seconded by Chad Holladay; the motion carried unanimously.

13. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

14. **NEW BUSINESS**

a) Tabled Items

A motion was made by Chad Holladay to **POSTPONE** the tabled items until the January 6, 2010, Building Committee meeting, seconded by Todd Anderson; the motion carried unanimously.

b) Potential Presentation by Colorado Springs Fire Department

Roger Lovell appeared and stated he spoke with Kris Cooper, Colorado Springs Fire Department, and Mr. Cooper stated he quite often gives the Fire Board of Appeals a presentation on various subjects so they are better educated to make decisions on certain matters. He said Mr. Cooper has offered to give the Building Committee a presentation regarding fire exposure and separation distance.

The meeting adjourned at 11:08 a.m.