

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

December 7, 2011

9:00 a.m.

MEMBERS PRESENT: Mr. Todd Anderson
Mr. J. B. Johnson
Mr. Vince Colarelli
Mr. Thomas McDonald
Mr. John Clarke
Mr. Chad Holladay

MEMBERS ABSENT: Mr. Rick Gillit

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

PROCEEDINGS:

Chairman Todd Anderson called the meeting to order at 9:03 a.m.

1. **CONSIDERATION OF NOVEMBER 2, 2011 MINUTES**

A motion was made by Johnny Johnson to **APPROVE** the Building Committee Minutes as written, seconded by Chad Holladay; the motion carried unanimously.

2. **COMPLAINTS**

There were no Complaints to discuss.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

GKKWORKS CONSTRUCTION SERVICES – JEFFREY TRUEMAN
GOSHAWK, LLC – SCOTT NORMAN (EXAMINEE CHANGES CO.)
SUNLAND DEVELOPMENT COMPANY – MARVIN MAPLES (EXAMINEE
CHANGES CO.)

Building Contractor B-1 (General Limited)

BC CONSTRUCTION GROUP, LLC – STEVE THOMPSON
CB BOVENKAMP, INC. – SHAWN WILSON
CSI, LLC – MICHAEL FENTON (EXAMINEE CHANGES CO., PRIMARY EXAMINEE)
INSTAR SERVICES GROUP, L.P. – GEORGE RAMIREZ

Building Contractor C (Homebuilder)

CSI, LLC – JEFFERY MATTSON (EXAMINEE CHANGES CO., SECONDARY EXAMINEE)
DIRKSEN CONSTRUCTION – MICHAEL THERON HATHAWAY (THIRD EXAMINEE)
D.R. HORTON – TODD BAKKEN (EXAMINEE CHANGES CO., SECONDARY EXAMINEE)
HAMMER HOMES – DAVID R. HAMMER (SECONDARY EXAMINEE)
OAKWOOD HOMES LLC – JAMES REHER (SECONDARY EXAMINEE)
PRIME COMPANIES INC DBA PCI CONSTRUCTION SERVICES – DAVID FRATES (EXAMINEE CHANGES CO.)
SENNETT WINDOWS – STEPHEN SENNETT

Building Contractor D-1 (Glazing)

BOLE ENTERPRISES II DBA CITY GLASS COMPANY – BOBBY BRATHALL (CO. CHANGES EXAMINEE)

Building Contractor D-1 (Roofing)

CAMPBELL ROOFING INC – BLAKE HODGE (CO. CHANGES EXAMINEE)
GRISSOM CONTRACTING – JOHN GRISSOM
UMBRELLA ROOFING, INC. – AARON JACKSON

Building Contractor D-5A (Signs)

ADMIRAL SIGN COMPANY – RUSSELL MERKLEY (EXAMINEE CHANGES CO.)
NAGLE SIGNS, INC. – THOMAS NAGLE

Building Contractor E (Remodeling/Maintenance)

CONSCIOUS CONCEPTS – TODD MALEY
J & W ENTERPRISES INC. – WAYNE MARTINEZ

Building Contractor D-F2 (Solar Limited)

ENERGY EFFICIENCIES LLC – JEFF WALLNER

A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the Consent License Request, seconded by Johnny Johnson; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor A-1 (General)

DIRKSEN CONSTRUCTION, LLC – DOUG DIRKSEN (UPGRADE AND SECONDARY EXAMINEE)*

Doug Dirksen appeared and stated he has had a “C” License for the past four years, and he recently merged his company with another general contractor with an “A” License, and was able to obtain commercial experience. He stated recently his “A” experience included tenant finishes, firewall installations, conversion of a former nightclub into a church, and fire restoration of an 8-unit building. Jim Pepper stated the main examinee for this company, Jim Cox, is a long standing contractor with an excellent reputation, but as a back-up examinee, Mr. Dirksen would be responsible if Mr. Cox was unavailable. Vince Colarelli stated he does not feel Mr. Dirksen has adequate experience for an “A-1” License, and suggested a “B” License for Mr. Dirksen. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of a “B-1” License, with the stipulation that the three “A” status permits be closed prior to issuing the “B-1” License, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor C (Homebuilder)

DESIGN ELEMENTS – JOHN MARHOFFER*

John Marhoffer appeared and stated he has a general contractor’s license in Connecticut and New York, and he recently moved to Colorado. He said his experience includes construction of residential homes, and townhome and condominium renovations. He said recently he was a project manager for conversion of three townhomes into condominiums, which included gutting the building and starting with just a shell. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a “C” License, with the limitation of two permits until completed, unlimited below, at which time Mr. Marhoffer can work with RBD staff to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

PEAK SIDE PROPERTIES, LLC – ANDREW MOHR*

Andrew Mohr appeared and stated he has a real estate company, and he is requesting a “C” License so he can do his own renovations on his investment properties. He stated he recently purchased 45 acres in Black Forest which he is planning to develop, and this is another reason for getting his “C” License. He said he was a project manager for a ground-up addition to a late 1890’s house, together with Murphy Construction. Mr. Mohr said he would like to start building a Parade of Homes house in Waldon Preserve the first part of the New Year. The Building Committee members did not feel Mr. Mohr had adequate experience for a “C” license. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of an “E” License, seconded by Chad Holladay; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 7025 Blazing Trail Drive, Permit H99476 – Jonathan Lucas, Crystal Rose Construction, LLC, requests a variance to Section RBC303.4.8, Exception 3, 2011 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) 6780 Horseshoe Road, Permit I03044 – Christina Zelsnack, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 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) 8190 Postrock Drive, Permit G81175 – Vontres Middlebrooks, homeowner, requests a variance to Section R310.1, 2003 International Residential Code, to allow a 49” 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 windowsill that is at least 11½” depth, 6” rise, and the full width of the window opening.
- d) 4426 Slide Circle, Permit I01560 – Grant Gulya, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 48” 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 windowsill that is at least 11½” depth, 6” rise, and the full width of the window opening.
- e) 6563 Ancestra Drive, Permit H98053 – Michelle Gerber, homeowner, requests a variance to Section R310.1, 2003 International Residential Code, to allow a 47” windowsill height in existing conditions in a basement finish where a maximum of 44” is allowed.

- f) 818 West Kiowa Street, Permit I01231 – Paul Sutton, Peak Basement Systems, requests a variance to allow the FSI 288 Foundation System to be installed as an alternate method of construction per Section RBC104.7, 2011 Pikes Peak Regional Building Code, where prohibited, with the stipulation that shop drawings approved by a Colorado engineer are approved by RBD for this address.
- g) 4540 Redstone Ridge Road, Permit H84939 – Kent Lersch, Kirella Homes, requests a variance to allow the 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.
- h) 2940 Phoenix Point, Permit H53795 – Ecofoam/Insulations, Inc. requests a variance to allow the 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.
- i) 6625 Southmoor Drive, Permit H93779 – Michele Budd, homeowner, 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.

A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the Consent Variance Requests, seconded by John Clarke; the motion carried unanimously.

VARIANCE REQUESTS

- 5. 1005 South Tejon Street – Tom Martin, YOW Architects, requests a variance to Section 708.2, 2009 International Building Code, to allow an unenclosed stairwell, where a 1-hour shaft is required.

Tom Martin appeared and stated he is requesting that an existing stairway not be enclosed, because it would be very difficult to do so. He said the stairway ascends up to an office space with an occupancy of 10; and descends down into a basement utilized for storage purposes, with an occupancy of 5. He said the building is used for events, i.e. weddings, parties, etc. Mr. Martin said the existing stairs currently are not Code compliant as far as rise and run, but they are correcting this issue, and they are requesting that the one-hour shaft be waived. He said the structure is an “A” occupancy. Roger Lovell stated a previous permit converted the building back to a shell, which will require that a new Certificate of Occupancy be issued. Jim Pepper stated RBD staff opposes this variance request because we do not have adequate information to grant this variance at this time. A motion was made by Johnny Johnson to **POSTPONE** this variance request for 30 days to allow Mr. Martin adequate time to work with RBD staff to come up with a solution to this issue, seconded by Chad Holladay; the motion carried unanimously.

6. 8 South Nevada Avenue, Permit G87069 – Thomas Pucciano, Pucciano & English, Inc., requests a variance to Section 1012.3, 2003 International Building Code, to exceed a 4” maximum opening, where prohibited.

Thomas Pucciano appeared and stated this is the Mining Exchange Redevelopment Project and the variance request is for an existing stair rail. He said the rails are not Code compliant, i.e. there are 6” openings where a maximum of 4” is required by Code. Jim Pepper stated RBD staff does not oppose this variance request. A motion was made by Vince Collarelli to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Chad Holladay; the motion carried unanimously.

7. 1470 Cammanchero Drive, Permit H69804 – Abbe and Jasper Koenig, homeowners, request 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. *This variance request was postponed from the November 2, 2011, Building Committee meeting due to non-appearance.*

Abbe Koenig appeared and stated this variance request is for their patio roof and they did the work themselves. She said the porch is exposed. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request because it is an outdoor patio and does not cover living space, seconded by Tom McDonald; the motion carried unanimously.

8. 716 Black Arrow Drive, Permit H93727 – Challenger Homes requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’8” where a minimum of 7’0” is required.

Mark Loese appeared and stated this in a theatre room in a residence. He said there is a step up to the theatre room, so they wanted to maximize the ceiling height. He said there is a mechanical duct along the perimeter of one side of the room so they continued this drop around the room for aesthetic purposes. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request because it does not create a life safety issue and it is aesthetically more appealing, seconded by Chad Holladay; the motion carried unanimously.

9. 2240 Brent Circle, Permit H96364 – David Adams, homeowner, requests variances to:
 - a) Section R305.1, 2009 International Residential Code, to allow a hallway ceiling height of 6’6” where a minimum of 7’0” is required.

David Adams appeared and stated he bought the house in 1995, and he finished the basement with carpet and sheetrock, but the ceiling height in the hallway is not Code compliant. He said there is a steel beam that does not allow for a Code compliant ceiling height in this area. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Chad Holladay; the motion carried unanimously.

- b) Section R311.7.2, 2009 International Residential Code, to allow a 6'2" head height above the stairs where a minimum of 6'8" is required.

Mr. Adams stated a steel beam above the stairs does not allow for a Code compliant ceiling height above the stairs. Vince Colarelli stated Mr. Adams could gain another 1½" by attaching the sheetrock directly to the beam instead of framing under the beam. A motion was made John Clarke to recommend to the Board of Review **APPROVAL** of the variance request to allow a 6'3½" head height above the stairs, seconded by Chad Holladay; the motion carried unanimously.

- 10. 6789 Akron Road, Permit G04255 – Randall and Elizabeth Elmer, homeowners, request a variance to Section R311.5.2, 2003 International Residential Code, to allow a 6'6" head height above the stairs where a minimum of 6'8" is required.

Elizabeth Elmer stated this house was built by Pulte Homes and existing conditions do not allow for a Code compliant head height above the stairs. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Tom McDonald; the motion carried unanimously.

- 11. 990 Eagle Rock Road – Larry Gilland, LGA Studios, requests variances to:

- a) Section R311.7.4.1, 2009 International Residential Code, to allow a stair riser of 8", where a maximum of 7¾" is allowed.

Frank Guillio appeared and stated this variance request is **WITHDRAWN**.

- b) Section R311.7.4.2, 2009 International Residential Code, to allow a tread depth of 9", where a minimum tread depth of 10" is required.

Mr. Guillio stated this house is a 1970's chalet with three levels, accessed with switchback stairs, which will not allow for a Code compliant tread depth. Jim Pepper stated this issue was Code compliant under the old Code. A motion was made Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request because it was Code compliant under the previous Code, seconded by Chad Holladay; the motion carried unanimously.

12. 728 North Cedar Street, Permit H71626 – Brian Rhodes, homeowner, requests variances to:

- a) Section R311.5.3.1, 2003 International Residential Code, as amended by Section RBC303.4.25, 2005 Pikes Peak Regional Building Code, to allow a stair riser of 8½”, where a maximum of 8” is allowed.

Brian Rhodes appeared and stated this house was built in 1944, and the basement was finished when he bought the house. He stated the basement finish when he bought the house was not Code compliant so he had to remove 18” of dirt to gain adequate head height in the basement. He said the variance request is for the winder stairs, which are concrete, and between three supporting foundation walls. He said he applied hardwood to the existing stairs. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, and because the steps are an improvement over the previous steps, and they cannot be corrected, seconded by Tom McDonald; the motion carried 3:2. Johnny Johnson and Chad Holladay opposed.

- b) Section R311.5.1, 2003 International Residential Code, to allow a 32” stair width where a minimum of 36” is required.

Mr. Rhodes stated this is the same winder stairs, and due to pre-existing conditions, they cannot be corrected. He said the stairs are within three supporting foundation walls, so he is unable to widen the stairs. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions and it would be difficult to correct, seconded by Tom McDonald; the motion carried 3:2. Johnny Johnson and Chad Holladay opposed.

- c) Section RBC303.4.26, 2005 Pikes Peak Regional Building Code, to allow a stair depth of 5½” at the inside end of a winder stairs where 7½” is required.

Mr. Rhodes stated the inside end of the winder stairs is 5½”, but due to pre-existing conditions, he is unable to correct the stairs. Roger Lovell stated Code requires that all of the stairs be consistent in size. Jim Pepper stated this stairway is difficult to descend. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions and it would be difficult to correct, seconded by Tom McDonald; the motion **FAILED** 2:3. Vince Colarelli, Chad Holladay, and Johnny Johnson opposed. Therefore, the motion was **DENIED**.

13. 1816 Wood Avenue – Vince Colarelli, Colarelli Construction, requests variances to:
- a) Section RBC303.4.8, 2011 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”.
 - b) Section R311.7.2, 2009 International Residential Code, to allow a 5’10” head height above the stairs where a minimum of 6’8” is required.
 - c) Section R310.1.1, 2009 International Residential Code, to allow two 3’ x 2’4” awning windows for egress where the net dimensional opening will be 24” high and 20” wide, but less than 5.7 square feet of opening, where prohibited.

Chairman Todd Anderson stated Variances 13a, b, and c are **WITHDRAWN**.

14. 3101 Poinsetta Drive – Raleigh Holt, Raleigh Holt Industries, Inc., requests a variance to Section RBC203.1, 2011 Pikes Peak Regional Building Code, to allow a “B-2” licensed contractor to obtain a permit requiring an “A-2” license.

Vince Colarelli and Tom McDonald abstained from Item 14.

Raleigh Holt appeared and stated this is a residence that he is converting into a commercial space for the Holy Trinity Church. He stated he has not done any “A” permit work in Colorado, but he did build churches prior to moving to Colorado. The Committee members did not feel Mr. Holt had adequate experience to pull a permit for this project, and suggested that Mr. Holt hire an “A” licensee to pull the permit and supervise the project, and Mr. Holt can work on the project under the “A” licensee. A motion was made by Johnny Johnson to recommend to the Board of Review **DENIAL** of the variance request, seconded by Chad Holladay, the motion carried unanimously.

15. **UNFINISHED BUSINESS**

a) License Requirements

Jim Pepper stated RBD has modified its application forms regarding “A” contractors. He said RBD suggested that perhaps a tenant finish license be implemented. Vince Colarelli stated the occupancy and use is more relevant than the size of a structure. The Building Committee members requested that this issue be **POSTPONED** until the January 4, 2011, Building Committee meeting.

16. **NEW BUSINESS**

a) Egress Basement Window Blanket Variance

Jim Pepper stated RBD staff is requesting a blanket variance for windows that were approved under the 2005 Pikes Peak Regional Building Code (“PPRBC”), but not approved under the 2011 PPRBC. Roger Lovell stated the minimum opening for egress basement windows changed with the new Code from 4.5 square feet to 5.7 square feet, and RBD staff would like approval to make this a blanket variance at RBD staff’s discretion. A motion was made by Johnny Johnson to recommend to the Board of Review that area requirements for egress basement windows be excepted from the requirements of the 2011 PPRBC for residences constructed prior to the implementation of the 2011 PPRBC.

b) Update on Variances

Jim Pepper stated RBD has updated the list of Consent Variances and Recurring Variances to reflect the adoption of the 2011 PPRDC. The Building Committee members requested that this issue be **POSTPONED** until the January 4, 2011, Building Committee meeting.

c) Discussion Regarding Potential Complaint

Jim Pepper stated we have a complaint from a homeowner that Camelback Roofing tore her roof off 10 months ago, received \$21,000, and never completed the job. He stated he would like the Building Committee’s approval to lock this contractor’s license, and will send him notice to appear before the Building Committee at the January meeting. The Building Committee agreed that Camelback Roofing’s license should be locked and request that it appear before the Building Committee on January 4, 2011, to discuss the complaint and the “A” Status permits.

d) New Procedure for RBD

Jim Pepper stated there is a new application on the permit cards which enables contractors and customers to access their permit history with their cell phones. Henry Yankowski stated this is a management tool that will benefit contractors.

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The meeting adjourned at 12:06 p.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/lhg