

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## BUILDING COMMITTEE MINUTES

January 4, 2012

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. Todd Welch, Regional Building Counsel  
Mr. Roger Lovell, Chief Plans Examiner  
Mr. Frank Atchison, Senior Building Inspector  
Mr. Terry Brunette, Special Investigator  
Mrs. Pattie Bengert, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

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

#### 1. ELECTION OF OFFICERS

A motion was made by Chad Holladay to re-elect Todd Anderson as Chairman and John Clarke as Vice Chairman of the Building Committee for 2012, seconded by Johnny Johnson; the motion carried unanimously.

#### 2. CONSIDERATION OF DECEMBER 7, 2011 MINUTES

Johnny Johnson gave a presentation regarding the December Board of Review meeting, and stated the Board of Review overturned the decision of the Building Committee and issued a "C" License to Andrew Mohr, limited to two permits at any one time and no ground-up construction or additions; and referred Brian Rhodes' variance request for the winder stair depth back to the Building Committee after RBD staff has done an inspection on the winder stairs.

A motion was made by Johnny Johnson to **APPROVE** the December 7, 2011, Building Committee Minutes as written, seconded by Chad Holladay; the motion carried unanimously.

### 3. COMPLAINTS

- a) A complaint has been brought against Jorge Ramirez, licensee for TASCOC Builders, LLC, by Regional Building for pulling permits for an unlicensed contractor at 4916 Little Susie View, 4910 Little Susie View, 4904 Little Susie View, 4367 Susie View, 4363 Susie View, and 4359 Susie View in violation of Section RBC201.11.3(3), 2011 Pikes Peak Regional Building Code; and for pulling seven ground-up permits in a 12-month period when he was restricted to pulling only one ground-up permit in a 12-month period.

Terry Brunette appeared, was sworn in and stated the details of the Complaint. Jorge Ramirez appeared, was sworn in, and stated he was not aware that he was restricted to only one permit per year. He stated he did pull the permits noted in the Complaint, for a friend and owner of St. Andrews' Homes. He stated he was working for St. Andrews' Homes correcting some foundation problems, when he was asked to pull the permits. He stated he was not paid for pulling the permits, other than for the foundation work that he was doing at the time. Jim Pepper appeared, was sworn in, and stated Mr. Ramirez did not appear when his license request was granted, RBD does not keep track of the number of permits issued to each contractor, and it is the responsibility of the contractor to keep track of the permits he is allowed to obtain. Pattie Bengert stated the restriction is listed on the contractor ID cards. Mr. Ramirez stated he was not aware of this. Jim Pepper stated a recent review of the permits listed above reflects that only one remains open and the others have all been closed. John Clarke stated it was Mr. Ramirez's responsibility to investigate the situation as to why he was asked to pull permits for an unlicensed contractor.

A motion was made by John Clarke to recommend to the Board of Review that the license of Mr. Ramirez be **SUSPENDED** for six months, the permit that remains open be locked until this issue has been corrected, and Mr. Ramirez must retest with RBD, provide proof of insurance, and reappear before the Building Committee to have his license reinstated, seconded by Chad Holladay; the motion carried 4:1. Chad Holladay opposed.

- b) A complaint has been brought against Ross Hendrickson, licensee for Camelback Roofing, by Bonnie Martinez, 15 Yarborough Heights, for willful and wanton negligence, in violation of Section RBC201.11.3, 2011 Pikes Peak Regional Building Code; and by Regional Building for having eight "A" Status permits at 4522 Hennings Drive, 4710 Adrienne Drive, 4811 Sebring Drive, 6525 Mohican Drive, 1050 Galley Square, 5765 Eldorado Drive, 2950 Richmond Drive, and 15 Yarborough Heights, in violation of Section RBC105.9.1, 2011 Pikes Peak Regional Building Code.

Terry Brunette appeared, was sworn in, and stated the details of the Complaint. Ross Hendrickson did not appear. Jim Pepper appeared, was sworn in, and stated the last permit Mr. Hendrickson pulled was in September, and RBD staff has heard that he has several civil cases against him regarding his permits. Todd Welch stated RBD did not receive the return receipt back to confirm that Mr. Hendrickson actually received the notice. Mr. Pepper stated Mr. Hendrickson's license has been locked until he appears before the Building Committee, and it expired on December 31, 2011.

Bonnie Martinez appeared and stated she lost \$21,000 by working with Ross Hendrickson, which she cannot retrieve. She said her attorney has recommended that she not pursue Mr. Hendrickson because he does not have any assets. She said Mr. Hendrickson had insurance at one point and she is trying to retrieve some funds for the water damage she incurred because of the work done by Mr. Hendrickson. Todd Welch stated RBD will send Mr. Hendrickson a second notice to appear at the February 1, 2012, Building Committee meeting. A motion was made by Johnny Johnson to **TABLE** this Complaint for 30 days, and no permits may be issued during this time, seconded by John Clarke; the motion carried unanimously.

Break from 10:23 a.m. to 10:36 a.m.

4. **CONSENT LICENSE REQUESTS**

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

DPR CONSTRUCTION, A GENERAL PARTNERSHIP – ADAM FRANZEN\*

**Building Contractor A-2 (General)**

HARTLAND CONSTRUCTION – RICK EATON (EXAMINEE CHANGES CO.)

**Building Contractor C (Homebuilder)**

BROOKS DESIGN-BUILD CORPORATION – JONATHAN BROOKS  
CAROCHI CONST. INC. – JEREMY CAROCHI  
COLORADO CONSTRUCTION SPECIALTIES – DAVID SICKAFOOSE  
(EXAMINEE CHANGES CO.)  
RAND M. THALL – RAND THALL (EXAMINEE CHANGES CO.)

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

APEX EXTERIORS LLP – JOHN DEAN  
COLORADO CONSTRUCTION SPECIALTIES – DAVID SICKAFOOSE

(EXAMINEE CHANGES CO.)  
COLORADO PREMIUM ROOFING – MICHAEL LANE (CO. CHANGES  
EXAMINEE)  
RAWSON ROOFING L.L.C. – CORY RAWSON

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

ART CONSTRUCTION – RUBEN CASTANEDA

A motion was made by Johnny Johnson 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**

There were no License Requests to be Considered Individually.

**5. CONSENT CALENDAR**

a) 1912 Trent Avenue, Permit H23151 – Ronald Petry, 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.

b) 870 Stargate Drive, Permit H97133 – Carla Guelker, 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) 6005 Mach-1 Drive, Permit I05346 – Peggy Littleton, homeowner, requests variances 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.

Section R310.1, 2009 International Residential Code, to allow a 47" windowsill height in existing conditions where a maximum of 44" is allowed.

d) 320 Paisley Drive, Permit I01364 – William Whittaker, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 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.

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

## **VARIANCE REQUESTS**

6. 3440 North Cheyenne Canyon Road – Douglas Fullen, Way Architects, P.C., requests a variance to Section 1204, 2009 International Building Code, to waive the requirement for a space heating system, where required.

Douglas Fullen appeared and stated this structure is the Helen Hunt Falls Visitor's Center. He stated this is the second visitors' center at the base of the falls. He stated it is a log cabin that is 100 years old. He stated they intend to replace the building with a new structure. Mr. Fullen stated the facility is open only during the summer. He stated they will not be putting glass windows in the new facility; it will have window openings with wood shutters that will be open during the day and closed at night. He stated the building will not have water, and they ask that the heating system be waived. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, and the International Energy Conservation Code compliance is also waived, seconded by Johnny Johnson; the motion carried unanimously.

*Vince Colarelli recused himself from the following Item.*

7. 1816 Wood Avenue – Larry Gilland, LGA Studios, 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".

Larry Gilland appeared and stated this is a remodel of an existing home. He stated existing conditions do not allow for Code compliant soffit heights. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, and the house was built in the 1800's, seconded by Tom McDonald; the motion carried unanimously.

- 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.

Mr. Gilland stated existing conditions do not allow for a Code compliant ceiling height above the stairs, and would require considerable structural modifications to correct. He stated they are requesting that they be allowed to install "ship" stairs in this structure, which are alternating stairs for a steep stairway. He said there are no bedrooms in the

lower level; it is a space for the teenage children. A motion was made by Johnny Johnson to **POSTPONE** this variance request for 30 days to allow Mr. Gilland some time to work with RBD staff to come back with an alternative solution for this issue, seconded by John Clarke; the motion carried unanimously.

8. 310 West Cheyenne Road – Gerhard Scholten, Architect, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow soffit ceiling heights ranging between 5’3” to 6’7” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Gerhard Scholten appeared and stated this house was built in 1923. He stated the homeowner will have foster children in her home in the future and requires another bedroom. Michelle LaPierre, homeowner, appeared and stated the bedroom has fixed windows, and she would like to replace the fixed windows with operable windows. She said pre-existing conditions do not allow for Code compliant soffit heights. She stated the basement was finished in the early 1980’s and met the Codes at that time. Mr. Scholten stated they are now installing egress windows and window wells, which brought up the soffit issues. Jim Pepper stated the soffit heights are in a closet and laundry area which are considered non-habitable space. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request for all of the various soffit heights, based on pre-existing conditions, as long as the present use remains for the bathroom, closet and laundry areas, seconded by Tom McDonald; the motion carried unanimously.

9. 9495 Schubarth Trail, Permit H44082 – O’Banyon Custer, homeowner, requests a variance to Section 304.6, 1997 Uniform Mechanical Code, which allows use of a woodstove which is not listed, labeled or tested in accordance with UL127, where prohibited.

O’Banyon Custer appeared and stated he is building a log house and he would like to install an antique wood stove. Roger Lovell stated the 1997 Uniform Mechanical Code is the only Code that addresses this issue. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Chad Holladay; the motion carried unanimously.

10. **UNFINISHED BUSINESS**

- a) License Requirements

Jim Pepper stated RBD has three areas in the license requirements that they would like to re-address, which are a new level for an “A” License, i.e. remodels on commercial projects, which would allow contractors to do remodels of a certain scope, but no ground-up construction. He said the second area would be to implement another level of a “B” License, which would allow a “B” contractor to build clubhouses in apartment/condominium complexes. He said the third change would be for “C”

contractors, which would give a “C” Licensee the ability to do basement finishes, remodels, decks, roofs, and stucco, but no ground up construction. Vince Colarelli stated perhaps RBD should look at other trades, i.e. secured electronics, for requiring licenses. Todd Anderson requested that RBD staff provide the proposed language for these modifications during the February 1, 2012, Building Committee meeting, for further discussion.

b) Update on Variances

Jim Pepper stated RBD has revised the lists of Consent Variances and Recurring Variances to reflect the 2011 Pikes Peak Regional Building Code, and are submitting the revised lists to the Building Committee for their knowledge and information. John Clarke stated any suppliers/contractors that ask for a consent variance for a certain product should have to request a new variance each year to keep the product on the Consent Calendar Variance Requests.

11. **NEW BUSINESS**

a) El Paso County Strategic Plan 2012 – 2016.

Jim Pepper stated El Paso County has submitted their Strategic Plan 2012 – 2016 for their review and approval. A motion was made by Tom McDonald to **APPROVE** the El Paso County Strategic Plan 2012 – 2016, seconded by Johnny Johnson; the motion carried unanimously.

b) Workmen’s Compensation Insurance for all Licensees.

Chad Holladay stated he believes all contractors requesting a license should be required to provide proof of Workmen’s Compensation Insurance, to reduce the liability for homeowners.

The meeting adjourned at 12:00 p.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY/llg