

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

September 5, 2012

9:00 a.m.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Henry Yankowski, Regional Building Official
Mr. Roger Lovell, Deputy Building Official/Construction
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. Todd Welch, Regional Building Counsel
Mr. Frank Atchison, Senior Building Inspector
Mrs. Pattie Bengert, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Todd Anderson called the meeting to order at 9:00 a.m.

1. CONSIDERATION OF AUGUST 1, 2012 MINUTES

A motion was made by Johnny Johnson to **APPROVE** the August 1, 2012 Building Committee Minutes as written, seconded by Chad Holladay; the motion carried unanimously. Johnny Johnson gave a presentation regarding the appeals at the Board of Review meeting, which were from the Building Committee.

2. COMPLAINTS

a) A complaint has been brought against Chad Hearrell, licensee for Hearrell Home Improvements, LLC, by Regional Building for contracting to building a sunroom at 2220 Terri Lee Drive, Peyton, Colorado 80831 without obtaining the required permits, in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code; and for pulling permits for woodstove installations for Alpine Fireplace Design, an unlicensed contractor, at 12535 McCune Road, Elbert, Colorado 80106, 3226 West Breckenridge Drive, Colorado Springs, Colorado 80906, and 1263 East Madison Street, Colorado Springs, Colorado, in violation of Section RBC201.11.3, No. 3, 2011 Pikes Peak Regional Building Code.

Terry Brunette appeared, was sworn in, and stated the details of the Complaint. Pattie Bengler appeared, was sworn in, and stated Mr. Hearrell holds a "C" (Homebuilder) License. Chad Hearrell and Brian Shute appeared, were sworn in, and Mr. Hearrell stated he was going to school in Denver, so the homeowner agreed to obtain the permit for the sunroom. He stated he started the job with the understanding that the permit had been pulled by the homeowner, and discovered the permit had not been pulled when the stop work order was issued. He said he brought the design in to RBD to be reviewed, and was told that more glazing was required in order to pull the permit. Terry Brunette stated the homeowner contacted RBD because he was having difficulty refinancing his house because of the CNC issued by RBD. Mr. Hearrell stated the homeowner would not agree to the additional costs for the glazing, so he told the homeowner he was no longer able to finish the work on the sunroom. He stated he will try to work with the homeowner, before the October 3rd Building Committee meeting, to either remove the structure or agree to the glazing so the project can be permitted and completed. Todd Welch stated should Mr. Hearrell find it difficult to work with the homeowner, then RBD will send the homeowner a letter which notifies him that the structure either has to be removed or permitted.

Brian Shute appeared and stated he does the woodstove installations on Mr. Hearrell's projects, and a permit was pulled for 3226 West Breckenridge Drive, Colorado Springs, Colorado 80906, and the homeowner decided at the last minute that she wanted a gas fireplace, which necessitated that Mr. Hearrell pull the permit. He stated he is a subcontractor for Mr. Hearrell, so Mr. Hearrell pulls the permit and Mr. Shute does the work as well as supervising the work. He said Alpine Fireplace Design sells the job and refers the homeowner to Mr. Hearrell to install the fireplace, and the homeowner pays Hearrell Home Improvements for the installation of the fireplace. Todd Welch stated RBD does not have any jurisdiction over Alpine Fireplace Design because they are not licensed contractors, but he will send a violation to Alpine Fireplace Design for doing work without a license. He stated Mr. Hearrell should have his own contract with the homeowners for the woodstove installations. Todd Anderson stated he believes these complaints are due to miscommunications with the homeowners and Mr. Hearrell's lack of knowledge of the Code regarding the permitting process.

A motion was made by Tom McDonald to **POSTPONE** the Complaint for the work done on the sunroom at 2220 Terri Lee Drive, Peyton, Colorado 80831 for 30 days to give Mr. Hearrell an opportunity to contact the homeowner and resolve the issue, seconded by Johnny Johnson; the motion carried unanimously.

- b) A complaint has been brought against Rolf Whitley, licensee for Old World Construction, Inc., by Jim Gordon for reroofing his house located at 4855 Park Vista, Colorado Springs, Colorado without obtaining a permit, in violation of Section RBC 16-3-101, 1999 Pikes Peak Regional Building Code; by Tom Parker for reroofing his house located at 4720 Garnet Drive, Colorado Springs, Colorado without obtaining a permit, in violation of Section RBC105.1, 2005 Pikes Peak Regional Building Code; and by Regional Building for performing remodeling work, including electrical and plumbing work, on a house located at 4755 Garnet Drive, Colorado Springs, Colorado without the proper licenses, in violation of Section RBC201.3, 2005 Pikes Peak Regional Building Code.

Terry Brunette, Rolf Whitley, Jim Gordon, Tom Parker and John Poch appeared and were sworn in. Terry Brunette stated the details of the Complaint. Jim Gordon appeared and stated his house was reroofed ten years ago. He stated last year he started having trouble with the roof, and was told that it was due to improper installation of the roof by Old World Construction, Inc. Tom Parker appeared and stated his house was also reroofed by Old World Construction, Inc. approximately six years ago, and he is also having problems with the roof, and was told the problems are due to improper installation of the roof.

Rolf Whitley appeared and stated his company has been in business since 1977. He stated the permitting process was more cumbersome ten years ago when these roofs were done, and it was an oversight that these roofs were not permitted. Karl Berg, attorney for Old World Roofing, stated because these claims are ten years old, the Doctrine of Laches applies, and it is improper to impose any violations on Mr. Whitley due to these complaints. Chad Holladay said Old World Construction, Inc. is a reputable company, and when a contractor does over 100 roofs a year, occasionally a permit is missed due to an oversight. Todd Welch stated our Code does not have a Statute of Limitations.

A motion was made by Johnny Johnson to recommend to the Board of Review that a one-year Incident Report be put in this contractor's file regarding the issues with 4855 Park Vista, Colorado Springs, Colorado and 4720 Garnet Drive, Colorado Springs, Colorado, seconded by Richard Gillit; the motion carried 4:2. Vince Colarelli and Tom McDonald opposed.

Terry Brunette gave a presentation regarding the details of the complaint for 4755 Garnet Drive, Colorado Springs, Colorado. John Poch appeared and stated he was the inspector at this site, regarding a complaint for a remodeling project that was being done without a permit. Mr. Berg stated Mr. Whitley owns this house personally, and his son is living in it. He stated Mr. Whitley was doing the work himself; he did not have his construction crew working on the house, and he believes that the work he did on the house did not require a permit, because it was minor remodeling work. He stated he moved an outlet a

short distance and did not think a permit was required because he was the homeowner. Mr. Berg stated Mr. Poch entered the home without consent and he did not present his credentials; and therefore, this was an illegal search pursuant to law. John Poch stated when he approached the house the door was open and he could see a new outlet outside the door being installed and upon entering the house he saw that a new shower valve was being installed. Mr. Berg stated because Mr. Poch entered the house without consent, no action can legally be taken with regard to this house. Todd Welch stated Mr. Whitley can pull the permit as a homeowner if he intends to live in the house, but if someone else is living in the house he cannot pull the permit. A motion was made by Johnny Johnson to recommend to the Board of Review that Mr. Whitley be required to have a licensed contractor obtain the proper permits for work being done in each of the areas of the house at 4755 Garnet Drive prior to doing the work, seconded by John Clarke; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

DOUBLE DIAMOND HOMES INC. – KYLE DICKERSON (UPGRADE)
FIRST FINANCIAL BUILDING CORP DBA NEW GROUND – ERIC CORTI
MCCARTHY BUILDING COMPANIES, INC. – PAUL LAUFER
SBARRA CONSTRUCTION WEST, INC. – ANTHONY SBARRA JR.

Building Contractor B-1 (General Limited)

HERBERT M STAINS CONTRACTORS INC – HERBERT STAINS
KELLY CONSTRUCTION USA INC. – JAMES KELLY
MOELLER HOMES LLC – ROGER MOELLER (EXAMINEE CHANGES CO.)
SLETTEN CONSTRUCTION COMPANY – RONALD HAGEN

Building Contractor C (Homebuilder)

THE FLIPSIDE CONTRACTING, LLC – RONALD MARCOTTE
MOUNTAIN VIEW CORPORATION – SCOTT REARDON
PIONEER WEST HOMES LLC – NATHANIEL GRABILL
STROP INC. DBA WAYNE ANTHONY HOME CONSULTANTS – DARYN STROP

Building Contractor D-1 (Roofing)

BORDNER INSTALLATION GROUP ONC – JEREMIAH FLEENER
C-R ROOFING AND CONSTRUCTION – CRIST HELMUTH
ENVIRONMENTAL PRO SERVICES, LLC – STEVEN SMITH
THE FIRM – AN INSURANCE CLAIMS SPECIALIST LLC – MARK BEERY

(ADDITIONAL LICENSE)
HUNTER ROOFING PROS – RYAN HUNTER
LAMB ROOFING AND CONSTRUCTION – SHANE LAMB
PINETREE CONTRACTNG CO – CURTIS LEE
RAF CONSTRUCTION, LLC – JOE RAFAEL JIMENEZ
RAAZ ROOFING, LLC – RANDAL HARRELD
RAY BROTHERS CONSTRUCTION INC. – CLIFFORD RAY
RIFLES TO ROOFING LLC – RICHARD LAWSON (EXAMINEE CHANGES CO.)
RJI PROFESSIONALS INC. – ROBERT THEIS
ROOFING & RESTORATION SERVICES OF AMERICA, LLC – JON SEYMORE
VETERANS CONSTRUCTION INC – JOSHUA PNIEWSKI

Building Contractor D-1 (Siding)

VALLEY EXTERIORS – DON SCIUMNATO (ADDITIONAL LICENSE)

Building Contractor D-1 (Stucco)

GOLDEN TOUCH STUCCO – HECTOR ORTIZ LOPEZ
JV CONSTRUCTION AND REMODELING – CARLOS RIVERA ROSADO
KENYON PLASTERING INC. – PHILLIP VIGIL (CO. CHANGES EXAMINEE)
RC PAINTING – RAFAEL CAMACHO

Building Contractor D-1 (Towers)

AERO CONSTRUCTORS – STEVE BAY

Building Contractor D-3B (Wrecking Limited)

CONSTRUCTION SOLUTIONS OF COLORADO, LLC – CHRIS NORDYKE
GIBBY'S CONSTRUCTION INC – GIL CRANDALL (REINSTATEMENT)
MILLS CONSTRUCTION – MARK MILLS

Building Contractor F-1 (Solar)

ACOUSTIC VENTURES INC. DBA SOUND ENERGY – ADAM TOZER

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

Building Contractor A-1 (General)

ACE CONSTRUCTION SERVICES LLC – JAMES LEONARD*

James Leonard appeared and stated he has 26 years of construction experience; he lives in Phoenix, and he is requesting a license to perform work in El Paso County. He stated in 1989 through 1991 he worked in California doing ground-up construction in a commercial park, and after that time he did tenant improvement work. He stated the commercial projects ranged in size from 4,000 to 15,000 square feet. Mr. Leonard stated he is currently building a \$675,000 clubhouse in Scottsdale. He stated his plans are to do reconstruction projects in El Paso County, primarily with homeowner associations. Vince Colarelli stated he does not believe Mr. Leonard has adequate experience for an “A-1” License in El Paso County and recommended that a “B-1” License be issued to Mr. Leonard. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of a “B-1” License, seconded by Tom McDonald; the motion carried unanimously.

COLORADO PROPERTY IMPROVEMENT, INC. – JOHN WAGGONER (UPGRADE)*

John Waggoner appeared and stated he has been doing residential construction remodeling. He stated he currently has a “C” License in El Paso County. He stated he has done some tenant finishes as a superintendent working for another general contractor, and most recently on a 60,000 square foot building for indoor youth sports. Tom McDonald stated he does not believe Mr. Waggoner has adequate experience for an “A-1” (General) License. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a “B-1” License, with the limitation of one permit at any one time, unlimited below, and the restriction can be removed by RBD staff at their discretion when they are satisfied with Mr. Waggoner’s work, seconded by Chad Holladay; the motion carried unanimously.

RAY BROTHERS CONSTRUCTION INC – CLIFFORD RAY*

Clifford Ray appeared and stated he has had a “B-1” (General) License in Arizona since 2004, and he has done extensive work on church buildings and banks. He stated he has also done multiple medical offices and some work on schools. He stated he has built a dentist’s office and a candy store from the ground up. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of a “B-1” License, seconded by Richard Gillit, the motion carried unanimously.

Building Contractor B-1 (General Limited)

BRESSEM INC. – RICK BRESSEM*

Todd Anderson stated this license request has been **POSTPONED** until the October 3, 2012 Building Committee meeting.

JAMES COMPANY ENTERPRISES, LTD. – JAMES DAVIS (EXAMINEE CHANGES CO.)*

James Davis appeared and stated he previously worked for Hendricks Hawthorne, LLC. He stated he currently has five open permits which are awaiting inspections. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a “B-1” (General Limited) License with James Company Enterprises, Ltd., with the stipulation that the permits that are currently open be transferred into Mr. Davis’ new company name, seconded by Chad Holladay; the motion carried unanimously.

NORDKAP CONSTRUCTION, LLC – RICHARD OLSON*

Darrell Olson appeared for Richard Olson because Richard Olson had a family emergency. A motion was made by Richard Gillit to **POSTPONE** this license request until the October 3, 2012 Building Committee meeting so the licensee can appear himself, seconded by Chad Holladay; the motion carried unanimously.

Building Contractor C (Homebuilder)

AMERICAN DREAM HOME IMPROVEMENT – CHARLES LASSITER*

Charles Lassiter appeared and stated he has been working in the construction industry since he was 18, primarily doing roofing and siding. The Building Committee members determined that Mr. Lassiter did not have adequate experience for a “C” (Homebuilder) License, and suggested that he apply for a “D” Roofing and Siding License. A motion was made by Richard Gillit to recommend to the Board of Review **DENIAL** of a “C” (Homebuilder) License, and recommend that Mr. Lassiter apply for a “D” Roofing and Siding License, seconded by John Clarke; the motion carried unanimously.

PEAK SIDE PROPERTIES, LLC – ANDREW MOHR (LIMITATION REMOVAL REQUEST)*

Andrew Mohr appeared and stated he has completed several projects since his license was granted, and he is requesting that the limitation be removed from his license. Mr. Mohr gave a presentation of the work completed since his license was granted. A motion was made by

Johnny Johnson to recommend to the Board of Review that the restriction be removed from Mr. Mohr's license, seconded by Chad Holladay; the motion carried unanimously.

STRONG HOME IMPROVEMENT – RONALD STRONG*

Ronald Strong appeared and stated he is requesting this license to perform siding, windows, and doors installations. He stated he did construction work in Ohio, subcontracting for Champion Window Company. John Clarke stated he would recommend that Mr. Strong reapply for a "D" Roofing License, and a "D" Siding License could be granted today. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a "D" Siding License, seconded by Richard Gillit; the motion carried unanimously.

Building Contractor D-1 (Roofing)

L & N CONSTRUCTION LLC – MARIO VALLEJO*

The Building Committee moved into Executive Session at 12:00 p.m. pursuant to C.R.S. §24-6-402(3)(II) to seek legal advice from our attorney.

After moving into General Session at 12:11 p.m., Chairman Anderson noted that no decisions were made during the Executive Session.

Mario Vallejo appeared and stated he worked for his family roofing company from 1989 through 1997, and he has been working for various roofing companies since 1997. He stated he has done both residential and commercial projects. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of a "D-1" Roofing License, with the limitation of five open permits, until completed at which time Mr. Vallejo can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 807 Orion Drive, Permit I36731 – Matthew Hanks, Peacemaker Builders, Inc., requests a variance to Section RBC303.4.8, Exception 3, 2011 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) 436 Cobblestone Drive, Permit I39109 – Brian Rief, Independent Construction & Repairs, requests a variance to Section RBC303.4.8, Exception 3, 2011 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.
- c) 5108 Sunset Ridge Drive, Permit I26816 – Cashing Creek Construction, Inc. 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.
- d) 1821 Maddees Way, Permit I23861 – Oscar Gallegos, 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.
- e) 306 West Ramona Avenue, Permit I39939 – Peak Basement Systems requests a variance to allow the FSI Push Pier 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.
- f) 909 Valley Road, Permit I39944 - Peak Basement Systems requests a variance to allow the FSI Push Pier 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) 5885 Del Rey Drive, Permit I39945 - Peak Basement Systems requests a variance to allow the FSI Push Pier 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.

A motion was made by Johnny Johnson to **APPROVE** the Consent Calendar Variance Requests as written, seconded by Richard Gillit; the motion carried unanimously.

VARIANCE REQUESTS

The following Item 9 was heard out of order.

9. 811 North Santa Fe Avenue – Brian Risley, Christiansen Reece and Partners, P.C., requests variances to:

- a) Section 1109.2, 2009 International Building Code, to provide non-accessible showers in Locker Rooms 205 and 206, where required.

Brian Risley appeared and stated this project is a fire station in Fountain and the Fire Department would like to provide four shower stalls, however, they will not be compliant with the accessibility requirements. He stated the showers will only be used by ambulatory active duty emergency responders. Jay Eenhuis 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 the unique nature of the facility's use, seconded by Chad Holladay; the motion carried unanimously

- b) Section 1008.1.2, Exception 1, 2009 International Building Code, to allow a sliding glass door at a conference room, where prohibited.

Mr. Risley stated this conference room is on the first floor of the facility and will be used by only six employees, and it is their command operation center. He stated the conference room is designed to be used by six individuals. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to the unique nature of the facility's use; seconded by Chad Holladay; the motion carried unanimously.

Break for lunch from 12:35 to 1:00 p.m.

5. 700 Conejos Street, Building 748 – Sharon Allen, Tremmel Design Group, requests variances to:

- a) Section 1013.2, 2009 International Building Code, to reduce the guardrail height to 34" above the leading edge of the treads, where 42" is required.

Sharon Allen appeared and stated this facility is the Drake Power Plant, which is an industrial building with very few occupants. She stated they are trying to simplify the stairs by not having both a handrail and a guardrail. Roger Lovell suggested that the top of the guardrail be designed to also be utilized as a handrail. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a 42" guardrail, with

the stipulation that the guardrail be designed to also serve as a handrail; seconded by Chad Holladay; the motion carried unanimously.

- b) Section 1012.6, 2009 International Building Code, to eliminate the top and bottom handrail extensions to the stair handrails for the building, where required.

Ms. Allen stated the entire project is extremely tight. She said the occupants of the building are able bodied people that do not require the handrail extensions. She said they would like to build the stairs like the other stairs in the building. A motion was made by John Clarke to recommend to the Board of Review **DENIAL** of the variance request, seconded by Chad Holladay; the motion carried unanimously.

- 6. 700 Conejos Street, Building 749 – Sharon Allen, Tremmel Design Group, requests variances to:

- a) Section 1009.5, 2009 International Building Code, to eliminate the landing at the top of a secondary stairway, where required.

Ms. Allen stated even though this building is larger than the other buildings, they do not have adequate room at the top of the secondary stairway for a landing. She stated that in the event of an emergency, they need to have the ability to get a person out of the building quickly. Jay Eenhuis stated RBD staff does not oppose this variance request. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Richard Gillit; the motion carried unanimously

- b) Section 1013.2, 2009 International Building Code, to reduce the guardrail height to 34” above the leading edge of the treads, where 42” is required.

A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a 42” guardrail, with the stipulation that the guardrail be designed to also serve as a handrail; seconded by John Clarke; the motion carried unanimously.

- c) Section 1012.6, 2009 International Building Code, to eliminate the top and bottom handrail extensions to the stair handrails for the building, where required.

Ms. Allen stated in this building there is a conveyor tower which does not allow room for the handrail extensions. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request only in areas where RBD staff determines that it is necessary due to space limitations, seconded by Chad Holladay, the motion carried unanimously.

7. 700 Conejos Street, Building 752 – Sharon Allen, Tremmel Design Group, requests variances to:

- a) Section 1013.2, 2009 International Building Code, to reduce the guardrail height to 34” above the leading edge of the treads, where 42” is required.

A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of a 42” guardrail, with the stipulation that the guardrail be designed to also serve as a handrail; seconded by Tom McDonald; the motion carried unanimously.

- b) Section 1012.6, 2009 International Building Code, to eliminate the top and bottom handrail extensions to the stair handrails for the building, where required.

A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request only in areas where there is inadequate clearance at the discretion of RBD staff, seconded by Chad Holladay, the motion carried unanimously.

8. 6715 Mesa Ridge Parkway – Peter LeBarre, High Country Restaurant Holdings, LLC, requests a variance to Section 1109.2, 2009 International Building Code, to provide a non-accessible restroom, where required.

Peter LeBarre appeared and stated they have two ADA compliant restrooms at the front of the restaurant for the public’s use, but this restroom is for staff and they do not have adequate space for an ADA restroom. Jay Eenhuis stated RBD staff does not oppose this variance request. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request due to the fact that there are two ADA restrooms for patrons and there is not adequate space for an ADA restroom in the kitchen, seconded by Tom McDonald; the motion carried unanimously.

9. 811 North Santa Fe Avenue – Brian Risley, Christiansen Reece and Partners, P.C., requests variances to:

- a) Section 1109.2, 2009 International Building Code, to provide non-accessible showers in Locker Rooms 205 and 206, where required.

- b) Section 1008.1.2, Exception 1, 2009 International Building Code, to allow a sliding glass door at a conference room, where prohibited.

This Item was heard out of order at the commencement of the Variance Requests.

10. 3500 North Nevada Avenue – Matthew Miller, Cornerstone Baptist Church, requests a variance to Section 1109.2, 2009 International Building Code, to provide a non-accessible restroom, where required.

Matthew Miller stated he is the pastor of the Cornerstone Baptist Church and the building has existing ADA restrooms, but the restroom at issue is not ADA compliant. He stated out of four restrooms, three are ADA compliant. Jay Eenhuis stated RBD staff does not oppose this variance request. Pastor Miller stated the restroom wall is concrete and would be burdensome to remove to enlarge the restroom to make it ADA compliant. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request due to the fact that there are sufficient ADA compliant restrooms in the facility, with the stipulation that the area on the other side of the restroom wall remains a storage area only, and if that area is finished at some point, the restroom will have to become ADA compliant, seconded by Tom McDonald; the motion carried unanimously.

11. 2980 Benet Lane, Permit I28737 – John Fredell, homeowner, requests a variance to RBC303.4.1, 2011 Pikes Peak Regional Building Code, to allow a crawl space with a 6' height, where a maximum of 5' is required.

John Fredell stated this is new construction of his home and he does not require a basement in his home. He stated he wants to stay below 6,000 square feet, but he would like storage available under his home. He stated the foundation has been completed. Mr. Fredell stated this crawl space will have a dirt floor. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request because this is unlivable space and has already been completed, seconded by John Clarke; the motion **FAILED** 3:4; therefore the variance was **DENIED**. Opposed by Todd Anderson, Vince Colarelli, Johnny Johnson, and John Clarke. Roger Lovell stated that under floor space is not intended to be used as storage space, and this issue is being driven due to the new requirement that homes over 6,000 square feet require a sprinkler system.

12. 311 Sutherland Place, Permit I10202 – Timothy McDowell, homeowner, requests a variance to 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".

A friend, name unknown, appeared for Timothy McDowell and stated this house was built in 1972, and pre-existing conditions do not allow a Code compliant soffit height. 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 Johnny Johnson; the motion carried unanimously.

13. 17890 Woodhaven Drive – Jeff Carter, Mountain Property Buyers, requests a variance to Section R907.3, 2011 International Residential Code, to allow two layers of roofing materials where a maximum of one layer is allowed.

Jeff Carter appeared and stated his crew from Denver reroofed this house, and in Denver you can install shingles over shingles, and he was not aware that this was not allowed in El Paso County. He stated at the time the work was done he lived in the home, but he has sold the home since that time. A motion was made by Chad Holladay to recommend to the Board of Review **DENIAL** of the variance request because the home is in Monument with an ice jamming problem, and the current construction of ice and water shield over shingles is an inferior application, seconded by Tom McDonald; the motion carried unanimously. .

14. 1665 Summit Point Court, Permit I11320 – Barry Aho, Genesis Group, requests a variance to Section R312.2, 2009 International Residential Code, to allow a fixed seat adjacent to a 36” guardrail, where prohibited.

No one appeared. A motion was made by Richard Gillit to **TABLE** this variance request until the end of the meeting, seconded by Chad Holladay; the motion carried unanimously.

15. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

16. **NEW BUSINESS**

- a) Update on ES Report for FSI Push Pier Foundation Systems – Paul Sutton.

John Clarke stated the letter provided by Peak Basement Systems, supplies the information requested by the Building Committee. Roger Lovell stated Paul Sutton has requested that a blanket variance be approved for this issue so he does not have to go through the variance procedure for each installation. The Committee members determined they would not approve a blanket variance for this issue.

- b) Tabled Items.

A motion was made by Johnny Johnson to **POSTPONE** the Tabled Items until the October 3, 2012 Building Committee meeting.

The meeting adjourned at 2:25 p.m.

Pikes Peak Regional Building Department
Building Committee Meeting Minutes
September 5, 2012
Page 15

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/llg