

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

October 3, 2012

9:00 a.m.

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

MEMBERS ABSENT: Mr. Chad Holladay
Mr. Richard Gillit

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 Benger, 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 SEPTEMBER 5, 2012 MINUTES**

A motion was made by Vince Colarelli to **APPROVE** the September 5, 2012, Building Committee Minutes as written, seconded by Tom McDonald; the motion carried unanimously. Johnny Johnson gave a presentation regarding appeals from the Building Committee that were heard by the Board of Review.

2. **COMPLAINT UPDATE**

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. *This Complaint was heard during the September 5, 2012 Building Committee meeting and the Committee members postponed the Complaint for 30 days to give Mr. Hearrell an opportunity to contact the homeowner and resolve the issue.*

Todd Welch stated he received a telephone call from Chad Hearrell and Mr. Hearrell is still trying to resolve this issue with the homeowner. A motion was made by Johnny Johnson to **POSTPONE** this Complaint until the November 7, 2012 Building Committee meeting, seconded by John Clarke; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

EXQUISITE WINDOWS, INC. DBA 5280 EXTERIORS – JOHN WITT
JACOBSEN CONSTRUCTION COMPANY, INC. – STEVEN NELSON*
REGIONAL CONSTRUCTION SERVICES – DAVID MINGUS

Building Contractor A-2 (General)

SACHS CONSTRUCTION, LLC –ROBERT SACHS

Building Contractor B-1 (General Limited)

PAWEL D. SALAMONIK – PAWEL SALAMONIK

Building Contractor C (Homebuilder)

GLOBAL CONSTRUCTION GROUP, INC – ROBERT BONTRAGER (CO. CHANGES EXAMINEE)
HARTMAN LEGACY HOMES, INC. – TERRENCE HARTMAN
NORDKAP CONSTRUCTION – RICHARD OLSON
RCB CONSTRUCTION LLC – ROBERT BADGER, JR.
SIGNATURE TURN KEY CONSTRUCTION, LLC – JOSEPH SUGG (LIMITED)
WALTHER HOMES, INC. – JAY WALTHER (SECONDARY EXAMINEE CHANGES CO.)

Building Contractor D-1 (Pools)

HEARTLAND CUSTOM POOLS – DAVID JEFFERIES (REINSTATEMENT)

Building Contractor D-1 (Roofing)

AMERICAN DREAM HOME IMPROVEMENT – CHARLES LASSITER
AMERICAN GREEN ROOFING – WARD HARKRADER
COLORADO PROPERTY IMPROVEMENT, INC. – JOHN WAGGONER (ADDITIONAL LICENSE)

COLORADO ROOFING AND REMODELING – DAVID MELVIN
DYNAMIC EXTERIORS BY SHR, LLC – ROBERT MILLER (CO. CHANGES EXAMINEE)
NORDKAP CONSTRUCTION, LLC – RICHARD OLSON
ROCK SOLID ROOFING – KRIS RUBIO (ADDITIONAL LICENSE)
SNL ROOFING & CONSTRUCTION INC – ROBERT LONGFELLOW (EXAMINEE CHANGES CO.)

Building Contractor D-1 (Siding)

1-DERFUL ROOFING & RESTORATION, INC. – RONALD ANTENER (ADDITIONAL LICENSE)
DC ENTERPRISE – RODRIGO CRUZ
HORN & SON – MARLENE HORN (REINSTATEMENT)

Building Contractor D-3B (Wrecking Limited)

TRANSIT MIX CONCRETE CO – JERALD SCHNABEL

Building Contractor D-5A (Signs)

ARTISAN ENTERPRISES LLC DBA ARTISAN SIGNS – DONALD TORTORICH (EXAMINEE CHANGES CO.)

Building Contractor E (Res. Maintenance & Remodeling)

LEGACY CUSTOMS – DEREK MURPHY (REINSTATEMENT)
PHILIP PURDY – PHILIP PURDY

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor A-1 (General)

B2 CONSTRUCTION CORPORATION – DAVID BEAUDOIN*

David Beaudoin appeared and stated he built the Calvary Christian Church in Aurora. He stated most of his work over the past three years has been tenant finishes and small additions. He stated he has an “A” license in Douglas County. Vince Colarelli stated he does not feel Mr. Beaudoin has adequate experience for an “A” license. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of a “B-2” License, with the

limitation of two permits until completed, at which time Mr. Beaudoin can work with RBD staff to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

Building Contractor B-1 (General Limited)

The Building Committee moved into Executive Session at 9:14 a.m. pursuant to C.R.S. §24-6-402(3)(III) to discuss matters that must be kept confidential by law.

After moving into General Session at 9:25 a.m., Chairman Anderson noted that no decisions were made during the Executive Session.

BRESSEM INC. – RICK BRESSEM*

Rick Bressemer appeared and stated he appeared this past March before this Committee to request an “A” license and was informed by the Committee that they did not feel they could grant Mr. Bressemer an “A” License due to the revocation of his California license. He stated he was unable to resolve his issues in California. A motion was made by Tom McDonald to **POSTPONE** this license request until the November 7, 2012 Building Committee meeting to give Mr. Bressemer an opportunity to obtain the necessary documentation requested by the Building Committee, seconded by Johnny Johnson; the motion carried unanimously.

MATRIX LAND DEVELOPMENT INC. – LANCE SLAYTON*

Lance Slayton appeared and stated he has a “B” License in Denver and an “A” License in Aurora. He stated he has built multi-family condominiums and apartments from curb and gutter to completion of the project. He stated he has also done a number of tenant finish projects, i.e. office projects and strip malls. He stated his immediate plans that require this license is an HVAC project for a Target Store and an apartment complex in Colorado Springs. He stated he built three buildings in Denver, from the ground up, that were offices on the main level and residential condos on the upper levels. He stated he also did a hotel remodel in Aurora. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a “B-1” License, with the limitation of two permits until completed, unlimited below, at which time Mr. Slayton can work with RBD staff to have the restriction removed, seconded by Vince Collarelli; the motion carried unanimously.

Building Contractor C (Homebuilder)

HOLDT CONSTRUCTION, LLC – MATHEW HOLDT*

Mathew Holdt appeared and stated he had his own framing company in Texas; framing 60 houses per year. He stated in Colorado, he has been doing a lot of decks, retaining walls and remodels. He stated he does not anticipate building houses from the ground up. A motion

was made Johnny Johnson to recommend to the Board of Review **APPROVAL** of a “D-1” (Retaining Wall) License and an “E” License, with the limitation of two permits, until completed, at which time Mr. Holdt can work with RBD staff to have the restriction removed, seconded by John Clarke; the motion carried unanimously.

INTELLIGENT DESIGN USA – THALASSA FUHRMANN*

Thalassa Fuhrmann appeared and stated her experience is in restoration and remodeling work. She said most of the structural work has been in outdoor patios. She stated she has licenses in Lakewood, Englewood, Littleton, Aurora, Fort Morgan and Morgan County. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) License, with the limitation of no ground-up construction, unlimited below, seconded by Johnny Johnson; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 7234 Arrowroot Avenue, Permit I26604 – Craftsman Basement Finish Co. 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) 7960 Irish Drive, Permit H64862 – Jeri Keys, homeowner, 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.
- c) 1242 Auburn Drive – Thomas Fortune, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 47½” windowsill height in existing conditions where a maximum of 44” is allowed.
- d) 4662 Wonderful Place – Eric and Eva Greene, homeowners, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 50” windowsill height in existing conditions where a maximum of 44” is allowed, with the stipulation that a step is permanently installed under the windowsill with a 6” rise and minimum of 11½” tread, and the full width of the window opening.
- e) 2501 Fuller Road, Permit I19611 – Roger and Hallie Lovell, homeowners, requests a variance to Section R902.1, 2009 International Residential Code, as amended by Appendix D, City of Colorado Springs, 2011 Pikes Peak Regional Building Code, to allow wood roofing products where Class A roof covering is required.

- f) 907 – 909 Pioneer Lane, Permit I44270 – 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) 4120 Stonehaven Drive, Permit I44986 – Dan Clark, D & D Custom Home Remodeling, requests a variance to Section RBC 303.4.8, 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.
- h) 647 Becket Place, Permit I45279 – 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 Tom McDonald to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests, seconded by Johnny Johnson; the motion carried unanimously.

VARIANCE REQUESTS

- 5. 2848 Delta Drive, Permit I34887 – William Fodge requests a variance to Section 1109.2, 2009 International Building Code and Section 603, 2003 ICC/ANSI 117.1 to waive the requirement for an accessible restroom.

William Fodge appeared and stated there are only two employees working in this facility, and both are able bodied and do not require an accessible restroom. He stated it would be cost prohibitive to install an accessible restroom. Jay Einhuis recommended the architect investigate performing the change of occupancy using the 2009 International Existing Building Code, which would limit the amount of work required to make the space accessible. A motion was made by Johnny Johnson to recommend to the Board of Review **DENIAL** of the variance request because there are other options available to resolve this issue, seconded by Tom McDonald; the motion carried unanimously.

- 6. 6885 Vista Del Pico Boulevard – Michael Townsend requests a variance to Section RBC203.1, 2011 Pikes Peak Regional Building Code, to allow a “C” licensed contractor to obtain a permit requiring an “A” license.

Michael Townsend appeared and stated he is requesting this license upgrade to do a remodeling project at the Clubhouse at the Banning Lewis Ranch. He stated he is applying for this variance in an effort to start the project more quickly. He stated he has a “B” License

in Denver. Tom McDonald stated he feels an "A" licensee should be hired to do this project, because they are more knowledgeable of the Codes required, and have the necessary insurance to cover this type of project. A motion was made by Johnny Johnson to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues, seconded by Tom McDonald; the motion carried unanimously.

7. 111 Crystal Park Road – Ryan Lloyd, Echo Architecture, requests a variance to Section 903.2.8, 2009 International Building Code, to waive installation of a fire sprinkler system, where required.

Ryan Lloyd appeared and stated this structure is a 4-plex, and the basement was finished without a permit. The property owner appeared and stated this work was done five years ago, he added more residential area in this basement, and he is now trying to permit the basement and get a final inspection completed. A motion was made by Johnny Johnson to **POSTPONE** this variance request for 30 days to allow the applicant to meet with the Manitou Springs Fire Department to get their approval regarding this issue, seconded by John Clarke; the motion carried unanimously.

Break from 10:30 a.m. to 10:42 a.m.

8. 721 Custer Avenue, Permit I14071 – Kimber Janney, Kiva Construction, Inc., requests a variance to Section R1004.1, 2009 International Residential Code, to use 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.

Kimber Janney appeared and stated this woodstove existed in this house, and he is installing a second story addition. He stated he has installed a proper vent for the woodstove that does meet Code, but they do not have any listing for this woodstove. He stated the homeowners use the woodstove a lot and want to keep the woodstove in their home. Roger Lovell stated the 1997 Uniform Mechanical Code is the only Code that addresses this issue. He stated this Code is very restrictive regarding clearances, and this woodstove would probably have to be relocated in the house to meet this Code. Mr. Janney stated if the woodstove was moved out from the wall, it would interfere with the doorway. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Johnny Johnson; the motion carried unanimously.

9. 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.

Barry Aho appeared and stated he was not aware of the change in the Code regarding this issue. He said this manner of construction was allowed in the previous Code, and the 2009 International Residential Code prohibits this type of fixed seat next to a guardrail. He stated

the rail is on top of the bench. Blake Nunnelley stated this Code was instigated because of the fear that small children can easily go over the rail by climbing on the bench. Roger Lovell stated this is a Code change that was made at the National level. A motion was made by John Clarke to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues, seconded by Tom McDonald; the motion carried unanimously.

10. 3239 Silver Pine Trail, Permit I21408 – Kevin McGee, Decks R Us, requests a variance to Section R312.2, 2009 International Residential Code, to allow a fixed seat adjacent to a 36” guardrail, where prohibited.

Kevin McGee appeared and stated he was unaware of the new Code regarding this issue, and it would be very costly to change because the bench is bolted into a stucco wall. A motion was made by Johnny Johnson to **TABLE** this variance request for 30 days to allow the applicant an opportunity to resolve the issue, seconded by Tom McDonald; the motion carried unanimously.

11. 21865 Warriors Path Drive, Permit I22334 – Rudy Thompson, Manitou Properties, LLC, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a 6’6” head height above a stair landing where a minimum of 6’8” is required.

Rudy Thompson appeared and stated this house was built in 1995, and the prior homeowner did work on the house without a permit. He stated the bank owns the property now and they are trying to bring it up to Code. 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. .

- 11.b. 316 East St. Vrain – Daniel McCully, Abidesign, requests variances to:

- (i) Section 1009.5, 2009 International Building Code and Table 404.2.3.1, ANSI A117.1-03, to eliminate the landing at the top of an existing stairway, where prohibited.

Daniel McCully appeared and stated this house was built in 1893 and they are converting it to office space. He stated there is a door at the top of the stairs. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, with the stipulation that the basement can be used for storage only, seconded by Tom McDonald; the motion carried unanimously.

- (ii) ANSI A117.1-03, for reduction of pull side clearance.

Mr. McCully stated he would like to **WITHDRAW** Item 11.b.ii.

(iii) Section 1008.1, 2009 International Building Code, to allow for door less than the required width, where prohibited.

Mr. McCully stated this existing door is not Code compliant. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request due to existing, non-conforming conditions, seconded by Tom McDonald; the motion carried unanimously.

- 11.c. 1113 South 26th Street – Luc Gray, Gray & Green Development, requests a variance to Section R311.7.5, 2009 International Residential Code, to allow for a vertical rise of 13’3” between landings, where 12’0” is permitted.

Luc Gray stated this structure is a duplex and they would like to put a roof top deck on the structure. He said the distance between landings requires a vertical rise of 13’3” where a maximum of 12’ is required. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request due to existing, non-conforming conditions, seconded by Tom McDonald; the motion carried unanimously.

- 11.d. 690 Wuthering Heights Drive, Permit G76774 – Peter Kowalchuk, Eagle Creek Roofing, requests a variance to allow 12” of ice and water shield where 24” is required pass the exterior wall line.

Peter Kowalchuk stated they did install ice and water shield on this roof, but due to the 1’10” extension on the eaves, it does not meet Code. He stated it is a 50 year shingle and he has extended the warranty on the roof for the homeowner. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request because this is the first offense by this contractor, the homeowner accepts the current construction, and the warranty has been extended, seconded by Johnny Johnson; the motion carried unanimously.

12. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

13. **NEW BUSINESS**

- a) Colorado Springs Fire Department Proposed Waldo Canyon Requirements.

Johnny Johnson stated the proposed Waldo Canyon Requirements by the Colorado Springs Fire Department (“CSFD”) should be a general requirement for all homeowners, instead of singling out the hillside residents in this area. Roger Lovell presented the criteria compiled by HBA and CSFD on this issue, which is also available on RBD’s

website. He stated RBD does not have any involvement here, and RBD will not be doing inspections with regard to this criteria. He stated RBD will not be making any Code changes due to this fire. Henry Yankowski stated RBD did have some conversations with the CSFD as it was developing this criteria; with regard to the technical aspects of the criteria are clean and concise as written. He said RBD does not feel this criteria is appropriate for all seven jurisdictions that RBD oversees.

b) Tabled Items

A motion was made by Johnny Johnson to **POSTPONE** the tabled items until the November 7, 2012, Building Committee Meeting, seconded by John Clarke; the motion carried unanimously.

c) New License Category

Todd Anderson stated he would like to discuss during the November 7, 2012, Building Committee meeting a new type of license category that does not include ground up construction.

The meeting adjourned at 11:57 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/llg