

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## BOARD OF REVIEW MINUTES

September 19, 2012

10:30 a.m.

**MEMBERS PRESENT:** Mr. Frank Watson, Building A or B Contractor  
Mr. Rick Johnson, Citizen-at-Large  
Mr. Michael McShea, Engineer  
Mr. Larry Whittaker, Architect  
Mr. Johnny Garcia, Building A, B or C Contractor

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mr. Henry Yankowski, Building Official  
Mr. Bob Croft, Deputy Building Official/Development Coordinator  
Mr. Jim Vernon, Deputy Building Official/Small Business Development  
Mr. Roger Lovell, Deputy Building Official/Construction  
Mr. Jay Eenhuis, Chief Plans Examiner  
Mr. Jack Arrington, Chief Plumbing/Mechanical Inspector  
Ms. Mindy Stuemke, Permit Supervisor  
Mr. Terry Brunette, Special Investigator  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Frank Watson called the meeting to order at 10:33 a.m.

#### 1. **CONSIDERATION OF AUGUST 15, 2012 MINUTES**

A motion was made by Rick Johnson to **APPROVE** the August 15, 2012 Board of Review Minutes as written, seconded by Michael McShea; the motion carried unanimously.

#### 2. **CONSIDERATION OF LICENSING AND MINUTES**

a) Building Committee Minutes of September 5, 2012.

A motion was made by Rick Johnson to **APPROVE** the Building Committee Minutes as written, with the exceptions of Items 2b and 11, seconded by Johnny Garcia; the motion carried unanimously.

b) Electrical Committee Minutes of September 11, 2012.

A motion was made by Michael McShea to **APPROVE** the Electrical Committee Minutes as written, seconded by Johnny Garcia; the motion carried unanimously.

c) Mechanical Committee Minutes of September 12, 2012.

A motion was made by Johnny Garcia to **APPROVE** the Mechanical Committee Minutes as written, seconded by Michael McShea; the motion carried unanimously.

3. **DECISION APPEALS**

a) 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. *This variance request was DENIED during the September 5, 2012 Building Committee meeting.*

John Fredell appeared, was sworn in, and stated this is a new residence for himself and his family and he would like the 6’ height in the crawl space in order to work on heating, plumbing, etc. should they require repairs. He stated he has prepared a Covenant of Limitation which can be recorded with the Clerk and Recorder’s Office and attached to this property address. Roger Lovell appeared, was sworn in, and stated the local amendment to the Code allows a maximum height of 5’. He stated the purpose of this amendment was necessitated because RBD had a number of homeowners that were trying to finish a basement that was initially a crawlspace, and low ceiling heights and lack of a means of egress out of the basement were problems. Mr. Fredell stated the space will be insulated and heated in order to keep it at 50 degrees in the crawlspace. He stated during the Building Committee, he told the Committee members that he wanted to use the space for storage, but he has a 1,000 square foot garage that he can use for storage, so he will no longer be using the crawlspace for storage. A motion was made by Larry Whittaker to **OVERTURN** the decision of the Building Committee and **APPROVE** the variance request, with the stipulation that the homeowner have the Covenant of Limitation recorded with the Clerk and Recorder’s Office, and provide documentation to RBD that this has been completed prior to final inspection of the home, seconded by Johnny Garcia; the motion carried unanimously.

b) A complaint has been brought against Darrald Barajas, licensee for Grand View Deck and Patio by Margot Damowski for performing work at 603 Sequoia Drive, Colorado Springs, CO 80910 without obtaining the required permit in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code. *Darrald Barajas appeared at the August 1, 2012 Building Committee meeting and the Building Committee recommended REVOCATION of Mr. Barajas’ “C” License because they determined he did not have adequate experience for a “C” License.*

Terry Brunette appeared, was sworn in, and stated the details of the Complaint. Darrald Barajas appeared, was sworn in, and stated he has been building decks and patios for 21 years. He stated he has a "C" license in other jurisdictions, so he applied for a "C" License in El Paso County. He said he has no intentions of building houses. Pattie Benger appeared, was sworn in, and stated Mr. Barajas passed the "C" contractor license exam. Johnny Johnson appeared, was sworn in, and stated the Building Committee determined that Mr. Barajas did not have the necessary experience for a "C" License. A motion was made by Larry Whittaker to **OVERTURN** the decision of the Building Committee to revoke Mr. Barajas' "C" license and grant Darrald Barajas an "E" License, seconded by Rick Johnson; the motion carried unanimously.

#### 4. **UNFINISHED BUSINESS**

##### a) Complaint Against Rolf Whitley, Licensee for Old World Construction, Inc.

Rick Johnson asked about the Complaint against Rolf Whitley, licensee for Old World Construction, Inc. and the Building Committee's decision to issue a one-year Incident Report to Mr. Whitley. Terry Brunette stated Mr. Whitley was represented by counsel and the Incident Report was for one year, and typically they are for three years. He said Mr. Whitley failed to pull permits for two roofs and he was performing plumbing, electrical, and mechanical work without the required licenses in his rental home. A motion was made by Rick Johnson to **APPROVE** Item 2b in the September 5, 2012 Minutes of the Building Committee, seconded by Johnny Garcia; the motion carried unanimously.

#### 5. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:10 a.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY/llg