

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **BUILDING COMMITTEE MINUTES**

March 6, 2013

9:00 a.m.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Roger Lovell, Deputy Building Official/Construction  
Mr. Jay Eenhuis, Chief Plans Examiner  
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 9:01 a.m.

Roger Lovell appeared and stated the staff at RBD would like to express their appreciation to Todd Anderson, Chad Holladay, and Tom McDonald for their dedication and service to the Building Committee.

### **1. CONSIDERATION OF FEBRUARY 6, 2013 MINUTES**

A motion was made by Johnny Johnson to **APPROVE** the February 6, 2013 Building Committee Minutes as written, seconded by Richard Gillit; the motion carried unanimously.

### **2. COMPLAINT UPDATE**

- a) A complaint has been brought against Roy Archuleta, licensee for L. E. Roofing, by Regional Building for using his license to pull permits for another contractor to perform work at 1121 Mazatlan Circle, Colorado Springs, Colorado and 2800 Marilyn Road, Colorado Springs, Colorado, in violation of Section RBC201.11.3, #3, 2011 Pikes Peak Regional Building Code. *This Complaint was heard during the February 6, 2013 Building Committee meeting, and the Committee postponed the Complaint for 30 days so RBD staff can inspect the roof to see what needs to be done to correct the work so it will pass inspection, and Mr. Archuleta can make the required corrections to the roof so it will pass inspection.*

Terry Brunette appeared and stated Mr. Archuleta made the corrections required to the roof at 1121 Mazatlan Circle within a couple of days after the Building Committee meeting in February. Roy Archuleta appeared, was sworn in, and stated he worked with the homeowners at this address and he believes he has taken care of all of the problems with this roof, but they will continue to monitor it to check to see if there are any leaks. A motion was made by Johnny Johnson to recommend to the Board of Review that this complaint be closed, and RBD will monitor this permit until it has closed, seconded by Richard Gillit; the motion carried unanimously.

### 3. **CONSENT LICENSE REQUESTS**

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

CONSTRUCTION BROKERS, INC. – JOSEPH MICELI (LIMITED)

#### **Building Contractor B-1 (General Limited)**

ABAYLA CONTRACTING SERVICES, INC. – TONY FERNANDES  
DONAHUE CONSTRUCTION CORP – JOSEPH DONAHUE  
VICTORY CONSTRUCTION – JIM ELMORE JR.

#### **Building Contractor C (Homebuilder)**

ABS WORLDWIDE CONSTRUCTION, LLC. – FREDRICK WROBEL JR. (EXAMINEE  
CHANGES CO. & PRIMARY)  
BECKONY GROUP, INC. – JONATHAN WARD (LIMITED)  
CHALLENGER HOMES, INC. – PATRICK JARRETT (CO. CHANGES EXAMINEE)  
FIFTH GENERATION ENTERPRISES, LLC – LINDSEY SAMELSON  
HANDYMAN CONNECTIONS – KENNETH MCCOY (CO. CHANGES EXAMINEE)  
PUG NOSE CONSTRUCTION LLC – MICHAEL AMEND  
TERRA VERDE HOMES LLC – GEORGE ASBURY

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

BULLETPROOF ROOF COATINGS – JERRY HARDING  
M4 ROOFING & GUTTERS – KEVIN TRIZNA  
QUALITY CONSTRUCTION – ROBERT SAITTA  
TOP THAT ROOFING INC. – PHILIP THERIAULT

#### **Building Contractor D-65 (Sign Limited)**

GOLDEN GRAPHICS USA (GGUSA) – JOHN ROWE

**Building Contractor E (Res. Maintenance & Remodeling)**

SPRINGS HOME IMPROVEMENT CO. – CHARLES FARRINGTON (EXAMINEE CHANGES CO.)

A motion was made by Tom McDonald 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 C (Homebuilder)**

BLITCH WOODWORKING INC. – BRIAN BLITCH (UPGRADE)\*

Brian Blitch appeared and stated he has been working in the construction industry in his family's business since the age of 14. He stated he worked at the Broadmoor on the brownstone buildings and the golf course cottages, while working for Torks Construction as a superintendent. He stated, with regard to ground up construction, he has built a 1,800 square foot addition, a 2,000 square foot house in Georgia, and a living room/master addition. Mr. Blitch stated he is requesting this license to allow him to do primarily remodeling work; he stated he does not have any immediate plans to do ground up construction. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of a "C" (Homebuilder) License, with the limitation of two ground up permits, unlimited below, and upon completion of the two ground up permits, Mr. Blitch can work with RBD staff to have the restriction removed, seconded by Chad Holladay; the motion carried unanimously.

ENHANCING SPACES LLC – ADAM PETRASKA\*

Adam Petraska appeared and stated he has been working in the construction industry since the age of 15. He stated he was building large custom homes back east. He stated he has "C" licenses in Denver, Aurora, Westminster, Jefferson County, and Arapahoe County. He stated he plans to move his family to El Paso County, and would like to work in this jurisdiction. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of a "C" (Homebuilder) License, unlimited below, with the limitation of two ground up permits, and upon completion, Mr. Petraska can work with RBD staff to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

HIGH WEST SIDING AND WINDOWS, INC. – JEREMY LITTLE (ADDITIONAL LICENSE)\*

Jeremy Little appeared and stated he currently has a “D” (Siding) License, and would like to upgrade to a “C” License to widen the scope of work that he can do. He stated he has been working for a number of contractors in El Paso County, primarily in a managerial role. He stated he has a framing license in Teller County. Mr. Little stated he has been working in the construction industry for 20 years. He stated eventually he would like to build custom homes. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) License, unlimited below, with the limitation of one ground up permit, until completed, at which time Mr. Little can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

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

TIM MELSON – TIM MELSON\*

Tim Melson appeared and stated he has been working in the roofing business for 17 years. He stated in the past he has had the general contractors pull the permits for the work he is doing. 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 permits until completed, at which time Mr. Melson can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

FRONT RANGE EXTERIORS – MATTHEW GARTNER\*

Matthew Gartner appeared and stated he was a roofer in New York. He stated he worked with Avalanche Roofing in Colorado Springs as a general manager and replaced 250 to 300 roofs. Jesse Russow with Avalanche Roofing appeared and stated Mr. Gartner’s role with his company was to hire, recruit and train salesmen, but he has not installed roofs. 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 one open permit at a time, limited to five permits; upon completion of five permits Mr. Gartner can work with RBD staff to have the restriction removed, seconded by John Clarke; the motion carried 4:2. Richard Gillit and Tom McDonald opposed.

\* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 7925 Needlegrass Lane, Permit I62038 – 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.
- b) 3953 Iron Horse Trail, Permit I62408 - 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.
- c) 4175 Saddle Rock Road, Permit I63213- 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.
- d) 6718 Barrel Race Drive, Permit I60325 – Direct Build, 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.
- e) 2021 Glenhill Road, Permit I57103 – Dunamis, LLC 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.
- f) 1268 North Meade Avenue, Permit I62455 – Paige Webster, 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.
- g) 5411 Spoked Wheel Drive, Permit I46306 – Marla Novak, 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.

- h) 6265 Moorfield Avenue, Permit I63635 – Shane Verheyen, 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.

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

## **VARIANCE REQUESTS**

5. 4305 Sinton Road – Jack Paulson, Paulson Architects, P.C., requests a variance to Table 503, 2009 International Building Code, to allow a fire area of 20,635 square feet, where a maximum of 17,250 square feet is required. *This variance request was heard during the February 6, 2013 Building Committee Meeting and the Committee postponed the variance request for 30 days so the property owner could appear.*

Jack Paulson and Kevin O’Neil, property owner, appeared and Mr. O’Neil stated they closed on this building in 2009, and Peak Lighting moved into the building at that time. He said the space is a showroom, office and warehouse. He stated during the permitting process there was a disagreement between the architects regarding this 2-hour fire wall, and the tenant on the other side filed a lawsuit stating they were not given the space promised in their lease, which delayed the completion of this permit for 2 years. Jay Eenhuis stated with this 2-hour fire wall they are making the existing problem better, so RBD staff does not oppose this variance request. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Johnny Johnson; the motion carried unanimously.

6. 1530 Old Stage Road – Dan Sievers, Architect, requests a variance to Section R312.2, 2009 International Residential Code, to allow a fixed seating/bench adjacent to a 36” guardrail.

Dan Sievers appeared and stated when this space was inspected, the inspector determined that it was a seating area, but it is actually a storage area. Roger Lovell stated the Colorado Chapter of the ICC has submitted a Code change in the 2015 Code, which will allow this issue. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request, based on the fact that this is storage and not a seating area, and the Code may be changing in the future to allow it, seconded by Chad Holladay; the motion carried unanimously.

7. 9945 Federal Drive, Suite 100, Permit I51461 – Larry Hudson, Architect, requests a variance to Section 1009.12, Exception 3, 2009 International Building Code, to waive a handrail, where required.

Larry Hudson appeared and stated this is a Type 2B fully sprinklered occupancy, and these are single risers on the exterior of the building. He said they feel an exception should be considered and the requirement for a handrail be waived. Roger Lovell stated this exception is applicable to landscaping and not as a means of egress. Mr. Hudson stated to install handrails would require three handrails, which would be costly and a maintenance issue. He said they would be willing to paint a highlight stripe on the edge of each step for safety purposes. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the applicant add and maintain a highlight color on the nose of each step for safety purposes, seconded by Tom McDonald; the motion carried 5:1. Johnny Johnson opposed.

8. 9910-9930 Federal Drive – Larry Whittaker, YOW Architects, P.C., requests a variance to Table 705.8, 2009 International Building Code, to allow openings located on a property line, where prohibited.

*This variance requests has been **WITHDRAWN**.*

9. 2192 Calle Fontana Drive, Permit I20483 – Rob Mills, Axess Construction, requests a variance to Section R905.2.7, 2003 International Residential Code, to allow one layer of roofing felt where two layers of ASTM D226 roofing felt is required for roof slopes between 2:12 and 4:12. *This variance request was heard during the February 6, 2013 Building Committee Meeting and the Committee postponed the variance request for 30 days so the applicant can produce a revised warranty and photographs of the roof.*

Jesse Delgado appeared and stated he is reappearing to furnish the Committee with an extended Warranty on this roof. He stated it was an oversight that the two layers of felt were overlooked. Vince Colarelli stated there is a discrepancy in the warranty, i.e. it states it is a 20-Year Warranty, but the body of the Warranty states it is a 10-Year Warranty. A motion was made by Chad Holladay to recommend to the Board of Review **DENIAL** of the variance request because this is a documented Code violation, seconded by John Clarke; the motion carried 4:2. Vince Colarelli and Tom McDonald opposed.

10. 2465 Sweet Water Court, Permit I50347 – Mark Montgomery, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6'4½" under furred-down beams, pipes and ducts where a minimum of 6'8" is required. *This variance request was heard during the February 6, 2013 Building Committee Meeting and the Committee postponed the variance request for 30 days to give Mr. Montgomery an opportunity to produce further information.*

Mark Montgomery appeared and presented photographs of the soffit height issue. He stated upon remeasuring, it is a 6'7" head height above the nose of the stair. 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.

11. 4768 Sweetgrass Lane, Permit I62468 – Scott Radel, homeowner, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 5'9" under furred-down beams, pipes and ducts where it is required to be a minimum of 6'8".

Scott Radel appeared and stated this soffit height is in the family room and the low point is against the wall and angles up to the ceiling. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, and it does not impede a traffic area, seconded by John Clarke; the motion carried unanimously.

- 11b. 119 East Cheyenne Road, Permit H88716 – Edward Wysocki, owner, requests a variance to Section 1008.1.9.3, No. 2, 2009 International Building Code, to waive the requirement that a locking device be readily distinguished as locked.

Edward Wysocki appeared and stated he would like to **WITHDRAW** his variance request.

- 11c. 2230 Capstone Court – Mark Hohlen, HOM Solutions, Inc., requests a variance to Section RBC303.4.34, 2011 Pikes Peak Regional Building Code, to allow non-floating walls in a basement finish, where prohibited.

Mark Hohlen appeared and stated this basement was finished without a permit. He stated this is a foreclosed property and a local realtor has requested that he prepare the property to have it listed. He stated the house was built in 1994. Mr. Hohlen stated he has the original soils report for the property, but this engineer would not approve the floating walls due to the liability issue. A motion was made by John Clarke to recommend to the Board of Review **DENIAL** of the variance request, seconded by Tom McDonald; the motion carried unanimously.

- 11d. 13699 Cliffbush Terrace, Permit I63570 – Ray Woolf, homeowner, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a 9' soffit width which is larger than 50% of the size of the room, where prohibited.



Ray Woolf appeared and stated he has two furnaces in his basement and the ductwork is 9' wide and it is more than 50% of the size of this theatre room. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions, seconded by Johnny Johnson; the motion carried unanimously.

- 11e. 16 Polo Circle, Permit I47394 – Mike Morley, Morley Enterprises, requests a variance to Section 311.3, 2009 International Residential Code, to allow an existing non-conforming landing at the bottom of stairs to be 18", where a minimum of 36" is required.

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

12. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

13. **NEW BUSINESS**

- a) Blanket Variance Approval for "Quiet Brace Sheeting".

Todd Anderson stated this product is a substitute for plywood and is a substantial savings because the cost of plywood has increased significantly. Roger Lovell stated RBD recently determined this product does meet Code, so a blanket variance is not required.

- b) Election of New Chairman of the Building Committee.

A motion was made by Vince Colarelli to elect John Clarke as the 2013 Chairman of the Building Committee, seconded by Chad Holladay; the motion carried unanimously.

- c) Tabled Items.

A motion was made by Johnny Johnson to **POSTPONE** the tabled items until the April 3, 2013 Building Committee meeting, seconded by Chad Holladay; the motion carried unanimously.

The meeting adjourned at 11:32 a.m.

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Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY/llg