

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

May 1, 2013

9:00 a.m.

MEMBERS PRESENT: Mr. J. B. Johnson
Mr. Vince Colarelli
Mr. Richard Gillit
Mr. Chris Richardson

MEMBERS ABSENT: Mr. John Clarke
Mr. Michael Finkbiner
Mr. Scot Gring

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

PROCEEDINGS:

Johnny Johnson called the meeting to order at 9:00 a.m.

1. **CONSIDERATION OF APRIL 3, 2013 MINUTES**

A motion was made by Richard Gillit to **APPROVE** the April 3, 2013 Minutes of the Building Committee, seconded by Chris Richardson; the motion carried unanimously.

2. **COMPLAINT**

There were no Complaints to discuss.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

COLARELLI CONSTRUCTION, INC. – ERIC MOBURG (EXAMINEE CHANGES CO.,
SECONDARY EXAMINEE)
GROWLING BEAR CO INC. – GARY SHIRONAKA

Building Contractor A-2 (General Limited)

RN CIVIL CONSTRUCTION – DANIEL NIEHUS

Building Contractor B-1 (General Limited)

BTS CONSTRUCTION LLC – MICHAEL FRASER (REINSTATEMENT)
CENTURY COMMUNITIES – MICHAEL FENTON (EXAMINEE CHANGES CO.,
PRIMARY EXAMINEE)

Building Contractor C (Homebuilder)

AUSTIN CONSTRUCTION & REMODELING – KEVIN AUSTIN (REINSTATEMENT)
H AND B BUILDING – WARREN HILL
J & J CONTRACTORS, LLC – JEFFREY YERKS (LIMITED)
RANDY ALLGOOD – RANDY ALLGOOD (LIMITED)

Building Contractor D-1 (Roofing)

CONTINENTAL ROOFING PROS, LLC – BENJAMIN HOGAN
DL & JM ENTERPRISES, INC. DBA ALL ABOUT ROOFING – JOHN MCGRAW
(EXAMINEE CHANGES CO.)
KRUEGER BROTHERS CONSTRUCTION – CHRISTOPHER KRUEGER
QUALITY ROOFING BY PETITT, INC. – TODD PETITT
ROOF AMERICAN CORPORATION – JAMES MOSEL (EXAMINEE CHANGES CO.)
ROOFING THE ROCKIES – MICHAEL HURLEY

Building Contractor D-1 (Siding)

SOUTHERN COLORADO ROOFING – MATTHEW CLARK (ADDITIONAL LICENSE)

Building Contractor D-1 (Stucco)

D & H PLASTERING CO INC. – DAVID CLEVELAND
G AND A STUCCO – ARMANDO URIBE
INNOVATIVE EXTERIORS – JEFFERY MASIAS
RG LATH & STUCCO, INC. – RICHARD GONZALEZ

A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Chris Richardson; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor A-1 (General)

GCH CONSTRUCTION COMPANY – SCOTT GUDAHL*

Pattie Benger stated Scott Gudahl contacted RBD and will not be able to attend the Building Committee today. A motion was made by Richard Gillit to **POSTPONE** this license request until the June 5, 2013 Building Committee Meeting, seconded by Chris Richardson; the motion carried unanimously.

HURLEY CONSTRUCTION, INC. – JANET HURLEY*

Janet Hurley appeared and stated she has been working in the construction industry for six years as a project manager, primarily performing federal work. She stated she constructed four barracks at Fort Carson. She stated she started Hurley Construction one year ago, and has been doing federal work for the past year, which did not require a license. Ms. Hurley said she did a ground-up project in Gunnison for the Park Service. She said her plans are to continue doing federal work and possibly hospital renovations and commercial construction. Vince Colarelli stated he does not feel Ms. Hurley has adequate experience for an “A” license. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of a “B2” License, with the limitation of one open permit, until completed, at which time Ms. Hurley can work with RBD staff to have the restriction removed, seconded by Richard Gillit; the motion carried unanimously.

Building Contractor C (Homebuilder)

R & B ENTERPRISES, INC. – RICHARD AMBURGEY*

Richard Amburgey appeared and stated he has been working with Holladay Brothers Construction to learn the construction trade. He stated he helped build a house for his brother with a wood foundation, and he put an addition on his own home.

Break from 9:27 a.m. to 9:31 a.m.

Mr. Amburgey stated he has a project to rebuild a house that was damaged by fire, and he will be constructing this house with Holladay Brothers Construction. He stated he also has several jobs to replace windows, and some require that the size of the window will change

which will require a permit. He stated he also has a sunroom addition and deck lined up to do. Chris Richardson stated he does not feel Mr. Amburgey has adequate experience for a “C” License. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of a “D-1” (Siding) and an “E” License, with the limitation of two permits, until completed, at which time Mr. Amburgey can work with RBD staff to have the restriction removed, seconded by Richard Gillit; the motion carried unanimously.

Building Contractor D-1 (Roofing)

ALL AROUND ROOFING & REPAIR – JAMES O’BRIEN*

James O’Brien appeared and stated he worked for Southern Colorado Roofing for 1½ years, and he recently formed his own company. He stated while unemployed, he worked for friends helping with reroofing projects, and later discovered that his friends did not pull permits for those jobs. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of a “D-1” (Roofing) License, with the limitation of two permits, until completed, at which time Mr. O’Brien can work with RBD staff to have the restriction removed, seconded by Chris Richardson; the motion carried unanimously.

Building Contractor E (Residential Maintenance & Remodeling)

ALIA DEVELOPMENT LTD – BRUCE VIDINHA*

Bruce Vidinha appeared and stated he has been working in the construction industry for 23 years in Hawaii, and he recently moved to Colorado. He stated he has been working for Casco Construction as a supervisor since moving to Colorado. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of an “E” License, with the limitation of two permits until completed, at which time Mr. Vidinha can work with RBD staff to have the restriction removed, seconded by Richard Gillit; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 8905 Coberdale Court, Permit I65013 – Gregory Wickham, Wickham’s Workbench, 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) 6950 Dusty Miller Way, Permit I00006 – Adebola Shonoiki, homeowner, 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.
- c) 5070 Horse Carriage Road, Permit I46262 – Joseph Arndt, homeowner, 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.
- d) 16935 Oak Brush Loop, Permit I62870 – Jonathan Lucas, Crystal Rose Construction, LLC, 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.
- e) 4915 Country Brook Court, Permit G53793 – Nate Yahn, homeowner, requests a variance to Section RBC303.4.10, 2005 Pikes Peak Regional Building Code, to allow a ceiling height of 7’4” where a minimum of 7’6” is required.
- f) 665 Carved Terrace, Permit H65657 – Kevin Garland, homeowner, requests a variance to Section R310.1, 2003 International Residential Code, to allow a 46½” windowsill height in existing conditions in a basement finish where a maximum of 44” is allowed.
- g) 3830 Sedgewood Way, Permit I67647 – Joel Metzler, Rock House Builders, 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.
- h) 6650 Bear Tooth Drive, Permit I70138 – Nathan Liljestrand, Custom Creations, Ltd., 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.

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

VARIANCE REQUESTS

- 5. 17 North Spruce Street – William Box requests a variance to Section RBC311.4.3, 2011 Pikes Peak Regional Building Code, and Section 1301.2, 2009 International Existing Building Code, to apply the provisions of Section 1301.2 to a building constructed in 1974, where not permitted.

George Diestlekamp with El Paso County appeared and stated they are requesting that a building, constructed in 1974, be allowed to use Chapter 13 of the 2009 International Existing Building Code (“IEBC”). He stated this building has been vacant for approximately one year, and they will be remodeling it, and it will be occupied by Goodwill and Colorado State University Extension in the future. William Box, CSNA Architects, appeared and stated they prepared an Existing Condition Survey; the building is a two-story structure with 10,000 square feet on each level, and constructed of 8” solid precast walls. He stated the building is not currently sprinklered. Shawn Donahue, Hughes & Associates, stated the 2009 International Building Code requires that the building be sprinklered, but by building to the IEBC, a sprinkler system would not be required. Jay Eenhuis stated RBD staff believes the applicant has met an equally good form of construction with Chapter 13, 2009 IEBC. Mr. Diestlekamp stated the County would consider rating the corridors. Mr. Donahue stated there is an existing fire alarm system, and they will be upgrading this system. 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.

6. 321 Mesa Road, Permit I59952 – Charlie Paterson, Charlie Paterson Construction Co., requests a variance to Section 1029.5.1, 2009 International Building Code, to allow a 30” egress window well where a minimum of 36” is required.

Charlie Paterson stated this building was built in 1996, and the 1994 Code allowed 30” window wells. He stated these window wells are 6’ wide. He stated to gain an additional 6” per window would be an expense of \$2,500 because they are 6’ deep. Roger Lovell stated this window well exceeds the minimum square footage required of 9 square feet. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Vince Colarelli; the motion carried unanimously.

7. 665 Carved Terrace, Permit H65657 – Kevin Garland, homeowner, requests a variance to Section R311.5.2, 2003 International Residential Code, to allow a 6’2” head height above the stairs where a minimum of 6’8” is required.

Kevin Garland stated he is finishing his basement and there is a 2” section above the stairs which has an overhead height of 6’2” due to a floor joist above the step. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions, seconded by Chris Richardson; the motion carried unanimously.

8. 15 West Moreno, Permit I57467 – Daniel Johnson, homeowner, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’2” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

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

9. 610 Raemar Drive, Permit I69222 – Purple Mountain Builders requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’9” where a minimum of 7’0” is required.

Derek Wooldridge, Purple Mountain Builders, appeared and stated this is a media room and this ceiling height is over a raised seating area. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Chris Richardson; the motion carried unanimously.

10. 2390 Courtney Drive, Permit I62201 – Julian Rivera, homeowner, requests a variance to Section R1004.1, 2009 International Residential Code, to use Section 304.6, 1997 Uniform Mechanical Code, which allows the use of a woodstove which is not listed, labeled or tested in accordance with UL127, where prohibited.

Julian Rivera appeared and stated this 1920 wood burning cooking stove belonged to his father and he would like to install it in his house that he is rebuilding due to the Waldo Canyon Fire. He stated he will only be using the stove a couple times a year as a back-up source of heat in the event he should lose power. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the applicant meet the requirements of the 1997 Uniform Mechanical Code, seconded by Chris Richardson; the motion carried unanimously.

11. 2604 Scorpio Drive – John Giblin, homeowner, 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.

John Giblin appeared and stated he had this stove, manufactured in the 19th Century, installed in a previous home, and he plans to put a non-combustible panel behind the stove that is 7/8” thick. He stated he has two other fireplaces in his home. Mr. Giblin gave a presentation regarding his intended method of installation by Western Fireplace. 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 meet the requirements of the 1997 Uniform Mechanical Code, seconded by Richard Gillit; the motion carried unanimously.

12. 10585 Ute Pass Avenue – Mark Tremmel, Tremmel Design Group, requests a variance to Sections 503.1 and 903.2.1.3, 2009 International Building Code, to allow an additional 260 square feet of covered roof area, where prohibited.

Mark Tremmel appeared and stated this is an old church in Green Mountain Falls and they would like to add a walkway canopy over an ADA entrance. He stated it does not have side walls. He stated the Fire Department in that area does not feel it is a problem. Jay Eenhuis stated RBD staff does not oppose this variance request. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Richard Gillit; the motion carried unanimously.

- 12.b. 3110A N. Stone Avenue – Thomas McMenamain, Business Owner, requests a variance to Section 1109.2, 2009 International Building Code, to provide a non-accessible restroom, where required.

Thomas McMenamain appeared and stated this is a medical marijuana grow facility. He stated this type of work requires that their employees do not have limited mobility, so an ADA restroom is not required. He stated this building was constructed in the late 1950's and he believes the restrooms are the original construction. Mr. McMenamain stated he is trying to bring the building up to Code so he can get a Certificate of Occupancy (CO) on the building; he stated the CO is required to renew his license for a medical marijuana dispensary. Stan Lewis appeared and stated he is the general contractor for this project. He stated this project is changing occupancy to an F2 occupancy. Jay Eenhuis stated the last permit was issued in 1986 and it was an S1 occupancy at that time. Mr. McMenamain stated this request is due to the additional cost involved in making this restroom ADA compliant. A motion was made by Richard Gillit to recommend to the Board of Review **DENIAL** of the variance request because there are methods of bringing this restroom up to Code, seconded by Chris Richardson; the motion carried unanimously.

- 12.c. 6650 Bear Tooth Drive, Permit I70138 – Nathan Liljestrang, Custom Creations, Ltd., requests a variance to Section R305.1, Exception 2, 2009 International Residential Code, to allow a ceiling height in a bathroom of 6'7", where a minimum of 6'8" is required.

Nathan Liljestrang appeared and stated this basement was finished without a permit; the house is being sold and the homeowner is trying to permit the basement, and get all of the issues resolved for a potential buyer. He stated this is a standard 5' x 8' bathroom, and there is a soffit outside the bathroom door, which may be the reason for dropping the bathroom ceiling. Frank Atchison stated a 6'8" head height above the bathtub/shower is also required, which would be an additional Code violation. The Committee members requested that the applicant determine if the ceiling can be raised to make it Code complaint. A motion was made by Richard Gillit to recommend to the Board of Review **DENIAL** of the variance request until further information is available, seconded by Chris Richardson; the motion carried unanimously.

- 12.d. 805 Meadow Lane, Permit I55606 – Kurt Ehrhardt, homeowner, requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’10½” where a minimum of 7’0” is required.

Kurt Ehrhardt appeared and stated he has been an “A2” contractor in El Paso County for 30 years, but his license is now expired. He stated he pulled a homeowner permit for this house, but it is not his primary residence. He stated it was his error in ordering the trusses for this house, which created the need for this variance request. Roger Lovell stated RBD staff has noted that Mr. Ehrhardt has his sign on two properties on this same street. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Richard Gillit; the motion carried unanimously.

13. **UNFINISHED BUSINESS**

- a) Tabled Items

A motion was made by Richard Gillit to **POSTPONE** the Tabled Items until the June 5, 2013 Building Committee meeting, seconded by Chris Richardson; the motion carried unanimously.

14. **NEW BUSINESS**

- a) Discussion on House Flipping by Johnny Johnson

Johnny Johnson stated he has noticed that a number of people are buying house, gutting them and rebuilding them to sell. Todd Welch stated the biggest issue is that RBD does not know about these houses. He stated if the permits are pulled as a homeowner, RBD generally catches these issues. He stated there are a lot of people looking for work, so this is a way for them to fill the gap in their employment. Roger Lovell stated these issues can be difficult to find, but RBD staff can detect the repeat offenders. Terry Brunette stated RBD has issued hundreds of stop work orders for this issue.

- b) “D” (Exterior) License

Pattie Bengner stated the new “D-1” (Exterior) License is now active at RBD.

The meeting adjourned at 11:52 a.m.

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Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/llg