

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

June 5, 2013

9:00 a.m.

MEMBERS PRESENT: Mr. John Clarke
Mr. J. B. Johnson
Mr. Vince Colarelli
Mr. Michael Finkbiner
Mr. Scot Gring

MEMBERS ABSENT: Mr. Chris Richardson
Mr. Richard Gillit

OTHERS PRESENT: Mr. Todd Welch, Regional Building Counsel
Mr. Roger Lovell, Deputy Building Official/Construction
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. Blake Nunnolley, Commercial Building Inspector
Mr. Terry Brunette, Special Investigator
Mrs. Pattie Benger, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman John Clarke called the meeting to order at 9:00 a.m.

1. ELECTION OF VICE CHAIRMAN

A motion was made by Vince Colarelli to elect Chris Richardson as Vice Chairman of the Building Committee for 2013, seconded by Johnny Johnson; the motion carried unanimously.

2. CONSIDERATION OF MAY 1, 2013 MINUTES

A motion was made by Johnny Johnson to **APPROVE** the May 1, 2013 Building Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

3 COMPLAINT

a) A complaint has been brought against Mark Cook, licensee for C & M Construction & Roofing, LLC, by Regional Building for performing work at the home located at 1215 Fosdick Drive, Colorado Springs, Colorado without a permit and without the required license for a portion of the work done, in violation of Sections RBC105.1 and RBC201.3, 2011 Pikes Peak Regional Building Code.

Todd Welch stated RBD is requesting that this complaint be tabled indefinitely so it can be brought back before the Building Committee, if necessary. A motion was made by Johnny Johnson to **TABLE** this Complaint indefinitely, seconded by Michael Finkbiner; the motion carried unanimously.

- b) A complaint has been brought against Greg Titus, licensee for ABC Trucking & Excavation, by Regional Building for using his license to obtain permits for another contractor to perform work at 2530 Brogens Bluff Drive, Colorado Springs, Colorado, in violation of Section RBC201.11.3, #3, 2011 Pikes Peak Regional Building Code.

Terry Brunette appeared, was sworn in, and stated the details of the Complaint. Greg Titus appeared, was sworn in, and stated he does primarily trucking and demolition work. He stated he did pull the permit for his subcontractor to do demolition work on this foundation in the Mountain Shadows area. He stated the contract was between the subcontractor and the homeowner. He stated he was not aware that the contract had to be with him if he was pulling the permit. Mr. Brunette stated the subcontractor recently applied for a license so he can pull permits in the future.

Eric Wyatt, Action Excavating, appeared, was sworn in, and stated he was not aware that he was required to be licensed to be doing this demolition work. He stated he did approximately 10 projects in the Mountain Shadows area with Greg Titus. He stated he did not realize he was violating the Code. Todd Welch stated RBD filed a Complaint against Mr. Wyatt in the El Paso County District Court, and Mr. Wyatt contacted him as soon as he was served to try to resolve the issue.

A motion was made by Johnny Johnson to recommend to the Board of Review that an Incident Report be put in the contractor file for Greg Titus, licensee for ABC Trucking & Excavation, seconded by Scot Gring; the motion carried unanimously.

4. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

JC CONSTRUCTION – EDWARD LOCKWOOD (EXAMINEE CHANGES CO. & PRIMARY EXAMINEE)

PKC CONSTRUCTION CO. – JASON YOUNG (REINSTATEMENT)

THE SAWHORSE COMPANY – KENTON PASS (EXAMINEE CHANGES CO.)

Building Contractor A-2 (General Limited)

DIAZ FRITZ GROUP, INC. – DELVIS DIAZ (REINSTATEMENT)

Building Contractor B-1 (General Limited)

O'CONNELL GENERAL CONTRACTOR – DANIEL O'CONNELL
SUNFLOWER CONSTRUCTION LLC – WILLIAM EICHINGER
WESTERN TELCOM – BILL KELLERGIS (REINSTATEMENT)

Building Contractor C (Homebuilder)

BROWNARD CONSTRUCTION – CHRIS WOTTA (EXAMINEE CHANGES CO.)
CELTIC CONSTRUCTION COMPANY – SEAMUS BRADLEY (REINSTATEMENT)
CIERA HOMES INC – DAVID DORSEY (ADDITIONAL LICENSE)
DANIEL LAMB CONSTRUCTION – DANIEL LAMB (LIMITED)
FRED J. COPELAND – FRED COPELAND (EXAMINEE CHANGES CO.)
GREGORY A. SMITH – CUSTOM BUILDER – GREGORY SMITH (LIMITED)
PINNACLE PEAK CUSTOM HOMES – MICHAEL POWELL (REINSTATEMENT)
RED EARTH CONSTRUCTION LLC – JAMES ENDLEY III (LIMITED)
SHAUN WINKLER – SHAUN WINKLER (EXAMINEE CHANGES CO.)

Building Contractor D-1 (Roofing)

1ST AVENUE ROOFING – AHMAD ARYAN (EXAMINEE CHANGES CO.)
C & N ROOFING USA, LLC – NICK KRIARIS
EXCEL ROOFING, INC. – JAMES BRETZ (REINSTATEMENT)
HOME GUARD SERVICES – ZACKERY FIX
KOEHN CONSTRUCTION – JASPER KOEHN (REINSTATEMENT)
RMI CONSTRUCTION – ALEJANDRO MORALES

Building Contractor D-1 (Siding)

DRURY BROTHERS ROOFING, INC. – GEORGE DRURY (ADDITIONAL LICENSE)

Building Contractor D-3B (Wrecking Limited)

ACTION EXCAVATING & UTILITIES CO. – ERIC WYATT

Building Contractor D-5A (Signs)

ASPEN SIGN & LIGHTING CO., INC – JAMES KEITH
DESIGNER SIGNS & BANNERS, LLC – WILLIAM WILKES

Building Contractor E (Residential Maintenance & Remodeling)

B & G FINISHERS – GERALD WAGNER
NORTHSTAR HOME IMPROVEMENTS, LLC – TROY STINSON

Building Contractor F-1 (Solar)

HOMESTEAD ENERGY, LLC – MICHAEL HENRY (EXAMINEE CHANGES CO.)
TAVA SOLAR LLC – JAMES GUSTAFSON
TRITON ROOFING – TODD DORPINGHAUS

A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Johnny Johnson; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor A-1 (General)

JE HURLEY CONSTRUCTION, INC. – SCOTT GUDAHL (SECONDARY EXAMINEE)*

Scott Gudahl appeared and stated he has been working for JE Hurley for 7½ years as a project manager. He stated he has done ground-up construction on the Wind River Work Center, a bunk house for the National Elk Refuge in Wyoming, a building/dock addition for the EPA in Denver, and an addition to the Cheyenne VA Hospital that included a dock. He stated 90% of the work performed by JE Hurley is Federal work, and the other 10% is commercial work. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a “B-1” License, seconded by Michael Finkbiner; the motion carried unanimously.

Building Contractor C (Homebuilder)

ROCKY MOUNTAIN RESTORATION & CONSTRUCTION LLC – LANCE RAY*

Lance Ray appeared and stated he is licensed in Centennial and Aurora. He stated he was a builder in Montana for 10 years, building 10 to 15 homes per year. He stated he has built approximately 150 homes from the ground up. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) License, with the limitation of three permits until completed, at which time Mr. Ray can work with RBD staff to have the restriction removed, seconded by Scot Gring; the motion carried unanimously.

Building Contractor D-1 (Roofing)

PREP-RITE COATINGS & CONTRACTING LLC – RICHARD MILLER (EXAMINEE CHANGES CO.)*

Richard Miller appeared and stated he has been working in the roofing industry for five years. He stated he did have two “A” Status permits while working for another company, but those permits have been completed. He stated he is licensed in Thorton, Aurora, and Lakewood. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of a “D-1” (Roofing) License, with the limitation of six permits until completed, at which time Mr. Miller 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.

5. CONSENT CALENDAR

- a) 4834 Garden Place, Permit I73007 – Susan Sorensen, homeowner, requests a variance 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) 3 Jewel Avenue, Permit I67623 – Gary Vogel, homeowner, requests a variance 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) 5430 Zapato Drive, Permit I71248 – Terry Knoke, ACC Home Improvement, LLC, requests a variance 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) 2168 Sable Chase Drive, Permit I71142 – Rudy Thompson, Manitou Properties, LLC, requests a variance 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) 1315 Kern Circle, Permit H95749 – William Babb, homeowner, requests a variance 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.

- f) 4245 Chenango Drive, Permit I60047 – Terry McMillan requests a variance 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.
- g) 1135 East Bayfield Drive, Permit I71067 – Peak Basement Systems requests a variance to allow the FSI Helical Piers 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.
- h) 2320 Paseo Road, Permit I71065 - Peak Basement Systems requests a variance to allow the FSI Helical Piers 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.
- i) 6738 Cottonwood Tree Drive, Permit I63047 Matt Gowler, 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 6'7½" 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 Variance Requests as written, seconded by Scot Gring; the motion carried unanimously.

VARIANCE REQUESTS

- 6. 1604 South Cascade Avenue, Permit H99063 – Ivywild School, LLC requests variances to:
 - a) Section 1008.1.5, 2009 International Building Code, to allow the main entry doors to swing over a 5" step where a landing on both sides of the door is required.

Jim Fennell stated this is an old school built in 1916. He stated they would like to be allowed to leave the existing stairs which are not Code compliant. Roger Lovell stated he has done a site inspection at this project, and RBD 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 due to pre-existing conditions, seconded by Johnny Johnson; the motion carried unanimously.

- b) Section RBC110.1.2, 2011 Pikes Peak Regional Building Code, to allow existing stairs to remain, where stair elements are required to be Code compliant with the stipulation that handrails be raised to the appropriate height.

Mr. Fennell stated the two stairwells were built in the 1950's. He stated the wall height is 36" He stated they intend to raise the existing handrails to 34", which would be Code compliant as far as the height is concerned, but other aspects of the stairs, i.e. handrail extensions, guardrails, etc. would not be Code compliant. He stated these two stairwells are no longer the main means of egress. Mr. Lovell stated from an inspection point of view, the issues are the handrail height, the handrail returns and the guardrail height. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the handrails be raised to Code compliant heights, that the handrail extensions be waived, and the guardrail height at the top of the stairs be required to be Code compliant, seconded by Scot Gring; the motion carried unanimously.

7. 2125 King Street – Jack Paulson, Paulson Architects, P.C., requests a variance to Table 602, 2009 International Building Code, to allow a non-rated wall where a 1-hour exterior wall is required between 5 – 10 feet of the property line.

Jack Paulson appeared and stated he would like to **WITHDRAW** this variance request.

8. 8355 North Yoder Road – Jack Paulson, Paulson Architects, P.C., requests a variance to Section 903.2.9, Group S1, 2009 International Building Code, to construct an 18,000 square foot steel building without an automatic sprinkler system, where required.

Jack Paulson appeared and stated this structure is an aircraft hangar, comprised of 18,000 square feet. He stated the Calhan Fire Department has approved this structure and they are on well water at the facility. He stated the building is strictly storage for the apparatus, but there are no fuels in the aircraft; it is a solar powered aircraft. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the structure be reclassified as a "B" occupancy, which does not require a sprinkler system for use as a hangar; seconded by Vince Colarelli; the motion carried unanimously.

9. 4675 Templeton Park Circle, Permit I01136 – Andrey Masnyy, Colorado Complete Construction, LLC, requests a variance to Section 1109.2, 2009 International Building Code, to allow a non-accessible shower where an accessible shower is required.

Andrey Masnyy appeared and stated this is a clubhouse for an apartment clubhouse. He stated there is a step from the shower to the patio area surrounding the pool. He stated from the shower to the pool is 6' and there is not enough room to install a ramp. He stated he is converting a double shower into one large shower. Jay Eenhuis stated the plans showed that

an accessible shower would be installed. A motion was made by Johnny Johnson to **POSTPONE** this variance request for 30 days to give the applicant an opportunity to come up with an alternative method of construction, seconded by Scot Gring; the motion carried unanimously.

10. 6805 Corporate Drive – Kerry Abernathy, Cameron Butcher, requests a variance to Section RBC203.1, 2011 Pikes Peak Regional Building Code, to allow a “B-1” licensed contractor to obtain a permit requiring an “A-1” license.

Kerry Abernathy appeared and stated this project is the Red Rocks Church, and they would like a variance to allow a “B-1” Licensee, Brad Fallentine with Innovative Construction, to be allowed to pull an “A-1” permit. He stated the building does have an existing fire alarm system. Brad Fallentine appeared and stated he had a “B-1” license and built a church in California; he stated he also built Rosie’s Diner, a personal training gym, some retail spaces, and a yogurt shop in Colorado Springs. He stated the renovations for the Red Rocks Church are very minor. 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, the motion **FAILED** due to lack of a second. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request to allow Brad Fallentine with Innovative Construction to pull an “A” permit for this project, seconded by Michael Finkbiner; the motion carried 3:1. Johnny Johnson opposed.

11. Donald Walls requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the requirement of the 6-month waiting period to retest following two previous attempts for an “E” License.

Donald Walls appeared and stated he is meeting with Frank Atchison to review the test in an effort to enable him to pass the test. He stated he knows how to do the work, but he does not do well on tests. He stated his employer is eager for him to pass this test quickly. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request and that Mr. Walls be required to appear before the Building Committee for approval of his license once he had passed the test, seconded by Johnny Johnson; the motion carried unanimously.

12. 205 7th Street, Permit I61511 – ABS Worldwide Construction 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”.

Roger Morgan appeared and stated this structure was built in 1955 and in 1980 a new HVAC system was installed in the house. He stated existing conditions do not allow for a Code compliant soffit height. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Vince Colarelli; the motion carried unanimously.

13. 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”. *This variance request was postponed from the May 1, 2013 Building Committee meeting due to non-appearance.*

Daniel Johnson appeared and stated the existing ceiling is 7’ and when the ductwork was installed, he was unable to obtain a Code compliant soffit height. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Scot Gring; the motion carried unanimously.

- 13.b. 6738 Cottonwood Tree Drive, Permit I63047 Matt Gowler, Craftsman Basement Finish Co., requests a variance to Section R305.1, Exception 2, 2009 International Residential Code, to allow a ceiling height in a bathroom of 6’6½”, where a minimum of 6’8” is required.

No one appeared. A motion was made by Johnny Johnson to **TABLE** this variance request until the end of the meeting, seconded by Scot Gring; the motion carried unanimously.

- 13.c. 1400 East Boulder Street – David Friedman, Heery Design, requests a variance to ANSI A117.1-2003, Section 404.3, to allow use of automatic door operator on standby power to compensate for lack of typical ANSI A117.1 maneuvering space at pull side of door.

David Friedman appeared and stated this is a tenant improvement at Memorial Hospital, and there are approximately 10 restrooms with this same issue regarding the automatic door operator. He stated expanding the restrooms in an established hospital is very complicated. He stated he did find some ANSI commentary that would allow for this type of construction. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that it applies only to Room Nos. 1631, 2403A, 2403D, 4600, 4602, 5600, 5602, 6601, 6602, and 7670, seconded by Vince Colarelli; the motion carried unanimously.

14. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

15. **NEW BUSINESS**

There was no New Business to discuss.

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The meeting adjourned at 12:38 p.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/lhg