

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

August 7, 2013

9:00 a.m.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Henry Yankowski, Building Official
Mr. Roger Lovell, Deputy Building Official/Construction
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. Frank Atchison, Senior Building Inspector
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. CONSIDERATION OF JULY 3, 2013 MINUTES

A motion was made by Johnny Johnson to **APPROVE** the July 3, 2013 Building Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

2 COMPLAINT

- a) A complaint has been brought against James Davis, Jr., licensee for James Company Enterprises, Ltd., by Regional Building for using your license to obtain permits for another contractor to perform work at 1830 North Academy Boulevard, Suite A, Colorado Springs, Colorado, in violation of Section RBC201.11.3, #3, 2011 Pikes Peak Regional Building Code.

No one appeared. A motion was made by Johnny Johnson to **POSTPONE** this complaint until the September 4, 2013 Building Committee meeting, seconded by Michael Finkbiner; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor B-1 (General Limited)

BELFOR USA GROUP, INC. – CHARLES SATHER (PRIMARY & ADDITIONAL EXAMINEE)

Building Contractor C (Homebuilder)

BLUESKY CUSTOM HOMES LLC – FURIE GIUSTI
DURACLEAN MASTER CLEANERS – MATTHEW PLOWMAN (LIMITED)
HOFFMAN WEBER CONSTRUCTION – JOSEPH HOFFMAN (ADDITIONAL LICENSE)
MATTHEW SEILER – MATTHEW SEILER
PLATINUM HOMES, LLC – MARK CUCAROLA
SUN HOMES INC – KEVIN MINNE

Building Contractor D-1 (Roofing)

FORMULA ROOFING & REMODELING – LAWRENCE KERR
FREEDOM PAINTING & RESTORATION, LLC – RAY WINSLOW
GREEN STAR CONSTRUCTION, INC. – RUSSELL NIELSEN (EXAMINEE CHANGES CO.)
MILE HIGH RESTORATION INC. – BRIAN SORENSEN
MILE HIGH ROOFING, INC. – SCOTT JEFFREY
MY HOME SOLUTIONS COLORADO DBA MY HOME CONTRACTING – LARRY JOHNSON
ON TOP ROOFING & RESTORATION – CHRISTIAN HIGBEE (REINSTATEMENT)
SIMON BROS. ROOFING – STEPHEN MARKEL

Building Contractor D-1 (Siding)

DJK SIDING CONSTRUCTION INC. – DAGOBERTO SANTOS FLORES
FREEDOM PAINTING & RESTORATION, LLC – RAY WINSLOW
SIDING PRO, LLC – KEVIN ORF

Building Contractor D-3B (Wrecking Limited)

ALL ORIGINAL LANDSCAPES – JOHNATHAN SPENCER
D & R EXCAVATING INC. – RALPH LOPEZ
KK ENVIRONMENTAL SERVICES INC. – KURTIS KIRCHNER
NBS EXCAVATING – EDWARD BUESCHEL

OLSON INDUSTRIES, INC. DBA JR. OLSON EXCAVATING – JOHN OLSON

Building Contractor E (Residential Maintenance & Remodeling)

BROTHERS HEATING & COOLING – RANDELL CHAPPELL (EXAMINEE CHANGES CO.)

A motion was made by Johnny Johnson to **APPROVE** the Consent License Requests as written, seconded by Chris Richardson; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

The following Item 5 was heard out of order.

VARIANCE REQUESTS

5. Brad Bogart, Bogart Construction, Inc., requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a “B-1” (General Limited) License.

Brad Bogart stated he lives and works in California and is a commercial contractor specializing in retail space. He stated he had a “B-1” license in El Paso County, but he inadvertently let it expire. He stated he passed the 2002 ICC test, is licensed in 40 states, and has tested in 23 states. Pattie stated his license expired in 2012, and RBD no longer accepts the ICC test prior to 2003. Mr. Bogart stated he has clients that are interested in building in Colorado, and part of his marketing plan is the fact that he is licensed in 40 states. A motion was made by Chris Richardson to recommend to the Board of Review **DENIAL** of the variance request because Mr. Bogart has not taken a test on the current Code, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor B-1 (General Limited)

BOGART CONSTRUCTION, INC. – BRAD BOGART (REINSTATEMENT)*

A motion was made by Johnny Johnson to **POSTPONE** this license request until Mr. Bogart can provide proper documentation, seconded by Chris Richardson; the motion carried unanimously.

S & J CONSTRUCTION – JONGHYUN YI (UPGRADE & REINSTATEMENT)*

Pattie Bengert stated this license request has been **POSTPONED** until the September 4, 2013 Building Committee meeting because the applicant was unable to attend the Building Committee meeting today.

The following Item 6 was heard out of order.

6. Donald Morrissey, Brava Enterprises d/b/a 21st Century Dental, requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a “B-2” (General Limited) License.

Donald Morrissey appeared and stated he is here to request the reinstatement of his limited “B-2” License. He stated he missed the renewal date due to a flood in his home. He stated he is more qualified now than he was when he was granted the original license. He stated he requested his license initially to be his own general contractor for remodeling his dental clinic. Mr. Morrissey stated this was an expansion involving 15 treatment rooms. He stated since his original license was granted, he has pulled four permits as a homeowner. He stated the most recent permit was for the reconstruction due to the flood damage at his home. Pattie Bengner stated Mr. Morrissey’s original license was granted in 2000. Scot Gring stated Mr. Morrissey has not tested since the 1999 Uniform Building Code, and he feels it is important that he test on a current Code. A motion was made by Johnny Johnson to recommend to the Board of Review **DENIAL** of the variance request, but allow Mr. Morrissey to renew his license if he passes the current test, and he does not have to reappear before the Building Committee, seconded by Scot Gring; the motion carried unanimously.

Building Contractor B-2 (General Limited)

BRAVA ENTERPRISES DBA 21ST CENTURY DENTAL – DONALD MORRISSEY (REINSTATEMENT)*

A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the reinstatement of a “B-2” (General Limited) License, with the stipulation that Mr. Morrissey pass the current test, seconded by Michael Finkbiner; the motion carried unanimously.

Building Contractor C (Homebuilder)

III GENERAL CONSTRUCTION, LLC – MICHAEL MONDRAGON*

Michael Mondragon appeared and stated he has pulled permits, as the homeowner, on several properties that he has owned. He stated he has built one home, ground-up, for himself. He stated he has also done some work where the homeowner pulled the permit. Roger Lovell stated the permits for the remodel at 847 East Moreno Avenue were not completed. Mr. Mondragon stated that work was done 1991, and he was not aware that the permits had not been completed. He stated his mother now owns this home. He stated he will be retiring from Colorado Springs Utilities in the near future, and he is requesting this license so he can work as a general contractor after his retirement. Scot Gring stated Mr. Mondragon should

complete the permits that were not completed at 847 East Moreno in 1991, but since he is no longer the homeowner, he will have to hire another contractor to complete these permits. A motion was made by Scot Gring to **POSTPONE** this license request until the permits have been completed, and Mr. Mondragon must reappear before the Building Committee to seek approval of an "E" License, seconded by Chris Richardson; the motion carried unanimously.

Building Contractor D-1 (Roofing)

G2 ROOFING – GREGORY MARTHALER*

Gregory Marthaler appeared. Terry Brunette stated an RBD inspector issued a stop work order on a project that Mr. Marthaler was reroofing. Mr. Marthaler stated this is the only project that he has worked on and he was in the process of getting his licensee when this occurred. He stated he has not done any further work in El Paso County until his license is approved. He stated he has licenses in Aurora, Boulder, Castle Rock and Douglas County, and works throughout the front range. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the "D-1" (Roofing) License, with the limitation of two permits until completed, at which time Mr. Mathaler can work with RBD staff to have the restriction removed, seconded by Michael Finkbiner; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 7737 Canyon Oak Drive, Permit I73537 – Christopher Harper, Everlasting Victorians, Inc., 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) 5980 Buttermere Drive, Permit I63040 – Sherman Suits, Suits Services, 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.
- c) 6214 Laurel Grass Range Trail, Permit I68287 – Joseph Pellegrino, homeowner, 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.

- d) 3748 Trailwood Place, Permit I75470 – Eric Amoneno, Stonebridge Homes, Inc., 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) 47 South Hayman Avenue, Permit I76671 – Tony Kinter, Kinter Construction, Inc., requests a variance to Section R310.1, 2009 International Residential Code, to allow a 47” windowsill height in existing conditions where a maximum of 44” is allowed.

A motion was made by Johnny Johnson to **APPROVE** the Consent Variance Requests as written, seconded by Richard Gillit; the motion carried unanimously.

VARIANCE REQUESTS

- 5. Brad Bogart, Bogart Construction, Inc., requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a “B-1” (General Limited) License.

This variance request was heard out-of-order during the License Requests.

- 6. Donald Morrissey, Brava Enterprises d/b/a 21st Century Dental, requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a “B-2” (General Limited) License.

This variance request was heard out-of-order during the License Requests.

- 7. 17250 Jackson Creek Parkway – Randy Thorne, RTA Architects, requests a variance to Section 503.1, 2009 International Building Code, to allow a single-story Group A-3 building of a maximum area of 65,000 square feet, where approximately 49,400 square feet is allowed.

Randy Thorne appeared and stated this is a 12 acre site for the YMCA and they are adding a 3-story medical office addition to the building. He stated the existing building is an A3 occupancy and the new addition will be a “B” occupancy. He stated there are three phases to the project, i.e. the wellness center in Phase I, an auxiliary gym for the YMCA in Phase II, and Phase III will be a pool addition. Mr. Thorne stated Phase I is Code compliant, but the variance is required for Phase II and Phase III. Shawn Donahue appeared and stated, per the Code, a single-story A3 occupancy can be unlimited square footage, but by adding a multi-story “B” occupancy addition, they have a fire fighter access issue, an exposure issue, and an egress issue. He stated they have worked with the Tri-Lakes/Monument Fire Department; they have given the fire fighters clear access to the entire perimeter of the structure; and they have installed a number of fire hydrants around the perimeter of the structure. He stated they

will build a 2-hour fire wall between the two buildings, and there will be adequate egress doors. Mr. Donahue stated they do not yet have a schedule for each phase, and the variance is only good for this Code cycle. He stated this project will meet the Fire Code so the Fire Department has approved it. He stated it meets Code for the first phase, but the variance request is for Phase II and III. A motion was made Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation of that it is limited to 65,000 square feet and the current Code, seconded by Scot Gring; the motion carried unanimously.

8. 5761 Constitution Avenue – Bruce Barr, Art C. Klein Construction, Inc., requests a variance to Table 1004.1.2, 2009 International Building Code, to accept State of Colorado daycare license occupant load of 30 children, plus 5 staffers in lieu of tabular value from Table 1004.1.2.

John Clarke stated this item has been **WITHDRAWN**.

9. 3150 North Monument Lake Road – Tom Stewart, Stewart Construction Company, requests a variance to Section RBC203.1, 2011 Pikes Peak Regional Building Code, to allow an “E” licensed contractor to obtain a permit requiring a “C” license.

Tom Stewart appeared and stated his licensee is in the process of obtaining a “C” license, but it will not be completed in time to pull the permit for this project. He stated this project is a 16½’ x 13½’ two-story addition. Darin Peterson, licensee, appeared and stated he has been working in the construction industry for 10 years, and his plans are to build additions, which requires the “C” permit. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that it is site specific for this address only, seconded Johnny Johnson; the motion carried unanimously.

10. 1601 North Nevada Avenue – Charles Martin, homeowner, requests variances to:
 - a) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 5’10” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Charles Martin stated his house was built in 1898 and he is remodeling a bathroom in the basement. He stated he would like to add a shower to the half bath in his basement to make it more accessible for his wife. He stated due to pre-existing conditions, he is unable to obtain a Code compliant soffit height. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the homeowner attempt to gain additional height if possible, seconded by Richard Gillit; the motion carried unanimously.

- b) Section R311.7.2, 2009 International Residential Code, to allow a 6'5" head height above the stairs where a minimum of 6'8" is required.

Mr. Martin stated due to pre-existing conditions he is unable to obtain a Code compliant head height above his stairs. A motion was made by Richard Gillit 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.

- c) Section R305.1, Exception 2, 2009 International Residential Code, to allow a ceiling height in a bathroom shower of 5'10", where a minimum of 6'8" is required.

Mr. Martin stated there is a seat under the soffit area in the shower. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the homeowner attempt to gain additional height in this soffit area, and the remainder of the shower ceiling should remain at a Code compliant height, seconded by Richard Gillit; the motion carried unanimously.

- 11. 3814 Mesa Grande Drive, Permit I78647 – David Thompson, Winds of Change Contractors, Inc., requests variances to:

- a) Section R311.7.2, 2009 International Residential Code, to allow a 6'1¾" head height above the stairs where a minimum of 6'8" is required.

David Thompson appeared and stated the house was built 40 years ago and due to pre-existing conditions, he is only able to obtain a 6'1¾" head height above the stairs. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that Mr. Thompson gain a head height of 6'3½", seconded by Richard Gillit; the motion carried unanimously.

- b) Section R311.7.4.2, 2009 International Residential Code, to allow a 9" tread depth, where 10" is required.

Mr. Thompson stated the staircase is deteriorating due to age and he is replacing the existing staircase. He stated he is only able to obtain a 9" tread depth. Roger Lovell stated even though Mr. Thompson is replacing the stairs with the exact same stairs, it does require a permit and must meet current Codes. 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. 320 Rosita Avenue, Permit I74713 – Maria Duran, homeowner, requests variances to:

- a) Section R311.7.5, 2009 International Residential Code, to allow a 32” landing at the top and bottom of the stairs, where 36” is required.

Maria Duran stated they have redesigned the stairs, but due to space limitations, the stairs are not Code compliant. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, because they have done as much as possible to meet Code with the space limitations, seconded by Richard Gillit; the carried unanimously.

- b) Section R311.7.4.1, 2009 International Residential Code, to allow a stair riser of 8” where a maximum of 7¾” is allowed.

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 Richard Gillit; the motion carried unanimously.

- c) Section R311.7.1, 2009 International Residential Code, to allow a 31” stair width where a minimum of 36” is required.

A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request because the staircase is only serving a loft and due to pre-existing conditions, seconded by Richard Gillit; the motion carried unanimously.

Scot Gring left the Building Committee meeting at 11:06 a.m., and a quorum was maintained.

13. **UNFINISHED BUSINESS**

- a) Update from RBD on Construction Activity this Summer.

Henry Yankowski stated he would like to give the Building Committee an update on construction activity this summer.

Mindy Stuemke presented the Building Report for the month of July, 2013. She said there were 287 single-family houses permitted in July; 105 new commercial permits, and 27 of those permits were new building permits. She said two of the large commercial permits issued last month were for the pump stations for the SDS Water System, and the third will be permitted in August. Ms. Stuemke said there have been 40 single-family permits, and 6 building commercial permits to date in August. She stated RBD is taking in 800 to 1,000 phone calls per day. She said overall, RBD has issued over 500 permits in the Black Forest Rebuilding Project, which are for utilities, demo, debris, and garages.

Henry Yankowski stated RBD has elected not to have a physical location in the Black Forest Rebuilding Project, but we do have an RBD employee, Chris Morin, that has been dedicated to helping the homeowners in the Black Forest Rebuilding Project.

Jay Eenhuis presented the Plan Report for the month of July 2013. He said there were 290 single family plans, which is an increase of 16.0 percent over this same time last year; 134 residential alterations plans, which is an increase of 396.0 percent; 37 new commercial plans, which is an increase of 117.0 percent; 148 commercial alterations plans, which is an increase of 64 percent; and a small increase in all other plans; for a total of 625 plans, which is an increase of 56.6 percent over this same time last year. He stated we have stayed very busy, which has necessitated the addition of three staff members.

Mr. Yankowski stated at the end of July, RBD staff has done 126,000 inspections, and in all of 2012, RBD staff did 190,000 inspections. He stated RBD is installing a solar array on the grounds at the Pikes Peak Regional Development Center, and we are making improvements to the RBD property located at 101 W. Costilla. Roger Lovell stated electronic plan review is available for any homes in the Black Forest area.

14. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:27 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/llg