

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

December 4, 2013

9:00 a.m.

MEMBERS PRESENT: Mr. John Clarke
Mr. J. B. (Johnny) Johnson
Mr. Chris Richardson
Mr. Michael Finkbiner
Mr. Scot Gring
Mr. Richard Gillit

MEMBERS ABSENT: Mr. Vince Colarelli

OTHERS PRESENT: Mr. Todd Welch, Regional Counsel
Mr. Roger Lovell, Deputy Building Official/Large Business Development
Mr. Terry Brunette, Deputy Building Official/Construction
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. Blake Nunnelle, Commercial Building Inspector
Mr. Steffan Ritch, Special Investigator
Mrs. Pattie Bengert, 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 NOVEMBER 6, 2013 MINUTES

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

2. COMPLAINTS

- a) A complaint has been brought against Lawrence Williams, licensee for Plainsman Fireplace, by Andrew Prunty for installing a wood burning insert at his home located at 4120 Cricket Court, Colorado Springs, Colorado without a permit, in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code.

Terry Brunette appeared, was sworn in, and stated the details of the complaint. Lawrence Williams appeared, was sworn in, and stated he was told by the sales representative where the woodstove was purchased that a permit was not required. Terry Brunette stated he contacted Mr. Williams to inform him that a permit was required for this installation, but the permit was still not pulled. Mr. Williams stated he has not been able to coordinate a time with the homeowner to get into the home to pull the back panels on

the stove for inspection purposes.

Andrew Prunty appeared, was sworn in, and stated he is the homeowner of the home where this woodstove was installed. He stated he had his chimney cleaned and was told at that time that the installation “did not look right” and asked if it had been inspected. He stated he contacted RBD at that time. Mr. Prunty stated he is willing to coordinate a time with Mr. Williams to have the woodstove inspected. Mr. Brunette stated Mr. Williams has two “A” Status permits, but one of those permits is because the homeowner is required to install smoke detectors and CO detectors in his home, which is not Mr. Williams’ responsibility. A motion was made by Scot Gring to recommend to the Board of Review that Mr. Williams be given to the end of the year to complete this permit, and he highly recommends that the costs for the permit are not passed to the homeowner, and the two “A” status permits, and if they are not completed, he will be required to reappear at the January 7, 2014 Building Committee meeting, and an Incident Report be put in this contractor’s RBD file, seconded by Johnny Johnson; the motion carried unanimously.

- b) A complaint has been brought against Kier Moore, licensee for Jacks of All Trades, Inc., by Regional Building for using his license to obtain a permit for an unlicensed contractor at 731 Andover Street, 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. All parties testifying were sworn in. Shane Fernet, owner of Jacks of All Trades, Inc. stated he pulled the permit, and Mr. Moore did not have knowledge that he pulled this permit for Mr. Hoyt until recently. He stated he has worked with Mr. Hoyt in the past, and he pulled the permit for Mr. Hoyt to reroof this house. He stated the contract was with K & H Construction and the homeowner. Mr. Fernet stated he was out of town at the time, and he pulled the permit online from out of town. He stated he supervised the job to be certain it was done correctly. A motion was made by Michael Finkbiner to recommend to the Board of Review that a Letter of Reprimand be put in RBD’s contractor file for Jack of All Trades, Inc., seconded by Richard Gillit; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

BBMK CONTRACTING, LLC – BRYAN MEKLIR
INLAND COLORADO LLC – MARK OSSELLO

Building Contractor B-1 (General Limited)

MAINE BUILDERS LLC – JOHN MAINE (EXAMINEE CHANGES CO. & LIMITED)
SWORD CONSTRUCTION, LLC – KENNETH SWORD

Building Contractor C (Homebuilder)

J. ELLIOTT CONSTRUCTION LLC – JORDON GUINANE

Building Contractor D-1 (Roofing)

INFINIUM CONSTRUCTION SERVICES – CAMERON KELLOGG (EXAMINEE CHANGES CO.)

Building Contractor E (Residential Maintenance & Remodeling)

WEATHERVANE CONTRACTING, LLC – VIRGINIA MAYS

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor C (Homebuilder)

TW CONSTRUCTION – TRACY CUTSHALL (EXAMINEE CHANGES CO. & UPGRADE)*

Tracy Cutshall appeared and stated he has been doing primarily remodels for the past year. He stated his long-term plans are to do remodels and additions, but he does not intend to build ground up homes. He stated he built a 3,000 square foot two-story addition. Mr. Cutshall stated he worked for Hand Crafted Construction for three years. He stated he did foundation work in California. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of an “E” License and Mr. Cutshall’s license will be moved to TW Construction, seconded by Johnny Johnson; the motion carried unanimously.

DAVIS AND SON CONSTRUCTION SERVICE – EUGENE DAVIS*

Eugene Davis appeared and stated he started building townhomes after high school, and then he started his own handyman service. He stated he has a “C” License in Aurora. He stated he has built 20 custom homes and a large number of tract homes as a foreman. He stated he would like this license to build additions, and he does not plan to build new homes. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a “C” License, with the limitation of two “C” permits until completed, unlimited below, at which time he can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor D-1 (Roofing)

CHEYENNE MOUNTAIN CONSTRUCTION – ANTONIO PALOMO JR.*

Antonio Palomo appeared and stated he has been doing concrete work with his son's business, and he would like to expand the business to include roofs. He stated he has had an "E" License in the past when he had a remodeling business. Mike Finkbiner stated Mr. Palomo's contractor file does not reflect that he has any roofing experience. A motion was made by Richard Gillit to recommend to the Board of Review **DENIAL** of this license request due to inadequate roofing experience, seconded by Michael Finkbiner; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 11417 Cranston Drive, Permit I73725 – Cody Gray, homeowner, 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.
- b) 8485 Cow Palace Road, Permit E71856 – Sonya Fox, 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.
- c) 3935 Remple Court, Permit I97332 – Jay Kuhns, 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.

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

VARIANCE REQUESTS

5. 13012 Bass Pro Drive, Permit I26191 – Wayne Spears, Mike Hughes Architects, requests a variance to Section 1008.1.9.3, #2, 2009 International Building Code, to allow use of keyed cylinders with indicating hardware, in lieu of panic bars.

Wayne Spears appeared and stated this structure is a Bass Pro Shop. He stated this type of

hardware is approved in other parts of the Country, and they would like approval for this hardware in this structure as well. He stated the locks are located in the restaurant inside the store. Jay Eenhuis stated RBD staff does not see any life safety issues with this hardware. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request because there is adequate complying egress from the other doors, seconded by Richard Gillit; the motion carried unanimously.

6. 7492 Amberly Drive, Permit I97445 – Jeff Evans, Powerhouse Construction, LLC, requests a variance to Section R310.2, 2009 International Residential Code, to allow a 30” egress window well where a minimum of 36” is required.

Jeff Evans appeared and stated this house was built in 2004 and the room will be used as an office. He stated this permit is for a basement finish. He stated the costs for enlarging the window well would be \$500 to \$600, and the homeowner does not want to enlarge the window well. A motion was made by Scot Gring to recommend to the Board of Review **DENIAL** of the variance request because either the closet can be removed or the window well can be enlarged, seconded by Richard Gillit; the motion carried unanimously.

7. 5635 Majestic Drive, Permit I87148 – Larry Gilland, LGA Studios, requests a variance to Section 311.2, 2009 International Residential Code, to allow a double sliding door system in lieu of a 32” hinged door from a great room to the deck.

Larry Gilland appeared and stated this is a very contemporary home with two sliding door units, i.e. one in the front of the house, and one in the back of the house. He stated there are no swinging exterior doors. He stated the doors do meet Code with regard to the width, height, and locking mechanism, and they do meet the intent of the Code. Jay Eenhuis stated 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 because it does not present a life safety issue, seconded by Johnny Johnson; the motion carried unanimously.

8. Kevin Pace 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 a Building “D-1” (Roofing) License.

Kevin Pace appeared and stated he has been in the roofing business for a number of years, but he had a stroke recently, and he is having trouble testing. He stated he missed two questions on the last test. Pattie Benger stated RBD staff can accommodate Mr. Pace with additional time to test due to his disability. She stated Mr. Pace had a number of “A” status permits due to his stroke, but he has been trying to complete those permits. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that Mr. Pace present RBD with a doctor’s note regarding his disability, seconded by Johnny Johnson; the motion carried unanimously.

9. 6 South 8th Street – Martha and Jason Wilkinson, homeowners, request a variance to Section R311.7.1, 2009 International Residential Code, to allow a 32½” stair width where a minimum of 36” is required.

Martha Wilkinson stated this house was built as a duplex, with the top level of the house being an apartment. She said the second floor apartment is accessed by exterior steps which did not meet Code, so the Bank had the stairs removed before they bought the structure. She said there is not adequate room to enlarge the width of the stairs. Jay Eenhuis stated when handrails are provided on both sides of the structure, Code allows a 27” width between the handrails. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request to allow a 32½” stair width, with the stipulation that there is a clear space of 27” between the handrails located on both sides of the stairway, seconded by Johnny Johnson; the motion carried unanimously.

10. 2622 Ryans Oak View – Douglas Dustin, homeowner, requests a variance to Section RBC314.6, to waive a fence around a pool and spa, where required.

Douglas Dustin appeared and stated this is a 3 acre lot, and there is no pedestrian traffic. He stated the pool cover should meet the requirement of a barrier which is required by Code. He stated the pool will be covered at all times, except when in use. Scot Gring stated his concern would be for a future tenant, in the event the pool cover deteriorates with age and a future tenant does not replace it. Blake Nunnelley stated there were a number of drownings in residential swimming pools in the 1970’s which precipitated this Code. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request based on Section 3109.4.1.8, No. 2, 2009 International Building Code, seconded by Richard Gillit; the motion is carried unanimously.

- 10.b. 3244 Paseo Road, Permit I59013 – Bob and Nancy Harrison, owners, request a variance to Section 502.1.1, 2009 International Energy Conservation Code, to provide less than the required roof insulation.

Bob and Nancy Harrison appeared and Bob Harrison stated this structure is an indoor arena for a therapeutic riding center for handicapped children. He stated there is an R11 insulation in the ceiling. Nancy Harrison stated it is important to keep the environment dust and mold free because many of the children have respiratory issues. Mr. Harrison stated the heat in the structure is radiant heat and there is no forced air in the structure. He stated they do not teach children in temperatures below 20 degrees. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request because the current construction does not present life safety issues, seconded by Johnny Johnson; the motion carried unanimously.

- 10.c. 2 South Cascade Avenue – Steve Obering, YOW Architects, requests a variance to Section 1607.3, 2009 International Building Code, requests a variance to reduce live load to 20 psf.

Steve Obering appeared and stated this structure is an all weather enclosure that connects the east side to the west side of the Holly Sugar complex. He stated the enclosure is approximately 7' wide and 115' long. He stated the 20 psf includes a 30 pound snow load on the roof. Mr. Obering stated the structure is only used for passing, and not for socializing. Tammy Schwintze, Insurance Technologies, stated this expansion will allow their company to grow, but they do not have a lot of foot traffic. She stated they are required to remove the bridge when their company vacates the building. John Clarke and Chris Richardson both agreed that this is a major variance because 60 psf is required by Code. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a minimum of 40 psf is achieved for live load, plus all live load conditions in the Code are met, and appropriate occupancy loads are posted on both sides of the bridge, seconded by Tom McDonald; the motion carried unanimously.

11. **UNFINISHED BUSINESS**

a) Minor Variances

Chris Richardson asked the definition of a minor variance. John Clarke stated there is no clear cut definition.

b) Inspections Results

Scot Gring stated builders now have the ability to have the inspection results sent to their email.

12. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 12:16 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official
HWY/llg