

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

November 5, 2014

9:00 a.m.

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

MEMBERS ABSENT: Mr. Scot Gring

OTHERS PRESENT: Mr. Roger Lovell, Director of Building Operations
Mr. Todd Welch, Regional Building Counsel
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. John Welton, Chief Building Inspector
Mrs. Pattie Bengner, 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 OCTOBER 1, 2014 MINUTES**

A motion was made by Vince Colarelli to **APPROVE** the October 1, 2014 Building Committee Minutes as written, seconded by Johnny Johnson; the motion carried unanimously.

2. **COMPLAINTS**

There were no Complaints to discuss.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

ALLIANCE BUILDING SYSTEMS LLC – JEFFREY GALLEGOS (EXAMINEE CHANGES CO.)

ASA CARLTON, INC. – SCOTT HESTER

BL WOODS CONSTRUCTION, INC. – RICHARD COONEY

DPR CONSTRUCTION, A GENERAL PARTNERSHIPS – JOSEPH LEWIS

Building Contractor B-1 (General Limited)

BEL ESPRIT BUILDERS, INC. – DAVID JACKSON
CDM CONSTRUCTORS, INC. – STEPHEN THANNER (CO. CHANGES EXAMINEE)
K & E CONSTRUCTION, INC. – SHANE LONGIE (UPGRADE)
MASS MANAGEMENT AND PRODUCTION (MASS M & P) – JOSEPH MASSARO
(REINSTATEMENT)
MICHAEL T. WRIGHT – MICHAEL WRIGHT

Building Contractor B-2 (General Limited)

MONARCH LANDSCAPING & CONSTRUCTION – ADAM MAGRUDER (UPGRADE
& EXAMINEE CHANGES CO.)
NEWCO CONSTRUCTION OF AMERICA, INC. – KENNETH MARK
TEXAS ALLIANCE GROUP, INC. – CONNIE SOPTICK (ADDITIONAL EXAMINEE)

Building Contractor C (Homebuilder)

DENNIS OBENAUF – DENNIS OBENAUF (EXAMINEE CHANGES CO.)
HAR LAND, LLC – HARLAND BAKER (LIMITED)
PROFESSIONAL RESTORATION & REPAIR – STEVEN JELINEK (LIMITED)
RON DURAN – RONALD DURAN (LIMITED)

Building Contractor D-1 (Retaining Walls)

COLORADO CUSTOM ROCK LANDSCAPING, INC. – MARTIN WILD

Building Contractor D-1 (Roofing)

D & D ROOFING, INC. – ALEXANDER VAN SCHMITT (CO. CHANGES EXAMINEE)
PRIME COMPANIES INC. DBA PCI CONSTRUCTION SERVICES – CHAFIN HALE
(CO. CHANGES EXAMINEE)

Building Contractor D-1 (Siding)

FIXINS HOME SERVICES – ANTHONY KOURI (ADDITIONAL LICENSE)

Building Contractor D-1 (Stucco)

MARQUEZ LATHING AND STUCCO, LLC – HECTOR MARQUEZ
(REINSTATEMENT)

Building Contractor D-1 (Telecom)

HP COMMUNICATIONS, INC. – NICHOLAS GOLDMANN

Building Contractor E (Residential Maintenance/Remodeling)

ALPINE PRESERVATION, LLC – DANIEL MORETON (REINSTATEMENT)
LARKSPUR OUTLET – GUILLERMO MORATORIO
SELLS PRECISION HOMES – STEVEN SELLS
SKILLED HANDS REMODELING – JONATHAN YOUNG (EXAMINEE CHANGES CO.)
TOP NOTCH HEATING AND COOLING LLC – RANDELL CHAPPELL (EXAMINEE CHANGES CO.)

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor C (Homebuilder)

O'SHEAS CONSTRUCTION INC. – SEAN O'SHEA*

Sean O'Shea appeared and stated he has been doing primarily remodeling work, but his customers have been asking him to do more structural work that would require a "C" License. He stated he does not plan to do ground-up construction. Chris Richardson stated he does not feel Mr. O'Shea has adequate experience for a "C" License, and suggested that an "E" License might work for Mr. O'Shea's purposes. Todd Welch stated Mr. O'Shea was doing work without a license, and a \$500 fine was imposed on him, which will have to be paid when he gets his license. Mr. O'Shea stated he occasionally partners with another contractor to pull a permit and he will do the work, rather than lose a job. Mr. Welch stated the Code prohibits contracting to do work without the proper license. 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. O'Shea can work with RBD staff to have the restriction removed, seconded by Richard Gillit; the motion carried unanimously.

S.C. CARPENTRY LLC – SIMON CAVILLA*

Simon Cavilla appeared and stated he started working in construction in 2000. He stated he managed four remodeling/addition projects, prior to joining the Army in 2008, and was

recently discharged due to medical issues. He stated he has been doing small renovations since his discharge from the Army. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) License, with the limitation of no new home permits, and two “C” permits, and Mr. Cavilla must reappear before the Building Committee to have the restriction removed, seconded by Richard Gillit; the motion carried unanimously.

STERLING BAADE – STERLING BAADE*

Sterling Baade appeared and stated he was a framer for three years just out of high school. He stated he then went into law enforcement for eight years, and has been a project manager, building high-end homes, for a contractor in Texas for the past year. He stated he built five or six homes during that time. Mr. Baade stated he moved to Colorado Springs a couple months ago to help his brother build a house from the ground-up. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of a “C” License, with the limitation of one ground-up permit until completed, unlimited below, at which time Mr. Baade can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

STONECROFT CONSTRUCTION, LLC – PHILIP PURDY (UPGRADE)*

Philip Purdy stated he does not have a great deal of ground-up experience, but he has customers requesting residential structural work, which is the purpose for his license request. He stated he performed ground-up construction in a managerial role in Kansas for two years prior to moving to Colorado. He stated he currently has an “E” License and he would like to upgrade his license so he can do structural work and expand his business. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of a “C” license, with the limitation two ground-up permits, unlimited below, and Mr. Purdy can work with RBD staff to remove the restriction, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor D-1 (Roofing)

ASPEN CONTRACTING, INC. – PATRICK NUSSBECK (REINSTATEMENT)*

Patrick Nussbeck appeared. Mike Finkbiner stated Mr. Nussbeck currently has a number of “A” status permits, and Mr. Nussbeck stated this is due to an oversight by one of his managers in Colorado. He stated he has licenses in Colorado, Kansas, Nebraska, Missouri, South Dakota and North Dakota. Mr. Nussbeck stated he has hired a new manager and they are working on completing the “A” status permits. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the reinstatement of Mr. Nussbeck’s license, with the stipulation that all current “A” status permits must be completed before any new permits can be pulled, seconded by Richard Gillit; the motion carried

unanimously.

* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 7325 Steward Lane, Permit J39769 – Arvin and Christina Narayan, homeowners, request a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’5” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- b) 4780 Signal Rock Road, Permit J40840 – Lain Chappell, Solid Rock Construction, LLC, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’5” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- c) 7973 Kettle Drum Street, Permit J27064 – Chris Dages, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’5” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- d) 2745 Berwick Court, Permit J26614 – Jeffrey Semin, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’6” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- e) 69 Audubon Drive, Permit I39925 – Benjamin Raney, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’6” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- f) 12370 Smoke Bluffs Drive, Permit J23091 – Julie Shoemaker, Vantage Homes Corporation, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’6” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- g) 5315 War Paint Place, Permit J12730 – Gary Wambold, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’6½” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.
- h) 7530 Hickorywood Drive, Permit J37845 – Robert O’Connell, Legacy Remodeling Specialist, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak

Regional Building Code, to allow a soffit ceiling height of 6'7" under furred-down beams, pipes and ducts where it is required to be a minimum of 6'8".

- i) 3085 Angus Court, Permit J36028 – Andrew Wigglesworth, Awesome Carpentry, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6'7" under furred-down beams, pipes and ducts where it is required to be a minimum of 6'8".
- j) 4945 Wainwright Drive, Permit J05746 – Elizabeth Kennedy, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 46" window sill height in existing conditions where a maximum of 44" is allowed.
- k) 5864 Moon Ridge Drive, Permit J34836 – Eric Sachaj, Advanced Remodeling Services, 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.

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

VARIANCE REQUESTS

- 5. 1304 East San Miguel Street – John Davis Design Group requests a variance to Section 1104, 2009 International Building Code, to leave existing space as is without making it accessible.

John Davis appeared and stated he would like to **WITHDRAW** this variance request.

Vince Colarelli stated he would like to recuse himself from Item 6.

- 6. 5364, 5374, and 5384 South Highway 85-87 – Christine Riggs, Architect, requests a variance to Section 1809.5, 2009 International Building Code, and Section 1301.1.1, 2009 International Energy Conservation Code, to allow non-DOH stamped trailers to be set on temporary foundations and waive the International Energy Conservation Requirements.

Christine Riggs appeared and stated this project is the installation of three temporary trailers at the St. Dominic's Catholic Church in Security to use as temporary offices and classrooms for immediate space needs during their master planning for an addition and future sanctuary. She said the trailers were built prior to the 1994 Department of Housing Certification. She said without that certification, they cannot follow the Pikes Peak Regional Building Department's Manufactured Commercial Buildings Form, but they did not realize this until they received a very slow response from the Department of Housing. Ms. Riggs stated they then tried to pull a permit for temporary set trailers, but because they do not have this

certificate, they have to pull a permit for permanent set trailers, which requires frost depth foundations. She stated the foundations are 12” deep and they do meet all of the floating and wind uplift loading requirements. She said the trailers also do not meet the Energy Code requirements, although they are within approximately 10% of what is required by Code. Vince Colarelli stated the trailers are very old, and they intend to use them for two to five years. Jay Eenhuis stated RBD staff does not take any objection to the variance request, although they would like to put a limitation on the length of time for the temporary use permit. Ms. Riggs stated they do have an electrical engineer certifying the electrical issues in all three trailers. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance requests, with the stipulation that the temporary use permit matches those requirements set forth by the City of Fountain, seconded by Johnny Johnson; the motion carried unanimously.

7. 250 South Union Boulevard – Colin Leed, Bryan Construction, Inc., requests a variance to Section 3103.4, 2009 International Building Code, to allow longer egress travel distance of 240’6” and 225’, where prohibited.

Colin Leed appeared and stated this structure is the USOC velodrome and they are requesting a longer travel distance for egress purposes. He stated the cover over the velodrome will be put up and taken down twice a year, so it is considered a temporary structure. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance request to extend the travel distance, because it does not change the travel distance to the existing exits and it is a temporary facility, seconded by Johnny Johnson; the motion carried unanimously.

8. 950 West Fillmore Street – Kyle Matthews, Galloway Architecture, requests a variance to Section 1009.11, 2009 International Building Code, to allow the use of a ships ladder in an S-1 occupancy.

Kyle Matthews appeared and stated this in a storage area of a tire store and a ships ladder is not typically used in this type of a facility; it is for purposes of convenience and not a means of egress. Jay Eenhuis stated RBD staff takes no exception to the installation of this ships ladder based on the fact that there are other means of egress available. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request because this ladder is a means of convenience and not a means of egress, seconded by Johnny Johnson; the motion carried unanimously.

9. 4395 Integrity Center Point - Kyle Matthews, Galloway Architecture, requests a variance to Section 1009.11, 2009 International Building Code, to allow the use of a ships ladder in an S-1 occupancy.

A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request because this ladder is a means of convenience and not a means of

egress, seconded by Johnny Johnson; the motion carried unanimously.

10. 730 North Weber Street, Permit J03909 – Myron Newall, American Western Builders, requests a variance to Section R311.7.4.1, 2009 International Residential Code, to allow a stair riser of 9½” where a maximum of 7¾” is allowed.

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

11. 2470 Stoneridge Drive, Permit J40860 – Benjamin Allred, homeowner, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’4” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Benjamin Allred appeared and stated the previous owner of his home started this basement finish and existing conditions do not allow for a Code compliant soffit height. A motion was made by Vince Colarelli 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.

12. 2006 North Cascade Avenue, Permit J02751 – John Rodgers, 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”.

John Rodgers appeared and stated this house was built in 1899 and pre-existing conditions do not allow 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 Chris Richardson; the motion carried unanimously.

13. 633 Clear View Drive, Permit J06896 – Anthony Kouri, Fixins Home Services, requests a variance to Section R905.2.7, 2009 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.

Anthony Kouri appeared and stated due to a clerical error during a roof replacement only one layer of roofing felt was applied to this roof. He stated it is the entire roof structure and there are 19 squares. He stated he has a letter from the homeowner approving the current construction of the roof, and he has given the homeowner a five-year warranty. Mr. Kouri stated he is willing to amend the warranty to include materials and unlimited transfers during the five-year period of time. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because Mr. Kouri has agreed to include materials and unlimited transfers within a five-year period in his warranty and the

underlayment is a high-quality synthetic material, seconded by Johnny Johnson; the motion carried 4:1. Richard Gillit opposed.

- 13b. 625 North Murray Boulevard – Tim Goss, Impact Management & Consulting, requests a variance to Section 1510.3, 2009 International Building Code, to allow a third layer of roofing materials over two existing layers, where prohibited.

Tim Goss appeared and stated this structure currently has two roofing systems and they are requesting a variance to add a third layer of roofing materials. He stated the roofing materials they are proposing do not add a significant amount of weight to the roof, and would be half the cost of tearing off the existing roof. John Welton stated RBD staff does not take exception to this variance request as long as the existing layers are taken care of properly before the new roofing materials are installed, and a structural analysis is done to show that the roof can support this new roof system. Michael Finkbiner stated he is uncomfortable approving this variance without structural or engineering information to confirm that the roof can withstand the additional weight of this roof. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a structural analysis is completed and submitted to RBD to confirm that the roof is adequate to withstand the resulting weight of this roof, and the existing conditions of the roof be made part of the structural analysis to confirm that the current roof meets Code requirements, seconded by Vince Colarelli; the motion carried unanimously.

- 13c. 1700 Sundown Drive, Permit J16295 – Troy Fodemski, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6'4" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.

Troy Fodemski appeared and stated this is a basement remodel and he is not able to obtain a Code compliant soffit height. He stated there is a structural I-beam that runs the length of the recreation room and he has put a half wall under the largest portion of the beam. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions, seconded by Richard Gillit; the motion carried unanimously.

- 13d. 1840 North Prospect Street – Angie Horning, homeowner, requests a variance to Section 402.1.1, 2009 International Energy Conservation Code, to eliminate the required slab-on-grade insulation, where required.

Angie Horning appeared and stated she is converting an attached garage into living space and it does not meet the energy requirements. She stated they would like to put their flooring directly on the concrete slab. She stated there is a concrete patio on two sides of the area, a driveway on one side and the house is attached to one side of the area. A motion was made by Chris Richardson to recommend to the Board of Review **APPROVAL** of the variance

request because it does not create a life safety issue, seconded by Johnny Johnson; the motion carried unanimously.

14. **UNFINISHED BUSINESS**

a) Table Items

A motion was made by Richard Gillit to **POSTPONE** the Tabled items, seconded by Vince Colarelli; the motion carried unanimously.

15. **NEW BUSINESS**

a) Executive Session

The Building Committee moved into Executive Session at 11:20 a.m. pursuant to C.R.S. §24-6-402(3)(II) to seek legal advice from our attorney.

After moving into General Session at 11:34 a.m., Chairman Clarke noted that no decisions were made during the Executive Session.

The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/llg