

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BOARD OF REVIEW MINUTES

June 18, 2014

10:30 a.m.

MEMBERS PRESENT: Vice Chairman Tom McDonald, Building A Contractor
Mr. Johnny Garcia, Building A, B or C Contractor
Mr. Dave Munger, Citizen-at-Large
Mr. Michael McShea, Engineer

MEMBERS ABSENT: Mr. Larry Whittaker, Architect

OTHERS PRESENT: Mr. Henry Yankowski, Regional Building Official
Mr. Roger Lovell, Director of Building Operations
Mr. Todd Welch, Regional Building Counsel
Mr. Jay Eenhuis, Chief Plans Examiner
Ms. Mindy Stuemke, Permit Supervisor
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chairman Tom McDonald called the meeting to order at 10:30 a.m.

1. **CONSIDERATION OF THE MAY 21, 2014 BOARD OF REVIEW MINUTES**

A motion was made by Johnny Garcia to **APPROVE** the May 21, 2014 Board of Review Minutes as written, seconded by Michael McShea; the motion carried unanimously.

2. **CONSIDERATION OF LICENSING AND MINUTES**

a) Building Committee Minutes of June 4, 2014, with the exception of Item 11, which is under appeal.

A motion was made by Johnny Garcia to **APPROVE** the June 4, 2014 Building Committee Minutes as written, with the exception of Item 11, which is under appeal, seconded by Michael McShea; the motion carried unanimously.

b) MEP Committee Minutes of June 11, 2014.

A motion was made by Michael McShea to **APPROVE** the June 11, 2014, MEP Committee Minutes as written, seconded by Dave Munger; the motion carried unanimously.

3. **DECISION APPEALS**

- a) 153 Cherry Circle, Permit J16027 – Michael Athas, Recovering Roofers, LLC, 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. *The Building Committee determined that the manufacturer's warranty on the shingles would be void due to improper installation and **DENIED** the variance request.*

Michael Athas appeared, was sworn in, and stated his subcontractor installed one layer of felt on this roof, where two layers are required by Code. He stated, as the licensee, he realizes he is responsible for this oversight, but it is not that far out of Code. He stated he suffered a major medical event this past November, and his business has suffered due to this reason. Mr. Athas stated the homeowner is happy with the current construction of this roof, and he has extended the warranty.

Michael Finkbiner appeared, was sworn in, and stated he is a member of the Building Committee and it was clear from Mr. Athas' testimony during the Building Committee that he does not have a clear knowledge of the Code regarding this issue. He stated the subcontractor also should have known the Code regarding this issue. Mr. Finkbiner stated the manufacturer's warranty on the roofing shingles will be voided due to improper installation.

Johnny Johnson appeared, was sworn in, and stated he is also a member of the Building Committee, and the Committee's concern is that Mr. Athas may not have the financial means to correct this issue in the future should there be a problem with the roof.

Joanne Walker appeared, was sworn in, and stated her mother is the owner of this home, and they have not had any problems to date with the current construction. She stated this work was done for the previous owner of this home, but the warranty was given to her mother as the new owner.

A motion was made by Johnny Garcia to **UPHOLD** the decision of the Building Committee and **DENY** the variance request, seconded by Michael McShea; the motion carried unanimously.

4. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

5. **NEW BUSINESS**

There was no New Business to discuss.

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The meeting adjourned at 11:15 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

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