

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **MEP COMMITTEE MINUTES**

March 12, 2014

10:00 a.m.

**MEMBERS PRESENT:** Chairman Edward Pine  
Mr. Dan Rial  
Mr. Mark Mahler  
Mr. Larry Bobo  
Mr. Neil Case

**MEMBERS ABSENT:** Mr. John Martin  
Mr. R. J. Steer

**OTHERS PRESENT:** Mr. Henry Yankowski, Regional Building Official  
Mr. Todd Welch, Regional Building Counsel  
Mr. Jack Arrington, Chief Plumbing/Mechanical Inspector  
Mr. Jon Brazier, Senior Mechanical Inspector  
Mr. Russell Kauk, Senior Plans Examiner  
Mrs. Pattie Benger, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### **PROCEEDINGS:**

Chairman Edward Pine called the meeting to order at 10:00 a.m.

#### **1. CONSIDERATION OF THE FEBRUARY 12, 2014 MEP COMMITTEE MINUTES**

A motion was made by Neil Case to **APPROVE** the Minutes of the MEP Committee meeting as written, seconded by Larry Bobo; the motion carried unanimously.

#### **2. COMPLAINT**

a) A complaint has been brought against Anton Tchakarov, licensee for Colorado Delta Mechanical, Inc., by Regional Building Department for failing to correct noted deficiencies and for having 50 "A" Status Permits, in violation of Sections RBC105.9 and RBC109.2, 2011 Pikes Peak Regional Building Code.

Anton Tchakarov appeared, was sworn in, and stated he failed to renew his license. He stated he has completed 34 of the 50 "A" Status permits. Darcy Tokraks appeared, was sworn in, and stated she is in charge of the permits for this company. She stated there are 16 of the 50 permits that are still open. She said they are currently contacting the homeowners in an effort to get the permits completed. Jack Arrington appeared, was sworn in, and stated this company is working diligently on completing these permits. He stated that they would like to reopen their license, and he has informed them that they cannot do this until the "A" status permits have been completed. He stated Mr.

Tchakarov came before the Mechanical Committee in 2009 for this same offense. Todd Welch stated this contractor works with Home Depot and many of these permits are for work done with Home Depot. Ms. Tokraks stated a previous employee let this situation get out of hand and they have a new employee that has taken over this process and she is doing an excellent job. Mr. Arrington stated this contractor has only been installing water heaters, and they would like to start installing furnaces with their new license. A motion was made by Dan Rial to put an Incident Report in Anton Tchakarov's contractor file because this is a second offense, and all "A" Status permits must be completed prior to renewal of Mr. Tchakarov's license, seconded by Mark Mahler; the motion carried unanimously.

- b) A complaint has been brought against Jeremy Fitzgerald, licensee for Colorado Mechanical Services, by Jan Rennie for performing work at 1409 Custer Avenue, Colorado Springs, Colorado without a license and for failing to pull a permit at this same address.

Todd Welch stated Jeremy Fitzgerald is out-of-town due to family illnesses, but Lisa LaRochelle, Mr. Fitzgerald's "significant other," is here today and she is also the Director of Operations for Colorado Mechanical Services. He stated Lisa would like to have this complaint postponed until Mr. Fitzgerald is available to appear.

Jack Arrington stated Mr. Fitzgerald was scheduled to appear before the MEP Committee in February and he informed RBD staff that he was moving out of state and would not be appearing in February. He stated RBD staff sent Mr. Fitzgerald a notice to appear before this Committee in March because he is continuing to pull permits. Pattie Bengner stated six permits have been pulled in the past 30 days.

Lisa LaRochelle appeared and stated Mr. Fitzgerald is in Virginia with his family due to family illness, and she would like to have this complaint postponed until he is available.

A motion was made by Mark Mahler that based on the fact that Mr. Fitzgerald has had ample time to satisfy this complaint and has not cooperated with RBD staff, this complaint is **POSTPONED** until the April 9, 2014 meeting, with the stipulation that his ability to pull further permits is suspended until he appears before the MEP Committee meeting to address this complaint, seconded by Dan Rial; the motion carried unanimously.

Break from 11:00 a.m. to 11:10 a.m.

### 3. **CONSENT LICENSE REQUESTS**

#### **Mechanical Contractor A (Commercial)**

A.S.A.P. HEATING AND COOLING – VICTOR WEGER

BERG'S HEATING AND AIR CONDITIONING – BRENT BERG  
COLORADO TRAINING TECHNOLOGIES, LLC – DONALD PIANO (EXAMINEE  
CHANGES CO.)

**Mechanical Contractor B (Residential)**

NORTHGLENN HEATING & A.C., INC. – MICHAEL GEMEINHARDT  
SUMMIT HEATING AND COOLING – KEVIN DALTON

**Mechanical Contractor C-2 (Refrigeration)**

CASTLE REFRIGERATION – ERNEST SIMMONS

**Plumbing Water Connected Appliance**

COLORADO STONWORKS LANDSCAPING – RICHARD SMITH (CO.  
CHANGES EXAMINEE)

**Heating Mechanic I (Gas Pipe Fitter)**

CORY FLANNERY  
RYAN MALTBA

**Heating Mechanic IV (HVAC Service Tech)**

JARED FRANCIS  
LINUS BARBER (REINSTATEMENT)  
RODOLFO VEGA JR.  
RYAN POGUE

A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Neil Case; the motion carried unanimously.

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

There were no License Requests to be Considered Individually.

4. **CONSENT CALENDAR**

- a) 3507 Michigan Avenue, Permit J03540 – Donald Espland, homeowner, requests a variance to Section 405.3.1, 2009 International Plumbing Code, to allow a 14” clearance at the side of a water closet where a minimum clearance of 15” is required.

A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the Consent Calendar variance requests, seconded by Mark Mahler; the motion

carried unanimously.

## **VARIANCE REQUESTS**

5. 2801 Janitell Road – Neil Barlow, owner, requests a variance to Table 403.1, 2009 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Neil Barlow appeared and stated this structure is a Doggie Daycare business, and there is 10,000 square feet in the back of the building for kennels for the dogs, and they have 8 employees. Tim Crippen stated the Code is based on the square footage of the structure, and with the dog kennels, it would be impossible to get the Code compliant occupants in the structure, so the number of plumbing fixtures in the building would be suitable for the actual occupants. Jack Arrington stated RBD staff does not oppose this variance request. A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the variance based on the actual use of the building in lieu of the actual square footage, seconded by Neil Case; the motion carried unanimously.

6. David Sam Hoffer 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 Mechanical IV License.

Jack Arrington stated David Sam Hoffer contacted him and requested that his variance request be **POSTPONED** until the April 9, 2014 MEP Committee meeting.

- 6b. 6910 Defoe Avenue – David Walters, Farnsworth Group, Inc., requests a variance to Table 403.3, 2006 International Mechanical Code, to allow use of Table 403.3, 2009 International Mechanical Code and Section 62.1, 2007 ASHRAE Standard, which allows reduction of ventilation rates per Energy Code requirements for an elementary school.

David Walters appeared and stated this structure is an elementary school and they are replacing the mechanical system. He stated they would like to use the 2009 International Mechanical Code (“IMC”) for ventilation due to the energy savings. Jack Arrington stated RBD staff does not oppose this variance request, with the understanding that the 2009 IMC will be specific for the ventilation system. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request due to the costs savings, seconded by Neil Case; the motion carried unanimously.

7. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

8. **NEW BUSINESS**

a) Solar Energy Permitting Process by Sam Masias

Sam Masias stated he was previously an electrician and is now working in the solar energy field. He stated he is requesting that RBD's solar permits be tracked better, and all solar permit applicants be required to give RBD the contract amount, so that information is available to the public. He stated the solar industry in Colorado Springs is very small, but he anticipates that it will grow at a steady pace. Mr. Masias stated he would like to have a place where consumers can go to track this information.

Dean Wemmer stated the cap is reached at approximately 10,000 to 12,000 watts. He stated RBD's permit fees are based on the valuation of the work. He stated prices have come down significantly to approximately \$4 per watt total costs. He stated there is a \$500 cap on residential and a \$2,000 cap on commercial projects for permits. Mr. Wemmer stated RBD is currently implementing a system to track the size of the systems. He stated RBD does not ask to see contracts for other types of work, so it may not be feasible for RBD to implement this type of procedure. Todd Welch stated this is a decision for RBD Administration. He stated RBD will look at streamlining our process.

The meeting adjourned at 11:56 a.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY:llg