

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## BUILDING COMMITTEE MINUTES

April 1, 2015

9:00 a.m.

MEMBERS PRESENT: Chairman Chris Richardson  
Mr. Vince Colarelli  
Mr. J. B. (Johnny) Johnson  
Mr. Michael Finkbiner  
Mr. Richard Gillit  
Mr. Steve Horner

MEMBERS ABSENT: Mr. Scot Gring

OTHERS PRESENT: Mr. Henry Yankowski, Building Official  
Mr. Todd Welch, Regional Building Counsel  
Mr. Jay Eenhuis, Chief Plans Examiner  
Mr. John Welton, Chief Building Inspector  
Mr. Bert Warchol, Senior Building Inspector  
Mrs. Pattie Bengert, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Chris Richardson called the meeting to order at 9:01 a.m.

#### 1. CONSIDERATION OF MARCH 4, 2015 MINUTES

A motion was made by Johnny Johnson to **APPROVE** the March 4, 2015 Building Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

#### 2. COMPLAINTS

A Complaint has been brought against Eugene Davis, licensee for Davis and Son Construction Service, by the Regional Building Department for willfully violating our Code by providing a fraudulent Certificate of Insurance, in violation of Sections RBC201.11.3(1) and RBC201.11.3(6), 2011 Pikes Peak Regional Building Code.

Eugene Davis appeared. All parties testifying were sworn in. Pattie Bengert stated Mr. Davis submitted a fraudulent insurance certificate. She said she was informed by Mr. Davis's insurance company that his insurance was cancelled in May 2014 due to nonpayment. She said Mr. Davis's license is currently suspended due to lack of insurance. Mr. Davis stated he printed the insurance certificate from the insurance company's website.

He stated his insurance company has informed him that they will not reinstate his insurance until the suspension is removed from his license.

Break from 9:11 a.m. to 9:15 a.m.

Todd Welch stated insurance is necessary for the homeowner's protection. He stated when RBD receives an insurance document that does not appear to be in order, the Licensing Department will follow up with the insurance company to see if the insurance document is fraudulent. Mr. Davis said he was having the monthly payments for his insurance automatically withdrawn from his bank account and was not aware that it had expired due to nonpayment, because he believes the payments were continuing to be deducted from his bank account. Ms. Bengner stated Mr. Davis has a limited "C" License, which allows for him to have two ground-up permits open at any one time, with a staff release. She said Mr. Davis has not completed two ground-up permits to date. Mr. Welch stated RBD staff will monitor Mr. Davis's insurance documents and contractor file. Mike Finkbiner suggested that RBD staff give a letter to Mr. Davis to give to his insurance company, which states that Mr. Davis's license will be reinstated once his insurance is reinstated.

A motion was made by Johnny Johnson to **POSTPONE** this Complaint until the end of the meeting to give Mr. Davis an opportunity to contact his insurance company, seconded by Richard Gillit; the motion carried unanimously.

John Welton stated he would like to welcome Steve Horner as a new Building Committee member filling the Engineer's position on the Committee.

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

#### **Building Contractor A-1 (General)**

ECC, LLC – DARROW ROGERS (LIMITED)  
ET ENVIRONMENTAL CORPORATION, LLC – MITCHELL GRADY  
RAND CONSTRUCTION CORP DBA RAND WEST, LLC – DOUGLAS CORDES\*  
(CO. CHANGES EXAMINEE)

#### **Building Contractor B-1 (General Limited)**

HILL COMMERCIAL CONSTRUCTION, LLC – CHARLES HILL  
(REINSTATEMENT)  
NORTH AMERICAN COMMERCIAL CONSTRUCTION, LP – LEROY SISNEY  
UNITED RENOVATIONS, LLC – CRAIG LOWENBERG JR.  
Z INVESTMENTS LLC – JEFFREY SHADA (EXAMINEE CHANGES CO.)

#### **Building Contractor C (Homebuilder)**

B & B ROOFING AND CONSTRUCTION, LLC – DONALD WHEELER (LIMITED)

STONE AND STEEL CONSTRUCTION INC. – DAVID STONE

**Building Contractor D-1 (Foundation Repair)**

COLORADO STRUCTURAL REPAIR – BYRON JOHNSON

**Building Contractor D-1 (Retaining Wall)**

DIRT GUYS, LLC – SHANE COOPER  
SPRIGGS EXCAVATION, INC. – ERICK BEISSEL

**Building Contractor D-1 (Roofing)**

CENCO BUILDING SERVICES – MATTHEW DIRR  
LIFETIME CONSTRUCTION – CHARLES RILEY  
PRESIDENTIAL ROOFING & RESTORATION LLC – THOMAS SEALS  
(REINSTATEMENT)  
PUT ON DEVELOPMENTS DBA ALLIED EXTERIORS – ZACHARY BIGNELL  
SUMMIT VIEW LAND & HOME INC. – JACOB REID (CO. CHANGES  
EXAMINEE)  
VICTORY “1” ROOFING LLC – VICKY LAPLANTE

**Building Contractor D-1 (Siding)**

KRUEGER BROTHERS CONSTRUCTION – CHRISTOPHER KRUEGER (ADD.  
LICENSE)

**Building Contractor D-1 (Towers)**

DNS WIRELESS, INC. – DOUGLAS WARSHEL  
LEGACY WIRELESS SERVICES, INC – JAMES KRAMER

**Building Contractor D-5A (Signs)**

MCBRIDE LIGHTING INC. – JARED BLACKNEY (ADDITIONAL LICENSE)

**Building Contractor E (Residential Maintenance/Remodeling)**

ATKINSON CONSTRUCTION – DALE ATKINSON (REINSTATEMENT)  
HAPPY CLOWN – KYLE STRANG  
THE HOME IMPROVEMENT CENTER – SCOTT TIMANUS (SECONDARY  
EXAMINEE)  
PIKES PEAK MAINTENANCE LLC – TREVOR BANCROFT (REINSTATEMENT)  
TIMBER TOP CONSTRUCTION, LLC – CHRISTOPHER KHEDERIAN

**Building Contractor F-1 (Solar)**

INDEPENDENT POWER SYSTEMS – ANTHONY BONIFACE (ADDITIONAL LICENSE)  
OBSERVATORY HOMETECH LLLP DBA SUNTALK SOLAR – JOSEPH PERRY (ADDITIONAL LICENSE)

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

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

There were no License Requests to be considered individually.

\* Appearance required at the Building Committee meeting.

**4. CONSENT CALENDAR**

- a) 4433 Centerville Drive, Permit J52234 – Joseph Hunt, Proper Key, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 45½” windowsill height in existing conditions where a maximum of 44” is allowed.
- b) 1515 and 1517 Columbine Boulevard, Permit J55851 – Douglas Whiting, Wildflower Homes, 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.
- c) 914 Arrawanna Street, Permit J51250 – Kinter Construction, Inc., 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.
- d) 2540 Brady Drive, Permit J21305 – Kyle Strang, 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.
- e) 4831 Little London Drive, Permit J58765 – Compass Home Improvement & Remodeling, 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.
- f) 4060 Harvest Moon Terrace, Permit J55380 – Patrick McCormick, 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.

- g) 6950 Peckham Lane, Permit J51488 – 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 6'5" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- h) 5253 Sternward Way, Permit J06789 – Wilson Santiago, 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.
- i) 4735 Ramblewood Drive, Permit J50684 – Jason Brandt, Restoration King, 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.
- j) 3916 Happy Jack Drive, Permit J47205 – Rudy Thompson, Manitou Properties, LLC, 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.
- k) 5133 Copen Drive, Permit J49547 – Darvell Wilson, 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.

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

## **VARIANCE REQUESTS**

- 5. 9494 Federal Drive – Gerri Kielhofner, Architect, requests a variance to waive Section RBC302.4.5, 2005 Pikes Peak Regional Building Code, and provide smoke control systems as required by the 2003 International Building Code.

Gerri Kielhofner appeared and stated a smoke control system is required in the 2005 Pikes Peak Regional Building Code ("PPRBC"), and it was approved when the building commenced construction in 2007. She said the construction has been on hold for a period of time, and has recently commenced construction again, and the 2011 PPRBC does not require a smoke control system. She said a smoke control system is very complex, and they would like to remove the existing equipment that is in place and cap the rough-in system, so they can eliminate the smoke control system. Ms. Kielhofner said this would

be a very large savings of additional funds that would be required if they were to proceed with this system. She said they will maintain the smoke control system for the atrium and the stairs.

Jay Eenhuis stated the unamended 2003 International Building Code does not require the smoke control system, and this project is permitted under the 2003 International Building Code. He said RBD staff does not take exception to this variance request. Dee Withee, Colorado Springs Fire Department (“CSFD”), stated CSFD takes no exception to this variance request. She stated the fire alarm system for this building was never permitted.

Ms. Kielhofner stated she will revise the plans to reflect that portion of the smoke control system that will be kept in place, and the deconstruction or elimination of the rough-in work that is currently in place; and submit the revised plans to RBD. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the plans be revised to reflect that the existing mechanical systems will be modified so there are no residual mechanical work or exiting issues, seconded by Vince Colarelli; the motion carried unanimously.

6. 1759 South 8<sup>th</sup> Street, Permit J52362 – Rodney Derby, owner, requests a variance to Section 1009.5, 2009 International Building Code, to waive a landing on an exterior commercial deck, where required.

Ron Pausa, Engineer, appeared and stated they replaced the existing deck with the same design at this dance studio. He stated the requirement for a landing was overlooked, and the stairs end at the curb to the commercial parking lot. He stated there is only enough room to move the stairs back approximately 10”, but it still would not be a Code compliant landing. Mr. Pausa stated to take the stairs out to the side would create a financial issue for the owners. John Welton stated RBD staff does take exception to this variance request because it is a life safety issue. A motion was made by Johnny Johnson to recommend to the Board of Review **DENIAL** of the variance request because there are options to make the stairs Code compliant, seconded by Michael Finkbiner; the motion carried 4:1. Vince Colarelli opposed.

7. 1727 Aviation Way – James Childs, Architect, requests a variance to Table 412.4.6 (Footnote a), to allow a Group II aircraft hangar with a tail door exceeding 28’ in height, where prohibited.

James Childs appeared and stated this structure is an aircraft hangar for a particular type of aircraft, i.e. the de Havilland Canada DHC-4 Caribou, that is taller than most normal planes. He stated the tail of this plane is taller than 28’. Dee Withee, CSFD, stated most aircraft do not have a tail height taller than 28’, which is the reason this Code was written. She said CSFD does not take exception to this variance request; and Jay Eenhuis stated RBD staff does not take exception to this variance request. Shawn Donahue stated this hangar is designed for this particular aircraft, and planes that are comparable in height have a wider wing span that would not fit in this hangar. A motion was made by Richard Gillit

to recommend to the Board of Review **APPROVAL** of the variance request to allow a Group II aircraft hangar with a tail door of 36' in height for the tail of this particular type of aircraft, seconded by Steve Horner; the motion carried unanimously.

8. 11735 Bison Meadows Court – George Bandle, Bison Builders & Associates, Inc., requests variances to Section 311.7.4.2, 2009 International Residential Code, to allow a:

- a) 7 1/8" inside radius and 8 1/4" at 12" in from the radius on stairs to the artist's studio;

George Bandle appeared and stated these stairs were built per plan and during the frame inspection, the inspector noted that the threads did not meet Code, i.e. 12" from the inside radius, the threads measured 8 1/4", where a 10" thread is required. He stated he has this same stair design in his own home, and it has never been a problem. He stated this staircase accesses the loft, and the stairs are open.

- b) 7 5/8" inside radius and 8 5/8" at 12" in from the radius on stairs to the basement.

Mr. Bandle stated this staircase has the same issue, but it is closed because there is a storage closet under the stairs. He stated he has a letter from the homeowner approving the current construction of the steps.

A motion was made by Johnny Johnson, with regard to Items 8a and b, to recommend to the Board of Review **APPROVAL** of the existing stairs, and that the walk-line will be measured from the outside radius that is Code compliant, seconded by Steve Horner; the motion carried unanimously.

9. 13 2<sup>nd</sup> Street, Permit J53478 – Bob McGrath Construction requests a variance to Section R311.7.4.1, 2009 International Residential Code, to allow a stair riser in excess of 7 3/4", which is the maximum required by Code.

Bob McGrath appeared and stated he installed two new steps into a master bedroom, which will be the same height of the existing stairs at 8". A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request to allow the stair riser height on the new steps to exceed the maximum height required by Code of 7 3/4", so the two new steps match the existing stairs for consistency on existing stairs, seconded by Richard Gillit; the motion carried unanimously.

10. 1523 Wood Avenue – Todd Thompson, homeowner, requests a variance to Section R905.2.2, 2009 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12.

Roger Lovell appeared for Todd Thompson. He stated the area in question is over the front porch of this historical home. He said he did inform the homeowner that ice and water shield should be applied over the entire area. Mr. Lovell stated the homeowner understands that the warranty will not apply for the shingles. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that ice and water shield is installed on this section of the roof, seconded by Johnny Johnson; the motion carried unanimously.

*The following Item was heard out of order.*

## 2. COMPLAINTS

A Complaint has been brought against Eugene Davis, licensee for Davis and Son Construction Service, by the Regional Building Department for willfully violating our Code by providing a fraudulent Certificate of Insurance, in violation of Sections RBC201.11.3(1) and RBC201.11.3(6), 2011 Pikes Peak Regional Building Code.

Mr. Davis stated he was able to contact his insurance company and they have agreed to reinstate his insurance upon receipt of payment. He stated he will make the payment immediately, so he can bind his insurance and have his license reinstated. A motion was made by Johnny Johnson to put an Incident Report in Eugene Davis's contractor file, and the suspension be removed from his license upon RBD's receipt of a current Certificate of Insurance; and if Mr. Davis can provide proof of payment to RBD staff for his prior insurance, he may request that the Incident Report be removed from his contractor file, seconded by Steve Horner; the motion carried unanimously.

- 10b. 6974 Cloud Dancer Drive – Brian Rief, Independent Construction, requests a variance to Section R310.2, 2009 International Residential Code, to allow two 30" egress window wells where a minimum of 36" is required, in a home built in 1998.

Brian Rief stated he would like to **WITHDRAW** this variance request.

- 10c. 836 East Willamette Avenue, Permit J47201 – Lain Chappell, Solid Rock Construction, LLC, requests a variance to Section R311.6, 2009 International Residential Code, to allow a hallway width of 29" where a minimum of 36" is required.

Lain Chappell appeared and stated this home was built in 1898 and due existing conditions, he is unable to obtain a Code compliant hallway width. 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 Johnny Johnson; the motion carried unanimously.



11. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

12. **NEW BUSINESS**

a) New Insurance Requirements for Roofing

Pattie Bengner appeared and gave a presentation regarding new insurance requirements for roofing. She said new insurance certificates will be required from all contractors doing roofing that specifies that roofing is included under the contractor's general liability policy. She said there are 540 contractors that are affected by this new requirement.

b) Electronic Inspections

John Welton stated RBD has recently implemented electronic inspection submittal for simple inspections, i.e. footers, foundations, or single item re-inspects, by sending RBD a picture or pdf of the issue being inspected. He stated each RBD inspector normally does 22 to 25 inspections per day. He stated the electronic inspections will be a cost savings for RBD, and should simplify the process for contractors.

c) Electronic Plan Reviews

Jay Eenhuis stated RBD had 1,625 electronic plan submittals for 2014, or 23 to 24 percent. In January and February of 2015 there were 264 electronic plan submittals or 29 percent. He stated as of June 1<sup>st</sup>, residential master plans are required to be submitted electronically.

The meeting adjourned at 11:16 a.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY/llg