

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

June 3, 2015

9:00 a.m.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Roger Lovell, Director of Building Operations
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. John Welton, Chief Building Inspector
Mr. Bert Warchol, Commercial Building Inspector
Mrs. Pattie Bengert, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Chris Richardson called the meeting to order at 9:00 a.m.

1. CONSIDERATION OF MAY 6, 2015 MINUTES

A motion was made by Vince Colarelli to **APPROVE** the May 6, 2015 Building Committee Minutes as written, seconded by Johnny Johnson; the motion carried unanimously.

2. COMPLAINTS

- a) A complaint has been brought against John Abeyta, licensee for Righteous Roofing, by Regional Building Department for willfully violating Sections RBC201.11.3(1) and RBC201.11.3(6), 2011 Pikes Peak Regional Building Code, by providing a fraudulent Certificate of Insurance.

John Abeyta appeared by telephone, was sworn in, and stated he had his office personnel send RBD the insurance certificate because he was out of state. He said he was not aware that his insurance had expired. He said he has had health issues this past year, which makes it necessary for him to spend time in California. Pattie Bengert appeared, was sworn in and stated she noticed that the font size was different on the insurance certificate for the dates and she contacted the insurance company and was notified that

Mr. Abeyta's insurance had expired. Vince Colarelli stated RBD has an insurance certificate that shows coverage when the insurance carrier has indicated that insurance coverage was not in effect. Ms. Bengner stated the fax cover sheet shows that the insurance certificate was transmitted to RBD by Mr. Abeyta's office. John Welton stated Mr. Abeyta has pulled two permits since April 2015, that are still open, and there are a total of three open permits for Mr. Abeyta. He stated RBD staff can lock Mr. Abeyta's license until he reappears with the individual that modified the insurance certificate. A motion was made by Scot Gring to lock Mr. Abeyta's license until he reappears before the Building Committee on July 1, 2015, with an explanation of who modified the insurance certificate and further explanation as to why it happened, seconded by Johnny Johnson; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

BISON CONTRACTING, INC. – THOMAS WIERENGA (LIMITED)
D.T. CARPENTRY – LESLIE TURNER
WADMAN CORPORATION – RYAN OBRAY (CO. CHANGES EXAMINEE)

Building Contractor A-2 (General Limited)

FOOTHILL CONSTRUCTION SERVICES LLC – DOUGLAS RYKERD (LIMITED & EXMAINEE CHANGES CO.)

Building Contractor B-1 (General Limited)

ASLAN CONSTRUCTION, INC. – KITT KETTERER
FEDCO, INC. – DICK FEDERICO
HIVE CONSTRUCTION, INC. – WILLIAM SCHWARTZ
HOME DEPOT U.S.A. INC. – EDWARD BARRINGTON (SECONDARY EXAMINEE)
KERRICOOK CONSTRUCTION, INC. – NORANNE SMITH
SF CONSTRUCTION, INC. – FRANK WALLEY IV

Building Contractor B-1 (General Limited)

RLS CONSTRUCTION, INC. – CALVIN SQUIRES

Building Contractor C (Homebuilder)

ABBAS ROOFING INC. – JOSE VILLARUEL (EXAMINEE CHANGES CO.)
REYNOLDS CONSTRUCTION – DANIEL REYNOLDS
SQUIRES CONSTRUCTION & ADJUSTING OF COLORADO – GENE SQUIRES

(EXAMINEE CHANGES CO.)
STABIL CONSTRUCTION – JONATHAN BABICKY (LIMITED & EXAMINEE
CHANGES CO.)
TITAN CONTRACTING LLC – JOHN MICKE

Building Contractor D-1 (Roofing)

CAPEESH CONSTRUCTION – LUKAS SPIES
COLORADO CERTIFIED ROOFING – JAMES CARPENTER (EXAMINEE CHANGES
CO.)
COLORADO CONSTRUCTION & RESTORATION – JOEL LUCIUS
CT ROOFING – CURTIS TEXER
ECHO REPAIR REMODEL AND RECONSTRUCTION – MATHEW OLSON
MD ROOFING – MICHAEL TEXER
PRIORITY RESTORATION, INC. – CHRISTOPHER TEEM
REGIONAL TOWN CENTRE LLC – MICHAEL O'BRIEN
RESTORATION COLORADO – CHRISTOPHER DUNLAP (CO. CHANGES
EXAMINEE)
TRAFTON ROOFING & REPAIR SERVICE – TIMOTHY WEBSTER (EXAMINEE
CHANGES CO.)

Building Contractor D-1 (Stucco)

EGC CONSTRUCTION AND REMODELING – CARLOS RIVERA ROSADO

Building Contractor D-5A (Signs)

SCHLOSSER SIGNS, INC – ALEXANDER SCHLOSSER

Building Contractor E (Residential Maintenance/Remodeling)

HIGH DESERT CONSTRUCTION COMPANY, INC. – KENNETH HERMAN
JILL HILL – JILL HILL

Building Contractor F-1 (Solar)

DIE HARD INC – GUY JORDAN

A motion was made by Johnny Johnson to **APPROVE** the Consent License Requests,
seconded by Steve Horner; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor D-1 (Exteriors)

FRONT RANGE EXTERIORS – MATTHEW GANTNER (UPGRADE)*

Matthew Gantner appeared and stated he has been working in the construction industry since he was a teenager and has been a roofer in this jurisdiction for the past 2 ½ years. Michael Finkbiner asked Mr. Gantner about his website advertisement for decks, stucco, etc. Mr. Gantner stated he “revamped” his website earlier this year with the anticipation of being able to do this type of work in the future. He stated he does make repairs on decks, but they do not build decks. Pattie Bengner stated Mr. Gantner’s advertising states that he does skylights, but Mr. Gantner stated he does not do this work. John Welton stated that roofing and stucco repairs do not require permits unless they are over 100 square feet. Mr. Gantner stated he can take the website down today and correct it to only reflect the work that they are licensed and qualified to do. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a “D-1” (Exteriors) License, with the stipulation that Mr. Gantner’s website is taken down for two weeks until approval by the Board of Review, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor D-1 (Roofing)

MASTER ROOFING LLC – TERRY KEYES (REINSTATEMENT)*

Terry Keyes appeared and stated he has three permits that are outstanding, two permits require minor repairs. He stated the third permit is for a roof that needs to be replaced, and he is willing to reroof this house. He stated he has licenses throughout the northern Colorado front range area. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the reinstatement of a “D-1” (Roofing) License, with the stipulation that the three open permits be completed prior to pulling new permits, seconded by Richard Gillit; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 13850 Canter Road – Jason Charlebois, homeowner, 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.

- b) 7060 Highcroft Drive, Permit J65313 – Jose Villarruel, Abbas Construction Co., 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.
- c) 1023 East San Miguel Street, Permit J61858 – Pamela Schultz Consulting 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.
- d) 3832 Dolphin Circle – Austin Middleton 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.
- e) 6572 Lange Drive, Permit J67198 – Richard LeBlanc, 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.
- f) 6345 Tuckerman Lane, Permit J52418 – Dana Kwist, 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) 46 Elm Avenue, Permit J57179 – Ricardo Cordova, Monumental Building 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.
- h) 2508 Camelot Court, Permit J63861 – Sean O’Shea, O’Shea Construction, 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.
- i) 920 Barn Owl Drive – Cleo Acosta, 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.
- j) 4659 Farmingdale Drive, Permit J62525 – Eric Amoneno, Stonebridge Homes, Inc., requests a variance to Section R310.1, 2009 International Residential Code, to allow a 46” windowsill height in existing conditions where a maximum of 44” is allowed.

- k) 4965 Ellery Lane – Douglas Dirksen, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6'6½" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.
- l) 163 Del Oro Circle, Permit J67661 – David Rice, Rice's Remodeling, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 48" windowsill height in existing conditions where a maximum of 44" is allowed, with the stipulation that a step is permanently installed under the windowsill with a 6" rise and minimum of 11½" tread, and the full width of the window opening.

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

VARIANCE REQUESTS

- 5. 512 East San Miguel Street – Sarretta McCaslin, homeowner, requests variances to:
 - a) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'4" over a portion of the bathroom, including the sink and water closet, where 7'0" is required;

Sarretta McCaslin appeared and stated she is installing a second bathroom in the basement of a home built in 1926, and due to existing conditions she is unable to obtain Code compliant ceiling heights. She stated part of the ceiling is 6'4", and the remainder of the ceiling will be 6'10". She stated this area was previously a closet. A motion was made by Michael Finkbiner 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.

- b) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'10" over shower and remainder of bathroom, where 7'0" is required.

A motion was made by Michael Finkbiner 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.

6. 13850 Canter Road, Permit J64481 – Jason Charlebois, homeowner, requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’7” in a bathroom, where a minimum of 7’0” is required.

Jason Charlebois appeared and stated he discovered that his home did not have a permit for the basement finish and he is trying to sell the house; therefore, he pulled a permit and is trying to bring all issues up to Code. He stated due to existing ductwork, the entire bathroom ceiling was dropped to 6’7”. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Johnny Johnson; the motion carried unanimously.

7. 7266 Grand Prairie Drive, Permit J60889 – Edward Barker, homeowner, requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’7”, where a minimum of 7’0” is required.

Jeremy Pierce appeared and stated he is the contractor supervising this project, and this is a Keller home built in 2002. He said a pre-existing steel beam does not allow a Code compliant ceiling height in this basement. He stated he offers a “Build Your Own Basement” Program, and the homeowner actually does the construction. 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 5:1. Steve Horner opposed.

8. 3832 Dolphin Circle – Austin Middleton, homeowner, requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’9” in utility room, bathroom, and wet bar areas, where a minimum of 7’0” is required.

Austin Middleton appeared and stated the basement was finished prior to permit by the previous homeowner, and he would like to permit the work and bring it up to Code. He stated due to ductwork and plumbing, there are areas in the utility room, bathroom, and wet bar that have a lower ceiling with a finished height of 6’9”. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions, seconded by Scot Gring; the motion carried unanimously.

9. 732 North Spruce Street, Permit J65855 – Eric Heckman, Heckman & Sons Construction, requests variances to:
 - a) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’5½”, where a minimum of 7’0” is required;

Eric Heckman appeared and stated this house was built in 1919 and they are remodeling the entire house and bringing it up to Code. He stated due to pre-existing conditions, he is unable to obtain a Code compliant ceiling 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 5:1. Richard Gillit opposed.

Break from 10:24 a.m. to 10:30 a.m.

- b) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6'1" under furred-down beams, pipes and ducts where it is required to be a minimum of 6'8".

Mr. Heckman stated there is an area with a steel beam that prevents him from obtaining a Code compliant soffit height. A motion was made by Vince Colarelli to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues, seconded by Scot Gring; the motion carried unanimously.

- 10. 3178 West Colorado Avenue – Tasha Vigil, property owner, requests a variance to Section 907.2, 2009 International Existing Building Code, to allow use of building “as is” without analysis per the International Building Code. *This variance was returned to the Building Committee by the Board of Review so new information could be presented.*

Tasha Vigil appeared and **WITHDREW** her variance request; and amended it to state:

3178 West Colorado Avenue – Tasha Vigil, property owner, requests a variance to allow an “F-2” occupancy be considered as a Category 1 Structure per Table 1604.5, 2009 International Building Code, and waive the requirements of Section RBC302.4.29, 2011 Pikes Peak Regional Building Code.

A motion was made by Vince Colarelli to recommend to the Board of Review to **APPROVAL** of the amended variance request, seconded by Scot Gring; the motion carried unanimously.

- 10b. Donald Walls 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 an “E” License.

Donald Walls did not appear. A motion was made by Richard Gillit to **TABLE** the variance request until the end of the meeting, seconded by Scot Gring; the motion carried unanimously.

11. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

12. **NEW BUSINESS**

a) Tabled Items

A motion was made by Richard Gillit to **POSTPONE** the Tabled Items until the July 1, 2015, Building Committee meeting, seconded by Johnny Johnson; the motion carried unanimously.

The meeting adjourned at 11:32 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/lhg