

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

September 2, 2015

10:00 a.m.

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

MEMBERS ABSENT: Mr. Vince Colarelli
Mr. Steve Horner

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Mr. Todd Welch, Regional Building Counsel
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. John Welton, Chief Building Inspector
Mr. Bert Warchol, Commercial Building Inspector
Ms. Jessie Williams, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Chris Richardson called the meeting to order at 10:00 a.m.

1. **CONSIDERATION OF AUGUST 5, 2015 MINUTES**

A motion was made by Johnny Johnson to **APPROVE** the August 5, 2015 Building Committee Minutes as written, seconded by Richard Gillit; the motion carried unanimously.

2. **COMPLAINTS**

There were no Complaints to discuss.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1

AOI CORPORATION – JEFFREY MCLEAN
VENTURE CONSTRUCTION COMPANY – LEROY HOLLINGSWORTH (UPGRADE,
REINSTATEMENT)
WDS CONSTRUCTION – RICHARD SCHAALMA

Building Contractor A-2(General Limited)

VENTURE CONSTRUCTION COMPANY – LEROY HOLLINGSWORTH (UPGRADE, REINSTATEMENT)

Building Contractor B-1 (General Limited)

CHANCEY ENTERPRISES, INC. DBA ABBOTTS FIRE & FLOYD – TREVOR MARTIN
(EXAMINEE CHANGES CO., REINSTATEMENT)
ENDRES NORTHWEST, INC. – ROBERT ENDRES
INK CONSTRUCTION LLC – WILLIS HARTMAN

Building Contractor C (Homebuilder)

1ST CALL EXTERIORS & CONSTRUCTION – JOSEPH CLIFFORD
FOUNDATION 2 FINISH – CHAD KING
GREAT ESCAPE EGRESS, LLC. – PAUL KRUSE
LGI HOMES – COLORADO LLC – DWIGHT MULBERRY
THE HOTZ COMPANY – JUSTIN HOTZ

Building Contractor D-1 (Roofing)

ARGIVE ROOFING – ANDREW HICKS
JB MASTERS ROOFING & GUTTER – CRAIG KAATZ (EXAMINEE CHANGES CO.)
MCCOY ROOFING LLC – EARL MCCOY
MID-SOUTH SUBCONTRACTORS, INC. DBA MID-SOUTH ROOFING SYSTEMS –
VAN EDWARDS
NATE’S ROOFING LLC – NATHAN BEAUCHER
ROBBINS ROOFING SPECIALISTS, INC. – MICHAEL FINKBINER (ADDITIONAL
LICENSE)
SAREN STRUCTURES – BRAD SAREN (ADDITIONAL LICENSE)
WRS ROOFING, INC. – WILLIAM SHELL (REINSTATEMENT)

Building Contractor D-5A (Signs)

INNOVATIVE INSTALLATIONS INC – ROBERT CLAYTONHORNE
PERFECT APPEARANCE LLC DBA PUEBLO SIGN AND TINT- MICHAEL DURAN

Building Contractor E (Residential Maintenance/Remodeling)

ACT CONTRACTING L.L.C – CHRISTOPHER MADDOX
DIAMOND ROOFING AND CONSTRUCTION – MICHELLE HICKOX (ADDITIONAL
LICENSE)
DRI-WALL PROPERTY MAINTENANCE, LLC – JOHNNY WEST JR. (EXAMINEE
CHANGES CO.)
OPTIMACY CORP. – THOMAS COSTANDINE
MOUNTAIN METAL FABRICATION – BRANDON SCROGGINS

Building Contractor F-1(Solar)

SOLAR ENERGY RESOURCES LLC – LONNIE WILSON

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor B-1 (General Limited)

DJ'S HOME RESCUE LLC – DENVER YETTER *

Denver Yetter appeared and stated he worked on a number of industrial projects in Pennsylvania. He stated he also worked on several commercial projects in Oregon and Indiana. He stated in the 1980's he did a large number of tenant finishes. Mr. Yetter stated he had a residential license in Oregon for 22 years. He stated he also has a residential license in Indiana. He stated recently he built an 8,000 square foot natural foods grocery store in Oregon, and was a project manager for a Jimmy John's Restaurant in Florida. Mr. Yetter stated since living in Colorado Springs, he has been doing a lot of residential remodeling work. He stated the purpose of getting his license is because he plans to go into partnership with a commercial contractor, and would like to obtain his commercial license for this purpose; primarily to do commercial remodeling work. Scot Gring stated he does not believe Mr. Yetter has adequate experience for a "B-1" License. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a "C" License, with the limitation of two ground-up permits, until completed, unlimited below, at which time Mr. Yetter can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor C (Homebuilder)

GRABER BUILDINGS OF COLORADO – WILBUR HELMOTH *

Wilbur Helmoth appeared and stated his business has two separate entities, i.e. one for supplies, and one for construction purposes. He stated 90 percent of his work is residential garages, hobby shops, etc. He stated he has a “C” License in Jefferson, Larimer and Wellington Counties. Mr. Helmoth stated he usually builds two homes per year. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of a “C” License, with the limitation of two ground-up permits, until completed, unlimited below, at which time Mr. Helmoth can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 6975 Blackhawk Place, Permit J77935 – Christopher and Jennifer Harper, homeowners, request 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) 5340 War Paint Place, Permit J79214 – Andre McDougall, 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.
- c) 1831 Pinyon Jay Drive, Permit J49152 – Hassan Rage, 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.
- d) 5959 Mapleton Drive, Permit I97805 – Fred Breckenridge, Breckenridge Construction, 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) 2730 North Arcadia Street, Permit J70067 – James Wooldridge, PBP Construction, 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) 6308 Summer Grace, Permit J79181 – Isaac Bogart, Comprehensive Risk Services, 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) 1810 North Prospect Street, Permit J71984 – Edward Brady, 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.
- h) 6486 Graymont Drive, Permit J47064 – Rick Fluegel, 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.

A motion was made by Johnny Johnson to **APPROVE** the Consent Calendar Variance Requests, seconded by Richard Gillit; the motion carried unanimously.

VARIANCE REQUESTS

- 5. 3140 Van Teylingen Drive, Permit J68470 – Gary Chenoweth, Gardner Roofing, requests a variance to Appendix D of the 2011 Pikes Peak Regional Building Code, Section RBC302.4.24.1 Exception, as amended, City of Colorado Springs Ordinance 02-174, 2011 Pikes Peak Regional Building Code, to allow Class “B” Roofing Products, where a Class “A” roof covering is required.

Gary Chenoweth and Charles Gardner appeared, and Mr. Chenoweth stated Sierra Point Condominiums asked his company to replace the flat roofs on their buildings; one-half roof at a time. He stated he consulted with an RBD inspector about the proper materials for this type of roof, and was informed that a Class “B” roof would be acceptable. He stated during the inspection, he was told that because there were people living in the building, a Class “A” roof covering is required. He stated he has corrected this issue on the other buildings in the complex, but would like to waive compliance for this building. John Welton stated this does not pass the City of Colorado Springs Ordinance which overrides the Building Codes regarding this issue.

Break from 10:38 a.m. to 10:43 a.m.

Mr. Gardner stated he has been in business for 17 years and this is the first time he has appeared before the Building Committee to request a variance. Todd Welch stated that, even though this is a City Ordinance, the Building Committee has the authority to grant a variance to this issue. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the variance is limited to only

this half of the roof on this building, seconded by Johnny Johnson; the motion carried unanimously.

6. 1029 and 1106 North Nevada Avenue, and 926 North Cascade – Rick Greene, Colorado College, requests a variance to Section R902.1, 2009 International Residential Code, as amended, City of Colorado Springs Ordinance 02-174, 2011 Pikes Peak Regional Building Code, to allow wood roofing products where a Class A roof covering is required.

Rick Greene appeared and stated all three buildings are fully sprinklered and tied to the fire alarm system. He stated they received a similar variance in 2004 on a similar building. He stated currently all three buildings currently have wood roofing products, and are on the Historical Registry. Mr. Greene stated they plan to install a Class “A” assembly with Class “B” rated wood shingles and Densdeck. John Welton stated RBD staff takes no exception to this variance request because of the additional work they are doing to create a Class “A” assembly. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a Class “B” wood shingle with Densdeck to create a Class “A” assembly is installed on all three buildings, seconded by Johnny Johnson; the motion carried unanimously.

7. 3900 North Nevada Avenue, Building 1 – Donald Fear, K. W. Construction & Restoration, requests a variance to Section RBC203.1, 2011 Pikes Peak Regional Building Code, to allow a “C” licensed contractor to obtain a permit requiring a “B-1” license.

Donald Fear appeared and stated he has a “C” License and this fire damaged motel requires a “B-1” License. He stated that although he has not done work in El Paso County, he has significant experience with residential and commercial restoration work in other jurisdictions. The Committee members expressed their concern about Mr. Fear’s lack of experience in El Paso County. John Welton stated this was an illegally occupied “closet” that caught fire, and in the future, it will be an unoccupied storage room/closet with fire separation from the remainder of the facility; and wanted to remind the Committee that a child died in this fire. He stated RBD staff does take exception with this variance request.

The Building Committee moved into Executive Session at 11:01 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 11:08 a.m., Chairman Richardson noted that no decisions were made during the Executive Session.

A motion was made by Scot Gring to recommend to the Board of Review **DENIAL** of the variance request because there was a “loss of life” in this fire, and recommends that a qualified licensed contractor do this work, seconded by Richard Gillit; the motion carried unanimously.

8. 8220 Meadowcrest Drive, Permit J63953 – Harry Wetz, homeowner, requests variances to:
- a) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'4" in a bedroom, where a minimum of 7'0" is required.

Harry Wetz appeared and stated he is finishing his basement and is working with J & J Construction and their "build your own basement" package. He stated the house was built in 2005 and due to pre-existing conditions, he is unable to obtain a Code compliant ceiling height. He stated the framing was completed by J & J Construction, and he has subcontracted the plumbing, heating and electrical work. John Welton stated this is a common problem with the homes constructed by the builder of this home. A motion was made by Richard Gillit to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues; the motion **FAILED** due to lack of a seconded to the motion. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the variance request because it has an egress window well, and based on historical variances in the past, seconded by Johnny Johnson; the motion carried 3:1. Richard Gillit opposed.

- b) 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".

A motion was made Scot Gring 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.

9. 804 East Washington Street, Permit J78687 – William and Stacy Austin, homeowners, request a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'9½", where a minimum of 7'0" is required.

William Austin appeared and stated his house was built in 1929 and due to pre-existing conditions, he is unable to obtain a Code compliant ceiling height. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions and it does not create a life safety issue, seconded by Johnny Johnson; the motion carried unanimously.

10. 1315 Big Valley Drive, Permit J75033 – Pamela Schultz Consulting, Inc. requests a variance to Section R311.7.4.2, 2009 International Residential Code, to allow a 9" stair tread depth, where 10" is required.

Pamela Schultz stated this house was built in the late 1970's, and she is replacing the staircase with the same design and dimensions as the previous stairs. She stated due to space limitations, they would prefer not to lengthen the staircase. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request because the treads are open-toed and there are no life safety issues, seconded by Michael Finkbiner; the motion carried unanimously.

11. 916 and 918 West Cheyenne Road, Permit J53165 – Seth McWilliams, McWilliams Roofing, Inc., 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.

Seth McWilliams appeared and stated due to an oversight on his part, he installed only one layer of 30 pound felt over the patio areas that have a low slope. He stated he would be willing to extend the warranty to ten years. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because both roof areas are over outdoor patios and the homeowner is aware of the issue, seconded by Johnny Johnson; the motion carried unanimously.

12. 1508 Saratoga Drive, Permit J76403 – Phil Martinez, 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.

Chris Richardson stated Item 12 has been **POSTPONED** for 30 days.

13. 146 Security Boulevard, Permit J67931 – Kenneth Everett, 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.

Kenneth Everett stated he reroofed his home himself as a homeowner. He stated he spoke with an RBD inspector and due to a miscommunication with the building inspector, he was told to remove the existing roof and install two layers of underlayment; or install a metal roof over the existing roof. He stated the metal roof was not financially feasible for him, so he removed the existing roof and installed two layers of 15 pound felt with asphalt shingles. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because the homeowner did the work himself and he will be responsible for any leaks or warranty issues, seconded by Richard Gillit; the motion carried unanimously.

- 13b. 2740 Lumberjack Drive, Permit J25595 – Douglas Lamson, homeowner, requests a variance to Section R311.7.4.1, 2009 International Residential Code, to allow a difference in stair riser height of more than the 3/8" allowed by Code.

Douglas Lamson appeared and stated he brought this issue before the Building Committee in August regarding a stair riser on his new deck. He stated he has modified the structure, and reduced the difference in the stair riser to 3/4", instead of the previous 1 1/4". A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request because the homeowner has made every effort possible to correct the issue, seconded by Richard Gillit; the motion carried unanimously.

14. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

15. **NEW BUSINESS**

a) Potential Contractor Complaint

Mike Finkbiner stated he is concerned about Jeremy Pierce with J & J Construction, and the work he is doing with homeowners, as a consultant with his "Build Your Own Basement" package. John Welton stated RBD staff is aware of the issue, but at the moment we do not have a definite complaint against him, which makes it difficult to bring him before the Building Committee due to a Code violation.

The meeting adjourned at 12:09 p.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg