

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **BUILDING COMMITTEE MINUTES**

October 7, 2015

9:00 a.m.

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

MEMBERS ABSENT: Mr. Richard Gillit  
Mr. Scot Gring

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  
Mrs. Jessie Williams, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### **PROCEEDINGS:**

Chairman Chris Richardson called the meeting to order at 9:04 a.m.

#### **1. CONSIDERATION OF SEPTEMBER 2, 2015 MINUTES**

A motion was made by Vince Colarelli to **APPROVE** the September 2, 2015 Building Committee Meeting Minutes as written, seconded by Johnny Johnson; the motion carried unanimously.

#### **2. COMPLAINTS**

- a) A complaint has been brought against Eric Heckman, licensee for Heckman & Son's Construction, by Phyllis and Richard Kennedy for willfully violating Sections RBC201.11.3(1), (3), (5), and (6), 2011 Pikes Peak Regional Building Code, by pulling a permit for an unlicensed contractor to do work at 210 Wuthering Heights Drive, Colorado Springs, Colorado.

All parties testifying were sworn in. Eric Heckman appeared and stated he is part-owner in Silver Summit General Contractors ("Silver Summit"), and did not know that it was against Code to pull a permit for that company. He said he is in the process of having his license transferred from Heckman & Son's Construction to Silver Summit General Contractors. Richard and Phyllis Kennedy stated they live in the house at 210 Wuthering

Heights Drive and contracted with Silver Summit to do work at their home. Mr. Kennedy stated this contractor built a retaining wall in their back yard that is 6' high, and this retaining wall was built without a permit. He stated the retaining wall has collapsed several times creating a safety hazard for both themselves and their pets.

John Welton stated RBD staff has been involved in this project since June 6<sup>th</sup>, monitoring the repair of the retaining wall. He stated he has also been in contact with Mr. Heckman with regard to the repair of the retaining wall, without resolution. He stated the retaining wall has a number of Code violations, which are creating life safety issues, i.e. height of wall, lack of guardrail for the patio which this wall is supporting, stringer defects, etc. Mr. Welton stated the permit was for two decks, and the original retaining wall was not supposed to be over 4' in height; the retaining wall is currently at 5'8". He stated Silver Summit does not hold a license with RBD, nor do they hold a business license registered with the Secretary of State.

Mr. Heckman stated he has contacted an engineer with regard to the retaining wall, and he is still waiting for their design. He stated he has had a license with RBD for 12 to 13 years, and he does not want to jeopardize his license. He stated he is making every effort to correct this issue. Mr. Heckman stated he is prepared to submit an engineer's report for this work and complete the work in accordance with the engineer's design, at his costs. He stated he is willing to share the costs of the handrail for the patio, because it was not in the scope of work in the contract. John Welton stated RBD staff's recommendation is for Mr. Heckman to pull a separate permit for the retaining wall, and request that the Committee recommend a temporary suspension of Mr. Heckman's license until the two permits are complete.

The Building Committee moved into Executive Session at 9:53 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 10:07 a.m., Chairman Richardson noted that no decisions were made during the Executive Session.

A motion was made by Steve Horner to recommend to the Board of Review that Mr. Heckman be given four weeks to complete the permit for the decks, and to obtain and complete a permit for the retaining wall, with the stipulation that he is allowed to pull a maximum of three permits, including one for the retaining wall, within the next four weeks. Further, if the permit for the retaining wall is not completed within four weeks, Mr. Heckman must reappear before the Building Committee at the November 4, 2015 meeting to address that issue, seconded by Johnny Johnson; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

**Building Contractor A-1**

KROESCHELL ROCKY MOUNTAIN, INC. – JOHN WILKINS

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

BL SMITH CONSTRUCTION, INC. – BRIAN SMITH  
RIGHT WAY FACILITY SERVICES OF TEXAS, LLC – JOSEPH ROBERTSON  
SCHWEIGER CONSTRUCTION COMPANY – BRIAN SHULDA

**Building Contractor B-2 (General Limited)**

HARDESTY & ASSOCIATES, INC. – NANETTE GRIFFITHS (CO. CHANGES  
EXAMINEE, REINSTATEMENT)  
MCCON BUILDING CORPORATION – CHRISTOPHER MCGUIRE

**Building Contractor C (Homebuilder)**

BLACK OAKS HOMES, INC – FREDRICK WROBEL (EXAMINEE CHANGES CO.)  
LAMININ CONSTRUCTION LLC – PLANTENGO, JARROD  
SENTINEL CONTRACTING, INC – JEFF STELZNER (EXAMINEE CHANGES CO.)

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

WES BARCA – WESLEY BARCA  
SCHMUESER & ASSOCIATES, INC – LARRY SCHMUESER (REINSTATEMENT)

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

AFFORDABLE ROOFING & CONSTRUCTION LLC – WILSHUSEN, JOHN  
(EXAMINEE CHANGES CO.)  
GO ROOF TUNE UP, INC. – MARTIN STOUT  
REROOF AMERICA CONTRACTORS CO, LLC – JOHN EMRICH (CO. CHANGES  
EXAMINEE)  
SHOP ONE STOP ROOFING & CONSTRUCTION – JULIUS TORNABENE

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

JOSE SANDOVAL STUCCO – SANDOVAL ARREOLA, JOSE

**Building Contractor D-2A (Wrecking)**

GIBBY'S CONSTRUCTION INC – GIL CRANDALL (REINSTATEMENT)

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

EVERSIGN LLC DBA CONCEPT SIGNS & GRAPHICS – MATT EVERHART  
MJ GRAPHICS – JOSE ALVAREZ

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

CRAFTSMAN CUSTOM BUILDERS – BENJAMIN CUTTER (CO. CHANGES EXAMINEE)  
RW RESIDENTIAL REMODELERS – RYAN WITT  
SONRICH L.L.C. – JASON BUQUET

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

BIG DOG RENEWABLE ENERGY LLC – JACOB BALL

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

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

**Building Contractor A-1**

ELEMENT CONSTRUCTION COMPANY – JEREMY FERRANTI \*

Jeremy Ferranti appeared and stated he has been working for two different commercial contractors since 2007, and he has submitted a list of approximately 30 projects that he has worked on during that time frame, which includes experience with core and shell construction as the general superintendent. He stated he was also the general superintendent for a P. F. Chang's Restaurant and a Red Robin Restaurant. He stated he also has worked on two elementary school additions in Jefferson County. Mr. Ferranti stated he recently purchased a new home in Monument, and anticipates doing work in El Paso County. He stated he previously had licenses in Aurora, Lakewood, Littleton, Broomfield, and Commerce City, but he let them lapse. He stated he is currently applying for licenses in Denver and Fort Collins, as well as El Paso County. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of a Building Contractor "A-1" License,

with the limitation of two open permits, unlimited below, until completed, at which time Mr. Ferranti can work with RBD staff to have the restriction removed, seconded by Vince Colarelli; the motion carried unanimously.

**INK CONSTRUCTION LLC – WILLIS HARTMAN \***

Willis Hartman appeared and stated his father was a general contractor, and he has been working in the construction industry throughout his life. He stated he has worked on a large number of health clubs and restaurants. He stated 70% of his work are A-2 projects, and he has been doing commercial projects throughout Kansas, Oklahoma, Nebraska, Missouri and Colorado. Mr. Hartman stated he plans to build restaurants in El Paso County, which is the purpose of this license request. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of an “A-2” License, with the limitation of two permits, until completed, at which time Mr. Hartman can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

**MERRITT GENERAL CONTRACTORS – SHAWN GRING (SECONDARY EXAMINEE)\***

Shawn Gring appeared and stated he has worked on a number of commercial projects as a general superintendent, and gave the Committee members a list of the projects. John Welton stated RBD staff is very comfortable with Mr. Gring’s experience to obtain this license, but Mr. Gring was brought before the Building Committee for his license request due to his relationship with a committee member. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the Building Contractor “A-1” License, seconded by Michael Finkbiner; the motion carried unanimously.

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

**SEVEN POINT CONSTRUCTION, INC. – GREGORY LONG (CO. CHANGES EXAMINEE) \***

Gregory Long appeared and stated he has been working in the construction industry most of his life. He said he has been doing tenant finishes, which included medical offices, as a project manager. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of a “B-1” (General Limited) License, seconded Steve Horner; the motion carried unanimously.

**SILVER SUMMIT GC – ERIC HECKMAN (EXAMINEE CHANGES CO.) \***

Eric Heckman appeared and stated he would like to move his license to Silver Summit GC. He stated he currently has four open permits under Heckman & Sons Construction, which he intends to move to Silver Summit GC as well. He stated he does not have any employees,

and uses subcontractors to do the work on his projects. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of a Building Contractor “B-1” (General Limited) License, with the limitation of three open permits, and Mr. Heckman must reappear before the Building Committee to have the restriction removed, seconded by Steve Horner; the motion carried unanimously.

\* Appearance required at the Building Committee meeting.

#### 4. **CONSENT CALENDAR**

- a) 5228 Cracker Barrel Circle, Permit J75162 – 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.
- b) 5236 Tomah Circle, Permit J80839 – Terri Kerr, Edwin R. Kerr Estate, 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) 5210 Wainwright Drive, Permit J46163 – Eva Bentz, 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.
- d) 2665 Inspiration Drive, Permit J74694 – Shane Utesch, Vitalized Homes, 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) 5064 Pole Plant Drive, Permit G02990 – Loretta Parker, 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) 6218 Elk Bench Trail, Permit H16078 – Scott Harvanek, 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.
- g) 2571 Hot Springs Court, Permit J81938 – Daniel Moore, Ox Construction, LLC, 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.

- h) 235 Arequa Ridge Drive – Will Mawhiney, homeowner, 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.
- i) 749 Harvest Field Way, Permit J82793 – 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.
- j) 4647 Saddle Ridge Drive, Permit J74595 – Nasrallah Plumbing & Heating 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.

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

## **VARIANCE REQUESTS**

- 5. 779 Seedling Court – Jack Paulson, Paulson Architects, P.C., requests a variance to Section 903.2.4, Group F1, Note No. 1, 2009 International Building Code, to allow a fire area of 12,978 square feet, where a maximum of 12,000 square feet is required.

Jack Paulson appeared and stated they are unable to divide this greenhouse building into two separate 12,000 square foot sections due to the design of the building and the fire barrier. He stated one side of the building will exceed the 12,000 square feet required by Code. John Welton stated CSFD takes no exception with this variance request; and RBD staff also takes no exception to this variance request. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Johnny Johnson; the motion carried unanimously.

- 6. 5151 Cheyenne Mountain Highway, Permit J21256 – Bob McGrath Construction requests a variance to Section RBC105.2.1, No. 7, 2011 Pikes Peak Regional Building Code, to allow cut stringer steps over trail to be deemed landscaping; and therefore, not subject to the provisions of the Code.

Bob McGrath appeared and stated this project is the Cloud Camp project at the Boardmoor Hotel. He stated there is a trail to the Fire Tower that guests are having trouble navigating. He stated he is trying to enhance the trail to make it easier for guest to navigate. John Welton stated the issue is with the stringer stairs on the trail. Mr. McGrath stated the Fire Tower and

the trail has been there since 1926, and they are trying to maintain it as a natural trail. Chris Richardson stated the issue is there are stairs with stringers and no handrail. Mr. Welton stated stairs with railroad ties used to change elevations are deemed “landscaping”. Mr. McGrath stated he is willing to add handrails to the stringer stairs, if necessary, because it would be very difficult to use railroad ties in lieu of the stringer stairs due to the large rocks, etc. Steve Horner stated the stringer stairs are an improvement over the previous condition of the trail, making the trail safer for the people walking on the trail. Mr. McGrath requested that his variance request be **POSTPONED** for 30 days to give him an opportunity to discuss a redesign of the stringer stairs with his client.

7. 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.

No one appeared. A motion was made by Johnny Johnson to **TABLE** this variance request until the end of the meeting, seconded by Steve Horner; the motion carried unanimously.

8. 1728 North Royer Street, Permit J50718 – Jacob Butterfield, homeowner, requests a variance to 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”.

Jacob Butterfield appeared and stated he is putting an addition on his home, built in 1925, so he will have additional space for his children to play. He stated due to the existing beam in his home, he is unable to have a code compliant soffit height in the addition. He stated he is acting as his own general contractor. Mr. Butterfield stated this soffit is in a room that will be utilized as a playroom for his children. He stated his architect did not identify the issue to him. He stated there are two egress windows in the room. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request due to existing conditions that cannot be modified, seconded by Steve Horner; the motion carried 3:1. Vince Colarelli opposed.

9. 806 East Platte Avenue – Laurie Wilson and Steve Weed, homeowners, request a variance to Section R305.1, Exception No. 2, 2009 International Building Code, to allow a 6’5” ceiling height over a portion of a shower due to the slope of the roof.

Steve Weed and Laurie Wilson appeared and Ms. Wilson stated they are installing a new bathroom in their historic home and due to the slant of the roof, they are unable to obtain a Code compliant ceiling height in a small portion of the shower in this bathroom. John Welton stated RBD staff takes no exception to this variance request. 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 unanimously.



10. 730 North Weber Street, Permit J03909 – Mark Kraft, American Western Builders, requests a variance to Section 1009.2, 2009 International Building Code, to allow a 6’5” head height above the stairs where a minimum of 6’8” is required.

Mark Kraft appeared and stated due to the stairs above this stairway, he is unable to obtain a Code compliant head height above the stairs in this house built in 1899. Bert Warchol stated during his first inspection, the stairs were too steep, so the contractor modified the lower stairs. He stated in his opinion the contractor has obtained the maximum height possible without structural modifications. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that there is a 6’5” clear head height above the stairs, seconded by Johnny Johnson; the motion carried unanimously.

11. 12320 Grand Teton Drive, J72930 – Brian Franck, homeowner, requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’8” where a minimum of 7’0” is required.

Brian Franck appeared and stated he built a small bedroom in his basement and due to existing large ductwork, he finished the entire ceiling in this room at 6’8”. He stated the room is 9’ x 14’, and he is finishing this room for his mother-in-law. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that there is a clear 6’8” ceiling height when finished, seconded by Johnny Johnson; the motion carried unanimously.

12. 17755 Charter Pines Drive – Glenn Brooke, Designer, requests a variance to Section R403.1.4.1, 2009 International Residential Code, to allow less than the required 30” frost protected piers/foundation.

Glenn Brooke appeared and stated this garage/workshop was constructed 25 years ago without a permit. He stated the owner now wants to sell the property and they are trying to permit the garage and have it completed. He stated the foundation has a 24” frost depth, which does not meet Code. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request based on the engineer’s report and drawing, seconded by Johnny Johnson; the motion carried unanimously.

- 12b. 1927 Aviation Way, Permit J66742 – JHW Investment Company requests a variance to Section 804.4, 2003 ICC/ANSI A117.3, to allow a sink in the mechanic’s room at 36” in height, where a maximum of 34” is allowed.

Dick Janitell stated this variance request is for a sink in a breakroom for the mechanics in this airplane hangar. He stated they raised the countertop in order to install a dishwasher. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Michael Finkbiner; the motion carried 3:1. Johnny Johnson opposed.

- 12c. 3203 North Prospect Street, Permit J75145 – Jeremy Farrell, homeowner, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6'3" under furred-down beams, pipes and ducts where a minimum of 6'8" is required.

Jeremy Farrell appeared and stated due to existing ductwork in this house built in 1954, he is unable to obtain a Code compliant soffit height. John Welton stated RBD staff takes no exception to this variance request due to pre-existing conditions. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Steve Horner; the motion carried unanimously.

13. **UNFINISHED BUSINESS**

a) Board of Review Decision

Johnny Johnson stated the variance request heard last month regarding the handicapped shower in the plane hangar was overturned by the Board of Review because the variance applicant modified his plan.

14. **NEW BUSINESS**

a) Tabled Items

A motion was made by Johnny Johnson to **POSTPONE** the tabled items until the November 4, 2015 Building Committee Meeting, seconded by Michael Finkbiner; the motion carried unanimously.

The meeting adjourned at 12:18 p.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official

RNL/llg