

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

February 3, 2016

9:00 a.m.

MEMBERS PRESENT: Chairman Chris Richardson
Mr. Michael Finkbiner
Mr. Steve Horner
Mr. Johnny Garcia, Alternate Committee Member

MEMBERS ABSENT: Mr. Richard Gillit
Mr. J. B. (Johnny) Johnson
Mr. Vince Colarelli
Mr. Scot Gring

OTHERS PRESENT: 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 9:04 a.m.

1. **CONSIDERATION OF JANUARY 6, 2016 MINUTES**

A motion was made by Michael Finkbiner to **APPROVE** the Minutes of the January 6, 2016 Building Committee Meeting as written, seconded by Johnny Garcia; the motion carried unanimously.

2. **COMPLAINT UPDATE**

There were no Complaints to discuss.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1

CLASSIC HOMES/ELITE PROPERTIES OF AMERICA – LOREN MORELAND
H.W. HOUSTON CONSTRUCTION LLC – MICHAEL INGO
PG CONSTRUCTION SERVICES, INC. – PAUL FOGLEMAN (EXAMINEE CHANGES CO., REINSTATEMENT)
RICHARDSON VAN LEEUWEN CONSTRUCTION LLC – DENNIS VAN LEEUWEN

RON DAVIDSON – RON DAVIDSON – (EXAMINEE CHANGES CO.)

Building Contractor A-2 (General Limited)

EATON CONSTRUCTION – RICK EATON

Building Contractor B-1 (General Limited)

KCG SERVICES INC. – KELLY GRIFFITHS
RATHERT, INC – JACKSON RATHERT (UPGRADE)
CREATIVE CONVENIENCE CORP. – BRANDON SWAN

Building Contractor C (Homebuilder)

BOTTIN CONSTRUCTION, INC. – MERLIN BOTTIN
COBBLE STONE CONST. – NICOLAAS STOLK (EXAMINEE CHANGES CO.,
REINSTATEMENT)

Building Contractor D-1 (Roofing)

AJ BOONE EXTERIORS – DANIEL BOONE
BAJWA ROOFING, INC. – GURSHARAN BAJWA
COMMERCIAL PRO ROOFING – LEWIS HARDIN JR.
HIGH PLAINS RENOVATION LTD – DANIEL FLYNN (REINSTATEMENT)
FLYNN SOUTHWEST LP (FORMERLY D & D ROOFING, INC.) – ALEXANDER VAN
SCHMITT

Building Contractor D-5A (Sign)

DISCOUNT SIGN – TIMOTHY MALONE
INTERSTATE SIGN COMPANY INC – LARRY SAWYERS

Building Contractor E (Residential Maintenance/Remodeling)

MIKE’S CONSTRUCTION – MICHAEL BALDOCK (REINSTATEMENT)

Building Contractor F-1(Solar)

FENNERGY – NYLES FENNER

A motion was made by Steve Horner 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

Building Contractor D-1 (Roofing)

SNG ROOFING & GUTTERS, INC. – BRIAN BURRIS (EXAMINEE CHANGES CO., REINSTATEMENT) *

Brian Burris appeared and stated he has been in the construction business for 23 years. He stated he has one employee, and he uses subcontractors for most of his work. He stated he was convicted of a non-trade related felony, and incarcerated and unable to complete his permits, but he has been on parole for four years. John Welton stated Mr. Burris has three permits that were voided, and one permit was completed by another contractor. He stated if Mr. Burris does not have a license, he cannot request a final inspection on these permits; he stated he would allow Mr. Burris to waive the fee for these permits. A motion was made by Michael Finkbinder to recommend to the Board of Review that Brian Burris be **APPROVED** for a “D-1 (Roofing) License for 30 days to complete the three voided permits, and he must reappear before the Building Committee at the March 2nd Building Committee meeting to have his license approved upon completion of the outstanding permits, with the limitation of two permits at any one time, seconded by Johnny Garcia; the motion carried unanimously.

SNG ROOFING & GUTTERS, INC – JOSEPH JACKSON *

Joseph Jackson appeared and stated he is the manager of SNG Roofing at Fort Carson. He stated the company’s insurance company requires that he be licensed to install a certain type of shingle, and he only works in the Fort Carson area. He stated he has been in the roofing business for more than 25 years. A motion was made by Michael Finkbinder to recommend to the Board of Review **APPROVAL** of a “D-1” (Roofing) License, with the limitation of two open permits, until completed, at which time Mr. Jackson can work with RBD staff to have the restriction removed, seconded by Johnny Garcia; the motion carried unanimously.

Building Contractor E (Residential Maintenance/Remodeling)

WILD WOOD CARPENTRY – JAMES ELLIS *

No one appeared. A motion was made by Michael Finkbinder to **TABLE** this license request until the end of the meeting, seconded by Johnny Garcia; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. **CONSENT CALENDAR**

- a) 1320 Carlson Drive, Permit J84494 – Janene LaPoure, 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.
- b) 847 Chelsea Court, Permit J96269 – Timothy Flink, 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.
- c) 6487 Morning Dove Drive, Permit J72447 – Melanie Pace, 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.
- d) 8153 Brigantine Drive, Permit J97237 – Jerry Harper, Homefix, requests variances 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.
 - Section R310.1, 2009 International Residential Code, to allow a 46½” windowsill height in existing conditions where a maximum of 44” is allowed.
- e) 4720 Findon Place, Permit J68000 – Gary Thompson, 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.
- f) 1081 Antrim Loop, J73638 – Jose Estrada, Aspen View Homes, 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.
- g) 1123 Mount Estes Drive, Permit J87355 – Jeremy Pierce, J & J Construction, 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.

- h) 1606 Baylor Drive, Permit J96086 – Esme Delange, COS Investor Services, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 46½” windowsill height in existing conditions where a maximum of 44” is allowed.
- i) 6827 Rosewood Drive, Permit J91982 – Kenton Carew, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 50” 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 11½” tread, and the full width of the window opening.

A motion was made by Michael Finkbiner 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. 6592 Ray Nixon Road – Sam Jackson, The Perry Group, Ltd., requests a variance to allow use of OSHA Standard 1910.23(e)(2), in lieu of Sections 1012 and 1013.2, to permit the stair guardrail for an equipment platform to be 34” to 37” in height from upper surface of top rail to surface of tread in line with face of riser at forward edge of tread.

Sam Jackson stated this project is in a power plant, and he is seeking approval to use an equipment platform with a combination handrail/guardrail of 34” to 37”, primarily for convenience, and used primarily for employees. He stated this facility has a limited number of occupants. John Welton stated RBD staff takes no exception to this variance request. A motion was made by Johnny Garcia to recommend to the Board of Review **APPROVAL** of the variance request for 34” to 37” stair guardrails, seconded by Steve Horner; the motion carried unanimously.

- 6. 1605 South Tejon Street – Ryan Lloyd, Echo Architecture, requests a variance to Sections 705.5 and 705.6, 2009 International Building Code, to allow 1-hour rated fire shutters in lieu of 1-hour rated supporting construction.

Steve Horner stated, although he is involved in this project, the variance request does not involve any structural components of the building, so he feels he is able to vote on this variance request.

Ryan Lloyd appeared and stated this is a two-story existing building, and is a change of use project and they are converting it into a restaurant. He stated the building has existing openings on the north side of the building and they are converting them into balconies. He stated they are creating a one-hour niche with these balconies, however the supporting construction is not rated for the entire length of the structural expanse of those floors. He

stated they are proposing fire shutters to maintain the one-hour fire wall. Jay Eenhuis stated RBD staff takes no exception to the variance request because the proposed construction is an improvement upon the current construction. A motion was made by Johnny Garcia to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the fire shutters are tied to a fire alarm system and have a fusible length, seconded by Michael Finkbiner; the motion carried unanimously.

7. 507 Canon Avenue, Permit J94050 – Ross Ullrich, The Unicorn Company, requests variances to:

- a) Section 1013.2, 2009 International Building Code, to allow a 36” guardrail height, where a minimum height of 42” is required.

Ross Ullrich appeared and stated this structure is in Manitou Springs, is owned by the City, and in the historical district. He stated the City would like the guardrail height to be 36”, primarily for aesthetics reasons, so it will blend with the other structures in the neighborhood. Jay Eenhuis stated RBD staff takes no exception to the variance request because it is a four-plex and the people living there will be used to their surroundings. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request because it is an improvement over pre-existing conditions, seconded by Michael Finkbiner; the motion carried unanimously.

- b) Section 1029.2, 2009 International Building Code, to allow an emergency escape and rescue opening with a net clear opening of 4.6 square feet, where 5.7 square feet is required.

Mr. Ullrich stated the owner would like to replace the windows with the same size windows as the existing windows. He stated this size of window was acceptable in the 2003 International Building Code. He stated the Manitou Springs Historical personnel also wish to have the same size window installed as the current windows. A motion was made by Johnny Garcia to recommend to the Board of Review **APPROVAL** of the variance request; the motion **FAILED** due to lack of a second to the motion. A motion was made by Steve Horner to recommend to the Board of Review **DENIAL** of the variance request, seconded by Michael Finkbiner; the motion carried 3:1. Johnny Garcia opposed.

8. 3023 Springridge Drive, Permit J95438 – K1 Roofing and Restoration, LLC, 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.

Mark Ruffour appeared and stated this home currently has a cedar shake roof, which blends with the other homes in the neighborhood. He stated the system they are proposing meets or exceeds the requirements of RBD and the Colorado Springs Fire Department (“CSFD”) of a Class A roof system, which includes ¼ inch Densdeck, with two layers of a synthetic underlayment that is also fire retardant, plus Class B fire retardant shakes. John Welton stated CSFD opposes this variance request. He stated it is not possible to get a Class A rated shingle and CSFD opposes this roof system. Mr. Ruffour stated 65 to 75 percent of the homes in this neighborhood have wood shake shingles. A motion was made by Michael Finkbiner to recommend to the Board of Review **DENIAL** of the variance request based on the recommendations from CSFD, and also based on the City Ordinance from the very inception that it is a Class A covering rather than a Class A system, seconded by Johnny Garcia; the motion carried unanimously.

9. 6836 Freewheel Court – Jeff Babinsky, homeowner, requests a variance to Section R311.7.4.2, 2009 International Residential Code, to allow a stair tread depth of 9”, where a minimum of 10” is required.

Dave Graalum appeared and stated this home was built in approximately 2000, and the homeowner’s parents will be moving into the lower level of the home. He stated they are proposing to use the existing stairs, but to reverse them. He stated by rebuilding the stairs, they will incur headroom issues. John Welton stated RBD staff takes no exception to this variance request. A motion was made by Johnny Garcia to recommend to the Board of Review **APPROVAL** of the variance request due to existing non-conforming issues, seconded by Michael Finkbiner; the motion carried unanimously

10. 108 Pierce Drive, Permit J95179 – Daniel Moore, Ox Construction, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a 6’0” head height above the stairs where a minimum of 6’8” is required.

Daniel Moore appeared and stated this home was built in the late 1950’s and due to pre-existing conditions, he is unable to obtain a Code compliant head height above the stairs. He stated he has improved the previous construction, which had a head height of 5’5” over the stairs, but he is still unable to raise the head height any higher than 6’0”. A motion was made by Johnny Garcia to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions, seconded by Steve Horner; the motion carried unanimously.

11. 1231 West Cucharras Street, Permit J80518 – Carl Hedberg, Perfection Deck and Patio, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a head height of 3’9” to 6’1” above the stairs where a minimum of 6’8” is required.

Carl Hedberg stated this home is 120 years old and has a 10:12 pitch on the roof. He stated the staircase to the upper level is against the pitch of the roof so there is a sloped ceiling over

the stairs. He stated there was a fire in this house, which was built in 1895, and the house has been vacant for approximately 10 years. Mr. Hedberg stated previously there were two bedrooms on the upper level, and he is adding a bathroom to create a master bedroom suite on the upper level. He stated the project is near completion. John Welton stated RBD staff does take exception to this variance request, because the head height is extremely low. A motion was made by Steve Horner to recommend to the Board of Review **DENIAL** of the variance request because there are options available to correct the construction, seconded by Michael Finkbiner; the motion carried unanimously.

12. 1308 North Cascade Avenue – Jane Morgan, homeowner, requests a variance to Section R905.6.2, 2009 International Residential Code, to allow installation of synthetic slate shingles on a porch with a 2:12 slope, where prohibited.

Jane Morgan appeared and stated her home was built in 1905, and she purchased her home in 1999. She stated she reroofed her home in 2002, with an Ecostar roofing product. She stated she incurred hail damage and they are reroofing the home again with an Ecostar product. Michael Finkbiner stated the manufacturer will not warranty the product when installed on a roof under a 3:12 pitch. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a self-adhered under layment shield be installed on the porch roof, seconded by Steve Horner; the motion carried unanimously.

13. 1317 LaPaloma Way, Permit J96328 – Tam Walsky, homeowner, requests a variance to Section R905.2.2, 2009 International Residential Code, to allow shingles to be installed on a roof pitch less than 2:12.

Tam Walsky stated her home was recently reroofed by Master Roofing and the inspection failed because it has a 1.5:12 pitch on her front porch. She stated she would prefer to not have to reroof this portion of her home to bring it up to Code. She said they did install ice and water shield on the porch roof. Michael Finkbiner stated the manufacturer's warranty will not be in effect for the porch roof due to the low pitch of this section of her roof. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because there is ice and water shield under the shingles, the homeowner is aware that she will not have a warranty on this section of her roof, and it is not habitable space under this section of the roof, i.e. it is a porch area, seconded by Johnny Garcia; the motion carried unanimously.

14. 58 North Raven Mine Drive – Wayne Intermill, Hi Point Home Builders, request a variance to Section R302.1, to allow an unrated exterior wall and underside protection of projections where the fire separation distance is less than 5', where a 1-hour rating is required.

Wayne Intermill and Tammy Stewart, Hi Point Home Builders, appeared and Ms. Stewart stated this home has a side entry to the garage and this property backs up to a 6' concrete fence surrounding the subdivision. Mr. Intermill stated he is also working with the Zoning Department with regard to the easement issue, and they are here to address the issue with the unrated exterior wall. He stated they are proposing to exit out of the garage on the side of the house into a 17' alley, but they require an area outside of the garage for purposes of turning the car around. He stated there are no dwellings next to this area and there is a "green area" on one side of the home belonging to the HOA. Jay Eenhuis stated RBD staff takes no exception to this variance request. A motion was made by Johnny Garcia to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Steve Horner; the motion carried unanimously.

- 14.b. 1400 E. Boulder Street – Jennifer Wilkinson, Stanley, Beaman & Sears, requests a variance to Section 1109.2, 2009 International Building Code, to allow remodel work without full compliance to Section 1109.2

John Welton appeared for Jennifer Wilkinson, and stated this variance request is a continuance of a previous variance that was granted in May 2015 for a hospital. He stated this variance is for Phases 2 and 3 of the hospital, and it is the identical variance heard and approved by this Committee last year. He said the existing toilet rooms in this interior remodel are not being remodeled in the same footprint to increase patient accessibility and safety, i.e. revised hand sink location in toilet rooms to be accessible with an additional accessible sink in the room; relocation of toilet room sink to allow clear floor space at shower, continuous grab bar for transfer aid into shower, grab bars on three shower walls for additional support, removal of shower curb to eliminate tripping hazard, and added vertical grab bars. Jay Eenhuis stated RBD staff take no exception to this variance request because they are improving the current conditions. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Michael Finkbiner; the motion carried unanimously.

15. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

16. **NEW BUSINESS**

Tabled Items.

- a) A motion was made by Michael Finkbiner to **POSTPONE** the tabled items until the March 2, 2016 Building Committee meeting, seconded by Johnny Garcia; the motion carried unanimously.

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The meeting adjourned at 11:40 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg