

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

October 5, 2016

10:00 a.m.

MEMBERS PRESENT: Chairman Chris Richardson
Mr. Dan Rial
Mr. Steve Horner
Mr. Larry Bobo
Ms. Swagata Guha
Mr. Michael Finkbiner
Mr. David Doren

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. John Welton, Chief Building Inspector
Mr. Jack Arrington, Chief Mechanical/Plumbins Inspector
Mr. Dean Wemmer, Chief Electrical Inspector
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Chris Richardson called the meeting to order at 10:02 a.m.

1. **CONSIDERATION OF THE SEPTEMBER 7, 2016 TECHNICAL COMMITTEE MINUTES**

A motion was made by Michael Finkbiner to **APPROVE** the September 7, 2016 Technical Committee Minutes as written, seconded by Larry Bobo; the motion carried unanimously.

2. **CONSENT CALENDAR**

- a) 1421 West Bijou Street, Permit K19537 – Craig Duncan, 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.
- b) 435 Wolverine Way, Permit K30278 – Matt Gowler, Gowler Custom Homes, 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) 5730 Doe Skin Court, Permit K20277 – Kimber 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.
- d) 6125 Willow Creek Court, Permit I80179 – William Rogers, 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.
- e) 7142 Cowgirl Way, Permit K11685 – Jacob Bush, 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) 55 Lowick Drive, Permit K31720 – Adam Wagner, 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) 2870 Spaatz Road, Permit K33071 – Clinton Armani, 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.
- h) 6245 Hartman Drive, Permit K29257 – Michael Pappas, Alpine Contracting, 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 Steve Horner to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests, seconded by Michael Finkbiner; the motion carried unanimously.

VARIANCE REQUESTS

- 3. 11147 East Highway 24, Permit K15060 – Lisa Peterson, Hammers Construction, Inc., requests a variance to Section 1809.5, 2009 International Building Code, to waive a frost protected foundation for a cistern tank, where prohibited.

Dave Hammers appeared and stated this foundation is for a 50,000 gallon fire suppression tank. He stated they installed an engineered 12” pad for the tank, but they did not install a

frost wall. He stated the tank is in place, and they would like approval to waive the frost wall requirement. Jay Eenhuis stated there is an exception in the International Building Code that waives frost protection, but it has the following requirements: Occupancy Category 1, and as a storage tank, this structure would fall under this occupancy category; an area of 600 square feet or less for light frame construction, or 400 square feet or less for other than light frame construction; and 10' in height or less. Mr. Hammers stated the tank is 462 square feet and 19'9" high, so it does not meet these two requirements. Mr. Hammers stated the tank was constructed in place and it is a permanent structure, but it sits on a pad with a cushion so it does have the ability to move slightly should there be movement in the ground. He stated the tank is heated; and Steve Horner stated the ground under that tank would not freeze, since the tank is heated. Mr. Hammers stated the concrete pad is 12" deep, and the grade has not been established yet; they could bring the grade up to the top of the concrete pad. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that an engineered soils report is submitted to RBD staff confirming that the potential soils heave is less than what the pad will allow, and that his letter is present upon final inspection, seconded by Michael Finkbiner; the motion carried unanimously.

4. 702 West Colorado Avenue, Permit K09250 – Ryan Lloyd, Echo Architecture, requests a variance to Section 604.5.1, ICC/ANSI A117.1-2003, to allow placement of a grab bar at 4" away from the adjacent wall, where prohibited.

Steve Horner recused himself for this variance request.

Ryan Lloyd appeared and stated this structure is a new brewery, and during the final inspection, it was discovered that the employees' restroom did not have a Code compliant grab bar. He stated the sink is in an alcove, and due to pre-existing conditions they are not able to meet the Code for one of the grab bars. He stated it is 47" from the wall, and Code requires 54" from the wall. Mr. Lloyd stated this is the only restroom on the lower level and the lower level is accessible. He stated the walls are bearing walls. John Welton stated the issue is that we do not have 54" out from the back wall. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the grab bar is moved to the maximum length possible of 50", seconded by Dan Rial; the motion carried unanimously.

5. 731 Chapel Hills Drive – Michael McShea, McShea Consulting, requests a variance to Section 502.4.7, 2009 International Energy Conservation Code, to waive the requirement for a vestibule, where required.

Michael McShea appeared and stated this project is a remodel, and they would like to waive the requirement for a vestibule. He stated prior to the remodel, the vestibule was two stories high, but with the remodel, they are installing conference rooms in the second story area. Mr. McShea stated they could install an air curtain. A motion was made by Steve Horner to

recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that an air curtain is installed at this location, seconded by Larry Bobo; the motion carried unanimously.

6. 723 South Sierra Madre – Ben Parsaye, B & H Engineers, requests a variance to Section 501.2.1, Paragraph (1), 2009 International Mechanical Code, to allow a paint booth exhaust to 27’ of the property line, where 30’ is required by Code.

Ben Parsaye appeared and stated due to space limitations, they are not able to obtain a Code compliant paint booth exhaust of 30’; the maximum that can be obtained is 27’. He stated due to fire protection requirements, all of the exhaust must be inside of the building. He stated there are two property lines that are in question. Mr. Parsaye said the owner does not want the exhaust pipe on the outside of the building for aesthetic reasons. Jack Arrington stated the purpose of the 30’ requirement is to protect the neighbors. A motion was made by Swagata Guha to recommend to the Board of Review **DENIAL** of the variance request because there are options available to remedy this variance request, seconded by Michael Finkbiner; the motion carried unanimously.

7. 14 Cherokee Road, Permit K45259 – Ted Ferris, homeowner, requests a variance to Section R311.7.1, 2009 International Residential Code, to allow a 30” stair width where a minimum of 36” is required.

Ted Ferris stated this dwelling is 100 years old and due to pre-existing conditions he is unable to obtain a Code compliant stair width. He stated due to the location of an egress door, he is unable to widen the stairs. He stated the previous stairs were less than 30”, so the new stairs are an improvement upon the previous stairs. Mr. Ferris stated he had a stair company build the stairs for him and he installed them in his house. He stated they do meet Code, with the exception of the stair width. John Welton stated based on the plans submitted, there are other issues with the stairs in addition to the stair width. He stated he would recommend that Mr. Ferris have the plans reviewed by Plan Review, and have the stairs inspected to determine if they do meet Code with the exception of the stair width. A motion was made by Michael Finkbiner to **POSTPONE** the variance request for 30 days so the homeowner can include the stairs in the scope of work on his permit, and the stairs can be inspected to determine the Code issues with the stairs, and then the variance request can be heard again during the November 2, 2016 Technical Committee meeting once all Code issues are determined, seconded by Larry Bobo; the motion carried unanimously.

8. 1401 North Nevada Avenue, Permit K34712 – Alex Allen, Olson Plumbing & Heating Co., requests a variance to Section 503.5.3, 2009 International Fuel Gas Code, to allow an unlined chimney to serve as a gas vent where a chimney lined with an approved material is required.

Alex Allen appeared and stated he did a water heater replacement at this address and there is also a boiler vented through this chimney. He stated the chimney is brick and in good

condition. A motion was made by David Doren to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a chimney inspection letter is submitted to RBD, seconded by Dan Rial; the motion carried unanimously.

9. 36 1st Street, Permit J78258 – D & J Quality Electric requests a variance to Section 210.12, 2014 National Electrical Code, to install regular 15 amp. breakers in place of arc fault breakers, and a notice be attached to the electrical panel that notifies the Pikes Peak Regional Building Department and all parties of this variance.

Dennis Hathcock appeared and stated this home has a controlled lighting system, and the arc fault breakers trip all of the breakers in the house due to this controlled lighting system. Dean Wemmer stated this issue has come before the Committee in the past due to the same type of controlled lighting system. He stated in this case RBD staff will not require that the arc fault breakers are reinstalled in the house upon sale of the house. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Michael Finkbiner; the motion carried unanimously.

- 10 1234 North Meade Avenue, Permit J69270 – Robert Hogan, Hogan Electric, requests a variance to Section 210.12, 2014 National Electrical Code, to install regular 15 amp. breakers in place of arc fault breakers, and a notice be attached to the electrical panel that notifies the Pikes Peak Regional Building Department and all parties of this variance.

Robert Hogan appeared and stated there is a low voltage lighting system in this home and it continually trips the breakers in the house due to the arc fault breakers. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by David Doren; the motion carried unanimously.

- 10.b. 4535 Foxchase Way – Richard Fogal, IMS Heating & Air, Inc., requests a variance to Section 336.12(2), 2014 National Electrical Code, to allow use of TC cables outside of a raceway, where prohibited.

Richard Fogal appeared and stated he was not aware that TC cables were not allowed outside of a raceway, and it was noted during the final electrical inspection at this location. He stated the wire is foamed in and protected behind sheetrock inside the house. Dean Wemmer stated in the 2017 National Electrical Code, a type of a TC cable will be allowed outside of raceways. He stated the ampage for this type of cable is very low and it is flame retardant. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

- 10.c. 1029 Farragut Avenue, Permit K34028 – Pamela Schultz, Pamela Schultz Consulting, Inc., requests a variance to 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".

Pamela Schultz appeared and stated this is a remodel on a 1940's house. She stated this soffit is in a hallway that leads to a bathroom, and the floor joists do not allow for a Code compliant soffit height. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing nonconforming conditions, seconded by Swagata Guha; the motion carried unanimously.

11. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

12. **NEW BUSINESS**

a) TC Cables

Dan Rial asked for additional information regarding TC cable installations, with regard to commercial installations. Dean Wemmer stated the TC cables have to be installed in a raceway for both residential and commercial installations. He stated any conduit system approved by the NEC can sleeve the TC cable when used inside of a structure; and on the outside, it does not have to be used inside of a conduit.

The meeting adjourned at 12:04 p.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg