

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

January 4, 2017

9:00 a.m.

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

MEMBERS ABSENT: Mr. Michael Finkbiner
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. Jack Arrington, Chief Mechanical/Plumbing Inspector
Mr. Dean Wemmer, Chief Electrical Inspector
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Chris Richardson called the meeting to order at 9:02 a.m.

1. ELECTION OF OFFICERS

This Item was **POSTPONED** for 30 days.

2. CONSIDERATION OF THE DECEMBER 7, 2016 TECHNICAL COMMITTEE MINUTES

A motion was made by Swagata Guha to **APPROVE** the December 7, 2016 Technical Committee Minutes as written, seconded by Dan Rial; the motion carried unanimously.

3. **CONSENT CALENDAR**

- a) 2430 Great Sky Road, Permit J83677 – Joshua and Anaiza Messick, homeowners, request 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) 7070 Delmonico Drive – Bob Landry 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) 1475 Promontory Bluff View, Permit K14183 – Thomas Pucciano, Lokal Communities, LLC, 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.
- d) 5475 Paradox Drive, Permit K32381 – Jim Wilder, J. R. Wilder 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) 4335 Basswood Drive, Permit K26507 – Elyse Dunckley, 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.
- f) 575 Allegheny Drive, Permit J97480 – Kira Fedde, 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.

A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests, seconded by Larry Bobo; the motion carried unanimously.

VARIANCE REQUESTS

- 4. 10850 East Woodmen Road, Permit K65308 – Jack Bay, El Paso School District 49, requests a variance to Section 1007.1.1, Exception 2, 2015 International Building Code, to allow doors/stairs to be moved to accommodate safe egress, where prohibited.

Jim Rose, Wells & West, appeared and stated District 49 had a need for more office space, and they constructed an office space in a mezzanine in their warehouse. He stated the diagonal of the mezzanine is 68'3" which requires two exits at 22'9" apart. He stated they would like to move the two exits 7' closer than what is required by Code. Mr. Rose stated by leaving the exits as they currently are, it creates an egress issue on the main level. He said the total area of the mezzanine is 1,983 square feet; the occupant load is 20; and the building is sprinklered. John Welton stated RBD staff takes no exception to this variance request. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

5. 3701 North Nevada Avenue – Eric Kruger, business owner, requests a variance to Section 110.1.2, 2011 Pikes Peak Regional Building Code, to change the occupancy from an A-5 to an A-3, where prohibited. *This variance request was **POSTPONED** from the December 7, 2016 Technical Committee meeting so the applicant could provide drawings which show accurate measurements and all improvements that he has made to the building; and a proper Code analysis, in order for the Committee to make a determination on this variance request.*

A motion was made by Swagata Guha to **TABLE** this variance request to the end of the meeting, seconded by David Doren; the motion carried unanimously.

This Item was heard out of order after Item 16b.

6. 5364, 5374, and 5384 U. S. Highway 85-87 – Christine Riggs, Architect, requests an extension of existing variances to:
 - a) Section 1809.5, 2009 International Building Code, and Section 1301.1.1, 2009 International Energy Conservation Code, to allow non-DOH stamped trailers to be set on temporary foundations and waive the International Energy Conservation Code requirements.
 - b) Table 403.1, 2009 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Christine Riggs appeared and stated there are two existing variances on this property owned by St. Dominic's Catholic Church, and they are requesting a 2-year extension, so they can raise additional funds through the Church for their construction project. She stated the variances are for the temporary trailers that are on site. Jay Eenhuis stated the trailers on site are non-Colorado approved trailers, so we need to set a time limit for the variances. Christine Riggs stated once the funds are raised, the trailers will need to remain on site during construction, so they are requesting a 3 to 5 year extension. Jay Eenhuis stated RBD staff would like to set the time limit for 2 years. A motion was made by Dan Rial to recommend to the Board of **APPROVAL** of both variance requests

Items 6a and b, allowing a 2-year extension, and the applicant must reappear in two years to give the Committee and RBD staff an update on the status of their construction project, seconded by Larry Bobo; the motion carried unanimously.

7. 1741 Briargate Boulevard – Katherine Guyon, Architect, requests a variance to Table 403.1, 2012 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Katherine Guyon appeared and stated this is a tenant improvement for Golf Tech, a golf instruction company, and the square footage of the space is 1,795 square feet with an occupant load of 18. He stated they would like to install a unisex restroom, waive the service sink, and use free bottled water in lieu of a drinking fountain. She stated realistically, they would only have 10 occupants in the space at any one time. Jack Arrington stated with only 10 occupants, RBD staff would not oppose this variance request. A motion was made by David Doren to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

8. 4140 Thoreau Drive, Permit K43282 – Candice Edwards, homeowner, requests variances to:
 - a) Section 405.3.1, 2012 International Plumbing Code, to allow a 13” clearance at the side of a water closet where a minimum of 15” is required.
 - b) Sections 210.12(A) and 406.12(A) to waive the requirements for the AFCI protection and the Type TR receptacles, where required.

No one appeared. A motion was made by Dan Rial to **TABLE** this variance request until the end of the meeting, seconded by Larry Bobo; the motion carried unanimously.

9. 717 Midland Avenue, Permit K43731 – Eric Heckman, Silver Summit GC, 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”.

Eric Heckman appeared and stated he would like to **WITHDRAW** his variance request.

10. 7710 Barraport Drive, Permit K20341 – Trevit Smith, Aspen View Homes, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a 6’5” head height above the stairs where a minimum of 6’8” is required.

Chairman Richardson noted this variance request has been **WITHDRAWN**.

11. 834 St. Vrain Street – Justin Garza and Joe Gonzales, A. E. Leuken, LLC, requests a variance to Section R403.1.4.1, 2009 International Residential Code, to allow less than the required 30” frost protected piers/foundation.

Chairman Richardson noted that this variance request has been **WITHDRAWN**.

12. 107 East Jefferson Street, Permit K65174 – Rick Barnes, Architect, requests variances to:
 - a) Table R302.1 to allow a projection where fire separation distance is less than 2 feet.

Rick Barnes appeared and stated this is an addition that is replacing an existing garage; and they had to take off the overhang on the building because it is too close to the property line, but the historical group requires the overhang. He stated they have a fire assembly on the wall, but not on the overhang. Mr. Eenhuis stated RBD staff would prefer to see a 1-hour rating on this structure. John Welton stated there is a fire treated product available for the overhang. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the overhang be constructed with fire resistant materials, seconded by Dan Rial; the motion carried unanimously.

- b) Section R311.7.3, 2009 International Residential Code, to allow a walkline to be measured 12” from the wider (outside) of the winder stairs.

Mr. Barnes stated they are also requesting approval to install an offset circular staircase, and this has been approved in other parts of the country. He stated the spiral stairs go into a straight run, and they will have a 3’ width. John Welton stated RBD staff considers this staircase to be a winder staircase, and takes no exception to this variance request. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

13. 2910 Straus Lane, Units 3 and 4, Permit K62073 – Chuck Leggett, owner, requests variances to:
 - a) Section 1009.12, 2009 International Building Code, to waive a handrail on one side of the stairs, where prohibited.

Chuck Leggett appeared and stated this four-unit apartment building was constructed in the 1970’s, and belongs to his wife’s family. He stated they recently replaced the deck and stairs serving the upper two units. He stated Code requires a handrail on both sides of the stairs, and he is asking for approval to waive a handrail on the brick wall side of the stairs, because they are concerned about the stability factor of putting a handrail on a

brick wall. Swagata Guha stated if the handrail was installed properly, it should be sturdy; and it can be made out of wood or metal.

- b) Section 1009.5, 2009 International Building Code, to allow a 29½” landing, where prohibited.

Mr. Leggett stated the new staircase is longer than the previous staircase, so the landing does not now meet the Code requirement of 36”.

A motion was made by David Doren to recommend to the Board of Review **DENIAL** of the variance requests 13a and b due to life safety issues, seconded by Swagata Guha; the motion carried unanimously.

- 14. 1582 Minnetonka Place, Permit K29213 – Nicole Rosenberg, Peak to Peak Roofing and Exteriors, 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.

Nicole Rosenberg appeared and stated when they did the initial inspection on this roof, their measurements came back as a 4:12 pitch, but the inspector failed the inspection stating that it was a 3:12 pitch. She stated when they did the tear off, there was only one layer of felt. She stated they used a 15 pound felt, and they installed drip edge as well. Ms. Rosenberg stated she does not agree that the pitch is a 3:12 pitch. She stated she is willing to extend the warranty on this roof. She stated she has tried to contact the homeowner regarding the variance, but the homeowner is not responding. Ms. Rosenberg stated she is willing to speak to the company owner to see if he is willing to extend the warranty on the roofing product as well as the labor. A motion was made by Swagata Guha to **POSTPONE** this variance request for 30 days so the applicant can obtain produce the required warranty information, and consent from the homeowner, seconded by Larry Bobo; the motion carried unanimously.

- 15. 843 and 845 Skyway Boulevard – Jacek Osuch, Barlo, Inc., dba Interstate Roofing, 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.

Jacek Osuch appeared and stated this roof failed inspection because the slope of the roof was less than 4:12. He stated the owners of both units are accepting the current construction because they do not want to go through the construction process again, and he has letters from both homeowners accepting the current construction of the roof. He stated he is willing to extend his warranty on the roof by 5 years, and there is a lifetime warranty on the shingles. John Welton stated the manufacturer’s warranty is only valid if the product is installed according to Code. Mr. Osuch stated his company is willing to warranty the labor and materials for this roofing project. A motion was made by Swagata Guha to **POSTPONE** this

variance request for 30 days so the applicant can produce a written extended Warranty for labor and materials for the roof, seconded by Dan Rial; the motion carried unanimously.

16. 1095 Western Drive, No. L616, Permit K33798 – Scott Howald, Excel 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.

Scott Howald appeared and stated this roof failed inspection because the pitch of the roof was less than 4:12, and there is one layer of roofing felt on the roof. He stated he would like to postpone this variance request so he can talk to his company owner to see if he will extend the warranty for labor and materials. A motion was made by Dan Rial to **POSTPONE** this variance request for 30 days so the applicant can produce the required written extended Warranty to cover labor and materials, seconded by Swagata Guha; the motion carried unanimously.

- 16.b. 2129 West Pikes Peak Avenue, Permit K19126 – Shawn Walker, Trail’s End Homebuilders, LLC, requests a variance to Section 303.4, 2012 International Plumbing Code, to allow the use of a non-third Party certified plumbing product.

David Doren stated he would like to recuse himself from this variance request.

Shawn Walker appeared and stated he would like approval to install an unlisted copper bathtub and faucet that does not have an overflow. He stated this is a decorative bathtub, and there are additional bathrooms in the home, that are Code compliant. He stated the weight of the bathtub has been taken into consideration during the design process. Jack Arrington stated this variance has come before the Committee for similar bathtubs in the past, and the issue is that it is not a listed bathtub, which means it has not been tested. He stated RBD staff takes no exception to this variance request. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request for both the bathtub and the faucet, because the homeowner understands the risks involved due to lack of an overflow, seconded by Swagata Guha; the motion carried unanimously.

The following Item 5 was heard out of order.

5. 3701 North Nevada Avenue – Eric Kruger, business owner, requests a variance to Section 110.1.2, 2011 Pikes Peak Regional Building Code, to change the occupancy from an A-5 to an A-3, where prohibited. *This variance request was **POSTPONED** from the December 7, 2016 Technical Committee meeting so the applicant could provide drawings which show accurate measurements and all improvements that he has made to the building; and a proper Code analysis, in order for the Committee to make a determination on this variance request.*

Eric Kruger appeared and stated this structure consists of two floors, and there are four double door fire exits on the main level. He stated there will be a maximum of 150 occupants in the building at any one time. He stated the second level is known as the mezzanine, and there are two dedicated fire exits that have double doors.

Ralph Mangan, Colorado Springs Fire Department (“CSFD”), appeared and stated Mr. Kruger has corrected all of the Fire Code violations, with the exception of the occupancy of the building. He stated if the variance is granted, CSFD would request that a sprinkler system be installed, and Roger Lovell stated RBD would require a sprinkler system. He stated RBD has issued a stop work order, and if that stays in effect, CSFD will issue a Cease and Desist Order. Jay Eenhuis stated RBD staff takes exception to this variance request, because the fire area occupant load, the fire area square footage, and upper level exit doors not discharging to grade, exceed the limitations for a non-sprinklered A-3 occupancy and constitute a significant life safety concern.

Mr. Kruger stated without the second level, there is not enough square footage to operate the business. A motion was made by Swagata Guha to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues, seconded by Dan Rial; the motion carried unanimously.

17. **UNFINISHED BUSINESS**

a) Tabled Items

A motion was made by Dan Rial to **POSTPONE** all of the Tabled Items for 30 days, seconded by Larry Bobo; the motion carried unanimously.

18 **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:08 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official
RNL/llg