

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **TECHNICAL COMMITTEE MINUTES**

May 6, 2020

9:00 a.m.

**MEMBERS PRESENT:** Chair Chris Richardson, Building Contractor A or B  
Vice Chair Steve Horner, Structural Engineer  
Swagata Guha, Architect  
Dan Rial, Mechanical Contractor  
Matt Scheffe, Building Contractor D  
Dale Ryba, Electrical Contractor  
Micah Langness, Master Plumber

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Roger Lovell, Regional Building Official  
Virginia Koulchitzka, Regional Building Attorney  
Jay Eenhuis, Deputy Building Official – Plan Review  
John Welton, Deputy Building Official – Inspections  
Linda Gardner, Executive Administrative Assistant

**PROCEEDINGS:**

Chair Chris Richardson called the meeting to order at 9:07 a.m.

The Technical Committee meeting was conducted virtually via a program called Microsoft Teams live events, which is accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>, under Technical Committee, Upcoming Meeting Date: 5/6/2020 @ 9:00 a.m. (Online meeting link here):

The Colorado Open Meetings Law (COML) allows for participation in public meetings to occur electronically, given the definition of "meeting" at 24-6-402(1)(b), C.R.S. A number of municipalities, including the Department, have moved toward including agenda items that allow quasi-judicial hearings in their electronic meetings. Extra care must be taken to ensure: (1) all parties with a legal interest are allowed to speak; (2) a record of the hearing is adequately preserved; and (3) overall, the hearing can be conducted in an orderly manner and in a manner that closely parallels the way the Department would conduct the hearing, receive evidence, debate and vote on the decision, and preserve a record under normal circumstances.

Is there an obligation to allow public participation in electronic meetings? Nothing in the COML itself requires that the public must be allowed to speak at meetings. The purpose of the COML is to allow the public to observe the transaction of public business. The extent to which a public body allows the public to speak is largely governed by local rules of procedure, and customs and practices.

Instructions for conducting the virtual meeting were provided.

1. **CONSIDERATION OF THE APRIL 1, 2020 TECHNICAL COMMITTEE MINUTES**

A motion was made by Steve Horner to **APPROVE** the April 1, 2020 Technical Committee meeting as written, seconded by Swagata Guha; the motion carried unanimously.

2. **CONSENT CALENDAR**

**Consent calendar items will be acted upon as a whole, unless a specific item is called for discussion by a Committee member or a citizen wishing to address the Committee.**

There were no Consent Calendar Variance Requests.

3. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

**VARIANCE REQUESTS**

4. 7710 Office Circle, Permit L73131– Dalvinder Salh, property owner, requests a variance to Section 505.2.3, 2009 International Energy Conservation Code, to omit the master light switch in sleeping units where at least one is required per Code.

Steve McCann, Electric Service of Colorado, appeared and stated he is the electrician on this project; he took over approximately six weeks ago; the permit was obtained over a year ago by another contractor. He stated the permit was obtained under the 2014 National Electrical Code (“NEC”), which does not require a master switch for light fixtures in sleeping units in this type of structure (motel); the current 2017 NEC does require a master switch for light fixtures in motel rooms, as does Section 505.2.3, 2009 International Energy Conservation Code (“IECC”). He stated the approved set of plans does not show this requirement, and all of the rooms have been wired per the approved set of drawings without that master switch. Mr. McCann stated they are in the trim stage at this point, and the electrical inspector brought this issue to light. He stated some rooms have single circuits and other rooms have double circuits; none of the rooms are tied together with a master switch. John Welton stated RBD staff takes no exception to this variance request, because it is an IECC requirement, and not a 2014 NEC requirement. A motion was made by Dale Ryba to recommend to the Board of Review **APPROVAL** of the variance request to omit the master light switch in sleeping units where at least one is required per Code, seconded by Dan Rial; the motion carried unanimously.

5. 55 Pauma Valley Drive, Plan C125157 – Shawn Heer, property owner, requests a variance to State adopted Standard 2013 ASME A17.1, Section 5.3, to allow a residential elevator to be used in a commercial occupancy group, where prohibited by the Standard.

Shawn Heer appeared and stated this project is a residential home that he intends to convert to a commercial assisted living facility. He stated the home has an existing residential elevator, and he is requesting a variance to allow this elevator to be used in a commercial occupancy group.

John Welton stated although there are a number of requirements to register the elevator to a commercial elevator, he believes the accessibility of the elevator may be the most difficult to achieve. Mr. Welton stated permit records from 2004 document the following interior dimensions of this residential elevator: 40” x 53”. Mr. Welton stated the Codes governing this require a minimum of 36” x 54” interior dimension. He suggested that Mr. Heer refer to the Codes governing this issue in an effort to determine if it is feasible to bring the elevator up to Code for commercial use, i.e., it has to be registered as a commercial elevator; it has to meet inspection requirements of load requirements, door sizing requirements, pressure, and it has to conform and be caught up to inspection requirements for frequency testing and yearly maintenance. He suggested that Mr. Heer get a professional assessment of the elevator to see if it will meet accessibility requirements as an existing residential elevator, which is allowed by the State regulations.

Mr. Heer stated he would like to continue his variance request until the June 3, 2020 Technical Committee meeting so he may research this issue further. Mr. Welton suggested Mr. Heer review the following Codes: The commercial elevator requirements for an existing elevator out of the 2009 ANSI Standard for accessibility (Section 407); as well as the 2015 International Building Code (Chapter 30). A motion was made by Matt Scheffe to **CONTINUE** this variance request to the June 3, 2020 Technical Committee meeting, seconded by Swagata Guha; the motion carried unanimously.

6. 19805 Joyful View, Permit M67148 – Herb Zimmerman, homeowner, requests a variance to Section 303.4.18, Exception 2, 2017 Pikes Peak Regional Building Code, to allow a landing of an 11” depth, where a minimum of 18” is required per Code. *This Item was continued from the April 1, 2020 Technical Committee meeting due to nonappearance.*

Herb Zimmerman appeared and stated he had Renewal by Anderson replace a window in his home with a door, and had a contractor build the staircase to the door. He stated he showed an RBD inspector the steps to another door on the east side of his house and was informed that it would be acceptable to build the identical staircase for the new door on the south side of his house. When the second inspector came out to inspect the new staircase, he was informed that the landing did not meet Code. John Welton stated the contractor building the staircase should have been familiar with the Code requirements. He stated due to the fact that this is a single-family residence and the homeowner is familiar with the staircase, the Department 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 Dale Ryba; the motion carried unanimously.

7. 11030 South Holmes Road, Permit M17748 – Steve Brandt, property owner, requests a variance to Section R402.1.2, 2015 International Energy Conservation Code, to waive foundation slab insulation, where required per Code.

Steve Brandt appeared and stated he is both the homeowner and contractor for this project, which is a pole barn with an apartment. He stated he inadvertently failed to install foundation slab insulation in the apartment area, and the area was covered in concrete before it was brought to his attention. He stated he had a blow door test done and it passed; he does have wall and ceiling insulation in this area. Mr. Brandt stated he has passed all other inspections. John Welton stated the Department takes no exception to this variance request due to the fact that it is an Energy Code requirement, which is for comfort and energy costs. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

8. 1209 Rosemont Drive, Permit M12808 – Rick Martinez, JR Roof Maintenance, LLC, requests a variance to Section R905.1.1, 2015 International Residential Code, to allow a single layer of underlayment on a roof pitch of 3.5:12, where two layers are required per Code.

Rick Martinez appeared and stated his sales representative miscalculated the roof pitch when this reroof was done. He stated the homeowner does not want the roof torn off and redone, and Owens Corning has informed him that it will warranty its product with the current construction. Matt Scheffe stated the Technical Committee will require a letter from Owens Corning verifying its warranty on this roof, as well as a letter from the homeowner acknowledging that the roof was not installed per Code and accepting the current construction. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, conditional upon the submission of a letter from Owens Corning verifying its warranty, and a letter from the homeowner accepting the current construction, seconded by Steve Horner; the motion carried unanimously. Jina Koulchitzka stated that for purposes of Board of Review consideration, the letters from Owens Corning and the homeowner are due no later than May 15, 2020, or this matter will be continued until the letters are received by RBD staff, not to exceed three months.

9. 2835 Halleys Court, Permit M74133 – Jesse Youngwerth, Double Vision Carpentry, requests variances to:

- a) Section R305.1, 2015 International Residential Code, to allow a ceiling height in a bedroom at 6'9", where a 7' minimum ceiling height is required per Code;

Jesse Youngwerth appeared and stated this project is a basement finish, and due to existing conditions, she is unable to obtain Code compliant ceiling and soffit heights. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing non-conforming conditions, seconded by Dale Ryba; the motion carried unanimously.

- b) Section R305.1.1, 2015 International Residential Code, to allow a ceiling height of 5'11" in a hallway, and 5'9" in a master bedroom under dropped ducts, where a 6'4" minimum height is required per Code.

Ms. Youngwerth stated currently the ducts are at 6'2½" and will finish at 5'11" in the hallway and 5'9" in the master bedroom. Steve Horner suggested installing the sheetrock directly to the duct and eliminate the 2' x 4" framing under the duct. He also stated Ms. Youngwerth could replace the existing duct with a smaller duct. Ms. Youngwerth asked if it would be acceptable to leave the duct exposed and paint it. Mr. Welton stated the paint would have to be listed for this purpose. He stated Ms. Youngwerth could also turn the framing horizontally to gain some height; Swagata Guha suggested using ¾" plywood to wrap the soffit. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request conditional upon a 6'2" finished soffit height in the hallway, and a 6'1" finished soffit height in the master bedroom, seconded by Swagata Guha; the motion carried unanimously.

10. **UNFINISHED BUSINESS**

There was no unfinished business.

11. **NEW BUSINESS**

There was no new business.

The meeting adjourned at 10:40 a.m.

Respectfully submitted,



Roger N. Lovell  
Regional Building Official  
RNL/llg

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Accommodations for the hearing impaired can be made upon request with forty-eight (48) hours' notice. Please call (719) 327-2989.

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