

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

December 2, 2020

9:00 a.m.

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

MEMBERS ABSENT: Chair Chris Richardson, Building Contractor A or B

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
Matthew Matzen, Permit/Licensing Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chair Steve Horner called the meeting to order at 9:00 a.m.

The Technical Committee meeting was conducted virtually via a program called Microsoft Teams live events, which was accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>.

Instructions on conducting the virtual meeting were provided.

1. **CONSIDERATION OF THE NOVEMBER 4, 2020 TECHNICAL COMMITTEE MINUTES**

A motion was made by Swagata Guha to **APPROVE** the November 4, 2020 Technical Committee Minutes as written, seconded by Matt Scheffe; 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

Colorado Springs Fire Department (“CSFD”) took no exception to the variance requests on the agenda.

4. 1731 Telstar Drive, Permit M70078 – Thomas Cragon Sims, The Garrett Construction Company LLC, requests a variance to Section 406.3.1, 2015 International Building Code, to allow 2-hour rated fire partitions to separate each private garage, where 1-hour rated fire barriers are required per Code.

Cragon Sims appeared and stated this is the same variance, with the same conditions, as heard and approved by the Technical Committee during the November 4, 2020 meeting. John Welton confirmed Mr. Sims’ statement. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Micah Langness; the motion carried unanimously.

5. 11681 Voyager Parkway, Plan C134903 – Lisa Carpenter, Keys & Lauer Architects, requests a variance to Table 403.1, 2015 International Plumbing Code, to omit plumbing fixtures, specifically high/low drinking fountain, where required per Code.

Lisa Carpenter and Victor Lauer appeared. Mr. Lauer stated this structure is a new office building for his architectural firm, and he is requesting relief from providing a drinking fountain in this space. He stated the space is 2,100 square feet, and there are 7 occupants in the office. He stated there is a kitchenette with a sink within the space, as well as a refrigerator with bottled water and a water dispenser. Jay Eenhuis stated this space has an occupant load of 25 per the design calculations. He stated Code requires one drinking fountain per 100 occupants, so one drinking fountain would be required. It would also have to be a high/low drinking fountain. He stated with an Alternative Materials and Methods Application, a drinking fountain with a bottle filler could be installed in lieu of the high/low drinking fountain. Mr. Lauer stated he believes their proposal is “an equal intent of the Code” notwithstanding the “equally good or better form of construction” requirement.

Micah Langness stated although he understands the applicants’ reasoning for omitting the drinking fountain, the ADA requires the drinking fountain, which he feels is a major concern. Jay Eenhuis stated the Department does not have authority to enforce ADA requirements; the accessibility standard the Department enforces is the ANSI Standard. He stated the requirement for the drinking fountain is found in the International Plumbing Code; however, installation for accessibility purposes is detailed in the ANSI Standard. Mr. Eenhuis stated the proposed equal form of construction would be an appliance; Roger Lovell reminded the Committee that this would be a variance to the International Plumbing

Code, which is a State Code and adopted as-is.

John Welton stated the Code requires that an accessible drinking fountain spout be at 36” max, which is 8” lower than the water dispenser on the appliance.

A motion was made by Matt Scheffe to recommend to the Board of Review **DENIAL** of the variance request, seconded by Micah Langness; the motion carried unanimously. Jina Koulchitzka stated the applicants have 30 calendar days from the decision of this Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Code.

6. 1733 Main Street, Permit N09505 – Eugene Ramirez, Genes Heating, requests a variance to Section 110.26(A), 2017 National Electrical Code, to allow mechanical equipment to be installed within required working space, where prohibited per Code.

Julie Ramirez appeared and stated she would like to **CONTINUE** this variance request until the January 6, 2021 Technical Committee so she may submit additional documentation.

7. 7518 Culloden Court, Permit M91402 – Matt Gowler, Gowler Custom Homes, requests a variance to RBC303.4.1, 2017 Pikes Peak Regional Building Code, to allow a crawlspace with an average height of 6’10”, where no more than a 5’ average height is allowed per Code. He noted the area of concern is the wall between the crawlspace and the mechanical room.

Matt Gowler appeared and stated this project is new construction. At the frame inspection, it was noted that the height of the crawlspace was higher than allowed per Code. He stated at this stage he does not have any reasonable means of bringing this issue up to Code. The Committee members recommended that Mr. Gowler get an engineer’s report approving the “as built” condition of the crawlspace. A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that the applicant submit an engineer’s report to the Department before December 9, 2020 approving the “as built” condition of the crawlspace, seconded by Dale Ryba; the motion carried unanimously.

8. 4341 Captain Jack Lane – Kyle Gateley, Home Heating Service, requests a variance prior to plans submittal to Table R402.1.2, 2015 International Energy Conservation Code, to omit slab insulation where required per Code.

Derrick Rose, Home Heating Service, appeared and stated the homeowners would like a gas fired unit heater installed in their attached garage; he is requesting to omit the slab insulation where required by the IECC. Jay Eenhuis stated RBD staff would take no exception to this variance request provided all other prescriptive elements of the Code are met. He stated the other prescriptive elements would be attic insulation of R49; wall insulation of R13+5 for a 2” x 4” wall or R20 for a 2” x 6” wall; and any openings must

meet the U value requirements. Mr. Eenhuis stated an IECC form will be required to be submitted to the Department and the Plan Review Department will take the variance into account, if approved. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that all of the prescriptive requirements of the Code are met, seconded by Dan Rial; the motion carried unanimously.

9. 21 Marland Road, Permit M96547 – Colte Ross, Elk Valley Electric, requests a variance to Section 210.12, 2017 National Electrical Code, to install standard breakers in place of arc fault breakers, with the stipulation that a notarized letter be required from the homeowner recognizing that he/she understands that the AFCI breaker is being replaced due to incompatibility with cooking appliances.

Colte Ross appeared and stated he is requesting a variance to install 20 amp. circuit breakers in lieu of arc fault breakers for certain kitchen appliances, i.e., the microwave, refrigerator and coffee maker. Mr. Ross stated these three appliances have dedicated circuits and they are randomly tripping the arc fault breakers. Dean Wemmer stated these appliances have been known to be nuisance tripping appliances in the past. A motion was made by Dale Ryba to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that the variance is only for the microwave, refrigerator and coffee maker circuits, seconded by Micah Langness; the motion carried unanimously.

10. 5545 Alturas Drive, Permit G98798 – Nicholas Hobbs, homeowner, requests variances to:
 - a) Section 504.1, 2003 International Mechanical Code, to allow bath exhaust to be exhausted to exterior through clothes dryer exhaust where prohibited by Code.

Nicholas Hobbs appeared and stated he is trying to complete a 10-year old permit. He stated he renewed the permit and had some inspections completed; the mechanical inspector noted that a variance would be required to finish the bathroom as it was originally built. He stated the challenge that he has is that there is an existing finished room that was built prior to his purchase of the house; in order to vent the bathroom to the back of the house, he would have to tear the ceiling out in this room. Mr. Hobbs stated he would like approval to tie the bathroom vent into the dryer vent. John Welton stated this is prohibited in the 2003 IMC, which was the Code in force at the time the original permit was obtained. Mr. Hobbs stated this vent system was installed recently. Micah Langness stated his concern is the dryer can catch fire if there is a build-up of lint from the dryer. Dan Rial stated his concern is that lint could get backed up and get into the fan. John Welton stated RBD staff takes exception to this variance request. A motion was made by Matt Scheffe to recommend to the Board of Review **DENIAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

- b) Section 401.5.1, 2003 International Mechanical Code, to allow less than 10' separation between exhaust vent and outside air intake where 10' minimum is required by Code.

Mr. Hobbs stated the air intake is in the middle of the bathroom. He stated his only option would be to reset the vent fan and vent it out the back of the house, which would mean tearing a room apart. He stated there are no air intakes on the back of the house. Mr. Hobbs stated if he were to exit out the front of the house, he would be 2' to 3' from the air intake. A motion was made by Dan Rial to recommend to the Board of Review **DENIAL** of the variance request as the applicant has the option to vent out the back of his home, seconded by Matt Scheffe; the motion carried unanimously.

Jina Koulchitzka stated the applicant has 30 calendar days from the decision(s) of this Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Code.

11. 917 East Dale Street, Permit N13861 – Bryce Reiber, homeowner, requests variances as summarized below. *These variance requests were continued from the November 4, 2020 Technical Committee meeting so the applicant could submit additional documentation.*

- a) Section R305.1, 2015 International Residential Code, to allow a ceiling height of 6'8" where a minimum of 7'0" is required per Code; and

Bryce Reiber appeared and stated this issue is in the entire lower level due to pre-existing conditions. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Micah Langness; the motion carried unanimously.

- b) Section R305.1, Exception 3, 2015 International Residential Code, to allow a ceiling height of 6'0" under dropped beams and girders where 6'4" is required per Code.

Mr. Reiber stated the soffit issue is due to an air duct going from the furnace across the hallway, through the bathroom and into the bedroom; he is unable to obtain a Code compliant soffit height due to this ductwork. Steve Horner suggested that Mr. Reiber request an RBD inspection, so accurate measurements could be obtained for the Committee's review.

Bryce Reiber requested that this variance request be **CONTINUED** until the January 6, 2021 Technical Committee Meeting so he may provide additional information for the Committee's review.

12. 402 South Tejon Street, Plan C112714 – Christine Riggs, Architect, requests a variance to Section 506.3.12.2 and Section 506.4.2.2, 2009 International Mechanical Code, to allow a Type I and Type II kitchen hood to exhaust through an exterior wall, where prohibited by Code because of fire separation distance.

Christine Riggs appeared and stated this issue is in the kitchen of a restaurant going into a new hotel project. She stated the request is to vent the kitchen hood through an exterior wall into the alley. She stated the alley is 20' wide with parking spaces on the other side

of the alley. Ms. Riggs stated there is a discrepancy between the IMC and the IBC; the IMC stated that the kitchen hood must vent not less than 10' from the property line, and the property line is right at the wall to the structure. She stated Section 702 of the IBC will allow the fire separation line to be the center of a road or alley way, so it would meet the 10' fire separation distance. She stated she would request that she be allowed to use Section 702 of the 2015 International Building Code in this situation. Ms. Riggs stated the exhaust vent will be at least 12' above ground and meet the required separation from any air intakes. John Welton stated RBD staff takes no exception to this variance request, nor did CSFD take any exception to this variance request. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

13. 515 South Tejon Street, Permit N17432 – Amanda Orsillo, Architect, requests a variance to Table 1006.3.2(2), Footnote b, 2015 International Building Code, to allow a maximum exit access travel distance of 100', where a 75' maximum is allowed for an S occupancy.

Amanda Orsillo appeared and stated this is a two-story building with a basement and the tenant is a hair salon. Currently, the tenant is operating only on the main level; however, they are expanding into the second level, and in doing so they are opening a front staircase for their clients to access the second floor, they would like to floor over the stairway to the basement, leaving one access to the basement. This will exceed the maximum travel distance for the building at 98', where 75' is allowed per Code. Ms. Orsillo stated the basement is sprinklered; however, the entire building is not sprinklered. Jay Eenhuis stated because there are sprinklers in the basement, 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 because the basement is sprinklered, seconded by Dale Ryba; the motion carried unanimously.

14. **UNFINISHED BUSINESS**

- a) 2021 Consent Calendar Items.

Jay Eenhuis presented the proposed 2021 Consent Calendar, noting that two plumbing variances have been removed from the list as follows: one requiring that public restrooms be required to have the lavatories in the same room as the water closet; this variance was omitted because it seldom comes before the Committee. It is the Department's position that each such variance request should be reviewed individually. The second plumbing variance, as removed, is the drinking fountain with bottle filling station where two drinking fountains are required (high/low); this matter is being handled with an Alternative Materials and Methods Application. Mr. Eenhuis stated the new Consent Calendar item is the variance to the IECC regarding slab insulation when a homeowner wants to heat an attached garage. As long as all prescriptive requirements in all other building elements are met, including attic space, walls and U values for openings, such can be considered as a consent item. A motion was made by

Matt Schefffe to **APPROVE** the 2021 Consent Calendar Items, seconded by Micah Langness; the motion carried unanimously.

15. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 11:24 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/lfg

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

Pikes Peak Regional Building Department (PPRBD) meeting agendas and minutes, as well as archived records, are available free of charge on PPRBD's website at <https://www.pprbd.org/Information/Boards>. Audio copies of the record may be purchased by contacting PPRBD at (719) 327-2989.