

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

February 3, 2021

9:00 a.m.

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

OTHERS PRESENT: Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official – Plan Review
John Welton, Deputy Building Official – Inspections
Jack Arrington, Chief Plumbing/Mechanical Inspector
Matthew Matzen, Permit/Licensing Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Chris Richardson 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.

Chair Chris Richardson noted that CSFD takes no exception to the variance requests on the agenda today.

1. **CONSIDERATION OF THE JANUARY 6, 2021 TECHNICAL COMMITTEE MINUTES**

A motion was made by Steve Horner to **APPROVE** the January 6, 2021 Technical Committee Minutes as written, seconded by Dale Ryba; 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.

- a) 3155 Pegasus Drive, Permit N13767 – Benjamin Pautzke, Advantage Heating and Cooling, requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to omit slab insulation of R10 where required by Code.
- b) 390 Wedgewood Court, Permit M65978 – Steve Scott, Scott Building, requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to omit R10 slab insulation where required by Code.
- c) 1225 Pike Drive, Permit N23602 – Spencer Lio, L10 Construction LLC, requests a variance to Section R310.2.2, 2015 International Residential Code, to allow an existing window sill height of 47.5” at all three bedroom locations where not more 44” is allowed by Code.

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

3. ITEMS CALLED OFF CONSENT CALENDAR

There were no items called off the Consent Calendar.

VARIANCE REQUESTS

Chair Chris Richardson recused himself from Items 4 and 5 because he is the general contractor for both items; Vice Chair Steve Horner conducted the meeting for Items 4 and 5.

4. 12738 Black Forest Road, Plan C137836 – Tom Davis, PWN Architects & Planners, Inc., requests a variance to Table 403.1, 2015 International Plumbing Code, to omit drinking fountains where required by Code.

Tom Davis stated this structure is new construction of a 4,400 square foot office building, for a small family run business. The design is done to substitute filtered water systems in the breakrooms (on each floor) with ADA compliant counters for the high/low drinking fountains. He stated the structure is located in Black Forest in a residential community, and the owners are trying to create a “more personal structure”. Jay Eenhuis stated he believes the applicant is attempting to utilize RBC111.2.3, by using an equally good or better form of construction for the required high/low drinking fountain. He stated RBD staff does not consider filtered water through a faucet as an equally good or better solution

to the required drinking fountain. He stated the Department does have the Alternate Materials and Methods (AMM) procedure where a drinking fountain, plus bottle filler can be utilized in lieu of high/low drinking fountains, so only one needs to be installed when using the AMM procedure, but to eliminate them completely, RBD staff would take exception to that request. Micah Langness stated he considers this variance request a “major” variance because the applicant is requesting that the required fixture be eliminated and not modified. Mr. Eenhuis stated the Plumbing Code is a State adopted Code and RBD is given the authority to enforce that Code locally, so there is the option of appealing to the State and getting the variance through the State. He stated the occupant load of this structure would require one drinking fountain, and per the Plumbing Code a high/low drinking fountain is required. He stated with the AMM procedure, it would be one drinking fountain, plus bottle filler. Mr. Davis stated he would like to **WITHDRAW** his variance application for 12738 Black Forest Road and will pursue the AMM procedure in lieu of a variance.

5. 12740 Black Forest Road, Plan C137759 – Tom Davis, PWN Architects & Planners, Inc., requests a variance to Section 1004.1.2, 2015 International Building Code, to allow the use of an actual occupant load for design purposes, where a calculated occupant load per Table 1004.1.2 is required per Code.

Tom Davis stated this barn is an accessory use building, but due to the occupancy determined by the square footage (24 people), it would require two restrooms, service sink and a high/low drinking fountain. He stated this is an accessory building and there are no full-time occupants in this building; under this premise, he is requesting an actual occupancy interpretation, which would be 3 to 4 people at any one time, and no full-time occupants. Jay Eenhuis stated to allow a single user restroom, they would need to have an occupant load of 15 or less. Mr. Davis stated this structure is approximately 60’ to 80’ from the office building at 12738 Black Forest Road with Code compliant plumbing fixtures. Mr. Eenhuis stated because the barn is so close to the office building, RBD staff would consider an actual occupant load of 14 for the barn, which eliminates the requirements of the drinking fountain and only requires a single user restroom; 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 to allow the use of the actual occupant load of 4 for design purposes, where a calculated occupant load per Table 1004.1.2 is required per Code, seconded by Dale Ryba; the motion carried unanimously.

6. 19230 Drennan Road, Plan C135288 – Shawn Dalglish, Burns & McDonnell, requests a variance to Table 403.1, 2015 International Plumbing Code, to omit plumbing fixtures where required by Code.

Shawn Dalglish appeared and stated the structures in Items 6, 7 and 8 are owned by the Cherokee Metropolitan District. She stated there is an exception in the Code that in an industrial facility, plumbing fixtures are not required per the Table 2902.1, 2015 International Building Code (IBC). She stated this facility has an industrial occupancy,

and there will not be anyone occupying the building for any purposes other than maintenance. There is no public access to the facility, and there are already existing restrooms on site, which are less than 500' away. Jay Eenhuis stated RBD staff takes no exception to this variance request. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Matt Scheffe; the motion carried unanimously.

7. 19238 Drennan Road, Plan C135296 – Shawn Dalglish, Burns & McDonnell, requests a variance to Table 403.1, 2015 International Plumbing Code, to omit plumbing fixtures where required by Code.

Shawn Dalglish stated this building is on the same site as Item 6; it is typically an unoccupied space, and will only be manned by 2 or 3 people on occasion. There is no public access to the facility. She stated the variance request is to waive the requirement of the water closet, lavatory, drinking fountain and service sink as required per Code. She stated the occupancy is 117 per the square footage, but there will only be 2 or 3 people actually in the building on occasion for maintenance purposes. Ms. Dalglish stated this is an industrial occupancy and is less than 500' from another building with the required plumbing fixtures. Jay Eenhuis stated RBD staff takes no exception to this variance request based on the use of the building. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request due to the use of the facility, seconded by Matt Scheffe; the motion carried unanimously.

8. 19236 Drennan Road, Plan C135289 – Shawn Dalglish, Burns & McDonnell, requests variances to:
 - a) Section 415.4, 2015 International Building Code, to allow exemption from the automatic sprinkler system requirement where required by Code;

Shawn Dalglish stated this variance request is for a chemical building on the same site as Items 6 and 7. The building will house chemical storage for sulfuric acid and hydrochloric acid; the building is 907 square feet. She stated she is requesting a variance to waive the sprinkler system due to the fact that sulfuric acid is combustible with water. She stated the chemicals are enclosed in noncombustible materials, and the building is more than 30' from any nearby structure on the building site. Jay Eenhuis stated RBD staff takes no exception to this variance request, due to the fact that it is a small building constructed with noncombustible materials. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that the applicant submits a letter from the Ellicott Fire Protection District stating that it takes no objection to approval of the variance request, seconded by Dale Ryba; the motion carried unanimously. Jina Koulchitzka stated the letter from the Ellicott Fire Protection District is due by February 12, 2021.

- b) Section C401.2, 2015 International Energy Conservation Code, to allow exemption from the building thermal envelope minimum requirements where required by Code.

Shawn Dalglish stated this variance request is also for the chemical building; the building is an unoccupied space. There is only storage for equipment and/or chemicals inside the building. Heaters are inside the space to keep the chemicals from freezing. She stated the variance request is to waive IECC compliance due to the low maintenance and only provide single-wide CMU at this building. Jay Eenhuis stated this building is unoccupied, and although it is conditioned, it is not conditioned to the point of habitable space; therefore, RBD staff takes no 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 Dale Ryba; the motion carried unanimously.

9. 3352 Springridge Circle, Permit M98579 – Jared May, homeowner, requests a variance to Section P2609.4, 2015 International Residential Code, to allow an unlisted bathtub to be installed where listed products are required by Code.

Jared May appeared and stated he had his master bathroom remodeled, and this particular bathtub was recommended because it fit the space. He stated he purchased the bathtub at Home Depot, unaware that it is apparently unlisted and prohibited by Code. He stated he did submit a listing for the faucet for the bathtub to his contractor. John Welton stated RBD staff takes no exception to the variance request due to the fact that the homeowner is aware that the bathtub is not listed. Swagata Guha stated these tubs typically do not have an overflow drain, so there is the risk of water overflowing from the bathtub; Mr. May stated he is aware of this fact. A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Matt Scheffe; the motion carried unanimously.

10. 9735 Cairngorm Way – Dana King, homeowner, requests a variance, prior to plan submittal, to Table R402.1.2, 2015 International Energy Conservation Code, to omit attic insulation and slab insulation where required by Code.

Dana King appeared and stated he would like to install a gas heater in his garage/shop, and his garage does not meet the energy requirements per the IECC for the slab and ceiling. John Welton stated this house does have the proper R value in the walls and the fenestration requirements for openings; however, it does not have slab insulation installed nor any insulation above the ceiling. Mr. King stated the home was supposed to have an R38 insulation installed in the ceiling at the time of construction, but the contractor neglected to do so. Mr. Welton stated due to the fact that this is an energy requirement and not a life safety issue, RBD staff takes no exception with the variance request. Micah Langness stated he would like to have the R38 insulation installed in the garage ceiling prior to the final inspection for the garage heater; Mr. King agreed to do so. A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance

request, with the condition that an R38 insulation is installed in the garage ceiling (in lieu of an R49) prior to completion of the final inspection for the garage heater, seconded by Matt Scheffe; the motion carried unanimously.

11. 4183 Eminence Drive, Permit N23940 – Rex Mason, homeowner, requests a variance to Section R310.2.3, 2015 International Residential Code, to allow a window well with a horizontal projection of 30” where not less than 36” is required by Code.

Rex Mason appeared and stated his home was built in October 2000, and he is finishing the basement himself. He stated due to pre-existing conditions, the window well in the bedroom is only at 30”, where a 36” window well is required per Code. John Welton stated Section RBC303.4.13, 2017 Pikes Peak Regional Building Code, allows existing window wells to have a minimum horizontal projection of 30” as long as the dwelling was issued a building permit prior to January 1, 2000. The permit for this house was issued in October 2000. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing nonconforming issues, seconded by Matt Scheffe; the motion carried unanimously.

12. 1111 East Boulder Street – Gary Sparrow, Innovative Building Solutions LLC, requests variances prior to plan submittal:

- a) Section R305.1, 2015 International Residential Code, to allow a finished ceiling height of 6’5½” where 7’ is required by Code;

Gary Sparrow appeared and stated this home was built in 1923 and due to pre-existing conditions, he is unable to meet Code for the ceiling height, head height above the stairs, stairwell width and the soffit height in the basement. He stated the overall finished ceiling height for the entire basement would be 6’5½”. 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.

- b) Section R311.7.2, 2015 International Residential Code, to allow a head height at stairs of 5’11” where 6’8” is required by Code;

Mr. Sparrow stated the pre-existing head height above the stairs is at 5’11”. Steve Horner stated the floor joists appear to run parallel to the stairs, and suggested that Mr. Sparrow research some construction modifications to the floor joists and the header at the bottom of the stairs that might give him additional head height above the stairs. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that a 6’4” head height above the stairs is achieved, seconded by Micah Langness; the motion carried unanimously.

- c) Section R311.7.1, 2015 International Residential Code, to allow a stairwell width of 31½” where 36” in clear width is required by Code;

Swagata Guha stated the stairs are narrow, and she would be concerned that opening them up might create other Code issues. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request due to existing nonconforming conditions, seconded by Dale Ryba; the motion carried unanimously.

- d) Section R305.1.1, 2015 International Residential Code, to allow a dropped ceiling height of 5'10½" at dropped beams and ducts where 6'4" is required by Code.

Mr. Sparrow stated there is a beam that goes through the center of the room only allowing a 5'10½" soffit height under this beam. A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance request to allow a dropped ceiling of 5'10½" at the dropped beam only (does not include ducts), seconded by Dan Rial; the motion carried unanimously.

13. **UNFINISHED BUSINESS**

There was no Unfinished Business.

14. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 10:52 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/llg

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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