

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## TECHNICAL COMMITTEE MINUTES

May 5, 2021

9:00 a.m.

MEMBERS PRESENT: Chair Micah Langness, Master Plumber  
Vice Chair Matt Scheffe, Building Contractor D  
Swagata Guha, Architect  
Andrew Baturevich, Structural Engineer  
Jason Leimkuhl, Mechanical Contractor  
Dale Ryba, Electrical Contractor

MEMBERS ABSENT: Philip Lasarre, Building A or B Contractor

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

### PROCEEDINGS:

Chair Micah Langness called the meeting to order at 9:02 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 Langness stated CSFD has notified RBD staff that it takes no exception to any of the variance requests on the Agenda for this meeting.

### 1. **CONSIDERATION OF THE APRIL 7, 2021 TECHNICAL COMMITTEE MINUTES**

A motion was made by Dale Ryba to **APPROVE** the April 7, 2021 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.**

- a) 310 Redwood Drive, Permit N44571 – Heidi Johnson, homeowner, requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to omit R10 slab insulation where required per Code.

A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the Consent Variance Request, seconded by Jason Leimkuhl; the motion carried unanimously.

### 3. ITEMS CALLED OFF CONSENT CALENDAR

There were no items called off the Consent Calendar.

### VARIANCE REQUESTS

4. 1906 Democracy Point, Permit M53922 – John Rezonya, Architect, requests a variance to 2015 International Building Code, 202 Definitions: Employee Work Area to allow a toilet room, in an employee only guard shack, to be included as Employee Work Area, and therefore not required to be on accessible route.

John Rezonya and Peter Skirbst, Architects, appeared and stated this project is a supply warehouse. This variance is for a guard shack at this facility. The variance request is to waive accessibility requirements for the bathroom in the guard shack. John Welton stated the entire structure is less than 1,000 square feet with permanently installed partitions, counters, and furnishings. He stated the variance request seems to be for the entire guard shack to be considered an employee work area by definition; and therefore, not required to be accessible. Mr. Skirbst stated the guards occupying this structure must be entirely functional to be working in this structure. He stated the room is too small to meet accessibility requirements, the access door would have to swing out instead of swinging in, and the lavatory would have to be replaced. Swagata Guha stated options remain available to bring this restroom into compliance. A motion was made by Swagata Guha to recommend to the Board of Review **DENIAL** of the variance request, seconded by Dale Ryba; the motion carried unanimously. Jina Koulchitzka stated the parties to this variance request 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.

5. 225 Northgate Boulevard, Permit N13023 – Eric Swanson, Wells & West General Contractors, requests a variance to Section 501.3.1 #3, 2015 International Mechanical Code, to allow a bathroom exhaust fan to terminate 2' from operable openings into buildings where a 3' minimum is required per Code.

Eric Swanson appeared and stated this structure is an 1890's ranch house at the grounds of the Western Museum of Mining and Industry, and the existing bathroom exhaust fan vent does not have a Code compliant clearance from the existing window; he has 2' where 3' is required per Code. Swagata Guha suggested that if the window was to be modified to

make it inoperable, a variance would not be required. Mr. Swanson stated he is willing to modify the window; he **WITHDREW** the variance request.

6. 82 Woodbridge Drive, Permit N35412 – Johnny Garcia, BJ Contractors, requests variances to:

- a) Section RBC303.4.13, 2017 Pikes Peak Regional Building Code, to allow a window well with a horizontal projection of 20” where a minimum 30” horizontal projection is allowed for dwellings issued a building permit prior to January 1, 2000.

Johnny Garcia appeared and stated this structure is a 30-year old townhome, and he is finishing the basement to add two bedrooms. He stated the subject window wells are egress windows in each bedroom. Swagata Guha stated it is possible to bring the depth of the window well into compliance, and suggested that Mr. Garcia replace the window wells to bring them into compliance. Johnny Garcia stated he is willing to replace the window wells. Mr. Garcia **WITHDREW** the variance request.

- b) Section R310.2.4, 2015 International Residential Code, to allow an emergency escape and rescue opening to be installed under a deck with a path of travel with 30” in height to a yard or court where not less than 36” is required per Code.

John Welton stated Mr. Garcia could install a trap door in the deck with a ladder, in which case RBD staff would not take an exception to the variance request, since Mr. Garcia is installing window wells with Code compliant horizontal projection, and CSFD has stated that it takes no exception to the variance request. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Matt Scheffe; the motion carried unanimously.

7. 7743 Bullet Road, Permit N19292 – Tracey Rivas, homeowner, requests a variance to Section R310.2.3, 2015 International Residential Code, to allow a window well with a horizontal projection of 24” where not less than a 36” horizontal projection is required for emergency escape and rescue openings.

John Welton stated Tracey Rivas has withdrawn Item 7.

8. 2105 South El Paso Avenue, Permit M45309 – Gary Haney, A Bestview Windows & Siding, requests a variance to Section R703.11.1, 2015 International Residential Code, to allow stacked seams in vinyl siding installation, where staggered seams are required by Code. *This variance was approved during the April 7, 2021 Technical Committee meeting with the condition that Mr. Haney submit a letter from the manufacturer supporting its warranty of the siding even though not installed per its specifications, and a letter from the homeowner accepting the current construction even though the siding was not installed per the manufacturer’s specifications. Mr. Haney has notified RBD staff that the manufacturer will not issue said letter.*

John Welton stated this item has been **CONTINUED** to the June 2, 2021 Technical Committee meeting.

9. 2114 Constitution Avenue – Josh Murdock, 1<sup>st</sup> Priority Roofing, LLC, requests a variance, prior to permit issuance, to Section R905.2.2, 2015 International Residential Code, to allow asphalt shingles to be installed on a roof pitch less than 2:12 where prohibited by Code.

Josh Murdock appeared and stated this roof is just under a 2:12 pitch and was replaced in 2012 with shingles; the homeowner would like to have the roof replaced again with shingles. He stated 1<sup>st</sup> Priority Roofing has provided an extended warranty, and the company will be double felting the roof with synthetic felt. Matt Scheffe stated he would require that ice and water shield be installed on the entire roof. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that ice and water shield be installed on the entire roof, seconded by Dale Ryba; the motion carried unanimously.

10. 4525 North Meridian Road, Permit M99835 – Dana Marriott, homeowner, requests a variance to Section M1401.1, 2015 International Residential Code, to allow a furnace not designed or certified for use in a manufactured home to be installed where prohibited by manufacturers installation instructions.

Dana and Jerry Marriott appeared. Jerry Mariott stated he had his furnace replaced and the contractor installed a furnace that is not recommended for manufactured homes. He stated the furnace is working well for him, and he would prefer that it not be replaced. Jason Leimkuhl inquired why the contractor is not being held responsible for this error. Dana Marriott stated the contractor informed her and her father that he was aware that this furnace was not recommended for a manufactured home, but that was only because the manufacturer did not wish to spend the money to modify the language in their specifications for this one issue with the furnace. The Committee members suggested that the homeowners get a letter from the manufacturer warranting the furnace even though installed in a manufactured home; and Ms. Marriott agreed to do so before May 14, 2021 and submit it to RBD staff. A motion was made by Jason Leimkuhl to recommend to the Board of Review **APPROVAL** of the variance request with the condition that the homeowners obtain an Addendum to the installation specifications from the manufacturer warranting the furnace with the current installation, seconded by Matt Scheffe; the motion carried unanimously.

11. 2192 Calle Fontana, Permit M61181 – Christopher Irwin, Timberline Roofing, requests a variance to Table R905.1.1(2), 2015 International Residential Code, to allow a single layer of underlayment on a roof pitch of 3:12 where two layers are required per Code.

Christopher Irwin appeared and stated the second layer of felt was inadvertently omitted from this installation; the pitch of the roof is 3.9:12. He stated he has provided a letter from the manufacturer confirming the warranty on the materials, and he has provided a 10-year labor warranty as well. Matt Scheffe stated the photo of the pitch gauge on the roof

shows that the measurement was not taken correctly, and the pitch is probably a 3.5:12. 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.

12. 1706 West Bijou Street, Permit N42139 – Benjamin Wilder, Homefix, requests a variance to Section R305.1, 2015 International Residential Code, to allow a finished ceiling height in basement of 6'10" where not less than 7' is required per Code.

Benjamin Wilder appeared and stated this house is 100 years old and had some foundation issues. He stated the slab is being replaced, but there will be head height issues with the basement ceiling. He stated there is one soffit in the basement, but he believes it will be Code compliant. Mr. Wilder stated the rough height is 7', but will be 6'10 when finished. 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 Matt Scheffe; the motion carried unanimously.

13. 9 South 19<sup>th</sup> Street, Permit M79980 – David Maynard, Maynard Company, requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to allow glazing U factor of .48 where .32 is required per Code. *This variance was heard during the November 4, 2020 Technical Committee meeting, and the Applicant requested the variance be continued so he could provide additional information (a RES check on the structure) for the Committee's review.*

David Maynard appeared and stated this structure is a garage behind a house, and he used the same windows in the garage as were installed in the house. He stated the house was a remodel and he did not have to comply with the U factor. The sales representative looked at the address and made the windows .48 instead of .32 U factor. He did not notice this prior to installation, and it was noted during inspection. Mr. Maynard stated the RES check was just shy of Code compliance at 9.7%. John Welton stated since the applicant is willing to meet Code requirements on the R values on everything else and given the U factor deficiency is not a life safety issue, 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 9.7% discrepancy is minimal, seconded by Matt Scheffe; the motion carried unanimously.

14. 18475 La Questa Drive – Matthew Kosakowski requests a variance to Section RBC302.4.37, 2017 Pikes Peak Regional Building Code, to allow an Ultimate Design Wind Speed (Vult) of 111 mph, where 130 mph is required for Risk Category 1/11.

Matthew Kosakowski appeared and stated he is a representative for the Front Range-Midway Solar Project, LLC; the site is located outside Fountain. He is requesting a variance for the Ultimate Design Wind Speed of 111 mph in lieu of 130 mph as required per Code. He stated the company hired an independent engineer to prepare a site specific wind study in order to determine the actual conditions for this site. Mr. Kosakowski stated the results of the study came in lower than that required by Code. The safety of the

community surrounding the project is the ultimate concern. He stated for projects in general, the company uses Risk Category 1 for non-manned solar sites, which is at 105 mph; their study came in higher at 111 mph. He stated the ultimate design consideration is the attachment of the panels to their supporting structure (the rails that they are bolted to); the maximum height at full tilt is just under 10’.

Roger Lovell stated the Pikes Peak Regional Building Code requires an Ultimate Wind Speed Design of 130 mph which translates into 105 mph Nominal Wind Speed. In January 2018, the Fountain area and across the Pikes Peak Region had wind speeds in excess of 100 mph. He stated this is a local amendment because of the actual wind speeds that we do have in this region; there is data of wind speeds exceeding 100 mph in Fountain.

Swagata Guha stated she considers this is a “big ask”; she is uncomfortable with it due to potential life safety issues. Andrew Baturevich stated this community has seen 130 mph wind speeds in recent history, and he cannot support this variance request. If the request is based upon financial reasons, the Licensing Committee cannot consider such. He stated to go from 130 mph down to 111 mph is a 37% difference in design.

A motion was made by Andrew Baturevich to recommend to the Board of Review **DENIAL** of the variance request, seconded by Swagata Guha. Jina Koulchitzka stated the parties to this variance request 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.

## 15. **UNFINISHED BUSINESS**

### a) State of Colorado 2020 State Electrical Code Presentation.

Dean Wemmer appeared and gave a presentation regarding the major code modifications in the 2020 State Electrical Code. He stated the Department will be required to start enforcing the Code on July 31, 2021, and a summary of the Code changes can be found on the Department’s website. He stated the Department has been working diligently to get the information regarding the Code changes out to the community. Mr. Wemmer stated a few of the major changes are: Expansion of GFI protection to 250 volt receptacles and outlets, to include clothes dryers and air conditioners. He stated there is a new requirement for surge protection, which will require that a surge protector be installed on the service to all dwelling units. He stated the biggest change is the requirement for an emergency disconnect to be installed at a readily accessible location outside of a home for single-family and two-family dwellings.

b) State of Colorado 2020 State Plumbing Code Presentation.

Joel Segura appeared and gave a presentation regarding the major code modifications in the 2020 State Plumbing Code. He stated the Department will be required to start enforcing this Code on June 14, 2021. He stated the Code is eliminating the requirement for a drinking fountain in establishments with an alternate method of providing drinking water, i.e. restaurants, banquet facilities, nightclubs and bars, etc. The Code for the side clearance for a lavatory has also been modified to be less restrictive. The Code has been modified to allow a waste receptor to be located in a crawlspace, when there is equipment installed in that crawlspace. Mr. Segura stated there is a State amendment that requires an air test for a plastic vent on a water heater. He stated although this will be an added cost in labor, it is advantageous to prevent safety issues, i.e. carbon monoxide issues. He stated a waste and overflow will no longer be required on residential plumbing fixtures. Mr. Segura stated the Code regarding outside hose bibs has been modified to assign a fixture unit load to hose bibs, which will require large pipe sizes to extend into the home. He stated typically a 1” pipe size is used and will now extend further into the home before it starts to reduce in size.

16. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 11:48 a.m.

Respectfully submitted,



Roger N. Lovell  
Regional Building Official  
RNL/lhg

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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