

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

June 1, 2022

9:00 a.m.

MEMBERS PRESENT: Chair Micah Langness, Master Plumber
Philip Lasarre, Building A or B Contractor
Jason Leimkuhl, Mechanical Contractor
Andrew Baturevich, Structural Engineer
Michael Finkbiner, Building Contractor C or D
Thomas Lysne, Architect
Brian Braaten, Electrical Contractor

MEMBERS ABSENT:

OTHERS PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official - Plans
John Welton, Deputy Building Official – Inspections
Dean Wemmer, Chief Electrical Inspector
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Micah Langness called the meeting to order at 9:00 a.m.

The meeting was conducted in a hybrid form, allowing Committee members, Department staff, and the public to attend in person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Hearing Room on the Upper Level, or virtually via Microsoft Teams live events, as accessible via Pikes Peak Regional Building Department’s website Boards & Committees’ page at: <https://www.pprbd.org/Information/Boards>.

Roger Lovell introduced new Committee member, Brian Braaten, filling the electrical contractor position on the Committee.

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

1. **CONSIDERATION OF THE MAY 4, 2022 TECHNICAL COMMITTEE MINUTES**

A motion was made by Jason Leimkuhl to **APPROVE** the May 4, 2022 Technical Committee Minutes as written, seconded by Michael Finkbiner; 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. 3052 Delta Drive, Permit N99271 – Patrick Bradshaw requests a variance to Section 1104.3, 2015 International Building Code, to omit an accessible route to each portion of the building, where required per Code.

Patrick Bradshaw appeared in person and stated this project is a tenant finish for his grow facility; he has been working on this project for the past two years. He stated half of the structure will be office space and the other half of the building will be a warehouse; there is a 3' height difference between the two sections of the building. He stated Code requires that he install either a wheelchair lift or a ramp between the two sections of the building for accessibility purposes, and this is cost prohibitive for him to do so. A wheelchair lift would be \$20,000; and the ramp would be \$10,000. Mr. Bradshaw stated the two sections were not originally connected; they were separate structures, so someone in a wheelchair would have to go out of a door on one side and go around the building to a door into the other section of the building. Jay Eenhuis stated the Code is clear that connected spaces within a building require at least one accessible route to be provided to each portion of the building. The original plan showed a wheelchair lift; a plan showing the ramp has not yet been submitted to the Department.

Mr. Bradshaw stated he will be the only occupant in the building, as the building will not be open to the public. Virginia Koultschitzka advised the Technical Committee is charged with reasonable interpretation of the Pikes Peak Regional Building Code, as amended (the "Code"), Section RBC111.2.3. The Committee may grant minor variances from the provisions of this Code, provided the Committee finds that at least one of the following conditions exists: (1) the true intent of the applicable code has been incorrectly interpreted; (2) the provisions of the applicable code do not fully apply; or (3) an equally good or better form of construction is proposed. Mr. Bradshaw responded that the building will not be open to the public; he will be the only occupant. Therefore, no one requiring wheelchair accessibility will ever be in the building.

Mr. Bradshaw stated there are no utilities in the warehouse. He stated he was required to combine the two sides, so he would have one address and only one grow license would be

required. He did so and put an opening in the walls to combine the two areas. A motion was made by Jason Leimkuhl to recommend to the Board of Review **DENIAL** of the variance request, seconded by Michael Finkbiner; the motion carried unanimously. Ms. Koulchitzka advised Mr. Bradshaw of his appeal rights: 30 calendar days from the decision of the Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Code.

5. 1519 Alpha Court, Permit N26623 – Stacey Merkel, homeowner, requests a variance to Section RBC303.4.1, 2017 Pikes Peak Regional Building Code, to allow a crawlspace with an average height of 5’8”, where no more than a 5’ average height is allowed per Code.

Stacey Merkel appeared in person and stated in building the foundation for her home, the foundation was over dug by 12’. The engineer noted that the foundation wall could be no higher than 6’. She realized the crawlspace height was too high, so she added 75 tons of dirt inside the crawlspace after it was framed. The current average crawlspace height is 5’8”, which is the reason for her variance request. John Welton stated RBD staff would not take exception to this variance request with the submittal of an engineer’s report approving the existing footing and lateral support.

A motion was made by Andrew Baturevich to recommend to the Board of Review **APPROVAL** of the variance request, conditional upon the submittal of an engineer’s report approving the footing and lateral support in the current construction of the foundation before June 8, 2022, seconded by Philip Lasarre; the motion carried unanimously.

6. 1726 West Boulder Street – Jonathon Quinn, homeowner, requests a variance, prior to plan submittal, to Section R305.1, 2015 International Residential Code, to allow a finished ceiling height in the basement of 6’10”, where a minimum of 7’0” is required per Code.

Jonathon Quinn appeared in person and stated this project is a basement finish and due to pre-existing conditions, he is unable to obtain a Code compliant ceiling height. He stated he plans to install egress windows and laminate flooring. He stated he will be installing a split HVAC system to allow the ceiling height to be raised and the ventilation underneath to be self-contained. John Welton stated RBD staff takes no exception to the variance request. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request at 6’10” due to pre-existing conditions, seconded by Thomas Lysne; the motion carried unanimously.

7. 4005 Lee Vance Drive, Plan C160432 – Adam Thesing, YOW Architects, requests a variance to Section 1004.1.2, 2015 International Building Code for plumbing fixture count purposes only, to allow an actual occupant load to be used in lieu of the calculated occupant load per Table 1004.1.2.

Adam Thesing appeared in person and stated this project is a partial remodel of the Rock Family Church. He stated his request is to allow use of the actual occupant load in lieu of

the calculated occupant load for plumbing fixture count only to apply to the auditorium, the two lobbies, and the foyer; the remaining portions of the building would be based on a calculated occupant load. He stated the calculated occupant load based on square footage is 2,798 occupants, and he would like to reduce that by 551 occupants which is the occupant load for the lobby area of the church. The sanctuary occupant load is 937 occupants and the weekly attendance is 1,040, but that is split between two masses.

Mr. Thesing stated with the current plan the church has 16 women's lavatories and 19 are required per Code; there are 15 men's lavatories and 10 are required per Code. Phil Lasarre inquired whether the additional men's lavatories could be converted to "family" restrooms, which would solve the women's restroom issues. Jay Eenhuis stated the current fixture count can support 2,200 occupants; 598 occupants would need to be reduced. He stated this is not a life safety issue, so RBD staff takes no exception to the variance request.

A motion was made by Philip Lasarre to recommend to the Board of Review **APPROVAL** of the variance request to reduce the occupant load from 2,798 occupants down to 2,247 occupants for purposes of the plumbing fixture count only, seconded by Thomas Lysne; the motion carried unanimously.

8. 11 Polo Drive, Permit N84602 – Susan Donaldson, homeowner, requests a variance to Section 210.52(C)(1), 2020 National Electrical Code, to allow receptacle outlets in countertop walls to be spaced more than 48" on center, where prohibited per Code.

Susan Donaldson appeared in person and stated she remodeled her kitchen, and she has a wall of cabinets with a cooking nook. The cooking nook is 78" wide and 30" deep; the backsplash is 30"; based on the size of the countertop, two outlets are required per Code. There is a 46" walkway between the cooking nook and the island. The island is 15' x 5'. In the island she will have two pop-ups that will have 8 plugs and 2 cell phone chargers. The closet outlet to the cooking nook will be approximately 7'. Her request is to waive the outlets in the cooking nook for aesthetic reasons. Ms. Donaldson stated there is a butler's pantry off of the cooking nook where her oven will be located and a 48" countertop at the back of the pantry, which will have four more plugs and her small appliances.

Ms. Donaldson stated she had originally planned on installing the outlets, so the wiring is accessible in the base cabinets. Dean Wemmer stated his concern would be for a future homeowner, but with the accessible circuitry for future modifications, he believes the variance request should be considered. Brian Braaten stated he would like to be able to document the fact that the circuitry is available in the cooking nook for future homeowners. John Welton stated RBD staff's recommendation would be to document the permit for this project with a pre-wire notation; this can be accomplished with the homeowner's written confirmation regarding the location of the circuitry behind the induction cooktop.

A motion was made by Brian Braaten to recommend to the Board of Review **APPROVAL** of the variance request, conditional upon the homeowner submitting documentation/drawing confirming the location of the pre-wire circuitry behind the

induction cooktop for future receptacle installation if needed; said documentation/drawing is required before June 8, 2022, seconded by Michael Finkbiner; the motion carried unanimously.

9. 1203 Tonka Avenue, Permit O07006 – Fay Richards, homeowner, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, to allow slab insulation to be omitted within habitable space, where required by Code.

Fay Richards appeared in person and stated she is converting her garage into living space. There is living space above the garage; she has R19 insulation in the walls. Jay Eenhuis stated the new habitable space is below existing habitable space, so the only thermal envelope elements are the walls and the slab. Ms. Richards stated she plans to put a moisture barrier on the slab with a plywood overlay and her finished floor on the plywood. Mr. Eenhuis stated RBD staff takes no exception to the variance request. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Thomas Lysne; the motion carried unanimously.

10. 19932 West Thunder Road, Permit N42016 – George Tuma, homeowner, requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to insulate ceiling and wood frame wall to a lesser R value than the minimum R value required and to omit slab insulation in a conditioned garage, where required per Code.

George Tuma appeared virtually and stated he is installing a heater in his garage and the existing R values in his garage are not Code compliant. He stated he has R13 in his walls and plans to install R49 insulation in the ceiling. There are no windows in the garage and the garage door is an R8. John Welton stated because this garage will not be habitable space and it is not a life safety issue, RBD staff takes no exception to the variance request. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, with the condition that an R49 insulation be installed in the ceiling of the garage, seconded by Jason Leimkuhl; the motion carried unanimously.

11. 8543 Sanctuary Pine Drive, Permit N92261 – Philip Jung, Elk Ridge Custom Homes, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, to allow slab insulation to be omitted within habitable space, where required per Code.

Philip Jung appeared virtually and stated this project is the conversion of a detached garage into habitable space. He stated his request is to waive the slab insulation; all other R factors will be Code compliant. John Welton stated RBD staff takes no exception to the variance request because this is not a life safety issue. A motion was made by Philip Lasarre to recommend to the Board of Review **APPROVAL** of the variance request because this is not a life safety issue; RBD staff and CSFD both take no exception to the variance request, seconded by Brian Braaten; the motion carried unanimously.

12. **UNFINISHED BUSINESS**

There was no Unfinished Business.

13. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 10:54 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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