

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

May 4, 2016

9:00 a.m.

MEMBERS PRESENT: Chairman Chris Richardson
Mr. Dan Rial
Mr. Steve Horner
Mr. Larry Bobo
Ms. Swagata Guha
Mr. Michael Finkbiner
Mr. David Doren

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Mr. Todd Welch, Regional Building Counsel
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. John Welton, Chief Building Inspector
Mr. Jack Arrington, Chief Mechanical/Plumbing Inspector
Mr. Dean Wemmer, Chief Electrical Inspector
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chris Richardson called the meeting to order at 9:00 a.m.

All Committee members introduced themselves.

1. ELECTION OF OFFICERS

A motion was made by Dan Rial to elect Chris Richardson as Chairman of the Technical Committee for the year 2016, seconded by Larry Bobo; the motion carried unanimously.

A motion was made by Larry Bobo to elect Dan Rial as Vice Chairman of the Technical Committee for the year 2016, seconded by David Doren; the motion carried unanimously.

2. CONSIDERATION OF APRIL 6, 2016 BUILDING COMMITTEE MINUTES

A motion was made by Michael Finkbiner to **APPROVE** the April 6, 2016 Building Committee Minutes as written, seconded by Steve Horner; the motion carried unanimously.

3. **CONSIDERATION OF THE APRIL 13, 2016 MEP COMMITTEE MINUTES**

A motion was made by Dan Rial to **APPROVE** the April 13, 2016 MEP Committee Minutes as written, seconded by Larry Bobo; the motion carried unanimously.

4. **CONSENT CALENDAR**

a) 3002 Springridge Drive, Permit K05223 – Ian Reid, homeowner, requests variances to:

Section R310.1, 2009 International Residential Code, to allow a 48” windowsill height in existing conditions where a maximum of 44” is allowed, with the stipulation that a step is permanently installed under the windowsill with a 6” rise and minimum of 1 1/2” tread, and the full width of the window opening.

Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’7” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

b) 7308 Steward Lane, Permit J75463 – Ryan Johnson, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’7” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

c) 1202 West Kiowa Street, Permit K06302 – Robert Chafin Hale, PCI Construction Services, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’5” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

d) 817 Skyway Boulevard, Permit K02840 – Mike Morley, Morley Enterprises, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’7” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

e) 1032 Wernimont Circle, Permit K01693 – Michelle Marie Kinney, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’6” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

A motion was made by Steve Horner to **APPROVE** the Consent Calendar Variance Requests, seconded by Dan Rial; the motion carried unanimously.

VARIANCE REQUESTS

5. 1605 Briargate Parkway – Paul Edstrom, EGC Services, Inc., requests a variance to Section 1008.1.6, 2009 International Building Code, to waive an interior landing at an exit door.

Josh Rains, Project Manager for Qdoba Mexican Grill, appeared and stated this project is the Qdoba Restaurant on Briargate, and a rear exit door was required in the space. He stated the plans showed a rear exit door, but during construction, it was not installed. He stated the placement for the proposed door is in the mechanical room in the back of the kitchen, due to space limitations, and there is an elevation difference in this location, i.e. two steps leading up to the ground level. Jay Eenhuis stated RBD staff takes no exception to this variance request, because they are making an existing issue better. Mr. Rains said currently there is a door into the mechanical room, and they plan to remove the door into that room. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** the variance request, seconded by Larry Bobo; the motion carried unanimously.

6. 3703, 3709, 3715, 3721, 3727, and 3733 Homestead Mesa Heights – Tony Gordon, Gordon Construction, requests a variance to Sections 313.1, 2009 International Residential Code and Section RBC303.4.18, 2011 Pikes Peak Regional Building Code, to allow construction of a 6-unit townhome without a sprinkler system.

Tony Gordon stated this is a 36-unit townhome project, which was started in 2002, and there was one building that was not completed at that time. He stated they are requesting relief from the sprinkler requirement, because the other buildings were not sprinklered. He stated they intend to install a 3-hour wall between Units 3 and 4 to separate the building in half, creating two 3-unit buildings. He stated the Colorado Springs Fire Department (“CSFD”) has confirmed that they are comfortable if the building is not sprinklered. John Welton stated RBD staff takes no exception to this variance request, based on Mr. Gordon’s equal or alternative means of construction, i.e. a 3-hour wall between the Units 3 and 4 creating two 3-unit buildings. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, based on CSFD’s input, and the 3-hour fire separation wall proposed by the applicant, seconded by Michael Finkbiner; the motion carried unanimously.

7. 30 East Platte Avenue, Permit K08657 – Matthew Kelly, Weathercraft Company, requests a variance to Section R902.1, 2009 International Residential Code, as amended, City of Colorado Springs Ordinance 02-174, 2011 Pikes Peak Regional Building Code, to allow wood roofing products where a Class A roof covering is required.

Matthew Kelly appeared and stated this variance request is for a wood shingle roof replacement, and they are planning to install a Class A fire rated assembly, i.e. 7/16 inch fire treated OSB board over the existing space sheathing, ¼ inch Densdeck, and a Class B fire

treated wood shingle roof system, with a cedar breather and a graphite linseed stain. He stated he has discussed the issue with CSFD, and they would not oppose the variance request as long as it is a Class B roof system. Mike Finkbinder stated he may have a concern regarding the linseed stain on the shingles affecting the Class B assembly. John Welton stated he has confirmed with CSFD that they take no exception to this variance request, and RBD staff takes no exception to this variance request. A motion was made by Michael Finkbinder to recommend to the Board of Review **APPROVAL** of the variance request because it is a commercial building, and they will be exceeding the Class B assembly with the Densdeck, seconded by Swagata Guha; the motion carried unanimously.

8. 1129 North Nevada Avenue and 211 East Unitah Street – Paul Doak, Martin/Martin, Inc., requests a variance to Section RBC302.4.32, 2011 Pikes Peak Regional Building Code, to allow the use of Wind Exposure Category B for design criteria, where expressly deleted as an option per local Code.

Paul Doak appeared and stated these structures are at Colorado College, and they are requesting a variance to allow a Category B Wind Exposure, because these buildings are surrounded by homes and trees, which slow the wind down. He stated when the wind pressures are reduced, the costs are reduced. Steve Horner stated his recommendation is that we require a Wind Exposure Category C be required based on historical data. Mr. Doak stated it would cost 40% more to construct the buildings with a Category C Wind Exposure. A motion was made by Steve Horner to recommend to the Board of Review **DENIAL** of the variance request, seconded by David Doren; the motion carried unanimously.

9. 8 Fourth Street – Ryan Lloyd, Echo Architecture, requests a variance to Section 1109.2, 2009 International Building Code, to provide a non-accessible restroom, where required.

This variance request was **WITHDRAWN** by Ryan Lloyd.

10. 4 South Wahsatch Avenue, Suite 120 – Ryan Lloyd, Echo Architecture, requests a variance to Section 1109.2, 2009 International Building Code, to provide a non-accessible shower in an existing, non-conforming, non-accessible private restroom.

Ryan Lloyd appeared and stated this project is his office and he is leasing the space. He stated he has been in the office for two years. He stated he recently learned that the remodel permit was never completed, and he is trying to correct that issue now. Mr. Lloyd stated this restroom is only used by employees. He stated there are accessible restrooms in the office space, and they are over their fixture count for the space. He stated the shower has already been installed. Mr. Lloyd stated this is a load bearing room because he has his mechanical equipment on top of this room. He stated the water closet and sink were existing before the remodel and they added the shower. He stated when he moved into this space two years ago, it was not a change of use. Dan Rial stated he does not see an issue since there are accessible restrooms on the same floor. A motion was made by Dan Rial to recommend to the Board of

Review **APPROVAL** of the variance request, seconded by Swagata Guha; the motion carried unanimously.

11. 2222 West Colorado Avenue, Permit J99480 – Kris Palmer, Business Owner, requests a variance to Section 1109.2.2, 2009 International Building Code, and Section 604.8, ICC/ANSI A117.1-2003, to allow a 59” interior toilet room dimension, where 60” is required.

Kris Palmer appeared and stated this project is a change of use, and currently there are two non-accessible restrooms. He stated they have added two fully compliant ADA restrooms, but the women’s toilet room has a space limitation of 59”; whereas, in the men’s toilet room there is 61½”. He stated they are unable to move the walls, due to mechanical, electrical and plumbing issues. Mr. Palmer stated this portion of the space is utilized by employees only. He stated these restrooms were existing, and they have made them as accessible as possible. Jay Eenhuis stated due to the occupant load of this space, separate accessible restrooms per gender are required. John Welton stated this space is also a change of occupancy, which is causing all of the restrooms being brought up to Code. He stated there is a fully compliant accessible restroom in the space utilized by the public. A motion was made by David Doren to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

12. 1855 Smoke Ridge Drive, Permit K09288 – Drew Miller, homeowner, requests a variance to Section AH102, 2009 International Residential Code, to allow less than 65 percent glazing on a patio enclosure, where prohibited.

Dr. Drew Miller appeared and stated this is a patio enclosure, and stated to get more than 65 percent glazing, he is required to have larger windows, and he does not want to look at the street below. He stated he does not feel it is a life safety issue. He stated he is replacing an existing deck with a slightly smaller patio enclosure. Dr. Miller stated this area will be a home office and will not be heated. Jay Eenhuis stated per Code, patio enclosures cannot be heated. He stated the 65% issue is more for emergency responders to see what is going on within the space. Dr. Miller stated he would like to reduce the glazing to 40% on the neighbor’s side, and 50% on the mountain side. He stated he would like to have this issue removed from the Code. He stated the existing deck did not have a staircase, and they are installing a staircase for egress purposes. Mr. Eenhuis stated he would recommend a percentage on file for RBD’s purposes. Dr. Miller stated he would propose 45%. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that the percentage of glazing be a minimum of 45%, seconded by Larry Bobo; the motion carried 5:1. Steve Horner opposed.

13. 1218 Alexander Road, Permit K09335 – Kimberly Garci, homeowner, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’4” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Kimberly Garci appeared and stated there is a covered duct in the basement that runs the length of the room she is finishing for an office. She stated her son did the work, and she recently pulled a permit and is trying to complete the permit. Ms. Garci stated she does not intend to frame and sheetrock around the soffit. She stated she is selling the home. She stated the soffit is 12 to 14 inches wide and runs down the middle of the room. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request due to existing, non-conforming conditions, seconded by Steve Horner; the motion carried unanimously.

14. 5953 Finglas Drive, Permit J40007 – Kevin Lewis, Fountain Valley Electrical, LLC, requests a variance to Section 210.12, 2014 National Electrical Code, to install regular 15 amp. breakers in place of arc fault breakers, with the stipulation that a notarized letter be required from the homeowner that confirms that the original AFCI breakers will be reinstalled at the time of the sale of the property, and a notice be attached to the electrical panel that notifies the Pikes Peak Regional Building Department and all parties of this requirement.

Kevin Lewis appeared and stated there have been multiple arc fault issues in this house in a number of the rooms. He stated they discovered that there were several appliances creating the issues. Larry Bobo stated the MEP Committee has granted a number of these arc fault variances, and it is a very common variance. Dean Wemmer stated RBD staff requires that a contractor be involved in arc fault variances so they can do the proper testing. He stated in most instances they have found that there is a major appliance in the house that is creating the issue with the arc fault breakers. He stated RBD requires a notarized letter from the homeowner that confirms that the original AFCI breakers will be reinstalled at the time of sale of the property. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

15. 6452 Donahue Drive, Permit J96859 – Beau Chandler, homeowner, requests a variance to Section 405.3.1, 2012 International Plumbing Code, to allow a 13” clearance at the side of a water closet where a minimum of 15” is required.

Beau Chandler stated he would like to **WITHDRAW** his variance request.

- 15.b. 20945 El Nino Point – James Stulken, homeowner, requests a variance to Section AH102, 2009 International Residential Code, to allow reduction of glazing from 126 square feet to 102 square feet, where prohibited.

James Stulken appeared and stated he built an enclosed patio and did the work himself. He stated he has 62% glazing, where 65% is required by Code. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request because there is 62% glazing, which is just shy of the 65% required by Code, seconded by Michael Finkbiner; the motion carried unanimously.

- 15.c. 7780 Wildridge Road, Permit K02066 – Clint Dufresne, Level 1 Homes, Inc., requests a variance to Section 110.26(A)(1), 2014 National Electrical Code, to allow a 30” clearance in front of the electrical panel in a swim spa, where 36” is required.

Clint Dufresne stated this electrical panel is in a swim spa, and it was installed according to the manufacturer’s recommendation, which only required 24” clearance on the equipment side of the tub. Larry Bobo stated the clearance is to allow for repair work to be done on the spa. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Swagata Guha; the motion carried unanimously.

- 15.d. 1417 East Dale Street, Permit K09260 – Robert Mack, homeowner, requests a variance to Section 110.26(A)(1), 2014 National Electrical Code, to allow a 20½” clearance in front of the electrical panel, where 36” is required.

Robert Mack appeared and stated there is an electrical service panel located in a broom closet in his home, and they do not have a Code compliant clearance in front of the electrical panel. He stated they are in the process of selling the home, and the home inspector brought this issue to their attention. He stated the house was built in 1945, and he believes this electrical panel has been in this location since 1969, although he believes the panel has been updated sometime within the past few years without a permit. Mr. Mack said an electrician was doing some work at the house and suggested to his wife that the panel be updated; he believes the electrician updated the panel at that time, without a permit, although they did not know that at the time. Dean Wemmer stated there is no way to obtain a Code compliant clearance with this panel in its current location. Larry Bobo stated if the panel had been changed out, it would have required a permit, and would not have been approved with this issue. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request due to existing, non-conforming conditions, seconded by Swagata Guha; the motion carried 5:1. Larry Bobo opposed.

16. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

17. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:29 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg