

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

December 7, 2016

10:00 a.m.

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

MEMBERS ABSENT: Mr. Larry Bobo

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/Plumbins Inspector
Mr. Dean Wemmer, Chief Electrical Inspector
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Chris Richardson called the meeting to order at 10:00 a.m.

1. **CONSIDERATION OF THE NOVEMBER 2, 2016 TECHNICAL COMMITTEE MINUTES**

A motion was made by Steve Horner to **APPROVE** the November 2, 2016 Technical Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

The following Item 2 was heard out of order after Item 6.d.

2. **EXECUTIVE SESSION**

a) To seek legal advice from our attorney.

3. **CONSENT CALENDAR**

- a) 6385 Silverado Trail, Permit J54133 – Evan Reedall, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’7½” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.
- b) 4720 Seton Place, Permit K48421 – Ron Duran, R. J. Construction, 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
- c) 1922 Meadowbrook Parkway, Permit K56887 – Anthony Duenas, 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.
- d) 8 Pourtales Road, Permit K50425 – Alex Allen, Olson Plumbing & Heating Co., requests a variance to Section 503.5.3, 2009 International Fuel Gas Code, to allow a masonry chimney, lined with an approved material to serve as a gas vent for a single draft hooded appliance or an induced draft appliance common-vented with a draft hooded appliance, provided the installation meets the following requirements:
 - The appliance is a replacement;
 - The area of the chimney does not exceed 7 times the area of the draft hood outlet;
 - Not more than 1 side of the chimney is exposed to the outside;
 - A licensed contractor provides a letter verifying the chimney’s integrity, and approved material is defined as sheet metal, tile or clay lined.

A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the Consent Variance Requests, seconded by David Doren; the motion carried unanimously.

VARIANCE REQUESTS

4. 5915 North Academy Boulevard, Permit K50007 – Larry Whittaker, YOW Architects, requests a variance to Sections 706.5 and 706.6.1, 2009 International Building Code, to reclassify Fire Wall as Fire Barrier, where prohibited.

Larry Whittaker appeared and stated this whole building is owned by one person, and the subject project was previously a bar, and is being converted into a dance studio, which will be divided into three studios, each with exit doors. He stated they had originally planned to install a fire wall, but there was a step in the roof which made the installation of a fire wall very difficult, so they are proposing adding a fire barrier in lieu of a fire wall, and additional exits, with panic hardware. Mr. Whittaker stated the issue is a beam, which bears outside the wall, which makes installation of a fire wall very difficult. Janine Mejia-Diaz appeared and stated the issues are the beam, the parapet penetration, and the four foot protected openings on either side of the wall. She said the building is not sprinklered. Jay Eenhuis stated this is a building area issue, and not a fire area issue. He said fire areas can be bounded by exterior walls or fire barriers, whereas building areas must be bounded by a fire wall. Swagata Guha stated fire walls are designed to be self-supporting; whereas, fire barriers are not self-supporting. Mr. Whittaker stated they are proposing two exit doors out of each studio, and there are three studios in this space. He stated at the end of this tenant space, there is a martial arts/karate business, with two exits. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request based on the fact that additional life safety concerns have been taken into consideration with the installation of additional exits and the fire barrier, seconded by Dan Rial; the motion carried unanimously.

5. 3487 Hill Circle, Permit K21720 – Jay Webber, Tri Star Mechanical, requests a variance to Section 501.2, 2009 International Mechanical Code, to waive bath fan exhaust ducts to terminate at the exterior, where required.

Jay Webber appeared and stated he would like to **WITHDRAW** this variance request.

6. 2104 East Williamette Avenue, Permit K53442 – Eric Sachaj, Advanced Remodeling Services, LLC, requests a variance to Section 405.3.1, 2012 International Plumbing Code, to allow a 9” clearance on the side of a lavatory, where 12” is required.

Eric Sachaj appeared and stated this is a bathroom remodel in a home built during the early 1950’s, and due to space limitations created by the chimney, they are not able to obtain a Code compliant space on the side of the lavatory. He stated they took out a shower in order to create a hallway. He stated there are two other bathrooms in this home which are Code compliant. A motion was made by David Doren to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Steve Horner; the motion carried unanimously.

- 6.b. 3701 North Nevada Avenue – Eric Kruger, business owner, requests a variance to Section 110.1.2, 2011 Pikes Peak Regional Building Code, to change the occupancy from an A-5 to an A-3, where prohibited.

Eric Kruger appeared and stated he is the business owner and leasing this property; the structure is an air soft field for children, and he did not know that there was an occupancy issue until recently. He stated it is currently classified as an A-5 occupancy and it should be an A-3 occupancy. He said it is classified as an A-5 because it has grandstand seating, comprising less than 25 percent of the building, which overlooks the old dog track. Mr. Kruger stated this seating area has been sectioned off and is not being used. He stated they have 10 double door fire exits, which can be expanded to 13, and he has added 28 lit exit signs throughout the building, multiple safety lights, 19 fire extinguishers, have used 47 gallons of fire resistant paint, and improvements on the electric and plumbing. He stated 75% of the building conforms to an A-3 occupancy; there is only one section that is classified as an A-5, i.e. the grandstand seating area. Mr. Kruger stated this is the old dog track building, which has been converted to an “air soft field for children”, and he has been up and running for nine years. Ralph Magnum, fire inspector for the Colorado Springs Fire Department, stated they received a complaint regarding blocked exits in this structure, and they issued a cease and desist order. He stated the issues were all corrected, and the only thing remaining is the change of occupancy. Jay Eenhuis stated the lack of a sprinkler system in this building, is the reason that the change of occupancy is so important. He stated there are 14,000 square feet in this building, and the allowable space for an A-3 occupancy is 12,000 square feet. He stated the fact that the business encompasses two levels would also prohibit an A-3 occupancy. The Committee members stated in order to make a decision on this variance request, they would need to see current drawings of the building. A motion was made by Swagata Guha to **POSTPONE** this variance request so Mr. Kruger can provide drawings which shows accurate measurements and all improvements that he has made to the building; and a proper Code analysis, in order for the Committee to make a determination on this variance request, seconded by Michael Finkbiner; the motion carried unanimously.

- 6.c. 5780 Harbor Pines Point, Permit I64064 – D & J Quality Electric 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 Pikes Peak Regional Building Department and all parties of this requirement.

Dennis Hathcock appeared. Dean Wemmer stated the State has given RBD a directive to deal with this this type of variance on a case by case basis. He stated there are appliances in this home which are tripping the breakers. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Steve Horner; the motion carried unanimously.

- 6.d. 1377 Foothills Farm Way, K08105 - D & J Quality Electric 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 Pikes Peak Regional Building Department and all parties of this requirement.

Dennis Hathcock appeared, and stated the gas oven in this home is tripping the breakers. 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.

The following Item was heard out of order.

2. **EXECUTIVE SESSION**

- a) To seek legal advice from our attorney.

The Technical Committee moved into Executive Session at 11:21 a.m. pursuant to C.R.S. §24-6-402(3)(II) to seek legal advice from our attorney regarding accessibility.

After moving into General Session at 11:47 a.m., Chairman Chris Richardson noted that no decisions were made during the Executive Session.

7. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

8. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:47 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg