

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

March 1, 2017

9:00 a.m.

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

MEMBERS ABSENT:

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:

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

1. **CONSIDERATION OF THE FEBRUARY 1, 2017 TECHNICAL COMMITTEE MINUTES**

A motion was made by Steve Horner to **APPROVE** the February 1, 2017 Technical Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

2. **CONSENT CALENDAR**

- a) 4040 Dolphin Circle, Permit K69819 – 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 6’5” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

- b) 6203 Saddlebred Way, Permit J91231 – James Chapman, 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.
- c) 1159 Willow Bend Circle, No. 4B – Michael Tolooee, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 49” 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 11½” tread, and the full width of the window opening.
- d) 2924 Marilyn Road, Permit K72180 – Matt Amos, Fountain Valley Mechanical, 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 Swagata Guha; the motion carried unanimously.

VARIANCE REQUESTS

3. 12455 Black Forest Road, Permit K70680 – Rob Seever, Keystone Associates, Inc., requests a variance to Section 709.4, 2009 International Building Code, to allow the fire partition to set on a crawlspace, where prohibited.

Rob Seever appeared and stated this structure is the Black Forest Lutheran Church, and this is an interior finish in this Church. He stated the building is approximately 10,000 square feet and is a Type 5 Construction. He stated this portion of the building was built in 1989 and it sits on a crawlspace. He stated there is a 1-hour corridor system that goes out the door, so when they relocated a 16’ section of wall, it affected the 1-hour fire partition in the Church. Mr. Seever stated the foundation is not a continuous concrete foundation under this 1-hour wall. Jay Eenhuis stated RBD staff feels Mr. Seever’s proposal meets the intent of the Code and RBD staff takes no exception to this variance request. Mr. Seever stated there is no evidence of moisture or movement in the existing foundation that was constructed in

1989, and the building is not sprinklered. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request because the construction appears to be adequate to create a 1-hour barrier under the crawl space, and they have made an adequate effort to ensure that the 1-hour partition is continuous from floor to ceiling given the conditions that they have to work with, seconded by Steve Horner; the motion carried unanimously.

4. 308 North Chestnut Street – Christine Riggs, architect, requests a variance to Section R302.1, 2009 International Residential Code, to allow a 12” overhang/eave within 2’ of a property line, where prohibited.

Steve Horner recused himself from this Item.

Christine Riggs appeared and stated this is her home and they are raising the roof to give them additional height on the second floor of her home built in the late 1800’s, so she can have standard door heights on the second level. She stated this is creating an issue with the 12” eave on the wall that is within 2’ of the property line. She stated they are putting a 1-hour rated wall on the second level on this side of the house that extends up to the roof sheathing, and the fascia will be constructed with noncombustible materials. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

5. 1582 Minnetonka Place, Permit K29213 – Nicole Rosenberg, Peak to Peak Roofing and Exteriors, requests a variance to Section R905.2.7, 2009 International Residential Code, to allow one layer of roofing felt where two layers of ASTM D226 roofing felt is required for roof slopes between 2:12 and 4:12. *This item was postponed from the January 4, 2017 Technical Committee Meeting so the applicant could produce the required warranty information and consent from the homeowner for the Committee.*

Nicole Rosenberg appeared and stated she appeared at the January Technical Committee meeting and the Committee requested additional warranty information and written approval of the current construction from the homeowner. She stated their standard warranty is for two years and they have extended it to five years. She stated the extended warranty is for labor in addition to the manufacturer’s warranty which is transferrable. She stated the eagle view report and the truss report indicated that it was a 4:12 pitch, so they used a single layer of felt; but the inspector determined that it was a 3:12 pitch. Mike Finkbiner stated he spoke with a representative of Owen Corning and they will not warranty the materials that were not installed per Code. He stated he could approve the variance if Peak to Peak Roofing would warranty the materials for ten years, and prorate the materials after ten years. A motion was made by Michael Finkbiner to **TABLE** this variance request until the end of the meeting so the applicant can produce additional documentation, seconded by David Doren; the motion carried unanimously.

Ms. Rosenberg stated she has forwarded John Welton the requested warranty information from Peak to Peak Roofing, but they have not been able to reach the homeowner yet. She stated the warranty will be transferable. John Welton confirmed that he did receive an email from the owner of Peak to Peak Roofing and Exteriors extending the warranty on the materials for ten years and prorated after ten years. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that Peak to Peak Roofing submit an extended warranty for materials for ten years and prorated thereafter, and a five year warranty for workmanship, as well as a letter from the homeowner prior to the Board of Review meeting, seconded by Dan Rial; the motion carried unanimously.

6. 843 and 845 Skyway Boulevard – Jacek Osuch, Barlo, Inc., dba Interstate Roofing, requests a variance to Section R905.2.7, 2009 International Residential Code, to allow one layer of roofing felt where two layers of ASTM D226 roofing felt is required for roof slopes between 2:12 and 4:12. *This item was postponed from the January 4, 2017, and again from the February 1, 2017 Technical Committee Meetings so the applicant could produce a written extended Warranty for labor and materials for the roof for the Committee.*

Jacek Osuch appeared and stated he appeared before this Committee last month and it was requested that he bring documentation from the manufacturer warranting the materials should there be an issue in the future. He stated the warranty from the manufacturer is a lifetime warranty; and the contractor's warranty is for workmanship. Michael Finkbiner stated he has confirmed with Owens Corning that they will honor the standard warranty for this property. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request based on the warranty from Owens Corning and the contractors extended transferrable warranty for workmanship, seconded by Larry Bobo; the motion carried unanimously.

7. 549 Marquette Drive, Permit K26679 – Quality Construction requests a variance to Section R905.2.2, 2009 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12.

No one appeared. A motion was made by Michael Finkbiner to **POSTPONE** this variance request until the end of the meeting, seconded by Steve Horner; the motion carried unanimously.

8. 834 West Bijou Street, Permit K32970 – Jayme Bailey, JMB Construction, LLC, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a 5'11" head height above the stairs where a minimum of 6'8" is required.

Jayme Bailey stated the stairs were pre-existing, but there was an issue with these stairs, so they tore them out and rebuilt them to Code, but that created an issue with the head height over the stairs. He stated these stairs are in the garage and are going up to a seconded level,

and the garage was built in 1999. John Welton stated RBD staff had a concern about the variance, because it is a life safety issue with this head height. He stated the original stairs were built prior to permit. He stated by rebuilding the new stairs to Code, it created an even lower head height than what was there previously, which was 6'1". A motion was made by Steve Horner to recommend to the Board of Review **DENIAL** of the variance request, due to life safety issues, seconded by Michael Finkbiner; the motion carried unanimously.

9. 14195 Marble Arch Court, Permit K13426 – Dan Mardis, Trusted Electric, requests a variance to Section 210.52(C)(1), 2014 National Electrical Code, to waive receptacle outlets around a kitchen sink due to the window placement, where required.

Dan Mardis appeared and stated there is a window that is flush with the countertop, and the homeowner does not want to cut into the granite for receptacles. He stated the outlets are at 3' on each side of the sink, and this is new construction of this home. Larry Bobo stated he does not see an issue with this variance request. Dean Wemmer stated this is an ongoing issue with newer homes trying to maximize views. 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.

10. 8655 Brockhill Drive, Permit K79787 – Duane Craft, homeowner, requests a variance to Section RBC303.4.12, 2011 Pikes Peak Regional Building Code, to allow a stepped (terraced) window well, with a reduced clearance, where prohibited.

Duane Craft appeared and stated he is finishing a bedroom in his basement and the pre-existing window well is a terraced window well. He stated there is a gas line that prohibits him from extending the window well any further. He stated this is a concrete foundation and with the floating wall, there will be a 12" windowsill area. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request because he feels the intent of the Code is being met, seconded by Swagata Guha; the motion carried unanimously.

- 10.b. 9455 Shinnecock Court, Permit K71315 – Steven and Carrie Wright, homeowners, request a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'6½" in a hallway and bathroom, where a minimum of 7'0" is required.

Steven Wright appeared and stated due to a pre-existing beam and ductwork, he dropped the ceiling in the hallway and the bathroom in this basement finish. He stated he is doing the work himself. John Welton stated this issue would be Code compliant in the 2015 International Residential Code. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Swagata Guha; the motion carried unanimously.

11. **UNFINISHED BUSINESS**

a) Table Items.

A motion was made by Michael Finkbiner to **POSTPONE** the tabled items until the April 5, 2017 Technical Committee Meeting, seconded by Dan Rial; the motion carried unanimously.

12. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 10:38 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg