

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

September 6, 2017

9:00 a.m.

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

MEMBERS ABSENT: Mr. David Doren

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Mr. Todd Welch, Regional Building Counsel
Mr. Jay Eenhuis, Chief of Plan Review
Mr. John Welton, Chief Building 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 AUGUST 2, 2017 TECHNICAL COMMITTEE MINUTES**

A motion was made by Steve Horner to **APPROVE** the August 2, 2017 Technical Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

2. **CONSENT CALENDAR**

- a) 2929 Walton Creek Drive, Permit J93374 – Brandon Schroeder, 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.
- b) 1402 Clemson Drive, Permit L06716 – Nathan Parks, Parks Dixon Services, LLC, 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) 8044 Buckeye Tree Lane, Permit J79366 – Robert Bailey, 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) 1422 Lookout Springs Drive, Permit K70358 – Oscar San Luis, 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.
- e) 14165 Blue Canyon Grove, Permit K96800 – Paul Patton, P.D.’s Enterprises, LLC, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 46” windowsill height in existing conditions where a maximum of 44” is allowed.
- f) 425 West Woodmen Road, Permit L13577 – Steven Miller, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 48½” 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.

A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests, seconded by Dan Rial; the motion carried unanimously.

VARIANCE REQUESTS

- 3. 2380 West Montebello Drive – Mike Briar, CRP Architects, requests a variance to Section 706, 2009 International Building Code, to allow existing masonry wall to be considered equal to other existing fire separation walls.

Mike Briar appeared and stated he thought the 2-hour separation walls were in place, but was informed by RBD staff that there were lesser ratings on three of those walls. He stated he has taken photographs of the existing walls and presented details to the Committee. He stated they are adding a lobby addition to the fire area in this portion of the building. Mr. Briar stated they are making the current construction safer. Jay Eenhuis stated there are existing area separation walls that were compliant under the Uniform Building Code, but are not compliant under current Code. He stated the new addition is approximately a 2,500 square foot addition, and there is no sprinkler system on either side of the wall. He stated RBD staff takes no exception to this variance request, and Chris Richardson stated the Colorado Springs Fire Department 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 wall construction appears to be the same as the other two-hour separation walls, seconded by Steve Horner; the motion carried unanimously.

4. 9334 Grand Cordera Parkway – Mark Mahler, Mahler General Contracting Company, requests a variance to Section 404.2.3.1, ICC/ANSI A117.1-2003, to allow doors in four (4) private treatment rooms to swing in, without the required clearance on the pull side of the door.

Bonnie Morgan, Mahler General Contracting Company, appeared. Dan Rial stated he is the mechanical contractor on this project, but does not feel he needs to recuse himself because this is not a mechanical issue. Paul Battista, architect, appeared and stated this is a dental office, and the dentist would like to have four treatment rooms for children that have doors that swing in so he can close the doors in the event of a crying child, so the noise does not carry to upset other patients. He stated it is always the medical staff that is opening or closing the doors, and the doors will also be wheelchair accessible. Jay Eenhuis stated RBD staff does not feel this is a life safety issue. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request because the applicant has shown that there are no life safety issues, seconded by Steve Horner; the motion carried unanimously.

5. 1316, 1326, 1336, 1337, 1346, 1347, 1356, 1357, 1366, 1367, 1376, 1377, 1386, and 1396 Plentiful Drive; 1315, 1324, 1325, 1334, 1335, 1344, 1345, 1354, 1355, 1364, 1365, 1374, 1375, and 1385 Sunshine Valley Way; 11151, 11157, 11163, 11169, 11175, 11181, 11218, 11224, 11230, 11235, 11236, 11241, 11242, 11247, 11248, 11253, 11254, 11260, 11266, 11272, 11284, 11289, 11290, 11295, 11296, 11301, 11302, 11307, 11308, 11313, 11314, 11319, 11325, 11331, 11332, 11338, 11344, 11350, 11356, 11362, 11368, 11374, 11380, and 11386 Modern Meadow Loop – Greg Ralphe and Joe Loidolt, Classic Homes, requests a variance to Section R302.1, 2009 International Residential Code, to allow special fire-protected 10” roof overhangs to be constructed for sidewalls located 1’0” from the property line, where prohibited.

Greg Ralphe appeared and stated this project has 83 units of detached homes and the homes are 6’ apart, side to side. He stated CSU dictated that the property lines be 5’ away from one unit, which makes it 1’ away from the other unit, for purposes of meter placement. He stated there are 72 addresses out of 83 that this issue affects. Mr. Ralphe presented the details of the construction to the Committee. He stated there is not room to put the meters on the front of the structures. Chip Taylor with Colorado Springs Fire Department (“CSFD”) appeared and asked Mr. Ralphe if the plan included fencing between the units, and Mr. Ralphe stated there will be fencing in front and behind the units, but not between the units. Mr. Taylor stated CSFD takes no exception to this variance request; and 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 because the applicant has shown that the construction type has met the requirements of a non-combustible overhang, seconded by Michael Finkbiner; the motion carried unanimously.

6. 121 East Las Animas Street, Permit K97420 – Jim O’Donnell, J. J. O’Donnell Construction, requests a variance to Section 1208.2, 2009 International Building Code, to allow a 7’0 3/8” ceiling height in a basement apartment, where a minimum of 7’6” is required.

Jim O’Donnell appeared and stated they are putting an apartment in the basement of this building that was constructed in 1899, and due to pre-existing conditions, they are not able to obtain a Code compliant ceiling height in the basement apartment. He stated there is no storage under the stairway and the stairway out of the basement will be Code compliant. He stated it was a single family home and they are converting it to four separate apartment units. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

7. 3103 West Colorado Avenue, Permit L05302 – Ryan Lloyd, Echo Architecture, requests a variance to Section 806.1.2, 2009 International Building Code, to waive the requirement for a Class “C” fire spread at non-fixed peeled log fixture.

Ryan Lloyd appeared and stated this is an existing single story building that they are converting into a combination tap room and pizza restaurant, with a Type 5B building with a 3-hour fire wall between this business and the next business. He stated they are trying to maintain a “forest” effect with natural logs. He stated the logs are more of a furniture type feature, and they are sprinkling the space. Chip Taylor, CSFD, stated because these logs are basically trees and would fall under the definition of “decorations” under the International Fire Code, CSFD will require a minimum Class “C” flame spread be documented for these logs. He stated under subsequent reviews, it was documented that it was a Class “B” flame spread, so CSFD does take exception to this variance request. Mr. Lloyd stated the original plan had approximately 80 logs with a range in size from 4” to 10”. He proposed that they convert a large portion of the logs to heavy timbers and those logs that are not heavy timbers be treated with a Class “B” fire spread, because they have not been able to find a Class “C” fire spread. Mr. Taylor stated that if they converted the logs to heavy timbers, they would have to convert the logs to 8” heavy timbers, and those that are not would have to have a fire sealant on them. John Welton stated RBD staff takes no exception to this variance request with the modifications presented today. A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that any logs attached to the structure are heavy timbers that are a minimum of an 8” diameter, and any log features that are less than 8” must be treated with a sealant that brings it up to a Class “B” rating, seconded by Swagata Guha; the motion carried unanimously.

8. 1213 North Circle Drive – Ryan Lloyd, Echo Architecture, requests a variance to Section 1109.2, 2009 International Building Code, to allow an existing, non-conforming restroom, in addition to a new restroom.

Ryan Lloyd appeared and stated this is an existing restaurant, and they are converting it to a

brewery. He stated there is an existing restroom that is not ADA compliant, and it is not required to meet the fixture count for Code purposes. He stated it is a “convenience” restroom for staff use only. Jay Eenhuis stated the proposed plan will have both a men’s and women’s restrooms, in addition to the existing restroom that they would like to remain. A motion was made by Steve Horner 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 unanimously.

9. 2028 North Royer Street, Permit K89775 – Ryan Lloyd, Echo Architecture, requests variances to:

- a) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’4½” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8” in a basement, where prohibited.

Ryan Lloyd stated this is a single family residence, which incurred water damage and required that a mechanical duct be replaced, which improved upon the current height of the soffit by 2”, but with the new duct, they are still not able to obtain a Code compliant soffit height. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request because this issue will be acceptable in the 2015 Code, and it is an existing non-conforming condition, seconded by Dan Rial; the motion carried unanimously.

- b) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’2” under a furred-down beam where it is required to be a minimum of 6’8” in a basement, where prohibited.

Mr. Lloyd stated this soffit height is an existing condition. He stated this issue is created by a beam that runs the length of the basement. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to existing non-conforming conditions, seconded by Mike Finkbiner; the motion carried unanimously.

10. 19873 Lindenmere Drive – Heather Walker, homeowner, 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 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.

No one appeared. A motion was made by Steve Horner to **TABLE** this item to the end of the meeting, seconded by Mike Finkbiner; the motion carried unanimously.

11. 6380 Garlock Way – Ray Baldner, homeowner, requests a variance to Sections 110.26(A) Nos. 1 and 3, 2014 National Electrical Code, to waive the 3’ clearance in front of an electrical panel and clearance below the electrical panel, where required.

Ray Baldner appeared and stated he is replacing the electrical panel in his home, and he would like to maintain the current configuration, which has a gas meter below the panel. He stated his house was built this way in 1973. Larry Bobo stated the intent of the Code is to be able to work on this panel, and with the gas meter below the panel, it does not impede on the workspace in front of the panel. 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.

Break from 10:30 a.m. to 10:39 a.m.

12. 1018 Adams Drive, Permit L08669 – Matthew Dagostino, homeowner, requests a variance to Section 110.26(A), 2014 National Electrical Code, to waive the 3’ clearance in front of an electrical panel, where required.

Joshua Stuber appeared and stated the electrical panel in this home needs to be replaced because the homeowners are having issues with the breakers. He stated the City has approved the exterior application, but on the interior there is a cabinet below the panel. He stated the depth of the cabinet is approximately 2’. Dean Wemmer stated the cabinet material is non-conductive and RBD staff takes no exception to this variance request. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Michael Finkbiner; the motion carried unanimously.

Dan Rial left the meeting at 10:43 a.m. and a quorum was maintained.

13. 404 Locust Drive, Permit L08859 – Loyd Stroup, LJC, LLC, requests a variance to Section 240.24(F), 2014 National Electrical Code, to allow the electric panel to remain in the current location over steps, where prohibited.

Loyd Stroup stated he bought this building as an investment property, and the existing electrical panel is located above the steps that go from the kitchen down to the landing going into the garage in this home built in 1971. Dean Wemmer stated this method of construction is acceptable over two risers for existing electrical panels, but this stairway has three risers. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request because he does not believe it is a life safety issue, seconded by Michael Finkbiner; the motion carried unanimously.

14. 308 Homeland Court – Stephen Mohrman and Grace Politano, homeowners, request a variance to Section 303.4, 2015 International Plumbing Code, to allow the use of a non-third-party certified plumbing product, where prohibited.

Stephen Mohrman appeared and stated this bathrhub is a handmade copper tub with a nickel finish. John Welton stated RBD staff takes no exception to this variance request because it has both a drain and an overflow. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

15. 41 Easy Street, Permit L10466 – Joel Bower, homeowner, requests variances to:

- a) Section 405.3.1, 2015 International Plumbing Code, to allow a 12” clearance at the side of a water closet where a minimum of 15” is required.

Joel Bower stated he is installing a bathroom in his workshop and he is not able to meet Code for the side clearance on the side of the water closet due to space limitations. He stated he does have a Code compliant bathroom in his home which is 6’ from his workshop. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to the use and location of this workshop, seconded by Michael Finkbiner; the motion carried unanimously.

- b) Section 405.3.1, 2015 International Plumbing Code, to allow a 15¼” clearance at the front of a water closet where a minimum of 21” is required.

Mr. Bower stated the interior wall does not allow for a Code compliant clearance in front of the water closet. He stated he installed the smallest water closet that he could find and it is against the back wall. A motion was made by Swagata Guha to recommend to the Board of Review **DENIAL** of the variance request because the space is much too small, seconded by Michael Finkbiner; the motion carried unanimously.

16. 19840 Hidden Springs Glen, Permit K87098 – Luke and Lindsey Lokowich, homeowners, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’1” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Luke Lokowich appeared and stated he bought this home last year and the home inspector noted that the basement was completed by the previous homeowner without a permit. He stated this was pointed out to the previous homeowner, at which point they obtained the permit, but it was never completed. He stated he and his wife are now trying to complete the permit, and there is a heating duct that is creating a soffit height issue. John Welton stated the permit was pulled by the previous homeowner, and that permit was transferred to the new

homeowner. He stated that the inspector noted that the height cannot be raised. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried 3:1. Steve Horner opposed.

17. 1017 East St. Vrain Street, Permit L04942 – Brian Tucker, Tucco Home Improvements, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a 6’4” head height above the stairs where a minimum of 6’8” is required.

Brian Tucker appeared and stated this staircase goes down to the basement, and they raised this beam slightly, but it is still not Code compliant; they are only able to obtain a 6’4” height above the stairs. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing non-conforming conditions, seconded by Swagata Guha; the motion carried unanimously.

18. 7975 Buschborn Road, Permit L10591 – Brian English, homeowner, requests a variance to Section R310.2, 2009 International Residential Code, to allow a 30” egress window wells where a minimum of 36” is required.

Brian English appeared and stated the home construction was commenced in 2000, but the permit was not pulled until 2001. He stated the house was built by Richmond Homes, and there are 32” egress window wells that he cannot enlarge because of the sprinkler system and retaining wall. John Welton stated in houses built prior to the year 2000, 30” window wells were acceptable. He stated that given the fact that the window well is at 32” and the windows are inset approximately 4”, RBD staff takes no exception to this variance request. A motion was made by Larry Bobo to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Mike Finkbiner; the motion carried unanimously.

19. 1118 East Cache LaPoudre Street, Permit L01302 – Pamela Schultz, Pamela Schultz Consulting, Inc., requests a variance to Section R311.7.4.2, 2009 International Residential Code, to allow a 9” tread depth, where 10” is required.

Pamela Schultz stated this house was built in the 1920’s, and due to space limitations in a pre-existing staircase, she is not able to obtain a Code compliant tread depth. She stated they moved one wall over 1’ to obtain a Code compliant stair width, and the stairs are Code compliant with the exception of the tread depth. She stated the stairs will go down to a full basement finish. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request because the 9” tread depth is consistent with earlier portions of the Code and the proposed construction is an improvement over the existing construction, seconded by Larry Bobo; the motion carried unanimously.

20. 20 Boulder Court, Permit L11031 – Ana Zook, homeowner, requests a variance to Section R305.1, Exception 2, 2009 International Residential Code, to allow a head height of 6’3” over a water closet, where a minimum of 6’8” is required by Code.

Ana Zook appeared and stated this is a cottage behind her home. She stated the cottage has been her husband's office for a number of years, but he is moving his office into the main house and she is moving her office into the cottage, and she is installing a bathroom in the cottage. She stated the head height issue is over the water closet and there is a sky light in this area which gives anyone standing in the area additional head height. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

21. 1216 West High Point Lane, Permit K50845 – Divine Roofing, Inc. requests a variance to Section R902.1, 2009 International Residential Code, to waive a Class "A" fire rating, where required.

Joshua Moore appeared and stated they are requesting a variance to waive a Class "A" fire rating. He stated they replaced the existing membrane on this roof with the same product. He stated the area is 25% of the roof system. Mr. Moore stated each individual component of the roof system has a Class "A" fire rating, but the entire system together does not have a Class "A" fire rating. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because it is a repair of 25% of the roof system, and the applicant is matching the other 75% of the roof with the same materials, seconded by Steve Horner; the motion carried unanimously.

22. 1311 Shasta Drive, Permit L11562 – Jeffrey Jackson requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'5" in two bathrooms and a storage room, where a minimum of 7'0" is required.

Jeffrey Jackson stated the gutter separated from the house and flooded his basement. He stated he is making repairs, and has changed the floor plan; and there is an I-Beam that is creating an issue, so he dropped the entire ceiling in both bathrooms and a storage room to 6'5". He stated he is installing recessed lighting in these rooms. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to existing non-conforming conditions, seconded by Larry Bobo; the motion carried unanimously.

23. 1244 Chiricahua Drive, Permit K59447 – Aspen Roofing, Inc. 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.

Steve Cedar appeared and stated he would like to **POSTPONE** this variance request for 30 days, so he can obtain supporting documentation from the manufacturer of the roofing materials.

24. 19760 Indian Summer Lane, Permit L05269 – Matt Tolooee, homeowner, requests a variance to Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’9” where a minimum of 7’0” is required. *This variance request was postponed during the August 2nd Technical Committee Meeting due to non-appearance.*

Matt Tolooee appeared and stated due to pre-existing conditions he is unable to obtain a Code compliant ceiling height in a space in his basement that he is converting to a movie room. He stated there is a sunken living room above this space. He stated the room will not have a raised floor and he is installing recessed light fixtures. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request for only the movie room addition, seconded by Swagata Guha; the motion carried unanimously.

25. **UNFINISHED BUSINESS**

a) Tabled Items.

A motion was made by Steve Horner to **POSTPONE** the Tabled Items until the October 4, 2017 Technical Committee Meeting, seconded Michael Finkbiner; the motion carried unanimously.

26. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 12:06 p.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg