

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **TECHNICAL COMMITTEE MINUTES**

October 4, 2017

10:00 a.m.

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

MEMBERS ABSENT:

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  
Ms. Mindy Stuemke, Front Counter Supervisor  
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

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

### **1. CONSIDERATION OF THE SEPTEMBER 6, 2017 TECHNICAL COMMITTEE MINUTES**

A motion was made by Michael Finkbiner to **APPROVE** the September 6, 2017 Technical Committee Minutes as written, seconded by Larry Bobo; the motion carried unanimously.

### **2. CONSENT CALENDAR**

- a) 6887 Prairie Wind Drive, Permit L12873 – Willie Harrison, homeowner, 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) 3640 East Cresta Loma Circle, Permit K79417 – Danita DeVinny, homeowner, 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.

- c) 610 E. Boulder Street, Permit L09745 – George and Kimberly Benore, homeowners, request a variance to Section R310.1, 2009 International Residential Code, to allow a 50” 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) 5165 Blackcloud Loop, Permit L10069 – Lori Sanchez, 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.

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

## **VARIANCE REQUESTS**

- 3. 2950 Hidden Treasure Point, Permit L06792 – James Nakai, Architect, requests variances to:
  - a) Section 903.2.6, 2009 International Building Code, to allow NFPA 13R sprinklers in lieu of NFPA 13 in an I-2 occupancy, where prohibited.

James Nakai appeared and stated he would like to **WITHDRAW** this variance request.

- b) Section 506.3, 2009 International Building Code, to increase the allowable building area utilizing a sprinkler system per Section 903.3.1.2 (NFPA 13R), where a sprinkler system per Section 903.3.1.1 (NFPA 13) is required.

Mr. Nakai stated this is the Myron Stratton Home, which is an assisted living facility; and all of the clients are ambulatory. He stated he has met with RBD staff and CSFD regarding this matter. He stated the new addition is a NFPA 13, which requires that crawlspaces and attics are sprinklered. Mr. Nakai stated they have been approved to add 6 new units, for a total of 31 units. He stated there is a 1-hour lid throughout and the crawlspace is also a 1-hour assembly. Chris Richardson stated there was a fire in a nursing home facility a short while ago; it was not sprinklered, and 9 people died in that fire. Mr. Nakai stated the total building square footage is 23,000, where Code allows a maximum of 12,666 square feet without the area increase with sprinklers. Jay Eenhuis stated RBD staff takes exception to this variance request because there is a Code compliant path that can be taken, i.e. use the 13R system in the new addition, but to add the fire wall at that red line so the building to the right of the fire wall is pre-existing; it was conforming under previous Code, but is non-conforming under current Code. He stated the area left of the red line, i.e. the new addition; and a 13R system for that area

would be acceptable because they do not need an area increase to make this area acceptable. Mr. Nakai stated this is an I-1 occupancy; there are rated walls, ceilings and floors, all of the occupants are ambulatory. A motion was made by Swagata Guha to recommend to the Board of Review **DENIAL** of the variance request due to life safety issues, and there is a path available that can be taken that will make this issue acceptable, seconded by Michael Finkbiner; the motion carried unanimously.

4. 615 North Cascade Avenue, Permit K74417 – Nick Frederick, Reliable Heating and Cooling, LLC, requests a variance to Section 503.5.3, 2009 International Fuel Gas Code, to allow an unlined chimney to serve as a gas vent where a chimney lined with an approved material is required.

Nick Frederick appeared and stated they are replacing three furnaces and two water heaters in this apartment building. He stated due to exterior space limitations, they are installing 80 percent furnaces. He stated there is an offset in this brick chimney, and he destroyed a liner trying to install it in the chimney. Mr. Frederick stated there are cars parked outside where the chimney emits the exhaust fumes, and this type of exhaust can destroy the paint on these vehicles. John Welton stated RBD staff feels that Mr. Frederick has done everything that can be done to install this chimney liner; and RBD staff takes no exception to this variance request, although RBD staff would prefer that a design professional inspect this chimney for life safety issues.

Break from 10:38 a.m. to 10:44 a.m.

Todd Welch stated the question regarding the information that RBD needs to receive on this issue is a letter from a licensed professional, and not from the contractor. He stated RBD's main concern is the life safety of the occupants of this apartment building. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a letter from a Colorado licensed design professional who can evaluate and certify the use of the flue as stated, be submitted to RBD staff, seconded by David Doren; the motion carried unanimously.

5. 7718 Canyon Oak Drive, Permit L15378 – Autumn Carey, homeowner, requests a variance to Section R311.6, 2009 International Residential Code, to allow a hallway width of 30", where a minimum of 36" is required.

Autumn Carey appeared and stated there is a cement foundation on one side of this hallway and a furnace and water heater on the other side of the hallway; therefore, they are not able to obtain a Code compliant hall width. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Michael Finkbiner; the motion carried unanimously.

6. 7266 Josh Byers Way, Permit L15074 – Nate Chappell, Solid Rock Construction, requests variances to:

- a) Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a basement soffit width of more than 50% of the floor area of the room, where prohibited.

Lane and Nate Chappell appeared and Lane Chappell stated there is a soffit height issue in this basement that is more than 50 percent of the room due to a gas line and a steel beam. He stated they could have gone up in between the gas line and steel beam, but the homeowner preferred that they dropped the entire area for aesthetic purposes. He stated the height is 6'9". A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Swagata Guha; the motion carried unanimously.

- b) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6'6½" in a closet, where a minimum of 7'0" is required.

Mr. Chappell stated this ceiling height issue is in a closet at 6'6½". He stated all egress Codes have been met in this project. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by David Doren; the motion carried unanimously.

- c) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6'3½" under furred-down beams, pipes and ducts beside a staircase, where it is required to be a minimum of 6'8".

Mr. Chappell stated there is a heat duct and a drain pipe that does not allow for a Code compliant soffit height going into a storage space under a stairwell. 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. **UNFINISHED BUSINESS**

- a) Executive Session

The Technical Committee moved into Executive Session at 11:18 a.m., pursuant to C.R.S. §24-6-402(3)(II) to seek legal advice from our attorney.

After moving into General Session at 11:42 a.m., Todd Welch noted that no decisions had been made during the Executive Session.

8. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:43 a.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official

RNL/llg