

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## TECHNICAL COMMITTEE MINUTES

February 7, 2018

9:00 a.m.

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

MEMBERS ABSENT: Ms. Swagata Guha

OTHERS PRESENT: Ms. Virginia Koultschitzka, Regional Building Counsel  
Mr. Jay Eenhuis, Deputy Building Official - Plans  
Mr. John Welton, Deputy Building Official - Inspections  
Mr. Bert Warchol, Chief Building Inspector  
Mr. Jack Arrington, Chief Plumbing/Mechanical Inspector  
Ms. Mindy Stuemke, Front Counter Supervisor  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

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

#### 1. ELECTION OF OFFICERS

A motion was made by Dan Rial to re-elect Chris Richardson as the 2018 Chairman of the Technical Committee, seconded by Larry Bobo; the motion carried unanimously.

A motion was made by Michael Finkbiner to elect Steve Horner as the 2018 Vice Chairman of the Technical Committee, seconded by Larry Bobo; the motion carried unanimously.

#### 2. CONSIDERATION OF THE JANUARY 3, 2018 TECHNICAL COMMITTEE MINUTES

A motion was made by Dan Rial to **APPROVE** the January 3, 2018 Technical Committee Minutes as written, seconded by Larry Bobo; the motion carried unanimously.

#### 3. CONSENT CALENDAR

There were no Consent Calendar Variance Requests.

## VARIANCE REQUESTS

4. 4250 Cheyenne Mountain Zoo Road – Frank Hass, Cheyenne Mountain Zoo, requests a variance to Section 1104.5, 2009 International Building Code, to allow for accessible restrooms on the lower level, while providing for non-accessible access only from the upper level.

Frank Hass and David Brinker appeared. Mr. Brinker stated this project is a two-story pizza restaurant at the Cheyenne Mountain Zoo. He stated it is a campus-type setting with restrooms scattered around in various buildings. He stated there is a stairway to the lower level. Mr. Brinker stated the Zoo Board requested that they install an accessible restroom in the lower level of this restaurant. Mr. Hass stated this building is built into the hillside and there is a switchback that allows accessibility into both the upper and lower level, but there is not an inside ramp in the building. He stated there are public restrooms across the street from the upper level. He stated they have talked to the Independent Center to get their advice on this issue, and the Independent Center has issued a letter supporting this variance request.

Jay Eenhuis stated RBD staff will not render an opinion on this issue. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request to provide alternate accessible restrooms within 45' from the lower level of this structure, based on the approval letter from the Independent Center, seconded by Michael Finkbiner; the motion carried unanimously.

5. 2447 North Union Boulevard – John Davis Design Group requests variances to:
  - a) Section 508.4.2, 2009 International Building Code, to allow the “sum of ratios” to equal 1.1 for separated uses, where a maximum value of 1.0 is allowed.

John Davis stated the Department of Revenue wants to create a larger lobby area to seat more people and more work stations so they can better serve the public in a more expedient type manner. He stated in doing so the lobby area becomes greater than 750 square feet, which makes it an “A” occupancy by Code. He stated because it is a non-sprinklered building, they then have to have separated uses between the “A” occupancy and the remainder of the building, which is a “B” occupancy, with a 2-hour separation. Mr. Davis said when they add up the sum of ratios that they will have with the “A” and “B” occupancies, they come up to 1.1, where a maximum of 1.0 is allowed. He stated the only other option available is to separate the two occupancies with a 2-hour wall; and the problem in doing this is that most of this area is existing walls. He stated they are required to show a UL rated assembly for the 2-hour wall, and the existing drywall is not rated. Mr. Davis stated to do this would require that they tear down the existing walls and install new walls. He stated this would greatly interrupt business at the Department of Revenue. Chris Richardson stated the Colorado Springs Fire Department (“CSFD”) has notified RBD staff that they do not take exception to this variance request. Jay

Eenhuis stated RBD staff takes no exception to this variance request. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request because it is only a 0.1 difference in the sum of ratios, and RBD staff takes no exception to this variance request, seconded by David Doren; the motion carried unanimously.

- b) Section 903.2.1.3, 2009 International Building Code, to allow the maximum fire area to be 12,411 s.f. without fire sprinklers, where a maximum of 12,000 s.f. is allowed. (NOTE: Item 5b will only be heard if Item 5a is recommended for approval.)

Mr. Davis stated they will be 411 square feet over the space limitation for sprinklers. Jay Eenhuis stated staff takes no exception to this variance request based on CSFD taking no exception to this variance request. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request to waive a sprinkler system that would be required due to the additional 411 square feet, and because both CSFD and RBD staff takes no exception to this variance request, seconded by David Doren; the motion carried unanimously.

- 6. 4050 Briargate Parkway, Permit L08884 – Jennifer Youssef, EYP Architects, requests a variance to Section RBC302.4.1, 2011 Pikes Peak Regional Building Code, to allow a crawl space height that is greater than 5’, where prohibited.

Jennifer Youssef and Jeff Evans appeared. Ms. Youssef stated this project is an addition to Memorial Hospital. She stated there is a crawl space that varies in height and it has an access hatch to service a drain in this space. Mr. Evans stated the Code is written primarily for residential structures so those spaces cannot be converted into living space. He stated this crawl space is constructed with non-combustible materials and does not have a sprinkler system. Ms. Youssef stated there are operating rooms in this area, so this area will not be used for storage due to the possibility of creating an infection control issue. John Welton stated RBD staff takes no exception with this variance request based on the use of the space. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request with an average crawl space height greater than 5’, seconded by Larry Bobo; the motion carried unanimously.

- 7. 6001 East Woodmen Road – Paul Reu, RTA Architects, requests a variances to:

- a) Section 606.3, ICC/ANSI 117.1-2003, to allow a kitchen sink at a height greater than the maximum of 34” required by Code.

Paul Reu appeared and stated they are providing a transitional training kitchen to teach their patients how to cope with a normal kitchen in their homes. He stated this space was previously an old pharmacy area at St. Francis Hospital. He stated all of the appliances are functional. Chris Richardson clarified that this is a physical therapy prop to help

patients transition back into their homes, rather than being in a facility that has ADA fixtures. He further stated that the patients would not be left unsupervised in the subject premises. Jay Eenhuis stated RBD staff takes no exception to this request based on the proposed use of the space. Charmay Dunkin stated she is an occupational therapist at St. Francis Hospital, and they have a number of stroke patients and trauma patients that they are helping to transition into their current homes. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to the use and training nature of this room, seconded by Michael Finkbiner; the motion carried unanimously.

- b) Section 902.3, ICC/ANSI 117.1-2003, to allow a kitchen countertop at a height greater than the maximum of 34" required by Code.

A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to the use and training nature of this room, seconded by Michael Finkbiner; the motion carried unanimously.

- 8. 118 North Brentwood Drive, Permit K99539 – Delta Disaster Services of Southern Colorado 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.

Richard Pearson, Kelanar Roofing, appeared on behalf of Delta Disaster Services, and stated this roof is over an open air back patio area, and the roofer and the inspector both got different readings on their gauge. He stated the homeowner wishes to keep the current construction because it matches the home. He stated the entire area is covered with ice and water shield. Mr. Pearson stated they have extended their warranty on this roof system. A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because it is non-habitable space and the roof system has ice and water shield over the entire patio area, seconded by Larry Bobo; the motion carried unanimously.

- 9. 519 East Yampa Street, Permit L08171 – Matthew Fedoruk, homeowner, requests a variance to Section R302.1, 2009 International Residential Code, to allow modification of a listed 1-hour fire-rated wood frame wall.

Matthew Fedoruk appeared and stated he is building a detached garage in the back of his property behind his house. He stated six months into the project, he learned from the inspector that due to the zero lot line, he was required to install a 1-hour wall on the zero lot line. He stated he was unaware of the Code requirements regarding this area. Mr. Fedoruk stated his house is 20' to the north, and his neighbor's garage is 5' from his garage. He stated there are cedar shakes on the exterior of this garage, and there is no habitable space in this structure. He stated his plans are to insulate the interior wall and add drywall; there are no openings in the wall. Mr. Fedoruk stated this is a rental property. A motion was made by

Michael Finkbiner to recommend to the Board of Review **DENIAL** of the variance request, because of life safety issues and because there are other options available to bring the issue up to Code, seconded by Steve Horner; the motion carried unanimously.

10. 7080 South Calhan Road, Permit L10418 – Dolly Madison, Total 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.

Dolly Madison appeared and stated she is the project manager for Total Roofing. She stated the homeowners do not want the roof torn apart to add the additional layer of felt that is required by Code. She stated currently there is one layer of 15 pound felt on the roof. Ms. Madison stated Total Roofing is extending their warranty for materials and labor for ten years; it is a transferable warranty; and the homeowner has issued a letter to RBD approving the current construction. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request due to the contractor's warranty for materials and labor, and the homeowner's letter of approval of the current construction, seconded by Larry Bobo; the motion carried unanimously.

11. 332 Caprice Court, Permit J76253 – Erik Whitehorn, homeowner, requests a variance to Section R305.1.1, 2009 International Residential Code, to allow a soffit height of 6'3" for a small 4' x 4' section under the stair landing, where prohibited.

Erik Whitehorn appeared and stated he is finishing his basement himself and there is a landing in the stairway that created a headroom issue under that landing that is 6'3". He stated this is habitable space with a sink in this area. He stated the only inspection left to be completed is his building final inspection. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of a 6'3" soffit height because it does not impair the path of egress from this space, seconded by Mike Finkbiner; the motion carried unanimously.

12. 9454 Bur Oak Lane, Permit L07410 – Vincent Trevino, homeowner, requests a variance to Section R310.2, 2009 International Residential Code, to allow a 27" window well, where a minimum of 36" is required.

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

13. 1007 Chambers Drive, Permit J13294 – Theodore Kapsalis, 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.

Tracey Kasten, Kasten Plumbing & Heating, appeared and stated he is the contractor for this project. He stated this is the fifth bathroom in this home, and the vanity is larger than anticipated, which created the issue. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request because there are four other bathrooms in this home that are Code compliant, seconded by David Doren; the motion carried unanimously.

14. **UNFINISHED BUSINESS**

a) Tabled Items

A motion was made by Steve Horner to **POSTPONE** the tabled items until the March 7, 2018 Technical Committee Meeting, seconded by Michael Finkbiner; the motion carried unanimously.

b) Discussion Regarding Required Attachments to Variance Applications.

Jay Eenhuis stated RBD staff is making an effort to provide cleaner attachments to the variance applications.

15. **NEW BUSINESS**

a) Staff Introductions

Mindy Stuemke introduced Matt Matzen as her new Senior at the Front Counter. John Welton introduced Bill Lewis, RBD's new Public Relations Manager; and Luke Sanderson, RBD's non-compliance inspector. He stated he would like to also introduce Bert Warchol, who is now RBD's new Chief Building Inspector.

The meeting adjourned at 10:20 a.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official

RNL/llg