

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

October 3, 2018

9:00 a.m.

MEMBERS PRESENT: Vice Chairman Steve Horner, Structural Engineer
Michael Finkbiner, Building Contractor D
Micah Langness, Master Plumber
Dan Rial, Mechanical Contractor
Larry Bobo, Electrical Contractor
Swagata Guha, Architect

MEMBERS ABSENT: Chairman Chris Richardson, Building Contractor A or B

OTHERS PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Counsel
Jay Eenhuis, Deputy Building Official – Plans
John Welton, Deputy Building Official - Inspections
Jack Arrington, Chief Plumbing/Mechanical Inspector
Bert Warchol, Chief Building Inspector
Dean Wemmer, Chief Electrical Inspector
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chairman Steve Horner called the meeting to order at 9:01 a.m.

1. **CONSIDERATION OF THE SEPTEMBER 5, 2018 TECHNICAL COMMITTEE MINUTES**

A motion was made by Michael Finkbiner to **APPROVE** the September 5, 2018 Technical Committee Minutes as written, seconded by Dan Rial; the motion carried unanimously.

2. **CONSENT CALENDAR**

Consent calendar items will be acted upon as a whole, unless a specific item is called for discussion by a Committee member or a citizen wishing to address the Committee.

- a) 5961 Rowdy Drive, Permit L36766 – Dave Gray, Gray Homes, Inc., 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.

John Welton stated although the variance application states the variance is for a 45½” windowsill height, the inspector’s notes state the actual height is 46”; therefore, RBD staff prefers to use the measurement of the inspector in all variances. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the

Consent Calendar variance request, seconded by Larry Bobo; the motion carried unanimously.

3. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

Vice Chairman Horner stated the Colorado Springs Fire Department has informed RBD staff that it has no issues with any of the variance requests.

VARIANCE REQUESTS

4. 600 South 21st Street, Suite 125, Plan C110875 – Neil Katz, Architectural Solutions, Inc., requests a variance to Section 1208.2, 2009 International Building Code, to have a ceiling height of less than 7’6” required per Code. *This item was postponed from the September 5, 2018 Technical Committee meeting so the applicant could provide additional information for the Technical Committee to make an informed decision.*

Neil Katz appeared and stated this structure was the Van Briggles Pottery Building, also known as the old round house building. He stated there were brackets in the existing beams that were not Code compliant. He stated this tenant space would be a haircutting salon. Mr. Katz stated from the floor to the low side of the bracket, the finished height would be at 7’2”. Jay Eenhuis stated the other tenant spaces in this building have also asked for variances for this same issue in the past. Mr. Katz stated the drawings submitted to RBD show that the brackets were covered with drywall, but if the variance was approved, they would not put drywall on the brackets. He stated at the very lowest part of the bracket, it may be a height of 3’6”, and there were two brackets in this tenant space. John Welton stated if this variance was approved, the ANSI Standard would require a rail around the brackets for safety issues; or a half wall would also work for this purpose. He stated the worst case scenario would be having the beams not boxed out, and the corner buttress was going to create the worst case scenario. He stated the IBC would allow 7’ if it was a furred down area. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request at the bracket and beam location only, seconded by Micah Langness; the motion carried unanimously.

5. 3615 Roberts Road, Plan C109562 – Zachary Taylor, Architect, requests a variance to Section 1018.6, 2009 International Building Code, to allow a common toilet/shower room to be open to the corridor, where prohibited.

Zachary Taylor appeared and stated this variance was to allow a common toilet/shower room to be open to the corridor. He stated this was an existing building that was being renovated, and it was a dorm-type of situation. He stated the main concern was that a barrier could block and create a safety issue in an emergency situation. Jay Eenhuis stated there were exceptions to the corridor continuity requirement, i.e. foyers, lobbies, or reception rooms constructed as required for corridors shall not be construed as intervening

rooms. He stated he believes Mr. Taylor's request was to construct this restroom as an intervening room with the corridor rating encompassing that restroom, so it would follow the same requirements as these other rooms within the exception. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request because it was constructed with the same rating as the corridor and could be construed as an intervening room similar to a foyer or a lobby, seconded by Michael Finkbiner; the motion carried unanimously.

6. 7899 Lexington Drive, Permit L56018 – David Budrow Architects, LLC requests variances to:

a) Section 606.3, ICC/ANSI A117.1-2003, to allow a sink to exceed the maximum height of 34" allowed per Code;

Patricia Watson, owner's representative, appeared and stated this structure was an office building and was being renovated into a charter school. She stated the sink was 1" higher than allowed by Code, and there was another sink in another part of the school on the main level that was Code compliant. She stated this was a two-story building, and this sink was on the second floor. John Welton stated this was a change of occupancy permit, which was creating this Code issue. Bert Warchol stated this sink was 36" in height, which means it was 2" higher than allowed per Code. Ms. Watson stated the building was already occupied and functioning as a charter school. She stated their only option was to remove the sink and lower the countertop.

b) Section 606.2, ICC/ANSI A117.1-2003, to waive the clear floor space required for a parallel approach to a sink.

A motion was made by Swagata Guha to recommend to the Board of Review **DENIAL** of Items 6 a) and b), seconded by Michael Finkbiner; the motion carried unanimously.

7. 3653 and 3657 Michigan Avenue – Michael Finkbiner, Robbins Roofing Specialists, Inc., requests a variance to Section 1507.2.2, 2009 International Building Code, to allow the installation of laminated shingles UL Class "A" fire rated over ice and water shield underlayment, instead of UL Class "B" TPO membrane roof on roof pitches between 1/12 and 2.5/12.

Jay Eenhuis stated RBD staff has revised the Code sections for this variance request to Section 1507.2.2, 2009 International Building Code, in lieu of Section R905.2.2 International Residential Code, due to the fact that both structures are considered to be commercial structures. Michael Finkbiner appeared and stated he was appearing on behalf of Dream Centers, Aspen View Homes, and HBA Cares, and these existing buildings were between a 1/12 and 2.5/12 pitch. He stated the laminated shingles would be more aesthetically pleasing, and would give them a Class "A" assembly. He stated they were installing ice and water shield over the entire structure. Mr. Finkbiner stated the areas that were going down to a 1/12 pitch were the cricket areas. He stated Robbins Roofing would

provide a warranty for the roof structure, and Aspen View Homes, the contractor, would also provide a warranty for the structures. He stated the owner was aware of the warranty issues. Mr. Finkbiner stated they plan to put ice and water shield over the entire structure, including the valleys. He stated drip metal would be provided for the eaves protection. John Welton stated this Committee had seen this type of variance for residential structures, but it was unusual for a commercial project. Mr. Finkbiner stated he would provide a letter to Dream Centers for an extended warranty for materials and labor. Jina Koulchitzka stated Michael Finkbiner, as a member of this Committee, recused himself from this variance request and would not be voting on this item. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, conditional upon a 10 year warranty letter for materials and labor from the applicant, seconded by Larry Bobo; the motion carried unanimously.

8. 1218 Milky Way, Permit L48007 – Chris Snowden, homeowner, 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 was required to be a minimum of 6’8” in a bathroom. *This item was postponed from the September 5, 2018 Technical Committee meeting because the contractor failed to appear.*

Chris Snowden appeared and stated he did some structural work on his home and installed a new structural beam. John Welton stated RBD had done an inspection on this project in the past 30 days, and the soffit height was now 6’1”. He stated the low soffit was only in the bathroom. Mr. Snowden amended his variance request to allow for a 6’1” finished soffit height in this home built in 1955. Mr. Welton stated the 2015 IRC allows for a 6’4” soffit height, but this permit was pulled under the 2009 IRC, which requires a 6’8” soffit height. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request for 6’1” finished soffit height in the bathroom due to pre-existing conditions, seconded by Dan Rial; the motion carried unanimously.

9. 705 East Platte Avenue – Aaron Peterson, on behalf of Matthew Arreola, homeowner, requests variances to:
 - a) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’4½”, where a minimum of 7’0” was required.

Aaron Peterson appeared and stated this house was built in 1908, and the variance was for the ceiling height in the basement. John Welton stated a plan or permit have not been submitted to RBD yet. Mr. Peterson stated the homeowner plans to permit this basement finish under the 2009 IRC, but if it would be easier to build under the 2015 Codes, the homeowner would be open to doing that as well. Mr. Peterson stated the major portion of the basement was 76½”. Steve Horner stated it was difficult to make a decision on variances 9.a) and b) without a plan.

- b) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’0” under furred-down beams, pipes and ducts where it was required to be a

minimum of 6'8".

John Welton stated there was also an issue with the head height above the stairs that must be corrected or addressed with a variance request. Mr. Peterson stated he would like to **POSTPONE** the variance requests for 30 days so the homeowner could have plans prepared and submitted for the Committee to review and make an informed decision.

- 9.c. 1026 Maxwell Street, Plan C110631 – Weidner & Associates, LLC, Architects, requests a variance to Section 1004.1 Design Occupant Load, 2015 International Building Code, to accept the occupant load as submitted.

Steve Horner stated he would like to recuse himself from this variance request. Mr. Horner appointed Michael Finkbiner to temporarily chair this variance request in his absence.

Steve Weidner appeared and stated this project was for Crossroads Turning Points, and he was requesting that the Committee accept the occupant load as submitted on this project. He stated the occupant loads in the commons area and the day room were in question. He stated the Codes do not address the occupant loads in facilities of this nature.

Charles Davis with Crossroads Turning Points appeared and stated they plan to put a detoxification center in this facility, to house a residential type of detoxification process, and it would be a secure facility. He stated the plan was to put in 20 beds initially, and it may grow to 35 beds. He stated there would be 4 to 6 staff people there at any time.

Julie Crow appeared on behalf of the El Paso County Department of Human Services, and stated there was a need in our community for facilities for people to be treated for substance abuse. She stated in the past, there have been detox centers in this community, but there was a great need for centers where people could transition from detox back into the community.

Mr. Weidner stated the commons area and the day room were both assembly areas, and they were occupied at the same time that there were people in the bedrooms. He stated the bed count determines the occupancy load; and in this case, it was planned to eventually have 35 beds. He stated the bed count also determines the plumbing fixtures, number of clinical staff, etc. Mr. Weidner stated with the proposed plumbing fixtures, they could have up to 62 occupants. He stated this was a closed facility and the only people in it were those people occupying the beds and the limited staff members. He stated the building was sprinklered and it also had the required number of exits.

Mark Mahler, Mark Mahler General Contracting, stated if in the future this building should change uses, it would have to be brought back before this Committee in order to issue the building permit. He stated the entire building was 7,800 square feet, and the office area was 2,200 square feet. Mr. Weidner stated he would like to amend his variance request to a maximum occupancy of 49 occupants. Mr. Mahler stated they would be willing to post

the maximum occupancy in the building. Mr. Eenhuis stated a maximum occupancy of 49 would be specific to this permit. He stated a 1-hour exit corridor would be required for an I-1 occupancy with a sprinkler system.

A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, conditional upon an occupancy load of a maximum of 49 occupants specific to this permit only, seconded by Larry Bobo; the motion carried unanimously.

- 9.d. 6985 Tutt Boulevard, Plan C106767 – Huston2010, LLC, owner, requests a variance to Section 1018 and Table 1018.1-B, 2009 International Building Code, to allow use of a 1-hour fire barrier between tenants in lieu of 1-hour rated corridors.

Shannin Albers appeared and stated this project was a tenant improvement in this structure. He stated currently the building was a 5,500 square foot medical office building; Type 5, which was not rated nor sprinklered. He stated there would be two tenants in this structure, and they would like to be allowed to use the 1-hour fire barrier between the tenants to remain in lieu of 1-hour rated corridors, which were required per Code. He stated this variance was approved by this Committee in 2009 for this same structure. Mr. Horner stated CSFD did not have an issue with the variance request. Mr. Albers stated the travel distances have not changed. Mr. Eenhuis stated with this variance request, two separate fire areas would be created, and Mr. Albers stated the travel distances have not changed, but there was an increase of the occupant loads for each tenant. He stated the new construction was in Suite 110, and there was an exit for each tenant. Mr. Eenhuis stated with 49 occupants or less in each tenant space and a travel distance less than 75 feet, only one exit per suite was required. He stated there was a secondary exit, but it was through the neighboring suite. Mr. Albers stated they could utilize an existing egress door in Suite 100, that they had planned to fill in, which would take care of the egress issue in Suite 100. Mr. Eenhuis stated RBD staff would take no exception to the variance request, provided the exit door was added, thus eliminating the travel distance issue.

A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request with the addition of an exit door through a corridor, provided the door was located in the north wall by Diagnosis Room 107 in Suite 100, seconded by Swagata Guha; the motion carried unanimously.

- 9.e. 4808 Bridle Pass Drive, Permit L19677 – Ashley Douglas, homeowner, requests a variance to Section R310.2, 2009 International Residential Code, to allow a 26” egress window well where a minimum of 36” was required.

Ashley Douglas appeared and stated the house was built in 1998, and the basement was unfinished when she bought the house. She stated she was finishing the basement, and the pre-existing window wells are 26”, although the original plans indicate that the window wells were 30”. She stated there were a total of 5 window wells in the basement, with the same issue, but this variance was for two window wells, i.e. one in each basement bedroom. Ms. Douglas stated there was 30” to the window pane. John Welton stated RBD staff takes

no exception to this variance request, and CSFD further took 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 for the window wells in the two basement bedrooms, seconded by Dan Rial; the motion carried unanimously.

10. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

11. **NEW BUSINESS**

Jina Koulchitzka stated the Building Commission requested that RBD staff remind the Committee members that they are required to attend 75% of the meetings per year, unless good cause could be shown to be vacant.

The meeting adjourned at 11:48 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/llg