

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## BOARD OF REVIEW AGENDA

April 17, 2024 – Wednesday – 11:00 a.m.

### How to Observe the Meeting:

The Board of Review meeting will be conducted in a hybrid forum: In person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Room 100-14, and virtually through Microsoft Teams live events. Sufficient and timely access to the public to observe the meeting will be made available at:

<https://www.pprbd.org/Information/Boards>.

### How to Comment on Agenda Items:

Before the meeting, you may email comments for items on the Agenda to: [ginal@pprbd.org](mailto:ginal@pprbd.org). During the meeting, those who wish to comment should submit their name, telephone number, and the Agenda item for comment via the live event Q&A, which Department staff will monitor and answer, as applicable.

1. **CALL TO ORDER: DETERMINATION OF A QUORUM**
2. **CONSIDERATION OF THE MARCH 20, 2024 BOARD OF REVIEW MEETING MINUTES**
3. **CONSIDERATION OF TECHNICAL AND LICENSING COMMITTEE MEETING MINUTES**

- a) Technical Committee Meeting Minutes of March 6, 2024, Agenda Item 5.b) only:

3704 W. High Street, Colorado Springs, Permit O51091 – Brian Tucker, Tucco Home Improvements LLC, requests a variance to Section R403.1.4.1, 2021 International Residential Code and Section R402.2.9, 2021 International Energy Conservation Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow existing bottom landing at exterior stairway to remain as constructed without visual confirmation of frost protection and slab insulation for approximately five feet of the perimeter of the basement.

*Whereas, a motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance to allow the existing landing at the exterior stair without the required frost protection for the foundation under the condition that the applicant provide an engineer's letter opining the slab is acceptable as is without the required frost protection; seconded by Vice Chair Baturevich; the motion carried unanimously.*

- b) Technical Committee Meeting Minutes of April 3, 2024
- c) Licensing Committee Meeting Minutes of April 11, 2024

#### 4. **DECISION APPEALS**

##### **REVISED APPEAL PROCEDURE(S), AS IMPLEMENTED BY THE BOARD OF REVIEW DURING ITS MAY 16, 2018 BOARD OF REVIEW MEETING:**

The Board of Review shall conduct a public hearing on the appeal. At the conclusion of the hearing, the Board of Review shall make appropriate findings and determine whether the Technical Committee's or Licensing Committee's decision, as applicable, shall stand, be overturned or modified. The Board of Review's decision shall be considered final agency action for all purposes under Colorado Law.

Those aggrieved by the Technical Committee's or Licensing Committee's decision, as applicable, may appeal the decision provided that a notice of appeal, stating the grounds for appeal, is filed in accordance with RBC101.7. The Department, upon receiving a perfected appeal, shall forward the record of the Technical Committee or Licensing Committee to the Board of Review, and the matter shall be set for a public hearing at the next available Board of Review meeting. The Board of Review may hear the appeal de novo or may limit the hearing to the issues identified in the notice of appeal. At the conclusion of the public hearing, the Board of Review shall determine whether there is substantial evidence in the record to support the Technical Committee's or Licensing Committee's decision, as applicable, and if so, then the decision must be affirmed. If there is not substantial evidence in the record to support the Committee's decision, the Board of Review may overturn the decision or modify it. **(Last Updated: May 16, 2018)**

- a) Appeal filed by Craig Nelson dated March 8, 2024. Appeal of Administrative Fine(s) imposed by the Department in accordance with Section RBC103.12 for work performed on 15 projects after April 2020 without having an active licensed examinee, without authority or supervision by the retired examinee, and without authority to obtain permit(s), if permit(s) were obtained.

#### 5. **UNFINISHED BUSINESS**

#### 6. **NEW BUSINESS**

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7. **ADJOURNMENT**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Roger N. Lovell".

Roger N. Lovell  
Regional Building Official  
RNL/gml

Accommodations for the hearing impaired can be made upon request with forty-eight (48) hours' notice. Please call (719) 327-2989.

Pikes Peak Regional Building Department (PPRBD) meeting agendas and minutes, as well as the Department's archived records, are available free of charge on PPRBD's website at: <https://www.pprbd.org/Information/Boards>. Audio copies of the record may be purchased by contacting PPRBD at (719) 327-2989.

**Rules of Policy and Procedure of Pikes Peak Regional  
Building Department Committees and Boards**

The following Rules of Policy and Procedure include, but are not limited to, and are enforced for the purpose of the Advisory Committees, Board of Review, and Board of Appeals.

**Rule 1.1**

**Governing Authority**

The Chair of the Committee, or the Board, shall have governing authority over all proceedings. The Chair will announce commencement and adjournment of all meetings. The Chair will announce the item to be discussed by the person(s) appearing before the Committee or the Board. Once the Committee/Board are satisfied with all questions and comments, the Chair will entertain a motion by the Committee or Board Members, which will be seconded, followed by a vote. Once the Chair announces the outcome of said vote, that item is final and closed for discussion, whereby, the interested parties will be advised of their appeal rights, if any. For appeal rights and procedures, see Section 101.7 of the Pikes Peak regional Building Code, as amended (the “Code”).

Further, the Chair has authority to deviate from the agenda format.

**Rule 1.2**

**Conduct of Person(s) Appearing before the Advisory Committees, Board of Review, or Board of Appeals**

All persons attending the Committee or Board meetings will behave in a professional and civil manner. The Chair has authority to require any uncivil person be removed from a meeting and therefore, the premises.

Courtesy, respect, and civility are expected by all participants and guests during all meetings. All comments shall be addressed directly to the Chair and/or Committee/Board.

Persons attending the Committee or Board meetings may only speak when the Chair has requested them to do so according to the particular item on the agenda. When requested by the Chair, the person(s) may approach the podium and speak into the microphone, only after stating their full name, spelling the same on the record, and providing current address and contact information, if requested. The proceedings are recorded and comments made away from the microphone are inaudible and may not become part of the official record of the meetings.

**Rule 1.3**

**Lack of Financial Authority of the Advisory Committees, Board of Review, and Board of Appeals**

Pursuant to Section RBC103.12 of the Code, the Regional Building Official, and not the Committee or Board, has authority to impose administrative fines for Code-related violations. Further, the Committee and/or Board does not have authority to consider financial claims or consider and/or award resulting financial damages to any person.