

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

April 3, 2024 – Wednesday - 9:00 a.m.

MEMBERS PRESENT: Chair Jason Leimkuhl, Mechanical Contractor
Vice Chair Andy Baturevich, Structural Engineer
Tom Lysne, Architect
Mike Finkbiner, Building Contractor C or D1
Brian Braaten, Electrical Contractor

RBD STAFF: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Regional Building Official – Plans
John Welton, Deputy Regional Building Official – Inspections
Gina LaCascia, Executive Administrative Assistant

PROCEEDINGS:

The Technical Committee meeting was conducted in a hybrid forum, allowing Committee members, Department staff, and the public to attend in person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Hearing Room on the Upper Level, or virtually through Microsoft Teams. Sufficient and timely access to the public to observe the meeting was made available at:

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

The Colorado Springs Fire Department (CSFD) was not present. However, CSFD advised in writing that based on the provisions of the International Fire Code, CSFD did not take exceptions to the variance requests as listed on the Agenda, except Item 5.e) 4280 Hopeful Drive, Colorado Springs, which was continued at the request of the applicant.

1. **CALL TO ORDER: DETERMINATION OF A QUORUM**

Chair Jason Leimkuhl called the Technical Committee meeting to order at 9:00 a.m.

2. **CONSIDERATION OF THE MARCH 6, 2024 TECHNICAL COMMITTEE MEETING MINUTES**

A motion was made by Vice Chair Andy Baturevich to **APPROVE** the March 6, 2024 Technical Committee Meeting Minutes, as written; seconded by Mike Finkbiner; the motion carried unanimously.

3. **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) 10628 Abrams Drive, Colorado Springs – Steve Behrends, Bear Creek Design + Build, LLC, requests a variance prior to plan submittal, to 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 omit the prescriptive slab insulation within a conditioned, attached garage, where required.
- b) 1570 Gold Hill Mesa Drive, Colorado Springs, Permit P20975 – Kim Amadi, The Furnace Guy Heating and Cooling, requests a variance to 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 omit the prescriptive slab insulation within a conditioned, attached garage, where required.
- c) 120 W. Ramona Avenue, #102, Colorado Springs, Permit P16430 – Troy Biggs, Cornerstone Contracting, requests a variance to Section R310.2.3, 2021 International Residential Code, based on Item 3 of Section RBC111.2.3 of the Pikes Peak Regional Building Code, 2023 Edition, to allow a 50" maximum height to bottom of clear opening from the floor, in existing conditions, where a minimum of 44" is required, with the stipulation that a step is permanently installed under the window sill with a maximum 6" rise, a minimum 11-1/2" tread, and the full width of the window opening.

A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests; seconded by Brian Braaten; the motion carried unanimously.

4. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

5. **VARIANCE REQUESTS**

- a) 602 Cooper Avenue, Colorado Springs, Permit O51506 – Rocky Williams, Excaliber Electric, LLC, requests a variance to Article 110.26 (A) and table 110.26 (A) (1), 2020 National Electrical Code, based on Item 2 of Section RBC111.2.3 of the Pikes Peak Regional Building Code, 2023 Edition, to allow a residential clothes washer and dryer to be located within the working clearance of an existing panel.

Rocky Williams appeared in person and advised the Committee that he was contracted to relocate the circuits for a washer and dryer in a small laundry room from one wall to the adjacent wall. The variance request is to allow the washer and dryer to be located within the required working clearance for the existing electrical panel.

Brian Braaten commented that the laundry room appears to have hooks for hanging clothes installed above the electrical panel and advised the applicant to inform the homeowner that the electrical panel must not be blocked at any time.

A motion was made by Brian Braaten to recommend to the Board of Review **APPROVAL** of the variance request under the condition that the homeowner provide a signed letter acknowledging an understanding that the electrical panel must remain accessible at all times; seconded by Mike Finkbiner; the motion carried unanimously.

Virginia Koulchitzka advised the applicant that the required letter must be submitted to the Department no later than Tuesday, April 9, 2024, prior to the Board of Review meeting scheduled for April 17, 2024, in order for the Board of Review to consider the recommendation of approval of this Committee.

- b) 16840 Thompson Road, Colorado Springs, Permit O59533 – Landon Mehloff, property owner, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2017 Edition, as amended, to omit the prescriptive slab insulation for a structure that contains conditioned habitable space, where required.

Landon Mehloff appeared in person and stated the variance request is for a detached garage that is uninsulated and will be used as a workshop.

Jay Eenhuis advised the Committee that this variance is before them because the building that houses the garage includes habitable space on an adjacent wall and the upper level. This structure is permitted as an Additional Dwelling Unit (ADU). Mr. Mehloff stated that the ADU is not complete, but it does have an insulated slab in the habitable areas consisting of two feet of rigid R-10 insulation; there is no insulation at the garage. The second level consists of habitable space that runs the length of the entire building. The floor of the ADU above is insulated with R-30; the interior walls of the ADU and garage have R-22 insulation.

A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance to omit the prescriptive slab insulation in a garage area; seconded by Tom Lysne; the motion carried unanimously.

- c) 10705 Milam Road, Colorado Springs, Permit P01129 – Glenn Brooke, Gold Rush Construction, requests a variance to 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 a reduced slab insulation value of continuous R-5 within a conditioned, detached garage, where R-10 slab insulation is required.

Glenn Brooke appeared in person and stated that the property owner wants to heat an existing detached building for use as a workshop. The building is constructed as a pole barn with a radiant heat floor system to include an apron at the front and rear of the building; slab insulation consists of continuous R-5 under all heated portions of the slab.

A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance to reduce the slab insulation to continuous R-5 within a conditioned detached garage; seconded by Brian Braaten; the motion carried unanimously.

d) 1913 W. Colorado Avenue, Colorado Springs, Permit P08834 – Craig Maser, contractor, requests variances to:

1) Section R311.7.2, 2021 International Residential Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow 5'-11" headroom at the bottom landing of a stairway, where 6'-8" minimum is required; and

2) Section R311.7.6, 2021 International Residential Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow a landing at the bottom of a stairway measuring 30" depth in the direction of travel, where 36" minimum is required.

Craig Maser appeared in person with the homeowner, Steve Foster. Mr. Maser stated that this variance request pertains to a house built in the late 1800's. He was contacted to add an exterior door and interior stairs to the basement to access the utility room; the basement has three small windows. Mr. Foster indicated he purchased the property a year ago; it was converted to four apartment units and the basement is where the HVAC equipment and water heaters are located. The basement has several structural posts and a wastewater line that create headroom clearance issues. The previous access to the basement was an interior door in one of the apartment units with smaller stairway which did not meet code. This is why Mr. Foster asked Mr. Maser to construct a grade level exterior access door to the basement and build new stairs.

Ms. Koulchitzka advised the parties that the Department has a record of an interior remodel on this property without proper permits on or about September 11, 2023 and a resulting stop work order. Mr. Foster indicated the work being done at that time was cosmetic in nature and included a new exterior door. The contractor performing the work was Huney-Du Services.

A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance, parts 1 and 2, as requested, with a requirement that a permanent warning sign be applied to the protruding wastewater line at the interior stairway to the basement warning of "low clearance"; seconded by Tom Lysne; the motion carried unanimously.

e) 4280 Hopeful Drive, Colorado Springs – Lisa Peterson, Hammers Construction Inc., requests a variance to Section RBC106.2.1, Pikes Peak Regional Building Code, 2023 Edition (the "Code"), based on Item 2 of Section RBC111.2.3 of the Code, to allow plans, designed using a previously adopted code, to be reviewed and released for permit, where the Code requires the work to conform to the provisions of the current codes adopted by reference.

Item 5. e) was postponed at the request of the applicant.

- f) 3250 N. Nevada Avenue, Colorado Springs, Permit P18333 – Clayton Rogers, Colorado Weather Coatings, requests a variance to Section RBC302.4.46, Pikes Peak Regional Building Code, 2023 Edition (the "Code"), based on Item 3 of Section RBC111.2.3 of the Code, to allow a Roof Recover, compliant with the unamended 2021 International Building Code, Section 1512.2.1, where prohibited by the Code.

Clayton Rogers appeared in person and described the variance request, which includes scarifying the surface on the existing polyurethane spray foam roof, and application of primer which aids in removal of moisture. After a few days, new polyurethane spray foam is applied. Since the roof-recover code was changed, the applicant believes this is a viable way to restore the roof without having to tear off the entire roof to deck. The weight of this newly applied foam and coating equals .2 pounds per square foot, and the foam adds approximately 20 percent strength to the roof.

Mike Finkbiner asked the applicant about the deck material under the existing roof for this project. The applicant said it has 1x6 slats that are exposed from below, and if there is concern about mold, he tears the roof down to the deck. His company has moisture readers and moisture scans that help locate any possible mold areas. Mr. Finkbiner expressed his concern regarding any possible existing mold on the 1x6 slats. Therefore, he recommended the applicant contact an industrial hygienist to evaluate the pre-existing 1x6 slats and provide a report of the findings.

Rob Wright, who works with the foam manufacturer, Everest, appeared in person and stated that the foam and the coatings are ICC approved and has an ICC/ES Evaluation Report. The product being installed is a closed cell polyurethane spray foam with anti-mold agents, which does not allow water to seep through.

Mr. Rogers requested a **continuance** of this variance in order to give him time to consult with an industrial hygienist before the next Technical Committee meeting.

- g) 120 W. Ramona Avenue, #101, Colorado Springs, Plan R186502 – Troy Biggs, Cornerstone Contracting, requests a variance to Section R310.2, 2021 International Residential Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow existing, non-compliant windows to be used as emergency escape and rescue openings in two bedrooms.

Troy Biggs appeared in person and stated the property owner remodeled the basement of this house, which was built in 1941, prior to obtaining permits and has been cited for noncompliance. Mr. Biggs is assisting the property owner with completing the basement finish. As part of the basement finish, emergency escape and rescue openings are required, and his request is to allow the existing smaller windows to be used for egress, as new windows would require cutting the foundation and digging out window wells.

Jay Eenhuis advised that Code requires an egress window for each bedroom and this would include the media room. Since the media room contains a closet, this would meet the RBC definition of a sleeping room.

A motion was made by Mike Finkbiner to recommend to the Board of Review **DENIAL** of the variance to allow existing, non-compliant windows to be used as emergency escape and rescue openings; seconded by Vice Chair Baturevich; the motion carried unanimously.

Ms. Koulchitzka advised the applicant of his appeal rights.

6. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

7. **NEW BUSINESS**

There was no New Business to discuss.

8. **ADJOURNMENT**

The Technical Committee meeting adjourned at 10:50 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/gml

Accommodations for the hearing impaired can be made upon request by providing notice within forty-eight (48) hours prior to the meeting. Please email ginal@pprbd.org or call (719) 327-2989.

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