

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## BUILDING COMMITTEE MINUTES

February 1, 2012

9:00 a.m.

MEMBERS PRESENT: Mr. Todd Anderson  
Mr. J. B. Johnson  
Mr. Thomas McDonald  
Mr. John Clarke  
Mr. Chad Holladay

MEMBERS ABSENT: Mr. Vince Colarelli  
Mr. Richard Gillit

OTHERS PRESENT: Mr. Henry Yankowski, Building Official  
Mr. Jim Pepper, Chief Building Inspector  
Mr. Todd Welch, Regional Building Counsel  
Mr. Roger Lovell, Chief Plans Examiner  
Mr. Frank Atchison, Senior Building Inspector  
Mr. Terry Brunette, Special Investigator  
Mrs. Pattie Bengert, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Todd Anderson called the meeting to order at 9:00 a.m.

#### 1. **CONSIDERATION OF JANUARY 4, 2012 MINUTES**

A motion was made by Chad Holladay to **APPROVE** the January 4, 2012, Building Committee Minutes as written, seconded by Johnny Johnson; the motion carried unanimously.

#### 2. **COMPLAINTS**

- a) A complaint has been brought against Ross Hendrickson, licensee for Camelback Roofing, by Bonnie Martinez, 15 Yarborough Heights, for willful and wanton negligence, in violation of Section RBC201.11.3, 2011 Pikes Peak Regional Building Code; and by Regional Building for having eight "A" Status permits at 4522 Hennings Drive, 4710 Adrienne Drive, 4811 Sebring Drive, 6525 Mohican Drive, 1050 Galley Square, 5765 Eldorado Drive, 2950 Richmond Drive, and 15 Yarborough Heights, in violation of Section RBC105.9.1, 2011 Pikes Peak Regional Building Code. *This is the second request for Mr. Hendrickson to appear before the Building Committee; he did not appear at the January 4, 2012, Building Committee meeting.*

No one appeared. Terry Brunette appeared, was sworn in, and stated the details of the complaint. Todd Welch stated RBD has notified Mr. Hendrickson to appear for both the January and February Building Committee meetings, and since we did not get the regular mail notices back, we have determined that he has been properly notified and we can proceed with the Complaint against Camelback Roofing. Jim Pepper appeared, was sworn in, and stated the Building Committee has the option to enter an Incident Report or Letter of Reprimand in Mr. Hendrickson's file, or they could suspend or revoke his license. He said Mr. Hendrickson has 16 permits that are open or in "A" status. A motion was made by Tom McDonald to recommend to the Board of Review **REVOCATION** of Ross Hendrickson's license because Mr. Hendrickson has been non-compliant with RBD's notices to appear, for a multitude of Code violations, and for willful and wanton negligence, seconded by Johnny Johnson; the motion carried unanimously. Todd Anderson stated RBD will contact each of the homeowners to assist them in completing their permits.

### 3. **CONSENT LICENSE REQUESTS**

#### **Building Contractor A-1 (General)**

FRONT RANGE CONSTRUCTION, INC – ALBERT ROGERS  
LEGACY CONSTRUCTION SERVICES, LLC – KENNETH EVERS  
LEND LEASE (US) PUBLIC PARTNERSHIPS LLC – MICHAEL SIMS

#### **Building Contractor A-2 (General Limited)**

SKYLINE GENERAL CONTRACTING, LLC – WILLIAM CLARK (EXAMINEE  
CHANGES CO.)  
TOTAL SOLUTIONS PROVIDER COMPANY, LLC – AL GUARINO (UPGRADE FROM  
B-1)

#### **Building Contractor B-2 (General Limited)**

TIMBERWOLFF CONSTRUCTION, INC. – MICHAEL WOLFF (CO. CHANGES  
EXAMINEE)

#### **Building Contractor C (Homebuilder)**

ANTELOPE VALLEY CONSTRUCTION – J. MICHAEL WEDDLE  
ECONOMY ROOFING AND EXTERIORS LLC – JOSEPH CLIFFORD  
FRONT RANGE DESIGN/BUILD – GREGORY RICE  
HELPING HANDS HOME SERVICES LLC – JEFFREY COLE (LIMITED)  
PLUSH CONSTRUCTION – KIRKLAND PLUSH (REINSTATEMENT)

WOODWORKER BROTHERS COOP LLC – STEPHEN PHELAN

**Building Contractor D-1 (Roofing)**

ALLIANCE ROOFING INC. – DAVE LESECKE  
GOOD KNIGHT ROOFING – JARED HEMMERT  
PRC – PETE SAUCEDO  
PREMIER ROOFING & CONSTRUCTION – JOHN EATON (CO. CHANGES EXAMINEE)  
ROCKY MOUNTAIN ROOFING & RESTORATION – BRIAN TO  
S & S CONSTRUCTION SERVICES LLC – SERGIO SARABIA  
TOP GUN RESTORATION – CAMERON KELLOGG (EXAMINEE CHANGES CO.)

**Building Contractor D-1 (Wood Stove)**

ROCKY MOUNTAIN STOVE – TIM LULL

**Building Contractor D-3B (Wrecking Limited)**

COLORADO HAZARD CONTROL, LLC – MICHAEL DYER

A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Johnny Johnson; the motion carried unanimously.

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

**Building Contractor A-1 (General)**

HOAG CONSTRUCTION COMPANY – THOMAS HOAG (LIMITATION REMOVAL REQUEST)\*

Thomas Hoag appeared and stated he was granted an “A” license in 2008, and for the past two years he has been working in Nebraska and New Mexico building hospitals for the Department of Veterans Affairs. He stated he would like to have the restrictions removed from his license to enable him to build commercial projects in Colorado. He stated their company is growing and they have projects scheduled in the next six months that will require that the restriction be removed, i.e. a number of airplane hangars at COS Business Airpark. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of an “A-1” (General) License, with the limitation of one ground-up “A-1” permit, unlimited tenant finishes, and a maximum of ten ground-up “B-1” permits at COS Business Airpark

and the adjacent property, until at least four are completed, at which point Mr. Hoag can work with RBD staff to remove the “B-1” restriction, seconded by Johnny Johnson; the motion carried unanimously.

**MARTINEZ DESIGN & CONSTRUCTION – MIGUEL MARTINEZ\***

Miguel Martinez appeared and stated he has been working in the construction industry for 30 years, and primarily commercial construction for the past 25 years as a construction manager and superintendent for various general contractors. He stated he has a project scheduled to commence in Aurora, Colorado in the near future. He stated his ground-up construction experience includes approximately 20 ground-up projects; primarily restaurants. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of a “B-1” License, with the limitation of five open permits at any one time, unlimited below, seconded by John Clarke; the motion carried unanimously.

**Building Contractor B-1 (General Limited)**

**TM GRACE BUILDERS, INC. – ANTON SHAFER\***

Anton Shafer appeared and stated he did a tenant finish for Sport Clips in Monument, and started the project without a license or a permit, and was issued a stop work order. He stated he misinformed the owners that he thought the permit and license process would take three to four weeks, because that had been his experience in other jurisdictions. He stated he has had licenses in Denver and Centennial since 2005. Jim Pepper stated he personally did a site inspection on this project, and he stopped the project until Mr. Shafer could appear before the Building Committee. He stated the property owner has made numerous calls to RBD to complain about the construction delays. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a “B-1” License with the limitation of one “B” permit, and he must return to the Building Committee to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

Break from 10:25 a.m. to 10:35 a.m.

**Building Contractor C (Homebuilder)**

**QUINTANA REMODELING – LUIS QUINTANA (UPGRADE FROM E)\***

Luis Quintana appeared and stated he was granted an “E” License in 2009, but he has never had a project that required a permit. He stated he has been working in the construction industry since 1980. He stated he has a “C” License in Pueblo, building primarily rehabs, remodels, and additions. Mr. Quintana stated he is requesting this license primarily to build remodels. He stated he had his own construction company in Pueblo in the 1980’s and he built one house and one addition. A motion was made by Tom McDonald to recommend to

the Board of Review **APPROVAL** of a “C” (Homebuilder) License with the limitation of one ground-up permit, four permits for additions/remodels at any one time, unlimited below, and Mr. Quintana can work with RBD staff to have the restriction removed upon completion of one permit, seconded by Chad Holladay; the motion carried unanimously.

### **Building Contractor D-1 (Roofing)**

COLORADO GREEN ROOF & SOLAR – MATTHEW VANRIPER\*

Pattie Bengler stated Mr. Vanriper contacted RBD and stated he is on his way, but has had some travel delays. A motion was made by John Clarke to **TABLE** this license request until the end of the meeting, seconded by Johnny Johnson; the motion carried unanimously.

\* Appearance required at the Building Committee meeting.

#### **4. CONSENT CALENDAR**

- a) 330 Elkton Drive, Permit H98047 – Tripper Gott, Ecofoam/Insulations, Inc., requests a variance to allow use of Section R806.4, 2006 International Residential Code, where use of the 2003 International Residential Code, Section R806.1, is required for attic ventilation.
- b) 4970 North Splendid Circle, Permit I06823 – Tom Thorson, Spectrum Property Enhancement, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’6” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.

A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the Consent Calendar variance requests, seconded by Chad Holladay; the motion carried unanimously.

#### **VARIANCE REQUESTS**

5. 7615 McLaughlin Road – Joe Gonzales, T-Bone Construction, requests a variance to allow plans to be reviewed and permitted to the 2005 Pikes Peak Regional Building Code, where use of the 2011 Pikes Peak Regional Building Code is required.

Joe Gonzales appeared and stated he was unable to obtain a permit for this project prior to the Code change due to loan approval delays and plan review delays, and it would cost \$6,000 to have his plans redone under the 2011 Pikes Peak Regional Building Code, and further delay the project. Roger Lovell stated the plans were reapproved for the second time in June 2011, and they have six months from the date of plan approval to permit the project, and they were unable to permit the project within that time frame. A motion was made by

Johnny Johnson to recommend to the Board of Review **DENIAL** of the variance request, seconded by Chad Holladay; the motion carried unanimously.

*John Clarke recused himself from Item 6.*

6. 1816 Wood Avenue – Larry Gilland, LGA Studios, requests variances to:
  - a) Section R311.7.2, 2009 International Residential Code, to allow a 6'2" to 6'4" head height above the stairs where a minimum of 6'8" is required.
  - b) Section R311.7.4.1, 2009 International Residential Code, to allow a stair riser if 8", where a maximum of 7<sup>3</sup>/<sub>4</sub>" is allowed.
  - c) Section R311.7.4.2, 2009 International Residential Code, to allow a tread depth of 6½" to 7" nosing and 9" at the recess of the step, where a minimum tread depth is required to be 10".
  - d) Section R311.7.1, 2009 International Residential Code, to allow a 32" stair width where a minimum of 36" is required.

Larry Gilland appeared and stated RMG Engineers and RBD staff have worked together on this issue. He stated rather than a major renovation to the main floor plan layout of the stairs above, a re-configuration of hallway paths, and/or substantial removal of an old masonry flue, mechanical vent work and a major bearing wall re-build, a more reasonable option would be to adjust some joist framing to accommodate additional head room and to re-build the tread length as much as space will allow. Mr. Gilland said they would add two hand rails, one on each side, remove the existing sloped ceiling (under the upper stair system) and raise it as much as possible. He said by providing a landing at the bottom of the stair, it will make the steep run less daunting, and a shorter vertical distance. He said the length of the tread going up would comply with previous codes, and the length of tread going down will be increased about 1". Terry Brunette stated he did a site inspection and supports the installation of the landing.

A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, with the stipulation that a landing and egress window be installed, seconded Johnny Johnson; motion carried unanimously.

7. 14350 Millhaven Place, Permit H77146 – Larry Gilland, LGA Studios, requests a variance to Section R311.5.4, 2003 International Residential Code, to allow an immediate landing, that is less than 36" x 36", in a set of winding stairs toward the top where the stair changes direction slightly, where prohibited.

Donna Star, LGA Studios, appeared and stated this landing is not Code complaint but does not present a life safety issue. Larry Gilland stated if they rotated the stairs, they would run into a landing issue at the bottom of the stairs. He said they have adequate headroom above the stairs. Frank Atchison stated he did a site inspection, and RBD supports this variance request. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, and it does not create a life safety issue, seconded by Chad Holladay; the motion carried unanimously.

8. 2004 Winston Road, Permit I07339 – Troy Case, D. C. Custom Construction, requests variances to:
  - a) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’10” where a minimum of 7’0” is required.
  - b) Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’2” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Troy Case appeared and stated this structure was built in 1955, and the new homeowner is trying to bring it up to Code. He stated existing conditions do not allow for a Code complaint ceiling height. A motion was made by Johnny Johnson to recommend to the Building Committee **APPROVAL** of the variance requests due to pre-existing conditions, seconded by Chad Holladay; the motion carried unanimously.

9. 16575 Cathys Loop, Permit I00025 – Richard Watkins, First Rate Construction, Inc., requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’2” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Richard Watkins appeared and stated this is a fire damaged project. He stated the homeowner was underinsured, i.e. insured for 1400 square feet and the structure is 2700 square feet; the basement was not insured. He stated there is a structural beam in the basement that does not allow for a Code compliant soffit height. He stated the insurance company has now decided to reimburse the homeowner for the basement as well, which is the reason for the variance request. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Chad Holladay; the motion carried unanimously.

10. 1228 Prairie Road, Permit H80873 – Paul Rathbun, Rathbun General Contractors, requests a variance to Section RBC303.4.8, 2011 Pikes Peak Regional Building Code, to allow a soffit ceiling height of 6’4” under furred-down beams, pipes and ducts where it is required to be a minimum of 6’8”.

Paul Rathbun appeared and stated when the homeowner bought this house, there were no permits on the house, so he is trying to bring it up to Code. He said pre-existing conditions do now allow for a Code complaint soffit height. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request due to pre-existing conditions, seconded by Chad Holladay; the motion carried unanimously.

11. 3420 Pony Tracks Drive, Permit H69762 – Kelly Hand, homeowner, requests a variance to Section R308.1, 2003 International Residential Code, to allow a letter from the manufacturer confirming the glass is tempered in lieu of labeling on the glass.

Kelly Hand appeared and stated he is his own general contractor for a remodel at his home. He stated the glass paneled stair railings that he had installed are tempered but are not labeled as tempered glass. He stated he requested that the manufacturer not label the glass panels, because he was not aware that the labels were required by Code. He stated to correct this issue he would have to send the glass panels back to the manufacturer to have the markings sand blasted on the glass. He stated he has a letter from the manufacturer confirming that the glass panels are tempered. Jim Pepper stated this is a Code required nationwide, so the manufacturer should have been aware of it. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request because the homeowner made a request that the glass panels not be labeled, and the manufacturer has submitted a letter verifying that the glass panels are tempered, seconded by Chad Holladay; the motion carried unanimously.

12. 6676 Myrtle Creek Drive, Permit H19361 – Margarito Martinez, MTZ Construction, LLC, requests a variance to Section RBC303.4.20, 2005 Pikes Peak Regional Building Code and Section R310.2.2, Exception 1, 2003 International Residential Code, to waive provision of a minimum area of 9 square feet outside a basement window.

Margarito Martinez appeared and stated this is a basement finish project, and there is an existing exterior staircase off the deck that is in front of the basement window and does not allow an adequate clearance outside of the basement window, which prohibits the window from being an egress window in a bedroom. He stated the homeowner is in the military and currently deployed, and his wife does not want to move the window. He said this permit is an issue every time he tries to renew his license. Jim Pepper stated Mr. Martinez could contact the homeowner by certified mail to notify her that this issue must be resolved to complete the permit, and if he does not get any response, he can provide proof of the certified letter to RBD and thereby be allowed to void the permit, and RBD can contact the homeowner to inform them that it is their responsibility to correct this issue and complete the permit, or RBD will file a Certificate of Non-Compliance. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that Mr. Martinez send a certified letter to the homeowner and explain that the stairs must be corrected and the permit completed, and Mr. Martinez can bring proof of the



certified letter to RBD and RBD can void the permit for Mr. Martinez, seconded by Johnny Johnson; the motion carried unanimously.

*The following license request was heard out of order.*

## **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

### **Building Contractor D-1 (Roofing)**

COLORADO GREEN ROOF & SOLAR – MATTHEW VANRIPER\*

Matthew Vanriper appeared and stated he worked in IT for 20 years, and is now a roofer and has a number of roofs lined up to do this summer. He stated he took the ICC national exam, and he is knowledgeable of the local requirements for El Paso County. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of a “D-1” (Roofing) License, with the limitation of five permits until completed, at which time he can work with RBD staff to have the restriction removed, seconded by Tom McDonald; the motion carried unanimously.

- 12a. 6520 Emerald Isle Heights, 6524 Emerald Isle Heights, 6528 Emerald Isle Heights, 6536 Emerald Isle Heights, 6540 Emerald Isle Heights 6544 Emerald Isle Heights, 6548 Emerald Isle Heights, 6547 Pennywhistle Point, 6551 Pennywhistle Point, 6555 Pennywhistle Point, 6559 Pennywhistle Point, 6563 Pennywhistle Point, 6567 Pennywhistle Point, 6571 Pennywhistle Point, 6575 Pennywhistle Point, 6579 Pennywhistle Point, 6583 Pennywhistle Point, 6587 Pennywhistle Point, 6568 Pennywhistle Point, 6564 Pennywhistle Point, 6560 Pennywhistle Point, 6556 Pennywhistle Point, 6552 Pennywhistle Point, 6548 Pennywhistle Point, 5662 Celtic Cross Grove, 5658 Celtic Cross Grove, 5654 Celtic Cross Grove, 5650 Celtic Cross Grove, 5646 Celtic Cross Grove, 5642 Celtic Cross Grove, 5638 Celtic Cross Grove, 5634 Celtic Cross Grove, 5630 Celtic Cross Grove, 5626 Celtic Cross Grove, 5622 Celtic Cross Grove, 5618 Celtic Cross Grove, 5614 Celtic Cross Grove, 5610 Celtic Cross Grove, 5606 Celtic Cross Grove, 6573 Emerald Isle Heights, 6577 Emerald Isle Heights, 6581 Emerald Isle Heights, 5605 Shamrock Heights, 5609 Shamrock Heights, 5613 Shamrock Heights, 5617 Shamrock Heights, 5621 Shamrock Heights, 5625 Shamrock Heights, 5629 Shamrock Heights, 5633 Shamrock Heights, 5637 Shamrock Heights, 5641 Shamrock Heights, 5645 Shamrock Heights, 5684 Shamrock Heights, 5680 Shamrock Heights, 5676 Shamrock Heights, 5672 Shamrock Heights, 5668 Shamrock Heights, 5664 Shamrock Heights, 5660 Shamrock Heights, 5656 Shamrock Heights, 5652 Shamrock Heights, 5648 Shamrock Heights, 5644 Shamrock Heights, 5640 Shamrock Heights, 5636 Shamrock Heights, 5632 Shamrock Heights, 5628 Shamrock Heights, 5624 Shamrock Heights, 5620 Shamrock Heights, 5616 Shamrock Heights, 5612 Shamrock Heights, and 5608 Shamrock Heights – Today's Homes requests a variance to allow plans to be reviewed and permitted to the 2005 Pikes Peak Regional Building Code, where use of the 2011 Pikes Peak Regional Building Code is required.

Lewis Thomas appeared and stated this is a townhome project that is partially constructed and they would like to build the remainder of the complex to the plans that were approved under the 2005 Pikes Peak Regional Building Code. He stated they are trying to complete one building per month. He stated he would like to have the Committee's approval to pull permits for one more building under the 2005 Pikes Peak Regional Building Code for the following addresses: 6573 Emerald Isle Heights, 6577 Emerald Isle Heights, and 6581 Emerald Isle Heights, prior to the March 7, 2012, Building Committee. A motion was made by John Clarke to **POSTPONE** this variance request until the March 7, 2012, Building Committee meeting, with the stipulation that Mr. Thomas can pull three permits for one building under the 2005 Pikes Peak Regional Building Code, seconded by Johnny Johnson; the motion carried 3:2. Tom McDonald and Chad Holladay opposed.

Jim Pepper stated RBD staff would like to increase the variance fee for multiple addresses due to additional administrative costs incurred to process the variances. He stated he would like the approval of the Building Committee to add between \$4 to \$20 per address. The Building Committee members agreed to give RBD staff the authority to do so.

13. **UNFINISHED BUSINESS**

a) License Requirements

Pattie Bengier presented proposed modifications to the building contractor license designations. She said that staff would like to eliminate the "A-2" and the "B-2" licenses. She said that the "A" license is proposed to allow work on all types of buildings. Ms. Bengier said the "B" license would allow construction, alteration or repair of all buildings except Group E, I or H occupancies as well as any building requiring Type I construction. Alteration or repair of Group A and new construction of Group A occupancies are permitted only in conjunction with the new construction or remodel of multi-family housing. She said staff would like to have an additional type of "C" license that would allow structural and non-structural alteration or repair of one- and two-family dwellings limited to three stories and their accessory structures, and Group R-2 occupancies limited to two stories and eight units. Construction, alteration or repair of uninhabited accessory structures to one- and two-family dwellings that include but are not limited to decks, fences, sheds, patio covers, detached garages and workshops.

14. **NEW BUSINESS**

a) Sunshine Act Requirement

Pursuant to the Colorado Sunshine Act, I, Tom McDonald, move that the Building Committee meeting be held on the first Wednesday of each month at 9:00 a.m. at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs,

Colorado 80910, Room 100-14, that the Building Committee Meeting Agendas and Minutes for each meeting will be posted on the website of the Pikes Peak Regional Building Department at [www.pprbd.org](http://www.pprbd.org), and the meeting Agendas and Minutes will be maintained by Linda Gardner, Executive Administrative Assistant, in the records of the Pikes Peak Regional Building Department, seconded by Chad Holladay; the motion carried unanimously.

b) \$25.00 Trip Fee

Jim Pepper stated RBD will absorb the \$25 trip fee when a contractor picks RBD inspections and not a third party inspection.

The meeting adjourned at 12:28 p.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY/llg