

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BUILDING COMMITTEE MINUTES

November 7, 2012

9:00 a.m.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Henry Yankowski, Regional Building Official
Mr. Roger Lovell, Deputy Building Official/Construction
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. Todd Welch, Regional Building Counsel
Mr. Frank Atchison, Senior Building Inspector
Mrs. Pattie Bengert, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Johnny Johnson called the meeting to order at 9:03 a.m.

1. CONSIDERATION OF OCTOBER 3, 2012 MINUTES

A motion was made by John Clarke to **APPROVE** the October 3, 2012 Building Committee Minutes as written, seconded by Chad Holladay; the motion carried unanimously.

2. COMPLAINT UPDATE

- a) A complaint has been brought against Chad Hearrell, licensee for Hearrell Home Improvements, LLC, by Regional Building for contracting to build a sunroom at 2220 Terri Lee Drive, Peyton, Colorado 80831 without obtaining the required permits, in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code. *This Complaint was heard during the September 5, 2012 Building Committee meeting and the Committee members postponed the Complaint for 30 days to give Mr. Hearrell an opportunity to contact the homeowner and resolve the issue. Mr. Hearrell contacted RBD prior to the October 3, 2012 Building Committee meeting to request a 30-day extension until the November 7, 2012 Building Committee meeting to reappear to give the Committee an update on the resolution of this Complaint.*

Todd Welch stated Chad Hearrell has notified RBD that the homeowner of this property has hired another contractor to finish this project, and that contractor has pulled a permit to complete the project. A motion was made by Johnny Johnson that an Incident Report be put in Chad Hearrell's contractor file, seconded by John Clarke; the motion carried unanimously.

- b) A complaint has been brought against Jeffrey Pierce, licensee for Peak View Roofing, by Mr. and Mrs. Warren Morgan for building a patio roof at 1928 Wooten Road, Colorado Springs, Colorado 80915, without the proper license and without obtaining a permit, in violation of Sections RBC105.1 and RBC201.3, 2011 Pikes Peak Regional Building Code.

Terry Brunette appeared, was sworn in, and stated the details of the complaint. Chuck Pierce appeared and was sworn in. Jeannette Morgan appeared, was sworn in, and stated this project was necessary due to hail damage and her insurance company was paying for the work to be done. She said she was not aware that this contractor was not licensed in El Paso County, and she discovered this fact when the work did not pass inspection. Terry Brunette stated a "C" license was required for this project because the rafters were replaced, and Peak View Roofing does not have a "C" License for this type of work. Chuck Pierce stated his primary business is roofing and gutters. He stated this was an oversight for his sales person. He stated he has never had a homeowner complaint in the past. Mr. Pierce stated he is willing to hire a licensed contractor to replace the patio cover for this homeowner, and he assures the Committee that this will never happen again. Ms. Morgan stated she is agreeable to having a licensed contractor complete this project for her. A motion was made by Johnny Johnson to **POSTPONE** the Building Committee's decision regarding this Complaint until the December 5, 2012 Building Committee Meeting so Peak View Roofing and the homeowners may reach a resolution, and RBD staff can report back to the Building Committee in 30 days with an update, seconded by Tom McDonald; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (General)

AD MILLER SERVICES INC. – LARRY MILLER (REINSTATEMENT AND NEW EXAMINEE)

GRAYCOR CONSTRUCTION COMPANY INC. – ROGER SAUTTER

TWIN SHORES MANAGEMENT, LLC – KELLY HOLLIDAY

Building Contractor C (Homebuilder)

ASPEN VIEW HOMES – NICHOLAS KACHEL (EXAMINEE CHANGES CO.)

IMPACT BUILDERS LLC – ANDREW WOODS (LIMITED AND EXAMINEE)

CHANGES CO.)
LEWELLEN HOME IMPROVEMENT – MICHAEL LEWELLEN (REINSTATEMENT)
MCCREARY HOMES, INC – STEVE MCCREARY
REUNION HOMES – GRANT LANGDON (CO. CHANGES EXAMINEE & PRIMARY EXAMINEE)

Building Contractor D-1 (Fences)

AJI FENCE LTD. – DENNIS JASPER

Building Contractor D-1 (Roofing)

DIVINE ROOFING, INC – MICHAEL MOORE
LEGACY CUSTOMS – DEREK MURPHY (ADDITIONAL LICENSE)
RHINO INDUSTRIES INC. – MICHAEL HOFFMAN (EXAMINEE CHANGES CO.)
TRINITY ROOFING – JASON STARR (CO. CHANGES EXAMINEE & PRIMARY EXAMINEE)
TRINITY ROOFING – ERIC WHITE (SECONDARY EXAMINEE)
TWIN PEAKS ROOFING, LLC – ANDREW ROUX (CO. CHANGES EXAMINEE)

Building Contractor D-1 (Siding)

BORDNER INSTALLATION GROUP INC – JEREMIAH FLEENER (ADDITIONAL LICENSE)

Building Contractor D-1 (Stucco)

BORDNER INSTALLATION GROUP INC – JEREMIAH FLEENER (ADDITIONAL LICENSE)

Building Contractor D-3B (Wrecking Limited)

MOUNTAIN AIR EXCAVATING – RICHARD FIGGIE

Building Contractor D-5A (Signs)

FUSION SIGN AND DESIGN – LOREN HANSON (REINSTATEMENT & CO. CHANGES EXAMINEE)
ROYAL SIGNS, INC – BRADFORD CAMP (REINSTATEMENT)

Building Contractor F-1 (Solar)

CASCADE SOLAR USA – BRYAN CONNER

LIBERTAS SOLAR AND ELECTRIC LLC – BRENT NUNAMAKER (CO. CHANGES EXAMINEE)

A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Tom McDonald; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor C (Homebuilder)

STRONG HOME IMPROVEMENT – RONALD STRONG (APPEAL)*

Johnny Johnson stated Ronald Strong was granted a “D-1” (Siding) License during the September 5, 2012 Building Committee, and Mr. Strong appealed this decision to the Board of Review on October 17, 2012, where he presented new information. Mr. Welch stated the Board of Review returned Mr. Strong to the Building Committee for a recommendation due to the new information.

Ronald Strong appeared and stated he has an “A” rating with the Better Business Bureau and he has never had a complaint from a customer. He stated he does all of his own work; he does not subcontract any of the work on his projects. He stated he has built a number of additions, pole barns, patio covers, roofing, and concrete work. A motion was made by Johnny Johnson to recommend to the Board of Review approval of a “C” License, with the limitation of no new ground up construction, and limited to one permit at any one time for sunroom and patio additions only, unlimited below, seconded by Richard Gillit; the motion failed 2:4. John Clarke, Vince Colarelli, Tom McDonald, and Chad Holladay opposed; therefore the motion **FAILED**. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of a “C” license, unlimited below, with the limitation of one permit at any one time, and Mr. Strong must reappear before the Building Committee to have the restriction removed, seconded by Richard Gillit; the motion carried 4:2. Chad Holladay and Vince Colarelli opposed.

Building Contractor D-1 (Roofing)

A-TOP ROOFING – DAVID DADD*

No one appeared. A motion was made by Richard Gillit to **TABLE** this license request until the end of the Agenda, seconded by Chad Holladay; the motion carried unanimously.

RIDGELINE ROOFING & CONSULTING – MICHAEL SANDOVAL*

Michael Sandoval appeared and stated he has been in the roofing business since 1995. 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 at any one time, until completed, at which time he can work with RBD staff to have the restriction removed, seconded by Johnny Johnson; the motion carried unanimously.

* Appearance required at the Building Committee meeting.

4. CONSENT CALENDAR

- a) 4426 Slide Circle, Permit I01560 – Grant Gulya, homeowner, requests a variance to Section RBC303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’5” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.
- b) 2140 Rusty Hinge Drive, Permit I26820 – Svetlana Smith, homeowner, requests a variance to Section R310.1, 2009 International Residential Code, to allow a 47½” windowsill height in existing conditions where a maximum of 44” is allowed.
- c) 5341 Pinon Valley Road, Permit I46962 – Peak Basement Systems requests a variance to allow the FSI Push Pier Foundation System to be installed as an alternate method of construction per Section RBC104.7, 2011 Pikes Peak Regional Building Code, where prohibited, with the stipulation that shop drawings approved by a Colorado engineer are approved by RBD for this address.
- d) 3179 East Oak Creek Drive, Permit I48476 - Peak Basement Systems requests a variance to allow the FSI Push Pier Foundation System to be installed as an alternate method of construction per Section RBC104.7, 2011 Pikes Peak Regional Building Code, where prohibited, with the stipulation that shop drawings approved by a Colorado engineer are approved by RBD for this address.
- e) 1202 West Kiowa Street, Permit I50136 – Peak Basement Systems requests a variance to allow the FSI Push Pier Foundation System to be installed as an alternate method of construction per Section RBC104.7, 2011 Pikes Peak Regional Building Code, where prohibited, with the stipulation that shop drawings approved by a Colorado engineer are approved by RBD for this address.

- f) 25 Briarcrest Place, Permit I50104 - Peak Basement Systems requests a variance to allow the FSI Push Pier Foundation System to be installed as an alternate method of construction per Section RBC104.7, 2011 Pikes Peak Regional Building Code, where prohibited, with the stipulation that shop drawings approved by a Colorado engineer are approved by RBD for this address.
- g) 620 Manitou Boulevard – Permit I50790 – Peak Basement Systems requests a variance to allow the FSI Push Pier Foundation System to be installed as an alternate method of construction per Section RBC104.7, 2011 Pikes Peak Regional Building Code, where prohibited, with the stipulation that shop drawings approved by a Colorado engineer are approved by RBD for this address.
- h) 6208 Elk Bench Trail, Permit I45771 – Chris Harper, Everlasting Victorians, requests a variance to Section RBC 303.4.8, Exception 3, 2011 Pikes Peak Regional Building Code, to allow a soffit height of 6’5” under furred-down beams, pipes and ducts where a minimum of 6’8” is required.
- i) 1016 Drury Lane, Permit I51250 – Ron Davis, Davis Construction, requests a variance to Section RBC 303.4.8, 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. 111 Crystal Park Road – Ryan Lloyd, Echo Architecture, requests a variance to Section 903.2.8, 2009 International Building Code, to waive installation of a fire sprinkler system, where required.

Ryan Lloyd appeared and stated he appeared before this Committee one month ago and the Committee postponed a decision on this variance until he was able to obtain approval by the Manitou Springs Fire Department, and they now have tentative approval based upon the tenant’s approval, which they have also received. He stated there is one door and multiple egress windows in the basement, for egress purposes. He stated there is also a two hour fire separation in the lid. Mr. Lloyd stated since the area has increased, the potential occupancy load has increased, although the actual occupancy has not changed. A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the variance request, with the stipulation that a two hour fire barrier be installed, and the plans be approved by the

Manitou Fire Department prior to getting the building permit, seconded by John Clarke; the motion carried unanimously.

6. 605 Highway 105 and 2810 Roberts Drive – Lynn Spear, Spear Builders, Inc., requests a variance to Section 302.4.42, 2011 Pikes Peak Regional Building Code, and Section 1809.5, 2009 International Building Code, to allow for a thickened edge foundation 12” below grade where 30” is required.

Lynn Spear appeared and stated this is a self-storage facility and there are nine buildings. He stated it is light weight metal construction built on very hard sandstone. He stated the building will not be heated or plumbed, and only three of the nine buildings will have electricity. A motion was made by John Clarke to recommend to the Board of Review **APPROVAL** of the variance request based on the engineer’s report, seconded by Johnny Johnson; the motion carried unanimously.

7. 4475 Cavendish Drive, Permit I45774 – Chris Harper, Everlasting Victorians, 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”.

No one appeared. A motion was made by Johnny Johnson to **TABLE** this this Item until the end of the meeting, seconded by John Clarke; the motion carried unanimously.

This Item was heard out of order after Item 12.

8. 17 East Jefferson Street – Charlie Paterson, Charlie Paterson Construction, requests variances to:

- a) Section R311.7.7.1, 2009 International Residential Code, to allow a handrail to be located 30½” above the nose of the treads where it is required to be installed between 34” to 38” above the nose of the treads.

Charlie Paterson appeared and stated this handrail is located above the stairs going up to the front porch of this historical house and they would like to match the existing guardrail on the porch. A motion was made by Tom McDonald to recommend to the Board of Review **APPROVAL** of the variance request based on the fact that it is a historical building and the height from the ground is under 30”, seconded by Chad Holladay; the motion carried unanimously.

- b) Section R311.7.7.3, 2009 International Residential Code, to allow a ¾” handrail grip size where a 2¼” maximum is allowed.

Mr. Paterson stated this is the same railing as noted in 8a above, and again they are trying to maintain the appearance of the guardrail on the porch. A motion was made by Johnny Johnson to recommend to the Board of Review denial of the variance request because there appears to be other options available, seconded by Richard Gillit; the motion failed 2:4. John Clarke, Tom McDonald, Chad Holladay, and Vince Colarelli opposed; therefore, the motion **FAILED**. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the variance request because this is a historical building, with the stipulation that the homeowner submits a letter approving the variance to RBD, seconded by Tom McDonald; the motion carried 4:2. Johnny Johnson and Richard Gillit opposed.

9. 4790 Bunchberry Lane, Permit H80650 – William Parrish, homeowner, requests a variance to Section R905.2.2, 2003 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12.

William Parrish appeared and stated this is a patio cover and when he reroofed his house he decided to build a larger patio cover. He stated he reroofed both the house and the patio cover at the same time, and he did the work himself. A motion was made by Chad Holladay to recommend to the Board of Review **APPROVAL** of the variance request because the homeowner did the work himself, seconded by Tom McDonald; the motion carried unanimously.

10. 7578 Dry Creek Lane, Permit I46337 – Austin Brown, A & B Construction, requests a variance to Section R311.7.2, 2009 International Residential Code, to allow a 5'1" head height above the stairs where a minimum of 6'8" is required.

Austin Brown appeared and stated this house was built in 1995, and this stairway goes into a storage area over the garage. The homeowner stated he has been using a ladder to get into this storage area, which has been very cumbersome. He stated he is 5'6" and it will not be difficult for him to lean over slightly to get through this area. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request because the homeowner approves the current construction, seconded by John Clarke; the motion carried 4:3. Tom McDonald, Chad Holladay and Johnny Johnson opposed.

11. 6340 Cornwallis Court, Permit I20606 – Timothy and Deborah Nevin, homeowners, request a variance to Section R312.2, 2009 International Residential Code, to allow a fixed seat adjacent to a 36" guardrail, where prohibited.

Roger Lovell stated this Item has been **WITHDRAWN**.

12. Kevin Heidenreich, Mountain Home Builders, Inc., requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a B-2 License.

Kevin Heidenreich appeared and stated he had a “B-1” and “C” License in El Paso County for quite some time, but he let it expire because it was too expensive to maintain his insurance when he was living in Grand Junction at that time. He stated he pulled 33 permits in a ten year period and he never had any complaints. A motion was made by Chad Holladay to recommend to the Board of Review **DENIAL** of the variance request because Mr. Heidenreich has not performed work in El Paso County during a time that two Code revisions have taken place, seconded by Johnny Johnson; the motion carried unanimously.

The following Item was heard out of order.

7. 4475 Cavendish Drive, Permit I45774 – Chris Harper, Everlasting Victorians, 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”.

Chris Harper appeared and stated this house was built in the late 1980’s or early 1990’s, and existing conditions do not allow for a Code compliant soffit height. A motion was made by Richard Gillit to recommend to the Board of Review **APPROVAL** of the variance request based on pre-existing conditions, seconded by John Clarke; the motion carried unanimously.

13. **UNFINISHED BUSINESS**

- a) Presentation by Colorado Springs Fire Department Regarding “How New Criteria Will be Administered.”

Kris Cooper appeared and gave a presentation regarding “How New Criteria Will be Administered” by the Colorado Springs Fire Department. He stated this program has become a national model and has been very successful.

14. **NEW BUSINESS**

- a) New License Category Which Limits Ground-up Construction.

Pattie Bengler appeared and gave a presentation regard potential new license categories which limit ground-up construction.

- b) Tabled Items

A motion was made by Chad Holladay to **POSTPONE** the tabled items until the December 5, 2012 Building Committee meeting, seconded by Johnny Johnson; the motion carried unanimously.

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The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY/lhg