

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **TECHNICAL COMMITTEE MINUTES**

August 1, 2018

9:00 a.m.

**MEMBERS PRESENT:** Chairman Chris Richardson, Building Contractor A or B  
Larry Bobo, Electrical Contractor  
Steve Horner, Structural Engineer  
Michael Finkbiner, Building Contractor D  
Micah Langness, Master Plumber  
Dan Rial, Mechanical Contractor  
Swagata Guha, Architect

**MEMBERS ABSENT:**

**OTHERS PRESENT:** 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  
Matt Matzen, Permit Supervisor  
Linda Gardner, Executive Administrative Assistant

**PROCEEDINGS:**

Chairman Chris Richardson called the meeting to order at 9:01 a.m.

1. **CONSIDERATION OF THE JULY 3, 2018 TECHNICAL COMMITTEE MINUTES**

A motion was made by Swagata Guha to **APPROVE** the July 3, 2018 Technical Committee Minutes as written, seconded by Larry Bobo; the motion carried unanimously.

2. **CONSENT CALENDAR**

There were no Consent Calendar Variance Requests.

**VARIANCE REQUESTS**

3. 8701 Wolf Valley Drive, Permit L06422 – Carson Shields, Architect, requests a variance to Section 1011.11, 2015 International Building Code, to omit handrails, where required.

*Steve Horner recused himself from this item.*

Carson Shields appeared and stated this project was an elementary school and the handrails in question were in a gymnasium that had risers for seating across one end of the gymnasium.

He stated they believe the handrails would not be needed and would impede traffic. He stated they believe the handrails would not be needed and would impede traffic. He stated there were three risers, that were 6" each in height. Jay Eenhuis stated RBD staff does not take exception to this variance request. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

4. 11 North Circle Drive, Permit L54672 – Buck Davis, James Company Enterprises, Ltd., requests a variance to Section 1208.2, 2009 International Building Code, to allow a 7'4" finished ceiling height, where 7'6" was required by Code.

Buck Davis appeared and stated this project was a retail shop, which had a remodel of a portion of the space that was initially commenced three years ago, and put on hold, and he was now completing the remodel. He stated there were HVAC ducts that did not allow for a Code compliant ceiling height. He stated this issue was in the breakroom for this business. Mr. Davis stated the remainder of the building was Code compliant. He stated there were gaps between the HVAC ducts to install light fixtures, so the fixtures would be flush with the ceiling. He stated the room was 12' x 12'. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request for one side of the beam (beam to the south wall), but the ceiling must be 7'6" in front of the beam, seconded by Michael Finkbiner; the motion carried unanimously.

5. 555 Middle Creek Parkway, Suite 120, Permit L41904 – Oscar Valdez, The Centurion Group, Inc., requests a variance to Section 604.3.2, ICC/ANSI A117.1-2003, to allow a drain line to be located within toilet compartment, where prohibited.

David Valdez appeared and stated this was a remodel of an office space, and they were installing a sink in a bathroom. He stated there was a mechanical shaft in the way of the drain, so they have to move the drain. He stated to move the drain, they have to impede into the handicapped compartment. Mr. Valdez stated there would be a steel box with tile around the drain pipe in the handicapped compartment, which was 7" x 12". A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Swagata Guha; the motion carried unanimously.

6. 4206, 4210, 4214, 4218, 4222, 4226, 4230, 4234, 4238, 4242, 4246, 4250, 4254, 4258, 4262, 4266, 4270, 4274, 4278, and 4284 Charleston Drive - James Powers, Power Square Design & Architecture, requests a variance to Section R320, 2015 International Residential Code, and Section RBC303.4.27, 2017 Pikes Peak Regional Building Code, to allow two (2) townhouse buildings to be rebuilt without meeting minimum accessibility requirements.

James Powers appeared and stated this project was a fire restoration of two townhome buildings. He stated the current accessibility code had requirements of 12 accessibility points. He stated there were two buildings, with a total of 20 units involved. Mr. Powers stated every unit had steps going to the unit from the sidewalk. He stated each unit was a little different because they jog in and out. He stated they were trying to build on the existing foundations, with a few adjustments. Mr. Powers stated the walls between the units were 2-hour rated walls, and that was not the case with the previous units. He stated they were trying to bring everything up to current Code, but accessibility was still an issue. He stated with 20 units they were required to have 12 points for accessibility. Mr. Powers stated the units were 13' wide, and two-story units with basements. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to the fact that they were replacing the townhome units on existing foundations, and making them accessible was nearly impossible, seconded by Swagata Guha; the motion carried unanimously.

7. 322 Juanita Street – Lance Vollrath, business/property owner, requests a variance to Table 1004.1.2, 2009 International Building Code, to allow an occupant load of 15, in lieu of 31 required per Code to allow one restroom.

No one appeared. A motion was made by Dan Rial to **TABLE** this item until the end of the meeting; seconded by Larry Bobo; the motion carried unanimously.

*Micah Langness recused himself from Item 8.*

8. 2007, 2021, and 2035 Corker View; 2010, 2011, 2024, 2025, 2038, and 2039 Alperton Heights; 2001, 2002, 2011, 2012, 2021, and 2022 Blinding Point; 2004, 2013, 2014, 2023, and 2024 Rozzer View; 2005, 2006, 2015, and 2016 Paddy Grove; 2007, 2008, 2017, and 2018 Fulwell View; and 2009, 2010, 2019, and 2020 Gaffer Point – Jim Byers, Challenger Communities, requests a variance to Section R302.1, 2009 International Residential Code, to allow special fire-protected 10" roof overhangs to be constructed for exterior sidewalls located 1'0" from the property line, where prohibited.

Jim Byers appeared and stated this was a 3½ acre site with a high density population. He stated there was 10' of separation between each unit. He stated there was a 12" overhang on each structure, and no openings on that side of the structure. Lori Rhodes, Challenger Homes, appeared and stated the fire rating was a UL263 design, which was a 1-hour rated wall and protected eave overhang. She stated there was also a gas meter on the 9' side of the lot line. She stated there were utility and homeowner easements for repairs and maintenance. Ms. Rhodes stated the entire wall on the 1' side was fire rated. Mr. Byers stated the property owner on the 1' side had a 5' access easement between properties for maintenance. He stated the buildings were not centered on the lots to allow for patios. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request,

conditional upon the development plan being modified to show a no build easement between units, and noted on the site plan for each unit as well, seconded by Steve Horner; the motion carried unanimously.

9. 18 North 12<sup>th</sup> Street – Brian Rief, Independent Construction & Remodeling, requests variances to:

- a) Section R305.1, 2009 International Residential Code, to allow a ceiling height of 6’7” where a minimum of 7’0” was required.

Brian Rief appeared and stated this project was a basement finish in a home originally built in the 1940’s or 1950’s; and due to pre-existing conditions, he was not able to obtain a Code compliant ceiling height. He stated it was a small house, and the homeowners were planning to use the space for a recreation room, bathroom, storage, and a utility room.

- b) Section R311.7.2, 2009 International Residential Code, to allow a 6’5” head height above the stairs where a minimum of 6’8” was required.

Mr. Rief stated they have improved upon the pre-existing conditions with the head height over the stairs, but could still only achieve a 6’5” head height above the stairs.

- c) 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 was required to be a minimum of 6’8”.

Mr. Rief stated the soffit issue was under the stairs, and was due to a gas line that was creating the issue. John Welton stated this issue was acceptable in the 2017 Pikes Peak Regional Building Code.

A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of Items 9a, b, and c due to pre-existing non-conforming conditions, seconded by Michael Finkbiner; the motion carried unanimously.

10. 2327 Cooper Avenue, Permit K83578 – Clement Mendoza, GM Construction, requests a variance to Section R905.2.2, 2009 International Residential Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12.

Clement Mendoza stated his employee measured the slope of the roof inaccurately. He stated this roof structure was over an enclosed patio area. Michael Finkbiner stated a variance was granted in 1991 on this structure, but there were no records available for that variance. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, because it was not an enclosed structure, seconded by Swagata Guha; the motion carried unanimously.

- 10.b. 950 Academy Park Loop – Joe Curro, Colorado Springs Police Department, requests a variance to ASCE-7-05, Section 13.1.4, Exemption 2, as referenced in the 2009 International Building Code, to allow Exemption #2 to apply to Seismic Design Category (SDC) C, where only SDC B was allowed.

Scott Whittington, Colorado Springs Police Department (CSPD), appeared and stated they were building a substation in Sand Creek for the CSPD. He stated due to the size of the building and the soils condition, there were some seismic conditions in this building site. He stated there was less than one-half of 1% chance of any seismic event occurring. Commander Whittington stated if anything happens to any of the CSPD buildings, they have back-up plans in place with regard to moving their facilities to another location for continuity of operations (COOP). He stated most of the occupants were only in the building for a short time in the morning.

Chris Stumm appeared and stated the soils conditions were creating this issue for this particular building. He stated there was no definition in the Code for a police station vs. a police substation, which were different in operation. He stated the building was classified as an Occupancy Category IV structure, which would be a police station. Jay Eenhuis stated RBD does not set the site class nor the occupancy type; that was set by the engineer and architect of record; RBD simply reviews and approves when in agreement. He stated RBD staff takes exception to this variance request, as it is the result of engineering calculation, and there is nothing in the Code that would allow it to be revised. Mr. Stumm stated if a seismic event occurred, the detainees could be moved to another facility. He stated even if there was a total building failure due to a seismic event, every aspect of the operations in the building would continue to take place in a different location.

Steve Horner stated it appears that the building was classified correctly for the SDC as a Category IV. He stated this would be the newest building that was built to the latest Code requirements, and if there was a seismic event that caused damage to this structure, it would be a great concern because this building should be the most structurally sound of all of the CSPD structures. Mr. Stumm stated he had requested a second opinion from another soils engineer, and the result was the same as with the first engineering report. Jay Eenhuis stated other structures in this same area have been built to both Site Classes C and D.

A motion was made by Steve Horner to recommend to the Board of Review **DENIAL** of the variance request, seconded by Swagata Guha; the motion carried 4:2. Michael Finkbiner and Dan Rial opposed.

## 11. UNFINISHED BUSINESS

### a) Consent Calendar Variances

- A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of this Consent Variance noted below, seconded by Larry Bobo; the motion carried unanimously.

... requests a variance to Section R905.2.2, 2015 International Residential Code, to allow asphalt strip shingles to be installed on a roof slope less than 2 units vertical in 12 units horizontal (2:12) where prohibited.

The following stipulations have been satisfied and/or documentation included:

- The roof slope is not less than 1 unit vertical in 12 units horizontal (1:12).
  - The area below the roof is unenclosed and not considered habitable space.
  - Fully adhered ice and water shield was installed as the underlayment, per R905.1.2.
  - The contractor assumes liability of the manufacturer's warranty, as demonstrated by signed letter on company letterhead (included with variance application).
  - Property Owner acknowledges they are aware of the potential warranty and code issues, as demonstrated by notarized letter (included with variance application).
- A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the Consent Variance noted below, seconded Swagata Guha; the motion carried unanimously.
- ... requests a variance to Section 410.3, 2015 International Plumbing Code, to allow a single drinking fountain with bottle filling station where two drinking fountains (high/low) are required.
- Applies to bottle filling stations only, other alternatives would be heard individually.

- A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the Consent Variance noted below, seconded by Micah Langness; the motion carried unanimously.

... requests a variance to Section G2407.7.3, 2015 International Residential Code, to allow a basement finish to obtain combustion air as prescribed in the 2011 Pikes Peak Regional Building Code (PPRBC), Section RBC305.4.2, in a home that was originally permitted to a code preceding in the 2017 PPRBC.

- Applies when calculations show that indoor combustion air is insufficient, thus requiring additional outside air. New penetrations through the existing thermal envelope are eliminated based on this variance.

## 12. NEW BUSINESS

### a) Tabled Items.

A motion was made Michael Finkbiner to **POSTPONE** the tabled items for 30 days, seconded by Micah Langness; the motion carried unanimously.

- b) Dan Rial stated he was replacing a number of roof top units due to hail damage, and many of the units do not have economizers. He stated many of the insurance companies were not paying for the additional \$500 to \$700 for economizers. John Welton stated if the permit was pulled under the new Code, than the threshold moves to 4½ tons so the economizer would be required. He stated if plans were submitted prior to December 1<sup>st</sup>, the owner and contractor could elect to pull the permit under the old Code or the new Code. He stated some insurance companies carry Code update insurance, which may take care of this issue. Jay Eenhuis stated repairs of existing units in place would fall under the repair section of the Code, but when you start doing a full replacement with new equipment, that would fall more in line with Alteration Level 1 because you would not be affecting over 50% of the square footage per floor, and there were provisions in the mechanical section of Level 1 Alterations that have some “outs” as well to give you some leniency.
- c) RBD staff presented each of the Technical Committee members with a complete set of the new Code books.

Pikes Peak Regional Building Department  
Technical Committee Meeting Minutes  
August 1, 2018  
Page 8

The meeting adjourned at 10:56 a.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official  
RNL/lfg