

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

June 5, 2019

9:00 a.m.

MEMBERS PRESENT: Vice Chairman Steve Horner, Structural Engineer
Swagata Guha, Architect
Micah Langness, Master Plumber
Dan Rial, Mechanical Contractor
Dale Ryba, Electrical Contractor
Matt Scheffe, Building Contractor D

MEMBERS ABSENT: Chairman Chris Richardson, Building Contractor A or B

OTHERS PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Counsel
Jay Eenhuis, Deputy Building Official – Plans
John Welton, Deputy Building Official – Inspections
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chairman Steve Horner called the meeting to order at 9:00 a.m.

1. **CONSIDERATION OF THE MAY 1, 2019 TECHNICAL COMMITTEE MINUTES**

A motion was made by Swagata Guha to **APPROVE** the May 1, 2019 Technical Committee Minutes as written, seconded by Micah Langness; the motion carried unanimously.

2. **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) 245 Peck Court, Permit L98484 – Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- b) 7245 Loveland Avenue, Permit L64532 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.

- c) 721 Squire Street, Permit L90084 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- d) 7430 Caballero Avenue, Permit L90086 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- e) 76 Landoe Lane, Permit L90083 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- f) 3645 Hickory Hill Drive, Permit L83955 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- g) 405 Chatfield Drive, Permit L90085 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- h) 2902 Villa Loma Drive, Permit L77351 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- i) 6875 Woodstock Street, Permit L63314 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- j) 7215 Loveland Avenue, Permit L68684 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- k) 7150 Whiteface Court, Permit L64531 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.
- l) 215 Lanfare Place, Permit L72702 - Mountain States Home Improvement requests a variance to Section R908.3, 2015 International Residential Code, to allow existing layer of felt to remain where prohibited by Code.

John Welton stated RBD staff has received confirmation from CSFD that it takes no exception to the variances on the Technical Committee Agenda today.

A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the Consent Variance Requests, seconded by Micah Langness; the motion carried unanimously.

3. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

VARIANCE REQUESTS

4. 535 Hidden Valley Road, Permit M27459 – Patricia Olson, homeowner, requests a variance to Section R310.2.1, 2015 International Residential Code, to allow an emergency escape and rescue opening with a net clear opening of 4.64 square feet where 5.7 square feet is required due to net clear opening height of 20-1/4" where 24" minimum is required.

Richard and Patricia Olson appeared, and Mr. Olson stated the subject windows are double hung windows and presented a video which demonstrated the operation of the window. He stated the window is built for ease of cleaning as well as egress purposes. Jay Eenhuis said Code states that the windows should be operational without special knowledge or special tools. He stated Plan Review approved a 2'x 4' casement window. He stated it is RBD staff's opinion that this is a life safety issue. Mr. Olson stated this area was one large room which had been divided into two bedrooms. Mr. Eenhuis stated not only is egress an issue, but the ability for the Fire Department to get into the room in the event of a fire, is also an issue. Mr. Olson stated the window can easily be lifted up by a 4-year old, as well as an older individual.

Dan Rial stated he does not have an issue with the variance request as it appears the window is easy to open. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of this variance request because this window opening was Code compliant in formerly adopted editions of the Code; and the homeowners are living in the home, and have acknowledged that they will train the children occupying the room to operate the windows, seconded by Matt Scheffe; the motion carried unanimously.

5. 755 West Citadel Drive, Plan C115155 – David Budrow Architects requests a variance to Section 1004.1.2, 2015 International Building Code, to allow the actual occupant load to be used for plumbing fixture count design, where a calculated occupant load per Table 1004.1.2 is required. (Note: This request is not applicable to means of egress design).

David Budrow appeared and stated this structure is a charter school, and they are seeking a variance for reduction of the number of plumbing fixtures in the school. He stated they are requesting that the number of plumbing fixtures required be more accurately reflected by the number of actual occupants that will be in the school. He stated they anticipate that there will be approximately 647 occupants at any one time. Mr. Budrow stated the school is currently under construction and will be occupied in mid-August. He stated they are

requesting a reduction of approximately 40% less plumbing fixtures than that required by Code.

Jay Eenhuis stated the plumbing and electrical plan reviews for schools are performed by the State, but RBD performs the building and mechanical plan reviews, and the design occupant load comes from the Building Code. Mr. Budrow stated the square footage of the building assumes there will be 2,132 occupants, and the actual occupant load will be 647 occupants. Jessica Lopez, Coperni 3, LLC, stated the school was set up through the Charter School Institute, so the school is publicly funded, which mandates the number of students in the school for funding purposes.

Mr. Eenhuis stated the plan was approved for 1,773 occupants when it went through Plan Review. He stated Code requires one fixture for every 50 occupants. Mr. Budrow stated installing the Code required number of plumbing fixtures would be a large expense for something that is not needed by the school. Steve Horner stated the occupancy load for schools is based on an "E" classification. Mr. Budrow stated this project is a renovation of a leased space. Dale Ryba stated he believes this issue should be reviewed by the State of Colorado as well. Mr. Eenhuis stated RBD can administratively approve a slight reduction in design occupant load, based on the exception in IBC Section 1004.2.1, but will only entertain a reduction of up to 10%. Swagata Guha stated she does not feel five water closets for the women in this school are sufficient; and Dale Ryba stated the believes the State of Colorado should review this issue as well as the Department.

A motion was made by Micah Langness to recommend to the Board of Review **DENIAL** of the variance request because the request is based on financial issues, which cannot be considered by the Technical Committee, seconded by Swagata Guha; the motion carried unanimously.

6. 7899 Lexington Drive, Plan C116627 – David Budrow Architects requests a variance to Section 1004.1.2, 2015 International Building Code, to allow the actual occupant load to be used for plumbing fixture count design, where a calculated occupant load per Table 1004.1.2 is required. (Note: This request is not applicable to means of egress design).

David Budrow appeared, and Kim McClelland, Executive Director for the school, appeared, and Mr. Budrow stated the total occupant load on two floors is approximately 2,100 occupants, based on the square footage of the school. He stated the actual occupant load is approximately 955 occupants for this school. Ms. McClelland stated the physical education classes are not held in this building; and the parent teacher conferences are done on a schedule so not all of the parents will be in the structure at the same time. She stated the Charter Application, which is submitted to Academy District 20, states the occupant numbers. She stated to change the application would require the submittal of a new charter application, which she stated, while possible, would not happen with this school. She stated currently one side of the building is occupied, which includes both the bottom and top levels of this structure. Ms. McClelland stated all of the restrooms are in the center of the building and they have both adult and student restrooms. She stated although they will

be occupying more square footage, and that square footage is primarily for the cafeteria and the library. She stated the Charter Application for Academy District 20 states the exact numbers given to the Committee today, which would be very difficult to revise. Mr. Budrow stated they are asking for a variance for three fixtures in each bathroom due to space limitations, which was submitted to RBD with the plan, and Mr. Eenhuis stated the plan was disapproved in the Plan Review Department. He stated the occupant load comes directly out of the International Building Code.

A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the following variance based upon the fact that the provided number of fixtures is within reason of that required: to allow an occupant load of 1,900 to be used for plumbing fixture count design, seconded by Matt Scheffe; the motion carried unanimously.

7. 201 East Las Animas Street, Suite 103, Permit L56715 – Sharon Allen, Tremmel Design Group, LLC, requests a variance to Section 1208.2.1, 2015 International Building Code to allow a furred ceiling height of 6’4”, where 7’0” is required in the second floor restroom.

Sharon Allen and Andy Inman appeared. Mr. Inman stated he is the property owner. Ms. Allen stated this is a Type 2, 4-story structure. She stated based on the occupant load, another restroom is required. She stated a pre-existing beam in the restroom is at 6’4”. John Welton stated Code will allow a 7’ furred ceiling height. Ms. Allen stated the beam steps up at the bathroom wall, and is only an issue in the bathroom. Mr. Inman stated the original beam height was at 6’2”, but he was only able gain an additional 2”. He stated he is the building owner, but will also be occupying this suite, and the public will not be utilizing this space. Mr. Welton stated RBD staff takes no exception with this variance request due to the location of the beam.

A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request, as it is a pre-existing non-conforming issue, conditional upon the application of contrasting paint color on the beam or signage outside the door to point out the low beam, seconded by Swagata Guha; the motion carried unanimously.

8. 7335 Village Meadows Drive, Permit L85959 – Turner Roofing, LLC requests a variance to Section R908.3, 2015 International Residential Code, to allow existing underlayment to remain under new roof covering materials where prohibited by Code.

Garett Gray and Levi Turner, Turner Roofing, LLC, appeared and Mr. Gray stated his crew failed to remove all of the underlayment prior to installing the new roofing materials. He stated there was a single layer of felt remaining on the roof prior to the installation of the new materials. John Welton stated RBD staff takes no exception to this variance request, with the submission of a letter from the homeowner authorizing and recognizing the non-Code compliance, a letter from the manufacturer stating that the manufacturer’s warranty will be maintained with the current construction, an extended labor warranty from the contractor, and clarification from the contractor that a true Tamko system was installed or was there a different felt manufacturer. Mr. Gray stated the felt used on this roof was

manufactured by Continental Materials. Mr. Welton stated RBD requires a separate warranty on letterhead from the roofing contractor. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the submission of a letter from the underlayment manufacturer, a notarized letter from the homeowner approving the current construction even though it is not Code compliant, and a labor warranty from Turner Roofing, LLC, to be submitted to RBD staff by June 17, 2019 for the Board of Review meeting, seconded by Micah Langness; the motion carried unanimously.

9. 6801 Chesterfield Street, Permit L90152 - Turner Roofing, LLC requests a variance to Section R908.3, 2015 International Residential Code, to allow existing underlayment to remain under new roof covering materials where prohibited by Code.

Garett Gray stated this is the same issue as noted in Item 8. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the submission of a letter from the underlayment manufacturer, a notarized letter from the homeowner approving the current construction even though it is not Code compliant, and a labor warranty from Turner Roofing, LLC, to be submitted to RBD staff by June 17, 2019 for the Board of Review meeting, seconded by Micah Langness; the motion carried unanimously.

10. 2934 Pinnacle Drive, Permit L78817 - Turner Roofing, LLC requests a variance to Section R908.3, 2015 International Residential Code, to allow existing underlayment to remain under new roof covering materials where prohibited by Code.

Mr. Gray stated this is the same issue as noted in Item 8. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the submission of a letter from the underlayment manufacturer, a notarized letter from the homeowner approving the current construction even though it is not Code compliant, and a labor warranty from Turner Roofing, LLC, to be submitted to RBD staff by June 17, 2019 for the Board of Review meeting, seconded by Micah Langness; the motion carried unanimously.

11. 2938 Pinnacle Drive, Permit L83676 - Turner Roofing, LLC requests a variance to Section R908.3, 2015 International Residential Code, to allow existing underlayment to remain under new roof covering materials where prohibited by Code.

Mr. Gray stated this is the same issue as noted in Item 8. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the submission of a letter from the underlayment manufacturer, a notarized letter from the homeowner approving the current construction even though it is not Code compliant, and a labor warranty from Turner Roofing, LLC, to be submitted to RBD staff by June 17, 2019 for the Board of Review meeting, seconded by Micah Langness; the motion carried unanimously.

12. 2942 Pinnacle Drive, Permit L83675 - Turner Roofing, LLC requests a variance to Section R908.3, 2015 International Residential Code, to allow existing underlayment to remain under new roof covering materials where prohibited by Code.

Mr. Gray stated this is the same issue as noted in Item 8. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, with the submission of a letter from the underlayment manufacturer, a notarized letter from the homeowner approving the current construction even though it is not Code compliant, and a labor warranty from Turner Roofing, LLC, to be submitted to RBD staff by June 17, 2019 for the Board of Review meeting, seconded by Micah Langness; the motion carried unanimously.

Break from 11:02 a.m. to 11:11 a.m.

13. 1405 Cheyenne Boulevard - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code. *This item was heard during the May 1, 2019 Technical Committee meeting. John Welton stated RBD staff would request a follow-up by Colorado Springs Fire Department (CSFD) on this variance due to the combustible materials sandwiched in between the other roof layers. Llana Tolbert stated she would like to **POSTPONE** this variance request until the June 5, 2019 Technical Committee meeting so CSFD has an opportunity to review this variance request.*

Llana Tolbert appeared. John Welton stated RBD staff has followed up with CSFD on this variance request, and CSFD and RBD staff both take no exception to this specific variance request. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request based on the fact that CSFD and RBD staff take no exception to this variance request, seconded by Swagata Guha; the motion carried unanimously.

14. 130 Salisbury Court - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.

Upon being questioned by RBD staff whether any of the remaining variance requests (this one included) were “repairs” in accordance with the Pikes Peak Regional Building Code definition of a “repair”, Llana Tolbert stated all of the remaining variances (this one included) on the Agenda today were complete reroofs, and were all originally torn off. Mr. Welton stated the current condition for each of the following variances was decking, felt, battens, and steel panels. Ms. Tolbert affirmed and stated there were a few that also have radiant barrier. Matt Scheffe stated after extensive review of the variance requests by this contractor, as such requests were included in today’s Agenda, removal of all materials to deck should be required, unless there is a separate roof system on the roof. He stated the Code requires that all materials are removed to deck. Mr. Welton stated that a repair is no more than 25% of the roof, and affirmed that Code requires that all materials are removed

to deck prior to installation of new materials. Ms. Tolbert stated the roofs on the Agenda today have not been completed, but the insurance claims have been processed. She stated all of the homeowners for Items 14 through 24 will have to go back to their insurance companies to revise their claims without the variance(s) approval(s).

A motion was made by Micah Langness to recommend to the Board of Review **DENIAL** of the variance request, as the Code is not being followed, seconded by Matt Scheffe; the motion carried unanimously.

Llana Tolbert left the meeting at 11:36 a.m. As a result, the Committee decided to administratively postpone the following remaining Items 15 through 24 until the July 3, 2019 Technical Committee meeting:

15. 225 Lowick Drive - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
16. 3104 Springridge Drive - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
17. 185 Thames Drive - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
18. 85 Briarcrest Place - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
19. 4845 Farthing Drive - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
20. 4860 Farthing Drive - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
21. 5045 Farthing Drive - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
22. 35 Mobray Court - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.

23. 765 Maroonglen Court - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
24. 120 Briarcrest Place - Llana Tolbert, Lianro Metal Roofs, Inc., requests a variance to Section R908.3, 2015 International Residential Code, to allow existing battens and underlayment to remain where prohibited by Code.
25. **UNFINISHED BUSINESS**

Jina Koulchitzka stated the Department's Legal Department has given the Committee members a one-page advisement concerning "conflict of interest."

26. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 11:40 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/llg

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