

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

March 4, 2020

9:00 a.m.

MEMBERS PRESENT: Chair Chris Richardson, Building Contractor A or B
Vice Chair Steve Horner, Structural Engineer
Dan Rial, Mechanical Contractor
Matt Scheffe, Building Contractor D
Dale Ryba, Electrical Contractor

MEMBERS ABSENT: Swagata Guha, Architect
Micah Langness, Master Plumber

OTHERS PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Counsel
Jay Eenhuis, Deputy Building Official – Plan Review
John Welton, Deputy Building Official – Inspections
Matt Matzen, Permit/Licensing Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Chris Richardson called the meeting to order at 9:00 a.m.

1. **CONSIDERATION OF THE FEBRUARY 5, 2020 TECHNICAL COMMITTEE MINUTES**

A motion was made by Steve Horner to **APPROVE** the February 5, 2020 Technical Committee Minutes as written, seconded by Matt Scheffe; 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.

There were no Consent Calendar Variance Requests.

3. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

VARIANCE REQUESTS

4. 2314 West Colorado Avenue, Plan C125489 – Adam Thesing, YOW Architects, requests a variance to Section 1012.5.1.1, 2015 International Existing Building Code, to allow use of the Fire Wall Alternative in a building that is not protected throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the 2015 IBC/IFC where protection throughout is required.

Adam Thesing appeared and stated this structure was built in the 1950's and it is being renovated for a brewery/restaurant ("brewery"). Historical data on the building has it listed as Type IIIA Construction with a 14' ceiling height and a roofline of 16' in the main space. Notwithstanding, YOW Architects does not think the building is a IIIA Type of Construction but instead either IIIB, IIB or VB construction type, resulting in the sum of the area ratios not working. The existing building is not sprinklered. He stated the brewery space will be sprinklered, as part of this renovation project, although the remaining tenant spaces on each side of the brewery will not be sprinklered; therefore, resulting in a partially sprinklered building. He stated the landlord does not want to sprinkler the entire building. Mr. Thesing stated his request is to downgrade a Fire Wall to a Fire Barrier. He stated there will be a 3-hour Fire Barrier between the tenants on each side of the brewery. He stated there is an addition on the other side of the back wall, which is built with load bearing masonry with a brick veneer, and it is listed in the historical documents that it has a 3-hour Fire Wall. Mr. Thesing stated there is an existing 3' to 4' wide plumbing chase that goes "up and down" next to the brewery space and then cuts into the space and out the back of the building. A Fire Wall would have to extend below that, which would mean digging up the slab and having to close that chase opening. Any existing penetrations through there would have to be rated. That chase is compounding the issue, as well as the existing beam crossing the brewery space. The back half of the building, because it is an addition, was poorly built with a wood framed roof.

Chip Taylor, CSFD, stated CSFD will allow the brewery to be sprinklered initially, but the remaining tenant spaces will have to be sprinklered in a timely manner; either when the tenants change or within a five-year timeframe, whichever occurs first. Jina Koulchitzka stated the Department does not have the ability to enforce a 5-year time limitation with regard to installation of a sprinkling system for the remaining tenants in this building.

Jay Eenhuis stated the building is listed as IIIA Type of Construction, and the tenants on both sides of the building are IIIA Type of Construction; pre-existing nonconforming. If the proposed work included bringing Building 2 space up to IIIA Type of Construction, doing so would bring it into compliance with a partially sprinklered building, because only that fire area would be required to have fire sprinklers. If future work occurs in the other spaces, the same process of complying with IIIA Type of Construction could be met, and the pre-existing nonconforming condition could be made to conform. Mr. Thesing stated he believes it would be cost prohibitive for the building owner to bring the space up to IIIA Type of Construction.

Mr. Eenhuis stated the Existing Building Code allows Fire Barriers in lieu of Fire Walls with the condition that the building is sprinklered throughout. He stated a Fire Wall would create separate buildings and just the center space could be sprinklered and still remain Code compliant. Mr. Taylor stated it is possible to have a partially sprinklered building if it meets the requirements of the Code for building area, which requires Fire Walls between tenants.

A motion was made by Steve Horner to recommend to the Board of Review **DENIAL** of the variance request due to the conditional approval by CSFD (which the Department cannot enforce) and potential life safety issues, seconded by Matt Scheffe; the motion carried unanimously.

5. 2768 North Gate Boulevard, Permit M27260 – Lisa Peterson, Hammers Construction, requests a variance to Section 306.5, 2015 International Mechanical Code, to allow the use of a portable ladder to access equipment and appliances on roofs where prohibited by Code.

Steve Horner recused himself from Item 5, and a quorum was maintained.

Lisa Peterson appeared and stated RBD inspectors have informed her that a permanent ladder is required in this structure to access mechanical rooftop units, and Jay Eenhuis stated Plan Review staff agrees with the inspection staff regarding this issue, although RBD staff takes no exception to this variance request. Ms. Peterson stated a 16' ladder would be required, because the climbing height is 13'7". She stated if a permanent ladder was installed, it would be in the office space. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request because it is only 13'7" to the top of the hatch from the 2nd floor level of access, seconded by Dale Ryba; the motion carried unanimously.

6. 557 East Pikes Peak Avenue, Permit M13254 – Julie Brooks, OGC Management LLC, requests a variance to Section 904.2.1, 2015 International Building Code, to allow "alternative automatic fire-extinguishing systems" to be considered for the purposes of exceptions or reductions allowed in the Code where prohibited.

Steve Horner recused himself from Item 6, and a quorum was maintained.

Julie Brooks appeared and stated this is a 28,000 to 30,000 square foot building that is slowly being renovated, which will house a data center with highly classified data. She stated they are required to have two fire suppression systems; she is requesting that the Sapphire Gas System be installed in the data center; and the remainder of the space be sprinklered. She stated she believes this is an "equally good or better form of construction," due to the fact that water is not compatible with technology. The proposed alternative automatic fire extinguishing system for the server rooms in the building will provide the equivalent protection and coverage of an automatic sprinkler system while not compromising the servers and the data in a fire event. Chip Taylor stated CSFD takes no

exception to this variance request, based on their response times to this building location and the hold times for the clean agent suppression system. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

7. 11735 Fort Worth Road, Permit M66839 – Julius Lester, homeowner, requests a variance to Section RBC303.4.13, 2017 Pikes Peak Regional Building Code, to allow a 27” minimum horizontal projection of two window wells where a 30” minimum is required per Code.

Julius Lester appeared and stated his house was built in 1998 and the Code at that time allowed 30” window wells. He stated his existing window wells are 27”. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request, due to existing nonconforming conditions, seconded by Matt Scheffe; the motion carried unanimously.

8. 6451 Stonefly Drive, Permit M67809 – Marlyn Echevarria, homeowner, requests a variance to Section G2435.1, 2015 International Residential Code, to allow a mantle to be installed at 16.5” above a vented gas fireplace where an 18” minimum clearance is required by the manufacturer’s installation instructions.

Marlyn Echevarria appeared and stated she built a fireplace in her home a year ago, and the mantle was installed 1½” too low. She stated the inspector did not indicate that the depth of the mantle was an issue, only the space between the fireplace and the bottom of the mantle. She stated she believes the mantle protrudes past the stone face of the hearth approximately 10”. John Welton stated the issue is the manufacturer’s installation instructions. He stated wood fireplaces have Code requirements about the mantle height, but gas fireplaces are based on the manufacturer’s installation instructions. He stated if prescriptive calculations were utilized as if this was a wood burning fireplace, we would be allowed 1/8th of an inch projection from the noncombustible face for every inch of clearance above the firebox. In this particular case, being 16½”, that would give 2 1/8” for the height of the required mantle, so it would be a projection of 2 1/8”. He stated based on the photograph of the potential reveal of the stepped mantle and what the projection from the lower stone would be 2½” to 3” and a representation by the applicant that the fireplace has an automatic shut-off, RBD staff takes no exception to this variance request. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to the apparent small projection and the prescriptive allowance of a fireplace mantle, seconded by Dan Rial; the motion carried unanimously.

9. 8160 Piute Road, Lot 154, Permit L59190 – 3G Construction requests a variance to Table R905.1.1(2), 2015 International Residential Code, to allow a single layer of underlayment on a roof pitch of 3½:12 where two layers of underlayment are required per Code.

No one appeared. A motion was made by Steve Horner to **CONTINUE** this variance request to the April 1, 2020 Technical Committee meeting, seconded by Dale Ryba; the motion carried unanimously.

10. 4040 Timber Lane, Permit M50134 – Anthony Kouri, Fixins Homes Services, LLC, requests a variance to Section R905.2.8.5, 2015 International Residential Code, to omit drip metal on eave and rakes where required per Code.

Chair Richardson stated this Item has been **CONTINUED** to the April 1, 2020 Technical Committee meeting at the applicant's request.

11. 19595 East Top O' The Moor Drive – Prior to plan submittal, Laura Curtin, homeowner, requests variances to:

These variance requests, as amended by the applicant, were continued from the February 5, 2020 Technical Committee meeting, so the applicant could redesign the stairs to get closer to Code compliance.

- a) Section R305.1, 2015 International Residential Code, to allow a ceiling height under stairs in garage to be 4' where a minimum of 6'8" is required by Code for non-habitable space;

Laura Curtin appeared and stated she was informed that she had to fur out the back wall of the winder staircase because there is a radon pipe in that wall. Therefore, she is unable to obtain a 5'2" ceiling height under the stairs in the garage. She stated she will be able to obtain a 4' ceiling height under the stairs in the garage. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request to allow a 4' clearance in a nook in the garage, where 6'8" is required per Code, seconded by Dale Ryba; the motion carried unanimously.

- b) Section R311.7.1, 2015 International Residential Code, to allow a stairway width of 31" in clear width where 36" is required by Code.

Ms. Curtin stated due to having to fur out the back wall in this winder staircase, she is only able to obtain a 31" width on three or four treads on this staircase. A motion was made by Steve Horner to recommend to the Board of Review **APPROVAL** of the variance request due to the semi-spiral stair nature of this structure, seconded by Matt Scheffe; the motion carried unanimously.

12. 895 Red Mesa Drive, Permit L83386 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.

Because variance request Item Nos. 12 – 18 (inclusive) are factually identical, with the exception of the property addresses, with consent from the applicant, a joint motion, applicable to Agenda Item Nos. 12 – 18 (inclusive), is summarized below.

13. 925 Red Mesa Drive, Permit L83388 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.
14. 355 Flynn Court, Permit L79199 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.
15. 4407 Millburn Drive, Permit L84764 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.
16. 613 Fountain Mesa Road, Permit L68878 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.
17. 811 Orion Drive, Permit L96135 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.
18. 1440 Brush Oak Drive, Permit L79229 – Calvin Turner Roofing requests a variance to Section R905.2.8.5, 2015 International Residential Code, to allow the underlayment along the rake edges to be installed over the drip edge where prohibited per Code.

Dan Comden, Calvin Turner Roofing, appeared and stated he does not believe his crews used starter strips up the rakes on the roofs of Item Nos. 12 - 18. Matt Scheffe stated he is concerned that a starter strip was not used on these roofs to seal the edges. Mr. Comden stated his employees used 2" x 2" drip metal with synthetic felt, and the felt is over the drip metal. He stated his company has offered an extended 5-year workmanship warranty for Item Nos. 12 – 18. Mr. Comden stated he is the salesman and safety inspector for Calvin Turner Roofing. Jina Koulchitzka stated if the Committee considers approval of the variance requests for Item Nos. 12 - 18, Mr. Comden will be required to produce written confirmation from the licensee that gives Mr. Comden authority to present these variance requests on behalf of Calvin Turner Roofing.

A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance requests for Item Nos. 12 – 18, based on the fact that there is 2" x 2" drip metal with synthetic felt over the drip edge on all roofs for the subject variances, seconded by Dale Ryba; the motion carried unanimously.

Ms. Koulchitzka stated RBD staff requires a notarized letter from Calvin Turner Roofing giving Mr. Comden authority to appear on behalf of Calvin Turner Roofing for the subject variances by March 13, 2020, in order for the variance requests to be considered by the Board of Review on March 18, 2020; in the alternative, they will be continued.

19. 1030 Hubbell Drive, Permit L74968 – Carrie Lujan, MECC Roofing, requests a variance to Section R905.2.8.5, 2015 International Residential Code, to omit drip edge installation where required per Code.

Charles Lujan appeared and stated this house has a drip edge in the fascia wrap and it protrudes one-half inch. If he were to install drip edge, it would leave a gap. He stated the homeowner is concerned about bees getting in that gap. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request in light of the installation method with synthetic felt and starter strip shingles, seconded by Dale Ryba; the motion carried unanimously.

- 19.b. 3113 Primrose Drive – Kenneth Gestes, Gestes Roofing, Inc., requests a variance to Section 1507.2.2, 2015 International Building Code, to allow asphalt strip shingles to be installed on a roof pitch less than 2:12, where prohibited per Code.

Kenneth Gestes appeared and stated this is a reroof of a church, which currently has asphalt shingles (about 10-year old roof with no current issues). He stated the church staff does not want modified rolled roofing installed on the roof because it can be seen from the road. He stated he is offering a 10-year extended warranty for materials and labor. He stated there are no penetrations in the roof. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request conditional upon a letter from the church staff acknowledging that they are aware that the manufacturer's materials warranty is void, seconded by Dan Rial; the motion carried unanimously. Jina Koulchitzka stated the letter from the church must be submitted to RBD staff no later than March 13, 2020, or the matter will be continued.

20. **UNFINISHED BUSINESS**

There was no unfinished business.

21. **NEW BUSINESS**

There was no new business.

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The meeting adjourned at 10:41 a.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Roger N. Lovell".

Roger N. Lovell
Regional Building Official
RNL/llg

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