

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BOARD OF REVIEW MINUTES

December 16, 2020

10:30 a.m.

MEMBERS PRESENT: Chair Jeffrey Finn, Citizen-At-Large
Vice Chair Darin Tiffany, Engineer
Vince Colarelli, Building A or B Contractor
Christine Riggs, Architect
Edward Pine, Building A, B or C Contractor

MEMBERS ABSENT:

RBD STAFF PRESENT: Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official – Plans
John Welton, Deputy Building Official – Inspections
Ryan Johanson, Director of Finance
Matt Matzen, Permit/Licensing Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Jeffrey Finn called the meeting to order at 10:41 a.m.

The Board of Review meeting was conducted virtually via a program called Microsoft Teams live events, which is accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>.

1. **CONSIDERATION OF THE NOVEMBER 18, 2020 BOARD OF REVIEW MINUTES**

A motion was made by Edward Pine to **APPROVE** the November 18, 2020 Board of Review Minutes as written, seconded by Vince Colarelli; the motion carried unanimously.

2. **CONSIDERATION OF TECHNICAL AND LICENSING COMMITTEES MINUTES**

a) Technical Committee Minutes of December 2, 2020.

Christine Riggs stated she would like to recuse herself from voting on Item 12 of the Technical Committee Minutes, as she is the architect on that project, and the applicant for the variance request. Vince Colarelli and Darin Tiffany also recused themselves from Item 12, as they are also involved in working on the project.

A motion was made by Vince Colarelli to **APPROVE** the December 2, 2020 Technical Committee Minutes as written, with the exception of Item 12, seconded by Edward Pine; the motion carried unanimously.

A motion was made by Edward Pine to **APPROVE** Item 12 of the Technical Committee Minutes, seconded by Jeff Finn; the motion carried unanimously with Board members Riggs, Colarelli and Tiffany recused.

b) Licensing Committee Minutes of December 10, 2020.

A motion was made by Christine Riggs to **APPROVE** the December 10, 2020 Licensing Committee Minutes as written, seconded by Vince Colarelli; the motion carried unanimously.

3. **DECISION APPEALS**

There were no Decision Appeals.

4. **UNFINISHED BUSINESS**

- a) Building Contractor C (Homebuilder), FLIP THE SPRINGS LLC – JOHN GIBBONS: The Licensing Committee’s recommendation of November 12, 2020 for APPROVAL of a Limited C License, with the condition of no ground-up construction, was postponed by the Board of Review for 30 days so Mr. Gibbons may produce all of the requested documentation to the Department.

Jina Koulchitzka stated the Board of Review postponed approval of the license request of John Gibbons, Flip the Springs LLC, and the recommendation of the Licensing Committee for 30 days (from the November 18, 2020 Board of Review meeting), so Mr. Gibbons could produce additional documentation specific to that certain Joint Venture Agreement to Department staff. Upon review of the Joint Venture Agreement, Department staff has determined that the Joint Venture Agreement, as drafted and entered into, and the projects consulted on for residential construction consulting and performed for construction work were not in accordance with the requirements of the Pikes Peak Regional Building Code, as adopted. Communications have been had with Mr. Gibbons. Mr. Gibbons responded as follows: “I do not have the work authorizations, and I believe it will be difficult for me to obtain these records as my relationship with the other contractor is not in good standing. I do not wish to appeal the decision made at the hearing. After speaking to John Welton [*sic*], I feel a lot better about provisional licenses.”

Ms. Koulchitzka advised the Board that an administrative provisional license was issued to Mr. Gibbons. Further, she stated the Department has transmitted a violation letter to Summerfield Construction, Inc., the contractor involved in the Joint Venture Agreement with Flip the Springs LLC, issuing administrative fines and requesting disclosure of records.

John Welton confirmed Mr. Gibbons was issued a provisional license for 60 days, with the limitation of one permit under that provisional license. A motion was made by Christine Riggs to **APPROVE** the recommendation of the Licensing Committee on

November 12, 2020, to grant John Gibbons, Flip the Springs LLC, a limited “C” License with the condition of no ground-up construction, seconded by Edward Pine; the motion carried unanimously.

5. NEW BUSINESS

Jina Koulchitzka and John Welton expressed the Department’s appreciation to the Board of Review members for their participation in the virtual board meetings this past year, which has enabled the Department to continue to move forward and operate at 100 percent capacity.

The meeting adjourned at 11:08 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/lfg

Accommodations for the hearing impaired can be made upon request with forty-eight (48) hours’ notice. Please call (719) 327-2989.

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