

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

October 5, 2022

9:00 a.m.

MEMBERS PRESENT: Chair Micah Langness, Master Plumber
Jason Leimkuhl, Mechanical Contractor
Michael Finkbiner, Building Contractor C or D
Thomas Lysne, Architect
Brian Braaten, Electrical Contractor
Andrew Baturevich, Structural Engineer

MEMBERS ABSENT: Philip Lasarre, Building A or B Contractor

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

PROCEEDINGS:

Chair Micah Langness called the meeting to order at 9:02 a.m.

The meeting was conducted in a hybrid form, allowing Committee members, Department staff, and the public to attend in person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Hearing Room on the Upper Level, or virtually via Microsoft Teams live events, as accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>.

Colorado Springs Fire Department ("CSFD") took no exception to the variance requests on the Agenda.

1. **CONSIDERATION OF THE SEPTEMBER 7, 2022 TECHNICAL COMMITTEE MINUTES**

A motion was made by Jason Leimkuhl to **APPROVE** the September 7, 2022 Technical Committee Minutes as written, seconded by Michael Finkbiner; 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) 1433 Castlecombe Lane, Permit N09867 – Mark Ladefoged, Olson Plumbing & Heating Co., requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to omit R10 slab insulation where required by Code.
- b) 7 El Encanto Drive, Permit N87213 – Marty Smythe, Olson Plumbing & Heating Co., requests a variance to Table R402.1.2, 2015 International Energy Conservation Code, to omit R10 slab insulation where required by Code.

A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the Consent Calendar variance requests, seconded by Brian Braaten; the motion carried unanimously.

3. ITEMS CALLED OFF CONSENT CALENDAR

VARIANCE REQUESTS

4. 11190 Hondo Avenue, Permit O28846 – Jordan Spear, Spear Construction and Design LLC, requests a variance to Section R311.7.5.1, 2015 International Residential Code, to allow an 8 ¼” stair riser, where 7 ¾” maximum stair riser is required by Code.

Jordan Spear appeared in person and stated this house is located in Green Mountain Falls, and due to pre-existing conditions, he is unable to obtain a Code compliant stair riser height. He stated if he would build the stairs to Code, he would have to add two additional treads, which would create landing and head height issues. Mr. Spear stated this homeowner contacted him to correct this issue after an unlicensed contractor did some work on her home including construction of a deck, and when the inspector “flagged” issues with the deck, she had these subject stairs inspected and discovered the riser issue at that time. Mr. Spear stated this staircase is identical to another staircase in another part of the home. He stated he started the variance process when he took the job as there was no way to correct the issue. He also added the handrail and the guardrail to the stairs. John Welton stated the inspection history reflects that this riser height is the only outstanding issue with this project. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Thomas Lysne; the motion carried unanimously.

5. 231 North 27th Street, Plan R166574 – John Buonforte, homeowner representative, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, to allow slab insulation to be omitted within proposed habitable space, where required by Code.

John Buonforte, project manager, and Benjamin Boyd, homeowner, appeared in person, and stated this is an existing detached garage that is being converted into a dwelling unit. Mr. Buonforte stated this garage was built in 2001 and there is crushed gravel around the outside perimeter of the garage. He stated it is his understanding that the existing slab could be damaged if they were to “dig up” around the perimeter slab. He stated there is R19 insulation in the walls, and R49 insulation in the ceiling.

Benjamin Boyd stated he plans to have the plumbing installed around the perimeter of the building. He stated if he were to add insulation to the top of the slab, it would create head height issues.

Upon questioning by John Welton, Mr. Buonforte stated the structure will have all of the elements for a separate dwelling unit. Mr. Welton stated according to the Department’s plan tracking, the project is reviewed as a “434”, which is a residential alternation; therefore, we do not have enumerations approved on this project. If it is a second dwelling, a different address or a suite number would have to be assigned. The other element, if this is a dwelling or proposed to be converted into a dwelling, then the requirements of the International Residential Code will require that it is on a frost protected foundation. This potentially could require a second variance, as a 12” monothetic slab would not be considered a frost protected foundation. Mr. Buonforte stated it was his understanding that this variance applied to both the insulation requirement as well as the frost protected foundation.

Mr. Welton suggested that Mr. Buonforte could table his variance request for 30 days to allow him time to meet with RBD staff to determine all applicable elements that may be required to pertain to future variance requests, or look at some compliance alternatives that the Code might allow. Mr. Buonforte requested that his variance request be tabled to the November 2, 2022 Technical Committee meeting, to allow him to meet with Department staff. Virginia Koulchitzka informed both Mr. Buonforte and Mr. Boyd that the considerations had thus far or continued convesations regarding variance(s) are not representations or guarantee that any variance request(s) will be approved by this Committee in the future. A motion was made by Jason Leimkuhl to **CONTINUE** this item until the November 2, 2022 Technical Committee Meeting based on review of the plans as submitted, seconded by Andrew Baturevich; the motion carried unanimously.

Michael Finkbiner suggested that Mr. Buonforte engage a design professional that specializes in insulating these spaces and see what they can come up with.

6. 3985 Pheasant Lane, Plan R167363 – Robert Engelke, homeowner, requests a variance to Section R403.1.4.1, 2015 International Residential Code, to allow an existing 6” slab as support of exterior patio cover posts, where frost protected foundations are required.

Robert Engelke appeared virtually and stated he is requesting a variance for the sidewalk on the south end of the building, which is 5’ wide, 6” thick, with 1’ of gravel under the sidewalk. He stated he built a cover over the top of the sidewalk, and there are no footings

under the sidewalk. He stated the Plan Review Department was concerned that the sidewalk would move, but it has been in place since 2019. Mr. Engelke stated he submitted an engineer's report with the variance application, which says the current construction is fine; the Department's Plan Review Department states it requires frost protection. He stated the building does have frost protection which is on the inside of the sidewalk. He stated his engineer informed him that if he were to add the frost protection at this point, it would destroy the integrity of the concrete. Andy Baturevich stated this letter appears to be an observation report, saying what is seen on site and at the time the slab had not heaved; it does not really address the variance request. It does not say that it is structurally acceptable.

Jay Eenhuis stated the plans for this project were submitted to RBD, and the construction plans examiner noted that there were a few posts that were not supported by frost protected foundations. There is an exception to the code that allows a point load from a post that is 750 lbs. or less, to be supported by slab on grade. The engineered plans for this structure do show deeper foundations at the large patio cover and the posts supported by slab are only on that short 7'6" wide section. Mr. Engelke stated the wider portion has piers under every post; the south side is sitting on slab because it was determined that it was less than 750 lbs. so he did not put piers on this section. He stated there are two beam lines; one against the house and one approximately 6' away from the house with posts supporting each of those beam lines. The applicant stated the cover is only attached to the house with flashing; and it is separate from the house, so if it did move it would not affect the house. Mr. Eenhuis stated his calculations indicate that 810 to 960 lbs. for the worst case reaction at the posts supported by slab. The applicant confirmed the slab is 6" thick. Mr. Eenhuis stated RBD staff takes no exception to the variance request because the structure is detached from the house.

A motion was made by Andrew Baturevich to recommend to the Board of Review **APPROVAL** of the variance request for the south side of the structure only where the posts sit on the slab, with the condition that an engineer's letter addressing the issues that the posts do not sit on a frost protected foundation and they are adequate to resist the wind loads be of record with the Department, seconded by Thomas Lysne; the motion carried unanimously. The engineer's letter must be submitted to RBD staff no later than October 12, 2022 for consideration of the variance request by the Board of Review on October 19, 2022.

7. **UNFINISHED BUSINESS**

There was no Unfinished Business.

8. **NEW BUSINESS**

There was no New Business.

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Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/lfg

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