

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

January 3, 2024 – Wednesday - 9:00 a.m.

MEMBERS PRESENT: Chair Micah Langness, Master Plumber
Vice Chair Phil LaSarre, Building Contractor A or B
Andy Baturevich, Structural Engineer
Tom Lysne, Architect
Mike Finkbiner, Building Contractor C or D1
Brian Braaten, Electrical Contractor
Jason Leimkuhl, Mechanical Contractor

RBD STAFF: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Regional Building Official – Plans
John Welton, Deputy Regional Building Official – Inspections
Gina LaCascia, Executive Administrative Assistant

PROCEEDINGS:

The meeting was conducted in a hybrid forum, 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 through Microsoft Teams live events. Sufficient and timely access to the public to observe the meeting was made available at: <https://www.pprbd.org/Information/Boards>.

The Colorado Springs Fire Department (CSFD) was not present. However, CSFD did advise that it did not take any exceptions to the variance requests as listed on the Agenda, based on provisions from the International Fire Code.

1. **CALL TO ORDER: DETERMINATION OF A QUORUM**

Chair Micah Langness called the Technical Committee meeting to order at 9:00 a.m.

2. **ELECTION OF OFFICERS**

A motion was made by Micah Langness to elect Jason Leimkuhl as the 2024 Chair of the Technical Committee. A second motion was made by Mike Finkbiner to elect Andy Baturevich as Chair of the Technical Committee. The motion made by Micah Langness, was seconded by Brian Braaten; the motion carried 4 – 3 for Jason Leimkuhl.

A motion was made by Micah Langness to elect Andy Baturevich as the 2024 Vice Chair of the Technical Committee; seconded by Mike Finkbiner; the motion carried unanimously.

Jason Leimkuhl, as the newly elected Chair of the Technical Committee, assumed his role for the duration of the meeting. Andy Baturevich, as the newly elected Vice Chair, also assumed his role for the duration of the meeting.

3. **CONSIDERATION OF THE DECEMBER 6, 2023 TECHNICAL COMMITTEE MINUTES**

A motion was made by Vice Chair Baturevich to **APPROVE** the December 6, 2023 Technical Committee Minutes, as written; seconded by Brian Braaten; the motion carried unanimously.

4. **CONSENT CALENDAR**

There were no Consent Calendar Variances.

5. **VARIANCE REQUESTS**

- a) 1009 Norwood Avenue, Colorado Springs, Permit O06124 – Troy Biggs, Cornerstone Contracting Company, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2017 Edition, as amended, to omit the prescriptive slab insulation within conditioned habitable space, where required.

*As continued from the Technical Committee meeting held December 6, 2023 as follows: A motion was made by Mike Finkbiner to recommend to the Board of Review a **CONTINUANCE** of the variance to allow the applicant to obtain the documentation needed to proceed accordingly; seconded by Jason Leimkuhl; the motion carried unanimously.*

(Documentation should include new heat loss calculations and an HVAC certification)

Troy Biggs appeared in person and stated that this is his second appearance for the same variance as the Technical Committee, on December 6, 2023, requested an updated heat loss calculation and HVAC certification, which he has provided.

John Welton provided confirmation for the Committee indicating that the updated calculations show R15 for the cavity of the walls; 0 for the slab; and R49 for the ceiling, passing the heat loss requirement by approximately 20 percent.

With regard to the HVAC Equipment Certification, Chair Leimkuhl asked the applicant to explain the electrical baseboard heating. Mr. Biggs stated there are three mini-splits, one in each bedroom and electric baseboard heating in the bathrooms and the main living areas. Mr. Welton indicated that the Department accepts the certification as is, however, since this variance request is for the slab insulation, it will need a reduction as part of the variance for R15 instead of R19.

A motion was made by Mike Finkbiner to recommend to the Board of Review, **APPROVAL** of the variance with the updated IECC that meets the heating requirements of R15 in the walls and no insulation at the slab; seconded by Micah Langness; the motion carried unanimously.

- b) 4668 Katahdin Way, Colorado Springs, Permit O95006 – Jose Amezcua, property owner, requests a variance to Table R402.1.3, 2021 International Energy Conservation Code, based on Item 3 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow reduction of prescriptive floor insulation within a conditioned habitable space, where a minimum of R-30 cavity insulation is required.

Jose Amezcua and his wife, Araceli Amezcua, appeared in person. Mrs. Amezcua stated that her husband, who is mostly Spanish speaking, is converting an area of their three-car tandem garage into a bedroom; however, the slab slopes and where he added wood flooring, he is not able to insulate with R30; the slope is about four inches at the deepest and about two inches at the shallow area. He was able to insulate some of the flooring with R30, but where the depth is not as deep, he insulated with R21 in order to make it fit into the floor space where it was shallow.

Chair Leimkuhl asked Department staff if there were any concerns with this project that appears to measure about 200 square feet. Mr. Welton advised the Committee that the Department does not have an updated heat loss calculation with regard to this project, and if this variance was approved to reduce the floor slab insulation, the applicant would need to meet with Plan Review to submit a new heat loss calculation. Mr. Welton shared the plans submitted with the Committee as they were not included in the variance request. The calculation on file that was completed at the time of plan review and permit issuance shows R30 for the floor insulation. Further, the inspections list R21 in the walls and since the floor/ceiling would have been insulated at the time of the original build of the home, this would not be in the scope of the variance.

Micah Langness commented that the applicant appears to have done his due diligence by installing a framed floor above the garage concrete flooring and insulating it accordingly. Chair Leimkuhl asked if there is going to be any plumbing or water pipes installed in the subject area to which the applicant said it will only be used as a bedroom with vented heat that will be controlled by a thermostat in the main house.

A motion was made by Micah Langness to recommend to the Board of Review, **APPROVAL** of the variance to allow floor insulation of R8 in lieu of R30 with the condition that the applicant submit a new heat loss calculation to Plan Review; seconded by Brian Braaten; the motion carried unanimously.

- c) 9277 Glitter Way, Colorado Springs, Permit P03224 – Mike Finkbiner, Robbins Roofing Specialists, Inc., requests a variance to Section R905.2.2, 2021 International Residential Code, based on Item 3 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow asphalt shingles to be installed on a roof pitch less than 2:12, where prohibited.

Mike Finkbiner recused himself from voting on this variance as he submitted the request. The remaining Committee members indicated they had no conflict of interest and agreed that they could hear the variance request and make a recommendation thereafter without bias and partiality. Virginia Koulchitzka advised Mr. Finkbiner to attend the Board of Review meeting on January 17, 2024 prepared to present this variance.

Mr. Finkbiner indicated the homeowner had an independent home inspection, and it was noted that the portion of the roof between the house and the third-car garage expansion as well as the portion over the master bedroom expansion, where the builder, Toll Brothers, originally installed saddle type roofing was at 1.5:12 pitch, but should have been at 2:12 pitch. He said there are other ways to roof these types of areas, and one would be with EPDM, which is a 60 mil rubber roofing that would be glued down. This would not be a good choice if the homeowners go up and down the roof every holiday. Another way would be to use Tuman cap-sheet roofing, which is a peel and stick two-part system, however, this is not recommended in high wind areas. Mr. Finkbiner indicated that the builder chose this type of roofing on this particular model, and the only reason the homeowners requested an independent inspection was in case they decided to sell the home in the future. He did install ice and water shield underneath both areas of concern and extended it up two feet onto the 2:12 areas, including 24-inch valits in all the valleys, and shingled it thereafter.

Chair Leimkuhl asked Department staff if there was a variance request at the time the home was being built. Mr. Welton indicated the current variance is the first one with regard to this property.

A motion was made by Phil LaSarre to recommend to the Board of Review **APPROVAL** of the variance to allow asphalt shingles to be installed at a 1.5:12 pitch on the two areas of extension over the master bedroom and the third-car garage only; seconded by Micah Langness; the motion carried unanimously.

- d) 804 N. 31st Street, Colorado Springs, Permit P05558 – Edward Texel, property owner, requests a variance to Section R905.2.1, 2021 International Residential Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to allow asphalt shingles to be installed on partially spaced roof sheathing, where solidly sheathed decking is required. He did video the garage roof where there were no issues, but under the deck covering there are minor issues.

Edward Texel appeared in person and indicated his home was built in 1955. The roof was replaced in 1998. He is now re-roofing with shingles, but his roofing contractor requested that he obtain a variance because there are some areas with partially spaced roof sheathing where solidly sheathed decking is required.

Mike Finkbiner confirmed with John Welton that the applicant would not need a variance if the spaces were less than a quarter inch. Mr. Welton advised that the Code requires a solidly sheathed deck, but the Code does not indicate what the allowed gap is for skipped sheathing, such as this variance, which would be handled by the Department's policy of re-roof guidelines. If the applicant located an area with a half-inch space, there are options and his roofing contractor could do a rip of a one-by and infill the area. This doesn't mean that per Code, he would need to totally replace the skip sheathing or overlay it with half-inch OSB.

After further discussion, Mr. Texel **WITHDREW** his variance request.

e) 817 W. Kiowa Street, Colorado Springs, Permit O97114 – Matthew Dagostino, MTD Construction, LLC, requests variances to:

- 1) Section R305.1, International Residential Code, 2015 edition, based on Item 2 of Section RBC111.2.3, 2017 Pikes Peak Regional Building Code, Second Printing, to allow a ceiling height of 6'-4" throughout, where 7'-0" minimum ceiling height is required.
- 2) Section R305.1, Exception 3, International Residential Code, 2015 edition, based on Item 2 of Section RBC111.2.3, 2017 Pikes Peak Regional Building Code, Second Printing, to allow beams, ducts, or other obstructions in a basement containing habitable space to project within 5'-9" of the finished floor, where 6'-4" minimum is required.

Andy Baturevich recused himself from hearing this variance due to a business relationship with the contractor.

Matthew Dagostino appeared in person and stated he is working on a basement remodel on a home built in 1899 that has a stacked foundation with bricks and stones. Due to the stacked foundation, he is having difficulty meeting the requirement of the ceiling height of 7' and is requesting approval for the ceiling being 6'4".

Chair Leimkuhl asked the applicant to explain the exact location of the beam at 6'4". The applicant advised that the beam crosses right in the middle of the entire ceiling and is nailed to piers instead of the brick and stone walls. The applicant said once the basement is completed, it will have a small kitchen, bathroom, bedroom, and a small family room in the front area with an egress window and a doorway that leads to a walkway made of a concrete pathway which is about 3' wide to the front of the house.

With the recusal of Andy Baturevich, a quorum was maintained. A motion was made by Micah Langness to recommend to the Board of Review **APPROVAL** of the variance, Part 1, to allow a ceiling height of 6'4" throughout the basement only; seconded by Tom Lysne; the motion carried unanimously.

With regard to Item 5.e, Part 2, Mike Finkbiner asked the applicant if the request is to allow beams at 5'9" where 6'4" is required, and where would the beams be located in the basement. Mr. Dagostino advised that there is only one beam, and there will not be any duct work or electrical work on the beam. It is located adjacent to the ceiling toward the front of the basement.

With the recusal of Andy Baturevich, a quorum was maintained. A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance, Part 2, to allow one beam at 5'9" in the basement only; seconded by Micah Langness; the motion carried unanimously.

- f) 112 N. Tejon Street, Colorado Springs – John Davis, General Contractor, requests a variance, prior to plan submittal, to Section 1004.5, 2021 International Building Code, based on Item 3 of RBC111.2.3, Pikes Peak Regional Building Code, 2023 edition, to allow a reduced occupant load to be used for plumbing fixture count only, where a calculated occupant load per Table 1004.5 is required.

Andy Baturevich rejoined the Committee and a quorum remained.

John Davis appeared in person and stated he is the architect of the project. The business owner, Joseph Canbana, was also present. Mr. Davis advised that he is renovating a bookstore which will be a pool hall when it is completed. He is asking for an actual occupant load to determine the number of plumbing fixtures as opposed to the calculated occupant load in order to use the existing men's room and convert an existing storage area into the lady's room. He plans on using the calculated occupant load to determine existing locations and for the fire ventilation requirements. The overall calculated load would be 494 occupants with the reduced being 366 occupants.

Chair Leimkuhl asked Department staff if there was an allowable reduction for the pool tables. Jay Eenhuis advised that administratively, plan review will allow up to a 10 percent reduction in occupancy load based on Code and anything exceeding 10 percent goes before the Technical Committee for review. Also, all means of egress elements have been designed based on the calculated and unreduced occupant load.

A motion was made by Tom Lysne to recommend to the Board of Review **APPROVAL** of the variance to allow a reduced occupant load to be used for plumbing fixture count only and omit the square footage of pool tables and surrounding area; seconded by Brian Braaten; the motion carried unanimously.

6. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

7. **NEW BUSINESS**

a) Colorado Sunshine Act Requirement

To be read on the record, except the text in bold which requires the person making the motion to state his/her name, and the same of the person who seconds the motion.

Pursuant to the Colorado Sunshine Act, I, Jason Leimkuhl, move that the Technical Committee meeting be held on the first Wednesday of each month beginning at 9:00 a.m. in a hybrid form: in person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Hearing Room on the Upper Level, and virtually via a program accessible via Pikes Peak Regional Building Department's website Boards & Committee's page, that the Technical Committee Meeting Agendas and Minutes for each meeting be posted on the website of Pikes Peak Regional Building Department at www.pprbd.org, and that the meeting Agendas and Minutes be maintained by the Executive Administrative Assistant in the records of Pikes Peak Regional Building Department. Further, the Department designates the following public place within the boundaries of the Department at which it may post a notice no less than twenty-four hours prior to a meeting if it is unable to post a notice online in exigent or emergency circumstances such as a power outage or an interruption in internet service that prevents the public from accessing the notice online: The Department's Public Notice Board located in the atrium of the Department premises, seconded by Micah Langness; the motion carried unanimously.

8. **ADJOURN**

The Technical Committee meeting adjourned at 10:41 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official

RNL/gml

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