

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## TECHNICAL COMMITTEE MEETING

July 7, 2021

9:00 a.m.

MEMBERS PRESENT: Chair Micah Langness, Master Plumber  
Vice Chair Matt Scheffe, Building Contractor D  
Swagata Guha, Architect  
Dale Ryba, Electrical Contractor  
Jason Leimkuhl, Mechanical Contractor

MEMBERS ABSENT: Andrew Baturevich, Structural Engineer  
Philip Lasarre, Building A or B Contractor

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

### PROCEEDINGS:

Chair Micah Langness called the meeting to order at 9:01 a.m.

The Technical Committee 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 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>.

Instructions on conducting the hybrid meeting were provided.

John Welton stated RBD staff received an email from CSFD stating it takes no exception to the variance requests on the Agenda today.

#### 1. **CONSIDERATION OF THE MAY 5, 2021 TECHNICAL COMMITTEE MINUTES**

A motion was made by Matt Scheffe to **APPROVE** the May 5, 2021 Technical Committee Minutes as written, seconded by Swagata Guha; 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 Variance Requests.

**3. ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

**VARIANCE REQUESTS**

4. 4525 North Meridian Road, Permit M99835 – Dana Marriott, homeowner, requests a variance to Section M1401.1, 2015 International Residential Code, to allow a furnace not designed or certified for use in a manufactured home to be installed where prohibited by the manufacturers installation instructions. *This Item was postponed from the May 5, 2021 Technical Committee meeting so the Applicant could obtain an Addendum to the installation specifications from the manufacturer warranting the furnace with the current installation. The manufacturer was unwilling to provide said Addendum. Don Charles McCombs, Owner and Registered Agent, and Joshua Bone, Licensee, Custom Climate Professionals LLC, were summoned by the Department to appear to give testimony regarding the furnace installed by Custom Climate Professionals LLC for Jerry Marriott located at 4525 North Meridian Road, Peyton, Colorado. The furnace installed is not designed or certified for use in a manufactured home, and prohibited by the manufacturer's installation instructions, in violation of Section M1401.1, 2015 International Residential Code.*

Dana and Jerry Marriott appeared by telephone; Charles McCombs and Joshua Bone, Custom Climate Professional LLC (CCP), appeared in person. Dana Marriott stated during the May 5, 2021 Technical Committee meeting, she was directed to submit an Addendum to the installation specifications from the manufacturer warranting the furnace with the current installation; the manufacturer would not comply with that request.

Mr. McCombs stated Mr. Marriott's home was originally a modular home, but he has made a number of modifications to the home over the years. Mr. Marriott installed his own furnace in the 70's; he installed a regular gas furnace, not a furnace for a modular type home. It was not a modular home furnace because his home has been modified to an extent that a traditional modular home furnace would not have sufficient heat supply for this application. Mr. Marriott requested CCP to install a furnace that would have sufficient BTU and sufficient adjustability to work in this application to provide him proper heating and proper airflow. CCP chose a furnace that would be replacing like for like as well as function properly in this application.

Mr. Bone stated it is important to understand the details of this model Amana furnace. The furnace installed in Mr. Marriott's home retains all error codes for any problems with the furnace forever in its Cool Cloud system. If this unit detects high static pressure it gives an alert and if the same static pressure is too excessive it literally turns the motor off and goes into a lock out. Since the time of the installation this furnace has not detected high static pressure at the level of giving a warning or at the level of turning itself off. Mr.

McCombs stated the furnace supplied by CCP was an 80,000 BTUs 97% efficient model, total output 77,600 BTU. This model offered the most heat output at the cabinet size with the adjustability to work properly in this application. The furnace that CCP selected is a modulating variable speed furnace that is perfect for this application. Once installed it can be adjusted to a trim level of 10% plus or minus of any tonnage selected on the furnace and then there is a master override adjustment that ensure that this furnace never produces more CFM than the ductwork can handle. In addition, the furnace tracks in its memory any instances of high static pressure. The memory and the tracking cannot be erased and is kept forever. Therefore, it is provable that airflow is not an issue. Through the first winter of the furnace facing very extreme demands of a -31 degree wind chill factor, this furnace has performed flawlessly and never exceeded the static pressure that would cause any damage to the ductwork of the home.

Mr. McCombs stated CCP has run a full check on this furnace to test every functionality of the furnace and submitted the results of those tests to Amana in order to obtain the letter from Amana approving the current installation. John Welton stated upon submittal of the additional documentation, knowing that this is a closed combustion high efficiency furnace and a proper static pressure test has been completed, and seeing that Amana states the unit should work and not cause future damage to the apparatus parts such as the blower motor which is one of the parts that has to work the highest with regard to static pressure in an HVAC system, RBD staff take no exception to this variance request. Mr. McCombs confirmed the warranty on the furnace by CCP and Amana. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Jason Leimkuhl; the motion carried unanimously.

5. 18650 Highway 105, Permit N54453 – Peter Gozar, D2C Architects, requests a variance to Section 202, 2015 International Building Code, Definitions: Employee Work Area to allow toilet rooms, kitchenettes, and breakrooms in a fire station to be included as Employee Work Area; and therefore, not be required to include accessible elements.

Randy Trost, Tri Lakes Monument Fire Department, appeared in person; Peter Gozar appeared virtually. Mr. Gozar stated they are making a renovation and addition to existing Fire Station No. 1, which is a one-story building. The addition is approximately 1,500 square feet; the intention is to provide bunk rooms for a sleeping area for the station. The station did not have a sleeping area, and former offices were converted into bedrooms. Mr. Gozar stated they are requesting a variance to change the standard countertops and grab bars in the restrooms so the countertops can be raised to 36” high. The facility is not open to the public with the exception of the front meeting room area, which has provisions for an ADA bathroom. The area behind a secured door is strictly for the firemen who are intended to be abled bodied. In the restrooms for the bunkroom they are providing an ADA compliant restroom; in the two other restrooms the intent is to provide the backing for the grab bars and shower seats should they be required in the future.

John Welton stated based on review of the plans, he can confirm that there will be a restroom that meets accessibility requirements in the area allowed by the public. This

variance is to the definition of employee work area to try to include some additional elements in that definition to accommodate more of the firefighters' use of the space. There will be proper compliance for an accessible route; in this particular case, that would be a common use circulation path. There are proper widths provided, but it is strictly the elements; adaptability is being taken care of in many of the locations, and if there is a need one day there will be accommodations that can be done as backing will be provided for grab bars and shower seats should they be required in the future.

Mr. Trost stated the job descriptions for their firemen require that they be "abled bodied". He reiterated that the public can only access the front area of the fire station where the meeting room is located with an ADA compliant restroom. He stated should one of the firemen be injured, he/she can be reassigned to an "office position" during recovery, but this particular fire station does not have any office space, so they would be assigned to another location. Brian Duggan (architect) stated there is an accessible sink and counter in the public area conference room which would accommodate most functionality, but not in the primary kitchen area. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Matt Scheffe; the motion carried unanimously.

6. 227 South Prospect Street, Permit N06164 – Travis Beasley requests a variance to Section R302.3, 2015 International Residential Code, to allow a wall assembly enclosing a shaft with less than a 1-hour fire-resistance rating where a 1-hour fire resistance rating is required per Code.

Travis Beasley appeared virtually and stated this project is the conversion of a single-family home into a duplex, and the variance is for a wall assembly enclosing a shaft with less than a 1-hour fire-resistance rating where a 1-hour fire resistance rating is required per Code for both units in the duplex. He stated he is proposing the installation of a heat detector in the mechanical room in the basement, which will be connected to an audible alarm on both floors in lieu of the 1-hour rating required on both sides of the chase.

John Welton stated this project is currently a ranch style home over a basement, and is being converted to a two-family home (one unit over the lower unit). The call was made by the inspection staff that just doing 5/8ths on the outside of the chase did not technically give the 1-hour rating that is required. The applicant is proposing a heat detector as an alternative, which is a concern for Department staff. Mr. Welton suggested that the sheetrock from the mechanical lid be turned vertically into the chase to provide protection to the floor system throughout the entire depth of the floor system and seek continuity through the attic up to the roof deck. He stated RBD staff would like to see vertical continuity at the lower part of the chase to envelope the floor system and continuity run up through the attic to the roof deck as required by Code.

Mr. Beasley stated he would like to **POSTPONE** his variance request so he may meet with RBD staff in an effort to reach a resolution of this matter. A motion was made by Matt

Scheffe to **CONTINUE** this variance request until the August 4, 2021 Technical Committee meeting, seconded by Dale Ryba; the motion carried unanimously.

7. 13210 Northcliff Court, Permit N36959 – Aron Poulson, Poulson Construction, Inc., requests a variance to Section RBC303.4.1, 2017 Pikes Peak Regional Building Code, Definition of Crawl Space, to allow a crawl space with an average height of 6'1" where no more than a 5' average height is allowed per Code.

Aron Poulson appeared virtually and stated this is a foundation for a modular home. He was not aware of the 5' maximum height requirement for crawlspaces until after the work had been completed. He stated he submitted a splice for the taller walls for the crawlspace so everything was engineered for the taller walls. He stated he submitted an engineer's report for this issue as well. Mr. Poulson stated this is a conditioned crawlspace, which was taken into consideration for the heat loss calculations and the size of the HVAC system. John Welton stated RBD staff takes no exception to the variance request based on the engineer's report. A motion was made by Matt Scheffe to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dale Ryba; the motion carried unanimously.

8. 210 Beckers Lane, Permit N51744 – Kregg Kelley, homeowner, requests a variance to Table R402.1.2, to omit R10 slab insulation where required by Code and allow reduced wall insulation of R13 where R13+5 is required per Code.

Kregg Kelley appeared virtually and stated his garage was converted into living space by the previous owner without a permit. He stated he is selling the home which brought this issue to light, and he is now trying to correct the issues. He stated he has completed the heat loss calculations with RBD staff, and it has been determined that a 1500 watt electric heater would be sufficient for this space. Mr. Kelley stated he is having this electric heater installed. He has also had extra insulation blown into the attic and into one wall that did not have adequate insulation. John Welton stated the approved plans show all of the proper insulation to get to the heat loss calculations that passed. If this variance is approved, Mr. Kelley will be required to submit a splice for an updated heat loss calculation and energy certification that will show the end result which is no slab insulation and R13 in the walls in lieu of R13+5 continuous. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Jason Leimkuhl; the motion carried unanimously.

9. 7600 Wayfarer – Amanda Orsillo, Orsillo Design, requests a variance to Section 1104.4, Exception 1, 2015 International Building Code, to allow a 3900 square foot second story without an accessible route, where an accessible route is required per Code.

Amanda Orsillo appeared virtually and stated this project is Security Fire Station No. 4, and she is requesting a variance to allow a second floor to exceed 3,000 square feet, without an accessible route to the second floor. The second floor will be the fire fighters' private

area consisting of bunk rooms, dayroom, kitchen, and restrooms. The first floor will be open to the public and will be fully accessible.

Swagata Guha stated fire stations fall within the purview of the Department of Justice; any variance provided may not be applicable to requirements of the federal government. Jina Koulchitzka stated the Department only has jurisdiction and authority over accessibility in accordance with adopted Codes. Further, Section RBC111.2.3 of the Code speaks directly to interpretation of the Code and it gives the Committee authority to consider and grant only minor variances as long as the Committee can make a finding that at least one of three conditions exist: (1) The true intent of the applicable Code has been incorrectly interpreted; (2) the provisions of the applicable Code do not fully apply; and (3) an equally good or better form of construction is proposed. A motion was made by Swagata Guha to recommend to the Board of Review **APPROVAL** of the variance request, with the requirement that the lower level be designed to be completely accessible as required by Code, seconded by Matt Scheffe; the motion carried unanimously.

10. 726 Cape Glen Road, Permit N45124 – Gabriel Maestas, Anchored Construction, Inc., requests a variance to Section R305.1, Exception 3, 2015 International Residential Code, to allow an obstruction in a basement containing habitable space to project to within 5’11” of the finished floor, where a minimum of 6’4” is required per Code.

Gabriel Maestas appeared in person and stated project is a basement finish of one room in a basement that was previously a storage area. He stated due to pre-existing conditions, he is unable to obtain a Code compliant soffit height due to the ductwork currently in place. Swagata Guha suggested replacing the 2” x 4” framing under the ductwork with plywood in order to gain additional height. A motion was made by Jason Leimkuhl to recommend to the Board of Review **APPROVAL** of the variance request with the condition that a 6’ soffit height is obtained, seconded by Matt Scheffe; the motion carried unanimously.

11. **UNFINISHED BUSINESS**

There was no Unfinished Business.

12. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 10:44 a.m.

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Respectfully submitted,

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

Roger N. Lovell  
Regional Building Official  
RNL/llg

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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