

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

TECHNICAL COMMITTEE MINUTES

December 6, 2023 – 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 Building Official – Plans
John Welton, Deputy 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, as accessible via Pikes Peak Regional Building Department's website Boards & Committees' page 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 meeting to order at 9:00 a.m.

2. **CONSIDERATION OF THE NOVEMBER 1, 2023 TECHNICAL COMMITTEE MINUTES**

A motion was made by Andy Baturevich to **APPROVE** the November 1, 2023 Technical Committee Minutes, as written; seconded by Tom Lysne; the motion carried unanimously.

3. **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) 7075 Wyoming Lane, Colorado Springs – Kim Amadi, The Furnace Guy Heating, requests a variance, prior to plan submittal, to Section R402.2.4, 2021 International Energy Conservation Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to omit the prescriptive slab insulation within a conditioned garage/shop, where required.
- b) 18330 Baker Farm Road, Colorado Springs, Plan R183401 – Chad Hagenman, property owner, requests a variance to Section R402.2.4, 2021 International Energy Conservation Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to omit the prescriptive slab insulation within a conditioned garage/shop, where required.
- c) 5880 E. Old Farm Circle, Colorado Springs, Permit O41490 – Larramie Duncan, property owner, 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 an attached conditioned garage/shop, where required.

A motion was made by Vice Chair Phil LaSarre to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests; seconded by Mike Finkbiner; the motion carried unanimously.

4. **VARIANCE REQUESTS**

- a) 1233 Cumberland Street, Colorado Springs – Betty Olivas, A & I Skyline Roofing, requests a variance prior to permit, to Section R905.2.2, 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 a roof pitch less than 2:12, where prohibited.

Betty Jo Olivas appeared in person and stated the homeowner has requested her company to replace his roof that currently has asphalt shingles with new asphalt shingles. However, upon inspection of the roof, it was ascertained that the pitch is less than 2:12, and this is why the variance was requested. She advised the homeowner that the manufacturer of the shingles may not warrantee the material due to the pitch.

Mike Finkbiner agreed that the manufacturer would not warrantee shingles below a 2:12 pitch and asked what type of underlayment would be installed. Ms. Olivas indicated they would use the double number 15 felt and, if needed, they could also use ice and water shield. Mr. Finkbiner said if the variance request is approved, it would be a requirement to install ice and water shield on the entire roof.

A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance for a 1.5:12 pitch, with the condition that the contractor install ice and water shield as the underlayment over the entire roof; seconded by Vice Chair LaSarre; the motion carried unanimously.

- b) 4940 Poleplant Drive, Colorado Springs – Blake Hodge, Campbell Roofing, Inc., requests a variance prior to permit, to Section R905.2.2, 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 a roof pitch less than 2:12, where prohibited.

Blake Hodge appeared in person and stated that the homeowner has a patio in the back of the house with a roof pitch of 1:5, and the existing roof shingles were installed about ten years ago. The homeowner is aware that the manufacturer will not warrantee the material due to the roof pitch.

Mike Finkbiner asked if ice and water shield is being installed as well. Mr. Hodge indicated that is what he has recommended to his client and also suggested using Grace Ice and Water Shield as the underlayment as it would be the best application.

A motion was made by Mike Finkbiner to recommend to the Board of Review **APPROVAL** of the variance for a 1.5:12 pitch on the back patio roof only, with the condition that the contractor install ice and water shield as the underlayment; seconded by Brian Braaten; the motion carried unanimously.

- c) 7413 Willowdale Drive, Fountain, Permit O81789 – Daniel Parsons, J2D Electric, Inc., requests a variance to Article 210.12, 2020 National Electrical Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to install a standard breaker in place of an arc fault (AFCI) breaker with the stipulation that a notarized letter be required from the homeowner recognizing that he/she understands that the AFCI breaker is being replaced due to incompatibility.

Phillip David Godsell of J2D Electric, Inc., appeared in person and stated that a dedicated 20-amp circuit was installed in the basement for the homeowner to be able to use a treadmill. However, the ACFI breaker keeps tripping on the 20-amp circuit dedicated to the treadmill.

Brian Braaten asked if the contractor tried a standard 20-amp breaker and if there were any issues. Mr. Godsell said that he has tested it several times and it holds. Further, he applied for the variance before requesting an inspection, and the homeowner has provided a notarized letter indicating he understands that the AFCI breaker is being replaced.

A motion was made by Brian Braaten to recommend to the Board of Review **APPROVAL** of the variance as requested under the condition that it is only for the use of the treadmill; seconded by Jason Leimkuhl; the motion carried unanimously.

- d) 2508 Cardigan Drive, Colorado Springs, Permit O51202 – WN, LLC Permits & Dispatch requests a variance to Article 210.12, 2020 National Electrical Code, based on Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2023 Edition, to install standard breakers in place of three (3) arc fault (AFCI) breakers with the stipulation that a notarized letter be required from the homeowner recognizing that he/she understands that AFCI breakers are being replaced due to incompatibility.

Paul Torres of WN, LLC Permits & Dispatch appeared in person and stated that the company did a service upgrade on this home. However, three (3) AFCI breakers keeps tripping (2 of the circuits are in the basement, and the 3rd circuit is in the living room where a TV is located); the request is to allow three standard breakers instead that are not AFCI protected. The homeowner understands and consents to the variance request.

A motion was made by Brian Braaten to recommend to the Board of Review **APPROVAL** of the variance to install standard breakers in place of three AFCI breakers, as requested; seconded by Mike Finkbiner; the motion carried unanimously.

- e) 1540 Garden of the Gods Road, Colorado Springs, Plan C178738 – Christopher Poe, property owner, requests a variance to Section C401.2, 2015 International Energy Conservation Code (IECC), based on Item 1 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2017 Edition, as amended, to allow structure to be exempt from the building thermal envelope provisions of the 2015 IECC, where required.

Christopher Poe appeared virtually; he stated the variance is to consider the wash bay of the car wash as unenclosed space with regard to the thermal envelope requirements because the six garage doors of the car wash are kept open for up to fifteen hours at a time, which allows for two to four air changes per hour. He said that the space was designed to allow as much natural light as possible.

Tom Lysne asked the applicant to clarify exactly what the variance was requested for. Mr. Poe indicated it is just for the wash bays and detail bays, not the entire structure of the car wash. This is because all other areas such as the restrooms, storage area, and front counter areas will be surrounded by walls with insulation that meet the thermal envelope requirements.

Vice Chair LaSarre mentioned that the plans, as submitted by the applicant, indicate that some of the conditioned space is not for human comfort, but rather to sustain performance of the facility to prevent freezing, and the anticipated temperatures may be as low as 40 degrees.

Jay Eenhuis stated that the 2015 International Energy Conservation Code, Section 402.1.1, lists three exceptions from the thermal envelope provisions of the Code, item one is “Buildings with a peak design rate of energy usage less than 3.4 Btu or 1.0 watt per square foot of floor area for space conditioning purposes.”; item two “Those that do not contain conditioned space.”; and item three “Greenhouses”. Further, he said that the wash area does not meet any of the exceptions, and the plans, as submitted, do not include habitable space, however, since there are heating appliances within the space, it is considered conditioned space. Mr. Eenhuis stated that the Department does not take exception to the variance request as this is not a life safety issue.

Virginia Koulchitzka stated that the variance request application indicated the basis of the request as Item 1 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2017 Edition, as amended: i.e., the true intent of the applicable code has been incorrectly interpreted. As the specific variance request involves the scope of the 2015 IECC, which in this instance, should not be subject to consideration because it would mean that the true intent of the 2015 IECC has been incorrectly interpreted by the Department, which is not accurate, she asked what the reason is for the variance application and inability to comply with the Code requirements.

Vice Chair LaSarre suggested the provisions of the applicable Code do not fully apply. This would then allow the variance to be granted in accordance with Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2017 Edition, as amended.

A motion was made by Vice Chair LaSarre to recommend to the Board of Review **APPROVAL** of the variance to allow a portion of the structure to be exempt from the building thermal envelope provisions of the 2015 IECC; seconded by Tom Lysne; the motion carried unanimously.

- f) 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.

Troy Biggs appeared in person and stated that he took over this project at the frame inspection as the previous contractor was unable to continue. The new construction connected an existing house and an existing two-car garage. The two buildings were connected, and the garage was converted to living space. He said that the new foundation is only in the connecting portion whereas the garage has an existing foundation. The variance request is to omit the foundation insulation at the existing garage foundation and the new foundation connecting the structure to the house.

He further stated that before he took over the project, the homeowner completed the project prior to having an insulation inspection where R-13 was installed in the walls rather than the required R-19. Further, the permit obtained by the previous contractor was transferred to Cornerstone Contracting Company.

John Welton advised that the variance request is limited to the omission of the prescriptive slab insulation within a conditioned habitable space, however, if there has not been an inspection for the wall insulation, then the variance request would need to be amended accordingly.

Jason Leimkuhl indicated that he has some concerns with the heat loss calculations. Mr. Eenhuis advised that the heat loss calculations which were submitted for the garage conversion include walls with an R-20 and floor slabs with an R-10, and that if the request is approved, the calculations would need to be revised and resubmitted for review by the Department.

Jannie Richardson, the property owner, appeared in person. She stated it was her understanding that she had passed all inspections except for the outside foundation because the slab was poured for a patio. She does not want to break up all the exterior concrete in order to pour another slab.

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.

5. **UNFINISHED BUSINESS**

- a) 2024 Committee/Board/Commission Meeting Dates (Non-action item until January of 2024, when a schedule will be adopted in accordance with the requirements of the Colorado Sunshine Act of 1972, as amended)

The Committee members were provided with the 2024 Committee/Board/Commission Meeting Dates for review and consideration.

6. **NEW BUSINESS**

There was no new business to discuss.

7. **ADJOURN**

The Technical Committee meeting adjourned at 10:17 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official

RNL/gml

Accommodations for the hearing impaired can be made upon request by providing notice within forty-eight (48) hours prior to the meeting. Please email ginal@pprbd.org or call (719) 327-2989.

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