

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## TECHNICAL COMMITTEE MINUTES

June 7, 2023 – Wednesday – 9:00 a.m.

MEMBERS PRESENT: Michael Finkbiner, Building Contractor C or D (*Interim Chair*)  
Thomas Lysne, Architect  
Jason Leimkuhl, Mechanical Contractor  
Andrew Baturevich, Structural Engineer  
Brian Braaten, Electrical Contractor

MEMBERS ABSENT: Chair Micah Langness, Master Plumber  
Vice Chair Philip Lasarre, Building A or B Contractor

OTHERS PRESENT: Virginia Koulchitzka, Regional Building Attorney  
Jay Eenhuis, Deputy Building Official – Plans  
Gina LaCascia, Executive Administrative Assistant

### PROCEEDINGS:

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>.

The Colorado Springs Fire Department (CSFD) did not make an appearance as it was indicated that CSFD takes no exception to the variance requests on the Agenda.

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

Interim Chair Michael Finkbiner called the meeting to order at 9:00 a.m.

#### 2. **CONSIDERATION OF THE MAY 3, 2023 TECHNICAL COMMITTEE MINUTES**

A motion was made by Andrew Baturevich to **APPROVE** the May 3, 2023 Technical Committee Minutes, as submitted, seconded by Jason Leimkuhl; 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) 3555 Walker Road, Permit O62491 – Alan Scott Laabs, A&R Mechanical Inc., requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, based on Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the “Code”), to allow slab insulation to be omitted within a conditioned garage/shop, where required by Code.
- b) 6060 Traditions Drive, Permit O58670 – Steven Dombrowski, property owner, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code, based on Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the “Code”), to allow slab insulation to be omitted within a conditioned garage/shop, where required by Code.

A motion was made by Thomas Lysne to recommend to the Board of Review **APPROVAL** of the Consent Calendar Variance Requests, seconded by Andrew Baturevich; the motion carried unanimously.

#### 4. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

#### 5. **VARIANCE REQUESTS**

- a) 3665 Tapestry Terrace - Permit O50202 - Brian Bozarth, property owner, requests a variance to Section R402.2.2, 2015 International Energy Conservation Code, per Item 2 of Section RBC111.2.3, Pikes Peak Regional Building Code, 2017 Edition, as amended (the “Code”), to allow for R-19 insulation in a ceiling without attic space, where a minimum of R-30 is required by Code.

Brian Bozarth appeared in person indicating he has an open patio with a sloped roof, using 2x6 rafters. Further indicating that he secured the services of an architect to convert the area into a sunroom, using the same rafters, however, the plans called for an R-49. After review by the inspector, consideration was given to drop the ceiling approximately six to seven inches.

He further requested that he be allowed to install the R-19 onto the ceiling in lieu of dropping the ceiling, thereby covering the newly installed windows; or the R-30, which is the minimum requirement.

Jason Leimkuhl reviewed the submitted Variance Application, indicating that the applicant had requested a variance from R-30 to an R-19. Mr. Bozarth indicated he recalculated the figures, using upgraded windows using a factor of 18 instead of 32; using R-19 the figures came out to be 13,603 total BTU per hour versus the 15,000 originally calculated.

Jay Eenhuis advised pursuant to Section R402.2.2 of the 2015 International Energy Conservation Code (IECC), ceilings without attic space allow for an R-30 as the minimum. Further, the Department will need the applicant's new calculations, as stated, as a splice. For clarification purposes, Mr. Eenhuis added that all the insulation elements have met the current IECC requirements.

Virginia Koulchitzka requested more detail(s) regarding the specific reasons for the variance application. Mr. Eenhuis stated that the Regional Building Code requires that all variance applications must meet one of three conditions of RBC111.2.3, Interpretation Code:

1. The true intent of the applicable code has been incorrectly interpreted.
2. The provisions of the applicable code do not fully apply.
3. An equally good or better form of construction is proposed.

Mr. Eenhuis further advised the applicant that he checked off number two on his variance application and asked for further clarification. Mr. Bozarth responded by saying that he did not understand this part of the form but after Mr. Eenhuis' explanation, he would now choose number three. He indicated that using the upgraded windows, he can meet the total input and actually exceed the R-19.

A motion was made by Jason Leimkuhl to recommend to the Board of Review **APPROVAL** of the variance request to allow reduced insulation in the proposed sunroom to an R-19 based on the fact that it is not a life safety issue and the property owner is trying to improve other heating values through walls and windows to accommodate the reduced insulation in the ceiling; seconded by Brian Braaten; the motion carried unanimously.

- b) 1604 S. Cascade Avenue - Plan C175257 - Ryan Lloyd, Echo Architects, requests a variance to Section 508.1, 2015 International Mechanical Code, per Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to allow existing building HVAC system to service a commercial kitchen in lieu of an interlocked exhaust system, as required by Code.

Ryan Lloyd appeared in person, representing Echo Architects, indicating the variance request is for Ivywild School, which has been converted into a brewery, food hall, and some retail shops with dining and a bar. This variance involves moving the Empanada Food pod from a space near the kitchen to a more internal space within the building, which is a completely open area. He further indicated that the only function of this pod is to heat premade empanadas on a small commercial conveyor oven that is electric.

Mr. Lloyd indicated upon mechanical review, there has been a request for an exhaust system that is interlocked to evacuate the heat created by the conveyor oven, which is a requirement in Chapter 4 of the International Mechanical Code (IMC).

He said that after running the numbers, providing either a separate exhaust or interlocking the existing RTU will meet the intent of the Code less than if the existing exhaust is utilized. Mr. Lloyd indicated he believes the intent of the Code was to provide fresh air and increase efficiency of the mechanical systems in the open-air area. The variance request is basically asking to only use the existing exhaust system that services the area of the building where the pod will be located and not install a stand-alone exhaust system.

Aaron Springfield, the mechanical engineer employed by the applicant, appeared telephonically and confirmed Mr. Lloyd's variance request being an electric oven setup and using the existing exhaust system in lieu of installing an interlocked exhaust system.

Ms. Koulchitzka requested more detail regarding the specific reasons for the variance application.

Mr. Lloyd responded by saying that the existing system and exhaust of RTU-3 meet the intent of the Code. Mr. Eenhuis agreed.

A motion was made by Jason Leimkuhl to recommend to the Board of Review **APPROVAL** of the variance request to allow not having a requirement for an interlock exhaust system, requiring instead to have the existing fan on RTU-3 operate continuously during the occupied hours of the building; seconded by Thomas Lysne; the motion carried unanimously.

- c) 660 Grandwood Drive - Permit O20682 - Marty Brinegar, Corelli Custom Homes, LLC [*sic*], requests a variance to Section RBC303.4.1, Definition of a Crawl Space, of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), based on Item 2 of Section RBC111.2.3 of the Code, to allow a crawl space with an average height of 6'8" where no more than 5' average height is allowed by Code.

Marty Brinegar, representing Corelli Custom Homes, LLC [*sic*], appeared in person and explained that the variance request is not a life safety issue, and the engineer of record provided a letter stating that there were no structural concerns.

A motion was made by Andrew Baturevich to recommend to the Board of Review **APPROVAL** of the variance as submitted; seconded by Jason Leimkuhl; the motion carried unanimously.

- d) 1167 Whistler Hollow Drive - Permit O47149 - Michael Beaty, M. Beaty Design & Build, LLC, requests a variance to Section RBC111.2.3, 2015 International Residential Code, per Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to allow the existing layer of underlayment to remain in place where prohibited by Code.

This variance was postponed until technical issues could be resolved.

- e) 1942 Roanoke Street, No. 101 - Permit O63098 - Jim Wilder, JR Wilder Construction, requests a variance to Section R311.7.1, 2015 International Residential Code, per Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to allow an existing stair to remain with a clear width of 2'8", where a clear width of 3'0" is required by Code.

Ryan Cameron, Superintendent of JR Wilder Construction, appeared in person on behalf of Jim Wilder. He explained that the variance is for an existing home built in 1949 and is being converted into a duplex in which the width of the stair measures at 2'8", as pre-existing, when the requirement of the Code is for a 3'0" width.

Mr. Eenhuis shared his concern regarding fire rated assemblies which will separate one dwelling unit from the other and, if so, this might result in the stairs measuring less than 2'8". Mr. Cameron indicated the fire rated assemblies are on the other side of the bathroom wall and not against the stairs. Therefore, the width of the stairs will remain 2'8" even after renovations.

A motion was made by Andrew Baturevich to recommend to the Board of Review **APPROVAL** of the variance to allow for a 2'8" stair width only; seconded by Jason Leimkuhl; the motion carried unanimously.

- f) 1942 Roanoke Street, No. 102 - Permit O63098 - Jim Wilder, JR Wilder Construction, requests a variance to Section R305.1, 2015 International Residential Code, per Item 2 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to allow a finished basement ceiling height of 6'7", where 7'0" minimum is required by Code.

Ryan Cameron, Superintendent of JR Wilder Construction, appeared in person on behalf of Jim Wilder. He explained that the variance is for an existing home built in 1949 and is being converted into a duplex in which the basement ceiling height is 6'7", where 7'0" minimum is required by Code. He further stated once the drywall and flooring are installed, the ceiling height will be 6'7". Mr. Cameron advised the Committee that there will be two egress windows installed in the basement as well as a newly constructed kitchen with a small bathroom.

Structurally speaking, since this is a pre-existing home, there was not another way to get more ceiling height in the basement. Mr. Cameron did indicate that the stairway entering the basement at the landing entrance is cut back about 2 ½ feet for adequate head height clearance, and then the height decreases to 6'7" thereafter.

Interim Chair Michael Finkbiner was concerned about any drops in the ceiling or soffits, or anything mechanical like pipes showing in the ceiling to which Mr. Cameron confirmed that there were none, indicating all HVAC and piping were within the floor joists throughout the duplex.

A motion was made by Andrew Baturevich to recommend to the Board of Review **APPROVAL** of the variance to allow for a 6'7" basement ceiling height; seconded by Thomas Lysne; the motion carried unanimously.

- d) 1167 Whistler Hollow Drive - Permit O47149 - Michael Beaty, M. Beaty Design & Build, LLC, requests a variance to Section RBC111.2.3, 2015 International Residential Code, per Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to allow the existing layer of underlayment to remain in place where prohibited by Code.

This variance was heard out of order due to technical issues.

Michael Beaty, of M. Beaty Design & Build, LLC, appeared virtually. He advised the Committee that this variance involves a roof which was installed in January, 2023. The homeowner at the time was closing escrow on the property and required that the roof be completed with the pre-existing synthetic underlayment. Mr. Beaty also advised that he added another layer of underlayment, applied the shingles, and completed the roof before the next storm hit the area. He provided a letter from IKO, the shingle and underlayment manufacturer, which states that the warranty exists with both underlayment and shingles, as installed. The current property owner provided a letter stating acceptance of the roofing installation as well as the added ten-year warranty by Mr. Beaty in addition to the warrantee by Colorado Roofing Restoration.

A motion was made by Jason Leimkuhl to recommend to the Board of Review **APPROVAL** of the variance as submitted; seconded by Brian Braaten; the motion carried unanimously.

- g) 8031 Berwyn Loop – Permit O55539 – Brittany Wilson, property owner, requests a variance to Section R402.2.10, 2015 International Energy Conservation Code (IECC), based on Item 3 of Section RBC111.2.3 of Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to allow slab insulation to be omitted within conditioned habitable space, where required by Code.

Interim Chair Michael Finkbiner recommended this variance be continued to the next Technical Committee meeting of July 5, 2023 due to the fact that the applicant did not appear in person or virtually.

A motion was made by Jason Leimkuhl to recommend to the Board of Review to **CONTINUE** the variance, as submitted, until July 5, 2023; seconded by Brian Braaten; the motion carried unanimously.

6. **UNFINISHED BUSINESS**

Mr. Eenhuis provided the Committee with the first draft of the new consent items as a result of the adoption and implementation of the Pikes Peak Regional Building Code, 2023 Edition.

7. **NEW BUSINESS**

There was no new business discussed.

8. **ADJOURN**

The meeting adjourned at 10:28 a.m.

Respectfully submitted,



Roger N. Lovell  
Regional Building Official

RNL/gml

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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