

**Teller County Board of Review
November 2, 2011
Meeting Minutes**

Chairman Bert West called the meeting to order at 2:00 p.m. Those answering roll call were:

*Jeff Smith

*Dave Dernbach

*Carl Andersen

*Jared Bischoff

*Bert West

Staff: Chris Brandt

Allen Chamberlin

Lynda Morgan

* Voting members

Bert West appointed alternate member Jeff Smith as a voting member for today's meeting.

Bert West stated that the Board of Review meetings are public and anyone wishing to speak must first address the Chairman.

**Review and Approve Minutes
From the October 5, 2011 Meeting**

Jeff Smith moved to approve the October 5, 2011 meeting minutes as presented. Dave Dernbach seconded. Roll call vote 3 yes votes, Carl Andersen and Jared Bischoff abstained. The motion carries.

Bert West indicated a change to the meeting agenda stating that the Contractor Licenses portion of the meeting agenda would be heard prior to the Request for Building Variance items.

**Contractor Licenses
Emerson Construction Company, LLC
Larry B. Emerson
Class C**

Mr. Emerson present. Mr. Emerson gave a brief overview of his previous work history and experience, which included but was not limited to the following:

Been in the building industry since 1980

Has held a license with El Paso Regional Building Department since 1995

Over the past 12 years built homes in the following areas: Denver, Aurora, Park County Breckenridge and the State of California

Bought property in Teller County three years ago

Has found Teller County to be one of the hardest Counties to obtain a license in

Currently primary work includes decks, additions, and basement finishes

Does not foresee new construction in the near future

Chris Brandt indicated that everything was in order with the State.

Bert West opened this matter up for public comment. No public comment. Close public comment.

The Board reviewed the documents submitted. The Board received a copy of Mr. Emerson's renewed El Paso Contractor License.

Jeff Smith moved to grant Emerson Construction Company, LLC with Larry B. Emerson as examinee a Class C License. Jared Bischoff seconded. Roll call vote and all said yes. The motion carries.

**Hi-Point Home Builders, LLC dba: G.J. Gardner Homes – Northgate
Wayne Intermill
Class C**

Mr. Intermill present. Mr. Intermill gave a brief overview of his previous work history and experience, which included but was not limited to the following:

Has held a Contractor License in El Paso since 1995
Has participated in the Parade of Homes the past four years and been an award winner
Has experience as a superintendent, sales representative and administrator
Explained that all of the company's staff are independent contractors

Chris Brandt indicated that everything was in order with the State.

The Board reviewed documents submitted and indicated that if the company's project manager/supervisor that will be overseeing projects in Teller County is an independent contractor and not an employee of the company he will need to obtain the appropriate contractor license as well or become an employee of the company. Mr. Intermill stated and assured the Board that he personally, and not an unlicensed independent contractor, would oversee all projects in Teller County.

Bert West opened this matter up for public comment. No public comment. Close public comment.

There was further discussion on Worker's Compensation Insurance and independent contractors as it relates to the licensing program adopted in the Teller County Building Code.

Jared Bischoff moved to grant Hi-Point Home Builders, LLC dba: G.J. Gardner Homes – Northgate with Wayne Intermill, as examinee a Class C License. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

Request for Variance

A. Request from Kent & Eunice Brady at 537 Lovell Gulch Road Permit A42564 for a variance to 2003 IRC – Sections R311.5.3 – Stair treads and risers and R311.5.4 – Landings for stairways

Carl Andersen recused himself from this agenda item and left the room.

Allen Chamberlin reviewed the staff report presented and explained that the building plans submitted for the stairway were reviewed and approved as drawn and he is not certain why the stairway that has been built is not compliant unless the framing or layout has changed. The Building Department's recommendation is to deny the request and require that the stairway meet the building code minimum requirements of Section R311.5 – Stairways.

Kent Brady, owner and contractor of the project gave a synopsis of the construction of the stairway that included but was not limited to the following:

Construction of bump out of the house, which includes the stairway, is limited in size by zoning setbacks and the inability to relocate a bedroom door
The home has been remodeled and additions built over the years
Adding a mid step to the stairway is not feasible and would not meet code

Regional Building Department in El Paso County amended their building code to allow for an 8" riser and the stairway would comply with that code. Mr. Brady provided a copy of that section of Regional's Building Code
The stairway has been rebuilt twice in an effort to achieve compliance
Mr. Brady confirmed that the stair rise throughout the stairway is 8 inches

Bert West opened the matter up for public comment and Victor Langhart, a framer assisting Mr. Brady with the project was recognized and confirmed the range of variance on the entire stair run is 3/8".
Close public comment.

There was further discussion between the applicant and the Board on the intent of the code and how the minimum intent of the code could be met, which included but was not limited to the following:

- Dimension of winding of stair tread
- Intent of the code for the 7 3/4" rise
- Impact in head height in closet
- There is no head height issue on the stair run
- Architect has not been involved by owner regarding ways to comply with the code, due to a cost factor
- 8" rise is an absolute maximum
- 8" rise is not generally a serious life, safety issue
- Earlier building codes allowed 8" rise
- Headroom is not an issue
- Significant project to re-do or re-design stairs
- Small floor area to work with – things are already tight
- Stairway is not a main thorough fare - not a high traffic area

Dave Dernbach moved to grant the request from Kent & Eunice Brady at 537 Lovell Gulch Road, Permit A42564 for a variance to 2003 IRC – Section 311.5.3.1 Riser Height to allow risers not to exceed 8" in height. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

At 2:55 p.m. Carl Andersen returned to the meeting.

B. Request from Jared Stanley at 3721 Teller County 3 Plant Track #C10270 for a variance to the 2003 IBC – Chapter 9 Fire Protection Systems

Mr. Stanley not present. No public present. Bert West moved to continue this item to the December 7th, 2011 scheduled meeting. Jared Bischoff seconded. Roll call vote and all said yes. The motion carries.

Board Discussion

Staff presented an updated roster of Board member's terms and vacancies. Two more alternate members would provide a full Board. There was a discussion for all Board members to talk with fellow builders to let them know that there is a vacancy on the Board.

There being no further business the meeting was adjourned a 3:05 p.m.

