

**Teller County Board of Review  
July 9, 2014  
Meeting Minutes**

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

\*Carl Andersen, Chairman  
\* Jared Bischoff, Vice Chairman  
\* Dave Dernbach  
\* Jeff Smith  
\* Steve McCann

Staff: Chris Brandt  
Olya Sharonova  
Lynda Morgan  
Jim Harris

\* Voting members

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

Carl Andersen appointed alternate members Steve McCann and Jeff Smith as voting members for today's meeting.

**Review & Approve Minutes  
From June 6, 2014 Meeting**

Jeff Smith moved to approve the June 6, 2014 meeting minutes as presented. Jared Bischoff seconded. Roll call vote, all 4 said yes, Jared Bischoff abstained. The motion carries.

**Request for Variance**

**Request from The Catamount Center (Howard Drossman and Julie Francis)/ Permit# A45026/  
at 3168 County Rd. 28, Woodland Park CO 80863/ for a variance to the 2003 IBC and 2003 IPC,  
Section 1109.5 Drinking fountains, 1109.2.1.7 Privacy, 1104.3 Connected spaces, and 410.2  
Prohibited locations.**

Lynda Morgan opened the item with the summarization of the staff report and explained that while conducting the final building inspection, it was discovered that the only and accessible drinking fountain was placed in a new location from the approved plans. The original location was on the outside of the building on an accessible route. The new location is inside a shower room. In order for the building department to complete the final inspection a change order was required indicating the deviation from the approved plans, which the contractor did submit. Upon review of the information and drawings provided with the change order several code violations were realized with the new location of the drinking fountain and as such the building department was unable to approve the change order and the owner has applied for the variance.

In the staff report prepared by the plans examiner, Ms. Sharonova, the code sections of concern that have come to light regarding the relocation of the drinking fountain have been referenced.

The Building Department's recommendation is to deny the request for a variance by The Catamount Center (Howard Drossman and Julie Francis), and to require them to comply with the 2003 IBC and 2003 IPC, Section 1109.5 Drinking fountains, 1109.2.1.7 Privacy, 1104.3 Connected spaces, and 410.2 Prohibited locations.

There was further discussion between the Staff and the Board to clarify different areas of the requested variance, which included but was not limited to the following:

- Code sections were identified and architect's comments were addressed re: sink and toilet rest room use, use of drinking fountain, and term restroom being considered a gray area
- Plumbing code does not define exposed surfaces
- Access path was discussed- only 1 path exits and fountain is no longer on path
- Accessible path shall not pass thru a restroom, and the only fountain is required to be located on that path
- Doors can't be locked for the fountain use area, if door locked no access at that time, however for restroom privacy the door must be lockable
- Discussion on possible transfer of contaminants, airborne pathogens, mold & bacteria, and hygiene
- Locker room usage and definition were considered

Architect Paul Anderson of Indie Architecture stated that he was a representative for The Catamount Center (Howard Drossman and Julie Francis), since his company are the architects of record for the project. Mrs. Julie Francis and Mark Mahler of the Mahler GC General Contracting Company were present as well.

Paul Anderson gave a synopsis of his view of the situation that included but was not limited to the following:

- The IPC does not provide a definition of a "public restroom"
- This is a shower room not a restroom
- Accessible path has the accessible shower room on it so the fountain will still be accessible
- His interpretation is that the code makes a distinction between lock-ability and accessibility; the room can be lockable and accessible at the same time
- Water fountain was moved from outside to the shower room due to concerns about cleanliness and animals, and not likely to be used by people that stay there very much
- Mark Mahler stated that the failure to file a change order was an oversight on his part
- Jim Harris indicated that the new plumbing lines were not seen nor inspected by staff
- It was noted that this is unisex shower room, and was built totally accessible
- Julie Francis stated that the shower room does not get locked because people use the posted schedule and respect female vs male times; she also stated that currently people use sinks to fill their water bottles
- Currently the building is operating under a TCO

Carl Andersen opened the matter up for public comment. No public comment. 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:

- The intent of the code is to have drinking fountains to satisfy the human need for water, so occupants shall have accessible water at all times
- Water cooler cannot be substituted as the only required drinking fountain
- Colorado is hot and dry and access to water is important, sinks are not an acceptable source of drinking water
- All the lines are still in the wall at the original location
- No provision exists in the 2003 IBC or IPC to grant this variance

Limited accessibility to the only water source in the shower room exists, because of privacy code/lock-ability requirements  
Real source of contamination exists in the shower room location  
The water fountain can be easily installed into its original approved place

Dave Dernbach moved to deny the request from The Catamount Center (Howard Drossman and Julie Francis as owners)/ Permit# A45026/ at 3168 County Rd. 28, Woodland Park. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

The Catamount Center was advised of their appeal rights.

Chairman Carl Andersen called for a recess at 3:04pm.

Chairman Carl Andersen called the meeting back to order at 3:12 p.m.

### **Contractor Licenses**

#### **Bob McGrath Construction, LLC Robert P. McGrath Class A**

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

Mr. McGrath started out in Dallas for 4 years working on high-rises as a carpenter and concrete contractor  
Came back to Colorado in 1990 and has been in this area ever since, worked on DIA and also other hospitality buildings  
Mr. McGrath started his own business in 2002  
Was asked to build Golden Bell Chapel in Teller County  
Hires local subs, never failed a job, and he is a hands on supervisor

Carl Andersen opened this matter up for public comment. No public comment. Close public comment.

Chris Brandt indicated everything was in order with the State. Mr. McGrath changed his application from requesting a Class A-1 license to a Class A license.

Jeff Smith moved to grant Bob McGrath Construction, LLC, with Robert P. McGrath as the examinee, a Class A License. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

#### **Tom Langton & Co. Construction, Inc. Tom Langton Class C**

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

Mr. Langton started remodeling work straight out of high school  
Received his architectural engineering degree and worked in that field for years, doing remodeling on the side  
Moved to Colorado and started his own remodeling business in 2002  
In 2010 got his Class C license  
Has a few customers in Teller County that need work done that requires a permit

There was further discussion between the applicant and the Board, which included but was not limited to the following:

Letters of reference show remodel work, additions, and decks, however no ground up house construction

Board offered the possibility of a Class C-1 license, since his experience was not strong enough for a Class C license

Mr. Langton agreed to change his request to a Class C-1 license

Carl Andersen opened this matter up for public comment. No public comment. Close public comment.

Chris Brandt indicated everything was in order with the State. Mr. Langton changed his application to the name to match the certificate of liability, being TLC Design/Build Remodeling and to a Class C-1 license.

Jared Bischoff moved to grant TLC Design/Build Remodeling, with Tom Langton as the examinee, a Class C-1 License. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

**Cornerstone Construction  
John Williams  
Class C-1**

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

Mr. Williams moved to Colorado in 2000, did flat concrete work for rental companies  
Worked as a superintendent for another company, including estimating and customer relations

Decided to go into the remodeling business. He doesn't do much structural change, however does a lot of work for military personal

The company does strictly residential remodeling, all subs are licensed contractors

The company carried a license in Teller County previously, however due to lack of business he let the license expire

There was further discussion between the applicant and the Board, which included but was not limited to the following:

Most of the remodel work done by Mr. Williams does not require permits

The company always works with licensed plumbers, electricians, and mechanical contractors

Mr. Williams has a Class E license with El Paso County

Carl Andersen opened this matter up for public comment. No public comment. Close public comment.

Chris Brandt indicated everything was in order with the State.

Jeff Smith moved to grant Cornerstone Construction, with John Williams as the examinee, a Class C-1 License, conditioned upon receipt of a Certificate of Liability Insurance with a correct description of operations, and the reference letter from engineer revised to state Mr. Williams name. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

There being no further business the meeting was adjourned at 3:55 p.m.