

**Teller County Board of Review
March 7, 2012
Meeting Minutes**

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

*Steve McCann
*Carl Andersen Chairman
*Dave Dernbach
*Jeff Smith
*Sonny Strobl

Staff: Chris Brandt
Allen Chamberlin
Olya Sharonova

* 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 Jeff Smith and Steve McCann as a voting members for today's meeting.

**Review and Approve Minutes
From the February 1, 2012 Meeting**

Dave Dernbach moved to approve the February 1, 2012 meeting minutes as presented. Carl Andersen seconded. Roll call vote and four said yes. Sonny Strobl abstained. The motion carries.

Request for Variance

**Request from Carmon Stiles at 487 Calcite Dr. Permit #A43527 for a variance to 2003IRC –
Table 301.2(1) and T.C.B.C. Table 301.2(1) Climatic and Geographic Design Criteria.**

Mr. Stiles is not present. Matter was deferred to the end of the meeting.

Request for Variance

**Request from City of Victor at 296 Lewis Ave. Permit #A42738 for a variance to the
requirements of Sec.1703 1991UBC - Usable space under floors.**

Allen Chamberlin reviewed the staff report presented and explained that during discussions between the City of Victor and Teller County planning and building departments regarding some repairs and maintenance work that was approved to be done at the treatment facility site it was discovered that the original facility did not have all the required inspections done, finals or certificates of occupancy issued. So they applied for and received a compliance inspection for the waste water treatment facility plant located at 296 Lewis Ave, Victor, (Unincorporated Teller County).

There were many correction items in the compliance inspection report and those were either based off of the site visit or the existing plans and permit information. The variance request for the stairway from the lower level to the upper level is for work required in the 1991 Uniform Building Code, section 1703, Table 17-A, 2204, and 3306-(I). These codes were called out by the plans examiner, submitted to the design professionals at the time of the original application in 1994, both parties agreed that this was indeed a requirement of the building code and the building department was presented with

revised drawings to include the separation of the stairway and usable space below. This work was never performed and to the best of the Teller County's knowledge, no subsequent inspections for the remainder of the work were ever called in by the contractor based on all of the data the building department has or that is available from the City of Victor.

Building department staff has reviewed all of the facts and fully believes that this requirement should stand as required when the permit was originally issued and construction was being done in order for the buildings to be code compliant and to complete the buildings now and issue certificates of occupancy. It is the recommendation of the Building Department to deny the request for a variance by the City of Victor to not complete the construction in the Service Building in regards to the protection of the opening between floor levels as directed by section 1703 and additional code sections of the 1991 Uniform Building Code.

Sidney Innerebner and Deb Downs present for the City.

Sidney Innerebner with Indigo Water Group stated that she would be a representative for City of Victor in this matter. Ms. Innerebner gave a synopsis of the situation that included but was not limited to the following:

Ms. Innerebner introduced pictures to the Board showing many different non enclosed stairs from other similar facilities, recent and older. All were built under the 1999 UBC or newer codes

This building is constructed out of concrete and steel, all non combustible materials
Ms. Innerebner stated it's hard to determine what was submitted and approved and what agreements had been made with Building Depart and an engineer of record 15 years ago when the building was built

This variance is being requested to prevent the City of Victor hardship. In order to enclose these stairs today the City of Victor would have to spend over \$20,000.

There was further discussion between Ms. Innerebner, Allen Chamberlin 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:

Plans were approved by the Building Department, and engineer of record agreed with the plans examiner at that time on the issue, and redesigned the plans to meet the code
There is nothing in the file to show that this decision was rejected by either of the parties, nor that it was decided to go back to the original design

There are no records showing that any inspections were called in and therefore there were no inspections performed on this building

1991 UBC code states usable space has to be fire protected, and the space underneath the stairs is clearly usable

The City of Victor is asking for a certificate of occupancy and Mr. Chamberlin as a Building official, cannot issue this certificate with this issue

This stairway is the only way out to the second floor

Pictures clearly show that other facilities do not have enclosed stairs as well

How could the combustible materials be kept away from the basement and from underneath the stairs?

Code states that solution shall be similar in protection

Deb Downs: City records are stored in the City Hall; this facility does not have combustible materials in the basement and especially in the vicinity of the stairs

Can a City put an ordinance in place, regarding this issue?

Protection shall be provided for the occupants of that space

The current Building Code does require a shaft enclosure

Ms. Innerebner: if the City were to build this enclosure as required, it would be the only combustibile materials in the entire building
In the basement, for a waste water professional working there, the biggest concern is drowning and not fire, a door at the top of the stairs can be hard to open in the event of flooding
Posting 4 signs on the walls and entry that shall say no combustibile materials shall be stored, and recording it as a public matter

Chairman Carl Andersen called for a recess at 3:05 p.m.
Chairman Carl Andersen called the meeting back to order at 3:20 p.m.

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

Jeff Smith moved to approve the request from the City of Victor at 296 Lewis Ave. Permit #A42738 for a variance to the requirements of Sec.1703 1991UBC - Usable space under floors, because the basement area is used only for pumps and related equipment, and conditioned upon:

#1. Adequate signage being placed on the entryway and all four walls of the basement room, such signage approved in writing by the Victor Fire Chief and the City of Victor City Council giving notice of the limitations in #2 below

#2 Recording a notice with the Teller County Clerk and Recorder signed by the Teller County Building Department and the City of Victor, in form acceptable to the Teller County Building Department, limiting the use of the basement area to pumps and related equipment, and precluding use of the basement space for storage or placement of combustibile materials.

Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

Sonny Strobl has left the meeting at 3:24p.m.

Contractor Licenses
ABBA'S Construction Inc.
Jose P. Villarruel Sr.
Class C-1

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

Owner and operator of ABBA'S Construction Inc.
Performs work under Class C in the Pikes Peak Regional Building area, wants to be able to work in Teller County
Remodels basements, works on full home remodels, builds additions, garages, and decks

The Board reviewed documents submitted by Mr. Villarruel. Chris Brandt indicated that the certificate of liability insurance which was given to the Board shows that the insurance has now expired.

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

Dave Dernbach moved to grant ABBA'S Construction Inc., with Jose P. Villarruel Sr. as the examinee a Class C-1 License upon receipt of an updated insurance certificate. Jeff Smith seconded. Roll call vote and all four said yes. The motion carries.

Contractor Licenses
Prime Companies, Inc.
David Frates
Change of Examinee Class C-1

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

Currently holds Class C license in El Paso County
Custom home builder
Has passed RCAC in Denver for Class A total Fire/Flood restoration
Also performs roofing jobs for insurance companies, and insurance restorations
Works from insurance referrals

The Board reviewed documents submitted by Mr. Frates. Chris Brandt indicated everything was in order with the State.

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

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

PCI Construction vs. Prime Companies, Inc.
Mr. Frates explained to the Board that there were a few contractors working in Teller County under the PCI Construction name

Jeff Smith moved to change the examinee for Prime Companies Inc., to David Frates. Steve McCann seconded. Roll call vote and all four said yes. The motion carries.

Contractor Licenses
Deck Works Inc.
Jason Porter
Class C-1

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

Mr. Porter has held a Teller County License in the past, however never had the chance to work up here
Deck work specialist with over 1,000 completed projects, builds very high end decks
Also specializes in small additions such as sunrooms, and garages
Has been remodeling for over 20 years, and he is very comfortable with doing Class C-1 type work

The Board reviewed documents submitted by Mr. Porter. There was further discussion between the applicant and the Board, which included but was not limited to the following:

The insurance certificate shall state Deck Works Inc., instead of Jason Porter
Description of operations shall be changed from Residential Carpentry to General Contractor

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.

Dave Dernbach moved to grant Deck Works Inc., with Jason Porter as the examinee a Class C-1 License upon receipt of an updated insurance certificate, correcting the description of operations and the name of the insured. Jeff Smith seconded. Roll call vote and all four said yes. The motion carries.

Board Discussion

- A. Continued item: Discuss Amended Teller County Building Code: Article II – Licenses and Registration, Sections: 103g Special Limited License, 105b Building Contractor B (General-Limited), 105c Building Contractor B-1 (Remodel), and 105d Building Contractor C (Home Builder).**

Allen Chamberlin presented information for this discussion, which included but was not limited to the following:

Presented the board members with more information for discussion

- a. B-1 licensed contractors in Teller County
- b. Projects that he believes done should be able to be done under Class B-1 license

Allow Class B-1 to do some foundation work

Suggesting having a Class B-1 step to Class B, just as Class C has Class C-1 step. As of today there is no license that would allow a Class C to move up slowly to Class B, it's a big jump

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

What are ICC guidelines for testing?

What areas are not covered right now by Teller County existing Classes of license?

There is no license structure in IBC or IRC

Carl Andersen opened the matter up for public comment.

Timothy Doust with Timbaworks, LLC and Nate Boston with Colorado Log Company presented public comment.

There was further discussion between the Board members, Allen Chamberlin, and Timothy Doust, which included but was not limited to the following:

Mr. Doust stated that he was a good example; he mostly works with decks, pergolas, and pole barns

- a. If there were a license which would allow some minor commercial foundation work, he could be working on three projects at this time
- b. In order for him to build decks, pergolas, and pole barns in a commercial setting, he would have to apply for a Class B
- c. Even though his experience is more than sufficient to perform that kind of work in a commercial setting, there is no class of license currently in Teller County Code to allow him to advance

Mr. Boston suggested creating a Class B-2 similar to Class C-1, allowing contractors to perform work on commercial decks, stairs, pergolas, and landscaping

The Board also offered suggestions to Mr. Doust which included but was not limited to the following:

Apply for Class C and gain the required two years of experience needed to move to Class B

Go into a partnership or perform work under a Class B contractor to gain the experience

Carl Andersen closed the matter for public comment.

The Board asked Allen Chamberlin to provide a rough draft for new proposed licenses, and to provide the ICC testing requirements.

Carl Andersen moved to continue this item to the Apr. 4th 2012 meeting. Dave Dernbach seconded. Roll call vote and all four said yes. The motion carries.

Request for Variance

Request from Carmon Stiles at 487 Calcite Dr. Permit #A43527 for a variance to 2003IRC – Table 301.2(1) and T.C.B.C. Table 301.2(1) Climatic and Geographic Design Criteria.

The Board recalled this matter. Mr. Stiles still not present. The Board decided to continue this item to the April 4th 2012 meeting.

Carl Andersen moved to continue the request from Carmon Stiles at 487 Calcite Dr. Permit #A43527 for a variance to 2003IRC – Table 301.2(1) and T.C.B.C. Table 301.2(1) Climatic and Geographic Design Criteria, to the April 4th 2012 meeting. Steve McCann seconded. Roll call vote and all said yes. The motion carries.

There being no further business the meeting was adjourned at 5:11 p.m.