

**Teller County Board of Review
May 2, 2012
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
*Sonny Strobl
*Jeff Smith
Steve McCann

Staff: Chris Brandt
Allen Chamberlin
Olya Sharonova

*Bert West (joined the meeting shortly after roll call)

* Voting members (some for portions only)

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 member Jeff Smith as a voting member for today's meeting.

**Review and Approve Minutes
From the April 4, 2012 Meeting**

Jared Bischoff moved to approve the April 4, 2012 meeting minutes as presented. Jeff Smith seconded. Roll call vote: Sonny Strobl and Dave Dernbach abstained, and three said yes. The motion carries.

Bert West joined the meeting at 2:07pm. Carl Andersen acknowledged Bert West as present, and as a voting member. Jeff Smith remained as a nonvoting member for the rest of the meeting.

Request for Variance

Continued item: 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.

Allen Chamberlin reviewed the staff report presented and explained that Mr. Stiles applied for a building permit to construct a carport attached to the existing house and with the submitted application has listed himself as the general contractor of the project. Mr. Stiles' permit was approved and the plans were released January 3rd 2012 and Mr. Stiles signed the appropriate paperwork which included the agreement that he would follow all applicable Teller County Building Codes. The last sentence stated that he was taking responsibility for his sub contractors, such as a roofer, similar to what a general contractor would be required to do. Mr. Stiles did not show Aspen Roofing and Chimney as his roofing contractor. The plans submitted to the building department (which Allen Chamberlin assumed were drawn by Mr. Stiles) indicate the he specified GAF shingles rated at 110 mph. and additional ice and water was to be installed on the entire area.

It is the recommendation of the Building Department to deny the request for a variance by the homeowner, Carmon Stiles to allow the roof assembly that was installed improperly by his subcontractor to remain. Based on his submitted plans, the roofing contractor being a licensed

contractor here in Teller County and knowing what the basic requirements are while working here, and Mr. Stiles, failure to make sure that his subcontractors followed not only the building codes but to also follow the approved drawings that he prepared.

Mr. and Mrs. Stiles present. Mrs. Stiles gave a synopsis of the situation that included but was not limited to the following:

Mr. Stiles contracted with Aspen Roofing and Chimney Company to do the roof
He asked the contractor to make sure that everything would be to code
Contractor did not notify Mr. Stiles of the non-compliance, red tag was left on the jobsite by the inspector
Mr. Stiles tried to resolve this issue with the contractor, however nothing was accomplished
The homeowner contacted other roofing companies in Teller County and was notified of the use of the same shingles on other structures
Mr. Stiles believes that he was taken advantage of by the roofing company, and is holding them responsible for this non-compliance

There was further discussion between Mrs. Stiles, 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:

The owner has stated that he did not fill out the permit and did not draw the plans; it was done by Nick D Construction Company, who could not pull the permit themselves as general contractor
Board member Bert West has expressed his concerns regarding this variance
Mr. Stiles presented the Board with pictures
There is nothing that can be done to the 3-tab shingles that would meet the requirements of 85mph
The new shingles that were used on the car port match the house existing shingles
Bert West stated that it would have been hard, or almost impossible, to attach new code compliant shingles to the existing 3-tab
Chris Brandt advised the Board that the motion would need to be specific, and that the outcome of this variance would likely therefore not affect other projects in Teller County

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

Chairman Carl Andersen called for a recess at 2:50 p.m.

Chairman Carl Andersen called the meeting back to order at 2:58 p.m.

Bert West moved to approve 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, for the following reasons:

1. It is only a carport with no habitable space
2. It is fully ice & water shielded
3. It ties into an existing dwelling roof with same type shingle (so technical application works much better where they join together to avoid leakage)
4. The homeowner was misled by framing and roofing contractor(s)

And conditioned upon:

1. The homeowner will record notice of variance with the County Clerk & Recorder, approved by the Building Department, within 45 days of the granting of the variance.
2. This variance in on way condones the code violations, nor affects any other proceedings on this property.

Furthermore, the recorded notice shall state that if and when a re-roof is done for the whole building and carport in compliance with the codes in the future, this variance no longer has any affect.

Jared Bischoff seconded. Roll call vote and all said yes. The motion carries.

Contractor Licenses
Steel Structures America, Inc.
Dave Harland
Class C

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

Mr. Harland has changed the requested license in his application from Class A to Class C license

As a principal of Steel Structures America, Inc. Mr. Harland oversees the building of all type of structures: storage barns, pole barns, garages, shops, hay storage barns, and even structures that include habitable spaces

Buildings use pre-engineered components by others

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

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

Mr. Harland holds a Class A limited license with Pikes Peak Regional Department, he also holds Class B license in Idaho and California

He has built over 30 structures which had dwellings in them, four of which were just built in the last four years

Jared Bischoff moved to grant Steel Structures America, Inc. with Dave Harland as the examinee a Class C License, upon receipt of a reference letter that describes the building of a dwelling. Bert West seconded. Roll call vote and all said yes. The motion carries.

Contractor Licenses
Kiva Construction, Inc.
Kimber Janney
Class A

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

Mr. Janney carries a Class A license in El Paso County and would like to have the same Class of license here in Teller County

Does not have a high volume of projects, he mostly works on unusual projects for example: a straw bale house was one of the recent projects
He does a lot of remodeling of old buildings, both commercial and residential
Mr. Janney works on a lot of challenging projects

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

Sonny Strobl moved to grant Kiva Construction, Inc., with Kimber Janney as the examinee, a Class A License. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

Carl Andersen noted for the record that the agenda item: Keystone Construction of the Rockies, Inc. / George S Matty / Upgrade from Class B to Class A, was withdrawn.

Contractor Licenses
CJT Construction, Inc.
Terrence J McGinty
Class C-1

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

Mr. McGinty has just started CJT Construction; however he was employed by Cheyenne Mountain Air Force Station for over 11 years
He has built his own house and a garage
He has worked for a general contractor, and has built a few garages
Also worked for George Asbury installing septic systems
He would like to start out with a Class C-1license to see if the business picks up, then he is planning on taking the test for and upgrading to, a Class C license
Contractor is aware of the limitations of Class a C-1license in Teller County

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

Dave Dernbach moved to grant CJT Construction, Inc., with Terrence J McGinty as the examinee, a Class C-1license. Jared Bischoff seconded. Roll call vote and all said yes. The motion carries.

Chairman Carl Andersen moved to adjourn the meeting. Bert West seconded. Roll call vote and all said yes. The motion carries.

There being no further business the meeting was adjourned at 3:34 p.m.