MINUTES
BUILDING BOARD OF REVIEW
1:00 P.M., Monday, December 11, 2017
3rd Floor, Jesse Lowe Conference Room
Omaha/Douglas Civic Center - 1819 Farnam Street

Board Members:

<table>
<thead>
<tr>
<th>Members Present:</th>
<th>Members Absent:</th>
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<tbody>
<tr>
<td>Jack Ryan – Chairman</td>
<td>Cheryl Kiel</td>
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<td>Ron Feuerbach – Vice Chair</td>
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<tr>
<td>Cheryl Kiel</td>
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<td>Michael Naccarato</td>
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<td>Kent Therkelsen</td>
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<td>Thomas Thibodeau</td>
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<td>Dennis Van Moorleghem</td>
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A current copy of the Open Meeting Act is posted in a white binder on the north wall of the Jesse Lowe Conference Room. The secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on December 4, 2017.

Mr. Ryan called the meeting to order at 1:00 p.m., introduced the board members and staff, and explained the procedures for hearing the cases. Mr. Ryan informed the public that a copy of the Open Meetings Law was available for review on the north wall of the room. He noted that only those items on the agenda could be discussed at the public hearing.

Mr. Ryan explained that the Board does not have the authority to waive any requirements of the Americans with Disabilities Act, Federal Fair Housing Act, or NFPA Life Safety Code. The Board does have the authority to hear appeals of the International Fire Code, Nebraska Accessibility Guidelines and the Nebraska Fair Housing Act. Life Safety Regulations are administered by the State Fire Marshal.

I. Roll Call

Members Present:
- Jack Ryan – Chairman
- Ron Feuerbach – Vice Chair
- Cheryl Kiel
- Michael Naccarato
- Kent Therkelsen
- Thomas Thibodeau
- Dennis Van Moorleghem

Others Present:
- Jay Davis – Assistant Director Permit & Inspections
- Anna Bespoyasny – Plans Examiner
- Tom Phipps – Chief Mechanical Inspector
- Jennifer Taylor – City Law
- Carrin Meadows – Board Secretary

II. Approval of the October 16, 2017 minutes. (No November meeting)

Motion by Mr. Ron Feuerbach to approve the minutes from October 16, 2017 with corrections. Mr. Thomas Thibodeau second the motion.
AYES: Feuerbach, Naccarato, Ryan, Thibodeau, Van Moorleghem

ABSTAIN: Therkelsen

MOTION CARRIED: 6-0-1 APPROVED

III. Cases:

<table>
<thead>
<tr>
<th>Case No.</th>
<th>LOCATION:</th>
<th>REQUEST:</th>
</tr>
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<tbody>
<tr>
<td>17-21</td>
<td>8505 N 30 St</td>
<td>Waiver of 2006 IMC, Section 506.3.12.3 and NFPA 96-part 7.8.2.1 (1) which requires 10 feet between the exhaust hood and any adjacent building or property line.</td>
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Mr. Kylan Block appeared on behalf of RDG Planning & Design. Mr. Ryan Ernst, who is the owner of Mouth of the South, also appeared in front of the Board. The request is for a waiver of NFPA 96 which requires a 10 foot clearance on all sides of the exhaust hood from a kitchen hood. The existing restaurant had a hood exhaust termination that was only a couple of feet off from the property line. According to Mr. Block they are rebuilding a restaurant, which was destroyed in a fire they are trying to locate the hood and the property is only 22 feet wide so allowing for a three foot wide hood there is technically no place on the property that they can be 10 feet from both adjoining properties. Mr. Block stated that the goal is to reasonably center the new exhaust termination from the hood reasonably center so that it is as close to the middle as possible.

Mr. Tom Phipps appeared before the Board on behalf of the City of Omaha. Mr. Phipps stated when he wrote the Building Officials analysis he took into consideration the neighbors’ property lines and if the hoods terminations would cause damage to their property. Mr. Phipps reiterated that in order for the kitchen hood exhaust termination to be 10-feet from the property line the kitchen hood exhaust termination would need to be placed directly in the center of the property. There was a discussion about the placement of the hood. According to Mr. Block the hood will located along the south wall and the floor to the underside of the structure will be raised in order to allow for space to offset allowing the hood exhaust duct to go horizontal to go over the to the roof curb opening. Mr. Phipps questioned the construction materials of the structure of the building. Mr. Block informed the Board that the structure will be both steel frame supporting wood trusses.

The discussion continued with finances permitting there will be two hoods within the restaurant. One of the hoods will be designated to a smoker and the other hood is the one in which is being discussed today. The placement of these hood exhaust termination continued with the information being provided that they will not be placed beyond the center of the hood being 10-feet from the property line.

A discussion then proceeded about how the center of the dome of the hood exhaust termination would need to be placed in the center of the building with a minimum of 10-feet from the adjacent property lines.

Motion by Mr. Ron Feuerbach to approve the waiver with the condition that the center of the exhaust domes are 10-foot from the adjacent property lines. Mr. Michael Naccarato second the motion.
AYES: Feuerbach, Naccarato, Ryan, Therkelsen, Van Moorleghem

ABSTAIN: Thibodeau

MOTION CARRIED: 5-0-1 APPROVED

<table>
<thead>
<tr>
<th>Case No. 17-22</th>
<th>LOCATION: 3608 Farnam St</th>
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<tr>
<td>Macchietto Architecture, INC</td>
<td>Request to utilize IBC 2012 building code in order to utilize area under a podium for Residential</td>
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<tr>
<td>Eric Westman</td>
<td>1516 Cuming St</td>
</tr>
<tr>
<td>Omaha, NE 68102</td>
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</tbody>
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Mr. Eric Westman appeared before the Board to request to use IBC 2012 Building code due to having apartments on the first floor under a podium. Mr. Jack Ryan asked Mr. Westman if he was planning on doing the whole project under the 2012 code. Mr. Westman responded, “Yes, they are planning on using the 2012 code throughout the whole project.” Mr. Ryan stated the case analysis from the city, states the City is not against the request for the waiver. Mr. Jay Davis stated that the City does not object to this request because the City is in the process to switching to the 2012 code.

Mr. Ron Feuerbach stated that if a motion is made to approve this request that it needs to include all international codes, not just building. It would have to include electrical, plumbing and mechanical. Mr. Davis also commented on how cast iron and copper must be used below the podium.

Motion by Mr. Thomas Thibodeau to allow the project to be designed under the 2012 international code. Mr. Ron Feuerbach second the motion.

AYES: Feuerbach, Naccarato, Ryan, Therkelsen, Thibodeau, Van Moorleghem

MOTION CARRIED: 6-0 APPROVED

IV. **Other Business:** 2018 Meeting Schedule was provided to Board members.

V. **Adjournment:** Motion by Mr. Ron Feuerbach to adjourn the meeting at 1:20. All members were in agreement to adjourn.