Mr. Ryan, Chairman, called the meeting to order at 1:00 P.M., introduced the board members, as well as the staff, and explained the procedures for hearing the cases. Roll call was taken with five members present.

Mr. Ryan informed those present that a copy of The Open Meetings Law is available in the board room for anyone to review. He noted that only those items on today's agenda could be discussed at today's public hearing.

Mr. Ryan explained that this 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. This 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.

Mr. Ryan requested that speakers limit their presentation to 10 minutes.

Mr. Epstein moved to APPROVE the meeting minutes for May 10, 2010 as corrected. Mr. Limpach seconded the motion.

AYES: Limpach, Meyerson, Epstein, Ryan

ABSTAIN: Kucks

MOTION CARRIED: 4-0-1
NEW CASES:

Case No. 10-28  LOCATION:  1490 N 16 Street
Steve Kuzelka - HBA  REQUEST:  Waiver of the requirement that fire doors shall
119 S 49 Street  be self- or automatic closing, and to the 25%
Omaha, NE  68132  limit on fire-rated glazing in a fire partition

Mr. Steve Kuzelka, Holland Basham Architects, 119 S. 49th Avenue, appeared on behalf of Catholic Charities to present this request.

Mr. Kuzelka stated that the project is an addition to a series of pods at the existing Catholic Charities treatment facility. The proposed building is a separate pod to be connected by a pedestrian walkway with a 2-hour separation. The facility is characterized as a residential occupancy which requires a ½-hour corridor and closers on the doors. He explained that visual contact with the residents is an important factor. Kuzelka stated that the building is designed with 25% glazing requirement and included the request for more visual access. He stated that the program's procedure is to have resident room doors open during the daytime hours. Kuzelka stated that under the Life Safety Code, this is a small residential board and care only requiring smoke partitions. The pod is a mixture of business occupancy and residential. There are 10 residents in a setup of five shared residential rooms, staff offices, and a classroom area. The rest of the pod consists of storage and mechanical. He stated that the business side does not require rated corridors. Kuzelka proposed to build the corridors with 1-hour rating using wired glass and hollow metal frames. He will include ½-hour rated doors as well. In response to Mr. Ryan, Mr. Kuzelka stated that staff is on duty around the clock. Kuzelka added that the proposed addition will be fully sprinklered. In response to Mr. Limpach, Mr. Kuzelka stated that alarmed egress windows are procedural at the facility.

Mr. Greg Hauptman stated that according to Life Safety Code, Building, and Fire Codes, there are no exceptions to the 25% glazing requirement. He stated that the Life Safety Code will allow door closers to be eliminated if the building is fully sprinklered. Hauptman stated that he does not object to the door waiver.

Mr. Kucks moved to APPROVE a waiver not requiring door closers contingent upon the design meeting the requirements for the 25% maximum glass in the wall. Mr. Epstein seconded the motion.

AYES:  Meyerson, Epstein, Kucks, Ryan

ABSTAIN:  Limpach, Ryan

MOTION CARRIED:  4-0-1
Mr. David Rucker and Mr. Pablo Vidales, Tactical Cleaning Company, appeared before the board to present this request.

Mr. Rucker stated that their company is in partnership with G E Rail Services to clean railcars. He stated that they lease an office/crew trailer which is also on leased property. The trailer has been blocked, leveled, and anchored to specs to withstand hurricane winds. Rucker stated that in 2009 the Plumbing Board granted Tactical Cleaning Company a waiver to provide a handicap accessible bathroom with ramp in a climate-controlled trailer through June 1, 2012. Rucker stated that they are currently negotiating with a company to build a ramp to specs as well.

Mr. Kucks had some concerns about granting a 10-year waiver for a trailer without foundations. Mr. Rucker explained that the 10-year term in the contract can be negated and either party may leave within 30 days. Rucker explained that the Plumbing Board backdated the recent request in order to coincide with the original waiver granted to G E Rail Services in 2009. He stated that they expect to return to the Building Board of Review for yearly waivers as well.

Mr. Limpach moved to grant a waiver of the requirement for a permanent foundation under a temporary building for a period of three years, backdated to June 1, 2009 (expiring June 1, 2012), and match the Plumbing Board review dates. Mr. Kucks seconded the motion.

AYES: Epstein, Kucks, Limpach, Meyerson, Ryan

MOTION CARRIED: 5-0
Case No. 10-30
Sean D. Cuddigan
10855 W. Dodge Rd, Ste. 100
Omaha, NE  68154

LOCATION: 132 N 31 Street, Apt. 38
REQUEST: Appeal International Property Maintenance Code Notice of Violation dated May 17, 2010

Ms. Jessica Finkle, Brodkey Cuddigan Peebles & Belmont, LLP, 10855 W. Dodge Road, Two Old Mill, Suite 100, appeared before the board in support of this request.

Mr. Kevin Denker, Chief Building Inspector, stated that the property was inspected with notice of deficiencies mailed to the owner on May 17, 2010. He stated that the property owner is requesting a 90-day extension from the July 16, 2010 repair completion date.

Mr. Epstein moved to grant a 90-day extension (October 14, 2010) from the July 16, 2010 deadline date to allow more time for repairs to be made. Mr. Limpach seconded the motion.

AYES: Kucks, Limpach, Meyerson, Epstein, Ryan

MOTION CARRIED: 5-0
LAYOVER CASES:

Case No. 10-20
Brian Carlin
1934 S. 34th Street
Omaha, NE  68105

LOCATION:  616 S. 31st Avenue
REQUEST:  Appeal International Property Maintenance Code Notice of Violation dated April 9, 2010

Mr. John Chatelain, Attorney, Chatelain & Maynard, 12111 Anne Street, appeared before the board in support of this request.

Mr. Mike Johnson, Housing Inspector, stated that he met at the property with the owner and agreed upon the repairs required. The property owner assured that the property was not being rented as a rooming house. Johnson stated that Mr. Carlin has communicated with the Chief Building Inspector regarding the deck requirements. He stated that Carlin is also making the siding repairs.

Mr. Chatelain requested a layover until the July meeting. He stated that the property owner would like to complete the repairs and obtain a release letter from the City. Chatelain stated that there are no other issues perceived.

Mr. Limpach moved to grant a layover until the July 12, 2010 meeting. Mr. Kucks seconded the motion.

AYES:  Limpach, Meyerson, Epstein, Kucks, Ryan
MOTION CARRIED:  5-0
Case No. 10-22  LOCATION:  6204 N. 42rd Street
Dave Thompson  REQUEST:  Appeal International Property Maintenance Code
5006 S. 94th Street  Notice of Violation dated April 1, 2010
Omaha, NE  68127

Mr. John Chatelain, Attorney, Chatelain & Maynard, 12111 Anne Street, and Mr. Dave Thompson, property owner, appeared before the board in support of this request.

Mr. Chatelain stated that they met with the housing inspector. He referred to the June 4 letter that listed the repairs in progress. Mr. Kurt Holmstrom, Housing Inspector, stated that the current issues at this property are: storage needs to be inside the building, trash needs to be removed, vehicle trailers need to display the tags, and metal sheets and construction debris need to be removed. Mr. Denker recommended an extension pursuant to the list dated June 4, 2010.

Mr. Epstein moved to grant a 60-day extension (August 13, 2010) to make the necessary repairs listed in the June 4, 2010 letter. Mr. Kucks seconded the motion.

AYES: Meyerson, Epstein, Kucks, Limpach, Ryan

MOTION CARRIED:  5-0

ADJOURNMENT:

It was the consensus of the board to adjourn the meeting at 1:50 p.m.