Mr. Ryan, 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. Mr. Ryan informed the public that a copy of the Open Meetings Law is available in this board room on the north wall for anyone to review. He noted that only those items on the agenda could be discussed at the public hearing.

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

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.

Roll call was taken and seven members were present.

Motion by Mr. Feuerbach to APPROVE the minutes for the November 4, 2013 meeting. Mr. Schaefer seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0
At the Building Board of Review meeting held on December 9, 2013, Jeremy Prunty appeared before the Board in support of the request.

Mr. Prunty began by responding to what was stated in the Case Analysis. He stated that he did have a permit to finish the basement and that the bathroom was in place when he purchased the home. In addition, he explained that new work had not been done, although sections of lines had been repaired due to freezing. He wanted to add a bedroom in the basement and was requesting that the bathroom that was installed in the basement, without permits, be allowed to remain. He stated that there was a low ceiling and beam in place as you enter the bedroom.

In response to Ms. Keil, Mr. Prunty explained that the egress window would be installed when a decision is made for the ceiling height.

Jay Davis, Assistant Director – Permits and Inspections, stated that although the City does not support the request, the code does make some allowances for headroom underneath the existing stairs and for the white wood that had been used for the bottom plates. He explained that a pest control company could treat the plates. Mr. Prunty stated that the existing shower would need to be removed if the bottom plates were replaced. He submitted photos of the basement bathroom (Exhibit #2) to show that it was already in place when he purchased the home.

There was some discussion about the location and height of the beam in the basement, the proposed location of the egress window and the location of the existing stairway.

Mr. Wiedenman moved to APPROVE the minimum ceiling height of 6’4” throughout the basement subject to modifications being made to the beam. APPROVE field treatment of the bottom plates on walls. Mr. Santo seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0

Mr. Davis noted that the applicant had obtained a permit for the project.
Case No. 13-046
Zac Gemar/Tim Wurtele/
Shane Cherney
8404 Indian Hills Drive
Omaha, NE 68114

LOCATION: 1926 South 67th Street
REQUEST: Waiver to provide additional sprinkler coverage in lieu of the required 1-hour horizontal occupancy separation required by the code.

This case was withdrawn at the request of the applicant.
Case No. 13-047  
Mike Lengyel/Gary Kropf  
8516 Maple Street  
Omaha, NE 68134  

LOCATION: 9315 Maplewood Boulevard  
REQUEST: Waiver to allow the use of a residential grade fire suppression range hood in lieu of a Type I commercial hood as required by the 2006, IMC, Section 507.

At the Building Board of Review meeting held on December 9, 2013, Gary Kropf (SOS Heating & Cooling), Mike Lengyel (MLS Construction, Inc.), and Jaime Ruml (Beacon Hill Apartments) appeared before the Board in support of the request.

Mr. Kropf stated that the request is for a residential hood with a fire suppression system in the clubhouse of the Beacon Hill Apartments.

Mr. Ryan noted that neither Permits and Inspections nor the Fire Department objected to the request.

Tom Phipps, Chief Mechanical Inspector, stated that this request is similar to three previous requests that had come before the Building Board of Review and been approved.

Mr. Schaefer noted that, unlike the previous cases, individuals could possibly use the range in the clubhouse to prepare food. Mr. Phipps explained that the use would be considered as a transient use, adding that a heavier gauge steel and flue connections would be required. In addition, it would have to meet the same criteria as a restaurant. Jay Davis, Assistant Director – Permits and Inspections, stated that since the manufacturer of the hood stated that it could be used in quasi-commercial settings, its use in the apartment clubhouse would be acceptable.

Mr. Schaefer moved to APPROVE as requested. Ms. Makinster seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0
At the Building Board of Review meeting held on December 9, 2013, John Chatelain appeared before the Board in support of the request.

Kevin Denker, Chief Housing Inspector, stated that he had recently met with Mr. Chatelain and the property owner. He reported that the property is close to completion and that the permits had not been finalized. He did not object the applicant’s request for a 30-day layover.

Mr. Chatelain stated that there were some minor issues with the stairway.

Mr. Wiedenman moved to LAYOVER until the January 13, 2014 meeting of the Board. Ms. Makinster seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0
At the Building Board of Review meeting held on December 9, 2013, John Chatelain appeared before the Board in support of the request.

Kevin Denker, Chief Housing Inspector, reported that this case had been released by Permits and Inspections on October 28th.

Mr. Chatelain chose to withdraw the case on behalf of the property owners.

Mr. Santo moved to accept the WITHDRAWAL of the case. Mr. Feuerbach seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0
At the Building Board of Review meeting held on December 9, 2013, John Chatelain appeared before the Board in support of the request.

Kevin Denker, Chief Housing Inspector, stated that Roger Carroll, the Housing Inspector for the case, had been out to re-inspect the property and to take pictures on December 9, 2013. He submitted those pictures to the file (Exhibit 2). He also met with Mr. Chatelain and the property owner, who agreed to allow Mr. Carroll inside the property for an inspection on December 10, 2013. Mr. Denker had no objection to the applicant’s request for a layover until June 2014.

Mr. Chatelain noted that there were some addition items on the list of repairs that needed to be addressed, which includes concrete work.

Ms. Makinster moved to LAYOVER for six months until the June 2014 meeting of the Board, subject to an interior inspection of the property within the next 14 days. Mr. Santo seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0
Review of Procedural Rules

LOCATION: City of Omaha
City Law Department

Alan Thelan, City Law, stated that the Law Department has been reviewing the Rules of Procedure for several of the City boards. He stated that clarification would be made regarding the relationships between the City Law Departments and the various boards. He noted that there are several statements in the rules that could be misleading and others that are incorrect. He suggested that the board lay over the matter for a month or two so that additional changes could be made.

In response to Mr. Feuerbach, Mr. Thelen stated that the modifications to the rules would reflect the International Property Maintenance Code portion of the Building Board of Review, instead of just building code waivers.

Mr. Thelen explained the role of the Law Department in cases where lawsuits are brought against the City of Omaha and/or one of its boards.

Mr. Wiedenman moved to LAYOVER. Mr. Feuerbach seconded the motion.

AYES: Feuerbach, Wiedenman, Makinster, Santo, Kiel, Schaefer, Ryan

MOTION CARRIED: 7-0
ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at 1:52 p.m.