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 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.

Roll call was taken and six members were present.

Motion by Mr. Feuerbach to APPROVE the minutes for the September 14, 2015 meeting. Mr. Thibodeau seconded the motion.

AYES: Feuerbach, Naccarato, Ramm, Kiel, Thibodeau, Ryan

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on October 5, 2015, Ruth Foster appeared before the Board.

Ms. Foster requested that the Board grant her a waiver so that she would not have to install a ramp at her business. The applicant stated that she was at her previous location, 3909 Leavenworth Street, for 30 years. She explained that installing the ramp would not be cost-effective and that the required parking would take away all of her available parking spaces. She further stated that for the past 26 years she has visited hospitals, nursing homes and private homes to accommodate clients that could not make it to her shop due to physical limitations. Mr. Ryan recalled that a similar waiver had been granted several years before in the same area; the applicant indicated that she had been before the Board in September of 1989 and was granted the same waiver for her previous location.

In response to Ms. Kiel, Ms. Foster stated that customers would need to go down two steps, to get to her shop as opposed to the seven steps that customers had to walk up to enter the previous location.

Mr. Ramm inquired as to whether the Board had the authority to grant the request since it was an ADA issue. Greg Hauptman, Plans Examiner – Permits & Inspections, responded that the Board could rule at the local level; however, the applicant would need to be aware that if a complaint was filed against her she would be required to deal with the issue on a State and Federal level. He stated that the Planning Department did not support the request since it does not have the authority to grant waivers for accessibility or Life Safety matters. He added that, at minimum, Permits & Inspections would prefer that a ramp be installed so that individuals could get into the building.

Ms. Kiel expressed support for the waiver for the new location since it was an improvement from the former location and since the applicant would visit clients who could not use the stairs.

In response to Mr. Hauptman, Ms. Foster stated that the door for the current shop was 36” wide, which was the same as the previous location.

Ms. Kiel moved to APROVE waiver at the local/city level only. Mr. Feuerbach seconded the motion.

AYES: Feuerbach, Naccarato, Ramm, Kiel, Thibodeau, Ryan

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on October 5, 2015, Brent Bloom appeared before the Board.

Mr. Bloom explained that he had regularly been in contact with Mr. Dave Thomas (Assistant Director – Housing & Community Development) and Jim Janovich (Construction Specialist – Housing and Community Development) about the property. He explained that many of the violations had been taken care of by the property owner. Some were being handled by the City’s Handyman program. He added that, with the exception of a couple of issues, the electrical work had been completed. He further added that some funds were being raised for repairs through private donations. In response to Mr. Feuerbach, Mr. Bloom stated that the property was no longer being operated as a rooming house and that only the property owner and a roommate lived at the residence. He requested another 30 days to bring the property in compliance.

Kevin Denker, Chief Housing Inspector – Permits & Inspections, did not object to a 30-day layover to allow the owner to work out issues with plumbing and other repairs. He explained that if all repairs were made before the next meeting, the applicant would not need to re-appear before the board and the property would be released.

Mr. Thibodeau moved to LAYOVER until the November 9, 2015 meeting. Mr. Naccarato seconded the motion.

AYES: Feuerbach, Naccarato, Ramm, Kiel, Thibodeau, Ryan

MOTION CARRIED: 6-0

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at 1:22 p.m.