Mr. Feuerbach, 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. Feuerbach 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. Feuerbach 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. Thibodeau to APPROVE the minutes for the October 5, 2015 meeting. Ms. Kiel seconded the motion.

AYES: Naccarato, Ramm, Kiel, Thibodeau, Feuerbach

ABSTAIN: Standerford

MOTION CARRIED: 5-0-1
At the Building Board of Review meeting held on November 9, 2015, Martin Kluck (Alley Poyner Macchietto Architecture) and Darrin Smith (Arch Icon Development) appeared before the Board.

Mr. Kluck explained that the owner decided to remove the existing fire escape for safety purposes. The existing ladder goes from the fire escape to the roof. It seemed unnecessary to have another set of stairs built to go all the way up to the roof. In response to Mr. Feuerbach, Mr. Kluck stated that the building would be fully sprinkled.

Greg Hauptman, Plans Examiner, noted that the request would be allowed when the 2012 Codes are adopted and that Permits & Inspections did not object to the request.

Ms. Kiel moved to APPROVE as requested. Mr. Ramm seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on November 9, 2015, David Lempke (HDR, Inc.), Jennifer Karls (HDR, Inc.), and Eliticia Vieyra (The Salvation Army) appeared before the Board.

Mr. Lempke explained that the existing building is being replaced with a new, 4-story facility. There will be offices and meeting spaces on the first floor, and levels 2 – 4 will house various residential programs. The second and third floor will consist of studio units, 2-bedroom, and 3-bedroom apartments. The fourth floor will have dormitories with combined dining and living spaces with a kitchen for those facilities. The apartment units on the second and third floors will contain their own separate cooking facilities. There will not be cooking facilities in the individual living units on the 4th floor. On the 1st, 3rd and 4th floor there will be additional kitchen spaces. The kitchen space on the 1st floor would be in used in conjunction with the meeting spaces and would be supervised by staff for special events. No additional kitchen space is planned on the 2nd floor outside of those that are inside the residential units. An additional kitchen space is proposed outside of the residential units for the 3rd floor to be used by the residents of the 2nd and 3rd floors. A full-service commercial kitchen space was also proposed for the 4th floor outside of the units that would serve all of the residents’ meals and snacks. This kitchen would have the required Type I hood. However, due to the nature of the kitchens and what they will be used for, the applicant requested that the Type I hoods for the 1st and 3rd floors be substituted for the Denlar D-1000 hood.

Ms. Vieyra explained that Monday through Friday a catering service delivers pre-packaged meals to the residents on the 3rd floor and that the kitchen facilities on that floor would very rarely be used. Those tenants would mainly cook inside of their own units.

Greg Hauptman, Plans Examiner – Permits & Inspections, stated that it appeared that the kitchen of the 1st floor would always be supervised. However, there was some concern that the kitchen on the 3rd floor would not be supervised and would be available to anyone who chose to use it at any time. It would also be used on floors where residents will be sleeping.

Michel Mason, Plans Examiner – Permits & Inspections, further explained that the update in the International Mechanical Code allows for restricted use of the Denlar D-1000 hood in spaces for rehabilitation and training and is not intended for an unsupervised use. Ms. Vieyra responded that staff offices will be located on the 3rd floor and that an evening supervisor would be on site until 9 or 10 p.m. She explained that residents have cooked smaller meals like pancakes or eggs on the range and that the meals that are delivered are already prepared and would need to be re-heated.

Mr. Feuerbach stated that the Board had previously approved the type of hood being requested for rehabilitation or training uses and that the applicant’s request went beyond that use. In response to Mr. Feuerbach, Ms. Vieyra stated that residents could potentially cook at any hour during the day or night if they decided to, especially since their meals would be located in the refrigerator near the stove.
Mr. Ramm moved to APPROVE the use of the Denlar D-1000 hood (installed per the manufacturer's instructions) on the first floor of the facility; DENIAL of the use of the Denlar D-1000 hood on the third floor of the facility. Mr. Thibodeau seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on November 9, 2015, Tim Werner and LeAnne Romano (Children’s Hospital) appeared before the Board.

Mr. Werner explained that the facility is in a tenant space in a commercial structure that has been remodeled. The hospital's Behavioral Health clinic has a kitchen/dining area that is used to train patients with eating disorders how to prepare meals in a residential environment. The patients would be cooking under direct supervision of staff. The applicant believed that, in this situation, a Type I hood would create a commercial kitchen environment and would inhibit the rehabilitation process.

Michel Mason, Plans Examiner – Permits & Inspections, noted that the Greenheck system that the applicant submitted with their plans did not meet the ICC requirements and he also inquired about the construction of the ductwork and the location of the fan in regards to the plenum return system.

Mr. Thibodeau moved to APPROVE the request subject to the Denlar D-1000 hood being installed in accordance with the manufacturer’s recommendations and the ductwork and fan being installed and located in such a way that it complies with the adopted International Mechanical Code. Ms. Kiel seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on November 9, 2015, Brent Bloom, Kevin Denker, Chief Housing Inspector – Permits & Inspections, and Todd Shearer, Housing Inspector – Permits & Inspections) appeared before the Board.

Mr. Shearer explained that the property was being worked on by another City department. The structure passed its electrical and plumbing inspections and the stairs were in the process of being repaired. He submitted current photos of the building (Exhibit 4) and stated that there was a significant amount of clean-up that needed to be done to the interior and exterior of the property.

Mr. Bloom responded that he believed that his client has fixed all of the issues that were listed in the original Violations List. Mr. Shearer stated that the roof on the shed needed to be replaced along with repair of the basement stairs.

Mr. Denker stated that he did not object to the case being laid over for 60 days.

Mr. Thibodeau moved to LAYOVER until the January meeting of the Property Maintenance Appeals Board. Mr. Ramm seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on November 9, 2015, Vickie Carr, Kevin Denker, Chief Housing Inspector – Permits & Inspections, and Steve Andersen, Housing Inspector – Permits & Inspections, appeared before the Board.

Mr. Andersen stated that the property was originally issued a Notice of Violation on May 30, 2013 and another on July 23, 2015. He noted that very little work, if any, had been done during that time. He issued pictures of the property that were taken the day of the meeting (Exhibit 2). He stated that a basement window had been broken out and that the structure needed to be made secure until the property owner decided what she wanted to do with it.

Ms. Carr stated that she believed that the home was in foreclosure and that she didn’t find out until June of 2014 that the bank issued a Deed of Reconveyance. She explained that there had been some interest in the property but, because of the 2nd mortgage through the City, there have been no buyers.

The board discussed giving the applicant more time to find more information of the 2nd mortgage. Mr. Denker stated that Permits & Inspections would be willing to give Ms. Carr more time to sell the property, as long as she kept the property secure.

Mr. Standerford moved to APPROVE an extension of 90 days or until the February meeting of the Property Maintenance Appeals Board subject to the broken window on the home being secured and the property being continually maintained. Mr. Ramm seconded the motion.

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

MOTION CARRIED: 6-0
Case No. 15-32

LOCATION: 4115 North 16th Street


11225 Davenport Street
Suite 100
Omaha, NE 68154

At the Building Board of Review meeting held on November 9, 2015, Theodore R. Boecker, Jr., Kevin Denker, Chief Housing Inspector – Permits & Inspections, and Steve Andersen, Housing Inspector – Permits & Inspections, appeared before the Board.

Mr. Andersen explained that the City received a complaint on this property, completed an inspection and issued a Notice of Violation and Demolition Order on September 25, 2015. He discovered that a wreck permit had been taken out for this property in January 2015. He showed from the initial pictures taken of the property on September 14, 2015 that a small amount of demolition work had been done on the north end of the structure. He was in agreement with giving the owner more time as long as the property remained secured and was maintained.

Mr. Boecker stated that the owner had started demolition but was pulled off site for another project. He added that the owner intended to complete the demolition work but needed more time to do so. He stated that there is a fence around the site and that no one lives near the property. The applicant requested a 90-day layover, taking into account the makeup of the structure and weather.

Ms. Kiel moved to LAYOVER for 90 days or until the February meeting of the Property Maintenance Appeals Board. Mr. Naccarato seconded the motion.

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

MOTION CARRIED: 6-0
Case No. 15-33  
LOCATION: 1464 Evans Street

Timothy Odorisio  

Crosstown, LLC
10855 West Dodge Road, Suite 100
Omaha, NE 68154

At the Building Board of Review meeting held on November 9, 2015, Timothy Odorisio, Kevin Denker, Chief Housing Inspector – Permits & Inspections, and Steve Andersen, Housing Inspector – Permits & Inspections, appeared before the Board.

Mr. Denker explained that Permits & Inspections became aware of this property because of fire damage to the structure. The Board was presented with pictures taken of the property on November 2, 2015 (Exhibit 2) and November 9, 2015 (Exhibit 3). Mr. Denker stated that Permits & Inspections was willing to give the applicant more time but the building needed to be made more secure.

Mr. Odorisio discussed some future plans for the site. He requested 6 months to see how those plans would develop.

Ms. Kiel moved to LAYOVER for 6 months until the May 2016 meeting of the Property Maintenance Appeals Board. The property must remain secure at all times. Mr. Standerford seconded the motion.

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

MOTION CARRIED: 6-0

ADJOURNMENT:

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