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 June 8, 2015 meeting as submitted. Mr. Thibodeau seconded the motion.

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

MOTION CARRIED: 6-0
CASES:

Case No. 15-15 (from 6/8/15) LOCATION: 6430 North 71st Street
Todd Schuiteman REQUEST: Waiver to eliminate the requirement for
Quality Living, Inc. Type I hoods.
6404 North 70th Plaza
Omaha, NE 68104

This request was withdrawn at the request of the applicant.
Case No. 15-19
Ray Kurtzuba
West Lanes
151 North 72nd Street
Omaha, NE 68114

LOCATION: 151 North 72nd Street – West Lanes
REQUEST: Waiver to the requirement for exit separation.

At the Building Board of Review meeting held on July 13, 2015, Ray Kurtzuba appeared before the Board.

Mr. Kurtzuba stated that he was requesting a waiver to the requirement that a staircase be built in a proposed beer garden that would be located on the outside of the facility. He submitted pictures of the area being discussed (Exhibit 2). He explained that the occupancy was based on the overall size of the area which is 31’x72’; however, there is a retaining wall that runs along one side that reduces the actual usable space to 19.5’x72’. The applicant was proposing to have a 10’x25’, fenced-in section of the beer garden for seating and the remaining area for a horseshoe court. A maximum of 8 persons would be allowed in the horseshoe area and it would be restricted to only those playing. Permits & Inspections indicated that the applicant should install a staircase at the north end of the area. He felt that, in case of an emergency, the stair would be more dangerous than exiting the gate. He added that, if a staircase were added, it would extend 10’ into the area and would end up being approximately 18’ long. Instead, the applicant proposed putting another gate in the seating area. The applicant would restrict the maximum number of persons allowed in the entire area to approximately 30 people, to include the 8 in the horseshoe area and no more than 22 people in the seating area.

Mr. Ryan noted that Permits & Inspections and the Omaha Fire Department did not support the request. He stated that the concern was with how people would be able to exit the area if the fence to the outside was blocked. Mr. Kurtzuba responded that persons could re-enter the building through a door that is located in the seating area. Greg Hauptman, Plans Examiner – Permits & Inspections, stated that, in the case of an emergency, persons should technically not re-enter a building. He added that the issue was not with the occupancy load but with the travel distance; in some instances, the space exceeds the 75’ allowed. There was some discussion about the layout of the area and what changes would need to be made to make the space code-compliant.

Mr. Kurtzuba decided to leave the chain link fence around the sitting area and remove the wood fence so that no waiver would be required.

Mr. Thibodeau moved to DENY. Ms. Kiel seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on July 13, 2015, Nick Petersen, Mike McLennan, and Tasha Clerc appeared before the Board.

Mr. McLennan stated that, for safety reasons, attempts were being made to find a location for the second exit that was not behind the firing line. The existing door is located 73' down range, which could be an issue for customers inside the building or those entering from the outside. Ms. Clerc explained that the NRA Range Source Book recommends that ranges not be designed with doors in the down range area.

Mr. Ryan noted that Permits & Inspections and the Omaha Fire Department did not object to the request. Greg Hauptman, Plans Examiner – Permits & Inspections, stated that the Planning Department was more concerned about the exit door being in place for an employee performing maintenance. Permits & Inspections and the Omaha Fire Department preferred that the door exit into the storage room, giving an employee another option for leaving the area. There was some discussion about other options for the exit door. The applicant preferred to relocate the door in the shooting range area. Ms. Clerc explained that the business will be closed when the firing range is being maintained.

Mr. Feuerbach moved to APPROVE in accordance with the plans submitted. Ms. Kiel seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on July 13, 2015, Ryan Miller and Eddie McMahon appeared before the Board.

Mr. Miller stated that the restaurant had been expanded to include an adjacent structure, which was being leased. In order to allow passage between the two buildings, a wall was removed which resulted in the lack of a 2-hour fire wall. The two buildings have separate electrical services although one is required for the one business.

In response to Mr. Thibodeau, Capt. Steve Thornburg – Omaha Fire Department, stated that in case of fire, the Fire Department will not typically enter a building to disconnect the main service connection. Mr. Thibodeau noted that there would be no hazard to the day-to-day operation of the building if the disconnects remained separate. Dennis Small, Chief Electrical Inspector, stated that Section 230.2 of the National Electric Code did allow exceptions, with one of those being that the Building Board of Review could give the applicant permission to keep the services separate. He stated that the Electrical Division of Permits & Inspections was taking a neutral position on the request. Greg Hauptman, Plans Examiner – Permits & Inspections, stated that leaving the services separate in this case would be acceptable since half of the space is owned and the other leased. He added that if the lease were to end, all of the services would have to be put back in.

Mr. Thibodeau moved to APPROVE subject to a sign and floor plan being located at each service/utility indicating the location of the other service/utility. Mr. Standerford seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on July 13, 2015, Kate Vavak (Carlson-West-Povandra Architects) and Ryan King (Farris Engineering) appeared before the Board.

Ms. Vavak explained that a residential section had been added to the facility for rehabilitation purposes. The applicant was requesting that the Denlar hood be used in place of the required Type I hood. Mr. King explained how the proposed hood worked. There is an existing commercial kitchen at the facility; the stove would be used for rehabilitation purposes only.

Mr. Ryan noted that neither Permits & Inspections, nor the Omaha Fire Department, had any objections to the request. Greg Hauptman, Plans Examiner – Permits & Inspections, stated that it had been determined that the proposed hood would be recirculated and not vented. Michel Mason, Plans Examiner – Permits & Inspections, stated that the Department would need to evaluate the room to see if it could withstand the heat and grease-laden vapors that would be sent into the space. Mr. King responded that the design could be changed so that vapors would be exhausted up and out of the building.

Mr. Feuerbach moved to APPROVE subject to the installation of a hood that exhausts to the exterior of the building. Mr. Thibodeau seconded the motion.

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

MOTION CARRIED: 6-0
At the Building Board of Review meeting held on July 13, 2015, Monique Jenkins appeared before the Board.

Kevin Denker, Chief Housing Inspector – Permits & Inspections, mentioned that there was a for-sale sign in front of the structure and that the City was not sure whether the applicant needed time to repair the home or sell it. Scott Benson, Housing Inspector – Permits & Inspections, submitted pictures (Exhibit 2) that were taken of the property during their first inspection on March 2, 2015. He also submitted photos (Exhibit 3) that were taken on July 13, 2015. Mr. Benson explained that an initial inspection, re-inspection and a Supervisor’s review had been performed. The applicant had stated that she needed more time to complete the necessary repairs.

In response to Mr. Ryan, Ms. Jenkins stated that she was requesting an additional 90 days to complete all repairs. She noted that the property was well-maintained, adding that she would not let anyone move in until the repairs were made. The City was in agreement with the 90-day extension. Mr. Benson requested that the applicant submit a construction schedule. Mr. Ryan stressed that the City would need to observe progress being made.

In response to Mr. Feuerbach, Ms. Jenkins stated that she had put the property up for sale then decided to take it off the market. Mr. Benson stated that the property had been maintained and was secure.

Mr. Thibodeau moved to GRANT a 90-day extension to allow the applicant to complete the necessary repairs, subject to the applicant submitting a construction schedule to Permits & Inspections. Mr. Ramm seconded the motion.

AYES: Feuerbach, Standerford, Ramm, Kiel, Thibodeau, Ryan
MOTION CARRIED: 6-0

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at 1:58 p.m.