Mr. Ryan called the meeting to order at 1:00 p.m., introduced the board members and 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. Ramm to APPROVE the minutes for the April 11, 2016 meeting. Second by Mr. Feuerbach.

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

MOTION CARRIED: 6-0

Mr. Van Moorlegam arrived to the meeting.
Mr. Eric Westman with Alley Poyner Macchietto Architecture Inc. appeared before the Board requesting numerous waivers regarding the historic Colonial Hotel. Mr. Ryan stated that there are five different items to be discussed and at the request of Mr. Hauptman, each waiver will be discussed and voted on individually. Mr. Westman stated this project consists of renovating the 104 transient hotel rooms into 40 apartment units.

1. Section 1009.10 requires handrails on both sides of the stairs. This is mainly a request to provide handrails on the outside of the central grand stair. The request is to raise the existing guard rails wherever there is a 30” differential or more, and install a code-compliant handrail on the wall side of the stairs. Ms. Kiel inquired about the rise and run of the stairs. Mr. Westman stated it is not much over code. Mr. Hauptman said the rise and run will not require a waiver. Mr. Westman added that there will also be a new code-compliant two-hour stair that also serves as horizontal exit. Mr. Hauptman stated the City does not oppose this waiver.

Ms. Kiel made a motion to grant this waiver. Second by Mr. Feuerbach.

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

MOTION CARRIED: 7-0

2. Section 1008.1.4 requires a level landing on each side of a door. This request is to leave an uneven landing that occurs right at a door threshold. The landing which occurs on three floors has three doors at different elevations that open on to it. Two of them can be corrected to comply, the one door has a 1½” step right at the threshold. Altering the landing height to eliminate the 1½” step at the one door would result in the other two doors having steps and uneven landings at the thresholds instead. Mr. Westman stated this would be on three of the four levels. Mr. Naccarato inquired about ramping. Mr. Westman said they looked at that but the hallways are extremely tight. Mr. Ramm asked if it is feasible to drop the doorways down. Mr. Westman stated they are able to do that on two of the three doors. They will be able to change the interior height but can only do one or the other. Mr. Hauptman stated the City does not oppose this waiver.

Ms. Kiel made a motion to approve this waiver. Second by Mr. Ramm.

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

MOTION CARRIED: 7-0

3. Sections 1008.1.5 and 1009.4 address landing requirements at a door and at the top of a set of stairs. This request pertains to the front entry of the building. The building is set right at the front property line with stairs, landing and entry door all recessed behind the property line, leaving only a 24” landing outside the door. With lot line constraints, public right of way issues, and in an effort to preserve the historical look of the building, the front landing cannot be extended without projecting into the public way. Mr. Westman stated they are hoping to get a 24” landing at best with the renovation. They are adding a step and handrails, but there is nowhere to extend the landing given the property line. Mr. Hauptman stated the City does not oppose this waiver.

Mr. Feuerbach made a motion to approve this waiver. Second by Ms. Kiel.

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

MOTION CARRIED: 7-0
4. Section 1009.11 requires that roof access be provided through a stair enclosure, with the exception being a roof access panel and an alternating tread device. The request here is to provide roof access from within one of the stair enclosures, but due to physical area limitations, using a fixed vertical ladder rather than an alternating tread device. Mr. Westman stated he can get roof access on the north side. When doing an addition and keeping the historic requirements, it cannot be seen from the right of way. In order to achieve this, Mr. Westman stated as opposed to the alternating tread device, this waiver is to put in a roof hatch and a wall-mounted ladder which you could get roof access to the second building. There would be a ladder inside and outside. Mr. Hauptman stated the City does not oppose this waiver.

Ms. Kiel made a motion to approve this waiver. Second by Mr. Thibodeau.

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

MOTION CARRIED: 7-0

5. Section 1203.4.1 requires a minimum window opening to provide 4% of the floor area for ventilation and fresh air. There are three living room units with existing windows that cannot be changed that only provide 3% of the floor area. Mr. Hauptman stated the City does not oppose this waiver. Mr. Westman stated a few of the apartment are close, but #303 specifically is a one bedroom with the size of that living room and the fixed historic window, there will be 3% as opposed to 4% outside air. The mechanical outside air is difficult because there are not many walls and the walls are plaster. There are not enough outside walls to run air ducts. Mr. Feuerbach inquired if the windows are being replaced. Mr. Westman stated they are not replacing the windows due to the historic nature. Mr. Hauptman stated the City does not oppose this waiver.

Mr. Feuerbach made a motion to approve this waiver. Second by Ms. Kiel.

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

MOTION CARRIED: 7-0

Case No. 16-05
Dave Bramow
8600 Indian Hills Drive
Omaha NE 68114

LOCATION: 225 North 12 Street
REQUEST: Waiver to use a decking material that does not comply with the code for non-combustibility

Mr. Ryan notified the Board that Case 16-05 has been withdrawn.
Mr. James Cherry, an independent structural foundation engineer for Techno Metal Post which is a helical pile manufacturer and Mike Gitt, a local installer, appeared before the Board requesting approval of an alternate material or method of construction regarding residential decks. Mr. Cherry has three requests:

1) Allow helical pile residential deck foundations without site specific geotechnical investigation
2) Allow helical pile residential deck foundations without the deck being engineered
3) Allow helical pile residential deck foundations without continuous inspection by a geotechnical engineer

Mr. Cherry stated the helical pile is a steel shaft with the helix welded on the bottom. This is screwed into the ground and it becomes an instant foundation. His company knows the amount of torque that it takes to twist the post into the ground is directly proportional to the capacity of the pile. If torque is measured, they will know what the geotechnical capacity of that pile is.

Mr. Jay Davis stated that he had approved the product based on their ICC-ES evaluation report. Mr. Cherry is requesting a waiver to eliminate the geotechnical investigation. Mr. Cherry would also like a waiver to allow decks to be built without engineering; he would like to do a tributary analysis. Mr. Gitt is trained to do this analysis regarding area and load, and it would then be sent in with the permit application.

Mr. Hauptman stated the Permits and Inspections Department does not support this waiver. Mr. Hauptman would like to see Mr. Cherry comply with the requirements set forth in the ICC-ES.

Mr. Cherry stated if Mr. Davis enforces the geotechnical requirement and this waiver is not approved, then this product will not be able to be use within the Omaha jurisdiction. Mr. Cherry stated this is not a fair playing field between diamond piers and helical piles and drilled concrete piers. Mr. Cherry reiterated this waiver is for residential decks only, not commercial use.

Motion by Mr. Van Moorlegam to hold this case over until the July 11th meeting. Second by Mr. Naccarato.

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

MOTION CARRIED: 7-0

ADJOURNMENT:

Ms. Feuerbach made a motion to adjourn. Second by Mr. Ramm. Meeting adjourned at 2:18 p.m.