MINUTES
BUILDING BOARD OF REVIEW
Monday, November 19, 2018 at 1:00 p.m.
Omaha/Douglas Civic Center – 1819 Farnam
Third Floor – Jesse Lowe Conference Room

Board Members:
Jack Ryan – Chairman
Ron Feuerbach – Vice Chair
Cheryl Kiel
Michael Naccarato
Kent Therkelsen
Thomas Thibodeau
Dennis Van Moorleghem

Certification of Publication: Board Secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, November 12, 2018.

THE OWNER, OR A REPRESENTATIVE OF THE OWNER, MUST HAVE SIGNED THE APPLICATION OR BE PRESENT AT THE MEETING FOR THE CASE TO BE HEARD.

NOTE: THIS BOARD DOES NOT HAVE THE AUTHORITY TO WAIVE ANY REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT, FEDERAL FAIR HOUSING ACT, OR THE N.F.P.A. 101 LIFE SAFETY CODE; BUT DOES HAVE THE AUTHORITY TO HEAR APPEALS OF THE INTERNATIONAL FIRE CODE, NEBRASKA ACCESSIBILITY GUIDELINES AND THE NEBRASKA FAIR HOUSING ACT.

Mr. Jack Ryan called the meeting to order at 1:00 p.m.

I. Roll Call

Jack Ryan
Ron Feuerbach
Cheryl Kiel
Michael Naccarato
Kent Therkelsen
Thomas Thibodeau
Dennis Van Moorleghem

Others Present:
Mike Wihwerding, Acting Superintendent of Permits & Inspections Division
Anna Bespoyasny, Plans Examiner
Jennifer Taylor, City Law
Autumn Drickey, Board Secretary
Frank Reida, Mechanical Plans Examiner
Steve Thornburg, Omaha Fire Department

II. Approval of Minutes: Approval of October 15, 2018 minutes.

Motion by Mr. Ron Feuerbach to approve the minutes from the October 15, 2018 meeting. Second by Mr. Dennis Van Moorleghem.

AYES: Feuerbach, Kiel, Naccarato, Thibodeau, Van Moorleghem
ABSTAIN: Ryan, Therkelsen
Motion carried: 5-0-2, Approved
III. Cases

<table>
<thead>
<tr>
<th>18-27</th>
<th>LOCATION:</th>
<th>REQUEST:</th>
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<tbody>
<tr>
<td>Gary Ryba</td>
<td>302 S 36 St</td>
<td>Waiver of code section 2012 IBC 1014.3</td>
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<tr>
<td>8600 Indian Hills Dr</td>
<td></td>
<td></td>
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<tr>
<td>Omaha, NE 68114</td>
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Mr. Gary Ryba, Mr. Gary Lynn, and Mr. Mike Peter appeared in regards to the request at the above address.

Mr. Lynn stated that the request for the Blackstone Hotel is based on their discovery of floors with R-1 occupancy, the rooms exceed the IBC of common path of travel of 75 feet. He stated that they are, at worst, the furthest room is 84 feet away. He stated that they complied with the Life Safety Code for the common path of travel. Mr. Ryba stated they would want the IBC and Life Safety Codes to be aligned so they can follow the Life Safety Code definition of common path of travel.

Ms. Anna Bespoyasny stated that the City of Omaha does not object to the alignment of the codes to match the Life Safety Code definition.

Mr. Feuerbach asked about the stairs. Mr. Lynn discussed the stairs in more detail. Mr. Ryba explained the stairs. Mr. Thibodeau stated they don’t have many options. Mr. Lynn stated that given it is a historical building it has been difficult. Mr. Ryba stated that in bringing the building back to its original occupancy has been difficult as well. There is discussion about the remodel and the code.

Motion by Ms. Cheryl Kiel to approve the waiver as submitted. Second by Mr. Kent Therkelsen.

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

Motion carried: 7-0, Approved
18-28
Engineering Technologies Inc
Justin Veik
1111 N 13 St
Omaha, NE 68102

LOCATION:
REQUEST:
1011 S Saddle Creek Rd
Waiver of code section 2006 IMC 404.2

Mr. Justin Veik appeared in regards to the request at the above address.

Mr. Veik stated their request to use the 2012 IMC instead of the 2006 IMC in regards to the parking structure. He discussed the energy savings for the owner.

Ms. Bespoyasny stated that in talking to Mr. Tom Phipps there was no objection. Mr. Frank Reida stated that there would be stipulations to compliance for the city to have no objection.

Motion by Mr. Feuerbach to allow the waiver as requested and comply with the other provisions of Section 404 including CO and NOx sensors, and minimum airflow rate.

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

Motion carried: 7-0, Approved
Mr. Todd Heistand and Ms. Jennifer Zimmer appeared in regards to the request at the above address.

Mr. Heistand stated this request is to seek clarification from the last meeting and the request. Ms. Bespoyasny clarified the request and the requirements for the previous request. She stated they have since provided proof of an easement and they can thus eliminating the fire rating on the windows and install deluge heads at the windows. She stated that it is similar to other requests that have been approved. She stated that the difference is that the other buildings have an alley behind them whereas this is a light court serving as an alley. She stated that there is no objection from the City of Omaha.

Motion by Ms. Kiel to approve as submitted. Second by Mr. Van Moorleghem.

AYES: Kiel, Naccarato, Ryan, Therkelsen, Thibodeau, Van Moorleghem
ABSTAIN: Feuerbach

Motion carried: 6-0-1, Approved
<table>
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<tr>
<th>18-30</th>
<th>LOCATION: 4822 Cass St</th>
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<tbody>
<tr>
<td>Kenneth D. Lathrum</td>
<td>REQUEST: Waiver of code section IBC 2012 1009.1 and 1009.3</td>
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<tr>
<td>1901 N 81 St Omaha, NE 68114</td>
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*Withdrawn on 11/9/18*
Mr. Nick Limpach appeared in regards to the request at the above address. Mr. Limpach stated that they have a unique building and have other waivers from other boards. He explained the building because it is different than storage and sales. He stated the bays are varied in size, but they are sold to store cars. He stated these are more private storage units to store high-end cars. He stated that per their contract, they are not able to wash or repair their vehicles in the units. He restated the exact request.

Mr. Reida stated the City has no objection to the request.

Mr. Thibodeau asked about the units. Mr. Limpach stated that the units are purchased, not rented, at nearly $200,000 per unit. Ms. Kiel asked if the space is conditioned. Mr. Limpach confirmed and explained the heating and air conditioning option. Mr. Limpach stated that each unit is metered independently. Mr. Reida explained the air conditioning option. Mr. Limpach stated they wanted to be sure they had ventilation covered.

Mr. Feuerbach stated he would need to abstain.

Motion by Mr. Thibodeau to approve. Second by Ms. Kiel.

AYES: Kiel, Naccarato, Ryan, Therkelsen, Thibodeau, Van Moorleghem
ABSTAIN: Feuerbach

Motion carried: 6-0-1, Approved

IV. Adjournment

Motion by Mr. Feuerbach to adjourn. Second by Ms. Kiel.

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

Motion carried: 7-0, Adjourned at 1:23 p.m.