A current copy of the Open Meeting Act is posted in a white binder on the north wall of the Jesse Lowe Conference Room. The secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on May 7, 2018.

Mr. Jack 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.

I. Roll Call

Members Present:
Ron Feuerbach
Cheryl Kiel – Arrived Late
Michael Naccarato
Kent Therkelsen
Thomas Thibodeau
Dennis Van Moorleghem
Jack Ryan

Others Present:
Jay Davis – Assistant Director Permit & Inspections
Jennifer Taylor – City Law
Anna Bespoyasny – Plans Examiner
Steve Thornburg – Omaha Fire Department
Jim Wonder – Chief Plumbing Inspector
Thomas E. Phipps – Chief Mechanical Inspector
Autumn Drickey – Board Secretary

II. Approval of the April 9, 2018 minutes:

Mr. Thomas Thibodeau stated that a correction on Case Number 18-05 on page 3 needed to be made. Motion by Mr. Thibodeau to approve the minutes from the April 9, 2018 meeting with that correction. Second by Mr. Kent Therkelsen.

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

Motion Carried: 5-0-1, Approved
III. Cases:

<table>
<thead>
<tr>
<th>Case No. 18-08</th>
<th>LOCATION: 3626 N 65 Ave; Girls Incorporated</th>
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</thead>
<tbody>
<tr>
<td>Morrissey Engineering</td>
<td>REQUEST: Waiver of the requirement of installation of a Type I hood and to allow two residential fire suppression range hoods over two electrical residential ranges in transitional housing.</td>
</tr>
<tr>
<td>Chris Reed</td>
<td>4940 N 118 St</td>
</tr>
<tr>
<td>Omaha, NE 68164</td>
<td></td>
</tr>
</tbody>
</table>

Mr. Chris Reed appeared before the Board in regards to a waiver of the requirement of installation of a Type I hood and to allow two residential fire suppression range hoods over two electrical residential ranges in transitional housing.

Ms. Cheryl Kiel arrived.

Mr. Ron Feuerbach stated he would be abstaining from this case.

Mr. Ryan asked if Mr. Reed was aware that the Permits and Inspections Division does not support his request. Mr. Reed stated he was. He stated that they are requesting to use a Denlar style Type II hoods with fire suppression in a cooking application. He described the project and the building type. He stated that the renovation will maintain the 16 apartments in the original configuration with one for the administrator and will be used as transitional housing for those who have aged out of the foster care system. He stated the apartments are 16’ x 9’, room for a bed, closet, and a small bathroom in each. He stated that the kitchen will be a common kitchen, but common meals will not be served, this is not a commercial kitchen because each tenant will be responsible for making their own meals.

Mr. Ryan clarified that there are no kitchens in the apartments. Mr. Reed confirmed.

Mr. Reed stated that they wanted to install two residential range types and are asking to use the recirculating Denlar type hood that would be similar to a range that one would see in an apartment, however these have the addition of automated fire suppression and the ability to install timers and a lockbox to control the usage of the range. He stated that the state fire marshal has allowed them to use these in other situations. He stated the building would be fully sprinkled, it is an R2 residential building, and they have permission to use a type 13 R system. He stated that the hardship that necessitates this waiver is that the exhaust duct and make up air duct to across the kitchen resulting in ceilings 7’ or below and the building is built very tight. He stated that additionally one hood would wipe out a closet. He stated that they are not changing the floorplan of the building. He stated that an additional hardship would be that the Type I hood would not allow for the tenants to be able to adjust to apartment or home life once they transition. He discussed a lock out system and a timer system that would prevent people from using the kitchen 24/7.

Mr. Ryan asked if the administrator would be living on site 24/7. Mr. Reed confirmed that they would be in the first floor apartment.

Mr. Tom Phipps stated that his report was written as a denial because of the transient living as described in the original request. He stated that a section of the code would need to be waived as that pertains to the commercial application of training facilities. Mr. Thibodeau asked if they comply with 507.25 if they push over the appliance. Mr. Phipps stated that he could, but in Mr. Reed’s initial drawings it showed that they are not recirculating but exhausting to the exterior of the structure. He submitted pictures from the property. He stated that on the submitted plans, it showed that an exhaust was displayed, not a recirculation. Mr. Reed stated that they had submitted plans and the original plans were rejected, now they are requesting a recirculating hood that would avoid the exhaust situation. Mr. Phipps stated that another problem is that because it is an NFPA 101 system there would be 500 cfm that would be continually recirculating throughout the facility. He stated that upon looking at the floorplans it shows that a 1’ gap in the ceiling which would allow for the ductwork to be run in and out of the facility and
would not need the recirculation of 500 cfm. He stated that there is no control by the staff because of the transient cooking and would rather have an exhaust system going out of the building.

Mr. Reed stated that the NFPA 101 does require 500 cfm and this one applies under something that does not fall under the commercial application because they are a residential building. He stated that there are three options. There is a discussion about the different types.

Mr. Thibodeau asked about the cut sheet and the hoods. Mr. Reed stated that the only NFPA 101 requirement is for the 500. Mr. Thibodeau asked about the research. Mr. Reed explained the hardship of recirculation. Mr. Phipps stated that it is not a controlled situation where there are limited occupants and would need continual observation of the kitchen. Mr. Thibodeau recalled another case but stated that this would be safer than a clubhouse.

Ms. Kiel asked how long the girls would be there. Mr. Reed stated maybe a year, but it is a new program and the director is not sure of the extent of the use of the kitchen. Ms. Kiel asked about the age of the tenants. Mr. Reed stated that they are those who are too old for the foster care system. He stated that the building will be secure in the sense that the individuals will not be able to bring friends over except for the common areas. Mr. Thibodeau asked about having the box with the key to turn on the range. Mr. Phipps stated that it would need the key and the gas or electric shut off and the only thing they would want to retard is the restat that is in there to allow for variable speed with the maximum amount of cfm recirculating. Mr. Reed stated that the fans are designed to detect the heat and adjust accordingly. He stated that there is the ability to link to the fire alarm system.

Ms. Kiel asked what type of units they are. Mr. Reed stated they are electric stoves and have the ability to shut off if need be. Mr. Thibodeau clarified if it was just a cook top. Mr. Reed stated it is a cook top and a stove.

Mr. Thibodeau asked about a fire alarm system. Mr. Reed confirmed. He contends that this type of building is not well described by the code. He stated that there may be space to snake the ceilings but what they have come in contact with is a lot of structure.

Mr. Jay Davis stated that he wanted to caution that this is not a traditional care facility situation so this should be treated as a residential property because the people there are in transition and are covered. He also cautioned against putting too much into a property that would not be in a traditional home.

Motion by Mr. Thibodeau to approve with the following conditions: exhaust to outdoors, have the key interlock for control by management, connected to fire alarm system, and allow the hood as the City has proposed to amend the 2012 code. Second by Ms. Kiel.

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

Motion carried: 6-0-1, Approved with conditions
Ms. Tasha McNeil, Mr. William McNeil, and Ms. Barbara Ingram appeared before the Board requesting a waiver of IFC 903.2.6 and IBC 903.2.5.

Ms. Ingram reviewed how the case has changed over time. She stated they submitted a revised plan around April 18, 2018 that showed they no longer want to be an I4 or E but an R4 instead. She stated that they are renovating the first floor with the existing garage. She stated that the McNeils want to keep the second floor R4 with 10 kids and make the first floor an E occupancy, adding another exit to comply with the code. She stated that between the garage and the second level is a 1 hour separation construction and they want to make that a 2-hour rated separation between the E occupancy and the R4.

Mr. Thibodeau asked about the first floor renovation. Ms. Ingram stated it is primarily the garage but is an open space.

Mr. Davis stated they did meet, that the first floor has a storm shelter, and that they are aware a sprinkler system will be a requirement to add more kids. He stated that at this point it is on record of what was requested. Mr. Davis clarified the zoning and that he wanted documentation that they appeared instead of withdrawing.

Motion by Ms. Kiel to approve as discussed here, no sprinkler system is required with the R4 rating and the additional fire rating between floors and additional exit that was put in, but if something changes that more people/kids are to be added it must be revisited and probably put a fire sprinkler in. Second by Mr. Kent Therkelsen.

Mr. Feuerbach asked if Cpt. Steve Thornburg approves. Cpt. Thornburg stated that he has not seen the plans yet, but they would go through him.

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

Motion carried: 7-0, Approved with conditions

IV. Adjournment 1:40 p.m.

Motion by Mr. Feuerbach to adjourn. Second by Mr. Dennis Van Moorleghem.

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

Motion Carried: 7-0, Adjourned