MINUTES
BUILDING BOARD OF REVIEW
Monday, August 13, 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, August 6, 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 – Arrived late
Michael Naccarato
Kent Therkelsen - Absent
Thomas Thibodeau
Dennis Van Moorleghem

Others Present:
Mike Wilwerding – Acting Superintendent of Permits and Inspections
Jennifer Taylor – City Law – Arrived late
Anna Bespoyasny – Plans Examiner
Steve Thornburg – Omaha Fire Department
Thomas E. Phipps – Chief Mechanical Inspector
Autumn Drickey – Board Secretary

II. Approval of Minutes: Approval of July 9, 2018 minutes.

Motion by Mr. Thomas Thibodeau to approve the minutes from the July 9, 2018 meeting. Second by Mr. Ron Feuerbach.

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

Motion carried: 4-0-1, Approved
III. Cases

<table>
<thead>
<tr>
<th>Case</th>
<th>LOCATION: 500 S 20 St</th>
<th>REQUEST: Waiver of code section 507.2.3 (2006 IMC)</th>
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<tbody>
<tr>
<td>18-11 Dan Cunningham</td>
<td>11011 Q St Bldg A Ste 104</td>
<td>Omaha, NE 68137</td>
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*Layover from July 9, 2018*

Ms. Jennifer Taylor arrived.

Mr. Dan Cunningham, Mr. David Anderson, and Mr. Jarl Rue appeared on the above request. Mr. Tom Phipps represented the City of Omaha. Mr. Phipps stated he did revisit the location and stated that if they put the stove in the proposed location that they will meet the requirements. He stated that he also received information from Denlar about the types of fans. He stated the fans are not listed for grease removal hoods and there is a difference of a curb between the two fans provided. He concluded that in putting the stove on the side of the building the contractor will have to put a guard in because of the height difference. He stated that in the final installation that Permits & Inspections Division would like to see the curb and the guard installed. He further stated that upon approval that the plans would continue to be processed.

Mr. Ryan asked if Mr. Phipps approves with the stipulations. Mr. Phipps confirmed and included the make-up air needing to be addressed as well.

Mr. Feuerbach asked if the roof was sloped or flat. Mr. Rue stated it was flat. He asked about the proposed guard and bringing it up through the original location. Mr. Phipps stated that they would need to be in compliance with the manufacturer's recommendation. He stated that the City of Omaha has not received documentation for an elbow.

Ms. Cheryl Kiel arrived.

Mr. Rue asked about if they got documentation from the manufacturer to allow for that would it be possible to avoid the guard rail. Mr. Phipps confirmed. Mr. Rue stated they were looking to save Children’s Museum the cost of a guard rail. Mr. Phipps stated the guard would be required under the building and mechanical codes.

Mr. Feuerbach asked about the need for a clean out if they make the adjustment to not need the guard. Mr. Phipps recounted what the manufacture recommended.

Motion by Mr. Feuerbach to approved with the following conditions: higher curb, and that the fan either be moved 10 feet from the edge of the building or a guard rail installed, make-up air be proven. Second by Mr. Dennis Van Moorleghem.

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

Motion carried: 4-0-2, Approved with conditions

Mr. Rue asked about a change in the Mechanical Code.
<table>
<thead>
<tr>
<th>18-14</th>
<th>LOCATION: 3555 S 140 Plz</th>
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<tbody>
<tr>
<td>Dan Lickel</td>
<td></td>
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<tr>
<td>14 West 3rd St</td>
<td></td>
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<tr>
<td>Kansas City, MO 64105</td>
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</table>

*Withdrawn – Waiver not required per analysis*
Mr. Chinh Nguyen appeared for the above request at 1110 S 71 St Bay B. Mr. Phipps represented the City of Omaha.

Mr. Nguyen presented the Board with his menu, Exhibit 2. He stated that he has to update his restrooms to be ADA compliant. He explained that there would then not be enough space and that the hood would create unnecessary noise for his customers. He stated that he would be using an electrical stove to brew tea. He explained the monetary hardship of having to install the hood and the grease interceptor and how it would detract from his customers.

Mr. Phipps stated that when someone looked at the electrical load that it came to him. He explained the induction cooktops that would be used. He stated that while he was going to boil water he has the potential to fry something on the stove. He stated that there was also the use of a water boiler. He explained that having a hood over the items would be essential due to the high heat load. He explained about the extra strain on the air conditioning with the high heat load. He stated he supports a Type I hood and if it is a Type II to have dedicated air make-up incorporated.

Mr. Mike Wilwerding stated that if they have the ability to fry then he supports Mr. Phipps’ recommendation. Ms. Anna Bespoysny confirmed that she would defer to the recommendation.

Mr. Thibodeau asked if something similar has come up with induction cooking. Mr. Phipps recounted the cases and the difference in this case.

Mr. Feuerbach asked if the concern is with the potential that they could cook grease. Mr. Phipps confirmed because of the potential for grease laden vapors being created. Mr. Thibodeau asked if the code takes into consideration the intent of the use or the potential. Mr. Phipps confirmed it is the potential. There is discussion about the requirements of hoods.

Mr. Feuerbach asked if the 2012 was in effect, would a Denlar satisfy the requirement. Mr. Phipps stated that it is currently used over cook tops but in school or demonstration applications. Mr. Nguyen asked what the difference between Type I and Type II hoods. Mr. Phipps explained. Mr. Nguyen asked if the Type II hood also required a grease trap because he was told he needed a Type I and a grease trap. There is discussion about the original letter sent to Mr. Nguyen when his plans were placed on hold.

Mr. Feuerbach asked what Mr. Nguyen is looking for in his request. Mr. Nguyen stated that he is looking for the ability to not have the noise and take up more space in his location. He explained the brewing process and that the cooktop is not going to be on all the time.

Mr. Feuerbach stated that the grease interceptor request must go through the Plumbing Board. Mr. Ryan stated that cost is not a factor, but the potential to change the use of the space.

Mr. Nguyen asked if the use of a microwave and removal of the inductor would be acceptable. Mr. Feuerbach asked about the location. Mr. Nguyen stated that they are in Aksarben next to Wing Stop and the space is limited. Mr. Feuerbach asked if a hood would be needed with a microwave. Mr. Phipps stated if there is only one microwave. There is discussion about the code requirements. Mr. Nguyen asked about the noise in a Type II hood. Mr. Feuerbach stated that it can be designed to have less volume. He asked if a Type II Denlar hood with a fire suppression system would make the City more comfortable. Mr. Phipps stated the appliance would need to be under it and worry about bringing make-up air and balancing the HVAC system. Mr. Nguyen explained the air conditioning in the space.
Mr. Thibodeau asked about the walls between his space and the other tenants. Mr. Nguyen explained and stated he has control over his own unit.

Motion by Mr. Feuerbach to approve a waiver provided no cooking is ever done under the hood and it be a Type II hood and that adequate make-up air from the existing duct work. Second by Mr. Thibodeau

AYES: Feuerbach, Kiel, Naccarato, Thobodeau, Van Moorleghem, Ryan

Motion carried: 6-0, Approved

There is discussion about the need for a Plumbing Board request.
Mr. Feuerbach recused himself as he will be presenting this case. Mr. Tom Phipps representing the City.

Mr. Feuerbach stated that with the change in mechanical code from 2006 to, hopefully, 2012, they are seeking approval to use the 2012 code. He stated this is a parking garage in a mixed use facility and they are looking to save energy. Mr. Ryan asked if they are going to meet the 2012 code requirements. Mr. Feuerbach stated it will all be designed under the 2012 code.

Mr. Mike Naccarato asked about the numbers. Mr. Feuerbach confirmed. Mr. Thibodeau asked about the CO and if that meets the requirements or if they are additional. Mr. Feuerbach stated that they are meeting code.

Mr. Phipps stated that the Permits & Inspections Division supports the request as long as the code is followed in its entirety.

Motion by Mr. Thibodeau to approve provided the system is designed to Section 404 of IMC. Second by Mr. Van Moorleghem.

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

Motion carried: 5-0-1, Approved provided the system is designed to Section 404 of the IMC.

IV. Adjournment

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

Adjourned at 1:48 p.m. through mutual consent.