I. Roll Call

Members Present:
Jeff O. Estabrook, Vice-Chairman
George E. Killian
David W. Miller, Chairman
Christopher P. Reed
Terry Salem
Daniel J. Wellendorf

Members Absent:
Brian A Barrett

Others Present: James Wonder, City of Omaha Planning Department

Mr. Miller called the meeting to order at 9:03 am.

II. Approval of Minutes from June 8th, 2011

Motion by Mr. Reed to approve the minutes from the last meeting. Second by Mr. Salem.

AYES: Killian, Miller, Reed, Salem, Wellendorf

ABSTAIN: Estabrook

Motion carried 5-0-1.

III. *May Examination Reviews

Journeyman Plumber Examinations

Michael E Ardery (PRESENT)
Heimes Corporation
9144 S 147 St
Omaha NE 68138

Heimes Corporation
9144 S 147 St
Omaha NE 68138

Tyler J Grossenbacher (PRESENT)
233 Hackberry Dr
Gretna NE 68028

Burghardt Plumbing Service Inc
10113 S 230 Circle
Gretna NE 68028-4332

Aaron Perry From June 8, 2011 (ABSENT)
12622 Anne St
Omaha NE 68137

Carmody Plumbing
PO Box 12473
8504 N 29 St
Omaha NE 68112-2219

Thomas W Rosman (PRESENT)
4829 N 131st St
Omaha NE 68164

Northern Plumbing
15121 Lake St
Omaha NE 68116
**Master Plumber Examinations**

Scott R Campau (ABSENT)  
1704 S 94th St  
Omaha NE 68124  

Bradley Brothers Plumbing  
1313 S 95th Street  
Omaha NE 68124

Daniel L Tevis (ABSENT)  
15210 Douglas Cir  
Omaha NE 68154  

Plumbers Local 16  
4801 F St  
Omaha NE 68117

**Lawn Sprinkler Contractor Examinations**

Matt Heston (PRESENT)  
2506 N 143rd St  
Omaha NE 68164  

Luxury Grounds Management  
2506 N 143rd St  
Omaha NE 68164

**IV. *Apprenticeship Agreements***

*The Board will hear case number 11-6-58 (SEE PAGE 3) before hearing today’s apprenticeship agreement requests.*

Judd W Behrendt  
4431 N 6th St  
Carter Lake IA 51510  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

Casey Bonham  
8706 Read St  
Omaha NE 68122  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

Frank Ellis  
11926 Wakeley Plaza #7  
Omaha NE 68154  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

Scott M Eyman  
5035 O St  
Omaha NE 68117  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

Steve D Hasse  
2308 N 60th St  
Omaha NE 68104  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

David P Jarecki  
5833 Florence Bd  
Omaha NE 68110  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

Kory Kuszak  
12710 S 70th St  
Omaha NE 68133  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128

Karli M Meisinger  
7011 Wood Lane Dr  
LaVista NE 68128  

Eyman Plumbing Inc  
8506 S 117th St  
LaVista NE 68128
The Board Secretary received word from Eyman Plumbing Inc that they wished to withdraw the above applications.

Motion to file the above listed apprenticeship agreements by Mr. Estabrook. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

V. Cases

Koko H Davis
2019 Benson Garden Blvd Apt #5
Omaha NE 68134

REQUEST: Variance of section 49-635, Right of use of toilet rooms in businesses by customers.

Location:2620 N 72nd St
49-635

5/25/2011:

Ms. Davis was not present.

Motion to hold this case over to the June 8th meeting of the Omaha Plumbing Board by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 7-0.
6/8/2011:
Koko Davis, owner, and Rich Williamson of Simet Plumbing appeared before the Board. Mr. Williamson explained that Ms. Davis owns a hair salon on 72nd Street. Currently, this shopping center houses two other businesses; these businesses share common restrooms in a shared hallway. Ms. Davis requested that her business also be allowed to use the common restroom area currently being shared by her neighbors. Mr. Wonder stated that at this time, the Plumbing Division is not aware of any existing waiver granting Ms. Davis’ neighbors the ability to utilize the restrooms in the common area; however, that matter was not up for discussion at today’s meeting. Mr. Wonder stated that he would be looking into this situation at a later date.

Ms. Davis did not submit plans of her space, or photographs with her application. However, she stated that she could obtain these from the building owners.

Motion to hold this case over to the June 22nd, 2011 agenda by Mr. Killian. Second by Mr. Salem

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 7-0.

6/22/2011:
Koko Davis and Anna Ayigah appeared before the Board. Ms. Davis presented blueprints and photographs of her building to the Board members.

The Board reviewed the submitted plans and photographs. Ms. Davis stated that there are restrooms on the lower level; however, she does not have access to these restrooms. Ms. Davis has a small restroom within her rented space. She indicated that the upstairs bathroom used to be much smaller before she rented the space; however, she moved one wall of the bathroom outwards in order to make it a little bit bigger. However, this restroom is still not ADA-compliant. Mr. Estabrook stated that he has seen the space in question. He stated that there is no way to make this restroom any larger than it currently is; there is also not enough space for a urinal in the restroom.

When asked, Ms. Davis indicated that she and Ms Ayigah are the only two employees; aside from one or two customers who may be on the premises for an appointment, there will not be very many people in the business at any one time. When asked, Ms. Davis indicated that her clientele is female. She has no male clients.

Mr. Wonder stated that the Plumbing Division has no objection to this waiver. Mr. Reed stated that based on the information presented, Ms. Davis has evidence of a hardship in bringing this space up to code.

After some discussion, Mr. Reed made a motion to allow the restrooms in this tenant space to remain in use as they currently stand. This waiver is for this tenant and for this business only.

AYES: Killian, Reed, Salem, Wellendorf

NAYS: Estabrook, Miller,

Motion carried 4-2.
REQUEST: Request for renewal of waiver (refer to May 13, 2009 minutes for full details of this waiver)
Variance of section 49-634, minimum facilities for occupied nonresidential buildings.

Location: 15656 Fort St
49-634

5/13/2009 (Case No. 9-4-58 – for reference purposes only):

Matt Korte with Concordia Jr./Sr. High School appeared before the Board requesting a waiver of various sections of Chapter 49 to allow the use of a portable trailer containing two classrooms without plumbing.

The proposed trailer will be located approximately 20 feet from the entrance doors of the main building, and students will be in these classrooms for a maximum of 45 minutes at a time.

Motion to approve the use of the proposed portable classrooms without plumbing by Mr. Killian, for the term of one (1) year. Concordia Jr./Sr. High School must reappear before the Board yearly to seek reapproval of this waiver. Seconded by Mr. Leddy.

AYES: Estabrook, Killian, Leddy, Miller, Reed, Wellendorf

Motion carried 6-0

6/8/2011:

Matthew Korte with Concordia Jr/Sr High School appeared before the Board. Mr. Korte stated that the school is in the midst of trying to expand; however, in the meantime, they would like to install more portable classrooms. Mr. Miller stated that according to the Board’s records, the Board originally granted a waiver to Concordia Jr/Sr High School for the space of one year only; Mr. Korte was to have returned at that time to request renewal of his original waiver. Mr. Korte apologized to the Board, stating that he had thought that the Board would notify him at renewal time, and that he did not think to check the minutes from that meeting.

Mr. Korte stated that Concordia Jr/Sr High School currently has one portable classroom trailer on site which houses two classrooms. Each classroom can hold up to 25 people. The proposed additional trailer will have six classrooms. None of the classrooms will have restrooms in them. Mr. Korte went on to state that the school had planned to expand two years ago but were unable to due to the economy. The scope of the expansion was approved on June 7th, 2011 by Concordia – at this time, no money has been raised for this expansion, which is estimated to cost between five and eight million dollars.

Mr. Miller stated that if the Board were to grant an additional waiver, he would like to see it restricted to no more than one year. Mr. Miller stated that he does not like the idea of portable classrooms without restrooms, adding that these are not designed to be permanent structures. Mr. Wonder inquired as to whether Concordia has received permission from the Building Board of Review to have portables on site. Mr. Korte stated that he does not believe that Concordia ever appeared before the Building Board of Review.

Mr. Killian stated that he would like to see architectural plans for the expansion. Mr. Wonder stated that he could check the Building Board of Review’s requirements for long-term use of temporary trailers; he recommended that the Board hold this case over to their next meeting.
Motion to hold this case over to the June 22, 2011 meeting of the Omaha Plumbing Board by Mr. Reed. The applicant is requested to supply plans of the planned future addition. Mr. Wonder is requested to check on Building Board of Review requirements for non-permanent structures. Second by Mr. Salem.

AYES: Barrett, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

6/22/2011:
Matthew Korte of Concordia Jr/Sr High School and Roger Doehling of LYNC Architecture LLC appeared before the Board. Mr. Wonder stated that he had checked into Building Board of Review requirements as requested; he found that due to the fact that the proposed trailers have permanent footings, the applicant was not required to appear before the Building Board of Review; nor are there any restrictions from that board regarding the length of time for which the trailers may remain on site. Mr. Wonder recommended that the Board grant Concordia Jr/Sr High School’s request for one year only. After the term of one year, the school must install restrooms in both trailers or remove them from the site.

Mr. Doehling stated that the Concordia Jr/Sr High School Board has just approved a master plan for the expansion of the school. This master plan calls for the expansion of the school to be completed in the autumn of 2013. He asked that the Board grant Concordia Jr/Sr High School an additional year so that the waiver will not run out before the expansion has been completed. Mr. Doehling distributed plans of the proposed expansion to the Board members for their review. Mr. Wonder stated that the Board does have the option to grant more time; however, it is still the recommendation of the Plumbing Division that the requested waiver be extended/granted for no longer than one year.

Mr. Doehling asked for clarification from Mr. Wonder as to why the Plumbing Division wishes to place a one-year restriction on this waiver request. Mr. Wonder replied that the Board has historically only granted one year on these types of requests. Also, Concordia Jr/Sr High School was granted a one-year waiver for the first classroom trailer that they failed to renew in a timely manner. The Board places a one-year restriction on such waivers so that the applicant can show that progress is being made. It has not been the Board’s opinion that temporary classroom trailers without restrooms are an appropriate structure to use long-term.

Mr. Wonder stated that if the Board places the one-year restriction on this waiver, as it has done in the past, it gives his division cause to shut the trailers down or to require Concordia Jr/Sr High School to install restrooms in the classrooms if they fail to renew their waiver a second time. Mr. Doehling stated that he understood the reasons behind this proposed one-year restriction; however, he assured the Board that this expansion is going to take place. Mr. Killian and Mr. Miller stated that the applicant should be prepared to reappear before the Board in one year’s time with a report that construction is underway. Providing that construction is underway at that point, the Board would likely grant Concordia Jr/Sr High School an additional extension of their waiver. However, if construction were not underway at that point, the Board may then require Concordia Jr/Sr High School to install restrooms in the temporary classroom trailers, as they would then be considered to be permanent structures.

Motion by Mr. Reed to approve a one-year extension of the existing waiver for a portable classroom trailer without restrooms (SEE case no. 9-4-58, May 13, 2009) at Concordia Jr/Sr High School; and to grant a waiver for the term of one year for an additional portable classroom trailer without restrooms at the same site. Upon the expiration of these waivers, Concordia Jr/Sr High School must make an application to the Board so that they may report on the progress of their expansion of the school and request an additional extension if necessary. Second by Mr. Killian.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.
11-6-58
Tom Eyman
Eyman Plumbing Inc
8506 S 117th St
LaVista NE 68128

REQUEST: Re-approval of apprenticeship program

49-244

The Board Secretary received word from Eyman Plumbing Inc that they wished to place this request on file.

Motion to file the above listed apprenticeship agreements by Mr. Estabrook. Second by Mr. Wellendorf.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

11-6-59
Backlund Plumbing
14920 Grover St
Omaha NE 68144

REQUEST: Variance of section 49-624, Water closets

49-624

Location: 9800 Harney Parkway

Mark Roseland of Backlund Plumbing appeared before the Board. Mr. Wonder stated that this request is in regards to the use of a certain type of carrier for wall-hung water closets. The Board has granted several such waivers in recent months, with the stipulation that the fixture must be vented according to the intent of the current Plumbing Code. Mr. Wonder stated that this type of carrier would be taken up for review by the Code Committee.

Motion by Mr. Reed to approve a waiver allowing the use of the requested carrier for this project at this location only, with the stipulation that the fixture be vented according to the intent of the current Plumbing Code. Second by Mr. Estabrook.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

11-6-60
Mark Elman
6565 S 118th St
Omaha NE 68137

REQUEST: Variance of section 49-636, Fixture Requirement Tables

49-624

Location: I-80 Business Park, 118th & Y Streets

Brad Jungman and Steve Kuzelka, Holland Basham Architects, appeared for Mark Elman, owner. Mr. Kuzelka stated that Mr. Elman currently owns a print shop at this location. Mr. Elman is building a new shop at this location; Mr. Kuzelka stated that his client would like to use a 10:1 ratio of men to women in figuring the fixture count requirements for the print shop area only. Mr. Jungman stated that the administrative side of the business will follow the fixture counts required by code. Mr. Wonder stated that the Plumbing Division had no objection to this waiver and recommended that the Board approve this request.

Motion to allow the requested 10:1 men to women fixture count ratio for the production area only by Mr. Reed. This variance is limited to this tenant and this tenant only. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.
REQUEST: Variance of section 49-624, Water closets
Location: 7068 Girard St
49-624

Mike Knutson of Carmody Plumbing appeared before the Board. Mr. Wonder stated that this request is in regards to the use of a certain type of carrier for wall-hung water closets. The Board has granted several such waivers in recent months, with the stipulation that the fixture must be vented according to the intent of the current Plumbing Code. Mr. Wonder stated that this type of carrier would be taken up for review by the Code Committee.

Motion by Mr. Reed to approve a waiver allowing the use of the requested carrier for this project at this location only, with the stipulation that the fixture be vented according to the intent of the current Plumbing Code. Second by Mr. Wellendorf

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

VI. Discussion

VII. Adjourn

Motion to adjourn by Mr. Wellendorf. Second by Mr. Salem

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0. Board adjourned at 9:39 am.

* = APPLICANT MUST BE PRESENT AT MEETING

A full, continually current agenda is available for public inspection in Room 1110 of the Omaha/Douglas Civic Center during normal business hours.

The Omaha Plumbing Board reserves the right to modify the agenda at the public meeting.

If alternative (tape) to the agenda is needed, please advise Jim Wonder. A 72-hour notice is required.

Applications for the meeting to be held at 1:30 pm on Wednesday, July 13th are due no later than 9:00am on Thursday, June 23rd.

Visit the Planning Department’s Site on the Internet at http://co.douglas.ne.us/omaha/planning/boards/plumbing-board