AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING - THURSDAY, JUNE 18, 2009 1:00 P.M.
7TH FLOOR - ROOM 702
CIVIC CENTER - 1819 FARNAM STREET
OMAHA, NEBRASKA

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily
Record, the official newspaper of the City of Omaha, on Monday, June 8, 2009.

The agenda for this meeting is available for public inspection in the Planning Department, 11th Floor,
Omaha/Douglas Civic Center, 1819 Farnam Street. The Board has the right to modify the agenda at the
public meeting.

ZONING BOARD OF APPEALS MEMBERS ONLY: Case reviews will be on Thursday, May 21, 2009 at
8:30 a.m. Meet in the Planning Department Central Conference Room with subsequent
inspections of as many sites as possible.

ZONING BOARD OF APPEALS (ZBA): Board members are citizens of Omaha who serve without pay
and are not employed by the City. Current members are: Robert Hancock, Lloyd Meyer, Jacque
Donovan, Brian Mahlendorf, and Sebastian “Subby” Anzaldo. Jonathan Nash, Jr. and Teri Teutsch are
alternates. Only Board members vote. For a waiver to be approved, four members must vote in favor of
the request.

The Board is assisted by the following City staff: Tom Blair, ZBA Administrator; Alan Thelen, City
Attorney; and Debbie Hightower, Board Secretary.

Sections 14-408 through 14-414 of the State Code of Nebraska authorize the ZBA to rule on waivers from
the City of Omaha Zoning Ordinance (Chapter 55). Pursuant to Neb. Rev. Stat. Section 14-410, any
appeal from an order or decision of a zoning official must be filed within 30 days of the date of the order
or decision appealed from. All Board decisions must be based on a finding of unnecessary hardship or
practical difficulty and must be in the best interest of the public good.

MEETING PROCEDURES:

Applicant and Property Owner - must appear at the meeting.

It is the applicant's responsibility to justify a waiver by showing a hardship or practical difficulty
associated with the land. Personal preference, financial considerations, or disagreement with the zoning
ordinance standard are not acceptable reasons for granting a waiver.

Cases will be heard in the order shown on the agenda. When your case is called, please come forward
and give your name to the secretary and the chairman. If there are opponents, they will also come
forward at that time and give their names to the secretary and be seated in the front row.

The applicant may be given up to 10 minutes to present the case. The Board may waive the
presentation. Opponents will be given up to 10 minutes to present reasons for their opposition. Board
members may ask questions of any interested party. The time needed to respond will not count as part
of the time limit.

If the Board grants the waiver, the applicant must receive a building permit before starting any
construction. You may apply for a permit from the Permits & Inspections Department, located in Room
1110 of this building, on the Monday following the meeting or later.

If an alternative (tape) to this agenda is necessary, 72 hours notice is required.
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HOLD OVER CASES:

1. Case No. 09-034
   (over from 3/19/09, 4/16/09, 5/21/09)
   Salvation Army
   3612 Cuming Street  68131
   REQUEST: Waiver of Section 55-834 - Variance to allow a 6'7" x 9'6"
   electronic message wall sign not permitted for a civic use in the GO
   district
   LOCATION: 3612 Cuming Street
   ZONE: GO

2. Case No. 09-049
   (over from 5/21/09)
   Gregory & Kathleen Alvoid
   7828 N 78 Street  68104
   REQUEST: Waiver of Section 55-786 - Variance to the maximum height
   of a wrought iron fence in the front yard of a residential district from 4' to
   6' with an 8' high gate
   LOCATION: 7828 N 78 Street
   ZONE: DR

3. Case No. 09-053
   (over from 5/21/09)
   Doug Leibman
   5022 S 49 Street  68117
   REQUEST: Waiver of Section 55-166 - Variance to the front yard setback
   from 35' to 25' to erect addition to existing residence
   LOCATION: 5022 S 49 Street
   ZONE: R3

4. Case No. 09-055
   (over from 5/21/09)
   The Waiting Room Lounge
   6212 Maple Street  68104
   REQUEST: Waiver of Section 55-837(2) - Variance to the maximum size
   for a projecting sign from 32 sq. ft. to 64 sq. ft.
   LOCATION: 6212 Maple Street
   ZONE: NBD

5. Case No. 09-060
   (over from 5/21/09)
   Omaha Neon Sign
   1120 N 18 Street  68102
   REQUEST: Waiver of Section 55-838 - Variance to the maximum height
   for three wall signs from 35' to 70'
   LOCATION: 10250 Regency Circle
   ZONE: GC

NEW CASES:

6. Case No. 09-066
   Emilio Torres Gonzalez
   1204 S 25 Avenue  68105
   REQUEST: Waiver of Section 55-246 - Variance to the front yard setback
   from 35' to 30'6" and to the street side yard setback from 15' to 9'
   and to the rear yard setback from 25' to 13'6" to erect a 20' x 46' attached garage
   LOCATION: 1204 S 25 Avenue
   ZONE: R7

7. Case No. 09-067
   Gene L. Lorsch
   4222 N 84 Street  68134
   REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback
   from 25' to 15' and to the side yard from 5' to 3' to erect a 20' x 20'
   wrap around and partially covered deck
   LOCATION: 4222 N 84 Street
   ZONE: R4(35)
8. Case No. 09-068
Superior Lighting, Inc.
2121 S 24 Street   68108

REQUEST: Waiver of Section 55-843 - Variance to the allowed sign budget from 100 sq. ft. to 156 sq. ft. for three wall signs

LOCATION: 2606 “N” Street
ZONE: HI

9. Case No. 09-069
Mark Weiss
9862 Devonshire Drive   68114

REQUEST: Waiver of Section 55-146 – Variance to the side yard setback from 10' to 9.5' to erect a 6’ X 21.33’ garage addition

LOCATION: 9862 Devonshire Drive
ZONE: R2

10. Case No. 09-070
Chris Forsman
5306 S 185 Street   68135

REQUEST: Waiver of Section 55-782B(6) and 55-740 – Variance to the allowed size for an accessory building outside the building area from 750 sq. ft. to 2184 sq. ft. and not require a hard surfaced driveway and curb cut for a structure capable of storing a personal vehicle

LOCATION: 5306 S 185 Street
ZONE: DR

11. Case No. 09-071
Jeff Krohn
4111 Gibson Road   68107

REQUEST: Waiver of Section 55-715 & 55-526 - Variance to eliminate street yard landscaping and reduce the front yard setback from 50’ to the street centerline to 39’4” to the street centerline

LOCATION: 4111 Gibson Road
ZONE: HI

12. Case No. 09-072
Juan Chamizo
1519 S 90 Street   68124

REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping from 70% to 49%

LOCATION: 1519 S 90 Street
ZONE: R2

13. Case No. 09-073
Dan Latenser
4028 N Post Road   68112

REQUEST: Appeal from decision of Planning Department (see file)

LOCATION: 12209, 12422, 12436, 12532, 12541, & 12542 N 40 St; 11805 & 11807 Calhoun Rd, 12103 Ponca Rd; 4014, 4110, 11121, 11616, 11621, & 11706 N Post Rd
ZONE: R1-ED & DR-ED

14. Case No. 05-046
Anthony L. Gross, Trustee for Richard Gross Living Trust d/b/a Midwest Accounting and Tax Service
11629 Pacific Street   68154

REQUEST: Appeal of order to terminate accounting and tax service office as approved by the Zoning Board of Appeals on June 16, 2005

LOCATION: 11629 Pacific Street
ZONE: R2