AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING - THURSDAY, JANUARY 21, 2010 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, January 11, 2010.

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, January 21, 2010 at 9:00 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; RoseMarie Horvath, City Attorney; and Claudia Moore, 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.
HOLD OVER CASES:

1. Case No. 09-148
   (over from 11/19/09, 12/17/09)
   Kim Thompson - Millard Public Schools
   (Russell Middle School)
   13906 F Street  68137
   REQUEST: Waiver of Section 55-830 – Variance to the maximum sign budget from 32 sq. ft. to 78 sq. ft. by adding a 24 sq. ft. wall sign
   LOCATION: 5304 S 172 Street
   ZONE: R4

2. Case No. 09-149
   (over from 11/19/09, 12/17/09)
   Kim Thompson - Millard Public Schools
   (Beadle Middle School)
   13906 F Street  68137
   REQUEST: Waiver of Section 55-830 – Variance to the maximum sign budget from 32 sq. ft. to 69 sq. ft. by adding an 18 sq. ft. wall sign
   LOCATION: 18201 Jefferson Street
   ZONE: R4

3. Case No. 09-150
   (over from 11/19/09, 12/17/09)
   Kim Thompson – Millard Public Schools
   (Central Middle School)
   13906 F Street  68137
   REQUEST: Waiver of Section 55-830 – Variance to the maximum sign budget from 32 sq. ft. to 141 sq. ft. by adding a 22 sq. ft. wall sign
   LOCATION: 12801 L Street
   ZONE: R4

NEW CASES:

4. Case No. 10-001
   Mitchell Katskee – Urban Lift
   4935 S 136 Street  68137
   REQUEST: Waiver of Section 55-836 – Variance to the maximum size for a monument sign from 75 sq. ft. to 108 sq. ft. by adding 16 sq. ft. to an existing sign
   LOCATION: 10730 Pacific Street
   ZONE: CC

5. Case No. 10-002
   Gail DeBoer – SAC
   11515 S 39 Street  68123
   REQUEST: Waiver of Section 55-716 & 55-740 – Variance to the required bufferyard between CC & R5(35) from 30’ to 10’ and to the required perimeter landscaping adjacent to residential from 10’ to 9’ to construct a drive-thru bank facility
   LOCATION: 3161 Ames Avenue
   ZONE: CC

6. Case No. 10-003
   Douglas Hassel
   4621 S 162 Avenue  68135
   REQUEST: Waiver of Section 55-768 – Variance to allow a temporary commercial use not permitted in the R7 District during the 2010 College World Series
   LOCATION: 3810 S 13 Street
   ZONE: R7

7. Case No. 10-004
   Tony & Donna Brown
   11408 Frederick Street  68144
   REQUEST: Waiver of Section 55-503 – Variance to the use regulations of the General Industrial District to allow a dog boarding facility not permitted in the GI District
   LOCATION: 6508 N 16 Street
   ZONE: GI
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Request Details</th>
<th>Location</th>
<th>Zone</th>
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<tbody>
<tr>
<td>10-005</td>
<td>Waiver of Section 55-734, 55-735 &amp; 55-740(h) - Variance to the required off-street parking for 6 apartment units from 11 stalls to 7 stalls and allow parking in the front yard setback and allow cars to back into the adjacent street</td>
<td>1547 S 28 Street</td>
<td>R7</td>
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<tr>
<td>10-006</td>
<td>Waiver of Section 55–839 - Variance to allow two pole signs not permitted in the Central Business District</td>
<td>1200 Fahey Street</td>
<td>CBD</td>
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