AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING - THURSDAY, MARCH 18, 2010 1:00 P.M.
7TH FLOOR - ROOM 702
CIVIC CENTER - 1819 FARNAM STREET
OMAHA, NEBRASKA

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 Lee, Assistant 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.

ZONING BOARD OF APPEALS MEMBERS will assemble in the Planning Department Central Conference Room on Thursday, March 18, 2010 at 9:00 a.m. to determine the sites to be inspected.

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

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.
SHOW-CAUSE HEARING:

1. Case No. 09-058  
   (over from 5/21/09)  
   Eddith Buis  
   1018 S 36 Street  68105  
   REQUEST:  
   Waiver of Section 55-226 - Variance to the  
   front yard setback from 35’ to 24’8” to erect  
   21’4” x 21’4” detached garage  
   LOCATION:  
   1018 S 36 Street  
   ZONE:  
   R6

LAYOVER CASES:

2. Case No. 10-005 - LAYOVER  
   (over from 1/21/10, 2/18/10)  
   The Architectural Offices  
   5015 Underwood Avenue  68132  
   REQUEST:  
   Waiver of Section 55-734, 55-735 and  
   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  
   LOCATION:  
   1547 S 28 Street  
   ZONE:  
   R7

3. Case No. 10-007  
   (over from 2/18/10)  
   Midtown Properties, LLC  
   4880 S 131 Street  68137  
   REQUEST:  
   Waiver of Section 55-206 - Variance to the  
   front yard setback from 25’ to 21.5’ and to  
   the rear yard setback from 25’ to 6’ to erect  
   two 3-unit townhome structures with  
   garages  
   LOCATION:  
   140 N 41 Street  
   ZONE:  
   R5(35)PK, R5 Pending

NEW CASES:

4. Case No. 10-014  
   City of Omaha c/o James Thele  
   1819 Farnam Street  
   REQUEST:  
   Waiver of Section 55-206 - Variance to the  
   allowed impervious surface coverage from  
   55% to 57.1%--66.9% for Lots 1, 3, 4, 5, &  
   6, and to the minimum lot width from 50’ to  
   40’ and to the rear setback from 25’ to 20’  
   for lot 7; all in Woodland Ridge  
   LOCATION:  
   NW of 42nd & Lake Street  
   ZONE:  
   R4(35), R5 Pending

5. Case No. 10-015  
   Glad Tidings Church  
   7415 Hickory Street  
   REQUEST:  
   Waiver of Section 55-146, 55-715 and  
   55-735 (B) - Variance to the allowed  
   impervious coverage from 40% to 76% and  
   to the minimum street yard landscaping  
   from 70% to 53% and allow parking in the  
   front and street side yards  
   LOCATION:  
   7415 Hickory Street  
   ZONE:  
   R2

6. Case No. 10-016  
   Omaha Neon Sign Co.-Troy Panagiotis  
   1120 N 18 Street  
   REQUEST:  
   Waiver of Section 55-836 - Variance to the  
   front and street side yard setback from 12’  
   and 6’ to 0’ to move an existing monument  
   sign  
   LOCATION:  
   4865 S 108 Street  
   ZONE:  
   CC
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST:</th>
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<tbody>
<tr>
<td>10-017</td>
<td>Waiver of Section 55-126 - Variance to the side yard setback from 25' to 17' to allow an architectural roof line to extend into the side yard setback</td>
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<tr>
<td>10-018</td>
<td>Waiver of Section 55-832 - Variance to the maximum size for a monument sign from 25 sq. ft. to 30 sq. ft. and to the required setback from 12' to 9'</td>
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<tr>
<td>10-019</td>
<td>Waiver of Section 55-503 - Variance to the use regulations of the General Industrial district to allow a dog kennel facility not permitted in the GI district</td>
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<td>10-020</td>
<td>Waiver of Section 55-126 - Variance to the side yard setback from 25' to 8.3' to erect 12' x 24' garage addition</td>
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<td>10-021</td>
<td>Waiver of Section 55-768(B)(3) - Variance to allow a temporary commercial use not permitted in the R4(35) district during the 2010 College World Series</td>
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<td>10-022</td>
<td>Waiver of Section 55-740(F), 55-715 - Variance to the perimeter landscaping and street yard landscaping from 10' to 5.2' to erect additions to existing parking lots and building</td>
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