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, 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, 11th Floor, on Thursday, November 18, 2010 at 8:30 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, November 8, 2010 (for use permits only) and Thursday, November 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.

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.
LAYOVER CASES:

1. Case No. 10-116  
   Professional Firefighters Assn. of Omaha, Local 385  
   (Over from 9/16/10)  
   6005 Grover Street  68106  
   REQUEST: Waiver of Section 55-740 E1 - Variance to the hard-surfacing requirements for a parking lot  
   LOCATION: 6005 Grover Street  
   ZONE: GI

2. Case No. 10-132  WITHDRAWN  
   Ralston School District #54  
   (Over from 10/21/10)  
   c/o Jerald Riibe, RPS Superintendent  
   8545 Park Drive  
   Ralston, NE  68127  
   REQUEST: Waiver of Section 55-830(2) - Variance to the total permitted sign area in the R3 district from 32 sq. ft. to 71 sq. ft.  
   LOCATION: 5100 S 93 Street  
   ZONE: R3

3. Case No. 10-133  WITHDRAWN  
   Ralston School District #54  
   (Over from 10/21/10)  
   c/o Jerald Riibe, RPS Superintendent  
   8545 Park Drive  
   Ralston, NE  68127  
   REQUEST: Waiver of Section 55-830(2) - Variance to the total permitted sign area from 32 sq. ft. to 56 sq. ft. to allow a pole sign not otherwise permitted in the R3 district  
   LOCATION: 10310 Mockingbird Drive  
   ZONE: R3

NEW CASES:

4. Case No. 10-139  
   David Wadzinski  
   617 N 152 Circle  68154  
   REQUEST: Waiver of Section 55-246 – Variance to the street side yard setback from 15’ to 0’ to erect a 3’ X 11’ entrance deck with stairs  
   LOCATION: 3523 Howard Street & 551 S 35 Avenue  
   ZONE: R7

5. Case No. 10-140  
   Jerry Pearson  
   4901 Mayberry Street  68106  
   REQUEST: Waiver of Section 55-186 – Variance to the front yard setback from 25’ to 9’ to erect a 15’ X 24’ addition to existing residence  
   LOCATION: 4901 Mayberry Street  
   ZONE: R4

6. Case No. 10-141  
   Scooter’s Coffeehouse  
   Attn: Adam Cockerill  
   3201 Wilhelminia Drive  
   Bellevue, NE  68123  
   REQUEST: Waiver of Section 55-366 – Variance to the front yard setback from 25’ to 3’ to erect a 12’ X 30’ drive-up coffee kiosk  
   LOCATION: 7601 Pacific Street  
   ZONE: CC
7. Case No. 10-142
Piano Building LLC
4644 Dodge Street 68132
REQUEST: Waiver of Section 55-246, 55-716, 55-734 & 55-740 – Variance to the impervious coverage from 85% to 91% and to the bufferyard between CC & R7 from 20’ to 0’ and to the required off-street parking from 64 stalls to 24 and to the perimeter parking lot landscaping from 5’ and 10’ to 0’
LOCATION: 4900 Dodge Street
ZONE: CC-ACI-2(50) Pending

8. Case No. 10-143
Piano Building LLC
4644 Dodge Street 68132
REQUEST: Waiver of Section 55-246 – Variance to the rear yard setback from 25’ to 9’ and to the site area per unit from 1,000 sq. ft. to 860 sq. ft.
LOCATION: 4901, 4903, 4903 ½ Capitol Avenue & 122 S 49 Street
ZONE: R7

9. Case No. 10-144
Wayne & Diana Downing
8192 Tucker Street 68122
REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 23’ to erect a 12’ X 17’ room addition
LOCATION: 8192 Tucker Street
ZONE: R4

10. Case No. 10-145
The Architectural Office
Attn: Bryan Zimmer
4610 Dodge 68132
REQUEST: Waiver of Section 55-126 – Variance to the side yard setback from 25’ to 6’ to allow for the construction of a sunroom and basement additions
LOCATION: 401 N Elmwood Road
ZONE: R1

11. Case No. 10-146
Calvin Hinz
3705 N 200 Street 68022
REQUEST: Waiver of Section 55-740(e) & 55-740(f) – Variance to allow a parking area without required hard surfacing and from the perimeter parking lot landscaping requirement from 5’ to 0’
LOCATION: 2960 Dewey Avenue
ZONE: DS

12. Case No. 10-147
Tony Constantino
6516 Irvington Road 68122
REQUEST: Waiver of Section 55-740 & 55-716 – Variance to the off-street parking design standards by allowing vehicles to back into adjacent streets, to perimeter and street yard landscaping from 10’ and 8.5’ to 0’ and to the handicapped access aisle from 8’ to 5’ by enlarging an existing restaurant
LOCATION: 6516 Irvington Road
ZONE: GC
13. Case No. 10-148
Aaron Jambor
12242 N Street  68137

REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 17’ to allow a 40’ X 28’ attached garage
LOCATION: 12242 N Street
ZONE: R4(35)

14. Case No. 10-149
Christian Worship Center
1435 N 15 Street
Council Bluffs, IA  51501

REQUEST: Waiver of Section 55-734 - Variance to the required off-street parking from 60 stalls to 26 stalls for 40 multi-family units
LOCATION: 1417 N 18 Street
ZONE: DS

ELECTION OF OFFICERS