AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, JULY 21, 2011, 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: Mike Carter, 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, July 21, 2011 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, July 11, 2011 (for use waivers only) and Thursday, July 14, 2011.

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, Property Owner or Representative - 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 (audio version) to this agenda is necessary, please notify the ZBA Secretary at 402-444-5202, 72 hours in advance.
LAYOVERS

1. Case No. 11-048
   (Over from 5/19/11)
   Omaha Land & Cattle Co.
   7905 L Street, Suite 110
   Omaha, NE  68127
   REQUEST: Waiver of Section 55-716 – Variance to the required bufferyard between CC and R7 from 20' to 15' to allow for a new parking area
   LOCATION: 9930 Maple Street
   ZONE: CC
   WITHDRAWN

2. Case No. 11-057
   (Over from 6/16/11)
   Mutual of Omaha
   3301 Dodge Street
   Omaha, NE  68175
   REQUEST: Waiver of Section 55-825(c) – Variance to the temporary sign regulations to allow a temporary video projection
   LOCATION: 3301 Dodge Street
   ZONE: CBD-ACI-2(50)
   LAYOVER

3. Case No. 11-058
   (Over from 6/16/11)
   Mike Hill
   3824 N 108 Street
   Omaha, NE  68164
   REQUEST: Waiver of Section 55-716 – Variance to the required bufferyard between LC & R2 from 20’ to 10’ to allow construction of an 80’ X 45’ building addition
   LOCATION: 8816 Blondo Street
   ZONE: LC
   WITHDRAWN

4. Case No. 11-067
   (Over from 6/16/11)
   Lund Company
   Attn:  Kyle Haase
   120 Regency Parkway Drive #116
   Omaha, NE  68114
   REQUEST: Waiver of Section 55-834 – Variance to the front yard setback from 12’ to 0’ for a monument sign
   LOCATION: 11414 West Center Road
   ZONE: GO

NEW CASES:

5. Case No. 11-068
   Roger Dokken
   6924 Bennington Road
   Omaha, NE  68152
   REQUEST: Waiver of Section 55-108 & 55-740(e)(1) – Variance to the interior side yard setback from 25' to 15' to construct a detached garage and to the hard-surfacing requirement for a residential driveway to provide gravel access
   LOCATION: 6924 Bennington Road
   ZONE: DR-ED
6. Case No. 11-069  
Vicky Stadther  
1650 W 82 Street Ste. 900  
Bloomington, MN  55431  

REQUEST: Waiver of Section 55-366, 55-734 & 55-740(f)(4) – Variance to the rear yard setback from 15’ to 6’ to construct a trash enclosure, to the minimum number of required off-street parking stalls for a Restaurant (Drive-in) from 27 to 14 and to the perimeter parking lot landscaping from 5’ to 0’  
LOCATION: 2410 Cuming Street  
ZONE: GI-ACI-1(PL)  
CC-ACI-1(PL) (Pending)

7. Case No. 11-070  
Slosburg Company  
10040 Regency Circle #200  
Omaha, NE  68114  

LAYOVER  

REQUEST: Waiver of Section 55-716 & 55-740(f)(4) – Variance to the bufferyard requirements between CC and R2 from 30’ with screening to 0’ without screening and to the perimeter parking lot landscaping from 10’ and 5’ to 0’ to allow redevelopment of the site  
LOCATION: 2501 S 90 Street & 8998 West Center Road  
ZONE: CC & CC/FF

8. Case No. 11-071  
Matthew Epp  
14127 N 64 Plaza  
Omaha, NE  68152  

REQUEST: Waiver of Section 55-266 – Variance to the front yard setback from 35’ to 22’ and to the interior side yard setback from 7’ to 2’6” to replace stairs and deck  
LOCATION: 619 S 31 Ave  
ZONE: R8

9. Case No. 11-072  
Rev. Michael Gutgsell  
701 N 40 Street  
Omaha, NE  68131  

REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ high wrought-iron/privacy fence in the front and street side yard setbacks  
LOCATION: 4005 Burt Street  
ZONE: R3

10. Case No. 11-073  
Leila Knowles  
225 N 49 Street  
Omaha, NE  68132  

REQUEST: Waiver of Section 55-782(b)(6) – Variance to the interior side yard setback from 3’ to 1’ to construct a 20’ X 20’ residential garage  
LOCATION: 5808 Pierce Street  
ZONE: R4(35)

11. Case No. 11-074  
Randall Bartlett/R&B Const.  
3508 S 168 Street  
Omaha, NE  68130  

REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 22’ to rebuild existing deck  
LOCATION: 9711 Fieldcrest Drive  
ZONE: R1
12.  Case No. 11-075  
Omaha Neon Sign Co  
Attn:  Jay Muller  
1120 N 18 Street  
Omaha, NE  68102  
REQUEST: Waiver of Section 55-836 – Variance to the maximum size for a pole sign from 150 sq. ft. to 300 sq. ft. and to allow an off-premise advertising sign  
LOCATION: 2502 S 133 Plaza  
ZONE: CC

13.  Case No. 11-076  
Northwest High School  
8204 Crown Point Ave  
Omaha, NE  68134  
REQUEST: Waiver of Section 55-829 – Variance to the maximum height for a monument sign from 6’ to 12’, to the maximum sign area from 25 sq. ft. to 61 sq. ft., to the maximum total permitted sign area from 40 sq. ft. to 232 sq. ft., and to allow an electronic message sign not otherwise permitted in the DR district  
LOCATION: 8204 Crown Point Ave  
ZONE: DR

14.  Case No. 11-077  
J. Development/Jim Royer  
142 W Broadway Ste. 140  
Council Bluffs, IA  51503  
REQUEST: Waiver of Sections 55-506 – Variance to the rear yard setback from 10’ to 0’ to construct a new men’s center facility  
LOCATION: 2705 N 20 Street East  
ZONE: GI & GI/FF

15.  Case No. 11-078  
A. Leo Pelds Engineering Co.  
2323 Dixon Street  
Des Moines, IA  50316  
REQUEST: Waiver of Sections 55-366, 55-716 & 55-740(f)(4) – Variance to the rear yard setback from 15’ to 6’, to the required bufferyard between CC & R6 from 30’ to 3’ and to the perimeter parking lot landscaping from 10’ to 3’ and 5’ to 0’ to allow for redevelopment of the site with a convenience store  
LOCATION: 9905 Q Street  
ZONE: CC

16.  Case No. 11-079  
Brendan Crowley  
12326 Douglas Circle  
Omaha, NE  68154  
REQUEST: Waiver of Section 55-146 – Variance to the front yard setback from 40’ to 36’ to construct a garage addition  
LOCATION: 12326 Douglas Circle  
ZONE: R2

17.  Case No. 11-080  
Eddy Santamaria  
1301 Nicholas Street  
Omaha, NE  68102  
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 22’ to construct an attached garage  
LOCATION: 8206 Howard & 448 S 82 Streets  
ZONE: R1
NEW BUSINESS:

SHOW-CAUSE HEARING

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Request</th>
<th>Location</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-078</td>
<td>Waiver of Section 55-203 – Variation to the use regulations of R5(35) to allow a 30’ X 24’ garage as the primary use in a residential district.</td>
<td>1123 Bancroft Street</td>
<td>R5(35)</td>
</tr>
<tr>
<td>Maurice C. Parker</td>
<td>300 S 16 Street #1202</td>
<td>Omaha, NE 68102</td>
<td></td>
</tr>
</tbody>
</table>