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, June 16, 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, June 6, 2011 (for use permits only) and Thursday, June 9, 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 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 (audio version) to this agenda is necessary, please notify the ZBA Secretary at 402-444-5202, 72 hours in advance.
**LAYOVERS**

1. Case No. 11-037  
   (Over from 5/19/11)  
   Jerry Reimer  
   4880 S 131 Street Suite 2  
   Omaha, NE 68137  
   **REQUEST:** Waiver of Section 55-226 – Variance to the required front yard setback from 35’ to 19.5’ and to the required street side yard setback from 15’ to 9’ to allow the construction of a single family home  
   **LOCATION:** 924 S 33 Street  
   **ZONE:** R6

2. 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

3. Case No. 11-050  
   (Over from 5/19/11)  
   Emerging Terrain  
   1111 N 13 Street, #116  
   Omaha, NE 68102  
   **REQUEST:** Waiver of Section 55-825(c) – Variance to the maximum size for a temporary sign from 20 sq. ft. to 19,200 sq. ft. for twelve (20’ X 80’) additional banners  
   **LOCATION:** 3417 Vinton Street  
   **ZONE:** GI

**NEW CASES:**

4. Case No. 11-054  
   Norita Matt  
   8703 Hamilton Street  
   Omaha, NE 68114  
   **REQUEST:** Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ high premium steel fence in the front and street side yard setback  
   **LOCATION:** 8703 Hamilton Street  
   **ZONE:** R2

5. Case No. 11-055  
   GESU Housing, Inc.  
   5008 ½ Dodge Street  
   Omaha, NE 68132  
   **REQUEST:** Waiver of Section 55-206 – Variance to the street side yard setback from 15’ to 5’ to allow construction of a new home  
   **LOCATION:** 4204 Grant Street  
   **ZONE:** R5(35)

6. Case No. 11-056  
   Southern Valley Ltd. Partnership  
   11429 Davenport Street  
   Omaha, NE 68114  
   **REQUEST:** Waiver of Section 55-784(c)(1) – Variance to the required setback from a public street in a cluster subdivision for 3 lots from 25’ to 15.41’, 15.46’, 16.34’ and 14.47’ to allow the construction of 3 homes  
   **LOCATION:** 5334 S 17 Street, 1753 & 1761 Oakwood Cir  
   **ZONE:** R5
7. Case No. 11-057  
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)

8. Case No. 11-058  
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

9. Case No. 11-059  
Fantastic Beginnings  
4102 S 13 Street  
Omaha, NE  68107  
REQUEST: Waiver of Section 55-764 – Variance to the capacity limitations for a Daycare Services (General) use in an R5(35) district from 12 to 100 individuals  
LOCATION: 4102 S 13 Street  
ZONE: R5(35)

10. Case No. 11-060  
Kelley J Baldwin  
18320 Mason Street  
Elkhorn, NE  68022  
REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 20’ to allow the construction of a deck and stairs addition  
LOCATION: 18320 Mason Street  
ZONE: R4

11. Case No. 11-061  
Owen Jensen  
18108 Sunset Lane  
Omaha, NE  68135  
REQUEST: Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 5’ to replace an existing deck  
LOCATION: 18108 Sunset Lane  
ZONE: DR

12. Case No. 11-062  
Jeffrey Taxman  
1810 S 103 Street  
Omaha, NE  68144  
REQUEST: Waiver of Section 55-767(c) – Variance to the home occupation regulations to allow up to 3 employees other than residents of the dwelling  
LOCATION: 1810 S 108 Street  
ZONE: R1

13. Case No. 11-063  
Arthur Alston  
2629 Pawnee Meadows Road  
Fremont, NE  68025  
REQUEST: Waiver of Sections 55-406 & 55-740(h)(3) – Variance to the street side yard setback from 25’ to 0’, and to the off-street parking regulations that require vehicles to enter the street in a forward position to construct a 30’ X 43’ attached garage  
LOCATION: 3022 N 24 Street  
ZONE: GC
14. Case No. 11-064  
ARC Holdings LLC  
dba Scooters Coffeehouse  
3201 Wilhelminia Drive  
Bellevue, NE  68123  
REQUEST:  
LOCATION:  
ZONE:  
Waiver of Sections 55-366 & 55-740(f)(4) – Variance to the front yard setback from 25’ to 10.95’ and 16.56’ to construct a 12’ X 30’ drive-thru coffee kiosk; to the front yard setback from 25’ to 0’ to construct a menu board, and to the perimeter parking lot landscaping from 10’ to 0.6’  
LOCATION: 12240 West Center Road  
ZONE: CC

15. Case No. 11-065  
Lincoln Financial  
8801 Indian Hills Drive  
Omaha, NE  68114  
REQUEST:  
LOCATION:  
ZONE:  
Waiver of Section 55-716 – Variance to the required bufferyard between GO & R2 from 30’ to 25’ to construct a two-level parking structure  
LOCATION: 8801 Indian Hills Drive  
ZONE: GO

16. Case No. 11-066  
Bruce Lehn  
2626 N 192 Terrace Ct #3A  
Omaha, NE  68022  
REQUEST:  
LOCATION:  
ZONE:  
Waiver of Section 55-765(e)(1) – Variance to the minimum site area for a convenience storage facility in a CC district from 2 acres to 0.64 acres  
LOCATION: 20120 Veterans Drive  
ZONE: CC

17. Case No. 11-067  
Lund Company  
Attn: Kyle Haase  
120 Regency Parkway Drive #116  
Omaha, NE  68114  
REQUEST:  
LOCATION:  
ZONE:  
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