ZONING BOARD OF APPEALS
AGENDA

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 (Bert) Hancock, Chair; Brian Mahlendorf, Vice Chair; Jacque Donovan; Sebastian (Subby) Anzaldo; and Jonathan Nash, Jr. Teri Teutsch and Sean Kelley are the alternates. For a waiver to be approved, four members must vote in favor of the request.

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, March 8, 2012 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, February 27, 2012 (for use waivers only) and Thursday, March 1, 2012.

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, no earlier than the Monday following the meeting.

The Zoning Board of Appeals agenda and other information regarding the Zoning Board of Appeals and the Planning Department is available on the Internet at http://www.ci.omaha.ne.us/planning. The agendas available on the Internet are subject to change and are for convenience purposes only. The agenda may be altered no later than 24 hours before the scheduled commencement of the meeting. A copy of the official agenda, kept continually current, shall be available for public inspection during normal business hours at the City of Omaha Planning Department, 1819 Farnam Street, Suite 1100, Omaha, Nebraska. Prior to the hearing, the applicant may schedule a time to review the City’s case file during normal business hours by contacting the Planning Department at (402) 444-3426. If an alternative (audio version) to this agenda is necessary, please notify the Secretary to the Zoning Board of Appeals at (402) 444-5204, 72 hours in advance.
## LAYOVERS

1. **Case No. 11-131 - Withdrawn**  
   *(Over from 10/20/11)*  
   Jodi Peckham  
   5409 North 9th Street  
   Omaha, NE 68110  
   **REQUEST:** Waiver of Section 55-187 - Variance to the front yard setback from 35’ to 10’ to allow a 25’ x 27’ house addition  
   **LOCATION:** 5409 North 9th Street  
   **ZONE:** R4(35)

2. **Case No. 11-144 - Withdrawn**  
   *(Over from 11/17/11 and 12/15/11)*  
   Dave Paladino  
   Paris Investments LLC  
   2702 Douglas Street  
   Omaha, NE 68131  
   **REQUEST:** Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 10 to 0 for a Daycare (General) use  
   **LOCATION:** 3828 Dodge Street and 101 North 38th Avenue  
   **ZONE:** GO-ACI-2(50)

3. **Case No. 11-147 - Withdrawn**  
   *(Over from 12/15/11)*  
   Gene Cammarota  
   5423 Leavenworth Street  
   Omaha, NE 68106  
   **REQUEST:** Waiver of Section 55-183 & 55-203 – Variance to the use regulations of the R4(35) and R5(35) districts to allow Restaurant (limited)  
   **LOCATION:** 5423 Leavenworth Street  
   **ZONE:** R4(35) & R5(35)

4. **Case No. 12-008 - Withdrawn**  
   *(Over from 2/9/12)*  
   Michael Bedel  
   4851 South 50th Avenue  
   Omaha, NE 68117  
   **REQUEST:** Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 14.8’ and to the interior side yard setback from 5’ to 2.8’ to allow for a 720 sq. ft. addition to an existing detached garage  
   **LOCATION:** 4851 South 50th Avenue  
   **ZONE:** R4(35)

## NEW CASES

5. **Case No. 12-016**  
   Gene Cammarota  
   5423 Leavenworth Street  
   Omaha, NE 68106  
   **REQUEST:** Waiver of Section 55-734 & 55-830 - Variance to the sign regulations in the R5(35) district to allow a ground sign with a sign area of 6 sq. ft. with front and street side yard setbacks of 2’ and to the required number of off-street parking stalls from 9 to 4 for a Restaurant (limited)  
   **LOCATION:** 5423 Leavenworth Street  
   **ZONE:** R5(35) & R4(35)
REQUEST: Waiver of Section 55-246 & 55-782(b)(6) – Variance to the minimum lot width for single-family residential (attached) from 30’ to 25.75’ and to the rear/interior side yard setback for a detached garage from 3’ to 0’ to allow for approval of an administrative subdivision

LOCATION: 3601-03 Davenport Street
ZONE: R7

7. Case No. 12-018
Superior Lighting
2121 S 24th Street
Omaha, NE 68108
REQUEST: Waiver of Section 55-834 – Variance to the maximum sign budget from 1008 sq. ft. to 1400 sq. ft. for 2 wall signs and 2 monument signs

LOCATION: 200 and 330 South 108th Avenue
ZONE: GO

8. Case No. 12-019
Richard Anzalone
19990 Sheffield Circle
Bennington, NE 68007
REQUEST: Waiver of Section 55-146 & 55-715 – Variance to the maximum impervious coverage from 40% to 44%; to the minimum street yard landscaping from 70% to 56%; and to the minimum depth of street yard landscaping from 25’ to 0’ for a new home and driveway

LOCATION: 9927 Devonshire Drive
ZONE: R2

9. Case No. 12-020
Ideal Construction
2502 North 84th Street
Omaha, NE 68134
REQUEST: Waiver of Section 55-146 – Variance to the street side yard setback from 20’ to 10’ for an addition

LOCATION: 12132 Farnam Street
ZONE: R2

10. Case No. 12-022
Cormaci Construction
PO Box 540817
Omaha, NE 68154
REQUEST: Waiver of Section 55-786 – Variance to the fence regulations to allow an 8’ tall chain link fence in a GO district

LOCATION: 10714 Mockingbird Drive
ZONE: GO

11. Case No. 12-023
Spencer Lombardo
Hustad Real Estate Holdings LLC
15026 A Circle
Omaha, NE 68144
REQUEST: Waiver of Section 55-503 – Variance to the permitted use regulations of the GI district to allow a Duplex residential use

LOCATION: 4623 Douglas Street
ZONE: GI
12. Case No. 12-024  
Don Mandel  
Alegent Health  
12809 West Dodge Road  
Omaha, NE  68154  
REQUEST:  Waiver of Section 55-503 & 55-740(f)(4) – Variance to the permitted use regulations of the GI district to allow a Medical office use and to the perimeter parking lot landscaping from 10’ to 5.1’ and from 5’ to 3.1’  
LOCATION:  8613 North 30th Street; 2910 Tucker Street; and 8604 North 29th Street  
ZONE:  GI

13. Case No. 12-025  
Scott Kaminski  
Children’s Hospital & Medical Center  
8200 Dodge Street  
Omaha, NE  68114  
REQUEST:  Waiver of Section 55-740(f)(4) – Variance to the required perimeter parking lot landscaping from 10’ to 6.37’ for a parking lot expansion  
LOCATION:  4806 Douglas Street  
ZONE:  R7-PK-ACI-2(50)

MINUTES TO BE APPROVED:  February 9, 2012