

**City of Lincoln**

**BOARD OF ZONING APPEALS**

**AGENDA**

**BOARD OF ZONING APPEALS**

Annette McRoy, Chair  
Steve Miller, Vice Chair  
Tracy Edgerton  
David Johnson  
Vickie McDonald

**August 25, 2023**

# CITY BOARD OF ZONING APPEALS

Notice is hereby given that the **CITY BOARD OF ZONING APPEALS** will hold a public hearing on **Friday, August 25, 2023**, at **01:30 p.m.** in the **City Council Chambers** on the 1<sup>st</sup> Floor of the County-City Building, 555 South 10th Street, on the following item. For more information, please contact the Planning Department at (402) 441-7491.

## **AGENDA**

**August 25, 2023**

1. Election of Chair and Vice Chair
2. Approval of the minutes of the City Board of Zoning Appeals hearing, held July 28, 2023.

### **ADMINISTRATIVE ACTION**

3. BOARD OF ZONING APPEALS 23006, for a variance to the required side yard setback, on property legally generally located at 329 North 36th Street.
4. BOARD OF ZONING APPEALS 23007, for a variance to the required rear yard setback, on property generally located at 5036 Bunker Hill Road.

\* \* \* \* \*

The City Board of Zoning Appeals agenda may be accessed on the Internet at

<http://www.lincoln.ne.gov/city/plan/boards/cibza/cibza.htm>

### **ACCOMMODATION NOTICE**

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

## MEETING RECORD

*Advanced public notice of the City Board of Zoning Appeals meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Friday, July 14, 2023.*

**NAME OF GROUP:**

**CITY BOARD OF ZONING APPEALS**

**DATE, TIME AND PLACE OF MEETING:**

Friday, July 28, 1:30 p.m., City Council Chambers,  
First Floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln,  
Nebraska

**MEMBERS IN**

Annette McRoy, Tracy Edgerton, and David Johnson; Vickie McDonald and Steve Miller absent. Abby Littrell of the Law Department; Ron Rehtus of the Building and Safety Department; Brian will and Clara McCully of the Planning Department.

**ATTENDANCE**

**STATED PURPOSE OF MEETING:**

Regular City Board of Zoning Appeals meeting.

Chair McRoy called the meeting to order and acknowledged the Open Meetings Act posted at the back of the room.

McRoy called for a motion approving the minutes of the City Board of Zoning Appeals hearing of October 7, 2022.

Motion for approval made by Edgerton, seconded by Johnson and carried 3-0: McRoy, Egerton and Johnson voting 'yes'; McDonald and Miller absent.

**BOARD OF ZONING APPEALS 23004, BY MICHELLE BADE FOR A VARIANCE TO THE FRONT YARD SETBACK FROM 20' TO 13', ON PROPERTY GENERALLY LOCATED AT 2121 WEST O STREET.**

**PUBLIC HEARING:**

**July 28, 2023**

There were no ex parte communications disclosed.

**Applicant:**

**Don Schleining, 857 South 48<sup>th</sup> Street**, appeared on behalf of applicant Michelle Bade. Schleining was the main architect for the building in the 2000s. He asked the Board to approve this variance so the structure is legal.

**Staff questions:**

Tracy Egerton asked, this building has been in place for two decades— it appears the setback issue was in error by both the applicant and the city in issuing the permit?

**Brian Will, Planning Department, 555 South 10<sup>th</sup> Street**, came forward and stated it appears the application for the Building Permit misinterpreted the required setback, and the approved Building Permit also listed the same setback. Mistakes were apparently made by both the applicant and the city. The options are granting a variance, or the alternative is bringing the building into compliance.

Egerton asked to clarify that the options are to either tear down the building or a portion of the building, or approve a variance?

Will confirmed that it will require major surgery to bring the building into compliance, and that either removal or chopping off a significant portion of the building or a variance to the setback were the only options at this point.

**Ron Rehtus, Building and Safety, 555 South 10<sup>th</sup> Street** stated, regarding the use of the building, in 2019 he had an individual ask about car sales, which would have special conditions for the zoning. His understanding is the building was occupied for auto detailing, but it had been partly occupied by auto sales and a company called American Drywall. Neither had Building Permits. The only permit was auto dealing, which is different from auto sales. A Building Permit was applied for but was denied due to the reason we are here today. He does not know if the whole building is occupied. There has been a complaint since 2019 for Lewing Motors, but American Drywall has vacated. Lewing Motors wants to occupy the whole building.

**Applicant Rebuttal:**

No rebuttal

**APPEAL NO. 23004**

**ACTION BY THE CITY BOARD OF ZONING APPEALS:**

**July 28, 2023**

Johnson moved to grant the variance to the front yard setback from 20' to 13', seconded by Egerton.

Egerton: The case is clear that literal enforcement would result in unnecessary hardship. No public interest is at play, it would be an undue hardship to make the required changes, and she sees no adverse effects in granting a variance.

Motion carried 3-0: McRoy, Egerton, and Johnson voting 'yes'; McDonald and Miller absent.

There being no further business, the meeting was adjourned at 1:41 p.m.

Note: These minutes will not be formally approved by the City Board of Zoning Appeals until their next regular meeting.

**CITY BOARD OF ZONING APPEAL #23006**

**DATE SCHEDULED FOR PUBLIC HEARING:**

August 25, 2023

**ADDRESS:** 329 North 36<sup>th</sup> Street

**LEGAL DESCRIPTION:** The south 40' of Lot 19, Block 13 and east one-half of the adjacent vacated alley, Ridgeway, all located in the SE 1/4 of Section 19, Township 10 North, Range 7 East, Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE AND ZONING:**

Residential

R-4 Residential

**SURROUNDING LAND USE AND ZONING:**

North: Residential

R-4

South: Residential

R-4

East: Residential

R-4

West: Residential

R-4

**TYPE(S) OF APPEAL(S):**

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO A VARIANCE PER LINCOLN MUNICIPAL CODE 27.72.020(A).

1. Lincoln Municipal Code (LMC) Section 27.72.020(A) - In the R-4 zoning district the minimum side yard setback is 5'. This request seeks a variance to reduce the required side yard setback adjacent to the north property line from 5' to 2' for stairs and a landing to access a dwelling unit.

**STAFF FINDINGS:**

1. The subject property is located at 329 North 36<sup>th</sup> Street. It is developed with one approximately 1,500 square foot, single-story duplex. The property is zoned R-4 Residential and is fully surrounded by the same zoning.
2. The petitioner is requesting a variance to the side yard setback from 5' to 2'. The variance is needed to allow reconstruction of the stairs on the north side of the building which are used to provide secondary access to the units. The stairs and landing on the south side which provide primary access to the units can meet the required 5' setback, but there is not enough space to provide the required separation to meet the 5' setback on the north side.

3. The original site plan (attached as BUILDING PERMIT NO. 123909) shows the following setbacks to the building: Front (east) – 25’; Side (south) – 9’, (north) – 7’; and Rear (west) – not provided. At the time the building permit was approved, the 1973 Zoning Ordinance was in effect and the property was zoned B Two-family Dwelling District. In 1979 the current zoning ordinance was adopted, and along with a reclassification of all the zoning districts the setbacks were updated accordingly. The setbacks for the B zoning district and the R-4 zoning district are contrasted below:

	1973 (B)	1979 (R-4)
Front	25’	25’
Side	5’	5’
Rear	30’ (or 20% lot depth)	20’ (or 20% lot depth)

4. The subject building is located on the south 40’ of Lot 19 along with one-half of the vacated alley adjacent to the rear lot line. Lot 19 was originally platted as 50’ by 142’ in size, but the north 10’ was deeded to the owner to the north. The dwelling to the north was built in 1910 and the north 10’ of Lot 19 is assumed to have been deeded long ago. A two-family dwelling was allowed on a 40’-wide lot under the 1973 Zoning Ordinance provided the lot was created prior to 1953 and otherwise met the required setbacks for the district.
5. The original building permit shows the building meeting the front and side yard setbacks and area requirements but does not show the stairs and landings. A final inspection of the property was conducted in 1979 with no mention of the stairs and landings in the side yard setback.
6. The entrance on the south side provides primary ingress to both dwelling units. The egress on the north side provides secondary access but is required by Uniform Building Code to provide more than one ingress/egress into both units.
7. The original building permit did not include the stairs and landings which are necessitated by the significant slope from west to east across the lot. These facilities are necessary to access the units and there is no other viable way to provide access into the units given the way the building is designed. The contractor has reduced the width of the stairs and landing on the north to the minimum allowed to still comply with building code and provide accessibility.

Both sets of stairs and landing were omitted from the original building permit application, which otherwise appears to meet all applicable requirements. The final inspection of the property failed to detect that the side yard encroachment and the occupancy was approved. The fact the building and stairs were built the way they were appears to be an error on both the part of the applicant and the City.

8. The Board of Zoning Appeals is authorized to grant this variance per Section 27.59.110 and Neb. Rev. Stat. Section 3-312. Specifically, it shall allow variances where a literal application or enforcement of the regulations would result in a practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations.

In this case, the Board's Original Jurisdiction - Powers Relative to Variances applies. The Board of Zoning Appeals is authorized, upon petition, to vary the strict application of the height, area, parking, density or sign requirements to the extent necessary to permit the owner a reasonable use of the land in those specified instances where there are peculiar, exceptional and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned.

9. This appears to be the result of errors on the part of both the applicant and the City. If the variance is approved the petitioner will be allowed to finish the stairs and continue the use of the building as configured. If the variance is denied the hardship would be significant as it is not clear how required ingress/egress would be provided.

Prepared by

Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner

**APPLICANT/  
CONTACT:**

Mike Eastman  
5331 Rockford Drive  
Lincoln, NE 68521  
402-480-5209  
[meastman31@gmail.com](mailto:meastman31@gmail.com)

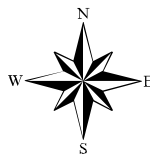
**PETITIONER:**

Victor Cruz  
2830 South 47<sup>th</sup> Street  
Lincoln, NE 68506  
402-525-2864  
[dammitjim0314@gmail.com](mailto:dammitjim0314@gmail.com)



2022 aerial

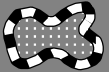


**Board of Zoning Appeals #: BZA23006**  
**N 36th St & Q St**

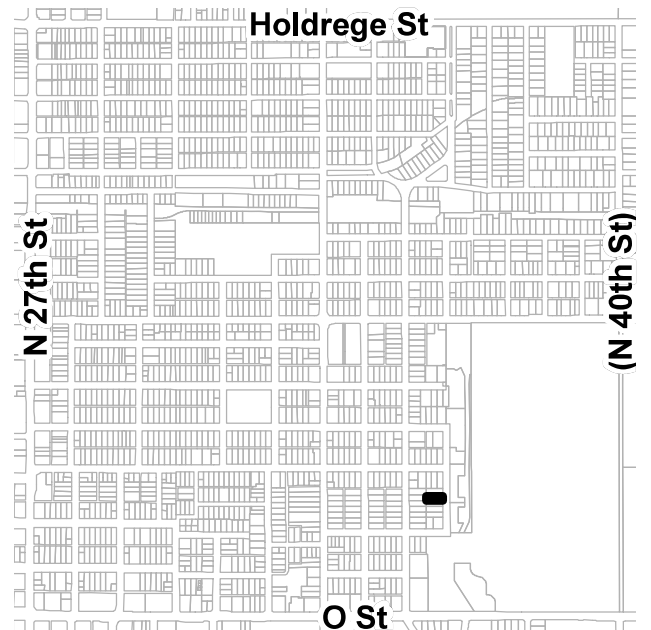


**One Square Mile:**  
**Sec.19 T10N R07E**

**Zoning:**

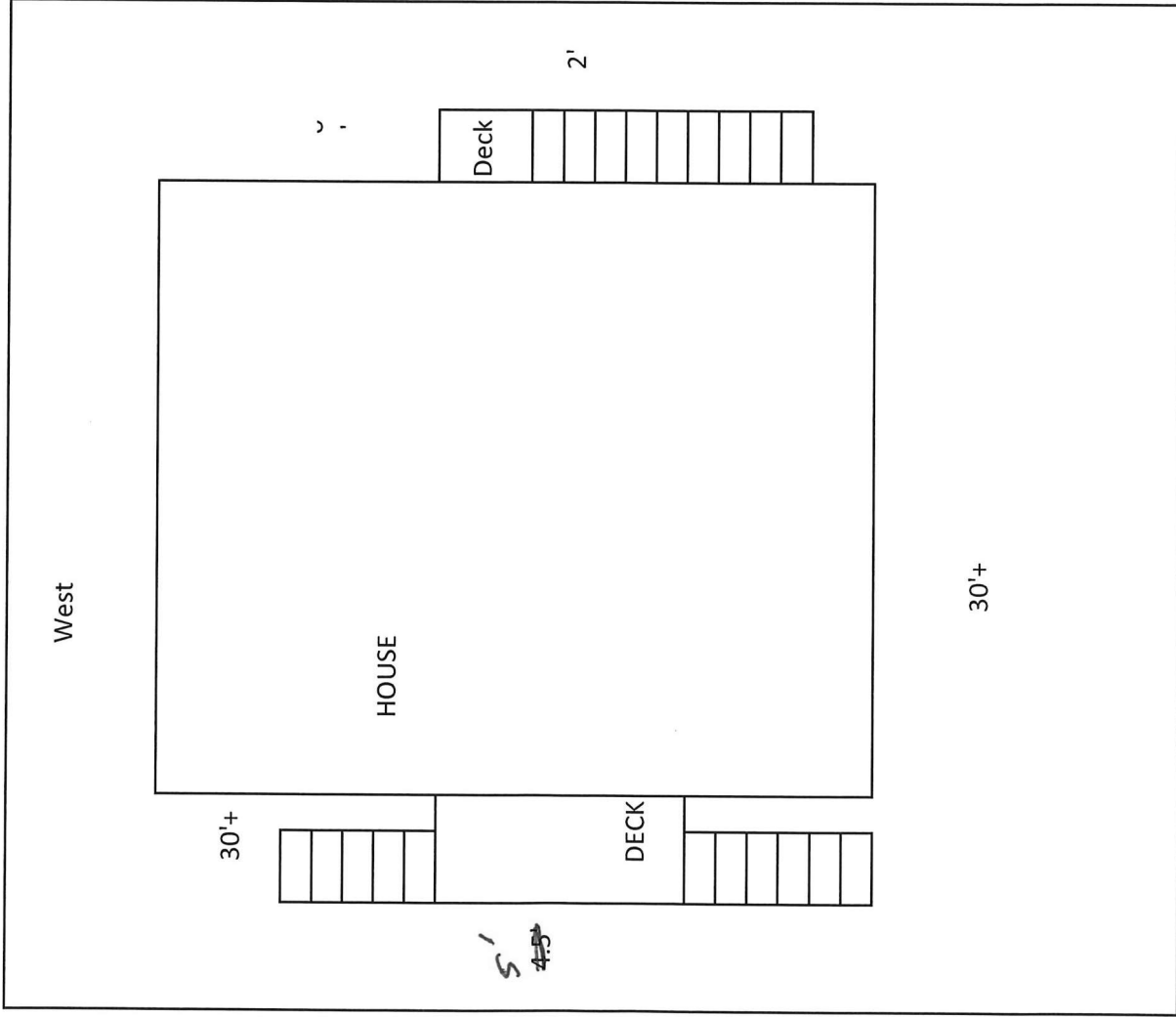
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





SITE PLAN

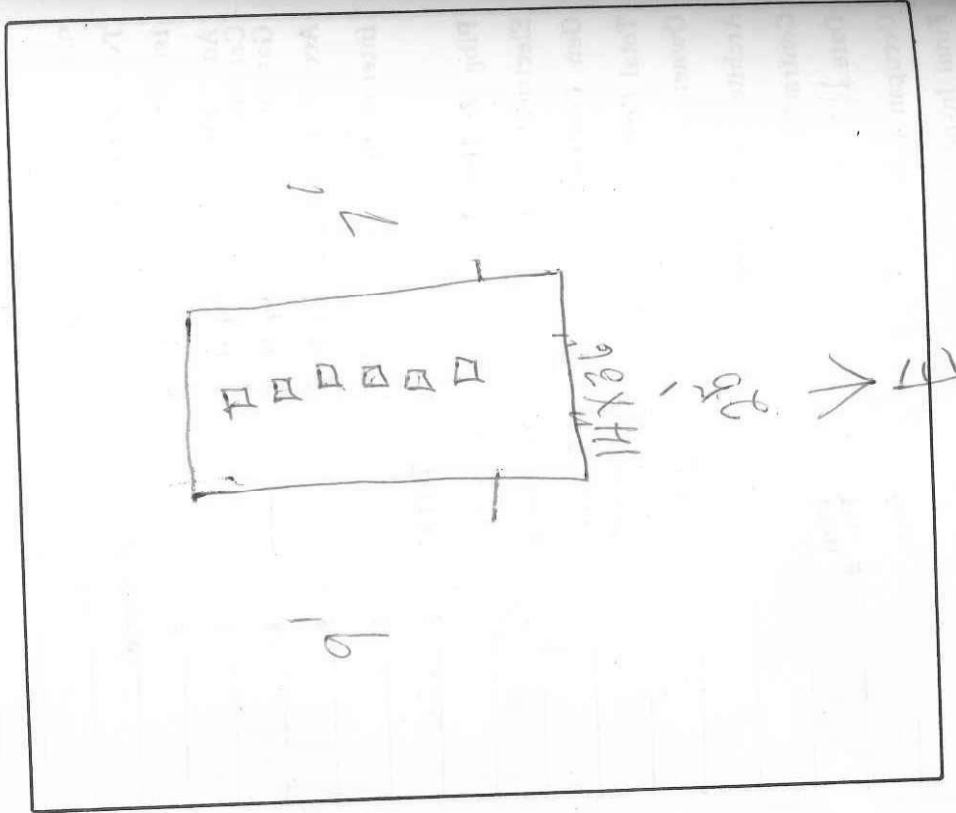


Footings 11-30-78 Doneb

Framing 7-7-79 Doneb

Lath Wall Board insulation permit # 1257 wall ins 7-2-79 Doneb

Remarks \_\_\_\_\_



BUILDING PERMIT

No 123909

Fee \$ 48.50

Street Address 329 No. 36 Street

- ALTER
- CONSTRUCT
- ADDITION

- REROOF
- RESIDE

D.S.

Intended Use Duplex + Gar. # Family 2 Units

Lot 540' of lot 19 & 1/2 way Block 13

Addition Ridge way BofA # 1079

Size 40' X 142' Height

Type of Const. # of Stories

1st Flr. 1472 sq. ft. @ 11.00 = \$ 16,192

Add'l. Flr. sq. ft. @ = \$

Carpport under sq. ft. @ = \$

Garage ex. bath sq. ft. @ = \$

Acc. Bldg. 1 sq. ft. @ = \$ 500

Interior Remodel 1 sq. ft. @ = \$ 500

TOTAL \$ 17,192

Plbg. & Htg. \$ Use Zone B

Electrical \$ Occ. Group R-3

Gen. Contract \$ Fire Zone 3

Total Cost \$ Authorized Occupancy 1

Owner Herald Gulland

Architect or Engineer World Homes

Contractor Noel Chadd

Date 11-14-78 Plan File #

Occupancy No. 14557 Date 12-26-79

Final Inspection ML 8-2-79

To: City of Lincoln BZA

From: Mike Eastman

RE: Setback Variance Application

Date: August 2, 2023

To Whom It May Concern:

We are requesting a variance to the setback on the property located at 329 N 36<sup>th</sup> street here in Lincoln. The property is built so that the front and back entry doors are on the south and north sides of the building. The south side entry is the primary entry to the building and the north is the back door. The property is very narrow and the setbacks are currently three feet on the south side and two feet on the north side. The platform on the north is three feet wide so I don't believe we can make that any smaller. At some point in the past a five-foot piece of the parcel was sold to the neighbors which left us with the two-foot clearance. The south side currently has a six-and-a-half-foot wide platform that could be narrowed to four-and-a-half foot wide and that would give us five feet of clearance to the south property line. I don't think we can go any narrower as this is the main entry point to the building and if it gets any narrower it will be difficult to move furniture and appliances in and out of the property. I am requesting that we be allowed the variance to rebuild the north side platform as it is and to rebuild the south side to the new narrower dimensions.

Thank you for your consideration.

Respectfully,



Mike Eastman

All Hands On Deck, LLC



**CITY BOARD OF ZONING APPEAL #23007**

**DATE SCHEDULED FOR PUBLIC HEARING:**

August 25, 2023

**ADDRESS:** 5036 Bunker Hill Road

**LEGAL DESCRIPTION:** Lot 2, Block 7, Bicentennial Estates 1<sup>st</sup> Addition, Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE AND ZONING:**

Residential

R-2 Residential

**SURROUNDING LAND USE AND ZONING:**

North: Residential

R-2

South: Residential

R-2

East: Residential

R-2

West: Residential

R-2

**TYPE(S) OF APPEAL(S):**

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO A VARIANCE PER LINCOLN MUNICIPAL CODE 27.72.020(A).

1. Lincoln Municipal Code (LMC) Section 27.72.020(A) - In the R-2 zoning district the minimum rear yard setback is 20' or 20% of the lot depth, whichever is less. This request seeks a variance to reduce the required rear yard setback from 20' to 11' for a sunroom addition.

**STAFF FINDINGS:**

1. The subject property is located at 5036 Bunker Hill Road. The lot is a typical 60' x 100' lot and is developed with a single-family dwelling, similar to many others in the neighborhood. The property is zoned R-2 Residential and fully surrounded by the same zoning.
2. The petitioner is requesting a variance to the rear yard setback from 20' to 11'. The variance is needed to allow for the reconstruction of a sunroom attached to the rear of the home. The dwelling otherwise meets the setbacks for the R-2 zoning district, but the attached sunroom encroaches in the rear setback approximately 9'.

3. The property is zoned R-2 Residential where the setbacks are as follows:

Front	25'
Side	5'
Rear	20' (or 20% lot depth)

4. The subject sunroom has been built, and as the petitioner explains the failure to apply for a building permit was due to an oversight on the part of his company's staff. His company was contracted to remove the old sunroom and reconstruct a new one which is complete.
5. The building permit records for this property are attached to this report (BUILDING PERMIT NO. 153530). It includes the building permit for the original dwelling in 1990 and subsequent permits for electrical, plumbing and heating repairs. The site plan from 1990 is not available. However, air photos from 2002 do not show a roof, and instead show a concrete patio. There is no record of a permit being approved for the addition of a sunroom. According to air photos, the sunroom was added sometime between 2018 and 2020.
6. The 60' x 100' lot is typical of the area and not unusual in any respect. The other lots in this block all appear to be developed with dwellings that meet the required rear setback for the R-2 district. Several have accessory buildings in the rear yard, but those structures are allowed in the rear yard provided they are located more than 6' away from the dwelling, are at least 2' away from the side and rear lots lines, and do not occupy more than 40% of the rear yard.
7. The statement submitted by the petitioner references the two lots adjacent to the north. They are considered corner lots (along with one other lot at the southeast corner of the block) and as such the setbacks are applied differently and not considered the same as the other 37 lots interior to this block. When compared to the other similar interior lots in this block the subject lot is not unique or unusual, and comparison to the corner lots is not applicable.
8. LMC Section 27.72.060(f)(4) allows for the following:
- In all zoning districts, patios, terraces, decks, and ornamental features which extend more than three feet above or below the adjacent ground level may project into a required rear yard, provided the combined floor area of any patio, terrace, deck, and any accessory building located in the rear yard does not occupy more than 40% of the rear yard and that the patio, terrace, or deck:
- is uncovered;
  - projects off of the first story of the dwelling or below;
  - is no closer than ten feet from the rear lot line;
  - does not encroach into a required side yard;
  - is a projection off of a single- or two-family structure.

A deck or patio is allowed to within 10' of the rear lot line, but the sunroom is covered and enclosed and this provision does not apply as it is simply considered part of the home. There is no other exception in the Zoning Ordinance which allows the subject sunroom addition to the primary dwelling.

The applicant acknowledges a mistake was made in not applying for a building permit. In any given year there are many people who make honest mistakes in construction. However, most often they remove or correct the error. Failure to obtain a building permit does not create a hardship that justifies a variance. It is a self-created hardship and self-created financial impact. The financial hardship is not created by a peculiar, exceptional or unusual circumstance. Failure to follow procedures is not an unusual circumstance.

9. The Board of Zoning Appeals is authorized to grant this variance per Section 27.59.110 and Neb. Rev. Stat. Section 3-312. Specifically, it shall allow variances where a literal application or enforcement of the regulations would result in a practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations.

In this case, the Board's Original Jurisdiction - Powers Relative to Variances applies. The Board of Zoning Appeals is authorized, upon petition, to vary the strict application of the height, area, parking, density or sign requirements to the extent necessary to permit the owner a reasonable use of the land in those specified instances where there are peculiar, exceptional and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned.

10. It appears the original sunroom was constructed sometime after 2018 without a building permit. Prior to that aerial photos show an uncovered patio with outdoor furniture. Otherwise, there is nothing unique or unusual about this property and the dwelling otherwise meets the requirements of the Zoning Ordinance.

Denying the variance does not deny the owner a reasonable use of the property as the dwelling will remain as originally constructed. The single-family is a permitted and intended use in the R-2 zoning district.

This petition is without justification and similar to other zoning infractions that occur throughout the city but where owners are required to come into compliance with the Zoning Ordinance. Granting this variance would serve as a basis for those violations to seek relief from the BZA instead of coming into compliance with the Ordinance.

If the variance is approved the sunroom can remain in place if they obtain a building permit and pass inspections. If denied it must be removed and the dwelling returned to its original state in compliance with the Zoning Ordinance.

Prepared by

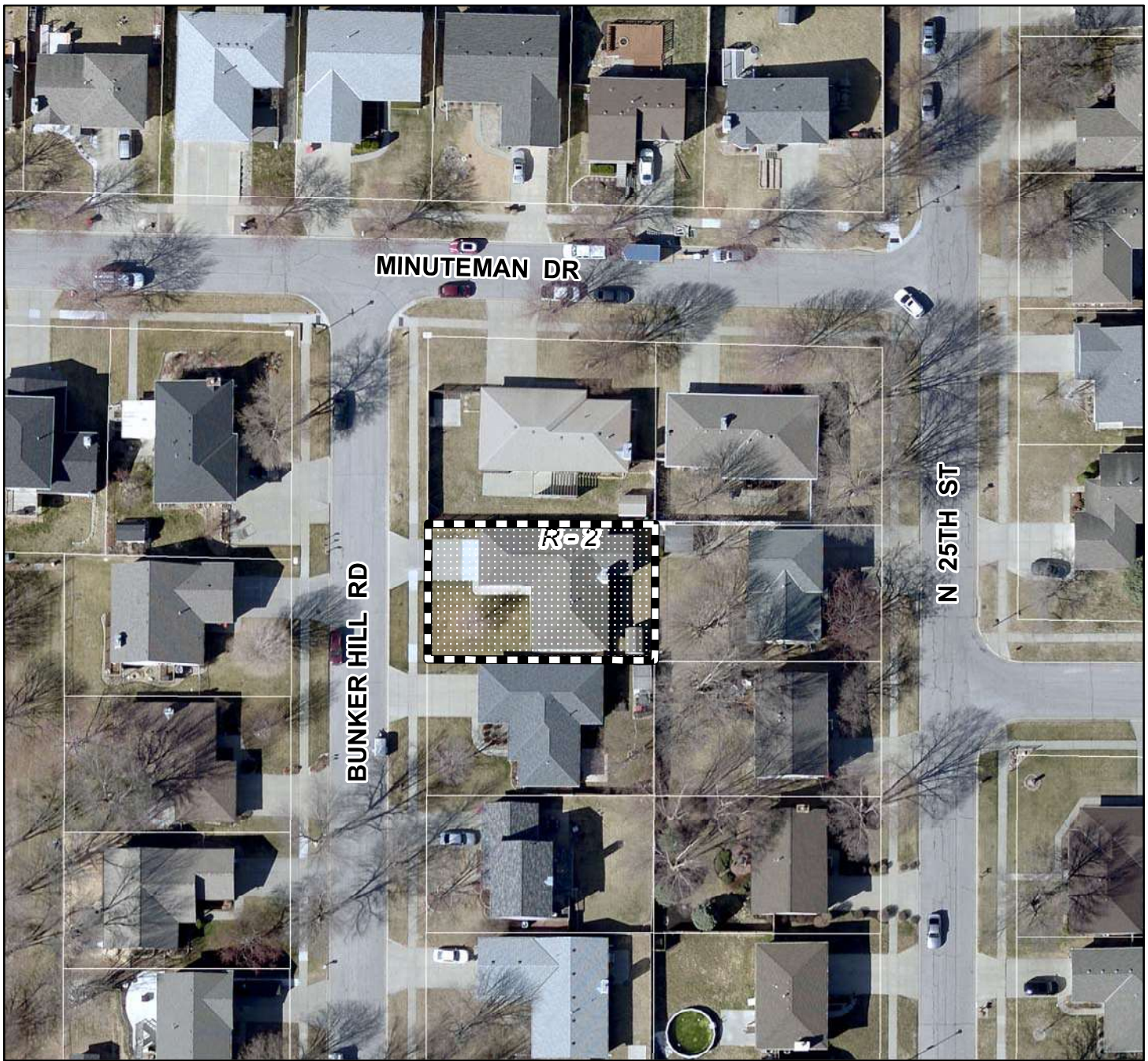
Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner

**APPLICANT/  
CONTACT:**

Dan Heminger  
ABC Seamless  
8032 Maple Street  
Omaha, NE 68134  
308-380-7171  
[dan@abcofnebraska.com](mailto:dan@abcofnebraska.com)

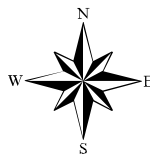
**PETITIONER:**

Darrell and Ruth Polacek  
5036 Bunker Hill Road  
Lincoln, NE 68521  
402-438-2059  
[darrell.polacek@gmail.com](mailto:darrell.polacek@gmail.com)



2022 aerial

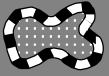


**Board of Zoning Appeals #: BZA23007**  
**BunkerHll Rd & Minuteman Dr**

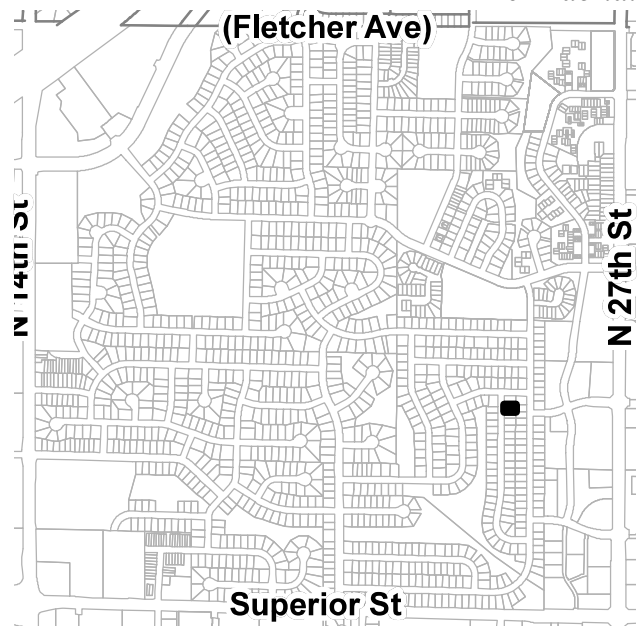


One Square Mile:  
 Sec.01 T10N R06E

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





100

Total: 100.16 ft

20.03 ft

57.68 ft

22.45 ft

14 w

12 p

11' 8 inch

From property line

09

5036

09

ND

**Nº 153530**

Date Issued 10/30/89  
Street Address 5036 Dunbarhill Rd  
Lot 2 Block 7  
Addition Bicentennial Estates First Add  
Fee:             
Bldg. \$ 148.50 Insul. \$ 50.00 Curb Cut \$ 99.25

**BUILDING PERMIT**

construct  Mobile Home Found.  enlarge or  alter  
as follows

Intended Use SFR + Garage  
# of Units 1 Height 12' Stories 1  
TOTAL COST \$ 60,000.00

Plan File #            Subdivision Permit #             
Board of Zoning Appeals #            Flood Plain Permit #             
HPC #            Zoning R-2

Special Permits, Etc. #             
Type of Const. VN Occupancy Group R-3  
Final Inspection 3-28-90  
Occupancy Certificate No. 23607 Date 3-30-90

**INSULATION PERMIT**

**CURB CUT PERMIT** Existing            New 25' Total             
Curb Cut No.           

Owner Diane Carpenter Const Spa  
Architect or Eng.           

Footings 11-8-89 ml

Framing 1-9-90 GH

Insulation 1-9-90 GH

Lath Wall Board           

Remarks

DATE	PERMIT NO.	NAME	TYPE OF PERMIT	WORK DONE	DATE FINALED
10.30.89	153530	Dave Cooper (encl)	B	SFR & Gas	3-28-90
"	"	"	I	new tank	
"	"	"	CO	25' x 25'	
11-13-89	155169	Neargans Ply	F	Sealed	2-22-90
11-14-89	1101412	Schoeder Road	E	T 11-17-89 S	1-11-90
1-3-90	1202128	Schoeder E	E	RT 1-5-90 F	2-22-90
1-4-90	192822	Custom Ply	A	Lunace & K	2-23-90

PLAN #

5036 Bunkerhill Road

Abc Seamless,

We had a major miscommunication between our office and installers. Certain people were on vacation and a project was sold, started and completed without a permit. This patio room sits on the back of the house (connected) at the address listed on the application on Bunker Hill Rd. The room is sitting eleven feet away from the back property line. The set back is twenty feet. I am filing this application to discuss the potential to obtain a variance for the homeowners to keep their sun room and or minimize it down by three feet, leaving it fourteen feet away from the property line.

Two houses to the north of the Polacek property are well within the twenty feet setback, they are corner lots. However the set back rule here, In my opinion, and the homeowners opinion should not apply. This twenty foot setback is in place for once reason, so that people aren't "on top" of their neighbors. We believe that this will not be an issue for any neighbors. I believe all neighbors receive a copy of this application and have an opportunity to object. We did make a mistake in installing this room without a permit, however the home owners wish to keep it and do not see any viable, safety or hazardous reason for it not to be allowed when considering the surrounding areas. A room this size would be allowed if not connected to the home, which goes against the reasoning for the set back, (people on top of one another) the privacy vs the population size. I am asking for an opportunity to speak on behalf of this situation and obtain a variance.

Thank you, Mr Dan Heminger with ABC Seamless.

