ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, November 10, 2016 - 1:00 P.M.
Legislative Chambers-LC Level
Omaha/Douglas Civic Center
1819 Farnam Street

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: Brian Mahlendorf – Chair, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jason Lanoha, and Jeremy Aspen. Sean Kelley and Michael Gorman 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, November 10, 2016 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, October 31, 2016 (for use waivers only) and Thursday, November 3, 2016.

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 state your name. If there are opponents, they will also come forward at that time, give their names 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.cityofomaha.org/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) 444-5150 x2063. If an alternative (audio version) to this agenda is necessary, please notify the Secretary to the Zoning Board of Appeals at (402) 444-5150 x2061, 72 hours in advance.
NEW CASES:

1. Case No. 16-095  
   Pastor Rivera  
   2104 Q Street  
   Omaha, NE 68107  
   REQUEST: Waiver of Section 55-740(f)(4) – Variance to the minimum perimeter parking lot landscaping from 5’ to 0’ to allow pavement to remain.  
   LOCATION: 2104 Q Street  
   ZONE: GC

2. Case No. 16-096  
   Shannon Hejkal  
   12551 Bristol Circle  
   Omaha, NE 68164  
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a fence taller than 4’ and more than 50% closed, within the required street side yard setback.  
   LOCATION: 12551 Bristol Circle  
   ZONE: R4

3. Case No. 16-097  
   Mike Jansen  
   6223 South 170th Street  
   Omaha, NE 68135  
   REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 20’ to allow construction of a deck.  
   LOCATION: 13804 Cuming Street  
   ZONE: R1

4. Case No. 16-098  
   Ruben Castelan  
   3402 Avenue B  
   Council Bluffs, IA 51501  
   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 21’4” to allow reconstruction of an addition.  
   LOCATION: 2706 Madison Street  
   ZONE: R4(35)

5. Case No. 16-099  
   Superior Lighting, Inc.  
   2121 South 24th Street  
   Omaha, NE 68108  
   REQUEST: Waiver of Section 55-832 – Variance to the overall sign budget from 40 sq. ft. to 107 sq. ft. and to the maximum size of a wall sign from 40 sq. ft. to 97.5 sq. ft. for 2 wall signs.  
   LOCATION: 4014 Leavenworth Street  
   ZONE: R7-ACI-1(PL) (GO-pending)

6. Case No. 16-100  
   Deb Hale  
   11213 Davenport Street  
   Suite 300  
   Omaha, NE 68154  
   REQUEST: Waiver of Section 55-246 – Variance to the interior side yard setback from 10’ to 8.1’ to allow 4 existing decks to be rebuilt in their current location.  
   LOCATION: 4910 Davenport Street  
   ZONE: R7
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST</th>
<th>LOCATION</th>
<th>ZONE</th>
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<tbody>
<tr>
<td>16-101</td>
<td>Waiver of Section 55-831 – Variance to the overall sign budget from 40 sq. ft. to 73 sq. ft. and to the required setback from 6’ to 0’ to allow a monument sign.</td>
<td>7700 Howard Street</td>
<td>R6-PUD</td>
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<tr>
<td>16-102</td>
<td>Waiver of Section 55-166 – Variance to the rear yard setback from 25’ to 0.5’ and to the interior side yard setback from 7’ to 3’ to allow construction of a 24’4” x 30’4”, 2-story detached garage.</td>
<td>5203 Izard Street</td>
<td>R3</td>
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<td>16-103</td>
<td>Waiver of Section 55-186 – Variance to the maximum impervious surface coverage from 50% to 58% to allow construction of a new garage and driveway extension.</td>
<td>419 North 47th Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>16-104</td>
<td>Waiver of Section 55-734 – Variance to the minimum number of off-street parking stalls from 158 stalls to 90 stalls for construction of a senior living facility.</td>
<td>6657 North 56th Street</td>
<td>CC</td>
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<td>16-105</td>
<td>Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall, privacy fence in the front yard setback along 87th Street.</td>
<td>1424 South 85th Avenue</td>
<td>R2</td>
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<td>16-106</td>
<td>Waiver of Section 55-787 – Variance to the required storm shelter size from 99 sq. ft. to 0 sq. ft. to allow for the reconstruction of 12 residential units to their pre-fire occupancy.</td>
<td>420 South 11th Street</td>
<td>CBD-ACI-1(PL)</td>
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13. Case No. 12-044
   Terry R. Peterson
   12910 F Plaza
   Omaha, NE 68137

REQUEST: Waiver of Section 55-804 and 55-786(f) - To amend previously approved request to allow the existing use to exceed the maximum permitted sound levels of the GI district; and to allow a movable sound wall taller than 10’.

LOCATION: 12802, 12910, 12928 and 13010 F Plaza

ZONE: GI