DI SPOSITION AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING - THURSDAY, FEBRUARY 19, 2009, 1:00 P.M.
7TH FLOOR - ROOM 702
CIVIC CENTER - 1819 FARNAM STREET
OMAHA, NEBRASKA

HOLD OVER CASES:

1. Case No. 09-001
   Nicolas Lopez
   (over from 1/15/09)
   930 Virginia Street
   Bellevue, NE  68147
   REQUEST:   Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 10’ 6” to allow 10’ x 21’ covered patio to remain
   LOCATION:  2525 S 7 Street
   ZONE: R4(35)
   BOARD ACTION:  APPROVED 5-0.  Approved in accordance with the plans submitted.

2. Case No. 09-002 - LAID OVER
   (over from 1/15/09)
   Vicky Stadther
   McDonalds LLC
   1650 W 82 Street #900
   Bloomington, MN  55431
   LOCATION:  11330 West Dodge Road
   ZONE: CC-FF
   BOARD ACTION:  LAID OVER 5-0.  Laid over for 30 days until the next meeting on March 19, 2009 to submit revised plans.

NEW CASES:

3. Case No. 09-008 - LAID OVER
   Christian Christensen
   Caniglia Little Italy, LLC
   701 S 15 Street Ste 100  68102
   REQUEST:   Waiver of Section 55-784C – Variance to the perimeter setback for a 12-unit cluster subdivision from 35’ to 1.12’ up to 18’ from the perimeter lot line
   LOCATION:  8th & Pacific Streets
   ZONE: HI (R7 Cluster Subdivision Pending)
   BOARD ACTION:  LAID OVER 5-0.  Laid over for 30 days until the next meeting on March 19, 2009 to submit revised plans.

4. Case No. 09-009 - WITHDRAWN
   Jess Zeiss
   FNB Omaha
   1620 Dodge Street  68197
   REQUEST:   Waiver of Section 55-768B3 - Variance to allow a temporary commercial use not permitted in the R4(35) district for the 2009 College World Series
   LOCATION:  1030 D Street
   ZONE: R4(35)
   BOARD ACTION:  Withdrawn at the applicant’s request.

5. Case No. 09-010
   Daniel Hassel
   9822 Harney Pkwy N  68114
   REQUEST:   Waiver of Section 55-768B3 - Variance to allow a temporary commercial use not permitted in the R7 district during the 2009 College World Series
   LOCATION:  3810 S 13 Street
   ZONE: R7
BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted as Exhibit 2, subject to: 1) for this applicant only, 2) for the 2009 College World Series only, 3) no bands, 4) no sale of food or alcohol, 5) the applicant must provide a detailed site plan showing tents, vendor tables, temporary fencing, signage and pedestrian access, 6) the hours of operation will be between 8:00 a.m. and midnight, 7) no use of golf carts or other motorized vehicles, 8) the applicant must provide trash pick-up daily, security and portable toilets, 9) product delivery between 6:00 a.m. and 10:00 a.m. only and 10) a required setback of 2’ from the property line including stakes, tie downs, overhangs and signage.

6. Case No. 09-011
Bill Kirby
Thrasher Basement System
12330 Cary Circle  68128

REQUEST: Waiver of Section 55-76B3 - Variance to allow a temporary commercial use not permitted in the R4(35) district for the 2009 College World Series

LOCATION: 3484 S 13 Street
ZONE: R4(35)

BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted as Exhibit 2, subject to: 1) for this applicant only, 2) for the 2009 College World Series only, 3) no bands, 4) no sale of food or alcohol, 5) the applicant must provide a detailed site plan showing tents, vendor tables, temporary fencing, signage and pedestrian access, 6) the hours of operation will be between 8:00 a.m. and midnight, 7) no use of golf carts or other motorized vehicles, 8) the applicant must provide trash pick-up daily, security and portable toilets, 9) product delivery between 6:00 a.m. and 10:00 a.m. only and 10) a required setback of 2’ from the property line including stakes, tie downs, overhangs and signage.

7. Case No. 09-012
Daniel P. Molloy, Jr.
661 S 56 Street  68106

REQUEST: Waiver of Section 55-76B3 - Variance to allow a temporary commercial use not permitted in the R4(35) district during the 2009 College World Series

LOCATION: 3709 S 14 Street
ZONE: R4(35)

BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted as Exhibit 2, subject to: 1) for this applicant only, 2) for the 2009 College World Series only, 3) no bands, 4) no sale of food or alcohol, 5) the applicant must provide a detailed site plan showing tents, vendor tables, temporary fencing, signage and pedestrian access, 6) the hours of operation will be between 8:00 a.m. and midnight, 7) no use of golf carts or other motorized vehicles, 8) the applicant must provide trash pick-up daily, security and portable toilets, 9) product delivery between 6:00 a.m. and 10:00 a.m. only and 10) a required setback of 2’ from the property line including stakes, tie downs, overhangs and signage.

8. Case No. 09-013
Investors Realty
11301 Davenport Street  68154

REQUEST: Waiver of Section 55-406 & 55-928C & 55-740F - Variance to the maximum impervious coverage from 85% to 90.9% and to the rear yard setback from 15’ to 12’; to the perimeter landscaping from 5’ to 0’ and to reduce the required interior landscaping from 7% to 5.3% for an existing retail building

LOCATION: 902 S 74 Plaza
ZONE: GI (CC & MCC overlay district pending)
9. Case No. 09-014
John Wyskowski
6703 S 49 Terrace 68117
REQUEST: Waiver of Section 55-186 - Variance to the street side yard setback from 15’ to 5’ to erect 22’ x 25’ addition to existing residence
LOCATION: 6703 S 49 Terrace
ZONE: R4
BOARD ACTION: LAID OVER 5-0. Laid over for 30 days until the next meeting on March 19, 2009 to submit revised plans.

10. Case No. 09-015
Russ & Donna Masloski
2811 S 116 Avenue 68144
REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 5’ to erect single-family residence
LOCATION: 1646 N 173 Street
ZONE: R4
BOARD ACTION: Withdrawn at the applicant’s request.

11. Case No. 09-016
Chris Oldenhuis
Oldenhuis Contracting
4501 Leavenworth Street 68106
REQUEST: Waiver of Section 55-166 - Variance to the side yard setback from 7’ to 4’ to erect 24’ x 28’ addition to existing residence
LOCATION: 667 N 58 Street
ZONE: R3
BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted.

12. Case No. 09-017
Bruce Bowling
10552 Forrest Drive 68124
REQUEST: Waiver of Section 55-126 - Variance to the side yard setback from 25’ to 16.3’ to erect 12’ x 20’ addition to existing residence
LOCATION: 10552 Forrest Drive
ZONE: R1
BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted.

13. Case No. 09-018
Bryan & April Gregory
9417 Manderson Street 68134
REQUEST: Waiver of Section 55-742 - Variance to allow the overnight parking of a commercial vehicle in a residential district
LOCATION: 9417 Manderson Street
ZONE: R3
BOARD ACTION: DENIED 5-0 with an allowance to relocate vehicle by June 1, 2009.

14. Case No. 09-019
Jeremy Carrell
5004 S 110 Street 68137
REQUEST: Waiver of Section 55-186 - Variance to the minimum lot width for the R4(35) district from 50’ to 49.37’
LOCATION: 5123 Ruggles Street
ZONE: R4(35)
BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted.

15. Case No. 09-020
Daveda Anderson-Ervin
6730 Laurel Avenue 68104
REQUEST: Waiver of Section 55-735B - Variance to allow parking for a non-residential use in a residential district to be located in the front yard setback
LOCATION: 6102 Manderson Street
BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted until the May 2010 meeting subject to board review.

16. Case No. 09-021
Tim Zimmerer
15757 S 57 Street  68133
REQUEST:  Waiver of Section 55-266 - Variance to the rear yard setback from 25' to 3.7' to erect a 10' x 16' garage addition
LOCATION:  3711 F Street
ZONE:  GC

BOARD ACTION: APPROVED 5-0. Approved in accordance with the plans submitted subject to the building materials matching those of the existing structure.

17. Case No. 09-022
Louis Zadina
2902 S 16 Street  68108
REQUEST:  Waiver of Section 55-186 - Variance to the street side yard setback from 15' to 10' to allow 18' x 18' carport to remain
LOCATION:  2902 S 16 Street
ZONE:  R4

BOARD ACTION: DENIED 5-0 with an allowance to remove carport by May 1, 2009.

18. Case No. 09-023
St. Peter Claver
Cristo Rey High School
5301 S 36 Street  68107
REQUEST:  Waiver of Section 55-186 & 55-735B - Variance to the rear yard setback from 25' to 12' to the maximum building coverage from 40% to 59% to the maximum impervious coverage from 50% to 84% to the allowed building height from 35' to 43' and allow parking for a non-residential use to be located in the front yard
LOCATION:  5301 S 36 Street
ZONE:  R4

BOARD ACTION: LAID OVER 5-0. Laid over until revised plans are submitted.