AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING - THURSDAY, APRIL 15, 2010 1:00 P.M.
7TH FLOOR - ROOM 702
CIVIC CENTER - 1819 FARNAM STREET
OMAHA, NEBRASKA

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: Tom Blair, ZBA Administrator; Rosemarie Lee, 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 on Thursday, April 15, 2010 at 9:00 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, April 5, 2010.

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 (tape) to this agenda is necessary, 72 hours notice is required.
LAYOVER CASES:

1. Case No. 10-005
(over from 1/21/10, 2/18/10, 3/18/10)
The Architectural Offices
5015 Underwood Avenue 68132

REQUEST: Waiver of Section 55-734, 55-735 and 55-740(h) - Variance to the required off-street parking for a duplex and 3 unit apartment building from 9 stalls to 1 stall and allow parking in the front yard setback and allow cars to back into the adjacent street

LOCATION: 1547 S 28 Street
ZONE: R7

NEW CASES:

2. Case No. 10-023
John McFarlane
1804 Ontario Street 68108

REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 8’4” and to the maximum building coverage from 40% to 68% to allow 4’ x 12’ porch enclosure to remain

LOCATION: 3702 S 18 Street
ZONE: R4(35)

3. Case No. 10-024
Holy Name Housing
3014 N 45 Street 68104

REQUEST: Waiver of Section 55-206 - Variance to the front yard setback from 35’ to 25’ to erect 3 single-family dwellings

LOCATION: 3227, 3223 and 3219 Seward Street
ZONE: R5(35)

4. Case No. 10-025
Holy Name Housing
3014 N 45 Street 68104

REQUEST: Waiver of Section 55-206 - Variance to the front yard setback from 35’ to 25’ to erect 4 single-family dwellings

LOCATION: 3005, 3009, 3013 and 3017 Franklin Street
ZONE: R5(35)

5. Case No. 10-026
Holy Name Housing
3014 N 45 Street 68104

REQUEST: Waiver of Section 55-246 - Variance to the front yard setback from 35’ to 25’ to erect a single-family residence

LOCATION: 1615 Pinkney Street
ZONE: R7

6. Case No. 10-027
Jordan Michael Homes
1710 N 203 Street 68022

REQUEST: Waiver of Section 55-126 - Variance to the front yard setback from 50’ to 40’ and to the side yard setback from 25’ to 10’ to erect a single-family dwelling

LOCATION: 1205 Ranch View Lane
ZONE: R1

7. Case No. 10-028
Thrasher Basement Systems
12330 Cary Circle 68128

REQUEST: Waiver of Section 55-768 – Variance to allow a temporary commercial use not permitted in the R4(35) District for the 2010 College World Series

LOCATION: 3484 S 13 Street
ZONE: R4(35)
8. Case No. 10-029  
Planit Omaha  
10832 Old Mill Road Suite 8  68154

REQUEST: Waiver of Section 55-768 – Variance to allow a temporary commercial use not permitted in the R4(35) District for the 2010 College World Series

LOCATION: 3406 S 14 Street  
ZONE: R4(35)

9. Case No. 10-030  
Marque Custom Builders LLC  
19322 Spencer Street  68022

REQUEST: Waiver of Section 55-166 – Variance to allow the rear yard setback from 25’ to 23’ to erect a 10’ X 16’ partially covered deck

LOCATION: 3118 N 193 Street  
ZONE: R3

10. Case No. 10-031  
Kenneth Long  
16103 Manderson Street  68116

REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 50’ to 40’ and to the side yard setback from 25’ to 10’ and to the minimum streetyard landscaping from 75% to 65% to erect single-family residence

LOCATION: 1201 Ranch View Lane  
ZONE: R1

11. Case No. 10-032  
John Smith  
924 N 3 Street  
Jacksonville, FL  32250  
Cathy Harrington  
2609 Woodsdale Blvd.  
Lincoln, NE  68502

REQUEST: Waiver of Section 55-768 – Variance to allow a temporary commercial use not permitted in the R4(35) district during the 2010 College World Series

LOCATION: 3464 & 3458 S 13 Street  
ZONE: R4(35)

12. Case No. 10-033  
ConAgra Foods  
ATTN: Dean Hoerning MS 11-300  
11 ConAgra Drive  68102

REQUEST: Waiver of Section 55-786 F – Variance to the allowed height for a fence in the front yard of an industrial district from 6’ to 8’

LOCATION: 1512 N 16 Street  
ZONE: HI

13. Case No. 10-034  
Mariela Calderon  
12171 Pacific Street  68104

REQUEST: Waiver of Section 55-734 – Variance to the required off-street parking for a daycare facility of 225 from 56 stalls to 26 stalls

LOCATION: 616 S 75 Street  
ZONE: GC

4/6/10