AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING - THURSDAY, JULY 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 Horvath, 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, July 15, 2010 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, July 5, 2010 (use waivers only) and Thursday, July 8, 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.
HOLD OVER CASES:

1. Case No. 10-053
   (over from 5/20/10, 6/17/10)  
   R & A Builders
   Box 540731  68154

   REQUEST: Waiver of Section 55-126 – Variance to the maximum impervious coverage from 30% to 42% and to the minimum street yard landscaping from 75% to 65% and to the maximum building coverage from 25% to 26%

   LOCATION: 1223 Ranch View Lane
   ZONE: R1

2. Case No. 10-070
   (over from 6/17/10)  
   Josh Lingenfelter
   1528 N 75 Avenue  68114

   REQUEST: Waiver of Section 55-786(E)(1) – Variance to the residential fence regulations to allow a 6’ high privacy fence in the street side yard

   LOCATION: 1528 N 75 Avenue
   ZONE: R3

NEW CASES:

3. Case No. 10-074
   Patrick Wortmann
   5416 Leavenworth Street  68106

   REQUEST: Waiver of Section 55-206 – Variance to the side yard setback from 5’ to 4’ to erect a 16’ X 15’ 8” 2-story addition to existing residence

   LOCATION: 5416 Leavenworth Street
   ZONE: R5(35)

4. Case No. 10-075
   Robert Oberhauser
   12657 Augusta Avenue  68144

   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 10’ to replace a 16’ X 16’ deck

   LOCATION: 12657 Augusta Avenue
   ZONE: R4(35)

5. Case No. 10-076
   The Garage Company
   8301 Q Street  68127

   REQUEST: Waiver of Section 55-740(E)(3) – Variance to the requirement that a hard-surfaced driveway be provided for a structure capable of storing a personal vehicle

   LOCATION: 21408 Honeysuckle Drive
   ZONE: R2

6. Case No. 10-077
   Jennifer Buescher & Mark Lane
   102 North 54 Street  68132

   REQUEST: Waiver of Section 55-786 – Variance to allow a 6’ high privacy fence in the street side yard setback in a residential district

   LOCATION: 102 N 54 Street
   ZONE: R3-ACI-2(50)

7. Case No. 10-078
   John J. Shrauger
   5106 North 93 Street  68134

   REQUEST: Waiver of Section 55-782(B)(6) – Variance to the maximum size for an accessory building from 750 sq. ft. to 846 sq. ft. by adding a 15’ X 18’ patio cover

   LOCATION: 5106 N 93 Street
   ZONE: R3
8. Case No. 10-079  
   E & A Consulting Group  
   Attn: Jason Thiellen  
   330 North 117 Street  68154

   REQUEST: Waiver of Section 55-105 – Variance to the use regulations of the Development Reserve District (DR) to permit building maintenance services (a landscaping and lawn care business) not otherwise allowed in DR

   LOCATION: 4730 State Circle
   ZONE: DR-ED

9. Case No. 10-080  
   Metropolitan Comm. College  
   c/o Bernie Sedlacek  
   P.O. Box 3777  68103

   REQUEST: Waiver of Section 55-865, 55-84, 55-87 – Variance to the maximum impervious coverage from 10% to 28% and to the use regulations of the AG District by expanding a non-conforming use with 85 additional parking stalls

   LOCATION: NE of 204th & W Dodge Road
   ZONE: AG

10. Case No. 10-081  
    Silo Extreme Outdoor Adv. LLC  
    308 S 51 Street  68123

   REQUEST: Waiver of Section 55-716 – Variance to the required bufferyard between GI and R5 from 50’ to 10’ and 30’ to allow outdoor/indoor recreation

   LOCATION: 3417 Vinton Street
   ZONE: GI

11. Case No. 10-082  
    Richard L. Williamson  
    315 S 68 Street  68132

   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 21’ to erect 16’ X 10’ elevated deck

   LOCATION: 6702 Lake Street
   ZONE: R4(35)

12. Case No. 10-083  
    Dondi Stender  
    20825 Timberlane Drive  68022

   REQUEST: Waiver of Section 55-126 – Variance to the side yard setback from 25’ to 10’ to erect to 30’ X 26’ detached garage

   LOCATION: 20825 Timberlane Drive
   ZONE: R1

13. Case No. 10-084  
    Jeremy Carrell  
    5020 S 110 Street  68137

   REQUEST: Waiver of Section 55-206 – Variance to the minimum lot width from 50’ to 46.3’ and 41.8 and to the minimum lot area from 5,000 sq. ft. to 4,279 sq. ft. and 3,891 sq. ft.

   LOCATION: 3108 & 3112 S 23 Street
   ZONE: R5

14. Case No. 10-085  
    GESU Housing Inc.  
    c/o Brother Mike Wilmot, S.J.  
    5008 ½ Dodge Street, Unit B  68132

   REQUEST: Waiver of Section 55-206 – Variance to the street side yard from 15’ to 9’ and to the front yard from 35’ to 25’ to erect single-family residence

   LOCATION: 4304 Burdette Street
   ZONE: R5(35)