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, 11th Floor, on Thursday, February 17, 2011 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 Thursday, February 10, 2011.

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. 10-147
   Tony Constantino
   (Over from 11/18/10, 12/16/10, 1/20/11)
   6516 Irvington Road
   Omaha, NE  68122
   REQUEST: Waiver of Section 55-740 & 55-716 - Variance to the off-street parking design standards by allowing vehicles to back into adjacent streets, to perimeter and street yard landscaping from 10' and 8.5' to 0' and 5' to 2.5' to the handicapped access aisle from 8' to 5' by enlarging adding a patio to an existing restaurant
   LOCATION: 6516 Irvington Road
   ZONE: GC

2. Case No. 10-046
   Emerging Terrain
   (Over from 1/20/11)
   Attn:  Anne Trumble
   5912 Maple Street
   Omaha, NE  68104
   REQUEST: Waiver of Section 55-825(C)(4) - Variance to the maximum size for a temporary banner (for up to 4 years) from 120 sq. ft. to 20,800 sq. ft.
   LOCATION: 3417 Vinton Street
   ZONE: GI

3. Case No. 11-004
   Omaha Neon Sign Co.
   (Over from 1/20/11)
   1120 N 18 Street
   Omaha, NE  68102
   REQUEST: Waiver of Section 55-843 - Variance to the allowed height of a pole sign from 35’ to 60’
   LOCATION: 14540 Grover Street
   ZONE: GI

LAYOVER

4. Case No. 11-007
   Sullivan Homes
   (Over from 1/20/11)
   333 S 93 Street
   Omaha, NE  68114
   REQUEST: Waiver of Section 55-126 - Variance to the rear yard setback from 35’ to 30’ 16’ to allow construction of an 18’ X 10’ addition with a covered deck
   LOCATION: 610 Loveland Drive
   ZONE: R1

5. Case No. 11-008
   NS Worldwide
   (Over from 1/20/11)
   Attn:  Jack Song
   11025 M Street
   Omaha, NE  68127
   REQUEST: Waiver of Section 55-843 - Variance to the maximum size for a pole sign from 150 sq. ft. to 220 sq. ft. and to the maximum height from 35’ to 67’50’
   LOCATION: 11025 M Street
   ZONE: GI

NEW CASES:

6. Case No. 11-009
   Paul Aaron
   1425 Skyline Drive
   Elkhorn, NE  68022
   REQUEST: Waiver of Section 55-163 - Variance to the permitted use regulations of the R3 district to allow an accessory building (garage) to be the primary use
   LOCATION: 1425 Skyline Drive
   ZONE: R3
7. Case No. 11-010  
Mark Adler  
Ralston Public Schools  
8545 Park Drive  
Ralston, NE  68127

REQUEST: Waiver of Section 55-740(f)(4) - Variance to the minimum perimeter parking lot landscaping requirement from 10' to 5'  
LOCATION: 6224 H Street  
ZONE: R4(35)-FF

8. Case No. 11-011  
Douglas County School District  
3215 Cuming Street  
Omaha, NE  68131

REQUEST: Waiver of Section 55-715 & 55-740 - Variance to the minimum depth of street yard landscaping from 15' to 0', to the perimeter parking lot landscaping from 10' to 0' and to allow a parking lot without curbs, protective bumpers, wheel stops or other devices to protect landscaping  
LOCATION: 5610 S 42 Street  
ZONE: HI (R4-Pending)

9. Case No. 11-012  
Pastor Shannon  
Greater St. Paul Ministries  
5116 Terrace Drive  
Omaha, NE  68134

REQUEST: Waiver of Section 55-830 – Variance to the maximum permitted sign budget from 32 sq. ft. to 44 sq. ft. by adding an additional wall sign  
LOCATION: 5116 Terrace Drive  
ZONE: R3

10. Case No. 11-013  
Nick Triantafillou  
12607 S 70th Street  
Papillion, NE  68133

REQUEST: Waiver of Section 55-715 & 55-740F - Variance to the street yard and parking lot perimeter landscaping from 10’ to 0’ to install 5 additional parking stalls  
LOCATION: 3362 S 13 Street  
ZONE: GC