AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, MAY 19, 2011, 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: Mike Carter, 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, May 19, 2011 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, May 9, 2011 (for use permits only) and Thursday, May 12, 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.
NEW CASES:

1. Case No. 11-037
   Jerry Reimer
   4880 S 131 Street Suite 2
   Omaha, NE  68137
   REQUEST: Waiver of Section 55-226 – Variance to the required front yard setback from 35’ to 19.5’ and to the required street side yard from 15’ to 9’ to allow the construction of a single family home
   LOCATION: 924 S 33 Street
   ZONE: R6

2. Case No. 11-038
   Alvine Engineering
   1102 Douglas Street
   Omaha, NE  68102
   REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area from 20 sq. ft. to 160 sq. ft. for a temporary sign
   LOCATION: 1102 Douglas Street
   ZONE: CBD-ACI-1(PL)

3. Case No. 11-039
   Omaha Neon Sign Company
   Attn: Terry Rush
   1120 N 18 Street
   Omaha, NE  68102
   REQUEST: Waiver of Section 55-832 – Variance to the sign area from 40 sq. ft. to 91.5 sq. ft. to allow two additional wall signs
   LOCATION: 15555 West Dodge Road
   ZONE: R7-ACI-4(PL)

4. Case No. 11-040
   American GI Forum
   2002 N Street
   Omaha, NE  68107
   REQUEST: Waiver of Section 55-243, 55-740(f)(4) & 55-740(g) – Variance to the permitted use regulations of the R7 district to allow surface parking not otherwise permitted; to the perimeter parking lot landscaping requirements from 10’ to 5’ and 4’ and to the screening requirements
   LOCATION: 2002 N Street
   ZONE: R7

5. Case No. 11-041
   Tim Buresh
   8614 Harney Street
   Omaha, NE  68114
   REQUEST: Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 15’ to construct a 16’ X 18’ deck
   LOCATION: 8614 Harney Street
   ZONE: R2

6. Case No. 11-042
   Robert Elder Jr.
   7710 Lake Street
   Omaha, NE  68134
   REQUEST: Waiver of Section 55-146 – Variance to the required front yard setback from 40’ to 34’ to construct a 14’ X 24’ addition
   LOCATION: 7710 Lake Street
   ZONE: R2-FF
7. Case No. 11-043
   Michael Hartig
   5640 Jones Street
   Omaha, NE  68106
   REQUEST: Waiver of Section 55-782(b)(6) – Variance to the required interior side and rear setbacks from 3’ to 2’ and 1’ to allow the construction of a 21’ X 24’ detached garage
   LOCATION: 5640 Jones Street
   ZONE: R3

8. Case No. 11-044
   Creighton University
   2500 California Street
   Omaha, NE  68178
   REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 20 sq. ft. to 108 sq. ft. for a banner during the College World Series
   LOCATION: 815 N 19 Street
   ZONE: DS-ACI-1(PL)

9. Case No. 11-045
   Creighton University
   2500 California Street
   Omaha, NE  68178
   REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 20 sq. ft. to 108 sq. ft. for a banner during the College World Series
   LOCATION: 1624 Mike Fahey Street
   ZONE: DS-ACI-1(PL)

10. Case No. 11-046
    Brian Carlin
    1934 S 34 Street
    Omaha, NE  68105
    REQUEST: Waiver of Section 55-246 – Variance to the required front yard setback from 35’ to 19’ and to the required interior side yard setback from 5’ to 4’10” to allow reconstruction of an existing wraparound front porch and stairs
    LOCATION: 616 S 31 Avenue
    ZONE: R7

11. Case No. 11-047
    Calamar Construction
    6614 S 118 Street
    Omaha, NE  68135
    REQUEST: Waiver of Section 55-87 – Variance to the maximum building coverage from 5% to 7% and to the maximum impervious coverage from 10% to 21.3% to construct a 6,000 sq. ft. storage building and associated hard surface drive/parking area
    LOCATION: 4245 S 192 Street
    ZONE: AG

12. Case No. 11-048
    Omaha Land & Cattle Co.
    7905 L Street, Suite 110
    Omaha, NE  68127
    REQUEST: Waiver of Section 55-716 – Variance to the required bufferyard between CC and R7 from 20’ to 15’ to allow for a new parking area
    LOCATION: 9930 Maple Street
    ZONE: CC

   LAYOVER
13. Case No. 11-049  
Luchen LLC  
c/o Thanh Lu  
15388 Burt Street  
Omaha, NE  68154

REQUEST: Waiver of Section 55-366 & 55-740(f)(4) –  
Variance to the required front yard setback from 25’ to 12’ & 10’ and to the required  
perimeter parking lot landscaping from 10’ to 6.5’ to allow the construction of a 40’ X  
52’ building and accessory parking lot

LOCATION: 637 N Saddle Creek Road  
ZONE: CC

14. Case No. 11-050  
Emerging Terrain  
1111 N 13 Street, #116  
Omaha, NE  68102

REQUEST: Waiver of Section 55-825(c) – Variance to  
the maximum size for a temporary sign from 20 sq. ft. to 19,200 sq. ft. for twelve  
(20’ X 80’) additional banners

LOCATION: 3417 Vinton Street  
ZONE: GI

15. Case No. 11-051  
Jason McIntosh  
9916 Pinehurst Circle  
Omaha, NE  68124

REQUEST: Waiver of Section 55-146 – Variance to the  
required front yard setback from 40’ to 34’ to allow construction of a 6’ X 11’4” covered  
porch

LOCATION: 9916 Pinehurst Circle  
ZONE: R2

16. Case No. 11-052  
Jeff Andersen  
3254 Briar Oak  
Bellevue, NE  68123

REQUEST: Waiver of Section 55-406 & 55-716 –  
Variance to the required rear setback from 15’ to 1’ and to the required bufferyard from  
13.5’ & 12.5 to 1’ to replace the existing trash enclosure

LOCATION: 5003 Dodge Street  
ZONE: GC-ACI-2(50)

17. Case No. 11-053  
Joe Menaugh/Dan Morrissey  
5010 Dodge Street  
Omaha, NE  68132

REQUEST: Waiver of Section 55-825(c) - Variance to  
the maximum area for a temporary sign from 20 sq. ft. to 780 sq. ft. and a sign not  
attached to the face of the building

LOCATION: 1524 Cuming Street  
ZONE: CBD-ACI-1(PL)