ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, April 12, 2012, 1:00 P.M.
Legislative Chambers-LC Level
Omaha/Douglas Civic Center
1819 Farnam Street

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 (Bert) Hancock, Chair; Brian Mahlendorf, Vice Chair; Jacque Donovan; Sebastian (Subby) Anzaldo; and Jonathan Nash, Jr. Teri Teutsch and Sean Kelley are the alternates. For a waiver to be approved, four members must vote in favor of the request.

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, April 12, 2012 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, April 2, 2012 (for use waivers only) and Thursday, April 5, 2012.

MEETING PROCEDURES:

Applicant, Property Owner or Representative - 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, no earlier than the Monday following the meeting.

The Zoning Board of Appeals agenda and other information regarding the Zoning Board of Appeals and the Planning Department is available on the Internet at http://www.ci.omaha.ne.us/planning. The agendas available on the Internet are subject to change and are for convenience purposes only. The agenda may be altered no later than 24 hours before the scheduled commencement of the meeting. A copy of the official agenda, kept continually current, shall be available for public inspection during normal business hours at the City of Omaha Planning Department, 1819 Farnam Street, Suite 1100, Omaha, Nebraska. Prior to the hearing, the applicant may schedule a time to review the City’s case file during normal business hours by contacting the Planning Department at (402) 444-3426. If an alternative (audio version) to this agenda is necessary, please notify the Secretary to the Zoning Board of Appeals at (402) 444-5204, 72 hours in advance.
## SHOW-CAUSE HEARING

1. **Case No. 11-120**  
   Larry and Lori Wee  
   12232 Farnam Street  
   Omaha, NE  68154  
   **REQUEST:** Waiver of Section 55-146 – Variance to the street side yard setback from 20’ to 11.2’ to allow 14’ x 24’ garage to remain  
   **LOCATION:** 12232 Farnam Street  
   **ZONE:** R2

## LAYOVERS

2. **Case No. 12-018**  
   Superior Lighting  
   (Over from 3/8/12)  
   2121 S 24th Street  
   Omaha, NE  68108  
   **REQUEST:** Waiver of Section 55-834 – Variance to the maximum sign budget from 1008 sq. ft. to 1700 sq. ft.  
   **LOCATION:** 200 and 330 South 108th Avenue  
   **ZONE:** GO & GO-FF/FW

3. **Case No. 12-020**  
   Ideal Construction  
   (Over from 3/8/12)  
   2502 North 84th Street  
   Omaha, NE  68134  
   **REQUEST:** Waiver of Section 55-146 – Variance to the street side yard setback from 20’ to 10’ for an addition  
   **LOCATION:** 12132 Farnam Street  
   **ZONE:** R2

## NEW CASES

4. **Case No. 12-026**  
   James and Carmen Clark  
   2506 Royal Wood Drive  
   Omaha, NE  68144  
   **REQUEST:** Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall privacy fence in the street side yard setback  
   **LOCATION:** 2506 Royal Wood Drive  
   **ZONE:** R4(35)-R4(35)FW

5. **Case No. 12-027**  
   Paul Fechner  
   PJ Morgan Real Estate  
   7801 Wakely Plaza  
   Omaha, NE  68114  
   **REQUEST:** Waiver of Section 55-308 & 55-740(f)(4) – Variance to the maximum impervious coverage from 65% to 72% and to the minimum perimeter parking lot landscaping from 5’ to 4.74’ for a parking lot expansion  
   **LOCATION:** 8321, 8325, 8329, 8337 and 8343 Cass Street & 8318, 8322, 8326, 8330 and 8338 Chicago Street (SE corner of 84th and Cass Streets)  
   **ZONE:** LO & LO-PK

6. **Case No. 12-028**  
   Bradley and Lisa Bohnert  
   4424 Walnut Street  
   Omaha, NE  68105  
   **REQUEST:** Waiver of Section 55-186 – Variance to the interior side yard setback from 5’ to 1’ to allow a garage addition  
   **LOCATION:** 4424 Walnut Street  
   **ZONE:** R4(35)

7. **Case No. 12-029**  
   Neon Products Co., Inc.  
   4713 F Street  
   Omaha, NE  68117  
   **REQUEST:** Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 32 sq. ft. to 108 sq. ft. for a banner during the College World Series  
   **LOCATION:** 1624 Mike Fahey Street  
   **ZONE:** DS-ACI-1(PL)
8. Case No. 12-030
Neon Products Co., Inc.
4713 F Street
Omaha, NE  68117

REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 32 sq. ft. to 735 sq. ft. for a banner during the College World Series

LOCATION: 815 North 19th Street
ZONE: DS-ACI-1(PL)

9. Case No. 12-031
Michael Maroney
Omaha Economic Development Corporation
2221 North 24th Street
Omaha, NE  68110

REQUEST: Waiver of Section 55-246 & 55-735 – Variance to the front yard setback from 35’ to 9.1’ and 9.2’ and to allow off-street parking in the front yard setback for a multiple family residential use to allow the construction of an independent senior living facility

LOCATION: 2415, 2421, 2427, 2431 and 2435 Patrick Avenue; 2007, 2009 and 2011 North 25th Street; and 2416, 2418, 2422, 2426, 2428, 2430 and 2432 Blondo Street (NE corner of 25th and Blondo Streets)
ZONE: R7

10. Case No. 12-032
Robert J. Quartoroli
17727 North Reflection Circle
Bennington, NE  68007

REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 35’ to allow construction of a single-family home

LOCATION: 22106 Quail Circle
ZONE: R1

11. Case No. 12-033
Steve Sempeck
PO Box 555
Elkhorn, NE  68022

REQUEST: Waiver of Section 55-363 – Variance to the permitted use regulations of the CC District to allow Outdoor sports and recreation use

LOCATION: 20902 Cumberland Drive
ZONE: CC

12. Case No. 12-034
Omaha Senior Partners, LLC
15677 Spaulding Street
Omaha, NE  68116

REQUEST: Waiver of Section 55-503 – Variance to the permitted use regulations of the GI District to allow Assisted living use

LOCATION: 10909 M Street
ZONE: GI

13. Case No. 12-035
Dennis Duer
Professional Associates, Ltd.
256 North 115th Street, Suite 4
Omaha, NE  68154

REQUEST: Waiver of Section 55-186 – Variance to the street side yard setback from 15’ to 13’ 1” to allow a porch addition

LOCATION: 6112 South 13th Street
ZONE: R4(35)

14. Case No. 12-036
Vision Properties
667 North 66th Street
Omaha, NE  68132

REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 21.5’ to allow reconstruction of existing covered porch

LOCATION: 6340 North 36th Street
ZONE: R4(35)

MINUTES TO BE APPROVED:  March 8, 2012