ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, December 13, 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, December 13, 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, December 3, 2012 (for use waivers only) and Thursday, December 6, 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.
LAYOVERS

1. Case No. 12-115
   (over from 11-8-12)
   Value Investment, LLC
   Nash Queishi
   2607 North 157th Street
   Omaha, NE 68116

   REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 16’9" to allow existing covered front deck and stairs to remain.

   LOCATION: 3720 U Street
   ZONE: R4(35)

NEW CASES

2. Case No. 12-120
   First Savings Bank
   3540 South 84th Street
   Omaha, NE 68124

   REQUEST: Waiver of Section 55-716, 55-717 and 55-740(g) – Variance to the buffer yard between CC and DR from 30’ to 16’, and 23’; and between CC & R3 from 30’ with screening to 10’ without screening and to the 4’ screening north of the parking area and drive-thru lane.

   LOCATION: 3540 South 84th Street
   ZONE: CC & CC-FF/FW

3. Case No. 12-124
   John Perlebach
   Buck’s Inc.
   4973 Dodge Street
   Omaha, NE 68132

   REQUEST: Waiver of Section 55-366 & 55-928(e) – Variance to the front yard setback from 25’ to 0’ and 6.51’ and to the perimeter landscaping from 15’ to 5’ with a 3’ tall masonry screen wall.

   LOCATION: 13736 and 13746 "Q" Street
   ZONE: CC-FF(MCC Pending)

4. Case No. 12-125
   James and Susan Monroe
   Box 633
   Valley, NE 68064

   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 5’ tall chain link fence in the front/street side yard setbacks.

   LOCATION: 6111 North 243rd Street
   ZONE: R4-FF

5. Case No. 12-126
   DAAKE
   c/o Susan Linde
   17002 Marcy Street
   Omaha, NE 68118

   REQUEST: Waiver of Section 55-825(c) - Variance to the maximum size of a temporary sign from 32 sq. ft. to 720 sq. ft.

   LOCATION: 4350 Dewey Avenue
   ZONE: GO

6. Case No. 12-127
   DAAKE
   c/o Susan Linde
   17002 Marcy Street
   Omaha, NE 68118

   REQUEST: Waiver of Section 55-825(c) - Variance to the maximum size of a temporary sign from 32 sq. ft. to 334 sq. ft.

   LOCATION: 4242 Farnam Street
   ZONE: GC
7. Case No. 12-128
DAAKE
c/o Susan Linde
17002 Marcy Street
Omaha, NE  68118
REQUEST: Waiver of Section 55-825(c) - Variance to the maximum size of a temporary sign from 32 sq. ft. to 966 sq. ft.
LOCATION: 4111 Harney Street
ZONE: GC-ACI-1(PL)

8. Case No. 12-129
New Vision Home Improvement
6618 Parkview Lane
Omaha, NE  68104
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: 3218 South 101st Street
ZONE: R2

9. Case No. 12-130
Dennis Moy
8655 Westridge Drive
Omaha, NE  68124
REQUEST: Waiver of Section 55-166 - Variance to the front yard setback from 35’ to 21’ 8” to allow construction of a 15’ 6” x 6’ deck and stairs.
LOCATION: 8655 Westridge Drive
ZONE: R3

10. Case No. 12-131
Darin Smith
505 Walker Street
Woodbine, IA  51579
REQUEST: Waiver of Section 55-716, 55-740(f)(4) & 55-246 - Variance to the bufferyard between CC and R5 from 30’ to 21.7”; to the perimeter parking lot landscaping from 5’ to 1.6’ and 1.3’ and to the maximum impervious coverage from 70% to 90% to allow for redevelopment of the site.
LOCATION: 3101 South 24th Street
ZONE: CC-ACI-1(50)

11. Case No. 12-132
Tom Meister
Savoreux, Inc.
11422 Miracle Hills Drive #400
Omaha, NE  68144
REQUEST: Waiver of Section 55-716 - Variance to the required bufferyard between CC and DR from 30’ to 25’10” and 10’ for a new building and parking lot.
LOCATION: 14225 Pacific Street (14208 Pierce Plaza)
ZONE: CC

12. Case No. 12-133
Priority Fence Co.
15204 Hillsdale Avenue
Omaha, NE  68137
REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow an 8’ tall privacy fence.
LOCATION: 5214 Corby Street
ZONE: R7

MINUTES TO BE APPROVED:  November 8, 2012

ELECTION OF OFFICERS

12/5/12