ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 9, 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, February 9, 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, January 30, 2012 (for use waivers only) and Thursday, February 2, 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.
NEW CASES

1. Case No. 12-007
   Joel Chudy
   SB Villas, LLC
   15748 Laurel Avenue
   Omaha, NE 68116
   REQUEST: Waiver of Section 55-784 – Variance to the setback requirement from a public street in a cluster subdivision from 25' to 5'
   LOCATION: 14703 Laurel Plaza and 14707 Himebaugh Plaza
   ZONE: R5

2. Case No. 12-008
   Michael Bedel
   4851 South 50th Avenue
   Omaha, NE 68117
   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 14.8’ and to the interior side yard setback from 5’ to 2.8’ to allow for a 720 sq. ft. addition to an existing detached garage
   LOCATION: 4851 South 50th Avenue
   ZONE: R4(35)

3. Case No. 12-009
   Douglas Nielsen
   304 South 92nd Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-126 – Variance to the street side yard setback from 25’ to 18’, to the rear yard setback from 35’ to 26’ and to the maximum impervious coverage from 30% to 37% to construct home additions
   LOCATION: 304 South 92nd Street
   ZONE: R1

4. Case No. 12-010
   Redeemer Church
   16820 L Circle
   Omaha, NE 68137
   REQUEST: Waiver of Section 55-503 – Variance to the use regulations in the GI District to allow Religious assembly
   LOCATION: 13833 Industrial Road
   ZONE: GI

5. Case No. 12-011
   Bella Terra
   13625 California Street, Suite 110
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-786, 55-823(g) and 55-830 – Variance to the residential fence regulations to allow a 6’ 8” tall privacy fence in the front/street side yard setback; to the maximum height from 5’ to 6’ 8” and front yard setback from 12’ to 1’ for neighborhood ID signs
   LOCATION: 1205 Sterling Ridge Drive; 1404 South 129th Street; and 12802-12818 Woolworth Avenue
   ZONE: R4 & R6

6. Case No. 12-012
   Matt Liston
   2601 North 60th Street
   Omaha, NE 68104
   REQUEST: Waiver of Section 55-786 – Variance to allow a 6’ high privacy fence in the street side yard setback
   LOCATION: 2601 North 60th Street
   ZONE: R4(35)
7. Case No. 12-013  
Mike Weiland  
1631 South 13th Street  
Omaha, NE  68108  
REQUEST: Waiver of Section 55-506, 55-734, 55-740(h)(3) – Variance to the maximum impervious coverage from 90% to 98%; to the required off-street parking stalls from 9 to 3; and to the off-street parking regulations that require vehicles to enter the street in a forward position  
LOCATION: 1631 South 13th Street  
ZONE: GI-ACI-1(50)  

8. Case No. 12-014  
Habitat for Humanity  
2204 Ames Avenue  
Omaha, NE  68110  
REQUEST: Waiver of Section 55-206 – Variance to the rear yard setback from 25’ to 23’ to allow construction of new homes  
LOCATION: 3656-3708 Erskine Street and 2402-2404 John A. Creighton Boulevard  
ZONE: R5(35)  

9. Case No. 12-015  
Hope Center for Kids Inc.  
2209 North 20th Street  
Omaha, NE  68110  
REQUEST: Waiver of Section 55-830 – Variance to the allowed sign budget from 32 sq. ft. to 132 sq. ft. and to the maximum size of a wall sign from 32 sq. ft. to 37 sq. ft. to erect 1 additional wall sign  
LOCATION: 2200 North 20th Street  
ZONE: R4  

MINUTES TO BE APPROVED: January 19, 2012