ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, June 14, 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, June 14, 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, June 4, 2012 (for use waivers only) and Thursday, June 7, 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.
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LAYOVERS

1. Case No. 12-043
   Buck’s, Inc.
   4973 Dodge Street
   Omaha, NE  68132
   REQUEST: Waiver of Section 55-366 & 55-740(f) – Variance to the maximum impervious coverage on Lot 1 from 85% to 85.5%; to the rear yard setback on Lots 1 & 2 from 15’ to 2’ and 1.63’; to the minimum perimeter landscaping on Lots 1 & 2 from 5’ to 0’; and to the minimum interior landscaping on Lot 1 from 5% to 0% to allow for the approval of an administrative subdivision
   LOCATION: 8455 Frederick Street and 3052 South 84th Street
   ZONE: CC & CC/FF

NEW CASES

2. Case No. 12-021
   John J. Portera
   U.S.S. Hazard Inc.
   607 Dearborn Circle
   Papillion, NE  68046
   REQUEST: Waiver of Section 55-661(b); and appeal of the determination by the City of Omaha that the cost of restoration is more than 50% of the market value of the structure before the flooding occurred
   LOCATION: 2499 Freedom Park Road
   ZONE: HI-FW

3. Case No. 12-044
   TRP Properties, LLC
   12910 F Plaza
   Omaha, NE  68137
   REQUEST: Waiver of Section 55-803 & 55-804; and appeal of the determination by the City of Omaha that an existing use exceeds the maximum permitted sound levels of the GI district
   LOCATION: 12910 F Plaza
   ZONE: GI

4. Case No. 12-045
   Joe Glaser
   7907 Molokai Drive
   Papillion, NE  68046
   REQUEST: Waiver of Section 55-832 – Variance to the sign regulations to allow a 32 sq. ft. wall sign for a commercial use
   LOCATION: 3637 South 24th Street
   ZONE: R7

5. Case No. 12-046
   Jon Petersen
   5710 “F” Street
   Omaha, NE  68117
   REQUEST: Waiver of Section 55-735(b) – Variance to allow off-street parking for a non-residential use in the front yard setback of a residential district
   LOCATION: 2909 South 80th Avenue
   ZONE: R8
6.  Case No. 12-048  
    Staci Witkowski  
    St. Patricks Church  
    20500 West Maple Road  
    Omaha, NE  68022  
    REQUEST: Waiver of Section 55-830 – Variance to the maximum overall sign budget from 32 sq. ft. to 70 sq. ft.; to the maximum area for a monument sign from 25 sq. ft. to 48 sq. ft.; and to allow an electronic information sign not otherwise permitted  
    LOCATION: 20500 West Maple Road  
    ZONE: R5

7.  Case No. 12-049  
    Pedodontics, P.C.  
    2521 South 119th Street  
    Omaha, NE  68144  
    REQUEST: Waiver of Section 55-834 – Variance to the front yard setback for a monument sign from 12’ to 2’  
    LOCATION: 2521 South 119th Street  
    ZONE: GO

8.  Case No. 12-050  
    ADC Homes  
    15002 A Circle  
    Omaha, NE  68144  
    REQUEST: Waiver of Section 55-166 & 55-782(b) – Variance to the rear yard setback from 25’ to 24.8’ for a deck addition; to the maximum impervious coverage from 45% to 52%; and to allow a concrete patio with fire pit 3’ from rear property line  
    LOCATION: 7916 North 124th Street  
    ZONE: R3

9.  Case No. 12-051  
    Joe Belcher  
    3500 Parkway Lane, Suite 200  
    Norcross, GA  30092  
    REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 32 sq. ft. to 828 sq. ft. for a banner during the Olympic Swimming Trials  
    LOCATION: 101 South 10th Street  
    ZONE: CBD-ACI-1(PL)

MINUTES TO BE APPROVED: May 10, 2012