ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, May 10, 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, May 10, 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 30, 2012 (for use waivers only) and Thursday, May 3, 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. The City’s file is not available the day of the meeting. 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. 12-034  
   (Over from 4/12/12)  
   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

NEW CASES

2. Case No. 12-037  
   Patricia Quinlan  
   3443 Augusta Avenue  
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-187(e) – Variance to  
   the front yard setback from 35’ to 28.32’ to  
   allow a front stoop and stairs to remain  
   LOCATION: 3443 Augusta Avenue  
   ZONE: R4(35) & R4(35)/FF

3. Case No. 12-038  
   Realty Asset Advisors  
   20202 Nina Street  
   Omaha, NE 68130  
   REQUEST: Waiver of Section 55-246, 55-716, 55-734,  
   55-740(f)(4), 55-740(g), 55-740(b) –  
   Variance to the site area/unit from 1,000 sq.  
   ft. to 756 sq. ft.; to the required bufferyard  
   between R7 and R3 from 30’ to 0’; to the  
   required number off-street of parking stalls  
   from 49 to 14; to the required drive aisle  
   width from 24’ to 16’; to the parking  
   perimeter landscaping from 10’ to 0’; and to  
   the 4’ parking lot screening required  
   adjacent to a residential district  
   LOCATION: 3304 Burt Street  
   ZONE: R7

4. Case No. 12-039  
   Shannon Roeder  
   707 South 36th Street  
   Omaha, NE 68105  
   REQUEST: Waiver of Section 55-246 – Variance to the  
   interior side yard setback from 5’ to 0.5’ to  
   allow existing carport to remain  
   LOCATION: 707 South 36th Street  
   ZONE: R7

5. Case No. 12-040  
   Bruce Frasier  
   1005 South 76th Street  
   Omaha, NE 68114  
   REQUEST: Waiver of Section 55-786 – Variance to the  
   residential fence regulations to allow a 6’  
   wrought iron fence in the front/street side  
   yard setbacks  
   LOCATION: 110 North 92nd Street and  
   115 North 93rd Street  
   ZONE: R1
6. Case No. 12-041  
Bruce Karlquist & Cheryl Johnson  
5243 South 49th Avenue  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 15’ to allow construction of a 7’ x 30’ front porch addition with stairs  
LOCATION: 5243 South 49th Avenue  
ZONE: R4(35)  

7. Case No. 12-042  
Gateway Mortgage  
12020 Shamrock Plaza  
Omaha, NE 68154  
REQUEST: Waiver of Section 55-833 – Variance to the maximum height for a wall sign in a LO district from 20’ to 34’  
LOCATION: 12020 Shamrock Plaza  
(12002 Pacific Street)  
ZONE: LO  

8. 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  

MINUTES TO BE APPROVED: April 12, 2012