ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, November 8, 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, November 8, 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, October 29, 2012 (for use waivers only) and Thursday, November 1, 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. 12-079
   (over from 8/9/12)
   WITHDRAWN
   Kum & Go
   6400 Westown Parkway
   West Des Moines, IA 50266
   REQUEST: Waiver of Section 55-740(f), 55-716, 55-406 – Variance to the perimeter parking lot landscaping from 10’ to 7.56’ & 3.06’ and to the required buffer yard between GC and R7 from 30’ to 13’ and between GC & R4(35) from 30’ to 24.42’ and to the front yard setback of 50’ from center line to 40’ from center line to allow for the construction of a convenience store.
   LOCATION: 4103 Leavenworth Street
   ZONE: GC

2. Case No. 12-080
   (over from 9/13/12)
   Suzanne Claussen
   IRET Properties
   11422 Miracle Hills #510
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-833 – Variance to the maximum height from 20’ to 36’ for 2 existing and 8 additional wall signs.
   LOCATION: 12002 Pacific Street
   ZONE: LO

3. Case No. 12-102
   (over from 10/11/12)
   Leroy K. Henderson
   3428 North 207th Street
   Omaha, NE 68022
   REQUEST: Waiver of Section 55-206 – Variance to the street side yard setback from 15’ to 6’ and to the rear yard setback from 25’ to 10’ for a garage addition.
   LOCATION: 3428 North 207th Street
   ZONE: R5

4. Case No. 12-103
   (over from 10/11/12)
   Brenda Dooley
   First National Bank
   1620 Dodge Street
   Omaha, NE 68197
   REQUEST: Waiver of Section 55-740(f) – Variance to the perimeter parking lot landscaping from 5’ to 0’ to construct a parking lot.
   LOCATION: 614 North 15th Street & 615 North 16th Street
   ZONE: DS-ACI-1(PL)

5. Case No. 12-108
   (over from 10/11/12)
   WITHDRAWN
   Richard and Carol Wake
   671 North 58th Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-166 – Variance to the rear yard setback from 25’ to 20’6” and to the side yard setback from 7’ to 5’ for a screen patio and pergola addition.
   LOCATION: 671 North 58th Street
   ZONE: R3

NEW CASES

6. Case No. 12-098
   John Amend
   University of Nebraska at Omaha
   6001 Dodge Street
   Omaha, NE 68182
   REQUEST: Waiver of Section 55-830 – Variance to the maximum sign area for monument signs (4) from 25 sq. ft. to 70 sq. ft.; to the maximum total sign area from 32 sq. ft. to 1,000 sq. ft.; to the maximum height for monument signs (4) from 6’ to 10’6” and to allow electronic messaging for 4 monument signs not allowed in the R3 District.
   LOCATION: 6001 Dodge Street
   ZONE: R3-ACI-2(50)
7. **Case No. 12-111**  
    David Uhrich  
    Faith-Westwood United Methodist Church  
    4814 Oaks Lane  
    Omaha, NE 68137  
    **REQUEST:** Waiver of Section 55-186, 55-735(b), & 55-715 – Variance to the maximum impervious coverage from 50% to 77.2%; to the minimum street yard landscaping from 60% to 28.8%; and to allow off-street parking for nonresidential use within the required front/street side yard setback in a residential zoning district.  
    **LOCATION:** 4814 Oaks Lane  
    **ZONE:** R4

8. **Case No. 12-112**  
    Don and Sally Hammond  
    15225 Vane Street  
    Bennington, NE 68007  
    **REQUEST:** Waiver of Section 55-206 – Variance to the rear yard setback from 25’ to 21’ for a closet addition.  
    **LOCATION:** 15225 Vane Street  
    **ZONE:** R5

9. **Case No. 12-114**  
    Caleb Hollander  
    10611 North 47th Avenue  
    Omaha, NE 68152  
    **REQUEST:** Waiver of Section 55-740(e) – Variance to the hard surfacing requirement for an existing gravel driveway to allow for a garage and home addition.  
    **LOCATION:** 10611 North 47th Avenue  
    **ZONE:** DR-ED

10. **Case No. 12-115**  
    Value Investment, LLC  
    Nash Qureishi  
    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)

11. **Case No. 12-116**  
    2013 U.S. Senior Open  
    Danny Rodgers  
    6900 Country Club Road  
    Omaha, NE 68152  
    **REQUEST:** Waiver of Section 55-740 (e) – Variance to the hard surfacing requirement for a temporary parking area.  
    **LOCATION:** 6900 Country Club Road  
    **ZONE:** DR & CC

12. **Case No. 12-117**  
    2013 U.S. Senior Open  
    Danny Rodgers  
    6900 Country Club Road  
    Omaha, NE 68152  
    **REQUEST:** Waiver of Section 55-740 (e) – Variance to the hard surfacing requirement for a temporary parking area.  
    **LOCATION:** 12005 North 72nd Street  
    **ZONE:** AV-ED & DR-ED

13. **Case No. 12-118**  
    Rambo Associates, Inc./FCMG  
    Merle W. Rambo  
    406 South 12th Street  
    Suite 300  
    Omaha, NE 68102  
    **REQUEST:** Waiver of Section 55-786(f) – Variance to the fence regulations to allow an 8’ tall, wrought iron style fence.  
    **LOCATION:** 13923 Gold Circle  
    **ZONE:** GO
14. Case No. 12-121
Peter and Christina Piperis
1310 North 136th Avenue
Omaha, NE 68154
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall, wrought iron style fence with stone columns in the front yard setback.
LOCATION: 1310 North 136th Avenue
ZONE: R1

15. Case No. 12-122
Interiors by Design
Ladonna Eriksen
15017 Pepperwood Drive
Omaha, NE 68154
REQUEST: Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 19’ to allow a garage addition.
LOCATION: 18118 Sunset Lane
ZONE: DR

16. Case No. 12-123
David F. Lanoha
3615 South 180th Street
Omaha, NE 68130
REQUEST: Waiver of Section 55-087 – Variance to the maximum impervious coverage from 10% to 50% and to the maximum building coverage from 5% to 20%.
LOCATION: 3031 South 192nd Street
ZONE: AG