ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, October 11, 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, October 11, 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 1, 2012 (for use waivers only) and Thursday, October 4, 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. 12-077
   (over from 8/9/12, 9/13/12)
   Matt Geiger
   11329 North Post Road
   Omaha, NE 68112
   REQUEST: Waiver of Section 55-126 – Variance to the
   street side yard setback from 25’ to 10.1’ for
garage addition
   LOCATION: 11329 North Post Road
   ZONE: R1-ED

2. Case No. 12-082
   (over from 9/13/12)
   Navarro Enterprise Construction,
   Inc.
   2914 “R” Street
   Omaha, NE 68107
   REQUEST: Waiver of Section 55-506 – Variance to the
   minimum lot area from 10,000 sq. ft. to
   9,987 sq. ft. and to the minimum lot width
   from 100’ to 99.96’ to allow for the approval
   of an administrative subdivision
   LOCATION: 5219 South 29th Street
   ZONE: GI

NEW CASES

3. Case No. 12-099
   Brian Timmons
   The Garage Company
   8301 “Q” Street
   Omaha, NE 68127
   REQUEST: Waiver of Section 55-166 – Variance to the
   building coverage from 35% to 40% and to
   the impervious coverage from 45% to 52%
   for the construction of a detached garage
   and driveway additions.
   LOCATION: 354 North 43rd Street
   ZONE: R3

4. Case No. 12-100
   Clifford Scott
   3428 North 207th Street
   Omaha, NE 68022
   REQUEST: Waiver of Section 55-786 – Variance to the
   residential fence regulation to allow a 6’ tall
   decorative fence with brick columns within
   the front and street side yard setbacks.
   LOCATION: 536 South 27th Street
   ZONE: R8-ACI-1(PL)

5. Case No. 12-101
   Buck’s, Inc.
   John Perlebach
   4973 Dodge Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-716 – Variance to the
   required buffer yard between CC and DR
   from 30’ to 15’ for the construction of a
   convenience store with gas.
   LOCATION: 7660 Dodge Street and 7720 Dodge Street
   ZONE: CC-ACI-2(65)

6. Case No. 12-102
   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
7. Case No. 12-103
Brenda Dooley
First National Bank
1620 Dodge Street
Omaha, NE 68197

REQUEST: Waiver of Section 55-740 – Variance to the perimeter parking lot landscaping from 5’ to 0’ and allow vehicles to overhang into a required landscaped area to construct a parking lot.

LOCATION: 614 North 15th Street & 615 North 16th Street

ZONE: DS-ACI-1(PL)

8. Case No. 12-104
Chad Bauerly
1546 South 79th Street
Omaha, NE 68124

REQUEST: Waiver of Section 55-782(b)(2) – Variance to the required setback from the rear property line for a patio from 15’ to 3’.

LOCATION: 1546 South 79th Street

ZONE: R2

9. Case No. 12-105
Bret Linden
3147 South 105th Avenue
Omaha, NE 68124

REQUEST: Waiver of Section 55-108 – Variance to the side yard setback from 25’ to 13.5’ for a garage addition.

LOCATION: 2526 South 105th Avenue

ZONE: DR

10. Case No. 12-106
Kimley-Horn & Associates, Inc.
William Matzek
2500 University Ave West, 238 N St. Paul, MN 55114

REQUEST: Waiver of Section 55-836 – Variance to the total permitted sign area from 225 sq. ft. to 277 sq. ft. and to the front yard setback for a 150 sq. ft. pole sign from 35’ to 12’.

LOCATION: 4965 “L” Street

ZONE: CC

11. Case No. 12-107
Jeff Beiermann
5015 Burt Street
Omaha, NE 68132

REQUEST: Waiver of Section 55-782(b)(6) – Variance to the side yard setback from 3’ to 2’ for a 15’x35’ detached garage.

LOCATION: 5015 Burt Street

ZONE: R4(35)

12. Case No. 12-108
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

13. Case No. 12-109
City of Omaha Planning Department
1819 Farnam Street
Suite 1111
Omaha, NE 68183

REQUEST: Waiver of Section 55-206 – Variance to the front yard setback from 25’ to 20’ to construct 2 single-family homes.

LOCATION: 1818 Corby Street and 1822 Corby Street

ZONE: R5
14. Case No. 12-110
City of Omaha Planning Department
1819 Farnam Street
Suite 1111
Omaha, NE 68183

REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 20’; to the rear yard setback from 25’ to 23.6’ (1804 & 1812 Corby Street) and to the street side yard setback (1804 & 1823 Corby Street) from 15’ to 11’ for the construction of 12 single-family homes.

LOCATION: 1617, 1620, 1621, 1624, 1625, 1803, 1804, 1807, 1811, 1812, 1815, and 1823 Corby Street

ZONE: R7