ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 14, 2013, 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 14, 2013 at 9:00 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, February 4, 2013 (for use waivers only) and Thursday, February 7, 2013.

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. 13-009  
Morton Middle School  
Omaha Public Schools  
4606 Terrace Drive  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-830 – Variance to the maximum sign budget from 32 sq. ft. to 208 sq. ft. and to the maximum sign area for 2 wall signs from 32 sq. ft. to 72 sq. ft. each.  
LOCATION: 4506 Terrace Drive  
ZONE: R3

2. Case No. 13-010  
Plaza Properties, LLC  
11911 “I” Street  
Omaha, NE 68137  
REQUEST: Waiver of Section 55-740(f) – Variance to the perimeter parking lot landscaping from 5’ to 0’ on Lots 1 and 2 to allow for approval of an administrative subdivision.  
LOCATION: 11911 “I” Street  
ZONE: GI/GI-FW

3. Case No. 13-011  
Matthew J. Mullen  
10552 Mullen Road  
Omaha, NE 68124  
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 16’7” for a garage/home addition.  
LOCATION: 10552 Mullen Road  
ZONE: R1

4. Case No. 13-012  
Syngenta Crop Protection, LLC  
4110 Gibson Road  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-526 – Variance to the front yard setback from 50’ from center line to 28.75’ from center line, to construct a canopy addition.  
LOCATION: 4111 Gibson Road  
ZONE: HI

5. Case No. 13-013  
Doug Riddington  
6202 California Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 26’ for the existing home and an 11’x23’ garage addition.  
LOCATION: 13728 Decatur Street  
ZONE: R3

6. Case No. 13-014  
Jen & Joseph Anthone  
318 South 54th Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 30’ and to the interior side yard setback from 7’ to 6.3’ to construct an attached garage.  
LOCATION: 318 South 54th Street  
ZONE: R3
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST</th>
<th>LOCATION</th>
<th>ZONE</th>
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<tbody>
<tr>
<td>13-015</td>
<td>Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6' tall privacy fence in the street side yard setback.</td>
<td>10304 Camden Avenue</td>
<td>R2</td>
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<td>13-016</td>
<td>Waiver of Section 55-734 &amp; 55-740(f)(4) – Variance to the minimum number of parking stalls from 153 to 148 and to the perimeter parking lot landscaping from 10’ to 0’ to allow for redevelopment of the property.</td>
<td>501 Park Avenue</td>
<td>R8-ACI-1(PL)</td>
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