ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, January 10, 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, January 10, 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, December 3, 2012 (for use waivers only) and Thursday, January 3, 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.
LAYOVERS

1. Case No. 12-132  
   REQUEST: Waiver of Section 55-716 & 55-366 - Variance to the required bufferyard between CC and DR from 30’ to 25’ and 10’ and to the street side yard setback from 15’ to 10’ for a new building, parking lot, and patio.  
   LOCATION: 14225 Pacific Street (14208 Pierce Plaza)  
   ZONE: CC

NEW CASES

2. Case No. 13-001  
   REQUEST: Waiver of Section 55-246 - Variance to the front yard setback from 35’ to 5’ to allow new stairs and landing to remain.  
   LOCATION: 2717 Poppleton Avenue  
   ZONE: R7

3. Case No. 13-002  
   REQUEST: Waiver of Section 55-246 - Variance to the front yard setback from 35’ to 5’ and to the interior side yard setback from 10’ to 1’ for a trash enclosure.  
   LOCATION: 137 North 33rd Street  
   ZONE: R7

4. Case No. 13-003  
   REQUEST: Waiver of Section 55-782(b)(6) - Variance to the side yard setback from 3’ to 1’ and to the rear yard setback from 3’ to 1’ to erect a 22’x30’ detached garage.  
   LOCATION: 3218 Center Street  
   ZONE: R3

5. Case No. 13-004  
   REQUEST: Waiver of Section 55-166, 55-715, 55-740(f), & 55-735 - Variance to the impervious coverage from 45% to 69%; to the minimum street yard landscaping depth from 20’ to 18.5’ and 3’; to the minimum street yard landscaping from 65% to 40%; to the minimum interior parking lot landscaping from 5% to 1.7%; and to allow parking for a nonresidential use in the front yard setback of a residential district.  
   LOCATION: 2617 South 114th Street  
   ZONE: R3(MCC Pending)
6. Case No. 13-005  
Olsson Associates  
Jeff Lake  
2111 South 67th Street  
Suite 200  
Omaha, NE  68106  
REQUEST: Waiver of Section 55-836 - Variance to the front yard setback from 12’ to 3’ for a monument sign.  
LOCATION: 7060 Dodge Street  
ZONE: CC-ACI-2(65)

7. Case No. 13-006  
William Novak  
2606 North 154th Avenue  
Omaha, NE  68116  
REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surfacing requirement for a temporary parking lot from 5/24/13 to 9/2/13.  
LOCATION: Generally south of West Maple Road between 230th Street and 233rd Street  
ZONE: AG-FW

8. Case No. 13-007  
Conceptual Ventures, Inc.  
Bryan Rubek  
18716 Mayberry Street  
Omaha, NE  68022  
REQUEST: Waiver of Section 55-146 - Variance to the side yard setback from 10’ to 6’ for a home/garage addition.  
LOCATION: 558 South 87th Circle  
ZONE: R2

9. Case No. 13-008  
Garrison Hassenflu  
2020 Broadway  
Kansas City, MO  64108  
REQUEST: Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 48 to 12 to allow for redevelopment of the building.  
LOCATION: 701 South 24th Street  
ZONE: DS-ACI-1(PL)

MINUTES TO BE APPROVED: December 13, 2012

ELECTION OF OFFICERS

12/31/2012