ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, October 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, October 10, 2013 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, September 30, 2013 (for use waivers only) and Thursday, October 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) 444-5202, 72 hours in advance.
LAYOVERS

1. Case No. 12-024  
   (over from 3/8/12)  
   Don Mandel  
   Alegent Health  
   12809 West Dodge Road  
   Omaha, NE  68154  
   REQUEST: Waiver of Section 55-503 & 55-740(f)(4) – Variance to the permitted use regulations of the GI district to allow a Medical Office use and to the perimeter parking lot landscaping from 10’ to 5.1’ and from 5’ to 3.1’.  
   LOCATION: 8613 North 30th Street; 2910 Tucker Street; and 8604 North 29th Street.  
   ZONE: GI

2. Case No. 13-084  
   (from 7-11-13, 8-8-13 & 9-12-13)  
   Scott Seaton  
   Warehouse 51, LLC  
   9864 North 109th Avenue  
   Omaha, NE 68142  
   REQUEST: Waiver of Section 55-716, 55-717(c), 55-718(c)(2) & 55-506 – Variance to the required buffer yard between DR (GI pending) and R4/DR from 60’ with screening to 10’ with screening to allow a driveway in the buffer yard; to allow a 6’ solid fence for screening at the exterior boundary of the buffer yard; to the required number of trees from 190 to 0; and to the minimum lot width from 100’ to 60’.  
   LOCATION: 9260 Scott Street (north of Scott Street between Irvington Road and 92nd Avenue)  
   ZONE: DR (GI Pending)

3. Case No. 13-107  
   (from 9-12-13)  
   Jackson Martis  
   1005 S. 76th Street  
   Omaha, NE 68114  
   REQUEST: Waiver of Section 55-126 – Variance to the maximum impervious coverage from 30% to 35.4% to allow home additions.  
   LOCATION: 607 North 65th Street  
   ZONE: R1

4. Case No. 13-115  
   (from 9-12-13)  
   Quality First Construction  
   Tim Schaeffer  
   7565 Main Street  
   Omaha, NE 68127  
   REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 70% to 62% and to the minimum street yard landscaping depth from 25’ to 8’ to allow a driveway addition.  
   LOCATION: 224 North 245th Circle  
   ZONE: R2

NEW CASES

5. Case No. 13-116  
   Ready Mixed Concrete Company  
   A Div. of Lyman Richey Corp.  
   Kevin Schmidt  
   4315 Cuming Street  
   Omaha, NE 68131  
   REQUEST: Waiver of Section 55-506 – Variance to the minimum lot width in a GI District from 100’ to 87.33’ (Lot 1, Ready Mixed Railroad Addition) to allow for approval of a subdivision.  
   LOCATION: 13431 “L” Street (4765 South 135th Street)  
   ZONE: GI
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Address</th>
<th>Request Details</th>
<th>Location</th>
<th>Zone</th>
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<tbody>
<tr>
<td>13-117</td>
<td>Bill Gable Carpentry</td>
<td>7105 Joyce Street, Omaha, NE 68138</td>
<td>Waiver of Section 55-186 &amp; 55-187(e) - Variance to the front yard setback from 35’ to 5’2” and to the interior side yard setback from 5’ to 1’ to allow construction of a 5’5” x 17’10” deck.</td>
<td>1619 “N” Street</td>
<td>R4(35)</td>
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<tr>
<td>13-118</td>
<td>Mark Bulger, Walter B. Roberts Corporation</td>
<td>1024 South 32nd Street, Omaha, NE 68105</td>
<td>Waiver of Section 55-716 &amp; 55-734 - Variance to the required buffer yard between R7 and R4 from 30’ to 20’, 21’ and 8’; and to the required number of off-street parking stalls from 95 to 64 to allow construction of a new apartment building.</td>
<td>1024 South 32nd Street</td>
<td>R7</td>
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<td>13-119</td>
<td>John Tripp</td>
<td>9319 Meadow Drive, Omaha, NE 68114</td>
<td>Waiver of Section 55-187(e) - Variance to front yard setback from 35’ to 2’ to allow a 11’9” x 19’4” carport to remain.</td>
<td>9319 Meadow Drive</td>
<td>R4(35)-FF</td>
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<td>13-120</td>
<td>Sherryl A. Rissi</td>
<td>6795 Seward Street, Omaha, NE 68104</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>6795 Seward Street</td>
<td>R4(35)</td>
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<td>13-121</td>
<td>Augusta Properties, LLC</td>
<td>12828 Augusta Avenue, Omaha, NE 68144</td>
<td>Waiver of Section 55-716 - Variance to the required buffer yard between GO and DR from 30’ to 20’ to allow installation of a backup generator.</td>
<td>12828 Augusta Avenue</td>
<td>GO</td>
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<td>13-122</td>
<td>Kurt and Sally Brueske</td>
<td>12930 Nicholas Street, Omaha, NE 68154</td>
<td>Waiver of Section 55-146 - Variance to the front yard setback from 40’ to 34.2’ to allow for construction of a garage addition.</td>
<td>12930 Nicholas Street</td>
<td>R2</td>
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<tr>
<td>13-123</td>
<td>Ruby L. Smith</td>
<td>6519 North 32nd Street, Omaha, NE 68112</td>
<td>Waiver of Section 55-742(b) - Variance to allow an off-street parking stall in the front yard setback with a Reasonable Accommodation request.</td>
<td>6519 North 32nd Street</td>
<td>R4(35)</td>
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