ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, April 10, 2014 - 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, April 10, 2014 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, March 31, 2014 (for use waivers only) and Thursday, April 3, 2014.

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) 444-5150 x2063. If an alternative (audio version) to this agenda is necessary, please notify the Secretary to the Zoning Board of Appeals at (402) 444-5150 x2061, 72 hours in advance.
NEW CASES:

1. Case No. 14-034
Dillons Companies, Inc.
2700 E. Fourth Avenue
Hutchinson, KS 67501

REQUEST: Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 287 to 256 to allow an accessory fuel center.

LOCATION: 888 South Saddle Creek Road (Bakers)
ZONE: GI & GC, (CC-MCC-Pending)

2. Case No. 14-035
Chris Wayne
City of Omaha
1819 Farnam Street
Omaha, NE 68183

REQUEST: Waiver of Section 55-206 – Variance to the street side yard setback from 15’ to 10.9’ to construct a new home.

LOCATION: 4201 Lake Street
ZONE: R5(35)

3. Case No. 14-036
Scott & Mary Pat Paul
5501 Harney Street
Omaha, NE 68132

REQUEST: Waiver of Section 55-166 – Variance to the street side yard setback from 17.5’ to 15.2’ to construct a screened porch.

LOCATION: 5501 Harney Street
ZONE: R3

4. Case No. 14-037
Ryan Durant
Omaha Housing Authority
540 South 27th Street
Omaha, NE 68105

REQUEST: Waiver of Section 55-715, 55-734, 55-716, 55-735(a), 55-740(f)(4) – Variance to the street yard landscaping depth from 10’ to 7.7’; to the required buffer yard between R8 & R4(35) from 30’ to 7.7’; to the minimum number of off-street parking stalls from 173 to 48; to allow off-street parking for a multiple-family residential use in the front yard setback of a residential district, and to the perimeter parking lot landscaping from 10’ to 7.7’ to allow reconstruction/expansion of the parking lot.

LOCATION: 5900 Northwest Radial Highway
ZONE: R8

5. Case No. 14-038
Eloy Flores
3007 “V” Street
Omaha, NE 68107

REQUEST: Waiver of Section 55-206 & 55-207(g) – Variance to the front yard setback from 35’ to 29’ and to the rear yard setback from 25’ to 18’, to allow construction of a garage and room additions.

LOCATION: 3007 “V” Street & 5706 South 30th Street
ZONE: R5(35)

6. Case No. 14-039
Mark Pluhacek
3625 California Street
Omaha, NE 68131

REQUEST: Waiver of Section 55-166 & 55-767(c) – Variance to the rear yard setback from 25’ to 3’; to the interior side yard setback from 7’ to 3’ and 0’; and to allow a Home Occupation in an accessory building to construct a detached artist studio and wood trellis.

LOCATION: 3625 California Street
ZONE: R3
7. Case No. 14-040  
Laura Sherman  
10126 Edna Circle  
LaVista, NE 68128  
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow an 8’ tall chain-link fence.  
LOCATION: 2515 “H” Street  
ZONE: R7

8. Case No. 14-041  
Dennis Circo  
Circo Properties, LLC  
4611 South 96th Street  
Omaha, NE 68127  
REQUEST: Waiver of Section 55-740(f)(4) – Variance to the perimeter parking lot landscaping from 10’ to 0’ to replace an existing parking lot.  
LOCATION: 4611 South 96th Street  
ZONE: GI

9. Case No. 14-042  
Lamar Outdoor Advertising  
TLC Properties  
4849 “G” Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-853(a) – Variance to allow an electronic off-premise sign closer than 700’ to an existing standard off-premise sign.  
LOCATION: 4409 Dodge Street  
ZONE: CC-ACI-2(50)

10. Case No. 14-043  
Melinda Pearson  
University of Nebraska Medical Center  
4400 Emile Street  
Omaha, NE 68198  
REQUEST: Waiver of Section 55-223, 55-226, 55-716, 55-735 & 55-740(f)(5) – Variance to the permitted use regulations of the R6 District to allow a Surface Parking use not otherwise permitted; to the maximum impervious coverage from 60% to 85%; to the required buffer yard between R6 & R4(35) from 15’ to 10’; to allow off-street parking for a non-residential use in the front yard setback of a residential zoning district; and to the minimum interior parking lot landscaping from 5% to 3.6%, to construct a parking lot.  
LOCATION: 911 South 40th Street  
ZONE: R6

11. Case No. 14-044  
Harvey W. Turner  
Kidz N Nature, Inc.  
15067 Lake Street  
Omaha, NE 68116  
REQUEST: Waiver of Section 55-183 – Variance to the permitted use regulations of the R4 District to allow a temporary Daycare Services (General) use no later than 8/15/14.  
LOCATION: 15067 Lake Street  
ZONE: R4