ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, December 11, 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: Brian Mahlendorf – Chair, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jason Lanoha, and Jeremy Aspen. 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, December 11, 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, December 1, 2014 (for use waivers only) and Thursday, December 4, 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.
LAYOVERS:

1. Case No. 14-042  
   (From 4/10/14, 5/8/14, 6/12/14, 8/14/14 & 10/9/14) 
   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)

2. Case No. 14-116 
   Martin Vazquez 
   9105 Raven Oaks Drive 
   Omaha, NE 68152  
   REQUEST: Waiver of Section 55-146 – Variance to the front yard setback from 40’ to 34’ and to the interior side yard setback from 10’ to 3’ to construct a 12’x21’ garage addition. 
   LOCATION: 9105 Raven Oaks Drive 
   ZONE: R2-ED

3. Case No. 14-124 
   Team J Sales 
   Joe Hahn 
   3310 H Street 
   Omaha, NE 68107  
   REQUEST: Waiver of Section 55-526, 55-734 & 55-716 – Variance to the rear yard setback from 10’ to 0’; to the required number of off-street parking stalls from 31 to 21; and to the required buffer yard between HI & R4 from 70’ to 0’ to construct a warehouse addition. 
   LOCATION: 3310 H Street 
   ZONE: HI

NEW CASES:

4. Case No. 14-127 
   Gary Rumbaugh Construction 
   Gary Rumbaugh 
   13503 Frederick Street 
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-715 – Variance to the street yard landscaping depth from 25’ to 0’ to allow construction of a garage addition and driveway. 
   LOCATION: 3203 South 116th Avenue 
   ZONE: R2

5. Case No. 14-129 
   Steven J. Silver 
   7706 I Plaza 
   Omaha, NE 68127  
   REQUEST: Waiver of Section 55-506 – Variance to the maximum height from 120’ to 156’ for a new animal feed manufacturing facility. 
   LOCATION: 4444 South 76th Circle 
   ZONE: GI-FF

6. Case No. 14-130 
   Robert Bolte 
   11330 Bel Air Drive 
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 5’4” to construct a 14’x24’ garage addition. 
   LOCATION: 11330 Bel Air Drive 
   ZONE: R1
7. Case No. 14-131
   Carol Stanley
   8540 Underwood Avenue
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-782(b)(6) – Variance to the interior side yard setback from 3' to 1.6' to allow a 96 sq. ft. shed to remain.
   LOCATION: 8540 Underwood Avenue
   ZONE: R2

8. Case No. 14-133
   Ken Sorensen
   City of Omaha – Moylan Iceplex
   12550 West Maple Road
   Omaha, NE 68164
   REQUEST: Waiver of Section 55-829 – Variance to the total signage budget from 40 sq. ft. to 164 sq. ft.; to the maximum size for a wall sign from 40 sq. ft. to 107 sq. ft.; and to the maximum height for a wall sign from 16’ to 22’.
   LOCATION: 12440 West Maple Road
   ZONE: DR

9. Case No. 14-134
   William E. Harden, Jr
   7651 Grover Street
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 10’ to construct a 15’x22’ garage addition.
   LOCATION: 7651 Grover Street
   ZONE: R4(35)

SHOW CAUSE HEARING:

10. Case No. 14-013
    Premier Bank
    Chris Maher
    16802 Burke Street
    Omaha, NE 68118
    REQUEST: Waiver of Section 55-824(d) – Variance to allow a monument sign on a property with a building closer than 15’ to the property line.
    LOCATION: 4314 & 4318 Dodge Street, 109 North 43rd Avenue
    ZONE: GC-ACI-2(50)

12/2/14