ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 13, 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 Jason Lanoha. 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 13, 2014 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, February 3, 2014 (for use waivers only) and Thursday, February 6, 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. 13-136  
   (from 12-12-13)  
   Roberta Wilhelm  
   Girls, Inc.  
   2811 North 45th Street  
   Omaha, NE 68104  
   REQUEST: Waiver of Section 55-830 – Variance to the maximum total sign area from 32 sq. ft. to 522 sq. ft.; to the maximum area of a monument sign from 25 sq. ft. to 40 sq. ft.; to the maximum area of a wall sign from 32 sq. ft. to 482 sq. ft.; and to the maximum height of a wall sign from 16’ to 41’; to allow an expansion of the current facility.  
   LOCATION: 2811 North 45th Street  
   ZONE: R4

2. Case No. 13-145  
   (from 12-12-13)  
   Service Select, LLC  
   400 Mack Drive  
   Croydon, PA 19021  
   REQUEST: Waiver of Section 55-836 – Variance to the front yard setback for monument signs (5) from 12’ to 3’ and to the maximum height for a monument sign from 25’ to 43’.  
   LOCATION: 10000 California Street (Westroads Mall)  
   ZONE: CC

3. Case No. 14-001  
   (from 1-9-14)  
   Gary Trecek  
   624 South 150th Street  
   Omaha, NE 68154  
   REQUEST: Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 30’ to construct a 25’x30’ attached garage.  
   LOCATION: 624 South 150th Street  
   ZONE: R3

4. Case No. 14-003  
   (from 1-9-14)  
   Mike Tackett  
   4623 South 166th Circle  
   Omaha, NE 68135  
   REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 40’ to 35’ and to the street yard landscaping depth from 30’ to 0’, to construct a detached garage and driveway.  
   LOCATION: 3414 & 3502 South 228th Street  
   ZONE: R1

NEW CASES

5. Case No. 14-007  
   Chelsea Salifou  
   5210 South 21st Street  
   Omaha, NE 68107  
   REQUEST: Waiver of Section 55-203 – Variance to the permitted use regulations of the R5 district to allow a Warehousing and Distribution (Limited) use and Business or Trade School use not otherwise permitted.  
   LOCATION: 2021 “U” Street & 5442 South 20th Street  
   ZONE: R5(35) & R7(PK)
6. Case No. 14-016
   Todd Schuiteman
   Quality Living, Inc.
   6404 North 70th Plaza
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-786 & 55-832 – Variance to the residential fence regulations to allow a fence taller than 6’ and more than 50% closed in the front/street side yard setbacks; to the maximum total permitted sign area from 40 sq. ft. to 190 sq. ft. and to the maximum size of a monument sign from 25 sq. ft. to 29.3 sq. ft. (2) and 81 sq. ft.
   LOCATION: 6404 North 70th Plaza
   ZONE: R7

7. Case No. 14-017
   Robert Ennis
   937 South 38th Avenue
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-206 & 55-207(g) – Variance to the front yard setback from 35’ to 15’ and the street side yard setback from 15’ to 0’ to allow replacement of the porch and stairs.
   LOCATION: 937 South 38th Avenue
   ZONE: R5(35)

8. Case No. 14-018
   William Novak
   3606 North 156th Street #307
   Omaha, NE 68116
   REQUEST: Waiver of Section 55-740(e) – Variance to hard surfacing requirement for a temporary parking lot from 5/1/14 – 10/31/14.
   LOCATION: Generally south of West Maple Road between 230th and 233rd Streets
   ZONE: AG-FW

9. Case No. 14-019
   Amy Sladovnik (Trust)
   7637 Fairway Drive
   Omaha, NE 68152
   REQUEST: Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 29’ and to the rear yard setback from 25’ to 23’ to construct home additions.
   LOCATION: 11025 Oak Street
   ZONE: R3

10. Case No. 14-020
    Brian Timmons
    The Garage Company
    8301 “Q” Street
    Omaha, NE 68127
    REQUEST: Waiver of Section 55-740(e)(3) – Variance to the requirement that a hard-surfaced driveway be provided for a structure capable of storing a personal vehicle.
    LOCATION: 12410 North 69th Street
    ZONE: DR-ED
11. Case No. 14-021
Steven Held
Little Marcy Redevelopment, LLC
11506 Nicholas Street
#100
Omaha, NE 68154

REQUEST: Waiver of Section 55-226 & 55-227(e) – Variance to the front yard setback from 35’ to 0’; to the street side yard setback from 15’ to 6’; to the interior side yard setback from 10’ to 3’; to the rear yard setback from 25’ to 20’; to the maximum impervious coverage from 60% to 90%; to the minimum lot size from 2,000 sq. ft. to 1,636 sq. ft., 1,360 sq. ft. and 1,802 sq. ft.; to the minimum site area per unit from 2,500 sq. ft. to 1,599 sq. ft. to construct a 3-unit townhome development.

LOCATION: 3036 Marcy Street
ZONE: R6

12. Case No. 14-022
Larry Jensen
1011 South 30th Avenue, LLC
6324 South 118th Street
Omaha, NE 68137

REQUEST: Waiver of Section 55-246, 55-735, 55-740(f) & 55-715 – Variance to the maximum impervious coverage from 70% to 81%; to the minimum interior parking lot landscaping from 5% to 0%; to the minimum perimeter parking lot landscaping from 10’ to 8’, 3’ and 4’; and to the minimum street yard landscaping from 10’ to 8’ and 3’; to allow off-street parking for a Multi-Family Residential use in the front/street side yard setback, to construct a new parking lot.

LOCATION: 3001 & 3003 Mason Street, 1011 South 30th Avenue
ZONE: R7

13. Case No. 14-023
Ralph Klug
Gretna Industrial Group, LLC
10508 Forrest Drive
Omaha, NE 68124

REQUEST: Waiver of Section 55-740(f)(4) – Variance to the perimeter parking lot landscaping from 10’ to 0’ to construct a new parking lot.

LOCATION: 4501 South 96th Street
ZONE: GI

14. Case No. 14-024
Bryan M. Schneider
Progress Properties, LLC
12011 Douglas Street
Suite 100
Omaha, NE 68154

REQUEST: Waiver of Section 55-266 & 55-740(f)(4) – Variance to the front yard setback from 35’ to 9’8”; to the street side yard setback from 15’ to 2’8” and 0’; to the rear yard setback from 25’ to 0’; to the maximum impervious coverage from 80% to 81%; and to the minimum perimeter parking lot landscaping from 10’ to 3’, 2’ and 2’ to construct a 4-unit townhome development.

LOCATION: 3324 Davenport Street
ZONE: R8
15. Case No. 14-025
Chris Wayne
City of Omaha
1819 Farnam Street
Suite #1100
Omaha, NE 68183
REQUEST: Waiver of Section 55-206 – Variance to the
street side yard setback from 15’ to 12.8’ to
allow for construction of a single-family
home.
LOCATION: 2418 & 2414 North 42nd Street
ZONE: R5(35)

ELECTION OF OFFICERS

1/29/14