ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, January 9, 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; and Sebastian (Subby) Anzaldo. 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 9, 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, December 30, 2013 (for use waivers only) and Thursday, January 2, 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. 13-118
   (from 10-10-13 & 11-14-13)
   Mark Bulger
   Walter B. Roberts Corporation
   1024 South 32nd Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-246, 55-716, 55-734 & 55-735 – Variance to the minimum site area per unit from 1,000 sq. ft. to 865 sq. ft; to the required buffer yard between R7 and R4 from 30’ to 21’ and 8’; to the required number of off-street parking stalls from 85 to 50; and to allow off-street parking for a multi-family residential use in the front yard setback with a Reasonable Accommodation request to allow construction of a new apartment building.
   LOCATION: 1024 South 32nd Street
   ZONE: R7

2. Case No. 13-147
   Gary and Debbie Pink
   5615 South 118th Plaza
   Omaha, NE 68137
   REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 40’ to 30’; to the maximum impervious coverage from 30% to 42.3%; to the minimum street yard landscaping from 75% to 63.5%; and to the street yard landscaping minimum depth from 30’ to 0’ to allow construction of a new home and driveway.
   LOCATION: 23464 “N” Street
   ZONE: R1

NEW CASES

3. Case No. 14-001
   Gary Trecek
   624 South 150th Street
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-166 & 55-715 – Variance to the front yard setback from 35’ to 17’ and to the minimum street yard landscaping depth from 20’ to 0’, to allow construction of a 25’x30’ detached garage.
   LOCATION: 624 South 150th Street
   ZONE: R3

4. Case No. 14-002
   Mike Moylan
   Capitol District, LLC
   1414 Harney Street
   Suite 400
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-740 & 55-737(c) – Variance to the curb length of a 90° parking stall from 9’ to 8’6”; to the parking space depth from 18’ to 16’6”; and to the required grouping of compact stalls from 5 to 1.
   LOCATION: 1002, 1116 & 1120 Capitol Avenue & 215 North 12th Street
   ZONE: DS-ACI-1(PL)
5. Case No. 14-003  
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 30' and to the street yard landscaping depth from 30' to 0', to allow the construction of a detached garage and driveway.

LOCATION: 3414 & 3502 South 228th Street  
ZONE: R1

6. Case No. 14-004  
David and LaVonne Weston  
625 South 51st Street  
Omaha, NE 68106

REQUEST: Waiver of Section 55-782(b)(6) - Variance to the interior side yard from 3' to 21" to erect a 14'x20' detached garage.

LOCATION: 625 South 51st Street  
ZONE: R3

7. Case No. 14-005  
Scrap Central, Inc.  
8512 Blondo Street  
Omaha, NE 68134

REQUEST: Waiver of Section 55-716 & 55-766(b)(3) - Variance to the required buffer yard between GI & R2 from 60' with screening to 0' with screening and to allow a Scrap and Salvage use within 300' of a residential zoning district.

LOCATION: 2728 North 85th Street  
ZONE: GI

8. Case No. 14-006  
Mark J. Hemmer  
Maxim Enterprises, LLC  
16559 Dora Hamann Parkway  
Omaha, NE 68116

REQUEST: Waiver of Section 55-715 - Variance to the minimum street yard landscaping percentage from 65% to 54% and to the minimum street yard landscaping depth from 20' to 5' to allow construction of a circular driveway.

LOCATION: 18817 Nicholas Street  
ZONE: R3

9. Case No. 14-008  
Kevin Strehle  
BCDM  
1015 North 98th Street  
Suite 300  
Omaha, NE 68114

REQUEST: Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 244 to 169 to allow a Religious Assembly use.

LOCATION: 1313 North 48th Ave & 4859 Hamilton Ave  
ZONE: GC

10. Case No. 14-009  
Omaha Neon  
Dennis Plachy  
1120 North 18th Street  
Omaha, NE 68102

REQUEST: Waiver of Section 55-836 - Variance to the maximum height of wall signs (2) from 35' to 53'.

LOCATION: 11201 Davenport Street  
ZONE: CC-FF/FW

11. Case No. 14-010  
John and Michelle Cannella  
526 South 96th Street  
Omaha, NE 68114

REQUEST: Waiver of Section 55-126 - Variance to the maximum impervious coverage from 30% to 40% to allow for a home addition.

LOCATION: 526 South 96th Street  
ZONE: R1
12. Case No. 14-011  
City of Omaha  
Bridget Hadley  
1819 Farnam Street  
Omaha, NE 68183  
REQUEST: Waiver of Section 55-840(d) - Variance to the maximum height of an off-premise advertising sign from 55' to 65'.  
LOCATION: 1102 Davenport Street  
ZONE: DS-ACI-1(PL)

13. Case No. 14-012  
Ariel Roblin  
2665 Douglas Street  
Omaha, NE 68131  
REQUEST: Waiver of Section 55-839, 55-933(b) & 55-928(e) - Variance to the maximum height for a monument sign from 12' to 17' and to perimeter parking lot landscaping from 15' to 0'.  
LOCATION: 1001 South 10th Street  
ZONE: CBD-ACI-1(PL)

14. 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)

15. Case No. 14-014  
David Ksiazek/John and Laura Sherman  
14535 Fir Circle  
Plattsmouth, NE 68048  
REQUEST: Waiver of Section 55-186 - Variance to the interior side yard setback from 5' to 1.8' and 4.2' to allow for approval of an administrative subdivision.  
LOCATION: 3419 & 3421 Madison Street  
ZONE: R4(35)

16. Case No. 14-015  
John Shavlik  
5843 Grover Street  
Omaha, NE 68106  
REQUEST: Waiver of Section 55-206 & 55-207(d)(3) - Variance to the interior side yard setback from 10' to 6' and to the minimum separation between dwelling units from 25' to 10.7' to allow for use of the site for two-family residential.  
LOCATION: 5843 Grover Street  
ZONE: R5

ELECTION OF OFFICERS

12/31/13