ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, July 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 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, July 10, 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, June 30, 2014 (for use waivers only) and Thursday, July 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.
LAYOVERS:

1. Case No. 14-061 - WITHDRAWN
   (from 6/12/14)
   Robert Quartoroli
   Dream Scape Homes
   P.O. Box 963
   Elkhorn, NE 68022
   REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 60% to 50% and to the minimum street yard landscaping depth from 15’ to 4’ to allow a circular driveway.
   LOCATION: 21015 “W” Circle
   ZONE: R4

2. Case No. 14-062
   (from 6/12/14)
   Rolando Armas
   5103 Center Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-406, 55-716 & 55-734 – Variance to the street side yard setback requirement from 50’ from center line to 45.5’ from center line; to the rear yard setback from 15’ to 4’; to the required buffer yard between GC & R4 from 5’ to 0’ and 13’ to 3’; and to the required number of off-street parking stalls from 5 to 0 to construct a new building.
   LOCATION: 5103 Center Street
   ZONE: GC

3. Case No. 14-066
   (from 6/12/14)
   Anna Johnson
   3815 North 83rd Street
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 65% to 58% and to the minimum street yard landscaping depth from 20’ to 0’ to allow a circular driveway to remain.
   LOCATION: 5419 Western Avenue
   ZONE: R3

NEW CASES:

4. Case No. 14-076
   Douglas County School District
   3215 Cuming Street
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-830 – Variance to the maximum total sign area from 32 sq. ft. to 143.5 sq. ft. and to the maximum height for a wall sign from 16’ to 30’ to allow for additional wall signs.
   LOCATION: 3215 Cuming Street
   ZONE: R5

5. Case No. 14-067
   Paul Jeffrey
   BVH Architects
   1425 J ones Street
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-246 – Variance to the interior side yard setback from 10’ to 5’ to allow for installation of portable classrooms.
   LOCATION: 2215 Binney Street (Sacred Heart School)
   ZONE: R7
6. Case No. 14-068  
Habitat for Humanity  
1701 North 24th Street  
Omaha, NE 68110  
REQUEST: Waiver of Section 55-782(b)(6) – Variance to the interior side yard setback from 3’ to 1’6” and to the rear yard setback from 3’ to 2’8” to rebuild an existing garage.  
LOCATION: 2506 North 60th Street  
ZONE: R4(35)

7. Case No. 14-069  
Brother Mike Wilmot SJ  
Gesu Housing, Inc.  
5008 ½ B Dodge Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-186 and 55-782(b)(2) – Variance to the rear yard setback from 25’ to 21.85’ and to allow a patio to project more than 10’ into a required yard for construction of a new home and patio.  
LOCATION: 4303 Patrick Avenue  
ZONE: R4

8. Case No. 14-070  
Brother Mike Wilmot SJ  
Gesu Housing, Inc.  
5008 ½ B Dodge Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-206 – Variance to the street side yard setback from 15’ to 9’ to allow construction of a new home.  
LOCATION: 4203 Burdette Street  
ZONE: R5(35)

9. Case No. 14-071  
Tom Reeker  
1409 Cascio Drive  
Bellevue, NE 68005  
REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 20’ to allow replacement of existing deck.  
LOCATION: 13516 Hascall Street  
ZONE: R4(35)

10. Case No. 14-072  
Justin Rossitto  
3567 Howard Street  
Omaha, NE 68105  
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall, wrought-iron fence in the front and street side yard setbacks.  
LOCATION: 3567 Howard Street  
ZONE: R7-ACI-1(PL)

11. Case No. 14-073  
David Kain  
P.O. Box 4066  
Omaha, NE 68104  
REQUEST: Waiver of Section 55-266, 55-734, 55-740(f)(4), 55-928(c) & 55-934 – Variance to the street side yard setback from 25’ to 5’; to the rear yard setback from 25’ to 22’; to the interior side yard setback from 10’ to 0.78’; to the maximum impervious coverage from 80% to 84%; to the minimum number of off-street parking stalls from 58 to 36; to the perimeter parking lot landscaping from 10’ to 3.57’; to the minimum interior parking lot landscaping from 7% to 1.3%; and to allow a retaining wall (Category 3) height greater than 10’ for the construction of a new apartment building.  
LOCATION: 617 South 31st Street  
ZONE: R8-ACI-1(PL)
12. Case No. 14-074  
Eloy Flores  
2829 Monroe Street  
Omaha, NE 68104  
REQUEST: Waiver of Section 55-207(g) – Variance to the front yard setback from 35’ to 20.78’ to construct a garage addition.  
LOCATION: 3007 V Street  
ZONE: R5(35)

13. Case No. 14-075  
Laura Bostwick  
8416 North 44th Street  
Omaha, NE 68112  
REQUEST: Waiver of Section 55-126 & 55-740(e) – Variance to the interior side yard setback from 25’ to 3’ and to the hard-surface driveway requirement to allow a 40’ x 24’, 2-story detached garage with attached deck and gravel driveway to remain.  
LOCATION: 8416 North 44th Street  
ZONE: R1-ED

14. Case No. 14-077  
Brian Timmons  
The Garage Company  
8301 Q Street  
Omaha, NE 68127  
REQUEST: Waiver of Section 55-782(b)(6)(a) – Variance to the front yard setback from 60’ to 55.5’ to construct a detached garage.  
LOCATION: 3302 Madison Street  
ZONE: R4(35)

15. Case No. 14-078  
David Updike  
1404 North 60th Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 20’9 ½” to construct a new deck and stairs.  
LOCATION: 1404 North 60th Street  
ZONE: R4(35)