ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, June 12, 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, June 12, 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, June 2, 2014 (for use waivers only) and Thursday, June 5, 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**  
   **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. 14-048**  
   **REQUEST:** Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 14’8” to allow construction of a garage addition.  
   **LOCATION:** 4802 South 90th Street  
   **ZONE:** R1

3. **Case No. 14-050**  
   **REQUEST:** Waiver of Section 55-146 & 55-740(e)(1) – Variance to the rear yard setback from 25’ to 10’ and to the hard-surface driveway requirement for a 28’ x 63’ detached building.  
   **LOCATION:** 12401 North 48th Street  
   **ZONE:** R2-ED

4. **Case No. 14-057**  
   **REQUEST:** Waiver of Section 55-833 – Variance to the front yard setback from 12’ to 3’; to the street side yard setback from 6’ to 0’ to construct a monument sign.  
   **LOCATION:** 10801 Pacific Street  
   **ZONE:** LO

5. **Case No. 14-058** - **WITHDRAWN**  
   **REQUEST:** Waiver of Section 55-836 – Variance to the front yard setback from 12’ to 1’ for three (3) monument signs.  
   **LOCATION:** 14001 “L” Street  
   **ZONE:** CC-FF/FW

### NEW CASES:

6. **Case No. 14-061**  
   **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
7. Case No. 14-062
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

8. Case No. 14-063
Desere’ Johns
14512 Holmes Street
Omaha, NE 68137
REQUEST: Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 28’4” to construct a covered porch and stairs.
LOCATION: 14512 Holmes Street
ZONE: R3

9. Case No. 14-064
Superior Lighting, Inc.
2121 South 24th Street
Omaha, NE 68108
REQUEST: Waiver of Section 55-838 – Variance to the maximum height for four (4) wall signs from 35’ to 48’.
LOCATION: 10010 Regency Circle (Wells Fargo)
ZONE: GC

10. Case No. 14-065
Don Stein
Stein Construction
2447 South 156th Circle
Omaha, NE 68130
REQUEST: Waiver of Section 55-126, 55-715 & 55-782(b)(2) – Variance to the maximum impervious surface coverage from 30% to 43.6%; to the street yard landscaping minimum depth from 30’ to 0’; to allow an existing patio to project more than 10’ into a required yard and to allow construction of a house addition and circular driveway.
LOCATION: 416 South 96th Street
ZONE: R1

11. Case No. 14-066
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