ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, March 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, March 13, 2013 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, March 3, 2014 (for use waivers only) and Thursday, March 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. 14-015  
   (from 1-9-14)  
   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

2. Case No. 14-019  
   (from 2/13/14)  
   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

NEW CASES

3. Case No. 14-026  
   Rod Whitman  
   Omaha Neon Sign Company  
   1120 North 18th Street  
   Omaha, NE 68102  
   REQUEST: Waiver of Section 55-836 – Variance to the maximum height for 3 wall signs from 35’ to 45’ and 54’ (2).  
   LOCATION: 3702 South 72nd Street  
   ZONE: CC

4. Case No. 14-027  
   Petrita Cervantes  
   5317 South 32nd Street  
   Omaha, NE 68107  
   REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 16’ to allow construction of a 20’ x 21’ carport.  
   LOCATION: 5317 South 32nd Street  
   ZONE: R7

5. Case No. 14-028  
   Neal Curtis  
   4132 North 79th Street  
   Omaha, NE 68134  
   REQUEST: Waiver of Section 55-734 & 55-740 – Variance to the required number of off-street parking stalls from 13 to 2 and to allow vehicles to back into the street for a Daycare Services (General) Use.  
   LOCATION: 5968 North 30th Street  
   ZONE: GC

6. Case No. 14-030  
   Nate McDaniel  
   2628 South 87th Street  
   Omaha, NE 68124  
   REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 14.5’ to allow home additions.  
   LOCATION: 10555 Mullen Road  
   ZONE: R1
Case No. 14-031
5319 North, LLC
105 North 31st Avenue
Omaha, NE 68131

REQUEST: Waiver of Section 55-366, 55-734, 55-716 & 55-737 – Variance to the maximum height of the building from 45’ to 60’; to the required number of off-street parking stalls from 189 to 152; to the required buffer yard between CC(pending) and R4 from 30’ to 10.72’, 15’ and 27.37’; and to the maximum number of compact parking stalls from 60 to 62; to allow construction of a Mixed Use Development.

LOCATION: 5319, 5339, & 5343 North 30th Street and 5330 & 5342 North 29th Street

ZONE: R4(35), GC & R4(PK) – (CC-ACI-2(PL)pending)

Case No. 14-032
Eugene H. Rhodman
5705 North 116th Circle
Omaha, NE 68164

REQUEST: Waiver of Section 55-784(c) – Variance to the perimeter yard setback from a public street for a deck in a cluster subdivision from 25’ to 15’ to allow a 12’ x 12’ deck addition.

LOCATION: 5705 North 116th Circle

ZONE: R4(cluster)

Case No. 14-033
Service Select, LLC
400 Mack Drive
Croydon, PA 19021

REQUEST: Waiver of Section 55-836 – Variance to the front yard setback from 12’ to 3’ for 2 pole signs.

LOCATION: 10000 California Street (Westroads Mall)

ZONE: CC

3/5/14