ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, May 8, 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, May 8, 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, April 28, 2014 (for use waivers only) and Thursday, May 1, 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) 444-3426. If an alternative (audio version) to this agenda is necessary, please notify the Secretary to the Zoning Board of Appeals at (402) 444-5202, 72 hours in advance.
LAYOVERS:

1. Case No. 13-135 - WITHDRAWN
   (From 11/4/13)
   John Fullenkamp
   Augusta Properties, LLC
   11440 West Center Road
   Omaha, NE 68144
   REQUEST: Waiver of Section 55-716 – Variance to the required buffer yard between GO and DR from 30' to 20' to allow for the installation of a backup generator.
   LOCATION: 12808 & 12828 Augusta Avenue
   ZONE: GO

2. Case No. 14-040
   (From 4/10/14)
   Laura Sherman
   10126 Edna Circle
   LaVista, NE 68128
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow an 8' tall chain-link fence.
   LOCATION: 2515 “H” Street
   ZONE: R7

3. Case No. 14-042
   (From 4/10/14)
   Lamar Outdoor Advertising
   TLC Properties
   4849 “G” Street
   Omaha, NE 68117
   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)

NEW CASES:

4. Case No. 14-029
   34 Harney, LLC
   Mark Torczon
   11205 South 150th Street
   Omaha, NE 68138
   REQUEST: Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 42 to 32 to allow a 32-unit apartment building.
   LOCATION: 3327 Harney Street
   ZONE: R7-ACI-1(PL), (R8-PUD-Pending)

5. Case No. 14-045
   Tim Miller & Susan Scepaniak
   12136 North 54th Street
   Omaha, NE 68152
   REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for an existing gravel driveway to allow for construction of a new pole barn.
   LOCATION: 12136 North 54th Street
   ZONE: DR-ED

6. Case No. 14-046
   James & Ann McGill
   2214 South 85th Avenue
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-146 & 55-715 – Variance to the maximum impervious surface coverage from 40% to 50%; to minimum street yard landscaping percentage from 70% to 67% and to the street yard landscaping minimum depth from 25’ to 0’ to allow construction of a circular driveway.
   LOCATION: 2214 South 85th Avenue
   ZONE: R2
7. Case No. 14-048  
Mark & LouAnn Harral  
4802 South 90th Street  
Omaha, NE 68127  
REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25' to 8'6” to allow construction of a garage addition.  
LOCATION: 4802 South 90th Street  
ZONE: R1

8. Case No. 14-049  
Dave Schorg  
2602 Avenue F  
Council Bluffs, IA 51501  
REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35' to 16' to allow for replacement of a wraparound porch, floor and stairs.  
LOCATION: 5107 South 39th Street  
ZONE: R4(35)

9. Case No. 14-050  
James Warner  
10836 Old Mill Road  
Omaha, NE 68154  
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

10. Case No. 14-051  
Geoffrey Lambert  
1529 South 139th Street  
Omaha, NE 68144  
REQUEST: Waiver of Section 55-166 – Variance to the interior side yard setback from 7’ to 5’ for construction of a garage addition.  
LOCATION: 1529 South 139th Street  
ZONE: R3

11. Case No. 14-052  
Chris Moody  
11163 Girard Street  
Omaha, NE 68142  
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall, privacy fence in the street side yard setback.  
LOCATION: 11163 Girard Street  
ZONE: R4

12. Case No. 14-053  
Sean & Angie Knight  
804 South 131st Avenue  
Omaha, NE 68154  
REQUEST: Waiver of Section 55-146 – Variance to the street side yard setback from 20’ to 11.7’ for construction of an 18’ x 22.16’ garage addition.  
LOCATION: 804 South 131st Avenue  
ZONE: R2

13. Case No. 14-054  
Best Buy Signs/Lund Company  
17410 Storage Road  
Omaha, NE 68136  
REQUEST: Waiver of Section 55-836 – Variance to the front yard setback from 35’ to 0’ for a 25’ tall pole sign with an electronic message center.  
LOCATION: 14451 West Center Road  
ZONE: CC
14. Case No. 14-055  
Chad Peterson  
15808 West Dodge, LLC  
2425 South 144th Street  
Omaha, NE 68144  
REQUEST: Waiver of Section 55-348 – Variance to the maximum height from 40’ to 51.5’ for construction of an office building.  
LOCATION: 15808 West Dodge Road  
ZONE: LC-ACI-4(PL)

15. Case No. 14-056  
Thomas & Patricia Peterson  
Db a Peterson Greens, LLC  
1111 Ridgewood Avenue  
Omaha, NE 68124  
REQUEST: Waiver of Section 55-423 – Variance to the permitted use regulations of the Central Business District (CBD) to allow a Crop Production use (hydroponics/aquaponics) not otherwise permitted.  
LOCATION: 817-819 South 7th Street  
ZONE: CBD-ACI-1(PL)

16. Case No. 14-057  
Signworks, Inc.  
4713 “F” Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-833 – Variance to the front yard setback from 12’ to 6’; to the street side yard setback from 6’ to 0’; to the maximum area for a monument sign from 25 sq. ft. to 91 sq. ft.; and to allow an electronic message sign not permitted in the Limited Office (LO) district.  
LOCATION: 10801 Pacific Street  
ZONE: LO

17. Case No. 14-058  
Signworks, Inc.  
4713 “F” Street  
Omaha, NE 68117  
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

18. Case No. 14-059  
Signworks, Inc.  
4713 “F” Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 32 sq. ft. to 108 sq. ft. for a banner for 4 weeks during the College World Series.  
LOCATION: 1624 Mike Fahey Street  
ZONE: DS-ACI-1(PL)

19. Case No. 14-060  
Signworks, Inc.  
4713 “F” Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 32 sq. ft. to 132 sq. ft. for a banner for 4 weeks during the College World Series.  
LOCATION: 815 Florence Boulevard  
ZONE: DS-ACI-1(PL)