ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, November 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: Brian Mahlendorf, Chair; Jacque Donovan, Vice-Chair; Sebastian (Subby) Anzaldo, Jason Lanoha and Michael Aspen. 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, November 13, 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, November 3, 2014 (for use waivers only) and Thursday, November 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. 14-107  
   Lina and John Schwisow  
   2341 North 61st Street  
   Omaha, NE 68104  
   REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35' to 11' to construct a new 6'x12' covered deck and stairs.  
   LOCATION: 2341 North 61st Street  
   ZONE: R4(35)

2. Case No. 14-108  
   Amy Sladovnik  
   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 a new home and deck.  
   LOCATION: 11025 Oak Street  
   ZONE: R3

NEW CASES:

3. Case No. 14-106  
   Chris J. Walling  
   2106 South 49th Street  
   Omaha, NE 68106  
   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 4’10” to enlarge an existing detached garage.  
   LOCATION: 2106 South 49th Street  
   ZONE: R4(35)

4. Case No. 14-113  
   Jose Ramirez  
   901 South 33rd Street  
   Omaha, NE 68105  
   REQUEST: Waiver of Section 55-186 – Variance to the street side yard setback from 15’ to 6’ to construct an 8’x15’ deck.  
   LOCATION: 901 South 33rd Street  
   ZONE: R4

5. Case No. 14-114  
   Mercury Contractors  
   Danielle Dring  
   4222 Davenport Street  
   Omaha, NE 68131  
   REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 44’ and to the interior side yard setback from 25’ to 16’ to construct a home addition.  
   LOCATION: 8225 Jackson Street  
   ZONE: R1
6. **Case No. 14-115**
   Maxco, Inc.
   Patrick Malloy
   6069 Maple Street
   Omaha, NE 68104

   **REQUEST:** Waiver of Section 55-246 & 55-734 – Variance to the minimum lot area from 1,500 sq. ft. to 1,423 sq. ft., 1,430 sq. ft. and 1,187 sq. ft.; to the minimum lot width from 20’ to 19.1’; to the maximum building coverage from 60% to 62.2%; to the maximum impervious coverage from 70% to 85.2%; to the minimum site area per unit from 2,000 sq. ft. to 1,554.5 sq. ft.; to the front yard setback from 35’ to 0’; to the street side yard setback from 15’ to 0’; to the interior side yard setback from 7’ to 6’; to the rear yard setback from 25’ to 9.5’; and to the minimum number of off-street parking stalls from 2 to 0 for each unit, to allow the property to be subdivided into 6 individual townhome units.

   **LOCATION:** 3003 Pacific Street
   **ZONE:** R7

7. **Case No. 14-116**
   Martin Vazquez
   9105 Raven Oaks Drive
   Omaha, NE 68152

   **REQUEST:** Waiver of Section 55-146 – Variance to the front yard setback from 40’ to 34’ and to the interior side yard setback from 10’ to 3’ to construct a 12’x21’ garage addition.

   **LOCATION:** 9105 Raven Oaks Drive
   **ZONE:** R2-ED

8. **Case No. 14-117**
   Matt Dworak
   519 North 41st Street
   Omaha, NE 68131

   **REQUEST:** Waiver of Section 55-786(e) – Variance to the residential fence regulations to allow a 6’ tall privacy fence in the street side yard setback of a residential district.

   **LOCATION:** 519 North 41st Street
   **ZONE:** R3

9. **Case No. 14-118**
   Giacinto Donato
   1527 North 94th Street
   Omaha, NE 68114

   **REQUEST:** Waiver of Section 55-186 & 55-187(e) – Variance to the front yard setback from 35’ to 19’ and to the street side yard setback from 15’ to 5.5’ to construct 2 decks and stairs.

   **LOCATION:** 4602 South 31st Street
   **ZONE:** R4(35)

10. **Case No. 14-119**
    Neil Lindquist
    8509 Westridge Drive
    Omaha, NE 68124

    **REQUEST:** Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 28’ to construct a new deck and stairs.

    **LOCATION:** 8509 Westridge Drive
    **ZONE:** R3-FF
11. Case No. 14-120  
Omaha Door & Window  
Mike McLaughlin  
4665 G Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 14’ to construct a 12'x14' sunroom addition.  
LOCATION: 9530 Davenport Street  
ZONE: R1

12. Case No. 14-121  
Russell Finch Construction  
2114 South 47th Street  
Omaha, NE 68106  
REQUEST: Waiver of Section 55-782(b)(6) – Variance to the front yard setback from 60’ to 35’ to construct a 24'x30' detached garage.  
LOCATION: 21025 Timberlane Circle  
ZONE: R1

13. Case No. 14-122  
Grace Reformed Church  
5151 North 93rd Street  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-734 & 55-737 – Variance to the minimum number of off-street parking stalls from 121 to 80 and to allow more than 40% of the spaces as compact stalls, for a Religious Assembly use.  
LOCATION: 344 North 115th Street  
ZONE: CC

14. Case No. 14-123  
Team J Sales  
Joe Hahn  
3310 H Street  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-183 – Variance to the permitted use regulations of the R4 district to allow a Warehousing & Distribution (Limited) use.  
LOCATION: 4305 South 34th Street  
ZONE: R4

15. Case No. 14-124  
Team J Sales  
Joe Hahn  
3310 H Street  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-526 – Variance to the front yard setback from 50’ from center line to 35’ & 30’ from center line; and to the rear yard setback from 10’ to 0’ to construct building additions.  
LOCATION: 3310 H Street  
ZONE: HI

16. Case No. 14-125  
Dr. Mark Puccioni  
9010 Farnam Street  
Omaha, NE 68114  
REQUEST: Waiver of Section 55-126 & 55-782(b)(2) – Variance to the rear yard setback from 35’ to 10’ and to allow a patio as close as 2’ to the rear property line, for construction of a pool cabana and patio.  
LOCATION: 9010 Farnam Street  
ZONE: R1
17. Case No. 14-126
Craig Tuttle
1536 South 79th Street
Omaha, NE 68124

REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 23’9” to allow replacement of an existing structure.

LOCATION: 701 South 96th Street
ZONE: R1