ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 12, 2015 - 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 Jeremy 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, February 12, 2015 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, February 2, 2015 (for use waivers only) and Thursday, February 5, 2015.

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.cityofomaha.org/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.
LAYOVER CASES:

   Premier Bank
   Chris Maher
   16802 Burke Street
   Omaha, NE 68118
   REQUEST: Waiver of Section 55-824(d) – Variance to allow a monument sign on a property with a building closer than 15’ to the property line.
   LOCATION: 4314 & 4318 Dodge Street, 109 North 43rd Avenue
   ZONE: GC-ACI-2(50)

NEW CASES:

2. Case No. 15-001
   William Novak
   3606 North 156th Street
   Suite 307
   Omaha, NE 68116
   REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking lot from 5/1/15 – 10/31/15 & 5/1/16 – 10/31/16.
   LOCATION: Generally south of West Maple Road between 230th and 233rd Streets
   ZONE: AG-FW

3. Case No. 15-003
   Nathan Egger
   312 South 68th Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-146 – Variance to the interior side yard setback from 10’ to 3’ to construct a garage addition.
   LOCATION: 312 South 68th Street
   ZONE: R2

4. Case No. 15-004
   Bronco Land Company
   7134 Pacific Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-853(a) & 55-826 (a)(3)(4) – Variance to the spacing requirements for an electronic/static off-premise advertising sign.
   LOCATION: 7120/7152 Pacific Street
   ZONE: GC-ACI-2(65)-FF
   GI-ACI-2(65)-FF

5. Case No. 15-008
   James Lemon
   Greater New Hope Missionary
   1411 North 30th Street
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-186 & 55-735(b) – Variance to the maximum impervious coverage from 50% to 86% and to allow off-street parking for a non-residential use in a residential district within the required street side yard setback to construct a parking lot.
   LOCATION: 2918 Hamilton Street
   ZONE: GC & R7 (R4 pending)

6. Case No. 15-010 - LAYOVER
   St. John’s Lutheran Church
   11120 Calhoun Road
   Omaha, NE 68152
   REQUEST: Waiver of Section 55-829 – Variance to the front yard setback from 12’ to 0’ to construct a monument sign.
   LOCATION: 4519 Kelby Road
   ZONE: DR-ED
7. Case No. 15-012  
Pat Mendick  
6643 Aberdeen Circle  
Papillion, NE 68133

REQUEST: Waiver of Section 55-506 – Variance to the rear yard setback from 10’ to 0’ to allow an existing building to remain and a 200 sq. ft. addition to the building.

LOCATION: 4670 G Street
ZONE: Gi

8. Case No. 15-013  
Sister Marilyn Ross  
Holy Name Housing Corporation  
3014 North 45th Street  
Omaha, NE 68104

REQUEST: Waiver of Section 55-207(e)(1) – Variance to allow 5 townhome units in a townhouse structure.

LOCATION: Generally between Maple and Corby Streets between 36th and 38th Streets
ZONE: R4-35 (R6-PUD pending)

9. Case No. 15-014  
Esmeralda Villarreal  
2808 South 31st Street  
Omaha, NE 68105

REQUEST: Waiver of Section 55-206 – Variance to the interior side yard setback from 5’ to 0.5’ to construct a 2-story home addition.

LOCATION: 2808 South 31st Street
ZONE: R5(35)

10. Case No. 15-015  
Mark Sanford  
1306 North 162nd Street  
Omaha, NE 68118

REQUEST: Waiver of Section 55-363 – Variance to the permitted use regulations of the CC District to allow a Body & Fender Repair Services use not otherwise permitted.

LOCATION: 15555 Q Street
ZONE: CC

11. Case No. 15-016  
5319 North, LLC  
105 North 31st Avenue  
2nd Floor  
Omaha, NE 68131

REQUEST: Waiver of Section 55-366, 55-716 & 55-734 – Variance to the maximum building height from 45’ to 75’; to the required number of off-street parking stalls from 203 to 167; to the required buffer yard between CC (pending) and R4 from 30’ to 18’, 6’ and 11’ to construct a mixed-use building.

LOCATION: 5319, 5339, 5343 and 5347 North 30th Street & 5330, 5342 North 29th Street
ZONE: R4(35), GC & R4(PK) (CC-ACI-2(PL) Pending)

ELECTION OF OFFICERS

2/5/15