ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, July 14, 2016 - 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. Sean Kelley and Michael Gorman 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, July 14, 2016 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, July 4, 2016 (for use waivers only) and Thursday, July 7, 2016.

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 state your name. If there are opponents, they will also come forward at that time, give their names 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.
LAYOVERS:

1. Case No. 16-047 (from 6-9-16)  
   Miguel Rodriguez  
   4310 South 21st Street  
   Omaha, NE 68107  
   REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 9.9’ and to the interior side yard setback from 5’ to 4.9’, to allow a 10’ x 22’ deck to remain.  
   LOCATION: 4310 South 21st Street  
   ZONE: R7

2. Case No. 16-055 (from 6-9-16)  
   Omaha Public Schools  
   4041 North 72nd Street  
   Omaha, NE 68134  
   REQUEST: Waiver of Section 55-787 – Variance to the required storm shelter size from 6,050 sq. ft. to 4,551 sq. ft. to allow construction of a new elementary school.  
   LOCATION: 6523 Western Avenue - Western Hills Elementary  
   ZONE: R3

NEW CASES:

3. Case No. 16-056  
   Bill Bolte  
   Bill Bolte Construction  
   12411 Hickory Road  
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-206 – Variance to the rear yard setback from 25’ to 17’ to allow reconstruction of a deck.  
   LOCATION: 11766 Roanoke Boulevard  
   ZONE: R5(35)

4. Case No. 16-060  
   Gladys Vinson  
   1906 Binney Street  
   Omaha, NE 68110  
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 5’ tall, wrought iron style fence within the front and street side yard setback.  
   LOCATION: 1904 & 1906 Binney Street  
   ZONE: R7

5. Case No. 16-061  
   Jamie Saldi  
   6910 North 102nd Circle  
   Omaha, NE 68122  
   REQUEST: Waiver of Section 55-366, 55-716, 55-740, 55-928(c) – Variance to the rear yard setback from 15’ to 0’; to the maximum impervious coverage from 85% to 90%; to the required bufferyard between CC and DR from 30’ to 5’; to the perimeter parking lot landscaping from 10’ to 5’ and 5’ to 0’; and to the interior parking lot landscaping from 7% to 4% to allow for the construction of a new commercial development.  
   LOCATION: 6920 Pacific Street  
6. **Case No. 16-062**  
Sahamak Hamearbane  
9507 Chicago Street  
Omaha, NE 68114  
**REQUEST:** Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 28’ to allow for a garage addition and sunroom addition to the existing home.  
**LOCATION:** 9507 Chicago Street  
**ZONE:** R1

7. **Case No. 16-063**  
Christopher Welsh  
9705 Fieldcrest Drive  
Omaha, NE 68114  
**REQUEST:** Waiver of Section 55-782(b) – Variance to allow a 2’ roof overhang to extend into the required rear yard setback as close as 32’ from the rear property line.  
**LOCATION:** 9705 Fieldcrest Drive  
**ZONE:** R1

8. **Case No. 16-064**  
Blake Ihrke  
5909 North 52nd Street  
Omaha, NE 68104  
**REQUEST:** Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 12’ for a covered breezeway.  
**LOCATION:** 1306 South 78th Avenue  
**ZONE:** R2