ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, October 13, 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, October 13, 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, October 3, 2016 (for use waivers only) and Thursday, October 6, 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. 16-083 (from 9/8/16)
   Steve Huber
   16820 Frances Street
   Suite 102
   Omaha, NE 68130
   REQUEST: Waiver of Section 55-126 & 55-715 - Variance to the maximum height from 35’ to 46’ and to the minimum street yard landscaping depth from 15’ to 1’ to allow construction of a new home.
   LOCATION: 3510 & 3520 South 228th Terrace
   ZONE: R1

2. Case No. 16-086 (from 9/8/16)
   CB Richard Ellis/Mega
   11213 Davenport Street
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-834 - Variance to the sign regulations to allow a 62 square foot, above the peak roof sign not otherwise permitted in the GO - General Office district and to the maximum sign budget from 113.25 square feet to 137 square feet.
   LOCATION: 11213 Davenport Street
   ZONE: GO-FF/FW

NEW CASES:

3. Case No. 16-089
   Terry & June Johnson
   15948 Nottingham Drive
   Omaha, NE 68118
   REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 23.5’ to allow a deck to be rebuilt.
   LOCATION: 15948 Nottingham Drive
   ZONE: R4(35)

4. Case No. 16-090
   LaVonne Plambeck
   12344 Pacific Street
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-366 - Variance to the rear yard setback from 15’ to 4’ to construct a pergola.
   LOCATION: 400 South 39th Street
   ZONE: CC-ACI-1(PL)

5. Case No. 16-091
   Steve Lahood
   15939 Yates Street
   Omaha, NE 68116
   REQUEST: Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 2 to 0 to allow use of the structure for a single-family home.
   LOCATION: 137 South 38th Street
   ZONE: GC-ACI-1(PL)

6. Case No. 16-092
   Sara Fregoso
   3306 Madison Street
   Omaha, NE 68107
   REQUEST: Waiver of Section 55-186 & 55-782(b) - Variance to the rear yard setback from 25’ to 15’4” for a 13’ x 21’5” patio cover and to allow an existing patio to encroach into the required rear and interior side yard setbacks.
   LOCATION: 3306 Madison Street
   ZONE: R4(35)
7.   Case No. 16-093  
David Bishop  
20850 Paddock Circle  
Omaha, NE 68022  
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 32’ for a 12’ x 20’ addition to existing barn.  
LOCATION: 20850 Paddock Circle  
ZONE: R1

8.   Case No. 16-094  
Leslie Salvage, Inc.  
1001 North 12th Street  
Omaha, NE 68102  
REQUEST: Waiver of Section 55-766(b)(3) – Variance to the separation requirement to allow a Scrap and Salvage Services use closer than 300’ from a residential zoning district.  
LOCATION: 6202 Orchard Avenue  
ZONE: GI-FF