ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, April 11, 2019 - 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: Jason Lanoha – Chair, Jeremy Aspen – Vice-Chair, Brian Mahlendorf, Sean Kelley and Kristine Moore. Dustin Friedman and Matthew Kortright 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, April 11, 2019 at 11:00 a.m. to discuss the cases.

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, April 1, 2019 (for use waivers only) and Thursday, April 4, 2019.

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.
LAYOVER CASES:

1. Case No. 19-019  (from 2/14/19)
   Isaac Nelson
   McDaniel Wallquist Construction
   2628 South 87th Street
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-715 - Variance to the street yard landscaping percentage from 75% to 67% to allow for a circular driveway.
   LOCATION: 1724 South 105th Street
   ZONE: R1

NEW CASES:

2. Case No. 19-035
   Belinda Maxwell
   962 Lilly Springs Road
   Glenville, PA 17329
   REQUEST: Waiver of Section 55-186 - Variance to the front yard setback from 35' to 23.2' to allow for the enclosure of an existing front porch.
   LOCATION: 6467 Pierce Street
   ZONE: R4(35)

3. Case No. 19-036
   Elkhorn Public Schools
   c/o Dawn Danley, DLR
   502 Glenn Street
   Omaha, NE 68022
   REQUEST: Waiver of Section 55-108 - Variance to the maximum impervious coverage from 25% to 32% to allow for new school parking and building improvements.
   LOCATION: 1401 Veterans Drive
   ZONE: DR

4. Case No. 19-037
   Roger Olds
   4306 Aurora Drive
   Omaha, NE 68134
   REQUEST: Waiver of Sections 55-146 & 55-740(e) - Variance to the rear yard setback from 25' to 5'6" and to the hard-surface driveway requirement to allow for construction of a new garage.
   LOCATION: 4306 Aurora Drive
   ZONE: R2

5. Case No. 19-038
   David Sorys
   16704 V Street
   Omaha, NE 68135
   REQUEST: Waiver of Section 55-186 - Variance to the side yard setback from 5' to 2' to allow for the addition of a 3rd car garage.
   LOCATION: 16704 V Street
   ZONE: R4

6. Case No. 19-039
   Robert Zagodzda
   Omaha School District 66
   909 South 76th Street
   Omaha, NE 68114
   REQUEST: Waiver of Sections 55-715 & 55-735(b) - Variance to the street yard landscaping depth from 20' to 10' and to allow parking in the side yard setback to allow for construction of a new elementary school pickup and drop off lane.
   LOCATION: 11402 Hascall Street
   ZONE: R2

7. Case No. 19-040
   Robert Zagodzda
   Omaha School District 66
   909 South 76th Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-830(1),(2) - Variance to the maximum signage budget for a civic use in a residential district from 32 sq. ft. to 202.75 sq. ft. including an above peak roof sign, not otherwise permitted and to allow a monument sign with electronic messaging not otherwise permitted in an R4 District.
   LOCATION: 1312 Robertson Drive
   ZONE: R4(35)
8. Case No. 19-041  
Randy Schomers  
P.O. Box 307  
Waterloo, NE 68069  
REQUEST: Waiver of Section 55-526 - Variance to the front yard setback from 50’ from the center line of the fronting street to 35’ from the center line of the fronting street to allow for a building addition.  
LOCATION: 4111 Gibson Road  
ZONE: HI

9. Case No. 19-042  
Scott Yusem  
2402 Crystal Drive  
Papillion, NE 68046  
REQUEST: Waiver of Section 55-166 - Variance to the street side yard setback from 17.5’ to 12.7’ to allow for the construction of a new single-family home.  
LOCATION: 8727 Pratt Street  
ZONE: R3

10. Case No. 19-043  
Kinghorn Gardens  
c/o Jenika Florence  
6464 Center St, Suite 120  
Omaha, NE 68106  
REQUEST: Waiver of Section 55-786(e)(1) - Variance to the residential fence regulations to allow a 6’5” privacy fence and a 9’4” arbor within the street side yard setback.  
LOCATION: 5703 Leavenworth Street  
ZONE: R4(35)

11. Case No. 19-044  
Westroads Investors LLC  
c/o Jeff Elliott  
17007 Marcy Street, Suite 2  
Omaha, NE 68118  
REQUEST: Waiver of Section 55-925(c) - Variance to allow the rear of a building to face the street in an ACI-3(PL) district.  
LOCATION: 908 North 102nd Street  
ZONE: CC-ACI-3(PL)

MINUTES TO BE APPROVED: March 14, 2019