ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, April 9, 2020 - 1:00 P.M.
7th Floor – Room 702
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: Sean Kelley – Chair, Jason Lanoha – Vice-Chair, Jeremy Aspen, Brian Mahlendorf 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 9, 2020 at 11:00 a.m. to discuss the cases. (The applicant does not need to appear at this time.)

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, March 30, 2020 (for use waivers only) and Thursday, April 2, 2020.

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 standards 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 CASE:

1. Case No. 20-039 *(layover from 3/12/20)*
   College of Saint Mary
   c/o Dawn Danley
   6457 Frances Street
   Suite 200
   Omaha, NE 68106

   REQUEST: Waiver of Section 55-108 - Variance to the maximum impervious coverage from 25% to 40.1% to allow for the construction of a new field house.

   LOCATION: 7000 Mercy Road
   ZONE: MU (DR-ACI-2(65) PENDING)

2. Case No. 20-041 *(layover from 3/12/20)*
   Steve Walker
   13612 Miami Street
   Omaha, NE 68164

   REQUEST: Waiver of Section 55-163 & 55-166 - Variance to allow a Warehousing and Distribution (limited) use, not otherwise permitted in the R3 district and to the rear yard setback from 25’ to 15’ to allow for an existing storage building.

   LOCATION: 13612 Miami Street
   ZONE: R3

NEW CASES:

3. Case No. 20-046
   Othello Meadows
   c/o Ehrhart Griffin & Associates
   3552 Farnam Street
   Omaha, NE 68131

   REQUEST: Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 6 to 3 to allow for construction of two 3 unit townhome structures (one at each address).

   LOCATION: 3003 & 3004 Miami Street
   ZONE: R5(35) (R5-ACI-1 PENDING)

4. Case No. 20-047
   Megan Semin
   17104 Chalet Drive
   Bellevue, NE 68123

   REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 15.5’ to allow for the construction of a new single-family home and deck.

   LOCATION: 3603 Hoctor Boulevard
   ZONE: R4

5. Case No. 20-048
   Yury Slonsky
   2333 South 24th Street
   Omaha, NE 68108

   REQUEST: Waiver of Sections 55-715 & 55-735 - Variance to the minimum street yard landscaping from 60% to 45% and to allow an off-street parking facility for a single-family use within the required front yard setback.

   LOCATION: 2333 South 24th Street
   ZONE: R4

6. Case No. 20-049
   Araceli Gonzalez
   9307 Laurel Avenue
   Omaha, NE 68134

   REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6’ tall, privacy fence in the front yard setback.

   LOCATION: 9603 Military Road
   ZONE: DR
7. Case No. 20-050  
Steve and Chris Mendlik  
c/o Clif Poling  
Best Lawns, Inc.  
11204 Davenport Street, #207  
Omaha, NE 68154  

REQUEST: Waiver of Sections 55-784(c)(1) & 55-786 - Variance to the setback from a public street from 40' to 18' and to the residential fence regulations to allow a 6' fence in the front yard setback and to allow for the construction of a new pool house and patio.  

LOCATION: 3619 South 170th Court  
ZONE: R2-Cluster  

8. Case No. 20-051  
Cameron Ziegenffoss  
16010 Ruggles Street  
Omaha, NE 68116  

REQUEST: Waiver of Section 55-266 - Variance to the interior side yard setback from 10' to 6' and to the rear yard setback from 25' to 20' to allow for the construction of a new deck and stairs.  

LOCATION: 123 South 39th Street  
ZONE: R8-ACI-1(PL)  

9. Case No. 20-052  
Ames Ave Omaha, LLC  
c/o Joe Proctor  
Design 8 Studios  
5801 North 90th Street  
Omaha, NE 68134  

REQUEST: Waiver of Sections 55-836(2) - Variance to the minimum front yard setback from 12' to 6' to allow for the installation of a new monument sign.  

LOCATION: 5070 Ames Avenue  
ZONE: CC-MCC  

10. Case No. 20-053  
Jon Jaibenis  
c/o Danielle Dring  
Smith Slusky Law  
8712 West Dodge Road, Suite 400  
Omaha, NE 68114  

REQUEST: Waiver of Section 55-126 - Variance to the interior side yard setback from 25' to 10'8" to allow for a home addition.  

LOCATION: 844 Loveland Drive  
ZONE: R1  

11. Case No. 20-054  
John and Kerri Sorrell  
c/o Mick McGuire  
Straightline Design  
3925 South 147th Street, Suite 119  
Omaha, NE 68144  

REQUEST: Waiver of Sections 55-126, 55-782(b)(2) & 55-786 - Variance to the rear yard setback from 35' to 25' to allow for a home addition from 35' to 7' feet to allow for pool equipment, to the required setback for a patio from 25' to 18' from the rear property line and to the residential fence regulations to allow a 6' tall, privacy fence in the street side yard setback.  

LOCATION: 9340 Davenport Street  
ZONE: R1  

12. Case No. 20-055  
Steve Buchanan  
c/o S & W Fence  
15803 Pacific Street  
Omaha, NE 68118  

REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6', greater than 50% open fence with 8 foot tall columns within the front yard setback.  

LOCATION: 1326 North 143rd Avenue Circle  
ZONE: R1
13. Case No. 20-056
Nicholas Stalheim
11208 Martin Avenue
Omaha, NE 68164
REQUEST: Waiver of Section 55-715 - Variance to the minimum street yard landscaping percentage from 60% to 54% to allow for a new driveway and sidewalk.
LOCATION: 18701 Patrick Avenue
ZONE: R4

14. Case No. 20-057
GESU Housing, Inc.
c/o Mike Hall
Hallmarq Construction
14225 Dayton Circle, Suite 9
Omaha, NE 68137
REQUEST: Waiver of Sections 55-187(e) & 55-742(b) - Variance to the front yard setback from 35' to 25' and to allow off-street parking for a single-family residential use within the required front yard setback to allow for construction of 2 new, single-family homes.
LOCATION: 3808 & 3910 Miami Street
ZONE: R4(35)

15. Case No. 20-058
James Leighter
c/o Trent Gumm
Tackett Company
9829 South 168th Avenue
Suite 4A
Omaha, NE 68136
REQUEST: Waiver of Section 55-740(e) - Variance to the hard surface driveway requirement to allow a gravel driveway to a new single family home.
LOCATION: 7007 Rainwood Road
ZONE: DR-ED

16. Case No. 20-059
Consolidated Concrete, LLC
9555 South 147th Street
Omaha, NE 68138
REQUEST: Waiver of Section 55-767(a)(6) - Variance to the miscellaneous uses to allow a Temporary Use Permit to exceed the maximum duration allowed from 180 days to 365 days (April 30, 2021).
LOCATION: 14411 Pacific Street
ZONE: DR, MU and R4

APPROVAL OF MARCH 12, 2020 MEETING MINUTES.