ZONING BOARD OF APPEALS
AGENDA

Thursday, August 13, 2020 - 1:00 P.M.
Room 702 – 7th Floor
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, August 13, 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, August 3, 2020 (for use waivers only) and Thursday, August 6, 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. 20-092 (from 7/9/20)
   Brandon Pokorski
   3728 South 114th Street
   Omaha, NE 68144
   REQUEST: Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 10’ to allow for the construction of a 1,664 sq. ft. detached garage.
   LOCATION: 3728 South 114th Street
   ZONE: R2

NEW CASES:

2. Case No. 20-103
   Eugene and Jimmie Johnson
   14050 Ellison Avenue
   Omaha, NE 68164
   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 18’ to allow for a roof and future enclosure of an existing 12’ x 19’ deck.
   LOCATION: 14050 Ellison Avenue
   ZONE: R4

3. Case No. 20-104
   Matt Schaffer
   3045 South 106th Street
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ fence in the street side yard setback.
   LOCATION: 3045 South 106th Street
   ZONE: R2

4. Case No. 20-105
   Habitat for Humanity
   c/o Ed Thiele
   1701 North 24th Street
   Omaha, NE 68110
   REQUEST: Waiver of Sections 55-206 & 55-742(b) – Variance to the minimum lot width from 50' to 40', to the minimum lot area from 5,000 sq. ft. to 4,012 sq. ft. and to allow off-street parking for a single-family use within the required street side yard to allow for the construction of a new single-family home.
   LOCATION: 1816 Laird Street
   ZONE: R5

5. Case No. 20-106
   Habitat for Humanity
   c/o Ed Thiele
   1701 North 24th Street
   Omaha, NE 68110
   REQUEST: Waiver of Sections 55-206 & 55-742(b) – Variance to the minimum lot width from 50' to 40' and to allow off-street parking for a single-family use within the required street side yard to allow for the construction of a new single-family home.
   LOCATION: 1825 Laird Street & 3821 North 19th Street
   ZONE: R5

6. Case No. 20-107
   Michael Barnes
   1001 North 67th Avenue
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-166 – Variance to the street side yard setback from 17.5’ to 11’ and to the rear yard setback from 25’ to 23’ to allow for the construction of a new garage addition.
   LOCATION: 1001 North 67th Avenue
   ZONE: R3
7. Case No. 20-108
   Harold Flemmer
   4121 N Street
   Omaha, NE 68107
   REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 21’ to allow for the construction of a new front porch.
   LOCATION: 4121 N Street
   ZONE: R4(35)

8. Case No. 20-109
   Brad Cory
   5630 Spring Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-186 – Variance to the interior side yard setback from 2’ to 18” to allow for the construction of a new set of stairs.
   LOCATION: 5630 Spring Street
   ZONE: R4(35)

9. Case No. 20-110
   Elizabeth Drickey
   911 South 33rd Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 4’ privacy fence in the front yard setback.
   LOCATION: 911 South 33rd Street
   ZONE: R4

10. Case No. 20-111
    Jay Lerner
    9305 Capitol Avenue
    Omaha, NE 68114
    REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 6’ to allow for construction of an accessory building.
    LOCATION: 9305 Capitol Avenue
    ZONE: R1

11. Case No. 20-112
    Dustin Garrett
    8515 Burt Street
    Omaha, NE 68114
    REQUEST: Waiver of Section 55-146 – Variance to the minimum lot width from 80’ to 72.04’ (Lot 1) and 60’ (Lot 2); to the minimum lot area from 10,000 sq. ft. to 8,410 sq. ft. (Lot 2) and to the interior side yard setback from 10’ to 5’ (Lot 2).
    LOCATION: 8515 Burt Street
    ZONE: R2

12. Case No. 20-113
    David and Christine Insinger
    17505 Ohern Street
    Omaha, NE 68135
    REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’, greater than 50% open fence in the street side yard setback.
    LOCATION: 17505 Ohern Street
    ZONE: R4

13. Case No. 20-114
    Jim Rich
    1127 Park Avenue
    Omaha, NE 68105
    REQUEST: Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 19 to 8 to allow for construction of new office space.
    LOCATION: 3206 South 71st Street
    ZONE: GO-ACI-2(65)
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tbody>
<tr>
<td>20-115</td>
<td>Waiver of Section 55-832(2) – Variance to the total allowed sign budget from 60 sq. ft. to 107.75 sq. ft. to allow for a revised signage plan.</td>
<td>2222 Binney Street</td>
<td>R7</td>
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<tr>
<td>20-116</td>
<td>Waiver of Section 55-716 – Variance to the minimum buffer yard requirement between an AG and R6 district from 30’ to 10’ to allow for new multi-family housing.</td>
<td>Northwest corner of 192nd &amp; Pacific Streets</td>
<td>R6-PUD</td>
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<tr>
<td>20-117</td>
<td>Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 55% to 45%, 40% and 35% to allow for the construction of new townhomes.</td>
<td>West of 169th and Boyle Streets</td>
<td>R6-PUD &amp; R6-FF-PUD</td>
</tr>
<tr>
<td>20-118</td>
<td>Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 20’ and to the rear yard setback from 25’ to 10’ to allow for construction of a new single family home.</td>
<td>420 Center Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>20-119</td>
<td>Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 26’ to allow for the construction of a new porch.</td>
<td>4611 South 62nd Street</td>
<td>R4(35)-FF</td>
</tr>
<tr>
<td>20-120</td>
<td>Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 29’ to allow for the repair and expansion of an existing patio.</td>
<td>3559 Woolworth Avenue</td>
<td>R3</td>
</tr>
<tr>
<td>20-121</td>
<td>Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 20’ to allow for a new second floor addition.</td>
<td>608 Fairacres Road</td>
<td>R1</td>
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<tr>
<td>Case No.</td>
<td>Requestor</td>
<td>Address</td>
<td>Request</td>
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<td>20-122</td>
<td>Daniel Bolt</td>
<td>954 South 58th Street, Omaha, NE 68106</td>
<td>Waiver of Section 55-782(b)(6) – Variance to the required accessory structure interior side yard setback from 3’ to 1’-4” to allow for construction of a new 530 sq. ft. garage.</td>
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<td>20-123</td>
<td>Joel &amp; Karen Warner</td>
<td>21345 A Street, Omaha, NE 68022</td>
<td>Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ wrought iron fence in the front and street side yard setbacks.</td>
</tr>
<tr>
<td>20-124</td>
<td>Roland Treu</td>
<td>706 South 96th Street, Omaha, NE 68114</td>
<td>Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 10’ to allow for the construction of a new garage and sunroom addition.</td>
</tr>
</tbody>
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APPROVAL OF JUNE 11, 2020 & JULY 9, 2020 MEETING MINUTES.