ZONING BOARD OF APPEALS
AGENDA

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, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jeremy Aspen and Brian Mahlendorf. Sean Kelley and Kristine Moore 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 16, 2018 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 Thursday, August 9, 2018.

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. 18-069 (from 7/12/18)**
   - Mary Jo Hubbard
   - 9906 "O" Circle
   - Omaha, NE 68127
   - **REQUEST:** Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6' tall, privacy fence in the street side yard setback.
   - **LOCATION:** 9906 "O" Circle
   - **ZONE:** R3

2. **Case No. 18-091 (from 7/12/18)**
   - Willie Douglas
   - Malibu Homes
   - P.O. Box 418
   - Elkhorn, NE 68022
   - **REQUEST:** Waiver of Section 55-715 - Variance to the minimum street yard landscaping from 70% to 54% and to the minimum landscaping depth from 25' to 17' for an existing circular driveway.
   - **LOCATION:** 142 North 248th Circle
   - **ZONE:** R2

3. **Case No. 18-092 (from 7/12/18)**
   - Mike Shotkoski
   - Malibu Homes
   - P.O. Box 418
   - Elkhorn, NE 68022
   - **REQUEST:** Waiver of Section 55-715 - Variance to the minimum street yard landscaping from 60% to 55% and to the minimum landscaping depth from 15' to 10' for an existing circular driveway.
   - **LOCATION:** 2458 South 182nd Circle
   - **ZONE:** R4

NEW CASES:

4. **Case No. 18-045**
   - Tom Hemminger
   - 3215 Oakridge Road
   - Omaha, NE 68112
   - **REQUEST:** Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a gravel driveway for a new garage.
   - **LOCATION:** 3215 Oakridge Road
   - **ZONE:** DR-ED

5. **Case No. 18-062**
   - George Hunter
   - 3109 Marcy Street
   - Omaha, NE 68105
   - **REQUEST:** Waiver of Sections 55-226 & 55-715 - Variance to the impervious coverage maximum from 60% to 73% and to the minimum street yard landscaping from 55% to 30% with a request for Reasonable Accommodation.
   - **LOCATION:** 3109 Marcy Street
   - **ZONE:** R6

6. **Case No. 18-101**
   - Carrell & Associates
   - 5111 South 111th Street
   - Omaha, NE 68137
   - **REQUEST:** Waiver of Section 55-108 - Variance to the minimum interior side yard setback from 25' to 20' for two existing single family homes.
   - **LOCATION:** 4030 & 4034 King Street
   - **ZONE:** DR
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Case Number</th>
<th>Address</th>
<th>REQUEST:</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-102</td>
<td>Case No. 18-102</td>
<td>Donald Freeman 430 Grover Street Omaha, NE 68108</td>
<td>Waiver of Sections 55-186 &amp; 55-782(6)(a) - Variance to the interior side yard setback from 3’ to 1’6” and to the maximum impervious surface coverage from 50% to 53% to allow for construction of a 24’ x 24’ detached garage and new driveway.</td>
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<td>18-103</td>
<td>Case No. 18-103</td>
<td>Steve Sequenzia 11214 Shirley Street Omaha, NE 68144</td>
<td>Waiver of Section 55-126 - Variance to the front yard setback from 50’ to 26’ to allow for construction of a detached garage.</td>
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<td>18-104</td>
<td>Case No. 18-104</td>
<td>Rob Elder 8536 Western Avenue Omaha, NE 68114</td>
<td>Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 11’8” to allow for reconstruction of an existing deck.</td>
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<td>18-105</td>
<td>Case No. 18-105</td>
<td>Max Dearing Youth Emergency Services 2679 Farnam Street Omaha, NE 68131</td>
<td>Waiver of Section 55-246 - Variance to the front yard setback from 35’ to 18’ to allow for the replacement of an existing deck.</td>
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<td>18-106</td>
<td>Case No. 18-106</td>
<td>Travis Rozeboom 6004 South 159th Circle Omaha, NE 68135</td>
<td>Waiver of Section 55-108 - Variance to the interior side yard setback from 25’ to 16’ for construction of a new home.</td>
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<td>18-107</td>
<td>Case No. 18-107</td>
<td>Dan Stolinski 12017 Douglas Circle Omaha, NE 68154</td>
<td>Waiver of Section 55-146 - Variance to the minimum front yard setback from 40’ to 30’ to allow for construction of a new driveway and home addition.</td>
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<tr>
<td>18-108</td>
<td>Case No. 18-108</td>
<td>Jared Gerber 5037 Parker Street Omaha, NE 68104</td>
<td>Waiver of Sections 55-266 &amp; 55-715 - Variance to the minimum front yard setback from 35’ to 13’, to the interior side yard setback from 5’ to 3’ and to the minimum street yard landscaping from 50% to 36% to allow for construction of a new wraparound porch and steps.</td>
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14. Case No. 18-109
John Klimpel
Center 60 Hospitality, LLC
9240 Andermatt Drive
Lincoln, NE 68526

REQUEST: Waiver of Section 55-366 - Variance to the maximum height in a CC district from 60’ to 70’ to allow for construction of a new hotel.

LOCATION: 6201 Center Street
ZONE: CC-MCC

15. Case No. 18-111
Lindsey Anderson
4303 Woolworth Avenue
Omaha, NE 68105

REQUEST: Waiver of Sections 55-126 & 55-715 - Variance to the minimum interior side yard setback from 25’ to 16’ for construction of a new garage addition, the rear yard setback from 35’ to 5’4” for construction of a new pool house and to the minimum street yard landscaping from 75% to 50% for construction of a new motor court.

LOCATION: 7921 Leavenworth Street
ZONE: R1

17. Case No. 18-112
Jared Gerber
5037 Parker Street
Omaha, NE 68104

REQUEST: Waiver of Section 55-715 - Variance to the minimum street yard landscaping from 75% to 72% to allow for construction of a new home addition.

LOCATION: 207 South 93rd Avenue
ZONE: R1