ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, August 8, 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, August 8, 2019 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, July 29, 2019 (for use waivers only) and Thursday, August 1, 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.
### NEW CASES:

1. **Case No. 19-079**  
   Raymond Plumb  
   c/o Schlick Construction  
   503 South 36th Street  
   Omaha, NE 68105  
   **REQUEST:** Waiver of Section 55-715 - Variance to the minimum street yard landscaping percentage from 50% to 34% to allow for construction of a new 10 unit townhome development.  
   **LOCATION:** 618-636 North 46th Street  
   **ZONE:** R7

2. **Case No. 19-080**  
   Damond Stokes  
   224 10th Avenue  
   Council Bluffs, IA 51503  
   **REQUEST:** Waiver of Section 55-126 - Variance to the rear yard setback from 35’ to 31’4” to allow for an addition to an existing garage.  
   **LOCATION:** 615 Fairacres Road  
   **ZONE:** R1

3. **Case No. 19-081**  
   Steve Huber  
   c/o Curt Hoffer Construction  
   16820 Francis Street  
   Omaha, NE 68130  
   **REQUEST:** Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow for the construction of a lower level garage.  
   **LOCATION:** 23021 J Plaza  
   **ZONE:** DR

4. **Case No. 19-082**  
   Mary Clare Marsh  
   1702 Ridgewood Avenue  
   Omaha, NE 68124  
   **REQUEST:** Waiver of Section 55-786(e)(1) - Variance to the residential fence regulations to allow a 6’ tall, privacy fence within the street side yard setback.  
   **LOCATION:** 1702 Ridgewood Avenue  
   **ZONE:** R2

5. **Case No. 19-083**  
   Jay Noddle  
   10604 Frances Street  
   Omaha, NE 68124  
   **REQUEST:** Waiver of Section 55-786(e)(1) - Variance to the residential fence regulations to allow a 6’ tall, 50% open fence within the front and street side yard setbacks.  
   **LOCATION:** 10604 Frances Street & 2009 Mullen Road  
   **ZONE:** R1

6. **Case No. 19-084**  
   Bret Linden  
   1227 South 109th Street  
   Omaha, NE 68144  
   **REQUEST:** Waiver of Section 55-126 - Variance to the front yard setback from 50’ to 17’ to allow for the construction of a detached garage.  
   **LOCATION:** 1227 South 109th Street  
   **ZONE:** R1

7. **Case No. 19-085**  
   Mary Our Queen Church  
   c/o Katie Murphy  
   3535 South 119th Street  
   Omaha, NE 68144  
   **REQUEST:** Waiver of Sections 55-146 & 55-735(b) - Variance to the maximum impervious coverage from 40% to 45% and to allow parking in the front yard setback to allow for the construction of a new primary educational facility.  
   **LOCATION:** 3404 South 119th Street  
   **ZONE:** R2
8. Case No. 19-086  
Pebblewood Group LLC  
c/o Andrew Koster TD2  
10836 Old Mill Road  
Omaha, NE 68154  
REQUEST: Waiver of Section 55-740(f)(4) - Variance to the minimum perimeter parking lot landscaping from 10' to 2' to allow for construction of a drive-thru lane.  
LOCATION: 225 North 80th Street  
ZONE: CC-ACI-2(65)  

9. Case No. 19-087  
Donna Collins  
503 South 57th Street  
Omaha, NE 68106  
REQUEST: Waiver of Section 55-166 - Variance to the impervious coverage maximum from 45% to 57% to allow for the replacement and expansion of an existing detached garage.  
LOCATION: 503 South 57th Street  
ZONE: R3  

10. Case No. 19-088  
Seven Group LLC  
4504 Cuming Street  
Omaha, NE 68132  
REQUEST: Waiver of Sections 55-716, 55-717(c) & 55-786(f)(2,3) - Variance to the required bufferyard between GI and R5 from 50' with screening to 0' with screening and to the maximum height for a fence in the front or street side yard of an industrial district from 6' to 7' to allow a 7' tall solid fence for screening at the exterior boundary of the buffer yard.  
LOCATION: 4505 Izard Street  
ZONE: GI  

11. Case No. 19-089  
Emma Erickson  
7902 Harney Street  
Omaha, NE 68114  
REQUEST: Waiver of Section 55-786(e)(1) - Variance to the residential fence regulations to allow a 5' tall, 50% open fence within the front and street side yard setbacks.  
LOCATION: 224 North 32nd Avenue  
ZONE: R7  

MINUTES TO BE APPROVED: June 13, 2019 & July 11, 2019