ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, December 12, 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, December 12, 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, December 2, 2019 (for use waivers only) and Thursday, December 5, 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 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 CASES:

1. Case No. 19-097 (from 10/10/19)  
Kirk Kohler  
1701 Washington Street  
Bellevue, NE 68005

REQUEST: Waiver of Section 55-246 - Variance to the minimum lot size in an R7 district from 5,000 sq. ft. to 2,520 sq. ft.; to the minimum site area per unit from 2,500 sq. ft. to 800 sq. ft.; to the minimum front yard setback from 35' to 0'; to the minimum street side yard setback from 15' to 5'; to the minimum interior side yard setback from 7' to 5'; to the minimum rear yard setback from 25' to 5'; to the maximum building coverage from 60% to 63% and to the maximum impervious coverage allowed from 70% to 73% to allow for the construction of new duplex.

LOCATION: 2518 Mason Street
ZONE: R7

2. Case No. 19-118 (from 11/14/19)  
Robert and Judith Evans  
8002 Kilpatrick Parkway  
Bennington, NE 68007

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: 8002 Kilpatrick Parkway
ZONE: R4

3. Case No. 19-133 (from 11/14/19)  
Nancy Schlessinger  
c/o Adam Dusatko  
2117 South 156th Circle  
Omaha, NE 68130

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 yard setback.

LOCATION: 3310 South 228th Terrace
ZONE: R1

NEW CASES:

4. Case No. 19-134  
Kim Haws  
5719 South 114th Street  
Omaha, NE 68137

REQUEST: Waiver of Section 55-186 - Variance to the side yard setback from 5' to 1'10" to allow for the construction of a carport to store a camper.

LOCATION: 5719 South 114th Street
ZONE: R4(35)

5. Case No. 19-135  
Derek Quinn  
4301 North 193rd Circle  
Omaha, NE 68022

REQUEST: Waiver of Section 55-786(e)(3)(4) - Variance to the residential fence regulations to allow a 6' tall, privacy fence within the front yard setback.

LOCATION: 4301 North 193rd Circle
ZONE: R3

6. Case No. 19-136  
Pine Crest Homes  
11205 South 150th Street  
Suite 100  
Omaha, NE 68137

REQUEST: Waiver of Section 55-201 - Variance to the rear yard setback from 25' to 19'-9.5" to allow for construction of a new deck.

LOCATION: 15460 Jaynes Circle
ZONE: R5
7. Case No. 19-137
   Joe Semin
   17104 Chalet Drive
   Bellevue, NE 68123
   REQUEST: Waiver of Sections 55-786 & 55-187(e) - Variance to the front yard setback from 35' to 25' to allow for construction of a new single-family home.
   LOCATION: 4323 South 33rd Street
   ZONE: R4(35)

8. Case No. 19-138
   Jane Nelson
   c/o PEN Architect LLC
   1331 Ridgewood Avenue
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-146 - Variance to the maximum impervious coverage allowed in a R2 district from 40% to 45% to allow for construction of a new, detached garage.
   LOCATION: 1329 South 83rd Street
   ZONE: R2

9. Case No. 19-139
   Elizabeth Behrens
   c/o Leimbach Construction
   5644 South 51st Street
   Omaha, NE 68117
   REQUEST: Waiver of Sections 55-186 & 55-187(e) - Variance to the front yard setback from 35' to 32'4" to allow for construction of a new front deck and steps.
   LOCATION: 2129 South 62nd Street
   ZONE: R4(35)

10. Case No. 19-140
    Nebraska Methodist Hospital
    c/o Tod Trigg, HDR, Inc.
    1917 South 67th Street
    Omaha, NE 68106
    REQUEST: Waiver of Section 55-326 - Variance to the front yard setback from 25' to 20'6" to allow for the construction and screening of an emergency generator.
    LOCATION: 8303 Dodge Street
    ZONE: GO

11. Case No. 19-141
    American National Bank
    c/o Signworks
    4713 F Street
    Omaha, NE 68117
    REQUEST: Waiver of Section 55-836 - Variance to the front yard setback from 12' to 6' to allow for the installation of a new monument sign.
    LOCATION: 8990 West Dodge Road
    ZONE: CC-ACI-2(PL)

12. Case No. 19-142
    Children’s Hospital Foundation
    c/o HDR, Inc.
    8404 Indian Hills Drive
    Omaha, NE 68114
    REQUEST: Waiver of Section 55-834(1)(2) - Variance to allow an electronic messaging center for a civic use in a GO district and to the maximum sign budget from 60 sq. ft. to 2,520 sq. ft. to allow for a new signage plan.
    LOCATION: 8300 Dodge Street
    ZONE: GO-ACI-2(65)

13. Case No. 19-143
    Francisco Betanzos
    2208 South 11th Street
    Omaha, NE 68108
    REQUEST: Waiver of Section 55-715 - Variance to the minimum percentage of street yard landscaping from 50% to 34% and to allow for the construction of a new parking area.
    LOCATION: 2208 South 11th Street
    ZONE: R7

MINUTES TO BE APPROVED: October 10, 2019 & November 14, 2019.