ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, December 13, 2018 - 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 is the alternate. 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 13, 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 Monday, December 3, 2018 (for use waivers only) and Thursday, December 6, 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. 18-149 *(from 11/8/18)*
   Dave Paladino
   2816 B Street, LCC
   2702 Douglas Street
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-843 - Variance to the maximum size for a pole sign from 150 sq. ft. to 432 sq. ft. and to the maximum height from 35' to 55' to allow for a new electronic messaging center.
   LOCATION: 2816 "B" Street
   ZONE: GI

NEW CASES:

2. Case No. 18-161
   Clara Lesac
   3356 "X" Street
   Omaha, NE 68107
   REQUEST: Waiver of Sections 55-715 & 55-742 - Variance to the street yard landscaping percentage from 60% to 20% and to allow parking in the front yard setback.
   LOCATION: 3356 "X" Street
   ZONE: R4(35)

3. Case No. 18-162
   Nakia Vasser-Brye
   4548 Bedford Avenue
   Omaha, NE 68104
   REQUEST: Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 5 to 2.
   LOCATION: 4548 Bedford Avenue
   ZONE: R7

4. Case No. 18-163
   Jim Baxter
   2543 North 61st Street
   Omaha, NE 68104
   REQUEST: Waiver of Section 55-742 - Variance to allow off-street parking for a single-family use within the required front yard to allow for construction of a new parking pad.
   LOCATION: 2543 North 61st Street
   ZONE: R4(35)

5. Case No. 18-164
   Ray Plumb
   Schlick Construction
   503 South 36th Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-186 - Variance to the front yard setback from 35' to 22'11" to allow for construction of a new, detached garage.
   LOCATION: 5910 North 35th Street
   ZONE: R4(35)

6. Case No. 18-165
   Paul Childers
   Childers Custom Homes, Inc.
   13110 North Plaza Circle
   Omaha, NE 68152
   REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow a gravel driveway to a new home and garage.
   LOCATION: 11505 North 69th Street
   ZONE: DR-ED

7. Case No. 18-166
   Jeremy Madson
   Omaha Public Schools
   4041 North 72nd Street
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6' tall, chain link fence in the required front yard setback.
   LOCATION: 5101 South 17th Street
   ZONE: R4(35)

8. Case No. 18-167
   Nate Heimuli
   Rathskeller Bier House
   4524 Farnam Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-786(f)(2) - Variance to the maximum height for a fence in the side yard of a commercial district from 8' to 10' to allow for the modification of an existing fence.
   LOCATION: 4524 Farnam Street
9. Case No. 18-168  
Lawnfield LLC, ETAL  
c/o Omaha Neon Sign Company  
1120 North 18th Street  
Omaha, NE 68102

REQUEST: Waiver of Section 55-831 - Variance to the overall sign budget from 40 sq. ft. to 163 sq. ft., to the maximum number of signs allowed from 2 to 3 and the installation of a roof sign not permitted in a R8 district.

LOCATION: 7007 Oak Street
ZONE: CC-ACI-2(PL)

10. Case No. 18-169  
Matt and Jaylene Eilenstine  
1618 South 213th Circle  
Omaha, NE 68022

REQUEST: Waiver of Section 55-166 - Variance to the rear yard setback from 25’ to 10’ to allow for construction of a new pool house/indoor sports court.

LOCATION: 1618 South 213th Circle
ZONE: R8-ACI-4(PL)

11. Case No. 18-170  
Paul Bratetic  
Bratetic Construction  
17163 County Road 36  
Kennard, NE 68034

REQUEST: Waiver of Section 55-146 - Variance to the street side yard setback from 20’ to 18’9” to allow for a home addition.

LOCATION: 11601 Frances Street
ZONE: R3

12. Case No. 18-171  
Dakota Cochrane  
62566 250th Street  
Glenwood, IA 51534

REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 21’ feet to allow for the replacement of an existing deck.

LOCATION: 10929 Jackson Street
ZONE: R4(35)-FF

MINUTES TO BE APPROVED: November 8, 2018