ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 13, 2020 - 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: 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, February 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, February 3, 2020 (for use waivers only) and Thursday, February 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.
## CASES:

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<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Address</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tr>
<td>1. 19-110</td>
<td>Michael Weiland</td>
<td>3019 South 30th Street</td>
<td>Waiver of Sections 55-206 &amp; 55-782(b)(6)(a) - Variance to the street side yard setback from 15’ to 9.8’ and to the accessory structure setback adjustment from 60’ to 38.75’, to allow for construction of a 20’ x 20’ detached garage and new driveway.</td>
<td>3004 Frederick Street</td>
<td>R5(35)</td>
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<tr>
<td>2. 20-015</td>
<td>Karol Ulmer</td>
<td>117 South 10th Street #18</td>
<td>Waiver of Section 55-925(c) &amp; 55-925(2) - Variance to the build-to/set-back lines and zones from 5’ to 3’.</td>
<td>916 Pierce Street</td>
<td>NBD-NCE-E</td>
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<tr>
<td>3. 20-016</td>
<td>Seamus Kelly</td>
<td>16010 Ruggles Street</td>
<td>Waiver of Section 55-186 - Variance to the rear yard setback from 25’ to 17’ to allow for the replacement of an existing deck.</td>
<td>15304 Pine Street</td>
<td>R4(35)</td>
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<tr>
<td>4. 20-017</td>
<td>Zach Grandel</td>
<td>8707 Ohearn Street</td>
<td>Waiver of Sections 55-187(e) - Variance to the front yard setback from 35’ to 0’ to allow for the replacement of an existing deck.</td>
<td>1108 Homer Street</td>
<td>R4(35)</td>
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<tr>
<td>5. 20-018</td>
<td>Clay and Desire’ Sievers</td>
<td>943 South 201st Street</td>
<td>Waiver of Sections 55-126 - Variance to the front yard setback from 50’ to 35’-2” and to the interior side yard setback from 25’ to 16’-1” to allow for construction of a new home.</td>
<td>22118 Quail Circle</td>
<td>R1</td>
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<td>6. 20-019</td>
<td>Jason Troia</td>
<td>17004 Patrick Avenue</td>
<td>Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6’ tall fence in the street side yard setback.</td>
<td>17004 Patrick Avenue</td>
<td>R4</td>
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<tr>
<td>7. 20-020</td>
<td>Nebraska Methodist College</td>
<td>5801 North 90th Street</td>
<td>Waiver of Section 55-834(2) - Variance to maximum sign budget from 60 sq. ft. to 214.80 sq. ft. and to the maximum size of a wall sign from 31.5 sq. ft. to 150 sq. ft. to allow for the installation of a new wall sign.</td>
<td>720 North 87th Street</td>
<td>GO</td>
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8. Case No. 20-021  
Nebraska Methodist College  
c/o Joe Proctor  
Design 8 Studios  
5801 North 90th Street  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-834(2) - Variance to maximum sign budget from 60 sq. ft. to 181.5 sq. ft. and to the maximum size of a wall sign from 7.4 sq. ft. to 150 sq. ft. to allow for the installation of a new wall sign.  
LOCATION: 515 North 87th Street  
ZONE: GO

9. Case No. 20-022  
Nebraska Methodist College  
c/o Joe Proctor  
Design 8 Studios  
5801 North 90th Street  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-834(2) - Variance to maximum sign budget from 60 sq. ft. to 203.5 sq. ft. and to the maximum size of a wall sign from 9 sq. ft. to 150 sq. ft. to allow for the installation of a new wall sign.  
LOCATION: 501 North 87th Street  
ZONE: GO-ACI-2(PL)

10. Case No. 20-023  
Woodman of the World  
c/o David Levy  
1700 Farnam Street  
Suite 1500  
Omaha, NE 68102  
REQUEST: Waiver of Section 55-839(2) - Variance to the total permitted sign area from 1096 sq. ft. to 2,942 sq. ft. and to the maximum allowed size of a wall sign from 21.6 sq. ft. and 26.6 square ft. to 533 sq. ft., to allow for the installation of 4 new wall signs.  
LOCATION: 1700 Farnam Street  
ZONE: CBD-ACI-1(PL)

11. Case No. 20-024  
VP 168, LLC  
c/o Kyle Hasse  
E & A Consulting Group  
10909 Mill Valley Road, #100  
Omaha, NE 68154  
REQUEST: Waiver of Section 55-226 & 55-716 - Variance to the front yard setback from 35' to 25' and to the minimum bufferyard requirement from 30' to 5' to allow for the construction of new townhomes.  
LOCATION: West of 169th and Boyle Streets  
ZONE: R6(PUD)

12. Case No. 20-025  
Hannah Aganor  
6563 North 24th Street  
Omaha, NE 68122  
REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 5' tall fence in the street sideyard setback.  
LOCATION: 6563 North 24th Street  
ZONE: R4(35)

13. Case No. 20-026  
Jose Alverado  
6042 South 38th Street  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-187(e) - Variance to the front yard setback from 35' to 12' to allow for the construction of a home addition.  
LOCATION: 6042 South 38th Street  
ZONE: R4(35)

14. Case No. 20-027  
Anne & Steven Kutilek  
c/o Mick McGuire  
Straightline Designs  
3925 South 147th Street  
Omaha, NE 68144  
REQUEST: Waiver of Section 55-126 - Variance to the interior side yard setback from 25' to 11.57' and to the maximum impervious coverage allowed from 30% to 33.1% to allow for the construction of a garage addition.  
LOCATION: 9506 Douglas Street  
ZONE: R1
15. Case No. 20-028  
Toni Turnquist  
c/o Mick McGuire  
Straightline Designs  
3925 South 147th Street  
Omaha, NE 68144  

REQUEST: Waiver of Section 55-186 - Variance to the interior side yard setback from 5' to 2' to allow for the construction of a garage addition.  
LOCATION: 3115 North 125th Avenue  
ZONE: R4

16. Case No. 20-029  
Mike Norton  
c/o Evan Healey  
SJ Jensen Construction  
6324 South 118th Street  
Omaha, NE 68137  

REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow for the installation of a new gravel driveway.  
LOCATION: 25555 Blondo Street  
ZONE: AG-FF

17. Case No. 20-030  
Allen Berglund  
2333 South 35th Avenue  
Omaha, NE 68105  

REQUEST: Waiver of Section 55-206 - Variance to the rear yard setback from 25' to 0' and to the interior side yard setback from 5' to 0' to allow for the use of an existing deck.  
LOCATION: 2333 South 35th Avenue  
ZONE: R5(35)

18. Case No. 15-060  
Park 125 WDodge, LLC  
c/o Kyle Haase  
E&A Consulting  
10909 Mill Valley Road  
Omaha, NE 68154  

REQUEST: Waiver of Sections 55-246, 55-716, 55-735(a)(1) & 55-740(f)(4) -- Variance to the required buffer yard between R7 and DR from 30' to 0', to the interior side yard setback from 12' to 0', to the minimum required parking lot perimeter landscaping from 10' to 0' and to allow off-street parking for a multiple family residential use in the front yard setback of a residential district to allow for the construction of a new apartment complex.  
LOCATION: 710 North 124th Court & 12510 West Dodge Road  
ZONE: R7-ACI-4(PL) & DR-ACI-4(PL)

MINUTES TO BE APPROVED: January 9, 2020