ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 14, 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, February 14, 2019 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, February 4, 2019 (for use waivers only) and Thursday, February 7, 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.
LAYOVER CASES:

1. Case No. 18-149 (from 11/8/18 & 12/13/18)  
   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

2. Case No. 18-169 (from 12/13/18)  
   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: R3

NEW CASES:

3. Case No. 19-013  
   William Novak  
   3606 North 156th Street  
   #307  
   Omaha, NE 68116  
   REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surfacing requirement for a temporary parking lot from 4/1 to 10/31 for the years 2019-2020.  
   LOCATION: Generally south of West Maple Road between 230th and 233rd Streets  
   ZONE: AG-FW

4. Case No. 19-014  
   Joe Semin  
   17104 Chalet Drive  
   Bellevue, NE 68123  
   REQUEST: Waiver of Section 55-186 - Variance to the front yard setback from 35’ to 20’ and the rear yard setback from 25’ to 24’ to allow for construction of a new home.  
   LOCATION: 2308 South 6th Street  
   ZONE: R4(35)

5. Case No. 19-015  
   GESU Housing, Inc.  
   5008 ½ B Dodge Street  
   Omaha, NE 68132  
   REQUEST: Waiver of Sections 55-186 & 55-742(b) - Variance to the front yard setback from 35’ to 25’ to allow parking in the front yard setback and for construction of a single-family home.  
   LOCATION: 3916 Miami Street  
   ZONE: R4(35)

6. Case No. 19-016  
   Eddy Santamaria  
   Contrivium Design  
   1301 Nicholas Street  
   #301  
   Omaha, NE 68108  
   REQUEST: Waiver of Sections 55-246 & 55-740(e) - Variance to the minimum rear yard setback from 25’ to 10’6”; to the front yard setback from 35’ to 0’ and to the hard-surface driveway requirement to allow for construction of a new single-family home.  
   LOCATION: 1436 South 16th Street  
   ZONE: R7
7. Case No. 19-017  
Paul Ludeman  
2704 North 78th Street  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-146 - Variance to the minimum rear yard setback from 25' to 8' to allow for construction of a new single-family home.  
LOCATION: 7803 Miami Street  
ZONE: R2

8. Case No. 19-018  
Colleen Mason  
PJ Morgan Company  
7801 Wakely Plaza  
Omaha, NE 68114  
REQUEST: Waiver of Section 55-716 - Variance to the minimum bufferyard requirement between a GI and R7 district from 50' to 0' to allow for construction of a new trash enclosure.  
LOCATION: 1211 William Street  
ZONE: GI

9. Case No. 19-019  
Isaac Nelson  
McDaniel Wallquist Construction  
2628 South 87th Street  
Omaha, NE 68124  
REQUEST: Waiver of Section 55-715 - Variance to the street yard landscaping from 75% to 67% to allow for a circular driveway.  
LOCATION: 1724 South 105th Street  
ZONE: R1

10. Case No. 19-020  
Robert Torson Architects  
6542 South 118th Street  
Omaha, NE 68137  
REQUEST: Waiver of Section 55-123 - Variance to allow Duplex Residential, a use not permitted in the R1 district.  
LOCATION: 606 South 93rd Street  
ZONE: R1

11. Case No. 19-021  
Eric Westman  
Alley Poyner Macchietto Architecture  
1516 Cuming Street  
Omaha, NE 68102  
REQUEST: Waiver of Sections 55-716 & 55-740 - Variance to the minimum bufferyard requirement between a CC and R8 district from 20' to 6'2" and to the minimum perimeter parking lot landscaping from 10' to 0' to allow for construction of a new parking lot.  
LOCATION: 4950 Dodge Street  
ZONE: CC-ACI-2(50)

12. Case No. 19-022  
Mario Martinez  
3502 Pine Street  
Omaha, NE 68105  
REQUEST: Waiver of Section 55-166 - Variance to the interior side yard setback from 7' to 3' to allow for the construction of a new home addition.  
LOCATION: 3502 Pine Street  
ZONE: R3

13. Case No. 19-023  
Matthew Werner  
2933 SW Woodside Drive Suite 200  
Topeka, KS 66614  
REQUEST: Waiver of Section 55-716 - Variance to the minimum bufferyard requirement between a CC and R8 district from 20' to 5'7" to allow for construction of a new commercial building.  
LOCATION: 354 North Saddle Creek Road  
ZONE: CC-MCC
14. Case No. 19-024
   Design8 Studios
   5801 North 90th Street
   Omaha, NE 68134

   REQUEST: Waiver of Section 55-832 - Variance to the total allowed sign budget from 40 sq. ft. to 55 sq. ft. and to the maximum allowed square footage per sign from 20 sq. ft. to 21 sq. ft. to allow for the replacement of two existing monument signs.

   LOCATION: 1111 North 27th Street
   ZONE: R7-PUD

MINUTES TO BE APPROVED: January 10, 2019