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, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jeremy Aspen and Brian Mahlendorf. Sean Kelley and Kristine Moore 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 8, 2018 at 9:00 a.m. to determine the sites to be inspected.

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, January 29, 2018 (for use waivers only) and Thursday, February 1, 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. 17-149 from 11/9/17**  
   Brad Brooks  
   18818 Fort LLC  
   105 North 31<sup>st</sup> Avenue #100  
   Omaha, NE 68131  
   **REQUEST:** Waiver of Section 55-186 – Variance to the minimum front yard setback from 25’ to 15’ to allow for construction of a new single-family residential subdivision.  
   **LOCATION:** 18818 Fort Street  
   **ZONE:** AG (R4 Pending)

2. **Case No. 17-152 from 12/14/17**  
   Alan Potash, CEO  
   Jewish Federation of Omaha  
   333 South 132<sup>nd</sup> Street  
   Omaha, NE 68154  
   **REQUEST:** Waiver of Section 55-832 – Variance to the maximum overall sign budget from 40 sq. ft. to 232 sq. ft., to the maximum sign area for a monument sign from 25 sq. ft. to 85.5 sq. ft., to the maximum height for a monument sign from 6’ to 12’3” and to allow an electronic message center, not otherwise permitted, based on the proposed overall sign plan for the site.  
   **LOCATION:** 333 South 132<sup>nd</sup> Street  
   **ZONE:** R8

3. **Case No. 18-002 from 1/11/18**  
   Omaha Public School  
   c/o Mark Warneke  
   4041 North 72<sup>nd</sup> Street  
   Omaha, NE 68134  
   **REQUEST:** Waiver of Section 55-146, 55-715 & 55-735(b) – Variance to the maximum impervious coverage from 40% to 41.4%; to the minimum street yard landscaping depth from 25’ to 15’ 10”; and to allow parking in the front yard setback to allow for construction of a new elementary school.  
   **LOCATION:** 330 South 127<sup>th</sup> Street  
   **ZONE:** R2

**NEW CASES:**

4. **Case No. 18-011**  
   Valerie McGill  
   TrizBiz, LLC  
   20502 Cleveland Street  
   Omaha, NE 68022  
   **REQUEST:** Waiver of Section 55-716 – Variance to the minimum bufferyard requirement between a CC and R6 district from 30’ without screening to 10’ without screening to allow for construction of a new karate school and parking lot.  
   **LOCATION:** 3203 North 204<sup>th</sup> Street  
   **ZONE:** CC

5. **Case No. 18-013**  
   Brendan Bishop  
   131 South 39<sup>th</sup> Street #10  
   Omaha, NE 68131  
   **REQUEST:** Waiver of Section 55-246 – Variance to the minimum interior side yard setback from 5’ to 4’ to allow for construction of an attached garage.  
   **LOCATION:** 1306 South 11<sup>th</sup> Street  
   **ZONE:** R7
6. Case No. 18-014  
Mark Sanford  
Mark Sanford Group  
1306 North 162nd Street  
Omaha, NE 68118

REQUEST: Waiver of Section 55-764(d)(2)(c) – Variance to the capacity limitations for a Daycare Services (General) use in a R4-MCC district from 12 to 141 individuals.

LOCATION: 17710 Poppleton Avenue  
ZONE: R4-MCC

7. Case No. 18-012  
Dean and Jessie Rasmussen  
2405 South 103rd Street  
Omaha, NE 68124

REQUEST: Waiver of Section 55-146 – Variance to the minimum rear yard setback from 25’ to 3’ to allow for replacement of existing multi-level deck.

LOCATION: 2405 South 103rd Street  
ZONE: R2

8. Case No. 18-015  
Jared Gerber  
5037 Parker Street  
Omaha, NE 68104

REQUEST: Waiver of Section 55-266 – Variance to the minimum interior side yard setback from 5’ to 2’ to allow for construction of a new addition.

LOCATION: 4824 Davenport Street  
ZONE: R8

9. Case No. 18-016  
Nick Batter, Esq.  
Hawkins Construction Company  
2516 Deer Park Boulevard  
Omaha, NE 68105

REQUEST: Waiver of Section 55-767(a)(3) & 55-767(a)(6) – Variance to the miscellaneous uses to allow for a temporary construction batch plant to be established within 600’ of a developed residential use as close as 420’ and to allow a permit to exceed the maximum duration allowed from 180 days to 8 months.

LOCATION: 165th Street & Bedford Avenue (Parcel ID:1141571100)  
ZONE: MU/MU-FF

10. Case No. 18-017  
Francisco Ramirez  
4071 “E” Street  
Omaha, NE 68107

REQUEST: Waiver of Section 55-186 – Variance to the minimum interior side yard setback from 5’ to 3’ and to the minimum rear yard setback from 25’ to 4’ to allow for construction of a covered concrete patio.

LOCATION: 4071 “E” Street  
ZONE: R4(35)

11. Case No. 18-019 - LAYOVER  
Troy and April Perchal  
904 North 204th Avenue  
Omaha, NE 68022

REQUEST: Waiver of Section 55-715 & 55-740(f)(4) – Variance to the minimum street yard landscaping depth from 10’ to 0.8’ and to the interior and perimeter landscaping requirements from 10’ to 0.8’ to allow for construction of a new building and parking lot.

LOCATION: 20324 Veterans Drive  
ZONE: CC
<table>
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<tr>
<th>Case No.</th>
<th>Name</th>
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<tr>
<td>12.</td>
<td>Orchard Valley, Inc.</td>
<td>16255 Woodlands Drive Omaha, NE 68136</td>
<td>Waiver of Section 55-735(a)(1) – Variance to the parking lot facility location to allow required off-street parking in the front yard setback to construct new townhomes.</td>
<td>5110 Spaulding Street</td>
<td>R4(35) – (Pending R5-PUD)</td>
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<td>13.</td>
<td>Jordan Farrell</td>
<td>3910 South 202nd Avenue Omaha, NE 68130</td>
<td>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.</td>
<td>3910 South 202nd Avenue</td>
<td>R4</td>
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<td>14.</td>
<td>Tim Carmichael</td>
<td>City of Omaha 1819 Farnam Street Suite 701 Omaha, NE 68183</td>
<td>Waiver of Section 55-740(e)(1) – Variance to the hard-surface driveway requirement to allow a gravel driveway for a new forestry maintenance building.</td>
<td>12425 Fort Street – Tranquility Park</td>
<td>DR/DR-FF/DR-FW</td>
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<td>15.</td>
<td>Bridget A. Hadley</td>
<td>4727 Saratoga Street Omaha, NE 68104</td>
<td>Waiver of Section 55-186 – Variance to the minimum interior side yard setback from 5’ to 11” to allow for replacement of side landing and stairs.</td>
<td>5710 Spaulding Street</td>
<td>R4(35)</td>
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