ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, July 11, 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, July 11, 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, July 1, 2019 (for use waivers only) and Thursday, July 4, 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.
### NEW CASES:

1. **Case No. 19-073**  
   Michael Jenkins  
   13405 Ellison Circle  
   Omaha, NE 68164  
   **REQUEST:** Waiver of Section 55-206 - Variance to the interior side yard setback from 7' to 3'4" to allow for construction of a new deck.  
   **LOCATION:** 13405 Ellison Circle  
   **ZONE:** R5

2. **Case No. 19-074**  
   Rebecca Hosch  
   c/o David Ehrenberg  
   2717 North 100th Avenue  
   Omaha, NE 68134  
   **REQUEST:** Waiver of Section 55-166 - Variance to the front yard setback from 35' to 25' to allow for the repair of an existing porch and steps.  
   **LOCATION:** 6507 Newport Avenue  
   **ZONE:** R3

3. **Case No. 19-075**  
   Dan Marak  
   c/o Olsson and Associates  
   2111 South 67th Street  
   Omaha, NE 68106  
   **REQUEST:** Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 165 to 110.  
   **LOCATION:** 7010 Hascall Street  
   **ZONE:** CC

4. **Case No. 19-076**  
   Daniel & Penny Michonski  
   c/o Jared Gerber  
   5037 Parker Street  
   Omaha, NE 68104  
   **REQUEST:** Waiver of Section 55-146 - Variance to the front yard setback from 40' to 32' to allow for the construction of a new covered porch and stairs.  
   **LOCATION:** 1733 South 95th Street  
   **ZONE:** R2

5. **Case No. 19-077**  
   3 Minute Car Wash, LLC  
   c/o Chris Erickson, TD2  
   10836 Old Mill Road  
   Omaha, NE 68154  
   **REQUEST:** Waiver of Section 55-765(b)(1) - Variance to allow Stacking space for conveyor-operated automotive washing facilities in the front yard setback to allow for the construction of a new automated carwash.  
   **LOCATION:** 787 North 204th Avenue  
   **ZONE:** CC-MCC

6. **Case No. 19-078**  
   Neil Galas  
   13509 South 44th Street  
   Bellevue, NE 68123  
   **REQUEST:** Waiver of Section 55-206 - Variance to the rear yard setback from 25' to 8' to allow for the construction of a new deck.  
   **LOCATION:** 3106 Seward Street  
   **ZONE:** R5(35)

**MINUTES TO BE APPROVED:** June 13, 2019