ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, July 9, 2020 - 1:00 P.M.
Room 702 – 7th Floor
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, June 11, 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, June 29, 2020 (for use waivers only) and Thursday, July 2, 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.
NEW CASES:

1. Case No. 20-085  
   Saint Pius X / St. Leo School  
   c/o Kim Ramsey  
   6905 Blondo Street  
   Omaha, NE 68104  
   REQUEST: Waiver of Section 55-830(3) – Variance to allow a 25.67 sq. ft. temporary sign (banner) to be displayed in an R4 district until July 31, 2020.  
   LOCATION: Southeast of 69th and Blondo Streets  
   ZONE: R4(35)

2. Case No. 20-086  
   Nathan & Amy Evans  
   20902 Larimore Avenue  
   Omaha, NE 68022  
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ fence in the front yard setback.  
   LOCATION: 20902 Larimore Avenue  
   ZONE: R4

3. Case No. 20-087  
   Nicholas Meuller  
   13126 North 42nd Street  
   Omaha, NE 68112  
   REQUEST: Waiver of Sections 55-126 & 55-740(e) – Variance to the interior side yard setback from 25’ to 14’ and to the hard-surface driveway requirement to allow for the construction of a new outbuilding.  
   LOCATION: 13126 North 42nd Street  
   ZONE: R1-ED

4. Case No. 20-088  
   McGregor Interests  
   c/o Paul Kelly, AIA  
   11750 Stonegate Circle  
   Omaha, NE 68134  
   REQUEST: Waiver of Section 55-503 – Variance to the permitted use regulations of the GI district to allow Religious assembly, a use not otherwise permitted.  
   LOCATION: 14641 Industrial Road  
   ZONE: GI

5. Case No. 20-089  
   Margarito Marquez  
   2418 South 18th Street  
   Omaha, NE 68108  
   REQUEST: Waiver of Sections 55-244 & 55-734 – Variance to the front yard setback from 25’ to 15’ and to the interior side yard from 5’ to 3’ and to the minimum number of off-street parking requirements from 2 to 1, to allow for the construction of a single-family home.  
   LOCATION: 2203 W Street  
   ZONE: R7

6. Case No. 20-090  
   Joe and Steve Partnership, LLC  
   c/o John Ackerman  
   5040 I Street  
   Omaha, NE 68117  
   REQUEST: Waiver of Sections 55-734, 55-740(b)(1) & 55-740(f) – Variance to the minimum number of required off-street parking stalls from 12 to 11, to the minimum drive aisle width from 24’ to 23’, to the required percentage of interior parking lot landscaping from 5% to 0% and to the minimum required perimeter landscaping depth from 10’ to 5’ to allow for the construction of a new automotive repair business.  
   LOCATION: 4620 South 47th Street  
   ZONE: GC
7. Case No. 20-091
Brandy Lewis
6702 South 31st Street
Omaha, NE 68107
REQUEST: Waiver of Section 55-186 & 55-187(e) – Variance to the front yard setback from 35’ to 26’ and to the street side yard setback from 15’ to 8.5’ to allow for the construction of a new deck.
LOCATION: 6702 South 31st Street
ZONE: R4(35)

8. Case No. 20-092
Brandon Pokorski
3728 South 114th Street
Omaha, NE 68144
REQUEST: Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 10’ to allow for the construction of a new, detached garage.
LOCATION: 3728 South 114th Street
ZONE: R2

9. Case No. 20-093
Jane Whelan
3514 Lincoln Boulevard
Omaha, NE 68131
REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 0’ to allow for an existing deck and stairs to remain.
LOCATION: 1009 & 1011 North 34th Street
ZONE: R4(35)-*LL

10. Case No. 20-094
Steven & Roberta Fulton
7008 North 154th Street
Bennington, NE 68007
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ fence in the front yard setback.
LOCATION: 7008 North 154th Street
ZONE: R5

11. Case No. 20-095
Megan Gombold
7010 North 154th Street
Bennington, NE 68007
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ fence in the front yard setback.
LOCATION: 7010 North 154th Street
ZONE: R5

12. Case No. 20-096
Heirloom Enterprises, LLC
c/o Jeff Seaman
23602 Hampton Road
Omaha, NE 68022
REQUEST: Waiver of Section 55-246 – Variance to the rear yard setback from 25’ to 18’ to allow for the replacement of an existing set of stairs.
LOCATION: 2816 North 19th Avenue
ZONE: R7

13. Case No. 20-097
Robert Foster
c/o Mark Sanford
1306 North 162nd Street
Omaha, NE 68118
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 30’ and to the side yard setback from 25’ to 11’ to allow for a new garage addition.
LOCATION: 610 Loveland Drive
ZONE: R1
14. Case No. 20-098  
McGregor Interests Old Market Opportunity Zone Fund1, LLC  
c/o Kyle Haase  
E & A Consulting  
10909 Mill Valley Road, #100  
Omaha, NE 68154  
REQUEST: Waiver of Section 55-526 – Variance to the front yard setback from 50’ to 34’ and 43.62’ to allow for the expansion of an existing storage facility.  
LOCATION: 501 Pacific Street  
ZONE: HI

15. Case No. 20-099  
Barb DiGiovanni  
c/o Adam Dusatko  
2217 South 156th Circle  
Omaha, NE 68130  
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’, greater than 50% open fence in the street side yard setback.  
LOCATION: 3352 South 212th Avenue  
ZONE: R4

16. Case No. 20-100  
Edgar Mendieta, Sr.  
c/o Dale Clymens  
2702 Douglas Street  
Omaha, NE 68131  
REQUEST: Waiver of Section 55-716 – Variance to the minimum buffer yard requirement between an HI and R7 district from 60’ to 30’ to allow for construction of two new industrial buildings that will be used for a concrete contractor.  
LOCATION: 5401 South 28th Street  
ZONE: HI

17. Case No. 20-101  
Victor Baez  
3309 South 90th Avenue  
Omaha, NE 68124  
REQUEST: Waiver of Section 55-166 – Variance to the rear yard setback from 25’ to 5’, to the interior side yard setback from 7’ to 5’, and to the maximum impervious coverage allowed from 45% to 59% to allow for a new detached garage and driveway addition.  
LOCATION: 3309 South 90th Avenue  
ZONE: R3

18. Case No. 20-102  
Nikolay Dimitrov  
6458 William Street  
Omaha, NE 68106  
REQUEST: Waiver of Sections 55-187(e) & 55-715 – Variance to the front yard setback from 35’ to 14’ and to the minimum percentage of Street Yard landscaping from 60% to 42%, to allow for the construction of a new porch, stairs and driveway addition.  
LOCATION: 6458 William Street  
ZONE: R4(35)

APPROVAL OF JUNE 11, 2020 MEETING MINUTES.