ZONING BOARD OF APPEALS
AGENDA

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, March 12, 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, March 2, 2020 (for use waivers only) and Thursday, March 5, 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](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 CASE:

1. Case No. 20-022 (layover from 2/13/20)
   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)

NEW CASES:

2. Case No. 19-032
   Foundations Development, LLC
1886 South 126th Street
Omaha, NE 68144
REQUEST: Waiver of Sections 55-716, 55-734 & 55-735(a)(1) - Variance to the minimum bufferyard requirement between an R7 and R4/R5 districts from 30' to 10', to the required number of off-street parking stalls from 106 to 79 and to the parking facility location to allow required off-street parking in the front yard setback to construct new multiple-family and senior housing.
LOCATION: 1404 Castelar Street
ZONE: R7

3. Case No. 20-033
   James Andrlik
12918 Harney Street
Omaha, NE 68154
REQUEST: Waiver of Section 55-146 - Variance to the interior side yard setback from 10' to 1' to allow for the construction of a new garage addition.
LOCATION: 12918 Harney Street
ZONE: R2

4. Case No. 20-034
   Woodsonia Acquisitions, LLC
c/o Larry Jobeun
17007 Marcy Street
Suite 2
Omaha, NE 68118
REQUEST: Waiver of Sections 55-246, 55-716 & 55-735(a)(1) - Variance to the front yard setback from 35' to 0', to the minimum bufferyard requirement between R7 and R4 from 30' to 19' and to allow required off-street parking in the front yard setback to construct new multiple-family housing.
LOCATION: Northwest of 168th and Fort Streets
ZONE: AG (R7-PUD pending)

5. Case No. 20-035
   J.S.J. Enterprises, LLC
c/o Russell Falconer
6225 North 89th Circle
Omaha, NE 68134
REQUEST: Waiver of Section 55-716 - Variance to the minimum bufferyard requirement between a GI and DR district from 60' to 45' to allow a portion of a parking lot to encroach.
LOCATION: 7525 North 101th Street
ZONE: GI & GI-FF

6. Case No. 20-036
   Patrick Gerber
1824 North 49th Street
Omaha, NE 68104
REQUEST: Waiver of Section 55-734 - Variance to required number of off-street parking stalls from 22 to 0 to allow for a new arcade.
LOCATION: 3301 Leavenworth Street
ZONE: GI-ACI-1(PL) (CC-ACI-1(PL) pending)
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Requests</th>
<th>Location</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-037</td>
<td>Leslie Flores</td>
<td>Waiver of Section 55-187(e) - Variance to front yard setback from 35' to 20' to allow for the construction of a new home.</td>
<td>2528 South 8th Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>20-038</td>
<td>Dennis Parr</td>
<td>Waiver of Sections 55-186 &amp; 55-786 - Variance to the street side yard setback from 15' to 1' and to allow a fence taller than 4' and less than 50% open in the required street side yard setback, to allow for a new home addition, deck and fence.</td>
<td>5648 Briggs Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>20-039</td>
<td>College of Saint Mary</td>
<td>Waiver of Section 55-108 - Variance to the maximum impervious coverage from 25% to 40.1% to allow for the construction of a new field house.</td>
<td>7000 Mercy Road</td>
<td>MU (DR-ACI-2(65) PENDING)</td>
</tr>
<tr>
<td>20-040</td>
<td>Mike Porter</td>
<td>Waiver of Section 55-126 - Variance to the rear yard setback from 35' to 30'1&quot; to allow for the construction of a new garage addition.</td>
<td>9406 Douglas Street</td>
<td>R1</td>
</tr>
<tr>
<td>20-041</td>
<td>Steve Walker</td>
<td>Waiver of Section 55-163 &amp; 55-166 - Variance to allow a Warehousing and Distribution (limited) use, not otherwise permitted in the R3 district and to the rear yard setback from 25' to 15' to allow for an existing storage building.</td>
<td>13612 Miami Street</td>
<td>R3</td>
</tr>
<tr>
<td>20-042</td>
<td>Tania Ramirez Gallardo</td>
<td>Waiver of Section 55-715 - Variance to the minimum street yard landscaping percentage from 60% to 49% to allow for a driveway addition.</td>
<td>2706 South 40th Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>20-043</td>
<td>Sanitary Improvement District #177, c/o Robert Westley</td>
<td>Waiver of Section 55-830(2) - Variance to the front yard setback from 12' to 7&quot; to allow for a new neighborhood identification sign.</td>
<td>232 Waterloo Drive</td>
<td>R2-FW</td>
</tr>
<tr>
<td>20-044</td>
<td>Phillip Johnson</td>
<td>Waiver of Section 55-186 - Variance to the street side yard setback from 15' to 14' to allow for an existing deck and steps.</td>
<td>4306 Grover Street</td>
<td>R4(35)</td>
</tr>
</tbody>
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ZONING BOARD OF APPEALS
Agenda – March 12, 2020
Page 3
15. Case No. 20-045  
   Doug Fliam  
   3622 North Post Road  
   Omaha, NE 68112  

REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow a gravel driveway to a new detached garage.  

LOCATION: 3622 North Post Road  
ZONE: DR-ED  

APPROVAL OF FEBRUARY 13, 2020 MEETING MINUTES.