ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, May 10, 2018 - 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, 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, May 10, 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, April 30, 2018 (for use waivers only) and Thursday, May 3, 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. 18-030 (from 3/8/18)
   Bert Hancock
   Pacific Gardens Associates, LLC
   1925 South 64th Avenue
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-740(f)(4) – Variance to the minimum perimeter parking lot landscaping from 10’ to 3’ to allow for construction of a parking lot.
   LOCATION: 7616 Pierce Street
   ZONE: R6

NEW CASES:

2. Case No. 18-039
   Omaha Performing Arts Society
   1200 Douglas Street
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-928(e) – Variance to the minimum perimeter landscaping depth from 15’ to 6.6’ and to the interior landscaping requirement from 7% to 0% to allow for expansion of a parking lot.
   LOCATION: 1512 Howard Street & 424 South 15th Street
   ZONE: CBD-ACI-1(PL)

3. Case No. 18-041
   John H. Burke
   211 North 130th Street
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 7’ to allow for construction of a new 42’ x 23’ garage.
   LOCATION: 211 North 130th Street
   ZONE: R1

4. Case No. 18-048
   Dale Barr
   Gesu Housing, Inc.
   5008 ½ B Dodge Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-186, 55-187(e) & 55-742(b) – Variance to the front yard setback from 35’ to 25’; to the street side yard setback from 15’ to 5’ and to allow parking in the front yard setback for construction of a single-family home.
   LOCATION: 4256 Miami Street
   ZONE: R4(35)

5. Case No. 18-049
   Dale Barr
   Gesu Housing, Inc.
   5008 ½ B Dodge Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-186 & 55-742(b) – Variance to the street side yard setback from 15’ to 5’ and to allow parking in the front yard setback for construction of a single-family home.
   LOCATION: 4253 Corby Street
   ZONE: R4(35)

6. Case No. 18-050
   Dale Barr
   Gesu Housing, Inc.
   5008 ½ B Dodge Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-206 & 55-742(b) – Variance to the front yard setback from 35’ to 25’ and to allow parking in the front yard setback for construction of a single-family home.
   LOCATION: 4260 Miami Street
   ZONE: R4(35)
7. Case No. 18-051  
Dale Barr  
Gesu Housing, Inc.  
5008 ½ B Dodge Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-206 & 55-742(b) – Variance to the front yard setback from 35’ to 25’ and to allow parking in the front yard setback for construction of a single-family home.  
LOCATION: 4339 Lake Street  
ZONE: R5(35)

8. Case No. 18-052  
Dale Barr  
Gesu Housing, Inc.  
5008 ½ B Dodge Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-206 & 55-742(b) – Variance to the front yard setback from 35’ to 25’ and to allow parking in the front yard setback for construction of a single-family home.  
LOCATION: 4339 Lake Street  
ZONE: R5(35)

9. Case No. 18-053  
Omaha Public Schools  
Jeremy Madson  
4041 North 72nd Street  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping depth from 20’ to 0’ to allow for a reconstructed parking lot at Hartman Elementary School.  
LOCATION: 5530 North 66th Street  
ZONE: R3

10. Case No. 18-055  
Marty McCollery  
207 Mullberry Street  
Little Sioux, IA 51545  
REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 23’ to allow for replacement of a deck.  
LOCATION: 12936 Browne Street  
ZONE: R4(35)

11. Case No. 18-056  
Lane Hinton  
13951 Valley Ridge Drive  
Omaha, NE 68138  
REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 24’ to reconstruct a covered front porch.  
LOCATION: 5724 Pacific Street  
ZONE: R4(35)

12. Case No. 18-057  
Steve and Amy Lindsay  
1002 North 63rd Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-166 – Variance to the rear yard setback from 25’ to 12’ to allow for construction of a new garage.  
LOCATION: 1002 North 63rd Street  
ZONE: R3

13. Case No. 18-058  
Nustyle Development  
Todd Heistand  
514 Walker Street  
Woodbine, IA 51579  
REQUEST: Waiver of Section 55-834(2) & 55-326 – Variance to the maximum overall signage budget from 1,099 sq. ft. to 2,930 sq. ft.; to allow an above peak roof sign not otherwise permitted; and to the maximum height allowed in a GO District from 120’ to 137’ to allow for a signage plan for Atlas Apartments.  
LOCATION: 2929 California Plaza  
ZONE: GO
14. Case No. 18-059
KRT Construction
Kent R. Therkelsen
4325 North 156th Street
Omaha, NE 68116

REQUEST: Waiver of Section 55-126 – Variance to the minimum rear yard setback from 35’ to 22’ to allow for a new garage.

LOCATION: 727 North 69th Street
ZONE: R1

15. Case No. 18-060
Roger Ernst
555 North 30th Street
Omaha, NE 68131

REQUEST: Waiver of Section 55-326, 55-734, 55-740(f), 55-928(e) and 55-716 – Variance to the maximum impervious coverage from 80% to 85%, to the required number of off-street parking stalls from 400 to 311, to the minimum perimeter parking lot landscaping from 10’ and 5’ to 0’ and to the green parking area perimeter landscaping from 15’ to 0’; to the minimum bufferyard requirement between a GO district and a R7 district from 10’ without screening to 0’ without screening to allow for reconstruction of the parking lot.

LOCATION: 555 North 30th Street
ZONE: GO

16. Case No. 18-061
Meco-Henne Contracting, Inc.
Jon A. Henne
4140 South 87th Street
Omaha, NE 68127

REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 10% to 2% to allow for a new building addition and parking.

LOCATION: 4140 South 87th Street
ZONE: GI