ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, November 9, 2017 - 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: Brian Mahlendorf – Chair, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jason Lanoha, and Jeremy Aspen. 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, November 9, 2017 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, October 30, 2017 (for use waivers only) and Thursday, November 2, 2017.

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:

1. Case No. 17-138 (from 10/12/17)
   Joseph Greve
   3318 South 109th Street
   Omaha, NE 68144
   REQUEST: Waiver of Section 55-146 & 55-715 – Variance to the minimum front yard setback from 40’ to 30’, to the minimum street yard landscaping percentage from 70% to 60% and to the minimum street yard landscaping depth from 25’ to 0’ to allow for construction of a new single-family home.
   LOCATION: 1010 South 91st Circle
   ZONE: R2

NEW CASES:

2. Case No. 17-125
   Exchange Bank
   1204 Allen Drive
   Grand Island, NE 68803
   REQUEST: Waiver of Section 55-716, 55-740(f), 55-928 & 55-836 – Variance to the bufferyard requirement from CC to R7 from 20’ to 9.39’ and 10’, to the minimum perimeter parking lot landscaping from 10’ to 9.39’ and 9.5’, to the minimum green parking area perimeter landscaping from 15’ to 12’ to allow for construction of a new building; and to the front yard setback from 12’ to 6’ and the street side yard setback from 6’ to 3’ to allow for a new monument sign.
   LOCATION: Northwest corner of West Dodge Road and North 80th Street
   ZONE: CC and CC-ACI-2(65)

3. Case No. 17-141
   Mark Schlickbernd
   503 South 36th Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-166 – Variance to the minimum lot area from 7,500 sq. ft. to 6,463 and 6,042 sq. ft. and to the minimum lot width from 60’ to 58.76’ and 54.92’ to allow for an administrative subdivision.
   LOCATION: 315 and 319 North 41st Avenue
   ZONE: R3

4. Case No. 17-142
   Seventy Five North Revitalization Corp.
   4383 Nicholas Street
   Suite 204
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-764(d)(2)(c) – Variance to the capacity limitations for a Daycare services (general) use in a GI (pending R5) district from 12 to 164 individuals.
   LOCATION: 3200 North 30th Street
   ZONE: GI (R5 pending)

5. Case No. 17-143
   Dale Thelen
   1343 Turner Boulevard
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-782(b)(6)(a) – Variance to the setback adjustment from 60’ to 45’ to allow for construction of a 7’ x 10’ shed.
   LOCATION: 1343 Turner Boulevard
   ZONE: R3
6. Case No. 01-228
   Lakeside Auto Recyclers, Inc.
   2813 North 9th Street
   Carter Lake, IA 51510
   REQUEST: Waiver of Section 55-766(b)(3) – Variance to the required separation between a
   salvage yard and a residential district from 300’ to 200’, 196’, 213’, 222’ and 191’ to allow for an amendment to the existing
   Special Use Permit.
   LOCATION: 1404 Grace Street
   ZONE: HI

7. Case No. 17-146
   Lawrence Butler
   4809 Northwest Radial Highway
   Omaha, NE 68104
   REQUEST: Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 4 to 0 to allow for rehabilitation of the
   existing building into six multi-family residential units.
   LOCATION: 1609 Binney Street
   ZONE: GC

8. Case No. 17-147
   David Fjare
   Olsson Associates
   2111 South 67th Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-126 & 55-786(e)(1) – Variance to the minimum front yard setback from 50’ to 15’ and to the maximum height of a
   residential fence in a front yard from 4’ 50% open to 10’ 50% open to allow for construction of a sports court.
   LOCATION: 1302 North 143rd Avenue Circle
   ZONE: R1

9. Case No. 17-148
   Anant Enterprises, LLC
   Hupmobile, LLC
   P.O. Box 3847
   Omaha, NE 68103-0847
   REQUEST: Waiver of Section 55-740(f) & 55-928 – Variance to the minimum perimeter parking lot landscaping from 5’ to 0’ and 2’ and to the
   minimum parking lot interior landscaping for green parking areas from 7% to 2.1% to allow construction of a new parking lot.
   LOCATION: 2556 Harney Street
   ZONE: CBD-ACI-1(PL)

10. Case No. 17-149
    Brad Brooks
    18818 Fort LLC
    105 North 31st 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)

11. Case No. 17-150
    Alex Harrington
    1503 Farnam Street
    Omaha, NE 68102
    REQUEST: Waiver of Section 55-423 – Variance to the permitted use regulations of the CBD district to allow crop production, not otherwise permitted.
    LOCATION: 306 South 15th Street
    ZONE: CBD-ACI-1(PL)
<table>
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<tr>
<th>Case No.</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tbody>
<tr>
<td>17-151</td>
<td>Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 26’ to allow for replacement of an existing portico (front porch) and stairs.</td>
<td>1102 Park Avenue</td>
<td>R7</td>
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<td>17-019</td>
<td>Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking lot for Junkstock events in December 2017 and in the 2018 calendar year.</td>
<td>1150 River Road Drive</td>
<td>AG-FW</td>
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