ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, October 10, 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, October 10, 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, September 30, 2019 (for use waivers only) and Thursday, October 3, 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.
LAYOVER CASES:

1. Case No. 19-092 (from 9/13/19)
   Brian Troia
   901 South 86th Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-146 - Variance to the minimum street side yard setback from 20' to 18' to allow for a home addition to an existing non-conforming structure.
   LOCATION: 901 South 86th Street
   ZONE: R2

2. Case No. 19-097 (from 9/13/19)
   Kirk Koehler
   1701 Washington Street
   Bellevue, NE 68005
   REQUEST: Waiver of Section 55-246 - Variance to the minimum lot size in an R7 district from 3,000 sq. ft. to 1,260 sq. ft.; to the minimum site area per unit from 3,000 sq. ft. to 1,260 sq. ft.; to the minimum front yard setback from 35' to 0'; to the minimum street side yard setback from 15' to 5'; to the minimum interior side yard setback from 7' to 5'; to the minimum rear yard setback from 25' to 5'; to the maximum building coverage from 60% to 63% and to the maximum impervious coverage allowed from 70% to 73% to allow for the construction of new Single-Family (Attached) housing.
   LOCATION: 2518 Mason Street
   ZONE: R7

3. Case No. 19-105 (from 9/13/19)
   Daffer Properties, LLC
   920 Quail Hollow Circle
   Dakota Dunes, SD 57049
   REQUEST: Waiver of Section 55-206 - Variance to the maximum impervious coverage in an R5(35) district from 55% to 63%; to the street side yard setback from 15' to 0'; and to the rear yard setback from 25' to 18' to allow for construction of a driveway expansion and the permanent installation of a storage container.
   LOCATION: 2567 Fowler Avenue
   ZONE: R5(35)

NEW CASES:

4. Case No. 19-106
   Leo Ascencio
   c/o Matt Tinkham,
   Lamp Rynearson
   14710 West Dodge Road
   Suite 100
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-506 - Variance to the rear yard setback from 10' to 0' to allow for the rezoning and subdividing of existing property and structures.
   LOCATION: 1464 Evans Street
   ZONE: GI & HI (GI Pending)

5. Case No. 19-107
   Sandra Delgado
   1017 South 36th Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-764(d)(2) - Variance to the capacity limitations for a Daycare services (general) use in an R4 district from 12 to 29 individuals.
   LOCATION: 5815 & 5819 South 14th Street
   ZONE: R4(35)
6. Case No. 19-108
Doug Riddington
8753 Dorcas Street
Omaha, NE 68124
REQUEST: Waiver of Section 55-146 - Variance to the minimum front yard setback from 40' to 33-9" to allow for the construction of a covered front porch.
LOCATION: 8753 Dorcas Street
ZONE: R2

7. Case No. 15-151
Kiewit Infrastructure Group
c/o Noddle Companies
2285 South 67th Street
Omaha, NE 68106
REQUEST: Waiver of Sections 55-718 & 55-928(e) - Variance to the required landscaping plantings for a surface parking lot for a period of no more than 4 years from the date of the approval of the Conditional Use Permit for Surface Parking.
LOCATION: 1515 Cuming Street
ZONE: CBD-ACI-1(PL)

8. Case No. 19-109
Ron Kwiatkowski
c/o Mick McGuire
Straightline Designs
3925 South 147th Street
Omaha, NE 68144
REQUEST: Waiver of Section 55-146 - Variance to the minimum interior side yard setback from 10' to 5.8' to allow for construction of a garage addition.
LOCATION: 1510 South 93rd Street
ZONE: R2

9. Case No. 19-110
Michael Weiland
3019 South 30th Street
Omaha, NE 68105
REQUEST: Waiver of Sections 55-206 & 55-782(b)(6)(a) - Variance to the street side yard setback from 15' to 9.8' and to the accessory structure setback adjustment from 60' to 45', to allow for construction of a 20' x 20' detached garage and new driveway.
LOCATION: 3004 Frederick Street
ZONE: R5(35)

10. Case No. 19-111
Julio Gonzalez
5019 South 50th Street
Omaha, NE 68117
REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow for construction of a detached garage.
LOCATION: 5019 South 50th Street
ZONE: DR

11. Case No. 19-112
Kiewit Building Group, Inc.
c/o Noddle Companies
2285 South 67th Street
Omaha, NE 68106
REQUEST: Waiver of Section 55-740(e)(1) - Variance to the hard-surfacing requirement to allow for the construction of a temporary parking lot.
LOCATION: 1607 and 1613 Cuming Street & 816, 822 and 824 North 16th Street
ZONE: DS-ACI-1(PL)

12. Case No. 19-113
Craig Tuttle
1536 South 79th Street
Omaha, NE 68136
REQUEST: Waiver of Section 55-146 - Variance to the minimum interior side yard setback from 10' to 5' to allow for construction of a garage addition.
LOCATION: 1321 South 78th Avenue
ZONE: R2
13. Case No. 19-114  
Horizon Realty  
c/o Josh Stover  
12509 Quail Drive  
Omaha, NE 68123  
REQUEST: Waiver of Section 55-166 - Variance to the front yard setback from 35' to 17' and to the street side yard setback from 17.5' to 15' to allow for the construction of a new single-family home.  
LOCATION: 8119 North 129th Avenue  
ZONE: R3  

MINUTES TO BE APPROVED: August 8, 2019 and September 12, 2019.