ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, September 12, 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, September 12, 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 2, 2019 (for use waivers only) and Thursday, September 5, 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.
NEW CASES:

1. Case No. 19-090
   Westside Community Schools Foundation
   1101 South 90th Street
   Omaha, NE 68124
   REQUEST: Waiver of Sections 55-830(1)(2) - Variance to the maximum signage budget for a civic use in a residential district from 32 sq. ft. to 95 sq. ft. and to allow a monument sign with electronic messaging not otherwise permitted in an R2 District.
   LOCATION: 8601 Arbor Street
   ZONE: R2

2. Case No. 19-091
   Habitat for Humanity, c/o Ed Thiele
   1701 North 24th Street
   Omaha NE 68110
   REQUEST: Waiver of Section 55-206 - Variance to the minimum lot width from 50' to 40' to allow for the construction of 6 new single-family homes.
   LOCATION: 3908, 3910, 3923, 3925, 3927 and 4112 North 17th Street
   ZONE: R5

3. Case No. 19-092
   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

4. Case No. 19-093
   Rose Blumkin Performing Arts
   c/o Design 8 Studios
   2001 Farnam Street
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-839(b) - Variance to the total permitted sign area from 469 sq. ft. to 1,204 sq. ft. to allow for the replacement of 4 wall signs.
   LOCATION: 2001 Farnam Street
   ZONE: CBD-ACI-1(PL)

5. Case No. 19-094
   Mike Dyer
   2611 South 117th Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-834(2) - Variance to the front yard setback from 12' to 1'6" to allow for the replacement of an existing monument sign.
   LOCATION: 2611 South 117th Street
   ZONE: GO

6. Case No. 19-095
   Tom Hightower
   c/o Mick McGuire
   Straightline Designs
   3925 South 147th Street, #119
   Omaha, NE 68144
   REQUEST: Waiver of Section 55-108 - Variance to the hard surface driveway requirement and to the interior side yard setback from 25' to 20.3' to allow for construction of a new garage addition.
   LOCATION: 11640 Calhoun Road
   ZONE: DR-ED
Case No. 19-096
Michael Hoover, c/o Paul Kelly, AIA
440 North 61st Street
Omaha, NE 68132

REQUEST: Waiver of Sections 55-716(e), 55-717(b)(1), 55-740(f)(4)(5), 55-740(h)(a) & 55-865(a) - Variance to the minimum bufferyard requirement between an R2 and R7-PK district from 6'6" to 0'; to the screening requirement from 6' to 0'; to the perimeter landscaping requirement from 10' to 0'; to the parking lot interior landscaping requirement from 5% to 0%; to the parking entrance and exit requirements to allow access to the R7 parking area via the R2 property; and to the permitted use regulations of the R7 district to allow an existing non-conforming use to remain.

LOCATION: 7340 & 7348 Blondo Street
ZONE: R2 & R7-PK

Case No. 19-097
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

Case No. 19-098
Tyler Marsh, c/o Sara Lorenz, T Hurt Construction
4978 F Street
Omaha, NE 68177

REQUEST: Waiver of Section 55-87 - Variance to the maximum building coverage from 5% to 6% to allow for the construction of a home addition.

LOCATION: 3404 South 222nd Street
ZONE: AG

Case No. 19-099
Sons of Italy, c/o Kyle Lowery, Omaha Neon Sign Company
1120 North 18th Street
Omaha, NE 68102

REQUEST: Waiver of Section 55-832(2) - Variance to the total allowed sign budget from 40 sq. ft. to 70 sq. ft. to allow for the replacement of an existing wall sign.

LOCATION: 1238 South 10th Street
ZONE: R7-NCE-C

Case No. 19-100
Kids Can Community Center, c/o Kellen Heideman
Olsson and Associates
2111 South 61st Street, #200
Omaha, NE 68106

REQUEST: Waiver of Section 55-764(d)(2) - Variance to the capacity limitations for a Daycare services (general) use in an R7 district from 12 to 246 individuals.

LOCATION: 4768 Q Street
ZONE: R4
12. Case No. 19-101  
   Caleb McDaniel  
c/o Justin Roberts  
   222 South 15th Street  
   Central Park Place, Suite 601N  
   Omaha, NE 68102  
   REQUEST: Waiver of Sections 55-146 & 55-715 - Variance to the minimum front yard setback from 40' to 34' 6 1/2"; to the street side yard setback from 20' to 7' and to the minimum depth of street yard landscaping from 25' to 19' to allow for a garage and driveway addition.  
   LOCATION: 2526 Brookside Avenue  
   ZONE: R2

13. Case No. 19-102  
   George Christopher Stecker  
   3122 Woolworth Avenue  
   Omaha, NE 68105  
   REQUEST: Waiver of Section 55-786(e) - Variance to the residential fence regulations to allow a 6' tall, privacy fence within the street side yard setback.  
   LOCATION: 3122 Woolworth Avenue  
   ZONE: R7

14. Case No. 19-103  
   Holy Name Housing  
c/o Joe Vaughan  
   4324 Fort Street  
   Omaha, NE 68111  
   REQUEST: Waiver of Sections 55-206 & 55-742(b) - Variance to the front yard setback from 35' to 25' and to allow off-street parking for a single-family use within the required front yard to allow for construction of 3 new single-family homes.  
   LOCATION: 3602, 3604 and 3605 Erskine Street  
   ZONE: R5(35)

15. Case No. 19-104  
   Dave and Sally Snyder  
   1904 North 172nd Circle  
   Omaha, NE 68118  
   REQUEST: Waiver of Section 55-786(e) - Variance to the residential fence regulations to allow a 6' tall, 50% open fence within the street side yard setback.  
   LOCATION: 1904 North 172nd Circle  
   ZONE: R4

16. Case No. 19-105  
   Chris Daffer  
   2567 Fowler Avenue  
   Omaha, Ne 68111  
   REQUEST: Waiver of Section 55-206 - Variance to the maximum impervious coverage in an R5(35) district from 55% to 63% to allow for construction of a driveway expansion and storage container.  
   LOCATION: 2567 Fowler Avenue  
   ZONE: R5(35)

MINUTES TO BE APPROVED: August 8, 2019