ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, September 13, 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, Sebastian (Subby) Anzaldo, Jeremy Aspen, Brian Mahlendorf and Sean Kelley. Kristine Moore and Dustin Friedman 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 13, 2018 at 11:00 a.m. to discuss the cases.

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, September 3, 2018 (for use waivers only) and Thursday, September 6, 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. 18-085 (from 7/12/18)
   Eric Crawford
   Heart Ministry Center, Inc.
   2222 Binney Street
   Omaha, NE 68110

   REQUEST: Waiver of Sections 55-243, 55-246 & 55-734 – Variance to the permitted use in a R7 district to allow Warehousing and Distribution; to the front yard setback from 35’ to 9’ 6”, to the street side yard setback from 25’ to 8’ and to the parking requirements from 67 spaces to 44 spaces.

   LOCATION: 2217 & 2221 Wirt Street
   ZONE: R7

NEW CASES:

2. Case No. 18-113
   Nate Heimuli
   Rathskeller Bier House
   4524 Farnam Street
   Omaha, NE 68132

   REQUEST: Waiver of Section 55-786(f)(2) – Variance to the maximum height for a fence in the side yard of a commercial district from 6’ to 8’ to allow for the replacement of an existing fence.

   LOCATION: 4524 Farnam Street
   ZONE: CC-ACI-2(PL)

3. Case No. 18-114
   Dave Paladino
   2702 Douglas Street
   Omaha, NE 68131

   REQUEST: Waiver of Section 55-506 - Variance to the maximum Floor Area Ratio (FAR) from 2.0 to 2.47 to allow for construction of a new building to be used for Warehousing and Distribution (Limited).

   LOCATION: 8701 North 30th Street
   ZONE: GI

4. Case No. 18-115
   Scott Bowen
   2320 Paul Street
   Omaha, NE 68102

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

   LOCATION: 13925 White Deer Lane
   ZONE: DR-ED

5. Case No. 18-116
   Marty's Auto and Light Truck Repair, Inc.
   4545 Leavenworth Street
   Omaha, NE 68106

   REQUEST: Waiver of Section 55-838(2) - Variance to the allowed sign budget from 40 sq. ft. to 56 sq. ft. to allow for a new projection sign.

   LOCATION: 4545 Leavenworth Street
   ZONE: GC-ACI-2(PL)

6. Case No. 18-117
   Travis Freeman
   2011 North 156th Street
   Omaha, NE 68116

   REQUEST: Waiver of Section 55-363 - Variance to the permitted use regulations of the CC district to allow vehicle storage not otherwise permitted.

   LOCATION: 2011 North 156th Street
   ZONE: CC
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST</th>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-118</td>
<td>Waiver of Section 55-326 - Variance to the street side yard setback from 15' to 0' to allow for the construction of a new skywalk for Children's Hospital and Medical Center.</td>
<td>8200 Dodge Street &amp; 8404 Indian Hills Drive</td>
<td>GO-ACI-2(65)</td>
</tr>
<tr>
<td>18-119</td>
<td>Waiver of Section 55-830(1) - Variance to the sign regulations to allow a monument sign with electronic messaging not otherwise permitted.</td>
<td>4002 J Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>18-120</td>
<td>Waiver of Section 55-716 - Variance to the minimum bufferyard requirement between CC and R6 from 30' with screening to 0' without screening to allow for construction of a new 6,015 sq. ft. building.</td>
<td>12005 Pacific Street</td>
<td>CC</td>
</tr>
<tr>
<td>18-121</td>
<td>Waiver of Section 55-246 - Variance to the minimum street side yard setback from 15' to 9' to allow for construction of a daycare storm shelter.</td>
<td>1023 North 40th Street</td>
<td>CC</td>
</tr>
<tr>
<td>18-122</td>
<td>Waiver of Section 55-108 - Variance to the interior side yard setback from 25' to 10' to construct a new 30' x 38' garage.</td>
<td>8105 Irvington Road</td>
<td>DR</td>
</tr>
<tr>
<td>18-123</td>
<td>Waiver of Section 55-186 - Variance to the rear yard setback from 25' to 11' to allow for construction of a new deck and stairs.</td>
<td>18634 Marcy Street</td>
<td>R4</td>
</tr>
<tr>
<td>18-124</td>
<td>Waiver of Sections 55-734 &amp; 55-740(e) - Variance to the required number of off-street parking stalls from 38 to 23 and to the hard-surface driveway requirement to allow an existing gravel parking lot.</td>
<td>1521 North 11th Street</td>
<td>HI</td>
</tr>
</tbody>
</table>
14. Case No. 18-125
   Jerry Kendall
   6494 South Quebec Street
   Centennial, CO 80111
   REQUEST: Waiver of Section 55-246 - Variance to the front yard setback from 35' to 0' and to the street side yard setback from 15' to 10' to allow for the replacement and repair of existing decks and stairs.
   LOCATION: 2603 Woolworth Avenue
   ZONE: R7

15. Case No. 18-126
   Dr. Joel Bessmer
   105 South 90th Street Suite 201
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 72 to 63.
   LOCATION: 11810 Nicholas Street
   ZONE: GO

16. Case No. 18-127
   Eugene and Jimmie Johnson
   14050 Ellison Avenue
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-734 - Variance to the rear yard setback from 25' to 18' feet to allow for construction of a new 12' x 19' deck.
   LOCATION: 14050 Ellison Avenue
   ZONE: R4

ELECTION OF VICE CHAIR

MINUTES TO BE APPROVED: August 16, 2018