DISPOSITION AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, AUGUST 18, 2011
7TH FLOOR, ROOM 702
CIVIC CENTER - 1819 FARNAM STREET
OMAHA, NEBRASKA

LAYOVERS

1. Case No. 11-057
   REQUEST: Waiver of Section 55-825(c) – Variance to the temporary sign regulations to allow a temporary video projection
   Mutual of Omaha
   3301 Dodge Street
   Omaha, NE 68175
   LOCATION: 3301 Dodge Street
   ZONE: CBD-ACI-2(50)
   BOARD ACTION:  APPROVED 5-0. Approved subject to 1) the final video program approved by the Planning Department; 2) the applicant coordinating with Omaha Police and Public Works Departments to address any issues that arise; 3) no advertising is allowed; 4) no audio amplification is allowed; and 5) the video program running from June 9 through July 2, 2012, from 9:30 pm until 11 pm in periodic intervals.

2. Case No. 11-069
   REQUEST: Waiver of Section 55-366, 55-734 & 55-740(f)(4) – Variance to the rear yard setback from 15’ to 6’ to construct a trash enclosure, to the minimum number of required off-street parking stalls for a Restaurant (Drive-in) from 27 to 14 and to the perimeter parking lot landscaping from 5’ to 0’
   Vicky Stadther
   1650 W 82 Street Ste. 900
   Bloomington, MN 55431
   LOCATION: 2410 Cuming Street
   ZONE: GI-ACI-1(PL)
   CC-ACI-1(PL) (Pending)
   BOARD ACTION:  LAYOVER 5-0. Laid over until the September 15, 2011 meeting.

3. Case No. 11-070
   REQUEST: Waiver of Section 55-716 & 55-740(f)(4) – Variance to the bufferyard requirements between CC and R2 from 30’ with screening to 0’ without screening and to the perimeter parking lot landscaping from 5’ to 0’ to allow for redevelopment of the site
   Slosburg Company
   10040 Regency Circle #200
   Omaha, NE 68114
   LOCATION: 2501 S 90 Street & 8998 West Center Road
   ZONE: CC & CC/FF
   BOARD ACTION:  LAYOVER 5-0. Laid over until the September 15, 2011 meeting.
4. Case No. 11-075  
(Over from 7/21/11)  
Omaha Neon Sign Co  
Attn: Jay Muller  
1120 N 18 Street  
Omaha, NE  68102  
REQUEST:  Waiver of Section 55-836 – Variance to the maximum size for a pole sign from 150 sq. ft. to 300 sq. ft. and to allow an off-premise advertising sign  
LOCATION:  2502 S 133 Plaza  
ZONE:  CC  
BOARD ACTION:  FAILED 3-2.  Motion to approve failed.  (Four affirmative votes are required for a variance to be approved.)

5. Case No. 11-076  
(Over from 7/21/11)  
Northwest High School  
8204 Crown Point Ave  
Omaha, NE  68134  
REQUEST:  Waiver of Section 55-829 – Variance to the maximum height for a monument sign from 6’ to 12’, to the maximum sign area from 25 sq. ft. to 61 45 sq. ft., to the maximum total permitted sign area from 40 sq. ft. to 232 216 sq. ft., and to allow an electronic message sign not otherwise permitted in the DR district  
LOCATION:  8204 Crown Point Ave  
ZONE:  DR  
BOARD ACTION:  APPROVED 4-1.  APPROVE, subject to 1) no flashing, video, animation or pictures; 2) utilizing text messages only; 3) operating from 6 am to 10 pm; and 4) eliminate the logo on the bottom of the monument sign so that the entire base is brick.

6. Case No. 11-078  
(Over from 7/21/11)  
A. Leo Pelds Engineering Co.  
2323 Dixon Street  
Des Moines, IA  50316  
REQUEST:  Waiver of Sections 55-366 and 55-716 – Variance to the rear yard setback from 15’ to 6’5”, to the required bufferyard between CC & R6 from 30’ to 3’ to allow for redevelopment of the site  
LOCATION:  9905 Q Street  
ZONE:  CC  
BOARD ACTION:  LAYOVER 5-0.  Laid over until the September 15, 2011 meeting.

SHOW-CAUSE HEARING

7. Case No. 08-078  
Maurice C. Parker  
300 S 16 Street #1202  
Omaha, NE  68102  
REQUEST:  Waiver of Section 55-203 – Variance to the use regulations of R5(35) to allow a 30’ X 24’ garage as the primary use in a residential district  
LOCATION:  1123 Bancroft Street  
ZONE:  R5(35)  
BOARD ACTION:  APPROVED 5-0.  Approved for two years (August 18, 2013.)
NEW CASES:

8.  Case No. 11-081
    Kenneth Hahn
    1343 S 75 Street
    Omaha, NE  68124
    REQUEST:  Waiver of Section 55-186 – Variance to the maximum impervious coverage in a R4 district from 50% to 60% to allow a church expansion
    LOCATION:  15002 Blondo Street
    ZONE:  R4

BOARD ACTION:  APPROVED 5-0.  Approved in accordance with the plans submitted.

9.  Case No. 11-082
    Edward & Beverly Smith
    7739 Nina Street
    Omaha, NE  68114
    REQUEST:  Waiver of Section 55-183 – Variance to the permitted use regulations of the R4 district to allow duplex residential
    LOCATION:  7739 Nina Street
    ZONE:  R4(35)

BOARD ACTION:  APPROVED 5-0.

10. Case No. 11-083
    Omaha Neon
    c/o Troy
    1120 N 18 Street
    Omaha, NE  68102
    REQUEST:  Waiver of Section 55-836 – Variance to the maximum height for a wall sign in a CC district from 35’ to 60’
    LOCATION:  7270 Cedar Street
    ZONE:  CC

BOARD ACTION:  APPROVED 5-0.  Approved in accordance with the plans submitted.

11. Case No. 11-084
    Omaha Neon
    c/o Dennis
    1120 N 18 Street
    Omaha, NE  68102
    REQUEST:  Waiver of Section 55-836 – Variance to the maximum height for a wall sign in a CC district from 35’ to 59’
    LOCATION:  655 N 108 Avenue
    ZONE:  CC

BOARD ACTION:  APPROVED 5-0.  Approved in accordance with the plans submitted.

12. Case No. 11-085
    Brau Builders, Inc.
    20515 Nicholas Circle #6
    Omaha, NE  68022
    REQUEST:  Waiver of Section 55-784(c) – Variance to the perimeter yard regulations for a cluster subdivision from 20’ to 16’ to construct a new covered deck
    LOCATION:  21046 Arbor Court
    ZONE:  R4

BOARD ACTION:  APPROVED 5-0.

13. Case No. 11-086
    Bruce Williams
    3525 Evans Street
    Omaha, NE  68111
    REQUEST:  Waiver of Section 55-786(e) – Variance to the residential fence regulations to allow a 6’ high chain link fence in the front yard setback
    LOCATION:  4450-68 Redman Avenue
    ZONE:  R7

BOARD ACTION:  APPROVED 5-0.  Approved in accordance with the plans submitted.
14. Case No. 11-087  
Eloy Flores  
2829 Monroe Street  
Omaha, NE  68107  
REQUEST:  Waiver of Section 55-186 & 55-742(b)(3) – Variance to the interior side yard setback from 5’ to 2’ and to allow parking in the required front yard setback  
LOCATION:  2033 Elm Street  
ZONE:  R4  
BOARD ACTION:  APPROVED 5-0. Approved in accordance with the plans submitted.

15. Case No. 11-088  
Malibu Sunrooms  
Attn:  Tom Patton  
13633 S 217  
Gretna, NE  68028  
REQUEST:  Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 31’ to construct a sunroom addition  
LOCATION:  2133 S 46 Street  
ZONE:  R4(35)  
BOARD ACTION:  APPROVED 5-0. Approved, subject to the sunroom addition not extending past the existing front and side walls of the house.

16. Case No. 11-089  
Peder Bartling  
8622 Harney Street  
Omaha, NE  68114  
REQUEST:  Waiver of Section 55-146 – Variance to the front yard setback from 40’ to 34’ to construct a wider covered stoop and stairs, and a 8’ X 2’ cantilevered addition  
LOCATION:  8622 Harney Street  
ZONE:  R2  
BOARD ACTION:  APPROVED 5-0.

17. Case No. 11-090  
J P Carpentry  
Attn:  Jeff Pavel  
8610 S 21 Street  
Omaha, NE  68147  
REQUEST:  Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 34’ to construct a 20’ X 20’ detached garage  
LOCATION:  185 S 216 Circle  
ZONE:  R1  
BOARD ACTION:  APPROVED 5-0. Approved in accordance with the plans submitted.

18. Case No. 11-091  
Kevin Walker  
9458 Maple Street  
Omaha, NE  68134  
REQUEST:  Waiver of Section 55-782(b)(6) – Variance to the front yard setback from 60’ to 15’ to construct a 20’ X 20’ detached garage  
LOCATION:  9458 Maple Street  
ZONE:  R3  
BOARD ACTION:  LAYOVER 5-0. Laid over until the September 15, 2011 meeting.

19. Case No. 11-092  
Gary Prochaska  
2305 S 88 Street  
Omaha, NE  68124  
REQUEST:  Waiver of Section 55-146 – Variance to the street side yard setback from 20’ to 17’ to construct a 22’ X 44’ tandem attached garage  
LOCATION:  2305 S 88 Street  
ZONE:  R2  
BOARD ACTION:  APPROVED 5-0. Approved, subject to using building material similar to the existing house, and comply with Public Works to: 1) remove drive and concrete on the north side and replace with grass; and 2) replace curb on Dupont Street.
20. Case No. 11-093
Perry & Eloise Poyner
1517 N 51 Street
Omaha, NE  68104

REQUEST: Waiver of Section 55-146 – Variance to the
front yard setback from 40’ to 32’ to
construct a new covered porch
LOCATION: 408 S 89 Street
ZONE: R2

BOARD ACTION: LAYOVER 5-0. Laid over until the September 15, 2011 meeting.

21. Case No. 11-094
Siena Francis House
1702 Nicholas Street
Omaha, NE  68102

REQUEST: Waiver of Section 55-734 – Variance to the
required off-street parking from 48 stalls to
0 stalls for 48 multi-family efficiency units
LOCATION: 1131, 1135, 1139 & 1141 N 18 Street
ZONE: DS

BOARD ACTION: APPROVED 5-0.

22. Case No. 11-095
Brian & Carey Hamilton
139 Elmwood Road
Omaha, NE  68132

REQUEST: Waiver of Section 55-126 – Variance to the
interior side yard setback from 25’ to 5’6” to
allow the 2nd floor of an existing garage to
be finished for an exercise room and
bathroom
LOCATION: 139 Elmwood Road
ZONE: R1

BOARD ACTION: APPROVED 5-0. Approved with the condition that no apartment be made
at the location.

23. Case No. 11-096
Joy Soby
6167 Country Road 40
Fort Calhoun, NE  68023

REQUEST: Waiver of Section 55-206 – Variance to the
front yard setback from 35’ to 13’ to
construct a new covered porch and stairs
LOCATION: 3610 Franklin Street
ZONE: R5(35)

BOARD ACTION: APPROVED 5-0.

24. Case No. 11-097
Best Lawns Inc.
2205 N 88 Street
Omaha, NE  68134

REQUEST: Waiver of Section 55-786 – Variance to the
residential fence regulations to allow a 6’
tall, wrought iron fence in the street side
yard setback
LOCATION: 17107 Valley Drive
ZONE: R4

BOARD ACTION: APPROVED 5-0.

25. Case No. 11-098
Jeff Patchin
12305 William Street
Omaha, NE  68144

REQUEST: Waiver of Section 55-146 – Variance to the
interior side yard setback from 10’ to 3’6” to
allow construction of a 22’ X 32’ garage
addition
LOCATION: 12305 William Street
ZONE: R2

BOARD ACTION: LAYOVER 5-0. Laid over until the September 15, 2011 meeting.
26. Case No. 11-099
   Kevin Grode
   5706 N 81 Street
   Omaha, NE  68134

   REQUEST: Waiver of Section 55-146 – Variance to the front yard setback from 40’ to 30’ to construct a new deck
   LOCATION: 5706 N 81 Street
   ZONE: R2

   BOARD ACTION: APPROVED 5-0.