DISPOSITION AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, JULY 11, 2013
LEGISLATIVE CHAMBERS – LC LEVEL
OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET
OMAHA, NEBRASKA

LAYOVERS

1. Case No. 13-039  (from 5-9-13)
   Miguel Gaddi
   1715 Sendero Lane
   Boise, ID 83712
   REQUEST: Waiver of Section 55-246 & 55-734 – Variance to the front yard setback from 35’ to 20’1” and to the street side yard setback from 15’ to 10’; to the rear yard setback from 25’ to 2.5’; to the interior side yard setback from 7’ to 4’; to the minimum lot size from 5,000 sq. ft. to 2,775 sq. ft.; to the site area per unit from 2,500 sq. ft. to 1,387.5 sq. ft.; to the minimum number of off-street parking stalls from 3 to 0; to allow for a duplex use.
   LOCATION: 3004 Marcy Street
   ZONE: R7
   DISPOSITION: APPROVED 5-0. Approval, in accordance with the plans submitted, subject to the construction being completed within 6 months.

2. Case No. 13-062 - WITHDRAWN  (from 5-9-13)
   Dennis Circo
   Circo Strategic Investments
   9445 “J” Street
   Omaha, NE 68127
   REQUEST: Waiver of Section 55-84 – Variance to allow an accessory structure (private indoor tennis court) on a lot without a primary structure.
   LOCATION: 21414 Arbor Street
   ZONE: AG
   DISPOSITION: This case was withdrawn at the request of the applicant.
3. Case No. 13-063  
John Jeanetta  
Heartland Family Service  
2101 South 42nd Street  
Omaha, NE 68105  
REQUEST: Waiver of Section 55-735(a)(1), 55-246, 55-734, 55-740(f)(5), 55-740(b), & 55-763(c)(2) – Variance to the maximum Floor Area Ratio (FAR) from 1.0 to 1.55; to the maximum impervious coverage from 70% to 80%; to the minimum number of off-street parking stalls from 40 to 39; to the minimum interior parking lot landscaping from 5% to 0%; to allow off-street parking for a Large Group Living use in the front yard setback; to the maximum number of residents from 16 to 80; to the drive aisle width for a compact parking stall from 20' to 16' and 12'; and with a Reasonable Accommodation Request.

LOCATION: 4842 Sprague Street & 4835 Sahler Street  
ZONE: R7

DISPOSITION: LAYOVER 5-0. This case was laid over for 60 days until the September 12, 2013 meeting of the Board to allow the applicant time to meet with architects, engineers and neighbors about the project.

4. Case No. 13-075  
GGS, LLC  
4824 Farnam Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-826(a)(4)(a) – Variance to allow an off-premise advertising sign (billboard) closer than 150’ from the perpendicular distance to a property line of a residential zoning district.

LOCATION: 5555 Center Street  
ZONE: GI

DISPOSITION: LAYOVER 5-0. Laid over to allow the applicant additional time to submit a detailed landscaping plan.

NEW CASES

5. Case No. 09-73  
Dan Latenser  
4028 North Post Road  
Omaha, NE 68112  
REQUEST: Appeal from decision of Planning Department (see file).

LOCATION: 12209, 12422, 12436, 12532, 12541 & 12542 North 40th Street; 11805 & 11807 Calhoun Road; 12103 Ponca Road; 4014, 4110, 11121, 11616, 11621 & 11706 North Post Road.

ZONE: R1-ED, DR-ED & R2-ED

DISPOSITION: LAYOVER 5-0. Laid over to give the Board time to review the case and the exhibits that were submitted by the applicant; the Board will confer with legal counsel to determine what courses of action can be taken regarding the case; the Board will investigate the actions that have been taken by the City of Omaha.
6. Case No. 13-078
Don Stein
2447 South 156th Circle
Omaha, NE 68130
REQUEST: Waiver of Section 55-782(b)(6) – Variance to the maximum size for an accessory structure outside the buildable area to allow construction of a 648 sq. ft. detached garage with an attached 892 sq. ft. covered veranda.
LOCATION: 6729 Davenport Street
ZONE: R1
DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.

7. Case No. 13-079
Jerry Reimer
4808 South 131st Street
Omaha, NE 68137
REQUEST: Waiver of Section 55-716, 55-734 & 55-735 – Variance to the required buffer yard between GO (R7 pending) & AG from 15’ to 9.8’; to the required number of off-street parking stalls from 331 to 294; and to allow off-street parking areas for a multi-family use in the front yard setback, to allow for construction of an apartment complex.
LOCATION: SW corner of 192nd Street & Western Avenue
ZONE: GO (R7 pending)
DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.

8. Case No. 13-080
The Garage Company
8301 Q Street
Omaha, NE 68127
REQUEST: Waiver of Section 55-782(b)(6) – Variance to the maximum size for an accessory structure outside the buildable area from 750 sq. ft. to 1,416 sq. ft. to allow for construction of a 936 sq. ft. garage addition to existing detached garage.
LOCATION: 3905 Aurora Drive
ZONE: R2
DISPOSITION: LAYOVER 4-1.

9. Case No. 13-081
City of Omaha
1819 Farnam Street
Omaha, NE 68183
REQUEST: Waiver of Section 55-206 & 55-742(b) – Variance to the front yard setback from 25’ to 20’; to the street side yard setback from 15’ to 11.2’; to the rear yard setback from 25’ to 14.9’, to allow parking in the front yard setback, for the construction of a new home.
LOCATION: 1822 Corby Street
ZONE: R5
DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.
10. Case No. 13-082  
   John Milota III  
   1706 South 75th Street  
   Omaha, NE 68124  
   
   REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 5’6” tall wrought iron fence with stone pillars in the front/street side yard setback.  
   
   LOCATION: 1706 South 75th Street  
   ZONE: R2  

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

11. Case No. 13-083  
   Mark Mitchell  
   Mitchell Auto Auction, LLC  
   4109 South 184th Street  
   Omaha, NE 68135  
   
   REQUEST: Waiver of Section 55-363 – Variance to the permitted use regulations of the CC District to allow a Vehicle Storage Use type not otherwise permitted.  
   
   LOCATION: 5218, 5318 & 5402 “L” Street  
   ZONE: CC  

DIPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to this user “Student Transportation of America” only, for the term of the lease or any extension thereof; and the submittal of a subdivision plat application within six (6) months of approval.

12. Case No. 13-084  
   Scott Seaton  
   Warehouse 51, LLC  
   9864 North 109th Avenue  
   Omaha, NE 68142  
   
   REQUEST: Waiver of Section 55-716 & 55-506 – Variance to the required buffer yard between DR (GI pending) and R4/DR from 60’ with screening to 30’ with screening and to the minimum lot width from 100’ to 60’.  
   
   LOCATION: 9260 Scott Street (north of Scott Street between Irvington Road and 92nd Avenue)  
   ZONE: DR (GI pending)  

DIPOSITION: LAYOVER 5-0. Laid over at the request of the applicant.

13. Case No. 13-085  
   Ben Norris  
   Parking Area Maintenance, Inc.  
   2028 Keystone Drive  
   Omaha, NE 68134  
   
   REQUEST: Waiver of Section 55-716, 55-717 & 55-740(g) – Variance to the required buffer yard between GI & DR from 60’ with screening to 29’ without screening and to the 4’ tall screening requirement for a parking lot abutting a residential district.  
   
   LOCATION: 9580 Ida Street  
   ZONE: GI  

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

14. Case No. 13-086  
   Terry Hurt  
   T. Hurt Construction  
   8529 Wirt Street  
   Omaha, NE 68122  
   
   REQUEST: Waiver of Section 55-782 (b)(6) – Variance to the maximum size for an accessory building outside the buildable area in a residential district from 750 sq. ft. to 888 sq. ft.  
   
   LOCATION: 5844 Pine Street  
   ZONE: R4(35)  

DIPOSITION: LAYOVER 5-0.
15. Case No. 13-087  
Troy Panagiotis  
Omaha Neon  
1120 North 18th Street  
Omaha, NE 68102  
REQUEST: Waiver of Section 55-836 – Variance to the total permitted sign area from 127 sq. ft. to 152 sq. ft.  
LOCATION: 7604 West Dodge  
ZONE: CC-ACI-2(65)/FF  
DISPOSITION: DENIED 4-1.

16. Case No. 13-088  
McGregor Interests, Inc.  
11750 Stonegate Circle  
Omaha, NE 68164  
REQUEST: Waiver of Section 55-716 – Variance to the required buffer yard between GI & R7 from 50’ with screening to 34’ with screening to allow for development of the site for a convenience storage facility.  
LOCATION: 9717 & 9815 Redick Avenue  
ZONE: GI  
DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to additional landscaping on the street side (east) of the fence.

17. Case No. 13-089  
Jose De Leon  
5610 South 19th Street  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-186 – Variance to the interior side yard setback from 5’ to 3’ and 1’ to allow deck to be rebuilt.  
LOCATION: 5610 South 19th Street  
ZONE: R4(35)  
DISPOSITION: APPROVED 5-0.

18. Case No. 13-090  
Fred Hosman  
9009 Farnam Street  
Omaha, NE 68114  
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall privacy fence in the street side yard setback.  
LOCATION: 9009 Farnam Street  
ZONE: R1  
DISPOSITION: APPROVED 4-1. Approval of the 6’ solid privacy fence, subject to the fence being moved at least 5’ from the north property line and landscaping, as submitted.

19. Case No. 13-091  
Home Building Professionals of Greater Omaha, Inc.  
11205 South 150th Street  
#100  
Omaha, NE 68138  
REQUEST: Waiver of Section 55-825(c) – Variance to the maximum sign area for two temporary signs from 32 sq. ft. to 96 sq. ft. for the Street of Dreams event.  
LOCATION: 11710 Fort Street & generally at NW corner of 120th Street and Military Avenue  
ZONE: DR and R6  
DISPOSITION: LAYOVER 5-0.