DISPOSITION AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, JUNE 13, 2013
LEGISLATIVE CHAMBERS – LC LEVEL
OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET
OMAHA, NEBRASKA

LAYOVERS

1. Case No. 13-056
(from 5-9-13)
Larry R. Vierregger
11652 Pierce Street
Omaha, NE 68144

REQUEST: Waiver of Section 55-782(b)(6) – Variance to the maximum size for an accessory building outside of the buildable area in a residential district from 750 sq. ft. to 960 sq. ft.

LOCATION: 11652 Pierce Street
ZONE: R2

DISPOSITION: DENIED 5-0.

2. Case No. 13-059
(from 5-9-13)
Jim Vyhlidal
22125 Trailridge Boulevard
Elkhorn, NE 68022

REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35' to 15' to allow construction of a 32' x 40'4", 2-level detached garage.

LOCATION: 22125 Trailridge Boulevard
ZONE: R1

DISPOSITION: DENIED 5-0.

3. Case No. 13-061
(from 5-9-13)
Robert Fox
5402 “A” Street
Omaha, NE 68106

REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35' to 29' to allow construction of a garage addition.

LOCATION: 5402 “A” Street
ZONE: R4(35)

DISPOSITION: APPROVED 4-1.
4. Case No. 13-063  
   (from 5-9-13)  
   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.

5. Case No. 13-065  
   (from 5-9-13)  
   Allen Grimes  
   Legacy Homes Omaha, LLC  
   12040 McDermott Plaza  
   LaVista, NE 68128  
   REQUEST:  
   Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 25’ to allow construction of a new home.  
   LOCATION:  
   13624 Miami Street  
   ZONE:  
   R3  
   DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to the applicant submitting an application for rezoning to R4.

NEW CASES

6. Case No. 13-066  
   1301 Holdings, LLC  
   Clifford Ehlers  
   1315 Jones Street  
   Omaha, NE 68102  
   REQUEST:  
   Waiver of Section 55-63 – Variance to allow a site to be in more than one base zoning district.  
   LOCATION:  
   1301 & 1315 Jones Street  
   ZONE:  
   DS-ACI-1(PL) & CBD-ACI-1(PL)  
   DISPOSITION: APPROVED 5-0.

7. Case No. 13-067  
   Nancy Melby  
   12244 Woolworth Avenue  
   Omaha, NE 68144  
   REQUEST:  
   Waiver of Section 55-740(e)(3) – Variance to the requirement that a paved, hard surface driveway be provided for a structure capable of storing a personal vehicle.  
   LOCATION:  
   12244 Woolworth Avenue  
   ZONE:  
   R2  
   DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to the door to the structure being no wider than 8’.
8. Case No. 13-068
Mark Wiesman
Wiesman Development, LLC
1000 North 90th Street
Suite 100
Omaha, NE 68114

REQUEST: Waiver of Section 55-366, 55-716 & 55-734
- Variance to the maximum height from 60’
to 72’8”;
- to the required buffer yard
between CC & R7 from 20’ to 10’;
and to
the required number of off-street parking
stalls from 666 to 495, to allow construction
of a new office building.

LOCATION: 9102 Burt Street
ZONE: CC

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to
the property owner agreeing to not lease more than current 65,000 sq. ft. in the existing
building (902 N. 91st Plz.) and agreeing to remove the existing building no later than October
1, 2018 or sooner if possible. Also subject to submitting an application to rezone the property
to GO (General Office District).

9. Case No. 13-069
College World Series of Omaha, Inc.
5010 Dodge Street
Omaha, NE 68132

REQUEST: Waiver of Section 55-825(c) – Variance to
the temporary sign regulations to allow a
temporary video projection from June 13 –
June 26, 2013.

LOCATION: 455 North 10th Street (Century Link Center)
ZONE: CBD-ACI-1(PL)

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to
the following: 1) Submittal of an acceptable, revised location on the site for the display; 2) The
time frame for the display being June 13 – June 26, 2013 from dusk to midnight; 3) The
applicant will coordinate with the Omaha Police Department and Public Works to address any
issues that might arise; 4) The applicant must obtain any necessary approvals from the Public
Works Department and Nebraska Department of Roads; and 5) No advertising is allowed.

10. Case No. 13-070
Douglas County School District
0001
3215 Cuming Street
Omaha, NE 68131

REQUEST: Waiver of Section 55-108, 55-715 & 55-786
- Variance to the front yard setback from
50’ to 38.93’;
- to the maximum impervious
coverage from 25% to 29.5%;
- to the
minimum street yard landscaping depth
from 30’ to 13’ and 9’;
and to the residential
fence regulations to allow a 10’ tall fence.

LOCATION: 2110 “O” Street (H.P. Smith Park)
ZONE: DR

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.
11. Case No. 13-071
2013 U.S. Senior Open
6900 Country Club Road
Omaha, NE 68152

REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking area.
LOCATION: 7105 Newport Avenue
ZONE: CC-ACI-4(PL)

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to the following: 1) Public Works Department approval of the location of street access for the temporary parking area; 2) The property must be restored to its original condition no later than August 15, 2013; 3) A water truck must be located on-site for potential grass fires; 4) Continued coordination with Public Works, the Omaha Police Department and other agencies involved; 5) Any gravel or mud that is tracked out onto the public street must be promptly cleaned and any damage to the street must be repaired; and 6) Parking is allowed only from July 8 - 14, 2013.

12. Case No. 13-072
Sue Henson
2611 South 117th Street
Omaha, NE 68144

REQUEST: Waiver of Section 55-146 – Variance to the minimum lot width from 80’ to 60’ and 48.2’ to allow for approval of an administrative subdivision.
LOCATION: 2530 & 2532 North 75th Street
ZONE: R2-FF/FW

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

13. Case No. 13-073
Maxine Coffee
2708 South 134th Avenue
Omaha, NE 68144

REQUEST: Waiver of Section 55-186 – Variance to the interior side yard setback from 5’ to 1.1’ to allow construction of a 14’x25.65’ 12’x24’ garage addition.
LOCATION: 2708 South 134th Avenue
ZONE: R4(35)

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to the garage being no larger than 12’x24’; also, the garage must line up with the front of the home and the materials used must match the existing home as submitted.

14. Case No. 13-074
Foundations Development, Inc.
1886 South 126th Street
Omaha, NE 68144

REQUEST: Waiver of Section 55-735(a)(1) – Variance to allow off-street parking for a multiple family residential use in the front yard setback.
LOCATION: 4502 South 60th Street
ZONE: DR(R6-pending)

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.
15. 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 sign (billboard) closer than 150’ from the property line of a residential zoning district.

LOCATION: 5555 Center Street
ZONE: GI

DISPOSITION: LAYOVER 5-0.

16. Case No. 13-076
John Eggen
Bethany Lutheran
4200 North 204th Street
Elkhorn, NE 68022

REQUEST: Waiver of Section 55-84 – Variance to the permitted use regulations of the AG district to allow a Daycare services (general) use.

LOCATION: 4200 North 204th Street
ZONE: AG

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to the submittal of an application rezoning the property from AG to R5 and a minor amendment to a Conditional Use Permit to allow Religious Assembly in the R5 District.

17. Case No. 13-077 - WITHDRAWN
Century Development Company
1505 North 203rd Street
Omaha, NE 68022

REQUEST: Waiver of Section 55-126 – Variance to the site development regulations of the R1 district to the site development regulations of the R3 district to allow construction of a new home.

LOCATION: 421 S. 243rd Street
ZONE: R1-FF

This case was withdrawn at the request of the applicant.