DISPOSITION AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, NOVEMBER 14, 2013
LEGISLATIVE CHAMBERS - LC LEVEL
OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET
OMAHA, NEBRASKA

LAYOVERS

1. Case No. 09-73
   (from 7-11-13 & 8-8-13)
   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 for 30 days until the December 12, 2013 meeting of the Board at the request of the applicant.

2. Case No. 13-118
   (from 10-10-13)
   Mark Bulger
   Walter B. Roberts Corporation
   1024 South 32nd Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-246, 55-716, 55-734 & 55-735 - Variance to the minimum site area per unit from 1,000 sq. ft. to 774.9 sq. ft; to the required buffer yard between R7 and R4 from 30’ to 20’, 21’ and 8’; to the required number of off-street parking stalls from 95 to 60; and to allow off-street parking for a multi-family residential use in the front yard setback with a Reasonable Accommodation request to allow construction of a new apartment building.
   LOCATION: 1024 South 32nd Street
   ZONE: R7

   DISPOSITION: LAYOVER 5-0. Laid over for 60 days until the January 9, 2014 meeting of the Board.
NEW CASES

3. Case No. 13-124
   Aaron Long
   Karen Street Baptist Church
   6109 Karen Street
   Omaha, NE 68114

   REQUEST: Waiver of Section 55-186, 55-735(b), 55-740(b), & 55-740(f)(4) – Variance to the maximum impervious coverage from 50% to 51.3% to allow off-street parking for a non-residential use in the front/street side yard setback of a residential district; to the front yard setback from 35’ to 30’; to the required perimeter landscaping from 5’ to 0’; and to the minimum drive aisle width for a 90° parking stall from 24’ to 13’ to allow construction of building and parking lot additions.

   LOCATION: 6109 Karen Street
   ZONE: R4(35)

   DISPOSITION: LAYOVER 5-0. Laid over for 30 days until the December 12, 2013 meeting of the Board to give the applicant the opportunity to appear.

4. Case No. 13-125
   Timothy Williams
   7013 South 53rd Street
   Omaha, NE 68157

   REQUEST: Waiver of Section 55-782(b)(6) – Variance to the interior side yard setback from 3’ to 2’ to allow a 13’ x 20’ detached garage to remain.

   LOCATION: 4529-31 Madison Street
   ZONE: R7

   DISPOSITION: APPROVED 5-0.

5. Case No. 13-126
   Loren J. Lamprecht
   20830 Paddock Circle
   Elkhorn, NE 68022

   REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 16’ to allow for a garage addition.

   LOCATION: 20830 Paddock Circle
   ZONE: R1

   DISPOSITION: DENIED 5-0.

6. Case No. 13-127
   Celebrity Homes
   c/o Loren J Johnson
   14002 “L” Street
   Omaha, NE 68137

   REQUEST: Waiver of Section 55-186 – Variance to the interior side yard setback from 5’ to 4’ 8½” to allow an existing home to remain.

   LOCATION: 8929 North 159th Avenue
   ZONE: R4

   DISPOSITION: APPROVED 5-0.
7. Case No. 13-128  
Myles Gart  
12905 Eagle Run Drive  
Omaha, NE 68164  
**REQUEST:** Waiver of Section 55-715 – Variance to the street yard landscaping minimum depth from 20' to 0' to allow for construction of a circular driveway.  
**LOCATION:** 12905 Eagle Run Drive  
**ZONE:** R3  
**DISPOSITION:** APPROVED 5-0. Approved in accordance with Exhibit C which reflects a straight driveway with a flare.

8. Case No. 13-129  
James P. Cerone  
5105 South 184th Plaza  
Omaha, NE 68135  
**REQUEST:** Waiver of Section 55-786(e)(1) – Variance to allow a 6’ tall, chain-link fence in the front and street side yard setbacks of a residential district.  
**LOCATION:** 2201 and 2207 Poppleton Avenue  
**ZONE:** R7  
**DISPOSITION:** APPROVED 5-0. Approved in accordance with the plans submitted.

9. Case No. 13-130  
Thomas Maxwell  
9228 Adel Circle  
Omaha, NE 68124  
**REQUEST:** Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 44’7” to allow home additions.  
**LOCATION:** 601 South 91st Circle  
**ZONE:** R1  
**DISPOSITION:** APPROVED 5-0. Approved in accordance with the plans submitted.

10. Case No. 13-131  
Roland Moyer  
4817 Cuming Street  
Omaha, NE 68132  
**REQUEST:** Waiver of Section 55-166 – Variance to the front yard setback from 35’ to 20’5” to allow for a porch replacement.  
**LOCATION:** 1021 North Happy Hollow Boulevard  
**ZONE:** R3  
**DISPOSITION:** APPROVED 5-0. Approved in accordance with the plans submitted.

11. Case No. 13-132  
Curt Mitchell  
1602 North 11th Street  
Omaha, NE 68110  
**REQUEST:** Waiver of Section 55-786(f) – Variance to the fence regulations to allow a 7’ tall, wrought iron style fence in the front yard setback.  
**LOCATION:** 1602 North 11th Street  
**ZONE:** HI  
**DISPOSITION:** APPROVED 5-0.
12. Case No. 13-133  
   ADC Homes  
   15002 “A” Circle  
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-126 – Variance to the maximum impervious coverage from 30% to 40% to allow for construction of a pool house.  
   LOCATION: 1222 North 136th Avenue  
   ZONE: R1

**DISPOSITION:** APPROVED 4-1. Approval in accordance with Exhibit B which reflects no additional impervious coverage than what is currently on the lot.

13. Case No. 13-134  
   John Maslonka  
   Hammerplex  
   8505 Crown Point Avenue  
   Omaha, NE 68134  
   REQUEST: Waiver of Section 55-363 – Variance to the permitted use regulations to allow a Vehicle Storage use not otherwise permitted in the CC district.  
   LOCATION: 8505 Crown Point Avenue  
   ZONE: CC

**DISPOSITION:** APPROVED 5-0. Approved in accordance with the plans submitted, subject to: 1) Use is limited to Student Transportation of America; and 2) Working with the Planning Department to verify compliance with off-street parking requirements for all uses on the property prior to issuing any permits.

14. Case No. 13-135  
   John Fullenkamp  
   Augusta Properties, LLC  
   11440 West Center Road  
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-716 – Variance to the required buffer yard between GO and DR from 30’ to 20’ to allow for the installation of a backup generator.  
   LOCATION: 12808 & 12828 Augusta Avenue  
   ZONE: GO

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

**SHOW CAUSE CASE**

15. Case No. 08-078  
   Maurice C. Parker  
   300 South 16th 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)

**DISPOSITION:** APPROVED 5-0. Approved show-cause hearing for the December 12, 2013 meeting.