

NEXT MEETING: October 10, 2013
DEADLINE DATE: September 23, 2013

DISPOSITION AGENDA
ZONING BOARD OF APPEALS
REGULAR MEETING – THURSDAY, SEPTEMBER 12, 2013
LEGISLATIVE CHAMBERS – LC LEVEL
OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET
OMAHA, NEBRASKA

LAYOVERS

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| 1. Case No. 13-063
<i>(from 5-9-13 & 6-13-13)</i>
John Jeanetta
Heartland Family Service
2101 South 42 nd 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 <i>Large Group Living</i> 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. Layover as requested by the applicant.

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| 2. Case No. 09-73
<i>(from 7-11-13 & 8-8-13)</i>
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 40 th 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. The request was laid over for 60 days to allow time for the following: 1) The Planning Department is required to provide a copy of the documentation for BOR-10-00004; 2) Investigation of the status of road construction and any permits that pertain to that construction; 3) Investigation of the status of any mass grading that may have been performed along with any well installation; 4) Inspection of the properties at 4014 North Post Road and 4110 North Post Road with regards to the number of residents who live at those properties, the use of those properties, and any permits related to those addresses; and 5) The City of Omaha shall provide a status of the Special Use Permits which should include the following: total permits issued; the number of building constructed;

Certificates of Occupancy; and which properties are specifically included in the Special Use Permit, especially with regards to 4014 North Post Road and 4110 North Post Road.

3. Case No. 13-084
(from 7-11-13 & 8-8-13)
Scott Seaton
Warehouse 51, LLC
9864 North 109th Avenue
Omaha, NE 68142
- REQUEST: Waiver of Section 55-716, 55-717(c) & 55-506 – Variance to the required buffer yard between DR (GI pending) and R4/DR from 60' with screening to 10' with screening; to allow a 6' solid fence for screening at the exterior boundary of the buffer yard and to the minimum lot width from 100' to 60'; to allow a driveway in the buffer yard.
- LOCATION: 9260 Scott Street (north of Scott Street between Irvington Road and 92nd Avenue)
- ZONE: DR (GI Pending)

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

4. Case No. 13-086
(from 7-11-13 & 8-8-13)
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)

DISPOSITION: Withdrawn at the request of the applicant.

5. Case No. 13-094
(from 8-8-13)
Habitat for Humanity
Daniel Brewer
2204 Ames Avenue
Omaha, NE 68110
- REQUEST: Waiver of Section 55-206 – Variance to the ~~interior side yard setback from 5' to 2'~~; to the minimum lot area from 5,000 sq. ft. to 3,910 sq. ft. and to the minimum lot width from 50' to 34', to allow for construction of a new home.
- LOCATION: 2444 South 20th Street
- ZONE: R5

DISPOSITION: APPROVED 5-0. Approval subject to a revised plan with the home on the north side of the property and the driveway/garage on the south side.

6. Case No. 13-097
(from 8-8-13)
Flatland Church
Pastor Bart Wilkins
4801 North 144th Street
Omaha, NE 68116
- REQUEST: Waiver of Section 55-830 – Variance to the maximum height for a wall sign from 16' to 30'.
- LOCATION: 4801 North 144th Street
- ZONE: R4

DISPOSITION: APPROVED 5-0. Approved as requested.

NEW CASES

7. Case No. 12-010
Redeemer Church
Joe Failla
13831 Industrial Road
Omaha, NE 68137
- REQUEST: Waiver of Section 55-503 – Variance to the permitted use regulations of the GI District to allow expansion of a *Religious Assembly Use*.
- LOCATION: 13833 Industrial Road
ZONE: GI

DISPOSITION: APPROVED 5-0. Approval for five (5) years until September 2018 for this applicant only.

8. Case No. 13-104
James Andreasen
18002 Murray Trail
Gretna, NE 68028
- REQUEST: Waiver of Section 55-734 & 55-246 – Variance to the front yard setback from 35' to 6' and the number of off-street parking stalls from 12 to 5 to allow a dumpster enclosure.
- LOCATION: 4821 Nicholas Street
ZONE: R7

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

9. Case No. 13-105
Susann Shyken
601 Ridgewood Avenue
Omaha, NE 68114
- REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35' to 3' and the interior side yard setback from 10' to 3' to allow a dumpster enclosure.
- LOCATION: 1003 North 48th Avenue
ZONE: R7

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

10. Case No. 13-106
Susann Shyken
601 Ridgewood Avenue
Omaha, NE 68114
- REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35' to 6' and the interior side yard setback from 10' to 4' to allow a dumpster enclosure.
- LOCATION: 1017 North 48th Avenue
ZONE: R7

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

11. Case No. 13-107
Jackson Martis
1005 S. 76th Street
Omaha, NE 68114
- REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50' to 22' to allow for an 18'8" x 22' garage addition.
- LOCATION: 607 North 65th Street
ZONE: R1

DISPOSITION: LAYOVER 5-0. Laid for 30 days to allow the applicant time to review other design options.

12. Case No. 13-108
Brother Mike Wilmot S.J.
5008 ½ B Dodge Street
Omaha, NE 68132
- REQUEST: Waiver of Section 55-206 – Variance to the street side yard setback from 15' to 9' to allow for the construction of a new home.
- LOCATION: 4201 Erskine Street
ZONE: R5(35)

DISPOSITION: APPROVED 5-0. Approved as requested.

13. Case No. 13-109
Malibu Sunrooms
Jack Rediger
13633 South 217th Street
Omaha, NE 68028
- REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35' to 25.1' to allow a 7.5' x 15' sunroom addition.
- LOCATION: 5016 South 169th Avenue Circle
ZONE: R4(35)

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to no street access to 170th Street.

14. Case No. 13-110
James Stumpf
2606 South 166th Circle
Omaha, NE 68130
- 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: 2606 South 166th Circle
ZONE: R3

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to the fence being installed in its current location. Also, the applicant is advised that the City may need to remove the fence for any reason in the future.

15. Case No. 13-111
Charles Marlowe
1230 South 108th Street
Omaha, NE 68144
- REQUEST: Waiver of Section 55-126 – Variance to the maximum impervious coverage from 30% to 50% to allow construction of a new garage.
- LOCATION: 1230 South 108th Street
ZONE: R1

DISPOSITION: APPROVED 5-0. Approval subject to no additional free-standing structures being constructed on the property.

16. Case No. 13-112
Kent Therkelsen
4325 North 156th Street
Omaha, NE 68116
- REQUEST: Waiver of Section 55-782(b)(6) – Variance to the maximum size of an accessory structure outside of the buildable area from 750 sq. ft. to 1,078 sq. ft., to allow a detached garage/pool house with veranda.
- LOCATION: 545 South 206th Avenue
ZONE: R1

DISPOSITION: APPROVED 5-0. Approval subject to the structure being no larger than 750 sq. ft. and the veranda being no larger than 160 sq. ft. (910 total sq. ft.). Also, no other free-standing structures are to be constructed on the property.

17. Case No. 13-113
Dennis Plachy
Omaha Neon
1120 North 18th Street
Omaha, NE 68102

REQUEST: Waiver of Section 55-836– Variance to the front yard setback from 12’ to 3’ for a monument sign.

LOCATION: 7052 Dodge Street (Panda Express)

ZONE: CC-ACI-2(65)

DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted, subject to no LED/electronic lighting on the sign.

18. Case No. 13-114
Edward Pullen
18742 Honeysuckle Drive
Omaha, NE 68022

REQUEST: Waiver of Section 55-186 – Variance to the interior side yard setback from 5’ to 4.6’ to allow the approval of an administrative subdivision.

LOCATION: 18742 Honeysuckle Drive

ZONE: R4

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

19. Case No. 13-115
Quality First Construction
Tim Schaeffer
7565 Main Street
Omaha, NE 68127

REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 70% to 62% and to the minimum street yard landscaping depth from 25’ to 8’ to allow a driveway addition.

LOCATION: 224 North 245th Circle

ZONE: R2

DISPOSITION: LAYOVER 5-0. Laid over for 30 days to allow the applicant time to examine other alternatives.