DI SPOSITION 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

1. Case No. 13-063
(from 5-9-13 & 6-13-13)
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

DI SPOSITION: LAYOVER 5-0. Layover as requested by the applicant.

2. 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

DI SPOSITION: 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
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**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.