

# ZONING BOARD OF APPEALS AGENDA



Public Hearing  
Thursday, August 14, 2014 - 1:00 P.M.

Legislative Chambers-LC Level  
Omaha/Douglas Civic Center  
1819 Farnam Street

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**ZONING BOARD OF APPEALS (ZBA):** Board members are citizens of Omaha who serve without pay and are not employed by the City. Current members are: Robert (Bert) Hancock, Chair; Brian Mahlendorf, Vice Chair; Jacque Donovan; Sebastian (Subby) Anzaldo; and Jason Lanoha. Teri Teutsch and Sean Kelley are the alternates. For a waiver to be approved, four members must vote in favor of the request.

Sections 14-408 through 14-414 of the State Code of Nebraska authorize the ZBA to rule on waivers from the City of Omaha Zoning Ordinance (Chapter 55). Pursuant to Neb. Rev. Stat. Section 14-410, any appeal from an order or decision of a zoning official must be filed within 30 days of the date of the order or decision appealed from. All Board decisions must be based on a finding of unnecessary hardship or practical difficulty and must be in the best interest of the public good.

**ZONING BOARD OF APPEALS MEMBERS** will assemble in the Planning Department Central Conference Room, 11<sup>th</sup> Floor, on Thursday, August 14, 2014 at 8:30 a.m. to determine the sites to be inspected.

**CERTIFICATION OF PUBLICATION:** Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, August 4, 2014 (for use waivers only) and Thursday, August 7, 2014.

## **MEETING PROCEDURES:**

### **Applicant, Property Owner or Representative - must appear at the meeting.**

It is the applicant's responsibility to justify a waiver by showing a hardship or practical difficulty associated with the land. Personal preference, financial considerations, or disagreement with the zoning ordinance standard are not acceptable reasons for granting a waiver.

Cases will be heard in the order shown on the agenda. When your case is called, please come forward and give your name to the secretary and the chairman. If there are opponents, they will also come forward at that time and give their names to the secretary and be seated in the front row.

The applicant may be given up to 10 minutes to present the case. The Board may waive the presentation. Opponents will be given up to 10 minutes to present reasons for their opposition. Board members may ask questions of any interested party. The time needed to respond will not count as part of the time limit.

If the Board grants the waiver, **the applicant must receive a building permit before starting any construction.** You may apply for a permit from the Permits & Inspections Department, located in Room 1110 of this building, no earlier than the Monday following the meeting.

The Zoning Board of Appeals agenda and other information regarding the Zoning Board of Appeals and the Planning Department is available on the Internet at <http://www.ci.omaha.ne.us/planning>. The agendas available on the Internet are subject to change and are for convenience purposes only. The agenda may be altered no later than 24 hours before the scheduled commencement of the meeting. A copy of the official agenda, kept continually current, shall be available for public inspection during normal business hours at the City of Omaha Planning Department, 1819 Farnam Street, Suite 1100, Omaha, Nebraska. Prior to the hearing, the applicant may schedule a time to review the City's case file during normal business hours by contacting the Planning Department at (402) 444-5150 x2063. If an alternative (audio version) to this agenda is necessary, please notify the Secretary to the Zoning Board of Appeals at (402) 444-5150 x2061, 72 hours in advance.

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**LAYOVERS:**

1. Case No. 14-042  
(From 4/10/14, 5/8/14 & 6/12/14)  
Lamar Outdoor Advertising  
TLC Properties  
4849 "G" Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-853(a) – Variance to allow an electronic off-premise sign closer than 700' to an existing standard off-premise sign.  
LOCATION: 4409 Dodge Street  
ZONE: CC-ACI-2(50)
2. Case No. 14-078  
(from 7/10/14)  
David Updike  
1404 North 60<sup>th</sup> Street  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35' to 24' to construct a new deck and stairs.  
LOCATION: 1404 North 60<sup>th</sup> Street  
ZONE: R4(35)

**NEW CASES:**

3. Case No. 14-079  
Thomas W. Adams  
1941 South 42<sup>nd</sup> Street  
Suite 550  
Omaha, NE 68105  
REQUEST: Waiver of Section 55-933 & 55-836 – Variance to the maximum height for a monument sign from 12' to 18'; to the maximum sign area from 75 sq. ft. to 96.5 sq. ft. and to the front yard setback from 12' to 0' to install a monument sign.  
LOCATION: 7810 Dodge Street  
ZONE: CC-ACI-2(65)
4. Case No. 14-080  
Heather Kirk  
Santa Monica, Inc.  
130 North 39<sup>th</sup> Street  
Omaha, NE 68130  
REQUEST: Waiver of Section 55-764(c)(1) – Variance to allow a proposed *Transitional Living* use within ½ mile of an existing *Transitional Living* use with a *Reasonable Accommodation* request.  
LOCATION: 401 South 39<sup>th</sup> Street  
ZONE: GO-ACI-1(PL)
5. Case No. 14-081  
Amy Sohm  
3811 North 53<sup>rd</sup> Street  
Omaha, NE 68104  
REQUEST: Waiver of Section 55-186 – Variance to the interior side yard setback from 5' to 3' to construct a detached garage.  
LOCATION: 3811 North 53<sup>rd</sup> Street  
ZONE: R4(35)
6. Case No. 14-082  
Mike LaFave  
1228 Ranch View Lane  
Omaha, NE 68022  
REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25' to 10.29' to allow construction of a house addition.  
LOCATION: 1228 Ranch View Lane  
ZONE: R1

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| 7.  | Case No. 14-083<br>Venkata Alla<br>1110 North 133 <sup>rd</sup> Street<br>Omaha, NE 68154            | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6' tall, ornamental fence with stone columns in the front/street side yard setback of a residential district.<br>1110 North 133 <sup>rd</sup> Street<br>R1 |
| 8.  | Case No. 14-084<br>Ted V. Grace<br>14921 Industrial Road<br>Omaha, NE 68144                          | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6' tall, metal fence in the front yard setback of a residential district.<br>3303 South 168 <sup>th</sup> Street<br>DR                                     |
| 9.  | Case No. 14-085<br>Chris Oltmanns<br>2875 Binney Street<br>Omaha, NE 68111                           | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-206 – Variance to the front yard setback from 25' to 10' with a <i>Reasonable Accommodation</i> request to allow a deck and stairs to remain.<br>2875 Binney Street<br>R5   |
| 10. | Case No. 14-086<br>Robert or Rogene Locken<br>14616 North 72 <sup>nd</sup> Street<br>Omaha, NE 68122 | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for an existing gravel driveway to allow construction of a new home and garage.<br>14616 North 72 <sup>nd</sup> Street<br>DR-ED                                       |
| 11. | Case No. 14-087<br>Adriana Hinojosa<br>2308 Harrison Street<br>Omaha, NE 68147                       | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-206 – Variance to the rear yard setback from 25' to 11' to construct a 19'1" x 25'6" addition to an existing 520 sq. ft. shed.<br>2308 Harrison Street<br>R5(35)  |
| 12. | Case No. 14-088<br>Richard Jacobson<br>812 North 66 <sup>th</sup> Street<br>Omaha, NE 68132          | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-126 – Variance to the rear yard setback from 35' to 31' 10 <sup>3</sup> / <sub>4</sub> "; to construct a 29'1" x 27'8" two-story garage addition.<br>812 North 66 <sup>th</sup> Street<br>R1                              |
| 13. | Case No. 14-089<br>Falcone Homes<br>P.O. Box 541055<br>Omaha, NE 68154                               | REQUEST:<br><br>LOCATION:<br>ZONE: | Waiver of Section 55-186 – Variance to the rear yard setback from 25' to 7' to construct a single-family home.<br>19010 Honeysuckle Drive<br>R4  |

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14. Case No. 14-090  
Glenda Wood  
Habitat for Humanity of Omaha  
1701 North 24<sup>th</sup> Street  
Omaha, NE 68110
- REQUEST: Waiver of Section 55-206 – Variance to the minimum lot width from 50' to 36' to construct a new home.  
LOCATION: 2430 South 19<sup>th</sup> Street  
ZONE: R5
15. Case No. 04-161  
Sam Mandolfo  
2611 South 117<sup>th</sup> Street  
Omaha, NE 68144
- REQUEST: Waiver of Section 55-716 – To amend a previously approved variance to the required buffer yard between CC & R4 from 30' with screening to 10'7" with screening to allow construction of a radio tower.  
LOCATION: 17979 Pierce Plaza (17821 Pierce Plaza)  
ZONE: CC
16. Case No. 14-091  
Frank R. Krejci  
1505 North 203<sup>rd</sup> Street  
Elkhorn, NE 68022
- REQUEST: Waiver of Section 55-87, 55-740(e), 55-765(d)(3) and 55-765(d)(4) – Variance to the lot width from 300' to 0'; to the requirement that access roads and parking facilities must be hard-surfaced; and to the required water supply, sewage disposal and water/toilet facilities; to allow a Campground use.  
LOCATION: NW of 230<sup>th</sup> Street & West Maple Road  
ZONE: AG-FW
17. Case No. 91-057  
Jules Updike  
2327 North 150<sup>th</sup> Avenue  
Omaha, NE 68116
- REQUEST: Waiver of Section 55-366 – To amend a previously approved variance to the required front yard setback from 25' to 21.7' to allow replacement of an existing deck with a new deck and canopy.  
LOCATION: 1300 South 72<sup>nd</sup> Street  
ZONE: CC-ACI-2(65)