ZONING BOARD OF APPEALS
AGENDA

PUBLIC HEARING
Thursday, April 9, 2015 - 1:00 P.M.
Legislative Chambers-LC Level
Omaha/Douglas Civic Center
1819 Farnam Street

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: Brian Mahlendorf – Chair, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jason Lanoha, and Jeremy Aspen. 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.

Certification of Publication: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, March 30, 2014 (for use waivers only) and Thursday, April 2, 2015.

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.cityofomaha.org/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.
SHOW CAUSE HEARING:

   Premier Bank  
   Chris Maher  
   16802 Burke Street  
   Omaha, NE 68118  
   REQUEST: Waiver of Section 55-824(d) – Variance to allow a monument sign on a property with a building closer than 15' to the property line.  
   LOCATION: 4314 & 4318 Dodge Street, 109 North 43rd Avenue  
   ZONE: GC-ACI-2(50)

LAYOVERS:

2. Case No. 15-010 (from 2/12/15 & 3/12/15) WITHDRAWN  
   St. John’s Lutheran Church  
   11120 Calhoun Road  
   Omaha, NE 68152  
   REQUEST: Waiver of Section 55-829 – Variance to the front yard setback from 12’ to 0’ to construct a monument sign.  
   LOCATION: 4519 Kelby Road  
   ZONE: DR-ED

3. Case No. 15-011 (from 3/12/15)  
   Larry Jensen  
   Midtown Development  
   6324 South 118th Street  
   Omaha, NE 68137  
   REQUEST: Waiver of Section 55-246, 55-734, 55-735(a)(1), 55-716 & 55-715 – Variance to the front yard setback from 35’ to 8’; to the rear yard setback from 25’ to 20’; to the interior side yard setback from 10’ to 2’ (trash enclosure); to the required number of off-street parking stalls from 33 to 22; and to allow off-street parking for a multi-family residential use in the front yard setback of a residential zoning district; to the minimum street yard landscaping depth from 10’ to 6’; to the required bufferyard between R7 and R5 from 14’ to 6’ and to the street side yard setback from 15’ to 9’, to allow construction of a 22-unit apartment building and parking lot.  
   LOCATION: 1030 & 1034 South 30th Avenue, 3006 & 3008 Pacific Street  
   ZONE: R7

4. Case No. 15-024 (from 3/12/15)  
   John Caniglia  
   Icon Properties Midtown  
   P.O. Box 540308  
   Omaha, NE 68154  
   REQUEST: Waiver of Section 55-266, 55-734 & 55-740(f) – Variance to the interior side yard setback from 10’ to 5.75’; to the rear yard setback from 25’ to 2’ (trash enclosure); to the minimum perimeter parking lot landscaping from 10’ to 8’ and to the required number of off-street parking stalls from 40 to 32, to construct a 28-unit apartment building.  
   LOCATION: 3412, 3420 & 3424 Dodge Street; 111 North 35th Street  
   ZONE: R8-ACI-2(50)
NEW CASES:

5. Case No. 15-029
   Signworks, Inc.
   4713 F Street
   Omaha, NE 68178
   REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary wall sign from 32 sq. ft. to 132 sq. ft. for a banner for 4 weeks during the College World Series.
   LOCATION: 815 Florence Boulevard
   ZONE: DS-ACI-1(PL)

6. Case No. 15-030
   Signworks, Inc.
   4713 F Street
   Omaha, NE 68178
   REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary wall sign from 32 sq. ft. to 108 sq. ft. for a banner for 4 weeks during the College World Series.
   LOCATION: 1624 Mike Fahey Street
   ZONE: DS-ACI-1(PL)

7. Case No. 15-031
   Greenstreet Cycles
   2452 Harney Street
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-824(b)(4) – Variance to allow a projecting sign to be within 25’ of 2 existing, projecting signs.
   LOCATION: 2452 Harney Street
   ZONE: CBD-ACI-1(PL)

8. Case No. 15-032
   Robert J. Brau
   7705 North 207th Circle
   Omaha, NE 68022
   REQUEST: Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 10’ to construct a new home.
   LOCATION: 18218 Trailridge Road
   ZONE: DR

9. Case No. 15-034
    Joseph Goeden
    1150 North 252nd Street
    Waterloo, NE 68069
    REQUEST: Waiver of Section 55-87 & 55-740(e) – Variance to the maximum building coverage from 5% to 7.9%, to the maximum impervious coverage from 10% to 11.5%, and to the hard-surface requirement for a gravel driveway, to allow construction of a 3,200 sq. ft. outbuilding.
    LOCATION: 1150 North 252nd Street
    ZONE: AG-FF

10. Case No. 15-035
    Matt Kronaizl
    Kronaizl Investments, Inc.
    21046 X Street
    Omaha, NE 68022
    REQUEST: Waiver of Section 55-715 – Variance to the minimum street yard landscaping percentage from 60% to 51%.
    LOCATION: 1818 North 197th Street
    ZONE: R4
11. Case No. 15-036
   Aaron Bailey
   6721 South 46th Avenue
   Omaha, NE 68117
   REQUEST: Waiver of Section 55-782(b)(6) – Variance to the street side yard setback from 15’ to 1’6” to construct a 960 square foot detached garage.
   LOCATION: 6721 South 46th Avenue
   ZONE: R7

12. Case No. 15-038
   Lamar Outdoor
   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)

13. Case No. 15-039
    William Harrison
    2264 South 186th Street
    Omaha, NE 68130
    REQUEST: Waiver of Section 55-786(e) – Variance to the residential fence regulations to allow a 6’ tall, wrought-iron style fence in the front yard setback of a residential district (186th Circle).
    LOCATION: 2264 South 186th Street
    ZONE: R4

14. Case No. 15-041
    Esther Silver
    1411 North 58th Street
    Omaha, NE 68132
    REQUEST: Waiver of Section 55-183 – Variance to the permitted use regulations of the R4 district to allow a Duplex Residential use not otherwise permitted.
    LOCATION: 1409-1411 North 58th Street
    ZONE: R4(35)

15. Case No. 15-042
    Rose Blumkin Performing Arts
    2001 Farnam Street
    Omaha, NE 68102
    REQUEST: Waiver of Section 55-839(b) – Variance to the total permitted sign area from 469 sq. ft. to 1,081 sq. ft. to allow installation of 3 wall signs.
    LOCATION: 2001 Farnam Street
    ZONE: CBD-ACI-1(PL)

16. Case No. 15-043
    Mustang Properties
    2226 South 89th Court
    Omaha, NE 68124
    REQUEST: Waiver of Section 55-246 & 55-734 – Variance to the interior side yard setback from 10’ to 5’; to the rear yard setback from 25; to 10’; and to the maximum number of off-street parking stalls from 9 to 8, to construct a 6-unit apartment building.
    LOCATION: 4804 Douglas Street
    ZONE: R7-ACI-2(50)
<table>
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<tr>
<th>Case No.</th>
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<th>Address</th>
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<tr>
<td>15-044</td>
<td>Jared Gerber</td>
<td>Gerber Architecture PC&lt;br&gt;9312 Leavenworth Street&lt;br&gt;Omaha, NE 68114</td>
<td>Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 3’ to allow a deck on the roof of a new detached garage.</td>
<td>5122 Nicholas Street</td>
<td>R4(35)</td>
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<tr>
<td>15-045</td>
<td>Mark &amp; Cathy Madsen</td>
<td>9527 Westchester Lane&lt;br&gt;Omaha, NE 68114</td>
<td>Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 37’; to the interior side yard setback from 25’ to 20’; to the rear yard setback from 35’ to 30’; to the maximum building coverage from 25% to 26%; and to the maximum impervious coverage from 30% to 42%, to allow renovations and additions to the existing home.</td>
<td>9527 Westchester Lane</td>
<td>R1</td>
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<tr>
<td>15-046</td>
<td>Eddy Santamaria</td>
<td>1301 Nicholas Street #301&lt;br&gt;Omaha, NE 68102</td>
<td>Waiver of Section 55-266 &amp; 55-734 – Variance to the interior side yard setback from 5’ to 2.5’; to the rear yard setback from 25’ to 5’; to the minimum lot size and minimum site area per unit from 4,000 sq. ft. to 2,240 sq. ft.; to the required off-street parking from 2 to 1, to allow construction of a new single-family home.</td>
<td>3013 Dewey Avenue</td>
<td>R8-ACI-1(PL)</td>
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<td>15-047</td>
<td>Matt Dwyer</td>
<td>P.O. Box 31202&lt;br&gt;Omaha, NE 68131</td>
<td>Waiver of Section 55-924 – Variance to the required sidewalk width from 10’ to 6’.</td>
<td>3824 Farnam Street</td>
<td>NBD-ACI-1(PL)</td>
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4/1/15