ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, August 13, 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.

ZONING BOARD OF APPEALS MEMBERS will assemble in the Planning Department Central Conference Room, 11th Floor, on Thursday, August 13, 2015 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 3, 2015 (for use waivers only) and Thursday, August 6, 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.
LAYOVERS

1. Case No. 15-055 (from 5/14/15 & 6/11/15) - WITHDRAWN
   Jay Machleit, President
   Triple C Development, Inc.
   200 Armory Road
   Centre, AL 35960
   REQUEST: Waiver of Section 55-824(d) & 55-836(b) – Variance to allow a monument sign on a property with a building closer than 15’ to the property line and to the front yard setback from 12’ to 3’ for monument sign not otherwise permitted.
   LOCATION: 2601 North 16th Street
   ZONE: CC-ACI-2(PL)

NEW CASES:

2. Case No. 15-026
   Matt Chadek
   YMCA of Greater Omaha
   430 South 20th Street
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-831 – Variance to the total permitted sign area from 40 sq. ft. to 193 sq. ft., to the maximum wall sign height for 2 wall signs from 16 feet to 26 and 27 feet, to the maximum wall sign area for all three wall signs from 40 sq. ft. to 42 and 60 sq. ft. (2), and to the maximum monument sign area from 25 sq. ft. to 31 sq. ft., to allow for an updated sign plan.
   LOCATION: 13010 Atwood Avenue
   ZONE: R6

3. Case No. 15-090
   Kevin Bolte
   5123 South 90th Street
   Omaha, NE 68127
   REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 21’10” to allow a new deck to remain.
   LOCATION: 5123 South 90th Street
   ZONE: R4(35)

4. Case No. 15-091
   Matt Palu
   2302 South 35th Street
   Omaha, NE 68105
   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 of a residential zoning district.
   LOCATION: 2302 South 35th Street
   ZONE: R5(35)

5. Case No. 15-092
   Sebastian Anzaldo
   910 South 37th Street
   Omaha, NE 68105
   REQUEST: Waiver of Section 55-186 – Variance to the street side yard setback from 15’ to 6’ to construct a new home.
   LOCATION: 5061 South 36th Avenue
   ZONE: R4(35)
6. Case No. 15-093  
Stava Properties, LLC  
7404 Lake Cunningham Road  
Omaha, NE 68122

REQUEST: Waiver of Section 55-716 & 55-740(f) -  
Variance to the required buffer yard  
between LI and DR from 30’ to 0’ and  
to the perimeter landscaping requirement  
from 10’ to 0’ to allow for the installation  
of concrete for a new loading dock addition.

LOCATION: 7404 Lake Cunningham Road  
ZONE: LI-ED

7. Case No. 15-094  
Dave Paladino  
2702 Douglas Street  
Omaha, NE 68131

REQUEST: Waiver of Section 55-366 & 55-734 -  
Variance to the maximum Floor Area Ratio  
from 1.0 to 1.43 and to the minimum  
number of off-street parking stalls from 29  
to 21 to allow construction of an indoor self-  
storage facility.

LOCATION: 7201 Maple, 2812 & 2816 North 72nd Street,  
and 2803 North 73rd Street  
ZONE: CC-ACI-2(50), R2-ACI-2(50) and R2(CC-ACI-2(50) pending)

8. Case No. 15-095  
Jaquie & John Herdzina  
10551 Forrest Drive  
Omaha, NE 68124

REQUEST: Waiver of Section 55-786 -  
Variance to the residential fence regulations  
to allow a 6’ tall, privacy fence within the front  
yard setback of a residentially zoned property.

LOCATION: 10551 Forrest Drive  
ZONE: R1

9. Case No. 15-096  
Charlotte Rasmussen  
10313 North 72nd Street  
Omaha, NE 68122

REQUEST: Waiver of Section 55-108 -  
Variance to the street side yard setback  
from 25’ to 7.23’ and 0.52’ for an existing  
home and detached garage.

LOCATION: 10313 North 72nd Street  
ZONE: DR-ED

10. Case No. 15-097  
John Pink  
4920 South 66th Plaza  
Omaha, NE 68117

REQUEST: Waiver of Section 55-734 & 55-766(b)(3) -  
Variance to the minimum number of off-  
street parking stalls from 375 to 6 and  
to allow a Scrap & Salvage Services use  
closer than 300’ from a residential zoning  
district.

LOCATION: NE corner of 60th & Harrison Streets (Lot 1,  
Pink Grading Industrial Park)  
ZONE: DR & DR-FF/FW (Gl & Gl-FF/FW pending)

11. Case No. 15-098  
Kevin Ross  
Superior Lighting, Inc.  
2121 South 24th Street  
Omaha, NE 68108

REQUEST: Waiver of Section 55-838 -  
Variance to allow signage including a wall sign, pole  
sign, and monument sign to serve a  
property without a sign budget.

LOCATION: 6990 Dodge Street  
ZONE: GC
12. Case No. 15-099
   Chuck Oddo
   Midwest Screw Products
   13416 B Street
   Omaha, NE 68144
   REQUEST: Waiver of Section 55-740(f)(4) – Variance to the perimeter parking lot landscaping from 5’ to 1’ and 4’6” to allow existing pavement to remain and installation of a new drive lane.
   LOCATION: 13506 B Street
   ZONE: GI

13. Case No. 15-100
   Dan Renner
   12121 Ponca Road
   Omaha, NE 68112
   REQUEST: Waiver of Section 55-740(e) – Variance to the requirement for a driveway to allow construction of a new outbuilding.
   LOCATION: 12121 Ponca Road
   ZONE: R2-ED-FF/FW

14. Case No. 15-101
   City Ventures
   P.O. Box 428
   Boystown, NE 68010
   REQUEST: Waiver of Section 55-928(e) & 55-934(b) – Variance to the minimum perimeter parking lot landscaping from 15’ to 4’ with a screen wall and to allow the maximum height for a Category 1 retaining wall from 5’ to 11’, for construction of a mixed-use development.
   LOCATION: Southwest of 60th Street & Northwest Radial Highway
   ZONE: CC & R5(35) (NBD-pending)

15. Case No. 15-102
   Sam Garden
   The Salvation Army
   10755 Burt Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-734 & 55-735 – Variance to the minimum number of off-street parking stalls from 235 to 170 and to allow off-street parking for residential uses within the front yard setback for the construction of a new building and off-street parking.
   LOCATION: 3612 Cuming Street & 923 North 38th Street
   ZONE: GO

16. Case No. 15-103
   Bryan Zimmer
   4610 Dodge Street
   Omaha, NE 68132
   REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 20’ to construct a 3-unit townhome development.
   LOCATION: 4912 Davenport Street
   ZONE: R7

17. Case No. 15-104
   John Faulkner
   Faulkner Construction
   3423 Cuming Street
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-206 – Variance to the rear yard setback from 25’ to 21’ to construct an enlarged deck.
   LOCATION: 17501 Douglas Street
   ZONE: R5
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-105</td>
<td>Waiver of Section 55-166 – Variance to the street side yard setback from 17.5' to 5' to allow the placement of 3 temporary classrooms during the construction of the new school on site.</td>
</tr>
<tr>
<td>Kenneth Hahn Architects 1343 South 75th Street Omaha, NE 68124</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>6523 Western Avenue</td>
<td></td>
</tr>
<tr>
<td>R3</td>
<td></td>
</tr>
</tbody>
</table>

| 15-106  | Waiver of Section 55-503 – Variance to the permitted use regulations of the GI District to allow Religious Assembly not otherwise permitted. |
| Ray Trimble 4383 Nicholas Street Omaha, NE 68131 |

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>4383 Nicholas Street</td>
<td></td>
</tr>
<tr>
<td>GI</td>
<td></td>
</tr>
</tbody>
</table>

| 15-107  | Waiver of Section 55-146 – Variance to the front yard setback from 40' to 21' to allow a garage addition to remain. |
| Russell Zeisler 3529 North 152nd Street Omaha, NE 68116 |

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>320 Shorewood Lane</td>
<td></td>
</tr>
<tr>
<td>R2</td>
<td></td>
</tr>
</tbody>
</table>

| 15-108  | Waiver of Section 55-166 & 55-715 – Variance to the front yard setback from 35' to 25', to the interior side yard setback from 7' to 5', to the maximum impervious coverage from 45% to 51% and to the minimum street yard landscaping from 65% to 51%, to construct a new home. |
| David Panowicz 12319 Weir Street Omaha, NE 68137 |

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>13629 Corby Street</td>
<td></td>
</tr>
<tr>
<td>R3</td>
<td></td>
</tr>
</tbody>
</table>

| 15-018  | Waiver of Section 55-126 & 55-715 – Variance to the maximum impervious coverage from 30% to 37%, to the front yard setback from 50' to 40' and to the minimum street yard landscaping depth from 30' to 12', to construct a new home. |
| Vince Kunasek Design 9629 Redick Omaha, NE 68122 |

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>19411 Camden Avenue</td>
<td></td>
</tr>
<tr>
<td>R1</td>
<td></td>
</tr>
</tbody>
</table>

| 15-109  | Waiver of Section 55-166 – Variance to the front yard setback from 35' to 30' to allow expansion of a covered front porch. |
| Benjamin Steiner 106 South 51st Street Omaha, NE 68132 |

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>106 South 51st Street</td>
<td></td>
</tr>
<tr>
<td>R3</td>
<td></td>
</tr>
</tbody>
</table>