ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, July 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.

ZONING BOARD OF APPEALS MEMBERS will assemble in the Planning Department Central Conference Room, 11th Floor, on Thursday, July 9, 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, June 29, 2015 (for use waivers only) and Thursday, July 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.
LAYOVER CASES:

1. Case No. 15-060 (from 5/14/15 & 6/11/15)
   McNeil Company Builders
   4666 South 132nd Street
   Omaha, NE 68137
   REQUEST: Waiver of Sections 55-246, 55-735(a)(1) & 55-716 – Variance to the required bufferyard between R7 and DR from 30’ to 0’, to the interior side yard setback from 12’ to 0’ and to allow off-street parking for a multiple family residential use in the front yard setback of a residential district, for construction of an apartment complex.
   LOCATION: 12510 West Dodge Road & 710 North 124th Plaza
   ZONE: R7-ACI-4(PL)

NEW CASES:

2. Case No. 15-078
   Elkhorn School District 10
   3200 North 207th Plaza
   Omaha, NE 68022
   REQUEST: Waiver of Section 55-735(b) – Variance to allow off-street parking for a non-residential use in the front yard setback of a residential zoning district to construct a new warehouse facility.
   LOCATION: 20720 Glenn Street
   ZONE: DR

3. Case No. 15-079
   Michael J. Hall
   14225 Dayton Circle
   Suite 9
   Omaha, NE 68137
   REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a driveway to allow construction of a new garage.
   LOCATION: 9111 North 138th Street
   ZONE: AG

4. Case No. 15-080
   Malibu Sunrooms
   13633 South 217th Street
   Gretna, NE 68028
   REQUEST: Waiver of Section 55-784(c)(2) – Variance to the perimeter yard setback from other property lines in a cluster subdivision from 20’ to 15.5’ to construct a sunroom addition and new deck.
   LOCATION: 17219 Howard Plaza
   ZONE: R5-cluster

5. Case No. 15-081
   J3F&R, LLC
   James Thomas
   4940 Emmet Street
   Omaha, NE 68104
   REQUEST: Waiver of Section 55-716 – Variance to the required buffer yard between GI and R4 from 60’ with screening to 30’ and 23’ with screening to allow redevelopment of the site for a new funeral home.
   LOCATION: 3510 North 33rd Street
   ZONE: GI
6. **Case No. 15-082**  
   Maria T. Soto  
   2008 North 64th Street  
   Omaha, NE 68104  
   **REQUEST:** Waiver of Section 55-742(b) – Variance to allow off-street parking in the front yard setback of a residential zoned property not otherwise permitted, to remain.  
   **LOCATION:** 2008 North 64th Street  
   **ZONE:** R4(35)

7. **Case No. 15-083**  
   Gregg Studanski  
   6006 Wenninghoff Road Suite B  
   Omaha, NE 68134  
   **REQUEST:** Waiver of Section 55-166 – Variance to the interior side yard setback from 7' to 5' to construct a 3’5” x 11’4” home addition.  
   **LOCATION:** 15665 Lamp Circle  
   **ZONE:** R3

8. **Case No. 15-084**  
   Lamar Outdoor  
   4849 G Street  
   Omaha, NE 68117  
   **REQUEST:** Waiver of Sections 55-852 & 55-853(a) – Variance to allow an electronic off-premise sign in a CC district not otherwise permitted, and closer than 700’ from an existing standard off-premise sign.  
   **LOCATION:** 4409 Dodge Street  
   **ZONE:** CC-ACI-1(50)

9. **Case No. 15-085**  
   Darin Smith  
   3101 South 24th Street, LLC  
   505 Walker Street  
   Woodbine, IA 51579  
   **REQUEST:** Waiver of Section 55-716, 55-740(f)(4) & (5), 55-734 and 55-246 – Variance to the maximum impervious coverage from 70% to 90%; to the buffer yard between CC & R5 from 30’ to 12.5’ and 14.6’; to the number of off-street parking stalls from 40 to 36; to the perimeter parking lot landscaping from 5’ to 0.4’ and 1.3’; and to the minimum interior landscaping percentage from 7% to 3%, to allow for the redevelopment of the existing building into multiple-family residential use.  
   **LOCATION:** 3101 South 24th Street  
   **ZONE:** CC-ACI-1(50)

10. **Case No. 15-086**  
    RMR Group, LLC  
    2411 O Street Suite 200  
    Omaha, NE 68107  
    **REQUEST:** Waiver of Section 55-246, 55-734, 55-740(b)(1) & 55-740(f)(4) – Variance to the front yard setback from 35’ to 33.5’; to the interior side yard setback from 10’ to 16’; to the number of off-street parking stalls from 6 to 4; to the minimum parking stall depth from 18’ to 16’; and to the perimeter parking lot landscaping from 10’ to 5’, 5’ and 3’10”, to allow the rehabilitation of the site for multiple-family residential.  
    **LOCATION:** 1120 South 31st Street  
    **ZONE:** R7
11. Case No. 15-087  
Robert Kozol  
RKG Investments, LLC  
6056 North 156th Street  
Omaha, NE 68116  

REQUEST: Waiver of Section 55-108, 55-715, 55-762(a)(1)(c) & 55-735(b) – Variance to the street side yard setback from 25’ to 10’ to the rear yard setback from 35’ to 8’, maximum impervious coverage from 25% to 37%; to the minimum street yard landscaping depth from 30’ to 15’ and 10’; to the minimum street yard landscaping percentage from 80% to 54%; to the required buffer yard for a garden center adjacent to a residential district from 30’ to 15’ and 10’; and to allow non-residential parking in the front/street side yard setback of a residential district, to allow for the improvements to the existing garden center.

LOCATION: 6056 North 156th Street  
ZONE: DR

12. Case No. 15-088  
St. Francis Cabrini Church of Omaha and Bethlehem House  
Omaha, NE  

REQUEST: Waiver of Section 55-246, 55-735(a)(1) & 55-740(f) – Variance to the maximum impervious coverage from 70% to 83% for Lot 2; to the minimum parking lot perimeter landscaping from 10’ to 1’ on Lot 1, to allow parking for a Large Group Living use in the front yard setback of a residential district on Lot 1, for the property to be administratively subdivided into 2 lots.

LOCATION: 1404 Castelar Street  
ZONE: R7

13. Case No. 15-089  
Brother Mike Wilmot  
GESU Housing, Inc.  
5008 ½ B Dodge  
Omaha, NE 68132  

REQUEST: Waiver of Section 55-207(g) & 55-742(b) – Variance to the front yard setback from 35’ to 25’ and to allow required off-street parking in the front yard setback, to construct 2 single-family homes.

LOCATION: 4138 & 4140 Burdette Street  
ZONE: R5(35)

6/29/15