ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, June 11, 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, June 11, 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 1, 2015 (for use waivers only) and Thursday, June 4, 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:

   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 27; 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 and 3010 Pacific Street  
   ZONE: R7

2. Case No. 15-042 (from 4/9/15 & 5/14/15)  
   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 1,354 sq. ft. to allow installation of 4 wall signs.  
   LOCATION: 2001 Farnam Street  
   ZONE: CBD-ACI-1(PL)

3. Case No. 15-048  
   Danielle Dring  
   Mercury Contractors  
   4222 Davenport Street  
   Omaha, NE 68131  
   REQUEST: Waiver of Section 55-146 – Variance to the street side yard setback from 20’ to 16’ to construct a 13’x24’ garage addition.  
   LOCATION: 901 South 87th Street  
   ZONE: R2

4. Case No. 15-055 (from 5/14/15)  
   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)

5. Case No. 15-060 (from 5/14/15)  
   McNeil Company Builders  
   4666 South 132nd Street  
   Omaha, NE 68137  
   REQUEST: Waiver of Sections 55-246 & 55-716 – Variance to the required bufferyard between R7 and DR from 30’ to 0’ and to the interior side yard setback from 10’ to 0’, to allow construction of an apartment complex.  
   LOCATION: 12510 West Dodge Road & 710 North 124th Plaza  
   ZONE: R7-ACI-4(PL)
NEW CASES:

6. Case No. 15-061
   Red Brick Development LLC
   18018 Burke Street
   Omaha, NE 68022
   REQUEST: Waiver of Sections 55-737(a), 55-740(b)(1), 
             & 55-740(f)(4) – Variance to the maximum 
             number of compact stalls from 40% to 50% 
             of the total parking stalls; to the minimum 
             drive aisle width from 24’ to 23’; to the 
             minimum perimeter parking lot landscaping 
             from 10’ to 4.3’ and 5’ to 1’ and 1’; to allow 
             construction of a 3-story mixed use building.
   LOCATION: 5018 Underwood Avenue
   ZONE: NBD-NCE-C

7. Case No. 15-066
   Habitat for Humanity
   1701 North 24th Street
   Omaha, NE 68110
   REQUEST: Waiver of Section 55-206 – Variance to the 
             street side yard setback from 15’ to 14’ to 
             construct a new single family home.
   LOCATION: 3802 North 22nd Street
   ZONE: R5

8. Case No. 15-067
   Russell Finch
   Russell Finch Construction
   2114 South 47th Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-166 – Variance to the 
             interior side yard setback from 7’ to 4’ to 
             construct a landing for a new deck.
   LOCATION: 2217 South 152nd Street
   ZONE: R3

9. Case No. 15-068
   Barry Stych
   12562 Ohio Circle
   Omaha, NE 68164
   REQUEST: Waiver of Section 55-166 – Variance to the 
             front yard setback from 35’ to 25’ to 
             construct a new single-family home.
   LOCATION: 2618 & 2624 North 137th Street
   ZONE: R3

10. Case No. 15-069
    Nancy Somerhalder
    5505 South 124th Street
    Omaha, NE 68137
    REQUEST: Waiver of Section 55-146 – Variance to the 
             interior side yard setback from 10’ to 6’ to 
             construct a 7’ x 15’ home addition.
    LOCATION: 5505 South 124th Street
    ZONE: R2

11. Case No. 15-070
    Clarkson Memorial Hospital
    988145 Nebraska Medical Center
    Omaha, NE 68198
    REQUEST: Waiver of Section 55-740(b) – Variance to 
             the required standard parking layout 
             dimensions for a new parking garage.
    LOCATION: 4111 Harney Street
    ZONE: GC-AC-1(PL)

12. Case No. 15-071
    Jay Muller
    1120 North 18th Street
    Omaha, NE 68102
    REQUEST: Waiver of Section 55-832 – Variance to the 
             maximum sign height from 8’ to 14’8” and 
             to the front yard setback from 12’ to 0’ to 
             install a monument sign.
    LOCATION: 6809 North 68th Plaza
    ZONE: R7
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tbody>
<tr>
<td>15-072</td>
<td>Waiver of Section 55-834, 55-836 &amp; 55-933(b) – Variance to the maximum sign height from 12′ to 14′8″ and 15′8″ and to the front yard setback from 12′ to 0″ to install 6 monument signs.</td>
<td>6751, 6801 and 6901 North 72nd Street &amp; 7101 and 7105 Newport Avenue</td>
<td>GO-ACI-4(PL) &amp; CC-ACI-4(PL)</td>
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<td>15-073</td>
<td>Waiver of Sections 55-126 and 55-715 – Variance to the front yard setback from 50′ to 35′ and to the street yard landscaping depth from 30′ to 0′, to construct a new home.</td>
<td>23602 Hampton Road</td>
<td>R1</td>
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<td>15-074</td>
<td>Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6′ tall, privacy fence in the street side yard setback to remain.</td>
<td>3304 North 49th Street</td>
<td>R4(35)</td>
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<tr>
<td>15-075</td>
<td>Waiver of Section 55-187(e) – Variance to the front yard setback from 35′ to 25′ to construct a new home.</td>
<td>4953 Mayberry Street</td>
<td>R4(35)</td>
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<td>15-076</td>
<td>Waiver of Section 55-715, 55-735(b) &amp; 55-740(f)(4) – Variance to the street yard landscaping depth from 10′ to 0′; to the street yard landscaping percentage from 50% to 47%, to the perimeter parking lot landscaping depth from 10′ to 0′; and to allow parking for a non-residential use in the front yard setback of a residential district, to allow for a parking lot expansion.</td>
<td>4622 Monroe Street</td>
<td>R7</td>
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<td>15-077</td>
<td>Waiver of Section 55-206 – Variance to the rear yard setback from 25′ to 15′ to allow construction of a deck.</td>
<td>16617 Drexel Street</td>
<td>R5</td>
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