ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, March 12, 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, February 12, 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, March 2, 2015 (for use waivers only) and Thursday, March 5, 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.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.
SHOW CAUSE:

1. Case No. 14-013 (from 1/8 & 2/12/15)
   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)

LAYOVER CASES:

2. Case No. 15-004 (from 2/12/15)
   Bronco Land Company
   7134 Pacific Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-853(a) & 55-826 (a)(3)&(4) – Variance to the spacing requirements for an electronic/static off-premise advertising sign.
   LOCATION: 7120/7152 Pacific Street
   ZONE: GC-ACI-2(65)-FF
       GI-ACI-2(65)-FF

3. Case No. 15-009 (from 1/8/15)
   Christina M. Blumkin Trust
   9405 Davenport Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 45’; to the rear yard setback from 35’ to 25’; and to the maximum height from 35’ to 46’, to construct a new single-family home.
   LOCATION: 9405 Davenport Street
   ZONE: R1

4. Case No. 15-010 (from 2/12/15)
   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

5. Case No. 15-015 (from 2/12/15)
   Mark Sanford
   1306 North 162nd Street
   Omaha, NE 68118
   REQUEST: Waiver of Section 55-363 – Variance to the permitted use regulations of the CC District to allow a Body & Fender Repair Services use not otherwise permitted.
   LOCATION: 15555 Q Street
   ZONE: CC
NEW CASES:

6. Case No. 15-011  
   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

7. Case No. 15-017  
   Danielle Dring  
   Mercury Contractors  
   4222 Davenport Street  
   Omaha, NE 68131  
   REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 50’ to 44’; to the interior side yard setback from 25’ to 16’; and to the minimum depth for street yard landscaping from 30’ to 0’, to construct a home addition.  
   LOCATION: 8225 Jackson Street  
   ZONE: R1

8. Case No. 15-019  
   Dan Brewer  
   Habitat for Humanity  
   1701 North 24th Street  
   Omaha, NE 68110  
   REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 25’ to construct a new single-family home.  
   LOCATION: 3932 North 21st Street  
   ZONE: R7

9. Case No. 15-020  
   City of Omaha  
   Chris Wayne  
   1819 Farnam Street  
   Omaha, NE 68183  
   REQUEST: Waiver of Section 55-206 & 55-742 – Variance to the minimum lot size from 5,000 sq. ft. to 4,522 sq. ft. – 4,995 sq. ft.; to the front yard setback from 25 ft. to 20 ft.; to the street side yard setback from 15’ to 13’, to the rear yard setback from 25’ to 20’, to allow required off-street parking in the front yard setback to subdivide the property into 6 lots for single family residential homes.  
   LOCATION: Southwest corner of 19th & Locust Streets – 2821, 2817, 2813, 2809, 2812 North 19th Avenue; 1918, 1908, 1904 Corby Street; 2822, 2818, 2816, 2814, 2812, North 19th Street  
   ZONE: R7 & GC (R5-pending)
10. Case No. 15-021
Jeff Keating
PDM, Inc.
1111 North 102nd Court
Omaha, NE 68114
REQUEST: Waiver of Section 55-366 – Variance to the maximum impervious surface coverage from 85% to 90% for the proposed Lot 1, to allow for approval of an administrative subdivision.
LOCATION: 3002 South 24th Street
ZONE: CC-ACI-1(50)

11. Case No. 15-022
Mr. & Mrs. David Peters
725 North 57th Street
Omaha, NE 68132
REQUEST: Waiver of Section 55-186 & 55-187(e) – Variance to the front yard setback from 35’ to 33.5’; to the street side yard setback from 15’ to 10’; to the rear yard setback from 25’ to 20’10” for the existing structure and a home addition.
LOCATION: 523 North 52nd Street
ZONE: R4(35)

12. Case No. 15-023
Omaha Blue Wave
14205 J Street
Omaha, NE 68137
REQUEST: Waiver of Section 55-503 – Variance to the permitted use regulations of the GI District to allow a Personal Improvement Services and Personal Services use not otherwise permitted.
LOCATION: 13803 Industrial Road
ZONE: GI

13. Case No. 15-024
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)
14. Case No. 15-025
Arch Icon Development
505 Walker Street
Woodbine, IA 51579

REQUEST: Waiver of Section 55-737(b) & (c), 55-740(f)(4) & (5) & 55-786 – Variance to the compact parking stall depth from 16' to 14'; to the grouping of compact stalls from 5 to 3; to the minimum parking lot perimeter landscaping from 10' to 0', 3.4', 1.0', 8.8' & 6.3' and 5' to 0' & 3.2'; to the minimum interior parking lot landscaping from 7% to 3% and to allow a 6' tall, 50% open fence within the front/street side yard setbacks, for improvements/construction of 5 off-street parking lots.

LOCATION: 2316, 2308, 2317, 2301 Dewey Avenue;
2316, 2312, 2224, 2222, 2235, 2227, 2217,
2215, 2211 Howard Street; 508 & 552 South 22nd Street

ZONE: CBD-ACI-1(PL) & DS-ACI-1(PL)

15. Case No. 15-027
Vince Wilson
Wright of Center, LLC
11232 Wright Circle
Omaha, NE 68144

REQUEST: Waiver of Section 55-740(f)(4) – Variance to the perimeter parking lot landscaping from 5' to 0' to install additional parking stalls.

LOCATION: 11232 Wright Circle

ZONE: CC

16. Case No. 15-028
Kirt Trivedi
24th Street Enterprises, LLC
1536 Cuming Street
Omaha, NE 68102

REQUEST: Waiver of Section 55-737, 55-740(c) & 55-928(e)(1)b – Variance to allow a constrained parking area larger than 15,000 sq. ft. to allow groupings of less than 5 compact parking stalls and to allow parking stalls to encroach into a required landscaped area, for the redevelopment of the property for a hotel and parking area.

LOCATION: 2200-2232 Farnam Street & 219 South 24th Street

ZONE: CBD-ACI-1(PL)