ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, May 14, 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, May 14, 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, May 4, 2014 (for use waivers only) and Thursday, May 7, 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. 15-035 (from 4/9/15)**
   Matt Kronaizl - **WITHDRAWN**
   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

2. **Case No. 15-036 (from 4/9/15)**
   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 7.5’ to construct a 720 square foot detached garage.
   **LOCATION:** 6721 South 46th Avenue
   **ZONE:** R7

3. **Case No. 15-038 (from 4/9/15)**
   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)

4. **Case No. 15-042 (from 4/9/15)**
   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 1,081 sq. ft. to allow installation of 3 wall signs.
   **LOCATION:** 2001 Farnam Street
   **ZONE:** CBD-ACI-1(PL)

5. **Case No. 15-045 (from 4/9/15)**
   **WITHDRAWN**
   Mark & Cathy Madsen -
   9527 Westchester Lane
   Omaha, NE 68114
   **REQUEST:** 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.
   **LOCATION:** 9527 Westchester Lane
   **ZONE:** R1

NEW CASES:

6. **Case No. 15-037**
   Tim Schmad
   Omaha Community Playhouse
   6915 Cass Street
   Omaha, NE 68132
   **REQUEST:** Waiver of Section 55-832(a) – Variance to the permitted sign types to allow an electronic message center.
   **LOCATION:** 6915 Cass Street
   **ZONE:** R7
7. Case No. 15-040
Tonya Daniels
7665 Nebraska Avenue
Omaha, NE 68134

REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 24’ and to the interior side yard setback from 10’ to 3’ to allow a rebuilt front porch to remain.

LOCATION: 1006 South 30th Avenue
ZONE: R7

8. Case No. 15-052
Omaha Neon Sign Company
Tony Panagiotis
1120 North 18th Street
Omaha, NE 68102

REQUEST: Waiver of Section 55-933(a) – Variance to allow a pole sign in an ACI district to remain.

LOCATION: 2765 South 13th Court
ZONE: CC-ACI-2(50)

9. Case No. 15-047
Ronald Romans
2105 South 38th Street
Omaha, NE 68105

REQUEST: Waiver of Section 55-266 – Variance to the interior side yard setback from 5’ to 0’ to construct a new deck in the same location as the current deck.

LOCATION: 2105 South 38th Street
ZONE: R8

10. 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

11. Case No. 15-049
Holy Cross School Athletic Dept.
Holy Cross Church
4803 William Street
Omaha, NE 68106

REQUEST: Waiver of Section 55-865 & 55-740(e) – Variance to allow enlargement of an existing non-conforming use to construct a new structure and to the requirement for a hard-surfaced driveway connection from the street to the new structure.

LOCATION: 2425 & 2429 South 60th Street
ZONE: R4(35)

12. Case No. 15-050
David Uhrich
Faith Westwood UMC
4814 Oaks Lane
Omaha, NE 68137

REQUEST: Waiver of Section 55-186, 55-715 & 55-735(b) – Variance to the maximum impervious coverage from 50% to 76.1%, to the minimum street yard landscaping percentage from 60% to 35.4% and to allow parking for a non-residential use in the front yard setback of a residential district, for construction of building and parking lot additions to the existing church.

LOCATION: 4814 Oaks Lane
ZONE: R4

13. Case No. 15-051
Seth Silverstein
4102 South 13th Street
Omaha, NE 68107

REQUEST: Waiver of Section 55-764(d)(2) – Variance to the capacity limitations for a Daycare Services (General) use in a R5(35) district from 24 to 250 individuals.

LOCATION: 4110 & 4102 South 13th Street
ZONE: R5(35)
<table>
<thead>
<tr>
<th></th>
<th>Case No.</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tbody>
<tr>
<td>14.</td>
<td>11-104</td>
<td>Waiver of Section 55-123 &amp; 55-740(e) – Variance to allow a temporary gravel parking lot for construction personnel not permitted in the R1 district.</td>
<td>8135 &amp; 8151 Farnam Drive and 8220 &amp; 8224 Harney Street</td>
<td>R1</td>
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<td>15.</td>
<td>15-053</td>
<td>Waiver of Section 55-126 – Variance to the minimum lot width from 100’ to 81.94’ to allow the approval of an administrative subdivision.</td>
<td>22833 Rifle Ridge Terrace</td>
<td>R1</td>
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<td>16.</td>
<td>15-054</td>
<td>Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 15’ to construct a garage addition.</td>
<td>1709 South 109th Street</td>
<td>R1</td>
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<tr>
<td>17.</td>
<td>15-055</td>
<td>Waiver of Section 55-824(d) &amp; 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.</td>
<td>2601 North 16th Street</td>
<td>CC-ACI-2(PL)</td>
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<td>18.</td>
<td>15-056</td>
<td>Waiver of Section 55-716, 55-784(c)(1) &amp; (2) – Variance to the required buffer yard between R6 and R3/R2 from 20’ to 19’ and 16’; to the setback from public streets from 35’ to 10’; and to the setbacks from other property lines from 20’ to 19’ and 16’ to allow an 8 lot single-family residential development.</td>
<td>Southeast corner of 96th Street and West Center Road</td>
<td>R6-PUD</td>
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<td>19.</td>
<td>15-057</td>
<td>Waiver of Section 55-734 and 55-737 – Variance to the minimum number of off-street parking stalls from 58 to 30 and to allow more than 40% of the total stalls as compact stalls, for a 36-unit multiple-family residential development.</td>
<td>617 South 31st Street</td>
<td>R8-ACI-1(PL)</td>
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<td>Case No. 15-058</td>
<td><strong>REQUEST:</strong> Waiver of Section 55-206 – Variance to the front yard setback from 25’ to 21’6” and to the street side yard setback from 15’ to 14’ to allow replacement of the existing covered front porch.</td>
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| Dan Brewer      | **LOCATION:** 4102 North 21st Street  
| Habitat for Humanity of Omaha | **ZONE:** R5 |
| 1701 North 24th Street  
| Omaha, NE 68110 | |

<table>
<thead>
<tr>
<th>Case No. 15-059</th>
<th><strong>REQUEST:</strong> Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 12’ to construct a garage addition.</th>
</tr>
</thead>
</table>
| Rick Cox        | **LOCATION:** 6003 North 52nd Street  
| 6003 North 52nd Street  
| Omaha, NE 68104 | **ZONE:** DR |

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<thead>
<tr>
<th>Case No. 15-060</th>
<th><strong>REQUEST:</strong> Waiver of Section 55-716 – Variance to the required bufferyard between R7 and DR from 30’ to 0’ to allow construction of an apartment complex.</th>
</tr>
</thead>
</table>
| McNeil Company Builders | **LOCATION:** 12510 West Dodge Road & 710 North 124th Plaza  
| 4666 South 132nd Street  
| Omaha, NE 68137 | **ZONE:** R7-ACI-4(PL) |

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<thead>
<tr>
<th>Case No. 15-062</th>
<th><strong>REQUEST:</strong> Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking lot for two Junk Stock events (6/12 to 6/14/2015 and 10/9 to 10/11/2015).</th>
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</thead>
</table>
| Jon Alexander   | **LOCATION:** 315 South 192nd Street  
| 5656 Mark Street  
| Papillion, NE 68133 | **ZONE:** AG |

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<thead>
<tr>
<th>Case No. 15-063</th>
<th><strong>REQUEST:</strong> Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 15’; and to the interior side yard setback from 25’ to 10’ for the construction of a new pool house structure.</th>
</tr>
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</table>
| Clif Poling     | **LOCATION:** 1314 North 141st Avenue  
| 2205 North 88th Street  
| Omaha, NE 68134 | **ZONE:** R1 |

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<thead>
<tr>
<th>Case No. 15-064</th>
<th><strong>REQUEST:</strong> Waiver of Section 55-146 – Variance to the front yard setback from 40’ to 36’8” to construct a 2nd floor addition to the existing home.</th>
</tr>
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| Hap and Suzanne Pocras | **LOCATION:** 10324 Rockbrook Road  
| 10324 Rockbrook Road  
| Omaha, NE 68124 | **ZONE:** R2 |

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<thead>
<tr>
<th>Case No. 15-065</th>
<th><strong>REQUEST:</strong> Waiver of Section 55-782(b)(6) – Variance to the interior side yard setback from 3’ to 1’ to allow a 3’x20’ addition to an existing detached garage.</th>
</tr>
</thead>
</table>
| Brian Buescher  | **LOCATION:** 1322 South 35th Avenue  
| 1322 South 35th Avenue  
| Omaha, NE 68105 | **ZONE:** R3 |