ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, November 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, November 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, November 2, 2015 (for use waivers only) and Thursday, November 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.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.
NEW CASES:

1. **Case No. 15-129**  
   Baceline Investments  
   1391 Speer Boulevard  
   Ste. 800  
   Denver, CO 80204  
   **REQUEST:** Waiver of Section 55-366 – Variance to the  
   maximum impervious coverage from 85% to 88% and to the  
   rear yard setback from 15’ to 11.2’ to allow approval of a  
   subdivision.  
   **LOCATION:** 5414 North 90th Street  
   **ZONE:** CC

2. **Case No. 15-130**  
   Robert C. Molby  
   6404 North 79th Avenue  
   Omaha, NE 68134  
   **REQUEST:** Waiver of Section 55-186 – Variance to the  
   rear yard setback from 25’ to 21’ to construct a deck.  
   **LOCATION:** 6404 North 79th Avenue  
   **ZONE:** R4

3. **Case No. 15-131**  
   Dan Smith  
   Colliers International  
   6464 Center Street  
   Suite 200  
   Omaha, NE 68106  
   **REQUEST:** Waiver of Section 55-933 – Variance to the  
   minimum size of a business center from 10 acres to 8.33  
   acres to allow construction of a business center sign.  
   **LOCATION:** 7646 Dodge Street  
   **ZONE:** CC-ACI-2(65)-FF

4. **Case No. 15-132**  
   Nina Cudahy  
   2227 South 89th Court  
   Omaha, NE 68124  
   **REQUEST:** Waiver of Section 55-108 & 55-740(e) –  
   Variance to the minimum lot width from 100’ to 12’, and  
   to allow for a non-hard-surfaced driveway, for the approval  
   of an administrative subdivision and construction of a  
   new home.  
   **LOCATION:** 4201 North Post Road  
   **ZONE:** DR-ED

5. **Case No. 15-133**  
   Jake Ritonya  
   18720 California Street  
   Omaha, NE 68022  
   **REQUEST:** Waiver of Section 55-715 – Variance to the  
   minimum street yard landscape percentage from 65% to 61%  
   to allow a driveway to remain.  
   **LOCATION:** 18720 California Street  
   **ZONE:** R3

6. **Case No. 15-135**  
   Antonia Montana  
   4011 Kristy Plaza  
   Omaha, NE 68112  
   **REQUEST:** Waiver of Section 55-108 – Variance to the  
   minimum lot size from 1 acre to 36,136 sq. ft. and 14,615  
   sq. ft. to allow for the approval of an administrative  
   subdivision.  
   **LOCATION:** 4709 U Street & 5605 South 48th Street  
   **ZONE:** DR
7. Case No. 15-136
Christina M. Blumkin Trust
9405 Davenport Street
Omaha, NE 68114
REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 50’ to 45’; to the rear yard setback from 35’ to 22’9” to the maximum impervious coverage from 30% to 37%, to the minimum street yard landscaping depth from 30’ to 0’ and to the minimum street yard landscaping percentage from 75% to 70%, to allow construction of a new home and paver driveway.
LOCATION: 9405 Davenport Street
ZONE: R1

8. Case No. 15-137
Mark and Cathy Madsen
9527 Westchester Lane
Omaha, NE 68114
REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 50’ to 30’ and to the minimum street yard landscaping depth from 30’ to 0’ to allow construction of a new home and pool house.
LOCATION: 9501 & 9521 Douglas Street
ZONE: R1

9. Case No. 15-138
Bryan Zimmer
The Architectural Offices
4610 Dodge Street
Omaha, NE 68132
REQUEST: Waiver of Section 55-146 – Variance to the maximum impervious surface coverage from 40% to 53% to allow for construction of a detached garage/shop.
LOCATION: 1430 South 85th Avenue
ZONE: R2

10. Case No. 15-139
Father Tom Neitzke, SJ
Creighton Prep High School
7400 Western Avenue
Omaha, NE 68114
REQUEST: Waiver of Section 55-830 – Variance to the front yard setback from 12’ to 6’ and to the maximum height from 6’ to 12’ for 1 monument sign and to the total permitted sign area from 32 sq. ft. to 230 sq. ft. to allow installation of a total of 4 monument signs on the campus.
LOCATION: 7400 Western Avenue
ZONE: R3-ACI-2(50)

11. Case No. 15-140
Tim Norton, Creighton University
2500 California Plaza
Omaha, NE 68178
REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for a temporary sign from 32 sq. ft. to 640 sq. ft. for a banner to be displayed no later than December 2, 2015.
LOCATION: 2615 California Plaza
ZONE: DS