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, September 10, 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, September 28, 2015 (for use waivers only) and Thursday, October 1, 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. 15-043 - WITHDRAWN
   Mustang Properties
   2226 South 89th Court
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-246 & 55-734
   - Variance to the interior side yard setback from 10’ to 5’;
   - to the rear yard setback from 25; to 10’;
   - and to the maximum number of off-street parking stalls from 9 to 8,
   to construct a 6-unit apartment building.
   LOCATION: 4804 Douglas Street
   ZONE: R7-ACI-2(50)

2. Case No. 15-112
   Brian Reiman
   Midwest Construction Concepts
   14105 North 132nd Street
   Omaha, NE 68142
   REQUEST: Waiver of Section 55-108 & 55-740(e)
   - Variance to the interior side yard setback from 25’ to 11’6”
   - and the hard-surfaced driveway requirement, to allow for a garage
   addition and gravel driveway.
   LOCATION: 10607 North 47th Avenue
   ZONE: DR-ED

NEW CASES:

3. Case No. 15-116
   Lamar Outdoor
   TLC Properties
   4849 G Street
   Omaha, NE 68117
   REQUEST: Waiver of Section 55-617
   - Variance to allow a new permit for an electronic, off-premise
   sign in an ACI district not otherwise permitted.
   LOCATION: 4409 Dodge Street
   ZONE: CC-ACI-2(50)

4. Case No. 15-119
   Azita Soraya-Martin
   8240 Keystone Drive
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-146
   - Variance to the front yard setback from 40’ to 32.76’
   to construct a home addition.
   LOCATION: 8240 Keystone Drive
   ZONE: R2

5. Case No. 15-120
   Maria E. Gamboa
   423 Woolworth Avenue
   Omaha, NE 68108
   REQUEST: Waiver of Section 55-782(b)(6)
   - Variance to the interior side yard setback from 3’ to 2.5’
   to allow existing foundation to be completed as a 17’ x 19’ garage.
   LOCATION: 423 Woolworth Avenue
   ZONE: R7

6. Case No. 15-122
   Bill Welchert
   11550 Pawnee Road
   Omaha, NE 68142
   REQUEST: Waiver of Section 55-87 & 55-740(e)
   - Variance to the maximum building coverage from 5% to 13.5%;
   - to the maximum impervious coverage from 10% to 13.5%;
   - to the front yard setback from 50’ to 46’;
   - and to allow a gravel driveway to remain, to allow the construction of home
   additions.
   LOCATION: 11550 Pawnee Road
   ZONE: AG-ED
7. Case No. 15-123  
Dave Ulferts  
2612 North 152nd Street  
Omaha, NE 68116  
REQUEST: Waiver of Section 55-740(f)(4) & 55-928 – Variance to the perimeter landscaping from 15’ to 5.25’, and 10’ to 0’ to allow construction of a parking lot.  
LOCATION: 2609 St. Mary’s Avenue  
ZONE: DS-ACI-1(PL)

8. Case No. 15-124  
Michael Opatowski  
210 Clayton  
Denver, CO 80206  
REQUEST: Waiver of Section 55-406 – Variance to the front yard setback from 50’ from center line (17’) to 42.5’ from center line (9.5’) to construct a canopy sign.  
LOCATION: 6570 Maple Street  
ZONE: GC

9. Case No. 15-125  
Joshua J. Sweley  
327 North 92nd Street  
Omaha, NE 68114  
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 31’ to construct a garage addition.  
LOCATION: 327 North 92nd Street  
ZONE: R1

10. Case No. 15-126  
Angie Knutson-Smith  
437 North Molley Street  
Bennington, NE 68007  
REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfaced driveway requirement to allow a gravel driveway for a new home.  
LOCATION: 14014 North 108th Street  
ZONE: DR-ED

11. Case No. 15-127  
Father Tom Fangman  
2207 Wirt Street  
Omaha, NE 68110  
REQUEST: Waiver of Section 55-246 & 55-734 – Variance to the front yard setback from 35’ to 20’; to the street side yard setback from 25’ to 10’; and to the minimum number of off-street parking stalls from 90 to 15 to allow construction of a new parish center.  
LOCATION: 2207 Wirt Street  
ZONE: R7

9/29/15