ZONING BOARD OF APPEALS
AGENDA

Thursday, September 10, 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, 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, August 31, 2015 (for use waivers only) and Thursday, September 3, 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.
**LAYOVER CASES:**

1. **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 6’8” to construct a 7’ x 15’ home addition.  
   **LOCATION:**  
   5505 South 124th Street  
   **ZONE:**  
   R2

2. **Case No. 15-090 (from 8/13/15)**  
   Kevin Bolte  
   5123 South 90th Street  
   Omaha, NE 68127  
   **REQUEST:**  
   Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 21’10” to allow a new deck to remain.  
   **LOCATION:**  
   5123 South 90th Street  
   **ZONE:**  
   R4(35)

3. **Case No. 15-092 (from 8/13/15)**  
   Sebastian Anzaldo  
   910 South 37th Street  
   Omaha, NE 68105  
   **REQUEST:**  
   Waiver of Section 55-186 – Variance to the street side yard setback from 15’ to 6’ to construct a new home.  
   **LOCATION:**  
   5061 South 36th Avenue  
   **ZONE:**  
   R4(35)

4. **Case No. 15-094 (from 8/13/15)**  
   Dave Paladino  
   2702 Douglas Street  
   Omaha, NE 68131  
   **REQUEST:**  
   Waiver of Section 55-366 & 55-734 – Variance to the maximum Floor Area Ratio from 1.0 to 1.43 and to the minimum number of off-street parking stalls from 29 to 21 to allow construction of an indoor self-storage facility.  
   **LOCATION:**  
   7201 Maple, 2812 & 2816 North 72nd Street, and 2803 North 73rd Street  
   **ZONE:**  
   CC-ACI-2(50), R2-ACI-2(50) and R2(CC-ACI-2(50) pending)

5. **Case No. 15-095 (from 8/13/15)**  
   Jacque & John Herdzina  
   10551 Forrest Drive  
   Omaha, NE 68124  
   **REQUEST:**  
   Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall, privacy fence within the front yard setback of a residentially zoned property.  
   **LOCATION:**  
   10551 Forrest Drive  
   **ZONE:**  
   R1

6. **Case No. 15-104 (from 8/13/15)**  
   John Faulkner  
   Faulkner Construction  
   3423 Cuming Street  
   Omaha, NE 68131  
   **REQUEST:**  
   Waiver of Section 55-206 – Variance to the rear yard setback from 25’ to 21’ to construct an enlarged deck.  
   **LOCATION:**  
   17501 Douglas Street  
   **ZONE:**  
   R5

7. **Case No. 15-018 (from 8/13/15)**  
   Vince Kunasek Design  
   9629 Redick  
   Omaha, NE 68122  
   **REQUEST:**  
   Waiver of Section 55-126 & 55-715 – Variance to the maximum impervious coverage from 30% to 33.8%, to the front yard setback from 50’ to 40’ and to the minimum street yard landscaping depth from 30’ to 25’, to construct a new home.  
   **LOCATION:**  
   19411 Camden Avenue  
   **ZONE:**  
   R1
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Address</th>
<th>REQUEST</th>
<th>LOCATION</th>
<th>ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td>Carol and Terry Williams</td>
<td>17108 Franklin Drive Omaha, NE 68118</td>
<td>Waiver of Section 55-786 – Variance to the residential fence regulations to allow a 6’ tall, steel security fence in the street side yard setback of a residential zoning district.</td>
<td>17108 Franklin Drive</td>
<td>R4</td>
</tr>
<tr>
<td>9.</td>
<td>Samer Hadad</td>
<td>17378 Ruggles Street Omaha, NE 68183</td>
<td>Waiver of Section 55-767 – Appealing a determination made by an administrative official related to 55-767 – Miscellaneous Uses.</td>
<td>17378 Ruggles Street</td>
<td>R4</td>
</tr>
<tr>
<td>10.</td>
<td>Brian Reiman</td>
<td>Midwest Construction Concepts 14105 North 132nd Street Omaha, NE 68142</td>
<td>Waiver of Section 55-108 and 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.</td>
<td>10607 North 47th Avenue</td>
<td>DR-ED</td>
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<td>11.</td>
<td>Gail Ross</td>
<td>Charles Drew Health Center 2912 Manderson Street Omaha, NE 68111</td>
<td>Waiver of Section 55-832 – Variance to the total permitted sign area from 40 sq. ft. to 55 sq. ft. to allow installation of a ground sign.</td>
<td>2912 Manderson Street</td>
<td>R7</td>
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<td>12.</td>
<td>Joel Dougherty</td>
<td>4920 South 30th Street Omaha, NE 68107</td>
<td>Waiver of Section 55-734 &amp; 55-740(b) – Variance to the number of off-street parking stalls from 18 to 9, to the drive aisle width from 24’ to 20’ and the parking stall depth from 18’ to 16’, to allow a Medical Office use.</td>
<td>4310 – 4316 South 24th Street</td>
<td>GC-ACI-1(50)</td>
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<td>13.</td>
<td>Susan Schonlau</td>
<td>6717 Mayberry Street Omaha, NE 68106</td>
<td>Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 23’ for construction of a home addition and deck.</td>
<td>6717 Mayberry Street</td>
<td>R4(35)</td>
</tr>
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<td>14.</td>
<td>Dr. Ralph Lassiter</td>
<td>2409 North 161st Street Omaha, NE 68116</td>
<td>Waiver of Section 55-206 &amp; 55-715 – Variance to the front yard setback from 25’ to 2’; to the street side yard setback from 15’ to 4’; and to the street yard landscaping percentage from 55% to 52% to allow construction of a church addition.</td>
<td>2602 North 24th Street</td>
<td>R6, R5(35) &amp; R5 (R5-pending)</td>
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