ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, August 11, 2016 - 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. Sean Kelley and Michael Gorman 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, August 11, 2016 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 1, 2016 (for use waivers only) and Thursday, August 4, 2016.

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 state your name. If there are opponents, they will also come forward at that time, give their names 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.
CASES:

1. Case No. 16-065
   Paul Janky
   PNJ LLC
   20805 U Circle
   Elkhorn, NE 68022
   REQUEST: Waiver of Section 55-734 – Variance to the number of required off-street parking stalls from 4 to 0 to allow for a garage addition to an existing business.
   LOCATION: 4835 South 136th Street
   ZONE: CC-FF

2. Case No. 16-066
   Millard School District
   1010 South 144th Street
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-830 – Variance to the maximum allowed sign budget from 32 sq. ft. to 158 sq. ft. to allow for additional wall signage and to the maximum height for an existing wall sign from 16’ to 34’.
   LOCATION: 1010 South 144th Street – Millard North H.S.
   ZONE: R4

3. Case No. 16-067
   Brian Timmons
   The Garage Company
   8301 Q Street
   Omaha, NE 68127
   REQUEST: Waiver of Section 55-166 – Variance to the maximum impervious surface coverage from 45% to 50.7% to allow construction of a new garage and driveway extension.
   LOCATION: 307 South 51st Avenue
   ZONE: R3

4. Case No. 16-068
   Omaha Central Church of the Nazarene
   8206 Blondo Street
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-485 and 55-734 – Variance to the permitted use regulations of the LI district to allow a Religious Assembly use not otherwise permitted and to the number of off-street parking stalls from 90 to 27.
   LOCATION: 2920 North 118th Street
   ZONE: LI

5. Case No. 16-069
   Bemis Center for Contemporary Arts
   724 South 12th Street
   Omaha, NE 68102
   REQUEST: Waiver of Section 55-825(c) – Variance to the temporary sign regulations and the maximum size of temporary signs from 32 sq. ft. to 500 sq. ft. and 1,000 sq. ft. for 2 banners until the end of 2016.
   LOCATION: 724 South 12th Street
   ZONE: DS-ACI-1(PL)

6. Case No. 16-070
   Tony Constantino
   Constantino Enterprises
   6516 Irvington Road
   Omaha, NE 68122
   REQUEST: Waiver of Section 55-715, 55-716 and 55-740(f) – Variance to the street yard landscaping depth from 10’ to 0’, to the bufferyard between CC and R3 from 30’ to 18’ and to the perimeter parking lot landscaping from 10’ to 5’ for construction of an indoor entertainment use.
   LOCATION: 6806 North 92nd Street
   ZONE: CC
7. Case No. 16-071
The Capitol District, LLC
1111 North 13th Street
#101
Omaha, NE 68102
REQUEST: Waiver of Section 55-617, 55-826(a)(1), 55-826(a)(3), 55-839(1) & 55-826(9) - Variance to the regulations regarding off-premise advertising signs in the ACI District and the CBD, to the number of signs per location, to the spacing requirement and Cap and Replace, to allow off-premise advertising signage on a parking garage.
LOCATION: 325 North 12th Street
ZONE: CBD-ACI-1(PL)

8. Case No. 16-072
Café Z, LLC
c/o Charles Keenan
2203 South 16th Street
Omaha, NE 68108
REQUEST: Waiver of Section 55-734 and 55-715 - Variance to the number of off-street parking stalls from 16 to 4 and to the street yard landscaping depth from 8.5’ to 0’ to allow a patio addition for a Restaurant (Limited) use.
LOCATION: 2203 South 16th Street
ZONE: GC

9. Case No. 16-073
Jeffrey Chalkley
8118 Arbor Street
Omaha, NE 68124
REQUEST: Waiver of Section 55-166 - Variance to the front yard setback from 35’ to 28’10” for construction of a 6’2” x 14’ deck.
LOCATION: 8118 Arbor Street
ZONE: R3

10. Case No. 16-074
Richard Essi
11429 Laci Circle
Omaha, NE 68137
REQUEST: Waiver of Section 55-186 - Variance to the front yard setback from 25’ to 10’ to construct an 18’ x 21’ garage addition with ADA ramp with Reasonable Accommodation request.
LOCATION: 11429 Laci Circle
ZONE: R4

11. Case No. 16-075
Tara Knapp & Edwin Wright
2606 South 32nd Avenue
Omaha, NE 68105
REQUEST: Waiver of Section 55-206 - Variance to the rear yard setback from 25’ to 7.5’ and to the interior side yard setback from 5’ to 1.5’ to allow for a garage addition to the existing home.
LOCATION: 2606 South 32nd Avenue
ZONE: R5(35)

12. Case No. 16-076
Les Bruntz
20762 Nancy Circle
Omaha, NE 68022
REQUEST: Waiver of Section 55-186 - Variance to the front yard setback from 25’ to 17.8’ to construct a 35’ x 39’ detached garage.
LOCATION: 20762 Nancy Circle
ZONE: R4
13. Case No. 16-077
Paul Barrow
7310 East Bayaud Avenue
Denver, CO 80230

REQUEST: Waiver of Section 55-207(b) – Variance to the minimum lot width from 30’ to 21.2’ and 28.8’ and to the minimum lot size from 3,000 square feet to 2,724.2 square feet, to allow an existing duplex to be split into single-family residential (attached) use.

LOCATION: 4633 Douglas Street
ZONE: RS(35)