ZONING BOARD OF APPEALS
AGENDA

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, December 8, 2016 at 8:30a.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 28, 2016 (for use waivers only) and Thursday, December 1, 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.
**NEW CASES:**

1. **Case No. 16-107**  
   **Stephen Kuehl**  
   5823 Pacific Street  
   Omaha, NE 68106  
   **REQUEST:** Waiver of Section 55-186 – Variance to the street side yard setback from 15’ to 0’ to allow an existing deck to remain.  
   **LOCATION:** 5823 Pacific Street  
   **ZONE:** R4(35)

2. **Case No. 16-108**  
   **WITHDRAWN**  
   **Tracy and Brandon Frans**  
   5722 South 185th Street  
   Omaha, NE 68135  
   **REQUEST:** Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 15’ to allow construction of a home addition.  
   **LOCATION:** 5722 South 185th Street  
   **ZONE:** DR

3. **Case No. 16-109**  
   **John Lewandowski**  
   Congra Food, Inc.  
   One Conagra Drive  
   Omaha, NE 68102  
   **REQUEST:** Waiver of Section 55-740(f) – Variance to the minimum perimeter parking lot landscaping from 10’ to 2.93’ and 7” to allow construction of a parking lot addition.  
   **LOCATION:** 808 Conagra Drive  
   **ZONE:** CBD

4. **Case No. 16-110**  
   **John Lewandowski**  
   Congra Food, Inc.  
   One Conagra Drive  
   Omaha, NE 68102  
   **REQUEST:** Waiver of Section 55-740(f) – Variance to the minimum perimeter parking lot landscaping from 10’ to 0’ to allow construction of a parking lot addition.  
   **LOCATION:** 508 Conagra Drive  
   **ZONE:** CBD

5. **Case No. 16-111**  
   **Chad Bumsted**  
   Choice Homes  
   1221 East Pierce Street  
   Suite 300  
   Council Bluffs, IA 51503  
   **REQUEST:** Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 25’ and to the interior side yard setback from 25 to 10 to allow construction of a new home.  
   **LOCATION:** 21924 Mayberry Circle  
   **ZONE:** R1

6. **Case No. 16-112**  
   **Allan Douglas**  
   2924 North 75th Avenue  
   Omaha, NE 68134  
   **REQUEST:** Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 18’3” and to the maximum impervious surface coverage from 40% to 41% to allow for construction of a home addition.  
   **LOCATION:** 2924 North 75th Avenue  
   **ZONE:** R2
7. **Case No. 16-113**  
Jonathan Ehly  
c/o The Water’s Edge United Methodist Church  
18035 Oak Street  
Omaha, NE 68130  
**REQUEST:** Waiver of Section 55-830 – Variance to the overall sign budget from 32 sq. ft. to 116 sq. ft., to the maximum wall sign height from 16’ to 27’, and to the maximum size of a wall sign from 32 sq. ft. to 37 sq. ft.  
**LOCATION:** 19600 Harrison Street  
**ZONE:** AG-(R4-pending)

8. **Case No. 16-114**  
Linda Morris  
Rising Star Baptist Church  
1823 Lothrop Street  
Omaha, NE 68110  
**REQUEST:** Waiver of Section 55-832 – Variance to the front yard setback from 12’ to 0’ and to the street side yard setback from 6’ to 0’ to allow a new monument sign.  
**LOCATION:** 1823 Lothrop Street  
**ZONE:** R7

9. **Case No. 16-115**  
One Jake’s Place, LLC  
11440 South 146th Street Suite 101  
Omaha, NE 68138  
**REQUEST:** Waiver of Section 55-734, 55-740 & 55-716 – Variance to the required bufferyard between R7 and R4 from 15’ to 10.25’, to the minimum drive aisle width from 24’ to 17’ and to the minimum number of off-street parking stalls from 29 to 23 to allow construction of a 24’ x 24’ detached storage building.  
**LOCATION:** 2020 South 55th Street  
**ZONE:** R7

10. **Case No. 16-116**  
St. Frances Cabrini Church  
1248 South 10th Street  
Omaha, NE 68114  
**REQUEST:** Waiver of Section 55-734 – Variance to the number of off-street parking stalls from 135 to 70.  
**LOCATION:** 1248 South 10th Street & 1334 South 9th Street  
**ZONE:** R7-NCE-C

11. **Case No. 16-117**  
Gonzalo A. Munoz  
4210 South 24th Street  
Omaha, NE 68107  
**REQUEST:** Waiver of Section 55-716 and 55-737 – Variance to the required bufferyard between GC and R4 from 15’ to 10’ and the minimum grouping of compact parking stalls from 5 to 2.  
**LOCATION:** 5414 South 36th Street  
**ZONE:** GC
12. Case No. 16-118 - **LAYOVER**  
Robert & Sharon Bruning  
16201 Fort Street  
Omaha, NE 68122  

**REQUEST:** Waiver of Section 55-84, 55-87, 55-715, 55-734 & 55-740(f) – Variance to the permitted use regulations of the AG district to allow Business Maintenance Services, Custom Manufacturing and Warehousing and Distribution (Limited), not otherwise permitted, to the maximum building coverage from 5% to 20%, to the maximum impervious surface coverage from 10% to 56%, to the required street yard landscaping percentage from 90% to 80%, to the minimum street yard landscaping depth from 35' to 5' and 9', to the required number of off-street parking stalls from 55 to 31 and to the minimum perimeter parking lot landscaping from 10' to 9' and 5'.

**LOCATION:** 16201 Fort Street  
**ZONE:** AG