ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, June 9, 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 is the alternate. 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, June 9, 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, May 30, 2016 (for use waivers only) and Thursday, June 2, 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.
LAYOVER:

1. Case No. 16-039 (from 5/12/16)  
   Omaha School District 66 of Douglas County Nebraska  
   909 South 76th Street  
   Omaha, NE 68114  
   REQUEST: Waiver of Section 55-715 & 55-735(b) – Variance to the minimum street yard landscaping percentage from 60% to 38%, to the minimum street yard landscaping depth from 15’ to 10’ and to allow parking for a non-residential use within the front yard setback of a residential zoning district for the construction of a new elementary school.  
   LOCATION: 9801 West Center Road – Oakdale Elementary School  
   ZONE: DR (R4 pending)

NEW CASES:

2. Case No. 16-045  
   John Inzauro  
   7410 North 57th Street  
   Omaha, NE 68152  
   REQUEST: Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 5’ to allow a 900 sq. ft. detached garage to remain.  
   LOCATION: 7410 North 57th Street  
   ZONE: R2

3. Case No. 16-046  
   Terry Hurt  
   8529 Wirt Street  
   Omaha, NE 68134  
   REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a rock drive for a new single-family home.  
   LOCATION: 5775 McKinley Street  
   ZONE: DR-ED

4. Case No. 16-047  
   Miguel Rodriguez  
   4310 South 21st Street  
   Omaha, NE 68107  
   REQUEST: Waiver of Section 55-246 – Variance to the front yard setback from 35’ to 20’ to allow a 10’ x 22’ deck to remain.  
   LOCATION: 4310 South 21st Street  
   ZONE: R7

5. Case No. 16-048  
   Kurtis Suhr  
   Architecture One  
   8030 Thornview Road  
   Lincoln, NE 68506  
   REQUEST: Waiver of Section 55-738 – Variance to the number of handicapped parking stalls from 2 to 0 to allow construction of a parking lot.  
   LOCATION: 820, 824 & 826 South 41st Street - Community Alliance  
   ZONE: R4(35) - (PK-pending)
6. Case No. 16-049
   Eric Westman
   Alley Poyner Macchietto
   Architecture
   1516 Cuming Street
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-740(f) & 55-928(c) - Variance to the perimeter parking lot landscaping from 10’ to 2’ and to the parking lot interior landscaping from 7% to 5.68% to allow for construction of a parking lot.
   LOCATION: 3804 Farnam Street & 140 South 38th Street
   ZONE: R8-ACI-1(PL) and GC-ACI-1(PL)-(NBD-ACI1(PL)-pending

7. Case No. 16-050
   Jason P. Lanoha
   19111 West Center Road
   Omaha, NE 68130
   REQUEST: Waiver of Section 55-740(f)(4) – Variance to the minimum perimeter parking lot landscaping from 5’ to 0’ to allow construction of a new mixed-use building and parking lot.
   LOCATION: 1207 Cass Street
   ZONE: CBD-ACI-1(PL)

8. Case No. 16-051
   Kendall Scheer
   13112 North 73rd Plaza
   Omaha, NE 68122
   REQUEST: Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 10’ to construct a 22’ x 30’ garage addition.
   LOCATION: 13112 North 73rd Plaza
   ZONE: DR-ED

9. Case No. 16-052
   Rodger Fawcett
   4621 South 151st Street
   Omaha, NE 68137
   REQUEST: Waiver of Section 55-186 – Variance to the rear yard setback from 25’ to 18’ to allow construction of a 12’ x 12’ deck.
   LOCATION: 4621 South 151st Street
   ZONE: R4(35)

10. Case No. 16-053
    Corey Harpster
    17209 Jessica Lane
    Gretna, NE 68028
    REQUEST: Waiver of Section 55-108 – Variance to the interior side yard setback from 25’ to 12’, to the maximum building coverage from 20% to 23.4%, and to the maximum impervious coverage from 25% to 38.5% to allow for construction of a 16’10” x 22’ garage addition.
    LOCATION: 16317 C Street
    ZONE: DR

11. Case No. 16-054
    Foundations Development, LLC
    Rob Woodling
    1886 South 126th Street
    Omaha, NE 68144
    REQUEST: Waiver of Section 55-206 – Variance to the rear yard setback from 25’ to 20.9’, 21.1’, 19.8’, 22.2’ & 23.4’ to allow construction of 3 duplexes.
    LOCATION: 9220 & 9228 Crown Point Avenue and 5902 North 92nd Street
    ZONE: R5
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<thead>
<tr>
<th>Case No.</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tbody>
<tr>
<td>16-055</td>
<td>Waiver of Section 55-787 – Variance to the required storm shelter size from 6,050 sq. ft. to 4,551 sq. ft. to allow construction of a new elementary school.</td>
<td>6523 Western Avenue – Western Hills Elementary</td>
<td>R3</td>
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<td>16-057</td>
<td>Waiver of Section 55-830 – Variance to the maximum allowed sign budget from 32 sq. ft. to 52.5 sq. ft., to the maximum height for a monument sign from 6’ to 12’, to the required setback from 12’ to 0’, and to the height of a wall sign from 16’ to 23.5’ to allow for an updated sign plan.</td>
<td>7400 Military Avenue</td>
<td>R2 &amp; R2-ACI-3(PL)</td>
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<td>16-058</td>
<td>Waiver of Section 55-786(f) – Variance to the maximum height for a chain link fence in a General Office district from 6’ to 8’.</td>
<td>10714 Mockingbird Drive</td>
<td>GO</td>
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<td>16-059</td>
<td>Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking lot through January 2017.</td>
<td>1509 Burt Street &amp; 723, 717 &amp; 713 North 16th Street</td>
<td>DS-ACI-1(PL)</td>
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