

# ZONING BOARD OF APPEALS AGENDA



Public Hearing  
Thursday, March 10, 2016 - 1:00 P.M.

Legislative Chambers-LC Level  
Omaha/Douglas Civic Center  
1819 Farnam Street

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**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, 11<sup>th</sup> Floor, on Thursday, March 10, 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, February 29, 2016 (for use waivers only) and Thursday, March 3, 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 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.

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**NEW CASES:**

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| 1 | Case No. 16-013<br>Gary Norton<br>Thompson, Dreessen & Dorner,<br>Inc.<br>10836 Old Mill Road<br>Omaha, NE 68154 | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-740(b)(1), 55-740(f)(4), 55-928(c) & 55-928(f) – Variance to the minimum drive aisle width from 24' to 22' and 20', to the perimeter parking lot landscaping from 5' to 3.5' and 7.5' to 1.5', 3.8' and 4' and to the landscaping requirements along the interior property lines adjacent to the parking area.<br><br>302 South 38 <sup>th</sup> Street<br>GC-ACI-1(PL) |
| 2 | Case No. 16-014<br>Ann O'Connor<br>Roncalli High School<br>6401 Sorensen Parkway<br>Omaha, NE 68152              | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-830 – Variance to the total permitted sign area from 32 sq. ft. to 64 sq. ft. and to allow a 15' tall, 49 sq. ft. sign with an electronic message center not otherwise permitted.<br><br>6401 Sorensen Parkway<br>R2  |
| 3 | Case No. 16-015- <b>WITHDRAWN</b><br>Paul Kelley, AIA<br>440 North 61 <sup>st</sup> Street<br>Omaha, NE 68132    | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-308 – Variance to the maximum impervious coverage from 65% to 67% to allow for an addition to the existing building.<br><br>1113 North 72 <sup>nd</sup> Street<br>LO  |
| 4 | Case No. 16-016<br>Rodger Fawcett<br>4621 South 151 <sup>st</sup> Street<br>Omaha, NE 68137                      | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-186 – Variance to the rear yard setback from 25' to 18' to allow construction of a 12' x 21' sunroom addition.<br><br>4621 South 151 <sup>st</sup> Street<br>R4(35)   |
| 5 | Case No. 16-017<br>Benson Farmer's Market<br>P.O. Box 4416<br>Omaha, NE 68104                                    | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-768 – Variance to the temporary use regulations to allow a farmer's market for up to 5 years.<br><br>4343 North 52 <sup>nd</sup> Street<br>R7   |
| 6 | Case No. 16-018<br>Todd Smith<br>937 Palamino Road<br>Omaha, NE 68154  | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-146 – Variance to the interior side yard setback from 10' to 7' to allow for a garage addition.<br><br>937 Palamino Road<br>R2  |

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| 7  | Case No. 16-019<br>Douglas County School District<br>28-0066, a/k/a<br>Westside Community Schools<br>909 South 76 <sup>th</sup> Street<br>Omaha, NE 68114-4559 | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-146 and 55-787(b) – Variance to the storm shelter regulations to determine size based on historic maximum enrollment and to the front yard setback from 40' to 10.9' to allow for the construction of an area of refuge.<br><br>8201 Pacific Street<br>R2            |
| 8  | Case No. 16-020<br>Carol Williams<br>Mutual of Omaha<br>3333 Farnam Street<br>Omaha, NE 68175  | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-825(c) – Variance to the temporary sign regulations to allow 3,200 sq. ft. and 16,200 sq. ft. of temporary signage from June 1 – August 10, 2016 for the 2016 US Olympic Swim Trials.<br><br>3333 Farnam Street & 3301 Dodge Street<br>CBD-ACI-1(PL) & CBD-ACI-2(50) |
| 9  | Case No. 16-021<br>Clif Poling<br>Best Lawns, Inc.<br>2205 North 88 <sup>th</sup> Street<br>Omaha, NE 68134  | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-186 – Variance to the rear yard setback from 25' to 5' to construct a 15' x 20' gazebo.<br><br>21031 X Street<br>R4  |
| 10 | Case No. 16-022<br>Roger Wells<br>13415 Charles Street<br>Omaha, NE 68154  | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-166 – Variance to the front yard setback from 35' to 31.5' to construct a larger covered front stoop.<br><br>13415 Charles Street<br>R3  |
| 11 | Case No. 16-023<br>Jon Alexander<br>Junkstock LLC<br>5656 Mark Street<br>Papillion, NE 68133   | REQUEST:<br><br><br><br><br><br><br><br><br><br>LOCATION:<br>ZONE: | Waiver of Section 55-740(e) – Variance to the hard-surface parking facility requirement for a temporary parking lot for three Junk Stock events (4/8 – 4/10, 6/24 – 6/26, and 10/7 – 10/9/2016).<br><br>315 South 192 <sup>nd</sup> Street<br>AG  |