ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, September 8, 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, September 8 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 29, 2016 (for use waivers only) and Thursday, September 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.
LAYOVERS:

1. Case No. 16-065 (from 8/11/16)  
   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. 16-068 (from 8/11/16)  
   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

3. Case No. 16-076 (from 8/11/16)  
   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

NEW CASES:

4. Case No. 16-078  
   Erin Carey  
   6958 North 97th Circle  
   Omaha, NE 68122  
   REQUEST: Waiver of Section 55-829 – Variance to the permitted sign area from 40 sq. ft. to 286 sq. ft., to the size of the wall sign from 40 sq. ft. to 96 sq. ft., and to the maximum wall height for a wall sign from 16 ft. to 34 ft. to allow installation of a new wall sign.  
   LOCATION: 7000 Mercy Road – College of Saint Mary  
   ZONE: DR & DR-ACI-2(65)

5. Case No. 16-079  
   Leo A. Daly  
   Jon McCarville  
   8600 Indian Hills Drive  
   Omaha, NE 68114  
   REQUEST: Waiver of Section 55-735(b) – Variance to allow off-street parking for a non-residential use in the front yard setback of a residential district.  
   LOCATION: 7400 Western Avenue  
   ZONE: R3 & R3-ACI-2(50)

6. Case No. 16-080  
   Grace Longley  
   Megumi, LLC  
   1325 Lynnwood Lane  
   Omaha, NE 68152  
   REQUEST: Waiver of Section 55-734 – Variance to the number of off-street parking stalls from 18 to 13.  
   LOCATION: 1054 South 20th Street  
   ZONE: GI (DS-pending)

7. Case No. 16-081  
   Dialysis Clinic, Inc.  
   Paul Passman  
   1633 Church Street, Suite 500  
   Nashville, TN 37203  
   REQUEST: Waiver of Section 55-734 – Variance to the number of off-street parking stalls from 76 to 71.  
   LOCATION: 7070 Spring Street  
   ZONE: GO
8. Case No. 16-082
Robert Torson Architects
6542 South 118th Street
Omaha, NE 68137
REQUEST: Waiver of Section 55-146 – Variance to the rear yard setback from 25’ to 20’10” and to the maximum impervious surface coverage from 40% to 45% to allow a garage addition.
LOCATION: 2327 South 103rd Street
ZONE: R2

9. Case No. 16-083
Steve Huber
16820 Frances Street
Suite 102
Omaha, NE 68130
REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the maximum height from 35’ to 46’ and to the minimum street yard landscaping depth from 15’ to 1’ to allow construction of a new home.
LOCATION: 3510 & 3520 South 228th Terrace
ZONE: R1

10. Case No. 16-084
McNeil Company
Deb Zandt
4666 South 132nd Street
Omaha, NE 68137
REQUEST: Waiver of Section 55-126 – Variance to the rear yard setback from 35’ to 8’ and 19’8” to allow existing pool features to remain and for construction of a covered pool patio.
LOCATION: 13708 Cuming Street
ZONE: R1

11. Case No. 16-085
The Architectural Offices
Randall J. Palandri AIA
4610 Dodge Street
Omaha, NE 68132
REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 10’ and to the maximum impervious coverage from 30% to 37%, to allow for a home addition, patio and driveway addition.
LOCATION: 319 South 94th Street
ZONE: R1

12. Case No. 16-086
CB Richard Ellis/Mega
11213 Davenport Street
Omaha, NE 68154
REQUEST: Waiver of Section 55-834 – Variance to the sign regulations to allow an 88 square foot, above the peak roof sign not otherwise permitted in the GO (General Office) district and to the maximum sign budget from 113.25 square feet to 163 square feet.
LOCATION: 11213 Davenport Street
ZONE: GO-FF/FW

13. Case No. 16-087
Brad & Jeannie Metzler
8001 Keystone Drive
Omaha, NE 68134
REQUEST: Waiver of Section 55-764(d)(1)(a) – Variance to allow a Daycare Services (Limited) use in a residential structure that is not occupied as a residence by the owner or tenant.
LOCATION: 8001 Keystone Drive
ZONE: R2

14. Case No. 16-088
Mark Santo
1107 South 99th Circle
Omaha, NE 68124
REQUEST: Waiver of Section 55-406 – Variance to the front yard setback from 50’ from center line to 41’ from center line to allow a warehouse addition to the existing building.
LOCATION: 4028 Hamilton Street
ZONE: GC