ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, April 13, 2017 - 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, April 13, 2017 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, April 3, 2017 (for use waivers only) and Thursday, April 6, 2017.

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. 16-118 (from 2/9/17)  
   Robert & Sharon Bruning  
   16201 Fort St.  
   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

2. Case No. 17-012 (from 3/9/17)  
   Ryan Lindquist  
   Elkhorn School Dist. 10  
   20650 Glenn St.  
   Omaha, NE 68022  
   REQUEST: Waiver of Section 55-108 – Variance to the maximum impervious surface coverage from 25% to 55% to allow for campus parking improvements.  
   LOCATION: 3100 North 206th Street  
   ZONE: DR

3. Case No. 17-024 (from 3/9/17)  
   Paul Kelly, AIA  
   440 N. 61st St.  
   Omaha, NE 68132  
   REQUEST: Waiver of Section 55-126, 55-715 and 55-740(f)(4) - Variance to the maximum impervious surface coverage from 30% to 40%, to the minimum street yard landscaping depth from 30' to 2', to the minimum street yard landscaping percentage from 25% to 30.5% and to the perimeter parking lot landscaping from 10' to 1' to allow for a new circular driveway.  
   LOCATION: 6237 Underwood Avenue  
   ZONE: R1

NEW CASES:

4. Case No. 17-034  
   Steve Kanger  
   2413 S. 27th Ave.  
   Omaha, NE 68105  
   REQUEST: Waiver of Section 55-523 – Variance to the permitted use regulations of the HI district to allow single-family residential, not otherwise permitted.  
   LOCATION: 2413 South 27th Avenue  
   ZONE: HI
5. Case No. 17-035
   Gayle Townsend
   8413 Browne St.
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-784(c) – Variance to the setback from a public street from 25' to 10' to allow a deck to be rebuilt.
   LOCATION: 843 North 131st Plaza
   ZONE: R5(cluster)

6. Case No. 17-036
   TruStar Energy
   10225 Philadelphia Ct.
   Rancho Cucamonga, CA 91730
   REQUEST: Waiver of Section 55-526 – Variance to the front yard setback from 50' from the center line of the fronting street to 40' 6" from the center line of the fronting street to allow installation of outdoor CNG equipment.
   LOCATION: 2535 and 2539 Edward Babe Gomez Avenue
   ZONE: HI

7. Case No. 17-037
   Bob Stratton
   809 N. 96th St.
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-831 – Variance to the front yard setback from 12' to 6' to allow construction of a monument sign.
   LOCATION: 9910 Q Street
   ZONE: R6-PUD

8. Case No. 17-038
   Anant Enterprises, LLC
   PO Box 3847
   Omaha, NE 68103
   REQUEST: Waiver of Section 55-740(f) and 55-928(c) – Variance to the minimum perimeter parking lot landscaping from 5' to 1.5' and to the minimum parking lot interior landscaping for green parking areas from 7% to 1.5% to allow construction of a new parking lot.
   LOCATION: 2507 Farnam Street
   ZONE: CBD-ACI-1(PL)

9. Case No. 17-039
   Signworks, Inc.
   4713 F St.
   Omaha, NE 68117
   REQUEST: Waiver of Section 55-823 – Variance to the maximum height from 5' to 6.5' and to the maximum sign area from 25 square feet to 51 square feet to allow a neighborhood identification sign.
   LOCATION: 3702 South 204th Street
   ZONE: DR

10. Case No. 17-040
    John Wilhelm
    Creighton University
    2500 California Plaza
    Omaha, NE 68178
    REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for two (2) temporary wall signs from 32 sq. ft. to 132 sq. ft. and 108 sq. ft. for two banners for 4 weeks during the College World Series.
    LOCATION: 1624 Mike Fahey Street and 815 Florence Boulevard
    ZONE: DS-ACI-1(PL)
11. Case No. 17-041
Tim Jacoby
Children's Hospital Foundation
8200 Dodge Street
Omaha, NE 68114
REQUEST: Waiver of Section 55-326 & 55-783(a) – Variance to the maximum building coverage from 60% to 74%, maximum impervious surface coverage from 80% to 90%, maximum building height from 120' to 142' and maximum height for vertical projection of an elevator bulkhead from 150' to 176' to allow expansion of the Children's Hospital and Medical Center.
LOCATION: 8300 Dodge Street and 7921 West Dodge Road
ZONE: GC-ACI-2(65) and GO-ACI-2(65) – (GO-ACI-2(65)-pending)

12. Case No. 17-044
Phillip and Megan Durham
415 N. 61st St.
Omaha, NE 68132
REQUEST: Waiver of Section 55-166 – Variance to the minimum interior side yard setback from 7' to 5' to allow for a 14' x 15'8 1/2" addition to existing home.
LOCATION: 415 North 61st Street
ZONE: R3

13. Case No. 17-045
Scott Semrad
3020 Leavenworth Partners, LLC
4880 S. 131st St. #2
Omaha, NE 68137
REQUEST: Waiver of Section 55-837 – Variance to the maximum sign area for a projecting sign from 32 sq. ft. to 240 sq. ft. and to the maximum height for two (2) projecting signs from 20' to 56' and 36'.
LOCATION: 3020 Leavenworth Street
ZONE: NBD-ACI-1(PL)

14. Case No. 17-046
Jacob Frans
4406 R St.
Omaha, NE 68107
REQUEST: Waiver of Section 55-187(e) – Variance to the minimum front yard setback from 35' to 25'3" to allow for a 28' x 24' home addition.
LOCATION: 4406 R Street
ZONE: R4(35)

15. Case No. 17-047
Midtown Lofts, LLC
1114 Jones St. #6
Omaha, NE 68102
REQUEST: Waiver of Section 55-246 – Variance to the minimum rear yard setback from 25' to 4' to allow construction of a deck on the roof of a garage.
LOCATION: 4629 Capitol Avenue
ZONE: R7

16. Case No. 17-048
Ed Rockwell
Millard Public Schools
13906 F Street
Omaha, NE 68137
REQUEST: Waiver of Section 55-735(b) and 55-715 – Variance to the minimum street yard landscaping depth from 15' to 12.5' and to allow off-street parking for a non-residential use in the front yard setback of a residential district to allow for parking lot improvements at Norris Elementary School.
LOCATION: 12424 Weir Street
ZONE: R4
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
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<tr>
<td>17-049</td>
<td>Waiver of Section 55-126 – Variance to the minimum interior side yard setback from 25' to 10'3&quot; to allow a garage addition with a Reasonable Accommodation request.</td>
<td>336 North 91st Street</td>
<td>R1</td>
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<td>17-050</td>
<td>Waiver of Section 55-734 – Variance to the minimum number of off-street parking stalls from 4 to 0.</td>
<td>1458 South 16th Street</td>
<td>GC</td>
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<td>17-051</td>
<td>Waiver of Section 55-366 and 55-740(f) – Variance to the maximum Floor Area Ratio from 1.0 to 2.142 and to the minimum perimeter parking lot landscaping from 5' to 0', to allow construction of a personal storage facility.</td>
<td>3002 South 82nd Avenue</td>
<td>CC</td>
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