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 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 Tuesday, August 29, 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 Friday, August 18, 2017 (for use waivers only) and Tuesday, August 22, 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. 17-083
   Sebastian A. Anzaldo
   3106 S. 57th Cir.
   Omaha, NE 68106
   REQUEST: Waiver of Section 55-187(e) - Variance to the front yard setback from 35’ to 25’ to allow construction of three single-family homes.
   LOCATION: 4419, 4421 and 4425 South 16th Street
   ZONE: R4(35)

2. Case No. 17-085 WITHDRAWN
   Byers W. Shaw, Jr.
   13232 N. River Dr.
   Omaha, NE 68112
   REQUEST: Waiver of Section 55-108 & 55-740(e)- Variance to the minimum front yard setback from 50’ to 33’, to the minimum interior side yard setback from 25’ to 5.5’, and to the hard surface driveway requirement to allow construction of a 23’ x 40’, two-story detached garage.
   LOCATION: 13232 North River Drive
   ZONE: DR-ED

3. Case No. 17-087
   Brendan Brown
   8011 Evans St.
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-146 - Variance to the minimum rear yard setback from 25’ to 15’ and to the maximum impervious coverage from 40% to 42% to allow for construction of a 22’ x 33’ garage addition.
   LOCATION: 8011 Evans Street
   ZONE: R2

4. Case No. 17-093
   Johnny Sautter
   8533 Parker St.
   Omaha, NE 68114
   REQUEST: Waiver of Section 55-246 & 55-715 - Variance to the minimum rear yard setback from 25’ to 24’, and to the street yard landscaping percentage from 50% to 37%, to allow for construction of four townhouses.
   LOCATION: 1436 South 16th Street
   ZONE: R7

5. Case No. 17-101
   Millard Public Schools
   Ed Rockwell
   13906 F St.
   Omaha, NE 68137
   REQUEST: Waiver of Section 55-830 - Variance to the maximum overall signage budget from 32 sq. ft. to 89 sq. ft. and to the maximum height for wall signs from 16’ to 19’ to allow for additional signage on the property.
   LOCATION: 12801 L Street
   ZONE: R4

NEW CASES:

6. Case No. 17-104
   Lynnsy Bailey
   Dustin Bode
   4151 Cuming St.
   Omaha, NE 68131
   REQUEST: Waiver of Section 55-246 - Variance to the minimum interior side yard setback from 5’ to 1.5’ to allow a reconstructed deck to remain.
   LOCATION: 4151 Cuming Street
   ZONE: R7
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST</th>
<th>LOCATION</th>
<th>ZONE</th>
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<tbody>
<tr>
<td>17-105</td>
<td>Waiver of Section 55-740(e) - Variance to the requirement for a driveway to construct a new 26' x 30' detached garage/pool house.</td>
<td>2227 South 189th Circle</td>
<td>R4</td>
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<tr>
<td>17-106</td>
<td>Waiver of Section 55-246 - Variance to the front yard setback from 35' to 20' to allow construction of a new single-family home and garage.</td>
<td>1226 South 11th Street</td>
<td>R7</td>
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<td>17-108</td>
<td>Waiver of Section 55-830 - Variance to the maximum overall signage budget from 32 sq. ft. to 69 sq. ft., and to the maximum size of a monument sign from 25 sq. ft. to 35 sq. ft. to allow for a new signage plan for St. Wenceslaus Catholic Church.</td>
<td>15353 Pacific Street</td>
<td>R4</td>
</tr>
<tr>
<td>17-109</td>
<td>Waiver of Section 55-740(f)(4) - Variance to the perimeter landscaping adjacent to a residential district from 10' to 5'.</td>
<td>3867 Leavenworth Street</td>
<td>GI-ACI-1(PL) (NBD pending)</td>
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<td>17-110</td>
<td>Waiver of Section 55-830 - Variance to the maximum overall signage budget from 32 sq. ft. to 125 sq. ft. and to the minimum front setback from 12' to 6' for two monument signs (one existing) to allow for an updated signage plan for Creighton Preparatory School.</td>
<td>7400 Western Avenue</td>
<td>R3</td>
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<td>17-111</td>
<td>Waiver of Section 55-716 - Variance to the minimum bufferyard requirement between GI and DR from 60' with screening to 18.7' without screening and between GI and R3 from 60' to 49' to allow for construction of a new 35,000 sq. ft. building.</td>
<td>3550 Keyston e Drive</td>
<td>GI-FF-FW</td>
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13. Case No. 17-112  
Michael Baden  
Immanuel Lutheran Church  
2725 N. 60th Ave.  
Omaha, NE 68104  
REQUEST: Waiver of Section 55-206 & 55-742(b) - Variance to the maximum impervious coverage from 55% to 62% and to allow off-street parking within the required front yard to allow for construction of a new parking lot.  
LOCATION: 2725 and 2717 North 60th Avenue  
ZONE: R5(35)

14. Case No. 17-113  
Kirk Koop  
14617 S St.  
Omaha, NE 68137  
REQUEST: Waiver of Section 55-166 - Variance to the minimum front yard setback from 35' to 16'3", and to the minimum side yard setback from 7' to 5' to allow for construction of an attached tandem garage.  
LOCATION: 14617 "S" Street  
ZONE: R3

15. Case No. 17-114  
Anant Enterprises, LLC  
Farnam Lodging, LLC  
P.O. Box 3847  
Omaha, NE 68103-0847  
REQUEST: Waiver of Section 55-740(f), 55-928(c), 55-928(e) & 55-934(b) - Variance to the minimum perimeter landscaping depth from 5’ to 2.5’, to the minimum perimeter landscaping requirement for green parking areas from 15’ to 7’, to the interior landscaping requirement from 7% to 1.4% and to the maximum height of a retaining wall from 10’ to 18’.  
LOCATION: 2431 Farnam Street  
ZONE: CBD-ACI-1(PL)