ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, February 9, 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, February 9, 2017 at 8:30a.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, January 30, 2017 (for use waivers only) and Thursday, February 2, 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
   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. 17-001
   Robert Byers
   22630 Southshore Dr.
   Waterloo, NE 68069
   REQUEST: Waiver of Section 55-146 – Variance to the front yard setback from 40' to 28’8” to allow a garage addition.
   LOCATION: 22630 Southshore Drive
   ZONE: R2

NEW CASES:

3. Case No. 17-006
   William Novak
   3606 N. 156th St.
   Omaha, NE 68116
   REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking lot from 4/1 – 10/31 for the years 2017-2021.
   LOCATION: Generally south of West Maple Road between 230th and 233rd Streets
   ZONE: AG-FW

4. Case No. 17-007
   Curt Hofer Construction
   16820 Frances St.
   Omaha, NE 68130
   REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 40’ and to the interior side yard setback from 25’ to 10’ to allow construction of a new home.
   LOCATION: 23728 Hampton Road
   ZONE: R1
5. Case No. 17-008
Pete Widhalm
Widhalm Custom Homes
7968 N. 155th St.
Bennington, NE 68007

REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the front yard setback from 50’ to 40’, to the interior side yard setback from 25’ to 10’ and to the street yard landscaping depth from 30’ to 0’ to allow construction of a new home.

LOCATION: 5015 South 237th Circle
ZONE: R1

6. Case No. 17-009
Armando Legarreta
5428 S. 19th St.
Omaha, NE 68107

REQUEST: Waiver of Section 55-782(b)(6) and 55-186 – Variance to the interior side yard setback from 3’ to 2’6” and to the maximum impervious surface coverage from 50% to 69%, to allow a 19’ x 30’ detached garage to remain.

LOCATION: 5428 South 19th Street
ZONE: R4(35)

7. Case No. 17-010
Kum & Go, LLC
6400 Westown Pkwy.
W. Des Moines, IA 50266

REQUEST: Waiver of Section 55-734, 55-740(f) & 55-928(e) – Variance to the required number of off-street parking stalls from 42 to 28, to the required perimeter parking lot landscaping from 5’ to 0’ and green parking area perimeter landscaping from 15’ to 7.5’, with a screen wall, to allow redevelopment of the site for a convenience store.

LOCATION: 7152 Pacific Street
ZONE: GC-ACI-2(65)-FF/FW and GI-ACI-2(65)-FF

8. Case No. 17-011
Matthew L. Wickham
8618 N. 155th St.
Omaha, NE 68007

REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a gravel driveway for a new home.

LOCATION: 11515 North 126th Street
ZONE: AG

9. Case No. 17-014
Dale Ludwick
Farnam 36, LLC
Kiewit Plaza
3555 Farnam St.
Omaha, NE 68131

REQUEST: Waiver of Section 55-782(b)(5) – Variance to the minimum vertical clearance for a canopy from 8’6” to 6’10” and to the required setback from 5’ to 0’ to allow construction of a new canopy.

LOCATION: 302 South 36th Street
ZONE: CBD-ACI-1(PL)

10. Case No. 17-015
David Holt
Union Pacific Railroad
1400 Douglas St.
Omaha, NE 68179

REQUEST: Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 107 to 60.

LOCATION: 8949 Sorensen Parkway
ZONE: GI
11. Case No. 17-016  
Byron J. Boyd  
1007 Normandy Dr.  
Bellevue, NE 68005  
REQUEST: Waiver of Section 55-523 – Variance to the permitted use regulations of the HI district to allow Single-family Residential (Detached) not otherwise permitted.  
LOCATION: 2419 South 27th Avenue  
ZONE: HI

12. Case No. 17-017  
David E. Anderson  
4805 N. 107th St.  
Omaha, NE 68134  
REQUEST: Waiver of Section 55-146 – Variance to the interior side yard setback from 10' to 6’9” to allow a garage addition.  
LOCATION: 4805 North 107th Street  
ZONE: R2

13. Case No. 17-018  
MIA, LLC  
4629 S. 23rd Street  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-406, 55-734 & 55-928 – Variance to the front yard setback from 17’ to 3’, to the minimum number of off-street parking stalls from 17 to 14 and to the minimum perimeter landscaping for a green parking area from 15’ to 8’ with a screen wall, to allow for construction of a new building and parking lot improvements.  
LOCATION: 3902/3908 L Street  
ZONE: GC

14. Case No. 17-019  
Jon Alexander  
Junkstock, LLC  
1150 River Road Dr.  
Waterloo, NE 68069  
REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surfacing requirement for a temporary parking lot for 3 Junkstock events during 2017.  
LOCATION: 1150 River Road Drive  
ZONE: AG-FW

15. Case No. 17-020  
Nate Buss  
Olsson Associates  
601 P St.  
Lincoln, NE 68508  
REQUEST: Waiver of Section 55-406, 55-715, 55-716, 55-740(f), 55-734, & 55-928 – Variance to the rear yard setback from 15’ to 4’, to the minimum street yard landscaping depth from 7.5’ to 3’ and 0’, to the bufferyard between GC and R4(35) from 30’ with screening to 0’, perimeter parking lot landscaping from 10’ to 6.5’ and 0’, perimeter landscaping for a green parking area from 15’ to 3’ with a screen wall, to the minimum interior parking lot landscaping from 7% to 3%, to the minimum number of off-street parking stalls from 32 to 25, to allow redevelopment of the site for a new Restaurant (Drive in).  
LOCATION: 5051 Center Street  
ZONE: GC
16. Case No. 17-021
Clarity Development
144 S. 39th St.
Omaha, NE 68131
REQUEST: Waiver of Section 55-734 – Variance to the minimum number of off-street parking stalls from 102 to 51 to allow a 51-unit, senior living facility.
LOCATION: Southeast of Blair High Road and 93rd Avenue
ZONE: DR (R6 proposed)

17. Case No. 17-022
Geoff McGregor Interests
11750 Stonegate Dr.
Omaha, NE 68164
REQUEST: Waiver of Section 55-734 – Variance to the minimum lot width from 100’ to 32.67’ to allow platting of a lot for a single-family residential development.
LOCATION: South of Hillandale Circle, west of Skyline Drive
ZONE: R1