ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, January 12, 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 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, January 12, 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, January 2, 2017 (for use waivers only) and Thursday, January 5, 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. 16-111
   Chad Bumsted
   Choice Homes
   1221 East Pierce St.
   Suite 300
   Council Bluffs, IA 51503
   REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 25’; to the interior side yard setback from 25’ to 10’ and to the rear yard setback from 35’ to 30’ to allow construction of a new home.
   LOCATION: 21924 Mayberry Circle
   ZONE: R1

2. Case No. 16-118 - LAYOVER
   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

NEW CASES:

3. 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

4. Case No. 17-002
   Paula Glissman
   Simmonds Properties LTD
   3730 S. 148th Street, #107
   Omaha, NE 68144
   REQUEST: Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 27 to 10 to allow a Restaurant (Drive-in) use.
   LOCATION: 815 North 204th Avenue
   ZONE: CC-MCC
5. Case No. 17-003
Brent Beller
Baird Holm LLP
1700 Farnam St.
Ste. 1500
Omaha, NE 68102

REQUEST: Waiver of Section 55-406, 55-716, 55-740 & 55-928 – Variance to the maximum impervious surface coverage from 90% to 92%, to the bufferyard between GC and R8 from 20’ to 6’2”, to the minimum perimeter parking lot landscaping from 10’ to 6’2” and 5’ to 4’3” and to the green parking area perimeter landscaping from 15’ to 9’6” to allow for reconstruction of the parking lot.

LOCATION: 4922-4964 Dodge Street, 115 North 50 Street
ZONE: GC-ACI-2(50) and GC

6. Case No. 17-004
Chris Wayne
City of Omaha
1819 Farnam St.
Omaha, NE 68183

REQUEST: Waiver of Section 55-206 & 55-742 – Variance to the minimum lot size from 5,000 sq. ft. to 4,523 – 4,995 sq. ft.; to the front yard setback from 25’ to 20’ and 13’; to the street side yard setback from 15’ to 13’ and 12’; to the rear yard setback from 25’ to 17’, to allow required off-street parking in the front yard setback to subdivide the property into 7 lots for single-family residential homes.

LOCATION: Between Locust and Corby Streets from 19th Street to Florence Boulevard
ZONE: R7 & GC (R5 pending)

7. Case No. 17-005
Eric & Ann Wieseler
9217 Davenport St.
Omaha, NE 68114

REQUEST: Waiver of Section 55-126 – Variance to the front yard setback from 50’ to 40.7’ to allow construction of a garage addition.

LOCATION: 9217 Davenport Street
ZONE: R1