ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, July 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, July 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, July 3, 2017 (for use waivers only) and Thursday, July 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.
1. Case No. 17-078  
Mark Sanford  
Sanford Architecture  
1306 N. 162nd St.  
Omaha, NE  68118  
REQUEST: Waiver of Section 55-146 - Variance to the front yard setback from 40' to 27' to allow construction of a new balcony and decorative trellis.  
LOCATION: 627 Waterloo Drive  
ZONE: R2

2. Case No. 17-081  
Lawrence Butler  
4809 NW Radial Hwy  
Omaha, NE  68104  
REQUEST: Waiver of Section 55-406, 55-734, 55-740(f) & 55-716 - Variance to the minimum number of off-street parking stalls from 45 to 16, to the required perimeter landscaping from 10' to 5' and 0', to the required bufferyard between GC and R4(35) from 13.5' with screening to 5' with screening, to the minimum interior parking lot landscaping from 5% to 0% and to the maximum impervious coverage from 90% to 95%.  
LOCATION: 4803 NW Radial Highway  
ZONE: GC

NEW CASES:

3. 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 (3) single-family homes.  
LOCATION: 4419, 4421 and 4425 South 16th Street  
ZONE: R4(35)

4. Case No. 17-084  
Hugo Labrada  
4228 Harrison St.  
Omaha, NE 68147  
REQUEST: Waiver of Section 55-715 - Variance to the minimum street yard landscaping depth from 15' to 0' and to the minimum street yard landscaping percentage from 60% to 43%.  
LOCATION: 4228 Harrison Street  
ZONE: R4(35)

5. Case No. 17-085  
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
6. 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 8' and to the maximum impervious coverage from 40% to 43% to allow for construction of a 22' x 40' garage addition.

LOCATION: 8011 Evans Street
ZONE: R2

7. Case No. 17-088
Don Krengiel
671 Harasek St.
Lemont, IL 60439

REQUEST: Waiver of Section 55-166 - Variance to the minimum front yard setback from 35' to 18' and to the maximum impervious coverage from 45% to 58% to allow for construction of a 4'9" x 6'9" front porch.

LOCATION: 3603 Cass Street
ZONE: R3

8. Case No. 17-089
David Groller
7921 Leavenworth St.
Omaha, NE 68114

REQUEST: Waiver of Section 55-126 - Variance to the minimum interior side yard setback from 25' to 10'3" to construct a two-story garage/home addition.

LOCATION: 7921 Leavenworth Street
ZONE: R1

9. Case No. 17-090
Tom Mitilier
12912 Harney St.
Omaha, NE 68154

REQUEST: Waiver of Section 55-146 - Variance to the minimum front yard setback from 40' to 37'1" to allow an existing 6' x 6' covered front stoop to remain.

LOCATION: 12912 Harney Street
ZONE: R2

10. Case No. 17-091
Divercon
Zach Scott
9884 N. 109th Ave.
Omaha, NE 68142

REQUEST: Waiver of Section 55-740(e)(4) & 55-716 - Variance to the minimum bufferyard requirement between GI and DR from 60' with screening to 3.2' without screening and between GI and R3 from 60' to 52' and to the minimum perimeter parking lot landscaping from 10' to 3.2' to construct a new 36,000 sq. ft. building addition.

LOCATION: 3550 Keystone Drive
ZONE: GI-FF-FW

11. Case No. 17-092 - WITHDRAWN
Sorensen Properties
Mike Sorensen
2910 N. 118th St.
Omaha, NE 68164

REQUEST: Waiver of Section 55-448 - Variance to the minimum front yard setback from 25' to 15'6" to allow construction of a 70' x 160' building.

LOCATION: 2910 North 118th Street
ZONE: LI/LI-FF
12. Case No. 17-093
Johnny Sautter
8533 Parker St.
Omaha, NE 68114

REQUEST: Waiver of Section 55-735(a)(1) & 55-715 - Variance to the minimum street yard landscaping percentage from 50% to 30%, to the minimum street yard landscaping depth from 10’ to 6’ and to allow an off-street parking facility for a townhouse use within the required front yard setback.

LOCATION: 1436 South 16th Street
ZONE: R7

13. Case No. 17-094
Kris Minckler and Caron J. Gray
11504 S. 182nd Cir.
Omaha, NE 68028

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

LOCATION: 11205 North 60th Street
ZONE: DR-ED

14. Case No. 17-095
Dale Barr
Gesu Housing, Inc.
5008 ½ B Dodge St.
Omaha, NE 68132

REQUEST: Waiver of Section 55-187(e) & 55-742(b) - Variance to the minimum front yard setback from 35’ to 25’ and to allow off-street parking for a single-family use within the required front yard to allow for construction of a new home.

LOCATION: 4013 Corby Street
ZONE: R4(35)

15. Case No. 17-096
Dale Barr
Gesu Housing, Inc.
5008 ½ B Dodge St.
Omaha, NE 68132

REQUEST: Waiver of Section 55-187(e) & 55-742(b) - Variance to the minimum front yard setback from 35’ to 25’ and to allow off-street parking for a single-family use within the required front yard to allow for construction of a new home.

LOCATION: 4114 Corby Street
ZONE: R4(35)

16. Case No. 17-097
Dale Barr
Gesu Housing, Inc.
5008 ½ B Dodge St.
Omaha, NE 68132

REQUEST: Waiver of Section 55-187(e) & 55-186 - Variance to the minimum front yard setback from 35’ to 25’ and to the street side yard setback from 15’ to 12’ to allow for construction of a new home.

LOCATION: 4304 Miami Street
ZONE: R4(35)

17. Case No. 17-098
Dale Barr
Gesu Housing, Inc.
5008 ½ B Dodge St.
Omaha, NE 68132

REQUEST: Waiver of Section 55-187(e) & 55-742(b) - Variance to the minimum front yard setback from 35’ to 25’ and to allow off-street parking for a single-family use within the required front yard to allow for construction of a new home.

LOCATION: 4306 Lake Street
ZONE: R4(35)
18. Case No. 17-099  
Dale Barr  
Gesu Housing, Inc.  
5008 ½ B Dodge St.  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-187(e), 55-186 & 55-742(b) - Variance to the minimum front yard setback from 35’ to 25’, to the street side yard setback from 15’ to 5’ and to allow off-street parking for a single-family use within the required front yard to allow for construction of a new home.  
LOCATION: 4219 Corby Street  
ZONE: R4(35)

19. Case No. 17-100  
Lawnfield Development, LP  
c/o Jim Royer  
2430 S. 73rd St.  
Suite 200  
Omaha, NE 68124  
REQUEST: Waiver of Section 55-266, 55-734, 55-735(a), 55-740(f)(4), & 55-934- Variance to the minimum street side yard setback from 25’ to 15’; to the minimum off-street parking requirements from 214 stalls to 202 stalls; to the parking facility location to allow parking in the front yard setback; to the minimum perimeter landscaping from 10’ to 0’; and to the sidewalk standards from 8’ of curbside landscaping with a 5’ sidewalk to a 7’ wide curbwalk to allow construction of a new apartment complex.  
LOCATION: Southwest corner of 70th Street and Oak Street  
ZONE: R8-ACI-4(PL)

20. Case No. 17-101  
Millard Public Schools  
Ed Rockwell  
13906 F Street  
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

21. Case No. 17-102  
Metropolitan Community College  
Stan Horrell  
5300 N. 30th St.  
Omaha, NE 68111  
REQUEST: Waiver of Section 55-830 - Variance to the maximum overall signage budget from 32 sq. ft. to 305.5 sq. ft. and to the maximum size of a monument sign from 25 sq. ft. to 55 sq. ft.; to the maximum height for a monument sign from 6’ to 12’ (2 signs) and to the setback from 12’ to 4’4’; to the maximum height for 3 wall signs from 16’ to 42’7”, 24’ and 35’5” to allow for a new signage plan for Metropolitan Community College.  
LOCATION: 5300 North 30th Street  
ZONE: R4-ACI-2(PL)

22. Case No. 17-103  
Cheryl Mayfield  
3022 N. 170th St.  
Omaha, NE 68116  
REQUEST: Waiver of Section 55-186 - Variance to the minimum rear yard setback from 25’ to 18’ to allow the construction of an 18’ x 32’ deck and stairs addition.  
LOCATION: 3022 North 170th Street  
ZONE: R4