ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, June 8, 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, June 8, 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, May 29, 2017 (for use waivers only) and Thursday, June 1, 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:

   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 Building 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. WITHDRAWN
   Case No. 17-053 (from 5/11/17)
   Alan Potash, CEO
   Jewish Federation of Omaha
   333 S. 132nd St.
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-832 – Variance to the maximum sign budget from 40 sq. ft. to 202 sq. ft., to the maximum sign area for a monument sign from 25 sq. ft. to 55 sq. ft., to allow an electronic message center, not otherwise permitted, and the front yard setback from 12' to 6' for the new monument sign, based on the proposed overall sign plan for the site.
   LOCATION: 333 South 132nd Street
   ZONE: R8

3. Case No. 17-059 (from 5/11/17)
   Isaac Nelson
   McDaniel Wallquist Construction
   2628 S. 87th St.
   Omaha, NE 68124
   REQUEST: Waiver of Section 55-126 & 55-715 – Variance to the maximum impervious surface coverage from 30% to 32% and to the minimum street yard landscaping depth from 30’ to 0’ to allow for construction of a circular driveway.
   LOCATION: 9528 Capitol Avenue
   ZONE: R1

4. Case No. 17-062 (from 5/11/17)
   Jason C. Hubbard
   12303 Pacific St.
   Omaha, NE 68154
   REQUEST: Waiver of Section 55-767(c), 55-166 & 55-830 – Variance to the front yard setback from 35’ to 27’6”, to the home occupation regulations to allow 1 non-resident employee, to the maximum sign area from 2 sq. ft. to 5 sq. ft. and to the maximum height for a wall sign from 8’ to 15’.
   LOCATION: 12303 Pacific Street
   ZONE: R3
NEW CASES:

5. Case No. 17-064
   Quality Living Inc.
   6404 N. 70th Plaza
   Omaha, NE  68104
   REQUEST: Waiver of Section 55-832 – Variance to the overall sign budget from 40 sq. ft. to 216 sq. ft. to allow two (2) additional monument signs.
   LOCATION: 6404 North 70th Plaza
   ZONE: R7

6. Case No. 17-065
   BoysTown National Research Hospital
   555 N. 30th St.
   Omaha, NE  68131
   REQUEST: Waiver of Section 55-825(c) – Variance to allow two (2) temporary signs and to the maximum size for the temporary signs from 32 sq. ft. to 494 sq. ft. and 995 sq. ft., through the end of 2017.
   LOCATION: 555 North 30th Street
   ZONE: GO

7. Case No. 17-066
   Murray Hayes
   EGAD LLC
   4104 Lafayette Avenue
   Omaha, NE  68131
   REQUEST: Waiver of Section 55-206, 55-207(g), 55-207(c) & 55-734 - Variance to the front yard setback from 35’ to 22.4’, to the interior side yard setback from 7’ to 3.3’, to the number of off-street parking stalls from 3 to 1, to the minimum lot size from 6,000 sq. ft. to 3,600 sq. ft. and to the minimum lot width from 60’ to 40’ to allow a Duplex Residential use.
   LOCATION: 4103 Izard Street
   ZONE: R5(35)

8. Case No. 17-067
   John Sova
   RDG Planning and Design
   900 Farnam St. Suite 100
   Omaha, NE  68102
   REQUEST: Waiver of Section 55-734 - Variance to the minimum number of off-street parking stalls from 104 to 46 to allow renovation of the existing building for an office use.
   LOCATION: 3801 Harney Street
   ZONE: GO-ACI-1(PL)

9. Case No. 12-010
   Joe Failla
   Redeemer Church
   13831 Industrial Road
   Omaha, NE  68137
   REQUEST: Waiver of Section 55-503 - Variance to the use regulations in the GI District to allow Religious assembly, not otherwise permitted.
   LOCATION: 13831 Industrial Road
   ZONE: GI

10. Case No. 17-068
    Tom Eyman
    700 Loveland Dr.
    Omaha, NE 68114
    REQUEST: Waiver of Section 55-206 - Variance to the street side yard setback from 15’ to 7’10” to allow for the replacement of exterior stairs.
    LOCATION: 2521 South 32nd Avenue
    ZONE: R5(35)
11. Case No. 17-069  
   Jay Gillespie  
   1336 S. 210th St.  
   Elkhorn, NE  68022  
   REQUEST: Waiver of Section 55-782(b) - Variance to the required rear yard setback for a patio from 15' to 1' to allow a pool patio.  
   LOCATION: 1336 South 210th Street  
   ZONE: R4

12. Case No. 17-070  
   Brian Timmons  
   The Garage Company  
   8301 Q St.  
   Omaha, NE  68127  
   REQUEST: Waiver of Section 55-186 - Variance to the maximum impervious coverage from 50% to 62% to allow for construction of a detached garage and driveway extension.  
   LOCATION: 3911 North 53rd Street  
   ZONE: R4(35)

13. Case No. 17-071  
   Michelle Chapman  
   Chapman Properties LLC  
   5304 N. 51 St.  
   Omaha, NE  68104  
   REQUEST: Waiver of Section 55-764(d)(2)(b) - Variance to allow Daycare Services (General) use within a residential structure that is not occupied primarily as a residence by the owner or tenant.  
   LOCATION: 4609 North 24th Street  
   ZONE: R7

14. Case No. 15-042  
   Rose Blumkin Performing Arts  
   2001 Farnam St.  
   Omaha, NE  68102  
   REQUEST: Waiver of Section 55-839(b) - Variance to the total permitted sign area from 469 sq. ft. to 1,354 sq. ft. to allow installation of 4 wall signs.  
   LOCATION: 2001 Farnam Street  
   ZONE: CBD-AI-1(PL)

15. Case No. 17-074  
   Carl Troia  
   641 S. 93rd St.  
   Omaha, NE  68114  
   REQUEST: Waiver of Section 55-126 - Variance to the interior side yard setback from 25' to 13' to allow construction of a house addition.  
   LOCATION: 641 South 93rd Street  
   ZONE: R1

16. Case No. 17-075  
   Christopher Erickson  
   16755 Frances St.  
   Omaha, NE  68114  
   REQUEST: Waiver of Section 55-715 - Variance to the minimum street yard landscaping depth from 30' to 13' and to the minimum street yard landscaping percentage from 75% to 62% to allow construction of a home with a circular driveway.  
   LOCATION: 4880 South 236th Circle  
   ZONE: R1

17. Case No. 17-076  
   Sharlyn Konfrst  
   Farm Credit Services of America  
   5015 S. 118th St.  
   Omaha, NE  68137  
   REQUEST: Waiver of Section 55-715 & 55-366 - Variance to the front yard setback from 25' to 0' and to the minimum street yard landscaping depth from 10' to 0' to allow for construction of a new building and skywalk over 118th Street.  
   LOCATION: 5010 and 5015 South 118th Street  
   ZONE: CC
18. Case No. 17-077
Jared Gerber
Gerber Architecture
5037 Parker St.
Omaha, NE  68104
REQUEST: Waiver of Section 55-166 - Variance to the front yard setback from 35' to 30' to allow construction of a 5' x 26' covered front porch.
LOCATION: 1726 Bowie Drive
ZONE: R3

19. 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

20. Case No. 17-081
Lawrence Butler
4809 Northwest 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

21. Case No. 17-082
Ryan Ousey
3002 S. 35th St.
Omaha, NE  68105
REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6' tall, privacy fence in the street side yard setback.
LOCATION: 3002 South 35th Street
ZONE: R5(35)