ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, March 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, March 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, February 27, 2017 (for use waivers only) and Thursday, March 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. 17-008 (from 2/9/17)
   - 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

2. Case No. 17-016 (from 2/9/17)
   - 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

3. Case No. 17-017 (from 2/9/17)
   - 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

4. Case No. 17-021 (from 2/9/17)
   - 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)

NEW CASES:

5. Case No. 17-012
   - Ryan Lindquist
   - Elkhorn School Dist. 10
   - 20650 Glenn St.
   - Omaha, NE 68022
   REQUEST: Waiver of Section 55-108 - Variance to the maximum impervious surface coverage from 25% to 28% to allow for campus parking improvements.
   LOCATION: 3100 North 206th Street
   ZONE: DR

6. Case No. 17-013
   - Frank R. Krejci
   - 1505 N. 203rd St.
   - Elkhorn, NE 68022
   REQUEST: Waiver of Section 55-659, 55-740(e) & 55-740(f) - Variance to the hard-surfacing requirement for an off-street parking facility to allow a gravel surface, to the minimum interior parking lot landscaping from 5% to 0% and to the permitted use regulations of the FW overlay district to allow Outdoor Sports and Recreation, not otherwise permitted.
   LOCATION: Approximately 2,000' north of West Maple Road, east side of 230th Street (Lot 1, St. Pat's Field)
   ZONE: AG-FF/FW (DR-FF/FW proposed)
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Name</th>
<th>Company/Address</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
<th>ZONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Craig Pennell</td>
<td>CPTO, Inc. 1624 E. Ridge Way Ashland, NE 68003</td>
<td>Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 20’ to allow construction of a 10’ x 24’ covered front porch.</td>
<td>4839 William Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>8</td>
<td>Paul Kelly, AIA</td>
<td>440 N. 61st St. Omaha, NE 68132</td>
<td>Waiver of Section 55-126, 55-715 and 55-740(f)(4) - Variance to the maximum impervious surface coverage from 30% to 40%, to the minimum street yard landscaping depth from 30’ to 2’, to the minimum street yard landscaping percentage from 25% to 30.5% and to the perimeter parking lot landscaping from 10’ to 1’ to allow for a new circular driveway.</td>
<td>6237 Underwood Avenue</td>
<td>R1</td>
</tr>
<tr>
<td>9</td>
<td>Chris Erickson</td>
<td>City Ventures 905 Jones St. Omaha, NE 68102</td>
<td>Waiver of Section 55-837 – Variance to the maximum area for a projecting sign from 32 sq. ft. to 75 sq. ft., to the maximum height for a projecting sign from 20’ to 55’ and to allow a projecting sign with bare bulbs.</td>
<td>3030 North 60th Street</td>
<td>NBD-MCC</td>
</tr>
<tr>
<td>10</td>
<td>Gerald Waldow</td>
<td>BPO Elks Lodge #39 6410 S. 96th St. Omaha, NE 68127</td>
<td>Waiver of Section 55-832 – Variance to the sign regulations to allow a monument sign with electronic messaging not otherwise permitted.</td>
<td>6410 South 96th Street</td>
<td>R8</td>
</tr>
<tr>
<td>11</td>
<td>Ruben D. Gomez</td>
<td>Little Venez, LLC 3801 Frances St. Omaha, NE 68105</td>
<td>Waiver of Section 55-246 – Variance to the minimum lot width from 40’ to 22’, to the minimum lot size from 4,000 sq. ft. to 3,212 sq. ft., to the site area per unit from 4,000 sq. ft. to 3,212 sq. ft. and to the street side yard setback from 15’ to 0’, to allow for the property to be properly platted and construction of a single-family home.</td>
<td>1947 South 28th Street</td>
<td>R7</td>
</tr>
<tr>
<td>12</td>
<td>Casey Logan</td>
<td>Film Streams, Inc. 1340 Mike Fahey St. Omaha, NE 68102</td>
<td>Waiver of Section 55-836 – Variance to the maximum sign budget from 192 sq. ft. to 350 sq. ft. and to allow an above the peak roof sign, not otherwise permitted.</td>
<td>4952 &amp; 4964 Dodge Street</td>
<td>GC-ACI-2(50), CC-ACI-2(50)-pending</td>
</tr>
</tbody>
</table>
13. Case No. 17-029
   Peter G. Pol
   910 S. 220th St.
   Omaha, NE 68022
   REQUEST:  Waiver of Section 55-126 – Variance to the
             front yard setback from 50’ to 35’ to allow a
             home addition.
   LOCATION:  910 South 220th Street
   ZONE:  R1

14. Case No. 17-030
   Best Lawn
   2205 N. 88th St.
   Omaha, NE 68134
   REQUEST:  Waiver of Section 55-126 & 55-782(b)(2) –
             Variance to the rear yard setback from 25’
             to 2’ and to the setback for a patio from 15’
             to 2’ to allow for the construction of a pool
             house and patio area.
   LOCATION:  10917 Walling Circle
   ZONE:  R2

15. Case No. 17-031
   Imelda Onate
   5008 Glasgow Ave.
   Omaha, NE 68157
   REQUEST:  Waiver of Section 55-186 – Variance to the
             minimum lot width from 50’ to 45’ to allow
             the property to be properly platted.
   LOCATION:  2524 South 9th Street
   ZONE:  R4(35)

16. Case No. 17-032
   Invest Omaha, LLC
   8644 Executive Wood Dr.
   Lincoln, NE 68152
   REQUEST:  Waiver of Section 55-832 – Variance to the
             maximum sign budget from 40 sq. ft. to 88
             sq. ft. and to allow an 80 sq. ft. projecting
             sign not otherwise permitted.
   LOCATION:  3601 Jones Street
   ZONE:  R8-ACI-1(PL)

17. Case No. 17-033
   Rodrigo Lopez
   Capitol Place, LLC
   14010 Browne Cir.
   Omaha, NE 68164
   REQUEST:  Waiver of Section 55-740(f) and 55-928 –
             Variance to the minimum perimeter parking
             lot landscaping from 5’ to 1’, to the
             perimeter landscaping area for a green
             parking area from 7.5’ with a screen wall to
             2’ with a screen wall and 15’ to 4’.
   LOCATION:  Southwest of 9th Street and Capitol Avenue
   ZONE:  DS-ACI-1(PL) and CBD-ACI-1(PL), (CBD-ACI-1(PL)-pending)