ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, May 11, 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, April 13, 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 1, 2017 (for use waivers only) and Thursday, May 4, 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. 16-118 (from 2/9/17 & 5/11/17)**  
   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. 17-037 - WITHDRAWN**  
   Bob Stratton  
   809 N. 96th St.  
   Omaha, NE 68114  
   **REQUEST:** Waiver of Section 55-831 – Variance to the front yard setback from 12' to 6' to allow construction of a monument sign.  
   **LOCATION:** 9910 Q Street  
   **ZONE:** R6-PUD

3. **Case No. 17-045 (from 5/11/17)**  
   Scott Semrad  
   3020 Leavenworth Partners, LLC  
   4880 S. 131st St. #2  
   Omaha, NE 68137  
   **REQUEST:** Waiver of Section 55-837 – Variance to the maximum height for two (2) projecting signs from 20' to 32' and 48'.  
   **LOCATION:** 3020 Leavenworth Street  
   **ZONE:** NBD-ACI-1(PL)

**NEW CASES:**

4. **Case No. 17-042**  
   Kermit Brashear, President  
   The Lutheran Home  
   c/o Vandenack Weaver LLC  
   17007 Marcy St. #3  
   Omaha, NE 68118  
   **REQUEST:** Waiver of Section 55-266, 55-734 & 55-740(f) – Variance to the minimum interior side yard setback from 10' to 0' (Lots 1 and 2), to the maximum impervious coverage from 80% to 90% (Lot 1), to the Floor Area Ratio from 2.0 to 2.35 (Lot 1), to minimum number of off-street parking stalls from 33 to 13 (Lot 1), to allow the property to be subdivided into 2 lots.  
   **LOCATION:** 520 and 530 South 26th Street  
   **ZONE:** R8-ACI-1(PL)

5. **Case No. 17-043**  
   James McNeil Jr.  
   3526 N. 81st St.  
   Omaha, NE 68134  
   **REQUEST:** Waiver of Section 55-146 – Variance to the minimum street yard setback from 20' to 8’6” to allow a garage addition.  
   **LOCATION:** 3526 North 81st Street  
   **ZONE:** R2
6. Case No. 17-052  
Mike Jansen  
6223 S. 170th St.  
Omaha, NE 68135  
REQUEST: Waiver of Section 55-186 – Variance to the minimum rear yard setback from 25’ to 12’ to allow construction of a new deck.  
LOCATION: 1211 South 155th Street  
ZONE: R4(35)

7. Case No. 17-053  
Alan Potash, CEO  
Jewish Federation of Omaha  
333 S. 132nd Street  
Omaha, NE 68154  
REQUEST: Waiver of Section 55-832 – Variance to the maximum sign budget from 40 square feet to 202 square feet, to the maximum sign area for a monument sign from 25 square feet to 55 square feet, 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

8. Case No. 17-054  
Jessica Henry  
5618 N. 126th Ave.  
Omaha, NE 68164  
REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a gravel driveway for a new home.  
LOCATION: 12420 North 132nd Street  
ZONE: AG

9. Case No. 17-055  
Ramon Jacobo  
302 Allison Ave.  
Papillion, NE 68135  
REQUEST: Waiver of Section 55-928(e) – Variance to the minimum perimeter landscaping for a green parking area from 15’ to 7’ to allow for a parking lot addition.  
LOCATION: 4621 South 24th Street  
ZONE: NBD-ACI-1(50)

10. Case No. 17-056  
Dale Barr  
GESU Housing, Inc.  
5008 ½ B Dodge St.  
Omaha, NE 68132  
REQUEST: Waiver of Section 55-186, 55-187(e) & 55-742(b) – Variance to the front yard setback from 35’ to 25’, to the street side yard setback from 15’ to 5’ and to allow required off-street parking in the front yard setback, for the construction of 2 single-family homes.  
LOCATION: 4202 and 4206 Ohio Street  
ZONE: R4(35)

11. Case No. 17-057  
Jeremiah Johnson  
Exterior Wood Care  
11520 N. 288th St.  
Valley, NE 68064  
REQUEST: Waiver of Section 55-406 – Variance to the street side yard setback from 17’ to 10’6” to allow construction of a new deck.  
LOCATION: 4800 Dodge Street  
ZONE: GC-ACI-2(50)

12. Case No. 17-058  
NP ‘Sandy’ and Kate Dodge  
222 N. 93rd St.  
Omaha, NE 68114  
REQUEST: Waiver of Section 55-786 – Variance to the residential fence regulations to allow an 8’ tall privacy fence.  
LOCATION: 222 North 93rd Street  
ZONE: R1
13. Case No. 17-059  
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

14. Case No. 17-060  
Ed Thiele  
Habitat for Humanity  
1701 N. 24th St.  
Omaha, NE 68110

REQUEST: Waiver of Section 55-187(e) – Variance to the front yard setback from 35’ to 15’9” to allow construction of a covered front stoop.

LOCATION: 6503 North 32nd Street  
ZONE: R4(35)

15. Case No. 17-061  
Matthew S. Wright  
4848 S. 228th Plz.  
Omaha, NE 68022

REQUEST: Waiver of Section 55-084 – Variance to the permitted use regulations of the AG district to allow a Two-Family Residential use not otherwise permitted.

LOCATION: 4848 South 228th Plaza  
ZONE: AG

16. Case No. 17-062  
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 ft. and to the maximum height for a wall sign from 8’ to 15’.

LOCATION: 12303 Pacific Street  
ZONE: R3

17. Case No. 17-063  
Tom Egan, Jr.  
10220 F St.  
Omaha, NE 68127

REQUEST: Waiver of Section 55-143 – Variance to the permitted use regulations of the R2 district to allow an accessory use on the property without a primary use.

LOCATION: 956 South 95th Street  
ZONE: R2