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: Jason Lanoha – Chair, Jacque Donovan - Vice-Chair, Sebastian (Subby) Anzaldo, Jeremy Aspen and Brian Mahlendorf. Sean Kelley and Kristine Moore 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.

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, July 2, 2018 (for use waivers only) and Thursday, July 5, 2018.

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 x2051. 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.
LAYOVER CASES:

1. Case No. 18-067 (from 6/14/18)  
   Daniel & Janna Nysewander  
   4713 Chicago Street  
   Omaha, NE 68132  
   REQUEST: Waiver of Section 55-186 – Variance to the minimum interior side yard setback from 5’ to 0.5” to allow for construction of a new garage building.  
   LOCATION: 4713 Chicago Street  
   ZONE: R4(35)

2. Case No. 18-069 (from 6/14/18)  
   Mary Jo Hubbard  
   9906 “O” Circle  
   Omaha, NE 68127  
   REQUEST: Waiver of Section 55-786(b) & 55-786(e)(1) – Variance to the maximum height of a fence located in the street side yard setback from 4’ to 6’ and to the required openings of no less than 50% to allow a solid wood privacy fence.  
   LOCATION: 9906 “O” Circle  
   ZONE: R3

3. Case No. 18-071 (from 6/14/18)  
   Amy Richardson  
   Women’s Center for Advancement  
   3801 Harney Street  
   Omaha, NE 68131  
   REQUEST: Waiver of Section 55-834(2) – Variance to the maximum height of a projecting sign from 20’ to 38’ and to the maximum area of a projecting sign from 25 square feet to 30 square feet to allow for installation of a new sign.  
   LOCATION: 3801 Harney Street  
   ZONE: GO-ACI-1(PL)

4. Case No. 18-074 (from 6/14/18)  
   Jeffrey Dolezal  
   2922 North 61st Street  
   Omaha, NE 68104  
   REQUEST: Waiver of Section 55-126 – Variance to the minimum front yard setback from 50’ to 41’ to allow for installation of an awning.  
   LOCATION: 844 South 96th Street  
   ZONE: R1

5. Case No. 18-078 (from 6/14/18)  
   Dennis Plachy  
   Omaha Neon Sign Company  
   1120 North 18th Street  
   Omaha, NE 68102  
   REQUEST: Waiver of Section 55-834(2) & 55-824(b)(4) – Variance to the maximum height of a projecting sign from 20’ to 42’ and to the projecting signs and graphics regulations allowing a projecting sign to be located within 25’ (as close as 3’) to any other projecting sign that extends 3’ or more from a property line to allow for installation of three projecting signs.  
   LOCATION: 119 North 51st Street  
   ZONE: GO

NEW CASES:

6. Case No. 18-079  
   Douglas County School Dist. 0001  
   3215 Cuming Street  
   Omaha, NE 68131  
   REQUEST: Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 9’3” to allow for installation of one additional portable classroom.  
   LOCATION: 6901 Burt Street (Lewis & Clark Middle School)  
   ZONE: R1
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Address</th>
<th>Request</th>
<th>Location</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-081</td>
<td>Todd Schneidewind</td>
<td>12915 West Dodge Road, Omaha, NE 68154</td>
<td>Waiver of Section 55-716 - Variance to the minimum bufferyard requirement between a CC-ACI-2(65) District (pending) and a R7 from 20' to 1.97' to allow for construction of a surface parking lot.</td>
<td>8031 Davenport Street &amp; 8012 West Dodge Road</td>
<td>R7</td>
</tr>
<tr>
<td>18-083</td>
<td>Maria Hernandez</td>
<td>3723 South 16th Street, Omaha, NE 68107</td>
<td>Waiver of Section 55-186 – Variance to the front yard setback from 35’ to 25’ to allow for the replacement and enlargement of a front porch.</td>
<td>3723 South 16th Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>18-084</td>
<td>Anthony Siahpush</td>
<td>Millennium Enterprises, Inc. 15858 West Dodge Road, Suite 300, Omaha, NE 68118</td>
<td>Waiver of Section 55-715 – Variance to the minimum street yard landscaping depth from 25’ to 0’ to allow for a new circular driveway.</td>
<td>15911 Burt Street</td>
<td>R2</td>
</tr>
<tr>
<td>18-085</td>
<td>Eric Crawford</td>
<td>Heart Ministry Center, Inc. 2222 Binney Street, Omaha, NE 68110</td>
<td>Waiver of Section 55-243, 55-246 &amp; 55-734 – Variance to the permitted use in a R7 district to allow Warehousing and Distribution; to the front yard setback from 35’ to 9’ 6”, to the street side yard setback from 25’ to 8’ and to the parking requirements from 67 spaces to 44 spaces.</td>
<td>2217 &amp; 2221 Wirt Street</td>
<td>R7</td>
</tr>
<tr>
<td>18-086</td>
<td>Tyler Patterson</td>
<td>15305 Wycliffe Drive, Omaha, NE 68154</td>
<td>Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6’ tall, privacy fence in the street side yard setback.</td>
<td>15305 Wycliffe Drive</td>
<td>R4(35)</td>
</tr>
<tr>
<td>18-087</td>
<td>Karol Ulmer</td>
<td>1117 South 10th Street #18, Omaha, NE 68108</td>
<td>Waiver of Section 55-925(c) &amp; 55-925(2) – Variance to the build-to/setback lines and zones from 5’ to 0’.</td>
<td>916 Pierce Street</td>
<td>NBD-NCE-C</td>
</tr>
<tr>
<td>18-088</td>
<td>Tammy Darmody</td>
<td>16417 Leavenworth Circle, Omaha, NE 68118</td>
<td>Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6’ tall, privacy fence in the street side yard setback.</td>
<td>15454 Mormon Circle</td>
<td>R4</td>
</tr>
<tr>
<td>18-089</td>
<td>Heartland Church Network</td>
<td>P.O. Box 6157, Omaha, NE 68106</td>
<td>Waiver of Section 55-735(b) – Variance to allow off-street parking for a non-residential use within a required front yard setback.</td>
<td>5046 Terrace Drive</td>
<td>R5</td>
</tr>
<tr>
<td>Case No.</td>
<td>Name(s)</td>
<td>Address and City, State</td>
<td>REQUEST:</td>
<td>LOCATION:</td>
<td>ZONE:</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------</td>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>-------</td>
</tr>
<tr>
<td>15.</td>
<td>Willie Douglas</td>
<td>Malibu Homes P.O. Box 418 Elkhorn, NE 68022</td>
<td>Waiver of Section 55-146 – Variance to the maximum impervious coverage from 40% to 46% for an existing circular driveway and Section 55-715 – Variance to the minimum street yard landscaping depth from 25’ to 8’ to allow for an existing circular driveway.</td>
<td>142 North 248th Circle</td>
<td>R2</td>
</tr>
<tr>
<td>16.</td>
<td>Mike Shotkoski</td>
<td>Malibu Homes P.O. Box 418 Elkhorn, NE 68022</td>
<td>Waiver of Section 55-146 – Variance to the maximum impervious coverage from 60% to 55% for an existing circular driveway and Section 55-715 – Variance to the minimum street yard landscaping depth from 15’ to 0’ to allow for an existing circular driveway.</td>
<td>2458 South 182nd Circle</td>
<td>R4</td>
</tr>
<tr>
<td>17.</td>
<td>Bert Hancock</td>
<td>Pacific Gardens Associates, LLC 1925 South 64th Avenue Omaha, NE 68106</td>
<td>Waiver of Section 55-740 – Variance to the off-street parking design standards to reduce the minimum perimeter landscaping along the street property lines from 10’ to 5’.</td>
<td>7616 Pierce Street</td>
<td>R6</td>
</tr>
<tr>
<td>18.</td>
<td>William McNeil</td>
<td>6120 Sprague Street Omaha, NE 68104</td>
<td>Waiver of Section 55-734 – Variance to the required number of off-street parking stalls from 13 to 7.</td>
<td>4407 North 61st Street</td>
<td>GC</td>
</tr>
<tr>
<td>19.</td>
<td>Mark Warneke</td>
<td>Omaha Public Schools 3215 Cuming Street Omaha, NE 68131</td>
<td>Waiver of Section 55-830(2) – Variance to the maximum sign budget from 32 sq. ft. to 84 sq. ft.</td>
<td>7902 North 36th Street</td>
<td>R4(35)</td>
</tr>
<tr>
<td>20.</td>
<td>Tony Sovereign</td>
<td>21308 Ridgewood Road Omaha, NE 68022</td>
<td>Waiver of Section 55-246 – Variance to the front yard setback from 40’ to 39’ to allow for construction of a home addition.</td>
<td>21308 Ridgewood Road</td>
<td>R2</td>
</tr>
<tr>
<td>21.</td>
<td>Jon Burke</td>
<td>211 North 130th Street Omaha, NE 68154</td>
<td>Waiver of Section 55-126 – Variance to the interior side yard setback from 25’ to 7’ to allow for construction of a new 42’ x 23’ garage.</td>
<td>211 North 130th Street</td>
<td>R1</td>
</tr>
</tbody>
</table>
23.  Case No. 18-100
Chris Erickson
Pacific Reserve, LLC
P.O. Box 428
Boys Town, NE 68010

REQUEST:  Waiver of Section 55-764(d) - Variance to the capacity limitations for a day care services (general) use in an AG (pending R5) district from 12 to 230 individuals.

LOCATION:  20601 Pacific Street
ZONE:  AG (pending R5)