ZONING BOARD OF APPEALS
AGENDA

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.

ZONING BOARD OF APPEALS MEMBERS will assemble in the Planning Department Central Conference Room, 11th Floor, on Thursday, June 14, 2018 at 9:00 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, June 4, 2018 (for use waivers only) and Thursday, June 7, 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 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.
LAYOVER CASE:

1. Case No. 17-155  
The Kul Factory  
8800 “F” Street  
Omaha, NE 68127  
REQUEST: Waiver of Section 55-843 – Variance to the maximum size of a pole sign from 150 sq. ft. to 258 sq. ft. and to the maximum size of a projecting sign from 40 sq. ft. to 105 sq. ft. and to allow flashing and bare bulb design elements for each sign.  
LOCATION: 8800 “F” Street  
ZONE: GI

NEW CASES:

2. Case No. 18-043  
Triangular Holdings, LLC  
4880 South 131st Street  
Omaha, NE 68137  
REQUEST: Waiver of Section 55-246 & 55-734 – Variance to the site area per unit from 1,000 square feet to 695 square feet; to the required number of off-street parking stalls from 227 to 112; and to the floor area ratio from 1.0% to 1.11% to allow for a redevelopment project for Grace University.  
LOCATION: 1311 South 9th Street  
ZONE: R7

3. Case No. 18-054  
Jose Corona  
13705 “Z” Circle  
Omaha, NE 68137  
REQUEST: Waiver of Section 55-786(e)(1) – Variance to the residential fence regulations to allow a 6’ tall, privacy fence in the front and street side yard setbacks.  
LOCATION: 13705 “Z” Circle  
ZONE: R3

4. Case No. 18-063  
John Wilhelm  
Creighton University  
2500 California Plaza  
Omaha, NE 68178  
REQUEST: Waiver of Section 55-825(c) – Variance to the maximum area for two temporary wall signs from 32 sq. ft. to 132 sq. ft. and 108 sq. ft. for two banners for four weeks during the College World Series.  
LOCATION: 1624 Mike Fahey Street & 815 Florence Boulevard  
ZONE: DS-ACI-1(PL)

5. Case No. 18-064  
Dee Ann Bowen  
Andrea Bowen  
No Mans Land, LLC  
2320 Paul Street  
Omaha, NE 68102  
REQUEST: Waiver of Section 55-716– Variance to the required bufferyard between LI & R7 & R4 from 30’ and 20’ to 10’ for a custom manufacturing business.  
LOCATION: 2320 Paul Street  
ZONE: LI

6. Case No. 18-065  
Robert & Diane Urbach  
5518 South 53rd Street  
Omaha, NE 68117  
REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a 24’ x 24’ accessory building.  
LOCATION: 5518 South 53rd Street  
ZONE: R3
7. **Case No. 18-067**  
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)

8. **Case No. 18-068**  
Thomas L. Schwarten  
7605 Dutch Hall Road  
Omaha, NE 68122  
**REQUEST:** Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a crushed rock driveway to allow a 30’ x 40’ accessory building.  
**LOCATION:** 7605 Dutch Hall Road  
**ZONE:** DR-ED

9. **Case No. 18-069**  
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

10. **Case No. 18-070**  
Carolina Padilla  
Intercultural Senior Center  
3010 “R” Street  
Omaha, NE 68107  
**REQUEST:** Waiver of Section 55-716(a), 55-717(a)(1), 55-734 & 55-740(f)(4) – Variance to the minimum buffer yard requirement between a GI and R4 district from 60’ with screening to 11’ without screening; to the minimum off-street parking requirements from 74 stalls to 45 stalls and to the minimum perimeter landscaping requirement from 5’ to 0’ to allow for renovation of the existing building for personal improvement services.  
**LOCATION:** 5545 Center Street  
**ZONE:** GI

11. **Case No. 18-071**  
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)

12. **Case No. 18-072**  
Gary J. Stegman  
19401 Brooks Drive  
Gretna, NE 68028  
**REQUEST:** Waiver of Section 55-830(b) – Variance to the detached sign regulations to allow a detached sign to be located on a fence in a R4(35) District.  
**LOCATION:** 4985 Marshall Drive  
**ZONE:** R4(35)-FF
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Address</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
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<tbody>
<tr>
<td>13. 18-073</td>
<td>Omaha Shelter for Homeless Trust</td>
<td>10050 Regency Circle Suite 101</td>
<td>Waiver of Section 55-764(e)(1)(b) and 55-764(e)(1)(d)(1) – Variance to the hours of operation for a non-commercial day shelter from 7:00 a.m. to 9:00 p.m. to include overnight stays and to the minimum separation from an established residential zoning district from 300’ to 245’.</td>
<td>Northwest of 16th Street and Nicholas Street</td>
<td>DS and GI – ACI-2(65)</td>
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<td>14. 18-074</td>
<td>Jeffrey Dolezal</td>
<td>2922 North 61st Street</td>
<td>Waiver of Section 55-126 – Variance to the minimum front yard setback from 50’ to 41’ to allow for installation of an awning.</td>
<td>844 South 96th Street</td>
<td>R1</td>
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<tr>
<td>15. 18-075</td>
<td>Rachelle Bradley</td>
<td>5003 Burt Street</td>
<td>Waiver of Section 55-246 – Variance to the minimum interior side yard setback from 5’ to 1’6” to allow for reconstruction of a garage addition.</td>
<td>5003 Burt Street</td>
<td>R7</td>
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<tr>
<td>16. 18-076</td>
<td>Patricia Shepherd</td>
<td>649 South 259th Street</td>
<td>Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a gravel driveway to a new home and garage.</td>
<td>649 South 259th Street</td>
<td>DR-FF</td>
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<td>17. 18-077</td>
<td>Deb Olson</td>
<td>Indian Creek One, LLC</td>
<td>Waiver of Section 55-366 – Variance to the maximum height allowed in a CC district from 45’ where a building is within 100’ of property classified as R6 or lower intensity district to 48’ to allow for construction of a new building.</td>
<td>4221 North 203rd Street</td>
<td>CC</td>
</tr>
<tr>
<td>18. 18-078</td>
<td>Dennis Plachy</td>
<td>Omaha Neon Sign Company</td>
<td>Waiver of Section 55-834(2) &amp; 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.</td>
<td>119 North 51st Street</td>
<td>GO</td>
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19. Case No. 18-080  
Faith Evangelical Free Church  
Brookside Church  
11607 “M” Circle  
Omaha, NE 68137  
REQUEST: Waiver of Section 55-832(2) – Variance to the maximum signage area for a civic use in a R7 district from 40 sq. ft. to 150 sq. ft. to allow for a new signage plan.  
LOCATION: 11607 “M” Circle  
ZONE: R7/R7-FF/R7-FW

20. Case No. 18-082  
Jeremy Williams, P.E.  
1609 “N” Street  
Lincoln, NE 68508  
REQUEST: Waiver of Section 55-716 – Variance to the minimum bufferyard requirement between a CC and R6 district from 30’ to 15’ to allow for construction of a new drive-thru restaurant.  
LOCATION: 2945 South 132nd Street  
ZONE: CC