ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, November 8, 2018 - 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: Jason Lanoha – Chair, Jeremy Aspen – Vice-Chair, Brian Mahlendorf, Sean Kelley and Kristine Moore. Dustin Friedman 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, November 8, 2018 at 11:00 a.m. to discuss the cases.

CERTIFICATION OF PUBLICATION: Board of Appeals Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, October 29, 2018 (for use waivers only) and Thursday, November 1, 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 CASES:

1. **Case No. 18-088 (from 7/12/18)**
   Tammy Darmody
   16417 Leavenworth Circle
   Omaha, NE 68118
   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: 15454 Mormon Circle
   ZONE: R4

2. **Case No. 18-140 (from 10/11/18)**
   McGregor Interests, Inc.
   11750 Stonegate Circle
   Omaha, NE 68164
   REQUEST: Waiver of Section 55-843(2) - Variance to the allowed sign budget from 77 sq. ft. to 150 sq. ft. to allow for a new monument sign and new pole sign.
   LOCATION: 301 South 74th Street
   ZONE: GI

3. **Case No. 18-141 (from 10/11/18)**
   Jose Gonzalez
   5424 North 80th Street
   Omaha, NE 68134
   REQUEST: Waiver of Section 55-146 - Variance to the minimum rear yard setback from 25' to 3' and to the maximum impervious coverage from 40% to 41% to allow for construction of an 85' x 35' detached garage.
   LOCATION: 5424 North 80th Street
   ZONE: R2

4. **Case No. 18-143 (from 10/11/18)**
   Steven Rife
   Rife Construction
   4515 Military Avenue
   Omaha, NE 68104
   REQUEST: Waiver of Sections 55-146 & 55-715 - Variance to the minimum interior side yard setback from 10' to 5'2", to the front yard setback from 40' to 25' and to the minimum street yard landscaping depth from 25' to 0' to allow for the construction of a new attached garage and driveway.
   LOCATION: 3713 North 83rd Street
   ZONE: R2

5. **Case No. 18-144 (from 10/11/18)**
   Davis Global Center
   c/o Signworks, Inc.
   4713 F Street
   Omaha, NE 68117
   REQUEST: Waiver of Section 55-834(2) - Variance to the maximum sign budget from 32 sq. ft. to 51 sq. ft. to allow for installation of a new monument sign and electronic message center.
   LOCATION: 4111 Emile Street
   ZONE: GO-ACI-1(PL)

6. **Case No. 18-145 (from 10/11/18)**
   Davis Global Center
   c/o Signworks, Inc.
   4713 F Street
   Omaha, NE 68117
   REQUEST: Waiver of Section 55-834(2) - Variance to the maximum sign budget from 32 sq. ft. to 51 sq. ft. to allow for installation of a new monument sign and electronic message center.
   LOCATION: 701 South 42nd Street
   ZONE: GO-ACI-1(PL)
NEW CASES:

7. Case No. 18-146  
Cory Nelson  
11656 Meredith Avenue  
Omaha, NE 68164  
REQUEST: Waiver of Section 55-830 - Variance to the maximum sign budget for a civic use in a residential district from 32 sq. ft. to 80.25 sq. ft. to allow for construction of a monument sign and two wall signs.  
LOCATION: 21220 Elkhorn Drive  
ZONE: R4

8. Case No. 18-147  
Ed Thiele  
Habitat for Humanity  
1701 North 24th Street  
Omaha, NE 68110  
REQUEST: Waiver of Section 55-186 - Variance to the minimum lot width requirement from 50' to 41' to allow for construction of a new single-family home.  
LOCATION: 2424 South 21st Street  
ZONE: R4(*)

9. Case No. 18-148  
Jenny Lin  
7703 South 32nd Street  
Bellevue, NE 68147  
REQUEST: Waiver of Section 55-186 - Variance to the minimum interior side yard setback from 5' to 1'6" to allow for the replacement of an existing covered porch.  
LOCATION: 4324 Parker Street  
ZONE: R4

10. Case No. 18-149  
Dave Paladino  
2816 B Street, LCC  
2702 Douglas Street  
Omaha, NE 68131  
REQUEST: Waiver of Section 55-843 - Variance to the maximum size for a pole sign from 150 sq. ft. to 432 sq. ft. and to the maximum height from 35' to 55' to allow for a new electronic messaging center.  
LOCATION: 2816 "B" Street  
ZONE: GI

11. Case No. 18-150  
Lanny Israel  
4014 South 13th Street  
Omaha, NE 68107  
REQUEST: Waiver of Section 55-246 - Variance to the residential fence regulations to allow a 6' tall, privacy fence in the front yard setback.  
LOCATION: 4014 South 13th Street  
ZONE: R7-MCC

12. Case No. 18-151  
Kent Therkelsen  
KRT Construction  
4325 North 156th Street  
Omaha, NE 68116  
REQUEST: Waiver of Section 55-246 - Variance to the front yard setback from 40' to 33'7" to allow for construction of a garage addition.  
LOCATION: 22316 Southshore Drive  
ZONE: R2

13. Case No. 18-152  
Marla and Juan Mosqueda  
1326 South 27th Street  
Omaha, NE 68105  
REQUEST: Waiver of Section 55-246 - Variance to the rear yard setback from 25' to 1'6" and to the side yard setback from 5' to 1'6" and 0'.  
LOCATION: 1326 South 27th Street  
ZONE: R7

14. Case No. 18-153  
Marla and Juan Mosqueda  
1328 South 27th Street  
Omaha, NE 68105  
REQUEST: Waiver of Section 55-246 - Variance to the rear yard setback from 25' to 1'6" and to the side yard setback from 5' to 1'6" and 0'.  
LOCATION: 1328 South 27th Street  
ZONE: R7
<table>
<thead>
<tr>
<th>Case No.</th>
<th>REQUEST:</th>
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<tbody>
<tr>
<td>15.</td>
<td>Waiver of Section 55-716 - Variance to the required bufferyard between a GI and DR district, from 60' to 16'. LOCATION: 8635 Whitmore Circle ZONE: GI</td>
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<td>16.</td>
<td>Waiver of Section 55-734 - Variance to the required number of off-street parking stalls from 31 to 18. LOCATION: 3040 Cuming Street ZONE: GC</td>
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<td>17.</td>
<td>Waiver of Sections 55-87 &amp; 55-108 - Variance to the front yard setback in an AG district from 50' to 35.81' and to the front yard setback in a DR district from 50' to 11.12' and to the interior side yard setback from 25' to 10.9'. LOCATION: 25151 Blondo Street &amp; 1701 North 252nd Street ZONE: DR &amp; (AG Pending)</td>
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<td>18.</td>
<td>Waiver of Sections 55-226 &amp; 55-716 - Variance to the front yard setback from 35' to 25'; to the rear yard setback from 25' to 15'; to the required bufferyard from 30' to 25' and 5', and to allow for construction of new multi-family housing. LOCATION: 9300 Arbor Street ZONE: DR &amp; DR-FF/FW (DR-FF/FW &amp; R6-PUD-FF Pending)</td>
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<td>19.</td>
<td>Waiver of Sections 55-737 &amp; 55-740 - Variance to the maximum percentage of compact car parking from 40% to 43%, to the minimum perimeter landscaping from 5' to 1'5&quot; and to the minimum drive aisle width from 24' to 21'4&quot;. LOCATION: 4834 South 23rd Street ZONE: NBD</td>
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<td>20.</td>
<td>Waiver of Section 55-786 - Variance to the residential fence regulations to allow a privacy fence greater than 4' tall in the street side yard setback. LOCATION: 4501 North 207th Circle ZONE: R3</td>
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<td>21.</td>
<td>Waiver of Section 55-246 - Variance to the front yard setback from 35' to 22'5&quot; and to the street side yard setback from 15' to 1'2&quot; to allow for the replacement of an existing covered porch. LOCATION: 1002 Park Avenue ZONE: R7</td>
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