ZONING BOARD OF APPEALS
AGENDA

Public Hearing
Thursday, October 11, 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 and Sean Kelley. Kristine Moore and Dustin Friedman 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, October 11, 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 1, 2018 (for use waivers only) and Thursday, October 4, 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. 18-115 (from 9/13/18)  
   Scott Bowen  
   2320 Paul Street  
   Omaha, NE 68102  
   REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow a gravel driveway to a new home and garage.  
   LOCATION: 13925 White Deer Lane  
   ZONE: DR-ED

2. Case No. 18-116 (from 9/13/18)  
   Marty's Auto and Light Truck Repair, Inc.  
   4545 Leavenworth Street  
   Omaha, NE 68106  
   REQUEST: Waiver of Sections 55-824(b) & 55-838(2) - Variance to the maximum projection from 8' to 10' and to the allowed sign budget from 40 sq. ft. to 56 sq. ft. to allow for a new projection sign.  
   LOCATION: 4545 Leavenworth Street  
   ZONE: GC-ACI-2(PL)

3. Case No. 18-121 (from 9/13/18)  
   Mark Sanford Group  
   1306 North 162nd Street  
   Omaha, NE 68118  
   REQUEST: Waiver of Section 55-246 - Variance to the minimum street side yard setback from 15' to 9' to allow for construction of a daycare storm shelter.  
   LOCATION: 1023 North 40th Street  
   ZONE: R7

4. Case No. 18-123 (from 9/13/18)  
   Travis Forsman  
   17016 Hickory Circle  
   Omaha, NE 68134  
   REQUEST: Waiver of Section 55-186 - Variance to the rear yard setback from 25' to 15' to allow for construction of a new deck and stairs.  
   LOCATION: 18634 Marcy Street  
   ZONE: R4

NEW CASES:

5. Case No. 18-110  
   Estate Landscape Services  
   3501 North 72nd Street  
   Omaha, NE 68134  
   REQUEST: Waiver of Sections 55-716 & 55-717 - Variance to the required bufferyard between CC and R4 from 30' with screening to 5' without screening.  
   LOCATION: 3501 North 72nd Street  
   ZONE: CC-ACI-3(PL), CC-ACI-3(PL)-FF, CC-ACI-3(PL)-FW

6. Case No. 18-128  
   Brau Builders, Inc.  
   20515 Nicholas Circle #6  
   Omaha, NE 68022  
   REQUEST: Waiver of Section 55-740(e) - Variance to the hard-surface driveway requirement to allow a rock driveway to a new home and garage.  
   LOCATION: 4201 North Post Road  
   ZONE: DR-ED

7. Case No. 18-129  
   Damaris Rodriguez Ricardo  
   3618 South 120th Street  
   Omaha, NE 68144  
   REQUEST: Waiver of Section 55-786(e) - Variance to the residential fence regulations to allow a 6' privacy fence within the front yard setback.  
   LOCATION: 3618 South 120th Street  
   ZONE: R4(35)
8. Case No. 18-131
Dale Barr
Gesu Housing, Inc.
5008 ½ B Dodge Street
Omaha, NE 68132
REQUEST: Waiver of Sections 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 parking in the front yard setback for construction of single-family homes.
LOCATION: 3726/3732/3736/3740 & 3744 Corby Street
ZONE: R4(35)

9. Case No. 18-132
Steve Vawser
Riva Investments, LLC
22608 Melia Road
Gretna, NE 68028
REQUEST: Waiver of Section 55-186 - Variance to the front yard setback from 35' to 12' to allow for the repair of an existing deck.
LOCATION: 2895 Crown Point Avenue
ZONE: R4(35)

10. Case No. 18-133
Jared Gerber
5037 Parker Street
Omaha, NE 68104
REQUEST: Waiver of Sections 55-166 & 55-715 - Variance to the front yard setback from 35' to 26' and to the minimum street yard landscaping from 65% to 60% to allow for construction of a new front porch.
LOCATION: 1313 South 35th Street
ZONE: R3

11. Case No. 18-134
Janette Sodoro
c/o Jim Dennell
509 Brentwood Road
Omaha, NE 68114
REQUEST: Waiver of Section 55-715 - Variance to the minimum street yard landscaping from 75% to 66% and to the minimum depth from 30' to 16' to construct a new circular drive.
LOCATION: 239 North 129th Street
ZONE: R1

12. Case No. 18-135
Earl and Diane Baker
5705 Hascall Street
Omaha, NE 68106
REQUEST: Waiver of Section 55-186 - Variance to the minimum street side yard setback from 15' to 5' to allow for the replacement of an existing deck.
LOCATION: 5705 Hascall Street
ZONE: R4

13. Case No. 18-136
Edward Friedland
c/o Murray Siert
6715 Blondo Street
Omaha, NE 68104
REQUEST: Waiver of Section 55-786 - Variance to the residential fence regulations to allow a 6’ fence within the street side yard setback.
LOCATION: 10039 Frederick Street
ZONE: R2

14. Case No. 18-137
Chris Horstman
c/o Mick McGuire
Straightline Design
3925 South 147th Street
Omaha, NE 68144
REQUEST: Waiver of Section 55-145 - Variance to the minimum front yard setback from 40' to 25' and to the minimum street yard landscaping depth from 25' to 3' to allow for the construction of an attached garage, driveway and home addition.
LOCATION: 7805 Hickory Circle
ZONE: R2

15. Case No. 18-138
Kevin Binder
1417 South 172nd Street
Omaha, NE 68130
REQUEST: Waiver of Section 55-166 - Variance to the rear yard setback from 25' to 18.6' to allow for construction of a new deck.
LOCATION: 1417 South 172nd Street
ZONE: R3
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Address</th>
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<th>Request Details</th>
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<tbody>
<tr>
<td>16. 18-139</td>
<td>Russell Reed</td>
<td>5360 State Highway 133 Blair, NE 68008</td>
<td>AG</td>
<td>Waiver of Sections 55-87 &amp; 55-740(e)(3) - Variance to the front yard setback from 50' to 25' and to the hard-surface driveway requirement to allow construction of a 4,000 sq. ft. cattle building. LOCATION: 11211 Bennington Road ZONE:</td>
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<td>17. 18-140</td>
<td>McGregor Interests, Inc.</td>
<td>11750 Stonegate Circle Omaha, NE 68164</td>
<td>GI</td>
<td>Waiver of Section 55-843(2) - Variance to the allowed sign budget from 77 sq. ft. to 1,055.25 sq. ft. to allow for a new roof sign and new pole sign. LOCATION: 301 South 74th Street ZONE:</td>
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<tr>
<td>18. 18-141</td>
<td>Jose Gonzalez</td>
<td>5424 North 80th Street Omaha, NE 68134</td>
<td>GI</td>
<td>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:</td>
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<td>19. 18-142</td>
<td>Bruce Hansen</td>
<td>14540 Grover Street Omaha, NE 68144</td>
<td>R2</td>
<td>Waiver of Section 55-735 - Variance to the minimum distance of a parking facility location for off-street parking for non-residential uses from 300' to 480', measured from the nearest property line to the nearest point of the off-street parking facility. LOCATION: 4103 Leavenworth Street ZONE: GC-ACI-1(PL), R5-PK</td>
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<td>20. 18-143</td>
<td>Steven Rife</td>
<td>4515 Military Avenue Omaha, NE 68104</td>
<td>R2</td>
<td>Waiver of Sections 55-146 &amp; 55-715 - Variance to the minimum interior side yard setback from 10' to 5'2&quot; and to the minimum street yard landscaping depth from 25' to 0' to allow for the construction of a new detached garage and driveway. LOCATION: 3713 North 83rd Street ZONE:</td>
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<td>21. 18-144</td>
<td>Davis Global Center</td>
<td>4713 F Street Omaha, NE 68117</td>
<td>R2</td>
<td>Waiver of Section 55-834(2) - Variance to the maximum sign budget from 32 square feet to 51 square feet to allow for installation of a new monument sign. LOCATION: 4111 Emile Street ZONE: GO-ACI-1(PL)</td>
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<tr>
<td>22. 18-145</td>
<td>Davis Global Center</td>
<td>4713 F Street Omaha, NE 68117</td>
<td>GO-ACI-1(PL)</td>
<td>Waiver of Section 55-834(2) - Variance to the maximum sign budget from 32 square feet to 51 square feet to allow for installation of a new monument sign. LOCATION: 701 South 42nd Street ZONE: GO-ACI-1(PL)</td>
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