

**DISPOSITION AGENDA**  
**ZONING BOARD OF APPEALS**  
**APRIL 13, 2023**

**LAYOVER CASES:**

1. Case No. 22-168 (from 11/11/22) REQUEST: Waiver of Sections 55-503, 55-506, 55-715, 55-734, 55-718, and 55-740(f) – Variance to the front yard setback from 50' from the center line of the fronting street to 0'; to the maximum impervious coverage from 90% to 97%, to the minimum required street yard landscaping from 10% to 3%; to the minimum required street yard landscaping depth from 12.5' to 0'; to the minimum required perimeter parking lot landscaping depth from 10' to 5' and 0'; to the required number of standard parking stalls from 14 to 10; to the requirement of one tree planting for every 500 square feet of minimum street yard landscaping depth; and to the permitted use regulations of the GI District to allow for a Heavy Industry use (batch plant) not otherwise permitted to rearrange and upgrade its current operations on the site.

LOCATION: 6155 M St. and 6160 & 6140 Holmes St.

ZONE: GI-FF

**DISPOSITION: LAYOVER 5-0. Laid over until the May 11, 2023 meeting.**

2. Case No. 23-027 (from 2/9/23) REQUEST: Waiver of Section 55-108 & 55-782(b)(2) – Variance to the required interior side yard setback from 25' to 15' and 16.7' to allow for a previously constructed single-family home with back yard deck to remain and to allow for construction of a new pool equipment pad.

LOCATION: 23030 J Plaza Cir.

ZONE: DR

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

3. Case No. 23-038 (from 3/9/23) REQUEST: Waiver of Section 55-246 & 55-716 – Variance to the required front yard setback for a *Multifamily* use in the R7 District from 35' to 15', to the rear yard setback from 25' to 10', and to the required bufferyard between R3 and R7 Districts from 30' to 10' to allow for the construction of a new apartment complex.

LOCATION: Southwest of 168<sup>th</sup> and Shirley Streets

ZONE: R7-MCC

**DISPOSITION: APPROVED 4-0. Approved variances to the required front yard setback for a Multifamily use in the R7 District from 35' to 30', to the rear yard setback from 25' to 10'; and to the required bufferyard between R3 and R7 Districts from 30' to 25' to allow for the construction of a new apartment complex subject to doubling of the landscaping requirements along the parking outside of the clubhouse and along Shirley Street.**

**NEW CASES:**

4. Case No. 23-040  
Gloria Pavalos  
4102 S. 13<sup>th</sup> St.  
Omaha, NE 68107
- REQUEST: Waiver of Section 55-764(d)(2) – Variance to the capacity limitations for a Daycare Services (General) use in a R5(35) district from 24 to 280 individuals.
- LOCATION: 4110 & 4102 S. 13<sup>th</sup> St.  
ZONE: R5(35)

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted for this applicant only.**

5. Case No. 23-041  
Bret Linden  
1227 S. 109<sup>th</sup> St.  
Omaha, NE 68144
- REQUEST: Waiver of Section 55-126 – Variance to the required street side yard setback from 25' to 12.5' to allow for the construction of a garage addition.
- LOCATION: 10822 Poppleton Ave.  
ZONE: R1

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

6. Case No. 23-042  
Penny Johnson  
8005 N. 172<sup>nd</sup> St.  
Omaha, NE 68007
- REQUEST: Waiver of Section 55-186 – Variance to the required rear yard setback from 25' to 19' to allow for the extension of an existing deck.
- LOCATION: 8005 N. 172<sup>nd</sup> St.  
ZONE: R4

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

7. Case No. 23-043  
Greg Ederer  
5704 S. 53<sup>rd</sup> St.  
Omaha, NE 68117
- REQUEST: Waiver of Section 55-108 – Variance to the required interior side yard setback from 25' to 5' to allow for the construction of a detached garage.
- LOCATION: 5704 S. 53<sup>rd</sup> St.  
ZONE: DR

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

8. Case No. 23-044  
Michael Ambrose  
1704 S. 85<sup>th</sup> Ave.  
Omaha, NE 68124
- REQUEST: Waiver of Section 55-146, 55-715, & 55-742(b)(2) – Variance to the required rear yard setback from 25' to 10'; to the minimum depth from 25' to 0'; and to the parking regulations to allow parking in the front yard setback to allow for the construction of a garage addition and circle driveway.
- LOCATION: 1704 S. 85<sup>th</sup> Ave.  
ZONE: R2

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

9. Case No. 23-045  
Kristina Spangenberg  
2204 N. 188<sup>th</sup> Ave.  
Omaha, NE 68022
- REQUEST: Waiver of Section 55-186 & 55-715 – Variance to the required front yard setback from 35' to 25' and to the minimum depth from 15' to 5' to allow for the construction of a single-family home.
- LOCATION: 1718 N. 56<sup>th</sup> St.  
ZONE: R4(35)

**DISPOSITION: LAYOVER 5-0. Laid over until the May 11, 2023 meeting.**

10. Case No. 23-046  
Alan Sadofsky  
6605 S. 154<sup>th</sup> St.  
Omaha, NE 68137
- REQUEST: Waiver of Section 55-186 – Variance to the required street side yard setback from 15' to 7' and to the rear yard setback from 25' to 17.5' to allow for the construction of a carport.
- LOCATION: 6605 S. 154<sup>th</sup> St.  
ZONE: R4(35)

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

11. Case No. 23-047  
Cory Morris  
11136 N. 126<sup>th</sup> St.  
Omaha, NE 68142
- REQUEST: Waiver of Section 55-87 – Variance to the maximum impervious coverage from 10% to 14% and to the maximum building coverage from 5% to 7% to allow for the construction of a home addition.
- LOCATION: 11136 N. 126<sup>th</sup> St.  
ZONE: AG

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

12. Case No. 23-048  
Signworks, Inc.  
4713 F St.  
Omaha, NE 68117
- REQUEST: Waiver of Section 55-829(2) – Variance to the maximum height of a monument sign from 6' to 6' 9" and to the required front setback from 12' to 0' to allow for the installation of a new monument sign.
- LOCATION: Southwest of Glen Cunningham Lake Park & Bennington Roads  
ZONE: AG-ED-FF

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

13. Case No. 23-049  
Kayla Beller  
12149 W. Center Rd.  
Omaha, NE 68144
- REQUEST: Waiver of Section 55-740(f)(4) & 55-934(b)(3) – Variance to the perimeter parking lot landscaping depth from 10' to 7.5' and to the maximum height for a Category 3 retaining wall in an Urban Design Overlay District from 10' to 13' to allow for the construction of an apartment complex.
- LOCATION: 3001, 3021, 3023 & 3029 Leavenworth St.  
ZONE: NBD-ACI-1 (pending)

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

14. Case No. 23-050  
Torrey Walker  
7927 Brentwood Dr.  
La Vista, NE 68128
- REQUEST: Waiver of Section 55-186, 55-782(b)(2) & 55-734 – Variance to the required front yard setback from 35' to 25'; ~~to the interior side yard setback for a patio with no structural elements above two feet from ground level from 3' to 0';~~ and to the required number of off-street parking stalls from 2 to 0 to allow for the construction of a single-family home.
- LOCATION: 3735 N. 44<sup>th</sup> Ave.  
ZONE: R4(35)

**DISPOSITION: APPROVED 5-0. Approval of the front yard setback and the required number of parking stalls only.**

15. Case No. 23-051  
Ron Stukenholtz  
15203 Ontario St.  
Omaha, NE 68144
- REQUEST: Waiver of Section 55-786(e)(3) – Variance to the residential fence regulations to allow a 6' tall, privacy fence within the street side yard setback.
- LOCATION: 15203 Ontario St.  
ZONE: R4-FF

**DISPOSITION: APPROVED 4-1. Approved in accordance with the plans submitted subject to the fence being located 5' from the south property line and inside of the existing landscaping.**

16. Case No. 23-052  
Dave Lanoha  
c/o Lanoha Nurseries  
19111 W. Center Rd.  
Omaha, NE 68130
- REQUEST: Waiver of Section 55-740(e) – Variance to the hard-surface driveway requirement to allow a graveled driveway and site circulation for a new agricultural sales and service facility.
- LOCATION: Northeast of 258<sup>th</sup> Plaza & West Center Rd.  
ZONE: AG-FF (DR-FF pending)

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

17. Case No. 23-053  
Larry and Theresa Baggett  
4448 S. 63<sup>rd</sup> St.  
Omaha, NE 68144
- REQUEST: Waiver of Section 55-186 – Variance to the required front yard setback from 35' to 25' and to the rear yard setback from 25' to 7.6' to allow for the construction of a covered front yard deck and stoop, covered backyard patio, home addition and garage addition.
- LOCATION: 6110 Hillside Ave.  
ZONE: R4(35)

**DISPOSITION: APPROVED 4-1. Approved in accordance with the plans submitted.**

18. Case No. 23-054  
Jared Gerber  
5037 Parker St.  
Omaha, NE 68104
- REQUEST: Waiver of Section 55-126 – Variance to the required interior side yard setback from 25' to 18' to allow for the construction of a garage addition.
- LOCATION: 813 S. 80<sup>th</sup> St.  
ZONE: R1

**DISPOSITION: APPROVED 5-0. Approved in accordance with the plans submitted.**

**SHOW CAUSE:**

19. Case No. 20-041  
Steve Walker  
13612 Miami St.  
Omaha, NE 68164
- REQUEST: Waiver of Section 55-163 & 55-166 – Variance to allow a Warehousing and Distribution (limited) use not otherwise permitted in the R3 district and to the rear yard setback from 25' to 15' to allow for an existing storage building.
- LOCATION: 13612 Miami St. & 13611 Corby St.  
ZONE: R3

**DISPOSITION: APPROVED 5-0. This case was approved to be heard at the May 11, 2023 meeting.**