Ms. O’Connor called the meeting to order at 1:00 pm. The Board received as Exhibit 1 the contents of the City's file on each case.

CASES:

1.
20-02-015
Rob Woodling
Foundations Development, LLC
1886 S. 126th St.
Omaha, NE 68144

(Re: Castelar Senior Housing – 1404 Castelar Street)

At the Administrative Board of Appeals meeting held on February 24, 2020, Rob Woodling appeared before the board. Ryan Haas appeared on behalf of the Public Works Department.

Mr. Haas stated that the applicant was proposing to build a senior housing facility with a parking lot to the west of the building. The applicant was requesting access onto Castelar and 15th Streets. The driveway regulations allow a maximum of one driveway for this site. He indicated that both Castelar and 15th Streets are low-speed, low-volume local streets that are primarily intended for access.

Mr. Woodling stated that there were currently two access points that were left from the church that was formerly on the site. He explained that the access closest to 15th and Castelar would be moved back from the intersection.

Mr. Peterson moved to GRANT the appeal. Mr. Bessmer seconded the motion.

AYES: Kuehl, Peterson, Bessmer, Kruse, O’Connor

MOTION CARRIED: 5-0. Appeal granted.
2.  
20-01-016  
Brady M. Allen  
3009 Cass St.  
Omaha, NE 68131  
REQUEST: Appeal of the Omaha Police Department’s denial of a firearm registration dated 2/3/2020.

At the Administrative Board of Appeals meeting held on February 24, 2020, Brady M. Allen appeared before the board. Sgt. Angie Diehm appeared on behalf of the Omaha Police Department.

Sgt. Diehm stated that the applicant’s registration was denied due to a marijuana arrest and convictions from 2010, 2011 and 2012.

Mr. Allen stated that he was appealing because he was older and he wanted to protect his family.

In response to Mr. Kruse, Sgt. Diehm stated that there was nothing else on his record since 2012 that would prevent him from owning a firearm.

Mr. Kruse moved to GRANT the appeal. Mr. Peterson seconded the motion.

AYES: Kuehl, Peterson, Bessmer, Kruse, O’Connor  
MOTION CARRIED: 5-0. Appeal granted.

3.  
19-11-088 (Layover from 11/25/2019 & 1/27/2020)  
Nestor Hesiquio  
4383 Patterson St.  
Omaha, NE 68107  
REQUEST: Appeal of the Omaha Police Department’s Notice of Nuisance dated 10/17/2019. (Re: 4371 Patterson St)

At the Administrative Board of Appeals meeting held on February 24, 2020, Nestor Hesiquio appeared before the board. Officer James Stokes appeared on behalf of the Omaha Police Department.

Officer Stokes stated that the Mayor’s Office received a complaint in October 2019 about vehicles parked on gravel and in the yard that the applicant’s property. He noted that construction was being done at the site and he explained that, as long as the applicant had the appropriate permits, construction vehicles could be parked there.

Mr. Hesiquio stated that he had obtained a permit to build a garage. He indicated that he was waiting for the plumbing to be completed. He further stated that he planned to pave the driveway to the garage and he presented his plan as proof. In response to Mr. Kruse, Mr. Wilwerding stated that individuals had 6 months to begin work with a permit and if the inspection is done within the 6 months, the permit would last 30 months from the issue date.

There was some discussion about how much time was need to complete the project.

Mr. Kruse moved to LAYOVER for 90 days. Motion failed for lack of a second.

Mr. Peterson moved to GRANT the request for the duration of the construction permit. Mr. Kruse seconded the motion.

AYES: Kuehl, Peterson, Bessmer, Kruse, O’Connor  
MOTION CARRIED: 5-0. Appeal granted.
4.  
20-01-009 (Layover from 1/27/20)  
Jonatan Barraza  
5621 S. 21st St.  
Omaha, NE 68107  
REQUEST: Appeal of the Omaha Police Department’s Notice of Nuisance dated 12/31/2019. (Re: 4317 S. 34th St.)

At the Administrative Board of Appeals meeting held on February 24, 2020, Janatan Barraza appeared before the board. Officer James Stokes appeared on behalf of the Omaha Police Department.

Officer Stokes stated that the Mayor’s Office received several complaints in December 2019 about trailers and other vehicles that were parked behind the home listed on the notice. It was believed that a business was being run from the home. Officer Stokes stated that when he visited the home he saw construction equipment, trucks and trailers that were being stored off of a paved surface. He explained that construction equipment/vehicles could not be stored in a residential district.

Mr. Barraza stated that he had just started an underground drilling company and he had not found a place to store his equipment. The equipment was being stored at his aunt’s home until he found a place. He indicated that a Ford Explorer had been moved and he requested at least 30 days so that a storage place could be found for the other items.

Mr. Peterson moved to DENY with 30 days to comply. Mr. Bessmer seconded the motion.

AYES: Kuehl, Peterson, Bessmer, Kruse, O’Connor  
MOTION CARRIED: 5-0. Appeal granted.

5.  
20-01-010 (Layover from 1/27/20)  
Michael R. Scholting  
2718 S. 50th St.  
Omaha, NE 68106  
REQUEST: Appeal of the Omaha Police Department’s Notice of Nuisance dated 1/2/2020.

At the Administrative Board of Appeals meeting held on February 24, 2020, Michael R. Scholting appeared before the board. Officer James Stokes appeared on behalf of the Omaha Police Department.

Officer Stokes recalled that this case had been laid over from the January 27, 2020 meeting. He stated that he and Mr. Wilwerding checked the sideyard setback for the applicant’s home and determined that there was not enough room for the camper to be stored on the side of the home.

Mr. Scholting inquired as to whether he could build a driveway on the north side of his property for the camper. He and Mr. Wilwerding discussed that option. Mr. Wilwerding encouraged him to submit his plans to Permit & Inspections to see if it would be allowed.

Mr. Kruse moved to DENY the appeal with 120 days to comply. Mr. Bessmer seconded the motion.

AYES: Kuehl, Peterson, Bessmer, Kruse, O’Connor  
MOTION CARRIED: 5-0. Appeal granted.
6.  
20-01-012 (Layover from 1/27/20)  
Vicky Wright  
4684 Kansas Ave.  
Omaha, NE 68104  
REQUEST: Appeal of the Omaha Police Department’s denial of a fee reimbursement dated 12/24/2019.

At the Administrative Board of Appeals meeting held on February 24, 2020, the applicant failed to appear before the board. Officer James Stokes appeared on behalf of the Omaha Police Department.

Officer Stokes stated that the police believed that the vehicle in question was involved in a property damage accident in an unknown location. The driver of the car was a convicted felon and a gun was found inside the car. The vehicle was towed for further investigation and for safekeeping. The car was not picked up in time which resulted in storage fees.

Ms. Ingram informed the board that the applicant had called the morning of the meeting and had withdrawn her request.

Mr. Kruse moved to accept the WITHDRAWAL of the appeal. Mr. Peterson seconded the motion.

AYES: Kuehl, Peterson, Bessmer, Kruse, O’Connor

MOTION CARRIED: 5-0. Appeal granted.

MINUTES:

Mr. Peterson moved to APPROVE the January 27, 2020 meeting minutes. Mr. Kruse seconded the motion.

AYES: Peterson, Kruse, O’Connor

ABSTAIN: Kuehl, Bessmer

MOTION CARRIED: 3-0-2.

ADJOURN:

It was the consensus of the board the ADJOURN the meeting at 1:33 p.m.