Landmarks Heritage Preservation Commission

MINUTES

Wednesday, June 8, 2016

Public Meeting:
1:30 PM, Room 1210 – 12th Floor
Omaha/Douglas Civic Center
1819 Farnam Street

Landmarks Heritage Preservation Commission Members: Joan Fogarty – Chair, George Killian – Vice Chair, Carrie Meyer, Regan Pence, Scott Dobbe, Kathryn Aultz, Jaime Suarez, Brian Magee and Curt Witzenburg.

Certification of Publication: Omaha Preservation Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Wednesday, June 1, 2016 notice re: Landmarks Heritage Preservation Commission meeting, June 8, 2016.

Members Present: Joan Fogarty, Chair
George Killian, Vice-Chair
Kathryn Aultz
Scott Dobbe
Regan Pence
Jaime Suarez

Members Not Present: Brian Magee
Carrie Meyer
Curt Witzenburg

Others Present: Trina Westman, LHPC Administrator
Rosemarie Lee, City Law Department
Clinette Ingram, Recording Secretary

Ms. Fogarty - Chair, called the meeting to order at 1:50 pm, introduced the Commission members and staff. She explained the procedures for hearing the cases. There were six members present.

APPROVAL OF MINUTES:

Mr. Pence moved to APPROVE the May 11, 2016 minutes as submitted. Mr. Dobbe seconded the motion.

AYES: Killian, Aultz, Dobbe, Pence, Suarez, Fogarty

MOTION CARRIED: 6-0
At the Landmarks Heritage Preservation Commission meeting held on June 8, 2016, Mr. Petzar appeared before the Commission.

Ms. Fogarty recused herself from this case since she is a close neighbor of the applicant. Mr. Killian took over as chair of the meeting.

Mr. Petzar stated that he wanted to install a fence for two Corgi dogs that he planned to adopt. Due to various extensive repairs that the home requires, the applicant proposed installing the most cost-effective fence that would have very little impact on the neighborhood. The proposed 4’ fence would be installed along the sides and back of the home where they would be less visible from the street. An iron-type fence would be used along the front of the property. The applicant indicated that an existing hedge would be allowed to grow up around the fence on the sides so that it would not be visible. There is an existing chain-link fence that belongs to a neighbor in the back of the home that the applicant would add on to. He added that if there was some concern about the chain-link, then wood material could be used.

Trina Westman, LHPC Administrator, showed the location of Mr. Petzar’s home in the district, his application, the notification letter that was mailed to property owners within 300’ of the property, and the original ordinance for the district.

In response to Mr. Killian, Mr. Petzar stated that the existing hedge could not be used as a fence. The use of a shock-collar was also not an option. There was some discussion about the use of a kennel or run. Ms. Westman explained that within the district, there were some non-conforming uses of chain-link fences. She stated that there were no fence material guidelines for that area or for any other districts within the city.

Mr. Dobbe was concerned that there may be some future issues with the use of the hedge to conceal the proposed fence. He inquired as to whether Mr. Petzar had looked into using other materials. Mr. Suarez expressed concern about the use of chain-link fence at valuable, historic homes in that district. Mr. Petzar felt that more important repairs should be taken into consideration that could actually become safety issues and would require a significant amount of resources. Mr. Killian responded that the commission’s decision could not be based on financial considerations. Mr. Petzar stated that he would abide by the wishes of the commission and his neighbors.

John Ransom - 415 North 38th Street (President - North Gold Coast Neighborhood Association) appeared in opposition to the request. He stated that many of the surrounding neighbors were deeply concerned about the precedent that would be set if the applicant was allowed to install a chain-link fence on his property. He felt that maintaining the integrity of the homes in the district should be the main focus of its owners. He added that the fence could detract from the value of the home. He felt that a
compromise could be reached that would prove to be a benefit to the Petzar family and the neighbors. In response to Ms. Aultz, he stated that the neighborhood association did not have enough time to come to a consensus as to what type of fence should be installed, whether it be a wrought-iron type fence or a picket fence.

Ms. Westman stated that the Planning Department recommended approval, but welcomed the commission’s consideration for a compromise between the applicant and the surrounding neighbors. She stated that she had recently begun to do research on fence guidelines in historic districts and most were related to height and some information about materials, rear and side yard lines. She indicated that some guidelines could be entered into the district’s standards regarding appropriate fence materials.

In response to Mr. Killian, Mr. Petzar stated that he would not be opposed to a layover to allow so that consideration could be given toward fence guidelines and possibly some type of compromise between the applicant, neighbors and Planning Department. Mr. Dobbe added that the layover could give the applicant more time to seek additional bids that may prove to be more cost-effective.

Ms. Aultz moved to LAYOVER to allow time for the applicant, the neighborhood association and the Planning Department to come up with alternate options that would meet the needs of the applicant and the neighborhood. Mr. Pence seconded the motion.

AYES: Aultz, Dobbe, Pence, Suarez, Killian

MOTION CARRIED: 5-0

Adjourment:

It was the consensus of the Board to ADJOURN the meeting at 2:30 p.m.