

Bellevue Board of Adjustment Meeting

Wednesday, February 18, 2026 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. CALL TO ORDER:

a. Roll Call

b. The Open Meetings Act location

c. Approve Minutes of November 20, 2024 Regular Meeting

d. Accept into the record all staff reports, attachments, memos, and handouts regarding each application.

2. PUBLIC HEARINGS:

a. Request for a variance of Article 7, Table 7E, City of Bellevue Zoning Ordinance, regarding signage for Lot 1 Tregaron Towne Centre Replat 8. The applicant is requesting a variance to allow for a 22-foot-high freestanding pole sign with a 15-foot setback from the property line.

Applicant: Holland Basham Architects. Location: 2411 Towne Centre Drive. Case #: BOA-2601-01.

3. CURRENT BUSINESS

a. Approval of the 2026 BOA Uniform Review Schedule

b. Election of Officers

4. ADJOURNMENT

MINUTE RECORD

Bellevue Board of Adjustment, November 20, 2024, Page 1

The Bellevue Board of Adjustment held a regular meeting on Wednesday, November 20, 2024, at 6:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Board Members Petersen, Crompton, Anderson, Conte, and Hankins. Also present was Tammi Palm, Planning Director.

Notice of this meeting was given in advance thereof by publication in the Sarpy County Times and posting in two public places and was also given to the Chairperson and members prior to the meeting. These minutes were written and available for public inspection within ten days of the meeting.

Anderson announced a copy of the Open Meetings Act was posted in the entry to the City Council Chambers.

Motion was made by Conte, seconded by Crompton, to approve the minutes of the August 16, 2023, regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

Anderson asked staff if there were any updates. Palm stated there were no updates.

Motion was made by Petersen, seconded by Hankins, to accept into the record all staff reports, attachments, memos, and handouts regarding each application. Upon roll call, all present voted yes. Motion carried unanimously.

Anderson explained the public hearing procedures.

PUBLIC HEARING was held on a request for a variance of Section 5.09.05, City of Bellevue Zoning Ordinance, regarding the minimum 35-foot front yard setback for Lot 13, Hillcrest Addition. The applicant is requesting the minimum 35-foot yard setback be reduced to 9 feet for a covered porch. Applicant: Noemi Gonzalez Morales. Location: 101 Caldor Drive. Case #: BOA-2410-01.

Noemi Gonzalez Morales, 101 Caldor Dr., Bellevue, NE, distributed a packet she had prepared for the Board members. She stated two months ago an inspector for the City of Bellevue came to do an inspection on the roof and he noticed the new structure on the front of the house. The inspector issued a stop work order on the project for work without benefit of a permit and the proximity to the front property line. Morales said the house was built in 1931 on a unique shaped lot. She stated the zoning district requires a 35-foot setback from the property line but the house itself does not meet that setback. Morales stated the existing overhang on the house is approximately two feet and the new front porch structure would only increase that by approximately three feet closer to the front property line. She said the porch addition was added to prevent water from getting to the foundation because the elevation of the street is higher than the elevation of the house. Morales stated since living in the house for six years they have experienced water in the basement several times. She said the porch will have gutters and downspouts to redirect the water away from the house. Morales stated no other lots in the neighborhood have the same shape. She said in the packet is a petition of acceptance signed by the neighbors. Morales stated this porch will increase the curb appeal and the overall value of the home.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Anderson closed the public hearing.

Palm stated staff took pictures of the site which are attached to the report and those pictures were taken from the right-of-way.

Conte stated that Ms. Gonzales had answered several of the questions she originally had.

Petersen questioned if the street was existing when the house was built in 1931. Palm stated she assumed Caldor Drive existed. Anderson stated it existed but was probably gravel at the time the home was constructed. Palm stated in 1955 the pictures from Sarpy County GIS show the Caldor Drive is existing and that it was gravel. Anderson stated it also could have changed elevation due to it going from gravel to concrete. Palm stated based on GIS contours the elevation is 1139 at the property line and 1138 at the northwest corner of the house and 1138 at the front porch addition.

Crompton questioned if there was a previous variance for this house because it does not meet the existing 35-foot setback. Palm stated zoning did not exist at the time the house was built. She said the zoning ordinance was adopted in 1965 so any house that is older than that is likely not going to meet setbacks so it would be considered legal non-conforming. Palm stated legal non-conforming means that if any additions or improvements are made, they must conform to the current zoning ordinance and cannot increase the non-conformity of the existing structure. Petersen questioned if a permit was issued for the front porch. Palm stated no permit was issued. Palm stated Ms. Gonzalez

MINUTE RECORD

Board of Adjustment Meeting, November 20, 2024 Page 2

was issued a stop work order on September 11, 2024, which was for several issues. She stated the property owner came into the office and obtained permits for all the work except for the front porch because it did not meet the setbacks required for that district.

Hankins questioned if there was electrical installed in the front porch. Gonzalez stated there was no electrical installed in the porch.

Discussion ensued regarding previous cases brought before the Board with legal non-conforming structures requesting variances and the results of those cases.

Anderson stated the reason the front setback is regulated is so when neighborhoods are constructed there is some openness to the neighborhood. He said if we were to approve this case and allow the 9-foot setback then we would have to allow that setback for all.

Conte stated this is not something that was done by caprice because as described it is improving the water issues in the basement which is almost a necessity to improve the structure. Petersen stated changes to the elevation of the soil against the foundation would redirect the water from the foundation, and indicated the porch cover is not keeping water away from the foundation.

Crompton questioned if the applicant had an engineer's report that would say constructing this porch would stop the water intrusion in the basement. Gonzalez stated she did not have an engineer's report.

Discussion ensued regarding what would need to be done to stop the water issues in the basement.

Hankins questioned if previous decisions of the Board would increase requests for variances in front yard setbacks. Palm stated yes, this Board sets precedence. If the Board approves this item, it has a direct impact as to how construction permits such as these are reviewed and approved by staff.

Petersen questioned how decisions on zoning were made when the first zoning ordinance was done in 1965. Palm stated if the city is taking over land that had prior zoning from Sarpy County, then the most comparable City of Bellevue zoning to its previous County zoning is applied. Discussion ensued regarding legal non-conforming structures.

MOTION was made by Petersen, seconded by Crompton to recommend APPROVAL of a request for a variance of Section 5.09.05, City of Bellevue Zoning Ordinance, regarding the minimum 35-foot front yard setback for Lot 13, Hillcrest Addition. Approval to allow the minimum 35-foot yard setback be reduced to 9 feet for a covered porch. Applicant: Noemi Gonzalez Morales. Location: 101 Caldor Drive. Case #: BOA-2410-01. Upon roll call, Crompton, Conte, and Hankins voted yes. Petersen, and Anderson voted no. MOTION failed and variance denied.

There was discussion regarding the election of officers.

Brad Anderson was elected to Chair by acclamation.

Nick Petersen was elected to Vice Chair by acclamation.

Meeting adjourned at 6:39 p.m.

Dianna Van Horn

Dianna Van Horn
Planning Secretary

CITY OF BELLEVUE
BOARD OF ADJUSTMENT REPORT

CASE NUMBER: BOA-2601-01

FOR HEARING OF:
REPORT #1: February 18, 2026

I. GENERAL INFORMATION

A. APPLICANT:

Holland Basham Architects
119 South 49th Avenue
Omaha, NE 68132

B. PROPERTY OWNER:

Batis Dev Capehart, LLC
2933 SW Woodside Dr Ste 200
Topeka, KS 66614

C. GENERAL LOCATION:

South 25th Street & Capehart Road

D. LEGAL DESCRIPTION:

Lot 1 Tregaron Towne Centre Replat 8

E. REQUESTED ACTION:

Variance of Table 7E, City of Bellevue Zoning Ordinance, regarding a sign for Lot 1 Tregaron Towne Centre Replat 8.

F. EXISTING ZONING AND LAND USE:

BG-PCO, Vacant

G. PURPOSE OF REQUEST:

The applicant is requesting a variance to install a 22-foot-high freestanding pole sign with a 15-foot setback from the property line, rather than the required 20-foot setback.

H. SIZE OF SITE:

The site is approximately 1.09 acres.

II. BACKGROUND INFORMATION

A. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Willow Lakes Golf Course (Offutt Air Force Base Property/Across Capehart Rd)
2. **East:** Commercial, BG-PCO
3. **South:** Commercial/Strip Retail, BG-PCO
4. **West:** Ehrling Bergquist Clinic (Offutt Air Force Base Property/Across South 25th St)

B. GENERAL COMMENTS:

1. Section 19-910 of the Nebraska State Statutes requires the Board of Adjustment to make four (4) findings prior to granting a variance. If the Board finds the following present, the applicant is entitled to a variance. If the Board finds the following not present, it is suggested the variance be denied.

I. Does the strict application of the zoning regulation produce undue hardship? Section 19-910 (a) Yes or No?

II. The hardship created is not shared by other properties in the same zoning district or vicinity. Section 19-910 (b) Yes or No?

III. Granting of this variance will not be of substantial detriment to adjacent property or the character of the zoning district. Section 19-910 (c) Yes or No?

IV. Is this a demonstrable and exceptional hardship as distinguished from a variance for convenience, profit, or caprice? Section 19-910 (d) Yes or No?

The applicant should be prepared to address these statements.

2. Table 7E requires a 22-foot-high freestanding sign (maximum size: 100 sq. ft.) to have a 20-foot setback from the property line.
3. The applicant is requesting a variance of Table 7E to allow construction of a 22-foot-high freestanding sign with a 15-foot setback from the property line or is requesting to calculate the setback from the southern edge of the Capehart Road pavement instead of the property line.

The proposed freestanding signage would consist of two signs: a 24-square-foot static sign with the company's logo, and a 28-square-foot digital display, for a total of 52-square-feet.

4. The applicant submitted a rendering of the proposed sign and location, which is attached for review.

III. ATTACHMENTS TO REPORT

1. Zoning Map
2. 2025 GIS aerial photo
3. Letter from the applicant received January 16, 2026
4. Letter of Intent to Purchase received February 6, 2026.

IV. COPIES OF REPORT TO:

1. Holland Basham Architects
2. Centris Federal Credit Union (Ann Helm)
3. Public Upon Request

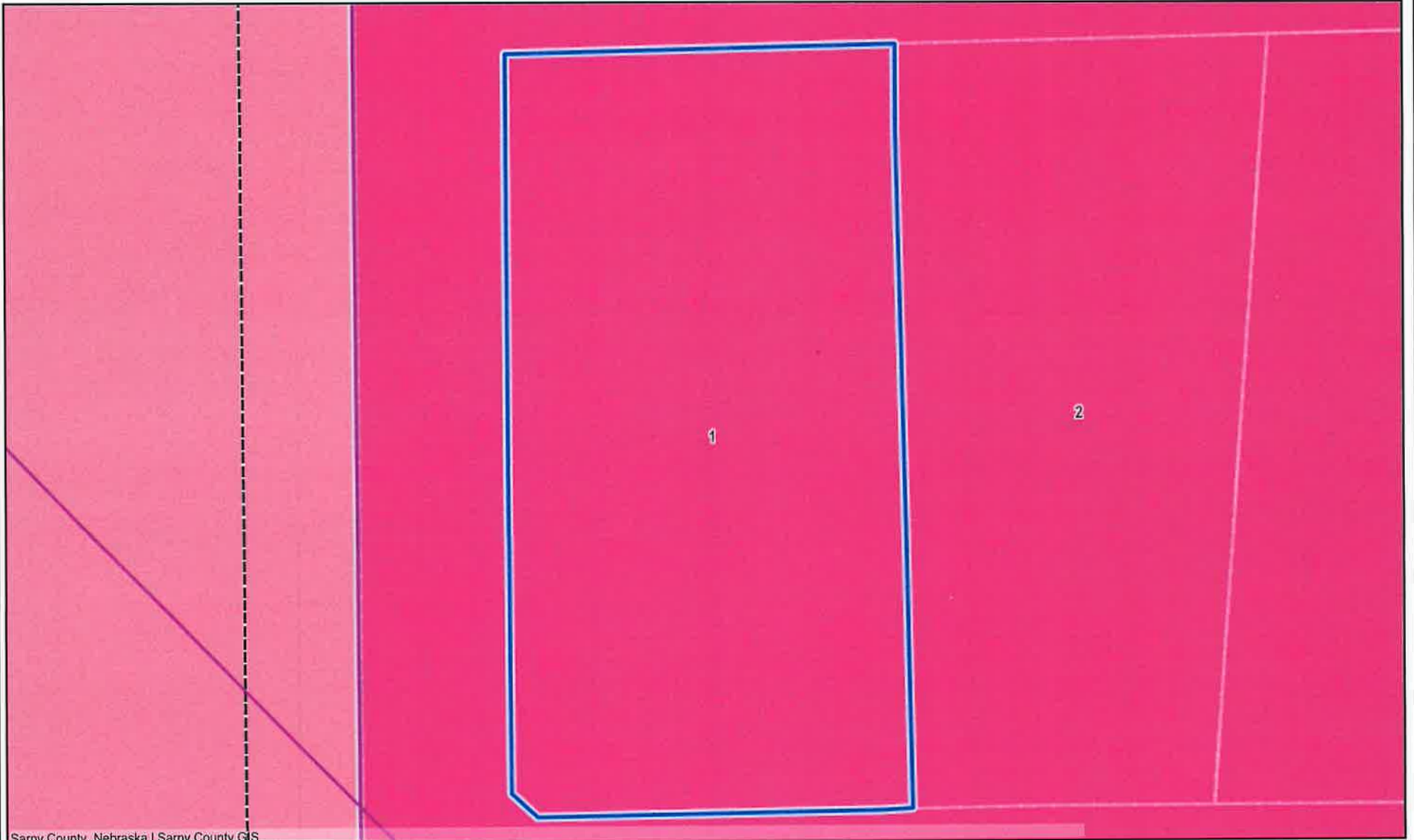

Assistant Planning Manager

 02/12/26
Planning Director Date of Report

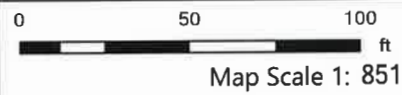


SARPY COUNTY
NEBRASKA

LOT 1 TREGARON TOWNE CENTRE REPLAT 8, BG, PCO



Sarpy County, Nebraska | Sarpy County GIS



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



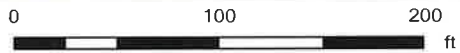
Notes



LOT 1 TREGARON TOWNE CENTRE REPLAT 8



Sarpy County GIS



Map Scale 1: 1413

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes



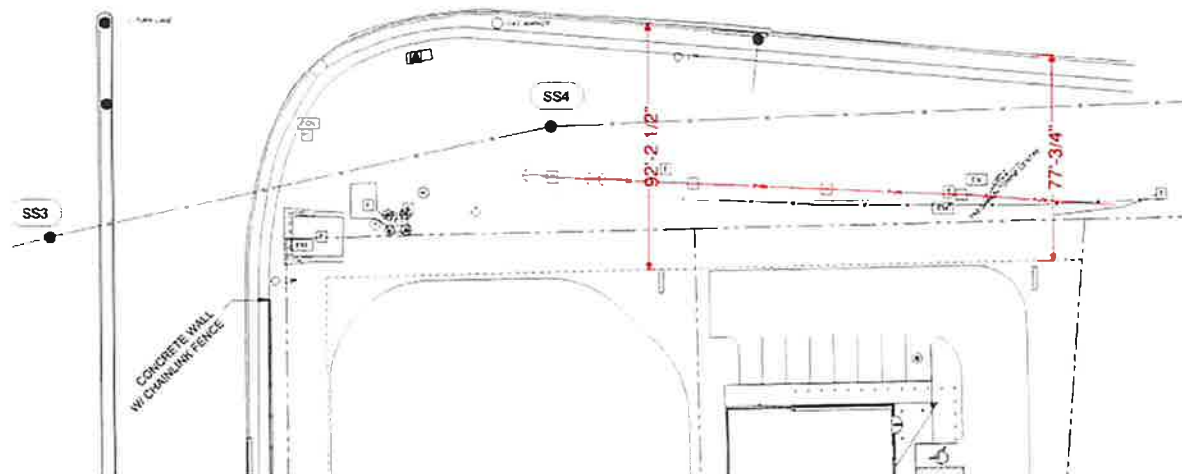
City of Bellevue – Board of Adjustment Application Attachment Centris Federal Credit Union – Table 7E Maximum Signage Height Variance Request

Summary: Due to shape of real property and topographic conditions, we are requesting that the maximum height listed in Table 7E be increased by 5' or that the calculation or the signage height be calculated from the adjacent public right-of-way elevation.

Variance Request backup:

Hardship #1-

Shape of the specific piece of real property as listed in the reasons of variances in Section 7. Capehart Road is not parallel with the property lines. As the properties get closer to 25th street, the property line gets further and further away from Capehart Rd. This leads to a bit of a disadvantage for the property on the corner in that whatever signage they have, pole or building mounted, is further from the road where it would be viewed. See quick snip with some dimensions below. There is 15' of extra space from the road to the property line that is used for calculating signage requirements.



- Because of the shape of the real property, the strict application of the zoning regulations produce undue hardship due to the distance to the public way.
- Such hardship is not shared by neighboring properties because Capehart Road moves closer to these properties and signage is more easily seen.
- The granting of the additional height variance would not be of detriment to adjacent property nor will it change the character of the district.
- This variance request is based on reasons of demonstrable hardship and not based on convenience, cost, or caprice.

Hardship #2-

Exceptional topographic conditions as listed in the reasons of variances in Section 7.

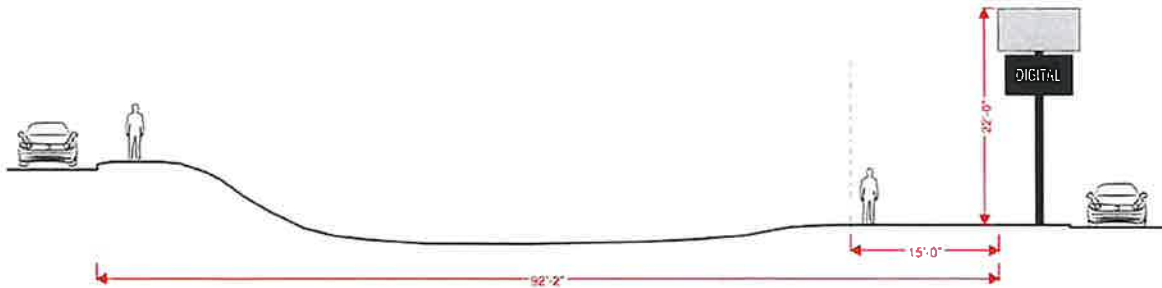
The elevation of the public way along Capehart Road is higher than the elevation of the site and where the proposed sign would be located. The difference in height varies from 4' to 8' at the extremes. This compounds the issues from the first hardship listed by restricting the height of the sign that is far from the road.

- Because of the topographic conditions, the strict application of the zoning regulations produce undue hardship due to the elevation differences when compared to the public way.
- Such hardship is not shared by neighboring properties because Capehart Road slopes back down to the elevation of these properties and signage is more easily seen.
- The granting of the additional height variance would not be of detriment to adjacent property nor will it change the character of the district.
- This variance request is based on reasons of demonstrable hardship and not based on convenience, cost, or caprice.

Proposed Solution if variance granted-

We are requesting a variance to calculate signage height using the elevation of Capehart Road. Meaning if we placed a pole sign 15' back from the property line (blue dashed line in the sketch below), we would have a maximum height of 17' from Table 7E. Our proposition is to take that 17' starting at the 1017' elevation point on Capehart Rd., essentially making a 22' sign height from grade on the property.

Here is a quick section cut through the site showing our proposed:



Please let me know if I can provide any other information needed or feel free to reach out with any questions you may have. Thank you!

Mike Eckmann
Associate Partner
Holland Basham Architects
402-517-6173
MEckmann@HollandBasham.com



Centris Federal Credit Union
13120 Pierce Street
Omaha, NE 68144
402-758-6543
ahelm@centrisfcu.org

Friday, February 6, 2026

City of Bellevue
Planning Board

Re: Property Under Contract and Intent to Purchase
Lot 1, Tregaron Towne Centre Replat 8

Dear Members of the Planning Board:

This letter is to formally advise the City of Bellevue Planning Board that the Lot 1, Tregaron Towne Centre Replat 8 property, is currently under contract. Centris Federal Credit Union entered into a real estate purchase agreement on September 1, 2025, to acquire this property from Batis Dev – Capehart, LLC.

Centris Federal Credit Union intends to complete the acquisition, subject to customary closing conditions and applicable approvals, on February 18, 2026. This correspondence is provided for informational purposes and in support of any current or forthcoming planning, zoning, or land use considerations related to the property.

We respectfully request that the Planning Board acknowledge our interest in the property and recognize our standing as the contract purchaser in matters pertaining to planning or review. Should additional documentation be required to confirm the contract status or intent to purchase, we would be pleased to provide it upon request.

Thank you for your time and consideration. Please feel free to contact me should you have any questions or require further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ann Helm".

Ann Helm
Executive Vice President

BOARD OF ADJUSTMENT
Uniform Review Schedule – 2026

SUBMITTAL DEADLINE	NOTICE IN LEGAL NEWSPAPER	POST PROPERTY	HEARING DATE ¹
January 02, 2026	January 14, 2026	January 09, 2026	January 21, 2026
January 30, 2026	February 11, 2026	February 06, 2026	February 18, 2026
February 27, 2026	March 11, 2026	March 06, 2026	March 18, 2026
March 27, 2026	April 08, 2026	April 03, 2026	April 15, 2026
May 01, 2026	May 13, 2026	May 08, 2026	May 20, 2026
May 29, 2026	June 10, 2026	June 05, 2026	June 17, 2026
June 26, 2026	July 08, 2026	July 02, 2026	July 15, 2026
July 31, 2026	August 12, 2026	August 07, 2026	August 19, 2026
August 28, 2026	September 09, 2026	September 04, 2026	September 16, 2026
October 02, 2026	October 14, 2026	October 09, 2026	October 21, 2026
October 30, 2026	November 11, 2026	November 06, 2026	November 18, 2026
November 25, 2026	December 09, 2026	December 04, 2026	December 16, 2026
December 31, 2026	January 13, 2027	January 8, 2027	January 20, 2027

Approved by the Board of Adjustment

Chairman Date

¹ Board of Adjustment will only be held if an application has been submitted
*Please note meeting date reflects the second Wednesday of the month