

Bruning v. City of Omaha Zoning Board of Appeals

Case Number

S-18-0214

Call Date

March 26, 2019

Court Number

Douglas

Case Location

Lincoln

Case Summary

S-18-0214, Sharon Bruning and Robert Bruning (Appellants) v. City of Omaha Zoning Board of Appeals

Douglas County District Court, Judge W. Russell Bowie

Attorneys: Diana J. Vogt, Jason M. Bruno, and James L. Schneider (Sherrets Bruno & Vogt, L.L.C., for Appellant); Jennifer J. Taylor (Omaha City Attorney's Office, for Appellee)

Civil: Zoning; Waiver request

Proceedings below: The trial court affirmed Appellee's decision to deny waivers requested by Appellants.

Issues: Whether the trial court erred in 1) finding that the Appellee's decision was not arbitrary and capricious because the Appellee's decision did not have a factual basis; 2) failing to find the Appellants had established sufficient showing of hardship; 3) ignoring Appellants' reliance on the Appellee's representations; and 4) failing to recognize that a return to agricultural use would be unjust and damage the neighborhood.
