

September 20, 2004

MINUTES OF MEETING
BOARD OF ADJUSTMENT OF SARPY COUNTY, NEBRASKA

A meeting of the Board of Adjustment of Sarpy County, Nebraska was convened in open and public session at the call of Chairman Benash at 7:36 P.M. on September 20, 2004 at the Courthouse in Papillion, Nebraska. Present: Gene Benash, Sharon Hansen, David Fanslau, Gene Mackey and Dennis Hilfiker. Chris Vance represented the County Clerk's office and Planning & Building Coordinator, Ken Tex was present.

Notice of the meeting was given in advance thereto by publication in the Midlands Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on September 15, 2004, a copy of the Proof of Publication is on file in the County Clerk's office. Notice of the meeting was simultaneously given to all members of the Board of Adjustment of Sarpy County, Nebraska. Availability of the agenda was communicated in the published notice and in the notice to members of the Board of Adjustment of this meeting. All proceedings were taken while the convened meeting was open to the attendance of the public.

Roll call attendance was taken.

Hansen moved, seconded by Benash, to approve the minutes of the August 16, 2004 meeting as submitted. Ayes: Benash, Hansen, Fanslau, Mackey & Hilfiker. Nays: None.

Kenneth Tonn, 2516 Platte River Dr., Bellevue, Sarpy County NE 68123, appeared before the board to ask for a variance of rear yard setback regulation: Section 23.4.1, height and minimum lot requirements (Sarpy County Zoning Regulations).

Discussion was held.

Benash moved, seconded by Hansen, to accept a memo from Deputy County Attorney, Tamra Madsen, into the record. Ayes: Benash, Hansen, Fanslau, Mackey & Hilfiker. Nays: None.

Discussion was held.

Fanslau moved, seconded by Benash, to deny the application of Kenneth Tonn, 2516 Platte River Dr. Bellevue NE 68123, for a Rear Yard Setback Variance of the Sarpy County Zoning Ordinances Section 23.4.1, height and minimum lot requirements, motion qualified by Hansen to deny as the requirement for statutory hardship was not proven. Ayes: Benash, Hansen & Fanslau. Nays: Mackey & Hilfiker.

At 8:12 P.M. Hilfiker moved, seconded by Benash to adjourn. Ayes: Benash, Hansen, Fanslau, Mackey & Hilfiker. Nays: None.

ATTEST: Board of Adjustment Secretary

Gene Benash, Chairman