

May 15, 2006

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 Hansen at 7:00 P.M. on May 15, 2006 at the Courthouse in Papillion, Nebraska. Present: Gene Benash, Sharon Hansen, David Fanslau, Gene Mackey and Alan Berns. Kendra Koehler represented the County Clerk's office.

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 May 3, 2006, 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.

Fanslau moved, seconded by Benash, to approve the minutes of the March 27, 2006 meeting as submitted. Ayes: Mackey, Fanslau, Hansen, Benash & Berns. Nays: None.

Fanslau moved, seconded by Benash, to accept evidence submitted into the record. Ayes: Mackey, Fanslau, Hansen, Benash & Berns. Nays: None.

Samuel Mandolfo, representing Cingular Wireless, 2611 South 117th Street, Omaha NE 68144, appeared before the Board to ask for a Height and Separation or Buffer Requirement variance of the Sarpy County Zoning Ordinances, Section 38A.10.1 (Sarpy County Zoning Regulations).

Samuel Mandolfo gave a presentation and submitted documentation and exhibits regarding the requested variance.

Rick Houck, Sarpy County Planning and Building Director, addressed the Board and answered questions.

Samuel Mandolfo addressed Section 42.2.6, items one through four of the Zoning Ordinances.

Chairman Hansen closed the public hearing. Discussion followed.

Benash moved to approve the variances stating it would create a hardship in denying the County certain radial connections and would be detrimental to the County and cost more money if the variances aren't granted. MOTION FAILED FOR LACK OF A SECOND.

Benash moved, seconded by Mackey, to approve the application of Cingular Wireless for a special exception to the Zoning Regulation Requirements for Section 38A.10.1, Height and Separation or Buffer Requirements of the Sarpy County Zoning Ordinances, based on the applicant addressing and meeting the requirements of items one through four of Section 42.2.6 of the Sarpy County Zoning Ordinances. Ayes: Mackey, Fanslau, Hansen, Benash & Berns. Nays: None.

At 7:47 P.M. Fanslau moved, seconded by Benash, to adjourn. Ayes: Mackey, Fanslau, Hansen, Benash & Berns. Nays: None.

ATTEST:
Kendra Koehler, Board of Adjustment Secretary
Representing the County Clerk

Sharon Hansen, Chairman
Board of Adjustment