



MEETING MINUTES
CITY OF LA VISTA BOARD OF ADJUSTMENT
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128
P: (402) 593-6400

WEDNESDAY, SEPTEMBER 22, 2021, AT 7:00 P.M.

The City of La Vista Board of Adjustment held a meeting on Wednesday, September 22nd, in Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Blvd. Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Board of Adjustment and to those persons who had requests pending before the Board. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

PRESENT: Trish Donoghue, Gayle Malmquist, Brad Strittmatter, Brenda Carlisle, and Jason Sokolewicz.

ABSENT: None

STAFF PRESENT: Bruce Fountain, Community Development Director; Chris Solberg, Deputy Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician; and Pat Dowse, City Engineer.

1. Call to Order and Roll Call

The meeting was called to order by Strittmatter at 7:00 p.m. and roll call was taken. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – September 2, 2020

Motion: Carlisle moved, seconded by Malmquist, to **approve** the September 2, 2020, minutes with corrections.

RESULT:	Motion carried 5-0.
MOTION BY:	Carlisle
SECONDED BY:	Malmquist
AYES:	Donoghue, Malmquist, Strittmatter, Carlisle, Sokolewicz
NAYS:	None
ABSTAINED:	None
ABSENT:	None

3. Old Business

None

4. New Business

A. Election of Officers (Chairperson, Vice-Chairperson, Secretary):

Motion: Donoghue moved, seconded by Carlisle, to re-elect Strittmatter as Chair, Carlisle as Vice-Chair, and Malmquist as Secretary.

RESULT:	Motion carried 5-0
MOTION BY:	Donoghue
SECONDED BY:	Carlisle
AYES:	Donoghue, Malmquist, Strittmatter, Carlisle, Sokolewicz
NAYS:	None
ABSTAINED:	None
ABSENT:	None

B. Variance Requests Filed by Steve LaHood

i. **Staff Report:** Brodersen stated that the request by Steve LaHood is for several variances related to the property at 8001 S 132nd Street. Brodersen said the applicant purchased this property several years ago and his intentions for the property are to make some improvements to the structure and utilize it as an art studio and gallery. Before the applicant can make improvements to the structure, he will need a building permit.

The variances the applicant is seeking are for the building setbacks, lot width minimum, lot area minimum, and several requirements related to parking and landscaping

ii. **Public Hearing: Strittmatter opened the public hearing.**

The applicant, Steve LaHood, presented the history of the structure and showed the Board renderings of what the old MUD pumphouse could look like. He talked about how he tried to purchase the land around the property so he wouldn't have to get the variances, but that the owners of the adjacent property were not interested in selling.

Strittmatter closed the Public Hearing.

Sokolewicz asked how long the applicant has owned the structure. LaHood said that he has owned the building for 3 years.

Strittmatter inquired about the right-of-way that is adjacent on the west side and asked if there is anything planned for that or if it will always be right-of-way.

Solberg said that the right-of-way was purchased when Giles Rd. was reconfigured and that he didn't think there would be a need for it in that vicinity.

Strittmatter asked if that was ever returned to private property, would it be possible for LaHood or someone else to purchase it.

Dowse said that the specific section of ROW is still owned and maintained by Sarpy County as it is within the City's ETJ.

Strittmatter asked if Edward Rose had any construction plans for the property surrounding this parcel on three sides.

Brodersen said that the property is intentionally being left undeveloped as it is being counted toward the minimum lot area or open space requirements for the Andover Pointe Apartments. It is a requirement of the Zoning Ordinance that the lot be of a certain size per apartment unit.

Donoghue asked for clarification on where they were getting an easement from.

Brodersen said that Edward Rose, the owner of the private street and the Andover Pointe Apartments, granted the easement that will allow Mr. LaHood to connect a driveway to the private street on the west side of the property.

Strittmatter asked if the BOA grants the variances and the applicant moves forward with the platting, would the easement need to be granted or put in place.

Brodersen said the easement has already been granted and will remain whether the applicant receives variances or moves forward with the replat, but that the easement would be marked on the plat.

The Board then discussed each requirement to determine whether a variance could be granted.

- iii. **Decision:** Carlisle moved, seconded by Malmquist to approve the variance requests, as proposed and presented to the City of La Vista Board of Adjustment, finding that hardships 1 and 3 have been met and would be created by the strict application of the Zoning Ordinance, and finding that each specific requirement has been satisfied, with approval of those variances contingent upon approval of a Future Land Use Map amendment, Zoning Ordinance text amendment, and Final Plat, as outlined in this staff report.

RESULT:	Motion carried 5-0
MOTION BY:	Carlisle
SECONDED BY:	Malmquist
AYES:	Donoghue, Malmquist, Strittmatter, Carlisle, Sokolewicz
NAYS:	None
ABSTAINED:	None
ABSENT:	None

5. Comments from the Floor

None.

6. Comments from the Board of Adjustment

None.

7. Comments from Staff

Solberg talked about the Spring NPZA conference.

8. Adjournment

Chairman Strittmatter adjourned the meeting at 7:49 p.m.

Reviewed by Board of Appeals:

Secretary

Chairman

Approval Date