

**CITY OF LA VISTA
LA VISTA BOARD OF ADJUSTMENT MEETING
MARCH 15, 2007
6:30 P.M.**

The Board of Adjustment of the City of La Vista, Nebraska was convened at 6:34 p.m. on March 15, 2007 at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Malmquist, Jordan, McCormick, Paulsen, and McEneaney. Also present was Ann Birch, Community Development Director.

Legal notice of the public meeting was published in The Papillion Times. Notice was simultaneously given to all members of the Board of Adjustment. All proceedings shown were taken while the convened meeting was open to the public.

1. Call to Order and Roll Call

The meeting was called to order by Chairperson McCormick at 6:34 p.m. and roll call was taken.

2. Approval of Agenda

Malmquist motioned to approve the agenda. Jordan seconded. Ayes: Malmquist, Jordan, McCormick, Paulsen, and McEneaney. Nays: None. Motion carried.

3. Approval of Minutes of February 22, 2006

McEneaney moved to approve the minutes of February 22, 2006. Malmquist seconded. Ayes: Malmquist, Jordan, Paulsen, and McCormick. Nays: None. Minutes were approved.

4. Old Business

Jordan inquired whether a decision had come through on the Eran Industries matter from 2005. Birch said the Supreme Court ruled that the City won on every count with the exception of the requirement from the Board of Adjustment with regard to the rear entry doors. After the ruling it took 30 days for an order to come down from the District Court for Eran Industries to comply with the city's requirements. The Chief Building Official has sent a letter to them stating that they have until March 16, 2007 to set up a final inspection and to comply with the requirements for the certificate of occupancy. To mention a few of those requirements: no recreation use can be going on, no recreation equipment, the ball field can only be used by its employees, and some items had to be removed from the ball field. If the requirements are not met they have been notified that they will need to cease operation until they can comply.

If they do comply and are issued a certificate of occupancy for the business of manufacturing, they have applied for a conditional use permit to do indoor recreation under the I-1 Zoning (which was originally suggested to them by the city). The city attorney has recommended the city not go forward with a conditional use permit until full compliance has been met with the certificate of occupancy.

McCormick inquired about the Oriental Trading Company issue regarding the variance of sufficient bathrooms to serve employees in the large structure. At the time of the proceeding OTC had said they would have no more than 50 employees at the facility. Currently OTC is adding on and it appears that they have over 200 parking spaces at the building. Jordan added that OTC was told by the Chief Building Official that during a phase two add-on they would have to comply with the appropriate number of restrooms declared by code.

Birch said she would find out from the Chief Building Official what the status of this is.

5. New Business

A. Elections of Officers (Chairperson, Vice-Chairperson, Secretary)

Annual elections of officers to include Chairperson, Vice-Chairperson and Secretary. Current BOA members include:

Mike McCormick, Chairperson
Dean Paulsen, Vice-Chair
Randy Jordan, Secretary
Lou McEneaney
Gayle Malmquist, Planning Commission member

Malmquist made a motion to recommend that all current officers retain their respective positions. McEneaney seconded.


No further nominations were made. Ayes: Malmquist, Jordan, McEneaney, and Malmquist. Nays: None. Motion passed.

6. Reports and Recommendations

7. Adjournment

McEneaney motioned to adjourn the meeting. Paulsen seconded. Ayes: Jordan, McEneaney, McCormick, Paulsen, and Malmquist. Nays: None. Meeting adjourned. The meeting was adjourned at 6:46 p.m.

Reviewed by BOA Secretary: Randy Jordan



Recording Secretary

Board of Adjustment Chair

Approval Date