*Board of Zoning Appeals*

 *Minutes*

 *September 30, 2014*

The Board of Zoning Appeals met in the City Council room at 6:37 P.M. Those present were Chairman Clete Kramer, Bill Kuhlman, Planning Commission alternate Bruce Stanley, City Superintendent Brian Rusche and Assistant City Clerk Jacee Corby. Also present were Darlene Kuhlman, Joan Buser and architect Jeff Lane.

Clete Kramer called the meeting to order for the Nemaha County Jail expansion project. Brian Rusche and Bruce Stanley had measured sight corners on the site plan. According to the plan, the sight line was interrupted by a generator and waste area. Architect Jeff Lane stated due to cost effectiveness, those generators and waste receptacles will actually be moved to the south side of the building and he will bring in a new site plan with those changes. This eliminated the concern of fenced in retainers in the sight line.

Jeff Lane then continued to state that the new structure has to have a 30 ft. clearance between the court house and the new jail structure to meet code requirement.

Joan Buser stated her concern on the new structure being so close to the street. Jeff Lane then explained the doorways and public entrance were necessary to help the appearance of the new structure and the 30 ft. requirement between the new structure and the court house was part of the reason as to why the new jail structure was so close to the street on the north side on Pioneer. Conversation continued regarding doorways, public entrances, pitched roof, soffits, size of doors, lights in the lobby as well as external lighting. Miss Buser stated a concern regarding the exterior lights shining into her residence across the street which Jeff Lane explained the current external lights would be removed, showed her where the new external lights would be on the building as well as the flag pole lights shining upwards toward the flag.

Joan Buser also stated a concern about the public parking as well as parking for the police department and county sheriffs. Miss Buser stated this has been a concern and also stated she had spoken with a City Commissioner regarding the police/sheriff vehicles parked on the street in front of her house and the congestion that currently occurs. Jeff Lane showed Miss Buser where the current public parking would be, where Sheriff Rich Vernon had stated where the police vehicles will be parking as well as explaining the new parking area across 7th street where the current parking lot vehicles will be parking in the future. Miss Buser also brought up a concern for how the snow will be plowed and piled regarding her residence and traffic through the area.

Bill Kuhlman asked a question regarding enough vision clearance for the intersection of 7th and Pioneer with the new structure. Bruce Stanley stated that with 25 ft. at each corner there should not be any obstruction 30in. high in the proposed variance with no setback to the north. Theoretically, the builders could build to the corner, but the city needs to place a limit or condition to respect the ordinance of no obstacle 30 inches or higher in the line of sight and the BOZA must place a condition that nothing be built in the northwest corner of the plan for the Nemaha County jail structure.

Bruce Stanley stated if the application is accepted, according to item N there would need to be a condition on the variance regarding the 30in. obstacle for sight of line on the property. Cleat Kramer agrees with the future building condition being placed. Bruce Stanley also brought up the point of his opinion in driving the location in his car, the north and south bound yield signs at the corner of 7th and Pioneer may not be sufficient. Bill Kuhlman agreed with concern with the yield signs. Bruce Stanley then stated the decision regarding the yield and or stop signs are not a concern with the Board of Zoning appeals but lies with the City Council and police enforcement.

Bruce Stanley stated he is representing the Planning Commission and approves of the variance application with the Nemaha County Jail Expansion application as long as the vision clearance condition is in place for the future regarding article 25 item N which will prohibit any building in the sight line.

Bruce Stanley makes a motion to accept application with the condition requesting the article 25 item N be respected in the variance. Bill Kuhlman 2nd motion.

Joan Buser raised a concern about vehicles overhanging on to the sidewalk and blocking the walk way.

All in favor, Clete Kramer, Bill Kuhlman, Bruce Stanley ayed-motion carried.

There were not sufficient members to approve the minutes from the July 1, 2014 BOZA meeting, which will carry over to the next meeting.

Clete Kramer makes a motion to adjourn, Bill Kuhlman 2nd; all in favor say aye-everyone ayed.

Meeting adjourned at 7:07 P.M.