

**BOARD OF ADJUSTMENT
LEXINGTON, NEBRASKA**

November 6, 2012

A Regular Meeting of the Board of Adjustment of the City of Lexington was held Wednesday, November 6, 2012, at 8:00 a.m. in the Council Chambers at City Hall, 406 East 7th Street, Lexington, Nebraska. Boards of Adjustment Members present were Curt Bennett, Deb Stuchlik, Leo Gonzalez, and John Knapple. Board member Mike Maguire and Alternate Rod Zeigler were absent. City Officials present were Chief Building Inspector Bill Brecks, Code Enforcement Officer Al Copper, Building Inspector Mark Yung, City Attorney Will Weinhold and Secretary Pamela Berke. Also present were Gary and Donna Rasmussen.

CALL TO ORDER: The meeting was called to order by Chairman Bennett who informed the public that the Open Meetings Act is posted in the Meeting Room at City Hall, located at 406 East 7th Street, Lexington, NE.

MINUTES: Minutes from the Regular Meeting held Tuesday, August 29, 2012, were presented for the Board's consideration. Moved by Knapple, seconded by Stuchlik, to approve the minutes as presented. Roll call. Voting "aye" were Gonzalez, Stuchlik, Knapple, Bennett. Motion carried.

APP FOR APPEAL: An Application for Appeal for property located at 907 North Ontario was presented by Gary B. and Donna Rasmussen for property code violations. City Staff presented a brief history and photographs of violations cited in September 2012. It was noted that this property has been cited for violations on an annual basis beginning in 2009.

Gary Rasmussen noted that time, finances, weather and health issues are factors in not complying with the citations, and feels that his property is being targeted by code enforcement personnel. Rasmussen reported that his vehicles are licensed and insured but did not provide proof of this.

Staff reported that their office was not contacted by the Rasmussen's to address the violations or work out a plan until the application for appeal was presented.

Following discussion, moved by Knapple, seconded by Gonzalez, to deny the appeal by Rasmussen as presented. Roll call. Voting "aye" were Stuchlik, Gonzalez, Knapple, Bennett. Motion carried.

ADJOURNMENT: There being no further business to come before the Lexington Board of Adjustment, Chairman Bennett declared the meeting adjourned.

Sincerely,

Pamela Berke
Secretary