

**BOARD OF ADJUSTMENT
LEXINGTON, NEBRASKA
February 27, 2013**

A Regular Meeting of the Board of Adjustment of the City of Lexington was held Wednesday, February 27, 2013, 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, Mike Maguire, John Knapple, and Rod Ziegler. City Officials present were Chief Building Inspector Bill Brecks, Code Enforcement Officer Al Copper, Building Inspector Mark Yung, City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside and Secretary Pamela Berke. Also present were Adalberto Mejia, Kevin Kennedy, and Claude Berreckman Jr.

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 Wednesday, November 6, 2012, were presented for the Board's consideration. Moved by Stuchlik, seconded by Knapple, to approve the minutes as presented. Roll call. Voting "aye" were Gonzalez, Maguire, Knapple, Stuchlik, Bennett. Motion carried.

APPT OF NEW CHAIR: Chairman Bennett requested nominations for Chairman of the Board of Adjustment for 2013. Moved by Stuchlik, seconded by Knapple, to elect Mike Maguire as chair for 2013. Roll call. Voting "aye" were Gonzalez, Maguire, Knapple, Stuchlik, Bennett. Motion carried.

APP FOR APPEAL: An Application for Appeal of a demolition order for property located at #21 Birch Lane, Willow Ridge Trailer Court was presented by Claude Berreckman Jr. on behalf of Adalberto Mejia. Mr. Berreckman reviewed the city code related to nuisance abatement and contends that the property owner was not notified of any inspections or given opportunity to remedy the code violations. Kevin Kennedy spoke on behalf of Mr. Mejia, stating that he has never received any complaints regarding Mr. Mejia's properties in the court and feels Mr. Mejia is responsive to similar requests and a responsible property owner. Mr. Mejia noted that he has completed all the repairs on the violation order except the electric violations.

Mark Yung, Building Inspector, gave a history of the contact with the property and outlined the maintenance code violations which led to the demolition order. Brecks noted that they deemed the trailer home beyond repair because of the extensive list of violations and issued the demolition order. A repair list was not issued because of the demolition order. Brecks also reported that the county assessor currently lists the trailer as salvage with a value of \$1500. Yung noted that the tenant had a small child in the residence and there was no heat at the time of the initial inspection which was requested by the tenant.

Following discussion regarding the process, moved by Knapple, seconded by Bennett, to deny the appeal by Mejia as presented. Roll call. Voting "aye" were Gonzalez, Bennett, Knapple, Maguire. Voting "nay" was Stuchlik. Motion carries.

ADJOURNMENT:

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

Sincerely,

Pamela Berke
Secretary