

The Wahoo Board of Adjustment met in regular session and in accordance with published Notice of Public Hearing and with agenda posted at City Hall, Post Office, and First Bank of Nebraska, with each board member being notified of the agenda prior to the meeting. Meeting was called to order by Chair Glen Wilcox at 6:31 p.m. The public was advised of the posted information regarding State Open Meetings Act and Title VI. The following members were present and answering to roll call: Louis Austin, Mark Sutton, Erik Thomalla, Glen Wilcox, and Paul Eddie. Absent: Chad Aldrich. Also present was Travis Beavers, Zoning Administrator.

Eddie nominated Wilcox for Chair and Sutton for Vice Chair. A motion was made by Austin, seconded by Eddie to close the nomination. Roll call vote: Austin, yes; Eddie, yes; Sutton, yes; Wilcox, yes; and Thomalla, yes. Motion carried.

A motion was made by Austin, seconded by Eddie to reappoint Wilcox as Chairman and Sutton as Vice Chairman. Roll call vote: Austin, yes; Eddie, yes; Sutton, yes; Thomalla, yes; and Wilcox, yes. Motion carried.

Discussion was held regarding the duties and responsibilities of the Board of Adjustment. Members reviewed the bylaws and rules of procedure of the City of Wahoo Board of Adjustment.

A motion was made by Thomalla, seconded by Sutton, to approve agenda as presented. Roll call vote: Thomalla, yes; Sutton, yes; Eddie, yes; Wilcox, yes; and Austin, yes. Motion carried.

A motion was made by Thomalla, seconded by Sutton, to approve the minutes of the June 25th, 2019 meeting as presented. Roll call vote: Thomalla, yes; Sutton, yes; Austin, yes; Eddie, yes; and Wilcox, yes. Motion carried.

Notice of hearing dated January 10, 2020 was marked as exhibit #1, the meeting agenda was marked as exhibit #2, City of Wahoo Zoning Rules and Regulations was marked as exhibit #3, City of Wahoo Board of Adjustments Hearing Rules and Procedures was marked as exhibit #4, Bylaws of the City of Wahoo Board of Adjustments was marked as exhibit #5, checklist for request for variance was marked as exhibit #6 and entered into record by the Chair serving as the hearing officer.

Proof of notification of public hearing was provided per Chairman's request. Verification of a complete application was provided by city staff per Chairman's request. It was determined by the Chair that the Board had the authority to act on the application filed with the board.

Public hearing was opened at 6:41 p.m. upon application for variance to allow for a wall sign to be placed on a wall elevation other than the primary face of the use within the I-2 Heavy Industrial District on property described as a 10.42 acre parcel located in the NE ¼ of the SE ¼ Section 34, T15N, R7E Saunders County, Nebraska, Wahoo Commercial Park Tract 2, better known as 775 Commercial Park Rd., as filed by Platte Valley Equipment LLC. The packet of information provided by the applicant was then entered into the hearing record by the Chair as exhibit #7. Ross Miller, store lead/sales from Platte Valley Equipment and Dennis Plachy, from Omaha Neon Sign Co. Inc. were present to speak on behalf of Platte Valley Equipment. Miller stated that the strict application of the Zoning Regulations would produce undue hardship; in that: The current signage that is on the East elevation is not visible to customers that travel from outside of Wahoo. The dealership had highway frontage prior to Highway 77 being rerouted around Wahoo. Such hardship is not shared generally by other properties in the same Zoning District and the same vicinity; in that: The dealership has many clients that are not from Wahoo that come to visit and generally travel on Highway 77, therefore having signage on the wall elevation that faces the highway would help those clients that are coming from out of town locate the dealership. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance; in that: The sign will be attached directly to the building therefore it will not affect the adjacent property. The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience,

profit or caprice; in that: Since the dealership no longer has highway frontage due to the highway being relocated, allowing the sign to be placed on the North elevation will help identify the location to customers outside of Wahoo and help distinguish Platte Valley Equipment from other John Deere dealerships in the area. A motion was made by Austin, seconded by Eddie, to close public hearing at 6:52 p.m. Roll call vote: Austin, yes; Eddie, yes; Sutton, yes; Thomalla, yes; and Wilcox, yes; Motion carried.

Discussion was held on the variance request. Members reviewed the sign regulations and the I-2 Heavy Industrial zoning regulations. Requirements for granting a variance within the Board of Adjustment bylaws were also reviewed. Members discussed signage options that are allowed within the regulations that the dealership could do to increase visibility since the business is no longer located on highway frontage due to the expressway going around Wahoo. Members agreed that even though it is unfortunate that Highway 77 has been relocated, there are alternative signage options available for the dealership that are allowed within the signage regulations to be more visible. A motion was made by Austin, seconded by Eddie, to deny the variance request to allow a wall sign to be placed on a wall elevation other than the primary face of the use on property described above based on Section 7, SPECIFIC REQUIREMENTS IN APPROVAL OF A VARIANCE, with each of the requirements B1-6 of Section 7 not being met. Roll call vote: Austin, yes; Eddie, yes; Wilcox, yes; Thomalla, no; and Sutton, yes. Motion carried.

Beavers updated members regarding the adopted Transportation Corridor Design Standards. The Planning Commission is currently reviewing zoning along Chestnut street and discussing possibly rezoning some areas.

A motion was made by Eddie, seconded by Sutton, to adjourn the meeting at 7:24 p.m. Roll call vote: Eddie, yes; Sutton, yes; Austin, yes; Wilcox, yes; and Thomalla, yes. Motion carried.

Travis Beavers, Zoning Administrator

Approved: