



**CITY OF LA VISTA
BOARD OF APPEALS
APRIL 10, 2013
6:00 P.M.**

The City of La Vista Board of Appeals held a meeting on Wednesday, April 10, 2013, in the Harold “Andy” Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Dean Paulsen called the meeting to order at 6:02 p.m. with the following members present: Jordan, Karnik, Malmquist, Paulsen and Strittmatter. Also in attendance were John Herdzina, Hearing Examiner, Jeff Sinnett, Chief Building Official, and Michelle Alfaro serving as Recording Secretary.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Board of Appeals and to those persons who had appeals pending before the Board. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order and Roll Call

The meeting was called to order by Chairman Paulsen at 6:02 p.m. and roll call was taken. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – February 4, 2013

Jordan moved, seconded by *Malmquist* to approve the February 4, 2013 as submitted. **Ayes:** Jordan, Karnik, Malmquist, Paulsen and Strittmatter. **Nays:** None. **Abstain:** None.
Motion Carried. (5-0)

3. Continuation of hearing regarding the appeal of Building Official Notice and Order, originally commenced on January 16, 2013, and continued to, and held in part, on February 4, 2013.

A. Shadow Ridge Apartments – 8500 Granville Parkway

- i. **Continuation of Hearing:** Mr. Herdzina noted that the attorneys for both the City and for the appellants, SR Group, have stipulated and agreed that they would not show up tonight because things are moving along and they have been communicating with the City, Mr. Sinnett, so there are no adversarial proceedings to be taken up and the purpose of the continuation is to update the Board of Appeals.

Sinnett came forward and updated the Board of Appeals, stating that he has been receiving weekly updates from Shadow Ridge regarding their compliance and that

he was satisfied with their progress. He stated, he and another inspector have been out a couple times to look and see how they are progressing with the new installations and they seem to be going to the code and he is happy with their good faith effort. He said that the first twenty-eight units are ready to be inspected.

Mr. Herdzina questioned the reports in the packet, the first being the regular reports and the second being the notices by the gas company, Black Hills.

Mr. Sinnett stated he talked to Black Hills and they are going along with him on his inspection and that on new installations they will go and approve the gas connection, not necessarily the applicable installation codes.

Mr. Karnik questions the twenty-eight units.

Mr. Sinnett stated that this hearing is regarding the first twenty-eight units that were inspected, and that according to the appellants they have completed all interior repairs; however, the inspection still needs to be completed.

Mr. Herdzina said the main concern is that the City is happy with their progress.

Mr. Sinnett stated he is happy with their progress.

Mr. Herdzina suggested to the board to pick a date in the future to continue the hearing and set that as a formal hearing date and see if they get completed or if the progress is being made as the Chief Building Official deems appropriate.

Mr. Sinnett stated he would like to receive the campus plan regarding the decks, prior to June 5, 2013.

Laura Miller came forward and stated that Five Star Construction came out and looked at the all of the decks that need to be addressed and a plan is in place for the original twenty-eight units.

Mr. Herdzina questioned the number of decks in question.

Ms. Miller stated sixteen.

Mr. Herdzina asked what time line she was considering.

Ms. Miller stated they will start on May 1st and the hope is to have them completed, by the First of June, or end of May.

Mr. Herdzina asked if the contractor felt that was reasonable.

Ms. Miller stated they did, weather permitting.

Mr. Herdzina questioned if everything would be completed by June 5th.

Ms. Miller stated she felt that everything in the three sections would be complete by then, which includes the first twenty-eight.

- ii. Strittmatter moved, seconded by Malmquist to continue the hearing to June 5, 2013. **Ayes:** Jordan, Karnik, Malmquist, Paulsen and Strittmatter. **Nays:** None. **Abstain:** None. **Motion Carried.** (5-0)

4. New Business

None.

5. Adjournment

Jordan moved, seconded by Malmquist, to adjourn. **Ayes:** Jordan, Karnik, Malmquist, Paulsen and Strittmatter. **Nays:** None. **Abstain:** None. **Motion Carried.** (5-0)

Reviewed by Board of Appeals:

Secretary

Chairman

Approval Date