

## Compliance of special use permits examined

Written by Elizabeth Barrett  
Friday, 17 August 2012 13:51 -

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How to determine whether residents are complying with special use permits was discussed by Gothenburg City Council members at their Aug. 7 meeting.

Special use permits are required for certain land uses in zoning districts where the land use may or may not be an acceptable neighbor to surrounding properties or may be acceptable only under certain conditions.

Under city ordinance, Mike Bacon said the building inspector investigates compliance matters but the inspector cannot breach the door.

If there's sufficient cause to get into a property, Bacon said a judge can issue a search warrant and the matter could be taken to court.

The building inspector investigates complaints and makes a report if he determines residents are violating their special use permits. Court action can then be taken, Bacon said.

Bacon suggested that the council could issue special permits with a caveat that holders are subject to submit to annual visual inspections.

A complaint about Jason Fiese not complying with a special use permit was voiced at an earlier meeting.

Fiese was granted a special use permit for living quarters on the ground floor of his home at 612 Ninth St., which is in the downtown commercial district.

Since the complaint, city administrator Bruce Clymer said he talked to Fiese and was allowed to inspect the dwelling.

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Clymer said it appears Fiese uses the space commercially and residentially.

Mayor Joyce Hudson said the planning and zoning commission may want to scrutinize special use permit requests more closely and require annual to semi-annual inspections.

In other business, the council:

heard a budget request from the Gothenburg Airport Authority for \$93,174. The council will consider the request during budget planning later this month. Last year, \$41,905 was budgeted.

approved a \$8,994 pay request to Miller & Associates Consulting Engineers for observation and management of the south Lake Avenue paving project and a \$277,823 pay request from the contractor for the project—Paulsen, Inc. of Cozad.

appointed Bob Lutjemeyer to the Gothenburg Housing Authority board.

granted a request from the Gothenburg Chamber of Commerce for a special license to serve alcohol at a beef and wine tasting event on Aug. 24 at NSG's downtown building.

gave Gothenburg State Bank officials the go ahead to close the 900 block of Lake Avenue (in front of the bank) from 5 p.m., Friday, Oct. 5, until late afternoon on Oct. 6.

The bank will host a NESTfest on Oct. 6, from 11 a.m.-2 p.m. with talent, a magician, a petting zoo, inflatables, face painting, free food and more to promote the Nebraska Educational Savings Trust to encourage families to start saving for their children's educational future.

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decided to meet Aug. 28 at 5:30 p.m. for a work session about the 2012-13 budget and set Sept. 11 as the date for a special council meeting where a public hearing for the budget and tax request will occur. The council is also expected to adopt the budget at this time.

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