

been considerable dumping in the beautiful Ponca Hills area. We are running out of ravines very quickly. People would ask for a special use permit and get the right to dump; they were tearing down a building, where are we going to go with it? Oh, let's just go out to Ponca Hills and fill up another ravine. Not too long ago a contractor tore out hundreds of bur oak trees just to get some dirt, so what we did with this amendment is simply provide originally with the bill that the buck stops with the elected officials at least, within the City of Omaha. There is an example for where the mayor, where the planning board, and where the city council all agreed on certain conditions as it would apply in the Ponca Hills area. Contractors can appeal. They appealed to the board of appeals, and the final decision made by the city council, by the mayor, and by the planning department of the city was overturned. My amendment simply does away with that. There was some concern that if, in fact, the board of appeals could not deal with...could not deal with utility companies, it would cause some serious harm and damage, for example, where they have to put transformers on poles and other circumstances, and I understand that is a legitimate problem. However, we don't need to amend the law at all, or change the language. In the city planning and zoning ordinance, Section 4 or 14-412, it clearly spells out that the board of appeals special permits powers to grant limits to board of appeals shall have specific power to grant special permits to the state, or any other political subdivision, which is the utility companies thereof, and to public utilities for public service purposes. Although the application may be in conflict with the provisions, ordinance, or regulations adopted under the authority of the sections provided, that the permit shall be granted, et cetera. There already is authority in the law, in the planning and zoning responsibilities of the City of Omaha, why do we have to spell it out again? Unless somebody can explain to me why it is important we include this language, when it is already very clear in the law, that they do, in fact, and can, in fact, have a variance without any hindrance at all as a result of the legislation I suggested as it applied to our Ponca Hills folks and neighbors. So my amendment simply takes out those two lines which were put in after the hearing by the committee, and leaves the bill as it was introduced in the form that was agreed to by the City Council of Omaha, and by the planning board and by the mayor. This is something, folks, that only has to do with the metropolitan area of Omaha, and the three-mile limit and those poor souls that are governed but can't vote for others, and I would ask for your support to