

# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING October 19, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 19<sup>st</sup> day of October, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

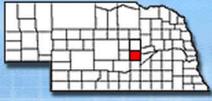
Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the notice of meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 7 members present: Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Kenneth Kozisek, Jack Reimers & Terry Spilinek. Absent were Dave Sack and Ron Kulwicki. Also present were Cheri Klinginsmith Planning & Zoning Administrator and Nancy Usasz, Planning & Zoning Secretary. Members of the public present were Michelle Wolinski, Roger Kubik, Larry Buhrman, Roger Skorniak, Jeff Buhrman, Attorney Jim Truell, Don Julesgard and Barb Julesgard.

The agenda and minutes were emailed to the board members prior to the meeting. A motion was made by Chris Kosmicki and seconded by Ken Kozisek to approve the minutes from the September 21, 2016 meeting. The motion was carried by unanimous voice vote.

At 8:05 P.M. the Public Hearing regarding a Conditional Use Permit by Kyle & Michelle Wolinski. Notice of Public Hearing was read by Administrator Klinginsmith. Michelle Wolinski was present to represent her request. She stated that she would like to construct a 40 X 72 Mini Storage Unit in the R-1 (Residential Single Family) zoning district. The Village of Elba has approved their request at their October 4, 2016 meeting. There was no opposing testimony. The public hearing was closed. Chairman Spilinek asked where the driveway would be with the concern that it is on a curve on the north side of the property and that could pose a safety hazard. Michelle stated that it would be off of Merriam Street on the east side on the property. A motion was made by Chris Kosmicki and seconded by Ken Kozisek to approve the mini storage unit Conditional Use Permit for Kyle and Michelle Wolinski. Motion Carried 7-0 roll call vote. Finding of Fact attached.

At 8:15 P.M. the Public Hearing for the Zone Change Application by Union Grain Tax Lots 14 & 15, Section 21, Township 13, Range 9W. Notice of Public Hearing was read by Administrator Klinginsmith. Roger Skorniak, manager of Union Grain was present to represent the request. Mr. Skorniak stated that the elevator purchased these lots and cleaned them up. They are requesting a zone change from A-2 (Agricultural Transitional) to I-2 (Heavy Industrial) so they can store grain on the property and in the future possibly construct grain bins. Chairman Spilinek asked for Testimony in favor. Greg Bader, Owner of Beer Barrel Bar in St. Libory stated that he was in favor. There was no opposing testimony. The Public Hearing was closed. Administrator Klinginsmith stated that the Road Department is in the process of conducting a road study to close the part of Pine Street south of "A" Street. Union Grain owns the platted lots on both sides of Pine Street, Which is a dead end street. Administrator Klinginsmith also stated that the nearest residence is over 300 feet away so in the future if they would build a grain bin there would not be a safety hazard. A Motion was made by Daryl Anderson and seconded by Ken Kozisek to approve the zoning change request by Union



# Howard Planning and Zoning Minutes



Grain for Tax Lots 14 & 15 Section 21, Township 13, Range 9W, changing from A-2 to I-2. Motion carried 7-0 roll call vote. Finding of Fact attached.

At 8:25 P.M. the Public Hearing for Union Grain's Application for a Conditional Use Permit in a residential district was opened. Administrator Klinginsmith read the notice of public hearing. Roger Skorniak, manager of Union Grain was present to represent the request. Mr. Skorniak stated that they are asking for the C.U.P. so lots 1,2,3,5,6,7,8 of block Six in St. Libory can be used as I-2. Currently the property is zoned R-1. They plan to continue using the property for storage of equipment. They will not pile corn or construct bins on the property. Chairman Spilinek asked for testimony in favor. Greg Bader stated that he is in favor of the request. Chairman Spilinek asked for opposing testimony. Attorney Jim Truell was present to represent Roger Kubik. Attorney Truell asked the board to add conditions to the permit, including no grain storage, mowing and weed control should be kept up, existing privacy fence should remain and it should not look like a "Junk Yard." He also asked that this lot have the same level of usage as in the past, such as equipment storage. Larry Buhrman asked Mr. Skorniak if he plans to put up bins and he said, no they only intend to store the elevators equipment on the lots. There was no other opposing testimony. The Public Hearing was closed. Jack Reimers stated that for safety reasons he felt the fence should remain in place. Roger Skorniak does not feel it should be his reasonability to maintain the fence and he would like to remove it. It was suggested that the fence needs to be maintained 50/50 by Union Grain and Roger Kubik. Administrator Klinginsmith stated that this area was zoned R-S (Rural Subdivision) prior to the new comprehensive plan and in error it was changed to R-1. Klinginsmith feels that it needs to be reviewed and possibly changed back to R-S, since R-1 applies to villages with ordinances and St. Libory is unincorporated. A motion was made by Jeff Christensen to approve the Conditional Use Permit for Union Grain on Lots 1,2,3,5,6,7,8 of Block 6 in St. Libory and seconded by Jack Reimers with the following conditions: no grain storage, maintain privacy fence in current condition and the primary use of the property is for equipment storage. Motion Carried 7-0 roll call vote. Finding of Fact attached.

At 9:02 P.M. a motion was made by Jeff Christensen and seconded by Jack Reimers to adjourn. The motion carried unanimous voice vote.

---

Nancy Usasz, Secretary