



Howard Planning and Zoning Minutes



Minutes Howard County Planning & Zoning December 20, 2017

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20th day of December, 2017 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 7:00 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, Terry Spilinek, Dave Sack, Ken Kozisek and Jack Reimers. Those absent were Ron Kulwicki and Chris Kosmicki. Also present were Cherri Klinginsmith Planning & Zoning Administrator and Nancy Usasz Planning & Zoning Secretary. Members of the public including: Lyle & Dianne Hunkins, Steve & Jessica Schenck, Larry Behensky, Niki & Shayne Bader, Robert & Linda Kanter and Jim & Jan Christensen.

The Agenda and Minutes were email to the Board Members prior to the meeting. A motion was made by Ken Kozisek and seconded by Jeff Christensen to approve the minutes of the November 15, 2017 minutes. Motion carried 7-0 voice vote.

At 7:05 p.m. a public hearing was opened regarding Lake of the Woods Third Subdivision application by Steven & Jessica Schenck. This subdivision is a Replat of Lot 44 Lake of the Woods Subdivision. Administrator Klinginsmith read the notice of meeting. Klinginsmith informed the board the notice was published with an incorrect legal description. County Attorney Dave Schroeder advised that if there is no public opposition on this matter we can still hold the public hearing. There was no opposition. Steven Schenck informed the board that this subdivision is mostly for banking purposes so they can get financing to build a home. They are unsure at this time if they will sell the other lot. Jim Christensen wanted to verify that if the second lot was sold the new owner would not have access to the Deer Meadows Lake. Mr. Schenck confirmed that they would not have access. Larry Behensky asked about livestock on the property and the board stated that would be controlled by the Lake of the Woods Covenants. There was no other opposing testimony. Discussion was had by the board. Jeff Christensen made a motion to approve the Lake of the Woods Third Subdivision. The motion was seconded by Dave Sack. Motion was approved 6-0 Roll call vote. Randy Kauk Abstained. Finding of Fact was completed and is attached.

Next a discussion was had regarding a letter from the Village of Boelus stating that they are prepared to take legal action regarding the Zoning Regulations and the GIS Maps. Administrator Klinginsmith stated that we are working to get GIS Maps corrected and we will discuss the Zoning Regulations in a moment. Letter attached.

A public Hearing was opened to review the Howard County Zoning Regulations and Comprehensive Plan. Administrator Klinginsmith stated that she spoke with Chuck Chase, Flood Plain Insurance Program Specialist regarding the letter from the Village of Boelus and he recommended updating our zoning regulation to state that these regulations apply to all of Howard County, excluding the incorporated Village limits of Boelus. The Board reviewed the recommended changes presented by Klinginsmith. (See Attached) After much discussion the board decided it would be best to leave the Comprehensive Plan the same and just updated the Zoning Regulations. Jeff Christensen made a motion to approve the changes to the Flood Plain regulations and the



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open space/recreation regulations as presented by the Zoning Administrator. Dave Sack seconded the motion. Motion passed with 7-0 roll call vote. Finding of Fact was completed and attached.

The next discussion was regarding a possible third cabin in the NE ¼ 14-13-11. Administrator Klinginsmith stated that we have received a request to build a cabin. Currently there are 2 cabins and a third cabin would go against our regulations. After much discussion the board stated that it would not be allowed.

The Final discussion was regarding Commercial Biodegradable Waste permits in Howard County. Robert Kanter was in attendance and stated that there has been an extremely offensive odor at his home. Howard County Commissioner Dave Boele was out to his place on Tuesday December 19 and said the odor was “stout.” Shayne Bader was also in attendance and stated that they have not had many complaints of odor and when they do they add more lime. The Plant where they get their lime was shut down this week and he feels that spreading lime will eliminate the odor. After much discussion the board asked Shayne if it was possible to avoid spreading if he is out of lime. Shayne agreed and stated that he is trying to be a good neighbor and please let him know if there is a problem. The board requested that Administrator Klinginsmith add this condition to future permits. If lime is unavailable no hauling of product is to continue, until lime is available.

Jeff Christensen made a motion to adjourn the meeting and Dave Sack seconded. The next meeting is tentatively scheduled for January 17, 2018 at 7:00 p.m.

Nancy Usasz