

# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING February 21, 2018

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 21<sup>st</sup> of February, 2018 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 7:10 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, Ken Kozisek, Jack Reimers, Dave Sack, Chris Kosmicki and Terry Spilinek. Those absent were: Randy Kauk and Ron Kulwicki. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Nancy Usasz, Zoning Secretary, and members of the public including: Leonard Dush, Stanley Schmidt, Kathryn Schmidt, Diane Zwink, Jack McMillon and Dave & Dorothy Bogus.

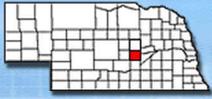
The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Chris Kosmicki and seconded by Dave Sack to approve the minutes of the January 17, 2018 meeting. The motion carried on unanimous voice vote.

Old Business: Cherri Klinginsmith, read the procedures for removal of trees along the county ditches and intersections adjoining county ROW.

Cherri informed the board members of 2 more Administrative Conditional Biodegradable Waste permits being issued to Shayne Bader on Don Jensen's property, 2018-1 & 2018-2. She also spoke to Shayne Bader and he may be taking the paunch from JBS to David City's landfill along with the LYCO product and would then just be applying Belt and Grit to land approved, however he hasn't starting doing that yet.

At 7:15 p.m. the Public Hearing regarding the single lot subdivision application by Leonard J. and Esther F. Dush was opened. This single lot subdivision of 3.7 +/- acres will be named Dush Acres Subdivision and is located in the S ½ NE ¼ & part of the N ½ N ½ SE ¼ of Section 20-13-9. Cherri Klinginsmith read the Notice of Public Hearing. Leonard Dush, the son of Leonard and Esther Dush, stated that he wants to build a home on this lot, which would be located on top of the hill. He has purchased a 30' access easement for use of driveway access. The state has a 40' wide controlled access easement and will only allow 1 driveway there. He has talked to Howard Greeley RPPD and they will allow for power off of that line along highway 281. Question from public were answered by Leonard Dush. There was no other testimony in favor or opposition. The zoning board questioned the exact location of lot, Leonard mapped out the site on GIS map. A motion was made by Dave Sack and seconded by Chris Kosmicki. The motion carried on a unanimous roll call vote of 7-0. A Finding of Fact was completed. (Copy attached).

At 7:25 p.m. the Public Hearing regarding the single lot subdivision application by Randy & Marci Kauk was opened. This is a single lot subdivision of 8.78+/- acres and will be named Spring Creek Meadows Subdivision and is located in the NW ¼ of the NW ¼ Section 5-14-11. Cherri Klinginsmith read the Notice of Public Hearing. Administrator Klinginsmith stated that they are subdividing to create a residential lot which they plan to sell. There was no other testimony in favor or opposition. The public hearing was closed. Cherri stated that this subdivision meets all of the regulations. Jeff Christensen made a motion to approve the Spring Creek Meadows Subdivision in the NW ¼ of Section 5-14-11. Dave Sack Seconded the motion. The motion carried on a unanimous roll call vote of 7-0. A Finding of Fact was completed. (Copy attached).



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At 7:40 p.m. the Public Hearing regarding the single lot subdivision application by Brad & Lana Bushhousen was opened. This is a single lot subdivision of 12.33 +/- acres and will be named Green Acres Subdivision. Cherri Klinginsmith read the Notice of Public Hearing. Administrator Klinginsmith stated that they are subdividing to create a residential lot which they plan to sell. There was no other testimony in favor or opposition. The public hearing was closed. Cherri stated that this subdivision meets all of the regulations. Daryl Anderson made a motion to approve the Green Acres Subdivision in the SE ¼ of Section 26-15-9. Jeff Christensen seconded the motion. The motion carried on a unanimous roll call vote of 7-0. A Finding of Fact was completed. (Copy Attached)

Discussion was had by the board regarding the possibility of a boat repair business without a residence in the A-2 Zoning District. After discussion the board stated no, this would not follow our regulations and therefore not be allowed.

Discussion was had by the board regarding the Covenants for River Ridge Subdivision. Tim Aitken asked if it would be allowed to create a lot 1B to be sold with lot 3, therefore allowing livestock on the property. Currently the Covenants state that there is no livestock allowed on lots 2-10. After discussion the board suggested that Tim have the Covenants redone to allow livestock on lot 3.

Continued Old Business: Trees, Cherri read to the members the state statutes 39-1811 thru 39-1813, the process (39-1813) and asked if there is anything we can do. After discussion the board felt that this issue is between the county commissioners and road department, as all the state statutes pertaining to this are under state statutes 39, and zoning regulations are not listed in Chapter 39.

Administrator Klinginsmith also mentioned, she has received a complaint on Shayne Bader's permit on William Meyer's land. She will send them a copy when review is complete.

Daryl Anderson made a motion to adjourn the meeting and Dave Sack seconded. The motion carried unanimous voice vote. The next meeting is tentatively scheduled for March 21, 2018 at 8:00 p.m.

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Nancy Usasz, Secretary