

Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING March 21, 2018

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 21st day of March, 2018 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.

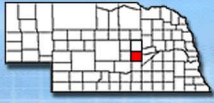
Roll call showed 8 members present: Daryl Anderson, Jeff Christensen, Jack Reimers, Dave Sack, Chris Kosmicki, Randy Kauk and Terry Spilinek. Those absent were: Ron Kulwicki. Ken Kozisek arrived at 8:10 p.m. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Nancy Usasz, Planning & Zoning Secretary, and members of the public including: Linda Virene, Annie Bollmsizr, Mike Kezeor, Adam Svoboda, Todd Svoboda, Pat Conley and Bill & Cherie Morgan.

The Agenda and Minutes were mailed to the Board Members prior to the meeting. A motion was made by Jeff Christensen and seconded by Dave Sack to approve the minutes of the February 21, 2018 meeting. The motion carried on unanimous voice vote.

Old Business Administrator Klinginsmith informed the members of a fine issued to Don Jensen for applying Waste without a permit being approved first. Also she stated that trees located in TOW will be discussed at commissioners meeting on March 27, 2018. If they have sites, they feel would be an issue to let Cherri know before the meeting.

At 8:05 p.m. the Preliminary Public Hearing regarding the BMW Estates Multi Lot Subdivision in the N ½ of the NW ¼ Section 15 Township 14 Range 10W consisting of 8 lots was opened. Cherri read the notice. Linda Virene was in attendance to represent this request. Linda stated that she would like to develop her mother's land to provide more options for housing near St. Paul. Linda Stated that she contacted an Engineer to have an engineering study done but it is not necessary because it has been previously done. Administrator Klinginsmith stated that she would like to see all of the lots raised to 1 foot above Base Flood Elevation (BFE) before approval of the Subdivision. The Board recommended mapping out where each house will sit along with well and septic systems due to the elevation issues. The Roads will also need to be named. After much discussion a motion was made by Jeff Christensen to Approve the BMW Estates Preliminary Subdivision, which is to be in line with conditions outline in the Finding of Fact. Chris Kosmicki seconded the motion. Motion Carried 7-1 Roll Call Vote. Finding of Fact was completed and is attached. Before the final hearing can be scheduled, the following must be completed: 1. a detailed plat of where houses, well and septic are to be located. 2. The building sites needs to be built up to at least 1 foot above the BFE. 3. Maintain current drainage without obstruction.

At 8:20 p.m. the Preliminary Public Hearing regarding the Diamond Ridge Estates Multi Lot Subdivision consisting of 24.33 +/- acres on the SW ¼ of Section 21 Township 15 Range 10W was opened. Cherri read the notice. Nobody was in attendance to represent the request. Administrator Klinginsmith stated that Ron Stock is wanting a multi lot subdivision consisting of 8 lots. He has requested two entrances and has received approval form Howard County Commissioners and the Howard County Road Department. There was no opposing testimony regarding the Subdivision but concerns were expressed regarding traffic on Twin Forks Lane. Chairman Terry Spilinek stated, that issue is something that needs to be brought to the attention of the Howard County Commissioners. The public hearing was closed. Discussion was had by the board. This subdivision meets all of the regulations and utilities are available. Before the final hearing can be



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scheduled the following must be completed: 1. Road needs to be named. 2. The Owner's name on the Platt needs to match the deed. A motion was made by Ken Kozisek and seconded by Jack Reimers to approve the Diamond Ridge Estates preliminary subdivision application. Finding of Fact was completed and is attached.

The board has requested that an applicant be in attendance for the final hearing to answer questions, and if they are not in attendance there will be no action taken. In the future any with multi lot subdivision applications presented a reprehensive must be present at the hearing or the Zoning Board will not review the application. Klinginsmith will add this procedure to our multi lot subdivision check list.

At 8:40 p.m. a public hearing was opened regarding the Mathis Third Subdivision. This is a multi-lot subdivision of Lot 3 Mathis Second Subdivision. Consisting of 16.07 acres in Section 21 Township 13 Range 9W. Nobody was in attendance to represent the request. Administrator Klinginsmith stated that Jon Kuck has applied for a Multi-Lot Subdivision consisting of 5 lots. This application meets all of the regulations. Bill & Cherie Morgan were in attendance and stated that they are not opposed to the Subdivision but are concerned with a through street into St. Libory off the Highway 281 due to the fact there is a Quonset on their property that was built on the road easement before they purchased the property. A and B streets have 80 feet easements. Bill and Cherie stated that if the road is opened up they feel like it will be a safety issue so they would like for there to be a cul-de-sac. The Public Hearing was closed. Discussion was had by the board. A motion was made by Dave Sack to approve the Preliminary Mathis Third Subdivision application. This is approved with the requirement that the street have access from Hwy 281 only and the east end must be a cul-de-sac. A road through from Highway 281 to A Street would be a safety hazard with it in line of the elevator. Ken Kozisek seconded the motion. Motion was carried by 8-0 Roll Call vote. Finding of fact was completed and is attached.

Klinginsmith informed the board that she has approved a Zoning Permit for a residence to be built on a 25 acre parcel locat3ed in the NW ¼ of Section 11 Township 19 Range 9W. They do not have any farm income so this will be noted as a nonfarm residence.

Discussion was had regarding Administrative Commercial Biodegradable Waste Permits. Shayne Bader has submitted more applications which are being reviewed. Klinginsmith stated that Shayne is no longer hauling Paunch to be applied, only Grit and Belt to help with small. The Lyco and Paunch are being hauled to David City Landfill.

Shayne Bader has asked for an extension on Conditional Use Permits 2017-2, 2017-3, 2017-4, 2017-5, 2017-6 and 2017-7. After discussion the board unanimously agreed to allow a one year extension. The permits will now expire on May 17, 2019. The only changes in the application is Paunch is no longer being spread, only Grit and Belt.

Pat Conley was in attendance to discuss purchasing about ½ acre of property that connects to his property by the corner. After much discussion by the board this will be allowed because he is basically purchasing his easement to enter his property. It will be non-buildable and will be part of his current parcel.

Kelly Stevens from Stevens Land Surveying contacted Cherri about property in the NE ¼ of Section 36 Township 13 Range 10. Siblings have inherited the property and would like to subdivide the second residence. There is an existing nonfarm residence in the quarter. The board stated that this would require a Variance if they would like to proceed.

With no further business Jeff Christensen made a motion to adjourn and Chris Kosmicki Seconded the motion. The next meeting is tentatively scheduled for April 18' 2018 at 8:00 p.m.