



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING April 18, 2018

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 18<sup>th</sup> day of April, 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 7 members present: Daryl Anderson, Jeff Christensen, Jack Reimers, Chris Kosmicki, Ken Kozisek, Ron Kulwicki and Terry Spilinek. Those absent were: Randy Kauk and Dave Sack. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Nancy Usasz, Planning & Zoning Secretary, and members of the public including: Howard & Janice Jacobsen, Nick Bush, Gaylord & Jean Jensen, John & Amber Kuck, Randy Christensen, Michele Usasz and Ron Synowski.

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

Old Business was discussed: Administrator Klinginsmith stated that Roger Paulsen's ground north of St. Paul along Highway 281 is on Auction at the end of the month. Currently it is in the I-2 Heavy Industrial. There have been inquiries about subdividing the property. The board agreed, that the building site could be subdivided off but the property would need to be rezoned for anyone to build on the remaining piece. Klinginsmith also informed the Board that four Administrative Commercial Biodegradable Waste Permits were denied do to the Phosphorus levels being high and University of Nebraska Lincoln Extension did not sign off.

At 8:05 p.m. a public hearing was opened regarding a subdivision Application by Robert & Eleanor Ita. Administrator Klinginsmith read the notice of public hearing. This subdivision will be named North Loup River Acres Subdivision and consist of 19.02 +/- acres separated into 2 lots and is located in part of Government Lots 4 & 5 in part of the N ½ NW ¼ of Section 2, Township 16N, Range 12. Michele Usasz with Cabin Realty & Auction was in attendance to represent this request. Lot 1 consisting of 10.118 acres is the building site. Lot 2 consisting of 8.909 acres and it will be a non-buildable lot. The Zoning Board previously discussed the possibility of a Single Lot Subdivision at their November 15, 2017 meeting. This tract is split between A-1 and A-3 Zoning District. The building site is in A-1 so the board stated that it would be allowed. Michelle informed the board that lot 1 is being marketed as a buildable lot if someone wants to replace the old farm house and lot 2 is being marketed as recreational hunting ground. There was no opposing testimony. The public hearing was closed. Jeff Christensen made a motion to approve the North Loup River Acres Subdivision and Ron Kulwicki seconded the motion. The motion carried 7-0 roll call vote. Finding of Fact was completed and is attached.

At 8:20 p.m. a Final Public hearing was opened regarding the Mathis Third Subdivision consisting of 16.07 +/- acres located in the NW ¼ of SW ¼ of 21-13-9. Administrator Klinginsmith read the notice of public hearing. This is a multi-lot subdivision consisting of 5 lots. Jon Kuck was in attendance to represent this request. Administrator Klinginsmith stated that Jon met with the Howard County Commissioners on March 27, 2018 to discuss the road entrance. The entrance of the subdivision will be off of Highway 281 and there will be a dead end at the East end of the subdivision so the road will not go through to A Street. Jon stated that Lee from Howard Greeley RPPD was out and it will not be a problem to get utilities to the lots. There was no opposing testimony. The Public Hearing was closed. A motion was made by Chris



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Kosmicki and seconded by Ken Kozisek to approve the Mathis Third Subdivision. Finding of Fact was completed and is attached.

Administrator Klinginsmith informed the board that Viaero Wireless has plans to build a tower in Dannebrog on a tract of land located in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 11, Township 13, Range 11. This tract is in the I-1 Light Industrial district where cell towers are a permitted use therefore a Conditional Use Permit is not needed.

Merlin Nesiba contacted the Planning & Zoning office inquiring about putting a travel trailer in the Village of Farwell and connecting to Water, Sewer and Electricity and will be moved 2-3 months out of the year. Administrator Klinginsmith called Allen Lewandowski regarding this request. The Farwell Village Board will discuss this at their May 1, 2018 meeting and if approved he will need to apply for a Conditional Use Permit.

At 8:40 p.m. a final public hearing was opened regarding the Diamond Ridge Multi Lot Subdivision application by Ron and Kristin Stock consisting of 24.33 +/- acres in the SW  $\frac{1}{4}$  of Section 21, Township 15, Range 10. This multi lot subdivision is made up of 8 lots. Randy Christensen was in attendance to represent this request. Randy stated that Lee with Howard Greeley RPPD was out to discuss utilities. They will have to bring electricity across the railroad track so it will be 30 foot poles but it can be done. Ron Synowski was in attendance to represent Aurora Cooperative. He stated that Aurora Cooperative has a fertilizer plant about  $\frac{1}{2}$  mile away. He just wanted to verify there was not regulation against Ammonia tanks that close to a subdivision. The Board stated that there are not regulations preventing it but the land owners should be aware of it. There was no opposing testimony. The public hearing was closed. Discussion was had by the board. There are a couple errors with the Covenants. It state lots 1-18 and it should be 1-8, and under number 8 it states there will be public water system and this is not the Landowners intention. There is also a correction to the signature lines on my Mylar. Jack Reimers made a motion to table a decision of the Diamond Ridge Subdivision to the May 16, 2018 meeting. Kenneth Kozisek second the motion. Motion Carried 7-0 roll call vote.

The final discussion was regarding a tract of land in the SE  $\frac{1}{4}$  of Section 17, Township 15, Range 9. LaVern Wulf would like to Subdivide off the old building site and also the access road to access the property to the North of his. Administrator verified with the board that this would need to be a subdivision but would be a non-buildable lot. The Board agreed.

At 9:20 p.m. Ron Kulwicki made a motion to adjourn the meeting and Jeff Christensen seconded the motion. The next meeting is tentatively scheduled for May 16, 2018 at 8:00 p.m.

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Nancy Usasz, Secretary