

Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING AUGUST 17, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 17th day of August, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

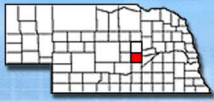
Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the notice of meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 8 Members Present: Daryl Anderson, Jeff Christensen, Chris Kosmicki, Ken Kozisek, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek. Randy Kauk was absent. Also present were Cherri Klinginsmith Planning & Zoning Administrator and Nancy Usasz, secretary. Members of the public present were Kurtis & Bridget Reeves, Gerald Kubic, Roger Kubic, Dan Kuck, Steve Wissing, and Roger Skorniak.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Chris Kosmicki and Seconded by Jeff Christensen to approve the minutes from the June 15, 2016 meeting. The motion was carried by unanimous voice vote.

At 8:05 P.M. the Public Hearing regarding the Pawnee Hills Subdivision was opened. Kurtis and Bridget Reeves were present to present the request. They are asking to subdivide three acres from the property located in Section 25, Township 16, Range 9 west and currently owned by them along with Ladd M. Reeves and Janice I. Reeves for the purpose of building a cabin. This will not be a non-farm residence as they are still part of the farming operation. There was no opposing testimony. The Public Hearing was closed. A motion was made by Dave Sack and seconded by Ron Kulwicki to approve by the Pawnee Hills Subdivision. The motion carried a 8-0 roll call vote. Finding of Fact attached.

Next on the agenda was St. Libory Zoning Block 6 lots 1-8. This hearing was to clarify if the zoning maps were mapped correctly when the zone changed in 2005. Prior to the meeting Zoning office found mapped record that show the current zoning is correct (R-1). Further discussion included the following: Roger Kubic called the Planning & Zoning office and stated that Union Grain moved in a garage on lot 3. It is on the property line and does not meet setbacks for R-1 zone and he would like it moved immediately. Union Grain did not obtain a zoning permit for this building. Administrator Klinginsmith stated that she sent Roger Skorniak manager of Union Grain a letter stating that he needs to meet the setbacks and obtain a permit and pay the \$100 fine. Mr. Skorniak along with Dan Kuck and Steve Wissing who are on the elevator board were present to discuss this matter. Steve Wissing stated that when the elevator bought the lot they were not aware that it was zoned residential because the Lumber Yard was previously located there. In 2005 a Public Hearing was held to rezone block 6 from I-2 to R-S. This was done by the county so notice of public hearing was published in the Phonograph Herald but adjoining land owners were not notified by mail (Comprehensive plan updated in 2015 to change R-S to R-1). Roger Kubic stated that when he purchased his property he knew that it was residential and he is not happy that Union Grain is using this property as Industrial and parking grain equipment and piling corn on the residential lots. Mr. Skorniak asked the board about rezoning this property back to industrial and will fill out a request to rezone application. There were numerous conversation back and forth between the elevator and the resident, however Chairman Spilinek explained their complaint about each



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other is not a zoning issue. The Zoning board did confirm with the zoning administrator that the existing building must meet the setbacks and suggested moving the building 8 feet back and put up a 6 foot privacy fence. The building needs to be moved or the Variance request filed prior to August 30, 2016.

Next on the agenda was to review corrections in the manual. On Page 36, Definitions under Agriculture currently states: The raising and feeding of livestock and poultry shall be an agricultural use if the area in which the livestock or poultry is kept is ten (10) acres or more in area. This should be twenty (20) acres in area. On. Page 125, #17, a. currently states: the minimum lot size shall be not less than two (2) acres. This should be three (3) acres.

On Page 175, Section 9, Campgrounds, 2. States: The tract to be used for a campground shall not be less than two (2) acres in area. This should be three (3) acres in acres.

Administrator Klinginsmith stated that this is a typo from when we had to manuals reprinted. She spoke the County Attorney Dave Schroder and he said that clerical errors do not need to be a Public Hearing. The changes will be made immediately.

The last item on the agenda was Cotesfield zoning and a request from Terri Toogood to build a new house in a C-1 zone inside the village of Cotesfield. Residences are not allowed in the C-1 zone according to our regulations. The board discussed that this may prohibit growth to the village, and decided to allow this as a conditional use as long as the village of Cotesfield approved.

At 9:40 P.M. a motion was made by Ron Kulwicki and seconded by Jack Reimers to adjourn. The motion carried by unanimous voice vote. The next meeting is tentatively scheduled for September 19, 2016.

Nancy Usasz, Secretary