

# Howard Planning and Zoning Minutes



**MINUTES**  
**HOWARD COUNTY PLANNING & ZONING**  
**June 19, 2019**

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 19<sup>th</sup> day of June, 2019 in the Assembly Room of the Howard County Courthouse, St. Paul NE.

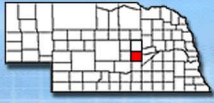
Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 5 members present: Daryl Anderson, Jeff Christensen, Jack Reimers, Terry Spilinek and Ken Kozisek. Chris Kosmicki, Randy Kauk, Dave Sack and Ron Kulwicki were absent. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Nancy Usasz, Planning & Zoning Secretary, and members of the public including: Jim Pirnie, Travis Hedman, Josh Watson and Connie Jacobson.

Old business was discussed. Administrator Klinginsmith informed the board that the Howard County Commissioners approved all three Conditional Use Permits for Wolbach Foods with the same condition the Zoning Board recommended. Klinginsmith stated that she reached out to Brian Varrella, a Certified Flood Plain Manager with Colorado to get advice on what to do with the House in the North Loup River. He did not have any advice on how to handle the situation, as we have more of an access challenge. He also stated to move away from a lateral migration zone. Basically to have more strict setbacks from rivers. Something we as a Zoning Commission can look into in the future.

At 8:05 PM a public hearing was opened for a Conditional Use Permit (CUP) application by Pirnie Farms, LLC. Requesting to place a mobile home in the flood plain and A-3 zone as temporary housing for three years in the SW  $\frac{1}{4}$  section 21 township 14 range 10W with 106 acres. Klinginsmith read the notice of meeting. Jim Pirnie and Travis Hedman were in attendance to represent this request. Jim stated that they have received a grant through Fish and Wildlife and the Nebraska Game and Parks. The agencies came in and removed trees and they are required to maintain the land. They would like to put a temporary double wide up so they have a place to stay when they are working to manage the land. There was no testimony in favor or opposition. The public hearing was closed and discussion was had by the board. The board asked about electricity water and sewer. Jim stated that the quote to get power out there was \$16,000 and they have not decided if they will run power or use a generator. There is currently a well to get water from and they do not plan to install a septic system. With no further discussion Jeff Christensen made a motion to approve the conditional use permit by Pirnie Farms, LLC to place a mobile home in the flood plain as temporary housing in the SW  $\frac{1}{4}$  section 21 township 14 range 10W for 3 years. Jack Reimers seconded the motion. Motion carried 5-0 Roll call vote. Finding of Fact was completed and is attached.

At 8:15 PM a public hearing was opened for a Conditional Use Permit (CUP) application by US Cellular to install a 135' monopole communications tower in the SE  $\frac{1}{4}$  section 3 township 13 range 11W. This Tower is located within the one mile jurisdiction of Dannebrog. Josh Watson was in attendance to represent this request. He stated that he is representing US Cellular on this project and they want to build this tower to improve service and bring 5G to the area. They have provided all the requested documentation for the project. Connie Jacobsen was in attendance and stated that she is in favor of this tower and she is hopeful that other companies will collocate to bring even better service to the area. There was not opposing testimony. The public hearing was closed and discussion was had by the board. Klinginsmith noted that the land owner will need to work with the Farwell Irrigation District to see if there is a place that



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he can transfer the .30 irrigated acre where the tower will be placed. After a short discussion a motion was made by Jack Reimers and Seconded by Jeff Christensen to approve a CUP allowing US Cellular to install a 135' Monopole Communications Tower in the SE ¼ section 3 township 13 range 11W. A finding of fact was completed and is attached.

Discussion was had on Solar Energy Regulations. Administrator Klinginsmith asked for the board's options on the proposed regulations. After much discussion they have a rough draft of regulations. Solar Energy Regulations will be a public hearing at the next meeting.

Discussion was had on manure application deadlines not met. Klinginsmith informed the board that we have an administrative conditional use permit that expired on June 18, 2019. The crops are planted and the manure has not been spread. After much discussion the board stated that due to weather related events they will allow a one-time extension with the \$50 fee. Before any more permits will be approved for this land owner this permit will need to be complete. If it is not completed before the deadline of December 18, 2019 a fine will be accessed.

Discussion was had on A-1 Regulations, Conditional Uses, Subpart a-2.

*2. No commercial feedlot shall be closer to a separate commercial feedlot than the distance requirements for their class, identified in the following table. (Pg. 90 Howard County Zoning Regulations)*

Administrator Klinginsmith wanted to clarify with the board that the regulation was intended to mean from edge of the commercial feedlots not the edge of the odor footprint. The Board agreed that it meant edge of the commercial feedlot to the next closest edge of a commercial feedlot.

The final discussion was regarding a request for a subdivision in A-3 section 36 township 15 range 10W. The land owner came into the office inquiring about subdividing the building site on a 42 acre lot and then the remaining land would be added to the adjoining land. This parcel is currently non-conforming and has been grandfathered in. The board agreed that since the parcel is currently non-conforming, an administrative subdivision could be done to subdivide the house and building site off as long as the remaining land would be combined with the adjacent land, as not to create two non-conforming parcels.

With no further discussion Jeff Christensen made a motion to adjourn the meeting. Jack Reimers seconded the motion.

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Nancy Usasz, Secretary