



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING AND ZONING September 16, 2020

A meeting of the Howard County Planning & Zoning Commission was convened in open and public session on the 16th day of September 2020, in the Assembly Room, Howard County Courthouse, St. Paul NE.

Chairman Terry Spilinek called the meeting to order at 8:00 PM. Administrator Klinginsmith read the notice of meeting, a proof of publication is filed with the Howard County Clerk's office. Roll call showed 6 members present: Ken Kozisek, Terry Spilinek, Chris Kosmicki, Jeff Christensen and Ron Kulwicki. Jack Reimers arrived at 8:05 PM. Daryl Anderson, Dave Sack and Randy Kauk were absent. Also present was Cherri Klinginsmith Zoning Administrator and Nancy Usasz, Planning and Zoning Secretary. Members of the Public present included: Jesse Rudolf, Mike Kezor, Brian Sack, Marianne Raitt, and Jake & Lacey Hellwege.

The Agenda and Minutes were mailed to the board members prior to the meeting. A motion was made by Ron Kulwicki and seconded by Ken Kozisek to approve the minutes of the August 19, 2020 meeting. Motion carried 6-0 voice vote.

Old Business: Administrator Klinginsmith stated that after visiting with the State Flood Plain Manager she will need to file the updated Floodplain Regulations to FEMA. She is currently working on that paperwork.

Administrator/Board Comments: Klinginsmith informed the board that the NPZA fall workshop will be virtual this year. The Cost is \$20 per person with a maximum of \$100 per board. If the entire board wants to register it will only cost \$100 and that would be covered by the Planning & Zoning Budget. They will let Cherri know if they are interested in attending.

At 8:05 PM a public hearing was opened for the Back Nine Acres Administrative Multi Lot Subdivision Re-Plat formally known as BMW Estates located in the N ½ of the NW ¼ of Section 15 Township 14 Range 10 in Howard County. Administrator Klinginsmith read the notice. Jesse Rudolf, Mike Kezor and Brian Sack were in attendance to represent the request. Brian Sack stated that they wish to change the name of the subdivision along with the road and also out lot A is now listed as Lot 9 on the new plat. Chairman Spilinek asked for testimony in favor or opposition. There was none. The public hearing was closed. After a short discussion by the board Jeff Christensen made a motion to approve the name change of the BMW Estates to Back Nine Acres and the road name change. Ron Kulwicki seconded the motion. Motion Carried 6-0 roll call vote. Finding of Fact was completed and is attached.

At 8:15 PM a Public Hearing was opened to Vacate Hellwege Ranch Single Lot Administrative Subdivision in the NE ¼ of Section 20 Township 13 Range 12 in Howard County. Administrator Klinginsmith read the notice of meeting. Jake and Lacey Hellwege were in attendance to represent this request. Jake stated that they would like to change the property lines so they are vacating the current subdivision and creating a new one. Chainman Spilinek asked for testimony in favor or opposition. Being none the public hearing was closed. A motion was made by Chris Kosmicki to approve vacating Hellwege Ranch Single Lot Administrative Subdivision in the NE ¼ of Section 20 Township 13 Range 12 in Howard County. Jeff Christensen seconded the motion. Motion Carried Motion Carried 6-0 roll call vote.

Discussion was had regarding setbacks on lot 77 Lake of the Woods Subdivision. Marianne Raitt was present for the discussion. Administrator Klinginsmith informed the board that she approved a zoning permit for Marianne to build an addition to her residence with setbacks following the regulations. After the foundation was poured the Lake of the Woods Housing Authority contacted Klinginsmith stating that she is not meeting the setbacks. Klinginsmith then contacted Marianne and the contractor, and asked them to stop construction. Marianne stated that she had a survey done and everything was approved by the Lake of the Woods Housing Authority Board. After construction began the



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Surveyor stated that he made a mistake in measuring and she is now only three foot from the property line. She also had a survey done in 2018 when she purchased the property and the new survey does not match the previous one.

The discussion was put on hold to open the next Public Hearing.

At 8:25 PM a Public Hearing was opened for Hellwege Ranch Subdivision in the NE $\frac{1}{4}$ of Section 20 Township 13 Range 12 in Howard County. Jake and Lacey Hellwege were in attendance to represent this request. Jake again stated that this subdivision is necessary to change property lines. Chairman Spilinek asked for testimony in favor or opposition. Being none the public hearing was closed and discussion was had by the board. Jack Reimers made a motion to approve the Hellwege Ranch Subdivision in the NE $\frac{1}{4}$ of Section 20 Township 13 Range 12 in Howard County. Ron Kulwicki seconded the motion. Motion Carried 6-0 roll call vote. Finding of Fact was completed and is attached.

Discussion continued regarding setbacks on Marianne Raitt's Addition. She stated that she contacted the neighboring land owner about purchasing a small piece of his property so her addition will meet setbacks and was not successful in making an agreement. After much discussion the board advised her to apply for a Variance. Also Administrator Klinginsmith will talk to County Surveyor Tim Aitken and see if he can measure and locate the property pins.

With no further discussion Jeff Christensen made a motion to adjourn the meeting. Chris Kosmicki seconded the motion. The next meeting is tentatively scheduled for October 21, 2020 at 8:00 PM.

Nancy Usasz, Secretary