

# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING July 21, 2021

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 21<sup>st</sup> day of July, 2021.

Chairman Terry Spilinek called the meeting to order at 8:00PM and the Open Meeting Act was recognized. Administrator Cherri 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: Chris Kosmicki, Kenneth Kozisek, Ron Kulwicki, Daryl Anderson, Jeff Christensen, Dave Sack, and Terry Spilinek. Absent members: Jack Reimers and Randy Kauk. Also, present were Cherri Klinginsmith Planning & Zoning Administrator and Dave Schroeder Howard County Attorney. Members of the public present were: Marty Petersen and Wyatt Olson.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Dave Sack and seconded by Chris Kosmicki to approve the minutes of the June 16, 2021 meeting. The motion was carried on a unanimous voice vote.

**Administrator Report:** Administrator Klinginsmith reported that Mylar's for vacated subdivisions will not be required, but instead will be on legal size paper. Subdivisions will still be required to have a Mylar submitted.

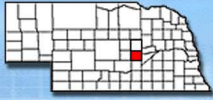
Klinginsmith also gave them a copy of a letter from Nebraska Department of Agriculture reminding counties of the Livestock Siting Assessment Matrix.

In reviewing the regulations after we changed the wording in Intensity to Use for residences in A-1, the sentence in A-3, under conditional uses needs to be removed for Ag operation. This will be a PH at our next business meeting in August. Klinginsmith and Ken Kozisek also reported on the Modern Livestock Facility Tour they attended on June 17, 2021. They visited a Swine and Poultry Production facilities in Osceola, and a Dairy Production at Rising City. They were impressed by the cleanliness of the facilities, no flies and no smell unless you came within 15 feet of the buildings.

**At 8:05PM a Public Hearing was to open for a Single Lot Subdivision for Warren & Nancy Glinsmann, however the BOA denied their request, so no discussion was had.**

**At 8:10PM a Public Hearing was opened to Vacate Line Shack Hill Subdivision with 10 acres by Petersen's located in NE ¼ Section 15-16-12.** Martin Petersen was present to represent his request. Martin stated they originally subdivided off the 10 acres in the N ½ of section and used a perpetual easement for their driveway on the S ½ section, now they are getting estate planning in order and they would like to include the driveway in their subdivision, so they need to vacate this one to make the new subdivision include the driveway and removing the easement. Administrator Klinginsmith stated if approved the new subdivision will be administratively handled since there is a residence on the acreage. With no testimony in favor or opposed. A motion was made by Dave Sack and seconded by Chris Kosmicki to approve the vacation of Line Shack Hill Subdivision located in the NE ¼ of Section 15-16-12. Motion carried by 7-0 Roll Call Vote.

**At 8:20PM a Public Hearing was opened to vacate Diehl Subdivision with 10 acres by Rodney & Susan Diehl, located in the NE ¼ of Section 33-13-12.** Wyatt Olson, relator was present to represent the Diehl's. The land is under contract and they would like the house and structures to be together on 20 acres and the remaining land on the 32 acres, with everything to be sold together and will not be split up. Currently the house and outbuildings are not together in the 10 acres. Administrator stated originally the house was divided for loan purposes and was on 55 acres. With no testimony



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in favor or opposed. A motion was made by Jeff Christensen and seconded by Ron Kulwicki to approve the vacation of Diehl Subdivision located in the NE  $\frac{1}{4}$  of Section 33-13-12. Motion carried by 7-0 Roll Call Vote.

Next on the agenda is a discussion regarding Hornady Training Facility with Howard County Attorney. Terry Spilinek mentioned that last month Steve Hornady brought the Hornady Training Facility Conditional Use Permit (CUP) to our zoning meeting for discussion because our zoning regulations included Trap & Skeet shooting. If you look up trap and skeet that is for shotgun games. Hornady's CUP doesn't fit shotgun games, they want to develop and test ammunition to train law enforcement, military and possibly FBI with high powered rifles. The other issue is this is a non ag-business going out into agricultural land, the location should be zoned differently to support that business and we do not allow spot zoning. Terry asked the County Attorney if he is accurate on stating that this doesn't fit the CUP of skeet & trap shooting. The County Attorney Schroeder agreed that the regulations don't allow a CUP for that type of activity, only trap and skeet, which doesn't fit Hornady's activity. Administrator Klinginsmith asked if she can call Steve Hornady and let him know that after the zoning board reviewed the CUP with the County Attorney, this activity is not allowed in Howard County by a CUP. The board agreed, but it should be in writing to Steve Hornady that this CUP activity is not an allowable in Howard County, per the zoning regulations.

Ron Kulwicki moved to adjourn the meeting and Dave Sack seconded the motion. Motion passed by a unanimous voice vote.

Cherri Klinginsmith,  
Howard County Planning & Zoning Administrator