



# Howard Planning and Zoning Minutes



## Minutes

### Howard County Planning & Zoning

August 18, 2021

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 18<sup>th</sup> day of August, 2021.

Chairman Terry Spilinek called the meeting to order at 8:00PM and the Open Meeting Act was recognized. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's Office. Roll call showed 6 members present: Chris Kosmicki, Jeff Christensen, Daryl Anderson, Terry Spilinek, Ken Kozisek, and Dave Sack. Absent members: Ron Kulwicki, Jack Reimers and Randy Kauk. Also present were Cherri Klinginsmith, Planning and Zoning Administrator, Dave Schroeder, Howard County Attorney, and Jennifer Ostendorf, Planning and Zoning Secretary. Members of the public present were: Ron Kunze, Brent Kunze, Craig Kuszak, Doug Liveringhouse and Michael Happ.

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 of the July 21, 2021 meeting. The motion was carried on unanimous voice vote.

**Administrator Report:** Administrator Klinginsmith updated the board that there is someone that had asked about feeding approximately 1200 head of cattle on crop land this fall thru spring. Previously feeding 500 head last year. He is aware of the 6-month time limit and said since he is increasing the number of cattle, he is willing to get a C.U.P. if that is what he needs to do. There is corn planted in field now so he will start to feed the cattle after harvest. Administrator Klinginsmith let the board know that she told the gentleman that as long as he doesn't go over the 6-month time frame that there isn't a need for a C.U.P. Administrator Klinginsmith will watch the cattle numbers during this time frame and if he goes over 6-months this year, then if he asks to feed cattle on the field again next year, she will require a C.U.P.. The zoning board felt it would be in the land owner's best interest to file for a conditional use permit in the future if this continues. The board was okay with the administrator's decision thus far.

Administrator Klinginsmith also shared with the board that the 2021 Nebraska Planning and Zoning Conference is in Kearney, September 15<sup>th</sup>-17<sup>th</sup> at the Younes Conference Center. If any board member would like to attend, registration is due September 1<sup>st</sup>.

**At 8:05 a Public Hearing for Multi-Lot Subdivision Ole Suzanna Replat by Doug Liveringhouse – NW ¼ SE ¼ Section 27-13-12 in Howard County.** Doug Liveringhouse was present to represent the request. Doug explained to the board that he recently bought all this land that he represents. It is currently 4 lots in the subdivision and he would like to change it to 3 lots. In Lot 1 he would like to add 30 feet to his east property line, (Lot A). Lot 2 and 3 he would like to combine to make one lot, (Lot B) and leave lot 4 as is. There was no testimony in favor or opposition. With no further discussion a motion was made by Dave Sack and seconded by Jeff Christensen to approve the multi-lot subdivision Ole Suzanna Replat Located in NW ¼ SE ¼ Section 27-13-12 in Howard County. Motion carried 6-0 Roll Call Vote. Finding of Fact attached.

**At 8:15 a Public Hearing for Amending Zoning Regulations, regarding A-3 Agricultural Conservation District under Conditional Uses.** Administrator Klinginsmith explained to the board that when discussion was had in April/May for zoning regulations this was missed. Administrator Klinginsmith brought to attention on page 122 of A-3 Zoning Regulations that under Conditional Uses #2, should be removed. With discussion from prior meeting in A-3 it doesn't matter if it is a farm or non-farm operation, as long as it is 80 acres. With no further discussion a motion was made by Chris Kosmicki and seconded by Ken Kozisek to amend zoning regulations regarding A-3 Agricultural Conservation District under Conditional Uses. This eliminates #2 under Conditional Uses. Motion passed with a 6-0 roll call vote.



# Howard Planning and Zoning Minutes



**At 8:20 a Public Hearing for C.U.P. Hornady Testing and Training Shooting Range by Hornady Manufacturing INC, Steve Hornady S ½ S ½ Section 30-15-9.** Chairman Spilinek informed the public that Administrator Klinginsmith informed him that a Hornady's Attorney had called to let the board know that Hornady Manufacturing INC is going to withdraw their current application at this time. The board had tabled this subject in June so Chairman Spilinek told the board they had to act on the motion that was tabled. Dave Sack moved and Ken Kozisek seconded a motion to deny a Conditional Use Permit for Hornady Testing and Training Shooting Range located S ½ of S ½ Section 30-15-9 in Howard County. Motion carried with a 6-0 Roll Call Vote.

**Discussion/Action – Dub's Acres Subdivision approval or Denial Statement**

Administrator

Klinginsmith said that she received a call from someone stating that they couldn't find Dub's Subdivision on file. After some research, Administrator Klinginsmith found that the subdivision was not ever filed. Since the subdivision wasn't ever filed Davis Surveying filed the survey only. Regulations in 1999 when this was started were that there wasn't a time limit to file. In 2012 the regulations changed that states you have 90 days to file or it becomes null and void. Administrator Klinginsmith shared with the board that if they allowed the subdivision to be filed as is now that the current landowners of adjoining land would lose land as some of the property lines are crossed with this subdivision. After much discussion Ken Kozisek moved and Dave Sack seconded motion to void the Dub's Subdivision and require a new survey in parts of section 1 & 12 Township 13 Range 11 and parts of Sections 6 & 7 Township 13 Range 10 in Howard County. Motion was carried with 6-0 roll call vote. Finding of Fact attached.

Jeff Christensen moved to adjourn the meeting and Dave Sack seconded the motion. Motion was carried with a unanimous voice vote.

Jennifer Ostendorf  
Planning and Zoning Secretary