

AGENDA
Planning & Zoning Meeting June 19, 2024

1. **Call to order – recognize Open Meeting Law – read the published notice of the meeting.**
 2. **Roll Call.**
 3. **Minutes**
 4. **Old Business-**
 5. **Administrator / Board Comments:**
 6. **Public Comment**
 9. **Final hearing on application by Esther Dush, Leonard Dush and Jerome Dush on a multi-lot subdivision named Dush Acres 2nd Subdivision – S ½ NW ¼ N ½ N ½ SE ¼ Section 20-13-9**
 10. **Application of a single lot subdivision application by Anton Oeltjen named J&S Riverview Subdivision – SW ¼ Section 20-T13N-R9W**
- Adjournment**

MINUTES

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 19th day of June 2024.

Chairman Terry Spilinek called the meeting to order at 8:00 P.M. 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 9 members present: Daryl Anderson, Jack Reimers, Jeff Christensen, Chris Kosmicki, Terry Spilinek, Randy Kauk, Ron Kulwicki, Kenneth Kozisek and Dave Sack. Also, present were Cherri Klinginsmith, Planning & Zoning Administrator and Jennifer Ostendorf, Planning and Zoning Secretary. Dave Schroeder, County Attorney was absent. Members of the public were Tylor Robinson, James Gdanitz, Leonard Dush Cassidy VanMeter, Mike Meineke, and Anton Oeltjen.

The agenda and minutes were e-mailed and mailed to the board members prior to the meeting. A motion was made by Ron Kulwicki and seconded by Jack Reimers to approve the minutes from the May 15, 2024 meeting. Motion carried by unanimous a voice vote.

Old Business: Administrator Klinginsmith informed the board that the Dirt Road Development vs Hirschman case is complete and the judgement was in favor of Dirt Road Development. After reviewing the judgement with the County Attorney Administrator Klinginsmith had G-works remove the odor footprint on the Hirschman parcel and approved all of the pending zoning permits.

Administrator/Board Comments: Administrator Klinginsmith informed the board the Marvin Planning Consultants were out touring the county on June 6, 2024. They came to see the county in preparation of the updating of the comprehensive plan and review of regulations.

Administrator Klinginsmith also gave an update to the board on the Blasé Feedlots. As of Tuesday June 18, 2024 there were cattle in pens 9,10 & 12. Jim Gdanitz was present to represent the feedlot. He told the board the surveyor has been contacted and hopefully they are out there next week. The dozer and grader arrived and as soon as the surveyor is available, they will start the work on fixing the grades to the pens. The plan is to have all the run off from pens run back onto the crop ground.

Administrator Klinginsmith told the zoning board that as long as she can see that they are working on the issues she doesn't plan to send it to the county attorney.

Final hearing on application by Esther Dush, Leonard Dush and Jerome Dush on a multi-lot subdivision named Dush Acres 2nd Subdivision – S ½ NW ¼ N ½ N ½ Se ¼ Section 20-T13N-R9W –

Leonard Dush was available to represent the request. At the last meeting it was asked for him to show the easement for entrance to the crop ground that was recently sold to the west of the subdivision. Leonard explained to the board there is a 30 ft easement on the east edge of property along Highway 281 that will allow access to the crop ground. Chairman Spilinek asked for testimony in favor or against. With none the public hearing was closed. After discussion among the board Dave Sack moved to approve the multi-lot subdivision named Dush Acres 2nd Subdivision. Ken Kozisek seconded the motion. Motion was passed with a 9-0 roll call vote. Finding of Fact attached. YES - Daryl Anderson, Jack Reimers, Jeff Christensen, Chris Kosmicki, Terry Spilinek, Randy Kauk, Ron Kulwicki, Kenneth Kozisek and Dave Sack.

Application of a single lot subdivision application by Anton Oeltjen named J&S Riverview Subdivision –

SW ¼ Section 20-T13N-R9W Anton Oeltjen and Mike Meineke were present to represent their request. Mike explained that they would like to subdivide off 5 acres to eventually build on. There is currently a 60-foot easement along the property for now because Anton still owns that but they do plan to move the easement to the north on the property that Mike's family owns to the north. This will prevent problems if Anton ever wants to sell the rest of the land. Chairman Spilinek asked for testimony in favor or against. With none the public hearing was closed. After discussion among the board Randy Kauk moved to approve the single lot subdivision application by Anton Oeltjen named J&S Riverview Subdivision. Dave Sack seconded the motion. Motion was passed with a 9-0 roll call vote. Finding of Fact attached. YES - Daryl Anderson, Jack Reimers, Jeff Christensen, Chris Kosmicki, Terry Spilinek, Randy Kauk, Ron Kulwicki, Kenneth Kozisek and Dave Sack.

The board went back to finish administrator comments with Administrator Klinginsmith informing the board of Justin Muller's home-based business. Administrator Klinginsmith also informed the board of a flood plain violation by Thomas Kaslon. Thomas has a creek that runs through his property and has changed the way the water flows. After the last big rain, the county has this caused property damage to the property to the south. His place was flooded causing a lot of damage and leaving a lot of trash behind. Administrator Klinginsmith has mailed a letter to Mr. Kaslon about this violation. The letter was also sent to Army Core of Engineers and (NDNR) Nebraska Department of Natural Resources.

With no further discussion Jack Reimers moved to adjourn the meeting with Ken Kozisek seconding the motion. Motion was passed with a unanimous voice vote.

Jennifer Ostendorf
Planning & Zoning Secretary