

Howard County Board of Board of Adjustment  
May 15, 2024, 2024  
AGENDA

1. Call to Order
2. Roll Call
3. Old Business
4. Administrator/Board Comments
5. Variance request by Mike & Katie Mathews – Allow residence in A-3 with less than 80 acres
6. Variance request by John Webb- allow a 3<sup>rd</sup> house in ¼ section

MINUTES

HOWARD COUNTY BOARD OF ADJUSTMENTS  
May 15, 2024

A meeting of the Howard County Board of Adjustments was convened in open and public session on the 15<sup>th</sup> day of May 2024 in the Assembly room of the Howard County Courthouse, St. Paul, Nebraska.

Vice Chairman Glen Killion called the meeting to order at 7:00 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 in the Howard County Clerk's Office.

Roll call showed 5 members present: Terry Spilinek, Dave Boehle, Mike Nelson, Chad Donscheski and Glen Killion. Absent member Janet Thomsen. Also, present was Cherri Klinginsmith, Howard County Zoning Administrator and Jennifer Ostendorf, Planning & Zoning Secretary. Absent Dave Schroeder, County Attorney. Members of the public were Mike Mathews, Katie Mathews, Gale Larsen, John & Lisa Webb, Tylor Robinson, Laura & Pete Berthelsen, Craig Kuszak, Jordan Robinson, Dee Kuszak, Fred Meyer and Lonnie Stewart.

The agenda and minutes were emailed to the Board of Adjustment members prior to the meeting. A motion was made by Mike Nelson and seconded by Dave Boehle to approve the minutes of the January 17, 2024 meeting. The motion carried by 5-0 roll call vote.

**Old Business:** None

**Variance application by Maedean, Michael and Kathleen Mathews – requesting to allow a residence with less than 80 acres in the A-3 (Agricultural Conservation) district – SW ¼ Section 23-15-10 –** Mike and Katie Mathews were present to represent their request. Mike had prepared a letter that he read explaining exactly what their plans are for the request. They have come to an agreement with Mike's mother and brother stating that Mike and Katie would purchase the house and building site to help maintain his parents' legacy on the property. Currently they have a 99-year lease but ultimately would like to be able to purchase the land the house and building they own is on. Administrator Klinginsmith mentioned to the board that this house was built prior to 2002 when flood plain and A-3 regulations were put in place. After much discussion Dave Boehle made a motion to approve the variance request to subdivide 4.06 acres where building site is because the house was built prior to flood plain and A-3

regulations. Chad Donscheski seconded the motion. Motion was passed with a 5-0 roll call vote. – Yes - Chad Donscheski, Mike Nelson, Terry Spilinek, Dave Boehle, & Glen Killion. Finding of Fact attached.

**Variance application by John Webb – requesting to allow a 3<sup>rd</sup> residence in ¼ section of A-1 district. - SW ¼ SE ¼ Section 5-13-10** – John and Lisa Webb were present to represent their request. John stated that in 2017 he and his wife purchased this land to eventually build a house there. John and his son raise hay on the land and John is working to get certified organic so that he can eventually offer organic grain for both animal and human consumption. He would also like to have cows but feels without living there that is not possible. John states that the area that he would like to build the house is land that doesn't grow anything except cactus and a few weeds. Administrator Klinginsmith mentioned that in 2017 when the land was purchased the regulation would have possibly allowed the house, but in 2021 regulations changed to 2 residences per ¼ section. After much discussion the board discussed that the regulations just don't allow them to grant the variance especially since just a few months ago they had to deny a request for very similar reasons. Chad Donscheski moved to deny the request to build a 3<sup>rd</sup> house in ¼ section due to no hardship with the land that would allow them to grant the request. Terry Spilinek seconded the motion. Motion was passed with a 5-0 roll call vote. – Yes - Chad Donscheski, Mike Nelson, Terry Spilinek, Dave Boehle, & Glen Killion. Finding of Fact attached.

With no further business Dave Boehle moved to adjourn the meeting with Chad Donschesky seconding the motion. Motion passed with a 5-0 vote.

Jennifer Ostendorf  
Planning & Zoning Secretary