

WASHINGTON COUNTY PLANNING COMMISSION MINUTES

April 2, 2015

7:00 p.m.

Supervisors Room, County Courthouse, 1555 Colfax Street, Blair, Nebraska

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“All Commission members receive staff reports approximately one week prior to the meeting”

MEMBERS PRESENT

Gary Lambrecht, President
Matt Mathiesen, Vice Chairman
Steve Neuverth
Lyle Schjodt
Terry Rasmussen
Dale Albracht

STAFF PRESENT

Tanna Wirtz
Teresa McBride

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COMMISSION ACTION:

Chairman Lambrecht called the meeting to order at 7:00 p.m.

With regard to the March 5, 2015 minutes, the following action was taken:

MOTION: Mathiesen
I move the minutes be approved as presented
SECOND: Neuverth
VOTE: Aye –Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none MOTION CARRIED

With regard to the agenda, the following action was taken:

MOTION: Rasmussen
I move the agenda be approved
SECOND: Schjodt
VOTE: Aye –Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none MOTION CARRIED

Chairman Lambrecht welcomed everyone and stated this meeting will be conducted in accordance with the Nebraska Open Meetings Act and a copy of that Act is posted in the room; and noted that copies of material the Commission has is also available on the table in the hall.

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OLD BUSINESS/RENEWALS

Conditional Use Permit reviews for April: Approved Administratively per County Zoning Regulations Section 6.14 and 6.18
Martin Hoer 05-02 2 house temporarily Revoked
Wirtz informed the commission that Martin Hoer had finished his house but had not moved in yet. She is giving him six months to decommission the old house back into a machine shed.

PUBLIC HEARINGS

CONDITIONAL USE PERMIT - Continued from March Meeting

1. Riverview RV Park, LLC - Jason Armstrong
Conditional use permit request is for Modifications of CUP to conform with the Zoning Regulation definitions for 2.03.221 Recreational Vehicle (RV) Park Complex. The complex may include the following services: restaurant, liquor sales, marina, RV and boat repair, fuel sales and convenience store. TL's 34, 36, 39 & 40 in 29-19-12. (General location 10022 Riverside Lane, Blair, NE).

Jason Armstrong addressed the commission, asking the Conditional Use Permit be updated to reflect the Regulations and Matrix per the new definition. Wirtz explains the status of their current CUP and the new definition for RV Park Complex. Armstrong plans on including liquor sales, marina, fuel sales and convenience store, some of which he has already been providing.

Armstrong also requested a longer review period. He currently has a five year renewal. Wirtz informs the commission that she has had no complaints in regards to the RV Park. Wirtz reminds Armstrong that the RV's must be kept license and on wheels.

Mathiesen asked Armstrong if he planned on the construction of any more building, to which Armstrong said no. Lambecht asks Armstrong about the convenience store, Armstrong advised that it is already being run out of an existing building. Neuverth asked if there were fuel tanks on site. Armstrong explained they have a mobile fuel truck.

Wirtz asked what the intention of the existing building was being used for when you first enter the RV Park, what are the future plans for it. Armstrong stated that the building had been repaired from the storm to protect it from the elements and may someday be fixed up as a club house with rooms that could be rented out. Wirtz reminded him of the limitations on property in the flood plain and stated the building cannot be habitual as it was prior to the flood.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Schjodt
I move to approve the Conditional Use Permit with the Modifications of CUP to conform with the Zoning Regulation definitions for 2.03.221 Recreational Vehicle (RV) Park Complex. The complex may include the following services: liquor sales, marina, mobile fuel sales and convenience store with a fifteen year review.

SECOND: Mathiesen

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

MOTION CARRIED

LOT SPLIT

2. Lot Split request for Donald Vogt Revocable Trust

To create a 3.01 acre split to separate the existing house and outbuildings from existing farm ground in the S ½ NW ¼ of Section 35 Township 19 North Range 10 East of the Sixth P.M. (location: 18712 Co. Rd. P16, Blair, NE).

Mike Vogt addressed the commission explaining he would like to separate the house and buildings from the existing farm ground creating a 3.01 acre tract as his son will be living in the house.

Neuverth asked if there was access to the back accessory buildings. Vogt explained there is an unofficial access road that the farmers use. Lambrecht questioned the space between the buildings and Vogt answered that the buildings were going to be torn down so there was not a problem. The well is within the boundary lines.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Lambrecht
I move to approve the Lot Split for Donald Vogt Revocable Trust as requested.

SECOND: Neuverth

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

MOTION CARRIED

REZONE

3. Rezone request for Donald Vogt Revocable Trust

Request to rezone from A-1 Agriculture Primary to A-LSR Agriculture-Lot Split Residential of a proposed 3.01 acre in the S ½ NW ¼ of Section 35 Township 19 North Range 10 East of the Sixth P.M. (location: 18712 Co. Rd. P16, Blair, NE)

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Lambrecht
I move to approve the rezone request for Donald Vogt Revocable Trust from A-1 Agriculture Primary to A-LSR Agriculture-Lot Split Residential.

SECOND: Neuverth

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

MOTION CARRIED

LOT SPLIT

4. Lot Split request for Keith and Anna Saville

To create a 3.01 acre split creating a buildable parcel for family member in the NE ¼ SE ¼ of Section 6 Township 18 North Range 11 East of the Sixth P.M. (location: 12247 Co. Rd. 25, Blair, NE).

Katie J. Lode addressed the commission and explained they wanted to split the land, so she could move a house on to the new parcel. The property is owned by her parents.

Neuverth questioned the accessory buildings. Lode explained the buildings would be on her parent’s parcel. The families will be sharing the lane. Wirtz explains that the new parcel will be given an address.

Mathiesen asked how many total acres? Lode advises a total of 80 acres.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Albracht
I move to approve the Lot Split from Keith and Anna Saville as requested.
SECOND: Rasmussen
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

MOTION CARRIED

REZONE

5. Rezone request for Keith and Anna Saville

Request to rezone from A-1 Agriculture Primary to A-LSR Agriculture-Lot Split Residential of a proposed 3.01 acre in NE ¼ SE ¼ of Section 6 Township 18 North Range 11 East of the Sixth P.M. (location: 12247 Co. Rd. 25, Blair, NE)

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Schjodt
I move to approve the rezone request for Keith and Anna Saville from A-1 Agriculture Primary to A-LSR Agriculture-Lot Split Residential.
SECOND: Rasmussen
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

MOTION CARRIED

6. Lot Split request for Janet Lang

To create a 7.361 acre split to separate the existing house and outbuildings from existing farm ground in NE ¼ NW ¼ and NW ¼ NE ¼ of Tax Lot 7, Section 20 Township 17 North Range 10 East of the Sixth P.M. (location: County Road 36 West of County Road 15, Arlington, NE).

Jacob Lang addressed the commission, stating he would like to purchase the house and 7.361 acres of land from his grandmother. Mathiesen inquires about the accessory buildings on the property. Lang advises that the buildings to the west are located on his parent's property.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Neuverth
I move to approve the Lot Split request for Janet Lang as requested.
SECOND: Albracht
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

MOTION CARRIED

REZONE

7. Rezone request for Janet Lang

Request to rezone from A-1 Agriculture Primary to A-LSR Agriculture-Lot Split Residential of a proposed 7.361 acre in NE ¼ NW ¼ and NW ¼ NE ¼ of Section 20 Township 17 North Range 10 East of the Sixth P.M. (location: County Road 36 West of County Road 15, Arlington, NE)

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Rasmussen
I move to approve the request to rezone for Janet Lang from A-1 Agriculture Primary to A-LSR Agriculture-Lot Split Residential

SECOND: Mathiesen

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht

Nay – none

MOTION CARRIED

FINAL PLAT

8. Final request of Bob Sheets

Final Plat of Sheets Hilltop Acres Subdivision, a proposed 2 lot residential subdivision of approx. 3.010 and 8.507 acre tracts, a subdivision of Tax Lot 14, Section 17, Township 19, North Range 11, East of the Sixth P.M. (general location: 15239 County Road P10, Blair, NE).

Bob Sheets or authorized agent was not present for the meeting. Wirtz informs Commission that nothing has changed from the Preliminary Plat.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

Lambrecht questions Wirtz as to concerns about the name, since there are already two other Subdivisions in the County that have “Hilltop” in their name. Wirtz explains that the name can still be changed even with the final plat, but no discussion had taken place during the Preliminary Plat by the County Board. Wirtz advises that the Preliminary Plat was approved with the waivers. Mathiesen was not concerned as it is only two lots and since they will have addresses, the name would not be used anyway.

MOTION: Mathiesen
I move to approve the Final plat of Sheets Hilltop Acres Subdivision with the following waivers:

1. Waiver of the public water requirements. No public water system exists in this area.
2. Waiver of internal road requirements for RS-1 Zoning. The lot that is to be zoned RS-1 already has access to the County Road. An additional driveway has been requested and approved for the 8.5 Acre lot that is to be zoned RS- 2. This includes items 1, 3, 4, 5 SID/HOA, 6, 7 ,8, 9, 10, 12, 14, Bond, 15, 16, 19 Bus and Mail area, 20 and 21.
3. Waiver of Public Green Space.
4. Waiver of Street Standards as no road is proposed.
5. Waiver of the Percolation Test – one septic system exists and there is 8.5 acre lot for the second.

SECOND: Albracht

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht

Nay – none

MOTION CARRIED

REZONE

9. Rezone request for Bob Sheets

Request to rezone Sheets Hilltop Acres from A-1 Agriculture Primary to RS-1 Rural Subdivision and RS-2, a proposed 2 lot residential subdivision of approx. 3.010 and 8.507 acre tracts, a subdivision of Tax Lot 14, Section 17, Township 19, North Range 11, East of the Sixth P.M. (general location: 15239 County Road P10, Blair, NE)

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Lambrecht
I move to approve the rezone request for Bob Sheets - Sheets Hilltop Acres Subdivision from A-1 Agriculture Primary to RS-1 Rural Subdivision and RS-2.
SECOND: Rasmussen
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none MOTION CARRIED

CONDITIONAL USE PERMIT

10. Conditional Use Permit request for John Tyson Farms (TSNJ)

Conditional use permit request is to construct and operate a 2499 head, 55 lb and above hog finishing confinement of the NW ¼ SE ¼ in Section 12, Township 19 North, Range 11 East of the Sixth P.M. (general location: North of County Road 10, East of County Road 33, Blair, NE).

John Tyson was present and explained to the Commission the plan to build a 225’ x 81’ confinement hog operation. He has a 99 year lease on the land where the building will be located and a 99 year lease on 1900 acres of land to spread the manure on. The manure would be injected into the land. He is following all the DEQ regulations. His plan is to diversify his holdings and have something for future generations.

Tyson explains that it does not sit in a floodplain. Wirtz stated that he has the elevation certificate and is waiting on a flood proofing certificate from a licensed engineer for the pit, which is 8’ deep. Tyson explains more about the pits to Commission. Schjodt inquires about any of the wells around there. Tyson stated the well would be 100’ from the building.

Anthony Navarro, 8906 N. 52nd St., Omaha, NE explained that they would be waterproofing the pit not only to DEQ standards, but also to Floodplain standards. The main point is to keep water out, not just to keep the manure in.

John Suker, 3880 Shelby, NE, a Certified Crop Advisor spoke to the commission. His job is to make sure all the DEQ regulations are followed. He explained that a public notice would run for 30 days. Schjodt asked why the public notice after the PC meeting instead of before. John explained that it is a State regulation and that the public would respond to DEQ with any questions or concerns.

Wirtz stated that nine letters went out to the connecting properties and no negative comments were received.

Lambrecht stated that the County does not require the manure to be injected, it could be surface applied. Tyson was told it was a DEQ requirement.

Mathiesen asked when the operation was projected to begin. Tyson said the projected date was August 2015.

Chairman Lambrecht opened the public hearing.

Bill Rhea spoke in favor of the applicant.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Mathiesen
I move to approve the CUP for John Tyson Farms (TSNJ) as requested with a renewal time of 35 years.
SECOND: Schjodt
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none MOTION CARRIED

NEW BUSINESS

Wirtz advised the Commission that LB106 was amended to state that Counties may choose to follow the State Matrix or use their own Matrix, if they have them.

Wirtz also informed the Commission, she has been given permission to get proposals to update the Regulations and Comprehensive Plan.

REPORTS FROM STAFF

Wirtz reported that the Planning and Zoning office had record revenue last month. The County has seen quite a bit of growth and several new houses are being constructed.

Schjodt asked about the results from the Board of Supervisor's meeting. Wirtz informed the Commission that the Bloodworth Winery request was denied.

ITEMS FROM THE MEMBERSHIP

Schjodt asked if there was some way to condense the Lot Split/Rezone process to one item instead of two, since they have to happen together. Wirtz explained that since they were two different items, they had to be voted on separately.

ITEMS FROM THE PUBLIC

Bill Rhea encouraged the Commission to make our Zoning Regulations, Livestock friendly, so the County can obtain the Livestock Friendly status.

ADJOURNMENT

MOTION: Neuverth
I move to adjourn the meeting.
SECOND: Albracht
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Schjodt, Rasmussen, Albracht
Nay – none

The meeting was adjourned at 8:15 p.m.

Gary Lambrecht, Chairman