

WASHINGTON COUNTY PLANNING COMMISSION MINUTES

October 3, 2019

7:00 p.m.

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

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

**MEMBERS PRESENT**

Gary Lambrecht  
Matt Mathiesen  
Steve Neuverth  
Terry Rasmussen  
Lyle Schjodt  
Doug Wolfe  
Mike Anderson

**STAFF PRESENT**

Ryan Sullivan  
Teresa McBride  
Lori Diefenbaugh

**COMMISSION ACTION:**

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

Roll call by Ryan Sullivan, WCPZA. All members were present.

With regard to the September 5, 2019 minutes, the following action was taken:

MOTION: Mathiesen  
I move the minutes be approved.  
SECOND: Anderson  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay - none

MOTION CARRIED

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

MOTION: Rasmussen  
I move the agenda be approved as presented.  
SECOND: Wolfe  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
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 on the door and wall.

**OLD BUSINESS**

Conditional Use Permit reviews: Approved Administratively per County Zoning Regulations Section 6.14 and 6.18.  
No old Business

**PUBLIC HEARING**

**1. Lot Split**

John Kruger requests one time lot split for property zoned A-1 in accordance with Section 2.02.06 of the subdivision regulations. Property is located in NW ¼ SW ¼ Section 26 Township 19 North-Range 9 East of the 6<sup>th</sup> PM. (General Location is CR 7 and CR 16, Arlington NE)

John Kruger was present and explained to the Planning Commission that he wishes to split the home from the farmland. Informed the Commission that the property was connected to a rural water line.

Chairman Lambrecht opened the public hearing.  
Chairman Lambrecht closed the public hearing.  
Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Schjodt  
I make a motion to approve the Lot Split.  
SECOND: Rasmussen  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – none

MOTION CARRIED

2. Rezone

John Kruger is required to rezone the lot split property from A-1 to A-LSR in accordance with Section 2.02.07 of the subdivision regulations. Property is located in NW ¼ SW ¼ Section 26 Township 19 North-Range 9 East of the 6<sup>th</sup> PM. (General Location is CR 7 and CR 16, Arlington NE)

Chairman Lambrecht opened the public hearing.  
Chairman Lambrecht closed the public hearing.  
Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Anderson  
I make a motion to approve the Rezone.  
SECOND: Wolfe  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – none  
MOTION CARRIED

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3. Lot Split

Fred Hagerbaumer requests one time lot split for property zoned A-1 in accordance with Section 2.02.06 of the subdivision regulations. Property is located NW ¼ of Section 29 Township 19 North-Range 9 East of the 6<sup>th</sup> PM. (General Location is CR 14, Hooper NE)

Fred Hagerbaumer was present and explained that he wished to split the buildings from the farmland for his son. He informed the Commission that there was an existing home on the property using the lot split.

Chairman Lambrecht opened the public hearing.  
Chairman Lambrecht closed the public hearing.  
Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Mathiesen  
I make a motion to approve the Lot Split.  
SECOND: Neuverth  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – none  
MOTION CARRIED

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4. Rezone

Fred Hagerbaumer is required to rezone the lot split property from A-1 to A-LSR in accordance with Section 2.02.07 of the subdivision regulations. Property is located NW ¼ of Section 29 Township 19 North-Range 9 East of the 6<sup>th</sup> PM. (General Location is CR 14, Hooper NE)

Chairman Lambrecht opened the public hearing.  
Chairman Lambrecht closed the public hearing.  
Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Schjodt  
I make a motion to approve the Rezone.  
SECOND: Anderson  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – none  
MOTION CARRIED

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5. Text Amendment (Referred back from County Board of Supervisors August 2019 meeting)

Cathy Stephens requests a text amendment to the zoning regulations and land use matrix in accordance with Section 1.06 and 2.03.226 of the zoning regulations. The request is to add a definition for ‘Bed and Breakfast Establishment’ to Section 2.03.50. The request will also add ‘Bed and Breakfast Establishment’ as a conditional use in the RA zoning district of the land use matrix.

This item was referred back to the commission from the Board. The Commission was provided with the original definition and the amended definition for the request. Sullivan read the amended definition to be considered by the Commission: To add Section 2.03.234 Short Term Lodging Establishment which shall provide for short term lodging in a house which may include accessory structures and other features immediately surrounding the home and yard such as pools, hot tubs, and gazebos. The number of occupants shall not exceed more than two per each bedroom that meet residential building code standards. Regardless of the number of bedrooms, the total number of occupants shall not exceed ten. The

number of guest vehicles shall not exceed the number of bedrooms that meet residential building code standards. Short term lodging establishment owner occupied as defined in Section 2.03.234 shall be listed as a conditional use in the residential zoning districts. Short Term Lodging Establishment vacant as defined in Section 2.03.234 shall be listed as a conditional use in the commercial zoning districts.

Cathy Stephens addressed the commission with disagreement over the change in the amendment in the number of occupants from 15 to 10. Stephens indicated that the name change was not a concern, but the number of occupants was a concern.

There was discussion regarding the Board of Supervisor's meeting, the recommendation from the Planning Commission, and the change in the name of the amendment. Scott VanderSchaaf, County Attorney, corrected inaccurate information regarding the information the Supervisor's were given and explained the reason for the name change and number of occupants to meet building code. The County Attorney explained the Board of Supervisors was given the exact motion made by the Planning Commission. VanderSchaaf confirmed the changes to clarify the name and to meet building code. Public safety has to be a concern for the County, and that the Board discussed the changes and asked the amendment be sent back to the Planning Commission for clarification.

Chairman Lambrecht opened the public hearing.  
Chairman Lambrecht closed the public hearing.  
Chairman Lambrecht asked for thoughts and actions from the Commission.

Lambrecht asked for explanation on Building Code. Kris Robinson, Washington County Building Inspector, answered questions. There were comments from County Attorney and County Board Supervisor, Lisa Kramer.

MOTION: Mathiesen

I make a motion to add Section 2.03.234 Short Term Lodging Establishment which shall provide for short term lodging in a house which may include accessory structures and other features immediately surrounding the home and yard such as pools, hot tubs, and gazebos. The number of occupants shall not exceed more than two per each bedroom that meet residential building code standards. Regardless of the number of bedrooms, the total number of occupants shall not exceed ten. The number of guest vehicles shall not exceed the number of bedrooms that meet residential building code standards. Short Term Lodging Establishment as defined in Section 2.03.234 shall be listed as a conditional use in the residential zoning districts.

SECOND: Wolfe

VOTE: Aye – Lambrecht, Mathiesen, Rasmussen, Wolfe, Anderson  
Nay – Schjodt, Neuverth

MOTION CARRIED

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## 6. Rezone

Cathy Stephens requests a rezone of property from A-1 Primary Agriculture to RA Rural Acreage. Property is located 5009 CR 39, Ft Calhoun NE.

Chairman Lambrecht opened the public hearing.  
Chairman Lambrecht closed the public hearing.  
Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Anderson

I make a motion to approve the Rezone.

SECOND: Rasmussen

VOTE: Aye – Lambrecht, Mathiesen, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – Neuverth

MOTION CARRIED

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## 7. CUP Extension

Dustin Andersen requests an extension for a CUP obtained to construct an accessory building prior to the construction of a primary building in accordance with Section 3.15.02 of the Zoning Regulations. Property is Tax Lot 25 in Section 29 Township 17 North-Range 12 East of the 6<sup>th</sup> PM. (General Location is Co Rd P38, Omaha NE)

Dustin Andersen asked the Planning Commission to give him another year to build his house. He has started dirt work and hopes to have footings before frost. He does not have a building permit yet and hasn't hired a builder. He hopes to do most of the work himself but he will hire out some things. He would not consider what he does there a business. He stores equipment there and his employees come and go. No one lives in the building. There is a man cave Kris has seen and he will take out the bathing facilities once his house is built. He believes himself to be a good neighbor. The house will be 2100 sq ft. ranch.

Chairman Lambrecht opened the public hearing.

Lisa Kramer spoke on behalf of neighbors, voicing concerns over land use and no home being built in the set time.

Peter Massa, neighbor to Andersen, spoke regarding concerns over the property use, the effect on neighboring properties and consequences for not following a CUP.

County Attorney explained that zoning violations can be addressed by the county at any time.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Anderson  
I make a motion to deny the request for an extension.  
SECOND: Rasmussen  
VOTE: Aye – Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – Lambrecht

MOTION CARRIED

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### 8. CUP

Phillip Sorensen requests a CUP for an accessory building prior to construction of the primary building on property zoned A-1 in accordance with Section 3.15.02 of the Zoning Regulations. Property is Tax Lot 17 in Section 15 Township 19 North-Range 10 East of the 6<sup>th</sup> PM. (General Location is Co Rd P10 and Co Rd 17, Herman NE)

Philip Sorensen explained to the commission that he wanted to build a 40' x 60' accessory building to store equipment. He plans to build in the spring. He has house plans but no building permit yet.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Wolfe  
I make a motion to approve the CUP for two years.  
SECOND: Schjodt  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – none

MOTION CARRIED

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### 9. CUP

Jared Reinoehl requests a CUP for an accessory building at a primary building setback on property zoned RS-1 in accordance with Section 5.08.06 of the Zoning Regulations. Property is Lot 32 in Cottonwood Creek subdivision. (General Location is Indian Grass Circle, Blair NE)

Jared Reinoehl explained to the Planning Commission that the garage on his property should have had a CUP to have the same setback as the residence but it was never obtained. He is getting this building compliant so he can add on to it.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Mathiesen  
I make a motion to approve the CUP.  
SECOND: Neuverth  
VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson  
Nay – none

MOTION CARRIED

NEW BUSINESS

ITEMS FROM THE STAFF

Planning Office issues completed draft copy of Zoning Regulation and Comprehensive Plan to members of Planning Commission.

ITEMS FROM THE MEMBERSHIP

ITEMS FROM THE PUBLIC

ADJOURNMENT

MOTION: Mathiesen

I move to adjourn the meeting.

SECOND: Rasmussen

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Rasmussen, Schjodt, Wolfe, Anderson

Nay – none

MOTION CARRIED

The meeting was adjourned at 9:16.

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Gary Lambrecht, Chairman