

WASHINGTON COUNTY PLANNING COMMISSION MINUTES

March 4, 2021 7:00 PM

Blair Public Library, 2233 Civic Dr, Blair Nebraska

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

1. COMMISSION ACTION:

1.1. **Roll Call of Members** - All present

1.2. **Approval of February 4, 2021 minutes.**

Shewchuk stated that the initial minutes that went out had an incorrect meeting location and was now corrected.

Motion Anderson and second by Mathiesen to approve the minutes of the February 4, 2021 meeting of the Washington County Planning Commission as presented. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Aye, Smith: Aye
Aye: 7, Nay: 0

1.3. **Approval of Agenda**

Motion Neuverth and second by Rasmussen to approve the agenda as presented. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Aye, Smith: Aye
Aye: 7, Nay: 0

1.4. **Open Meetings Act Posting:** 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 back wall. The Open Meetings Act can also be found online.

2. OLD BUSINESS

Randy Blomker	Administrative review of CUP 07-08, application of Bio Solids
Camp Fontenelle	Administrative review of CUP 09-02, operation of RV Park
Hoegermeyer Farms	Administrative review of CUP 98-07, application of Sludge
Kriete Farms	Administrative review of CUP 14-05, application of Sludge
John Tyson	Administrative review of CUP 07-04, application of Bio Solids
Robert Peterson	Administrative review of CUP 07-06, application of Bio Solids
Neale Farms, Inc	Administrative review of CUP 07-07, application of Bio Solids
Neale Farms, Inc	Administrative review of CUP 14-04, application of Sludge
Neale Farms, Inc	Administrative review of CUP 14-06, application of Bio Solids
Jeff & Maria Bledsoe	Administrative review of CUP 08-02, lighted sign
Hoier/Bottger/Hoier	Administrative review of CUP 14-03, application of Bio Solids

3. PUBLIC HEARINGS

3.1. LOT SPLIT AND CHANGE OF ZONE

Robert and Jane Frahm are requesting approval of a one-time lot split of the NE 1/4 SW 1/4 of Section 16 Township 17 North, Range 12 East of the 6th P.M. and a change of zone from A-1 to A-LSR for the newly created parcel. This request is in accordance with Section 2.02 of the Subdivision Regulations and Section 5.07 of the Zoning Regulations. The property is located at 4503 County Road P39, Fort Calhoun, NE.

3.1.1. Recognition of staff report in the Commission packet

3.1.2. Any new/additional comments from the Planning Administrator

3.1.3. Presentation by the applicant

Jane Frahm presented application stating she would like to split off the buildings from the farm ground to sell.

3.1.4. Comments from the Commission

3.1.5. Chairman opens the public hearing

3.1.6. Chairman closes the public hearing

3.1.7. Chairman turns item over to the Commission for their thoughts and actions

Discussion regarding the buildings meeting setbacks and if dedication of right-of-way had been done.

3.1.8. Action by Commission to approve, approve with conditions, deny, or continue (for stated reasons) this request

Motion Lambrecht and second by Neuverth to approve the request by Robert and Jane Frahm for a one-time lot split of the NE 1/4 of the SW 1/4 of Section 16-17-12 and a change of zone from A-1 to A-LSR for the newly created parcel. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Aye, Smith: Aye
Aye: 7, Nay: 0

3.2. CONDITIONAL USE PERMIT

Bruce Schmidt/Schmidt Elkhorn Valley Farm requests approval for a CUP for a Borrow Pit on property zoned A -1 in accordance with Section 7.02 of the Zoning Regulations. Property is described as NW 1/4 SE 1/4 and TL 12 in Section 10 Township 18 North, Range 9 East of the 6th P.M. (General location is north side of State Hwy 91 & between County Roads 5 & 7, Nickerson, NE)

3.2.1. Recognition of staff report in the Commission packet

3.2.2. Any new/additional comments from the Planning Administrator

Shewchuk stated that the updated report had gone out to the commission the day before the meeting. Chairman confirmed all had received it.

3.2.3. Presentation by the applicant

Applicant was not present. Anderson verified if there was a sign on the courthouse door stating the meeting was at the Blair Library. Commission discussed moving this agenda item to the end of the meeting.

3.2.4. Chairman opens the public hearing

Chairman verified if anyone was present that wanted to speak about this agenda item before moving on.

3.2.5. Chairman closes the public hearing

Commission moved this agenda item to the end of the meeting to allow applicant more time to show.

3.3. CONDITIONAL USE PERMIT

Gary Ewart requests approval of a CUP to operate a warehouse and distribution center on property zoned A -1 on Tax Lot 81, Section 30-17-13. Property is located at 4131 County Road P38, Omaha, NE.

3.3.1. Recognition of staff report in the Commission packet

3.3.2. Any new/additional comments from the Planning Administrator

3.3.3. Presentation by the applicant

Gary Ewart presented application giving an overview of his business and what would be stored on sight.

3.3.4. Comments from the Commission

Discussion regarding if applicant would be living on location, which building supplies would be stored in, size of delivery trucks, type of products being stored

3.3.5. Chairman opens the public hearing

J. Michael Fitzgerald presented the Commission with a copy of the minutes from the Golden application stating he felt the same rules should apply and that he would be in favor if done. Vance Delehoy stated he had no objections.

William Neal had concerns of the product being flammable, large amounts of epoxy being stored there, in which building it would be stored in and location of the creek and well for possible contamination. Ronald Woracek asked about hours of operation, number of employees & any plans for expansion.

3.3.6. Chairman closes the public hearing

Hours of operation was discussed along with quantity of product kept on sight. Ewart stated the majority of time, they worked 5 days a week and that he currently had 2 employees for the Omaha area. Normal quantities of epoxy stored there would be a couple of pallets of 5 gallon plastic drums - total of 250 - 300 gallons at any one time and that he usually had large quantities shipped directly to the job sight. The epoxy is burnable, but would not explode so it was not considered flammable. He would like a 30 year term.

3.3.7. Chairman turns item over to the Commission for their thoughts and actions

Discussion of length of CUP, hours of operation and number of employees.

3.3.8. Action by Commission to approve, approve with conditions, deny, or continue (for stated reasons) this request Motion Mathiesen and second by Hartzell to approve the request by Gary Ewart for a Conditional Use Permit for a 30 year term, limited to the building he indicated in the application, and for warehousing and distribution - no retail sales on the property located at 4131 County Road P38, Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Aye, Smith: Aye
Aye: 7, Nay: 0

3.4. CHANGE OF ZONE AND CONDITIONAL USE PERMIT

Chelsea and Chris Samson are requesting approval of a change of zone from A -1 to RS-2 and a Conditional Use Permit to operate a short-term lodging establishment on Tax Lot 39, Section 33-18-12. The property is located at 7970 County Road 41, Fort Calhoun, NE.

3.4.1. Recognition of staff report in the Commission packet

3.4.2. Any new/additional comments from the Planning Administrator

3.4.3. Presentation by the applicant

Chelsea and Chris Samson presented their application and an overview of their business plan.

3.4.4. Comments from the Commission

Discussion about already doing business, how big the house was, occupancy allowed which would be 2 per bedroom with a maximum of 10, parking area and number of cars on premise and length of term of the CUP.

3.4.5. Chairman opens the public hearing

3.4.6. Chairman closes the public hearing

3.4.7. Chairman turns item over to the Commission for their thoughts and actions

Discussions regarding the change of zone, the difference between a Bed and Breakfast vs. Short Term Lodging, and the change in setbacks for new structures

3.4.8. Action by Commission to approve, approve with conditions, deny, or continue (for stated reasons) this request

Motion Anderson and second by Hartzell to approve the request by Chris and Chelsea Samson for a change of zone from A-1 to RS-2 on property located at 7970 County Road 41. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Aye, Smith: Aye

Aye: 7, Nay: 0

Motion Anderson and second by Smith to approve the request of Chris and Chelsea Samson for a 5 year term with a 1 year administrative review for a Conditional Use Permit to operate a short-term lodging establishment on property located at 7970 County Road 41. 5 years. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Aye, Smith: Aye

Aye: 7, Nay: 0

3.5. TEXT AMENDMENT

Request by Jeff and Maria Bledsoe to amend the Washington County Zoning Regulations by adding "Limited Festivals and Events" as a Conditional Use in the A-1 Zoning District.

3.5.1. Recognition of staff report in the Commission packet

3.5.2. Any new/additional comments from the Planning Administrator

Nothing new was presented to the Administrator prior to the meeting

3.5.3. Presentation by the applicant

Not present

3.5.4. Comments from the Commission

3.5.5. Chairman opens the public hearing

3.5.8. Chairman closes the public hearing

3.5.7. Chairman turns item over to the Commission for their thoughts and actions

Discussion regarding distance to adjacent properties, limited time frames of events, parking, security, hard surfaced road, what should be included on the CUP application and if the Special Event permit could be administratively approved.

3.5.9. Action by Commission to approve, approve with conditions, deny, or continue (for stated reasons) this request

Motion Hartzell and second by Lambrecht to approve the Text Amendment with the following changes:

1. Under section 2: 'Event Venue shall mean a facility' instead of 'Event Venue shall mean an establishment'.

2. Under section 2: 'Such a use may include' instead of 'Such a use may or may not include'.

3. Under section 3: 'The facility shall be no less than 750 ft from any adjacent residential structure' instead of 'the proximity of the facility to property lines and adjacent residential structures'.

4. Under section 3: 'Direct access to a hard surfaced road' instead of 'Proximity of the property to a paved highway or county road'.

5. Under section 3: 'Timing and frequency at which events may occur' instead of 'The frequency at which events may occur'.

6. Under section 3: add 'The facility shall provide adequate all weather off street parking'. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Nay, Rasmussen: Aye, Smith: Nay

Aye: 5, Nay: 2

3.2. CONDITIONAL USE PERMIT

Bruce Schmidt/Schmidt Elkhorn Valley Farm requests approval for a CUP for a Borrow Pit on property zoned A-1 in accordance with Section 7.02 of the Zoning Regulations. Property is described as NW 1/4 SE 1/4 and TL 12 in Section 10 Township 18 North, Range 9 East of the 6th P.M. (General location is north side of State Hwy 91 & between County Roads 5 & 7, Nickerson, NE)

3.2.1. Recognition of staff report in the Commission packet

3.2.2. Any new/additional comments from the Planning Administrator

3.2.3. Presentation by the applicant

Applicant/authorized agent was not present. Shevchuk and Diefenbaugh answered questions and explained what the applicant wanted to do.

3.2.4. Comments from the Commission

Discussion regarding the previous borrow pit application on this property.

3.2.5. Chairman opens the public hearing

3.2.6. Chairman closes the public hearing

3.2.7. Chairman turns item over to the Commission for their thoughts and actions

3.2.8. Action by Commission to approve, approve with conditions, deny, or continue (for stated reasons) this request Motion Mathiesen and second by Anderson to approve the request for one year for a Conditional Use Permit for a borrow pit on the NW 1/4 of the SE 1/4 and Tax Lot 12 in Section 10-18-9. Motion Carried.

Anderson: Aye, Hartzell: Nay, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Aye, Smith: Aye
Aye: 6, Nay: 1

4. NEW BUSINESS:

5. REPORTS FROM STAFF:

Shewchuk stated that he would not be available for the May meeting. The meeting date may be moved to another date.

6. ITEMS FROM THE MEMBERSHIP:

7. ITEMS FROM THE PUBLIC:

8. ADJOURNMENT:

Motion Anderson and second by Hartzell to adjourn the March 4, 2021 meeting of the Washington County Planning Commission at 9:07 pm. Motion Carried.

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Aye, Smith: Aye
Aye: 7, Nay: 0

Gary Lambrecht, Chairman