

## WASHINGTON COUNTY PLANNING COMMISSION MINUTES

Thursday, April 6, 2023

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”

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Chairman Mathiesen called the meeting to order at 7:00 PM

### Roll Call of Members

All members present with Lambrecht arriving at 7:03 pm. Also in attendance was Shewchuk, Diefenbaugh & McBride

### Approval of March 9, 2023 minutes.

Motion Hoegermeyer and second by Hartzell to approve the minutes of the March 9, 2023 meeting of the Washington County Planning Commission as presented. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Absent, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 6, Nay: 0, Absent: 1

### Approval of Agenda

Planning & Zoning Administrator certifies that a notice of the meeting was given by publication in The Enterprise, the Official Newspaper of Washington County, on March 24, 2023, and is on file in the Planning & Zoning office.

Motion Anderson and second by Hartzell to approve the agenda as presented. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Absent, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 6, Nay: 0, Absent: 1

### Open Meetings Act Posting

Chairman Mathiesen 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. The Open Meetings Act can also be found online.

### OLD BUSINESS

Cottonwood Marina Administrative review of CUP 15-05 - off premise sign

Camp Fontanelle Administrative review of CUP 15-04 - off premise sign

Conditional Use Permit reviews: Approved Administratively per County Zoning Regulations Section 6.14 and 6.18.

### PUBLIC HEARINGS

THE WASHINGTON COUNTY BOARD OF SUPERVISORS WILL ACT UPON THE PLANNING COMMISSION RECOMMENDATIONS AT 3:00 P.M. ON APRIL 25, 2023, IN THE SUPERVISORS ROOM, COURTHOUSE, BLAIR, NEBRASKA. (FOR APPLICABLE AGENDA ITEMS)

#### CONDITIONAL USE PERMIT

Tim and Tinna Burkhardt are requesting approval of a CUP to temporarily allow 2 single-family residences on property zoned A-1 during construction. Property is described as Tax Lot 10 in Section 17- Township 18 North-Range 11 East of the Sixth P.M. Location is 15251 County Road 22, Blair, NE.

Recognition of staff report in the Commission packet

Any new/additional comments from the Planning Administrator

Tim Burkhardt presented the application noting the current house will probably be destroyed once the new home is done.

Presentation by the applicant

Comments from the Commission

Chairman opens the public hearing

Chairman closes the public hearing

Additional comments from the Commission

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

Motion Smith and second by Taylor to recommend approval to the request of Tim and Tinna Burkhardt for a Conditional Use Permit to temporarily allow two dwellings on one parcel on Tax Lot 10 in Section 17-18-11, with a two-year term. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 7, Nay: 0

#### CONDITIONAL USE PERMIT RENEWAL

Robert Dailey, representing Consolidated Concrete, LLC. is requesting approval for a renewal of a CUP to operate a temporary concrete batch plant on property zoned I-3 old. The property is described as TL 18 in Section 1- Township 17 North-Range 12 East of the Sixth P.M. General location is County Road P30 & US Hwy 75, Fort Calhoun, NE.

Recognition of staff report in the Commission packet

Any new/additional comments from the Planning Administrator

Presentation by the applicant

Bob Dailey presented the application

Comments from the Commission

Discussion regarding if the Dollar General project ended early if the permit would be dosed. It would not be and Consolidated may even seek another extension.

Chairman opens the public hearing

Chairman closes the public hearing  
Additional comments from the Commission  
Action by Commission to approve, approve with conditions, deny, or continue (for stated reasons) this request

Motion Anderson and second by Lambrecht to recommend approval to the request of Robert Dailey, for Consolidated Concrete, LLC, for a Conditional Use Permit Renewal to operate a temporary batch plant on Tax Lot 18 in Section 1-17-12, for a two-year term. Motion Carried.  
Anderson: Aye, Hartzell: Nay, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 6, Nay: 1

**CONDITIONAL USE PERMIT**

Derrick Schneider is requesting approval of a CUP to temporarily allow 2 single-family residences during construction on property zoned A-LSR. Property is described as TL 13 in Section 20- Township 18 North-Range 11 East of the Sixth P.M. Location is 15764 County Road 26, Kennard, NE.

Recognition of staff report in the Commission packet  
Any new/additional comments from the Planning Administrator  
Presentation by the applicant

Derrick presented application.

Comments from the Commission  
Chairman opens the public hearing  
Chairman closes the public hearing  
Additional comments from the Commission

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

Motion Lambrecht and second by Hoegermeyer to recommend approval to the request of Derrick Schneider for a Conditional Use Permit to temporarily allow two single-family dwellings on one parcel on Tax Lot 13 in Section 20-18-11, for a two-year term. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 7, Nay: 0

**LOT SPLIT AND REZONE**

Scott Stork is requesting a one-time lot split for property zoned A-1 in accordance with Section 2.04 of the Subdivision Regulations and a change of zone from A-1 to A-LSR in accordance with Section 5.07 of the Zoning Regulations. Property described as TL 3 in Section 14- Township 18 North-Range 10 East of the Sixth P.M. General location is County Road 22 (State Hwy 91) & County Road P19, Blair, NE.

Recognition of staff report in the Commission packet  
Any new/additional comments from the Planning Administrator  
Presentation by the applicant

Applicant was not present. Commission proceeded with the application.

Comments from the Commission  
Chairman opens the public hearing  
Chairman closes the public hearing  
Additional comments from the Commission

Discussion amongst the Commission regarding tabling the application. Concerns that applicant is not present.

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

Motion Smith and second by Taylor to recommend approval to the request of Scott Stork for a one-time lot split of Tax Lot 3 in Section 14-18-10 and a change of zone from A-1 to A-LSR for the newly created parcel. Motion Carried. Anderson: Nay, Hartzell: Nay, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 5, Nay: 2

**LOT SPLIT AND REZONE**

Scott Stork is requesting a one-time lot split for property zoned A-1 in accordance with Section 2.04 of the Subdivision Regulations and a change of zone from A-1 to A-LSR in accordance with Section 5.07 of the Zoning Regulations. Property described as SW1/4 NE1/4 in Section 14- Township 18 North-Range 10 East of the Sixth P.M. General location is County Road P19 & County Road 22 (State Hwy 91), Blair, NE.

Recognition of staff report in the Commission packet  
Any new/additional comments from the Planning Administrator  
Presentation by the applicant

Applicant was not present. Commission proceeded with the application.

Comments from the Commission  
Chairman opens the public hearing  
Chairman closes the public hearing  
Additional comments from the Commission

Discussion regarding what the applicant was planning on doing with the property being split out.

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

Motion Smith and second by Lambrecht to recommend approval to the request of Scott Stork for a one-time lot split of the SW 1/4 of the NE 1/4 of Section 14-18-10 and to a change of zone from A-1 to A-LSR for the newly created parcel. Motion Carried. Anderson: Nay, Hartzell: Nay, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 5, Nay: 2

**CONDITIONAL USE PERMIT**

Vaughan and Connie Korh are requesting approval to operate a RV Park on property zoned A-1. Property is described as TL 83 in Section 27 - Township 19 North-Range 11 East of the Sixth P.M. Location is 14489 US Hwy 75, Blair, NE.

Recognition of staff report in the Commission packet

Any new/additional comments from the Planning Administrator

A letter from the Audubon Society was added. Pictures added regarding excavation of dirt at that location. A boundary adjustment is currently being done with the neighbor.

Presentation by the applicant

Vaughan presented the application.

Comments from the Commission

Concerns about the property going to under 10.01 once the boundary line adjustment is completed, questions regarding the holding tank and septic system and the state statute regarding public water systems. To comply with the state statute, he would have to remove 2 camping pads to qualify. Additional discussions regarding length of time there would be camping if applicant was planning on having shower/bath house and if the pads would be paved or gravel. Applicant is planning on being open year-round, no shower/bath house, but would like to have a storm shelter and he is unsure if the pads will be paved/graveled.

Chairman opens the public hearing

Chairman closes the public hearing

Four people discussed multiple concerns

Additional comments from the Commission

Anderson asked applicant if he would like to address the questions brought up. Applicant responded.

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

Motion Smith and second by Hartzell to recommend denying the request of Vaughn and Connie Korth for a Conditional Use Permit to operate a Recreational Vehicle Park on Tax Lot 83 in Section 27-19-11. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 7, Nay: 0

### **CONDITIONAL USE PERMIT**

Aaron and Michael Doll are requesting approval of a CUP to operate a borrow pit on property zoned A-1. Property is described as NW1/4 SE1/4 & TL12 and N1/2 SW1/4 & TL 13 in Section 10 - Township 18 North-Range 9 East of the Sixth P.M. General location is State Hwy 91 & County Road 7, Nickerson, NE.

Recognition of staff report in the Commission packet

Any new/additional comments from the Planning Administrator

Shewchuk stated pictures were added day of meeting

Presentation by the applicant

Aaron presented application. They are requesting a 2 year time frame and may extend.

Comments from the Commission

Discussion regarding a pile of dirt owned by the state and possible action by them.

Chairman opens the public hearing

Chairman closes the public hearing

Additional comments from the Commission

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

Motion Hoegermeyer and second by Lambrecht to recommend approval to the request of Aaron and Michael Doll for a Conditional Use Permit to operate a borrow pit on the Northwest Quarter of the Southeast Quarter, the North Half of the Southwest Quarter, and Tax Lots 12 and 13 in Section 10-18-9 for a two-year term, subject to receiving necessary approvals from the Nebraska Department of Transportation and the Nebraska Department of Environment and Energy. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 7, Nay: 0

### **TEXT AMENDMENT**

A request to amend the Washington County Zoning Regulations regarding churches, temples, synagogues, and similar religious land uses as permitted principal uses or conditional uses.

Recognition of staff report in the Commission packet

Any new/additional comments from the Planning Administrator

Presentation of the application

Shewchuk presented the application to correct discrepancies in the Land Use Matrix and text for all religious items as a conditional use.

Comments from the Commission

Anderson stated this was discussed at the 6-pack meeting. Discussion regarding the difference between conditional and permitted uses.

Chairman opens the public hearing

Brandon Miller and Jarrod Lang discussed their concern for being able to meet as a church

Megan Miller asked about the length of term for CUPs.

Chairman closes the public hearing

Additional comments from the Commission

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

Motion Hartzell and second by Anderson to recommend approval of the proposed Zoning Regulation amendment regarding churches, temples, and synagogues as conditional uses, as recommended by Planning staff. Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 7, Nay: 0

**NEW BUSINESS:**

**REPORTS FROM STAFF:**

Shewchuk discussed 6 pack meeting. Anderson to ask the board how they want to address the issue of letting the public interact or be informed.

**ITEMS FROM THE MEMBERSHIP:**

**ITEMS FROM THE PUBLIC:**

Discussion regarding ways to keep the public informed

**ADJOURNMENT:**

Motion Hoegermeyer and second by Mathiesen to adjourn the April 6, 2023 meeting of the Washington County Planning Commission at 9:08 pm.

Motion Carried. Anderson: Aye, Hartzell: Aye, Hoegermeyer: Aye, Lambrecht: Aye, Mathiesen: Aye, Smith: Aye, Taylor: Aye Aye: 7, Nay: 0

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Matt Mathiesen, Chairman