

Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: August 22, 2016

1 – CALL TO ORDER

The monthly meeting of the Boone County Planning and Zoning Commission was called to order by Vice Chairman Brad Stephens in the Multipurpose Room in the Boone County Courthouse located at Albion Nebraska, Monday, August 22, 2016 at 8:00 p.m. Stephens noted a copy of the Open Meetings Act posted and there were copies available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

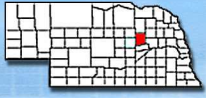
The following quorum of Commission members were present and answered roll call: Present: Jensen, Towey, Stephens, Mogensen, Stuhr and Wagner. Absent: Frey, Baum and Groeteke.

3 – APPROVAL/DISAPPROVAL OF THE MINUTES

Stephens asked for a motion for approval or disapproval of the July 25, 2016 minutes. Stuhr stated a correction in which the date was written as the January meeting instead of the July meeting. Motion by Stuhr to accept the minutes with this correction. Second motion to approve minutes with said correction was Jensen. Vote: Ayes; Towey, Wagner, Mogensen, Stuhr, Jensen and Stephens. Nays; Zero. Abstain; Zero. Absent; Baum, Groeteke, Frey.

4-Public hearing to hear testimony in favor of, or opposition to, and answer questions in relation to therefore:

A conditional use permit application submitted by Kirk Kendrick to allow manufacturing in current building located on a tract of land comprising a part of the SW Railroad Track Outlet C in Section 25, Township 21 North, Range 7 West of the 6th P.M., Boone County Nebraska. This property owned by Kirk Kendrick is located at 2091 205th Street in Loretto Nebraska located in Boone County Nebraska. Stephens asked for a motion to open the public hearing. Wagner motioned to open the public hearing. Mogensen second the motion. Vote: Ayes: Wagner, Towey, Stuhr, Mogensen, Stephens, Jensen. Nays: Zero. Absent: Baum, Frey, Groeteke. Abstain: Zero. Stephens noted the party representing this application was present and asked them to explain the need of this permit. Kirk Kendrick responded he has built the building a while back and currently manufacturing parts for different manufacturing businesses and would like to manufacture gun parts which require an FFL and with that he has to make sure it is zoned correctly for the ATF to issue a license for him. Kendrick stated wanting to make sure everything is correct with regards to his property and building. Discussion was held regarding the year the building was built and that a permit to build this building was approved at that time; questioned if any response from neighbors had been given as no negative response was given by the neighbors; questioned if there would be any type of expansion, replied not at this time but would be nice eventually; the need to put the conditional use on the land/property verses the building or put the conditional use only on the building. The result of the discussion is to put the conditional use on the land/property, in that way if at any time a need for expansion should occur, the land/property could be used as permitted. Stephens asked for further discussion, with none brought forth, Stephens asked for a motion to close the public hearing. Towey motioned to close the public hearing with Mogensen second the motion. Vote: Ayes; Jensen, Stephens, Wagner, Towey, Mogensen, Stuhr. Nays; Zero. Absent: Groeteke, Baum, Frey. Abstain: Zero. Stephens asked for any additional discussion. Wagner referred to number five (5) of the Findings and Information page submitted by Ziemba to be struck from it since a conditional use has been requested and not a request for spot zoning. No other comments or discussion, Stephens asked for a motion to vote on this



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application. Towey motioned to grant the conditional use as submitted with the factual findings, one (1) through four (4), excluding number five (5); this condition also includes the lot size of .6 acres for the manufacturing of pivot parts and of gun parts. Vote: Yeas: Stuhr, Wagner, Mogensen, Stephens, Jensen, Towey. Nays: Zero. Absent: Frey, Baum, Groeteke. Abstain: Zero.

6-Open Discussion-

The open discussion began with some results from changing the number of acres for parcel splits stated in the zoning regulations. Some of the results discussed were: not being able to have end guns on center pivots because of a ten (10) acre limit when a corner part of the land is being considered for a split; Making sure the parcel to be split off is rectangular in shape; the issue of taking a farmhouse that has no value off of a small parcel (3 acre) and build a new house, since the small lot has been created, could be an issue if done at a later date from the date of the permit and not getting a zoning permit to build new; discussion about the number of acres on various situations, be it new or existing. Also discussed, was the issue of mortgage loans on small parcels of land verses the larger parcels having productive ground. Discussed loans on specialty crops that do not need large areas for production such as a vineyard or hops. Discussed subdivisions and the requirement for the set number of acres. Discussed how natural boundaries may affect the number of required acres and other circumstances that would have to be considered when deciding the shape and size of the acres to be split off. Discussed new livestock production coming into the county and the numerous farm residents in various areas throughout the county. Discussion about having the Commissioners attending a meeting to involve them with this Board in discussing this issue of changing or keeping the acreage split-off amounts. This way all involved will be part of the discussion. The whole point of having designated acres to be split off in the rural areas of the county is to keep our farm production progress while also allowing our county to grow with residential families to insure all aspects of living in Boone County. A general consensus of inviting the Commissioners to one of the Planning Commissions meeting to discuss and get everyone's ideas on this issue and move this forward for a final decision.

7-Correspondence/Zoning Administrators Report-

The Administrators Report was handed out and reviewed and discussed. Ziemba noted she has a NPZA meeting on September 26th and 27th which would be a conflict with September's meeting. The Board decided to schedule the September meeting and determine if any type of situation would come up that would need to be reviewed by the Board; otherwise the meeting will be postponed to October.

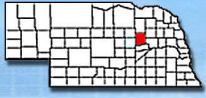
8- SCHEDULE NEXT MEETING

Chairman announced that the next monthly meeting of the Commission would be Monday, September 26, 2016 at 8:00 p.m. in the County Courtroom, Boone County Courthouse Albion Nebraska.

9 – ADJOURN-

A motion to adjourn made by Mogensen at 9:06 p.m., second by Towey. Vote: Ayes; Wagner, Mogensen, Stephens, Towey, Stuhr and Jensen. Nays; Zero. Absent; Baum, Frey, Groeteke Abstain; Zero.

SUBMITTED: _____ **COMMISSION SECRETARY**



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AFFIRMED BY: _____ COMMISSION CHAIRPERSON