

# Boone County Planning and Zoning Minutes



## BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

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**DATE: June 26, 2017**

### **1 – CALL TO ORDER**

The June monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Groeteke in the Courtroom in the Boone County Courthouse located at Albion Nebraska, Monday, June 26, 2017 at 7:33 p.m. Groeteke noted a copy of the Open Meetings Act was posted and 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, postings on courthouse bulletin boards, sign posted on lots in Petersburg and by mailings. 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, Frey, Baum, Towey, Mogensen, Groeteke, Stuhr, Wagner. Absent: Stephens. Stephens arrived later during the meeting.

### **3 – APPROVAL/DISAPPROVAL OF THE MINUTES:**

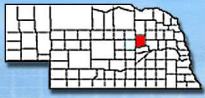
Groeteke asked for a motion for a vote on the approval/disapproval of the May 22, 2017 meeting minutes. Motion to accept the minutes with corrections by Jensen and seconded by Stuhr. Vote: Ayes: Frey, Towey, Wagner, Mogensen, Stuhr, Jensen. Nays: None. Abstain: Baum and Groeteke. Absent: Stephens. Minutes approved.

### **4-Public hearing to consider, discuss and take action on an amendment to the Future Land Use Map for all Lots 8-9-10-11, Block 1, West Petersburg located in Petersburg Nebraska from R-1 Single Family Residential to B-1 Highway Business District, with conditional uses.**

Chair asked for a motion to open the public hearing. Wagner motioned to open the public hearing with Towey second the motion. Vote: Ayes: Frey, Jensen, Stuhr, Mogensen, Groeteke, Towey, Wagner and Baum. Nays: None. Abstain: None. Absent: Stephens. Groeteke asked for comments, for or against, from the public. Wagner asked for clarification of the lots and area in Petersburg this will affect. Some public attendees help with clarification of location, ownership, types of buildings and their uses. Baum asked who recommended this, member of the public answered the Village Board recommended it. Towey stated concerns if there was an issue having dwellings in with commercial, members of board answered stating some regulations for standard and grandfathered-in uses. Chair asked again for any further comments from the board or the public, with no further comments, Groeteke asked for a motion to close the public hearing. Baum motioned to close the public hearing with Frey seconded a motion. Vote: Ayes: Towey, Groeteke, Jensen, Stuhr, Baum, Frey, Mogensen, Wagner. Nays: None. Abstain: None. Absent: Stephens. Groeteke stated the need for a motion to approve or disapprove the amendment as submitted; as a recommendation to the Village Council. Wagner made the motion to recommend this amendment to the Petersburg Village Board, second by Baum. Vote: Ayes: Groeteke, Towey, Wagner, Baum, Mogensen, Frey, Jensen. Nays: None. Abstain: Stuhr. Absent: Stephens.

### **5. Public Hearing to consider, discuss and take action on an application by Dale L. Salber, Thomas Zabka and Clyde Stuhr to rezone Lots 8-9-10-11, Block 1, West Petersburg located in Petersburg Nebraska from R-1 Single Family Residential to B-1 Highway Business District, with conditional uses.**

Chair asked to open the public hearing. Wagner motion to open public hearing with second motion by Jensen.



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Vote: Ayes: Mogensen, Wagner, Frey, Stuhr, Towey, Baum, Jensen, Groeteke. Nays: None. Abstain: None. Absent: Stephens. Chair formally opened the floor for any public comments, questions or discussion of the fore-mentioned rezoning from Residential 1 to B-1. No comments voiced by the public on the record, so Groeteke asked for a motion to close the public hearing. Motion made by Baum with Mogensen seconded the motion. Vote: Ayes: Baum, Wagner, Jensen, Groeteke, Towey, Frey, Mogensen. Nays: None. Abstain: Stuhr. Absent: Stephens. Groeteke stated the need for a motion to approve or disapprove the change from R-1 Single Family Residence to B-1 Highway Business District. Jensen asked for clarification about the Village Board having a part in this; clarification stated this vote is a recommendation to the Village Board. Baum made the motion to approve with Wagner seconded the motion. Vote: Ayes: Towey, Groeteke, Mogensen, Jensen, Baum, Frey, Wagner. Nays: None. Abstain: Stuhr. Absent: Stephens. Vote carried for approval.

**6-Open Discussion:** Discussion took place regarding the public being more aware of what is going on in the neighborhoods when a conditional use permit application comes before the Board for review; as there are notices and an opportunity for the public to comment on the proposed action to take place in the surrounding area. Another concern is from the daily routine of the local farmers, animal producers and ranchers which results in potential unwanted noise, smells and the usual unwanted exposure to elements people from non-farm lifestyles are not accustomed to; also any potential situation of the secondary and third buyer may have with the split-off parcel. After discussion, the decision to have the Primary Agricultural District (A-1) regulations remain as currently stated in the Boone County Zoning regulations. Discussion regarding lifting the moratorium in the A-1 District took place with the unanimous decision to lift it. The Board discussed and considered, as a group, to continue with the conditional use permit applications currently in place and go through each application with a specific review, case by case, and place any necessary conditions on the permit as justified. Discussion continued on the A-2 and TA Districts regarding density, lot splits, affected areas near towns. Many pros and cons were brought up with helpful ideas given. The ideas and planning for these districts will be discussed at future meetings. With no further discussion, Groeteke called for closing the open discussion.

**SCHEDULE NEXT MEETING:** Chairman Groeteke stated the next monthly meeting of the Commission will be held on Monday, July 24<sup>th</sup>, 2017 at 7:30 p.m. in the Boone County Courthouse in Albion Nebraska.

**9 – ADJOURN:** A motion to adjourn made by Mogensen at 9:10 p.m., second by Baum. Vote: Ayes: Wagner, Mogensen, Stephens, Towey, Frey, Groeteke, Baum, Stuhr, Jensen. Nays: None. Absent: None. Abstain: None.

**SUBMITTED:** \_\_\_\_\_ **COMMISSION SECRETARY**  
**AFFIRMED BY:** \_\_\_\_\_ **COMMISSION CHAIRPERSON**