

Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: January 28, 2019

1 – CALL TO ORDER

The monthly meeting of the Boone County Planning and Zoning Commission was called to order by Planning Commission Board Member Mark Wagner in the Multipurpose Room in the Boone County Courthouse located at Albion Nebraska, Monday, January 28, 2019 at 7:30 p.m. Wagner noted a copy the Open Meetings Act was posted and copies are 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

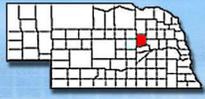
Roll Call results: Present: Stuhr, Mogensen, Baum, Wagner, Towey, Frey. Absent: Groeteke, Jensen, Stephens.

3 – ACTION TAKEN ON THE MINUTES

Approval/Disapproval of the November 26, 2018 meeting minutes. Wagner asked for a motion for the minutes. Stuhr stated two (2) corrections to be made, 1.) Spelling of Koch was incorrect; 2.) In Item #7, Open Discussion, sixteen (16) residents per quarter was incorrectly written; correct wording is sixteen (16) residents per section. Motion by Stuhr to accept the minutes with the corrections as presented. Second the motion was Towey. Vote: Ayes; Wagner, Towey, Mogensen, Stuhr. Nays; None. Abstain; Frey, Baum. Absent; Stephens, Jensen, Groeteke.

4- CONSIDER, REVIEW AND TAKE THE NECESSARY ACTION ON THE PROPOSED Resolution to change some of wording to regulations for single-family dwellings in the A-2 Agricultural – Secondary District and in the A-1 Agricultural Primary District.

Wagner asked for a motion to open the public hearing. Baum made the motion to open the public hearing with Towey second the motion. Vote: Ayes: Wagner, Towey, Stuhr, Mogensen, Frey, Baum. Nays: None. Abstain: None. Absent: Jensen, Stephens, Groeteke. Much discussion took place regarding correcting and debating the regulations to be considered in the districts of A-2 for housing. Discussion consisted of number of dwellings, number of permitted acres and right-of-way, residential dwellings on permitted roads, and comparing the current regulations to the proposed changes. With no further discussion, Wagner asked for a motion to close the public hearing. Mogensen motioned to close the public hearing with Stuhr second the motion. Vote: Ayes; Wagner, Baum, Towey, Mogensen, Stuhr, Frey. Nays; None. Abstain: None. Absent: Jensen Groeteke, Stephens. Wagner asked for a motion for further discussion and a vote. Stuhr motioned to open with Towey second motion. Based on the discussion from the public hearing, there was various opinions on a part of the resolution that changed some wording in the single-family dwellings built in locations currently not permitted. The consensus of the Board was to leave the wording as it is currently written. The Board compared the new wording to the current wording and agreed to go into a joint meeting with the Boone County Commissioners to gain an understanding, some guidance and input from and to both Boards. The decision was made to have a joint meeting during the next scheduled Planning Board meeting in February. The parts of the resolution that were unanimously passed were (A.) New single-family dwellings will have no less than three (3) acres, having three or four straight-line borders, including the right-of-way. This is reducing the current ten (10) acres. (B.) Retain a maximum density of 16 residential sites per section. (C.) Retain current livestock setback distances for the A-2 Secondary Agricultural District. The proposed new wordings for both the A-2 Secondary Agricultural District and the A-1 Primary



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Agricultural District is: “In no case are single-family dwellings permitted on tracts without legal access to an improved road. Such tracts include those that have frontage on a minimum maintenance or undeveloped primitive road.” The new wording does not change the meaning of the current wordings, it clarifies the requirement put forth by the original Boone County Zoning Regulations. The Board decided to table this regulation, for both districts and meet with the Commissioners in a joint meeting for discussion and guidance. Discussion with decision, to divide the resolution into two (2) parts. One being the approved parts of proposed resolution and the other tabled for further discussion. One resolution was kept. The remaining parts; (E), (F) and (G) remain as written in current regulations. With no further discussion Wagner asked for direction from the Board. Unanimous consensus is to table the changes in A-2 and in A-1 districts to endorse reaffirming the current regulation of not allowing residential housing on a minimum maintenance road and shall be on the agenda of the Commissioners and Planning Board as a joint meeting in the next scheduled Planning Commission meeting. This agenda item remains open until the next scheduled meeting.

5-Open Discussion Hilary Maricle presented a project her family is planning. The plan is to build a set of four poultry barns on their land. Maricle passed out a complete plan for this project, which included reports from the University of Nebraska, the Department of Environmental Quality, an odor footprint diagram, real estate valuation for the county.

6-Correspondence/Zoning Administrators Report Ziembra passed out information, total count of 2018 zoning permits. Ziembra asked for opinions on potential, upcoming zoning applications.

8- SCHEDULE NEXT MEETING

Chairman announced that the next monthly meeting of the Commission, including a joint meeting with the Boone County Commissioners will be held on Tuesday, February 26, 2019 at 7:30 p. m. in the County Courtroom of the Boone County Courthouse in Albion Nebraska.

9 – ADJOURN

A motion to adjourn made by Towey, Second by Mogensen at 8:40 p.m., second by Mogensen. Vote: Ayes; Towey, Frey, Wagner, Baum, Mogensen, Stuhr. Nays; None Abstain; None. Absent: Groeteke, Jensen, Stephens.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**