



# Boone County Board Minutes



## MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Alan Rasmussen, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Friday, December 27, 2019 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Temme and second by Commissioner Rasmussen to open said public hearing. Present for roll call were Commissioners Larry Temme, Alan Rasmussen and Ben Rutten. Also present for said hearing to answer any questions were Mary Ziemba, County Planning and Zoning Administrator, and Gale Schafer, representative for the Applicants. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Chairman Rasmussen acknowledged the publication notice for the record.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Eric and Kara Frey. James F. Frey and Joleen M. Frey are the property owners of the real estate referenced herein. The application requested that 5.26± acres of which 0.26 acres more or less is occupied by County Road Right-of-Way be divided from a parcel of farm land located in a fraction of the SE1/4 NE1/4 of Section 28, Township 20 North, Range 7 West of the 6<sup>th</sup> P.M., Boone County, Nebraska.

Gale Schafer explained to the Board that the purpose for dividing the 5.26± acres from the parcel of farm land is for the construction of a new residential home on family property. A survey for 5.26± acres is completed and attached to the application. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 160 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide 5.26± acres from the parcel of farm land for the construction of a new residential home on family property. Ziemba informed the Board that a Waiver of Distance had been signed as requested by the Boone County Planning Commission.

Motion made by Rasmussen, second by Rutten to close said public hearing at 10:05 A.M. Roll call vote: Yeas: Rasmussen, Rutten and Temme. Nays: None. Motion carried.

Motion made by Temme, second by Rutten to approve the Conditional Use Permit submitted by Eric and Kara Frey to divide 5.26± acres of which 0.26 acres more or less is occupied by County Road Right-of-Way from a parcel of farm land located in a fraction of the SE1/4 NE1/4 of Section 28, Township 20 North, Range 7 West of the 6<sup>th</sup> P.M., Boone County, Nebraska for the construction of a new residential home on family property. Roll call vote: Yeas: Temme, Rutten and Rasmussen. Nays: None. Motion carried.

Kathy Thorberg,  
Boone County Clerk