



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting

January 21, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00p.m. on January 21, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Vice Chairman Harre, Secretary Elznic, Most, Mainwaring, Kassik and Noel.

Absent: Dumpert, Girmus, Stuckey, Waltrip and Morgan.

Donna Mainwaring, Zoning Administrator was present. Also present were Steve Swartzendruber, Roxie Schlegel, Edward Goesch and Gerald Slezak.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrative Assistant, Heather Miller, was present to record the minutes of the meeting.

Vice Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Noel moved to approve the agenda for the January 21, 2013 meeting. Mainwaring seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik.

Nays: None

Vice Chairman Harre declared the motion carried.

MINUTES

Most moved to approve the minutes from the December 17, 2012 meeting. Noel seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik.

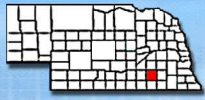
Nays: None

Vice Chairman Harre declared the motion carried.

Approved Permits

Listed below is a table of approved permits since the December 17, 2012 meeting.

Permit #



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1625	First Nat'l Bank	249 ex N6', Lot 250, N4' Lot 251, Original Town	139 South Exeter Avenue	Exeter	Sign
1626	Kimbrough, Mark	35-6-3	717 Road 11	Geneva	Pivot & Well
1627	Kimbrough, Mark	22-7-4	Road J & 5	Geneva	Pivot
1628	Richards, Blaine	25-7-4	1409 Road 6	Grafton	Well
1629	Nun Jr, Clarence	5-6-2	Hwy 41 & Rd 15	Geneva	Pivot
1630	Softley, Bill	11-8-3	Road C & 11	Fairmont	Pivot & Well
1631	Hoarty, Dustin	26-7-4	Road K & 5	Fairmont	Pivot & Well
1632	Girmus, Rich	36-6-3	Road R & 12	Geneva	Pivot w/ Corner System & Well
1633	Girmus, Rich	19-6-2	Road Q & Hwy 81	Geneva	Corner System
1634	Girmus, Rich	7-6-1	Road O & 20	Geneva	Corner System
1635	Lovegrove, John	12-7-3	Road I & 12	Fairmont	Corner System
1636	Fiala, Lance	13-5-3	416 Road 13	Strang	Building
1637	Ulmer, Jerry	7-6-4	114 Road U	Shickley	Building
1638	Fessler, Dick	17-7-4	Road J & 3	Grafton	Pivot/Pad

SUBDIVISION

Pribyl Brother's 1st Subdivision, located in the northeast $\frac{1}{4}$ of Section 9, Township 6 North, Range 1 West of the 6th P.M., Fillmore County, NE 3.27 acres.

Most made a motion to approve the Pribyl Brother's 1st Subdivision. Kassik seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik.

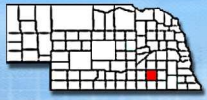
Nays: None

Planning Commission Vice Chairman Harre declared the motion carried 6 to 0.

SUBDIVISION

Pribyl Brother's 2nd Subdivision, located in the southwest $\frac{1}{4}$ of Section 4, Township 6 North, Range 1 West of the 6th P.M., Fillmore County, NE 6.53 acres.

Mainwaring made a motion to approve the Pribyl Brother's 2nd Subdivision. Most seconded the motion.



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Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik.

Nayes: None

Planning Commission Vice Chairman Harre declared the motion carried 6 to 0.

PUBLIC HEARING

Kassik made a motion to open the public hearing. Mainwaring seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik.

Nayes: None

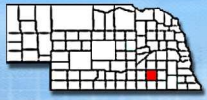
Planning Commission Vice Chairman Harre declared the public hearing open at 7:17pm.

A public hearing was held for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for: 1) an amendment to Chapter 1, The Planning Process, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley pertaining to planning period; 2) an update to Chapter 2, Goals and Policies, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley; 3) an update to Chapter 4, Land Use Profile and Plan, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley pertaining to the Future Land Use Plan and Maps; 4) an amendment to Chapter 5, Public Facilities and Utilities, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley to include an energy component; 5) an entire update to the Fillmore County Zoning Regulations and Official Zoning Map; 6) new Zoning Ordinance and Official Zoning Map for the Village of Exeter; 7) new Zoning Ordinance and Official Zoning Map for the Village of Fairmont; 8) new Zoning Ordinance and Official Zoning Map for the Village of Grafton; 9) new Zoning Ordinance and Official Zoning Map for the Village of Milligan; 10) new Zoning Ordinance and Official Zoning Map for the Village of Ohioa; 11) new Zoning Ordinance and Official Zoning Map for the Village of Shickley; and 12) new subdivision regulations for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley.

David Potter with JEO was present to discuss the aforementioned action items. After discussion and hearing public comments, Vice Chairman Harre declared the hearing closed at 8:21pm.

The Fillmore County Planning Commission, after hearing on the aforementioned subject, made the following recommendation to the Board of Adjustment:

Action Item 1- an amendment to Chapter 1, The Planning Process, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley pertaining to planning period;



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Mainwaring moved to recommend to the jurisdictional Boards to approve as presented above. **Kassik** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 2 - an update to Chapter 2, Goals and Policies, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley

Noel moved to recommend to the jurisdictional Boards to approve as presented above. **Mainwaring** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 3 - an update to Chapter 4, Land Use Profile and Plan, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley pertaining to the Future Land Use Plan and Maps;

Most moved to recommend to the jurisdictional Boards to approve as presented above. **Elznic** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 4 - an amendment to Chapter 5, Public Facilities and Utilities, of the Comprehensive Plan for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley to include an energy component;

Mainwaring moved to recommend to the jurisdictional Boards to approve as presented above. **Most** seconded the motion as stated.

Upon roll call, the vote was as follows:

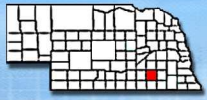
Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 5 - an entire update to the Fillmore County Zoning Regulations and Official Zoning Map;

Noel moved to recommend to the jurisdictional Boards to approve as presented above. **Kassik** seconded the motion as stated.



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Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 6 - new Zoning Ordinance and Official Zoning Map for the Village of Exeter;

Most moved to recommend to the jurisdictional Boards to approve as presented above. **Kassik** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 7 - new Zoning Ordinance and Official Zoning Map for the Village of Fairmont;

Mainwaring moved to recommend to the jurisdictional Boards to approve as presented above. **Most** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 8 - new Zoning Ordinance and Official Zoning Map for the Village of Grafton;

Noel moved to recommend to the jurisdictional Boards to approve as presented above. **Mainwaring** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Chairman declared the motion carried 6-0.

Action Item 9 - new Zoning Ordinance and Official Zoning Map for the Village of Milligan;

Kassik moved to recommend to the jurisdictional Boards to approve as presented above. **Most** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 10 -) new Zoning Ordinance and Official Zoning Map for the Village of Ohioa;



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Most moved to recommend to the jurisdictional Boards to approve as presented above. **Noel** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 11 - new Zoning Ordinance and Official Zoning Map for the Village of Shickley; and

Noel moved to recommend to the jurisdictional Boards to approve as presented above. **Mainwaring** seconded the motion as stated.

Upon roll call, the vote was as follows:

Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

Action Item 12 - new subdivision regulations for Fillmore County and the Villages of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley.

Most moved to recommend to the jurisdictional Boards to approve as presented above. **Elznic** seconded the motion as stated.

Upon roll call, the vote was as follows:

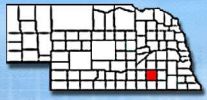
Ayes: 6

Nays: 0

The Vice Chairman declared the motion carried 6-0.

ADJOURNMENT

As there was no other items remaining on the agenda for the Planning Commission meeting, Vice Chairman Harre declared the meeting adjourned at 9:24pm.



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Fillmore County Planning Commission Minutes of Meeting February 11, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00p.m. on February 11, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Vice Chairman Harre, Secretary Elznic, Most, Mainwaring, Kassik, Stuckey and Noel.

Absent: Dumpert, Girmus and Waltrip.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrative Assistant, Heather Miller, was present to record the minutes of the meeting. Also present was Adam Erdkamp.

Vice Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Stuckey moved to approve the agenda for the February 11, 2013 meeting. Mainwaring seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik, Stuckey.

Nays: None

Vice Chairman Harre declared the motion carried.

MINUTES

Elznic moved to approve the minutes from the January 21, 2013 meeting. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik, Stuckey.

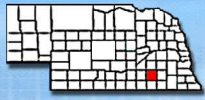
Nays: None

Vice Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the January 21, 2013 meeting.

Permit #	Name	Legal	Permit Address	Village	Type
1641	Nun, Bryan	4-6-2	Rd 15 & Hwy 41	Geneva	Replacement Pivot



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1642	O'Connor, P.J.	8-8-3	Rd B & 8	Fairmont	New Pivot/Well
1645	Allgood, Charles	11-7-3	Rd I & 12	Geneva	New Well
1646	Ekwall, Dave	Lot 278-279 Original Town	103 N Washington	Grafton	New Garage
1647	O'Connor, P.J.	7-8-3	Road 8 & B	Fairmont	New Pivot
1648	Ozenbaugh, Victoria	12-5-2	515 Rd 18	Ohiowa	Add on to garage
1649	Stephenson Farms, Inc	21-8-3	2109 Rd 9	Fairmont	3 Used bldgs

PUBLIC HEARING

Vice Chairman Harre declared the public hearing open at 7:10pm. The hearing action item was as follows:

Amending the current zoning regulations governing 5.54 PERMITTED SPECIAL USES by conditional use permit in an R-1 Residential District to include an item 9, stating that Residential Accessory Buildings proposed on a lot without a primary structure may only be single story structures with one access driveway from the street or alley. Buildings may not exceed 1080 square feet or 12 feet in height. They are required to have a ½ lot length front setback, and lots must have a minimum of 25% vegetative landscaping on the front ½. Any modifications from these requirements must be reviewed and approved through the conditional use permit process. This action item, if approved, would add this as a permitted special use by conditional use permit to the R-1 district within the Village of Exeter only.

After discussion and no public comments, Harre declared the hearing closed at 7:24pm. Noel moved to recommend to the Village Board of Exeter the aforementioned amendment. Kassik seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik, Stuckey.

Nays: None

Vice Chairman Harre declared the motion carried.

PUBLIC HEARING

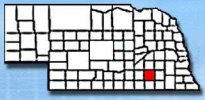
Vice Chairman Harre declared a second public hearing open at 7:25pm. The hearing action item was as follows:

Application for a Conditional Use Permit for a proposed accessory building to be built on a lot without a primary structure within the R-1 District inside the Village of Exeter for the property described as:

NNW Lot 541 Ex E 10', Original Town, Exeter, NE, Fillmore County

Filed by: Adam & Rebecca Erdkamp

After discussion, Vice Chairman Harre declared the public meeting closed at 7:35pm. Noel moved to recommend to the Village Board of Exeter to approve the application for Conditional Use Permit. Mainwaring seconded the motion.



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Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Mainwaring, Kassik, Stuckey.

Nays: None

Vice Chairman Harre declared the motion carried.

PC CHAIR ELECTION

It was determined that election of a new Planning Commission Chairperson would occur at next month's meeting.

ADJOURNMENT

As there were no other items on the agenda, Vice Chairman Harre declared the meeting adjourned at 7:36pm.



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Fillmore County Planning Commission Minutes of Meeting March 18, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00p.m. on March 18, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Vice Chairman Harre, Secretary Elznic, Most, Kassik, Stuckey and Noel.

Absent: Mainwaring, Girmus and Waltrip.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrative Assistant, Heather Miller, was present to record the minutes of the meeting.

Vice Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Noel moved to approve the agenda for the March 18, 2013 meeting. Kassik seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Kassik, Stuckey.

Nays: None

Vice Chairman Harre declared the motion carried.

MINUTES

Most moved to approve the minutes from the February 11, 2013 meeting. Noel seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Kassik, Stuckey.

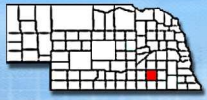
Nays: None

Vice Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the February 11, 2013 meeting.

	Name	Legal	Permit Address	Village	Type	
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50	Richards, Frank	2-8-4	Rd B & 5	Grafton	New Pivot	
51	Domeier, Rodney	28-7-4	315 Rd K	Sutton	New bldg	
52	Nedrow, Brian	28-6-2	Rd 15 & Q	Geneva	2 Bins	
53	Petersen, Glen	2-8-2	2419 Rd 17	Fairmont	New bldg	
54	Lefever, Ken	32-7-3	Rd L & 9	Geneva	Well	
55	Lefever, Ken	8-6-4	Rd O & 3	Geneva	Corner Arm	
56	Lefever, Ken	4-6-3	Rd 9 & Hwy 41	Geneva	Corner Arm	
57	Bures, Greg	28-7-2	Rd 16 & K	Geneva	New Pivot/Well	
58	Sluka, Leonard	19-6-1	1916 Rd P	Geneva	New bldg.	
53	Hoarty, Joe	8-7-3	1712 Rd 9	Fairmont	New bldg.	
55	J2 Ag	27-7-3	1007 Rd K	Geneva	New bldg	
56	Walters, Richard	Lot 16 & 17 Blk 6 OT	107 W Campbell	Shickley	New cement driveway	

PUBLIC HEARING

Vice Chairman Harre declared the public hearing open at 8:15pm. The hearing action item was as follows:

Application for a Conditional Use Permit for a proposed accessory building to be built on a lot without a primary structure within the R-1 District inside the Village of Exeter for the property described as:

Lots 124, 125, 126, 127, 128, 129, Gilbert's First Addition, Exeter, NE, Fillmore County

Filed by: John Mueller

After discussion and no public comments, Stuckey moved to close the public hearing. Kassik seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Kassik, Stuckey.

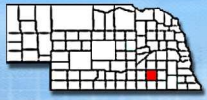
Nays: None

Vice Chairman Harre declared the motion carried and the public meeting was closed at 8:30pm.

Most moved to recommend to the Village Board of Exeter to approve the application for Conditional Use Permit. Kassik seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Kassik, Stuckey.



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Nays: None

Vice Chairman Harre declared the motion carried.

PC CHAIR ELECTION

The Vice Chairperson called for nominations for the Planning Commission Chair. Noel nominated Harre and there were no other nominations from the floor. Most moved and Kassik seconded to cease nominations and that a unanimous ballot be called.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Kassik, Stuckey.

Nays: None

Abstaining: Harre

The Vice Chair declared the motion carried and Harre assumed the Chair.

PC VICE CHAIR ELECTION

The Chairperson called for nominations for the Planning Commission Vice Chair. Stuckey nominated Noel and Noel nominated Kassik. There were no other nominations from the floor. Most moved and Stuckey seconded to cease nominations and vote by ballot. Secretary Elznic received ballots and the vote was Noel – 4/ Kassik – 2.

The Chair declared that Noel would be the Vice Chair for the Planning Commission.

SUBDIVISION

Kyle and Lacy Kimbrough Subdivision located in the southwest ¼ of the northeast ¼ of Section 26, Township 6, Range 3 West of the 6th P.M., Fillmore County, NE 3.017 acres.

Stuckey made a motion to approve the Kyle and Lacy Kimbrough Subdivision. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Kassik, Stuckey.

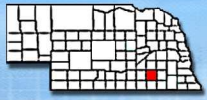
Nays: None

Chairman Harre declared the motion carried 6 to 0.

DISCUSSION

Zoning Assistant, Heather Miller, provided an update on the progress of adopting new zoning, subdivision regulations and amendments to the comprehensive plan at the village level.

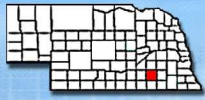
ADJOURNMENT



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As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 8:45pm.



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Fillmore County Planning Commission Minutes of Meeting April 15, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 pm on April 15, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Vice Chair Noel, Secretary Elznic, Most, Kassik, Stuckey, Waltrip, and Girmus.

Absent: Mainwaring and Chairman Harre.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrative Assistant, Heather Miller, was present to record the minutes of the meeting.

Vice Chairman Noel noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Girmus moved to approve the agenda for the April 15, 2013 meeting. Kassik seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Girmus, Kassik, Stuckey and Waltrip.

Nays: None

Vice Chairman Noel declared the motion carried.

MINUTES

Most moved to approve the minutes from the March 18, 2013 meeting. Stuckey seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Harre, Waltrip, Kassik and Stuckey.

Nays: None

Vice Chairman Noel declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the March 18, 2013 meeting.

Permit #	Name	Legal	Address	Village	Type	
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1509	First Bank of Utica	Lot 1 & 2, Blk 6 OT	7 th & Main	Milligan	Bank
1643	Erdkamp, Adam & Rebecca	Lot 541 NNW + Ex 10', OT		Exeter	Bldg
1643 Approved by Exeter Board	Kohl's Home Mod.	Lot 541, Original Town	405 S. Missouri	Exeter	Ramp
1667	Pearson, Emil	15-5-4	Rd 4 & V	Davenport	Pivot Pad
1668	Heinrichs, Steve & Marla	10-5-4	509 Road 4	Shickley	Bldg
1673	Lauenstein, Tony	7-5-4	502 Road 2	Shickley	Bin
1675	Reinsch, Marc	3-6-2	1204 Rd &	Geneva	Building
1676	Softley, Dan	Lot 290 & 291 Ex E 30' of N 25', Original Town	170 N Washington	Grafton	Sidewalk/Driveway
1677	Luzum, Dwayne	12-6-2	Hwy 41 & Rd 19	Milligan	Pivot (replace)
1678	Schlegel, Scott	21-5-2	Rd V & 15	Bruning	Grain Bin
1679	Capek, Raymond	20-6-1	Rd P & 20	Milligan	Pivot (used)
1680	Baumann, Susan	Lot 2, Tatro's 2nd	235 E South St	Grafton	Fence
1681	SSR Land Company	36-5-3	Rd X & 13	Shickley	New Pivot
1682	Nun, Bryan	4-6-2	Rd 15 & Hwy 41	Geneva	New Bldg
1688	Myers, Kent	20-6-2	920 Road 15	Geneva	Used garage
1690	Lichti Farms, Inc	26-5-4	220 Rd 6	Shickley	2 bins

PUBLIC HEARING

Vice Chairman Noel declared the public hearing open at 8:15pm. The hearing action item was as follows:

Amending the current zoning regulations governing 5.54 PERMITTED SPECIAL USES by conditional use permit in an R-1 Residential District to include an item 9, stating that Residential Accessory Buildings proposed on a lot without a primary structure may only be single story structures with one access driveway from the street or alley. Buildings may not exceed 1080 square feet or 12 feet in height. They are required to have a ½ lot length front setback, and lots must have a minimum of 25% vegetative landscaping on the front ½. Any modifications from these requirements must be reviewed and approved through the conditional use permit process. This action item, if approved, would add this as a permitted special use by conditional use permit to the R-1 district within the Village of Grafton only.



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After discussion and no public comments, Waltrip motioned to close the public hearing at 8:30pm. Girmus seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Kassik, Stuckey, Girmus and Waltrip

Nays: None

Vice Chairman Noel declared the motion carried and declared the public meeting was closed at 8:30pm.

Waltrip moved to recommend to the Village Board of Grafton the aforementioned amendment. Kassik seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Girmus, Noel, Kassik, Stuckey and Waltrip.

Nays: None

Vice Chairman Noel declared the motion carried.

PUBLIC HEARING

Vice Chairman Noel declared the public hearing open at 8:30pm. The hearing action item was as follows:

Application for a Conditional Use Permit for a proposed accessory building to be built on a lot without a primary structure within the R-1 District inside the Village of Exeter for the property described as:

Lot 75-76, 25-8-4, Bouton's First Addition, Grafton, NE, Fillmore County

Filed by: Allan Stuckey

After discussion and no public comments, Waltrip moved to close the public hearing. Most seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Girmus, Kassik and Waltrip.

Nays: None

Abstaining: Stuckey

Vice Chairman Noel declared the motion carried and declared the public meeting was closed at 8:40pm.

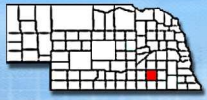
Most moved to recommend to the Village Board of Grafton to approve the application for Conditional Use Permit. Girmus seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Noel, Kassik, Waltrip and Girmus.

Nays: None

Abstaining: Stuckey



Fillmore County Planning and Zoning Minutes



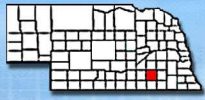
Vice Chairman Noel declared the motion carried.

DISCUSSION

Zoning Assistant, Heather Miller, provided an update on the progress of adopting new zoning, subdivision regulations and amendments to the comprehensive plan at the village level.

ADJOURNMENT

As there were no other items on the agenda, Vice Chairman Noel declared the meeting adjourned at 8:45pm.



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting May 20, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 pm on May 20, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Chairman Harre, Secretary Elznic, Most, Kassik, Stuckey and Waltrip.

Absent: Vice Chair Noel and Girmus.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrative Assistant, Heather Miller, was present to record the minutes of the meeting. Also present was Derek McGrew.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Kassik moved to approve the agenda for the May 20, 2013 meeting. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Stuckey and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

MINUTES

Stuckey moved to approve the minutes from the April 15, 2013 meeting. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Waltrip, Kassik and Stuckey.

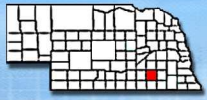
Nays: None

Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the April 15, 2013 meeting.

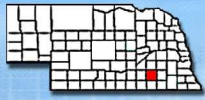
Permit #	Name	Legal	Permit Address	Village	Type
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Fillmore County Planning and Zoning Minutes



1659	Mueller, John	Lots 124-129, Ira Gilbert's 1 st	700 Blk of S Missouri	Exeter	Cond Use Permit
1660	Mueller, John	Lots 124-129, Ira Gilbert's 1 st	700 Blk of S Missouri	Exeter	Garage
1661 Subdivision	Paul, Larry & Mary	32-5-3	Rd V & 9	Bruning	Subdivision
1662	Kresser, Josh & Sara	32-5-3	Rd V & 9	Bruning	New house/garage
1669	Emshoff, Alan	Lot 548 & ½ of vac alley OT	N 88' of W 140'	Exeter	New duplex
1671	Stuckey, Allan	Lot 75-76; Bouton's 1 st	Lot 75-76; Bouton's 1 st	Grafton	New building
1672 CUP	Stuckey, Allan	Lot 75-76; Bouton's 1 st	Lot 75-76; Bouton's 1 st	Grafton	New building
1674	Krupicka, Richard	Lot 21-22; Blk 2, OT	706 L Street	Milligan	New house
1683	Schardt, Nathan	18-5-4	Rd V & 2	Davenport	Used bin relocated
1685	Ulmer, Robert	Lot 84-85, Tatro's 2 nd	120 N Tatro	Grafton	Used shed
1689	Casey's General Store	30-8-2	1302 Road F	Fairmont	Pavement extension
1691	Engle, Jerry	24-6-2	Rd P & 18	Geneva	Relocated bin
1693	Bumgarner Land & Cattle	8-5-2	1405 Hwy 74	Strang	2 new bins, legs, elevators
1694	Carlson, Lynn	33-6-4	Rd R & 4	Shickley	New building
1695	Domeier, Danny	16-7-3	920 Rd J	Geneva	New bin
1696	Galusha, Robert	28-8-3	2020 Rd 10	Fairmont	New bin
1697	Galusha, Robert	36-7-4	Rd 7 & Hwy 41	Fairmont	New bin
1698	Lauenstein, Tony	17-5-4	Rd 3 & U	Shickley	New Pivot Point
1699	Launestein, Tony	7-5-4	Rd 2 & U	Shickley	New Pivot Point
1700	Lauenstein, Tony	29-5-4	Rd 3 & W	Shickley	New Pivot Point
1701	Theobald, Kent	5-7-2	1804 Rd 15	Fairmont	New bin
1702	Bettger, William	21-8-2	Rd D & 15	Fairmont	Pole shed
1703	Zelenka, Ron & Bonnie	26-7-2	Rd L & 18	Fairmont	New Pivot Point



Fillmore County Planning and Zoning Minutes



1706	Houchin, Wayne Jr	19-5-2	307 Rd 13	Strang	New building
1707	Kamler, Joseph	Lot 4-5; Blk 5; 1 st Addition	308 N Apple	Shickley	Home addition
1708	Village of Shickley	Part of abandoned RR ROW	102 S Market St	Shickley	Community center
1710	Bauer, Brent	Lot 564-565; OT	620 8 th Ave	Fairmont	New Building
1711	Manning Grain Co	13-7-2	Burress	Burress	Grain bins
1712	Kuil, Adam	S1/2 Lot 329 & all lot 330	435 8 th Ave	Fairmont	Fence

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:15pm. The hearing action item was as follows:

Application for a Conditional Use Permit for a proposed cell tower to be built in rural Fillmore County for the property described as:

SW Section 29, Township 5, Range 2, Bruning, Fillmore County, NE
More specifically Road X, 2500' +/- East of Route 81

Filed by: Horvath Communications

After discussion and no public comments, Waltrip motioned to close the public hearing at 8:30pm. Stuckey seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Stuckey and Waltrip

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:30pm.

Waltrip moved to recommend to the Fillmore County Board of Supervisors to approve the application for Conditional Use Permit for a proposed cellular tower for the aforementioned property. Waltrip seconded the motion. Upon roll call, the vote was as follows:

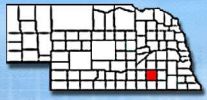
Ayes: Elznic, Most, Harre, Kassik, Stuckey and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:30pm. The hearing action item was as follows:



Fillmore County Planning and Zoning Minutes



A public hearing on proposed Village of Milligan Ag-2 zoning regulations regarding section 5.2.04 CONDITIONAL USES: A building or premise may be used for the following purposes in the AG-2 Agriculture District if a conditional use permit for such use has been obtained in accordance with Article 6 of these regulations.

1. Single family, ranch and farm dwellings on lots having less than 3 acres, excluding road right-of-way, provided that:
 - a. Lot has at least one acre, excluding road right-of-way,
 - b. Lot is located adjacent to the corporate limits, and
 - c. Residence is hooked to public water and sewer.

After discussion and no public comments, Stuckey moved to close the public hearing. Waltrip seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Stuckey, Kassik and Waltrip.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:45pm.

Kassik moved to recommend to the Village Board of Milligan to approve the aforementioned AG-2 regulation. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Stuckey and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

DISCUSSION

Zoning Assistant, Heather Miller, provided an update on the progress of adopting new zoning, subdivision regulations and amendments to the comprehensive plan at the village level.

Miller also informed the commission that she had received a written resignation from commission member Dan Mainwaring.

ADJOURNMENT

As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 8:50pm.



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting June 17, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 pm on June 17, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Chairman Harre, Vice Chair Noel, Secretary Elznic, Most, Kassik, Girmus, Stuckey and Waltrip.

Absent: None

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrative Assistant, Heather Miller, was present to record the minutes of the meeting.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Most moved to approve the agenda for the June 17, 2013 meeting. Girmus seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Girmus, Most, Harre, Stuckey, Noel and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

MINUTES

Waltrip moved to approve the minutes from the May 20, 2013 meeting. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Waltrip, Noel, Girmus and Stuckey.

Nays: None

Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the May 20, 2013 meeting.

ermit #	Name	Legal	Permit Address	Village	Type
1684	Ulmer, Robert	Lot 84-85, Tatro's 2 nd	120 N Tatro	Grafton	Home addition



Fillmore County Planning and Zoning Minutes



1686	Ulmer, Robert	Lot 84-85, Tatro's 2 nd	120 N Tatro	Grafton	Enclosed deck, home add c
1704	Horvath Communications	29-5-2	Road X	Bruning	Cell Tower
705 Conditional Use Permit	Horvath Communications	29-5-2	Road X	Bruning	Cell Tower
1713	Brandt, Nate	Lot 332-333 Ex S 16' of 333	115 S East Boundary	Exeter	Deck addition
1716	Workentine, John	1-7-4	1810 Rd 7	Grafton	Home addition
1717	Carlson, Nate	Lot 3, Steider's Northridge	506 N Plum	Shickley	Deck addition
1718	Matthies, Jack & Deb	S ½ Lot 5-6, Blk 7, 1 st Addition	302 S Clemons	Ohiowa	New garage
1720	Galusha Properties LLC	3-7-3	1009 Rd G	Fairmont	Relocate used shed

PUBLIC HEARING

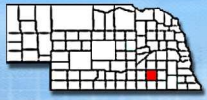
Chairman Harre declared the public hearing open at 8:15pm. The hearing action item was as follows:

A proposed Change of Zoning application filed with the Zoning Administrator's office. The proposed property is currently zoned as R-1 Residential. The application is proposing it be changed to I-1 Light Industrial within the Village of Shickley for the property described as:

Lots 1 and 2, Block 17, First Addition to the Village of Shickley, Fillmore County, NE and a tract within the Fillmore Western Railway Company's former railroad right-of-way being a portion of the Fillmore Western Railway Company's 100 foot former right-of-way, formerly known as the Chicago, Burlington and Quincy Railroad right-of-way, being 50 feet on each side of the former main track centerline across Section 12, Township 5 North, Range 4 West of the 6th P.M. , in the Village of Shickley, Fillmore County, NE, bounded on the east by the west line of South Peach Street and bounded on the west by the east line of Quince Street, all in Shickley, Fillmore County, NE, as recorded in Book 83 of Deeds at Page 181 of the records of the Fillmore County Register of Deeds, more particularly described as: Being said railroad right-of-way, bounded on the east by the west line of South Peach Street and bounded on the west by an extension of the west line of Lots 1 and 2, Block 17, First Addition except the north 30 feet thereof, previously conveyed to the Village of Shickley in a deed dated Feb. 10, 2003 and recorded on Feb. 11, 2003 in Book 85 of Deeds at Page 201 of the records of the Fillmore County Register of Deeds, Fillmore County, NE.

Current Owners: Orrin and Nancy Hanouw

AND



Fillmore County Planning and Zoning Minutes



Lots 14-15, Block 17, First Addition to the Village of Shickley, Fillmore County, NE.

Current Owners: Village of Shickley

AND

Lot 16, Block 17, First Addition to the Village of Shickley, Fillmore County, NE and the abandoned railroad right-of-way between (East) Quince Street and (West) Peach Street less the north 30 feet, Shickley, Fillmore County, NE.

Current Owners: Village of Shickley

After discussion and no public comments, Waltrip motioned to close the public hearing at 8:30pm. Girmus seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Stuckey, Noel, Girmus and Waltrip

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:30pm.

Noel moved to recommend to the Village Board of Shickley to approve the application for Zoning Change. Waltrip seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Noel, Girmus, Stuckey and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:30pm. The hearing action item was as follows:

A proposed amendment to the current Village of Shickley zoning regulations governing 5.5.04 **CONDITIONAL USES** in an R-2 Residential District. The proposed amendment would add an Item 11 stating Design Studios are a permitted special use by conditional use permit when adjacent to commercially zoned property within the R-2 Residential District within the Village of Shickley only.

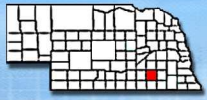
After discussion and no public comments, Noel moved to close the public hearing. Kassik seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Girmus, Noel, Harre, Stuckey, Kassik and Waltrip.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:45pm.

Waltrip moved to recommend to the Village Board of Shickley to approve the aforementioned R-2 amendment. Most seconded the motion.



Fillmore County Planning and Zoning Minutes



Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Noel, Girmus, Kassik, Stuckey and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:45pm. The hearing action item was as follows:

A Conditional Use Permit requested by Reinsch Studio 3 for a proposed Design Studio to be operated within the Village of Shickley R-2 Residential District on the property described as:

Lots 11-12, Block 8, Shickley, NE, Fillmore County; more specifically 212 N Pear.

After discussion and no public comments, Waltrip moved to close the public hearing. Girmus seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Girmus, Noel, Harre, Stuckey, Kassik and Waltrip.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 9:00pm.

Waltrip moved to recommend to the Village Board of Shickley to approve the aforementioned Conditional Use Permit.

Noel seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Noel, Girmus, Kassik, Stuckey and Waltrip.

Nays: None

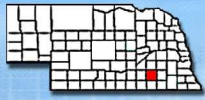
Chairman Harre declared the motion carried.

DISCUSSION

Zoning Assistant, Heather Miller, provided an update on the progress of adopting new zoning, subdivision regulations and amendments to the comprehensive plan at the village level.

ADJOURNMENT

As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 9:00pm.



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting July 29, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 pm on July 29, 2013, in the Courthouse Board Room in Geneva, Nebraska.

Members present: Chairman Harre, Secretary Elznic, Most, Kassik, Girmus, Stuckey and Waltrip.

Absent: Noel

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrator, Heather Miller, was present to record the minutes of the meeting. Also present were Kim Slezak, Gerald Slezak, Alan Brunkow, and Drew Jensen.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Kassik moved to approve the agenda for the July 29, 2013 meeting. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Kassik, Most, Harre and Stuckey.

Nays: None

Chairman Harre declared the motion carried.

MINUTES

Most moved to approve the minutes from the June 17, 2013 meeting. Stuckey seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik and Stuckey.

Nays: None

Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the June 17, 2013 meeting.

Permit #	Name	Legal	Permit Address	Village	Type
1709	Carlson, Gary	Block 17		Shickley	building



Fillmore County Planning and Zoning Minutes



1714	Nick Sudrla	Lot 433-434 & 12' of 435; OT	217 S Union	Exeter	Garage
1715	Carlson, Gary	Multiple		Shickley	Zoning Change
1719	Reinsch Studio 3	Lot 11-12, Blk 8; OT	212 N Pear	Shickley	Conditional Use Perr
1721	Bruns, Todd & Julia	Lot 11-12; Blk 9; Fillmore Addition	710 1 st Ave	Fairmont	Deck
1722	McLaughlin, Lathan	13-2-1	2417 Road U	Tobias	New house
1723	Nun, Christopher	4-6-2	1207 Road 15	Geneva	New Garage
1724	Swartzendruber Construction	Lot 3, Blk 10; OT	203 S Pear	Shickley	Addition
1725	Behrens, Charles & Julie	N ½ Lot 341+342; OT	112 South River	Exeter	New Fence
1726	Loukota, Agnes	S 84' of N 172' of W 140' Lot 548 and ½ vac alley	514 S Union	Exeter	New Deck
1728	Styskal, Daryl	Lots 190-192; OT	120 N Union	Exeter	New Shed
1729	Brinkman, Bart	Lots 7-12; Blk 4; OT	312 N Cherry	Shickley	Garage add on
1730	Schropfer, William	Lots 11-16, 17-22; Blk 1, East Addition	749 12 th Ave	Fairmont	Garage
1731	Mosier Farms Partnership	10-5-3	1016 Rd 10	Strang	Relocate Bin
1732	Mosier Farms Partnership	16-5-3	412 Rd 10	Shickley	Relocate Bin
1735	Kennedy, Larry	Lots 177-181; OT	109 N Exeter Ave	Exeter	New deck

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:10pm. The hearing action item was as follows:

A proposed amendment to the current Village of Milligan zoning regulations governing 5.6.04 CONDITIONAL USES in a C-1 Commercial District. The proposed amendment would add an Item 4 stating places of worships such as churches and synagogues are a permitted special use by conditional use permit in the C-1 Commercial District within the Village of Milligan only.

After discussion and public comments, Waltrip moved to close the public hearing. Girmus seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Stuckey, Girmus and Waltrip

Nays: None



Fillmore County Planning and Zoning Minutes



Chairman Harre declared the motion carried and declared the public meeting was closed at 8:25pm.

Most moved to recommend to the Village Board of Milligan to approve amendment to the C-1 regulations. Waltrip seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Kassik, Girmus, Stuckey and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:25pm. The hearing action item was as follows:

A zoning change request filed by Milligan United Methodist Church. The proposed property is currently zoned as R-2 Residential. The application is proposing it be changed to C-1 Commercial within the Village of Milligan for the property described as:

Lot 1 & N ½ Lot 2, Block 8, Original Town, Milligan, Fillmore County, NE.

Current Owners: Milligan United Methodist Church

AND

S ½ Lot 2 & Lot 3, Block 8, Original Town, Milligan, Fillmore County, NE.

Current Owners: Milligan United Methodist Church

AND

Lots 15-18, Block 3, First Addition to the Village of Milligan, Fillmore County, NE.

Current Owners: Village of Milligan

After discussion and public comments, Kassik moved to close the public hearing. Waltrip seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Girmus, Harre, Stuckey, Kassik and Waltrip.

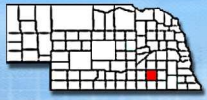
Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:38pm.

Most moved to recommend to the Village Board of Milligan to approve the zoning change request. Stuckey seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Girmus, Kassik, Stuckey and Waltrip.



Fillmore County Planning and Zoning Minutes



Nays: None

Chairman Harre declared the motion carried.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:40pm. The hearing action item was as follows:

Conditional Use Permit requested by Milligan United Methodist Church for a proposed place of worship to be constructed within the Village of Milligan C-1 Commercial District on the property described as:

Lot 1 & N ½ Lot 2, Block 8, Original Town Milligan, NE, Fillmore County and S ½ Lot 2 and Lot 3; Block 8, Original Town Milligan, NE, Fillmore County.

More specifically on the southeast corner of 6th Street and N Street.

After discussion and public comments, Kassik moved to close the public hearing. Girmus seconded the motion. Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Girmus, Harre, Stuckey, Kassik and Waltrip.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:50pm.

Waltrip moved to recommend to the Village Board of Milligan to approve the aforementioned Conditional Use Permit. Stuckey seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Most, Harre, Girmus, Kassik, Stuckey and Waltrip.

Nays: None

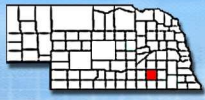
Chairman Harre declared the motion carried.

DISCUSSION

Zoning Administrator, Heather Miller, discussed a lot split approved by the Village of Exeter. The lot split met all current zoning regulations. The Betty Subdivision was tabled as Miller had located changes needed on the survey prior to the meeting. Discussion was had regarding the location of the meetings. Now that Miller is located at the Fillmore County East building, it was determined that future Planning Commission meetings would be in the large conference room on the north side of the old hospital. Times/dates will remain the same.

ADJOURNMENT

As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 8:53pm.



Fillmore County Planning and Zoning Minutes



AGENDA

FILLMORE COUNTY PLANNING COMMISSION

MEETING DATE: September 16, 2013

- 8:00** Convene Regular Meeting
Open Meetings Law
Roll Call
Approve Agenda of September 16, 2013 meeting
Approve Past Meeting Minutes

Permits

Permit #	Name	Legal	Permit Address	Village	Type
1727	JLC Inc	Lot 1-3; Blk 8; OT	Milligan	Milligan	Church
1733	Milligan United Methodist	Lots 1-3; Blk 8; OT	Milligan	Milligan	Conditional use church
1734	Milligan United Methodist	LOT SPLIT	Milligan	Milligan	LOT SPLIT
1737	Bristol, Don	11-8-2	2303 Rd 17	Fairmont	New bin
1738	Casey's General Store	30-8-2	1302 Rd F	Fairmont	Awning addition
1741	Capek, Ray	27-6-1	2209 Rd Q	Milligan	New garage
1742	Remter, Roger	1-5-2	618 Rd 19	Ohiowa	New shed
1743	Milton, Eric	Lot 1, Blk 1, Joseph Stych's 2 nd	723 Q	Milligan	New garage
1744	Hinton, Dennis	S 82' SE Lot 544	423 S Union	Exeter	Fence
1745	Pospisil, Joel	2-7-1	PO Box 85	Friend	New bldg
1747	Stuckey, Allan	Lot 50; Bouton's 1 st	200 E 2 nd	Grafton	Used bldg
1749	Trollope, Ron and Joan	Lots 7-8; Blk 13; Fillmore Addition	835 5 th Ave	Fairmont	New bldg

8:10 Public Hearing

The hearing action item is as follows:

Amending the current zoning regulations governing 9.6 ACCESSORY BUILDING to include RV Storage Units as a permitted special use by conditional use permit within the Village of Fairmont only.

8:20 Public Hearing

The hearing action item is as follows:

Application for a Conditional Use Permit for a proposed RV Storage Unit to be constructed within the R-1 District inside the Village of Fairmont for the property described as:

S ½ Lot 7, Lots 8-9; Block 1, First Addition, Fairmont, NE, Fillmore County

Filed by: Larry Vodicka

8:30 Public Hearing

The hearing action item is as follows:

Application for a Conditional Use Permits for a proposed winery to be constructed within the AG-1 Agriculture District for the property described as:

NW ¼ Section 29, Township 5, Range 1, Fillmore County, NE.

Filed by: Jim and Julie Stutzman

9:00 Adjournment

CLOSED SESSION may be needed for any one or more items on the agenda.

July 25, 2013, 3:00pm



Fillmore County Planning and Zoning Minutes



Items on agenda are subject to change within the scheduled meeting. Items indicated with an asterisk will be addressed at the time indicated; other items shown are tentative and may be altered. If you are here to participate on an item and need special consideration because of a schedule conflict or some other problem, please let the County Clerk know so we may accommodate your needs.



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting October 21, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:25 pm on October 21, 2013, in the Fillmore County East Board Room in Geneva, Nebraska.

Members present: Chairman Harre, Secretary Elznic, Girmus (phone/present), Noel, Stuckey (phone) and Waltrip.

Absent: Kassik and Most.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Past Zoning Administrator, Heather Miller and current Zoning Administrator, Crystal Vavra, were present to record the minutes of the meeting. Also present were Christin Lovegrove, Dan and Ashley Risseeuw.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Noel moved to approve the agenda for the October 21, 2013 meeting. Elznic seconded the motion. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Noel, Stuckey (phone) and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

MINUTES

Noel moved to approve the minutes from the September 16, 2013 meeting. Girmus seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Girmus, Noel, and Waltrip.

Nays: None

Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the October 21, 2013 meeting.

Permit #	Name	Legal	Permit Address	Village	Type
1748	Stutzman, Jim & Julie	29-5-1	211 Rd 20	Ohiowa	Cond Use for Winery



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1750	JRL Farms, Inc	35-8-3	Rd 11 & G	Fairmont	Corner Pivot System
1751	JRL Farms, Inc	11-7-3	Rd 11 & I	Fairmont	Corner Pivot System
1755	Kleinschmidt, Kurt	22-8-4	218 Hwy 6	Grafton	Building
1756	Theobald, Kent	11-6-3	Rd 12 & N	Fairmont	Pivot Point/pad/well
1758	Puyot, Angel	Lot 5 ex N 14'; Blk 6; OT	211 S Plum	Shickley	Storage bldg
1759	Lovegrove Farms Inc	2-7-3		Fairmont	Corner system pivot
1760	Hintz, Kyle & Cindy	29-5-2	1410 Road X	Bruning	Fence/Bldg

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:30pm. The hearing action item was as follows:

Waiver of subdivision concerning regulations regarding lot size of 3 acre minimum for Risseeuw Subdivision filed by Dan and Ashley Risseeuw for the property known as:

NW ¼ of Section 2-7-3, Fillmore County, Nebraska

Conditions: Ability to maintain, update, improve, alter, modify or replace structures and/or improvements on property due to ordinary wear and tear, changing needs, damage or destruction.

After discussion, Noel moved to close the public hearing. Waltrip seconded the motion. Upon roll call, the vote was as follows:

Ayes: Girmus (phone), Elznic, Harre, Noel and Waltrip.

Nays: None

Motion by Waltrip, seconded by Elznic, to approve Risseeuw Subdivision located on NW ¼ of Section 2-7-3 at 2.88 acres for homestead.

Ayes: Stuckey (phone), Waltrip, Noel, Harre and Elznic.

Chairman Harre declared the motion carried and declared the public meeting was closed at 8:50pm.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 8:51 pm. The hearing action item was as follows:

Conditional Use Permit requested by Susan DeJonge for a proposed accessory building to be constructed on a lot without a primary building within the Village of Exeter R-2 Residential District on the property described as:

W 71' Lot 3, Block 3, HG Smith's Addition Exeter, NE, Fillmore County



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Follow 9.7 regulations requiring building on back half of lot.

After discussion and public comments, Waltrip moved to close the public hearing. Noel seconded the motion. Upon roll call, the vote was as follows:

Ayes: Girmus, Harre, Noel, Waltrip and Elznic.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 9:25pm.

PUBLIC HEARING

Chairman Harre declared the public hearing open at 9:00 pm. The hearing action item was as follows:

The hearing action item is as follows: Fairmont Amendment

3.3 DEFINITIONS section 3.3.05 BUILDING HEIGHT to read “shall mean the vertical distance above grade to the highest point of the roof, measured from the highest adjoining sidewalk or ground surface within a five foot horizontal distance at the exterior wall of the building.”

5.3 R Residential District section 5.3.06 HEIGHT AND AREA REGULATIONS amending the maximum height for Accessory Uses to 25’****.

****Sidewalls should not exceed 17 feet in height.

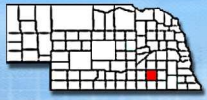
5.4 R-1 Residential District section 5.4.06 HEIGHT AND AREA REGULATIONS amending the maximum height for Accessory Uses to 25’****

****Sidewalls should not exceed 17 feet in height.

5.5 R-2 Residential District section 5.5.06 HEIGHT AND AREA REGULATIONS amending the maximum height for Accessory Uses to 25’****

****Sidewalls should not exceed 17 feet in height.

9.6 ACCESSORY BUILDINGS adding “Accessory buildings located in the residential districts shall not have sidewalls that exceed 17 feet in height and” shall be constructed of materials similar to the principle residential use, “except that vertical metal wall panels shall not be used.”



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9.7 ACCESSORY BUILDING PRIMARY NATURE Such structures shall be constructed of materials customarily used in residential construction, including colored metal siding and roofing, (adding) “but shall not include vertical metal wall panels.”

Motion made by Elznic, seconded by Noel to not recommend to the Village Board of Fairmont to amend the current zoning regulations governing the aforementioned articles/sections within the Village of Fairmont only.

After discussion and public comments, Noel moved to close the public hearing. Waltrip seconded the motion. Upon roll call, the vote was as follows:

Ayes: Girmus, Waltrip, Noel, Harre and Elznic.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 9:30 p.m.

PUBLIC HEARING

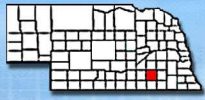
Waiver on lot size – Bob Mueller: will be held at November meeting.

DISCUSSION

Next Planning Commission Board meeting will be held on November 18, 2013 at 7:00 p.m. at the old hospital conference room, 1323 H Street, Geneva, Nebraska.

ADJOURNMENT

As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 9:40 p.m.



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Fillmore County Planning Commission Minutes of Meeting November 18, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. on November 18, 2013, in the Fillmore County East Board Room in Geneva, Nebraska.

Members present: Chairman Harre, Secretary Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Absent: Girmus.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrator, Crystal Vavra, was present to record the minutes of the meeting. Also present was Bob Mueller to discuss splitting two lots in the Village of Exeter.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Waltrip moved to approve the agenda for the November 18, 2013 meeting. Most seconded the motion. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Nays: None

Chairman Harre declared the motion carried.

MINUTES

Waltrip moved to approve the minutes from the October 21, 2013 meeting. Noel seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

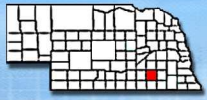
Nays: None

Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the November 18, 2013 meeting.

1757	Marvin Roesti	Lots 67-72 & 79-84, Blk 6	1250 F Street	Fairmont	Storage shed/machinery
1761	Russ Kleinschmidt	SE 29-6-3	809 Road 9	Shickley	Livestock shed



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1762	Danny L. Nun	SE ¼ 18-6-1	1010 Road 20	Ohiowa	Storage shed
1763	Kyle & Rebecca Svec	SW 12/ of SE ¼ 10-6-1	2214 Road O	Milligan	Garage/breezeway
1764	Rolfes Farms/Robert Waltrip	NE ¼ 30-8-3		Grafton	Pivot
1765	E B Farms/Lance Fiala	NE ¼ 13-5-3	418 Road 13	Strang	Pivot point/pad
1766	Bernard J. Miller	E ½ lot 22 S 55' 20-8-1	313 Empire	Exeter	Relocate garage
1767	Duane Luzum	SW SE & SSW tract 34-7-1	2217 Road J	Exeter	Center pivot
1768	Brooke Brown	Lot 23-26, block Tatros, 2 nd Addition	350 E. South St	Grafton	Garage/storage bldg
1769	Jerry Stevens	NE Ex Tr 29-8-3	814 Road E	Grafton	Pivot point/pad (north)
1770	Jerry Stevens	NE Ex Tr 29-8-3	814 road E	Grafton	Pivot point/pad (south)
1771	Agrimars (Max Miller)	W ½ SW ¼ 34-7-3	710 N. 11 th St	Geneva	Pivot
1772	Keith Koch	SE Less Tract 24-6-4	910 Road 7	Shickley	Remodel-Screen-in patio

PUBLIC HEARING

Chairman Harre declared the public hearing open at 7:21pm. The hearing action item was as follows:

The hearing action item is as follows: Fairmont Amendment

9.6 ACCESSORY BUILDINGS to include: “except that vertical metal wall panels shall not be used. Such structures shall include a minimum 12-inch and maximum 36-inch overhang/eave with a fascia and soffit”.

9.7 ACCESSORY BUILDING PRIMARY NATURE to include: “but shall not include vertical metal wall panels. Such structures shall include a minimum 12-inch and maximum 36-inch overhang/eave with a fascia and soffit”.

After discussion and no public comments, Waltrip made a motioned to close the public hearing at 7:44 p.m. Most seconded the motion. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 7:44 p.m.

Most made a motion to not recommend the Fairmont Amendment for 9.6 Accessory Buildings. Waltrip seconded the motion. Upon roll call, the vote was as follows:



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Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Nays: None

Noel made a motion to not recommend the Fairmont Amendment for 9.7 Accessory Building Primary Nature. Kassik seconded the motion. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Nays: None

Chairman Harre declared the motions carried.

DISCUSSION

Chairman Harre declared the open hearing at 7:25 p.m. The hearing action item was as follows:

Request for Waiver on Lot Size requirements in R-2 within Village of Exeter – Bob Mueller

After discussion, Most made motioned to close the public hearing at 7:40 p.m. Stuckey seconded the motion. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Nays: None

Chairman Harre declared the motion carried and declared the public meeting was closed at 7:40 p.m.

Noel made a motion to approve the lot split for Lot 512 and Lot 513 in the Village of Exeter. Waltrip seconded the motion. Bob Mueller was given the Application for Lot Split to be filled out and returned to the zoning office. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Waltrip, Noel, Most, Stuckey and Kassik.

Nays: None

Chairman Harre declared the motion carried.

Next Planning Commission Board meeting will be held on December 16, 2013 at 7:00 p.m. at the old hospital conference room, 1323 H Street, Geneva, Nebraska.

ADJOURNMENT

As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 8:00 p.m.



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Fillmore County Planning Commission Minutes of Meeting December 16, 2013

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. on December 16, 2013, in the Fillmore County East Board Room in Geneva, Nebraska.

Members present: Chairman Harre, Secretary Elznic, Most, Stuckey and Kassik.

Absent: Girmus, Noel and Waltrip.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Zoning Administrator, Crystal Vavra, was present to record the minutes of the meeting.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

AGENDA

Most moved to approve the agenda for the December 16, 2013 meeting. Stuckey seconded the motion. Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Most, Stuckey and Kassik.

Nays: None.

Chairman Harre declared the motion carried.

MINUTES

Kassik moved to approve the minutes from the November 18, 2013 meeting. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Harre, Elznic, Most, Stuckey and Kassik.

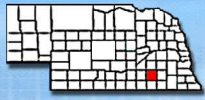
Nays: None

Chairman Harre declared the motion carried.

APPROVED PERMITS

Listed below is a table of approved permits since the December 16, 2013 meeting.

1752	Susan DeJonge	Lot 3 HG Smith's Addition	304 SE Boundary	Exeter	Garage
1753	Susan DeJonge	Lot 3 HG Smith's Addition	304 SE Boundary	Exeter	Conditional Use Permit
1773	JAQS Irrigation	13-5-2 WSW	CR 18 & CR V	Geneva	Pivot point/pad



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1774	Fangmeyer Family Farms	19-6-3		Shickley	Pivot point/pad
1775	Larry Biester	29-7-3	1404 Road 9	Geneva	Pivot point/pad
1776	Jeff Row-Bear Creek Farms	33-5-3	913 Road X	Shickley	New building
1777	R&M Farms-Fangmeyer Family Farms	19-6-3		Shickley	New Pivot
1778	Kim Schoenholz	34-5-2	116 Rd 17	Bruning	Pivot (replacement)
1779	Jerid Flint (Evelyn Flint)	Lot 6, Block 10, Orig town	211 S. Pear	Shickley	New Garage
1780	Rodney Domeier Domeier Farms	28-7-4	315 Road K	Sutton	Garage/Storage Shed
1782	John Lovegrove	16-7-4	902 Rd F	Fairmont	Pivot corner
1783	Justin Lovegrove	13-7-3		Fairmont	Pivot corner
1784	Infinity Holdings	4-7-4		Fairmont	Pivot corner
1785	Farmers Coop – Milligan	12-6-1	307 N Street	Milligan	Steel Bldg
1786	Tony Lauenstein	7-5-4	502 Rd 2	Shickley	Steel shed

Discussion regarding subdivision regulations, Article 8: Waivers and Exceptions; Section 801: Granting of Waivers (Exceptions) and Conditions. Most made motion, Stuckey seconded the motion to set a public hearing on January 20, 2014 to amend the regulations to add the underlined wording:

In addition to the exceptions contained in this Resolution/Ordinance, the Planning Commission may recommend and the county Board of Supervisors/Village Board may grant waivers for herein for small residential, commercial and industrial subdivisions from the provisions of these regulations, etc.....

***Discussion with Dave Potter, Senior Planner with JEO Consulting Group, Inc. Mr. Potter mentioned the language is not necessary for the following reason: “authority is not given to reduce the size of lots upon platting. The size of a lot corresponds to the minimum lot size in the zoning district and cannot be allowed unless a lot of record. Waivers in the subdivision regulations are only used for provision prescribed in the subdivision regulations such as street width, curbing, sidewalks, sewer, drainage plans, etc., not lot size.”

Next Planning Commission Board meeting will be held on January 20, 2014 at 7:00 p.m. at the old hospital conference room, 1323 H Street, Geneva, Nebraska.

ADJOURNMENT

As there were no other items on the agenda, Chairman Harre declared the meeting adjourned at 7:38 p.m.