



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting January 19, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. on January 19, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Harre, Elznic, Girmus, Hafer, Stuckey, Dan, Kassik- 7:20

**Absent:** Most, Noel

Also present Planning and Zoning Administrator- Jennifer 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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### APPROVED PERMITS

Listed below is a table of approved permits since the December meeting:

Permit #	Name	Legal	Permit Address	Village	Type
1983	Broman, Keith	SE ¼ 18-6-2	1002 Rd 14	Geneva	Storage
1984	Barrow, Tadd & Kathy	1-8-3	2401 Road 12	Fairmont	House
1985	Robert Lovelace	North 42 of lots 10-11 Blk 3 1 <sup>st</sup> add	800 6 <sup>th</sup> Ave	Fairmont	Garage

### AGENDA

Hafer moved to approve the agenda for the January 19, 2016. Girmus seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Stuckey, Hafer, Dan, Girmus, Elznic, Harre

Nays: None.

Chairman Harre declared the motion carried 6-0

### MINUTES



# Fillmore County Planning and Zoning Minutes



Girmus made motion to approve minutes for December 21, 2015 meeting. Seconded by Stuckey.

Upon roll call, the vote was as follows:

Ayes: Girmus, Dan, Hafer, Stuckey, Elznic, Harre

Nays: None

Chairman Harre declared the motion carried 6-0

## **Public Hearing: Opened at 7:20pm**

**Zoning Change Requested by Bobby Eggers of Grafton. On the property described as:**

**0-0-0 Lots 9-11 Original Town Grafton, Fillmore County NE**

Current Owner: Bobby and Kristi Eggers

Current Zoning: R-1 Residential

Requested Zoning: C-1 Highway Commercial

**Purpose: To construct a commercial storage unit.**

One 30x70 building, illustration showing 5 unit doors.

**Motion to close the hearing made by Dan, seconded by Stuckey.**

Upon Roll call, vote is as follows:

Ayes: Girmus, Dan, Kassik, Hafer, Stuckey, Elznic, Harre

Nays: None

Chairman Harre declared motion carried 7-0

**Motion to approve the zoning change for Lots 9-11 Original Town Grafton, Fillmore County NE from Residential R-1 district to Commercial Highway C-1 made by Harre, Seconded by Girmus.**

Upon Roll call, vote is as follows:

Ayes: Stuckey, Hafer, Kassik, Dan, Girmus, Elznic, Harre

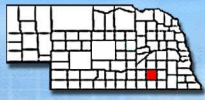
Nays: None

Chairman Harre declared motion carried 7-0

**Next meeting will be February 16, 2016 at 7:00pm**

## **ADJOURNMENT**

As there were no other items on the agenda, Harre adjourned meeting at 7:30pm.



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting

February 16, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. on February, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Girmus, Stuckey, Most, Harre, Elznic, Hafer 7:10

**Absent:** Kassik, Noel, Dan

Also present Planning and Zoning Administrator- Jennifer Slezak, Matt Robinette with Bluestem Energy, and Gary Aksamit.

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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### APPROVED PERMITS

Listed below is a table of approved permits since the December meeting:

Permit #	Name	Legal	Permit Address	Village	Type
1983	Broman, Keith	SE ¼ 18-6-2	1002 Rd 14	Geneva	Storage
1984	Barrow, Tadd & Kathy	1-8-3	2401 Road 12	Fairmont	House
1985	Robert Lovelace	North 42 of lots 10-11 blk 3 1 <sup>st</sup> add	800 6 <sup>th</sup> Ave	Fairmont	Garage
1988	Grafton Farms	NE 1/7 7-7-3	717 Road H	Grafton	Bin
1994	Cynthia/Scott Reinsch	Lot 7 BLk 16 orig twm	308 S Pear	Shickley	Gazebo

### AGENDA

Girmus moved to approve the agenda for the February 16, 2016. Most seconded the motion. Upon roll call, the vote was as follows:  
Ayes: Most, Stuckey, Girmus,

Elznic, Harre

Nays: None.

Chairman Harre declared the motion carried 5-0

### MINUTES

Stuckey made motion to approve minutes for January 19, 2016 meeting. Seconded by Girmus.

Upon roll call, the vote was as follows:

Ayes: Girmus, Dan, Hafer, Stuckey, Elznic, Harre



# Fillmore County Planning and Zoning Minutes



Nays: None

Chairman Harre declared the motion carried 5-0

## **Public Hearing: Opened at 7:15pm**

Conditional Use permit filed by Werner Construction to construct a temporary asphalt batch plant on the property described as:

**North Part of Section Twenty Four (24), Township Eight (8), Range One (1) Hwy ROW**

**Exeter, Fillmore County, Nebraska**

Current Owner: Mary Jo Weber

Plant will run approximately 6-9 weeks, sun up to sun down. It will be located off of a township road. Zoning administrator will contact township board and request attendance at the County Supervisor meeting.

## **Motion to close the hearing made by Stuckey, seconded by Girmus.**

Upon Roll call, vote is as follows:

Ayes: Girmus, Stuckey, Most, Hafer, Elznic, Harre

Nays: None

Chairman Harre declared motion carried 6-0

**Motion to approve** Conditional Use permit filed by Werner Construction to construct a temporary asphalt batch plant on the property described as:

**North Part of Section Twenty Four (24), Township Eight (8), Range One (1) Hwy ROW**

**Exeter, Fillmore County, Nebraska**

Current Owner: Mary Jo Weber

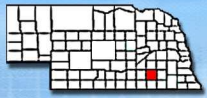
Upon Roll call, vote is as follows:

Ayes: Hafer, Girmus, Stuckey, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion carried 6-0

**Discussion:** Matt Robinette with Bluestem Energy was present to discuss the height restriction in the Fillmore County Zoning regulations. He proposed the regulations be amended to no height restriction. Gary Aksamit was also present to discuss his future plans with wind energy in Fillmore County.



# Fillmore County Planning and Zoning Minutes

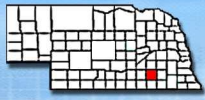


The board was in agreeance on making a change to the wind turbine height restriction. A public hearing will be held at the next Planning Commission meeting for voting.

**Next meeting will be March 21, 2016 at 8:00pm.**

## **ADJOURNMENT**

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



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting

**March 21, 2016**

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. March 21, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Elznic, Hare, Kassik, Most, Noel, Stuckey, Risseuw, Hafer

**Absent:** Girmus

Also present: Planning and Zoning Administrator- Jennifer Slezak.

Betkas, Matt with BlueStem Energy

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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### APPROVED PERMITS

Listed below is a table of approved permits since the December meeting:

Permit #	Name	Legal	Permit Address	Village	Type
1995	Tom Pribyl	SW ¼ 1-6-2	1207 RD 18	Geneva	Bin
1996	Don Bristol	SE ¼ 14-8-3	2202 rd 12	Fairmont	Home
1998	Sharon Elznic	S ½ SE ¼ NE ¼	14-6-2	Geneva	Cattle Shed
1999	Julie Aude	N 66' Blk 2 lot 4	800 7 <sup>th</sup>	Fairmont	Fence
2000	Joey Haverluck		404 Main St	Milligan	Fence
2001	Srajhans, Joseph	SW ¼ 35-7-2	1301 rd 17	Geneva	Portable cattle shed
2002	Robert Hendrickson	N ½ SW ¼ 2-5-4	609 Rd 4	Shickley	Pivot Pad

### AGENDA

Dan R moved to approve the agenda for the March 21, 2016. Kassik seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Kassik, Dan, Stuckey, Hafer, Noel, Most, Elznic, Harre

Nays: None.

Chairman Harre declared the motion carried 8-0

### MINUTES





# Fillmore County Planning and Zoning Minutes



Most made motion to approve minutes for February 16, 2016 meeting. Seconded by R. Noel.

Upon roll call, the vote was as follows:

Ayes: Most, Noel, Hafer, Stuckey, Dan R, Kassik, Elznic, Harre

Nays: None

Chairman Harre declared the motion carried 8-0

## **Public Hearing: Opened at 8:05pm**

### **8:05 Public Hearing:**

Conditional Use permit to construct an accessory building as primary use on the lot described as:

**JOSEPH STYCHS SECOND ADDITION LOT 3 EX W150' OF E 360' AND EX E 60' MILLIGAN NE**

Current Owner: James J and Lynn C Betka

James was present to discuss building plans.

### **Motion to close the hearing made by Noel, seconded by Stuckey.**

Upon Roll call, vote is as follows:

Ayes: Kassik, Dan R, Stuckey, Hafer, Noel, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion carried 8-0

**Motion to approve** Conditional Use permit to construct an accessory building as primary use on the lot described as:

**JOSEPH STYCHS SECOND ADDITION LOT 3 EX W150' OF E 360' AND EX E 60' MILLIGAN NE**

Current Owner: James J and Lynn C Betka

Upon Roll call, vote is as follows:

Ayes: Most, Noel, Hafer, Stuckey, Dan R, Kassik, Elznic, Harre,

Nays: None

Chairman Harre declared motion carried 8-0

### **8:20 Public Hearing:**

Proposed amendment to the current Fillmore County Zoning Regulations on removal of:

Section 9.16.06 Specialty Safety and design standards: Item Number 4. Height

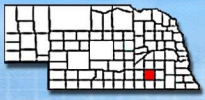
**Motion to close** the hearing on zoning regulation amendment made by Hafer, second by Stuckey,

Upon Roll call, vote is as follows:

Ayes: Kassik, Dan R, Stuckey, Hafer, Noel, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion carried 8-0



# Fillmore County Planning and Zoning Minutes



**Motion to approve** the amendment to Section 9.16.06 Specialty Safety and design standards: Item Number 4. Height

Section 9.16.06 Specialty Safety and design standards:

4: Height: The total height shall be determined by the fall zone requirement and shall not exceed four hundred (400) feet. Tower height shall not exceed 300 feet. FAA approval is required.

**Recommended amendment:**

Section 9.16.06 Specialty Safety and design standards:

4: Height: The total height shall be determined by the fall zone requirement. FAA approval is required.

Motion made by Hafer, second by Stuckey

Upon Roll call, vote is as follows:

Ayes: Kassik, Dan R, Stuckey, Hafer, Noel, Most, Elznic, Harre

Nays: None

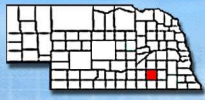
Chairman Harre declared motion carried 8-0

**Next meeting will be May 16, 2016 at 8:00pm.**

**ADJOURNMENT**

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





# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting April 18, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. March 21, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Most, Noel, Elznic, Girmus, Kassik, Dan, Hafer Stuckey-8:25pm

**Absent:** Harre

Also present: Planning and Zoning Administrator- Jennifer 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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### Approved Permits since previous meeting:

Permit #	Name	Legal	Permit Address	Village	Type
2003	Barrow, Tadd	1-8-3	2401 CO RD 12	Fairmont	Building
2004	Reed, Shelly/Brent	Lots 652-655	735 5 <sup>th</sup> St	Fairmont	Fence
2005	Kresser, John/Sara	SE ¼ 32-4-3	100 Rd 9	Shickley	Pole Building
2006	Schultz, Chad & Gwen	Lot 9 blk 4 1 <sup>st</sup> add	202 N Apple	Shickley	Fence
2007	Stutzman Enterprisees LLC	SW ¼ NW ¼ 29-8-1	211 Rd 20	Ohiova	Office addition
2008	Circle 5 beef	SW ¼ 25-8-3	1204 Rd F	Fairmont	Building
2009	Michl, Richard	Lot 2 Kassiks 4 <sup>th</sup> add	708 9 <sup>th</sup>	Milligan	Building
2010	B&B Ag	SE ¼ 24-8-3		Fairmont	Bin
2012	Gloystein, Tanner		422 S Empire	Exeter	Fence
2013	Kuska, Galen	E1/2 SE ¼ 23-7-1			Storage shed
2014	Cantrell, Steven J		97 5 <sup>th</sup> ave	Fairmont	Building
2015	Kassik, Michael	Lot 3 Kassik 3 <sup>rd</sup> add	726 P St	Milligan	Storage shed

### Denied Permits since previous meeting:

2011	Douglas, Dale	Lot 19 N 20 of lot 20 Lot 3	506 N St	Milligan	Amatuer radio tower
------	---------------	-----------------------------	----------	----------	---------------------

## AGENDA

Most moved to approve the agenda with the deletion of the Public Hearing for the April 18, 2016.

Girmus seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Hafer, Dan, Most, Girmus, Kassik, Elznic, Reg Noel

Nays: None.

Chairman Harre declared the motion carried 7-0

## MINUTES

Kassik made motion to approve minutes for March 21, 2016 meeting. Seconded by Dan.



# Fillmore County Planning and Zoning Minutes



Upon roll call, the vote was as follows:

Ayes: Girmus, Kassik, Hafer, Dan, Most, Reg Noel, Elznic

Nays: None

Chairman Harre declared the motion carried 7-0

## **8:05 Public Hearing- Kenny Harre requested to be removed from agenda.**

### **Pribyl Brothers 3<sup>rd</sup> Subdivision**

Motion to approve Pribyl Brothers 3<sup>rd</sup> Subdivision made by Dan, seconded by Hafer

Located in the Northwest Quarter of the southeast quarter of section 4, Township 6 North, Range 1 West of the 6<sup>th</sup> P.M.

Upon roll call, vote is as follows

Ayes: Most, Dan, Hafer, Girmus, Kassik, Elznic, Reg Noel

Nays: None

Passed 7-0

### **Shickley Viaero Subdivision**

Motion to approve Shickley Viaero Subdivision made by Most, seconded by Reg Noel.

A part of the Southwest Quarter Section 1, Township 5 North, Range 4 West Fillmore County NE

Upon roll call, vote is as follows

Ayes: Hafer, Girmus, Kassik, Elznic, Reg Noel, Most, Dan

Nays: None

Passed 7-0

## **The next Planning Commission meeting will be held on Monday May 16, 2016 at 8:00pm**

As there were no other items on the agenda motion to adjourn at 8:30 made by Hafer, Seconded by Girmus



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting June 20, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. June 20, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Harre, Kassik, Elznic, Most, Dan E, Stuckey, Girmus, Hafer

**Absent:** Reg Noel

Also present: Planning and Zoning Administrator- Jennifer 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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### Approved Permits since previous meeting:

Permit #	Name	Legal	Permit Address	Village	Type
2016	Grummons, Chris	Lots 29-30 blk 6	701 7 <sup>th</sup> st	Milligan	Fence
2019	Endorf, Gaylen & Donna	Lot 2 Blk 3 H.G. Smith addition	618 E Tecumseh	Exeter	House
2020	Alfs, Tim	Lot 6 Steiders N.Ridge addition	501 N Plum	Shickley	Fence
2021	Stuckey, Allen	Lot 91-96 Boutons2nd addition	120 2 2 <sup>nd</sup>	Grafton	Attached garage
2022	Ruhl, Robert	NW lot 15 Original town	304 N River Ave	Exeter	Home
2023	PEB, INC	SW ¼ 16-8-2		Fairmont	Bin
2024	Reinsch, James	NE 4-6-2	Rd 16 & M	Geneva	Bin
2025	Motis, Preston	Lot 78-79 Orig twm	212 N Burlington Ave	Exeter	Garage
2026	Harre, Justin & Sharlene	S 92 of W 140 blk 548 ½ of vac alley	520 S Union	Exeter	Shed
2027	Carlson, Gary	W Side of NE ¼ of NW ¼ 3-5-4	405 Rd S	Shickley	2 Buildings
2028	Schropfer, William	Lot 49-50 blk 1 East addition	749 12 <sup>th</sup> Ave	Fairmont	House addition

### AGENDA

Dan R moved to approve the agenda for the June 20, 2016. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Most, Dan, Girmus, Hafer, Stuckey, Kassik, Elznic, Harre

Nays: None.

Chairman Harre declared the motion carried 8-0

### MINUTES

Kassik made motion to approve minutes for April 18, 2016 meeting. Seconded by Most.

Upon roll call, the vote was as follows:



# Fillmore County Planning and Zoning Minutes



Ayes: Kassik, Stuckey, Hafer, Girmus, Dan, Most, Elznic, Harre

Nays: None

Chairman Harre declared the motion carried 8-0

## **Discuss-Approve**

Replat of part of lot 7 and all of lot 8 Block 3, H.G. Smith's addition. Village of Exeter. Motion to approve by Stuckey, seconded by Girmus.

Upon roll call, the vote is as follows: Most, Dan, Girmus, Hafer, Stuckey, Kassik, Elznic, Harre,

Nays: None

Chairman Harre declared the motion carried 8-0

## **Other items:**

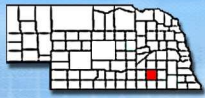
-Signed corrected subdivision for Exeter Viearo Wireless tower location.

-Zoning Administrator Jennifer Slezak informed the committee that if they would like to attend the 2017 Planning and Zoning conference lodging and conference fees would be paid for by the county.

-Discussion on Wind turbine set-backs. Will discuss further in an upcoming Planning meeting.

**The next Planning Commission meeting will be held on Monday July 18, 2016 at 8:00pm**

As there were no other items on the agenda motion to adjourn at 8:28 made by Stuckey, Seconded by Girmus.



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting August 15, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. August 15, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Harre, Elznic, Kassik, Most, Noel, Girmus, Hafer, Dan, Stuckey at 8:05pm

**Absent:**

Also present: Planning and Zoning Administrator- Jennifer Slezak. Dennis Biteman, Shawn Bates, Bill Sheehan

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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### Approved Permits since previous meeting:

Permit #	Name	Legal	Permit Address	Village	Type
029	Schurmann, Brian & Angie	SE Portion of SE ¼ 14-8-3	2202 Rd 12	Fairmont	Garage
030	Schelkopf, John	NS ¼ 27-7-3	1005 Rd K	Geneva	Pole Shed
032	Yound, Travis & Tina	Lots 56-58 Blk 10	602 Q St	Milligan	House
034	Shickley Public School	Lots 1-5 Blk 8 1 <sup>st</sup> addition	104 E Murray	Shickley	Office addition
035	Ricenbaw, John	E ½ nW ¼ 15-8-1	Rd C & RD22		2 bins
036	Slezak, Taylor	Lot 3 N ½ lot 4 blk 15	407 N St	Milligan	Building/Fence/Deck
038	Artz & Sons Cons/Chris Stengel	SESE 29-7-4	1404 Rd 3	Sutton	Addition to home
039	Raine	Lot 14 North addition Fairmont	400 A St	Fairmont	Home- Moving in home
Permit #	Name	Legal	Permit Address	Village	Type
029	Schurmann, Brian & Angie	SE Portion of SE ¼ 14-8-3	2202 Rd 12	Fairmont	Garage
030	Schelkopf, John	NS ¼ 27-7-3	1005 Rd K	Geneva	Pole Shed

### AGENDA

Dan R moved to approve the agenda for the August 15, 2016. Noel seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Elznic, Girmus, Harre, Kassik, Most, Noel, Dan, Hafer

Nays: None.

Chairman Harre declared the motion carried 8-0

### MINUTES

Hafer made the motion to Approve June 20, 2016 minutes. Seconded by Girmus.

Upon roll call, the vote was as follows:

Ayes: Hafer, Dan, Noel, Most, Kassik, Harre, Girmus, Elznic

Nays: None





# Fillmore County Planning and Zoning Minutes



Chairman Harre declared the motion carried 8-0

## **Discuss/Approve**

Addition to the Montana-Dakota Subdivision

Lot 2 / .14 acres being added to the current Subdivision.

Motion to approve by Most, seconded by Kassik.

Upon roll call, the vote is as follows:

Ayes: Elznic, Girmus, Harre, Kassik, Most, Noel, Dan, Hafer

Nays: None

Chairman Harre declared the motion carried 8-0

## **Public Hearing:**

**8:05-** Conditional Use permit filed by Trailblazer Pipeline Company LLC to construct an industrial pipeline.

Starting point: Far Northwest corner of the NW ¼ of Section 15 Township 5 Range 2 (.5 Miles North of Hwy 81 and Road V). Traveling North with and ending point of: NW portion of the NW ¼ of Section 8 Township 6 Range 2 (Intersection of Hwy 41 and Road 14).

Dennis Biteman and Shawn Bates were present for discussion.

Motion to closer hearing by Noel, seconded by Hafer.

Upon Roll call, the vote is as follows:

Ayes: Hafer, Dan, Stuckey, Noel, Most, Kassik, Harre, Girmus, Elznic

Nays: None

Chairman Harre declared the motion carried 8-0

Motion to approve- Conditional Use permit filed by Trailblazer Pipeline Company LLC to construct an industrial pipeline.

Starting point: Far Northwest corner of the NW ¼ of Section 15 Township 5 Range 2 (.5 Miles North of Hwy 81 and Road V). Traveling North with and ending point of: NW portion of the NW ¼ of Section 8 Township 6 Range 2 (Intersection of Hwy 41 and Road 14).

Motion made by Noel, Seconded by Girmus

Upon Roll vote is as follows

Ayes: Elznic, Girmus, Harre, Kassik, Most, Noel, Stuckey, Dan, Hafer

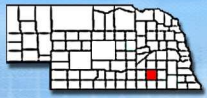
Nays: None

Chairman Harre declared the motion carried 8-0

Jennifer Slezak informed the committee that at the next meeting there will be a public hearing for a Zoning Change request.

**The next Planning Commission meeting will be held on Monday September 19, 2016 at 8:00pm**

As there were no other items on the agenda motion to adjourn at 8:35 made by Dan, Seconded by ALL..



# Fillmore County Planning and Zoning Minutes







# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting September 19, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. September 19, 2016, in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Most, Kassik, Elznic, Girmus, Noel, Hafer

**Absent:** Harre, Stuckey, Dan

Also present: Planning and Zoning Administrator- Jennifer Slezak. Kenny 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. Secretary Sharon Elznic, was present to record the minutes of the meeting.

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

### Approved Permits since previous meeting:

Permit #	Name	Legal	Permit Address	Village	Type
2041	Kassik Milling	SE Portion of SE ¼ 14-8-3	2202 Rd 12	Milligan	Bins
2042	Viaero Wireless	SW ¼ 30-8-3W		Grafton	Tower- approved by CUP
2043	Viaero Wireless	NW ¼ 28-8-1		Exeter	Tower- approved by CUP
2044	Viaero Wireless	NW1/4 29-8-2		Fairmont	Tower- approved by CUP
2045	Manning, Chris	32' lot 435, lot 36 orig town	222 S Empire	Exeter	Garage
Permit #	Name	Legal	Permit Address	Village	Type
2041	Kassik Milling	SE Portion of SE ¼ 14-8-3	2202 Rd 12	Milligan	Bins
2042	Viaero Wireless	SW ¼ 30-8-3W		Grafton	Tower- approved by CUP

### AGENDA

Girmus moved to approve the agenda for the September 19, 2016. Most seconded the motion.

Upon roll call, the vote was as follows:

Ayes: Girmus, Kassik, Elznic, Most, Noel

Nays: None.

Vice-Chairman Noel declared the motion carried 5-0

### MINUTES

Most made the motion to Approve July 15, 2016 minutes. Seconded by Noel.

Upon roll call, the vote was as follows:

Ayes: Elznic, Noel, Most, Girmus, Kassik

Nays: None

Vice-Chairman Noel declared the motion carried 5-0



# Fillmore County Planning and Zoning Minutes



## **Public Hearing:**

**8:05-** Said hearing is for Zoning Change request filed by Kenny Harre on the property described as:  
A tract of land in the SESE ¼ of Section two (2), Township Six (6), Range one (1) W of the 6<sup>th</sup> P.M.  
Current Zoning: AG-2 Proposed Zoning: C-2 Proposed Purpose: Service Station

Kenny Harre was present to discuss plans for a service station on the NW corner at the intersection of County road 24 and Hwy 41. Land has been purchased in the amount of 3+ acres. Kenny is currently work the State of Nebraska to obtain driveway permits. The operation will hook into city water. Sewage is still undecided.

Motion to close the public hearing made by Noel, seconded by Girmus.

Upon Roll call, vote is as follows:

Ayes: Girmus, Kassik, Hafer, Most, Noel, Elznic.

Nays: None

Vice Chairman declared motion carried 6-0

Motion to approve the Zoning Change filed by Kenny Harre on the property described as:

A tract of land in the SESE ¼ of Section two (2), Township Six (6), Range one (1) W of the 6<sup>th</sup> P.M.  
Current Zoning: AG-2 Proposed Zoning: C-2 Proposed Purpose: Service Station made by Noel,  
Seconded by Hafer.

Upon Roll call, vote is as follows:

Ayes: Elznic, Noel, Most, Hafer, Kassik, Girmus

Nays: None

Vice Chairman declared motion carried 6-0

**Motion to adjourn by Noel at 8:45, Ayed by all**

**Next meeting on October 17, 2016 at 8pm**



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting November 21, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. November 21, 2016 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Harre, Most, Dan, Elznic, Hafer, Stuckey, Girmus, Noel, Kassik at 7:05

**Absent:**

Also, present: Planning and Zoning Administrator- Jennifer Slezak. Jason Edwards, Ric Nelson, David Savage, Dylan Ikkala, Nick Schuler, Jon Yocchim, Ron Schropfer, Brandy VanDeWalle, Gorlyn Nun, Amanda and Bill Schropfer, Patt Lentfer, Len Schropfer, Trevor Birky, Kent Myers, Robert Schropfer, Sondra and Terry Backstrom.

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. Secretary Sharon Elznic, 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.

**Approved Permits since previous meeting:**

Permit #	Name	Legal	Permit Address	Village	Type
2054	Dorhman, Trevor	N 133 ½ lot 1 blk2	755 H St	Fairmont	Shed
2059	Cradduck, Gaylord	W ½ SW ¼ 20-5-1	309 Road 20	Ohiova	Addition to west side of home

Motion to approve agenda for Nov 21, 2016 made by Dan seconded by Noel.

Upon roll call, vote is as follows:

Ayes: Stuckey, Noel, Dan, Hafer, Girmus, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion passed 8-0

Motion to approve minutes from Sept 19, 2016 meeting made by Girmus, seconded by Stuckey.

Upon roll call vote is as follows:

Ayes: Most, Girmus, Hafer, Dan, Noel, Stuckey, Harre, Elznic

Nays: None

Chairman Harre declared motion passed 8-0

Motion to approve Oct 17, 2016 minutes made by Reg, seconded by Dan

Ayes: Stuckey, Noel, Kassik, Dan, Hafer, Girmus, Most, Elznic, Harre

Chairman Harre declared motion carried 9-0

### **PUBLIC HEARING APEX CLEAN ENERGY MET TOWER**

**7:05-** Said hearing is for a Conditional Use Permit filed by Mark Goodwin, Apex Clean Energy, to construct a 197ft meteorological tower on the property described as: North ½ of the NE ¼ of Section TEN (10), Township FIVE (5), Range TWO (2) West of the 6<sup>th</sup> P.M., less the HWY and RR ROW, Fillmore County, Nebraska



# Fillmore County Planning and Zoning Minutes



Landowners in the Ohiowa and Milligan areas were present to discuss their concerns and questions on wind farms. Most were not against meteorological towers but were not in favor of wind farms. Representatives from both Aksamit and Apex were present to answer questions.

After discussion, motion to close the public hearing for Apex clean energy at 7:30 made by Hafer, seconded by Noel. Upon roll call vote is as follows:

Ayes: Stuckey, Noel, Kassik, Dan, Hafer, Girmus, Most, Elznic, Harre

Chairman Harre declared motion carried 9-0

## **CONDITION USE PERMIT FOR APEX CLEAN ENERGY**

Hafer moved and Kassik seconded the motion to approve the condition use permit for Apex clean energy to construct a 197ft meteorological tower in the NE ¼ Section 10, Township 5, Range 2 West of the 6<sup>th</sup> p.m. Upon roll call, vote is as follows:

Ayes: Hafer, Girmus, Most, Elznic, Dan, Kassik, Reg, Stuckey, Harre

Nays: None

Chairman Harre declared motion carried 9-0

## **PUBLIC HEARING FOR BILL SCHROPFER, B&A STORAGE**

**7:30** - Said hearing is for a Zoning Change filed by Bill Schropfer, B & A Storage, to construct an additional storage unit facility on the property described as: W 84' of W 150' lots 11-16, Block 2 East Addition, Fairmont, Fillmore County Nebraska

Current Zoning: I-2 Heavy Industrial Proposed Zoning: C-2 Commercial Highway. After discussion, motion to close the public hearing at 7:49 made by Dan seconded by Stuckey. Upon Roll call, vote is as follows:

Ayes: Stuckey, Noel, Kassik, Dan, Hafer, Girmus, Most, Elznic, Harre

Nays: None

Chairman Harre declared passed 9-0

## **ZONING CHANGE FOR BILL SCHROPFER, B&A STORAGE**

Motion to approve the Zoning change on the property described as: W 84' of W 150' lots 11-16, Block 2 East Addition, Fairmont, made by Girmus, seconded by Noel. Upon roll call, vote is as follows:

Ayes: Hafer, Girmus, Most, Elznic, Harre, Stuckey, Noel, Kassik, Dan

Nays: None

Chairman Harre declared motion passed 9-0

## **PUBLIC HEARING FOR AKSAMIT ENERGY DEVELOPMENT MET TOWER**

**7:50**- Said hearing is for a Conditional Use Permit filed by Aksamit Energy Development, to construct a 196ft meteorological tower on the property described as: PT NSE & TRACK IN THE SWNE OF SECTION TWENTY-NINE (29), TOWNSHIP SIX (6), RANGE ONE (1), Fillmore County, Nebraska

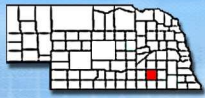
After discussion, Hafer moved and Dan seconded the motion to close the public hearing for Aksamit Energy Development at 8:10. Upon roll call, vote is as follows:

Ayes: Stuckey, Noel, Kassik, Dan, Hafer, Girmus, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion carried.

## **CONDITIONAL USE PERMIT AKSAMIT ENERGY DEVELOPMENT**



# Fillmore County Planning and Zoning Minutes



Dan moved and Most seconded the motion to approve the conditional use permit for Aksamit Energy Development to construct a meteorological tower on the property described as: PT NSE & TRACK IN THE SWNE OF SECTION TWENTY-NINE (29), TOWNSHIP SIX (6), RANGE ONE (1), Fillmore County, Nebraska. Upon roll call, vote is as follows:

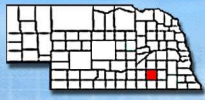
Ayes: Most, Girmus, Hafer, Dan, Kassik, Noel, Stuckey, Elznic, Harre

Nays: Non

Chairman declared motion carried.

Next meeting Monday Nov 28, 2016. Next regular meeting is Monday Dec 19, 2016 at 8:00pm. Meeting adjourned.





# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting November 28, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. November 21, 2016 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Harre, Most, Dan, Elznic, Hafer, Stuckey, Girmus, Kassik

**Absent:** Noel

Also, present: Planning and Zoning Administrator- Jennifer 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. Secretary Sharon Elznic, 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.

Motion to approve agenda for Nov 28, 2016 made by Girmus, seconded by Harre.  
Upon roll call, vote is as follows:

Ayes: Stuckey, Girmus, Kassik, Dan, Hafer, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion passed 8-0

### **PUBLIC HEARING ZONING AMENDMENT TO MILLIGAN REGULATIONS**

**7:05-** Said hearing is for a Zoning Amendment to section 5.11.07 and an addition to 5.11.09 of the Milligan Nebraska Zoning Ordinance concerning the Wellhead Protection Overlay District. Milligan Village Board has requested a change to be made to the Wellhead Protected regulations. Jeff Ray with JEO consulting proposed the following verbiage under 5.11.07 and additions to 5.11.0

3. Unless approved by a Conditional Use permit, commercial or industrial uses which utilize or generate any materials determined by the United States Department of Environmental Protection as hazardous materials, including commercial or industrial uses which store petroleum products, agricultural chemicals, anhydrous ammonia or other fertilizers in excess of fifty (50) gallons.

5.11.09 CONDITIONAL USE PERMITS: 1. A building or premises may be used for the expansion of existing or development of new livestock confinement facilities/operations of 201 animals or more in the WHP Wellhead Protection District if a Conditional Use Permit for such use has been obtained pursuant to the following provisions:

Compliance with Article 6: The Conditional Use Permit provisions of Article 6 must be complied with.

Municipal Review: The planning commission and governing body shall be notified by the Milligan Zoning Administrator of any application for a Conditional Use Permit within the respective wellhead protection area.

2. Commercial or industrial uses which utilize or generate any materials determined by the United States Department of Environmental Protection as hazardous materials, including commercial or industrial uses which store petroleum products, agricultural chemicals, anhydrous ammonia or other fertilizers in excess of fifty (50) gallons may be permitted with a Conditional Use Permit, if located within 500' of the Wellhead Protection District boundary.

After discussion, Most moved, Stuckey seconded the motion to close the public hearing for the zoning amendment to the Milligan Nebraska Zoning ordinance at 7:20. Upon roll call vote is as follows:

Ayes: Kassik, Girmus, Stuckey, Dan, Hafer, Most, Elznic, Harre

Nays: None

Chairman declared motion carried.



# Fillmore County Planning and Zoning Minutes



## **AMENDMENT TO MILLIGAN REGULATIONS**

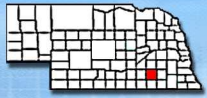
Most moved, Girmus seconded the motion to approve the recommendation for the amendment to the Milligan Nebraska zoning ordinance. Upon Roll call, vote is as follows:

Ayes: Dan, Hafer, Most, Elznic, Kassik, Girmus, Stuckey, Harre

Nays: None

Chairman declared motion carried.





# Fillmore County Planning and Zoning Minutes



**NO DECEMBER MEETING**