

Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting January 16, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. January 16, 2018 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

Members present: Harre, Elznic, Noel, Hafer, Girmus, Stuckey, Kassik at 8:05

Absent: Most

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 January 16, 2018 with corrections made by Girmus, Second by Noel.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 7-0

Special meeting minutes for October were approved at the December meeting and do not need to be on the January 16, 2018 agenda.

Motion to approve minutes from December 18, 2018 meeting minutes made by Hafer, seconded by Girmus.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 7-0

Nominations for Chairman

P&Z admin opened the floor for nominations. Girmus nominated Harre and Noel seconded the motion. No other nominations. Vote is as follows:

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

Motion passed 7-0

Nominations for Vice Chairman

Elznic nominated R. Noel Hafer seconded. No other nominations, vote is as follows:

Ayes: Stuckey, Noel, Girmus, Hafer, Elznic, Kassik, Harre.

Nays: None

Motion passed 7-0

Nominations for Secretary

Noel nominated Elznic, seconded by Girmus. No other nominations, vote is as follows:

Ayes: Stuckey, Noel, Girmus, Hafer, Elznic, Kassik, Harre.

Nays: None

Motion passed 7-0

8:05 Said hearing is for a Conditional Use Permit filed by NEBCO, INC to construct and operate a new concrete plant on the property described as: North part of the SW ¼ of Section 7, Township 5, Range 2 West of the



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6th P.M. Fillmore County Nebraska. Current owner: Debra and Josh Stanek

NEBCO INC representatives Ray Wagner and Kraig Kuhnel were present to discuss the plans for the cement plant. The proposed site will employ 8-10 individuals, with approximate hours of operation being 7:00am-5:00pm, minimal Saturdays. Numerous members of the Strang community voiced concerns of noise, dust, truck traffic and the concerns of no turn lane coming off of 81 from the North to turn East into Strang.

Members of the Strang community that were present: Josh Stanek, Larry Morton, Amanda Barney, Norma Hubble, Bob Gibson, Lynn Gibson, Harry Godfrey, and Bernadette Godfrey.

After discussion motion to close the public hearing at 9:20 was made by Stuckey, seconded by Girmus.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 7-0

Motion to recommend for approval of the Conditional Use permit file by **NEBCO, INC to construct and operate a new concrete plant on the property described as:** North part of the SW $\frac{1}{4}$ of Section 7, Township 5, Range 2 West of the 6th P.M. Fillmore County Nebraska. Current owner: Debra and Josh Stanek was made by Noel, seconded by Hafer.

Upon roll call, vote is as follows:

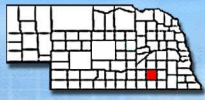
Ayes: Kassik, Stuckey, Noel, Girmus, Hafer, Elznic, Harre.

Nays: None

Chairman declared motion carried 7-0

Public Hearing for a conditional use permit filed by Robert Rhodes is postponed until further notice due to the absence of the applicant.

Motion duly made to adjourn at 9:40pm, the next meeting will be February 12 at 8:00pm seconded, and unanimously passed.



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Fillmore County Planning Commission Minutes of Meeting February 12, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. February 12, 2018 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

Members present: Harre, Elznic, Kassik, Most, Noel, Hafer

Absent: Girmus, Stuckey

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 February 12, 2018 made by Most, Second by Noel.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve minutes January 16, 2018 meeting minutes made by Kassik, seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

8:05 Public Hearing

**Said hearing is for a Conditional Use Permit filed by Dean and Leesa Bartu to construct an accessory use building as primary nature on the lots described as: Gilberts first addition lots 125-129 Exeter NE
Current owner: Dean and Leesa Bartu**

Dean and Leesa were present to discuss the use the of building. It is to house the Exeter-Milligan school busses, along with some personal storage.

After discussion motion to close the public hearing at 8:20 was made by Hafer, seconded by Noel.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Motion to recommend for approval of the Conditional Use permit file by **Dean and Leesa Bartu to construct an accessory use building as primary nature on the lots described as: Gilberts first addition lots 125-129 Exeter NE** was made by Most, seconded by Hafer.

Upon roll call, vote is as follows:

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



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Nays: None

Chairman declared motion carried 6-0

8:15 Public Hearing:

Said hearing is for a Conditional Use Permit filed by Robert Rhodes to construct an accessory use building as primary nature on the property described as: Lot 511 & W 74' of lot 512 Exeter, Fillmore, County Nebraska Current owner: Sue Kittinger

Robert was present to discuss his plans.

After discussion motion to close the public hearing was made by Hafer, Seconded by Kassik.

Upon roll call, vote is as follows:

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

Nays: None

Chairman declared motion carried 6-0

Motion to recommend the conditional use permit for approval **filed by Robert Rhodes to construct an accessory use building as primary nature on the property described as: Lot 511 & W 74' of lot 512 Exeter, Fillmore, County Nebraska Current owner: Sue Kittinger** made by Most, seconded by Noel.

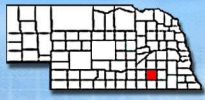
Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Motion duly made to adjourn at 8:45 pm, the next meeting will be March 19, 2018 at 8:00pm



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Fillmore County Planning Commission Minutes of Meeting March 19, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. March 19, 2018 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

Members present: Harre, Elznic, Noel, Girmus, Hafer, Stuckey, Kassik

Absent: Most

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 March 19, 2018 made by Girmus, Second by Stuckey.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 7-0

Motion to approve minutes February 12, 2018 meeting minutes made by Noel, seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 7-0

8:00 Public Hearing

Proposed amendment to the Milligan Zoning Regulations governing the following:

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."

After discussion motion to close the public hearing at 8:15 was made by Hafer, seconded by Stuckey.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 7-0



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Motion by made by Kassik, Seconded by Noel to recommend approval of the Proposed amendment to the Milligan Zoning Regulations governing the following:

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."

Upon roll call, vote is as follows:

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

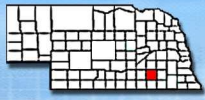
Nays: None

Chairman Harre declared motion carried 7-0

Discussion on wind turbine setbacks

County Supervisor Merle Noel requested that the zoning administrator contact Saline County wind regarding information given at a public wind meeting. Darrel Hayek with Saline County wind provided the information and zoning admin presented to the planning committee. Current setback from homes is 1,000 ft. verbiage from Saline County wind recommends 1,650 ft. setback. The committee would like time to research and discuss at a future meeting.

Motion duly made to adjourn at 8:35 pm, the next meeting will be April 16, 2018 at 8:00pm



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Fillmore County Planning Commission Minutes of Meeting April 16, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. April 16, 2018 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

Members present: Harre, Elznic, Girmus, Most, Stuckey, Hafer, Noel (8:05), Kassik (8:05)
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 April 16, 2018 made by Girmus, Second by Hafer.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve minutes March 19, 2018 meeting minutes made by Noel, seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

8:00 Public Hearing

Proposed amendment to the Exeter Zoning Regulations governing the following:

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

After discussion motion to close the public hearing at 8:15 was made by Hafer, seconded by Girmus.

Upon roll call, vote is as follows:

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

Nays: None



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Chairman Harre declared motion carried 8-0

Motion by made by Most, seconded by Stuckey to recommend approval of the Proposed amendment to the Exeter Zoning Regulations governing the following:

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

Upon roll call, vote is as follows:

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

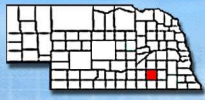
Nays: None

Chairman Harre declared motion carried 8-0

Discussion on Dale Elznic house setback

The board discussed the house setbacks on Elznic farm west of Strang on Hwy 74. Minimum set back requirements are 25ft from the right of way. They are currently 40ft from the right of way marker at the west driveway.

Motion duly made to adjourn at 8:25 pm, the next meeting will be May 21, 2018 at 8:00pm



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Fillmore County Planning Commission Minutes of Meeting May 21, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. May 21, 2018 in Fillmore County East 1320 G St in Geneva, Nebraska.

Members present: Elznic, Kassik, Harre, Girmus, Hafer, Stuckey

Absent: Most, Noel

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Alan Janzen and Jeff Neiman.

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 May 21, 2018 made by Girmus, Second by Kassik.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve minutes April 16, 2018 meeting minutes made by Stuckey, seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

8:05 Public Hearing

Proposed amendment to the current Village of Fairmont AG-2 zoning regulations governing the following:

5.2.02 Permitted Principal Uses and Structures #3 animal limitations... "(unless operating under an approved Conditional Use Permit)"

5.2.04 Conditional Uses Item #13 Expansion of existing intensive livestock confinement facilities in the AG-2 agricultural district by conditional use."

9.20 Intensive Livestock Facilities/Operation #2 only be allowed in the AG-1 and AG-2 Agricultural districts; and *must comply with the following conditions unless operating under and approved Conditional Use permit which specifically relaxes or waives said condition:*"

The amendment was requested by the Village of Fairmont after meeting with Alan Janzen and Jeff Neiman with Circle Five Feed yards to expand their current operation to add an enclosed building and 2500 more head of cattle. Current regulations in the AG2 district in the 1-mile jurisdiction of Fairmont would not allow the expansion.

After discussion motion to close the public hearing at 8:15 was made by Hafer, seconded by Stuckey.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Motion to recommend the following amendments for approval to the Village Board of Fairmont made by Hafer, Seconded by Girmus:



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5.2.02 Permitted Principal Uses and Structures #3 animal limitations... "(unless operating under an approved Conditional Use Permit)"

5.2.04 Conditional Uses Item #13 Expansion of existing intensive livestock confinement facilities in the AG-2 agricultural district by conditional use."

9.20 Intensive Livestock Facilities/Operation #2 only be allowed in the AG-1 and AG-2 Agricultural districts; and *must comply with the following conditions unless operating under and approved Conditional Use permit which specifically relaxes or waives said condition:*"

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Rischling Subdivision- Requested wavier of 3 acre minimum

Located in the NE ¼ of Section 1, Franklin Township

Jan and Tammy Rischling of Milligan are requesting a waiver of the 3-acre minimum on subdivision requirements in AG1 zoned district. The request is due to loan requirements. After discussion Kassik moved and Hafer seconded the motion to approve the Rischling Subdivision as presented a tract of land in the NE ¼ of Section 1, Township 5 North, Range 1 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the NW corner of said NE ¼; thence N 88°21'12" E, 1183.54 ft. on the north line of said NE ¼ to the point of beginning; thence S 01°38'46" E, 178.47 ft.; thence N 88°21'13" E, 121.40 ft.; thence N 01°38'47" W, 178.47 ft. to said north line; thence S 88°21'12" W, 121.40 ft. on said north line to the point of beginning containing 0.50 acres more or less, which includes 0.09 acres more or less used for county road purposes.

Upon roll call, the vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Zoning administrator- Jennifer Slezak reported to the Committee that the County Board of supervisors had voiced concern as to whether or not our penalty fees were strict enough for individuals who begin construction before obtaining an approved permit. Slezak reached out to other counties and obtained their violation fees. It was determined that our fees are comparable to other counties.

Motion was made by Hafer and seconded by Girmus to leave permit fees as is.

Upon roll call, vote is as follows:

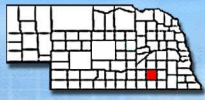
Ayes: Girmus, Kassik, Elznic, Stuckey, Hafer, Harre

Nays: None

Chairman Harre declared motion carried 6-0

Next meeting will be June 18, 2018 at 8:00pm

Adjourned at 9:00pm



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Fillmore County Planning Commission Minutes of Meeting June 18, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. June 18, 2018 in Fillmore County East (Old Clinic) in Geneva, Nebraska. 1320 G St, Geneva NE 68361

Members present: Elznic, Harre, Most, Stuckey, Girmus, Kassik

Absent: Noel, Hafer

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Chris Grant, Dan Risseeuw, Jeff Neiman, Howard Lefler, Alan Janzen, Larry Cerny, Butch Long, Elizabeth Long, Merle 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. 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 June 18, 2018 made by Girmus, Second by Stuckey.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve minutes May 21, 2018 meeting minutes made by Stuckey, seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

8:05 Public Hearing

Zoning Change filed by Peter York on the property described as:

Original Town lots 307-308 Fairmont NE 68354 (9th and D St)

Current Owner: Peter York

Current Zoning: R-1 Residential

Proposed Zoning: I-2 Heavy Industrial

This property was accidentally changed to R-1 from C-2 when the new maps were adopted. After speaking with JEO Consulting we need to go through the zoning change process to change back. Since there is no other C-2 in the area changing to C-2 would be a spot zone, but the property is connected to I-2 so changing I-2 is OK.

After discussion, motion to close the public hearing at 8:15 was made by Most, Seconded by Stuckey.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve the Zoning Change filed by Peter York on the property described as:

Original Town lots 307-308 Fairmont NE 68354 (9th and D St)

Current Owner: Peter York

Current Zoning: R-1 Residential

Proposed Zoning: I-2 Heavy Industrial

Made by Stuckey, seconded by Kassik.

Upon Roll call, vote is as follows:

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

Nyes: None

Chairman Harre declared motion passed 6-0



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8:20 Public Hearing

Conditional Use Permit filed by Alan Janzen, Circle Five Feed yards

To expand the current operation an additional 2,500 hd of cattle, totaling 8,500 hd with a confinement barn on the property described as:

Part of the NW $\frac{1}{4}$ lying south of HWY 6 and all of the SW $\frac{1}{4}$ of Section 25, Township 8 North, Randy 3 West of the 6th P.M. Fillmore County Nebraska

Current Owner: Alan Janzen, Circle Five Feed Yards INC

Along with the Planning Commission and Zoning Admin, individuals present for the hearing were- Chris Grant, Dan Risseuw, Jeff Neiman, Howard Lefler, Alan Janzen, Larry Cerny, Butch Long, Elizabeth Long, Merle Noel.

Public concerns were about smell and the aquafer. The confinement building will have a 12ft deep pit below it that will collect all waste where is will than be hauled out.

After discussion a motion to close the public hearing at 8:45 was made by Girmus, seconded by Stuckey

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve by Most, seconded by Kassik the **Conditional Use Permit filed by Alan Janzen, Circle Five Feed yards** to expand the current operation an additional 2,500 hd of cattle, totaling 8,500 hd with a confinement barn on the property described as:

Part of the NW $\frac{1}{4}$ lying south of HWY 6 and all of the SW $\frac{1}{4}$ of Section 25, Township 8 North, Randy 3 West of the 6th P.M. Fillmore County Nebraska

Current Owner: Alan Janzen, Circle Five Feed Yards INC

Upon roll call, vote is as follows:

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

Nays: None

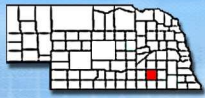
Chairman Harre declared motion carried 6-0

-Schoenholz Subdivision 3.35acres

A PARCEL OF LAND LOCATED IN THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE SIXTH P.M., FILLMORE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S89°44'32"E (ASSUMED BEARING) ON THE NORTH LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 478.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°44'32"E ON SAID NORTH LINE, A DISTANCE OF 50.00 FEET; THENCE S00°25'07"W, PARALLEL WITH AND 50.00 FEET DISTANT FROM THE EAST LINE OF TRACTS OF LAND CONVEYED TO THE BELLE PRAIRIE CEMETERY ASSOCIATION BY WARRANTY DEEDS FILED IN BOOK 9, PAGE 155 AND BOOK 19, PAGE 41, IN THE OFFICE OF THE REGISTER OF DEEDS FOR FILLMORE COUNTY, NEBRASKA AND ITS NORTHERLY AND SOUTHERLY EXTENSIONS, A DISTANCE OF 550.00 FEET; THENCE S89°44'32"E, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 40.00 FEET; THENCE S00°25'07"W, A DISTANCE OF 440.00 FEET; THENCE N89°44'32"W, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 162.07 FEET; THENCE N14°08'12"W, A DISTANCE OF 229.87 FEET; THENCE N66°41'21"W, A DISTANCE OF 238.30 FEET; THENCE N61°03'43"E, A DISTANCE OF 400.85 FEET TO THE SOUTHEAST CORNER OF SAID TRACTS; THENCE N00°25'07"E ON SAID EAST LINE, A DISTANCE OF 445.50 FEET TO THE NORTHEAST CORNER OF SAID PREVIOUSLY DESCRIBED TRACTS; THENCE CONTINUING N00°25'07"E ON THE NORTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.35 ACRES, MORE OR LESS.

Motion to approve Schoenholz subdivision made by Most, seconded by Girmus

Upon roll call, vote is as follows:



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

Nays: None

Chairman Harre declared motion carried 6-0

Discussion: The committee discussed the progress of the cement batch plant by Strang.

Meeting dually adjourned at 8:50

Next meeting is July 16, 2018 at 8:00pm



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting July 16, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. July 16, 2018 in Fillmore County East in Geneva, Nebraska. 1320 G St, Geneva NE 68361

Members present: Harre, Elznic, Most, Girmus, Noel, Hafer

Absent: Stuckey, Kassik

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Thomas & Sharon 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 July 16, 2018 made by Girmus, Second by Most.

Upon roll call, vote is as follows:

Ayes: Girmus, Noel, Elznic, Most, Harre

Nays: None

Chairman Harre declared motion passed 5-0

Motion to approve minutes June 18, 2018 meeting minutes made by Most, seconded by Elznic.

Upon roll call vote is as follows:

Ayes: Most, R.Noel, Girmus, Elznic, Harre

Nays: None

Chairman Harre declared motion passed 5-0

8:05 Public Hearing

Zoning Change filed Merle Swartz on the property described as:

Zoning Change Filed by Merle Swartz from **R-1 Residential to AG-2 Agriculture** on the property described as: Lots 277-288 and Lots 2-5 Original Town Fairmont Nebraska

After discussion Motion to close the hearing at 8:20 was made by Reg Noel, seconded by Girmus.

Upon roll call vote is as follows:

Ayes: Hafer, Girmus, R. Noel, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion carried 6-0

Motion to recommend approval on Merle Swartz Zoning change from R1 to AG2 on the property described as Lots 277-288 and lots 2-5 original town Fairmont Nebraska made by Girmus, Seconded by R. Noel.

Upon roll call, vote is as follows:

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

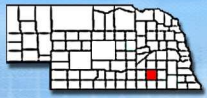
Nays: None

Chairman Harre declared motion carried.

Discussion on a fence put up in Ohiowa that a complaint was received on. Ohiowa village board discussed the matter at their July meeting.

Motion to close hearing at 8:25 by Harre.

Next meeting is August 20, 2018 at 8:00PM



Fillmore County Planning and Zoning Minutes





Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting October 15, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. October 15, 2018 in Fillmore County East in Geneva, Nebraska. 1320 G St, Geneva NE 68361

Members present: Harre, Elznic, Most, R. Noel, Girmus, Hafer, Stuckey, Kassik

Absent:

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Kenny Harre, Pat Lentfer (FCDC), Mike Harms- Viaero Wireless

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 October 15, 2018 made by Girmus, Second by Noel.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 8-0

Motion to approve minutes August 20, 2018 meeting minutes made by Most, seconded by Girmus.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 8-0

8:05 Public Hearing

- Zoning Change filed by Kenny Harre on the property described as LOTS 2-5 BLK 4 H.G. SMITH'S ADDITION EXETER NE. Current Zoning: Residential R-1 Proposed Zoning: Heavy Industrial I-2

Zoning change requested to bring in Pioneer Seed business 60x152 building and bins. Kenny Harre was present to discuss. Ideally truck traffic will enter/exit from HWY 6, Kenny stated he is working with the Village on this. 2 letters of concern were also presented to the committee. Concerns consisted of truck traffic, roads, safety of children, and peaceful living to the residential district abutting.

Motion to close the hearing at 8:25 made by Hafer, seconded by Girmus

Upon roll call vote is as follows:

Ayes: Stuckey, R. Noel, Girmus, Kassik, Hafer, Most, Elznic, Harre

Nays: None

Chairman declared motion passed 8-0

Motion to approve the recommendation for the Zoning Change from R-1 to I-2 on lots 2-5 BLK 4 H.G. Smiths addition Exeter NE for Kenny Harre made by Girmus, seconded by Hafer.

Upon roll call, vote is as follows:

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

Nays: Stuckey



Fillmore County Planning and Zoning Minutes



Chairman declared motion passed 7-1

= **OHIOA VIAERO SUBDIVISION**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE SIXTH P.M., FILLMORE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERERRING TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE S00°52'12"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1030.07 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED AND RECORDED IN DEED BOOK 91, PAGE 339; THENCE S89°30'56"E ON SAID WESTERLY EXTENSION, A DISTNACE OF 169.99 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE CONTINUING S89°30'56"E ON THE SOUTH LINE OF SAID PARCEL AND THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED AND RECORDED IN DEED BOOK 67, PAGE 284, A DISTNACE OF 731.53 FEET; THENCE S00°54'40"W ON THE WEST LINE OF SAID PARCEL OF LAND DESCRIBED AND RECORDED IN DEED BOOK 67, PAGE 284, A DISTANCE OF 347.77 FEET TO THE POINT OF BEGINNING; THENCE N89°01'23"W PARALLEL WITH THE NORTH LINE OF EXETER STREET, A DISTNACE OF 350.00 FEET; THENCE S00°54'40"W PARALLEL WITH SAID WEST LINE, A DISTANCE OF 375.00 FEET TO SAID NORTH LINE; THENCE S 89°01'23"E ON SAID NORTH LINE, A DISTANCE OF 350.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED AND RECORDE DIN DEED BOOK 67, PAGE 284; THENCE N00°54'40"E IB SAUD WEST LINE. A DISTNACE OF 375.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.01 ACRES, MORE OF LESS.

Motion to approve subdivision made by Most, seconded by Girmus.

Upon roll call, vote is as follows:

Ayes: Hafer, Kassik, Girmus, R. Noel, Most, Elznic, Stuckey, Harre

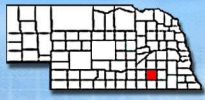
Nays: None

Chairman Harre declared motion passed 8-0

Discussion- Zoning Admin Jennifer Slezak informed the board the duplex being built in Fairmont on Paul Bettger property is possibly the start of a 60+ living community. It will consist of duplex's and have their own covenants ran by the property owner.

Next meeting Nov. 19, 2018 at 8:00pm

Meeting adjourned by Harre at 8:20 pm



Fillmore County Planning and Zoning Minutes



Fillmore County Planning Commission Minutes of Meeting December 17, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. December 17, 2018 in Fillmore County East in Geneva, Nebraska. 1320 G St, Geneva NE 68361

Members present: Harre, Elznic, Most, Hafer, Stuckey

Absent: Kassik, Girmus, Noel

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Jeff Timmermans

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 December 17, 2018 made by Girmus, second by Noel.

upon Roll call, vote is as follows:

Ayes: Hafer, Most, Elznic, Harre, Stuckey

Nays: None

Chairman declared motion passed 5-0

Motion to approve minutes from October 15, 2018 meeting made by Most, seconded by Hafer

Upon roll call, vote is as follows:

Ayes: Most, Elznic, Hafer, Stuckey, Harre

Nays: None

Chairman declared motion passed 5-0

8:05 PUBLIC HEARING ZONING CHANGE

- Said hearing is for a Zoning Change filed by Jeff Timmermans on the property described as West half of lots 3-5 E ½ of the vacated alley adjacent to lots 3-5 Reals Addition Grafton NE. Current Zoning: Residential R-1 Proposed Zoning: Highway Commercial C-2

Jeff informed the committee that his plans are to open an antique and furniture refurbishing business. It will be a new construction building. A portion of the building will be a workshop.

Motion to close the hearing at 8:30 was made by Hafer, seconded by Stuckey.

Upon roll call, vote is as follows:

Ayes: Stuckey, Hafer, Most, Elznic, Harre

Nays: None

Chairman declared motion passed 5-0

Motion to recommend for approval to the Village Board of Grafton was made by Hafer, Second by Most.

Upon roll call, vote is as follows:

Ayes: Hafer, Most, Stuckey, Elznic, Harre

Chairman declared motion carried 5-0



Fillmore County Planning and Zoning Minutes



DISCUSSION REGARDING HYDROGEN WELL WEST OF GENEVA

- National Hydrogen Energy LLC has a temporary testing location west of Geneva and is signing up other landowners in the event they find hydrogen. Fillmore Co currently does not have any regulations regarding hydrogen wells. Zoning Administrator will contact JEO for guidance.

DISUCSSION REGARDING 3 ACRE SUBDIVISION WAIVERS

- The question has come up as to whether or not a property owner is allowed to build additional buildings on a parcel that received a waiver of 3 acres from the County. When receiving a waiver, it is creating a non-conforming parcel, therefor additional buildings are not allowed because it increases the degree of non-conformity.

DISCUSSION REGARDING COMPLAINT OF MANURE STOCK PILING

- P&Z admin informed the committee that there was a complaint of manure stock piling. According to section 5.1.06 disposing of any confinement of feedlot waste on land other than the property upon the confinement or feedlot is located is subject to a permit. The property owner was contacted and the issue is resolved.

Meeting adjourned at 8:45 p.m.

Next meeting is scheduled for Tuesday, January 22, 2019