

Fillmore County Planning Commission Minutes of Meeting January 19, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. January 19, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

Members present: Elznic, Harre, Kassik with Most and Hafer by teleconference

Absent: Girmus, Stuckey, 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 recorded minutes.

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

Discuss/approve Request to vacate Subdivision

A request was received by Diane Zeleny, property owner, to vacate the Zeleny Subdivision comprised of 1.42 acres located in the NE ¼ of the SE ¼ of section 13, township 7 North, Range 2 W of the 6th P.M. Fillmore County Nebraska. The request was made because the landowner has chosen to create the Zeleny 2nd Subdivision instead of replating the original Zeleny Subdivision.

After discussion, a motion was made by Most, and seconded by Kassik to recommend approval of the Vacate to the county board. Upon roll call, vote is as follows:

Ayes: Most, Hafer, Kassik, Elznic, Harre

Nays: none

Chairman declared motion carried 5-0

- Reorganization meeting moved to February.
- Discussion on Fairmont accessory buildings and Fillmore County AG visibility at intersection setback regulations are moved to the next meeting due to many board members unable to attend the January meeting due to Covid-19.

Meeting Adjourned at 8:15PM. Next Meeting is February 16, 2021 at 8:00PM





Fillmore County Planning Commission Minutes of Meeting February 22, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. February 22, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

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

Absent: Girmus, 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 recorded minutes.

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 22, 2021 made by Hafer, seconded by Kassik. Upon roll call, vote is as follows:

Ayes: Kassik, Stuckey R. Noel, Hafer, Elznic, Hafer

Nays: None

Chairman declared motion carried 6-0

Motion to approve October 2020 meeting minutes made by Noel, seconded by Stuckey. Upon roll call, vote is as follows:

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

Nays: None

Chairman declared motion carried 6-0

Motion to approve January 2021 meeting minutes by Kassik, seconded by Hafer. Upon roll call, vote is as follows:

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

Nays: None

Chairman declared motion carried.

Motion to re-appoint Chairman Harre, Vice Chair R. Noel, and Secretary Elznic was made by Elznic, seconded by Kassik. Upon roll call vote is as follows:

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

Nays: None

Chairman declared motion passed 6-0

Discussion- Intersection Visibility Setbacks in AG Zones

Discussion on intersection visibility setbacks in AG Zoned districts. Current regulations call for 150ft setback at intersection ROW. The next meeting the committee will hold a public hearing and propose a 150ft setback measured from the center of the intersection. It was also discussed if the setback should be less for pivot pad/points at intersections.

Discussion- Fairmont Accessory Building

Section 9.5 & 9.6 of Fairmont Zoning ordinance call for a 12in min-36in max eave/overhang on accessory use buildings. Fairmont is the only Village in the county that has this regulation. This has caused some issue with certain roof types that do not have eave/overhang options and also some prefabricated buildings/sheds do not as





well. The planning committee will hold a public hearing at the March meeting to remove this requirement from the regulations.

Meeting Adjourned at 8:35PM. Next Meeting is March 15, 2021 at 8:00PM



Fillmore County Planning Commission Minutes of Meeting March 15, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. March 15, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

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

Absent: Kassik, 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 recorded minutes.

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 15, 2021 made by Stuckey, seconded by Hafer. Upon roll call, vote is as follows:

Ayes: Girmus, Hafer, Elznic, Stuckey, Harre

Nays: None

Chairman declared motion carried 5-0

Motion to approve February 22, 2012 meeting minutes made by Elznic, seconded by Girmus. Upon roll call, vote is as

follows:

Ayes: Stuckey, Girmus, Hafer, Elznic, Hafer

Nays: None

Chairman declared motion carried 6-0

8:00 Public Hearing Amendment to the Fillmore County Zoning Regulations Section 3.3.48 Sight Triangle, 5.1.09 Minimum Yard Requirements 5.2.08 Minimum Yard Requirements

After discussion and no public in attendance Motion to close hearing was made by Hafer, seconded by Stuckey.

Upon roll call vote is as follows:

Ayes: Stuckey, Girmus, Hafer, Elznic, Harre Nays: None

Chairman declared motion carried 5-0

Motion to recommend the following changes to the Fillmore County Board of Supervisors on the Fillmore County Zoning regulations:

5.1.09 Minimum Yard Requirements

There shall be a setback of one hundred fifty (150) feet <u>measured from the center of the intersection</u> each way sighted across; forming a triangle. No buildings or trees shall be allowed in this area.

5.2.08 Minimum Yard Requirements

There shall be a setback of one hundred (150) feet measured from the center of the intersection each way sighted across; forming a triangle. No buildings or trees shall be allowed in this area.

made by Stuckey, seconded by Girmus. Upon roll call, vote is as follows:

Ayes: Girmus, Hafer, Stuckey, Elznic, Harre

Nays: None

Chairman declared motion carried 5-0

8:10 Public Hearing Amendment to the Fairmont Zoning Ordinance



Section 9.6 Accessory Building and Section 9.7 Accessory Building Primary Nature

After discussion and no public in attendance motion to close hearing was made by Stuckey, seconded by Girmus. Upon roll call, vote is as follows:

Ayes: Girmus, Hafer, Stuckey, Elznic, Harre

Nays: None

Chairman declared motion carried 5-0

Motion to recommend the following changes to the Fairmont Zoning ordinance

9.6 Accessory Building

...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 including colored metal siding and roofing, except that vertical metal wall panels shall not be used. (Ord. No. 13-489, Nov. 12, 2013). Structures over 1,200 sq ft shall include a minimum 12-inch and maximum 36-inch overhang/eave with a fascia and soffit.

9.7 Accessory Building Primary Nature

...Such structures shall be constructed of materials customarily used in residential construction, including colored metal siding and roofing, but shall not include vertical metal wall panels. (Ord. No. 13-489, Nov. 12, 2013). Structures over 1,200sq ft shall include a minimum 12-inch and maximum 36-inch overhang/eave with a fascia and soffit. Any modifications from these requirements must be reviewed and approved through the conditional use permit process.

Made by Hafer, seconded by Stuckey. Upon roll call, vote is as follows:

Ayes: Girmus, Stuckey, Hafer, Elznic, Harre

Nays: None

Chairman declared motion carried 5-0

Saltzman Subdivision

After discussion, a motion was made by Stuckey, seconded by Girmus to approve the Saltzman Subdivision 3.018 acres located in the SW $\frac{1}{4}$ Section 5 Township 5 Range 3 West of the 6^{th} P.M.

Fillmore County NE
Upon roll call, vote is as follows:
Ayes: Hafer, Girmus, Elznic, Stuckey, Harre
Nays: None
Chairman declared motion carried 5-0

Meeting Adjourned at 9:00PM. Next Meeting is April 19, 2021 at 8:00PM



Fillmore County Planning Commission Minutes of Meeting April 19, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. April 19, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

Members present: Harre, Elznic, Girmus, Kassik, Most, R. Noel, Stuckey, Hafer- 8:05

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Public attendees- Rod Krupicka, Rex Mussman, Sondra & Terry Backstrom, Robert Schropfer.

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 recorded minutes.

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 19, 2021 made by Girmus, seconded by Noel. Upon roll call, vote is as follows:

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

Nays: None

Chairman declared motion carried 7-0

Motion to approve March 2021 meeting minutes made by Kassik, Second by Girmus. Upon roll call, vote is as follows:

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

Nays: None

Chairman declared motion carried 7-0

8:05 Discussion – Rodney Krupicka was present to discuss/request Fillmore County Turbine setback regulations. Also present for discussion was Rex Mussman, Sondra & Terry Backstrom and Robert Schropfer. The request is to further the setback to 1-1 ½ miles from property line. (Current regulations are 2,640 ft (1/2 mile) from dwelling and 2.5 times tower height from property line.) Rodney stated the setbacks would need to be at least this far for him to fly/spray fields around turbines. Discussion/comment were made about the conditions of roads, fields, timely payments to landowners and contractors in neighboring Saline county with the current turbine project. Concerns that if a project comes to Fillmore County that landowners and county will have the same issues. The committee also reviewed an email sent by Scott Vonderfecht concerning disposal of turbine blades. Committee members Matt Hafer and Matt Harre voiced concern that if setbacks are made stricter it could eliminate landowners who want a turbine on their property from having that opportunity.

Meeting Adjourned at 8:52PM. Next Meeting is May 17, 2021 at 8:00PM





Fillmore County Planning Commission Minutes of Meeting May 17, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. May 17, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

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

Absent: Harre

Also, present: Planning and Zoning Administrator and Derek Axline

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 recorded minutes.

Vice Chairman R.Noel 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 17, 2021 made by Most, seconded by Girmus. Upon roll call, vote is as follows:

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

Nays: None

Vice Chair Noel declared motion carried 7-0

Motion to approve minutes from the April 19, 2021 meeting was made by Hafer, seconded by Kassik. Upon roll call vote is as follows:

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

Vice Chair Noel declared motion carried 7-0

8:05 - Public Hearing Zoning Change- Exeter

Requested Zoning Change on 1.96 acre parcel located in part of the SW corner of the NE ¼ of 20-8-1 (within city limits) Property address: 221 W N Boundary Ave.

Current parcel has a dilapidated farmstead with home, buildings, campers and overgrown trees. Applicant is clearing lot and burning home. NE corner of the section is farmers coop site. Zoning Administrator Jennifer Slezak reported one phone call regarding the site. Individual was curious of the plans as they saw the Zoning Action sign. With no opposition and no public comment, a motion to close the public hearing at 8:15 was made by Girmus and seconded by Stuckey.

Upon roll call the vote is as follows:

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

Nays: None

Vice Chairman Noel declared motion carried 7-0

Motion to recommend approval of the Zoning Change on 1.96 acre parcel located in part of the SW corner of the NE ¼ of 20-8-1 (within city limits) Property address: 221 W N Boundary Ave. was made by R.Noel and seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Vice Chair Noel declared motion carried 7-0



Discussion on Events Venues

Zoning Admin Jennifer Slezak informed the committee that she received an application for an Events Venue located in an AG-1 Zoned district. Fillmore County currently does not have Events Venues as an allowed use in the regulations. Slezak reached out to NPZA group and responses concluded that other counties allow under as a conditional use in AG zoned districts. The Planning Committee with hold a public hearing to amend regulations at the June 21, 2021 meeting.

Discussion on pivot point intersection setbacks

Zoning Admin Jennifer Slezak informed the Committee that at the public hearing with the county board of supervisors for the intersection setbacks it was requested that the Planning Commission come up with a separate setback distance for pivot pads/points at intersections. As the Supervisors feel pivot pads/points do not obstruct visibility the same way a solid structure does. After discussion the Committee determined 75ft measured from intersection sighted across; forming a triangle. A public hearing will be held at the June 21, 2021 for an amendment to the zoning regulations on the subject matter.

Meeting Adjourned at 8:45PM. Next Meeting is June 21, 2021 at 8:00PM





Fillmore County Planning Commission Minutes of Meeting June 21, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. June 21, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

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

Absent: Most, Kassik

Also, present: Planning and Zoning Administrator and Melissa and Lee Hanthorn

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 recorded minutes.

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 21, 2021 made by Girmus, seconded by Stuckey Upon roll call, vote is as follows:

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

Nays: None

Chairman Noel declared motion carried 6-0

Motion to approve minutes from the May 17, 2021 meeting was made by Stuckey, seconded by Hafer. Upon roll call vote is as follows:

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

Chairman Noel declared motion carried 6-0

8:05 – Public Hearing Fillmore County Zoning Amendment

Proposed Amendment to Section 5.1.04 and 5.2.04 Conditional Uses in AG1 and AG2 Zoning Districts. Zoning Admin Jennifer Slezak reached out to NPZA members and Washington Co Zoning admin who recently added this as Conditional Use to Washington Co regulations as well. There were no concerns.

After discussion regarding adding events venues to the AG1 and AG2 Zoning districts as a Conditional Use and no public comments of opposition a motion to close the public hearing at 8:15 was made by Stuckey, Seconded by Girmus. Upon roll call, vote is as follows:

Ayes: Hafer, R. Noel, Elznic, Stuckey, Girmus, Hafer Navs: None

Chairman declared motion carried 6-0

A motion to approve the recommendation was made by Hafer, seconded by R. Noel to the Fillmore County Board of supervisors to add the following to the Fillmore County Zoning Regulations:

Section 5.1.04 (ADD) 19. Event Venue including but not limited to; banquets, meetings, weddings, anniversaries, and other similar gatherings.

<u>Section 5.2.04 (ADD) 13. Event Venue including but not limited to; banquets, meetings, weddings, anniversaries, and other similar gatherings.</u>

Upon roll call, vote is as follows:
Ayes: Elznic, R.Noel, Hafer, Girmus, Stuckey, Harre
Nays: none
Charmain declared motion carried 6-0

8:15- Public Hearing Conditional Use Permit

Filed by Melissa and Lee Hanthorn for an Events Venues located at 2119 Road 4 Grafton Ne NW 22-8-4 Melissa and Lee were present to discuss plans for the Events Venue. The property is 2.5 miles west of Grafton on Hwy 6 and 2 miles North. All paved or gravel roads leading to the site. They are currently renovating the home on the farm and that will serve as a bed and breakfast type facility for events/weddings mainly. An



addition will be made to the main barn on the property to serve as the venue site with parking on the north side of the house

After discussion and no public attendance regarding the Conditional use permit a motion to close the public hearing at 8:22 was made by R.Noel, seconded by Girmus. Upon roll call vote is as follows:

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

Nays: None

Chairman declared motion carried 6-0

Motion to approve the recommendation to the Fillmore County board of Supervisors for a Conditional Use permit filed by Melissa and Lee Hanthorn for an events venue at 2119 Road 4 Grafton Ne AG-1 was made by Girmus, seconded by R.Noel. Upon roll call vote is as follows:

Ayes: Stuckey, Girmus, Hafer, R. Noel, Elznic, Harre Nays: None Chairman declared motion carried 6-0

8:25 Public Hearing Fillmore County Zoning Reg Amendment

9.21 Irrigation Pivot Points and Stops

Zoning admin Jennifer Slezak reached out to surrounding counties to compare regulations. Thayer county does not do permits for irrigation/pivots and they are allowed in site triangles. Saline County's setback for pivots located at intersection is 42.5ft measured at ROW. Proposed setback for Fillmore County is 75ft measured from the intersection sighted across forming a triangle. After discussion and no public attendance regarding the subject a motion to close the hearing at 8:35 was made by Harre, Seconded by Girmus. Upon roll call, vote is as follows:

Ayes: Stuckey, Girmus, Hafer, R. Noel, Elznic, Harre Nays: None Chairman declared motion carried 6-0

A motion for a recommendation of approval to the Fillmore County board of supervisors as made by Stuckey seconded by Hafer for the following amendment to section 9.21 Irrigation Pivot Points and Stops *Add item #3-Pivot points on all new pivots located at or near county road*

intersections shall follow a site distance setback of seventy-five (75) feet measured

from the center of the intersection sighted across; forming a triangle.

Upon roll call, vote is as follows:

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

Nays: None

Chairman declared motion carried 6-0

Luzum Subdivision

6.13 acres located in the SW Quarter of 34-7-1 West of the 6th P.M. Fillmore County, Nebraska

Subdivision is located on an unimproved road. Before a residential dwelling can be permitted an agreement will need to be made with the county.

Motion to approve the Luzum subdivision was made by Girmus, Seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: none

Chairman declared motion carried 6-0

Correspondence

A packet of information that was dropped off by Sondra and Terry Backstrom titled "Guide to Fight the 30x30 land Grab" was distributed to the Planning Commission.



Meeting Adjourned at 8:45PM. Next Meeting is July 19, 2021 at 8:00PM





Fillmore County Planning Commission Minutes of Meeting August 16, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. August 16, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

Members present: Harre, Elznic, Most, R.Noel, Girmus, Harre

Absent: Stuckey, Kassik

Also, present: Planning and Zoning Administrator

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 recorded minutes.

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 August 16, 2021 made by Girmus, seconded by Hafer 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 approve minutes from the June 21, 2021 meeting was made by Most, seconded by Girmus. Upon roll call vote is as follows:

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

Chairman Harre declared motion carried 6-0

Discussion on Upper Big Blue Conservation Easement

A conservation easement was filed by Upper Big Blue NRD on tract of land in part of the NW ¼ of section 8, township 8, range 2 north W of the 6th P.M. containing 89 acres.

Discussion on current land use and land uses included in easement.

After discussion a motion to make a recommendation of approval to the Fillmore County Board was made by Most and seconded by Hafer.

Upon roll call, vote is as follows:
Ayes: R.Noel, Girmus, Hafer, Elznic, Most, Harre
Nays: None
Chairman declared motion carried.



Meeting Adjourned at 8:50PM. Next Meeting is September 20, 2021 at 8:00PM





Fillmore County Planning Commission Minutes of Meeting November 15, 2021

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. November 15, 2021 in Fillmore County East 1320 G St, Geneva NE 68361

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

Absent: Kassik, Noel

Also, present: Planning and Zoning Administrator

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 recorded minutes.

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 November 15, 2021 made by Girmus, seconded by Hafer Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Motion to approve minutes from the August 16, 2021 meeting was made by Hafer, seconded by Most. Upon roll call vote is as follows:

Ayes: Stuckey, Hafer, Girmus, Most, Elznic, Harre Chairman Harre declared motion carried 6-0

Discussion on Ewalt Subdivision

Located in the NW ¼ of Section ¼ of Section 12, Township 6 North, Range 3 West of the 6th P.M. located within the 1 mile extra territorial governing jurisdiction of Geneva, Fillmore County NE. The city of Geneva notified the Planning Commission of the Ewalt Sub, per their regulations. The committee has 30 days to comment on the subdivision. After discussion, Zoning admin will send letter to the City with no objection to the Subdivision, just some corrections/clarifications on the plat.

Correspondence

- Email regarding Trailblazer Pipeline



Meeting Adjourned at 8:25PM. Next Meeting is December 20, 2021 at 8:00PM