



# Boone County Board Minutes



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

Larry Temme, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, August 16, 2021 at 11:10 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Temme and second by Commissioner Lindgren to open said public hearing. Commissioners present for said public hearing were Larry Temme, Jon Lindgren and Ben Rutten. Also present for said hearing to answer any questions were Mary Ziemba, County Planning and Zoning Administrator, and Derek Nelson, Applicant. Chairman Temme read the notice for the record and noted that the Open Meeting Laws are posted and available to the public.

Notice of the public hearing was given in advance by publication in the Albion News and Boone County Tribune on August 4, 2021. The public hearing notice was posted on the Boone County website; posted on the information board located in the Courthouse north entrance; emailed to the Board of Commissioners; and emailed to the Elected Officials and department heads on Friday, August 13, 2021. The convened hearing was open to the public.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions regarding the approval or denial of an Application for Conditional Use Permit submitted by Derek Nelson. Jeannice Nelson is the property owner of the real estate referenced herein. The application requested that 5.00± acres plus 0.49± acres Right of Way, from a Boone County Road, be divided from a tract of land located in a fraction of the Southeast Quarter of Section 17, Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska.

Derek Nelson explained to the Board that the purpose for dividing the 5.00± acres plus 0.49± acres Right of Way is to allow to build a residential building on family ground. A survey for the 5.00± acres plus 0.49± acres Right of Way is completed and attached to the application. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 160 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide the 5.00± acres plus 0.49± acres Right of Way from the tract of land. Ziemba informed the Board that a Waiver of Distance had been signed as requested by the Boone County Joint Planning Commission.

Motion made by Temme, second by Rutten to close said public hearing at 11:16 A.M. Roll call vote: Yeas: Temme, Rutten and Lindgren. Nays: None. Motion carried.

Motion made by Temme, second by Lindgren to approve the Conditional Use Permit and attachment submitted by Derek Nelson to divide 5.00± acres plus 0.49± acres Right of Way from a tract of land located in a fraction of the Southeast Quarter of Section 17, Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska to build a residential building on family ground. Roll call vote: Yeas: Lindgren, Rutten and Temme. Nays: None. Motion carried.

Sarah Robinson,  
Boone County Clerk