

Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: JANUARY 30, 2017

1 – CALL TO ORDER

The County Commissioners reconvened the 9:00 a.m. meeting at 7:00 p.m. with roll call. Present; Luettel and Maricle. Absent; Rasmussen.

The January meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Groeteke in the Boone County Courtroom located in the Boone County Courthouse in Albion Nebraska on Monday, January 30, 2017 at 7:04 p.m. Groeteke noted that a copy of the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Present: Jensen, Frey, Towey, Stephens, Mogensen, Groeteke, Stuhr, Wagner. Absent: Baum.

Public Attending: Mike Grape, Ralph Schmadeke, Keith Marvin, Jim Dickerson, Doug Koch.

3 – APPROVAL/DISAPPROVAL OF THE MINUTES

Approval/Disapproval of the November 21, 2016 meeting minutes. Groeteke asked for a motion to deny or approve the minutes as submitted or with any corrections. Motion by Jensen to approve the minutes as submitted, second by Towey. Vote: Ayes: Frey, Towey, Wagner, Groeteke, Stuhr, Jensen, Stephens. Nays: None; Absent: Baum. Abstain: Mogensen.

4-REORGANIZATION meeting for 2017.

Chair Groeteke called for nominations for officers. Towey nominated Groeteke for Chairman with Stephens to close. No discussion, Jensen moved to close the nominations. Roll Call: Ayes: Wagner, Towey, Stuhr, Mogensen, Stephens, Frey, Jensen, Groeteke. Nays: None. Absent: Baum Abstain: None. Groeteke called for nominations for Vice Chairman and Treasurer. Wagner moved to retain current Vice Chairman and Treasurer. Second by Towey. No discussion. Vote: Ayes: Jensen, Stephens, Groeteke, Wagner, Towey, Mogensen, Stuhr, Frey. Nays: None. Absent: Baum. Abstain: None. Vice Chairman is Brad Stephens, and Secretary/Treasurer is Mark Jensen.

6-Discussion regarding regulations in agriculture zones.

Realizing the importance of the residents and the Without prior discussion by the Board, Chairman asked for a motion to open the public comments. Stephens thanked the public present for their participation and the Board greatly appreciates this participation for planning and zoning for the future; to get a balance between residents in the A-1 district and livestock production. importance of the livestock. Stephens asked for input from the attending public, as the Board greatly appreciates it. Stephens proceeded to explain the beginning of



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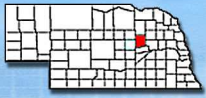


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zoning, 20 acres were needed to split off parcels, and as time went on, the Board reduced this down to 3 acres with conditional uses. He went on to explain when these 3 acres are spread throughout the County it limits livestock production. One of the reasons that the Board was led to believe the reason for people to request 3 acres was because they could not get a mortgage on more than 3 and did not want to go over 5 acres at the time to get a loan. Also, the Board went through a time during the early 2000's not a lot of land change was going on, then all of a sudden, a boom of requested parcel splits in the mid-2000's with the good farm economy and young family farm members came back to continue the farming operations, thus a lot of new homes were built. Stephens continued, maybe we are going back to a slower period of building, the County ended up with a lot of small acres throughout it. The mortgage on these small acres compared to a mortgage on a large acreage was not explained to the Board, so maybe some information about this will be given at this meeting. Groeteke continued with prior discussion stating there is a disconnect between the legal advice in the County and our realtors to get everyone the same information. Everyone has a different set of goals in their end; the realtor making the sale right away, the banker making the loan, the livestock producer has one set of interest and the home owner has a different set; so, to get everyone thinking on the same path presents some challenges, and hopefully these will be talked about at this meeting. Groeteke then asked for a motion to open the public meeting with motion by Jensen and second by Stephens. Vote: Ayes: Groeteke, Stuhr, Mogensen, Towey, Stephens, Frey, Jensen, Wagner. Nays: None. Absent: Baum. Abstain: None. Chair asked for public comments. Mike Grape explained the differences for the interest rates, the mortgages, the prime and the secondary loans; and how all of this financing affects the potential purchaser and the land to be purchased. Schmadeke talked about the parcels close to villages that have the well-head protection areas and the city sewer system not going out to these parcels which lessen the available land to be developed for housing. Discussion on lessening of land value due to the location of livestock production areas and homes. Discussion on increasing housing in the A-2 area to help business growth in the villages and areas for reasonable housing for the business employees. A-1 areas are not an economical place to live due to the miles from schools, towns and public services. Koch commented on the challenges in developing new housing in the villages; where in some cases new residents are forced to look to the rural areas to build a home. Martin explained the different ways of reducing acreage, lessening setbacks and change the density in the A-2 area to help increase home building in this area; lengthy discussion followed. General consensus is to focus on the Ag-2 district for increased housing and retain the Ag-1 district to be the larger area. More discussion and possible decisions made at next Commission meeting with a public hearing to follow after final decisions have been made. With no more discussion, Chairman asked for a motion to close the public meeting. Mogensen made a motion to close the public meeting with Stuhr second the motion. Vote: Ayes: Stephens, Stuhr, Groeteke, Wagner, Mogensen, Jensen, Towey, Frey. Nays: None. Absent: Baum. Abstain None. Jensen motioned to recommend to the County Board to have a moratorium on all conditional uses for residential lots in the A-1 area until a public hearing is held for any new language to be adopted for acreage size and setback, second by Wagner. Vote: Ayes: Jensen, Mogensen, Groeteke, Frey, Wagner, Stephens, Stuhr, Towey. Nays: None. Absent: Baum. Abstain: None. Luettel called for the Commissioner meeting to be closed. Vote: Luettel, Maricle. Absent: Rasmussen.

8- SCHEDULE NEXT MEETING

Chairman Groeteke announced the next monthly meeting of the Commission is scheduled for Monday, February 27, 2017 at 7:00 p.m. in the Boone County Courthouse Albion Nebraska.



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9 – ADJOURN

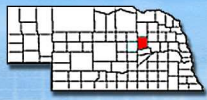
A motion to adjourn made by Stephens and second by Towey at 9:40 p.m. Vote: Ayes: Stephens, Stuhr, Groeteke, Wagner, Mogensen, Jensen, Towey, Frey. Nays: None. Absent: Baum. Abstain: None.

SUBMITTED: _____

COMMISSION SECRETARY

AFFIRMED BY: _____

COMMISSION CHAIRMAN



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: FEBRUARY 27, 2017

1 – CALL TO ORDER

The County Commissioners reconvened the 9:00 a.m. meeting at 7:00 p.m. with roll call. Present: Maricle and Luettel. Absent: Rasmussen.

The February monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Paul Groeteke in the Multipurpose Room in the Boone County Courthouse located at Albion Nebraska, Monday, February 27, 2017 at 7:04 p.m. Chairman Groeteke noted that a copy the Open Meetings Act posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Present: Jensen, Frey, Baum, Stephens, Mogensen, Groeteke, Stuhr. Absent: Towey, Wagner.

Boone County Zoning Consultant, Keith Marvin was in attendance.

3 – APPROVAL/DISAPPROVAL OF THE MINUTES

Chair Groeteke asked for a motion to approve or disapprove the minutes from the January 30, 2017 Planning and Zoning Board meeting. Motion to approve the minutes given by Stephens, second given by Mogensen. Vote: Ayes: Frey, Baum, Mogensen, Groeteke, Stuhr, Jensen, Stephens. Nays: None. Absent: Wagner, Towey. Abstain: None.

4 – Discuss zoning regulations regarding all agricultural zones, cont.

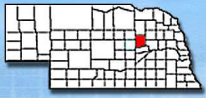
Chair Groeteke noted the Commissioners approved the Moratorium to stop small parcel splits on the A-1 and A-2 districts. Frey noted the moratorium should state only the Ag-1 district and continue with the splits of the A-2 district. Ziemba will have this moratorium corrected to state the Ag-1 district. Continued discussion on various aspects of the well-head protection area and septic systems located in the A-2 areas throughout the county. Various ideas were given and discussed regarding density, setback distance, floodplains, taxes and roads. Discussed potential growth areas of the villages and towns in Boone County and also discussed having the towns/village councils give their ideas and concerns regarding any change in the specific jurisdiction they oversee and state the direction of preferred growth for their towns/villages.

5-Open Discussion:

Ross Knott addressed the Board to consider a housing unit in the Petersburg area and have this type of area out in the agricultural area to help with the relationship between livestock and residential areas.

6-Correspondence/Zoning Administrator Report:

Ziemba passed out the report; the Board reviewed it.



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8- SCHEDULE NEXT MEETING:

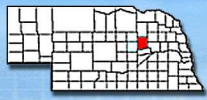
Chairman Groeteke announced the next monthly meeting of the Commission will be Monday March 27, 2017 at 7:30 p.m. This meeting will be held in the Multipurpose Room located in the Boone County Courthouse, Albion Nebraska.

9 – ADJOURN:

A motion to adjourn made by Frey, second by Stephens at 9:00 p.m Vote: Ayes: Mogensen, Stephens, Frey, Groeteke, Stuhr, Jensen. Nays: None. Absent: Baum (left meeting early), Towey, Wagner. Abstain: None.

SUBMITTED: _____ COMMISSION SECRETARY

AFFIRMED BY: _____ COMMISSION CHAIRPERSON



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: MARCH 27, 2017

1 – CALL TO ORDER

The March monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Groeteke in the Court Room located in the Boone County Courthouse in Albion Nebraska on Monday March 27, 2017 at 7:30 p.m. The Chairman noted a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

The County Commissioners re-opened their 9:00 a.m. meeting at this time.

2 – ROLL CALL

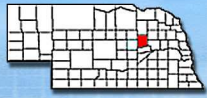
The following quorum of Commission members were present and answered roll call. Present: Jensen, Frey, Towey, Stephens, Mogensen-came late, Groeteke, Stuhr, Wagner. Absent: Baum.

3 – APPROVAL/DISAPPROVAL OF THE MINUTES

Chairman Groeteke asked for a motion to approve or disapprove the minutes from the February 27, 2017 meeting. Motion by Frey to approve the minutes as submitted, second motion by Stuhr. Vote: Ayes: Frey, Groeteke, Stuhr, Jensen, Stephens. Nays: None. Abstain: Towey, Wagner. Absent: Mogensen, Baum.

4. Groeteke called to suspend Item 4 for the time being and called for Jeff Jarecki to discuss agenda Item **5. To discuss Boone County Zoning Regulation, Article 11.** Jarecki pointed out concerns about wording in this regulation. Discussion to and from the Board proceeded. Jarecki's concerns will be submitted with all of the potential changes to the zoning regulations as discussion for various regulation changes continue.

Item #4 Continued discussion regarding regulations for all agricultural zones. Continued discussion regarding regulations for all agricultural zones went on. Some of the villages/towns in Boone County were represented by one or two Council members. Various ideas, positions, advantages and disadvantages were presented and discussed. Some of the topics of discussion, but not limited to, highway access, wellhead protection areas, tax base, floodplain areas, density, housing developments, village services, setback distance, change to livestock unit regulation and permitting, change shape of livestock setback areas. One of the main points



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presented by the Board is to accommodate the villages/towns and rural residents to achieve goals for the future growth of the county. Chair asked the individual representatives to take the information from this meeting back to their village councils and at the next Planning Commission meeting in April, bring back ideas for growth areas the villages wish to achieve for the future. All information from this meeting will be added to all of the talking points gathered from prior meetings and will be included in future meetings for discussion to determine the final proposals for the revisions of the zoning regulations.

6-Open Discussion: Continued with discussion from item number 5.

8- SCHEDULE NEXT MEETING

Groeteke announced the next meeting of the Commission will be Monday, April 24, 2017 at 7:30 p.m. in the Boone County Courthouse, Albion Nebraska.

9 – ADJOURN

Motion to adjourn the meeting made by Frey at 9:15 p.m., second motion by Towey. Vote: Ayes; Wagner, Mogensen, Stephens, Towey, Frey, Groeteke, Stuhr, Jensen. Nays: None. Abstain; None. Absent: Baum.

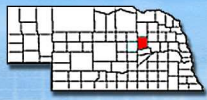
The County Commissioners closed their 9:00 a.m. meeting at this time.

SUBMITTED: _____

COMMISSION SECRETARY

AFFIRMED BY: _____

COMMISSION CHAIRPERSON



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: June 26, 2017

1 – CALL TO ORDER

The June monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Groeteke in the Courtroom in the Boone County Courthouse located at Albion Nebraska, Monday, June 26, 2017 at 7:33 p.m. Groeteke noted a copy of the Open Meetings Act was posted and copies available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication, postings on courthouse bulletin boards, sign posted on lots in Petersburg and by mailings. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL:

The following quorum of Commission members were present and answered roll call: Present: Jensen, Frey, Baum, Towey, Mogensen, Groeteke, Stuhr, Wagner. Absent: Stephens. Stephens arrived later during the meeting.

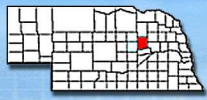
3 – APPROVAL/DISAPPROVAL OF THE MINUTES:

Groeteke asked for a motion for a vote on the approval/disapproval of the May 22, 2017 meeting minutes. Motion to accept the minutes with corrections by Jensen and seconded by Stuhr. Vote: Ayes: Frey, Towey, Wagner, Mogensen, Stuhr, Jensen. Nays: None. Abstain: Baum and Groeteke. Absent: Stephens. Minutes approved.

4-Public hearing to consider, discuss and take action on an amendment to the Future Land Use Map for all Lots 8-9-10-11, Block 1, West Petersburg located in Petersburg Nebraska from R-1 Single Family Residential to B-1 Highway Business District, with conditional uses.

Chair asked for a motion to open the public hearing. Wagner motioned to open the public hearing with Towey second the motion. Vote: Ayes: Frey, Jensen, Stuhr, Mogensen, Groeteke, Towey, Wagner and Baum. Nays: None. Abstain: None. Absent: Stephens. Groeteke asked for comments, for or against, from the public. Wagner asked for clarification of the lots and area in Petersburg this will affect. Some public attendees help with clarification of location, ownership, types of buildings and their uses. Baum asked who recommended this, member of the public answered the Village Board recommended it. Towey stated concerns if there was an issue having dwellings in with commercial, members of board answered stating some regulations for standard and grandfathered-in uses. Chair asked again for any further comments from the board or the public, with no further comments, Groeteke asked for a motion to close the public hearing. Baum motioned to close the public hearing with Frey seconded a motion. Vote: Ayes: Towey, Groeteke, Jensen, Stuhr, Baum, Frey, Mogensen, Wagner. Nays: None. Abstain: None. Absent: Stephens. Groeteke stated the need for a motion to approve or disapprove the amendment as submitted; as a recommendation to the Village Council. Wagner made the motion to recommend this amendment to the Petersburg Village Board, second by Baum. Vote: Ayes: Groeteke, Towey, Wagner, Baum, Mogensen, Frey, Jensen. Nays: None. Abstain: Stuhr. Absent: Stephens.

5. Public Hearing to consider, discuss and take action on an application by Dale L. Salber, Thomas Zabka and Clyde Stuhr to rezone Lots 8-9-10-11, Block 1, West Petersburg located in Petersburg Nebraska from R-1 Single Family Residential to B-1 Highway Business District, with conditional uses. Chair asked to open the public hearing. Wagner motion to open public hearing with second motion by Jensen.



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Vote: Ayes: Mogensen, Wagner, Frey, Stuhr, Towey, Baum, Jensen, Groeteke. Nays: None. Abstain: None. Absent: Stephens. Chair formally opened the floor for any public comments, questions or discussion of the fore-mentioned rezoning from Residential 1 to B-1. No comments voiced by the public on the record, so Groeteke asked for a motion to close the public hearing. Motion made by Baum with Mogensen seconded the motion. Vote: Ayes: Baum, Wagner, Jensen, Groeteke, Towey, Frey, Mogensen. Nays: None. Abstain: Stuhr. Absent: Stephens. Groeteke stated the need for a motion to approve or disapprove the change from R-1 Single Family Residence to B-1 Highway Business District. Jensen asked for clarification about the Village Board having a part in this; clarification stated this vote is a recommendation to the Village Board. Baum made the motion to approve with Wagner seconded the motion. Vote: Ayes: Towey, Groeteke, Mogensen, Jensen, Baum, Frey, Wagner. Nays: None. Abstain: Stuhr. Absent: Stephens. Vote carried for approval.

6-Open Discussion: Discussion took place regarding the public being more aware of what is going on in the neighborhoods when a conditional use permit application comes before the Board for review; as there are notices and an opportunity for the public to comment on the proposed action to take place in the surrounding area. Another concern is from the daily routine of the local farmers, animal producers and ranchers which results in potential unwanted noise, smells and the usual unwanted exposure to elements people from non-farm lifestyles are not accustomed to; also any potential situation of the secondary and third buyer may have with the split-off parcel. After discussion, the decision to have the Primary Agricultural District (A-1) regulations remain as currently stated in the Boone County Zoning regulations. Discussion regarding lifting the moratorium in the A-1 District took place with the unanimous decision to lift it. The Board discussed and considered, as a group, to continue with the conditional use permit applications currently in place and go through each application with a specific review, case by case, and place any necessary conditions on the permit as justified. Discussion continued on the A-2 and TA Districts regarding density, lot splits, affected areas near towns. Many pros and cons were brought up with helpful ideas given. The ideas and planning for these districts will be discussed at future meetings. With no further discussion, Groeteke called for closing the open discussion.

SCHEDULE NEXT MEETING: Chairman Groeteke stated the next monthly meeting of the Commission will be held on Monday, July 24th, 2017 at 7:30 p.m. in the Boone County Courthouse in Albion Nebraska.

9 – ADJOURN: A motion to adjourn made by Mogensen at 9:10 p.m., second by Baum. Vote: Ayes: Wagner, Mogensen, Stephens, Towey, Frey, Groeteke, Baum, Stuhr, Jensen. Nays: None. Absent: None. Abstain: None.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**



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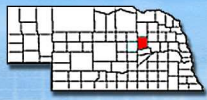
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SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**