

Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: January 24, 2022

PUBLIC NOTICE FOR WAS PUBLISHED 2 (TWO) WEEKS PRIOR TO THIS MEETING IN THE COUNTY LEGAL NEWSPAPER, THE ALBION NEWS, ALSO POSTED ON THE ZONING ADMINISTRATOR'S BULLETIN BOARD LOCATED OUTSIDE OF THE ZONING OFFICE IN THE BOONE COUNTY COURTOUSE.

1 – CALL TO ORDER

The January monthly meeting of the Boone County Planning Commission was called to order by Vice-Chairman Stephens in the Multipurpose Room in the Boone County Courthouse located at 222 South 4th Street Albion Nebraska, Monday, January 24, 2022, at 7:00 p.m. Chair noted that a copy the Open Meetings Act was posted, and copies were 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.

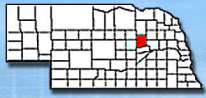
2 – ROLL CALL

Roll Call results: Present: Frey, Stephens, Tenski, Stuhr, Groeteke, Towey. Absent: Baum, Wagner, Mogensen; Mogensen came later.

3 – APPROVAL/DISAPPROVAL OF MINUTES for the November 22, 2021, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by Towey, Second by Groeteke. Vote: Ayes: Stephens, Stuhr, Towey. Nays: None. Abstain: Groeteke, Tenski, Frey. Absent: Wagner, Baum, Mogensen.

4, Re-Organization Planning Board Officers Chair introduced Chris Tenski, new member of the Planning Commission Board. Chair thanked Mark Jensen for all the years he served on this Board. Chair asked for nominations for the Planning Board. Groeteke made the motion the Officers remain the same. Second by Towey. Vote: Ayes: Frey, Tenski, Stuhr, Stephens, Groeteke, Towey. Nays: None. Absent: Mogensen, Wagner, Baum. Abstain: None. Motion approved. The 2022 Planning Commission Officers will be Chairman: Wagner, Vice-Chairman: Stephens, Secretary: Stuhr. Due to the retirement of Mark Jensen, who was the member from the Planning Commission for the Boone County Board of Adjustment, a new representative from the Planning Commission for the Boone County Board of Adjustment. Chair asked for a volunteer for this position. Stuhr volunteered. Stephens asked for a motion for a vote. Groeteke motioned to approve Stuhr with Mogensen second the motion. Vote: Ayes Towey, Stephens, Groeteke, Tenski, Frey, Mogensen. Nays: None. Absent: Wagner, Baum. Abstain: Stuhr. Motion carried, Stuhr's nomination will be brought before the Boone County Commissioners for final approval.

5. Consider, Discuss and Take action information provided by Jeff Jarecki regarding the status and future use of the Bourn Hog Confinement units. Jarecki proceeded giving the information stating the letter from Keith Marvin's letter recommendation for a conditional use permit process for this plan. Jarecki stated he will get the process going.



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6-Consider, discuss, and take action on findings and suggestions for the Solar Energy Regulation. Mason Henry represented Keith Marvin. Several items were discussed, setback distance, what items would not need a conditional use permit, individual solar conversion system, solar farms, area for individual system, decommissioning systems, wattages. Henry stated he would inform Marvin of ideas and suggestions from the Planning Board members.

7. Discuss suggestions for meetings for working on updating Comprehensive Plan Various ideas were mentioned, members wish to have Keith Marvin present to assist with meeting details.

8. Correspondence/Zoning Administrators Report. Report was given to members. No concerns were given.

9. Open discussion A question about Nebraska Department of Roads floodplain permit. Introduced Chris Tenski, to the members of the Planning Commission as each member identified themselves. Chris introduced himself and told brief history of himself.

10- SCHEDULE NEXT MEETING

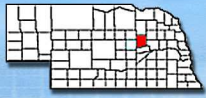
Chairman announced the next monthly meeting of the Commission is scheduled for Monday, February 28, 2022 at 7:00 p.m. in the County Courthouse, Albion Nebraska.

11 – ADJOURN

A motion to adjourn made by Towey at 7:45 p.m., second by Groeteke. Vote :Ayes; Tenski, Frey, Groeteke, Stuhr, Mogensen, Towey, Stephens. Nays; None. Absent; Baum, Wagner. Abstain; None.

SUBMITTED: _____ **COMMISSION SECRETARY**
(Clyde Stuhr)

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**
(Mark Wagner)



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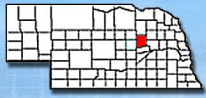
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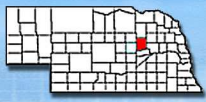
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SUBMITTED: _____ COMMISSION SECRETARY
(Clyde Stuhr)

AFFIRMED BY: _____ COMMISSION CHAIRPERSON
(Mark Wagner)



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1 – CALL TO ORDER

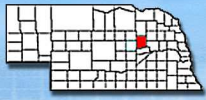
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2 – ROLL CALL

Roll Call results: Present: Mogensen, Wagner, Frey, Stephens, Tenski, Stuhr, Groeteke, Towey. Absent: Baum.

3 – APPROVAL/DISAPPROVAL OF MINUTES for the January 24, 2021, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by Stephens, Second by Towey to approve as presented. Vote: Ayes: Stephens, Stuhr, Tenski, Towey, Mogensen. Nays: None. Abstain: Wagner. Absent: Baum, Frey, Groeteke. Frey and Groeteke came later during this meeting.

4 - 7:10 p.m. Public Hearing to consider, review, and take the necessary action on an application for a Conditional Use Permit submitted by Lewis Carson to split off 5.00± acres plus 0.67± acre of the Right-of-Way from a parcel of land to correct legal access to real estate along with parceling off existing residence. This parcel is in a Fraction of the Northeast Quarter (NE ¼) of Section One (1), Township Eighteen (18) North, Range Six (6) West of the 6th P.M., Boone County Nebraska. Chair asked for a motion to open the Public Hearing. Towey motioned to open the public hearing with Mogensen second. Vote: Ayes: Groeteke, Stuhr, Mogensen, Towey, Stephens, Frey, Tenski, Wagner. Nays: None. Absent: Baum. Abstain: None. Chair ask representative for the application to state reasons for this permit. Chad Carlson spoke on behalf of the need for this permit. He stated he wishes to tear down the existing house and build a new house. Also, to correct legal access to the real estate along with parceling off existing residential area. Lewis Carlson will retain all other buildings on this site. Current land use will not be changed. No Waiver of Distance was needed. All other zoning regulations are met. With no further comments, Chair asked for a motion to close the public hearing. Stephens motioned to close the public hearing with Groeteke second. Vote: Ayes: Stephens, Stuhr, Groeteke, Wagner, Mogensen, Tenski, Towey, Frey. Nays: None. Absent: Baum. Abstain: None. Chair asked for further comments from the Planning Board. All members were satisfied with results of conversation during the public hearing. Hearing no further comments or concerns, Chair asked for a motion to vote on. Tenski motioned the application be submitted to the Boone County Commissioners for approval. Vote: Ayes: Tenski, Mogensen,



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Groeteke, Frey, Wagner, Stephens, Stuhr, Towey. Nays: None. Abstain: None. Absent: Baum. Motion passed with majority vote.

5- 7:20 p.m. Consider, Discuss and Take the necessary action on a Resolution to add Solar Energy Regulations to the Boone County Zoning Regulations. Chair asked for a motion to open the public hearing. Stephens motioned to open the public hearing and Towey second. Keith Marvin, Boone County Zoning Consultant passed out a revised copy of the proposed solar regulations. After review by the Planning Board, with some minor adjustments, and no further comments, Chair asked for a motion to close the public hearing. Towey motioned to close the public hearing with Mogensen second. Vote: Ayes: Tenski, Stephens, Groeteke, Wagner, Towey, Mogensen, Stuhr, Frey. Nays: None. Abstain: None. Absent: Baum. The Planning Board agreed Marvin would email the final draft, with the adjustments, to the Zoning Administrator to be presented to the Boone County Commissioners. Chair asked for a motion to vote on. Groeteke motioned to recommend the proposed Solar Regulations and Resolution be presented to the Boone County Commissioners for approval and be added to the Boone County Zoning Regulations. Stephens second the motion. Vote: Ayes: Stuhr, Groeteke, Wagner, Mogensen, Stephens, Frey, Tenski, Towey. Nays: None. Abstain: None. Absent: Baum. Motion passed.

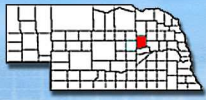
6-Review and take action on Conditional Use Permit #1909 which allows effluent to be transferred into Boone County from Platte County. An Addendum to allow effluent to be transferred into Boone County from Platte County was presented to the Planning Commission Board for discussion and decision for or against allowing this activity. Discussion was held. No complaints from the surrounding parcel owners or home dwellers were given. Comments were made implying knifing into the ground was a better process verse going through a center pivot system. Chair asked for a motion for a vote. Groeteke motioned to approve the Addendum to extend Conditional Use Permit #1909 for one (1) more year and present it to the Commissioners for approval. Vote: Ayes: Stuhr, Mogensen, Stephens, Frey, Towey, Tenski, Wagner, Groeteke. Nays: None. Abstain: None. Absent: Baum.

7. Review and discuss dates and times to hold meetings for discussion on updating the Boone County Comprehensive Plan and amending the Boone County Official Zoning Map. Much discussion on how to begin this process, detail of the process and meeting times for the process. Decision was made to have Marvin send information to Zoning Administrator for review and to have agenda items for Planning Commission members to review and discuss. Public opinions, concerns, needs and questions will be the main part of the updated Comprehensive Plan. Several ways of getting survey questionnaires to and from the public was discussed. The Board members agreed this process will take several months to get organized, reviewed and discussed and conduct public hearings to have this project completed.

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9. Open discussion No concerns or comments were given.

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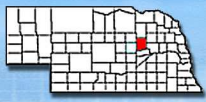
Chair announced the next monthly meeting of the Commission is scheduled for Monday, April 25 at 8:00 p.m. in the County Courthouse, Albion Nebraska.

11 – ADJOURN

A motion to adjourn made by Towey at 8:05 p.m., second by Groeteke. Vote: Ayes; Tenski, Frey, Groeteke, Stuhr, Mogensen, Wagner, Towey, Stephens. Nays; None. Absent; Baum. Abstain; None.

SUBMITTED: _____ **COMMISSION SECRETARY**
(Clyde Stuhr)

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**
(Mark Wagner)



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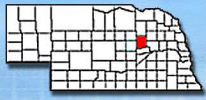
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Roll Call results: Present: Mogensen, Wagner, Frey, Stephens, Tenski, Stuhr, Groeteke, Towey. Absent: Baum.

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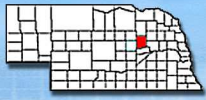
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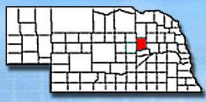
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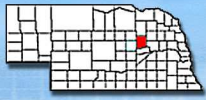
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Roll Call results: Present: Mogensen, Wagner, Frey, Stephens, Tenski, Stuhr, Groeteke, Towey. Absent: Baum.

3 – APPROVAL/DISAPPROVAL OF MINUTES for the January 24, 2021, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by Stephens, Second by Towey to approve as presented. Vote: Ayes: Stephens, Stuhr, Tenski, Towey, Mogensen. Nays: None. Abstain: Wagner. Absent: Baum, Frey, Groeteke. Frey and Groeteke came later during this meeting.

4 - 7:10 p.m. Public Hearing to consider, review, and take the necessary action on an application for a Conditional Use Permit submitted by Lewis Carson to split off 5.00± acres plus 0.67± acre of the Right-of-Way from a parcel of land to correct legal access to real estate along with parceling off existing residence. This parcel is in a Fraction of the Northeast Quarter (NE ¼) of Section One (1), Township Eighteen (18) North, Range Six (6) West of the 6th P.M., Boone County Nebraska. Chair asked for a motion to open the Public Hearing. Towey motioned to open the public hearing with Mogensen second. Vote: Ayes: Groeteke, Stuhr, Mogensen, Towey, Stephens, Frey, Tenski, Wagner. Nays: None. Absent: Baum. Abstain: None. Chair ask representative for the application to state reasons for this permit. Chad Carlson spoke on behalf of the need for this permit. He stated he wishes to tear down the existing house and build a new house. Also, to correct legal access to the real estate along with parceling off existing residential area. Lewis Carlson will retain all other buildings on this site. Current land use will not be changed. No Waiver of Distance was needed. All other zoning regulations are met. With no further comments, Chair asked for a motion to close the public hearing. Stephens motioned to close the public hearing with Groeteke second. Vote: Ayes: Stephens, Stuhr, Groeteke, Wagner, Mogensen, Tenski, Towey, Frey. Nays: None. Absent: Baum. Abstain: None. Chair asked for further comments from the Planning Board. All members were satisfied with results of conversation during the public hearing. Hearing no further comments or concerns, Chair asked for a motion to vote on. Tenski motioned the application be submitted to the Boone County Commissioners for approval. Vote: Ayes: Tenski, Mogensen,



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

Groeteke, Frey, Wagner, Stephens, Stuhr, Towey. Nays: None. Abstain: None. Absent: Baum. Motion passed with majority vote.

5- 7:20 p.m. Consider, Discuss and Take the necessary action on a Resolution to add Solar Energy Regulations to the Boone County Zoning Regulations. Chair asked for a motion to open the public hearing. Stephens motioned to open the public hearing and Towey second. Keith Marvin, Boone County Zoning Consultant passed out a revised copy of the proposed solar regulations. After review by the Planning Board, with some minor adjustments, and no further comments, Chair asked for a motion to close the public hearing. Towey motioned to close the public hearing with Mogensen second. Vote: Ayes: Tenski, Stephens, Groeteke, Wagner, Towey, Mogensen, Stuhr, Frey. Nays: None. Abstain: None. Absent: Baum. The Planning Board agreed Marvin would email the final draft, with the adjustments, to the Zoning Administrator to be presented to the Boone County Commissioners. Chair asked for a motion to vote on. Groeteke motioned to recommend the proposed Solar Regulations and Resolution be presented to the Boone County Commissioners for approval and be added to the Boone County Zoning Regulations. Stephens second the motion. Vote: Ayes: Stuhr, Groeteke, Wagner, Mogensen, Stephens, Frey, Tenski, Towey. Nays: None. Abstain: None. Absent: Baum. Motion passed.

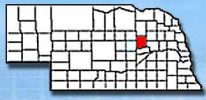
6-Review and take action on Conditional Use Permit #1909 which allows effluent to be transferred into Boone County from Platte County. An Addendum to allow effluent to be transferred into Boone County from Platte County was presented to the Planning Commission Board for discussion and decision for or against allowing this activity. Discussion was held. No complaints from the surrounding parcel owners or home dwellers were given. Comments were made implying knifing into the ground was a better process verse going through a center pivot system. Chair asked for a motion for a vote. Groeteke motioned to approve the Addendum to extend Conditional Use Permit #1909 for one (1) more year and present it to the Commissioners for approval. Vote: Ayes: Stuhr, Mogensen, Stephens, Frey, Towey, Tenski, Wagner, Groeteke. Nays: None. Abstain: None. Absent: Baum.

7. Review and discuss dates and times to hold meetings for discussion on updating the Boone County Comprehensive Plan and amending the Boone County Official Zoning Map. Much discussion on how to begin this process, detail of the process and meeting times for the process. Decision was made to have Marvin send information to Zoning Administrator for review and to have agenda items for Planning Commission members to review and discuss. Public opinions, concerns, needs and questions will be the main part of the updated Comprehensive Plan. Several ways of getting survey questionnaires to and from the public was discussed. The Board members agreed this process will take several months to get organized, reviewed and discussed and conduct public hearings to have this project completed.

8. Correspondence/Zoning Administrators Report. Ziemba presented a situation regarding splitting a parcel in the A-1 Primary Agriculture District that would be less than five (5) acres and split off enough acres from an adjoining, neighbors parcel, to combine with the smaller acreage. After the purchase has been made, the owner of the correct number of acres then can apply for a conditional use permit to split the ten (10) acres. Written report was given to members. No concerns were given.

9. Open discussion No concerns or comments were given.

10- SCHEDULE NEXT MEETING



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

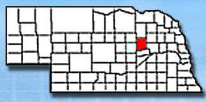
Chair announced the next monthly meeting of the Commission is scheduled for Monday, April 25 at 8:00 p.m. in the County Courthouse, Albion Nebraska.

11 – ADJOURN

A motion to adjourn made by Towey at 8:05 p.m., second by Groeteke. Vote: Ayes; Tenski, Frey, Groeteke, Stuhr, Mogensen, Wagner, Towey, Stephens. Nays; None. Absent; Baum. Abstain; None.

SUBMITTED: _____ **COMMISSION SECRETARY**
(Clyde Stuhr)

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**
(Mark Wagner)



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

DATE: April 25, 2022

PUBLIC NOTICE FOR WAS PUBLISHED 2 (TWO) WEEKS PRIOR TO THIS MEETING IN THE COUNTY LEGAL NEWSPAPER, THE ALBION NEWS, BOONE COUNTY TRIBUNE, ALSO POSTED ON THE ZONING ADMINISTRATOR'S BULLETIN BOARD LOCATED OUTSIDE OF THE ZONING OFFICE IN THE BOONE COUNTY COURTOUSE.

1 – CALL TO ORDER

The April 2022 monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Mark Wagner in the Multipurpose Room in the Boone County Courthouse located at 222 South 4th Street Albion Nebraska, Monday, April 25, 2022, at 8:00p.m. Wagner noted a copy the Open Meetings Act was posted, and copies were 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

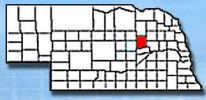
Roll Call results: Present: Wagner, Groeteke, Stephens, Mogensen, Stuhr, Tenski. Absent: Towey, Baum, Frey.

3 – APPROVAL/DISAPPROVAL OF MINUTES for the February 28, 2022, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by , second by . Vote: Ayes: Stephens, Tenski, Mogensen, Stuhr, Wagner, Groeteke. Nays: None. Abstain: . Absent: Baum, Frey, Towey.

4. Consider, review, and take necessary action on a Letter of Intent from the Boone County Development Agency asking to Re-Zone a Fraction of the South One-Half (S ½) of Section 26, Township 20 North, Range 6 West, Parcel numbers 0025920.01 and 0028100.10 located in Boone County Nebraska. Action taken Wagner called for a vote, motion by second by . Ayes: Stuhr, Wagner, Stephens, Tenski, Groeteke, Mogensen. Nays: None. Abstain: None. Absent: Tenski, Towey, Baum.

5. Consider, review, and take necessary action on amending the Land Use and amending the Boone County Nebraska Zoning Regulations by adding the following text to Article 18: I-1 Light Industrial District, Section1. Permitted Principal Uses 1.1 S. Farming of dryland row crops and haying; and to Article 19: I-2 Heavy Industrial District; Section 1. Permitted Principal Uses, 1.2 to include 1.2a. Farming of Dryland row crops and haying. Wagner asked for a motion to open the Public Hearing. motioned with second. Vote: Ayes: Groeteke, Frey, Mogensen, Wagner, Stuhr, Stephens. Nays: None. Abstain: None. Absent: Baum, Tenski, Towey. With no further discussion, Wagner asked for a motion to close the Public Hearing. motioned to close the Public Hearing with second the motion. Ayes: Groeteke, Wagner, Mogensen, Stephens, Stuhr. Nays: None. Abstain: None. Absent: Towey, Baum, Tenski. Wagner asked for a motion to vote on. motioned to with second the motion. Vote: Ayes: Frey, Mogensen, Stephens, Stuhr, Groeteke, Wagner, Tenski. Nays: None. Abstain: None. Absent: Baum, Towey, Frey. Motion carried.

6. Consider, review, and take necessary action to Amend the Future Land Use Map and the Official Zoning Map with a Fraction of the South One-half (S ½) of Section 26, Township 20 North, Range 6



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

West, Parcel numbers 0025920.01 and 0028100.10 located in Boone County Nebraska from "TA" Transitional Agriculture District to I-2 Heavy Industrial District with conditional uses. 1) Act on the Re-Zone Application submitted by the Boone County Development Agency to rezone a parcel of land in a Fraction of the South One-Half (S ½) of Section 26, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska. The parcel of land considered to be rezoned is in two (2) tract, plus an easement: a. Tract 1: 22.70± acres in a tract of land comprising a Part of the South One-Half (S ½) of Section 26, Township 20 North, Range 6 West; and b. Tract 2: 6± acres in a tract of land comprising a part of the Northeast Quarter (NE ¼) of Section 35, Township 29 North, Range 6 West; and c. A 20-foot-wide easement for ingress and egress located in part of the Northeast Quarter (NE ¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska from "TA" Transitional Agriculture to "I-2" Heavy Industrial District. Wagner asked for a motion to open the Public Hearing. motioned to open the Public Hearing and second. Vote: Ayes: Stuhr, Groeteke, Stephens, Tenski, Mogensen. Nays: None. Abstain: None. Absent: Baum, Frey, Towey. Wagner asked for comments with no further action or comments, Wagner asked for motion to close the Public Hearing. motioned to close the Public Hearing and second the motion. Vote: Ayes: Mogensen, Frey, Groeteke, Wagner, Tenski, Stephens. Nays: None. Abstain: None. Absent: Baum, Towey. Wagner asked for discussion among the Board members. With no further discussion Wagner asked for a motion for a vote. motioned second the motion. Vote: Ayes: Stephens, Stuhr, Wagner, Frey, Groeteke, Mogensen. Motion carried

7. Open Discussion:

8. SCHEDULE NEXT MEETING

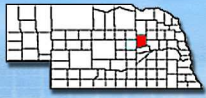
Chairman announced the next monthly meeting of the Commission is scheduled for Monday, May 23, 2022 at : p.m. in the County Courthouse, Albion Nebraska.

9 – ADJOURN

A motion to adjourn made by at : p.m., second by . Vote: Ayes; Mogensen, Stephens, Tenski, Wagner, Stuhr. Nays; None. Abstain; None. Absent; Towey, Frey Baum.

SUBMITTED: _____ COMMISSION SECRETARY
(Clyde Stuhr)

AFFIRMED BY: _____ COMMISSION CHAIRPERSON
(Mark Wagner)



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BOONE COUNTY PLANNING & ZONING COMMISSION MEETING RECORD OF MINUTES

DATE: July 25, 2022

PUBLIC NOTICE WAS PUBLISHED 2 (TWO) WEEKS PRIOR TO THIS MEETING IN THE COUNTY LEGAL NEWSPAPER; THE ALBION NEWS/BOONE COUNTY TRIBUNE; THE ZONING ADMINISTRATOR'S BULLETIN BOARD LOCATED OUTSIDE OF THE ZONING OFFICE IN THE BOONE COUNTY COURTHOUSE.

1 - CALL TO ORDER:

The June 2022 monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Mark Wagner in the Multipurpose Room in the Boone County Courthouse located at 222 South 4th Street Albion Nebraska, Monday, July 25, 2022, at 8:00 p.m. Chair noted a copy of the Open Meetings Act was posted and copies were 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:

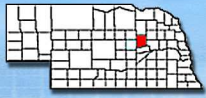
Roll Call results: Present: Frey, Stuhr, Groeteke, Tenski, Wagner, Mogensen. Absent: Baum, Stephens came later during the meeting.

Public Attendees: Jeff Jarecki, Jack Mosier, Andy Roberts, Curt Dobson, Diane Dobson, Debbie Schmadeke, Ralph L. Schmadeke, Jim Dickerson.

3 - APPROVAL/DISAPPROVAL OF MINUTES:

for the June 27, 2022, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by Frey to approve, second by Mogensen. Vote: Ayes: Groeteke, Stuhr, Wagner, Mogensen, Frey. Nays: None. Abstain: Tenski. Absent: Stephens, Baum. Motion passed.

4. - PUBLIC HEARING: to consider, review, discuss and take action on a Conditional Use Permit submitted by Mark and Megan Novacek to divide 5.21± acres plus 0.25± acres of Right-of-Way and a twenty-four (24) foot wide Easement for Ingress and Egress purposes. This parcel of land will be used for Residential living. This parcel is in a Fraction of the Southwest Quarter (SW ¼) in Section Thirty-six (36), Township Nineteen (19) North, Range Eight (8) West of the 6th P.M., Boone County Nebraska. This parcel is owned by Edward P. and Joan M. Novacek and is located in Section 36, Township 19, Range 8, West of 160th Avenue on 340th Street in Boone County Nebraska. It is in the A-1 Primary Agriculture District. Chair asked for a motion to open the public hearing. Groeteke moved to open the public hearing with Mogensen second. Vote: Yea: Wagner, Stuhr, Groeteke, Tenski, Frey, Mogensen, Stephens. Nay: None. Abstain: None. Absent: Baum.



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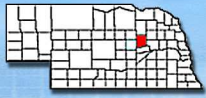
BOONE COUNTY PLANNING & ZONING COMMISSION MEETING RECORD OF MINUTES

Chair asked for comments from the public. Jeff Jarecki presented the application. The parcel is currently used for agriculture, and the use will change to residential living. He stated all paperwork is in order. Wagner asked for any more comments, none heard, asked for a motion to close the public hearing. Waiver of Distance will be corrected with the addition of one more feeding operation within the setback for this parcel. Groeteke motioned to close the public hearing and Mogensen second. Vote Yea: Mogensen, Wagner, Frey, Stuhr, Tenski, Groeteke. Nay: None. Abstain: Stephens. None. Absent: Baum. No further discussion from the Board members, Wagner asked for a motion to vote on this permit. Groeteke motioned to recommend to the County Commissioners to approve this parcel separation. Mogensen second the motion. Vote: Yeas: Stuhr, Mogensen, Stephens, Frey, Tenski, Wagner, Groeteke. Nay: None. Abstain: None. Absent: Baum. Motion carried.

5. - PUBLIC HEARING: to consider, review, discuss and act on an application for a Conditional Use Permit submitted by Curtis and Diane Dobson to split off 5.00± acres from a parcel of land to build a house. A tract of land comprising a part of the Southwest Quarter (SW ¼) of Section Twenty-one (21), Township Twenty (20) North, Range Eight (8) West of the 6th P.M., Boone County Nebraska. This property owned by Carol Bach and Richard Mosier (P.O.A.) is located on Ridge Road between 250th and 260th (Highway 91) Streets in Boone County Nebraska. This parcel is in the A-1 Primary Agriculture District in Boone County Nebraska. Chair asked for a motion to open the public hearing. Groeteke moved to open the public hearing with Mogensen second. Vote: Yea: Frey, Tenski, Mogensen, Stephens, Stuhr, Groeteke, Wagner. Nay: None. Abstain: None. Absent: Baum. Chair asked for comments from the public. Curtis Dobson represented this permit. The plan is to purchase the five (5) acres from Mosier and build a house, dig a well, bring power in and live there. Jack Mosier stated on behalf of the Mosier family they approve this parcel split. Wagner asked for more comments from the public, none given he asked to close the public hearing. Mogensen motioned to close the public hearing and Tenski second. Vote: Ayes: Stephens, Groeteke, Tenski, Stuhr, Frey, Mogensen, Wagner. Nays: None. Abstain: None. Absent: Baum. Chair asked for discussion from the Board, none given, he asked for a motion for a vote. Frey motioned to approve as submitted. Mogensen second the motion. Vote: Ayes: Stuhr, Groeteke, Wagner, Mogensen, Stephens, Frey, Tenski. Nays: None. Abstain: None. Absent: Baum. Motion carried.

6. - CORRESPONDENCE/ZONING ADMINISTRATORS REPORT: An upcoming potential rezone was given and discussed; confirmed this would not be a spot zone, it will be on continuous parcels. Reported the upcoming conditional use permit applications to be heard at next month's meeting.

7. -- OPEN DISCUSSION: Several meeting attendants discussed the potential Co2 pipeline that is to begin at the ethanol plant in Albion and continue northeast out of the County.



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8. - SCHEDULE NEXT MEETING: Chairman announced the next monthly meeting of the Commission is scheduled for Monday, August 22, 2022, at 8:00 p.m.

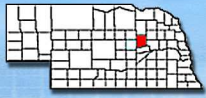
9. - ADJOURN: A motion to adjourn made by Tenski at 8:32 p.m., second by Mogensen. Vote: Ayes: Wagner, Frey, Groeteke, Stuhr, Mogensen, Stephens, Tenski. Nays: None. Abstain: None. Absent: Baum.

SUBMITTED: _____ **COMMISSION SECRETARY**

(Clyde Stuhr)

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**

(Mark Wagner)



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BOONE COUNTY PLANNING & ZONING COMMISSION MEETING RECORD OF MINUTES

DATE: August 22, 2022

PUBLIC NOTICE WAS PUBLISHED 2 (TWO) WEEKS PRIOR TO THIS MEETING IN THE COUNTY LEGAL NEWSPAPER; THE ALBION NEWS/BOONE COUNTY TRIBUNE; THE ZONING ADMINISTRATOR'S BULLETIN BOARD LOCATED OUTSIDE OF THE ZONING OFFICE IN THE BOONE COUNTY COURTOUSE.

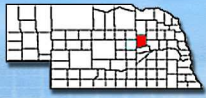
1 - CALL TO ORDER:

The August 2022 monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Mark Wagner in the Multipurpose Room in the Boone County Courthouse located at 222 South 4th Street Albion Nebraska, Monday, August 22, 2022, at 8:00 p.m. Chair noted a copy of the Open Meetings Act was posted and copies were 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: Roll Call results: Present: Frey, Stuhr, Groeteke, Tenski, Wagner. Absent: Baum, Stephens. Mogensen came later during the meeting.
Public Attendees: Jeff Jarecki, Jim Dickerson, Matt Jarfi.

3 - APPROVAL/DISAPPROVAL OF MINUTES: for the July 25, 2022, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by Frey to approve, second by Groeteke. Vote: Ayes: Groeteke, Stuhr, Wagner, Tenski, Frey. Nays: None. Abstain: None. Absent: Stephens, Baum, Mogensen. Motion passed.

- 1) **4. - PUBLIC HEARING:** to consider, review, discuss and take action on a Conditional Use Permit submitted by Robert and Amber Coates to split off 5.00± acres from a parcel of land to build a house. A tract of land comprising a part of the Southeast Quarter (SE ¼) of Section Thirty-three (33), Township Twenty-two (22) North, Range Seven (7) West of the 6th P.M., Boone County Nebraska. This property owned by Ronald and Zandra Coakes. It is located West of Y Road, between 180th and 190th Avenues in Boone County Nebraska. This parcel is in the A-1 Primary Agriculture District in Boone County Nebraska. Chair asked for a motion to open the public hearing. Frey moved to open the public hearing with Stuhr second. Vote: Yea: Wagner, Stuhr, Groeteke, Tenski, Frey. Nay: None. Abstain: None. Absent: Baum, Stephens, Mogensen. Chair asked for comments from the public. Robert Coakes presented the application. The parcel is currently used for agriculture, and the use will change to residential living. He stated all paperwork is in order. Wagner asked for any more comments; none heard, asked for a motion to close the public hearing. Groeteke motioned to close the public hearing. Tenski motioned to close the public hearing and Stuhr second. Vote Yea: Wagner, Frey, Stuhr, Tenski, Groeteke. Nay: None. Abstain: None. Absent: Stephens, Baum, Mogensen. Chair asked for discussion from the Board members. Reassurance asked for and confirmed the driveway was acceptable, Waiver of Distance was in order, acceptable use of land was confirmed. Wagner asked for a motion to vote on this permit. Frey motioned to recommend to the County Commissioners the approval of this



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conditional use permit for the parcel separation. Groeteke second the motion. Vote: Yeas: Stuhr, Frey, Tenski, Wagner, Groeteke. Nay: None. Abstain: None. Absent: Mogensen, Baum, Stephens. Motion carried.

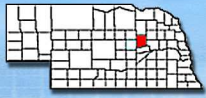
5. - **PUBLIC HEARING:** to consider, review, discuss and act on an application for a Conditional Use Permit submitted by The NextLink Company to construct a 120-foot utility pole with Wi-Fi Antennas. The location for this tower is 3404 240th Avenue, Cedar Rapids, Nebraska in a part of the Northwest Corner of the Northwest Quarter (NW ¼), Section Four (4), Township Eighteen (18) North, Range Six (6) W of the 6th P.M., Boone County Nebraska. This property owned by Edward and Jane Loeffler. It is located South of Highway 56 at the intersection of Highway 56 and 240th Avenue in Boone County Nebraska. Chair asked for a motion to open the public hearing. Tenski moved to open the public hearing with Stuhr second. Vote: Yea: Frey, Tenski, Stuhr, Groeteke, Wagner. Nay: None. Abstain: None. Absent: Baum, Mogensen, Stephens. Chair asked for comments from the public. Matt Jarfi represented this permit. The plan is to install a booster tower for transmitting high-speed internet using the Connect America Fund for high-speed internet options to rural areas of the Country. This use will be available to the surrounding homes in a 5-mile circumference. It will be stick wireless and will point antennas to houses for coverage. Wagner asked for more comments from the public. Questions on number of homes getting this service. Question is there plans for more towers, answer was “not at this time”, “right now we have an obligation to fulfill for the Federal Government, which is what happening right now”. Concern for the height of the tower being so close to the proximity of the existing residential house. Answer, “We are meeting all setbacks required”. With no more comments, Chair asked for a motion to close the public hearing. Stuhr motioned to close the public hearing and Frey second the motion. Vote: Ayes: Groeteke, Tenski, Stuhr, Frey, Wagner. Nays: None. Abstain: None. Absent: Stephens, Baum, Mogensen. Chair asked for discussion from the Board, none given, he asked for a motion for a vote. Stuhr motioned to approve as submitted. Frey second the motion. Vote: Ayes: Stuhr, Groeteke, Wagner, Frey, Tenski. Nays: None. Abstain: None. Absent: Baum, Mogensen, Stephens. Motion carried. Chair stated this application will move on to the County Commissioners for final vote.

6. Review Request for Amendment to the Zoning Ordinance submitted by Cynthia S. Miller Co-Trustee of The Virgil D. Seda Trust. Chairman read the Amendment to the Zoning Ordinance. With a general vote: Ayes: 5; Nays: 0. Chair announced the Board will continue with the hearing to amend the Future Land Use Map and Re-Zone application.

7. Public Hearing to consider, review, discuss and act on an application to:

1) Amend the Future Land Use Map for a Fraction of the North Half (N½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West located in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses.

2) Act on the Re-Zone Application submitted by Cynthia S. Miller, Co-Trustee of the Virgil D. Seda Trust to rezone a parcel of land in a Fraction of the North Half (N½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses. . Chair asked for a



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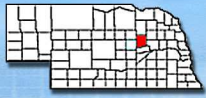
motion to open the public hearing. Groeteke motioned to open the public hearing with Tenski second. Vote: Ayes: Tenski, Groeteke, Wagner, Stuhr, Frey. Nays: None. Abstain: None. Absent: Baum, Stephens, Mogensen. Jeff Jarecki represented the application. Stating reason for re-zone, better for community, extend the commercial development along the highway corridors. Chair asked for questions from the public and from the Board. Hearing none, asked for a motion to close the public hearing. Frey motioned to close the public hearing with Groeteke second. Ayes: Stuhr, Groeteke, Wagner, Frey, Tenski. Nays: None. Abstain: None. Absent: Mogensen, Stephens, Baum. Discussion, this re-zone area connects with the newly re-zoned area and is not spot zoned. Chair asked for further comments, with none heard asked for a vote on this application. Groeteke made a motion to move forward to the Commissioners with the laid-out plan for this proposal with no modifications. Tenski second the motion. Ayes: Wagner, Frey, Stuhr, Tenski, Groeteke. Nays: None. Abstain: None. Absent: Mogensen, Baum, Stephens. Motion carried.

8. Review the Request for Amendment to the Zoning Ordinance submitted by the Niewohner Grandchildren, A Limited Partnership. Chair read the Amendment and asked for a general vote whether to proceed or not on this zoning change. Ayes: 5, Nays: 0. Chair announced with having a unanimous vote, will proceed with the hearing for the amending of future land use map and the re-zone application.

9. Public Hearing to consider, review, discuss and act on an application to:

- 1) Amend the Future Land Use for a Fraction of the South Half (S½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses.
- 2) Act on the Re-Zone Application submitted by Niewohner Grandchildren, a Limited Partnership to rezone a parcel of land in a Fraction of the South Half (S½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses. Chair asked for a motion to open the public hearing. Frey motioned to open the public hearing with Stuhr second. Chair asked for any comments from the public. Jeff Jarecki represented this application stating the plan to continue the commercial development along the highway corridors. Also stating this is adjacent to the first parcel rezone heard this evening. Chair asked for any input from the public and/or from the Board. Question about the area of the land to be rezoned and the access to the highway; Survey shows the parcel and there is adequate access to the highway. Chair asked for further comments or questions, hearing none asked for a motion to close the public hearing. Groeteke motioned to close the public hearing with Tenski second. Vote: Ayes: Tenski, Stuhr, Frey, Wagner, Groeteke. Nays: None. Abstain: None. Absent: Stephens, Mogensen, Baum. Questions concerning the house in the parcel, that it will be in the re-zoned area and does belong to the landowner. With no further discussion, Chair asked for a motion to vote on this application. Frey motioned to approve with Groeteke second. Vote: Ayes: Groeteke, Frey, Wagner, Stuhr, Tenski. Nays: None. Abstain: None. Absent: Mogensen, Baum, Stephens. Motion carried.

CORRESPONDENCE/ZONING ADMINISTRATORS REPORT: Discussed the Greenway Pipeline. They will be required to have a conditional use permit for the pipeline. A lot of paperwork is yet to be done by them before they come to the Zoning Board with their application. Discussed the updating of the Comprehensive Plan.



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Board decided to let Keith Marvin write up the Plan, then the Planning Board will review and make any changes if required. Need to find replacements for the open positions on the Planning Commission Board.

7. -- OPEN DISCUSSION: None given.

8. - SCHEDULE NEXT MEETING: Chairman announced the next monthly meeting of the Commission is scheduled for Monday, October 24, 2022, at 8:00 p.m.

9. - ADJOURN: A motion to adjourn made by Stuhr at 9:00 p.m., second by Mogensen. Vote: Ayes: Wagner, Frey, Groeteke, Stuhr, Tenski, Mogensen (came too late to vote on any agenda items. Nays: None. Abstain: None. Absent: Baum, Stephens.

SUBMITTED: _____ COMMISSION SECRETARY
(Clyde Stuhr)

AFFIRMED BY: _____ COMMISSION CHAIRPERSON
(Mark Wagner)

**BOONE COUNTY PLANNING & ZONING COMMISSION MEETING
RECORD OF MINUTES**

DATE: October 24, 2022

PUBLIC NOTICE WAS PUBLISHED 2 (TWO) WEEKS PRIOR TO THIS MEETING IN THE COUNTY LEGAL NEWSPAPER; THE ALBION NEWS/BOONE COUNTY TRIBUNE; THE ZONING ADMINISTRATOR'S BULLETIN BOARD LOCATED OUTSIDE OF THE ZONING OFFICE IN THE BOONE COUNTY COURTHOUSE.

1 – CALL TO ORDER:

The October 2022 monthly meeting of the Boone County Planning Commission was called to order by Chairman Mark Wagner in the Multipurpose Room in the Boone County Courthouse located at 222 South 4th Street Albion Nebraska, Monday, October 24, 2022, at 8:00 p.m. Chair noted a copy of the Open Meetings Act was posted and copies were 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: Roll Call results: Present: Stephens, Stuhr, Groeteke, Tenski, Wagner. Absent: Baum, Frey, Mogensen came later during the meeting. Public Attendees: Jeff Jarecki, Jim Dickerson, Matt Winter, Laisha Winter, Jay Rutten, Ken Luettel, Chris Nelson.

3 – APPROVAL/DISAPPROVAL OF MINUTES: for the August 22, 2022, Planning Commission meeting. Chair asked for a motion to approve or disapprove the minutes. Motion by Stuhr to approve as submitted with Tenski second. Vote: Ayes: Groeteke, Stuhr, Wagner, Tenski, Stephens. Nays: None. Abstain: None. Absent: Frey, Baum, Mogensen. Motion passed.

4. – PUBLIC HEARING: to consider, review, discuss and take action on a Conditional Use Permit submitted by Chris Nelson to split off 5.00± acres from a parcel of land to build a house. A tract of land comprising a part of the East One-Half (E ½) if the Southeast Quarter (SE ¼) of Section Eighteen, (18), Township Twenty-one (21) North, Range Five (5) West of the 6th P.M., Boone County Nebraska. This property owned by Karla Rohwer and is located North and West of the 190th Street and 290th Avenue intersection in Boone County Nebraska. This parcel is in the A-1 Primary Agriculture District in Boone County Nebraska. Chair asked for a motion to open the public hearing. Stephens moved to open the public hearing with Tenski second. Vote: Yea: Wagner, Stuhr, Groeteke, Tenski, Stephens. Nay: None. Abstain: None. Absent: Baum, Frey, Mogensen.

**BOONE COUNTY PLANNING & ZONING COMMISSION MEETING
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Chair asked for comments from the public. Chris Nelson presented the application. The land is currently used for agriculture, and the use of this split off parcel will be for residential living. He stated all paperwork is in order. Wagner asked for any more comments; none heard, asked for a motion to close the public hearing. Groeteke motioned to close the public hearing and Tenski second the motioned to close the public hearing. Vote Yea: Wagner, Stuhr, Tenski, Stephens, Groeteke. Nay: None. Abstain: None. None. Absent: Frey, Baum, Mogensen. Chair asked for discussion from the Board members. It was confirmed the current driveway was acceptable, Waiver of Distance was in order, acceptable use of land was confirmed. Wagner asked for a motion to vote on this permit. Groeteke motioned to send the recommendation to the County Commissioners to approve conditional use permit. Stephens second the motion. Vote: Yeas: Stuhr, Frey, Tenski, Wagner, Groeteke, Mogensen (Mogensen came after the opening vote of this public hearing). Nay: None. Abstain: None. Absent: Baum, Frey. Motion carried.

5. – **PUBLIC HEARING:** to consider, review, discuss and act on an application for a Conditional Use Permit submitted by Matthew and Laisha Winter to divide 1.19± acres to the existing parcel located in a Fraction of the Southwest Quarter (SW ¼) of Section Thirteen (13), Township Twenty-one (21) North, Range Seven (7) West of the 6th P.M., Boone County Nebraska. This property owned Mathew and Laisha Winter located on Highway 14 and 190th Street in Boone County Nebraska. This parcel is in the A-1 Primary Agriculture District in Boone County Nebraska. Chair asked for a motion to open the public hearing. Tenski moved to open the public hearing with Stuhr second. Vote: Yea: Frey, Tenski, Stuhr, Groeteke, Wagner. Nay: None. Abstain: None. Absent: Baum, Mogensen, Stephens. Chair asked for comments from the public. Matt Jarfi represented this permit. The plan is to install a booster tower for transmitting high-speed internet using the Connect America Fund for high-speed internet options to rural areas of the Country. This use will be available to the surrounding homes in a 5-mile circumference. It will be stick wireless and will point antennas to houses for coverage. Wagner asked for more comments from the public. Questions on number of homes getting this service. Question is there plans for more towers, answer was “not at this time”, “right now we have an obligation to fulfill for the Federal Government, which is what happening right now”. Concern for the height of the tower being so close to the proximity of the existing residential house. Answer, “We are meeting all setbacks required”. With no more comments, Chair asked for a motion to close the public hearing. Stuhr motioned to close the public hearing and

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Frey second the motion. Vote: Ayes: Groeteke, Tenski, Stuhr, Frey, Wagner. Nays: None. Abstain: None. Absent: Stephens, Baum, Mogensen. Chair asked for discussion from the Board, none given, he asked for a motion for a vote. Stuhr motioned to approve as submitted. Frey second the motion. Vote: Ayes: Stuhr, Groeteke, Wagner, Frey, Tenski. Nays: None. Abstain: None. Absent: Baum, Mogensen, Stephens. Motion carried. Chair stated this application will move on to the County Commissioners for final vote.

- 6. Review Request for Amendment to the Zoning Ordinance submitted by Cynthia S. Miller Co-Trustee of The Virgil D. Seda Trust. Chairman read the Amendment to the Zoning Ordinance. With a general vote: Ayes: 5; Nays: 0. Chair announced the Board will continue with the hearing to amend the Future Land Use Map and Re-Zone application.**

- 7. Public Hearing to consider, review, discuss and act on an application to:**
 - 1) Amend the Future Land Use Map for a Fraction of the North Half (N½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West located in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses.**
 - 2) Act on the Re-Zone Application submitted by Cynthia S. Miller, Co-Trustee of the Virgil D. Seda Trust to rezone a parcel of land in a Fraction of the North Half (N½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses. . Chair asked for a motion to open the public hearing. Groeteke motioned to open the public hearing with Tenski second. Vote: Ayes: Tenski, Groeteke, Wagner, Stuhr, Frey. Nays: None. Abstain: None. Absent: Baum, Stephens, Mogensen. Jeff Jarecki represented the application. Stating reason for re-zone, better for community, extend the commercial development along the highway corridors. Chair asked for questions from the public and from the Board. Hearing none, asked for a motion to close the public hearing. Frey motioned to close the public hearing with Groeteke second. Ayes: Stuhr, Groeteke, Wagner, Frey, Tenski. Nays: None. Abstain: None. Absent: Mogensen, Stephens, Baum. Discussion, this re-zone area connects with the newly re-zoned area and is not spot zoned. Chair asked for further comments, with none heard asked for a vote on this application. Groeteke made a motion to move forward to the Commissioners with the laid-out plan for this proposal with no modifications. Tenski second the motion. Ayes: Wagner, Frey, Stuhr, Tenski,**

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Groeteke. Nays: None. Abstain: None. Absent: Mogensen, Baum, Stephens. Motion carried.

- 8. Review the Request for Amendment to the Zoning Ordinance submitted by the Niewohner Grandchildren, A Limited Partnership. Chair read the Amendment and asked for a general vote whether to proceed or not on this zoning change. Ayes: 5, Nays: 0. Chair announced with having a unanimous vote, will proceed with the hearing for the amending of future land use map and the re-zone application.**
- 9. Public Hearing to consider, review, discuss and act on an application to:**
 - 1) Amend the Future Land Use for a Fraction of the South Half (S½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses.**
 - 2) Act on the Re-Zone Application submitted by Niewohner Grandchildren, a Limited Partnership to rezone a parcel of land in a Fraction of the South Half (S½) of the Northeast Quarter (NE¼) of Section 35, Township 20 North, Range 6 West of the 6th P.M., in Boone County Nebraska from A-2 Secondary Agriculture District to I-2 Heavy Industrial District with conditional uses. Chair asked for a motion to open the public hearing. Frey motioned to open the public hearing with Stuhr second. Chair asked for any comments from the public. Jeff Jarecki represented this application stating the plan to continue the commercial development along the highway corridors. Also stating this is adjacent to the first parcel rezoned heard this evening. Chair asked for any input from the public and/or from the Board. Question about the area of the land to be rezoned and the access to the highway; Survey shows the parcel and there is adequate access to the highway. Chair asked for further comments or questions, hearing none asked for a motion to close the public hearing. Groeteke motioned to close the public hearing with Tenski second. Vote: Ayes: Tenski, Stuhr, Frey, Wagner, Groeteke. Nays: None. Abstain: None. Absent: Stephens, Mogensen, Baum. Questions concerning the house in the parcel, that it will be in the re-zoned area and does belong to the landowner. With no further discussion, Chair asked for a motion to vote on this application. Frey motioned to approve with Groeteke second. Vote: Ayes: Groeteke, Frey, Wagner, Stuhr, Tenski. Nays: None. Abstain: None. Absent: Mogensen, Baum, Stephens. Motion carried.**

CORRESPONDENCE/ZONING ADMINISTRATORS REPORT: Discussed the Greenway Pipeline. They will be required to have a conditional use permit for the pipeline. A lot of paperwork is yet to be done by them before they come to the Zoning Board with their application. Discussed the updating of the Comprehensive Plan. Board decided to let Keith Marvin write up the Plan, then the Planning Board will review and make any

**BOONE COUNTY PLANNING & ZONING COMMISSION MEETING
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changes if required. Need to find replacements for the open positions on the Planning Commission Board.

7. — OPEN DISCUSSION: None given.

8. - SCHEDULE NEXT MEETING: Chairman announced the next monthly meeting of the Commission is scheduled for Monday, October 24, 2022, at 8:00 p.m.

9. – ADJOURN: A motion to adjourn made by Stuhr at 9:00 p.m., second by Mogensen. Vote: Ayes: Wagner, Frey, Groeteke, Stuhr, Tenski, Mogensen (came too late to vote on any agenda items. Nays: None. Abstain: None. Absent: Baum, Stephens.

SUBMITTED:  COMMISSION SECRETARY
(Clyde Stuhr)

AFFIRMED BY:  COMMISSION CHAIRPERSON
(Mark Wagner)