

# BOONE COUNTY PLANNING & ZONING COMMISSION

## RECORD OF MINUTES OF MEETING

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DATE: June 23<sup>rd</sup>, 2025

### 1. CALL TO ORDER

The June monthly meeting of the Boone County Joint 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 4<sup>th</sup> Street Albion Nebraska, Monday, June 23<sup>rd</sup>, 2025 at 7:30 p.m. Wagner 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 and posted on the Boone County Website. All proceedings hereafter shown were taken while the convened meeting was open to the public.

### 2. ROLL CALL

Roll Call results: Present: Stuhr, Groeteke, Braun, Langan, Wagner. Absent: Frey, Stephens, Tenski, Baum.

Also present, Victoria Olson – zoning administrator, public attendance: Mavrick Loeffler, Montana Loeffler and John Iburg.

3. Approval/Disapproval of the minutes from the May 23<sup>rd</sup> Planning/Zoning meeting. Wagner asked for a motion to approve or disprove the minutes. Stuhr motioned to approve the May minutes with Braun seconding the motion. Vote Ayes: Langan, Stuhr, Braun, Wagner. Nays: None. Abstain: Groeteke. Absent: Frey, Stephens, Tenski, Baum.

4. Public Hearing to consider, review, and take necessary action Olson stated that this was a typo and there is nothing for this agenda item.

5. Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by John Iburg Jr. to split off 5.6 ± from a parcel of land to build a house. The tract of land is in the NE ¼ of section 30 township 22 range 7 in the 6pm of Boone County NE and is owned by Mark Iburg. Wagner asked for a motion to open the public hearing. Groeteke motioned to open the public hearing with Langan seconding the motion. Vote Ayes: Stuhr, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Stephens, Tenski, Baum. Wagner asked

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for comments from the public, John Iburg Jr, applicant, stated that he is wanting to buy a chunk of land from his uncle to build a house on. He wants to move back home near his family. Iburg stated that he will break ground/ start work hopefully after the first of the year. Olson stated that the livestock waivers have not been completed yet but are in the process of getting done. Iburg is going to stop into the zoning office Tuesday morning to get the necessary waiver to be completed. Otherwise, this will be the second house on the quarter and the application meets all the zoning regulations. Wagner asked for any other comments from the public, none given. Wagner asked for a motion to close the public hearing. Groeteke motioned to close the public hearing with Stuhr seconding the motion. Vote: Ayes: Braun, Groeteke, Langan, Braun, Wagner, Nays: None. Absent: Frey, Stephens, Tenski, Baum. Wagner asked for further comments or questions, none given. Groteke motioned to recommend approval with the condition the necessary livestock waivers are completed. Stuhr second the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Wagner, Langan. Nays: None. Absent: Frey, Stephens, Tenski, Baum. Olson stated that the 2<sup>nd</sup> public hearing at the board of commissioners on June 25<sup>th</sup> at 10:15.

6. **Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Maverick Loeffler to build a house on 60 acres of land. The parcel of land is in the NW ¼ of section 12, township 20, range 8W of the 6th p.m., Boone County NE and is currently owned by Montana Loeffler and Maverick Loeffler.** Wagner asked for a motion to open the public hearing. Stuhr motioned to open the public hearing with Langan seconding the motion. Vote Ayes: Stuhr, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Stephens, Tenski, Baum. Wagner asked for comments from the public, Maverick Loeffler, applicant, stated that he owns the 60-acre tract of land with his brother. He is wanting to build a house or a barndominium on one end of the 60 acres. Olson stated that she is still doing the livestock unit research but believes that one waiver will still need to be obtained. If both Montana and Maverick Loeffler get approved to both build a house, that will be two houses on that quarter and it will fill up the density for the quarter. No other house are on that quarter. The dwelling density and other zoning regulations are in compliance with the zoning regulations. Wagner asked if there are any other comments from the public, none given. Wagner asked for a motion to close the public hearing. Groteke motioned to close the public hearing with Langan seconding the motion. Vote: Ayes: Braun, Groeteke, Stuhr Langan, Wagner. Nays: None. Absent: Frey, Stephens, Tenski, Baum. Wagner asked for further comments or questions, none

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given. Groteke motioned to recommend approval with the condition the necessary livestock waivers are completed. Braun second the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Wagner, Langan. Nays: None. Absent: Stephens, Frey, Tenski, Baum.

7. **Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Montana Loeffler to build a house on 60 acres of land. The parcel of land is in the NW ¼ of section 12, township 20, range 8W of the 6th p.m., Boone County NE and is currently owned by Montana Loeffler and Maverick Loeffler.** Wagner asked for a motion to open the public hearing. Braun motioned to open the public hearing with Langan seconding the motion. Vote Ayes: Stuhr, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Stephens, Frey, Tenski, Baum. Wagner asked for comments from the public, Montana Loeffler, applicant, stated that he owns the 60-acre tract of land with his brother. He is wanting to build a house on one end of the 60 acres. Olson stated that it is on the same 60 acre lot as his brother Maverick. Olson is also doing the livestock unit research but believes that one waiver will still need to be obtained. If both Montana and Maverick Loeffler get approved to both build a house, that will be two houses on that quarter and it will fill up the density for the quarter. No other house are on that quarter. The dwelling density and other zoning regulations are in compliance with the zoning regulations. Wagner asked if there are any other comments from the public, none given. Wagner asked for a motion to close the public hearing. Stuhr motioned to close the public hearing with Groeteke seconding the motion. Vote: Ayes: Braun, Groeteke, Stuhr, Langan, Wagner. Nays: None. Absent: Stephens, Frey, Tenski, Baum. Wagner asked for further comments or questions, none given. Groteke motioned to recommend approval with the condition the necessary livestock waivers are completed. Stuhr second the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Wagner, Langan. Nays: None. Absent: Stephens, Frey, Tenski, Baum.
- Olson stated that the public hearing at the board of commissioners meeting will be on Wednesday June 25<sup>th</sup> at 10:30 and 10:45.

8. **Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Patrick Erwin with Skyward Landing Services to build a new cell tower. The parcel of land is located**

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**on section 30, township 20, range 6 of Boone County NE and is owned by Timothy and Amy Shanle.**

Olson explained that the applicant called her this morning and informed her that they would not be able to attend tonight's meeting and asked it to be moved to the July Meeting. Wagner asked for a motion to suspend the public hearing until further notice. Braun motioned to suspend the public hearing with Groeteke seconding the motion. Vote Ayes: Stuhr, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Tenski, Stephens, Baum. Groeteke asked if Skyward landing services has put up a tower in Boone County before, Olson doesn't believe they have but is not sure.

9. **Open discussion to consider, review, and take the necessary action regarding an update from the zoning administrator regarding the village of Cedar Rapids annexation.** Olson stated that she discovered that there was a step missed in issuing public notices and to be on the safe side her and the cedar rapids board decided to start the process over. There will be a new public hearing at the July planning/ zoning meeting.

10. **Correspondence/Zoning Administrators Report.** Olson and the board reviewed the report that was handed out. Olson stated that she talked to Keith Marvin multiple times this past month. The village zoning regulations are still being worked on. Olson relayed a potential change Keith Marvin called about to the residential districts for the village zoning regulations regarding multi family homes. The board discussed different options and current zoning regulations. It was stated that they believe multifamily homes/ apartments to rent would be beneficial to the village and would be beneficial to bring it to the village board's attention. The board agreed with Keith Marvin potential change and stated that it should be changed but will go with what the village board wants and agrees with.

11. **Open Discussion:** The board talked about some phone calls and questions they received. The board also discussed some land that might have been surveyed off that could potentially require a conditional use permit depending on what they are doing with the land.

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**12. Schedule the next meeting:** Chairman announced that the next monthly meeting of the Commission would be Monday, July 28<sup>th</sup>, 2025, at 7:30 p.m. in the County Courthouse, Albion Nebraska.

**13. ADJOURN:** A motion to adjourn made by Groeteke at 8:10 p.m., with Langan seconding the motion. Vote: Ayes: Wagner, Langan, Groeteke, Stuhr, Braun. Nays: Absent: Tenski, Baum, Frey, Stephens.

**SUBMITTED: \_\_\_\_\_ COMMISSION SECRETARY**

**AFFIRMED BY: \_\_\_\_\_ COMMISSION CHAIRPERSON**