

BOONE COUNTY PLANNING & ZONING COMMISSION

RECORD OF MINUTES OF MEETING

DATE: August 25, 2025, at 7:30 p.m.

1. CALL TO ORDER

The August 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 25th, 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 shown hereafter were taken while the convened meeting was open to the public.

2. ROLL CALL

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

Also present, Victoria Olson – zoning administrator, public attendance: Please refer to the sign-in sheet for attendance.

3. Approval/Disapproval of the minutes from July 28th Planning/Zoning meeting.

Wagner asked for a motion to approve or disprove the minutes. Stuhr motioned to approve the July minutes with Braun seconding the motion. Vote Ayes: Stephens, Groeteke, Langan, Stuhr, Braun, Nays: None. Abstain: Wagner. Absent: Tenski, Braun, Frey.

4. Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Marc and Ashley Pelster to split off a house with 13 acres from a parcel of land. The tract of land is in the SW ¼ of section 27 township 22 range 6w of the 6th pm, Boone County NE. The Tract of land is currently owned by Southern View LLC.

Wagner asked for a motion to open the public hearing. Stuhr motioned to open the public hearing with Stephens seconding the motion. Vote Ayes: Stuhr, Stephens, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Tenski, Baum.

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Wagner asked for comments from the public, Marc Pelster was the representative for this application. Pelster stated that he is wanting to split off an existing house with 13 plus acres of land and plans to move into the house with his family. Olson stated that the application meets the zoning regulations including having more than 5 acres of land and not exceeding 2 houses per quarter. There are also no livestock units that fall within the setbacks. Wagner asked if there were any other comments from the public, none given. Wagner asked for a motion to close the public hearing. Stephens motioned to close the public hearing with Stuhr seconding the motion. Vote: Ayes: Stuhr, Stephens, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Tenski, Baum. Wagner asked for further comments or questions, none given. Stephens motioned to recommend approval as submitted of this action with Braun seconding the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Stephens, Wagner, Langan. Nays: None. Absent: Frey, Tenski, Baum.

Olson stated that the public hearing at the board of commissioners meeting will be at 10:00 on Wednesday.

5. Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Braxton Shively to split off 7.70 acres of land to build a new house. The tract of land is located in section 34 township 21 range 7w of the 6th pm, Boone County NE and is currently owned by Melvin Andrews.

Wagner asked for a motion to open the public hearing. Stephens motioned to open the public hearing with Langan seconding the motion. Vote Ayes: Stuhr, Stephens, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Tenski, Baum. Wagner asked for comments from the public, Braxton Shively was the representative of this application. He stated that he wants to split 5 acres of land to build a new house and live in. The land is currently used as CRP. Olson stated that there are two livestock waivers that will need to be filled out. Otherwise, the application meets the zoning regulations including having a minimum of 5 acres of land and not exceeding 2 houses per quarter. Wagner asked if there were any more comments from the public. Wagner asked for a motion to close the public hearing. Stuhr motioned to close the public hearing with Langan seconding the motion. Vote: Ayes: Braun, Stephens, Groeteke, Stuhr, Langan, Wagner. Nays: None. Absent: Tenski, Baum, Frey. Wagner

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asked for further comments or questions, none given. Groeteke motioned to recommend approval of this action with the condition that the necessary waivers are submitted. Stuhr second the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Stephens, Wagner, Langan. Nays: None. Absent: Frey, Tenski, Baum.

Olson stated that the public hearing at the board of commissioners meeting will be at 10:15 on Wednesday.

6. Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Casondra and Shawn Anderson to build a house on 5.78 ± acres of land. The tract of land is in the SE ¼ of section 27 township 22 range 6W in the 6pm of Boone County NE and is owned by Dale and Veronica Olnes.

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, Stephens, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Tenski, Baum. Casondra and Shawn Anderson were the representatives of this application. Casondra stated that they would like to buy the parcel of land from her parents to build a family house to live in. Stuhr stated that the application is missing a signature from the landowner. Olson stated that other than the missing signature, the application meets the zoning regulations including having more than 5 acres of land and not exceeding 2 houses per quarter. There are also no livestock units that fall within the setbacks. Wagner asked for a motion to close the public hearing. Stephens motioned to close the public hearing with Groeteke seconding the motion. Vote: Ayes: Braun, Stephens, Groeteke, Stuhr, Langan, Wagner. Nays: None. Absent: Tenski, Baum, Frey. Wagner asked for further comments or questions, none given. Stuhr motioned to recommend approval of this action with that the condition the necessary sutures are obtained on the final application. Stephens Seconded the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Stephens, Wagner, Langan, Nays: None. Absent: Frey, Tenski, Baum.

Olson stated that the public hearing at the board of commissioners meeting will be at 10:45 on Wednesday.

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7. Public hearing to discuss, consider, review, and take the necessary action on a conditional use permit submitted by Mark Jensen to split off an existing house with 5 acres of land. The tract of land is in the SW ¼ of section 13 township 19 range 5W of the 6th pm.

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, Stephens, Groeteke, Langan, Braun, Wagner. Nays: None. Absent: Frey, Tenski, Baum. Wagner asked for comments from the public, Mark Jensen was the representative for this application. Jensen stated that he is wanting to split the existing house with 5 acres of land to make it easier for his kids to sell the house in the future. He wants a condition added that whoever buys the house cannot plant flowers or a garden within 150 feet of the crop ground and the pivot cannot be impeded in making a full circle. The board members informed him that he would have to talk to his lawyer about making a restrictive covenant (or whatever his lawyer recommends) and recording it with the register of deeds. Wagner asked for any comments from the public, none given. Wagner motioned to close the public hearing with Stephens seconding the motion. Vote: Ayes: Braun, Stephens, Groeteke, Stuhr, Langan, Wagner. Nays: None. Absent: Tenski, Baum, Frey. Olson stated the application meets the zoning regulations including having more than 5 acres of land and not exceeding 2 houses per quarter. There are also no livestock units that fall within the setbacks. Braun motioned to recommend approval of this action with Langan seconding the motion. Vote: Ayes: Groeteke, Stuhr, Braun, Stephens, Wagner, Langan. Nays: None. Absent: Frey, Tenski, Baum.

Olson stated that the public hearing at the board of commissioners meeting will be at 10:30 on Wednesday.

8. Correspondence/Zoning Administrators Report:

Olson reviewed the administrative report that was handed out. Olson stated that she will be meeting with Keith Marvin in the next couple weeks to go over the comprehensive plan and zoning regulation update.

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9. **Open Discussion:** Wagner asked for any open discussion, none given.

10. **Schedule the next meeting:**

Chairman announced that the next monthly meeting of the Commission would be Monday, 22nd, 2025 at 7:30 p.m. in the County Courthouse, Albion Nebraska.

11. **ADJOURN:**

A motion to adjourn made by Groeteke at 7:53 p.m., with Langan seconding the motion. Vote: Ayes: Wagner, Langan, Groeteke, Stuhr Braun, Stevens. Nays: Absent: Tenski, Baum, Frey.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**