

BOONE COUNTY PLANNING & ZONING COMMISSION

RECORD OF MINUTES OF MEETING

DATE: January 27, 2025.

1. Call to order:

The January monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Wagner in the Multipurpose Room in the Boone County Courthouse located at 222 South 4th Street Albion Nebraska, Monday, January 27th, 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. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2. Roll Call:

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

Also present, Victoria Olson – zoning administrator, public attendance: Charles Borer, Jayne Borer.

3. Approval/ Disproval of Minutes: for the planning and zoning meetings. Wagner asked for a motion to approval or disapproval of the minutes. Groeteke motioned to approve the December 2024 minutes with date corrections with Tenski seconding the motion. Vote Ayes: Groeteke, Tenski, Braun, Wagner. Nays: None. Abstain: Stuhr, Absent: Stephens, Baum, Frey.

4. Re-organization of Planning Board Officers. Wagner stated that the current officers are Mark Wagner as chairman, Brad Stephens as vice chairman and Clyde Stuhr as secretary. Wagner asked for a motion, Groeteke motioned to have the officers remain the same with Tenski seconding the motion. Vote Ayes: Stuhr, Groeteke, Wagner, Tenski, Braun. Nays: None. Absent: Baum, Stephens, Frey. Wagner asked for a motion for board of adjustments member from the planning commission. Groeteke motioned to have Clyde Stuhr remain as the BOA member with Wagner seconding the motion. Vote Ayes: Stuhr, Groeteke, Wagner, Tenski, Braun. Nays: None. Absent: Baum, Stephens, Frey.

5. Public Hearing to consider, review, and take necessary on Conditional Use Permit submitted by Charles Borer to build an accessory building within the required setbacks located on lot #6 of block #7 in Petersburg

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NE. Wagner asked for a motion to open the public hearing. Eric motioned to open the public hearing with Clyde seconding the motion. Vote Ayes: Tenski, Groeteke, Wagner, Stuhr, Braun. Nays: None. Absent: Frey, Baum, Stephens. Wagner asked for comments from the public, Charles Borer spoke as the representative for this application. Borer explained that he is wanting to build a garage (accessory building) within 1 foot of the lot line. The current regulations require an accessory building to be 7 feet away from the lot line. Olson stated that this conditional use permit application, if approved, would allow him to build closer to the lot line. Article 5 section 4.2 allows people to apply for a conditional use permit to allow for a flexible site design including setback requirements. Borer stated that the other property the lot line he is wanting to build on is owned by Kevin Metz and he signed a document saying he is okay with Borer build near the lot line. Wagner asked for any other comments or questions from the public, none were given. Wagner asked for a motion to close the public hearing. Groeteke motioned to close the public hearing with Tenski seconding the motion. Vote: Groeteke, Tenski, Stuhr, Braun, Wagner Ayes: Nays: None. Absent: Frey, Baum, Stephens.

Wagner asked for further comments or questions from the board, Stuhr asked about the size of the building since the sketch looks like it exceeds the 20% lot coverage maximum for accessory buildings. Wagner stated the reason for the condition use permit is to allow him to build closer to the lot line, Borer will need to still apply for a zoning permit for the building. At that time the zoning administrator will examine the permit and determine if the building meets all other requirements. Groeteke motioned to recommend approval of the conditional use permit with the condition that the signature page that was signed by Kevin Metz is attached to the final permit, Braum seconded the motion. Vote: Ayes: Wagner, Braum, Stuhr, Tenski, Groeteke, Nays: None. Absent: Frey, Stephens, Baum. Olson stated that the hearing will be on the February 4th Petersburg Village board meeting.

6. **Open Discussion:** Wagner stated that we will combine agenda items 6 and 7 and do the open discussion and administrators report at the same time.

7. **Correspondence/Zoning Administrators Report:**

Olson stated that she mailed out the report with detailed information about permits submitted, there has also been a couple of people come in

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to talk about applying for a conditional use permit to build a new house. Groeteke asked about a house being built outside of Cedar Rapids ne. Olson stated that the lot was A2, and the Sears received a zoning permit to build that house. The previous commercial business on that lot was a non-conforming use and the land was reverted to residential use. Olson clarified that because it is in A2, it is permitted use and does not need a conditional use permit. Wagner stated that any conditional use permit, if approved, is valid for a year. Construction must start construction within a year of the approved permit and would still have to have to apply for a building permit.

8. Schedule the next meeting:

Chairman announced that the next monthly meeting of the Commission would be Monday, February 24, 2025, at 7:30 p.m. in the County Courthouse, Albion Nebraska.

9. ADJOURN

A motion to adjourn made by Groeteke at 8:05 p.m., with Tenski seconding the motion. Vote: Ayes: Wagner, Tenski, Groeteke, Stuhr, Braun, Nays: None Absent: Baum, Frey, Stephens.

SUBMITTED: _____ COMMISSION SECRETARY

AFFIRMED BY: _____ COMMISSION CHAIRPERSON