

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday January 23rd, 2023

Minutes

Open the Meeting. Meeting called to order by Chairperson Eberspacher at 7:31 pm.

Roll Call Members Present: Eberspacher, Daniel, Medinger Lubbe, Niemann, Richert, Schuckebier, Pekarek.

Members Absent: Krenk.

Present: Misty Ahmic, Johnathan Jank, Jeff Ray Raegan Hain, Scott Davis.

Chairperson Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection. Chairperson Eberspacher asked for a motion to accept the minutes from the prior meeting(s). Daniel made the motion, and Niemann seconded the motion. Voice acclamation voting all in favor.

New Business

Item 1: Discussion/Action: Guest Speaker Ray Sueper. He is a Contractor in Seward County. Ray is a part time inspector for Butler County. Ray spoke to the board about requirements with out a building inspector in the County. Prior to issuing a permit, Seward County may require a septic and lagoon permit. Proof of a well permit according to title 179&174, may be required before issuing a permit. An electrical permit to bring in power may be required before the permit is issued. A site plan with the contractor's construction plans should be submitted with the application to be used before issuing a permit. Mr. Sueper has experience with building inspections within the City or Village ETJ or extra territorial jurisdiction. Ray currently is contracted with the Village of David City as their Building inspection Administrator. The County of Butler has no Zoning Regulations. Luebbe asked how he might change Seward's current program. Ray stated the County needs to hire a qualified person to review all site and construction plans and every phase of the construction. Daniel asked what qualifications he holds. Ray stated he certified as a grade 6 on site waste water manager, he is a licensed master plumber in the City of Crete. He is a master construction framer since 1994. Daniel made a statement. In the spirit of trying to get answers, Daniel called Saunders County on December 15th, 2022. They have a full-time building inspector for the County. His name is Mitch, who oversees zoning and inspections. Mitch is a full-time employee with a secretary, and in 2021 he inspected 92 new homes. In 2022 he inspected 52 new homes. Mitch inspects all disciplines except electrical. They require a permit on all structures except something that is under 200 sq feet or less. Also, Agricultural structures on 20 acres or more and bring \$2500.00 or more of revenue require no permit. Jack spoke of the fee structure for Saunders County. Their building fee structure brings in more money than the regular budget costs. All money is deposited and reappropriated to

Mitch's department. This is not a liability to Saunders County financially all fees cover expenses. There is a legal liability when doing inspections. You need to have a qualified person doing the inspections. Ray is a full-time County employee. Ahmic stated the zoning committee talked to the assessor. Pictometry has been added to the toolbox for Seward County and data will be more available on this subject as the County has the next fly over to record data changes. Discussion. The question still is how do we make checks in the system so we do not go over density. There is a separate issue of building inspections. Does the County want or need a building inspector? Ray has shown a service that could be provided. If this is something that this board believes that is needed, bring the Board of Commissioners a proposal to review. The County removed an inspector years ago for many reasons. One being removing the liability, budget restraints, etc. Ray stated he is here to show the Board that this service is out there for the County. Ray could contract to run the process of zoning and review. Pekarek asked about fees. Ray stated about \$2800.00 a month. This service will be a retainer for on call as needed. Ray has worked up a proposal if the County wishes to see it. Fees would pay for the expenses. The well permit should be issued before the zoning permit is issued. Discussion. The Board thanked Ray Seuper for his time.

Item 2: Discussion/Action: For a Short Form Plat to create the COMES ACRES Short Form Plat. PID:800036476. Located in F Precinct. In the Southwest 1/4 of, Section 26, Township 11N, Range 2E, Seward County Nebraska. Nathan A. and Dakotah L. Comes own 15.0 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate 7.0 acres from the 15 acres, to allow for the pivot to go around Briggs Land Company Property. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. There is 1 home in this quarter section. This action will not change the density in this quarter section. This quarter section of land is not in the Water Conservation District. This parcel will not be the Floodplain. Parcel Id# 800036476 checked taxes for this parcel, and as of 1/10/2023 the taxes are current. Discussion on the 8 acres left over. Briggs Land and Cattle will add the 8 acres to 135.93 acres adjacent completing the pivot circle. Medinger made a motion to approve the Comes Acres Short form Plat. Richert seconded the motion. All in favor voice acclamation voting. 8 for, 0 against, and 1 absent, not voting.

Item 3: Discussion/Action: To Vacate the Short Form Plat of BURKEY 2nd ADDITION. PID: 800231495. Located in N Precinct. In the North 1/2 of the Southeast 1/4 of, Section 25, Township 9N, Range 2E, Seward County Nebraska. Timothy A. Burkey, and Sidney D. Burkey and Bernard J Haufle have made an application for the Vacation of BURKEY 2nd ADDITION Short Form Plat. The

intention is to Vacate the Plat as it is no longer necessary or appropriate as the land included in the Plat has been attached to larger parcels of land adjacent to the subdivision. Parcel 800231495 will be combined with PID: 800231580 to the south to make a parcel over 10.0 acres. This quarter section of land is Zoned Transitional Agricultural District (TA-1). Article 4: Section 4.04.02 Permitted Uses in TA-1 Transitional Agricultural District. The density within any 1/4 section of ground shall not exceed four (4) dwelling units. There are 3 parcels with dwellings within this quarter section. This action will not change the density. This quarter section of land is NOT in the Water Conservation District. Discussion. Burkey 2nd Addition Resolution # is 3589 on April 27th 2021. This parcel will be combined with land adjacent to this parcel, also owned by Haufler. Niemann made a motion to approve the Revocation of Burkey 2nd Addition Short Form Plat. Resolution 3589. Richert Seconded the motion Voting with voice acclamation 8 for, 0 against, and 1 absent not voting to recommend approval of the revocation.

This Revocation meets the requirements for the County.

Item 4: Discussion/Action: Density in a quarter section on homes with no value. Becky introduced the file. Scott Davis came into the zoning office and wanted to build a home in a quarter section zoned A-1 with 2 existing homes. 1 of the homes has not been lived in for many years. Scott is present this evening. The question if a home is vacant or in disrepair for many years be removed from density so another home may be built. Discussion. Scott explained that a landowner has a home in the quarter that is vacant for many years should be taken off for density purposes. Discussion about how the Assessor values dwellings in disrepair. Becky debated the fact that you can not take away a landowner's density if they decide to leave a home on their property that is livable or not. Discussion. Group looked at ways and repercussions for changing. Ahmic to do research with Attorney.

No Action on this item.

Item 5: Discussion/Action: Members Elect Chair, Vice Chair. Motion to open election by Medinger seconded by Richert to open the election. 8 voting for, 0 against. Medinger nominated Eberspacher for Chairman, Niemann seconded the motion 8 voting for, 0 against. Eberspacher for Chairman. Luebke nominated Pekarek for Vice chair. Daniel seconded the motion 8 members voting for, 0 against. Pekarek for Vice Chair.

Item 6: Discussion and updates on final draft: Jeff Ray with JEO

Item 7: Communication: Next Meeting Date February 20th, 2023

Item 8: Adjourn: Medinger made a motion to adjourn. Daniel seconded the motion, all in favor voting.

last updated 1/26/2023.

Becky Paulsen

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday February 27th, 2023

Minutes

Open the Meeting. Meeting called to order by Vice Chairman Pekarek at 7:31 pm.

Roll Call Members Present: Daniel, Lubbe, Niemann, Richert, Pekarek, Krenk,

Members Absent: Medinger, Eberspacher, Schuckebier,

Present: Misty Ahmic, Johnathan Jank, John Culver, Terry Wilhelms.

Vice Chairman Pekarek notified the public that the public meeting information is posted as required by law and is available for inspection. Vice Chairman Pekarek asked for a motion to accept the minutes from the prior meeting(s). Neimann made the motion, and Luebbe seconded the motion. 6 voting in favor, 0 against, and 3 absent not voting.

Item 1: Discussion/Action: Density in a quarter section on homes with no value. This file Parcel ID: 800021193. The density in a quarter section on a home unoccupied for years, and or in disrepair. In 2020 this home was valued @ \$1995.00. 2021 @ \$1800.00. This home will have a \$0 value in 2023. Discussion. Question asked. Should something be put into the regulations to define an occupied vs unoccupied home or dwelling? Can you take or remove the density rights from a landowner with an unoccupied home in disrepair? Discussion. Daniel asked about Javorek where the parcel had been identified as not a dwelling, now the density has changed in the quarter section. Becky stated that the Zoning Administrator and the Assessor inspected the inside of the building. The Assessor determined the use as not a dwelling. Daniel asked if that system would work with an inspection to determine the use, or unused condition. Discussion. What is stopping him from selling this as a residence. Luebbe stated this is the same as the other instance, where is the record that says that you cannot sell this as a residence? Niemann stated If the neighbor builds a house years from now and the density is full, the owner of the depreciated house could sell it, but the people must be aware they cannot build there because density is full. How do we get by there? Pekarek stated that Saunders County allows 1 house per 20 acres. Saunders County does not allow splits to happen for more than 1 home on the 20 acres. They have in the past used a transfer of building rights, to allow someone to use a vacant density. However, will not be using this in the future as they will be upgrading the regulations in Saunders County. Becky asked what the dangers would be. Discussion. This transfer of rights might need to be on the deed. Ahmic stated putting something on the deed might be impossible. Daniel stated that maybe we could build a definition for our regulations that could define when a dwelling is no longer a dwelling. Discussion. Daniel commented that there would be an inspection process and landowners would be sent a letter. Ahmic stated that she has talked to legal and that there

would have to be an inspection process. Ahmic stated she sent the reply to Daniel. Daniel asked Ahmic to read the reply. There is nothing in our zoning regulations that allows the County to remove a dwelling from density. It is difficult for the Government to take away a landowner's density rights. If the Planning commission is wanting to pursue that they will have to ask JEO to write a regulation. It would have to be submitted. The regulations would have to be very specific and measurable to conduct the investigation that zoning would have to perform for inspection warrants. There would have to be a procedure with a hearing to the landowner for notice since the County is attempting to infringe on the landowner rights. Regulations would have to be included on all land types. Pekarek asked the board for the board to make a motion, conclude, or move this item along. Luebbe asked if there was a request for this item. Becky stated that there was an email from Scott Davis stating that he is purchasing land from the Martins and asked the board to make the necessary changes to exclude the property as a dwelling so that he may build a home on his future land. Ahmic stated to the Board that they would have to work with JEO on the regulations. This would have to be approved within the Department Budget. Niemann asked if the Board of Commissioners would support such an idea. Culver stated that from a legal standpoint you are trying to remove someone's rights and this idea could legally be contested. You are taking away someone's right to sell the property the way it is. It is hard to support a regulation that takes away rights to the property as is. JEO might be worth investigating if it is feasible. Discussion. Niemann made a motion to involve JEO with a phone call about pursuing the cost and feasibility to change regulations looking into the over density and the ability to transfer density of dwellings in disrepair. Luebbe seconded the motion. 5 voting in favor, 1 against, and 3 absent not voting.

Item 2: Discussion/Action: Review Conditional Use Permit. Werner Construction. PID: 800108337. Located in J Precinct. In the Northwest ¼ of, Section 25, Township 10 North, Range 3E, Seward County Nebraska. This Conditional Use Application ran through the Seward County Planning Commission April 18th, 2022, and the Seward County Board of Commissioners on May 17th, 2022. This action was passed by resolution #3682. This item is a request by Terry Wilhelm's for a review before the 1-year date of Permit issued. This review is for upcoming construction projects for the season. Discussion. Mr. Wilhelm representing Werner Construction spoke about projects on I-80. One is the County line to Goehner. This permit has the ability to review before the deadline to update about upcoming projects and to be in compliance. Ahmic spoke as a member

of the public and thanked Mr. Wilhelm for the adjustments made last year. Ahmic stated she travels the road quite often and has experienced on several occasions' trucks coming in and out of the plant on O Street are not waiting for traffic. Drivers are rude and reckless. Quite often they honk their horns at people. Ahmic spoke to the neighbors across the road and the concerns with the neighbors are the same. Mr. Wilhelm stated that all complaints about the drivers or the plant may come directly to him. He will address the drivers personally. You can call the State Patrol if the drivers are doing things illegally. Please try to get the truck number. If he does not know about the issues, he cannot correct them. He thanked Ahmic for the information and asked Becky if she could pass along his contact information. Ahmic spoke on changes made last year. Back up signal, lights were an issue to the people to the north. night construction was discussed. Some night construction might be in play this year. Review of the Findings of Facts (14 points). Daniel made the motion, and Richert seconded the motion. 6 voting in favor, 0 against, and 3 absent not voting.

Item 3: Discussion/Action: A Replat of Jon Schulz Subdivision to create the SCHULZ PANKOKE SUBDIVISION PID:80023185. Located in L Precinct. In the Southeast 1/4 of, Section 26, Township 10N, Range 1E, Seward County Nebraska. Michael D. And Peggy A. Pankoke own 8.02 acres of land and have made an application for a Replat of Jon Schulz Subdivision The intention of this application is to add .82 acres, to the existing property. The total acres will be 8.84. This quarter section of land is Zoned Agriculture (TA-1). Permitted Uses in TA-1 Agriculture District. The density within any 1/4 section of ground shall not exceed four (4) dwelling units. There are 3 dwellings. This quarter section of land is NOT in the Water Conservation District. This land has floodplain that runs through it. The homesite will not be the Floodplain. Parcel Id# 800231875 checked taxes for this parcel, and as of 2/22/2023 the taxes are current. This Replat meets the requirements for the County. Daniel made the motion, and Richert seconded the motion. 6 voting in favor, 0 against, and 3 absent not voting.

Item 4: Discussion/Action: A Replat of Deer Valley Addition to create the DEER VALLEY FIRST ADDITION. PID:800231315,800231310. Located in J Precinct. In the Northwest 1/4 of, Section 33, Township 10N, Range 1E, Seward County Nebraska. Karen Brightenburg has made an application for a REPLAT of lots 2 and part of lot 3 of Deer Valley Addition. The east 45 feet did not belong on the Plat.

Subdivision Regulations states that an Administrative Plat is Required when there is a division of land under 10.0 acres. Deer Valley Addition Resolution was approved by resolution #3568 March 2, 2021. This quarter section of land is Zoned Transitional Agriculture (TA-1). Resolution 3552. 12/15/2020. Article 4 Section 4.04 TA-1 Transitional Agricultural District. 4.04.02. Permitted Uses. The density within any 1/4 section of ground shall not exceed four (4) dwelling units. There are currently 2 homes in this quarter section. This Short Form Plat is a surveyor's correction to the east 45 feet that did not belong. This quarter section of land IS Not the Water Conservation District. This subdivision meets the density requirements for Transitional Agriculture (TA-1). This Short Form Plat meets the requirements for the County. Richert made the motion, and Niemann seconded the motion. 6 voting in favor, 0 against, and 3 absent not voting.

Item 5: Discussion and updates on final draft: We have not received the final edit, to the attorney for review.

Item 6: Communication: Next Meeting date. **March 20th**
agenda items:

1.Zoning Regulations

- a. Add a definition for a house with a shop (example: shouse)
- b. JEO review on density and homes in disrepair.

2.Inspector/occupancy

7: Adjourn: Niemann made the motion, and Luebbe seconded the motion. 6 voting in favor, 0 against, and 3 absent not voting.

last updated 2/27/2023.

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION
Monday March 20th, 2023
Minutes

Open the Meeting. Meeting called to order by Chairman Eberspacher at 7:30 pm.
Roll Call. Members Present: Daniel, Eberspacher, Medinger, Niemann, Schuckebier, Pekarek.

Members Absent: Krenk, Luebbe, Richert.

Present: Misty Ahmic, Johnathan Jank, John Culver, Chad Fritz, Josh Delcamp, Mr. and Mrs. Hackbart and daughter, Talli Kratochvil, Matt Irving, Blaine Clowser, Bruce Vitosh, Chris Heath. Chairman Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection. Chairman Eberspacher asked for a motion to accept the minutes from the prior meeting. Pekarek made the motion, and Niemann seconded the motion. 6 voting in favor, 0 against, and 3 absent not voting.

Item 1: Discussion/Action: Todays Power Inc. has applied for a CONDITIONAL USE PERMIT for the Installation and use of a 1MW Solar Array photovoltaic energy production facility. Parcel ID: 800004744, Precinct J. In the Northwest ¼ of, Section 22, Township 10N, Range 3E Seward County Nebraska.

Item 2: Open Public Hearing: open @ 7:32p.m. Motion made by Niemann and seconded by Daniel. Voice acclamation voting 6 for 0 against and 3 absent not voting. Matt Irving representing Todays Power addressed the Board. TPI is working with NPPD to build a solar array that will produce energy that will go into Norris Public Power grid. This project will be on a 9-acre site. Landowner Blaine Clowser asked how many sites they have. 80 sites with 1MW capabilities. Nebraska has Thayer, Lancaster, Gage, Saline Counties and are all under construction process. This is a utility scale operation. Mr. Clowser explained that the Construction foreman is Chris Heath and he moves around to different projects and works with the contractors at each location. Clowser asked if the energy is pumped into the grid or is there battery storage. Mr. Irving stated that this site will not have battery storage. Chairman Eberspacher asked if the land is leased or owned. Mr. Irving stated that the land is owned by Hackbart, and Norris leases the land from Hackbart. TPI leases for 25 years from Norris to provide power for 25 years for a set dollar amount. TPI owns the solar array. The panels are 30 foot by 6 foot. TPI leases the ground to put equipment on to produce energy. After 25 years if all entities are finished, TPI will remove the site and return it to the original state. Bruce Vitosh introduced himself as the General Manager of the Norris Public Power District. Norris has a 25-year lease agreement with the landowners. Norris leases Today's Power to

2.

provide power for 25 years with two, 5-year extensions possible. This project could possibly run.

35 years. Daniel asked if Norris has any more of these sites planned. This is Norris first endeavor into solar. They allow a renewable generation to be built that is with 10% of the total peak load usage. Norris is working with TPI to install 6, 1 MW sites in 5 of the 6 counties served. 2 sites in Gage County, 1 in Saline, 1 in Lancaster, 1 in Thayer, and 1 site in Seward County. Norris looked at renewable generation back in 2016, and 2018 it did not work for them at the time. TPI was working in Kansas building 1MW sites. Nebraska sites are copied off proven sites in Kansas that have worked. Daniel asked what this means for the rural customer in Seward County. All customers in Seward County will benefit from the locked in rate for 25 years. It was economically feasible to build in Seward County at the 1MW size. There is a carbon zero goal by 2050. This installation fits that plan. Overall, the 6 sites in Nebraska will represent 3% of the usage in the District. Discussion on subsidies and tax credits. Pekarek asked if TPI does sites bigger than 1 MW. The largest site is 12 MW located in Arkansas. Floodplain runs through the property. TPI does an extensive environmental and cultural review that is required for banking purposes for the property. Pekarek asked after 25 years who cleans it up? TPI cleans it up. Pekarek asked if TPI goes out of business who cleans it up? Vitosh answered, it is within the contract that there is an escrow kept in case that ever happens. Eberspacher asked about wind and hailstorms. TPI has designed the system to withstand 100 mile an hour winds. Each solar panel is rated to withstand a certain size and diameter of hail. Clowser added that there is a study out there that claims that homes within a half mile of the site have reduced value. TPI has no evidence of values moving either way. Solar is not as intrusive on the neighboring homes as wind turbines, as they are not very tall and do not make any noise. Schuckebier asked what the total height of the installation is. Irving added that the structure is within the 4-to-7-foot height. Schuckebier also asked if these panels track, and about the pitch of the panels. Yes, they track sunlight. These panels will be in sync and not pointing in different directions. Discussion. Vitosh stated that there is a clause in the contract that the panels need to be operating and producing energy. There is a performance clause in the contract. Discussion. Daniel asked what the timeframe is for completion. Vitosh replied it is generally a three-to-four-month process to be up and running. Eberspacher asked about glare. That is one of the questions on the Planning Commissions Finding of Facts. Vitosh replied, the solar panels TPI installed have a solar glare control

3.

film on them. This is to restrict a glare because of a nuisance, These are designed to absorb sunlight, not reflect it.

Industry has come a long way with the technologies to absorb the rays with no reflective glare. All FAA studies have passed on this item. There is a installation pretty close to a regional runway, and have no issues with that. No lights will be on the property. Chairman Eberspacher asked for any other comments from the board or public. Mr. Clowser spoke on his concerns having to subsidize energy programs. Mr. Irving stated that the mission of TPI is to assist co-ops and ppds to be able to recognize the savings, and the savings goes back to the members and be good stewards.

Item 3: Close public Hearing: 7:45p.m. Eberspacher asked for a motion to close the public hearing. Motion made by Medinger and seconded by Pekarek. Voice acclamation voting 6 for, 0 against, and 3 absent not voting.

Item 4: Discussion/Action: Today's Power Inc. has applied for a CONDITIONAL USE PERMIT for the Installation and use of a 1MW Solar Array photovoltaic energy production facility. Parcel ID: 800004744, Precinct J. In the Northwest ¼ of, Section 22, Township 10N, Range 3E Seward County Nebraska. The Findings of Facts were reviewed. Chairman Eberspacher asked for a motion from the board. Motion made by Pekarek and seconded by Niemann. Roll call voting 6 for, 0 against, and 3 absent not voting.

Item 5: Discussion Action: For a Short Form Plat to create the PLATINUM RANCH Short Form Plat. PID: 800003861. Located in J Precinct. In the Southwest ¼ of, Section 12, Township 10N, Range 3E. Seward County Nebraska. Brock T. Henderson and Joshua D. Delcamp own 19.06 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate 8.01 acres, for banking purposes to sell and build a home. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. There is 1 home in this quarter section. This quarter section of land is not in the Water Conservation District. This parcel has a Floodplain running through it. Parcel Id# 800003861 checked taxes for this parcel, and as of 3/10/2023 the taxes are current. Discussion on the recorded easement and property lines. Motion made by Daniel and seconded by Medinger. Roll call voting 6 for, 0 against, and 3 absent not voting.

Item 6: Discussion Action: For a Short Form Plat to create the VOLZKE FARMS SUBDIVISION Short Form Plat. PID: 800031970.

4.

Located in E Precinct. In the Southwest ¼ of, Section 4, Township 11N, Range 1E. Seward County Nebraska. Allyson Krohe and Devin Volzke own 80.0 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate 5.99 acres from the 80 acres, to build a home. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. There is 1 home in this quarter section. This quarter section of land is not in the Water Conservation District. This parcel will not be the Floodplain. Discussion. Pekarek asked if the original home will stay with the remainder of the property. Chairman Eberspacher asked the board for a motion with the taxes verified. Motion made by Pekarek and seconded by Niemann. Voice acclamation voting 6 for, 0 against, and 3 absent not voting.

Item 7: Discussion/Action: Density in a quarter section on homes with no value. Chairman Eberspacher noted this is a follow up from last months discussion. Pekarek gave an update on the results of research. Pekarek stated that he spoke to Jeff from JEO a couple of weeks ago and has heard nothing in return. Discussion. Mr. Delcamp asked what the conversation was before JEO had been called. Eberspacher explained that the issue is that this action will be taking rights away from the existing landowner with the home in disrepair. We would be taking the right and transferring it to someone else. Pekarek added that the Planning Board is only a recommending board. Ahmic stated that the recommendation must start at the planning level. Discussion. Is it fair to take someone's density away because the house is in disrepair. The way the regulations are now this action cannot be performed. Ahmic stated she sent an email out stating the procedure needed, you would have to work with JEO to make a regulation and define it. Discussion. What might seem inhabitable to one person might be another's dream home. Daniel stated that in most cases the two parties would have gotten together and resolved this between themselves. That is not the issue here. Daniel made a motion that the board does not get involved in removing or transferring property rights from citizens of Seward County to change density. Discussion. Delcamp replied that he agrees with the motion as Seward County has density regulations. Niemann seconded the motion. Roll call voting 6 for, 0 against and 3 absent not voting.

Item 8: Discussion/Action: Inspectors/ occupancy Board needs to have a discussion on building inspectors. Jack stated that he had Ray Seuper come to speak to the board about the benefits of the inspection process and what

5.

they do and look for. Daniel said he has spoken to Mitch from Saunders County on how their program runs and is being financed by the permit fees. Saunders inspects all buildings in the County. Discussion. In Saunders County 2021

he inspected 92 homes, in 2022 he inspected 56 homes, and inspects all but electrical. Permits are for all structures except for 200 square foot or less, and Agricultural buildings on 20 acres more must be filed with the assessor. Saunders County fee structure brings in more than what the budget is.

Discussion. Commissioner Culver asked what the fees are for the small number of inspections that are being completed. Daniel did not have that information. Discussion. Culver said he is against making the government bigger. Daniel stated this is an important topic to protect the ground water and our density. Medinger stated that she does not know if an inspector will take care of the density problem. Discussion. Zoning Administrator inspections might work to check density. The General Contractor might apply for the inspection. Eberspacher asked for a motion about the inspection process in Seward County. Are we going to adopt an inspection process in the County or not. Medinger made a motion not to adopt an inspection program. Pekarek seconded the motion. Discussion. Pekarek stated when he was doing research, he spoke to Cass County about their density situation. Cass County has two full time inspectors. 1 is the Zoning Administrator and the other is an inspector. They inspect 4 to 8 properties a day and are self-funded. Cass County has 27000 people, Seward County is 17600, Saunders County has 22700 people in 2021. This is something we can learn from other Counties as Seward is growing in population that might be used in the future. Ahmic stated that there is a regulation in Hamilton County that might be helpful. Hamilton County is smaller than Seward and has something in their regulations.

Section 10.06 Certificate of Zoning Compliance No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the Zoning Administrator shall have issued a certificate of zoning compliance stating that such land, building or part thereof, and the proposed use thereof, are found to be in conformity with the provisions of this Resolution. Within three days after notification that a building or premises is ready for occupancy or use, it shall be the duty of the Zoning Administrator to make a final inspection thereof and to issue a Certificate of Zoning Compliance if the land, building, or part thereof and the proposed use thereof are found to conform with the provisions of this Resolution, or, if such certification is refused, to state refusal in writing, with the cause, and immediately thereupon mail notice of such refusal to the applicant at the address indicated upon the application. Discussion. This would be a step in the direction of growth. This is zoning compliance not occupancy. The motion

6.

was repeated. Medinger made a motion not to adopt a building inspection program. Pekarek seconded the motion. Roll call voting 6 for, 0 against and 3 absent not voting.

Delcamp asked to make a statement. Seward County is the only County that has a water conservation district and a regulation that has only 2 homes in a quarter section. Seward County creates its own problem and that is why we have so many people trying to skirt the density issue. Delcamp has run in to this before that somebody wants to sell their property as a buildable lot, and the neighbor pulls a permit to block them. Pekarek stated this conversation is about the water conservation district. Discussion. A water study was done before 2007 when the conservation area was developed. The Dakota aquifer does not replenish itself like the Ogallala aquifer. Chad Fritz spoke on the Dakota aquifer and a University of Nebraska Study that says the water table has rose from 2011 to 2021. Discussion on rural water and maintaining a rural atmosphere. Discussion. Eberspacher asked for a motion on occupancy. Pekarek stated that the board should have time to look this over. Daniel made a motion to table the certificate of Zoning. Medinger seconded the motion. Voice acclamation 5 for 1 against and 3 absent not voting.

Discussion on registering contractors will be on next month's agenda.

Item 9: Discussion/Action: Zoning Regulation updates. Ahmic brought forth a starting definition of a shouse. Shouse: A combination of a dwelling unit and a machine shed under a common or connecting roofing system. For purposes of a shouse, these structures when on a farm, agricultural, or acreage shall not be classified as a farm building. The residence portion of the facility shall meet the minimum housekeeping facilities for a single-family home. In addition, the shouse must meet the following standards:

- a. The entire structure shall have no less than 900 square feet of floor area, above grade, for single story construction.
- b. The shouse shall have no less than 600 square feet of finished living space to include a kitchen, bathroom, and a living/sleeping quarters. If the living space exceeds 600 square feet, the shouse is the Primary Residence.
- c. The shouse shall have no less than an 18-foot exterior width.
- d. The roof, unless covered by at least two feet of earth shall be pitched with a minimum vertical rise of two and one-half inches for each 12 inches of horizontal run.
- e. The shouse shall have a non-reflective roof material.
- f. The shouse shall be placed on a continuous permanent foundation(poured concrete or laid masonry with a footing of a

7.

minimum of 36 inches below the final ground level) and cannot have wheels, axels, transporting lights, or removeable towing apparatus attached. Allowable in A-1, TA-1, RR1.

Discussion. Eberspacher asked for a motion to approve the definition of a shouse. Niemann made a motion to table this item for further discussion until next month. Schuckebier seconded the motion. Voice acclamation voting 6 for, 0 against, and 3 absent not voting.

Item 10: Discussion and updates on final draft: Waiting for final updraft to be reviewed.

Item 11: Communication: Next Meeting date. **April 17th, 2023**

Item 12: Adjourn: Pekarek made a motion to adjourn. Medinger seconded the motion. Voice acclamation voting 6 for, 0 against, and 3 absent not voting to adjourn at 9:48 p.m.

Paulsen
3/24/2023

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION
Monday April 17th, 2023
Minutes

Open the Meeting. Meeting called to order by Chairman Eberspacher at 7:30 p.m.

Roll Call. Members Present: Daniel, Eberspacher, Medinger, Niemann, Schuckebier, Pekarek, Luebbe, Richert.

Members Absent: Krenk.

Present: Misty Ahmic, John Culver, Mr. Hochstein, Harrison Helmer, Mr. Lindau, Mr. and Mrs. Doehring, Mr. Anderson, Mr. Heeren, Mr. Harman. 17 total members from the public. Chairman Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection. Chairman Eberspacher asked for a motion to accept the minutes from the prior meeting. Pekarek made the motion, and Schluckebier seconded the motion. 8 voting in favor, 0 against, and 1 absent not voting.

New Business.

Item 1: Discussion/Action: David Harman has applied for a CONDITIONAL USE PERMIT for Contracted Landscape. Parcel ID: 800231825, Precinct H. In the Northeast ¼ of, Section 31, Township 11N, Range 4E Seward County Nebraska. The application is for a Conditional Use Permit for Landscape contracting services, and therefore subject to Seward County's Comprehensive Plan and Land Use Matrix of the Seward County Zoning Regulations which states in the Matrix, this use requires a Conditional Use Permit in Districts Zoned A-1, Agricultural.

Item 2: Open Public Hearing: Niemann made a motion, and Richert seconded the motion. Voting 8 for, 0 against, and 1 absent not voting. open @7:35p.m. Discussion. Glenn Hochstein, 2063 Sunset Road addressed the board and asked That people are concerned that a commercial business should not be allowed here. Property values, ground water, and road conditions are of concern. Lee Doehring 144 208th Road, asked what the scope of the business is. Chairman Eberspacher stated that the application is for a contracted landscape business. Discussion. Brandon Lindau 2074 Alvo Road, voiced concern that the process of permitting was not properly met. Kate Young voiced concerns about the well and water in the area. Connie Doehring 144 208th Road asked if this permit would depreciate home values. Jim Heeren 2071 Sunset Road asked if using this well and adding another to the area will tax the system. Discussion on density and the way the county monitors residential wells. The County does not issue well permits. Heeren had concerns about the road conditions, and that the road is already heavily

used. Property values in the area because of the business location will be reduced. David Harman 2109 Alvo Road spoke about this permit application. This property will have 7 acres of beans planted this year and he has bought 100 black walnut trees to plant around the property. Harman has 7 trucks and 3 employees that come and go with equipment that is stationed on the property. No customers will be doing business at this location. This is not a brick-and-mortar business, no customer traffic at this location, as there will be no sales on a retail level there. Hochstein stated that a commercial business should go in a commercial zone. Discussion on a business and the definition of a business. Craig Anderson 1998 South IMIG Drive, voiced concerns about road conditions and the groundwater shortage.

Member Pekarek asked what the main concern of the public is.

1.property value, 2.ground water, 3.road condition. Discussion.

Item 3: Close public Hearing: Niemann made a motion, and Luebbe seconded the motion. Voting 8 for, 0 against, and 1 absent not voting. close @ 8:18p.m.

Item 4: Discussion/Action: David Harman has applied for a CONDITIONAL USE PERMIT for Contracted Landscape. Parcel ID: 800231825, Precinct H. In the Northeast ¼ of, Section 31, Township 11N, Range 4E Seward County Nebraska. Discussion with the Board. The Board reviewed the Seward County Land Use Matrix and looked at the Conditional Use and the Home-Based Business Regulations in the Seward County Comprehensive Development, Zoning and Subdivision Regulations. Discussion. Pekarek made a motion to table this item until next month for further research. Daniel seconded the motion voting 8 for, 0 against, and 1 absent not voting.

Item 5: Discussion Action: For a Short Form Plat to create the SUHR 2023 SUBDIVISION Short Form Plat. PID: 800034457.

Located in F Precinct. In the West 1/2 of Section 4, Township 11N, Range 2E. Seward County Nebraska. Gale L. Suhr and Carol G. Ochsner Trustees of 157.18 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate 5.01 acres, to build a home and leave 152.17 acres in the trust.

This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. This parcel is across two quarter sections. The subdivision will be in the north quarter section. This will be the 1st home in this quarter section. This quarter section of land is not in the Water Conservation District.

This parcel has a Floodplain running through it. The subdivision will not be in the Floodplain. Parcel Id# 800034457 checked taxes for this parcel, the 1st half of taxes were paid on 4/4/2023. The second half was paid on 4/12/2023. 2022 taxes are paid in full. This Short Form Plat meets the requirements for the County. Discussion. Luebbe made a motion to approve with the precinct correction to Precinct F. Daniel seconded the motion. Voting all in favor 8 for, 0 against, and 1 absent not voting.

Item 6: Discussion/Action: Zoning Regulations. Definition of a Shouse. Zoning Regulation updates. a starting definition of a shouse.

Shouse: A combination of a dwelling unit and a machine shed under a common or connecting roofing system. For purposes of a shouse, these structures when on a farm, agricultural, or acreage shall not be classified as a farm building. The residence portion of the facility shall meet the minimum housekeeping facilities for a single-family home. In addition, the shouse must meet the following standards:

- a. The entire structure shall have no less than 900 square feet of floor area, above grade, for single story construction.
- b. The shouse shall have no less than 600 square feet of finished living space to include a kitchen, bathroom, and living/sleeping quarters. If the living space exceeds 600 square feet, the shouse is the Primary Residence.
- c. The shouse shall have no less than an 18-foot exterior width.
- d. The roof, unless covered by at least two feet of earth shall be pitched with a minimum vertical rise of two and one-half inches for each 12 inches of horizontal run.

e.

f. The shouse shall be placed on a pad or continuous permanent foundation(poured concrete or laid masonry with a footing of a minimum of 36 inches below the final ground level) and cannot have wheels, axels, transporting lights, or removeable towing apparatus attached. Allowable in A-1, TA-1, RR1. Discussion. Niemann made a motion to approve the definition. Schluckebier seconded. Voting all in favor 8 for, 0 against, and 1 absent not voting.

Item 7: Discussion and updates on final draft: Seward County Attorney has the draft for final review.

Item 8: Communication: Next Meeting date. Pekarek asked for information about the history of the watershed area. Daniel gave Pekarek a hard copy of the Water Resources of Seward County. Discussion about a panel discussion on the Water Conservation District. Will invite Johnathan

Jank to the next meeting to strategize and choose a location and date possibly in August.

Item 9: Adjourn: Medinger made a motion to adjourn. Richert seconded the motion. 8 voting for, 0 voting against, and 1 absent not voting to adjourn @ 9:15a.m.

last updated 4/28/2023.

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday May 15th, 2023

Minutes

Open the Meeting. Meeting called to order by Chairman Eberspacher at 7:31 p.m.

Roll Call. Members Present: Daniel, Eberspacher, Medinger, Niemann, Schuckebier, Pekarek, Luebbe, Richert, Krenk.

Members Absent: 0

Present: Misty Ahmic, John Culver, Mr. Hochstein, Harrison Helmer, Mr. Lindau, Mr. and Mrs. Doehring, Mr. Anderson, Mr. Heeren, Mr. Harman. 15 members from the public. Chairman Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection. Chairman Eberspacher asked for a motion to accept the minutes from the prior meeting. Luebbe made the motion with changes, and Richert seconded the motion. 9 voting in favor, 0 against, and 0 absent not voting.

New Business.

Item 1: Tabled Item. Findings of Facts/Discussion/Action: David Harman has applied for a CONDITIONAL USE PERMIT for Contracted Landscape. Parcel ID: 800231825, Precinct H. In the Northeast ¼ of, Section 31, Township 11N, Range 4E Seward County Nebraska. Public Hearing was held on April 17th, 2023. Travel on Sunset Road was discussed. Pekarek and Luebbe both stated that this application fits within the Seward County Regulations and the Seward County Matrix. Discussion.

Comments were received from the audience. Mrs. Broderick spoke on the Conditional Use entails. Chairman Eberspacher stated that an application for a business requires a Conditional Use Permit to define the use and monitor the operation with regulations to guide the application of the permit. Luebbe added that the permit is specific to the application that is approved. There is a review process that can be addressed. Mrs. Dohring asked where the complaints are filed for this permit. Complaints will be brought to the board; this item will be posted, and notices will be sent out within a mile of the affected property. Mr. Dohring stated if approved is there a precedence being set? Paulsen stated that the precedence being set is that the board is looking at the complaint or file and acting accordingly, and consistently. This is an approved use with a permit. Discussion. Mrs. Winkleman stated that there should be a definition of the intent of the business stated in the application. Mr. Harman stated that there is 1 building there now, eventually there will be a new home on the property. This property is where the business is based. There will be no retail at this location. No green houses.

The Findings of Facts reviewed. Discussion. Daniel asked if there is any violation that involves this Conditional Use Permit today?

Paulsen answered no. This item will be reviewed on a complaint basis.

Pekarek made a motion to recommend approval of the application for this Conditional Use Permit. Medinger seconded the motion. Role call voting 8 for 1 against and 0 absent not voting.

Item 2: Discussion/Action: Industrial Tower West, dba VIAERO, has applied for a DEVELOPMENT PERMIT to CONSTRUCT a TOWER, and a CONDITIONAL USE PERMIT to operate a Tower.

Parcel ID: 800024923, Precinct B. In the Southeast ¼ of, Section 12, Township 12N, Range 3E Seward County Nebraska.

Item 3: Open Public Hearing: open @ 8:20 p.m. Niemann made the motion, Luebbe seconded. All in favor voting for. Rekte wanted to know about the 330-foot tower. Chris Riha spoke about the application and exhibit A. Improve the reception for the area and allow the co-location of a provider. This tower will provide improved coverage on site location. This site is off 224th road. Paulsen stated that there are no towers taller than 200 feet in Seward County except the 10/11 Tower. Discussion. There is a tower located within a mile of this proposed location.

A letter was presented representing the Seward County Broadband Taskforce in opposition to the proposed Industrial Tower West, LLC/Viaero Wireless Telecommunication Tower. Discussion. Mr. Riha explained that this will primarily be for phone coverage. Data coverage on your phone. There are 2 towers within 5 miles of this location. Commissioner Ahmic spoke about the providers working with the Task Force on all Broadband projects. The Seward County Broadband Task Force was formed in 2021 to provide actual and affordable highspeed internet to everyone in Seward County. The area of focus is north of Pleasant Dale to the County Line. The task Force will apply for funds from the State. This is the focus area because of the number of residents in the area. Medinger asked if that task force is working to provide internet services? The answer was yes. There was an RFI, and an RFD issued within the last 8 months and are working with providers for that service. This is the longest term sustainable, affordable high-speed internet. Mr. Riha added that this is not a fiber site. This is a cell tower. This is for data service for cell phone services. Discussion. Mr. Rekte spoke in opposition to this application. Discussion. Pekarek asked if the village of Bee has been notified. Mr. Riha replied no to the question.

Item 4: Close public Hearing: close @ 8:45 p.m. Luebbe made the motion and Medinger seconded. All in favor voting for.

Item 5: Findings of Facts/Discussion/Action: Industrial Tower West, dba VIAERO, has applied for a DEVELOPMENT PERMIT to CONSTRUCT a TOWER, and a CONDITIONAL USE PERMIT to operate a Tower.

Parcel ID: 800024923, Precinct B. In the Southeast $\frac{1}{4}$ of, Section 12, Township 12N, Range 3E Seward County Nebraska.

Pekarek made a motion to deny the Conditional Use Permit per regulation 8.01.03. Luebbe seconded the motion to deny. Roll call voting 9 voting for, 0 against, and 0 absent not voting, recommending denying the application.

Item 6: Discussion Action: this item is not completed for a presentation of a Short Form Plat to create the ROBINSON Short Form Plat. PID: 800012100. Located in M Precinct. In the Northeast $\frac{1}{4}$ of Section 19, Township 9N, Range 1E. Seward County Nebraska. This item will be on the June 26th meeting.

Item 7: Discussion/Action: Zoning Regulations.

Review a Resolution. Metal Wood Frame Dwellings (Shouse)

This will be called a combination dwelling. Shall mean a combination of a dwelling unit, and a machine shed under a common roofing system. A combination dwelling shall not be classified as a farm building. The residential portion of the building shall meet the minimum requirements for a dwelling. In addition, a combination dwelling shall meet the following standards. 1. The combination dwelling shall have no less than 600 square feet of living space to include kitchen, bathroom and living sleeping quarters. 2. Combination dwelling shall not have wheels, axels, transporting lights or towing apparatus. If the living space becomes more than 600 square feet, becomes the primary dwelling. Discussion. Removing the minimum footage requirements and adding if it exceeded the minimum of 600 square feet, it is the primary residence. 1. The combination dwelling shall have a finished living space to include kitchen, bathroom and living sleeping quarters. If the space exceeded the minimum of 600 square feet, it is the primary residence. Motion was requested to approve the definition of a combination dwelling.

A combination dwelling. Shall mean a combination of a dwelling unit, and a machine shed under a common roofing system. A combination dwelling shall not be classified as a farm building. The residential portion of the building shall meet the minimum requirements for a dwelling. In addition, a combination dwelling shall meet the following standards. 1. The combination dwelling shall have a finished living space to include kitchen, bathroom and living sleeping quarters. If the space exceeded the minimum

of 600 square feet, it is the primary residence. 2. Combination dwelling shall not have wheels, axels, transporting lights or towing apparatus attached. Allowable in A-1, TA-1, RR-1, MU-1, and only with a Conditional Use Permit. Medinger made a motion to approve, Pekarek seconded the motion. Roll call voting 9 for 0 against and 0 absent not voting.

Item 8: Discussion/Action: Strategy Session regarding a Education Panel Discussion about the Water Conservation District. Luebbe gave a report on an email from Johnathan Jank. Johnathan's recommendation is to have the meeting in the Village of Garland. Johnathan needs suggestions about the venue. Once the venue and the schedule are selected, invitations will be sent. The idea is to have all the experts on a panel, to be able to educate the public. This will be a public meeting and will be posted at the location we set. Discussion. August 21st. Pleasant Dale at 7.p.m. Experts: Phil Hargis, NRDs, NDEE, University of Nebraska water experts. Eberspacher asked Pekarek to compile information for the meeting on June 26th.

Item 9: Discussion and updates on final draft: The draft is at the County Attorney's office for review.

Item 10: Discussion/Action: By-Law Review, and Drawing Member Terms. Ahmic and Eberspacher, and Pekarek, have done some research and come up with terms. Bylaws. 9 different Counties around us have bylaws that are more extensive and updated. Officers and their duties. Election of Officers, Membership, Meetings, Order of business, Roll call voting, Committees, Employees, Hearings, conflicts of interest, and amendments. Attendance. Discussion. This is up for review, and the next meeting would like to have a vote on the subject. Discussion of application and 3-year terms. Luebbe 2021, Pekarek 2021, Schluckebier 2020, Krenk #2, Daniel#1, Niemann #3, Medinger #1, Richert #2, Eberspacher #3. Luebbe asked for a copy of other counties minutes. Discussion. Please review for the next meeting June 26th.

Item 11: Communication: Next Meeting date. June 26.

Item 12: Adjourn: Niemann made a motion to adjourn. Medinger seconded the motion. Roll call voting 8 for, 1 against, and 0 not voting. 9:45 p.m.

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION
Monday June 26th, 2023
Minutes

Meeting called to order by Chairman Eberspacher
at 7:31 p.m.

Roll Call. Members Present: Luebbe, Pekarek, Daniel, Eberspacher,
Medinger, Niemann, Krenk.

Members Absent: Schuckebier, Richert.

Present: Misty Ahmic, John Culver, Alysia Martin, Josh Crossgrove,
Jonathan Jank. 7 members from the public. Chairman Eberspacher notified
the public that the public meeting information is posted as required by law
and is available for inspection. Chairman Eberspacher asked for a motion to
accept the minutes from the prior meeting. Luebbe made the motion, and
Daniel seconded the motion. 7 voting in favor, 0 against, and 2 absent not
voting.

New Business.

Item 1: Discussion: Owner Susan Magill has applied for a CONDITIONAL
USE PERMIT to operate a Retail Produce Farm. Parcel ID: 800232240,
Precinct H. In the Southeast ¼ of, Section 2, Township 11N, Range 4E
Seward County Nebraska.

Item 2: Open Public Hearing: open @7:33p.m. Daniel made the motion,
Medinger seconded with 7 voting for 0 against and 2 absent not voting.
Discussion about a commercial business and a permitted use. The boards
consensus is this is a permitted use in A-1. Becky stated she can refund this
application if needed. Ahmic stated that this might be looked at further to
define if this use is not a general store and just a market for produce.

Item 3: Close public Hearing: close @7:47p.m. Pekarek made the motion,
Luebbe seconded with 7 voting for 0 against and 2 absent not voting.

Item 4: Findings of Facts/Discussion/Action: Niemann moved to table this
item as the owner was not present to answer questions. Daniel seconded, all
in favor 7 voting for, 0 against, 2 absent not voting. Becky will re post this
item with a public hearing.

Item 5: Discussion: Owner Jesse Swarts has applied for a CONDITIONAL
USE PERMIT to operate an Auto Mechanic Shop. Parcel ID: 800005139,
Precinct J. In the Southwest ¼ of, Section 27, Township 10N, Range 3E
Seward County Nebraska.

Item 6: Open Public Hearing: open @7:50p.m. Medinger made the
motion, Daniel seconded with 7 voting for 0 against and 2 absent not voting.
Discussion. This item is not a home-based business, this building is not on
Mr. Swarts home site, This is on his property, but not where the home is.

2.

Swarts, the owner spoke about the project. He wants to build a building to expand, and this site is flatter with less dirt work. Jesse is a farmer and a mechanic. This will be a bigger building to be able to bring in large equipment. Expanding his business. Discussion. Farm equipment and vehicles will be worked on at this site. Discussion on home-based business and conditional use on where to classify this item. This quarter section is Zoned TA-1. Discussion. This is permitted as a home-based business in the zoned area of TA-1. Discussion.

A Conditional Use permit is less prohibitive than a home-based business permit.

Item 7: Close public Hearing: close @8:02p.m. Niemann made the motion, Pekarek seconded with 7 voting for 0 against and 2 absent not voting.

Item 8: Findings of Facts/Discussion/Action: Owner Jesse Swarts has applied for a CONDITIONAL USE PERMIT to operate an Auto Mechanic Shop. Parcel ID: 800005139, Precinct J. In the Southwest $\frac{1}{4}$ of, Section 27, Township 10N, Range 3E Seward County Nebraska. Findings of Facts were read and reviewed. Pekarek made a motion to approve the conditional use permit. Niemann seconded the motion. Roll call voting, 7 for 0 against and 2 absent not voting.

Item 9: Discussion: regarding amendments to the Zoning Regulations of Seward County Nebraska, consistent with the Seward County Comprehensive Plan. Pursuant to Article 2, Definition of Terms, Section 2.03 of the Seward County Nebraska Zoning Regulations. The proposed amendments relate to regulations for Combined Dwelling. The proposed amendments would affect Section 2.03. of the existing regulations and would add a new Section for Combined Dwelling(s).

2.03.161.01 DWELLING, COMBINATION shall mean a combination of a dwelling unit and a machine shed under a common or connecting roofing system. A Combination Dwelling shall not be classified as a farm building. The facility shall meet the minimum standards for Single-Family Dwelling. In addition, the Combination Dwelling must meet the following standards:

- The Combination Dwelling shall have a finished living space to include a kitchen/kitchenette, bathroom, and living/sleeping quarters.
- Combination Dwelling cannot have wheels, axels, transporting lights, or removeable towing apparatus attached.
- Allowable in: A-1, TA-1, RR-1 MU-1

3.

Item 10: Open Public Hearing: Medinger made a motion to open the public hearing. Luebbe seconded the motion. All in favor voting to open at 8:30

Item 11: Close public Hearing: Medinger made a motion to close the public hearing. Krenk seconded the motion. All in favor voting to close @8:33p.m.

Item 12: Discussion/Action: Medinger made a motion to approve. Pekarek seconded the motion to approve. Roll call voting all in favor, 7 for 0 against and 2 absent not voting regarding amendments to the Zoning Regulations of Seward County Nebraska, consistent with the Seward County Comprehensive Plan. Pursuant to Article 2, Definition of Terms, Section 2.03 of the Seward County Nebraska Zoning Regulations. The proposed amendments relate to regulations for Combined Dwelling. The proposed amendments would affect Section 2.03. of the existing regulations and would add a new Section for Combined Dwelling(s). **2.03.161.01**

DWELLING, COMBINATION shall mean a combination of a dwelling unit and a machine shed under a common or connecting roofing system. A Combination Dwelling shall not be classified as a farm building. The facility shall meet the minimum standards for Single-Family Dwelling. In addition, the Combination Dwelling must meet the following standards:

- The Combination Dwelling shall have a finished living space to include a kitchen/kitchenette, bathroom, and living/sleeping quarters.
- Combination Dwelling cannot have wheels, axels, transporting lights, or removeable towing apparatus attached.
- Allowable in: A-1, TA-1, RR-1 MU-1

Item 13: Discussion Action: For a Short Form Plat to create the ROBINSON Short Form Plat. PID: 800012100. Located in M Precinct. In the Northeast ¼ of Section 19, Township 9N, Range 1E. Seward County Nebraska. Steven M. and Barbara L. Robinson own 3.34 acres of land and have made an application for an Administrative Plat to add land under 10.0 acres. The intention of this application is to purchase 2.0 acres, to add to the existing 3.34 acres of land for a total of 5.34 acres. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any ¼ section of ground shall not exceed two (2) dwelling units. There is only 1 home in this quarter

section. This action will not change the density in this quarter section. This quarter section of land is not in the Water Conservation District. This parcel 4.

will not be in the Floodplain. Parcel id# 800012100 checked taxes for this parcel and as of 6/12/2023 the taxes are paid in full. Daniel made a motion to approve the Short Form Plat as presented. Medinger seconded the motion. Roll call voting all in favor. 7 for, 0 against and 2 absent not voting.

Item 14: Discussion Action: For a Short Form Plat to create the HERROLD 1ST ADDITION Short Form Plat. PID: 800037197.

Located in G Precinct. In the Southeast ¼ of Section 1, Township 11N, Range 3E. Seward County Nebraska. Ronnie L Herrold and Cynthia A Herrold own 5.510 acres of land, have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate the home site with 5.51 acres from 240 acres as 234 acres have been sold. This quarter section of land is Zoned Transitional Agriculture (TA-1). Article 4: Section 4.04.03.b. Permitted Uses in TA-1 Agriculture District. The density within any 1/4 section of ground shall not exceed four (4) dwelling units. There is 1 home currently in this quarter section. This action will not change the density in this quarter section. This quarter section of land is not in the Water Conservation District. This parcel will not be the Floodplain. Parcel Id# 800037197 checked taxes for this parcel, and as of 6/8/2023 the taxes are paid in full. Niemann made a motion to approve the Short Form Plat as presented. Medinger seconded the motion. Roll call voting all in favor. 7 for, 0 against and 2 absent not voting.

Item 15: Discussion Action: For a Short Form Plat to create the POPKEN Short Form Plat. PID: 800022688. Located in A Precinct. In the South 1/2 of Section 8, Township 12N, Range 4E. Seward County Nebraska. Patricia Popken owns 20.5 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate the home site with 5.4 acres land that is in partial Trust. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. There is only 1 home in this quarter section. This action will not change the density in this quarter section. This quarter section of land is in the Water Conservation District. This parcel will not be the Floodplain. Parcel Id# 800022688 Checked taxes for this parcel, and as of 6/12/2023 the taxes are paid in full. This item has been requested to be tabled as it is not finished. Pekarek made a motion to table and Luebbe seconded the motion. Roll call voting , 7 for, 0 against, and 2 absent not voting.

5.

Item 16: Discussion/Action: Density in Quarter Sections. Density permits are being secured by sellers. If the owner selling the land got a building permit and did not build on the property, does the permit go with the land? Is it false advertising? Ahmic stated if a building permit is issued on a property, you must start building within 90 days. If in 6 months, you have not started the permit will be pulled. What has been happening for a long time is the owner of the property being sold will pull a permit and sell the land and the landowners come in before the permit is expired and renew, sometimes with no intention of building for a few years. The permit goes with the property. Letters will be sent to the property owners that are not in compliance. Luebbe asked if the permit goes with the property. Ahmic answered technically yes. If a contractor fills out the permit, then it is sold, the permit is valid. It says in the regulations that you must start building within 60 days, and if you have not started within 6 months it will expire. There are reasonable reasons for the project being postponed. We are working on a system to check on the permits issued. There has been discussion with this board on this subject about checking on permits throughout the County that are on a timeline. Daniel asked if the permit is tied to the person not the property. Ahmic added that right now, it is a permit issued to build on the property. Daniel stated that if there is a permit issued and it changes ownership that they need to come in and get a new permit. Medinger asked what the assessor and attorney have to say. Becky stated she does not get any information on land that is sold. Pekarek asked if a site plan is submitted. Becky was asked the procedure about a permit. Receives a permit from a landowner or a contractor wanting to build a home. Density and setbacks are looked at, then reviewed, and issued. The landowner then sells the property and then the new landowner comes in as the original permit expires and wants to renew. Becky is asking specific questions currently to determine if the landowner is going to start a build within 90 days. No permits will be issued if the intention is not to build. How do we regulate this? We can have a list and check at regular intervals. Daniel asked if the permit stays with the landowner. Ahmic answered that is something that the board will have to identify and specifically add it to the regulations in some written form. Discussion. Land is very costly and not everyone will be able to build right away. The combined dwelling or ADU dwelling approach will help landowners to be able to secure density. Discussion.

Item 17: Discussion/Action: Strategy Session regarding an Education Panel Discussion about the Water Conservation District. Pekarek briefed the board about having a conversation with Jonathan Jank. He is waiting to hear back 6.

from UNL, Upper Big Blue and the Lower Platte NRD's. Pekarek stated that he will call Phil Hargis to get someone from NDEE to speak. The ideal locations are Pleasant Dale and Garland. This will not happen in August. Lets look at something this fall or winter. Discussion.

Item 18: Discussion and updates on final draft: Attorney Review.

Item 19: Discussion/Action: By-Law Review, and\Member Terms. Review. Luebbe made a motion to accept and Medinger seconded the motion. Roll call voting , 7 for, 0 against, and 2 absent not voting.

Item 20: Communication: Next Meeting date. July 17.

Item 21: Adjourn: Luebbe made a motion to accept and Medinger seconded the motion. Roll call voting, 7 for, 0 against, and 2 absent not voting.

last updated 7/7/2023.
Becky Paulsen

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday July 17th, 2023

Minutes

Meeting called to order by Chairman Eberspacher
at 7:31 p.m.

Roll Call. Members Present: Luebbe, Pekarek, Eberspacher, Schuckebier, Richert, Medinger, Niemann.

Members Absent: Daniel, Krenk.

Present: Misty Ahmic, John Culver, 14 members from the public. Chairman Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection. Chairman Eberspacher asked for a motion to accept the minutes from the prior meeting. Pekarek made the motion, and Medinger seconded the motion. 7 voting in favor, 0 against, and 2 absent not voting.

New Business.

Item 1: Discussion: Owner Susan Magill has applied for a CONDITIONAL USE PERMIT to operate a Retail Produce Farm. Parcel ID: 800232240, Precinct H. In the Southeast $\frac{1}{4}$ of, Section 2, Township 11N, Range 4E Seward County Nebraska. This item was tabled from last month.

Item 2: Open Public Hearing: Richert made a motion to open the public hearing. Luebbe seconded the motion. All in favor voting. Public Hearing opened at 7:35p.m.

Discussion: Susan Magill spoke about her project. Eberspacher asked about the plans for the property. This property sits with 70 acres so hay will be brought out of there seasonally. Susan would like to sell to the public produce that she has grown from another location. A high tunnel will be installed, and a building to process. Pekarek asked Susan to list the total acres devoted to produce. There will be about $\frac{1}{2}$ acre to 1 acre devoted to produce. Medinger asked if anything else is going to be sold at this location. No Plans at this time for other items being sold. Discussion about a convenience or retail store. Luebbe asked if there were plans to live there. Magill answered yes. Pekarek stated that the permit application and drawing does not include living quarters on it. Magill answered that her plans have changed since the application, and she will now have revised plans with living quarters of 756 square foot. The building is 42 x 63 and is an Atlas Building, the building will be built by Wes of Pleasant Dale. No Drawing has been submitted on the living space. Discussion on the application, and the intent of a living quarters that was not shown. Discussion on amending the application. Density in the quarter section was reviewed and the Conditional Use. The question was asked if the board thought this needed a

Conditional Use Permit. The answer was no. Becky added that this does require a permit for a home, and the building needs to be readjusted. Eberspacher stated under 4.03.02, item number 10. A permitted use may offer agricultural sales on the premises. Medinger stated the use does not require a conditional use permit. Discussion. Devin Luebbe asked about the increase of traffic. Magill answered this will be seasonal and will not be a big production. Magill will have to apply for a new building permit with the residence. Luebbe reminded Magill that convenience stores are not within the use of the Agricultural district. If she decides to expand the use to more than hay, and fruits and vegetables, there will have to be a Conditional Use procedure. Discussion.

Item 3: Close public Hearing: Niemann made a motion to close the public hearing. Medinger seconded the motion. All in favor voting. Public Hearing closed at 7:50p.m.

Item 4: Findings of Facts/Discussion/Action: Owner Susan Magill has applied for a CONDITIONAL USE PERMIT to operate a Retail Produce Farm. Parcel ID: 800232240, Precinct H. In the Southeast ¼ of, Section 2, Township 11N, Range 4E Seward County Nebraska. Medinger made a motion that the Conditional Use Permit is not required. The applicant is required to fill out the required Home and Building permit for this parcel to allow residency. This is an allowed use in this area. Richert seconded the motion. All in favor voting. 7 for, 0 against, and 2 absent not voting.

Item 5: Discussion: Curtis/Rathe have applied for a CONDITIONAL USE PERMIT to build and accessory building on 3 acres. Parcel ID: 800023668, Precinct A. In the South ½ of the Northeast 1/4 of, Section 25, Township 12N, Range 4E Seward County Nebraska.

Item 6: Open Public Hearing: Luebbe made a motion to open the public hearing. Niemann seconded the motion. All in favor voting. Public Hearing opened at 7:52p.m. Becky explained that This application is for an accessory building on 3 acres. Nolan Rathe spoke as the potential buyer and would like to place a building on this property with a bathroom to store his recreational equipment, as they are at branched oak lake throughout the summer.

Discussion on well availability. Chairman Eberspacher stated that Seward County does not regulate wells. Mrs. Stillinger stated if a well is drilled that a system will have to be put in place to make the water drinkable because the water coming out of the pipes is brown. This is not the Ogallala Aquifer, This is the Dakota Aquifer, also called the Dakota fingers. Neighbors, Bonnie Roberts, Caroline White, Howard Stillinger, Jerry Green, spoke of the water issues in their immediate area. Discussion. Concerns if another well goes in that there might not be enough water. Luebbe stated the regulations for R-1

and why are there 13 residences and we are allowing 1 more home to be built on the 80 acres to the north, and why is this use a conditional use when building on 3 acres, an accessory building is allowed. Becky explained that the division of parcels in this quarter section was done before the current zoning map. This 3 acres and the 80 acres to the north have been to court to try to increase the ability to build more than 1 home in this quarter section. The court has concluded that there can be 1 more home in this quarter section. This will be a home in the north 80. Seward County has regulations that say there must be 5 acres or more to build a home if the density allows. The Conditional Use on this parcel ensures that the new owner cannot build a home, nor sell it as a home later. Discussion. Ahmic stated she has spoke to Nolan and his intent is not to build a home and try to be transparent and applying for a Conditional Use before purchasing to be sure he can build. Discussion.

Item 7: Close public Hearing: Schluckebier made a motion to close the public hearing. Medinger seconded the motion. All in favor voting. Public Hearing closed at 8:07p.m.

Item 8: Findings of Facts/Discussion/Action: Curtis/Rathe have applied for a CONDITIONAL USE PERMIT to build and accessory building on 3 acres. Parcel ID: 800023668, Precinct A. In the South ½ of the Northeast 1/4 of, Section 25, Township 12N, Range 4E Seward County Nebraska. Findings of Facts were reviewed. Living quarters will not be built in the proposed building. The owner may not have residency on this parcel. Medinger made a motion to approve the application with the limitations listed on the Findings of Facts. Medinger made the motion. Schluckebier seconded the motion Roll call. 7 for, 0 against, and 2 absent not voting.

Item 9: Discussion/Action: For a Short Form Plat to create the POPKEN Short Form Plat. PID: 800022688. Located in A Precinct. In the South 1/2 of Section 8, Township 12N, Range 4E. Seward County Nebraska. Patricia Popken owns 20.5 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate the home site with 5.4 acres land that is in partial Trust. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. There is only 1 home in this quarter section. This action will not change the density in this quarter section. This quarter section of land is in the Water Conservation District. This parcel will not be the Floodplain. Parcel Id# 800022688 Checked taxes for this parcel, and as of 6/12/2023 the taxes are paid in full. This Short Form Plat meets the requirements for the

County. Discussion. Richert made the motion. Medinger seconded the motion. Roll call voting. 7 for, 0 against, and 2 absent not voting.

Item 10: Discussion only: For an Administrative Plat to create the GERKENSMEYER FARM SUBDIVISION. PID: 800004620.

Located in G Precinct. In the Southwest ¼ of Section 21, Township 10N, Range 3E. Seward County Nebraska. This item was pulled from the agenda.

Item 11: Discussion/Action: Strategy Session regarding a Education Panel Discussion about the Water Conservation District. Pekarek updated the board on the progress of a joint meeting with different entities. It looks like the closest available time will be in November. Pekarek will update as progress is made.

Item 12: Discussion: List of home permits. Discussion. Becky handed out the permit register for the last 3 years to review. The intention is to show the permits that have been issued and the board use this list to review if the build has been completed. Discussion. This action may be used to check the progress of permits issued in the areas that the board members reside in. There have been instances where permits are issued, and building has not begun. This will be our base to check progress on new builds.

Item 13: Discussion and updates on final draft: The County Attorney has the document for review and when she is finished the changes will come back to this board and reviewed and then changed by JEO. Medinger gave an update on the matrix review. This item will be on next month's agenda.

Item 10: Revisited. Niemann made a motion to table Item #10. Luebbe seconded the motion. Roll call voting. 7 for, 0 against, and 2 absent not voting.

Item 14: Communication: Next Meeting date. August 21.

Item 15: Adjourn:

last updated 7/28/2023.

Becky Paulsen

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday August 21st, 2023

Minutes

Open the Meeting: Meeting called to order by Chairman Eberspacher at 7:31 p.m. Roll Call. Members Present: Luebbe, Pekarek, Eberspacher, Schuckebier, Medinger, Niemann, Daniel, Krenk. Members Absent: Richert. Present: Misty Ahmic, John Culver, Johnathan Jank, and 4 members from the public. Open Meetings Act: Chairman Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection. Approve Minutes of previous meeting: Chairman Eberspacher asked for a motion to accept the minutes from the prior meeting. Pekarek made the motion, and Niemann seconded the motion. 8 voting in favor, 0 against, and 1 absent not voting. Report of officers and committees: Pekarek reported with Johnathan Jank on progress with a panel of experts on the Water Conservation District(WCA). November 20th. A speaker from Upper Big Blue NRD. Terry, and Dick Julesgard, and Dick Ermin from Lower Platte South, have accepted invitations to talk about the Dakota Aquifer, and the water concerns in the area. Waiting from UNL, to possibly have a speaker from there to join our panel. Johnathan did get confirmation of Pleasant Dale Firehall for the location. Discussion about clearing the agenda on November 20th. Becky said she will try to keep it clear, but the November Meeting is the last meeting of the year. Discussion about having a business meeting earlier in the evening if needed. The time set for the panel is possibly at 6:30 to 8 p.m. November 20th at Pleasant Dale Firehall. We might have to have a business meeting before if needed. More information to be updated soon. Pleasant Dale, and Garland Trustees have been invited to attend this meeting open to the public. Discussion. New Business Items.

Item 1: Discussion/Action: For an Administrative Plat to create the GERKENSMEYER FARM SUBDIVISION. PID: 800004620.

Located in J Precinct. In the Southwest ¼ of Section 21, Township 10N, Range 3E. Seward County Nebraska. Gale Kruse and Phil Bangert own 1.3 acres and have made an application for an administrative plat to increase acres to 5.0 acres. Parcel 800004647 will increase 3.7 acres, to a total of 5.0 acres. Parcel 800004620 has 64.42 acres and will sell 3.7 acres with 60.72 remaining. The application is for an Administrative Subdivision, and therefore subject to Seward County's Comprehensive Plan and Land Use Matrix of the Seward County Zoning Regulations. This quarter section is zoned C-2. Highway Commercial District. Section 4.09. This quarter section of land is Not in the Water Conservation District. This parcel will not be the Floodplain. Parcel Id# 800004647, and 800004620, Checked taxes for this parcel, and as of 6/2023 the taxes are paid in full. This Administrative Plat meets the requirements for the County. Discussion. This Board is only approving the administrative plat. If the use changes the board will then deal with the Conditional Use, and or uses. Niemann made the motion to accept

the Administrative Plat. Schluckebier seconded the motion. Roll call voting 8 for 0 against, and 1 absent not voting.

Item 2: Discussion/Action: For a Short Form Plat to create the KRUPICKA Short Form Plat. PID: 800226785. Located in I Precinct. In the Northeast $\frac{1}{4}$ of Section 25, Township 10N, Range 4E. Seward County Nebraska. James Krupicka owns 103.75 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to create 2 lots. Lot 1 with 5.32 acres and lot 2 with 5.28 acres. The remainder will be 93.15 acres. This quarter section of land is Zoned Agriculture (TA-1). Article 4: Section 4.04.02 Permitted Uses in TA-1 Agriculture District. The density within any $\frac{1}{4}$ section of ground shall not exceed four (4) dwelling units. There is 1 home in this quarter section. This quarter section of land is in the Water Conservation District. This parcel is not the Floodplain. Parcel Id# 800226785 Checked taxes for this parcel, and as of 8/16/2023 the taxes are paid in full. This Short Form Plat meets the requirements for the County. Discussion. Pekarek made a motion to approve and Niemann seconded the motion. Roll call voting 8 for, 0 against , and 1 absent not voting.

Item 3: Discussion/Action: For a Short Form Plat to create the PATRICIA VAVRA ADDITION Short Form Plat. PID: 800032659. Located in E Precinct. In the Southeast $\frac{1}{4}$ of Section 14, Township 11N, Range 1E. Seward County Nebraska. Patricia K. Vavra is the Trustee of 83.28 acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate the home site of 7.91 acres. The remainder will be 75.37 acres. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any $\frac{1}{4}$ section of ground shall not exceed two (2) dwelling units. There is 1 home in this quarter section. This action will not change the density in this quarter section. This quarter section of land is Not in the Water Conservation District. This parcel has Floodplain that runs through it. Parcel Id# 800032659 Checked taxes for this parcel, and as of 8/15/2023 the taxes are paid in full. This Short Form Plat meets the requirements for the County. Discussion. Daniel made a motion to approve the Short Form Plat. Niemann seconded the motion. Roll call voting, 8 for 0 against, and 1 absent not voting.

Item 4: Discussion/Action: For a Short Form Plat to create the MITCHELL VAVRA ADDITION Short Form Plat. PID: 800029909. Located in D Precinct. In the Southeast $\frac{1}{4}$ of Section 10, Township 12N, Range 1E. Seward County Nebraska. Patricia K. Vavra is the Trustee of 40.0

acres of land and have made an application for a Short Form Plat to subdivide land under 10.0 acres. The intention of this application is to separate the home site of 8.41 acres. The remainder will be 31.59 acres. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02 Permitted Uses in A-1 Agriculture District. The density within any 1/4 section of ground shall not exceed two (2) dwelling units. There are 2 homes in this quarter section. This action will not change the density in this quarter section. This quarter section of land is Not in the Water Conservation District. This parcel is not in the Floodplain. Parcel Id# 800029909 Checked taxes for this parcel, and as of 8/15/2023 the taxes are paid in full. Discussion. Niemann made a motion to approve the short form plat. Schluckebier seconded the motion. Roll call voting, 8 for 0 against and 1 absent not voting.

Item 5: Discussion/Action: Bylaws review. Becky put this on the agenda to remind everyone that next month meeting will be at 7p.m.

Item 6: Discussion/Action: Matrix review. Medinger gave a report on the Matrix. This is a review of the matrix that has not been adopted yet. Sue explained discrepancies between the two. Discussion. Misty discussed the next steps with the narrative. Misty spoke about giving Jeff a copy to integrate into 1 document. The wording will have to match between the two documents. The narrative was explained, and Becky will email again the copy of the matrix draft and Medinger's narrative of the Matrix to the group. Discussion no Action from the group.

Item 7: Discussion/Action: Strategy Session regarding a Education Panel Discussion about the Water Conservation District. November 20th 6:30p.m. to 8:30p.m. Pleasant Dale Firehall.

Item 8: Discussion/Action: List of home permits. Please email Becky on any updates as they come in. This item will continue to be on the agenda for updates on this procedure.

Item 9: Discussion and updates on final draft: no change.

Item 10: Communication: Next Meeting date. September 18th, 2023. Chairman Eberspacher asked if any of the Board Members, or the audience in attendance if there were any comments or questions. Dale Niemann asked if the Hendrix Conditional Use Permit went through the Findings of Fact procedure. Eberspacher replied that the Findings of facts are a requirement of a Conditional Use Permit on the Planning Commission and the Board of Commissioners level. Mrs. Kortmeyer Addressed the Board and said she has spoke to numerous board members that there is construction until 2 in the morning. Sometimes they start at 4 in the morning. This county does not have times when the construction stops at

night. Misty spoke to the Board that Mrs. Kortmeyer has called all the Board of Commissioners with this complaint. This is a Conditional Use Permit, and this board at any time can review it. This is why the Kortmeyer's are here today to have you look at this. The permit can be reviewed, and conditions may be set. Discussion. Becky will pull the files and give to Pekarek for review. Natille Williams introduced herself as an attorney with Fredrickson and Byron Associates representing a client who is interested in exploring the options of developing a commercial solar farm in Seward County. Silverthorn Solar.

Item 11: Discussion/Action Adjournment: Niemann made a motion and Schluckebier seconded the motion. All in favor voting for 8:45p.m.
last updated 8/23/2023.
Becky Paulsen

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday October 23rd, 2023

Minutes

Open the Meeting: Meeting called to order by Vice Chairman Pekarek at 7:31 p.m. Roll Call. Members Present: Luebbe, Pekarek, Eberspacher, Schuckebier, Medinger, Daniel, Krenk. Members Absent: Richert, Niemann. Present: Misty Ahmic, John Culver, Barb Armstead, Johnathan Jank, and 34 members from the public. Open Meetings Act: Vice Chairman Pekarek notified the public that the public meeting information is posted as required by law and is available for inspection. Approve Minutes of previous meeting: Vice Chairman Pekarek asked for a motion to accept the minutes from the prior meeting. Daniel made the motion, and Luebbe seconded the motion. 7 voting in favor, 0 against, and 2 absent not voting. Report of officers and committees: Pekarek reported an update with item 7.

New Business Items.

Item 1: Discussion: Owners Merritt, Roberts, Clarke, have applied for a REZONE from (A-1 to TA-1) Agriculture to Transitional Agriculture Parcel Id# 800025911. Precinct B, Located in the Southeast ¼ of Section 29, Township 12N, Range 3East, Seward County Nebraska.

Item 2: Open Public Hearing: open @ 7:38p.m. Krenk made the motion, and Luebbe seconded the motion. 7 voting in favor, 0 against, and 2 absent not voting. Nathan Merritt, Jesse Roberts, and Melinda Clarke own 37.95 acres of land and have made an application to REZONE the quarter section of land from A-1 to TA-1. Stephanie Nantkes spoke about water concerns in the area. Julie Potter spoke about preserving the wetlands in the area. Jordan Odvody spoke about the water concerns in the area. Jodie Schaeffer had water concerns about the neighborhood area. Lori Jirovsky spoke on water issues in the area. Alan Sodar spoke about water issues over many years. Janet Odomic lives to the west of the proposed area and is concerned about the wells. Discussion. Jess Roberts spoke on behalf of the application. Mr. Roberts owns a farm by Malcolm. Together the 3 owners have bought this property together to sell off 3 parcels of land and keep the rest of the property in Agriculture. Discussion. Discussion on density of the ability to build 1 home. Sharron Soder asked about the aquifer, and how it is identified for the board the water issues in the County. Vice Chair Pekarek identified the water conservation district located in the eastern 1/3 of the County. The regulations identify the amount of houses that may be built in the quarter section. Becky stated that this Rezone application is in the natural growth area of Seward County and is Not in the water conservation area. Discussion on rural water and an Informational Water Conservation District Meeting in Pleasant Dale on November 20th from 6:30 to 8:30 p.m. Seward County only regulates the density in each quarter section.

Item 3: Close Public Hearing: close @7:25p.m. Daniel made the motion, and Luebbe seconded the motion. 7 voting in favor, 0 against, and 2 absent not voting.

Item 4: Findings of Facts/Discussion/Action: Owners Merritt, Roberts, Clarke, have applied for a REZONE from (A-1 to TA-1). Agriculture to Transitional Agriculture. Parcel Id# 800025911. Precinct B, Located in the Southeast ¼ of, Section 29, Township 12N, Range 3East, Seward County Nebraska. Discussion on boundaries of the aquifer. Daniel makes a motion to deny based on trying to maintain the rural atmosphere of the County and trying to protect the aquifer. Luebbe seconds the motion. 7 voting in favor of denial, 0 against, and 2 absent not voting.

Item 5: Discussion/Action: For a Short Form Plat to create the ROHREN Short Form Plat. PID: 800006100. Located in K Precinct. In the Southeast ¼ of Section 3, Township 10N, Range 2E, Seward County Nebraska. This plat is not finished. Medinger made the motion to table, and Luebbe seconded the motion. 7 voting in favor, 0 against, and 2 absent not voting.

Item 6: Discussion: Agenda Request Nitz. Failing Sewer Systems on existing parcels under 5.0 acres. The Subdivision west of Seward on highway 34. A lot of the parcels were built with a home on ¾ of an acre or less. They are supplied with City water, and they all have their own septic systems. They are starting to fail with above ground seepage around the systems. Landowners could investigate purchasing land adjacent, to enlarge their property. Discussion. No action was taken.

Item 6: Discussion: Agenda Request Carolyn Kortmeyer. Construction complaint. Requesting review of Conditional Use Permit and hours of Construction operation. Carolyn Kortmeyer spoke of the hours of operation and the disturbance it is causing. Alissa Hendrix asked to speak to the complaint. Mr. Hendrix explained that there had been construction into the night when a storm was predicted, and it has never been continuous night construction on the site. Discussion. There is no action for the board to take on this item. Discussion.

Item 7: Discussion: Provisional Use Permit. Ahmic explained how sometimes people want to run through the zoning process to see if a use is feasible before purchasing property. The application cannot have 2 names on it, so a provisional use may be applied in the applicant's name as not a landowner of the property. Discussion. Possible investigation for conditional use. No action was taken on this item.

Item 8: Discussion/Action: Education Panel Discussion about the Water Conservation District. Johnathan Jank gave the board an update on the

Informational Meeting for the Water Conservation District on Monday November 20th, 2023. 6:30 p.m. to 8:30 p.m. Guest Speakers will be Terry Julesgard representing the Upper Big Blue Resource District. Troy Gilmore is an associate professor and ground water hydrologist from the University of Nebraska. Becky will post this at a public hearing and post the flyer. Discussion. Hit list of topics 1. Difference between Dakota and the Ogallala aquifer. 2. Maps. 3. Are there other areas of concern throughout the County. Discussion. Jonathan will follow up on a possible third speaker.

Item 9: Discussion and updates on final draft: This item is still under review.

Item 10: Communication: Next Meeting date. 1. Monday November 20th, 2023. 6:30 to 8:30 p.m. Village of Pleasant Dale Informational Meeting with speakers. 2. Monday December 11th w/agenda items.

Item 11: Discussion/Action Adjournment: Eberspacher made a motion to adjourn, Medinger seconded, all in favor voting for. 9:35p.m.

Meeting recorded.

last updated 10/26/2023.

Becky Paulsen

Seward County Water Conservation District Informational Meeting, Nov. 20, 2023

Jesse Korus
Associate Professor of Groundwater Geology
Conservation and Survey Division, School of
Natural Resources, UNL
jkorus3@unl.edu



Conservation and Survey Division

125 YRS



1893-2018

Associate Director for Conservation and Survey and State Geologist

R.M. (Matt) Joeckel, 2014-present

csd.unl.edu



Mission

The Conservation and Survey Division (CSD), the natural resource survey component of the School of Natural Resources, is a unique, multi-disciplinary research, service and data-collection organization established by state statute in 1921. CSD's mission is to investigate and

record information about Nebraska's geologic history, its rock and mineral resources, the quantity and quality of its water resources, land cover and other aspects of its geography, as well as the nature, distribution and uses of its soils.

My approach to answering questions submitted by the board

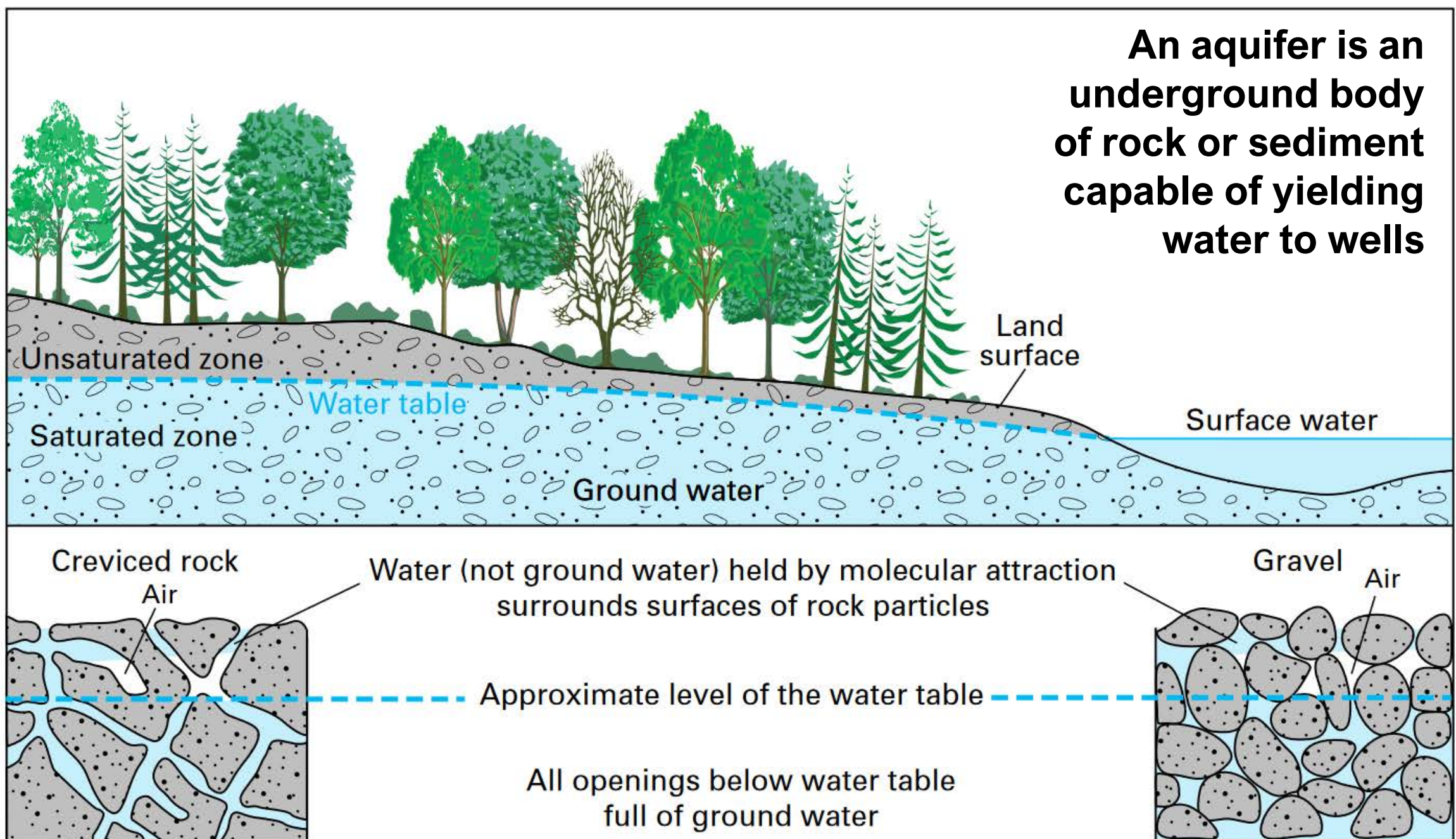
- Is it something we know?
- If so, I will give examples and point you toward resources.
- If not, is it knowable?
- How difficult would it be to gain that knowledge or to fill the knowledge gaps?

Online resources

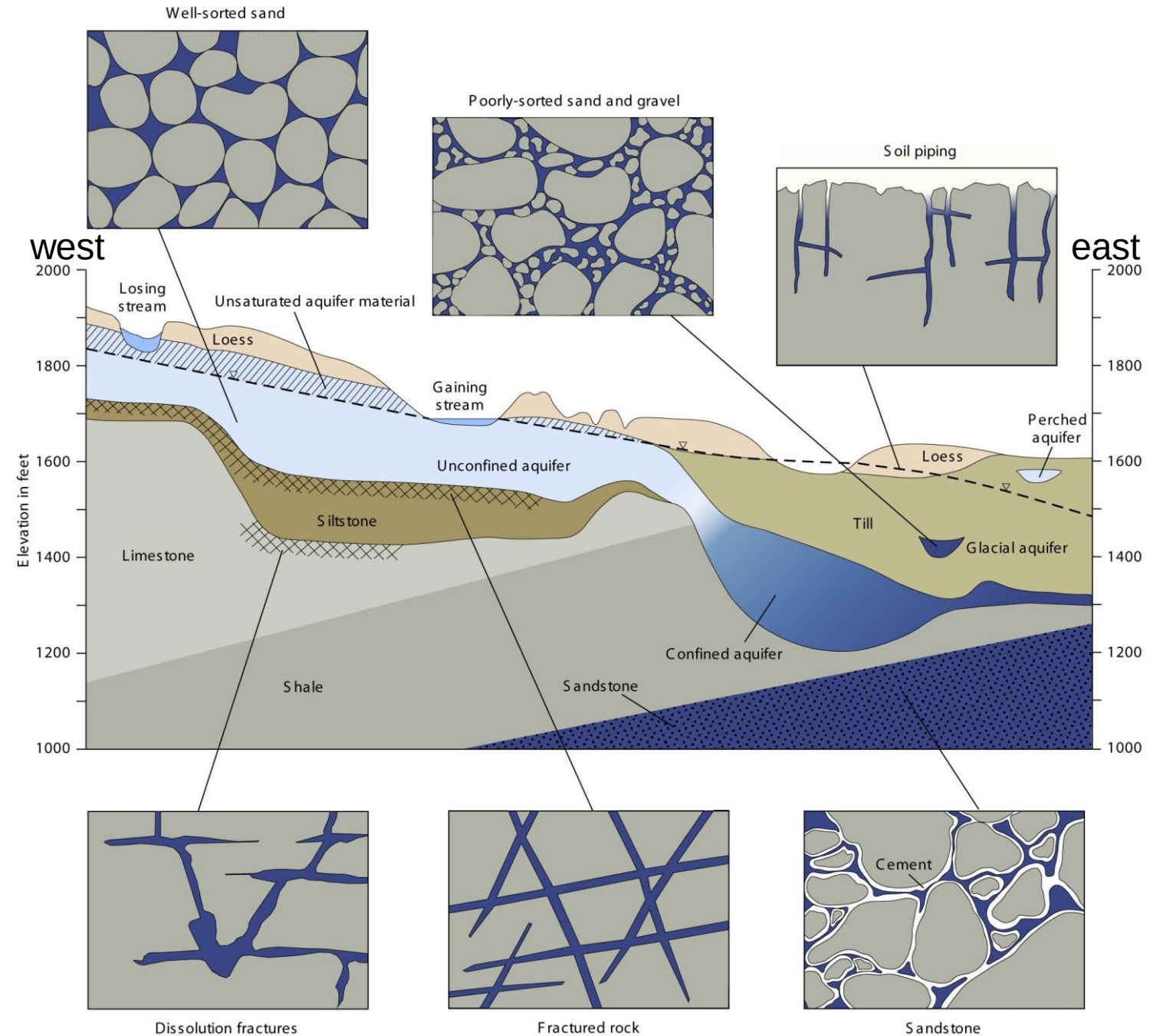
- CSD interactive map
 - go.unl.edu/csdinteractivemap/
- Nebraska GeoCloud
 - go.unl.edu/geocloud
- UNL Watershed Aquifer Virtual Education System (WAVES)
 - <https://nebraskawaves.org/>
- UNL Extension Water Website
 - <https://water.unl.edu/>
- Eastern Nebraska Water Resources Assessment (ENWRA)
 - <https://enwra.org/>
- Department of Natural Resources INSIGHT
 - <https://nednr.nebraska.gov/INSIGHT/>
- Nebraska Groundwater Quality Clearinghouse
 - <https://clearinghouse.nebraska.gov/>
- U.S. Geological Survey National Water Information System
 - <https://waterdata.usgs.gov/nwis>

Aquifers

An aquifer is an underground body of rock or sediment capable of yielding water to wells



A conceptualization of Nebraska's aquifers from west to east



Korus et al., 2013. The Groundwater Atlas of Nebraska. Conservation and Survey Division, School of Natural Resources, University of Nebraska-Lincoln. Resource Atlas 4b, 64 p.

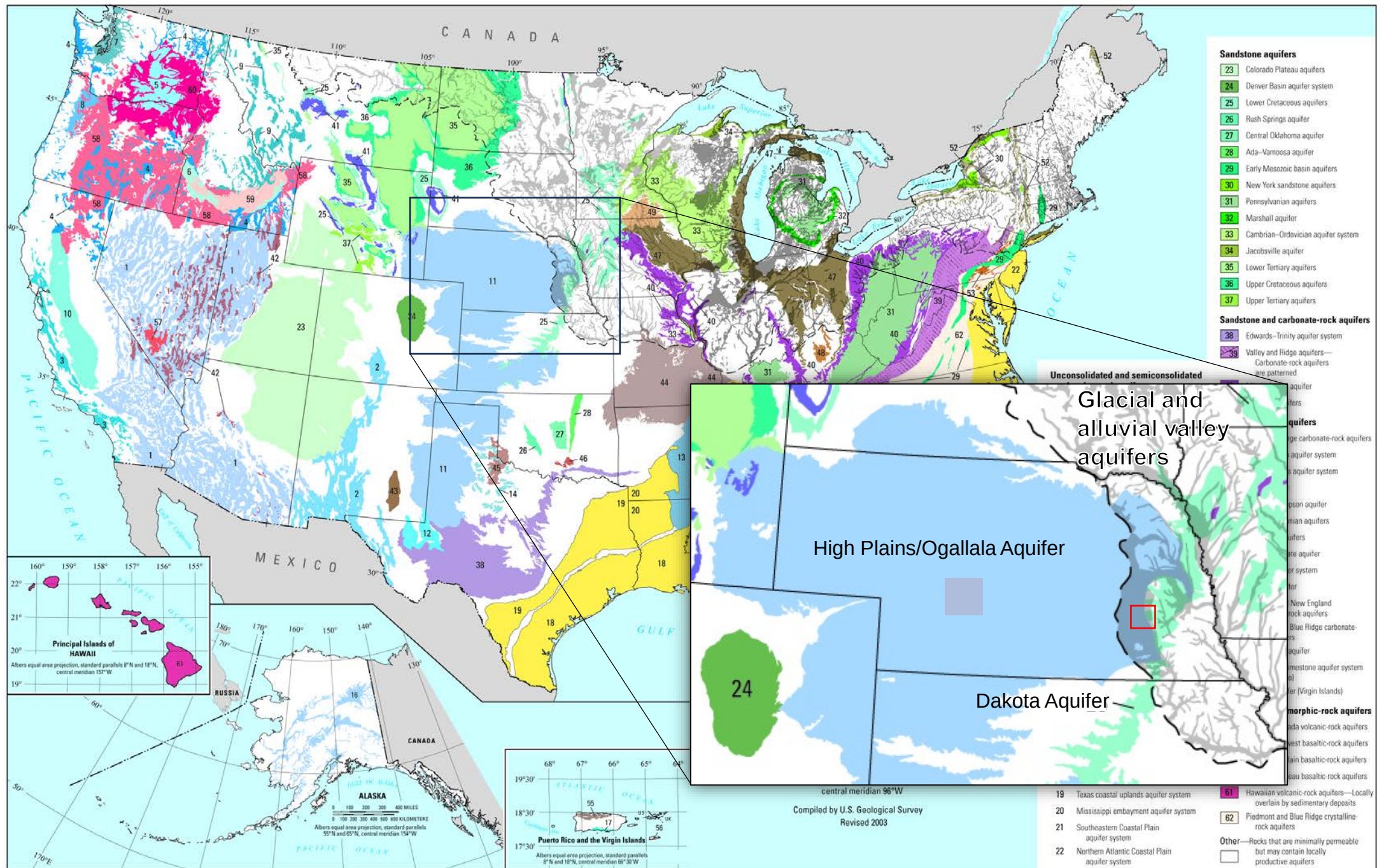
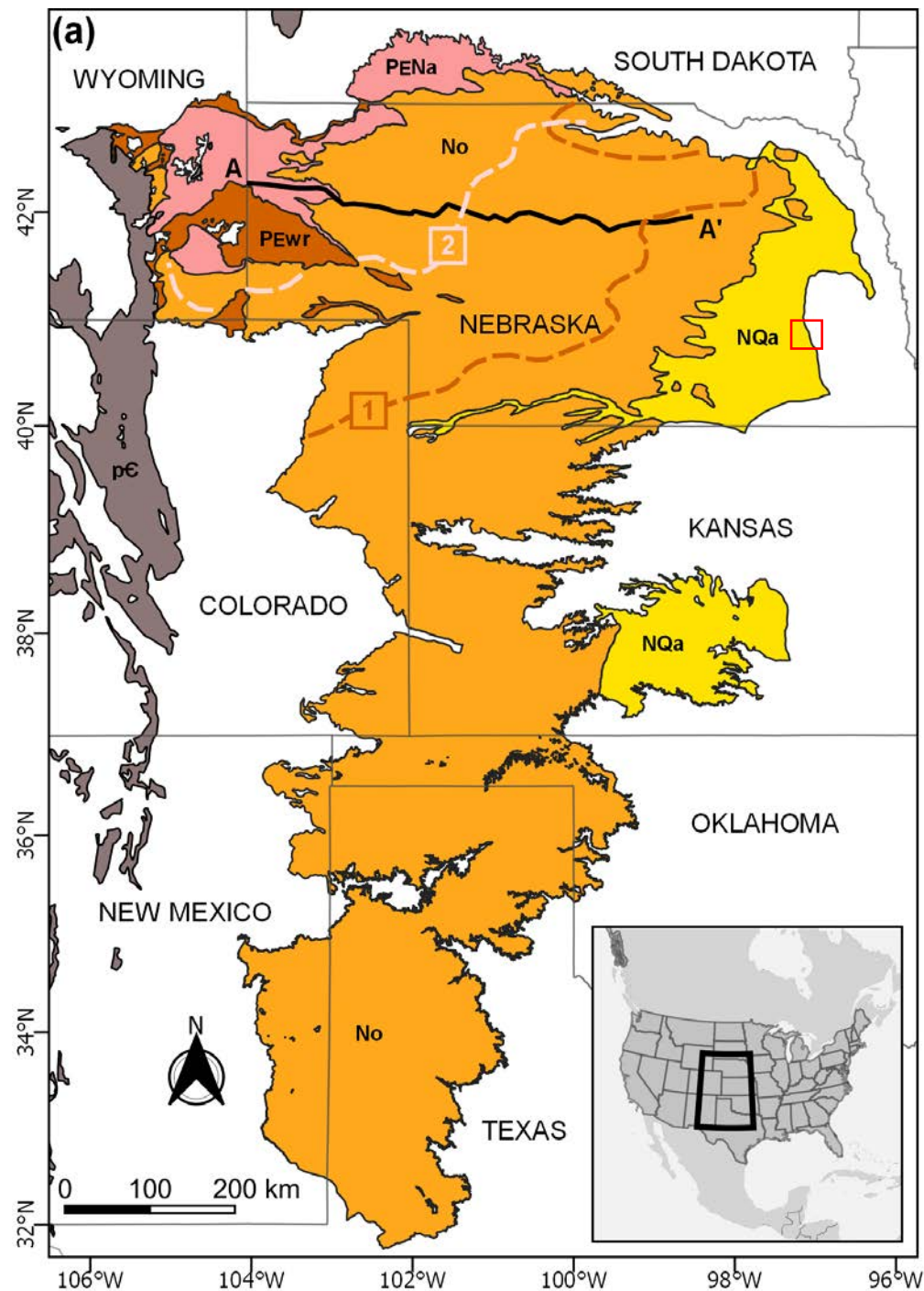
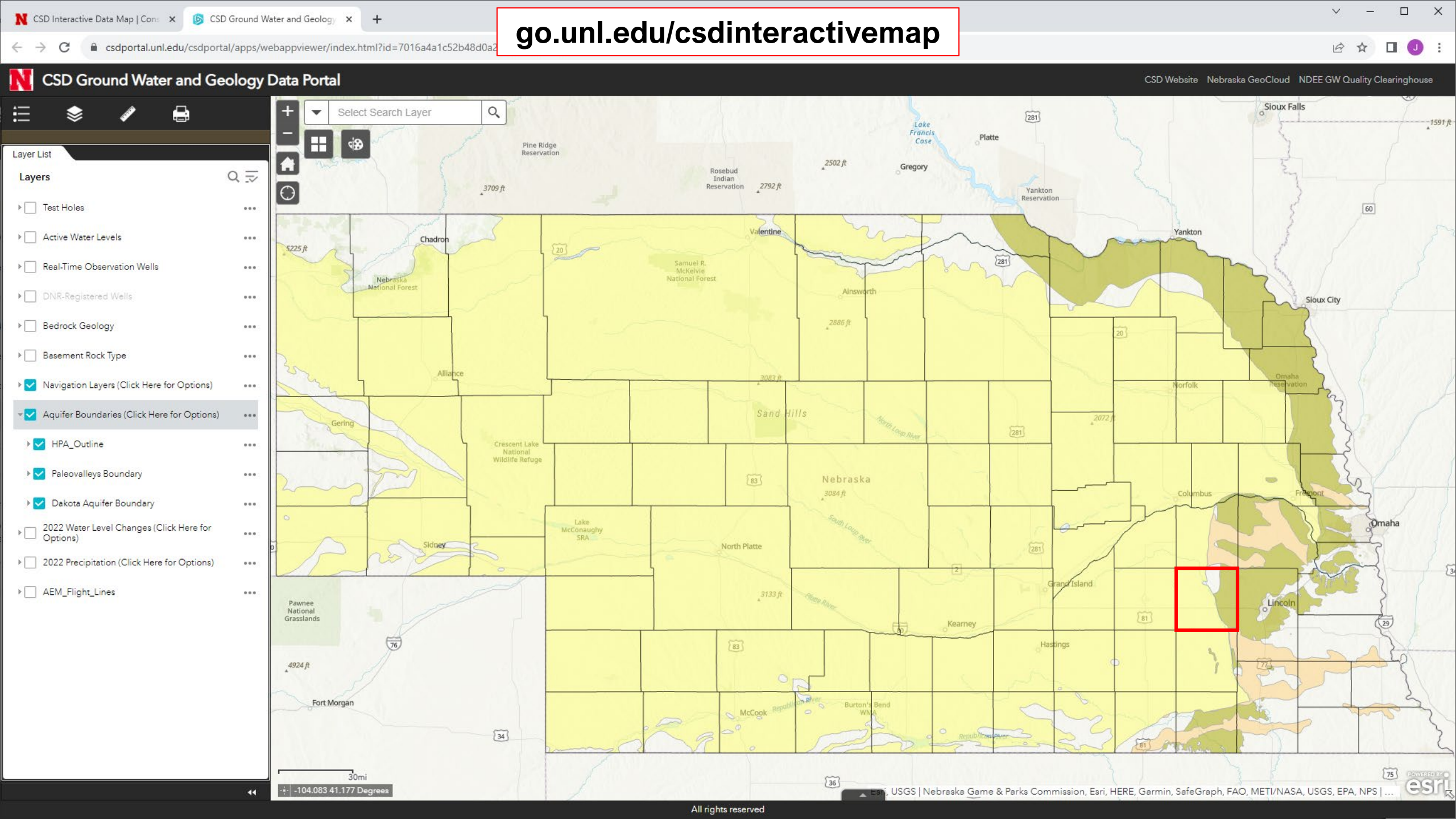


Figure 2. Principal aquifers of the United States (modified from Principal Aquifers, U.S. Geological Survey, 2003).

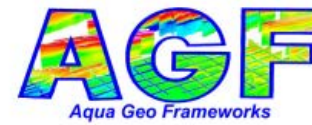


- Qs** Dune sands (Holocene) **A**
- NQa** Alluvial sediments (Pliocene-Pleistocene)
- No** Ogallala Group (Neogene)
- PENa** Arikaree Group (Paleogene-Neogene)
- PEwr** White River Group (Paleogene)
- K** Cretaceous (undiff.)
- pC** Precambrian basement rocks

Korus and Joeckel, 2022. Quarterly
Journal of Engineering Geology and
Hydrogeology **55**: [qjegh2021-171](https://doi.org/10.1144/qjegh2021-171).
DOI: 10.1144/qjegh2021-171



System	Series	Stratigraphic unit	Thickness (feet)	Character and distribution	Water supply
Quaternary	Holocene	Surficial terrace and floodplain deposits and soil	0 - 10±	Widespread soils; terrace and floodplain deposits of clay, silt, sand, and gravel	Significant only because it transmits recharge to the groundwater reservoir
	Pleistocene	Unconsolidated deposits, undifferentiated	0 - 450	Water-laid and windblown stratified deposits of clay, silt, sand, and gravel; stream-deposited sand and gravel containing layers of clay and silt of wind and stream origin; ice-deposited till (nonsorted, nonstratified sediment carried or deposited by a glacier); underlies much of the county	Principal source of water to wells in the county; medium- and coarse-textured deposits yield more than 1,000 gallons per minute of water where sufficiently permeable, thick, and saturated
Cretaceous	Upper Cretaceous	Carlile Shale	0 - 40	Medium- to dark-gray shale, calcareous in part; contains thin layers of limestone; occurs where the bedrock is at highest altitude in the northwestern and south-central parts of the county	Does not yield water to wells
		Greenhorn Limestone	0-25	White and gray limestone and calcareous shale; underlies about half the county; not present in the bedrock valleys	As above
		Graneros Shale	0-70	Dark-gray shale, calcareous in upper part; underlies about half the county; not present in the bedrock valleys	As above
	Lower Cretaceous	Dakota Group (undivided)	150-500	Interbedded clayey shale, sandy shale, and sandstone; underlies the entire county	Yields small to large amounts of water to a few wells in Seward County; quality of the water ranges from good to substandard



December 4, 2019

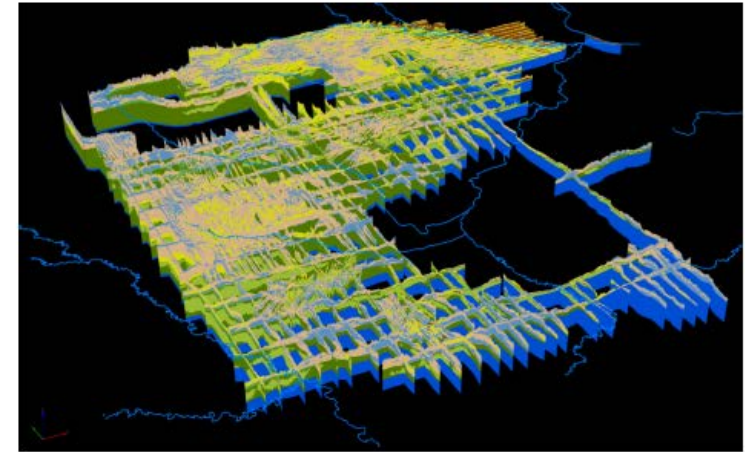
"Airborne Electromagnetic Mapping and Hydrogeologic Framework of Selected Regions of the Eastern Nebraska Water Resources Assessment Area" Chapter on the Lower Platte South Natural Resources District

Eastern Nebraska Water Resources Assessment (ENWRA)

<https://enwra.org/>

Nebraska GeoCloud

<https://go.unl.edu/geocloud>



Prepared for the:
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tammi@elephantfishco.com



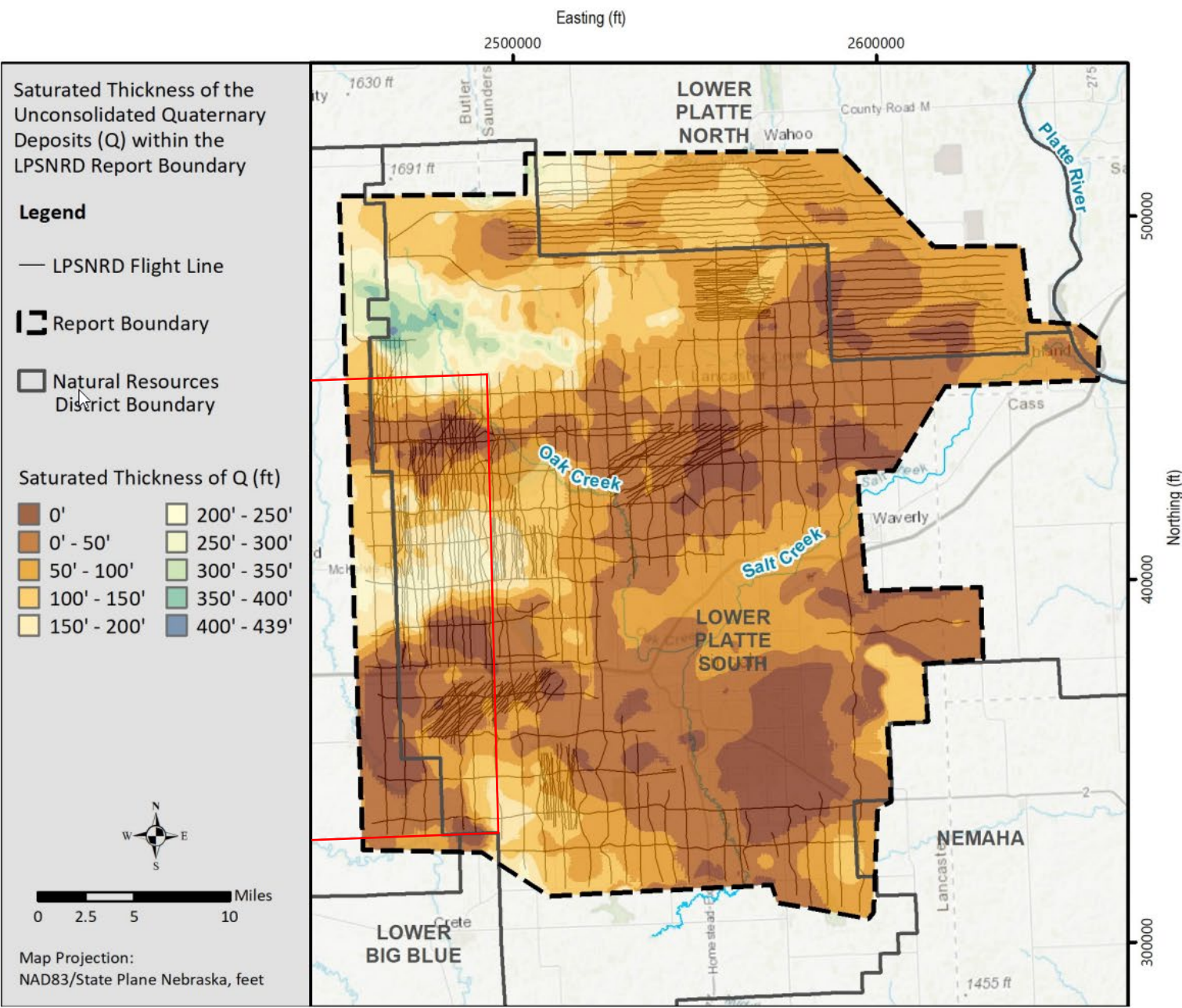


Figure 3-93. Map of the saturated thickness of Q aquifer materials within the 2018 LPSNRD Reconnaissance survey area. Saturated thickness varies from 0 to 439 feet. Flight lines are indicated by the grey lines. Note the greater thicknesses are on the west side of the project area. The geologic unit present in this image includes the Q= Quaternary. Horizontal datum is NAD83 State Plane Nebraska (feet).

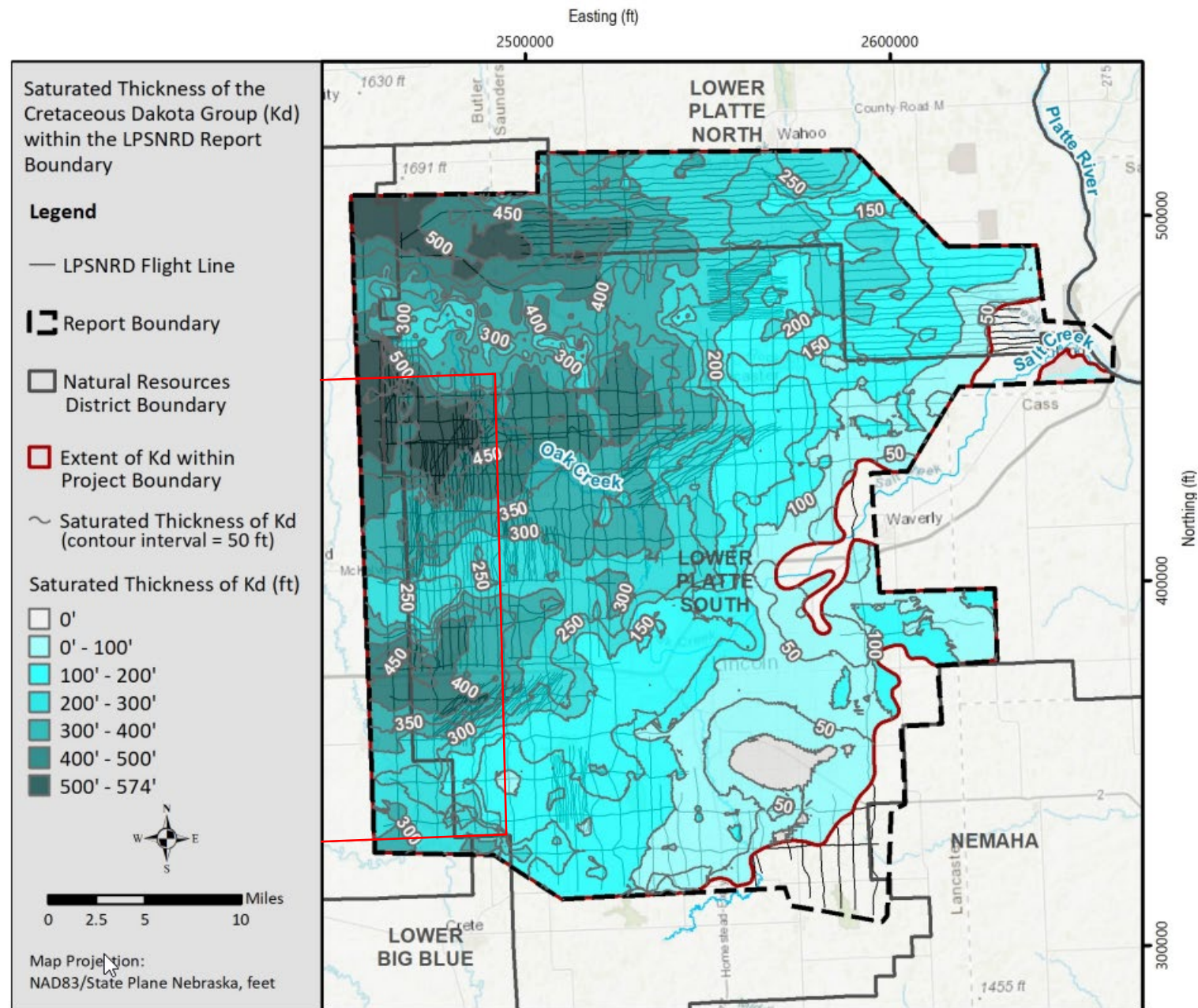


Figure 3-71. Map of the saturated thickness of Cretaceous Dakota Group (Kd) within the 2018 LPSNRD AEM survey area. Flight lines are indicated by the gray lines. The projection is NAD83 State Plane Nebraska (feet).

LPSNRD 2018
AEM Survey &
Hydrogeological
Framework
Report
enwra.org

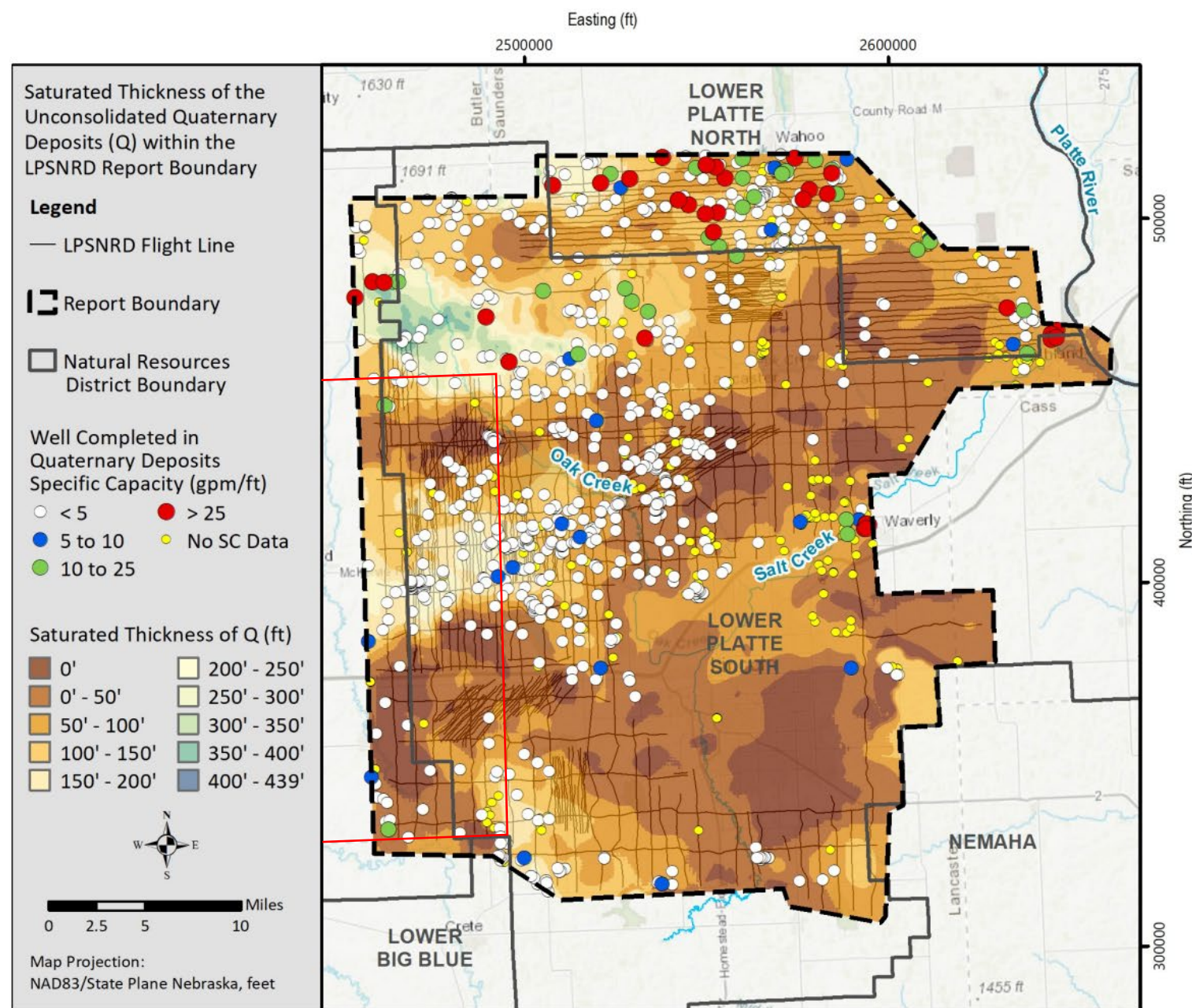


Figure 3-94. Map of the saturated Q aquifer thickness for the LPSNRD 2018 Reconnaissance AEM survey area plus the specific capacity of wells screened within the Q from the NE-DNR registered well database. The specific capacity of the wells range from <5 to >25 gpm. Overall the <5 gpm wells make up most of the wells in the project area. Horizontal datum is NAD83 State Plane Nebraska (feet).

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AEM Survey &
Hydrogeological
Framework
Report
enwra.org

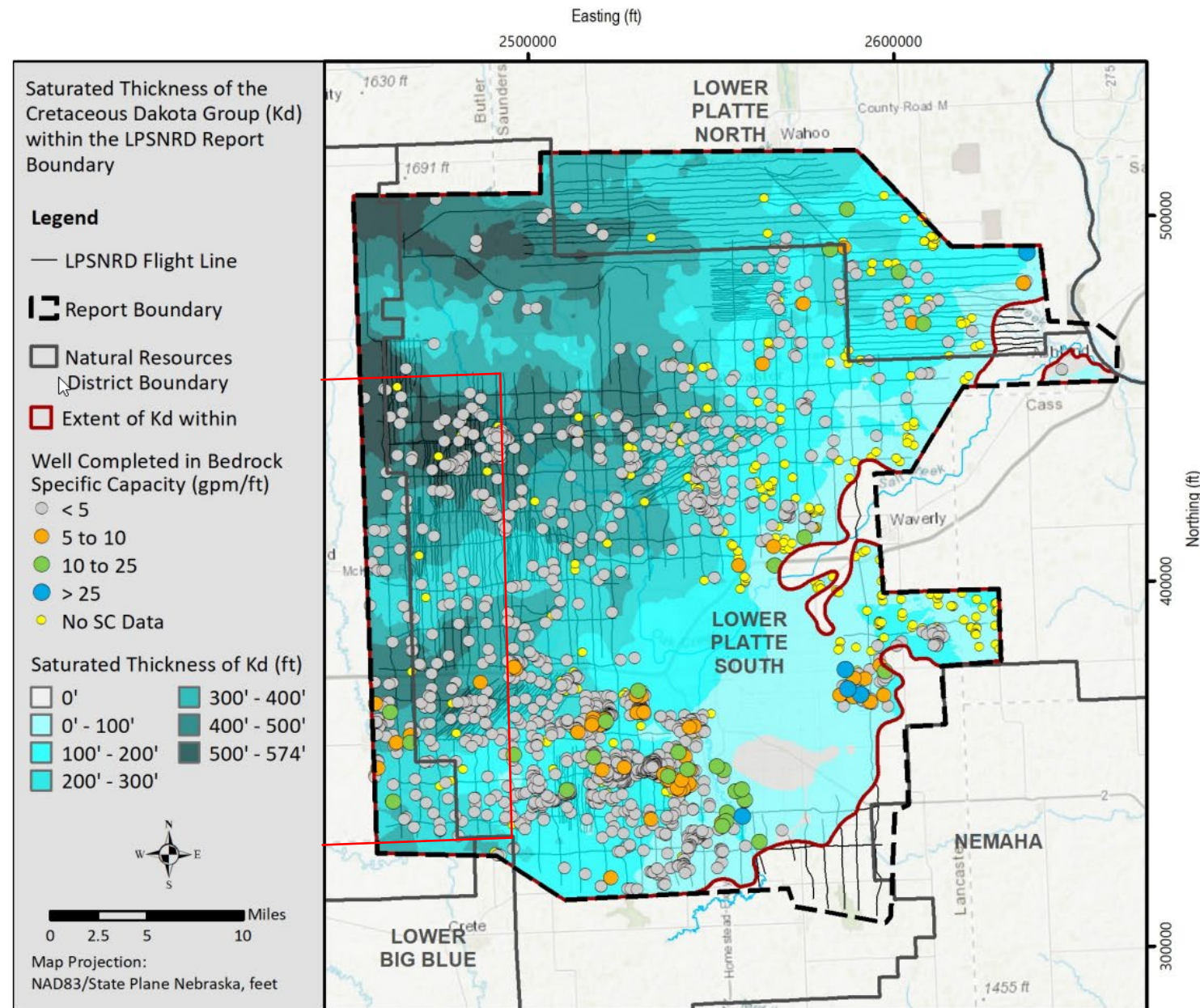
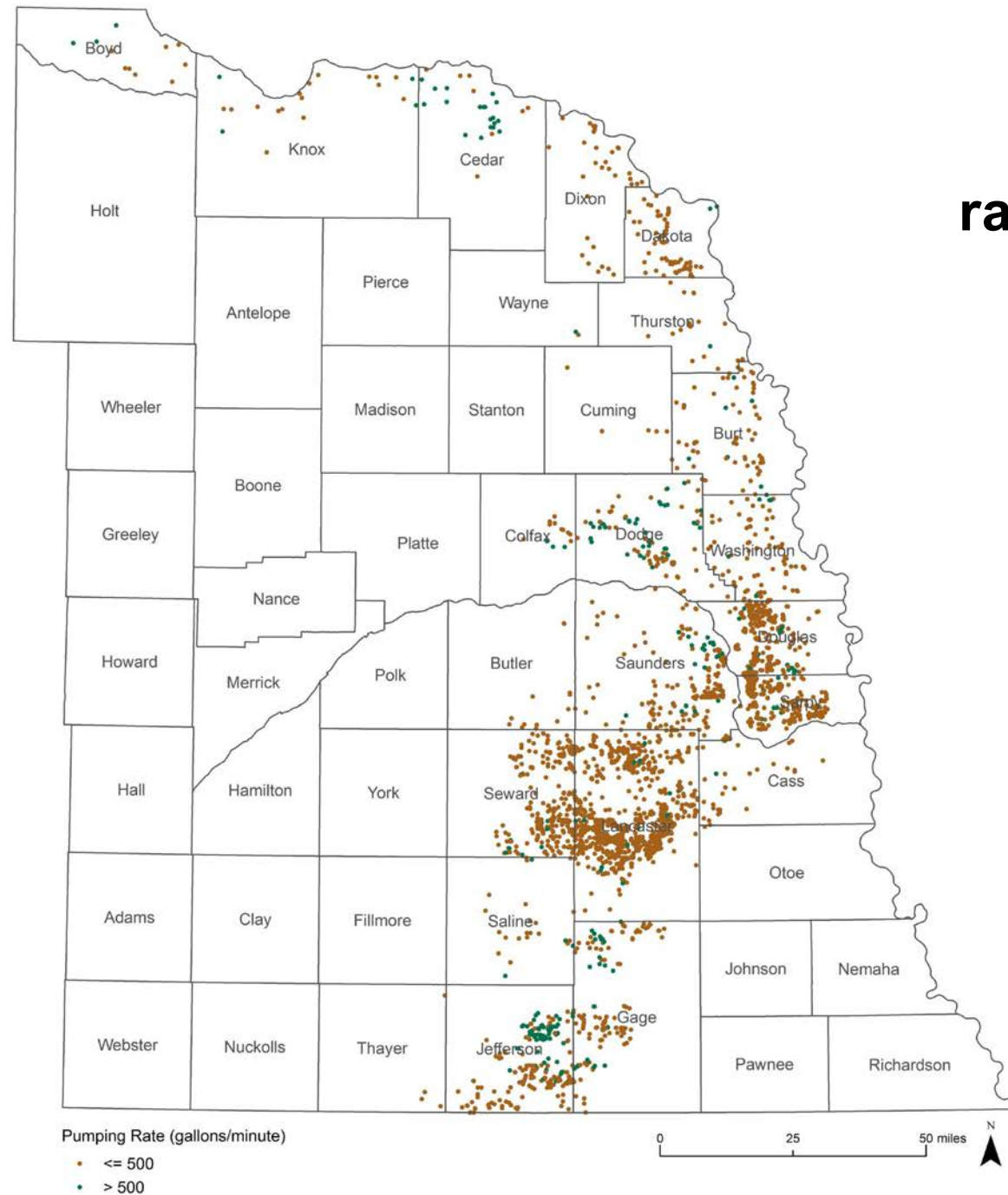


Figure 3-99. Map of the saturated *Kd* aquifer thickness for the LPSNRD 2018 Reconnaissance AEM survey area plus the specific capacity of wells screened within the *Kd* from the NE-DNR registered well database. The specific capacity of the wells varies from <5 to >25 gpm. Overall the <5 gpm wells make up most of the wells in the project area. Flight lines are indicated by the grey lines. The geologic unit present in this image includes the *Kd*= Cretaceous Dakota Group. Horizontal datum is NAD83 State Plane Nebraska (feet).

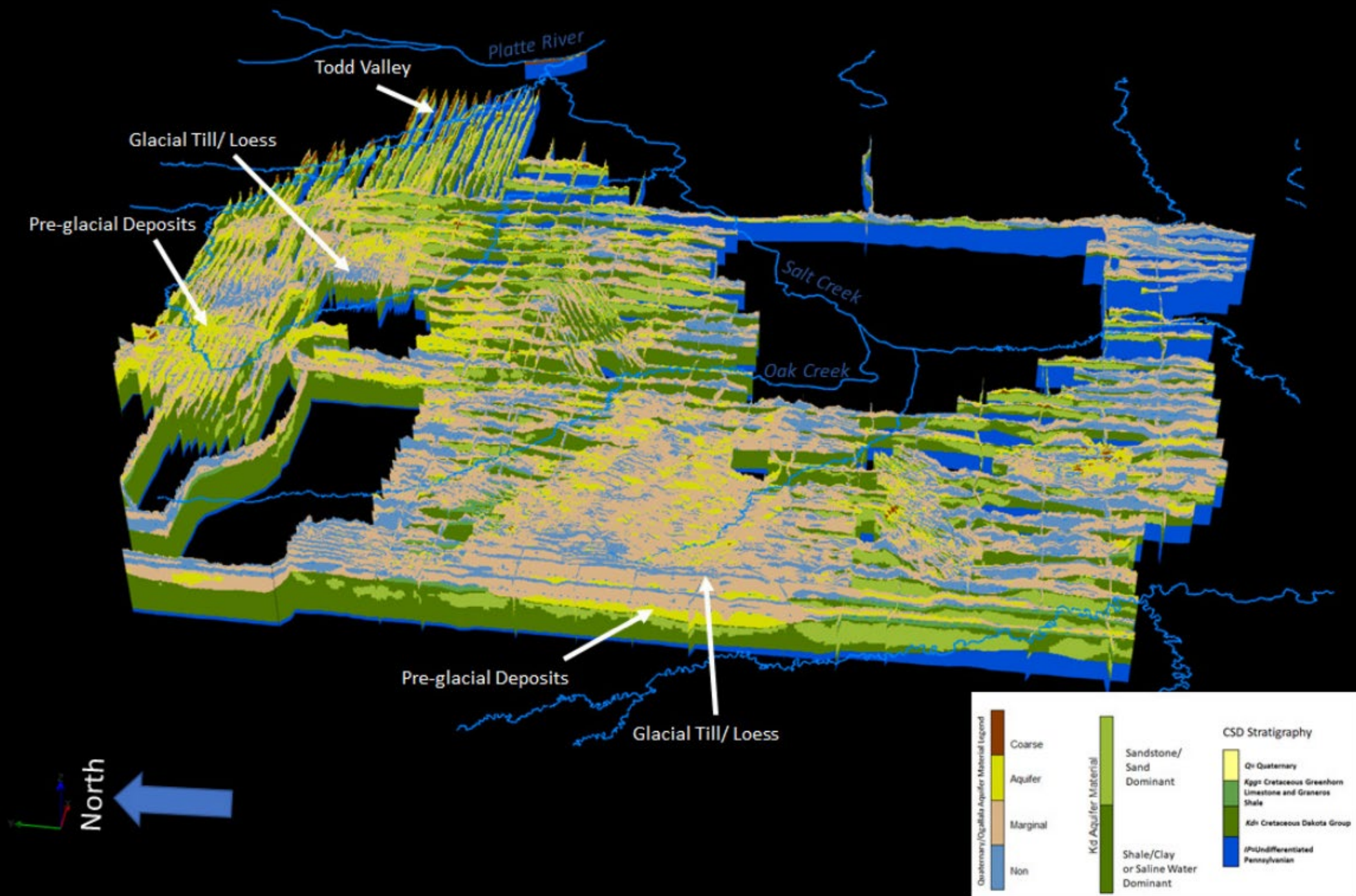
Locations and general pumping rates of wells in the Dakota Aquifer



Divine and Sibray, 2017, An Overview of
Secondary Aquifers in Nebraska.
University of Nebraska–Lincoln,
Conservation and Survey Division,
Educational Circular No. 26, 44 p.

County	Average Static Water Level, ft	Average Total Depth, ft	Average yield, gpm
Boyd	175	1,021	352
Burt	98	218	127
Butler	168	392	39
Cass	65	127	87
Cedar	102	660	746
Colfax	121	321	153
Cumming	133	304	16
Dakota	105	236	65
Dixon	167	365	43
Dodge	74	271	353
Douglas	124	236	96
Gage	88	162	200
Jefferson	91	201	309
Knox	199	810	414
Lancaster	90	182	44
Saline	74	188	160
Sarpy	108	196	55
Saunders	67	173	127
Seward	143	300	55
Thayer	65	168	11
Thurston	104	267	113
Washington	141	250	96

Divine and Sibray, 2017, An Overview of Secondary Aquifers in Nebraska. University of Nebraska–Lincoln, Conservation and Survey Division, Educational Circular No. 26, 44 p.

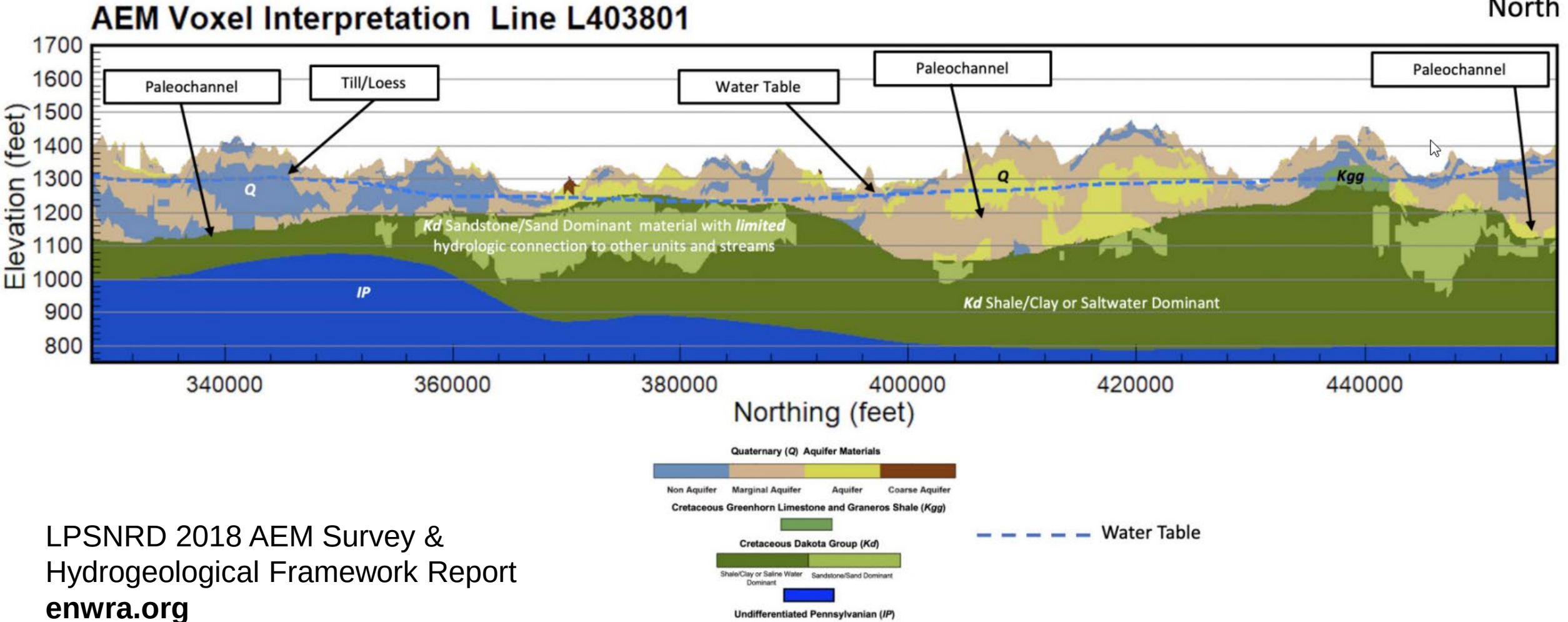


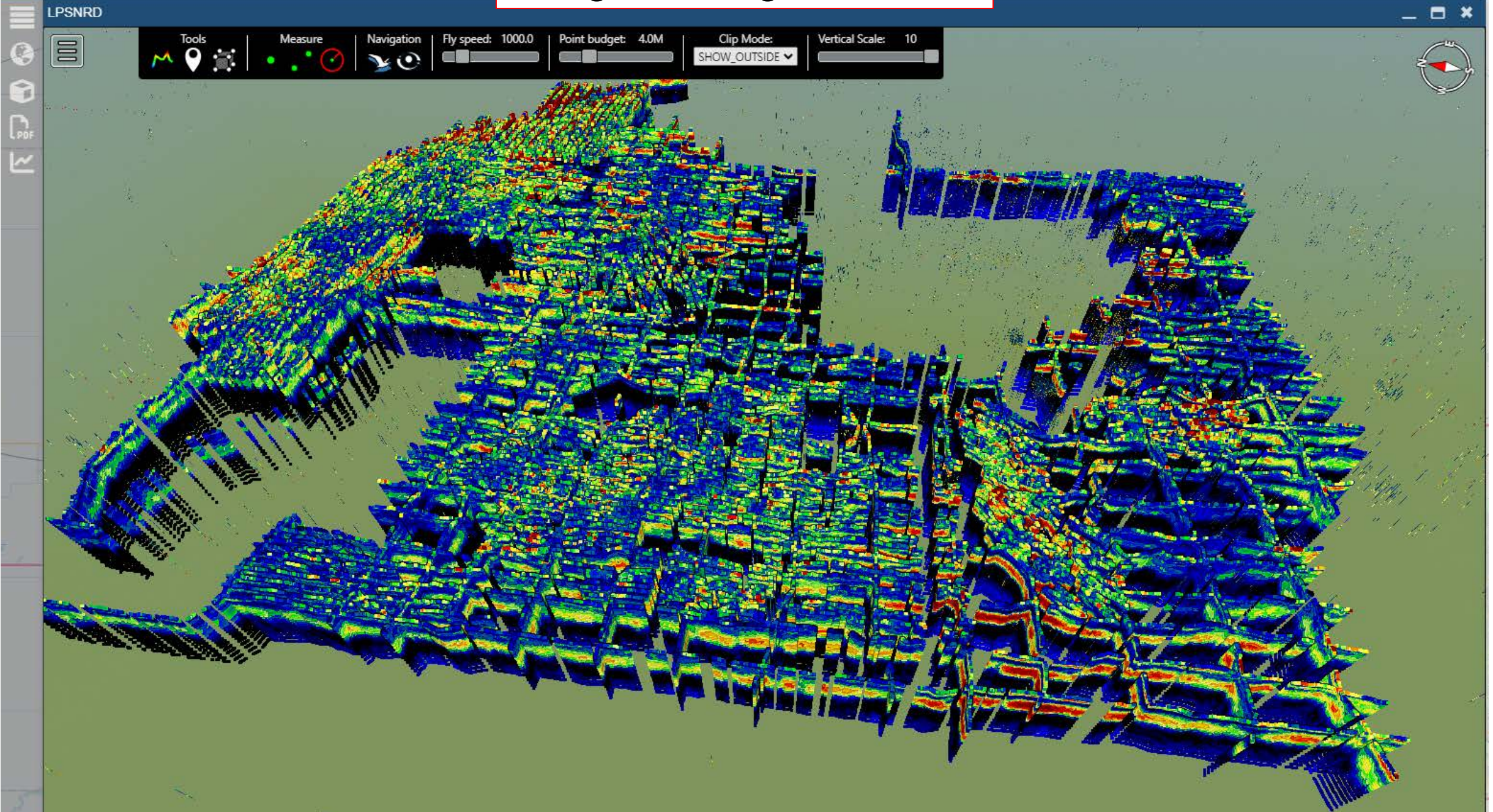
Pleasant Dale

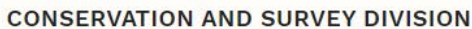
Garland

South

North



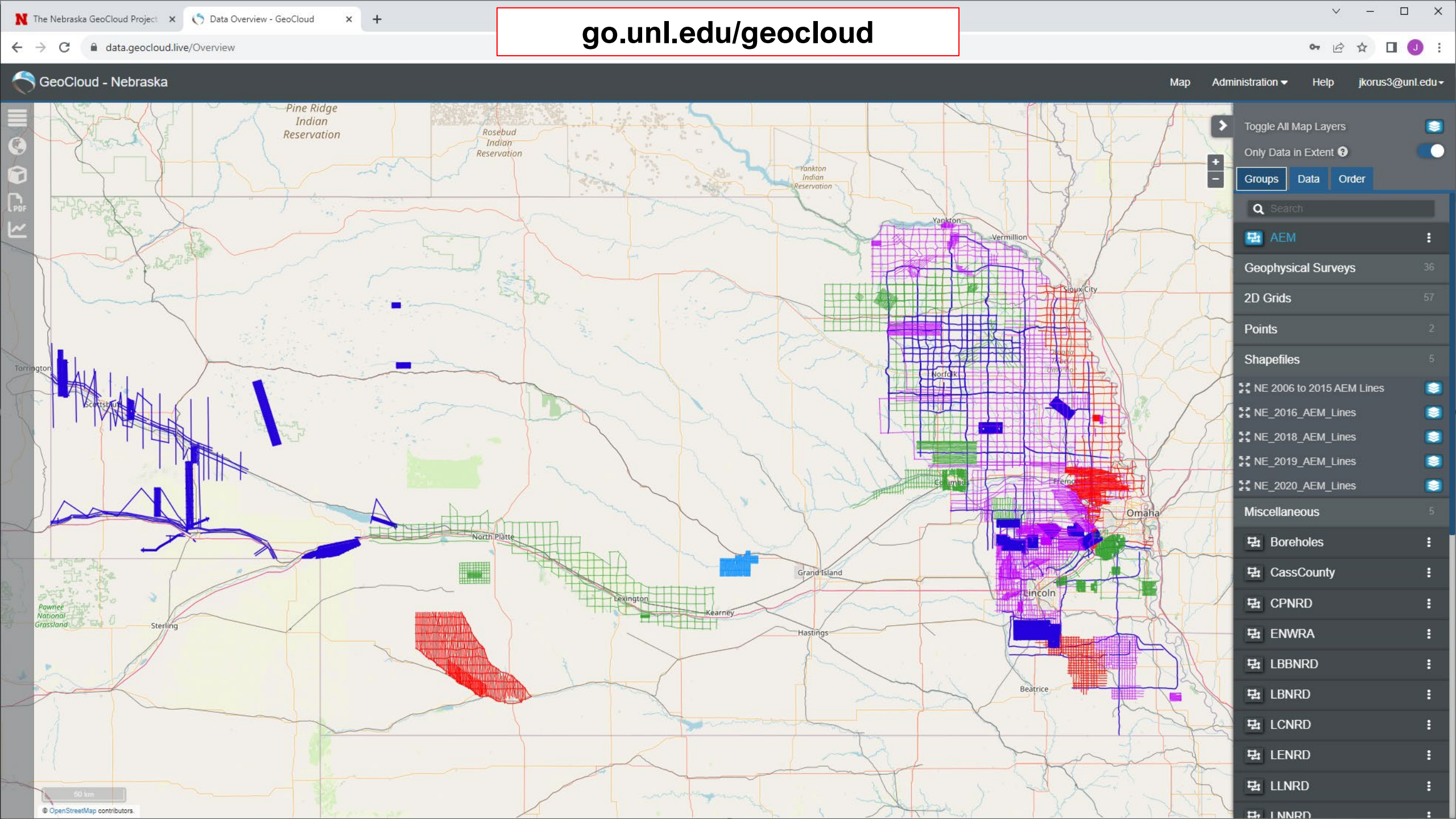


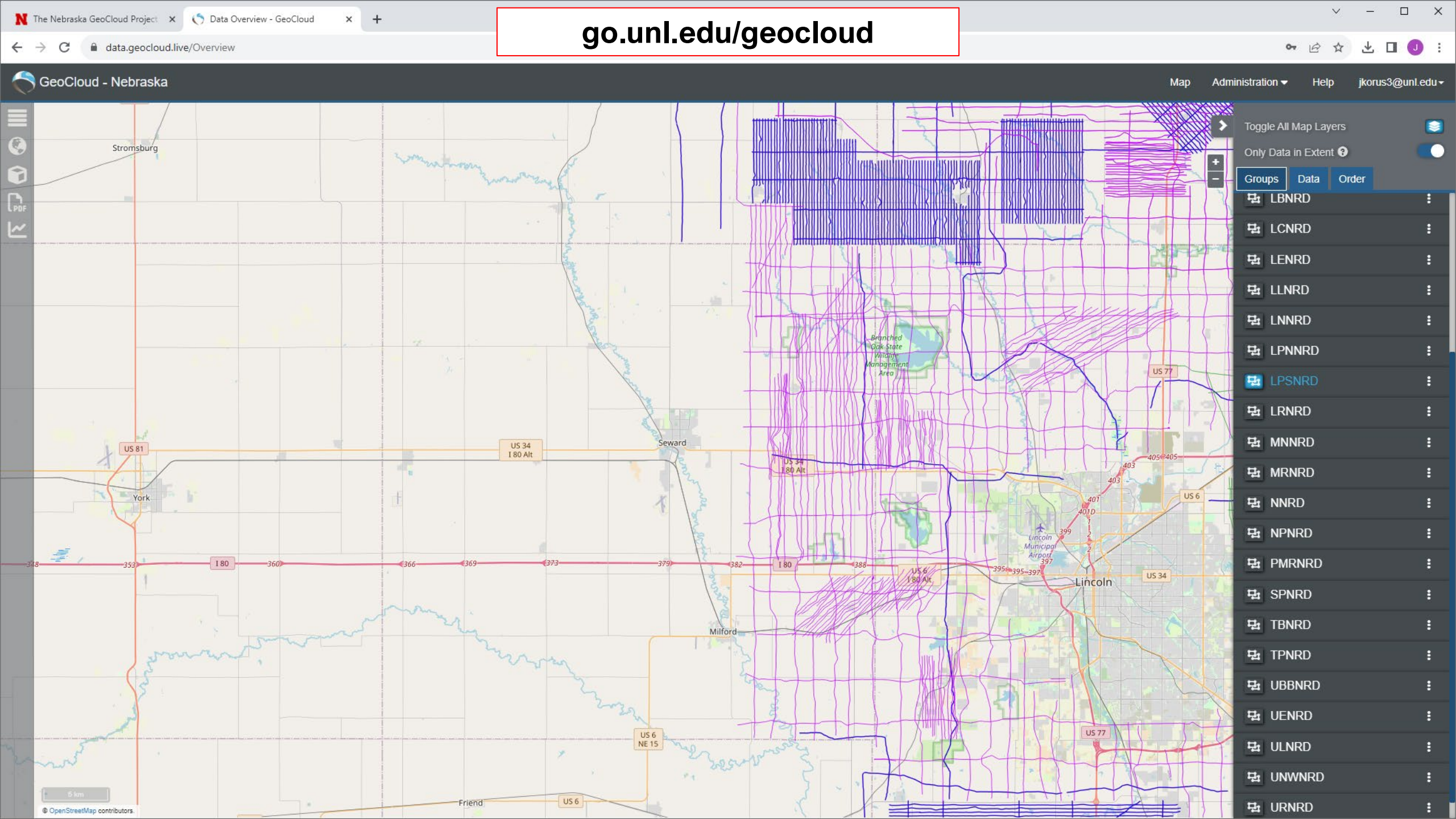


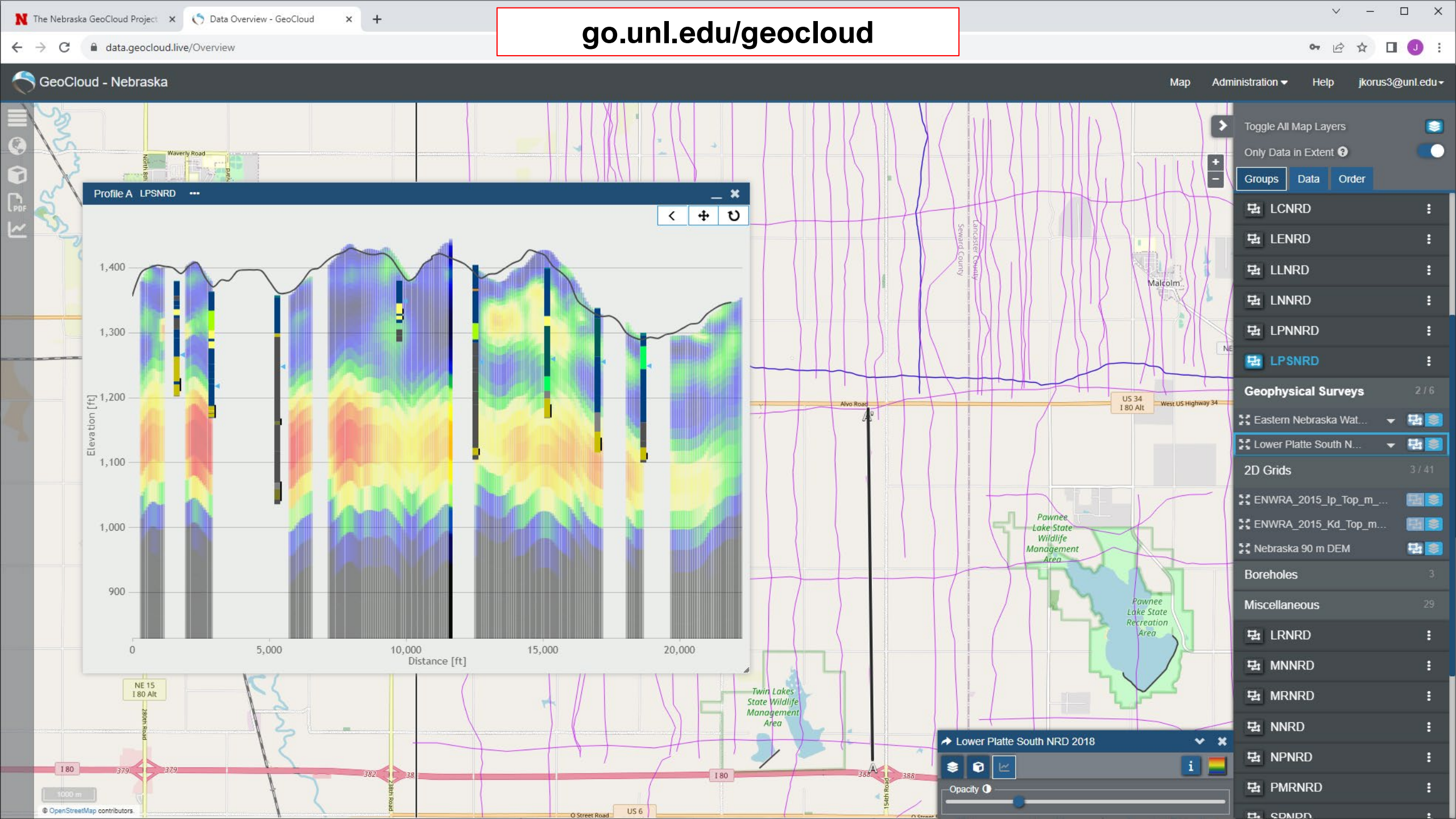
Interactive Data Map

Nebraska Geocloud Data

EMAIL US

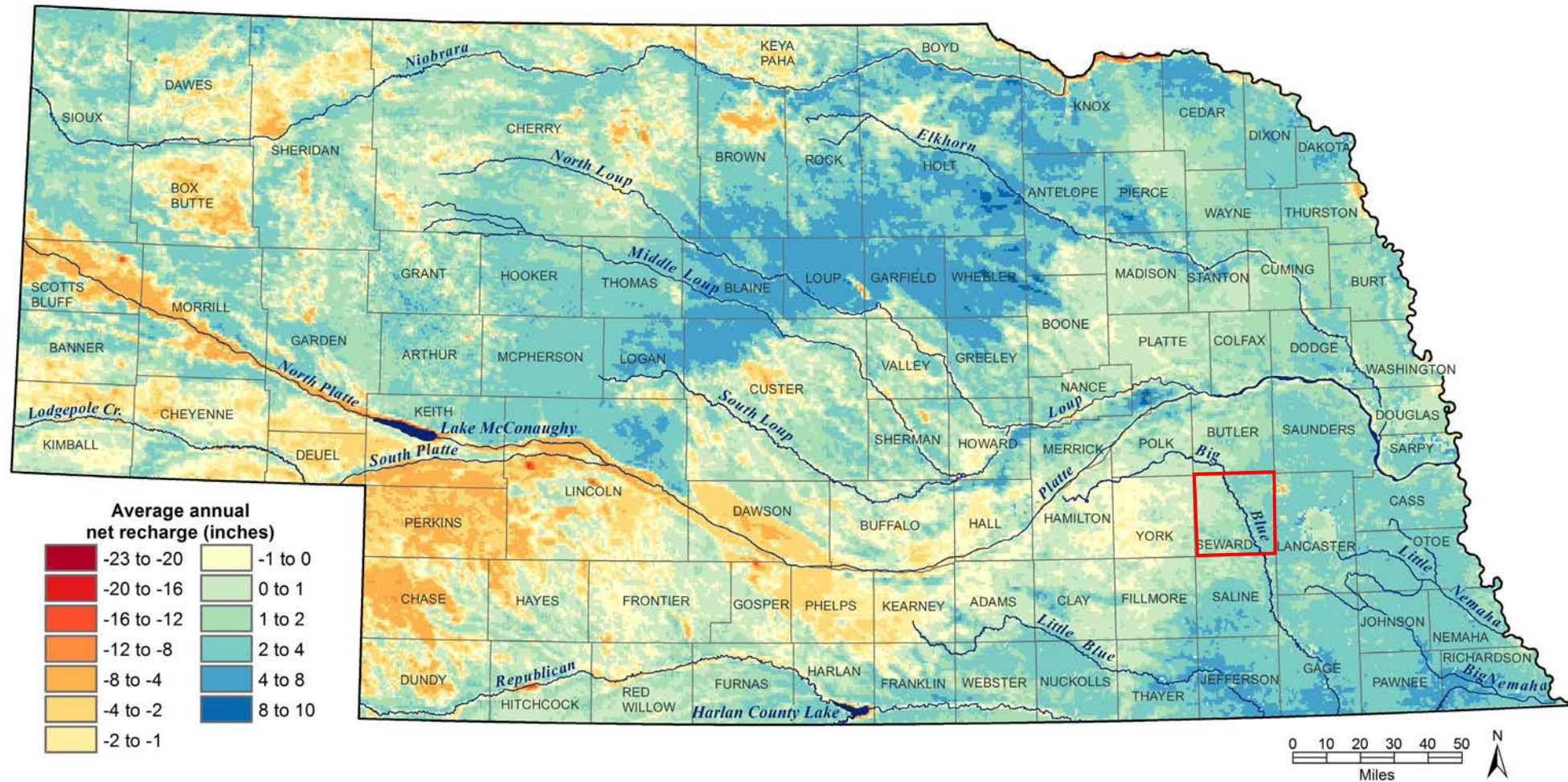






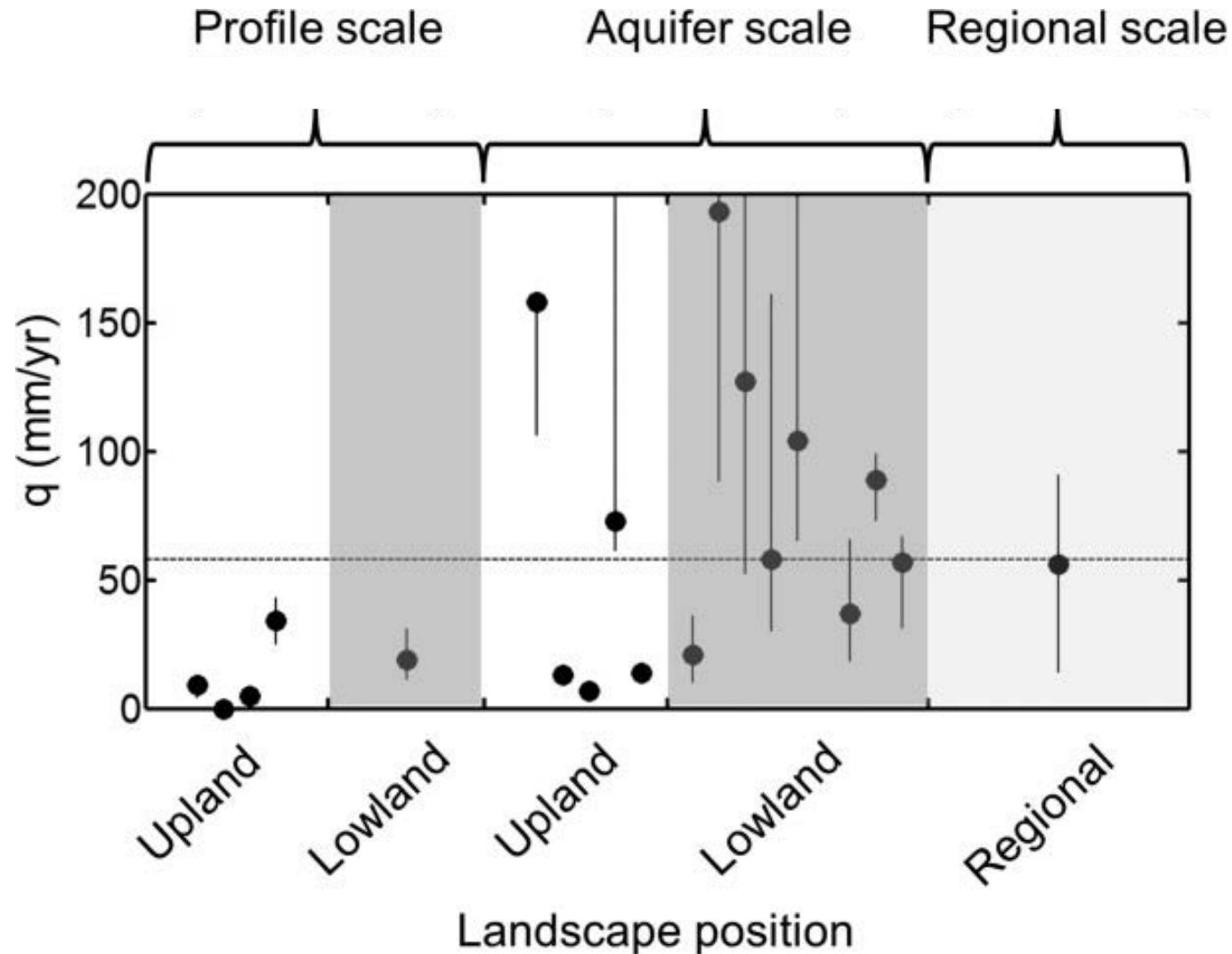
Recharge

Satellite-based recharge estimation for Nebraska



Korus et al., 2013, The Groundwater Atlas of Nebraska, Conservation and Survey Division, School of Natural Resources, University of Nebraska-Lincoln. Resource Atlas 4b, 64 p.

Estimated recharge rate varies with scale



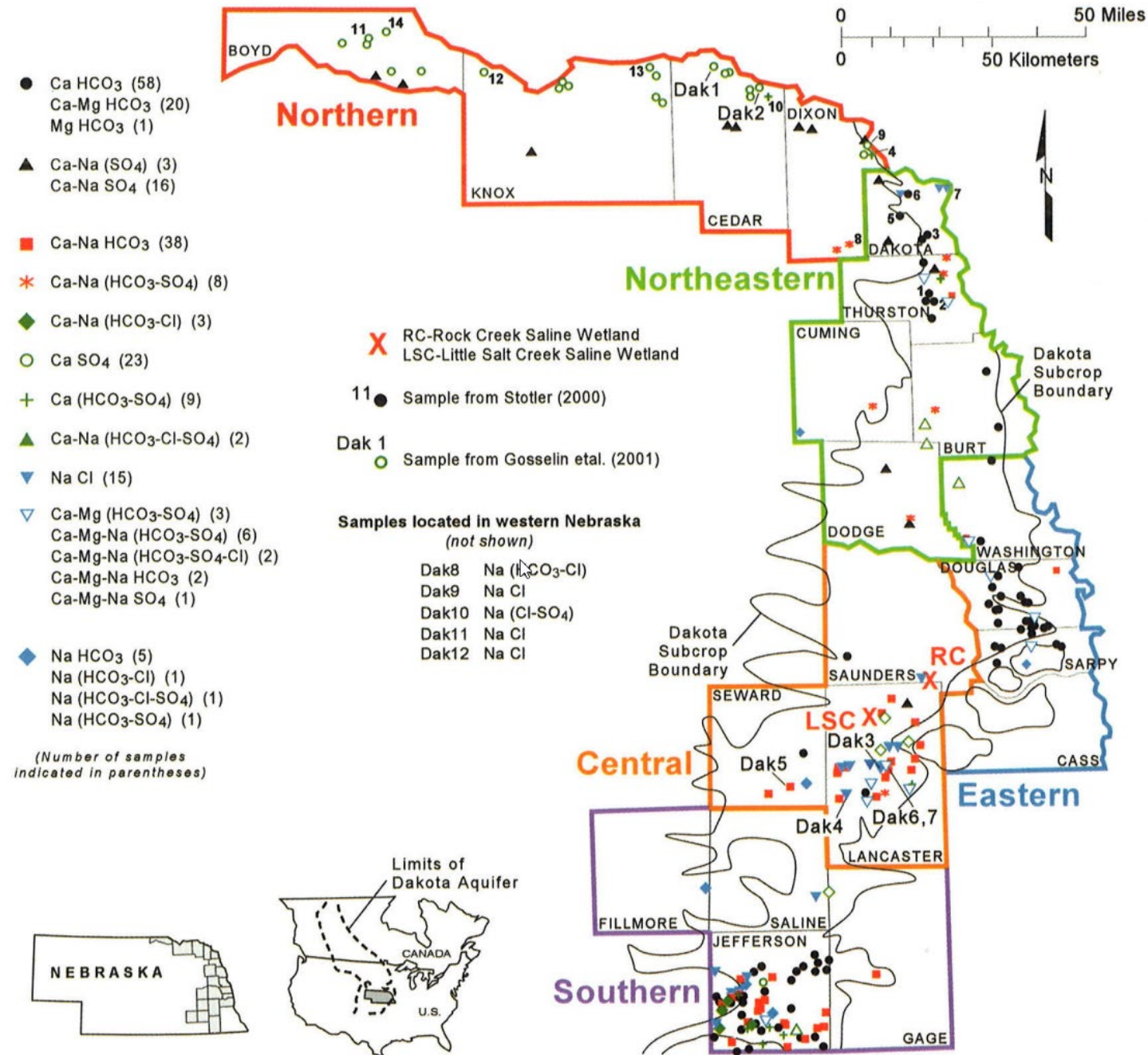
Summary of recharge sources to the Dakota Aquifer

- Pleistocene glacial meltwater
- Ancient (~50,000 years ago) recharge in the Black Hills and Rocky Mountain Front Range
- Recent, local precipitation
- Wells sampled in Seward County indicate recent, local precipitation as the source of recharge (Gosselin et al., 2001)

1. Gosselin et al., 2001, Groundwater 39:1, 98-108.

2. Gosselin et al., 2003. Conservation and Survey Division, Earth Science Notes 126.

3. Stotler et al., 2010, Groundwater 48:3, 448-464.



LPSNRD 2018
AEM Survey &
Hydrogeological
Framework
Report
enwra.org

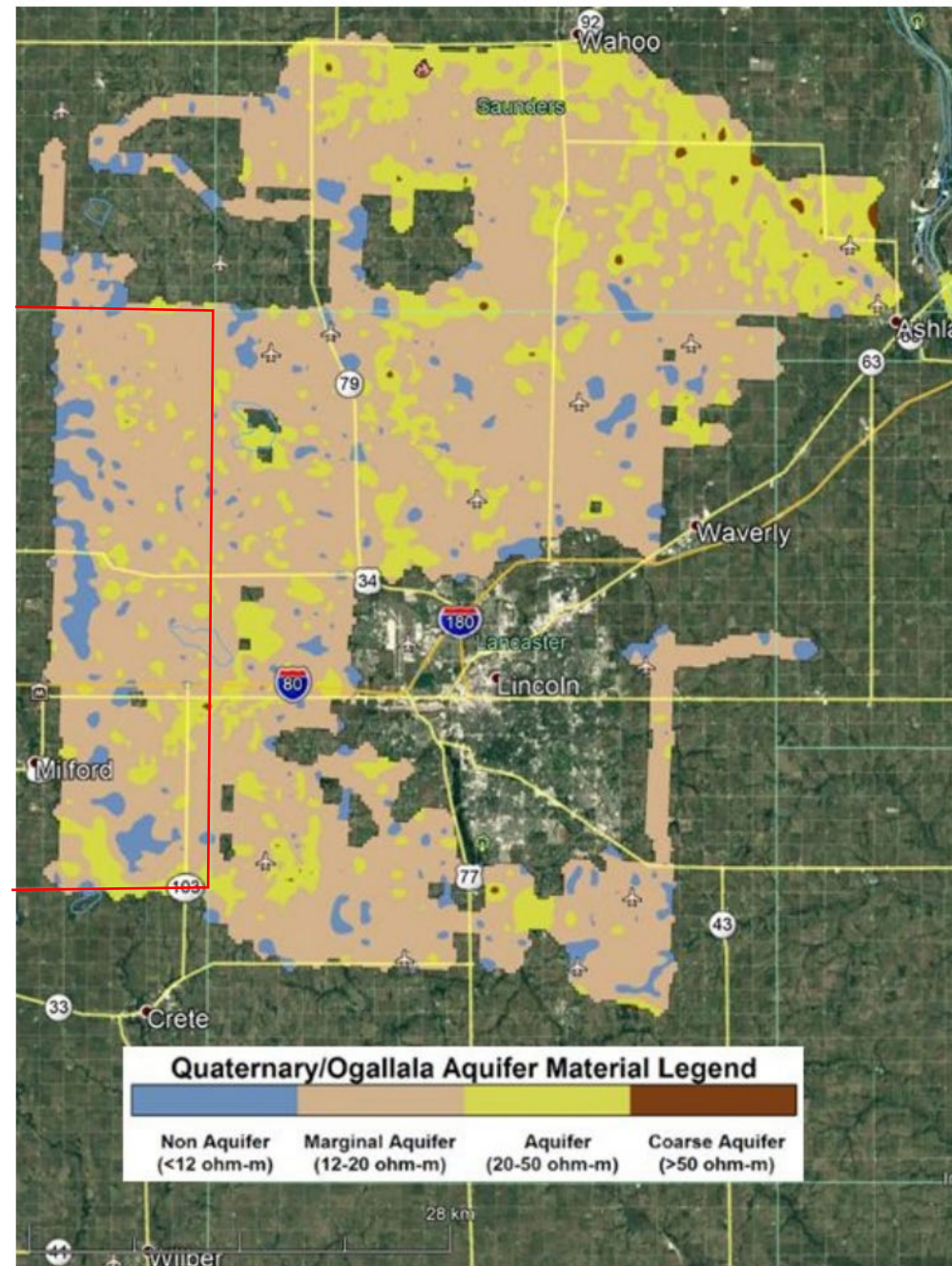
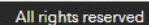


Figure 3-280. Google Earth image of potential soil recharge by aquifer material type in the first 10.8 feet over the 2018 LPSNRD AEM survey area. This kmz included in Appendix 3-Deliverables\KMZ\Recharge.



Water Use and Impacts

What are the factors that influence sustainable yield?

- Physical limits of the aquifer system
- Aquifer properties (thickness, storativity, permeability)
- Recharge from all sources
 - infiltration of precipitation
 - flow from adjacent aquifers
 - seepage from streams, lakes, and wetlands
 - induced leakage from overlying aquitards
- Discharge from all sources
 - pumping
 - seepage into streams, lakes, and wetlands
 - flow into adjacent aquifers
 - evapotranspiration

**Aquifer
characterization**

**Water
budget
analysis**



INSIGHT

An Integrated Network of Scientific Information & GeoHydrologic Tools

NEBRASKA

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HOME

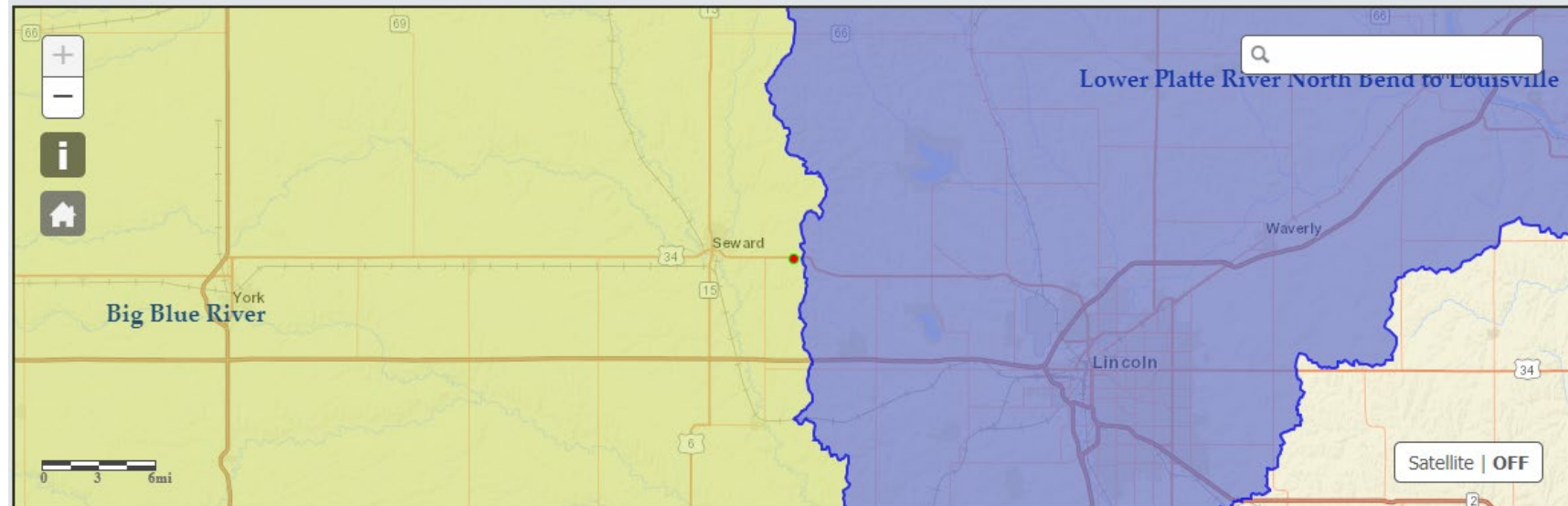
ABOUT

MODELING DATA

STREAM GAGING

GROUND WATER

SELECT REGION ▼



Big Picture Supply Demand Nature & Extent of Use Balance



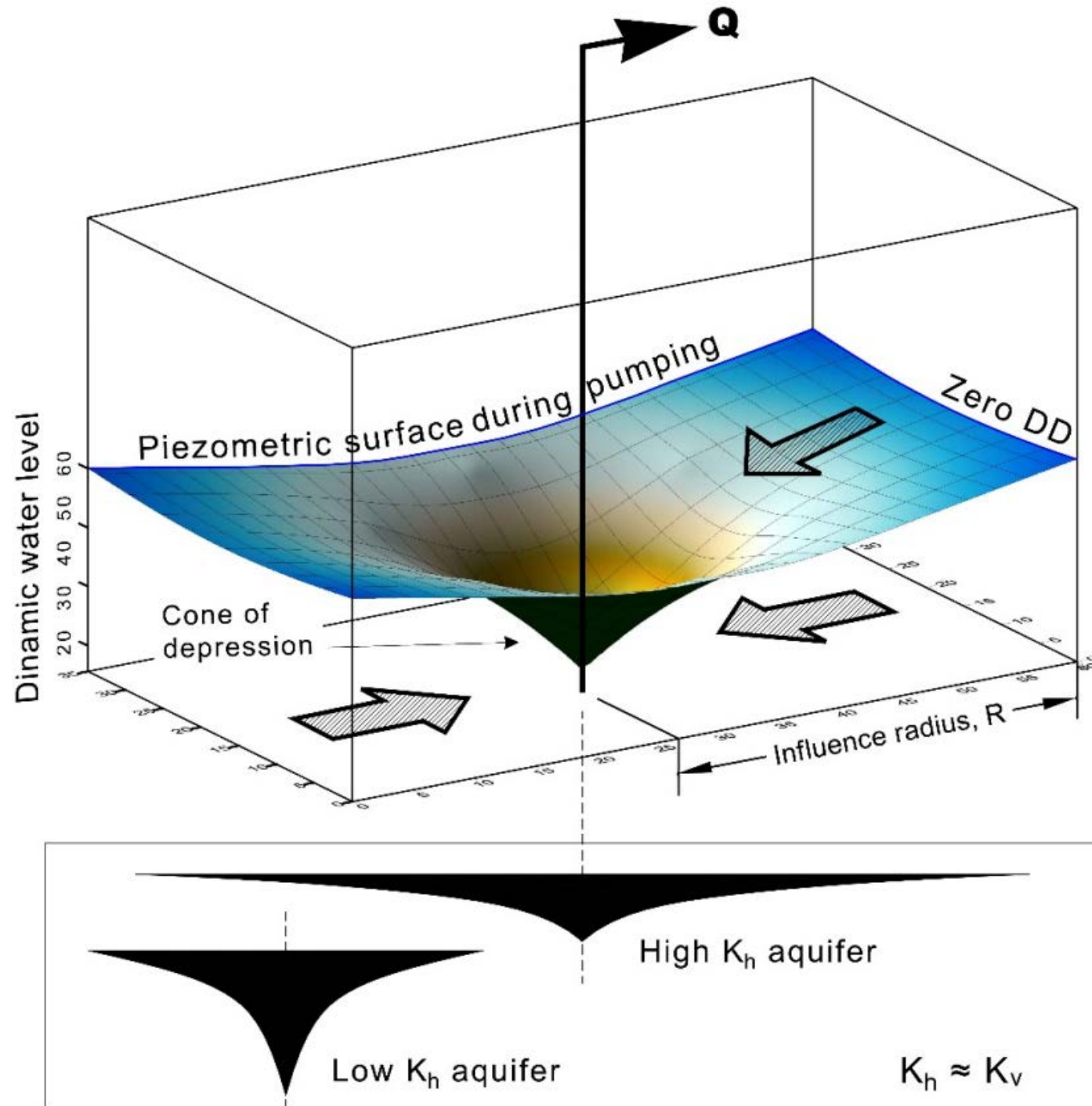
Lower Platte River North Bend to Louisville

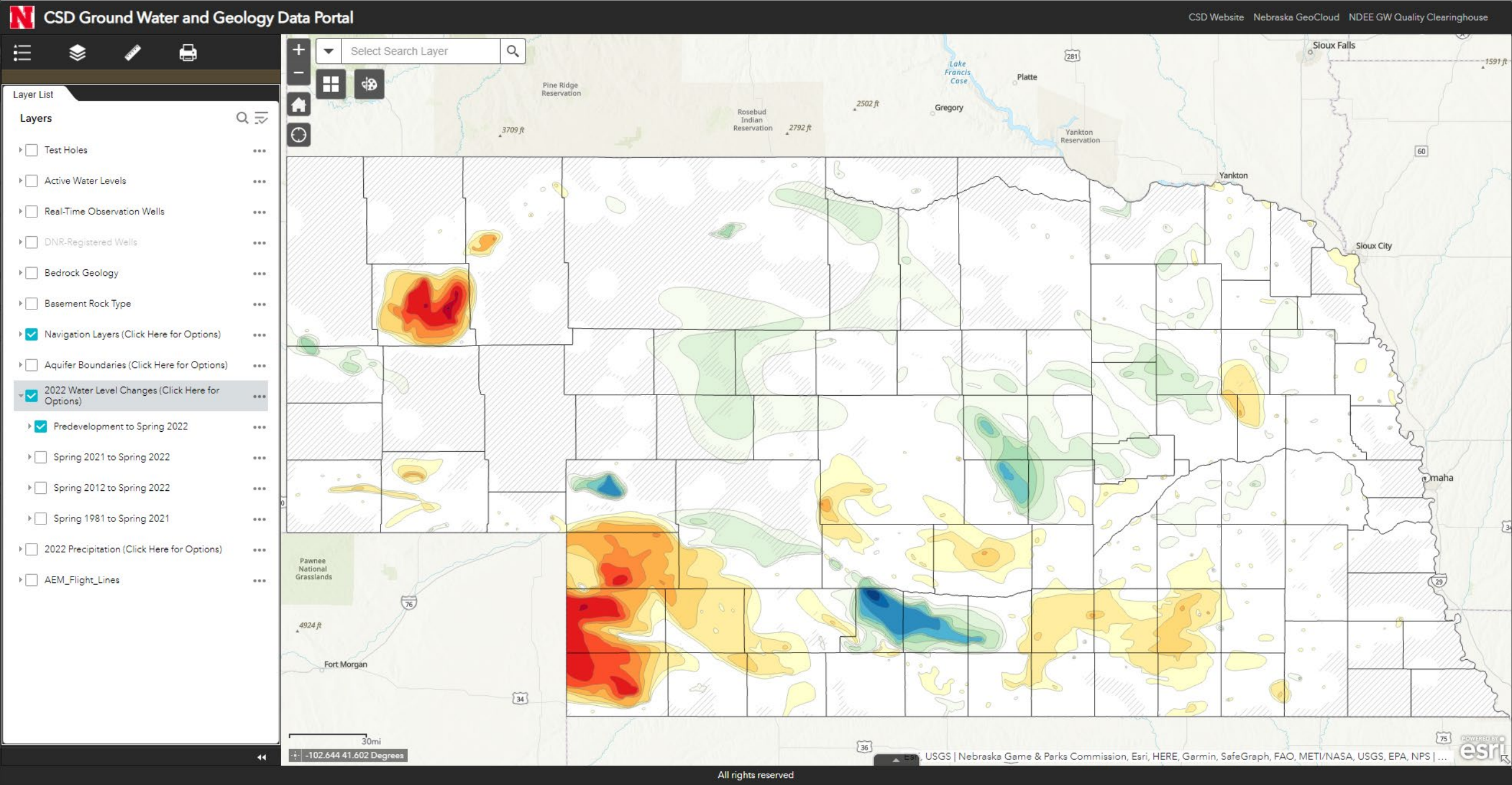
Demand

Demand or total use of water within a basin or subbasin is derived from six main categories of water use:

1. consumptive water demands for hydrologically connected high capacity (greater than 50 gallons per minute) groundwater well pumping
2. consumptive water demands for surface water uses
3. the net water determined to be necessary to deliver streamflows to meet consumptive demands of surface water (i.e., water needed to convey water to irrigation fields through canals and supply

Cone of depression formed by a pumping well





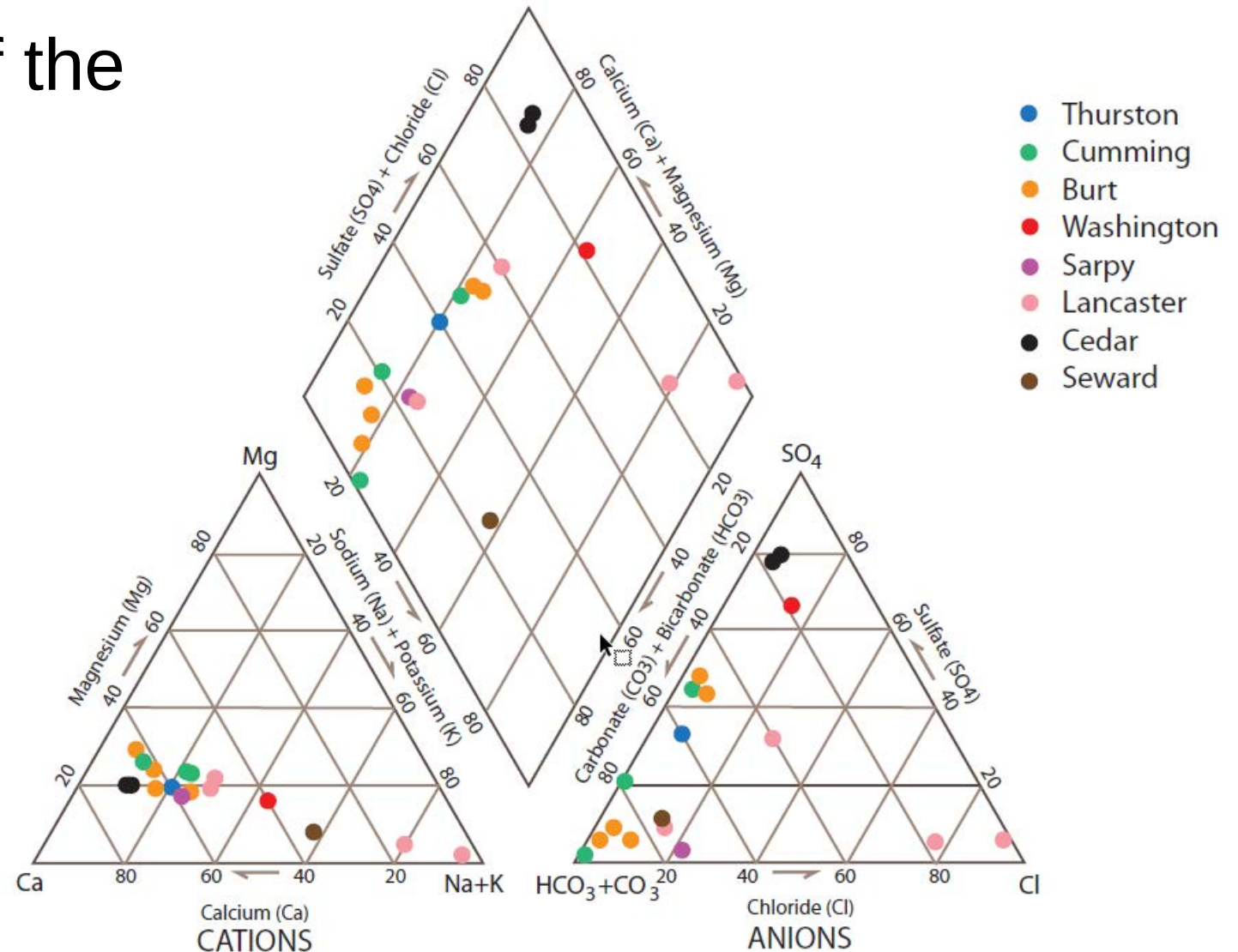
Water Quality

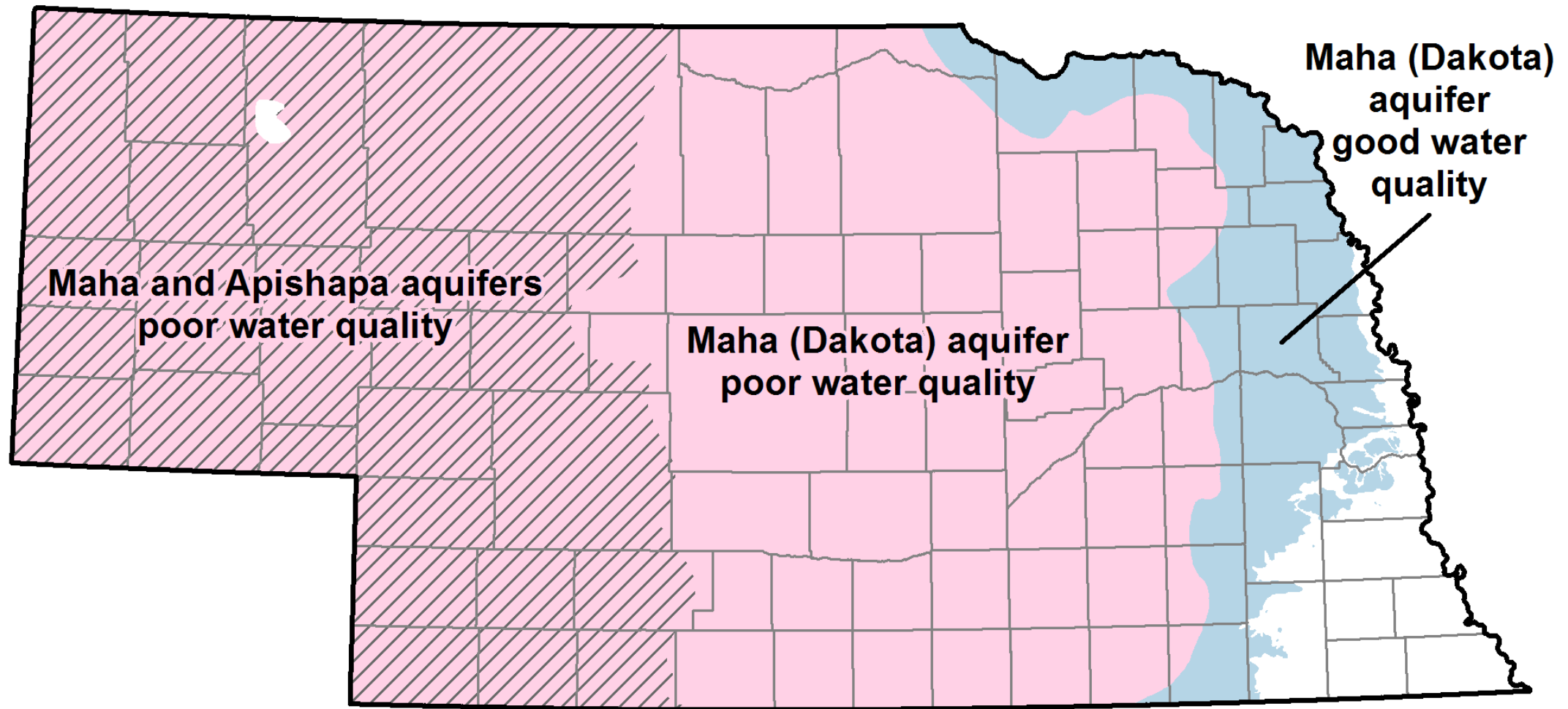
Natural water quality of the Dakota Aquifer

Groundwater in the Dakota Aquifer may have elevated levels of:

- Sulfate (SO_4) – typically in northeastern Nebraska
- Sodium (Na) and Chloride (Cl) – common in Lancaster County

Divine and Sibray, 2017, An Overview of Secondary Aquifers in Nebraska.
University of Nebraska–Lincoln,
Conservation and Survey Division,
Educational Circular No. 26, 44 p.





Korus et al., 2013, The Groundwater Atlas of Nebraska, Conservation and Survey Division, School of Natural Resources, University of Nebraska-Lincoln. Resource Atlas 4b, 64 p.

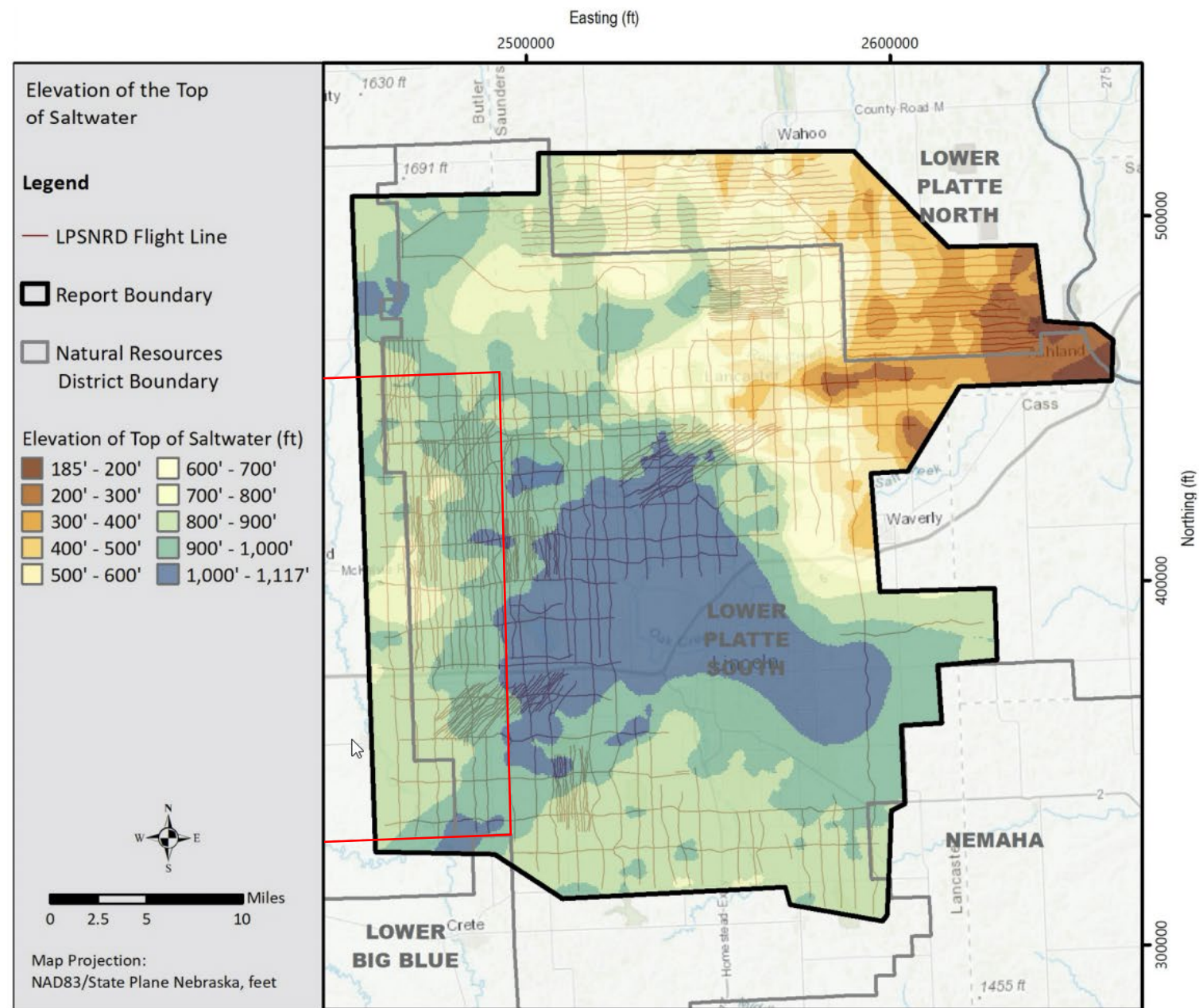


Figure 3-102. Map showing where saltwater is present within the project area and these areas represent where a value of 4 ohm/m which indicates the presence of saltwater. Flight lines are indicated by the grey lines. Horizontal datum is NAD83 State Plane Nebraska (feet). Section 3.1 explains how this determination was made.

Sample Result Explorer

Applied Filters:

Clearinghouse Number	Sample Date	Analyte/CAS #	Concentration	Units	%
373616	2023/04/20	Chloride (CAS #: 16887-00-6)	24.8	mg/l	
373616	2023/04/20	Fluoride (CAS #: 16984-48-8)	Not Detected	ug/l	
373616	2023/04/20	Sulfate (CAS #: 14808-79-8)	1090	mg/l	
373616	2023/04/20	Nitrate-N (CAS #: 14797-55-8)	119	mg/l	1
373616	2023/04/20	Nitrite as NO2 (CAS #: 14797-65-0)	Not Detected	mg/l	
373624	2023/03/22	Nitrite as NO2 (CAS #: 14797-65-0)	Not Detected	mg/l	
373624	2023/03/22	Chloride (CAS #: 16887-00-6)	44.4	mg/l	
373624	2023/03/22	Fluoride (CAS #: 16984-48-8)	143	ug/l	3
373624	2023/03/22	Sulfate (CAS #: 14808-79-8)	36.8	mg/l	
373624	2023/03/22	Nitrate-N (CAS #: 14797-55-8)	54.3	mg/l	5
206230	2023/03/22	Nitrate-N (CAS #: 14797-55-8)	20.3	mg/l	2
206230	2023/03/22	Chloride (CAS #: 16887-00-6)	18.2	mg/l	
206230	2023/03/22	Fluoride (CAS #: 16984-48-8)	138	ug/l	3
206230	2023/03/22	Sulfate (CAS #: 14808-79-8)	49.2	mg/l	
206230	2023/03/22	Nitrite as NO2 (CAS #: 14797-65-0)	Not Detected	mg/l	
373623	2023/03/21	Nitrate-N (CAS #: 14797-55-8)	32.1	mg/l	3
373623	2023/03/21	Nitrite as NO2 (CAS #: 14797-65-0)	0.019	mg/l	0
373623	2023/03/21	Chloride (CAS #: 16887-00-6)	43.3	mg/l	
373623	2023/03/21	Fluoride (CAS #: 16984-48-8)	199	ug/l	4
373623	2023/03/21	Sulfate (CAS #: 14808-79-8)	165	mg/l	
373622	2023/03/21	Nitrite as NO2 (CAS #: 14797-65-0)	Not Detected	mg/l	
373622	2023/03/21	Nitrate-N (CAS #: 14797-55-8)	27.3	mg/l	2
373622	2023/03/21	Chloride (CAS #: 16887-00-6)	67.7	mg/l	
373622	2023/03/21	Fluoride (CAS #: 16984-48-8)	166	ug/l	4

<<< < > >>>

468370 Total Results | Page 1 of 9368

| Go to page: 1 Show 50

Map

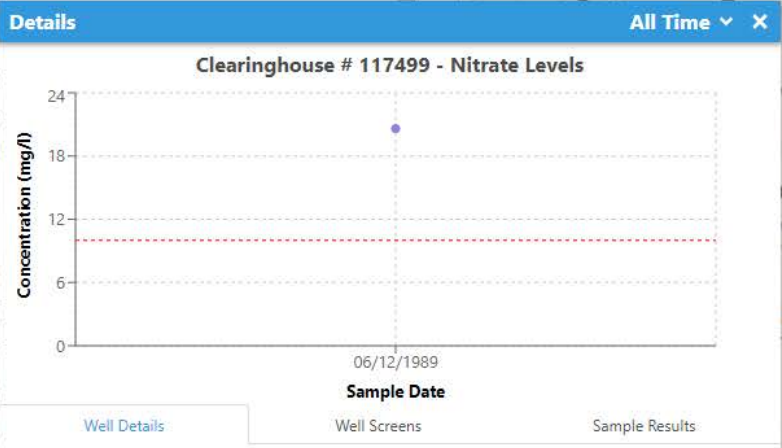
Well Explorer

Applied Filters:

Clearinghouse Number	DNR Registration Number	DNR Well ID	Well Type	County	NRD	Township Range Section	Latitude (NAD83)	Longitude (NAD83)
3	G-080540	89196	Irrigation	Adams	Little Blue	7N 9W 22	40.5642650929	-98.330777612
6	G-080920	89576	Irrigation	Adams	Little Blue	7N 10W 7	40.58617	-98.48253
7	G-081130	89785	Domestic	Adams	Little Blue	7N 10W 5	40.59894	-98.46106
9	G-081236	89891	Irrigation	Adams	Little Blue	5N 11W 23	40.3903422954573	-98.5202460696071

Sample Result Explorer

Clearinghouse Number	Sample Date	Analyte/CAS #	Concentration	Units	%
373616	2023/04/20	Chloride			
373616	2023/04/20	Fluoride (			
373616	2023/04/20	Sulfate (C			
373616	2023/04/20	Nitrate-N			
373616	2023/04/20	Nitrite as			
373624	2023/03/22	Nitrite as			
373624	2023/03/22	Chloride			
373624	2023/03/22	Fluoride (			
373624	2023/03/22	Sulfate (C			
373624	2023/03/22	Nitrate-N			
206230	2023/03/22	Nitrate-N			
206230	2023/03/22	Chloride			
206230	2023/03/22	Fluoride (			
206230	2023/03/22	Sulfate (C			
206230	2023/03/22	Nitrite as			
373623	2023/03/21	Nitrate-N			
373623	2023/03/21	Nitrite as			
373623	2023/03/21	Chloride			
373623	2023/03/21	Fluoride (			
373623	2023/03/21	Sulfate (C			
373622	2023/03/21	Nitrite as			
373622	2023/03/21	Nitrate-N			
373622	2023/03/21	Chloride			
373622	2023/03/21	Fluoride (			



Well

Clearinghouse Number: 117499

DNR Registration Number:

DNR Well ID:

Well Type: Domestic

Well Depth (Feet): 50

Well Completion Date:

DNR Link:

Aquifer

Local Aquifer:

National Aquifer:

Sample Count: 1

Last Sample Date: 1989/06/12

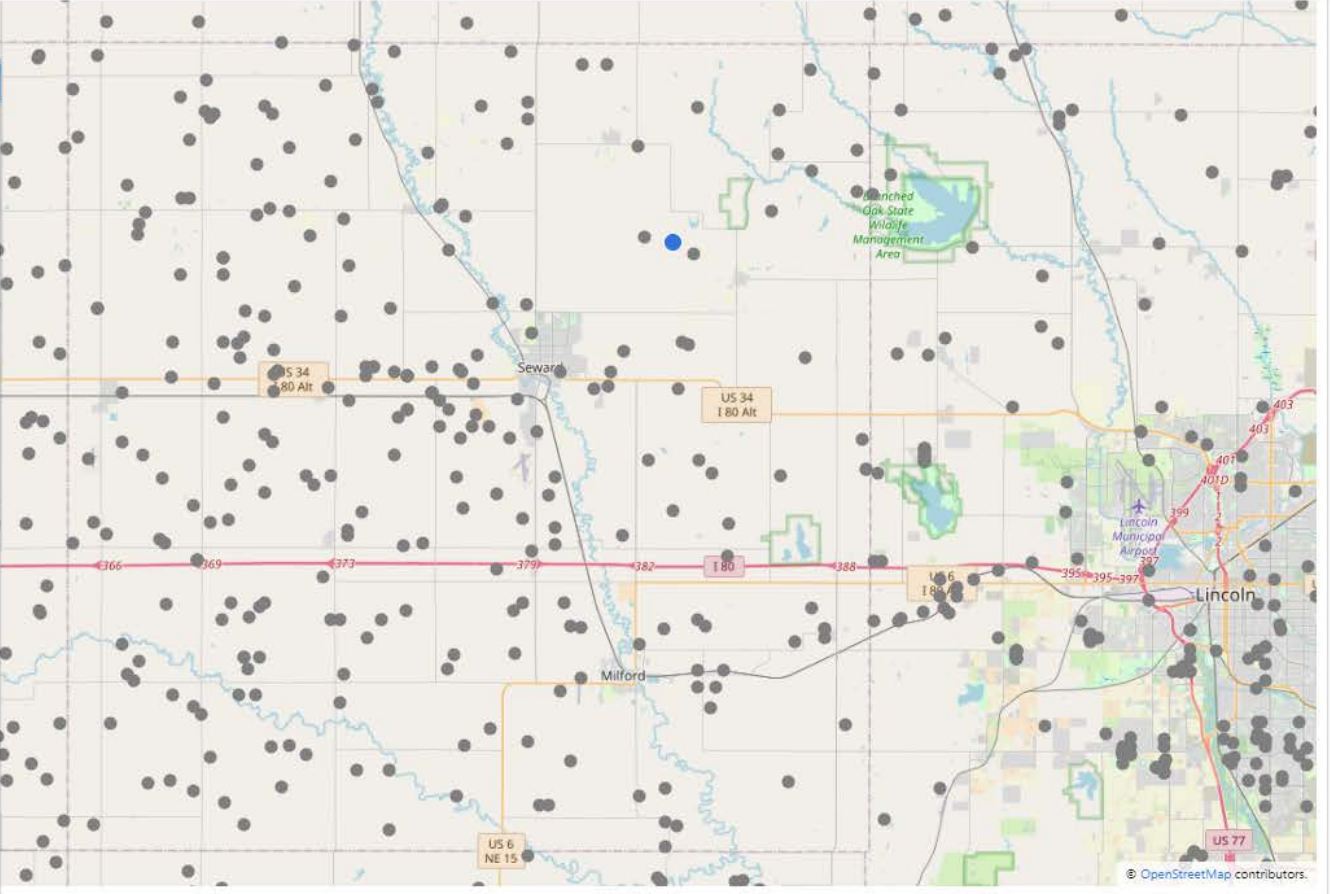
Most Recent Pesticide Sample Date: None

Nitrate Overview

Min: 20.6 Max: 20.6

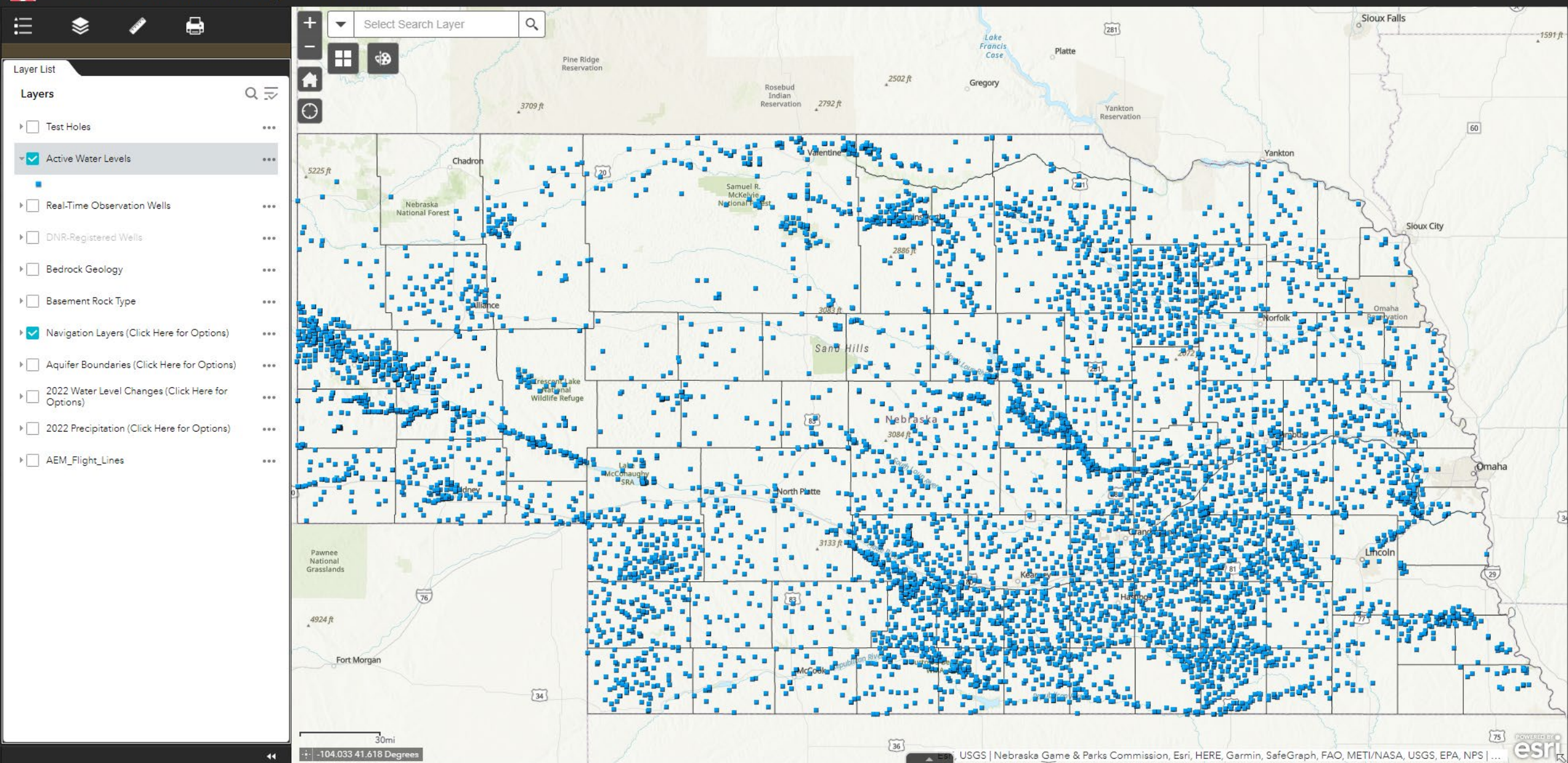
Mean: 20.6 Median: 20.6

Map



ation Number	DNR Well ID	Well Type	County	NRD	Township Range Section	Latitude (NAD83)	Longitude (NAD83)
	89196	Irrigation	Adams	Little Blue	7N 9W 22	40.5642650929	-98.330777612
	89576	Irrigation	Adams	Little Blue	7N 10W 7	40.58617	-98.48253
	89785	Domestic	Adams	Little Blue	7N 10W 5	40.59894	-98.46106
	89891	Irrigation	Adams	Little Blue	5N 11W 23	40.3903422954573	-98.5202460696071

Monitoring and Studies



CSD Ground Water and Geology Data Portal

Layer List

Layers

☐ Test Holes

☒ Active Water Levels

☐ Real-Time Observation Wells

☐ DNR-Registered Wells

☐ Bedrock Geology

☐ Basement Rock Type

☒ Navigation Layers (Click Here for Options)

☐ Aquifer Boundaries (Click Here for Options)

☐ 2022 Water Level Changes (Click Here for Options)

☐ 2022 Precipitation (Click Here for Options)

☐ AEM_Flight_Lines

Select Search Layer

Ulysses

Gresham

Staplehurst

Utica

Tamora

Seward

Goehner

Beaver Crossing

Friend

Dorchester

Dwight

Valparaiso

Agnew

Ray

Garland

Alvo Rd

154th

O St Rd

Pleasant Dale

Riverside Park

1535 ft

103

State Spur 76A

North Fork Johnson Creek

South Fork Johnson Creek

Highway 69

County Road 280

238th

364th

W Denton Rd

SW 100th St

S 68th St

Roca Rd

Bennet

Palmyra

College View

Salttillo

Salttillo Rd

S 27th St

S 14th St

S 84th St

N 4th Rd

Old Cheney Rd

Observation Well Informatic

Well ID: 404940096543001

Well Depth: 175

Legal Description: 10N SE 1'

Predevelopment DTW:

Year	DTW
2023	97.92
2022	95.40
2021	93.06
2020	92.24
2019	

[View Hydrograph and Additional Water Levels](#)

[Download CSD Groundwater-Level Database](#)

[Zoom to](#)

Dakota Aquifer

Depth to water level, feet below land

1/1/2004

1/1/2008

1/1/2012

1/1/2016

1/1/2020

75

80

85

90

95

100

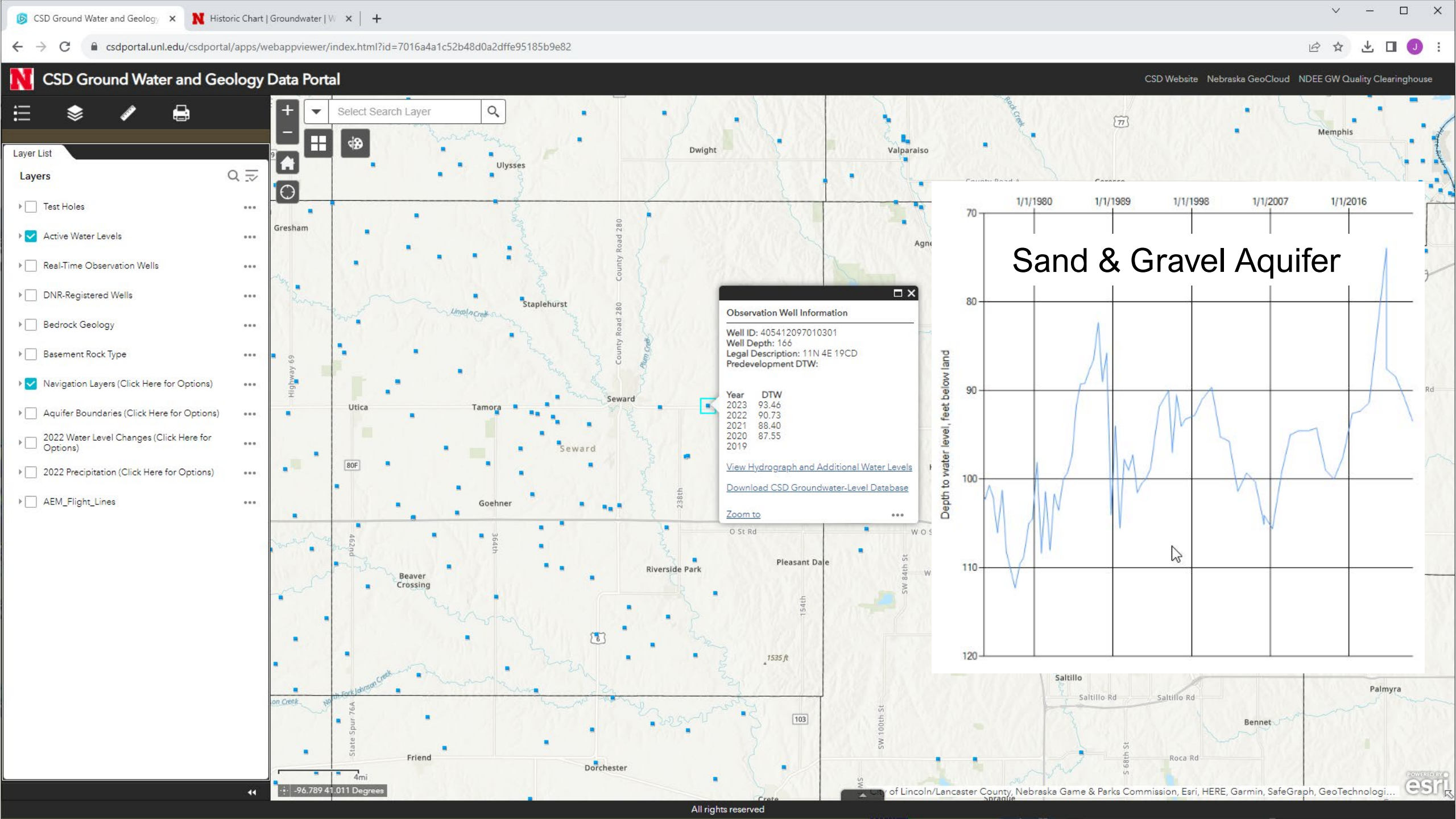
4mi

Ex: -97.347 40.662 Degrees

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Recent studies

- Divine & Sibray, Secondary Aquifers of Nebraska
- 2018 Airborne Electromagnetic (AEM) survey and hydrogeologic framework report for Lower Platte South NRD
- 2023 Hydrogeologic Framework report scheduled for completion before January 1, 2024 (Lower Platte South NRD)

<https://digitalcommons.unl.edu/conservationsurvey/39/>

An Overview of Secondary Aquifers in Nebraska

Dana P. Divine

Steven S. Sibray

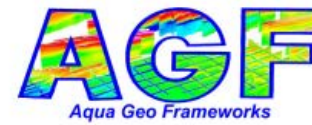
Educational Circular No. 26

Cartography by Leslie M. Howard

Edited by R.F. Diffendal, Jr.

Conservation and Survey Division
School of Natural Resources
University of Nebraska-Lincoln





December 4, 2019

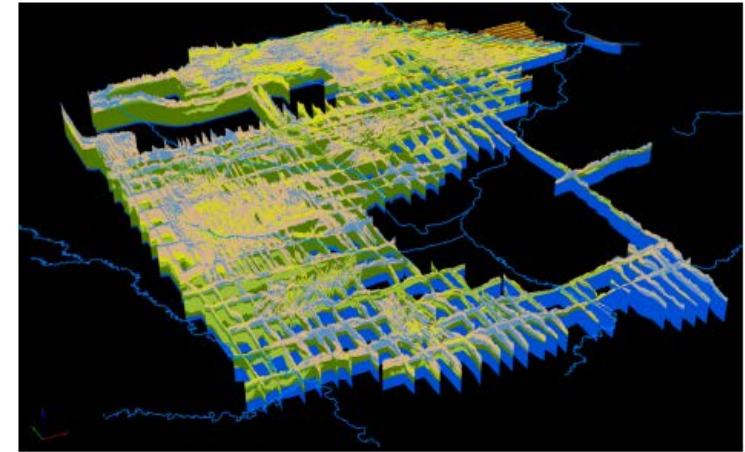
"Airborne Electromagnetic Mapping and Hydrogeologic Framework of Selected Regions of the Eastern Nebraska Water Resources Assessment Area" Chapter on the Lower Platte South Natural Resources District

Eastern Nebraska Water Resources Assessment (ENWRA)

<https://enwra.org/>

Nebraska GeoCloud

<https://go.unl.edu/geocloud>



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Lower Platte South Natural Resources District
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Lincoln, NE 68521

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Theodore H. Asch, P.G.
tasch@aquageoframeworks.com

Tammi L. Renninger, ElephantFish, LLC
tammi@elephantfishco.com



Online resources

- CSD interactive map
 - go.unl.edu/csdinteractivemap/
- Nebraska GeoCloud
 - go.unl.edu/geocloud
- UNL Watershed Aquifer Virtual Education System (WAVES)
 - <https://nebraskawaves.org/>
- UNL Extension Water Website
 - <https://water.unl.edu/>
- Eastern Nebraska Water Resources Assessment (ENWRA)
 - <https://enwra.org/>
- Department of Natural Resources INSIGHT
 - <https://nednr.nebraska.gov/INSIGHT/>
- Nebraska Groundwater Quality Clearinghouse
 - <https://clearinghouse.nebraska.gov/>
- U.S. Geological Survey National Water Information System
 - <https://waterdata.usgs.gov/nwis>