

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION
Monday January 22nd, 2024
Minutes

Open the Meeting. Meeting called to order by Chairperson Eberspacher at 7:31 pm.
Roll Call Members Present: Eberspacher, Daniel, Hargis, Lubbe, Niemann, Krenk, Pekarek.

Members Absent: Richert, Schuckebier.

Present: Misty Ahmic, Johnathan Jank, Ben Earnest, Nick Glanzer.

Chairperson Eberspacher notified the public that the public meeting information is posted as required by law and is available for inspection.

Chairperson Eberspacher made a motion to open nominations for Chairman and Vice Chairman. Daniel seconded. Daniel nominated Eberspacher, and Luebbe seconded the motion. Eberspacher nominated Pekarek, and Daniel seconded the motion. Niemann made a motion to close the nominations. Krenk seconded the motion, voting 7 for, 0 against and 2 absent not voting to close nominations. Becky called the roll vote for Eberspacher for Chair. Daniel-yes, Eberspacher-no, Hargis-no, Niemann-yes, Krenk-no, Luebbe-no, Pekarek-yes. 3-yes, 4no. Becky called roll vote for Pekarek to be Chairman. Daniel-yes, Eberspacher-yes, Hargis-yes, Niemann-yes, Krenk-yes, Luebbe-yes, Pekarek-yes. 7-yes, 0-no. Pekarek is Chairman of the Seward County Planning Commission. Eberspacher asked for nominations for Vice Chair. Niemann nominated Eberspacher for Vice Chair. Daniel seconded. Daniel made a motion to close nominations. Luebbe seconded the motion. . Becky called roll vote for Eberspacher to be Vice Chairman. Daniel-yes, Eberspacher-yes, Hargis-yes, Niemann-yes, Krenk-yes, Luebbe-yes, Pekarek-yes. Eberspacher is Vice Chairman of the Seward County Planning Commission. Niemann made a motion to open nominations for Secretary. Niemann made a motion to open nominations, Luebbe seconded the motion. Eberspacher nominated Becky Paulsen as Secretary. Daniel seconded the motion. Roll call voting. Daniel-yes, Eberspacher-yes, Hargis-yes, Niemann-yes, Krenk-yes, Luebbe-yes, Pekarek-yes. Paulsen will continue as Secretary for the Seward County Zoning Board.

New Business.

Item 1: Discussion only: Ben Earnest, and Barry Stauffer have questions to the Board about a CONDITIONAL USE PERMIT for developing offices located in Precinct O, Parcel ID: 800016467. In the Northwest ¼ of, Section 4, Township 9N, Range 3E Seward County Nebraska. Landowner Ben Earnest explained the project. This land is under contract to purchase. Barry Stauffer is the potential buyer and would like to develop this into commercial office spaces for various agriculturally based businesses. A proposed 60 x 330ft building. This building will be divided into office and business spaces. Discussion on the zone of the proposed property. The information does not match the GIS map and the zoning map that is presented at this meeting. Discussion. Becky stated she will do some research on this item. Eberspacher made a motion to table until Nick Glanzer joins the meeting. Luebbe seconded the motion. All in favor voting for. 7 for, 0 against, and 2 absent not voting.

Item 2: Discussion Action: For a Short Form Plat to create the DNB-LJB HOMESTEAD Short Form Plat. PID:800008065.

Located in K Precinct. In the Southwest ¼ of Section 34, Township 10N, Range 2E. Seward County Nebraska. David A. Burkey and Loretta R. Burkey are trustees of 40 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 5.52 acres from 40 acres, leaving 34.48 acres of land. This quarter section of land is Zoned Agriculture (A-1). Article 4: Section 4.03.02.c. 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 currently 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 will not be the Floodplain. Parcel Id# 800008065 checked taxes for this parcel, and as of 1/18/2024 the taxes are paid in full. Discussion. Pekarek asked for a motion on this item. Daniel made a motion to recommend approval. Eberspacher seconded the motion. All in favor voting to recommend approval. Roll call voting 7 for, 0 against, and 2 absent not voting.

Pekarek asked for a motion to hear from committee member. Eberspacher made a motion that the board hears reports from committee members. Niemann seconded the motion. All in favor voting for. 7 for, 0 against, and 2 absent not voting. Luebbe gave report on a recent Board of Adjustment meeting. MRC REZONE was denied on the planning commission level. Then it went to the Commissioners lever and was denied based on the recommendation of the planning commission. The landowners then filed an appeal to the Board of Adjustments. There was a Board of Adjustments meeting, and a hearing were there was a vote of 4 out of 5 to allow the request to rezone to Transitional Agriculture. Discussion.

Item 3: Discussion and updates on final draft: Misty Ahmic gave a report that she has a meeting scheduled with Marvin Planning and JEO to combing the draft of the regulations and comprehensive plan with a new format updating the regulations and finish the project. Discussion.

Item 4: Communication: Next Meeting. February 26th, 2024 @7 p.m.

Pekarek gave updates on the meeting in Pleasant Dale. This subject needs to continue with the Lower Platte South NRD. Dick Erdmann has agreed to come to a meeting and introduce him self and talk about the Dakota aquifer. Discussion on topics and questions will be sent out to the board to review. Pekarek spoke about maybe having a meeting in Garland around March or April. Discussion. It might be beneficial to have Dick Erdman speak to the board at a meeting before the Garland meeting. Pekarek will research. Board Member Phil Hargis spoke of the Dakota aquifer and the ability not to be able to recharge. Great Discussion. The Board agreed to gather more information on the WCD.

Item 5: Adjourn: Krenk made the motion; Hargis seconded the motion. All in favor voting for. Roll call vote.

1/24/24

bpaulsen

REGULAR MEETING OF THE SEWARD COUNTY PLANNING COMMISSION

Monday February 26th, 2024

Minutes

Open the Meeting. Meeting called to order by Chairman Pekarek at 7:00 pm.
Roll Call Members Present: Pekarek, Daniel, Eberspacher, Hargis, Krenk, Schuckebier, Lubbe.

Members Absent: Richert, Niemann.

Present: Misty Ahmic, John Culver, Jacob Jennings, Ben Earnest, Nick Glanzer, Chris Riha, Terri Dolezal.

Chairman Pekarek notified the public that the public meeting information is posted as required by law and is available for inspection.

Pekarek asked for a motion to approve the minutes from the last meeting.

Daniel noted an error in the minutes. Item 2 second paragraph. Word lever should be level. Pekarek noted the time of the meeting started at 7 p.m., not 7:31p.m.

Committee Report. Phil gave a report on a meeting with Lower Platte South, both Pekarek and himself attended in February. Phil stated that they met with Dick Erman representing Lower Platte South that covers most of the eastern 2/3rds of the county. Discussion about a public meeting in the future, possibly this summer on the water conservation district in the County. The Lower Platte South is finishing up a large groundwater study of the Dakota and all the eastern Nebraska. The two member reviewed a copy of the draft study at the meeting. Hargis spoke of a professional paper he is working on about the Dakota Aquifer of eastern Seward County. The Draft has been finished and a copy has gone to Misty Ahmic, and Scott Pekarek, Dick Erman, and his associate. Hargis is waiting for a peer review from Lower Platte South. Pekarek stated that this is good information for support of the Water Conservation District. Discussion.

New Business. None

Item 1: Discussion: For a REZONE from (TA-1 to C-2). Transitional Agriculture to Commercial. Parcel Id# 80016467 Owner: Earnest. 31.46 acres in Precinct O, Located in the Northwest ¼ of, Section 4, Township 9N, Range 3East, Seward County Nebraska.

Item 2: Open Public Hearing: open@7:08 Eberspacher made a motion to open, Luebbe seconded the motion. All in favor of voting yes.

Discussion. Paulsen read the information. The Landowner has made a request to rezone this quarter section of land from TA-1 to C-2. This application request is to rezone this ¼ section to C-2 to allow more commercial development. This quarter section is not in the water conservation district. This quarter section is not in the Floodplain.

Discussion. Nick Glazner spoke on behalf of the project. The design is to build a commercial building to hold about 17 businesses. Store fronts and warehouses with Agricultural retail, Ag Tech, and Ag Services. Some are

new businesses, and some are existing businesses that would like to expand and add new jobs. Mixed Ag business use. The setback of this project will be inline with Nebraska Harvest Center. Discussion. Eberspacher stated that if the rezone is approved, the businesses will not have to do a conditional use permit. Discussion. The matrix was looked at. Discussion. Pekarek asked for a motion to close the public hearing.

Item 3: Close Public Hearing: close @ 7:15 p.m. Schluckebier made a motion to close the public hearing. Eberspacher seconded the motion. All in favor voting yes.

Item 4: Discussion/Action: For a REZONE from (TA-1 to C-2).

Transitional Agriculture to Commercial. Parcel Id# 80016467 Owner: Earnest. 31.46 acres in Precinct O, Located in the Northwest ¼ of, Section 4, Township 9N, Range 3East, Seward County Nebraska.

Pekarek asked for a motion to approve or deny the Rezone. Daniel made a motion to approve the Rezone as presented. Eberspacher seconded the motion. Roll call voting. 7 for 0 against, 2 absent not voting.

Item 5: Discussion: 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: 800230125, Precinct A. In the Southwest ¼ of, Section 16, Township 12N, Range 4E Seward County Nebraska.

Item 6: Open Public Hearing: open @7:19 p.m. Eberspacher made a motion to open. Krenk seconded the motion. All in favor of voting yes.

Chris Riha representing Viaero Wireless spoke about the project. Location is 3 miles east of Bee. This is in the northeast of the County. 225 feet with the lightning rod. Chris went through the exhibits on the application.

Discussion. Hargis spoke to a couple of landowners in the Garland area. The signal is spotty in the area. The map represents an increase in the area.

Ahmic asked if there is a way to see where the towers are in the County.

Chris spoke about a website ASR. Antenna Structural Registration. This is an FCC site. Discussion.

Item 7: Close public Hearing: close @ 7:36 p.m. Pekarek asked for a motion to close. Eberspacher made a motion to close, and Luebbe seconded the motion. All in favor voting yes.

Item 8: Findings of Fact/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: 800230125, Precinct A. In the Southwest ¼ of, Section 16, Township 12N, Range 4E Seward County Nebraska. The Findings of Fact were reviewed with the board. Pekarek asked for a motion to approve or deny the Conditional Use. Eberspacher made a motion to approve the Development permit to build, and a Conditional Use permit to operate a tower as presented. Schuckebier seconded the motion. Roll call voting. 7 for 0 against, 2 absent not voting.

Item 9: Discussion: ATC Sequoia LLC, dba American Towers Corporation, has applied for a DEVELOPMENT PERMIT to CONSTRUCT a TOWER, and a CONDITIONAL USE PERMIT to operate a Tower.

Parcel ID: 800017021, Precinct O. In the Southwest ¼ of, Section 9, Township 9N, Range 3E Seward County Nebraska.

Item 10: Open Public Hearing: open @7:44 p.m. Pekarek asked for a motion to open. Eberspacher made a motion to open, and Schuckebier seconded the motion. All in favor voting yes. Terri Dolezal representing ATC sequoia LLC dba American Towers Corporation. This project is a replacement on the same parcel. The proposal is to build a new tower, move the equipment from the existing tower to the new tower, then decommission and remove the old tower. The new tower is a 300-foot self-supporting tower, replacing the 265-foot guy tower at full capacity. The existing tower is close to the County road. The construction design of the new tower will have a design standard to allow a strategic break at 60 feet in case of catastrophic failure. Discussion.

Item 11: Close public Hearing: close @7:55 p.m. Pekarek asked for a motion to close. Eberspacher made a motion to close, and Schuckebier seconded the motion. All in favor voting yes.

Item 12: Findings of Fact/Discussion/Action: ATC Sequoia LLC, dba American Towers Corporation, has applied for a DEVELOPMENT PERMIT to CONSTRUCT a TOWER, and a CONDITIONAL USE PERMIT to operate a Tower. Parcel ID: 800017021, Precinct O. In the Southwest ¼ of, Section 9, Township 9N, Range 3E Seward County Nebraska. The Findings of Fact were reviewed with the board. Pekarek asked for a motion to approve or deny the Conditional Use. Eberspacher made a motion to approve the Development permit to build, and a Conditional Use permit to operate a tower as presented. Schuckebier seconded the motion. Roll call voting. 7 for 0 against, 2 absent not voting.

Item 13: Discussion: AEM Airborne electromagnetic AEM survey. Lower Platte South is doing AEM surveys. This data is still being processed. Seward County has been surveyed with a helicopter with an antenna that hangs from the transport and sends waves into the ground and collects data on information underground. Ahmic spoke on AEM. This information and other data will be combined for a comprehensive update that Seward County can use in the future to better understand and educate. Discussion.

Item 14: Discussion and updates on final draft: Ahmic reported to the members that County Board Members have asked for a bid to see how much it would cost to put the regulations into a new format setting. The County Attorney is reviewing the Tower Regulations. Discussion.

Item 15: Communication: Next Meeting date. March 18th, 2024, 7 p.m. Seward County Extension Office. 322 South 14th Street, Seward Nebraska 68434

Item 16: Adjourn: @8:21 p.m. Pekarek asked for a motion to Adjourn. Eberspacher made a motion to Adjourn, and Luebbe seconded the motion. All in favor voting yes.

Planning and Zoning meeting March 18, 2024

Item 1, Chairman Pekarek opened the meeting at 7:00pm. Open meetings act displayed under clock in the meeting room of the Extension office. Roll call. Members present Daniel, Eberspacher, Hargis, Nieman, Richert, Pekarek. Schluckebier arrived late.

Item 2. The minutes from February were not given to the members prior to the meeting, Pekarek read through the minutes from the copy he had on his computer. Eberspacher asked Commissioner Ahmic to fill the board in on the sudden departure of Becky Paulson. Becky retired on March 7th 2024. The Commissioner board has decided to split the position of Zoning administrator and Weed Superintendent. HR is working on a job description for the Zoning Administrator. Commissioner Ahmic is stepping in to fill the Zoning Administrator position on a temporary basis.

Pekarek read thru the minutes to the board. Correction in Item 2, Nick Glanzer spoke to the board about the rezone, minutes read Stauffer, instead of Glanzer. Item 6 the word Guide was inserted instead of the word Guyed tower. Item 10 replace the word Guide with the word Guyed tower.

Eberspacher moved to accept the minutes as read with the corrections of the name of Glanzer. Richert seconds. Minutes, voice acclimation passed.

Item 3. Discussion/Action for the Earnest Short form plat 1st addition parcel 800016467 Precinct O NW ¼ of Section 4, Township 9N, Range 3E Earnest Well Drilling has requested an application for a Short Form Plat to subdivide land under 10 acres. The intention of the application is to separate 7.51 acres from the 31.26 acres of land. This quarter section of land is currently zoned TA-1. At the February 26, 2024 meeting the Planning Commission recommended this quarter section be rezoned to C-2. The hearing for this rezone before the Board of Commissioners is scheduled for April 2, 2024. The action of this Short-Form Plat will not change the density of the ¼ section. This Short-Form Plat meets the requirements for Seward County. This parcel is not in the Water Conservation District overlay area. This parcel does not have floodplain concerns. Taxes are paid in full as of 3/13/2024.

Eberspacher moves to approve the Earnest Short Form Plat 1st addition, Daniel seconds the motion. Roll call vote, Eberspacher yes, Daniel yes, Richert yes, Nieman yes, Hargis yes, Pekarek yes. Motion is approved.

Item 4 is tabled due to lack of information.

Item 5 Discussion Only: Planning Commission committee and project updates. Phil Hargis gave a report on his Geological paper. Peer review by the Lower Platte South with suggestions, Hargis is working on the suggestions that the Lower Platte South offered. Hargis hopes to have a finalized copy by the next board meeting. Commissioners will also have a copy of the paper as well. Commissioner Ahmic suggested the paper be put on the Zoning website and be given to the public at the Zoning administration office. Discussion about the Dakota aquifer, and well head protection areas.

Item 6, Discussion Only: Marvin Planning Consultants update on regulations. Letter from Marvin Planning Consultants. Study to include Formatting the current JEO regulations to something similar to Hamilton County, Ne. Develop a complete land use matrix with specific uses. Examining and providing language for the following topics, CO2 pipelines, possible updates to the livestock regulations, Solar regulations, Broadband regulations. These will be completed by MPC in conjunction with JEO, to

develop a base map in ARCGIS, develop a new zoning map, provide hard copies for review, attend 3 working meetings to review and discuss materials, attend public hearings up to 2. Project costs are as follows: \$13,500.00 for the above scope and services. Additional meetings will be charged at the rate of \$500.00 per meeting. Draft document to be completed within 3 to 4 months from notice to proceed if not sooner. Billing will occur monthly based on percent complete. Dates signed are Commissioner Ahmic 3/12/24 Keith A. Marvin 3/13/24 Commissioner Ahmic met with Jeff from JEO along with Keith Marvin about the regulations that JEO originally put together for Seward County. MPC uses a different style matrix design that will be much cleaner and user-friendly.

Item 7, Discussion only Zoning office hours. Tuesday afternoon, Wednesday and Friday till 5pm, will not be able for all days, Information posted at the Zoning office door. Phone availability.

Item 8, Agenda for April 15, 2024 meeting

Item 9, Meeting adjournment, Eberspacher moves for adjournment at 7:53pm Richert seconds motion passed voice acclamation.

Seward County Planning and Zoning Meeting minutes April 15, 2024

Item #1 Meeting was called to order at 7:02 April 15th 2024.

Roll call members present Jack Daniel, Curt Eberspacher, Zoe Richert, Phil Hargis, Stephanie Luebbe, Scott Pekarek, absent Ryan Krenk, Dale Nieman, Brent Schuckebier.

Open Meetings act poster displayed on the east wall under the clock.

Item #2 Minutes, motion to approve the minutes Daniel motions to approve the minutes, seconded by Eberspacher. Moved and seconded to approve the minutes from the March 18th 2024 meeting. Motion carried.

Item #3 Discuss/Action for the Administrative plat to create "Chicone 1st addition" in Precinct J. PID 800228400 and 800004914. Located in the Northwest ¼ of Section 24, Township 10N, Range 3E. Why the explanation was given that the construction company wanted to square up their property to allow another building on the property. Taxes were paid and are current. Action: motion to approve the Chicone plat made by Richert as presented, seconded by Luebbe. Roll call vote: Daniel, Eberspacher, Richert, Hargis, Luebbe, Pekarek voted to approve the Chicone 1st addition.

Item #4 Discussion Only- Planning Commission Member, committee and Project updates: The industrial tower west that was approved last month, there seems to be things that the board was not aware of prior to approving the Industrial tower west on March 18th 2024. The County Commissioners denied the Industrial tower. There was a tower located within three miles of the proposed Industrial tower west. The Seward County Regulations specifically state that there should be an effort to co-locate on an existing tower if possible. Industrial Tower west presented that they did try to co-locate within 1 mile, where our regulations state it must be within 5 miles. GIS tower location was discussed by the board. Discussion of whether the towers provide revenue to the county, Commissioner Ahmic stated that the towers only provide revenue for the landowners that the tower sits on usually as a one-time payment. If the county chose to have communications and co locate on a tower the county would get the position on the tower free according to the regulations. The Industrial tower needs to be located in the Bee area because the State funding is specific to the Bee area. Phil Hargis updated the board on the Water Conservation district. Phil has produced a "White Paper" on the eastern Seward County Dakota aquifer. Phil handed out copies of the White Paper to the board members and the Commissioners. The paper is a summary of the Dakota aquifer from research performed beginning in the 1970's to the recent research performed by the Lower Platte South specific to Eastern Seward County. Eastern Lancaster County is experiencing salt water from the lower saltwater aquifer that is under the Dakota, as water is pumped out of the Dakota the hydraulic pressure to hold the lower aquifer from breaching the Dakota has already started in Eastern Lancaster County. Discussion of the County implementation of Well permits along with Septic permits to document the number of wells and septic in the county. Commissioner Ahmic mentioned that residents are calling expressing the fear of the county controlling if a landowner can or cannot install a well. Well driller Ben Earnst is the one who suggested that the County permit the wells and septic. Hargis spoke to the fact that the land owner can drill as many wells as they wish and permitting may curb the number of wells drilled into the Dakota aquifer. Commissioner Culver commented that if permitting is established within the County you may need to have multiple inspectors to document the permits, which will add cost to the County. Daniel mentioned a study developed in the 70's that identified 3 sources of water to supply water to Western Lancaster and

Eastern Seward County. When the costs were estimated the project was scrapped because of the huge dollars that it would take to install and maintain. Pekarek will visit with Ben Earnst about his take on the permitting of the wells and septic systems installed in Seward County. Mentioned when each Planning board member's terms are up. Reminder those that their terms are coming to an end and if you want to serve another term you will need to re-apply.

Item # 4 Update on the Zoning Administrator position. Commissioner Ahmic said that Becky Paulson retired on March 7th of 2024. The job has been posted, 30 hrs per week, the position will only be zoning. Prior experience preferred by not required. One internal candidate is interested. The position is open until enough applicants have applied. The Weed position has been absorbed by the roads department since the road department had been doing the majority of the weed position. Commissioner Culver read the Administrator job description to the Planning board.

Item # 5 Agenda for May 20, 2024 Pekarek will be absent.

Adjournment at 8:13pm Motioned by Hargis seconded by Luebbe motion passed.

Respectfully submitted.

Scott Pekarek

Seward County Zoning Commission Meeting Minutes

For May 20, 2024

Meeting called to order at 7:07pm

Roll call of members

Jack Daniel-Present

Curt Eberspacher-

Zoe Richert-Present

Phil Hargis- Present

Stephanie Luebbe- Absent

Scott Pekarek-Absent

Ryan Krenk-Absent

Dale Nieman-Present

Brent Schuckebier-Present

Open meeting act poster was on display

Motion made by Richert to approve minutes from April 15, 2024 meeting. Seconded by Nieman. Motion carried 4 for, 0 against, 5 absent

Zoning Administrator introduced herself

Discussion was held on Administrative Plat for Ricenbaw Family Farm Subdivision. Motion was made by Neiman to approve, seconded by Richert. Motion carried 5 for 0 against 4 absent

Ahmic explained the Carbon Dioxide Overlay map. A motion was made by Schluckebier to adopt the Carbon Dioxide Recovery Pipeline Overlay with 2 corrections, seconded by Daniels. 5 for 0 against 4 absent

It was brought to the attention of the committee that Stephanie Luebbe is stepping down from the board

Discussion was held on the new Zoning office hours which are 8-4pm Monday thru Thursday.

Discussion was held pertaining to the Zoning Internship. Intern will be working 15 hours per week. Schedule to be determined when intern starts.

Motion to adjourn made by Neimann, Seconded by Richerts. Motion carried Adjourned at 7:38

Respectfully submitted

Marissa Pfile
Zoning Administrator

Seward County Zoning Commission Meeting Minutes

For July 15, 2024

Meeting called to order at 7:01

Roll call of members

Jack Daniel-Present

Curt Eberspacher-Present

Zoe Richert-Present

Phil Hargis- Present

Scott Pekarek-Present

Ryan Krenk-Present

Dale Nieman-Present

Brent Schluckebier-Absent

7 present, 1 absent

Open meeting act poster was on display

Motion made by Eberspacher to approve minutes from May 20, 2024 meeting. Seconded by Niemann. Motion carried 7 for, 0 against, 1 absent not voting

Eberspacher made motion to open public hearing for Conditional use permit #02-2024 to operate a private golf course. Seconded by Richert. Public hearing opened at 7:05pm.

Discussion of conditional use permit #02-2024. Zoning administrator answered questions about the current zoning of the area and confirmed that per regulation private golf course is allowable with a conditional use permit.

Eberspacher moved to close the public hearing seconded by Richert. Motion passed with voice vote

Discussion of facts of finding where as follows;

BEFORE THE PLANNING COMMISSION OF SEWARD COUNTY, NEBRASKA

IN THE MATTER OF CONDITIONAL USE REQUEST BY:

APPLICANT: Perfect Building Solutions LLC

THIS MATTER came before the Seward County Planning Commission at the request of the Applicant for a CONDITIONAL USE PERMIT. A public hearing was held on the 15th day of July 2024. Notice of said hearing was publicized on the 3rd day of July 2024.

THE SEWARD COUNTY PLANNING COMMISSION recommends to

X Approve the Conditional Use Permit
_____ Deny the Conditional Use Permit

With a Roll Call Vote of 7 For 0 Against 1 Absent Not Voting

Upon Review of all necessary facts, the Seward County Planning Commission makes the following findings that the application is for the operation of 6-hole private golf course, and therefore subject to Seward County's Comprehensive Plan and Land Use Matrix of the Seward County Zoning Regulations.

Upon Review of all the necessary facts, the Seward County Planning Commission makes the following findings that:

1. y The use, in all other respects, conforms to the applicable regulations of the district in which it is located.
2. y The use has adequate water, sewer, and drainage facilities.
3. y The use is in harmony with the character of the area and the most appropriate use of the land.
4. y The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the county.
5. y The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. No evidence of property value diminishing_
6. y The use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
7. y The use has adequate utilities, access roads, and drainage facilities.
8. y That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
9. y The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled
10. y The use does not involve any pollution of the air by fly-ash, dust, vapors, or other substance which is harmful to health, animals, vegetation, or other property or which can cause soiling, discomfort, or irritation.
11. y The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.
12. y The use does not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.

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|-------|--|
| 13. y | The use does not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion. |
| 14. y | The use does not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments. |

Currently Zoned TA-1

This Conditional Use Permit is applicable to this site only.

A Conditional Use Permit may be granted for a 6-hole private golf course in the designated zoning district: The following special conditions have been considered:

1. ____ The effects on the adjacent property, traffic.
2. ____ The public necessity and advantage.
3. ____ The immediate and long-term effect on the environment and the public.
4. ____ The concern for public safety.
5. ____ The application may include documents to indicate conformance to all applicable governmental regulations and standards.

FURTHER, the Planning Commission recommends the following specific conditions that are necessary or desirable to address the most appropriate use of the land, the conservation and stabilization of the value of property, the provision of adequate open space for light and air, concentration of populations, congestion of public streets, and the promotion of the general health, safety, welfare, convenience, and comfort of the public:

Eberspacher made motion to approve the conditional use permit #02-2024 seconded by Daniel. Motion carried 7 for, 0 against, 1 absent not voting.

Eberspacher made motion to open Public Hearing for the Carbon Dioxide Overlay District seconded by Daniel. Public Hearing opened at 7:17pm

Discussion was held about the Carbon Dioxide Overlay District. Pekarek and Niemann discussed conversations they had with a group about Carbon Dioxide pipelines.

A motion was made by Daniel to close the public hearing seconded by Eberspacher. Public hearing was closed at 7:36pm.

Motion by Eberspacher to approve the Carbon Dioxide Overlay District seconded by Daniel. Motion carried 7 for, 0 against, 1 absent not voting.

Members discussed coming up with a committee for Carbon Dioxide Pipeline information. Members will make a decision on the committee at the August meetings once they all had more information that would be provided to them by the zoning administrator.

Jonathan Jank spoke about “preplanning commission” and that they would need new members. Krenk, Neimann and Hargis volunteered to be on the committee. Jonathan will contact them prior to scheduled meetings.

Discussion of who will take over the recently vacated seat for Board of Adjustment. Jack Daniel volunteered to be on the Board. Commissioner, Misty Ahmic will take the recommendation to the Board of Commissioners.

August meeting items- discussion on additional Carbon Dioxide Pipeline information.

Eberspacher made motion to adjourn seconded by Richert. Motion carried with voice vote meeting adjourned at 7:57pm.

Respectfully submitted

Marissa Pfile
Zoning Administrator

Seward County Zoning Commission Meeting Minutes

For September 16, 2024

Meeting called to order at 7:01

Roll call of members

Jack Daniel-Present

Curt Eberspacher-Present

Zoe Richert-Present

Phil Hargis- Present

Scott Pekarek-Present

Ryan Krenk-Absent

Dale Nieman-Present

Brent Schluckebier-Present

Aaron Schropshire- Present

7 present, 1 absent

Open meeting act poster was on display

Motion made by Richert to approve minutes from July 15 meeting. Seconded by Niemann.

Motion carried 7 for, 0 against, 1 absent not voting

Introduction of Aaron Schropshire

Discussion of a sub committee for the CO2 pipeline. Brent Schluckebier, Dale Niemann and Jack Daniel volunteered to participate in the subcommittee. Committee members will determine when they meet.

Zoning Administrator gave information about upcoming terms and that Ryan Krenk and Zoe Richert's terms will be ending in January.

Discussion of unpermitted buildings and fees for building without a permit. Chairmen Pekarek asked to table this until the next meeting and for each member to think about a fee amount that they feel is fair and bring their ideas to the next meeting.

Current items for the October meeting-

Fee Schedule

Nieman motioned to adjourn Eberspacher seconded.

Meeting adjourned at 8:12pm

Respectfully submitted

Marissa Pfile

Zoning Administrator

Seward County Zoning Commission Meeting Minutes

For October 7, 2024

Meeting called to order at

Roll call of members

Jack Daniel- Present

Curt Eberspacher- Present

Phil Hargis- Present

Ryan Krenk- Absent

Dale Nieman- Present

Scott Pekarek- Present

Zoe Richert- Present

Brent Schluckebier- Present

Aaron Schropshire- Present

8 present, 1 absent

Open meeting act poster was on display

Motion made by Richert to approve minutes from September 16, 2024 meeting. Seconded by Eberspacher. Motion carried 8 for, 0 against, 1 absent not voting

Discussion on when regulations for lot size requirements in A-1 and TA-1 changed in 2012 with resolution number 2988.

Zoning fee schedule- Phil Hargis shared a draft of what he thought the fee schedule should be for unpermitted buildings. Discussion was held on putting a lien on the homeowner's property for homes built without a permit. Phil will work with Marissa to create a fee schedule to have the attorney's office review it.

All future meetings will be held in the UNL Extension office.

Current items for the November meeting- None

Niemann motioned to adjourn Eberspacher seconded. Meeting adjourned at 8:39

Respectfully submitted

Marissa Pfile

Zoning Administrator

Seward County Zoning Commission Meeting Minutes

For November 18, 2024

Meeting called to order at 7:00Pm

Roll call of members

Jack Daniel- Present

Curt Eberspacher- Present

Phil Hargis- Present

Ryan Krenk- Present

Dale Nieman- Present

Scott Pekarek- Present

Zoe Richert- Present

Brent Schluckebier- Present

Aaron Schropshire- Present

9 present, 0 absent

Open meeting act poster was on display

Motion made by Krenk to approve minutes from October 7, 2024 meeting. Seconded by Eberspacher. Motion carried 9 for, 0 against, 0 absent not voting

Motion was made by Neiman and seconded by Richert to open Public Hearing. Public Hearing was opened to the public at 7:04pm

Discussion was held about the updates the tower will be making.

Nobody in attendance

Eberspacher made motion to close Public Hearing Daniels second. Public Hearing was closed at 7:06.

Findings and facts discussed

Motion made by to approve permit by Neimann Seconded by Daniel

9 for 0 against

West Cordova Subdivision- Discussion held about the plat. The board will make a recommendation for approval. This matter will need to go to the Village of Cordova for final sign off as it is in the ETJ of Cordova. Motion made by Krenk that Planning Commission opinion that this plat can be approved by Cordova Village Board. Seconded by Daniel Vote approved 9 for 0 against

Discussion of "Jordan Addition" vacate replat. Discussion held determined that this is an administrative plat and not vacate and replat. Eberspacher made motion to approve the administrative plat Schluckebier seconded

Zoning fee schedule- Daniels brought a draft of the proposed fee schedule. Discussed a recent meeting with County Attorney Wendy Elston. The county attorney is supplying verbiage to implement into the new fee schedule.

All future meetings will be held in the UNL Extension office.

Current items for the December meeting- New Member Introduction, Tower Upgrade Permit, Discussion/Action of Regulation Updates

Neimann motioned to adjourn seconded. Meeting adjourned at

Respectfully submitted

Marissa Pfile
Zoning Administrator

Seward County Zoning Commission Meeting Minutes

For December 16, 2024

Meeting called to order at 7:02PM

Roll call of members

Jack Daniel- Absent

Curt Eberspacher- Present

Phil Hargis- Present

Ryan Krenk- Absent

Dale Nieman- Present

Sue Mendinger- Present

Zoe Richert- Present

Brent Schluckebier- Present

Aaron Schropshire- Absent

6 present, 3 absent

Open meeting act poster was on display

Motion made by Richert to approve minutes from November 16, 2024 meeting. Seconded by Schluckebier. Motion carried 6 for, 0 against, 3 absent not voting

Motion was made by Richert and seconded by Schluckebier to open Public Hearing. Public Hearing was opened to the public at 7:04pm

Discussion was held about the updates the tower will be making.

Nobody in attendance

Neimann made motion to close Public Hearing seconded by Richert. Public Hearing was closed at 7:09.

Findings and facts discussed

Motion made by Schluckebier to approve permit TU-02-2024. Seconded by Hargis
6 for 0 against 3 absent not voting

Motion was made by Niemann and seconded by Richert to open Public Hearing. Public Hearing was opened to the public at 7:15pm

Discussion was held about the updates the tower will be making.

Nobody in attendance

Neimann made motion to close Public Hearing seconded Richert. Public Hearing was closed at 7:17.

Findings and facts discussed

Motion made by Hargis to approve permit TU-03-2024. Seconded by Schluckebier
6 for 0 against 3 absent not voting

Discussion of Short Form Plat Radford Subdivision was held. Motion made by Medinger to
approve Radford Subdivision. Seconded by Richert. Motion passed 6 for 0 against 3 absent
not voting

Discussion of Short Form Plat Hamling Subdivision was held. Motion made by Schluckebier
to approve Hamling Subdivision. Seconded by Medinger. Motion passed 6 for 0 against 3
absent not voting

Misty Ahmic shared information about the AEM data zoom meeting she attended.

Zoning fee schedule- Discussion was held that Daniels had talked with Sherriff Vance.
Information was limited due to Daniels not being present and no decisions were made.
Tabled til January meeting.

Current items for the January meeting- Tower Permit, Short Form Plat, Election of Officers,
and Fee schedule.

Neimann motioned to adjourn seconded by Schluckebeir. Meeting adjourned at 8:36pm

Respectfully submitted

Marissa Pfile
Zoning Administrator

Seward County Zoning Commission Meeting Minutes

For December 30, 2024

Meeting called to order at 7:02PM

Roll call of members

Jack Daniel- present

Curt Eberspacher- present

Phil Hargis- present

Ryan Krenk- present

Dale Nieman- present

Sue Mendinger - present

Zoe Richert- Absent

Brent Schluckebier- Present

Aaron Schropshire- Absent

7 present, 2 absent not voting

Open meeting on the wall.

John from Marvin Planning was present to present the proposed new version of the new regulations.

Things that are highlighted are things that planning commission members need to review.

Let Marissa know your opinion on them. Text in red are things that are substantially different than the previous draft. Green highlights are good and will be filled in when documents are adopted, IE article 3.

LFO, Animal Units, Solar, batteries need to be reviewed by the planning commission.

Planning Commission members are to review the documents and get any questions or things they would like changed to Marissa by 1/27/2025.

Motion was made by Schucklebier to adjourn, seconded by Hargis.