

Seward County Zoning Commission Meeting Minute

For November 17, 2025

Meeting called to order at 7:00pm

Eberspacher noted that the open meeting act poster was on display on wall.

Roll call of members:

Curt Eberspacher-Present

Dale Niemann-Present

Brent Schluckebier-Absent

Jack Daniel-Present

Phil Hargis-Present

Aaron Shropshire-Absent

Sue Medinger-Absent

Ryan Krenk-Present

Kati Schweitzer-Absent

5 present, 4 absent

Hargis made a motion to approve minutes from October 20, 2025, seconded by Daniel. Motion approved with voice acclamation.

Motion made by Daniel and seconded by Krenk to open public hearing for amendment change to Section 11.01 item 3. Motion approved by voice acclamation.

Subcommittee members Jack Daniel, Sue Medinger, Dale Niemann, Brent Schluckebier, met on October 2, 2025 to draft a response to the proposed amendment in accordance with Article 11: Amendments



The proposed amendment is as follows:

All ¼ sections designated A1 that have reached their zoned capacity for residential dwellings (2) are eligible for rezoning to TA1 designation upon application by a current property owner withing the subject ¼ section. Upon receipt of such an application, the Zoning Administrator shall determine if the ¼ section in question is at its zoned capacity for its A1 designation. If the Zoning Administrator determines the ¼ section is at A1 capacity, the Zoning Administrator shall rezone the ¼ section to TA1 designation. No submittal to, referral, or action by, the Planning Commission, or the County Board of Commissioners, shall be required.

Dale Niemann then gave the subcommittee report.

- a. **The need and justification for the change**
 1. To open up the county to more rural housing.

- b. **When pertaining to a change in the district classification of property, the effect of the change, if any, on the property and on surrounding properties.**
 1. Property valuations will increase.
 2. There will be increased traffic on surrounding roads.
 3. In the water conservation district water supply could be compromised.
 4. It reduces the amount of agricultural property in the county.

- c. **When pertaining to a change in the district classification of property, the amount of undeveloped land in the general area and in the county having the same district classification as requested.**
 1. There are 2304 quarter sections in Seward County of which 1599 (69.4%) are classified as A-1, and 284 are classified as TA (12.2%)

- d. **The relationship of the proposed amendment to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purpose of this Resolution and the Comprehensive Plan.**

Contrary to the Comprehensive Plan because:

 1. It diminishes the amount of agricultural property in the county.
 2. Doesn't protect the ground water in the water conservation district.
 3. It eliminates the review of the Planning Commission, the County Commissioners, and a public hearing on zoning changes thereby cancelling out these voices.

The floor was opened for public comments.

Dave Kendle who submitted the amendment, spoke in favor of the amendment and that in his opinion, the county has far too much power and restricts landowner rights. Approval of this amendment gives landowners a small step in gaining back their rights to do as they want with their property. Not approving it limits current landowners to only operate with pasture and will not be able to improve their value with development.

Misty Ahmic then shared a map with the quarter sections in question; those that are at density and those that are not.

Mr. Kendle also stated that there is no evidence that the aquifer is being depleted and then questioned who should have the say in property rights, the county or the landowner. He also believes that adding homes will not change the quantity or quality of water. He then urged the committee to approve the amendment.

Jenni McCracken asked questions about wells and permits needed for wells stating that they were the last to build in their area and five more wells have been added since.

It was then stated that the county has no control on the number of wells.

Ryan Krenk added that housing developments may negatively affect current residents with the extra traffic in their area.

Dale Niemann commented, in regard to the last sentence in the proposed amendment, “no submittal to, referral, or action by the Planning Commission or the County Board of Commissioners shall be required” could be attached to all of the Comprehensive Plan and eliminate any input by the public and County Commissioners on proposed changes or requests from the public.

Ryan Krenk acknowledged that some common ground exists in the concept of the amendment as far as landowner rights go, but believes it is a bridge too far.

Jack Daniel spoke of the UNL’s research on the aquifer in the eastern third of Seward County. There is a lot not known at this time, but believes in the research from UNL and the NRD.

Eberspacher asked for a motion to close the public hearing. Motion made by Daniel, seconded by Hargis.

Motion was approved with voice acclamation to close the public hearing.

Daniel then made a motion to deny the amendment as stated. Hargis seconded the motion.

Roll call vote:

Daniel -For, Hargis-For, Eberspacher-For, Niemann-For, Krenk-For.

5- For, 0- Against, 4 absent/not voting Motion passed

Discussion on short form plat, Tamora bin site. The intention of this application is to section 5.524 acres from the existing 103.54 acre parcel. Hargis made a motion to approve the short form plat, Second by Krenk.

Roll call vote:

Hargis-For, Krenk-For, Eberspacher-For, Niemann-For, Daniel-For

5-For, 0- Against, 4 absent/not voting Motion passed

Discussion on Nuggz short form plat to remove a house from the 12 that are already there. This will help lower the over density in this area. Hargis made a motion to approve the short from plat, Second by Daniel.

Hargis-For, Daniel-For, Eberspacher-For, Niemann-For, Krenk-For

5-For, 0- Against, 4 absent/not voting Motion passed

Report by Misty Ahmic on proposed changes to the Commission by-laws concerning Articles 3 and 5.

County Commissioners are looking for a better way to recruit members for the Planning Commission. Help is needed to find members that would represent the whole county. Changes will pair the planning members more in line with the County Commissioners area/region. Motion to approve by Hargis, seconded by Daniel.

Hargis-For, Daniel-For, Eberspacher-For, Niemann-For, Krenk-For

5-For, 0-Against, 4 absent/not voting Motion passed

A discussion took place to update the Zoning Board on finding help for the current Zoning Administrator. Jeff Ray will be contacted to be a resource for Marissa instead of the County

Attorney. He will be able to provide a limited number of hours per month, possibly 8 hours per month.

Update on regulations and the County Attorney review was given.

Livestock setbacks were discussed and the subcommittee needs to meet again.

Motion by Niemann to adjourn, seconded by Krenk. Meeting adjourned at 8:01pm.

Respectfully submitted

Dale Niemann-Acting Secretary