

MINUTES

Madison County Joint Planning Commission

Norfolk, Nebraska

The March 17, 2022 Meeting of the Madison County Joint Planning Commission was called to order by Chairman Acklie at 7:01 p.m. in the in the Madison County Planning Department Conference Room, 1112 Bonita Drive, Norfolk, Nebraska.

Call To Order/Roll Call- Consideration and/or action on:

Present: Acklie, Griffith, Milander, Westerman, Schapman, Abler, Oswald and Amen

Absent: Flood and Prauner

Also Present: Jerry Guenther, Robert Penne, Lowell Schroeder, Bill Marx, Matt Marx and Zoning Administrator Heather McWhorter Zoning and Office Assistant Jennie Martinez.

Open Meetings Act: Acklie stated that the Open Meetings Act that will be followed.

Proof of Publication: Acklie stated the Proof of Publication Notice was published in the Norfolk Daily News.

Minutes-February 17, 2022: The minutes of the February 17, 2021 Madison County Joint Planning Commission meeting were presented.

Motion made by Griffith to approve the minutes and seconded by Westerman.

Vote taken. Acklie, Griffith, Oswald, Schapman, Abler, Milander, Westerman and Amen vote "Aye" none vote "Nay". Motion carried.

Heather reads the first Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of Robert Penne for a Conditional Use Permit to Construct a garage over 1000 square feet on property described as McCombs Suburban Lots W ½ Lot 2 Block 1, Tilden, Madison County, Nebraska. This property is located at 507 South Center St, City of Tilden, Nebraska.

Heather states that the applicant is requesting to build a 40 x 36 garage (1140 sq ft total) on his property. This requires a CUP per Tilden City Zoning. Property is zoned Single Family Residential and does have enough lot space for the structure.

Heather reads the Finding of Facts and Recommended Conditions.

Findings of Fact:

- 1. This application is consistent with the city of Tilden Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.**
- 2. A Conditional Use Permit is required for accessory buildings over 1,000 square feet in the R1 Single Family district per regulation.**

Recommended Conditions:

- 1. This Conditional Use Permit will be permanent.**
- 2. All setbacks and lot density requirements must be followed per City of Tilden Zoning Regulations.**
- 3. A copy of the signed permit must be recorded with the County Register of Deeds office by applicant.**
- 4. A zoning permit must be obtained from the Tilden City office before construction begins on the structure.**

7:04 P.M Acklie opens the Public Hearing

Acklie asks if there is anyone in favor.

Bob Penne speaks in favor. He states that he needs more space and would like to build a garage.

Acklie asks if the building will meet the setbacks.

Heather states that there is enough room.

Heather reads letter that was received by "Coble". (Exhibit A) This letter was not in favor or in opposition.

Acklie asks where access will be to the building.

Penne states that it will be from the South.

Heather explains how the City of Tilden measures setbacks.

Discussion amongst the board and Penne regarding size and setbacks.

Acklie asks if there is anyone else in favor.

No one speaks

Acklie asks if there is anyone opposed.

No one speaks

7:16 P. M. Acklie closes the Public Hearing.

Schapman makes a motion to approve based on the above recommended conditions. Abler seconds the motion.

Vote taken Acklie, Griffith, Milander, Schapman, Amen, Oswald, Westerman and Abler all vote "Aye". None vote "Nay". Motion carried.

Acklie reads the 2nd Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of Marx Repair LLC for a Renewal of a Conditional Use Permit to operate an Ag equipment sales and service business on property described as Part of the SW ¼ of the SE ¼ of Section 7, Township 23 North, Range 2 West of the 6th P.M. Madison County, Nebraska. This property is located at 54659 838th Rd Battle Creek, Nebraska.

Heather states that Bill received approval for a Conditional Use Permit in January 2012 for a period of ten years and has been operating this business for a total of approximately 13 years. This hearing is for approval of continuing his current permit and updating some of the wording. I am not aware of any violations or complaints that have been filed regarding the current permit.

Heather reads the Statement of Finding of Facts and the Recommended Conditions.

Findings of Fact:

- 1. The application is consistent with the Madison County Comprehensive Plan.**
- 2. The application is consistent with the Madison County Zoning and Subdivision Regulations and zoning map.**
- 3. Mr. Marx has operated this business for 13 years on a Conditional Use Permit and has had no complaints filed against him.**

Recommended Conditions:

- 1. This permit is for the sale and repair of Agricultural Equipment only.**
- 2. Only equipment being repaired that is too large for the building may be stored outside.**
- 3. No oil, antifreeze or other fluids may be disposed of on the ground or through a septic system.**
- 4. Only agricultural equipment, including farm trucks, may be repaired.**
- 5. A sign no larger than six square feet may be placed on the property with a required setback of no less than 25 feet from the edge of the right-of-way or fifty-eight feet from the center of the road.**
- 6. No equipment in visible disrepair may be stored outside unless covered.**
- 7. The Conditional Use Permit is granted for a period of ten (10) years and shall be renewed automatically if no**
- 8. Verifiable complaints or violations exist.**

9. If this property is sold, the Zoning Administrator must be notified thirty (30) days prior to closing

7:21 P.M. Acklie opens the Public Hearing

Acklie asks if there is anyone in favor.

Bill Marx speaks in favor. He explains that he wants to keep doing the same thing that he has been.

Milander the discusses number of employees he plans to have with Marx.

Marx states that it depends and he may have 10-12.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone opposed.

No one speaks.

7:24 P.M. Acklie closes the Public Hearing.

Milander makes a motion to approve based on the above conditions. Oswald seconds the motion.

Vote taken Acklie, Griffith, Milander, Amen, Oswald, Westerman, Abler and Schapman all vote "Aye". None vote "Nay". Motion carried.

Other Business:

Lowell Schroeder gives an update on the Comprehensive Plan and goes over the results of the County Wide Survey.

Election of Officers:

Private Vote Taken; Results read by Oswald and Verified by Jennie.

Chairman:

Abler makes a motion to Nominate Acklie, Oswald or Amen. Schapman seconds the nomination.

Vote Taken and Verified. Acklie is re-elected to Chairman.

Vice-Chairman:

Abler makes a motion to nominate Oswald or Amen. Milander seconds the motion.

Vote taken and verified. Oswald is re-elected to Vice -Chairman.

Secretary:

Abler makes a motion to nominate Griffith. Amen seconds the motion.

Vote taken and verified. Griffith is re-elected to secretary.

Administrators Report:

Discussion on feedlots & wellhead protection areas.

Discussion on upcoming Pierce County Planning Meeting Agenda.

Discussion on Subdivision in Madison City.

Milander makes a motion to adjourn. Amen seconds the motion. All vote "Aye". None vote "Nay".

Meeting adjourned at 8:35 p.m.