

MINUTES

Madison County Joint Planning Commission

Norfolk, Nebraska

The January 21, 2021 Meeting of the Madison County Joint Planning Commission was called to order by Chairman Grant 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: Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman

Absent: Abler

Also Present: Jerry Guenther, Jerry Dittrich, Jon Siegert, Amy Siegert, Travis Amen, Zoning Administrator Heather McWhorter and Zoning Office Assistant Jennie Martinez.

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

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

Minutes-November 19, 2020: The minutes of the November 19, 2020 Madison County Joint Planning Commission meeting were presented.

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

Vote taken. Grant, Prauner, Acklie, Griffith, Schapmann, Flood, Oswald, Milander, and Westerman vote "Aye" none vote "Nay". Motion carried.

Grant states that he is looking for a motion to amend the Agenda to include Election of Officers.

Motion made by Flood to amend the Agenda and seconded by Oswald.

Vote Taken. Grant, Prauner, Acklie, Griffith, Schapmann, Flood, Oswald, Milander, and Westerman vote "Aye" none vote "Nay". Motion carried.

Grant reads the first Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of HK Holdings for a Change of Zoning Request from "R3" Multiple Family District to "C2" Central Business District on property described as Lot 10 Block 3 Tilden City, Antelope County, Nebraska. This property is located at 201 Antelope St. Tilden, Nebraska.

Heather states that the applicant is requesting a change in zoning to develop a commercial structure. She shows on the map (Exhibit A) and states that as you can see on the map the parcel which is currently R3 is adjoining the C2 district which allows the rezoning request without spot zoning.

Heather reads the Statement of Finding of Facts.

Statement of Finding of Facts:

- 1. This application is consistent with the City of Tilden Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.**
- 2. Property is zoned R3 and adjoins the C3 district on two sides.**

7:05 p.m. Grant opens the Public Hearing.

Grant asks if there is anyone in favor.

Jerry Dittrich: owner, speaks in favor. Discussion consists of ownership of the lot to the South and purchase of lot to the north. He discusses plans to build a 4 plex office building on a lot 120'X120' once the two lots are combined.

Prauner discusses with Dittrich the location.

Acklie discusses with Dittrich any buildings that are on the lot currently. Dittrich states that he tore the building down once he purchased the lot.

Dittrich discusses that use of the new office building and states the possibility of a new dentist, a physical therapist and insurance company to occupy the building.

Heather states that Dittrich has done a lot of research and put a lot of thought in the project.

Milander Confirms that the building would sit on both lots.

Dittrich states that is correct.

Grant asks if there is anyone else in favor.

No one speaks.

Grant asks if there is anyone else opposed.

No one speaks.

Schapman discusses grants that are available for rural healthcare in Antelope County and the positivity of bringing a dentist into the County.

7:11 p.m. Grant closes the Public Hearing.

Prauner makes a motion to approve. Schapman seconds the motion.

Vote taken Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman vote "Aye" None vote "Nay" Motion Carried.

Grant reads the next Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of Jon and Amy Siegert for a Conditional Use Permit to construct a home on less than 40 acres on property described as Part of the SE ¼ of the SW ¼ (RENNER'S SECOND LOTSPLIT), Section 23, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska. This property is located South of the City of Norfolk, Nebraska along 836th Rd.

Heather states that the property was split, and a CUP was approved in March 2018 however it expired after one year. She states that the applicant is applying for CUP to build a home again on the property. It is approximately 1500 feet from the edge of an animal confinement and applicant has agreed to sign a waiver form regarding the distance.

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

Statement of Findings of Fact:

1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned A-1 Intensive Agriculture and meets the density requirements for the Zoning district.
3. Applicant is aware of feedlots surrounding location and will sign a waiver of distance.

Proposed Recommended Conditions:

1. This Conditional Use Permit is permanent and may be transferred between owners.
2. This Conditional Use Permit allows a single-family home on less than 40 acres.
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust, and general nuisances. This does not mean that the applicant is giving up the right to be protected by Madison County and the State of Nebraska.
4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County Board of Commissioners.
5. A copy of the signed permit must be recorded with the County Register of Deeds office by applicant.

6. A zoning permit must be obtained from the Zoning office before construction begins on the residence.
7. A notarized Waiver of Distance form shall be filed with the Register of Deeds Office

7:15 p.m. Grant opens the Public Hearing.

Amy Siegert speaks in favor. Discussion consists of the reasoning as to why the house was not built at the time that Renner obtained the CUP. She states that they are now ready to build.

Siegert discusses with Grant the location of the house and driveway. He states that nothing has changed from the time Renner applied. He states that it meets all setbacks and will be a total of 3.3 acres.

Prauner discusses with Heather the location from the feed yard. Heather states that it is approximately 1500' from where animals can be.

Prauner discusses with Siegert if there is potential for drainage from the feed yard and Siegert states that it should not.

The Planning Commission discuss Baldwins property and the City of Norfolk's agreement to haul sludge. Siegert does not have any concerns.

Grant asks if there are any other questions.

No one speaks,

Grant asks if there is anyone in favor.

No one speaks.

Grant asks if there is anyone opposed.

No one speaks.

7:19 p.m. Grant closes the Public Hearing.

Oswald makes a motion to approve. Acklie seconds the motion.

Vote taken Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman vote "Aye" None vote "Nay" Motion Carried.

Election of Officers:

Oswald nominates Roger Acklie to Chairman of the Madison County Planning Commission. Prauner seconds the motion.

Vote taken Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman vote "Aye" None vote "Nay" Motion Carried.

Milander nominates Merlin Oswald to Vice-Chairman. Prauner seconds the motion.

Vote taken Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman vote “Aye” None vote “Nay” Motion Carried.

Acklie nominates Joy Griffith to Secretary. Prauner seconds the motion.

Vote taken Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman vote “Aye” None vote “Nay” Motion Carried.

Other Business:

Zoning permits are discussed.

NPZA is discussed.

Grant retires after 18 years from the Planning Commission.

Travis Amen is introduced to the board as a possible candidate to fill Grants spot on the Planning Commission.

Acklie discusses with Heather some concerns he has regarding density requirements and pre-submission meeting notices.

Prauner makes a motion to adjourn. Acklie seconds the motion.

Vote taken Grant, Acklie, Prauner, Griffith, Oswald, Milander, Schapman, Flood and Westerman vote “Aye” None vote “Nay” Motion Carried.

7:40 p.m. Meeting adjourned.