

## MINUTES

### **Madison County Joint Planning Commission**

Norfolk, Nebraska

The July 24, 2021, Meeting of the Madison County Joint Planning Commission was called to order by Chairman Acklie at 7:00 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, Oswald, Westerman, Schapman and Amen

**Absent:** Abler, Prauner, Milander and Flood.

**Also Present:** Jerry Guenther, Ardith Borgelt, Matt Pochop, Dominic Smedra, Zoning Administrator Heather McWhorter, and Zoning 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-May 20, 2021:** The minutes of the May 20, 2021, Madison County Joint Planning Commission meeting were presented.

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

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

**Acklie reads the first Public Hearing.**

**The purpose of this hearing is to receive public comments concerning the application of Matthew Pochop for a Conditional Use Permit to build a garage over 1,000 square feet on property described as Ruppert's Lot Split Replat of Lot 1, in the City of Battle Creek, Madison County, Nebraska. This property is located at 208 East Macalister Street.**

Heather states that the applicant wants to build a 30 x 40 two car garage/ shop on their property which is in an R2 Medium Density Residential district.

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

#### **Statement of Finding of Facts:**

- 1. This application is consistent with the Battle Creek City Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.**
- 2. The property is zoned R2 Medium Density Residential.**

#### **Recommended Conditions:**

1. **This Conditional Use Permit is permanent and shall be registered against the lot deed with the Madison County Register of Deeds by the applicant once approved by the Battle Creek City Council.**
2. **No building may be built until first receiving a building permit from the City of Battle Creek.**
3. **This building shall not be used for commercial purposes.**

**7:02 p.m.** Acklie opens the Public Hearing.

Acklie asks if there is anyone in favor.

Matthew Pochop speaks in favor. He states that he would like to build a garage for residential use.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone is opposed.

No one speaks.

**7:03 p.m.** Acklie closes the Public Hearing.

Acklie asks if water is an issue on the property.

Pochop states that is not.

Westerman makes a motion to approve. Amen seconds the motion.

Vote taken Acklie, Griffith, Oswald, Westerman, Schapman and Amen vote "Aye" None vote "Nay"  
Motion Carried.

**Acklie reads the next Public Hearing.**

**The purpose of this hearing is to receive public comments concerning the application of Dominic & Rebecca Smedra for a Conditional Use Permit to construct Camper/boat storage units on property described as Tax Lot 11(PT Lot one - Longs Lot Boundary Change) in the NE ¼ of the NW ¼ of Section 6, Township 23 North, Range 2, West of the 6th P.M. City of Battle Creek, Madison County, Nebraska. This property is located at the Southwest intersection of Boyer and McAllister Streets, Battle Creek, Nebraska.**

Heather states that the applicants would like build units to store campers and boats on the described property. It is in the R1 Single Family District and is allowable as a Conditional Use per the BC zoning matrix. She states that a letter was submitted by the neighbor to the west, who is the seller of the property, indicating they are aware of the requested use and are in favor of permit. (Exhibit A)

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

**Statement of Finding of Facts:**

- 1. This application is consistent with the Battle Creek City Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.**
- 2. The property is zoned R1 Single Family Residential.**

**Recommended Conditions:**

- 1. This Conditional Use Permit is permanent and shall be registered against the lot deed with the Madison County Register of Deeds by the applicant once approved by the Battle Creek City Council.**
- 2. No building may be built until first receiving a building permit from the City of Battle Creek.**
- 3. There shall be no items stored outside of building.**

**7:06 p.m.** Acklie opens the Public Hearing.

Acklie asks if there is anyone in favor.

Dominic Smedra speaks in favor. He states that he would like to build storage units large enough to fit boats and campers in. He states that he estimates the building to be 200'X70' with 50' storage units on one side and 25'-30' storage units on the other side.

Ardith Borgelt; neighbor asks Smedra the exact location.

Smedra shows her on the map the property he bought and the location of the storage units.

Roger asks if the units will have concrete.

Smedra states that there will be concrete.

Amen asks how far back to the South the units will set.

Smedra asks Heather what the setbacks are.

Heather states that she would have to look.

Westerman states that according to the information he received it looks like that units will set about 80' off of Boyer Street.

Amen asks how far he will be off McAllister Street.

Smedra states that he will be approximately 25'.

Griffith asks Smedra if he lives nearby.

Smedra states that he lives right across the street.

Oswald asks how tall of a sidewall is required for a camper.

Smedra states that the door heights that he is going with is 14' wide and 15' tall. He states that he will not go any higher than he has to.

Acklie asks if there are any questions.

No one speaks.

Westerman asks what the height restrictions in Battle Creek are.

Smedra states that 35' is the max.

Heather states that when Smedra comes in for his permit she will make sure everything is correct.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone opposed.

No one speaks.

**7:18 p.m.** Acklie closes the Public Hearing.

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

Vote taken Acklie, Griffith, Oswald, Westerman, Schapman and Amen vote "Aye" None vote "Nay"  
Motion Carried.

**Other Business:**

Zoning permits are discussed.

Problem properties are discussed.

Violations are discussed.

NPZA is discussed.

Date of July's meeting is discussed.

Letter from Lowell Schroeder and Comp plan interviews are discussed.

Westerman makes a motion to adjourn. Amen seconds the motion.

Vote taken Acklie, Griffith, Oswald, Westerman, Schapman and Amen vote "Aye" None vote "Nay"  
Motion Carried.

**7:49 p.m.** Meeting adjourned.