

## MINUTES

### Madison County Joint Planning Commission

Norfolk, Nebraska

The January 15, 2026, Meeting of the Madison County Joint Planning Commission was called to order by Chairman Acklie at 6:00 p.m. 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, Westerman, Oswald, Flood, Griffith, Amen, Milander, and Brown

**Absent:** Abler

**Also Present:** Michael Fleeer, Mark Arduser, Shawna Moore, Darek Kleinschmit, Duane Timperley, Zoning Administrator Heather McWhorter and Zoning Office Assistant Rhonda Cortner

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

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

**Minutes-November 13, 2025:** The minutes of November 13, 2025, Madison County Joint Planning Commission meeting were presented. Motion made by Griffith to approve the minutes and seconded by Westerman. Vote taken. Milander, Griffith, Oswald, Flood, Acklie, Amen and Westerman vote "Aye" none vote "Nay". Motion carried.

Acklie reads the first Public Hearing.

**The purpose of this hearing is to consider an amendment to the City of Tilden Zoning Regulations Article 315 Land Use Matrix to add mini storage as a commercial use type.**

Heather states that upon the request of the Tilden City Council, the land use matrix will be amended to add the line below, allowing mini storage units in the following districts as either conditional or permitted as indicated. Mini storage is already permitted in C3 and would be permitted in some residential areas with a CUP.

Acklie opens the Public Hearing at 6:03pm.

Acklie asks if there is anyone in favor.

Shawna Moore, the Tilden City Clerk speaks in favor. She states that mini storage units would be beneficial to Tilden. Shawna states that she would have an interest in mini storage units on some property that she owns.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if anyone is opposed.

No one speaks.

6:07p.m. Acklie closes the Public Hearing.

Griffith makes a motion to approve the amendment. Westerman seconds the motion. Vote taken. Flood, Brown, Amen, Westerman, Oswald, Milander, Griffith, and Acklie vote "Aye" none vote "Nay". Motion carried.

Acklie reads the next Public Hearing.

**The purpose of this hearing is to consider the application of Mark Arduser to construct a garage over 1000 square feet on property described as Tax Lot 21 of Tax Lots in SW ¼ of the SW ¼ of Section 31, Township 24 North, Range 2 west of the 6th P.M., Battle Creek, Madison County, Nebraska. The property is located North of W. McAllister St and west of N. Boyer Street, Battle Creek, Nebraska (Parcel id# 590151750)**

Heather states that applicants are requesting to build a storage garage 60 x 40 for personal use in a Single-Family Residential district. The lot currently has a small shed located on site. They own the lots directly north and adjoin this property.

**Statement of Finding of Facts:**

- 1. This application is consistent with the City of Battle Creek 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 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.**

Acklie opens the Public Hearing at 6:11p.m.

Acklie asks if there is anyone in favor.

Mark Arduser speaks in favor. Mark says that he owns 2 1/2 acres and the garage will be for personal use.

Mike Fler states he is also in favor of the garage.

Acklie asks if anyone is opposed.

No one speaks.

Acklie closes Public Hearing at 6:13p.m.

Amen makes a motion to approve, Brown 2nds the motion. Acklie, Griffith, Milander, Oswald, Westerman, Amen, Brown, and Flood vote "Aye" none vote "Nay". Motion carried.

Acklie reads the next Public Hearing.

**The purpose of this hearing is to consider the application of Derek Kleinschmit for a Porta Potty Storage business on property to be described as Northeast corner of the NE ¼ of the NE ¼ Section 9, Township 24 North, Range 2 west of the 6th P.M., Madison County, Nebraska. Parcel is located at 54894 845 RD, Norfolk, Madison County, Nebraska. (Parcel id# 590149808)**

Heather states applicants are requesting to operate a porta potty business on site. Currently there is a 4,000 square foot building on the property that will be used for storage of trucks and equipment. The portable toilets will be stored outside in an organized cluster against the current building. Located in the General Ag District.

**Statement of Finding of Facts:**

- 1. This application is consistent with the Madison County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.**
- 2. The property is zoned A2, General Ag.**
- 3. Access to building will be from driveway to house. Trucks will be stored inside of the building; portable toilets will be stored to south of building.**

**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 Madison County Board.**
- 2. No building may be built until first receiving a building permit.**
- 3. This permit is subject to the Madison County Zoning and Subdivision Regulations, the laws of Nebraska and the United States Government and shall be operated to comply with all these entities.**

Acklie opens the Public Hearing at 6:17p.m.

Acklie asks if there is anyone in favor.

Derick Kleinschmit speaks in favor. The portable toilets will be stored outside south of the building, and he will put up a privacy fence. He will use the building for storage of trucks and equipment.

Acklie asks for anyone else in favor. No one speaks.

Acklie asks if anyone is opposed.

Duane Timperley speaks. He is not really opposed, but he has questions. Will the portable toilets be washed on site? Derek says no they are pumped cleaned when picked up. Waste is taken to the dump. Duane states he has no complaints, he just wanted to know the process.

Acklie closes the Public Hearing at 6:22p.m.

Griffith makes motion to approve, Milander 2nds the motion. Amen, Westerman, Oswald, Milander, Griffith, Acklie, Brown, and Flood vote "Aye" none vote "Nay". Motion approved.

Members were told of the NPZA Conference in March. There was discussion of a transfer station for livestock.

Brown makes motion to adjourn, Amen 2nds the motion. All vote "AYE" none vote "Nay".

Meeting adjourned at 6:30p.m.