**MINUTES**

**Madison County Joint Planning Commission**

Norfolk, Nebraska

The November 13, 2025, 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 and Milander
**Absent:** Brown and Abler

**Also Present:** Brad Lanman, Heath Mettler, Dennis Kuchar, Cody Wintz, Justin Bleich, Jon Zoucha, Chris Eischeid, Sheryl White, Megan Sudbeck, Ben Sudbeck, Jimmy Bush, Michael Fleer, Ben Drozd, Zoning Administrator Heather McWhorter and Zoning Office Assistant Jennie Martinez & 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**-September 18, 2025**:** The minutes of September 18, 2025, Madison County Joint Planning Commission meeting were presented.
Motion made by Griffith to approve the minutes and seconded by Flood.
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 the application of Cody Wintz & Jaime Gray as NEN Development LLC to allow a portion of a building as commercial office space. Property is described as Zimmermans Subdivision Block 2 in the City of Battle Creek, Madison County, Nebraska. The property is located at 603 S. Preece Street, Battle Creek, Nebraska (Parcel id# 590024558)**

Heather states that the applicants have acquired the Battle Creek Insurance building in Battle Creek and are planning to use it for a mixed-use development. There will be space for a wrestling club/facility, an event space, and an office space for a physical therapy office. The mentioned uses are all permitted in Battle Creek’s use matrix. The west portion, which is the front of the building, consists of several offices and a conference space. This portion will be rented individually for office space and that does require a CUP per the matrix. The recommendation for this evening is for the office space only. This is an effective use of space that could potentially have sat empty without this development. The applicant has contacted the residents in the surrounding neighborhood to discuss the project.

Statement of Finding of Facts:

1. The application is consistent with the City of Battle Creek Comprehensive Plan.
2. The application is consistent with the City of Battle Creek Subdivision Regulations.
3. The rest of the building will be utilized for permitted mixed-use development.
4. This is a R1 Single Family zoning district and is allowable use with a Conditional Use Permit.

Proposed Conditions:

1. Applicant must follow all local, state, and federal laws if applicable.

**6:02 p.m.** Acklie opens the Public Hearing.

Acklie asks if there is anyone in favor.

Cody Wintz speaks in favor. He explains how the building will be used; office space in front as it has always been used, BC wrestling club for overflow wrestling in the back, physical therapy and events. He states that it is a nice building and they didn't want it to stay vacant; therefore, when it came up for sale, they purchased it.

Acklie asks if anyone else would like to speak in favor.

Dennis Kuchar speaks in favor and states that people in Battle Creek strive to keep Battle Creek alive and he feels that it is a good idea.

Acklie asks if there is anyone else in favor.

Heath Mettler; BC Mayor speaks in favor. He states that the applicants have been very open with the City. He states that Cody Wintz called when they decided to purchase and asked for the City's opinion. He states that they are excited that the building will not stay vacant. He states that he 2$^{nd}$'s Kuchar's comments.

Mettler states that he realizes that traffic is a concern but has full faith that the new owners will address this concern.

Acklie asks if there is anyone else in favor.

Mike Fleer; City Administrator and neighbor speaks in favor. He states that he formed his opinion by communications that he has with Cody Wintz. He states that it's office space and it's a no-brainer to get the offices going again.

Acklie asks if anyone else is in favor.

Heather states that 6 letters were received in favor of. (Exhibit A)

Acklie asks if anyone else is in favor.

No one speaks.

Acklie asks if anyone is opposed.

Ben Sudbeck; neighbor states that he has concerns with parking and traffic and has talked with Cody Wintz about this. He states that he would like something official to address these concerns.

Acklie asks if there is anyone else opposed.

No one speaks.

**6:11 p.m.** Acklie closes the Public Hearing.

Discussion amongst the Planning Commission with Cody Wintz regarding parking, traffic and hours.

Amen makes a motion to recommend approval based on the above Recommended Conditions. Milander seconds the motion.

Vote taken. Acklie, Oswald, Flood, Westerman, Milander, Amen and Griffith vote “Aye” none vote “Nay”. Motion carried.

Acklie reads the next Public Hearing.

**The purpose of this hearing is to consider the application of Perfect Circle Irrigation for an irrigation business on property to be described as WHITE’S SECOND LOTSPLIT in the Southwest corner of the SW ¼ of the SW ¼ of Section 15, Township 22 North, Range 1 West of the 6th P.M., Madison County, Nebraska. Parcel is located at the intersection of Highway 81 and 831 RD. (Parcel id# 590135952)**

Heather states that the applicant has requested to build a commercial building on the corner of the above parcel; the lot split will be presented to the board for consideration at the time of this hearing. The building will be used to operate an irrigation business consisting of a service technician, salesman and secretary. This is the Zimmatic business for Summit, previously Petersen Ag and they also have stores in Sutton and Central City. They have also opened the Osmond store back up. This is in an Ag Intensive zoning district and is allowable as Conditional Use.

Heather states that she received a phone call with concerns regarding the location of the driveway.

Statement of Finding of Facts:

1. The application is consistent with the Madison County Comprehensive Plan.
2. The application is consistent with the Madison County Subdivision Regulations.
3. Business operating with three employees and occasional customers on site.
4. This is an A1- Ag Intensive zoning district and is allowable use with a Conditional Use Permit.

Recommended Conditions:

1. This permit is for an irrigation business.
2. This Conditional Use Permit is for period of 10 years and will be renewed automatically with no verified complaints.
3. This permit shall be registered against the lot deed with the Madison County Register of Deeds by the applicant once approved.
4. No building may be built until first receiving a building permit from Madison County Zoning.
5. Applicant must follow all local, state, and federal laws if applicable.
6. All zoning requirements to include but are not limited to signage and parking must always be followed.

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

Acklie asks if there is anyone in favor.

Chris Eischeid speaks in favor. He states that they would like to put up a building for an irrigation business. He addresses the concern with the drive into the business and states that he spoke with the State regarding a drive off the highway and the State said that is not feasible. He states that the drive will not be far on 831 Rd. from the highway.

Acklie asks if there is anyone else in favor.

Glen and Sheryl White speak in favor. They state that they are happy that the Zimmatic business will be close to them.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone who is opposed.

No one speaks.

**6:19 p.m.** Acklie closes the Public Hearing.

Oswald makes a motion to recommend approval based on the above Recommended Conditions. Westerman seconds the motion.

Vote taken. Acklie, Oswald, Flood, Westerman, Milander, Amen and Griffith vote “Aye” none vote “Nay”. Motion carried.

**Other Business-Discussion and /or action**

**Citizens’ Comments:**

**Administrator's report:** Heather discusses the December and January meeting.

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

Meeting adjourned at 6:29 p.m.