

**OTOE COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
DECEMBER 15, 2016  
496 5TH STREET  
SYRACUSE CITY LIBRARY, SYRACUSE, NEBRASKA  
7:00 P.M.**

Meeting called to order by Chairman Daniel Hodges: All hearings were published in the Nebraska City News Press. Meeting commenced at 7:09 P.M. and answering to roll call was: Daniel Hodges, Howard Bebout, Stephanie Shrader, Cheri Wirthele, Richard Warner and William Umland. Absent was Loreen Haupt. Other attendees of the meeting were Zoning Administrator David Schmitz, Don Hembry of the City of Omaha, Matt Wallen, Mary Wallen, Brittany Bash, Gary Stall and Keith Marvin of Marvin Planning.

Chairman Hodges asked if there were any changes to the minutes of the November 17, 2016 meeting and if none, for a motion to approve. Shrader made the motion to approve, seconded by Bebout, with Hodges, Shrader, Bebout, Warner, Wirthele and Umland voting aye. Motion approved.

A Public Hearing was held to approve the plat of the Stall Acres, a 3.36 +- acre tract of land located in the S.E. 1/4 of Section 3, T.9N, R.9E of the 6th P.M. as requested by Gary F. Stall and Christine A. Stall, husband and wife. Site is located @ 1533 N. 8TH Road. A plot plan with building locations on Lot 1 was also attached to plat. Gary & Christine Stall are planning on selling Lot 1 and Brittany Bash will build on Tract 3-A, a 10.07+- acre tract. Brittany had mailed a water test report to Schmitz on the existing well on Lot 1 and everything passed. He also stated that if the lateral system would fail, there would still be enough room for a lagoon since it is over the minimum three acres.

After some discussion, Hodges asked for a motion to approve, with Bebout making the motion, second by Umland, with Hodges, Wirthele, Shrader, Bebout Umland and Warner Haupt voting aye. Subdivision Plat approved.

The subdivision will now go to the County Commissioners for approval on December 27, 2016, @ 8:50 A.M at the Otoe County Courthouse County Courtroom.

A Public Hearing was held to consider approval of the 2016 Otoe County Zoning and Subdivision Regulations. Schmitz handed out a check sheet of items he thinks need to be addressed and Marvin handed out copies of the Comprehensive Plan that was approved by the County Commissioners, and new copies of the zoning and subdivision regulations that addressed Schmitz's concerns. Don Hembry of City of Omaha WWTP was there to discuss the revised sludge regulations dealing with human waste. On Section 8.18.05, Regulations, there will be a bracket that will separate the acreages from business entities. Under setting of monumentation on Section 3.05, Final Plat Regulations, # 18, not complying with the 30 day requirement fines would be covered under State Statute # 23-114.5, County zoning, violations, penalty, and injunctions. Marvin thought it was a \$ 500.00 fine per occurrence. The sign setback will be 20 feet from any state or county right-of-way as per previous regulations. The 66 foot access easement or deeded tract under that part of County Resolution 2003-10, 501.08, 502.08, & 5.02.08, under a, b, c, d, & e, will remain in effect for acreages not along county road or state right-of-ways. This will allow acreages not be required to have the minimum 250 foot frontage in the agriculture districts along county road or state highway right-of-ways if an access easement or deeded tract is used to get to the new acreage. Also waived is the one to three ratio since the minimum frontage is now 250 feet and the depths and frontages will be covered under the other districts. This is covered in Zoning Regulations, Section 3.38, and Acreages Not along a Public Right-of-Way. The flex zones with Mark and Mary Wallen were discussed as Matt wishes to put a welding business along the north side of highway # 2. As this is a big part of the new zoning districts, it was discussed at length. Marvin stated that he would need a conditional use for that particular business and Schmitz stated that should not be a problem since the closest neighbor other than Mary is 1/2 mile away. He does most of his work away from that site and would like to build a shouse, one part business and the other part living area. He would like to subdivide five acres and would need an easement from the Wallen farm. Also was discussed was to add definitions of the separate zoning districts in the definition section of the regulations. Schmitz and Hodges did not think it was necessary but the majority of the Board favored

it. Marvin then agreed but said it would take a complete replot since it would affect the pages in the zoning and subdivision regulations.

After some more discussion, Hodges asked for a motion to approve, with Umland making the motion to approve the subdivision and zoning regulations per the revisions/additions of the December 15, 2016 meeting, was seconded by Warner, with Hodges, Wirthele, Shrader, Bebout, Umland and Warner voting aye. Zoning and subdivision regulations approved.

The zoning and subdivision regulations will now go to the County Commissioners for approval/ denial on December 27, 2016, @ 8:50 A.M at the Otoe County Courthouse County Courtroom. Keith Marvin, zoning consultant will be present

**OLD BUSINESS:**

**NEW BUSINESS:** Marvin discussed the upcoming NPZA (Zoning) meeting in Kearney to held March 8th, 9th, & 10<sup>th</sup>, 2017.

**DISCUSSION:**

There being no further business, Chairman Hodges requested a motion to adjourn, with Wirthele making the motion, second by Shrader, with all voting aye to adjourn. Motion carried. Meeting adjourned at 9:21 P.M.

The next regularly scheduled meeting will be January 19, 2017 @ 7:00 P.M.

Minutes written by County Zoning Administrator David Schmitz