

**OTOE COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
JULY 19, 2018
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 7:08 P.M. and answering to roll call was: Daniel Hodges, Richard Warner, Howard Bebout, Cheri Wirthele, and William Umland. Absent was Stephanie Shrader and Loreen Haupt who has retired. She will come to the meetings only when I do not think we have a quorum. Other attendees of the meeting were Zoning Administrator David Schmitz. .

Chairman Hodges asked if there were any changes to the minutes of the June 18, 2018 meeting and if none, for a motion to approve. Umland made the motion, seconded by Wirthele, with Hodges, Bebout, Umland, Wirthele and Warner voting aye. Minutes approved.

A Public Hearing was held to approve the subdivision plat of Ullsperger Family Farm Subdivision, a 4.05 tract of land located in the North $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of Section 33, T.8N, R.13E of the 6th P.M. as requested by David A. Ullsperger and Rhonda M. Ullsperger, husband and wife, Amy M. Allgood and Shane R. Allgood, husband and wife, and Andrew F. Ullsperger and Micki Arthur, husband and wife. Site is located @ 5268 L Road.

The \$ 100.00 subdivision fee was paid. Schmitz handed out copies of the subdivision plat to the Board. Schmitz presented the plat on behalf of the Ullsperger family and stated that the site is a farmstead and has rural water.

One note on the agenda is that it said it was 3.82 acres, whereas it was changed to 4.04+- acres as advertised in paper. After some more discussion, Hodges asked for a motion to approve, with Bebout making the motion, seconded by Warner, with Hodges, Bebout, Wirthele, Warner, and William Umland voting aye.

Subdivision plat approved. The subdivision plat will now go to the County Commissioners for approval on July 24, 2018 @ 8:45 A.M at the Otoe County Courthouse County Courtroom.

A 2nd Public Hearing was held to approve/deny the Subdivision Regulation Amendments to the January 10, 2017 Adopted Zoning and Subdivision Regulations. Schmitz handed out copies of the proposed changes which was discussed at the June 21, meeting, and for several months before that.

The Board had agreed at the last month's meeting on these changes. After some more discussion, Hodges asked for a motion to approve, with Bebout making the motion to approve, seconded by Wirthele, with Hodges, Bebout, Wirthele, Warner and William Umland voting aye.

The new subdivision regulation changes are approved. The subdivision plat Amendments will now go to the County Commissioners for approval / denial on July 24, 2018, @ 8:45 A.M at the Otoe County Courthouse County Courtroom.

OLD BUSINESS:

NEW BUSINESS: Schmitz handed out a letter from Donald J. Pepperl, attorney for the Wachiska Audubon Land Management, LLC, owner of the 14.27 acre tract of native prairie located in the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 15, T.8N, R.15E, Otoe County, Nebraska. This is to approve a Conservation Agreement on the property described above. Under the doctrine of merger, one legal entity cannot both own and hold a conservation easement on the same tract of real estate. As per Nebraska revised Statute 76-2, 112, which a portion was included with the request, This statute requires the agreement be submitted to the applicable Planning Commission as well as the County Board. After some more discussion, Hodges asked for a motion to approve the conservation easement, Umland making the

motion to approve, seconded by Warner, with Hodges, Bebout, Wirthele, Warner and William Umland voting aye.

Conservation easement approved. The conservation easement will now go to the County Commissioners for approval/denial on July 24, 2018 @ 8:45 A.M at the Otoe County Courthouse County Courtroom.

DISCUSSION: Schmitz handed out a rough letter to the Board on a piece of ground being sold to a party in order to build a house on. It. As Schmitz explained the feedlot operation is almost a mile south of this site. He had stated to a realtor that he thought the site was buildable, since the ½ mile facility offset is met and the ¼ mile separation distance for the manure application from the edge of the field has also been met. The realtor contacted the feedlot owner and he refused to give them an impact easement. The Board stated that the new owner does not need approval from the feedlot owner since the new Zoning Regulations approved on January 10, 2017, allows for this tract to be built on. The Board then made some comments to Schmitz, and made a few changes to the letter. The point was to address the letter to the realtor and not the feedlot owner. The Board stated that at the direction of the County Planning Commission, the tract could be built on. Schmitz will now redraft the letter to the realtor where they could give a copy to the feedlot owner.

ADJOURN:

There being no further business, Chairman Hodges requested a motion to adjourn, with Warner making the motion, seconded by Wirthele, with Hodges, Wirthele, Umland, Bebout, and Wirthele voting aye to adjourn.

Motion carried. Meeting adjourned at 7:58 P.M.

The next regularly scheduled meeting will be August 16, 2018.

Minutes taken by County Zoning Administrator David Schmitz