

**OTOE COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
JULY 18, 2019
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 7:00 P.M. and answering to roll call was: Daniel Hodges, Richard Warner, William Umland, Howard Bebout, Cheri Wirthele and Stephanie Shrader. Other attendees of the meeting were David Schmitz, Zoning Administrator, Tyson Franzen, Laura Franzen, Colleen Colley, Aaron Andrews, Jim Johnson, Glen Royal, Doris Coster, Ashley Bredthauer and Jerry Stilmock. Chairman Hodges asked if there were any changes to the minutes of the May 16, 2019 meeting and if none, for a motion to approve. Umland made the motion to approve, second by Shrader, with Hodges, Umland, Warner, Wirthele, Bebout and Shrader voting aye. Minutes approved.

A Public Hearing was held to approve the subdivision plat of Johnson Gas & Go Subdivision, a 5.03+- acre tract of land located in the West ½ of the N.W. ¼ of Section 12, T.9N, R.13E of the 6th P.M. as requested by James J. Johnson, President of Johnson Gas & Go, Inc, and Carl and Kay L. Stukenholtz, husband and wife. Site is located @ 1430 N. 58th Road. The \$ 100.00 application fee was paid. Jim Johnson was present to explain reasons for the subdivision, including more room for the driveway not included in the original 1.03+- acres, room for a fuel tank, and enough room for another drive to the north if the four-lane highway is ever built. He said that they will keep the existing building for now. The Public Hearing then was closed by Chairman Hodges who asked for a motion to approve subdivision, motion made by Bebout, seconded by Shrader, with Hodges, Umland, Shrader, Wirthele, Bebout and Warner voting aye.

Subdivision plat approved.

The subdivision plat will now go to the County Commissioners for approval/denial on July 23, 2019, @ commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

A Public Hearing was held to approve the Vacation Plat of Lot 2B, Beckman 2nd Subdivision, a 4.01+- acre tract of land located in the West ½ of the N.W. ¼ of Section 30, T.9N, R.10E of the 6th P.M. as requested by Harry L. Chaffin and Karin J. Chaffin, husband and wife. Site is located north of 840 N. 12th Road. Schmitz represented the Chaffin's and explained they wanted to vacate lot since they couldn't get another rural water hookup. They want to return lot to the farm.

The Public Hearing then was closed by Chairman Hodges who asked for a motion to approve subdivision, motion made by Warner, seconded by Umland, with Shrader, Hodges, Umland, Wirthele, Bebout and Warner voting aye.

Subdivision plat approved.

The subdivision plat will now go to the County Commissioners for approval/denial on July 23, 2019, @ commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom

A Public Hearing was held to approve/deny a conditional use for an outdoor recreational facility and campground/RV Park, located on a 61.58+- acre tract in the South ½ of the S.E. ¼ of Section 15, T.8N, R.9E of the 6th P.M. as requested by Tyson Franzen. Site is located @ 278 S.8th Road (Spur 66-A). The \$ 600.00 application fee was paid. Schmitz handed out copies of the conditional use application to members. Tyson Franzen gave his presentation of his Airbnb (as posted on the Hipcamp site. It has a scenic back yard and pond. LB 57 was approved by the Legislature but was for villages and communities not counties. A separate bill dealing with counties (LB873) was not approved. There are six or seven campers who are not being charged due to flooding. There are two porta potties. David Everest made a complaint dealing with fireworks in 2018 to Franzen.

Colleen Colley, a landowner adjacent to the campground, has no problems with the usage of the land. Franzen has been selling camping sites for around two years which is not allowed without a conditional use application as proposed by Schmitz. Ashley Bredthauer spoke and questioned Franzen who was staying in the RV close to their property. Franzen said his mother stays there sometimes. Franzen stated that 10 % of the fees collected go to Hipcamp who provides a million-dollar liability

policy. Bebout and Shrader wanted to see a certificate of insurance. Franzen said he is a member as a host. Bebout asked if he had a state tax i.d. number. He said he does not. Franzen said he is not running a business but most of the Board commented he is indeed running a business as he is charging fees. The campers bring their own tents. Glen Royal is a landowner north of site and questioned the pond easement as shown on application. Hodges explained the easement and said this is not a part of the application. No campers are setting up tents inside the easement. Jerry Stilmock was there to represent David Everest and Dennis Dowding. Hodges stated that the site is taxed recreational commercial but is in the TA-1 District. There are six campsites in the application. Some texts sent to Franzen by Everest were not returned according to Stilmock. He handed an exhibit with five items with two offering camping, group retreats, weddings and receptions, mud run, outdoor beer fest and concerts as listed on the Hipcamp site. Stilmock requested that the drive be moved north so it does not line up with the Everest drive. Franzen agreed to this. Schmitz stated that he needs a state permit with the proper sight distance.

Hodges then closed the Public Hearing, asking for a motion to approve or deny, with Bebout made a motion to deny the request, seconded by Wirthele because of Section 8.04, Items # 7-B and C, width and surfacing of interior drives, #8. No off-street parking areas, and Item # 9, A-No electricity, B- no sewer connections, C-no water connections and D- No community building which is required if A, B, and C are not met,

with Hodges, Umland, Shrader, Wirthele, Bebout and Warner voting to deny. Bebout said to cease operations depending on the County Commissioners approval or denial.

Conditional Use not approved.

The conditional use permit will now go to the County Commissioners for approval/denial on July 23, 2019, commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

OLD BUSINESS: none

NEW BUSINESS: none

DISCUSSION:

Doris foster was present to address the Board about allowing a second house to be built for her grandson on a 2.01 acre site @ 524 N. 30th Road. Hodges stated that it a non-conforming lot and that another residence could not be built on site. Schmitz concurred because of room for another lateral system and distance between water lines and sewer. Bebout stated that they could attach to the existing trailer but could not build a separate residence. She did not want to move into another house but will remain in her present trailer.

ADJOURN:

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

Motion carried. Meeting adjourned at 9:00 P.M.

The next regularly scheduled meeting will be August 15, 2019 @ 7:00 P.M.

Minutes taken by Schmitz, Zoning Administrator