

**OTOE COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
FEBRUARY 20, 2020
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 were Richard Warner, Charles Cole, Stephanie Shrader, William Umland, Howard Bebout and Daniel Hodges. Absent was Cheri Wirthele. Other attendees of the meeting were Zoning Administrator Schmitz, Doug Mathers with Patriot Pete's Fireworks, Pete Grothaus, Brent Vogt with Stove Creek Air, LLC, and Milan Brehm. Chairman Hodges asked if there were any changes to the minutes of the January 16, 2020 meeting and if none, for a motion to approve. Motion made by Cole, seconded by Umland, with Cole, Warner, Umland, Shrader and Hodges voting aye. Bebout abstained. Minutes approved.

Communications:

Schmitz gave a report on the AT & T site. The site still has not been approved by the FAA even though it is out of the main flight path. The Nebraska City Airport Authority is not in favor of the location.

A Public Hearing to approve the subdivision plat of Brehm-Neels Subdivision, a 6.46 +- acre tract located in Part of a 20.01 acre tract in the S.E. ¼ of the S.W. ¼ of Section 13, T.8N, R.10E as requested by Milan O. Brehm and Christie L. Brehm, Trustees of the Milan and Christie Brehm revocable Trust. Site is located on J & 23rd Roads.

A Rural water permit has been acquired and water will be run there for the hog buildings. Brehm explained that the 2019 taxes are paid. This site involves two hog buildings and a lagoon for the waste. Schmitz explained it is a little unusual to have a non-residential site but due to the size of the lot, there has to be a subdivision. The buildings and lagoon fit all setbacks and Schmitz recommends approval. After some discussion, Chairman Hodges asked for a motion to approve, motion made by Warner, seconded by Shrader, with Umland, Warner, Cole, Bebout, Shrader and Hodges voting aye. Subdivision plat approved.

The subdivision plat will now go to the County Commissioners for approval on the February 25, 2020, meeting commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

Old Business: Keith Marvin was present to discuss Airbnb's in the county and how we are going to address them. Schmitz believes that the Governor and Legislator will try to push these thru so that the counties will have to approve them in the next legislative year.

Keith Marvin, zoning consultant, was present to explain LB 57 which deals with municipalities which allows Airbnb's. He explained that the Airbnb's collect the occupation taxes for the county and state. Bed and breakfast owners have to live on the property, whereas the owner of the Airbnb's does not. These involve short term rentals. Marvin spoke on adding to our zoning regulations and will use LB 57 as a guide and make it fit rural zoning. More discussion ensued and then Hodges asked for a motion, Shrader made the motion to have Keith Marvin prepare regulations dealing with Airbnb's, seconded by Cole, with Umland, Warner, Cole, Bebout, Shrader and Hodges voting aye. Keith Marvin is to bring back the proposed regulations for the Board to review.

DISCUSSION:

1. Brett Vogt with Stove Creek Air was present to explain his aerial application business and building of a private airstrip in the West ½ of the S.W. ¼ of Section 9-9-10 @ C & North 16th Roads. He handed out aerials of the residences in the area and the location of the airstrip. Vogt has spoken to most of the landowners in the ½ mile setback from the new airstrip and they are in favor of it. He has not spoken to one of the landowners. The Department of Aeronautics does not regulate private airstrips Bebout stated that Vogt needs to get impact

- easements much like the hog operations in the county for the landowners that they will sign to allow him to build in the ½ mile setback as per our regulations. Vogt will need to get a conditional use for this usage, which requires a
2. \$ 600.00 application fee. Schmitz will provide him a conditional use form and a copy of a conditional use that has been approved. He will need to bring the conditional use form and signed copies of the impact easements of the surrounding landowners for the public hearing. Schmitz told him to plan to come to the April 16, 2020 meeting.
 3. Doug Mathers with Patriot Pete's Fireworks was present and handed out copies of regulations from Lancaster County dealing with storing consumer grade fireworks. It explained the different setbacks and the regulations he has to get approved before he can build. The State Fire Marshall said 300 foot offset to any inhabited buildings or other buildings would work. It cannot be any closer than 50' to any building containing flammable materials. Our regulations say ½ mile to any combustible materials to any residence but these fireworks storage buildings are not considered combustible materials. The Board asked Schmitz to send them a conditional use application form and a copy of an approved permit. The \$ 600.00 fee will need to be included with the application and any other attached paperwork to explain their operation, as well as a grading and site plan. Mathers explained many other requirements and regulations in the storage building.
 4. Brenda Steinhoff is requesting that her acreage be re-split off of the farm although the 5.12 +-acre site was vacated in 2012. She told me that somebody on the planning commission told her that she had to wait at least five years before replatting. Schmitz looked at the notes and planning commission meeting from August of 2012, and could not find any mention of it being allowed after five years. Bebout stated that she can replat without the same name and a different acreage size. It will have to come back again as a subdivision lot and any fees will have to be paid. The rest of the Board agreed.

ADJOURN:

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

Motion carried. Meeting adjourned at 8:25 P.M.

The next regularly scheduled meeting will be March 19, 2020 @ 7:00 P.M.

Minutes taken by Zoning Administrator Schmitz