

**OTOE COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
MAY 20, 2021  
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 Howard Bebout, Cheri Wirthele, Richard Warner, Daniel Hodges, Stephanie Shrader and Chuck Cole. Attending the meeting were Zoning Administrator Schmitz, Karen Brightenburg, Joyce Shear, Todd Hammersha, Heidi Bernard, Milt Stubbendick, Gerald and Claretta Royal, James and Brandy Welch, Janet Armbrust, Susan Royal, Tammy ? and Tim Franzen. Chairman Hodges asked if there were any changes to the minutes of the April 15, 2021 meeting and if none, for a motion to approve. Wirthele made the motion to approve, seconded by Warner, with Bebout, Wirthele, Warner and Hodges voting aye. Cole and Shrader abstained. Minutes approved.

There was a motion to revise the agenda as the Wild Briar Rose 4<sup>th</sup> Subdivision was incorrectly shown as Wild Briar Rose Subdivision. Motion made by Cole, seconded by Shrader with all members approving the motion.

A Public Hearing to approve/deny the Final Plat of Golden View Subdivision, a four-lot subdivision containing 40 acres located in the N.E. ¼ of Section 22, T.8N, R.9E as requested by Dan Nelson. Site is located @ South 8<sup>th</sup> Road (Highway 66A Spur) and Jackson Stone Lane. Schmitz stated the Final Plat fees had been paid. Karen Brightenburg, surveyor for Nelson, handed out copies of the final plat to planning commission members. She stated all easements are shown on the plat and that the electric power will be installed in the south side of the subdivision. She also brought the signed home owners covenants to the hearing. Schmitz had sent the proposed copies of the covenants to the planning board. The fire department and school district were sent copies of the final plat. Bebout had a problem with the pipeline easement running thru Lot 1 and wondered if there was actually three acres of buildable ground. Brightenburg stated that the buildings would be constructed south of the pipeline easement as no utilities or sewer can be installed over the pipeline. Schmitz agreed that it is a restrictive easement but there is a 66' wide utility and drive easement on the north side and a 20' utility easement on the south side of Lot 1. You would have to include them as reducing the building size so Schmitz stated there should be no problem as long as they build south of the pipeline. They can put a driveway across the easement. Schmitz also stated there would only be two more lots allowed on the property since it is in the TA-1 District. After some more discussion, Hodges asked for a motion to approve plat, with Cole making the motion to approve, seconded by Warner, with Cole, Wirthele, Warner, Hodges and Shrader voting aye. Bebout voted no.

Plat approved. The Final Plat will now go to the County Commissioners for approval/denial on May 25, 2021, meeting commencing at 8:30 A.M in the Otoe County Courthouse Courtroom.

The Second Public Hearing was to approve/ deny the subdivision plat of Wild Briar Rose 4<sup>th</sup> Subdivision, a 5.00 +- acre tract located in the S.W. ¼ of the S.W. ¼ of Section 24, T.9N, R.9E as requested by Joyce k. Shear, Trustee of the Joyce K. Shear Revocable Trust Agreement dated 5-27-2017. Site is located at E and North 10<sup>th</sup> Roads. Shear was present as well as her son. Schmitz stated she has one water line permit available as well as a water pit on the property. John Brinkman, highway superintendent, met with Shear and told her she could have a new driveway on the south side of the property. Schmitz stated that she has only one

more permit available and it would be used on the north side of her property. After some more discussion, Hodges asked for a motion to approve, with Bebout making the motion, seconded by Wirthele, with Bebout, Wirthele, Warner, Shrader and Hodges voting aye. Motion carried. The plat will now go to the County Commissioners for approval / denial at the May 25, 2021 meeting commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

The Third Public Hearing was to approve/ deny the subdivision plat of Stubbendick Subdivision, a 3.05+- acre tract located in the N.W.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  of Section 13, T.9N, R.10E as requested by Milton Stubbendick, Sarah S. Paone and Dana Stubbendeck. Site is located at 240 C Road. A water test was provided for the well. Milt Stubbendick and Heidi Bernard were present at the meeting. There is an existing driveway to C Road. Schmitz stated the site is an original farmstead and contains at least three acres so if the lateral system would fail, a lagoon could be built on property. All setbacks were met and Schmitz asked for approval. After some more discussion, Hodges asked for a motion to approve, with Bebout making the motion, seconded by Cole, with Bebout, Wirthele, Warner, Shrader and Hodges voting aye. Motion carried. The plat will now go to the County Commissioners for approval / denial at the May 25, 2021 meeting commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

**Old Business:**

**New Business:**

**Discussion:**

A discussion was held with James and Brandy Welch as well as Janet Armbrust, owner of the property on a proposed dog run at 524 Arbor Road north of Palmyra. This area is in the Flex-1 district so a conditional use is necessary. Schmitz handed out a markup showing five houses in the immediate area and at least eight within a  $\frac{1}{4}$  of a mile. Welch stated there would be a large building that could contain at least 18-20 dogs. Cole asked how the waste would be handled and Welch said they would haul it off. Cole suggested maybe to have some form of system on the property to handle it. His mother owns the property but he could co-sign the conditional use agreement. There is a \$ 600.00 application fee. Welch also handed out a rough sketch of the building and where it would be located on the property. Welch brought a letter with neighbor's names that would not be opposed to this usage. Only one name was signed but the other names were listed in the letter. Schmitz gave Welch an example of a conditional use permit as well as a blank application form for he and Janet to sign. Bebout stated that the permit goes with the land. Schmitz stated the conditional use could be rescinded in the future. Welch will bring back the signed application permit and a drawing and plans of the new building.

The second discussion was for Bob Kohles to plat a three-acre lot without the water line being constructed. Well water is not good so he and his daughter need a water hookup. It is over a mile away. The Board stated they couldn't get a building permit without water present so he will have to wait till the water line is constructed in order to get the lot approved. He does have a permit from the water board.

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

**Motion carried. Meeting adjourned at 8:02 P.M.**

**The next regularly scheduled meeting will be June 15, 2021 @ 7:00 P.M.**

**Minutes taken by Zoning Administrator Schmitz**