

Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING January 16, 2013

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 16th of January, 2013 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 7:00 P.M. The Open Meeting Act is posted in the rear of the room. Administrator Trumler read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 7 members present: Daryl Anderson, Jeff Christensen, Ken Kozisek, Ron Kulwicki, Jack Reimers, Terry Spilinek, and Lauren Scarborough. Those absent were: Randy Kauk and Dave Sack. Also present were Franz Trumler, Planning & Zoning Administrator, and Cherri Klingensmith, Zoning Secretary. The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Lauren S. and 2nd By Jack R. to approve the minutes of the December 20, 2012 meeting. The motion carried on unanimous voice vote.

Old business: None

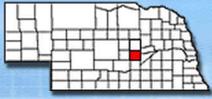
At 7:05 P.M. the reorganizational public hearing opened with a motion by Ron Kulwicki and 2nd by Jack Reimers to nominate Terry Spilinek as Chairman. The Chairman of the Zoning Board will also be the representative to the Variance Board. The motion carried on a majority voice vote. A motion was made by Jeff Christensen and 2nd by Ron Kulwicki to nominate Jack Reimers as Vice Chairman. The motion carried on a majority voice vote. A motion was made by Jeff Christensen and 2nd by Ron Kulwicki to nominate Daryl Anderson as Secretary. The motion carried on a majority voice vote.

The Planning & Zoning Officers are as follows for 2013 year:

Chairman – Terry Spilinek	Reappointments for 2013
Vice-Chairman – Jack Reimers	Daryl Anderson – 2013-2015
Secretary – Daryl Anderson	Ken Kozisek – 2013-2015
	Jack Reimers – 2013-2015

At 7:15 P.M. the first item on the Agenda was a Single Lot Subdivision Application by Deward McIntosh, named the **CHS Subdivision** in the SW ¼ of Section 32-14-9W of the 6th P.M. in Howard County. Administrator Trumler read the Notice of Public Hearing. Proof of Publication is filed in the Howard County Clerk's office. Cory & Heather were not present for discussion; Administrator Trumler explained this is an existing building site in A2. It meets all the criteria. No one was present to oppose/in favor for the subdivision. A motion was made by Lauren Scarborough and 2nd by Ken Kozisek to approve the application. A roll call vote was taken. The motion carried 7-0. A Finding of Fact was completed. (See Attached.) The surveyor has not brought in Mylar yet, once we have it; we will call Chairman & Vice-Chairman to sign before commissioners meeting on Tuesday, January 22nd.

At 7:25 P.M. Terry opened the Public Hearing for the **Zoning Regulations pertaining to the update of Matrix**. Administrator Trumler read the Notice of Public Hearing. Proof of Publication is filed in the Howard County Clerk's office. Administrator Trumler stated after



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discussion at our last meeting in December, we see we need to update the Matrix concerning “Warehousing & Storage of Nonhazardous products” currently only listed as permitted in Industrial areas. Need to consider adding this as a Conditional Use in A-2 and C-S. After discussion by zoning board a motion by Ken Kozisek and 2nd by Jack Reimers to approve adding a conditional Use to Warehousing and storage of nonhazardous products in Columns A-2 on page 30. A roll call vote was taken. The motion carried 7-0. Next a motion was made by Lauren Scarborough and 2nd by Ron Kulwicki to approve adding a conditional Use to Warehousing and storage of nonhazardous products in Columns C-S on page 30. A roll call vote was taken. The motion carried 7-0.

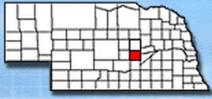
At 7:30 P.M. Terry opened the Public Hearing for the Perpetual **Conditional Use Permit application by Brian Poland for Warehousing & Storage of nonhazardous products in A-2 district in the SE ¼ of Section 6-13-9W. P.M. in Howard County.** Administrator Trumler read the Notice of Public Hearing. Proof of Publication is filed in the Howard County Clerk’s office. Brian Poland was present for hearing. Brian explained after his last meeting with the board he has spoken to State Fire marshal, NDEQ, and EPA. He handed out a pamphlet to board members showing the approval by the above inspectors, with their names and titles that shows he is in compliance with Nebraska laws. He has completed the 21 page certification form for the NDEQ. Testimony Opposed was from Don Nealon asking if Brian P. had spoken to the road department. Administrator Trumler stated he had spoken to Janet Thomsen and she has reviewed. After much discussion, Brian verified that the building holding the oil and antifreeze products will not be heated, will have sprinklers on the outside yard, and does carry Liability Insurance. The board members discussed and put in place the following conditions:

- Maintain compliance with the NE State Fire Marshall Act.
- No containers larger than 350 gallons stored
- Maintain compliance with the SPCC (Spill, Prevention, Control & Countermeasure) program administered by the EPA.

A motion was made by Daryl Anderson and 2nd by Jeff Christensen to approve the conditional use permit application for Brian and Winnifred Poland for warehousing and storage of nonhazardous products in the A-2 district in SE ¼ of section 6-13-9W. A roll call vote was taken. The motion carried 7-0. A Finding of Fact was completed (See Attached)

At 8:15 P.M. Terry Spilinek opened the Public Hearing for **B.P. Oil Subdivision** in the SE ¼ of Section 6-13-9W of the 6th P.M. in Howard County. Administrator Trumler read the Notice of Public Hearing. Proof of Publication is filed in the Howard County Clerk’s office. Brian Poland was present for questions from the zoning board. Brian explained he wants to subdivide 3 acres off the 88 he has purchased. Administrator Trumler stated the Subdivision meets all our guidelines. A motion was made by Jeff Christensen and 2nd by Jack Reimers to approve the B.P. Oil Subdivision in the SE ¼ of Section 6-13-9W. A roll call vote was taken. The motion carried 7-0. A Finding of fact was completed. (See Attached)

Administrator Trumler said we will meet on another night to review all of our Matrix guidelines and discuss at our next meeting if not much else is scheduled.



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At 8:45 P.M. a motion was made by Daryl Anderson and 2nd by Ron Kulwicki to adjourn. The motion carried by unanimous voice vote. The next meeting will be scheduled for February 20, 2013.

Cherri Klinginsmith, Acting Secretary