



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING APRIL 20, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20<sup>th</sup> day of April, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska,

Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the notice of meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 8 members present: Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Kenneth Kozisek, Jack Reimers, Dave Sack, and Terry Spilinek. Those absent were Ron Kulwicki. Also present were Cherri Klinginsmith, Howard County Planning & Zoning Administrator and Nancy Usasz, Secretary. Members of the public present were Timothy Trampe, Rod Placke & Kim Placke.

The agenda and minutes were emailed to the board members prior to the meeting. A motion was made by Jack Reimers and Seconded by Ken Kozisek. The motion was carried by unanimous voice vote.

At 8:05 p.m. discussion was had regarding the Ashley Davis Property. The land owners were not present to testify. Administrator Klinginsmith stated that they would like to change zoning from A-1 to A-2 so they can subdivide the property. Chairman Terry Spilinek stated that we cannot change zoning for one situation. They can request a variance if they would like to proceed.

Next on the Agenda was a Preliminary Public Hearing for Mathis Re-Plat Subdivision. This is a multi-lot subdivision located in the NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 21, Township 13N, Range 9W. Cherri Klinginsmith read the Notice of Hearing. Rod Placke was present to present to the request. He stated that he would like to re-plate lot 4 into re-plate lots of 1, 2 & 3, for the purpose of selling an adjoining neighbor more ground. Rod also asked if the lots could be re-zoned from R-1 to C-1. Chairman Spilinek said yes that would be considered with a re-zoning application. There was no public opposition. The Public hearing was closed and Dave Sack made a motion to approve the preliminary Mathis re-plate subdivision, a multiple lot subdivision, seconded by Chris Kosmicki. The motion carried 8-0 vote. Finding of Fact attached.

Next on the agenda was to further discuss Adult Entertainment regulations. Board members looked at the regulations that Administrator Klinginsmith wrote. Discussions were had about what zone would best suit an Adult Entertainment establishment. Administrator Klinginsmith suggested a new zoning district within 500 feet of a highway in Howard County (Rural Commercial Industrial-RCI) however after much discussion the board thought it would be best if it was added to A-1 district regulations and such establishments must be within 500 feet of the highway so that A-2 district is not compromised. Legal questions were asked and board members were disappointed that County Attorney was not present.



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Next on the agenda Administrator Klinginsmith verified that in A-1 district; Section 2 conditional uses #7 states that Administrative Conditional use Permit is required for commercial livestock waste hauled by truck and or through an irrigation system. Board members said yes an Administrative Conditional Use permit is needed.

Next on the agenda was discussion regarding temporary housing units for elderly. After reviewing the location of the residence, to add an additional residence for elderly individual is not allowed in the Howard County regulations. The property is located in A-1 zoned land, located within an odor footprint and doesn't qualify for a conditional use for providing housing for the elderly. Administrator Klinginsmith sent a letter to land owner and the Zoning Board agreed with her decision. Option for land owner is to request a variance.

At 9:50 P.M. a motion was made by Chris Kosmicki and seconded by Jeff Christensen to adjourn. The motion carried by unanimous voice vote. Next meeting is tentatively scheduled for May 26, 2016.

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Nancy Usasz, Secretary