



Saunders County Planning and Zoning Minutes



PLANNING COMMISSION PROCEEDINGS November 2nd, 2015

Pursuant to adjournment, the Planning Commission met with Proskovec, N. Nelson, Trutna, Starns, McEvoy, E. Nelson and Barry.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by proof of publication on file in the Zoning Office. Notice of the meeting was mailed to all members of the Commission and their acknowledgement of receipt of notice and agenda is on file. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public, except when in closed/executive session where noted. The Chairman informed the public of the location of the posting of the Open Meetings Act (84-1407 to 84-1414 as amended by LB 898 2006). Chairman Proskovec called the meeting to order at 7:30 P.M.

Public hearing was held regarding application #8031 by Doug Loftus to fill and grade approximately 31250 sq. ft. to be blended with existing farm land.

Motion by N.Nelson, seconded by Starns to approve application #8031 by Doug Loftus to fill and grade. Voting yes: Trutna, Barry, Starns, E. Nelson, Proskovec and N. Nelson. Voting no: McEvoy. Motion carried.

Public hearing was held regarding application #SD93 by Jon Devish to replat lots 34 & 35 Estates Provence.

Motion by Barry, seconded by McEvoy to approve application #SD93 by John Devish to replat lots 34 & 35 Estates Provence. Voting yes: N. Nelson, Trutna, Barry, Starns, McEvoy, E. Nelson and Proskovec. Voting no: none. Motion carried.

Public hearing was held regarding application #8042 by Michael J Chvatal to construct a 1-1 1/2 acre pond, Section 10-15-6 Mariposa Township.

Motion by Starns, seconded by McEvoy to approve the application #8042 by Michael J Chvatal to construct a 1-1 1/2 acre pond. Voting yes: Barry, Starns, McEvoy, E. Nelson, Proskovec, N. Nelson and Trutna. Voting no: none. Motion carried.

Public hearing was held regarding application #8043 by Olsson Associates on behalf of Sandy Pointe Lake Development, LLC to replat lots 54, 55, 56 & 57 Sandy Pointe, Clear Creek Township.

Motion by N. Nelson, seconded by Starns to approve the application #8043 by Olsson Associates on behalf of Sandy Pointe Lake Development, LLC / Christo Properties, LLC to replat lots 54, 55, 56 & 57 Sandy Pointe. Voting yes: McEvoy, E. Nelson, Proskovec, N. Nelson, Trutna, Barry and Starns. Voting no: none. Motion carried.

Public hearing was held regarding application #SD94 by Olsson Associates on behalf of Sandy Pointe Lake Development, LLC for Final Plat of Sandy Pointe Lake Development 1st Addition, Clear Creek Township.

Motion by Barry, seconded by McEvoy to approve application #SD94 by Olsson Associates on behalf of Sandy Pointe Lake Development for Final Plat of Sandy Pointe Lake Development 1st Addition. Voting yes: Proskovec, N. Nelson, Trutna, Barry, Starns, McEvoy, E. Nelson. Voting no: none. Motion carried.

Public hearing was held regarding the annual review for Brian Reid, master permit #7109 to store/sell fertilizer, Section 4-13-9 Clear Creek Township.

Motion by N. Nelson, seconded by Starns to approve the annual review for Brian Reid, master permit #7109. Voting yes: Starns, McEvoy, E. Nelson, Proskovec, N. Nelson, Trutna and Barry. Voting no: none. Motion carried.

Public hearing was held regarding the annual review for LPSNRD, master permit #7130 Camp Ashland Fuse Plug Embankment, Section 30&31-13-10 Clear Creek & Ashland Township. Discussion between the planning commission and the LPSNRD and the Army Corps of Engineers took place.

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Motion by McEvoy, seconded by E. Nelson to approve the annual review for LPSNRD, master permit #7130 contingent upon the understanding that competent personnel be onsite in case a flood event happens. Voting yes: E. Nelson, Proskovec, N. Nelson, Trutna, Barry, Starns and McEvoy. Voting no: none. Motion carried.

Motion by Barry, seconded by Trutna to approve the minutes of October 5th meeting. Voting yes: N. Nelson, Trutna, Barry, Starns, McEvoy, E. Nelson and Proskovec. Voting no: None. Motion carried.

The Planning Commission reviewed future meeting dates: (12/7/2015, 1/4/2016, 2/1/2016).

There was open no open discussion from the public.

Proceedings of the foregoing meeting were recorded and are on file in the Zoning office. All items considered by the Planning Commission were included in the agenda, published, and posted prior to said meeting.

Motion by McEvoy, seconded by Starns to declare meeting adjourned. Voting yes: All. Voting no: None. Motion carried. Meeting adjourned at 10:45 PM.

Zoning Administrator	Date	Planning Commission Chair	Date
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Deleted: Motion by Barry, seconded by McEvoy to **approve** application #8010 by Christopher J Kems to operate a home-based business selling firearms- subject to a one (1) year annual review. Voting yes: Trutna, Barry, McEvoy, Proskovec, N. Nelson. Voting no: None. Motion carried.¶

¶ Public hearing was held regarding application #8031 by Doug Loftus to fill and grade.¶

¶ Motion by Barry, seconded by McEvoy to **table** application #8031 by Doug Loftus to fill and grade. The Commission requested additional research be conducted- that the Nebraska Department of Roads and Member John Starns be contacted to report waterflow studies of the area. Voting yes: McEvoy, Proskovec, N. Nelson, Trutna, and Barry. Voting no: None. Motion carried.¶

¶ Motion by McEvoy, seconded by [1]

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Motion by Barry, seconded by McEvoy to **approve** application #8010 by Christopher J Kems to operate a home-based business selling firearms- subject to a one (1) year annual review. Voting yes: Trutna, Barry, McEvoy, Proskovec, N. Nelson. Voting no: None. Motion carried.

Public hearing was held regarding application #8031 by Doug Loftus to fill and grade.

Motion by Barry, seconded by McEvoy to **table** application #8031 by Doug Loftus to fill and grade. The Commission requested additional research be conducted- that the Nebraska Department of Roads and Member John Starns be contacted to report waterflow studies of the area. Voting yes: McEvoy, Proskovec, N. Nelson, Trutna, and Barry. Voting no: None. Motion carried.

Motion by McEvoy, seconded by N. Nelson to **enter into executive session** for the protection of the public interest to discuss threat of litigation with legal counsel for the County, the zoning administrator, County office clerk, and members of the Commission. Voting yes: Proskovec, N. Nelson, Trutna, Barry, and McEvoy. Voting no: None. Motion carried.

Entered into executive session at 8:48pm (with County’s legal counsel present: Brandy Johnson, Law Office of Vincent Valentino).

Motion by N. Nelson, seconded by McEvoy to **come out of executive session**. Voting yes: N. Nelson, Trutna, Barry, McEvoy, and Proskovec. Voting no: None. Motion carried.

Executive/closed session ended at 9:35pm (with no action taken).

One of the County’s attorneys, Bryan Dykes, gave a telephonic presentation to the Planning Commission concerning the secondary effects of adult establishments, as relates to County Board’s proposal for zoning amendments. Associated written materials were made part of the record.

Public hearing was held regarding proposal for amendment to zoning regulations relating to adult establishments, of which copies were available.

Motion by Barry, seconded by McEvoy to **recommend approval** to the County Board of Supervisors of item four (4) on the agenda [proposal for amendments to the zoning regulations relating to adult establishments], in that it’s needed and justified based on the need to regulate the secondary effects of adult establishments; the proposed amendments are consistent with the purposes of the general planning program and comprehensive plan, because based upon study and review, they will protect the tax base, protect the property against blight and depreciation, secure economy in governmental expenditures, foster the state industries, encourage the most appropriate use of the land in the county. Voting yes: Proskovec, N. Nelson, Trutna, Barry, and McEvoy. Voting no: None. Motion carried.

discussion regarding the consideration of Fremont relinquishing the city’s zoning jurisdiction in Saunders County.

*Meeting minutes will not be reviewed for approval by the Planning Commission until November meeting date.

Elizabeth Zwiebel- Zoning Clerk