



Howard Planning and Zoning Minutes



**MINUTES
HOWARD COUNTY
VARIANCE BOARD OF ADJUSTMENT
January 20, 2016**

A meeting of the Howard County Variance Board of Adjustment was convened in open and public session on the 20th day of January, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Mike Nelson called the meeting to order at 6:30 p.m. Roll call showed 4 members present: Mike Nelson, Terry Spilinek, Chad Donscheski and Janet Thomsen. Absent were: Fred Meyer and Gary Craig. Also present were Cherri Klinginsmith, Howard County Zoning Administrator, and Lindsay Kryzcki, Secretary.

Zoning Administrator, Klinginsmith read the notice of the public meeting. An Affidavit was presented from the Phonograph-Herald dated the 6th day of January 2016 that this notice was published 10 days prior to the meeting. A proof of publication is filed in the Howard County Clerk's office.

The agenda and minutes were read to the Variance Board of Adjustment members at the meeting. A motion was made by Terry Spilinek and seconded by Janet Thomsen to approve the minutes of the May 20, 2015 meeting. The motion carried on unanimous voice vote.

Administrator Klinginsmith provided the board with a copy of the agenda for the 2015 Annual Planning & Zoning Conference to be held in Kearney, March 9-11, 2016. If any members are interested in attending the Board of Zoning Adjustment sessions, they need to let Cherri know by February 17, 2016.

At 6:40 p.m. the election of officers was discussed. Terry Spilinek made a motion to elect Mike Nelson as Chairman. Chad Donscheski seconded the motion and the motion carried by unanimous voice vote. Terry Spilinek made a motion to elect Fred Meyer as Vice-Chairman. Janet Thomsen seconded the motion and the motion carried by unanimous voice vote. Janet Thomsen made a motion to elect Gary Craig as Secretary. Terry Spilinek seconded the motion and the motion carried by unanimous voice vote.

Terry Spilinek and Fred Meyer were reappointed for another term. Mike Nelson advised the board this this will be his last term. The board asked Mike to be looking for a replacement and let Cherri Klinginsmith, Administrator know if he finds someone interested in taking his place.

With there being no further business the meeting adjourned at 6:50 p.m.

Cherri Klinginsmith, Administrator

**MINUTES
HOWARD COUNTY PLANNING & ZONING
January 20, 2016**



Howard Planning and Zoning Minutes



A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20th day of January, 2016 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 Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 5 members present: Jeff Christensen, Jack Reimers, Terry Spilinek, Chris Kosmicki, and Ken Kozisek. Those absent were: Dave Sack, Daryl Anderson, Randy Kauk, and Ron Kulwicki. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Lindsay Kryzcki, Zoning Secretary, Dave Schroeder, County Attorney and members of the public including: Dusty and Lesley Dugan.

The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Ken Kozisek and seconded by Jack Reimers to approve the minutes of the December 16, 2016 meeting. The motion carried on unanimous voice vote.

Administrator Klinginsmith provided the zoning board with a copy of the agenda for the 2016 Annual Planning & Zoning Conference to be held in Kearney, March 9-11, 2016. If any members are interested in attending the sessions, they need to let Cherri know by February 17, 2016.

Administrator Klinginsmith provided the board with a copy of the agenda for the 2015 Annual Planning & Zoning Conference to be held in Kearney, March 9-11, 2016. If any members are interested in attending the Board of Zoning Adjustment sessions, they need to let Cherri know by February 17, 2016.

At 7:15 p.m. the public hearing regarding the update of Howard County sign regulations was opened.

Discussion was held regarding Dusty Dugan's feedlot. Administrator Klinginsmith, informed the board that Dusty is working with NDEQ to become compliant. Which requires him to move his pens from where they are currently located to the North, due to drainage issues. With this change it will change the odor footprint, to include the current resident to be more in the center of footprint rather than the very edge. Administrator Klinginsmith explained in the regulations it states existing residences shall not further encroach more than 200 feet upon setback. Therefore Klinginsmith interprets this to mean the feedlot can do the same without additional permitting. Zoning members felt this update will be more environmentally friendly and agree with the administrator. Administrator Klinginsmith, informed the Dugan's they are free to continue on with the process of NDEQ requests. Once the changes have been made to the pens, please inform the zoning office.

At 7:30 the Public hearing for sign regulations was continued. Administrator Klinginsmith informed the zoning members to review the updated version of the sign regulations in front of them. They have been updated from 9 confusing pages to 3 pages and feel they are easier to understand. Basically stating the NDOR will enforce signage along all the highways in Howard County, excluding HWY 58. All other signs must be no larger than 32 square feet and follow the sign regulations listed without requiring a permit, unless the NDOR requires approval from Howard County. No one was present from the public to be in favor or opposed. Therefore after much discussion with the Howard County attorney present and minor changes to some wording a motion was made by Chris Kosmicki to approve the updated Howard County sign regulations and seconded by Ken Kozisek. The motion carried on unanimous voice vote of 5-0. A Finding of Fact was completed. (copy attached).

At 7:45 p.m. the election of officers was discussed. Ken Kozisek made a motion to elect Terry Spilinek as Chairman. Jack Reimers seconded the motion and the motion carried by unanimous voice vote. Chris



Howard Planning and Zoning Minutes



Kosmicki made a motion to elect Jack Reimers as Vice-Chairman. Ken Kozisek seconded the motion and the motion carried by unanimous voice vote. Jeff Christensen made a motion to elect Daryl Anderson as Secretary. Ken Kozisek seconded the motion and the motion carried by unanimous voice vote. Daryl Anderson, Ken Kozisek and Jack Reimers were reappointed for another term.

Discussion was held regarding Julie Wright's, TLC Livestock operation. Administrator Klinginsmith stated that Julie called asking if we would look into changing the regulations from confinement for more than 6 months in any one calendar year to 5 months, for just the hog operators. Discussion was held and thoughts included: This request is from only one operator. We are unable to discriminate against different animal species, as we found out when we wrote the manure regulations. Theoretically the preparation time and clean-up time would get her to the 6 month condition, ready for the next delivery and meeting the guidelines. We now have the nuisance easement waiver form to allow someone to build within operators' odor footprint and Miss Wright she shouldn't have the problems that came up previously. It is one person, one issue, we don't know the underlying issue here and we consider her to be in compliance as of today. Therefore do not see a reason to change the regulations at this point. Klinginsmith will inform Julie Wright of the decision.

Administrator Klinginsmith informed the board members of a new animal units chart, that Greeley County may be using, and offered comparisons to our current A.U. numbers. After discussion they agreed to keep the A.U. as they are for Howard County.

At 8:10 p.m., a motion was made by Jeff Christensen and seconded by Chris Kosmicki to adjourn. The motion carried by unanimous voice vote. Next meeting attentively for February 17, 2016.

Cherri Klinginsmith, Administrator



Howard Planning and Zoning Minutes



NOTICE OF MEETING HOWARD COUNTY PLANNING & ZONING COMMISSION

NOTICE IS HEREBY GIVEN that a regular meeting of the Howard County Planning and Zoning Commission will be held at the Howard County Courthouse Assembly Room, St. Paul, at 7:00 p.m. on Wednesday, February 17, 2016, which meeting will be open to the public. An agenda for such meeting, kept continually current, is available for public inspection at the office of the Planning & Zoning Administration, 612 Indian Street, St. Paul, NE. Dated this 3rd day of February, 2016

Cherri Klinginsmith, Zoning Administrator

AGENDA

7:00 P.M. – Call to order – recognize Open Meeting Law – read the published notice of the meeting.

2. Roll Call – Approval of minutes of the January 20, 2016 meeting.

3. Chairman’s comments – old business – interest in attending NPZA conference March 9-11th

4. 7:05 P.M. – Public Hearing regarding the update of Sign Definitions. – read the notice.

A. Presentation of Requests – Sign regulations

I. Testimony in Favor

II. Testimony Opposed

III. Short rebuttal

B. Close Public Hearing – Discussion by Planning and Zoning Commission

C. Recommend Approval/Disapproval – Write “Finding of Fact”

5. Discussion regarding Nathan Lutz sign.

6. Adjournment



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING March 16, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 16th day of March, 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 6 members present: Daryl Anderson, Jeff Christensen, Chris Kosmicki, Ken Kozisek, Jack Reimers and Terry Spilinek. Those absent were: Randy Kauk, Ron Kulwicki and Dave Sack. Also present were Cherri Klinginsmith, Planning & Zoning Administrator and Nancy Usasz Planning & Zoning Secretary.

The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Jeff Christensen and seconded by Daryl Anderson to approve the minutes of the February 17th, 2016 meeting. The motion carried by unanimous voice vote.

At 8:05 non-conforming land use was discussed. Michael Sok wants to build a shed on his property with 1.28 acres. They would like to buy 1 acre but that still does not get them to the 3 acre minimum lot size. Administrator Klinginsmith cannot allow them to put up a building that does not meet proper setbacks. After discussion, it was agreed upon that they need to purchase more land to meet the 3 acre minimum requirement in order to build. If unable to do so, they have the option to request a variance.

Next on the agenda was to discuss Adult Entertainment. Howard County will be updating there regulations to include Adult Entertainment. Discussion included the percent of land needed for such use. Further discussion will be had at the next meeting after Administrator Klinginsmith does more research. They are hopeful to have Legal Counsel at the next meeting.

Next on the agenda was discussion on Seasonal Cabins on Oeltjen's river front property near Elba. After discussion it was decided there should be no more permeant Cabins on this property. They must be on Skids with no permanent electrical hookup. Electrical poll outside with extension cord will be permitted. Recreational vehicles will be allowed. No Zoning Permit will be needed since it will not be a permeant structure.

At 9:30 p.m., a motion was made by Daryl Anderson and seconded by Jeff Christensen to adjourn. The motion carried by unanimous voice vote. Next meeting is tentatively scheduled for April 21, 2016.

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



**MINUTES
HOWARD COUNTY
VARIANCE BOARD OF ADJUSTMENT
April 20, 2016**

A meeting of the Howard County Variance Board of Adjustment was convened in open and public session on the 20th day of April, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Mike Nelson called the meeting to order at 7:30 p.m. Roll call showed 5 members present: Chad Donscheski, Fred Meyer, Mike Nelson, Terry Spilinek, and Janet Thomsen. Also present were Howard County Zoning Administrator Cherri Klingsmith and Nancy Usasz, secretary. Members of the Public Present were Steve Ward, Mitch & Patty Sok.

Zoning Administrator, Klingsmith read the notice of the public meeting. An Affidavit was presented from the Phonograph-Herald dated the 6st day of April, 2016 that this notice was published 10 days prior to the meeting. A proof of publication is filed in the Howard County Clerk's office.

The agenda and minutes of the previous meeting were emailed to the Variance Board of Adjustment members prior to the meeting. A motion was made by Terry Spilinek to approve the minutes of the January 20, 2016 meeting and seconded by Janet Thomsen. The motion carried a 5-0 vote.

At 7:35 the Public Hearing to allow for an accessory building to be built on a non-conforming lot with less than 3 acres was opened. This lot is located in the SW ¼ of Sections 5, Township 14N, and Range 10W. Cherri Klingsmith read the Notice of Hearing. Mr. Sok stated that he would like to replace an existing building that is not currently on his property. He would like to increase his acreage to include the building however the increase will not allow them to reach the 3 acre minim. Adjoining land owner Steve Ward presented his case stating that he wants to put a pivot in and selling the land will reduce his irrigation capabilities. Chairman Mike Nelson stated that he would like to see this lot come into compliance but he realize it is not possible at this time. Fred Meyer made a motion to grant the variance to Sok's, for the requested distance since it was purchased as a non-conforming lot in 1992 and approved by the county commissioners, and seconded by Chad Donscheski. The motion carried a 5-0 vote. Finding of Fact attached.

At 7:50 P.M. Terry Spilinek made a motion to adjourn the meeting and Janet Thomsen seconded. The Motion carried by unanimous voice vote.

Nancy Usasz, Secretary



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 20th 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-plot lot 4 into re-plot 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-plot 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.



Howard Planning and Zoning Minutes

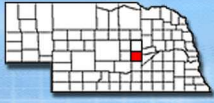


Next on the agenda Administrator Klinginsmith verified that in A-1 district; Section 2 conditional uses #7 states that Administrative Conditional use Permit is required for commercial livestock waste hauled by truck and or through an irrigation system. Board members said yes an Administrative Conditional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

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING June 15, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 15th day of June, 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 5 Members Present, Daryl Anderson, Jeff Christensen, Chris Kosmicki, Jack Reimers and Terry Spilinek. Those absent were Kenneth Kozisek, Ron Kulwicki and Dave Sack. Also present were Cheri Klinginsmith, Howard County Planning & Zoning Administrator, Nancy Usasz, Planning & Zoning Secretary and Dave Schroder County Attorney. Members of the public present were Nathan & Nikki Timmons and Renee Nesiba.

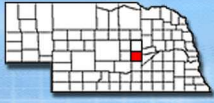
The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Jeff Christensen and Seconded by Chris Kosmicki to approve the minutes from the May 18, 2016 meeting. The motion was carried by unanimous voice vote.

Planning & Zoning Board Member Randy Kauk arrived to the meeting at 8:03 P.M.

Old Business was discussed. Administrator Klinginsmith has asked the villages for a copy of their ordinances and she is hoping to receive them soon. She also informed the board that Old train cars are being used for storage containers and also has receive a call about turning them into a residence. The board agreed that if they do not have wheels they are considered a permanent structure and therefore should require a Zoning Permit.

At 8:05 P.M. the Public Hearing regarding a Conditional Use Permit for Nathan and Nicolette Timmons was opened. Administrator Klinginsmith presented the request and stated that they have the required permits and signed forms. Chairman Terry Spilinek, stated that Nathan is part of the feeding operation but the required permits are to protect the land owner and the owner of the feeding operation for future if they should ever want to sell the property. There was no opposing testimony. The public hearing was closed. A motion was made by Jeff Christensen to approve the conditional use permit for Nathan and Nicolette Timmons and seconded by Jack Reimers. The motion carried 6-0 roll call vote. Administrator Klinginsmith informed Nathan and Nikki Timmons the next step in the approval process is to meet with the Howard County Commissioners which will be Tuesday June 28, 2016 at 9:15 A.M. Finding of Fact attached.

The next item on the Agenda was a Public Hearing for the Loup Valley View Subdivision. Renee Nesiba was present. Administrator Klinginsmith presented the request. They would like to buy .63 Acres from Phyllis Stepanek to bring their Acreage to 3.08 Acres to build a home. The only concern is this that Verizon Wireless has a Conditional Use Permit to Construct a Tower on this property but Administrator Klinginsmith measured and they will be building over 500 feet from the tower. There was no opposing testimony. The public hearing was closed. A motion was made by Chris Kosmicki to approve the Loup Valley View Subdivision and seconded by Jeff Christensen. The motion carried 6-0 roll call vote. Administrator Klinginsmith informed Renee, the next



Howard Planning and Zoning Minutes



step in the approval process is to meet with the Howard County Commissioners which will be Tuesday June 28, 2016 at 9:00 A.M. Finding of Fact attached.

Next on the Agenda was a Public Hearing to update Howard County Zoning Regulations pertaining to Adult Establishments and the Howard County Zoning Definitions. The proposed regulations were mailed to the board members and a copy was given to Dave Schroder, County Attorney. The Zoning Board asked Mr. Schroder his opinion of the regulations. He stated that they look good. His only concern was only allowing such establishment into the A-1 district. The Board explained the reasoning. A-2 district is reserved for residential, and with setbacks of 1000 feet from a residence and such establishments must be located within 500 feet of a Howard County Highway it would not be appropriate to allow in A-2 district. Administrator Klinginsmith stated that a Conditional Use Permit and 3 acre minimum lot size would be required to open an Adult Establishment. County Attorney Schroder also stated that each Village needs to adopt ordinances pertaining to Adult Establishments. There was no opposing testimony. The public hearing was closed. A motion was made by Jeff Christensen and seconded by Jack Reimers to approve the Adult Establishment Zoning regulations and update the Howard County Zoning Definitions. The motion carried a 6-0 roll call vote. Finding of Fact attached.

Next on the agenda the Verizon Wireless Conditional use permit on Phyllis Stepanek's property. Administrator Klinginsmith informed the board that because of the Loup Valley View Subdivision it came to her attention that construction has not started and the permit expired on December 23, 2015 therefor the permit is null and void. As stated in the Howard County Zoning regulations: Section 7 CONDITIONAL USES, PROCEDURES AND STANDARDS, #2-C If an approved conditional use is not begun within a period of 12 months following approval, the Conditional Use Permit shall become null and void. The Zoning Board decided that since the permit is past expiration date that Verizon Wireless and Phyllis Stepanek need to re-apply when they are ready to begin construction. Also discussed adding this regulation wording to the application

Next on the agenda was Discussion regarding LB106 Nebraska Livestock Siting Assessment Matrix. Nebraska Department of Agriculture has provided a tool for responsible livestock development in Nebraska. Counties will have the option of using the matrix to determine whether to approve a conditional use permit or special exception application. Administrator Klinginsmith asked for questions or concerns and stated that she has to respond the Department of Agriculture by the end of July. The board decided this is mainly for counties without zoning but asked Cheri to verify that this is not going to be forced on all counties and if there will be a spread sheet to make calculations online.

At 8:58 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 July 20, 2016.

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING May 18, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 18th day of May, 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.

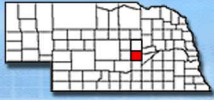
Roll call showed 6 members present: Daryl Anderson, Jeff Christensen, Chris Kosmicki, Kenneth Kozisek, Jack Reimers and Terry Spilinek. Those absent were Ron Kulwicki, Randy Kauk and Dave Sack. Also present were Cherri Klinginsmith, Howard County Planning & Zoning Administrator and Nancy Usasz, Planning & Zoning Secretary. Members of the public present were Bo Vanis, Marilyn Bader & Rod Placke.

The agenda and minutes were emailed to the board members prior to the meeting. A motion was made by Chris Kosmicki and Seconded by Jeff Christensen to approve the minutes from the April 20, 2016 meeting. The motion was carried by unanimous voice vote.

At 8:05 P.M. The Public Hearing for Mathis Re-Plat Subdivision was held. 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 Public Hearing. The final plat was presented. Rod Placke asked about the possibility of re-zoning lot 1 to C-1 in the future. The board said that since the neighboring lot is Commercial it would just be a matter of filing the paperwork and having a public hearing. Discussion was had regarding roads accessing the property and powerlines. There was no opposing testimony. The Public hearing was closed and Jack Reimers made a motion to approve the Mathis re-plat subdivision, a multiple lot subdivision, seconded by Kenneth Kozisek. The motion carried 6-0 vote. Finding of Fact attached.

Next of the Agenda was Discussion on Harvey Finck's request for a subdivision located at w $\frac{1}{2}$ NE $\frac{1}{4}$ 13-13-11, located within the A-3 district. Harvey came into the Planning & Zoning office inquiring about the possibility of subdividing his 76 acre farm. Administrator Klinginsmith told him that the quarter already has one non-farming residence on it and therefore the farm site needs to stay with the farm ground. The Zoning Board agreed.

Next on the agenda was Discussion on CAFO waste setbacks for Marilyn Bader. Marilyn was in attendance to present her request for a CAFO waste setback. She had previously had a CAFO waste setback at SE $\frac{1}{4}$ 1-13-10 and has moved across the road. She feels that she has the right to request the setback and wants the board to re-consider her request. Administrator Klinginsmith informed her that the neighboring land owner when applying manure must stay 300 feet away from her residence and 100 feet from a well. Marilyn stated the manure is full of e-coli and microorganisms and is a great health risk for her family. She also asked why the CAFO waste setback could not be requested after November 2009. The Board explained that if everyone started requesting the setback the feedlot owners would not have a place to spread their manure. Therefore, a deadline was put into place, and now residents who lived in homes in existence prior to November 2009 can request the CAFO waste setback. Once the resident moves, the new resident of the home does not have the



Howard Planning and Zoning Minutes



option to file for the setback. Cherri spoke to County Attorney Dave Schroeder and the CAFO waste setback wording needs to be clarified from: Rural residents of homes in existence prior to Nov. 2009, may request a 1320' (1/4 mile) waste setback from their home which will be kept on file by the Planning & Zoning Office. It will remain in effect as long as the undersigned resides at the location. (All homes built after that date will not have this option). The new clarified wording will read: Rural residents who lived in homes in existence prior to Nov. 2009, may request a 1320' (1/4 mile) waste setback from their home which will be kept on file by the Planning & Zoning Office. It will remain in effect as long as the undersigned resides at the location. (All homes built after that date, or new occupants for existing homes will not have this option)

Next on the agenda was discussion regarding Margaret Friesen and her request for a guest house located at W ½ SW ¼ 14-13-10. She called the Planning and Zoning office inquiring about the possibility of putting a guest house on her property for a handicapped family member. After discussion and reviewing the regulations for A-1 district; section 2 conditional uses #11, the board decided that it would be permitted with an approved Conditional Use Permit and the electrical and sewer must come from the main dwelling.

Next of the agenda was discussion regarding Jared Rasmussen's dealership. In 2012 Sarah Rasmussen met with the Planning and Zoning Board and asked for approval to operate a car sales business in an Agricultural Zoned District. Administrator Klingensmith sent a letter to the Motor Vehicle Licensing Board stating that they would be allowed to have 5 vehicles on display at a time. Jared called the office and stated that Motor Vehicle Licensing Board requires them to have space for 10. Cherri Klingsmith asked for approval to reword the letter to state that they have space for 10+ vehicles but can only display 5 at a time. The board approved her request.

Next on the agenda the Proposed Adult Entertainment regulations were discussed. The proposed regulations were mailed the board members prior to the meeting. The County Attorney read the regulations and approved of them prior to the meeting. It was decided that such establishments should be located in the A-1 district with an approved conditional use permit and must be located within 500 feet of a highway in Howard County. Klingensmith also visited with the Sheriff's office and they liked like the idea of establishments being within 500 feet of a highway. The Board members were upset that the County Attorney was not present to give legal counsel and hope that he will be present for the Public Hearing to accept the Adult Entertainment Regulations in June. Also the board asked if the County Attorney is not present at our June Public Hearing, is there a way to cancel the Public Hearing? Administrator Klingensmith will check into this.

At 9:20 P.M. a motion was made by Kenneth Kozisek and seconded by Chris Kosmicki to adjourn. The motion carried by unanimous voice vote. Next meeting is tentatively scheduled for June 15, 2016.

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING AUGUST 17, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 17th day of August, 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, Chris Kosmicki, Ken Kozisek, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek. Randy Kauk was absent. Also present were Cherri Klinginsmith Planning & Zoning Administrator and Nancy Usasz, secretary. Members of the public present were Kurtis & Bridget Reeves, Gerald Kubic, Roger Kubic, Dan Kuck, Steve Wissing, and Roger Skorniak.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Chris Kosmicki and Seconded by Jeff Christensen to approve the minutes from the June 15, 2016 meeting. The motion was carried by unanimous voice vote.

At 8:05 P.M. the Public Hearing regarding the Pawnee Hills Subdivision was opened. Kurtis and Bridget Reeves were present to present the request. They are asking to subdivide three acres from the property located in Section 25, Township 16, Range 9 west and currently owned by them along with Ladd M. Reeves and Janice I. Reeves for the purpose of building a cabin. This will not be a non-farm residence as they are still part of the farming operation. There was no opposing testimony. The Public Hearing was closed. A motion was made by Dave Sack and seconded by Ron Kulwicki to approve by the Pawnee Hills Subdivision. The motion carried a 8-0 roll call vote. Finding of Fact attached.

Next on the agenda was St. Libory Zoning Block 6 lots 1-8. This hearing was to clarify if the zoning maps were mapped correctly when the zone changed in 2005. Prior to the meeting Zoning office found mapped record that show the current zoning is correct (R-1). Further discussion included the following: Roger Kubic called the Planning & Zoning office and stated that Union Grain moved in a garage on lot 3. It is on the property line and does not meet setbacks for R-1 zone and he would like it moved immediately. Union Grain did not obtain a zoning permit for this building. Administrator Klinginsmith stated that she sent Roger Skorniak manager of Union Grain a letter stating that he needs to meet the setbacks and obtain a permit and pay the \$100 fine. Mr. Skorniak along with Dan Kuck and Steve Wissing who are on the elevator board were present to discuss this matter. Steve Wissing stated that when the elevator bought the lot they were not aware that it was zoned residential because the Lumber Yard was previously located there. In 2005 a Public Hearing was held to rezone block 6 from I-2 to R-S. This was done by the county so notice of public hearing was published in the Phonograph Herald but adjoining land owners were not notified by mail (Comprehensive plan updated in 2015 to change R-S to R-1). Roger Kubic stated that when he purchased his property he knew that it was residential and he is not happy that Union Grain is using this property as Industrial and parking grain equipment and piling corn on the residential lots. Mr. Skorniak asked the board about rezoning this property back to industrial and will fill out a request to rezone application. There were numerous conversation back and forth between the elevator and the resident, however Chairman Spilinek explained their complaint about each



Howard Planning and Zoning Minutes



other is not a zoning issue. The Zoning board did confirm with the zoning administrator that the existing building must meet the setbacks and suggested moving the building 8 feet back and put up a 6 foot privacy fence. The building needs to be moved or the Variance request filed prior to August 30, 2016.

Next on the agenda was to review corrections in the manual. On Page 36, Definitions under Agriculture currently states: The raising and feeding of livestock and poultry shall be an agricultural use if the area in which the livestock or poultry is kept is ten (10) acres or more in area. This should be twenty (20) acres in area. On. Page 125, #17, a. currently states: the minimum lot size shall be not less than two (2) acres. This should be three (3) acres.

On Page 175, Section 9, Campgrounds, 2. States: The tract to be used for a campground shall not be less than two (2) acres in area. This should be three (3) acres in acres.

Administrator Klinginsmith stated that this is a typo from when we had to manuals reprinted. She spoke the County Attorney Dave Schroder and he said that clerical errors do not need to be a Public Hearing. The changes will be made immediately.

The last item on the agenda was Cotesfield zoning and a request from Terri Toogood to build a new house in a C-1 zone inside the village of Cotesfield. Residences are not allowed in the C-1 zone according to our regulations. The board discussed that this may prohibit growth to the village, and decided to allow this as a conditional use as long as the village of Cotesfield approved.

At 9:40 P.M. a motion was made by Ron Kulwicki and seconded by Jack Reimers to adjourn. The motion carried by unanimous voice vote. The next meeting is tentatively scheduled for September 19, 2016.

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING September 21, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 21st day of September, 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.

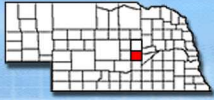
Roll call showed 6 members present: Daryl Anderson, Jeff Christensen, Ken Kozisek, Ron Kulwicki, Jack Reimers and Terry Spilinek. Absent were Randy Kauk, Chris Kosmicki and Dave Sack. Also present were Cherri Klinginsmith Planning & Zoning Administrator, Nancy Usasz, secretary and Dave Schroeder, Howard County Attorney. Members of the public present were Steve Wissing, James H. Truell, Roger Kubik, Laura & Pete Berthelsen, Brad & Kim Arnold, Janet & Rodney Gericke, Don McCarty, Kathy Hirschman, Dan Kuck, Shayne & Niki Bader, Terry Townsend, Ellamae Townsend, Jerry Hanisch, Gerald Rasmussen, Roger Skorniak, John Gaughen & Anthony Saben.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Ken Kozisek and seconded by Jack Reimers to approve the minutes from the August 17, 2016 meeting. The motion was carried by unanimous voice vote.

Unfinished business was discussed. Administrator Klinginsmith asked the board, if a parcel is split between A-2 and A-3 Zoning districts, however the structure is in A-3 and out of the floodplain. Which district has jurisdiction. The board felt that where the structure is located will be the district regulation followed. To change regulations it would need to be discussed at a future Planning & Zoning meeting and we would possibly allow use with a conditional use permit. Next Klinginsmith informed the board that an Elba resident has requested a use not allowed in R-1 district. The board felt if the village approved this use with a conditional use permit the zoning board would also allow it. Due to time restraints the Village is open to having their decision first followed by the approved Conditional Use Permit.

At 8:05 P.M. the Public Hearing regarding Whitetail Creek Subdivision was opened. Administrator Klinginsmith read the notice of public hearing. This Single Lot Subdivision application was submitted by Gerald & Cynthia Rasmussen. The Subdivision consists of 3.019 +/- acres located in the SE ¼ of Section 34, Township 16N, Range 10W of the 6th P.M. in Howard County. The Rasmussen's were not present, however Rodney Gericke spoke in favor of the subdivision. There was no opposing testimony. The Public Hearing was closed and discussion was had by the board. Administrator Klinginsmith stated that this subdivision meets all of the criteria and it also is outside the Odor Footprint for a neighboring land owner as well as if he would expand to a class 1 in the future. A motion was made by Ken Kozisek and seconded by Jack Reimers to approve the Whitetail Creek Subdivision. The motion carried a 6-0 roll call vote. Finding of Fact attached.

At 8:15 P.M. the Public Hearing regarding Quail Hill Subdivision was opened. Administrator Klinginsmith read the notice of public hearing. This single lot subdivision application was submitted by Larry Crumrine. This subdivision will consist of 3.0 +/- acres located in the W ½ of NE ¼ of Section 27, Township 16, Range 10W of



Howard Planning and Zoning Minutes



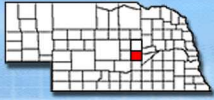
the 6th P.M. in Howard County. Brad & Kim Arnold were present to represent this request and they are in favor. There was no opposing testimony. The Public Hearing was closed and discussion was had by the board. Administrator Klinginsmith stated that they meet all the criteria and this will be the first non-farming residence on the quarter. They will also need to have approval from the Road Department for a driveway and culvert before a Zoning Permit will be approved. A motion was made by Jeff Christensen and seconded by Ken Kozisek to approve the Quail Hill Subdivision. Motion passed with a 6-0 roll call vote. Finding of Fact attached.

At 8:25 P.M. a Public Hearing was opened regarding an Application to rezone Block 6 lots 1-8 in St. Libory from R-1 to I-2 and Tax Lots 14 and 15, 1.25 +/- acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 13, Range 9W of the 6th P.M. in Howard County rezoning from A-2 to I-2. Administrator Klinginsmith read the notice of public hearing. Steve Wissing, Union Grain Coop Board member explained their request. He stated that they have used this land as Heavy Industrial since they purchased it. They have previously piled corn on the property and now they use it to park equipment on. They keep the property mowed and looking nice. The Lumberyard was previously located in this block and was zoned I-2 prior to 2005 when the County rezoned the property to R-S. Union Grain would like to rezone this property to stay in compliance with Howard County Zoning Regulations. Anthony Saben, neighboring land owner and Roger Skorniak, Manager of Union Grain spoke in favor of rezoning the property. Chairman Spilinek asked for opposing testimony. Roger Kubik, owner of lot 4 stated that he is opposed. Attorney James H. Truell, represented his opposition. Truell stated that in the Howard County Comprehensive plan this land was intended for residential use and rezoning would go against the plan. Mr. Truell asked the board to deny this application and comply with the Comprehensive plan as this change will affect the value of Roger Kubik's property and inhibit his ability to refinance. There was no other opposing testimony. Discussion was had by the board. Discussion was put on hold to open the Public Hearing for Shayne Bader Conditional Use Permit Application.

8:40 P.M. the Public Hearing regarding a Conditional Use Permit by Shayne Bader was opened. Notice of Public Hearing was read by Administrator Klinginsmith. Public Hearing was put on hold to finish discussion of the Rezone Application.

Next Administrator Klinginsmith stated that Lot 4 would be changed to I-2 but would be grandfathered in as residential use. Jeff Christensen stated that he was concerned that the rezone might negatively affect the value of lot 4. Jack Reimers, had concerns if Mr. Kubik's septic tank failed, would NDEQ approve an update with the size of his lot? Administrator Klinginsmith stated a new home without utilities will need NDEQ approval for septic if lot is less than 3 acres before a zoning permit is approved. Attorney Schroeder stated that he would not assume the land value would change with rezoning the property to I-2 as it was zoned I-2 prior to the zone change in 2005. The board discussed that either approving or denying this application would have negative effect of one of the party's involved. Jeff Christensen suggested that Union Grain apply for a Conditional Use Permit to use the lots they own as I-2 as they have been for several years and zoning would remain R-1. The board agreed that this might be the best option. There was no opposing testimony for rezoning tax lots 14 and 15. A motion was made by Jeff Christensen and seconded by Jack Reimers to approve rezoning lots 1-8 of Block 6 in St. Libory and lot 14 and 15 in Section 21, Township 13, Range 9. The motion was denied with 6-0 roll call vote. Finding of Fact attached.

Shayne Bader was present to represent his request. He would like to apply Commercial Biodegradable Waste to his cropland. This material is taken from the wash floor at JBS Swift and contains manure and minerals



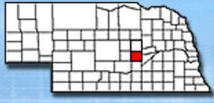
Howard Planning and Zoning Minutes



washed from the hides and has a high fertilizer value. Mr. Bader plans to get around 150 loads and they are able to deliver 3 loads per day. He will stock pile the material until delivery is complete and cover the piles with manure daily to help with any odor. Mr. Bader stated that he is in favor because it will lower his fertilizer bill and will have benefits lasting for 4 years. Chairman Spilinek asked for opposing testimony. Jerry Hanisch, neighboring land owner stated that he is concerned that it would create runoff into his pond causing contamination. Administrator Klinginsmith stated that he can only spread waste on flat ground. It is not allowed on ground with a 10 percent slope or more. Shayne Bader agreed that he will not spread on that area. John Gaughen stated that the roads will be damaged due to that much heavy traffic, and his land value may be affected if he would sell his property in the future because everyone would know that this waste was spread on the surrounding land and create a fly problem. Mr. Bader stated that when they are planning to haul the roads will be frozen and the flies will be dead and should not be a problem. Peter Berthelsen stated that in the Howard County Zoning Regulations under A-1, I. Land application of Commercial Biodegradable Material C-1: **Protection of waters, land, and air of the state. The application of nitrogen from Commercial Biodegradable Material and any other sources shall not exceed the nitrogen needs of the crops to be grown on the site over the next year, and the total application of all nutrients shall not exceed the acceptable agronomic application rates recommended by the University Of Nebraska Department Of Agronomy for the crops involved.** His concern is that if this material will provide fertilizer for 4 years, it should not be allowed because our regulations state that you should not apply any more than the crop needs for the year. The board explained that the material has to break down over time and therefore you would only need to apply every 4 years. Don McCarty verified that the permit is good only for 6 months and after that he must reapply. Administrator Klinginsmith said yes the permit is good for only 6 months. Laura Berthelsen asked the board to put restrictions on stockpiling, only allowing for it to be stockpiled for 48 hours to 1 week. Daryl Anderson stated that this would be impossible because he is only able to get three loads per day therefore it will take time to get enough to cover the field. There was no other opposing testimony. The Public Hearing was closed. Discussion was had by the board. Administrator Klinginsmith stated that he originally applied to spread the material on 460 acres but after meeting all setbacks and avoiding slopes he will be allowed to spread in 197 acres and she will visit the site and determine the best place to stockpile and flag the areas that he is allowed to spread. He will start on November 1, 2016 and his permit will expire on May 1, 2016. He will only be allowed to apply the BFE and Grit Material. A Motion was made by Daryl Anderson and seconded by Jeff Christensen to approve the conditional use permit for Shayne Bader to apply Commercial Biodegradable Waste. Waste may be applied on the mapped areas in sections, 33-16-9, 3-15-10, 4-15-10, 27-16-9, 28-16-9 and 34-16-9. Start date will be November 1, 2016 and end date will be May 1, 2016. Products applied will be BFP and Grit. Motion carried 6-0 roll call vote. Finding of Fact attached.

At 10:09 P.M. a motion was made by Jeff Christensen and seconded by Jack Reimers to adjourn. The motion carried by unanimous voice vote. The next meeting is tentatively scheduled for October 19, 2016

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING October 19, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 19st day of October, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

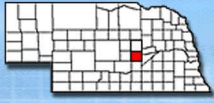
Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the notice of meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 7 members present: Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Kenneth Kozisek, Jack Reimers & Terry Spilinek. Absent were Dave Sack and Ron Kulwicki. Also present were Cheri Klinginsmith Planning & Zoning Administrator and Nancy Usasz, Planning & Zoning Secretary. Members of the public present were Michelle Wolinski, Roger Kubik, Larry Buhrman, Roger Skorniak, Jeff Buhrman, Attorney Jim Truell, Don Julesgard and Barb Julesgard.

The agenda and minutes were emailed to the board members prior to the meeting. A motion was made by Chris Kosmicki and seconded by Ken Kozisek to approve the minutes from the September 21, 2016 meeting. The motion was carried by unanimous voice vote.

At 8:05 P.M. the Public Hearing regarding a Conditional Use Permit by Kyle & Michelle Wolinski. Notice of Public Hearing was read by Administrator Klinginsmith. Michelle Wolinski was present to represent her request. She stated that she would like to construct a 40 X 72 Mini Storage Unit in the R-1 (Residential Single Family) zoning district. The Village of Elba has approved their request at their October 4, 2016 meeting. There was no opposing testimony. The public hearing was closed. Chairman Spilinek asked where the driveway would be with the concern that it is on a curve on the north side of the property and that could pose a safety hazard. Michelle stated that it would be off of Merriam Street on the east side on the property. A motion was made by Chris Kosmicki and seconded by Ken Kozisek to approve the mini storage unit Conditional Use Permit for Kyle and Michelle Wolinski. Motion Carried 7-0 roll call vote. Finding of Fact attached.

At 8:15 P.M. the Public Hearing for the Zone Change Application by Union Grain Tax Lots 14 & 15, Section 21, Township 13, Range 9W. Notice of Public Hearing was read by Administrator Klinginsmith. Roger Skorniak, manager of Union Grain was present to represent the request. Mr. Skorniak stated that the elevator purchased these lots and cleaned them up. They are requesting a zone change from A-2 (Agricultural Transitional) to I-2 (Heavy Industrial) so they can store grain on the property and in the future possibly construct grain bins. Chairman Spilinek asked for Testimony in favor. Greg Bader, Owner of Beer Barrel Bar in St. Libory stated that he was in favor. There was no opposing testimony. The Public Hearing was closed. Administrator Klinginsmith stated that the Road Department is in the process of conducting a road study to close the part of Pine Street south of "A" Street. Union Grain owns the platted lots on both sides of Pine Street, Which is a dead end street. Administrator Klinginsmith also stated that the nearest residence is over 300 feet away so in the future if they would build a grain bin there would not be a safety hazard. A Motion was made by Daryl Anderson and seconded by Ken Kozisek to approve the zoning change request by Union



Howard Planning and Zoning Minutes

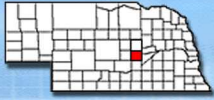


Grain for Tax Lots 14 & 15 Section 21, Township 13, Range 9W, changing from A-2 to I-2. Motion carried 7-0 roll call vote. Finding of Fact attached.

At 8:25 P.M. the Public Hearing for Union Grain's Application for a Conditional Use Permit in a residential district was opened. Administrator Klinginsmith read the notice of public hearing. Roger Skorniak, manager of Union Grain was present to represent the request. Mr. Skorniak stated that they are asking for the C.U.P. so lots 1,2,3,5,6,7,8 of block Six in St. Libory can be used as I-2. Currently the property is zoned R-1. They plan to continue using the property for storage of equipment. They will not pile corn or construct bins on the property. Chairman Spilinek asked for testimony in favor. Greg Bader stated that he is in favor of the request. Chairman Spilinek asked for opposing testimony. Attorney Jim Truell was present to represent Roger Kubik. Attorney Truell asked the board to add conditions to the permit, including no grain storage, mowing and weed control should be kept up, existing privacy fence should remain and it should not look like a "Junk Yard." He also asked that this lot have the same level of usage as in the past, such as equipment storage. Larry Buhrman asked Mr. Skorniak if he plans to put up bins and he said, no they only intend to store the elevators equipment on the lots. There was no other opposing testimony. The Public Hearing was closed. Jack Reimers stated that for safety reasons he felt the fence should remain in place. Roger Skorniak does not feel it should be his reasonability to maintain the fence and he would like to remove it. It was suggested that the fence needs to be maintained 50/50 by Union Grain and Roger Kubik. Administrator Klinginsmith stated that this area was zoned R-S (Rural Subdivision) prior to the new comprehensive plan and in error it was changed to R-1. Klinginsmith feels that it needs to be reviewed and possibly changed back to R-S, since R-1 applies to villages with ordinances and St. Libory is unincorporated. A motion was made by Jeff Christensen to approve the Conditional Use Permit for Union Grain on Lots 1,2,3,5,6,7,8 of Block 6 in St. Libory and seconded by Jack Reimers with the following conditions: no grain storage, maintain privacy fence in current condition and the primary use of the property is for equipment storage. Motion Carried 7-0 roll call vote. Finding of Fact attached.

At 9:02 P.M. a motion was made by Jeff Christensen and seconded by Jack Reimers to adjourn. The motion carried unanimous voice vote.

Nancy Usasz, Secretary



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING November 16, 2016

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 16th day of November, 2016 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 Klinginsmith read the notice of meeting. A proof of publication is filed at the Howard County Clerk's office.

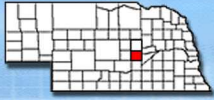
Roll call showed 6 members present: Jeff Christensen, Chris Kosmicki, Kenneth Kozisek, Jack Reimers, Dave Sack & Terry Spilinek. Absent were Daryl Anderson, Randy Kauk and Ron Kulwicki. Also present were Cheri Klinginsmith Planning & Zoning Administrator and Nancy Usasz, Planning & Zoning Secretary. Members of the public present were Mindi and Chad Seyler.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Ken Kozisek and seconded by Chris Kosmicki to approve the minutes from the October 19, 2016 meeting. The motion was carried by unanimous voice vote.

Old business was discussed. Administrator Klinginsmith flagged the areas that Shayne Bader is allowed to spread on and let the board know where he will be stockpiling. She also met with Bob Smith, the representative from Chamness Technology last week. He stated that he does not like to stockpile within 1 mile of a residence, to avoid complaints but since it was approved to have a quarter mile setback he will honor that. There was no other old business.

At 8:05 P.M. the Public Hearing regarding Leanin' Tree Ranch Subdivision was opened. Administrator Klinginsmith read the notice of public hearing. This Single Lot Subdivision application was submitted by Thomas G Cornwell. The Subdivision consists of 9.90 +/- acres located in the NE ¼ of Section 32, Township 13N, Range 9W of the 6th P.M. in Howard County. Mindi and Chad Seyler were present to represent this request. Mindi stated that they are asking to subdivide this property to build a house. They will purchase the entire property consisting of 21.94 acres and the existing house will remain occupied. There was no opposing testimony. The public hearing was closed. Administrator Klinginsmith stated that it meets all of the requirements. A motion was made by Jeff Christensen and seconded by Ken Kozisek to approve the Leanin' Tree Ranch Subdivision. Finding of Fact attached.

Next on the agenda was discussion regarding an additional dwelling as an accessory use in the A-1 zoning district. Larry Kosmicki of St. Libory called the office and asked if he could move in a trailer house for his son to live in. He owns 30 acres and his son farms with him. Chairman Spilinek suggested that Administrator Klinginsmith ask him if they can prove that he is farming and his son is farming with him. If so it would be appropriate to have an additional dwelling for his son who is part of the farming operation. The trailer house would need to be on a permanent foundation with a septic tank. The board agreed.



Howard Planning and Zoning Minutes



Finally we discussed Adjoining land purchases. Janet Hruza called to inquire about selling a pivot corner to Dan Leo. Chairman Spilinek stated that the land is connected at the tip but it is not really adjoining. Therefore a subdivision would be required to sell the land. The board agreed.

At 7:30 P.M. Jack Reimers made and motion to adjourn and Jeff Christensen seconded. The next meeting is tentatively scheduled for January 18th at 7:00 P.M.

Nancy Usasz, Secretary