

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

February 12, 2019

**Call to order:** The February 12, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:31 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Neil Clausen Fred Steffen, Doug DeShazer, Jim Kotrous, Robert Larsen, Keith Nielsen, Greg Kuhlman, and Dean Wilken. Absent: none. Also present were Zoning Administrator Liz Doerr, and Keith Marvin of Marvin Planning Consultants and Supervisor Jim Sokol. Two guests were present for a portion of the meeting.

**Approve Agenda & Public Notice in the Creighton News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Creighton News and Crofton Journal on January 30, 2019. Kotrous moved, Ganz seconded to approve the agenda and public notice. Roll call vote showed all in favor.

**Approve the Minutes from September 25 and December 11, 2018.** Kotrous moved, Ganz seconded to approve the minutes from September 25, 2018. The minutes from December 11, 2018 were not approved because of the lack of quorum at the meeting. Roll call vote showed all in favor.

**Election of Officers:** Kotrous moved to keep the same slate of officers. Steffen seconded the motion. Roll call vote showed all present in favor.

**Old Business: Update to the Comprehensive Plan and Lake Area Zoning Regulations:** Keith Marvin said that the survey has been going well. Town Hall meetings are scheduled for Creighton, Crofton, Niobrara, and at Bloomfield for the week of Feb. 26. They will all be the same agenda so members do not need to attend them all. The draft of Chapters 6-9 were reviewed. The Lake area will be the last section to work on. The survey will continue until sometime in March.

**Zoning Administrator's Report:** December and January Permit Reports were reviewed. Doerr informed the board of several possible applications that may be received in the near future. NPZA is March 6-8.

**Ex Parte Communications:** Brent Mueller contacted Fred Steffen to say that he was slightly opposed to the Toy Shed Storage application.

**New Business: Public Hearing for Conditional Use #CU0015C Toy Shed Storage in 23-33N-2W.** Kuhlman moved to open the public hearing at 8:30 pm, seconded by Kotrous. Roll call vote showed all in favor. Doerr and Troy Bohounek explained the request. Nick Stout said that the trees from the previous permits have not all been planted. Behounek said that on the west side, there will be no reason to plant trees because of the bank. It was discussed whether there would be room for two rows of trees on the north or if the building should be moved south.

Ganz Moved to close the public hearing at 8:56 pm, seconded by Steffen. Roll call vote showed all present in favor. Discussed followed. The board questioned the fence location at the south. Behounek said that the fence at the south side of the building will go east toward building B. The new building will be slightly above the existing building but there should not be any issues with the lights.

Steffen moved, seconded by Nielsen, to approve the Toy Shed Storage LLC's Conditional Use permit amendment #CU0015C for a self-storage unit with the following conditions: 1. One business sign up to 80 square feet is allowed to be placed on the property (not on the right-of-way). 2. The existing security fence shall extend to the new structure. 3. No outside storage is allowed. 4. The structure shall be of similar color to the original two structures. 5. Under the

soffit lighting shall be included on the east and south sides of the new structure. 6. Applicant shall show compliance of diversion of water before construction begins. 7. Permanent diversion of water shall be installed during construction and in the future to control the runoff. 8. Two rows of trees shall be planted on the north side of Building C within one year of completion of construction and shall be maintained for the life of the Conditional Use. 9. Two rows of trees shall be planted north of building A and two more rows of trees planted on the east side of Building A for a total of 4 rows as shown on CU0015 before a Zoning permit is issued for Building C. 10. The structure (Building C) shall be setback 78' from the north property line. Roll Call vote showed all in favor. Motion carried.

**Public Comment on non-agenda items:** none.

**Next Meeting:** The next regular meeting is scheduled for March 12, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:23 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 3-12-19

Placed on File with Board of Supervisors: 3-28-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

March 12, 2019

**Call to order:** The March 12, 2019 meeting of the Knox County Planning Commission was called to order by Vice Chairman Rob Ganz at 7:37 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Neil Clausen, Jim Kotrous, Robert Larsen, and Greg Kuhlman. Absent: Fred Steffen, Doug DeShazer, Keith Nielsen, & Dean Wilken. Also present were Zoning Administrator Liz Doerr, and Supervisor Kevin Mackeprang. Two guests were present.

**Approve Agenda & Public Notice in the Creighton News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Creighton News and Crofton Journal on February 28, 2019. Clausen moved, Kuhlman seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Steffen, DeShazer, Nielsen, and Wilken.

**Approve the Minutes from February 12, 2019 and Meeting Notes from December 11, 2018.** Wilken arrived at 7:41. Kuhlman moved, Kotrous seconded to approve the minutes from February 12, 2019 and meeting notes from December 11, 2018. Roll call vote showed all present in favor. Absent: Steffen, DeShazer, and Nielsen. Wilken began presiding over the meeting.

**Old Business:** None.

**Ex Parte Communications:** None.

**New Business: Public Hearing for Conditional Use #CU0015C Toy Shed Storage in 23-33N-2W.** Ganz moved to open the public hearing at 7:43 pm, seconded by Clausen. Roll call vote showed all present in favor. Absent: Steffen, DeShazer, and Nielsen. Doerr explained the need for the public hearing being the number of changes to the site plan. Troy Bohounek explained the request due to needing to push the buildings further off the road and the topography. Doerr read written comments from Tom Schroeder with concerns about following conditions for trees, etc.

Nick Stout questioned the need for following conditions.

Ganz moved to close the public hearing at 8:05 pm, seconded by Clausen. Roll call vote showed all present in favor. Absent: Steffen, DeShazer, Nielsen.

Kotrous moved, seconded by Clausen, to approve the Toy Shed Storage LLC's Conditional Use permit amendment #CU0015C for a self-storage unit with the following conditions: 1. One business sign up to 80 square feet is allowed to be placed on the property (not on the right-of-way). 2. A security fence similar to the existing fence shall be erected between Building C and Building D. 3. No outside storage is allowed. 4. The structure shall be of similar color to the original two structures. 5. Under the soffit lighting shall be included on the West side of Building C and east side of Building D. 6. Applicant shall show compliance of diversion of water before construction begins. 7. Permanent diversion of water shall be installed during construction and in the future to control the runoff. 8. Two rows of trees shall be planted on the north side of Building D within one year of completion of construction and shall be maintained for the life of the Conditional Use. 9. Two rows of trees shall be planted north of building A and two additional rows of trees planted on the east side of Building A for a total of 4 rows as shown on CU0015 before a Zoning permit is issued for Buildings C & D. These trees will have to be maintained for the life of the Conditional Use. Roll Call vote showed all present in favor. Absent: Steffen, DeShazer, and Nielsen. Motion carried.

**Public Comment on non-agenda items:** none.

**Zoning Administrator's Report:** The February Permit Report was reviewed. Keith Marvin is planning to be at the next meeting to continue working on the Comprehensive Plan update.

**Next Meeting:** The next regular meeting is scheduled for April 9, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 8:19 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 4-9-19

Placed on File with Board of Supervisors: 4-25-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

April 9, 2019

**Call to order:** The April 9, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 8:00 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Jim Kotrous, Fred Steffen, Keith Nielsen, Dean Wilken, and Greg Kuhlman. Absent: Doug DeShazer, Neil Clausen, and Robert Larsen. Also present were Zoning Administrator Liz Doerr, and Supervisor Dan Schlote.

**Approve Agenda & Public Notice in the Creighton News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Creighton News and Crofton Journal on March 27, 2019. Kotrous moved, Ganz seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Doug DeShazer, Neil Clausen, and Robert Larsen.

**Approve the Minutes from March 12, 2019 Meeting.** Kuhlman moved, Kotrous seconded to approve the minutes from March 12, 2019. Roll call vote showed all present in favor. Absent: Doug DeShazer, Neil Clausen, and Robert Larsen.

**Old Business:** Comprehensive Plan update with Keith Marvin: Keith explained the results of both the Town Hall meetings and surveys. Keith will work on Chapter 2 next and update the economic info with the new ag census data, etc.

**Ex Parte Communications:** None.

**New Business:**

**Public Comment on non-agenda items:** none.

**Zoning Administrator's Report:** The March Permit Report was reviewed.

**Next Meeting:** The next regular meeting is scheduled for May 14, 2019 at 7:30 p.m. if needed.

**Adjournment:** The meeting was adjourned at 9:24 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 5-21-19

Placed on File with Board of Supervisors: 5-30-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

May 21, 2019

**Call to order:** The May 21, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:30 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Doug DeShazer, Jim Kotrous, Keith Nielsen, Dean Wilken, and Greg Kuhlman. Absent: Robert Larsen, Rob Ganz, Neil Clausen, Fred Steffen. Also present were Zoning Administrator Liz Doerr, Supervisor Jim Borgman, and several visitors.

**Approve Agenda & Public Notice in the Creighton News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Creighton News and Crofton Journal on May 9, 2019. Kotrous moved, DeShazer seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Larsen, Ganz, Clausen, and Steffen.

**Approve the Minutes from the April 9, 2019 Meeting.** Kotrous moved, Kuhlman seconded to approve the minutes from April 9, 2019. Roll call vote showed all present in favor. Absent: Larsen, Ganz, Clausen, and Steffen.

**Old Business:** none.

**Ex Parte Communications:** none.

**New Business: CU0038 John D & Jodi K Aschoff public hearing for a campground in 18-33N-2W:** Nielsen moved to open the hearing, seconded by Kotrous. Roll call vote showed all present in favor. Absent: Larsen, Ganz, Clausen, and Steffen. Doerr read a letter from John Zwingman of Advanced Consulting Engineering Services regarding the application. John Aschoff said that he doesn't want this to be a bar scene or bands. It will be a high scale campground. Phase 1 will not be all done at once. Cabins and Storage units will be built over the winter. Aschoff didn't feel that he'd need a superintendent on site for 30 campers. He'll have some retired people help him on weekends. The storage units could be utilized by the public. He thought that there would be 14 storage units per building. The storage units will have access 24/7. Doerr said that Kevin Barta told her that the driveways will have good sight distance and that the campground will need to comply with state regulations including NDEQ permits. Most of the sites will be long term leases with some short-term rental sites closer to the road. Aschoff would like to have the cabins available for hunting. The camper pads will have concrete aprons. Public Comments were read from Jeff Jones. Beth Bruening is an owner both east and west of the property; she and her family (Kollars) oppose the application. Reasons that she cited were: Needs more information on trees, barriers, where are power and water, dumpsters, fencing, lighting, aesthetics, will there be covenants, safety with increased traffic, two driveways on a curve, who would be liable if there was a problem with their cattle, security to protect from trespassing, an on-site manager is needed, increased costs to the county, environmental issues, if runoff will impact the Weigand Creek, will the rezoning increase revenue to offset expenses, and how it will affect taxes. Aschoff said that the storage buildings will open to the east. The storage buildings will be 15' from the west property line. Del Jansen owns the property to the south and had concerns about traffic including ATV, hunters, noise, how it may affect their taxes, and if Rural Water will be able to maintain pressure in the summer. Doerr received a letter from Cedar-Knox Rural Water stating that Aschoff had been approved with conditions for water. Steve Bruening questioned where the CUP applied. Aschoff wasn't sure about the fence plans yet. Mel Jansen asked about the process before adding phase two and had concerns about trespassers. Aschoff is planning to plant a lot of trees and have "covenants" or rules for the campground. Steve Bruening asked about downsizing Phase 1 but Aschoff wants to bring in 3 phase to accommodate future development and that would make it expensive. Aschoff would only allow ATVs

in the RV park but not beyond. They do not have the landscaping plan done yet but want to have it cosmetically pleasing. Steve Bruening said that there are a lot of unknowns at this point, so it needs to be defined and more information given. Tyler Wulf, state park Superintendent, will take the information back to the Lincoln office for input.

At 8:43 p.m., Nielsen moved to close the hearing, seconded by Kotrous. Roll call vote showed all present in favor. Absent: Larsen, Ganz, Clausen, and Steffen.

Discussion occurred on the: fencing plan, landscaping plan, fire safety plan, campground rules (sign), and lighting plan. The rest of the application looks good. The public hearing was recessed until the next meeting so that a fencing plan, landscaping plan, fire safety plan, campground rules (sign), and lighting plan can be submitted.

**Pre-application meeting (Sketch Plat) Merchant Valley Lot 3.** Tim Gobel explained the intent for adding Lot 3 to use the land with a more spacious lot. Merchant does not want to extend the road for the subdivision because it is already an easement for the campground. The general consensus was for them to proceed to the final plat.

**Public Comment on non-agenda items:** none.

**Zoning Administrator's Report:** The April Permit Report was reviewed. Larry Kotrous' shooting range application has expired. He will need to reapply and have another hearing if he chooses to pursue this further.

**Next Meeting:** The next regular meeting is scheduled for June 11, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:25 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 6-11-19

Placed on File with Board of Supervisors: 6-27-19

May 30, 2019

Board of Adjustments

6:30 P.M.

Knox County Courthouse Supervisors' Room

**Call meeting to order:** The meeting was called to order by Chairman Kelly Kumm at 6:34 p.m.

**Announcement where the Open Meetings Act Information is located:** The Chairman announced where the Open Meetings Act information is located in the meeting room and that it is available to the public.

**Roll Call:** Present are Rob Ganz, Kelly Kumm, Nick Stout, Derrick Barr, and Alternate Jody McFarland. Also present was Zoning Administrator Liz Doerr. Ron Nohr and Scott Fiedler were each present for a portion of the meeting. Absent: Kay Morrill.

**Approve the agenda & public notice:** Ganz moved to approve the agenda and public notice as published in the Crofton Journal and Creighton News. McFarland seconded the motion. Roll call vote showed all present in favor. Absent: Morrill.

**Approve the minutes from 9-19-2018:** McFarland moved, Stout seconded, to approve the minutes from 9-19-18 as circulated. Roll call vote showed all present in favor. Absent: Morrill.

**New Business: Kyle & Cara Schmidt Variance #V0070 in Bon Homme Lots 23-24-25-26 in 22-33N-3W Public Hearing:** Ganz moved, Stout seconded, to open the public hearing at 6:36 pm. Roll call vote showed all present in favor. Absent: Morrill. Doerr and Ron Nohr (Cara Schmidt's father) explained the request. No public comments were received regarding the request. Ganz moved to close the public hearing at 6:52 pm. Motion was seconded by McFarland. Roll call vote showed all present in favor to close the hearing. Absent: Morrill. Discussion occurred on the request and site plan. Kumm moved to approve Kyle & Cara Schmidt's Variance #V0070 request of a 9' variance (or 1' setback from the lot line) on the south side of the property and a variance of 10' from the required 15' setback along the east side of the property for a 5' setback due to the hardship of the topographic conditions and narrowness of the lot. Stout seconded the motion. Roll call vote showed all present in favor. Absent: Morrill.

**Cedar Knox Rural Water Project Variance #V0071 Lots 1648 & 1667 Block 15, Devils Nest Public Hearing:** Ganz moved, McFarland seconded, to open the public hearing at 7:00 pm. Roll call vote showed all present in favor. Absent: Morrill. Doerr and Scott Fiedler with Cedar-Knox Rural Water explained the request. Fiedler said that the storage shed will provide one month of storage of chemicals which will help maintain their supply when the roads are bad. By placing it next to their plant, it will allow them to use a pallet jack for moving the chemicals. The topography was discussed as a limiting factor. Doerr received a call from Bill Webb who was in favor of the application once he had more information. Ganz moved to close the public hearing at 7:17 pm. Motion was seconded by Stout. Roll Call vote showed all present in favor to close the hearing. Absent: Morrill. Discussion occurred on the request and site plan. Ganz moved to approve Cedar-Knox Rural Water Project's Variance #V0071 request of a 19' variance from the required 25' front setback (6' setback from the property line) on the front property line due to the hardship of the rough terrain of the lot. Kumm seconded the motion. Roll call vote showed all present in favor. Absent: Morrill.

**Old Business:** none.

**Zoning Administrator's Report:** Doerr said that there are no variances coming up in the future that she is aware of.

**Adjournment** At 7:27 p.m., Kumm adjourned the meeting.



Liz Doerr, Zoning Administrator

Approved: 8-15-19

Placed on file with Board of Supervisors: 8-29-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

June 11, 2019

**Call to order:** The June 11, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 8:23 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Jim Kotrous, Keith Nielsen, Dean Wilken, and Greg Kuhlman. Absent: Robert Larsen, Fred Steffen, Doug DeShazer, and Neil Clausen. Also present were Zoning Administrator Liz Doerr, and several members of the public.

**Approve Agenda & Public Notice in the Creighton News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Creighton News and Crofton Journal on May 29, 2019. Kotrous moved, Kuhlman seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Clausen, Larsen, DeShazer, and Steffen.

**Approve the Minutes from the May 21, 2019 Meeting.** Kotrous moved, Ganz seconded to approve the minutes from May 21, 2019. Roll call vote showed all present in favor. Absent: Clausen, Larsen, DeShazer, and Steffen.

**Old Business: Comprehensive Plan Update:** Due to the late start while waiting for Planning Commission members to show up, Keith Marvin decided that he will be back at the July meeting.

**Ex Parte Communications:** none.

**Continuation of CU0038 John D & Jodi K Aschoff public hearing for a campground in 18-33N-2W:** Ganz moved to reopen the hearing at 8:25 pm, seconded by Kuhlman. Roll call vote showed all present in favor. Absent: Clausen, Larsen, DeShazer, and Steffen. Jodi Aschoff explained the extra plans that they submitted. There will be no fireworks allowed. John Zwingman, engineer for the project, explained that they revised the layout due to the contour of the land to provide better drainage. There will be 38 campers and 3 cabins. Five of the campsites will be Class A for the larger campers. The roads will have slag if available. The septic tanks will meet NDEQ standards and be registered. Each pad will have it's own connection to the septic system so there will not be a dump station. Beth Bruening asked about the rules for quiet time. Tyler Wulf with the state park said that their quiet time is 10 pm to 6 am. Mrs. Bruening felt that they should match the park's rules. She had talked to the RV park south of Yankton who said that they absolutely need supervision on the weekends. She felt that ATVs can be a problem. The other issues have been addressed. Tyler Wulf said that they understand the need for campsites but would prefer that their quiet hours match the parks. Bruening asked at what point that onsite supervision be supplied. John Aschoff said that he has 2 semi-retired people to help with supervision. Nielsen moved to close the public hearing, seconded by Kotrous. Roll call vote showed all present in favor. Absent: Clausen, Larsen, DeShazer, and Steffen. Kuhlman moved to approve, seconded by Kotrous, for the John D & Jodi K. Aschoff's Conditional Use Permit #CU0038 with the following conditions:

1. Each campsite shall be plainly marked.
2. All access drives and parking areas shall be surfaced with gravel, asphalt or other material to free the site of mud.
3. The campground shall be compliant with all Nebraska Department of Environmental Quality and Nebraska Health & Human Services standards.
4. A sign permit is required for any business sign.

Roll call vote showed all present in favor. Absent: Clausen, Larsen, DeShazer, and Steffen.

**Public Comment on non-agenda items:** none.

**Zoning Administrator's Report:** The May Permit Report was reviewed. Keith Marvin will be on the July agenda.

**Next Meeting:** The next regular meeting is scheduled for July 9, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:08 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 7-9-19

Placed on File with Board of Supervisors: 7-25-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

July 9, 2019

**Call to order:** The July 9, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:30 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Neil Clausen, Jim Kotrous, Dean Wilken, Robert Larsen, and Fred Steffen. Absent: Doug DeShazer, Rob Ganz, Keith Nielsen, and Greg Kuhlman. Also present were Zoning Administrator Liz Doerr, Keith Marvin and several members of the public.

**Approve Agenda & Public Notice in the Creighton News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Creighton News and Crofton Journal on June 26, 2019. Clausen moved, Steffen seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Doug DeShazer, Rob Ganz, Keith Nielsen, and Greg Kuhlman.

**Approve the Minutes from the June 11, 2019 Meeting.** Kotrous moved, Clausen seconded to approve the minutes from June 11, 2019. Roll call vote showed all present in favor. Absent: Doug DeShazer, Rob Ganz, Keith Nielsen, and Greg Kuhlman.

**Ex Parte Communications:** none.

**New Business: Public Hearing for Final Plat Lot 3 Merchant Valley in 15-33N-2W.** Steffen moved to open the hearing seconded by Clausen. Roll call vote showed all present in favor. Absent: Doug DeShazer, Rob Ganz, Keith Nielsen, and Greg Kuhlman. Doerr explained the plat and the lack of Treasurers signature missing because the taxes are not all paid but will need to be done before the hearing with the County Board. Tim Gobel, the surveyor, answered questions about the drain field easements. Keith Nielsen arrived at 7:36 p.m. Craig Johansen, who owns Lot 1, explained that the driveway to Lot 2 is an easement going across Lot 1. The easement is only for Lot 2 so he expressed concerns about Lot 3 needing to have the road that had been platted originally should be built. He does not want more people driving across his property. The private drive for Elk Ridge Estates L16-19 is not to be used for access to Lot 3 per Tim Gobel. Gobel verified that Johansen's carport is not on the Merchant Valley Road. Merchant Valley Road is not built yet. Kotrous moved to close the hearing seconded by Clausen. Roll call vote showed all present in favor. Absent: Doug DeShazer, Rob Ganz, and Greg Kuhlman. Clausen moved to recommend approval of the Final Plat Lot 3 of Merchant Valley with the following conditions: A Subdivision Agreement will need to be approved by the Board of Supervisors requesting waivers, showing that the road will be built, and utilities will be installed before the sale of Lot 3. Steffen seconded the motion. Roll call vote showed all present in favor. Absent: Doug DeShazer, Rob Ganz, and Greg Kuhlman.

**Old Business: Comprehensive Plan Update:** Keith Marvin explained the draft, soils maps, and Linear Extensibility Map and why we have landslides.

**Public Comment on non-agenda items:** none.

**Zoning Administrator's Report:** The June Permit Report was reviewed. Ron Nohr has requested that Whitetail Ridge Final Plat be on the agenda for the next meeting.

**Next Meeting:** The next regular meeting is scheduled for August 13, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:26 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 8-13-19

Placed on File with Board of Supervisors: 8-29-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

August 13, 2019

**Call to order:** The August 13, 2019 meeting of the Knox County Planning Commission was called to order by Vice Chairman Rob Ganz at 7:34 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Neil Clausen, Doug DeShazer, Rob Ganz, Keith Nielsen, Greg Kuhlman, Jim Kotrous, Robert Larsen, and Fred Steffen. Absent: Dean Wilken. Also present were Zoning Administrator Liz Doerr, Keith Marvin and several members of the public.

**Approve Agenda & Public Notice in the Knox County News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Knox County News and Crofton Journal on July 31, 2019. Kotrous moved, Steffen seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Wilken. Wilken arrived at 7:36 p.m. and assumed presiding over the meeting.

**Approve the Minutes from the July 9, 2019 Meeting.** Ganz moved and Clausen seconded the motion to approve the minutes from July 9, 2019. Roll call vote showed all present in favor. Absent: none.

**Ex Parte Communications:** none.

**New Business: Public Hearing for Final Plat White Tail Ridge Subdivision in 14-33N-2W.** Kotrous moved to open the hearing at 7:37 p.m., seconded by Steffen. Roll call vote showed all present in favor. Absent: none. Ron Nohr said that he will be able to supply utility hookups and has tentative approval for water hookups. He already has one hookup. Doerr explained the plat and the change from the Preliminary Plat and NDEQ Subdivision approval, to combine the two west lots for Brent Arens, who will be buying Lot 1 and the area to the south. Doerr spoke with NDEQ and was told that combining the two lots would not be a problem. It will be shown as Block 1 because of possible future development on the south side of the property. Kuhlman moved to close the hearing seconded by Steffen. Roll call vote showed all present in favor. Absent: none. Ganz moved to recommend approval of the White Tail Ridge Subdivision Final Plat with the following conditions:

- 1 Subdivision Agreement approved by the Knox County Board of Supervisors.
- 2 The Treasurer Certificate and Owners Certificate shall be signed.
- 3 The applicant shall supply proof that electric and water connections will be supplied.

Nielsen seconded the motion. Roll call vote showed all present in favor. Absent: none.

**Public Hearing for #CU0039 Jim Swanson in Original Block 3, Lots 15-18, Verdel:** Kotrous moved to open the public hearing at 7:51, seconded by Ganz. Roll call vote showed all present in favor. Absent: none. Doerr read public comments in favor of the application from Don Packard. Jim Swanson said that the building will have nine units and face east to keep access off the highway. There are two streetlights there so no additional lighting should be needed. There will be no outside storage. There were no other public comments. Kuhlman moved to close the hearing seconded by Ganz. Roll call vote showed all present in favor. Roll call vote showed all present in favor. Absent: none. Steffen moved to approve the Jim Swanson Conditional Use permit #CU0039 for a self-storage unit with the following conditions: 1. One business sign up to 200 square feet is allowed to be placed on the property after obtaining a permit from the Zoning Administrator. 2. No outside storage is allowed. 3. The structure shall be white, beige, grey, or similar neutral color. Motion was seconded by DeShazer. Roll call vote showed all present in favor. Absent: none.

**Pre-Application meeting-Jim Coburn Planned Development in 19-33N-3W.** Jim Coburn and his engineer, Gaard from Stockwell, presented the proposal. They are proposing duplexes below the EVENT center and on Lots 1-11 to have one story with Lots 12-26 being 2 story with garages on the lower level. The event center will seat 200. Coburn is the owner of the various entities that own the property. He will have a line for fire protection (fire hydrant) pumped out of the marina because there currently is not enough capacity with Rural Water. He will need a permit to pump from the lake. Nohr explained the problem with zebra mussels at the Crofton Golf Course. This would be used for fire suppression in the event center. The marina will be dug out about 5-6 feet. The COE has not given approval yet. There will be a series of holding tanks for the sewage for the townhouses and event center. Lots 1-26 are about 1/3 to 1/2 acre. Coburn will build the homes. The townhouses will be short term rentals so that those attending events will not have to drive. Lots 1-26 could be sold or rented. Coburn said that he may set up an association or condominium. Fire safety on the new road was discussed with only 1 entrance. There may be a way to exit near Lots 1 or 2. Coburn said that water & electric is available. Keith Marvin said that this planned development is done with a Preliminary and Final Plat. It will be a contract and only allows minor changes. This will be considered a change of zoning. Any changes will require to go back through the process. Soils are a concern because they like to move and shift. Marvin asked if they had plans to check the soils. Coburn said that the Yacht Club has a good foundation. They will need erosion control and submit a drainage plan. Marvin would like to see a second access for Lots 1-26. Each entity that owns land in the development will be a party to the plat and PUD. Coburn said that it will be a public marina. Lots 24-25-26 will each just have a driveway (no street). The two boxes shown on the proposal by the yacht club are solar panels. Coburn will police the holding tanks. They will need to develop the preliminary plat and change of zoning through the PUD with public hearings at the same time. Keith and Liz and the applicant can work together before the public hearings. Coburn is concerned about the timeline. Marvin told him that he needs to have the plans detailed. Steffen voiced concerns about the Corp. of Engineers trying to stop the marina. Marvin suggested that he make it 3 phases so that the marina does not slow this down. If phase 1 is done, then Coburn won't have to come back for an amendment if there is a problem with the marina.

**Pre-Application meeting for Lazy River Acres Replat:** Doerr and Skroch explained the request to correct existing problems with the right of way cutting through two dwellings. Gregg Neuhaus wants extra land so that he can construct a storage shed. The roads are privately maintained public roads. There is actually a road across the east end that is not included on the plat. Marvin said that they will need to do a replat of the 3 lots and part of the parcel of Snowdons. The Preliminary Plat and Final Plat can be simultaneous. The Snowdons will have the boundary corrected in case they want to add more lots. Gregg Neuhaus will build the new road. The area where the new road will be is higher than the existing road according to Neuhaus. The portion of Adams lot that is now a road will be blocked off but will still show the utility easement. These are public roads/privately maintained. The plat will have to show the lot owners and who will maintain the road because Lazy River Acres does not have an Association. It will need to be signed by all the lot owners in the replat (3 lot owners and Snowdons).

**Old Business: Comprehensive Plan Update:** Chapter 2 will be updated. Keith is hoping to have this on the agenda for September. He will work on the existing land use map. Marvin found out that plats can be approved as an agenda item without a public hearing if we include it in the Comprehensive Plan and change the regulations. We would still have to notify the school districts, fire districts, etc.

**Public Comment on non-agenda items:** none.

**Zoning Administrator's Report:** The July Permit Report was reviewed. Doerr asked about someone who wants to build a new home on a minimum maintenance road. The consensus was to keep the requirement of no new houses on minimum maintenance roads.

**Next Meeting:** The next regular meeting is scheduled for September 10, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:35 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 9-23-19

Placed on File with Board of Supervisors: 10-10-19



August 15, 2019

Board of Adjustments

7:00 P.M.

Knox County Courthouse Supervisors' Room

**Call meeting to order:** The meeting was called to order by Chairman Kelly Kumm at 7:06 p.m.

**Announcement where the Open Meetings Act Information is located:** The Chairman announced where the Open Meetings Act information is located in the meeting room and that it is available to the public.

**Roll Call:** Present are Rob Ganz, Kelly Kumm, Nick Stout, Derrick Barr, Kay Morrill, and Alternate Jody McFarland. Also present was Zoning Administrator Liz Doerr and several visitors.

**Approve the agenda & public notice:** Ganz moved to approve the agenda and public notice as published in the Crofton Journal and Knox County News. Stout seconded the motion. Roll call vote showed all board members present in favor.

**Approve the minutes from 5-30-2019:** Barr moved, Ganz seconded, to approve the minutes from 5-30-19 as circulated. Roll call vote in favor: Barr, Ganz, Stout, Kumm, McFarland. Morrill abstained.

**New Business: Epic Land & Cattle LLC Variance #V0072 in SW ¼ 24-31N-3W Public Hearing:** Kelly Kumm recused himself as he is the applicant's employee. He moved to the applicant's table so that he could present the application. Ganz assumed presiding over the meeting as Vice-Chairman. Morrill moved, Stout seconded, to open the public hearing at 7:10 pm. Roll call vote in favor: Morrill, Stout, Barr, Ganz, and McFarland. Kumm not voting. Doerr and Kumm explained the request. Kumm stated that they had poured the cement for the bunks and feeding floor and later decided that it would help with dust by enclosing where the feed truck goes. Neil Guenther spoke on behalf of the township and their concern about snow. Kumm said that the 40' monoslope building will slope to the west. Doerr read a letter from Gary Jessen who said that he approved of the variance. There was discussion about the distance from the right of way. Neil Guenther asked about water drainage. Kumm said that the west side slopes towards the road but the south end of the building will flow south. The elevation was discussed. The site plan shows a drop of about 19' from north to south. Neil Guenther was concerned that there would be water standing in the ditch which would be a problem for the road. Glen Guenther asked about the water drainage through the scale area and loadout area. Neil Guenther said that the township ditch should be cleaned out. Rita & Roger Stahlecker spoke about the concern of dust and traffic safety. McFarland moved to close the public hearing at 7:42 pm. Motion was seconded by Morrill. Roll call vote in favor to close the hearing: McFarland, Morrill, Ganz, Stout, Barr. Kumm not voting. Discussion occurred on the request and site plan. Barr would like to see adding a condition to maintain the slope to allow proper drainage along the township road. Barr moved to approve Epic Land and Cattle LLC's Request for Variance of 15' from the required 90' front setback (75' setback to the property line) on the front property line along 545 Avenue due to the hardship of where the cement feed bunks and feeding floor are with the condition that the applicant maintain the slope along the township road to allow proper drainage. Morrill seconded the motion. Roll call vote in favor: Barr, Stout, Ganz, Morrill, McFarland. Not voting: Kumm.

**Old Business:** Kumm resumed presiding over the meeting. **There was no old business.**

**Zoning Administrator's Report:** Doerr said that there are no variances coming up in the future that she is aware of. Reappointments will be coming up in a few months. Kumm and Ganz agreed to being reappointed.

**Adjournment** At 7:47 p.m., Kumm adjourned the meeting.

Liz Doerr, Zoning Administrator

Approved: 12-2-19

Placed on file with Board of Supervisors: 12-26-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

September 23, 2019

**Call to order:** The September 23, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:32 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Doug DeShazer, Keith Nielsen, Greg Kuhlman, Jim Kotrous, Robert Larsen, and Dean Wilken. Absent: Neil Clausen, and Fred Steffen. Also present were Zoning Administrator Liz Doerr, Keith Marvin, Supervisor Virgil Miller, and several members of the public.

**Approve Agenda & Public Notice in the Knox County News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Knox County News and Crofton Journal on September 12, 2019. Kotrous moved, DeShazer seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Neil Clausen, and Fred Steffen.

**Approve the Minutes from the August 13, 2019 Meeting.** Ganz moved, and Kotrous seconded the motion to approve the minutes from August 13, 2019. Roll call vote showed all present in favor. Absent: Neil Clausen, and Fred Steffen.

**Ex Parte Communications:** none.

**New Business:** none.

**Old Business: Comprehensive Plan Update:** Keith Marvin will work on the Future Land Use map with the current zoning map being the basis. We will be working on the Lake Area sub-area. Everyone is to add uses to the Existing Land Use map and give it to Keith. The draft chapters were reviewed. The consensus was to have the Lake Area have its own chapter with its own set of policies that will be in the zoning regulations.

**Public Comment on non-agenda items:** Ryan Arens explained his situation where he wants to replace hoops with a hog barn in AGT north of Crofton with a small increase in animal units beyond what he is grandfathered in at. The consensus was to change the zoning to AGP. Doerr also asked about Terry Sorensen's possible lot split. The consensus was to leave it as is.

**Zoning Administrator's Report:** The August Permit Report was reviewed.

**Next Meeting:** The next meeting is scheduled for October 15, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:24 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 10-15-19

Placed on File with Board of Supervisors: 10-31-19

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

October 15, 2019

**Call to order:** The October 15, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:35 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Doug DeShazer, Greg Kuhlman, Jim Kotrous, Robert Larsen, Fred Steffen, and Dean Wilken. Absent: Neil Clausen, Keith Nielsen, and Doug DeShazer. Also present were Zoning Administrator Liz Doerr, Supervisor Jim Sokol, and several members of the public.

**Approve Agenda & Public Notice in the Knox County News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Knox County News and Crofton Journal. Ganz moved, Steffen seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Nielsen, Clausen, and DeShazer.

**Approve the Minutes from the September 23, 2019 Meeting.** Kuhlman moved, and Larsen seconded the motion to approve the minutes from September 23, 2019. Roll call vote showed all present in favor. Absent: Nielsen, Clausen, and DeShazer.

**Ex Parte Communications:** none.

**New Business: Public Hearing for Ryan Arens Change of Zoning to AGP (Primary Agriculture) in W ½ 1-32N-2W, E ½ 2-32N-2W, W ½ 36-33N-2W, E ½ 35-33N-2W, and SE ¼ 26-33N-2W.** Ganz moved, Steffen seconded to open the public hearing at 7:37 pm. Roll call vote showed all present in favor. Absent: Nielsen, Clausen, and DeShazer. Doerr explained that when the Arens talked to their neighbors, they decided to add more land to the request for change of zoning because it would be the same discussion if we required separate applications. Doerr explained that the change could potentially allow larger livestock confinements, however, it may be difficult to do in this area because of the number of dwellings. AGT (Ag Transitional) only allows up to 100 animal units. Ryan and Karen Arens explained that they would like to replace three hoop barns with a barn that would match their current flow of hogs which would require them to increase in animal units. They are "grandfathered in" at the current level but cannot grow his operation if it is zoned AGT. Doerr read the letter of opposition from Randy Steffen stating that requests should be on a case by case basis. Doerr replied saying that we would need a change of language in the zoning regulations in order to do that but it is generally advised not to do that because it is too hard to be fair and applicants need some guidelines. Arens said that a neighbor wanted to build a new home but they couldn't get an access approved by the state so he doesn't feel that there will be many more dwellings in this area. Dean Mormann explained that there are quarters that have sold and developed as irrigated land even though it is in AGT zone. Fred Steffen discussed the timeline of when this AGT zone was mapped and if a Conditional Use Permit could be granted. Doerr said that the AGT district does not allow confined livestock over 100 animal units. Donna Steffen asked if it was originally zoned as AGT because of Devils Nest developing. Lois Ann Mormann said that the traffic on Hwy 121 & Hwy 12 is the same but the land along Hwy 12 is not AGT. Donna Steffen stated that those living there are going to protect what they have. Kotrous asked if everyone that owns property was in favor of the change. Ryan and Karen Arens said that they spoke to everyone included and they asked to have their land included. Doerr said that they all received notices. The other AGT zones and the intent of the zone were discussed. Burl Mormann explained that the far north quarter was included in the request and they are working with NDEQ to move their operation to that quarter in order to get it off the highway. Jason Arens said that the property owners are out there working their land but the AGT zone limits them. Dean Mormann said that odors, and wind turbine noise are typical for Nebraska and that tourists should be able to endure the livestock for about 2 ½ to 3 minutes while traveling the highway. He said that he, Ryan and the other neighbors feel that it should be AGP. Fred Steffen said that we are a Livestock Friendly County so that needs to be considered. Kuhlman moved to close the hearing at 8:29 p.m., seconded by Ganz. Roll call vote showed all present in favor. Absent: Clausen, Nielsen, and DeShazer. Kotrous moved to approve the change as presented. Ganz seconded the motion. There was further

discussion on if it should be limited to only the properties that were included in the request. Roll call vote showed all present in favor. Absent: Clausen, Nielsen, and DeShazer. Doerr explained that that there will be a public hearing with the Board of Supervisors before this is final.

**Old Business:** None.

**Public Comment on non-agenda items:**

**Zoning Administrator's Report:** The September Permit Report was reviewed. Doerr pointed out that there was a typo in the late fees that has been corrected.

**Next Meeting:** The next meeting is scheduled for November 12, 2019 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 8:47 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 12-10-19

Placed on File with Board of Supervisors: 12-26-19

December 2, 2019

Board of Adjustments

7:00 P.M.

Knox County Courthouse Supervisors' Room

**Call meeting to order:** The meeting was called to order by Chairman Kelly Kumm at 7:08 p.m.

**Announcement where the Open Meetings Act Information is located:** The Chairman announced where the Open Meetings Act information is located in the meeting room and that it is available to the public.

**Roll Call:** Present are Rob Ganz, Kelly Kumm, Nick Stout, and Kay Morrill. Also present were Zoning Administrator Liz Doerr, Ramon and Dorothy Brandt. Absent: Derrick Barr.

**Approve the agenda & public notice:** Stout moved to approve the agenda and public notice as published in the Crofton Journal and Knox County News. Ganz seconded the motion. Roll Call vote showed all present in favor. Absent: Barr.

**Approve the minutes from 8-15-2019:** Ganz moved, Stout seconded, to approve the minutes from 8-15-19 as circulated. Roll call vote showed all present in favor. Absent: Barr.

**New Business: Ramon Brandt Variance #V0073 on Block A pt Lot 2, 3, and 9, Lazy River Acres in 16-33N-7W Public Hearing:** Ganz moved, Stout seconded the motion, to open the public hearing at 7:11 p.m. Roll call vote showed all present in favor. Absent: Barr. Doerr and Ramon Brandt explained the request to add on to the garage and raise the floor 24" which is 12" less than the requirements. By raising the floor 24", it will be at the BFE but not the extra 12" that Nebraska requires. Brandt explained that the size of the lot and location of the garage would make the approach too steep if he were to fill (raise the floor) 36". He will have a 48" stem wall so that he can raise the floor more later if flooding from siltation requires it. Doerr explained that the home was built post FIRM and is compliant but because the Department of Natural Resources has used data from the Corp. of Engineers, the Base Flood Elevation has changed some. There were no written comments received in advance of the hearing. There were no comments from the public during the hearing. Ganz moved to close the public hearing at 7:33 pm. Motion was seconded by Kumm. Roll Call vote showed all present in favor to close the hearing. Absent: Barr. Discussion occurred on the request and site plan. Ganz moved to approve the application of Ramon Brandt's Request for Variance from the required elevation of 1228.723 plus 1' NAVD88, with no venting of the structure required, due to the topography and size of the lot. The applicant shall also acknowledge that the granting of the variance may result in increased flood insurance premiums and increased risks to life and property. Morrill seconded the motion. Roll call vote showed all present in favor. Absent: Barr

**Old Business: none.**

**Zoning Administrator's Report:** Doerr reported that Kelly Kumm will be stepping down as he will be moving. It was discussed and decided to wait to elect a new chairman when the full board is appointed.

**Adjournment** At 7:42 p.m., Kumm adjourned the meeting.

Liz Doerr, Zoning Administrator

Approved: 8-16-21

Placed on file with Board of Supervisors: 8-26-21

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

December 10, 2019

**Call to order:** The December 10, 2019 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:30 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Rob Ganz, Greg Kuhlman, Jim Kotrous, Robert Larsen, Neil Clausen, Keith Nielsen, and Dean Wilken. Absent: Doug DeShazer, and Fred Steffen. Also present were Zoning Administrator Liz Doerr, Supervisor Kevin Mackeprang, and Keith Marvin with Marvin Planning Consultants.

**Approve Agenda & Public Notice in the Knox County News and Crofton Journal.** Notice of the meeting was given in advance thereof by publication in the Knox County News and Crofton Journal. Kotrous moved, Clausen seconded to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: DeShazer and Steffen.

**Approve the Minutes from the October 15, 2019 Meeting.** Ganz moved, and Nielsen seconded the motion to approve the minutes from October 15, 2019. Roll call vote showed all present in favor. Absent: DeShazer and Steffen.

**Ex Parte Communications:** none.

**New Business:** none.

**Old Business: Comprehensive Plan Update.** Keith Marvin passed out the complete draft. Marvin reviewed Chapter 13 for the Lake Area sub-area. The AGT north of Crofton was discussed for the future Land use map. Marvin suggested making the AGT stay in line with the AGT along the lake and preserving some AGT around Crofton. The AGT area between Verdigre and Niobrara was also discussed and can be eliminated for the southern portion. Marvin is shooting for a public hearing in February.

**Public Comment on non-agenda items:**

**Zoning Administrator's Report:** The October and November Permit Reports were reviewed. Tentative agenda item for the next meeting is the Comprehensive Plan.

**Next Meeting:** The next meeting is scheduled for Wednesday January 22, 2020 at 7:30 p.m. unless the board does not feel that there is a need for a meeting after reviewing the entire draft.

**Adjournment:** The meeting was adjourned at 8:54 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 2-11-20

Placed on File with Board of Supervisors: 2-27-20