

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

February 9, 2021

Call to order: The February 9, 2021 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, Dean Wilken, David Arens, Robert Larsen, Greg Kuhlman Neil Clausen, Jim Kotrous, and Keith Nielsen. Absent: Doug DeShazer. Also present were Zoning Administrator Liz Doerr, Supervisor Pat Liska, and several members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Kotrous moved, Larsen seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: DeShazer.

Approve the Minutes from the December 8, 2020 Meeting. Clausen moved, Kotrous seconded, to approve the minutes from December 8, 2020. Roll call vote showed all present in favor. Absent: DeShazer.

Ex Parte Communications: Doerr received a call from DeShazer that said he was in favor of the Wolf Run amendment.

Old Business: Public Hearing CU0040A for John D & Jodi K Aschoff's amendment to construct Phase 2 to Wolf Run RV Resort in Pt. 18-33N-2W: Ganz moved to open the public hearing at 7:35 p.m., seconded by Nielsen. Roll call vote showed all present in favor. Absent: DeShazer.

Doerr explained that while Aschoff was doing dirtwork in preparation for the campground, that they decided to add six more campsites for a total of 40 campsites. Doerr stated that no comments were received from the public in advance of the meeting. After discussion, Ganz moved to close the public hearing at 7:42 p.m. Kotrous seconded the motion. Roll call vote showed all present in favor. Absent: DeShazer. Ganz moved to approve Wolf Run RV Resort (John D & Jodi K. Aschoff) Conditional Use Permit #CU0040A amendment to add six more campsites with the following conditions:

1. Each campsite shall be plainly marked with a map of such numbers provided to the Zoning Administrator.
2. Each campsite shall have two parking stalls.
3. All access drives and parking areas shall be surfaced with gravel, asphalt or other material to free the site of mud.
4. The campground shall be compliant with all Nebraska Department of Environment and Energy and Nebraska Health & Human Services standards.
5. All campers shall be licensed and road ready. Any campers stored on site after 4 months shall be in a stored state with slideouts slid in.
6. No porches, decks, additions, or storage sheds, etc. will be allowed until such time that the Zoning Regulations are amended to allow it.

Motion was seconded by Larsen. Roll call vote showed all present in favor. Absent: DeShazer.

New Business: Pre-Application Meeting for Cedar View Estates in 13-33N-3W, 18-33N-3W, and 19-33N-3W: Travis Barney said that the name will now be Cedar Ridge Estates. Tim Gobel, Surveyor, also answered

questions. There will be two shared entrances off the highway. Kevin Barta is working with them on the road issue for 546 Ave. It needs to be determined if it is classified as a minimum maintenance road. The lots will all be over 3 acres so they do not need NDEE approval. They are working with Cedar-Knox Rural Power and Cedar-Knox Rural Water. There will be a road added to the back row of lots. It is too steep at the east end to have the road loop around for a second entrance/exit. The roads can be dealt with in the subdivision agreement. Part of the road is maintained by the County and part of it is township. The roads within the subdivision will be privately maintained. Kuhlman left at 8:10 p.m. The general consensus was for them to proceed with the Preliminary Plat.

Election of Officers: Kotrous moved to keep the same slate of officers, seconded by Larsen. Roll call vote showed all present in favor. Absent: Kuhlman and DeShazer.

Zoning Administrator's Report: The December and January Permit Reports were reviewed.

Next Meeting: The next meeting is tentatively scheduled for Tuesday March 9, 2021 at 7:30 p.m.

Adjournment: The meeting was adjourned at 8:45 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 3-9-21

Placed on File with Board of Supervisors: 3-25-21

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

March 9, 2021

Call to order: The March 9, 2021 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, Dean Wilken, Doug DeShazer, Robert Larsen, Greg Kuhlman Jim Kotrous, and Keith Nielsen. Absent: Neil Clausen, David Arens. Also present were Zoning Administrator Liz Doerr, and numerous members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Kotrous moved, DeShazer seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Clausen, and Arens.

Approve the Minutes from the February 9, 2021 Meeting. Kotrous moved, Ganz seconded, to approve the minutes from February 9, 2021. Roll call vote showed all present in favor. Absent: Clausen and Arens. Clausen arrived 7:34 p.m.

Ex Parte Communications: Nielsen received a call regarding the Stewart hearing.

Old Business: none.

New Business: Public Hearing CU0042 for Joan Stewart for 12 cabins in Pt. 13-33N-3W and 14-33N-3W: Ganz moved to open the public hearing at 7:38 p.m., seconded by Kotrous. Roll call vote showed all present in favor. Absent: Arens.

Doerr and Stewart presented the application explaining that it will be done in 2 phases. 8 cabins will be constructed in the first phase along with an office. Stewart has an Administrative Plat approved by the County Board for the location. Kevin Barta, Highway Superintendent, told Doerr that he would like only one driveway because of site distance but could possibly make two work. Doerr read correspondence from Cedar Knox Public Power and Cedar Knox Rural Water verifying that water and power are available. The cabins will be for short term rental (daily or weekly). Each will have two bedrooms, bath, kitchen/living room area. They will have a small porch. There will be no camper hookups. They will be in "pods" of four cabins so that they can be rented by family groups. Nielsen asked about whether 15' is enough distance between cabins because of fire safety. There will be rules about parking. The central area will be native grass but could possibly be a playground or extra parking in the future. Doerr stated that no comments were received from the public in advance of the meeting. Stewart is hoping to do the second phase in a year or so. After discussion, Kuhlman moved to close the public hearing at 7:46 p.m. Kotrous seconded the motion. Roll call vote showed all present in favor. Absent: Arens. Ganz moved to approve Joan Stewart's Conditional Use Permit #CU0042 for twelve cabins to be built in two phases with the following conditions:

1. A Zoning Permit is required before construction showing that setbacks, lot coverage, and structure height can be met.
2. Each cabin shall be plainly marked with a map of such numbers provided to the Zoning Administrator.
3. All access drives and parking areas shall be surfaced with gravel, asphalt or other material to

free the site of mud.

4. One 80 square foot business sign is allowed by permit.
5. The cabins shall be compliant with all Nebraska Department of Environment and Energy and Nebraska Health & Human Services standards and any other applicable agency.
6. If the second phase of construction is not begun within five years, the permit shall be reviewed before any more cabins are constructed.

Motion was seconded by DeShazer. Roll call vote showed all present in favor. Absent: Arens.

Preliminary Plat public hearing for Cedar Ridge Estates in 13-33N-3W, 18-33N-3W, and 19-33N-3W:

Public Hearing for Travis Barney CU0043 for 128 site RV Park campground in 18-33N-3W: Clausen moved to open both public hearings at 7:51 p.m., seconded by Nielsen. Roll call vote showed all present in favor. Absent: Arens.

Doerr showed the locations and showed where the township lines fall and the minimum maintenance road will need to be brought up to state standards. Ron Nohr explained the layout for the subdivision. The roads will be private but open to the public. Nohr stated that there are some washouts but should be easy to bring up to standards. Travis Barney said that he has been in contact with Kevin Barta on the road issues. Rick Stewart stated that Frankfort and Herrick Twp. shared the maintenance of the whole road in the past. Barney is on the agenda for the next meeting to discuss the road maintenance. Tim Gobel, surveyor explained that 546 Avenue is partially in the Highway's R.O.W. Doerr said that it is complicated because the small section of road mostly falls in Herrick Township, is partially County R.O.W., has been maintained by both Herrick and Frankfort Township, but most of the subdivision does not fall in Herrick Township. The lots are all over 3 acres so Subdivision Approval is not needed from Nebraska Department of Environment and Energy. Nohr explained the soils can have movement but the lots are big enough that it should help. There will be a note on the plat suggesting a geotechnical study. Doerr said that the area of the subdivision does show as an area of high plasticity. Nohr said the campground area is all under 10% slope. There is a good row of trees along the highway. Most of the water will drain near the east entrance. Gravel or rock will be used to help with surface runoff. The campground will be graded and have some berms to help with storm water. Doerr said that Kevin Barta has approved the driveways for the subdivision and campgrounds. They do not want overnight camping with lots of camper traffic coming in and out. The campsites would have annual leases. Doerr said that there is a committee working on updating the regulations to possibly allow decks, etc. once taxation, etc. is figured out. The campground will have similar spacing as Harmelink's campground by the Meridian Bridge.

Doerr received calls from Mark Keck and Rick Stewart about the Townships concerns about road maintenance for the subdivision.

Doerr read comments from Joyce Woodbury, Neil & Lisa Timmerman, and Ryan Cwach on behalf of SID #1 opposing the proposals because of the increase of traffic, taxation, water pressure, drainfields, and condition of the road and bridge.

Nohr said that they have approval from Cedar Knox Rural Water and that they should have good pressure even on peak times according to their engineering consultant. Larsen asked about fire hydrants but there are none in the lake area. Barney is working with the fire department on the fire safety plan. Barney has the campground rules ready but has not submitted them yet. Nohr said that these lots are large enough (45' frontage) that it should be unlikely to have a fire spread through the area. There will be some septic systems but there will also be leach fields to avoid having to haul out on non-peak times. Nohr is familiar with the area and has designed a number of systems with good luck. It is very unlikely that the drainfields will compromise the integrity of 54C. The radius of the entries was sized by the federal standards and is nearly identical to the radius of the State Parks entrance. 40' radius is larger than Wolf Run's 25' radius. Nohr said the 4 Wheelers and ATVs are more of an enforcement issue on the highway. The narrow bridge is still wide enough to meet traffic. Randy Albrecht asked how long the campers will be there. Doerr explained that the regulations do not

allow year around use but that they can remain on site in a stored state. DeShazer asked how the drainfield/leachlines will work. Nohr said that the drainfields will exit from the holding tanks and there will be alarms and monitors on the tanks. The tanks will be pumped. Kevin Langel, SID #1 board, was concerned about not having good notice and the narrowness of the bridge. He was also concerned about maintenance of the road because the county does not maintain their entrance. Ganz stated that it is in Barney's best interest to make sure that the road is maintained to keep the lot owners happy. Doerr wants to see everything for road maintenance clarified in the Subdivision Agreement and that the Townships also agree. Tyler Wulf, Superintendent of Weigand State Park, was concerned about the demand for resources (boat ramp, day use) in his park. He said that the Corp. of Engineers is taking public comment about the lake area and received numerous comments about the road. They will not be relied upon for sewer waste. The yearly lease changes the requirements for septic waste. He is also on the Crofton Fire Board and said that the housing development should be encouraged to be a Firewise community. The proposed covenants were discussed. Rick Stewart said that kids have been seen on the highway by Wolf Run with skateboards, etc. Barney is considering adding a playground between the RV park and the subdivision but it is not shown on the site plan. There will be no shower houses. Extra parking will be along the west side of the RV Park.

Ganz moved to close the public hearings at 8:58 p.m. Kotrous seconded the motion. Roll call vote showed all present in favor. Absent: Arens. Doerr read the draft motion. Nielsen asked when the items need to be complied with. Doerr stated that it would be best to have these items resolved as soon as possible but that it was not needed at this point.

Ganz moved to approve the Cedar Ridge Estates Subdivision Preliminary Plat and the requested waivers contingent on the applicant making the following changes:

1. Applicant shall supply documentation from Cedar-Knox Rural Water that they will be able to service the lots.
2. The road on the west side of the subdivision will need to be brought up to standards, no longer be classified as a minimum maintenance road, and a written agreement made as to who will maintain it.
3. A fire safety plan, shall be supplied in the covenants and Subdivision Agreement.

Nielsen seconded the motion. Roll call vote showed all present in favor. Absent: Arens.

DeShazer wanted a playground included for the campground. Ganz moved to recommend approval of the application for Travis Barney's Cedar Ridge RV Resort Conditional Use Permit #CU0043 in Pt. 18-33N-2W with the following conditions:

1. Each campsite shall be plainly marked with a map of such numbers provided to the Zoning Administrator.
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 Environment and Energy (septic and NPDES stormwater prevention, and Nebraska Health & Human Services standards.
4. A Fire/Safety Emergency Plan shall be supplied.
5. All campers shall be licensed and road ready. Any campers stored on site after 4 months shall be in a stored state with slideouts slid in.
6. No porches, decks, additions, or storage sheds, etc. will be allowed until such time that the Zoning Regulations are amended to allow it.
7. Applicant shall supply documentation that Cedar-Knox Rural Water can supply service.
8. The campground rules shall be supplied.

9. One business sign up to 80 square feet is allowed.

10. A playground shall be included.

Seconded by Larsen. Roll Call Vote showed all present in favor. Absent: Arens.

Discussion of Procedure only for request from Board of Supervisors to review confined feeding setbacks and impact easements. Doerr explained that the Board of Supervisors voted to have the Planning Commission review the confined feeding setbacks and impact easements in light of the recent court case judgement of Harts v Knox County. The consensus was to have a review at the April meeting and the public hearing can be set after the review. The April meeting will be held in the Board of Supervisors room.

Zoning Administrator's Report: The February Permit Report was reviewed. Doerr read a letter from Carol Lyon regarding the age of mobile homes that are allowed in her district. Doerr explained that the 1974 date was set because of the wiring rules for mobile homes were changed at that time. The consensus was to leave the regulation as it is.

Next Meeting: The next meeting is tentatively scheduled for Tuesday April 13, 2021 at 7:30 p.m.

Adjournment: The meeting was adjourned at 9:37 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 4-13-21

Placed on File with Board of Supervisors: 4-29-21

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

April 13, 2021

Call to order: The April 13, 2021 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, Dean Wilken, Neil Clausen, David Arens, Robert Larsen, Greg Kuhlman, and Jim Kotrous. Absent: Keith Nielsen and Doug DeShazer. Also present were Zoning Administrator Liz Doerr, and numerous members of the public.

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

Approve the Minutes from the March 9, 2021 Meeting. Larsen moved, Arens seconded, to approve the minutes from March 9, 2021. Roll call vote showed all present in favor. Absent: Nielsen and DeShazer.

Ex Parte Communications: Doerr stated that Keith Nielsen had contacted her about the review and said that he does not want to see any changes as he thinks that the regulations are working well.

Old Business: none.

New Business: Review confined feeding setbacks and impact easements and possibly set date for public hearing: Doerr did a quick basic review of the regulations and process for the public. Ganz stated that the setbacks seem to be working but the Impact Easements are beyond our scope. The Supervisors have the final say and the Planning Commission is an advisory board. He felt that we should leave the regulations as is. Wilken said that the last public hearing for the livestock regulations did not have complaints. Ganz said that as a Livestock Friendly County, we need to avoid having too many restrictive regulations. Marcia Buman was upset with how her new neighbor ran his feedlot and felt that he was not following the rules. Doerr explained the complaint process. There was a review of the past livestock permits and no real issues through the years would warrant changes. Ganz asked the public if they felt that we should make changes. Several members of the public felt that we should leave the regulations as is. The lawsuit is a legal issue not a regulations issue. Impact easements were discussed and can be negotiated. After discussion, Kuhlman made a motion to have a public hearing 6-8-21 on confined feeding setbacks and impact easements at 7:30 in the Board meeting room with no changes proposed. Claussen seconded the motion. Roll call vote showed all present in favor. Absent: Nielsen and DeShazer.

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

Next Meeting: The next meeting changed to Tuesday May 18, 2021 at 7:30 p.m. due to Doerr being gone on the regular meeting date.

Adjournment: The meeting was adjourned at 8:35 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 5-18-21

Placed on File with Board of Supervisors: 5-27-21

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

May 18, 2021

Call to order: The May 18, 2021 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: Dean Wilken, David Arens, Robert Larsen, Greg Kuhlman and Jim Kotrous. Absent: Neil Clausen, Rob Ganz, Keith Nielsen, and Doug DeShazer. Also present were Zoning Administrator Liz Doerr, and three members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Larsen moved, Kuhlman seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Clausen, Ganz, Nielsen, and DeShazer.

Approve the Minutes from the April 13, 2021 Meeting. Kuhlman moved, Larsen seconded, to approve the minutes from April 13, 2021. Roll call vote showed all present in favor. Absent: Clausen, Ganz, Nielsen, and DeShazer.

Ex Parte Communications: Doerr said that Ganz called to say that he was ok with everything for the Cedar Ridge Estates plat.

Old Business: none.

New Business: Public Hearing: Final Plat Cedar Ridge Estates in 13-33N-3W and 18-33N-2W: Motion to open public hearing at 7:33 p.m. by Arens, seconded by Kuhlman. Roll call vote showed all in favor. Absent: Clausen, Ganz, Nielsen, and DeShazer. Doerr explained that the Herrick Township Chairman has signed the Subdivision Agreement and that the County Board and Highway Superintendent will sign it at the County Board public hearing. Bringing the Township road up to standards and maintenance will be provided by the Homeowner's Association and the County will change it back from a minimum maintenance road to a local road classification. Delbert Jansen asked about gating the road at the end of the area that will be maintained. He has had people dump trash in his pasture. He was told that the road cannot be gated as it will still be an open road. Doerr stated that the Lienholder has signed the plat. After discussion, mostly on the roads, Kuhlman moved to close the public hearing. Larsen seconded the motion. Roll call vote showed all in favor. Absent: Clausen, Ganz, Nielsen, and DeShazer. Kuhlman made a motion to approve the Final Plate of Cedar Ridge Estates with the applicant supplying a Subdivision Agreement signed by the Knox County Board of Supervisors. Larsen seconded the motion. Roll call vote showed all present in favor. Absent: Clausen, Ganz, Nielsen, and DeShazer.

Zoning Administrator's Report: The April Permit Report was reviewed.

Next Meeting: The next meeting is scheduled for Tuesday June 8, 2021 at 7:30 p.m.

Adjournment: The meeting was adjourned at 8:22 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 6-18-21

Placed on File with Board of Supervisors: 6-24-21

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

June 8, 2021

Call to order: The June 8, 2021 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:33 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: Dean Wilken, Greg Kuhlman, Jim Kotrous, Neil Clausen, Rob Ganz, and Keith Nielsen. Absent: David Arens, Doug DeShazer, and Robert Larsen. Also present were Zoning Administrator Liz Doerr, Supervisors Kevin Mackeprang and Dan Schlote, and numerous members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Kotrous moved, Clausen seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Arens, DeShazer, and Larsen.

Approve the Minutes from the May 18, 2021 Meeting. Kotrous moved, Kuhlman seconded, to approve the minutes from May 18, 2021. Roll call vote showed all present in favor. Absent: Arens, DeShazer, and Larsen.

Ex Parte Communications: none.

Old Business: none.

New Business: Public Hearing: Review of Livestock Setbacks and Impact Easements: Motion to open public hearing at 7:34 p.m. by Ganz, seconded by Kotrous. Roll call vote showed all in favor. Absent: Arens, DeShazer, and Larsen. Doerr explained that the Board of Supervisors asked for the review so this hearing is part of the process even though no changes are proposed. Doerr read a letter received from Jarred Smith and Ken Smith in favor of keeping the growth of livestock in the County. Doerr read a letter from Martin Caylor encouraging easing setbacks. A letter from Ben Curby was read encouraging easing setbacks. Also, a letter from Steve Martin, with AFAN, was read that encouraged keeping regulations Livestock Friendly and encouraged flexibility. Wilken explained that they had made a significant change in 2014 and want to leave the setbacks as is. Barry Grossenburg said that he is standing for all of agriculture. Livestock helps increase the grain prices. Environmental regulations have helped protect the environment. Andy Scholting of Nutrient Advisors works with a lot of Knox County producers. He works in many counties so he's seen what works and what doesn't. Saunders County has a 30,000 hd. feedlot going through a change of ownership in a populated area. They have not had one single complaint in 10 years. Saunders County's largest operations have a setback of ¼ mile. Scholting lives in Cuming County and is on the school board. There are 30,000 a.u. within 1 mile of the Wisner school and no one complains because they know that it drives the economy. It can be difficult to expand beyond 10,000 au with the one-mile setback that Knox County has. Jeff Abbenhaus with Michael Foods told of the process that they went through when they expanded but most people didn't care for signing easements but were ok with what was being done. Ben Curby has relocated from Denver to Bloomfield because of livestock. 75% of co-workers would say the same thing and they do a lot of business locally. Travis Barney of Farmers & Merchants Bank said that 90% of their business relies on livestock. They need growth in the County. Alan Walton, with Farm Bureau, said that we are trying to protect the schools and

way of life. The large livestock operations help keep the youth here. We will have loss in school and real estate value if we leave the setbacks where they are. Marvin Hochstein felt that the revisions made in 2014 were good and shouldn't be changed. Dennis Kammer said that the wind can have a big factor in how it affects people especially when you are in a valley. Doerr explained that there is University research about prevailing winds but having different setbacks for different directions can be difficult to administer. Kammer has had to sacrifice pasture due to dust. He is totally against expansion. He questioned cattle in fields with manure going in creeks. It was explained that definitions and regulations control when permits are needed. Andy Scholting is encouraging that the board look really hard at moving the classes down one rung (smaller setbacks) and to use the Nebraska State Siting Matrix. He would also suggest operations be permitted by right (no need for a public hearing) to help young producers. The language of Impact Easements could be changed to a distance waiver which is not recorded. Wilken felt that Waivers would not be more advantageous than Impact Easements. Doerr added that Keith Marvin said that Impact Easements can be negotiated to have limits. Emmett Johnson was concerned about encroachment and wants to see the setbacks left as is. Dennis Kammer agreed with Johnson. Alan Walton feels that this is not about one individual but about the County as a whole moving forward. Farms have changed so we need to adapt to the change. Marvin Hochstein felt that the Planning Commission did look ahead. Ron Hoebelheinrich was not happy with big herds because it leaves control down to one person. Dennis Kammer asked about how complaints are handled which Doerr and the board answered. Kuhlman said that he would prefer not to have Impact Easements. Ben Curby said that Impact Easements can have one person hold up progress. There was general discussion by various people on impact easements and setbacks. Kuhlman moved to close the public hearing. Nielsen seconded the motion. Roll call vote showed all in favor. Absent: Arens, DeShazer, and Larsen. Ganz felt that we should leave the regulations as they are but the people can still go to the County Board at their public hearing if they feel strongly about the issue. Kuhlman felt that maybe we should look at what is out there in the other counties before deciding if we should make some changes. Kuhlman made a motion to meet with Keith Marvin to discuss the regulations and table any action until the next meeting (July). Ganz seconded the motion. Roll call vote showed all present in favor. Absent: Arens, DeShazer, and Larsen.

Zoning Administrator's Report: The May Permit Report was reviewed.

Next Meeting: The next meeting is scheduled for Tuesday July 13, 2021 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: 7-13-21

Placed on File with Board of Supervisors: 7-29-21

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

July 13, 2021

Call to order: The July 13, 2021 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:42 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: Dean Wilken, Rob Ganz, Keith Nielsen, Greg Kuhlman, and Jim Kotrous. Absent: Robert Larsen, Doug DeShazer, David Arens, and Neil Clausen. Also present were Zoning Administrator Liz Doerr, Supervisor Jim Borgmann, and numerous members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Kuhlman moved, Kotrous seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Larsen, DeShazer, Arens, and Clausen.

Approve the Minutes from the June 8, 2021 Meeting. Ganz moved, Kotrous seconded, to approve the minutes from June 8, 2021. Roll call vote showed all present in favor. Absent: Larsen, DeShazer, Arens, and Clausen.

Ex Parte Communications: none.

Old Business: Discussion of possible changes to Zoning Regulations with consultant Keith Marvin. Marvin discussed and answered questions regarding the livestock setbacks and impact easements. Residences not occupied can use lack of utilities, no one living there, and then the 12 months come into play. Stockpiling of manure was discussed and must meet setbacks. A complete update to the regulations, the Livestock Matrix, RV parks, the minimum lot size in the Commercial Corridor, and beehives were discussed. The minimum lot size of CC will stay the same and it was the consensus not to add regulations for beehives. The Planning Commission will read through the RV Parks draft and discuss it at the next meeting.

Review of Livestock setbacks and Impact Easements recommendation. After discussion about some possible changes, Kotrous moved to make a recommendation to the County Board to not make any changes to the livestock setbacks and impact easements at this time. Kuhlman seconded the motion. Roll call vote showed all present in favor. Absent: Larsen, DeShazer, Arens, and Clausen.

New Business: Public Hearing: Lazy U LLC CUP#0044 campground in 10-32N-8W and 11-32N-8W: Motion to open public hearing at 8:40 p.m. by Kotrous, seconded by Nielsen. Roll call vote showed all in favor. Absent: Larsen, DeShazer, Arens, and Clausen. Troy and Jeff Uhler explained the application. They will employ a park host and hope to be open by April 2022. They will mark the property lines so that they are highly visible. There will be no motorized vehicles on the trails. There will be hiking trails, disc golf, and catch and release fishing. They may possibly build a storage building in the future for camper storage as shown on the site plan. The Nebraska Legislature is pushing recreation in Knox County so this will provide another option. The rules include quiet time after 10pm to 7 am. Jeff lives 7 miles south so he will be available in addition to the camp host. They are 4.5 miles off the highway so they may not have a lot of traffic at first. Jeff would like to restore the barn for rooms or events in the future but is not a part of the application at this time. The roads

are in good shape for traffic. They will have a bath house to start instead of full hookups. The bath house will have its own septic tank and drain field. There will be no dump station. The Niobrara State Park said that the campers can use their dump station if they have a park permit. They are wanting to have weekly rentals of campsites. Doerr read a letter from Gary Zimmerer in opposition to the application due to the noise and traffic. Doerr said that the Niobrara Scenic River does not require anything other than what is in the Zoning Regulations. Scott Erthum, son in law of Reg Pischel, said that Reg has concerns because they use their property for deer hunting. They feel that they may not be able to use the land because of the concern of hurting someone. Troy said that they are considering closing the campground October 31. Doerr received phone calls from Steve Brunette about possibly putting in hog barns but did not submit written comments for the public hearing. Kuhlman moved to close the public hearing at 9:16 pm. Ganz seconded the motion. Roll call vote showed all in favor. Absent: Larsen, DeShazer, Arens, and Clausen. There was discussion on the possible conditions. Ganz made a motion, seconded by Kuhlman, to recommend approval of the application for Lazy U LLC Conditional Use Permit #CU0044 in 10-32N-8W and 11-32N-8W with the following conditions:

1. Each campsite shall be plainly marked with a map of such numbers provided to the Zoning Administrator.
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 Environment and Energy (septic and NPDES stormwater prevention), and Nebraska Health & Human Services standards.
4. All campers shall be licensed and road ready. Any campers stored on site after 4 months shall be in a stored state with slide outs slid in.
5. No porches, decks, additions, or storage sheds, etc. will be allowed until such time that the Zoning Regulations are amended to allow it.
6. Applicant shall supply documentation that Niobrara Valley Electric can supply service.
7. One business sign up to 80 square feet shall be placed at the right of way and shall include the 911 address.
8. A Zoning permit is required before constructing the bath house or camper storage building. If the camper storage building is not constructed within five years of approval of the Conditional Use Permit, a review of the permit by the Planning Commission is required.
9. The campground will be open April 1 until October 31.

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

Pre-Application Meeting-Braunsroth Subdivision. Mike Skroch explained the plat. There was discussion about the low area or creek that runs through the property. There is an existing field driveway to Lot 1 but the owner should check with the Road Superintendent first before using it as a driveway. Lot 1 cannot use the same access as the other two lots because of the creek. The consensus was for them to proceed to the Final Plat.

Zoning Administrator's Report: The June Permit Report was reviewed.

Next Meeting: The next meeting is scheduled for Tuesday August 10, 2021 at 7:30 p.m.

Adjournment: The meeting was adjourned at 9:55 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 8-10-21

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

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

August 10, 2021

Call to order: The August 10, 2021 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, David Arens, Neil Clausen, Dean Wilken, Rob Ganz, Greg Kuhlman, and Jim Kotrous. Absent: Robert Larsen, and Keith Nielsen. Also present were Zoning Administrator Liz Doerr, Supervisor Marty O'Connor, and one member of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Robert Larsen arrived at 7:31 p.m. Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Ganz moved, DeShazer seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Nielsen.

Approve the Minutes from the July 13, 2021 Meeting. Kuhlman moved, Clausen seconded, to approve the minutes from July 13, 2021. Roll call vote showed all present in favor. Absent: Nielsen.

Ex Parte Communications: none.

Old Business: none.

New Business: Public Hearing: Final Plat Vested Holdings LLC #P0183 in Pt. SE ¼ 9-31N-3W: Motion to open public hearing at 7:32 p.m. by Ganz, seconded by DeShazer. Roll call vote showed all in favor. Absent: Nielsen. Doerr and Craig Braunsroth explained the plat. The driveway for Lot 3 was discussed. Kevin Barta, Highway Superintendent prefers that it be moved south about 200'. Doerr stated that no public comments were received. There was no one present with comments. Ganz moved to close the public hearing at 7:45 p.m. DeShazer seconded the motion. Roll call vote showed all in favor. Absent: Nielsen. There was discussion on the possible conditions. Kuhlman made a motion, seconded by Larsen, to recommend approval of the Final Plat for Vested Holdings LLC #P0183 in Pt. SE ¼ 9-31N-3W with the following condition:

1. A Subdivision Agreement will need to be approved by the Board of Supervisors requesting waivers and showing that electric utilities will be installed before the sale of each of the lots.

Roll call vote showed all present in favor. Absent: Nielsen.

Review RV Campground Regulations. Doerr explained that DeShazer, O'Connor, Monica McManigal, Keith Marvin, and Doerr held a Zoom meeting to develop the draft. The general consensus was to hold the public hearing in September.

Zoning Administrator's Report: The July Permit Report was reviewed.

Next Meeting: The next meeting is scheduled for Tuesday September 14, 2021 at 7:30 p.m.

Adjournment: The meeting was adjourned at 8:01 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 9-21-21

Placed on File with Board of Supervisors: 9-30-21

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

September 21, 2021

Call to order: The September 21, 2021 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:55 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: David Arens, Neil Clausen, Dean Wilken, Rob Ganz, and Jim Kotrous. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen. Also present were Zoning Administrator Liz Doerr, Supervisor Pat Liska, and two members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Clausen moved, Ganz seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Approve the Minutes from the August 10, 2021 Meeting. Ganz moved, Clausen seconded, to approve the minutes from August 10, 2021. Roll call vote showed all present in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Ex Parte Communications: none.

Old Business: none.

New Business: Public Hearing: Section 8.04 Draft Regulations for Recreational Vehicle Parks: Motion to open public hearing at 7:58 p.m. by Clausen, seconded by Arens. Roll call vote showed all in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Doerr stated that no public comments were received. There was discussion on how campers are taxed. There was no one present with comments. Ganz moved to close the public hearing at 8:15 p.m. Clausen seconded the motion. Roll call vote showed all in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Ganz made a motion, seconded by Clausen, to recommend approval of the Section 8.04 Draft Regulations for Recreational Vehicle Parks. Roll call vote showed all present in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Public Hearing: CU0046 HESK LLC for a duplex on Pt. SW4 14-33N-3W. Motion to open public hearing at 8:17 p.m. by Clausen, seconded by Ganz. Roll call vote showed all in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen. Doerr stated that Janet Wiechelman sent an e-mail objecting to them using it as a rental. The Zoning Regulations do not control the renting of property. There was no one present with comments. Ganz moved to close the public hearing at 8:25 p.m. Clausen seconded the motion. Roll call vote showed all in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Ganz made a motion, seconded by Arens, to recommend approval of the HESK LLC Conditional Use Permit #CU0045 with the condition that the units shall not be sold independently. Roll Call vote showed all present in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

Public Hearing: CU0045 Toy Shed Storage LLC for a building with 10 storage units on 23-33N-2W. Motion to open public hearing at 8:27 p.m. by Kotrous, seconded by Clausen. Roll call vote showed all in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen. Doerr stated that no public comments were received. There was no one present with comments. There was discussion about the plans and design of the facility which Troy Behounek, owner, answered. Kotrous moved to close the public hearing at 8:37 p.m. Arens seconded the motion. Roll call vote showed all in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen. Ganz made a motion, seconded by Arens, to recommend approval of the Toy Shed Storage LLC's Conditional Use permit #CU0045 to add a self-storage building with 10 units with the following conditions: 1. No outside storage is allowed. 2. The structure shall be of similar color to the existing structures. 3. Under the soffit lighting shall be included on the west side of the new structure. 4. Applicant shall show compliance of diversion of water before construction begins. 5. Permanent diversion of water shall be installed during construction and in the future to control the runoff. Roll call vote showed all present in favor. Absent: Doug DeShazer, Keith Nielsen, Greg Kuhlman, and Robert Larsen.

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

Next Meeting: The next meeting is scheduled for Tuesday October 12, 2021 at 7:30 p.m. if needed.

Adjournment: The meeting was adjourned at 8:40 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 1-11-22

Placed on File with Board of Supervisors: 1-27-22