



BUFFALO COUNTY ZONING & FLOODPLAIN
Buffalo County Courthouse
1512 Central Avenue
PO Box 1270
Kearney, NE 68848
Phone: (308) 236-1998
Fax: (308) 236-1870
Email: zoning@buffalocounty.ne.gov

ZONING AGENDA ITEM #1

FROM: Dennise Daniels, Zoning Administrator

MEETING DATE: March 8, 2022

SUBJECT: Discussion and decision regarding a tabled Zoning Item for an Administrative Subdivision, "T Period S Period Administrative Subdivision", from a public hearing conducted on February 22, 2022.

Discussion:

Mitch Humphrey, licensed land surveyor, on behalf of Seth J. Tschetter, President for T Period S Period Construction, Inc., applied for an Administrative Subdivision, "T Period S Period Administrative Subdivision", located in part of the Southeast Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

ZONING AGENDA ITEM #2

FROM: Dennise Daniels, Zoning Administrator

MEETING DATE: March 8, 2022

SUBJECT: A Special Use Permit Review, under Resolution #2006-33, to operate a Painting and Sandblasting Operation, for property described as the Part of the Southwest Quarter of Section Twenty-Four (24), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Discussion:

Dennis L. Land filed a Special Use Permit Application to operate a painting and sandblasting operation on June 28, 2006. The Special Use Permit was heard and received recommended approval by the Buffalo County Planning and Zoning Commission on July 20, 2006 and authorized by the Board of Commissioners (Supervisors) on August 8, 2006 via Resolution #2006-33.

Resolution #2006-33 states, the applicant, “as noted in application filed, proposed to place no additional structures on the subject property. The application is for use change without addition of structures. Should additional structures want to be added, additional applications will need to be submitted...”

The current owner of the property, who uses the property solely for his residence, submitted a Zoning Permit for the construction of an attached garage. With the Special Use Permit still effective, the owner cannot apply for any structures. Additionally, the permitted special use, as allowed under Resolution #2006-33, has been discontinued or abandoned for a period of twelve consecutive months, per Section 2.53. Therefore, the Special Use Permit must be reviewed.

Per Buffalo County Zoning Regulations, Section 6.7, Reviews and cancellations of special use permits shall be instigated by one of two methods:

2. If the Zoning Administrator finds at any time that the terms, conditions and requirements of a special permit have not been complied with, or that any phase thereof has not been completed within the time required under said special permit or any amendment thereto, the Zoning Administrator shall report this fact to the County Board.
3. County Board may take the matter up by any two members of the Board desiring hearing. Thereafter, a public hearing shall be held with notice to permittee and/or entity using such property and owners of properties subject to notice of the original permit. Following such public hearing, the County Board may take such action(s) as it deems necessary to obtain compliance, including, but not limited to, revocation of such special permit for failure to comply with such terms, conditions and requirements. (Resolution 5-9-06).

ZONING AGENDA ITEM #3

FROM: Dennise Daniels, Zoning Administrator

MEETING DATE: March 8, 2022

SUBJECT: Chad Dixon, licensed land surveyor, on behalf of Kohlscheen Farms, has filed an Application for Zoning Map Amendment, for property described as Part of the Southeast Quarter of the Southwest Quarter in Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 10.34 acres, of which approximately 0.33 acres are presently being used for road purposes on the South side, from AG – Agriculture to AGR – Agricultural – Residential.

Discussion:

Per Zoning Regulations, Section 11.3, the Board of Commissioners must review any zoning amendments, after recommendation of the Planning & Zoning Commission. The applicant is seeking to rezone approximately 10.34 acres from Agriculture (AG) to Agricultural – Residential (AGR).

This property is located west of Highway 10, north of 340th Road. Parcel ID: 100074000.

Considerations:

- a. That such change in zoning designation would have minimal adverse effect on surrounding properties.
- b. That the intended use of the Agricultural – Residential (AGR) District is consistent with property use in the surrounding area.
- c. This amendment is consistent with the growth and development of Buffalo County and the overall Comprehensive Plan adopted by Buffalo County, Nebraska, and
- d. The subject property is situated close to already existing public improvements, such as sufficient utilities so that the map amendment with its attendant changes in uses will not cause additional public costs to function effectively.

On February 17, 2022, The Planning Commission recommended to forward this application favorably, on an 8-0 vote, with one abstention and no absences.

Voting yes: Brady, Biehl, Jeffs, Keep, Schmidt, Vacek, Wolfe, & Stubblefield.

Voting no: None.

Abstain: Vest.

Absent: None.

No opposition was received for this application.

ZONING AGENDA ITEM #4

FROM: Dennise Daniels, Zoning Administrator

MEETING DATE: March 8, 2022

SUBJECT: Paul Simpson, Senior Manager Retail Operations, on behalf of Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., has filed an Application for Special Use Application to install signage for property identified as tax parcel 660286130, and described as Part of Government Lot 1 in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Discussion:

Per Buffalo County Zoning Regulations, Section 8.32, signs not meeting the criteria set out in Section 8.31 shall be allowed only by special use permit as allowed in the various zoning districts.

Paul Simpson, Senior Manager Retail Operations, on behalf of Simplot AB Retail Sub, Inc. has applied for a Special Use Permit on parcel 660286130 to install signage, which is situated north of East 56th Road and east of Keystone Road. Zoning District: (I) Industrial.

On February 17, 2022, The Planning Commission recommended to forward this application favorably, with no additional conditions, on an 8-0 vote, and no abstentions or absences.

Voting yes: Biehl, Jeffs, Keep, Schmidt, Wolfe, Vacek, Vest, & Stubblefield.

Voting no: None.

Abstain: None.

Absent: None.

No opposition was received regarding the Special Use Permit.

Zoning Agenda

Item #1

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office
1512 Central Ave., PO Box 1270 Kearney, NE 68848
308-233-5640 www.buffalogov.org

8-9-15
Center

Type of Plat Administrative Sub XX Preliminary Plat Final Plat
Vacation of Plat Variance

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: T PERIOD S PERIOD ADMINISTRATIVE SUBDIVISION Date 01-07-2022

Owner's name: T Period S Period Construction, Inc., a Nebraska corporation

Owner's home address: c/o Seth Tschetter, P.O. Box 1811, Kearney, NE 68848-0905

Telephone number(home): (daytime)

Developer's name: Same as above.

Developer's address: Same as above

Engineer's name and address: Buffalo Surveying Corp., Mitchell W. Humphrey, P.O. Box 905, Kearney, NE 68848

List all people who own, have liens and other interest

Present use of property: Rural Residential with the farm land surrounding on the east, west and south sides

Desired use of property: Rural Residential Present Zoning AGR

Legal Description of property: See Attached Sheet

Area of property(square feet and/or acres) 10.11 Acres, more or less

Number of lots or parcels: Two (2)

School District Fire District

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: Printed Name Mitchell W. Humphrey, agent

Or agent:

Preliminary Plat approval date:

Office Use Only
Permit Number 2022-005
Filing Fee 420.00 Receipt # 974773
Zoning Classification AGR
Floodplain Yes or No 1/26/22 DMD
8/09 Date Initial

Action Taken:

P & Z Recommendation: approved disapproved Date:

County Commissioners approved disapproved Date:

Application For Subdivision (Administrative): Pt of the SE1/4 of the SW1/4 of Sect. 8, T9N, R15W, Buffalo Co., NE
Property Owner: T Period S Period Construction, Inc.
Prepared by: Buffalo Surveying Corp., Mitchell W. Humphrey
Date: January 26, 2022

ATTACHMENT TO THE APPLICATION FOR SUBDIVISION

Owners Name and Address:

T Period S Period Construction, Inc.
Seth Tschetter
P.O. Box 1811
Kearney, NE 68848-1811

LEGAL DESCRIPTION FOR EAST TRACT

A tract of land being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of the Northwest Quarter of Section 8 and assuming the South line of the Southwest Quarter of the Northwest Quarter of Section 8 as bearing N 89°39'10" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of the Northwest Quarter of said Section 8, N 89°39'10" E a distance of 1319.06 feet to the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 8, said point also being the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 8; thence on the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 89°39'40" E a distance of 466.58 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 89°39'40" E a distance of 377.00 feet to the Southwest Corner of R. D. Wilson Administrative Subdivision, an administrative subdivision being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska; thence leaving the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 00°28'03" W on the West line of said R. D. Wilson Administrative Subdivision a distance of 1167.53 feet to a point on the South line of Block Three, Antelope Park Estates, a subdivision being part of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska, said point being 477.93 feet West of the Southeast Corner of said Antelope Park Estates; thence on the South line of Block Three of said Antelope Park Estates, S 89°41'13" W a distance of 377.00 feet; thence leaving the South line of Block Three of said Antelope Park Estates, S 00°28'03" E, parallel with the West line of said R. D. Wilson Administrative Subdivision, a distance of 1167.70 feet to the place of beginning. Containing 10.11 acres, more or less.

T PERIOD S PERIOD ADMINISTRATIVE SUBDIVISION
 AN ADMINISTRATIVE SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF
 THE NORTHWEST QUARTER OF SECTION EIGHT (8), TOWNSHIP NINE (9) NORTH,
 RANGE FIFTEEN (15) WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 BUFFALO COUNTY, NEBRASKA

BLOCK THREE
 ANTELOPE PARK ESTATES

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

FLOOD ZONE A

FLOOD ZONE A

FLOOD ZONE A

LOT 1
 R. D. WILSON
 ADMINISTRATIVE SUBDIVISION

LOT 1
 5.67 AC ±

LOT 1

HOFFERBER-CAPELLEN
 SUBDIVISION

LOT 2
 4.00 AC ±

LOT 2

PART OF THE SE 1/4
 OF THE NW 1/4
 (UNPLATTED)

SURVEYOR'S CERTIFICATE

I, Mitchell W. Humphrey, President of Buffalo Surveying Corporation, do hereby certify that, Buffalo Surveying Corporation surveyed T PERIOD S PERIOD ADMINISTRATIVE SUBDIVISION, an administrative subdivision being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, as shown on the above plat, Mark W. Humphrey, Party Chief, that the lots are well and accurately staked off and marked, the dimensions of the lots are as shown on the above plat, each lot bears its own number, and that survey was made with reference to known and recorded monuments.

(S E A L)

BUFFALO SURVEYING CORPORATION

Mitchell W. Humphrey, President
 Nebr. Registered Land Surveyor No. 492

- 0' 150'
 SCALE: 1" = 100'
- CORNERS FOUND (5/8" x 3/4" R. ROD W/ I.D. CAP STAMPED "HUMPHREY LS 492" EXCEPT AS INDICATED)
 - CORNERS ESTABLISHED (5/8" x 3/4" R. ROD W/ I.D. CAP STAMPED "HUMPHREY LS 492")
 - + TEMPORARY POINTS
 - P = PLATTED DISTANCES
 - R = RECORDED DISTANCES
 - D = DEEDED DISTANCES
 - M = MEASURED DISTANCES
 - B.L.M. = BUREAU OF LAND MANAGEMENT
 - (CR) = CHAIN MEASURE (1 CR = 66 FT.)
 - = SPECIAL FLOOD HAZARD AREA ZONE "A" (1% CHANCE OF ANNUAL FLOODING)
- 10.11 AC ± TOTAL
 - 0.22 AC ± ROAD
 9.89 AC ± BALANCE
- SURVEY COMPLETED



T PERIOD S PERIOD ADMINISTRATIVE SUBDIVISION
AN ADMINISTRATIVE SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF
THE NORTHWEST QUARTER OF SECTION EIGHT (8), TOWNSHIP NINE (9) NORTH,
RANGE FIFTEEN (15) WEST OF THE SIXTH PRINCIPAL MERIDIAN,
BUFFALO COUNTY, NEBRASKA

LEGAL DESCRIPTION FOR EAST TRACT

A tract of land being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of the Northwest Quarter of Section 8 and assuming the South line of the Southwest Quarter of the Northwest Quarter of Section 8 as bearing N 89°39'10" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of the Northwest Quarter of said Section 8, N 89°39'10" E a distance of 1319.06 feet to the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 8, said point also being the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 8; thence on the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 89°39'40" E a distance of 466.58 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 89°39'40" E a distance of 377.00 feet to the Southwest Corner of R. D. Wilson Administrative Subdivision, an administrative subdivision being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska; thence leaving the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 00°28'03" W on the West line of said R. D. Wilson Administrative Subdivision a distance of 1167.53 feet to a point on the South line of Block Three, Antelope Park Estates, a subdivision being part of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska, said point being 477.93 feet West of the Southeast Corner of said Antelope Park Estates; thence on the South line of Block Three of said Antelope Park Estates, S 89°41'13" W a distance of 377.00 feet; thence leaving the South line of Block Three of said Antelope Park Estates, S 00°28'03" E, parallel with the West line of said R. D. Wilson Administrative Subdivision, a distance of 1167.70 feet to the place of beginning. Containing 10.11 acres, more or less.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that T Period S Period Construction, Inc., a Nebraska corporation, by and through its President, Seth J. Tschetter, being the sole owner of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as T PERIOD S PERIOD ADMINISTRATIVE SUBDIVISION, an administrative subdivision being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and said owner does hereby ratify and approve the disposition of their property as shown on the above plat, and does hereby dedicate to the use and benefit of the public, the street right-of-way and utility easements as shown on said plat, and acknowledge said subdivision to be made with the free consent and in accord with the desires of said owner.

Dated this ____ day of _____, 2022.

T Period S Period Construction, Inc., a Nebraska corporation,
 By and through its President, Seth J. Tschetter

By: _____
 Seth J. Tschetter, President

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
) ss:
 COUNTY OF _____)

The foregoing Document was acknowledged before me this ____ day of _____, 2022, by Seth J. Tschetter, President of T Period S Period Construction, a Nebraska corporation.

(S E A L)

 Notary Public

RESOLUTION NO. _____

BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA, in regular session with quorum present, that the plat of T PERIOD S PERIOD ADMINISTRATIVE SUBDIVISION, an administrative subdivision being part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, duly made out, acknowledged and certified is hereby approved, accepted, ratified and authorized to be filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska,

Moved by: _____
 (Print Name)

Seconded by: _____
 (Print Name)

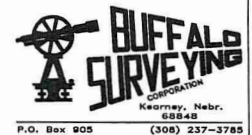
that the foregoing resolution be adopted. Said Motion carried on ____ vote(s).

STATE OF NEBRASKA)
) ss:
 COUNTY OF BUFFALO)

I, Janice I. Giffin, County Clerk in and for Buffalo County, Nebraska, being duly qualified, do hereby certify that the above is a true and correct copy of the resolution as passed by the Buffalo County Board of Commissioners on the ____ day of _____, 2022.

(S E A L)

 Janice I. Giffin, County Clerk





NEBRASKA TITLE COMPANY

SERVICE BEYOND EXPECTATION

LIMITED TITLE REPORT

FILE NO: NTK0008172

TO: Buffalo Surveying Corp.
Mitch Humphrey

Nebraska Title Company, authorized to engage in the business of abstracting in the State of Nebraska under Certificate of Authority No. 56, hereby certifies that the records of Buffalo County, Nebraska have been carefully examined with reference to the following described property, and from such examination finds as follows:

LEGAL DESCRIPTION:

A tract of land being part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of the Northwest Quarter of Section 8 and assuming the South line of the Southwest Quarter of the Northwest Quarter of Section 8 as bearing N 89° 39' 10" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of the Northwest Quarter of said Section 8, N 89° 39' 10" E a distance of 1319.06 feet to the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 8, said point also being the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 8; thence on the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 89° 39' 40" E a distance of 466.58 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 89° 39' 40" E a distance of 377.00 feet to the Southwest Corner of R. D. Wilson Administrative Subdivision, an administrative subdivision being part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; thence leaving the South line of the Southeast Quarter of the Northwest Quarter of said Section 8, N 00° 28' 03" W on the West line of said R. D. Wilson Administrative Subdivision a distance of 1167.53 feet to a point on the South line of Block 3, Antelope Park Estates, a subdivision being part of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, said point being 477.93 feet West of the Southeast Corner of said Antelope Park Estates; thence on the South line of Block 3 of said Antelope Park Estates, S 89° 41' 13" W a distance of 377.00 feet; thence leaving the South line of Block 3 of said Antelope Park Estates, S 00° 28' 03" E, parallel with the West line of said R. D. Wilson Administrative Subdivision, a distance of 1167.70 feet to the place of beginning.

GRANTEE IN LAST DEED OF RECORD:

[T Period S Period Construction, Inc., a Nebraska corporation](#)

UNRELEASED LIENS OF RECORD:

None of Record

JUDGMENTS OR TRANSCRIPTS OF JUDGMENTS:

None of Record

TAXES/ASSESSMENTS:

2020 and all prior years - paid in full
2021 in the amount of \$290.94 - NOT YET DUE AND PAYABLE.
First half becomes delinquent May 1, 2022;
Second half becomes delinquent September 1, 2022.
Parcel ID No.: [620320088](#)
Assessed Value: \$18,090.00


- a. Special assessments not yet certified to the Office of the County Treasurer.
(Note: No special assessments are shown in the Office of the County Treasurer at date hereof.)

EASEMENTS AND RESTRICTIONS OF RECORD:

- a. Oil and Gas Lease to Ray York, Leslie Robinson and Oscar Keopke, recorded May 4, 1954 in [Misc. Book 29, Page 47](#).
- b. Reservation unto Louie I. Johnson, of an undivided 50% interest in the mineral rights to the NW 1/4 of 8-9-15, together with all rights and easements conveyed thereunder to any party claiming by, through or under said grantor, as more fully described in the Warranty Deed dated February 25, 1958 and recorded March 11, 1958 in [Deed Book 167, Page 378](#).
- c. Right-of-Way Easement to Nebraska Public Power District, its lessees, successors and assigns recorded June 4, 1970 in [Misc. Book 53, Page 35](#); Supplemental Agreement Right-of-Way Easement to Nebraska Public Power District recorded April 9, 1971 in [Misc. Book 54, Page 186](#).
- d. Oil and Gas Lease to Fred J. Palensky recorded December 30, 1977 on [Roll 77, Page 8698](#).
- e. Terms and conditions of Central Platte Natural Resources District Transfer of Certified Irrigated Acres recorded December 21, 2017 as [Inst. No. 2017-07613](#).
- f. Irrigation Pipeline and Well Access Easement and Agreement between John M. Wilson, Laura E. Wilson and Greg A. Dollman, recorded December 18, 2019 as [Inst. No. 2019-07049](#); Release and Termination of Easement recorded October 29, 2021 as [Inst. No. 2021-08015](#).
- g. Terms and conditions of Central Platte Natural Resources District Transfer of Certified Irrigated Acres, recorded March 31, 2020 as [Inst. No. 2020-01759](#); records of Buffalo County, Nebraska.

Effective Date: December 15, 2021 at 8:00 am

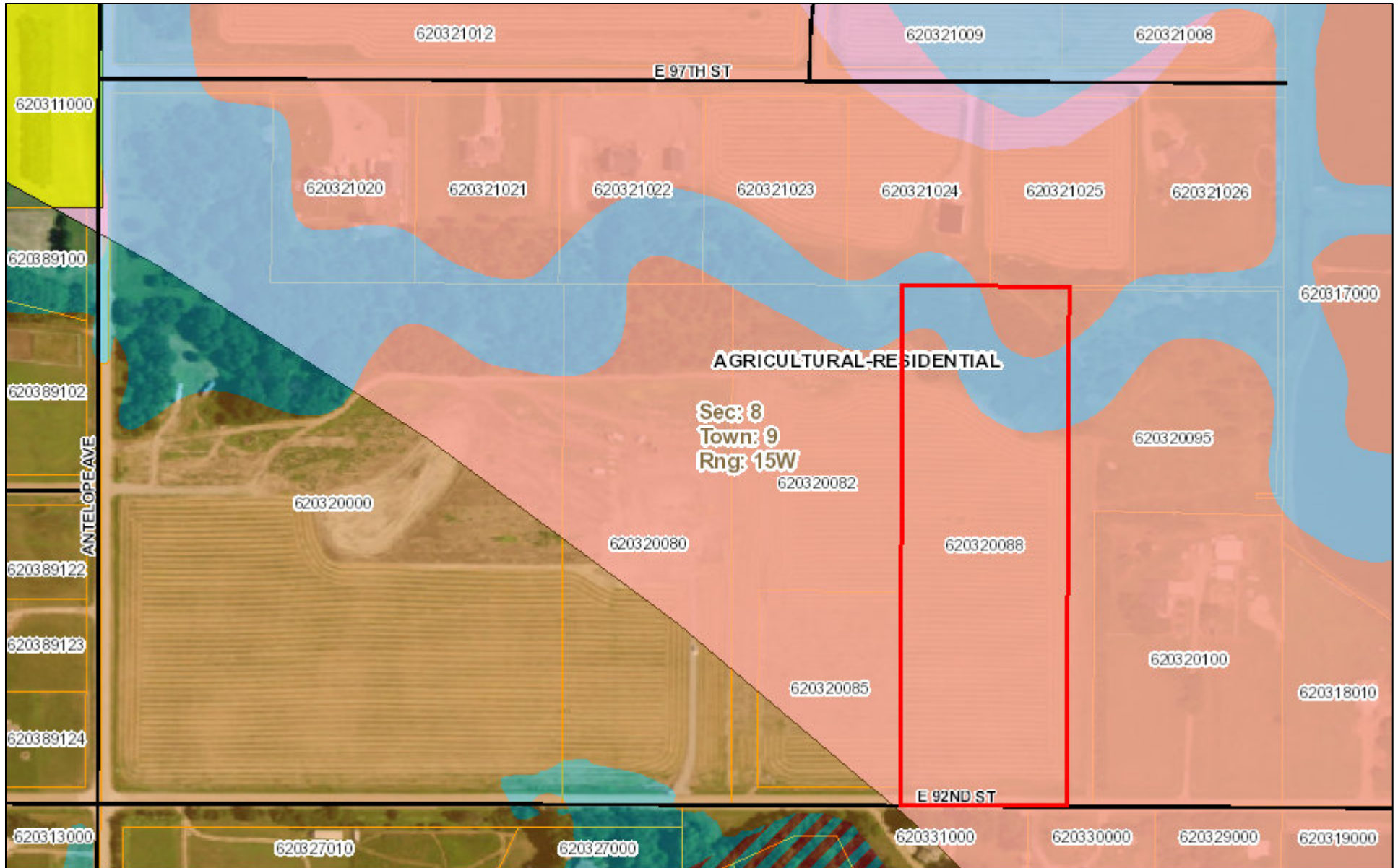
Nebraska Title Company

By 
Registered Abstracter

Please direct inquiries to: Melinda Ryan

NOTE: THIS IS AN INFORMATIONAL TITLE REPORT

This report is not a guarantee or warranty of title, nor is it an abstract of title, nor is this a commitment to provide, nor does it provide title insurance. Liability hereunder is expressly limited to the sum of \$1,000.00.



February 8, 2022
16:07 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,907

- Labeled Streets
- Special Use

Floodplain

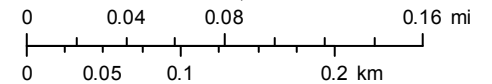
- 1% Annual Chance Flood Hazard

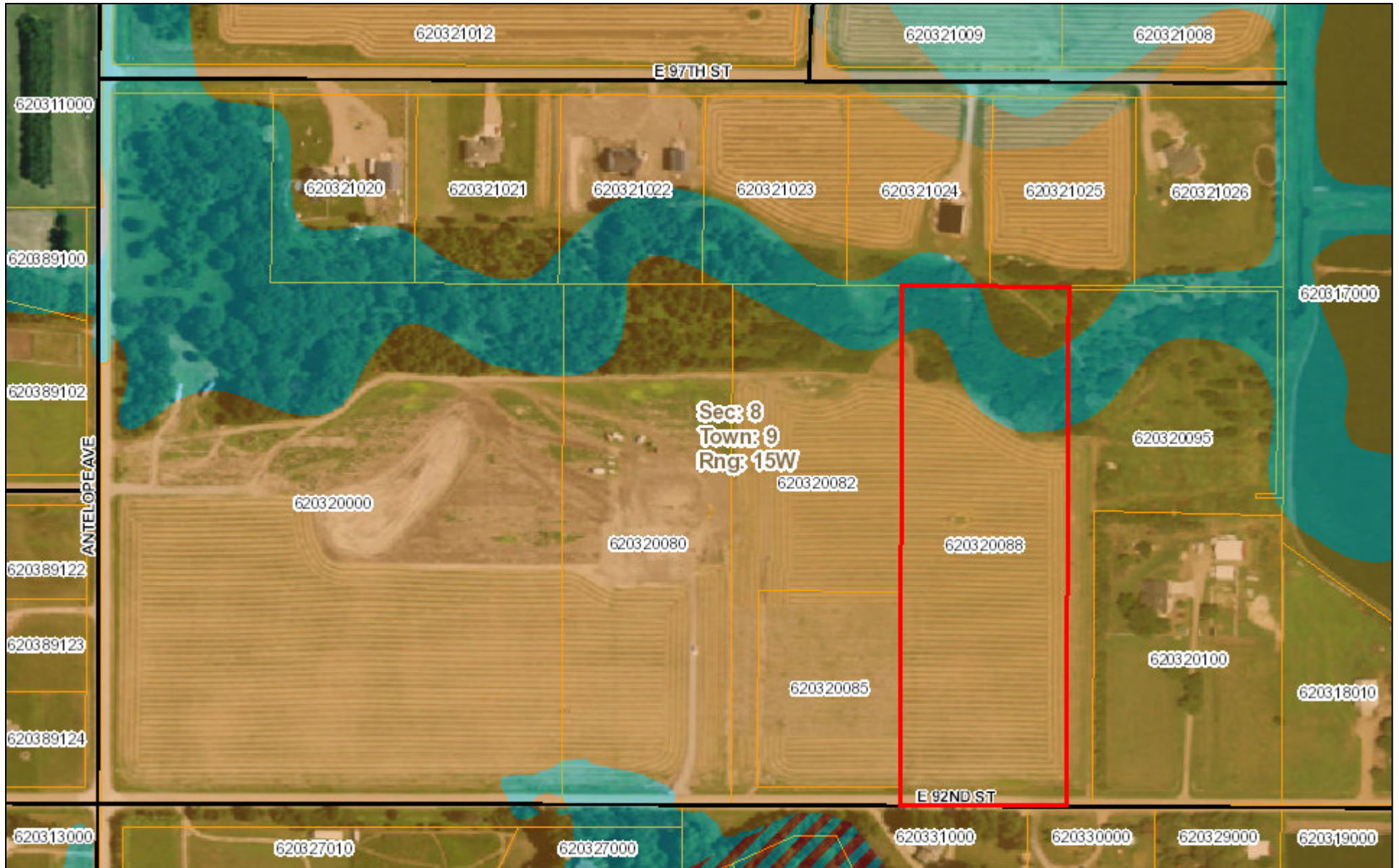
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard
- Area not Included

County Zoning

- AGRICULTURAL
- AGRICULTURAL-RESIDENTIAL
- COMMERCIAL

- INDUSTRIAL
- Parcels
- Sections



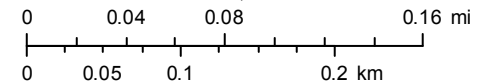


February 8, 2022
16:08 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,907

- | | | | |
|-----------------|-------------------------------|---------------------------------|----------|
| Labeled Streets | 1% Annual Chance Flood Hazard | 0.2% Annual Chance Flood Hazard | Sections |
| Special Use | Regulatory Floodway | Area not Included | Parcels |



Zoning Agenda

Item #2

APPLICATION FOR SPECIAL USE PERMIT
BUFFALO COUNTY NEBRASKA

24-9-15
Center

Fill out application completely. Please print or type. Use additional sheets if needed.
Filing Fee is \$50.00 plus estimated cost of publication. Contact the Buffalo County Zoning Administrator if you have any questions.

Date: 6-28-06

- Applicant's name Dennis L Land
- Applicant's address 9080 E 56th Zip Code 68847
- Telephone 308 237-2015 (day time) 308 627-2015
- Present use of property RESIDENCE
- Desired use of property RUN BDE AT THIS LOCATION
- Present Zoning Agricultural
- Address of site or legal description 9080 EAST 56th
Pt Sw 1/4 24-9-15
- Under what provisions of the Zoning regulations are you seeking this permit: SEC 5.14-14[#]
- Explain in detail what you propose to do: SANDBLAST & PAINT
(attached additional sheets if needed)
- How are adjoining properties used? Indicate both zoning district and actual uses.
North: A9 South: A9
East: A9 West: A9 (I own)
- Value of proposed structure USEING EXISTING BUILDINGS

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Applicant [Signature] Signature of Agent _____

Printed Name DENNIS LAND Printed Name _____

Date of Planning Commission meeting 7/20/06 Approved X Denied _____

Date of Board of Supervisors meeting 8/8/06 Approved X Denied _____

COMMENCEMENT MUST BEGIN WITHIN 120 DAYS OF DATE ISSUED
CONSTRUCTION MUST BE COMPLETED WITHIN 2 YEARS

Resolution 2006-33
Buffalo County Planning & Zoning
& Floodplain Administrator
9730 Antelope Ave.
Kearney, NE 68847-1106

Office Use Only	
Permit Number	<u>2006-073</u>
Amount	<u>90.00</u>
Receipt #	<u>788276</u>
Floodplain Yes or No	<u>No</u>
Date	<u>7/6/06</u>
Initial	<u>DK</u>

#28512
Scanned

NUM PAGES 2
 DOC TAX _____ PD _____ CHG _____ RET _____
 FEES No Fee PD _____ CHG _____ RET _____
 TOTAL _____
 CK NUM _____ BY _____
 _____ BY _____
 REC'D _____
 RETURN Buffalo County Clerk

TRACT INDEX 1
 COMPUTER 1
 COMPARED X

Ins' 2006 - 6207 /

RECORDED
 BUFFALO COUNTY, NE

2006 AU 11 AM 11:01

REGISTRAR'S NOTE: Last deed of Record shows Rita Yacum

Kellie John
 REGISTER OF DEEDS

MICROFILMED

CERTIFICATION

STATE OF NEBRASKA)
) ss.
 COUNTY OF BUFFALO)

I, the undersigned County Clerk of the above named County and State, do hereby certify that the following is a true and exact copy of an excerpt of the original record of the County Board minutes from Tuesday, August 8, 2006:

Planning and Zoning Administrator, LeAnn Klein was present at 11:01A.M. when Chairman Pierce called for the public hearing for Dennis Land who requested a special use permit for property described as part of Southwest Quarter in Section 24, Township 9 North, Range 15 West of the 6th P.M., Buffalo County Nebraska. Dennis Land was present to answer any questions of the Board. At 11:14 A.M. Chairman Pierce closed the public hearing. Moved by McMullen, seconded by Morrow to approve the following resolution:

RESOLUTION 2006-33

WHEREAS, Dennis Land, filed an application for special use permit with the Buffalo County Clerk and/or Zoning Administrator.

WHEREAS, on July 20, 2006 following public hearings on such special use permit application, the Buffalo County Planning and Zoning Commission recommended approval of such special use permit with several conditions all as set forth in minutes of such meeting with such minutes being a part of the record for this board's public hearing, and

WHEREAS, on August 8, 2006 the Buffalo County Board of Supervisors held public hearing on such Special Use Permit, and

WHEREAS, no protests have been filed with the Clerk that would require a two-thirds majority of this Board to approve the special permit, and

WHEREAS, the Board after public hearing, minutes of the Planning and Zoning Commission, photographs of the Zoning Administrator, and review of the special use application finds:

1. This is an application for a special use permit filed by one individual on land described in metes and bounds.
2. Applicant, as noted in application filed, proposes to place no additional structures on the subject property. The application is for use change without addition of structures. Should additional structures want to be added, additional application(s) will need to be submitted.
3. Applicant as reported out from the Planning and Zoning Commission's minutes and testimony before this Board is seeking permission to operate the following activities on the subject property:
 - a. Placement and maintenance of snow removal equipment.
 - b. Sandblasting operation and equipment.
 - c. Painting in outside and inside of structures on the premises.
 - d. Storage and maintenance of tree cutting service equipment.
 - e. Parking of one semi-truck operated by applicant on subject property.
4. The subject property is located in the Agricultural Zoning District and the uses sought by applicant are allowed by special use permit only.
5. The various activities will require various vehicles or trailers parked on the premises utilized by applicant in these endeavors. Such vehicles are: air compressor trailer; "cherry-picker" bucket type truck, snow removal equipment, sandblasting trailer, and a semi-truck.
6. With such activities conducted by applicant, the Board foresees that the following vehicles or materials could be placed on the premises: trucks, trailers, construction equipment, paint, and trees.
7. Some cut down trees, trunks, and branches exist on the property as of date of this hearing.

WHEREAS, the issuance of this special permit is found to be in compliance with Section 6.2 of Buffalo County's Zoning Regulations now in effect, such special permit should be allowed, with the below stated conditions contained in this Resolution, because the proposed use would:

1. Be compatible with and similar to the use permitted in the district, and
2. Not be a matter which should require re-zoning of the property, and
3. Not be detrimental to adjacent property, and
4. Not tend to depreciate the value of the surrounding structures or property, and
5. Be compatible with the stated intended use of the district, and

Inst. 2006 - 6207

- 6. Not change the character of the district, and
- 7. Be in accordance with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED THAT BY THE BUFFALO COUNTY BOARD OF SUPERVISORS by a vote of majority of its members, that this Board approves applicants' Special Use Permit as filed with such application and attached paperwork, all of which incorporated into this Resolution by this reference subject however to the following conditions:

- 1. There shall be allowed placement of one roadside sign.
- 2. Activities on the property that shall be allowed by applicant shall be:
 - a. Placement and maintenance of snow removal equipment.
 - b. Sandblasting operation and equipment.
 - c. Painting in outside and inside of structures on the premises.
 - d. Storage and maintenance of tree cutting service equipment.
 - e. Parking of one semi-truck operated by applicant on subject property.
- 3. Only operable equipment relating to snow removal service, sandblasting, tree service, and/or painting activities shall be allowed on the premise outside of buildings other than equipment being sandblasted or painted. Materials and/or equipment being sandblasted and/or painted shall not remain on the premises more than thirty days.
- 4. Cut down trees, tree trunks, and branches on premises as they now exist on the premises shall be hauled off premises and/or consumed within one (1) year of approval of this application.
- 5. Trees cut down by applicant and/or other persons and not utilized for burning/heat needs of dwellings and improvements on the premises shall not be allowed to be stored on the premises.
- 6. Applicants shall surface all driveways and building approaches with gravel or higher grade of construction material.
- 7. No hazardous materials shall be allowed on the premises unless stored in original containers.
- 8. All supplies and materials shall be stored inside building or buildings now on the premises and/or in or on trailers.
- 9. Applicant and/or his successors shall keep the subject property free of litter and trash.

BE IT FURTHER RESOLVED that this Board reserves the power to revoke such special permit for failure to comply with such terms, conditions and requirements, or take such other action as it may deem necessary to obtain compliance all as provided in Buffalo County Zoning Regulations.

BE IT FURTHER RESOLVED that the "subject property" shall be fully legally described as:

A tract of land being part of the Southwest Quarter of Section Twenty-Four (24), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of Section 24, Township 9 North, Range 15 West of the 6th P.M., thence West along the South line of said Southwest Quarter, a distance of 348 feet to a place of beginning, thence North 198 feet parallel to the East line of said Southwest Quarter, thence West 180 feet, thence South 198 feet, thence East along the South line of said Southwest Quarter to the place of beginning **AND** a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE ¼ SW 1/4) of Section 24, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast corner of the Southwest Quarter of Section 24, Township 9 North, Range 15 West; thence West along the South line of said Southwest Quarter a distance of 528.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing Westerly on the afore described course a distance of 109.0 feet; thence with a deflection angle to the right of 89° 32' and parallel with the East line of the Southwest Quarter a distance of 334.2 feet; thence right 90° 28' and parallel with the South line of said quarter a distance of 289.0 feet; thence right 89° 32' and parallel with the East line of said quarter a distance of 136.2 feet; thence right 90° 28' and parallel with the South line of said quarter a distance of 180.0 feet; thence left 90° 28' a distance of 198.0 feet to the place of beginning. Containing 1.399 acres, more or less, of which 0.083 acres, more or less, are presently being used for road purposes.

RESOLVED FURTHER that copy of this Resolution shall be filed against the subject property.

Upon roll call vote, the following Board members voted "Aye": McMullen, Morrow, Barney, Dannehl, Klein and Pierce. None voted "Nay". Absent: Loewenstein. Motion declared carried.

WITNESS MY HAND & OFFICIAL SEAL THIS 11TH DAY OF AUGUST, 2006.

Judy A. Jobman
 Judy A. Jobman, County Clerk (S E A L)



APPLICATION FOR ZONING PERMIT
BUFFALO COUNTY NEBRASKA

Center
24-9-15

Filing Fee: \$100.00 made payable to Buffalo County. Fill in the following information as accurately and completely as possible. On the back of this page or on an attached sheet indicate, by drawing, the shape and dimensions of the land, shape and dimensions of all existing and proposed buildings, and distances from buildings to lot lines. **PLEASE PRINT.**

Date 2-2-22

Applicant's Name Austin Jacobs Telephone # 308-991-3987

Applicant's Address 9080 E 56th St. Kearney NE Zip Code 68847

Contractor and address PKG construction 414 Spring St. Friend NE 68359

Location of construction site from town if in rural area or complete legal 9080 E 56th St. Kearney NE 68847 24-9-15 Pt SE 1/4 SW 1/4

Type of structure or building proposed Garage addition

Proposed use of building Parking vehicle

Dimensions of structure 28 X 32 Dimensions of property 950 ft X 350 ft

Distance completed structure will be from
A. Front property line or edge of right-of-way 200 ft 100 ft B. Rear Property line 400 ft 250 ft
C. Side property line 120 ft D. Side property line 780 ft
E. Nearest street intersection 2100 ft

Area of the property in acres or square feet 8 acres

Value of structure \$30K

Approximate start date for construction 2-22-22 Approximate finish date 5-1-22

Improvement to be assessed to the following party Austin Jacobs

If the structure is a residence, how far will it be from the nearest feed lot? N/A

If the structure is an apartment building or a commercial or industrial building, indicate how many off-street parking spaces will be provided N/A

ATTACH A DRAWING OF THE PROPOSED STRUCTURE AND LAYOUT. PLEASE SHOW PLACEMENT OF WELL AND SEPTIC.

The above requested information is, to the best of my knowledge, true and accurate. It is understood and agreed that any error, misstatement or misrepresentation of fact, either with or without intention on my part, such as might, if known, cause a refusal of this application, or any alteration or change in plans made without the approval of the Zoning Administrator subsequent to the issuance of the zoning permit, shall constitute sufficient grounds for the revocation of such permit.

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

**COMMENCEMENT MUST BEGIN WITHIN 120 DAYS OF DATE ISSUED
CONSTRUCTION MUST BE COMPLETED WITHIN 2 YEARS**

Signature of Applicant Austin W Jacobs

Printed Name Austin Jacobs

Our office is located at 1512 Central Ave., PO Box 1270
Kearney, NE 68848

Office Use Only	
Permit Number	<u>2022-008</u>
Value of Improvement	<u>30,000</u>
Zoning Classification	<u>AG</u>
Floodplain Yes or No	<u>24/1/22 LS</u>
Date	Initial

OFFICE USE ONLY

Permit # 2022-008 Fee Received 100- Receipt # 974777

Date _____ Approved _____
Disapproved _____ Planning & Zoning Administrator

Reason for disapproval _____

Date application approved from appeal _____

2020-01161

KELLIE JOHN
BUFFALO COUNTY REGISTER OF DEEDS
KEARNEY, NEBRASKA
RECORDED ON: 03/02/2020 08:32:01 AM
DEED WARRANTY
REC FEE: 16.00
PAGES: 2
PD: 639.25 ESCROW:
CK: ACH SIMPLIFILE
REC'D:SIMPLIFILE
SUB:NE TITLE COMPANY
9080 EAST 56TH STREET-KEARNEY
NEBRASKA DOCUMENTARY STAMP TAX
DOC TAX: 623.25
EXEMPTION:
RECORDED ON: 03/02/2020
AUTHORIZED BY: SM

WARRANTY DEED

Cruise Brothers LLC, a Nebraska limited liability company, GRANTOR, in consideration of One Dollar and other good and valuable consideration received from Austin W. Jacobs, a single person, GRANTEE, hereby conveys to GRANTEE the following described real estate (as defined in Neb. Rev. Stat. 76-201):

TRACT A

A tract of land being part of the Southeast Quarter of the Southwest Quarter of Section Twenty-four (24), Township Nine (9) North, Range Fifteen (15) West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast corner of the Southwest 1/4 of said Section 24; thence westerly on the South line of said Southwest 1/4 a distance of 637.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing westerly on the aforesaid South line a distance of 513.74 feet; thence northerly with a deflection angle to the right of 87° 55' 30" a distance of 164.0 feet; thence westerly with a deflection angle to the left of 88° 41' a distance of 132.15 feet; thence northerly with a deflection angle to the right of 90° 23' 30" a distance of 236.0 feet; thence easterly with a deflection angle to the right of 90° 22' and parallel with the South line of said Southwest 1/4 a distance of 938.82 feet; thence southerly with a deflection angle to the right and parallel with the East line of said Southwest 1/4 a distance of 63.81 feet to a point being 334.2 feet northerly of the South line of said Southwest 1/4; thence westerly with a deflection angle to the right of 90° 28' and parallel with the South line of said Southwest 1/4 a distance of 289.0 feet to a point being 334.2 feet northerly of the South line of said Southwest 1/4; thence southerly with a deflection angle to the left of 90° 28' and parallel with the East line of said Southwest 1/4 a distance of 334.2 feet to the place of beginning.

TRACT B

A tract of land being part of the Southwest Quarter of Section Twenty-four (24), Township Nine (9) North, Range Fifteen (15) West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Commencing at the Southeast corner of the Southwest 1/4 of said Section 24; thence West along the South line of said Southwest 1/4; a distance of 348 feet to a place of beginning; thence North 198 feet parallel to the East line of said Southwest 1/4; thence West 180 feet; thence South 198 feet; thence East along the South line of said Southwest 1/4 to the place of beginning.

Please Return recorded document to:
Nebraska Title Company
2222 2nd Avenuc, #100
Kearney, NE 68847

NTK0004064

TRACT C

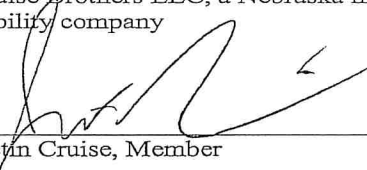
A tract of land being part of the Southeast Quarter of the Southwest Quarter of Section Twenty-four (24), Township Nine (9) North, Range Fifteen (15) West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast corner of the Southwest 1/4 of said Section 24; thence West along the South line of said Southwest 1/4 a distance of 528.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing westerly on the aforescribed course a distance of 109.0 feet; thence with a deflection angle to the right of 89° 32' and parallel with the East line of the Southwest 1/4 a distance of 334.2 feet; thence right 90° 28' and parallel with the South line of said 1/4 a distance of 289.0 feet; thence right 89° 32' and parallel with the East line of said 1/4 a distance of 136.2 feet; thence right 90° 28' and parallel with the South line of said 1/4 a distance of 180.0 feet; thence left 90° 28' a distance of 198.0 feet to the place of beginning.

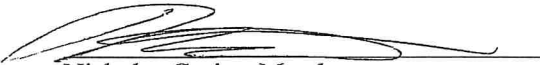
GRANTOR covenant with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances, except encumbrances, liens, easements and restrictions of record;
- (2) has legal power and lawful authority to convey the same; and
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Dated February 20, 2020

Cruise Brothers LLC, a Nebraska limited liability company
by:


Justin Cruise, Member



Nicholas Cruise, Member

State of Nebraska

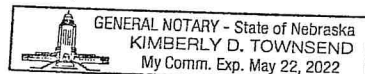
§

County of Buffalo

The foregoing instrument was acknowledged before me this 20th day of February, 2020, by **Justin Cruise and Nicholas Cruise, Members of Cruise Brothers LLC, a Nebraska limited liability company**, on behalf of the limited liability company.


Notary Public

NTK0004064



08Mar22

Buffalo County Zoning Board Committee

Re: Request for removal of Special Use permit

To whom it may concern,

I, Austin Jacobs, sole owner of 9080 E 56th St, Kearney NE 68847 am requesting the removal of the special use permit in effect on my property. The purpose of this request is to ask for approval for a zoning permit to be able to add an addition to the household property; a garage structure. However, with the special use permit in place, I am not able to build or add on to any of my property.

This property was sold and bought as a residential property on the day of the 28th of February of 2020 with no intent for commercial use. I am not intending to use this property for anything other than a residential property now or any time in the future. All structures and buildings currently on my property are being used for personal storage or use.

I appreciate you for taking the time to review this matter. Thank you.

Sincerely,

Austin Jacobs

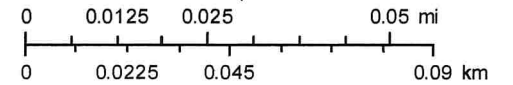
A handwritten signature in black ink that reads "Austin W. Jacobs". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

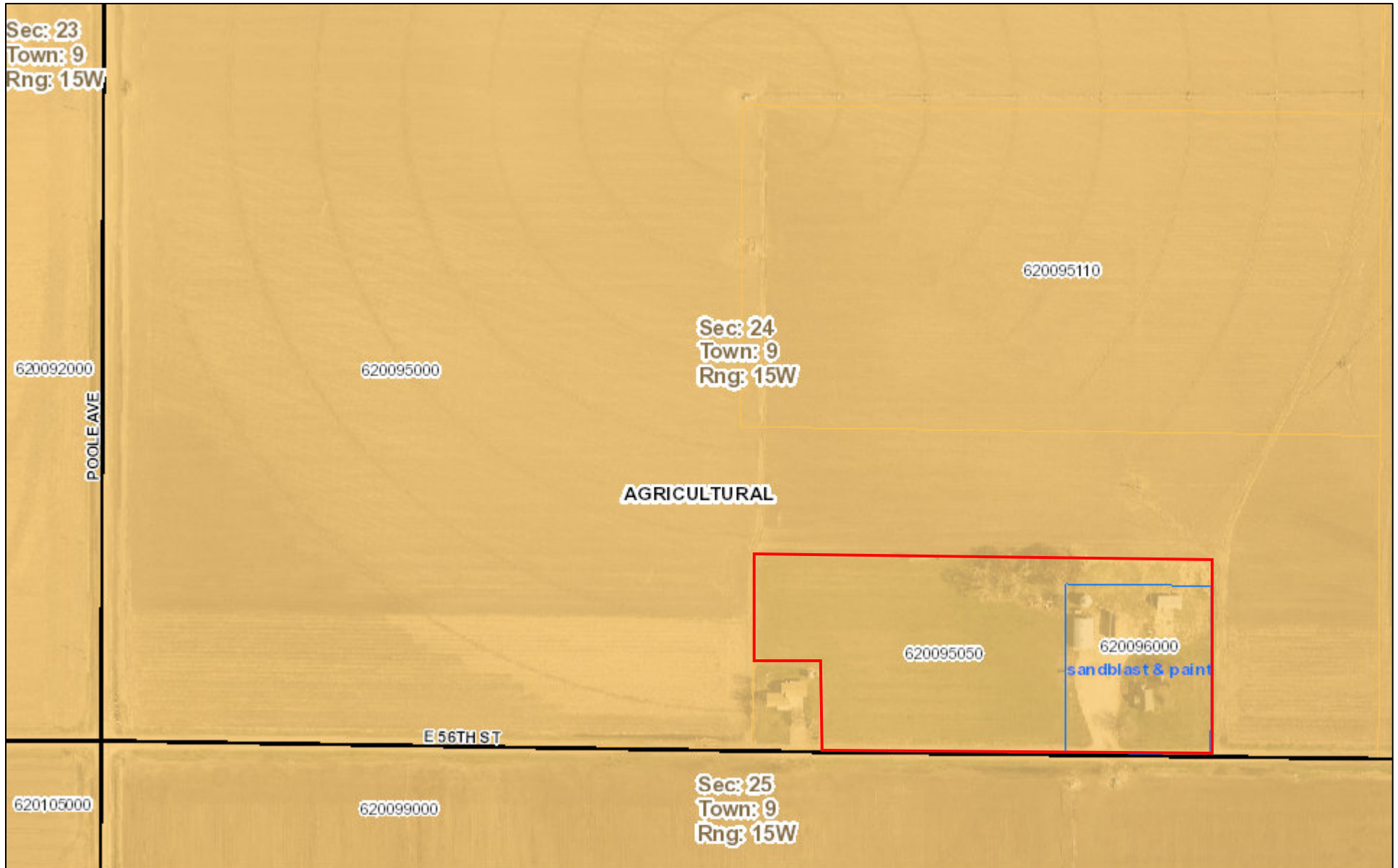


February 2, 2022
16:19 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:1,667





February 17, 2022
14:28 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,515

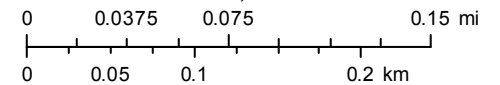
- Labeled Streets
- Special Use

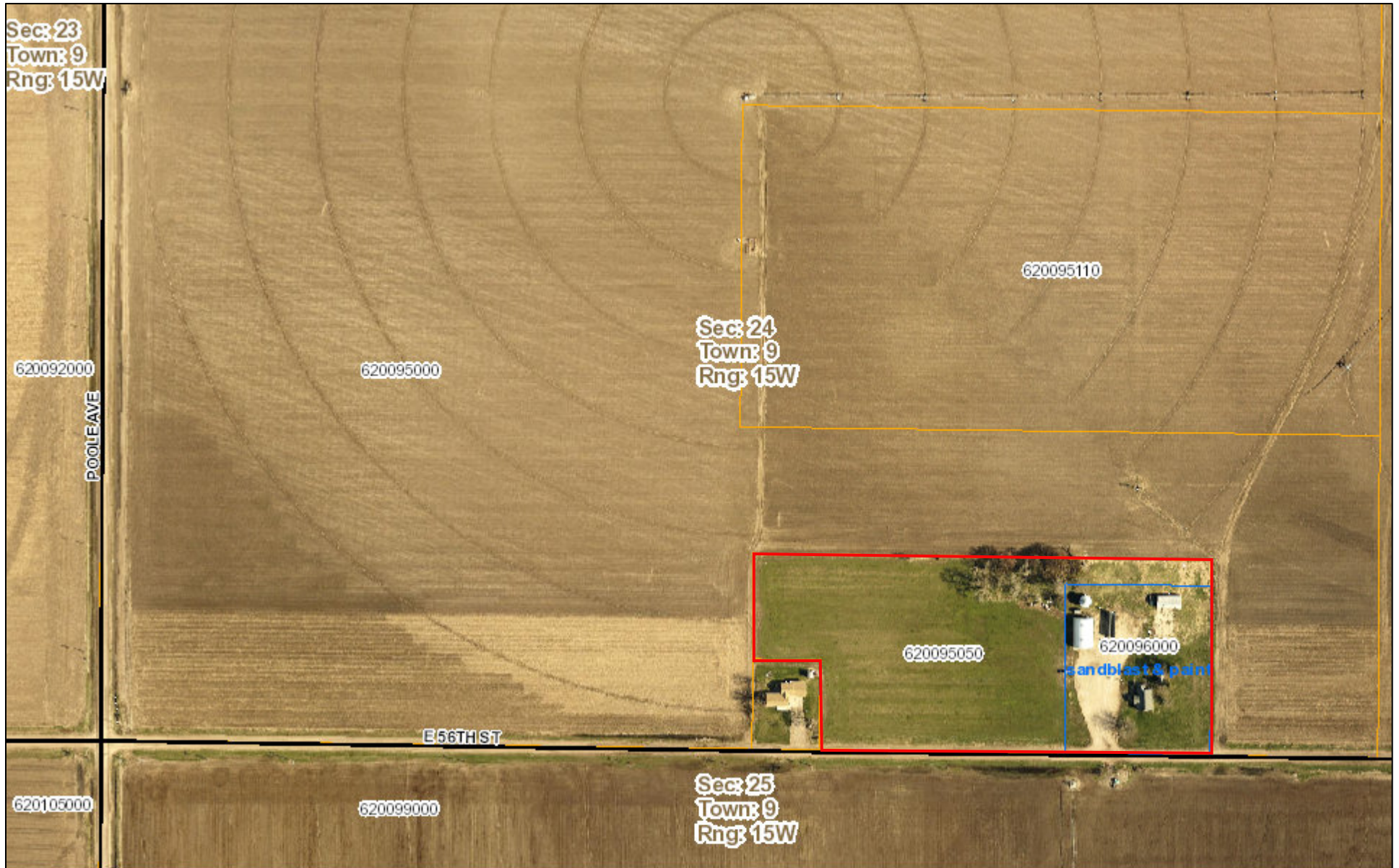
- Floodplain**
- 1% Annual Chance Flood Hazard

- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard
- Area not Included

- County Zoning**
- AGRICULTURAL
 - AGRICULTURAL-RESIDENTIAL
 - COMMERCIAL

- INDUSTRIAL
- Parcels
- Sections





February 17, 2022
14:29 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

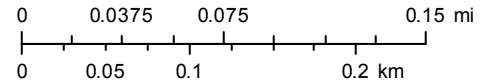
1:4,515

— Labeled Streets
□ Special Use

Floodplain
 ■ 1% Annual Chance Flood Hazard
 ■ Regulatory Floodway

■ 0.2% Annual Chance Flood Hazard
 ■ Area not Included
 □ Parcels

□ Sections



Planning
&
Zoning
Commission
Minutes

February 17, 2022

MINUTES OF PLANNING & ZONING COMMISSION
FEBRUARY 17, 2022
BUFFALO COUNTY COURTHOUSE
6:30 P.M.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice. A copy of the proof of publication is on file in the Zoning Administrator's Office. Advance notice of the meeting was also given to the Planning & Zoning Commission and availability of the Agenda was communicated in the advance notice. The Agenda is available for anyone wanting a copy.

Chairperson Brady opened the meeting at 6:34 p.m. with a quorum present on February 17, 2022.

In Attendance: Scott Brady, Kurt Schmidt, Francis "Buss" Biehl, Tammy Jeffs, Randy Vest, Marc Vacek, Scott Stubblefield, Willie Keep and Loye Wolfe.

Quorum was met.

Also attending were: Deputy County Attorney Andrew Hoffmeister, Zoning Administrator Dennise Daniels, and via ZOOM, Tim Keelan and Keith Carl of Hanna:Keelan, Associates. Several members of the public attended at approximately 7:00 p.m., some of whom later identified as Chad Dixon and Mark Van Slyke.

Chairperson Brady announced The Open Meetings Act and agendas were available if anyone wished to have one.

Public Hearing. 3(a)

Chairperson Brady opened the public hearing for Agenda Item 3(a) at 6:34 p.m. regarding Buffalo County Comprehensive Plan, or the general plan for the improvement and development of the county outside of the jurisdiction of any city or village, as required per Neb. Rev. Stat. §23-174.06.

Mr. Carl took possession of the screen and began Meeting #4. He informed The Commission they will meet again with The Commission on April 21, 2022 and reviewed the agenda for that meeting.

Mr. Keelan reviewed the purpose and goals of the survey and community meetings with The Commission.

Mr. Carl reviewed the revised survey with The Commission and informed them that an online version of the survey would be available for the public.

Chairperson Brady confirmed Hanna:Keelan, Associates' presence at the community meetings after the survey results have been finalized. Mr. Carl confirmed and recommended offering the survey at community meetings to boost participation. Secretary Wolfe suggested advertising the

community's meetings on the survey to notify the public. Mr. Keelan encouraged adding an additional line to the survey to notify the public of the community meetings to discuss the results of the survey. Mr. Carl said he would make the changes.

Chairperson Brady asked if The Commission would have the capability to distribute the hard copy of the survey to the public. Mr. Keelan stated they would work with Zoning Administrator Daniels to get a clearer implementation of the survey.

Chairperson Brady mentioned The Commission should, perhaps, advocate the survey to the local community councils/boards. Mr. Keelan stated that Mr. Carl and Zoning Administrator Daniels would discuss the implementation further and decide how to move forward and would, then, notify The Commission.

Chairperson Brady asked Zoning Administrator Daniels if she would have the budgetary resources to help distribute the survey and Zoning Administrator Daniels stated she would look into it further and report back. Deputy County Attorney Hoffmeister reminded The Commission the survey would be available online. He recommended making the survey available on the Buffalo County Website and, additionally, printing the online website on the survey. He addressed Zoning Administrator Daniels and asked to make it available online at our website. Zoning Administrator Daniels agreed.

Mr. Keelan directed The Commission's attention to the survey and asked if the revised copy was more appropriate. He asked if The Commission had any other comments or questions.

Chairperson Brady said he believed the survey was appropriate and the questions asked would provide them the information they needed to move forward with The Comprehensive Plan.

Mr. Keelan and Mr. Carl reviewed different implementation tactics with The Commission.

Mr. Keelan reviewed Table One with The Commission. He stated that he re-reviewed their concerns regarding growth and asked The Commission if the newly-revised table looked appropriate. Ms. Jeffs asked Zoning Administrator Daniels if 38 houses a year seemed suitable. Zoning Administrator Daniels said it appeared to fit the trend from the last several years, especially with consideration given to building materials and availability of land. Mr. Keelan reminded The Commission that Buffalo County needs to preserve Agriculture, as we are an agriculturally driven county. Deputy County Attorney Hoffmeister agreed with Mr. Keelan's projections and informed The Commission the Community Planning Jurisdictions will continue to grow and remove housing from Buffalo County's jurisdiction.

Vice-Chairperson Keep asked if Buffalo County needed to adjust their subdivision regulations to be more in line with the city of Kearney's regulations. Deputy County Attorney Hoffmeister told The Commission, Buffalo County currently has similar regulations with the city. Discussion occurred regarding standards to subdivision regulations.

Chairperson Brady asked if the revised regulations would dictate where subdivisions would be permitted. Mr. Carl explained permitted areas of subdivisions would be reviewed in the Future and Existing Land Use Maps, as well as in the regulations. Chairperson Brady asked if the

information gathered regarding permitted areas of subdivisions would also review the concerns of infrastructure to support the increasing demands of the population. Mr. Keelan confirmed and said it would all be reviewed as part of The Comprehensive Plan.

Mr. Keelan went on to review Table Two with The Commission.

Mr. Keelan asked if The Commission had any other questions or concerns. Mr. Carl reviewed the steps that would be taken to make the survey live. They thanked The Commission for their time and signed off.

Chairperson Brady closed the public hearing for Agenda Item 3(a) at 7:17 p.m.

Chairperson Brady called the regular meeting of the Buffalo County Planning and Zoning Commission to order.

Chairperson Brady re-announced The Open Meetings Act and agendas were available if anyone wished to have one.

The public forum was opened at 7:18 p.m. The public forum closed at 7:18 p.m.

Public Hearing. 7(a)

Chairperson Brady opened the public hearing for Agenda Item 7(a) at 7:19 p.m. regarding an Application for Zoning Map Amendment, filed by Chad Dixon, Registered Land Surveyor, on behalf of Kohlscheen Farms, for property described as Part of the Southeast Quarter of the Southwest Quarter in Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 10.34 acres, of which approximately 0.33 acres are presently being used for road purposes on the South side, from AG – Agriculture to AGR – Agricultural – Residential.

Deputy County Attorney Hoffmeister presented conflicts of interest statements: Randy Vest is a brother-in-law to the applicant. Deputy County Attorney Hoffmeister stated that Mr. Kohlscheen's sons rent farm ground from him, but he did not appear to have any conflict with this particular piece of ground.

Chad Dixon, licensed land surveyor, with Miller and Associates, 1111 Central Avenue, Kearney, Nebraska, stepped forward to present the application. He stated that the Kohlscheens currently own the whole quarter of ground, but there is an existing house site on that quarter, which houses one of the applicants' children. Mr. Dixon continued, Mr. and Mrs. Kohlscheen would like to construct their own residence on this quarter of ground, but the proposed site is located within 1,000 feet of the existing residence. He stated, in order to have the new residence compliant, the 10-acre tract would need to be rezoned.

Mr. Dixon went on to explain that ownership would not change and banks are now requiring owners to split off smaller parcels for loans. Vice-Chairperson Keep asked Mr. Dixon if the bank

was requiring the 10 acres. Mr. Dixon stated the banks were encouraging smaller lots. Discussion occurred how land is assessed.

Vice-Chairperson Keep inquired whether there was a way to discourage the 1,000 between residences regulation to avoid the regular rezoning requests made to The Commission. Deputy County Attorney Hoffmeister reviewed The Future Land Use Map and stated this particular area was located in an area that was designated as residential. Therefore, rezoning can occur, he explained. Discussion occurred what is required for rezoning areas and The Comprehensive Plan.

Chairperson Brady asked if anyone had additional questions or concerns. Secretary Wolfe asked if the entire 10 acres would be for one ownership and Mr. Dixon confirmed. Discussion continued regarding rezoning areas and The Comprehensive Plan.

Chairperson Brady asked if there were other questions or concerns.

Chairperson Brady closed the discussion on this agenda item at 7:26 p.m.

Motion was made by Mr. Biehl, seconded by Mr. Vacek, to recommend favorably the Application for Zoning Map Amendment, filed by Chad Dixon, Registered Land Surveyor, on behalf of Kohlscheen Farms, for property described as Part of the Southeast Quarter of the Southwest Quarter in Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to rezone approximately 10.34 acres, of which approximately 0.33 acres are presently being used for road purposes on the South side, from AG – Agriculture to AGR – Agricultural – Residential to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted “Aye”: Biehl, Jeffs, Keep, Schmidt, Vacek, Wolfe, Stubblefield, & Brady.

Voting “Nay”: None.

Abstain: Vest.

Absent: None.

Public Hearing. 7(b)

Chairperson Brady opened the public hearing for Agenda Item 7(b) at 7:28 p.m. regarding a Special Use Permit Application to install signage, filed by Paul Simpson, Senior Manager Retail Operations, on behalf of Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., for property identified as tax parcel 660286130, and described as Part of Government Lot 1 in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Mark Van Slyke stepped forward to present the application. He presented “Exhibit A”, an updated Master Plan for the Simplot location at 39695 E 5th Road, Gibbon, Nebraska. Zoning

Administrator Daniels made copies and distributed them to The Commission and Deputy County Attorney Hoffmeister.

Mr. Van Slyke stated Simplot intended to place the sign in the front of the business and remove the existing trees. Chairperson Brady asked if their intent met the new zoning regulations for signage. Mr. Van Slyke confirmed.

Deputy County Attorney Hoffmeister reminded The Commission that East 56th Road is an easement-only road, not county-maintained. He asked Mr. Van Slyke if they intended to construct a sign on the side of the building. Mr. Van Slyke stated there already was a sign on the building.

Secretary Wolfe asked Mr. Van Slyke if the photo taken was accurate. Mr. Van Slyke confirmed, but also stated they intended to put a v-shaped (3-sided) sign. Discussion occurred regarding the size of the sign.

Secretary Wolfe asked if the public would still be able to see oncoming traffic. Mr. Van Slyke confirmed.

Mr. Schmidt asked if the existing sign, as shown in the photos, would be removed and replaced. Mr. Van Slyke confirmed it had been removed.

Chairperson Brady asked if any other questions or concerns needed to be addressed.

Chairperson Brady closed the discussion on this agenda item at 7:36 p.m.

Motion was made by Mr. Vest, seconded by Mr. Schmidt, to recommend favorably the Special Use Permit Application to install signage, filed by Paul Simpson, Senior Manager Retail Operations, on behalf of Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., for property identified as tax parcel 660286130, and described as Part of Government Lot 1 in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska. to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted "Aye": Jeffs, Keep, Schmidt, Vacek, Vest, Wolfe, Stubblefield, and Biehl.

Voting "Nay": None.

Abstain: None.

Absent: None.

Old Business

Minutes

Motion was made by Mr. Vacek, seconded by Mr. Stubblefield, to approve the minutes of the January 20, 2022 meeting, with the correction on page 8 from “Elk Creek” to “Elm Creek”.

Upon roll call vote, the following Board members voted “Aye”: Keep, Schmidt, Vacek, Vest, Stubblefield, Biehl, & Jeffs.

Voting “Nay”: None.

Abstain: Wolfe.

Absent: None.

Motion carried.

New Business

Report on Previous Hearings

Zoning Administrator Daniels reviewed the 2021 Zoning Report. Discussion occurred regarding the report. Secretary Wolfe commented on the income generated from the values of structures, and discussion occurred whether to have pre-addressed stamped envelopes for The Comprehensive Plan Survey.

Secretary Wolfe made an official motion to request pre-stamped and pre-addressed envelopes for the distribution (not for masses) of The Comprehensive Plan Survey, seconded by Ms. Jeffs.

Upon roll call vote, the following Board members voted “Aye”: Schmidt, Vacek, Vest, Wolfe, Stubblefield, Biehl, Jeffs, & Keep.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Secretary Wolfe thanked Zoning Administrator Daniels for highlighting and excerpting the regulations regarding the signage and asked Deputy County Attorney Hoffmeister if Buffalo County could request documentation regarding the 10-acre split the banks are requiring. Deputy County Attorney reviewed the regulations and exceptions regarding lot sizes. Discussion occurred what could be allowed or required for minimum lot sizes.

Zoning Administrator Daniels provided a report on the previous hearings from the January 20, 2022 Planning and Zoning Meeting. The Code Amendment to Section “14.5”, regarding Adult Entertainment, to correct formatting, will be reviewed by The Board of Commissioners on February 22, 2022.

Zoning Administrator Daniels also provided an update regarding The Board of Commissioners’ review of the Special Use Permit, filed by Woitaszewski Brothers for Class V Dairy Operation. She notified The Commission that The Board of Commissioners approved cancellation of the Special Use Permit.

New Business, Correspondence & Other Business

Zoning Administrator Daniels highlighted the ETJ correspondence, for the city of Kearney, regarding Prairie View Business Park Second. She requested The Commission review the proposed letter and let her know if changes needed to occur. No one requested changes. Chairperson Brady asked where the subdivision was located and Zoning Administrator identified the parcel for The Commission.

Deputy County Attorney Hoffmeister reviewed changes in the ETJ with new developments and annexation of the cities and villages of Buffalo County.

Zoning Administrator Daniels also reviewed the County of Dawson Notice of Public Hearing with The Commission. Discussion occurred regarding accessory structures.

Discussion occurred regarding new subdivisions and road maintenance requirements.

Zoning Administrator Daniels informed The Commission of upcoming Nebraska Planning and Zoning Association online training available.

Chairperson Brady recapped having The Commission Members attend community meetings to advocate for The Comprehensive Plan Survey.

Deputy County Attorney informed The Commission of a code amendment that will be coming next meeting regarding slaughterhouses.

Next Meeting

The next meeting will be conducted March 17, 2022, at regular time, 7:00 p.m.

Adjourn

Chairperson Brady adjourned the meeting at 8:29 p.m.

Scott Brady, Chairperson
Buffalo County Planning & Zoning Commission

Loye Wolfe, Secretary

Zoning Agenda

Item #3

**APPLICATION FOR A CHANGE OF ZONING
BUFFALO COUNTY, NEBRASKA**

Filing Fee: \$75.00 plus estimated cost of publication made payable to Buffalo County.
Form must be filled out completely before acceptance of this application for processing. **Please print.** Date 1-20-2022

Applicant's Name Kohlscheen Farms, a Nebraska Partnership, by Donald Kohlscheen Telephone #308-627-4918

Applicant's Address 20565 385th Rd, Pleasanton, NE Zip Code 68866

Present Use of Subject Property Pasture

Desired Use of Subject Property Pasture with Residence

Present Zoning Agricultural Requested Zoning Ag-Residential

Legal Description of Property Requested to be Rezoned Part SE1/4 of the SW1/4 Section 14-T12N-R16W

Area of Subject Property, Square Feet and/or Acres 10.34 acres

How are Adjoining Properties Used (Actual Use)
North Pasture South Grass pivot corner and crops
East Grass pivot corner and crops West Pasture

If Exhibits are furnished, please describe and enumerate. Furnish plot or site plan showing existing and proposed structures, easements, water courses, curb cutbacks, etc.

Justification
You must justify your request. Questions 1 through 4 must be answered completely. Use additional sheets if needed.


1. What is the general character of the area? Describe.
Agricultural. Pasture and Farm ground

2. Can soil conditions support the kinds of development in the proposed zoning district? What is the soil classification of the area?
Yes the soil conditions can support the development. Uly and Holdrege silt loams.
3. What type of sewer and water system will be used?
**Sewer will be septic tank and leach field.
Water will be private domestic well**

4. How will the proposed zoning district affect traffic in the area?
It should have no affect on the area traffic.

The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner _____ Signature of Agent 

Printed Name _____ Printed Name Chad Dixon, Miller & Associates

Buffalo County Zoning
1512 Central Ave.
PO Box 1270
Kearney, NE 68848
308-233-5640

Office Use Only
Permit Number 2022-003
Amount 115.00 Receipt # 974772
Floodplain Yes or No No Date 1/24/2022 Initial DMD

NOTICE TO APPLICANT

Section 11.2 of the Buffalo County Zoning Ordinance requires the applicant to submit the following information which must accompany this application before it can be considered by the Planning & Zoning Commission:

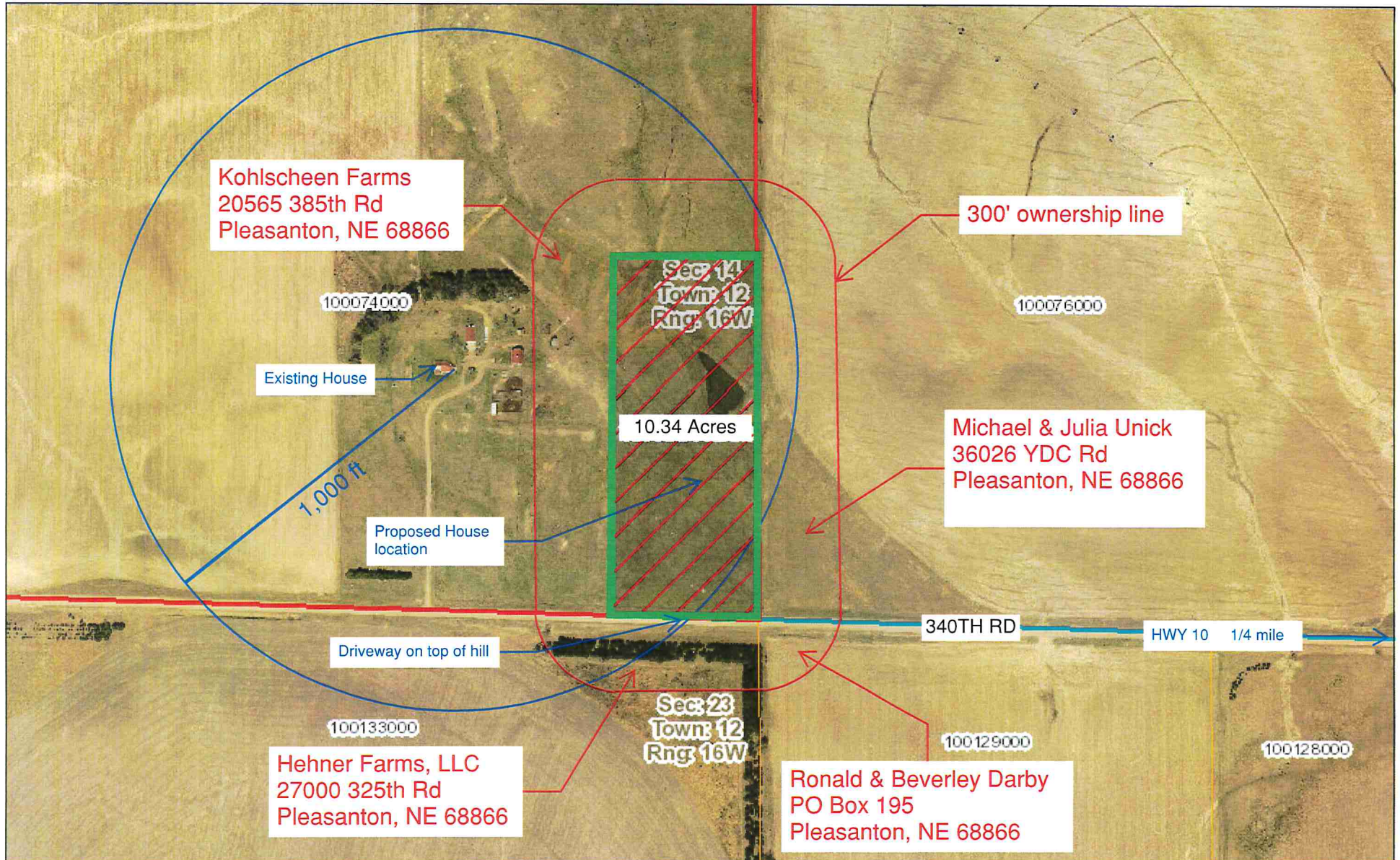
1. The legal description and local address of the property;
 2. The present zoning classification and the zoning classification requested for the property.
 3. The existing use and proposed use of the property.
 4. The names and addresses of the owners of all property within three hundred (300) feet of the property for which the change is requested;
 5. A statement of the reasons why the applicant feels the present zoning classification is no longer valid; and
 6. A drawing showing the location, dimensions, and use of the applicant's property and all property within three hundred (300) feet thereof, including roads, railroads, and other physical features.
-

LEGAL DESCRIPTION

A tract of land being part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the 6th Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows:

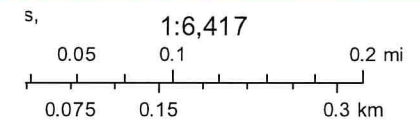
BEGINNING at a 5/8" rebar at the Southeast Corner of the Southwest Quarter of Section 14; thence N 88°06'42" W on the South line of said Southwest Quarter, and all bearings contained herein are relative thereto, a distance of 436.50 feet; thence N 00°45'18" E a distance of 1054.47 feet to a 5/8" rebar w/cap; thence S 88°06'42" E a distance of 417.81 feet to a 5/8" rebar w/cap on the East line of said Southwest Quarter; thence S 00°15'35" E on said East line a distance of 1055.00 feet to the Point of Beginning.

Containing 10.34 acres more or less, of which 0.33 acres more or less are presently being used for road purposes on the South side.

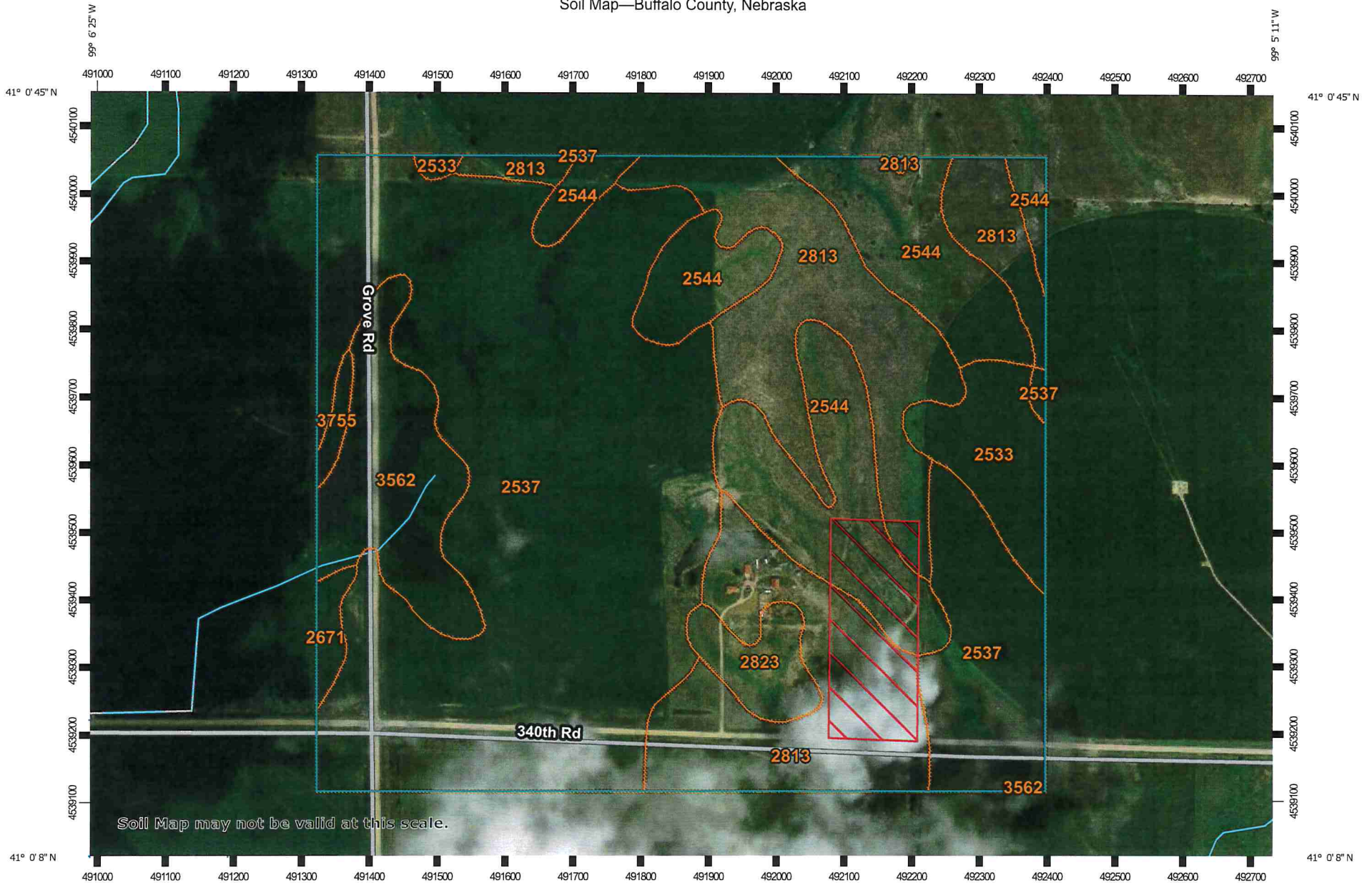


OWNERS STATEMENT:

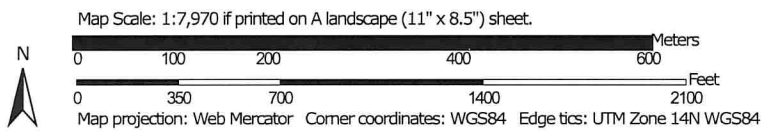
The Owners are proposing to build a new house on their property. The lender does not want the entire 1/4 section to be included in the property with the House mortgage. We are creating a 10+ acre tract to appease the lender and to meet the County Zoning lot requirement. Since a separate tract is created it will not meet the County's Agricultural Zoning District requirement of residential structures needing to be 1000' apart. We are seeking approval to change the 10+ acre tract to the County Agricultural Residential Zoning District. This will allow the House to be built in compliance with the zoning regulations.



Soil Map—Buffalo County, Nebraska




Soil Map may not be valid at this scale.




MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Buffalo County, Nebraska

Survey Area Data: Version 24, Sep 13, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2015—Feb 3, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2533	Coly silt loam, 11 to 30 percent slopes	9.9	3.9%
2537	Coly silt loam, 6 to 11 percent slopes	119.6	47.7%
2544	Coly, Uly and Hobbs soils, 3 to 30 percent slopes	39.7	15.8%
2671	Holdrege silt loam, 3 to 7 percent slopes, eroded	1.8	0.7%
2813	Uly and Holdrege silt loams, 6 to 11 percent slopes	56.8	22.6%
2823	Uly silt loam, 11 to 17 percent slopes, eroded	5.3	2.1%
3562	Hobbs silt loam, occasionally flooded, cool	16.8	6.7%
3755	Hord silt loam, rarely flooded	1.2	0.5%
Totals for Area of Interest		251.0	100.0%

2021-04740

KELLIE JOHN

BUFFALO COUNTY REGISTER OF DEEDS

KEARNEY, NEBRASKA

RECORDED ON: 06/23/2021 09:59:40 AM

DEED TRUSTEES

REC FEE: 16.00

PAGES: 2

PD: 1,186.00 ESCROW:

CK: ACH SIMPLIFILE

REC'D:SIMPLIFILE

SUB:NE TITLE COMPANY

27960 340TH ROAD-PLEASANTON

NEBRASKA DOCUMENTARY STAMP TAX

DOC TAX: 1,170.00

EXEMPTION:

RECORDED ON: 06/23/2021

AUTHORIZED BY: AMS

SPACE ABOVE RESERVED FOR REGISTER OF DEEDS OFFICE RECORDING INFORMATION

Return To: Nebraska Title Company
208 W. 29th Street, Ste. B
Kearney, NE 68845

Title of Document: Trustee's Deed

NTK0007205

TRUSTEES' DEED

* This indenture, made this 10th day of June, 2021, by and between the Thane L. Darby Living Trust, dated June 1, 2018, by its Successor Trustee Luke J. Darby, hereinafter referred to as "Grantor" and Kohlscheen Farms, a Nebraska General Partnership, hereinafter referred to as "Grantee"
* Family LTD

WITNESSETH, that said GRANTOR, in consideration of Ten dollars and other valuable consideration, the receipt of which is hereby acknowledged, does by these presents remise, release and quitclaim unto the GRANTEE, its successors and assigns, the following described real property:

The Southwest Quarter (SW 1/4) of Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the Sixth P.M., Buffalo County, Nebraska

To have and to hold the same forever, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, the GRANTOR has hereunto set his hand the day and year first above written.

Thane L. Darby Family Trust dated June 1, 2018



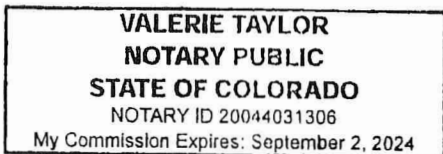
LUKE J. DARBY, Successor Trustee

STATE OF Colorado, COUNTY OF Weld } ss:

BE IT REMEMBERED that on this 10th day of June, 2021, before me a Notary Public in and for the County and State aforesaid, came Luke J. Darby, in his capacity as Successor Trustee of the Thane L. Darby Living Trust, dated June 1, 2018, who is personally known to me to be the same person who executed the foregoing instrument of writing, and duly acknowledged the execution of the same.
* Family LTD

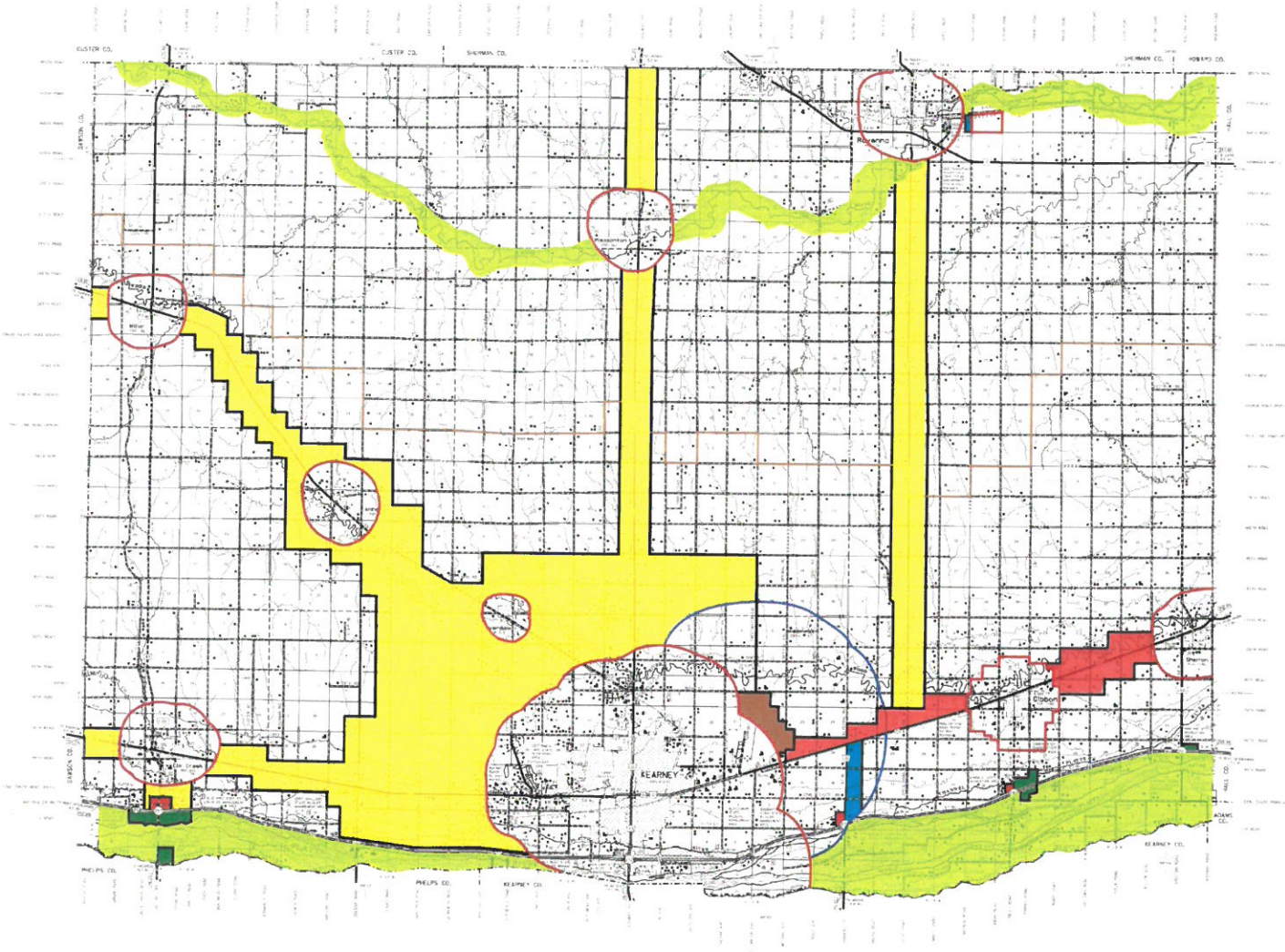
IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal the day and year last above written.

Valerie Taylor
NOTARY PUBLIC



FUTURE LAND USE MAP

BUFFALO COUNTY, NEBRASKA

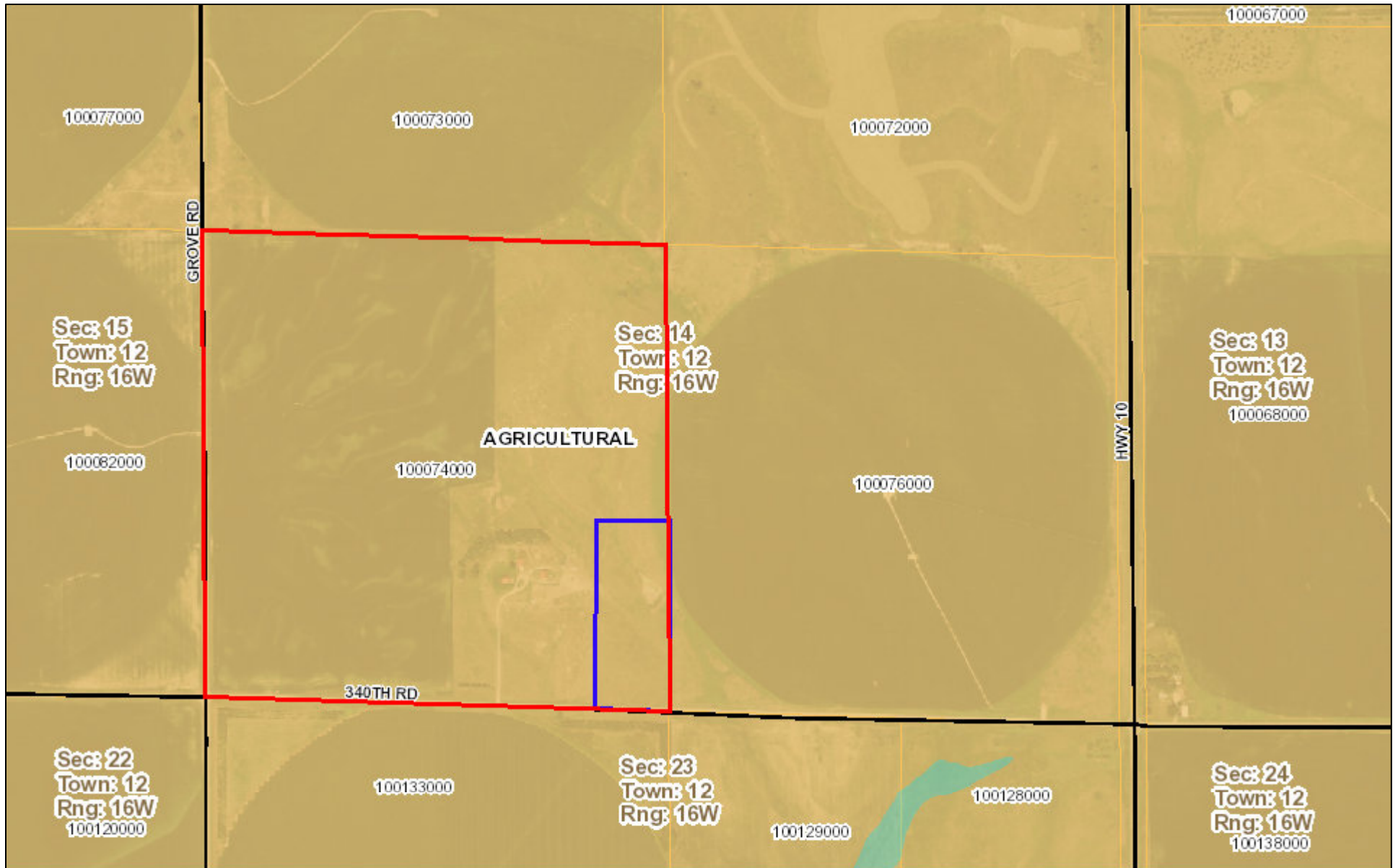


LEGEND

- MUNICIPAL PLANNING JURISDICTION
- MUNICIPAL AIRPORT JURISDICTION
- AGRICULTURAL CONSERVATION DISTRICT
- AGRICULTURAL PRODUCTION
- RURAL RESIDENTIAL
- INTENSIVE AGRICULTURAL
- COMMERCIAL
- PARKS/RECREATION
- KEARNEY MUNICIPAL AIRPORT
- LINE OF TOPOGRAPHICAL CHANGE

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

* Lincoln, Nebraska * 402.464.5383 *
ILLUSTRATION 4.2



January 24, 2022
11:55 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:12,503

- Labeled Streets
- Special Use

Floodplain

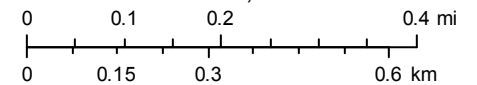
- 1% Annual Chance Flood Hazard

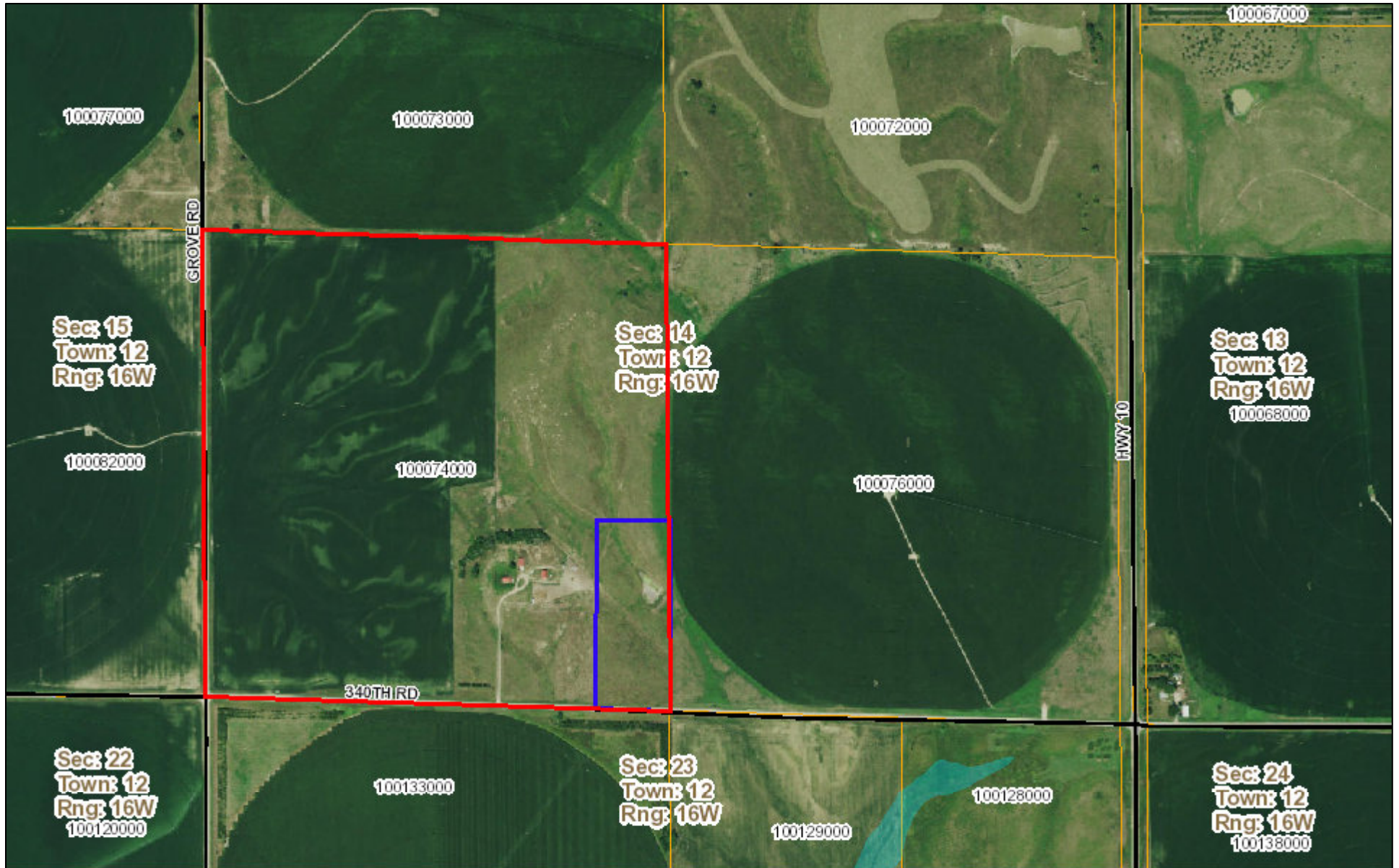
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard
- Area not Included

County Zoning

- AGRICULTURAL
- AGRICULTURAL-RESIDENTIAL
- COMMERCIAL

- INDUSTRIAL
- Parcels
- Sections





January 24, 2022
11:56 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:12,503

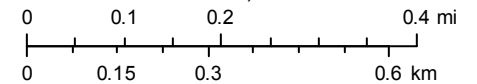
— Labeled Streets
□ Special Use

Floodplain

■ 1% Annual Chance Flood Hazard
■ Regulatory Floodway

■ 0.2% Annual Chance Flood Hazard
■ Area not Included
■ Parcels

□ Sections



Zoning Agenda

Item #4

APPLICATION FOR SPECIAL USE PERMIT
BUFFALO COUNTY NEBRASKA

30-9-14
Gibbon

Fill out application completely. Please print or type. Use additional sheets if needed.
Filing Fee is \$50.00 plus estimated cost of publication made payable to Buffalo County.
Contact the Buffalo County Zoning Administrator if you have any questions.

Date: January 24, 2022

- Applicant's name Simplot AB Retail Sub, Inc
 - Applicant's address 1099 W Front Street, Boise, Idaho Zip Code 83702
 - Telephone (208) 600-2987 (day time) (208) 780-0233
 - Present use of property Agriculture crop inputs products warehousing and distribution.
 - Desired use of property Agriculture crop inputs products warehousing and distribution.
 - Present Zoning Industrial
 - Address of site or legal description Simplot Grower Solutions, 39695 E 56th Road, Gibbon, NE 68840
8. Under what provisions of the Zoning regulations are you seeking this permit: Section 8.32
9. Explain in detail what you propose to do. Please provide a sketch of location of buildings, setbacks etc:
Install a permanent road sign and install a flag pole. Site map attached.
(attach additional sheets if needed)
10. How are adjoining properties used? Indicate both zoning district and actual uses.
North: Agriculture South: Commercial
East: Industrial West: Industrial
11. Value of proposed structure \$2,500

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

The above requested information is, to the best of my knowledge, true and accurate.

COMMENCEMENT MUST BEGIN WITHIN 120 DAYS OF DATE ISSUED
CONSTRUCTION MUST BE COMPLETED WITHIN 2 YEARS

Signature of Applicant Paul Simpson Signature of Agent _____

Printed Name Paul Simpson Printed Name _____

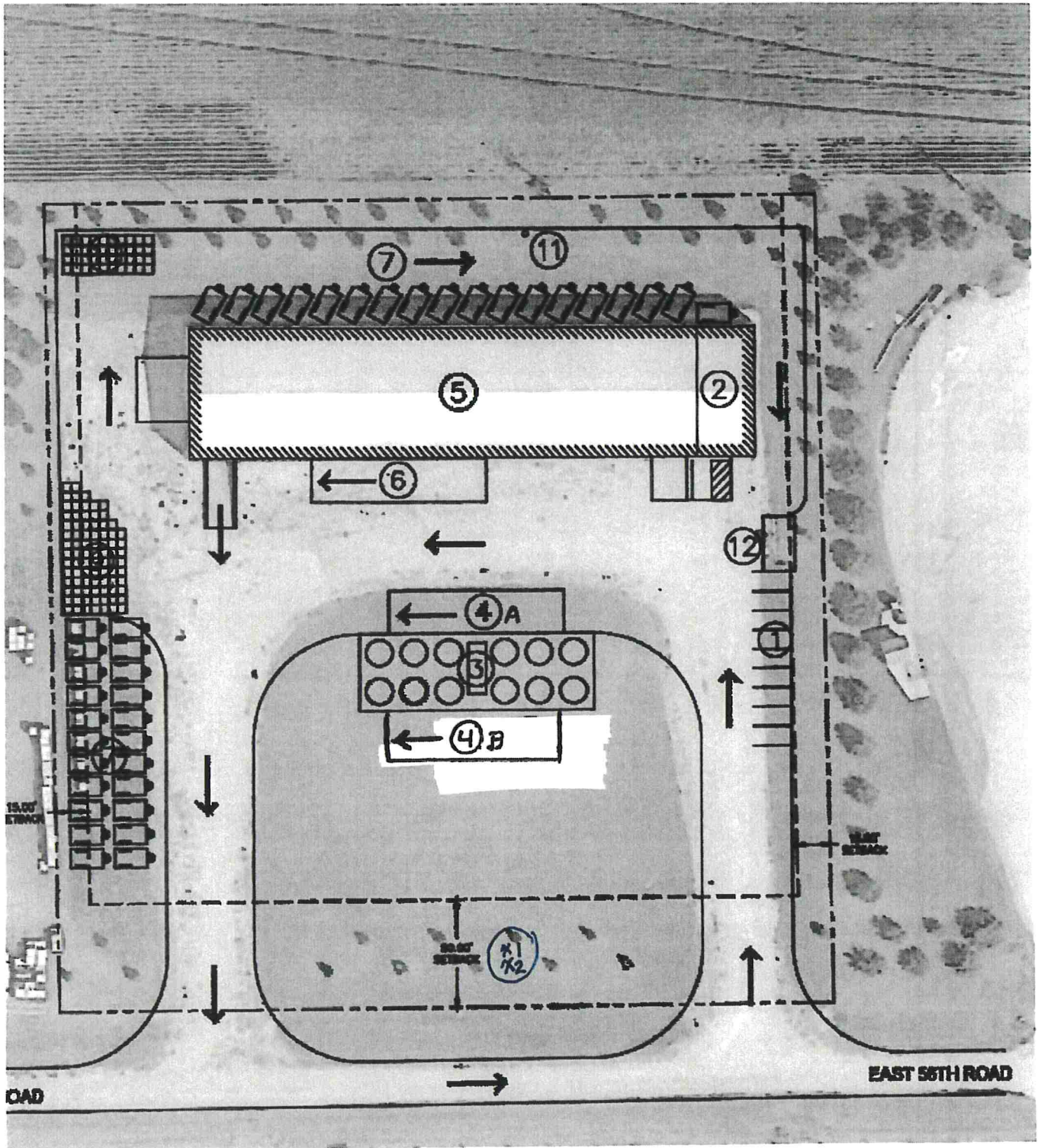
Date of Planning Commission meeting 2/17/2022 Approved Denied _____

Date of Board of Commissioners meeting _____ Approved _____ Denied _____

Buffalo County Zoning
1512 Central Ave.
PO Box 1270
Kearney, NE 68848
308-233-5640

Office Use Only
Permit Number 2022-004
Amount 90.00 Receipt # 974776
Floodplain Yes or No No Date 1/24/2022 Initial DMD

GIBBON, NEBRASKA MASTER PLAN



- ⑥ Warehouse Truck Loading Pad
- ④A Fertilizer Truck Loading Pad
- ④B Fertilizer Truck Loading Pad
- Ⓧ1 Flagpole
- Ⓧ2 Road Sign - 14 foot from the right-of-way line of road

Simplot Grower Solutions Building Permit Application

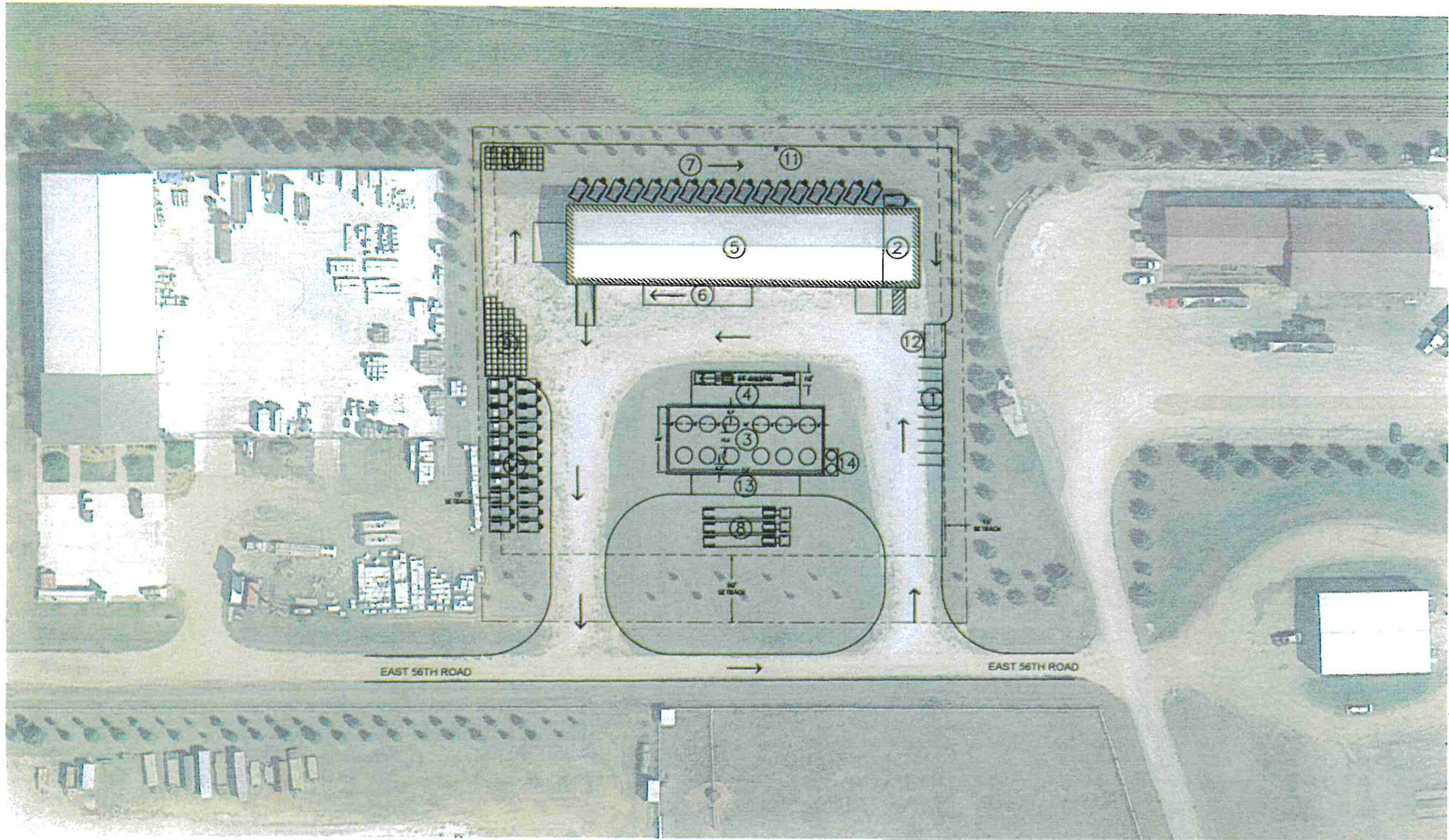
ROAD SIGN

Structures to be installed:

1. 4' x 8' (Double Sided Sign Panel) Road Sign: 7' 10" high x 8' wide x 3' 10" off ground.
2. Flagpole: 30-foot aluminum flagpole.

Exhibit A

GIBBON, NEBRASKA
MASTER PLAN



SIMPLLOT - GIBBON, NEBRASKA MASTER PLAN		
NUMBER	ITEM	DESCRIPTION
1	Employee Parking	Proposed Parking - 10 Stalls
2	Office Building	Office Building Expansion - Current Location
3	Liquid Storage	Proposed Liquid Storage and Containment - 12-30k Gal Tanks - 113' x 49'
4	Macro Shipping Pad	Macro Shipping Pad - 80' x 25'
5	Chem Warehouse	Existing Chemical Warehouse - 60' X 260' - 15,060 SF
6	Chemical Pad	Chemical Unloading Pad - 80' x 15'
7	Trailer Parking	Mobile implements of Husbandry Trailers - 40 - 15' Long
8	Truck Parking	Large Trailer and Delivery Truck Parking
9	Seed Box Storage	Seed Box Storage - 250 - 4' x 4' - 3 high
10	Tote Storage	Metal Cage Tote Storage - 120 - 4' x 4' - 3 high
11	Well Head	Existing Well Location
12	Septic Tank	Existing Septic System
13	Macro Receiving Pad	Macro Receiving Pad - 80' x 15'
14	Water Tank Pad	Water Tank Concrete Pad - 20' x 10' - (2) 91" Diam Tanks

P:\3151\150501-07000\31-060724-0-049p\AutoCAD\plan\m\c_release_071607.dwg USER: mjr/4/4
 DATE: 4/10/2012 11:21am



olsson
 1010 S. Broadway, Suite 200
 P.O. Box 1000
 Lincoln, NE 68508 TEL: 402.744.6111 www.olsson.com

NO.	DATE	REVISION/DESCRIPTION

2021

MASTER PLAN
 SIMPLLOT
 GIBBON, NE
 GIBBON, NE

SHEET
1



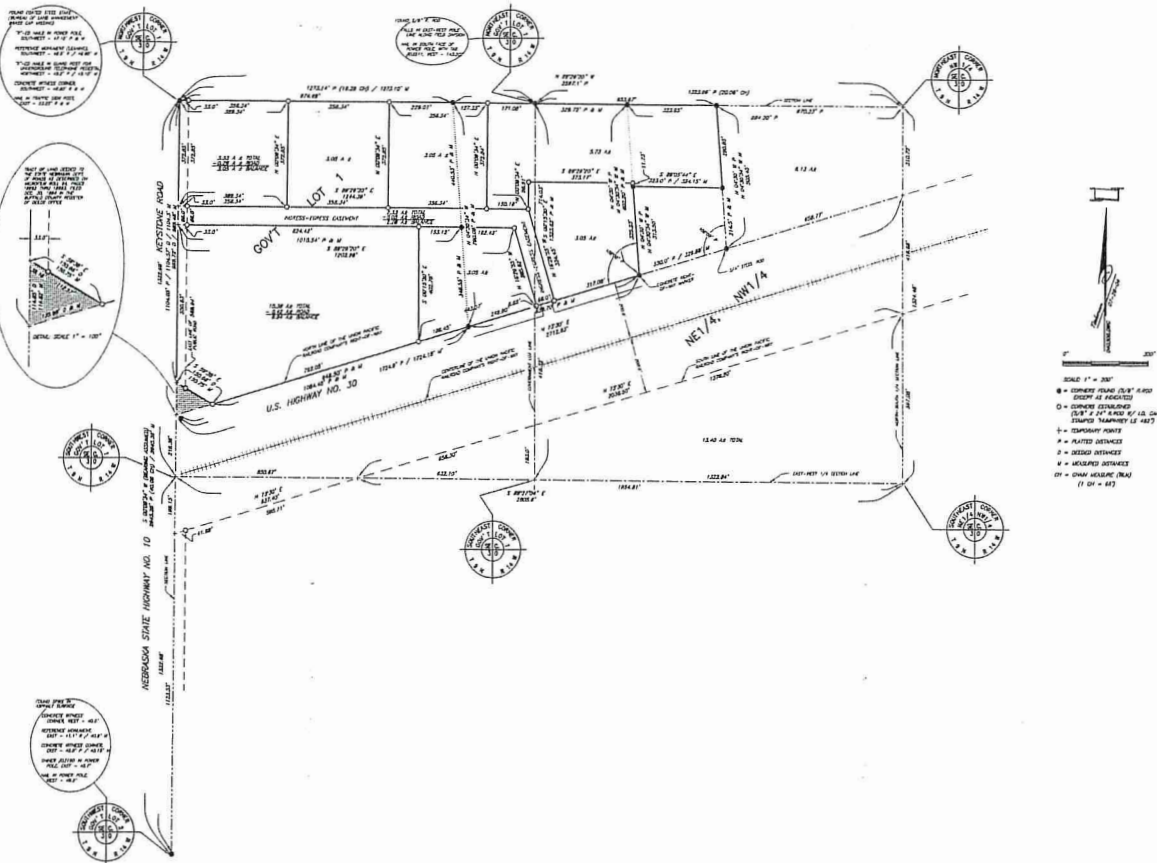
Simplot
GROWER
SOLUTIONS

01/25/2022

VERSATILE
ROOFING

Simplot
GROWER
SOLUTIONS

01/25/2022



LEGAL DESCRIPTION FOR THE FIRST TRACT EAST OF KEYSTONE ROAD AND NORTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Beginning at the Northwest Corner of Government Lot 1 in Section 30 and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1 a distance of 372.85 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.34 feet; thence N 00°09'34" E and parallel with the West line of said Government Lot 1, a distance of 372.85 feet to a point on the North line of said Government Lot 1; thence N 89°29'20" W and on the North line of said Government Lot 1, a distance of 389.34 feet to the place of beginning. Containing 3.33 acres, more or less, of which 0.28 acres, more or less, are presently being used for road purposes on the West side.

LEGAL DESCRIPTION FOR THE SECOND TRACT EAST OF KEYSTONE ROAD AND NORTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30, and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1 a distance of 372.85 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.34 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 356.34 feet; thence N 00°09'34" E and parallel with the West line of said Government Lot 1, a distance of 372.85 feet to a point on the North line of said Government Lot 1; thence N 89°29'20" W and on the North line of said Government Lot 1, a distance of 356.34 feet to the place of beginning. Containing 3.05 acres, more or less.

LEGAL DESCRIPTION FOR THE THIRD TRACT EAST OF KEYSTONE ROAD AND NORTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30, and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 372.85 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.34 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 356.34 feet; thence N 00°09'34" E and parallel with the West line of said Government Lot 1, a distance of 372.85 feet to a point on the North line of said Government Lot 1; thence N 89°29'20" W and on the North line of said Government Lot 1, a distance of 356.34 feet to the place of beginning. Containing 3.05 acres, more or less.

LEGAL DESCRIPTION FOR THE SECOND TRACT EAST OF KEYSTONE ROAD AND SOUTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) and part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30 and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 389.72 feet to a point on the West line of said Government Lot 1; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.72 feet to the place of beginning. Containing 3.05 acres, more or less.

LEGAL DESCRIPTION FOR THE FOURTH TRACT EAST OF KEYSTONE ROAD AND NORTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) and part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30, and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 372.85 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.34 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 356.34 feet; thence N 00°09'34" E and parallel with the West line of said Government Lot 1, a distance of 372.85 feet to a point on the North line of said Government Lot 1; thence N 89°29'20" W and on the North line of said Government Lot 1, a distance of 356.34 feet to the place of beginning. Containing 3.73 acres, more or less.

LEGAL DESCRIPTION FOR THE FIRST TRACT EAST OF KEYSTONE ROAD AND SOUTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30 and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 372.85 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 00°09'34" W and on the West line of said Government Lot 1, a distance of 389.63 feet to a point on the West line of said Government Lot 1; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.63 feet to the Southeastern Corner of a tract of land deeded to the State of Nebraska Department of Roads, as described on Microfilm Roll 94, Pages 18992 thru 18993 and filed in the Buffalo County Register of Deeds Office on December 30, 1994; thence S 89°29'20" E and on the North line of the aforesaid tract of land deeded to the State of Nebraska Department of Roads, a distance of 150.66 feet to the Southeastern Corner of said tract of land, said point also being on the North line of the Union Pacific Railroad Company's Right-of-Way; thence N 73°30' E and on the North line of the Union Pacific Railroad Company's Right-of-Way, a distance of 762.05 feet; thence leaving the North line of the Union Pacific Railroad Company's Right-of-Way, N 00°13'30" W and parallel with the East line of said Government Lot 1, a distance of 402.78 feet; thence N 89°29'20" W and parallel with the North line of said Government Lot 1, a distance of 857.42 feet to the place of beginning. Containing 10.36 acres, more or less, of which 0.42 acres, more or less, are presently being used for road purposes on the West side.

LEGAL DESCRIPTION FOR THE SECOND TRACT EAST OF KEYSTONE ROAD AND SOUTH OF THE INGRESS-EGRESS EASEMENT.

A tract of land being part of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) and part of Government Lot One (1), located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30 and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 389.72 feet to a point on the West line of said Government Lot 1; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 389.72 feet to the place of beginning. Containing 3.05 acres, more or less.

LEGAL DESCRIPTION FOR THE TRACT EASTERLY OF THE INGRESS-EGRESS EASEMENT AND NORTH OF THE NORTH LINE OF THE UNION PACIFIC RAILROAD COMPANY'S RIGHT-OF-WAY.

A tract of land being part of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) and part of Government Lot One (1) located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30 and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 999.72 feet to a point on the most Northerly Corner of a tract of land deeded to the State of Nebraska Department of Roads, as described on Microfilm Roll 94, Pages 18992 thru 18993 and filed in the Buffalo County Register of Deeds Office on December 30, 1994; thence S 89°29'20" E and on the North line of the aforesaid tract of land deeded to the State of Nebraska Department of Roads, a distance of 150.66 feet to the Southeastern Corner of said tract of land, said point also being on the North line of the Union Pacific Railroad Company's Right-of-Way; thence N 73°30' E and on the North line of the Union Pacific Railroad Company's Right-of-Way, a distance of 171.12 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 73°30' E and on the North line of the Union Pacific Railroad Company's Right-of-Way, a distance of 317.08 feet; thence leaving the North line of the Union Pacific Railroad Company's Right-of-Way, N 04°30' W a distance of 313.50 feet; thence continuing on the aforesaid course N 04°30' W a distance of 11.73 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 373.17 feet; thence S 00°09'34" W and parallel with the West line of said Government Lot 1, a distance of 98.91 feet; thence S 16°29'55" E and parallel with the West line of said Government Lot 1, a distance of 334.45 feet to the place of beginning. Containing 3.05 acres, more or less.

LEGAL DESCRIPTION FOR THE INGRESS-EGRESS EASEMENT.

A tract of land being part of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) and part of Government Lot One (1) located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30 and assuming the West line of said Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the West line of said Government Lot 1, a distance of 372.85 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 00°09'34" W and on the West line of said Government Lot 1, a distance of 66 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 1202.96 feet; thence S 16°29'55" E and parallel with the North line of said Government Lot 1, a distance of 285.62 feet to a point on the North line of the Union Pacific Railroad Company's Right-of-Way; thence N 73°30' E and on the North line of the Union Pacific Railroad Company's Right-of-Way, a distance of 66 feet; thence leaving the North line of the Union Pacific Railroad Company's Right-of-Way N 10°29'24" W a distance of 334.45 feet; thence N 89°29'20" W a distance of 1244.39 feet to the place of beginning. Containing 3.33 acres, more or less.

SURVEYOR'S CERTIFICATE.

Surveyed by Buffalo Surveying Corporation, July 21, 2004, as shown on the above plat, Rick S. Garver, Nebr. Reg. L. S. No. 591, Party Chief, and all information shown on the above plat is true and correct to the best of my knowledge and belief.

BUFFALO SURVEYING CORPORATION
 Registered Professional Surveyors
 Michael W. Humphrey, President
 Nebr. Reg. L.S. No. 492



Article 8, Accessory Uses

damaging, unhealthful or disturbing to adjacent property, or the users thereof, and shall be on the premises of the main use.

Accessory buildings and structures shall not occupy more than thirty percent of the area of the side, front, and rear yards. Any accessory building and/or structure and/or use comprised of two hundred (200) square feet or less is exempted from the need to obtain a zoning permit, but shall have a minimum yard setback as required within the zoning district. Attached garages are considered part of principal building. (Resolution 02-11-2020) (Resolution 02-09-2021)

8.2 HOME OCCUPATIONS

An occupation or activity carried on within the dwelling or accessory building by a member of the family residing on the premises, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character nor infringe upon the right of neighboring residents to enjoy a peaceful occupancy of their homes.

The following conditions and restrictions shall apply to such customary home occupations:

- a. The primary use of the building or structure in which the occupation is situated shall clearly be the dwelling used by the person as his private residence.
- b. No equipment or machinery shall be used in such activities that are perceptible off the premises by reason of noise, smoke, odor, dust, radiation, electrical interference, or vibration. Parking shall be handled in such a manner as to not impede or hinder traffic on any public right of way.

8.3 SIGNS.

All signs, regardless of the need to obtain a zoning permit, shall not impair visibility along any street or road. The approval of the County Highway Superintendent is needed before placing a sign within fifty feet of public road street right-of-way to ensure no issues exist, as to visibility.

8.31. Signs Allowed as a Use by Right. The following signs are allowed as a use by right in the various zoning districts if listed in the particular district:

1. Signs erected by, or required by a public entity that has power to condemn,
2. Permanent sign(s) with an signage area of nine (9) square feet or less,
3. Permanent sign(s) for church(s) or cemeteries with a signage area of twenty (20) square feet or less, or
4. Temporary sign, whether affixed to the ground or on a trailer, with a signage area of thirty-three (33) square feet or less,
5. These signs are subject to any regulation State regulation when located within sight of a State or Federal Highway.

Article 8, Accessory Uses, Cont'd:

8.32 Signs Allowed by Special Permit. Signs not meeting the criteria set out in Sec. 8.31 shall be allowed only by special permit as allowed in the various zoning districts. Minimally these shall be required to:

Administrative Note:

8.32 (1): Square Root of the Area of Sign, Plus the Height, Both Rounded Up

$4' \times 8' = 32 \text{ Square Feet}$

$\sqrt{32} = 5.657 = 6$

$6 + 8 = 14'$

The sign must be located, at a minimum, 14 feet from any property line.

1. Maintain as a minimum setback from all property lines a distance equal in feet to the square root of the area of the sign, plus the height, both measured in feet, rounded up, which said distance shall be measured from the nearest edge of the sign to any property line.
2. Have permission from the Nebraska Department of Transportation, if located along, or in, a Federal or State Maintained highway, or Buffalo County Highway Superintendent, or both, if placed on land that abuts a parcel abutting both state and locally controlled or maintained highways, streets, and/or roads. These agencies shall have the sole judgment as to whether the sign, either as erected or maintained, may obscure or otherwise physically interfere, or cause confusion with any official traffic sign, signal, or device, or obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.
3. Meet the following, location, setback, and size limitations, unless a more limiting size is set out for the particularized use relating to the sign:

Specific size requirement for each zoning district are given in this table:

Zoning District	Agriculture (AG)		Agricultural - Residential (AGR)		Rural Conservation (RC)		Commercial (C)		Industrial (I)		
	I	II	I	II	I	II	I	II	I	II	
Sign Class											
Maximum Size (square feet)*:	50	300	25	75	25	25	No Limit		No Limit		
Maximum Height: (feet)	10	35	10	20	10	10	35	50	35	50	
Space, Minimum Linear Distance Between Signs (feet):	No Limit	1000	1 Per Lot		1 Per Lot		No Limit	250	No Limit	250	
Illumination Allowed:	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	
Minimum Distance from Intersection (feet):	50	150	50	50	50	50	50	150	50	150	
Maximum Length (feet):	10	30	10	15	10	10	30	30	30	30	
Minimum Distance from Public Property Use Land: Other than 8.32 (1)	None	50	None	50	None	50	None	150	50	150	
Minimum Distance from Any Property Line:	The square foot of the area of the sign, plus the height of the sign, both measure in feet, with each number rounded up prior to addition of the two.										

Article 8, Accessory Uses, Cont'd:

*All measurements are in feet.

For purposes of Sign classification as either “I” or “II” in this chart, the following definitions apply:

CLASS I SIGNS: Sign(s) that only advertise activities conducted on the property on which the sign(s) are located.

CLASS II SIGNS: All other outdoor advertising signage, which includes bill boards, which are not Class I signs, that are not excluded from other requirements of these zoning regulations or issued special use permits.

4. “All zoning permits issued by Buffalo County are subject to any rule or regulation of the Nebraska Department of Transportation relating to placement of advertising signage. That Department’s regulations relating to sign(s) are adopted by reference as a part of these regulations. The state regulations shall apply with the area of their jurisdiction except where local zoning rules impose a stricter standard. In areas subject to state jurisdiction, the applicant shall be required to obtain a state permit prior to issuance of a county zoning permit.”

8.4 YARD REGULATIONS: (Resolution 3-11-08)

8.41 **FRONT YARDS:** The front yards heretofore established shall be adjusted in the following cases: (Resolution 3-11-08)

Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets is developed and the buildings on this side of a block have observed a front yard greater in depth than herein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing buildings provided that no building shall be required to have a front yard setback of more than fifty (50) feet.

Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have a front yard less than the required, new buildings shall not be erected closer to the street than the nearest building on the block.

ARTICLE 9

COUNTY BOARD OF ZONING ADJUSTMENT

9.1 CREATION, MEMBERSHIP

The County Board of Zoning Adjustment is hereby created and shall be known as the County Board of Zoning Adjustment. The members of said board shall be appointed by the County Board.

ARTICLE 6

SPECIAL USE PERMIT

6.1 GENERAL

The County may authorize by special permit after public hearing, any of the buildings or uses designated in this resolution as permitted special uses.

6.2 PROCEDURES

Such application shall be in writing, filed in the Office of the County Clerk, state the proposed location and use of the property, and such other relevant matters as may be requested by the County. Upon receipt of such application, the Zoning Administrator shall forward the application to the Planning Commission for its recommendation. Upon hearing, the Planning Commission shall forward its recommendation to the County Board, within thirty (30) days. Upon hearing, the County Board may allow or deny the application in whole or in part, or prescribe conditions for such use of the property. In making any decision granting a special use permit, the County Board shall impose such restrictions, terms, time limitations, landscaping, improvement of off-street parking lots, and other appropriate safeguards as required protecting adjoining property. Unless otherwise specifically stated, construction requested on such special permit shall commence within 120 days after authorization and shall be substantially completed two years after commencement. No special use permit shall become effective until after separate public hearings are held by both the Planning Commission and the County Board in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the purpose, time, and place of such hearing shall be given by publication thereof in a paper of general circulation in the County and in the local newspaper of any county/village/city which has territory within three miles of the property affected by such action of the County Board, one time at least ten days prior to such hearing. (Ref. 23-164 R.S. Neb.).

In addition to the publication of the notice herein prescribed, a notice, in sign form, of the hearing shall be posted in a conspicuous place on or near the property on which such action is pending. The sign shall be placed at least ten (10) days prior to date of each hearing. The sign shall state in conspicuous writing visible from the traveled surface of the nearest public road: the purpose, time, and place of hearing. A notice of the purpose, time, and place of the hearing shall be given in writing to the Chairperson of the County Board, or Planning Commission which has jurisdiction over land within three miles of the property affected by such action. In the absence of a Planning Commission, such notice shall be given to the clerks of units of local government having jurisdiction over land within three miles of the property affected by such action. A written notice of such hearing shall be distributed to record title owners of property located within three hundred (300) feet of the property line of the property requesting the special use permit.

Article 6, Special Use Permits, Cont'd:

Except as otherwise provided herein, no special use permit shall be granted by the County Board, without an affirmative vote of a majority of all members of the County Board and providing the proposed use is found to comply with the following guidelines:

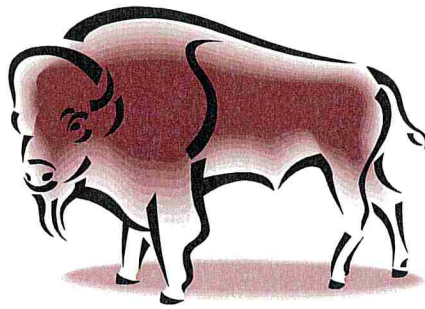
1. Be compatible with and similar to the use permitted in the district, and
2. Not be a matter which should require re-zoning of the property, and
3. Not be detrimental to adjacent property, and
4. Not tend to depreciate the value of the surrounding structures or property, and
5. Be compatible with the stated intended use of the district, and
6. Not change the character of the district, and
7. Be in accordance with the Comprehensive Plan.

In case of protest against such special use permit, filed with County Clerk within seven (7) days following Planning Commission's public hearing considering such special use permit signed by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or of those immediately adjacent on the side and in the rear thereof extending one hundred (100) feet, therefrom, and of those directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite lots, such special use permit shall not become effective except by the favorable vote of two-thirds of all members of the County Board. (Resolution 10-10-03)

6.3 SALVAGE OR JUNK YARD

Salvage or junkyard operations and related facilities shall only be allowed by special permit in the AG and I Zoning Districts under the following conditions: (Resolution 3-9-04)

1. A remediation fund or bond shall be posted for clean up of facility in the event of abandonment.
2. The operation shall be conducted wholly within a noncombustible building or within an area completely surrounded on all sides by a visual obscuring fence, wall or hedge. The fence, wall or hedge shall be of uniform height (at least eight (8) feet high) and uniform texture and color shall be so maintained by the proprietor as to insure maximum safety to the public and preserve the general welfare of the neighborhood. The fence, wall or hedge shall be installed in such a manner as to retain all scrap, junk or other material within the yard and no scrap, junk or other material shall protrude above the fence.



BUFFALO COUNTY HIGHWAY DEPARTMENT

John Maul-Highway Supt.
9730 Antelope Avenue
Kearney, NE 68847

Cory Jensen-Assistant
(308) 236-1237
Fax: (308) 233-3082

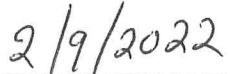
I, John Maul, Buffalo County Highway Superintendent, have conducted an inspection of the property, and the proposed signage, at 39695 E 56th Street, described as Part of Government Lot 1 in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, which abuts East 56th Street to the North. Although East 56th Street is not a county-maintained street, Buffalo County considers public safety a top priority for the future construction of any signage in Rural Buffalo County.

The signage, as presented under Permit #2022-004 in the Buffalo County Zoning Records, was reviewed as required under Section 8.32 (2) of the Buffalo County Zoning Regulations.

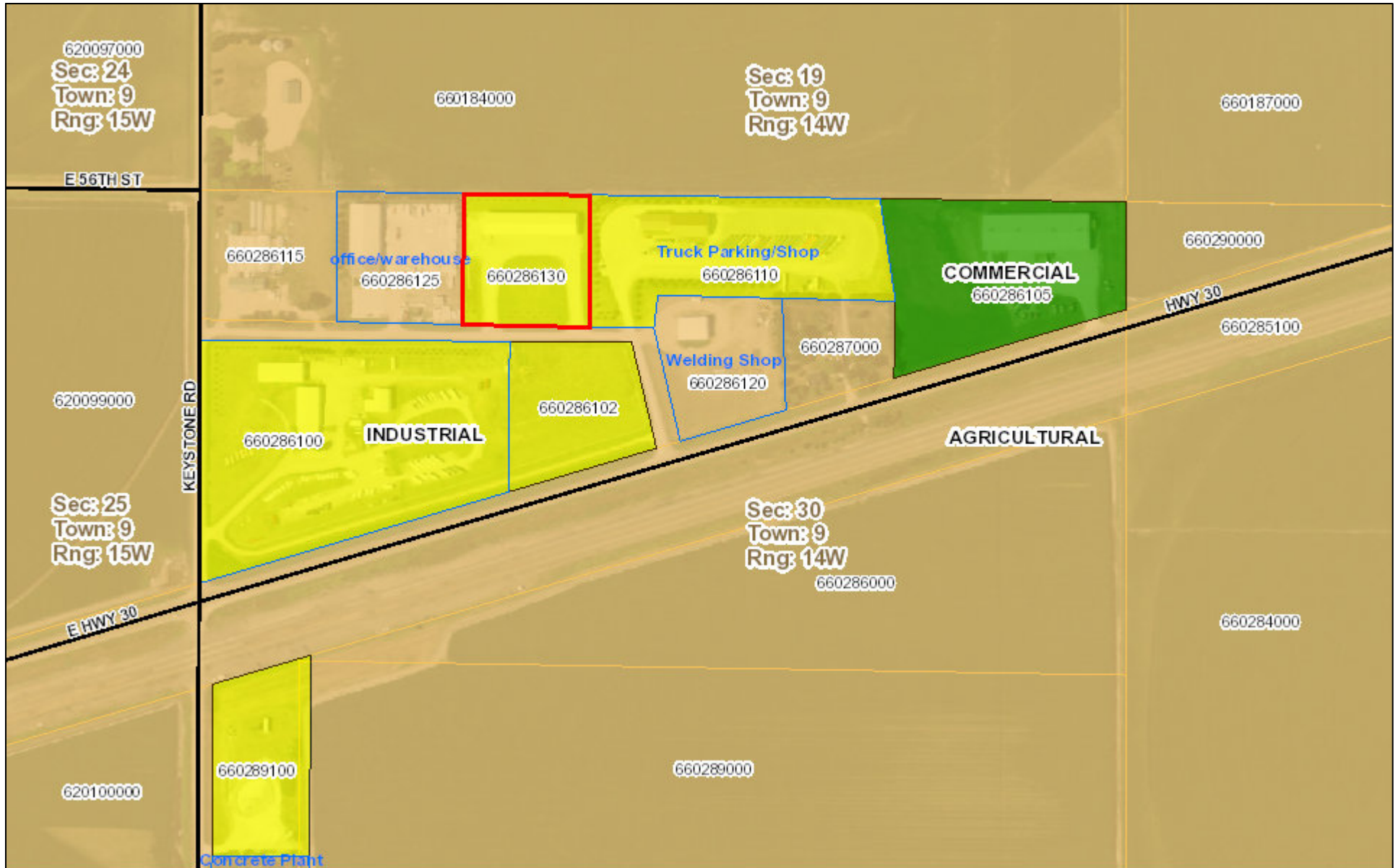
After an inspection of the proposed signage location, I would permit the proposed signage as presented under Permit #2022-004, as it does not obscure or otherwise physically interfere, or cause confusion with any official traffic sign, signal, or device, or obstruct or physically interfere with the driver's view of approaching, merging, or intersection traffic.



John Maul, Buffalo County Highway Superintendent



Date



February 1, 2022
08:54 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:6,215

- Labeled Streets
- Special Use

Floodplain

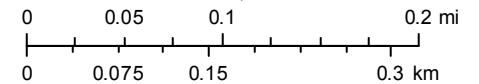
- 1% Annual Chance Flood Hazard

- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard
- Area not Included

County Zoning

- AGRICULTURAL
- AGRICULTURAL-RESIDENTIAL
- COMMERCIAL

- INDUSTRIAL
- Parcels
- Sections





February 1, 2022
08:55 AM

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1:6,215

- Labeled Streets
- Special Use

Floodplain

- 1% Annual Chance Flood Hazard
- Regulatory Floodway

- 0.2% Annual Chance Flood Hazard
- Area not Included
- Parcels

- Sections

