

MINUTES OF PLANNING & ZONING COMMISSION
AUGUST 17, 2006
BUFFALO COUNTY HIGHWAY DEPARTMENT
7:00 P.M.

Chairperson Rick Pope called the meeting to order at 7:05 o'clock P.M. with a quorum present on August 17, 2006 at the Buffalo County Highway Department Building in Kearney, NE.

Agenda for such meeting was regularly posted as required by law. Present were: Francis "Buss" Biehl, Karin Covalt, Willie Keep, Rick Pope and Craig Wietjes. Absent: Marlin Heiden, Leonard Skov, Paul Steinbrink, Sr. and Loye Wolfe. Also attending were Deputy County Attorney Andrew Hoffmeister and Zoning Administrator LeAnn Klein and five members of the public.

The public forum was opened at 7:05 P.M. There was no one present to speak. The public forum closed at 7:05 P.M.

Chairperson Pope opened the public hearing at 7:06 P.M for a special use permit for Harvest Moon Farms for property being part of the South Half of Section 31, Township 11 North, Range 17 West of the 6th p.m., Buffalo County Nebraska.

Jan and Keith Rodehorst were present on behalf of Harvest Moon Farms to answer questions. Keith said they had originally applied for a permit for a roadside stand to sell pumpkins which was a use by right and this business has grown into more. They provide tours to school children, they sell packaged food and crafts, they have hayrack rides and also have a corn maze. Keith stated about 90% of the customers use Dunbar Road off of Highway 40.

Hoffmeister asked how much space is available for parking and also if they use county roads for the hayrack rides.

Rodehorst said they have about 10-12 acres for parking and they do not use county roads for the tours. They have never run out of space for parking because of people attending at different times.

Wietjes questioned how many people tour their facilities.

Keith said they are open to school children during the week and to the public on week ends. They average about 3000 students and 6000-7000 people for the season. They also entertain church groups and corporate groups.

Hoffmeister asked about sanitation needs. Jan replied they have portable toilets with hand washing facilities. They also provide soap and hand washing stations and also have hand wipes for anyone needing them. There are farm animals but they don't allow people to have contact with the animals.

Hoffmeister also questioned the size of the sign. Rodehorst replied they have a sign along Highway 40 and do put up a bigger sign during the open season.

Klein told the Commission she had contacted Keith and Jan because their business had expanded beyond a road side stand, for which they had previously received a permit for.

Biehl asked where this was located on the map and also questioned the condition of Dunbar Road. Keith replied he didn't see a problem with the condition of the road.

Adjacent land owners Jack and Dorothy Simmon were present and questioned why they even attended and had no problem with this permit.

Hoffmeister asked how close the nearest residence was located. Keith replied the closest home was about $\frac{3}{4}$ mile away.

Wietjes replied when he has visited them during their busy season, there has never been a problem with parking or people parking on the road.

Pope closed the hearing at 7:22 P.M.

Moved by Wietjes, seconded by Covalt to recommend forwarding this special use permit filed by Harvest Moon Farms with approval to the County Board on the following described legal description: The Southwest Quarter of Section 31, Township 11 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska, except tracts deeded to the State of Nebraska by Warranty Deeds recorded in Book 128, Page 508; Book 181, Page 305; Inst. 2004-451; except a tract conveyed for railroad right-of-way, recorded at Book 38, Page 579 and except that part located south and west of State Highway 40 AND also a tract of land located in the Southwest corner of the Southeast Quarter of Section 31, Township 11 North, Range 17 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Beginning at the Southwest Corner of the Southeast Quarter of Section 31; then North on and along the West line of the Southeast Quarter a distance of 755 feet; then East, parallel with the South line of said Southeast Quarter a distance of 200 feet; then South, parallel with the West line of said Southeast Quarter approximately 755 feet and to the South line of said Southeast Quarter; then West on and along the South line a distance of 200 feet to the place of beginning, containing approximately 3.47 acres more or less, with the following stipulations:

Public and private recreational activities, including but not limited to,

1. Hayrack rides
2. Event picnics
3. Agri-tourism business
4. General sale of seasonal goods
5. School functions
6. 4' x 8' business sign be placed at entrance with physical address shown on sign

Voting yes were Wietjes, Covalt, Biehl, Keep and Pope. Voting no: none. Absent: Heiden, Skov, Steinbrink and Wolfe. Motion passed.

Keith also asked about the piece of property located south and west of Highway 40 also located in Section 31 and what could be done with this parcel of land. Hoffmeister replied there could be a residence by right but they will need to check with the Nebraska Department of Environmental Quality to comply with current laws pertaining to well and septic placement.

Klein said the application will be heard before the County Board on September 12 and notices again will be sent to adjacent property owners.

Old Business: Moved by Wietjes, seconded by Biehl to approve the minutes of the July 20, 2006 meeting as mailed. Voting yes were Wietjes, Biehl, Covalt, Keep and Pope. Voting no: none. Absent: Heiden, Skov, Steinbrink and Wolfe. Motion passed.

Pope questioned what areas do the Planning and Zoning Commission need to discuss in the future.

Klein discussed other areas of concern.

The next meeting of the Planning & Zoning Commission will be September 21, 2006 at 7:00 P.M. at the Highway Department.

Motion was made by Covalt, seconded by Keep to adjourn at 7:50 P.M.