

MINUTES OF PLANNING & ZONING COMMISSION  
JULY 15, 2010  
BUFFALO COUNTY HIGHWAY DEPARTMENT  
7:00 P.M.

Chairperson Wietjes opened the meeting at 7:00 P.M. at the Buffalo County Highway Department Building in Kearney, NE with a quorum present on July 15, 2010. Present were: Marlin Heiden, Willie Keep, Leonard Skov, Gwen Stengel, Craig Wietjes and Loye Wolfe. Absent: Karin Covalt, Ken Erickson and Paul Steinbrink, Sr. Also attending were Deputy County Attorney Andrew Hoffmeister, Zoning Administrator LeAnn Klein and four members of the public.

Wietjes announced there was a copy of the open meetings act posted on the bulletin board and we do abide by the open meetings act and a copy is posted as required by law.

Agenda for such meeting was regularly posted as required by law and the agenda is available for anyone wanting one.

The public forum was opened at 7:01 P.M. No one was present to address the Commission. The public forum closed at 7:01 P.M.

Chairperson Wietjes opened the public hearing at 7:01 P.M. for a special use permit filed by Robert Muirhead for the Southeast Quarter (SE ¼) of Section Thirty-five (35), Township Ten (10) North, Range Eighteen (18) West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska for a campground for seasonal workers.

Robert Muirhead was present and gave the Commission a more detailed drawing of his property and said he did have three mobile homes on the property and when one mobile home was removed he had put in three meters in the same spot. He apologized because he didn't realize he needed a special use permit. These drops could hold six campers in this area. He had been contacted by people wanting a place to put campers for seasonal workers while they work on road construction in this area.

Klein noted this area is Agricultural and he is applying for this permit under Section 5.14 #5.

Heiden asked how long the mobile homes have been there. Muirhead responded he thought since 1992/1993.

Hoffmeister asked if the two mobile homes were occupied. Muirhead told the Commission one mobile home is occupied but the other mobile home is currently vacant.

The Commission asked him if the mobile home on the west edge of his property is occupied. He said that mobile home is salvage.

Hoffmeister stated AGR allows a mobile home court. They also discussed the difference between a campground and mobile home park.

Muirhead replied he doesn't know the difference between the two but said the campers would not be there year around. Last year a camper was at this location about three months through the summer.

Keep questioned if the campers would have wheels and a hitch.

Muirhead said there would be no additional mobile homes added.

Hoffmeister read the definitions of campgrounds vs. mobile homes and referred to Section 3.36 and 3.61 of the Buffalo County zoning regulations. The State also has rules regarding mobile home parks.

Keep questioned the size of mobile homes and campers.

Wietjes asked if he had contacted the Nebraska Department of Environmental Quality.

Muirhead responded no, he had not.

Skov questioned if there would be enough space to handle five units and would the septic be able to handle that number of campers.

Hoffmeister asked how many acres Muirhead owned.

Muirhead replied he owned a quarter of land.

Stengel questioned if he planned on expanding the number of campers he could have.

Muirhead said he would be expanding the leech fields if needed.

Hoffmeister told the Commission this is a non-conforming use as to distance. It would not comply with the 1000' requirement in Agricultural zoning.

Stengel questioned where the field drain is located to handle the existing two mobile homes. She also asked if he planned on expanding this area.

Hoffmeister also asked how close this property was to a hard-surfaced road. Muirhead replied it is about 2 ½ miles to a paved road.

Heiden said Steinbrink and himself went up to the site to look at the property. Each camping site can handle two campers.

Skov said we need to decide if this will be a mobile home park or a campground. We can't have it both ways.

The Commission is concerned about the junk that could accumulate in this area.

Muirhead replied these people just need a place to park their campers during the time they are working in the area.

Keep replied he had heard construction workers are looking for a quiet place to park their campers while they are in the area working.

Wolfe also asked how often the trash bin is emptied.

Muirhead replied it is dumped once per month.

Muirhead said he is gathering information for what he needs to do to meet all the requirements required by the County and the State.

Heiden questioned if there would be enough space to place six campers in this area.

Ron Stauffer was present and lives one mile from this area and he is very much opposed to a campground. He has concerns of safety and this is a farming area.

Jackie Stauffer is also very much opposed to this. Seasonal workers are not the most desirable people she wants living in this area. Farm equipment is also very large and she has concerns of the traffic on the steep hills.

Scott Gillespie lives two miles north and doesn't want this in this area. He doesn't want campers located on this property year around.

Hoffmeister asked if there were a lot of aerial applicators working in this area.

Stauffer replied there is quite a bit of activity for aerial applicators both in summer and fall.

Keep thought Muirhead didn't want to add a mobile home but just some camp sites.

Heiden does have some concerns regarding the spacing of the campers, the sewer system and water.

Keep questioned the number of homes in Agricultural areas.

Wietjes commented he did have a couple of phone calls with concerns prior to this meeting. He referred to Section 6.2 of the Buffalo County zoning regulations which explains the special use process.

Wietjes closed the public hearing at 7:45 P.M.

Klein noted the County Board will have the final decision on this special use permit.

Heiden doesn't feel he can make a decision with what has been presented. He asked if maybe we could table this until more information is received.

Keep replied Muirhead does have 160 acres total. He agreed there is a need for seasonal workers finding the right place to camp and questioned if this was the right place for this use.

A motion was made by Skov, seconded by Stengel to forward this special use permit for property located in the Southeast Quarter (SE ¼) of Section Thirty-five (35), Township Ten (10) North, Range Eighteen (18) West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska for a campground for seasonal workers to the County Board with a denial based on the following reasons:

1. This is not consistent with the neighborhood.
2. We do not have enough information.
3. Do we consider this a mobile home park or a campground or is this a hybrid?

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

Klein noted this will be heard by the County Board on August 10, 2010.

Old Business: Moved by Wolfe, seconded by Heiden to approve the minutes of the June 17, 2010 as mailed. Voting yes: Wolfe, Heiden, Keep, Skov, Stengel and Wietjes. Voting no: none. Absent: Covalt, Erickson and Steinbrink. Motion passed.

Klein also reported the outcome of the hearings heard by the County Board at previous meetings.

Skov asked if the County Board could send a letter to the Planning & Zoning Commission when they don't agree with the decision the Commission has made and explain why they made the decision they did.

Hoffmeister led the discussion of updating the comprehensive plan for Buffalo County.

A motion was made by Wolfe, seconded by Heiden to recommend to the County Board an update to our comprehensive plan and recommend an outside consultant is hired to upgrade the population and the public sector to the comprehensive plan. Voting yes were Wolfe, Heiden, Keep, Skov, Stengel and Wietjes. Voting no: none. Absent: Covalt, Erickson and Steinbrink. Motion carried.

The next meeting of the Planning & Zoning Commission will be August 19, 2010 at 7:00 P.M. at the Highway Department.

Moved by Heiden to adjourn at 8:20 P.M.