

MINUTES OF PLANNING & ZONING COMMISSION  
AUGUST 20, 2015  
BUFFALO COUNTY COURTHOUSE  
7:00 P.M.

Chairperson Scott Brady opened the meeting at 7:01 P.M. at the Buffalo County Courthouse in Kearney, NE with a quorum present on August 20, 2015.

Present were: Scott Brady, Willie Keep, Leonard Skov, Marc Vacek, Randy Vest and Loye Wolfe. Absent: Marlin Heiden, Richard Skelton and Paul Steinbrink, Sr. Also attending were Deputy County Attorney Kari Fisk, Zoning Administrator LeAnn Klein and two members of the public.

Notice of the meeting was given in advance thereof by publication in the legal newspaper. 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 of the agenda.

Chairperson Brady announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and we do abide by the Open Meetings Act.

The public forum was opened at 7:01 P.M. Several persons were present, but no one provided any comment. The public forum closed at 7:01 P.M.

Chairperson Brady opened the public hearing at 7:02 P.M. for a zoning map amendment submitted by Randall Stones on behalf of Stone Five, L.L.C. on the following legal description: A tract of land being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 10 North, Range 16 West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northwest ¼ of said Section 25, thence easterly on the North line of said Northwest ¼ a distance of 40.0 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the East right-of-way line of Nebraska State Highway No. 10; thence continuing easterly on the North line of said Northwest ¼ a distance of 667.39 feet; thence southerly a distance of 916.66 feet to a point, said point being 407.00 feet North of the South line of the Northwest ¼ of the Northwest ¼ of said section; thence westerly parallel with and 407.0 feet northerly of the South line of said Northwest ¼ of the Northwest ¼ a distance of 666.72 feet to a point that intersects on the East right-of-way line of Nebraska State Highway No 10; thence northerly a distance of 916.8 feet to the place of beginning,

EXCEPT a tract of land being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 10 North, Range 16 West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northwest ¼ of said Section 25 and assuming the North line of said Northwest ¼ as bearing S 88° 59' 27" E and all bearings contained herein are relative thereto; thence S 88° 59' 27" E on the North line of the Northwest ¼ a distance of 40.0 feet to a point that intersects on the East right-of-way line Nebraska State

Highway 10; thence SOUTH on the aforesaid East right-of-way line a distance of 655.76 feet to the ACTUAL PLACE OF BEGINNING; thence continuing SOUTH on the afore described course a distance of 261.31 feet; thence S 89° 00' 17" E a distance of 666.72 feet; then N 00° 02' 07" E a distance of 261.31 feet; thence N 89° 00' 17" W a distance of 666.97 feet to the place of beginning,

AND EXCEPT a tract of land containing 1.46 acres, more or less, deeded to The State of Nebraska, Department of Roads in Warranty Deed recorded January 17, 2003 as Inst. 2003-715.

Randall Stones was present and told the Commission he wants to rezone this from Commercial to Agricultural-Residential. He had rezoned this property to Commercial a couple of years ago and found that it's not in the best interest of the property. They intend to remove the mobile home from the property and put a stick built house at this location.

Klein showed the area on the overhead projector and what parcels surrounding this property are Agricultural-Residential.

No one spoke in opposition and the Commission members had no further questions.

This is located north of Kearney directly off Highway 10.

Chairperson Brady closed the public hearing at 7:05 P.M.

Motion was made by Vest, seconded by Vacek to recommend approval of this zoning map amendment from Commercial to Agricultural-Residential and forward to the County Commissioners on the following legal description: A tract of land being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 10 North, Range 16 West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northwest ¼ of said Section 25, thence easterly on the North line of said Northwest ¼ a distance of 40.0 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the East right-of-way line of Nebraska State Highway No. 10; thence continuing easterly on the North line of said Northwest ¼ a distance of 667.39 feet; thence southerly a distance of 916.66 feet to a point, said point being 407.00 feet North of the South line of the Northwest ¼ of the Northwest ¼ of said section; thence westerly parallel with and 407.0 feet northerly of the South line of said Northwest ¼ of the Northwest ¼ a distance of 666.72 feet to a point that intersects on the East right-of-way line of Nebraska State Highway No 10; thence northerly a distance of 916.8 feet to the place of beginning,

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course a distance of 261.31 feet; thence S 89° 00' 17" E a distance of 666.72 feet; then N 00° 02' 07" E a distance of 261.31 feet; thence N 89° 00' 17" W a distance of 666.97 feet to the place of beginning,

AND EXCEPT a tract of land containing 1.46 acres, more or less, deeded to The State of Nebraska, Department of Roads in Warranty Deed recorded January 17, 2003 as Inst. 2003-715.

Voting yes were Vest, Vacek, Brady, Keep, Skov and Wolfe. Voting no: none. Absent: Heiden, Skelton and Steinbrink, Sr. Motion carried.

Klein said this will be heard by the County Commissioners on September 8, 2015 and notices will again be sent out.

Old Business: Moved by Vacek, seconded by Skov to approve the minutes of the July 16, 2015 as mailed. Voting yes: Vacek, Skov, Brady, Keep and Vest. Voting no: none. Abstain: Wolfe. Absent: Heiden, Skelton and Steinbrink, Sr. Motion carried.

Other items were discussed.

Klein showed the Commission the different types of permits. Discussion followed.

The next meeting of the Planning & Zoning Commission will be held September 17, 2015 at 7:00 P.M. if needed.

Chairperson Brady adjourned the meeting at 7:35 P.M.