

MINUTES OF PLANNING & ZONING COMMISSION
DECEMBER 15, 2016
BUFFALO COUNTY COURTHOUSE
7:15 P.M.

Zoning Administrator LeAnn Klein in the absence of Chairperson Scott Brady and Vice-Chairman Willie Keep opened the meeting at 7:15 P.M. at the Buffalo County Courthouse in Kearney, NE with a quorum present on December 15, 2016.

She asked for a motion to appoint a pro-tem Chairperson for this meeting.

Motion was made by Vest, seconded by Wolfe to appoint Marc Vacek as pro-tem Chairperson for this evening's meeting. Voting yes were Vest, Wolfe, Heiden, Skelton, Skov and Vacek. Voting no: none. Absent: Brady and Keep. Motion carried.

Roll call was taken. Present were: Marlin Heiden, Richard Skelton, Leonard Skov, Marc Vacek, Randy Vest and Loye Wolfe. Absent: Scott Brady and Willie Keep. Also attending were Deputy County Attorney Kari Fisk, Zoning Administrator LeAnn Klein and one member of the public.

Klein turned the meeting over to pro-tem Chairperson Vacek.

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 Vacek 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.

Paul Steinbrink, Sr. was present and was recognized for his years of service on the Planning & Zoning Commission from 1999 until 2016. A plaque was given to him and we thanked him for his years of service to Buffalo County.

The public forum was opened at 7:20 P.M. Several persons were present, but no one provided any comment. The public forum closed at 7:20 P.M.

Chairperson Vacek opened the public hearing at 7:20 P.M. for a zoning map amendment submitted by Chad Dixon from Miller & Associates on behalf of Norman L. Metz from Agricultural to Agricultural-Residential on the following legal description: a tract of land being part of Government Lot Three, referred to as the Northeast Quarter of the Northwest Quarter of Section Six (6) Township Eleven (11) North, Range Fifteen (15) West of the 6th Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows:

Referring to a stone at the Northwest Corner Government Lot 4 of Section 6 and assuming the West line of said Government Lot 4 as bearing S 01°30'33" W and all bearings contained herein are relative thereto; thence S 01°30'33" W on said West line a distance of 646.47 feet to a 1" iron pipe at the Centerline of 295th Road as described in Buffalo County Road Record 1-1/2, page 28, and recorded in the Buffalo County Surveyors Office;

thence S 89°09'40" E on said Centerline a distance of 1497.34 feet;

thence N 69°15'20" E continuing on said Centerline a distance of 370.31 feet to the ACTUAL POINT OF BEGINNING;

thence continuing N 69°15'20" E on said Centerline a distance of 20.30 feet;

thence N 34°05'20" E continuing on said Centerline a distance of 82.49 feet;

thence S 00°35'42" E a distance of 885.93 feet to a 5/8" rebar w/cap on the South line of Government Lot 3 of said Section 6;

thence N 89°07'28" W on said South line of Government Lot 3 a distance of 299.11 feet to a 5/8" rebar w/cap;

thence N 00°35'42" W a distance of 369.94 feet to a 5/8" rebar w/cap;

thence N 88°18'49" E a distance of 233.06 feet to a 5/8" rebar w/cap;

thence N 00°35'42" W a distance of 429.05 feet to the point of beginning, containing 3.28 acres more or less.

Chad Dixon spoke on behalf of Norman Metz for this property southeast of Pleasanton. Norman's son wants to build a house at this location but since there are already four homes in this section, they need to rezone this property. They have broken off a parcel a little over three acres for this rezoning. Chad showed the Commissions where this property is located.

Wolfe said she saw the stakes where this property is located.

Chad said there is 66' in width for the drive-way leading into the property.

Heiden asked how many acres are here? Dixon replied there are 3.28 gross acres or 3.19 net acres excluding the road right-of-way.

Vacek asked if there was a fence line on this property? Dixon replied they are going to straighten up the fence. There is also a 10' utility easement line around this property as required by the zoning regulations.

Dixon told the Commission this parcel is directly off 295th Road.

Chairperson Vacek closed the public hearing at 7:25 P.M.

Wolfe thought this would be a nice location for a home.

Motion was made by Vest, seconded by Heiden to approve the zoning map amendment submitted by Chad Dixon from Miller & Associates on behalf of Norman Metz from Agricultural (AG) to Agricultural-Residential (AGR) and forward this application with approval to the County Commissioners on the following legal description: a tract of land being part of Government Lot Three, referred to as the Northeast Quarter of the Northwest Quarter of Section Six (6) Township Eleven (11) North, Range Fifteen (15) West of the 6th Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows:

Referring to a stone at the Northwest Corner Government Lot 4 of Section 6 and assuming the West line of said Government Lot 4 as bearing S 01°30'33" W and all bearings contained herein are relative thereto; thence S 01°30'33" W on said West line a distance of 646.47 feet to a 1" iron pipe at the Centerline of 295th Road as described in Buffalo County Road Record 1-1/2, page 28, and recorded in the Buffalo County Surveyors Office;

thence S 89°09'40" E on said Centerline a distance of 1497.34 feet;

thence N 69°15'20" E continuing on said Centerline a distance of 370.31 feet to the ACTUAL POINT OF BEGINNING;

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thence N 00°35'42" W a distance of 369.94 feet to a 5/8" rebar w/cap;

thence N 88°18'49" E a distance of 233.06 feet to a 5/8" rebar w/cap;

thence N 00°35'42" W a distance of 429.05 feet to the point of beginning, containing 3.28 acres more or less.

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

Old Business: Moved by Wolfe, seconded by Heiden to approve the minutes of the October 20, 2016 as mailed. Voting yes were Wolfe, Heiden, Skelton, Skov, Vacek and Vest. Voting no: none. Absent: Brady and Keep. Motion carried.

Other items were discussed.

The next meeting of the Planning & Zoning Commission will be held January 19, 2017 at 7:00 P.M. if needed.

Chairperson Vacek adjourned the meeting at 7:30 P.M.