Apondo 300m # 236.

### AGENDA DODGE COUNTY PLANNING COMMISSION

Dodge County Planning Commission, Tuesday, January 15, 2019 at 4:30 P.M., Board of Supervisors Room, Courthouse, Fremont, NE.

- 1. Call to Order at 4:30 P.M. Roll Call Declaration of Open Meeting
- Legality of Meeting Approval of Agenda
- 3. Approval of Minutes of December 18, 2018 Meeting
- 4. Public Hearing: Consider request of Roger R. VonSeggern of 112 S. 9<sup>th</sup> Ave., Scribner, NE 68057 to subdivide a 7.64 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12. Exemptions 4.2 B.1 located in NW ¼ NW ¼ Section 28, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag.

Testimony:

For:

Against:

Possible Action:

Public Hearing: Consider request of Lee & Pamela Camanzind, Land Owners of 10406 State St., Omaha, NE 68122 to obtain a Conditional Use Permit for a new Livestock Feeding Operation (Poultry) 4,750 Animal Units as per Article 13. Conditional Uses 2.19 located in S. ½ NE ¼ Section 15, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag

Testimony:

For:

Against:

Possible Action:

- 6. Other Business brought by the board (by published addendum only)
- 7. Adjournment

AGENDA POSTED AND KEPT CONTINUALLY CURRENT AT THE DODGE COUNTY COURTHOUSE AND DISTRIBUTED TO THE PLANNING COMMISSION ON JANUARY 4, 2019. COPIES AVAILABLE AT THE OFFICE OF THE COUNTY ZONING ADMINISTRATOR AND COUNTY CLERK.

# NOTICE PUBLIC MEETING AND HEARINGS DODGE COUNTY PLANNING COMMISSION AND DODGE COUNTY BOARD OF SUPERVISORS

**NOTICE IS HEREBY GIVEN**, that public hearing of the Dodge County Planning Commission will be held during their regularly scheduled meeting, January 15, 2019 at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, January 16, 2019 at 9:00 A.M. Both meetings will be held in the Dodge County Board of Supervisors Room., 3<sup>rd</sup> floor of the Courthouse, Fremont, NE for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for the following item:

- 1. Consider request of Roger R. VonSeggern of 112 S. 9<sup>th</sup> Ave., Scribner, NE 68057 to subdivide a 7.64 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12. **Exemptions** 4.2 B.1 located in NW ¼ NW ¼ Section 28, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag.
- Consider request of Lee & Pamela Camanzind, Land Owners of 10406 State St., Omaha, NE 68122 to obtain a Conditional Use Permit for a new Livestock Feeding Operation (Poultry) 4,750 Animal Units as per Article 13. Conditional Uses 2.19 located in S. ½ NE ¼ Section 15, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag

Questions or comments concerning the public hearings and proposed request should be directed to the Zoning Administrator at (402) -727-2724 and the Dodge County Clerk's Office at (402)727-2767. All interested parties may offer oral comments at the public hearings and/or may file written comments with the Zoning Administrator or County Clerk concerning the petition and such comments shall be considered by the Board, provided such written comments are received prior to the public hearing dates.

### DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the recor	d in this	s case of the application ofRoger R. VonSeggern for a	
conditional use per as many as apply):		Dodge County Planning Commission finds as follows (check	
<u>DISAPPROVAL - F</u>	ACTU/	AL FINDINGS:	
1.	Does not protect the comfort, convenience, appearance, prosperity or general welfare of abutting properties and citizens.		
2.	Location and characteristics of the use will be injurious to the health, safety, morals and general welfare of the area.		
3.	Conditional use does not conform to the intent and purpose of the regulations and the comprehensive plan.		
	a.	Use does not conform to regulations of the district in which it is located.	
	b.	Ingress and egress are not designed to minimize congestion in the public street, road or highway.	
	C.	Use is not in harmony with the character of the area and most appropriate use of the land.	
	d.	Use does not conserve and stabilize the value of the property.	
	e.	Use does not provide adequate open space for light and air.	
	f.	Use adversely affects concentration of population.	
	g.	Use congests public streets.	
· .	h.	Use does not promote public safety, health, convenience and comfort.	
	i. '	Other:	
•			
APPROVAL - FAC	TUAL F	FINDINGS:	
1.	Conditional use protects the comfort, convenience, appearance, prosperity or general welfare of abutting properties and citizens.		
2.	Location and characteristics of the use will not be injurious to the health, safety, morals and general welfare of the area.		

	_ 3.	Conditional use conforms to the intent and purpose of the regulations and the comprehensive plan.	
	trasposition and the second	a.	Use conforms to regulations of the district in which it is located.
	***************************************	b.	Ingress and egress are designed to minimize congestion in the public street, road or highway.
		C.	Use is in harmony with the character of the area and most appropriate use of the land.
		d.	Use conserves and stabilizes the value of the property.
		e.	Use provides adequate open space for light and air.
		f.	Use does not adversely affect concentration of population.
		g.	Use does not congest public streets.
		h.	Use promotes public safety, health, convenience and comfort.
	en dell'estronome	i.	Other:
DATED.	1-1-	و معالم	20
DATED t	nis	ɑay ·	of, 20
BY:			

### LOT SPLIT APPLICATION Dodge County, Nebraska

Date 12-20-18		
Property Owner's Name Roger R. Von Seggern		
Address: 112 S 9th Avenue, Scribner, NE 68057		
Phone No. 402-380-0764		
Legal Description of the Property to be split W 1/2 NW 1/4 28-19-7 Dodge Count	ty, NE	
Number of Acres being split off 7.64 Zoning District Agricultu	ıral	
Total Number of Acres the subdivision subdivided from	Acres	
Is a new access route needed or proposed? YES or NO?		
Is a vacation of streets, alleys, setback lines, access control or easement require YES	ed or pro	oposed?
Will a lot split in significant increase in service requirements; e.g. Utilities, school streets, county roads, etc. or will it interfere with maintaining existing service leve	s, traffic els? YE	control S or NO
Will this action result in a tract without direct access to a street or county road?	YES or	<b>(</b>
Has the lot been previously split in accordance with these Regulations? YES or	NO	
Applicant's Name (Print) Roger R. Von Seggern	Dod	2018
Applicant's Address 112 S 9th Avenue, Scribner, NE 68057	dge R	
Applicant's Signature Jozy R Von Leggen	OHV SCEIN	28
	¥ay/ TD	RH 2:
Dodge County Planning and Zoning Administrator 435 N. Park Rm.204 Fremont, NE 68025 402-727-2724	WED way Dept	90

OFFICE USE UNLY_		
Permit No <u>2019 - 00 1</u>		
Date1-15-19	Approved Disapproved	Chairman, Dodge Co. Planning Comm.
Date	Approved Disapproved	Chairman, Dodge Co. Board of Superv

<u>Dodge County Planning and Zoning Administrator</u> 435 N. Park Rm.204 Fremont, NE 68025 402-727-2724

#### Legal Description:

A tract of land located in the Northwest Quarter of the Northwest Quarter of Section 28, Township 19 North, Range 7 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 28, Township 19 North, Range 7 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska; thence S88°09'51"W on an assumed bearing on the North line of said Northwest Quarter; 80.00 feet to the point of beginning; thence S88°09'51"W on said North line, 485.00 feet; thence S02°47'00"E, 675.00 feet; thence N87°31'30"E, 505.01 feet; thence N04°30'00"W, 670.00 feet to the point of beginning, containing 7.64 acres, more or less

## APPLICATION FOR CONDITIONAL USE Dodge County, Nebraska

Date 12 - 20 - 18
Property Owner's Name Roger R. Von Seggern
Address: 112 S 9th Avenue, Scribner, NE 68057
Phone No. 402-380-0764 (Home) (Work)
Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: residence
Section 28 Township 19 North Range 7 East Lot No
Location within Section 28 Lot Size 7.64 (Sq.Ft./Acres)
Estimated Cost of Structure/Use \$ Zoning District
Will use in all other respects conform to the applicable regulations of the district in which it is located? <u>yes</u>
Will use conform to all other applicable regulations and laws of any governmental jurisdiction? yes
How are Adjoining Properties Used (Actual Use)
North agriculture South agriculture
East agriculture West agriculture
<u>Justification</u> You must justify your request. Questions 1 through 4 must be answered completely.
1. What is the general character of the area? Describe. $A  \mathcal{E}$
2. Can soil conditions support the proposed development? What is the soil classification of the area?
3. Will use have adequate water, sewer and drainage facilities (approved by the Dodge County Board of Health, Dodge County Board of Supervisors, and the State of Nebraska Department of Health)? $\sqrt{\ell} \le$

Dodge County Planning & Zoning Administrator 435 N. Park, Rm. 204, Fremont, NE 68025 (402)727-2724

4. Will ingress and egress be so designed as to minimize How will the proposed Zoning District affect traffic updated for access to the area? If yes, what will the require	in the area? Will streets or roads pand to be
Enclosed: Site Plan Soil Suitably Map Easer Conditions and requirements pending approval of application disposal plan from the DEQ or other applicable State Agence	on for a proposed operation and waste
If Exhibits are furnished, please describe and enumerate. (proposed structures, easements, water courses, curb cutba	Furnish Plot or Site Plan showing existing and locks, etc.)
Application Fee of \$250 is Non-Refundable.	
The Zoning Administrator or Building Inspector, who may be to enter upon the property during normal working hours for proposed situation.	e accompanied by others, is hereby authorized the purpose of becoming familiar with the
In consideration of the issuance of this Certificate, the application is true and correct, and hereby certifies that comfloodplain regulations which are in effect have been met.	cant hereby certifies that the information in this pliance with the zoning, subdivision and
Applicant's Signature Anga Rhan Alagan Mailing Ad	dress <u>112 S 9th Ave.</u> Scribner NE 68057
OFFICE USE ONLY	
PERMIT NO. 2019 - 00 2	
Permit when issued is Transferrable/Transferrable Upon Re	newal
Date / - 15 - 19 ApprovedApproved with Added Conditions	
Disapproved	Chair, Dodge County Planning Comm
Date / - 16 - 19 Approved Approved with Added Conditions	
Disapproved	Chair, Dodge County Board of Comm
See attachment for added conditions.	
ATTEST	odge County Clerk
Do	odge County Clerk
, Da	ated thisday of20

Dodge County Planning & Zoning Administrator 435 N. Park, Rm. 204, Fremont, NE 68025 (402)727-2724

#### Legal Description:

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# APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT (A-1, A-2, and A-3 Agricultural Districts) Dodge County, Nebraska

"I certify that I am the applicant for a residential use permit to allow a residential use in the A-1, A-2, or A-3 Agriculture Districts. I certify that I have read the following preamble to the A-1 Agriculture-Intensive District contained in the Dodge County Zoning Regulations and that I understand that there are permitted uses and named conditional uses allowed in the A-1, A-2, and A-3 Agriculture Districts that may not be compatible with a residential use in the district. I further understand that residential uses in the A-1, A-2, and A-3 Districts are not given the same provision of services, amenities and protection from other land uses that are afforded to residential uses by the regulations of other districts and that the A-1, A-2, and A-3 District Regulations are not intended to afford such services, amenities and protections to residential uses located therein."

The A-1 Agricultural District regulations are intended to provide for the use and conservation of agricultural land, to protect the value of such land, and to protect it from indiscriminate residential and urban development and other incompatible and conflicting land uses; to conserve and protect the value of open space, wooded areas, streams, mineral deposits and other natural resources and to protect them from incompatible land uses and to provide for their timely utilization; to provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are of such nature that their location away from residential, commercial and industrial areas is most desirable; to provide for the location and govern the establishment of residential uses which are accessory to and necessary for the conduct of agriculture and to provide for the location and govern the establishment and use of limited non-agricultural residential uses. Such non-agricultural residential uses shall not be so located as to be detrimental to or conflict with other uses which are named as permitted or conditional uses in this district and are appropriate to other property in the area. The nature of the A-1 District and the uses allowed outright or by conditional use precludes the provision of services, amenities and protection from other land uses which are afforded to residential uses by the regulations of other districts, and it is not intended that the A-1 District regulations afford such services, amenities and protection to residential; uses located therein.

"I understand that if the County Board of Dodge County approves my no-fee residential registration permit application and I establish a residential use in the A-1, A-2, or A-3 Agricultural Districts that such land use has no additional rights granted to it that is granted of other uses allowed by either permit or by conditional use in the A-1, A-2, and A-3 Districts. I certify that I have been given a copy of this attachment."

Signature of Applicant: 112 7th St. P.O. Box 95, Uehling, ne 68063

In witness whereof, the parties aforesaid have hereto set their hand with this application/2th day of December 2018

Date filed with Dodge County Joint Planning Commission: 1-15-19

Date filed with Dodge County Board of Supervisors: 1-16-19

Dodge County Zoning Administrator or County Building Inspector

Dodge County Planning and Zoning Administrator 435 N. Park, Fremont, NE 68025 402/727-2724

### APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT

(A-1, A-2, and A-3 Agricultural Districts)
Dodge County, Nebraska

Permit No. 2019 - 00 /
Property Owner's Name Rebecca M. & James A. Lynn
Address 112 7th St., P.O. Box 95, Uehling, NE 68063
Legal Description See Attached
Lot Size and Number of Acres 7.64 acres
Distance from Nearest Livestock Operation
Single-family dwellings are not permitted on tracts without legal access to an improved road and owners must sign no-fee Residential Registration Permit Application prior to a 10-day waiting period before a building permit is granted. The Residential Use Permit is valid for the length of the building permit and must be signed and filed with the Dodge County Planning Commission and Zoning Administrator and a copy filed with the Dodge County Register of Deeds. Once the dwelling is constructed, the Residential Registration Permit is valid for the life of the dwelling.
Will the Residential Use in all other respects conform to the applicable regulations of the Zoning District in which it is located? YES or NO
Applicant's Signature Amely Later M. Ly.  Mailing Address P.O. Box 95, Uehling, NE 68063
Mailing Address P.O. Box 95, Uehling, NE 68063
Telephone No. 402-380-8158 / 412-380-8155
OFFICE USE ONLY
has been granted a no-fee Residential Registration Permit, under the following conditions and/or limitations, all of which must be complied with by applicant for said permit
Date 1-15-19
Chairman, Dodge County Planning Commission

Dodge County Planning and Zoning Administrator 435 N. Park, Fremont, NE 68025 402/727-2724

#### Legal Description:

A tract of land located in the Northwest Quarter of the Northwest Quarter of Section 28, Township 19 North, Range 7 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 28, Township 19 North, Range 7 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska; thence S88°09'51"W on an assumed bearing on the North line of said Northwest Quarter, 80.00 feet to the point of beginning; thence S88°09'51"W on said North line, 485.00 feet; thence S02°47'00"E, 675.00 feet; thence N87°31'30"E, 505.01 feet; thence N04°30'00"W, 670.00 feet to the point of beginning, containing 7.64 acres, more or less



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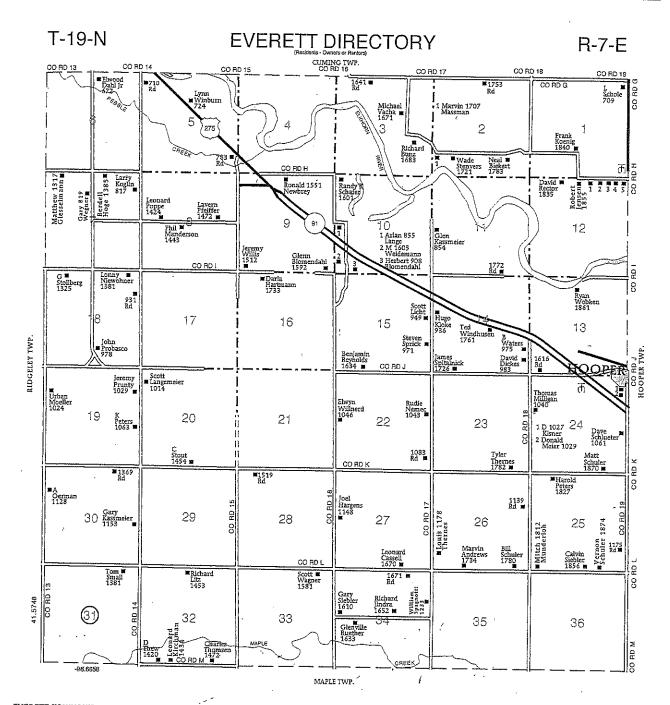
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- EVERETT TOWNSHIP
  SECTION 12
  1 Wellman, Edwin 1859
  2 Hill, Vincent 1865
  3 Hussey, Tony 1875
  4 Smith, A 1879
  5 Schulenberg, Eldon 1885

# DODGE COUNTY BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator

Courthouse - 435 N. Park, Room 204 Fremont, Nebraska 68025 Phone: (402) 727-2724

January 4, 2019

Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, January 15, 2019 at 4:30 P.M. in the Dodge County Board of Supervisors Room, 3<sup>rd</sup> Floor, Dodge County Courthouse, Fremont, NE 68025 to consider request of Roger R. VonSeggern of 112 S. 9<sup>th</sup> Ave., Scribner, NE 68057 to subdivide a 7.64 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12. Exemptions 4.2 B.1 located in NW ¼ NW ¼ Section 28, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, January 15, 2019 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the Lot Split and Conditional Use Permit, it is a requirement that we notify you of such hearing.

If you have any objections or comments of this proposal, please send them in writing to this office or appear at the meeting and express them verbally.

Thank you,

Jean Andrews,

**Dodge County Zoning Administrator** 

# DODGE COUNTY BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator

Courthouse - 435 N. Park, Room 204 Fremont, Nebraska 68025 Phone: (402) 727-2724

January 4, 2019

Roger VonSeggern 112 S. 9<sup>th</sup> St. Scribner, NE 68057

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held January 15, 2019 at 4:30 P.M. on third floor of the Courthouse, Fremont, NE. You or your representative should make an effort to attend this meeting to answer any questions the board may have. Please come to the east door of the Courthouse for admittance and go directly up to third floor.

Your requests will be heard by the Dodge County Board of Supervisors on Wednesday, January 16, 2019 at 9:30 A.M.

If you have any questions, please feel free to contact my office.

Thank you,

<u>Jean Andrews</u>,

Dodge County Zoning Administrator

Enclosure Cc: File

#### **NOTICE TO PROPERTY OWNERS**

<b>PUBLIC HEARING</b>	CASE NO

OWNER: Roger Von Seggern Address: 112 So 9<sup>th</sup> Street

Scribner, NE 68057

**Proposed Subdivided Tract:** 

The West Half of the Northwest Quarter of Section 28, Township 19 North, Range 7 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska.

**Parties in Interest** 

Sandra Hasemann,

Cheryl L Drozd Kimberly P Triser

A notice of hearing shall be sent to non - resident landowners of land bein considered in said hearing. (300.0 Feet)

MOV 2 9 2018

DODGE COUNTY ZONING DEPT.

Name Address

Kevin Hasemann and %Kevin Hasemann
Diane Hasemann; 1546 Co Road C Blvd
Kenneth Hasemann and Scribner, NE 68057

Joyce L Mastny, Trustee 446 Meyers Street of Bradbury Farms Trust Fremont, NE 68025 Agreement

Christopher J Kloke % Chris Kloke
Debra K Kloke 1570 Co Road 13
Laurie A McMcguire Ames, NE 68621

Virgil F Wagner, Trustee 2411 East 16<sup>th</sup> Street
Of Virgil F Wagner Fremont, NE 68057
Revocable Trust

Larry L Harnish 9021 Silver Oak Road

(Life Estate)

Lincoln, NE 68526

**Troy Harnish** Rebecca Hall **Amy Harnish** 

Curtis L Boell, Trustee

3790 S Harlan Street

Curtis L Boell Revocable Denver, Co 80235

Trust

**Troy Harnish** 

(4-1/10ths Interest)

Dorothy J Willnerd, Trustee 1046 CO Road 16 Of Dorothy J Willnerd Revocable Hooper, NE 68031 Trust

(1/2 Interest;

Elwyn C Willnerd, Trustee Of Elwyn C Willnerd Revocable

Trust

Richard Johnson

1700 w 23RD

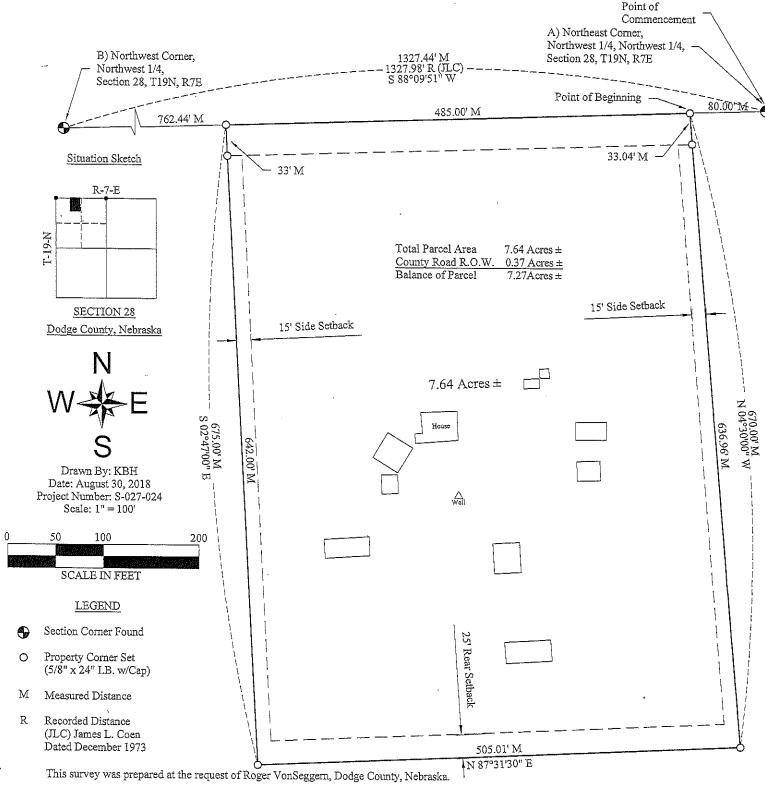
Fremont, NE 68025

I Kenneth D Hurt a Registered Abstracter in the State of Nebraska, Certifies tha the above names and address are the parties that own property surrounding the proposed site of a County variance application.

Kenneth D Hurt

Certificate of Authority # 405

November 28, 2018



#### FIELD NOTES

A) Northeast Corner, Northwest 1/4, Northwest 1/4, Section 28, T19N, R7E: Found 3/4" Iron Pipe as recorded by James L. Coen, LS#164.

35.82' North to Mag-Nail in Power Pole.

31.00' NNE to Punch-Hole in West End C.M.P.

30.41' SE Punch-Hole in West End C.M.P.

53.72' NE to Punch-Hole in East End C.M.P. 62.76' ESE to Punch-Hole in East End C.M.P. B) Northwest Corner, Northwest 1/4, Section 28, T19N, R7E: Found 3/4" Iron Pipe as recorded by James L. Coen, LS#164. 28.12' NNE to (Painted) Bolt in East Leg of Road Sign.

41.22' SE to NW corner of Electrical Transformer Box. 40.61' SW to NE corner of Telephone Pedestal.

#### LEGAL DESCRIPTION

A tract of land located in the Northwest 1/4 of the Northwest 1/4 of Section 28, T19N, R7E of the 6th P.M., Dodge County, Nebraska, more particularly described as follows:

Commencing at the Northeast Corner of the Northwest 1/4 of the Northwest 1/4 of Section 28, T19N, R7E of the 6th P.M., Dodge County, Nebraska; thence S 88°09'51" W on an assumed bearing on the North line of said Northwest 1/4, 80.00 feet to the Point of Beginning; thence S 88°09'51" W on said North line, 485.00 feet; thence S 02°47'00" E, 675.00 feet; thence N 87°31'30" E, 505.01 feet; thence N 04°30'00" W, 670.00 feet to the Point of Beginning, containing 7.64 acres, more or less.

#### SURVEYOR'S CERTIFICATE

I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me or under my direct supervision on August 29, 2018; also that all dimensions are in feet and are correct to the best of my knowledge and belief.

Terry L. Schulz, State of Nebraska, R.L.S. #550

<u>9-7-2018</u> Date



