

Agenda Item # 28a
Date 7/28/21

**MINUTES
DODGE COUNTY PLANNING COMMISSION**

Meeting of the Dodge County Planning Commission was called to order by Chairman, Marlin Brabec at 4:30 P.M., Tuesday, July 20, 2021 in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Brabec, Fooker, Hansen, Rolf, Ruzicka, Taylor, Wagner and Weitzenkamp. Absent: Giesselmann.

The meeting was declared legally convened, due to Public Notice given and is considered to be an Open Meeting.

Motion was made by **Ruzicka** to accept the Minutes of the June 15, 2021 meeting as mailed. Seconded by **Fooker**. Motion carried by voice vote with the following voting yes: Brabec, Fooker, Hansen, Rolf, Ruzicka, Taylor, Wagner and Weitzenkamp. Absent: Giesselmann.

Public Hearing: Consider request of Sharon Thernes of 1178 County Road 17, Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in West ½ SW ¼ Section 26, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District.

Chairman Brabec declared the public hearing to be open.

Testimony:

For: Scott Nun was present representing Sharon Thernes and the City of Fremont. He stated that this material has been stored and applied since 2004. This property has had it spread a number of years ago and if approved, it will be spread again this fall. The rate is 10 Ton per acre rate. He stated that they meet the setbacks, follow the EPA regulations and the request is for a renewal based on following the new amended Biosolids regulations.

Against:

No one was present and no verbal or written communication had been received.

Motion to close the hearing was made by **Ruzicka** and seconded by **Wagner**. Motion carried by voice vote. All present voted yes.

Possible Action:

Motion was made by **Ruzicka** and seconded by **Hansen** to recommend approving the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Motion carried by roll call vote. Those voting yes: Fooker, Hansen, Rolf, Ruzicka, Taylor, Wagner, Weitzenkamp and Brabec. Absent: Giesselmann. Mr. Nun was advised the Dodge County Board of Supervisors will hear the request on July 28, 2021 at 9:30 A.M.

Public Hearing: Consider request of Terry Marquardt of 1077 County Road 19 Blvd., Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in South ½ NW ¼ Section 29, Township 19 North, Range 8 East in Hooper Township, Zoning District A-3, Transitional Ag and A-1, Intensive Ag Districts.

Chairman Brabec declared the hearing to be opened.

Testimony:

For: Scott Nun again was present to represent Terry Marquardt and the City of Fremont. Terry Marquardt was also present. Mr. Nun stated that they were following EPA regulations and would be applying 10 ton per acre depending on how much rain they get or the lack thereof. He added that they were following the newly adopted zoning regulations regarding the storage and application.

Against:

No one was present and no communication had been received.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Taylor**. Motion carried by voice vote. All present voted yes. Absent: Giesselmann.

Possible Action:

Motion to recommend approval of the Conditional Use Permit was made by **Taylor** based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Weitzenkamp**. Motion carried by roll call vote. Those voting yes: Hansen, Rolf, Ruzicka, Taylor, Wagner, Weitzenkamp, Brabec and Fooker. Absent: Giesselmann. Mr. Nun was advised the County Board would hear the request at the July 28, 2021 meeting at 9:35 A.M.

Public Hearing: Consider request of Tyler Thernes of 1782 County Road K, Hooper, NE 680431 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in East ½ NW ¼ Section 34, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District.

Chairman Brabec declared the Public Hearing opened.

Testimony:

For: **Scott Nun** representing Tyler Thernes and the City of Fremont was again present to explain the request.

The request was for a first-time storage and application. He stated that again they were following the EPA regulations, setbacks and the newly adopted zoning regulations for Biosolids.

Against:

No one was present and no communication had been received.

Motion to close the hearing was made by **Ruzicka** and seconded by **Hansen**. Motion carried by voice vote. All members present voted yes. Absent: Giesselmann.

Possible Action:

Motion was made by **Rolf** and seconded by **Fooker** to recommend approval of the Conditional Use Permit based on the Conditional Use conforms to the intent and the purpose of the regulations and the use conforms to regulations of the district which it is located. Those voting yes: Rolf, Ruzicka, Taylor, Wagner, Weitzenkamp, Brabec, Fooker and Hansen. Absent: Giesselmann. Again, Mr. Nun was advised the County Board would hear his request at the July 28, 2021 meeting at 9:40 A.M.

Public Hearing: Consider request of Randy Kreikemeier of 531 County Road F, Scribner, NE 68057 to subdivide a 11.35 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions, B. located in NE ¼ NW ¼ Section 35, Township 20 North, Range 5 East and Tax Lot 3 Section 26, Township 20 North, Range 5 East in Webster Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the public hearing open.

Testimony:

For: **Randy Kreikemeier** was present to explain his request. He stated he was selling the acreage to his daughter and son-in-law. Rolf asked if the hog operation would still be operating. Kreikemeier stated yes. Fooker asked why the acreage boundary lines were not squared off. Kreikemeier stated to save as many acres of crop ground as possible.

Against:

No one was present and no verbal or written communication had been received.

Motion to close the hearing was made by **Ruzicka** and seconded by **Fooken**. Motion carried by voice vote. Absent: Giesselmann.

Possible Action:

Motion to recommend approval of the lot split and conditional use permit was made by **Taylor** and seconded by **Ruzicka** based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Those voting yes by roll call vote: Ruzicka, Taylor, Wagner, Weitzenkamp, Brabec, Fooken, Hansen and Rolf. Absent: Giesselmann. Mr Kreikemeier was advised the County Board would hear his request on Wednesday, July 28, 2021 at 9:45 A.M.

With no further business **Rolf** moved to adjourn at 4:50 P.M. and seconded by **Hansen**. Motion carried: Taylor, Wagner, Weitzenkamp, Brabec, Fooken, Hansen, Rolf and Ruzicka. Absent: Giesselmann. The next scheduled meeting will be August 17, 2021 at 4:30 P.M. if business arises.

Respectfully submitted,

Allen Rolf
Secretary, Dodge County
Planning Commission

Dodge County
Planning & Zoning Commission

Approval Date

STAFF REPORT
Dodge County Bldg. Insp. & Zoning Dept.
Meeting of July 20, 2021

Zoning sign was placed on the property Tuesday, July 13, 2021

Sharon Thernes

The property is located off of County Road 17 approximately 2 miles south and 2 miles west of Hooper on County Road 17. This is a renewal of a conditional use permit.

Terry Marquardt

Property is located along County Road 19 1 ½ miles south of Hooper, NE on County Road just north of County Road L. This conditional use request is a newal.

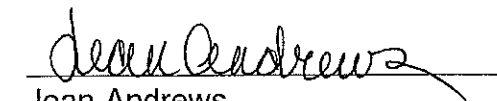
Tyler Thernes

The property is located approximately 2 1/2 miles south and 1 ½ miles west of Hooper, NE on County Road L Blvd.. The ground is located on the north side of the road.

Randy Kreikemeier

The acreage is located on County Road F approximately 2 miles south and 1 ½ miles west of Snyder, NE. The property is located on a well-maintained road. The picture of the house did not come out, but seems to be in good condition. There are a number of good out buildings. The proposed acreage is not in the flood fringe area.

Respectfully submitted,



Jean Andrews,
Dodge County Zoning Administrator

Sharon Thorne



Terry Marquardt



Tyler Thorne



Kreikemeier



Kreikemeier



Kreikemeier



AGENDA
DODGE COUNTY PLANNING COMMISSION

Dodge County Planning Commission, Tuesday, July 20, 2021 at 4:30 P.M., Board of Supervisors Room, Courthouse, Fremont, NE.

1. Call to Order at 4:30 P.M – Roll Call
2. Declaration of Open Meeting and Legality
3. Declaration of Exparte
4. Approval of Minutes of June 15, 2021 Meeting

5. **Public Hearing:** Consider request of Sharon Thernes of 1178 County Road 17, Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in West ½ SW ¼ Section 26, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District.

Testimony:

For:

Against:

Possible Action:

6. **Public Hearing:** Consider request of Terry Marquardt of 1077 County Road 19 Blvd., Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in South ½ NW ¼ Section 29, Township 19 North, Range 8 East in Hooper Township, Zoning District A-3, Transitional Ag and A-1, Intensive Ag Districts.

Testimony:

For:

Against:

Possible Action:

7. **Public Hearing:** Consider request of Tyler Thernes of 1782 County Road K, Hooper, NE 680431 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in East ½ NW ¼ Section 34, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District.

Testimony:

For:

Against:

Possible Action:

8. **Public Hearing:** Consider request of Randy Kreikemeier of 531 County Road F, Scribner, NE 68057 to subdivide a 11.35 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions, B. located in NE ¼ NW ¼ Section 35, Township 20 North, Range 5 East and Tax Lot 3 Section 26, Township 20 North, Range 5 East in Webster Township, Zoning District A-1, Intensive Ag.

Testimony:

For:

Against:

Possible Action:

9. Other business brought to the board (By Published Addendum)
10. Adjournment

**NOTICE
PUBLIC 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 special meeting, July 20, 2021 at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, July 28, 2021 at 9:00 A.M. Both meetings will be held in the Dodge County Board of Supervisors Room., 3rd floor of the Courthouse, Fremont, NE for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for the following items:

1. Consider request of Sharon Thernes of 1178 County Road 17, Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in West ½ SW ¼ Section 26, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District.
2. Consider request of Terry Marquardt of 1077 County Road 19 Blvd., Hooper, NE 68031 to obtain a renewal of Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in South ½ NW ¼ Section 29, Township 19 North, Range 8 East in Hooper Township, Zoning District A-3, Transitional Ag and A-1, Intensive Ag Districts.
3. Consider request of Tyler Thernes of 1782 County Road K, Hooper, NE 680431 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 12, Section 2. Conditional Uses 2.18 and Article 25 Supplemental Regulations, Section 22 located in East ½ NW ¼ Section 34, Township 19 North, Range 7 East in Everett Township, Zoning District A-1, Intensive Ag District.
4. Consider request of Randy Kreikemeier of 531 County Road F, Scribner, NE 68057 to subdivide a 11.35 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions, B. located in NE ¼ NW ¼ Section 35, Township 20 North, Range 5 East and Tax Lot 3 Section 26, Township 20 North, Range 5 East in Webster Township, Zoning District A-1, Intensive 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.