

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of GKR LLC - Kyle Kroenke for a conditional use permit, the Dodge County Planning Commission finds as follows (check as many as apply):

DISAPPROVAL - FACTUAL 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 - FACTUAL 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.
- \_\_\_\_\_ 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.
  - \_\_\_\_\_ i. Other: \_\_\_\_\_  
\_\_\_\_\_

DATED this 15 day of March, 2022.

BY: \_\_\_\_\_

APPLICATION FOR CONDITIONAL USE  
Dodge County, Nebraska

Date FEB. 24, 2022  
Property Owner's Name BKR LLC Bay Kranke, Kyle Kerake, Ross Kravtchuk  
Address: 529 COUNTY ROAD G. SCRIBNER, NE 68057  
Phone No. (402) 693-2829 (Home) (402) 720-3216 (Work)

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: HOUSE

Section 35 Township 20 Range 5 Lot No. \_\_\_\_\_

Location within Section 5 1/2 SW 1/4 Lot Size 10.52 (Sq.Ft./Acres)

Estimated Cost of Structure/Use \$ ? Zoning District HOUSE DODGE

Will use in all other respects conform to the applicable regulations of the district in which it is located?

YES

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

**Justification**

You must justify your request. Questions 1 through 4 must be answered completely.

1. What is the general character of the area? Describe.

FLAT TO GENTLY ROLLING

2. Can soil conditions support the proposed development? What is the soil classification of the area?

YES BELFORD

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)? YES

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4. Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?  
YES How will the proposed Zoning District affect traffic in the area? Will streets or roads need to be updated for access to the area? If yes, what will the requirements be? NO  
IT WON'T AFFECT THE TRAFFIC.

**Enclosed:**

- Site Plan  Soil Suitably Map \_\_\_\_\_ Easements   
Conditions and requirements pending approval of application for a proposed operation and waste disposal plan from the DEQ or other applicable State Agency \_\_\_\_\_

If Exhibits are furnished, please describe and enumerate. (Furnish Plot or Site Plan showing existing and proposed structures, easements, water courses, curb cutbacks, etc.)

Application Fee of \$ \_\_\_\_\_ is Non-Refundable.

The Zoning Administrator or Building Inspector, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. YES

In consideration of the issuance of this Certificate, the applicant hereby certifies that the information in this application is true and correct, and hereby certifies that compliance with the zoning, subdivision and floodplain regulations which are in effect have been met.

Applicant's Signature *Kyle Kurake* Mailing Address 529 COUNTY ROAD G  
SCRIBNER, NE 68057

**OFFICE USE ONLY**

PERMIT NO. 0022-005

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 03-15-22 Approved \_\_\_\_\_  
Approved with Added Conditions \_\_\_\_\_  
Disapproved \_\_\_\_\_ Chair, Dodge County Planning Comm

Date 03-23-22 Approved \_\_\_\_\_  
Approved with Added Conditions \_\_\_\_\_  
Disapproved \_\_\_\_\_ Chair, Dodge County Board of Comm

\_\_\_\_\_ See attachment for added conditions.

ATTEST \_\_\_\_\_  
Dodge County Clerk

Dated this 23 day of March 2022



LOT SPLIT APPLICATION  
Dodge County, Nebraska

Date FEB 24, 2022

Property Owner's Name GKR LLC - Gary Kroenke, Kyle Kroenke, Ross Kroenke

Address: 529 COUNTY ROAD G SCRIBNER, NE 68057

Phone No. (402) 693-2829

Legal Description of the Property to be split 5 1/2 SW 1/4 80A 35 20 5

Number of Acres being split off 10.52 Zoning District DODGE COUNTY

Total Number of Acres the subdivision subdivided from 80 Acres

Is a new access route needed or proposed? YES or NO?

Is a vacation of streets, alleys, setback lines, access control or easement required or proposed?  
YES or NO

Will a lot split in significant increase in service requirements; e.g. Utilities, schools, traffic control, streets, county roads, etc. or will it interfere with maintaining existing service levels? YES or NO

Will this action result in a tract without direct access to a street or county road? YES or NO

Has the lot been previously split in accordance with these Regulations? YES or NO

Applicant's Name (Print) KYLE KROENKE

Applicant's Address 529 COUNTY ROAD G SCRIBNER, NE 68057

Applicant's Signature Kyle Kroenke

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

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OFFICE USE ONLY

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Permit No. 2022-001

Date 03/15/2022 Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_

\_\_\_\_\_  
Chairman, Dodge Co. Planning Comm.

Date 03/23/2022 Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_

\_\_\_\_\_  
Chairman, Dodge Co. Board of Superv.

**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: Kyle Kerake

Address of Applicant: 529 COUNTY ROAD G. SUZIBNER, NE 68057

In witness whereof, the parties aforesaid have hereto set their hand with this application 25 day of February 2022

Date filed with Dodge County Joint Planning Commission: 3-15-2022

Date filed with Dodge County Board of Supervisors: 03-23-22

Dean Andrews  
Dodge County Zoning Administrator or ~~County Building Inspector~~

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**APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT**

**(cont.)**

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

Permit No. 2022-001

Property Owner's Name GKR LLC Gary Kroeber, Kyle Kroeber, Ross Kroeber

Address 529 COUNTY ROAD G SCRIBNER, NE 68057

Legal Description 5 1/2 SW 1/4 35 20 5

Lot Size and Number of Acres 10.52 ACRES

Distance from Nearest Livestock Operation ACROSS THE ROAD

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 Kyle Kroeber

Mailing Address 529 COUNTY ROAD G SCRIBNER, NE 68057

Telephone No. (402) 618-9268

**OFFICE USE ONLY**

Kyle Kroeber 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 3-15-22

\_\_\_\_\_  
Chairman, Dodge County Planning Commission

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

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**DODGE COUNTY**  
**BUILDING INSPECTION & ZONING DEPARTMENT**

**JEAN ANDREWS, Zoning Administrator**  
**Flood Plain Manager**

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

March 4, 2022

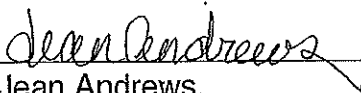
Gary Kroenke  
Kyle Kroenke  
Ross Kroenke  
529 County Rd. G  
Scribner, NE 68057

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held March 15, 2022 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. In addition, please plan to attend the Dodge County Board of Supervisors meeting on March 23, 2022 where your application will be heard at approximately 9:50 A.M.

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

Thank you,

  
\_\_\_\_\_  
Jean Andrews,  
Dodge County Zoning Administrator

Enclosure  
Cc: File

**DODGE COUNTY**  
**BUILDING INSPECTION & ZONING DEPARTMENT**

**JEAN ANDREWS, Zoning Administrator**  
**Flood Plain Manager**

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

March 4, 2022

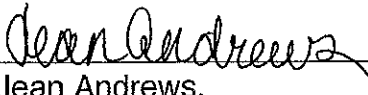
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, March 15, 2022 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 GKR, LLC – Gary, Kyle, Ross Kroenke of 529 County Road G, Scribner, NE 68057 to subdivide a 10.52 acre tract and obtain a Conditional Use Permit to construct a new single-family dwell as per Article 12, Section 2.1 Conditional Uses located in SE ¼ SW ¼ Section 35, Township 20 North, Range 5 East in Webster 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, March 15, 2022 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the 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 NEBRASKA  
NOTICE TO PROPERTY OWNERS

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2022 FEB 24 AM 11:32  
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Dodge Co Highway Dept

PUBLIC HEARING CASE NO. \_\_\_\_\_

OWNER: GKR LLC

Address: 529 CR G  
Scribner, NE 68057

Proposed Subdivided Tract: South Half Southwest Quarter Section 35,  
Township 20 North, Range 5 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska.

Parties in Interest

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

Name	Address
CGR LLC	529 CR G, Scribner, NE
Delwyn L Hasemann Trust Agreement Delwyn L Hasemann, Trustee One- Half Interest;	3019 N Cedar St Fremont, NE 68025
Anita J Hasemann Trust Agreement Anita J Haseemann, Trustee One-Half Interest;	
Randal L Hasemann & Vicki L Hasemann Spenser L Haseemann One-Half Interest; Delwyn L Hasemann & Anita J Hasemann One-Half Interest ;	315 McGinnis LK North Bend, NE 68649
Gary L Kroenke, Trustee	529 CR G Scribner, NE 68057
Brian Pojar Jason Pojar	429 CR F Scribner, NE 68057

Nile Kienbaum  
Kimberly Krienert  
Gina Metschke

441 CR H  
Scribner, NE 68057

Lou Kroenke Farm, Inc

% Gary Kroenke  
529 CR G  
Scribner, NE 68057

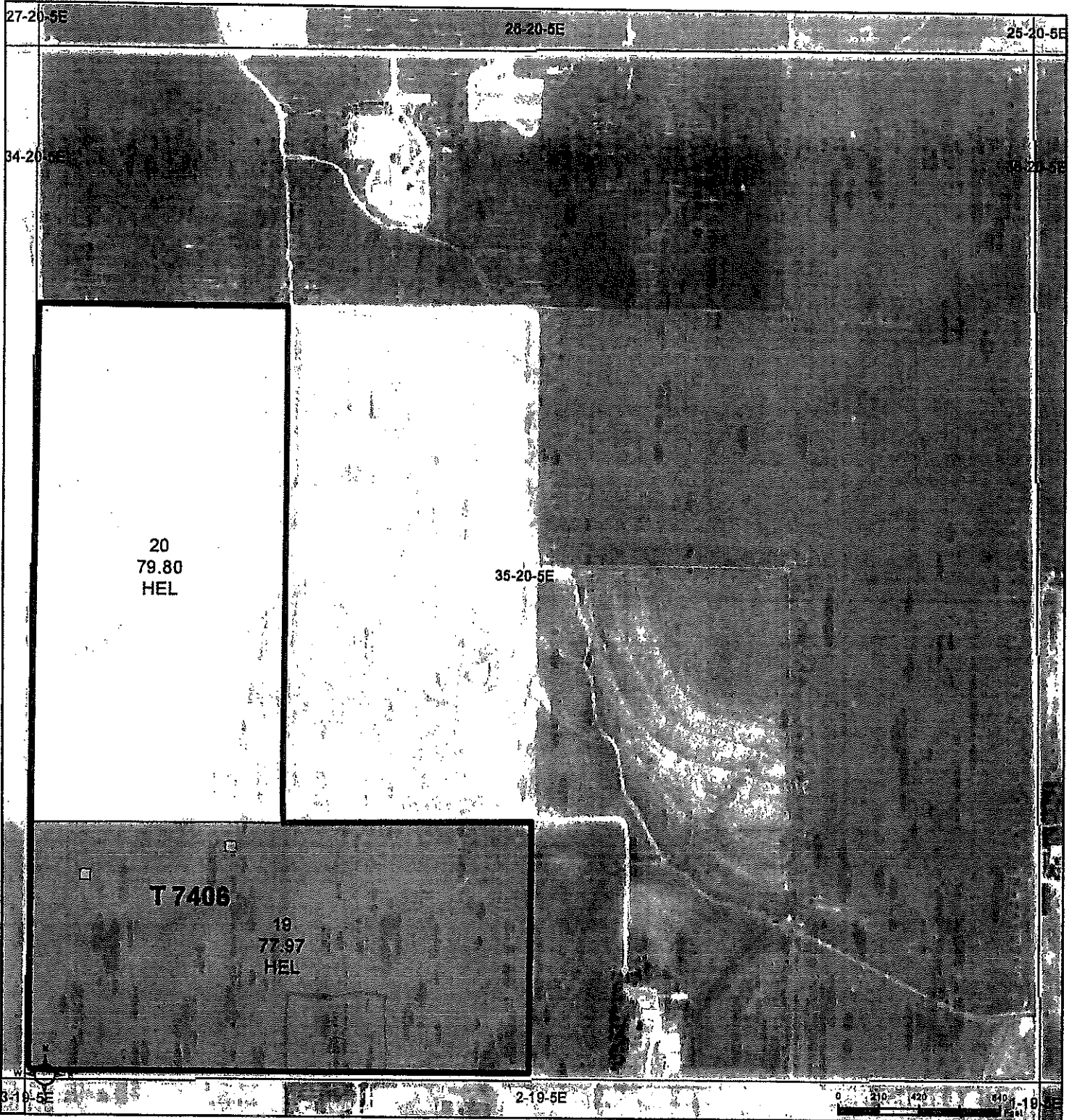
I Kenneth D Hurt a Registered Abstracter in the State of Nebraska, Certifies that the above names and address are the parties that own property surrounding the proposed site of a County variance application.

  
Kenneth D. Hurt

Certificate of Authority # 405

February 23, 2022





Common Land Unit  PLSS

- Cropland
- Tract Boundary

2020 NAIP Ortho Imagery

2021 Program Year  
Map Created March 30, 2021

Farm 9695

Wetland Determination Identifiers

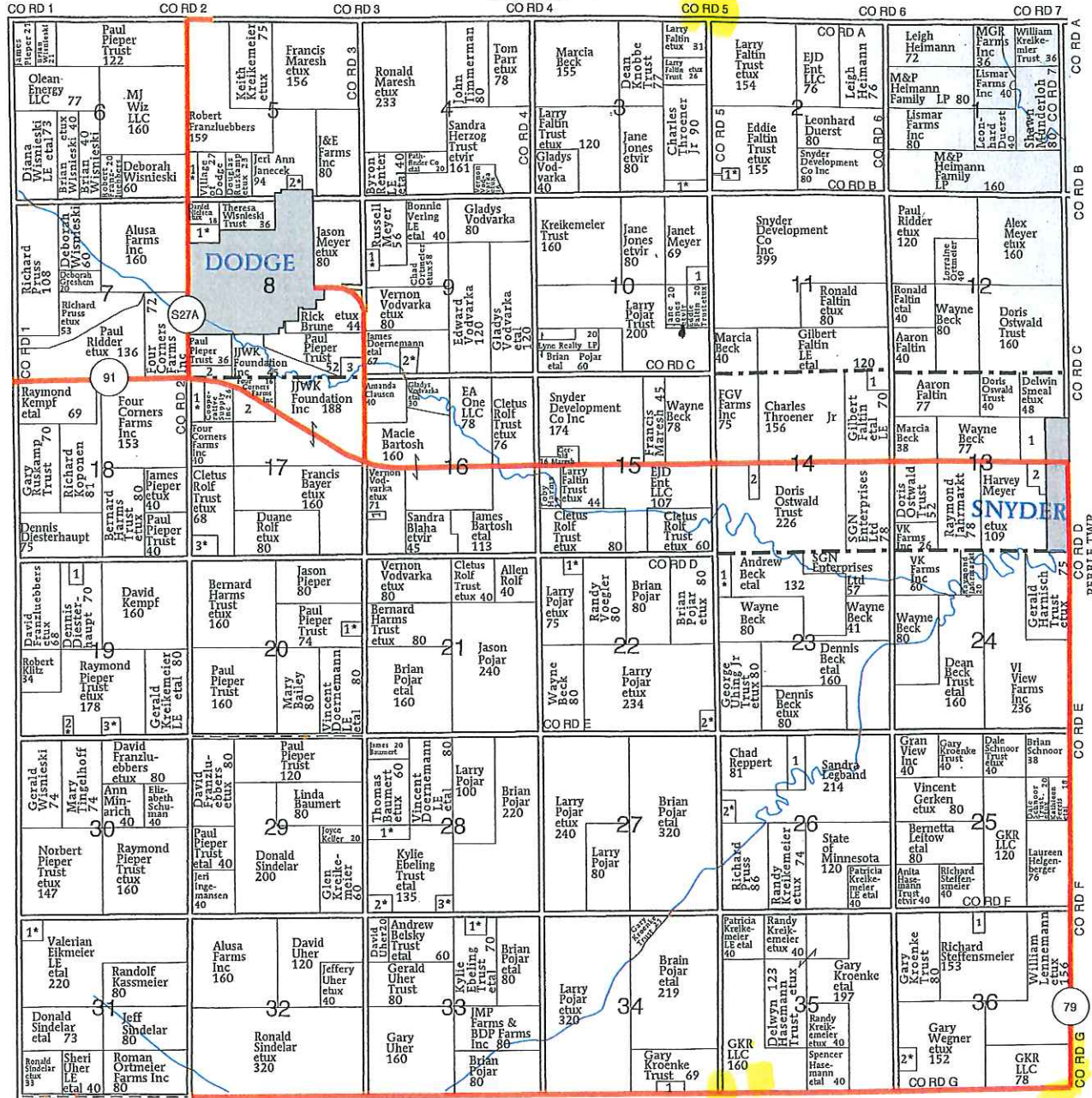
- Restricted Use
- ▽ Limited Restrictions
- ☐ Exempt from Wetland Provisions

35-20-5E

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



(Landowners)



PLEASANT VALLEY TWP.

WEBSTER TOWNSHIP

- SECTION 2
  - Oelkers, Sean etux 5
- SECTION 3
  - Throener, Brian etal 10
- SECTION 5
  - Wiese, Anthony etux 10
  - Paus, Jeffrey etux 6
- SECTION 8
  - Risch, Daylin etal 13
  - Four Corners Farms Inc 13
- SECTION 9
  - Hunke, Leon 9

SECTION 9

- 1. Ortmeier, Chad etux 6
- 2. Bayer, Allen etux 14
- SECTION 10
  - Meyer, Russell 11
- SECTION 13
  - Smeal SFA LLC 15
  - Hunke Development LLC 10
- SECTION 14
  - Griffin, Veronica 8
  - Kennedy, Roland 6

SECTION 16

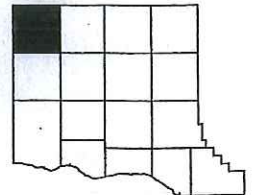
- 1. Harms, Daniel 5
- SECTION 17
  - Wisniewski, John etux 9
  - Ruskamp Trust, Daniel 19
  - Rolf, Eric etux 12
- SECTION 19
  - Anders, Doug 10
  - Pieper, Chad etux 5
  - Pieper, Chad etux 11
- SECTION 20
  - Uher, Eugene etux 6

SECTION 22

- 1. Grovjohn, Thomas etux 5
- 2. Gilbertson, Eric etux 6
- SECTION 23
  - Beck, Leroy etux 10
- SECTION 26
  - Sandra Legband Family LP 18
  - McDuffee, Justin etux 6
- SECTION 28
  - Belsky, Andrew etux 11
  - Baumert, Ralph etux 7

3. Hunke, Russell etux 7

- SECTION 31
  - Uher, Randy etux 7
- SECTION 33
  - Ebeling, Zachary etux 11
- SECTION 34
  - Lou Kroenke Farm Inc 11
- SECTION 36
  - Steffensmeier Ag Inc 7
  - Wegner, Judith etal 8





# PLAT OF SURVEY

LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4  
OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 5 EAST  
OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.

SCALE 1" = 180'

### LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA. ALL CORNERS OF THIS DESCRIPTION ARE SET OR FOUND AS DESCRIBED ON OFFICIAL PLAT SIGNED FEBRUARY 10, 2022. HEREAFTER MADE A PART OF THIS DESCRIPTION BY THIS REFERENCE AND ON FILE AT THE DODGE COUNTY COURTHOUSE IN THE COUNTY SURVEYOR'S OFFICE. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE N89°46'48"E, ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 1347.00 FEET TO THE POINT OF BEGINNING; THENCE N89°46'48"E, ON SAID SOUTH LINE, A DISTANCE OF 677.00 FEET; THENCE N00°13'12"W A DISTANCE OF 677.00 FEET; THENCE S89°46'48"W A DISTANCE OF 677.00 FEET; THENCE S00°13'12"E A DISTANCE OF 677.00 FEET BACK TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 10.52 ACRES MORE OR LESS.

COUNTY RECORD STAMP

SURVEY RECORD REPOSITORY STAMP

### REFERENCES

(617)

SOUTHWEST CORNER  
SECTION 35-20-5

FOUND IRON REBAR 5/8" WITH ALUMINUM CAP

N37°57'E- 44.35' TO SET IRON REBAR 5/8" WITH PLASTIC CAP  
SE- 50.93' TO FOUND NAIL IN DISC IN POWER POLE  
S40°09'W- 32.65' TO SET IRON REBAR 5/8" WITH PLASTIC CAP  
N48°24'W- 32.78' TO SET IRON REBAR 5/8" WITH PLASTIC CAP

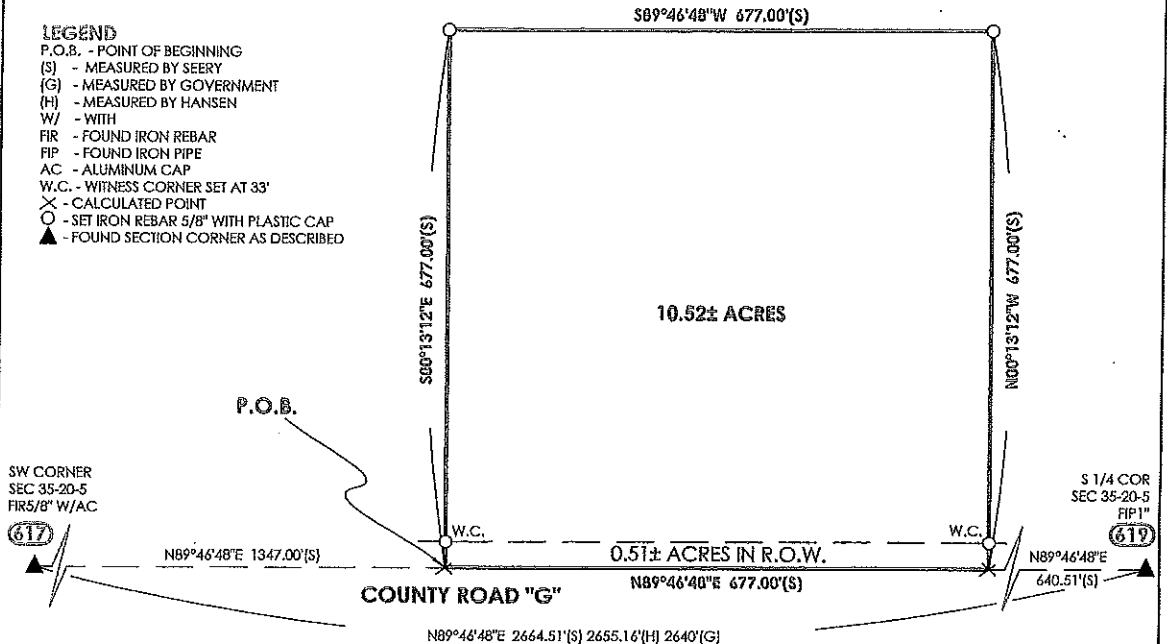
(619)

SOUTH 1/4 CORNER  
SECTION 35-20-5  
FOUND IRON PIPE 1"

N- 33.12' TO FOUND BEARING PLATE ON FENCE POST  
S39°08'E- 32.17' TO SET IRON REBAR 5/8" WITH PLASTIC CAP  
SSW- 37.68' TO FOUND BEARING PLATE ON POWER POLE  
S39°44'W- 31.45' TO SET IRON REBAR 5/8" WITH PLASTIC CAP  
W.- 1.3' TO FENCE LINE RUNNING NORTH

### LEGEND

- P.O.B. - POINT OF BEGINNING
- (S) - MEASURED BY SEERY
- (G) - MEASURED BY GOVERNMENT
- (H) - MEASURED BY HANSEN
- W/ - WITH
- FR - FOUND IRON REBAR
- FIP - FOUND IRON PIPE
- AC - ALUMINUM CAP
- W.C. - WITNESS CORNER SET AT 33'
- X - CALCULATED POINT
- - SET IRON REBAR 5/8" WITH PLASTIC CAP
- ▲ - FOUND SECTION CORNER AS DESCRIBED



**Milestone  
Land Surveying L.L.C.**

2406 Highway 32  
Oakland, Nebraska 68045  
Cell 402-380-6736  
E-mail MilestoneLS689@gmail.com

**CERTIFICATION**  
I HEREBY CERTIFY THAT THIS SURVEY DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

FEBRUARY 10, 2022  
DATE OF SIGNATURE

*Nicholas Seery*  
NICHOLAS SEERY

DRAWN BY: JMC  
CHECKED BY: NNS

FIELD DATE: 2/7/2022  
PROJECT #: 2022007

