

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of David A. Uher Estate 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 16 day of August, 2022.

BY: _____

LOT SPLIT APPLICATION
Dodge County, Nebraska

Date July 20, 2022

Property Owner's Name David A Uher Estate / Anita J Evers, PR

Address: in care of Alton Pearson Auctions & Realty PO Box 25, Skopon, NE 68031

Phone No. 402-654-3370

Legal Description of the Property to be split A tract of Land Lying in Part of the NE 1/4 32-20N-5E

Number of Acres being split off 5.44 Zoning District A1

Total Number of Acres the subdivision subdivided from 120 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) Estate of David A. Uher / Anita J. Evers P.R.

Applicant's Address 4922 GRANT St. Omaha, NE 68104

Applicant's Signature Estate of David A. Uher / Anita J. Evers P.R.

OFFICE USE ONLY

Permit No. 2022-006

Date 8-16-22 Approved _____
Disapproved _____

Chairman, Dodge Co. Planning Comm.

Date 8-24-22 Approved _____
Disapproved _____

Chairman, Dodge Co. Board of Superv.

**APPLICATION FOR CONDITIONAL USE
Dodge County, Nebraska**

Date July 20, 2022
Property Owner's Name David A Wheeler Estate / Antoinette Ewers, PR
Address: in c/o Olson Peterson Auctions + Realty PO Box 25, Seward, NE 68031
Phone No. 402-654-3370 (Home) 402-317-1021 (Work)

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

Section 32 Township 20 Range 5 Lot No. _____
Location within Section NE 1/4 Lot Size 5.44 (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?
yes

Will use conform to all other applicable regulations and laws of any governmental jurisdiction? yes

How are Adjoining Properties Used (Actual Use)

North Ag South Ag
East Ag West Ag

Justification

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

1. What is the general character of the area? Describe.
Farming
2. Can soil conditions support the proposed development? What is the soil classification of the area?
yes / NA
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

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

Enclosed:

Site Plan Soil Suitably Map NA Easements NA - none
Conditions and requirements pending approval of application for a proposed operation and waste disposal plan from the DEQ or other applicable State Agency NA

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.

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 [Signature] Mailing Address 4922 Grant St
Omaha, NE 68104

OFFICE USE ONLY

PERMIT NO. 2022-010

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 8-16-22 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Planning Comm

Date 8-24-22 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Board of Comm

_____ See attachment for added conditions.

ATTEST _____
Dodge County Clerk

Dated this 24 day of August 2022

APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT

(cont.)

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

Permit No. 2022-006

Property Owner's Name Anita J. Evers P.R. / Estate David A. Eker

Address 4922 Grant St. Omaha, NE 68104

Legal Description NE Corner of 32 Section Township 20 N Range 5 E.

Lot Size and Number of Acres 5.44

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 Anita J. Evers P.R.

Mailing Address 4922 Grant St Omaha, NE 68104

Telephone No. 402-305-0035

OFFICE USE ONLY

Brian Pojar 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 8-16-22

Chairman, Dodge County Planning Commission

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: B. P. [Signature]

Address of Applicant: _____

In witness whereof, the parties aforesaid have hereto set their hand with this application 27 day of July 2022

Date filed with Dodge County Joint Planning Commission: 8-16-22

Date filed with Dodge County Board of Supervisors: 8-24-22

Dean Andrews
Dodge County Zoning Administrator or County Building Inspector

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

2022 JUL 27 AM 8:43
RECEIVED
Dodge Co Highway Dept

**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

August 5, 2022

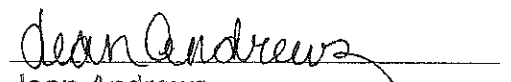
David A. Uher Estate
Attn: Anita J. Evers, PR
c/o Farmers National Co.
P.O. Box 542016
Omaha, NE 68154

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held August 16, 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 August 24, 2022 where your applications will be heard at approximately 9:30 A.M.

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

Thank you,


Jean Andrews,
Dodge County Zoning Administrator

Enclosure

Cc: Olson Pearson Auctions & Realty
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

August 6, 2022

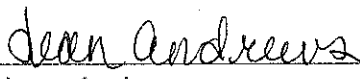
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a Public Hearing on Tuesday, August 16, 2022 at 4:30 P.M. in the Dodge County Board of Supervisors Room, 3rd Floor, Dodge County Courthouse, Fremont, NE 68025 to consider the request of David A. Uher Estate/Anita J. Evers, P.R. c/o Olson Pearson Auction & Realty of P.O. Box 25, Hooper, NE 68031 to subdivide a 5.44- acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12 Section 2. Conditional Uses 4.2 Exemptions B. located in Part of North ½ NE ¼ Section 32, 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 the matter at 4:30 P.M., Tuesday, August 16, 2022 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting a 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 the 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

PUBLIC HEARING CASE NO. _____

OWNER: David Uher- Estate
Address: % Farmers National CO
P O Box 542016
Omaha, NE 68154
Anita J Evers, PR

Proposed Subdivided Tract:

The North Half of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter, in Section 32, Township 20 North, Range 5 East of the 6th 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
Alusa Farms, Inc	9016 CR P-28 Fort Calhoun, NE 68003

Ronald H and Peggy A Sindelar	687 CR 3 Scribner, NE68057
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Jeffery Gene and Audra May Uher	4715 N State Rd Larwill, IN 46764
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Gerald A Uher, Trustee	3409 N Ohlman St Mitchell, SD 57301
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David A Uher and Donna R Uher	%Farmers National Co P O Box 542016 Omaha, NE 68154
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2022 JUL 25 AM 9:43
FEDERAL
Dodge County Dept

Michael T Baumert

308 CR F
Dodge, NE 68633

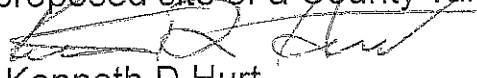
Glen A Kreikemeier

284 CR F
Dodge, NE 68633-3035

Donald A Sindelar

266 CR F
Dodge, NE 68633

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.



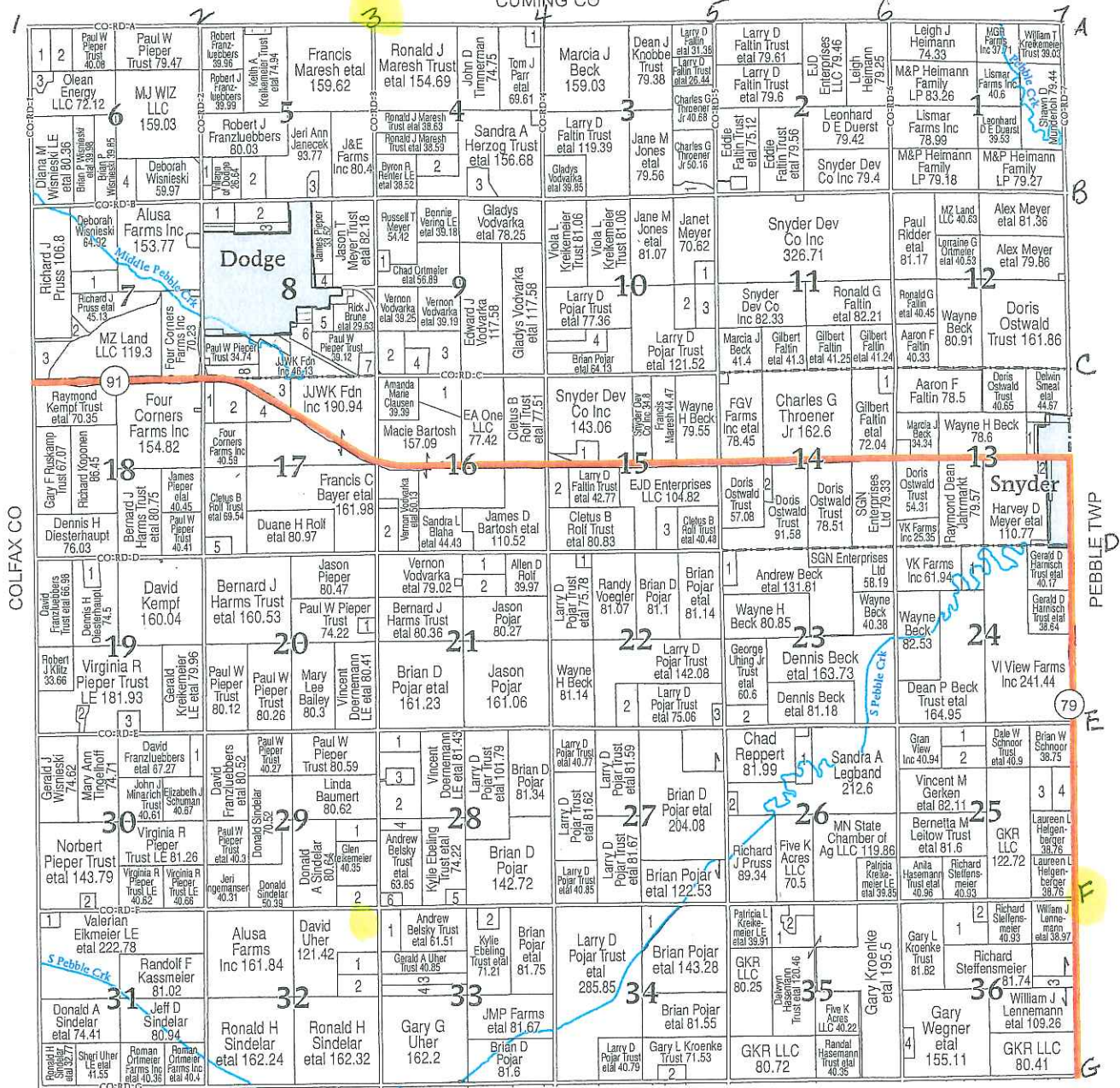
Kenneth D Hurt

Certificate of Authority # 405

July 21, 2022

(Landowners)

CUMING CO



PLEASANT VALLEY TWP

WEBSTER TOWNSHIP

SECTION 3

- 1. Throener, Brian J etal 10.05

SECTION 4

- 1. Parr, Tom J etal 7.69
- 2. Pathfinder Co 19.28
- 3. Vodvarka, Vernon etal 15.97

SECTION 5

- 1. Wiese, Anthony A etal 6.55
- 2. Ruskamp, Douglas J etal 22.90
- 3. Paus, Jeffrey W etal 6.13

SECTION 6

- 1. Pieper, James 20.18
- 2. Wisnieski, Brian P 20.10
- 3. Clean Energy LLC 8.03
- 4. Franzluebbers, Robert J 18.46

SECTION 7

- 1. Gresham, Deborah etal 21.65
- 2. Pruss, Richard J etal 7.80
- 3. Richard, Pruss etal 19.52

SECTION 8

- 1. Nielsen, Daniel D etal 15.87
- 2. Wisnieski Trust, Theresa A 25.27
- 3. Wisnieski Trust, Theresa A 10.80
- 4. Meyer, Jason T etal 6.01
- 5. Brune, Rick J etal 10.72
- 6. Pieper Trust, Paul W 8.90
- 7. Hunke, Leon A 9.01
- 8. Four Corners Farms Inc 13.34

SECTION 9

- 1. Ortmeier, Chad etal 6.12
- 2. Doernemann, James etal 26.36

SECTION 10

- 1. Meyer, Russell T 10.51
- 2. Jones, Jane M etal 20.25
- 3. Faltin Trust, Eddie etal 20.26

SECTION 11

- 1. Lyne Realty LP 20.41

SECTION 13

- 1. Smeal SFA LLC 6.12

SECTION 14

- 1. Hunke Dev LLC 9.73
- 1. Wynn Trust, Walker D etal 9.34
- 2. Kennedy, Roland Scott 6.28

SECTION 15

- 1. Maresh, Gerald J 12.24
- 2. Harms, Toby 18.62
- 3. Rolif Trust, Cletus B etal 20.23

SECTION 16

- 1. Vodvarka, Gladys etal 30.19
- 2. Vodvarka, Vernon etal 20.32

SECTION 17

- 1. Wisnieski, John M etal 9.36
- 2. Cooperative Supply Inc 26.70

SECTION 19

- 3. Four Corners Farms Inc 15.97
- 4. MGR Farms Inc 17.97
- 5. Rolif, Eric M etal 11.50

SECTION 21

- 1. Anders, Doug 9.90
- 2. Pieper, Chad C etal 5.13
- 3. Pieper, Chad C etal 10.52

SECTION 20

- 1. Uher, Eugene etal 6.19

SECTION 21

- 1. Rolif Trust, Cletus B etal 19.99
- 2. Rolif Trust, Cletus B etal 20.03

SECTION 22

- 1. Grovijohn, Thomas W etal 5.19
- 2. Pojar Trust, Larry D etal 20.30
- 3. Gilbertson, Eric W etal 6.27

SECTION 23

- 1. Beck, Leroy W etal 11.39
- 2. Uhing Jr Trust, George etal 20.13

SECTION 24

- 1. Jahrmarkt, Raymond Dean 20.63

SECTION 25

- 1. Kroenke Trust, Gary L 20.46
- 2. Kroenke Trust, Gary L 20.46
- 3. Schnoor Trust, Dale W etal 20.64
- 4. Schnoor, Dale W 18.13

SECTION 26

- 1. Legband Sandra A Family LP 17.22

SECTION 27

- 2. McCuffee Trust, Justin etal 5.69

SECTION 28

- 1. Baumert, James 20.14
- 2. Baumert Trust, Thomas etal 50.93
- 3. Baumert, Tom G etal 10.34
- 4. Belsky, Andrew R etal 10.60
- 5. Hunke, Russell L etal 7.35
- 6. Baumert, Michael T 7.15

SECTION 29

- 1. Kreikemeier, Glen A 20.16
- 2. Kreikemeier, Glen 20.19

SECTION 30

- 1. Franzluebbers, David etal 14.04
- 2. Pieper Trust, Norbert etal 5.50

SECTION 31

- 1. Uher, Randy G etal 7.36

SECTION 32

- 1. Uher, Jeffery G etal 20.24
- 2. Uher, Jeff etal 20.26

SECTION 33

- 1. Ebeling, Zachary S etal 10.50
- 2. Uher, David A 20.24
- 3. Uher Trust, Gerald A 20.42
- 4. Uher Trust, Gerald A 20.41

SECTION 34

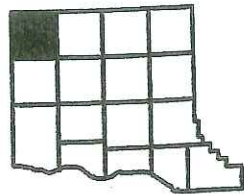
- 1. Kroenke Trust, Gary L 19.92
- 2. Lou Kroenke Farm Inc 9.92

SECTION 35

- 1. Kreikemeier Trust, Randy J etal 28.61
- 2. Kreikemeier Trust, Randy J etal 11.44

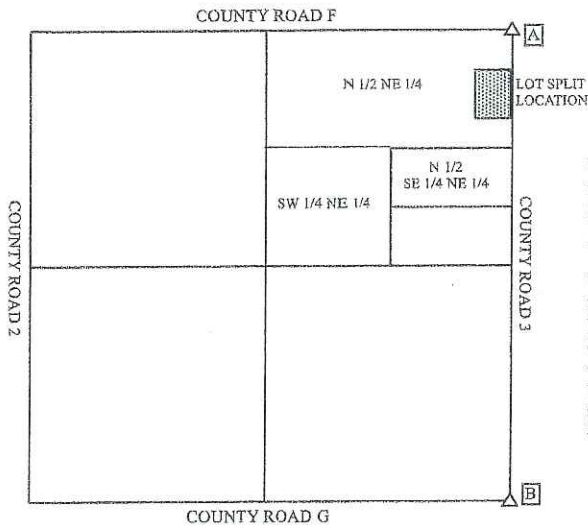
SECTION 36

- 1. Steffensmeier, Richard J 34.26
- 2. Steffensmeier Ag Inc 6.67
- 3. Lennemann, William J etal 10.18
- 4. Wegner, Judith etal 8.02



A LOT SPLIT SURVEY LOCATED IN PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.

VICINITY MAP - NO SCALE



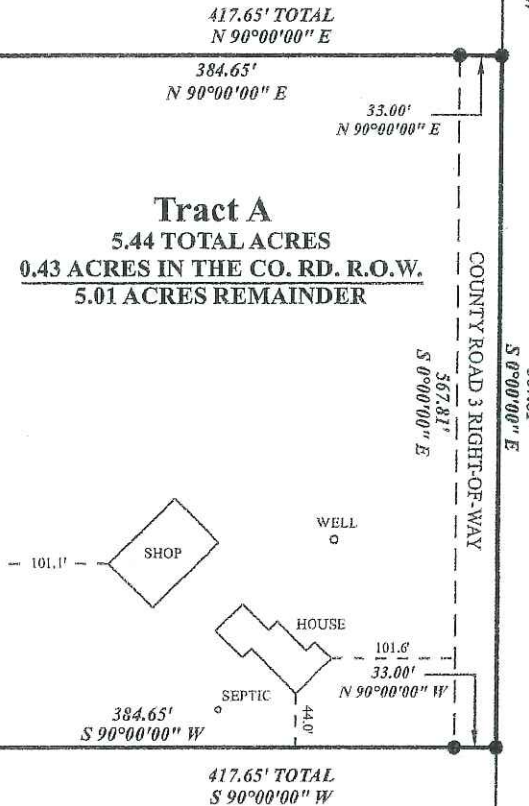
SECTION 32, TOWNSHIP 20 NORTH, RANGE 5 EAST

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, CONTAINING 5.44 ACRES, MORE OR LESS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32 AND ASSUMING THE EAST LINE OF SAID SECTION TO BEAR SOUTH 0°-00'-00" EAST; THENCE SOUTH 0°-00'-00" EAST ALONG THE EAST LINE OF SECTION 32 A DISTANCE OF 457.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°-00'-00" EAST A DISTANCE OF 567.81 FEET; THENCE SOUTH 90°-00'-00" WEST A DISTANCE OF 417.65 FEET; THENCE NORTH 0°-00'-00" EAST A DISTANCE OF 567.81 FEET; THENCE NORTH 90°-00'-00" EAST A DISTANCE OF 417.65 FEET TO THE EAST LINE OF SECTION 32 AND ALSO THE POINT OF BEGINNING.

NORTHEAST CORNER
SECTION 32, T-20-N, R-5-E
FOUND A 5/8" REBAR, FLUSH
IN N-S CL JOINT
WNW 54.22' TO AN 'X' IN THE N END OF A CMP
NE 82.61' TO 'X' NAILS IN A RR TIE POST
SW 44.42' TO A DUPLEX NAIL IN A POWER POLE



Tract A
5.44 TOTAL ACRES
0.43 ACRES IN THE CO. RD. R.O.W.
5.01 ACRES REMAINDER

LEGEND

- △ SUBDIVISIONAL CORNER FOUND - "AS NOTED"
- PROPERTY CORNER SET - 5/8" REBAR WITH AN RLS 622 PLASTIC CAP



SCALE 1" = 150'

NOTE: ALL DISTANCES ARE MEASURED DISTANCES.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS LAND SURVEYING 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.

NAME: PATRICK W. KIRK

DATE: 7-05-2022 REGISTRATION NO. 622



SOUTHEAST CORNER
SECTION 32, T-20-N, R-5-E
FOUND A 1" O.T.P., 1.2' DEEP
SW 43.01' TO A DUPLEX NAIL IN A POWER POLE
NE 44.10' TO 'X' NAILS IN TOP OF A WOOD POST
NNE 49.47' TO 'X' NAILS IN TOP OF A WOOD POST