

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Palleton, Inc. ~~Oakland-Marshall LLC~~ 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 20 day of December, 2022.

BY: _____

APPLICATION FOR CONDITIONAL USE
Dodge County, Nebraska

Date 11/29/2022

Property Owner's Name Current: BESTNPET INC, Contingent Owner: Palleton, Inc (This Purchase is Contingent on the Approval of this Conditional Use Application)

Address: 1669-1681 COUNTY RD 21 FREMONT, NE 68025-7315

Phone No. 402-740-9226 (Home) 402-740-9226 (Work)

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: We would like to amend the current Conditional Use Permit, which is to manufacture dog treats, to a Conditional Use of storing and cutting lumber using the existing buildings.

Section 21 Township 18 Range 8E Lot No. 270118398

Location within Section S.E Corner Lot Size 436,036 sqft (Sq.Ft./Acres)

Estimated Cost of Structure/Use \$ N/A Zoning District A-2

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 Agricultural South Agricultural
East Agricultural West Agricultural

Justification

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

1. What is the general character of the area? Describe.
Agricultural area with some flex manufacturing entities. The property at 1669-1681 COUNTY RD 21 FREMONT, NE 68025-7315 is a flex manufacturing property with pole buildings.

2. Can soil conditions support the proposed development? What is the soil classification of the area?
N/A - No soil will be disturbed

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, the current water, sewer and drainage is more than adequate for the use.

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

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4. Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?
N/A 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 Yes Soil Suitably Map No Easements On Site Map

Conditions and requirements pending approval of application for a proposed operation and waste disposal plan from the DEQ or other applicable State Agency N/A

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 \$ 200.00 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 Steve Gallucci Mailing Address 1504 Vinton St, Omaha, NE 68108

OFFICE USE ONLY

PERMIT NO. 2022-011

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 12-20-22 Approved ✓
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Planning Comm

Date 12-28-22 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Board of Comm

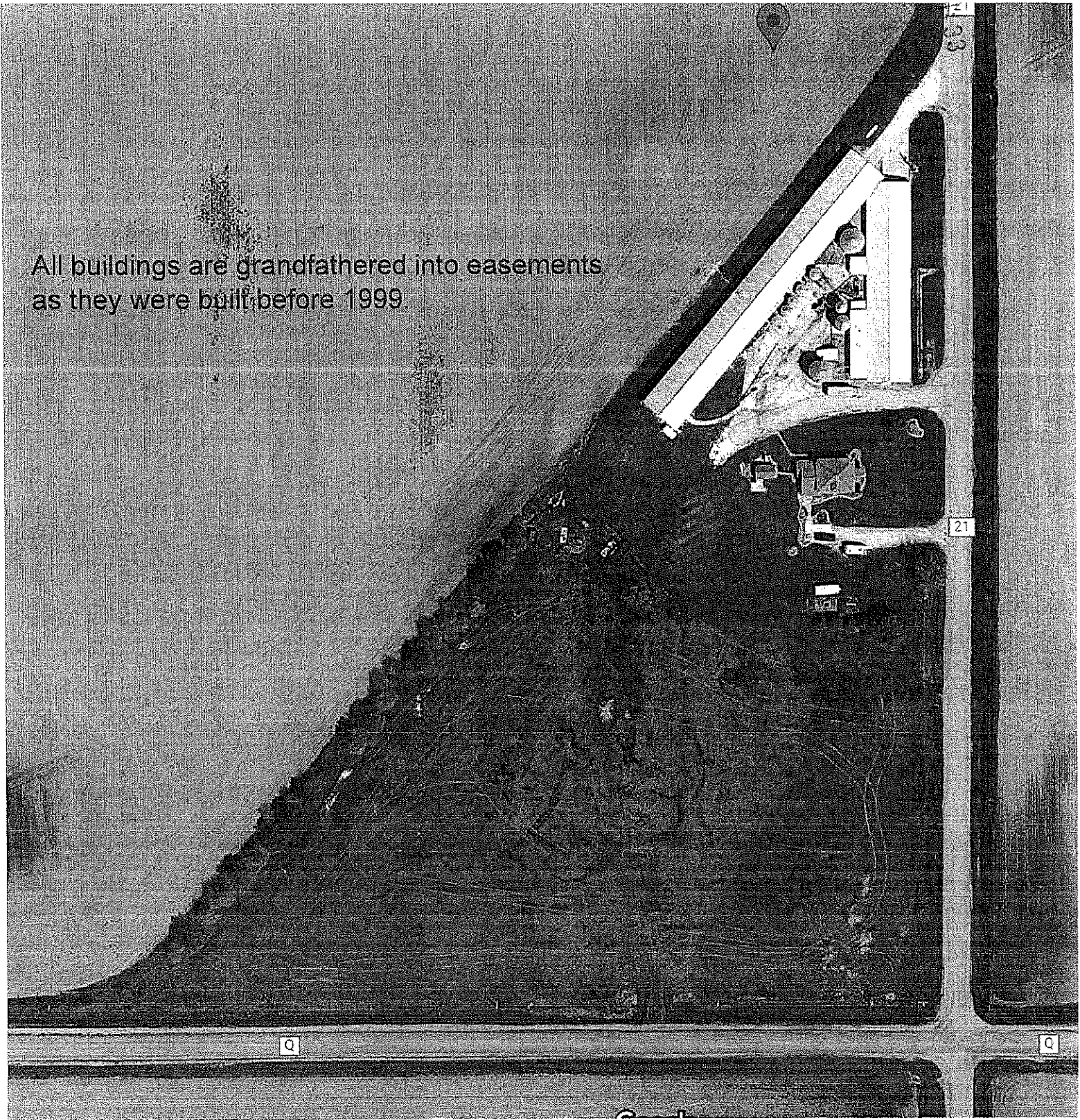
_____. See attachment for added conditions.

ATTEST _____
Dodge County Clerk

Dated this _____ day of _____ 20__

2027 REC-2 PH
PROJECT
BOSTON, MA

All buildings are grandfathered into easements
as they were built before 1999.



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

December 9, 2022

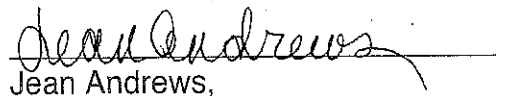
Oakland-Marshall
c/o Steve Gallucci
1504 Vinton St.
Omaha, NE 68106

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held December 20, 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 December 28, 2022 where your application will be heard at approximately 9:35 A.M.

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

Thank you,


Jean Andrews,
Dodge County Zoning Administrator

Enclosure

Cc: BestnPet Inc.
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

December 9, 2022

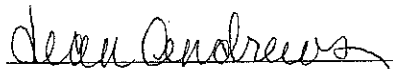
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a Public Hearing on Tuesday, December 20, 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 BESTNPET INC. c/o Palleton, Inc of 1669-1681 County Road 21, Fremont, NE 68025 to amend a Conditional Use Permit to store and cut lumber in the existing structures as per Article 11 Non-Conforming Uses of Structures and Premises, Section 4 located in SE. Corner Section 21, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag.

The Dodge County Planning Commission will hold a public hearing on the matter at 4:30 P.M., Tuesday, December 20, 2022 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the Amended 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 TITLE & ESCROW CO., LLC
549 NORTH MAIN STREET,
FREMONT, NE 68025
402-721-5833**

NAME AND ADDRESS SEARCH

Request Made By: **Palleton, Inc.**

We, **DODGE COUNTY TITLE & ESCROW CO., L.L.C.**, hereby certify that we have checked the records of the County Assessor of Dodge County, Nebraska, for the purpose of presenting a list to the Zoning Administrator of said County and find the following named persons are shown as property owners of land adjoining the property described as:

Tax Lots 7, 8 and 10 in Section 21, Township 18 North, Range 8 East of the 6th P.M., Dodge County, Nebraska.

The list of names and addresses include all property owners within 300 feet of said property:

See Exhibit A

The liability of Dodge County Title & Escrow Co. is limited to the information available in the office of the County Assessor and in no way extends to the correctness of the fee simple title to subject property. A certified search of the records or a Title Insurance Policy would be required to assure the fee simple ownership and any existing liens.

Dated: November 29, 2022

DODGE COUNTY TITLE & ESCROW CO., L.L.C.

Charlene Gordon

Registered Abstracter
Certificate No. 147
Order No. 221014

2022 DEC - 2 PM 12: 19
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Dodge County Title & Escrow Co.

EXHIBIT A

Kirk D. & Jeanne M. Brand	2190 Rosedale Rd Fremont, NE 68025-7830	NE1/4 SE1/4 & TL's 9 & 11	21 - 18 - 8	270118405
Roger G. & Debora L. Petersen	1723 County Rd 21 Fremont, NE 68025	TL 16	28 - 18 - 8	270120729
Shepard Farms, Inc. % John Weier	2146 County Rd P Fremont, NE 68025-7837	NW1/4, W1/2SE1/4 & TL's 3, 4 & 5	27 - 18 - 8	270118412
Williams Ag Corp % J M Williams	6011 Rolling Hills Blvd Lincoln, NE 68512-1843	NW1/4 SW1/4 & TL2	22 - 18 - 8	270129199