Agenda Ite	m #	239
Date	7/12/2	3

# DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Gerad Brichacek	_for a
conditional use permit, the Dodge County Planning Commission and as relieved	s (Criccit
as many as apply):	

conditional use perr as many as apply):	mit, the [	Dodge County Planning Commission into as follows (end six
DISAPPROVAL - F	ACTUA.	L FINDINGS:
1.	Does n	not protect the comfort, convenience, appearance, prosperity eral welfare of abutting properties and citizens.
2.	Location health	on and characteristics of the use will be injurious to the , safety, morals and general welfare of the area.
3.	Condit regula	tional use does not conform to the intent and purpose of the tions and the comprehensive plan.
, <u></u> .	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.
	С.	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 - F	<u>4CTUAL</u>	. FINDINGS:
1.	Cor pros	nditional use protects the comfort, convenience, appearance, sperity or general welfare of abutting properties and citizens.
2.	Loc hea	ation and characteristics of the use will not be injurious to the lith, safety, morals and general welfare of the area.

3.	Conditional use	conforms to the i	ntent and purpose o	of the
	regulations and	the comprehensi	ve plan.	
	a. Use conflocated.	orms to regulatio	ns of the district in w	vhich it is
	b. Ingress a	and egress are de blic street, road o	esigned to minimize or highway.	congestion
<u> </u>	c. Use is in appropri	harmony with th ate use of the lar	e character of the ard.	rea and most
	d. Use con	serves and stabi	izes the value of the	property.
	e. Use pro	vides adequate c	pen space for light a	and air.
	f. Use doe	es not adversely a	affect concentration	of population.
	g. Use doe	es not congest pu	blic streets.	,
	-	motes public saf	ety, health, conveni	ence and
	i. Other:_			•
DATED this 2	day of	June	, 20 <u>23</u> .	. ,
BY:				
•				

## DODGE COUNTY # 2023 - 006 BIOMASS PERMIT APPLICATION FOR CONDITIONAL USE PERMIT

1.	Date: 6-7-23
2.	Applicant Name: Geral Brichacek
	Address: 1765 Road Q Oodge NE 68633
	Phone No. 402 - 720 - 9197
3.	Legal Description of the Storage Site Location NW 4 19-19-6E
4.	Legal Description of the Application Site Location Nw 1/9 19-19-5E
5. Biosol	Name, Address, Phone Number of the owner or owners of the generators of the blids:  Cargill Inc 650 Industrial Park Drive  Blair NE 68008
Phone	e No: 402 - 533-4100
3.	Name, Address, Phone number of the name of
3ioma	Name, Address, Phone number of the person who will be applying and/or storing the ass: <u>Fnvironmental Land Management</u> LLC P.D. Box 50004 Minneapolis, MN 55405 (612)3

- Application and/or storage of biomass will comply with all state and federal regulations.
- 8. All permits will be in effect for one (1) year from the date of issuance.
- Permits may be revoked or suspended for any violation of the terms or conditions of the permit at any time by action of the Dodge County Planning Commission and/or Dodge County Board of Supervisors. Permits are non transferable.
- Failure to comply with these regulations shall be grounds for prosecution under Nebraska Revised Statutes Sec. 23-114.05.

The following information is to be included with, the permit application:

Map showing all wells, streams, surface water, watercourses, wetlands and inhabited dwellings within 1000 feet of the application location, information showing the routes to be used by the trucks and an explanation of how the biosolids will be transported from the generation site to the

A list of the names and addresses of neighboring home sites or farmsteads either owned or rented and adjacent landowners within 1000 feet of proposed site certified by a land abstractor.

A description of the method of applying of material and possible incorporation into the soil. This description must include a discussion of methods to be used during periods of unfavorable weather and soil conditions as well as normal favorable conditions.

moidded in the pennit.	f acres which is proposed to be land applied shall be
11. FEE: #250 Per permit applicat	ions (Application fee is not refundable)
Make checks payable to: Dodge County 2 435 N. Park Rn Fremont, NE 68	Zoning No. <u>2023 - 006</u> n. 204
Signatures:	
Hamil Brulul	APPROVED:
Lend Bright Farmer/Operator	Denied
Hende Buch Property Owner	Dodge County Planning Commission
Qune 27, 2023 Planning Commission Date	Chairman, Planning Commission
Date County Board Meeting	Chairman, Dodge County Board
	Attest:
	Dodra Co. J. Cl. J.
This Permit is valid until	Dodge County Clerk

### TABLE OF LAND MEASUREMENTS

#### **Square Measure**

4840 Sq. Yds. . . . . . 1 Acre 640 Acres ..... 1 Sq. Mile

1 Sq. Mile . . . . . 1 Section 36 Sq. Miles . .1 Civil town

80 Rods Sq . . . . . 40 Acres 6 Miles Sq . . . . 1 Civil town

T-19-N

#### PLEASANT VALLEY PLAT



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Gerald Brichacek etal 175 Martin Peters etux 40	Donglas Haase 75 Haase 75 Pring Janice Pobrock	Byron Dunker 320	Inmes Kroenke etux 40 Justina Kroenke etal 40	200  Raymond larms Trust otus 40	Luann Ort- ort- rmeier rmeier rmeier rmeier rmeier cal 40 DPS Landork enter- pritee UC 41	David	Belter 40 Allan etal 40 Ortmeler John	lohn Harms 80	Gary Faltin chux 40 8 PAREN	Gary Fallin 140 Aon	CO RD K	nes gen ist O	Ferg- USON 38 Cotom Disk- wheether etal 39
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UNION TWP.

PLEASANT VALLEY

TOWNSHIP SECTION 1 1. Maraoun, Ricky 5 SECTION 3

1. Vega, Jennifer 6

1. Kreinert, Thomas etux

2. Holub, Mark etux 11 SECTION 7

1. Hunke, Larry 10 SECTION 9

1. Dau, Mary 10 SECTION 11 1. Shellview Inc 10 SECTION 13

1. Rasmussen, Kyle etux

SECTION 14

1. Ferguson, Bradley etux 7 SECTION 16

1. Ortmeier, Alian etux 8 SECTION 19
1. Payne, Paul etux 10
2. Brichacek, Gerald etux

etux 13
SECTION 23

1. Petersen, Schawn etux
10 SECTION 25 1. Renner, Warren 6 Renner, Warren 6 SECTION 31
 Stuehmer, Mark etux 10 1. Wittmen, Douglas etux 3 Maynard, Clinton 5 7

SECTION 22 1. Kreikemeier, Raymond

4. Spath, James etux 8

SECTION 26
1. Johnson, Eric etux 6
SECTION 28

Pojar, Larry 22
 Cappellano, Trinity etal

SECTION 34

1. Emanuel, Keith 6

2. Bacon Hill LLC 10 SECTION 35

1. Eyer, Gregory etal 7

# 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

June 13, 2023

Gerad Brichacek 1765 Road Q Dodge, NE 68633

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held June 27, 2023 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 July 12, 2023 where your application 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: File

#### DODGE COUNTY TITLE & ESCROW CO., LLC 549 NORTH MAIN STREET, FREMONT, NE 68025 402-721-5833

#### NAME AND ADDRESS SEARCH

Request Made By: Jerad Brichacek

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:

The East Half of the Northwest Quarter, in Section 19, Township 19 North, Range 5 East of the 6th P.M., Dodge County, Nebraska.

AND

The Northwest Quarter of the Northwest Quarter, Northeast Quarter Southwest Quarter, Part Northwest Quarter Southwest Quarter, Southwest Quarter of the Southwest Quarter and Part of Tax Lot 6 in Section 19, Township 19 North, Range 5 East of the 6th P.M., Dodge County, Nebraska. AND

Tax Lot 4, in Section 19, Township 19 North, Range 5 East of the 6th P.M., Dodge County, Nebraska. AND

Part of the West Half of the Northeast Quarter and the East Half of the Northwest Quarter, in Section 30, Township 19 North, Range 5 East of the 6th P.M., Dodge County, Nebraska.

The list of names and addresses include all property owners within 1,000 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.

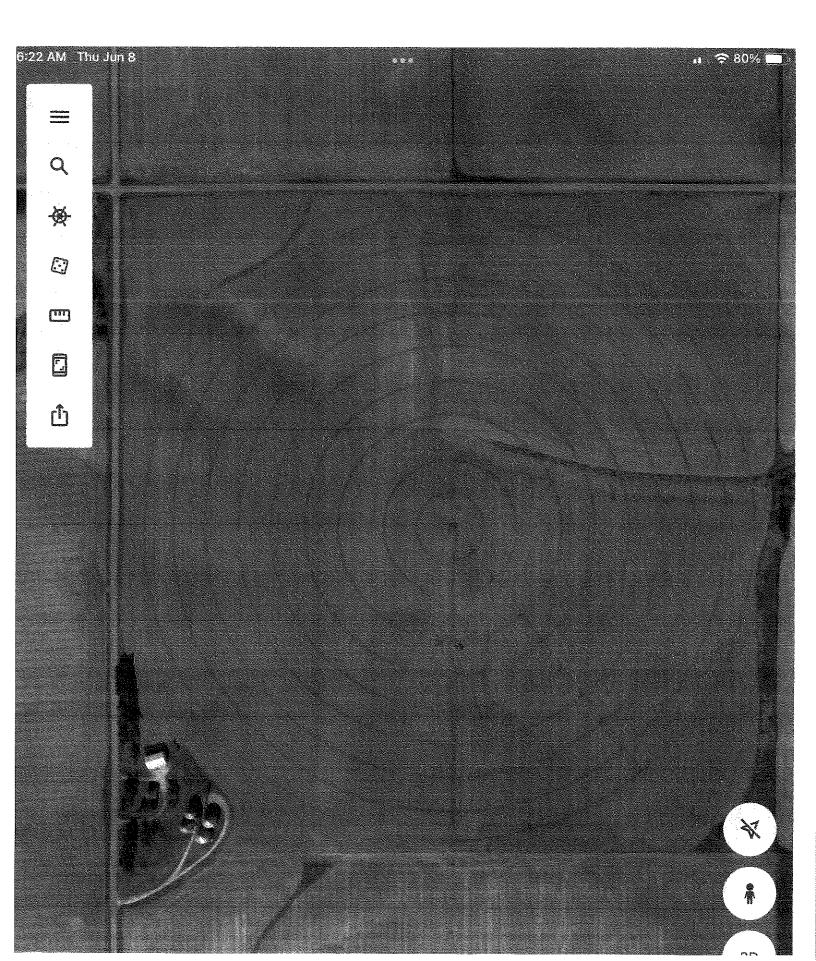
Dated: May 30, 2023

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

Registered Abstracter Certificate No. 147

Order No. 230404





## 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

June 12, 2023

Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a Public Hearing on Tuesday, June 27, 2023 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 the request of Gerad Brichacek of 1765 Road Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in NW ¼ Section 19, Township 19 North, Range 5 East in Pleasant Valley 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, June 27, 2023 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 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

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Dated: May 30, 2023

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

Registered Abstracter Certificate No. 147

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Order No. 230404

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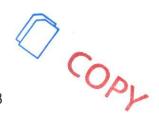
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Mead, NE 68041			
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Mead, NE 68041			
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Kirk Ruzicka & Jay Ruzicka	SE 1/4 SE1/4	13-19-4	1020545.00
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North Bend, NE 68649			-

#### STAFF REPORT

Dodge County Bldg. Insp. & Zoning Dept. Meeting of June 27, 2023



Zoning sign was placed on the property Wednesday, June 21, 2023

**Gerad Brichacek** 

The property is located approximately 6 miles west of Highway 79 and 9 miles north of North Bend, NE. The property lies south of County Road J and intersects with County Road 1. The land is not in a row crop or in a flood plain. County Road J is a well-maintained road.

Respectfully submitted,

Jean Andrews,

Dodge County Zoning Administrator





## AGENDA DODGE COUNTY PLANNING COMMISSION



Dodge County Planning Commission, Tuesday, June 27, 2023, 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 May 16, 2023, Meeting
- Public Hearing: Consider request of Gerad Brichacek of 1765 Road Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in NW ¼ Section 19, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag.

Testimony

For:

Against:

Possible Action:

- 6. Other Business brought to the Board (By Published Addendum)
- 7. Adjournment

AGENDA POSTED AND KEPT CONTINUALLY CURRENT AT THE DODGE COUNTY COURTHOUSE AND DISTRIBUTED TO THE PLANNING COMMISSION ON JUNE 15, 2023. COPIES AVAILABLE AT THE OFFICE OF THE COUNTY ZONING ADMINISTRATOR AND COUNTY CLERK.

# 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 regular meeting June 27, 2023 at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, July 14, 2023 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 items:

 Consider request of Gerad Brichacek of 1765 Road Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in NW ¼ Section 19, Township 19 North, Range 5 East in Pleasant Valley 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.