

AGENDA
DODGE COUNTY PLANNING COMMISSION

Dodge County Planning Commission, Tuesday, June 18, 2019 at 4:30 P.M., Board of Supervisors Room, Courthouse, Fremont, NE.

1. Call to Order at 4:30 P.M. – Roll Call – Declaration of Open Meeting
2. Legality of Meeting – Approval of Agenda
3. Approval of Minutes of May 21, 2019 Meeting
4. **Public Hearing:** Consider request of Rohwer Family Limited Partnership of 16404 Pasadena Cir, Omaha, NE 68130 to subdivide a 8.24-acre parcel and obtain a Conditional Use Permit for existing buildings as per Article 14, Conditional Use to continue to use grain bin and shop (1) located in Part of West ½ SW ¼ Section 36, Township 17 North, Range 9 East in Elkhorn Township, Zoning District A-3, Transitional Ag.

 Testimony:
 For:
 Against:
 Possible Action:
5. Other business brought to the board (by published addendum only)
6. Adjournment

AGENDA POSTED AND KEPT CONTINUALLY CURRENT AT THE DODGE COUNTY COURTHOUSE AND DISTRIBUTED TO THE PLANNING COMMISSION ON JUNE 7, 2019. COPIES AVAILABLE AT THE OFFICE OF THE COUNTY ZONING ADMINISTRATOR AND COUNTY CLERK.

**NOTICE
PUBLIC MEETING AND 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 regularly scheduled meeting, June 18, 2019 at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, July 3, 2019 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 item:

1. Consider request of Rohwer Family Limited Partnership of 16404 Pasadena Cir, Omaha, NE 68130 to subdivide a 8.24-acre parcel and obtain a Conditional Use Permit for existing buildings as per Article 14, Conditional Use to continue to use grain bin and shop (1) located in Part of West ½ SW ¼ Section 36, Township 17 North, Range 9 East in Elkhorn Township, Zoning District A-3, Transitional 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.

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Rohwer Family partnership 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 _____ day of _____, 20_____.

BY: _____

Property located 286 Dutch Hill Road Valley NE

LOT SPLIT APPLICATION
Dodge County, Nebraska

Date 5/18/14
Property Owner's Name Rohwer Family Limited Partnership
Address: 16404 Pasadena Cir Omaha NE
Phone No. 402-677-1111 68130

Legal Description of the Property to be split 36-17-9 E Dodge Co.
Number of Acres being split off 7.68 Net Zoning District 8.24 W Rd.
Total Number of Acres the subdivision subdivided from 7.68 from 8.787 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) John Rohwer
Applicant's Address 16404 Pasadena Cir Omaha
Applicant's Signature [Signature] 68130

RECEIVED
Dodge Co Highway Dept
MAY 28 PM 3:34

OFFICE USE ONLY

Permit No. 2019-003

Date 6-18-19 Approved _____
Disapproved _____

Chairman, Dodge Co. Planning Comm.

Date 7-3-19 Approved _____
Disapproved _____

Chairman, Dodge Co. Board of Superv.

8.24

87.87

W 1/2 SW 1/4 36-
17-9E

APPLICATION FOR CONDITIONAL USE
Dodge County, Nebraska

Date 5/27/19
Property Owner's Name Rohrer Family Limited Partnership
Address: 16404 Pasadena Cir Omaha NE
Phone No. 402-677-1111 (Home) _____ (Work) 68130

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: Subdivide Acreage to Continue to Use Grain Bin & Shop.

Section 36 Township 17 Range 9E Lot No. _____

Location within Section 36-17-9E Lot Size 8.24 Acre (Sq.Ft./Acres)

Estimated Cost of Structure/Use \$ NA Zoning District A-3

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 A9 South A9
East A9 West A9

2019 MAY 28 PM 3:34
RECEIVED
Dodge Co Highway Dept

Justification

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

1. What is the general character of the area? Describe. A9 - 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
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 \$ 250 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 16404 Pasadena
Omaha NE 68130

OFFICE USE ONLY

PERMIT NO 2019-010

Permit when Issued Is Transferrable/Transferrable Upon Renewal

Date 6-18-19 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Planning Comm

Date 7-3-19 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__

APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT

(cont.)

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

Permit No. 2019-003

Property Owner's Name

Rohrer Family Limited Partnership

Address

~~16404~~ 16404 Pasadena Cir Omaha NE 68130

Legal Description

W 1/2 of S.W. 1/4 36-17-9E 5th Survey A.A.

Lot Size and Number of Acres

7.68 net 8.24W Roads

Distance from Nearest Livestock Operation

5 miles

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

John H. Rohrer Managing Partner

Mailing Address

16404 Pasadena Cir

Telephone No.

402-677-1111 Omaha NE 68130

OFFICE USE ONLY

John Rohrer 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 6-18-19

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: *John H. Nelson*

Address of Applicant: 16404 Pasadena

In witness whereof, the parties aforesaid have hereto set their hand with this application 28 day of May

Date filed with Dodge County Joint Planning Commission: 6-18-19

Date filed with Dodge County Board of Supervisors: 7-3-19

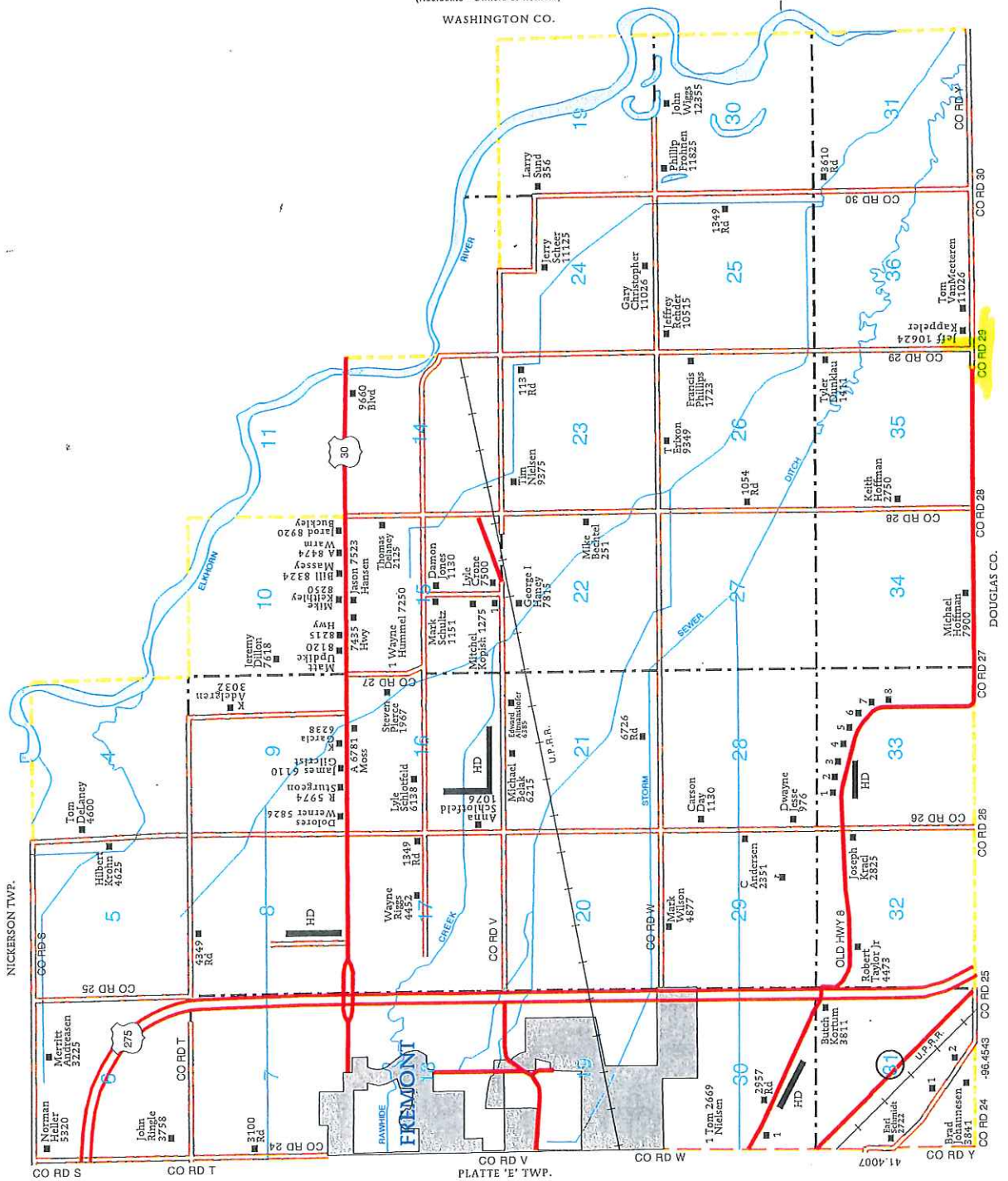
Deann Andrews

Dodge County Zoning Administrator or County Building Inspector

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

2019
68130
Omaha NE
28
MAY 28 PM 3:34
RECEIVED
Dodge Co Hwyway Dept

WASHINGTON CO.



- ELKHORN TOWNSHIP
SECTION 31W
1 Johannesen, Jere 2818
2 Lynch, Dennis 315
SECTION 33
1 Kraci, Joe 5680
2 Taylor, Patricia 5818
3 Kreikemeier, M 5954
4 Boettcher, Jona 6062
5 Witherington, B 6200
6 Dillon, Daniel 6320
7 Nicklaison, Kris 6516
8 Goodwin, Dave 6720

DODGE COUNTY
BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator

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

June 7, 2019

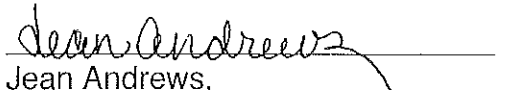
John Rohwer
16404 Pasadena Cir
Omaha, NE 68130

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held June 18, 2019 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 3, 2019 where your application will be heard at 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



Common Land Unit




-  Non-Cropland
-  Cropland
-  Tract Boundary.
-  PLSS

2018 NAIP Ortho Imagery

2019 Program Year

Map Created April 05, 2019

Wetland Determination Identifiers

-  Restricted Use
-  Limited Restrictions
-  Exempt from Wetland Provisions

36-17-9E

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-D26 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NROS).

ROHWER FAMILY LIMITED PARTNERSHIP
16404 PASADENA CIRCLE
OMAHA, NE 68130

1054

27-571040 102
0276972727

5/18/19

DATE

PAY TO THE
ORDER OF

Rodge County zoning
Two Hundred Fifty Dollars \$250⁰⁰

DOLLARS

Security Features include:



Wells Fargo Bank, N.A.
Nebraska
wellsfargo.com

FOR

Pat Ept

[Signature]

⑆104000058⑆ 0275972727⑆ 01054

**DODGE COUNTY
BUILDING INSPECTION & ZONING DEPARTMENT**

JEAN ANDREWS, Zoning Administrator

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

June 7, 2019

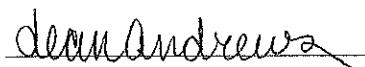
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, June 18, 2019 at 4:30 P.M. in the Dodge County Board of Supervisors Room, 3rd Floor, Dodge County Courthouse, Fremont, NE 68025 to consider request of Rohwer Family Limited Partnership of 16404 Pasadena Cir, Omaha, NE 68130 to subdivide a 8.24-acre parcel and obtain a Conditional Use Permit for existing buildings as per Article 14, Conditional Use to continue to use grain bin and shop (1) located in Part of West ½ SW ¼ Section 36, Township 17 North, Range 9 East in Elkhorn Township, Zoning District A-3, Transitional Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, June 18, 2019 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the 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 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 TITLE & ESCROW CO., LLC
549 NORTH MAIN STREET,
FREMONT, NE 68025
402-721-5833

RECEIVED
Dodge Countyway Dept
MAY 26 PM 1:31

NAME AND ADDRESS SEARCH

Request Made By: NP Dodge Real Estate

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 the property owners of land adjoining the property described as:

The Northwest Quarter of the Southwest Quarter and Tax Lots 6 and 7 in Section 36, Township 17, Range 9, Dodge County, Nebraska.

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

Lynn R. Peters 110 Jefferson Ave Defiance, OH 43512	SE1/4SE1/4, NE1/4SW1/4 & TL 3	36-17-9
Jeffrey A. Kappeler 10624 E County Road Y Valley, NE 68064-5203	TL 4	36-17-9
Kevin Sorensen 10300 E County Rd Y Valley, NE 68064-5217	TL 5	36-17-9
Arlington Farm LLC 6757 Ridge Rd Lincoln, NE 68512-2421	N1/2SE1/4 & TL 3	35-17-9
Fred Hunzeker 3402 N 216th PLZ Elkhorn, NE 68022-2908	SE1/4NE1/4, S1/2NE1/4NE1/4	35-17-9
Lynn R. Peters 110 Jefferson Ave Defiance, OH 43512	SE1/4NW1/4	36-17-9
Bradley W. and Brenda Meineke 2910 County Rd 29 Valley, NE 68064	TL 8	36-17-9

Dean E. Hoffman Jr LIV TR ETAL
28645 Dutch Hall Rd
Valley, NE 68064

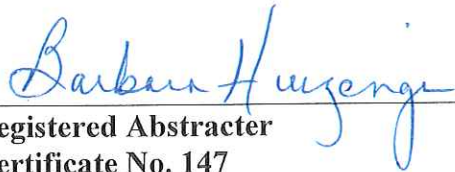
N1/2NW1/4, EX PT FOR RD DESC
IN 2016036337& PT SE1/4NW1/4

1-16-9

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.

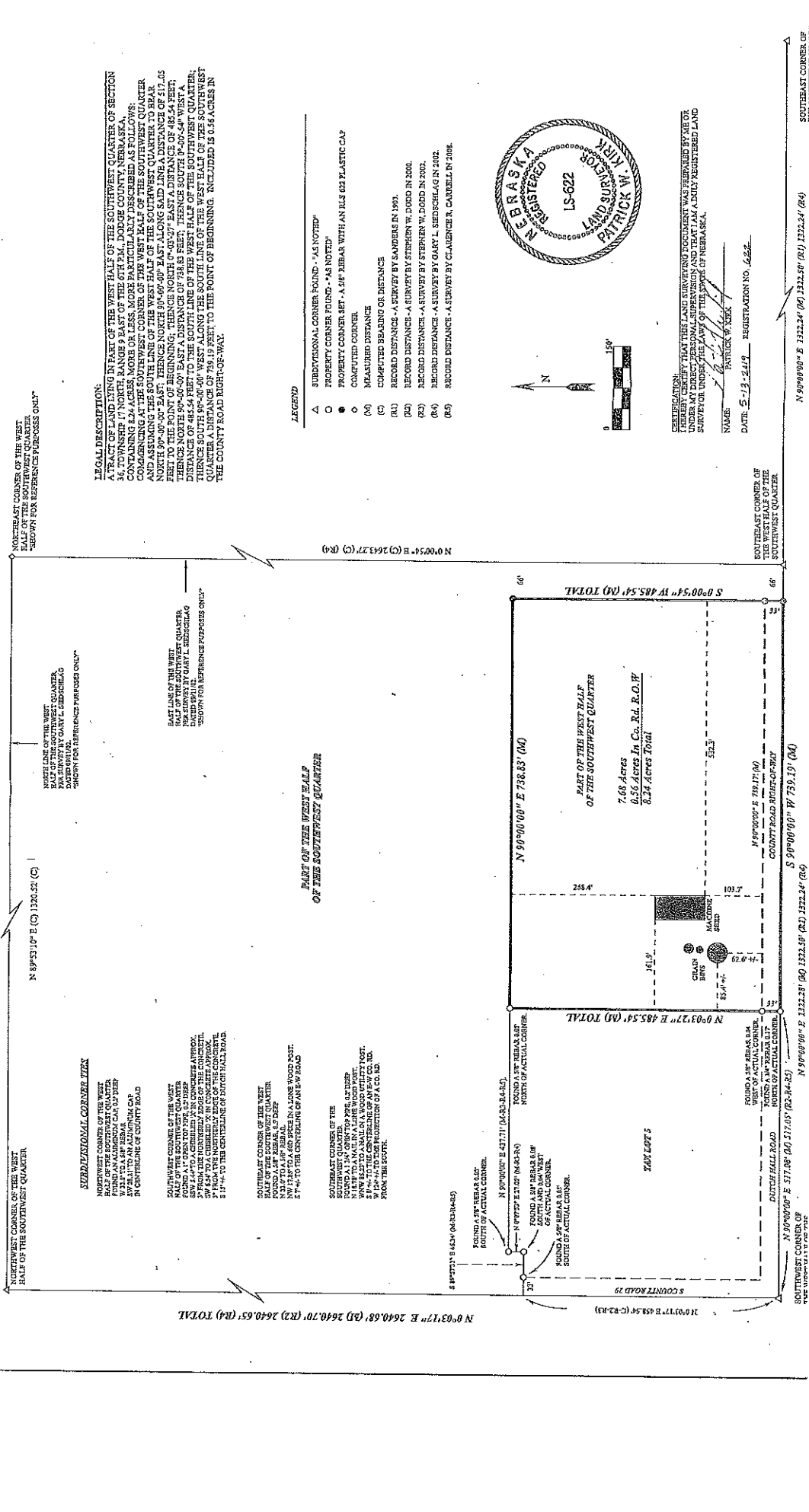
Dated: May 23, 2019

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

A handwritten signature in blue ink, reading "Barbara Huzengeter", is written over a horizontal line.

Registered Abstracter
Certificate No. 147
Order No. 190562

A LOT SPLIT SURVEY LOCATED IN PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.



NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER
 SHOWN FOR REFERENCE PURPOSES ONLY

NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER
 AS SURVEYED BY GARY L. SIEDSCHLAG
 SHOWN FOR REFERENCE PURPOSES ONLY

EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER
 AS SURVEYED BY GARY L. SIEDSCHLAG
 SHOWN FOR REFERENCE PURPOSES ONLY

SUBSTANTIAL CORNER FOUND
 NORTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER
 FOUND BY GARY L. SIEDSCHLAG
 1. 10' TO A 1/2\"/>

SUBSTANTIAL CORNER FOUND
 SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER
 FOUND BY GARY L. SIEDSCHLAG
 1. 10' TO A 1/2\"/>

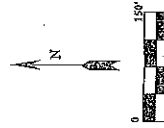
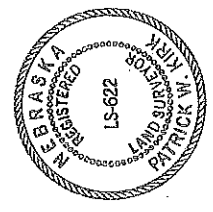
SUBSTANTIAL CORNER FOUND
 SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER
 FOUND BY GARY L. SIEDSCHLAG
 1. 10' TO A 1/2\"/>

SUBSTANTIAL CORNER FOUND
 SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER
 FOUND BY GARY L. SIEDSCHLAG
 1. 10' TO A 1/2\"/>

LEGAL DESCRIPTION:
 A TRACT OF LAND LYING IN PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, CONTAINING 8.24 ACRES, MORE OR LESS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER AND ASSESSING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER TO THE NORTH 89°31'00\"/>

LEGEND

- (A) SUBSTANTIAL CORNER FOUND - "AS NOTED"
- (B) PROPERTY CORNER SET - A 3/8\"/>
- (C) COMPUTED DISTANCE
- (D) MEASURED DISTANCE
- (E) COMPUTED BEARING OR DISTANCE
- (F) RECORD DISTANCE - A SURVEY BY SANDERS IN 1993
- (G) RECORD DISTANCE - A SURVEY BY STEPHEN W. DODD IN 2001
- (H) RECORD DISTANCE - A SURVEY BY STEPHEN W. DODD IN 2001
- (I) RECORD DISTANCE - A SURVEY BY GARY L. SIEDSCHLAG IN 2002
- (J) RECORD DISTANCE - A SURVEY BY CLARENCE CARRELL IN 2004



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. NEEK
 DATE: 5-13-2019 REGISTRATION NO. 6622

SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER

N 89°31'00\"/>