

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Ryan Kuester 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: \_\_\_\_\_

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

Date 7/15/2020  
Property Owner's Name Ryan Kuester  
Address: 1225 County Road B, Scribner, NE  
Phone No. 402-380-1884 (Home) 402-372-1051 (Work)

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: Operate home business as Federal Firearms Licensee (relocating)  
I have operated this business out of my home since 2008 and recently moved to this new address, and must have this use permit for renewal/update.

Section 12 Township 20 Range 6E Lot No. PID: 270098385  
Location within Section NW Corner Lot Size 14 acres (Sq.Ft./Acres)  
Estimated Cost of Structure/Use \$ Existing \$0 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 Residential/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.  
Rural agland with a few residences. My acreage is 14 acres with house and outbuildings.
2. Can soil conditions support the proposed development? What is the soil classification of the area?  
Yes, does not affect soil.
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? Traffic is very minimal (1-2 cars per month, maybe)

**Enclosed:**

Site Plan X Soil Suitably Map n/a Easements n/a

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 \$ 150.00 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 *Ryan Kuester* Mailing Address Ryan Kuester  
DBA River Road Arms  
1225 County Road B, Scribner NE 68057

**OFFICE USE ONLY**

PERMIT NO 2020-004

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 8-18-2020 Approved \_\_\_\_\_  
Approved with Added Conditions \_\_\_\_\_  
Disapproved \_\_\_\_\_ Chair, Dodge County Planning Comm

Date 8-26-2020 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\_\_

RECEIVED  
Dodge County Highway Dept  
2020 JUL 20 PM 1:18

From: **Jean Andrews** zoning@dodgecove.us  
Subject: Re: FFL location requirements  
Date: July 21, 2020 at 11:20 AM  
To: Ryan Kuester rjkuester@gmail.com



Ryan:

I talked to the ATF Field office and he assured me that you need to come to us first. So, think I have everything from you for the meeting.

Thank you.

Jean

On Jul 21, 2020, at 10:20 AM, Ryan Kuester <rjkuester@gmail.com> wrote:

Jean,

I believe you spoke with the ATF field office. I spoke with Chris and a portion of the application reads: "...the business will comply with the requirements of State and local law applicable to the conduct of business..."

If I am required to obtain a conditional use permit by Dodge County, I must do so, please let me know if there is anything else I need to provide you with.



Thanks,

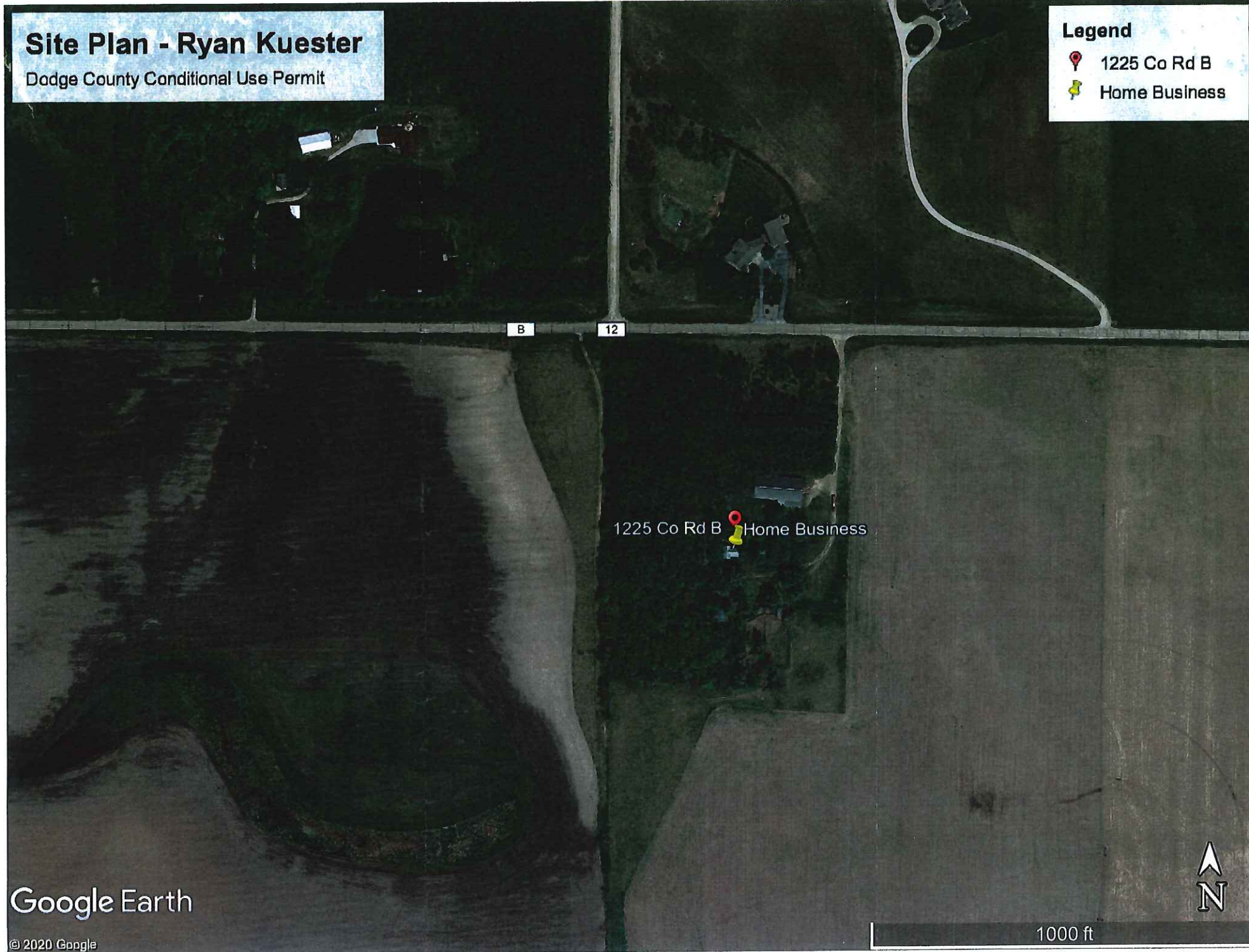
Ryan Kuester

# Site Plan - Ryan Kuester

Dodge County Conditional Use Permit

## Legend

-  1225 Co Rd B
-  Home Business



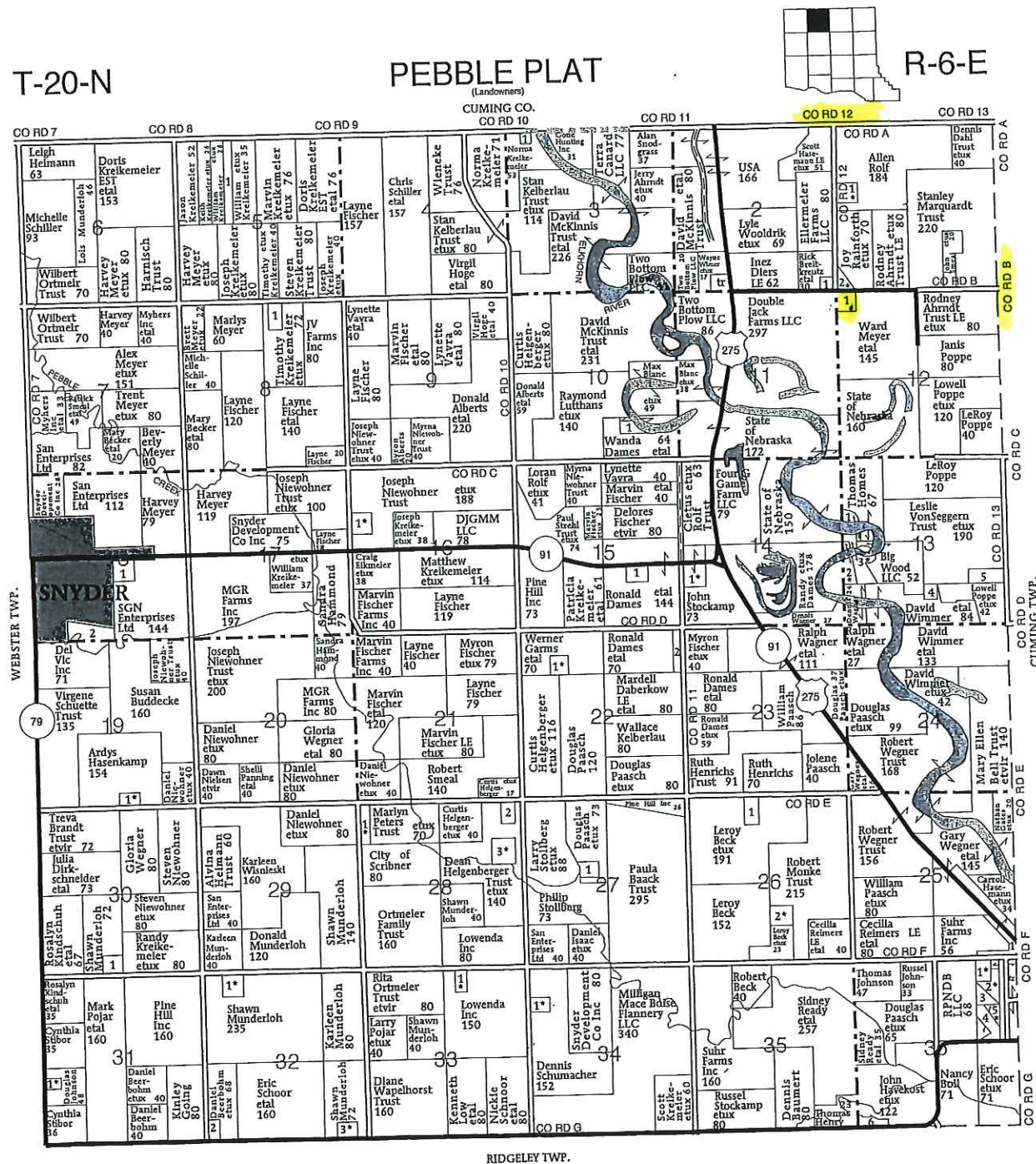
Google Earth

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PLAT & DIRECTORY  
SINCE 1981

**Featuring:** Two maps of each township  
Landowners on one side - Farm residents on the other.  
**Plat Maps:**  
Show the outline of the farm.  
Who owns the land and how many acres are in the farm.  
Section numbers and range numbers.



**PEBBLE TOWNSHIP**

**SECTION 1**

- 1. Ladehoff, Ricky etux 8
- 2. Schmid, Luke etux 8

**SECTION 2**

- 1. Breikreutz, Rick 10

**SECTION 3**

- 1. Kreikemeier, Mark 11

**SECTION 5**

- 1. Kreikemeier Trust, William 17

**SECTION 8**

- 1. Kreikemeier, Timothy 8

**SECTION 10**

- 1. Fuchert, Dorothy 16

**SECTION 12**

- 1. Meyer, Patricia 13

**SECTION 13**

- 1. State of Nebraska 5
- 2. Dames, Randy etux 14
- 3. Bates, William etal 26
- 4. Schwincik Trust, Darlene 5
- 5. Maple Creek Pig Co 10

**SECTION 14**

- 1. Kleberlau LE, Wallace etal 19

**SECTION 15**

- 1. Dames, Ronald 9

**SECTION 16**

- 1. Ferguson, Ryan etal 9

**SECTION 18**

- 1. Omaha Steaks International 10
- 2. Del Vic Inc 12

**SECTION 19**

- 1. Nemecek Trust, Daniel etal 6

**SECTION 22**

- 1. Paasch, Douglas etux 9
- 2. Dames, Robert 10

**SECTION 25**

- 1. City of Scribner 17

**SECTION 26**

- 1. Gallant, Annetta 9
- 2. Welner, Dennis etux 10

**SECTION 27**

- 1. Hoagemeyer Trust, Sara 6

**SECTION 28**

- 1. Schlecht, Susan etvir 10
- 2. Guenther Pig Co 6
- 3. Stollberg, Larry etux 17

**SECTION 30**

- 1. Dirkschneider, Glen 8

**SECTION 31**

- 1. Hansen, Michael etux 11

**SECTION 32**

- 1. Swanson, Michael etux 5
- 2. Beerbohm, Matthew 12
- 3. Wisniewski, Kevin etux 8

**SECTION 33**

- 1. Smeal, John etux 10

**SECTION 34**

- 1. Smeal, John etux 8

**SECTION 36**

- 1. Duncan, Ronald etux 8
- 2. Roby, Kenneth etux 9
- 3. City of Scribner 6
- 4. Nebraska DOT 7
- 5. Vacha, Carol etvir 7
- 6. Scribner Municipal Cemetery 8

**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, 2020

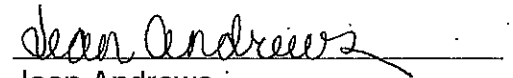
Ryan Kuester  
1225 County Road B  
Scribner, NE 68057

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held August 18, 2020 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 26, 2020 where your application will be heard at 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: 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 5, 2020

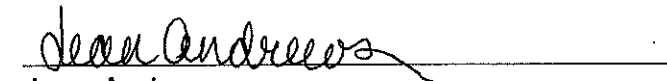
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, August 18, 2020 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 Ryan Kuester of 1225 County Road B, Scribner, NE 68057 to obtain a Conditional Use Permit to operate a home occupation for Federal Firearms as per Article 13 Section 2. Conditional Uses 2.3 located in NW ¼ Section 12, Township 20 North, Range 6 East in Pebble Township, Zoning District A-2, General Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, August 18, 2020 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 TITLE & ESCROW CO., LLC  
549 NORTH MAIN STREET,  
FREMONT, NE 68025  
402-721-5833

**NAME AND ADDRESS SEARCH**

Request Made By: **Cuming County Title & Abstract, LLC**

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 Lot 2 in Section 12, Township 20 North, Range 6 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:

<b>Rick D. Breitzkreutz</b> 1186 County Road B Scribner, NE 68057-1416	<b>PT SE1/4 SE1/4</b>	<b>2 - 20 - 6</b>
<b>Double Jack Farms LLC</b> Jay Smeal 3333 Williamsburg Dr Lincoln, NE 68516	<b>N1/2 NE1/4, NE1/4 SE1/4 &amp; TL 5, 7, 21, 22 &amp; 23</b>	<b>11 - 20 - 6</b>
<b>Ward Meyer, ETAL</b> Patricia Meyer (undiv 1/3 Int ETAL) 20935 Bonanza Blvd Elkhorn, NE 68022-1838	<b>S1/2NW1/4, NE1/4NW1/4 &amp; TL 3</b>	<b>12 - 20 - 6</b>
<b>State of Nebraska</b> 1500 HWY N-2 Lincoln, NE 68502	<b>TL 1 (SW1/4SW1/4)</b>	<b>1 - 20 - 6</b>
<b>Luke J. &amp; Renee D. Schmid</b> 1228 County Rd B Scribner, NE 68057-1378	<b>TL 5 (SW1/4SW1/4)</b>	<b>1 - 20 - 6</b>
<b>Jay &amp; Kelly Rainforth</b> 1214 County Rd B Scribner, NE 68057-1378	<b>PT TL 6</b>	<b>1 - 20 - 6</b>

RECEIVED  
Dodge County Survey Dept  
2020 JUL 20 PM 1:18

Jay & Kelly Rainforth  
1214 County Rd B  
Scribner, NE 68057-1378

NW1/4SW1/4 & PT TL 6

1 - 20 - 6

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: July 15, 2020**

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

*Charlene R. Dodam*

**Registered Abstracter**  
**Certificate No. 147**  
**Order No. 200889**

## LOT SPLITS AND CONDITIONAL USE REQUEST REQUIREMENTS

Know the legal description of the location requiring a lot split and/or conditional use permit so that the zoning district can be determined.

The following paper work and/or forms are required:

1. Applications for a lot split and conditional use permit are obtained from the zoning administrator's office.
2. An original survey and plot plan must be obtained from a licensed surveyor or engineer showing the setbacks of all buildings from the lot lines.
3. If obtaining a conditional use permit only, a site or plot plan, such as an aerial of the area indicating the location must accompany the application.
4. A certified list of the recorded names of the adjoining landowners and their addresses within the area by lines parallel to and three hundred (300) feet from the exterior boundaries of the operation, structure or use involved must be submitted to this office at least 15 days prior to the public hearing date. The notification area of property owners may be increased based upon the application of use and the required distances in each zoning district or otherwise specified in these regulations. Nebraska State Statutes require the adjoining landowners be notified 10 days prior to the hearing date.
5. A no-fee residential use permit must be signed by the future party or parties who will be residing in the single-family dwelling on the proposed acreage.
6. Conditional Use Permit is \$150.00, unless otherwise stated. Lot split fee is \$100.00. When splitting off an existing farmstead, both permits and fees are required. Total: \$250.00. Check is made payable to Dodge County Zoning, 435 N Park, Rm, 204, Fremont, NE 68025.
7. The applicant or a representative of the landowner of record requesting the split and/or conditional use requests must appear at the public hearing to explain their requests.
8. If the request(s) are approved, they are forwarded to the Dodge County Board of Supervisors for final approval. It may be necessary for the applicant to appear at the designated meeting date and time.