

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Breakwater 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.

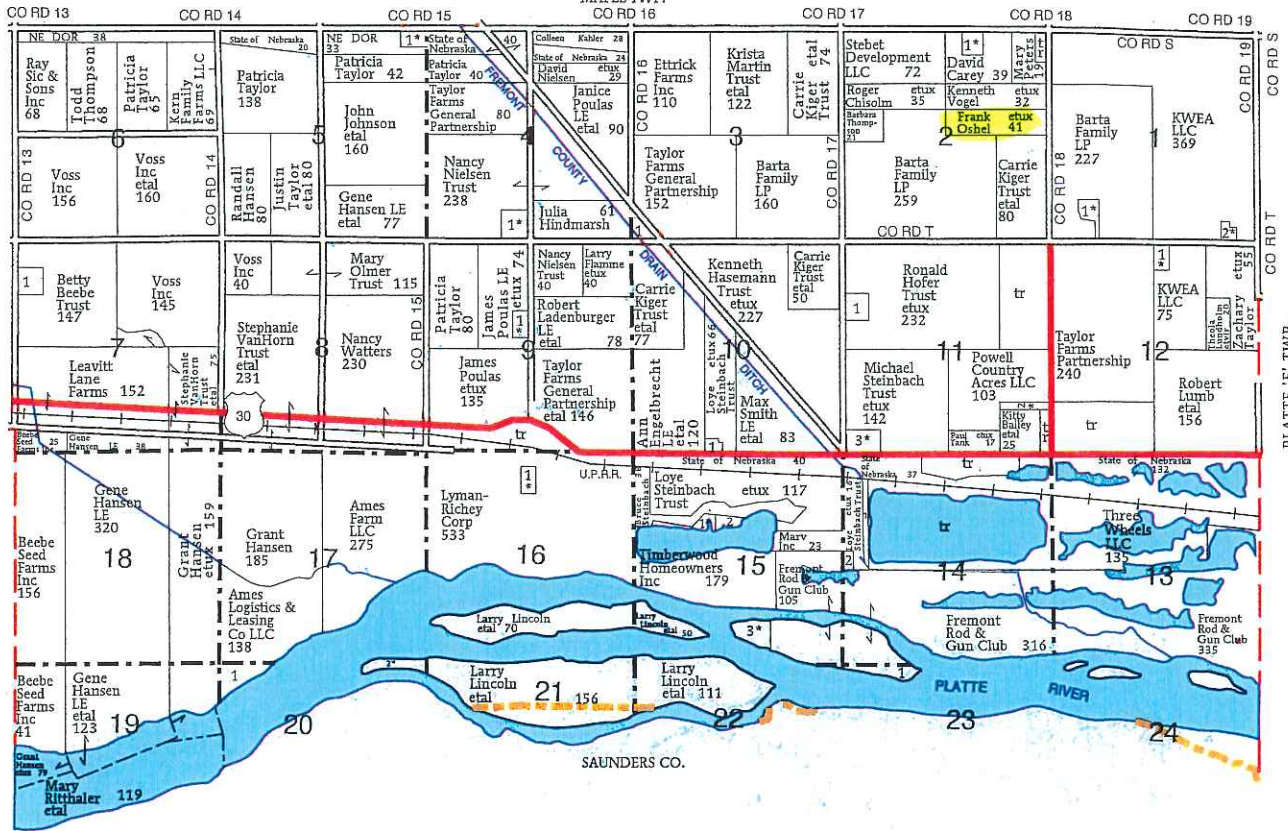
- _____ 3. Conditional use conforms to the intent and purpose of the regulations and the comprehensive plan.
 - _____ a. Use conforms to regulations of the district in which it is located.
 - _____ b. Ingress and egress are designed to minimize congestion in the public street, road or highway.
 - _____ 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 _____ day of _____, 20_____.

BY: _____

(Landowners)

MAPLE TWP.
CO RD 16



PLATTE 'W' TOWNSHIP

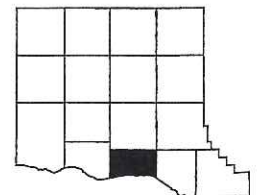
- SECTION 1**
 1. Hesman, Jamie et ux 5
 2. Wilcox, Dustin et ux 5
- SECTION 2**
 1. Ortiz, Ramiro et al 10
- SECTION 3**
 1. Hindmarsh, Julia 8

- SECTION 4**
 1. Nielsen, Gail et al 11
- SECTION 5**
 1. Baier, Kenneth et ux 5
- SECTION 7**
 1. Taylor, Patricia 10
- SECTION 9**
 1. Taylor, Adam et ux 7

- SECTION 10**
 1. Sanden Jr, Merle 5
- SECTION 11**
 1. Pribnow, Peggy 8
 2. Ruda, Chad et ux 6
 3. Suing, Jessica et al 14
- SECTION 12**
 1. Pipal, Steven et ux 5

- SECTION 14**
 1. D&D District 7
 2. Marv Inc 7
- SECTION 15**
 1. Steinbach Trust, Dick et ux 10
 2. Victory Lake Maine Inc 10
 3. Morgan, Lewis et ux 16

- SECTION 16**
 1. Nelson, Leon et ux 5
- SECTION 20**
 1. Ames Logistics & Leasing Co LLC 49
- SECTION 23**
 1. Fremont Rod & Gun Club 61



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

Date 6/1/2021
Property Owner's Name Breakwater LLC

Address: 28001 Ida Cir P.O. Box 589 Valley, NE 68064

Phone No. 402-359-2578 (Home) 402-359-2578 (Work)

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: BORROW PIT FOR 20626A US-30, NORTH BEND TO FREMONT CULVERTS, MISC-30-6(1053)

Section 2 Township 17 Range 7E Lot No. 270139546

Location within Section S1/2 of NE1/4 Lot Size 1,402,196.4 (Sq.Ft./Acres)

Estimated Cost of Structure/Use \$ N/A 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 EXEMPT 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.
Existing Agricultural Ground
2. Can soil conditions support the proposed development? What is the soil classification of the area?
N/A
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)? N/A

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Dodge Co Highway Dept

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 should not be impacted. No access updates. Access to the property will be from driveway @ the N.E corner of the property

Enclosed:

Site Plan Attached Soil Suitably Map Attached Easements None

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

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 [Signature] Mailing Address 28001 Ida Cir P.O. Box 589
Valley, NE 68064

OFFICE USE ONLY

PERMIT NO 2021-004

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 6-15-21 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Planning Comm

Date 6-30-21 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__

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 4, 2021

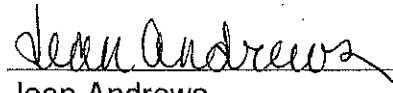
Breakwater LLC
28001 Ida Cir
P.O. Box 589
Valley, NE 68064

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held June 15, 2021 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 June 30, 2021 where your application will be heard at 9:45 A.M.

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

Thank you,



Jean Andrews,
Dodge County Zoning Administrator

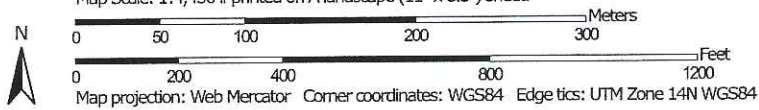
Enclosure

Cc: Tanner Almery,
Valley Corp.

Soil Map—Dodge County, Nebraska



Map Scale: 1:4,450 if printed on A landscape (11" x 8.5") sheet.







































Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

3/16/2021
Page 1 of 3

MAP LEGEND

- Area of Interest (AOI)**
-  Area of Interest (AOI)
- Soils**
-  Soil Map Unit Polygons
-  Soil Map Unit Lines
-  Soil Map Unit Points
- Special Point Features**
-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features
- Water Features**
-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Dodge County, Nebraska
 Survey Area Data: Version 22, Jun 8, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 4, 2014—Feb 16, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
6380	Saltine-Gibbon complex, occasionally flooded	14.3	33.9%
6528	Janude loam, clayey substratum, rarely flooded	2.7	6.4%
7787	Luton silty clay, occasionally flooded	24.7	58.6%
7891	Zook silt loam, overwash, 0 to 2 percent slopes, occasionally flooded	0.5	1.2%
Totals for Area of Interest		42.2	100.0%

**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 4, 2021

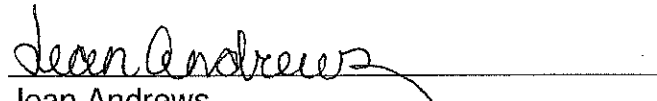
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, June 15, 2021 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 Breakwater LLC of 28001 Ida Cir, P.O. Box 589, Valley, NE 68064 to obtain a Conditional Use Permit for a borrow pit for 20626A US 30, North Bend to Fremont as per Article 14, Section 2. Conditional Uses 2.4 located in S ½ NE ¼ Section 2, Township 17 North, Range 7 East in West Platte Township, Zoning District A-3, Transitional Ag District.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, June 15, 2021 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

2021 JUN -2 PM 3:06
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Dodge Co Highway Dept

NAME AND ADDRESS SEARCH

Request Made By: Valley Corp General Contractors

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:

Part of the South Half Northeast Quarter of Section 2, Township 17, Range 7 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:

Roger & Mary Chisholm 21710 County Rd 36 Arlington, NE 68022-5671	N1/2 S1/2 NW1/4	2 - 17 - 7
NE Department of Transportation PO Box 94759 Lincoln, NE 68509-4759	Tract N1/2 S1/2 NW1/4	2 - 17 - 7
NE Department of Transportation PO Box 94759 Lincoln, NE 68509-4759	Tract N1/2 NW1/4	2 - 17 - 7
Stebet Development LLC 5290 W Arid Canyon Dr Marana, AZ 85658-4067	N1/2NW1/4	2 - 17 - 7
David A. Carey 3522 N 84th St Omaha, NE 68134-4809	PT TL 11	2 - 17 - 7
NE Department of Transportation PO Box 94759 Lincoln, NE 68509-4759	PT TL 11	2 - 17 - 7
NE Department of Transportation PO Box 94759 Lincoln, NE 68509-4759	Tract S1/2 NE1/4	2 - 17 - 7

NE Department of Transportation
PO Box 94759
Lincoln, NE 68509-4759

TL 9 (2.5A)

2 - 17 - 7

Mary Peters
1520 N Union
Fremont, NE 68025

TL 9 (18.5A)

2 - 17 - 7

KWEA LLC
11225 Davenport St
STE 108
Omaha, NE 68154-2641

W1/2SE1/4, NE1/4SE1/4, N1/2NE1/4,
SW1/4NE1/4, N1/2NW1/4 & TL 4 & TL 10

1 - 17 - 7

State of Nebraska Department of
Transportation
PO Box 94759
Lincoln, NE 68509-4759

Tract NW1/4 NE1/4
& Tract NW1/4 NE1/4

1 - 17 - 7
5 - 17 - 8

NE Department of Transportation
PO Box 94759
Lincoln, NE 68509-4759

Tract S1/2NW1/4

1 - 17 - 7

Barta Family Limited Partnership
224 N Park Ave
Fremont, NE 68025-4964

N1/2SW1/4, S1/2NW1/4 & TL 6

1 - 17 - 7

Frank E. & Mary M. Oshel
1941 County Rd 18
Ames, NE 68621-2104

PT S1/2NE1/4

2 - 17 - 7

Barta Family Limited Partnership
224 N Park Ave
Fremont, NE 68025-4964


S1/2SW1/4, NE1/4SW1/4,
W1/2SE1/4 & TL 7 & 8

2 - 17 - 7

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: June 1, 2021

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



Registered Abstractor
Certificate No. 147
Order No. 210525

Home Place
Borrow Pit - 6/1/2021

