

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Minarick Family Farms 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 19 day of October, 2021.

BY: _____

LOT SPLIT APPLICATION
Dodge County, Nebraska

Date 9-23-21

Property Owner's Name Minarick Family Farms LLC

Address: 1361 Co. Rd. 4, North Bend, NE 68649

Phone No. 402-720-3238 (Ann Minarick, Member)

Legal Description of the Property to be split 402-720-2963 (James Minarick, Member)
Part of SW 1/4 SW 1/4 Sec 34 T18N R5E

Number of Acres being split off 5.76 Acres Zoning District A-1

Total Number of Acres the subdivision subdivided from 160 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) Minarick Family Farms LLC

Applicant's Address 1361 Co. Rd. 4, North Bend NE 68649

Applicant's Signature By Ann Minarick, Member

2021 SEP 23 PM 2:09
RECEIVED
DODGE COUNTY PLANNING AND ZONING DEPARTMENT

OFFICE USE ONLY

Permit No. 2021-007

Date 10-19-21 Approved _____
Disapproved _____

Chairman, Dodge Co. Planning Comm.

Date 11-3-21 Approved _____
Disapproved _____

Chairman, Dodge Co. Board of Superv.

APPLICATION FOR CONDITIONAL USE
Dodge County, Nebraska

Date 9-23-21
Property Owner's Name Minarick Family Farms LLC
Address: 1361 Co. Rd. 4, North Bend NE 68649
Phone No. 402-720-3238 (Home) 402-720-2963 (Work) James Minarick
Ann Minarick, Member Member

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure:

Residential 5.76 Acres in A-1

Section 34 Township 18 N Range 5 E Lot No. _____

Location within Section SW 1/4 SW 1/4 Lot Size 5.76 Ac (Sq.Ft./Acres)

Estimated Cost of Structure/Use \$ N/A Zoning District A-1

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 Ag/crop South Ag/crop
East Ag/crop West Ag/crop

Justification

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

1. What is the general character of the area? Describe. Agriculture Crop Land

2. Can soil conditions support the proposed development? What is the soil classification of the area?
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

(existing)

4. Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads? Existing
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: Survey 9/22/21
Site Plan Soil Suitably Map _____ Easements _____
Conditions and requirements pending approval of application for a proposed operation and waste disposal plan from the DEQ or other applicable State Agency _____

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 \$ 350⁰⁰ 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 Ann Minarick Mailing Address 1361 Co. Rd. 4
Ann Minarick Member North Bend NE 68649

OFFICE USE ONLY

PERMIT NO. 2021-017

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 10-29-21 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Planning Comm

Date 11-3-21 Approved _____
Approved with Added Conditions _____
Disapproved _____ Chair, Dodge County Board of Comm

____ See attachment for added conditions.

ATTEST _____
Dodge County Clerk

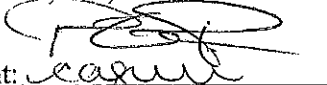
Dated this _____ day of _____ 20__

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:  *Peter & Cait Gross-Rhode*
Address of Applicant: 410 Co. Rd. S

In witness whereof, the parties aforesaid have hereto set their hand with this application 20th day of SEP 2021

Date filed with Dodge County Joint Planning Commission: 10-19-21

Date filed with Dodge County Board of Supervisors: 11-3-21


Dodge County Zoning Administrator or County Building Inspector

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

2021 SEP 24 PM 1:31
RECEIVED
Dodge County Highway Dept

APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT

(cont.)

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

Permit No. 2021-007

Property Owner's Name Minarik Family Farms LLC

Address 1361 Co. Rd. 4, North Bend NE 68649

Legal Description Part of SW 1/4^{SW 1/4} Sec. 34 T18N R5E

Lot Size and Number of Acres 5.76 Acres

Distance from Nearest Livestock Operation 7 1/2 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 Minarik Family Farms LLC by [Signature]

Mailing Address 1361 Co. Rd. 4, North Bend NE 68649 Member

Telephone No. 402-720-3238

OFFICE USE ONLY

Peter Gross-Rhode 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 10-19-21

Chairman, Dodge County Planning Commission

**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

October 8, 2021

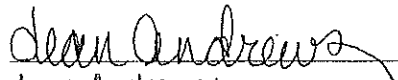
Minarick Family Farms LLC
Ann Minarick
1361 County Rd. 4
North Bend, NE 68649

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held October 19, 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 November 3, 2021 where your application will be heard at 9:40 A.M.

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

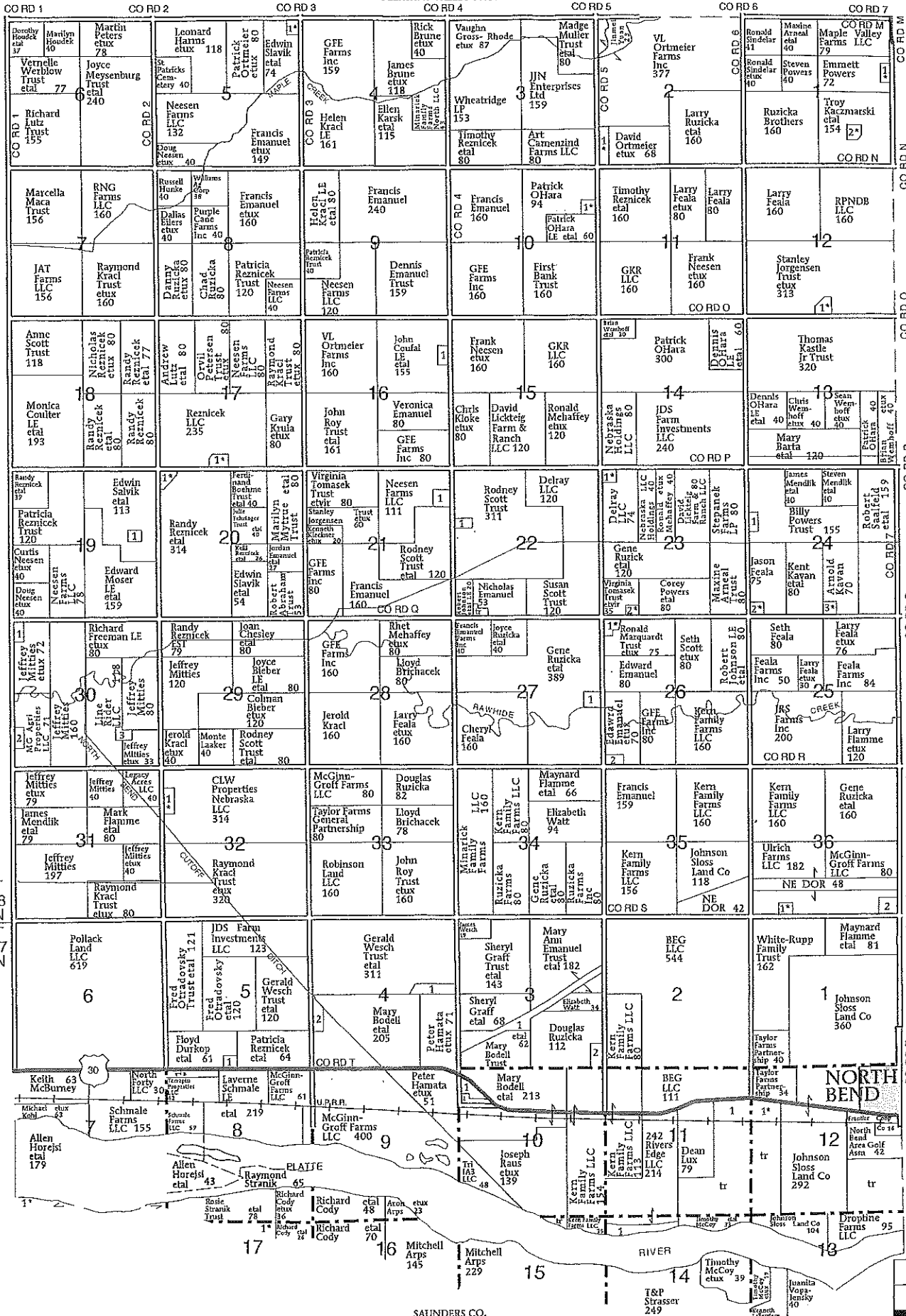
Thank you,


Jean Andrews,
Dodge County Zoning Administrator

Enclosure
Cc: File

(Landowners)

PLEASANT VALLEY TWP.



COLFAX CO.

T 18 N
T 17 N

SAUNDERS CO.

SEE PAGE 64 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

**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

October 8, 2021

Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, October 19, 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 Minarick Family Farms LLC of 1361 County Road 4, North Bend, NE 68649 to subdivide a 5.76 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in Part of SW ¼ Section 34, Township 18 North, Range 5 East in Union Township, Zoning District A-1, Intensive Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, October 19, 2021 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

NAME AND ADDRESS SEARCH

Request Made By: **Minarick Family Farms, 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:

The West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter in Section 34, Township 18 North, Range 5 East of the 6th P.M., Dodge County, Nebraska.

The Southwest Quarter of the Southwest Quarter in Section 34, Township 18 North, Range 5 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" attached

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: September 24, 2021

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

Charlene Jordan

Registered Abstracter

Certificate No. 147

Order No. 210908

2021 SEP 28 PM 2:55
RECEIVED
DODGE COUNTY DEPT

Exhibit "A"

Larry G. & Cheryl A. Feala 1711 County Rd 7 North Bend, NE 68649-4038	SE1/4	28 - 18 - 5	270085491
Cheryl A. Feala 1711 County Rd 7 North Bend, NE 68649-4038	SW1/4	27 - 18 - 5	270085456
Kern Family Farms LLC % Pamela J. Stark 4235 Boxue Rd G Yuba City, CA 95993-9754	E1/2 NW1/4	34 - 18 - 5	270085771
Ruzicka Farms Larry Ruzicka PO Box 495 North Bend, NE 68649-0495	E1/2 SW1/4	34 - 18 - 5	270085799
Sheryl Sue Graff (Trustee) Paige Snover 43298 875th Rd Ainsworth, NE 69210-1952	S1/2 NW1/4 & NE1/4 NW1/4 & TL2	3 - 17 - 5	270084623
James H. Wesch 1945 County Road 4 North Bend, NE 68649-3007	TL1 (NW1/4 NW1/4)	3 - 17 - 5	270084637
Gerald Wesch (Irrev Tr & Dean Wesch Tr) % Pathfinder Co 1416 E 23rd St Fremont, NE 68025-0000	N1/2 NE1/4, NW1/4 NW1/4, E1/2 NW1/4 & TL2, 10 & 12	4 - 17 - 5	270084658
John & Dana Roy, Tr 1143 N Woodridge Dr Wichita, KS 67206-0000	SE1/4	33 - 18 - 5	270085743
Lloyd L. Brichacek 1617 Adams St Schuyler, NE 68661-0000	TL2	33 - 18 - 5	270137932

Exhibit "A"

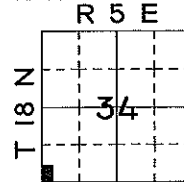
Douglas G. Ruzicka
1763 County Rd 5
North Bend, NE 68649-0000

N1/2 NE1/4 & TL1

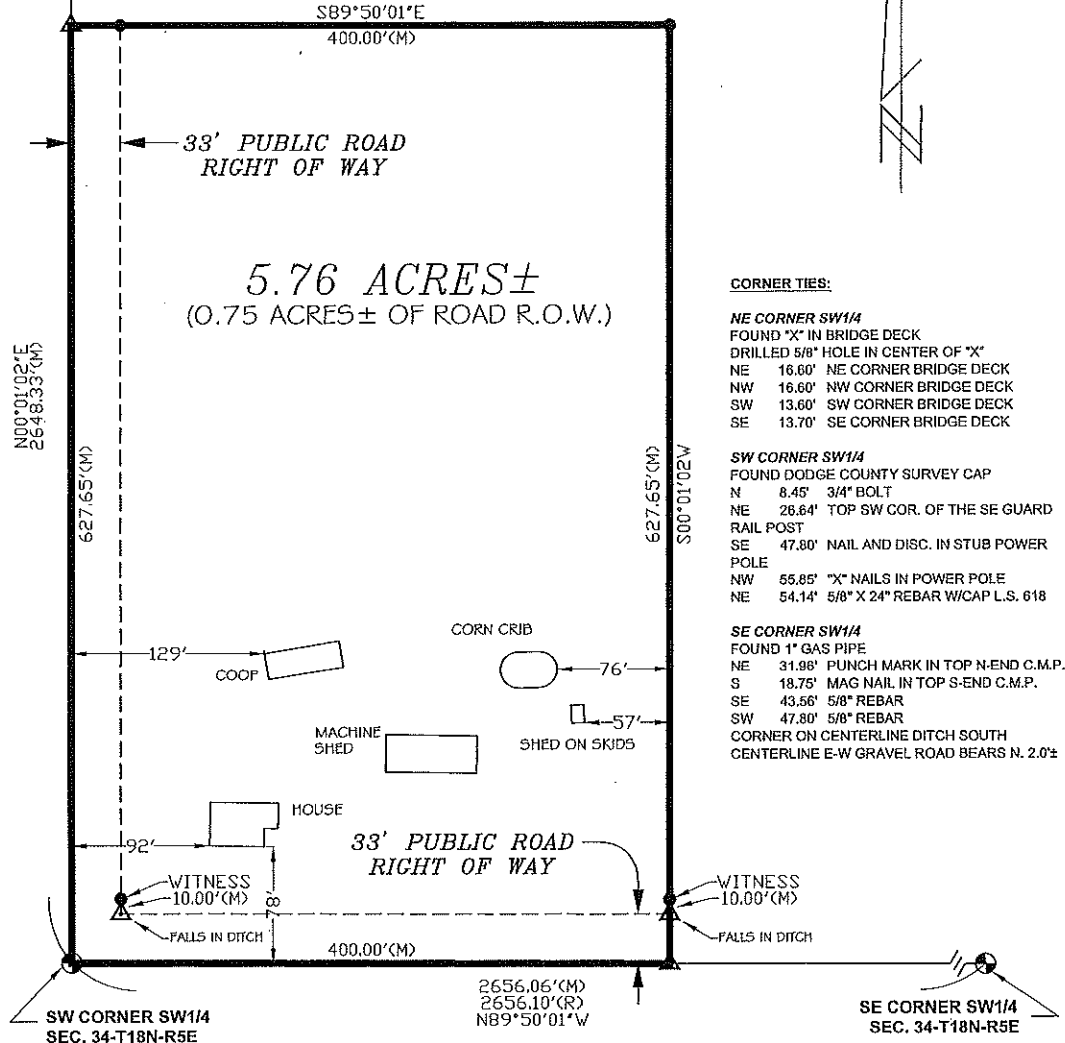
33 - 18 - 5 270137538

NW CORNER SW1/4
SEC. 34-T18N-R5E

VICINITY SKETCH



- ⊙ LAND CORNER FOUND
- PIN SET
- (5/8" x 24" REBAR W/CAP)
- △ TEMPORARY POINT
- M = MEASURED DISTANCE



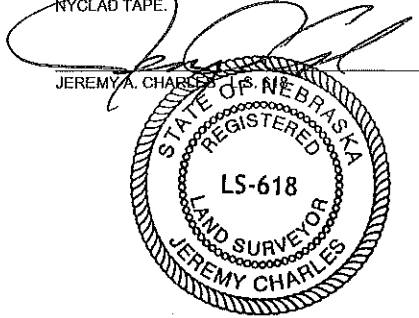
- CORNER TIES:**
- NE CORNER SW1/4**
FOUND "X" IN BRIDGE DECK
DRILLED 5/8" HOLE IN CENTER OF "X"
NE 16.60' NE CORNER BRIDGE DECK
NW 16.60' NW CORNER BRIDGE DECK
SW 13.60' SW CORNER BRIDGE DECK
SE 13.70' SE CORNER BRIDGE DECK
- SW CORNER SW1/4**
FOUND DODGE COUNTY SURVEY CAP
N 8.45' 3/4" BOLT
NE 26.64' TOP SW COR. OF THE SE GUARD RAIL POST
SE 47.80' NAIL AND DISC. IN STUB POWER POLE
NW 55.85' "X" NAILS IN POWER POLE
NE 54.14' 5/8" X 24" REBAR W/CAP L.S. 618
- SE CORNER SW1/4**
FOUND 1" GAS PIPE
NE 31.98' PUNCH MARK IN TOP N-END C.M.P.
S 18.75' MAG NAIL IN TOP S-END C.M.P.
SE 43.56' 5/8" REBAR
SW 47.80' 5/8" REBAR
CORNER ON CENTERLINE DITCH SOUTH
CENTERLINE E-W GRAVEL ROAD BEARS N. 2.0'±

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 5 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DODGE COUNTY, NEBRASKA, BEING DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE N00°01'02"E (ASSUMED BEARING), ON THE WEST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 627.65 FEET; THENCE S89°50'01"E, A DISTANCE OF 400.00 FEET; THENCE S00°01'02"W, A DISTANCE OF 627.65 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER; THENCE N89°50'01"W, ON THE SOUTH LINE OF THE SOUTHWEST QUARTER; A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING; CONTAINING A COMPUTED AREA OF 5.76 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I, JEREMY A. CHARLES, A REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF A SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION. PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS AS SHOWN ON THE PLAT AND ARE DESCRIBED IN THE LEGEND. ALL BEARINGS SHOWN ON THE PLAT ARE ASSUMED AND WERE USED FOR DESCRIPTIVE PURPOSES ONLY, THEY SHOULD NOT BE RELIED ON TO DETERMINE CARDINAL DIRECTIONS. ALL ANGLES AND DISTANCES WERE MEASURED WITH AN SPECTRA PRECISION SP80 GPS, NIKON MODEL DTM-520 TOTAL STATION AND/OR A 200-FOOT SOKKIA NYCLAD TAPE.



CHARLES SURVEYING LLC.
JEREMY A. CHARLES
21 N. 3RD CIRCLE
MEAD NE 68041
(402) 443-6955

scale:	1"=100'
date:	09/21/2021
drawn by:	JC
field wk:	JC/CB
sheet:	1 of 1

SURVEY FOR MINARICK INVESTMENTS LLC

PT. SW1/4 SW1/4 SECTION 34 T18N R5E
OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.