

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Estate of Eugene L. Minarick 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 November, 2024.

BY: _____

LOT SPLIT APPLICATION
Dodge County, Nebraska

Receipt given

Date Sept 30, 2024

Property Owner's Name Eugene Minarick Estate

Address: 941 Co Rd 6 Scribner, Ne 68057

Phone No. Sen Jim 402-720-2963

Legal Description of the Property to be split SE NE 14-19-5E

Number of Acres being split off 5 Zoning District A-1

Total Number of Acres the subdivision subdivided from 80 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) James Minarick

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

Applicant's Signature James Minarick

OFFICE USE ONLY

Permit No. 2024-005

Date Oct. 15, 2024 Approved _____
Disapproved _____

Chairman, Dodge Co. Planning Comm.

Date Oct. 30, 2024 Approved _____
Disapproved _____

Chairman, Dodge Co. Board of Superv.

APPLICATION FOR CONDITIONAL USE
Dodge County, Nebraska

Date Sept. 30, 2024
Property Owner's Name Eugene Minarick Estate
Address: 941 Co Rd #6 Scribner Ne. 68057
Phone No. _____ (Home) 402-720-2963 (Work)

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: Split off 5 Acre Farmstead
from existing 80 acres

Section 14 Township 19 Range 5 E Lot No. _____
Location within Section SE NE Lot Size 5.5 (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?

Will use conform to all other applicable regulations and laws of any governmental jurisdiction? yes

How are Adjoining Properties Used (Actual Use)

North <u>Farm land</u>	South <u>Farm land</u>
East <u>Farm land</u>	West <u>Farm land</u>

Justification

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

1. What is the general character of the area? Describe. Ag.
2. Can soil conditions support the proposed development? What is the soil classification of the area?
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

4. Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?
no 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?

Enclosed:

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 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 \$ _____ 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 James Minnick Mailing Address 1361 Co Rd 4
North Bend, NE-68649

OFFICE USE ONLY

PERMIT NO 2024-006

Permit when issued is Transferrable/Transferrable Upon Renewal

Date 10-15-24 Approved _____

Approved with Added Conditions _____
Disapproved _____

Chair, Dodge County Planning Comm

Date 10-30-24 Approved _____

Approved with Added Conditions _____
Disapproved _____

Chair, Dodge County Board of Comm

____ See attachment for added conditions.

ATTEST _____
Dodge County Clerk

Dated this 30 day of Oct. 2024

APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT

(cont.)

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

Permit No. 2024-005

Property Owner's Name Eugene Minarick Estate

Address 941 Co. Rd. 6 Secubiu

Legal Description SE NE 14-19-SE

Lot Size and Number of Acres 5

Distance from Nearest Livestock Operation 2600'

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 James Minarick

Mailing Address 1361 Co. Rd 4 North Bend, Ne. 68649

Telephone No. 402-720-2963

OFFICE USE ONLY

James Minarick 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 10-15-26

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."

XX Signature of Applicant: James Mironich

Address of Applicant: 1361 Co. Rd 4 North Bend, Ne. 68669

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

Date filed with Dodge County Joint Planning Commission: 10-15-24

Date filed with Dodge County Board of Supervisors: 10-30-24

Dean Andrews
Dodge County Zoning Administrator or County Building Inspector

September 29, 2024

I, Jane Francis, Personal Representative, authorize James Minarick to sign documents related to the zoning of Eugene L Minarick's farm. A copy of the letter issued as evidence of my appointment is attached.

Jane Francis

402.450 4056

DODGE COUNTY HWY. DEPT
30 SEP 2024 PM1:50

IN THE COUNTY COURT OF DODGE COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE)
OF EUGENE L. MINARICK,)
Deceased,)

Date of Death: March 29, 2024)

No. PR24- 83
LETTERS OF PERSONAL
REPRESENTATIVE

FILED IN DODGE COUNTY COURT
MAY 13 2024

THE STATE OF NEBRASKA

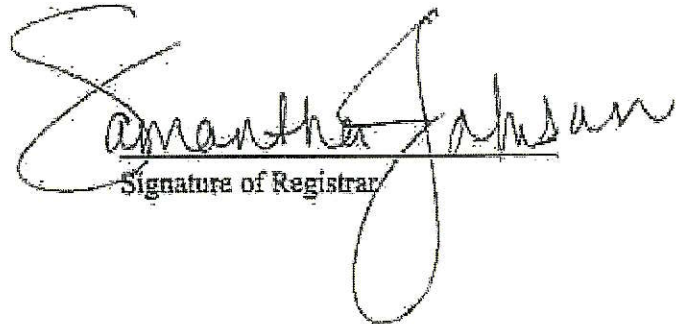
KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on May 3, 2024, Jane R. Francis and Ted J. Minarick were appointed and qualified as Co-Personal Representatives of the above-named Decedent by this Court or its Registrar, with all the authority granted to a Personal Representative by law;

NOW, THEREFORE, these Letters are issued as evidence of such appointment and qualifications and authority of Jane R. Francis and Ted J. Minarick to do and perform all acts which may be authorized by law.

WITNESS, the signature of the Registrar of this Court, and the seal of this Court, on May 3, 2024.

(S E A L)


Signature of Registrar

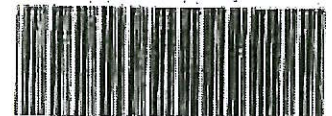


County of NEBRASKA
COUNTY OF DODGE
I, Registrar of Dodge County Court Dodge County Nebraska
do hereby certify the foregoing copy is a true and correct copy of the original filed with me in my office and
that I have legal custody and control of said original record, and that the said
said Court is hereby notified
WITNESS my hand and the seal of said Court of Dodge County, Nebraska
this 3 day of MAY 2024
Registrar





DODGE COUNTY HWY. DEPT
30 SEP 2024 PM 1:50



000571127C05

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

November 5, 2024

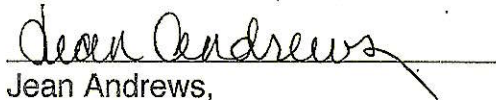
James Minarick
1361 County Rd. 4
North Bend, NE 68649

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held November 19, 2024 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 27, 2024 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
BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator
Flood Plain Manager

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

November 5, 2024

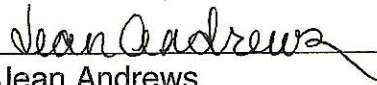
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a Public Hearing on Tuesday, November 19, 2024 at 4:30 P.M. in the Dodge County Board of Supervisors Room, 3rd Floor, Dodge County Courthouse, Fremont, NE 68025 to consider the request of James Minarick of 1361 County Rd. 4, North Bend, NE 68649 to subdivide a 5.53-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located at 941 County Rd. 6, Scribner, NE in Part of SE ¼ NE ¼ Section 14, 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, November 19, 2024 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 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

RECEIVED 8-19-24
COMPLETED

NAME AND ADDRESS SEARCH

Request Made By: Jim Minarick

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 South half of the Northeast Quarter of Section 14, Township 19, Range 5 East of the 6th P.M., Dodge County, Nebraska.

AND

An undivided 1/2 interest in the Southwest Quarter of the Northwest Quarter in Section 13, Township 19, 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

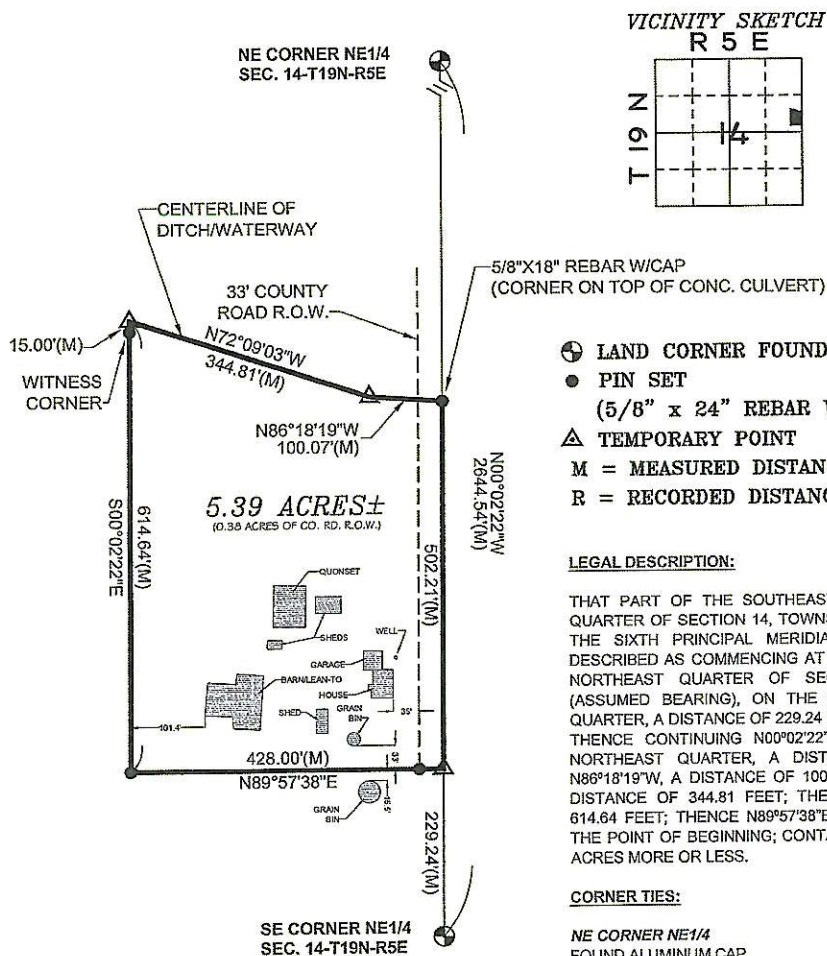
The liability of Dodge County Title & Escrow Co. is limited to the information available in the office of the County Assessor and in no way extends to the correctness of the fee simple title to subject property. A certified search of the records or a Title Insurance Policy would be required to assure the fee simple ownership and any existing liens.

Dated: August 19, 2024

Registered Abstracter
Certificate No. 884
Order No. 24-419

Exhibit "A"

LMN Enterprises LTD % Linda Emanuel 1340 County Rd 7 North Bend, NE 68649	N1/2NW1/4	14 - 19 - 5	270138334
Norman Heese (Trustee % Norman & Mary A Heese 1028 HWY 79 Scribner, NE 68057-2068	S1/2NW1/4 & SW1/4	14 - 19 - 5	270087507
Cheryl A Schlickbernd 1020 Centennial Rd West Point, NE 68788	NW1/4SE1/4, E1/2SE1/4 & TL 2	14 - 19 - 5	270136610
Anna M & Clarence H Eikmeier (LifeEstate ETAL Susan M Franzluebbers (TIC ETAL Mary Beth Holtmeier (TIC ETAL 808 1st ST Dodge, NE 68633-3558	SW1/4	13 - 19 - 5	270087472
Vaughn J & Christine A Gross-Rhode (JT ETAL Eugene L Minarick 1/2 Int % Vaughn J & Christine A Gross-Rhode 15 Pioneer Lk North Bend, NE 68649-3552	SW1/4NW1/4	13 - 19 - 5	270087493
GKR LLC 529 County Rd G Scribner, NE 68057	W1/2NE1/4 & E1/2NW1/4	13 - 19 - 5	270087458
William N Gross-Rhode 1219 County Rd 4 North Bend, NE 68649-4016	S1/2 NW1/4NW1/4	13 - 19 - 5	270087486
Nicole V & Kevin L Ortmeier Nicole V Ortmeier 217 County Road H Dodge, NE 68633-3038	N1/2NE1/4	14 - 19 - 5	270138333



SURVEYOR'S CERTIFICATE:

I, JEREMY A. CHARLES, NEBRASKA REGISTERED LAND SURVEYOR No. 618, DULY REGISTERED UNDER THE LAND SURVEYOR'S REGULATION ACT, DO HEREBY STATE THAT I HAVE PERFORMED A SURVEY OF THE LAND DEPICTED ON THE ACCOMPANYING PLAT; THAT SAID PLAT IS A TRUE DELINEATION OF SAID SURVEY PERFORMED PERSONALLY OR UNDER MY DIRECT SUPERVISION; THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS MARKED AS SHOWN, AND TO THE BEST OF MY KNOWLEDGE AS BELIEF IS TRUE, CORRECT AND IN ACCORDANCE WITH THE LAND SURVEYORS REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY. 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 DIMENSION ARE CHORD MEASUREMENTS AND ARE IN FEET AND DECIMALS OF A FOOT. 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.

JEREMY A. CHARLES L.S. 618



CHARLES SURVEYING LLC.

JEREMY A. CHARLES

21 N. 3RD CIRCLE

MEAD NE 68041

(402) 443-6955

SURVEY RECORD

PT. SE1/4 NE1/4 SEC. 14 T19N R5E OF THE
6TH P.M., DODGE COUNTY, NEBRASKA.

scale:	1"=200'
date:	11/06/2024
drawn by:	JC
field wk:	JC/CB
sheet:	1 of 1

SURVEY RECORD REPOSITORY STAMP