DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Harry Keller for a conditional use permit, the Dodge County Planning Commission finds as follows (check as many as apply):

**Agenda Item 7**
**Date 8-1-2018**

**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: ______________________________________
LOT SPLIT APPLICATION
Dodge County, Nebraska

Date __________

Property Owner's Name: HARRY BELBA

Address: 9400 33rd Avenue, Council NE 68601

Phone No. 402-649-3705

Legal Description of the Property to be split

Number of Acres being split off: ________________ Zoning District: ____________

Total Number of Acres the subdivision subdivided from: ________________ 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 have 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): HARRY BELBA

Applicant's Address: HARRY BELBA

Applicant's Signature: __________________________

Dodge County Planning and Zoning Administrator: 435 N. Park Rm 204 Fremont, NE 68025 402-727-2724
OFFICE USE ONLY

Permit No. 2018-005

Date 7-17-18 Approved___ Disapproved___

Chairman, Dodge Co. Planning Comm.

Date 8-1-18 Approved___ Disapproved___

Chairman, Dodge Co. Board of Superv.

Dodge County Planning and Zoning Administrator
435 N. Park Rm.204 Fremont, NE 68025 402-727-2724
APPLICATION FOR CONDITIONAL USE
Dodge County, Nebraska

Date: 7/2/19
Property Owner's Name: Harry Bellar
Address: 18 W 3320, 3320 Avenue, Casper NE 08001
Phone No. (Home) 402-649-7705 (Work)

Pursuant to the Dodge County Zoning Regulations, application is hereby made for the following proposed use of property or structure: South 17 Acres of Property will be Excavated for Building Materials to Construct New House 30 ft.

Section 10 Township 17 Range SE Lot No.
Location within Section NW Quarters Lot Size 17 Acres (Sq Ft/ Acres)
Estimated Cost of Structure/Use $170,000 Zoning District PR

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 Agriculture  South Agriculture
East Agriculture  West Homestead Agriculture

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

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

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

Dodge County Planning & Zoning Administrator
435 N. Park, Rm. 304, Fremont, NE 68025
(402)727-2724

JUL 2 - 2018
RECEIVED
DODGE COUNTY ZONING DEPT.
4. Will ingress and egress be so designed as to minimize street 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? General County Area will need to
   be maintained by maintenance contractor.

Enclosed:
Site Plan, X Soil Suitably Map, X Easements, X
Conditions and requirements pending approval of the application 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 $ __________ 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: 
Mailing Address: 

PERMIT NO.

Permit when issued is Transferable/Transferable Upon Renewal

Data: 7-17-18 Approved
       Disapproved __________ Chair, Dodge County Planning Comm

Data: 8-1-18 Approved
       Disapproved __________ Chair, Dodge County Board of Comm

See attachment for added conditions.

ATTEST
Dodge County Clerk

DATED THIS ___ day of August 20__

Dodge County Planning & Zoning Administrator
435 N. Park, Rm. 204, Fremont, NE 68025
(402)727-2724
July 6, 2018

Harry Beller
4880 – 33rd Ave.
Columbus, NE 68601

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held July 17, 2018 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.

Your request will be heard by the Dodge County Board of Supervisors on Wednesday, August 1, 2018 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
    File
PORTION OF PROPERTY THAT WILL BE EXCAVATED FOR BORROW MATERIAL.
MAP SHOWING PROPOSED BORROW PITS FOR EMBANKMENT MATERIALS TO CONSTRUCT HIGHWAY 30
Jean,

Attached is the proposed property split.

Please let me know if you have additional questions.

Thanks,
Luke Ridder
Hawkins Construction Co.
Cell: 402-880-0333
July 6, 2018

Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, July 17, 2018 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 Harry Beller of 4860 33rd Ave., Columbus, NE 68601 to obtain a Lot Split and Conditional Use Permit to subdivide a 5.0 acre tract of land as per Article 13, Section 2. Conditional Uses 2.1 and to extract fill dirt for new highway by Nebraska Dept. of Transportation as per Article 13 Section 2. Conditional Uses Section 2.5 and Section 25 Supplemental Regulations Section 17 located in part of North ¼ of NW ¼ Section 10, Township 17 North, Range 5 East in South Union 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, July 17, 2018 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: Hawkins Construction Co

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:

That part of the North half of the Northwest quarter of Section 10, and all that part of Government Lots 3 and 4, in said Section 10, lying West of Highway 30 which bisects the said North half of the Northwest Quarter and lying North of the Union Pacific Railroad right of way through said Section 10 and South of Highway 30 in said Section 10, in Township 17 North, Range 5, East of the 6th P.M., in Dodge County, Nebraska. Also described as Tax Lot 13, in said Section.

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

Mike M. McGinn
2015 CO RD 4
North Bend, NE 68649-0190

Kevin & Colette Rathke
907 Swedeburg Rd
Wahoo, NE 68066

Peter L. & Betty J. Hamata
1987 CO RD 4
North Bend, NE 68649

Mary M. Bodell
Monica A. Coulter, Trustee
2564 CO RD 12
Fremont, NE 68025

Peter L. & Betty J. Hamata
1987 CO RD 4
North Bend, NE 68649

Mary M. Bodell
Monica A. Coulter, Trustee
2564 CO RD 12
Fremont, NE 68025
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 27, 2018

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

[Signature]
Registered Abstracter
Certificate No. 147
Order No. 180785