

MINUTES OF PLANNING & ZONING COMMISSION  
JULY 17, 2003  
BUFFALO COUNTY HIGHWAY DEPARTMENT  
7:00 P.M.

Chairperson Rick Pope called the meeting to order at 7:00 o'clock P.M. with a quorum present on July 17, 2003 at the Buffalo County Highway Department Building in Kearney, Nebraska.

Agenda for such meeting was regularly posted as required by law. Present were: Francis "Buss" Biehl, Marlin Heiden, Rick Pope, Paul Steinbrink, Sr. and Loye Wolfe. Absent: Carson Fitzgerald, Gene Jamison, Craig Nickman, and Richard Weiss. Also attending were Deputy County Attorney Andrew Hoffmeister, Buffalo County Zoning Administrator LeAnn Klein and four members of the public.

The public forum was opened at 7:05 P.M. Allen Bors spoke to the Commission concerning the restrictive covenants of the subdivision where Mr. Campbell's property is located. Deputy County Attorney Andrew Hoffmeister again stated that the enforcing of the covenants is between the residents of this subdivision and they are controlled by the individual residents. The public forum closed at 7:10 P.M.

Chairperson Pope opened the public hearing at 7:10 P.M. for the Ron & Lorraine Campbell special use permit located at 13710 Highway 30 in the North Half of the Southeast Quarter (N1/2 SE1/4) in Section 32, Township 9 North, Range 17 West of the 6<sup>th</sup> pm at 7:11 P.M. No one was present to represent Mr. & Mrs. Campbell.

Two neighbors spoke out against this proposed mini-storage. Daniel Runge questioned why the residents have to abide by restrictive covenants but Mr. Campbell does not have to abide by them. Allen Bors also expressed his concern on the number of abandoned trailers and cars already on this property. He also stated there is no way that someone could drive a semi into the storage area as the storage units are being proposed.

Heiden also said we need to look into controlling junk and finding a way for the County to handle and effectively control this problem.

The public hearing closed at 8:10 P.M. Moved by Steinbrink, seconded by Heiden to forward this application to the County Board with a recommendation that this special use permit be denied on the basis that Ron & Lorraine Campbell failed to submit a plan to the Planning & Zoning Commission. Voting yes were Steinbrink, Heiden, Biehl, Pope and Wolfe. Absent: Fitzgerald, Jamison, Nickman and Weiss. Motion passed.

Old Business: Moved by Heiden, seconded by Biehl to approve the minutes of the June 19, 2003 minutes. Voting yes: Heiden, Biehl, Pope, Wolfe and Steinbrink. Voting no: none. Absent: Fitzgerald, Jamison, Nickman and Weiss. Motion passed.

The Board discussed changes and possible amendments to zoning regulations concerning commencement date and completion date of zoning permits and special use permits. It was

noted that “days” be added to 120 in 6.2 and 9.33. In case of protest for special use permits, a deadline of seven days was added to file a protest with the County Clerk. Discussion and possible amendments to zoning regulations regarding commercial lot size, height and minimum area regulations were discussed. It was noted that the lot area be 70,000 square feet, lot width be changed to 100’, required front yard to greater than 50’ or 83’, and required side yard to 15’ except if it abuts road, then it would be 50’. The word “and loading” be added to 5.58 and the area required to unload was also discussed.

Discussion of 1000’ setback distance in AG districts and minimum lot size was discussed. A hand-out was given to the Planning & Zoning members of other Counties’ lot sizes.

The Board also discussed subdivision regulations. No other changes were noted.

Moved by Wolfe, seconded by Heiden to adjourn at 8:15 P.M. Voting yes were Wolfe, Heiden, Biehl, Pope, Steinbrink and Wolfe. Voting no: none. Absent: Fitzgerald, Nickman and Weiss.

The next meeting of the Planning & Zoning Commission will be August 21, 2003 at 7:00 P.M. at the Buffalo County Highway Department.