



# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting November 28, 2016

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 7:00 p.m. November 21, 2016 in Fillmore County East (Old Clinic) in Geneva, Nebraska.

**Members present:** Harre, Most, Dan, Elznic, Hafer, Stuckey, Girmus, Kassik

**Absent:** Noel

Also, present: Planning and Zoning Administrator- Jennifer Slezak.

Notice of the meeting was given by publication. A copy of the publication is on file in the Zoning office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Secretary Sharon Elznic, was present to record the minutes of the meeting.

Chairman Harre noted that the public meeting guidelines are posted as required by law and available for public distribution if requested.

Motion to approve agenda for Nov 28, 2016 made by Girmus, seconded by Harre.  
Upon roll call, vote is as follows:

Ayes: Stuckey, Girmus, Kassik, Dan, Hafer, Most, Elznic, Harre

Nays: None

Chairman Harre declared motion passed 8-0

### **PUBLIC HEARING ZONING AMENDMENT TO MILLIGAN REGULATIONS**

**7:05-** Said hearing is for a Zoning Amendment to section 5.11.07 and an addition to 5.11.09 of the Milligan Nebraska Zoning Ordinance concerning the Wellhead Protection Overlay District. Milligan Village Board has requested a change to be made to the Wellhead Protected regulations. Jeff Ray with JEO consulting proposed the following verbiage under 5.11.07 and additions to 5.11.0

3. Unless approved by a Conditional Use permit, commercial or industrial uses which utilize or generate any materials determined by the United States Department of Environmental Protection as hazardous materials, including commercial or industrial uses which store petroleum products, agricultural chemicals, anhydrous ammonia or other fertilizers in excess of fifty (50) gallons.

5.11.09 CONDITIONAL USE PERMITS: 1. A building or premises may be used for the expansion of existing or development of new livestock confinement facilities/operations of 201 animals or more in the WHP Wellhead Protection District if a Conditional Use Permit for such use has been obtained pursuant to the following provisions:

Compliance with Article 6: The Conditional Use Permit provisions of Article 6 must be complied with.

Municipal Review: The planning commission and governing body shall be notified by the Milligan Zoning Administrator of any application for a Conditional Use Permit within the respective wellhead protection area.

2. Commercial or industrial uses which utilize or generate any materials determined by the United States Department of Environmental Protection as hazardous materials, including commercial or industrial uses which store petroleum products, agricultural chemicals, anhydrous ammonia or other fertilizers in excess of fifty (50) gallons may be permitted with a Conditional Use Permit, if located within 500' of the Wellhead Protection District boundary.

After discussion, Most moved, Stuckey seconded the motion to close the public hearing for the zoning amendment to the Milligan Nebraska Zoning ordinance at 7:20. Upon roll call vote is as follows:

Ayes: Kassik, Girmus, Stuckey, Dan, Hafer, Most, Elznic, Harre

Nays: None

Chairman declared motion carried.



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## **AMENDMENT TO MILLIGAN REGULATIONS**

Most moved, Girmus seconded the motion to approve the recommendation for the amendment to the Milligan Nebraska zoning ordinance. Upon Roll call, vote is as follows:

Ayes: Dan, Hafer, Most, Elznic, Kassik, Girmus, Stuckey, Harre

Nays: None

Chairman declared motion carried.