

# Fillmore County Planning and Zoning Minutes



## Fillmore County Planning Commission Minutes of Meeting May 21, 2018

The Fillmore County Planning Commission convened, as required by statute, in open and public session at 8:00 p.m. May 21, 2018 in Fillmore County East 1320 G St in Geneva, Nebraska.

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

**Absent:** Most, Noel

Also, present: Planning and Zoning Administrator- Jennifer Slezak, Alan Janzen and Jeff Neiman.

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 May 21, 2018 made by Girmus, Second by Kassik.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

Motion to approve minutes April 16, 2018 meeting minutes made by Stuckey, seconded by Hafer.

Upon roll call vote is as follows:

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

Nays: None

Chairman Harre declared motion passed 6-0

### 8:05 Public Hearing

#### **Proposed amendment to the current Village of Fairmont AG-2 zoning regulations governing the following:**

5.2.02 Permitted Principal Uses and Structures #3 animal limitations... "(unless operating under an approved Conditional Use Permit)"

5.2.04 Conditional Uses Item #13 Expansion of existing intensive livestock confinement facilities in the AG-2 agricultural district by conditional use."

9.20 Intensive Livestock Facilities/Operation #2 only be allowed in the AG-1 and AG-2 Agricultural districts; and *must comply with the following conditions unless operating under and approved Conditional Use permit which specifically relaxes or waives said condition:*"

The amendment was requested by the Village of Fairmont after meeting with Alan Janzen and Jeff Neiman with Circle Five Feed yards to expand their current operation to add an enclosed building and 2500 more head of cattle. Current regulations in the AG2 district in the 1-mile jurisdiction of Fairmont would not allow the expansion.

After discussion motion to close the public hearing at 8:15 was made by Hafer, seconded by Stuckey.

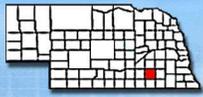
Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Motion to recommend the following amendments for approval to the Village Board of Fairmont made by Hafer, Seconded by Girmus:



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9.20 Intensive Livestock Facilities/Operation #2 only be allowed in the AG-1 and AG-2 Agricultural districts; and *must comply with the following conditions unless operating under and approved Conditional Use permit which specifically relaxes or waives said condition:*”

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

## **Rischling Subdivision- Requested wavier of 3 acre minimum**

Located in the NE ¼ of Section 1, Franklin Township

Jan and Tammy Rischling of Milligan are requesting a waiver of the 3-acre minimum on subdivision requirements in AG1 zoned district. The request is due to loan requirements. After discussion Kassik moved and Hafer seconded the motion to approve the Rischling Subdivision as presented a tract of land in the NE ¼ of Section 1, Township 5 North, Range 1 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the NW corner of said NE ¼; thence N 88’21’12” E, 1183.54 ft. on the north line of said NE ¼ to the point of beginning; thence S 01’38’46” E, 178.47 ft.; thence N 88’21’13” E, 121.40 ft.; thence N 01’38’47” W, 178.47 ft. to said north line; thence S 88’21’12” W, 121.40 ft. on said north line to the point of beginning containing 0.50 acres more or less, which includes 0.09 acres more or less used for county road purposes.

Upon roll call, the vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Zoning administrator- Jennifer Slezak reported to the Committee that the County Board of supervisors had voiced concern as to whether or not our penalty fees were strict enough for individuals who begin construction before obtaining an approved permit. Slezak reached out to other counties and obtained their violation fees. It was determined that our fees are comparable to other counties.

Motion was made by Hafer and seconded by Girmus to leave permit fees as is.

Upon roll call, vote is as follows:

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

Nays: None

Chairman Harre declared motion carried 6-0

Next meeting will be June 18, 2018 at 8:00pm

Adjourned at 9:00pm