

Agenda Item # 21a
Date 6-5-2019

MINUTES DODGE COUNTY PLANNING COMMISSION

Meeting of the Dodge County Planning Commission was called to order by Vice-Chairman, Jeff Wacker at 4:30 P.M., Tuesday, May 21, 2019 in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Brabec, Fooker, Hansen, Rolf, Ruzicka and Wacker. Absent: Giesselmann, Schole and Taylor.

The meeting was declared legally convened, due to Public Notice given and is considered to be an Open Meeting.

Brabec asked the board if anyone had any conflict of interest with the applications that they would be hearing. None was recorded.

Taylor answered the roll at 4:34 P.M.

Motion was made by **Fooker** to accept the Minutes of the February 19, 2019 meeting as mailed. Seconded by **Hansen**. Motion carried by voice vote with the following voting yes: Fooker, Hansen, Rolf, Ruzicka, Taylor, Wacker and Brabec. Absent: Giesselmann and Schole.

Public Hearing: Consider request of Randall L. Tomasek, Trustee of Virginia M. Tomasek and the Leonard Tomasek, Revocable Trusts of 1021 Elk St., Schuyler, NE 68661 to subdivide a 5.49-acre parcel and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Conditional Uses 4.2 Exemptions B. (1) located in Part SW ¼ SW ¼ Section 23, Township 19 North, Range 5 East in Union Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the Public Hearing open.

Testimony:

For: Randall Tomasek was present representing the trust. He stated that his mother is moving to Florida and the trust wants to sell the house. Rolf stated the legal description is not correct on the agenda. The township should be 18 not 19. The plat is correct. Brabec asked if there was any communication either for or against the proposal. Andrews stated none was received.

No additional questions or comments were made.

Against: No one was present.

Motion to close the public hearing was made by **Rolf** and seconded by **Hansen**. Motion carried by voice vote. Those voting yes: Hansen, Rolf, Ruzicka, Taylor, Wacker, Brabec and Fooker. Absent: Giesselmann and Schole.

Possible Action:

Motion was made by **Rolf** to recommend approval of the Lot Split and Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Hansen**. Motion carried by roll call vote. Those voting yes: Rolf, Taylor, Wacker, Brabec, Fooker and Hansen. Ruzicka abstained from voting. Absent: Giesselmann and Schole. The applicant was advised the County Board of Supervisors would hear his request on Wednesday, June 5, 2019 at 9:30 A.M.

Public Hearing: Consider request of Dodge County, Nebraska to obtain a Conditional Use Permit for a proposed radio communication tower as per Article 25 **Supplemental Regulations** Section 4 located in the West ½ SW ¼ Section 12, Township 20 North, Range 7 East in Cuming Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the public hearing to be opened.

Testimony:

For: Jeff Quist was present representing Dodge County. He stated the communication towers are required for the new system. He stated the height and separation was important for the towers to be successful. He added that his responsibility was to contact the landowners and obtain their approval for a purchase of the ground. He stated that the properties were going thru the environmental studies. This proposed tower is near a water tower. Ruzicka asked about the type of tower. Quist stated it would be a self-supporting tower that will set in the corner of the site. He added that there is not any houses and the setback was 340 feet.

Against: No one was present against the proposal.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Fooker**. Motion carried by voice vote. Those voting yes: Ruzicka, Taylor, Wacker, Brabec, Fooker, Hansen and Rolf. Absent: Giesselmann and Schole.

Possible Action:

Motion was made by **Ruzicka** to recommend approval of the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Hansen**. Motion carried by roll call vote. Those voting yes: Taylor, Wacker, Brabec, Fooker, Hansen, Rolf and Ruzicka. Absent: Giesselmann and Schole. The applicant was advised the County Board would hear his request on Wednesday, June 5, 2019 at 9:35 A.M.

Public Hearing: Consider request of Dodge County, Nebraska to obtain a Conditional Use Permit for a proposed radio communication tower as per Article 25 **Supplemental Regulations** as per Section 4

located South ½ SW ¼ Section 2, Township 18 North, Range 7 East in Maple Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the hearing to be open.

For: Jeff Quist was again present representing Dodge County. The property was located approximately 2 miles west and 3 ½ miles south of Hooper, NE. The location has proper separation from houses.

Against: No one was present against the proposal.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Fooken**. Motion carried by voice vote. Those voting yes: Wacker, Brabec, Fooken, Hansen, Rolf, Ruzicka and Taylor. Absent: Giesselmann and Schole.

Possible Action:

Motion was made by **Ruzicka** to recommend approval of the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Hansen**. Motion carried by roll call vote. Those voting yes: Brabec, Fooken, Hansen, Rolf, Ruzicka, Taylor and Wacker. Absent: Giesselmann and Schole. The applicant was advised the County Board would hear his request on Wednesday, June 5, 2019 at 9:40 A.M.

Public Hearing: Consider request of Dodge County, Nebraska to obtain a Conditional Use Permit for a proposed radio communication tower as per Article 25 **Supplemental Regulations** as per Section 4 located NE ¼ NE ¼ Section 16, Township 18 North, Range 6 East in Cotterell Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the hearing to be open.

For: Jeff Quist was present representing Dodge County. This location sits on edge of field and has proper separation from the county road and no houses near the site. Andrews stated she received a phone call regarding the zoning sign. Had no problem with it.

Against: No one was present against the proposal.

Motion to close the public hearing was made by **Rolf** and seconded by **Hansen**. Motion carried by voice vote. Those voting yes: Fooken, Hansen, Rolf, Ruzicka, Taylor and Wacker and Brabec. Absent: Giesselmann and Schole.

Possible Action:

Motion was made by **Taylor** to recommend approval of the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Ruzicka**. Motion carried by roll call vote. Those voting yes: Hansen, Rolf, Ruzicka, Taylor, Wacker, Brabec and Fooken. Absent: Giesselmann and Schole. The applicant

was advised the County Board would hear his request on Wednesday, June 5, 2019 at 9:45 A.M.

Public Hearing: Consider request of Dodge County, Nebraska to obtain a Conditional Use Permit for a proposed radio communication tower as per Article 25 **Supplemental Regulations** as per Section 4 located East ½ NE ¼ Section 21, Township 20 North, Range 5 East in Webster Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the hearing to be open.

For: Jeff Quist was again present representing Dodge County. This site is ½ mile south of US Hwy. 91 on County Road D approximately 2 miles south of Dodge, NE. This property already has a cell tower on it and has a good easement road. Ruzicka asked if this proposal went before the Board of Adjustment. Quist stated yes and was given the variance. Andrews stated the setback from the other cell tower didn't meet the separation required. Quist stated he looked at different sites but it would have blocked the signal of the Uehling tower. He went on to say the towers are all linked together.

Against: No one was present against the proposal.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Hansen**. Motion carried by voice vote. Those voting yes: Rolf, Ruzicka, Taylor, Wacker, Brabec Fooker and Hansen. Absent: Giesselmann and Schole.

Possible Action:

Motion was made by **Taylor** to recommend approval of the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Ruzicka**. Motion carried by roll call vote. Those voting yes: Ruzicka, Taylor, Wacker, Brabec, Fooker, Hansen and Rolf. Absent: Giesselmann and Schole. The applicant was advised the County Board would hear his request on Wednesday, June 5, 2019 at 9:50 A.M.

With no further business **Hansen** moved to adjourn at 5:00 P.M. and seconded by **Taylor**. Motion carried: Taylor, Wacker, Brabec, Fooker, Hansen, Rolf and Ruzicka. Absent: Giesselmann and Schole. The next scheduled meeting will be June 18, 2019 at 4:30 P.M. if business arises.

Respectfully submitted,

Allen Rolf
Secretary, Dodge County
Planning Commission

Dodge County
Planning & Zoning Commission

Approval Date

STAFF REPORT
Dodge County Bldg. Insp. & Zoning Dept.
Meeting of May 21, 2019

Zoning Signs were placed on the property Wednesday, May 15, 2019

Randall L. Tomasek

The property is located along County Road Q just east of County Rd. 5 approximately 2 miles north and 2 miles west of North Bend. There is a really nice home on the property with some good out buildings. There is separate entrance for the farm ground.

Dodge County Radio Communications Tower #1

The property is located on the intersection of County Rd. C and 18 approximately 4 miles west and 1 ½ miles south of Uehling, NE. The area is on a fair road.

Dodge County Radio Communications Tower #2

The property is located on County Rd. N and 17 approximately 2 miles west and 3 ½ miles south of Hooper, NE. Due to the flooding County Rd N is not in very good shape.

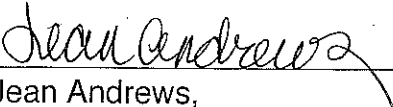
Dodge County Radio Communications Tower #3

The property is locate approximately 2 ½ miles east of Highway 79 on Foothill Road and at the intersection of County Rd. 10 – 2 miles east and 4 ½ miles north of North Bend, NE. Foothill Road is not in good shape due to the frost boils and the flooding.

Dodge County Radio Communications Tower #4

The property is located approximately ½ mile south of US Hwy. 91 on County Road D 1 ½ miles south of Dodge, NE. The property is a good spot for a communication tower as is very high area. There is another cell tower that is not that far south of Road D and has a good driveway. This tower came before the Board of Adjustment at their April 18th meeting and was provided a Variance.

Respectfully submitted,



Jean Andrews,
Dodge County Zoning Administrator

Tomasek Lot split



Dodge Co # 1



Dodge Co # 3



ZONING ACTION
HAS BEEN REQUESTED
ON THIS PROPERTY

Dodge Co # 3



Dodge Co # 4

