

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

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

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: _____

Agenda Item # 17c
Date 1-31-19

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 06/21/2019

Property Owner's Name Gary Kremlacek

Address: 1976 Co Rd. R, Fremont, NE 68025

Phone No. (402) 459-0799

Legal Description of the Property to be split TL 26 19.84A 26 18 8

Number of Acres being split off 5 Zoning District A-3

Total Number of Acres the subdivision subdivided from 19.84 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 in 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) Gary Kremlacek

Applicant's Address 1976 Co RD R

Applicant's Signature Gary Kremlacek

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

2019 JUN 26 AM 10:52
RECEIVED
Dodge Co Highway Dept

OFFICE USE ONLY

Permit No. 2019-005

Date 7-16-19 Approved _____
Disapproved _____

Chairman, Dodge Co. Planning Comm.

Date 7-31-19 Approved _____
Disapproved _____

Chairman, Dodge Co. Board of Superv.

**APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT
(A-1, A-2, and A-3 Agricultural Districts)
Dodge County, Nebraska**

"I certify that I am the applicant for a residential use permit to allow a residential use in the A-1, A-2, or A-3 Agriculture Districts. I certify that I have read the following preamble to the A-1 Agriculture-Intensive District contained in the Dodge County Zoning Regulations and that I understand that there are permitted uses and named conditional uses allowed in the A-1, A-2, and A-3 Agriculture Districts that may not be compatible with a residential use in the district. I further understand that residential uses in the A-1, A-2, and A-3 Districts are not given the same provision of services, amenities and protection from other land uses that are afforded to residential uses by the regulations of other districts and that the A-1, A-2, and A-3 District Regulations are not intended to afford such services, amenities and protections to residential uses located therein."

The A-1 Agricultural District regulations are intended to provide for the use and conservation of agricultural land, to protect the value of such land, and to protect it from indiscriminate residential and urban development and other incompatible and conflicting land uses; to conserve and protect the value of open space, wooded areas, streams, mineral deposits and other natural resources and to protect them from incompatible land uses and to provide for their timely utilization; to provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are of such nature that their location away from residential, commercial and industrial areas is most desirable; to provide for the location and govern the establishment of residential uses which are accessory to and necessary for the conduct of agriculture and to provide for the location and govern the establishment and use of limited non-agricultural residential uses. Such non-agricultural residential uses shall not be so located as to be detrimental to or conflict with other uses which are named as permitted or conditional uses in this district and are appropriate to other property in the area. The nature of the A-1 District and the uses allowed outright or by conditional use precludes the provision of services, amenities and protection from other land uses which are afforded to residential uses by the regulations of other districts, and it is not intended that the A-1 District regulations afford such services, amenities and protection to residential uses located therein.

"I understand that if the County Board of Dodge County approves my no-fee residential registration permit application and I establish a residential use in the A-1, A-2, or A-3 Agricultural Districts that such land use has no additional rights granted to it that is granted of other uses allowed by either permit or by conditional use in the A-1, A-2, and A-3 Districts. I certify that I have been given a copy of this attachment."

DocuSigned by:
Signature of Applicant: 

Address of Applicant: 343 N Howard St

In witness whereof, the parties aforesaid have hereto set their hand with this application 27 day of June 2019

Date filed with Dodge County Joint Planning Commission: 7/16/19

Date filed with Dodge County Board of Supervisors: 7/31/19

Deven Andrews
Dodge County Zoning Administrator or County Building Inspector


Taylor Patrick

APPLICATION FOR NO-FEE RESIDENTIAL REGISTRATION PERMIT

(cont.)

**(A-1, A-2, and A-3 Agricultural Districts)
Dodge County, Nebraska**

Permit No. 2019-005

Property Owner's Name Gary Kremback

Address 1976 Co Rd R Fremont, NE 68025

Legal Description TL 26 19.84 A 26 188

Lot Size and Number of Acres ~~Section 26 110N R8E, 19.84~~

Distance from Nearest Livestock Operation 6 miles

Single-family dwellings are not permitted on tracts without legal access to an improved road and owners must sign no-fee Residential Registration Permit Application prior to a 10-day waiting period before a building permit is granted. The Residential Use Permit is valid for the length of the building permit and must be signed and filed with the Dodge County Planning Commission and Zoning Administrator and a copy filed with the Dodge County Register of Deeds. Once the dwelling is constructed, the Residential Registration Permit is valid for the life of the dwelling.

Will the Residential Use in all other respects conform to the applicable regulations of the Zoning District in which it is located? YES or NO

Applicant's Signature Gary Kremback

Mailing Address 1976 Co RDR Fremont

Telephone No. 402 459-0799

OFFICE USE ONLY

Taylor Patrick has been granted a no-fee Residential Registration Permit, under the following conditions and/or limitations, all of which must be complied with by applicant for said permit.

Date 7-16-19

Chairman, Dodge County Planning Commission

DODGE COUNTY
BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator

Courthouse - 435 N. Park, Room 204
Fremont, Nebraska 68025
Phone: (402) 727-2724

July 3, 2019

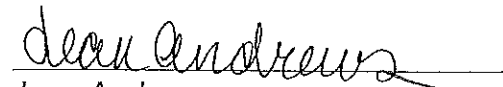
Gary Kremlacek
1976 County Rd. R
Fremont, NE 68025

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held July 16, 2019 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. In addition, please plan to attend the Dodge County Board of Supervisors meeting on July 31, 2019 where your application will be heard at 9:35 A.M.

If you have any questions, please feel free to contact my office.

Thank you,



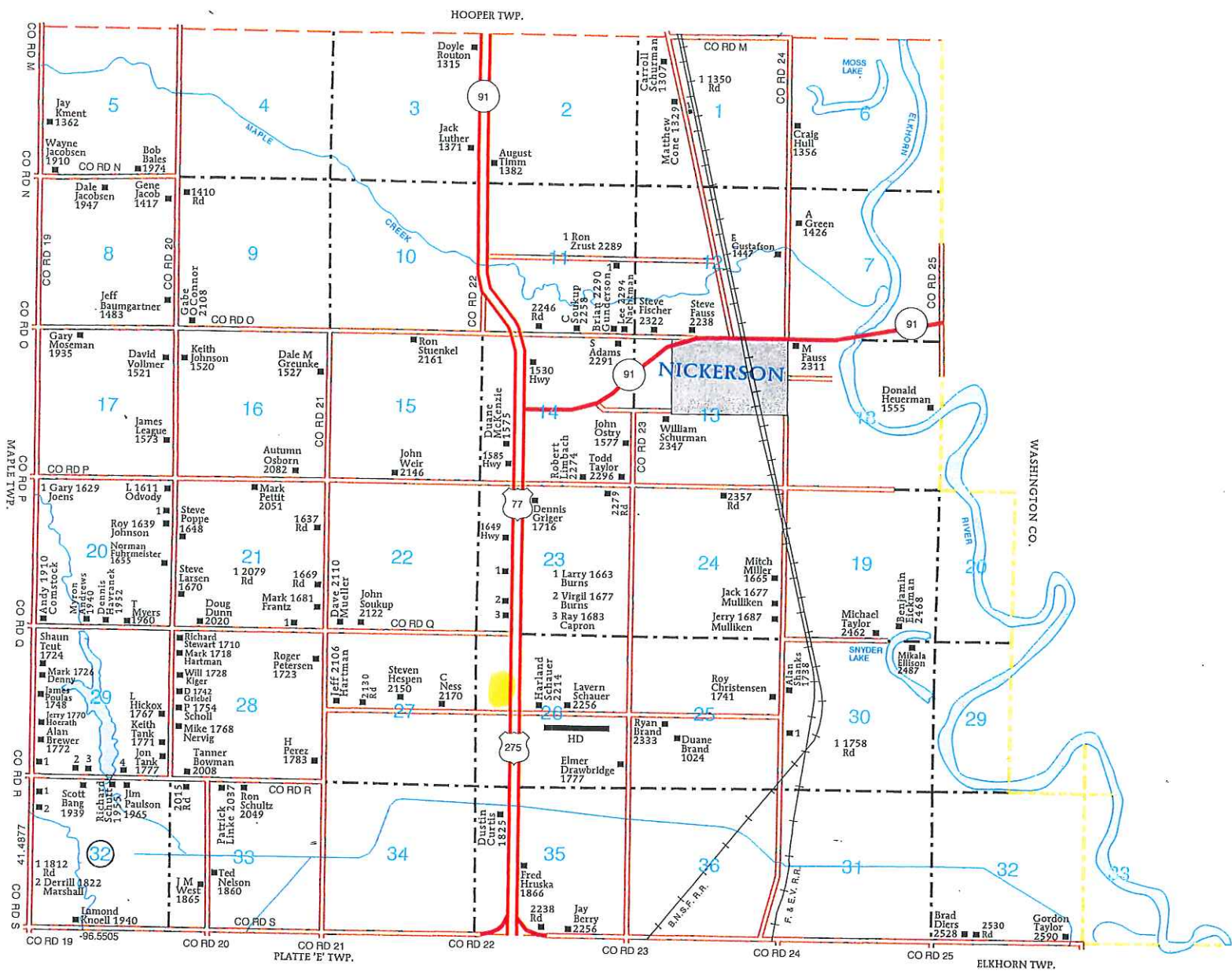
Jean Andrews,
Dodge County Zoning Administrator

Enclosure

Cc: File

NICKERSON TOWNSHIP SECTION 29W

- 1 Jedlicka, Edward 1794
- 2 Brodd, Brian 1938
- 3 Krenk, C 1946
- 4 Kremlacek, Gary 1976



T-18-N
 NICKERSON DIRECTORY
 (Residents - Owners of Farms)
 R-8-9-E

**DODGE COUNTY
BUILDING INSPECTION & ZONING DEPARTMENT**

JEAN ANDREWS, Zoning Administrator

Courthouse - 435 N. Park, Room 204
Fremont, Nebraska 68025
Phone: (402) 727-2724

July 3, 2019

Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, July 16, 2019 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 Gary Kremlacek of 1976 County Rd. R, Fremont, NE 68025 to subdivide a 5.10 acre tract and obtain a Residential Registration for an existing dwelling as per Article 14. Section 3. 1.3 Single Family dwellings by a no-fee residential registration permit located Pt TL 26, W ½ NW ¼ Section 26, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-3, Transitional Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, July 16, 2019 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, 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

2018 JUN 25 PM 3:03
RECEIVED
Dodge Co Highway Dept

NAME AND ADDRESS SEARCH

Request Made By: **Platte Valley Equipment**

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 shown as property owners of land adjoining the property described as:

The West 1/2 of the Northwest Quarter of Section 26, Township 18, Range 8 East, of the 6th P.M., Dodge County, Nebraska, except road right-of-ways. Also referred to as Tax lot 8 and 26.

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

Janet L. Brabec, Trustee **Tanks Sub Lots 9-12 (TL 21)** **23-18-8**
3110 Cherrywood Dr
Fremont, NE 68025-6285

Janet L. Brabec, Trustee **TL 7 & 14 (SW1/4SW1/4)** **23-18-8**
3110 Cherrywood Dr
Fremont, NE 68025-6285

Carroll Hasemann **PT TL 29** **26-18-8**
261 Co Rd 16 Blvd
Scribner, NE 68057

NE Dept of Roads State Capitol **TL 10** **26-18-8**
PO Box 94759
Lincoln, NE 68509-4759

Marlin J. & Marla E. Brabec, Trustee **TL 20** **23-18-18**
1030 Timberwoods Dr
Ames, NE 68621

John G. Brabec **TL 12 & 19 (TL 19 SE1/4SW1/4)** **23-18-8**
1069 130th St **(TL 12 NE1/4SW1/4)**
Essex, IA 51638-6023

Janet L. Brabec, Trustee
3110 Cherrywood Dr
Fremont, NE 68025-6285

TL 11 & 15 (TL15 W1/2SW1/4)
(TL 11 NW1/4SW1/4)

23-18-8

Mcgreer Family Farms LLC
Lallman & Paulson
PO Box 672
Fremont, NE 68026-0672

SE1/4

22-18-8

Kirk & Jeanne Brand
2190 Rosedale Rd
Fremont, NE 68025-7830

TL 11 (E1/2NE1/4)

27-18-8

Carroll D. Hasemann
261 Co Rd 16 Blvd
Scribner, NE 68057

E1/2SE1/4

27-18-8

James Schauer, ETAL
Bonnie Phillips;
Janice Stieren; David Schsuer
1735 N Keene Ave
Fremont, NE 68025-2989

TL 27 (SE1/4NW1/4)

26-18-8

John G. Brabec
1069 130th St
Essex, IA 51638-6023

TL 25

26-18-8

John and Jolene Schauer
2214 Rosedale Rd
Fremont, NE 68025

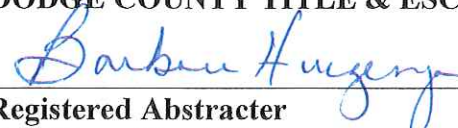
TL 30

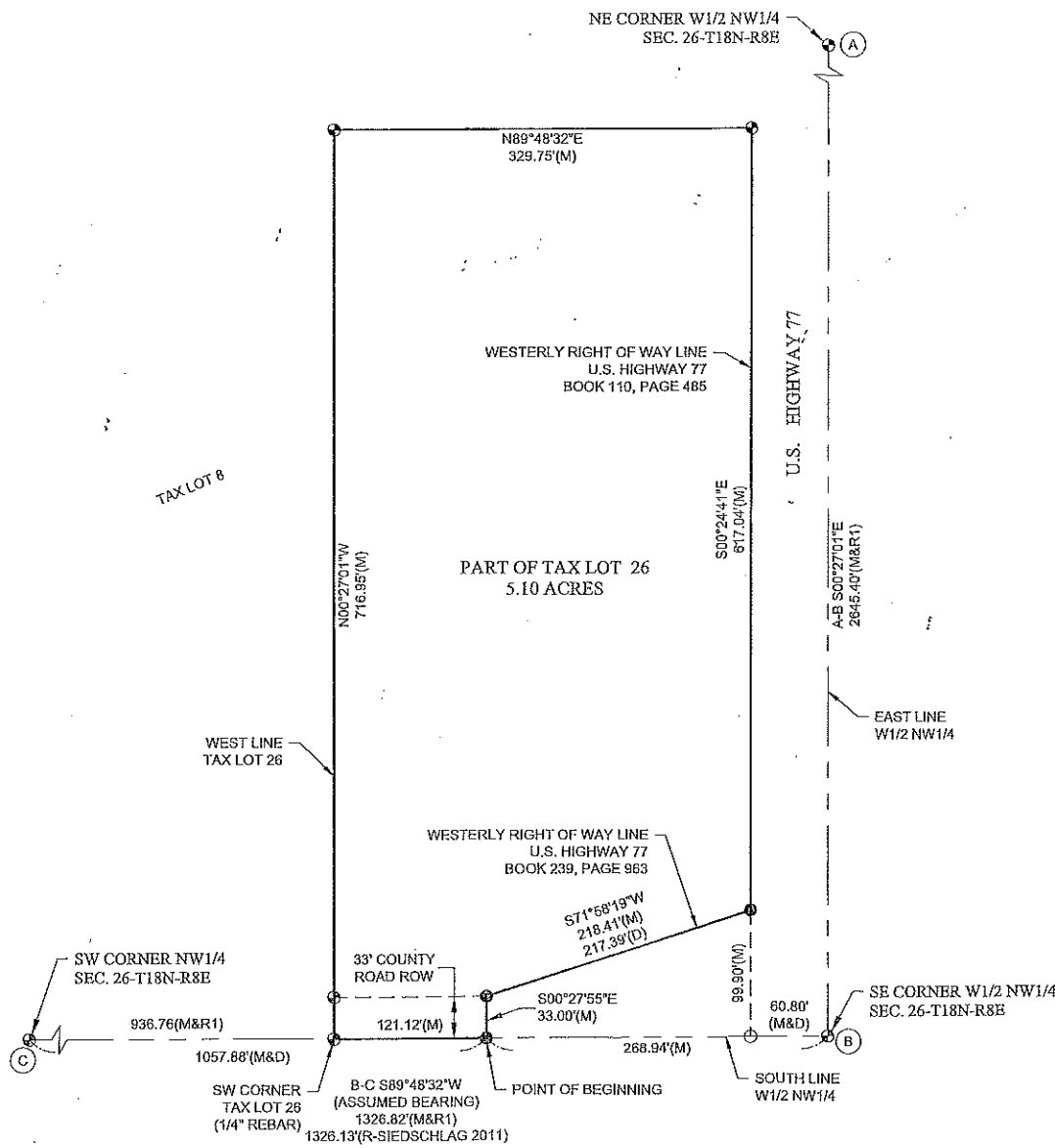
26-18-8

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 21, 2019

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


Registered Abstractor
Certificate No. 147
Order No. 190684



LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN PART OF TAX LOT 26, IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 8 EAST OF THE SIXTH P.M., DODGE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE S89°48'32\"/>

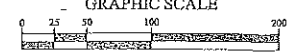
SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

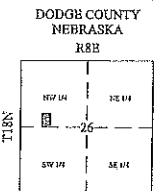
Joshua D. Borchers 6/26/2019
JOSHUA D. BORCHERS, LS 766



- LEGEND**
- ⊕ MONUMENT FOUND
 - ⊙ MONUMENT SET
 - CALCULATED POINT
 - D DEEDED DISTANCE
 - G GOVERNMENT DISTANCE
 - M MEASURED DISTANCE
 - F FLATTED DISTANCE
 - K RECORDED DISTANCE
 - RI RECORDED DISTANCE-BORCHERS 2019



VICINITY SKETCH



NOTE: ALL BEARINGS ARE ASSUMED.

PART OF TAX LOT 26
IN THE W1/2 NW1/4
SEC. 26-T18N-R8E SIXTH P.M.
DODGE COUNTY, NEBRASKA
SURVEY RECORD

KREMLACEK SURVEY

PROJECT NO. 190645.02
DATE 6/25/2019
DRAWN BY AWH
FILE NAME SV-190645.02-PLAT.dwg
FIELD BOOK DODGE CO. 28
FIELD CREW MS/NF
SURVEY FILE NO. 31C-37

CORNER TIES:

- (A) NE CORNER W1/2 NW1/4 SECTION 26-T18N-R8E**
 FOUND A STEEL NAIL MARKER STAMPED "SURVEY MARK" IN CONCRETE RETURN
 E 48.30' TO THE CENTERLINE NORTH-SOUTH SAW CUT JOINT OF SOUTH BOUND LANES
 W 100.00' TO A 3/4" OPEN TOP PIPE, FOUND 1.5' DEEP
 WSW 73.78' TO A NAIL "X" FOUND IN THE NORTH FACE OF A POWER POLE (5' ABOVE GROUND)
 N 3.85' TO THE EAST-WEST CENTERLINE SAW CUT JOINT OF CONCRETE RETURN
 E 5.25' TO A NORTH-SOUTH SAW CUT JOINT
 W 390.07' TO A FOUND 1/2" REBAR
 W 67' TO A NORTH-SOUTH POWER LINE
- (B) SE CORNER W1/2 NW1/4 SECTION 26-T18N-R8E**
 FOUND A STEEL NAIL MARKER STAMPED "SURVEY MARK" IN ASPHALT RETURN
 E 43.80' TO THE CENTERLINE NORTH-SOUTH SAW CUT JOINT OF SOUTH BOUND LANES
 N 32.76' TO A MAG NAIL FOUND IN THE TOP NORTH END OF A 24" CMP
 S 46.28' TO A MAG NAIL FOUND IN THE TOP SOUTH END OF A 24" CMP
 WSW 74.40' TO A NAIL "X" FOUND IN THE NORTH FACE OF A POWER POLE (3' ABOVE GROUND)
 E 444.80' TO A FOUND 5/8" REBAR
 W 294.98' TO A FOUND 5/8" REBAR
 W 385.66' TO A FOUND 5/8" REBAR
 W 390.08' TO A FOUND 1/4" REBAR
 W 67' TO A NORTH-SOUTH POWER LINE
 S 37' TO AN EAST-WEST POWER LINE
- (C) SW CORNER NW1/4 SECTION 26-T18N-R8E**
 FOUND A DODGE COUNTY ALUMINUM CAP, 0.5' DEEP.
 N 33.00' TO A 1/2" OPEN TOP PIPE
 NNW 19.47' TO A MAG NAIL FOUND IN THE TOP NORTH END OF A 24" CMP
 NNW 111.36' TO A MAG NAIL FOUND IN THE TOP EAST END OF A 24" CMP
 ESE 62.63' TO A NAIL FOUND IN THE NORTH FACE OF A POWER POLE (4' ABOVE GROUND)
 N 49.98' TO A FOUND 3/4" REBAR
 W 1.5' TO A RANGE OF FENCE NORTH
 S 31.5' TO AN EAST-WEST POWER LINE

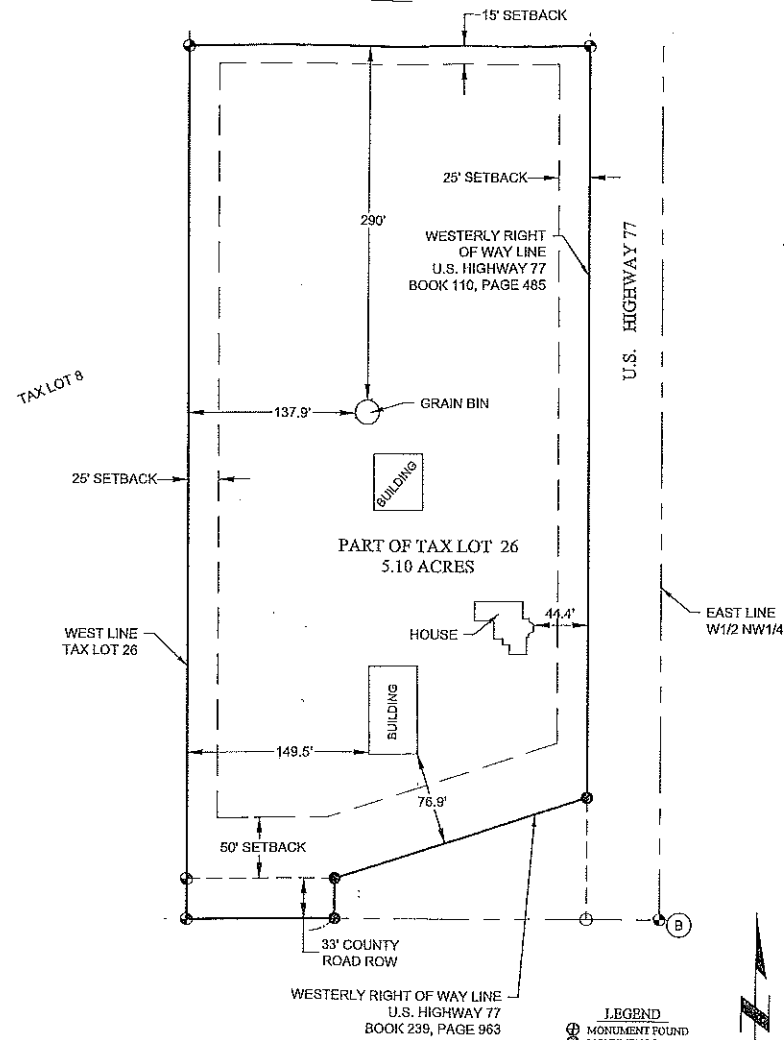
SURVEYOR'S REPORT:

THIS SURVEY WAS PERFORMED AT THE REQUEST OF PLATTE VALLEY EQUIPMENT. THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH THE PERIMETER AND CREATE A METES AND BOUNDS DESCRIPTION OF A PARCEL OF LAND LOCATED IN TAX LOT 26 IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 8 EAST OF THE SIXTH P.M., DODGE COUNTY, NEBRASKA.

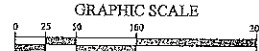
EXISTING MONUMENTS OF RECORD WERE FOUND AT LOCATIONS SHOWN ON THIS PLAT. ALL MONUMENTS FOUND THAT ARE NOT DESCRIBED IN THE CORNER TIES OR ON THE PLAT ARE A 5/8" REBAR WITH A PLASTIC CAP STAMPED "BORCHERS L.S. 766". ALL MONUMENTS SET ARE A 5/8" BY 24" REBAR WITH A PLASTIC CAP STAMPED "BORCHERS L.S. 766".

ALL LINES WERE PRODUCED AND ANGLES AND DISTANCES MEASURED WITH A TRIMBLE R10 GNSS RECEIVER.

SITE DETAIL



- LEGEND**
- ⊕ MONUMENT FOUND
 - ⊙ MONUMENT SET
 - CALCULATED POINT
 - D DEEDED DISTANCE
 - G GOVERNMENT DISTANCE
 - M MEASURED DISTANCE
 - P PLATTED DISTANCE
 - R RECORDED DISTANCE
 - R1 RECORDED DISTANCE-BORCHERS 2019



PART OF TAX LOT 26
 IN THE W1/2 NW1/4
 SEC. 26-T18N-R8E SIXTH P.M.
 DODGE COUNTY, NEBRASKA
 SURVEY RECORD

KREMLACEK SURVEY

PROJECT NO. 190845.02
 DATE 6/25/2019
 DRAWN BY AWH
 FILE NAME W190845.02 PLAT.dwg
 FIELD BOOK DODGE CO. 28
 FIELD CREW MSNF
 SURVEY FILE NO. 31C-37