Agenda	Item	#	· /	24a
Date	<u>7/</u>	4	20	

MINUTES DODGE COUNTY PLANNING COMMISSION

Meeting of the Dodge County Planning Commission was called to order by Chairman, Marlin Brabec at 4:30 P.M., Tuesday, June 16, 2020 in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Brabec, Fooken, Giesselmann, Rolf and Taylor. Absent: Hansen, Ruzicka and Wagner. Nathan Schole resigned from the board.

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

Chairman Brabec asked if there was any communication with the applicants and the board. None were reported.

Motion was made by **Fooken** to accept the Minutes of the February 18, 2020 meeting as mailed. Seconded by **Rolf.** Motion carried by voice vote with the following voting yes: Fooken, Giesselmann, Rolf, Taylor and Brabec. Absent: Hansen, Ruzicka and Wagner.

Public Hearing: Consider request of Patricia F. Dillon of 1715 N. Nye Ave. Fremont, NE 68025 to request a change of zoning for a .99-acre tract of land from Platte River Corridor to R-1 Residential and to change the zoning map as per Article 29 Dodge County Zoning Regulations and to be combined with Lot 116 of Lake Ventura Subdivision located in N ½ SE ¼ Section 14, Township 17 North, Range 7 East of Dodge County, Nebraska.

Chairman Brabec declared the Public Hearing open.

Testimony:

For: David Mitchell, Attorney for Patricia Dillon and Sid Dillon were present to answer questions of the board. Mitchell stated the Dillons purchased the .99-acre tract from Rod & Gun Club to combine with Lot 116 of Lake Ventura. In order to combine the tract with Lot 116, it required the zoning be changed from Platte River Corridor to Residential. Rolf asked if this parcel would only have a single-family dwelling. Mitchell stated the house currently on Lot 116 was being renovated and the extra tract might have another structure placed on it at a later date.

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Against: No one was in attendance to speak against the matter and no communication had been received either for or against the proposal.

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

Possible Action:

Motion was made by **Rolf** to recommend approval of the Change of Zoning and Amending the Zoning Map. Seconded by **Taylor**. Motion carried by roll call vote. Those voting yes: Rolf, Taylor, Brabec, Fooken and Giesselmann. Absent: Hansen, Ruzicka and Wagner. The applicant was advised the County Board of Supervisors would hear the request on Wednesday, July 1, 2020 at 9:30 A.M.

Item #2. Consider discussion to amend zoning regulations to include regulations for Wind Energy as requested at the Dodge County Board Meeting on January 29th, 2020

This item will be placed on the planning commission agenda whenever there are other items for the board to take up. Andrews stated she had taken some items from the other counties that she knew had the Wind Energy regulations. Brabec stated that we should check with commercial vendors to be up-to-date with the regulations that would last for at least 10 years.

David Saalfeld asked if he could speak to this item as he knew that Cedar County and Crofton, NE had wind turbines and that we should investigate their regulations. It was also stated that Cuming County had some wind turbines and maybe check with what their regulations might state. Andrews stated that the Comprehensive Plan and Zoning Regulations are due to be updated and haven't had that done since 1999. This item will be continued to another board meeting with no action being taken.

With no further business **Rolf** moved to adjourn at <u>4:45 P.M.</u> and seconded by **Giesselmann.** Motion carried: Taylor, Brabec, Fooken, Giesselmann and Rolf. Absent: Hansen, Ruzicka and Wagner. The next scheduled meeting will be July 21, 2020 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 June 16, 2020

Zoning sign was placed on the property Thursday, June 11, 2020.

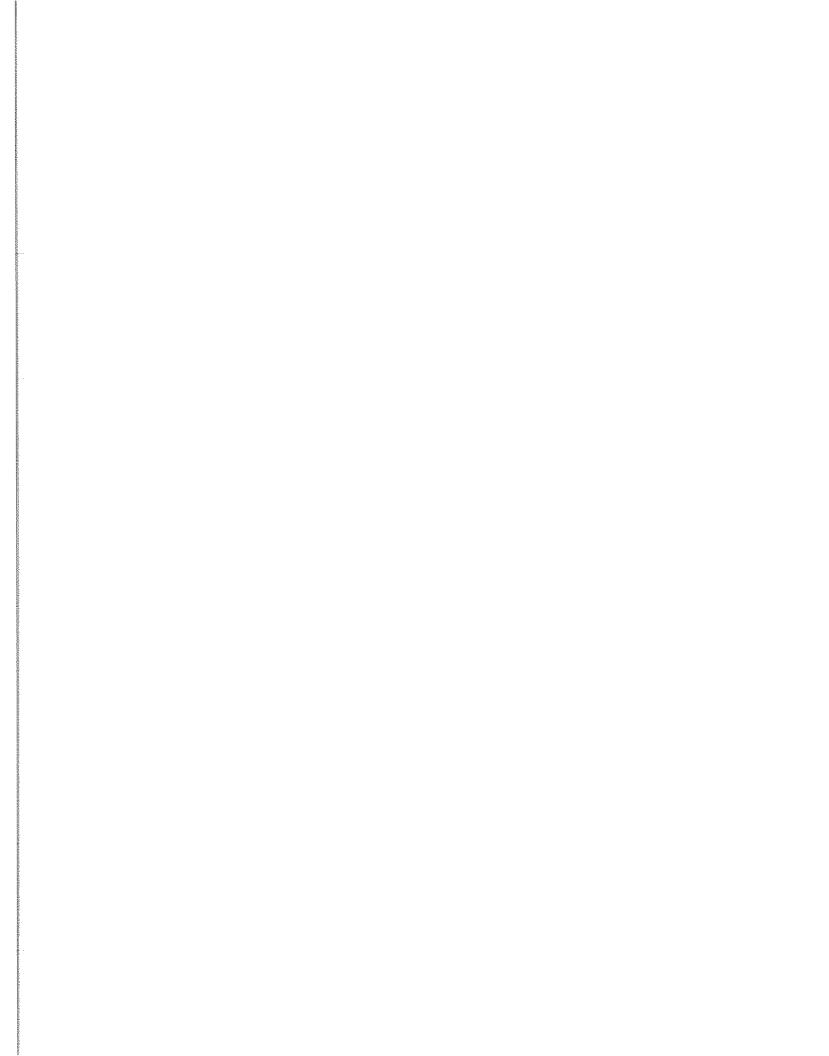
Patricia Dillon

The .99 acre property is located adjoining Lot 116 of Lake Ventura Subdivision which is presently zoned as the Platte River Corridor and the request is to change the zoning to Residential (R-1). The purpose of adding this property to Lot 116 is to add a detached garage to the additional ground. I placed the sign on the lot to be rezoned and took picture of the existing home. Presently, a building permit has been issued for an attached garage.

Respectfully submitted,

Jean Andrews,

Dodge County Zoning Administrator







AGENDA DODGE COUNTY PLANNING COMMISSION

Dodge County Planning Commission, Tuesday, June 16, 2020 at 4:30 P.M., Board of Supervisors Room, Courthouse, Fremont, NE.

- 1. Call to Order at 4:30 P.M. Roll Call Declaration of Open Meeting
- 2. Legality of Meeting Approval of Agenda
- 3. Declaration of Exparte
- 4. Approval of Minutes of February 18, 2020 Meeting
- 5. **Public Hearing**: Consider request of Patricia F. Dillon of 1715 N. Nye Ave. Fremont, NE 68025 to request a change of zoning for a .99-acre tract of land from Platte River Corridor to R-1 Residential and to change the zoning map as per Article 29 Dodge County Zoning Regulations and to be combined with Lot 116 of Lake Ventura Subdivision located in N ½ SE ¼ Section 14, Township 17 North, Range 7 East of Dodge County, Nebraska.

Testimony:
For:
Against:
Possible Action:

- 6. Discussion concerning proposing zoning regulations regarding Wind Energy
- 7. Other business brought to the board (by published Addendum)
- 8. Adjournment

AGENDA POSTED AND KEPT CONTINUALLY CURRENT AT THE DODGE COUNTY COURTHOUSE AND DISTRIBUTED TO THE PLANNING COMMISSION ON JUNE 5, 2020. COPIES AVAILABLE AT THE OFFICE OF THE COUNTY ZONING ADMINISTRATOR AND COUNTY CLERK.

NOTICE PUBLIC MEETING AND HEARINGS DODGE COUNTY PLANNING COMMISSION AND DODGE COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN, that public hearing of the Dodge County Planning Commission will be held during their regularly scheduled meeting, June 16, 2020 at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, July 1, 2020 at 9:00 A.M. Both meetings will be held in the Dodge County Board of Supervisors Room, 3rd floor of the Courthouse, Fremont, NE for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for the following item:

- 1. Consider request of Patricia F. Dillon of 1715 N. Nye Ave. Fremont, NE 68025 to request a change of zoning for a .99-acre tract of land from Platte River Corridor to R-1 Residential and to change the zoning map as per Article 29 Dodge County Zoning Regulations and to be combined with Lot 116 of Lake Ventura Subdivision located in N ½ SE ¼ Section 14, Township 17 North, Range 7 East of Dodge County, Nebraska.
- 2. Discussion concerning proposing zoning regulations regarding Wind Energy

Questions or comments concerning the public hearings and proposed request should be directed to the Zoning Administrator at (402) -727-2724 and the Dodge County Clerk's Office at (402)727-2767. All interested parties may offer oral comments at the public hearings and/or may file written comments with the Zoning Administrator or County Clerk concerning the petition and such comments shall be considered by the Board, provided such written comments are received prior to the public hearing dates.

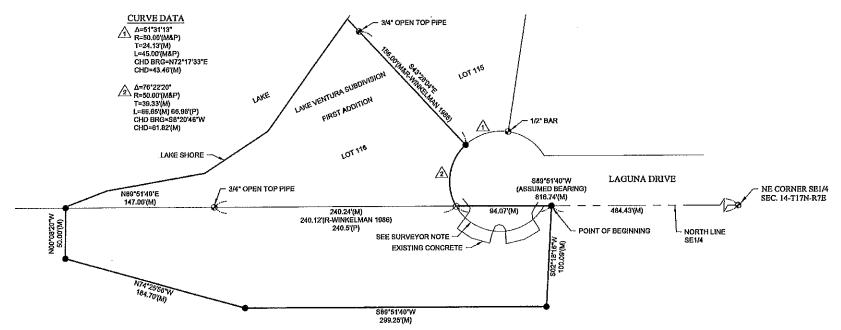
APPLICATION FOR A CHANGE OF ZONING

Dodge County, Nebraska
Date 3/8/2020
Form must be filled out completely before acceptance of this application for processing. Pleas print.
Applicant's Name VATRICIA F. DILLON Telephone No. 402721-2861
Applicant's Address 1715 X. ME AVE.
Present Use of Subject Property Recreation
Desired Use of Subject Property Kisidentia
Present Zoning (R-Platte Ruser Requested Zoning R-1 Residential
Legal Description of Property Requested to be Rezoned See attached legal description
Area of Subject Property, Square Feet and/or Acres 99 acre - combined with Lot 116 How are Adjoining Properties Used (Actual Use)
How are Adjoining Properties Used (Actual Use)
North R-1 South RK
East VR West VR
If Exhibits are furnished, please describe and enumerate. (Furnish Plot or Site Plan showing existing and proposed structures, easements, water courses, curb cutbacks, etc.)
The Zoning Administrator, who may be accompanied by others is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.
Justification You must justify your request. Questions I through 4 must be answered completely.
1. What is the general character of the area? Describe.
2. Can soil conditions support the kinds of development in the proposed zoning district? What is the soil classification of the area?
Sandy
3. What type of sewer and water system will be used?
4. How will the proposed Zoning District affect traffic in the area? Will streets or roads need to be updated for access to the area? If yes, what will the requirements be?
Signature of Owner or Signature of Agent Savid Colletted ,
Signature of Owner or Signature of Agent Owner OFFICE USE ONLY
Permit No 2020 - 00/
Dota 6-16: 2020 Approved
Date O-10 A080 Approved Disapproved Chairman, Dodge County Planning Commission
Disapproved Chairman, Dodge County Planning Commission Date 1-1-2020 Approved
Disapproved Chairman, Dodge County Board of Supervises.
Date 7-1-2020 Approved Disapproved Chairman, Dodge County Board of Supervises Dodge County Planning and Zoning Administrator 435 N. Park, Fremont, NE 68025 402/727-2724

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 7 EAST OF THE SIXTH P.M., DODGE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE \$89°51'40"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 484.43 FEET TO THE POINT OF BEGINNING; THENCE \$02°18'16"W, A DISTANCE OF 100.09 FEET; THENCE \$89°51'40"W, PARALLEL WITH AND 100.00 FEET DISTANT FROM SAID NORTH LINE, A DISTANCE OF 299.25 FEET; THENCE N74°25'56"W, A DISTANCE OF 184.70 FEET; THENCE N00°08'20"W, PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 50.00 FEET TO SAID NORTH LINE; THENCE N89°51'40"E ON SAID NORTH LINE, A DISTANCE OF 481.31 FEET TO THE POINT OF BEGINNING, CONTAINING 0.99 ACRES, MORE OR LESS





RECORD LEGAL DESCRIPTION (INST. NO. 202001239):

LOT 116, LAKE VENTURA SUBDIVISION, FIRST ADDITION, A SUBDIVISION IN DODGE COUNTY, NEBRASKA. AND

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 7 EAST OF THE SIXTH P.M., DODGE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE S89'51'40'W (ASSUMED BEARING) ON THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 484.43 FEET TO THE POINT OF BEGINNING; THENCE S02"48"16"W, A DISTANCE OF 100.09 FEET; THENCE S89"81"40"W, PARALLEL WITH AND 100.00 FEET DISTANT FROM SAID NORTH LINE, A DISTANCE OF 299.25 FEET; THENCE N74°25'56"W, A DISTANCE OF 184.70 FEET; THENCE N00°08'20"W, PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 50.00 FEET TO SAID NORTH LINE; THENCE N89°51'40"E ON SAID NORTH LINE, A DISTANCE OF 481.31 FEET TO THE POINT OF BEGINNING, CONTAINING 0.99 ACRES, MORE OR LESS.

SURVEYOR'S REPORT:

THIS SURVEY WAS PERFORMED AT THE REQUEST OF SIDNEY DILLON. THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH THE PERIMETER AND CREATE A
METES AND BOUNDS DESCRIPTION OF A PARCEL OF LAND LOCATED IN THE
NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 7 EAST OF THE SIXTH P.M., DODGE COUNTY, NEBRASKA,

EXISTING MONUMENTS OF RECORD WERE FOUND AT LOCATIONS SHOWN ON THIS PLAT, ALL MONUMENTS FOUND ARE DESCRIBED ON THIS PLAT. 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

SURVEYOR'S NOTE:

THE DEDICATION PLAT OF "LAKE VENTURA SUBDIVISION, FIRST ADDITION", DATED JANUARY 16TH, 1974, DEDICATES LAGUNA DRIVE'S CUL-DE-SAC SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14-T17N-R7E, BASED ON MY RESEARCH OF RECORDS, IT APPEARS TO ME THAT THE SUBDIVIDERS OF SAID ADDITION DID NOT HAVE TITLE OF LAND SOUTH OF SAID NORTH LINE.

CORNER TIES:

NE CORNER SE1/4 SECTION 14-T17N-R7E
FOUND A 3/4" OPEN TOP PIPE, 0.1' DEEP
W 10.69' TO A NAIL FOUND IN THE NORTH FACE OF A GATE POST

(1' ABOVE GROUND) TO A PK NAIL SET IN THE WEST FACE OF A GATE POST

(1' ABOVE GROUND) NW 48.3' TO THE TOP OF A FIRE HYDRANT E 2' TO A RANGE OF FENCE NORTH IN LINE WITH A FENCE LINE WEST

3/18/2020 AWH SELD CHEW

1 OF 1

PT. N1/2 SE1/4 SEC. 14-T17N-R7E OF THE SIXTH DODGE COUNTY, NEBRASKA 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 KANSAS. 3/18/2020 JOSHUA D. BORCHERS, LS 788 LS-766 VICINITY SKETCH R7E MVEY FILE NO. 2020-27 GRAPHIC SCALE NOTE: ALL BEARINGS ARE ASSUMED.

DODGE COUNTY BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator Flood Plain Manager

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

June 5, 2020

David Mitchell, Attorney at Law Yost, Schafersman, Lamme, Hillis, Mitchell, Schulz & Hartmann, P.C. 81 W. 5th St. Fremont, NE 68025

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held June 16, 2020 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 1, 2020 where your application will be heard at 9:30 A.M.

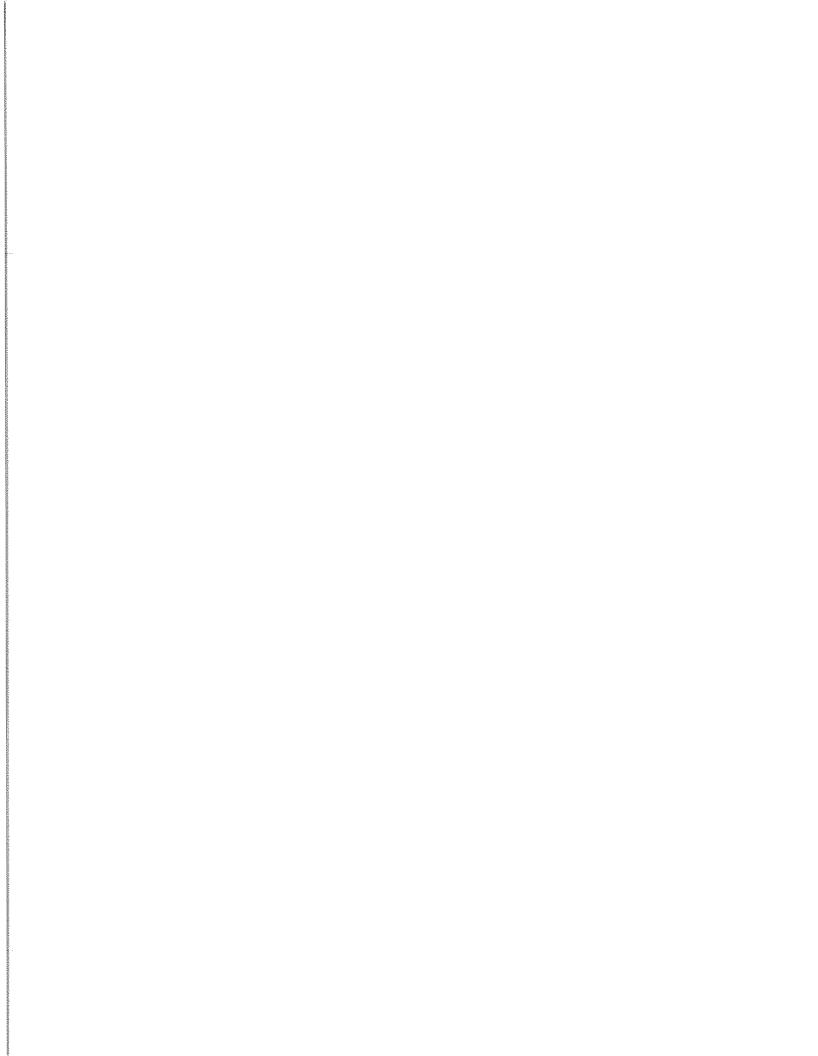
If you have any questions, please feel free to contact my office.

Thank you,

Jean Andrews,
Dodge County Zoning Administrator

Enclosure ·

Cc: Patricia F. Dillon



DODGE COUNTY BUILDING INSPECTION & ZONING DEPARTMENT

JEAN ANDREWS, Zoning Administrator Flood Plain Manager

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

June 5, 2020

Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, June 16, 2020 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 Patricia F. Dillon of 1715 N. Nye Ave. Fremont, NE 68025 to request a change of zoning for a .99-acre tract of land from Platte River Corridor to R-1 Residential and to change the zoning map as per Article 29 Dodge County Zoning Regulations and to be combined with Lot 116 of Lake Ventura Subdivision located in N ½ SE ¼ Section 14, Township 17 North, Range 7 East of Dodge County, Nebraska.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, June 16, 2020 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the Change of Zoning and County Zoning Map, 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

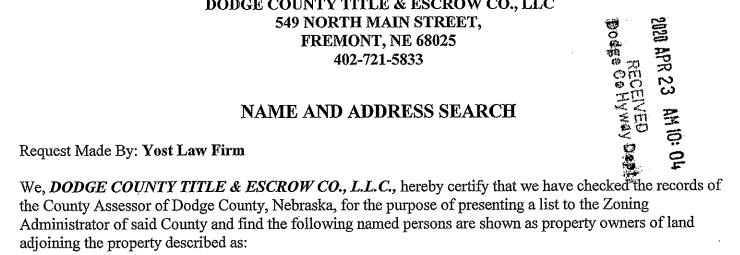


DODGE COUNTY TITLE & ESCROW CO., LLC

Laura L. Duff

21815 Ponderosa Dr

Gretna, NE 68028-5927



Tax Lots 5, 6, 22, 24, 25, 26, 27, 32, and part of Tax Lot 33 in Section 15, Township 17, Range 7, also Tax Lots 16 - 19 and 21 - 29, in Section 14, Township 17, Range 7, also the North half Southeast Quarter and part Tax Lots 3, 4, 6 and Tax Lots 12 - 17 in Section 13, Township 17, Range 7, all East of the 6th P.M., Dodge County, Nebraska.

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

Larry L. Lincoln, (TIC ETAL) Abraham E. Lincoln Brian P. Lincoln Mark A. Lincoln 4720 N 13th St Omaha, NE 68110-1426	TL 35, 36 & 38-41 (Includes 39.9a River)	15 - 17 - 7
Lewis C. & Joann A. Morgan 1232 N Pebble St Fremont, NE 68025-3559	TL 29 & 34	15 - 17 - 7
Timberwood Homeowners Inc Paul Von Behren 1010 Timberwood Dr Ames, NE 68621	TL 30, 31, 37, 48-52, 54 & 55 (S of Timberwoods Sub & Lake)	15 - 17 - 7
Loye Max & Darlene Steinbach, Trustee 2222 E 5th Fremont, NE 68025	TL 3, 18, 42, 59 & Pt TL 61 & 4	15 - 17 - 7

Timberwoods First Add

Lot 23



Boris Borisow 1066 W 23rd St Fremont, NE 68025-6613	Timberwoods First Add Lot 24	
Marv Inc 248 E 1st Fremont, NE 68025	PT TL 4	15 - 17 - 7
Mary Inc 248 E 1st Fremont, NE 68025	PT TL 12	14 - 17 - 7
Loye Max & Darlene Steinbach, Trustees 2222 E 5th St Fremont, NE 68025	PT TL 12 & 31	14 - 17 - 7
D & D District N/A	TL 13	14 - 17 - 7
David N. Simmons, Sr 1729 Caliente Cv Fremont, NE 68025	Lake Ventura Sub Lot 87 & N9.7' Lot 88	
Nikolas S & Diane M. Beninato 1723 Caliente Cove Fremont, NE 68025-9782	Lake Ventura Sub PT Lots 88 & 90	
David L. Hull PO Box 615 Fremont, NE 68026	Lake Ventura 1st Add Lot 90 Exc 1.8' X 148'	
David L. Hull PO Box 615 Fremont, NE 68026-0615	Lake Ventura 1st Add PT Lot 91	·
Patricia F. Dillion 1675 Laguna Dr Fremont, NE 68025-9783	PT TL 17	14 - 17 - 7
Patricia F. Dillion 1675 Laguna Dr Fremont, NE 68025-9783	Lake Ventura 1st Add Lot 116	



James D. & Susan G. Wilcynski 1681 Laguna Dr Fremont, NE 68025	Lake Ventura 1st Add Lot 115	
John L. & Judy K. Ekeler, Tr 1693 Laguna Dr Fremont, NE 68025	Lake Ventura 1st Add Lot 114	
John L. & Judy K. Ekeler, Tr 1693 Laguna Dr Fremont, NE 68025	Lake Ventura 1st Add Lot 113	
Glenn A. & Martha A. Van Ekeren, (JT WROS) 21134 Arbor Ct Elkhorn, NE 68022-2310	Lake Ventura 1st Add Lot 112	
Jeffrey S. & Julie M. Helget 1711 Laguna Dr Fremont, NE 68025	Lake Ventura 1st Add Lot 110	
Three Wheels LLC 1715 N Nye Fremont, NE 68025	SE1/4NW1/4 & TL 7, 9 & 10	13 - 17 - 7
Three Wheels LLC 1715 N Nye Fremont, NE 68025	TL 2	13 - 17 - 7
Three Wheels LLC 1715 N Nye Fremont, NE 68025	Tract in SE1/4NE1/4	13 - 17 - 7
State of Nebraska 1500 HWY N-2 Lincoln, NE 68502	N1/2SW1/4, SE1/4SW1/4, NW1/4SE1/4 S1/2SE1/4 TL 16, 17, 18, 23, 24 & 27	17 - 17 - 8
Bryson Holdings LLC 1704 N Bell St #306 Fremont, NE 68025-3159	PT TL 25	17 - 17 - 8

Bryson Holdings LLC 1704 N Bell St #306 Fremont, NE 68025-3159 TL 44 45 & 48 PT TL 46 & 47 (Includes 8.5a river) 20 - 17 - 8

Timothy Bryson 1704 N Bell St Lot 306 Fremont, NE 68025-3159 13 - 17 - 7

NOTE: No information available at the Dodge County Assessor for Union Pacific Railroad Right-of-Way or for the Lake Ventura Lake.

PT TL 3

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: April 20, 2020

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

Registered Abstracter

Certificate No. 147 Order No. 200468