

Agenda Item # 19 a  
Date 10/6/21

**MINUTES**  
**DODGE COUNTY PLANNING COMMISSION**

Meeting of the Dodge County Planning Commission was called to order by Vice Chairman, Brad Fooker at 4:30 P.M., Tuesday, September 21, 2021 in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Fooker, Hansen, Rolf, Ruzicka and Wagner. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp.

The meeting was declared legally convened, due to Public Notice given and is considered to be an Open Meeting. No Exparte had been reported.

Motion was made by **Ruzicka** to accept the Minutes of the August 17, 2021 meeting as mailed. Seconded by **Hansen**. Motion carried by voice vote with the following voting yes: Fooker, Hansen, Rolf, Ruzicka and Wagner. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp.

**Public Hearing:** Consider request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to renew a Conditional Use Permit to store and apply Biosolids as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in NW ¼ Section 2, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag.

Vice Chairman Fooker declared the public hearing to be open.

**Testimony:**

**For:** Scott Nun was present representing Chad Christianson and City of Fremont. Nun stated this property had been applied several years ago. He stated they were following the county's newly amended regulations as well as EPA. He added they apply at 10 Tons/Acre according to the phosphate rate. Rolf asked about spreading in the past if there were any complaints. Andrews stated in all the years that the product was stored and applied, the county has not had any complaints.

**Nancy O'Connor:** Asked questions of Scott Nun as to when the material would be hauled to the site. Nun stated it is not hauled to the site until August 1 and has to be applied before February 1. He added the product would be applied after the crop was out by November to spread. He stated their goal was to have everything accomplished by Thanksgiving, 45 days at the most.

**Against:** No one was present and no verbal or written communication had been received.

Motion to close the hearing was made by **Ruzicka** and seconded by **Rolf**. Motion carried by voice vote. All present voted yes.

**Possible Action:**

Motion was made by **Ruzicka** and seconded by **Hansen** to recommend approving 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. Motion carried by roll call vote. Those voting yes: Hansen, Rolf, Ruzicka, Wagner and Fooker. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp. Mr. Christianson and Nun were advised the Dodge County Board of Supervisors will hear the request on October 6, 2021 at 9:30 A.M.

**Public Hearing:** Consider request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in East ½ of SW ¼ Section 13, Township 18 North, Range 8 East in Maple Township, Zoning District A-2, General Ag.

The hearing was declared open.

**Testimony:**

**For:** Scott Nun and Chad Christianson were present to explain the request. The site is new and near a creek that runs thru the property, but they will honor the appropriate setbacks. Ruzicka asked if there had been anyone complaining about the request. Andrews stated she had received phone calls regarding the sign, but not anyone verbally against the proposal.

The public that requested to speak wanted information regarding the request.

**Larry Pearson** stated he had a neighbor several years ago "Mare's Tail" was brought out from the City of Fremont's material. Nun stated he has been involved with the biosolids from the City of Fremont for a number of years and this is the first time he has heard of this weed issue. Nun went on to say that they do not spread material near a creek.

**Randy Ruppert** of 2108 County Road Q asked Nun what the setback from the creek would be in order to spread. Nun stated he thought it was between 40 and 100 feet. Ruppert stated that when you get a 4 ½ or even a 2 ½ inch rain, it will take the material down the creek. Ruppert asked if there is a bad fall, will it be spread on frozen ground? Nun stated they will come back out if the material can not be spread by January 31<sup>st</sup> and pick it up. He went on to say this is the last field for the season.

**Against:**

There was no communication received either for or against the proposal.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Rolf**.  
Motion carried by voice vote. All present voted yes.

**Possible Action:**

Motion was made by **Ruzicka** and seconded by **Hansen** to recommend approving 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. Motion carried by roll call vote. Those voting yes: Rolf, Ruzicka, Wagner, Fooker and Hansen. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp. Mr. Christianson and Nun were advised the Dodge County Board of Supervisors will hear the request on October 6, 2021 at 9:35 A.M.

**Public Hearing:** Consider request of Kevin Hasemann of 1229 Glenwood Court, Fremont, NE 68025 to subdivide a 6.05 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in NW ¼ Section 16, Township 20 North, Range 7 East in Cuming Township, Zoning District A-1, Intensive Ag.

The Public Hearing was declared open.

**Testimony:**

**For:** Marlin Brabec, agent for Don Peterson & Assoc. and representing Kevin Hasemann was present to explain Hasemann's request. It is a very nice home with a machine shed and several other sheds. Rolf asked if the driveway would go with the acreage. Brabec stated yes.

**Against:**

No one was present either for or against the proposal.

**Possible Action:**

Motion was to close the hearing was made by **Ruzicka** and seconded by **Hansen**.  
Motion carried by voice vote. All present voted yes.

Motion was made by **Rolf** and seconded by **Ruzicka** to recommend approving 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. Motion carried by roll call vote. Those voting yes: Ruzicka, Wagner, Fooker, Hansen and Rolf. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp.

Mr. Hasemann was advised the Dodge County Board of Supervisors will hear the request on October 6, 2021 at 9:40 A.M.

**Public Hearing:** Consider request of Kenneth Hasemann of 1 Pioneer Lake, North Bend, NE 68649 to subdivide a 5.03 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in NW ¼ Section 20, Township 20 North, Range 8 East in Logan Township, Zoning District A-1, Intensive Ag.

The Public Hearing was declared open.

**Testimony:**

**For:** Marlin Brabec, agent for Don Peterson and representing Kenneth Hasemann was present to explain the request. He stated the property is located north of Hooper about 2 miles. He added the house was approximately 1,000 foot house and a 2-car garage.

**Against:**

No one was present and no communication had been received.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Hansen**. Motion carried by voice vote. All present voted yes.

**Possible Action:**

Motion was made by **Ruzicka** and seconded by **Rolf** to recommend approving 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. Motion carried by roll call vote. Those voting yes: Wagner, Fooker, Hansen, Rolf and Ruzicka. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp. Mr. Kenneth Hasemann was advised the Dodge County Board of Supervisors will hear the request on October 6, 2021 at 9:45 A.M.

**Public Hearing:** Consider request of Estate of Gloria F. Wegner of 759 County Road E, Scribner, NE 68057 to subdivide a 12.70 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in West ½ NE ¼ Section 30, Township 20 North, Range 6 East in Pebble Township, Zoning District A-1, Intensive Ag.

The public hearing was declared open.

**Testimony:**

**For:** Logan Hoyt, Attorney with Donner Law Offices in West Point, was representing the Gloria Wegner estate to explain the request. He stated he represents 5 children of Mrs. Wegner and son, Herman, lived with Gloria until her death and still resides at the

home. He added that Herman will remain in the home as Testamentary Trust of Gloria Wegner. The trustee will oversee the acreage and keeping up the place.

**Against:**

No one was present and no written or oral communication had been received.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Hansen**. Motion carried by voice vote. All present voted yes.

**Possible Action:**

Motion was made by **Rolf** and seconded by **Ruzicka** to recommend approving 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. Motion carried by roll call vote. Those voting yes: Fooker, Hansen, Rolf, Ruzicka and Wagner. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp. Logan Hoyt was advised the Dodge County Board of Supervisors will hear the request on October 6, 2021 at 9:50 A.M.

With no further business **Ruzicka** moved to adjourn at 5:03 P.M. and seconded by **Wagner**. Motion carried: Hansen, Rolf, Ruzicka, Wagner and Fooker. Absent: Brabec, Giesselmann, Taylor and Weitzenkamp. The next scheduled meeting will be October 19, 2021 at 4:30 P.M. if business arises.

Respectfully submitted,

\_\_\_\_\_  
Allen Rolf  
Secretary, Dodge County  
Planning Commission

\_\_\_\_\_  
Dodge County  
Planning & Zoning Commission

\_\_\_\_\_  
Approval Date

**AGENDA**  
**DODGE COUNTY PLANNING COMMISSION**

Dodge County Planning Commission, Tuesday, September 21, 2021 at 4:30 P.M., Board of Supervisors Room, Courthouse, Fremont, NE.

1. Call to Order at 4:30 P.M – Roll Call
2. Declaration of Open Meeting and Legality
3. Declaration of Exparte
4. Approval of Minutes of August 17, 2021 Meeting
  
5. **Public Hearing:** Consider request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to renew a Conditional Use Permit to store and apply Biosolids as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in NW ¼ Section 2, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag.

Testimony:

For:

Against:

Possible Action:

6. **Public Hearing:** Consider request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in East ½ of SW ¼ Section 13, Township 18 North, Range 8 East in Maple Township, Zoning District A-2, General Ag.

Testimony:

For:

Against:

Possible Action:

7. **Public Hearing:** Consider request of Kevin Hasemann of 1229 Glenwood Court, Fremont, NE 68025 to subdivide a 6.05 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in NW ¼ Section 16, Township 20 North, Range 7 East in Cuming Township, Zoning District A-1, Intensive Ag.

Testimony:

For:

Against:

Possible Action:

8. **Public Hearing:** Consider request of Kenneth Hasemann of 1 Pioneer Lake, North Bend, NE 68649 to subdivide a 5.03 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in NW ¼ Section 20, Township 20 North, Range 8 East in Logan Township, Zoning District A-1, Intensive Ag.

Testimony:

For:

Against:

Possible Action:

9. **Public Hearing:** Consider request of Estate of Gloria F. Wegner of 759 County Road E, Scribner, NE 68057 to subdivide a 12.70 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in West ½ NE ¼ Section 30, Township 20 North, Range 6 East in Pebble Township, Zoning District A-1, Intensive Ag.

Testimony:

For:

Against:

Possible Action:

10. Other business brought to the board (By published addendum only)

11. Adjournment

AGENDA POSTED AND KEPT CONTINUALLY CURRENT AT THE DODGE COUNTY COURTHOUSE AND DISTRIBUTED TO THE PLANNING COMMISSION ON SEPTEMBER 10, 2021. COPIES AVAILABLE AT THE OFFICE OF THE COUNTY ZONING ADMINISTRATOR AND COUNTY CLERK.

**NOTICE  
PUBLIC 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 special meeting, September 21, 2021 at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, October 6, 2021 at 9:00 A.M. Both meetings will be held in the Dodge County Board of Supervisors Room., 3<sup>rd</sup> floor of the Courthouse, Fremont, NE for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for the following items:

1. Consider request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to renew a Conditional Use Permit to store and apply Biosolids as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in NW ¼ Section 2, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag.
2. Consider request of Chad Christianson of 1335 County Road 19, Fremont, NE 68025 to obtain a Conditional Use Permit to store and apply Biosolids as per Article 13 Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in East ½ of SW ¼ Section 13, Township 18 North, Range 8 East in Maple Township, Zoning District A-2, General Ag.
3. Consider request of Kevin Hasemann of 1229 Glenwood Court, Fremont, NE 68025 to subdivide a 6.05 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in NW ¼ Section 16, Township 20 North, Range 7 East in Cuming Township, Zoning District A-1, Intensive Ag.
4. Consider request of Kenneth Hasemann of 1 Pioneer Lake, North Bend, NE 68649 to subdivide a 5.03 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in NW ¼ Section 20, Township 20 North, Range 8 East in Logan Township, Zoning District A-1, Intensive Ag.
5. Consider request of Estate of Gloria F. Wegner of 759 County Road E, Scribner, NE 68057 to subdivide a 12.70 acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B located in West ½ NE ¼ Section 30, Township 20 North, Range 6 East in Pebble Township, Zoning District A-1, Intensive Ag.

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.



**STAFF REPORT**  
Dodge County Bldg. Insp. & Zoning Dept.  
Meeting of September 21, 2021

Zoning signs were placed on the properties Thursday, September 9, 2021

**Chad Christianson – Renewal Biosolids Conditional Use Request**

The property is located 1 ½ miles north of Nickerson, NE along Highway 77. There was already a pile of Biosolids on the property as the picture indicates.

**Chad Christianson – New Biosolids Conditional Use Request**

The property is located in Maple Township at the intersection of County Road 19 & P approximately 5 miles north and 1 mile west of Fremont, NE. The property is in beans currently. The corner of the property is in a low area near a creek or ditch and then as it goes north, the ground goes up a hill.

**Kevin Hasemann:**

The proposed acreage is located on County Road C Blvd. just west of County Rd. 16 approximately 2 ½ miles north and 1 ½ miles east of Scribner, NE. This property has a really nice home and good out buildings as well as 2 grain bins. County Road 16 and C Blvd. are well maintained roads. It sets back to the north from the road.

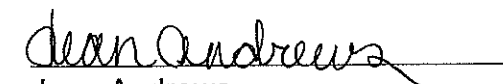
**Kenneth Hasemann:**

The property is located on County Roads 19 & D – 3 miles west of Highway 77 approximately 5 miles north of Hooper, NE. This property has a long driveway and the house is in good condition along with a garage. County Road 19 is a well-maintained road and not far from a paved road.

**Estate of Gloria F. Wegner:**

The proposed acreage is located 1 ½ miles south of Snyder, NE on County Road E and ¾ miles east of Highway 79. It appears the the home needs some renovation and the barn is in poor condition. The place has not seen a mower in quite sometime. At this point, I question whether the home has a resident. According to the attorney, he verified that the home was occupied.

Respectfully submitted,



Jean Andrews,  
Dodge County Zoning Administrator



Christerson #1





Christianson #2





Kenneth Hasemann





Kevin Hasemann





*Gloria Wegner Estate*

