

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Marlin Brabec (Janet) 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: _____

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 15 day of March, 2022.

BY: _____

2

2022 FEB 18 PM 2:20
RECEIVED
DODGE COUNTY PLANNING COMMISSION

Cond Use # 2022-002

DODGE COUNTY
BIOSOLIDS PERMIT APPLICATION FOR CONDITIONAL USE PERMIT

- 1. Date: 1/26/22
- 2. Applicant Name: Marlin Braban
- Address: 1030 Timberwood Dr. Ames, Ne 50010
- Phone No. 402-719-7653
- 3. Legal Description of the Storage Site Location NW 1/4 of SW 1/4 of Sec 2, Township 18 N, Range 8 E
- 4. Legal Description of the Application Site Location NW 1/4 of SW 1/4 of Sec 2, Township 18 N, Range 8 E
- 5. Name, Address, Phone Number of the owner or owners of the generators of the Biosolids: _____

Phone No: City of Fremont, Keith Kontor, 727-2670 or Derril Marshall, 727-2610

6. Name, Address, Phone number of the person who will be applying and/or storing the Biosolids: Beef States - Ray Belina - 402-649-6150, 1246 Road X Howells, Ne 68641

- 7. Application and/or storage of biosolids will comply with all state and federal regulations.
- 8. All permits will be in effect for five (5) years from the date of issuance.
- 9. Permits may be revoked or suspended for any violation of the terms or conditions of the permit at any time by action of the Dodge County Planning Commission and/or Dodge County Board of Supervisors. Permits are non transferable.
- 10. Failure to comply with these regulations shall be grounds for prosecution under Nebraska Revised Statutes Sec. 23-114.05.

The following information is to be included with the permit application:

Map showing all wells, streams, surface water, watercourses, wetlands and inhabited dwellings within 1000 feet of the application location, information showing the routes to be used by the trucks and an explanation of how the biosolids will be transported from the generation site to the application site.

A list of the names and addresses of neighboring home sites or farmsteads either owned or rented and adjacent landowners within 1000 feet of proposed site certified by a land abstractor.

A description of the method of applying of material and possible incorporation into the soil. This description must include a discussion of methods to be used during periods of unfavorable weather and soil conditions as well as normal favorable conditions.

The quantity of biosolids and the number of acres which is proposed to be land applied shall be included in the permit.

11. FEE: Per permit applications (Application fee is not refundable)

Make checks payable to: Dodge County Zoning
435 N. Park Rm. 204
Fremont, NE 68025

Signatures:

Mark B...
Applicant

APPROVED: _____

Mark B...
Farmer/Operator

Denied _____

Janet L. Broder
Property Owner

Dodge County Planning Commission

03-15-2022
Planning Commission Date

Chairman, Planning Commission

03-23-2022
Date County Board Meeting

Chairman, Dodge County Board

Attest:

Dodge County Clerk

This Permit is valid until _____, 20____

NICKERSON TOWNSHIP
SECTION 5
 1. Kment, Jay etux 7
SECTION 6
 1. Hull, Craig etux 12
SECTION 7
 1. Timm, June 15
 2. Daves Auto Body Inc 7
 3. Heurman, Donald etux 15
SECTION 8
 1. Jacob, Gene 6
 2. Baumgartner, Jeffrey etux 6
SECTION 11
 1. Zrust, Ronnie etux 6
 2. Shammah Enterprises LLC 5
 3. Kreifels, Joseph etux 5
 4. Soukup, Carla 10
 5. Brabec Trust, Marlin etux 6
 6. Whitaker, Justin etux 5
 7. Nactman, Lee 5
SECTION 12
 1. Zrust, Ronnie etux 6
 2. Nielsen, Roger etux 7
SECTION 13
 1. Ramsay, John etux 10
SECTION 14
 1. Limbach Trust, Audrey etux 5
SECTION 16
 1. Petersen, Roger etux 7
 2. Bang, Joshua 7
SECTION 17
 1. League, James etux 6
SECTION 18
 1. Village of Nickerson 9
 2. Harshman, Stephen 5
 3. Allen, Ronald etux 7
SECTION 19
 1. McKenzie, Duane etux 14
SECTION 20W
 1. Joens, Gary etux 9
 2. Johnson, Roy etux 6
 3. Havranek, Janice 13
 4. Meyers, Matthew etux 11
SECTION 21
 1. Pettit, Mark 10
 2. Poppe, Stephen etux 5
 3. Bestnpat Inc 10
SECTION 22
 1. Mueller, David etux 5
SECTION 25
 1. Christensen LE, Roy etal 10
SECTION 26
 1. Lo, Zoua etal 10
 2. Nott Trust, Harold etux 5

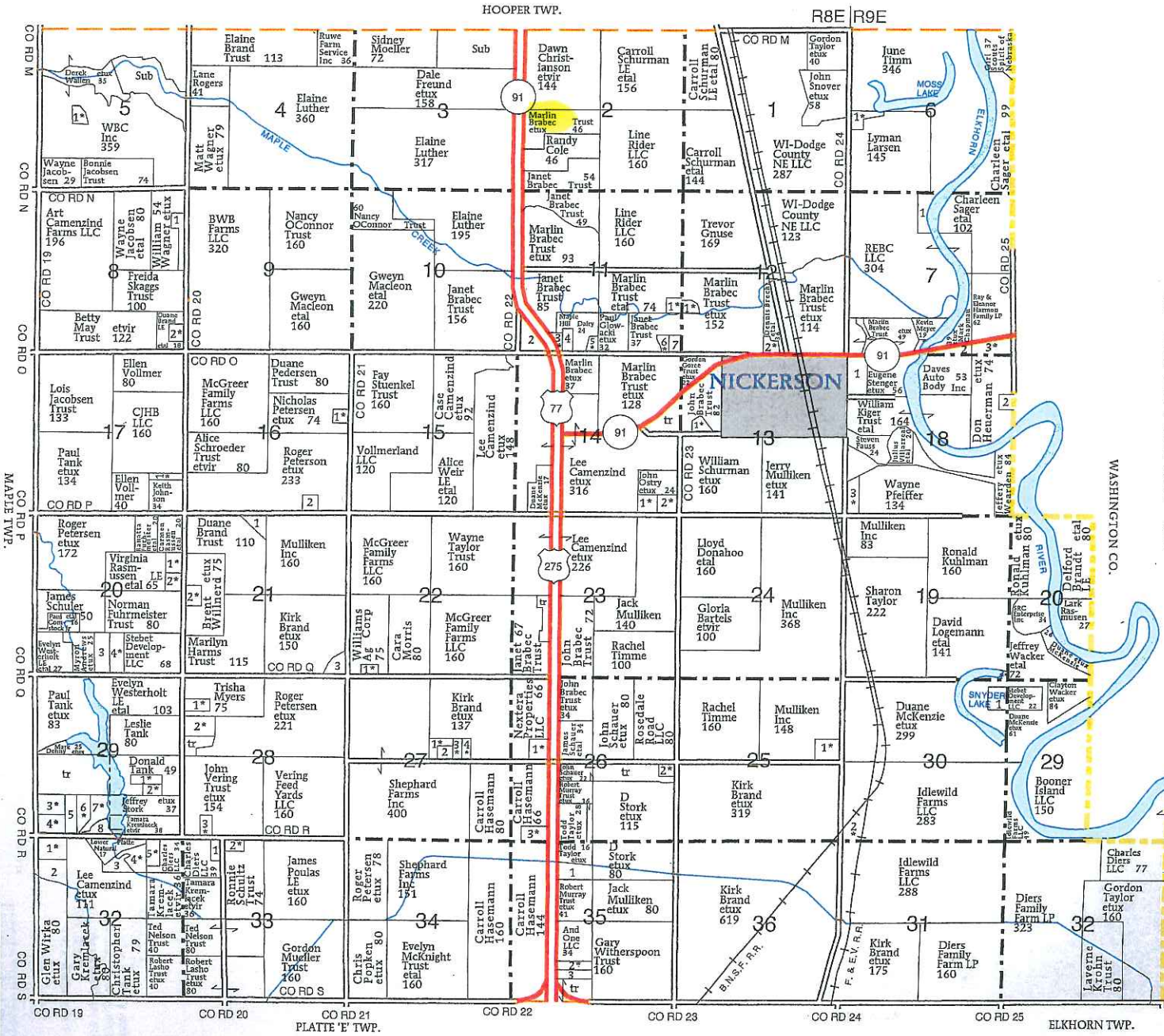
3. Hasemann, Carroll etal 10
SECTION 27
 1. Hartman, Jeffrey etux 7
 2. Hespen Pets Inc 6
 3. Hespen, Steven etux 5
 4. Ness, Fred etux 5
SECTION 28
 1. Stewart, Lavonne etal 5
 2. Kiger, William etux 11
 3. Pluth, Joseph etal 5
SECTION 29
 1. Tank, Keith etux 11
 2. Tank, Jon etux 10
 3. Brickell Trust, Ronald etal 13
 4. Jedlicka, Edward etux 13
 5. Moseman, Richard 12
 6. Brodd, Brian etux 11
 7. Judds-Krenk, Reno etux 12
 8. Lower Platte Natural Resources Dist 10
SECTION 30E
 1. Stebet Development LLC 10
 2. Brand, Kirk etux 12
SECTION 32W
 1. Marshall, Derrill etux 14
 2. Pettit, Mark 10
 3. Bang, Scott 15
 4. Schutt, Richard etux 15
 5. Paulson, James etux 10
SECTION 33W
 1. Stanley, Kylee 5
 2. Griebel, Timothy etux 5
SECTION 35
 1. OConnor Trust, Nancy 12
 2. Niemeyer, David etal 8
 3. Dolezal, Lawrence 8

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T-18-N

NICKERSON PLAT
 (Landowners)

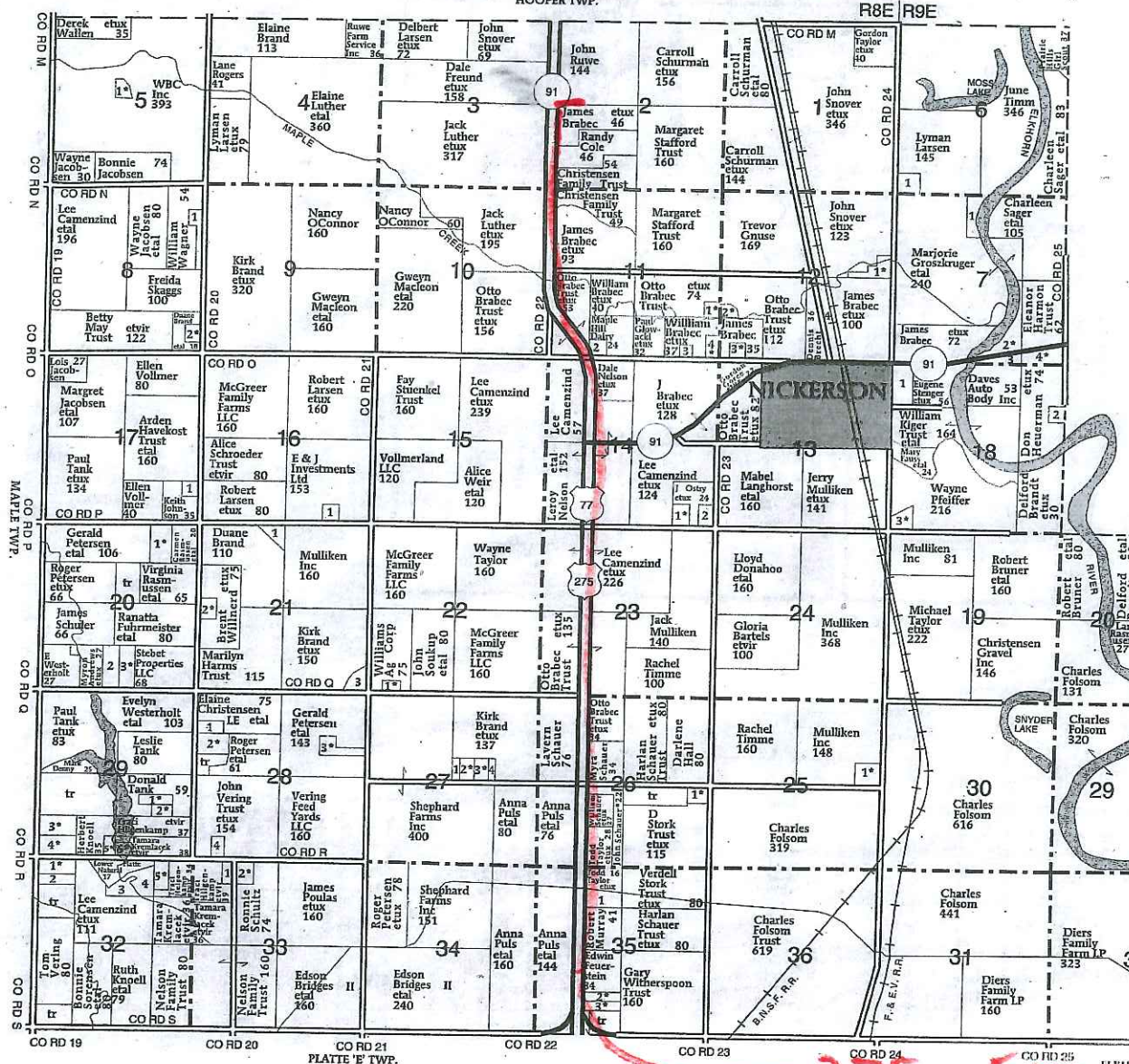
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DODGE CO., NE

Marlin Brabec - Janets

NICKERSON TOWNSHIP

- PLAT**
- SECTION 5**
1. Kment, Jay 7
- SECTION 6**
1. Hull, Craig 12
- SECTION 7**
1. Timm, June 15
 2. Chapman, Mark 9
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1. Jacob, Gene 6
 2. Baumgartner, Jeffrey 6
- SECTION 11**
1. Zrust, Ronnie 6
 2. Soukup, Carla 10
 3. Nachtman, Lee 5
 4. Case Jr, Cecil 5
- SECTION 12**
1. McGinnis, George 14
 2. Zrust, Ronnie 6
 3. Clegg, A 5
 4. Eastern NE Chapter of National 12
- SECTION 14**
1. Taylor, Todd 5
 2. Limbach, Audrey 5
- SECTION 16**
1. Gregory, Debra 7
- SECTION 17**
1. League, James 6
- SECTION 18**
1. Harshman, Stephen 5
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1. Healy, Mark 10
 2. Poppe, Stephen 5
 3. Pettit, Mark 10
- SECTION 22**
1. Mueller, David 5
- SECTION 25**
1. Christensen, Roy 10
- SECTION 26**
1. Nott, Harold 5
- SECTION 27**
1. Shenefield, Michael 7
 2. Ness, Fred 5
 3. Hesper, Steven 5
 4. Hesper Pets Inc 6
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 2. Kiger, William 11
 3. Petersen, Roger 17
 4. Schultz, Ronnie 5
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 3. Brickell, Ronald 13
 4. Molacek, Kenneth 13
 5. Reno, Judds-Krenk 12
 6. Brodd, Brian 11



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NICKERSON PLAT
(landowners)



R-8-9-E

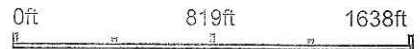
Marlin Brabec

Janet

Aerial Map



Map Center: 41° 33' 37.04, -96° 29' 33.41



2-18N-8E
Dodge County
Nebraska



2/1/2022

Maps Provided By:
surety
 CUSTOMIZED ONLINE MAPPING
 © AgriData, Inc. 2021 www.AgriDataInc.com

Field borders provided by Farm Service Agency as of 5/21/2008.

270 119 903

Biosolid Transportation

All biosolids will be transported by a contract carrier. All loads are weighed and legal for weight. Everything is loaded at plant located east of Fremont on Morningside road. They go directly to field where product is to be applied.

All product is custom applied with spreaders with scales. These are calibrated before we start the application.

All EPA guidelines are followed.

Hauler: Big River Trucking

Don Shunk

402-699-1658

112 Allsion Ave

Yutan, Ne.

Applicator: Beef States Custom

Roy Belina

402-649-6150

**1246 Road X,
Howells, Ne. 68641**

Generator: City of Fremont

Keith Kontor

402-720-7098

6325 Morningside Rd

Fremont, Ne. 68025

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

March 4, 2022

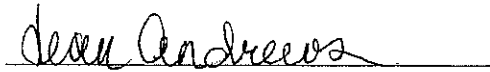
Janet L. Brabec
3110 Cherrywood Dr.
Fremont, NE 68025

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held March 15, 2022 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 March 23, 2022 where your application will be heard at approximately 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: Scott Nun
File

**DODGE COUNTY
BUILDING INSPECTION & ZONING DEPARTMENT**

**JEAN ANDREWS, Zoning Administrator
Flood Plain Manager**

Courthouse - 435 N. Park, Room 204
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March 4, 2022

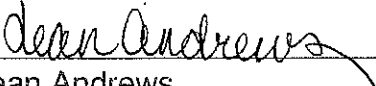
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, March 15, 2022 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 Marlin Brabec of 1030 Timberwoods Dr., Ames, NE 68621 to obtain a Conditional Use Permit to store and apply biosolids as per Article 13, Section 2.18, Conditional Uses and Supplemental Regulations Article 25, Section 22 located in NW ¼ SW ¼ Section 2, Township 18 North, Range 8 East in Nickerson Township, Zoning District A-2, General Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, March 15, 2022 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the Conditional Use Permit, 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

#2

DODGE COUNTY TITLE & ESCROW CO., LLC
549 NORTH MAIN STREET,
FREMONT, NE 68025
402-721-5833

NAME AND ADDRESS SEARCH

Request Made By: **Marlin Brabec**

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:

Tax Lot 10 in Section 2, Township 18 North, Range 8, East of the 6th P.M., Dodge County, Nebraska.

The list of names and addresses include all property owners within 1000 feet of said property:

See Exhibit A

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: February 10, 2022

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

Charlene Jordan

Registered Abstracter

Certificate No. 147

Order No. 220090

2022 FEB 15 AM 10:13
RECEIVED
Dodge Co Highway Dept

Exhibit A

Dale & Susan Freund	2933 Antler Cir Fremont, NE 68025-6299	SW1/4 NE1/4 & TL6	3 - 18 - 8	270119924
Dawn & Chad Christianson	1335 County Road 19 Fremont, NE 68025-7320	E1/2 NW1/4 & TL8 & 9	2 - 18 - 8	270119889
Carroll K. Schurman (LIFE ESTATE ETAL Phyllis J. Schurman (LIFE ESTATE ETAL William C. Schurman (ETAL	1307 Nickerson Rd Nickerson, NE 68044-1741	NE1/4	2 - 18 - 8	270119875
Line Rider, LLC	21018 Treasure Island Rd Plattsmouth, NE 68048-7168	SE1/4	2 - 18 - 8	270119868
Randy Cole	84170 536th Ave Tiiden, NE 68781-0000	TL12	2 - 18 - 8	270119882
Janet L. Brabec (TRUSTEE	3110 Cherrywood Dr Fremont, NE 68025-6285	TL11	2 - 18 - 8	270119896
Elaine C. Luther	1371 Hwy 275 Nickerson, NE 68044-0000	SW1/4, W1/2SE1/4 & TL4	3 - 18 - 8	270119938