

**Gregory County
Planning Commission Agenda
Tuesday, January 8th, 2019
1:00pm**

1. Call meeting to order

2. Roll Call:

Biggins___ Kerner Andersson _x_ Steffen_x_ Weborg_x_ Wirsing_x_ Plugge_x_ Bartling___

3. Minutes of last meeting

Action: Approve minutes
Motion By: Steffen
Second By: Plugge
Result: Motion carried

4. Agenda

Action: Approve agenda as amended to take off item #6 and to place the 1:05 rezone request as a Public Meeting not Hearing
Motion By: Wirsing
Second By: Plugge
Result: Motion carried

5. Disclosures of conflicts or One on One Communications

~~**6. Plat Approval**~~

7. 1:05 PM Rezone Request – PUBLIC Meeting

Application of Dave Kotab to rezone NW4SW4 13-95-66 Randall Township, Gregory County, from agricultural district into an R3 High Density Rural Residential District.

Recommendation: To approve the rezoning request.

Motion By: Steffen
Second By: Wirsing

Biggins___ Kerner Andersson _y_ Steffen_y_ Weborg_y_ Wirsing_y_ Plugge_y_ Bartling___

Motion Carried. The issue will now be heard before the Board of Adjustment on Feb 5, 2019.

8. 1:15 PM Variance Request – PUBLIC HEARING

Application of Dave Kotab for a variance permit request to have 13 lots in an R3 District less than the minimum lot area of two and one-half acres in the NW4SW4 13-95-66 Randall Township, Gregory County.

The board heard concerns from Dan Olson and Cody Wilson regarding safety issues and sewer drainage. Dan Olson also questioned whether there was a hardship as section 1507 of zoning requires that there be a hardship for a variance to be heard. Kara Hull had concerns on the road that would go through the development.

Dave Vanderpol spoke for the applicants regarding drainage and roads and explained the plans for dirt work that will be done. The applicants also stated that they understand that not every lot may be a buildable lot but that would be their loss. The applicants also stated that a waiver will be required to be signed by anyone who purchases a lot. The waiver will stated that the purchaser understands that the soils may be unstable and slide and that the purchaser will responsible for any damages done by the sliding of the soil.

The board asked the applicants questions of quality/standard of housing to be built and if there would be covenants similar to what South Shore Estates have in place. The applicants were in agreement of having covenants.

Recommendation: Approval of variance with the addition of covenants and waiver being included in the purchase agreement.

Motion By: Weborg

Second By: Wirsing

Biggins___ Kerner Andersson __y_ Steffen_y__ Weborg_y__ Wirsing_y_ Plugge_y_ Bartling___

Motion carried. The issue will now be heard before the Board of Adjustment on Feb 5, 2019.

9. 1:30 Conditional Use Permit – Public Hearing

Application for Philip Pense III and Theron Pense to allow a retail sale to be built in a Platted Town Site Residential District in LOTS 3-10 INCL BLOCK 6 LUCAS TOWN, Gregory County

During the hearing the applicants stated that while they will be selling items, such as snacks and prep foods, at the location, the main use of the building will be a bar.

Administrator Burrus read the zoning definition of “bar” and stated that it is not listed as a conditional use that can be permitted in a Platted Town Site Residential District under Section 907 of the Gregory County Zoning Ordinance. Section 909 was read by the board and discussed.

Opponents that spoke against the permit included Lisa Even, Mark Tuttle, and Steve Johnson. Their concerns included safety issues, trash, traffic, and having kids in a close proximity of the bar. Raymond and Linda Roggow presented a letter to the board with their objections including the previous ones stated and the lack of information the applicants have about the plans for the business.

Recommendation: Denial of permit as a bar is not listed as an allowable conditional use in a Platted Town Site Residential District.

Motion By: Wirsing

Second By: Kerner-Andersson

Biggins___ Kerner Andersson _y_ Steffen_y__ Weborg_y__ Wirsing_y__ Plugge_y_ Bartling___

Motion carried. The issue will now be heard before the Board of Adjustment on Feb 5, 2019.

10. 1:45 Conditional Use Permit Public Hearing

Conditional use application for Walton Olson to operate a campground in an Ag District located in SW4; W2SE4 16-95-66 RANDALL TOWNSHIP, Gregory County.

There were no opponents present. JP Kirwan spoke in favor of the campground.

Recommendation: Table in order to be provided with additional information

Motion By: Wirsing

Second By: Kerner-Anderson

Biggins___ Kerner Andersson _y_ Steffen_y__ Weborg_y__ Wirsing_y__ Plugge_y_ Bartling___

Motion Carried. The issue will be heard at a later public meeting.

11. Public Input

JP Kirwan discussed his campground permit that was tabled.

Theone Pense discussed his bar permit and the process it will now go through.

12. Old business

13. Adjourn

Motion By: Weborg

Second by: Wirsing

Result: Motion carried

The next Planning and Zoning meeting will be Tuesday, February 5th, 2019 at 1pm.