



# Saunders County Planning and Zoning Agenda



## PLANNING AND ZONING DEPARTMENT

### SAUNDERS COUNTY COURTHOUSE

George Borreson  
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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, January 7, 2018, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse- Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Tabled item from October 1<sup>st</sup> meeting: Application #8731, by Bruce Rogers, change of zone, Transitional Agricultural to Residential Estates, 4-12-9, Ashland Township.
2. Tabled item from December 3<sup>rd</sup> meeting: Application #8781, by Chad Palensky, split in agricultural district for single family dwelling, 13-14-6, Chapman Township.
3. Application #8798, by Jordan Larsen, to split two 3 acre parcels in agricultural district, 17-14-8, Wahoo Township.
4. By the Planning Commission: Amend Zoning Regulations:
  - A. Amend 6.01.02 Agricultural District: Permitted Principal Uses and Structures #9a to read “the location contains a minimum of 3 acres on the site.”
  - B. Add to 6.01.02 #9: i. The ratio of the lot depth width shall not exceed 4 to 1.
  - C. Remove from 6.01.03 Conditional Uses: #1 a-m.
  - D. Section 6.01.05 Minimum Lot and Yard and Maximum Height Requirements (chart): remove line 1.
5. Items of a routine nature for approval:
  - A. Annual Reviews:
    - MP#1718 Dolezal Sand & Gravel – Gravel pumping operation
    - MP#2704 Larry Dolezal – Gravel dredging
    - MP#6990 Larry Dolezal – Sand & Gravel at Wolf's Lakes
  - B. Approval of December 3<sup>rd</sup> meeting minutes
  - C. Future meeting dates (2/4/19, 3/4/19, 4/1/19)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson



# Saunders County Planning and Zoning Agenda



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Saunders County Zoning Administrator

Posted 12.21.18



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, February 4<sup>th</sup>, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse- Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Tabled item from December 3<sup>rd</sup> meeting: Application #8781, by Chad Palensky, split in agricultural district for single family dwelling, 13-14-6, Chapman Township.
2. Application #8808, by Dan Sanderson, on behalf of Mark Kanouff, agricultural zone split for single family dwelling, 11-13-7, Richland Township.
3. By the Zoning Administrator, to update Zoning Regulations.

Add to 6.01.05 and 6.02.05, below the table:

5. A transfer of a right to build a single family dwelling is permitted, from one adjacent land owner to another if the following criteria is met:
  - Both the transferor and transferee's property must be in the same quarter section, or abutting properties in the same section.
  - Both properties must be in Saunders County Zoning jurisdiction.
  - The transferor must have at least 20 acres where the maximum density for single family dwellings has not been met.
  - A document must be signed by both parties, acknowledging that the transferor is giving his right to build a single family dwelling to the transferee.

#### 4. Items of a routine nature for approval:

##### A. Annual Reviews:

- MP#512 – NEBCO Inc. – Gravel pumping operation
- MP#7548 – Western Sand & Gravel – Sand & gravel extraction operation

##### B. Approval of January 7<sup>th</sup> meeting minutes

##### C. Future meeting dates (3/4/19, 4/1/19, 5/6/19)

##### D. Open discussion from the public

##### E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson



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Saunders County Zoning Administrator

Posted 1.18.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, March 4, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application #8821, by Neil Timmerman, to sell, store, and distribute fertilizer, seed, agricultural chemicals, and feed, 5-13-9, Clear Creek Township.

2. By the Zoning Administrator, to update Zoning Regulations:

*Remove 6.02.03, #15, a-j, 6.03.03, #8a, 1-10, 6.08.03, #14, a-j, 6.09.03, #28, a-j, 6.10.03, #38, a-j.*

*Add the following verbiage to Sections 6.01.03 26&27, 6.02.03 15&16, 6.03.03 8a, 6.08.03 14&15, 6.09.03 28&29, 6.10.03 38&39:*

1. Storage units, subject to the following conditions:
  - a. There shall be a minimum lot area of three (3) acres.
  - b. All storage shall be within enclosed building.
  - c. Any side of the building providing doorways to storage areas shall be set back from the property line not less than thirty-five (35) feet.
  - d. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. All one-way driveways that provide direct access to cubicles shall provide for one 10-foot parking lane and one travel lane 15 feet in width. All two-way driveways that provide direct access to cubicles shall provide for one 10-foot parking lane and two 12-foot travel lanes. Adequate bumper guards or fences shall be provided to prevent extension of vehicles beyond property lines.
  - e. All lights shall be shielded to direct light away from adjacent properties.
  - f. No activities such as miscellaneous or garage sales or the servicing or repair of motor vehicles, boats, trailers, lawn mowers, and other similar equipment shall be conducted on the premises. Also, no manufacturing assembly or processing of any product shall be permitted.
  - g. The owner or operator shall properly police the area for removal of trash and debris.
  - h. Two copies of a plot plan showing ingress and egress, widths of driveways, off-street parking, loading areas, and on-site traffic circulation shall be submitted to the Planning Commission for their consideration with the conditional use permit application.
  - i. The Planning Commission and Board of Supervisors may attach such other conditions as deemed necessary to provide for compatible development.
2. Open Storage, subject to the following conditions:



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- a. Any open storage shall be limited to licensed watercrafts, motor homes, camper trailers, and vehicles.
- b. The Planning Commission and Board of Supervisors may attach such other conditions as deemed necessary to provide for compatible development.

*Add the following to Section 1.03 Definitions:*

**OPEN STORAGE** shall mean the use of premises for keeping or storing licensed watercrafts, motor homes, camper trailers, and vehicles other than in a wholly enclosed building.

3. Application #8822, by Corey Pemberton, Replat 1 of Bundy's Subdivision, 15-16-8, Pohocco Township.

4. Items of a routine nature for approval:

A. Annual Reviews:

- MP#7354 – Virgin Island – Campground
- MP#2647 – Trade Well Pallet Supply - Sawmill

B. Approval of February 4<sup>th</sup> meeting minutes

C. Future meeting dates (4/1/19, 5/6/19, 6/3/19)

D. Open discussion from the public

E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 2.15.19





# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, April 1, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application #8829, by Dustin Foutch, wedding/event venue, 5-12-9, Ashland Township.
2. Items of a routine nature for approval:
  - A. Annual Reviews:
    - MP#5522 – Blue River Regulators – Gun club shooting range
  - B. Approval of March 4<sup>th</sup> meeting minutes
  - C. Future meeting dates (5/6/19, 6/3/19, 7/1/19)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 3.15.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, June 3<sup>rd</sup>, 2019, at 7:30 PM in the old District Courtroom, on 3<sup>rd</sup> floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application #8857, by Todd Hoppe, All Metals Market Inc, to build a retention pond, 33-17-8, Pohocco Township.
2. Items of a routine nature for approval:
  - A. Annual Reviews: None
  - B. Approval of May 6<sup>th</sup> meeting minutes
  - C. Future meeting dates (7/1/19, 8/5/19, 9/9/19)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 5.17.19





# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Board of Adjustment will meet on Monday, June 3<sup>rd</sup>, 2019, at 7:00 PM in the old District Courtroom on 3<sup>rd</sup> floor at the Saunders County Courthouse- Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application #8868, by Joe & Susan Wurtz, to encroach on front setback for construction of a detached garage, Woodcliff Lakes, S-1065, 1-16-8, Pohocco Township.
2. Items of Routine Nature for Approval:
  - A. Approval of the May 6<sup>th</sup> meeting minutes
  - B. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County  
Zoning Administrator

5.17.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing.

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, July 1<sup>st</sup>, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application #8887, by John Henderson, camper and boat storage, 24-13-8, Green Township.
2. Application #SD 116, by Vernon & Gretchen Golladay, combine lot 31 and part of lot 32, Valley View Estates, 34-17-8, Pohocco Township.
3. Items of a routine nature for approval:
  - A. Annual Reviews:
    - MP#7610 - Elizabeth Neal – Greenhouse Nursery & Garden Center
  - B. Approval of June 3<sup>rd</sup> meeting minutes
  - C. Future meeting dates (8/5/19, 9/9/19, 10/7/19)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 6.14.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, August 5th, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse- Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application SD #115, by Bruce Rogers, Broken Wheel Preliminary Plat, 4-12-9, Ashland Township.
2. Application #8911, by Lower Platte North NRD, amend zoning regulations to add article 6, section 6.16, FRD Floodwater Retarding Dam Breach Overlay District:

#### **Section 6.13. FRD Floodwater Retarding Dam Breach Overlay District**

##### **6.13.01 Intent:**

The intent of this district is to Certain areas of Butler County below Floodwater Retarding Dam (hereinafter referred to as FRD) would be subject to substantial flooding should a FRD breach occur. This could result in significant losses due to:

1. The cumulative effect of obstructions in the FRD breach impact area district causing increases in flood heights and velocities; and
2. The occupancy of the FRD breach impact area district by uses vulnerable to floods or hazardous to others which are inadequately elevated or otherwise protected from flood damage.

The FRD breach impact area district is designed to permit the gainful use of certain lands which are considered to be in the path of potential flood waters and from which structures and other valuable property use that is subject to damage by flood water should be regulated. This would permit surface runoff through such areas in the event of a FRD breach with a minimum of structural damage or property loss, and a minimum of obligation upon governmental authorities for flood or disaster assistance.

As such, this Article is intended to promote the public health, safety, and general welfare, and minimize these losses by applying the provisions of this article to the designated areas within Butler County. And by taking action to:

1. Restrict or prohibit uses which are dangerous to health, safety, or property in the FRD breach impact area, or which might cause undue increase in flood heights; and
2. Protect individuals from buying lands for the purpose of building in the FRD breach impact area which is unsuited for intended purposes because of flood hazard.

##### **6.13.02 Findings of Fact:**

1. The FRD breach impact area district of Saunders County, Nebraska, are subject to inundation which, in the event of a FRD breach, could result in potential loss of life and property, health and safety hazards, disruption of commerce and

governmental services, extraordinary public expenditures for flood relief, and impairment of the tax base; all of which adversely affect the public health, safety, and general welfare.

2. Such flood losses are caused by:

a. The cumulative effect of obstructions in FRD breach impact areas causing increases in flood heights and velocities.

b. The occupancy of FRD breach impact areas by uses vulnerable to floods or hazardous to others, and which are inadequately elevated or otherwise protected from flood damages.

3. This article uses a reasonable method of analyzing FRD breach impact flood hazards which consists of a series of interrelated steps, as follows:

a. The use of engineering calculations and breach impact studies which indicate the area and potential depth of inundation for each FRD.

b. Computation of floodway required to convey the breach flood-waters without increasing flood heights more than one (1) foot at any point.

c. Delineation of breach impact area encroachment lines within which no obstruction is permitted which could cause any increase in flood height

#### **6.13.03 General Provisions**

1. Land to which Regulations Apply. This article shall apply to all lands within the unincorporated portion of Saunders County, Nebraska, identified on the Floodwater Retarding Dam Maps as elaborated by the official Professional Engineering Branch Impact Studies. No development shall be permitted in any defined FRD breach impact area except as authorized herein.

2. The Enforcement Officer. The Zoning Administrator of Saunders County, Nebraska or his designee is designated as the enforcement officer.

3. Rules for Interpretation of District Boundaries. The boundaries of the FRD breach impact area district shall be determined by scaling distances on the engineering Breach Impact Studies. The Enforcement Officer shall make all interpretations as to the exact location of said boundaries. In such cases where the interpretation is contested, the Board of Zoning Appeals will resolve the dispute.

4. Existing Development: No development or structures presently located within a known FRD breach impact area shall be relocated, extended, converted, or structurally altered with the exception that a structure may be relocated to an approved site out of a FRD breach impact area.

5. Abrogation and Greater Restrictions: It is not intended by this Article to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Article imposes greater restrictions, the provisions of this Article shall prevail. All other regulations inconsistent with this Article are hereby repealed to the extent of the inconsistency only.

6. Interpretation: In their interpretation and application, the provisions of this Article shall be held to be minimum requirements and shall be liberally construed in favor of the Governing body and Saunders County.

7. Warning and Disclaimer of Liability: The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. In the event of a FRD breach, larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes. This Article does not imply that areas outside boundaries of the FRD breach impact area or land uses permitted within such districts will be free from flooding or flood damages. This Article shall not create liability on the part of Saunders County or any officer or employee thereof for any flood damages that may result from reliance on this Article or any administrative decision lawfully made thereunder.

8. Appeal: Where a request for a permit to develop, build, locate, extend, convert or structurally alter any structure or building is denied by the Enforcement Officer, the applicant may appeal such decision and apply for relief to the Board of Zoning Appeals in the method provided in these Regulations for appeals.

#### **6.13.04 Permitted Uses**

Only uses having a low flood damage potential and not obstructing flood flows shall be permitted within the Floodwater Retarding Dam Breach Impact Overlay District to the extent they are not prohibited by any other provision of these



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Regulations, and provided they do not require structures or storage of materials or equipment. Subject to the requirements of these Regulations, the following uses are permitted:

- a. Agricultural uses.
- b. Residential uses such as lawns, gardens, parking, play, and yard areas that do not have a habitable structure.
- c. Nonresidential uses such as loading areas, parking, landing strips, and
- d. Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, and wildlife and nature preserve.
- e. Residential structures with a finished floor elevation certified to exceed a minimum of one-foot above the Wahoo Creek Dam Breach Inundation elevation.

**3. Application #8909, by Bruce Williams, to construct a large poultry confined animal feeding operation (CAFO), 33-17-6, Morse Bluff Township.**

**4. Application #8910, by Whispering Ridge Estates LLC, zone change from TA-1 to Residential Estates, 6-15-9, Leshara Township.**

**5. Items of a routine nature for approval:**

**A. Annual Reviews:**

- MP#8194 - Deb Dauel – Dog Kennel

**B. Approval of July 1<sup>st</sup> meeting minutes**

**C. Future meeting dates (9/9/19, 10/7/19, 11/4/19)**

**D. Open discussion from the public**

**E. Adjournment**

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 7.18.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, September 9<sup>th</sup>, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Tabled item from August 5<sup>th</sup> meeting: Application #8910, by Whispering Ridge Estates LLC, zone change from TA-1 to Residential Estates, 6-15-9, Leshara Township.
2. Application #8942, by Dale & Kathleen Matter, replat of Apple Valley Subdivision, lots 1 & 2, 11-16-7, South Cedar Township.
3. Tabled item from August 5<sup>th</sup> meeting: Application #8909, by Bruce Williams, to construct a large poultry confined animal feeding operation (CAFO), 33-17-6, Morse Bluff Township.
3. Items of a routine nature for approval:
  - A. Annual Reviews:
    - MP#6330 Doug Washburn - Commercial Dog Kennel
    - MP#8488 Kyle Kern – River Life Airboats
  - B. Approval of August 5<sup>th</sup> meeting minutes
  - C. Future meeting dates (10/7/19, 11/4/19, 12/2/19)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 8.23.19





# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Board of Adjustment will meet on Monday, September 9<sup>th</sup>, 2019, at 7:00 PM in the old District Courtroom on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application #8948, by Chad Rezac, relaxation of front setback on lot 25, Wolf Lakes Estates, 21-17-6, Morse Bluff Township.

2. Items of Routine Nature for Approval:

A. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County  
Zoning Administrator

Posted 8.23.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, October 7<sup>th</sup>, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application SD #117, by Bruce Rogers, Broken Wheel Subdivision Final Plat, 4-12-9, Ashland Township.
2. By the Saunders County Zoning Administrator – Statement of Finding of Facts, regarding Application #8909, by Bruce Williams, to construct a large poultry confined animal feeding operation (CAFO), 33-17-6, Morse Bluff Township.
3. Items of a routine nature for approval:
  - A. Annual Reviews: None
  - B. Approval of September 9<sup>th</sup> meeting minutes
  - C. Future meeting dates (11/4/19, 12/2/19, 1/6/19)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 9.19.19



# Saunders County Planning and Zoning Agenda



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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, November 4<sup>th</sup>, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Application SD 118, by Kelly & Dan Houghton, Lots 100, 101, 102, 103 Replat, Big Sandy Development, Second Addition, 6-13-10, Clear Creek Township.
2. Application SD 119, by Sandra Svendsen, Replat of lots T-26 and T-27, Woodcliff Lakes, 1-16-8, Leshara Township.
3. Appointment of Planning Commission Chairman for 2020.
4. Items of a routine nature for approval:
  - A. Annual Reviews:
    - MP#7130 – LPS NRD – Camp Ashland Fuse Plug Embankment
  - B. Approval of October 7<sup>th</sup> meeting minutes
  - C. Future meeting dates (12/2/19, 1/6/20, 2/3/20)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 10/18/19



# Saunders County Planning and Zoning Agenda



## PLANNING AND ZONING DEPARTMENT

### SAUNDERS COUNTY COURTHOUSE

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### Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, December 2, 2019, at 7:30 PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse-Wahoo, Nebraska. The meeting is open to the public for comment.

### Agenda

Discussion and consideration of possible action on the following:

1. Tabled item from November 4<sup>th</sup> meeting: Application SD 119, by Sandra Svendsen, Replat of lots T-26 and T-27, Woodcliff Lakes, 1-16-8, Leshara Township.
2. Items of a routine nature for approval:
  - A. Annual Review, tabled from the November 4<sup>th</sup> meeting:
    - MP#7130 – LPS NRD – Camp Ashland Fuse Plug Embankment
  - B. Approval of November 4<sup>th</sup> meeting minutes
  - C. Future meeting dates (1/6/20, 2/3/20, 3/2/20)
  - D. Open discussion from the public
  - E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

George Borreson  
Saunders County Zoning Administrator

Posted 11/15/19