

MINUTES OF THE MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE LINCOLN COUNTY COURT HOUSE ON THE 12<sup>th</sup> DAY OF APRIL 2021. CHAIR KOCH CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: Steve Koch, Brent Roggow, Rod Rayburn, Chuck Boden, Zak Eickhoff, Mitch Moorhead, Marlene Flaming

MEMBERS ABSENT: Linda Hansen, Lee Davies, Roger Merritt, Brad Stickelman

STAFF MEMBERS PRESENT: Judy Clark, County Planner; Michelle Bain, Recording Secretary; Stephen King, Deputy County Attorney

Notice of the meeting was given in advance thereof, by posting on in at least three places in the City as follows: North Platte Public Library, Lincoln County Courthouse, and City Hall offices.

Notice of the meeting was given to the Chairman and all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and members of the Commission. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public.

1. Roll Call.

Chair Koch stated that a current copy of the open meetings act of Nebraska is posted at the back of the room.

2. Rayburn moved and Moorhead seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Eickhoff, Moorhead, Flaming. "Nay": None. Absent: Hansen, Davies, Merritt, Stickelman. Motion carried.
3. Moorhead moved and Boden seconded the motion to approve the minutes of the March 9, 2021 meeting. Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Eickhoff, Moorhead, Flaming. "Nay": None. Absent: Hansen, Davies, Merritt, Stickelman. Motion carried.
4. Public Hearing File No. CU21-001 application by Glenn and Alice Chase for a conditional use permit to allow an accessory dwelling unit to be constructed at 1151 E. Skyline Drive in an R-2 Urban Density Residential District on property described as Lot 3 Valley View Heights Subdivision, Lincoln County, Nebraska.

Chair Koch opened the public hearing and stated that notice is taken with regards to the Lincoln County Comprehensive Plan, Lincoln County Zoning Regulations and Subdivision Regulations, and Lincoln County Zoning Map and those materials are present on the table up front before this Planning Commission.

Judy stated that the applicant generally states they are planning to construct a 2<sup>nd</sup> home on their property for their son's family to act as a caretaker for them and the property in the future. Carla O'Dell, County Highway Superintendent, states in a letter that she does not foresee any major problems with traffic on Skyline Drive with the addition of a caretaker home. The area is zoned R-2 Urban Density Residential District which provides for higher density residential development in the county. Planning Staff has no objections if all the elements of the application are complied with.

E. Glenn Chase and Alice Chase, 1151 East Skyline Drive, were present to represent the application. They stated they would like to have their son's family live close to help with Mr. Chase's health issues.

There was discussion about how large the acreage is (Mrs. Chase thinks it's 4.38 acres) and how large the area is for the new home. The new home will be placed in an area of approximately 1.3 acres. The home will be a stick built home and they may decide to subdivide the property someday. In an R-2 area, lots can be as small as ½ acre. They plan to start building right away.

Jeff Hess, 1105 E. Skyline Drive, was present along with Dawn and Jessica, his wife and daughter. He passed out covenants on the property to the Planning Commission. He stated he is in opposition to this application because he values the spacing and buffering from other properties and this will diminish that. He thinks the property is only about 3.5 acres (it was determined that the area is 3.88 acres). The houses in that area have covenants that mandate a two acre lot to build a house. He's concerned the property will be subdivided at some point.

Chair Koch asked if they wouldn't be able to subdivide because of the covenants.

Deputy County Attorney King stated they could subdivide it but the neighbors that are part of the covenants could file a law suit against them doing that.

Julie Chase, 1151 E. Skyline Dr., was present. She stated that she is the applicant's daughter-in-law and lives with them. They want to put the house in a little corner completely covered with cedars and not used for anything. The house is small and Mr. Hess wouldn't be able to see it because of the trees. They are considering subdividing the property. They don't want to cause an issue but would like to be close to the parents.

Ms. Wiley-Pearce, 1521 Skyline, was present and stated they got a copy of the covenants when they bought the property so they knew the rules. There hasn't been a meeting for the rules to expire.

Roggow moved and Rayburn seconded the motion to close the public hearing. Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Eickhoff, Moorhead, Flaming. "Nay": None. Absent: Hansen, Davies, Merritt, Stickelman. Motion carried.

There was some additional discussion regarding the covenants among the Planning Commission.

Judy stated that Planning Commission's responsibility is to look at the zoning regulations, not the covenants.

Eickhoff moved and Rayburn seconded the motion to adopt Resolution CU21-001 "A", which grants and approves the conditional use application by Glenn and Alice Chase to allow a 2<sup>nd</sup> home located at 1151 E Skyline Drive on property described as Lot 3 Valley View Heights Subdivision, Lincoln County, Nebraska and all elements of the application are complied with

Based on the following factual findings, to wit:

1. The application complies with current Lincoln County Zoning Regulations.
2. The application complies with current Lincoln County Subdivision Regulations.
3. The application is in conformance with the current Lincoln County Comprehensive Plan and Lincoln County Zoning Map.

Chair Koch mentioned that the area seems to be surrounded by really nice evergreen trees which is good for privacy.

Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Eickhoff, Moorhead, Flaming. "Nay": None. Absent: Hansen, Davies, Merritt, Stickelman. Motion carried.

5. Old Business.

There was some discussion about Kudera's application that was tabled at the Board of Commissioner's meeting.

6. New Business.

Judy stated that Lee Davies is the new City representative on the County Planning Commission.

Chair Koch asked about regulations for solar.

Judy stated she has some regulations for the city that will probably work pretty well for county.

7. Adjourn. Chair Koch adjourned the meeting at 6:21 p.m.

Submitted by,

Michelle Bain  
Recording Secretary