

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

March 9, 2021

Call to order: The March 9, 2021 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:30 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

Announcement of Open Meeting Act: Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

Roll Call: Members present: Rob Ganz, Dean Wilken, Doug DeShazer, Robert Larsen, Greg Kuhlman Jim Kotrous, and Keith Nielsen. Absent: Neil Clausen, David Arens. Also present were Zoning Administrator Liz Doerr, and numerous members of the public.

Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Kotrous moved, DeShazer seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Clausen, and Arens.

Approve the Minutes from the February 9, 2021 Meeting. Kotrous moved, Ganz seconded, to approve the minutes from February 9, 2021. Roll call vote showed all present in favor. Absent: Clausen and Arens. Clausen arrived 7:34 p.m.

Ex Parte Communications: Nielsen received a call regarding the Stewart hearing.

Old Business: none.

New Business: Public Hearing CU0042 for Joan Stewart for 12 cabins in Pt. 13-33N-3W and 14-33N-3W: Ganz moved to open the public hearing at 7:38 p.m., seconded by Kotrous. Roll call vote showed all present in favor. Absent: Arens.

Doerr and Stewart presented the application explaining that it will be done in 2 phases. 8 cabins will be constructed in the first phase along with an office. Stewart has an Administrative Plat approved by the County Board for the location. Kevin Barta, Highway Superintendent, told Doerr that he would like only one driveway because of site distance but could possibly make two work. Doerr read correspondence from Cedar Knox Public Power and Cedar Knox Rural Water verifying that water and power are available. The cabins will be for short term rental (daily or weekly). Each will have two bedrooms, bath, kitchen/living room area. They will have a small porch. There will be no camper hookups. They will be in "pods" of four cabins so that they can be rented by family groups. Nielsen asked about whether 15' is enough distance between cabins because of fire safety. There will be rules about parking. The central area will be native grass but could possibly be a playground or extra parking in the future. Doerr stated that no comments were received from the public in advance of the meeting. Stewart is hoping to do the second phase in a year or so. After discussion, Kuhlman moved to close the public hearing at 7:46 p.m. Kotrous seconded the motion. Roll call vote showed all present in favor. Absent: Arens. Ganz moved to approve Joan Stewart's Conditional Use Permit #CU0042 for twelve cabins to be built in two phases with the following conditions:

1. A Zoning Permit is required before construction showing that setbacks, lot coverage, and structure height can be met.
2. Each cabin shall be plainly marked with a map of such numbers provided to the Zoning Administrator.
3. All access drives and parking areas shall be surfaced with gravel, asphalt or other material to

free the site of mud.

4. One 80 square foot business sign is allowed by permit.
5. The cabins shall be compliant with all Nebraska Department of Environment and Energy and Nebraska Health & Human Services standards and any other applicable agency.
6. If the second phase of construction is not begun within five years, the permit shall be reviewed before any more cabins are constructed.

Motion was seconded by DeShazer. Roll call vote showed all present in favor. Absent: Arens.

Preliminary Plat public hearing for Cedar Ridge Estates in 13-33N-3W, 18-33N-3W, and 19-33N-3W:

Public Hearing for Travis Barney CU0043 for 128 site RV Park campground in 18-33N-3W: Clausen moved to open both public hearings at 7:51 p.m., seconded by Nielsen . Roll call vote showed all present in favor. Absent: Arens.

Doerr showed the locations and showed where the township lines fall and the minimum maintenance road will need to be brought up to state standards. Ron Nohr explained the layout for the subdivision. The roads will be private but open to the public. Nohr stated that there are some washouts but should be easy to bring up to standards. Travis Barney said that he has been in contact with Kevin Barta on the road issues. Rick Stewart stated that Frankfort and Herrick Twp. shared the maintenance of the whole road in the past. Barney is on the agenda for the next meeting to discuss the road maintenance. Tim Gobel, surveyor explained that 546 Avenue is partially in the Highway's R.O.W. Doerr said that it is complicated because the small section of road mostly falls in Herrick Township, is partially County R.O.W., has been maintained by both Herrick and Frankfort Township, but most of the subdivision does not fall in Herrick Township. The lots are all over 3 acres so Subdivision Approval is not needed from Nebraska Department of Environment and Energy. Nohr explained the soils can have movement but the lots are big enough that it should help. There will be a note on the plat suggesting a geotechnical study. Doerr said that the area of the subdivision does show as an area of high plasticity. Nohr said the campground area is all under 10% slope. There is a good row of trees along the highway. Most of the water will drain near the east entrance. Gravel or rock will be used to help with surface runoff. The campground will be graded and have some berms to help with storm water. Doerr said that Kevin Barta has approved the driveways for the subdivision and campgrounds. They do not want overnight camping with lots of camper traffic coming in and out. The campsites would have annual leases. Doerr said that there is a committee working on updating the regulations to possibly allow decks, etc. once taxation, etc. is figured out. The campground will have similar spacing as Harmelink's campground by the Meridian Bridge.

Doerr received calls from Mark Keck and Rick Stewart about the Townships concerns about road maintenance for the subdivision.

Doerr read comments from Joyce Woodbury, Neil & Lisa Timmerman, and Ryan Cwach on behalf of SID #1 opposing the proposals because of the increase of traffic, taxation, water pressure, drainfields, and condition of the road and bridge.

Nohr said that they have approval from Cedar Knox Rural Water and that they should have good pressure even on peak times according to their engineering consultant. Larsen asked about fire hydrants but there are none in the lake area. Barney is working with the fire department on the fire safety plan. Barney has the campground rules ready but has not submitted them yet. Nohr said that these lots are large enough (45' frontage) that it should be unlikely to have a fire spread through the area. There will be some septic systems but there will also be leach fields to avoid having to haul out on non-peak times. Nohr is familiar with the area and has designed a number of systems with good luck. It is very unlikely that the drainfields will compromise the integrity of 54C. The radius of the entries was sized by the federal standards and is nearly identical to the radius of the State Parks entrance. 40' radius is larger than Wolf Runs' 25' radius. Nohr said the 4 Wheelers and ATVs are more of an enforcement issue on the highway. The narrow bridge is still wide enough to meet traffic. Randy Albrecht asked how long the campers will be there. Doerr explained that the regulations do not

allow year around use but that they can remain on site in a stored state. DeShazer asked how the drainfield/leachlines will work. Nohr said that the drainfields will exit from the holding tanks and there will be alarms and monitors on the tanks. The tanks will be pumped. Kevin Langel, SID #1 board, was concerned about not having good notice and the narrowness of the bridge. He was also concerned about maintenance of the road because the county does not maintain their entrance. Ganz stated that it is in Barney's best interest to make sure that the road is maintained to keep the lot owners happy. Doerr wants to see everything for road maintenance clarified in the Subdivision Agreement and that the Townships also agree. Tyler Wulf, Superintendent of Weigand State Park, was concerned about the demand for resources (boat ramp, day use) in his park. He said that the Corp. of Engineers is taking public comment about the lake area and received numerous comments about the road. They will not be relied upon for sewer waste. The yearly lease changes the requirements for septic waste. He is also on the Crofton Fire Board and said that the housing development should be encouraged to be a Firewise community. The proposed covenants were discussed. Rick Stewart said that kids have been seen on the highway by Wolf Run with skateboards, etc. Barney is considering adding a playground between the RV park and the subdivision but it is not shown on the site plan. There will be no shower houses. Extra parking will be along the west side of the RV Park.

Ganz moved to close the public hearings at 8:58 p.m. Kotrous seconded the motion. Roll call vote showed all present in favor. Absent: Arens. Doerr read the draft motion. Nielsen asked when the items need to be complied with. Doerr stated that it would be best to have these items resolved as soon as possible but that it was not needed at this point.

Ganz moved to approve the Cedar Ridge Estates Subdivision Preliminary Plat and the requested waivers contingent on the applicant making the following changes:

1. Applicant shall supply documentation from Cedar-Knox Rural Water that they will be able to service the lots.
2. The road on the west side of the subdivision will need to be brought up to standards, no longer be classified as a minimum maintenance road, and a written agreement made as to who will maintain it.
3. A fire safety plan, shall be supplied in the covenants and Subdivision Agreement.

Nielsen seconded the motion. Roll call vote showed all present in favor. Absent: Arens.

DeShazer wanted a playground included for the campground. Ganz moved to recommend approval of the application for Travis Barney's Cedar Ridge RV Resort Conditional Use Permit #CU0043 in Pt. 18-33N-2W with the following conditions:

1. Each campsite shall be plainly marked with a map of such numbers provided to the Zoning Administrator.
2. All access drives and parking areas shall be surfaced with gravel, asphalt or other material to free the site of mud.
3. The campground shall be compliant with all Nebraska Department of Environment and Energy (septic and NPDES stormwater prevention, and Nebraska Health & Human Services standards.
4. A Fire/Safety Emergency Plan shall be supplied.
5. All campers shall be licensed and road ready. Any campers stored on site after 4 months shall be in a stored state with slideouts slid in.
6. No porches, decks, additions, or storage sheds, etc. will be allowed until such time that the Zoning Regulations are amended to allow it.
7. Applicant shall supply documentation that Cedar-Knox Rural Water can supply service.
8. The campground rules shall be supplied.

9. One business sign up to 80 square feet is allowed.

10. A playground shall be included.

Seconded by Larsen. Roll Call Vote showed all present in favor. Absent: Arens.

Discussion of Procedure only for request from Board of Supervisors to review confined feeding setbacks and impact easements. Doerr explained that the Board of Supervisors voted to have the Planning Commission review the confined feeding setbacks and impact easements in light of the recent court case judgement of Harts v Knox County. The consensus was to have a review at the April meeting and the public hearing can be set after the review. The April meeting will be held in the Board of Supervisors room.

Zoning Administrator's Report: The February Permit Report was reviewed. Doerr read a letter from Carol Lyon regarding the age of mobile homes that are allowed in her district. Doerr explained that the 1974 date was set because of the wiring rules for mobile homes were changed at that time. The consensus was to leave the regulation as it is.

Next Meeting: The next meeting is tentatively scheduled for Tuesday April 13, 2021 at 7:30 p.m.

Adjournment: The meeting was adjourned at 9:37 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 4-13-21

Placed on File with Board of Supervisors: 4-29-21