

KEITH COUNTY PLANNING COMMISSION
MEETING MINUTES
KEITH COUNTY DEPARTMENT OF ROADS- 202 S. SPRUCE
June 4, 2020 – 6:30 p.m.

Present: Koontz, Adams, Elliott, L Holscher, T. Holscher, Murray, and Laflan.

Excused: Spurgin and Frates

Administrator(s): Poltack and Kuskie

County Liaison: Joan Ervin

Guest(s): in person: Merlin Rapp, Beverly Rapp, Cindy Hebbert

Zoom: Darrin Padgett, Vonie Weaver, Terri Dolezal, Aaron Adelman, Bill Forbes, Amy Mahar, Kandi Franklin, Janell Beveridge, Ryan Tobin, Lisa Seacord, Danelle Drews, Shelly Christianson, John Boyle, Rich Winchell,

The meeting was called to order at 6:30 p.m. by Chairman Koontz. The Open Meetings Act poster is posted on the wall in the meeting room. Recognition of recording by the Chairman Koontz. The recording device failed and there is not a full recording for this meeting.

APPROVAL OF THE AGENDA:

It was moved by Adams and seconded by Elliott to accept the agenda as presented. Roll Call Vote. All Present Yes. Motion Carried.

MINUTES: It was moved by L. Holscher and seconded by Laflan to approve the March 12, 2020 regular meeting minutes.

REORGANIZE THE BOARD:

Elliott nominated Koontz to be the Chairman of the Board and Laflan seconded the motion. Roll Call Vote. All Present Yes. Motion Carried.

Elliott nominated Adams to be the Vice-Chairman of the Board and T. Holscher seconded the motion. Roll Call Vote. All Present Yes. Motion Carried.

PUBLIC HEARING ITEMS:

Request: Request from Ryan Tobin for a Conditional Use Permit (#20-31) for a Dwelling Unit: Vacation Rental located in Lot 3,4, & 5 Amen's 1st Subdivision, commonly known as 1435 Ogallala Beach Road, located in 7-14-38, Keith County, Nebraska.

Board discussion. Property owner attended via zoom. It was moved by Adams and seconded by Laflan to approve. Conditions of approval include occupancy limit of 12, 4 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period owner will be sent a written warning, a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request from Robert J. Biel for a Conditional Use Permit (#20-32) for a Junk and Salvage Yard located in the NW ¼ of Section 26, more commonly known as 510 Road East 120, located in 26-14-38, Keith County, Nebraska.

Board discussion. Neighbors read a letter in opposition. It was moved by L. Holscher and seconded by T. Holscher to deny. Roll Call Vote: All present yes. Motion carried.

Request: Request by Ryan and Becky Watchorn (dba Lincoln Land and Cattle) for a Conditional Use Permit (#20-33) for a Dwelling Unit: Vacation Rental located in Lot B Replat of Lots 51-55 Lakeshore Subdivision, more commonly known as 50 Lakeshore, located in 6-15-40, Keith County, Nebraska.

Board discussion. It was moved by L. Holscher and seconded by Laflan to approve. Conditions of approval include occupancy limit of 12, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request by SMJ International (dba USCOC Nebraska/Kansas , LLC) for a Conditional Use Permit (#20-34) for a Communication Tower located in a Tract in Lot 11 and all of Lot 12 Except the South 74.72' and the East 95.7' of Lot 13, and a tract in Lot 18 Paynes Subdivision, located in 5-13-47, Keith County, Nebraska.

Board discussion. Neighbor read letter in opposition and another neighbor also spoke in opposition. SMJ representative was present via zoom. It was moved by Elliott and seconded by Murray to approve given that they supply information needed to satisfy regulations for communication towers. Roll call vote: All present yes. Motion carried.

Request: Request by Jeffrey and Lisa Crank for a Conditional Use Permit (#20-35) for a Dwelling Unit: Vacation Rental located in Unit 1 & Unit A Lots 6 & 7 Bayside Country Estates, commonly known as 201 Bayside Country Estates, located in 22-15-40, Keith County, Nebraska. Comments:

Board discussion. Property owner present via zoom. It was moved by Elliott and seconded by L. Holscher to approve. Conditions of approval include occupancy limit of 8, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: All present yes. Motion carried.

Request: Request by Joanna and Jonathan Wiebe for a Conditional Use Permit (#20-36) for a Dwelling Unit: Vacation Rental located in the West ½ Ex Trs, commonly known as 1147 Road East U North, located in 28-14-35, Keith County, Nebraska.

Board discussion. It was moved by Murray and seconded by L. Holscher to approve. Conditions of approval include if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: All present yes. Motion carried.

Request: Request by Scott Jensen for a Conditional Use Permit (#20-37) for a Dwelling Unit: Vacation Rental located in Unit 3 & Unit C Lotsmore 6 & 7 Block 2, Bayside Country Estates, commonly known as 203 Bayside Country Estates, located in 22-15-40, Keith County, Nebraska.

Board discussion. It was moved by Elliot and seconded by Laflan to approve. Conditions of approval include occupancy limit of 6, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: All present yes. Motion carried.

Request: Request by Neortex, LLC for a Conditional Use Permit (#20-38) for a Dwelling Unit: Vacation Rental located in Lot 10 Replat of Eagle Bay Townhouses, more commonly known as 10 Eagle Bay, located in 26-15-40, Keith County, Nebraska.

Board discussion. It was moved by Laflan and seconded by L. Holscher to approve. Conditions of approval include occupancy limit of 8, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: All present yes. Motion carried.

Request: Request by Robert and Joanne Wilson for a Conditional Use Permit (#20-39) for a Dwelling Unit: Vacation Rental located in Unit 16 Lot 1, Bayside Country Estates Replat No. 2, more commonly known as 216 Bayside Country Estates, located in 22-15-40, Keith County, Nebraska.

Board discussion. It was moved by Adams and seconded by Elliott to approve. Conditions of approval include occupancy limit of 10, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: All present yes. Motion carried.

Request: Request by Dub Dub Dub LLC, for a Conditional Use Permit (#20-40) for a Dwelling Unit: Vacation Rental located in Lot 1 Watchhorn's Administrative Replat, more commonly known as 229 Lakeshore, located in 6-15-40, Keith County, Nebraska.

Board discussion. It was moved by Laflan and seconded by T. Holscher to approve. Conditions of approval include occupancy limit of 10, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: Koontz, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Adams abstain. Motion carried.

Request: Request by BW Real Estate, for a Conditional Use Permit (#20-41) for a Dwelling Unit: Vacation Rental located in Tract 1 & Tract 10 Yucca Heights 2nd Subdivision, more commonly known as 1 Yucca Heights 2, located in 19-15-38, Keith County, Nebraska.

Board discussion. Two neighbors attending via zoom expressed concerns. It was moved by Laflan and seconded by T. Holscher to approve. Conditions of approval include occupancy limit of 10, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence. Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request by Gregg Gifford for a Conditional Use Permit (#20-42) for a Dwelling Unit: Vacation Rental located in Lot 8 Lineback's 5th Subdivision, more commonly known as 196 Paradise, located in 17-15-39, Keith County, Nebraska.

Board discussion. It was moved by Laflan and seconded by L. Holscher to approve. Conditions of approval include occupancy limit of 8, 4 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request by Bill and Judah Forbes for a Conditional Use Permit (#20-43) for a Dwelling Unit: Vacation Rental located in Lot 26 Albee's Subdivision, more commonly known as 26 Albees, located in 6-15-40, Keith County, Nebraska.

Board discussion. It was moved by Laflan and seconded by Elliott to approve. Property owner was present via zoom and answered questions. Conditions of approval include occupancy limit of 5, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request by Bill and Judah Forbes for a Conditional Use Permit (#20-44) for a Dwelling Unit: Vacation Rental located in Lot 74 Albee's 3rd Subdivision, more commonly known as 74 Albees 3, located in 1-15-41, Keith County, Nebraska.

Board discussion. Three neighbors attending via zoom expressed concerns. Property owner was present via zoom and offered input. It was moved by Laflan and seconded by L. Holscher to approve. Conditions of approval include occupancy limit of 8, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request by Richard and Linda Hannon for a Replat of Lots 25, 26, 31, and 32 in Erb's Second Subdivision, located in the E ½ of Section 6-15-40, Keith County, Nebraska.

Board discussion. It was moved by Laflan and seconded by Adams to approve. Roll call vote: All present yes. Motion carried.

Request: Request from Josh and Amy Mahar for a Conditional Use Permit (#20-45) for a Dwelling Unit: Vacation Rental located in Tract 5, 6, and 15 Yucca Heights Second Subdivision, more commonly known as 6 Yucca Heights 2, located in 19-15-38, Keith County, Nebraska.

Board discussion. Property owner present via zoom and answered questions. Neighbors attending via zoom expressed concerns. It was moved by Laflan and seconded by T. Holscher to approve. Conditions of approval include occupancy limit of 10, 2 parking spaces, and if 2 or more written complaints are received by Planning and Zoning within a 6-month time period, owner will be sent a written warning and a response for mitigation shall be required from the property owner and a review shall commence Roll call vote: Koontz, Adams, Elliott, L Holscher, T. Holscher, and Laflan yes. Murray no. Motion carried.

Request: Request by Robert and Donni Feldman for a Replat of lots 79, 80, and 98 in Albee's 3rd Subdivision, located in the SE ¼ of 1-15-41, Keith County, Nebraska.

Board discussion. It was moved by Elliott and seconded by L. Holscher to approve. Roll call vote: All present yes. Motion carried.

BOARD DISCUSSION:

Recommendation for text amendment to be imposed on Dwelling Unit: Vacation Rentals. The regulations include but are not limited to:

- Quiet time after 11:00 a.m.
- Trash to be disposed of properly.
- No on street parking
- Occupancy Limit imposed
- Number of on-site parking spaces
- Two or more written complaints in a six-month time period shall initiate a written warning to the property owner. A response to the complaint is required to be received from the property owner. The planning commission and the county board will review said complaints and at their discretion may terminate the Conditional Use Permit for Dwelling Unit: Vacation Rental.
- Density may be a condition for non-approval of a Dwelling Unit: Vacation Rental Conditional Use Permit.
- In the event a Dwelling Unit: Vacation Rental: is operating without a Keith County Conditional Use Permit, there shall be a per day fine imposed.

NEXT MEETING

July 2, 2020 –6:30 P.M. Former NPPD Building, Meeting Room, 202 S Spruce, Ogallala, NE (use east entrance).

ADJOURN by consent Time: 9:04 p.m.