

Keith County Planning Commission  
Minutes

September 3, 2015

Chairman Koontz called the meeting to order at 7:37 p.m. with a quorum present. Chairman Koontz noted that the open meeting law was displayed for all to read.

Roll Call: S. Allen, Ayres, Elliott, Koontz and Gamet.

Absent: C. Allen, Spurgin, Holz, Brodbeck, and Holscher.

Ex-Officio: C. Johnson.

Staff: J. Quinlivan.

Guest(s) see attached list.

Chairman Koontz asked for a reviews of the agenda as mailed, staff noted that an addition made to the agenda with the Chairman's approval 24 hours prior per state statute was a request by Bayside LLC to vacate several lots, also staff suggested given the size of the crowd in the room to move the Bayside LLC Conditional Use Request to the first hearing. Motion by S. Allen to approve the agenda with those changes, second by Elliott. All present voting in the affirmative.

Chairman Koontz asked for a review of the minutes from August 6<sup>th</sup>, 2015, there being no additions or changes; motion by Ayres to approve as written, second by S. Allen, all present voting in the affirmative.

The first hearing: a Conditional Use (#15-4) request for the development of an RV park on Lot 1, Block 1, Bayside Country Estates #1.

Staff reviewed the request noting that the area was zoned Tourist Service at the time of development anticipating a commercial marina in the adjoining bay. No development with the exception of residential on the easterly and north lots has taken place. The road to the site will need to be upgraded, an elementary site plan has been provided. Staff had several questions regarding the type of RV/campground, length of tenure, septic waste disposal (DEQ approved plan to be required), impact on adjacent residential property value, traffic safety, access for emergency vehicles since there is only on ingress and egress, and approval from Central since this will be adjacent the shoreline. Staff recommended tabling pending further information and noted that a similar request had been made in writing from Central. Chairman Koontz opened the meeting to the public and asked the developer to address staff concerns. The developer stated that the 'campground' would be for high end RV's with long term leases, the area was zoned for commercial development, there would be an office on site and they would be working with DEQ regarding waste disposal, lastly the development would be phased in three areas. The developer also noted the road would be improved to handle the traffic and did not anticipate any loss of property value. The Chairman then asked if there was opposition to the request at which point several adjacent landowners made their objections which are noted below:

Mr. Ray Harper: questioned the septic system in the area which is underplayed by rock.

-In response it was stated that the developer would be preparing a plan with DEQ regarding waste disposal

Mr. Pat Synder: Noted that of the 26 lots, 23 had been sold in excess of \$70,000. In his opinion the RV campground would not raise property value but lower it instead. He was opposed to the RV campground Conditional Use.

-Staff informed the Commission that the County Assessor had been asked that question but could not definitively answer at this time, but did opinion that it could lower values.

Mr. Mike Wengert: Questioned traffic safety since this is a single gravel road with residences, without a speed limit and minimal maintenance.

Mr. Randy Miller: As a developer himself in the affected area, he would not further invest in property adjacent an RV campground due to an anticipated loss in property value.

Commissioner Elliott asked if the developer had a “plan B” if this did not work? Such as nightly rental, would the developer make a written commitment to long term leases?

Mr. Pat Synder: The covenants will govern this.

Ms. Nemecek/developer: The development will meet the covenants, the RV park will be a quality park serving only high end tenants. Yes, traffic will increase, we will make the roads better, but traffic will also increase due to the sale of lots and the area has been zoned commercial since 1999.

At this point Chairman Koontz asked if there were more questions, if not a motion would be appropriate: Motion by Elliott to table indefinitely pending answers to questions posed by staff and acting on the request by Central, second by Ayres, motion carried with all present voting in the affirmative.

Chairman Koontz then returned to the agenda, suggesting that in the essence of time those agenda items related to each other be combined into a single hearing and motion, the Commissioners agreed that this was expedient. Therefore Chairman Koontz opened the second hearing: that of the final plat for Pelican Roost #6 and attendant change of zone from Agriculture to RR2; Medium density residential. Staff reviewed the request noting that the area is already heavily residential RR2, this being the last portion of the Pelican Roost subdivision to be developed. Staff also noted that this was in keeping with the Comprehensive Plan and should not pose a detriment to adjacent land owners.

Motion by Ayres to approve the final plat as drawn noting that it did meet the required minimums of the Subdivision Ordinance and Change of Zone from Agriculture to RR2 Residential in concert with the Comprehensive plan and Zoning Ordinance, second by S. Allen; all present voting in the affirmative.

Chairman Koontz opened the hearing on a request for change of zone from Tourist Service to Residential Rura l(RR) for a tract of land located in the NW ¼ of Section 18, T14N/R39W. Staff reviewed the request noting that it is a 3.5 acre parcel at the intersection of State Hwy 26 and the Lakeview Road. Access is limited by the state and only gained off of Lakeview Road with county permission. The site has been used for directional signage only due the geographic and access constraints. The Comprehensive Plan indicated this area to be a commercial node but staff stressed that this was highly unlikely given limited access and geography. Motion by S. Allen to recommend approval of the change in zone, second by Elliott: all present voting in the affirmative.

Chairman Koontz opened the hearing on a request for approval of a preliminary plat of Meadow Lake Subdivision and attendant change of zone from Agriculture to RR2: Rural Residential. The area is described as a tract of land located in the SW ¼ of Section 7, T14N/R38W. Staff reviewed the request(s) noting that the development would be served with a single access from a frontage road, the plat as drafted met the requirements of the subdivision ordinance, and would comply with the Comprehensive Plan. Staff requested that the north end of the frontage road be closed, leaving an access could create an unsafe intersection of three streets. The developer, Mr. Frahm agreed to the change. Motion by S. Allen to approve the preliminary plat as drawn and to recommend the change in zone as requested; second by Elliott: Motion carried all present voting in the affirmative.

Chairman Koontz opened the hearing on a request for final plat review and attendant change of zone from Agriculture to RR2 Rural Residential for McGee’s Second Subdivision. The area is described as a tract of land located in the N ½ of Section 23, T15N/R39W. Staff reviewed the request noting that access came via a 20’ dedicated roadway on the east side of McGee’s First Subdivision, which has been partially obscured with a planting of cedar trees. Adjacent land uses in McGee’s First Subdivision are residential, the remaining is ranch land. Staff noted that the road entrance is a bit confusing with the 20’ of dedicated

ROW adjacent to 30' of private street in the next subdivision. Staff has discussed the obstruction of trees with the land owner responsible and that landowner is willing to cut back the trees to open the ROW. There were several questions from the audience regarding roadways but explained, these were not roads but utility easements. There being no further questions motion by Ayres to recommend approval of the Final Plat as drafted and recommend approval of the change of zone, second by Elliott. Motion carried; all present voting in the affirmative.

Chairman Koontz opened the hearing on a re-plat of Lots 19, 20 & 21 of Block 1, Bayside Country Estates, Section 22, T15N/R40W. Mr. Williams, owner of those lots, wishes to combine the lots for purpose of home construction, however a walkway easement presently goes through the middle of the lots, hence the need to re-plat. Staff noted that the re-plat will retain the walkway easement on the east side of the new plat. There being no questions or objections motion to recommend approval of the re-plat by S. Allen, second by Elliott: motion carried; all present voting in the affirmative.

Chairman Koontz opened the hearing on the vacation of Outlot A, and Lot 1 of Block 1, Bayside Country Estates 3, Lots 1,2, 3, and 4 of Block 2, Bayside Country Estates 3 and Lot 1 of Block 3 of Bayside Country Estates 3. The owner of those lots noted that they either were non developable or were part a restructuring of the golf driving range. There being no objections or further questions, motion to recommend approval by S. Allen, second by Ayres; motion carried with all present voting in the affirmative.

Chairman Koontz asked Mr. Keith Marvin to address the Commission regarding the rewrite of the Future Land Use section of the Comprehensive Plan. Mr. Marvin made his case for employing his firm in the rewrite noting that he has great experience in county planning, being the consultant planner for adjacent county's and having just completed the Energy Chapter for Keith County. Further he noted that he would be in attendance for five meetings regarding the rewrite and integration into the county zoning ordinance. Staff noted that Mr. Marvin was one of three requested to provide a proposal, the others being JEO of Wahoo Ne. and Miller and Associates of Kearney. Staff anticipates these proposals in the next two months.

There being no further business meeting adjourned; motion by Gamet, second by Elliott to 7:30 p.m. October 1, 2015.

ATTEST: \_\_\_\_\_  
Keith County Zoning Administrator

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Dean Koontz, Chairperson

Date

September 3, 2015

Planning Commission

Name	Agenda Item
Corinne McGee	McGee Sub
Caleb Johnson	Liason
Ryan Dickinson	DLB, INC.
Judith K Rosenbaum	Kahl Sub - Sidney, Ne
Travis Russell	McGee Sub
Keith Marvin	Marvin Planning Consultants
TOPP & DIANE LARIMER	RV PARK
Randy Miller	RV PARK
Tracy Miller	RV PARK
Mike + Barb Wengert	RV. Park -
Mike Vahl	Final Plot Review
Pat Snyder	RV PARK
Robert J Vobt	ZONE CHANGE HWY 26/LAKEVIEW
Ray + Violet Harper	
Chad Acland	McGee Sub 2