



# Boone County Board Minutes



## MINUTES OF PUBLIC HEARING PROCEEDINGS ZONING APPLICATION FOR CONDITIONAL USE PERMIT

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, December 17, 2018 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Motion made by Commissioner Luettel, second by Commissioner Rasmussen to open said public hearing. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Present for roll call were Commissioners Ken Luettel, Alan Rasmussen and Hilary K. Maricle. Mary Ziemba, County Planning and Zoning Administrator, was present to answer any questions. The applicant was not represented. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Chairman Luettel acknowledged the publication notice for the record.

The purpose of the public hearing is to hear testimony in favor of, opposition to, and to answer questions concerning the approval or denial of an Application for Conditional Use Permit submitted by Nathan A. Mueller. Nathan A. Mueller is the property owner of the real estate referenced herein. The application request is to divide 11.30± acres of which 1.04± acres is occupied by County Road Right-of-Way, from a parcel of land to sell the existing building site and pasture to the west of the building site. This parcel of land is located in a fraction of the NE1/4NW1/4 and in a fraction of the NW1/4NE1/4 of Section 18, Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska.

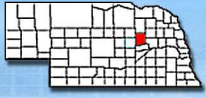
Upon receiving a copy of the application and survey at the December 17, 2018 Board meeting, the following are changed/corrected in the proceedings from the posted Board agenda: acreage changed from 10.88± to 11.30±; fraction of NE1/4 and fraction of NW1/4 changed to fraction of the NE1/4NW1/4 and fraction of NW1/4NE1/4; and build a residential dwelling changed to sell the existing building site and pasture to the west of the building site.

Mary Ziemba presented the findings and information from the Boone County Planning Commission Board. The Planning Commission Board requested that the survey presented with 10.88± acres and five lines be revised to include the four straight-line in accordance with the County Zoning regulations. A revised survey to divide 11.30± acres of which 1.04± acres is occupied by County Road Right-of-Way, is completed. A Waiver of Distance has been signed by Nathan A. Mueller. The Boone County Planning and Zoning regulations require conditional use permits in order to split off any parcels of less than 20 acres within the A-1, Agricultural Primary District, which gives priority to agricultural land uses.

The Boone County Planning Commission Board recommended approval to divide 11.30± acres from the existing parcel of land. Ziemba said that there were no objections to the request.

Motion made by Rasmussen, second by Maricle to close said public hearing at 10:07 A.M. Roll call vote: Yeas: Rasmussen, Maricle and Luettel. Nays: None. Motion carried.

Motion made by Maricle, second by Rasmussen to approve the Conditional Use Permit submitted by Nathan A. Mueller to divide 11.30± acres of which 1.04± acres is occupied by County Road Right-of-Way, from a parcel of land to sell the existing building site and pasture to the west of the building site. This parcel of land is located in a fraction of the NE1/4NW1/4 and in a fraction of the NW1/4NE1/4 of Section 18, Township 20 North, Range 5 West of the 6<sup>th</sup> P.M., Boone County, Nebraska. Roll call vote: Yeas: Maricle, Rasmussen and Luettel. Nays: None. Motion carried.



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Kathy Thorberg,  
Boone County Clerk