

ITCHCOCK COUNTY PLANNING COMMISSION

April 18, 2024  
Trenton, Nebraska

The Hitchcock County Planning Commission met on Thursday, April 18, 2024 at 6:30 p.m. p.m. in the Community Room, Hitchcock County Courthouse, 229 East D Street, Trenton, Nebraska as duly published in the *Hitchcock County News* on April 4, 2024.

Opening Statement was read by Chair Ladenburger. *It is the policy of this board that the formation of public policy is public business and may not be conducted in secret. The board conducts its business in accordance with the open meetings act.*

Chair Ladenburger called the meeting to order at 6:40 p.m.

Chair Ladenburger requested roll call. Those answering roll call were Dustin Ladenburger, Tom Monnahan, Dustin Webb, Wayne Merrill, and Austin Jensen. Member Aaron Kolbet was absent. Chair declared a quorum present and proceeded with the meeting. Also present, applicant Kari Peter, County Attorney, D. Eugene Garner, Zoning Administrator Mike Erickson and Recording Secretary Margaret Pollmann.

The minutes of the January 18, 2024 meeting were reviewed. Member Jensen moved to approve the same as submitted. Member Webb seconded the motion. A unanimous "Aye" vote was cast. Motion carried.

Zoning Administrator Erickson provided information relating to the cost of updating the County's Comprehensive Plan including possible grant funding. Attorney Garner advised as to legalities relating to plan updates. Discussion held.

Applicant Kari Peter joined the meeting.

Chair Ladenburger recessed the regular meeting at 6:49 p.m. to enter into a public hearing.

Chair Ladenburger opened the public hearing at 6:50 p.m. to hear the applicant and all comments thereon from the public in attendance and to receive evidence regarding the Application for Conditional Use submitted by R.Via Retreat, LLC to develop a 10 spot RV park, to also include three cabins on Lot 7A of the *Castaway Parkway Subdivision Filing #1*, being a part of the South ½ of Section 32, Township 3 North, Range 33 West, Hitchcock County, Nebraska.

Chair received the following exhibits and the same were marked accordingly:

- Exhibit "A" Hitchcock County Clerk's *Certificate of Service* dated April 8<sup>th</sup>, 2024 relating to Notice of Public Hearing mailed to applicant R.Via Retreat LLC % Kari Peter
- Exhibit "B" Hitchcock County Clerk's *Certificate of Service* dated February 15, 2023 relating to Notice of Public Hearing mailed to land adjacent land owners and interested persons.
- Exhibit "C" Zoning Administrator Mike Erickson's *Staff Report* relating to Conditional Use Application #01-2024.

Board acknowledged a scrivener's error in the Planning Commission's Notice of Public Hearing, to wit: reflected the date of this hearing as "Thursday, April 18, 2023" rather than Thursday, April 18, 2024. However, based on the other documentation contained in the record, including without limitation: the applicant is present for this hearing; April 18, 2023 fell on a Tuesday not a Thursday; the notice(s) mailed to the applicant and adjoining land owners were mailed out by the Hitchcock County Clerk's office on April 8, 2024 as evidenced by the certificate of service received as Exhibit(s) "A" and "B"; the notice of the County Board public hearing to be held on May 6, 2024, which was also published in the Hitchcock County News on the same date as the Planning Commission's hearing reflects the correct year, the Planning

Commission finds said scrivener's error to be harmless error and proceeds with the public hearing accordingly.

Chair Ladenburger asked if there were any comments from the proponents of the application. Applicant Kari Peter presented her Application for Conditional Use and responded to questions posed by the board.

Chair Ladenburger asked if there were any comments from opponents of the application. There were none.

Chair Ladenburger asked if there were any comments from those representing a neutral position. There were none.

Chair Ladenburger closed the public hearing at 6:59 p.m. and re-entered regular Planning Commission proceedings.

Chair inquired if any board member had a conflict of interest regarding the application being considered. There were none.

The Commission made the following findings:

1. that the requested use of said land is consistent with the Hitchcock County Comprehensive Plan and is a permitted use in the RCI Rural Commercial/Industrial District pursuant to section 502.03(7) of the *Zoning Resolution of Hitchcock County, Nebraska*; and
2. that the requested conditional use of said land is consistent with the Hitchcock County Comprehensive Plan and may be permitted as a conditional use in the AG-G General Agricultural District pursuant to section 501.06(10) of the *Zoning Resolution of Hitchcock County, Nebraska*, on the following conditions/exceptions, to wit:
  - *CONDITION(S)*: Refer to Staff Report relating to conditional use application #01-2024, submitted by Michael Erickson, Hitchcock County Zoning Administrator, attached hereto as "Exhibit C" and incorporated herein by this reference.
  - *EXCEPTION(S)*: None

Member Webb moved to recommend to the Hitchcock County Board of Commissioners, APPROVAL of the Application for Conditional Use submitted by R.Via Retreat, LLC to develop a 10 spot RV park, to also include three cabins on Lot 7A of the *Castaway Parkway Subdivision Filing #1*, being a part of the South ½ of Section 32, Township 3 North, Range 33 West, Hitchcock County, Nebraska. The motion was seconded by Merrill. After discussion, the roll was called on the motion as follows: Webb, Aye; Ladenburger, Aye; Jensen, Aye; Monnahan, Aye; Merrill, Aye. Kolbet, Absent. Motion carried.

Member Jensen moved to authorize and direct Chair of the Hitchcock County Planning Commission to execute the formal written recommendation of the Planning Commission for and on behalf of the full body of the Planning Commission to the Hitchcock County Board of Commissioners. The motion was seconded by Webb. After discussion, the roll call was taken on the motion as follows: Webb, Aye; Ladenburger, Aye; Jensen, Aye; Monnahan, Aye; Merrill, Aye. Kolbet, Absent. Motion carried.

Under new business: Zoning Administrator Erickson reported as to the annual planning and zoning conference. Discussion held regarding zoning regulations updates addressing EV charging stations, wind and solar energy etc. and well as updates to the comprehensive plan.

Attorney Garner advised as to membership on the Hitchcock County Board of Adjustment.

There being no further business before the Commission, Chair Ladenburger adjourned the meeting at 7:42 p.m.

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Dustin Ladenburger, Chair

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Wayne Merrill, Secretary