***Duncan Planning and Zoning Commission***

***Minutes***

***and***

***Public Hearing***

***September 4, 2018***

The regular meeting of the Village of Duncan Planning and Zoning Commission was called to order at 7:30 PM, September 4, 2018 by Chairman Jamie Frey. The Chairman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held. Commission members present were Frey, Gary Schlesinger, Betty Kropatsch and alternate, Matt Bates. Absent: Abbey Wright and Travis Stempek. Also in attendance was Don Reves-Zoning Administrator. Motion was made by Schlesinger and seconded by Bates to approve the agenda. Vote was as follows: voting aye-,Schlesinger, Kropatsch, Frey and alternate, Bates. Voting nay-none. Absent: Wright and Stempek.  The Chairman declared the motion carried. Motion to approve the meeting minutes from the August 20, 2018 meeting was made by Bates and seconded by Schlesinger to approve the August 20, 2018 minutes. Vote was as follows: voting aye-,Schlesinger, Kropatsch, Frey and alternate, Bates. Voting nay-none. Absent: Wright and Stempek.  The Chairman declared the motion carried.

**Ex Parte Declaration**—none

**COMMUNICATIONS:**

Zoning Administrator-none

Comments from the floor - Guests requesting to address the Planning and Zoning Commission-none

Stempek arrived at 7:42 P.M.

**New Business**:

a. **PUBLIC HEARING** for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for: proposed Conditional Use Permit of the Duncan Zoning Ordinance to allow for use of storage units at the address of 28398 158th Street, Duncan, NE. 68634 under section C-2 General Commercial District 4.09 of the Planning & Zoning Regulations, subsection 4.09.03. The chairman declared that a representative for the petitioner was present. Reves stated it was published August 23, 2018. Motion was made by Schlesinger and seconded by Stempek to open the public hearing. Vote was as follows: voting aye-,Schlesinger, Kropatsch, Frey and alternate, Bates. Voting nay-none. Absent: Wright and Stempek. A representative, speaking on behalf of the petitioner, Ron Stock, stated a storage unit with the dimensions consisting of one section 280 feet length. One section will be 120 in length by 30 feet in width. The second section would by 160 feet in length by 12 feet in width. Square footage totaling 5520 square feet. The front section would be utilized for boats, etc and and back section for personal property. Accessing the units would be on the east side of the units. At this time the proposal is to have 12 30x10 units and 16 12x10 units. Schlesinger asked why the units would be on the west side of the property and the response was to facilitate the length of the structure. Schlesinger referred back to a road through the property. Frey referred back to the August 20, 2018 minutes under subsection Commission Member Comments. Frey asked if there were any written communications regarding this petition. Kropatsch replied there weren’t any. Frey asked if there were any others with questions and concerns. There were none. Frey asked for a motion to close the public hearing. Motion to close the public hearing was made by Stempek and seconded by Bates. Vote was as follows: voting aye-Schlesinger, Kropatsch, Frey, Stempek and alternate, Bates. Voting nay-none. Absent: Wright.  The Chairman declared the motion carried. A motion was made for approval was made by Bates and seconded by Schlesinger. Voting aye-Schlesinger, Kropatsch, Frey, Stempek and alternate, Bates. Voting nay-none. Absent: Wright.  The Chairman declared the motion carried.

**PUBLIC HEARING** for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for: proposed Amendment to section 3.10; 6c. ‘Detached garages and other accessory buildings located in Residential Districts shall: c. Have sidewalls that do not exceed *10* feet in height’, to say ‘Detached garages and other accessory buildings located in Residential Districts shall: c. Have sidewalls that do not exceed *14* feet in height’ per the request of the Village Board. Frey stated representatives were present for this public hearing. Frey asked Reves if publication was made and Reves replied to the affirmative. Frey requested a motion to open the public hearing. Stempek made a motion to open the public hearing by Schlesinger and seconded by Stempek. Vote was as follows: voting aye- Stempek, Kropatsch, Schlesinger, Frey, and alternate, Bates. Voting nay-none. Absent: Wright. Frey asked if the petitioner had any further comments. Frey asked if there were any written communications regarding this petition. Kropatsch replied there weren’t any. Reves stated that it was published in the Columbus Telegram. Frey asked if there were any others with questions and concerns. Kropatsch stated, as a matter of record, her opposition to the request because of the building’s size. Kropatsch would like to see the village making some kind of accommodations to address this problem. Kropatsch continued stating there a number of properties in town that could accommodate a building of that size and she feels that residents do not want to have this size of building in their area because it being a possible detriment to the property. Merrill asked if there is such a concern, why is there no concern shown and she understood that in small towns this happens. Frey stated, he felt, that the building’s size and location would not be a detriment because if further requests arrived the Commission would have to review where the request is being made and if it would be a detriment to surrounding properties. Reves stated once this ordinance is changed there is no going back. Kropatsch continued that in her area of town there are properties that could facilitate such a building of that size, even though it many never happen, but she wanted her opinion known. Kropatsch didn’t want the Merrill’s not to have their recreational equipment tucked away, but she wished there was some other means to do so. Mrs. Merrill felt since they have the area to build why would they pay to have their equipment stored? Frey asked for a motion to close the public hearing. Motion to close the public hearing was made by Stempek and seconded by Bates. Vote was as follows: voting aye-Schlesinger, Kropatsch, Frey, Stempek and alternate, Bates. Voting nay-none. Absent: Wright.  The Chairman declared the motion carried. A motion was made for approval was made by Schlesinger and seconded by Stempek. Voting aye-Schlesinger, Frey, Stempek and alternate, Bates. Voting nay-Kropatsch. Absent: Wright.  The Chairman declared the motion carried.

**OLD BUSINESS**: None

**COMMISSION MEMBER COMMENTS**: None

**COMMISSION CHAIR COMMENTS:** Frey stated he received a notice of interest from Kayla Humlicek pertaining to becoming the Secretary to the Planning and Zoning Commission. Frey asked Kropatsch to make contact.

**ADJOURNMENT**:

Frey declared the meeting adjourned

Minutes recorded and submitted by:

Betty Kropatsch, Commission Secretary

All meetings are open to the public and a current agenda for said meetings will be posted and available for public inspection at the office of the Village Clerk 10 days following the Commission meeting