

## MINUTES OF THE PLANNING AND ZONING COMMISSION

A meeting of the Planning and Zoning Commission was held on the 21<sup>st</sup> day of July, 2015 at 7:01 p.m. at the Beatrice Public School Administration meeting room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Attending: Boardmembers: Doyle, Fetty, Mayfield, Seckel, Wright.  
Absent: Boardmembers: Hydo, McGhee, Scholl, Riha, Rodriguez.

Chairman Vaughn Wright announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public.

### CONSENT AGENDA

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting.
- c. Receive and place on file all materials having any bearing on this meeting.
- d. Approval of minutes of regular Planning and Zoning Commission meeting on April 7, 2015.

Moved by Mayfield, seconded by Fetty, that the items listed under the consent agenda be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Doyle, Fetty, Mayfield, Seckel, Wright.  
Nay: None

MOTION CARRIED.

### PUBLIC HEARINGS

- a. **Public hearing on the Special Use Permit application for David and Buffy Kagy for a Special Use for a larger garage/storage building located at 1727 N 15th, zoned R-2.**

Chairman Wright introduced David and Buffy Kagy who lives at 515 N 25<sup>th</sup> and opened up the discussion to the Commission.

Greg Butcher, City Attorney explained what is an accessory structure and what is required as pursuant to the Zoning Ordinances. He stated that the Kagys had already removed a smaller garage and would like to build a 30x48 building (1,440 sq ft) with a height of nineteen feet. He reviewed the application and has no opposition to this project. An Administrative Setback Application has been submitted for a variance for a setback of five feet from the back yard setback. This application would be submitted to the Building Inspections after the approval of the Special Use Permit.

The applicants, David and Buffy Kagy (515 N 25<sup>th</sup> Street, Beatrice, Nebraska) explained they bought this two lot property with the intention of building a garage/storage structure now and a new home in a year. They do not intend to have a business at that property. They have a large family with a lot of cars and an RV to store so that is why they need a larger building.

Fetty had a question about the height of the building and if the doors were going to be on the sidewall. Mr. Kagy said that it was going to be there. Fetty also questioned about the 5 foot

setback and if he was going to have a Dorsey Street access. Mr. Kagy stated that they were told by the City Engineer that they couldn't have access because Dorsey is a busy road and has easements. Fetty stated that he would question why they couldn't have access off of Dorsey. Greg Butcher, City Attorney stated that he would follow up with James Burroughs about the possibility of access off Dorsey Street.

Wright stated that the Kagy's have worked on cleaning up the property and how it's looking so much better. Mayfield asked about the nineteen feet height and why it was a problem. Fetty stated that some neighbors were concerned that it would be taller than the house. Wright stated that the ordinance on that issue was removed a long time ago.

Butcher, City Attorney stated that the original residence is still there and as long as they retain that house, the new building could be erected. If the original house is torn down then the new one should be built within a year with proper building plans and permits approved and on file.

Derek Ronne (1720 N 15<sup>th</sup> Street, Beatrice, Nebraska) was concerned that the property was going to be turned into a construction storage site. Buffy Kagy stated that any equipment that her husband brings home is usually only there overnight. Doyle asked if there would be any consequences if the building was erected and became a construction site. Butcher, City Attorney stated that the building would be required to be torn down. Fetty asked if there was an alley located at this site? Buffy Kagy responded that there was not an alley.

Moved by Fetty, seconded by Doyle, that the public hearing be closed at 7:29 p.m.

Roll Call: Yea: Doyle, Fetty, Mayfield, Seckel, Wright.  
Nay: None

MOTION CARRIED.

Moved by Mayfield, seconded by Doyle, to approve the Special Use Permit application of David and Buffy Kagy for a larger garage/storage building 1,440 sq ft, and 19' high, located 1727 N 15<sup>th</sup>, zoned R-2.

Roll Call: Yea: Doyle, Fetty, Mayfield, Seckel, Wright.  
Nay: None

MOTION CARRIED.

### **DISCUSSION/ACTION**

#### **a. Drafting a Resolution for Special Use Permits and filing with the Register of Deeds.**

Greg Butcher, City Attorney discussed the possibility of drafting a resolution for a Special Use to be filed with the Register of Deeds. There would be an additional charge but it would be built in to the Special Use fee. He would like to draft some amendments and bring it to the Planning & Zoning Commission and then to the City Council for approval.

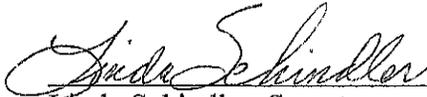
### **ADJOURNMENT**

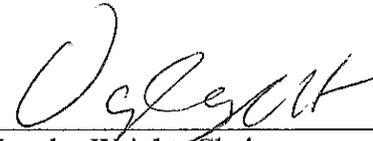
The next regular Planning and Zoning meeting is scheduled for August 4, 2015 at 7:00 p.m. in the BPS Administration Building Meeting Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Moved by Fetty , seconded by Seckel, that the meeting be adjourned at 7:45 p.m.

Roll Call:    Yea: Doyle, Fetty, Mayfield, Seckel, Wright.  
                  Nay: None

MOTION CARRIED.

  
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Linda Schindler, Secretary

  
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Vaughn Wright, Chairman