

# Cherry County Planning and Zoning Minutes



## Cherry County Planning Commission Minutes

September 10, 2024

### Cherry County Courthouse Meeting Room

The meeting was called to order at 4:30 PM CT by Chairman Wade Andrews in the advertised location of the Cherry County Courthouse Meeting Room.

Roll call was taken. The following members were present: Marla Shelbourn, Wade Andrews, Duane Kime, Sherri Bacon, Gary Swanson, John Lee, and Gordon Witte. Absent was Michael McLeod, and Albert Ericksen. Also present were Jane Stolzenburg, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted as was the public notice in the Valentine Midland News pertaining to this meeting.

#### Approval of Minutes

Duane K. made a motion to approve both the August 6, 2024 and August 29, 2024 public hearing minutes with no changes. Gordon W. seconded the motion. Roll call vote was taken. Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Absent, and Gordon W.-Yes, Marla S.-Yes. Motion carried 7-0.

Communications: None

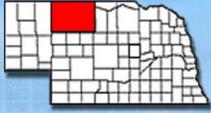
#### Reports and Recommendations:

Zoning Administrator, Jane S. reported that there were two co-locate zoning permits issued for cell towers. She also informed the board that she received a group e-mail from other counties regarding Wind CUP fees. Administrator Jane S. reported that the information was shared with the Board of Commissioners regarding the possibility of revising the fee schedule. The Board of Commissioners suggested the Planning Commission review it and it could be discussed at a later date after the completion of the revised zoning regulations.

Administrator Jane S. also advised that she would be attending the Robert's Rules of Order 101 class at Mid-Plains Community College on Thursday.

#### Public Hearing

Chairman Andrews opened public hearing on CUP#003/24 Leon Mast Custom Kitchen Cabinet and Woodworking at 4:40 PM CT. Chairman Andrews asked the applicant to speak on behalf of the application. Leon Mast spoke about the nature of the business. No members of the public spoke. Chairman Andrews closed the public hearing at 4:43 PM CT.



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Chairman Andrews asked if the public hearing was properly advertised, Zoning Administrator Stolzenburg replied yes.

Chairman Andrews asked if the application for CUP#003/24 Leon Mast Custom Kitchen Cabinet and Woodworking is complete. Zoning administrator Stolzenburg stated yes, the application is complete.

Chairman Andrews asked for disclosure of any conflicts of interest on CUP#003/24 Leon Mast Custom Kitchen Cabinet and Woodworking from the board. No board members disclosed any conflicts.

Chairman Andrews asked for any disclosure of ex-parte communications by any member on CUP#003/24 Leon Mast Custom Kitchen Cabinet and Woodworking. No members had any communications.

Discuss/Act on CUP#003/24 Leon Mast Custom Kitchen Cabinet and Woodworking

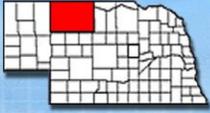
Sherri B. made a motion on CUP#003/24 Leon Mast Custom Kitchen Cabinet and Woodworking to recommend approval based on the findings of fact it was properly advertised, met the criteria and zoning regulations and no members of the public spoke against the application. This hearing was done due to improper notification and the proper notification was provided. Duane K. seconded the motion. Roll call vote was taken. Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Absent, Gordon W.-Yes, Marla S.-Yes, Wade A.-Yes. Motion passed 7-0.

Old Business:

Chairman Andrews opened the discussion regarding the Comprehensive Plan for Consideration and possible recommendation to the Cherry County Board of Commissioners. Duane K. made a motion to approve recommending the Comprehensive Plan as written and if amendments need to be made it could be done down the line. Gary S. seconded the motion. After a brief discussion a roll call vote was taken: Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Absent, Gordon W. -Yes, Marla S.-No, Wade A.-Yes, Michael M.-Absent. Motion passed 6-1.

The board began reviewing the definitions in the Zoning Regulations. A list of proposed changes is being prepared for Keith Marvin. Several questions regarding definitions will be sent to Keith Marvin for clarification and state statute requirements.

John L. left the meeting at 6:00 PM CT.



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## New Business:

The board set October 1, 2024 at 4:30 PM CT for the next regular meeting.

## Public Comment:

No members of the public spoke at this time.

## Excused Absence:

Marla S. made a motion to excuse Michael M. and Albert E. from the meeting. Duane K. seconded the motion. Roll call vote was taken. Sherri B.-Yes, Gary S.-Yes, John L.-Absent, Albert E.-Absent, Gordon W.-Yes, Marla S.-Yes, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes. Motion carried 6-0.

Chairman Andrews adjourned the meeting at 6:30 PM CT.

Jane Stolzenburg

Zoning Administrator and

Sherri Bacon

Planning Commission Secretary