

## Eagle Planning Commission

January 3, 2018

The Eagle Planning Commission met in regular session at 7:00 PM on January 3, 2018 with Terry Caddy, John Surman, Randy Todd, Willa DiCostanzo and Dale Ellwanger present. Clifford Schildt and Douglas Cummins were absent. The Agenda items listed thereon were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The Chair, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Caddy named the three (3) areas where the agenda was posted as follows: Village Clerk's Office, Eagle Fire & Rescue Department and Eagle State Bank.

**PUBLIC HEARING** for the purpose of hearing testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RE (Residential Estates) for the following described property: Tax Lot 27 located in the Southwest Quarter of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> Principal Meridian, Eagle, Cass County, Nebraska, containing 5.00 acres.

Chairperson Caddy opened the Public Hearing at 7:02 p.m. to hear testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to RE (Residential Estates) the following described property: Tax Lot 27 located in the Southwest Quarter of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> Principal Meridian, Eagle, Cass County, Nebraska, containing 5.00 acres. Josh Rowell and Hannah Ross were present and said their intention for the property is to build a new house this year once the property is no longer a part of the Conservation Reserve Program (CRP). Rowell said an easement exists on the driveway at 706 190<sup>th</sup> Street which will provide access to the property. Nebraska Rural Water will be contacted for water service and Nebraska DEQ will be contacted for sewer service options. John Wells (801 190<sup>th</sup> St.) said his concern is the current driveway which allows water to enter the road and wash the gravel away and into his pasture. Sass said Cass County has been contacted in the past about this concern and no modifications or repairs have been recommended. Wells recommended a culvert with a slope in the driveway to direct water into the ditch. Sass said she will speak with the contractor installing the driveway about adding a culvert. Caddy asked if the applicants are familiar with the Residential Estates zoning district requirements. Sass said no, she wasn't aware this property was in Eagle's extraterritorial zoning jurisdiction until a few weeks ago. Caddy reviewed the building setback requirements with the applicants and informed them that livestock is not permitted in this zoning district. Rowell asked if there was any other zoning district they could apply for that would allow horses. Caddy said a minimum of 10-acres would be required to have any type of livestock. Todd discussed accessory buildings in the Residential Estates zoning district and said they may only be located to the rear or side of the primary structure. Sass discussed the possibility of merging the entire 17.59 acres found in Tax Lots 27 & 28 with the 32.27 acres to the north and utilizing 10 acres of space for her property. Todd said it would be less restrictive to have 10 acres. Caddy said if the applicant decides to move forward with the current proposal there will need to be an official easement to access Tax Lot 28 before

an Administrative Subdivision would be granted by the Village of Eagle. Sass said she would like to withdraw her request for a change of zoning.

The public hearing was closed at 7:28 p.m.

Discuss/possible action: Approval/recommendation of zoning change from AG (Agricultural) to RE (Residential Estates) for the following described property: Tax Lot 27 located in the Southwest Quarter of Section 19, Township 10 North, Range 9 East of the 6<sup>th</sup> Principal Meridian, Eagle, Cass County, Nebraska, containing 5.00 acres – Zoning change request was withdrawn by the applicant. No action taken.

The meeting was adjourned at 7:30 p.m.

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Terry Caddy  
Chairperson

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Nick Nystrom  
Village Clerk