

CITY OF SIDNEY PLANNING COMMISSION MEETING, MONDAY, MAY 16, 2022, 5:30 P.M.

AGENDA

Call to Order

Pledge of Allegiance

Welcome

Business and Reports:

1. Announcement of Public Meetings Act: The Open Meetings Law poster is posted at the rear of the room, please refer to posted information if you have any questions regarding the open meetings law.
2. Approval of minutes of March 21, 2022 as printed.
3. **PUBLIC HEARING** re: Application of Conditional Use Permit by Darin Van Natter for motor vehicle wrecking yard, vehicle and trailer storage, and vehicle service and storage. Section 5 Township 13 Range 49 Part SW/4 (2.72 Acres) Lands Inside Sidney, and commonly known as 2555 Fort Sidney Road. Current Zoning M1.
4. Comments by the public and action concerning other business by the commission.

ADJOURNMENT

NEBRASKA OPEN MEETINGS ACT

NEB REV STAT 84-1407 TO 84-414

(Effective April 22, 2021)

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires: (1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and (b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders; (2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and (3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops. (1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body. (2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section. (3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes. (4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act. (5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body. (1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public. (b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such

notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body. (c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee. (d) Each public body shall record the methods and dates of such notice in its minutes. (e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting. (2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met: (i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity; (ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act; (iii) The governing body of a public power district having a chartered territory of more than one county in this state; (iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state; (v) An educational service unit; (vi) The Educational Service Unit Coordinating Council; (vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act; (viii) A community college board of governors; (ix) The Nebraska Brand Committee; (x) A local public health department; (xi) A metropolitan utilities district; (xii) A regional metropolitan transit authority; (xiii) A natural resources district; and (xiv) The Judicial Resources Commission. (b) The requirements for holding a meeting by means of virtual conferencing are as follows: (i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference; (ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used; (iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and (iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing. (3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act. (4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting. (5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day. (6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing. (7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body. (b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings. (c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

84-1412. Meetings of public body; rights of public; public body; powers and duties. (1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing. (2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. (3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security

of the individual. (4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience. (5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state. (6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if: (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and (f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation. (7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting. (8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when. (1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. (2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public. (3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes. (4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours. (5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency. (6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record. (7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public web site the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the web site at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the web site at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public web site for at least six months.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties. (1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action. (2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act. (3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section. (4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Sec. 15, Legislative Bill 83, One Hundred Seventh Legislature, First Session, 2021. (The Revisor of Statutes will assign a statute number after the Legislature adjourns sine die.) No motion, resolution, rule, regulation, ordinance, or formal action made, adopted, passed, or taken at a meeting as defined in section 84-1409 of a public body as defined in such section shall be invalidated because such motion, resolution, rule, regulation, ordinance, or formal action was made, adopted, passed, or taken at a meeting or meetings on or after March 17, 2020, and on or before April 30, 2021, pursuant to a Governor's Executive Order which waived certain requirements of the Open Meetings Act.

Sidney, Nebraska, March 21, 2022

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 p.m., on March 21, 2022 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Schmitt and Commissioners: Benzel, Glenn, Smith, Sweetser. Absent: England, Loghry, Long. Others present: City Manager, David Scott, Chief Building Official, Marshall Hall, Finance Director, Lane Kizzire and City Clerk, Lori Borchert. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Schmitt announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Chairman Schmitt called for a motion to approve the February 21, 2022 minutes. Glenn moved, Sweetser seconded, "That the minutes from February 21, 2022 be approved." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:31 p.m. to consider an application of subdivision for Aaron & Jamie Buettner." Christopher O'Malley, from O'Malley Geomatics, was present to answer any questions about the survey. The Buettner's were not present to represent. Clerk Borchert reported as per Attorney J. Leef, there are unsigned documents that needed to be signed before moving forward. Chairman Schmitt asked if there was anyone opposed to the application. Tim Peetz, resident of the area, expressed concern on the complaints that could come forward with having a feed yard: smell, odor and flies. Peetz was also concerned about dogs chasing the cattle, trash and who will regulate if there are issues. Peetz was also concerned about the water usage. Kendra Strommen, from Matzke, Mattoon, Strommen, spoke on behalf Randy and Teri Faessler. Strommen stated that confined animal feeding operations are heavily regulated by the federal, state and local governments. They have numerous concerns about commercial industry developing in this close proximity to the feeding operations. Water is a primary concern, since this area contains a shallow water table. By contacting the South Platte Natural Resources District, it was learned that the area in question may not have water available to support a house let alone an RV Park. Taking more water away from the water table will hurt the established feed yards. There were no further comments from the public. Schmitt closed the hearing at 5:41 p.m. Schmitt asked for a motion. Smith moved, Schmitt seconded, "That the application for subdivision by Aaron & Jamie Buettner be denied." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:43 p.m. to consider an application to rezone a tract of land for Aaron & Jamie Buettner." Schmitt asked if there were any comments regarding the rezoning. There were no comments. Schmitt closed the hearing at 5:43 p.m. Schmitt moved, Smith seconded, "That the application to rezone a tract of land by Aaron & Jamie Buettner be denied." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:44 p.m. to consider an application of subdivision for Keith & Marilyn Rieken." Christopher O'Malley, from O'Malley Geomatics, was present if there were any questions about the subdivision. O'Malley stated that the Rieken's want to split six acres into three residential lots. Schmitt asked if there were any comments. Schmitt closed the meeting at 5:46 p.m. Schmitt asked for a motion. Benzel moved, Sweetser seconded, "That the application for Keith & Marilyn Rieken to subdivide a tract of land Lots 1 & 2, Block 4 of John Treinen subdivision being a replat of Block 4 of amended plat of John J. Treinen subdivision. Lying in the southeast ¼ of Section 6, Township 13 North, Range 49 West of the 6th Principal Meridian, of the City of Sidney, Cheyenne County, NE be approved." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:47 p.m. to consider an application of rezoning for Alexander & Melissa Ramirez." Alexander and Melissa Ramirez were present to represent. Melissa Ramirez stated that they wanted to build a home on the property and in the future to build an apple orchard. Schmitt stated that to build a home, it would need to be Agriculture Residential (AR), which could be subdivided to leave a portion Agriculture (A) and a portion Agriculture Residential (AR). The Ramirez's stated that they still wanted to rezone it to be Agriculture. Schmitt asked if there were any comments. Schmitt closed the meeting at 5:54 p.m. Schmitt

asked for a motion. Benzel moved, Schmitt seconded, "That the application for Alexander & Melissa Ramirez to rezone a tract of land Section 8 Township 13 Range 49 part of NE/4 North of E-W access Road Lands Inside and commonly known as Parcel 170074218, from C3 (Commercial) to A (Agricultural). Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

There were no other comments by the public. City Manager Scott introduced Chief Building Official Marshall Hall to the Planning Commission and to those present.

Meeting adjourned at 5:56 p.m.

CHAIRMAN

CITY CLERK



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR CONDITIONAL USE PERMIT

DATE: 4-12-22

Filing Fee: \$200.00

Receipt No.: 36987

NAME OF OWNER(s): DARIN VANNATTER

ADDRESS OF OWNER(s): 2201 ILLINOIS

ADDRESS OF CONDITIONAL USE PERMIT: 2555 FORT SIDNEY ROAD

LOT: SEE BLOCK: ATTACHED ADDITION: LEGAL # 1

CURRENT ZONING: M 1 ZONE THE USE IS PERMITTED: M 1

DESCRIPTION OF USE: SEE ATTACHED #2

STATE REASON OR REASONS WHY THE PERMIT SHOULD ISSUED:

SEE ATTACHED #3

Phone number of Applicant/Owner: 308-249-1043

Signature of Owner/Owners

Official Use Only _____

APPROVED: _____ DISAPPROVED: _____ DATE: _____

CHAIRPERSON, PLANNING COMMISSION

SECRETARY, PLANNING COMMISSION

PERMIT No. ISSUED: _____

DATE PERMIT EXPIRES: _____

DARIN VANNATTER
DARIN'S AUTO REPAIR
308-249-1043
909 5th AVE
SIDNEY, NE 69162

Points West Bank
809 Illinois St
Sidney, NE 69162
78-162/1041

12422

4/12/2022

PAY TO THE
ORDER OF CITY OF SIDNEY

\$ **200.00

Two Hundred and 00/100*****

DOLLARS

CITY OF SIDNEY
1115 13TH AVE
SIDNEY NE 69162

Darin Vannatter
AUTHORIZED SIGNATURE

MEMO

2555 Ft Sidney Conditional Use Permit Fee

⑈012422⑈ ⑈104101627⑈ 33 005 0⑈

\$ 200.00 City Of Sidney
Sidney, Nebraska 4/12 20 NE 36887
Received of Darin Vannatter
two hundred and 00/100 DOLLARS
For 2555 Ft Sidney Rd
Conditional use permit *lvn*
City Cashier
@The Country Printer • Dix, NE ©2020

CHEYENNE COUNTY
2022 Real Estate Breakdown Report



Parcel ID: 170073645
 Owner: VAN NATTER/DARIN P
 909 5TH AVE
 SIDNEY, NE 69162-1716

Legal: PT SW/4 (2.72 ACRES) LANDS INSIDE SIDNEY S-T-R: 06-13-49

Card File: 03439
 Situs: 2555 FORT SIDNEY ROAD SIDNEY, NE 69162
 Inspection: Date 01/12/2022 Type DESKTOP By PP

| County Area | Neighborhood | Location / Group | Valuation / Group | District | School | Class Code | State GEO | Cadastral Book / Page | Sale Date | Sale Amount | |
|-------------|-----------------|---------------------------------|-------------------|----------|-----------|-------------------|--------------------------|-----------------------|-------------|-------------|---------|
| 0 | 000000 REGION 0 | 051344 COMM LANDS INSIDE-SIDNEY | N/A | 5 | SIDNEY 1S | 01-04-04-01-04-05 | 3093-05-3-10343-000-0004 | 00029-006E1-03439 | 2020 / 2051 | 12/04/2020 | 205,000 |

| Permit No. | Type | Description | Date Open | Date Closed | Amount |
|------------|------------|--|------------|-------------|--------|
| 2213 | 04 Remodel | CHK USAGE AND ANY UPDATES TO BLDG | 12/09/2020 | 01/12/2022 | 0 |
| 2113 | 00 N/A | CHECK BLDG USAGE | 01/23/2020 | 11/23/2020 | 0 |
| 2013 | 00 N/A | CHECK BLDG USAGE-NOW SPINNER INV. | 05/01/2019 | 01/23/2020 | 0 |
| 1913 | 04 Remodel | CHECK BLD USAGE | 04/05/2018 | 01/23/2019 | 0 |
| 0002 | 00 N/A | 1813-3439 NEED TO CONTACT OWNER TO SEE W | 08/01/2017 | 02/09/2018 | 0 |
| 0001 | 00 N/A | -#03010 CONSTRUCT 24'X48' ADDITION TO NO | 08/20/1998 | 02/22/1999 | 32,900 |

| Model | Method | Description | Lot Size | Frontage | Spot Code | Cutoff | Value | Add (+/-) | Lot Value | Appr ID |
|-------------------------------|-----------|-------------|-------------|----------|-----------|---------|-------|-----------|-----------|---------|
| 549 COMM LANDS INSIDE-FT SIDN | 02 SqFoot | PAVED ALL | 118,483.200 | 0.000 | N | 8,712 | 1,548 | 0.000 | 77,985 | 8518 |
| | | | | | | 17,424 | 1,035 | | | |
| | | | | | | 999,999 | 0,549 | | | |

| Year | Statement | District | Building | | Other | Land | Total | Exempt | Taxable | Total Tax | Penalty Tax |
|------|------------|----------|----------|---------|--------|---------|---------|--------|---------|-----------|-------------|
| | | | Book | Page | | | | | | | |
| 2019 | 04/19/2019 | 2019 | 0646 | 0 | 19,300 | 77,985 | 188,110 | 0 | 188,110 | 4,397.68 | 0 |
| 2020 | 8179 | 5 | 0646 | 90,825 | 19,300 | 86,650 | 196,775 | 0 | 196,775 | 4,593.60 | 0 |
| 2019 | 8180 | 5 | 0646 | 90,725 | 19,300 | 86,650 | 196,675 | 0 | 196,675 | 4,557.70 | 0 |
| 2018 | 6257 | 5 | 0646 | 235,630 | 19,300 | 86,650 | 341,580 | 0 | 341,580 | 7,746.42 | 0 |
| 2017 | 6270 | 5 | 0646 | 262,433 | 0 | 86,650 | 349,083 | 0 | 349,083 | 7,807.30 | 0 |
| 2016 | 73645 | 5 | 0646 | 262,433 | 0 | 86,650 | 349,083 | 0 | 349,083 | 7,467.66 | 0 |
| 2015 | 73645 | 5 | 0646 | 238,349 | 0 | 102,211 | 340,560 | 0 | 340,560 | 7,369.26 | 0 |
| 2014 | 73645 | 5 | 0646 | 238,349 | 0 | 102,211 | 340,560 | 0 | 340,560 | 7,635.78 | 0 |
| 2013 | 73645 | 5 | 0646 | 229,416 | 0 | 102,211 | 331,627 | 0 | 331,627 | 7,486.26 | 0 |
| 2012 | 73645 | 5 | 0646 | 229,416 | 0 | 102,211 | 331,627 | 0 | 331,627 | 7,529.76 | 0 |

Ownership History
 SPINNER INVESTMENTS LLC
 NEXT GENERATION PROPERTIES
 NEXT GENERATION PROPERTIES
 BASSCO LAND, LLC
 21ST CENTURY LAND, LLC
 COUNTRY GENERAL INC

CHEYENNE COUNTY
2022 Real Estate Breakdown Report



| Parcel ID | 170114848 | Legal | Block 1 MILESTONE S/D A S/D OF THE SW/4 OF 5-13-49 SIDNEY (5 ACRES) S-T-R: 05-13-49 | Card File | 02120 | | | | | |
|-------------------------------|--|-------------|--|--|------------|------------|-----------|----------|-----------|-------------|
| Owner | SIMON CONTRACTORS 4819 S INDUSTRIAL SERVICE ROAD PO BOX 149 CHEYENNE, WY 82003-0149 | Situs | 2535 FORT SIDNEY ROAD SIDNEY, NE 69162 | Value | Previous | Current | | | | |
| County Area | 0 00000 REGION 0 | Class Code | 01-04-04-01-04-06 | Buildings | 154,820 | 154,820 | | | | |
| Neighborhood | 9013 051213 COMMERCIAL MILESTO | State GEO | 3093-05-0-10213-001-0001 | Improvement | 24,560 | 24,560 | | | | |
| Location / Group | 10 SIDNEY | Cadastral | 00029-006E0-02120 | Land / Lots | 132,510 | 132,510 | | | | |
| Valuation / Group | 0 N/A | Book / Page | 00136 / 00024 | Total | 311,890 | 311,890 | | | | |
| District | 5 SIDNEY 1S | Sale Date | 02/23/2000 | | | | | | | |
| School | 17-0001 | Sale Amount | 120,000 | | | | | | | |
| Permit No. | Type | Description | 0005 00 N/A | 1613-2119 NEED TO ADD VALUES FOR TANKS | 03/13/2015 | 02/24/2016 | | | | |
| Permit No. | Type | Description | 0004 00 N/A | 1513-2119 NEED TO ADD VALUES FOR TANKS | 03/28/2014 | 03/13/2015 | | | | |
| Permit No. | Type | Description | 0003 00 N/A | 1413-2119 NEED TO LOOK AT TANK VALUES | 10/30/2013 | 02/28/2014 | | | | |
| Permit No. | Type | Description | 0002 00 N/A | 1011-2085 CHECK FOR ANY COMPLETION OF SI | 02/23/2009 | 01/20/2010 | | | | |
| Permit No. | Type | Description | 0001 00 N/A | 911-2085 PERMIT FOR 2 - 18' X 8' X 8' C | 08/05/2008 | 02/23/2009 | | | | |
| Method | Description | Lot Size | Frontage | Spot Code | Value | Add (+/-) | Lot Value | Aprpr ID | | |
| 485 COMMERCIAL MILESTONE SUBD | 02 SqFoot CONCRETE ALL | 217,800.000 | 0.000 N | | 8,712 | 1,548 | 132,510 | 8675 | | |
| | | | | | 17,424 | 1,035 | | | | |
| | | | | | 999,999 | 0,549 | | | | |
| Sale Date | Book | Page | Extend | Ownership History | Amount | | | | | |
| 02/23/2000 | 00136 | 00024 | | SIMON CONTRACTORS | 120,000 | | | | | |
| 05/01/1996 | 00131 | 00351 | | KEFAM CORPORATION | 0 | | | | | |
| Year | Statement | District | Building | Other | Land | Total | Exempt | Taxable | Total Tax | Penalty Tax |
| 2021 | 7859 | 5 | 154,820 | 24,560 | 132,510 | 311,890 | 0 | 311,890 | 7,291.46 | 0 |
| 2020 | 7828 | 5 | 157,695 | 24,560 | 147,233 | 329,488 | 0 | 329,488 | 7,691.70 | 0 |
| 2019 | 7834 | 5 | 157,630 | 24,560 | 147,233 | 329,423 | 0 | 329,423 | 7,633.96 | 0 |
| 2018 | 7845 | 5 | 200,870 | 0 | 147,233 | 348,103 | 0 | 348,103 | 7,894.34 | 0 |
| 2017 | 7866 | 5 | 200,870 | 0 | 147,233 | 348,103 | 0 | 348,103 | 7,785.38 | 0 |
| 2016 | 114848 | 5 | 200,870 | 0 | 147,233 | 348,103 | 0 | 348,103 | 7,446.68 | 0 |
| 2015 | 114848 | 5 | 162,899 | 0 | 110,642 | 273,541 | 0 | 273,541 | 5,919.06 | 0 |
| 2014 | 114848 | 5 | 162,899 | 0 | 110,642 | 273,541 | 0 | 273,541 | 6,133.12 | 0 |
| 2013 | 114848 | 5 | 155,884 | 0 | 110,642 | 266,526 | 0 | 266,526 | 6,016.66 | 0 |
| 2012 | 114848 | 5 | 155,884 | 0 | 110,642 | 266,526 | 0 | 266,526 | 6,051.62 | 0 |

CHEYENNE COUNTY
2022 Real Estate Breakdown Report



| Parcel ID | | 170108538 | | Card File | | 03440 | | | | | | |
|-------------------|-----------|---|------------------------|---------------------------------|-------------|------------|------------|----------|--------|-------------|-----------|-------------|
| Owner | | ALL OF S/2 EAST OF THE FORT SIDNEY ROAD LESS TRACTS LANDS INSIDE SIDNEY S-T-R: 05-13-49 Acres: 213.540 | | Situs | | | | | | | | |
| County Area | 5 | 000005 REGION 5 | Class Code | 02-05-05-01-04-10 | Value | Buildings | Current | | | | | |
| Neighborhood | 5 | 000005 REGION 5 | State GEO | 3093-05-3-10343-000-0005 | Improvement | 0 | 0 | | | | | |
| Location / Group | 5 | AREA 5 | Cadastral | 00029-006FO-03440 | Land / Lots | 0 | 0 | | | | | |
| Valuation / Group | 0 | N/A | Book / Page | 2018 / 0719 | Total | 263,202 | 263,202 | | | | | |
| District | 5 | SIDNEY 1S | Sale Date | 09/15/2009 | | 263,202 | 263,202 | | | | | |
| School | 17-0001 | | Sale Amount | 0 | | | | | | | | |
| Permit No. | Type | Description | Date Open | Date Closed | Amount | | | | | | | |
| 0001 | 00 N/A | 313-***3011 NEED TO REVIEW | 03/14/2003 | 03/14/2003 | 0 | | | | | | | |
| Soil | Use | LCG/LVG | Soil Description | LVG Description | Spot Code | Acres | Value/Acre | Assessed | Sub | Market/Acre | Market | Sub |
| 1006 | GRAS | 4G | BANKARD LOAM FINE | 4G | N | 26.790 | 1,300 | 34,827 | 0 | | | |
| 1118 | GRAS | 3G | BANKARD LOAMY | 3G | N | 0.510 | 1,300 | 663 | 0 | | | |
| 1301 | GRAS | 4G1 | BAYARD FINE SANDY | 4G1 | N | 7.450 | 1,300 | 9,685 | 0 | | | |
| 1327 | GRAS | 4G1 | BAYARD FINE SANDY LOAM | 4G1 | N | 2.000 | 1,300 | 2,600 | 0 | | | |
| 1327 | GRAS | 4G1 | BAYARD FINE SANDY LOAM | 4G1 | N | 4.570 | 1,300 | 5,941 | 0 | | | |
| 1502 | GRAS | 3G | ALTVAN | 3G | N | 1.130 | 1,300 | 1,469 | 0 | | | |
| 1506 | GRAS | 4G1 | ALTVAN-DIX COMPLEX | 4G1 | N | 1.890 | 1,300 | 2,457 | 0 | | | |
| 1506 | GRAS | 4G1 | ALTVAN-DIX COMPLEX | 4G1 | N | 15.900 | 1,300 | 20,670 | 0 | | | |
| 1571 | GRAS | 4G | GRAVELLY LOAM | 4G | N | 131.850 | 1,300 | 171,405 | 0 | | | |
| 1572 | GRAS | 4G | DIX GRAVELLY | 4G | N | 9.450 | 1,300 | 12,285 | 0 | | | |
| 601 | DIKE | 601 | WASTE WATER | 601 | N | 201.540 | | 262,002 | | | | |
| | | | | | | 12.000 | 100 | 1,200 | 0 | | | |
| | | | | | | Land Total | 213.540 | 263,202 | | | | |
| Sale Date | Book | Page | Extend | Ownership History | Land | Other | Building | Total | Exempt | Taxable | Total Tax | Penalty Tax |
| 06/22/2017 | 02017 | 01016 | | FILSINGER/ORVILLE W | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 6,096.64 | 0 |
| 05/15/2017 | 02017 | 04288 | | FILSINGER/ORVILLE W | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 6,090.52 | 0 |
| 05/27/2016 | 02016 | 00920 | | FILSINGER/ORVILLE W | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 6,044.54 | 0 |
| 10/30/2015 | 02016 | 00757 | | DEAVER/MARGARET A (LIFE ESTATE) | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 5,923.38 | 0 |
| 10/30/2015 | 02016 | 00258 | | DEAVER/MARGARET A (LIFE ESTATE) | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 5,840.22 | 0 |
| 10/10/2010 | 00149 | 00334 | | RECTOR/DEAN VINCENT | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 5,630.46 | 0 |
| 12/19/2002 | 00139 | 00456 | | FILSINGER/ORVILLE W | 204,165 | 0 | 0 | 204,165 | 0 | 204,165 | 4,417.86 | 0 |
| | | | | FILSINGER/ORVILLE W | 148,272 | 0 | 0 | 148,272 | 0 | 148,272 | 3,324.44 | 0 |
| | | | | FILSINGER/ORVILLE W | 148,144 | 0 | 0 | 148,144 | 0 | 148,144 | 3,344.24 | 0 |
| | | | | FILSINGER/ORVILLE W | 148,144 | 0 | 0 | 148,144 | 0 | 148,144 | 3,363.68 | 0 |
| Year | Statement | District | | | | | | | | | | |
| 2021 | 2545 | 5 | | | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 6,096.64 | 0 |
| 2020 | 2513 | 5 | | | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 6,090.52 | 0 |
| 2019 | 2501 | 5 | | | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 6,044.54 | 0 |
| 2018 | 2492 | 5 | | | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 5,923.38 | 0 |
| 2017 | 2494 | 5 | | | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 5,840.22 | 0 |
| 2016 | 108538 | 5 | | | 263,202 | 0 | 0 | 263,202 | 0 | 263,202 | 5,630.46 | 0 |
| 2015 | 108538 | 5 | | | 204,165 | 0 | 0 | 204,165 | 0 | 204,165 | 4,417.86 | 0 |
| 2014 | 108538 | 5 | | | 148,272 | 0 | 0 | 148,272 | 0 | 148,272 | 3,324.44 | 0 |
| 2013 | 108538 | 5 | | | 148,144 | 0 | 0 | 148,144 | 0 | 148,144 | 3,344.24 | 0 |
| 2012 | 108538 | 5 | | | 148,144 | 0 | 0 | 148,144 | 0 | 148,144 | 3,363.68 | 0 |

CHEYENNE COUNTY
2022 Real Estate Breakdown Report

| Parcel ID | | Legal | | Card File | | | | | | | | |
|--|---------------------------|---|-------------|--|-----------|------------|-----------------------------------|--|------------|-------------|-------------|---------|
| 170112152 | | BLOCK 1 NIENHUESER S/D IN SW/4 SIDNEY (4.37 ACRES) S-T-R: 05-13-49 | | 02221 | | | | | | | | |
| Owner | | Class Code | | Value | | | | | | | | |
| CLAUSEN BROTHERS DEVELOPMENT INC C/O AARON CLAUSEN 1801 RIVERSIDE BLVD NORFOLK, NE 68701-2231 | | 01-03-04-01-04-05 3093-05-0-10222-001-0000 00029-006E2-02221 | | Buildings Improvement Land / Lots Total | | | | | | | | |
| County Area | Neighborhood | State GEO | Cadastral | Book / Page | Sale Date | Permit No. | Type | Description | Date Open | Date Closed | Previous | Current |
| 0 | 000000 REGION 0 | 051222 COMMERCIAL NIENHUE | SIDNEY | N/A | SIDNEY 1S | 0012 | 00 N/A | 1811-2221 PERMIT FOR WIRELESS TELECOM T | 02/01/2017 | 02/12/2018 | 59,985 | 59,985 |
| 9022 | 051222 COMMERCIAL NIENHUE | SIDNEY | N/A | SIDNEY 1S | 17-0001 | 0011 | 00 N/A | 1713-2217 NEED TO CHECK FOR NEW STORAGE | 01/04/2016 | 01/20/2017 | 0 | 0 |
| 10 | SIDNEY | N/A | SIDNEY 1S | 17-0001 | 17-0001 | 0010 | 00 N/A | 1611-2217 PERMIT FOR NEW STORAGE BUILD | 07/02/2015 | 01/04/2016 | 117,420 | 117,420 |
| 0 | N/A | SIDNEY 1S | 17-0001 | 17-0001 | 17-0001 | 0009 | 00 N/A | 1613-2117 NEED TO CHECK FOR 88' TOWER A | 02/26/2015 | 01/04/2016 | 177,405 | 177,405 |
| 5 | SIDNEY 1S | 17-0001 | 17-0001 | 17-0001 | 17-0001 | 0008 | 00 N/A | 1513-2217 NEED TO CHECK FOR 88' TOWER (| 07/15/2014 | 08/20/2014 | 0 | 0 |
| 17-0001 | SIDNEY 1S | 17-0001 | 17-0001 | 17-0001 | 17-0001 | 0007 | 00 N/A | 1111-2186 7/25 PERMIT FOR 30 X 60 METAL | 01/22/2010 | 01/28/2011 | 104,000 | 104,000 |
| 0 | 000000 REGION 0 | 051222 COMMERCIAL NIENHUE | SIDNEY | N/A | SIDNEY 1S | 0006 | 00 N/A | 1111-2186 7/25 PERMIT FOR 40 X 150 METAL | 01/22/2010 | 01/28/2011 | 48,000 | 48,000 |
| 9022 | 051222 COMMERCIAL NIENHUE | SIDNEY | N/A | SIDNEY 1S | 17-0001 | 0005 | 00 N/A | 1011-2186 PERMIT FOR 40 X 150 METAL STO | 02/20/2009 | 01/22/2010 | 48,000 | 48,000 |
| 10 | SIDNEY | N/A | SIDNEY 1S | 17-0001 | 17-0001 | 0004 | 00 N/A | 1011-2186 PERMIT FOR 30 X 60 METAL OFF | 02/20/2009 | 01/22/2010 | 104,000 | 104,000 |
| 0 | N/A | SIDNEY 1S | 17-0001 | 17-0001 | 17-0001 | 0003 | 00 N/A | 911-2186 PERMIT FOR 40 X 150 METAL STOR | 08/05/2008 | 02/20/2009 | 48,000 | 48,000 |
| 5 | SIDNEY 1S | 17-0001 | 17-0001 | 17-0001 | 17-0001 | 0002 | 00 N/A | 911-2186 PERMIT FOR NEW 30 X 60 METAL O | 08/05/2008 | 02/20/2009 | 104,000 | 104,000 |
| 17-0001 | SIDNEY 1S | 17-0001 | 17-0001 | 17-0001 | 17-0001 | 0001 | 00 N/A | 911-2186 PERMIT FOR 40 X 150 METAL STOR | 08/05/2008 | 02/20/2009 | 28,000 | 28,000 |
| Model | Method | Description | Lot Size | Frontage | Spot Code | Cutoff | Value | Add (+/-) | Lot Value | Appr ID | | |
| 490 COMMERCIAL NIENHUESER SUB | 02 SqFoot | BLACKTOP NONE | 190,313.640 | 0.000 N | | 8,712 | 1,548 | 0.000 | 117,420 | 8668 | | |
| Sale Date | Book | Page | Extend | Other | Land | Building | Ownership History | Exempt | Taxable | Total Tax | Penalty Tax | Amount |
| 03/26/2008 | 00146 | 00428 | | | | | CLAUSEN BROTHERS DEVELOPMENT, INC | | | | | 100,000 |
| Year | Statement | District | Building | Other | Land | Building | Total | Exempt | Taxable | Total Tax | Penalty Tax | Amount |
| 2021 | 1468 | 5 | 59,985 | 0 | 117,420 | 177,405 | 177,405 | 0 | 177,405 | 4,147.42 | 0 | 0 |
| 2020 | 1419 | 5 | 61,350 | 0 | 130,466 | 191,816 | 191,816 | 0 | 191,816 | 4,477.84 | 0 | 0 |
| 2019 | 1397 | 5 | 61,180 | 0 | 130,466 | 191,646 | 191,646 | 0 | 191,646 | 4,441.16 | 0 | 0 |
| 2018 | 1391 | 5 | 61,180 | 0 | 130,466 | 191,646 | 191,646 | 0 | 191,646 | 4,346.18 | 0 | 0 |
| 2017 | 1401 | 5 | 79,655 | 0 | 130,466 | 210,121 | 210,121 | 0 | 210,121 | 4,699.40 | 0 | 0 |
| 2016 | 112152 | 5 | 79,655 | 0 | 130,466 | 210,121 | 210,121 | 0 | 210,121 | 4,494.96 | 0 | 0 |
| 2015 | 112152 | 5 | 69,768 | 0 | 98,757 | 168,525 | 168,525 | 0 | 168,525 | 3,646.66 | 0 | 0 |
| 2014 | 112152 | 5 | 69,768 | 0 | 98,757 | 168,525 | 168,525 | 0 | 168,525 | 3,778.54 | 0 | 0 |
| 2013 | 112152 | 5 | 69,768 | 0 | 98,757 | 168,525 | 168,525 | 0 | 168,525 | 3,804.34 | 0 | 0 |
| 2012 | 112152 | 5 | 69,768 | 0 | 98,757 | 168,525 | 168,525 | 0 | 168,525 | 3,826.44 | 0 | 0 |

#2

April 12th 2022

Darin VanNatter
2555 Ft Sidney Road

Current Zoning M1 Zone the use is Permitted M1- conditional use permit needed for motor vehicle wrecking yard and motor vehicle and trailer storage & Motor vehicle Service and Storage

Motor vehicle wrecking yard-requested by city manager- David Scott- See attached email #4 -See attached 1240.03 Definitions #5

Motor Vehicle and trailer storage & Motor Vehicle Service and Storage (Motor vehicle / equipment related

Description of use Towing Business to include- see Attached #6 application for use of occupancy Dated 12/04/2020 and #7 and #8 attachment

Inside and outside storage of licensed and unlicensed motor vehicles

Outside storage and impound of campers, trailers

Inside and outside storage of personal campers, motor vehicles, truck, trailers, licensed and unlicensed

Light to heavy duty wreckers, semi trucks, semi trailers will be stored on property

Storage of heavy equipment used in tow business, wheel loaders, excavators, tractors, skid loader, telehandler

#3

Reason why the permit should be issued:

The property was purchased on 12/04/20 in reliance on the approval of the zoning administrator and issuance of the attached application of occupancy permit, the zoning administrator was contacted with the information of the towing business See Attached # 7 , he signed application for use of occupancy See attached # 6, city hookups were also approved in full knowledge of the business to be conducted, See attached #8, Sixteen months later on 3-25-2022, David Scott sent the applicant an email stating that to be code compliant, the applicant needed to apply for a motor vehicle wrecking yard permit, the applicant obtained a building permit to fence entire property as stated in permit stipulation, fence will begin after permit approval. This permit application is being submitted as requested but, to be clear, the applicant maintains that permission has already been granted and does not admit that this permit is required for operations.

Your browser supports setting Outlook.com as the default email handler. Try it now Ask again later Don't show again

#4

← 2555 Fort Sidney Rd. Property

David Scott <citymanager@cityofsidney.org>
Fri 3/25/2022 3:20 PM

To: You
Cc: 'Lane Kizzire'; 'Kevin Kubo'

Darren,

It is my understanding that to be in code compliance you will need an 8' class six fence and a conditional use permit for the below referenced "Motor vehicle wrecking yard" from the Planning Commission.

(99) Motor vehicle wrecking yard. "Motor vehicle wrecking yard" means any establishment or place of business which is maintained, operated or used where:

- A. The premises are required to comply with Chapter 60, Article 14, R.R.S. 1943, as amended and be operated by a licensed motor vehicle wrecker or salvage dealer who acquires one or more motor vehicles or trailers for the purpose of dismantling them for the purpose of reselling the parts or reselling the vehicles as scrap;
 - B. Motor vehicles or trailers are acquired in order that they may be disassembled, dismantled, wrecked or junked;
 - C. Motor vehicles scrapped, ruined, junked or not in operating condition for any reason are stored or kept externally; or
 - D. Used parts for motor vehicles or trailers are stored.
- A conditional use permit issued by the Planning Commission required.

David Scott
City Manager
City of Sidney Nebraska
1115 13th Ave.
Sidney, NE 69162
Phone: 308-254-7002



Reply Reply all Forward

1240.03 DEFINITIONS.

(60) Junk. "Junk" means scrap or recyclable ferrous and nonferrous metals, rope, rags, paper, trash, rubber debris, waste or junked, dismantled, or wrecked motor vehicles, trailers, machinery, or equipment, or parts thereof.

(61) Junkyard. "Junkyard" means an establishment or place of business which is maintained, operated, or used to buy, sell, store, keep, disassemble, dismantle, demolish, process or abandon junk or waste materials. "Junk" and "waste materials" include, but are not limited to, scrap metals, other scrap or recyclable materials, fluids, motor vehicles or trailers which have been abandoned, as defined by State Statute, or which are not in operating condition, machinery and equipment which has been abandoned or which is not in operating condition and parts for motor vehicles, trailers, machinery, or equipment not stored within a building. Junkyard shall mean and include motor vehicle wrecking yard and scrap metal processing facility, but shall not include a recycling center. Junkyard means an industrial use which is not permitted in any other zoning district.

(99) Motor vehicle wrecking yard. "Motor vehicle wrecking yard" means any establishment or place of business which is maintained, operated or used where:

A. The premises are required to comply with Chapter 60, Article 14, R.R.S. 1943, as amended and be operated by a licensed motor vehicle wrecker or salvage dealer who acquires one or more motor vehicles or trailers for the purpose of dismantling them for the purpose of reselling the parts or reselling the vehicles as scrap;

B. Motor vehicles or trailers are acquired in order that they may be disassembled, dismantled, wrecked or junked;

C. Motor vehicles scrapped, ruined, junked or not in operating condition for any reason are stored or kept externally; or

D. Used parts for motor vehicles or trailers are stored.

A conditional use permit issued by the Planning Commission required.

(100) Occupancy. "Occupancy" means the actual possession or use of a building, structure, lot or tract of land.

All of this is found on this link.

<https://codelibrary.amlegal.com/codes/sidney/latest/overview>

#6



City of Sidney

P.O. Box 79, Sidney, NE 69162 • (308) 254-5300 • Fax (308) 254-3164

APPLICATION FOR USE OCCUPANCY

Business Name: Affordable Dinning Date: 12/4/2020

Business Address: 2505 E. Sidney

Owner/Tenant Name (1): Darin Van Allen

Owner/Tenant Address (1): _____ Phone # _____

Owner/Tenant Name (2): _____

Owner/Tenant Address (2): _____ Phone # _____

Description of the proposed business (MUST BE IN DETAIL): Towing Business

Signature of Applicant(s): [Signature]

To be completed by City Building Department

- This application for Certificate of Use Occupancy must be accompanied with the following:
- a. A plan, drawn to scale in duplicate showing the location of all buildings or structures and any parking to be provided on the lot or tract of land involved.
 - b. An accurate dimensions of the lot or tract of land and all buildings or structures built or to be built on the lot or tract of land; the location of the main building or each adjacent lot.
 - c. Any other information required to enable the City Staff to determine if the plan complies with zoning regulations.

Dimensions of Lot or Tract of Land: _____

Dimension of Building or Unit: _____

Square Footage of Building or Unit: _____

Legal Description: Lot _____, Block _____, Subdivision _____

Current Zoning: _____ Adjoining & Adjacent Zoning: _____

DATE: _____ Approved, _____ Denied, _____

DATE: _____ Approved, _____ Denied, _____ Dir. Public Services

DATE: 12/4/2020 Approved, Denied, [Signature] City Manager
Zoning Administrator

Pursuant to City of Sidney Ordinance: Chapter 1242.02 (b)

#7

Towing Business, 2555 Ft Sidney RD Sidney NE

Affordable Towing LLC-Towing business- 2555 Fort Sidney Rd Start date 12-04-2020

To include:

Inside and outside storage and impound of non damaged, damaged/ wrecked/ inoperative motor vehicles

Inside and outside storage of licensed and unlicensed motor vehicles

Outside storage and impound of campers, trailers

Inside and outside storage of personal campers, motor vehicles , trucks, trailers, licensed and unlicensed

Light Duty to Heavy duty wreckers, semi trucks, semi trailers will be stored on property

Storage of heavy equipment used in tow business, wheel loaders, excavators, tractors, skid loader, telehandler

Deposit Receipt
Customer's
Copy

1

CUSTOMER'S NAME

Dyrum
Auto

400amp

34829

8

IMPORTANT

THIS RECEIPT IS
NOT TRANSFERABLE,
MUST BE RETURNED
WHEN REFUND OF
DEPOSIT IS REQUESTED,
AND IS VOID
WHEN THE DEPOSIT
IS REFUNDED OR
APPLIED ON
ACCOUNT.

DATE
6/4/20

ACCOUNT NO.

RECEIVED
Two hundred and thirty

AMOUNT
50⁰⁰

ADDRESS

2555 Fort Sincere Road

SOCIAL SECURITY #

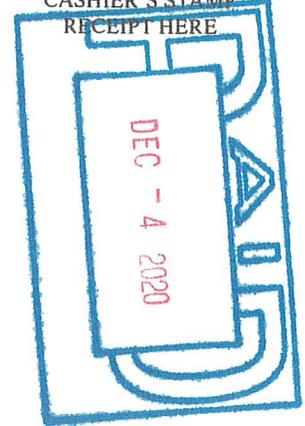
DRIVER LICENSE #

As a deposit, to secure the payment of any and all indebtedness from the depositor to the undersigned utility that may hereafter be incurred for service furnished or otherwise, such deposit to be refunded on final settlement of the depositor's account.

It is hereby agreed that the utilities may, at its election, apply this deposit as far as needed to the payment of any such indebtedness due at any time.

THIS RECEIPT MUST BE RETURNED WHEN REQUESTING REFUND

CASHIER'S STAMP
RECEIPT HERE



[Handwritten Signature]

Customer's Signature for Identification

UP

Initials - Cashier