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MINUTES
HARVEY COUNTY BOARD OF ZONING APPEALS
Harvey County Courthouse
Community Room
May 5, 2015
7:00pm

Members Present: Larry Goering, Jack Bender III, Carol Buller, Bonnie Wendling, Wayne Allison, Philip Kimerer, Lynne Vigil, Duane Miles and Harlan Foraker

Members Absent: None

Staff Present: Gina Bell

Guest: Chad Lehman, David Blaha, Don Gruver, Dennis Kline, Ron Dick

Phil Kimerer as newly elected Chair announced that he will not vote unless there is a tie.

Minutes from the April 14, 2015 meeting were approved. Larry Goering made the motion and Jack Bender made the second. 7-0

Wayne Allison came here.

V15-1 Damien and Mishele Simkins are asking for a variance for there to be a Quarter/Quarter to build a home. They have 37 acres.

The property is 400 ft. from Spencer. They have a growing family and need space to run. They are going to leave the remainder of the land in crops. They just need a little room to run. There is floodplain in the area they want to build. They will get a LOMR-F to build there.

Jack Bender made the motion to approve the variance request. Lynne Vigil seconded 8-0 Approved

V15-2 and V15-3: Requesting variances of the setback requirements. The communication towers were given Conditional Use Permits, April 14, 2015. V15-2 was on land owned by Earl and Denise Findley and V15-3 was on land owned by Barry and Sharon Lehman. HPB Properties, LLC is building the towers and will lease the tower for Harvey County 911 to put their new communication radio system on.

V15-2 is a setback from the frontage requirement. The location on the property will not allow it to be moved any further west.

V15-3 is a setback requirement for the back of the property. The proposed tower will be at the back of this property and the adjoining land is owned by this properties brother.

There have been no inquires in the office on either of these issues. Dennis Klein asked if there is going to be a strobing light. David Blaha said there will be a white light in the day and a red one at night. Ron Dick wanted to make sure that the tower compound would have a fence around it so the

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cattle would not bother it. He also asked how often someone would be out there. Not often once it is up. There will be a generator if the power goes out.

Wayne made the motion to approve. Carol seconded. 8-0

V15-3 Lehman Jack made the motion to approve. Larry seconded. 8-0

Vigil moved to approve CUP 15-2 and CUP-15-3 pending approval of the variance. Allison seconded the motion. The commission voted unanimously to approve the CUPs.

Old Business:

Election of Secretary is Gina Bell or her proxy.

Election of Larry as Vice Chair 8-0

New Business:

We will meet to begin a review of the Comprehensive Plan.