

# PLANNING COMMISSION CITY OF LEXINGTON

## DETERMINATION FORM

On **August 3, 2016**, the Lexington, Nebraska Planning Commission, at its regular meeting, recommended **Approval** (Approval/Disapproval) of a **Conditional Use Permit** (Rezoning, Conditional Use, Subdivision, Variance, Zoning, Zone Appeal, Etc.) Request for property located 1711 North Erie (Location) for **Viaero Wireless**. (Name).

**Minutes from the Meeting read as follows:** Chair Heineman opened a public hearing to consider an application by Viaero Wireless for property located at 1711 North Erie Street, Lexington, NE, for a wireless communication tower in an R-1 Single-Family Residential zoned area. Brecks reviewed the application as it relates to city code, noting a tower such as this is allowable in the zoned area with a conditional use permit. Brecks stated the applicant had provided all required application materials pursuant to Section 7.07 of the Lexington Zoning Ordinance. Brecks did not note any issues with application which were contrary to Section 7.07 or Section 6.08 of the Lexington Zoning Ordinance. Mike Harms, Viaero Wireless, explained the specifics related to the proposed 52 foot tower, including the reasons for the location of the tower at this area, as well as the inability to co-locate on a different tower. Pepplitsch noted that 18th Street north of Sandoz School will likely be vacated due to drainage issues but an utility easement will be maintained to access a city well and the communication tower. There being no other public comments, the public hearing was closed.

The Lexington Planning Commission made the following motion:

**Motion by:** Curt Bennett  
**Seconded by:** Steve Smith

**Motion:** Recommend to the City Council approval the conditional use permit application by Viaero Wireless as presented.

**Roll call:** Voting "aye" were McFarland, Quintero, Hardiman, Kaiser, Haines, Smith, Bennett, Heineman. Motion carried.

Pamela Baruth  
Planning Commission Secretary