

City of Bennet  
City Council  
NOTICE OF MEETING  
December 8, 2025  
Board of Adjustment  
6:30 PM

Bennet City Hall, 685 Monroe, Bennet, NE 68317

**REGULAR MEETING**

**AGENDA**

1. Call to Order
2. Open Meetings Law Posted
3. Roll call
4. **New Business**
  - 4.a. Application for Variance, Ryan Cheney
5. Adjourn

VARIANCE APPLICATION  
APPEAL OR RELIEF

City of Bennet, 685 Monroe, Bennet, NE 68317

Applicant: Ryan Cheney Phone: 402-432-4199  
Mailing Address 170 Monroe St. Bennet, NE 68317  
Legal Description of Property affected by this variance: 510 Monroe St  
Block 38, Lot 1, & 1/2 Lot 2 Zoning District: Flex

1) Explain why strict application of the zoning regulations will produce undue hardship. Asking for variance from Supplemental regulations Section 9.10, #3, #8 and #5

If more space is needed, please include an attachment.

- 2) Is this hardship shared generally by other properties in the same zoning district and the same vicinity? Yes \_\_\_ or No X.
- 3) Will authorization of such variance be of substantial detriment to adjacent property? Yes \_\_\_ or No X Will the character of the district be changed by the granting of the variance? Yes \_\_\_ No X
- 4) Is the granting of such variance based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice? Yes X or No \_\_\_

I/ we hereby state that I/ we are the owner(s) of the property located at request relief from the Supplemental Regs Section 9.10 strict application of the zoning regulations.

Date 11-6-25 Signed [Signature]

Print Name Ryan Cheney

Signed \_\_\_\_\_

Print Name \_\_\_\_\_

Application fee - \$50.00 Fee for Notifications - \$15.00 Total Due - \$65.00

Official Use Only

Date Rec'd: 11-6-25 Fee Paid  Bd of Adjustment Hearing Date \_\_\_\_\_

Action on appeal: \_\_\_\_\_

- ornamental trees. The trees shall be evenly distributed within each 100 linear feet section.
- ii. At least 2/3, but no more than 3/4 of the total ornamental/evergreen trees along the property line shall be made up of evergreen trees.
  - iii. Each tree shall have a minimum mature height of 15 feet.
- e. Visual screening is not required along the property line adjacent to a Participating Property.
- 5) Each application shall have a decommissioning plan (removal of equipment/improvements and restoration of lands) that is reviewed and approved by the City prior to beginning operations. The decommissioning plan shall provide the following:
- a. A plan outlining the means, procedure, and costs of removing the Large Solar Facility, including, but not limited to, the solar panels and collectors, electrical wiring/cabling, fencing, and any related supporting infrastructure to a minimum depth of three feet.
  - b. At the expense of the permittee, a cost estimate for the decommissioning of the Large Solar Facility and any estimated resale and salvage value shall be prepared by a professional engineer. The permittee shall provide to the City a revised and updated decommissioning cost estimate every five years from the date of approval to cover the cost of meeting this obligation. The decommissioning cost estimate shall explicitly detail the cost, any estimated resale and salvage values, shall account for inflation, cost and value changes, and advances in decommissioning technologies and approaches.
  - c. The estimated decommissioning cost, less any resale and salvage value, shall be guaranteed in one of the following forms: (i) surety bond, (ii) cash to be held in escrow by the City at a bank, or (iii) a letter of credit from a financial institution reasonably acceptable to the City which shall be irrevocable unless replaced with cash or other form of security reasonably acceptable to City. The owner of the Large Solar Facility shall provide the decommissioning cost guaranty no later than the end of the 15th year of operation, and shall maintain the financial security thereafter for as long as the Large Solar Facility is in existence or upon discontinuance, decommissioning, or abandonment of the Large Solar Facility Such financial security shall be updated every five years to cover the costs associated with the updated decommissioning cost estimates.
  - d. For purposes of this Section, discontinuance, decommissioning, or abandonment shall mean the Large Solar Facility has produced no energy for 12 consecutive months. The owner or operator shall have 12 months to complete decommissioning of the Large Solar Facility. If the owner or operator of the Large Solar Facility fails to remove the installation in accordance with the requirements of this permit or within 12 months following discontinuance, decommissioning, or abandonment, the City may collect the bond or other financial security and the City or a hired third party may enter the property to physically remove the installation.
- 6) The Large Solar Facility shall meet the following setback requirements:

<b>Property Line Setbacks</b>	
Non-Participating Property with a Dwelling	100 feet
Non-Participating Property without a Dwelling	50 feet
Participating Property with a Dwelling	0 feet
Participating Property without a Dwelling	0 feet
Public or Private Roadway	50 feet

**Section 9.10 Self-Storage Units (Mini-Warehouses)**

- 1. Minimum lot size of the Self-Storage facility shall be 5,000 square feet.
- 2. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
- 3. All driveways, parking, loading and vehicle circulation areas shall be surfaced with concrete, asphalt, asphaltic concrete, crushed rock or other approved rock other than gravel. All driveways within the facility shall provide a hard surface with a minimum width of 25 feet.
- 4. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
- 5. No storage may open into the front yards.

**ARTICLE 9: SUPPLEMENTAL REGULATIONS**

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6. The total area covered by buildings shall not exceed 50 percent of the site.
  7. The storage of hazardous, toxic, or explosive substances, including, but not limited to, hazardous waste, industrial solid waste, medical waste, municipal solid waste, septage, or used oil.
  8. Facilities must maintain landscape buffer yards of 50 feet adjacent to any public right-of-way and 20 feet adjacent to other property lines, unless greater setbacks are required, a total of 35 percent of all yards shall be landscaped.
  9. Site development shall include provisions for stormwater management in accordance with the ordinances of the City of Bennet
  10. Height limitations shall require a maximum height of 20 feet for any structure in the facility.
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**Section 9.11 Auto Repair, Equipment Repair, and Body Repair**

1. Where permitted in commercial districts, all repair activities must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to Auto Repair and Body Repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-ways.
  2. Any spray painting must take place within structures designed for that purpose and approved by the Zoning Administrator.
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**Section 9.12 Automobile and Equipment Rental and Sales**

1. All outdoor display areas for rental and sales facilities shall be hard surfaced.
  2. Body repair services are permitted as an accessory use to automobile rental and sales facilities, provided that such repair services shall not exceed 25% of the gross floor area of the building.
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**Section 9.13 Bed and Breakfasts**

Bed and Breakfasts shall meet the following requirements:

1. Maintain a residential exterior appearance
  2. Rooms may not be rented for more than seven consecutive days and no more than 14 days per person in any 30-day period.
  3. Breakfast must be served on premises and included within the room charge for guest of the facility and shall be the only meal provided.
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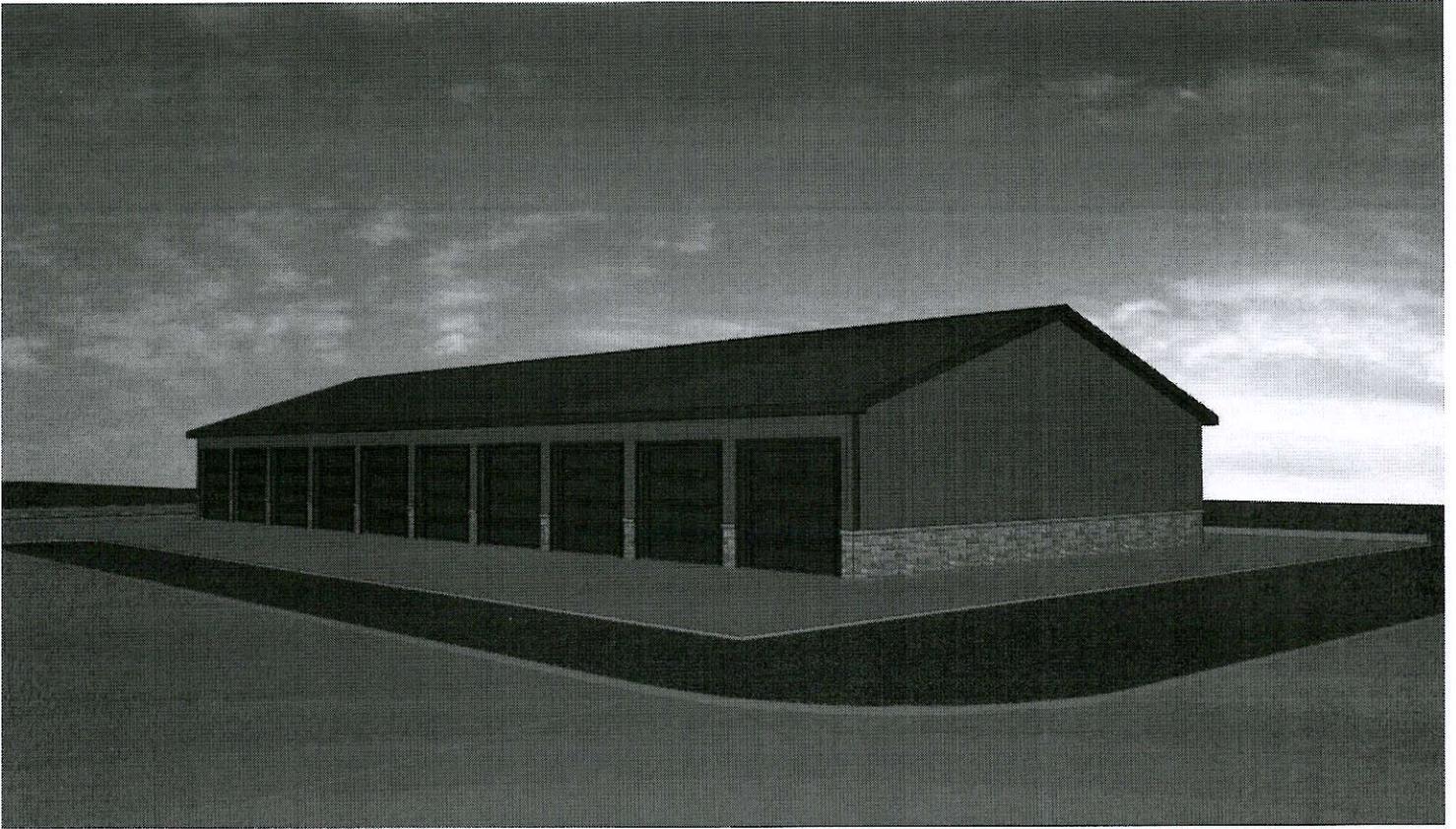
**Section 9.14 Shipping Containers**

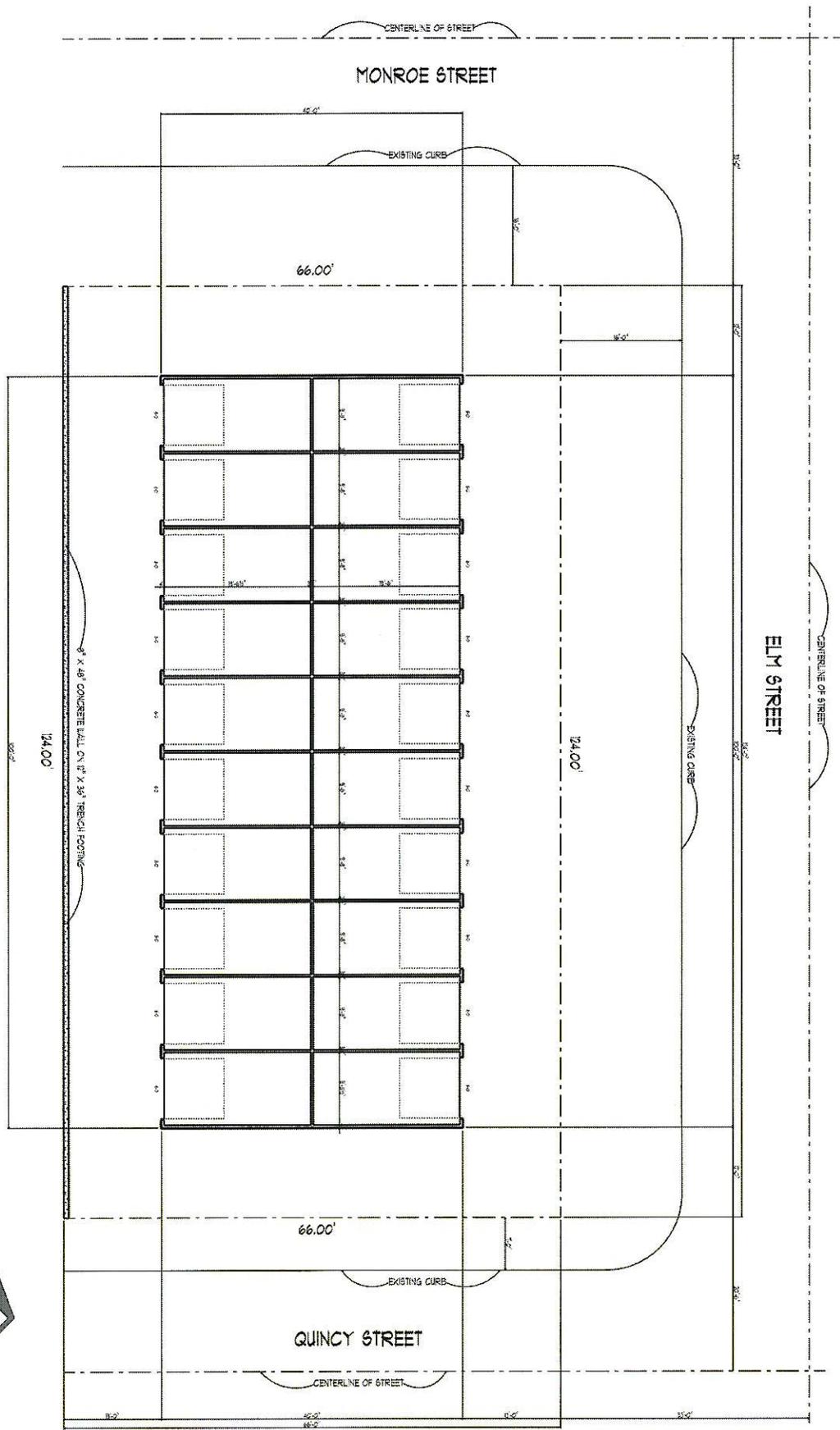
**9.14.01 Shipping Containers**

1. A reusable enclosed or semi-enclosed vessel, cargo container, or truck trailer: Originally, specifically, or formerly designed or used for the packing, shipping, movement, or transportation of freight, articles, goods, belongings, or commodities, or
2. Designed for or capable of being mounted or moved on a railcar, truck, or vessel; or
3. Designed for or capable of being mounted on a chassis or bogie for movement by truck tractor or similar device.

**9.14.02 Pods**

1. A portable storage container designed and intended for the temporary placement upon property for the onsite storage of household or other goods, with a size typically not exceeding 16 ft. x 8 ft. x 8 ft.
  - A. Permit Required. No person shall place, locate, maintain, or otherwise keep a shipping container on any lot or parcel of ground within the City of Bennet or within its extraterritorial zoning jurisdiction without first having obtained a building permit for the placement thereof. Shipping containers must comply with all applicable building codes and receive all applicable permits, except that:
    - 1). A foundation shall not be required, but the shipping container must be securely anchored to the ground;
    - 2). Ventilation shall not be required;
    - 3). Electricity is an option but shall not be required;
  - B. Restrictions. Shipping containers may be placed or installed only in the TA-1, F-1 and 1-1 districts and shall be subject to the following restrictions:

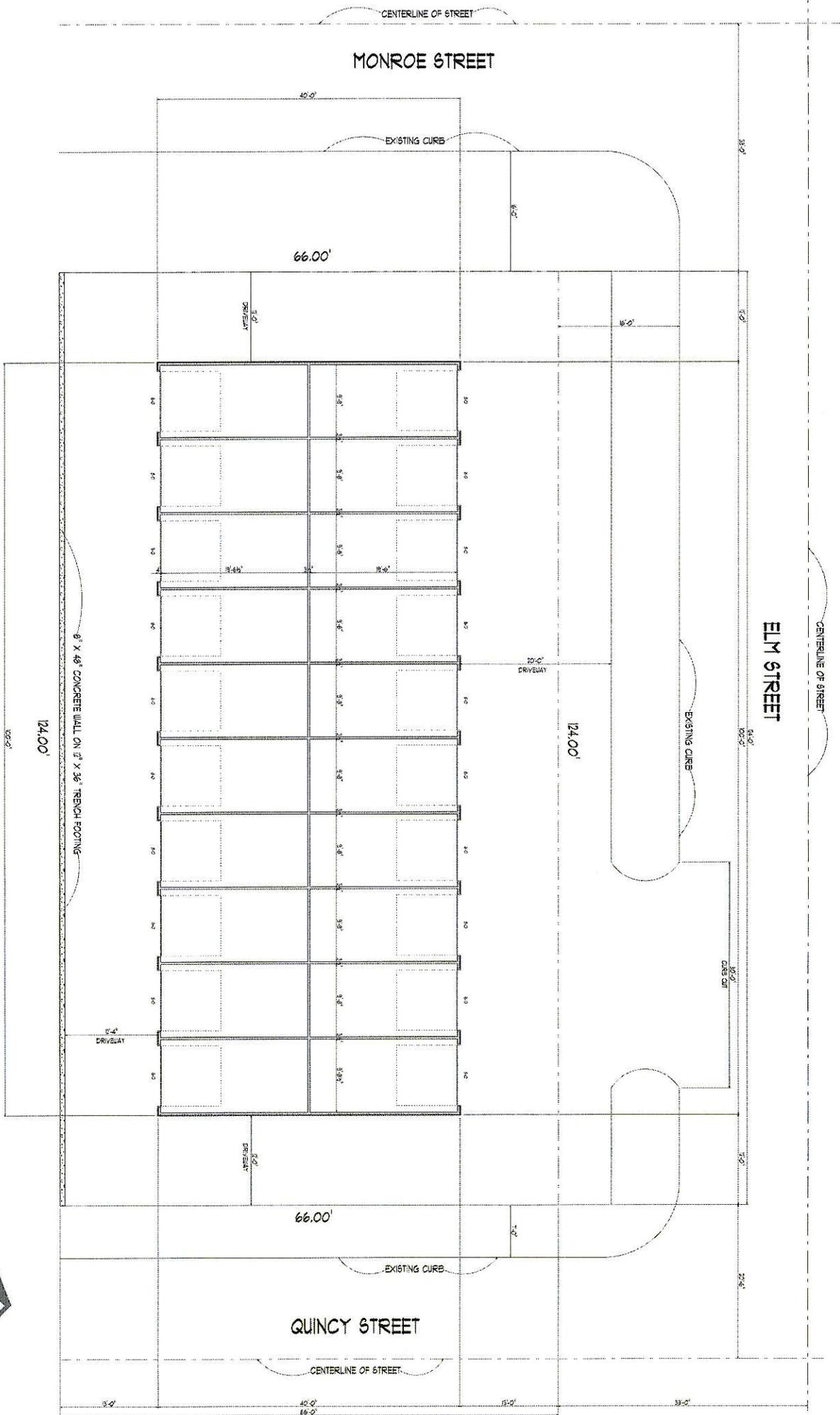




**PLOT PLAN**  
SCALE 1" = 20'-0"

TDO1725  
RYAN CHENEY  
STORAGE BUILDING



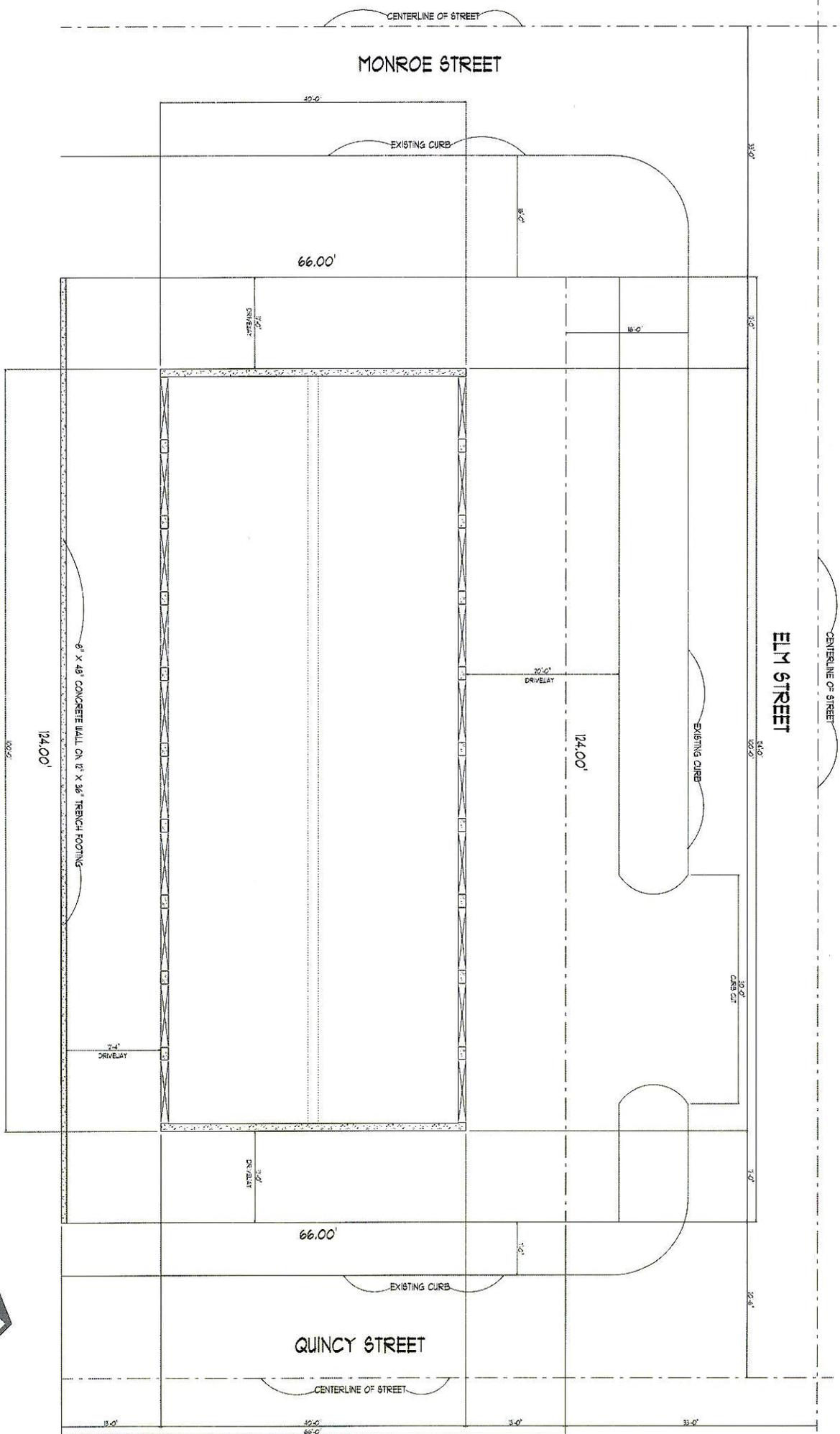


**PLOT PLAN**

SCALE: 1" = 20'-0"

TD01175  
 RYAN CHENEY  
 STORAGE BUILDING





**PLOT PLAN**  
SCALE: 1" = 20'-0"

TD0175  
RYAN CHENEY  
STORAGE BUILDING



Bennet Planning Commission  
Regular Meeting Minutes  
June 18, 2025

The Bennet Planning Commission held a meeting on June 18, 2025, at 7:00 PM, at City Hall, 685 Monroe Street in the City. The session was open to the public and proceeded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska by posting at the City Clerk Office, the Post Office, and First Nebraska Bank.

Chairperson Greg Pohl called the meeting to order at 7:00 p.m. and announced the Open Meetings Act was posted. Deputy City Clerk Michelle Olesen conducted roll call. Council Members in attendance were **Present:** Kevin Hiatt, Greg Pohl, Russ Jones **Absent:** Matt Tyler, Tyler Anderson. A quorum being present, and the meeting duly commenced, the following proceedings were taken while the meeting remained open to attendance by the public. Tyler Anderson arrived at 7:02 PM.

Hiatt moved and Jones seconded a motion to approve the minutes from March 26th, 2025, Regular Meeting. Roll call: Anderson, Jones, Hiatt, Pohl, voted yes. Motion carried.

Pohl introduced Russ Jones as the newest member of the planning commission, replacing Marilyn Maney.

Pohl announced that we would take public comment on agenda item #8a, Public Hearing for the purpose of hearing testimony regarding a Conditional Use Application from Ryan Cheney to allow Self Storage Units as per Section 9.10 of the Bennet Zoning Ordinance on Block 33, Lot 1, & N1/2 LOT2, Bennet, commonly known as 510 Monroe Street.

Agenda item #9 public hearing was moved before CIP Project reviews.

Jones moved and Hiatt seconded a motion to recommend approval of a Conditional Use Permit to allow Self Storage Units as per Section 9.10 of the Bennet Zoning Ordinance on Lot Block 33, Lot 1, & N1/2 LOT2, Bennet, commonly known as 510 Monroe Street, finding that the use was in conformity with the Comprehensive Plan and future land use maps.

Roll call: Anderson, Jones, Hiatt, Pohl, voted yes. Motion carried.

The Planning Commission evaluated the Capital Improvement Plan (CIP) projects. Anderson moved and Hiatt seconded a motion to forward the following CIP recommendations. Roll call: Anderson, Jones, Hiatt, Pohl, voted yes. Motion carried.

Bennet Planning Commission  
 Regular Meeting Minutes  
 June 18, 2025

PROJECT #	PROJECT	AMOUNT	YEAR	STATUS
Project #3	Office Equipment & Software - Annual Technology Update	\$ 2,500.00	25/26	Annually
Project #19	Water Storage Tank - Maintenance Contract	\$ 54,956.00	25/26	5 year contract for rehab
Project #23	Additional Water Storage Facility	\$ 1,000,000.00	29/30	
Project #32	New City Office/Maintenance Facility	\$ 3,500,000.00	27/28	
Project #43	Lagoon Cleaning	\$ 150,000.00	29/30	BS recommends 7 yrs
Project #44	Van Buren & Garden St. Area Inlet, Bar Parking Lot	\$ 25,000.00	25/26	
Project #45	Cottonwood & Tyler Street Paving-Phase 1 Engineering	\$ 1,500,000.00	25/26	
	Phase 2 - Construction		26/27	
Project #48	Contribution towards Pre-School Park Equip	\$ 10,000.00	25/26	carryover - Keno funds
Project #59	City Trail System - Phase 1	\$ 125,000.00	25/26	SS4A Planning Grant \$100,000-Approved & good to proceed.
		\$ 2,500,000.00	27/28	construct
Project #60	Asphalt Sealing	\$ 15,000.00	25/26	Annually
Project #62	Sanitary Sewer Video Equipment	\$ 70,000.00	25/26	
Project #66	Basketball/Pickle Ball Court, 1/2 court	\$ 15,000.00	27/28	
Project #67	Annexation Plan	\$ 20,000.00	25/26	PC
Project #68	T-Ball Field Bleachers & Backstop Repair/Replace	\$ 20,000.00	25/26	
Project #69	Anhydrous Tanks - Hazard Mitigation	\$ 100,000.00	26/27	
Project #70	Replace Playground Equipment Main Park	\$ 300,000.00	28/29	
Project #71	Expand iWorQ from Basic Plan to Enterprise Plan	\$ 4,950.00	25/26	Annual Fee = \$4,450.00
Project #72	City Shop	\$ 125,000.00	25/26	

Pohl invited public comments.

There being no public comments, Anderson moved and Hiatt seconded to adjourn at 7:42 pm.

Roll call: Anderson, Jones, Hiatt, Pohl, voted yes. Motion carried.

Michelle Olesen  
 Deputy City Clerk/Zoning Administrator

August 11, 2025 Public Hearing

At this time Mayor Cheney recused himself and turned the meeting procedures over to Council President Pete Simmons.

President Simmons called the Public Hearing on the Conditional Use Permit requested by Ryan Cheney, to order at 7:31 pm and announced the requirements for those wishing to speak on the matter.

Ryan Cheney addressed the council explaining the procedures he has followed and the fact that he will need to present his permit request to the Board of Adjustment for approval if he plans to make any changes to the property. Several people approached the council to voice their concerns regarding the permit.

The public hearing was closed at 8:05 p.m.