

RESOLUTION FOR UPHOLDING ZONING AND ZONING ENFORCEMENT,  
WASHINGTON COUNTY, NEBRASKA

Adopted: 06-11-19, Res. #2019-07

A RESOLUTION PROVIDING FOR A DECLARATION BY THE COUNTY BOARD TO ACKNOWLEDGE ONGOING ABUSE OF ZONING REGULATIONS PERTAINING TO COMMERCIAL USES OF PROPERTY NOT ZONED FOR SUCH ACTIVITY.

This Resolution provides for public acknowledgement by the Washington County Board of Supervisors that a disregard and active denial of the adopted Zoning Regulations are becoming pervasive in nature. The continuation of this trend will all but guarantee persistent litigation for the county with the cost being absorbed by the residents and taxpayers.

Washington County would like existing and future residents to understand that unincorporated jurisdictions are zoned differently than incorporated jurisdictions, such as a city or village. The land use and planning for a county will differ greatly from that of a city or municipality. For reasons of infrastructure, provisions of services, agricultural preservation, and other measures, counties will not compete with cities for lot size, commercial and retail zoning, and extension of services. Annexation of land by cities is typically seen long before counties should consider expenditures of urban growth corridors and infrastructure expansion.

A county, by right, and specifically outlined in state statute, is permitted to adopt zoning and land use policy as well as to administer and enforce that policy. To argue the intent of the written text, and even the interpretation of the regulations, may provide an avenue for an appeal or variance in some cases, but to simply disregard the zoning altogether and challenge the county to intervene in some way has become the common rejoinder, and it is the county's duty to uphold the appropriate governing regulations.

In the event that an individual is notified of a clear zoning violation, and chooses to ignore the standards for either obtaining the proper permits or in some cases the approval of the County Board of Supervisors, a sign notifying the public of the nature of the violations will be placed in the right of way adjacent to that property. Any attempt or action to remove or deface that sign will be a criminal offense. In this manner, members of the public will have full knowledge that they may be soliciting a prohibited or illegal business before they enter the property.

APPROVED AND ADOPTED THIS 11 DAY OF June, 2019

WASHINGTON COUNTY BOARD OF SUPERVISORS, WASHINGTON COUNTY, NEBRASKA

BY:

[Signature], CHAIRMAN

ATTEST:

[Signature], COUNTY CLERK

