

**BURT COUNTY, NEBRASKA  
RESOLUTION 2026-04**

**A RESOLUTION UPDATING THE BURT COUNTY LAND USE MATRIX**

WHEREAS, on February 9<sup>th</sup>, 2026, the Planning Commission of Burt County, Nebraska did hold a public hearing for updates made to the Burt County Land Use Matrix. By ADDING Dwelling, Accessory Dwelling Unit (ADU)

WHEREAS, by updating the Burt County Land Use Matrix updates were needed in **Section 4.03 A-1 Agricultural- Primary District**, B. Permitted Conditional Use make 4) Accessory Dwelling Unit and add 1 number to others in list making 26) Livestock Feeding Operations. **4.04 A-2 Agricultural- Transitional District** B. Permitted Conditional Uses add 15) Accessory Dwelling Unit, **4.05 R-1 Residential District**, B. Permitted Conditional Uses add 8. Accessory Dwelling Unit.

WHEREAS, the Burt County Board of Supervisors held a public hearing on February 11<sup>th</sup>, 2026 to consider the updates recommended by the Planning Commission for the Burt County Land Use Matrix in the Burt County Zoning Regulations.

WHEREAS, the Burt County Board of Supervisors now believes that it is in the public interest to adopt said Land Use Matrix.

NOW, THEREFORE, BE IT RESOLVED by the Burt County Board of Supervisors that:

1. The public hearing had advanced notice as required by Nebraska law and conformed with the Nebraska Open Meeting Act, and Section 9.01-Amendments of the Burt County Zoning Regulations and,
2. Upon consideration of all matters presented to the Board, the Board of Supervisors did vote to amend the Burt County Zoning Regulations relating to Burt County Land Use Matrix and Sections 4.03, 4.04, and 4.05,
3. A copy of the amended regulation is attached hereto as Exhibit "A" and incorporated herein by reference, and,
4. This resolution shall be in full force and effect from and after its passage.

DATED this 27th day of February, 2026 at Tekamah, Nebraska.



*Jeannette Blanc*  
TEST: JEANNETTE BLANC  
BURT COUNTY DEPUTY CLERK

*Jeff Kutchera*  
JEFF KUTCHERA CHAIR  
BURT COUNTY BOARD OF SUPERVISORS

## Exhibit A Resolution 2026-04

Update Burt County Land Use **Matrix** to

	A-1	A-2	R-1	R-M	C-1	I-1	I-2	PU
Dwelling, Accessory Unit	C	C	C					

**Update Definition**

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**ACCESSORY DWELLING UNIT (ADU)** shall mean a separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is detached from existing single-family structure.

Update Regulation to include Accessory Dwelling Unit- **permitted Conditional Uses in A-1, A-2, and R-1.**

Accessory Dwelling Units

One accessory dwelling unit per lot may be allowed as permitted in the Land Use Matrix under the following conditions:

1. The accessory dwelling unit shall fit within the developable area of the lot.
2. The owner of the lot shall file with the Register of Deeds a deed restriction agreement on the property stating the accessory dwelling cannot be sold separately from the principal dwelling.
  - a. The deed restriction agreement must be to the satisfaction of the County Attorney. The deed restriction agreement shall be recorded prior to approval of a zoning permit for the ADU.
3. The ADU must meet the same setback requirements as the principal dwelling of the district.

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Section 4.03 A-1 Agricultural- Primary District

B. Permitted Conditional Uses

Replace 4) Accessory Dwelling Unit

Then fixed numbering making Livestock Feeding Operations now 26)

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Section 4.04 A-2 Agricultural- Transitional District

B. Permitted Conditional Uses

Add

15) Accessory Dwelling Unit

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Section 4.05 R-1 Residential District

B. Permitted Conditional Uses

Add

8) Accessory Dwelling Unit