



City of Grand Island

Tuesday, January 10, 2017

Council Session

Item G-5

#2017-4 - Approving Final Plat and Subdivision Agreement for Brewer Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: January 10, 2017

Subject: Brewer Subdivision – Final Plat

Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located north of 6th Street and west of Elm Street in the City of Grand Island, in Hall County, Nebraska. It consists of 2 lots and 0.2 acres. This property consists of 2 houses on a single lot. The houses have been on this site since at least 1951. Each house is served by its own waste water, water and electric services. In order to approve this subdivision Council has to grant a waiver to the minimum lot size requirement in the R4 zoning district.

Discussion

The plat for Brewer Subdivision, Final Plat was considered by the Regional Planning Commission at the January 4, 2017, meeting.

A motion was made by Hoggatt and seconded by Maurer to approve the plat as presented.

A roll call vote was taken and the motion passed with 9 members present and voting in favor (Apfel, O'Neill, Ruge, Maurer, Robb, Rainforth, Rubio, Sears and Hoggatt) and no members voting no or abstaining.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that Council approve the final plat as presented and waive the minimum lot size requirement per section 33-21 of the Subdivision Regulations.

Sample Motion

Move to approve as recommended.



Developer/Owner

Marlene Leece, Hidden Farms, Inc.
257 Bismark Road
Grand Island, NE 68801

To create 2 lots located north of Sixth Street and west of Elm Street, in Grand Island, in Hall County, Nebraska.

Size: 0.2 acres

Zoning: R4 – High Density Residential Zone

Road Access: City Street

Water Public: City water is available.

Sewer Public: City sewer is available.



RESOLUTION 2017-4

WHEREAS Beverly J. Brewer, manager of Seahuskers Properties, LLC and Marlene Leece, president of Hidden Farms, Inc., being the owners of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “BREWER SUBDIVISION”, to be laid out into 2 Lots, on a Tract of Land comprising ALL OF Lot 8, Block 12, in the Original Town, in the City of Grand Island, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, two houses are located on this single lot and have been since at least 1951 and such house were legal at the time of construction; and

WHEREAS, the lot of such subdivision do not meet the minimum lot size requirements of the R4 zoning district; and

WHEREAS, the houses are served with separate waste water, water and electrical services, and

WHEREAS, §33-21 of the Grand Island City Code allows Council to modify or waive specific provision of the regulations and the Council finds that

- (1) The strict application of a particular provision would produce undue hardship.
- (2) Such hardship is not shared generally by other properties in the proposed subdivision, or in the case of modifications or waivers affecting an entire proposed subdivision the hardship is not shared generally with other similar subdivisions.
- (3) The authorization of the modification or waiver will not be a substantial detriment to adjacent property and the character of the proposed subdivision will not be adversely changed.
- (4) The granting of such modification or waiver is based upon demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice.
- (5) The granting of such modification will not unduly compromise the intent of this chapter.;

And,

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement herein before described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

| | |
|---------------------|-----------------|
| Approved as to Form | ☐ _____ |
| January 6, 2017 | ☐ City Attorney |

BE IT FURTHER RESOLVED that the final plat of Brewer Subdivision, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk