



City of Grand Island

Tuesday, February 14, 2017

Council Session

Item G-4

#2017-19 - Approving Final Plat and Subdivision Agreement for Nagy's Third Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: February 14, 2017

Subject: Nagy's Third Subdivision – Final Plat

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

Background

This property is located north of 5th Street and west of Plum Street in the City of Grand Island, in Hall County, Nebraska. It consists of 2 lots and 0.132 acres. This property consists of 2 houses on a single lot. The houses have been on this site since 1910. Each house is served by its own water and electric services and will have their own waste water service. In order to approve this subdivision Council has to grant a waiver to the minimum lot size requirement in the B2 zoning district.

Discussion

The plat for Nagy's Third Subdivision, Final Plat was considered by the Regional Planning Commission at the February 1, 2017, meeting.

A motion was made by Sears and seconded by Kjar to approve the final plat as presented.

A roll call vote was taken and the motion passed with 11 members present and voting in favor (Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Hoggatt and Kjar) 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

J & B Rentals, LLC (Williams and Julann Ziller)
1611 N. St. Paul Road
Grand Island, NE 68801

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

Size: 0.132 acres

Zoning: B2-General Business

Road Access: City Street

Water Public: City water is available.

Sewer Public: City sewer is available.



RESOLUTION 2017-19

WHEREAS William P. Ziller and Julann K. Ziller, members of J & B Rentals, LLC, being the owners of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “NAGY’S THIRD SUBDIVISION”, to be laid out into 2 Lots, on a 0.132 acre Tract of Land comprising the Westerly Two Thirds (W. 2/3) of Lot Seven (7), Block Twenty Three (23), Nagy’s Addition to 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 1910 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 water and electrical services, and will be served by separate waste water,

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

Approved as to Form	by _____
February 10, 2017	City Attorney

agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of Nagy's Third 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, February 14, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk