



City of Grand Island

Tuesday, September 09, 2003

Council Session

Item H1

Request for Approval to Construct a Single Family Dwelling on the South 20,500 Square Feet of Lot 50, Kuesters Lake

Vince Dowding representing Dr. & Mrs. VanWie has submitted a request to construct a single family dwelling on the south 20,500 square feet of lot 50 at Kuesters Lake. The Grand Island City Code requires council approval of this request as the property is a legal nonconforming use as several dwellings are located on one property. Section 36-86 of the City code states any extensions or expansions of a nonconforming use must receive Council approval. Additionally City Code section 8-22 provides that no permit shall be issued until authorized by resolution of the City Council where the real property described in the application does not front upon a dedicated street or public road. The basic request is to allow for an additional dwelling to be constructed on the Kuesters Lake property, the property is one tract with several dwellings and a social club built several years ago which do not comply with zoning restrictions imposed today. It would appear prudent to require the property to either comply with existing zoning restrictions or rezone the entire tract to a Residential Development zone which allows a more flexible regulation of land use. The approval of an onsite wastewater treatment system for this proposed location has been received from the State of Nebraska, Department of Environmental Quality. In reviewing that approval it does not appear that all the neighboring sites have been considered nor have their field and reserve spaces been identified. With the concerns and difficulties staff has had in the past locating building additions, wells, and replacement septic systems, it doesn't appear prudent to allow for additional dwellings to be constructed unless and until the entire site has been evaluated with respect to future needs.

Staff Contact: Craig Lewis

LAW OFFICES

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(Please Reply To Grand Island Office)

August 8, 2003

Craig Lewis
Building Department Director
City of Grand Island

RE: Van Wie Building Permit

Dear Mr. Lewis:

I am writing this letter on behalf of my clients, Dr. and Mrs. A.E. Van Wie. My clients seek permission from the City of Grand Island to build a house on the south 20,500 square feet of Lot 50, Kuester Lake.

Approval for the necessary onsite wastewater treatment system has been obtained from the Nebraska Department of Environmental Quality. The approval documents are enclosed.

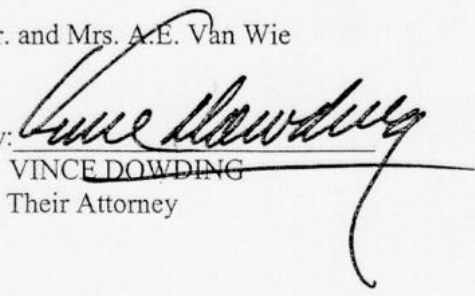
The Board of Directors at Kuesters Lake has approved the use of this portion of Lot 50 as a separate lot and has approved the DEQ application (see attached letter from Robert Kutz).

We realize that the City Council will need to act on this request pursuant to Sections 8-82 and 36-86 of the City Code.

Respectfully submitted,

Dr. and Mrs. A.E. Van Wie

By:


VINCE DOWDING
Their Attorney

August 4, 2003

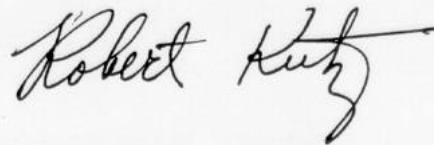
To: Honorable Mayor Jay Vavricek and Grand Island City Council Members

From: Robert Kutz, President, Kuester Lake Inc.

Subject: Approval of Board of Directors for Second Lot at Location #50

The Board of Directors at their September 4, 2002 meeting approved the splitting of lot No. 50 into two lots. This was mainly due to the fact of the size of the total lot.

The Board of Directors further approved at its July 2, 2003 meeting the use of the common area opposite lot No. 50 for the installation of septic systems and back-up sites for the new 20,500 sq.ft. lot and lot No. 50 as shown on Rockwell Engineering drawing dated Jan. 29, 2003, and last revised on July 2, 2003. Many of the homes around the center of our horseshoe shaped lake use this center area for their leach fields in order to meet Title 124 requirements for the spacing of wells and leach fields.

A handwritten signature in cursive script that reads "Robert Kutz". The signature is written in black ink and is positioned in the lower right quadrant of the page.

STATE OF NEBRASKA

COPY



Mike Johanns
Governor

Dr. A.E. Van Wie
10 Kuester Lake
Grand Island NE 68801

July 28, 2003

DEPARTMENT OF ENVIRONMENTAL QUALITY

Michael J. Linder

Director

Suite 400, The Atrium

1200 'N' Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

RE: Subdivision Approval No. 03SUB007
Onsite Wastewater Treatment Systems
South 20,500 sq. ft. of Lot 50, Kuester Lake
SW1/4, Sec. 13, T11N, R9W, Hall County, Nebraska

Dear Dr. Van Wie:

Documents describing the above-referenced project have been approved. Pursuant to Neb. Rev. Stat. Sec. §81-1506(2)(Reissue 1987), an approval (enclosed) is hereby granted.

This approval is issued with the understanding that the developer has abided by Title 124 - Rules and Regulations for the Design, Operation and Maintenance of Onsite Waste Water Treatment Systems in Nebraska. Issuance of an approval does not imply or guarantee the operation of Onsite Waste Water Treatment Systems.

If you have any questions please contact me at (402) 471-2580.

Sincerely,

Charles Dwerschner, P.E.

for Steven M. Goans, P.E.
Program Manager, Technical Unit

SMG/RKH

pc: Ronald Rockwell, Rockwell & Associates, Grand Island, NE (w/ dwg)

pc: Chad Naby, Director, Regional Planning Commission, Grand Island, NE (w/ dwg)

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Nebraska Department of Environmental Quality

Subdivision Approval No. 03SUB007

is hereby issued to

Dr. A. E. Van Wie

*Developer
for the*

*South 20,500 sq. ft. of Lot 50, Kuester Lake
using On-site Wastewater Treatment Systems*

located at

*SW 1/4, Section 13, T11N, R9W
Hall County, Nebraska*

*Pursuant to a Delegation Memorandum dated January 12, 1999, and signed by the
Director, the undersigned hereby executes this document on behalf of the Director.*

Signed the 28th day of July, 2003

Patrick W. Rice

Patrick W. Rice, Assistant Director