



City of Grand Island

Tuesday, August 23, 2005

Council Session

Item F3

#8998- Consideration of Change of Zoning for Land that was Proposed for Platting as El Huerto Subdivision Located South of Capital Avenue and East of St. Paul Road from RD Residential Development to TA Transition Agricultural

This item relates to the aforementioned Public Hearing Item E-3.

Staff Contact: Chad Nabity

ORDINANCE NO. 8998

An ordinance to rezone a certain tract of land within the zoning jurisdiction of the City of Grand Island; to revert the land use classification of a tract of land comprising a portion of the East Half of the Northwest Quarter (E1/2, NW1/4) of Section Ten (10), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, from RD-Residential Development Zone to TA Transitional Agriculture Zone; to direct that such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; to amend the provisions of Section 36-44 of the Grand Island City Code; and to provide for publication and the effective date of this ordinance.

WHEREAS, the above property was rezoned from TA-Transitional Agriculture Zone to RD-Residential Development Zone by Ordinance No. 8871, enacted on November 18, 2003, to develop 115 lots for single-family dwellings; and

WHEREAS, over 18 months have elapsed after City Council approval of such zoning change; and

WHEREAS, the construction of footings and foundations for such project has not been completed; and

WHEREAS, Grand Island City Code Section 36-78 requires that upon failure to complete such construction within eighteen (18) months, the entire property shall revert to its former zoning classification; and

WHEREAS, the Regional Planning Commission on August 3, 2005, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the appropriate Board of Education for such area; and

ORDINANCE NO. 8998 (Cont.)

WHEREAS, after public hearing on August 23, 2005, the City Council found and determined that the change in zoning be approved and made.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. A tract of land comprising a portion of the East Half of the Northwest Quarter (E1/2, NW1/4) of Section Ten (10), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, more particularly described as follows, is hereby reverted and reclassified from RD-Residential Development Zone to TA-Transitional Agriculture Zone classification:

Beginning at the southeast corner of Lot 8, Block 4, George Loan's Subdivision, said corner also being the southwest corner of the referenced parcel; said corner also being the point of beginning; thence northerly on an assumed bearing of N00°48'02"W, 618.98 feet to a found 1" pipe; thence easterly N88°53'18"E, 47.89 feet to a found 1" pipe; thence northerly N00°02'43"W, 58.16 feet to a found 1" pipe; thence westerly S88°34'08"W, 35.11 feet to a found 1" pipe; thence northerly N00°35'34"W, 575.81 feet to a found 1" pipe; thence easterly N89°52'08"E, 34.94 feet to a found 1" pipe; thence northerly N00°35'21"W, 217.37 feet to a found 1" pipe; thence westerly S90°00'00"W, 75.00 feet to a found 1" pipe; thence northerly N00°35'21"W, 556.18 feet to a found 1" pipe; thence easterly S90°00'00"E, 75.00 feet to a found 1" pipe; thence continuing easterly N89°39'54"E, 403.78 feet to a point of intersection on the westerly right-of-way line of the Union Pacific Railroad, to a found 1" pipe; thence southerly S03°40'02"E, on said right-of-way line, 2072.09 feet to a found 1" pipe; thence westerly S89°41'12"W, 403.53 feet to a found 1" pipe; thence northerly N28°52'34"W, 45.36 feet to a found 1" pipe; thence westerly S89°52'45"W, 136.00 feet to the point of beginning, containing a calculated area of 23.813 acres, more or less.

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-44 of the Grand Island City Code is hereby ordered to be changed, amended, and completed in accordance with this ordinance.

ORDINANCE NO. 8998 (Cont.)

SECTION 3. That Ordinance No. 8871, and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 23, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk