

City of Scottsbluff, Nebraska

Monday, August 10, 2015

Regular Meeting

Item NewBiz1

Ordinance to Vacate

Ordinance: to vacate lots 6 & 7, The Ridge Estates

Applicant(s): Shane & Annette Aulick

Property Owner(s): Shane & Annette Aulick

Location: East of University St., & N of Scottsbluff Drain

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

To:	Planning Commission	Zoning:	R-1 currently
From:	Development Services Department	Property Size:	4 acres ±
Date:	August 10, 2015	# Lots/Units:	2
Subject:	Vacate Lots 6 & 7, The Ridge Estates Subdivision		
Location:	East of University St. & N of Scottsbluff Drain		

Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

Public Notice: This item was noticed in the paper and a notice was posted on the property

Background

The applicant(s) and property owners, Shane & Annette Aulick, have requested an ordinance to vacate lots 6 & 7, of The Ridge Estates Subdivision; this ordinance will be filed against the final plat of Lots 1 through 7, The Ridge Estates which was approved on November 2, 2009. The vacated lots will be absorbed into unplatted farm land to the south which is zoned Ag. A rezone is also part of this request. These lots total approximately 4 acres. Mr. Aulick is planning on building an accessory structure on this land which will allow him to store his equipment closer to the cropland. The lots are currently seeded to alfalfa.

Staff has reviewed the request to vacate and makes positive recommendation for the request to vacate lots 6 & 7, The Ridge Estates Subdivision.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve ordinance to vacate Lots 6 & 7, Ridge Estates Subdivision (4 acres±) for the following condition(s): Approval of rezone from R-1 to Ag.

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to approve ordinance to vacate Lots 6 & 7, Ridge Estates Subdivision (4 acres±) the following reason(s):

Table

Make the motion to TABLE the rezone request to approve ordinance to vacate Lots 6 & 7, Ridge Estates Subdivision (4 acres±) for the following reason(s):

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING LOTS 6 AND 7, THE RIDGE ADDITION, SITUATED IN THE SW¼NE¼ OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., IN SCOTTS BLUFF COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Shane Aulick and Annette Aulick, husband and wife, (the "Aulicks") as the owners of the property involved, have requested the City of Scottsbluff vacate the following property:

Lots 6 and 7, The Ridge Estates Subdivision, situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Commencing at the East Quarter Corner of Section 9, thence westerly on the East-West centerline of Section 9, on an assumed bearing of N88°11'10"W, a distance of 1908.08 feet, thence bearing N01°48'50"E a distance of 302.51 feet to the point of intersection with the southeast corner of Lot 7, The Ridge Estates Subdivision, as monumented by a 5/8" Rebar, said point also being the true Point of Beginning, thence northerly on the east line of said Lot 7, bearing N02°50'47"E, a distance of 534.28 feet, to the point of intersection with a tangent curve to the left, said curve having a central angle of 84°39'17", a radius of 25.00 feet, a chord bearing of N39°28'52"W and a chord length of 33.67 feet, thence northwesterly on the arc of said curve and said Lot 7, a distance of 36.94 feet, thence bearing N81°48'31"W, on said north line of Lot 7, a distance of 160.38 feet to the northwest corner of said Lot 7, also being the northeast corner of Lot 6, thence bearing N81°48'31"W, on the north line of said Lot 6 a distance of 227.80 feet to the northwest corner of said Lot 6, thence bearing S02°50'47"W, on the west line of said Lot 6 a distance of 328.43 feet to the south line of said Lot 6, thence bearing S52°00'26"E on the south line of said Lot 6 a distance of 162.16 feet, thence bearing S87°09'13"E on south line of said Lot 6 a distance of 94.21 feet to the southeast corner of said Lot 6, also being the southwest corner of Lot 7, thence bearing S43°34'16"E on the south line of said Lot 7 a distance of 251.73 feet to the southeast corner of said Lot 7, said point being the Point of Beginning, containing an area of 4.00 Acres, more or less.

Section 2. The City Council finds that the Aulicks are the Owners and that it is in the best interests of the City that the property be vacated as requested.

Section 3. Lots 6 and 7, The Ridge Estates Subdivision situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 22 North, Range 55 West of the 6th p.m., Scotts Bluff County, Nebraska, as more fully described above, is hereby vacated.

Section 4. This Ordinance shall become effective upon its passage, approval and publication in pamphlet form, as provided by law.

PASSED AND APPROVED on _____, 2015.

Mayor

ATTEST:

City Clerk (Seal)

DATE: July 6, 2015

TO: City of Scottsbluff

FROM: Shane Aulick

RE: Vacation of Lots 6 & 7, Ridge Estate Subdivision

I own Lots 6 & 7 of Ridge Estates Subdivision. The attached rezone application to vacate Lots 6 & 7 of Ridge Estates subdivision should be approved because:

1. I own all of the properties surrounding these two lots. There will be no adverse effects on other owner's properties.
2. Lots 6 & 7 are currently seeded to alfalfa. The SW NE, PT NW, 9-22-55 parcel is 74.80 acres and is also cropland. The rezone application requests that these properties be merged into one parcel.
3. I desire to add an Ag Building (for the storage of equipment) closer to the cropland so that I don't have to drive the equipment across the lawn that has been added around the garage building located next to my house. This will also move the noisy equipment further from my house and from the house of my neighbor to the east.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane Aulick", with a long, sweeping horizontal stroke extending to the right.

LEGAL DESCRIPTION

Lots 6 and 7, The Ridge Estates Subdivision, situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;

Commencing at the East Quarter Corner of Section 9, thence westerly on the East - West centerline of Section 9, on an assumed bearing of N88°11'10"W, a distance of 1908.08 feet, thence bearing N01°48'50"E a distance of 302.51 feet to the point of intersection with the southeast corner of Lot 7, The Ridge Estates Subdivision, as monumented by a 5/8" Rebar, said point also being the true Point of Beginning, thence northerly on the east line of said Lot 7, bearing N02°50'47"E, a distance of 534.28 feet, to the point of intersection with a tangent curve to the left, said curve having a central angle of 84°39'17", a radius of 25.00 feet, a chord bearing of N39°28'52"W and a chord length of 33.67 feet, thence northwesterly on the arc of said curve and said Lot 7, a distance of 36.94 feet, thence bearing N81°48'31"W, on said north line of Lot 7, a distance of 160.38 feet to the northwest corner of said Lot 7, also being the northeast corner of Lot 6, thence bearing N81°48'31"W, on the north line of said Lot 6 a distance of 227.80 feet to the northwest corner of said Lot 6, thence bearing S02°50'47"W, on the west line of said Lot 6 a distance of 328.43 feet to the south line of said Lot 6, thence bearing S52°00'26"E on the south line of said Lot 6 a distance of 162.16 feet, thence bearing S87°09'13"E on south line of said Lot 6 a distance of 94.21 feet to the southeast corner of said Lot 6, also being the southwest corner of Lot 7, thence bearing S43°34'16"E on the south line of said Lot 7 a distance of 251.73 feet to the southeast corner of said Lot 7, said point being the Point of Beginning, containing an area of 4.00 Acres, more or less.

Parcel

010330437

Owner: AULICK/SHANE & ANNETTE

Situs:

Legal: SW NE, PT NW, 9-22-55 (74.80)

010357572

Owner: AULICK/SHANE & ANNETTE

Situs: 190463 UNIVERSITY ST

Legal: LT 6, THE RIDGE ESTATES SUBD (2)

010357653

Owner: AULICK/SHANE & ANNETTE

Situs: 190499 UNIVERSITY ST

Legal: LT 7, THE RIDGE ESTATES SUBD (2)

