

City of Scottsbluff, Nebraska
Monday, October 12, 2015
Regular Meeting

Item NewBiz1

Ag Estate Dwelling Site

AEDS: E 1/2 of SW 1/4 of Section 10

Applicant(s): Jean Pieper Family Trust/Accustar Surveying

Owner(s): Jean Pieper Family Trust

Location: N of W 42nd St., south of Scottsbluff Drain

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

To:	Planning Commission	Zoning:	Agricultural
From:	Development Services Department	Property Size:	2.06 ± acres
Date:	October 12, 2015		
Subject:	Tract in E ½ of SW ¼ of Section 10, T22N R55W		
Location:	N of West 42 nd St. & South of the Scottsbluff Drain, in our Extra Territorial Jurisdiction		

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), Jean Pieper Family Trust applied for a variance from the Board of Adjustment on an AED on the southwest corner of their farm. The farm property is addressed as 1605 W. 42nd Street owned by Jean Pieper Family Trust. The variance requested was to allow for two (2) Agricultural Estate Dwellings sites (AEDS) on the farm ground. The property is situated in our extra territorial jurisdiction northwest of the City and zoned Agricultural, our code allows for one Agricultural Estate Dwelling is allowed in an A - Agricultural zoning district. The Pieper Family was approached about buying a separate two acres of land on the southwest corner which is cut off by the Scottsbluff drain which makes the area difficult & unproductive to farm. In the future, if the property were to be subdivided, this area would remain cut off from the rest of the property by the Scottsbluff Drain the family asked for the variance to allow them to do two Ag Estate Dwellings on the farm land. The Board of Adjustment approved the variance at their meeting of August 10, 2015. Both areas front West 42nd Street (an existing dedicated public road) and will have a width of 150 feet; they will also meet the two acre minimum lot size requirement for an AEDS. City sewer runs along 42nd Street and to the back of the area on the SW corner. A well will be used for water.

Analysis

The property owner is proposing to separate approximately 2.06 acres more or less of the property separating an area to allow for a home & other buildings. Access onto the site will be from West 42nd Street (an existing dedicated public road) City sewer runs along 42nd Street and to the back of the area on the SW corner, a well will be used for water. The Development Services staff has reviewed the application and the lot will meet the necessary requirements of an Agricultural Estate Dwelling (AED) in an Agricultural Zoning District.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve the AED for property described as a tract of land (2.06 acres) in the E ½ of the SW Quarter of Section 10, Township 22 North, Range 55 West of the 6th P.M Scotts Bluff County, Nebraska subject to the following condition(s):

Deny

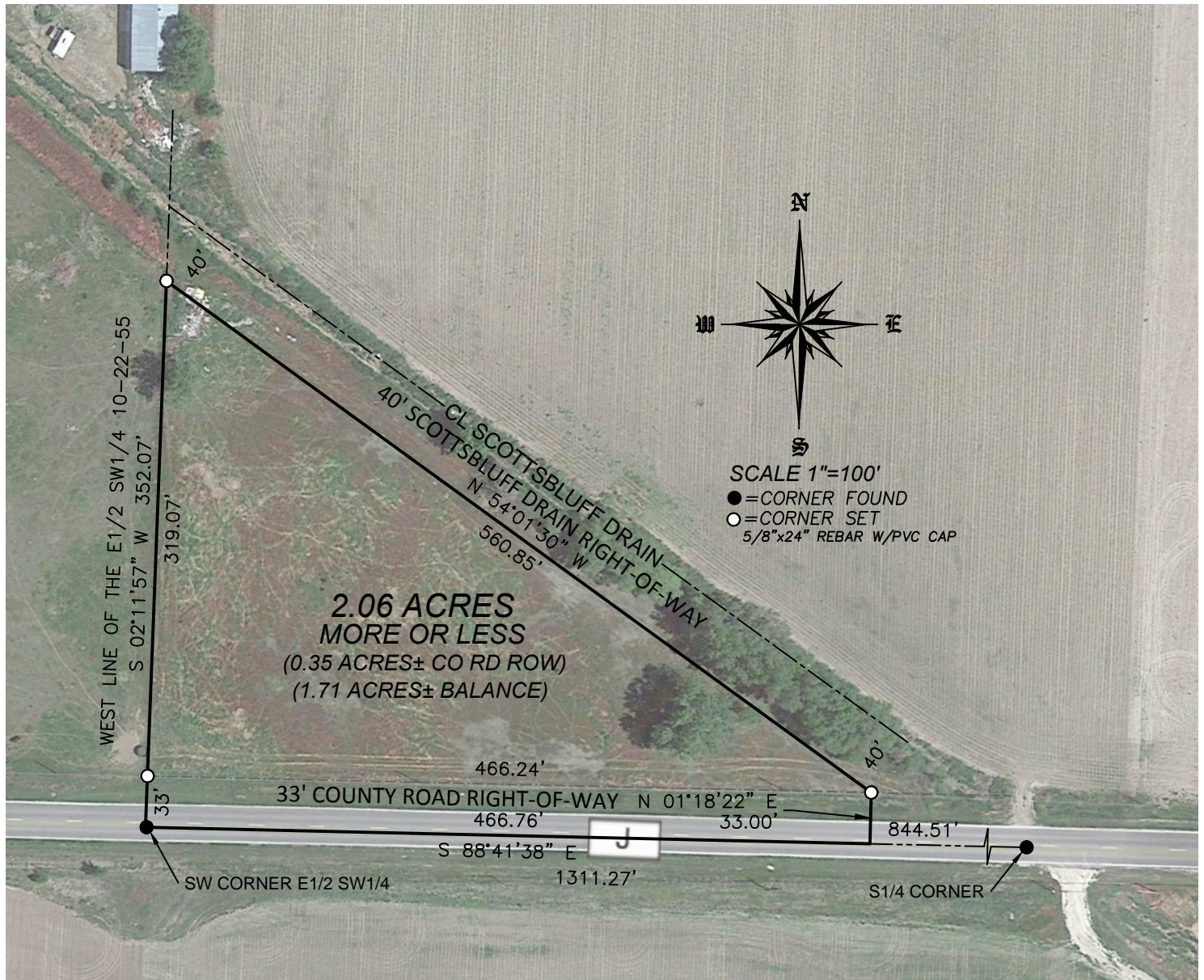
Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the AED for property described as a tract of land (2.06 acres) in the E ½ of the SW Quarter of Section 10, Township 22 North, Range 55 West of the 6th P.M Scotts Bluff County, Nebraska for the following reason(s):

TABLE

Make the motion to TABLE the AED for property described as a tract of land (2.06 acres) in the E ½ of the SW Quarter of Section 10, Township 22 North, Range 55 West of the 6th P.M Scotts Bluff County, Nebraska the following reason(s):

AEDS SURVEY EXHIBIT

TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10,
TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY,
NEBRASKA.



LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE, ON THE SOUTH LINE OF SAID SECTION, S88°41'39\"E FOR A DISTANCE OF 466.76 FEET; THENCE, AT RIGHT ANGLES, N01°18'22\"E TO A POINT OF INTERSECTION WITH THE NORTHERLY COUNTY ROAD RIGHT-OF-WAY AND THE SOUTHERLY RIGHT-OF-WAY FOR THE SCOTTSBLUFF DRAIN, BEING A DISTANCE OF 33.00 FEET; THENCE, ALONG THE SOUTHERLY-RIGHT-OF-WAY OF THE SCOTTSBLUFF DRAIN, N54°01'30\"W TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SAID EAST HALF, BEING A DISTANCE OF 560.85 FEET; THENCE, ALONG SAID WEST LINE, S02°11'57\"W FOR A DISTANCE OF 352.07 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 2.06 ACRES, MORE OR LESS, OF WHICH 0.35 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

**SHEET
1 OF 1**

PROJECT:
AEDS 10-22-55
RON ALLEN
SCOTTSBLUFF, NEBRASKA

ACCUSTAR SURVEYING

30601 COUNTY ROAD 17
PHONE: (308) 623-0197

MITCHELL, NE 69357
CELL: (308) 631-0737

Scale 1\"=100'

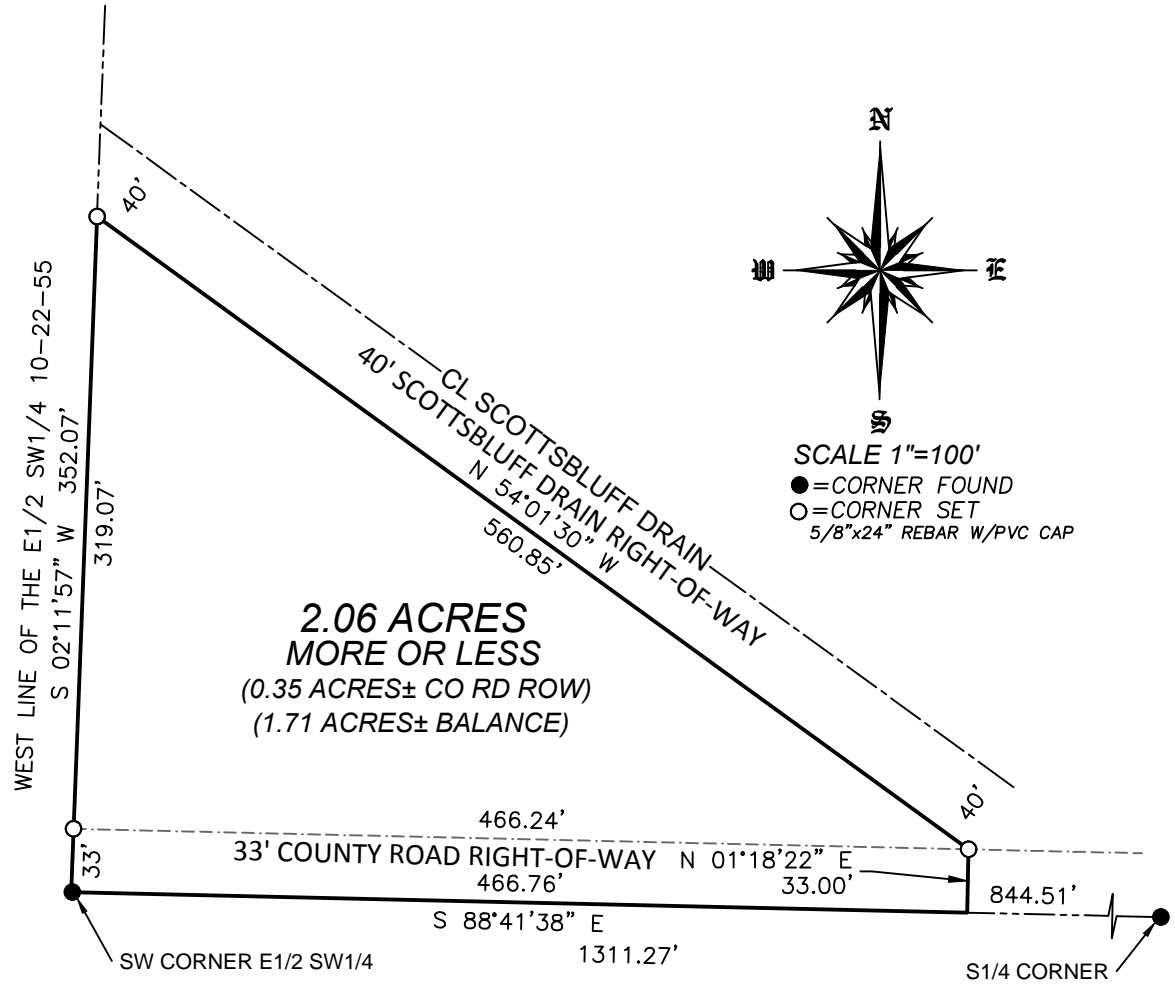
Date: SEPTEMBER 7, 2015

Dwn By SMB

REVISED:

AEDS SURVEY

TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10,
TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY,
NEBRASKA.



LEGAL DESCRIPTION:

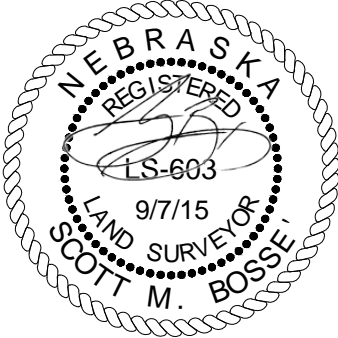
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SURVEYOR'S CERTIFICATE:

I, SCOTT M. BOSSE', NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND DESCRIBED IN THE LEGAL DESCRIPTION AND SHOWN ON THE ACCOMPANYING DRAWING; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 100 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED AND THE BOUNDARY IS DEPICTED BY A THICKENED SOLID LINE.

WITNESS MY HAND AND SEAL this 7th day of September, 2015.

Scott M. Bosse'
NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603



<div>SHEET</div> <div>1 OF 1</div>	<div>PROJECT:</div> <div>AEDS 10-22-55</div> <div>RON ALLEN</div> <div>SCOTTSBLUFF, NEBRASKA</div>	<div>ACCUSTAR SURVEYING</div> <div>30601 COUNTY ROAD 17</div> <div>PHONE: (308) 623-0197</div> <div>MITCHELL, NE 69357</div> <div>CELL: (308) 631-0737</div>	<div>Scale 1"=100'</div> <div>Date: SEPTEMBER 7, 2015</div> <div>Dwn By SMB</div> <div>REVISED:</div>
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