

City of Scottsbluff, Nebraska

Monday, October 9, 2017

Regular Meeting

Item NewBiz1

**Replat of Ag Estate Dwelling Site Located at 190439 County Road
J**

Staff Contact:

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

To: Planning Commission
From: Development Services Department
Date: October 9, 2017
Subject: AEDS located at 190439 CR J, situated in the NE ¼ of the NW ¼ of Section 16, T 22N, R55W
Location: West of Highway 26 and south of County Road J

Zoning: Agricultural
Property Size: 4.143 ± acres

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), Henry Huber and wife, and Larry Reisig have requesting a replat of an Agricultural Estate Dwelling described as a tract of land in the Northeast Quarter of the Northwest ¼ of Section 16, Township 22 North, Range 55 West of the 6th P.M Scotts Bluff County, Nebraska. Properties to the west, south, and north are all zoned agricultural, with the property to the east zoned heavy commercial. This is located in the City's Extra Territorial jurisdiction.

The parcel is currently platted as an Ag Estate Dwelling Site (AEDS). The applicant is requesting a replat in order to move the property line to allow the adjacent property more area that can be farmed. This will reduce the size of the parcel from to 6.05 acres to 4.143 acres. The minimum lot size for an AEDS is 2 acres, so this is still well within the requirements. They are also proposing an access easement along the east side of the property that would serve the adjacent farm.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve the replat of an AEDS (4.143 Acres) in the NE ¼ of the NW ¼ of Section 16, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska subject to the following condition(s):

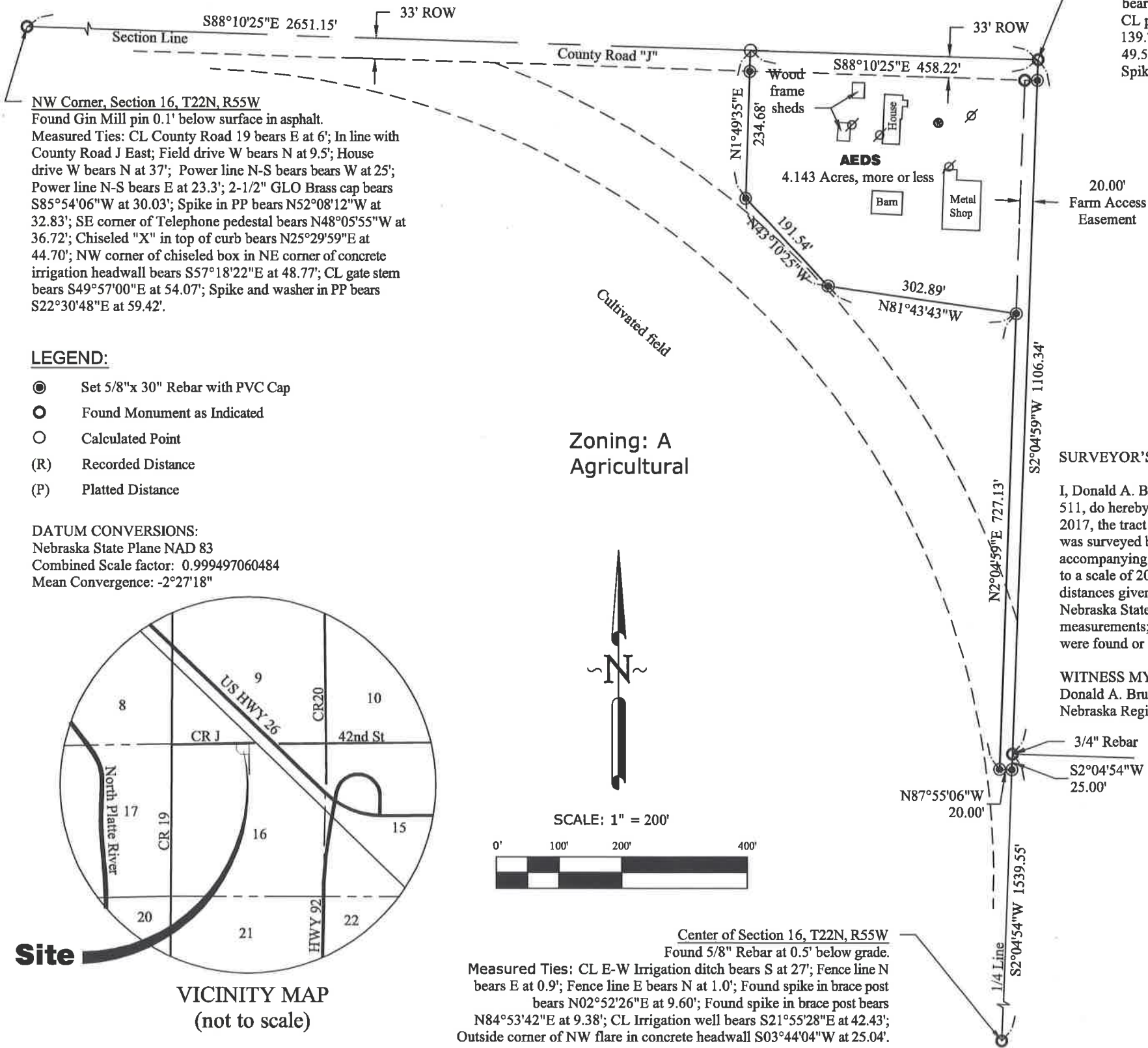
Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the replat of an AEDS (4.143 Acres) in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, 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 replat of an AEDS (4.143 Acres) in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska for the following reason(s):

Re-Plat of
AEDS in the NE1/4 of the NW1/4 of Section 16, T22N,
R55W, 6th P.M., Scotts Bluff County, Nebraska.



N1/4, Section 16, T22N, R55W
Found 5/8" Rebar bent at surface. Drove down to 0.5' below surface.
Measured Ties: CL County Road J bears N at 2.5'; Power line E-W bears S at 34.6'; CL Irrigation ditch E bears S at 47.5'; CL Irrigation ditch S bears E at 30'; CL pipe chain link fencepost bears S83°36'51"W at 139.79'; Spike and washer in PP bears S47°07'33"E at 49.59'; CL gate stem bears S40°47'05"E at 66.70'; Spike in Light pole bears S05°49'24"E at 119.16'.

See Sheet 2 of 2 for Legal Description, Owners Statement, and Approval and Acceptance.

SURVEYOR'S CERTIFICATE:

I, Donald A. Brush, Nebraska Registered Land Surveyor Number 511, do hereby certify that, between May 17, 2017, and August 3, 2017, the tract described and shown on the accompanying drawing was surveyed by me or under my direct supervision; that the accompanying drawing is a correct delineation of said survey drawn to a scale of 200 feet to the inch; that the distances are earth-surface distances given in feet and decimals of a foot; that the bearings are Nebraska State Plane Grid bearings based on GPS RTK measurements; that the area is as shown; and that the monuments were found or set as indicated.

WITNESS MY HAND AND SEAL this 22th day of August, 2017.
Donald A. Brush
Nebraska Registered Land Surveyor Number 511



Prepared for:
Larry J Reisig
1110 Meadowlark Drive
Scottsbluff, NE 69361

Sheet No.: 1 of 2

Date: Aug 2017

Replat of
Agriculture Estate Dwelling Site
in the NE1/4 of the NW1/4 of Section 16,
T22N, R55W, 6th P.M., Scotts Bluff County, Nebraska.

Panhandle Land Surveying
Donald A. Brush, Registered Land Surveyor
870 SB Road, Morrill, Nebraska, 69358
Phone: (308) 247-2602

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LEGAL DESCRIPTION:

Part of the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of Section 16, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the northeast corner of said NE1/4NW1/4 said point being the POINT OF BEGINNING of this description; thence S2°04'59"W a distance of 1106.34 feet; thence S2°04'54"W a distance of 25.00 feet; thence N87°55'06"W a distance of 20.00 feet; thence N2°04'59"E for a distance of 727.13 feet; thence N81°43'43"W a distance of 302.89 feet; thence N43°10'25"W for a distance of 191.54 feet; thence N1°49'35"E for a distance of 234.68 feet; thence S88°10'25"E a distance of 458.22 feet to the point of beginning, containing 4.143 acres, more or less.

APPROVAL AND ACCEPTANCE:

The foregoing plat of "REPLAT OF AGRICULTURE ESTATE DWELLING SITE IN THE NE1/4 OF THE NW1/4 OF SECTION 16, T22N, R55W, 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA," was approved by the Director of Development Services of the City of Scottsbluff, Nebraska, pursuant to Section 19-916, Reissue of Revised Statutes of Nebraska, as amended by Section 10 of L.B. 71 approved on March 5, 1983, and to Article 1 of Chapter 20 or Ordinance No. 2600 of the City of Scottsbluff Nebraska, as amended by Ordinance No. 2812 of the City of Scottsbluff, Nebraska.

Dated this _____ day of _____, 2017.

Nathan Johnson, City Manager
City of Scottsbluff, Nebraska

Acknowledgement:

State of Nebraska)
County of Scotts Bluff)

Before me, a Notary Public, qualified and acting in said County, personally came Nathan Johnson, City Manager of the City of Scottsbluff, Nebraska, known to me to be the identical person who signed the foregoing "Approval and Acceptance" and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of the City of Scottsbluff, Scotts Bluff County, Nebraska.

WITNESS my hand and Notarial Seal this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

OWNER'S STATEMENT:

We, the under signed, being the owners of the tract of land described in the foregoing "Legal Description" and shown on the accompanying plat have caused such real estate to be platted as:

REPLAT OF AGRICULTURE ESTATE DWELLING SITE IN THE NE1/4 OF THE NW1/4 OF SECTION 16, T22N, R55W, 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

The foregoing plat is made with our free consent and in accordance with the desires of the undersigned owners.

Dated this _____ day of _____, 2017.

Owner of AEDS:

Henry A. Huber, husband Susan F. Huber, wife

Owner of remainder of NE1/4NW1/4:

Larry J. Reisig, a single person

Acknowledgement:

State of Nebraska)
County of Scotts Bluff)

Before me, a Notary Public, qualified and acting in said County, personally came Henry A. Huber and Susan F. Huber, husband and wife, known to me to be the identical persons who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and seal this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

Acknowledgement:

State of Nebraska)
County of Scotts Bluff)

Before me, a Notary Public, qualified and acting in said County, personally came Larry J. Reisig, a single person, known to me to be the identical person who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and seal this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

See Sheet 1 of 2 for
Surveyor's Certificate.

Sheet No.: 2 of 2

Date: Aug 2017

Larry Reisig

Client Name:

Drawn by: DAB / Checked by: NAB

Job No.: 2017-11

Replat of
Agriculture Estate Dwelling Site
in the NE1/4 of the NW1/4 of Section 16,
T22N, R55W, 6th P.M., Scotts Bluff County, Nebraska.

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