

# **City of Scottsbluff, Nebraska**

**Monday, March 11, 2024**

**Regular Meeting**

## **Item Pub Hear3**

**Planning Commission to conduct a Public Hearing to a Rezone of the Lots 1-2, Block 1, Seth Raymond Subdivision, a tract of unplatted land located in Section 11, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska from AG Agricultural to R-1 Single-Family Residential**

**Staff Contact:**

City of Scottsbluff  
2525 Circle Drive  
Scottsbluff, NE 69361

**RE: Rezoning of (Proposed) Lots 1&2, Block 1, Seth Raymond Subdivision**

To whom it may concern:

This letter is written in order to ensure that the rezoning of this property would provide a service required by the community, is consistent with sound land use, will not be injurious to the adjacent property owners, will not create a special hazard or problem for the community or neighborhood, and will be harmonious and consistent with the plan for the area.

The planned development is for proposed Lots 1&2, Block 1, Seth Raymond Subdivision (7.73 acres) currently zoned A to be rezoned R-1 so that a 2 Acre lot can be sold off. Proposed Lots 1&2, Block 1, Seth Raymond Subdivision is currently bordered on the North by zone A properties, East/West properties are zoned A and R-1, and the South border is zoned O&P. The City's comprehensive plan 2016 indicates that the property falls within the Residential designation.

Given this, we request that our request to rezone proposed Lots 1&2, Block 1, Seth Raymond Subdivision to R-1 be granted.

Thank you for your consideration,

Daniel E. Raymond

A handwritten signature in black ink, appearing to read "Daniel Raymond", written in a cursive style.



**City of Scottsbluff**  
**Zoning Amendment Application**  
Permit Identifier 2024-03Z

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Applicant Name	Survey Dept MC Schaff (Gregg Schilz)	Applicant Address	818 S BELTLINE HWY E SCOTTSBLUFF, Nebraska
Applicant Email	survey@mcschaff.com	Applicant Phone	3086351926
Contact Name	Daniel Raymond	Contact Address	210570 W 42nd St
Contact Email		Contact Phone	3086318930

Property Information

General Location/Address	210570 W 42ND ST
Legal Description	see attached
Current Zoning District(s)	Ag
Proposed Zoning District:	R-1
Does the proposed zoning district abut the property:	Yes
Total Area (square feet or acre):	7.73 Acres

Required Information (§25-15-2)

What is the reason for/intent of the rezone request?

Two lot Subdivision

Would the proposed zoning district provide a service required by the neighborhood and community?

yes

Would the proposed zoning district be consistent with sound principles of land?

yes

Describe how the proposed zoning district would not be injurious to neighboring properties and buildings?

See Attached

Describe how the proposed zoning district would not create special hazards or problems for the neighborhood and community?

See Attached

Would the proposed zoning district be harmonious and consistent with the City of Scottsbluff Comprehensive Plan for the area?

yes

Why should the rezone request be granted?

Fits all parameters the city requires

Issued By

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**PROPOSED ZONE CHANGE  
LOTS 1 AND 2, BLOCK 1,  
SETH RAYMOND SUBDIVISION**

SITUATED IN THE SOUTHWEST QUARTER OF THE  
SOUTHEAST QUARTER OF SECTION 11,  
TOWNSHIP 22 NORTH, RANGE 55 WEST  
OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

ZONED R-1

BLOCK 1,  
WEGGLIN SUBDIVISION,  
Instrument 2020-4511  
ZONED R-1

37.95 Acre Tract, Part of  
the Southwest Quarter of  
the Southeast Quarter of  
Section 11-22-55  
Instrument 2003-00877  
ZONED R-1

PROPOSED LOT 1, BLOCK 1,  
SETH RAYMOND SUBDIVISION  
AREA = 5.28 Acres±  
CURRENTLY ZONED A - AGRICULTURAL  
PROPOSED ZONE R-1  
(Single Family  
Residential)

PT S1/2 SE 11-22-55  
AREA = 17.31 Acres±  
ZONED A -  
(AGRICULTURAL)

PROPOSED LOT 2, BLOCK 1,  
SETH RAYMOND SUBDIVISION  
AREA = 2.00 Acres±  
CURRENTLY ZONED A - AGRICULTURAL  
PROPOSED ZONE R-1  
(Single Family  
Residential)

BLOCK 1,  
TAYLOR SUBDIVISION,  
ZONED R-1

Part of the South Half of  
the Southeast Quarter of  
Section 11-22-55  
ZONED R-1

42ND STREET

ZONED O&P

AVENUE B

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 4, 2024 For Hearing of: March 11, 2024



## I. GENERAL INFORMATION

- A. **Applicant:** Daniel Raymond  
210570 W 42<sup>nd</sup> Street  
Scottsbluff, NE 69361
  
- B. **Property**  
**Owner:** Same as applicant
  
- C. **Proposal:** Vacate Agricultural Estate Dwelling Site in order to replat
  
- D. **Legal Description:** See petition
  
- E. **Location:** 22210570 W 42<sup>nd</sup> Street
  
- F. **Existing Zoning & Land Use:** A - Agricultural
  
- G. **Size of Site:** Approximately 7.73 acres

## II. BACKGROUND INFORMATION

### A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Residential	A Agricultural	Farmland
East	Residential	A Agricultural	Acreage and Farmland
South	Avenue B & Hospital Campus	O&P Office and Professional	Regional West Medical Center
West	Avenue B & Hospital Campus	R-1A Single-Family Residential	Acreage

## III. ANALYSIS

- A. **Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential.
  
- B. **Traffic & Access:**
  - 1. Access to the subdivision will be via 42<sup>nd</sup> Street.
  - 2. An access easement on the flagpole portion Lot 1 will serve as the access to 42<sup>nd</sup> Street for both Lot 1 and Lot 2.

- i. The City will not allow for an additional curb cut due to 42<sup>nd</sup> Street being an arterial street.
3. 50' of right-of-way will be dedicated for 42<sup>nd</sup> Street.
4. A 50' special right-of-way along the west edge of the subdivision will be platted in the event Avenue B is continued along the quarter section line.

**C. Utilities:**

1. Water, sewer, and stormwater mains are located in the right-of-way of 42<sup>nd</sup> Street.
2. Lot 1 is currently served by city water and has a septic system.
  - i. Per §18-2-1, annexed premises must connect to city sewer within 1 year of annexation; or
  - ii. The City Council may extend the time of connecting to city sewer based on a time frame and/or situation.
    1. Development
3. Lot 2 will be served by both city water and sewer.

**IV. STAFF COMMENTS**

- A. The rezone is an expansion of the existing R-1 District to the west. Another R-1 District is located closely to the east.
- B. The minimum lot size of R-1 is 12,000 square feet.
- C. The purpose of the rezone is to allow the property owner subdivide and sell the proposed Lot 2.
- D. The Comprehensive Plan identifies this area as Residential.

**V. FINDINGS OF FACT**

**A. Findings of Fact to Recommend Its Approval May Include:**

1. The Comprehensive Plan identifies the area as Residential and the proposed rezone to R-1 aligns with the future land use map.
2. The rezone would not be injurious to adjacent properties as the lot will remain a residential use.
3. No special hazards or problems will be created from the rezone as the lot will remain a commercial lot and will be less intensive zoning district.

**B. Findings of Fact to Not Recommend Approval May Include:**

1. None

**VI. STAFF RECCOMENDATION**

- A. Staff recommends Planning Commission make a positive recommendation on approval of the rezone of the proposed Lots 1 & 2, Seth Raymond Subdivision by City Council.