

# **City of Scottsbluff, Nebraska**

**Monday, May 19, 2014**

**Regular Meeting**

## **Item Pub. Hear.5**

**Council to conduct a public hearing as advertised for this date at 6:05 p.m. for rezone of proposed final plats in Five Oaks Subd: Lots 1-3, & Tract 2, Blk 6; Lot 7, Blk 13; & Lot 8 & Tract 1, Block 14, from Ag to R-1A and approve the Ordinance.**

**Staff Contact: Annie Folck, City Planner**

# Agenda Statement

Item No.

For meeting of: May 19, 2014

**AGENDA TITLE:** Public Hearing for zone change request for proposed Lots 1-3 & Tract 2, Block 6, Five Oaks, Subdivision, Lot 8, & Tract 1, Block 14, Five Oaks Subdivision and Lot 7, Block 13, Five Oaks Subdivision from Agricultural to R-1A Single Family Residential.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services

**PRESENTATION BY:** Rick Kuckkahn

**SUMMARY EXPLANATION:** Zone change request from property owners, C & T Holdings to rezone proposed Lots 1-3 & Tract 2, Block 6, Five Oaks, Subdivision, Lot 8, & Tract 1, Block 14, Five Oaks Subdivision and Lot 7, Block 13, Five Oaks Subdivision from Agricultural to R-1A Single Family Residential lots in Enterprise Tracts from R-1A Single Family Residential. The change in zoning will allow for final platting of the lots so they will be in compliance with R-1A performance guidelines. These lots will also be annexed into the City's corporate limits. These parcels are situated west & east (lot 7, blk13) of proposed Five Oaks Drive, and north of Scottsbluff Drain.

**BOARD/COMMISSION RECOMMENDATION:** At their regular meeting of May 12, 2014 the Planning Commission made positive recommendation of the zone change for Lots 1-3 & Tract 2, Block 6, Five Oaks, Subdivision, Lot 8, & Tract 1, Block 14, Five Oaks Subdivision and Lot 7, Block 13, Five Oaks Subdivision from Agricultural to R-1A Single Family Residential lots in Enterprise Tracts from R-1A Single Family Residential.

**STAFF RECOMMENDATION:** City Council approve ordinance to rezone Lots 1-3 & Tract 2, Block 6, Five Oaks, Subdivision, Lot 8, & Tract 1, Block 14, Five Oaks Subdivision and Lot 7, Block 13, Five Oaks Subdivision from Agricultural to R-1A Single Family Residential lots in Enterprise Tracts from R-1A Single Family Residential.

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## EXHIBITS

Resolution      Ordinance x    Contract      Minutes      Plan/Map x

Other (specify) ☐ \_\_\_\_\_

**NOTIFICATION LIST:** x Yes    No ☐    Further Instructions ☐  
Bill Trumbull, C & T Holdings

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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Rev 3/1/99CClerk

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT PROPOSED LOTS 1-3 AND TRACT 2, BLOCK 6 OF THE FIVE OAKS FINAL PLAT, CONTAINING 55,136 SQ. FT. (1.27 ACRES), MORE OR LESS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, SCOTTSBLUFF, SCOTTSBLUFF COUNTY, NEBRASKA, ALL IN FIVE OAKS SUBDIVISION, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED AS A-AGRICULTURE, WILL NOW BE INCLUDED IN THE R-1A SINGLE FAMILY RESIDENTIAL, AND REPEALING PRIOR SECTION 25-1-4.

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

Section 1. Section 25-1-4 of the Municipal Code is amended to provide as follows:

25-1-4. Zones; location; maps. The boundaries of the zoning districts created in this chapter are shown on the zoning district map which is made a part of this municipal code. The zoning district map and all information shown thereon shall have the same force and effect as if fully set forth and described herein. The official zoning district map shall be identified by the signature of the Mayor, attested by the City Clerk under the following statement:

This is to certify that this is the official zoning district map described in §25-1-4 of the Scottsbluff Municipal Code, passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Section 2. Previously existing Section 25-1-4 and all other Ordinances and parts of Ordinances in conflict with this Ordinance, are repealed. Provided, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(Seal)

