

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

AN ORDINANCE TO REZONE LOTS 11 AND 12, MACCOLL AND LEFLANG'S ADDITION TO THE CITY OF LEXINGTON, FROM M-2 HEAVY INDUSTRIAL DISTRICT TO C-3 HIGHWAY COMMERCIAL DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. That the following described property, to-wit:

Lots 11 and 12, Block 31, MacColl and Leflang's Addition to the City of Lexington, Dawson County, Nebraska and the vacated portion of 5<sup>th</sup> Street adjoining the property to the South.

is hereby rezoned from M-2 Heavy Industrial District to C-3 Highway Commercial District.

Section 2. That all ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED August 28, 2007.

CITY OF LEXINGTON, NEBRASKA

BY: \_\_\_\_\_  
Mayor

ATTEST:

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

Administrative Use Only

Date Submitted 7/9/07 CL# 3712 Case Number \_\_\_\_\_  
 Filing Fee \$100.00 Accepted By \_\_\_\_\_  
 Cert. Of Ownership \_\_\_\_\_ Date Advertised \_\_\_\_\_  
 Date Sign Posted \_\_\_\_\_ Date of Public Hearing 8/1/07  
Council Hrg 8/28/07

APPLICATION FOR REZONING

\*For an amendment to the zoning map, items 1 through 12 must be filled out completely before acceptance of this application for processing.

1. Property Owner's Name Michael Lonowski
2. Property Owner's Address 403 West 5th Street
3. Telephone Number (Home) 308-320-0049 (Work) 308-324-9978
4. Developer's Name NONE
5. Developer's Address NONE
6. Telephone Number (Home) — (Work) —
7. Present Use of Subject Property Auto body repair/refinish
8. Proposed Use of Subject Property Auto body repair/refinish + motor vehicle sales
9. Present Zoning M2-heavy industrial Requested Zoning C-3 Commercial  
amended 8/1/07 per Planning Comm.
10. Legal Description of Property Requested to be Rezoned Lots 11 + 12, Block 31 MacCall + LeFlang's  
Addition and vacated portion of West 5th St south of said property
- Approximate Street Address and Location 403 West 5th Street
11. Area of Subject Property, Square Feet and/or Acres 150,000 square feet
12. Characteristics of Adjacent Properties (including zoning and actual use)
 

North: <u>Private Residence</u>	South: <u> Hwy 30</u>
East: <u>Green Valley Motel</u>	West: <u>The Wax Shop</u>

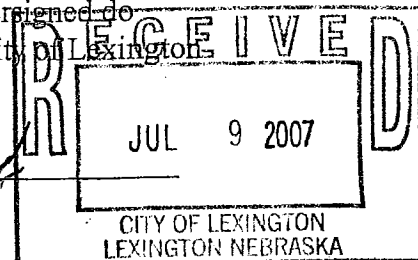
The following information must be submitted at the time of application:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Application Fee              | <input checked="" type="checkbox"/> Vicinity Map  |
| <input checked="" type="checkbox"/> Justification of Rezoning    | <input checked="" type="checkbox"/> Written Statement of Authorization from all Property Owners |
| <input checked="" type="checkbox"/> Blueline copies of site plan |   |
| <input checked="" type="checkbox"/> Reduced copy of site plan    |   |

I/We, the undersigned, do hereby acknowledge that I/We do agree with the provisions and requirements for an application for rezoning as described above. I/We the undersigned do hereby agree to allow City of Lexington employees or agents working for the City of Lexington to enter the above referenced property as it pertains to this application.

[Signature]  
Signature of Owner

[Signature]  
Signature of Applicant



**BLACK DIAMOND AUTO**  
**403 WEST 5<sup>th</sup> STREET**  
**LEXINGTON, NE. 68850**  
**308-324-9978**

City of Lexington  
406 East 7<sup>th</sup> Street  
Lexington, NE. 68850

Re: Justification of rezoning

Dear Sirs,

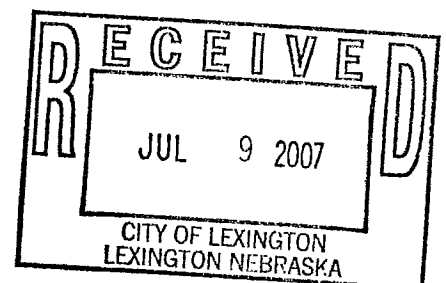
Black Diamond Auto Inc., is requesting zoning change from M2 - heavy industrial to M1 - light industrial. This request of rezoning is so that I will meet the requirements specified by the State of Nebraska for consideration of a motor vehicle dealer's license. There will be no changes made to the physical property or the services we currently offer..

Please feel free to contact me if you have any questions or concerns. Thank you for your time and consideration in this matter.

Michael Lonowski  
Owner/Operator



Enc: application fee  
property owners authorization



**BLACK DIAMOND AUTO**  
**403 WEST 5<sup>th</sup> STREET**  
**LEXINGTON, NE. 68850**  
**308-324-9978**

June 14, 2007

Carolyn Houser  
402 West 5<sup>th</sup> Street  
Lexington, NE. 68850

Carolyn,

Black Diamond is requesting a zoning change from M2 - heavy industrial, to M1 - light industrial. There will be no change to the physical building or the services we currently provide. In order to consider our request, the City of Lexington requires we have written authorization from adjacent land owners to ensure that no one is opposed to the rezoning.

Please read the statement at the bottom of the page, sign and return to Black Diamond Auto at you earliest convenience. Please feel free to call me if you have any questions or concerns.

Thank You,

Michael Lonowski  
Owner/Operator  
Black Diamond Auto

I we ( do )  ( do not ) oppose the requested zoning change for Black Diamond Auto Inc.

Carolyn Houser  
Owner(s)

6-22-07  
Date

**BLACK DIAMOND AUTO**  
**403 WEST 5<sup>th</sup> STREET**  
**LEXINGTON, NE. 68850**  
**308-324-9978**

June 14, 2007

Green Valley Motel  
311 West 5<sup>th</sup> Street  
Lexington, NE. 68850

Dear Sirs,

Black Diamond is requesting a zoning change from M2 - heavy industrial, to M1 - light industrial. There will be no change to the physical building or the services we currently provide. In order to consider our request, the City of Lexington requires we have written authorization from adjacent land owners to ensure that no one is opposed to the rezoning.

Please read the statement at the bottom of the page, sign and return to Black Diamond Auto at you earliest convenience. Please feel free to call me if you have any questions or concerns.

Thank You,

Michael Lonowski  
Owner/Operator  
Black Diamond Auto

I we ( do ) ( do not ) oppose the requested zoning change for Black Diamond Auto Inc.

Ray Ewald  
Owner(s)

6-21-07  
Date

**BLACK DIAMOND AUTO**  
**403 WEST 5<sup>th</sup> STREET**  
**LEXINGTON, NE. 68850**  
**308-324-9978**

June 14, 2007

The Wax Shop  
411 West 5<sup>th</sup> Street  
Lexington, NE. 68850

Dear Sirs,

Black Diamond is requesting a zoning change from M2 - heavy industrial, to M1 - light industrial. There will be no change to the physical building or the services we currently provide. In order to consider our request, the City of Lexington requires we have written authorization from adjacent land owners to ensure that no one is opposed to the rezoning.

Please read the statement at the bottom of the page, sign and return to Black Diamond Auto at you earliest convenience. Please feel free to call me if you have any questions or concerns.

Thank You,

Michael Lonowski  
Owner/Operator  
Black Diamond Auto



*Per Nancy, bookkeeper,  
Rebecca does not agree  
but has declined to  
sign either way.*

I/we ( do ) ( do not ) oppose the requested zoning change for Black Diamond Auto Inc.

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Owner(s)

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Date

# PLANNING COMMISSION CITY OF LEXINGTON

## DETERMINATION FORM

On August 1, \_\_\_\_\_, 2007, the Lexington, Nebraska Planning Commission at its regular meeting, recommended Approval of a Rezoning \_\_\_\_\_ (Rezoning, Special Use, Subdivision, Variance, Zoning, Zone Appeal, Etc.) Request located at 403 West 5<sup>th</sup>, for Michael Lonowski, Black Diamond Auto (Name).

The Lexington Planning Commission made the following motion:

Motion by: Jim Hain

Seconded by: Cathy Fagot

Motion: Following discussion wherein Lonowski agreed to an amendment to his application, moved by Hain, seconded by Fagot, to recommend the rezoning request with the amendment that the application be changed to request rezoning from M-2 Heavy Industrial to C-3 Commercial, and forward the recommendation to the City Council for consideration.

Roll Call. Voting "aye" were Smith, Macias, Bennett, Vazquez, Fagot, Hain, Owens.  
Motion carried.

Pamela Berke  
Planning Secretary



Front Views, from across Highway 30







East Side of Black Diamond Auto



Business to the east of Black Diamond Auto



Business to the west of Black Diamond Auto