

ORDINANCE NO. _____

AN ORDINANCE TO REZONE CED ADDITION, FROM A-1 AGRICULTURAL TO R-2 TWO FAMILY RESIDENTIAL 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:

CED ADDITION to the City of Lexington, Dawson County, Nebraska,
Is hereby rezoned from A-1 Agricultural to R-2 Two Family Residential 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 That all ordinances or sections of ordinances in conflict herewith are hereby repealed.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 this _____ day of _____, 2007.

CITY OF LEXINGTON, NEBRASKA

BY: _____
Mayor

ATTEST:

City Clerk

Administrative Use Only

Date Submitted 5-15-07

Case Number _____

Filing Fee \$100.00 #0

Accepted By JN

Cert. Of Ownership _____

Date Advertised _____

Date Sign Posted _____

Date of Public Hearing 6-5-07

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 Neils C. McDermott and Virginia A. McDermott

2. Property Owner's Address Grand Island, NE

3. Telephone Number (Home) N/A (Work) _____

4. Developer's Name Council for Economic Development.

5. Developer's Address Lexington, NE

6. Telephone Number (Home) N/A (Work) _____

7. Present Use of Subject Property Agriculture

8. Proposed Use of Subject Property Residential Neighborhood

9. Present Zoning A-2 Requested Zoning R-2

10. Legal Description of Property Requested to be Rezoned Lots 1-22 CED

ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NE.

Approximate Street Address and Location West side of Oak & Adams St. intersection.

11. Area of Subject Property, Square Feet and/or Acres 9.2 ACRES, AS PLATTED

12. Characteristics of Adjacent Properties (including zoning and actual use)

North: A-2 - Ag South: A-2 Ag.

East: Residential R-1; R-2; R-3; R-4 West: A-2 Ag.

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

- Application Fee
- Justification of Rezoning
- Blueline copies of site plan
- Reduced copy of site plan
- Vicinity Map
- Written Statement of Authorization from all Property Owners

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 of Owner

By: Jack Pappas
Signature of Applicant

City of Lexington on behalf of
Owner & Developer.

REZONING CHECKLIST

Case No.: _____
Date Filed: _____
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT: CED

LOCATION OF PROPERTY:
 WEST SIDE OF OAK + ADAMS

PRESENT ZONING: A-2 REQUESTED ZONING: R-2

PRESENT USE OF PROPERTY:

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u> AG </u>	<u> A-2 </u>
South	<u> RES </u>	<u> A-2 </u>
East	<u> RES </u>	<u> R-1,2+3 </u>
West	<u> AG </u>	<u> A-2 </u>

CHARACTER OF NEIGHBORHOOD:
 MIXED RESIDENTIAL / AGRICULTURAL

NEAREST EQUIVALENT ZONING:
LOCATION: EAST OF PROPERTY
CURRENT USE: RESIDENTIAL

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? NO If yes, explain _____
3. Are there adequate sites for the proposed use in areas already properly zoned? NO If yes, explain _____

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with development policies? YES
2. Consistent with future land use map? YES
3. Are public facilities adequate? YES

TRAFFIC CONDITIONS:

1. Street(s) with access to property: _____
2. Classification of street(s):
Arterial _____ Collector _____ Local X
3. Right-of-way width: 60'
4. Will turning movements caused by the proposed use create an undue traffic hazard? No
5. Comments on traffic: _____

SHOULD PLATTING OR REPLATTING BE REQUIRED TO PROVIDE FOR:

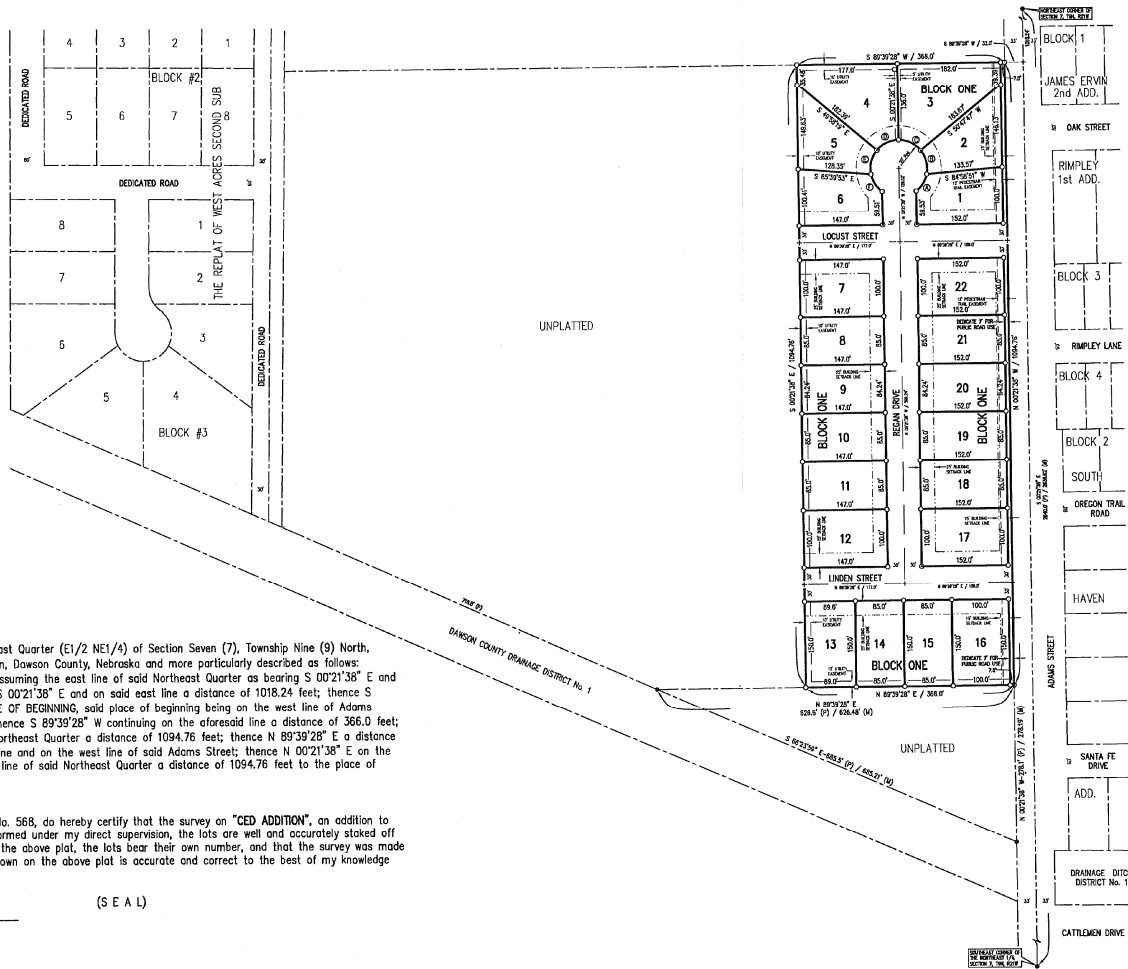
1. Appropriately sized lots? OK
2. Properly sized street right-of-way? OK
3. Drainage easements? OK
4. Utility easements:
Electricity? OK
Gas? OK
Sewers? OK
Water? OK
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY IN QUESTION:

ADDITIONAL COMMENTS:

CED ADDITION

AN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA



LEGAL DESCRIPTION

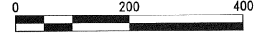
A tract of land being part of the East Half of the Northeast Quarter (E1/2 NE1/4) of Section Seven (7), Township Nine (9) North, Range Twenty-one (21) West of the Sixth Principal Meridian, Dawson County, Nebraska and more particularly described as follows: Referring to the Northeast corner of said Section 7 and assuming the east line of said Northeast Quarter as bearing S 00°21'38" E and all bearings contained herein are relative thereto; thence S 00°21'38" E and on said east line a distance of 1018.24 feet; thence S 89°39'28" W a distance of 33.0 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the west line of Adams Street, a street in Lexington, Dawson County, Nebraska; thence S 89°39'28" W continuing on the aforesaid line a distance of 366.0 feet; thence S 00°21'38" W parallel with the east line of said Northeast Quarter a distance of 1094.76 feet; thence N 89°39'28" E a distance of 366.0 feet to a point 33.0 feet westerly of said east line and on the west line of said Adams Street; thence N 00°21'38" E on the west line of said Adams Street and parallel with the east line of said Northeast Quarter a distance of 1094.76 feet to the place of beginning. Containing 9.20 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Ronald G. Ridgway, Nebraska Registered Land Surveyor No. 568, do hereby certify that the survey on "CED ADDITION", an addition to the City of Lexington, Dawson County, Nebraska, was performed under my direct supervision, the lots are well and accurately staked off and marked, the dimensions of the lots are as shown on the above plat, the lots bear their own number, and that the survey was made using known and recorded monuments. All information shown on the above plat is accurate and correct to the best of my knowledge and belief.

(S E A L)

Ronald G. Ridgway
Nebr. Reg. L.S. No. 568
Date _____



- SCALE IN FEET
- = CORNERS FOUND (5/8" REBAR, EXCEPT AS INDICATED)
 - = CORNERS ESTABLISHED (CAPPED 5/8" x 24" REBAR)
 - + = TEMPORARY POINT
 - (P) = PLATTED DISTANCES
 - (M) = MEASURED DISTANCES

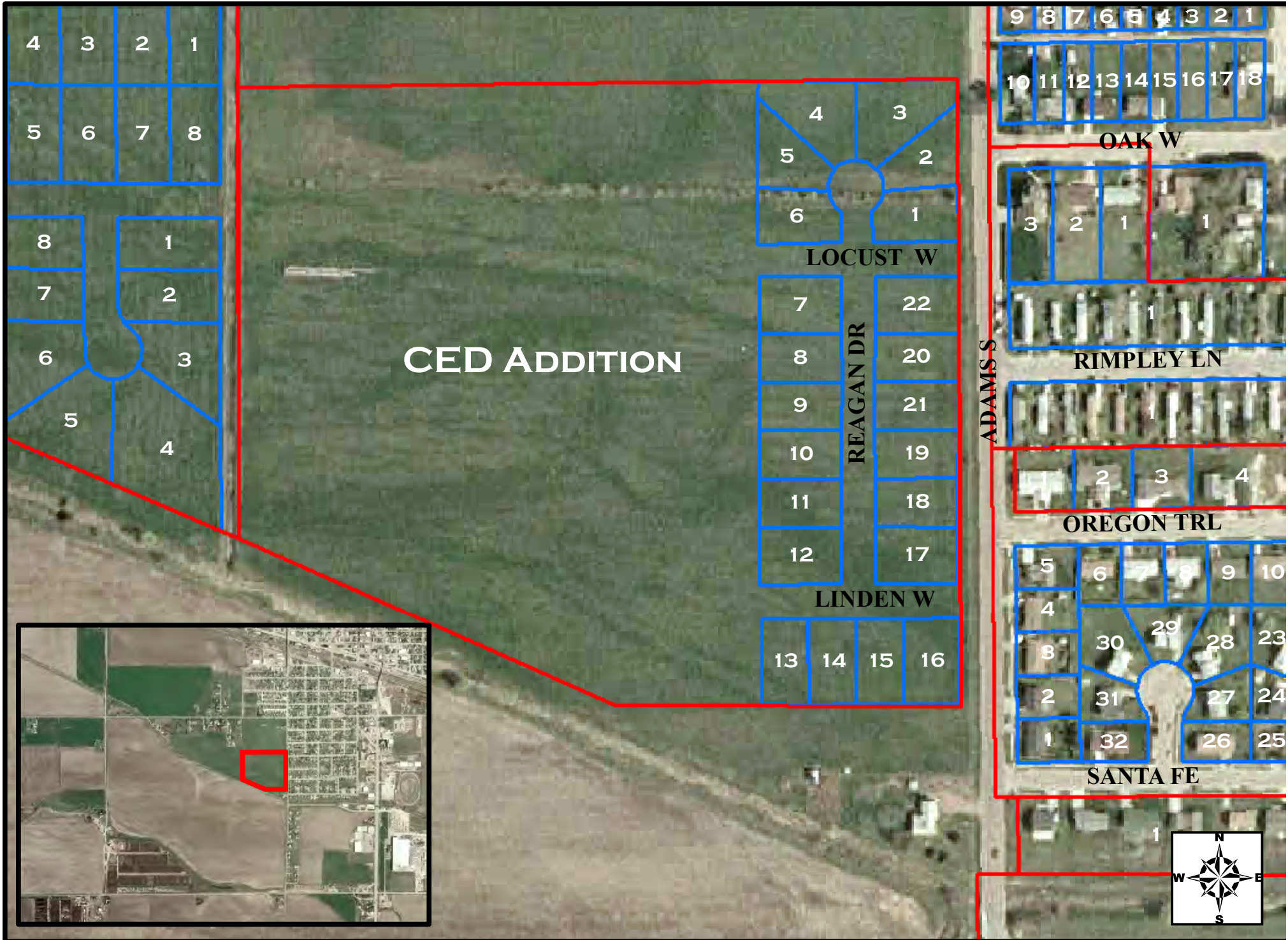
CURVE DATA

①	Radius = 50.0'
②	Radius = 35.1'
③	Radius = 50.0'
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⑤	Radius = 50.0'
⑥	Radius = 50.0'
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1111 CENTRAL AVENUE
KEARNEY, NE 68847-6833
Tel: 308-234-6456
Fax: 308-234-1146

CED ADDITION



PLANNING COMMISSION CITY OF LEXINGTON

DETERMINATION FORM

On June 5, 2007, the Lexington, Nebraska Planning Commission at its regular meeting, recommended Approval of a **Rezoning Application** _____

(Rezoning, Special Use, Subdivision, Variance, Zoning, Zone Appeal, Etc.) Request located at **South Adams and West Walnut Streets (CED Addition)**____
_____ for Council for Economic Development and Neils C. and Virginia A. McDermott (Name).

The Lexington Planning Commission made the following motion:

Motion by: Steve Smith

Seconded by: Cathy Fagot

Motion: **Moved by Smith, seconded by Fagot, to approve rezoning application for CED Addition from A-2 Agricultural to R-2 Residential and forwarding recommendation to the City Council.**

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

Pamela Berke
Planning Secretary