



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 Double MW Operations LLC / Mike and Mary Wieneke
- 2. Property Owner's Address 514 E 47th ST PL, Kearney, NE 68847
- 3. Telephone Number 402-680-8623 E-Mail Address doublemwops@gmail.com
- 4. Developer's Name N/A
- 5. Developer's Address N/A
- 6. Telephone Number N/A E-Mail Address N/A
- 7. Present Use of Subject Property Previously antique store Occupancy Permit attached / present CUP for UHAUL Rental attached / building was being Leased
- 8. Proposed Use of Subject Property UHAUL Rental and Beauty shop / Hair Salon
- 9. Present Zoning Industrial M-1 Requested Zoning Highway Commercial C-3

10. Legal Description of Property Requested to be Rezoned Lot 1, Westminster Woods, a subdivision being part of Government Lots 1&2, and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth P.M., Dawson County, Nebraska

Approximate Street Address and Location 110 East River Rd, Lexington, NE 68847 / 74961 Rd 434

11. Area of Subject Property, Square Feet and/or Acres 3 acres

12. Zoning of Adjacent Properties

North: I-80 Interstate South: Residential
 East: Industrial West: Industrial

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

- Vicinity Map
- Copy of Site Plan (8 1/2 X 11 or digital copy)

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

Administrative Use Only	
Date Submitted _____	Case Number _____
Filing Fee <u>\$100.00</u>	Accepted By _____
Cert. Of Ownership _____	Date Advertised _____
Date Sign Posted _____	Date of Public Hearing _____

A – Beauty Shop/Salon.

B – UHAUL vehicles Display. We are covering with crushed rock for a base and then granite per the existing conditional permit requirement.



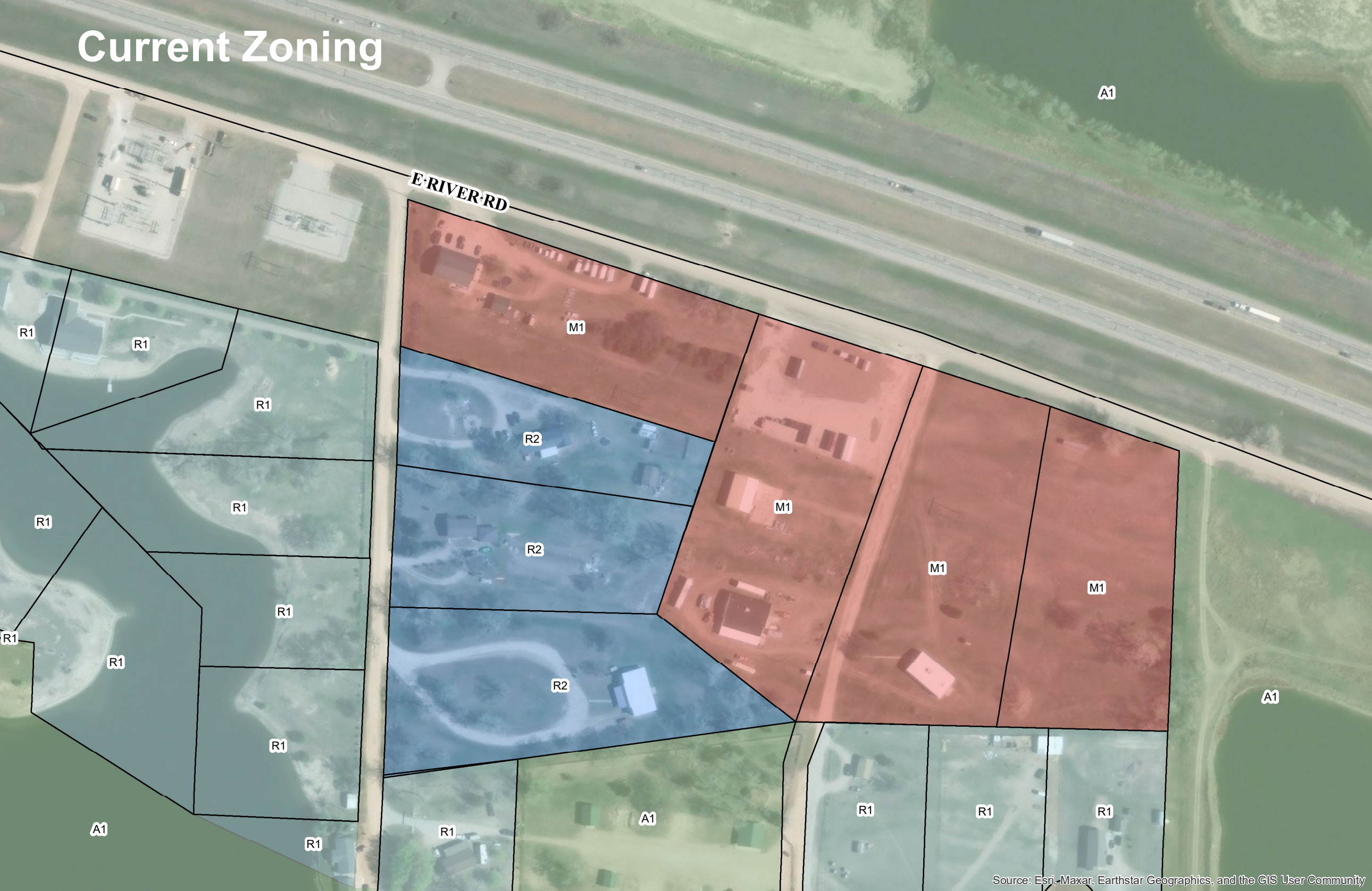
Future Land Use

PARKS

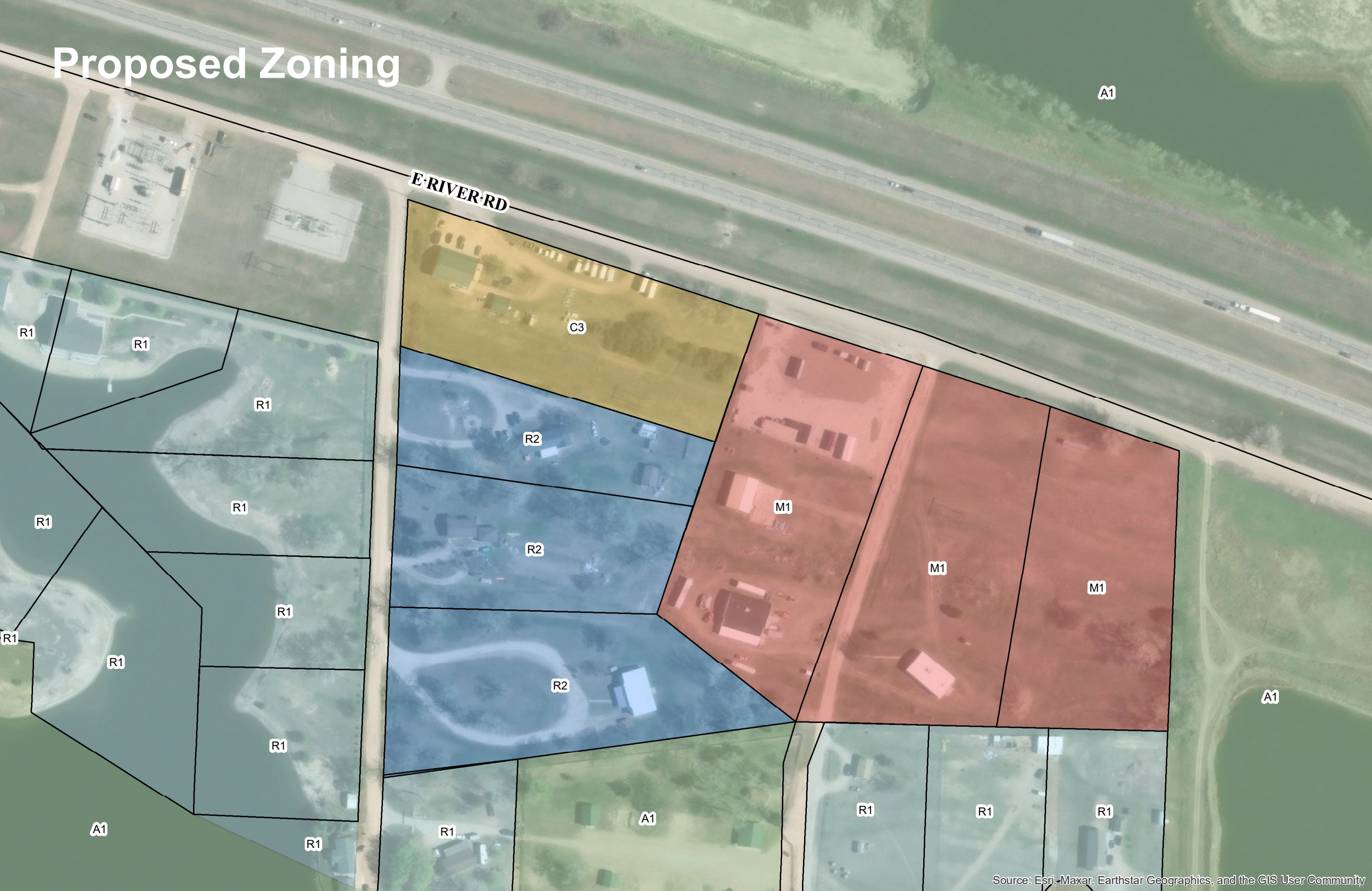
E RIVER RD

AGRICULTURE-TRANSITIONAL

Current Zoning



Proposed Zoning



Section 5.13 C-3 Highway Commercial

5.13.01 **Intent:** This district is designed to accommodate numerous commercial uses, including those that may have significant visual or traffic impacts. It is designed for commercial uses that serve an area beyond the adjacent neighborhood. The highway commercial district is designed to promote (1) safe traffic circulation on, off and across the highway; (2) a high quality of design and site planning; and (3) flexibility in development in order to provide an attractive, viable employment corridor. This district is intended to provide for uses that serve the needs of the motoring public. Appropriate locations for these districts are along major traffic arterials. The district is also intended for large scale commercial and office park development. In addition, this district prohibits all exterior storage, except merchandise for sale to the public, unless a separate Conditional Use Permit is requested for the use and granted by the City.

5.13.02 **Permitted uses:**

The following principal uses are permitted in the C-3 District:

1. Automobile sales, service, and repair, including recreational vehicles and boats;
2. Car wash;
3. Construction sales and services;
4. Mail order services;
5. Indoor recreational facilities, health clubs, bowling centers;
6. Banks, drive-in banks;
7. Restaurants;
8. Theaters;
9. Offices, office parks;
10. Garden centers and nurseries;
11. Museums and art galleries;
12. Publicly owned and operated facilities, services;
13. Professional Services;
14. Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including those listed in 5.12.02(9).

(Amended--Ord. No. 2367, 12-8-2015)

5.13.03 **Conditional Uses:**

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the C-3 District as recommended by the Planning Commission and approved by the City Council:

1. Child care center;
2. Educational facilities, private schools, vocational training facilities;
3. Campgrounds, subject to Section 7.14;
4. Micro-breweries;
5. Coffee kiosks;
6. Automated Teller Machines when not within the interior of a primary use;
7. Bars and nightclubs;
8. Churches and storefront churches;
9. Charitable organizations or clubs;
10. Convention facilities and meeting halls;
11. Social clubs or fraternal organizations;
12. Motels and Hotels, including restaurants, convention and meeting facilities and other related uses;
13. Shopping centers, commercial strip shopping centers and outlet shopping centers;
14. Temporary homeless shelter;
15. Outdoor storage, subject to the following requirements:
 - A. A landscape buffer shall be provided subject to the approval of the Building Official.
 - B. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
 - C. All outdoor storage areas shall be screened by a fence or wall or a combination of both, and shall be located to the rear of the landscape buffer.

(Amended--Ord. No. 2367, 12-8-2015)

5.13.04 Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted uses, including outdoor storage containers per Section 7.17;
2. Buildings and uses incidental to construction work are permitted to remain until completion or abandonment of the construction work, at which time they shall be removed;
3. Parking as permitted in Sections 7.01-7.05;
4. Signs allowed in Chapter 109 of the Municipal Code;
5. Landscaping as required by Article 8.

5.13.05 Permitted Temporary Uses:

Temporary Uses require a permit from the City and shall be valid only for a specific amount of time as indicated on said permit. All platted lots or tracts of land may have a maximum number of four (4) temporary uses per calendar year. Such uses shall not last more than two (2) weeks per use, except as provided for hereafter.

1. Temporary greenhouses;
2. Temporary structures as needed for sidewalk and other outdoor sales events;
3. Firework stands, provided the criteria are met as established by the City through separate Ordinances;
4. Temporary structure for festivals or commercial events.

5.13.06 Height and Lot Requirements:

1. The height and minimum lot requirements, including accessory uses, shall be as follows:

Uses	Lot Area	Lot Width (ft)	Front Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Max. Height (ft)	Max. Lot Coverage (%)
Permitted Uses	7,500	70	15*	10	15	35	60
Conditional Uses	7,500	70	15*	10	15	35	60

* 15 feet front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of 50 feet.

5.13.07 Use Limitations:

1. When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within 15 feet of such district.
2. Permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Article 8.
3. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

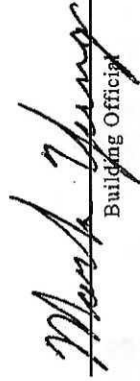
Certificate of Occupancy

City of Lexington, Nebraska

Department of Building Inspection

This Certificate issued pursuant to the requirements of Section 110 of the 2003 International Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City regulating building construction or use. For the following:

Portion of structure for which certificate is issued: 110 East River Road
Bldg. Permit No. I.D. 1121 Group M
Type Construction V Zone M-1
Owner of Building Jennifer Chester Address 74961 Road 434
Building Address 110 East River Road


Building Official

8/28/2013

Date

**PLANNING COMMISSION
CITY OF LEXINGTON**

DETERMINATION FORM

On _____, the Lexington, Nebraska Planning Commission, at its regular meeting, recommended _____ (Approval/Disapproval) of a _____ for property located at _____.

The Lexington Planning Commission made the following motion:

Motion by: _____

Seconded by: _____

Motion: _____ Recommend approval of the application.

_____ Recommend denial of the application.

_____ Send to City Council with no recommendation.

Roll Call: Voting "aye" were

