

Lincoln County Planning
211 West Third Street
North Platte, NE 69101
(308) 535-6724

LINCOLN COUNTY
ZONE CHANGE APPLICATION AND INSTRUCTIONS

Prior to submitting a zone change request, the applicant shall complete all the following required documents and submit the documents at the Lincoln County Planning Department at 211 West Third Street, North Platte, Nebraska.

1. The property owner must complete and sign an application provided at the Lincoln County Planning Department at least twenty (20) days prior to the next regularly scheduled County Planning Commission meeting. The attached application will include Form A - General Information, Form B - Justification, Form C - Site Plan, and Form D - List of property owners within 100' of the outer limits of said Zone Change.
2. At the time of filing said application, the applicant shall provide the names, addresses, and legal descriptions of all owners of any land located within 100' of the outer limits of said area to which the applicant desires a zone change. The 100 foot distance will commence on the opposite side of any public way abutting said area.
3. The applicant must supply the Planning Department with a copy of their deed and a copy of a cadastral map showing the area and a distance of at least 400' surrounding said area.
4. Certificate of Ownership (usually a copy of the owner's deed is sufficient certification of ownership).
5. Filing Fee. \$200.00 plus cost of certified mail plus \$0.50 per name filing fee made out to the *Lincoln County Treasurer*.
6. Power of Attorney. Form A must be signed by the title holder or authorized agent. A power of attorney certification must be attached to said form if signed by an authorized agent.
7. The Lincoln County Joint Planning Commission meets the second Tuesday of each month in the Lincoln County Board of Commissioner's Room in the Lincoln County Court House.

FORM A
LINCOLN COUNTY JOINT PLANNING COMMISSION

* * ZONE CHANGE * *

Please Type or Print

1. Date _____
2. Applicant's Name _____
Address _____
_____ Phone Number _____
3. Legal Description of property being proposed for a Zone Change.
 - a. Attach Deed
 - b. Section _____, Township _____ N, Range _____ W
 - c. Lot _____, Block _____, Subdivision _____
4. Flood Plain: Yes _____ No _____
5. Present Zoning _____ Requested Zoning _____ Total acres _____
6. Present use of property _____

7. Desired use of property _____

8. School District _____ Fire District _____
9. Total acres or square feet of subject property _____
10. Submit with application adjoining property owners within 100 feet: names, addresses, legal descriptions. Copy of applicant's deed and cadastral map. (Names of property owners, legal descriptions, addresses, deed and cadastral map can be found at cadastral maps in the Lincoln County Assessor's office or at the Register of Deeds' office.)
11. What are adjoining properties actual use, including district zoning.
North _____ South _____
East _____ West _____

Signature of Owner

Signature of Owner

Signature of Authorized Agent

FORM B

LINCOLN COUNTY JOINT PLANNING COMMISSION

JUSTIFICATION

Questions 1 through 7 must be answered completely. Type out each question and then answer the question on a separate sheet of paper.

1. What use is to be made of the area in question?
2. Explain the need for the proposed use in the area.
3. Will it be necessary to build a new structure or structures?
4. Will the proposed use increase traffic in the area? If so, will an increase in traffic be detrimental to the adjoining properties and are existing county roads adequate to carry an increase in traffic (a signed statement from the Lincoln County Road Superintendent must be submitted as a part of question 4)?
5. Is the area presently served by a similar type of zone and use?
6. How will surrounding property values be maintained or increased?
7. Explain in detail your intentions for the use of the proposed zone change. This may include times of operation, maximum number of customers expected at one time, maximum number of vehicles expected at one time, percent of area to be used for retail, wholesale, service, and storage. Will all business activities be conducted inside a building or will part or all of the activities be conducted outside of a building? If so, what provisions will be provided to screen the area? Explain any other details that may help the Planning Commission to determine if said zone change should be allowed in said area.

FORM C

LINCOLN COUNTY
SITE PLAN REQUIREMENTS

The following represents the guidelines regarding site plan, landscaping plans and topography plans required for change in Zoning, Conditional Use Permits and Variances.

Landscaping and topography data may be shown on the site plan if a clear and thorough plan can be presented. Otherwise, said data must be shown on separate sheets. The site plan may be drawn by the applicant if a clear and precise plan is submitted for single families, two families and general agricultural uses. For multiple family dwellings, commercial uses, commercial agricultural uses, and industrial uses it will require plans drawn by a qualified engineer, architect or surveyor.

1. Legal description of building property.
2. Date, scale, north point.
3. Zoning information.
4. Exact dimension of the exterior boundaries of the land being built on.
5. Location data (sufficient information to easily identify the specific location of the property to be built on including street names, county road numbers, land sections, etc.).
6. Show exact location and dimensions of all existing streets, county roads, alleys, and easements.
7. Location of nearest utilities (water, sewer, power, gas, etc).
8. Show exact location and dimensions of all proposed and existing buildings.
9. Show exact square footage of each building (existing and proposed).
10. Show exact number of seats in each room (for restaurant or similar use).
11. Show what each building is to be used for (existing and proposed).
12. Show exact location and dimensions of all sidewalks, driveways, etc.).
13. Designate type and depth of surfacing on vehicular use areas.
14. Show exact location of access entrances to property from public streets, county roads, alleys, etc.
15. Show exact location and dimensions of access entrances to parking stalls, garages, service entrances, etc.
16. Show exact location and dimensions of each parking stall.
17. Designate handicapped parking stalls with appropriate markings and dimensions.

18. Show the location of all existing buildings, fences, etc. abutting the exterior boundaries of the land being built on, if applicable.

Topography

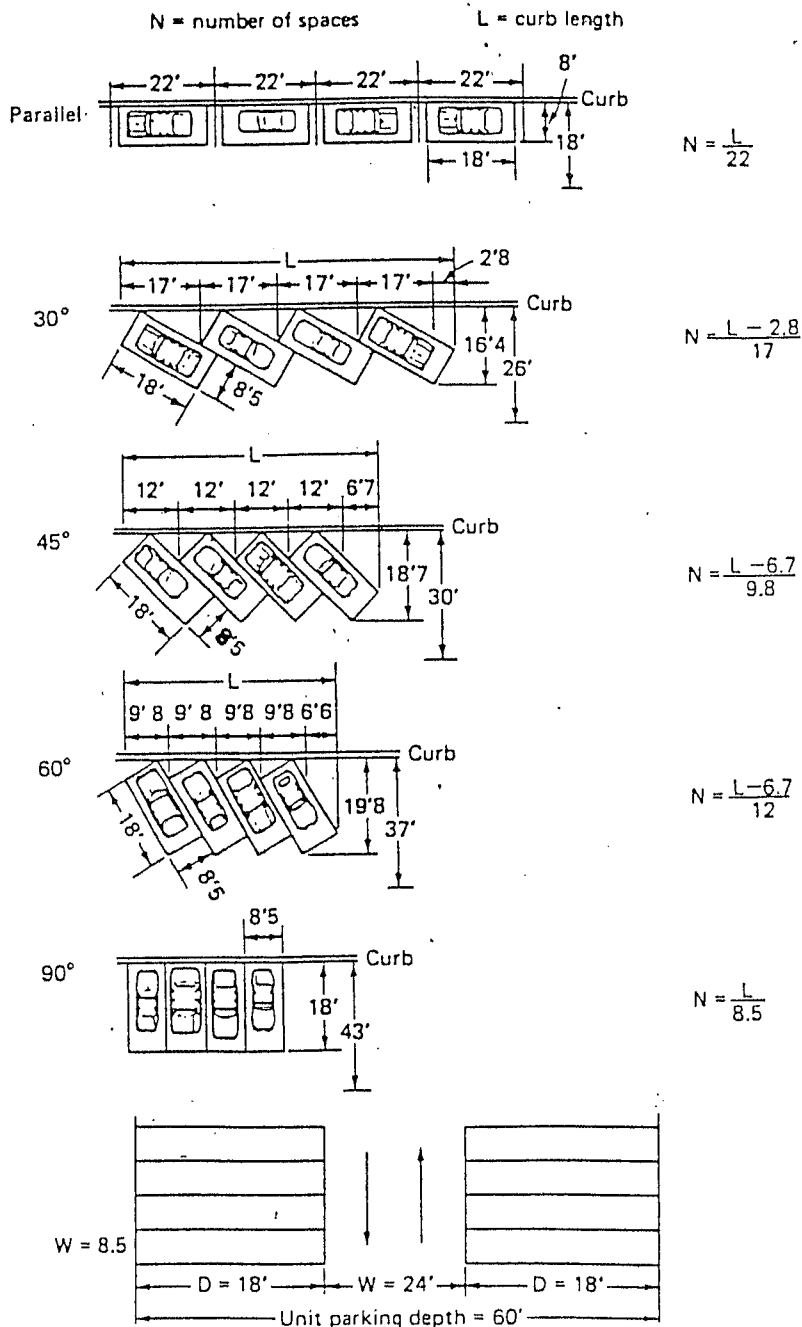
The site plan must show the overall grading and drainage course, if applicable.

Landscaping

Landscaping shall be installed in accordance with Article XII of Lincoln County's Zoning Regulations (see attached).

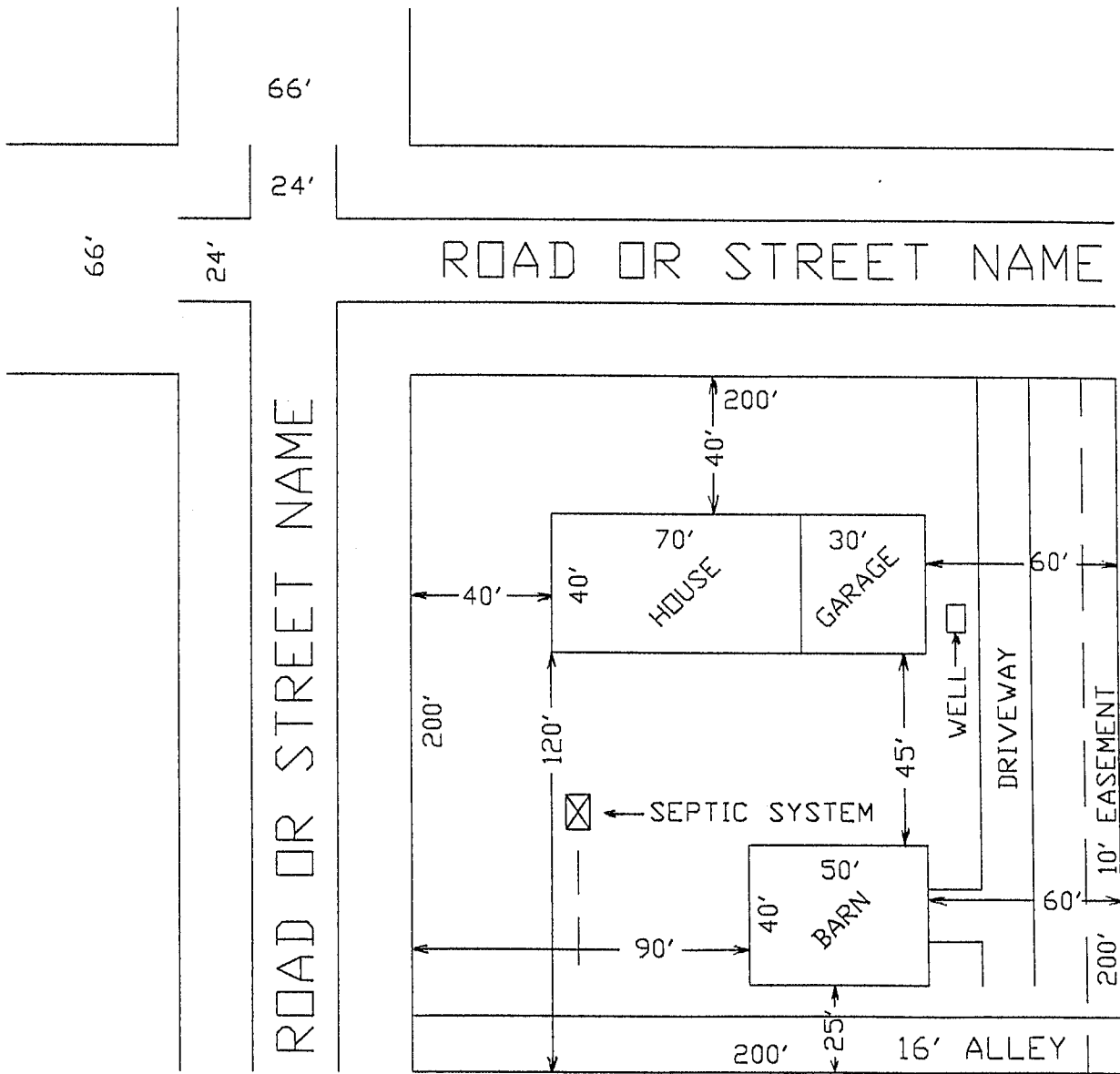
Minimum Parking Standards

The following are the minimum size parking stalls and aisle width for parking lots.



SITE PLAN SAMPLE SHEET

FOR
RESIDENTIAL AND AGRICULTURAL



SCALE 1" =

LEGAL DISCIPTION

LOT, BLOCK AND SUBDIVISION

DATE _____

SECTION TOWNSHIP AND RANGE

ARTICLE XII

LANDSCAPING REQUIREMENTS

12.1 OPEN AREAS, DRAINAGE, NUISANCES

The open, unpaved areas of each property shall be graded to provide for the adequate drainage of all storm water and shall be free of hazards, nuisances or unsanitary conditions.

12.2 ATTRACTIVE APPEARANCE REQUIRED

Open, unpaved areas shall be appropriately landscaped to provide an attractive appearance to enhance the character of the neighborhood.

12.3 VEGETATION

No vegetation shall overhang a public street or sidewalk or obstruct views of pedestrian and vehicular movements.

12.4 DISTRICT BORDERS

Where districts "R-P", "M-P", "C-S", "I-P", "I-1" and "I-2" adjoin any residential district, they shall be appropriately separated by a landscaped area of at least ten feet wide and ten feet high OR a decorative architectural screen of at least six feet high.

12.5 SEPARATION OF PARKING AREAS

Parking areas abutting public walkways or streets shall be appropriately separated by a landscaped area or a decorative architectural screen. The landscaped area or architectural screen shall not exceed four feet in height.

GENERAL INSTRUCTIONS FOR COMPLETING APPLICATION
FOR REZONING

1. Each item on Forms A and B must be completely answered or the application will not be processed for public hearing. The authority to determine the completeness of an application rests with the Planning Department. Therefore, it is of prime importance to you that all items and questions be completed in full before submission to the Planning Department.
2. Describe only the property you desire rezoned. Since this description is advertised in the legal section of the North Platte Telegraph, the description of the lots, blocks and subdivision must be correct and all metes and bounds descriptions must close.
3. Form A must be signed by the title holder or authorized agent of the property proposed for the rezoning. If it is signed by the authorized agent, the power of attorney certification must be attached to said form, or other proof to the satisfaction of the City Planning Department.
4. Each question on Form B must be answered completely before the application will be processed for public hearing. These questions should be answered to the best of your ability on a separate sheet of paper since the Planning Commission and City Council base their decisions on the information available to them.
5. In addition to the information required on Forms A and B, a certificate of ownership is also required.
6. Zoning applications are considered at public hearings. Consult the Planning Department as to the schedule for the prearranged date, time and meeting place for said hearings.

PURPOSE OF ZONING – Zoning is essentially a means of insuring that land uses of the community are properly situated in relation to one another; that adequate space is available for each type of development; that density of development in each area is held at a level which can be properly serviced by public facilities such as: the street, school, recreation and utilities systems; and that development is sufficiently “open” to permit the light, air and privacy for persons living and working anywhere within the county. Zoning is probably the single most important legal device available for carrying out the land use plan of a community. Zoning may be defined as the division of the county into districts and regulations within those districts of: (1) the height and bulk of buildings and other structures; (2) the percentage of a lot that may be occupied and the size of required yards and other open spaces; (3) the density of population; and (4) the use of buildings and land for trade, industry, residence or other purposes. This legal device is an exercise of the police power for the protection and improvement of the public health, safety and general welfare.

ZONING DISTRICT CHANGES – Changes in the zoning district map may, at times, be necessary due to the following general reasons:

- a. When the change is required to satisfy the public necessity, convenience, general welfare or good zoning practice;
- b. When the change is in substantial conformance with the specific recommendations of the Comprehensive Plan or the obvious intent of the Plan; or

Specific circumstance requiring zoning changes and relating to the foregoing reasons are:

- a. Where district boundaries, or whole districts, as drawn, do not achieve the desires and stated purposes of the zoning ordinance;
- b. When an area had not originally been zoned for its planned future use (so as to prevent its premature development in conflict with the planned future use) is now ready for development in accordance with the Plan; or

ZONING AND CHANGES IN ZONING SHOULD BE BASED ON COMMUNITY-WIDE OR NEIGHBORHOOD-WIDE CONSIDERATIONS AND NOT ON INDIVIDUAL GAIN.

REZONING APPLICATION

APPLICANT’S DUTIES – It shall be the sole responsibility of the applicant to justify the need for the requested change in zoning. The applicant is obligated to present any and all data necessary which will provide the Planning Commission with sufficient material on which they can base a sound and objective decision. The applicant or his representative must be present at the public hearing, failure to be present shall constitute sufficient reason to continue the hearing or to deny the request.