

Fee: \$500
Receipt #: 25553
217126

Permit # 72601
Also See _____
Zoning District RAR

**CHANGE OF ZONING, PLANNED DEVELOPMENT,
OR REGULATIONS AMENDMENT APPLICATION**
PO Box 165, Center, NE 68724, zoning@knoxcountyne.gov
Phone: 402-288-5618

APPLICANT

Name: East River Road, LLC
Address: 5105 W. Benjamin Ave.
City, State, Zip Norfolk, NE 68701

Phone: 402-640-6194
Cell Phone: _____
E-Mail: raywstalla@gmail.com

CONSULTANT/AGENT

Name: _____
Address: _____
City, State, Zip _____

Phone: _____
Cell Phone: _____
E-Mail: _____

PROPERTY

Address (if different than applicants address): McCall Lazy A-Z Acres
Legal Description: All River Area Residential
Parcel size: _____ Parcel #: _____
Township Name: Raymond

EXPLAIN REQUEST (Be specific. Attach additional pages if needed.)

Sec. 4.12 RAR 4.12.06

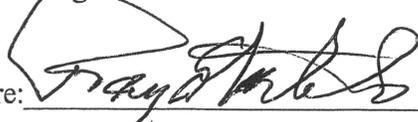
Add
3)

On all new, existing and previously platted
subdivisions, the minimum lot size
shall be 1/2 acre.

REQUIRED INFORMATION FOR PLANNED DEVELOPMENTS:

- A. A statement of the total acreage within the proposed Planned Development; the number of acres to be devoted to residential, commercial, industrial, open space, streets, utilities and other uses; and the overall density of development.
- B. A location map showing the proposed planned development district and the surrounding area; the development and zoning of all property within 200 feet; the general location of streets, public utilities, parks, drainage, sewer and water facilities in the surrounding area.
- C. A plot plan showing the proposed location of roads, buildings, structures, parking areas, access ways and interior drives, open spaces, signs, proposed setbacks, utilities and other major site improvements, to be placed on the site.
- D. A topographic map showing contour intervals of five feet.
- E. A statement of the method of assuring that open spaces will be permanently preserved including proposed covenants, easements or other restrictions.
- F. A schedule showing the timetable for submittal of plans and development of the tract.

Applicant's Signature: _____



Date: 2/13/25

EAST RIVER ROAD, LLC

Section 4.12 RAR – River Area Residential District

4.12.01 Intent:

This district is intended to provide residential living with the influence of recreation yet maintain the pristine and natural beauty of the area and to limit the removal of vegetation during development and recognizing that the area is located within a floodplain and is subject to the Knox County Floodplain Regulations.

4.12.02 Principal Uses:

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

4.12.03 Conditional Uses

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the RAR District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

4.12.04 Temporary Uses

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

4.12.05 Accessory Uses

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

4.12.06 Height and Lot Requirements:

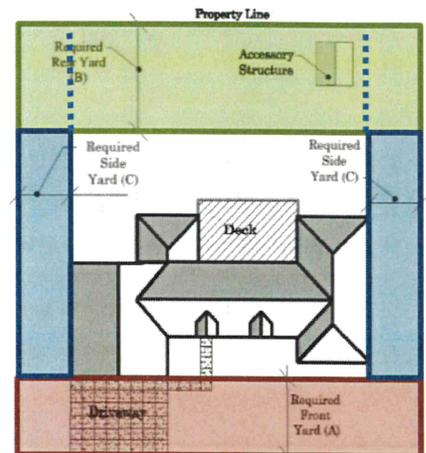
The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	1	100	20 (1)	(2)	10	35	25
Other Permitted Uses	3	100	20 (1)	(2)	10	35	25
Conditional Uses	3	100	20 (1)	(2)	10	35	25
Seasonal dwellings	1	100	20 (1)	(2)	10	35	25
Accessory structures	-	-	20 (1)	5	5	-	-

- (1) On a corner lot when a second front yard is present the setback for the declared second yard shall be a minimum of 15 feet from the edge of the right-of-way.
- (2) Setback is either 10 feet from the property line or 50 feet from the high-water mark of the river

Note:

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.23 This shall also apply to trees being placed within the space.



4.12.07 Supplemental Requirements:

1. Setback – Adjustments
 - A. In previously unplatted or un-subdivided areas located within the RAR District, the “default” setbacks shall apply except when the proposed subdivision is deemed to meet the bulk requirements of a Planned Development Overlay District. Setback Adjustments may not be granted for over 50 percent of the “default” setback.
 - B. In previously platted or subdivided areas located within the RAR District, the Zoning Administrator may decrease (or increase) the “default” setbacks based upon consideration of the following factors:
 - 1) Whether previous subdivision covenants or plat dedications allowed a lesser (or greater) setback.
 - 2) Whether a previous variance allowed a different setback on similarly situated lands.
 - 3) Whether the historic use or actual construction of previously built and existing structures allow a different set-back.
 - 4) Whether the distance of existing structures from previously established lines (streets; “take” lines; boundaries; etc..) allow a different setback; including consideration of whether the previous setback was measured from the center of the street, the side of the street, the property line, or other line.
 - 5) Whether consideration of buffer, health, fire and traffic safety factors dictate or allow a different setback; and,
 - 6) Whether the landowners adjoining the setback in question (and other adversely affected landowners) have given a consent and waiver of hearing to the setback in question.
2. Streets, 30 feet in width shall be provided within an area of leased lots to accommodate pedestrian and vehicular traffic and to allow for the provision of police, fire, refuse disposal and other development services. One off-street parking space shall be provided on each leased home site or lot. Any future development of lots shall be 280 feet back from the river when there are existing lots along the river.
3. Any new development or extension or addition of an area with leased lots, shall require a complete survey and plat by a certified engineer. Plans for septic, water, and electricity must be submitted for review by the Planning Commission.

Section 4.11 LAR Lake Area Residential District

4.11.01 Intent:

This district is intended to provide residential living in the Lewis and Clark Lake Area, with the influence of recreation yet maintaining the pristine and natural beauty of the area both during and after development, consistent with the Comprehensive Plan.

4.11.02 Principal Uses:

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

4.11.03 Conditional Uses

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the LAR District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

4.11.04 Temporary Uses

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

4.11.05 Accessory Uses

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

4.11.06 Height and Lot Requirements:

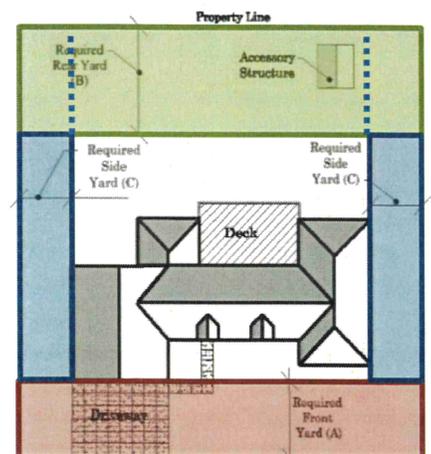
The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	A Front Yard (feet) (1)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	1 (3)	100	25 (2)	25 (2)	10 (2)	35	25
Other Permitted Uses	1	100	25 (2)	25 (2)	10 (2)	35	25
Conditional Uses	1	100	25 (2)	25 (2)	10 (2)	35	25
Seasonal dwellings	1	100	25 (2)	25 (2)	10 (2)	35	25
Accessory structures	-	-	25 (2)	5 (2)	5 (2)	-	-

- (1) On a corner lot when a second front yard is present the setback for the declared second yard shall be a minimum of 15 feet from the edge of the right-of-way.
- (2) Any yard bordering a government "take" line – 5 feet from the take line.
- (3) On existing and previously platted subdivisions, the minimum lot size shall be ½ acre.

Note:

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.29. This shall also apply to trees being placed within the space.



4.11.07 Supplemental Requirements:

1. All access to said properties shall meet the County Highway Superintendents specifications.

4.11.08 Lake Area Setback:

The purpose of the "setback" requirements is to promote uniformity and predictability of line of site views for existing and future structures, and for health, fire and traffic safety considerations. Due to the varied, non-uniform size and configuration of the lots in the Lake Area, the unique proximity of each lot to the lake, and the desired ability of maintaining "lake views" for residential purposes, the setback requirements in the Lake Area require special treatment and exceptions to the general rule, which shall be liberally constructed to promote their purposes.

1. Setback – Adjustments

- A. In previously unplatted or un-subdivided areas located within the LAR District, the "default" setbacks shall apply except when the proposed subdivision is deemed to meet the bulk requirements of a Planned Development Overlay District.
- B. In previously platted or subdivided areas located within the LAR District, the Zoning Administrator may decrease (or increase) the "default" setbacks based upon consideration of the following factors; however, setback adjustments may not be granted for over 50 percent of the "default" setback:
 - 1) Whether previous subdivision covenants or plat dedications allowed a lesser (or greater) setback.
 - 2) Whether a previous variance allowed a different setback on similarly situated lands.
 - 3) Whether the historic use or actual construction of previously built and existing structures allow a different set-back.
 - 4) Whether the distance of existing structures from previously established lines (streets; "take" lines; boundaries; etc..) allow a different setback; including consideration of whether the previous setback was measured from the center of the street, the side of the street, the property line, or other line.
 - 5) Whether consideration of buffer, health, fire and traffic safety factors dictate or allow a different setback; and,
 - 6) Whether the landowners adjoining the setback in question (and other adversely affected landowners) have given a consent and waiver of hearing to the setback in question. The lack of consent or waiver shall not be the sole reason for denying this setback adjustment.
2. No conditional use permit shall be issued in the LAR District unless it is found that:
 - A. It minimizes the destruction or despoliation of unique or important natural features of the environment.
 - B. It minimizes the expenditure of public monies for services, facilities and improvements and will minimize damage to them in the event of a flood or other natural catastrophe.
 - C. It preserves the natural resources, vegetation, and animal life in the area.
 - D. It does not cause a deterioration of water quality, decrease flood storage capacity, or impair the habitat of fish, fowl, or mammals, especially unique or endangered species.
 - E. It does not contribute to soil erosion, slope instability or rapid runoff of water.