

MCCOOK CITY COUNCIL

REGULAR MEETING

**Monday, August 12, 2024
5:15 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Items

1. Approve the minutes of the April 8, 2024 regular Planning Commission meeting.
2. Public Hearings and Regular Agenda.
 - A. Public Hearing - Request for a special exception by Randy and Kimberly Bauer to locate a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM) - property located at 1205 West 3rd Street; legally described as Lot 9, Block 14, Hillcrest Addition to the City of McCook, Red Willow County, Nebraska.
 1. Adjourn the Public Hearing.
 - B. Recommend approval to the City Council the application for a special exception by Randy and Kimberly Bauer to allow a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM), said property located at 1205 West 3rd Street; legally described as Lot 9, Block 14, Hillcrest Addition to the City of McCook, Red Willow County, Nebraska, finding Special Exception considerations A-I are satisfied.

Adjournment.

**CITY MANAGER'S REPORT
AUGUST 12, 2024 PLANNING COMMISSION MEETING**

ITEM: 1.

RECOMMENDATION:

Approve the minutes of the April 8, 2024 regular McCook Planning Commission meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

August 7, 2024

McCook Planning Commission
April 8, 2024
5:15 P.M.

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley (arrived 5:22 P.M.), Davidson, Dueland, Lyons, McDowell.

Absent: Commissioners Friehe, Stevens, Mockry.

City Officials present: City Manager Schneider, City Attorney Mustion, Assistant City Manager Koetter, City Clerk Doak.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on April 4, 2024, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the February 12, 2024 regular Planning Commission meeting.

Motion to approve the minutes of the February 12, 2024 regular Planning Commission meeting. This motion, made by McDowell and seconded by Dueland, passed.

Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA
YEA: 6, NAY: 0, ABSENT: 4

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Request for a special exception by Brian and Jessica Luke to locate a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM) - property located at #1 Club House Drive; Lot 1, Block 7, Golf Course First Addition to the City of McCook, Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the request for a special exception by Brian and Jessica Luke to locate a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM) - property located at #1 Club House Drive; Lot 1, Block 7, Golf Course First Addition to the City of McCook, Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This

motion, made by Vosburg and seconded by McDowell, passed.

Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA

YEA: 6, NAY: 0, ABSENT: 4

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the April 8, 2024 Planning Commission meeting (1 page), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - Notice of Hearing mailed and posted (1 page); Exhibit #4 - ownership list for mailing of Notice of Hearing (1 page); Exhibit #5 - Land Use Action Request Form and attachments (11 pages); Exhibit #6 - City of McCook Zoning Ordinance Article 9, Residential Medium Density District (RM) (3 pages); Exhibit #7 - City of McCook Zoning Ordinance Article 24, Special Exceptions (1 page); and Exhibit #8 - Findings and Determinations of McCook City Council (2 pages).

City Manager Schneider reviewed the information presented in Exhibit #1.

Jessica Luke, applicant, was present to answer questions from the Commission. They own the entire duplex, live in one of the units and are requesting the special exception for the other one. That unit has four bedrooms, two bathrooms and will accommodate eight people. They do not plan to allow pets, four cars can be parked in half of the drive, they will be allowed use of the garage, and since they occupy half of the duplex, they will have a strict, no parties, noise policy in place.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by McDowell, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA

YEA: 7, NAY: 0, ABSENT: 3

2,B. Recommend approval to the City Council the application for a special exception by Brian and Jessica Luke to allow a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM), said property located at #1 Club House Drive; legally described as Lot 1, Block 7, Golf Course First Addition to the City of McCook, Red Willow County, Nebraska, finding Special Exception considerations A-I are satisfied.

Commissioners completed their Special Exception Findings and Determinations and all found that Considerations A - I have been made.

Motion to recommend approval to the City Council the application for a special exception by Brian and Jessica Luke to allow a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM), said property located at #1 Club House Drive; legally described as Lot 1, Block 7, Golf Course First Addition to the City of McCook, Red Willow County, Nebraska, finding Special Exception considerations A-I are satisfied. This motion, made by Vosburg and seconded by Dueland, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA

YEA: 7, NAY: 0, ABSENT: 3

- 2.C. Public Hearing - Regarding the Redevelopment Plan for the R Perry Redevelopment Project as to its conformity with the general plan for the development of the City as a whole.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment regarding the Redevelopment Plan for the R Perry Redevelopment Project as to its conformity with the general plan for the development of the City as a whole, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by McDowell, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA

YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the April 8, 2024 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - listing of Public Entities who received Notice of Public Hearing (1 page); Exhibit #4 - copies of letter to Public Entities receiving Notice of Public Hearing (5 pages); Exhibit #5 - Proposed Resolution No. PC 2024-01 (2 pages); and Exhibit #6 - Proposed Redevelopment Plan for the R Perry Redevelopment Project.

City Manager Schneider reviewed the information presented in Exhibit #1.

Joe Johnson, representing the applicant, was present to answer questions from the Council. The project consists of the construction of three single family dwellings and associated improvements. The projected annual tax shift (amount of available for TIF) is \$17,055.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Lyons, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA

YEA: 7, NAY: 0, ABSENT: 3

- 2.D. Approve Resolution No. PC 2024-01 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of development of the R Perry Redevelopment Project.

Motion to approve Resolution No. PC 2024-01 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of development of the R Perry Redevelopment Project. This motion, made by Vosburg and seconded by McDowell, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA

YEA: 7, NAY: 0, ABSENT: 3

- 2E. Select new officers for the term of April 2024 through March 2025 - Chair, Vice-Chair, and Secretary - pursuant to Chapter 35, Section 35.001 of the City of McCook Code of Ordinances.

Motion to nominate and select Chad Lyons as Chair of the Commission. This motion, made by Vosburg and seconded by Dueland, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA
YEA: 7, NAY: 0, ABSENT: 3

Motion to nominate and select Tammie Hilker as Vice Chair of the Commission. This motion, made by Dueland and seconded by Bradley, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA
YEA: 7, NAY: 0, ABSENT: 3

Motion to nominate and select Camy Bradley as Secretary of the Commission. This motion, made by Dueland and seconded by Vosburg, passed.

Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: ABSENT, Stevens: ABSENT, Vosburg: YEA
YEA: 7, NAY: 0, ABSENT: 3

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:25 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

**CITY MANAGER'S REPORT
AUGUST 12, 2024 MCCOOK PLANNING COMMISSION MEETING**

2.A.

ITEM: ___ Public Hearing - Request for a special exception by Randy and Kimberely Bauer to locate a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM) - property located at 1205 West 3rd Street, legally described as Lot Nine (9), Block Fourteen (14), Hillcrest Addition to the City of McCook, Red Willow County, Nebraska.

2.B.

ITEM: ___ Recommend approval to the City Council the special exception application by Randy and Kimberely Bauer to allow a Bed and Breakfast/Vacation Rental in a Medium Density Residential District (RM) - property located at 1205 West 3rd Street, legally described as Lot Nine (9), Block Fourteen (14), Hillcrest Addition to the City of McCook, Red Willow County, Nebraska, finding that Special Exception considerations A - I are satisfied.

BACKGROUND:

The City of McCook has received a special exception request from Randy and Kimberely Bauer. Specifically, the applicants have requested that the property located at 1205 West 3rd Street be granted special exception status for the purpose of operating a bed and breakfast and/or a vacation rental. The property at issue is a single-family structure.

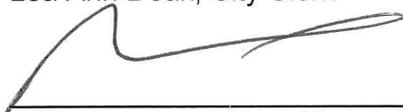
The application addresses McCook's Zoning Ordinance, Article 24 Special Exception requirements relative to the RM District. Based on staff's review, it is believed a grant of special exception will not adversely impact ingress and/or egress. The property is located in a lightly traveled portion of McCook and a special exception designation should not impact traffic significantly. Additionally, there is adequate off-street parking on the lot to accommodate licensees due to the fact that the back of the lot has a three-stall parking garage that will be used. The residential structure's footprint will remain the same. Also, staff believes the request generally complies with the City of McCook's Comprehensive Plan.

APPROVALS:



Lea Ann Doak, City Clerk

August 7, 2024



Nathan A. Schneider, City Manager

August 7, 2024

EXHIBIT #1

PAGE(S) - 1

**NOTICE OF PUBLIC HEARING
REQUEST FOR A SPECIAL EXCEPTION**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of McCook Planning Commission on August 12, 2024, at 5:15 P.M. and by the McCook City Council on August 19, 2024, at 5:30 P.M. The hearings will be held in the City Council Chambers, 505 West "C" Street, McCook, Nebraska, to consider a request for a special exception to allow a Bed and Breakfast/Vacation Rental in a Residential Medium Density (RM) District in the City of McCook. Property located at 1205 West 3rd Street; Lot 9, Block 14, Hillcrest Addition to the City of McCook, Red Willow County, Nebraska. Land Owner, Randy and Kimberly Bauer. Any and all persons desiring to comment on the above-described special exception may attend said public hearings and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: August 2, 2024.

EXHIBIT #2

PAGE(S) - 1

NOTICE OF HEARING

REQUEST FOR

SPECIAL EXCEPTION

NOTICE IS HEREBY GIVEN that a public hearing will be held on a request to allow a Bed and Breakfast/Vacation Rental in a Residential Medium Density (RM) District in the City of McCook.

ADDRESS: 1205 West 3rd Street

LEGAL DESCRIPTION: Lot Nine (9), Block Fourteen (14), Hillcrest Addition to the City of McCook, Red Willow County, Nebraska.

LAND OWNER: Randy and Kimberely Bauer

Public Hearings will be held on the dates, times, and at the places listed below:

AUGUST 12, 2024 - 5:15 P.M.
MCCOOK PLANNING COMMISSION
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

AUGUST 19, 2024 - 5:30 P.M.
MCCOOK CITY COUNCIL
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described request will be given an opportunity to be heard. Please direct all inquiries to Nate Schneider, City Manager, at 308-345-2022 ext. 225.

-s- Lea Ann Doak
City Clerk

Publish: August 2, 2024
Post: August 2, 2024
Mail: August 2, 2024

EXHIBIT #3

PAGE(S) - 1

OWNERSHIP LIST FOR MAILING:

President
McCook Public Schools
600 West 7th Street
McCook NE 69001

Red Willow Co. School Dist. #17
700 West 7th Street
McCook NE 69001

Red Willow County
% Penny Cooper
502 Norris Avenue
McCook NE 69001

Red Willow County Planning Commission
502 Norris Avenue
McCook NE 69001

Dale Friehe
c/o Brad Friehe
72877 Ave 373
Culbertson, NE 69024

Jaret Matson and Kylie Messersmith
405 West M
McCook, NE 69001

Lynda Palmer
403 West M
McCook, NE 69001

Kyann Callander
1302 West 3rd
McCook, NE 69001

Jerry and Robin Wonderly
1303 West 3rd
McCook, NE 69001

Stephen and Diane Lytle
1304 West 2nd
McCook, NE 69001

Stephen and Dee Spicer
1302 West 2nd
McCook, NE 69001

Christian, Gerald, & Samantha Callahan
1303 West 2nd
McCook, NE 69001

McCook 1st Church of the Nazarene
c/o Melisa Rostvet
5650 W Pony Express Rd
Ayr, NE 68925

Merril Morris
212 West M
McCook, NE 69001

Robin Schaffert
3420 Appaloosa Drive
North Platte, NE 69101

Four B's Properties LLC
c/o James Brandt
512 West 4th
McCook, NE 69001

Ronnie and Gloria Rogers
38641 Ravenswood Road
McCook, NE 69001

Chad and Kimberly Lyons
1201 West 2nd
McCook, NE 69001

Tamera Marts
1111 West 2nd
McCook, NE 69001

Clarence Fritsch
1109 West 2nd
McCook, NE 69001

Michael Baumfalk
1107 West 2nd
McCook, NE 69001

Nickalaus Gerver
1108 West 2nd
McCook, NE 69001

EXHIBIT #4

Jerry Larson
PO Box 631
McCook, NE 69001

Jessica and Kody Bedore
1112 West 2nd
McCook, NE 69001

Terry and Jana Sides
603 West 1st
McCook, NE 69001

Hedge of Protection Real Estate,. LLC
c/o Tyler Schmick
37956 Dr 715
McCook, NE 69001

Mark and Sunny Detty
1111 West 3rd
McCook, NE 69001

Barrington Hanslip
1110 West 3rd
McCook, NE 69001

Robert Brown and Hannah Clapp
1112 West 3rd
McCook, NE 69001

Erwin and Patricia Fredde
1109 West 4th
McCook, NE 69001

Christopher and Rebecca McLaud
408 West L St.
McCook, NE 69001

Adamark Investments, LLC
PO Box 222
Spring Grove, PA 17362

Helen Wilcox
1500 East 11th
Apt 205
McCook, NE 69001

Daniel & Theresa Shiers
402 West M
McCook, NE 69001

DCMJ Swanson LTD
907 West B
McCook, NE 69001

William and Angela Watts
1206 West 3rd
McCook, NE 69001

Emery Quint
1204 West 3rd
McCook, NE 69001

Dallas and Sarah Minnick
401 West L
McCook, NE 69001

Richard Seitz
507 West 4th
McCook, NE 69001

Gregory and Peggy Fyn
1207 West 3rd
McCook, NE 69001

Lane & Sarah Kuper
1209 West 3rd
McCook, NE 69001

Charles & Janet Gray
1211 West 3rd
McCook, NE 69001

Martin McCune
1210 West 2nd
McCook, NE 69001

Wesley Burkert
1208 West 2nd
McCook, NE 69001

Taylor Daniel
1206 West 2nd
McCook, NE 69001

Carolyn Woolard
1204 West 2nd
McCook, NE 69001

Tatem & Andy Stang
1202 West 2nd
McCook, NE 69001

CITY OF McCOOK

LAND USE ACTION REQUEST FORM

This request is for a:
(Check all that apply)

- Zone Change
- Special Exception**
- Administrative Permit (Personal Wireless Facility)
- Special Exception (Personal Wireless Facility)
- Minor Subdivision
- Major Subdivision
- Planned Development(Includes Zone Change)

Name of Project: AIR BNB West 3RD
Description of Project: USING existing single family
rental dwelling AS Air BNB.

Project sponsor or developer:

Name: RANDY AND Kimberly Bauer
Address: 104 COURTNEY LANE McCOOK, ILL 60901
Phone number: 308-340-9620
Fax number: _____
E-mail Address: rbauer@mbb.bank

Land owner or owners:

Name: SAME AS ABOVE
Address: _____
Phone number: _____
Fax number: _____
E-Mail Address: _____

Authorization of the land use action by land owner:

I hereby certify that I own and/or control the following land where the land use action is being requested. (Attach evidence of ownership or control. e.g. power of attorney, deed, or purchase agreement)

RANDY D. BAUER
Printed Name:

Randy Bauer
Signature:

7/22/24
Date:

Kimberely J. Bauer
Printed Name:

Kimberely J. Bauer
Signature:

Address and physical location of the Proposed Land Use Action: 1205 West 3RD ST. McCook, NE

Property Description (Of the parent parcel for subdivisions): Lot 9, Block 14, Hillcrest Addn to McCook Plwn

Required Information:

See Attached sheets for required information for:

- Subdivisions
- Zone Changes and special exceptions
- Planned developments

FEE PAID: \$ _____ (See attached schedule of fees)

Fee, complete application, and required attachments accepted by:

Printed name

Signature

Date

REQUIRED ATTACHMENTS:

For Zone Changes and Special Exceptions:

(For Zone Changes or Amendments see Article 27 of the Zoning Ordinance; for Special Exceptions see Article 24 Special Exceptions)

_____ Include a description of the reason for the request for a change of zone:

_____ Include a description of any special exception requested including the section of the zoning ordinance under which it is requested: (Example: Special exception to construct multi-family dwellings in (RM) Residential Medium Density area comprised of single family dwellings.)

Request special exception for use as an
Airbnb in a RM Residential District.

_____ Include a site plan (minimum 17" X 11") and a letter of explanation showing and explaining the following special exception requirements:

- (A) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe; *NO CHANGE FROM CURRENT*
- (B) off-street parking and loading areas where required, with particular attention to the items in (A) above, the economic, noise, glare or odor effects of the special exception or change of zone on adjoining properties and the properties generally in the district or the area; *NO CHANGE. DETACHED GARAGE CAN PROVIDE ON SITE ENCLOSED PARKING*
- (C) the location of refuse and service areas, with particular reference to the items in (A) and (B) above; *NO CHANGE*
- (D) utilities, with reference to locations, availability, and compatibility; *NO CHANGE*
- (E) screening and buffering with reference to type, dimensions, and character; *NO CHANGE*
- (F) signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district; *NONE PROPOSED*

(G) required yards and other open space; BACKYARD HAS PRIVACY fence

(H) general compatibility with adjacent properties and other properties in the district;
IMMEDIATE AREA CONSISTS OF BOTH 1 FAMILY AND DUPLEXES.

(I) compatibility with existing and future land use plan in the McCook Comprehensive Plan.

_____ Explain how the project complies with the Comprehensive Plan: _____



Parcel Information	
Parcel ID:	001211600
Map Number	
State Geo Code	4281-00-0-00000-000-0000
Cadastral #	C1-59-4
Images	Photo #1 Sketch #1
Current Owner:	BAUER/RANDY D & KIMBERELY J PO BOX 91 MCCOOK, NE 69001-0091
Situs Address:	1205 WEST 3RD STREET MCCOOK
Tax District:	80
School District:	S.D. #17 GEN/SPEC BLD, 73-0017
Account Type:	Residential
Legal Description:	0 3 29 HILLCREST ADDITION MCCOOK BLK 14, LOT 9
Lot Width:	50.00
Lot Depth:	140.00
Total Lot Size:	7000.00 sq ft

Assessed Values				
Year	Total	Land	Outbuilding	Dwelling
2024	\$132,393	\$8,750	\$0	\$123,643
2023	\$132,393	\$8,750	\$0	\$123,643

Yearly Tax Information		
Year	Amount	Levy
2023	\$2,179.70	1.75769
2022	\$2,078.44	1.854491

2023 Tax Levy	
Description	Rate
ED UNIT #15	0.01470800
NATURAL RESOURCE	0.03242900
MID-PLAINS GEN/CAP IMP	0.07462600
S.D. #17 BOND	0.05528700
CITY OF MCCOOK GEN	0.34081400
HIGH PLAINS HISTORICAL	0.00300000
COUNTY	0.29046800
S.D. #17 GEN/SPEC BLD	0.94635800

Sales Information				
Sale Date	Sale Price	Book & Page	Grantor	Parcel Ids
09/03/2020	\$120,000.00	2020 / 01457	GROSS/DAVID	
03/06/2018	\$98,000.00	2018 / 00345	BOONE/BARRY M & VALERIE A	
08/19/2009	\$0.00	2009 / 01434	BOONE/BARRY.M	001211600 000761300
01/23/2004	\$43,850.00	130 / 902	HOCHSTETLER/JANA	



Property Classification			
Status:	Improved	Location:	Urban
Property Class:	Residential	City Size:	5,001-12,000
Zoning:		Lot Size:	<10,000 sq. ft.

Property Notes	
Date	Note

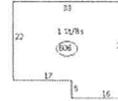
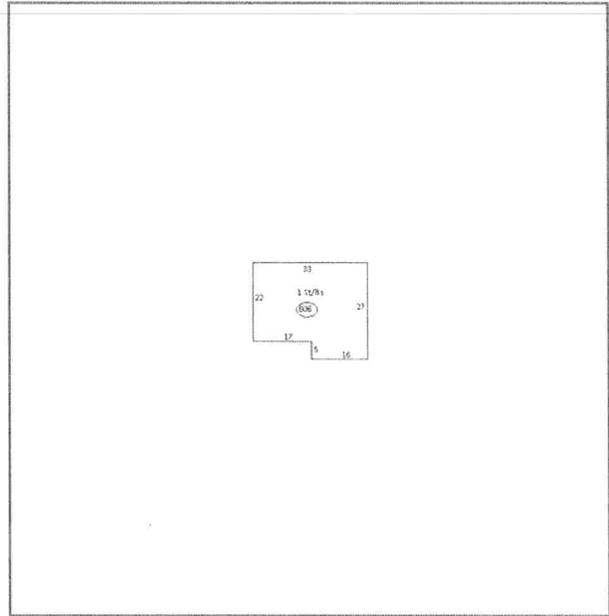
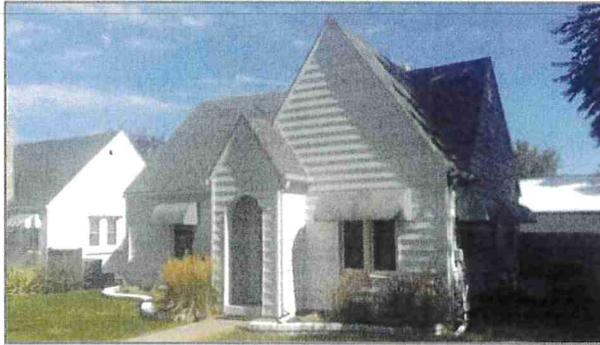
Land Information			
Lot Width (ft)	Lot Depth (ft)	Description	Lot Size
50.00	140.00	7000 S.F.	7000.00 sq ft

Residential Datasheet			
Zoning:		Condition:	Average - Good
Year Built:	1941	Style:	100% One Story
Exterior:	100% Frame, Siding, Metal	Bathrooms:	1.50
Bedrooms:	2	Heating/Cooling:	100% Warmed & Cooled Air
Roof Cover:	Composition Shingle	Min Finish:	806 sq. ft
Basement Size:	806 sq. ft	Part Finish:	0 sq. ft
Building Size:	806 sq. ft	Garage 1:	Detached Garage(SF)
Quality:	Average	Garage 1 Size:	1600 sq. ft

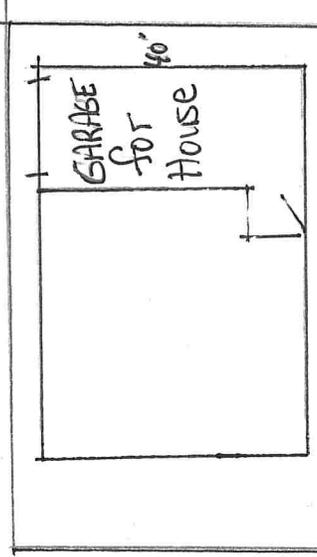
Dwelling Data			
Description	Units	Value	

Outbuilding Data			
Description	Units	Year Built	Cost

Photo/Sketch

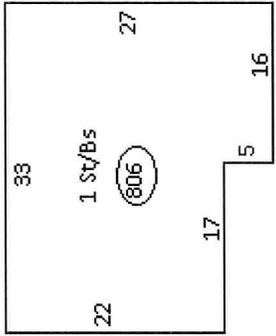


— PAVED ALLEY —



140'

PATIO



— WALK —
50'



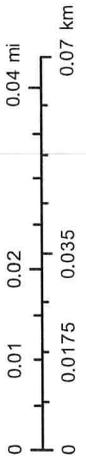
West 3rd Street



July 22, 2024

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:1,296



● IOLL

□ Parcels

Sections

ARTICLE 9

RESIDENTIAL MEDIUM DENSITY DISTRICT (RM)

Article 9 - Residential Medium Density District (RM)

Section 901. Intent. The intent of a Residential - Medium Density District (RM) is to provide for medium density residential use areas together with certain prescribed compatible uses.

Section 902. Permitted Principal Uses and Structures. The following principal uses and structures shall be permitted in Residential - Medium Density Districts (RM):

1. Dwellings, single family.
2. Manufactured homes under the prescribed conditions of Section 2113 of this Ordinance.
3. Dwellings, duplex.
4. Churches, places of worship and cemeteries.
5. Public uses: including but not limited to parks, playgrounds, recreational uses, fire stations, public utilities and utility distribution systems.
6. Child care homes.
7. Group Homes.

Section 903. Permitted Accessory Uses and Structures. The following accessory uses and structures shall be permitted in Residential - Medium Density Districts (RM):

1. Home occupations under the prescribed conditions of Section 2116 of this Ordinance.
2. Mobile homes under the prescribed conditions of Section 2109 of this Ordinance.
3. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district, and under the prescribed conditions of Section 2103 of this Ordinance.

Section 904. Special Exceptions. After the provisions of this Ordinance relating to special exceptions have been fulfilled, the City Council may permit as special exceptions in Residential - Medium Density Districts (RM):

1. Dwellings, multiple-family
2. Professional offices.
3. Colleges and universities.
4. Dwellings, Townhouses.
5. Public and parochial nursery, primary, intermediate and secondary schools.
6. Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar and/or Wind sources in conformance with "Net Metering" per Nebraska State Statutes §70-2001 to 2005 (August 30, 2009, as amended). Individual or "Small Wind Energy Conversion Systems (SWECS) shall also be in conformance with the provisions of Section 2117 of this Ordinance.

EXHIBIT #6

7. Private golf courses and country clubs.
8. Child care center.
9. Hospitals, nursing homes, retirement and elderly housing facilities.
10. Medical clinics and other health facilities.
11. Funeral homes and funeral chapels.
12. Mobile home parks under the prescribed conditions of Section 2110 of this Ordinance.
13. Museums; historic and monument sites.
14. Telecommunication Towers under the prescribed conditions of Article 30 of this Ordinance.
15. Boarding House, Rooming House, or Bed and Breakfast.
16. Timeshare and Vacation Rental.

Section 905. Prohibited Uses and Structures. All other uses and structures which are not specifically permitted or not permissible as special exceptions shall be prohibited from Residential Medium Density Districts (RM).

Section 906. Height and Area Regulations. The minimum lot and maximum height provisions shall be as follows:

	Lot Area (Sq. Ft.)	Lot Width	Front Yard	Side Yard	Rear Yard	Height Principle/Acces.
Single Family Dwelling	5,000	50' interior lots, or 60' for corner lots, or 45' on cul-de-sac curve.(4)	20' (1)	8' on 1 side & 5' on 2 nd side of interior lots. (2) (3)	15'	35' / 35'
Duplex Dwelling	2,500 per dwelling unit	50' interior lots, or 60' for corner lots, or 45' on cul-de-sac curve.(4)	20' (1)	8' on 1 side & 5' on 2 nd side of interior lots. (2) (3)	15'	35' / 35'
Multifamily Dwelling	2,500 per dwelling unit	50' interior lots, or 60' for corner lots, or 45' on cul-de-sac curve.(4)	20' (1)	8' on 1 side & 5' on 2 nd side of interior lots. (2) (3)	15'	45' / 35'
Townhouse dwelling	2,500 per dwelling unit	50' interior lots, or 60' for corner lots, or 45' on cul-de-sac curve.(4)	20' (1)	8' on 1 side & 5' on 2 nd side of interior lots. (2) (3)	15'	45' / 35'
Other Permitted Uses	5,000	50' interior lots, or 60' for corner lots, or 45' on cul-de-sac curve.(4)	20' (1)	8' on 1 side & 5' on 2 nd side of interior lots. (2) (3)	15'	35'

Notes: (1) In the case of structures erected on lots adjacent to lots which have structures existing at the effective date of this Ordinance, the required front yard may be the average of the front yards existing on the adjacent lots.

- (2) Side yards for corner lots facing the street shall be one-half of the front yard setback minimum requirements.
- (3) A non-combustible carport may be constructed with a minimum side yard clearance of three feet (3') feet and shall be attached to an existing structure.
- (4) Platted lots in existence as of the 2013 update of this Ordinance may have a lot width of fifty (50) feet or less, as long as the lot meets the front, side and rear yard setback requirements. (See Section 2202 of this Ordinance.

Section 907. Maximum Lot Coverage. The maximum lot coverage for all buildings shall not be more than fifty-five (55) percent of the total lot area.

Section 909. Parking Regulations. Parking within the Residential Medium Density District (RM) shall be in conformance with the provisions of Section 2111 of this Ordinance.

Section 910. Fence Regulations. Fences, walls and hedges within the Residential Medium Density District (RM) shall be in conformance with the provisions of Section 2102 of this Ordinance.

Section 911. Sign Regulations. Signs within the Residential Medium Density District (RM) shall be in conformance with the provisions of Section 2112 of this Ordinance.

ARTICLE 24
SPECIAL EXCEPTIONS

Article 24 - Special Exceptions

Section 2401. Special Exceptions. As the zoning ordinance is established at the present time, the McCook City Council has been given the authority to hear and decide requests for special exceptions. This is consistent with State Law; however, the City also has the option to delegating this power to the Planning Commission through the Zoning Ordinance.

Section 2402. Conditions for Granting Special Exceptions. A special exception shall not be granted by the City Council unless and until:

1. A written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested;
2. Notice shall be given at least ten (10) days in advance of public hearing. The owner of the property for which special exception is sought or his agent shall be notified by certified mail. Notice of such hearings shall be posted on the property for which special exception is sought at least ten (10) days prior to the public hearing;
3. The public hearing shall be held. Any party may appear in person, or agent or attorney;
4. The City Council shall make a finding that is empowered under the section of this Ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest;
5. Before any special exception shall be issued, the City Council shall make written findings certifying compliance with the specific rules governing individual special exceptions and that satisfactory provisions and arrangements have been made concerning the following where applicable:
 - A. ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - B. off-street parking and loading areas where required, with particular attention to the items in A above, and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district;
 - C. refuse and service area, with particular reference to the items in A and B above;
 - D. utilities, with reference to locations, availability, and compatibility;
 - E. screening and buffering with reference to type, dimensions, and character;
 - F. signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district;
 - G. required yards and other open space;
 - H. general compatibility with adjacent properties and other property in the district.
 - I. compatibility with the existing and future land use plans in the McCook Comprehensive Plan.

EXHIBIT #7

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FINDINGS AND DETERMINATIONS OF MCCOOK CITY COUNCIL

CASE NO. _____

SIGNED: _____
Mayor

DATE _____

ATTEST: _____
City Clerk

SPECIAL EXCEPTION CONSIDERATIONS:

YES

NO

1. The proposed special exception use would satisfactorily provide for:
 - a) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - b) off street parking and loading areas where required, with particular attention to the items in a) above, and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;
 - c) refuse and service areas, with particular attention to the items in a) and b) above;
 - d) utilities, with reference to locations, availability and compatibility;
 - e) screening and buffering with reference to type, dimensions and character;
 - f) signs, if any, and proposed exterior lighting with reference to glare, traffic safety and economic effect and comparability and harmony with properties in the district;
 - g) required yard and other open space;
 - h) general compatibility with adjacent properties and other property in the district.
 - i) Compatibility with existing and future land use plan in the McCook Comprehensive Plan.

2. The specific rules governing special exceptions have been complied with.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CITY COUNCIL FINDINGS AND DECISION:

The McCook City Council hereby determines that the special exception will _____, will not _____ adversely affect the public interest. The special exception herein requested is _____, is not _____ hereby granted subject to the stipulations noted below, if any.

THIS _____ DAY OF _____, 20_____.