

AGENDA

Call to Order

Pledge of Allegiance

Welcome

Business and Reports:

1. Announcement of Public Meetings Act: The Open Meetings Law poster is posted at the rear of the room, please refer to posted information if you have any questions regarding the open meetings law.
2. Approval of minutes of November 15, 2021 as printed.
3. **PUBLIC HEARING** re: Application of Broc & Tiffani Dye to rezone a tract of land located in the SE ¼ of Section 30, T.14 N., R.49 W., of the 6<sup>th</sup> P.M., Cheyenne County, NE, being more described as follows: Commencing at the E ¼ corner of Section 30, T.14 N., R.49 W., of the 6<sup>th</sup> P.M., Cheyenne County, NE.; thence S 01°54'15" on the east line of the SE ¼ of said Section, 198.98 feet to the NE corner of a tract recorded in Office Record No. 2014-2393, also being the Point of Beginning; thence N 87°09'44" W on the north line of said recorded tract, 345.17 feet; thence S 00°56'32" W 994.70 feet; thence N 90°00'00" E 328.61 feet a point on the east line of said SE ¼; thence N 01°54'15"E on said east line of said SE ¼, 978.02 feet to the Point of Beginning, containing 7.63 acres more or less; commonly known as 2230 Rd 113; to be rezoned inside Sidney, from A (Agricultural) to AR (Agriculture Residential) Zone.
4. **PUBLIC HEARING** re: Application of Brian & Mandi Raffelson to rezone a tract of land located in 36 14 50 Tracts 1 & W Situated in the E ½ SW ¼ & W ½ SE ¼; that part of the South ½ of section 36, Township 14 North, Range 50 West of the 6th Principal Meridian being more particularly described as follows: Commencing at the South ¼ corner of said section 36; Thence Westerly, along the south line of said section N88°04'10"W a distance of 1123.39 feet to the Point of Beginning; Thence along the South line of said section 36 N88°04'10"W a distance of 61.09 feet; Thence N01°55'50"E a distance of 33.00 feet; Thence N58°28'44"E a distance of 29.40 feet; Thence N30°04'33"E a distance of 207.72 feet; Thence N77°57'04"E a distance of 150.76 feet; Thence N48°23'39"E a distance of 166.64 feet; Thence N28°32'42"E a distance of 299.11 feet; Thence N37°21'06"E a distance of 240.10 feet; Thence N1°42'40"E a distance of 358.62 feet; Thence S88°17'20"E a distance of 295.16 feet; Thence S1°42'40"W a distance of 632.21 feet; Thence N88°02'10"W a distance of 407.45 feet; Thence S62°05'11"W a distance of 52.94 feet; Thence S28°32'42"W a distance of 204.28 feet; Thence S48°23'39"W a distance of 179.80 feet; Thence S77°57'04"W a distance of 145.36 feet; Thence S30°04'33"W a distance of 179.90 feet; Thence S10°31'07"E a distance of 15.19 feet; Thence S01°55'50"W a distance of 33.00 feet to the Point of Beginning. Containing 5.46 Acres more or less; from A (Agricultural) to AR (Agriculture Residential) Zone.
5. Comments by the public and action concerning other business by the commission.

ADJOURNMENT

**NEBRASKA OPEN MEETINGS ACT**  
**NEB REV STAT 84-1407 TO 84-1414**  
**(Effective April 22, 2021)**

1

**84-1407. Act, how cited.**

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

**84-1408. Declaration of intent; meetings open to public.** It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

**84-1409. Terms, defined.** For purposes of the Open Meetings Act, unless the context otherwise requires: (1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and (b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders; (2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and (3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

**84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.** (1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body. (2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section. (3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes. (4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act. (5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

**84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.** (1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public. (b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such

notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body. (c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee. (d) Each public body shall record the methods and dates of such notice in its minutes. (e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting. (2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met: (i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity; (ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act; (iii) The governing body of a public power district having a chartered territory of more than one county in this state; (iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state; (v) An educational service unit; (vi) The Educational Service Unit Coordinating Council; (vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act; (viii) A community college board of governors; (ix) The Nebraska Brand Committee; (x) A local public health department; (xi) A metropolitan utilities district; (xii) A regional metropolitan transit authority; (xiii) A natural resources district; and (xiv) The Judicial Resources Commission. (b) The requirements for holding a meeting by means of virtual conferencing are as follows: (i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference; (ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used; (iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and (iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing. (3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act. (4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting. (5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day. (6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing. (7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body. (b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings. (c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

**84-1412. Meetings of public body; rights of public; public body; powers and duties.** (1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing. (2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. (3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security

of the individual. (4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience. (5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state. (6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if: (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and (f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation. (7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting. (8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

**84-1413. Meetings; minutes; roll call vote; secret ballot; when.** (1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. (2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public. (3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes. (4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours. (5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency. (6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record. (7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public web site the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the web site at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the web site at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public web site for at least six months.

**84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.** (1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action. (2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act. (3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section. (4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

**Sec. 15, Legislative Bill 83, One Hundred Seventh Legislature, First Session, 2021. (The Revisor of Statutes will assign a statute number after the Legislature adjourns sine die.)** No motion, resolution, rule, regulation, ordinance, or formal action made, adopted, passed, or taken at a meeting as defined in section 84-1409 of a public body as defined in such section shall be invalidated because such motion, resolution, rule, regulation, ordinance, or formal action was made, adopted, passed, or taken at a meeting or meetings on or after March 17, 2020, and on or before April 30, 2021, pursuant to a Governor's Executive Order which waived certain requirements of the Open Meetings Act.

Sidney, Nebraska, November 15, 2021

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 P.M. on November 15, 2021 in the City Council Chambers, located at 1115 13<sup>th</sup> Avenue. Present were: Chairman Schmitt and Commissioners: Benzel, England, Loghry, Long, Smith and Sweetser. Absent: Glenn. Others present: Public Services|Zoning Director, Kevin Kubo, Financial Director, Lane Kizzire and City Clerk Lori Borchert. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Schmitt announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Chairman Schmitt called for a motion to approve the July 19, 2021 minutes. Smith moved, Sweetser seconded, "That the minutes from July 19, 2021 be approved." Roll call vote: Yeas: Loghry, Long, Schmitt, Smith, Sweetser. Nays: None. Abstain: Benzel, England. Absent: Glenn.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:32 p.m. to consider a conditional use permit for Brandy Root, owner of Blue Oasis Motel." Root has requested to open a recreational vehicle campground on a provisional basis as she currently does not have a sanitary sewer and bath house on the premises.

Brandy Root was present at the meeting as owner and on behalf of the Blue Oasis Motel. Schmitt asked if there were restrooms available. Root stated that one of the motel rooms is available for a shower house and restrooms. Root also stated that there is current plumbing for showering and bath that will be renovated for the RV park which is planned over the next six months. Root then introduced buyer/investor Gary Wendt, who will assist her in land development in 2022. Root reported that there is currently no sewer for the RV park but she does have a local service that pumps from those units, if needed. This service is contracted between the person that owns the RV unit and the contractor that pumps their sewer systems. Everything is done within guidelines of DEQ and the State of NE. Root is looking at housing five RV spaces. Going forward, she is looking at purchasing an adjacent lot to the east that will house 50 spaces. Root said she is still unsure if she will need to drill a new well or use an existing one on her property. The conditional use permit is necessary to move forward with the buyer/investor (Wendt) so they can move forward with the necessary permits that are required. Root was asked if the space was only for RVs. Root responded that it would be strictly RVs. Root also stated that there would be no tents or camping as that is an additional license that is required by the state. Schmitt asked if there were rules for long term camping. Kubo stated there is a 14-day camping statute. Smith asked what the long-term plan for RVs would be. Root replied that there would eventually be 50 units on five acres. Kubo stated that the conditional use permit would be only for the back portion, which would house five units and that Root would have to come back and apply for the additional units, if the east property is acquired. Root stated that her initial time frame to complete the project would be March of 2022. Root would have five 1500 gallon holding tanks for five spaces. England informed Root that the City of Sidney will not take sewage to dump. The option of leach lines were briefly discussed.

Chairman Schmitt asked if there were additional comments by the public. Gary Wendt, potential investor, said that there is always a need for a place for campers. Wendt stated, by adding additional campsites, the people will spend more money in town. Wendt believes this would be a good deal for everybody. As there were no further comments from the public, Chairman Schmitt closed the public hearing at 5:53 p.m.

Chairman Schmitt asked for a motion on the conditional use permit. Smith moved, England seconded, "That Root be allowed to move forward with a maximum of five campers and that the Planning Commission be notified upon installation of the sewage and bathhouse. The time frame of the conditional use permit is one year, November 15, 2022." Roll call vote: Yeas: England, Loghry, Long Schmitt, Smith, Sweetser and Benzel. Nays: None. Absent: Glenn.

Chairman Schmitt asked if there were any other comments from the Commissioners. Well wishes were given by the Commissioners to Public Service/Zoning Director, Kevin Kubo. Kubo stated this would be his last meeting as he will be moving to Hastings for employment. Kubo also stated that there will be two rezoning requests for December's meeting from Agricultural to Agricultural Residential. Kubo also informed the PC that in 2022, the PC will be working on their comp plan with RDG to help the community to grow.

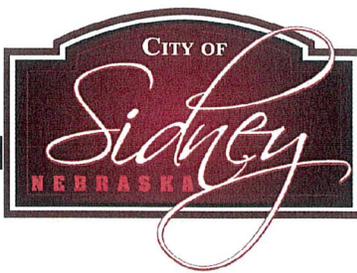
Meeting adjourned at 5:57 p.m.

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CHAIRMAN

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CITY CLERK



**SMALL TOWN VALUES**

1115 13TH AVENUE PO Box 79  
SIDNEY NEBRASKA 69162

**BIG TIME OPPORTUNITIES**

PHONE (308) 254-5300 FAX (308) 254-3164  
www.cityofsidney.org

**MEMORANDUM**

DATE: December 20, 2021  
  
TO: Planning Commission  
FROM: Inspection/Zoning Department  
RE: Rezoning/Subdivision Application

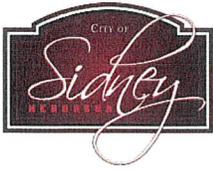
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**SUMMARY:**

Application of Brian & Mandi Raffelson to rezone a tract of land located in 36 14 50 Tracts 1 & W Situated in the E ½ SW ¼ & W ½ SE ¼; that part of the South ½ of section 36, Township 14 North, Range 50 West of the 6th Principal Meridian being more particularly described as follows: Commencing at the South ¼ corner of said section 36; Thence Westerly, along the south line of said section N88°04'10"W a distance of 1123.39 feet to the Point of Beginning; Thence along the South line of said section 36 N88°04'10"W a distance of 61.09 feet; Thence N01°55'50"E a distance of 33.00 feet; Thence N58°28'44"E a distance of 29.40 feet; Thence N30°04'33"E a distance of 207.72 feet; Thence N77°57'04"E a distance of 150.76 feet; Thence N48°23'39"E a distance of 166.64 feet; Thence N28°32'42"E a distance of 299.11 feet; Thence N37°21'06"E a distance of 240.10 feet; Thence N1°42'40"E a distance of 358.62 feet; Thence S88°17'20"E a distance of 295.16 feet; Thence S1°42'40"W a distance of 632.21 feet; Thence N88°02'10"W a distance of 407.45 feet; Thence S62°05'11"W a distance of 52.94 feet; Thence S28°32'42"W a distance of 204.28 feet; Thence S48°23'39"W a distance of 179.80 feet; Thence S77°57'04"W a distance of 145.36 feet; Thence S30°04'33"W a distance of 179.90 feet; Thence S10°31'07"E a distance of 15.19 feet; Thence S01°55'50"W a distance of 33.00 feet to the Point of Beginning. Containing 5.46 Acres more or less; from A (Agricultural) to AR (Agriculture Residential) Zone

**BACKGROUND/DISCUSSION:**

To build a single family home on the 5.46 acres.



# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

## PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

See attached Plat

and commonly known as \_\_\_\_\_  
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: A, Agriculture  
to: AR, Agriculture Residential

Name(s), address, and phone number(s) of owner(s):

No owner within 300 ft

Names(s) address, and phone number(s) of Developer(s) if different than the owner.

Proposed use of the property: Build single family structure

Dated this 16th day of November, 2021.

Signature(s): [Signatures]

Date Received: 11/16/2021

Received by: [Signature]



# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

## APPLICATION FOR ADMINISTRATIVE APPROVAL OF A SUBDIVISION

1. Name of Subdivision: BJR Subdivision
2. Name of Applicant: BJ  
 Address 10940 Rd 20 Sidney Ne 69162  
(Street No. & Name) (City) (State) (Zip)
3. Owner of Record: \_\_\_\_\_  
 Address \_\_\_\_\_  
(Street No. & Name) (City) (State) (Zip)  
Part of South 1/2 of Section 36, Township 14 North,
4. Subdivision Location: Range 50 West of the 6<sup>th</sup> side of \_\_\_\_\_  
(Direction) (Street)  
Princeton M.
5. Legal Description and Address of Subdivision: Refer copy of Plat,  
10940 Rd 20, Sidney Ne, 69162
6. Zoning of each Lot involved A/R Number of Lots: 2
7. Purpose of Subdivision of Land, (Be Specific): Replat of existing  
Lot.
8. Attached:  Filing fee of \$100.00. ✓  
 Proof of ownership ✓  
 Signature: [Signature]  
(If signature is other than property owner, please attach owner's proof of acknowledgment of application)  
 Approved: [Signature] Date: 11/16/2021  
Chief Building Official  
 Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Water Department Superintendent  
 Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Electric Department Superintendent  
 Filed: Book \_\_\_\_\_ Page \_\_\_\_\_



# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

## PETITION FOR REZONING

1. Complete all blanks on the application and return it to the City Inspectors Offices, City of Sidney, 1115 13th Avenue, P.O. Box 79, Sidney, NE 69162 a minimum of two (2) weeks prior to the meeting of the Planning Commission. The Commission meets on the 3rd Monday of each month at 5:30 PM.
2. Applicant(s) must submit with the application the names and addresses of all property owners within 300 ft. of the property being rezoned. These names and addresses must be the current owners as listed at the Cheyenne County Assessor's Office.
3. A non-refundable \$100.00 filing fee must be paid at the time the application is submitted. Make checks payable to "City of Sidney".

**IMPORTANT NOTICE TO THE APPLICANT(s):** THIS APPLICATION WILL BE TABLED IF THE APPLICANT OR THEIR REPRESENTATIVE IS NOT PRESENT AT THE PUBLIC HEARING. PHONE ATTANDANCE MUST BE ARRANGED 24 HOURS IN ADVANCE OF THE MEETING.

**City Of Sidney**

\$ 200.00 Sidney, Nebraska 11-17 2021 36436

Received of Brian Raffelsen  
Two hundred & no/100 DOLLARS

For zoning  
401 603-01 ZBorchert City Cashier





# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

## ADMINISTRATIVE SUBDIVISION APPLICATION

1. Complete all blanks on the application and return it to the City Offices, City of Sidney, 1115 13th Avenue, P.O. Box 79, Sidney, NE 69162.
2. This application for a subdivision of a pre established lot or block this will be done administratively and will not go through the Planning Commission or Council. If your Subdivision involves more than 3 Lots, and extend outside of one block then you will need to do a complete Subdivision and a different application is necessary.
3. A non refundable \$100.00 filing fee must be paid at the time the application is submitted. Make checks payable to "City of Sidney".
4. The application must be turned in 2 weeks in advance of approval. A minimum of 10 days is needed to:
  - Publish a legal notice in the Sidney Sun-Telegraph regarding this request. X
  - Check the zoning. A + AR
  - Send owners letters of the subdivision intent. no owners within 300 ft
5. The following must be turned in with the application:
  - Owners proof of ownership by either an Attorney's letter of opinion or Title.
  - Names and addresses of all owners within 300 feet of the proposed subdivision.

# ADMINISTRATIVE SUBDIVISION FINAL PLAT

LOTS 1 AND 2, BLOCK 1 OF BJR SUBDIVISION  
PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 50 WEST OF THE 6TH  
PRINCIPAL MERIDIAN, CITY OF SIDNEY, COUNTY OF CHEYENNE, STATE OF NEBRASKA

**OWNERS CERTIFICATE**

KNOW ALL PERSONS BY THESE PRESENTS THAT BRIAN RAFFLESON AND MANDI RAFFLESON, BEING THE LEGAL OWNERS(S), MORTGAGE OR LIENHOLDERS(S) OF THE LAND HEREON DESCRIBED, HAVE CAUSED SAID LAND TO BE SUBDIVIDED AND LAID OUT INTO LOTS, BLOCKS OR TRACTS AS SHOWN ON THIS PLAT IN ACCORDANCE WITH CITY OF SIDNEY SUBDIVISION REGULATIONS AND HAVE DONE SO UNDER THEIR OWN FREE WILL

BRIAN RAFFLESON \_\_\_\_\_ DATE 11-16-21  
MANDI RAFFLESON \_\_\_\_\_ DATE 11/16/21

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS 16 OF November, 2021

MY COMMISSION EXPIRES 9-1-2024  
*Lori A. Borcher*  
GENERAL NOTARY - State of Nebraska  
LORI A. BORCHERT  
My Comm. Exp. September 1, 2024

NOTARY PUBLIC

**CERTIFICATE OF APPROVAL**

THIS PLAT IS APPROVED BY THE CITY OF SIDNEY, NEBRASKA PLANNING COMMISSION, APPROVAL OF THIS PLAT DOES NOT CONSTITUTE ACCEPTANCE OF ANY DEDICATION.

WITNESS MY HAND AND THE CORPORATE SEAL OF THE CITY OF SIDNEY, NEBRASKA  
THIS 16 DAY OF November, 2021

*David Scott* \_\_\_\_\_ DATE 11-16-2021  
DAVID SCOTT \_\_\_\_\_ DATE \_\_\_\_\_  
CITY MANAGER, CITY OF SIDNEY, NEBRASKA  
*Lori Borcher* \_\_\_\_\_ DATE 11-16-2021  
LORI BORCHERT \_\_\_\_\_ DATE \_\_\_\_\_  
CITY CLERK - TREASURER CITY OF SIDNEY, NEBRASKA

**SURVEYOR'S CERTIFICATE**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS' REGULATION ACT AT THE REQUEST OF BRIAN RAFFLESON AND COMPLETED ON NOVEMBER 11TH OF 2021. I CERTIFY THAT I AM A DULY REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA.

*Christopher M. O'Malley* \_\_\_\_\_ DATE 11/16/21  
CHRISTOPHER M. O'MALLEY, R.L.S. 796 \_\_\_\_\_ DATE \_\_\_\_\_  
O'MALLEY GEOMATICS



office@omalleygeo.com | www.omalleygeo.com  
402.915.0513 - 308.250.0672  
OMAHA - LINCOLN - SIDNEY

**ADMINISTRATIVE SUBDIVISION**  
10940 RD. 20  
SIDNEY, NE  
CHEYENNE, COUNTY

DATE: 11/11/2021  
SHEET NUMBER: 1 OF 1



**LEGAL DESCRIPTIONS**

LOT 1  
THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 50 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 36; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION S87°57'06"E, A DISTANCE OF 1304.08 FEET; THENCE ALONG THE FOLLOWING 22 DESCRIBED COURSES:

N02°41'34"E, A DISTANCE OF 53.12' FEET;  
THENCE N56°26'05"W A DISTANCE OF 187.65 FEET;  
THENCE N14°04'56"W A DISTANCE OF 309.50 FEET;  
THENCE N00°53'24"E A DISTANCE OF 200.00 FEET;  
THENCE N00°53'24"E A DISTANCE OF 476.10 FEET;  
THENCE N16°44'50"W A DISTANCE OF 179.10 FEET;  
THENCE N35°38'00"W A DISTANCE OF 116.80 FEET;  
THENCE N63°15'48"W A DISTANCE OF 214.84 FEET;  
THENCE N87°12'17"W A DISTANCE OF 703.82 FEET;  
THENCE N00°50'22"E A DISTANCE OF 110.00 FEET;  
THENCE S88°46'53"W A DISTANCE OF 91.23 FEET;  
THENCE S88°35'53"W A DISTANCE OF 179.30 FEET;  
THENCE S77°51'22"W A DISTANCE OF 122.41 FEET;  
THENCE S64°51'58"W A DISTANCE OF 385.14 FEET;  
THENCE S56°20'35"W A DISTANCE OF 187.09 FEET;  
THENCE S47°44'34"W A DISTANCE OF 92.49 FEET;  
THENCE S34°50'58"W A DISTANCE OF 94.48 FEET;  
THENCE S30°07'31"W A DISTANCE OF 147.94 FEET;  
THENCE S05°32'53"W A DISTANCE OF 308.64 FEET;  
THENCE S54°01'32"W A DISTANCE OF 70.04 FEET;  
THENCE N67°47'28"W A DISTANCE OF 199.69 FEET;  
THENCE N83°29'46"W A DISTANCE OF 52.32 FEET;  
THENCE S27°29'04"W A DISTANCE OF 698.18 FEET TO THE SOUTH LINE OF SAID SECTION 36;  
THENCE ALONG SAID SOUTH LINE OF SAID SECTION S87°04'10"E, A DISTANCE OF 137.39 FEET;  
THENCE ALONG THE FOLLOWING 17 DESCRIBED COURSES:

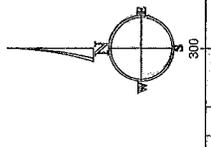
N01°55'05"E, A DISTANCE OF 33.00 FEET;  
THENCE N58°28'44"E, A DISTANCE OF 29.40 FEET;  
THENCE N30°04'33"E, A DISTANCE OF 207.72 FEET;  
THENCE N77°57'04"E, A DISTANCE OF 150.76 FEET;  
THENCE N48°23'39"E, A DISTANCE OF 166.64 FEET;  
THENCE N28°32'42"E, A DISTANCE OF 299.11 FEET;  
THENCE N37°21'06"E, A DISTANCE OF 240.10 FEET;  
THENCE N1°42'40"E, A DISTANCE OF 358.62 FEET;  
THENCE S88°17'20"E, A DISTANCE OF 295.16 FEET;  
THENCE S1°42'40"W, A DISTANCE OF 632.21 FEET;  
THENCE N88°02'10"W, A DISTANCE OF 407.45 FEET;  
THENCE S67°05'11"W, A DISTANCE OF 52.94 FEET;  
THENCE S28°32'42"W, A DISTANCE OF 204.28 FEET;  
THENCE S48°23'39"W, A DISTANCE OF 179.80 FEET;  
THENCE S77°57'04"W, A DISTANCE OF 145.36 FEET;  
THENCE S50°04'35"W, A DISTANCE OF 179.90 FEET;  
THENCE S10°31'07"E, A DISTANCE OF 15.19 FEET;  
THENCE S07°55'50"W, A DISTANCE OF 33.00 FEET TO THE SOUTH LINE OF SAID SECTION 36;  
THENCE S88°04'10"E, A DISTANCE OF 1123.39 FEET TO THE POINT OF BEGINNING,  
CONTAINING 70.46 ACRES, MORE OR LESS.

LOT 2  
THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 50 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 36; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION N88°04'10"W, A DISTANCE OF 1123.39 FEET TO THE POINT OF BEGINNING,  
THENCE ALONG THE SOUTH LINE OF SAID SECTION 36 N88°04'10"W, A DISTANCE OF 61.09 FEET;  
THENCE N01°55'05"E, A DISTANCE OF 33.00 FEET;  
THENCE N58°28'44"E, A DISTANCE OF 29.40 FEET;  
THENCE N30°04'33"E, A DISTANCE OF 207.72 FEET;  
THENCE N77°57'04"E, A DISTANCE OF 150.76 FEET;  
THENCE N48°23'39"E, A DISTANCE OF 166.64 FEET;  
THENCE N28°32'42"E, A DISTANCE OF 299.11 FEET;  
THENCE N37°21'06"E, A DISTANCE OF 240.10 FEET;  
THENCE N1°42'40"E, A DISTANCE OF 358.62 FEET;  
THENCE S88°17'20"E, A DISTANCE OF 295.16 FEET;  
THENCE S1°42'40"W, A DISTANCE OF 632.21 FEET;  
THENCE N88°02'10"W, A DISTANCE OF 407.45 FEET;  
THENCE S67°05'11"W, A DISTANCE OF 52.94 FEET;  
THENCE S28°32'42"W, A DISTANCE OF 204.28 FEET;  
THENCE S48°23'39"W, A DISTANCE OF 179.80 FEET;  
THENCE S77°57'04"W, A DISTANCE OF 145.36 FEET;  
THENCE S50°04'35"W, A DISTANCE OF 179.90 FEET;  
THENCE S10°31'07"E, A DISTANCE OF 15.19 FEET;  
THENCE S07°55'50"W, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING,  
CONTAINING 5.46 ACRES MORE OR LESS.

# ADMINISTRATIVE SUBDIVISION FINAL PLAT

LOTS 1 AND 2, BLOCK 1 OF BJR SUBDIVISION  
 PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 50 WEST OF THE 6TH  
 PRINCIPAL MERIDIAN, CITY OF SIDNEY, COUNTY OF CHEYENNE, STATE OF NEBRASKA

LINE	BEARING	DISTANCE	BEARING	DISTANCE	BEARING
L1	33.00'	N01°55'50"E	52.32'	S83°29'46"E	52.62'
L2	28.40'	N86°28'44"E	119	S87°47'28"E	189.45'
L3	207.72'	N30°04'33"E	70.04'	S54°01'32"W	69.69'
L4	150.76'	N77°57'04"E	308.64'	S05°32'53"W	308.80'
L5	166.84'	N48°23'59"E	147.94'	N30°07'31"E	148.04'
L6	299.11'	N28°32'42"E	94.48'	N34°50'58"E	94.58'
L7	240.10'	N37°21'08"E	92.49'	N47°44'34"E	93.06'
L8	368.62'	N01°42'40"E	187.09'	N56°20'33"E	186.50'
L9	295.16'	S88°17'20"E	385.14'	N64°51'58"E	385.14'
L10	632.21'	S01°42'40"W	122.41'	S77°51'22"W	122.41'
L11	407.45'	N88°02'10"W	179.30'	N68°35'53"E	179.43'
L12	52.94'	S82°05'11"W	91.23'	S88°46'53"W	91.23'
L13	204.28'	S28°32'42"W	110.00'	S00°30'22"W	110.00'
L14	179.80'	S48°23'39"W	703.82'	N87°12'17"W	704.00'
L15	145.36'	S77°57'04"W	214.84'	N63°15'48"W	214.20'
L16	179.80'	S50°04'33"W	116.80'	N35°38'00"W	116.80'
L17	15.19'	S10°31'07"E	179.10'	N16°44'50"W	179.10'



### TIE NOTES

- S 1/4 SEC.36
- NW 66' TO MAG NAIL IN EDGE OF PAVEMENT
- NE 66' TO MAG NAIL IN EDGE OF PAVEMENT
- SW 66' TO MAG NAIL IN EDGE OF PAVEMENT
- SE 66' TO MAG NAIL IN EDGE OF PAVEMENT

- = FOUND 5/8" REBAR AND CAP RLS 603 UNLESS NOTED OTHERWISE
- = SET 1/2" REBAR AND PLASTIC CAP STAMPED "RLS 796"
- (XX) = RECORD DATA S.R.R. INDEX 1163/59

**O'MALLEY**  
 LAND SURVEYORS  
 402.915.0513 - 308.250.0672  
 office@omalleygeo.com | www.omalleygeo.com  
 OMAHA - LINCOLN - SIDNEY

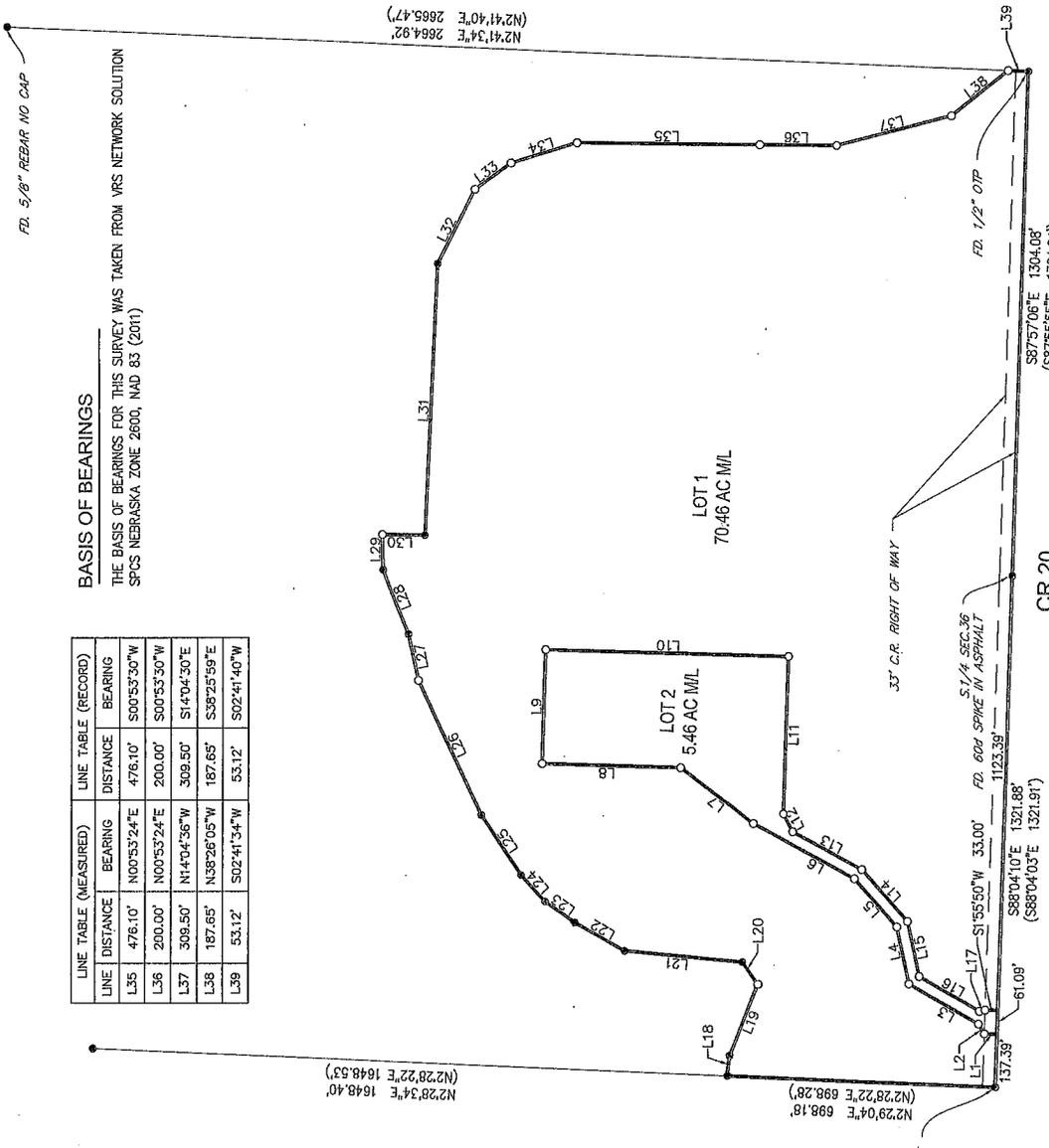
**ADMINISTRATIVE SUBDIVISION**  
 10940 RD. 20  
 SIDNEY, NE  
 CHEYENNE, COUNTY

DATE: 11/11/2021  
 SHEET NUMBER: 1 OF 1

### BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS TAKEN FROM VRS NETWORK SOLUTION  
 SPCS NEBRASKA ZONE 2600, NAD 83 (2011)

LINE	DISTANCE	BEARING	DISTANCE	BEARING
L35	476.10'	N00°53'24"E	476.10'	S00°53'30"W
L36	200.00'	N00°53'24"E	200.00'	S00°53'30"W
L37	308.50'	N14°04'36"W	308.50'	S14°04'30"E
L38	187.65'	N38°26'05"W	187.65'	S38°25'59"E
L39	53.12'	S02°41'34"W	53.12'	S02°41'40"W



CR 20  
 33' C.R. RIGHT OF WAY  
 600' SPIKE IN ASPHALT  
 S 1/4 SEC.36

FD. 5/8" REBAR NO CAP

N2°41'34"E 2864.92'  
 (N2°41'40"E 2865.47')

S87°57'06"E 1304.08'  
 (S87°55'55"E 1304.24')

N2°29'04"E 698.18'  
 (N2°28'22"E 698.28')

N2°28'34"E 1648.40'  
 (N2°28'22"E 1648.53')

S88°04'10"E 1321.88'  
 (S88°04'03"E 1321.91')

FD. 1/2" O/P



Parcel Information	
<b>Parcel ID:</b>	170002225
<b>Map Number</b>	6318
<b>State Geo Code</b>	2837-36-3-00000-001-0010
<b>Cadastral #</b>	22-160A-6318
<b>Images</b>	<a href="#">Photo #1</a> <a href="#">Photo #2</a> <a href="#">Photo #3</a> <a href="#">Photo #4</a> <a href="#">Photo #5</a> <a href="#">Photo #6</a> <a href="#">Photo #7</a> <a href="#">Photo #8</a> <a href="#">Photo #9</a> <a href="#">Photo #10</a> <a href="#">Photo #11</a> <a href="#">Photo #12</a> <a href="#">Photo #13</a> <a href="#">Photo #14</a> <a href="#">Photo #15</a> <a href="#">Photo #16</a> <a href="#">Sketch #1</a>
<b>Current Owner:</b>	RAFFELSON/BRIAN & MANDI RAFFELSON JT 2516 EL RANCHO ROAD SIDNEY, NE 69162-2422
<b>Situs Address:</b>	10940 ROAD 20 SIDNEY
<b>Tax District:</b>	30
<b>School District:</b>	SIDNEY 1, 17-0001
<b>Account Type:</b>	Agricultural
<b>Legal Description:</b>	36 14 50 TRACTS 1 & 2 SITUATED IN THE E1/2 SW1/4 & W1/2 SE1/4
<b>Lot Width:</b>	N/A
<b>Lot Depth:</b>	N/A
<b>Total Lot Size:</b>	N/A

Assessed Values				
Year	Total	Land	Outbuilding	Dwelling
2021	\$316,307	\$269,947	\$9,220	\$37,140
2020	\$312,987	\$266,627	\$9,220	\$37,140

Yearly Tax Information		
Year	Amount	Levy
2021	\$5,442.06	1.84448500
2020	\$5,397.00	1.84235200
2019	\$5,355.20	1.83300900
2018	\$5,372.68	1.81797900
2017	\$5,304.84	1.78637700
2016	\$5,320.22	1.77964100
2015	\$5,383.42	1.80871000
2014	\$3,252.82	1.86326100
2013	\$3,156.30	1.89614400
2012	\$2,686.12	1.90838300

2020 Tax Levy	
Description	Rate
SIDNEY 1	1.05000000
COUNTY GENERAL	0.40672700
NRD	0.04888400
HS SCHOOL BOND	0.16310700
SIDNEY 1 QCPUF	0.02471800
ED SERVICE UNIT 13	0.01549400
FIRE DIST 1	0.03019300
HISTORICAL SOCIETY	0.00146200
WNCC	0.10176700



<b>Agricultural Land Information</b>					
<u>Soil Symbol</u>	<u>Landuse</u>	<u>LVG</u>	<u>Unit Value</u>	<u>Acres</u>	<u>Total Value</u>
1006	DRY	4D	\$352.00	2.600	\$915.00
1006	GRAS	4G	\$312.00	12.310	\$3,841.00
1030	GRAS	3G	\$375.00	6.110	\$2,291.00
1327	GRAS	4G1	\$365.00	1.080	\$394.00
819	HOME	819	\$26,125.00	1.000	\$26,125.00
1006	IRRG	4A	\$1,948.00	3.730	\$7,266.00
1030	IRRG	1A	\$2,455.00	62.660	\$153,830.00
1196	IRRG	2A1	\$2,445.00	5.160	\$12,616.00
1361	IRRG	1A	\$2,455.00	2.250	\$5,524.00
2306	IRRG	1A	\$2,455.00	22.300	\$54,747.00
1400	ROAD	1400	\$0.00	1.030	\$0.00
1400	ROAD	1400	\$0.00	0.160	\$0.00
804	SITE	804	\$1,000.00	2.010	\$2,010.00
600	WASTE	600	\$100.00	3.880	\$388.00
<b>Total:</b>				126.28	\$269,947.00

**3 Year Sales History**

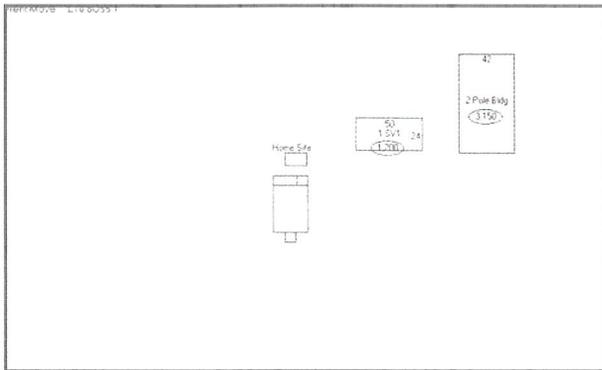
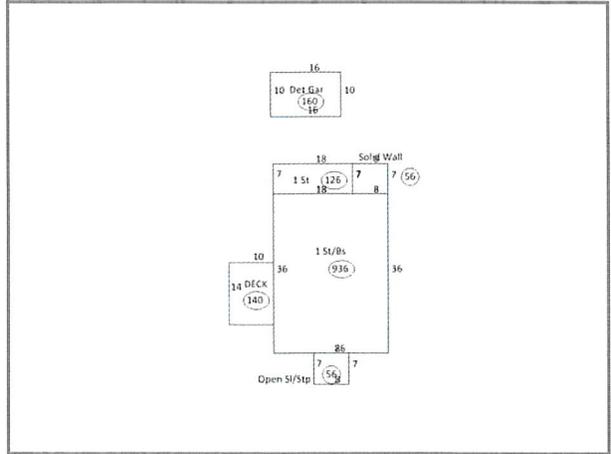
No previous sales information is available (for the past 3 years).

<b>Residential Datasheet</b>			
<b>Zoning:</b>	Agricultural	<b>Condition:</b>	Average
<b>Year Built:</b>	1910	<b>Style:</b>	100% One Story
<b>Exterior:</b>	100% Frame, Siding, Wood	<b>Bathrooms:</b>	1.00
<b>Bedrooms:</b>	2	<b>Heating/Cooling:</b>	100% Warmed & Cooled Air
<b>Plumbing Fixtures:</b>	6	<b>Min Finish:</b>	0 sq. ft
<b>Basement Size:</b>	936 sq. ft	<b>Part Finish:</b>	0 sq. ft
<b>Building Size:</b>	1,062 sq. ft	<b>Garage 1:</b>	Detached Garage(SF)
<b>Quality:</b>	Fair +	<b>Garage 1 Size:</b>	160 sq. ft

<b>Dwelling Data</b>	
<u>Description</u>	<u>Units</u>
Enclosed Porch, Solid Walls	56
Raised Slab Porch	56
Wood Deck	140

<b>Outbuilding Data</b>		
<u>Description</u>	<u>Units</u>	<u>Year Built</u>
1.00 SLVG WOOD SHED	1,200	1920
Farm Utility Building	3,150	1983

Photo/Sketch



**SMALL TOWN VALUES**

1115 13TH AVENUE PO Box 79  
SIDNEY NEBRASKA 69162

**BIG TIME OPPORTUNITIES**

PHONE (308) 254-5300 FAX (308) 254-3164  
[www.cityofsidney.org](http://www.cityofsidney.org)

**MEMORANDUM**

DATE: December 20, 2021

TO: Planning Commission

FROM: Inspection/Zoning Department

RE: Rezoning/Subdivision Application

---

**SUMMARY:**

Application of Broc & Tiffani Dye to rezone a tract of land located in the SE  $\frac{1}{4}$  of Section 30, T.14 N., R.49 W., of the 6<sup>th</sup> P.M., Cheyenne County, NE, being more described as follows: Commencing at the E  $\frac{1}{4}$  corner of Section 30, T.14 N., R.49 W., of the 6<sup>th</sup> P.M., Cheyenne County, NE.; thence S 01°54'15" on the east line of the SE  $\frac{1}{4}$  of said Section, 198.98 feet to the NE corner of a tract recorded in Office Record No. 2014-2393, also being the Point of Beginning; thence N 87°09'44" W on the north line of said recorded tract, 345.17 feet; thence S 00°56'32" W 994.70 feet; thence N 90°00'00" E 328.61 feet a point on the east line of said SE  $\frac{1}{4}$ ; thence N 01°54'15"E on said east line of said SE  $\frac{1}{4}$ , 978.02 feet to the Point of Beginning, containing 7.63 acres more or less; commonly known as 2230 Rd 113; to be rezoned inside Sidney, from A (Agricultural) to AR (Agriculture Residential) Zone.

**BACKGROUND/DISCUSSION:**

To build a single family home on the 7.63 acres.





# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

## APPLICATION FOR SUBDIVISION

1. Name of Subdivision: Dye

2. Name of applicant(s): Brock Dye

Address 2230 Rd 113 Sidney NE 69162  
(Street No. & Name) (City) (State) (Zip)

3. Owner of Record: Peggy Stetter

Address 922 Lawrence  
(Street No. & Name) (City) (State) (Zip)

4. Subdivision Location: \_\_\_\_\_

5. Legal Description and Address of Subdivision: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Current Zoning A Number of Proposed Lots: \_\_\_\_\_

7. Purpose of Subdivision of Land: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_  
\_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_



# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

## PETITION FOR REZONING

1. Complete all blanks on the application and return it to the City Inspectors Offices, City of Sidney, 1115 13th Avenue, P.O. Box 79, Sidney, NE 69162 a minimum of two (2) weeks prior to the meeting of the Planning Commission. The Commission meets on the 3rd Monday of each month at 5:30 PM.
2. Applicant(s) must submit with the application the names and addresses of all property owners within 300 ft. of the property being rezoned. These names and addresses must be the current owners as listed at the Cheyenne County Assessor's Office.
3. A non-refundable \$100.00 filing fee must be paid at the time the application is submitted. Make checks payable to "City of Sidney".

**IMPORTANT NOTICE TO THE APPLICANT(s): THIS APPLICATION WILL BE TABLED IF THE APPLICANT OR THEIR REPRESENTATIVE IS NOT PRESENT AT THE PUBLIC HEARING. PHONE ATTANDANCE MUST BE ARRANGED 24 HOURS IN ADVANCE OF THE MEETING.**

Checks.com www.checks.com

76-843/1041 137

**BROC DYE**  
**TIFFANI DYE**  
 710 S HOWARD STREET  
 KIMBALL, NE 69145

\_\_\_\_\_ 20 \_\_\_\_\_

PAY to the order of City of Sidney \$ 100<sup>00</sup>

one hundred dollars - 00/100 DOLLARS Security Features Included. Details on back.

**THE POTTER STATE BANK OF POTTER**  
 P.O. BOX 67  
 POTTER, NEBRASKA 69156-0067  
 PH. (308) 879-4451

FOR rezoning fee Tiffani Dye MP

⑆ 104 108439⑆ 504 00430⑆ 0037



# City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

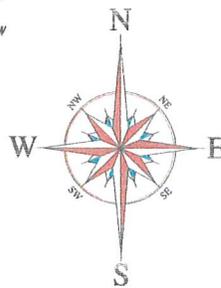
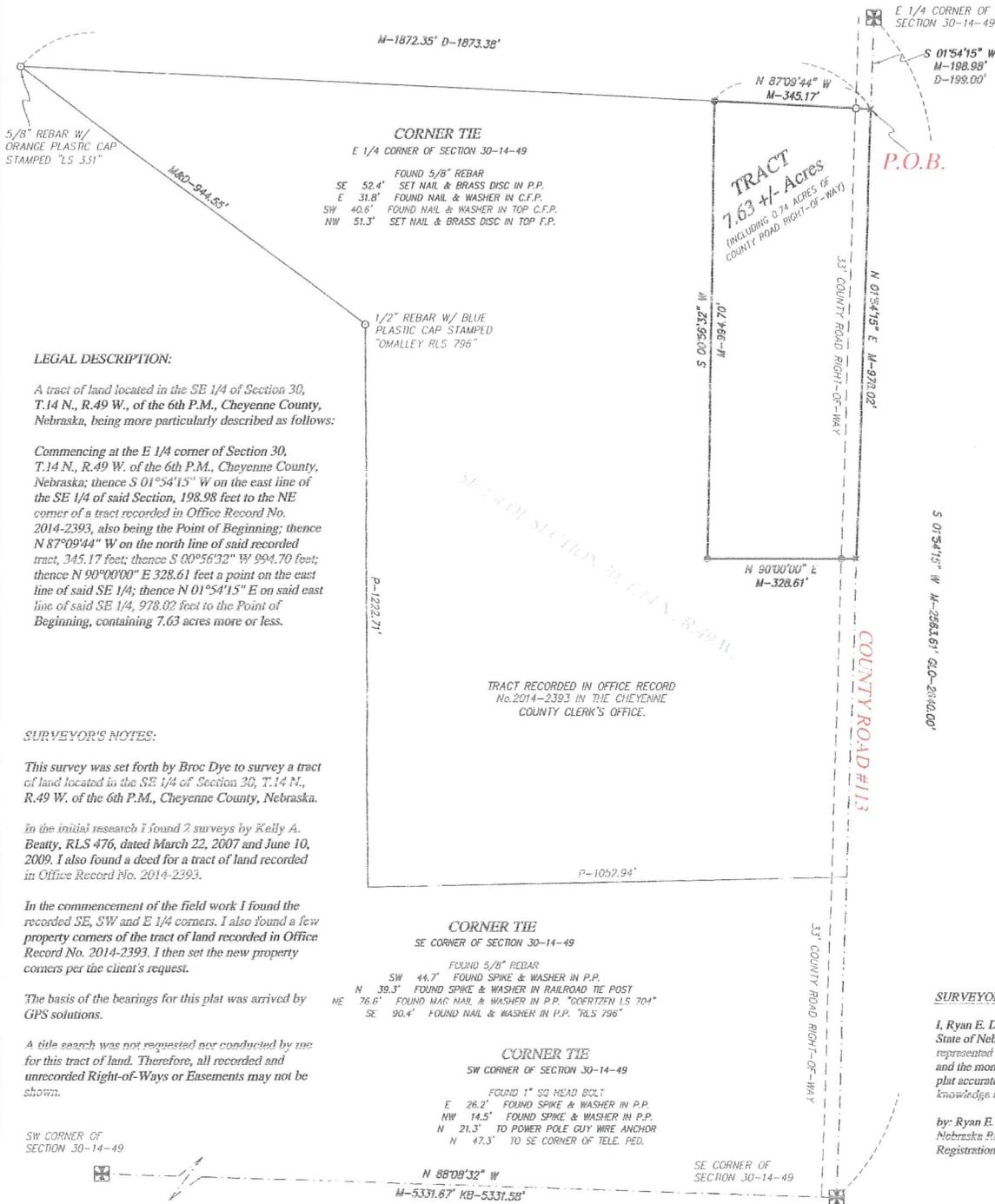
## SUBDIVISION APPLICATION

1. Complete all blanks on the application and return it to the City Offices, City of Sidney, 1115 13th Avenue, P.O. Box 79, Sidney, NE 69162.
2. Application fees are as follows:  
Subdivisions with two or fewer lots: \$100.00  
Subdivisions with three or more lots: \$750.00

This is a non-refundable fee and must be paid at the time the application is submitted. Make checks payable to "City of Sidney".

3. The application must be turned in 2 weeks in advance of the Planning Commission meeting
4. The following must be turned in with the application:
  - Preliminary plat drawn to a scale of not less than one inch equals 100 feet showing all existing and proposed easements, rights-of-way, utilities and all adjoining owners and zoning.
  - Proof of ownership of property by a letter of opinion provided by Title Company or Attorney.
  - Names and addresses of all owners within 300 feet of the proposed subdivision. This can be obtained from the Cheyenne County Assessor's Office.

# A SURVEY PLAT OF A TRACT OF LAND LOCATED IN THE SE 1/4 OF SECTION 30, T.14 N., R.49 W. OF THE 6th P.M., CHEYENNE COUNTY, NEBRASKA



SCALE 1" = 200'

**LEGEND**

- FOUND SECTION AND QUARTER CORNER MONUMENTS
- FOUND MONUMENT
- MONUMENT SET
- GLO- ORIGINAL GOVERNMENT DISTANCE
- KB- KELLY A. BEATTY L.S. 476 DISTANCE
- D- DEEDED DISTANCE
- M- MEASURED DISTANCE
- X- TEMPORARY POINT

**LEGAL DESCRIPTION:**

A tract of land located in the SE 1/4 of Section 30, T.14 N., R.49 W., of the 6th P.M., Cheyenne County, Nebraska, being more particularly described as follows:

Commencing at the E 1/4 corner of Section 30, T.14 N., R.49 W. of the 6th P.M., Cheyenne County, Nebraska; thence S 01°54'15" W on the east line of the SE 1/4 of said Section, 198.98 feet to the NE corner of a tract recorded in Office Record No. 2014-2393, also being the Point of Beginning; thence N 87°09'44" W on the north line of said recorded tract, 345.17 feet; thence S 00°56'32" W 994.70 feet; thence N 90°00'00" E 328.61 feet a point on the east line of said SE 1/4; thence N 01°54'15" E on said east line of said SE 1/4, 978.02 feet to the Point of Beginning, containing 7.63 acres more or less.

**SURVEYOR'S NOTES:**

This survey was set forth by Broc Dye to survey a tract of land located in the SE 1/4 of Section 30, T.14 N., R.49 W. of the 6th P.M., Cheyenne County, Nebraska.

In the initial research I found 2 surveys by Kelly A. Beatty, RLS 476, dated March 22, 2007 and June 10, 2009. I also found a deed for a tract of land recorded in Office Record No. 2014-2393.

In the commencement of the field work I found the recorded SE, SW and E 1/4 corners. I also found a few property corners of the tract of land recorded in Office Record No. 2014-2393. I then set the new property corners per the client's request.

The basis of the bearings for this plat was arrived by GPS solutions.

A title search was not requested nor conducted by me for this tract of land. Therefore, all recorded and unrecorded Right-of-Ways or Easements may not be shown.

SW CORNER OF SECTION 30-14-49

TRACT RECORDED IN OFFICE RECORD No. 2014-2393 IN THE CHEYENNE COUNTY CLERK'S OFFICE.

RESERVED FOR REPOSITORY

**SURVEYOR'S STATEMENT**

I, Ryan E. Dickinson, a Registered Land Surveyor in the State of Nebraska, do hereby state that the survey represented by this plat was made under my supervision, and the monuments shown thereon actually exist, and this plat accurately represents said survey to the best of my knowledge and belief.

by: Ryan E. Dickinson  
Nebraska Registered Land Surveyor  
Registration No. 554



**Dickinson Land Surveyors, Inc.**

Nebraska and Colorado Certified

302 Diamond Springs Trail, Ogallala, Nebraska 69153

Office: 308-284-8440

www.dickinsonlandsurveyors.com

CLIENT: BROD DYE

DATE OF SURVEY: 14 OCT 2021

PAGE 1 OF 1 PROJECT #: 21-290



10-27-21  
*[Signature]*

## Parcels

PID	OwnerName	PropertyAddress	OwnerAddress	LegalDesc
170001237	SIDNEY, THE CITY OF		1115 13TH AVENUE PO BOX 79 SIDNEY NE 69162-0079	0-14-49 ALL CHIDESTER ADDITION EXCEPT BLOCKS 3 & 4 & LOTS 1 THRU 5 BLOCK 2, & PART S 1/2 WEST OF CB & Q RR ROW IN 29-14-49 SIDNEYLANDS INSIDE
170169502	KENNEDY, BRAD A & JOYELLE K KENNEDY JT	2255 ROAD 113 SIDNEY	2255 ROAD 113 PO BOX 830 SIDNEY NE 69162-0830	29-14-49 TRACT IN PART S 1/2 SW 1/4 NW 1/4
Null				
170001261	HAUGE, PAMELA J		PO BOX 372 SIDNEY NE 69162- 0372	30-14-49 PART NE 1/4 (EAST) EXCLUDING TRACT 1 HAUGE SUBDIVISION
170001385	GARTNER, SHAE D & PEGGY S STETTNER JT	922 LAWRENCE STREET SIDNEY	922 LAWRENCE STREET SIDNEY NE 69162-1379	30-14-49 PART N/2SE/4
RD				
170183505	NEAL, FREDERICK & JACQUELINE A NEAL JT		PO BOX 412 HANOVER KS 66945- 0412	30-14-49 TRACT IN PART N/2SE/4 (11.10 ACRES)

## Sections

T	R	SEC	acres
14	49W	29	633.5222
14	49W	30	645.30832

## Parcels - Labels

PID	acres
170001237	181.85961
170169502	10.56765
NOPID	12.98267
170001261	88.5951
170001385	36.3384
RD	71.86341
170183505	10.62653