

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

COUNTY CHANGE OF ZONE NO. 17025: )  
REQUESTING A CHANGE OF ZONE FROM )  
“AG” AGRICULTURAL TO “B” BUSINESS )  
AND FROM “I” INDUSTRIAL TO “B” ) RESOLUTION NO. R-17-0073  
BUSINESS ON PROPERTY GENERALLY )  
LOCATED AT HIGHWAY 2 AND HIGHWAY )  
43, IN LANCASTER COUNTY )

WHEREAS, pursuant to Neb. Rev. Stat. § 23-114, the Lancaster County Board of County Commissioners (“Board”) is authorized to make amendments to the 1979 Zoning Resolution of Lancaster County that are consistent with Lancaster County’s Comprehensive Plan and after receipt of specific recommendations from the Lincoln/Lancaster County Planning Commission (“Planning Commission”);

WHEREAS, Doug Derscheid (“Applicant”) has requested County Change of Zone No. 17025 (“Change of Zone”) from Agricultural (“AG”) to Business (“B”), on property generally located at Highway 2 and Highway 43, consisting of approximately 13.50 acres, under contract of sale from Casey’s Retail Company to Applicant (“the AG property”);

WHEREAS, the Director of Lincoln-Lancaster County Planning Department (“Department”) has requested County Change of Zone No. 17025 (“Change of Zone”) from Industrial (“I”) to Business (“B”), on property generally located at Highway 2 and Highway 43, consisting of approximately 4.28 acres, owned by Casey’s Retail Company (“the Casey’s property”);

WHEREAS the AG property and the Casey’s property together are legally described as:

Lot 16, Irregular Tract in Section 34, Township 9 North, Range 8 East, 6th Principal Meridian, Lancaster County, Nebraska (“the Property”);

as depicted in Exhibit A, which is attached to this Resolution and incorporated herein by this reference;

WHEREAS, subject to approval of a Development and Conditional Zoning Agreement amongst Lancaster County, the Applicant, and Casey's Retail Company, the Department has recommended approval of this request, concluding that the 2040 Lancaster County Future Land Use Plan shows the Property as commercial. The 2040 Comprehensive Plan supports commercial uses at the interchange of Highway 2 and 43. The existing Industrial zoning is not appropriate for an area shown as commercial in the Comprehensive Plan. "B" zoning matches the existing use and the future land use plan for this interchange;

WHEREAS, on September 13, 2017, after public hearing, the Planning Commission voted 9-0 to recommend approval of the Change of Zone;

WHEREAS, on October 3, 2017, the Board conducted a public hearing regarding the Change of Zone; and

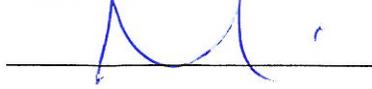
WHEREAS, on October 3, 2017, the Board during a public meeting voted to APPROVE the proposed text amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that County Change of Zone No. 17025 on the Property is hereby APPROVED.

DATED this 3 day of October, 2017, in the County-City Building, Lincoln, Lancaster County, Nebraska.

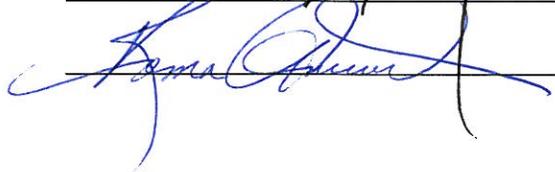
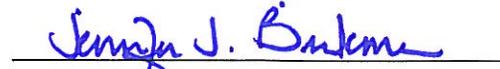
BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

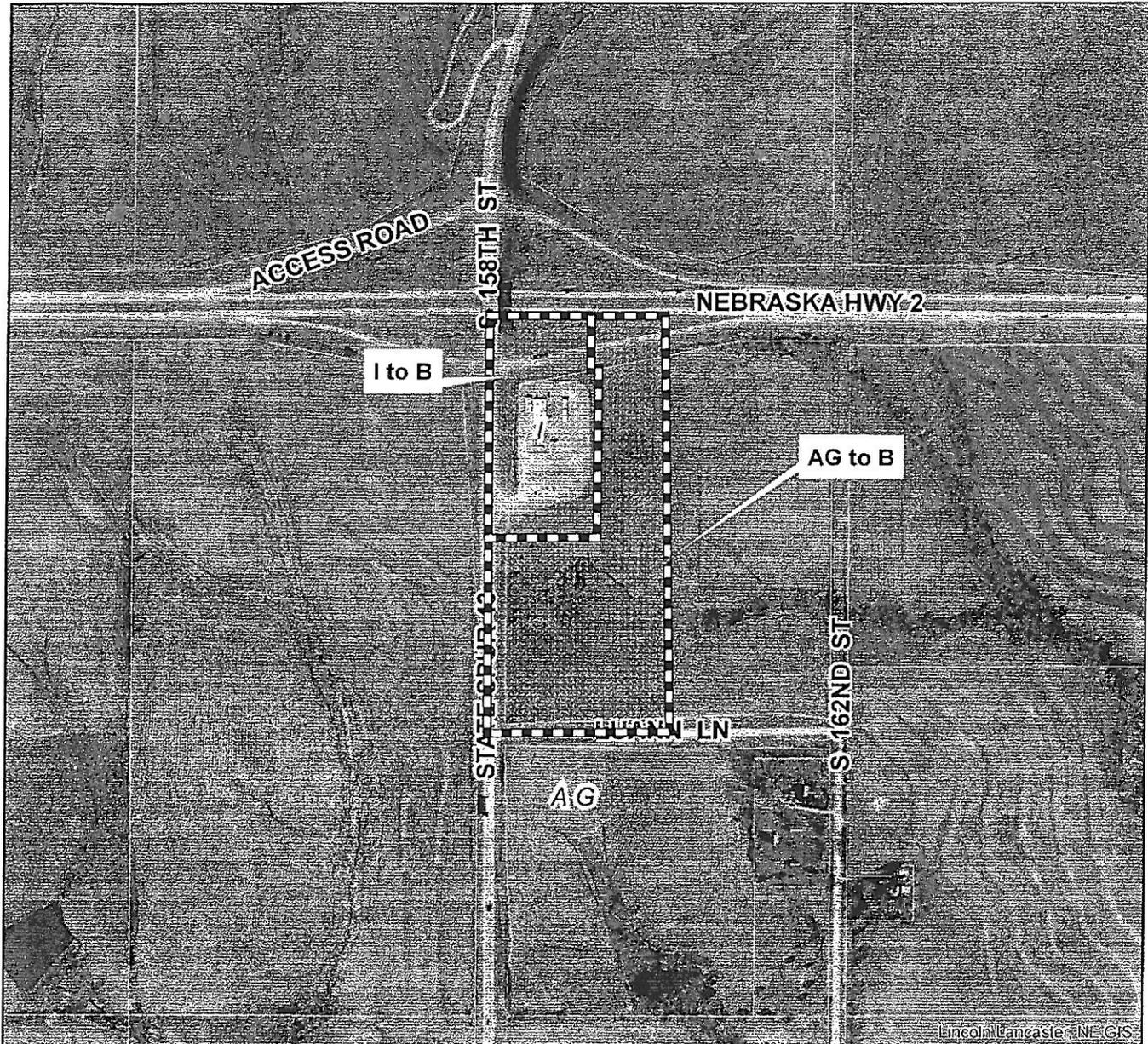
APPROVED AS TO FORM  
this 3 day of  
October, 2017.



Deputy County Attorney

for JOE KELLY  
Lancaster County Attorney





Lincoln Lancaster NE GIS

**Change of Zone #: CZ17025**  
**Bennet Corner**  
**Hwy 43 & Hwy 2**

2016 aerial

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:  
 Sec.34 T09N R08E

