



COUNTY BOARD OF ZONING APPEAL #25005

DATE: July 25, 2025

DATE SCHEDULED FOR PUBLIC HEARING: August 22, 2025

LOCATION: Generally located near NW 126th Street and W Adams Street

ADDRESS: 3545 NW 126th Street

LEGAL DESCRIPTION: Lot 66 Irregular Tract, SE ¼ of Section 7, Township 10, North, Range 5, East, Lancaster County, NE

APPLICANT: Sharon Wilkins

LOT AREA: 27.85 acres

ZONING: AG-Agricultural

EXISTING LAND USE: Single Family Home, Farm Ground

SURROUNDING LAND USE AND ZONING:

North:	AG-Agricultural	Farm Ground
South:	AG-Agricultural	Farm Ground
East:	AG-Agricultural	Single Family Home, Farm Ground
West:	AG-Agricultural	Farm Ground

TYPE OF APPEAL:

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO

- 1) Article 4.017 (a) of the Lancaster County Zoning Regulations requires an Average Lot Width of at least 550 feet. This is a request to reduce the average lot width from 550 feet to 450 feet.

STAFF FINDINGS:

1. The applicant is requesting to reduce the Average Lot Width to less than the minimum requirement of 550 feet. The purpose of this appeal is to allow the existing single family dwelling to be on a legal lot. In the future, if this step is approved, the applicant proposed to submit a separate special permit application to allow an accessory dwelling unit in an existing accessory building on site. . The applicant first applied for the variance to legalize the lot for a single family dwelling.
2. The existing 7,200 square foot accessory building is used mainly for farm and personal use. There is, however, an existing accessory dwelling unit within this building that is around 325 square feet in area. This accessory dwelling does not have a building permit or special permit. Therefore, the applicant is applying for the necessary permits, including variance application to legalize the lot, special permit and building permit to make the single family dwelling and accessory dwelling unit legal.
3. The applicant states in their variance application letter that she inherited the property in 2023 and was not aware of the average lot width requirement.
4. The home and accessory building were built in 2014. The average lot width requirement was missed during the review of the building permit (see attached Lancaster County appraisal card).
5. Lancaster County Zoning Regulations 4.017, a (1)(vi) provides that for lots of twenty (20) acres or more created prior to January 1, 2017, the minimum frontage requirement shall not apply. The minimum AG District frontage requirement under 4.017 (a) is 550 feet. In this case, the lot was created in 2014 (see attached deed). A 25-foot-wide portion of the lot has frontage providing legal access.
6. The variance for the Average Lot Width is needed because while the lot was created in 2014 and the minimum frontage requirement does not apply, the Average Lot Width still applies. The method to determine Average Lot Width is to take the total square footage of the lot and divide by the longest lot depth measurement from the front right of way line to the rear most lot line, which in this case is a west east measurement for the lot depth.
7. The variance request in this case will make the lot legal with respect to the average lot width, which would allow other building permits to be issued for the property.
8. If the variance is not granted, no building permit could be issued for the proposed accessory dwelling unit or any other building or addition on the property.

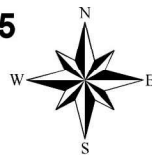
9. Section 19.003 (2) Powers Relative to Variances. The Board of Zoning Appeals is authorized, upon petitions for variances, to vary the strict application of the height, area, parking or density requirements to the extent necessary to permit the owners a reasonable use of their land in those specified instances where there are peculiar, exceptional and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned.

Prepared by

George Wesselhoft
County Planner



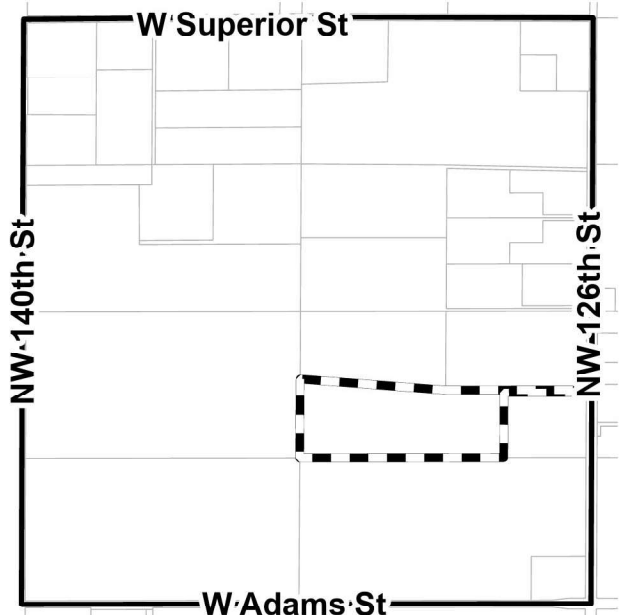
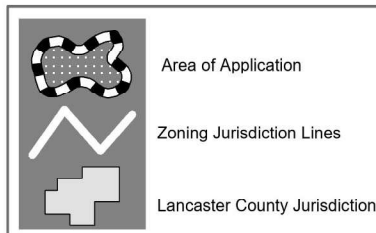
Board of Zoning Appeals #: BZA25005 NW 126th St & W Adams St



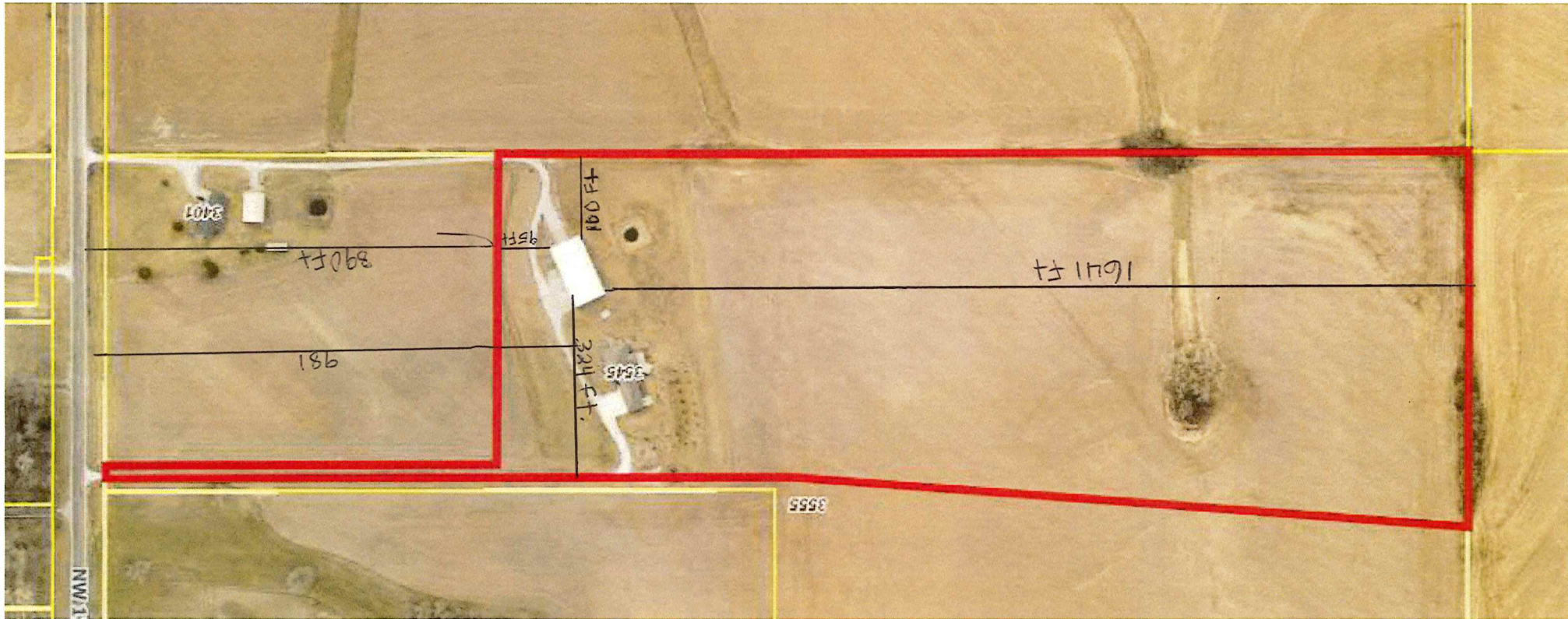
Zoning:

- 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.07 T10N R05E



10



Legal Description: S7, T10, R5, 6th Principal Meridian, Lot 66 SE

Waiver to allow 325 sq ft. mother-in-law suite in shed about 105 ft. from main house



SURVEY
T66
T±Ad.

3545

Section 07-10-05

92.64 ft

Total: 92.64 ft

94.99 ft

Total: 94.99 ft

159.79 ft

Total: 159.79 ft

20.73 ± Ac

20.03 ± Ac

3555

NO SURVEY
LOT 66
27.85 ± Ac

Section 07-10-05

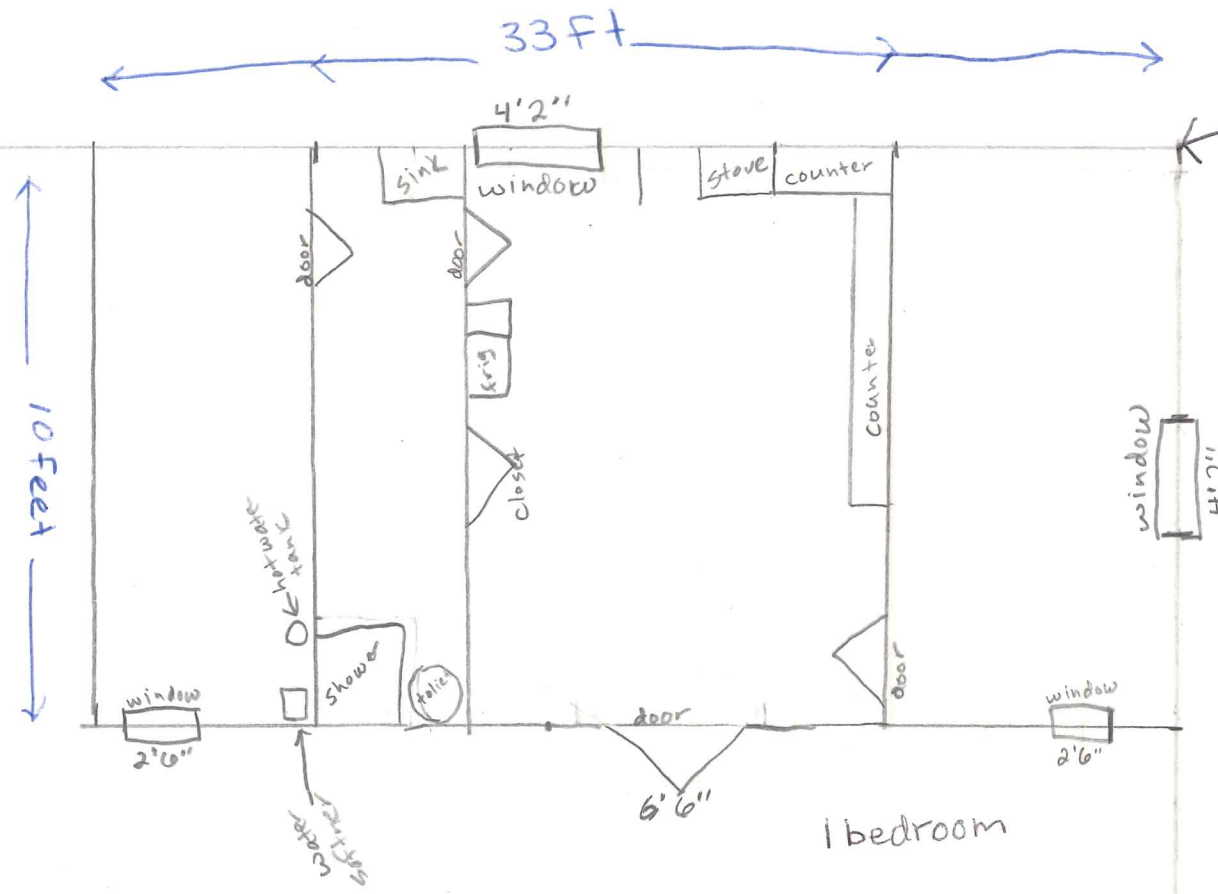


3545

NO SURVEY
LOT
10.03

To ROAD

890.6



** mother-In-Law Suite 325 sq. Ft.
1 square = 1.5 feet

door, overhead door, overhead door, overhead door, door

Sharon Wilkins

60 ft.



24'3"
overhead door



overhead door
14'3"



Brian & Sharon Wilkins
3545 NW 126th St.
Lincoln, NE 68524

ADU Special Permit

Application Letter

7-9-2025

I am hoping to get special permission to continue to have a mother-in-law/guest suite in my shed. The suite is 325 sq. feet, it is hooked up to the same utilities as the house, it is between 100 & 105 feet from our main house, it has the same driveway as we do and is just over a quarter of a mile from the main road (NW 126th St.) The lot is about ~~476~~ ft. wide. The shed is about 22 ft. tall and the house is about 25 ft. tall.

We are on almost 28 acres of land and about 20 acres are farmed. We are just outside the city limits, but have a Lincoln address.

The suite has 1 bedroom, kitchen/dining area, 1 bathroom and a small laundry area. A church friend lives there. He helps with the upkeep of the property and snow removal.

- Dimensions/SF
 - The dimensions of the outbuilding are 120x60=7200SF
 - The dimensions of the mother-in-law suite are a little less than 33x10=330SF
 - As a result the net SF left for the Farm shop portion is about 7200-330=6870
- Building use
 - Storage for farm and personal use
 - Mother-in-law suite: designed for property maintenance worker's residence/or guests
- Variance
 - I inherited the lot in April 2023 and was not aware of a required lot width. The shed was existing and the home was permitted in 2014. Our lot is 476 ft. wide and now 550 ft. wide is the requirement.
- Waivers
 - The width of the lot is about ~~476~~ ft. and needs to be ~~550~~ ft.

Please grant us the special permission to continue to use this area. We will make any changes necessary to bring it to code.

Thank you,



Sharon Wilkins

LANCASTER COUNTY APPRAISAL CARD

Parcel ID: 04-07-400-012-000

Tax Year: 2025

Run Date: 7/20/2025 6:51:35 AM

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OWNER NAME AND MAILING ADDRESS

WILKINS, SHARON
3545 NW 126TH ST
LINCOLN, NE 68524

Additional Owners
No.

SALES INFORMATION

Date	Type	Sale Amount	Validity	Multi	Inst.Type	Instrument #
09/05/2023	Improved	\$0	Disqualified		Deed Of Distribution	2023026905
09/22/2014	Improved	\$0	Disqualified		Warranty Deed	2014036748

PROPERTY SITUS ADDRESS

3545 NW 126TH ST
LINCOLN, NE 68524

BUILDING PERMITS

Number	Issue Date	Amount	Status	Type	Description
BC140097	09/26/2014	\$275.000	Closed	New Dwelling	SFR-R2016

GENERAL PROPERTY INFORMATION

Prop Class: Aq Improved
Primary Use: Agricultural
Living Units: 1
Zoning: AG-Agriculture District
Nbhd: 3500N - Rural 3500N

Tax Unit Grp: 0040
Schl Code Base: 55-0148 Malcolm
Exemptions:

Flags:

PROPERTY FACTORS

GBA: 0
NRA:
Location:
Parking Type:
Parking Quantity:

LEGAL DESCRIPTION

S7, T10, R5, 6th Principal Meridian, LOT 66 SE

INSPECTION HISTORY

Date	Time	Process	Reason	Appraiser	Contact-Code
07/17/2024		Interior Review and Measured - 06	Owner Request	PJH	Owner - 1
04/14/2023		Interview and Measure - 01	General Review	SAB	Tenant - 2
09/23/2019	11:00 AM	Desktop Review. Orthos - 10	General Review	TRS	
02/01/2018	10:01 AM	Desktop Review. Orthos - 10	Data Verification	DVG	
10/25/2016	13:30	No Answer At Door. Measured - 05	Permit	SAB	

RECENT APPEAL HISTORY

Year	Level	Case #	Status	Action
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ASSESSED VALUE HISTORY

Year	Land	Building	Total
2025	\$258.800	\$1,042.700	\$1,301.500
2024	\$206.400	\$857.800	\$1,064.200
2023	\$204.000	\$662.100	\$866.100
2022	\$178.000	\$563.000	\$741.000
2021	\$178.000	\$563.000	\$741.000

APPRAISED VALUES

	Land	Building	Total	Method	
Current	\$120.400	\$910.900	\$1,031.300	ACTUAL	
Prior	\$115.960	\$857.840	\$973.800	ACTUAL	
Cost	\$1,234.140	Market	\$1,121.000	GRM	\$0
Income	\$0	MRA	\$1,081.000	Ovr	

MARKET LAND INFORMATION

Method	Type	AC/SF/Units	Inf1	Fact1	Inf2	Fact2	InfC	FactC	Avq Unit Val	Land Value
Site	HS1 - Home Site 1st	1//							100.000	100.000
Acre	HSA - Add'l Acres	1.55//							6.000	9.300
Acre	ACS - Aq	1.11//							10.000	11.100

Total Acres 27.85 **GIS SF** 1213044

Mkt Land Total \$120,400
Taxable Aq Land Total \$138,380

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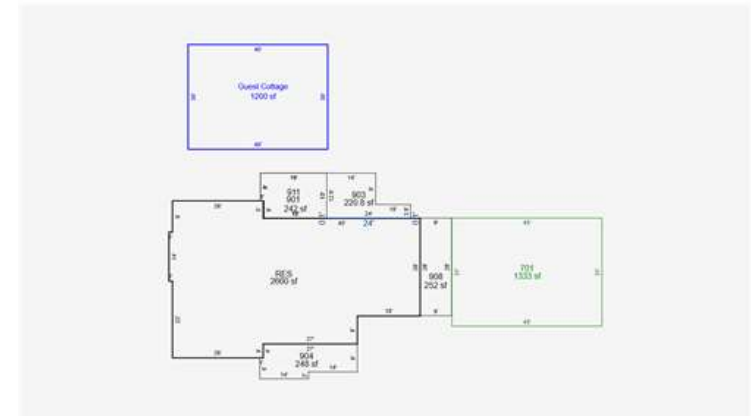
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DWELLING INFORMATION

Res Type: 1-Single-Family Residence
MS Style: 1-One Story
Quality: 4.00-Good
Year Built: 2014
Rating: 4 - Typical
Remodeled Year:
Remodel:
Total Living Area: 2.660

RESIDENTIAL SECTIONS

RES 2.660



RESIDENTIAL INFORMATION

Impt Type: 1 Story
Bedrooms: 3
Foundation: 6-Walkout
5 Fix Bath: 1 **3 Fix Bath:** 2
4 Fix Bath: 2 **2 Fix Bath:** 1
Addl Fix: 2
Garage Cap: Four Car
Total Market: 1,121,000
Total MRA: 1,081,000

DWELLING COST SUMMARY

RCN: \$1,076,069
CDU: 4 **Depr %:** 9
RCNLD: \$976,640
Cost/SF: 367.16
Pct Comp:

INCOME INFORMATION

Rent Rating: **Rent:** 0
GRM Rating: **GRM:** 0
GRM Value: 0

BUILDING COMMENTS

RESIDENTIAL COMPONENTS

Code	Units	Pct	Year
801-Total Basement Area	2.660		
803-Partition Finish Area	2.050		
351-Warmed & Cooled Air		100	
641-Single 1-Story Fireplace	1		
601-Plumbina Fixtures	17		
208-Composition Shingle		100	
133-Veneer, Masonry		100	
402-Automatic Floor Cover Allowance		100	
908-Enclosed Porch, Knee Walls w/Glass	252		
701-Attached Garage	1,333		

RESIDENTIAL COMPONENTS

Code	Units	Pct	Year
904-Slab Porch with Roof	248		
911-Raised Enclosed Porch, Knee Walls	242		
901-Open Slab Porch	242		
903-Wood Deck	221		

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GENERAL BUILDING INFORMATION

Bldg No: 1 Lakeside stroage Building Type: 84-Service - Single Tenant Identical Units: 1 No. of Units: 1 Func: V2
Building 1 of 1

COMMENTS



BUILDING SUMMARY

Total Area: 6,000 RCNLD: \$131,819
RCN: \$386,520 RCNLD/SF: \$21.97
Depreciation %: 66

COMMERCIAL BUILDING SECTIONS & BASEMENTS

Sec	Occupancy	MS Class	Yr Blt	Rank	Stories	Area	Perimeter	Wall Hgt	Eff Age
01	391 Material Storage Building	S	2011	2.00	1	6,000		14	5

COMMERCIAL COMPONENTS

Sec	Code	Units	Pct.	Size	Other	Year
01	888 Stud -Metal Siding		100			
01	3606 Space Heater		100			

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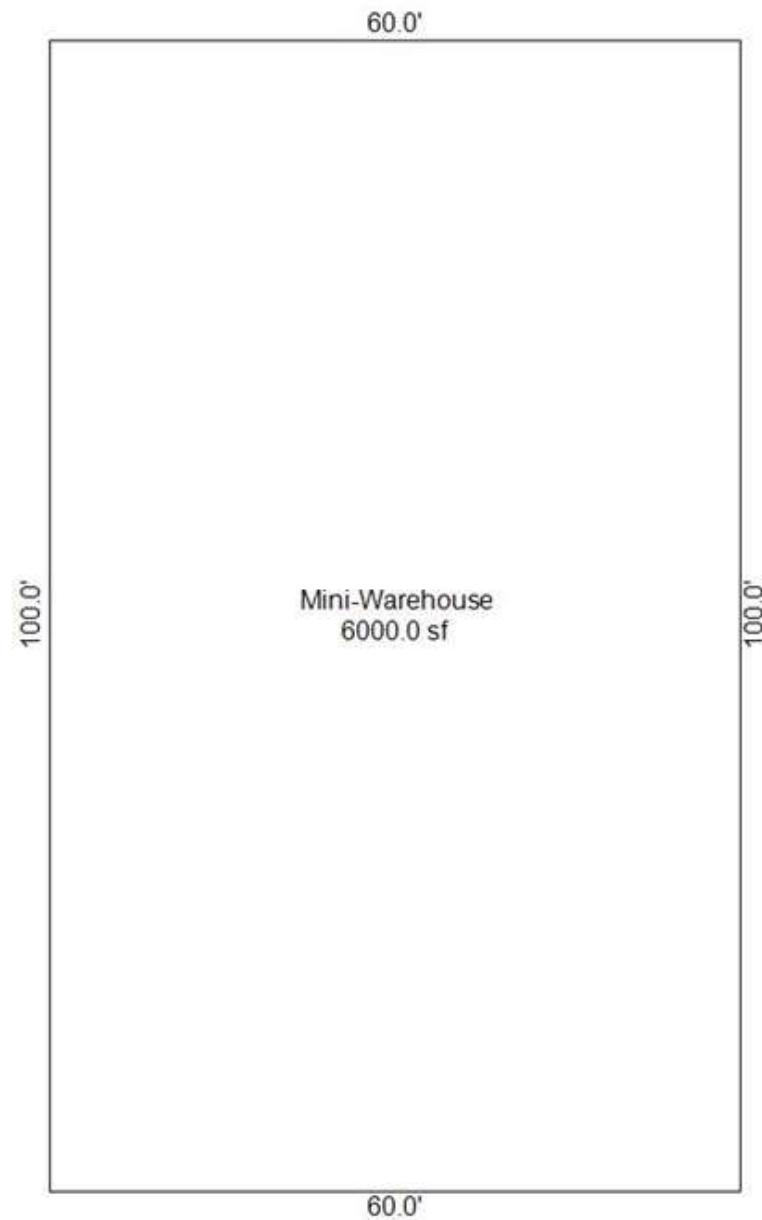
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COST METHOD - OTHER BUILDINGS AND YARD IMPROVEMENTS

Occupancy	MSCI	Rank	Qty	Yr Blt	Area	Hgt	Dimen	St	Cond	RCN	%Depr	RCNLD	%Cmp	Code	Units	Pct	Size	Oth	Rank	Year
PVC		2.00		2011	2,000				3	10,560	50	5,280		8355 Paving, Concrete	2,000					2.00
										10,560		5,280								

COMPONENTS

AGRICULTURAL LAND

Ag Type	Ag Acres	Soil Unit	LCG	Govt Prog	Adj Code	Base Rate	Adj Rate	Ag Value
CS-Commercial Site	1.11	SI				0	0	0
D-Dryland	3.92	7206	1D			9,350	7,013	27,503
D-Dryland	14.33	7207	3D			7,600	5,700	81,670
D-Dryland	0.43	7501	3D			7,600	5,700	2,423
D-Dryland	4.58	7644	3D			7,600	5,700	26,083
HS-Homesite	2.55	SI				0	0	0
W-Waste	0.94	7207	W			1,000	750	702

AGRICULTURAL LAND SUMMARY

Category	Acres	Category	Value
Total Ag Acres	24.19	Total Ag Appraised	184,507
Driv	23.25	Ag Appr Per Acre Value	7,628
Grass	0.00		
Irrigated	0.00	Total Ag Assessed	138,380
Waste	0.94	Ag Assd Per Acre Value	5,721
CRP	0.00	Driv	137,678
TL	0.00	Grass	0
Homesite	2.55	Irrigated	0
Farmsite	0.00	Waste	702
Commercial Site	1.11	CRP	0
RROW	0.00	TL	0
WRP	0.00	WRP	0
Total Acres	27.85		

COMMENTS

OBY: PVC paving associated with the commercial site, area of pavement not listed is estimated to belong with the guest cottage. JAJ

Return to:
Blevens & Damman
129 N. 5th Street
Seward, NE 68434

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Kenneth E. Deinert, a single person, herein called the grantor, in consideration of One Dollar (\$1.00) and other valuable consideration received from grantee, Kenneth E. Deinert, a single person, does grant, bargain, sell, convey and confirm unto grantee the following described real property in Lancaster County, Nebraska:

See Attached Exhibit "A"

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantor and to the grantor's assigns, or to the heirs and assigns of the grantor forever. And grantor does hereby covenant with the grantees and with the assigns and with the heirs and assigns of the survivor of the grantees that grantor is lawfully seised of said premises; that they are free from encumbrance; that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons.

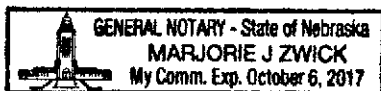
Date 9-22-14

Kenneth E. Deinert
Kenneth E. Deinert, Grantor

STATE OF NEBRASKA, County of Seward

Before me, a notary public qualified for said county, personally came Kenneth E. Deinert, a single person, and known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be her voluntary act and deed and executed the same for the purposes stated therein.

Witness my hand and notarial seal on September 22, 2014.



Marjorie J. Zwick
Notary Public

PARCEL "A"

DESCRIPTION OF A PART OF LOT 61 AND LOT 63 OF IRREGULAR TRACTS LOCATED IN THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 10 NORTH, RANGE 5 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 61; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF SAID LOT 61, ON AN ASSUMED BEARING OF N 00°10'38" E FOR A DISTANCE OF 711.66' TO THE NORTHWEST CORNER OF SAID LOT 61
THENCE S 85°52'10" E, ALONG THE NORTHERLY LINE OF SAID LOT 61, FOR A DISTANCE OF 1319.18'
THENCE N 89°47'33" E, ALONG THE NORTH LINE OF SAID LOT 61, FOR A DISTANCE OF 1271.81' TO THE NORTHEAST CORNER OF SAID LOT 61
THENCE S 00°03'22" W, ALONG THE EAST LINE OF SAID LOT 61, FOR A DISTANCE OF 25.00' TO THE NORTHEAST CORNER OF SAID LOT 63
THENCE S 89°47'33" W, ALONG THE NORTH LINE OF SAID LOT 63, FOR A DISTANCE OF 744.00'
THENCE S 00°03'22" W FOR A DISTANCE OF 586.94' TO A POINT ON THE SOUTH LINE OF SAID LOT 63
THENCE S 89°47'41" W, ALONG THE SOUTH LINE OF SAID LOTS 63 AND 61, FOR A DISTANCE OF 1845.17' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 27.86 ACRES

PARCEL "B"

DESCRIPTION OF A PART OF LOT 63 OF IRREGULAR TRACTS LOCATED IN THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 10 NORTH, RANGE 5 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 63; THENCE IN A NORTHERLY DIRECTION, ALONG THE EAST LINE OF SAID LOT 63, ON AN ASSUMED BEARING OF N 00°03'22" E FOR A DISTANCE OF 586.97' TO THE NORTHEAST CORNER OF SAID LOT 63
THENCE S 89°47'33" W, ALONG THE NORTH LINE OF SAID LOT 63, FOR A DISTANCE OF 744.00'
THENCE S 00°03'22" W FOR A DISTANCE OF 586.94' TO A POINT ON THE SOUTH LINE OF SAID LOT 63
THENCE N 89°47'41" E, ALONG THE SOUTH LINE OF SAID LOT 63, FOR A DISTANCE OF 744.00' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 10.03 ACRES