

## LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #25009	FINAL ACTION? No	OWNER Thomas and Suzanne Galloway
PLANNING COMMISSION HEARING DATE April 16, 2025	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 6205 W Denton Road

### RECOMMENDATION: APPROVAL

#### BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from AG-Agricultural to AGR-Agricultural Residential on approximately 9.54 acres in the Lancaster County zoning jurisdiction located generally west of SW 56<sup>th</sup> Street on the south side of W Denton Rd. The owner is proposing an addition to their home and is requesting the change of zone to have a reduced side yard setback of 15 feet for AGR zoning instead of 60 feet for AG zoning. The adjacent zoning to the north, east and south is AGR.

#### JUSTIFICATION FOR RECOMMENDATION

The change of zone is justified in that it is consistent with the zoning pattern in the area which has AGR zoning and is consistent with the Future Land Use map of the Comprehensive Plan which identifies the property for Low Density Residential. There will be no negative impact to the neighboring acreage properties by the change of zone.



#### APPLICATION CONTACT

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#### STAFF CONTACT

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#### COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed zoning is compatible with the Comprehensive Plan as it matches the Future Land Use which identifies Low Density Residential for the property which is AGR Zoning.

## KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

### Introduction Section: Growth Framework

#### Land Use Plan

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use to another is often gradual.

Figure GF.b: 2050 - This site is shown as future low density residential and environmental resources on the 2050 Future Land Use Plan. The environmental resources part of the designation is limited to the very south edge of the property where there is a small drainageway.

Low Density Residential. Residential areas, often referred to as acreages, having densities ranging from 1 to 5 acres per dwelling unit, with a typical density of 3 acres per dwelling unit. Existing Low Density Residential areas within the Future Service Limit with urban utilities available may also be appropriate for future Urban Residential development.

Environmental Resources. Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors.

#### Fundamentals of Growth in Lancaster County

The Rural Environment. Focus on agriculture. Rural areas should be preserved for agriculture, a limited supply of low density residential, and other compatible land uses. Acknowledge the fundamental "right to farm" in agriculture districts.

### Elements Section

#### E1: Complete Neighborhoods and Housing

##### Rural Housing

PlanForward supports the preservation of land in the bulk of the County for agricultural and natural resource purposes. Balancing the demand for rural living and the practical challenge of integrating acreages with traditional land uses will continue as Lincoln and Lancaster County continue to grow. New acreage development is not encouraged in any of the Growth Tiers except for areas already platted, zoned, or designated for low density residential development. Zoning currently allows development in these tiers under the "build-through" model and without use of Sanitary Improvement Districts (SIDs). However, careful consideration should be given to these current regulations. Compared to urban development, acreage developments consume large quantities of farmland and generate traffic that exceeds the rural capacities of gravel road. Since the growth tiers establish future urbanized areas for the City of Lincoln, additional acreage developments are a detriment to future urban growth. Eventually, all acreage areas in the growth tiers will be located within the City. Therefore, land within the growth tiers is encouraged to remain in agricultural uses.

## ANALYSIS

1. This request is for a change of zone from AG Agricultural to AGR Agricultural Residential on approximately 9.54 acres. The property is generally located west of SW 56<sup>th</sup> Street on the south side of W Denton Road. The address is 6205 W Denton Road. This is in an area of Lancaster County Zoning Jurisdiction located between the Lincoln 3-Mile jurisdiction and Denton 1-Mile jurisdiction.
2. The site is shown for future Low Density Residential in the 2050 Comprehensive Plan. This equates to AGR for zoning. There is adjacent AGR zoning to the north, east and south with acreage subdivisions including Timberline Estates and Bronco Hills Estates 2<sup>nd</sup> Addition. A small part of the property is also shown for Environmental Resources reflective of a small drainageway along the south property line.

3. The change of zone is requested as the applicant is proposing an addition to their home that would be set back at least 25 feet from the side (west) lot line, but the required side yard setback in the current AG zoning is 60 feet. The proposed AGR zoning would have a side yard setback of 15 feet. In this case, although the property is nearly 10 acres, the existing home is situated close to the west property line.
4. It should be noted that while a survey was not provided, it appears that the existing home of the applicant is nonconforming with respect to the AG 60-foot side yard setback. Based on aerial photo information it appears that the home is about 40 feet from the west property line.
5. If requested in the future, it would also be appropriate for the property directly to the west at 6255 W Denton Rd to be rezoned from AG to AGR as it would match the same zoning pattern and the Future Land Use.
6. This change of zone is compatible with the 2050 Comprehensive Plan and the existing land use and zoning pattern in the area.

**EXISTING LAND USE & ZONING:** Single Family Residential      AG-Agricultural

**SURROUNDING LAND USE & ZONING**

North: Acreage Lots	AGR-Agricultural Residential
South: Acreage Lots	AGR-Agricultural Residential
East: Acreage Lots	AGR-Agricultural Residential
West: Acreage Lot	AG-Agricultural

**APPROXIMATE LAND AREA:** 9.54 acres, more or less

**LEGAL DESCRIPTION:** Lot 32 IT, located in the NE 1/4 of Section 24-09-05, 6th Principal Meridian, Lancaster County, Nebraska

Prepared by George Wesselhoft, Planner  
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**Date:** April 3, 2025

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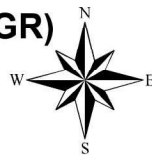
<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CZ/25000/CZ25009 staff report.gjw.docx>





2024 aerial

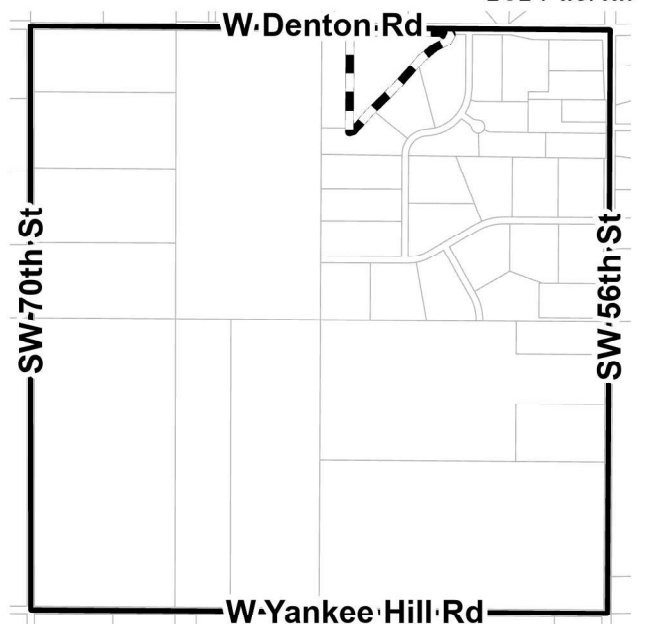
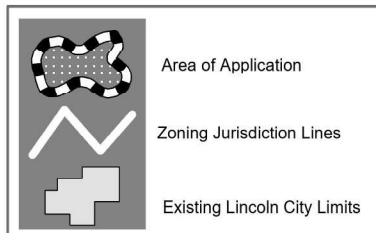
## Change of Zone #: CZ25009 (AG to AGR) SW 56th St & W Denton Rd



### 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.24 T09N R05E



PDF: F:\Boards\PC\Internet\out\ (CZ25009)

File: D:\\_GIS\Projects\DevReview\AgendaDrawings\AgendaDrawings\AgendaDrawings\_SDE.aprx (CZ25009)

To Whom it May Concern,

RE: 6205 W Denton Rd Rezone from AG to AGR

We are planning on building an addition to our existing home which requires less of a set back than currently exists in the AG zoning. Our addition will still be more than 25 ft from the property line but that requires the 15 ft setback provided by the AGR zone.

Thank you!

Tom and Suzanne Galloway

6205 W Denton Rd

Denton, NE 68339

435.764.0693