



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
BOARD OF ADJUSTMENT AGENDA

Regular Meeting
July 28, 2025
2:00 PM

1. **Roll Call**
2. **For public information, a copy of the Nebraska Open Meetings Act is posted in the back of the room on the south wall.**
3. **Notice of changes in the agenda.** (Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless added under item 3 of this agenda.)
4. **Citizens with business not scheduled on the agenda** (As required by state law, no matter may be considered under this item unless council determines that the matter requires emergency action.)
5. **Minutes**
 - a) Minutes Approval
May 5, 2025
6. **Public Hearing**
 - a) Board of Adjustment to conduct a Public Hearing to consider a variance request from Scott Archer for an accessory building located in front of the main building for Lot 2, Block 3, Idlewylde Addition, commonly identified as 3018 Primrose Drive.
7. **Adjournment**

Ben Nagel
3717 Spruce Street
Case No. 25-01
Date of Decision:
Monday May 5, 2025

DECISION OF THE BOARD OF ADJUSTMENT
City of Scottsbluff
Scottsbluff, Nebraska

The Scottsbluff Board of Adjustment met on Monday, May 5, 2025 at 2:00 p.m., in the Council Chambers at City Hall, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published on April 24, 2025 in the Star-Herald, a newspaper published and of general circulation in the City. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Board of Adjustment meeting should contact the Development Services Department, and that an agenda of the meeting kept continually current was available for public inspection at the Development Services Department office; provided, the Board of Adjustment could modify the agenda at the meeting if it determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Board of Adjustment member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

The property at 3717 Spruce St. (Lot 6, Block 3, Sunrise Hills Addition) is owned by Ben Nagel. The property owner(s) are seeking a variance to allow a building addition to be built past setback minimum. The property is zoned R-1 which require a single-family dwelling to be setback a minimum of 15 feet from a side-street property line.

FINDINGS OF FACT

Upon review of testimony presented by the property owner. City staff present Zachary Glaubius, Development Services Director, and Board of Adjustment makes following findings of fact:

- 1) The property is in R-1 zoning district. Where City code performance requirements under section 25-3-23(R) states if setbacks greater than required are shown in a recorded plat of an addition or subdivision which has been approved by the City Council, compliance shall be had with the setbacks shown in the plat. Lot 6, Blk. 3, Sunrise Hills Subdivision can be found in Deed Book 127 on page 623. The recorded plat shows a 30' building setback line along the 38th St. property line. The proposed addition extends approximately 6'9" into this setback area.
- 2) As observed in the plat Lot 6 has an unusual shape. This shape could qualify for a variance under Nebraska Revised statute 19-910(1). The shape and platted setbacks, which the City is required to enforce under 25-3-23 (R), result in peculiar and exception practical difficulties or exceptional and undue hardships upon the owner of the property.
- 3) The variance request is for a reduction of the 30ft platted building setback line along 38th Street to a 22ft setback. Due to the extensive landscaping along 38th St on the property, the 8ft reduction will likely not be noticeable and cause detriment to the adjacent property.

- 4) Notification letters were sent to surrounding property owner's, notifying them of the Board of Adjustments meeting. No inquiries were received in regards to the variance. No other property owners attended the meeting.
- 5) There were no protests entered into the granting of the variance.

Conclusion of Law

The Board of Adjustment after reviewing the applicant's request and testimony from the property owners, unanimously approved the request for a variance to allow for a building setback reduction for Lot 6, Block 3, Sunrise Hills Addition.

Board Members to Wit: Raul Aguallo, Henry Huber, Michael Mawhinney, Troy Herman, Rick Wyman, "Excused": Sabrina Esparza

ORDER OF THE BOARD

The City of Scottsbluff Board of Adjustment hereby directs the Development Services Department to approve the variance to allow for a building setback reduction for Lot 6, Block 3, Sunrise Hills Addition in accordance with the decision of the Board. Anyone aggrieved by the decision of the Board may appeal to the Scotts Bluff County Court within a period of fifteen (15) days after the date of the Board's written decision.

<hr style="width: 100%;"/>	<u>05/05/2025</u>
Raul Aguallo, Chairman	Date

Board of Adjustment MINUTES
REGULAR SCHEDULED MEETING
May 5, 2025
SCOTTSBLUFF, NEBRASKA

The Board of Adjustment for the City of Scottsbluff met for a regular scheduled meeting on Monday, May 5, 2025 at 2:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of general circulation in the city, on April 24, 2025. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Board of Adjustment can modify the agenda at the meeting if it is determined that an emergency so required. A copy of the agenda packet was delivered to each Board of Adjustment member.

- 1 Chair Raul Aguallo called the meeting to order at 2:00 PM. Roll call consisted of the following members being present; Raul Aguallo, Henry Huber, Michael Mawhinney, Troy Herman, Rick Wyman, "Excused": Sabrina Esparza. City Officials present were Zachary Glaubius, Development Services Director.
- 2 Aguallo informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the December 11, 2023 meeting were reviewed. Conclusion: a motion was made by Herman and seconded by Mawhinney to approve the minutes from the December 11, 2023 meeting. "Yeas": Aguallo, Huber, Mawhinney, Herman, Wayman "Excused": Esparza. The motion carried.
- 6 Aguallo introduced Public Hearing item 6A to consider a variance request from Ben Nagel for a building setback reduction for Lot 6, Block 3, Sunrise Hills Addition, commonly identified as 3717 Spruce Street. The request was quickly reviewed as a re-submit of a previously approved variance. Conclusion: a motion was made by Wayman and seconded by Herman to approve the proposed variance. "Yeas": Aguallo, Huber, Mawhinney, Herman, Wayman "Excused": Esparza
- 7 Adjournment: Motion by Aguallo at 2:02 PM to adjourn. "Yeas": Aguallo, Huber, Mawhinney, Herman, Wayman "Excused": Esparza. Motion Carried.

Chairman Raul Aguallo

Zachary Glaubius, Secretary

**City of Scottsbluff, Nebraska
Development Services Department**

Application For Zoning Variance

1. Applicant: SCOTT ARCADE 303-929-6436
Name Telephone Number
3018 PRIMROSE DR SCOTTSBUFF/NE/69361
Address City/State Zip
2. Name of _____ Telephone Number
Property _____
Owner _____
3. Attorney (Optional) _____ Telephone Number
Name/Firm _____ City/State Zip
Address _____ Telephone Number
Address _____ City/State Zip
4. Location: IN FRONT OF MAIN BUILDING _____ Zip
_____ situated on the _____
_____ side of the street between _____ and _____
5. Address: SAME AS QUESTION # 1
6. Legal Description: LOT 2, BLOCK 3, IDLEWYLDE ADDITION
7. Nature of Variance: ALLOW FOR A VARIANCE OF ACCESSORY OPEN SIDED BUILDING IN FRONT RESIDENTIAL BUILDINGS
8. The practical difficulty or hardship to overcome by a granting of the requested variance:
DUO TO BUILT NATURE OF PROPERTY ACCESSORY BUILDING CANNOT BE BUILT BEHIND THE MAIN PROPERTY BUILDING
OR
9. Zoning decision being appealed.

10. Present zone classification: R-1
11. Present use of property: DETACHED SINGLE FAMILY DWELLINGS
12. Attached: Copy of Plot Plan
 Legal Description if not listed
above Filing Fee - \$150.00
13. Signature: Scott Arcade
(If signature is other than property owner, please attach owner's proof of acknowledgment of application)

Date Received _____
my [signature]
Checked for compliance

Development Services Department
2525 Circle Drive, Scottsbluff, NE 69361

STANDARD CARPORTS 12' - 24'

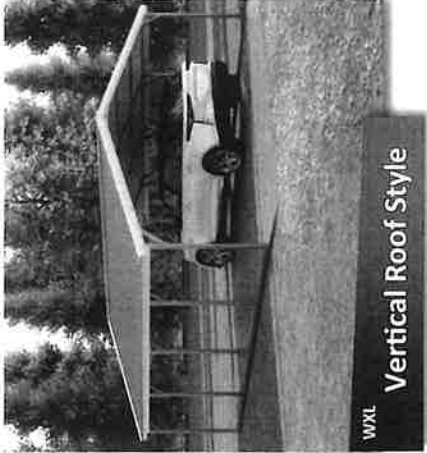
STATES: AR, OK, MO, NE, IL, IN, IA, KS NON CERTIFIED



12x20	18x20	20x20	22x20	24x20
\$2,300	\$2,780	\$2,960	\$3,325	\$3,525
12x25	18x25	20x25	22x25	24x25
\$2,760	\$3,315	\$3,540	\$3,950	\$4,180
12x30	18x30	20x30	22x30	24x30
\$3,175	\$3,795	\$4,010	\$4,460	\$4,715
12x35	18x35	20x35	22x35	24x35
\$3,650	\$4,375	\$4,615	\$5,115	\$5,400
12x40	18x40	20x40	22x40	24x40
\$4,125	\$4,950	\$5,235	\$5,810	\$6,125

NOTE: BASE RAIL FRAME LENGTH'S ARE 20', 25', 30' ETC.

VERTICAL ROOF HAS NO OVERHANG ON FRONT OR BACK JUST ON SIDE EAVES.



WXL

Vertical Roof Style

12x20	18x20	20x20	22x20	24x20
\$1,700	\$2,050	\$2,275	\$2,650	\$2,845
12x25	18x25	20x25	22x25	24x25
\$2,050	\$2,450	\$2,700	\$3,125	\$3,320
12x30	18x30	20x30	22x30	24x30
\$2,420	\$2,865	\$3,145	\$3,595	\$3,800
12x35	18x35	20x35	22x35	24x35
\$2,780	\$3,280	\$3,570	\$4,100	\$4,300
12x40	18x40	20x40	22x40	24x40
\$3,150	\$3,690	\$4,030	\$4,635	\$4,840

NOTE: BASE RAIL FRAME LENGTH'S ARE 20', 25', 30' ETC.

BOXED EAVE HAS 6" ROOF OVERHANG ON FRONT, BACK AND SIDE EAVES.



WXL

Boxed Eave Style

12x20	18x20	20x20	22x20	24x20
\$1,500	\$1,835	\$2,050	\$2,420	\$2,610
12x25	18x25	20x25	22x25	24x25
\$1,840	\$2,230	\$2,475	\$2,890	\$3,095
12x30	18x30	20x30	22x30	24x30
\$2,185	\$2,630	\$2,910	\$3,350	\$3,565
12x35	18x35	20x35	22x35	24x35
\$2,525	\$3,035	\$3,320	\$3,830	\$4,050
12x40	18x40	20x40	22x40	24x40
\$2,865	\$3,450	\$3,770	\$4,355	\$4,580

NOTE: BASE RAIL FRAME LENGTH'S ARE 20', 25', 30' ETC.

REGULAR STYLE HAS 6" ROOF OVERHANG ON FRONT AND BACK.



WXL

Regular Style

STANDARD FEATURES:

14 Gauge frame, 6ft Std legs, 29 Gauge roofing, maximum rafter column spacing 5' on center
 14 legs, braces on all center rafters and on top corner posts,
 4 ft. welded trusses, 2x8, 24" wide carports.
 Single leg system for buildings 6'-12' tall, double leg system for buildings 13'-16' ft tall legs.
 Customer must supply full lift for buildings 13'-16' tall leg height.

LEG HEIGHT CHART

7FT	20'L	25'L	30'L	35'L	40'L
8FT	\$85	\$145	\$230	\$315	\$400
9FT	\$170	\$260	\$352	\$443	\$535
10FT	\$280	\$375	\$475	\$572	\$670
11FT	\$390	\$490	\$598	\$700	\$804
12FT	\$500	\$610	\$720	\$828	\$940
12FT	\$610	\$725	\$844	\$956	\$1,075
13FT*	\$1,255	\$1,495	\$1,718	\$1,955	\$2,180
14FT*	\$1,395	\$1,650	\$1,885	\$2,135	\$2,340
15FT*	\$1,535	\$1,805	\$2,051	\$2,314	\$2,540
16FT*	\$1,675	\$1,958	\$2,217	\$2,495	\$2,735

*DOUBLE LEG AND BASE RAIL SYSTEM HEIGHTS 13FT-16FT

CLOSE BOTH SIDES CHART

6FT	20'L	25'L	30'L	35'L	40'L
7FT	\$550	\$690	\$840	\$1,000	\$1,170
8FT	\$680	\$830	\$990	\$1,160	\$1,340
9FT	\$810	\$970	\$1,140	\$1,320	\$1,510
10FT	\$940	\$1,110	\$1,290	\$1,480	\$1,680
11FT	\$1,070	\$1,250	\$1,440	\$1,640	\$1,850
12FT	\$1,200	\$1,390	\$1,590	\$1,800	\$2,020
13FT	\$1,330	\$1,530	\$1,740	\$1,960	\$2,190
14FT	\$1,460	\$1,670	\$1,890	\$2,120	\$2,360
15FT	\$1,590	\$1,810	\$2,040	\$2,280	\$2,530
16FT	\$1,720	\$1,950	\$2,190	\$2,440	\$2,700

ADD 60% FOR VERTICAL SIDES

REFLECTIVE INSULATION (BOTH SIDES) ADD ON:

Multiply leg height by length by 2.

EX. 21' long x 6' tall 6x21= 126 sf x 2 =252 sf x 2.50 = \$630.00 both sides

CLOSE ONE END CHART

6FT	12'W	18'W	20'W	22'W	24'W
7FT	\$550	\$716	\$780	\$875	\$1,043
8FT	\$650	\$816	\$880	\$975	\$1,143
9FT	\$750	\$916	\$980	\$1,075	\$1,243
10FT	\$850	\$1,015	\$1,080	\$1,175	\$1,343
11FT	\$950	\$1,116	\$1,180	\$1,275	\$1,443
12FT	\$1,050	\$1,216	\$1,280	\$1,375	\$1,543
13FT	\$1,150	\$1,316	\$1,380	\$1,475	\$1,643
14FT	\$1,300	\$1,466	\$1,530	\$1,625	\$1,793
15FT	\$1,400	\$1,566	\$1,630	\$1,725	\$1,893
16FT	\$1,500	\$1,666	\$1,760	\$1,825	\$1,993

ADD 40% FOR VERTICAL ENDS

REFLECTIVE INSULATION (PER END) ADD ON:

Add 3' to leg height multiply by width

EX. 12' wide x 6' tall 9x12= 108 sf x 2.50 = \$270.00 per end

• Free Installation On Your Level Lot

• Financing Available / Rent To Own Available

• Engineer Plans Available Call 877-494-2997

• Rebar Anchors Included /Concrete Anchors Included

"ALL PRICE SUBJECT TO CHANGE WITHOUT NOTICE"

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304 Franklin Street Mount Airy, NC 27030
 Phone: 877-494-2997 Fax: 336-719-0585
 Email: sales@tristatecarports.com

Order Date: 23 Nov 2025 ORDER FORM

Order price checked by: _____ Date: _____
 Order confirmed by: _____ Date: _____

DEALER NAME:	Franklin Street			ROOF STYLE:	Carport	ROOF COLOR:	White
DEALER PHONE #:	(336) 494-2997			SIZE:	12' x 8'	TRIM COLOR:	White
CUSTOMER NAME:	[Handwritten Name]			BUILDING TYPE:	Carport	SIDES/ENDS COLOR:	White
INSTALL ADDRESS:	[Handwritten Address]			FRAME GAUGE:	146	ADDITIONAL COLOR:	
INSTRUCTIONS:	[Handwritten Instructions]			CERTIFIED:	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N		
CITY:	STATE:	ZIP CODE:		SNOW WIND:	<input checked="" type="checkbox"/> 12G		
COUNTY:	EMAIL:						
PHONE #:	PHONE #:						

QTY	DESCRIPTION	PRICE	TOTALS
1	12' x 8' Carport	\$ 2,450	SUBTOTAL \$ 2,450
1	8' High Height Chart	\$ 260	TAX+ 7% \$ 209.80
1	Galv. eave sheet	\$ 288	PRICE \$ 3,107.80
			DOWN PAYMENT 10% - 289.80
			EXTRA LABOR FEE + \$
			BALANCE DUE \$ 2,818.00
			BLUEPRINT COST + \$
			PAYMENT METHOD
			CREDIT CARD <input type="checkbox"/> MONEY ORDER <input type="checkbox"/>
			CASHIER'S CHECK <input type="checkbox"/> OTHER <input type="checkbox"/>
			ELECTRICITY AVAILABLE? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N

SITE READY? Y N IS THE SITE LEVEL? Y N INSTALLATION SURFACE? Y N
 TRI STATE CARPORTS INC. IS NOT RESPONSIBLE IF LAND IS NOT LEVEL. CUSTOMER MUST LEVEL THE AREA WHERE THE CARPORT/S WILL SET ON OR PROVIDE CONCRETE BLOCKS IF LAND IS NOT LEVEL. NO MORE THAN 3" OFF LEVEL AND CLEAR OF OBSTACLES OR UNIT MAY NOT BE INSTALLED.

Customer is responsible for obtaining local permits, covenant searches, right of way or setback restrictions. Please inform the installer of any underground cables, gas lines, or any other utility lines. Tri-State Carports Inc. will not be held responsible for any damage to the previously mentioned utilities. Un-level lot voids warranty. Tri-State Carports, Inc. will not be responsible for down payment refunds.

CUSTOMER MUST SUPPLY FORKLIFT FOR BUILDINGS 32' AND WIDER AND 13' AND HIGHER.

We Strongly recommend vertical roofs on buildings 31' or longer to prevent buildings from leaking.

Any installation concern must be reported within 30 days of installation to Tristate Carports, Inc. Tristate Carports, Inc. is not liable for any damage as a result of any inclement weather. Customer expressly agrees that the carport/garage shall remain property of Tristate Carports, Inc. until payment is made in full. This does not relieve the customer from liability for specific performance of the contract including legal fees and court costs, at the seller's option. Tristate Carports, Inc. reserves the right to cancel any order. Prices subject to change without notice.

NOTE: FRAMES ON ALL BUILDINGS ARE 20', 25', 30', 35', 40', ETC., IN LENGTH. HORIZONTAL PANEL ROOFS HAVE A 6" ROOF OVERHANG ON FRONT AND BACK. VERTICAL ROOFS DO NOT HAVE OVERHANG ON FRONT OR BACK. BASE PRICE REFLECTS PRICE FOR ROOF ONLY; SIDES ENDS ETC ARE OPTIONAL FEATURES. PLEASE NOTE: units 10'-12' high need extra support. We are not responsible for instability if extra support is not purchased.

Balance to be paid in full at time of completion of building, to Tristate Carports, Inc. by Cashiers Check, Money Order, Visa, Master Card or Discover Card. NO CASH OR PERSONAL OR BUSINESS CHECKS PLEASE! Tri-State Carports has the right to REPOSSSESS the carport. NO refunds on Special Orders or Down Payments!

I have read and completely understand the above information and give my approval for installation of the above listed unit.

Customer signature here X	Date: 11/23/25
Once carport/s is installed customer must sign below to signify acceptance of unit/s as installed	Installer signature
Customer signature here X	Date: X

CITY OF SCOTTSBLUFF
BOARD OF ADJUSTMENT

TO: BOARD OF ADJUSTMENT
FROM: DEVELOPMENT SERVICES
DATE: July 22, 2025

SUBJECT: Variance request to allow an accessory building located to the front of the primary building in the R-1 District at Lot 2, Block 3, Idlewylde Addition (3018 Primrose Drive)

PUBLIC NOTICE: This item was noticed in the paper, a sign was posted on the property, and notice letters were sent to all property owners within 300 feet.

Photos Attached.

The applicant, Scott Archer, has applied for a variance with the Board of Adjustment. The request is to allow an accessory building (carport) to be built to the front of the primary building (single-family detached dwelling) on Lot 2, Block 3, Idlewylde Addition, which is located in the R-1 Single-Family Residential District. The property is commonly identified as 3018 Primrose Drive.

The single-family detached dwelling on Lot 2, Block 3, Idlewylde Addition, is located approximately 70 feet from the front yard property line. This setback is unusual for the block as the majority of dwellings on Primrose Drive between Hillcrest Drive and Winter Creek Drive are approximately 25' to 30' from the front property. Per the Scotts Bluff County Assessor Appraisal Property Report Card, the dwelling was constructed in 1973.

Per 25-3-2 (D)(2)(a)(1), detached accessory buildings must be located to the rear of the main building. Due to the built nature of the lot, there is approximately 15 feet between the main building and rear property line. Although per 25-3-23(O), allows for half of the alley to count towards the rear yard setback, 25-3-2(D)(2)(a)(1) requires an accessory building be located 10 feet from the main building. Therefore, an accessory building cannot be built to the rear of the main building.

As can be observed from the aerial imagery of the property, the location of the dwelling is unusual for the block, therefore the hardship of locating an accessory building to the rear of the main building is not shared by others in the vicinity. This could qualify it for a variance under Nebraska Revised Statute §19-910(1).

The variance request is to allow an accessory building to be located to the front of the main building. Due to the existing spruce tree, the allowance will likely not be noticeable and cause detriment to the adjacent properties.

Staff would further request the following conditions be assigned to the variance if the Board of Adjustment so chooses:

- The variance shall only allow one additional accessory building to be located in front of the main building (excluding the existing detached garage)
- The variance shall require the accessory building to observe the 25' front yard setback for single-family dwellings in the R-1 District.

Should the Mr. Archer receive the variance he has one year in which to complete the building or he will have to come back to the Board of Adjustment. The variance is non-transferable. Work cannot begin for

a period one week after the decision of the Board to allow other parties to file a complaint in Court should they decide.

Recommendation:

Approve: Make a motion to give approval for the Variance allowing an accessory building be located in front of the main building, subject to the following condition(s):

- Only one additional accessory building is to be located in front of the main building (excluding the existing detached garage).
- The accessory building will observe the 25' front yard building setback for single-family dwellings in the R-1 District.

Deny: Make a motion to deny approval of the Variance allowing an accessory building be located in front of the main building, subject to the following condition(s):

- Only one additional accessory building is to be located in front of the main building (excluding the existing detached garage).
- The accessory building will observe the 25' front yard building setback for single-family dwellings in the R-1 District.

Table: Make a motion to table the Variance allowing an accessory building be located in front of the main building, subject to the following condition(s):

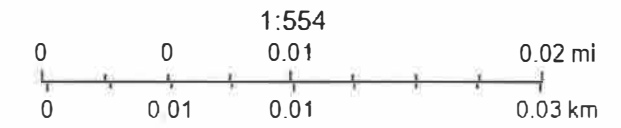
- Only one additional accessory building is to be located in front of the main building (excluding the existing detached garage).
- The accessory building will observe the 25' front yard building setback for single-family dwellings in the R-1 District.

City of Scottsbluff Webmap



6/24/2025, 1:29:23 PM

- ◆ Address Novotx
- ▭ Easement
- Parcels
- Sewer Manhole
- Sewer Laterals
- Sewer Lines
- Water Lines
- Street Centerlines
- Residential/Rural
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



Maxar, Microsoft