

SARPY COUNTY
Department of Planning & Building
Sarpy County Courthouse Annex
1261 Golden Gate Drive, Suite 2E
Papillion, Nebraska 68046
Phone (402) 593-2156 - Fax (402) 593-4335
Ken Tex, Planning & Zoning Coordinator

July 16, 2003

Sarpy County Board of Commissioners
Sarpy County Courthouse
1210 Golden Gate Drive
Papillion, Nebraska 68046

To The Sarpy County Board of Commissioners:

The Sarpy County Planning Commission held its regular monthly meeting Wednesday, July 16, 2003 in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wear called the meeting to order at 7:30 p.m. with the following members present: Christina Boyer, Don Fenster, Tom Hurley, Brenda Kunz, Wayne LaBart, Marcia Matthies, Don Meyer, Tom Wees and Alan Wear. Absent were David Fanslau and Doug Whitfield. Mike Smith, Deputy County Attorney was present. Also present were Ken Tex, Planning & Building Coordinator and Cindy Gilbert, Recording Secretary.

Chairman Wear asked for commissioner reports. There were none.

- ▶ *Chairman Wear asked for a motion to approve the agenda as submitted. Wees moved, seconded by LaBart to approve the agenda as submitted. Ballot: Ayes - Boyer, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer and Wees. Nays - none. Abstain - none. Absent - Fanslau and Whitfield. Motion carried.*
- ▶ *Chairman Wear asked for a motion to approve the minutes of the June 18, 2003 meeting. Matthies moved, seconded by Hurley to approve the minutes of the previous meeting as submitted. Ballot: Ayes - Boyer, Hurley, Kunz, LaBart, Matthies and Wees. Nays - none. Abstain - Fenster and Meyer. Absent - Fanslau and Whitfield. Motion carried.*

I. CONSENT AGENDA ITEMS:

None.

II. REGULAR AGENDA ITEMS:

1. **Apex Group, 14013 Industrial Road, Omaha, requests approval of a Final Plat for a subdivision to be known as Prairie Ridge on the following described property, to wit: Being a platting of the E1/2 of the W1/2 of the SE1/4 of Sec 22, together with the NE1/4 of Sec 27, together with the E1/2 of the NW1/4 of Said Sec 27, all in Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska (232nd & Lincoln Road)**

John Kottman, Thompson, Dreessen & Dorner, Inc., representing the Apex Group, stated he was asking for approval of the Final Plat for Prairie Ridge as it is consistent with the Preliminary Plat. He indicated they have a subdivision agreement in process that includes their intent to pave a portion of Lincoln Road. When asked if the Final Plat was identical to the Preliminary, he indicated there were a few minor changes. The Final Plat now shows a turn-around on the north property line. A few drainage easements have been added, but the minimum lot size and number of lots have not changed.

Public Hearing Closed at 7:36 p.m.

With no further discussion,

- ▶ *LaBart moved, seconded by Matthies, to recommend approval of the Final Plat for the Prairie Ridge subdivision as it complies with the comp plan and subdivision regulations. Ballot: Ayes - Boyer, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer and Wees. Nays - none. Abstain - none. Absent - Fanslau and Whitfield. Motion carried.*

2. Delores Wittmuss, 900 S. Fillmore, Papillion, requests approval of a Change of Zone from AG to AGR on the following described property, to wit: Being a platting of part of the NE1/4 of the NW1/4 of Sec 14, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska. (79th & Fairview Road)

Stacie Neussendorfer, Great Western Bank, explained that this property was held in trust for the Wittmuss and Lichty families and Delores Wittmuss, who was also in attendance, held the Power of Attorney for the property. Stacie noted that it is their intent to sell this 5-acre piece.

Ken Tex added that this is the part of the farm that has the house and outbuildings. He also noted that the reason for the odd shaped lot is because of a grain bin they don't want sold with that 5 acres.

Public Hearing Closed at 7:40p.m.

- ▶ *LaBart moved, seconded by Wees to recommend approval of a Change of Zone from AG to AGR as it complies with the comp plan. Ballot: Ayes - Boyer, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer and Wees. Nays - none. Abstain - none. Absent - Fanslau and Whitfield. Motion carried.*

3. Delores Wittmuss, 900 S. Fillmore, Papillion, requests approval of a Preliminary/Final Plat for a subdivision to be known as Wittmuss Lichty Acres on the following described property, to wit: Being a platting of part of the NE1/4 of the NW1/4 of Sec 14, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska. (79th & Fairview Road)

- ▶ *LaBart moved, seconded by Wees to recommend approval of a Preliminary/Final Plat for the subdivision to be known as Wittmuss Lichty Acres as it meets the subdivision regulations. Ballot: Ayes - Boyer, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer and Wees. Nays - none. Abstain - none. Absent - Fanslau and Whitfield. Motion carried.*

III. CORRESPONDENCE:

Tom Slobodnik, stated he was here representing Werner Enterprises as a stakeholder in the Highway 370 Corridor Study. He said he had attended the meetings and had been asked to note Werner's concerns and would then receive

a draft of the revisions made. He stated he managed to get a copy of the current draft, but it did not come from the author or the persons spearheading this study. He indicated his disappointment at the lack of communication with the stakeholders and asked to be notified of the Planning Commission meeting that will have this item on their agenda.

Tom Wees indicated he has been to these meetings and thought everyone had been notified. He also stated that not everyone will agree to the study as a whole, but that good planning is essential.

Ken Tex stated that it appeared that many of the business leaders have been left out of the circle with the latest draft that was prepared.

Norman Nelson, Marketing Manager for the Lyman-Richey Corporation, presented changes they would like to see regarding Temporary Uses in the Sarpy County Zoning Regulations. He asked for consideration to amend the current regulation as it applies to construction. He handed out and read the list he had prepared.

Sandy Woodle, Bellevue Real Estate, stated she had a client looking to re-zone a property east of 84th Street and Fairview Road to commercial. That would consist of approximately 17 acres and the remaining 30 acres behind that 17, would be housing. She indicated that some of the property across the street from this location was already zoned commercial and that this would be used in part as a photography studio.

Ken Tex indicated that it had been zoned commercial for many years, but it was being used as a ball field for St. Columbkille Catholic Church.

It was suggested that this would be considered "Spot Zoning".

Steve Haffke asked the Planning Commission to consider a zoning regulation that would put setback regulations on wells. He stated that the property adjacent to his is looking to do a subdivision and intended to put a community well on the north side of the property line, which abuts his property. With the installation of a community well, septic systems cannot be installed within 500 feet of the well. Most of that 500 feet would encroach his property, leaving him unable to subdivide his land. He indicated the State does not have any setback requirements and in order to protect his land, he will install septic systems where he thinks he might need them to be.

When asked what Ken thought about the situation, he stated that it was a "first come, first serve" situation. He wasn't sure how, if at all, we could set regulations like that. He felt it would have an ill effect on other properties.

A Planning Commissioner ask that the County's Legal Department look into what, if anything, can be done.

IV. ADJOURNMENT:

- ▶ Being no further discussion, *Matthies moved, seconded by Wees, to adjourn the meeting. By a unanimous oral vote, Chairman Wear declared the meeting adjourned at 9:25 p.m.*

Respectfully Submitted,

Sarpy County Planning Commission
Alan Wear, Chairman
Cindy Gilbert, Recording Secretary