BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA

RESOLUTION FLOOD PLAIN DEVELOPMENT
Lyman Richey, 24501 Capehart Road, Sarpy County, NE

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the County Board of Commissioners has the authority to adopt a Zoning Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-114; and,

WHEREAS, said Zoning Regulations require the County Board of Commissioners to approve applications for development permits within any Flood Plain District; and

WHEREAS, Lyman Richey has applied for a Flood Plain Development Permit to replace the replace an AC unit on an existing structure located at 24501 Capehart Road as described in the attached Exhibit A; and,

WHEREAS, the Sarpy County Planning Department staff reviewed the application for a Flood Plain Development Permit for compliance with the Zoning Regulations on the property legally described in the attached Exhibit A; and,

WHEREAS, said application is in compliance with Section 30, Flood Plain District of the Zoning Regulations and further, the Natural Resources District has no objection to the development permit; and,

WHEREAS, the Planning Department staff made a recommendation of approval as noted in the attached Exhibit A, which Exhibit A includes the Planning Department report, and the site plan of the subject property. The Planning Department Report notes that the estimated cost of construction is approximately $4,034 which is less than 50% of the structure’s value of $142,738; thus the project is not considered a substantial improvement under Section 30 of the Sarpy County Zoning Regulations. However, improvements are calculated cumulatively and limited amounts of future renovations may be permitted upon approval of this flood plain development permit.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the Flood Plain Development Permit Application for the property legally described in the attached Exhibit A is hereby approved subject to the following conditions:

1. The improvements must be built in compliance with the Sarpy County Zoning Regulations and the building codes.
2. The construction must meet the minimum setback and zoning requirements at the time of building permit application.
3. Improvements are calculated cumulatively and as 50% of the value of the structure is reached for improvement costs, limited amounts of future renovations may be permitted.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 2nd day of August 2016.

Sarpy County Board Chairman

Attest

County Clerk
Application Overview
Lyman Richey has submitted an application requesting approval of a floodplain development permit to replace an AC unit for an existing structure at 24501 Capehart Road, W233’ Tax Lot 2 and Tax Lot 1B 9-13-10.

Comprehensive Development Plan
The Sarpy County Development Structure Plan (Future Land Use Map) designates this area as Greenway.

Zoning / Floodplain Regulations
• The area is zoned AG/FP (Agricultural District - Floodplain)
• The property is located in an AE Flood Zone adjacent to the Platte River. (see attached map).
• The BFE (Base Flood Elevation) determined at this location is 1080.1 (NAVD 1988).
• According to the Sarpy County Assessor’s Records, the original structure was built on this site in 1967 and is considered to be a legal non-conforming structure.
• Pursuant to Sarpy County Flood Plain Regulations, 50% of the value of a non-conforming structure can be put into the structure without bringing it into compliance with the one foot above the BFE regulation.
• Sarpy County Assessor records indicate that the value of the structure is $142,738. Applicant has submitted a proposal showing an estimated cost, including materials and labor, totaling $4,034.
• The proposal submitted is less than 50% of the assessed value of the structure and does not appear to be a substantial improvement. The request is within the allowance of the regulations for a non-conforming structure.
• This request, as proposed, is in conformance with the Sarpy County Floodplain and Zoning Regulations.

Natural Resources District
This Papio Missouri River Natural Resources District (NRD) has no objections to the proposed application. The NRD recommendation letter is attached.

Recommendation
Staff has reviewed the submittal documents and for the reasons stated above, we recommend the Floodplain Development Permit be approved to replace an AC unit for an existing structure at 24501 Capehart Road, W233’ Tax Lot 2 and Tax Lot 1B 9-13-10.
In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:
1. Completed Floodplain Development Permit Application
2. Non-refundable fee of $100, made payable to Sarpy County
3. Two (2) full size site/construction plan drawings
4. Two (2) reduced size site/construction plan drawings (8.5 x 11)
5. One (1) electronic copy of the site/construction plan drawings in PDF form
6. A completed FEMA National Flood Insurance Program (NFIP) Elevation Certificate, certified, signed and sealed by land surveyor, engineer, or architect authorized by law to certify elevation information.

APPLICATION FILING FEES – see Sarpy County Master Fee Schedule for the Planning and Building Department

<table>
<thead>
<tr>
<th>PLANNING STAFF USE ONLY:</th>
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<tbody>
<tr>
<td>APPLICATION #: FP0 16-012</td>
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<tr>
<td>DATE RECEIVED: 7/11/16</td>
</tr>
<tr>
<td>APPLICATION FEE: $100 - RECEIPT NO. 2321</td>
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<tr>
<td>RECEIVED BY: Paul Adams</td>
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<tr>
<td>NOTES: FIRM 31153C0150G</td>
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RECOMMENDATIONS:
- PLANNING & BUILDING DEPT: [ ] APPROVAL [ ] DENIAL
- SARPY COUNTY BOARD: [ ] APPROVAL [ ] DENIAL
- RESOLUTION #: ___________ DATE: ___________

PROPERTY OWNER INFORMATION: (If multiple owners, please attach separate sheet)

| NAME: Lyman Richey Corp |
| ADDRESS: 4315 Cuming St |
| CITY/STATE/ZIP: Omaha NE 68131 |
| Mailing Address: |
| PHONE: 402-510-6490 |
| FAX: |

ENGINEERING/SURVEYING OR OTHER CONSULTING PROFESSIONAL’S INFORMATION:

| NAME: NA |
| ADDRESS: |
| CITY/STATE/ZIP: |
| Mailing Address: |
| PHONE: |
| FAX: |

CONSTRUCTION INFORMATION: (This individual/company is responsible for meeting building code regulations.)

| NAME: Fred’s Heating and Air |
| ADDRESS: 6596 S 118th St |
| CITY/STATE/ZIP: Omaha NE 68137 |
| Mailing Address: |
| PHONE: 402-895-3030 |
| FAX: 402-895-7859 |
PROJECT DESCRIPTION: Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. — Attach additional sheets if necessary.  
PLEASE NOTE: A detailed project description is essential to the reviewing process of this request.

Replaing air conditioning unit for rental home

PROJECT SITE INFORMATION: Complete each section in its entirety. If a question is not applicable to your project, please indicate this to show that each question has been carefully considered.

PROPERTY ADDRESS: 24501 Capehart Road

ASSessor's PARCEL NUMBER: 010396888  ADDITIONAL PARCEL NUMBERS

GENERAL LOCATION: Capehart Road west of 234th Street
(example 189th & Giles Rd – Include subdivision name)

LEGAL DESCRIPTION: (Describe property to wit:) W 233' Tax Lot 2 and Tax Lot 1B 9-13-10

SIZE OF PROPERTY: 2.65 acres  CURRENT ZONING: AG/FP

NAME OF ADJACENT WATERWAY: Platte River

PROPERTY LIES WITHIN: FLOODWAY: ☒ FLOOD FRINGE: ☐ FLOOD ZONE DESIGNATION: FW/AE

LOWEST FLOOR ELEVATION IS TO BE ___________ FEET ABOVE MEAN SEA LEVEL. (Including Basement)

SOURCE OF UTILITY SERVICES: Water -  Sewer -  Gas -  Electric -

ADDITIONAL INFORMATION: Please use this space to provide any other information you feel is appropriate for Sarpy County to consider during review of your application. Attach extra sheets if necessary.

PLEASE NOTE THE FOLLOWING PROCEDURES:

1. The Planning Department will review the application material along with other appropriate departments and/or agencies and provide a recommendation report to the County Board.

2. County Board will hold a public hearing and make a final decision on the Floodplain Development Permit.

3. Prior to the final building inspection a Finished Construction Elevation Certificate or other verification will be required to be submitted to the Planning & Building Department to assure compliance with the Floodplain Development Permit.

The applicant (or authorized agent) has prepared this application and certifies that the facts stated herein and exhibits attached hereeto are true and correct.

Property Owner/Applicant Signature  7-21-16

I, the undersigned, understand the Floodplain Development Permit process as stated above and I authorize Sarpy County staff to enter the property for inspection related to the specific request during this process.

Property Owner/Signature  7-21-16
# PROPOSAL

**Fred's Heating & Air**

6996 South 118th Street • Omaha, NE 68137-3577 • Ph: (402) 885-3030 • Fax: (402) 885-7859
100 East Broadway • Council Bluffs, IA 51503 • Ph: (712) 322-3030 • Fax: (712) 322-2120
www.fredsheatingandaire.com

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**Customer:**

Bob Rose

**Date:**

7-19-16

**Street Address:**

2950 Iroquois Park

City, State, Zip:

Greeley, NE 68835

**Home Phone:**

**Alternate Phone:**

415-510-6449

**Email:**

We hereby propose to furnish and install the HVAC equipment for your home as specified below.

## INSIDE YOUR HOME

- **Furnace:**
  - □ Air Handler: 
  - **Trane** Model: 
  - Efficiency Rating: 

- **Electric Heater (KW):**

- **Flue Venting Requirements:**

- **PVC High Efficiency Flue (Location):**

- **Customer Will Comply With Combustion Air Code:**

  **Initials:**

- **Evaporator Coil:**
  - □ Trane Model: 

## OUTSIDE YOUR HOME

- **Air Conditioner:**
  - □ Heat Pump: 
  - □ Package Unit: 
  - **Trane** Model: 
  - Seer Rating: 

- **New Refrigerant Lineset: Size/Length:**

- **Relocate A/C - H/P:**

I understand my Clean Air Options and have been offered Trane CleanEffects™

I'm also interested in the following Trane Accessories:

- **CleanEffects™**
- **Humidifier**
- **Programmable Thermostat**
- **Extended Warranty**

Miscellaneous items not included above:

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### INCLUDED IN EVERY INSTALLATION

- Removal of existing equipment from premises
- Refrigerant recovery per EPA requirements
- Electrical Wiring
- Verification that entire system is operating per manufacturers specifications
- Labor & local permits/inspections
- This Proposal/Work Order includes a free Fred's Plan+ Maintenance Program for 1 year

Fred's Heating & Air will also take extra precautions to insure the following:

1. Installation will comply with all existing codes.
2. Installation will be performed by factory trained & certified personnel.
3. Installers will communicate with & treat customer with courtesy & respect at all times.
4. Installers will respect the customers privacy & maintain a clean working environment.
5. Installers will take necessary steps to protect customers property, such as lawns/landscaping, carpeting, walls, etc.

**SATISFACTION GUARANTEED**

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### FRED'S WARRANTIES

Fred's will warranty all labor charges for repairs and/or manufacturer's defects for a period of [ ] years from the date of installation.

Standard manufacturer's warranties: 10 years parts including the compressor. 20 year furnace heat exchanger warranty and lifetime warranty on certain models.

### EXTENDED WARRANTIES

- □ [ ] year(s) Parts & Labor (Additional Charge) $ [ ]
- □ Buyer declines all extended warranties. Buyer's Initials: [ ]

### FRED'S EXCLUSIVE GUARANTEES

### TOTAL COMFORT AND EQUIPMENT SIZE GUARANTEE:

- You, the customer, do not have to bear the responsibility for determining the correct equipment size and installation procedures. The system installed by Fred's Heating & Air will maintain the desired temperature at the thermostat within 2 degrees of its set point.

- **"NO SURPRISES" GUARANTEE:** Once the work starts, the price quoted is the price you pay, even if the job entails more work than estimated.

- **"LOWEST COST" GUARANTEE:** The investment amount quoted by Fred's Heating & Air is guaranteed to be lower than any identical system quoted by an equal contractor or we will match or beat their price!

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We hereby propose to furnish complete, as above specified, for the sum of $ 4039

The following rebates are included:

- □ [ ]

Customer Signature: [ ]

**Date:** 7-19-16

**Company Signature:** [ ]

**Date:**

**Customer Acceptance:** [ ]

**Due at Completion:** [ ]

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Buyer hereby declares that buyer holds the title to property in which merchandise is being installed, and has legal authority to order work outlined above. The Seller retains title to all materials and property listed herein until payments have been made in full. Accounts not paid within thirty days of notice of invoice are in default and a late payment charge computed by a "periodic rate" of 1.25% per month will be added. Buyer agrees to any reasonable attorney or collection fees incurred by Seller in securing payment in this contract.
Application for Floodplain Development Permit
7/26/2016

Owner/Applicant Name: Lyman Richey Corp
Address: 4315 Cuming St, Omaha NE
Project Type: Remodel/Repair
Parcel #: 010396888
Jurisdiction: Sarpy County

Addresses:

<table>
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<tr>
<th>Street Name</th>
<th>Type</th>
<th>Suffix</th>
<th>Apartment</th>
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<tbody>
<tr>
<td>Capehart</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24501</td>
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Flood Plain Name: Platte River
Flood Zone: Zone AE
Base Flood Elevation: NAVD 1988

The District has the following comments based on review of the submitted documentation:

This project is for the replacement of an air conditioning unit for an existing residential property. No other construction will be completed at this time.

The District has no objections to this application.

If you have any questions or concerns, please contact me at (402) 315-1773 or at llaster@papionrd.org

Sincerely,
Lori Laster, CFM
Stormwater Management Engineer
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

24501 Capehart Rd
FPD 16-012