BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA

APPROVE CHANGE OF ZONE

APPLICANT: Ron Spencer

CHANGE OF ZONE FROM AG, AGRICULTURAL DISTRICT and AGD, AGRICULTURAL DEVELOPMENT DISTRICT TO AGR, AGRICULTURAL RESIDENTIAL DISTRICT and RE 2, RESIDENTIAL ESTATES II DISTRICT
(Spencer's Woods Lots 1, 2, and 3 and Outlots A, B, C, and D)

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 Change of Zone Applications; and

WHEREAS, the Sarpy County Planning Department staff has reviewed the Ron Spencer application for a Change of Zone from AG, Agricultural District and AGD, Agricultural Development District to AGR, Agricultural Residential District and RE 2, Residential Estates II District for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property generally located southeast of 96th and Mitchell Road and legally described as follows, hereinafter “the Property”:

South ½ of the SW ¼ of the SW ¼ in Section 22, T13N, R12E, together with Tax Lot 29 in the NW ¼ of the NW ¼ in Section 27, T13N, R12E of the 6th P.M., Sarpy County, Nebraska, together with Lot 2, Olivo Estates Replat, a subdivision in said Sarpy County.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that this Board makes the following findings of fact:

I. This Change of Zoning application has been submitted concurrently with an application for a Preliminary Plat at Resolution 2016-8.

II. A Preliminary Plat shall become void after 12 months from the date of such approval unless the County Board has approved either (1) all of, or a portion of the Preliminary Plat as a Final Plat, or (2) a 12 month extension of the Preliminary Plat approval. Final Plats and Extension requests for the Preliminary Plat approval must be acted

upon by the County Board no later than 12 months from the date of the Resolution approving said Preliminary Plat.

III. A public hearing regarding the Change of Zone Application was held before the Sarpy County Planning Commission on February 16, 2016 and further, the Planning Commission gave their recommendation.

IV. A public hearing regarding the Change of Zone Application was held by this Board.

V. Notice of each of the Public Hearings described above was published at least ten (10) days prior to each respective public hearing and the proof of publication has been filed in the Office of the Sarpy County Clerk.

VI. The Planning Department staff made a recommendation as noted in the attached Exhibit “A”, which includes the Planning Department Report.

VII. The Change of Zone Application is in compliance with the Comprehensive Development Plan.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the change of zone from AG, Agricultural District and AGD, Agricultural Development District to AGR, Agricultural Residential District and RE 2, Residential Estates II District on the Property legally described above with the following conditions:

1. The Change of Zone shall only take effect on the Property, or with approval of a phased development on a portion of the Property, upon
   (A) the Sarpy County Board’s approval of a Final Plat of the Property or a Final Plat of a portion of the Property and
   (B) the subsequent timely filing of said Final Plat with the Sarpy County Register of Deeds.

2. If a Final Plat of the Property, or a Final Plat of a portion of the Property, is not timely filed with the Sarpy County Register of Deeds, Sarpy County’s approval of the Change of Zone application shall be withdrawn without further action by Sarpy County and the approval for this Resolution 2016-80 shall be void.

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 8th day of March, 2016.

Attest

Sarpy County Board Chairman

County Clerk

I. GENERAL INFORMATION

A. APPLICANT:
   Ron Spencer
   16565 South 96th Circle
   Papillion, NE 68046

B. PROPERTY OWNERS:
   John Warkentin
   16311 South 96th Street
   Papillion, NE 68046

C. SUBJECT PROPERTY LOCATION: Subject property is located southeast of 96th and Mitchell Road.

D. LEGAL DESCRIPTION: South ½ of the SW ¼ of the SW ¼ in Section 22, T13N, R12E, together with Tax Lot 29 in the NW ¼ of the NW ¼ in Section 27, T13N, R12E of the 6th P.M., Sarpy County, Nebraska, together with Lot 2, Olivo Estates Replat, a subdivision in said Sarpy County.

E. SUBJECT PROPERTY SIZE: 30.24 acres.

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:
   - Future Land Use Designations: Estate Residential
   - Zoning: AG (Agricultural Farming District) and AGD (Agricultural Development District)

G. REQUESTED ACTION(S): Approval of a Change of Zone from AG/AGD (Agricultural Farming/Agricultural Development) to AGR/RE2 (Agricultural Residential/Residential Estates 2 Acre), Preliminary and Final Plat of a subdivision to be known as Spencer’s Woods, a small acreage development proposing three buildable lots and four outlots for conserving priority environmental resources (woodlands and slopes over 15%) as written in the Sarpy County Comprehensive Plan.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: Property is currently made up of three parcels which are improved with two single family dwellings. Each is served by individual wells and septic systems.
B. GENERAL VICINITY AND LAND USE
   ▪ North, South, East and West: Open farm ground with limited home sites.

C. RELEVANT CASE INFORMATION:
   ▪ Existing homes are currently being served by private wells and septic systems.
   ▪ Existing homes do not currently share a common access.

D. APPLICABLE REGULATIONS:
   ▪ Sarpy County Comprehensive Development Plan
   ▪ Sarpy County Zoning Regulations:
     ○ Section 11 AGR – Agricultural Residential District
     ○ Section 12 RE2 – Residential Estates 2 Acre District
   ▪ Sarpy County Subdivision Regulations

III. ANALYSIS / STAFF COMMENTS

A. COMPREHENSIVE PLAN:
   ▪ The Comprehensive Plan designates the area as Estate Residential.

B. TRAFFIC AND ACCESS:
   ▪ Existing access via 96th Street serves the dwelling to the north and the dwelling on the south utilizes an easement through Olivo Estates Replat 1. The newly proposed lots will have frontage on a dedicated street (96th Street) but will access each home site via an easement starting in the northwest corner of the property. This is due to a large, wooded ravine that runs parallel to 96th Street across the frontage of all the lots.

C. GENERAL COMMENTS:
   ▪ Change of Zone
     - Requested Zoning of AGR/RE2 - Agricultural Residential/Residential Estates 2
       Lot 1 Spencer’s Woods to be AGR
       Lot 2 and 3 Spencer’s Woods to be RE2
       Outlots 1-4 Spencer’s Woods to be RE2
   ▪ Preliminary/Final Plat:
     - The proposed subdivision is proposing three buildable parcels, two of which are currently improved with single-family dwellings. There are four proposed outlots that are designated as conservation easements and are not buildable.
     - The west 500 feet of Lot 2 and 3 is identified as conservation easement and will prohibit development with the exception of a future driveway and utilities. This allows for connectivity of the conservation easement areas.

IV. OTHER AGENCY REVIEW/COMMENTS: The applications were sent to various jurisdictional agencies and departments within Sarpy County that may have an interest. No comments were received.

V. GENERAL PUBLIC COMMENTS: Notice of the public hearing for this application was published in area newspapers, notification letters also were sent out to property owners within 300 feet of the subject property and the subject property was posted with a sign indicating a zoning action was pending on it.
   ▪ At the time of this staff report, no inquiries or comments have been received by Staff in regards to the application.
VI. **PLANNING COMMISSION RECOMMENDATION:**
The Planning Commission held public hearings on these applications at their February 16, 2016 meeting and recommended **APPROVAL** to the County Board.

**MOTION:** Huddleston moved, seconded by Torczon, to recommend **APPROVAL** of the change of zone from AG/AGD (Agricultural Farming/Agricultural Development District) to AGR/RE2 (Agricultural Residential/Residential Estates 2 Acre District) for the proposed Spencer’s Woods as it is in conformance with the Sarpy County Comprehensive Development Plan and the Sarpy County Zoning Regulations. **Ballot:** Ayes – Bliss, Lichter, Huddleston, Davis, Ackley, Whitfield, Sotak, Malmquist, Torczon and George. Nays: None. Abstain: None. Absent: Giff. **Motion carried.**

**MOTION:** Huddleston moved, seconded by Torczon, to recommend **APPROVAL** of the proposed preliminary plat of a subdivision to be known as Spencer’s Woods. This recommendation is being made as the preliminary plat meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations. **Ballot:** Ayes – Bliss, Lichter, Huddleston, Davis, Ackley, Whitfield, Sotak, Malmquist, Torczon and George. Nays: None. Abstain: None. Absent: Giff. **Motion carried.**

**MOTION:** Huddleston moved, seconded by Torczon, to recommend **APPROVAL** of the proposed final plat of a subdivision to be known as Spencer’s Woods. This recommendation is being made as the final plat meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations. **Ballot:** Ayes – Bliss, Lichter, Huddleston, Davis, Ackley, Whitfield, Sotak, Malmquist, Torczon and George. Nays: None. Abstain: None. Absent: Giff. **Motion carried.**

VII. **PLANNING DEPARTMENT RECOMMENDATIONS:**
Staff recommends **APPROVAL** of the change of zone from AG/AGD (Agricultural Farming/Agricultural Development District) to AGR/RE2 (Agricultural Residential/Residential Estates 2 Acre District) for the proposed Spencer’s Woods as it is in conformance with the Sarpy County Comprehensive Development Plan and the Sarpy County Zoning Regulations.

Staff recommends **APPROVAL** of the proposed preliminary plat of a subdivision to be known as Spencer’s Woods. Staff makes this recommendation as the preliminary plat meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.

Staff recommends **APPROVAL** of the proposed final plat of a subdivision to be known as Spencer’s Woods. Staff makes this recommendation as the final plat meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.

VIII. **ATTACHMENTS TO REPORT:**
1. Change of Zoning Application
2. Preliminary Plat Application and proposal exhibit
3. Final Plat Application and proposal exhibit
4. Current Zoning Map (showing subject property area)
5. Current Development Structure Plan – Figure 5.1 of Comprehensive Plan (showing subject property area)
## Change of Zoning Application

In order for your application to be considered **COMPLETE**, please answer all applicable questions and provide the following:

1. Completed Change of Zoning Application
2. Non-Refundable Fee of $500.00 made payable to Sarpy County (an additional fee of $25.00 is also required to cover cost of mailing of public notifications)
3. Mailing list labels certified by a Title Company of all property owners within 300 ft. of the subject property.
4. Copy of Deed on file with Register of Deeds or other acceptable proof of ownership
5. Two (2) site plan drawings (folded)
6. One (1) reduced size site plan drawing (8.5 x 11)
7. One (1) electronic copy of site plan drawing in PDF form
8. Site plan drawing should include the following (as applicable)
   a. Legal description with site layout (1"=20')
   b. Metes and bounds description with lot size
   c. Floodplain/floodway boundaries
   d. Existing easements
   e. General location map (2 mile radius)
   f. Elevations or other supporting materials
9. Detailed operational plans
10. Please review Section 43 of the Sarpy County Zoning Regulations for a complete list of change of zoning process and submittal requirements.

### Planning Staff Use Only:

<table>
<thead>
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<th>APPLICATION #</th>
<th>22-16-003</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE RECEIVED</td>
<td>1-8-16</td>
</tr>
<tr>
<td>CP DESIGNATION</td>
<td>Estate Residential</td>
</tr>
<tr>
<td>CURRENT ZONING DESIGNATION</td>
<td>AG and AGD Lot 1-AGR</td>
</tr>
<tr>
<td>PROPOSED ZONING DESIGNATION</td>
<td>Lot 2 and 3-RE2</td>
</tr>
<tr>
<td>APPLICATION FEE</td>
<td>$500</td>
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<tr>
<td>PUBLIC NOTIFICATION RECIPIENT</td>
<td>Zoning Depart</td>
</tr>
<tr>
<td>RECEIPT NO.</td>
<td>2553</td>
</tr>
</tbody>
</table>

### Applicant Information:

- **NAME:** Ron Spencer
- **ADDRESS:** 16565 South 96th Circle
- **E-MAIL:** rspencer@primetimehealthcare.com
- **PHONE:** 402-201-8648
- **CITY/STATE/ZIP:** Papillion, NE 68046

### Property Owner Information:

- **NAME:** John Warkentin
- **ADDRESS:** 16311 South 96th Street
- **E-MAIL:**
- **PHONE:**
- **CITY/STATE/ZIP:** Papillion, NE 68046

### Engineering/Surveying or Other Consulting Professional's Information:

- **NAME:** Thompson, Dressen & Dorner
- **ADDRESS:** 10836 Old Mill Road
- **E-MAIL:** jwarner@td2co.com
- **PHONE:** 402-330-8860
- **FAX:** 402-330-5866
- **CITY/STATE/ZIP:** Omaha, NE 68154
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.

A 30.24 Acre Site to be Subdivided into 3 Residential Lots and 4 Outlots.

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.

SUBDIVISION NAME: Spencer’s Woods

GENERAL LOCATION: 96th & Mitchell road
(example 189th & Giles Rd)

ASSessor’S PARCEL NUMBER: 010405542 ADDITIONAL PARCEL NUMBERS 011582807 / 011571219

LEGAL DESCRIPTION: (Describe property to wit:) Lot 2, Olivo Estates Replat and Tax Lot 29 in Section 27-13-12 and the South 1/2 of the SW 1/4 SW 1/4 22-13-12

SIZE OF PROPERTY: 30.24 acres CURRENT ZONING: AGD and AG REQUESTED ZONING: Lot 1 - AGR Lot 2-3 - RE2

SOURCE OF UTILITY SERVICES: Water - Private Sewer - Septic
Gas - N/A Electric - OPPD

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 Planning Commission and County Board.
2. The Planning Commission will hold a public hearing and make a recommendation to the County Board.
3. The County Board will hold a public hearing and make a final decision on the Change of Zoning application.
4. Any necessary agreements will be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.

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

Applicant/Property Owner Signature Date

I, the undersigned, understand a sign will be posted on my property and will remain until the public hearing process of the Planning Commission and County Board is complete. I further understand the Change of Zoning process as stated above and authorize Sarpy County staff to enter the property for inspection related to the specific request during this process.

Property Owner Signature Date

Property Owner Signature Date
SARPY COUNTY PLANNING & BUILDING DEPT.
1210 GOLDEN GATE DRIVE, #1240
PAPILLION, NE 68046
PHONE: 402-593-1555 FAX: 402-593-1558
E-MAIL: PLANNING@SARPY.COM

PRELIMINARY PLAT APPLICATION

In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:

1. Completed Preliminary Plat Application
2. Non-Refundable Fee of $1,070 made payable to Sarpy County
3. Two (2) full sized, folded plat drawings
4. One (1) reduced size site plan drawing (8.5 x 11)
5. One (1) electronic copy of the plat drawing in PDF form
6. One (1) electronic copy in autoCAD format as required by the County GIS Section (for subdivisions of 20+ lots)
7. Please review Sections 5 and 6 of the Sarpy County Subdivision Regulations for a complete list of Preliminary Plat process and submittal requirements.

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

PLANNING STAFF USE ONLY:
APPLICATION #: PP 16-003
DATE RECEIVED: 1-8-16
CP DESIGNATION: Estate Residential
CURRENT ZONING DESIGNATION: AG and A60
PROPOSED ZONING DESIGNATION: L423-2 - RES
APPLICATION FEE: $1,070 RECEIPT NO: 2553
RECEIVED BY: [Signature]
NOTES: 

APPLICATION INFORMATION:
NAME: Ron Spencer
E-MAIL: rspancer@primetimehealthcare.com
ADDRESS: 16565 South 96th Circle
CITY/STATE/ZIP: Papillion, NE 68046
PHONE: 402-201-8648
FAX: 

PROPERTY OWNER INFORMATION: (If multiple owners, please attach separate sheet)
NAME: John Warkentin
E-MAIL: 
ADDRESS: 16311 South 96th Street
CITY/STATE/ZIP: Papillion, NE 68046
PHONE: 
FAX: 

ENGINEERING/SURVEYING PROFESSIONAL'S INFORMATION:
NAME: Thompson, Dreessen & Dorner
E-MAIL: jwarner@td2co.com
ADDRESS: 10836 Old Mill Road
CITY/STATE/ZIP: Omaha, NE 68154
PHONE: 402-330-8860
FAX: 402-330-5866
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.

A 30.24 Acre Site to be Subdivided into 3 Residential Lots and 4 Outlots.

PLAT 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.

PLAT NAME: Spencer's Woods

ASSESSOR'S PARCEL NUMBER: 010405542 ADDITIONAL PARCEL NUMBERS 011582807 / 011571219

GENERAL LOCATION: 96th & Mitchell Road

LEGAL DESCRIPTION: (Describe property to wit:) Lot 2, Olivo Estates Replat and Tax Lot 29 in Section 27-13-12 and the South 1/2 of the SW 1/4 SW 1/4 22-13-12

SIZE OF PROPERTY: 30.24 acres CURRENT ZONING: AGD and AG REQUESTED ZONING: Lots 3 + 3 - RZ

SOURCE OF UTILITY SERVICES: Water - Private Sewer - Septic
Gas - N/A Electric - OPPD

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 Planning Commission and County Board.
2. The Planning Commission will hold a public hearing and make a recommendation to the County Board.
3. The County Board will hold a public hearing and make a final decision on the Preliminary Plat application.
4. All necessary agreements/drawings are to be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.
5. If a Change of Zoning application is applied for concurrently with the Preliminary Plat, the conditional approval of the plat also allows for conditional approval of the rezoning request; however, the rezoning does NOT become official until the Final Plat is approved and filed with the Register of Deeds office.

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

Property Owner/Applicant Signature

I, the undersigned, understand a sign will be posted on my property and will remain until the public hearing process at the Planning Commission and County Board is complete. I further understand the Preliminary Plat 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

Date
SPENCER'S WOODS

LOTS 1, 2 AND 3 AND OUTLOTS A, B, C AND D

LEGAL DESCRIPTION

THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 22, T13N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, TOGETHER WITH TAX LOT 29 IN THE SW 1/4 OF THE SW 1/4 OF SECTION 22, T13N, R12E OF THE 6TH P.M., SARPY COUNTY, TOGETHER WITH LOT 2 OLIVO ESTATES REPLAT, A SUBDIVISION IN SAID SARPY COUNTY.

NOTES

1. NO CONTOURS ARE SHOWN AS NO GRADING IS PROPOSED.
2. EXISTING ZONING IS AS PROPOSED. ZONING FOR LOTS 2 AND 3 IS RES AND PROPOSED ZONING FOR LOT 1 IS AP.
3. ALL REQUIRED UTILITIES EXIST.
4. LOTS 1 AND 3 ARE SERVED BY PRIVATE WELLS AND PRIVATE SEPTIC SYSTEMS.
5. THE WEST 800 FEET OF LOTS 2 AND 3 WILL BE CONSIDERED TO BE A CONSERVATION EASEMENT AND WILL PROHIBIT DEVELOPMENT WITH THE EXCEPTION OF A DRIVEWAY AND UTILITIES.
In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:

1. Submit complete Final Plat Application
2. Submit Non-Refundable Fee of $570 made payable to Sarpy County
3. Two (2) full sized, folded plat drawings
4. One (1) reduced size site plan drawing (8.5 x 11)
5. One (1) electronic copy of the plat drawing in PDF form
6. One (1) electronic copy in autoCAD format as required by the County GIS Section (for subdivisions of 20+ lots)
7. Please review Sections 7 and 8 of the Sarpy County Subdivision Regulations for a complete list of Final Plat process and submittal requirements.

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

PLANNING STAFF USE ONLY:
APPLICATION #: EP 16-003
DATE RECEIVED: 1-8-16
CP DESIGNATION: Estate Residential
CURRENT ZONING DESIGNATION: AG and AGR Lot 1 - AGR
PROPOSED ZONING DESIGNATION: AG and AGR Lot 2-3 - R
APPLICATION FEE: $570
RECEIPT NO. 2553
RECEIVED BY: Lisa Slinko
NOTES: ____________________________

APPLICANT INFORMATION:
NAME: Ron Spencer
ADDRESS: 16565 South 96th Circle
E-MAIL: rspencer@primetimehealthcare.com
Papillion, NE 68046
CITY/STATE/ZIP:

PROPERTY OWNER INFORMATION: (If multiple owners, please attach separate sheet)
NAME: John Warkentin
ADDRESS: 16311 South 96th Street
CITY/STATE/ZIP: Papillion, NE 68046

ENGINEERING/SURVEYING PROFESSIONAL’S INFORMATION:
NAME: Thompson, Dreessen & Dorner
ADDRESS: 10836 Old Mill Road
CITY/STATE/ZIP: Omaha, NE 68154

E-MAIL: jwarner@td2co.com
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.

A 30.24 Acre Site to be Subdivided into 3 Residential Lots and 4 Outlots.

PLAT 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.

PLAT NAME: Spencer's Woods

ASSESSOR'S PARCEL NUMBER: 010405542

ADDITIONAL PARCEL NUMBERS 011582807 / 011571219

GENERAL LOCATION: 96th & Mitchell Road

(Example 189th & Giles Rd)

LEGAL DESCRIPTION: (Describe property to wit:) Lot 2, Olivo Estates Replat and Tax Lot 29 in Section 27-13-12 and the South 1/2 of the SW 1/4 SW 1/4 22-13-12

SIZE OF PROPERTY: 30.24 acres

CURRENT ZONING: AGD and AG

REQUESTED ZONING: Lot 1 - AG 2 2-13-12

SOURCE OF UTILITY SERVICES: Water - Private

Sewer - Septic

Gas - N/A

Electric - OPPD

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 Planning Commission and County Board.

2. The Planning Commission will hold a public hearing and make a recommendation to the County Board.

3. The County Board will hold a public hearing and make a final decision on the Final Plat application.

4. All necessary agreements/drawings are to be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.

5. Upon approval of the Final Plat, a certification of approval by the Board shall be endorsed thereon by the County Clerk, and eight (8) copies of the Final Plat shall be filed with the Register of Deeds office within 90 days. (3 mylar and 5 paper copies with signatures).

6. If a Change of Zoning application is applied for concurrently with the Preliminary Plat or Final Plat, the conditional approval of the plat also allows for conditional approval of the rezoning request, however, the rezoning does NOT become official until the Final Plat is approved and filed with the Register of Deeds office.

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

Property Owner/Applicant Signature

Date

I, the undersigned, understand a sign will be posted on my property and will remain until the public hearing process of the Planning Commission and County Board is complete. I further understand the Final Plat 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

Date

Property Owner Signature

Date

Property Owner Signature

Date
SPENCER'S WOODS
LOTS 1, 2 AND 3 AND OUTLOTS A, B, C AND D

THIS PLAT OF SPENCER'S WOODS WAS APPROVED
BY THE PLANNING DIRECTOR
OF SARPY COUNTY,
ON THE 13TH DAY OF JANUARY, 2015.

SURVEYOR'S CERTIFICATE

BY THE
SURVEYOR'S CERTIFICATE
IN THE STATE OF NEBRASKA
AFORESAID USES OR RIGHTS HEREIN
AND ANY FACILITIES, HEAT, AND LIGHTS, INCLUDING Crossarms,
WIRE, CABLES, AND ANCHORS, WHICH ARE TO BE USED BY THE
PUBLIC OR THE USES OF THE PUBLIC, INCLUDING ANY FACILITIES,
AND ANY FACILITIES, LIGHTS, AND LIGHTS, INCLUDING Crossarms,
WIRE, CABLES, AND ANCHORS, WHICH ARE TO BE USED BY THE
PUBLIC OR THE USES OF THE PUBLIC, INCLUDING ANY FACILITIES,
AND ANY FACILITIES, LIGHTS, AND LIGHTS, INCLUDING Crossarms,
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PUBLIC OR THE USES OF THE PUBLIC, INCLUDING ANY FACILITIES,
AND ANY FACILITIES, LIGHTS, AND LIGHTS, INCLUDING Crossarms,
WIRE, CABLES, AND ANCHORS, WHICH ARE TO BE USED BY THE
PUBLIC OR THE USES OF THE PUBLIC, INCLUDING ANY FACILITIES,
Vicinity Map - Zoning
Lot 2, Olivo Estates Replat, Tax Lot 29 in 27-13-12, and the S1/2 SW1/4 SW1/4 in 22-13-12
Spencer's Woods
Current FLU - Sarpy Co

Subject Properties Outlined in Blue (Estate Residential)

Comprehensive Development Plan
Figure 5.1: Development Structure Plan
Sarpy County, Nebraska

Legend

- Highway Corridor Corridor
- Land Use Proposed
- Bellevue Future Growth
- Business Park
- Civic
- Conservation Residential
- Estate Residential
- Greenway
- Industrial
- Light Industrial/Storage
- Long Term Residential Growth
- Mixed Use
- Mixed Use Center
- New Richfield Village
- Park/School Site
- Pflug Interchange Development
- Residential - Community Systems
- Urban Residential
- Urban Residential II

Current FLU – Sarpy County
Lot 2, Olivo Estates Replat, Tax Lot 29 in 27-13-12, and the S1/2 SW1/4 SW1/4 in 22-13-12
Spencer’s Woods

Amended 6-11-2015
AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA  }  SS.
County of Sarpy  

Being duly sworn, upon oath, Shon Harenklau deposes and says that he is the Publisher or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, February 3, 2016
Bellevue Leader
Gretna Breeze
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Ron Petak
Publisher

Today's Date 2-3-2016
Signed in my presence and sworn to before me:

Notary Public

Ron Spencer has submitted applications for consideration of a Change of Zone from AG and AGD to AGR (Lot 1) and RE2 (Lots 2 & 3), and a Preliminary Plat and Final Plat of a subdivision to be known as Spencer's Woods, Lots 1-3 and Outlots A-D, being a platting of the South 1/4 of the SW 1/4 of Section 22, T13N, R12E, together with Tax Lot 29 in the NW 1/4 of the NW 1/4 of Section 27, T13N, R12E, of the 6th P.M., Sarpy County, Nebraska, together with Lot 2, Olive Estates, a subdivision in said Sarpy County, Generally located southeast of 95th Street and Mitchell Road.

Ryan Steele, on behalf of RED Investments LLC, has submitted an application for consideration of a Special Use Permit in IL to allow outdoor storage in conjunction with a mini storage facility on the property legally described as Lot 1, Red Addition, a subdivision pending approval by the County Board. Currently, the three properties that will become Red Addition are legally described as, a tract of land located in all of Lot 1, Pintail, and Lot 1, Hawkins Addition, as surveyed, platted and recorded in Sarpy County, NE, and together with a portion of the BNSF Railway Company's 150.00 foot wide Yutan to Gretna, Nebraska branch right-of-way, now discontinued; all located in Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska. Generally located southeast of 190th Street and Glens Road. An agenda for the meeting, kept continually current, is available for inspection at the Sarpy County Planning Department office, Sarpy County Administration Bldg., 1210 Golden Gate Drive, Papillion, NE.

Printer's Fee $ 32.20
Customer Number: 40638
Order Number: 0001924650

FEB-8 2016
STATE OF NEBRASKA
County of Sarpy

Being duly sworn, upon oath, Shon Barenklaau deposes and says that he is the Publisher or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, February 24, 2016

Bellevue Leader
Gretna Breeze
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Shon Barenklaau
Publisher

Ron Petak
Executive Editor

Today's Date 2-24-2016
Signed in my presence and sworn to before me:

Notary Public

Printer's Fee  $ 31.75
Customer Number:  40638
Order Number:  0001929024

NOTICE OF PUBLIC HEARING
SARPY COUNTY BOARD OF COMMISSIONERS

Notice is hereby given that a regular meeting of the Sarpy County Board of Commissioners will be held on Tuesday, March 8, 2016, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration Building, 1210 Golden Gate Drive, Papillion, NE. A Public Hearing will be held on the following:

§ 101 has submitted an application for a Preliminary Plat and Final Plat of a subdivision to be known as Dawson's Lake,Lots 1 through 5, being a replat of Outlot 62A and Outlot 63, Hanson's Lake, located in Section 13, Township 13N, Range 12E of the 6th P.M., Sarpy County, Nebraska. Generally located southeast of 139th Street and Specialty Road.

Ron Spencer has submitted applications for consideration of a Change of Zone from AG to AGR (Lot 1) and R32 (Lots 2 & 3), and a Preliminary Plat and Final Plat of a subdivision to be known as Spencer's Woods, Lots 1-3 and Outlot A-D, being a platting of the South 1/2 of the SW 1/4 of Section 24, Township 13N, Range 12E, of the 6th P.M., Sarpy County, Nebraska. Generally located southeast of 90th Street and Mitchell Road.

Ryan Steeles, on behalf of RED Investments LLC, has submitted an application for consideration of a Special Use Permit in IL to allow outdoor storage in conjunction with a mini storage facility on the property to be known as Lot 1, Red Addition, as approved by the County Board. Currently, the three properties that will become Red Addition are legally described as a tract of land located in all of Lot 1, Pintail, and Lot 1, Hawkins Addition, as surveyed, platted and recorded in Sarpy County, NE, and together with a portion of the BNSF Railway Company's 150.00 foot right-of-way to Gretna, Nebraska branch.

An agenda for the meeting, kept continually current, is available for inspection at the Sarpy County Planning Department, Sarpy County Administration Bldg, 1210 Golden Gate Drive, Papillion, NE.

FEB 2016