BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA

APPROVE CHANGE OF ZONE

APPLICANT: RICK ISKE

CHANGE OF ZONE FROM AG, AGRICULTURAL TO AGD, AGRICULTURAL DEVELOPMENT
(Iske Sixth Addition)

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 application for a Change of Zone from AG, Agricultural to AGD, Agricultural Development for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property generally located one mile south of Pflug Road on the west side of 192nd Street and legally described as follows, hereinafter “the Property”:

Tax lot 8 in the SE ¼ of the SE ¼ of Section 30, T13N, R11E of the 6th P.M., Sarpy County, Nebraska.

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

I. A public hearing regarding the Change of Zone Application was held before the Sarpy County Planning Commission on June 20, 2017 and further, the Planning Commission gave their recommendation.

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

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

V. 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 to AGD, Agricultural Development on the Property legally described above.

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 11th day of July, 2017.

Attest

SEAL

Sarpy County Board Chairman

County Clerk
### I. GENERAL INFORMATION

**A. APPLICANT:**
Rick Iske  
16911 S 192nd Street  
Gretna, NE 68028

**B. PROPERTY OWNER:**
Marilyn G. Iske & Frederick Gerald Iske Trust  
17300 S 192nd Street  
Gretna, NE 68028

**C. SUBJECT PROPERTY LOCATION:** Subject property is located one mile south of Pflug Road on the west side of 192nd Street.

**D. LEGAL DESCRIPTION:** Tax lot 8 in the SE ¼ of the SE ¼ of Section 30, T13N, R11E of the 6th P.M., Sarpy County, Nebraska.

**E. SUBJECT PROPERTY SIZE:** approximately 24 acres

**F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:**
- Future Land Use Designation: Long Term Residential Growth  
- Zoning: AG (Agricultural).

**G. REQUESTED ACTION(S):** Approval of a Change of Zone from AG (Agricultural Farming) to AGD (Agricultural Development), Preliminary and Final Plat of a proposed subdivision to be known as Iske Sixth Addition located one mile south of Pflug Road on the west side of 192nd Street.

### II. BACKGROUND INFORMATION

**A. EXISTING CONDITION OF SITE:** Tillable farm ground with an existing single-family dwelling that was the original homestead.

**B. GENERAL VICINITY – FUTURE LAND USE (FLU) AND CURRENT ZONING (CZ)**

<table>
<thead>
<tr>
<th>DIRECTION FROM SUBJECT PROPERTY</th>
<th>FUTURE LAND USE DESIGNATION (reference attached map)</th>
<th>CURRENT ZONING DESIGNATION (reference attached map)</th>
<th>SURROUNDING DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH</td>
<td>Long Term Residential Growth</td>
<td>AG</td>
<td>Tillable farm ground w/ farmstead</td>
</tr>
<tr>
<td>SOUTH</td>
<td>Long Term Residential Growth</td>
<td>AG</td>
<td>Tillable farm ground w/ farmstead</td>
</tr>
<tr>
<td>EAST</td>
<td>Long Term Residential Growth</td>
<td>AG</td>
<td>Tillable farm ground</td>
</tr>
<tr>
<td>WEST</td>
<td>Long Term Residential Growth</td>
<td>AG</td>
<td>Tillable farm ground</td>
</tr>
</tbody>
</table>

AG = Agricultural (20 plus acres)
C. RELEVANT CASE INFORMATION:
   - The applicant is proposing to subdivide the 24.49 acres into two parcels, 10.01 acres with the existing home site and 14.48 acres.
   - Each parcel will be served with private septic and well, propane gas and OPPD for power.
   - Each parcel will have access to 192nd Street.

D. APPLICABLE REGULATIONS:
   - Sarpy County Comprehensive Development Plan
   - Sarpy County Zoning Regulations
     - Section 10, AGD Agricultural Development District
   - Sarpy County Subdivision Regulations

III. ANALYSIS / STAFF COMMENTS

A. COMPREHENSIVE PLAN:
   The Sarpy County Comprehensive Plan shows the area as Long Term Residential and the proposed development would be consistent with this future land use designation.

B. 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 as of the date of this report.

C. GENERAL COMMENTS:
   - Change of Zone
     - Change of Zone to Agricultural Development District (AGD) from Agricultural (AG) is consistent with the Sarpy County Comprehensive Plan.
     - The proposed parcels appear to be buildable under the AGD District regulations.
   - Preliminary/Final Plat
     - The preliminary plat is proposing a two lot subdivision.
       - This property is subject to the South Sarpy Watershed Management Fee and Platte River Watershed Sewer Connection Fee.

IV. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held public hearings on these applications at their February 21, 2017 meeting and recommended APPROVAL to the County Board by a 10-0 vote.

MOTION: Huddleston moved, seconded by Malmquist to recommend APPROVAL of the Change of Zone from AG (Agricultural Farming District) to AGD (Agricultural Development District) for the proposed subdivision to be known as Iske Sixth Addition. This recommendation is being made as the proposal is in conformance with the Sarpy County Comprehensive Plan and the requirements of the Sarpy County Zoning Regulations. Ballot: Ayes – Torczon, Sotak, Davis, George, Whitfield, Ackley, Huddleston, Giff, Korth, and Malmquist. Nays: None. Absent: Lichter. Motion carries.

MOTION: Huddleston moved, seconded by Malmquist to recommend APPROVAL of the Preliminary Plat of a subdivision to be known as Iske Sixth Addition. This recommendation is being made as the proposal meets the requirements of the Sarpy County Zoning and Subdivision Regulations. Ballot: Ayes – Torczon, Sotak, Davis, George, Whitfield, Ackley, Huddleston, Giff, Korth, and Malmquist. Nays: None. Absent: Lichter. Motion carries.

MOTION: Huddleston moved, seconded by Malmquist to recommend APPROVAL of the Final Plat of a subdivision to be known as Iske Sixth Addition. This recommendation is being made as the proposal meets the requirements of the Sarpy County Zoning and Subdivision Regulations.

V. STAFF RECOMMENDATIONS:

Staff recommends APPROVAL of the application for a Change of Zone from AG Agricultural to AGD, Agricultural Development for the proposed subdivision to be known as Iske Sixth Addition as the proposal is in compliance with the Sarpy County Comprehensive Development Plan and the requirements of the Sarpy County Zoning Regulations.

Staff recommends APPROVAL of the Preliminary Plat of a subdivision to be known as Iske Sixth Addition, as the proposal meets the requirements of the Sarpy County Zoning and Subdivision Regulations.

Staff recommends APPROVAL of the Final Plat of a subdivision to be known as Iske Sixth Addition, as the proposal meets the requirements of the Sarpy County Zoning and Subdivision Regulations.

VI. ATTACHMENTS TO REPORT:

1. Preliminary Plat
2. Final Plat
3. Vicinity Map - Current Zoning (showing subject property area)
4. Current Future Land Use Map (FLU) (Development Structure Plan – Figure 5.1 of Comprehensive Plan)

VII. COPIES OF REPORT SENT TO:

1. Rick Iske (applicant)
2. Marilyn G. Iske and Frederick Gerald Iske Trust (Owner)
3. Public Upon Request
Subject Properties Outlined in blue (Long Term Residential Growth)

Current FLU - Sarpy Co

Legend

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

Amended 6-11-2015

17300 S 192nd Street – Tax Lot 8 in 30-13-11
Iske Sixth Addition
Subject Property (Outlined in red)

Vicinity Map - Current Zoning

17300 S 192nd Street – Tax Lot 8 in 30-13-11 Iske Sixth Addition

Legend
Zoning Classification
CD - Conservation Development Overlay District
STATE OF NEBRASKA  

County of Sarpy  

Being duly sworn, upon oath, Michael Harrington deposes and says that he is the Accounting Manager 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, June 7, 2017  

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.

Michael Harrington  
Accounting Manager

Ron Petak  
Executive Editor

Today's Date: 6-7-2017
Signed in my presence and sworn to before me:

Notary Public
G. G. P. S., Inc., d/b/a Lighthouse Bar & Grill, has submitted an application for consideration of a Special Use Permit to allow a sidewalk café or restaurant with outdoor alcohol sales in BG zoning district at 10215 S 168th Avenue, legally described as Lot 1, Tiburon Point, as surveyed, plat- ed and recorded in Sarpy County, NE. Generally located southwest of 168th Street and Council Road.

Sarpy County Planning Department and Sarpy County Public Works Department request approval of text amendments to the following sections of the Sarpy County Subdivision Regulations: Section 10 - Minimum Design Standards and Section 12 - Standards for Construction Plans and Specifications.

Sarpy County Planning Department introduces the New Sarpy County Comprehensive Plan for discussion and public comment.

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: $22.05  
Customer Number: 40638  
Order Number: 002030984
STATE OF NEBRASKA  

County of Sarpy  

Being duly sworn, upon oath, Michael Harrington deposes and says that he is the Accounting Manager 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, June 28, 2017 

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.

Michael Harrington 
Accounting Manager

OR

Ron Petak 
Executive Editor

Today's Date: 6/28/2017

Signed in my presence and sworn to before me: 

Notary Public

GENERAL NOTARY - State of Nebraska
ELIZABETH M WHITE

Printer's Fee: $26.02
Customer Number: 40638
Order Number: 0002035354