

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**RESOLUTION CHANGE OF ZONE**

**APPLICANT: ANDERSON BROTHERS AMOCO INC; CHANGE OF ZONE**  
**FROM IL, LIGHT INDUSTRIAL TO BG, GENERAL BUSINESS**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), 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 (Reissue 2007), 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 (Reissue 2007); and,

WHEREAS, said Zoning Regulations require the County Board of Commissioners to approve Change of Zone Applications; and

WHEREAS, Rebecca Horner, Planning Director has reviewed Anderson Brothers Amoco Inc.'s application for a Change of Zone from IL, Light Industrial to BG, General Business for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property legally described as follows:

Tax Lot 7 Lakeview South, in the Southeast Quarter of Section 23 Township  
14N and Range 11E of the 6<sup>th</sup> P.M., Sarpy County, NE.

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 April 15, 2009 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 once in the ten (10) day period immediately prior to each respective public hearing as required by Neb. Rev. Stat. §23-164 (Reissue 1997), and the proof of publication has been filed in the Office of the Sarpy County Clerk.
- IV. The Planning Director has made a recommendation as noted in the attached Exhibit "A", which Exhibit "A" includes the Planning Director 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 IL, Light Industrial to BG, General Business on the above described property.

Dated this 21<sup>st</sup> day of April, 2009.

Moved by Tom Richards seconded by Rusty Hike, that  
the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Rusty Hike  
Jack Jones  
Jon Jones  
Tom Richards  
Patrick Thomas

none

none

ABSTAIN:

none



Debra J. Houghtaling  
County Clerk

Approved as to form:

[Signature]  
County Attorney

Sarpy County Board of Commissioners Report  
April 21, 2009

Exhibit A

Subject	Type	By
This is a request for a Change of Zone from IL, Light Industrial to BG, General Business and a Special Use Permit for Retail Alcohol Sales on property legally described as Lot 7, Lakeview South located in the Southeast Quarter of Section 23, Township 14N, Range 11E of the 6 <sup>th</sup> P.M., Sarpy County	Resolution and public hearing	Rebecca Horner, Planning Director

This is a request for approval of a change of zone to General Business and a special use permit for retail alcohol sales generally located at Interstate 80 and Highway 50.

- History of Request

- Planning Department staff received a request to upgrade the existing liquor permit for the Andy's General Store which is associated with the Amoco service station. It was determined that the existing use is non-conforming and no expansion or improvement may occur under the existing non-conforming regulations. The applicant was informed of the situation and discussed options with Planning Department staff.

- Comprehensive Development Plan & Change of Zoning

- The Comprehensive Plan shows the area as Business Park. (Figure 5.1)
- The requested zoning of BG, General Business is in conformance with the land use designation of Business Park.
- The area is generally a combination of light industrial and commercial land uses with a prevailing zoning designation of IL, Light Industrial. There are a number of existing non-conforming uses that will need to be rezoned to commercial if the land uses are found to be consistent with the land use plan and appropriate for the location.

- Special Use Permit

- The service station and retail sale of alcohol have operated from the site for more than ten years without incident.
- The BG district allows for Retail Alcohol Sales as a Permitted Special Use.
- The proposed retail alcohol sales are to be located in a light industrial/commercial area as part of a convenience store/service station adjacent to a highway. There do not appear to be any adjacency issues with the proposed use.
- The site plan is in conformance with the BG, General Business district zoning regulations. The height and lot requirements are generally the same; however there is a slightly increased rear yard setback and the minimum lot area is slightly decreased in the BG district which will not impact the existing and proposed use.

- Planning Commission Action

- The Planning Commission voted unanimously (10-0) to recommend approval of the change of zone and special use permit on October 29, 2008.

- *Dunbar moved, seconded by Bliss to approve the request for the change of zone from IL (Light Industrial) to BG General Business as it conforms with zoning regulations and the comprehensive plan of Sarpy County. Ayes – Bliss, Dunbar, Gonzalez, Gross, Stuart, Marquardt, Torczon, Wear, Wees, Whitfield. Nays: None Abstain – none. Absent – Fenster. Motion Carried.*

- *Dunbar moved, seconded by Bliss to approve the special use permit for Ray Anderson, 9501 S 145<sup>th</sup> or business located at I-80 and Hwy 50 Street, for purposes retail alcohol sales as it meets the zoning regulations and comprehensive plan of Sarpy County. Ayes – Bliss, Dunbar, Gonzalez, Gross, Stuart, Marquardt, Torczon, Wear, Wees, Whitfield Nays: None Abstain – none. Absent – Fenster. Motion Carried.*

- Recommendation Change of Zone

- Recommend approval to the request to change the zone from IL, Light Industrial to BG, General Business due to compatibility with adjacent zoning/uses, conformance with zoning regulations and consistency with the Comprehensive Development Structure Plan.

- Recommendation Special Use Permit

- Recommend approval to the request for a Special Use Permit for Retail Alcohol sales due to compatibility with adjacent zoning/uses, conformance with zoning regulations and consistent with the Comprehensive Development Structure Plan.

Respectfully submitted by: Rebecca Horner, Planning Director



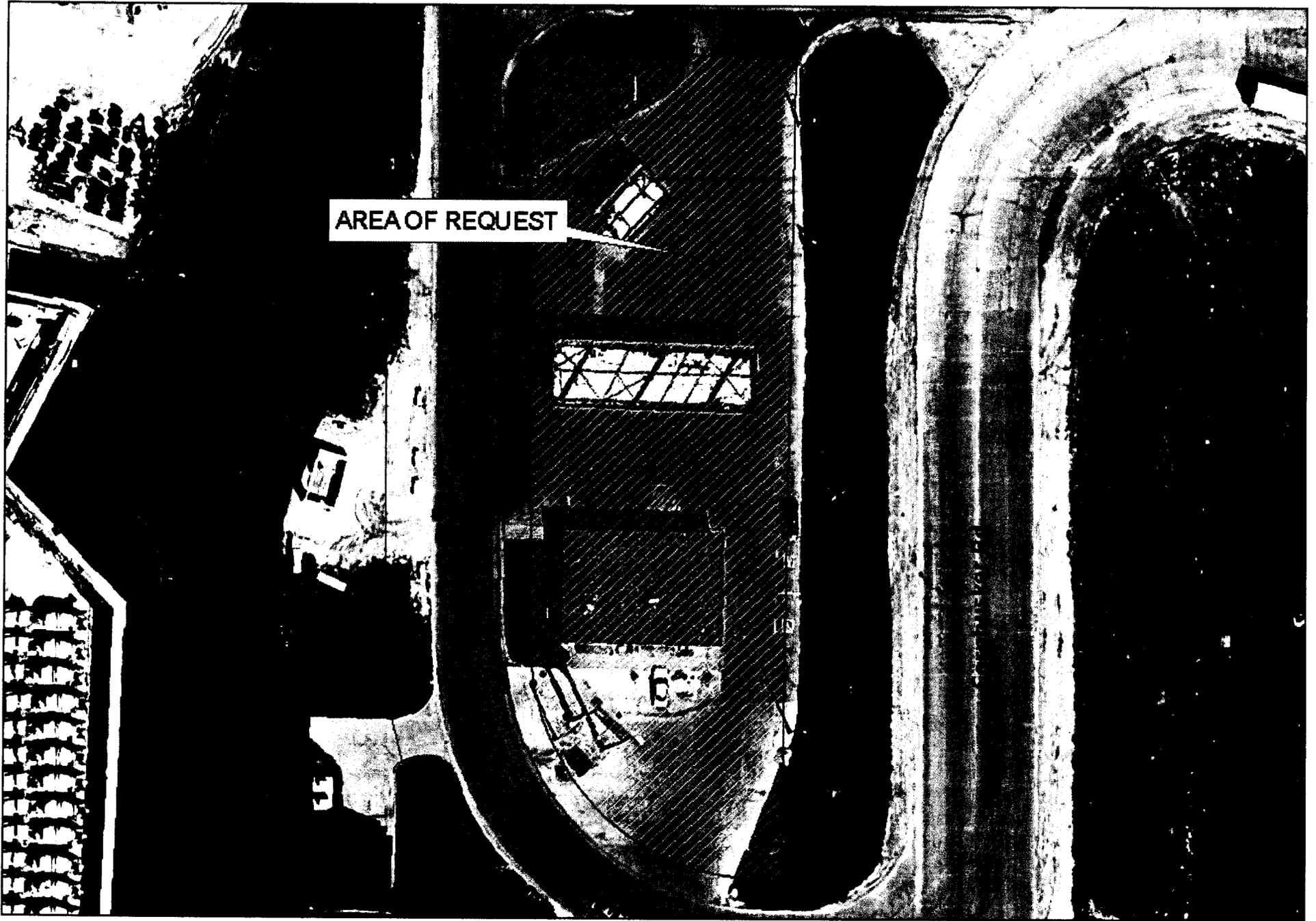
# Additional Information

**SARPY COUNTY BOARD OF COMMISSIONERS**

**APRIL 21, 2009**

**CHANGE OF ZONE**

**RAY ANDERSON**



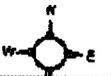
AREA OF REQUEST

**RAY ANDERSON - ANDERSON BROTHERS AMACO**  
**9501 S. 145TH STREET**  
**Change of Zone & Special Use Permit**

GIS

0

100





# SARPY COUNTY PLANNING

• 1210 GOLDEN GATE DRIVE PAPPILLION, NE 68046  
• PHONE: 402-593-1555 • FAX: 402-593-1558 • E-MAIL: [PLANNING@SARPY.COM](mailto:PLANNING@SARPY.COM)

MAR 25 2009

SARPY COUNTY  
PLANNING DEPARTMENT

## CHANGE OF ZONE APPLICATION

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

1. Submit complete Change of Zone Application
2. Submit Non-Refundable Fee of \$ \_\_\_\_\_ made payable to Sarpy County Treasurer
3. Copy of Deed on file with Register of Deeds (showing applicant as owner)
4. 25 full size site plan drawings (folded)
5. 1 reduced size sit plan drawing (8.5 x 11)
6. Detailed operational plans

### PLANNING STAFF USE ONLY:

APPLICATION NO.: CZ 09 - 0006  
 DATE RECEIVED: 3/25/09  
 CP DESIGNATION: Business Park  
 ZONING DESIGNATION: IL  
 FEE: \$ 400 RECEIPT NO. /  
 RECEIVED BY: mds  
 NOTES: \_\_\_\_\_

### APPLICANT INFORMATION:

CHECK BOX IF TEXT AMENDMENT APPLICATION

NAME: Ray Anderson

E-MAIL: rdanderson@AndersonFoodShops.com

ADDRESS: 9501 S. 145th St.

CITY/STATE/ZIP: Omaha, NE 68138

MAILING (IF DIFFERENT)

ADDRESS: 15410 W. Center Rd.

CITY/STATE/ZIP: Omaha, NE 68144

PHONE: 891. 6300 Ext. 14

FAX: 891. 4256

### PROPERTY OWNER INFORMATION: (if multiple owners, attach separate sheet)

Please check box if attaching separate sheet with owner information.

NAME: Anderson Brothers Amco Inc.

E-MAIL: rdanderson@AndersonFoodShops.com

ADDRESS: 9501 S. 145th

CITY/STATE/ZIP: Omaha NE 68138

MAILING (IF DIFFERENT)

ADDRESS: 15410 W. Center Rd.

CITY/STATE/ZIP: Omaha NE 68144

PHONE: 891. 6300 Ext. 14

FAX: 891. 4256

### ENGINEER INFORMATION:

NAME: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

MAILING (IF DIFFERENT)

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

**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.

Request to rezone only - no physical changes.

**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.

**ASSESSOR'S PARCEL NUMBER:** 0 1 1 2 2 9 1 9

**ADDITIONAL PARCEL NUMBERS** \_\_\_\_\_

**LEGAL DESCRIPTION:** (Describe property to wit:)

Lot 7 Lakewood South

**GENERAL PROPERTY LOCATION:** NW Intersection I-80 & Hwy 50 **ACRES:** .75

**CURRENT ZONING:** IL (Light Industrial)

**REQUESTED ZONING:** B6 (General Business)

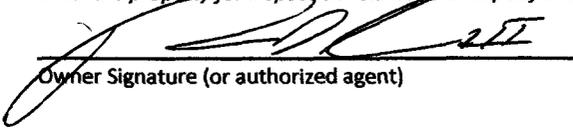
**ADDITIONAL INFORMATION:** Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. Attach extra sheets if necessary.

Our company has operated this site since 1994 including the current license. We are simply requesting zoning to revise the license to a different class. (To CLASS D)

**PLEASE NOTE THE FOLLOWING PROCEDURES:**

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

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 Special Use Permit process as stated above and I authorize County Staff to enter the property for inspection related to the specific request during this process.

  
Owner Signature (or authorized agent)

3/23/09  
Date

\_\_\_\_\_  
Owner Signature (or authorized agent)

\_\_\_\_\_  
Date

**SARPY COUNTY  
PLANNING COMMISSION  
STAFF REPORT  
APRIL 15, 2009  
CHANGE OF ZONE FROM IL TO BG  
SPECIAL USE PERMIT  
CZ 09-0006 & SUP 09-0003**

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Ray Anderson  
9501 S 145<sup>th</sup> Street  
Omaha, NE 68138

**B. PROPERTY OWNER:**

Anderson Brothers Amoco Inc.

**C. LOCATION:**

I-80 & Highway 50

**D. LEGAL DESCRIPTION:**

Tax Lot 7 Lakeview South in the SE ¼ of Section 23 Township 14 Range 11 of the 6<sup>th</sup> P.M. Sarpy County, Nebraska.

**E. REQUESTED ACTION:**

- To approve a change of zone from IL, Light Industrial to BG, General Business.
- To approve a Special Use Permit to for retail alcohol sales.

**F. EXISTING ZONING AND LAND USE:**

Light Industrial improved with a service station with retail alcohol sales.

**G. SIZE OF SITE:**

0.77 acres, more or less.

**II. BACKGROUND INFORMATION**

Planning Department staff received a request to upgrade the existing liquor permit for the Andy's General Store which is associated with the Amoco service station. It was determined that the existing use is non-conforming and no expansion or improvement may occur under the existing non-conforming regulations. The applicant was informed of the situation and discussed options with Planning Department staff.

The area is generally a combination of light industrial and commercial land uses with a prevailing zoning designation of IL, Light Industrial. There are a number of existing non-conforming uses that will need to be rezoned to commercial if the

land uses are found to be consistent with the land use plan and appropriate for the location.

**A. COMPREHENSIVE PLAN SPECIFICATIONS:**

The Comprehensive Plan shows the area as Business Park. (Figure 5.1)

The lot is located off South 145<sup>th</sup> Street and Cornhusker Road which is parallel to Highway 50. South 145<sup>th</sup> and Cornhusker Road are classified as local commercial roads. Highway 50 is classified as a Minor Arterial road in the Functional Road Classification (Figure 6.1)

**B. EXISTING CONDITION OF SITE:**

The site is currently being used for the proposed use.

**C. GENERAL VICINITY AND LAND USE:**

The area is generally a combination of light industrial and commercial land uses zoned IL, Light Industrial.

**D. RELEVANT CASE HISTORY:**

The use has operated at this site since 1988.

**E. APPLICABLE REGULATIONS:**

Zoning Regulations and Comprehensive Plan.

**III. ANALYSIS AND DEVELOPMENT ALTERNATIVES**

**STAFF COMMENTS:**

**A. REQUEST:**

1. This is a request to bring the existing use into conformance which will allow for the expansion of the existing liquor permit.

**B. LAND USE/COMPREHENSIVE PLAN:**

1. The requested zoning of BG, General Business is in conformance with the land use designation of Business Park.
2. The Business Park land use designation allows for both commercial and some light industrial zoning.

**C. GENERAL:**

1. The service station and retail sale of alcohol have operated from the site for more than ten years without incident.
2. The BG district allows for Retail Alcohol Sales as a Permitted Special Use.
3. The proposed retail alcohol sales are to be located in a light industrial/commercial area as part of a convenience store/service station adjacent to a highway. There do not appear to be any adjacency issues with the proposed use.

4. The site plan is in conformance with the BG, General Business district zoning regulations. The height and lot requirements are generally the same, however there is a slightly increased rear yard setback and the minimum lot area is slightly decreased in the BG district which will not impact the existing and proposed use.

**IV. RECOMMENDATION:**

1. Recommend approval to the request to change the zone from IL, Light Industrial to BG, General Business due to compatibility with adjacent zoning/uses, conformance with zoning regulations and consistency with the Comprehensive Development Structure Plan.
2. Recommend approval to the request for a Special Use Permit for Retail Alcohol sales due to compatibility with adjacent zoning/uses, conformance with zoning regulations and consistent with the Comprehensive Development Structure Plan.

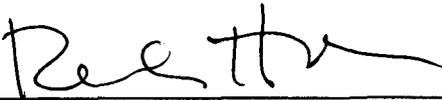
**V. COPIES OF REPORT TO:**

Applicant  
Public upon request

**VI. ATTACHMENTS:**

Application  
Site Plan  
Aerial

Report prepared by:



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Rebecca Horner, Planning Director



SARPY COUNTY  
 PLANNING DEPARTMENT  
 1210 Golden Gate Drive  
 Papillion, NE 68046  
 PH: 402-593-1555  
 Fax: 402-593-1558

APR 1 2009

SARPY COUNTY  
 PLANNING DEPARTMENT

REBECCA HORNER, DIRECTOR  
 MICHELLE ALFARO, PLANNING ASSISTANT  
 E-MAIL: [planning@sarpy.com](mailto:planning@sarpy.com)

March 25, 2009

ORGANIZATION	REVIEW REQUIRED	ORGANIZATION	REVIEW REQUIRED	ORGANIZATION	REVIEW REQUIRED
County Admin – Mark Wayne	X	County Fiscal Admin- Brian Hanson	X	County Attorney – Nicole O’Keefe	X
Sarpy County Surveyor – Tom Lynam	X	Sarpy County GIS - Eric Herbert - Nikki Lampe	X	Papio-Missouri – NRD - Amanda Grint - Lori Laster	X
OPPD – Steve Fanslaw Steve Sauer	X	Sarpy County Sherriff – Jeff Davis	X	MUD – Thomas Acers	X
City of Papillion – Mark Stursma	X	City of La Vista – Marcus Baker	X	City of Gretna – Donna Lynam	X
City of Springfield – Kathleen Fauver	X	City of Bellevue – Chris Shewchuk	X	Fire District – Omaha	X
School District – Millard	X	File	X		

**PROJECT DESCRIPTION: APPLICATION FOR CHANGE OF ZONE AND SPECIAL USE PERMIT– RAY ANDERSON**, requests a change of zone from IL (Light Industrial) to BG (General Business) and a Special Use Permit. The applicant is requesting a Change of Zone to revise the liquor license to a class D license. The company has operated at this site since 1994 including the current beverage license. The Special Use Permit will allow the beverage license revision to a Class D license. The property is located on Lot 7 Lakeview South, Lot 1 E. Davis Subdivision located in the SE ¼ of Section 23, Township 14 and Range 11 of the 6<sup>th</sup> P.M. Sarpy County, Nebraska. (NW Intersection of I-80 & Hwy 50)

Please provide any comments or recommendations you may have to the Sarpy County Planning Department no later than **Friday April 3, 2009**. You may submit comments using the following:

**Mail:**  
 Rebecca Horner, Director  
 Sarpy County Planning Dept.  
 1210 Golden Gate Drive  
 Papillion, NE 68046

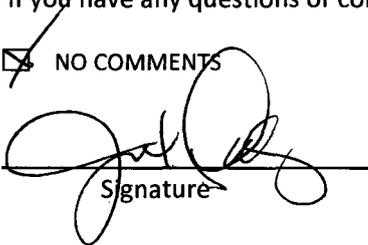
**Fax:**  
 (402) 593-1558

**E-MAIL: (Environmentally Friendly!)**  
[planning@sarpy.com](mailto:planning@sarpy.com)

If you have any questions or concerns, please contact Michelle Alfaro at (402) 593-1555.

NO COMMENTS

COMMENTS (SEE ATTACHED)

  
 Signature

\_\_\_\_\_  
 Signature

**Michelle Alfaro**

---

**From:** Loll, Jeff [Jeff\_Loll@mudnebr.com]  
**Sent:** Wednesday, March 25, 2009 4:39 PM  
**To:** Michelle Alfaro  
**Subject:** RE: Zoning Review - Amaco

MAR 25 2009

SARPY COUNTY  
PLANNING DEPARTMENT

That is sufficient ...thank you...no comment.

---

**From:** Michelle Alfaro [mailto:malfaro@sarpy.com]  
**Sent:** Wednesday, March 25, 2009 2:10 PM  
**To:** Loll, Jeff  
**Subject:** FW: Zoning Review

Hi Jeff,

I normally send you a hard copy by mail, but is it okay to send the zoning reviews to you via e-mail?

Thank you,

Michelle Alfaro, Planning Assistant  
Sarpy County

---

**From:** Michelle Alfaro  
**Sent:** Wednesday, March 25, 2009 10:49 AM  
**To:** Mark Wayne; Brian Hanson; Nicole O'Keefe; Tom Lynam; Eric Herbert; Nikki Lampe; Grint, Amanda; Laster, Lori; Jeff Davis; Acers, Thomas; Mark Stursma; 'MBaker@ci.la-vista.ne.us'; 'donna@cityofgretna.com'; 'kathleencityofspringfield@yahoo.com'; cshewchuk@bellevue.net; Darryl Giles (dgiles@ci.omaha.ne.us); jtlopez@mpsomaha.org; Scott Bovick  
**Cc:** Michelle Alfaro  
**Subject:** Zoning Review

Hello,

I have attached a request for a change of zone and special use permit. Please review and provide comments no later than **Friday April 3, 2009**.

Thank you,

*Michelle Alfaro*  
Planning Assistant  
Sarpy County Planning Department  
1210 Golden Gate Drive,  
Papillion, NE 68046  
Office: 402-593-1555  
Fax: 402-593-1558

 Please don't print this e-mail unless it is necessary



**SARPY COUNTY  
PLANNING DEPARTMENT**  
1210 Golden Gate Drive  
Papillion, NE 68046  
PH: 402-593-1555  
Fax: 402-593-1558

**REBECCA HORNER, DIRECTOR**  
**MICHELLE ALFARO, PLANNING ASSISTANT**  
E-MAIL: [planning@sarpy.com](mailto:planning@sarpy.com)

March 25, 2009

ORGANIZATION	REVIEW REQUIRED	ORGANIZATION	REVIEW REQUIRED	ORGANIZATION	REVIEW REQUIRED
County Admin – Mark Wayne	X	County Fiscal Admin- Brian Hanson	X	County Attorney – Nicole O’Keefe	X
Sarpy County Surveyor – Tom Lynam	X	Sarpy County GIS - Eric Herbert - Nikki Lampe	X	Paplo-Missouri – NRD - Amanda Grint Lori Laster	X
OPPD – Steve Fanslow Steve Sauer	X	Sarpy County Sherriff – Jeff Davis	X	MUD – Thomas Acers	X
City of Papillion – Mark Stursma	X	City of La Vista – Marcus Baker	X	City of Gretna – Donna Lynam	X
City of Springfield – Kathleen Fauver	X	City of Bellevue – Chris Shewchuk	X	Fire District – Omaha	X
School District – Millard	X	File	X		

**PROJECT DESCRIPTION: APPLICATION FOR CHANGE OF ZONE AND SPECIAL USE PERMIT– RAY ANDERSON**, requests a change of zone from IL (Light Industrial) to BG (General Business) and a Special Use Permit. The applicant is requesting a Change of Zone to revise the liquor license to a class D license. The company has operated at this site since 1994 including the current beverage license. The Special Use Permit will allow the beverage license revision to a Class D license. The property is located on Lot 7 Lakeview South, Lot 1 E. Davis Subdivision located in the SE ¼ of Section 23, Township 14 and Range 11 of the 6<sup>th</sup> P.M. Sarpy County, Nebraska. (NW Intersection of I-80 & Hwy 50)

Please provide any comments or recommendations you may have to the Sarpy County Planning Department no later than **Friday April 3, 2009**. You may submit comments using the following:

**Mall:**  
Rebecca Horner, Director  
Sarpy County Planning Dept.  
1210 Golden Gate Drive  
Papillion, NE 68046

**Fax:**  
(402) 593-1558

**E-MAIL: (Environmentally Friendly!)**  
[planning@sarpy.com](mailto:planning@sarpy.com)

If you have any questions or concerns, please contact Michelle Alfaro at (402) 593-1555.

NO COMMENTS

COMMENTS (SEE ATTACHED)

David Gelin AFM  
Signature

\_\_\_\_\_  
Signature

Omaha Fire is "ok"  
with this change of  
zone request.

**Michelle Alfaro**

---

**From:** Tom Lynam  
**Sent:** Wednesday, March 25, 2009 11:22 AM  
**To:** Michelle Alfaro  
**Subject:** RE: Zoning Review - Amaco

Michelle:

No comment on this change of zone .

Tom Lynam

---

**From:** Michelle Alfaro  
**Sent:** Wednesday, March 25, 2009 10:49 AM  
**To:** Mark Wayne; Brian Hanson; Nicole O'Keefe; Tom Lynam; Eric Herbert; Nikki Lampe; Grint, Amanda; Laster, Lori; Jeff Davis; Acers, Thomas; Mark Stursma; 'MBaker@ci.la-vista.ne.us'; 'donna@cityofgretna.com'; 'kathleencityofspringfield@yahoo.com'; cshewchuk@bellevue.net; Darryl Giles (dgiles@ci.omaha.ne.us); jtlopez@mpsomaha.org; Scott Bovick  
**Cc:** Michelle Alfaro  
**Subject:** Zoning Review

Hello,

I have attached a request for a change of zone and special use permit. Please review and provide comments no later than **Friday April 3, 2009**.

Thank you,

*Michelle Alfaro*  
Planning Assistant  
Sarpy County Planning Department  
1210 Golden Gate Drive,  
Papillion, NE 68046  
Office: 402-593-1555  
Fax: 402-593-1558

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# AFFIDAVIT OF PUBLICATION

State of Nebraska}

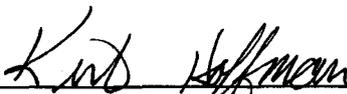
ss.

County of Sarpy}

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Kirk Hoffman deposes and says that he is the Business Manager of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, a legal newspaper with a bonafided circulation of 300 copies published in Bellevue, Papillion, Gretna and Springfield, Nebraska; and said newspaper has been published for at least 52 consecutive weeks prior to publication of attached notice: that said publications are of general circulations: that the attached notice was published 1 times on:

**Wednesday, April 8, 2009**

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 Barenklau OR Kirk Hoffman  
Publisher Business Manager

Today's Date 04-06-2009

Signed in my presence and sworn to before me:

  
\_\_\_\_\_  
Notary Public

**KIMBERLY A. DICKMAN**  
General Notary  
State of Nebraska  
My Commission Expires Mar 27, 2012

Printer's Fee \$ 24.82

Customer Number: 000947

Order Number: 11991760

**SARPY COUNTY**  
**DEPARTMENT OF PLANNING**  
Sarpy County Courthouse  
1210 Golden Gate Drive  
Papillion, Nebraska 68046  
Phone (402) 593-1555 - Fax (402)  
593-1558  
Rebecca Homer, Director  
**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, April 21, 2009, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.  
**370 Express, 11108 Sapp Bros Drive,** requests approval of a Special Use Permit for retail alcohol sales on the following described property, to wit: Tax Lot 11, a tax lot in the SE 1/4 of Section 27 Township 14 and Range 11 of the 6th P.M. Sarpy County, Nebraska. (Hwy 370 & Sapp Bros Drive)  
**Robert E. Bollsh, 12760 S 234th Street,** requests approval of a Special Use Permit for a private barn for animals on the following described property, to wit: Lot 2 Riverview Acres II and Lot 1 Riverview Acres, all located in the SW 1/4 of Section 3 Township 13 and Range 10 of the 6th P.M. Sarpy County, Nebraska. (234th & Capehart Road)  
**Donald W. Gray, 18201 S. 132nd Street,** requests approval of a Special Use Permit for a residence and recreational vehicle sales and service on the following described property, to wit: Lot 15, Villa Springs in the SW 1/4 of Section 31 Township 13 and Range 12 of the 6th P.M. Sarpy County, Nebraska. (132nd & Buffalo Rd)  
**Ray Anderson, 9501 S. 145th Street,** requests approval of a Change of Zone from IL (Light Industrial) to BG

County Zoning Regulations  
11991760; 4/8

AFFIDAVIT OF PUBLICATION

State of Nebraska}

ss.

County of Sarpy}

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Kirk Hoffman deposes and says that he is the Business Manager of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, a legal newspaper with a bonafided circulation of 300 copies published in Bellevue, Papillion, Gretna and Springfield, Nebraska; and said newspaper has been published for at least 52 consecutive weeks prior to publication of attached notice: that said publications are of general circulations: that the attached notice was published 1 times on:

Wednesday, April 1, 2009

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above knowledge.

[Handwritten signature of Kirk Hoffman]

Shon Barenklau  
Publisher

OR Kirk Hoffman  
Business Manager

Today's Date 03-31-2009

Signed in my presence and sworn to before me:

[Handwritten signature of Kimberly A. Dickman]

Notary Public

KIMBERLY A. DICKMAN  
General Notary  
State of Nebraska  
My Commission Expires Mar 27, 2012

NOTICE OF PUBLIC HEARING  
SARPY COUNTY PLANNING COMMISSION  
Notice is hereby given that a regular meeting of the Sarpy County Planning Commission will be held on Wednesday, April 15, 2009, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.  
370 Express, 11108 Sapp Bros Drive, requests approval of a Special Use Permit for retail alcohol sales on the following described property, to wit: Tax Lot 11, a tax lot in the SE 1/4 of Section 27 Township 14 and Range 11 of the 6th P.M. Sarpy County, Nebraska. (Hwy 370 & Sapp Bros Drive)  
Robert E. Bollish, 12760 S 234th Street, requests approval of a Special Use Permit for a private barn for animals on the following described property, to wit: Lot 2 Riverview Acres II and Lot 1 Riverview Acres, all located in the SW 1/4 of Section 3 Township 13 and Range 10 of the 6th P.M. Sarpy County, Nebraska. (234th & Capehart Road)  
Donald W. Gray, 18201 S. 132nd Street, requests approval of a Special Use Permit for a residence and recreational vehicle sales and service on the following described property, to wit: Lot 15, Villa Springs in the SW 1/4 of Section 31 Township 13 and Range 12 of the 6th P.M. Sarpy County, Nebraska. (132nd & Buffalo Rd)  
Ray Anderson, 9501 S. 145th Street, requests approval of a Change of Zone from IL (Light Industrial) to BG (General Business) and a Special Use Permit for retail alcohol sales on the following described property, to wit: Lot 7 Lakaview South, in the SE 1/4 of Section 23 Township 14 and Range 11 of the 6th P.M. Sarpy County, Nebraska. (I-80 & Hwy 50)  
Shawn M. Schmidt, 812 Tipperary Drive, requests approval of a Change of Zone from AG (Agricultural) to AGR (Agricultural Residential), a Preliminary and Final Plat to be known as Olivo Estates II located on the following described property, to wit: Government Lot 4, located in the NW 1/4 of Section 27 Township 13 Range 12 of the 6th P.M. Sarpy County, Nebraska. (96th & Mitchell Road)  
Sarpy County requests a Text Amendment to Section 40, Signs, of the Sarpy County Zoning Regulations.  
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