

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY**

**RESOLUTION FLOOD PLAIN DEVELOPMENT**  
**MJ Design/Build, Inc., 7916 Kona Circle, Papillion, NE**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 1997), 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 1997), the powers of the County as a body are exercised by the County Board of Commissioners (County Board); and,

WHEREAS, the County Board has the authority to adopt a Zoning Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-114 (2004 Cum. Supp); and,

WHEREAS, said Zoning Regulation requires the County Board to approve applications for development permits within any Flood Plain District; and

WHEREAS, Rebecca Horner, Planning Director has reviewed MJ Design/Build Inc's application for a Flood Plain Development Permit for compliance with the Zoning Regulation on the property legally described in the attached Exhibit A; and,

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

WHEREAS, the Planning Director has made a recommendation of approval as noted in the attached Exhibit A, which Exhibit A includes the Planning Director report, the elevation certificate on the subject property, and the Natural Resources District comments.

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.

Dated this 18<sup>th</sup> day of August, 2009.

Moved by Rich Jansen seconded by Rusty Hike, that the above Resolution be adopted. Carried.

YEAS:

Rusty Hike  
Rich Jansen  
Tom Jones

NAYS:

none

ABSENT:

Tom Richards

ABSTAIN:

none

Patrick J. Thomas



Debra J. Moughtaling  
County Clerk

Approved as to form:

Mark O'Keefe  
County Attorney

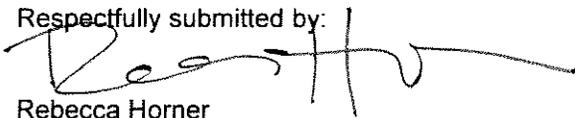
Sarpy County Board of Commissioners Report  
 County Board Date: August 18, 2009  
 Report prepared 8-13-09

Subject	Type	By
Floodplain Development Permit for a new home on Lot 162, Hawaiian Village located at 7916 Kona Circle, Sarpy County, NE.	Resolution	Rebecca Horner, Planning Director

This is a request for approval of a floodplain development permit at 7916 Kona Cr. to build a new home.

- Comprehensive Development Plan
  - The Sarpy County Development Structure Plan indicates this area as Greenway.
- Zoning
  - The area is zoned RD-50. Lot coverage is approximately 10%, which meets the maximum 40% coverage.
  - The proposed use conforms to the Zoning Regulation requirements for the zoning district.
  - The location of the structure meets the minimum setbacks for the district.
- Natural Resources
  - The applicant proposes to build a new residential structure in the flood plain overlay district.
  - The proposed structure meets the minimum requirements of the Flood Plain overlay district.
    - The proposed structure includes a basement, which may be used only for storage of removable items and may not be used for living spaces.
    - The applicant proposes all living spaces be at least one foot above the base flood elevation.
    - Minimum openings are shown and are labeled to meet minimum requirements.
    - The plans are labeled to indicate all material used below the BFE will be water damage resistant.
  - The Natural Resources District provided initial comments on August 4, 2009. The applicant resubmitted construction documents to address the NRD concerns. The Natural Resources District provided updated comments on August 11, 2009 indicating they had no objection and no comments that required further resolution. NRD comments are attached.
- Recommendation
  - I recommend the permit be approved due to compliance with the Flood Plain Overlay District, Zoning Regulations and the NRD has no objection to the request.

Respectfully submitted by:



Rebecca Horner  
 Planning Director

August 10, 2009

Ms. Rebecca Horner  
Sarpy County Planning Department  
1210 Golden Gate Drive  
Papillion, Nebraska 68046

AUG 12 2009

SARPY COUNTY  
PLANNING DEPARTMENT



PAPIO-MISSOURI RIVER  
NATURAL  
RESOURCES  
DISTRICT

8901 S. 154th Street  
Omaha, NE 68138-3621  
402-444-6222  
[www.papionrd.org](http://www.papionrd.org)

RE: 7916 Kona Circle – Floodplain Development Permit

Dear Ms. Horner:

The District received information for the proposed construction of a residence on Lot 162 in Hawaiian Village at 7916 Kona Circle in Papillion, Nebraska. According to the Flood Insurance Rate Map for Sarpy County, Panel 31153C 0200G, dated December 2, 2005, the lot is located in the Zone AE floodway fringe of the Platte River. The base flood elevation (BFE) determined at this location is 994.3 feet (NAVD 1988).

The District reviewed an elevation certificate prepared from the construction drawings by John W. Von Collen, R.L.S. on June 8, 2009, along with architectural elevations and floor plans provided by MJ Design/Build, Inc. and provided comments on August 4, 2009. The plans were re-submitted to the District on August 6, 2009, addressing the comments. Specifically, the plans now state that the basement is not intended to be a living space and is for storage only, no utilities will be constructed in the basement, and the flood openings will inlet within one foot of the basement floor.

The District has no objections to this project. If you have any questions you may contact me at 444-6222 or [llaster@papionrd.org](mailto:llaster@papionrd.org),

Sincerely,

Lori Ann Laster  
Stormwater Management Engineer

Cc: MJ Design/Build, Inc., Applicant, 14948 Polk St., Omaha, NE 68137  
Marlin Petermann, Amanda Grint, P-MRNRD

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
 Expires March 31, 2012

Important: Read the instructions on pages 1-9.

## SECTION A - PROPERTY INFORMATION

1. Building Owner's Name Mervin E. & Sherie L. King  
 2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.  
7916 Kona Circle  
 City Papillion State NE ZIP Code 68046

For Insurance Company Use
Policy Number
Company NAIC Number

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)  
Lot 162, Hawaiian Village, Sarpy County, Nebraska

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) Residential

A5. Latitude/Longitude: Lat. 41°04'13"N Long. 96°02'09"W

Horizontal Datum:  NAD 1927  NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number \_\_\_\_\_

A8. For a building with a crawlspace or enclosure(s):

- a) Square footage of crawlspace or enclosure(s) \_\_\_\_\_ sq ft
- b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade \_\_\_\_\_
- c) Total net area of flood openings in A8.b \_\_\_\_\_ sq in
- d) Engineered flood openings?  Yes  No

A9. For a building with an attached garage:

- a) Square footage of attached garage \_\_\_\_\_ sq ft
- b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade \_\_\_\_\_
- c) Total net area of flood openings in A9.b \_\_\_\_\_ sq in
- d) Engineered flood openings?  Yes  No

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number <u>Sarpy County 310190</u>		B2. County Name <u>Incorporated</u>		B3. State <u>Nebraska</u>	
B4. Map/Panel Number <u>0200</u>	B5. Suffix <u>G</u>	B6. FIRM Index Date <u>12/2/2005</u>	B7. FIRM Panel Effective/Revised Date <u>12/2/2005</u>	B8. Flood Zone(s) <u>AE</u>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <u>994.3 + 1.0 FOOT</u>

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.

- FIS Profile  FIRM  Community Determined  Other (Describe) \_\_\_\_\_

B11. Indicate elevation datum used for BFE in Item B9:  NGVD 1929  NAVD 1988  Other (Describe) \_\_\_\_\_

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?  Yes  No  
 Designation Date \_\_\_\_\_  CBRS  OPA

## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
 \*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. Use the same datum as the BFE.

Benchmark Utilized PID MK0835 Vertical Datum NAVD 1988

Conversion/Comments \_\_\_\_\_

Check the measurement used.

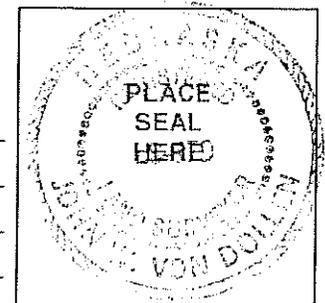
- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 987.1  feet  meters (Puerto Rico only)
- b) Top of the next higher floor 996.8  feet  meters (Puerto Rico only)
- c) Bottom of the lowest horizontal structural member (V Zones only) \_\_\_\_\_  feet  meters (Puerto Rico only)
- d) Attached garage (top of slab) 995.5  feet  meters (Puerto Rico only)
- e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) \_\_\_\_\_  feet  meters (Puerto Rico only)
- f) Lowest adjacent (finished) grade next to building (LAG) 987.1  feet  meters (Puerto Rico only)
- g) Highest adjacent (finished) grade next to building (HAG) 995.5  feet  meters (Puerto Rico only)
- h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support \_\_\_\_\_  feet  meters (Puerto Rico only)

## SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Certifier's Name John W. Von Dollen License Number Nebraska L. S. 579  
 Title Registered Land Surveyor Company Name E & A Consulting Group, Inc.  
 Address 330 North 117th Street City Omaha State NE ZIP Code 68154  
 Signature [Signature] Date 6-8-2009 Telephone (402) 884-3335



<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>	<b>For Insurance Company Use</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 7915 Kona Circle	Policy Number
City Papillion State NE ZIP Code 68046	Company NAIC Number

**SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)**

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments for Pre-Construction Certification.

*[Handwritten Signature]*

Signature

Date 6-8-2009

Check here if attachments

**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
  - a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
  - b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge.*

Property Owner's or Owner's Authorized Representative's Name

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Telephone \_\_\_\_\_

Comments

Check here if attachments

**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
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- G7. This permit has been issued for:  New Construction  Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_
- G9. BFE or (in Zone AO) depth of flooding at the building site: \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_
- G10. Community's design flood elevation \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_

Local Official's Name \_\_\_\_\_ Title \_\_\_\_\_

Community Name \_\_\_\_\_ Telephone \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments

Check here if attachments

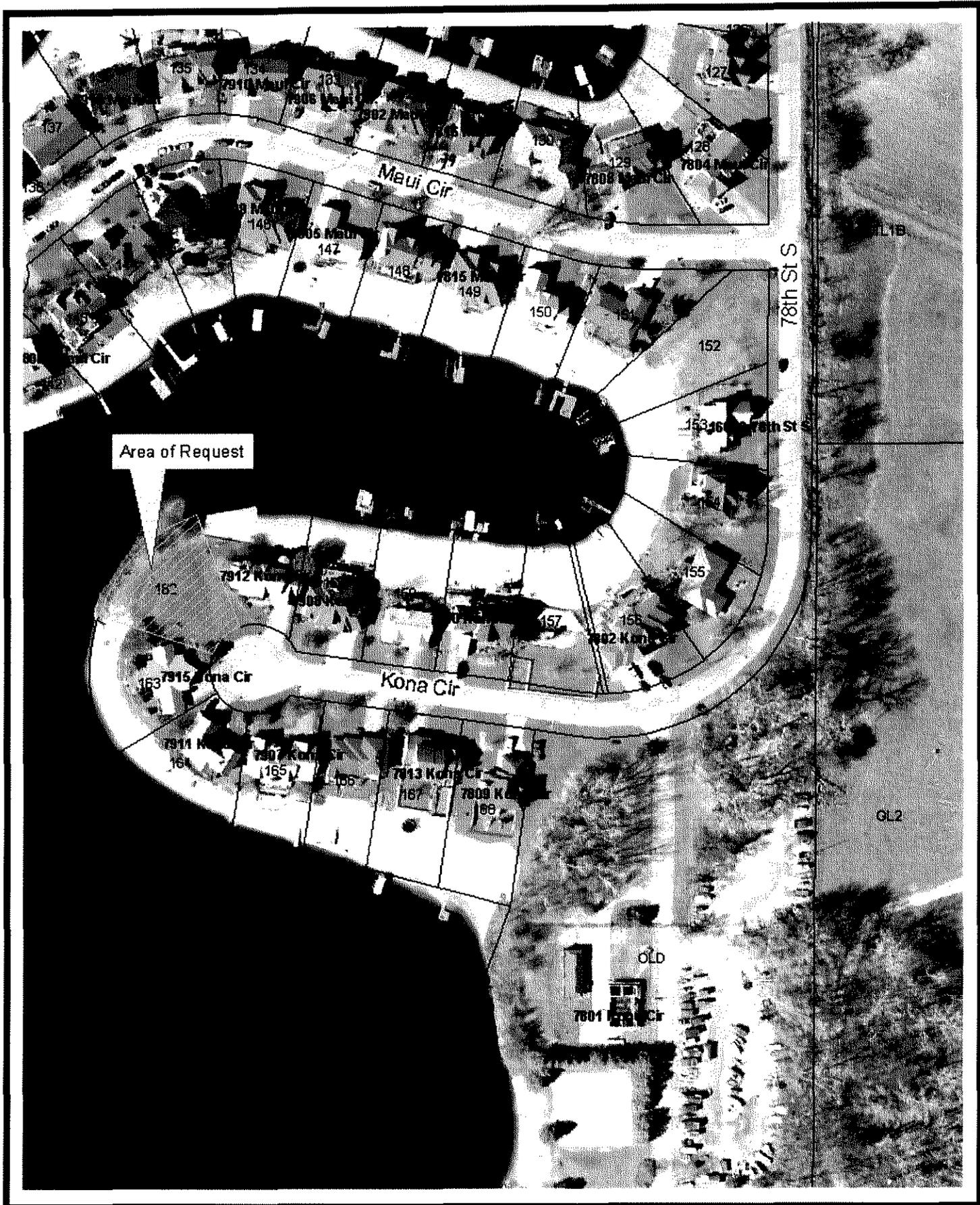
# **ADDITIONAL INFORMATION**

**SARPY COUNTY BOARD OF COMMISSIONERS**

**AUGUST 18, 2009**

**FLOOD PLAIN DEVELOPMENT PERMIT**

**MJ DESIGN**



MJ Design 7916 Kona Circle Lot 162 Hawaiian Village  
Flood Plain Development Permit





# SARPY COUNTY PLANNING

1210 GOLDEN GATE DRIVE PAPPILLION, NE 68046  
PHONE: 402-593-1555 FAX: 402-593-1558 E-MAIL: PLANNING@SARPY.COM

JUL 19 2009

## FLOOD PLAIN DEVELOPMENT PERMIT APPLICATION

SARPY COUNTY  
PLANNING DEPARTMENT

<p>In order for your application to be considered <b>COMPLETE</b>, please answer all applicable questions and provide the following:</p> <ol style="list-style-type: none"> <li>1. Submit complete Flood Plain Development Permit Application</li> <li>2. Submit Non-Refundable Fee of \$100.00 made payable to Sarpy County Treasurer</li> <li>3. 1 full size site/construction plan drawing</li> <li>4. 6 reduced size site/construction plan drawings (8.5 x 11)</li> <li>5. Elevation Certificate (From registered professional engineer or architect.)</li> </ol>	<p><b>PLANNING STAFF USE ONLY:</b></p> <p>APPLICATION NO.: <u>FPD 09-0010</u>  DATE RECEIVED: <u>7/17/09 - when received comp. app.</u>  CP DESIGNATION: _____  ZONING DESIGNATION: <u>RD-50-FP</u>  FEE: <u>\$ 100</u> RECEIPT NO. _____  RECEIVED BY: <u>?</u>  NOTES: _____</p>
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**PROPERTY OWNER INFORMATION:** (If multiple owners, attach separate sheet)

Please check box if attaching separate sheet with owner information.

NAME: mj design/build, inc E-MAIL: mj design/build, inc.  
ADDRESS: 14948 park st. CITY/STATE/ZIP: Omaha, ne 68137  
MAILING (IF DIFFERENT) ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_  
PHONE: 651-0381 FAX: 505-9536

**ENGINEER INFORMATION:**

NAME: e & q consultants E-MAIL: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_  
MAILING (IF DIFFERENT) ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_  
PHONE: 895-4700 FAX: \_\_\_\_\_

**CONSTRUCTION INFORMATION:** This individual/company is responsible for meeting construction standards.

NAME: mj design/build E-MAIL: mj design/build  
ADDRESS: 14948 park st. CITY/STATE/ZIP: Omaha, ne 68137  
PHONE: 651-0381 FAX: 505-9536

**PROPOSED DEVELOPMENT INFORMATION:** (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.

new home construction

**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: 7916 Kona circle  
ASSESSORS PARCEL NUMBER(S) 010438378  
SUB DIVISION: hawaiian village LOT: 162  
NAME OF WATERWAY: plate river  
PROPERTY LIES WITHIN: FLOODWAY: FLOOD FRINGE: X  
LOWEST FLOOR ELEVATION IS TO BE 987.1 FEET ABOVE MEAN SEA LEVEL. (Including Basement)

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

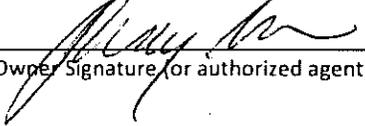
lot 162 hawaiian village

**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.

**PLEASE NOTE THE FOLLOWING PROCEDURES:**

- 1. County Board will hold a public hearing and make a final decision on the Flood Plain Development Permit.

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.

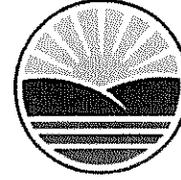
  
Owner Signature (or authorized agent)

7/2/09  
Date

Owner Signature (or authorized agent)

Date

**PAPIO-MISSOURI RIVER  
NATURAL  
RESOURCES  
DISTRICT**



8901 S. 154th Street  
Omaha, NE 68138-3621  
402-444-6222  
[www.papionrd.org](http://www.papionrd.org)

August 4, 2009

Ms. Rebecca Horner  
Sarpy County Planning Department  
1210 Golden Gate Drive  
Papillion, Nebraska 68046

RE: 7916 Kona Circle – Floodplain Development Permit

Dear Ms. Horner:

The District received information for the proposed construction of a residence on Lot 162 in Hawaiian Village at 7916 Kona Circle in Papillion, Nebraska. According to the Flood Insurance Rate Map for Sarpy County, Panel 31153C 0200G, dated December 2, 2005, the lot is located in the Zone AE floodway fringe of the Platte River. The base flood elevation (BFE) determined at this location is 994.3 feet (NAVD 1988).

The District has the following comments based on a review of an elevation certificate prepared from the construction drawings by John W. Von Collen, R.L.S. on June 8, 2009, along with architectural elevations and floor plans provided by MJ Design/Build, Inc.:

- The proposed lowest floor elevation, including basement or enclosure, of 987.1 feet, is below the BFE and should be considered an enclosed area used only for the storage of removable items. The plans indicate that permanent flood openings are adequate for the basement area. Please note on the plans that the flood openings must inlet within one foot of the basement floor elevation.
- The plans show that the next highest floor elevation of 996.8 feet is at least one foot above the BFE. The lowest elevation of machinery or equipment servicing the building, including electrical and sanitary facilities, must also be least one foot above the BFE. Therefore, no utilities should be allowed in the basement.
- The County may want to consider that the applicant sign a waiver indicating that the enclosed area below the BFE shall be used only for storage of removable items and is not intended as living space.
- Any construction materials used below the BFE must be water damage resistant (concrete, treated lumber, etc.)
- The District recommends that a backflow valve be installed on the main septic line as a floodproofing measure.

The District has no objections to the construction of the proposed building as long as the above conditions are met.

If you have any questions you may contact me at 444-6222 or [llaster@papionrd.org](mailto:llaster@papionrd.org),

Sincerely,

Lori Ann Laster  
Stormwater Management Engineer

Cc: MJ Design/Build, Inc., Applicant, 14948 Polk St., Omaha, NE 68137  
Marlin Petermann, Amanda Grint, P-MRNRD

## Michelle Alfaro

---

**From:** Tom Lynam  
**Sent:** Tuesday, July 21, 2009 8:46 AM  
**To:** Michelle Alfaro  
**Subject:** RE: Zoning Review - Flood Plain Development Permit - 7916 Kona Circle

Michelle:

I have no comment on this flood plain permit.

Tom Lynam

---

**From:** Michelle Alfaro  
**Sent:** Monday, July 20, 2009 4:32 PM  
**To:** Tom Lynam; 'Grint, Amanda'; 'Laster, Lori'  
**Cc:** Michelle Alfaro  
**Subject:** Zoning Review - Flood Plain Development Permit - 7916 Kona Circle

Hello,

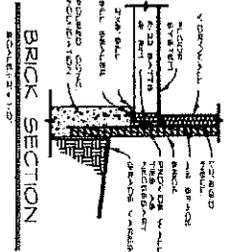
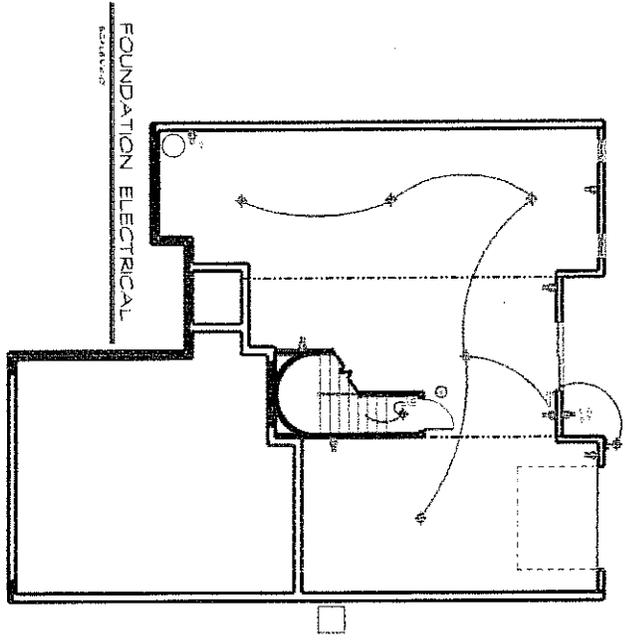
Please review the attached request for a flood plain development permit and provide any comments no later than **Monday August 3, 2009.**

Thank you,

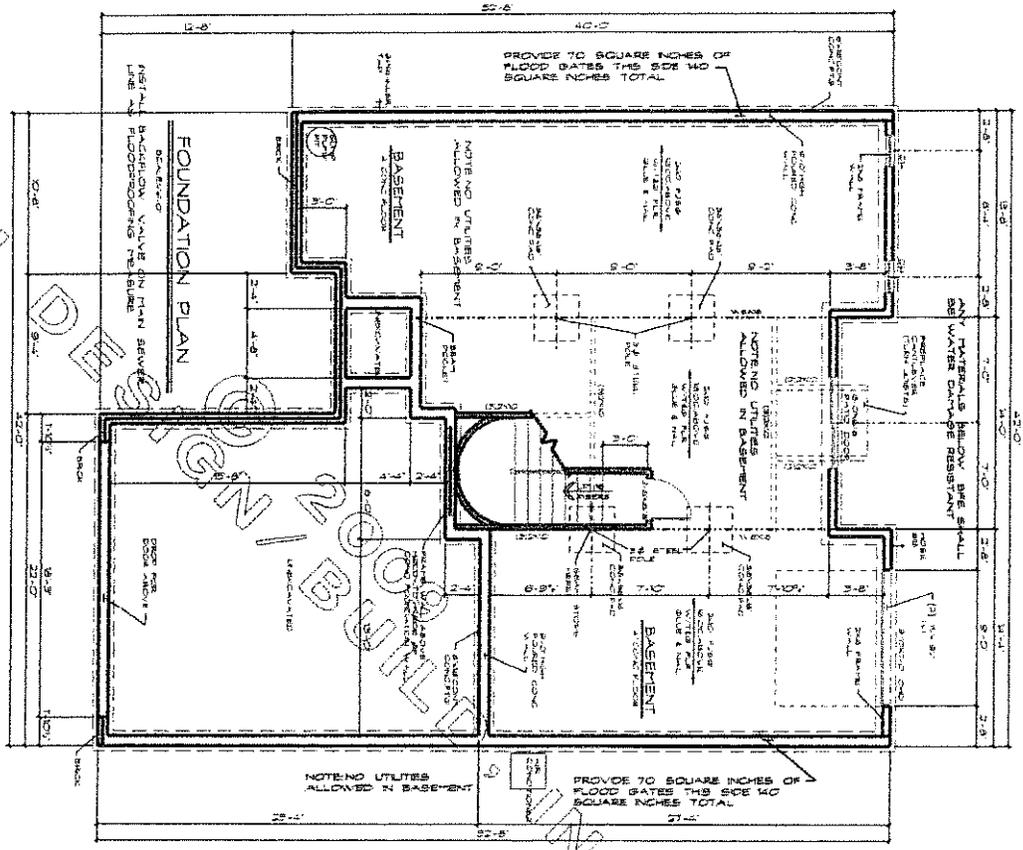
*Michelle Alfaro, Planning Assistant*  
Sarpy County Planning Department  
1210 Golden Gate Drive,  
Papillion, NE 68046  
Office: 402-593-1555  
Fax: 402-593-1558

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





NOTE FLOOD OPENINGS SHALL FLEET WITHIN ONE FOOT OF BASEMENT FLOOR ELEVATION



NOTE: BASEMENT SHALL BE USED AS STORAGE ONLY AND IS NOT INTENDED AS LIVING SPACE

M J DESIGN CONSULTING

LOT 7916 KONA CIRCLE  
162 HAWAIIAN VILLAGE



