

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION: AMENDMENT TO SPECIAL USE PERMIT FOR JIM MOWINKEL

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 Special Use Permits; and

WHEREAS, Rebecca Horner, Planning Director has reviewed the application to amend the Special Use Permit for the sales and rental of travel and vacation trailers of Jim Mowinkel for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property located at 18806 Capehart Road, Gretna and legally described as follows:

Lot 1 Miktken's Addition, Sarpy County, Nebraska.

WHEREAS, the Board has previously approved the Special Use Permit application for Jim Mowinkel, on February 12, 2008 by Resolution No. 2008-050, which Resolution authorized the sale and rental of vacation and travel trailers for a period of 5 years and limited to 15 trailers on the property.

WHEREAS, the Board has previously approved an amendment to the Special Use Permit for Jim Mowinkel, on February 9, 2010 by Resolution No. 2010-044, which Resolution allowed for the removal of two existing buildings and replacement of those two buildings with one larger building on the property.

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 amendment to the Special Use Permit Application was held before the Sarpy County Planning Commission on April 21, 2010 and further, the Planning Commission gave their recommendation.
- II. A public hearing regarding the amendment to the Special Use Permit 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 2007), 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 and the business plan.
- V. The Special Use Permit Application is in compliance with the Comprehensive Development Plan and the Zoning Regulations.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the amendment to the Special Use Permit for the sales and rental of travel and vacation trailers, which amendment allows for the sale and rental of new and used travel and vacation trailers.

Dated this 11th day of May, 2010.

Moved by Tom Richards seconded by Rich Jansen, that

the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

none

none

ABSTAIN:

none

[Signature]
County Clerk



Approved as to form:

[Signature]
County Attorney

Sarpy County
 County Board of Commissioners Report
 Meeting Date: May 11, 2010
 Staff Report Prepared: May 3, 2010

Subject	Type	By
Special Permit for an amendment to an existing special use permit for sales & rental of travel and vacation trailers at 18806 Capehart Road, legally described as Lot 1 Mintken's Addition located in the SW ¼ of Section 8 T13N, R11E of the 6 th Prime Meridian., Sarpy County, Nebraska	Resolution and public hearing	Rebecca Horner, AICP Planning Director

- Summary of Request
 - This is a request for approval to amend an existing Special Use Permit to revise the operations plan.
- Comprehensive Development Plan
 - The Comprehensive Plan shows the area as Business Park. While the area is currently agricultural and not served by urban services, the future use of the property is Business Park, including commercial uses. (Figure 5.1)
- Zoning
 - The existing zoning is AGD, Agricultural Development. The sale and rental of travel and vacation trailers is a special permitted use in the AGD district.
 - The applicant requests to revise the existing business plan as described in the attach request. The primary change is to allow for the sale of new trailers. Currently the permit allows for the sale of refurbished trailers but does not explicitly permit the sale of new trailers. The change is minor and the applicant requests to explicitly state the sale of new trailers is included in the special use permit. The change is minor and probably not required, however the applicant requested to make the record and permit clear to include the sale of new trailers.
 - The change is minor and does not appear to substantially change the impact of the use.
 - The area is within the boundaries of the Highway Corridor Overlay District, however the area is exempt from the regulations due to meeting the district exemptions as specified in the overlay district since the property was platted prior to the overlay designation. The area is visible from the interstate.
- History
 - A special permit to allow sale and rental of vacation and travel trailers was approved by the County Board on February 12, 2008 and amended in March 2010 allow for the construction of a 6,000 square foot building.
- Planning Commission Action
- *Labart moved, seconded by Wear to approve the amendment to the Special Use Permit for the sales & rental of travel and vacation trailers on Lot 1 Mintken's Addition as it conforms to the Comprehensive Plan and Zoning Regulations. Ballot: Ayes: Fenster, Lichter, Vanek, Stuart, Labart, Thompson, Torczon, Wear and Whitfield. Nays: Bliss. Abstain: None. Absent: Dunbar. Motion carried.(9-1)*
- Recommendation

Staff recommends approval to the request based on conformance with the Comprehensive Plan and Zoning Regulations.

Respectfully submitted by:
 Rebecca Horner, AICP
 Planning Director



LAKESHORE RV RENTALS & SALES

Revised Business Plan:

- 1) Maintain 8 - 10 campers on site, but at times as many as 15
- 2) Walk in traffic will be minimal with the majority of the viewing set up by appointment
- 3) Part of the rental service is to deliver campers to campsites for the customers
- 4) Sales license will provide the ability to sell new and used inventory