

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

**RESOLUTION: SPECIAL USE PERMIT**  
**FOR ROZANN HENDRICKSON**

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 Rozann Hendrickson's Special Use Permit application for a private kennel to breed dogs for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations generally located at 150<sup>th</sup> Street South of Schram Road and legally described as follows:

Tax Lot 3A1A2 located in Section 2 Township 13 Range 11 of 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 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 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, the Site Plan and an aerial view of the subject property.
- V. The zoning at the property described above is AGD, Agricultural Development.
- VI. All buildings and facilities are at least 100' from any property line and 300' from any residential zoning districts.
- VII. All surrounding uses of the property are agricultural.
- VIII. The site plan dimensions of the buildings and outdoor fenced areas are a minimum of 100' from any property line.
- IX. The Special Use Permit Application is in compliance with the Comprehensive Development Plan and the Sarpy County 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 Special Use Permit for the private

kennel to breed dogs in accordance with the business plan on file at the Sarpy County Planning Department, on the above described property for a period of five (5) years.

Dated this 8<sup>th</sup> day of June, 2010.

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

YEAS:

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

NAYS:

none

ABSENT:

Pat Thomas

ABSTAIN:

none

[Signature]  
County Clerk

[Signature]  
Deputy



Approved as to form:

[Signature]  
County Attorney

Sarpy County Board of Commissioners Report  
 County Board Date: June 8, 2010  
 Report prepared 06-02-2010

Subject	Type	By
Request a Special Use Permit for a home occupation to operate a kennel on Tax Lot 3A1A2 located in Section 2 Township 13 Range 11 of Sarpy County, Nebraska.	Resolution and public hearing	Rebecca Horner, AICP Planning Director.

- Request
  - The applicant requests approval for a Special Use Permit to operate a kennel for breeding purposes. The applicant indicated the operational characteristics in the attached business plan.
    - The AGD, Agriculturally zoned lot is approximately 10 acres in area.
    - The area is surrounded by agricultural uses.
  - The AGD district allows private and commercial kennels and facilities for raising, breeding, and boarding of dogs and other small domestic animals as a Permitted Special Use with the following conditions:
    - All buildings and facilities are at least 100' from any property line and 300' from any residential zoning districts.
    - All surrounding zoning is AG, Agricultural.
    - The site plan dimensions buildings and outdoor fenced areas to be a minimum of 100' from any property line.
  - A site plan is attached showing the existing residence, fenced areas and associated buildings.
  - The Humane Society visited the property and provided a letter indicating the property was satisfactory for the proposed use.
  - The Department of Agriculture visited the property and indicated the property is in compliance with state regulations.
  - No objections were received by reviewing departments or in testimony at the Planning Commission hearing.
  - At this time surrounding uses are agricultural. The area is planned for a future urban residential land use. For this reason a renewal timeframe is established. Staff recommends a five year renewal.
  
- Comprehensive Plan and Zoning
  - The Comprehensive Plan shows the area as Urban Residential. (Figure 5.1)
  - The Policy Tier indicates the area is to be served with urban services. (Figure 4.5)
  - The existing zoning is AGD, Agricultural Development.
  
- Planning Commission Action
  - *Fenster moved, seconded by Bliss to approve the Special Use Permit for a kennel to breed Boxers that shall be limited to five years, after which the permit may apply for renewal, and provided that a revised site plan showing all buildings and facilities (including outdoor fenced areas) to be at least 100' from any property line prior to scheduling to the County Board as it conforms to the Comprehensive Plan, Zoning and Subdivision Regulations of Sarpy County. **Ayes:** Bliss, Fenster, Lichter, Stuart, Thompson, Torczon, Wear, Vanek, Labart and Whitfield. **Nays:** None. **Abstain:** None. **Absent:** Dunbar. **Motion carried.**(10-0)*
  
- Recommendation
  - Recommend approval to **Special Use Permit** for a kennel for breeding that shall be limited to five years, after which the permit may apply for renewal, as it conforms to the Comprehensive Plan, Zoning and Subdivision Regulations of Sarpy County.

Respectfully submitted by:

Rebecca Horner, AICP  
 Planning Director



Date

GRETNA STATE BANK, Mortgagee

By: Brian Scott Beard, Vice-President

MAY - 5 2010

N W 1 / 4 , SECTION 2  
TAXLOT 2

SARPY COUNTY  
PLANNING DEPARTMENT

N90°00'00"E  
817.53'

NE Cor. SW 1/4,  
Sec. 2-T13N-R11E

NE  
1/4

POINT OF  
BEGINNING

SE  
1/4

480.00'  
S00°30'45"E

50' STREET DEDICATION

Street

150m

TAXLOT 3A1B  
N20°28'24"E  
512.34'  
512.34'

6' Chain Link Fence - Dogs  
Kennel - Heated, Ac, Insulated

272' to Road

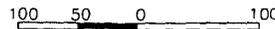
Day Care  
4' Chain Link Fence

951.02'  
1001.02'  
N90°00'00"W  
TAXLOT 3A1A1  
131' to Fence  
161' to Kennel

SECTION SW

**NOTES**

1. ALL DISTANCES ARE SHOWN IN DECIMAL FEET.
2. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.
3. DISTANCES AND ANGLES SHOWN IN PARENTHESES REFER TO EASEMENTS



**ACKNOWLEDGEMENT OF NOTARIES**

State of Nebraska )  
                          ) SS  
County of Douglas )

State of Ne  
County of :

On this \_\_\_\_\_ day of \_\_\_\_\_, 1998, A.D., before me, a Notary Public, duly commissioned and qualified for said County, appeared RONALD DEAN DEBORG and JERRI LYNN DEBORG, who are personally known to me to be the identical persons whose names are affixed to the above instrument as husband and wife and they did acknowledge their execution of the foregoing Dedication to be their voluntary act.

On this \_\_\_\_\_ A.D., before and qualified BEARD, who identical per instrument r and he did foregoing De deed as suc of said Bank

Witness my hand and official seal the date last aforesaid.

Witness my aforesaid.

Notary Public

Notary Public

**COUNTY SURVEYOR'S CERTIFICATE**

This plat of BLUEBONNET ACRES was reviewed by the Sarpy County Surveyor's Office this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

**APPROVAL C**

This plat of the Sarpy C day of \_\_\_\_\_

Sarpy County Surveyor

Sarpy County

**COUNTY TREASURER'S CERTIFICATE**

THIS IS TO CERTIFY THAT I find no regular nor special taxes due or delinquent against the property described in the Land Surveyor's Certificate and embraced in this plat, as shown by the records of this office on this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

**APPROVAL OI**

This plat of the Sarpy Cc day of \_\_\_\_\_

Sarpy County Treasurer

Attested, Sarpy

Chairman, Sarpy

**APPROVAL OF COUNTY PLANNING COMMISSION**

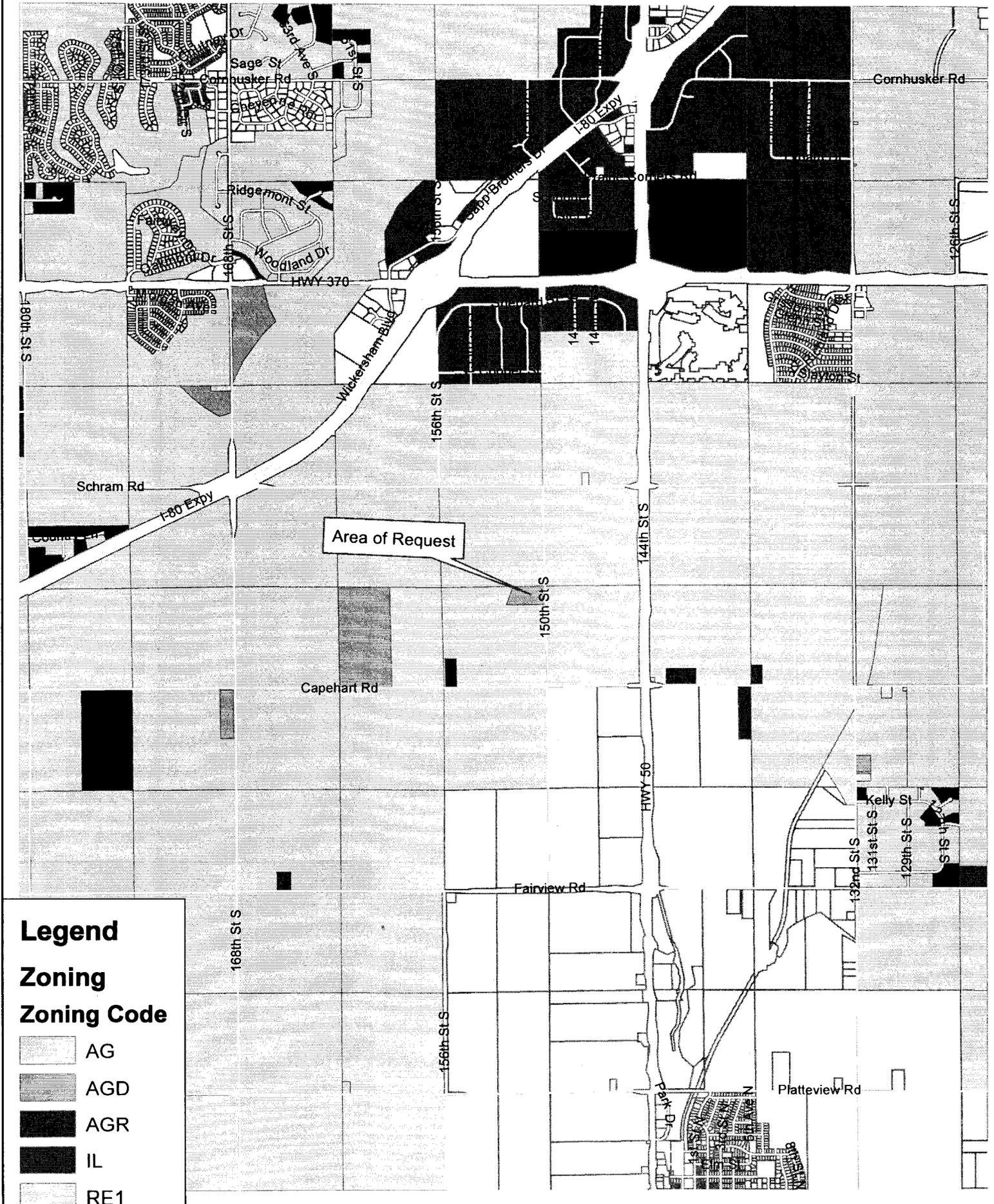
This plat of BLUEBONNET ACRES was approved and accepted by the Sarpy County Planning Commission on this \_\_\_\_\_ day \_\_\_\_\_, 1998.

Chairman, Sarpy County Planning Commission



Rozann Hendrickson, 12370 S. 150th Street





Area of Request

**Legend**

**Zoning**

**Zoning Code**

	AG
	AGD
	AGR
	IL
	RE1
	RE2

Rozann Hendrickson, 12370 S. 150th Street

