

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

**RESOLUTION FINAL PLAT – LEISURE VILLAGE**

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 of Commissioners (County Board); and,

WHEREAS, the County Board has the authority to adopt a Subdivision Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-374 (Reissue 2007); and,

WHEREAS, said Subdivision Regulation requires the County Board to approve applications for a final plat; and

WHEREAS, Rebecca Horner, Planning Director has reviewed Century Development's application for a final plat of a subdivision to be known as Leisure Village for compliance with the Subdivision Regulation on the following described property, to wit:

E ½ lying south of LaPlatte Road including Tax Lots 6A, 6B2 and 6C1 in Section 29, T13N, R13E and located in the W1/4 lying south of LaPlatte Road including part of Government Lot 2 in Section 28, T13N, R13N all of the 6<sup>th</sup> p.m., in Sarpy County, NE.

WHEREAS, the Planning Director has made a recommendation of approval as noted in Exhibit A, attached hereto and incorporated by reference, which Exhibit A includes the Planning Director report, the aerial map of the subject property, and a copy of the final plat of the subdivision to be known as Leisure Village; and

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

- I. A public hearing regarding the approval of the final plat was held on January 20, 2010 and March 17, 2010 before the Sarpy County Planning Commission. The Planning Commission provided their recommendation to the County Board.
- II. A public hearing regarding the approval of the final plat was held by this County 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.
- IV. This County Board has previously approved the preliminary plat.
- V. Rebecca Horner, Planning Director has recommended approval of the final plat.
- VI. The proposed final plat of a subdivision to be known as Leisure Village is in conformity with the preliminary plat, the Zoning Regulations, the Subdivision Regulations and the Sarpy County Comprehensive Plan;

BE IT FURTHER RESOLVED THAT the final plat of a subdivision to be known as Leisure Village, as described in the attached Exhibit A is hereby approved.

Dated this 28<sup>th</sup> day of September 2010.

Moved by Rich Jansen seconded by Tom Richards, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

<u>Russell</u>	<u>none</u>	<u>none</u>
<u>Rich Jansen</u>	_____	_____
<u>Joniallrecht</u>	_____	_____
<u>Tom Richards</u>	_____	_____

ABSTAIN:

none



Debra J. Houghtaling  
County Clerk

Approved as to form:  
[Signature]  
County Attorney

# EXHIBIT A

Sarpy County Board of Commissioners Report  
Staff Report Prepared: September 8, 2010  
County Board Meeting Date: September 14, 2010

Subject	Type	By
Preliminary and Final Plats for Leisure Village located in the E ½ lying south of LaPlatte Road including Tax Lots 6A, 6B2 and 6C1 in Section 29, T13N, R13E and located in the W1/4 lying south of LaPlatte Road including part of Government Lot 2 in Section 28, T13N, R13N all of the 6 <sup>th</sup> p.m., in Sarpy County, NE.	Resolution	Rebecca Horner, AICP Planning Director

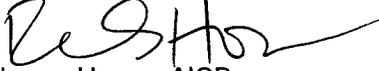
- Request
  - This is a request for a preliminary and final plat for one lot to be known as Leisure Village.
- History
  - The applicant met with staff in 2009 to discuss the proposal. The applicant held a neighborhood meeting on January 6, 2010, which staff attended, in order to present the project and address neighborhood concerns. The application was heard at three separate planning commission meetings.
- Comprehensive Development Plan and Zoning
  - The Sarpy County Development Structure Plan indicates this area as Bellevue Future Growth. The Comprehensive Plan indicates two separate policy tiers for the area indicating a split of open agricultural with master planned developments and low density residential.
  - The existing zoning is AG, Agricultural. The proposed use is a permitted special use in the AG district.
  - The proposed use a low density transitional recreation use. A portion of the property is encumbered by floodplain and the uses are limited. The proposed use appears to be an alternative use of the property as allowed by the Zoning Regulations and Comprehensive Plan.
- Preliminary and Final Plat
  - Conditions were placed on the approval of the Preliminary and Final Plats, including:
    - Resolve MUD comments.
    - Tie covenants to special permit approval.
    - Pave 2,600 feet of roadway on the east side as delineated on the map.
    - Bury power lines if OPPD approves.
    - Waste tanks spaced at least 250' from any registered well.
    - Resolves site distance concerns from County Surveyor.
  - A subdivision agreement is required. The subdivision agreement addresses the required conditions placed on the item.
  - The Preliminary and Final Plat conform to the Subdivision and Zoning Regulations and Comprehensive Plan.
  - The Final Plat conforms to the Preliminary Plat.
- Planning Commission – March 17, 2010
  - Torczon moved, seconded by Dunbar to approve the Preliminary Plat for Leisure Village provided that staff comments are resolved prior to scheduling to the County Board as it conforms to the Comprehensive Plan, Zoning and Subdivision regulations with the following conditions:  
*meet all five MUD comments in the letter from the March 17<sup>th</sup> meeting be complied with, the most recent draft of the covenants being tied to the permit, applicant will pave 2600 feet of roadway on the east side as delineated on map, applicant bury power lines inside the development and have exterior power lines coming to the development so long that OPPD approves, waste tanks will not be within 250' so far as the topography works, if not then as close to the 250' from the closest registered well, and that Mr. Lynam review the site distance and resolve and make recommendations. Ballot: **Ayes:** Dunbar, Fenster, Lichter, Thompson, Torczon, Wear. **Nays:** Bliss and Stuart. **Abstain:** None. **Absent:** Labart, Whitfield and Vanek. **Motion carried.**(6-2)*
  - Torczon moved, seconded by Lichter to approve the Final Plat for Leisure Village provided that staff comments are resolved prior to scheduling to the County Board as it conforms to the Comprehensive Plan, Zoning and Subdivision regulations with the following conditions:  
*meet all five MUD comments in the letter from the March 17<sup>th</sup> meeting be complied with, the most recent draft of the covenants being tied to the permit, applicant will pave 2600 feet of roadway on the east side as delineated on map, applicant bury power lines inside the development and have exterior power lines coming to the development so long that OPPD approves, waste tanks will not be within 250' so far as the topography works, if not then as close to the 250' from the closest registered well, and that Mr. Lynam*

*review the site distance and resolve and make recommendations. Ballot: **Ayes:** Dunbar, Fenster, Lichter, Thompson, Torczon, Wear. **Nays:** Bliss and Stuart. **Abstain:** None. **Absent:** Labart, Whitfield and Vanek. **Motion carried.**(6-2)*

o Recommendation

- Recommend approval to the Preliminary Plat of Leisure Village due to conformance with the Subdivision Regulations, Zoning Regulations and the Comprehensive Plan.
  
- Recommend approval to the Final Plat of Leisure Village due to conformance with the Subdivision Regulations, Zoning Regulations and the Comprehensive Plan.

Respectfully submitted by:



Rebecca Horner, AICP  
Planning Director



a of Requests

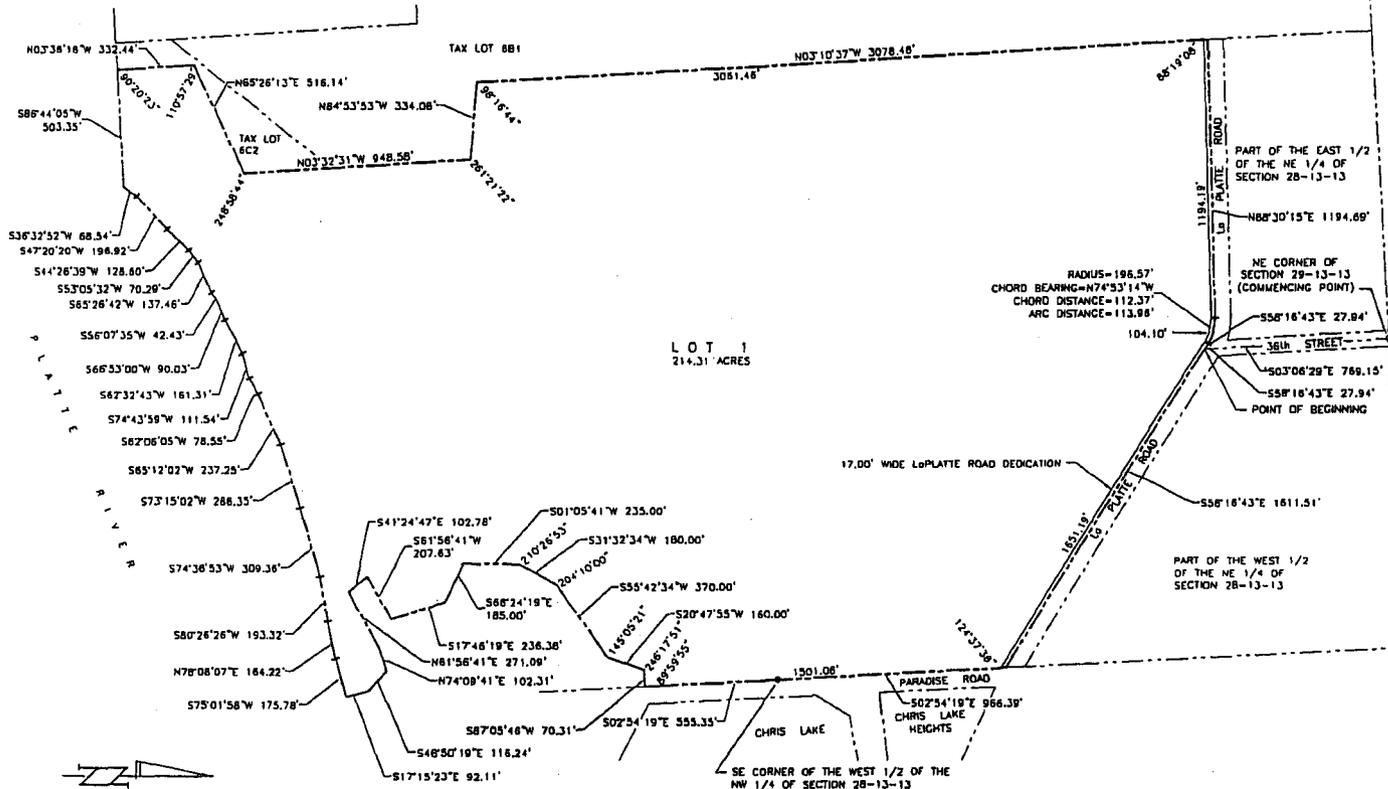
Leisure Village

# LEISURE VILLAGE

## LOT 1

BEING A PLATTING OF THE EAST 1/2 OF THE NW 1/4 LYING SOUTH OF L'APLATE ROAD AND TAX LOTS 6A, 6B2 AND 6C1 IN SECTION 29, TOGETHER WITH THE WEST 1/2 OF THE NW 1/4 LYING SOUTH OF L'APLATE ROAD AND PART OF GOVERNMENT LOT 2 IN SECTION 28, ALL IN T13N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA

PART OF THE WEST 1/2 OF THE NW 1/4 OF SECTION 28-13-13



COUNTER	C.E.	FILED FOR RECORD	DATE

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT A BOUNDARY SURVEY WAS MADE FOR THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND THAT PERMANENT MARKERS WILL BE SET AT ALL LOT CORNERS, ANGLE POINTS AND AT THE ENDS OF ALL CURVES WITHIN SAID SUBDIVISION TO BE KNOWN AS LEISURE VILLAGE, LOT 1, BEING A PLATTING OF THE EAST 1/2 OF THE NW 1/4 LYING SOUTH OF L'APLATE ROAD AND TAX LOTS 6A, 6B2 AND 6C1 IN SECTION 29, TOGETHER WITH THE WEST 1/2 OF THE NW 1/4 LYING SOUTH OF L'APLATE ROAD AND PART OF GOVERNMENT LOT 2 IN SECTION 28, ALL IN T13N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA. ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SECTION 28; THENCE S03°08'28\"/>



OCTOBER 28, 2009  
 DATE:

**DEDICATION**  
 KNOW ALL MEN BY THESE PRESENTS THAT I, FRANK R. KRACI, TRUSTEE OF THE FRANK R. KRACI REVOCABLE TRUST BEING THE OWNER OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A STREET AND A LOT TO BE MAILED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS LEISURE VILLAGE, AND I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF MY PROPERTY AS SHOWN ON THIS PLAT AND I HEREBY GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, QUVEST CORPORATION AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE LOT LINES AND AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR LOT LINES, NO PERMANENT BUILDINGS, TREES, REMAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HERENOW GRANTED.

APPROVAL OF THE SARPY COUNTY BOARD OF COMMISSIONERS  
 THIS PLAT OF LEISURE VILLAGE WAS APPROVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

COUNTY CLERK \_\_\_\_\_ CHAIRMAN, SARPY COUNTY BOARD OF COMMISSIONERS \_\_\_\_\_

APPROVAL OF THE SARPY COUNTY PLANNING COMMISSION  
 THIS PLAT OF LEISURE VILLAGE WAS APPROVED BY THE SARPY COUNTY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

CHAIRMAN, SARPY COUNTY PLANNING COMMISSION \_\_\_\_\_

APPROVAL OF THE SARPY COUNTY PLANNING DIRECTOR  
 THIS PLAT OF LEISURE VILLAGE WAS APPROVED BY THE SARPY COUNTY PLANNING DIRECTOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

SARPY COUNTY PLANNING DIRECTOR \_\_\_\_\_

APPROVAL OF THE SARPY COUNTY SURVEYOR  
 THIS PLAT OF LEISURE VILLAGE WAS APPROVED BY THE SARPY COUNTY SURVEYOR.

DATE \_\_\_\_\_ SARPY COUNTY SURVEYOR \_\_\_\_\_

ACKNOWLEDGEMENT OF NOTARY  
 STATE OF NEBRASKA  
 COUNTY OF DOUGLAS s.s.)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_

SARPY COUNTY TREASURER'S CERTIFICATE  
 THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

DATE \_\_\_\_\_ SARPY COUNTY TREASURER \_\_\_\_\_

DATE (10/28/09)  
 DRAWN BY KJR  
 CHECKED BY DJM  
 REVISION

LEISURE VIL 0E  
 FINAL PLAT

THOMSON, DREESSEN & DORNER, INC.  
 1083 1/2 Hill Road Omaha, Nebraska 68154  
 P: 402.330.8860 F: 402.330.5866 WWW.TDCCO.COM

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