

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION: SPECIAL USE PERMIT FOR JODY AND JR
KINGERY FOR IN HOME HAIR SALON

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 In Home Hair Salon Special Use Permit application of Jody and Jr. Kingery for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property located at 16505 Aurora Street Omaha, 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 amendment to the Special Use Permit Application was held before the Sarpy County Planning Commission on April 20, 2011 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 site plan.

V. The Special Use Permit Application is in compliance with the Sarpy County 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 an In Home Hair Salon on the above described property.

Dated this 10th day of May, 2011.

Moved by Jim Warren seconded by Rusty Hike, that the above Resolution be adopted. Carried.

YEAS:

Rusty Hike

NAYS:

none

ABSENT:

none

Jim Warren
Tom Richard
Jo Ralston
Smellman

ABSTAIN:

none



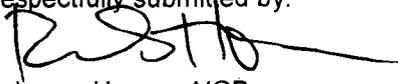
Debra Houghtaling
County Clerk

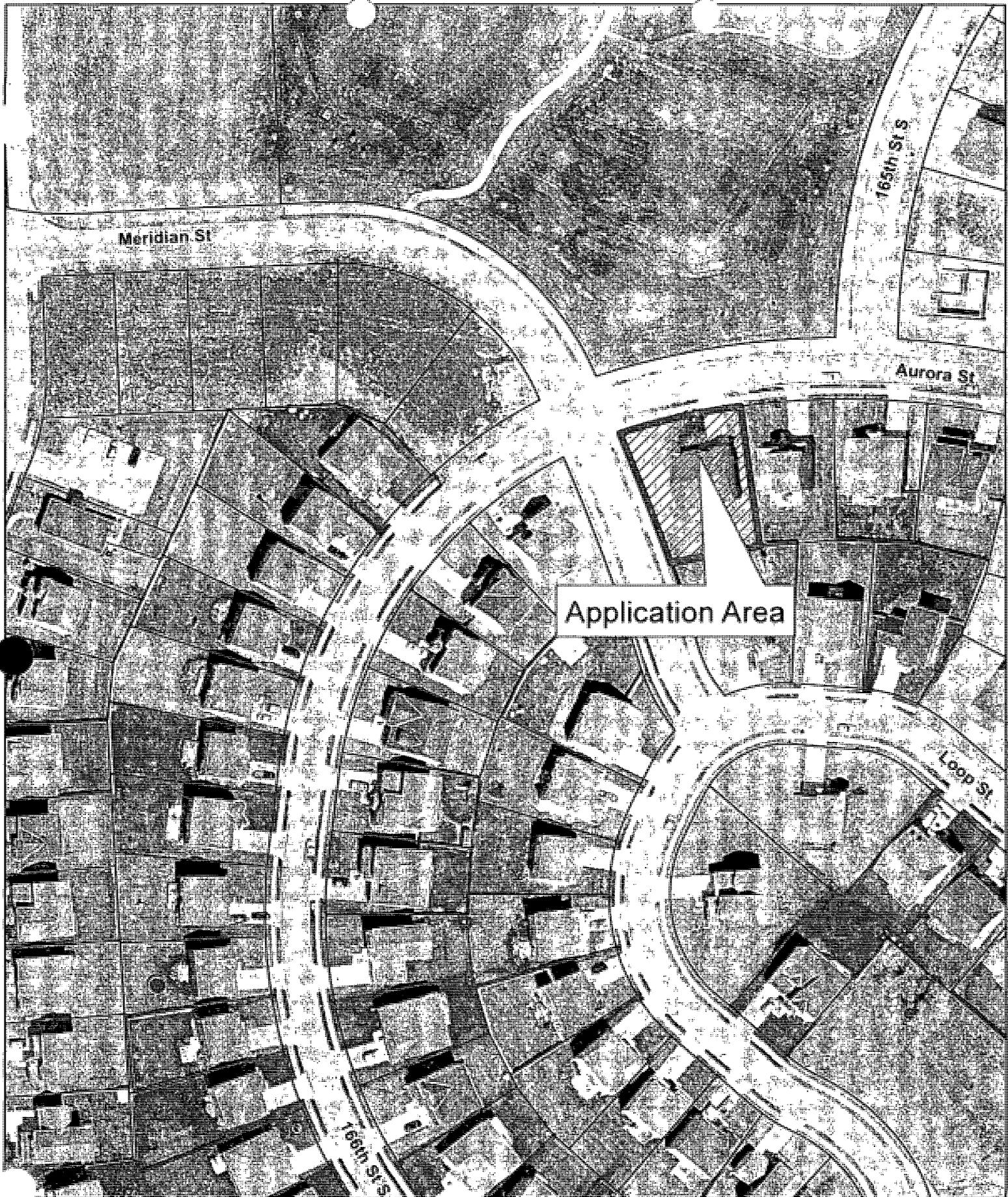
Sarpy County Board of Commissioners Report
 Staff Report Prepared. May 2, 2011
 County Board Meeting Date: May 10, 2011

Subject	Type	By
Jody and Jr. Kingery request a Special Use Permit (SUP) for an in home hair salon business on property legally described as Lot 66, Meridian Park, NW ¼ of Section 22, Township 14 N, Range 11 E of the 6th P.M. Sarpy County, Nebraska	Resolution and Public Hearing	Rebecca Horner, AICP Planning Director

- Request
 - The applicant requests a Special Use Permit (SUP) for an in home hair salon business
- Comprehensive Development Plan
 - The Comprehensive plan designates this area as Urban Residential (Fig. 5.1)
- History
 - Planning Commission heard the request on April 20, 2011 and recommended approval to the request 10-0.
 - *Vanek moved, seconded by Labart to recommend approval of the Special Use Permit as it conforms to the Comp Plan. Ballot: Ayes – Bliss, Mohr, Lichter, Vanek, Thompson, Stuart, Torczon, Wear, Labart and Whitfield. Nays – none. Abstain – none. Absent – Fenster Motion carried. (10 ayes, 0 nays)*
 - The lot is part of the Meridian Park development, which was platted in 2005.
 - The Comprehensive Plan shows the area as future Urban Residential and according to Policy Tiers (Figure 4 5), the proposed end stage development indicates "urban residential and appropriately located non-residential uses."
- Zoning
 - The proposed salon will be located in the basement of the dwelling
 - Access will be through a side yard fence with sidewalk leading to the side door basement entrance.
 - The applicant has indicated that she, the owner of the property, will be the only employee and that only one salon chair will be available for clients
 - Hours will be Tuesday and Wednesday 10am-2pm and Saturday 9am-1pm
 - There will be no more than four customers per day.
 - Parking will be located in the driveway or on the street in front of the dwelling
- Recommendation
 - For the reasons stated above I recommend approval to the **Special Use Permit** for Jody and Jr. Kingery for the operation of an in home salon business at 16505 Aurora Street, as it conforms to the amended Comprehensive Plan Subdivision and Zoning Regulations of Sarpy County.

Respectfully submitted by:


 Rebecca Horner, AICP
 Planning Director



J.R. and Jody Kingery
16505 Aurora St.

ADDITIONAL INFORMATION

SARPY COUNTY BOARD OF COMMISSIONERS

May 10, 2011

SPECIAL USE PERMIT

Jody and Jr Kingery

16505 Aurora St

In-home hair salon

SARPY COUNTY
PLANNING COMMISSION meeting date April 20, 2011
STAFF REPORT prepared April 13, 2010
SPECIAL USE PERMIT – 11-0003

I. GENERAL INFORMATION

A. APPLICANT:

Jody and Jr. Kingery
16505 Aurora Street
Omaha, NE 68136

B. PROPERTY OWNER:

Jody and Jr. Kingery
16505 Aurora Street
Omaha, NE 68136

C. LOCATION:

Southeast corner of Aurora and Meridian streets

D. LEGAL DESCRIPTION:

Lot 66, Meridian Park, NW ¼ of Section 22, Township 14 N, Range 11 E of the 6th P.M
Sarpy County, Nebraska.

E. REQUESTED ACTION:

The applicant requests a Special Use Permit (SUP) for an in home hair salon business

F. EXISTING ZONING AND LAND USE:

RD-50 PD, Currently used as single family residential

G. SIZE OF SITE:

The total site area is 10,058 sq. ft, more or less

II. BACKGROUND INFORMATION

A. COMPREHENSIVE PLAN SPECIFICATIONS:

The Comprehensive plan designates this area as a future Urban Residential (Fig. 5 1)

B. EXISTING CONDITION OF SITE:

The site is currently used for single family residential purposes

C. GENERAL VICINITY AND LAND USE:

North, Upchurch Elementary School
South, single family residential
West, single family residential
East, single family residential

D. RELEVANT CASE HISTORY:

The lot is part of the Meridian Park development, which was platted in 2005. The Comprehensive Plan shows the area as future Urban Residential and according to Policy Tiers (Figure 4.5), the proposed end stage development indicates "urban residential and appropriately located non-residential uses."

E. APPLICABLE REGULATIONS:

Zoning Regulations and Comprehensive Plan.

III. ANALYSIS AND DEVELOPMENT ALTERNATIVES

STAFF COMMENTS:

A. REQUEST:

1. To approve the SUP for the operation of an in home salon business

B. LAND USE/COMPREHENSIVE PLAN:

1. The Comprehensive Plan shows the area as a future Urban Residential (Figure 5 1)

C. STAFF COMMENTS:

1. The proposed salon will be located in the basement of the dwelling
2. Access will be through a side yard fence with sidewalk leading to the side door basement entrance.
3. The applicant has indicated that she, the owner of the property, will be the only employee and that only one salon chair will be available for clients
4. Hours will be Tuesday and Wednesday 10am-2pm and Saturday 9am-1pm
5. There will be no more than four customers per day
6. Parking will be located in the driveway or on the street in front of the dwelling

IV. RECOMMENDATION:

Recommend approval to the Special Use Permit for Jody and Jr. Kingery for the operation of an in home salon business at 16505 Aurora Street, as it conforms to the amended Comprehensive Plan Subdivision and Zoning Regulations of Sarpy County.

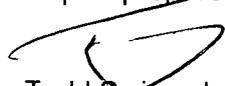
V. COPIES OF REPORT TO:

Applicant
Public upon request

VI. ATTACHMENTS:

Application
Comments
Aerial map showing adjacent property

Report prepared by

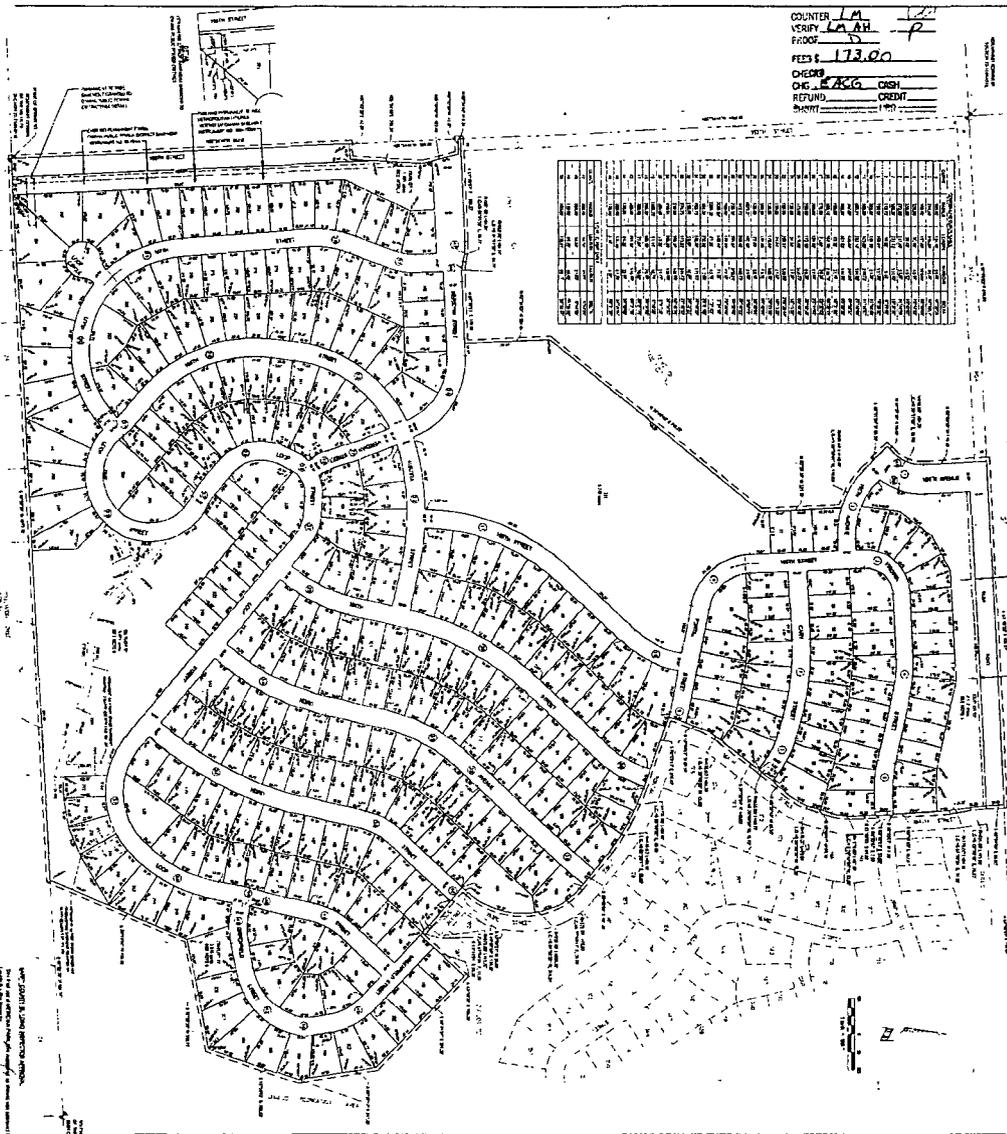

Todd Swarczek
Planner


Rebecca Horner, AICP
Planning Director

COUNTY LA
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 REFUND CREDIT
 SHEET 1 OF 1

9/14/85
 005-33980

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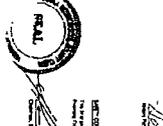
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1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE ORDINANCES THEREOF.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA HEALTH CARE CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA EDUCATION CODE AND ALL APPLICABLE ORDINANCES THEREOF.
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PROFESSIONAL ENGINEERING AND ARCHITECTURE ACT AND ALL APPLICABLE ORDINANCES THEREOF.

DATE: 3/16/85
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]



ROBERT T. BOYLE
 PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 LICENSE NO. 41255



ROBERT T. BOYLE
 PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 LICENSE NO. 41255

NOTICE: This plan was prepared by the undersigned in accordance with the provisions of the California Professional Engineers Act and the California Professional Architects Act. The undersigned hereby certifies that he is a duly licensed professional engineer or architect in the State of California and that he is the author of this plan. He further certifies that he is not aware of any facts or circumstances which would render this plan inaccurate or misleading. The undersigned also certifies that he has not been disciplined by the State Board of Professional Engineers and Surveyors or the State Board of Professional Architects and Engineers.

DATE: JUNE 12, 1985
 [Signature]
 ROBERT T. BOYLE
 PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 LICENSE NO. 41255

2005-33980
 MERIDIAN PARK
 LOS ANGELES, CALIFORNIA
 E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS



SARPY COUNTY PLANNING

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

SPECIAL USE PERMIT APPLICATION

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

- 1 Submit complete Special Use Permit Application
- 2 Submit Non-Refundable Fee of \$250.00 made payable to Sarpy County Treasurer
- 3 1 full sized site plan drawings (Folded)
- 4 25 reduced size site plan drawing (8.5 x 11)
- 5 Detailed operational plans

PLANNING STAFF

APPLICATION NO.: SUP 11-0003
 DATE RECEIVED: 3-16-11
 CP DESIGNATION: _____
 ZONING DESIGNATION: _____
 FEE: \$250.00 RECEIPT NO. 734138
 RECEIVED BY: Todd S
 NOTES: Already pulled a permit to finish basement

APPLICANT INFORMATION:

NAME: Jody & Jr Kingery
 ADDRESS: 16505 Aurora St

E-MAIL: j-thompson2@hotmail.com
 CITY/STATE/ZIP: Omaha, NE 68136

MAILING (IF DIFFERENT)
 ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____

FAX: _____

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

Please check box if attaching separate sheet with owner information.

NAME: Jody & Jr Kingery
 ADDRESS: 16505 AURORA

E-MAIL: _____
 CITY/STATE/ZIP: OMAHA, NE 68136

MAILING (IF DIFFERENT)
 ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____

FAX: _____

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.

Salon with 1 chair and 1 stylist employed. Customers will enter a waiting area in the basement. There will be one bathroom. Salon will have one station with an additional shampoo area. Operating hours will be Tue. 10a.m - 2p.m, Wed. 10a.m - 2p.m and Sat. 9a.m - 1p.m. There will be no more than 4 customers in any given day. There is available parking on either side of house or in driveway. Also access will be through side yard fence with sidewalk leading to basement entrance.

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: 01586650

ADDITIONAL PARCEL NUMBERS _____

LEGAL DESCRIPTION: (Describe property to wit)

Lot 66, Meridian Park, NW 1/4, Sec. 22-14-11

GENERAL PROPERTY LOCATION: _____

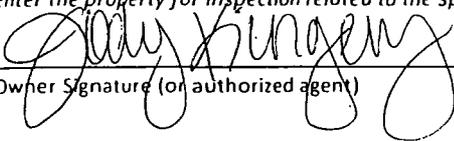
ADDITIONAL INFORMATION: Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. Attach extra sheets if necessary.

I am a stay at home mom who enjoys doing hair and would like to keep up on my business by doing hair part time.

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 Special Use 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)

3-10-11
Date

Owner Signature (or authorized agent)

Date

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, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, April 27, 2011 Bellevue Leader
Gretna Breeze
Papillion Times
Springfield Monitor

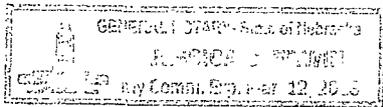
And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Signature of Kirk Hoffman
Shon Barenklau OR Kirk Hoffman
Publisher Business Manager

SARPY COUNTY DEPARTMENT OF PLANNING
Sarpy County Courthouse
1210 Golden Gate Drive
Papillion, Nebraska 68046
Phone (402) 593-1555
Fax (402) 593-1558
Rebecca Horner, AICP, Director
NOTICE OF PUBLIC HEARING
SARPY COUNTY BOARD OF COMMISSIONERS

Today's Date 04-28-2011
Signed in my presence and sworn to before me:

Signature of Notary Public
Notary Public



Printer's Fee \$ 28.68
Customer Number: 40638
Order Number: 0001368676

MAY 2 2011

MAY SARPY COUNTY PLANNING DEPARTMENT

Notice is hereby given that a regular meeting of the Sarpy County Board of Commissioners will be held on Tuesday, May 10, 2011, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.
Terry & Carla Tigne, 14102 S. 108th St. request a Change of Zone from RS-100 (single family residential) to AG (Agricultural) on property legally described as Tax Lot 3 E of RR located in the NE 1/4 of S17, T13N, R12E of the 6th P.M. Sarpy County, Nebraska.
Duane & Rose Ritter, 9211 Platteview Road, request a Change of Zone from AG (Agricultural) to AGR (Agricultural Residential) and Preliminary Plat on property legally described as Tax Lots 5A and Tax Lot 10 in the NW 1/4 of S22, T13N, R12E of the 6th P.M. Sarpy County, Nebraska.
Jody and JR Kingery, 16505 Aurora St. request a Special Use Permit for a home based salon on property legally described as Lot 66, Meridian Park located NW 1/4 S22, T14N, R11E of the 6th P.M. Sarpy County, Nebraska.
Sarpy County Planning Department requests a text amendment to section 38 of the Sarpy County Zoning Regulations regarding stormwater regulations.
Sarpy County Planning Department requests a text amendment to section 12 of the Sarpy County Subdivision Regulations regarding stormwater regulations.
Waste Connections of Nebraska, Inc. requests a Special Use Permit for a transfer station on property legally described as Tax Lots 4, 5, 6, the NE 1/4 of S15, T13N, R11E of the 6th P.M. Sarpy County, Nebraska.
Sarpy County Planning Department requests a Change of Zone from AG (Agricultural) to GM (General Manufacturing) and a Comprehensive Plan amendment from Urban Residential to Industrial for property legally described as Tax Lots 4, 5, 6, the NE 1/4 of S15, T13N, Range 11 E of the 6th P.M. Sarpy County, Nebraska.
An agenda for the meeting kept continually current is available for inspection at the Sarpy County Planning Department office.
1368676; 4/27

Notice is hereby given that a regular meeting of the Sarpy County Planning Commission will be held on Wednesday, April 20, 2011, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, 1210 Golden Gate Dr., Papillion, Nebraska 68046.

Terry & Carla Tighe, 14102 S. 108th St., request a Change of Zone from RS-100 (single family residential) to AG (Agricultural) on property legally described as Tax Lot 3, E of RR, located in the NE 1/4 of S17, T13 N, R12 E of the 6th P.M. Sarpy County, Nebraska.

Duane & Rose Ritter, 9211 Platteview Road, request a Change of Zone from AG (Agricultural) to AGR (Agricultural Residential) and Preliminary Plat on property legally described as Tax Lots 5A and Tax Lot 10 in the NW 1/4 of S22, T13 N, R12 E of the 6th P.M. Sarpy County, Nebraska.

William Jones, 11501 Fairview Rd, requests a Special Use Permit for recreational vehicle storage on property legally described as NE 1/4 of NW 1/4 of S17, T13 N, R12 E of the 6th P.M. Sarpy County, Nebraska.

Jody and JR Kingery, 16505 Aurora St, request a Special Use Permit for a home based sal on on property legally described as Lot 66, Meridian Park, located NW 1/4 S22, T14 N, R11 E of the 6th P.M. Sarpy County, Nebraska.

Waste Connections of Nebraska, Inc, requests a Special Use Permit for a transfer station on property legally described as Tax Lots 4, 5, 6, the NE 1/4 of S15, T13 N, R11 E, of the 6th P.M. Sarpy County, Nebraska.

Sarpy County Planning Department requests a Change of Zone from AG (Agricultural) to IGM (General Manufacturing) and a Comprehensive Plan amendment from Urban Residential to Industrial for property legally described as Tax Lots 4, 5, 6, the NE 1/4 of S15, T13 N, Range 11 E of the 6th P.M. Sarpy County, Nebraska.

Sarpy County Planning Department requests a text change to Section 44 definitions of the Sarpy County Zoning Regulations and Section 3 of the Sarpy County Subdivision Regulations.

An agenda for the meeting kept continually current is available for inspection at the Sarpy County Planning Department office.

Proof of publication

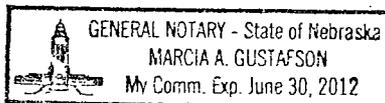
AFFIDAVIT

State of Nebraska, County of Douglas, ss:

Linda Shropshire, being duly sworn, deposes and says that he/she is an employee of The Omaha World-Herald, a legal daily newspaper printed and published in the county of Douglas and State of Nebraska, and of general circulation in the Counties of Douglas, and Sarpy and State of Nebraska, and that the attached printed notice was published in the said newspaper on the 7th of April, 2011, and that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge. The Omaha World-Herald has an average circulation of 153,944 Daily and 188,810 Sunday, in 2011.

(Signed) Linda Shropshire title: Account Executive

Subscribed in my presence and sworn to before me this 4th day of May, 2011



Marcia A. Gustafson
Notary Public

Printer's Fee \$ _____
Affidavit _____
Paid By _____

MAY 5 2011

SARPY COUNTY
PLANNING DEPARTMENT