

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION FLOOD PLAIN DEVELOPMENT
Steve Smith 21205 South Highway 50 Springfield, NE

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 applications for development permits within any Flood Plain District; and

WHEREAS, Scott Bovick, Deputy Sarpy County Administrator has reviewed Steve Smith's application for a Flood Plain Development Permit for compliance with the Zoning Regulations on the property legally described in the attached Exhibit A; and,

WHEREAS, said application 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, there is a recommendation of approval as noted in the attached Exhibit A, which Exhibit A includes the Sarpy County Board of Commissioners report, the Natural Resources District comments, and the site plan of the subject property.

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 12th day of July, 2011.

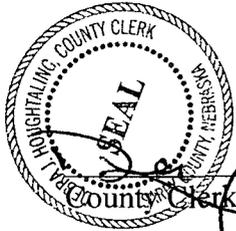
Moved by Jim Thompson seconded by Jim Warren, that the above Resolution be adopted. Carried.

YEAS: [Signature]
[Signature]
[Signature]
[Signature]

NAYS: none

ABSENT: Rusty Hike

ABSTAIN: none

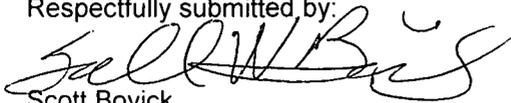
 [Signature]
Washington County Clerk

Sarpy County Board of Commissioners Report
Staff Report Prepared: June 28, 2011
County Board Meeting Date: July 12, 2011

Subject	Type	By
Floodplain Development Permit to reconstruct an existing residence on Tax Lot 5A located in Section 14, T12N, R11E, of the 6 th P.M. in Sarpy County, NE.	Resolution	Scott Bovick, Deputy County Administrator

- Request
 - This is a request for a floodplain development permit to reconstruct an existing residence that was damaged by fire in late 2009.
- Comprehensive Development Plan
 - The Sarpy County Development Structure Plan indicates this area as Greenway.
- Zoning
 - The zoning district is AG, Agricultural.
 - The property is located in an AE zone which is the special flood hazard area and a regulated floodplain zone.
 - The existing residence is a legal, non-conforming use and was damaged in a fire in 2009. Based on a contractor's estimate provided by the applicant and a review by the Sarpy County Building Official, the structure did not sustain damage over 50% of its market value and therefore did not lose its legal, non-conforming use status under zoning regulations and can be repaired as long as it meets the County's Floodplain requirements.
 - The applicant originally applied for a Floodplain Development Permit in early 2010 and has been working since then with the Papio-Missouri Natural Resource District (NRD) and Sarpy County Planning Department.
 - In early 2011, to satisfy the request of the NRD and Rebecca Horner, the applicant agreed to reconstruct the residence on the same foundation but will raise the lowest floor elevation at least one foot above the base flood elevation, leaving a maximum 4' crawl space as permitted under the floodplain regulations.
 - The elevation certificate provided by the applicant in April 2011 reflects the applicant's agreement to raise the lowest floor elevation at least one foot above the base flood elevation.
 - Once the floodplain development permit is approved, the applicant will still have to obtain a building permit, and during the permit inspection process the County's inspectors will confirm that the applicant fulfilled the floodplain requirements.
 - Since the property was not damaged more than 50% of its market value, and the property owner has agreed to raise the lowest floor to one foot above the base flood elevation, the request is in conformance with the Floodplain Regulations and Zoning Regulations.
- Natural Resources District
 - The Papio Missouri River Natural Resources District is not opposed to the request. The NRD provided comments which are attached.
- Recommendation
 - For the reasons stated above I recommend approval to the request to reconstruct an existing residence on Tax Lot 5A, located in Section 14, T12N, R11E, of the 6th P.M. in Sarpy County, NE.

Respectfully submitted by:



Scott Bovick
Deputy County Administrator

ADDITIONAL INFORMATION

SARPY COUNTY BOARD OF COMMISSIONERS

July 12, 2011

FLOOD PLAIN DEVELOPMENT

Steve Smith

21205 South Highway 50

Springfield, Ne.

Fire Damage Repair

May 2, 2011

Rebecca Horner, Director
Sarpy County Planning Department
1210 Golden Gate Drive
Papillion, NE 68046



RE: Steve Smith – 21205 South Highway 50 Application for Floodplain Development

Dear Ms. Horner:

The District received information regarding the proposed reconstruction of an existing residence damaged by fire located at 21205 South Highway 50 in Springfield, Nebraska. According to the Flood Insurance Rate Map for Sarpy County, Panel 31153C 0170 G, effective December 2, 2005, this property is located in the Zone AE floodplain of the Platte River. The base flood elevation on this property is determined to be 1,021.0 feet (NAVD 1988).

The District has reviewed the drawings of the proposed improvements and an elevation certificate prepared by Richard M. Broyles, dated April 5, 2011 and offers the following comments:

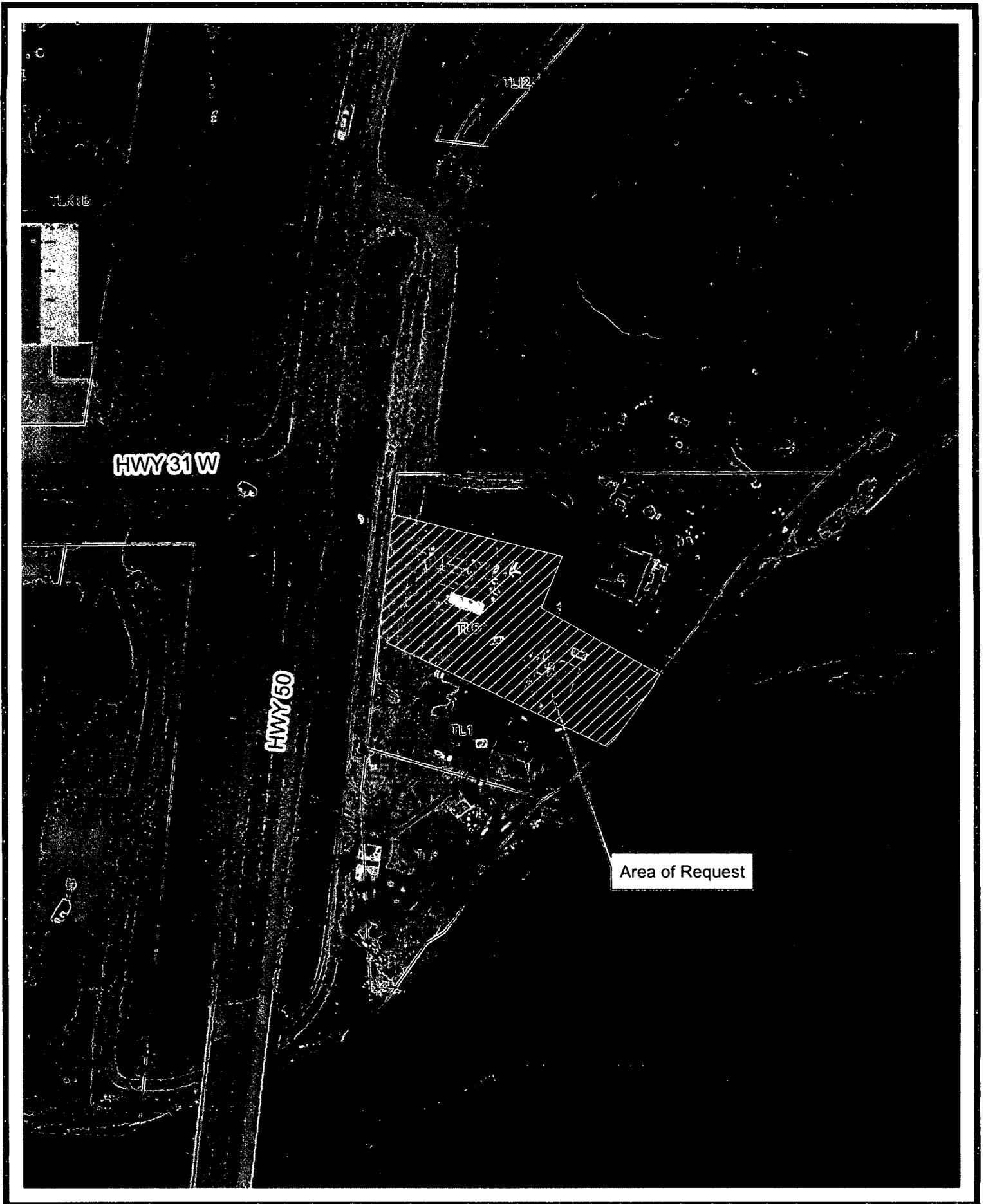
- The existing residence has been substantially damaged by fire. The lowest floor of the structure is 1,017.2 feet, which is below the BFE. The top of the next highest floor is to be located at 1,022.0 feet, which is one foot above the BFE. According to Sarpy County floodplain regulations, a structure may have an enclosure or crawlspace below the BFE no more than 4 feet in height as measured from the bottom of the joist. Taking into account the width of the joist, the new structure will meet current regulations if built according to the plans provided.

The District has no objections to this project. If you have any questions or concerns, please contact me at 444-6222 or at llaster@papionrd.org.

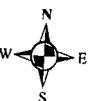
Sincerely,

Lori Ann Laster, CFM
Stormwater Management Engineer

Cc: Marlin Petermann, Amanda Grint, P-MRNRD



STEVE/SHIRLEY SMITH 21205 S HWY 50
Flood Plain Development Permit



ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name SHIRLEY A. SMITH		For Insurance Company Use: Policy Number
A2. Building Street Address (including Apt, Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 21205 SOUTH HIGHWAY 50		Company NAIC Number
City SPRINGFIELD State NE ZIP Code 68059		
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX LOT 5A, IN SECTION 14, T12N, R11E OF THE 6TH P.M., SARPY COUNTY, NE		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL		
A5. Latitude/Longitude: Lat. 41.016 N Long. -96.157 W Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> 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 8		
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s) 1080 sq ft		a) Square footage of attached garage NA sq ft
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 10 foot above adjacent grade 2		b) No. of permanent flood openings in the attached garage within 10 foot above adjacent grade 0
c) Total net area of flood openings in A8.b 1080 sq in		c) Total net area of flood openings in A9 b 0 sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number SARPY COUNTY, NE 310190		B2. County Name SARPY		B3. State NE	
B4. Map/Panel Number 31153C0170	B5. Suffix G	B6. FIRM Index Date 01-16-1981	B7. FIRM Panel Effective/Revised Date 12-02-2005	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 1021.0
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9 <input checked="" type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> 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.

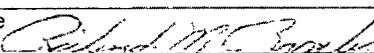
C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO Complete Items C2 a-h below according to the building diagram specified in Item A7. Use the same datum as the BFE
Benchmark Utilized **NGS Q296 RESET** Vertical Datum **NAVD 1988**
Conversion/Comments _____

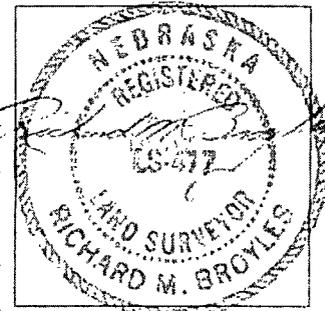
Check the measurement used

a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 1017.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor 1022.0	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only) NA NA	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab) NA NA	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) 1022.0	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG) 1017.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG) 1017.3	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support 1017.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> 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 Richard M Broyles	License Number NE RLS # 477
Title Registered Land Surveyor	Company Name Thompson, Dreesen & Dorner, Inc.
Address 10836 Old Mill Road	City Omaha State NE ZIP Code 68154
Signature 	Date 04-05-2011 Telephone 402-330-8860



IMPORTANT: In these spaces, copy the corresponding information from Section A.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 21205 SOUTH HIGHWAY 50	Policy Number
City SPRINGFIELD State NE ZIP Code 68059	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 C2 e) FURNACE AND WATER HEATER TO BE LOCATED ON FLOOR ELEVATION 1022.0. THIS FLOOR WILL BE CONSTRUCTED 1.0 FOOT ABOVE THE DETERMINED BASE FLOOD ELEVATION FLOOD OPENINGS WILL BE INCORPORATED INTO THE FOUNDATION TO CONFORM TO THE STANDARDS. NOTE: THE CRAWLSPACE WILL BE NO HIGHER THAN 4 FEET AS MEASURED FROM THE EXISTING FLOOR ELEVATION OF 1017 2 FEET TO THE BOTTOM OF THE PROPOSED FLOOR JOISTS. (1017 2' PLUS 4' = 1021 2' PLUS 0.8' JOIST = 1022.0')

Signature Richard M. Douglas Date 04-05-2011 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.

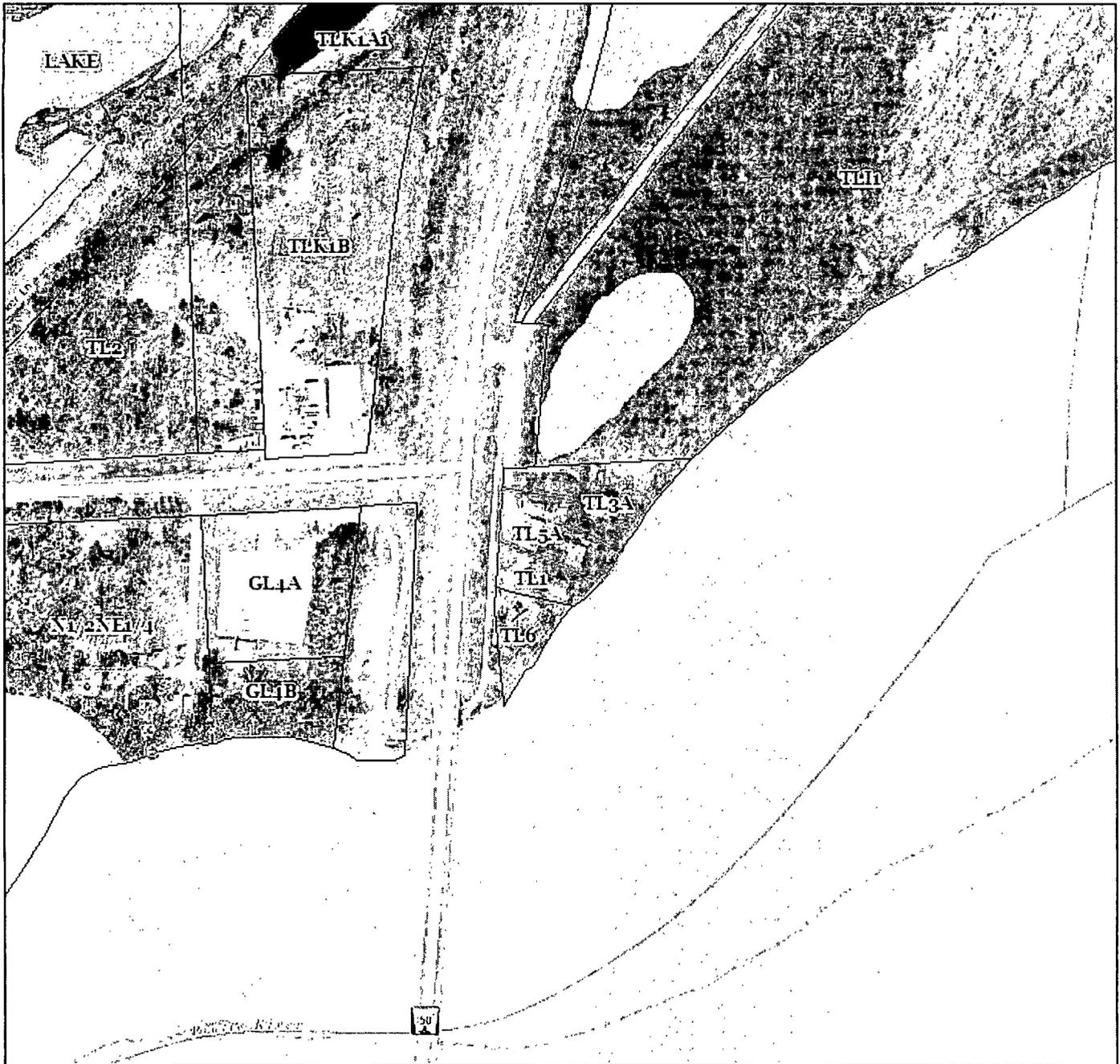
G4. Permit Number _____	G5. Date Permit Issued _____	G6. Date Certificate Of Compliance/Occupancy Issued _____
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- G7. This permit has been issued for: New Construction Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) 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

Sarpy County, Nebraska



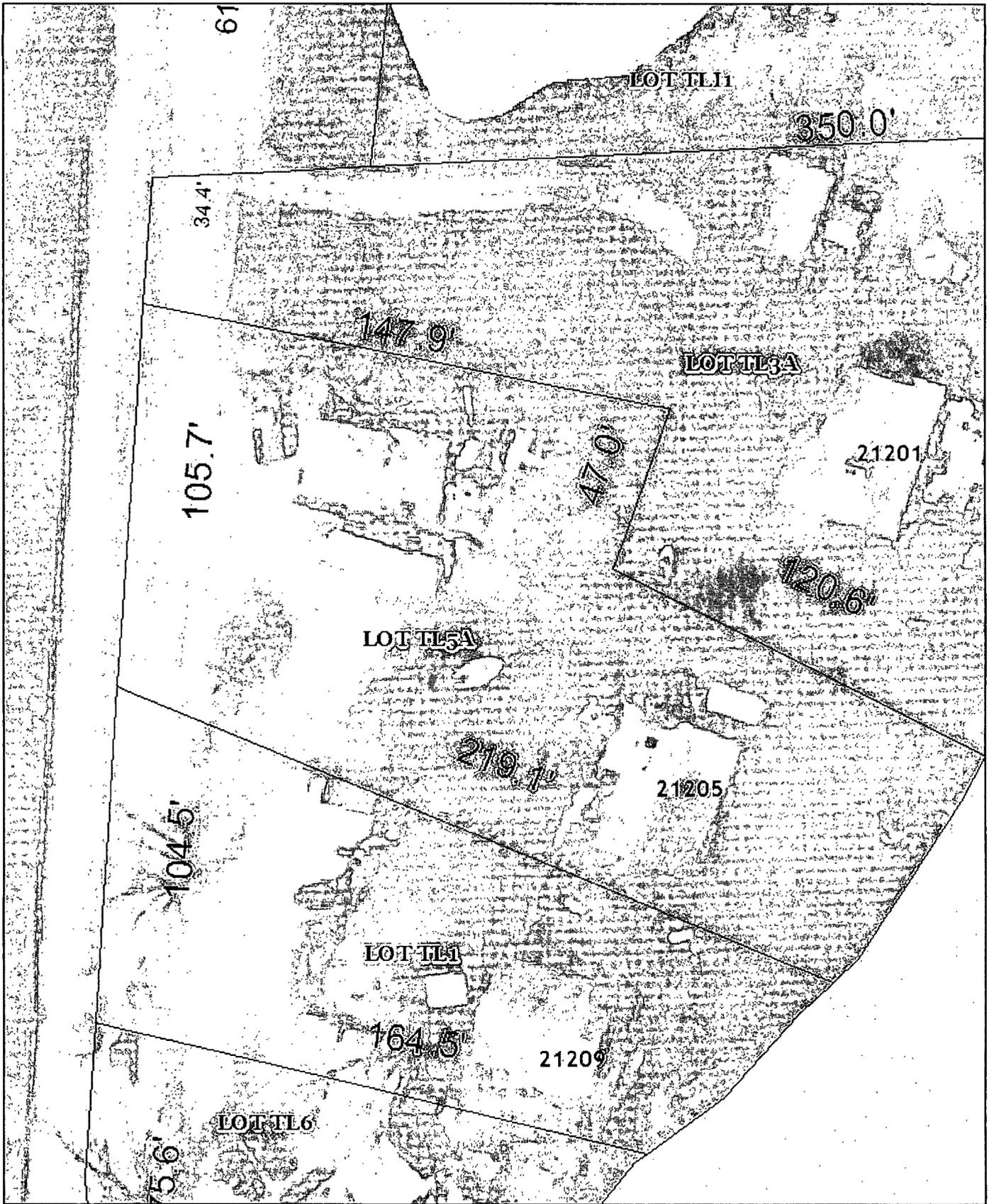
Parcel ID Number	010410422	Property Type	RES
Owner Name	SMITH, SHIRLEY A	Improvements Value	\$10,780
Mailing Address	21209 S HWY 50	Land Value	\$28,458
City State	SPRINGFIELD NE	Total Value	\$39,238
Zip Code	68059-0000	Estimated Acres	0.54151834
Property Address	21205 S HWY 50	Tax District	46016
Legal Description	TAX LOT 5A 14-12-11 (.51 AC)	Snow Ordinance	County #3-1-01
Neighborhood Code	ACSR		

Disclaimer: This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale
1 inch = 288 feet

6/27/2011

Sarpy County, Nebraska



Disclaimer: This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale
1 inch = 36 feet

6/27/2011



SARPY COUNTY PLANNING

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

FEB 10 2010

FLOOD PLAIN DEVELOPMENT PERMIT APPLICATION SARPY COUNTY PLANNING DEPARTMENT

<p>In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:</p> <ol style="list-style-type: none"> 1. Submit complete Flood Plain Development Permit Application 2. Submit Non-Refundable Fee of \$100.00 made payable to Sarpy County Treasurer 3. 2 full size site/construction plan drawing 4. 6 reduced size site/construction plan drawings (8.5 x 11) 5. A Construction Drawing Elevation Certificate (From registered professional engineer or architect.) 	<p>PLANNING STAFF USE ONLY:</p> <p>APPLICATION NO.: _____</p> <p>DATE RECEIVED: _____</p> <p>CP DESIGNATION: _____</p> <p>ZONING DESIGNATION: _____</p> <p>FEE: \$100.00 RECEIPT NO: <u>10279</u></p> <p>RECEIVED BY: _____</p> <p>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: Shirley A. Smith

E-MAIL: Shirley@ssmithlaw.com

ADDRESS: 21205 S. Hwy 50

CITY/STATE/ZIP: Springfield, NE 68059

MAILING (IF DIFFERENT)
ADDRESS: 21215 So. Hwy 50

CITY/STATE/ZIP: Springfield, NE 68059

PHONE: (402) 253-2616

FAX: (402) 253-3185

ENGINEER INFORMATION:

NAME: _____

E-MAIL: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

MAILING (IF DIFFERENT)
ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____

FAX: _____

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

NAME: Steve L Smith

E-MAIL: Steve@ssmithlaw.com

ADDRESS: 21109 So Hwy 50

CITY/STATE/ZIP: Springfield NE 68059

PHONE: (402) 253-2616

FAX: (402) 253-3185

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.

21205 So. Hwy 50 - repair damage by fire to structure less than 50% of value. Add on 2nd story

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: 21205 So. Hwy 50
ASSESSORS PARCEL NUMBER(S) 010410422
SUB-DIVISION: TAX DISTRICT: 4106110 **LOT:** 5A
NAME OF WATERWAY: Platte River
PROPERTY LIES WITHIN: **FLOODWAY:** _____ **FLOOD FRINGE:** _____
LOWEST FLOOR ELEVATION IS TO BE _____ **FEET ABOVE MEAN SEA LEVEL.** (Including Basement)

LEGAL DESCRIPTION: (Describe property to wit:)

Tax Lot 5A - 14-12-11 (SIAC) SPRINGFIELD

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.

House was built by ~~state~~ authority of State of Nebraska, It is a conforming use.

PLEASE NOTE THE FOLLOWING PROCEDURES:

1. County Board will hold a public hearing and make a final decision on the Flood Plain Development Permit.
2. After the Flood Plain Permit Approval please provide a signed resolution to the Building Department to begin the Building Permit Process. **PLEASE NOTE** prior to the final inspection a Finished Construction Elevation Certificate will be required by the Building Department.

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.

[Signature]
Owner Signature (or authorized agent)

2/9/10
Date

Owner Signature (or authorized agent)

Date