

BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA**RESOLUTION FLOOD PLAIN DEVELOPMENT**
Western Sand & Gravel, 18805 W. Highway 31, Sarpy County, 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, Bruce Fountain, Planning Director has reviewed Western Sand & Gravel'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, the Planning Director has made a recommendation of approval as noted in the attached Exhibit A, which Exhibit A includes the Planning Director report, the elevation certificate, the Natural Resources District comments, and the site plan of the subject property.

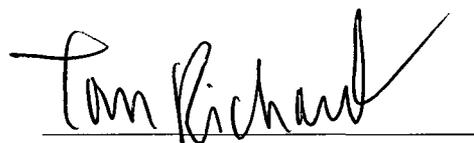
NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the Flood Plain Development Permit Application for the property legally described in the attached Exhibit A is hereby approved.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 13th day of December, 2011.

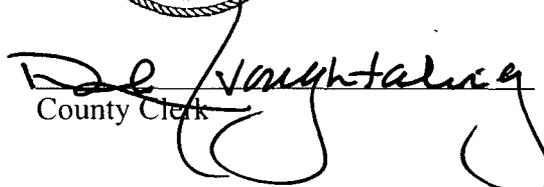
Attest



SEAL



Sarpy County Board Chairman



County Clerk

EXHIBIT A

Sarpy County Board of Commissioners Report
Staff Report Prepared: December 8, 2011
County Board Date: December 13, 2011

Subject	Type	By
Floodplain Development Permit for existing gravel plant – South ½, Southwest ¼, Section 17, Township 12 North, Range 11 East, Platford Township – Assessor's Parcel # 011100583	Resolution	Bruce Fountain, AICP Planning Director

This is a request for approval of a floodplain development permit for Western Sand and Gravel's plant at 18805 W. Highway 31. The gravel plant to be covered by this permit includes the shop building, scale building, and existing operations.

➤ **Comprehensive Development Plan**

- The Sarpy County Development Structure Plan indicates this area as Greenway.

➤ **Zoning / Floodplain Regulations**

- The area is zoned AG/FP. Agricultural Farming District in a Flood Plain
- The property is located in an AE flood zone along the Platte River.
- The applicant is requesting a floodplain development permit for existing structures as it was found that no permits had previously been issued and this will bring them into conformance with existing regulations. Two elevation certificates were prepared for the existing buildings – a scale building and a shop building.
 - Scale Building: the BFE (Base Flood Elevation) for the scale building at this location is 1,031.6 feet (NAVD 1988). The lowest floor of the scale building is 1,032.7 feet (NAVD 1988) which is at least one foot above the BFE.
 - Shop Building: the BFE (Base Flood Elevation) for the shop building at this location is 1,032 feet (NAVD 1988). The lowest floor of the shop building is 1,034.7 feet (NAVD 1988) which is at least one foot above the BFE.
- This permit is only for the existing structures and operations at the site. Any future activities at the site will require additional floodplain development permits.

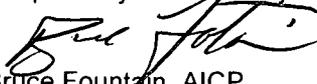
➤ **Natural Resources**

- The Papio Missouri River Natural Resources District (NRD) has no objections to the request. The NRD provided comments which are attached.

➤ **Recommendation**

- For the reasons stated above, I recommend the permit be approved for Western Sand and Gravel's existing sand and mining operation at this location.

Respectfully submitted by:


Bruce Fountain, AICP
Planning Director

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name NEBCO	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. 18805 W. Highway 31 - Shop	Company NAIC Number
City Springfield State NE ZIP Code 68509	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Tax Lots A, 1A, 1B, & Tax Lot 2B, & SW4 SE4 Section 17-12-11	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Non-Residential</u>	
A5. Latitude/Longitude: Lat. <u>41°00'16.46"</u> Long. <u>96°12'32.21"</u> 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 <u>1A</u>	
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) <u>N/A</u> sq ft	a) Square footage of attached garage <u>N/A</u> sq ft
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>	b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>
c) Total net area of flood openings in A8.b <u>N/A</u> sq in	c) Total net area of flood openings in A9.b <u>N/A</u> sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number Sarpy County, 310190		B2. County Name Sarpy		B3. State NE	
B4. Map/Panel Number 31153C0165	B5. Suffix G	B6. FIRM Index Date 05/03/2010	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) 1032

- B10.** Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.
 FIS Profile FIRM Community Determined Other (Describe) _____
- B11.** Indicate elevation datum used for BFE in Item B9: NGVD 1929 NAVD 1988 Other (Describe) _____
- B12.** Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No
 Designation Date _____ CBRS OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

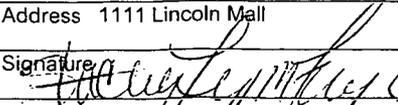
- C1.** Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.
- C2.** Elevations – Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, 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 N/A Vertical Datum NAVD 1988
 Conversion/Comments Chiseled square on SE. Corner Conc. Retaining Wall for fuel Tanks, NW. of Office. Elev.=1032.35

- Check the measurement used.
- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 1034.70 feet meters (Puerto Rico only)
- b) Top of the next higher floor N/A feet meters (Puerto Rico only)
- c) Bottom of the lowest horizontal structural member (V Zones only) N/A feet meters (Puerto Rico only)
- d) Attached garage (top of slab) N/A feet meters (Puerto Rico only)
- e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) N/A feet meters (Puerto Rico only)
- f) Lowest adjacent (finished) grade next to building (LAG) 1033.8 feet meters (Puerto Rico only)
- g) Highest adjacent (finished) grade next to building (HAG) 1034.6 feet meters (Puerto Rico only)
- h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support N/A feet 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 Stacey Lynn Fryc		License Number 682	
Title Registered Land Surveyor	Company Name Olsson Associates		
Address 1111 Lincoln Mall	City Lincoln	State NE	ZIP Code 68508
Signature 	Date <u>1/3/11</u>	Telephone 402.458.5685	



IMPORTANT: In these spaces, copy the corresponding information from Section A.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, or Bldg. No.) or P.O. Route and Box No. 18805 W. Highway 31 - Shop	Policy Number
City Springfield State NE ZIP Code 68509	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

Signature _____ Date _____ 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

May 4, 2011



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

RE: Western Sand and Gravel – Application for Floodplain Development Permit

Dear Ms. Horner:

The District received information concerning an existing sand mining operation located on the Platte River on South 189th Street in Sarpy County, Nebraska. According to the Flood Insurance Rate Map for Sarpy County, Panel 31153C 0165 G, effective December 2, 2005, this property is located in the Zone AE floodplain of the Platte River.

Based on review of elevation certificates of the existing buildings and aerial photographs of the existing operations, the District offers the following comments:

- Two elevation certificates were prepared by Stacey Lynn Fryc, for the existing buildings.
- The elevation certificate for the scale building was prepared on March 7, 2011. The BFE at this location is 1,031.6 feet (NAVD 1988). The lowest floor of the building is 1,032.7 feet (NAVD 1988) which is at least one foot of the BFE.
- The elevation certificate for the shop building was prepared on February 3, 2011. The BFE at this location is 1,032.0 feet (NAVD 1988). The lowest floor of the shop building is 1,034.7 feet (NAVD 1988), which is at least one foot above the BFE.
- This application is only for existing structures/operations at the site. Any future activities at the site will require additional floodplain development permits.

If you have any questions or concerns, please don't hesitate to contact me at (402) 444-6222 or llaster@papionrd.org.

Sincerely,

Lori Ann Laster, CFM
Stormwater Management Engineer

Cc: Marlin Petermann, Amanda Grint, P-MRNRD

\\laster\Documents\Floodplain Development Permits\Reach 10-1\110503-Western Sand.doc

Reach: 10-1

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 = 1728 feet

12/9/2011

ADDITIONAL INFORMATION

SARPY COUNTY BOARD OF COMMISSIONERS

December 13, 2011

FLOOD PLAIN DEVELOPMENT PERMIT

To bring into compliance existing buildings and

Gravel plant operation

Section 17, Township 12N Range 11E

18805 W. Highway 31

Western Sand and Gravel



SARPY COUNTY PLANNING

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

FLOOD PLAIN DEVELOPMENT PERMIT APPLICATION

<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.: <u>FPS 11-0002</u> DATE RECEIVED: <u>3-17-11</u> CP DESIGNATION: _____ ZONING DESIGNATION: _____ FEE: <u>\$100.00</u> RECEIPT NO. <u>734144</u> RECEIVED BY: <u>Tbd</u> NOTES: <u>New Application</u></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: Western Sand & Gravel E-MAIL: DaveB@westernsand.com
Dave Brakenhoff
ADDRESS: PO Box 28 CITY/STATE/ZIP: Ashland, NE 68003

MAILING (IF DIFFERENT) ADDRESS: _____ CITY/STATE/ZIP: _____

PHONE: 402-944-3331 FAX: 402-944-2039

ENGINEER INFORMATION:

NAME: Olsson Associates E-MAIL: _____

ADDRESS: 1111 Lincoln Mall, Suite 111 CITY/STATE/ZIP: Lincoln, NE 68508

MAILING (IF DIFFERENT) ADDRESS: _____ CITY/STATE/ZIP: _____

PHONE: 402-474-6311 FAX: 402-474-5160

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

NAME: Western Sand & Gravel E-MAIL: DaveB@westernsand.com
Dave Brakenhoff
ADDRESS: PO Box 28 CITY/STATE/ZIP: Ashland, NE 68003

PHONE: 402-944-3331 FAX: 402-944-2039

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. Gravel plant includes plant building, maintenance building, screening equipment, conveyors, gravel and sand stockpiles, and top soil stripplings stockpile. See attached aerial picture.

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: South 189th Street, West Highway 31.
ASSESSORS PARCEL NUMBER(S) 011100583
SUB DIVISION: N/A LOT: N/A
NAME OF WATERWAY: Platte River
PROPERTY LIES WITHIN: FLOODWAY: No FLOOD FRINGE: Yes
LOWEST FLOOR ELEVATION IS TO BE _____ FEET ABOVE MEAN SEA LEVEL. (Including Basement)

LEGAL DESCRIPTION: (Describe property to wit:)

South 1/2, Southwest 1/4, Section 17, Township 12 North,
Range 11 East, Platford Township

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.

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.


Owner Signature (or authorized agent)

2/4/11
Date

Owner Signature (or authorized agent)

Date