

BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA**RESOLUTION: GRANT EXTENSION OF APPROVAL TO PRELIMINARY PLAT –
SCHOLTING ESTATES**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2012), 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 2012), 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 2012); and,

WHEREAS, said Subdivision Regulation provide that a preliminary plat shall become void after twelve (12) months from the date the preliminary plat was approved. Further, the Subdivision Regulation allows the County Board to approve requests for extensions of approval of a preliminary plat; and

WHEREAS, the preliminary plat for Scholting Estates was approved by Resolution 2013-100 on April 9, 2013 on the following described property, to wit:

Tax Lots 4 and 6A of the Northeast ¼ of Section 32, Township 13N,
Range 11E of the 6th P.M. Sarpy County, Nebraska.

WHEREAS, the applicant, Edwin Scholting has requested to extend the preliminary plat approval of Scholting Estates for twelve (12) months beginning on April 9, 2014 and ending on April 9, 2015.

NOW THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the approval of the preliminary plat of a subdivision to be known as Scholting Estates, is hereby extended for a period of twelve (12) months beginning on April 9, 2014 and ending on April 9, 2015.

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 6th day of May, 2014.


Sarpy County Board Chairman

Attest

SEAL




County Clerk

Sarpy County Board of Commissioners
Exhibit "A"
Planning Department Report
County Board Meeting Date: May 6, 2014

Subject	Type	By
<ul style="list-style-type: none"> • Request for extension of approval of Preliminary Plat for Scholting Estates 	Resolutions	Bruce Fountain, AICP, EDFP Director, Planning & Building

➤ **Summary and Purpose of Requests:**

- Derek Beenblossom (Allen Surveying Services), on behalf of Edwin Scholting, is requesting an extension of the approval of the Preliminary Plat for a proposed six parcel residential acreage development to be known as Scholting Estates.

➤ **Background and Analysis:**

- The Preliminary Plat for Scholting Estates was approved by County Board by Resolution 2013-100 on April 9, 2013. The County's Subdivision Regulations state, "The approval of the Preliminary Plat shall become void after twelve (12) months from the date of such approval unless all or a portion of the approved Preliminary Plat has been submitted for approval as a Final Plat during that period. Twelve (12) month extensions may be granted by the Board upon written request by the subdivider and payment of an additional platting fee equivalent to the original preliminary platting fee." The applicant's surveyor has submitted a letter indicating that as they were preparing to submit the Final Plat, they found that they had passed the one year time frame. They have requested that an extension of the Preliminary Plat still be considered by the Board so that they do not have to go back through the entire approval process. They are currently working on the Final Plat and will be submitting it for review by the Planning Commission and County Board within the next few weeks.
- The original staff report to the County Board on the Preliminary Plat application is attached for your information and review.

➤ **Staff Recommendation:**

- The applicant's surveyor has indicated that approval time frame for a Preliminary Plat caught them by surprise as other communities they work in have a longer time frame for approvals to stand prior to submittal and approval of a Final Plat. In working with the applicant on this project, staff believes this was an honest oversight.
- There have been no significant changes in the County's Subdivision or Zoning Regulations since this Preliminary Plat was first approved which would have any impact on it.
- The applicant has agreed to pay the additional fee as required by the Subdivision Agreement.
- Since the time past the approval time frame allowed is less than 30 days and because there have been no changes in the County's Subdivision or Zoning Regulations which would impact this project, staff recommends **APPROVAL** of the extension of the proposed Preliminary Plat of a subdivision to be known as Scholting Estates for an additional 12 month period. Staff makes this recommendation as the Preliminary Plat still meets requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.

Sarpy County Board of Commissioners
Exhibit "A"
Planning Department Report
County Board Meeting Date: April 9, 2013

Subject	Type	By
Applications related to property located on the west side of 180 th Street approximately 1/3 mile north of Buffalo Road, legally described as Tax lots 4 and 6A of the Northeast ¼ of Section 32, Township 13N, Range 11E of the 6 th P.M. Sarpy County, Nebraska. <ul style="list-style-type: none"> • Change of Zone: AG to RE2 • Preliminary Plat – Scholting Estates 	Public Hearings & Resolutions	Donna Lynam, Zoning Administrator Planning & Building

➤ **Summary and Purpose of Requests:**

- These applications are requesting approval of a Change of Zone from AG (Agricultural Farming) to RE2 (Residential Estates 2) and a Preliminary Plat for a proposed six parcel residential acreage development to be known as Scholting Estates.

➤ **Background and Analysis:**

- The detailed staff report on these applications was presented to the Planning Commission at their March 20, 2013 meeting and is attached for your information and review.
- A copy of the comment letter submitted by the Papio-Missouri Natural Resources District (PMNRD) was included in the Planning Commission packet as an attachment, but the staff report indicated in error that no comments were received from the PMNRD. Please note that the PMNRD did comment with regards to individual sanitary sewer facilities proposed for the development and on the Post Construction Storm Water Plan. These comments were discussed at the Planning Commission meeting.

➤ **Staff Recommendation:**

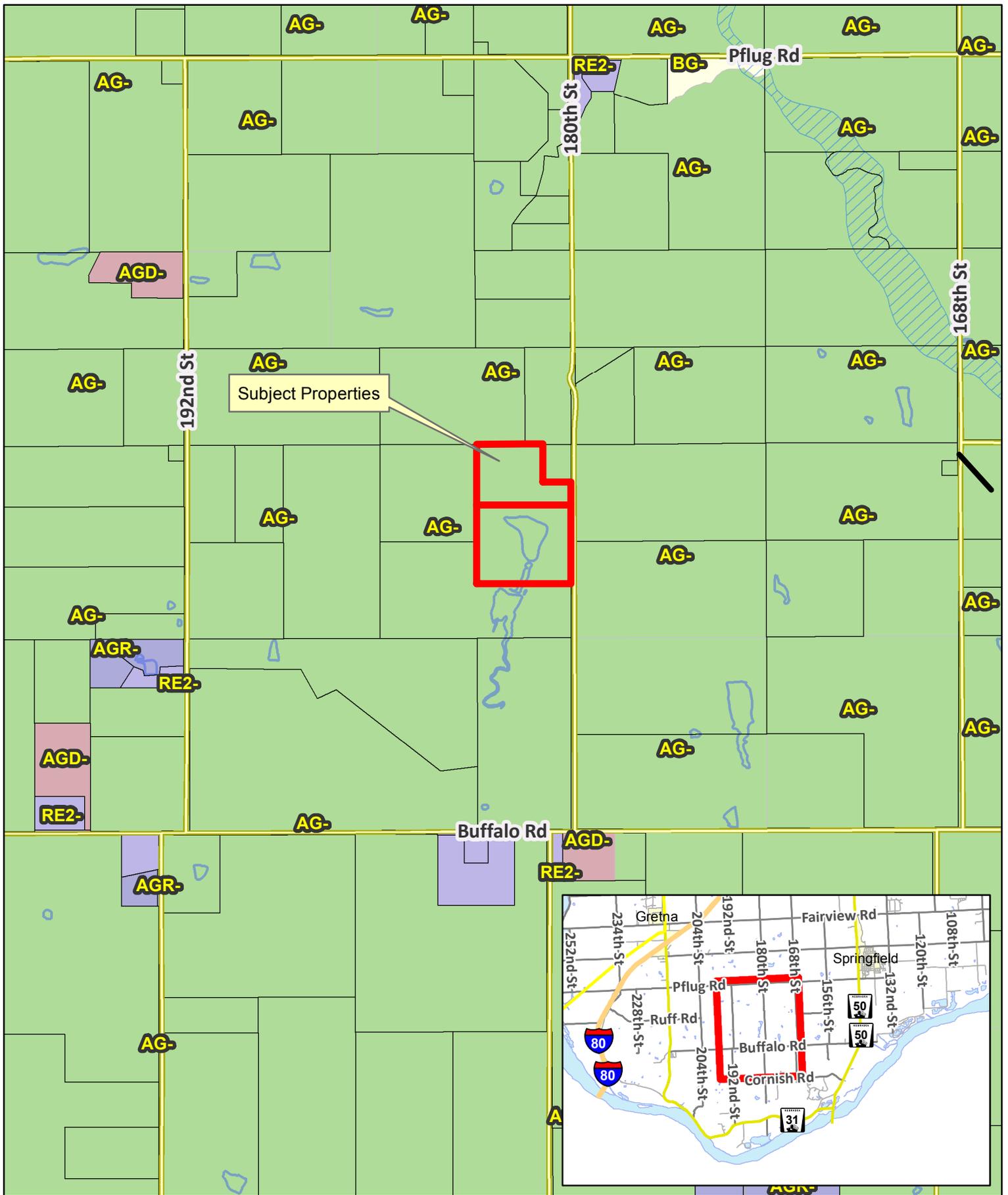
- Staff recommends **APPROVAL** of the Change of Zone from AG (Agricultural Farming) to RE2 (Residential Estates 2) for the proposed Scholting Estates development as it is in conformance with the Sarpy County Comprehensive Development Plan and the Sarpy County Zoning Regulations.
- Staff recommends **APPROVAL** of the proposed Preliminary Plat of a subdivision to be known as Scholting Estates. Staff makes this recommendation as the Preliminary Plat meets requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.

➤ **Planning Commission Recommendation:**

- On March 20, 2013 the Planning Commission voted to recommend **APPROVAL** of the Change of Zone and Preliminary Plat for Scholting Estates.

MOTION: Lichter moved, seconded by Whitfield, to recommend approval of the Change of Zone from AG (Agricultural Farming) to RE2 (Residential Estates 2) for the proposed Scholting Estates subdivision as it is in conformance with the Sarpy County Comprehensive Development Plan and the Sarpy County Zoning Regulations. **Ballot:** Ayes – Lichter, Stuart, Murante, Ackley, Whitfield, Mohr, Fenster, Torczon and Farrell. Nays – none. Abstain – none. Absent – Bliss and Malmquist. **Motion carried 9-0-2.**

MOTION: Lichter moved, seconded by Whitfield, to recommend approval of the Preliminary Plat of a Subdivision to be known as Scholting Estates as it meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations. **Ballot:** Ayes – Lichter, Stuart, Murante, Ackley, Whitfield, Mohr, Fenster, Torczon and Farrell. Nays – none. Abstain – none. Absent - Bliss and Malmquist. **Motion carried 9-0-2.**

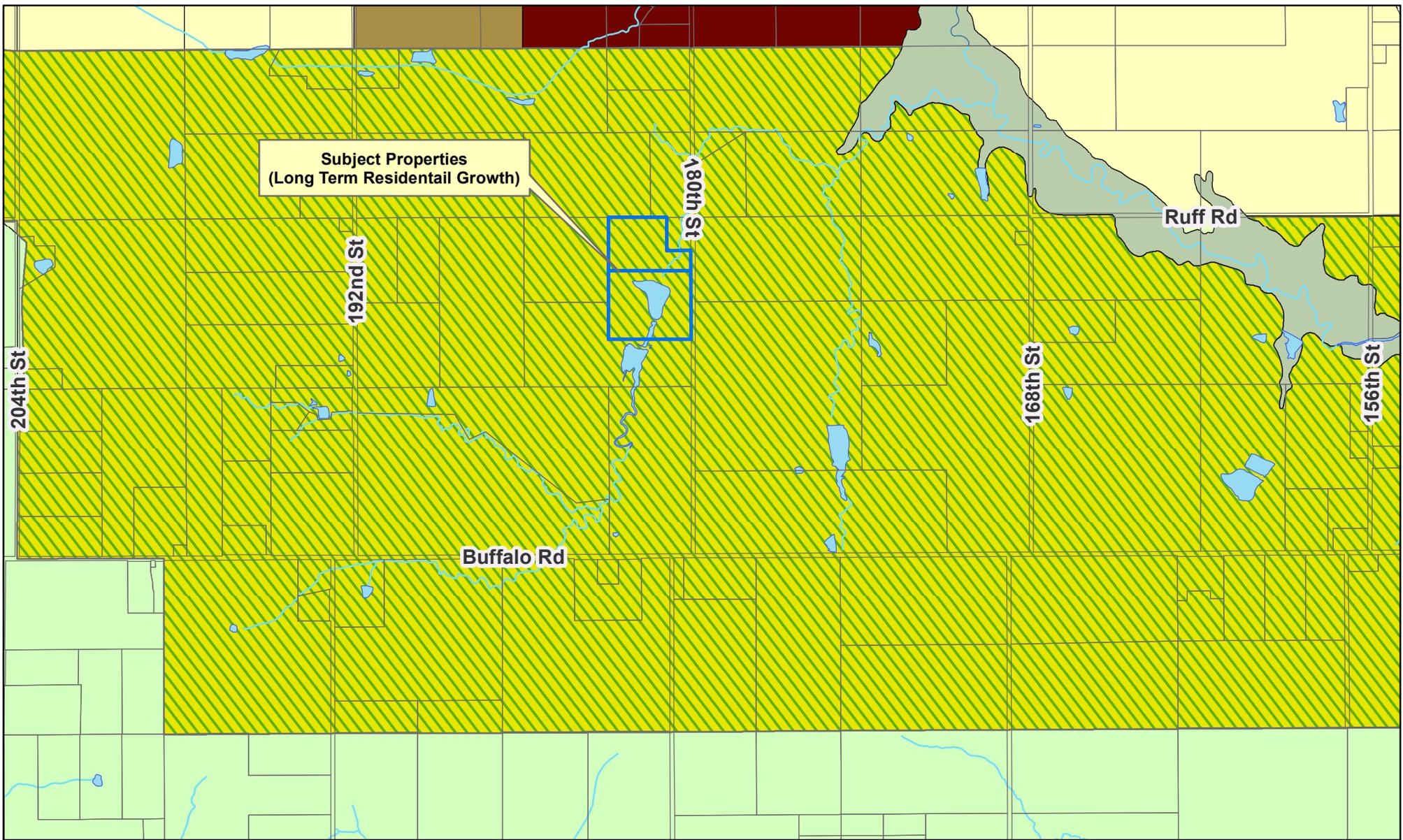


Vicinity Map - Zoning

17906 S 180th St - TL 4 & 6A

Scholting Estates Rezoning, Preliminary Plat





Current FLU - Sarpy Co

0 900 1,800 3,600 Feet



Comprehensive Development Plan
Figure 5.1: Development Structure Plan
 Sarpy County, Nebraska

Legend

- | | | |
|------------------------------|---------------------------------|-----------------------|
| Bellevue Future Growth | Mixed Use | Cross County Arterial |
| Business Park | Mixed Use Center | City Limit |
| Civic | New Richfield Village | City ETJ |
| Conservation Residential | Park/School Site | |
| Estate Residential | Pflug Interchange Development | |
| Greenway | Residential - Community Systems | |
| Industrial | Urban Residential | |
| Light Industrial/Storage | Urban Residential II | |
| Long Term Residential Growth | | |