

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

RESOLUTION IN THE MATTER OF COUNTY )  
SPECIAL PERMIT NO. 19051, CAMPGROUND )  
ON PROPERTY GENERALLY LOCATED AT ) RESOLUTION NO. R-20-0008  
HIGHWAY 77 AND DAVEY ROAD, )  
LANCASTER COUNTY, NEBRASKA )

WHEREAS, Kent Seacrest on behalf of David and Jolene Queen (“applicant”), requested approval of County Special Permit No. 19051 (“Special Permit”), for a campground for up to 240 campsites under the provisions of Section 13.014 of the Lancaster County Zoning Resolution on property located at Highway 77 and Davey Road, legally described as follows:

Lot 28 Irregular Tract located in the NW ¼ of Section 28, Township 12 North, Range 7, East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska (“Property”);

WHEREAS, the Lincoln-Lancaster County Planning Department (“Planning Department”) recommended conditional approval of said Special Permit, concluding that this application, with the conditions listed in the Planning Department’s report, meets the requirements for a campground special permit in Lancaster County (“County”);

WHEREAS, on December 4, 2019, the Lincoln-Lancaster County Planning Commission (“Planning Commission”) conducted a public hearing on County Special Permit No. 19051 and on December 18, 2019, voted 5-3 to recommend conditional approval of the Special Permit based on the findings of fact, application, staff report, evidence, and testimony before them;

WHEREAS, on December 30, 2019, two appeals of the Planning Commission’s action to the Lancaster County Board of County Commissioners (“County Board”) were filed with the Lancaster County Clerk’s Office;

WHEREAS, on January 21, 2020, the County Board conducted a public hearing on the

Special Permit, voting \_\_\_\_\_ to \_\_\_\_\_ said Special Permit;

WHEREAS, the following findings of fact were based on the application, staff report, evidence, testimony before the Planning Commission hearing on December 4, 2019, and the County Board: \_\_\_\_\_;

WHEREAS, all requirements of the Lancaster County Zoning Resolution have been met;

NOW, THEREFORE, BE IT RESOLVED, by the County Board that the Special Permit on the Property is hereby \_\_\_\_\_ subject to the following conditions:

**Site Specific Conditions:**

The Lancaster County Board of Commissioners approves associated request:

TX#19009

Before receiving building permits (if no final plat is required) or before a final plat is approved (if final plat is required) the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:

Revise Note #2 to read, "240 campsites are permitted. Up to 35% of the campsites may be occupied for no more than 180 days in any calendar year. If campground is built in phases, the 35% shall apply to the number of campsites in that phase. For the remaining portion, the same person or persons may not occupy the campground for more than thirty (30) consecutive days"

Change the line type around Camper Rental Area to distinguish it from the overall camping are. Change Camper Rental Area to Cabin Rental Area.

Delete Note #6. This will be covered in Note #2.

Delete Notes 17 and 18.

Identify the portion of the driveway to be paved.

Delete Note #10 and add to Note #2.

Revise Note #16 to read, "Minor accessory retail sales for camper needs is allowed in the office/store. The sale of alcoholic beverages is not allowed."

Correct the legal description.

Correct the distance along the west boundary. It does not match the distance shown in the CAD drawing.

Need to identify the various monument symbol types shown on the drawing either by monument notes, Legend identification or both.

Survey data shown indicates establishment of various boundary corners. Need method of reestablishment shown along with record source including Surveyor's Certificate for the boundary work.

Need to show recorded and measured right-of-way widths along adjacent roads.

Section corner reference ties listed for corners identified as Point D, E and F but locations are not shown on the drawing.

In the section corner reference ties, the labeling of corner C should be revised to "SE Cor W ½, NW ¼ Sec. 28 T12N, R7E.

On the drawing, the adjacent lot east of the north portion of this special permit is mislabeled. Should be Lot 27 IT not Lot 28.

There is controlled access along Highway 77 which should be noted, listing record document number on the drawing or in the General Notes.

Provide a topo map showing contours and locations of buildings and amenities for our review of drainage patterns.

Provide a drainage study that includes at a minimum a topographical map showing existing drainage areas and resulting runoff from all land lying outside the limits of the proposed construction which discharge storm water runoff into or through the area; a topographical map showing proposed contour lines, all sub drainage areas, and resulting runoff; and a copy of the drainage computations. The change in land use shall not adversely affect runoff to adjacent properties and county right-of-way; post-development flows should be less than or equal to pre-development flows.

Before receiving building permits provide the following documents to the Planning Department:

Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Submit road improvement plans for Davey Road to the Lancaster County Engineering Department and to the Nebraska Department of Transportation for review and approval.

**Standard Conditions:**

4 The following conditions are applicable to all requests:

- 4.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
- 4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the.
- 4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
- 4.4 Before occupying this campground City/County Health Department is to approve the water and waste water systems.
- 4.5 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 4.6 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at the County-City Building, Lincoln,  
Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM

\_\_\_\_\_ this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Deputy County Attorney  
for PAT CONDON  
Lancaster County Attorney

\_\_\_\_\_  
**Applicant withdrew**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTACHMENT A

LETTER OF ACCEPTANCE

David and Jolene Queen, owners of record, hereby agree to all of the conditions of County Special Permit No. 19051, for a campground for up to 240 campsites under the provisions of Section 13.014 of the Lancaster County Zoning Resolution on property located at Highway 77 and Davey Road, legally described as follows:

Lot 28 Irregular Tract located in the NW ¼ of Section 28, Township 12 North, Range 7, East of the 6th P.M., Lancaster County, Nebraska; granted by the Lincoln-Lancaster County Planning Commission, and embodied in Resolution No. \_\_\_\_\_, all costs which owners hereby represent have been paid and that this agreement shall be binding upon David and Jolene Queen, and their heirs, successors, and assigns and shall run with the land.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, in Lancaster County, Nebraska.

Owners of Record

BY: \_\_\_\_\_  
\_\_\_\_\_

David Queen

BY: \_\_\_\_\_  
\_\_\_\_\_

Jolene Queen

STATE OF NEBRASKA            )  
  )     ss.  
County of Lancaster         )

On this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said County, personally came \_\_\_\_\_, known to be the identical person(s) whose name(s) is affixed to this agreement, and acknowledged execution of the same to be his voluntary act and deed.

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_.

Notary Public \_\_\_\_\_