

AGENDA ITEM 4 A

CONDITIONAL USE PERMIT

2011-CUP-04

**HOME OCCUPATION
FAMILY CHILD CARE HOME II**



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2011-CUP-04

FOR HEARING OF: August 18, 2011

Report Prepared on: August 05, 2011

I. GENERAL INFORMATION

- A. **APPLICANT:** Jackie K. Krebs
- B. **PROPERTY OWNER:** Jackie K. Krebs
- C. **LOCATION:** 8824 S. 100th Street
- D. **LEGAL DESCRIPTION:** Lot 226, Val Verde, a Subdivision of Sarpy County, Nebraska.
- E. **REQUESTED ACTION(S):** Approval of a Conditional Use Permit to allow a Family Childcare Home II Occupation.
- F. **EXISTING ZONING AND LAND USE:** R-2, Two-Family Residential
- G. **PURPOSE OF REQUEST:** The owner is requesting to locate and operate a home occupation (Family Childcare Home II) not exceeding twelve (12) children.
- H. **SIZE OF SITE:** The size of the single-family lot is 0.203 acres. The proposed use will primarily be conducted in the 1,000 square foot basement of the single family residence.

II. BACKGROUND INFORMATION

- A. **EXISTING CONDITION OF SITE:** Ranch style house, with a walkout basement, constructed on a Two-Family Residential lot in the Val Verde subdivision. Lot slopes to the rear of the property, allowing for a walkout basement.
- B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** R-2, Two-Family Residential
 - 2. **East:** R-2, Two-Family Residential
 - 3. **South:** T-A, Transitional Agriculture
 - 4. **West:** R-2, Two-Family Residential
- C. **RELEVANT CASE HISTORY:** N/A

D. APPLICABLE REGULATIONS:

1. Section 5.07, Zoning Ordinance, regarding R-2 Zoning District
2. Section 6.01, Zoning Ordinance, Conditional Use Permits
3. Section 7.10, Zoning Ordinance, regarding Home Occupations

III. ANALYSIS

A. COMPREHENSIVE PLAN: N/A

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. Ingress/egress to the subdivision is through S 101st Street or Centennial Road., utilizing S. 100th Street to access the property. Traffic impact is minimal. Parking for the use is required to be on the driveway which can accommodate up to four vehicles at a time.

D. UTILITIES: All utilities are available on the site.

IV. REVIEW COMMENTS:

1. Permitted use will utilize approximately 1000 square feet in the basement.
2. Hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
3. There are upto two employees in addition to the property owner.
4. Employee and Client parking will consist of owner's driveway.
5. Operation serves twelve (12) or fewer children at any one time.

V. PLANNING COMMISSION RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit to allow a Family Childcare Home II Occupation as it conforms with the City of La Vista Zoning Ordinances.

VI. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Draft Conditional Use Permit
3. Exhibit A – Floor Plan

VII. COPIES OF REPORT SENT TO:

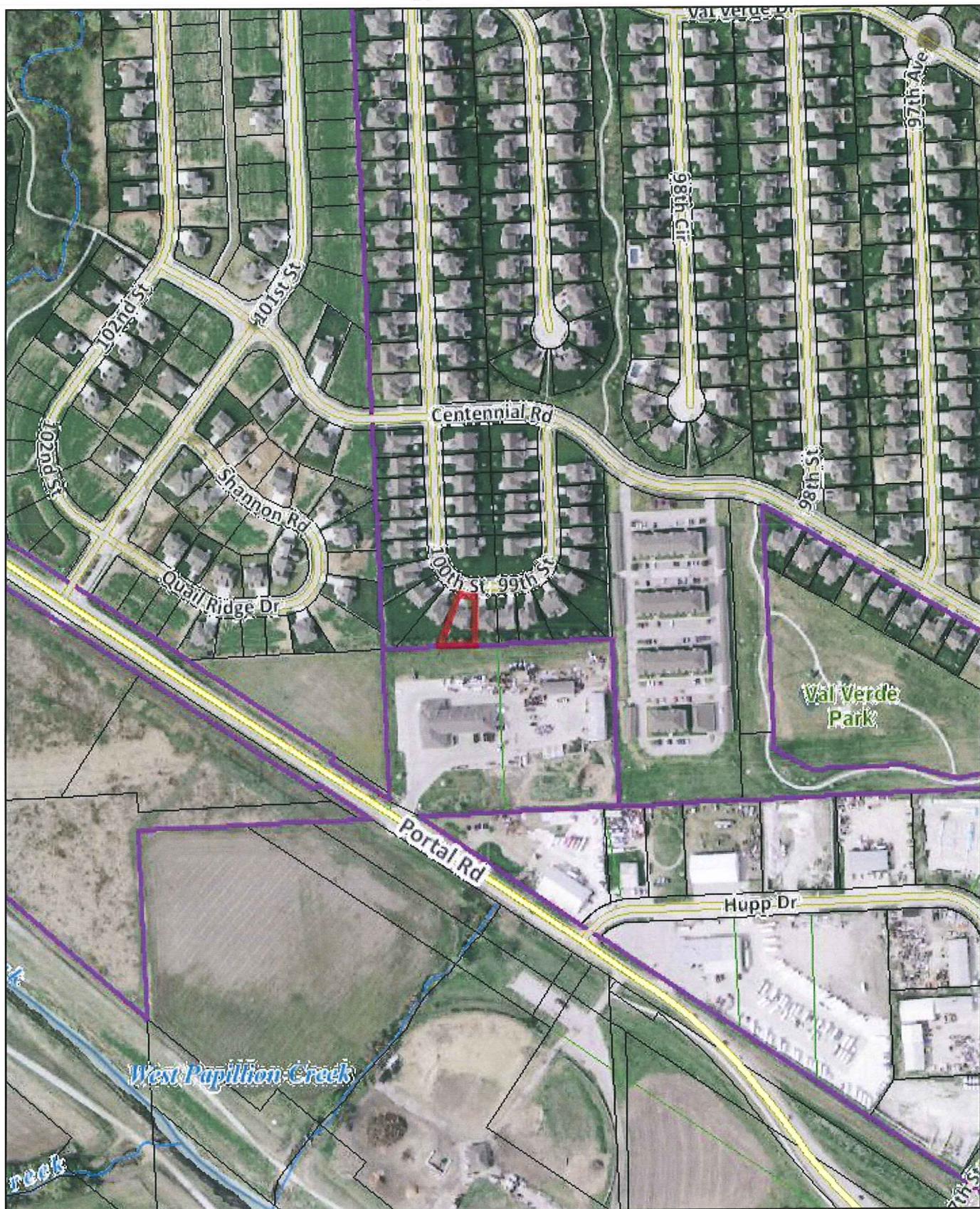
1. Jackie K. Krebs, Applicant/Owner
2. Public Upon Request

Michelle Atjars
Prepared by:

Ammy
Community Development Director

8-12-11
Date

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 = 340 feet

8/12/2011

City of La Vista Conditional Use Permit

Conditional Use Permit for Home Occupation (Family Childcare Home II)

This Conditional Use Permit issued this ____ day of ____, 2011, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Jackie K. Krebs ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate a home occupation (Family Childcare Home II) in a single-family dwelling at 8824 S. 100th Street upon the following legally described property of land within the City of La Vista zoning jurisdiction:

Lot 226, Val Verde, a Subdivision of Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a home occupation (Family Childcare Home II); and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area of the property described herein for a home occupation (Family Childcare Home II), said use hereinafter being referred to as "Permitted Use or Use".

Conditions of Permit

The conditions to which the granting of this permit is subject are:

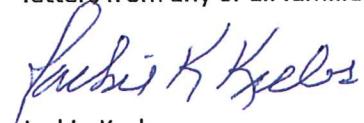
1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
 - a. Permitted use will primarily utilize approximately 1000 square feet in the basement.
 - b. Hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
 - c. There are two part-time employees in addition to the property owner.
 - d. Operation serves twelve (12) or fewer children at any one time.
 - e. Fires escapes shall be properly designated.
 - f. Client parking will consist of owner's driveway.
 - g. Owner shall comply (and shall ensure that all, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
 - h. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his/her agents,

6-20-11

Jackie's Daycare – Daily events at daycare

8824 South 100th Street- Hours 6:30am to 5:30pm Mon. thru Fri.

Kids are dropped off at different times in the morning, starting at 6:30am. We go to the lower level of the house for most of the day when the kids are awake. I serve a breakfast, morning snack, lunch and afternoon snacks daily. We read books, color pictures and play throughout the day. The back yard is fenced and has a large play area and lots of outside toys for the kids. The kids take a morning nap from 9 till 11a.m. then we have lunch at 11a.m. till 11:30a.m., once we are done with lunch the kids play for a couple of hours and we start laying them down for afternoon naps. The older kids only take afternoon naps. They play in the morning and sometimes will watch a movie while the little ones are resting. The afternoon naps are usually from 1 till 3 p.m. Once they start waking up we change all diapers let them have their afternoon snack then start putting on the sun screen, shoes and let them go out to play in the back yard. Kids start getting picked up at 3:30 till 5:30p.m. When parents drop off and pick up they park in the driveway and sometimes in front of the house on the far side of the street where parking is permitted. When the kids are sleeping they are in pack n plays that the parents provide and are in one of the four bedrooms in the house. There are three restrooms in the house but we only use the main restroom upstairs and the one downstairs for the kids that are potty trained. We have a total of twelve kids and I have one or two helpers during the week. During the school year my 21 year old daughter Christina Soto and her friend - Eleni Sakis help me out. Right now my daughter in law Maureen Soto and myself- Jackie Krebs are running the daycare. I have already had the state come out and issue a license for the daycare and the state fire marshal has been thru the house and approved for business. Thanks for taking the time to review my application for a permit to do daycare out of my home. If you'd like letters from any or all families that I care for I'd be happy to get them for you.



Jackie Krebs

8824 South 100th Street

La Vista, NE. 68128

402-933-5122 or 402-515-5124 cell

Main Floor

8824 S 100th St.

Rooms Highlighted

① **Pre-care** Use + Exits

Hand-drawn floor plan of a house with the following room labels:

- Garage
- Laundry Room
- Kitchen
- Living Room
- Dining Room
- Front Entrance
- Closet
- Exit
- Bathroom
- Master Bedroom
- Master Bath
- Bedroom 3
- Bedroom 2
- Master Bath
- Walk-in Closet
- Upstairs
- Upstairs Stairs
- Exit

LAVista City OFFICE

LOWER FLOOR

8824 S. 120th St.

Rams Highlighted Duraré Dye + Exits



1 Avenida 100, DF/CE