

**CITY OF LA VISTA  
PLANNING DIVISION**

**CASE NUMBER:**

**FOR HEARING OF: June 21, 2007  
Report prepared on June 11, 2007**

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Jina Sedlacek

**B. PROPERTY OWNER:**

Steven and Jina Sedlacek

**C. LOCATION:**

9106 Grove Court

**D. LEGAL DESCRIPTION:**

Lot 116, Apple Grove Subdivision

**E. REQUESTED ACTIONS(S):**

Conditional Use Permit to locate and operate a home occupation (beauty salon).

**F. EXISTING ZONING AND LAND USE:**

R-1, Single Family Residential

**G. PURPOSE OF REQUEST:**

The applicant requests to operate a beauty shop at her residence from one side of their two car garage. The space will be renovated for 200 square feet to support her business.

**H. SIZE OF SITE: 0.25 acres**

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** A single family home exists on the site.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. North: R-1/Single Family Home
2. East: (same)
3. South: (same)
4. West: R-1, Harvest Hills Drive

**C. RELEVANT CASE HISTORY:** None.

**D. APPLICABLE REGULATIONS:**

1. Section 5.06, Zoning Ordinance, regarding the Single Family Residential District.
2. Article 6, Zoning Ordinance, regarding Conditional Use Permits.
3. Section 7.10, Zoning Ordinance, regarding Home Occupations

**III. ANALYSIS**

- A. **COMPREHENSIVE PLAN:** The Comprehensive Plan identifies this area as medium density residential.
- B. **OTHER PLANS:** None.
- C. **TRAFFIC AND ACCESS:**
1. Access to the lot is from Grove Court.
  2. Off-street parking must be provided as no parking is allowed in the cul-de-sac.
- D. **UTILITIES:** Necessary utilities already serve the single family residence.
- E. **PUBLIC COMMENTS:** A letter was received from a neighbor at 9106 Grove Court. The following is a list of her concerns:
1. Parking on-street, which is not legal on a cul-de-sac, and partially blocking access to their driveway and/or mailbox.
  2. Safety of children playing in neighborhood with regards to added traffic.
  3. Snow removal

**IV. REVIEW COMMENTS:**

1. The application indicates there is space for four vehicles (off-street). According to the City Engineer, no on-street parking is allowed on Grove Court.
2. The applicant will take appointments only Tuesday - Saturday.

**V. STAFF RECOMMENDATION:** Approval with the condition that parking will not be allowed in the cul-de-sac.

**VI. ATTACHMENTS TO REPORTS:**

1. Vicinity Map
2. Letter from City Engineer dated April 17, 2007.
3. Draft Conditional Use Permit

**VII. COPIES OF REPORT TO:**

- 1. Jina Sedlacek, Applicant

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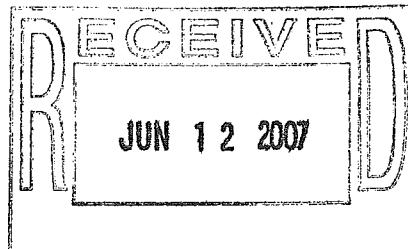
Prepared by:

## Community Development Director

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Date

June 11, 2007



Marcus Baker  
Community Development  
City Hall  
8116 Park View Blvd.  
LaVista, NE 68128

Re: Proposed beauty salon at 9106 Grove Court, LaVista, NE

Dear Mr. Baker:

Please accept this letter as the undersigned's opinion regarding the application of a proposed beauty salon at the above referenced address.

To that end, I have serious concerns regarding the opening of a beauty salon at this address.

My first concern is **parking**. As the next door neighbor to the aforementioned address, I have witnessed the lack of parking for this family, relatives and visitors. The mother and father-in-law of the homeowner's at 9106 Grove Court visit this family **and stay with** this family on a regular basis. That is to say that the mother and father-in-law visit at least three out of four weeks during a one month span. They sometimes stay for the weekend; however, many times they stay for several days during the week. Sometimes they park in the residents' driveway; however, many times they park in the cul-de-sac. When they park in the cul-de-sac they block a portion of our driveway (9104 Grove Court) as well as our mailbox. In addition, the oldest son of the homeowners at 9106 Grove Court has his own vehicle as does his girlfriend, who visits and either parks in the driveway or, again, in the cul-de-sac which again, is in the same place the in-laws park which again, blocks a portion of our driveway and mailbox. When we get home and want to pull into our driveway, we have to go around their vehicles to get into our driveway. In addition, the wife's sister is at this house on a regular basis and either parks in the homeowners' driveway or, once again, in the cul-de-sac, which once again, blocks a portion of our driveway and mailbox.

Also, the family who resides at 9106 Grove Court owns three vehicles: a Ford Explorer, a mini van and a F-150 pickup. It is my understanding half of the garage at this address is being converted into the beauty salon. I presume these vehicles will be parked in their driveway year round. If this is the case, where will the customers for this beauty salon park – in the cul-de-sac blocking a portion of my driveway and mailbox? Where will the family and friends park - in the cul-de-sac blocking a portion of my driveway and mailbox?

Furthermore, there are two signs posted in the cul-de-sac that read: "NO PARKING ANYTIME." I understand someone can get permission to ignore these signs should they have a gathering of some sort at their home for a special occasion; however, I presume these signs are not to be ignored on a daily basis.

In addition, there are four homes in the immediate area of this residence with small children. It is my opinion that, with the additional traffic of customers going to a beauty salon in a residential area, the likelihood of a possible accident occurring regarding the children playing in the neighborhood would only increase.

As well, the residents at 9106 Grove Court let their children play in other people's yards – mine included – as they have a fenced backyard and a dog that is always outside in the backyard (barking I might add). The point here is that there is already lack of respect for neighbors, and to have a business within their home would only lead to more disrespect for their surrounding neighbors, i.e. parking (which already occurs), a place for their children to play, additional traffic which could increase the possibility of an unnecessary accident to occur, etc.

Also, what will the snow removal situation be? If there is additional traffic parking either on the side of the street that allows parking (Harvest Hills Drive) or in the cul-de-sac, how will snow removal in this area be affected? My husband pushes the snow in the cul-de-sac to clear it for the residents who live in the cul-de-sac when he can. If there are cars parked there, how will either he or the city be able to remove the snow? I believe snow removal to become a problem.

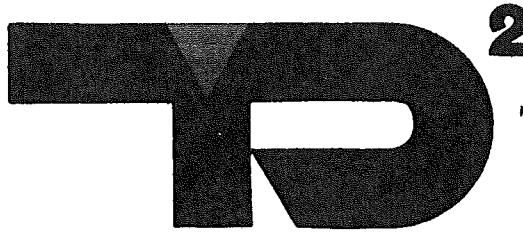
In addition, it has just recently been noticed that the cars being parked on Harvest Hills Drive has increased due to customers already going to 9106 Grove Court for hair services. The point being – traffic has already increased and there isn't even a full-fledged beauty salon at this address.

The bottom line is . . . I believe allowing a beauty salon to be put in at 9106 Grove Court would only compound the already "troubled" atmosphere this residence possesses. That is to say, there is **constantly** either family or visitors at this house; their children are either playing in their front yard, our front **and** back yard or in the cul-de-sac, their dog barks constantly, and their family and friends park in the cul-de-sac [blocking a portion of our driveway and our mailbox]. To add a business around this type of atmosphere that already exists only begs for more "trouble."

As a neighbor of 9106 Grove Court, I would caution the City Planning Board/Community Development Dept. in allowing a beauty salon at 9106 Grove Court.

Sincerely,

Cindy Mettlen



**THOMPSON, DREESSEN & DORNER, INC.**  
**Consulting Engineers & Land Surveyors**

May 14, 2007

Mr. Marcus Baker  
City Planner  
City of La Vista  
8116 Park View Boulevard  
La Vista, Nebraska 68128

ROBERT E. DREESSEN, P.E.  
NELSON J. HYMANS, P.E.  
JAMES D. WARNER, L.S.  
CHARLES E. RIGGS, P.E.  
KA "KIP" P. SQUIRS III, P.E., S.E.  
JOHN M. KOTTMANN, P.E.  
ARTHUR D. BECCARD, P.E.  
JOSEPH G. KOSINOVSKY, P.E.  
DOUGLAS S. DREESSEN, P.E.  
DEAN A. JAEGER, P.E.  
RICHARD M. BROYLES, L.S.  
DAVID H. NEFF, L.S.  
RONALD M. KOENIG, L.S.  
CHRIS E. DORNER, L.S.

TIMOTHY T. PAPSTEIN, P.E.  
MICHAEL J. SMITH, L.S.  
TROY J. NISSEN, P.E., S.E.  
DOUGLAS E. KELLNER, P.E.  
KEVIN L. TRUE, L.S.  
GARY A. NORTON, P.E.  
BRIAN L. LODES, P.E.  
KURTIS L. ROHN, P.E.  
JEFFREY L. THOMPSON, P.E.  
DAREN A. KONDA, P.E.  
MICHAEL T. CANIGLIA, L.S.  
JEREMY T. STEENHOEK, P.E.  
JOSHUA J. STORM, P.E.

RE: Home Occupation Conditional Use Permit  
9106 Grove Court-Beauty Salon  
2007 Rezoning & Use Permit Reviews  
City of La Vista  
TD<sup>2</sup> File No. 171-345.7

Mr. Baker:

I have reviewed the application sent to me in your transmittal dated May 7, 2007. This is a corner lot in a cul-de-sac and no on-street parking is allowed along either side of the lot.

The only engineering consideration I have is in regards to parking. The existing driveway is a double width driveway and there is room for four cars as noted in the application. The application states that the business is by appointment only and that only one customer is served at a time. Therefore, this would not be expected to have a parking impact on the neighbors.

Therefore, I recommend that the use permit contain a condition limiting the facility to two customer cars parked on the property at a time. The applicant should also provide information as to the hours of operation for the facility.

Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

cc: File

Rec'd 5-1-07

# CITY OF LA VISTA

## PLANNING & ZONING

### APPLICATION FORM

**CHECK APPLICATION(S) SUBMITTED:**

- ( ) Comprehensive Plan Amendment ( ) Administrative Plat ( ) Preliminary P.U.D.  
( ) Rezoning ( ) Preliminary Plat \* ( ) Final P.U.D.  
( ) Zoning/Subdivision Amendment ( ) Revised Preliminary Plat ( ) Building Design Review  
( ) Conditional Use Permit ( ) Final Plat ( ) Site Plan Review  
( ) Condition Use Permit Amendment ( ) Replat or Small Tract Sub. ( ) Other: \_\_\_\_\_  
( ) Tower Development Permit ( ) Vacation of Plat

\* A pre-application meeting is required prior to submittal.

**A. GENERAL INFORMATION****1. Applicant:**

Name: Jina Sedlacek Contact: 402-331-9633  
Address: 9106 Grove Ct  
City/State/Zip: La Vista Ne 68128  
Phone/Fax: 402-331-9633

**2. Property Owner: (if not applicant)**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Address: Same as above  
City/State/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_

**3. Engineer/Surveyor or Architect**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**4. Primary Project Contact: (Applicant, Representative, or Other)**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Address: Same as above  
City/State/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

- If more than one property owner or developer is involved, please attach additional names and addresses to this application.
- The contact person will receive all staff correspondence.

**Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please remember to submit the appropriate submittal requirements i.e., signed application, fees, exhibits and/or site plans, special studies if applicable and signed checklist. If you have any questions regarding this application or required materials, please contact the Community Development Department at (402) 331-4343 between 8:00 a.m. and 4:30 p.m., Monday through Friday.**

**5. Certification:**

An application may be filed only by the owner(s) of the property or by a person with the power of attorney from the owner authorizing the application, or by the attorney-at-law representing the owner. Indicate your authority.

X

I (We) (am) (are) the sole owner(s) of the property.

\_\_\_\_\_

I have the power of attorney from the property owner(s) authorizing the application and a copy of the authorization is attached.

\_\_\_\_\_

I am the attorney at law representing the owner(s) and a copy of the authorization is attached.

Gina Sedlacek

Signature

Jina Sedlacek

Name (Print)

9106 Grove Ct

Address Lavista Ne

Steve Sedlacek

Signature

Steve Sedlacek

Name (Print)

9106 Grove Ct

Address Lavista Ne

68128

68128

**NOTE: ALL APPLICATIONS MUST HAVE THE CURRENT PROPERTY OWNER'S SIGNATURE(S), OR THE PERSON WITH THE PROPER POWER OF ATTORNEY SIGNATURE, NOTARIZED BY A CERTIFIED NOTARY PUBLIC (ATTACH IF NECESSARY)**

**6. Affiliated Application:**

An applicant may wish to increase the property considered under this application to include surrounding owners. By signing below, an adjoining property owner can state their intent to be party to this application (attach additional sheet if necessary. A legal description must also be attached for each property owner.

Signature

Name (Print)

Address

Signature

Name (Print)

Address

**B. PROJECT INFORMATION:**

1. Subdivision Name: Apple Grove Addition Lot 116
2. Project Location: 1/4 1/4 Section \_\_\_\_\_, T\_\_\_\_\_, R\_\_\_\_\_, Sarpy County, Nebraska.  
General Location: S. 1 blk of 90th & Harrison
3. Project/Property Address (if known): Same
4. Area: \_\_\_\_\_ (acres)
5. Future Land Use Designation (Comprehensive Plan): \_\_\_\_\_
6. Proposed Land Use Designation (if applicable): \_\_\_\_\_
7. Existing Zoning Designation: (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
<u>R-1</u>	_____	<u>#116</u>	<u>1</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total	_____	<u>1</u>	<u>1</u>	_____

8. Proposed Zoning Designation (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total	_____	_____	_____	_____

9. Present Use of the Land: Single family residence.

10. Proposed Request: Home Occupation - Beauty Salon

11. If commercial\industrial\office or multi-family residential:

- a. Number & type of units\buildings: \_\_\_\_\_
- b. Total building coverage (footprint): \_\_\_\_\_ square feet.
- c. Total open space: \_\_\_\_\_ square feet.
- d. Total paved impervious area: \_\_\_\_\_ square feet.
- e. Total building floor area: \_\_\_\_\_ gross square feet.
- f. Total number of parking spaces: Provided \_\_\_\_\_ Covered \_\_\_\_\_ Uncovered \_\_\_\_\_
- g. Total number of persons employed or intended to be regularly employed on the site during the maximum working shift \_\_\_\_\_.

12. Building Height: \_\_\_\_\_ feet \_\_\_\_\_ stories.

13. If single family residential:

- a. Number of units/ lots: \_\_\_\_\_
- b. Minimum lot frontage as measured at building setback line: \_\_\_\_\_
- c. Minimum lot size: \_\_\_\_\_ square feet
- d. Average lot size: \_\_\_\_\_ square feet

14. Attach Legal Description of Property and Surveyor's Certificate.

15. Attach list of Property Owners located within 300 feet of proposed project. (Must be prepared by a title company and in label-ready format).

16. Attach site plan and/or other documents that illustrate this request.

17. Include appropriate application fee.

18. For public hearing presentation, overhead transparencies or other approved form of projected illustrations identical to any display boards being used are required.

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**FOR OFFICE USE ONLY**

**Project Case Number** \_\_\_\_\_ **Planning Commission** \_\_\_\_\_

**Published:** \_\_\_\_\_

**Action:** \_\_\_\_\_

**Date Complete Application Received** 5-1-07 **City Council** \_\_\_\_\_

**Published:** \_\_\_\_\_

**Action:** \_\_\_\_\_

**Check Number/Amount** \_\_\_\_\_ **Posted on Property:** \_\_\_\_\_

**Notice to School District:** \_\_\_\_\_

**Other Comment (s):**

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## UTILITIES & IMPROVEMENTS

(Must be Submitted when Public Improvements are Proposed and/or Required)

				FINANCING %		
	Proposed		Private	S.I.D.		
	Existing	Quantity	Cost	Special	G.O.	Reimbursables
<b>Sanitary Sewer</b>						
<b>Storm Sewer</b>						
<b>Paving</b>						
<b>Major</b>						
<b>Collector</b>						
<b>Minor</b>						
<b>Sidewalks</b>						
<b>Parks &amp; Open Space</b>						
<b>Recreation Facilities</b>						
<b>Water</b>						
<b>Gas</b>						
<b>Electricity</b>						
<b>Other</b>						
<b>TOTALS</b>						

**Electricity:** Above Ground \_\_\_\_\_ Below Ground \_\_\_\_\_

**Anticipated Total Taxable Valuation:** Land \_\_\_\_\_ Improvements \_\_\_\_\_

**Covenants:** Filed: \_\_\_\_\_ Debt Ratio: \_\_\_\_\_

**\*\*Attach Itemized Estimate**

Hi,

My name is Jina Sedlacek; my husband - Steve & I own our home at 9106 Grove Ct in LaVista. We have a two-car garage, which half of that is going to be my salon. Our driveway can park four cars so parking wont be a problem. I have been doing hair for 18 years now and only plan on working 15-20 hours per week, appointment only and one client at a time.

The approximate square footage is 198. The salon area is about  $17\frac{1}{2} \times 9\frac{1}{2}$ . It will have 2 large double windows for essential light, a ceiling exhaust fan that vents to the outside. The bathroom is  $7 \times 4$  and is connected to the salon. I will have three reception chairs and a small desk, the shelving behind the desk is where I will keep my supplies.

Disposal of perm solutions and color, will be wrapped and placed in plastic and thrown away. I will carry insurance  $\rightarrow$

