

**Granting the Appeal**

(Appeal from Impact Fee Determination)

RESOLUTION NO. A-\_\_\_\_\_

1           WHEREAS, during a repair of a water main break in front of 2464 Woodscrest Drive, the  
2 Lincoln Water System determined that Dan Hoffman, hereinafter Appellant, had a 1 ½" water  
3 service line connecting to a 1" water meter; and

4           WHEREAS, Appellant was required by the Lincoln Water System to replace the existing  
5 1" water meter with a 1½ " water meter to properly accommodate the 1 ½" service line to his  
6 residence; and

7           WHEREAS, the Impact Fee Administrator calculated the Water/Wastewater Utility  
8 Impact Fees for this use based upon the net increase in the water meter size from 1" to 1 ½"  
9 using the Impact Fee Schedules beginning January 1, 2005; and

10           WHEREAS, the Appellant timely filed his Notice of Appeal appealing the impact fee  
11 determination and requesting that the Water/Wastewater Utility Impact Fees be waived as  
12 Appellant was not requesting a 1 ½" meter and was not upgrading water and wastewater  
13 service to his home as no lawn sprinklers, fire sprinklers, or any additional fixtures were being  
14 added to the home and that strict application of the Impact Fee Ordinance's calculations under  
15 these circumstances work an unjust and undue burden on the Appellant; and

16           WHEREAS, the City Council finds that under these circumstances the impact fee was  
17 incorrectly calculated and that there are unusual circumstances of the development which  
18 demonstrate that the application of the fees to the development would be unfair or unjust.

19           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,  
20 Nebraska:

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That the impact fee Appeal filed by Dan Hoffman on July 6, 2005 is hereby granted

Introduced by:

\_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2005:

\_\_\_\_\_  
Mayor