

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

SPECIAL PERMIT NO. 879D

1 WHEREAS, Allan J. LaDuke has submitted an application designated as  
2 Special Permit No. 879D for authority to allow construction of additional parking in a  
3 residential area on property located at 131 South 45th Street, and legally described to wit:

4 The South Half of Lot 13, Witherbee Gardens, Lincoln,  
5 Lancaster County, Nebraska;

6  
7 WHEREAS, the real property adjacent to the area included within the site  
8 plan for this parking lot will not be adversely affected; and

9 WHEREAS, said site plan together with the terms and conditions hereinafter  
10 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
11 Code to promote the public health, safety, and general welfare.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
13 Lincoln, Nebraska:

14 That the application of Allan J. LaDuke, hereinafter referred to as "Permittee",  
15 to construct additional parking at 131 South 45th Street be and the same is hereby granted  
16 under the provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition  
17 that development of said parking lot be in strict compliance with said application, the site  
18 plan, and the following additional express terms, conditions, and requirements:

- 19 1. This permit approves a parking lot which does not abut a commercial  
20 zoning district.
- 21 2. Before receiving building permits the construction plans must conform  
22 to the approved plans.

1                   3.     Before occupying this parking lot all development and construction  
2 must conform to the approved plans.

3                   4.     All privately-owned improvements, including landscape screening,  
4 must be permanently maintained by the owner.

5                   5.     The site plan accompanying this permit shall be the basis for all  
6 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
7 elements, and similar matters.

8                   6.     The terms, conditions, and requirements of this resolution shall be  
9 binding and obligatory upon the Permittee, his successors, and assigns. The building  
10 official shall report violations to the City Council which may revoke the special permit or  
11 take such other action as may be necessary to gain compliance.

12                  7.     The Permittee shall sign and return the City's letter of acceptance to  
13 the City Clerk within 30 days following approval of the special permit, provided, however,  
14 said 30-day period may be extended up to six months by administrative amendment. The  
15 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
16 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
17 Permittee.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Staff Review Completed:

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Administrative Assistant