

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

SPECIAL PERMIT NO. 1909

1           WHEREAS, Leonard G. Stolzer has submitted an application designated as  
 2 Special Permit No. 1909 for authority to allow the temporary storage of construction  
 3 equipment on property located at 5400 South Folsom Street, and legally described to wit:

4                   Lot 1, South Folsom Addition, located in the Southeast Quarter  
 5 of Section 10, Township 9 North, Range 6 East of the 6th P.M.,  
 6 Lancaster County, Nebraska;

7           WHEREAS, the real property adjacent to the area included within the site  
 8 plan for this equipment storage 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 Leonard G. Stolzer, hereinafter referred to as  
 15 "Permittee", to allow the temporary storage of construction equipment, on the property  
 16 legally described above, be and the same is hereby granted under the provisions of  
 17 Section 27.63.590 of the Lincoln Municipal Code upon condition that the temporary storage  
 18 of construction equipment be in strict compliance with said application, the site plan, and  
 19 the following additional express terms, conditions, and requirements:

- 20           1.     This permit approves the temporary storage of construction equipment  
 21 and materials.

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- 2. Before receiving building permits:
  - a. The Permittee must complete the following instructions and submit the documents and plans to the Planning Department for review and approval:
    - i. A revised site plan showing the following revisions:
      - (1) Replace Scotch Pine with a species less susceptible to Pine Wilt disease.
      - (2) Identify new landscape materials by common name, botanical name, planting size, and planting method.
      - (3) Identify the outdoor storage area and show a fence around it, or add a note indicating that there will be no outdoor storage of construction equipment or materials.
      - (4) Add a note to the site plan indicating that the premises shall be used only for storage of construction equipment and materials. There shall be no offices on the premises.
      - (5) Provide information regarding the storage of hazardous materials and/or chemicals and fuel on the site, as requested by the Health Dept.
    - ii. A final site plan with five copies as approved.
  - b. The construction plans must conform to the approved plans.
  - c. The required easements as shown on the site plan are recorded with the Register of Deeds.
- 3. This use shall cease 15 years following the approval of this special permit unless the Director of Planning approves an administrative amendment for its extension.

1           4.     Before commencing operations, all development and construction  
2 must conform to the approved plans.

3           5.     Before commencing operations, the City/County Health Department  
4 must approve the water and wastewater systems.

5           6.     All privately-owned improvements, including landscaping, must be  
6 permanently maintained by the Permittee.

7           7.     The site plan approved by this permit shall be the basis for all  
8 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
9 elements, and similar matters.

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

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

Introduced by:  
  
\_\_\_\_\_

Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Staff Review Completed:

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Administrative Assistant

Approved this \_\_\_\_ day of \_\_\_\_\_, 2001:

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Mayor