

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

SPECIAL PERMIT NO. 1013-I

1           WHEREAS, Steve Miers has submitted an application designated as Special  
2 Permit No. 1013-I for authority to construct an 80 foot flag pole on property located at 56th  
3 and Waltz Road, and legally described to wit:

4                   Lot 44 Irregular Tract located in the Northwest Quarter of  
5                   Section 16, Township 9 North, Range 7 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 flag pole 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 Steve Miers, hereinafter referred to as "Permittee", to  
15 construct a flag pole, on the property legally described above, be and the same is hereby  
16 granted under the provisions of Section 27.63.470(d) of the Lincoln Municipal Code upon  
17 condition that construction and operation of said flag pole be in strict compliance with said  
18 application, the site plan, and the following additional express terms, conditions, and  
19 requirements:

1           1.     This permit approves an 80 foot flag pole for the display of the  
2 American flag in the required front yard setback as shown on the site plan.

3           2.     Before receiving building permits:

4           a.     The construction plans must conform to the approved plans.

5           b.     A building permit and flood plain permit is required at which  
6                    time structural engineering for both the pole and footings must  
7                    be provided.

8           3.     All privately-owned improvements must be permanently maintained  
9 by the Permittee.

10          4.     The site plan approved by this permit shall be the basis for all  
11 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
12 elements, and other matters.

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

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

- 1                   7.     All construction must conform with all applicable floodplain regulations.
- 2                   8.     The site plan as approved with this resolution voids and supersedes
- 3 all previously approved site plans, however all resolutions approving previous permits
- 4 remain in force unless specifically amended by this resolution.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant

Approved this ___ day of _____, 2001:  _____ Mayor
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