

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1985

1 WHEREAS, Alonzo and Marijane Athey have submitted an application
 2 designated as Special Permit No. 1985 for authority to reconstruct and expand a non-
 3 conforming use on property located at 9400 Yankee Hill Road, and legally described to wit:

4 Lot 67, Irregular Tract, in the Southwest Quarter of Section 23,
 5 Township 9 North, Range 7 East of the 6th P.M., Lancaster
 6 County, Nebraska;

7 WHEREAS, the real property adjacent to the area included within the site
 8 plan for this reconstruction of a non-conforming use building will not be adversely affected;
 9 and

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

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

15 That the application of Alonzo and Marijane Athey, hereinafter referred to as
 16 "Permittee", to reconstruct and expand a non-conforming use, on the property legally
 17 described above, be and the same is hereby granted under the provisions of Section
 18 27.63.280 of the Lincoln Municipal Code upon condition that construction and operation
 19 of said commercial construction be in strict compliance with said application, the site plan,
 20 and the following additional express terms, conditions, and requirements:

1 1. This permit approves the reconstruction and expansion of a
2 nonconforming use.

3 2. A waiver of the required parking lot is hereby approved with the
4 exception of a handicap stall to be paved.

5 3. A waiver of the required landscape screen is hereby approved.

6 4. Before receiving building permits the construction plans must conform
7 to the approved plans.

8 5. Before occupying the building all development and construction must
9 be completed in conformance with the approved plans.

10 6. All privately-owned improvements must be permanently maintained
11 by the owner or an appropriately established homeowners association approved by the City
12 Attorney.

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

16 8. The terms, conditions, and requirements of this resolution shall be
17 binding and obligatory upon the Permittees, their successors, and assigns. The building
18 official shall report violations to the City Council which may revoke the special permit or
19 take such other action as may be necessary to gain compliance.

20 9. The Permittee shall sign and return the City's letter of acceptance to
21 the City Clerk within 30 days following approval of the special permit, provided, however,
22 said 30-day period may be extended up to six months by administrative amendment. The
23 City Clerk shall file a copy of the resolution approving the special permit and the letter of

- 1 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
- 2 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2002: _____ Mayor
--