

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 421D

1 WHEREAS, Frank and Joan Rall have submitted an application designated
 2 as Special Permit No. 421D for authority to amend Carriage Hill 4th Community Unit Plan
 3 to retain the existing single family dwelling and to allow the construction of four two-family
 4 structures with requests to waive sidewalk and street tree land subdivision ordinance
 5 requirements and to waive landscape screening design standards on property located at
 6 81st Street and A Street, and legally described to wit:

7 Lots 1 - 8, Block 1, and Lots 1 - 6, Block 2, and Lots 1 - 10,
 8 Block 3, and Lots 1 - 6, Block 4, and Lots 1 - 7, Block 5, and
 9 Lots 1 - 2, Block 6, and Outlots A, B, C, D, E, G, and I,
 10 Carriage Hill 2nd Addition; and Lots 1 - 12, Block 1, and Outlot
 11 A, Carriage Hill 3rd Addition; and Lot 58 of Irregular Tracts, all
 12 located in the Southeast Quarter of Section 27, Township 10
 13 North, Range 7 East of the 6th P.M., Lancaster County,
 14 Nebraska; said tract contains 13.59 acres, more or less;

15 WHEREAS, the Lincoln - Lancaster County Planning Commission
 16 recommended denial of the requested sidewalk and street tree waivers and found the
 17 requested waiver of landscape screening to be inapplicable to this application; and

18 WHEREAS, the real property adjacent to the area included within the site
 19 plan for this amended community unit plan will not be adversely affected; and

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

23 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

1 Lincoln, Nebraska:

2 That the application of Frank and Joan Rall, hereinafter referred to as
3 "Permittee", to amend Carriage Hill 4th Community Unit Plan to retain the existing single
4 family dwelling and to allow the construction of four two-family structures, on the property
5 legally described above, be and the same is hereby granted under the provisions of
6 Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
7 construction and operation of said community unit plan be in strict compliance with said
8 application, the site plan, and the following additional express terms, conditions, and
9 requirements:

10 1. This permit approves the extension of the Carriage Hill Community
11 Unit Plan to allow an additional single family structure, four two-family structures, and the
12 extension of an existing private driveway, private sanitary sewer, and public water main to
13 serve these units.

14 2. Before receiving building permits:

15 a. The Permittee must submit a revised and reproducible final plan
16 and five copies.

17 b. The construction plans must conform to the approved plans.

18 c. Final Plats within the area of this community unit plan must be
19 approved by the City, except that final plats that conform to LMC § 26.11.015 may be
20 approved administratively by the Planning Director.

21 3. Before occupying the dwelling units all development and construction
22 must be completed in conformance with the approved plans.

23 4. All privately-owned improvements must be permanently maintained

1 by the owner or an appropriately established homeowners association approved by the City
2 Attorney.

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

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003: _____ Mayor
