

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 572F

1 WHEREAS, Margaret Nelson has submitted an application designated as Special
 2 Permit No. 572F for authority to amend Thomasbrook Apartments Community Unit Plan to reduce
 3 the rear yard setback from 30 feet to 15 feet to enclose an existing patio, on property located at
 4 2411 South 60th Street, and legally described as follows:

5 Holmes Haven Condominium Unit #9, Lincoln, Lancaster County,
 6 Nebraska;

7 WHEREAS, the real property adjacent to the area included within the site plan for
 8 this reduction of the rear yard setback will not be adversely affected; and

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

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

14 That the application of Margaret Nelson, hereinafter referred to as "Permittee", to
 15 amend Thomasbrook Apartments Community Unit Plan to reduce the rear yard setback from 30
 16 feet to 15 feet to enclose an existing patio within the area of the Holmes Haven Condominiums, on
 17 the property legally described above, be and the same is hereby granted under the provisions of
 18 Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
 19 construction and operation of said community unit plan be in strict compliance with said application,
 20 the site plan, and the following additional express terms, conditions, and requirements:

1 1. This permit approves the reduction of the rear yard setback from 30 feet to
2 15 feet to enclose an existing patio at 2411 South 60th Street within the construction limits as
3 identified on the site plan.

4 2. Before receiving building permits:

5 a. The Permittee must submit an acceptable final plan with five copies.

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

7 c. Final Plans within the area of this community unit plan must be
8 approved by the City.

9 3. Before occupying the enclosed patio, all development and construction must
10 be completed in conformance with the approved plans.

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

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

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

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

1 8. The site plan as approved with this resolution voids and supersedes all
2 previously approved site plans, however, all resolutions approving previous permits remain in force
3 unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor