

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1958
N. 67 & Platte Avenue

DATE: February 7, 2002

PROPOSAL: Add a second floor to a residence that does not meet the side yard setback.

LAND AREA: 7,100 square feet, more or less

CONCLUSION: Conforms to the conditions of the special permit §27.63.540.

<u>RECOMMENDATION:</u>	Conditional Approval
-------------------------------	-----------------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 4, Block 21, Havelock in the Southeast quarter of Section 4 T10N R7E, Lincoln, Lancaster County, Nebraska.

LOCATION: 6721 Platte Avenue.

APPLICANT: Ken Westerhold
6701 Platte Avenue
Lincoln, NE 68507
(402)466-4622

OWNER: Same

CONTACT: Same

EXISTING ZONING: R-4, Residential

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-4, Residential
South:	Residential	R-4
East:	Residential	R-2
West:	Residential	R-4, R-5

HISTORY: The area was zoned B, Two Family Dwelling until it was updated to R-4, Residential during the 1979 zoning update.

On September 7, 1954 the City Council approved Special Permit #39 for a child care facility at 6633 Platte Avenue four houses to the west of this property.

In 1929 the house at 6721 Platte Avenue was built.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows this area as Urban Residential (page 39).

One of the goals of Existing Urban Residential Areas is to:

“Preserve and maintain the community’s existing, useable housing stock” (page 45).

TRAFFIC ANALYSIS: N. 67th Street and Platte Avenue are both shown as local streets in the Comprehensive Plan Functional Street and Road Classification (Page 91).

ANALYSIS:

1. This is an application for a special permit to expand a non-standard single or two-family dwelling into a required yard as allowed by §27.63.540 to add a second floor on to a single story house that does not meet the 5-foot side yard setback on the east side of the lot.
2. §27.63.540 requires that the following conditions be met:
 - a. **The proposed building expansion shall not extend further into any required yard than the furthest extension of the existing single family dwelling;** The second story will have the same footprint as the existing structure and does not extend further into any required yard.
 - b. **The proposed building expansion shall comply with all other height and area regulations of the zoning district in which the building is located;** The building and lot comply with all other height and area regulations of the R-4, Residential zoning district.
 - c. **The use of the building shall remain a single or two family dwelling.**
3. The Public Works & Utilities Department and Building and Safety Fire Prevention do not object to the approval of the special permit.

4. This application is consistent with the goal of Existing Urban Residential Areas in the Comprehensive Plan because it enhances the existing housing stock and promotes reinvestment in the area.
5. The property is now a single family dwelling, however the lot meets the area requirements of two-family dwellings and can be used for either single or two-family dwellings in this zoning district.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan:

1.1.1 Indicate a scale and scaled drawing as required by §26.63.010.

2. This approval permits the addition of a second floor on the footprint of an existing non-standard house; provided that;

2.1.1 The proposed building expansion shall not extend further into any required yard than the furthest extension of the existing single family dwelling;

2.1.2 The proposed building expansion shall comply with all other height and area regulations of the zoning district in which the building is located;

2.1.3 The use of the building shall remain a single or two family dwelling.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised final plan including 5 copies and the plans are acceptable:

3.2 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the addition to the house all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Becky Horner
Planner



Special Permit #1958
Platte Ave. & N. 67th St.



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

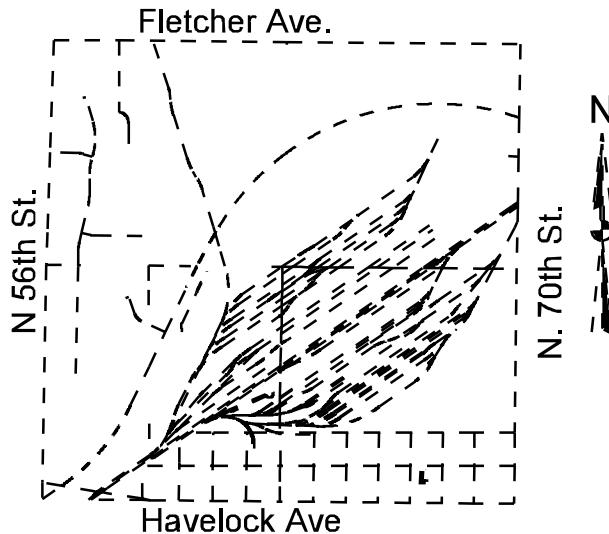


**Special Permit #1958
Platte Ave. & N. 67th St.**

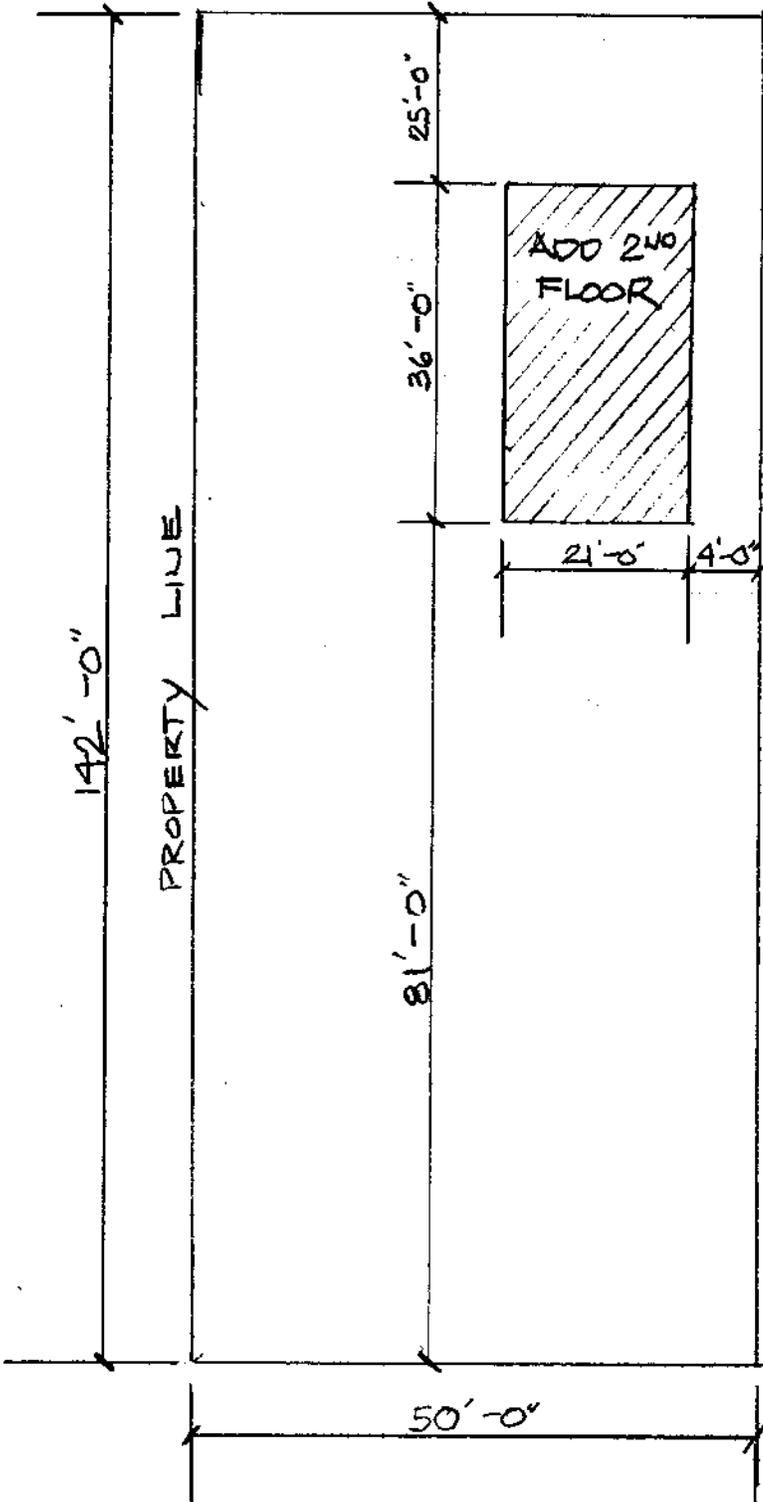
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 4 T10N R7E

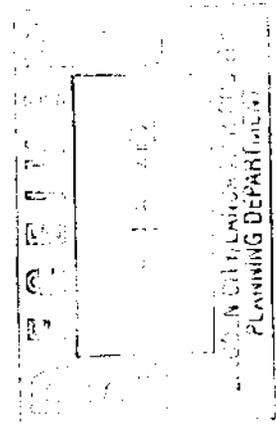


6721
PLATTE AVE.



PROPERTY LINE

PROPERTY LINE

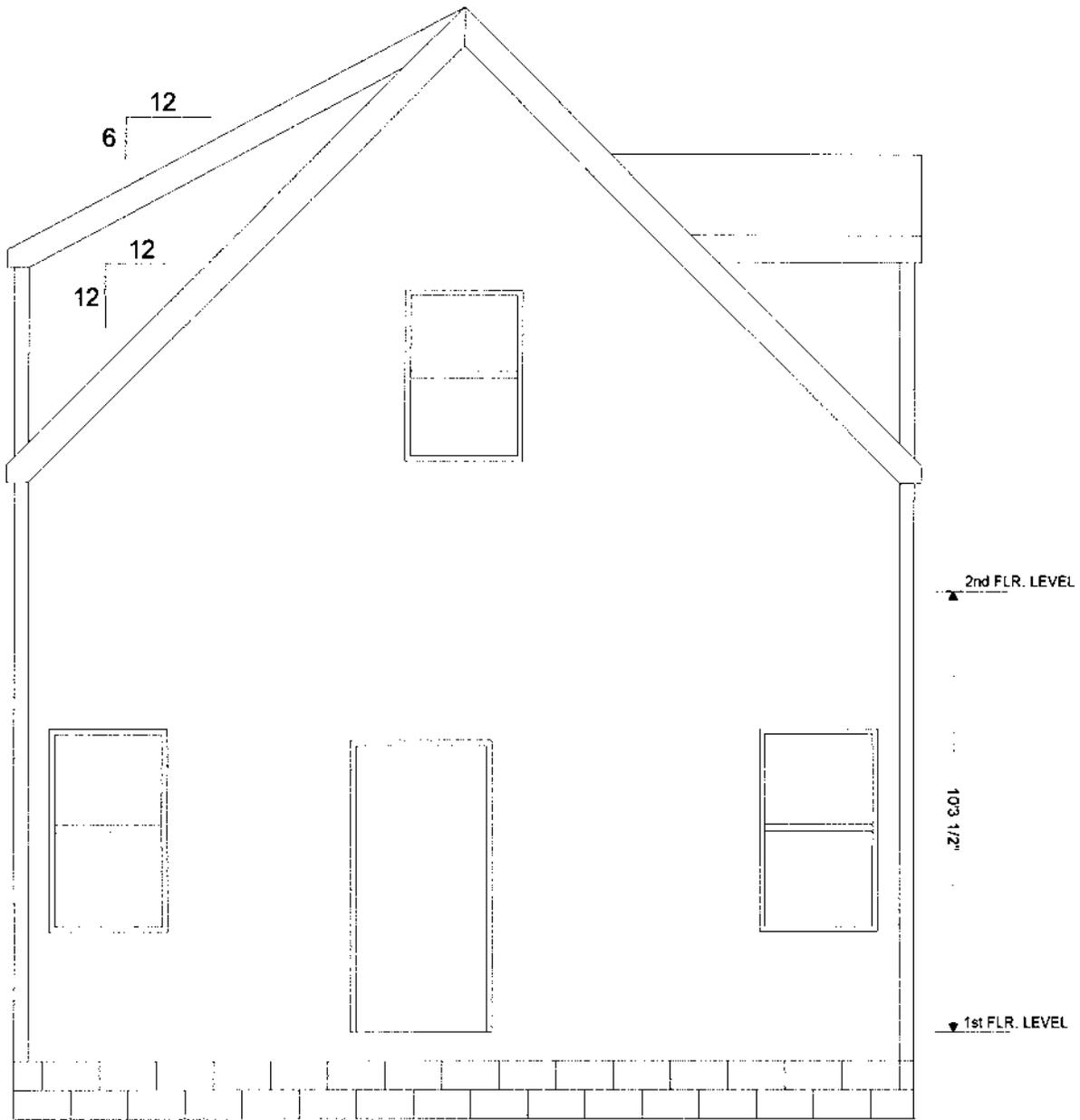


K. WESTERHOLD
6721 PLATTE AVE

SITE PLANE

NOT TO SCALE

14
12
10
8
6
4
2
0
2
4
6
8
10
12
14
16
18
20



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

[Faint, illegible text, possibly a signature or stamp]

K- WEST CONSTRUCTION
6701 PLATTE AVE.
LINCOLN, NE

HOUSE REMODEL
6721 PLATTE AVE.
LINCOLN, NE

M e m o r a n d u m

JAN 29 2002

To: Becky Horner, Planning

From: *MB* Dennis Bartels, Engineering Services

Subject: Special Permit 1958

Date: January 28, 2002

cc: Nicole Fleck-Tooze
Roger Figard

Special Permit 1958 to put an addition to an existing house 4' from the property line is satisfactory to Public Works.

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF02010**

Address

Job Description: WESTERBOLD RESIDENCE

Location: WESTERBOLD RESIDENCE

Special Permit: Y 1958

Preliminary Plat: N

Use Permit: N

CUP/PUD: N

Requested By: BECKY

JAN 18 2002

Status of Review: Approved

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE BOB FIEDLER

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards