

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 27, 2004 PLANNING COMMISSION MEETING

**P.A.S.:** Waiver #04014

**PROPOSAL:** Waive the requirement that every lot shall front upon and have access to a public street. This waiver is associated with Calvert Place 1<sup>st</sup> Addition final plat.

**LOCATION:** 4239 Calvert St.

**LAND AREA:** 4.78 acres, more or less

**CONCLUSION:** Approval of this waiver would allow Calvert Place 1<sup>st</sup> Addition to be approved. The purpose of the final plat is to adjust a lot line. Since the plat is only moving a lot line between two existing lots, the Planning Department supports the waiver.

**RECOMMENDATION:**

Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots D & E, Calvert Place, located in the SW 1/4 of Section 5, Township 9 North, Range 7 East, Lancaster County, NE.

**EXISTING ZONING:** R-2 Residential

**EXISTING LAND USE:** Two single family houses

### **SURROUNDING LAND USE AND ZONING:**

North: R-2 Residential

South: R-2 Residential

East: R-2 Residential

West: R-2 Residential

### **HISTORY:**

**August 13, 2004** Calvert Place 1<sup>st</sup> Addition final plat was submitted to the Planning Department.

**ANALYSIS:**

1. The applicant is requesting a waiver to the Section 26.23.140(g) requiring residential lots to front upon and have access to a public street.
2. This waiver request is associated with Calvert Place 1<sup>st</sup> Addition final plat. The purpose of the final plat is to relocate the common lot line between Lots D & E. The final plat does not create any additional lots.
3. Calvert Place was originally platted in the 1920's. When Calvert Place was subdivided it created Lots D & E without frontage to a public street.
4. The lots have access to Calvert St. through an access easement.

Prepared by:

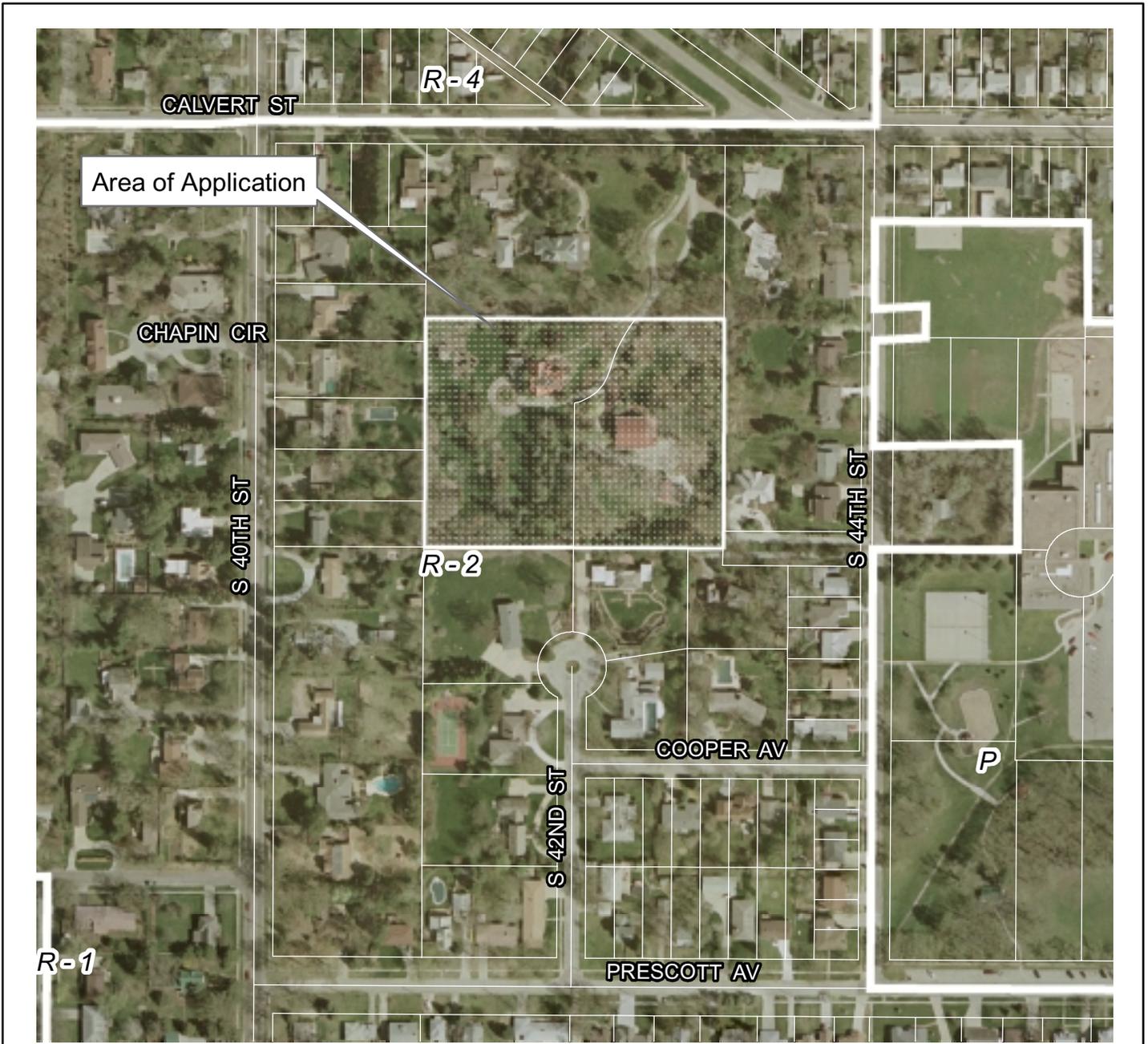
Tom Cajka  
Planner

**DATE:** October 7, 2004

**APPLICANT:** Marshall & Jennie Borchert  
4239 Calvert St.  
Lincoln, NE 68506  
(402) 488-8084

**OWNER:** same a applicant

**CONTACT:** Charles D. Humble  
301 S. 13<sup>th</sup> St. #400  
Lincoln, NE 68508  
(402) 476-1000



2002 aerial

**Waiver #04014**  
**S. 40th & Calvert St.**

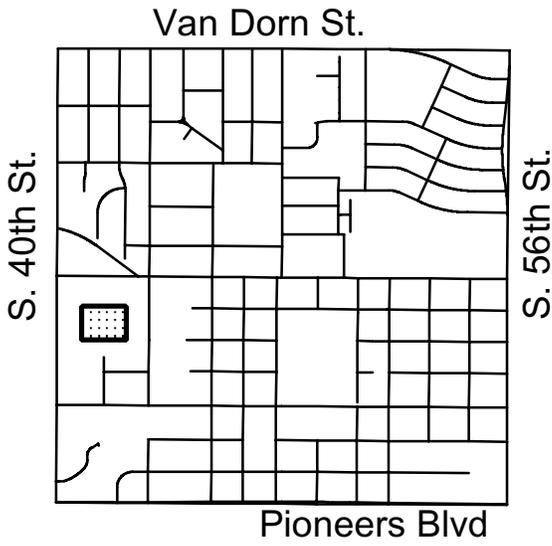
**Zoning:**

- 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. 5 T9N R7E



Zoning Jurisdiction Lines  
 City Limit Jurisdiction





# Memorandum

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<b>To:</b>	Tom Cajka, Planning Department
<b>From:</b>	Charles W. Baker, Public Works and Utilities
<b>Subject:</b>	Waiver to Subdivision Regulation 26.23.140(g) Calvert Place Final Plat #04089
<b>Date:</b>	October 4, 2004
<b>cc:</b>	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has no objection since the lot is presently served by an existing driveway and additional access to a public street is not proposed.

CHARLES THONE  
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WM. E. MORROW, JR.  
SAM JENSEN  
DANIEL B. KINNAMON  
THOMAS J. GUILFOYLE  
VIRGIL K. JOHNSON  
CHARLES V. SEDERSTROM  
CHARLES D. HUMBLE  
ALAN M. WOOD  
WILLIAM F. AUSTIN  
JOHN C. BROWNJUGG  
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SAMUEL E. CLARK  
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September 28, 2004

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PAUL D. HEIMANN  
KRISTINE J. GATES  
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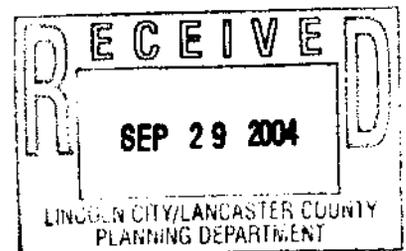
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**List of All Waivers Being Requested**

In connection with Calvert Place Addition Final Plat #04089, submitted on August 13, 2004, a waiver is being requested of Section 26.23.140(g) of the Land Subdivision ordinance which requires that every lot front upon and have access to a public street. Due to the fact that Calvert Place was platted in the 1920s, the proposed lots do not meet the Land Subdivision ordinance requirement.



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### Purpose Statement

Calvert Place Addition Final Plat was filed in order to make relatively minor adjustments to Lots D and E, primarily in connection with adjusting driveways serving those two lots. Section 26.23.140(g) of the Land Subdivision ordinance requires every lot to front upon and have access to a public street. The purpose of this Waiver is to recognize the fact that Calvert Place was originally platted, subdivided and developed in the 1920s, which precedes the above-referenced section of the Land Subdivision ordinance.

