

Waiver 12013

RESOLUTION NO. A-\_\_\_\_\_

1           WHEREAS, Cech Addition, generally located northeast of the intersection of  
2 South 40th Street and Pioneers Boulevard was previously approved by the City of  
3 Lincoln; and

4           WHEREAS, pursuant to the Land Subdivision Ordinance, the conditions of  
5 approval for Cech Addition required the installation of sidewalks along the east side of  
6 Clifford Drive abutting 4010 Clifford Drive; and

7           WHEREAS, applicant has requested a modification of the Land Subdivision  
8 Ordinance to waive said requirement pursuant to § 26.31.010 of the Lincoln Municipal  
9 Code; and

10           WHEREAS, on August 22, 2012 the Planning Commission held a public hearing  
11 on said request and has denied said waiver; and

12           WHEREAS, on August 30, 2012 the applicant filed a notice of appeal appealing  
13 the action of the Planning Commission denying the requested waiver; and

14           WHEREAS, pursuant to Lincoln Municipal Code § 26.31.010(g)(2) the action  
15 appealed from is deemed advisory and the City Council is authorized to take final action  
16 on the requested waiver; and

17           WHEREAS, the City Council finds that the strict application of the requirement  
18 that sidewalks be installed along the east side of Clifford Drive abutting 4010 Clifford  
19 Drive would not result in actual difficulties or substantial hardship or injustice to the  
20 property owner.

1           NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

2           That the requested waiver of the requirement of the Land Subdivision Ordinance  
3 that sidewalks be installed on the east side of Clifford Drive abutting 4010 Clifford Drive,  
4 in Cech Addition, is hereby denied.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2012:

\_\_\_\_\_  
Mayor