

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1713A

WHEREAS, Krein Real Estate and Aspen Partnership have submitted an application designated as Special Permit No. 1713A for authority to amend the Aspen 3rd Addition Community Unit Plan to reduce the front yard setback on the single-family and two-family residential lots from 25 feet to 20 feet on property located at Eagle Ridge Road and Carmen Circle, and legally described to wit:

Lots 2-6, Block 2, Aspen 5th Addition; Lots 1-19, Block 2, Aspen 5th Addition; Lots 1-12, Block 4, Aspen 5th Addition; Lots 1-8, Block 1, Aspen 6th Addition; Lots 1-3, Block 2, Aspen 6th Addition; Lots 1-4, 8 and 9, Block 3, Aspen 6th Addition; Lots 1-3, Aspen 7th Addition; Lots 2 and 3, Aspen 9th Addition, Lincoln, Lancaster County, Nebraska;

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

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

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

That the application of Krein Real Estate and Aspen Partnership, hereinafter referred to as "Permittee", to amend the Aspen 3rd Addition Community Unit Plan to reduce the front yard setback on the single-family and two-family residential lots from 25 feet to 20 feet

be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that the reduction of the front yard setback be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a reduction in the front yard setback from 25 feet to 20 feet.
2. Before receiving building permit the construction plans must conform to the approved plans.
3. Before occupying the dwelling units, all development and construction must be completed in conformance with the approved plan.
4. All privately-owned improvements, including landscaping, recreational facilities and the off-site storm water detention cell located upon that portion of Outlot "A" Aspen 1st Addition, must be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City Attorney.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee and the Permittee's successors and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
7. The Permittee shall sign and return the City's letter of acceptance to the

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant