

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

SPECIAL PERMIT NO. 671B

1           WHEREAS, Mike Winter has submitted an application designated as Special  
2 Permit No. 671B for authority to amend the Wassung Park Community Unit Plan to reduce  
3 the side yard setback from 10 feet to 5 feet to replace the existing decks with larger decks  
4 on property located at 3921 and 3923 N. 8th Street, and legally described as:

5                   Lot 12, Block 2, Wassung Park North Addition, Lincoln,  
6                   Lancaster County, Nebraska;

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

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

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

14           That the application of Mike Winter, hereinafter referred to as "Permittee",  
15 to construct amend the Wassung Park Community Unit Plan to reduce the side yard  
16 setback from 10 feet to 5 feet for the replacement of two decks, on the property legally  
17 described above, be and the same is hereby granted under the provisions of Section  
18 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
19 construction of said decks be in strict compliance with said application, the site plan, and

1 the following additional express terms, conditions, and requirements:

2 1. This permit approves a reduction of the side yard setback from 10 feet  
3 to 5 feet on Lot 12, Block 2, Wassung Park North Addition.

4 2. Before receiving building permits:

5 a. The Permittee must submit an acceptable, reproducible final  
6 plan including six copies.

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

8 3. Before occupying the dwelling units, all development and construction  
9 must be completed in conformance with the approved plans.

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

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

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

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

1 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
2 Permittee.

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

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this ___ day of _____, 2003:  _____ Mayor
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