

27764

RESOLUTION NO. A- 69682
SPECIAL PERMIT NO. 1108

WHEREAS, Stan Lessman has submitted an application designated as Special Permit No. 1108 for authority to construct new buildings and convert existing buildings into housing for the elderly on property located on the northeast corner of Fairfax Avenue and North 67th Street and on the south side of Fairfax Avenue east of the vacated right-of-way of North 67th Street, and legally described to wit:

Lots 7, 8, and 9, Block 50, and Lot 3, Block 55, Bethany Heights, Lincoln, Lancaster County, Nebraska.

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

WHEREAS, said plot 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, morals, and general welfare.

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

That the application of Stan Lessman, hereinafter referred to as "Permittee," to construct new buildings and convert existing buildings into housing for the elderly on property located on the northeast corner of Fairfax Avenue and North 67th Street and on the south side of Fairfax Avenue east of the vacated right-of-way of North 67th Street be and the same is hereby granted under the provisions of Section 27.63.210 of the Lincoln Municipal Code upon condition that construction and operation of said housing for the elderly be in strict compliance with said application, the ^{revised} ~~plot~~ plan, ^{received October 5, 1984} and the following additional express terms, conditions, and requirements:

Amended October 8, 1984

1. The permitted area shall be limited to ¹² ~~10~~ dwelling units with a maximum of ³⁵ ~~25~~% lot coverage on Parcel 1, excluding the separate garages.

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2. Before receiving building permits:
 - a. The construction plans shall comply with the approved plot plans and all applicable ordinances and design standards of the City.
 - b. A landscape and screen plan shall be submitted and receive approval by the Planning Director.
 - c. The applicant shall submit an access easement across the south portion of Parcel 2 to provide access to the proposed parking area.
 - d. The site plan shall be revised in accordance with the Traffic Engineer's recommendation regarding curb cut design and the provision of access to the south portion of Parcel 2.
3. The permittee shall revise the site plan and proposed buildings to be compatible in height and lot coverage with existing structures and consistent with condition 1 above.
4. All privately owned improvements, including landscaping, shall be permanently maintained by the permittee.
5. The permittee shall annually certify that all occupied dwelling units are occupied by at least one individual 55 years of age or older.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the permittee, his 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.

ADOPTED

Introduced by:

Bill Danley

APPROVED
OCT 15 1984 2:01 PM
[Signature]
MAYOR

OCT 8 1984

By City Council

to Form and Legality:

AYES: Danley, Gayley, Hampton, Johnson, Shackelford;
NAYS: Ahlschwede, Hoffman.

William J. Austin
City Attorney

Staff Review Completed:

John C. Evans
Administrative Assistant

October 8, 1984 Council Proceeding:
Shackelford moved and seconded by Danley to change from 10 dwelling units to 12, change lot coverage from 25% to 35% and require applicant to pave entire alley abutting property; approved by council.

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APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance
Special Permit No. 1108

TO THE CITY COUNCIL:

I, Stanford E. Nessmann, Applicant
under Special Permit No. 1108, granted by Resolution No.
A- 69682, adopted by the City Council on 10/8/84,
19 , do hereby certify that I have thoroughly read said
resolution, understand the contents thereof and do hereby accept
without qualification all of the terms, conditions, and require-
ments therein.

Stanford E. Nessmann
Applicant ✓

CITY OF LINCOLN
NEBRASKA

FILED
CITY CLERK'S OFFICE
24 NOV 2 PM 4 24

C E R T I F I C A T E

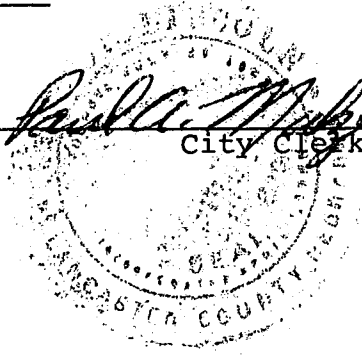
I, Paul A. Malzer, City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of Resolution No. A-69682, Special Permit No. 1108, application of Stan Lessman

as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held October 8, 1984, as the original appears of record in my office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 6th day of November, 1984.

Paul A. Malzer

City Clerk



INDEXED
MICRO-FILED
GENERAL

LANCASTER COUNTY, NEBR.

Dan Jalis

REGISTER OF DEEDS

1984 NOV -6 AM 11:59

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO 84-27264

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\$21.00

City Clerk

21.00