



RESOLUTION NO. PC- 01464
SPECIAL PERMIT NO. 04054A

1 WHEREAS, Hartland Homes, Inc. has submitted an application designated as
2 Special Permit No. 04054A to amend the Hartland Homes Southwest 1st Addition
3 Community Unit Plan to allow for two-family dwelling lots, to reduce the required lot
4 width from 40 feet to 31 feet for two-family dwelling lots, and to reduce the required lot
5 area from 5,000 to 3,650 square feet for two-family dwelling lots, on property generally
6 located at Southwest 27th Street and West A Street and legally described as:

7 Lots 1-34, Block 1, Lots 1 and 2, Block 2, Lots 1-23, Block 3,
8 Lots 1-18, Block 4, Lots 1-39, Block 5, Lots 1-14, Block 6
9 ~~and Outlots B, C & D~~, Hartland Homes Southwest 4th
10 Addition; Lots 1-10, Block 1, Lots 1-14, Block 2, Lots 1-5,
11 Block 3, Lots 1-19, Block 4, Lots 1-10, Block 5, Lots 1-15,
12 Block 6, Lot 1, Block 7, Lots 1-13, Block 8 and Outlots A, B,
13 ~~sp G, D & E~~, Hartland Homes Southwest 5th Addition; Lots 1-12,
14 Block 1, Lots 1-4, Block 2, Lots 1-9, Block 3, Hartland
15 Homes Southwest 6th Addition; located in the Northeast
16 Quarter of Section 32, Township 10 North, Range 6 East of
17 the 6th P.M., Lincoln, Lancaster County, Nebraska;

18 WHEREAS, the Lincoln City-Lancaster County Planning Commission has held
19 a public hearing on said application; and

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CRG-ESP

Return to:
Deputy City Clerk

1 WHEREAS, the community as a whole, the surrounding neighborhood, and the
2 real property adjacent to the area included within the site plan for this amendment to
3 the community unit plan will not be adversely affected by granting said amendment; and

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

8 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
9 Planning Commission of Lincoln, Nebraska:

10 That the application of the Hartland Homes, Inc., hereinafter referred to as
11 "Permittee", to amend the Hartland Homes Southwest 1st Addition Community Unit Plan
12 to allow for two-family dwelling lots, to reduce the required lot width from 40 feet to 31
13 feet for two-family dwelling lots, and to reduce the required lot area from 5,000 to 3,650
14 square feet for two-family dwelling lots, on the property described above, be and the
15 same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65
16 of the Lincoln Municipal Code upon condition that construction of said community unit
17 plan be in substantial compliance with said application, the site plan, and the following
18 additional express terms, conditions, and requirements:

19 1. This permit approves two-family dwelling lots, with waivers to reduce the
20 required lot width from 40 feet to 31 feet for two-family dwelling lots, and to reduce the
21 required lot area from 5,000 to 3,650 square feet for two-family dwelling lots.

1 2. Before receiving building permits the Permittee shall cause to be prepared
2 and submitted to the Planning Department a revised and reproducible final plot plan
3 including four copies with the following revisions:

- 4 a. Add Lots 1-13, Block 8, Hartland Homes Southwest 5th Addition
5 to the Legal Description on the site plan.
- 6 b. Revise note #6 to state that, "sidewalks shall be located 9 feet
7 from the back of curb"..
- 8 c. Remove the second sentence in General Note #1.
- 9 d. Add to the General Notes, "Signs need not be shown on this
10 site plan, but need to be in compliance with chapter 27.69 of the
11 Lincoln Zoning Ordinance, and must be approved by Building &
12 Safety Department prior to installation".
- 13 e. Revise the Requested Waivers to reflect a two-family dwelling
14 minimum lot width of 31 feet and remove waiver #7 on the site
15 plan.

16 3. Before occupying the dwelling units all development and construction
17 shall substantially comply with the approved plans.

18 4. All privately owned improvements shall be permanently maintained by the
19 Permittee or an appropriately established owners association approved by the City
20 Attorney.

21 5. The physical location of all setbacks and yards, buildings, parking and
22 circulation elements, and similar matters shall be in substantial compliance with the
23 location of said items as shown on the approved site plan.

24 6. The terms, conditions, and requirements of this resolution shall run with
25 the land and be binding upon the Permittee, its successors and assigns.

1 7. The Permittee shall sign and return the letter of acceptance to the City
2 Clerk. This step should be completed within 60 days following the approval of the
3 special permit. The City Clerk shall file a copy of the resolution approving the special
4 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
5 paid in advance by the Permittee. Building permits will not be issued until the letter of
6 acceptance has been filed.

7 8. The site plan as approved with this resolution voids and supersedes all
8 previously approved site plans, however the terms and conditions of all prior resolutions
9 approving this permit shall remain in full force and effect except as specifically
10 amended by this resolution.

11 The foregoing Resolution was approved by the Lincoln City-Lancaster County
12 Planning Commission on this 22nd day of July, 2015.

ATTEST:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney

LETTER OF ACCEPTANCE

City of Lincoln
Lincoln, Nebraska

RE: **Special Permit No. 04054A** - Amendment to allow duplex lots within the special permit and to permit a reduction in the minimum lot area, depth and width (Southwest 27th Street and West A Street)

TO THE CITY CLERK:

The undersigned, "Permittee" under **Special Permit No. 04054A**, granted by **Resolution No. PC-01464**, adopted by the Lincoln City-Lancaster County Planning Commission on July 22, 2015, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understands all the conditions of said Resolution and that Permittee consents to and agrees to comply with the same.

Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Special Permit.

DATED the 18 day of August, 2015.

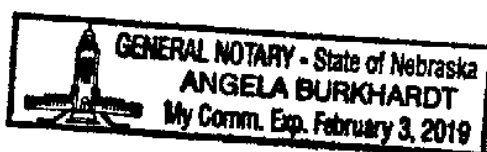
HARTLAND HOMES, INC., Permittee

By: [Signature]
Title: President

STATE OF NE)
COUNTY OF Lancaster) ss.

The foregoing Instrument was acknowledged before me this 18 day of August, 2015, by Duane Hartman, the President of HARTLAND HOMES, INC., as permittee.

[Signature]
Notary Public

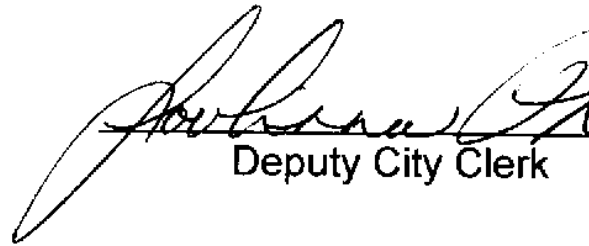


CERTIFICATE

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss:
CITY OF LINCOLN)

I, Soulinnee Phan, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Special Permit No. 04054A** as adopted and approved by **Resolution No. PC-01464** of the Lincoln City-Lancaster County Planning Commission at its meeting held **July 22, 2015** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 7th day of August, 2015.


Deputy City Clerk

