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LANCASTER COUNTY, NE

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Introduce: 12-20-04

RESOLUTION NO. A- 83148

SPECIAL PERMIT NO. 228K

1 WHEREAS, Lloyd and Donna Hinkley have submitted an application  
 2 designated as Special Permit No. 228K for authority to amend the Capitol Beach West  
 3 Community Unit Plan to reduce the front yard setback from 19.5 feet to 15.5 feet in  
 4 order to construct a new dwelling with an attached garage that extends into the required  
 5 front yard on property located at 302 W. Lakeshore Drive, and legally described to wit:

6 Lot 24, Block 1, Capitol Beach West Addition located in the  
 7 NE 1/4 of Section 21, Township 10 North, Range 6 East,  
 8 Lancaster County, Nebraska;

9 WHEREAS, the real property adjacent to the area included within the site  
 10 plan for this amendment to the CUP to allow the attached garage will not be adversely  
 11 affected; and

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

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

17 That the application of Lloyd and Donna Hinkley, hereinafter referred to as  
 18 "Permittee", to construct an attached garage to their new dwelling on the property  
 19 legally described above, be and the same is hereby granted under the provisions of  
 20 Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
 21 construction and operation of said dwelling unit and garage be in strict compliance with

Teresa City Clerk

1 said application, the site plan, and the following additional express terms, conditions,  
2 and requirements:

3 1. This permit approves a reduction in the front yard from 19.5 feet to  
4 15.5 feet, but not less than 22 feet from garage to curb.

5 2. Before receiving building permits:

6 a. The Permittee must submit an acceptable, revised, and  
7 reproducible final plan including five copies.

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

9 3. Before occupying this dwelling unit all development and  
10 construction must conform to the approved plans.

11 4. The site plans approved by this permit shall be the basis for all  
12 interpretations of setbacks, yards, locations of buildings, location of parking and  
13 circulation elements, and similar matters.

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

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

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

Introduced by:

*Ann M. McRoy*

AYES: Camp, Cook, Friendt,  
McRoy, Newman, Svoboda,  
Werner; NAYS: None.

Approved as to Form & Legality:

*Cheryl W. Pope*  
City Attorney

Approved this 12 day of Jan, 2004:  
*Charles J. Seung*  
Mayor

ADOPTED  
JAN 10 2005  
BY CITY COUNCIL

**LETTER OF ACCEPTANCE**

City Council  
City of Lincoln  
Lincoln, Nebraska

To The City Council:

We, **Lloyd & Donna Hinkley**, Permittees under **Special Permit 228K** granted by **Resolution No. A-83148** adopted by the Lincoln City Council on **Jan. 10, 2005**, do hereby certify that we have thoroughly read said resolution, understand the contents thereof and do hereby accept without qualification all of the terms, conditions, and requirements therein.

Dated this 24 day of January, 2005

  
Lloyd Hinkley

  
Donna Hinkley

# CERTIFICATE

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

I, Teresa J. Meier, 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 228K** approved by **Resolution A-83148** adopted by the City Council on **Jan. 10, 2005** 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 26<sup>th</sup> day of January, 2005.

*Teresa J. Meier*  
Deputy City Clerk

