

Approving
Waiver No. 06001

RESOLUTION NO. A-_____

1 WHEREAS, the Final Plat of Shamrock Addition, generally located at South 70th
2 Street and Shamrock Road, was submitted by the Applicant for approval by the
3 Lancaster County Planning Commission in July 2005; and

4 WHEREAS, the land included in Shamrock Addition is the same land approved
5 for an Administrative Subdivision in 1985 to create four lots and which also approved
6 related waivers of required paving and sidewalks; and

7 WHEREAS, the Administrative Subdivision and related waivers were rendered
8 null and void because the property was not timely final platted as required by the
9 conditions of approval for the Administrative Subdivision; and

10 WHEREAS, notwithstanding the fact that the Administrative Subdivision was
11 rendered null and void, three of the four proposed lots were conveyed by deed and a
12 house was constructed upon one of the conveyed lots; and

13 WHEREAS, the final plat of Shamrock Addition was submitted to cure title
14 defects and facilitate the resale of the lots previously conveyed by deed; and

15 WHEREAS, Applicant is requesting waivers of the requirements for street paving,
16 sidewalks, street lights, street trees, and dedication of additional right-of-way as this is
17 not a typical subdivision; and

18 WHEREAS, the Planning Commission has reviewed said request and has
19 recommended denial of the waivers of said improvements; and

1 WHEREAS, the City Council finds that strict application of the requirements
2 contained in the Land Subdivision Ordinance under these circumstances would result in
3 actual difficulties and substantial hardship or injustice.

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

6 That the Applicant's request to waive the conditions of approval of the Final Plat
7 of Shamrock Addition requiring street paving, sidewalks, street lights, street trees and
8 the dedication of additional right-of-way, is hereby approved.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2006: _____ Mayor
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