

Waiver 09001

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

1 WHEREAS, Final Plat # 08040 for Spahn Addition generally located at N. 36th  
2 Street and Q Street was previously approved by the City of Lincoln; and

3 WHEREAS, the conditions of approval of said Final Plat require the paving of Q  
4 Street, the installation of sidewalks along Q Street and N. 36th Street and the planting of  
5 a street tree along N. 36th Street abutting said Final Plat; and

6 WHEREAS, applicant has requested a modification to waive said requirements  
7 pursuant to § 26.31.010 of the Lincoln Municipal Code; and

8 WHEREAS, the Planning Commission has reviewed said request and has  
9 recommended approval of the street paving waiver and denial of the sidewalk and street  
10 tree waivers; and

11 WHEREAS, the City Council finds that the strict application of all requirements  
12 would not result in actual difficulties or substantial hardship or injustice to the property  
13 owner.

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

15 1. That the requested waiver of the requirements of Final Plat # 08040 at N.  
16 36th Street and Q Street relating to the paving of Q Street is hereby approved.

17 2. That the requested waiver of the requirements of Final Plat #08040 at N.  
18 36th Street and Q Street relating to the installation of sidewalks along Q Street and N.  
19 36th Street, and the installation of a street tree along N. 38th Street are hereby denied.

1           3.     That all other conditions for approval of Final Plat # 08040, Spahn  
2     Addition, at N. 36th Street and Q Street are hereby ratified and shall remain in full force  
3     and effect.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this \_\_\_ day of \_\_\_\_\_, 2009:

\_\_\_\_\_  
Mayor