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LANCASTER COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

RESOLUTION IN THE MATTER OF COUNTY )  
SPECIAL PERMIT NO. 14017, REQUESTING )  
AUTHORITY TO DEVELOP THE BRONCO )  
HILLS ESTATES COMMUNITY UNIT PLAN, )  
GENERALLY LOCATED AT SOUTHWEST 56<sup>TH</sup>)  
STREET AND DENTON ROAD, LANCASTER )  
COUNTY, NEBRASKA )

RESOLUTION NO. R - 14 - 0044

WHEREAS, Civil Design Group, on behalf of VerMaas and Sons, LLC, requested approval of County Special Permit No. 14017, to provide the authority to develop the Bronco Hills Estates Community Unit Plan, consisting of 10 single family lots, and a modification to reduce the front yard setbacks from 50 feet to 25 feet on the frontage of Bronco Hills Court and a modification of the block length requirement for Southwest 61<sup>st</sup> Street/Bronco Hills Drive, on property generally located at Southwest 56<sup>th</sup> Street and Denton Road, Lancaster County, Nebraska, legally described as follows:

Lot 33 of Irregular Tracts, located in the Northeast 1/4 of Section 24-09-05, Lancaster County, Nebraska; and

WHEREAS, the Lincoln-Lancaster County Planning Department recommended conditional approval of said Special Permit, concluding that the application for special permit meets the requirements of the community unit plan special permit as described in the Lancaster County Zoning Resolution; and

WHEREAS, on July 23, 2014, the Lincoln-Lancaster County Planning Commission conducted a public hearing on County Special Permit No. 14017 and voted 7-0 to approve the special permit; and

WHEREAS, on August 12, 2014, the Board of Commissioners of Lancaster County,

Nebraska, conducted a public hearing on County Special Permit No. 14017 and moved to approve said Special Permit.

NOW, THEREFORE, BE IT RESOLVED, by the Lancaster County Board of Commissioners, that County Special Permit No. 14017 to provide the authority to develop the Bronco Hills Estates Community Unit Plan, consisting of 10 single family lots, and a modification to reduce the front yard setbacks from 50 feet to 25 feet on the frontage of Bronco Hills Court and a modification of the block length requirement for Southwest 61<sup>st</sup> Street/Bronco Hills Drive, on property generally located at Southwest 56<sup>th</sup> Street and Denton Road, is hereby approved subject to the following conditions:

**Site Specific Conditions:**

1. The County Board of Commissioners approves associated request:
  - 1.1. Change of Zone #14019
  - 1.2. A modification to the requirements of the land subdivision ordinance to permit a block length in excess of 1320 feet along SW 61<sup>st</sup> Street/Bronco Hills Drive.
2. Before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below:
  - 2.1. Rename SW 59<sup>th</sup> Street to Bronco Hills Drive
  - 2.2. Make the modifications required by the County Engineer's memo dated July 8, 2014.
  - 2.3. Show utility easement of ten (10) feet along all front and perimeter lot lines and five (5) feet either side of all side yard lot lines and rename the access easement

show between Lots 1 and 2 and Lot 3 of Block 2 “Common Access and Utility Easement”.

- 2.4. Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with Article 16 of the Lancaster County Zoning Resolution, and must be approved by Building & Safety Department prior to installation".
3. Before a final plat is approved provide the following documents to the Planning Department:
  - 3.1. Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
4. Prior to the issuance of a building permit:
  - 4.1. The construction plans must substantially comply with the approved plans.
  - 4.2. Final plat(s) is/are approved by the County.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 3.09. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, drainage facilities, land preparation and grading, sediment and erosion control measures, drainageway improvements, temporary turnaround and barricades, and street name signs, must be completed. The

improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Resolution.

4.3 The developer agrees:

4.3.1. to maintain County roads in good order and condition, including repair and replacement of paving as reasonably necessary, until the County Board specifically accepts the maintenance.

4.3.2. to relinquish the right of direct vehicular access to SW 56<sup>th</sup> Street.

4.3.3. to relinquish direct vehicular access to West Denton Road except at Bronco Hills Drive (SW 59<sup>th</sup> Street ), the existing private driveway on Lot 3, Block 2, and the existing drive to be shown in a common access easement between Lots 1, 2, and 3, Block 2.

**Standard Conditions:**

5. The following conditions are applicable to all requests:

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

5.2. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

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

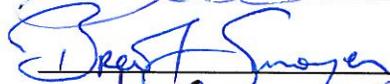
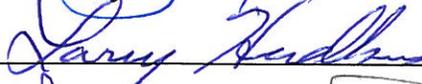
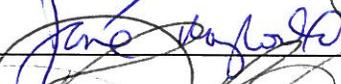
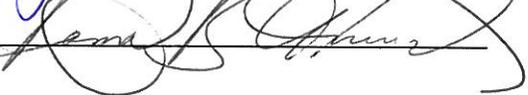
- 5.4. Before occupying this Community Unit Plan City/County Health Department is to approve the water and waste water systems.
- 5.5. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
- 5.6. The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

DATED this 10 day of August, 2014, at the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 10 day of  
August, 2014.

  
for JOE KELLY  
County Attorney

LETTER OF ACCEPTANCE

VerMaas and Sons, LLC, owner(s) of record, hereby agree to all of the conditions of Special Permit No. 14017, to provide the authority to develop the Bronco Hills Estates Community Unit Plan, consisting of 10 single family lots, and a modification to reduce the front yard setbacks from 50 feet to 25 feet on the frontage of Bronco Hills Court and a modification of the block length requirement for Southwest 61<sup>st</sup> Street/Bronco Hills Drive, on property generally located at Southwest 56<sup>th</sup> Street and Denton Road, Lancaster County, Nebraska, legally described as Lot 33 of Irregular Tracts, located in the Northeast 1/4 of Section 24-09-05, Lancaster County, Nebraska and, granted by the Lancaster County Board of Commissioners, and embodied in Resolution No. \_\_\_\_\_, all costs which we hereby represent have been paid and that this agreement shall be binding upon VerMaas and Sons, LLC, its heirs, successors, and assigns and shall run with the land.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014, in Lancaster County, Nebraska.

Owner(s) of Record

BY: \_\_\_\_\_  
for VerMaas and Sons, LLC

STATE OF NEBRASKA            )  
  )     ss.  
County of Lancaster         )

On this \_\_\_\_ day of \_\_\_\_\_, 2014, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said County, personally came \_\_\_\_\_, known to be the identical person whose name is affixed to this agreement, and acknowledged execution of the same to be her voluntary act and deed.

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public