

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

COUNTY SPECIAL PERMIT NO. 09024)
 REQUESTED BY MICHAEL AND,)
 JUDITH ROSECRANS, FOR THE EXPANSION)
 OF A HOME OCCUPATION FOR THE)
 PURPOSE OF OUTDOOR STORAGE OF) RESOLUTION NO. R-10-0001
 BOATS AND RECREATIONAL VEHICLES,)
 MINI STORAGE, GARAGE STORAGE AND)
 RETAIL SALES OF TRAILERS ON)
 A PARCEL OF LAND GENERALLY)
 LOCATED AT HWY 77 AND HICKMAN)
 ROAD, LANCASTER COUNTY, NEBRASKA)

WHEREAS, Michael and Judith Rosecrans, requests approval of County Special Permit No. 09024, to provide the authority for the expansion of a home occupation for the purpose of outdoor storage of boats and recreational vehicles (RV's), mini storage, garage storage and retail sales of trailers on property, generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77, Lancaster County, Nebraska, legally described as follows:

Lot 13 I.T. excluding Hwy ROW, in the Northwest Quarter of Section 36, Township 8 North, Range 6 East, of the 6th P.M., Lancaster County, Nebraska; and

WHEREAS, the Lincoln-Lancaster County Planning Department recommends conditional approval of said Special Permit for the concept plan as reworked between the Lincoln-Lancaster County Planning Department and the applicants, concluding that the proposal is in conformance with the County Zoning Resolution and the Comprehensive Plan; and

WHEREAS, on November 18, 2009, the Lincoln-Lancaster County Planning Commission conducted a public hearing on County Special Permit No. 09024 and voted 8-0 to recommend conditional approval; and

WHEREAS, on January 5, 2010, the Board of County Commissioners of Lancaster

County, Nebraska, conducted a public hearing regarding County Special Permit No. 09024;

WHEREAS, on January 5, 2010, the Board of County Commissioners of Lancaster County, Nebraska voted to approve said Special Permit with conditions; and

WHEREAS, all requirements of the Lancaster County Zoning Regulations have been met.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Lancaster County, Nebraska, that County Special Permit No. 09024, to provide the authority for the expansion of a home occupation for the purpose of outdoor storage of boats and recreational vehicles (RV's), mini storage, garage storage and retail sales of trailers on property, generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77, Lancaster County, Nebraska, is hereby approved subject to the following conditions:

CONDITIONS:

1. This approval permits an expanded home occupation for indoor and outdoor storage on 7.42 acres. The setback is adjusted to 30 feet for the existing building being converted to the gate office.

General:

2. Upon approval of this special permit by the County Board, the applicant shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including five (5) copies with all required revisions and documents as listed below before receiving building permits:
 - 2.1 Revise the plans to show parking, handicapped parking and an employee count.
 - 2.2 Revise the plans to show setbacks of 200 feet, outdoor storage area of less than 15,000 square feet, no retail sales. Screening of the open area, not already screened by buildings, shall meet or exceed the City of Lincoln screening and landscaping standard for open storage, Chapter 3.50 Section 7.11 of the City of Lincoln Design Standards.
 - 2.3 Receive required driveway permits for access onto Highway 77 from the Nebraska Department of Roads.

3. The construction plans shall generally comply with the approved plans.
4. The applicant shall meet all conditions of 13.001(27) of the Lancaster County Zoning Resolution unless specifically amended or waived by this permit.
5. Prior to Building Permits:
 - 5.1 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 - 5.2 The construction plans and use shall comply with the approved plans.

STANDARD CONDITIONS:

6. The following conditions are applicable to all requests:
 - 6.1 All privately-owned improvements shall be permanently maintained by the owner.
 - 6.2 This resolution's terms, conditions and requirements bind and obligate the permittee, its successors and assigns.
 - 6.3 The applicant shall sign and return the letter of acceptance to the County Clerk within 60 days following the approval of the special permit, provided however, said 60-day period may be extended up to six months by administrative amendment. The applicant is to file a certified copy of the resolution approving the permit and the letter of acceptance, which is attached hereto and incorporated by reference as Attachment "A", with the Register of Deeds. The applicant shall pay the applicable certification and recording fees in advance.

DATED this 5th day of January, 2010, at the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

Deb Shorr

Boyd H. Hensley

Danny Heier

Heier Absent

Workman Absent

APPROVED AS TO FORM

this 5 day of
January, 2010.

Gary E. Lacey

for GARY E. LACEY
County Attorney

LETTER OF ACCEPTANCE

I, Michael Rosecrans and Judith Rosecrans, hereby agree to all of the conditions of Special Permit No. 09024, to allow for the expansion of a home occupation for the purpose of outdoor storage of boats and recreational vehicles (RV's), mini storage, garage storage and retail sales of trailers on property, generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77, Lancaster County, Nebraska, granted by the Board of County Commissioners of Lancaster County, Nebraska, and embodied in County Resolution No. R-10-0001, all costs which I hereby represent have been paid and that this agreement shall be binding upon Michael Rosecrans and Judith Rosecrans and their heirs, successors, and assigns and shall run with the land.

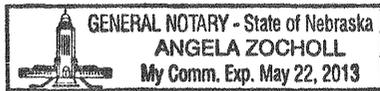
DATED this 9 day of March, 2010, in Lancaster County, Nebraska.

Michael Rosecrans
Michael Rosecrans

STATE OF NEBRASKA)
) ss.
County of Lancaster)

On this 9 day of March, 2010, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said County, personally came Michael Rosecrans, 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 9 day of March, 2010.



Angela Zocholl
Notary Public

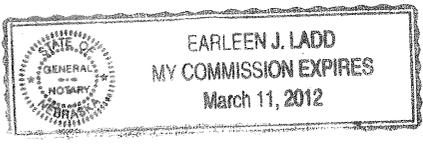
DATED this 10 day of March, 2010, in Lancaster County, Nebraska.

Judith Rosecrans
Judith Rosecrans

STATE OF NEBRASKA)
)
County of Lancaster) ss.

On this 10 day of March, 2010, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said County, personally came Judith Rosecrans, 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 10 day of March, 2010.

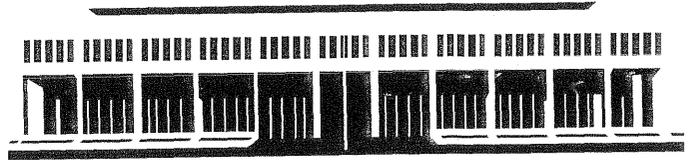


Earleen J. Ladd
Notary Public

Lancaster County Clerk

COUNTY-CITY BUILDING
555 SOUTH 10TH STREET
LINCOLN, NE 68508-2803

(402) 441-7481
FAX (402) 441-8728



DAN NOLTE
CLERK

January 6, 2010

Michael & Judith Rosecrans
19600 S. 12th Street
Martell, NE 68404

Dear Mr. & Mrs. Rosecrans:

The Lancaster County Board of Commissioners took the following action at their regular meeting on Tuesday, January 5, 2010.

MOTION: Hudkins moved and Schorr seconded approval of the resolution in the matter of County Special Permit No. 09024 for the expansion of a home occupation for the purpose of outdoor storage of boats, recreational vehicles, mini storage, garage storage and retail sales of trailers on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77, Lancaster County, Nebraska. Schorr, Hudkins and Stevens voted aye. Heier and Workman were absent. Motion carried 3-0.

The required letter of acceptance must be signed in the County Clerk's office during normal business hours. The letter must then be certified by the Lancaster County Clerk and filed with the Register of Deeds along with a certified copy of the resolution. There is a fee associated with both the certification and the filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Nolte". The signature is written in a cursive, flowing style.

Dan Nolte
Lancaster County Clerk

cc: Lincoln-Lancaster County Planning Department