

SPECIAL USE PERMIT

The parties agree that a Special use Permit shall be granted to the OWNER of Lot 2, Westminster Woods Subdivision, Dawson County, Nebraska, as follows:

1. Pursuant to the terms of the Subdivision Agreement for Westminster Woods Subdivision, dated _____, Owner has requested a Special Use Permit for Lot 2 of said Subdivision which is zoned M-1, Light Industrial District.
2. Owner has proposed the construction of a single-family residence, and has further proposed that the existing “dining hall” shall be used as commercial rental property, to be used for meetings, receptions, and dance studio.
3. The parties agree that the proposed construction of a single-family residence should not be approved. The parties further agree that the proposed use of the dining hall is in the public interest and consistent with the character of the surrounding land, subject to the following conditions:
 - a. The parties anticipate that the number of events will not exceed ___ per year. In the event that number is exceeded or anticipated to be exceeded, application shall be made for review and amendment of this permit.
 - b. Owner shall not be eligible for a liquor license for sale of alcoholic liquors on the premises. Any sale of alcoholic beverages on the premises in connection with a permitted use shall be conducted by a licensed vendor pursuant to a special designated permit under the jurisdiction of Dawson County, Nebraska;
 - c. Off-street parking spaces for the dining hall shall be provided at the rate of one vehicle space per 200 square feet of interior space. Parking spaces shall be improved by gravel, rock or paved surface.
 - d. Events conducted shall be for invited guests, and no admission shall be charged for attendance, except registration fees for materials and meals in connection with a convention or meeting.
 - e. This permit shall be for the benefit of the existing Owner, and shall not be assignable or transferable. Future owners shall apply directly to the Lexington City Council for new Special Use Permit.

The undersigned hereby agrees to the terms of the Special Use Permit as stated herein.

Dated _____, 2009.

Irving P. Hiatt, Owner

Passed and approved on _____, 2009, by Lexington City Council.

Mayor

ATTEST:

City Clerk