

83-15478

8-4-83

APPEAL NO. 1417  
APPEAL APPROVED

RESOLUTION 794

BE IT RESOLVED by the Board of Zoning Appeals of the City of Lincoln:

That after a public hearing on the 10th day of June, 1983, upon the application of Kent Searcraft, Attorney for Deves, Inc., in Appeal No. 1417, dated May 13, 1983, to permit a variance of the strict application of the requirement where no yard exists, a yard is required on the side of the building where windows exist, only in the B-4 Local Business District, as applied to the following described property in Lincoln, Lancaster County, Nebraska, to wit: Lot A, Parcel 1, Block 42, Imhoff and Hyatt's Subdivision, by reducing the distance from 8 feet to 0 feet, as outlined in the application and as shown by the testimony at above public hearing, it approves the application for the following reasons:

1. The variance requested is consistent with the spirit, intent, purpose, and general plan of the zoning ordinance.
2. The owner should be granted reasonable use of his land because there are peculiar, exceptional and unusual circumstances in connection with the land described in the application, which circumstances are not generally found within the locality or neighborhood concerned.
3. The prohibition of the requested variance by the zoning ordinance is not based upon the conditions created by the applicant.
4. Approval of the application will not have any adverse effects upon adjacent property.

A certified copy of this resolution shall be filed by the City Clerk, at the applicant's expense, with the Lancaster County Register of Deeds, within 60 days of the date herein stated or this resolution shall be null and void.

Introduced by

*John Taylor*

Approved as to form

*Donald Pope*  
for City Attorney

C E R T I F I C A T E

STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) SS.  
CITY OF LINCOLN )

I, Paul Malzer, City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 794, Board of Zoning Appeal 1417.

as the original appears of record in my said office and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 4th day of August, A.D., 1983.

*Paul A. Malzer*  
Paul Malzer, City Clerk

RECORDED

REGISTERED

AUG-4 AM 1983

\$6.25

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