

APPEAL NO. 1417
APPEAL APPROVED

RESOLUTION 789

BE IT RESOLVED by the Board of Zoning Appeals of the City of Lincoln,
That after a public hearing on 10th day of June, 1983,
upon the application of Kent Seacrest, attorney for Devco, Inc., in Appeal
No. 1417, dated May 13, 1983, to permit a variance of the strict application of
the lot area per dwelling unit requirement only in the B-4 Local Business
District, as applied to the following described property in Lincoln, Lancaster
County, Nebraska, to wit:

Parcel One Lot A, Block 42, Imhoff and Hyatt's Subdivision, reduce lot area from 220
square feet to 109.5 square feet per unit, 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.

Approved as to form

Introduced by _____

Suzanne Masering
For City Attorney

John D Taylor

PL1417A

DATE: 5/20/83

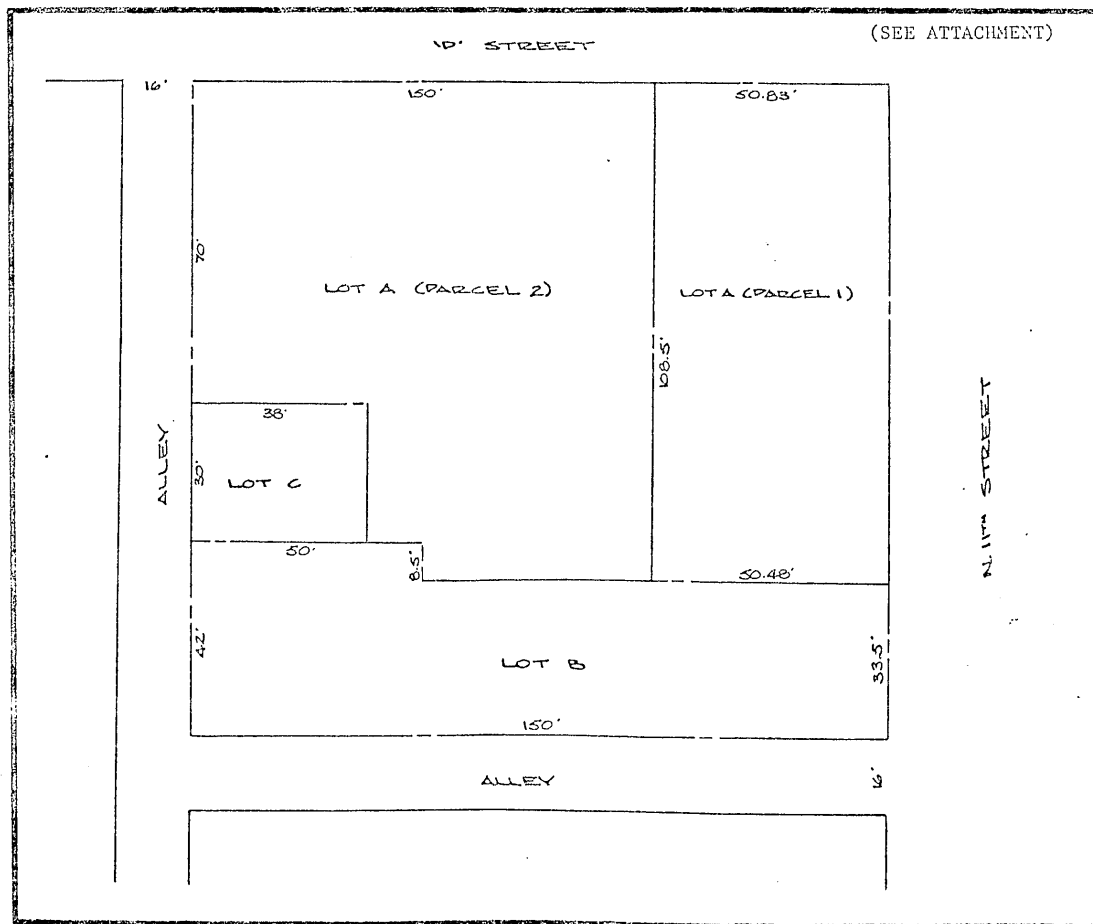
APPEAL TO THE BOARD OF ZONING APPEALS
#1417

On May 13, 1983 Kent Seacrest, attorney for Devco, Inc., applied for an appeal from building inspections on Lots A and C, Block 42, Imhoff & Hyatt's Subdivision, Lincoln, Lancaster County, Nebraska at the YMCA at 139 North 11th Street.

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO VARIANCE.

This permit was refused because Section 27.35.070(b) requires a lot area of 220 square feet per dwelling unit, Section 27.35.070(f) requires a 1,365 square foot open space requirement and Section 27.71.140 requires that open space between buildings on the same lot used for multiple family. Institutional or hotel purposes shall be 40 feet for buildings 3 stories or more in height.

The above decision of the Building Official is hereby appealed on the grounds that Devco, Inc. wishes to rehabilitate the YMCA Building into 50 residential dwelling units



(SEE ATTACHMENT)

LAND USE:

YMCA FACILITY

ZONING:

B-4 LOCAL BUSINESS DISTRICT

SCALE: 1"=30'



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 Board of Zoning Appeal 1417,
Resolution 789.

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., 19 83.

Paul Malzer
Paul Malzer, City Clerk

LANCASTER, NEBRASKA

REGISTER OF DEEDS

1983 AUG -4 AM 10:46

FILE NO.

15476

2-560
misc.

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