

ORDINANCE NO. 02- 583

AN ORDINANCE TO AMEND SECTION 11-111(2) OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA, RELATED TO THE FRONT YARD SETBACKS; TO ALLOW FOR THE LOCATION OF NEW STRUCTURES IN LOCATIONS WITHIN THE REQUIRED FRONT YARD SETBACKS UNDER CERTAIN CONDITIONS AND IN CERTAIN ZONING DISTRICTS; TO REPEAL ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, The Zoning Ordinances of the City of Friend, Nebraska, provide for front yard setbacks within the A-1, R-1 and R-2 zoning districts of 30 feet; and

WHEREAS, This required setback has proved to be unnecessarily burdensome in situations involving the construction of new structures adjoining existing structures which are not currently in compliance with the mandatory setback requirements as so provided, which may impact the development of new construction within the community; and,

WHEREAS, it is necessary and desirable to allow for exceptions to the mandatory setback in such situations, and;

WHEREAS, Section 11-111 of the Municipal Code currently allows limited exceptions to the strict enforcement of these regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That Section 11-111(2) of the Municipal Code of the City of Friend, Nebraska, be amended as follows:

FRONT YARD. Where thirty percent (30%) or more of a block front is improved with buildings, no part of any new building shall project beyond the front line of the two nearest buildings, except that no building shall be required to provide a front yard greater than fifty (50) feet. Any new structure constructed upon any lot or lots in a A-1, R-1, or R-2 district which is occupied by an existing structure located within the required front yard setback shall not be constructed so as to project beyond the front line of the existing structure, but may be located within the front yard setback required for that district under the following conditions: a) the new structure is permanently attached to the existing structure, and, b) the existing structure is not subsequently demolished by voluntary action of the owner or occupant.

A corner lot shall have a front yard on each street, except that on a lot of record the building width shall not be reduced to less than forty (40) feet and no accessory buildings shall project beyond either required front yard, except as provided above.

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. Should any section paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

Section 4. This Ordinance shall take effect after its approval, passage, and publication according to law.

Passed and approved this 6 day of AUGUST, 2002.



**CITY OF FRIEND, NEBRASKA**

By: *James W. Venable*  
MAYOR

Attest:

*Donald Anderson*  
CITY CLERK