

LEGISLATIVE BILL 317

Approved by the Governor February 17, 1987

Introduced by Marsh, 29

AN ACT relating to cities of the primary class; to amend section 15-1106, Reissue Revised Statutes of Nebraska, 1943; to provide for variances for zoning regulations as prescribed; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 15-1106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

15-1106. There may be created a board of zoning appeals comprised of five members appointed by the mayor and confirmed by the council, which board shall have power to hear and decide appeals from any decision or order of the building inspector or other officers charged with the enforcement of the zoning ordinance in those cases ~~where when~~ it is alleged that such decision or order is in error. The board shall also have power to decide upon petitions for variances and, subject to such standards and procedures as the council may provide in the zoning ordinance, to vary the strict application of sign regulations or the height, area, parking, or density requirements to the extent necessary to permit the owner a reasonable use of his or her land in those specific instances ~~where when~~ there are peculiar, exceptional, and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned. The board may also have such related duties as the mayor or council may assign. The council may provide for appeals from a decision of the board.

Sec. 2. That original section 15-1106, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.