

ORDINANCE NO. 522

AN ORDINANCE TO AMEND SECTION 6 AND SECTION 9, OF ORDINANCE NO. 427 WHICH WAS PASSED AND APPROVED BY THE CITY COUNCIL, OF THE CITY OF LEXINGTON, NEBRASKA, ON SEPTEMBER 18, 1946, FOR THE PURPOSE OF CHANGING THE BUSINESS DISTRICT, AND OF DELETING SUB-PARAGRAPH F, SECTION 9.

BE. IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

SECTION 1. That Section 6, Ordinance No. 427 of the City of Lexington, Nebraska, which was passed and approved by the Mayor and Council of said City of September 18, 1946, be amended to read as follows:

"Section 6. All other conditions precedent as to notice and hearing, as required by law both as to the zoning commission appointed by the Mayor and Council, and as to the governing bodies of said City concerning regulations, restrictions and boundaries of original districts, having been heretofore complied with, it is hereby declared and ordained, subject to amendment from time to time according to law, that the City of Lexington, Nebraska, is hereby divided into three (3) classes of districts, which shall be known as; Residence, Business District, and Railroad and Industrial District. The Residence District shall include all of the property within the corporate limits of the City of Lexington, except the territory included within the Business District and the Railroad and Industrial District. The Business District shall include all of the property within the following boundaries, except that portion thereof designated as Railroad and Industrial District in Section 7 of said Ordinance, commencing at the intersection of the western corporate limits of said City of Lexington and West 8th Street, thence East on 8th Street to Lincoln Street, thence North to 9th Street, thence East to Grant Street, thence South to 7th Street, thence East to Jackson Street, thence south to 6th Street, thence East to the corporate limits of said City, thence South along the East line of Lot 6, Tract "D", of Section Five (5) in Township Nine (9) North, Range Twenty-one (21) West

of the 6th P. M. in Lexington, Dawson County, Nebraska to the Southeast corner of said Lot 6, thence West along the south line of Lots 1,2,3,4, and 6 of said Tract "D" and that line projected to the center line of Monroe Street, thence South to the projection of the North line of Tract "F" of said Section Five (5), thence East along said North line of Tract "F" to the East line of said Section Five (5), thence South along the East line of Section Five (5) to the Southeast corner of said Section, thence West on Walnut Street to Madison Street, thence North to Spruce Street, thence West to the West corporate limits of said City, thence North to the North line of Tract "K" of Section Six (6) Township Nine (9) North, Range Twenty-one (21) West, and its projection West, thence East along the North line of Tract "K" and its projection to Adams Street, thence North to point of beginning. Also, the following described lots and parcels of land in the City of Lexington, are designated as Business District:

East 100 feet of the South one-half Block 6, C. L. Ervin's Subdivision

Lots 10 and 11, Block 14, J. L. May's Addition

Lots 8 and 9, Block 3, James Ervin's First Subdivision

South 100 feet of Lot H, Suburban Addition

West one-half of Lot 13, Block B, Kutz Park

West one-half of Lot 1, Block B, Kutz Park

Lots 1 and 2, Block 4, MacColl and Leflang's Second Addition

West 100 feet of South one-half, Block 9, Abel's Second Addition

East 100 feet of South one-half, Block 8, Abel's First Addition

Lots 9 and 10, Block 3, MacColl and Leflang's Third Addition

SECTION 2. That Section 9 of said Ordinance No. 427 be amended to read as follows:

"Section 9. Except as is hereinafter provided, no building shall be erected, enlarged or altered in the Residence District except in conformity with the following regulations:
FRONT YARD. Upon every lot upon which the building is to face a front street, there shall be a front yard having a depth of at least 12 feet from the front line to any part of the residence

nearest the front street; and if said residence is built upon a corner lot, or facing upon a side street, there shall be a side yard or a front yard having a depth of at least 6 feet from the side lot line to any part of the residence nearest the side street; provided however, that in all cases where a greater or less distance than that above provided has been established by three or more residences in any block, then no building shall be nearer to the lot line than the average of the set back distance so established, and if established by less than three residences, then and in that event the Board of Adjustment shall have the power to establish said set back distance. B. SIDE AND REAR YARD.

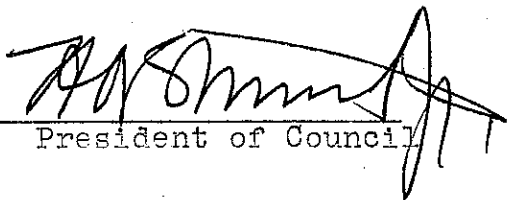
There shall be a side and rear yard on each side and in the rear of the PRINCIPAL building of at least four (4) feet, and with an additional foot for each full story above the second story of any building, measured from the projection nearest the lot line; except that on lots measuring less than forty (40) feet in width each side yard shall be not less than ten (10) per cent of the width of the lot, and except on lots where the side yard adjoins an alley, no side yard shall be required on the side adjoining the alley. C. ACCESSORY BUILDINGS. Private garages are permitted upon the same lot or an adjacent lot with a dwelling either as a separate building or in a suitable room within or attached to the dwelling, provided that space for not more than three automobiles for each dwelling is permitted on one lot. Every such garage shall be at least two feet from the side lot line, except that within fifty (50) feet of any street line, such garage shall be distant at least two (2) feet from any rear lot line that serves also as the side lot line to an adjacent adjoining property. In any case a private garage may be erected or maintained across a common lot line by mutual agreement between and adjoining property owners. The same regulation concerning private garages shall also apply to private stables, except that one horse-drawn vehicle shall be considered the equivalent of one automobile. Other accessory buildings may be erected and maintained in the residence district, provided that they are not connected with the dwellings, are not more than ten (10) feet in height, and are built as an accessory in the rear of a dwelling, and at least two (2) feet from the lot line and no nearer the side lot line on the street side than the average set back distance in

the block as determined by the City Inspector. This does not apply to incinerators which may be built on the alley line.

D. NO FENCE shall be erected or maintained upon or adjoining any property nearer the street than the rear line of the principal building located upon such property, that is objectionable to the owner of any adjacent property; provided that ornamental shrubbery, trees, or flowers shall not be considered as fences. E. NO LOT or portion of a lot shall be used for the salvaging of automobiles, machines, or building material, within the residence district, without first obtaining the consent of the Board of Adjustment.

SECTION 3. That said original Sections 6 and 9 of Ordinance No. 427 which was passed and approved on September 18, 1946, be and the same are hereby repealed.

Passed and approved this 7th day of December 1948.


President of Council

Attest:


City Clerk