

ORDINANCE NO. 635

AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, LINCOLN COUNTY, NEBRASKA, TO AMEND DEFINITIONS OF EXEMPTIONS AND REGULATIONS RELATED TO DECKS AND HANDICAPPED ACCESS CONTAINED IN SECTIONS 305, 506, AND 507 OF THE PLANNING AND ZONING REGULATIONS (ORDINANCE #555) AS RECOMMENDED BY THE PLANNING COMMISSION; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF SUTHERLAND; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE CHAIRMAN AND THE BOARD OF TRUSTEES OF THE VILLAGE OF SUTHERLAND, NEBRASKA:

SECTION 1.

The Planning and Zoning Regulations (Ordinance #555) are hereby amended related to the definitions of exemptions and regulations related to decks and handicapped access contained in Sections 305, 506 and 507 of the Planning and Zoning Regulations of the Village of Sutherland as recommended by the Planning Commission.

SECTION 2.

ARTICLE 3

SECTION 305. EXEMPTIONS.

F. Uncovered decks attached to a primary structure are allowed to be constructed to within a ten (10) feet setback in the “front yard”, a five (5) foot setback in the “rear yard”, and within four (4) feet of a “side yard” setback. (Section G is exempt from the current side yard setback of eight (8) feet for residentially zoned purposes.) Such exemption does not apply to corner lots.

ARTICLE 5

SECTION 506. “R” RESIDENTIAL DISTRICT

F. YARD REGULATIONS

4. HANDICAPPED ACCESS:

- a. There shall be no setback requirements for handicapped access as long as the structure does not interfere with the Public’s Health, Safety and Welfare and meets ADA approved guidelines. Corner lots shall maintain the current set backs.
- b. There shall be a no-fee Site Plan and Land Use Permit

ARTICLE 5

SECTION 507. “S-R” SUBURBAN RESIDENTIAL DISTRICT

F. YARD REGULATIONS

4. HANDICAPPED ACCESS:

- a. There shall be no setback requirements for handicapped access as long as the structure does not interfere with the Public’s Health, Safety and Welfare and meets ADA approved guidelines. Corner lots shall maintain the current set backs.
- b. There shall be a no-fee Site Plan and Land Use Permit

SECTION 3.

Any other ordinance or section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

SECTION 4.

This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed, approved and adopted on May 8, 2019.

Tory Copeland,
Village Board Chairman

Attest:

Madelaine Lamm, Village Clerk