

RESOLUTION NO. A-_____

1 WHEREAS, the Director of the Parks and Recreation Department has made
2 application to waive the dedication of an additional 17' of right-of-way for the
3 administrative final plat of Fairview Cemetery 2nd Addition at N. 84th and Adams
4 Streets, Lincoln, Lancaster County, Nebraska; and

5 WHEREAS, there is presently a 33' right-of-way north of the centerline of Adams
6 Street adjacent to Fairview Cemetery; and

7 WHEREAS, Adams Street is classified as a minor arterial street in the
8 Comprehensive Plan and § 26.23.040 of the Lincoln Municipal Code requires a 50'
9 right-of-way from the centerline of a minor arterial street; and

10 WHEREAS, the Parks and Recreation Department requested a modification to
11 waive said requirement pursuant to § 26.31.010 of the Lincoln Municipal Code to
12 negate the necessity of removing a number of unidentified graves which are located
13 within the proposed additional right-of-way; and

14 WHEREAS, the Planning Commission has reviewed said request and has made
15 recommendations thereon; and

16 WHEREAS, the City Council finds that the strict application of § 26.23.040 would
17 result in actual difficulties or substantial hardship or injustice to the property owner.

18 NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

19 The requirement of Section 26.23.040 of the Lincoln Municipal Code which
20 requires that a minor arterial street have a 50' right-of-way from the centerline is hereby

1 waived to allow Adams Street to have only 33' of right-of-way north of the centerline as
2 shown on the administrative final plat of Fairview Cemetery 2nd Addition.

3 All other conditions for approval of the administrative final plat of Fairview
4 Cemetery 2nd Addition shall remain in full force and effect.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ___ day of _____, 2001: _____ Mayor
