

**REQUEST FOR VARIANCE  
FROM ZONING  
ORDINANCE (VARIANCE  
REQUEST)**

**City of Waverly**

**Building Department  
P.O. Box 427  
14130 Lancashire St.  
Waverly, NE 68462  
Phone 402.786.2312  
Fax 402.786.2490**



www.citywaverly.com

<b>VARIANCE REQUEST #</b>	<b>DATE</b>
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**APPLICANT INFORMATION**

Name: <u>Tracy Stake</u>	Phone: <u>402-432-7148</u>
Address: <u>14730 Folkestone Street</u>	Fax:
City: <u>Waverly</u> State: <u>NE</u>	Zip: <u>68462</u>
Email: <u>tlstake158@gmail.com</u>	

**LOCATION INFORMATION & EXPLANATION**

Legal Property Description: Melrose Second Addition  
 Lot(s): 1 Block: 1 Addition: Melrose Second Addition  
 Zoning District: R1-R1-Residential District

Please describe the intended use and the need for the variance: I want to install a 8' wood privacy fence in a portion of our back yard to provide better safety & privacy for our family. The 8' fence would only run parallel with 148th street and at the North end, turn west meet up with a existing 6' privacy fence. (See more comments on next page)

**BOARD OF ADJUSTMENT PROCEDURE**

CONTINUED ON FOLLOWING PAGE

**P A I D**  
2/17/26  
 CASH MP

**FEES**

**\$100.00 PERMIT FEE** Date Paid \_\_\_\_\_ Cash  Check # \_\_\_\_\_ Credit Card   
 Permit Fee must be paid prior to any review action.  
 By signing below, the applicant hereby agrees with the rules and procedures for filing a Variance Request with the City of Waverly.

X Tracy Stake \_\_\_\_\_ Date 2/16/2026  
 Signature of Applicant \_\_\_\_\_

**ADMINISTRATIVE USE**

Approved \_\_\_\_\_  
 Denied \_\_\_\_\_  
 Zoning Administrator Signature \_\_\_\_\_ Date \_\_\_\_\_



## BOARD OF ADJUSTMENT PROCEDURE

The Board of Adjustment shall hear and decide upon petitions for variances, and subject to such standards, principals, and procedures provided in this Ordinance, to vary the strict application of the height, area, parking, sign, or other requirements to the extent necessary to permit the owner a reasonable use of his/her land.

Only upon receipt of a written response to the following conditions shall a meeting of the Board of Adjustments be scheduled: (Additional sheets may be attached.)

- A. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district or vicinity and is not created by an action(s) of the property owner or applicant.
- YES (This means your property has a quality unique to itself which makes this request necessary.)
- NO (This means every lot is like yours.)
- B. The granting of the permit for the variance will not be a substantial detriment of the adjacent property, and the character of the district will not be changed by granting the variance.
- YES (This means your request will not harm your neighbors or the community.)
- NO
- C. Strict application of the provisions of the zoning regulations to this request will constitute undue hardship upon the owner on the property named above.
- YES (This means you think you will be harmed and unfairly limited by denial of this request.)
- NO
- D. Granting of this requested variance is based on reason and demonstratable, exceptional hardship, as distinguished from convenience, profit, or caprice.
- YES (This means you think you will be harmed and unfairly limited by denial of this request.)
- NO

Comments: Our back yard sets lower, below 148th street, than any other property across 148th street. A 6' fence will not gain us the safety and privacy for our family we are needing. It will not be tall enough due to the height of 148th street compared to the elevation of our backyard.

With society being the way it is now days we are very concerned about the heavy traffic that 148th street carries now. We just do not want the wrong person/people to see what and who (grandchildren), is in our backyard. This is for safety and privacy. There are other 8' (+/-) fences in Waverly on properties that are not exposed to such high traffic volume and low finished grades compared to street traffic height.

There is one already on the East side of 148th and it was erected for the same reasons I have mentioned & that property set higher than our backyard. Proportionally, a 8' fence in our back yard will not be any higher, in relationship to 148th St, than a 6' fence on other properties across 148th street. We have no residential properties to the North of our property. A 8' fence in our back yard will not have any impact on another property.

