

117th Norfolk
1st Street
Norfolk, Ne

CONDITIONAL USE PERMIT
RESOLUTION NO. PC2004-3

WHEREAS, ALLTEL Communications of Nebraska, Inc., has filed an application for a Conditional Use Permit seeking a permit for a wireless telecommunications facility on property which is legally described as follows:

Blocks Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), Glen Park Addition to Norfolk, Madison County, Nebraska and the South Half of the Northwest Quarter of the Southeast Quarter (S1/2NW1/4SE1/4) in Section Sixteen (16) Township Twenty-four (24) North, Range One (1) West of the 6th P.M., Madison County, Nebraska

WHEREAS, the property described above is presently included in Zoning District R-1; and

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on May 4, 2004 receiving input and data from the applicant and the general public concerning the Conditional Use Permit;

NOW THEREFORE, in consideration of the foregoing recitals, the Planning Commission of the City of Norfolk, Nebraska hereby adopts the following Resolution:

BE IT RESOLVED by the Planning Commission of the City of Norfolk, Nebraska that ALLTEL Communications of Nebraska, Inc. is hereby granted a Conditional Use Permit for a wireless telecommunications facility at 1800 Syracuse Avenue above subject to the following terms and conditions:

- (1) There shall be a 7' high chain-link fence with 3-strand barbwire outriggers surrounding the compound;
- (2) This permit shall become null and void upon termination of the lease agreement between ALLTEL Communications of Nebraska, Inc. and Nebraska Christian College and the tower removed and property restored to its original condition within ninety (90) days;
- (3) Access to the tower site shall be hard-surfaced;
- (4) The applicants shall receive final approval from the Federal Aviation Administration;
- (5) The applicants shall encourage co-location of use on this tower;
- (6) All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed;
- (7) All procedures and standards outlined in Division 3 Airport Overlay District of the Norfolk City Code pertaining to Airport Overlay Districts shall be observed;
- (8) The Conditional Use Permit granted herein shall be subject to the provisions of the Norfolk City Code that provide for an appeal to be taken within 15 days of the decision of the Planning Commission; and pursuant to the Norfolk City Code, shall be a personal privilege granted to the applicant and shall not be subject to transfer;
- (9) There shall be compliance with any other applicable City, County or State regulations that may apply.

PASSED AND APPROVED this 18th day of May 2004

ATTEST:

Rue Tuckman
Planning Commission Chairman

[Signature]
Planning Commission Secretary

Approved as to form: *[Signature]*
City Attorney

Subscribed and sworn to before me this 18 Day of May, 2004.

[Signature]
Notary Public

