

RESOLUTION NO. 2004-PC1

WHEREAS, Janet D. Dunlap filed an application for a Conditional Use Permit seeking a permit for a planning of professional services office on property which is legally described as follows:

The North 218 feet of Lot 3, Block 7, Haase's Suburban Lots to Norfolk, Madison County, Nebraska; and

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

WHEREAS, the Norfolk Planning Commission conducted a public hearing on November 18, 2003 receiving input and data from the applicant and the general public concerning the Conditional Use Permit;

WHEREAS, the Norfolk Planning Commission of the City of Norfolk adopted Conditional Use Permit Resolution No. 2003PC-8 at its December 16, 2003 meeting which Resolution granted a Conditional Use Permit for a planning of professional services office at 1205 Norfolk Avenue; and

WHEREAS, said Conditional Use Permit granted by Resolution No. 2003PC-8 contained an incorrect legal description in that the North 218 feet of Lot 3, Block 7, Haase's Suburban Lots to Norfolk, Madison County, Nebraska was incorrectly referred to as the North 281 feet of Lot 3, Block 7, Haase's Suburban Lots to Norfolk, Madison County, Nebraska; and

WHEREAS, said incorrect legal description overstated the amount of property involved in the Conditional Use Permit which resulted in more extensive notice being given to surrounding property owners than is required by state law; and

WHEREAS, it is desirous to rescind Conditional Use Permit Resolution No. 2003PC-8 and to grant a new Conditional Use Permit containing the correct legal description.

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

BE IT RESOLVED by the Norfolk Planning Commission of the City of Norfolk, Nebraska, that Conditional Use Permit Resolution No. 2003PC-8 should be and hereby is rescinded.

BE IT FURTHER RESOLVED by the Norfolk Planning Commission of the City of Norfolk, Nebraska, that Janet D. Dunlap is hereby granted a Conditional Use Permit for a planning of professional services office at 1205 Norfolk Avenue, which is legally described as follows:

The North 218 feet of Lot 3, Block 7, Haase's Suburban Lots to Norfolk, Madison County, Nebraska,

with the following terms and conditions:

1. There shall be compliance with all parking ratios required by the Code of the City of Norfolk;
2. The permit shall be for twenty five (25) years;

- 3. The exterior character of the building shall not be modified from that of the existing residential structure unless required by State or City regulations;
- 4. There shall be compliance with all applicable City, County, State or Federal regulations that may apply;
- 5. Pursuant to the Norfolk City Code, this Conditional Use Permit shall be a personal privilege granted to the applicant and shall not be subject to transfer; and
- 6. 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.

PASSED AND APPROVED this 3 day of February, 2004.

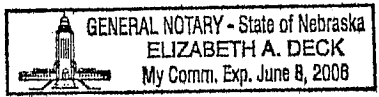
ATTEST:

[Signature]
Planning Commission Secretary

[Signature]
Planning Commission Chairman

Approved as to form: [Signature]
City Attorney

Subscribed and sworn to before me this 3 day of Febr, 2004.



[Signature]
Notary Public