

CITY OF NORFOLK
Attn: Beth Deck
127 N 1st St
Norfolk, NE
68701

Chg. \$10.50 No. 4953
Pag. General / Indexed

0986

STATE OF NEBRASKA ss This instrument filed for record this
MADISON COUNTY 19 day of Sept. /2008 at
8:30 o'clock A.M., and recorded in 2008-09 page 0986-
Deane T. [Signature] Deputy

Register of Deeds

Deputy

CONDITIONAL USE PERMIT
RESOLUTION NO. PC2008-7

WHEREAS, John and Jodi Cowling have filed an application for a Conditional Use Permit seeking a permit for a day care center on property which is legally described as follows:

Commencing at a point 33 feet North of the Southwest corner of Lot 4, Block 1, Klug's 1st Addition to the City of Norfolk, Madison County, Nebraska, extending thence North 150 feet, thence East 50 feet, thence South 150 feet, thence West 50 feet to the place of beginning.

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 August 19, 2008 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 John and Jodi Cowling are hereby granted a Conditional Use Permit for a day care center on property at 201 E. Prospect Avenue subject to the following terms and conditions:

- (1) There shall be a 5' fence enclosing the backyard;
- (2) The Conditional Use Permit shall be for ten (10) years;
- (3) All minimum regulations for a day care center as outlined by the Nebraska Department of Health and Human Services shall be observed. A copy of Chapter 8-000 Child Care Centers regulating day care centers in the State of Nebraska is enclosed in the permanent file;
- (4) If the construction of the day care center is not begun within a period of 12 months following approval, the conditional use permit shall become null and void;
- (5) 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;

- (6) There shall be compliance with any other applicable City, County, State or Federal regulations that may apply.

PASSED AND APPROVED this 3rd day of September 2008.

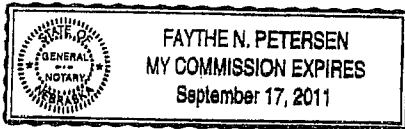
ATTEST:

Sue Fuchtmann
 Planning Commission

Fayde Petersen
 Planning Commission Secretary

Approved as to form: Christa E. [Signature]
 City Attorney

The foregoing instrument was acknowledged before me this 3 day of September, 2008 by Sue Fuchtmann, Planning Commission Chair of the City of Norfolk.



Fayde Petersen
 Faythe Petersen Notary Public