

PAGED 0 DOC TAX
GENERAL FEE \$10.50 Chg
INDEXED NO. 3859

1504

THE STATE OF NEBRASKA }
MADISON COUNTY } ss.

This instrument filed for record
the 20 day of July 20 12
at 8:30 A.M. and recorded in
Book 2012-07 Page 1504-1505
Honey J. Ross
Register of Deeds

By City of Norfolk, 309 N. 5th Street, Norfolk, Nebraska 68701

CONDITIONAL USE PERMIT
RESOLUTION NO. 2012PC-11

WHEREAS, McHugh Metal Brokerage/dba Scrap Mart filed an application for a Conditional Use Permit seeking a permit for a scrap metal processing facility on property which is legally described as follows:

A tract of land lying wholly in the SW 1/4 of the SE 1/4 of Section 12, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska. Said tract of land is more particularly described as follows:

Referring to the South 1/4 Corner of said Section 12; thence proceeding East, along the South line of said Section 12, on an assumed bearing of North 89 degrees 52 minutes 14 seconds East, 720.00 ft. to the point of beginning; thence continuing North 89 degrees 52 minutes 14 seconds East, along the South line of said Section 12, 363.00 ft.; thence North 00 degrees 28 minutes 36 seconds East, 650.00 ft.; thence South 89 degrees 52 minutes 14 seconds West, 363.00 ft.; thence South 00 degrees 28 minutes 36 seconds West, 650.00 ft. to the point of beginning LESS THE SOUTH 50.00 ft. thereof to be dedicated of road right-of-way. Said tract of land contains 5.00 acres, more or less. Said tract of land to be platted as Lot 1, Eisenhower Avenue Industrial Addition, Madison County, Nebraska.

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

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on June 19, 2012 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 Norfolk Planning Commission of the City of Norfolk, Nebraska that Scrap Mart hereby granted a Conditional Use Permit for a scrap metal processing facility subject to the following terms and conditions:

1. Hours of operation shall be 7:00 A.M. until 7:00 P.M.;
2. An 8 foot security fence shall be erected with a natural landscape buffer;
3. There shall be compliance with any other applicable City, County, State or Federal regulations that may apply;
4. Pursuant to the Norfolk City Code, this Conditional Use Permit shall be perpetual;

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.

PASSED AND APPROVED this 3 day of July, 2012

ATTEST:

[Signature]
Maynard Ohl
Planning Commission Chair Pro Tem

[Signature]
Faythe Petersen
Planning Commission Secretary

Approved as to form: [Signature]
Clint Schukei
City Attorney

The foregoing instrument was acknowledged before me this 3 day of July, 2012 by
Maynard Ohl, Planning Commission Chair Pro Tem of the City of Norfolk.

[Signature]
Faythe N. Petersen, Notary Public

