

10:25

00041

No	00041	#Pages	3
Doc Tax \$			
Fee \$	22.00	P&M \$	3.50
Fees Ptd \$	Gen Fee \$ 18.50		
Ck#			
Refund	Due 22.00		

THE STATE OF NEBRASKA } ss.
 MADISON COUNTY

This instrument filed for record
 the 5 day of January 20 15
 at 10:25 A.M. and recorded in
 Book 2015 Page 00041
 Register of Deeds *Nancy J. Gross*

By By the City of Norfolk, 309 N. 5th, Norfolk, Nebraska
 CONDITIONAL USE PERMIT
 RESOLUTION NO. 2014PC-7

WHEREAS, Porter Pit, L.L.C., Ken Porter, has filed an application for a Conditional Use Permit seeking a permit for a concrete crushing operation and material stockpiling on property which is legally described as follows:

The N 1/2 of the SE 1/4 of the SE 1/4 of Section 35, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; said property is owned by Porter Pit, L.L.C.; and

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 October 7, 2014 receiving input and data from the applicant and the general public concerning the Conditional Use Permit; and

WHEREAS, K. Porter Construction, Inc. will actually be performing the concrete crushing and stockpiling operations;

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 Porter Pit L.L.C. and K. Porter Construction, Inc., are hereby jointly granted a Conditional Use Permit for a concrete crushing operation and material stockpiling on the property described above, and located in the 2300 block of South Victory Road subject to the following terms and conditions:

- 1) Hours of operation shall be from 7:00 a.m. until 6:00 p.m., Monday through Friday and 7:00 a.m. until 12:00 noon on Saturdays.
- 2) There shall be chain link fencing and landscaping as per the site plan.

- 3) Porter Pit, L.L.C and K. Porter Construction, Inc. shall work to control the track out from trucks, heavy equipment and vehicles exiting the property onto Victory Road. Sand, gravel, mud or sediment track out generated from the concrete crushing operation, material stockpiling and truck traffic shall be controlled by installation and maintenance of appropriate best management practices (BMPs) compliant with their NPDES permitting requirements, City of Norfolk Engineering, City of Norfolk Zoning and/or Madison County Highway Department; at a minimum Porter Pit, L.L.C and K. Porter Construction, Inc. shall hard-surface 100 feet to the existing hard surfacing on Victory Road such that all traffic leaving the site shall travel the entire 100 feet on hard surfacing until they are on Victory Road.
- 4) There shall be no stockpiling of materials from the driveway to the north property line.
- 5) Stockpiling of materials shall be conducted in such a way as not to constitute a hazard to any person, or to adjoining properties.
- 6) The attached site plan is hereby approved by the Planning Commission and shall be complied with. The attached site plan drawings have been reduced for filing purposes. The larger site plan drawings may be viewed at the Norfolk Fire Division, 701 Koenigstein Avenue, Norfolk, Nebraska.
- 7) The Conditional Use Permit shall be for a period of ten (10) years, and pursuant to the Norfolk City Code, shall be a personal privilege granted to the applicant and shall not be subject to transfer.
- 8) There shall be compliance with any other applicable City, County, State and Federal regulations that may apply.
- 9) 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.
- 10) The Conditional Use Permit granted herein shall be subject to the provisions of the Norfolk City Code relative to review of the permit during the period it is in effect.

PASSED AND APPROVED this, 16th day of December, 2014.

ATTEST:



 Planning Commission Secretary



 Planning Commission
 J.J. Snodgrass

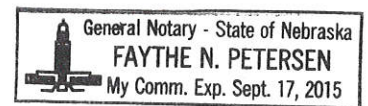
Approved as to form: 

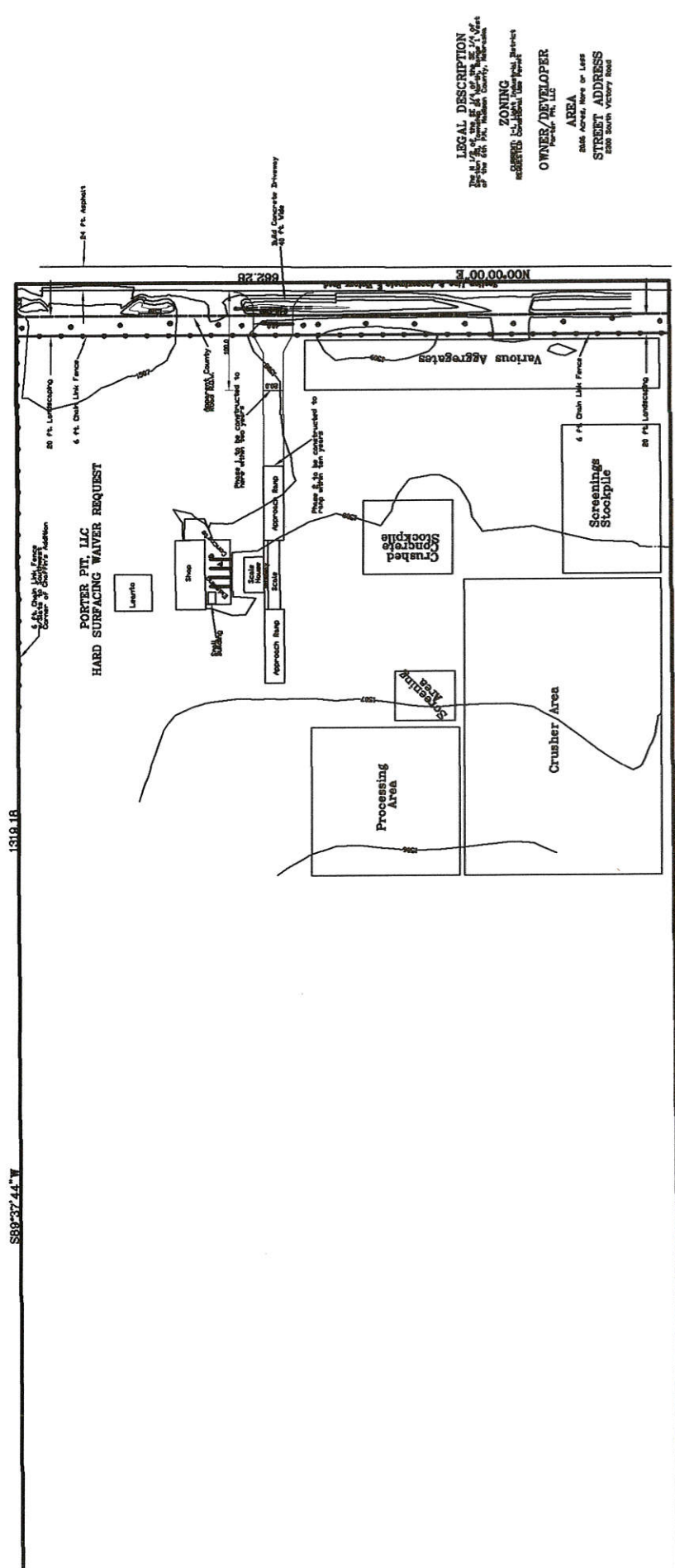
 City Attorney

The foregoing instrument was acknowledged before me this 16 day of December, 2014 by the Planning Commission Chairperson of the City of Norfolk.



 Notary Public





**PORTER PIT, LLC
HARD SURFACING WAIVER REQUEST**

5.4 ft. Chain Link Fence
Corner of Section 36

LEGAL DESCRIPTION
 50.00' of the SE 1/4 of Section 36-24-1 of the NE 1/4 of Township 25N, Range 14E of the 2nd Principal Meridian, Nebraska

ZONING
 Heavy Industrial, Statewide District

OWNER/DEVELOPER
 Porter Pit, LLC

AREA
 State Acreage More or Less

STREET ADDRESS
 288 South Victory Road



NOTES

1. North-south is 1/2 inch from the 6 ft. above ground in northwest corner of the site.
2. South-southwest is 1/2 inch from the 6 ft. above ground in southwest corner of the site.
3. The utility lines shown are as shown on the attached utility map.
4. The utility lines shown are as shown on the attached utility map.
5. The utility lines shown are as shown on the attached utility map.
6. The utility lines shown are as shown on the attached utility map.
7. The utility lines shown are as shown on the attached utility map.
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13. The utility lines shown are as shown on the attached utility map.

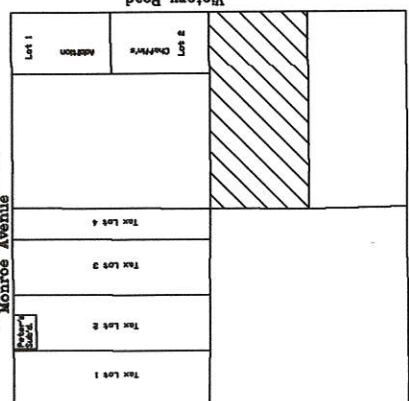
REVISIONS

1	December 16, 2014	Initial Release
2	December 16, 2014	Initial Release
3	December 16, 2014	Initial Release

**PORTER PIT, LLC
CONDITIONAL USE PERMIT
SITE PLAN**

Johnson Engineering Company
 701 Michigan Avenue
 Norfolk, Nebraska 68701

September 15, 2014



VICINITY SKETCH
 NOT TO SCALE

SE 1/4 Section 36-24-1
 Monroe Avenue

S89°37'44"W

N69°39'00"E