

No	03316 ✓	#Pages	3
Doc Tax \$			
Fee \$	22. ⁰⁰	P&M \$	3.50
Fees Pd \$			
Gen Fee \$	18.50		
Clk#			
Refund			
Due [*]	22. ⁰⁰		

THE STATE OF NEBRASKA } ss.
MADISON COUNTY

This instrument filed for record
the 8 day of August 20 16
at 10:20 A.M. and recorded in
Book 2016 Page 03316
Nancy J. Draco
Register of Deeds

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

CONDITIONAL USE PERMIT
RESOLUTION NO. 2016PC-9

WHEREAS, Raymond W. and Julie A. Stahla hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for a non-residential septic system in the wellhead protection overlay district on property addressed as 4407 W. Norfolk Avenue which is legally described as follows:

A tract of land lying wholly in the E 1/2 of the NW 1/4 of Section 30, 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 Northwest Corner of the E 1/2 of the NW 1/4 of said Section 30; thence proceeding South on the West line of said E 1/2 of the NW 1/4, on an assumed bearing of South 00 degrees 37 minutes 54 seconds West, 39.80 ft. to a point on the, southerly right of way of U.S. Hwy 275 which is the point of beginning; thence proceeding South 89 degrees 56 minutes 02 seconds East, along said southerly right of way, 1000.00 ft.; thence South 00 degrees 37 minutes 54 seconds West, parallel to the West line of said E 1/2 of the N 1/4, 606.86 ft.; thence South 89 degrees 46 minutes 18 seconds West, parallel to the North line of said E 1/2 of the NW 1/4, 1000.06 ft. to a point on the West line of said E 1/2 of the NW 1/4; thence North 00 degrees 37 minutes 54 seconds East, 612.00 ft. to the point of beginning.
Less

A tract of land located in the Northwest Quarter of Section 30, Township 24 North, Range 1 West of the Sixth Principal Meridian, Madison County, Nebraska, described as follows:

Referring to the Northeast corner of said Northwest quarter; thence southerly a distance of 46.60 feet to a point on the southerly existing Highway 275 right of way line; thence westerly deflecting 089 degrees, 28 minutes, 10 seconds right, a distance of 320.50 feet along said right of way line to the point of beginning; thence westerly deflecting 000 degrees, 00 minutes, 00 seconds a distance of 1000.00 feet along said right of way line to a point on the West line of the property owned by the grantor(s); thence southerly deflecting 089 degrees, 27 minutes, 41 seconds left, a distance of 44.68 feet along said line; thence easterly deflecting 081 degrees, 13 minutes, 47 seconds left, a distance of 187.15 feet; thence easterly deflecting 007 degrees, 06 minutes, 07 seconds left, a distance of 199.45 feet; thence easterly deflecting 005 degrees, 00 minutes, 32 seconds left, a distance of 400.28 feet; thence easterly deflecting 008 degrees, 57 minutes, 15 seconds left, a distance of

thence easterly deflecting 008 degrees, 57 minutes, 15 seconds left, a distance of 100.96 feet; thence easterly deflecting 011 degrees, 41 minutes, 23 seconds right, a distance of 117.39 feet to a point on the East line of the property owned by the grantor(s); thence northerly deflecting 089 degrees, 24 minutes, 10 seconds left, a distance of 42.36 feet to the point of beginning containing 1.52 acres, more or less.

WHEREAS, the property described above is presently included in Zoning District C-3;
and

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on July 6, 2016 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 Raymond W. and Julie A. Stahla is hereby granted a Conditional Use Permit for a non-residential septic system in the wellhead protection overlay district subject to the following terms and conditions:

1. The existing septic system size or capacity shall not be enlarged;
2. There shall be compliance with Norfolk City Code Wellhead Protection Overlay District Sections 27-271 through 27-280;
3. APPLICANT shall be compliant with Norfolk City Code Section 26-57;
4. Pursuant to the Norfolk City Code, the Conditional Use Permit shall be for a period of ten (10) years or until the existing septic system fails or requires substantial repair, whichever occurs first, and shall be a personal privilege granted to the APPLICANT and shall not be subject to transfer;
5. Failure to observe and maintain the conditions and restrictions of the conditional use permit shall be considered a violation of The Code of the City of Norfolk, Nebraska subject to penalty as provided herein and may be grounds for review of the permit;
6. All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed and 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;

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

PASSED AND APPROVED this 19th day of July, 2016.

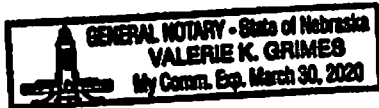
ATTEST:

Brian Lundy
 Planning Commission Chair

Stacey Hansen
 Planning Commission Secretary

Approved as to form: Clint E. Guleski
 City Attorney

The foregoing instrument was acknowledged before me this 19th day of July, 2016 by Brian Lundy, Planning Commission Chair and Stacey Hansen, Planning Commission Secretary of the City of Norfolk.



Valerie K. Grimes
 Notary Public Signature

Valerie K. Grimes
 Notary Public Printed