

8:30

04529 ✓

THE STATE OF NEBRASKA } ss.  
MADISON COUNTY

No	04529	#Pages	2
Doc Tax \$			
Fee \$	16.00	P&M \$	3.00
Fees Pd \$	-	Gen Fee \$	13.00
Ck#			
Refund			
Due	16.00		

This instrument filed for record  
 the 10 day of October 20 17  
 at 8:30 A.M. and recorded in  
 Book 2017 Page 04529  
 Register of Deeds *Nancy J. Gross*

By the City of Norfolk, 309 N. 5<sup>th</sup> Street, Norfolk, NE 68701

CONDITIONAL USE PERMIT  
RESOLUTION NO. 2017PC-6

WHEREAS, Sacred Heart Church of Norfolk, a Nebraska Nonprofit Corporation, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for a daycare center on property addressed as 2301 W. Madison Avenue and legally described as follows:

A tract of land described as follows: Commencing at a point 713 feet South and 679.9 feet East of the Northwest corner of Section 28, Township 24 North, Range 1 West of the 6th P.M., in Madison County, Nebraska, said place of beginning being also the Southwest corner of Sacred Heart Addition to the City of Norfolk, Madison County, Nebraska; running from thence due East along the South line of said Sacred Heart Addition, a distance of 646.9 feet to the Southeast corner of said Sacred Heart Addition, which point is on the East line of the Northwest Quarter of the Northwest Quarter of said Section 28; thence due South a distance of 611.4 feet to the Southeast corner of said Northwest Quarter of the Northwest Quarter; thence due West 646.9 feet; thence due North 611.4 feet to the place of beginning, in Norfolk, Madison County, Nebraska; and

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

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on September 6, 2017 receiving input and data from the APPLICANT and the general public concerning the proposed 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 Sacred Heart Church of Norfolk is hereby granted a Conditional Use Permit for a daycare center subject to the following terms and conditions:

1. The Conditional Use Permit shall be for five (5) years;

- 2. All minimum regulations for a licensed child care center as outlined by the Nebraska Department of Health and Human Services shall be observed;
- 3. Hours of operation shall be limited to Monday thru Friday, 6 am – 6 pm;
- 4. APPLICANT shall control traffic flow to enhance safety on the property;
- 5. The Conditional Use Permit shall be a personal privilege granted to the APPLICANT and shall not be subject to transfer;
- 6. 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 including alteration or termination of the permit;
- 7. 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;
- 8. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 19th day of September, 2017.

ATTEST:

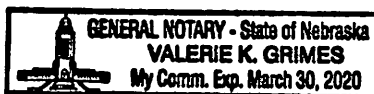
Brian Lundy  
 Brian Lundy  
 Planning Commission Chair

Brianna Duerst  
 Brianna Duerst  
 Planning Commission Secretary

Approved as to form: Chris Gluber  
 City Attorney

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of September, 2017 by Brian Lundy, Planning Commission Chair and Brianna Duerst, Planning Commission Secretary of the City of Norfolk.

Valerie K. Grimes  
 Notary Public Signature



Valerie K. Grimes  
 Notary Public Printed