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04234 ✓

No	04234 ✓	#Pages	2
Doc Tax \$	_____		
Fee \$	16.00	P&M \$	3.00
Fees Pd \$	-	Gen Fee \$	13.00
Ck#	_____		
Refund	_____	Due	16.00

THE STATE OF NEBRASKA
MADISON COUNTY

This instrument filed for record
 the 20 day of September 2017
 at 11:00 A.M. and recorded in
 Book 2017 Page 04234
Nancy J. Hesse
 Register of Deeds

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

CONDITIONAL USE PERMIT
RESOLUTION NO. 2017PC-5

WHEREAS, CEB, LLC, a Nebraska Limited Liability Company and AEC, LLC, a Nebraska Limited Liability Company, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for a climate controlled self-storage facility on properties addressed as 401 W. Norfolk Avenue and 403 W. Norfolk Avenue and legally described as follows:

Lot 1, Burrows and Egberts Addition to the City of Norfolk, Madison County, Nebraska, less that part of Lot 1 described as follows: Commencing at the Northwest corner of Lot 1 of Burrows and Egberts Addition to the City of Norfolk, Madison County, Nebraska; thence East on lot line 26.12 feet to the point of beginning; thence continuing East, on lot line, 21.99 feet to a point on the East line of the NW1/4 of the NE1/4 of Section 27, Township 24 North, Range 1 West of the 6th P.M., Madison county, Nebraska; thence South on the East line of said NW1/4 of the NE1/4 176.0 feet to a point 24.68 feet East of the Southwest corner of said Lot 1; thence North 176.0 feet to the point of beginning, and

Lot 2, Burrows and Egberts Addition to the City of Norfolk, Madison County, Nebraska; and

WHEREAS, the property described above is presently included in Zoning District C-2; and

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on August 8, 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 CEB, LLC and AEC, LLC are hereby granted a Conditional Use Permit for a climate controlled self-storage facility subject to the following terms and conditions:

1. There shall be no outdoor storage;
2. There shall be no storage of hazardous materials;
3. Parking for the facility will utilize public on-street parking spaces;
4. The use granted by the Conditional Use Permit shall be perpetual and run with the land;

- 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 including alteration or termination 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 22nd day of August, 2017.

ATTEST:

DAS
 Dan Spray
 Planning Commission Vice-Chair

Brianna Duerst
 Brianna Duerst
 Planning Commission Secretary

Approved as to form: *Clint Edwards*
 City Attorney

The foregoing instrument was acknowledged before me this 22nd day of August, 2017 by ~~Brian Lundy~~, Planning Commission Chair and Brianna Duerst, Planning Commission Secretary of the City of Norfolk.

↳ Dan Spray
UG

↳ Vice-
UG



Valerie K. Grimes
 Notary Public Signature

Valerie K. Grimes
 Notary Public Printed