

No. 05533 ✓	#Pages 3
Doc Tax \$ _____	
Fee \$ 22.00	P&M \$ 3.50
Fees Pd \$ _____	Gen Fee \$ 18.50
Ck# _____	
Refund _____	Due 22.00

THE STATE OF NEBRASKA } ss
 MADISON COUNTY }

This instrument filed for record
 the 30 day of October 2020
 at 10:15 A.M. and recorded in
 Book _____ Page _____

Diana S. Nykodym Register of Deeds

By

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

CONDITIONAL USE PERMIT
 RESOLUTION NO. 2020PC-12

WHEREAS, Daniel E. and Connie J. Geary, husband and wife, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit to construct and allow an oversize accessory building on property addressed as 1701 N. 13th Street which is legally described as follows:

Legal Description for Tract B:

The Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 16, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, less the following described tract: Beginning at the Southwest corner of Lot 6, Block 3 of Glenn Park Terrace; thence North 00 degrees 03 minutes 30 seconds West (an assumed bearing) 480.00 feet on the West line of Glenn Park Terrace to the Southwest corner of Lot 6, Block 1 of said Glenn Park Terrace; thence South 89 degrees 30 minutes 31 seconds West 60.00 feet; thence South 00 degrees 03 minutes 43 seconds East 479.64 feet to a point on the South line of the Northeast 1/4 of the Southeast 1/4 of said Section 16, Township 24 North, Range 1 West; thence North 89 degrees 53 minutes 59 seconds East 60.00 feet to the point of beginning.

AND

Legal Description for Tract C:

Commencing at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 16, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; thence East 644.5 feet; thence South 66.0 feet; thence West 650.3 feet; thence North 66.75 feet; thence East 5.8 feet to the point of beginning,

LESS

the following described tract: Commencing at a point which is 67.9 feet West and 61.65 feet South of the Northeast corner of said Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 16; thence South 4.35 feet; thence West 583.2 feet; thence North 5.1 feet; thence East 583.2 feet to the place of beginning; and

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

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on September 22, 2020 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 Daniel E. and Connie J. Geary are hereby granted a Conditional Use Permit to construct and allow an oversize accessory building subject to the following terms and conditions:

1. The total maximum permitted square footage (ground level) for detached accessory building(s) on the property described above shall be 4,450 SF which includes the proposed not to exceed 1,024 SF building;
2. The existing 480 SF accessory building shall be removed prior to construction of the proposed new 1,024 SF accessory building;
3. No commercial use shall be allowed and the accessory building shall be used for personal storage only;
4. Pursuant to the Norfolk City Code, this Conditional Use Permit shall 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 6th day of October, 2020.

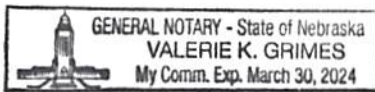
ATTEST:

D/S
 Dan Spray
 Planning Commission Chair

Elizabeth Lienemann
 Elizabeth Lienemann
 Planning Commission Secretary

Approved as to form: *D. Myers-Noelle*
 Danielle Myers-Noelle
 City Attorney

The foregoing instrument was acknowledged before me this 6th day of October, 2020 by Dan Spray, Planning Commission Chair and Elizabeth Lienemann, Planning Commission Secretary of the City of Norfolk.



Valerie K. Grimes
 Notary Public Signature

Valerie K. Grimes
 Notary Public Printed