

NO 04708' Pages 2

Doc Tax \_\_\_\_\_

Fee \$ 16.00 P&M \$ 3.00

Fees Pd \$ \_\_\_\_\_ Gen Fee \$ 13.00

Check# \_\_\_\_\_

Refund \_\_\_\_\_ Due \$ 16.00

THE STATE OF NEBRASKA } ss  
MADISON COUNTY

This instrument filed for record  
the 28 day of December 20 23  
at 9:15 A.M. and recorded in  
Book 2023 Page 04708

*Diane S Tykocym* Register of Deeds

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

**CONDITIONAL USE PERMIT  
RESOLUTION NO. 2023PC-10**

WHEREAS, Tristan Hartzell, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit to exceed the maximum building height regulations on property addressed as 3402 Rolling Hills Drive, which is legally described as follows:

Lot 1, Block 7, Eldorado Estates Second Addition to the City of Norfolk, Madison County, Nebraska; and

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

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on November 21, 2023 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 Tristan Hartzell is hereby granted a Conditional Use Permit to exceed the maximum building height regulations on the property subject to the following terms and conditions:

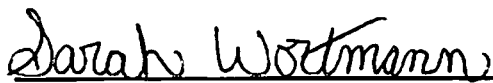
1. Maximum building height of the primary residential building shall be 37.5', including all roof mounted equipment;
2. Pursuant to the Norfolk City Code, the Conditional Use Permit shall run with the land;
3. Failure to observe and maintain the conditions and restrictions of the Conditional Use Permit 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;

- 4. 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;
- 5. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 5<sup>th</sup> day of December, 2023.

ATTEST:

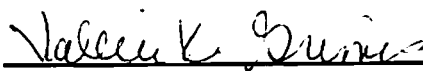
  
 \_\_\_\_\_  
 Dan Spray  
 Planning Commission Chair

  
 \_\_\_\_\_  
 Sarah Wortmann  
 Planning Commission Secretary

Approved as to form:   
 \_\_\_\_\_  
 Danielle Myers-Noelle  
 City Attorney

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of December, 2023 by Dan Spray, Planning Commission Chair and Sarah Wortmann, Planning Commission Secretary of the City of Norfolk.



  
 \_\_\_\_\_  
 Notary Public Signature  
 Valerie K. Grimes  
 \_\_\_\_\_  
 Notary Public Printed