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 Fees Pd \$ _____ Gen Fee \$ 13.00
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THE STATE OF NEBRASKA }
 MADISON COUNTY

This instrument filed for record
 the 5 day of October 2023
 at 10:05 A.M. and recorded in
 Book 2023 Page 03675

Diana S Tyrodym Register of Deeds

By
 By the City of Norfolk, 309 N. 5th, Norfolk, Nebraska

CONDITIONAL USE PERMIT
 RESOLUTION NO. 2023PC-7

WHEREAS, Guaranteed Landscaping & Sprinklers, L.L.C., A Nebraska Limited Liability Company, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for a landscaping contract service on property addressed as 3705 S. 13th Street which is legally described as follows:

A parcel of land lying wholly in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section Ten, Township Twenty-Three North, Range One West of the Sixth P.M., Madison County, Nebraska, more particularly described as follows: Beginning at a point 395.0 feet South and 50.0 feet East of the Northwest corner of Said Section Ten; thence proceeding East on a line parallel with the North line of said Section Ten, 610.1 feet to a point on the East line of said Northwest Quarter of the Northwest Quarter of the Northwest Quarter; thence South on said line 263.2 feet to the South line of said Northwest Quarter of the Northwest Quarter of the Northwest Quarter; thence West 610.2 feet; thence North 262.94 feet to the point of beginning.

WHEREAS, the property described above is presently included in Zoning District A; and

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on September 6, 2023 receiving input and data from the applicant and the general public concerning the Conditional Use Permit; and

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 Guaranteed Landscaping & Sprinklers, L.L.C. is hereby granted a Conditional Use Permit for a landscaping contract service on the property described above, and located at 3705 S. 13th Street, subject to the following terms and conditions:

- 1) The property shall be maintained and kept free of weeds and debris.
- 2) The property shall be used as a storage and contract service for landscaping. There shall be no retail sales on the property.
- 3) The Conditional Use Permit shall be for a period of five (5) years, and pursuant to the Norfolk City Code, shall be a personal privilege granted to the applicant and shall not be subject to transfer.

- 4) 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;
- 5) 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;
- 6) 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, 2023.

ATTEST:

Katelyn Palmer
 Katelyn Palmer
 Planning Commission Secretary Pro Tem

Dan Spray Dirk Wark
 Dan Spray Dirk Wark
 Planning Commission Chair
 Vice

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

The foregoing instrument was acknowledged before me this 19th day of September, 2023 by Dan Spray, Planning Commission Chair and Katelyn Palmer, Planning Commission Secretary Pro Tem of the City of Norfolk. Dan Spray Vice

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

