

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, August 8, 2023
7:30 a.m.

Created 8/4/2023 10:22 AM

**NOTICE OF MEETING
CITY OF NORFOLK, NEBRASKA**

NOTICE IS HEREBY GIVEN that a meeting of the Norfolk Planning Commission of the City of Norfolk, Nebraska, will be held at 7:30 a.m. on Tuesday, August 8, 2023, in the Council Chambers, 309 N. 5th Street, which meeting will be open to the public.

An agenda for such meeting, kept continually current, is available at the City of Norfolk Administration Building, located at 309 N 5th Street, Norfolk, Nebraska during normal business hours.

AGENDA
NORFOLK PLANNING COMMISSION

August 08, 2023

CALL TO ORDER

1. 7:30 a.m. Call meeting to order.
2. Inform the public about the location of the Open Meetings Act posted in the Council Chambers and accessible to members of the public
3. Roll call.

CURRENT BUSINESS

- | | |
|---|---------------|
| 4. Approval of full agenda. | Motion |
| 5. Consideration of approval of the minutes of the July 18, 2023 Planning Commission meeting. | Motion |

PUBLIC HEARINGS

- | | |
|---|---------------|
| 6. Public hearing at the request of Bernard G & Carol J Wrede, Trustees of the Bernard & Carol Wrede Living Trust, for a Conditional Use Permit for a storage facility on property addressed as 1806 East Omaha Avenue. | |
| 7. Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a storage facility on property addressed as 1806 East Omaha Avenue. | Motion |
| 8. Public hearing at the request of Garth & Krista Ferris, to consider a zoning change from R-2 (One and Two Family Residential District) to R-1 (Single Family Residential District) on property addressed as 221 Jackson Ave | |
| 9. Consideration of recommendation of a zoning change from R-2 (One and Two Family Residential District) to R-1 (Single Family Residential District) on property addressed as 221 Jackson Ave | Motion |
| 10. Consideration of recommendation of the final plat of Ferris-Kielty Addition. | Motion |
| 11. Public hearing at the request of Roger L. Bader, Kirk M. Bader & Jackie A. Mayer and Elkhorn Valley Bank & Trust, to consider a zoning change from R-1 (Single Family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 404 S 25th St. & part of 2607 Westside Ave. | |

- 12. Consideration of recommendation of a zoning change from R-1 (Single Family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 404 S 25th St. & part of 2607 Westside Ave. **Motion**
- 13. Consideration of recommendation of the final plat of Elkhorn Valley Bank & Trust - Bader Addition. **Motion**
- 14. Public hearing at the request of Double TV Properties, LLC, to consider a zoning change from R-3 (Multiple Family Residential District), C-1 (Local Business District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 701 S. 13th St, 707 S. 13th St, and 1229 W. Pasewalk Ave.
- 15. Consideration of recommendation of a zoning change from R-3 (Multiple Family Residential District), C-1 (Local Business District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 701 S. 13th St, 707 S. 13th St, and 1229 W. Pasewalk Ave **Motion**
- 16. Consideration of recommendation of the final plat of Burger King's Addition. **Motion**
- 17. Public hearing at the request of Braasch Avenue, LLC, to consider a zoning change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 300 W Braasch Ave
- 18. Consideration of recommendation of a zoning change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 300 W Braasch Ave **Motion**

PLATS/SUBDIVISIONS

- 19. Consideration of recommendation of the final plat of Tunink's Addition. **motion**

WAIVERS

- 20. Consideration of recommendation of a sidewalk waiver requested by Clausen Air Inc for property located at 711 S 37th St. **Motion**

OTHER BUSINESS

- 21. Open topics on any concerns the Commission has towards current and future planning for the City. No action can be taken on matters discussed.

PLANNING COMMISSION MEETING

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 18th day of July, 2023, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Chad Bryant, Dirk Waite, Martin Griffith, Jordan Mason, and Cody Ronnfeldt. Absent: Dan Spray, Kayla Ramsay, Brandon Franklin, and Kaycee Kube.

Staff members present were: Valerie Grimes, City Planner; Anna Allen, Assistant City Engineer; Steven Rames, City Engineer; Pat Boyle, Project Engineer; and Katelyn Palmer, Permits Technician.

Planning Commission Vice-Chair, Dirk Waite presided and the Planning Commission Secretary Katelyn Palmer digitally recorded the audio of the proceedings.

Vice-Chair Waite called the meeting to order and informed the public about the location of the current copy of the Open Meetings Act posted in the meeting room and accessible to members of the public.

Notice of the meeting was given in advance thereof by publication in the Norfolk Daily News, Norfolk, Nebraska, the designated method of giving notice, as shown by affidavit of publication.

Notice was given to the Chair and all members of the Commission and a copy of their acknowledgement of receipt of notice and agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chair and Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was opened to the public.

Current Business

Commissioner Griffith moved, seconded by Commissioner Bryant to approve the full agenda.

Roll Call: Commission Members: Ayes: Bryant, Waite, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Ramsay, Franklin, and Kube. Motion carried (5-0).

Commissioner Griffith moved, seconded by Commissioner Bryant to approve the July 5, 2023 meeting minutes.

Roll Call: Commission Members: Ayes: Bryant, Waite, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Ramsay, Franklin, and Kube. Motion carried (5-0).

Resolution No. 2023PC-5
Conditional Use Permit - Storage & warehousing of non-hazardous material
1906 W Omaha Ave | PAL Properties, LLC

Vice-Chair Waite asked if there was any comment regarding this item, before reading items into record. City Planner, Valerie Grimes stated the applicant was present, and to come up with any questions he had.

Kevin Langel, applicant, spoke on behalf of this project. He explained that the property will be L-shaped, including 13 oversized storage units, not for business use and strictly storage, such as for campers or boats. There will be one - 40 x 80 structure for himself, as he's recently sold his business and needs a place to operate, such as working on classic cars. All storage will be inside the units only, no outside storage.

With the conditions shown overhead to the public, Langel asked about condition #5 regarding the fence. He explained that the neighboring property to the North has a current fence, and that if he would install one, they would be parallel to each other. However, he was open to the idea of installing one if they wanted to remove theirs. The current fence was part of Eco-Lux and installed due to being a hotel.

No one else spoke on this request. Vice-Chair Waite reminded the applicant he will need to follow the rules of the Highway Corridor Overlay District when submitting Building Permits. After reviewing the rest of the conditions on the screen, all else were okay, with the removal of condition #5.

Conditions were listed overhead, while also being posted in the Agenda and on website.

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to approve Resolution No. 2023PC-5 for a Conditional Use Permit for storage & warehousing of non-hazardous material on property addressed as 1906 W Omaha Ave, with the redaction of condition #5.

Roll Call: Commission Members: Ayes: Bryant, Waite, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Ramsay, Franklin, and Kube. Motion carried (5-0).

Plats/Subdivisions

Madison Villas 2nd Addition – Final Plat

City Planner, Valerie Grimes explained this plat would be specifically for 3 lots only, that are currently duplex lots, but replating as single family attached, so the lot line goes down center. This is being done so each side can be sold individually.

Commissioner Griffith moved, seconded by Commissioner Ronnfeldt to recommend approval of the final plat of Madison Villas 2nd Addition.

Roll Call: Commission Members: Ayes: Bryant, Waite, Griffith, Mason and Ronnfeldt. Nays: None.
Absent: Spray, Ramsay, Franklin, and Kube. Motion carried (5-0).

Boyle's Addition – Final Plat

City Planner, Valerie Grimes explained this property is currently divided into 3 lots, and that this plat will combine all into 1 lot, to construct an accessory building.

Commissioner Ronnfeldt moved, seconded by Commissioner Bryant to recommend approval of the final plat of Boyle's Addition.

Roll Call: Commission Members: Ayes: Bryant, Waite, Griffith, Mason and Ronnfeldt. Nays: None.
Absent: Spray, Ramsay, Franklin, and Kube. Motion carried (5-0).

Waivers

Sidewalk Waiver

1809 Koenigstein Avenue | Gretchen M. Sandall

David Copple, who spoke on behalf of the applicant, Gretchen M Sandall, explained that the home was just recently built. The sidewalk waiver is being applied for, as none of the neighboring properties have sidewalks installed and this would be the first. The applicant understands that if the City instructs that sidewalks need to be installed, they will install them.

Commissioner Griffith moved, seconded by Commissioner Bryant to recommend approval of the sidewalk waiver requested by Gretchen M Sandall for property located at 1809 Koenigstein Ave.

Roll Call: Commission Members: Ayes: Bryant, Waite, Griffith, Mason and Ronnfeldt. Nays: None.
Absent: Spray, Ramsay, Franklin, and Kube. Motion carried (5-0).

Other Business

City Planner Valerie Grimes presented the May 2023 Building Permit Report.

There was no other discussion and Vice-Chair Waite declared the meeting adjourned at 7:57 a.m.

Katelyn Palmer, Norfolk Pro Tem Planning Commission Secretary

Dirk Waite, Norfolk Planning Commission Vice-Chair

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

CONDITIONAL USE PERMIT APPLICATION

Applicant: Bernard and Carol Wrede Living Trust 1806 East Omaha P.O. 461 Norfolk Ne

Name: 402-649-0661 Address: wreded@ptcnet.net

Phone: _____ Email: _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Bernard Wrede 1806 East Omaha Norfolk Ne

(other than applicant) Name: 402-649-0661 Address: _____

Phone: _____ Email: _____

Present Use of Property: Self Storage Facility (ABC Secure Storage LLC)

Desired Use of Property: Continue Self Storage Facility

Timeframe of Request: Perpetual Issued for _____ years To Run with the Land

Location of Property: 1806 E Omaha Ave. Norfolk Ne.

Legal Description: A tract of land lying wholly in the NW 1/4 of the NE 1/4 and part of the NE 1/4 of the NW 1/4 of 36-24-1 (14.98 acres)

Property Area, Square feet and/or Acres: 14.98 acres

General Character of the area: Industrial self storage

X Bernard Wrede Trustee _____
Signature of Owner OR Authorized Agent

X Carol Wrede Trustee _____
Printed Name of Owner OR Printed Name of Authorized Agent

CONDITIONAL USE PERMIT JUSTIFICATION FORM

1. What is the current zoning district?

I-3 (CUP)

2. For what specific use are you requesting the permit?

Self Storage facility

3. Will it be necessary to build a new structure? Yes No

4. What makes the location of the proposed permit appropriate in relation to the adjacent properties?

Surrounding properties are Industrial and self storage

5. Is screening or buffering required? Yes No

If yes, explain type _____

6. Is the ingress & egress to the property and proposed structure adequate? Yes No

If no, explain traffic flow solutions _____

7. Are off-street parking and/or loading areas required? Yes No

If yes, explain traffic flow _____

8. Describe the current traffic of the area and the effect the proposed permit will have on traffic patterns.
no disruption expected.

9. Are any signs or exterior lighting required? Yes No

If yes, explain _____

10. Are utilities property located? Yes No

Explain location and closest availability _____

11. Adequate water and sewer available? Yes No

12. Will required yards & other open spaces be observed with the permit? Yes No

300' BOUNDARY

TRACT

BOTTORFFS'

HWY. 24

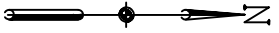
DRK,
PARK

LOT 3

MILL
TRCT

US
25

NOT TO SCALE
S:\DEPT\ENG\SEAN\FIREPLOT\36241-07-20-22.DWG



Public Hearing

The Norfolk Planning Commission will hold a public hearing on August 8, 2023 at 7:30 a.m. in the City Council Chambers, 309 N. 5th Street, Norfolk, Nebraska at the request of Bernard G & Carol J Wrede, Trustees of the Bernard & Carol Wrede Living Trust, for a Conditional Use Permit for a storage facility on property addressed as 1806 East Omaha Avenue, legally described as follows:

A tract of land lying wholly in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 24 North, Range 1 West of the 6th P.M., Madison County Nebraska, and more particularly described as follows:

Referring to the North Quarter corner of said Section 36; thence proceeding West, along the North line of said Section 36, on an assumed bearing of South 89 degrees 49 minutes 15 seconds West, 799.83 feet; thence South 00 degrees 06 minutes 54 seconds East, 422.38 feet to a point on the Northerly right-of-way of Nebraska State Hwy. No. 24, which is the point of beginning; thence North 89 degrees 51 minutes 01 seconds East, 316.11 feet; thence North 00 degrees 00 minutes 00 seconds East, 378.68 feet to a point on the Westerly right-of-way of former Nebraska State Hwy No. 24; thence South 76 degrees 41 minutes 00 seconds East, along said Westerly right-of-way 225.0 feet; thence South 28 degrees 13 minutes 32 seconds East, along said Westerly right-of-way, 304.58 feet; thence South 40 degrees 17 minutes 49 seconds East, along said Westerly right-of-way, 365.32 feet; thence South 28 degrees 23 minutes 45 seconds East, along said westerly right-of-way, 673.13 feet to a point on the Northerly right-of-way of Nebraska State Hwy. No. 24; thence North 76 degrees 30 minutes 16 seconds West, along said Northerly right-of-way, 586.73 feet to the P.C. of a curve to the right having a radius of 869.93 feet; thence along said Northerly right-of-way on said curve, 841.44 feet (Chord Bearing=North 48 degrees 48 minutes 42 seconds West, Chord Distance 809.93 feet) to the P.T. of said curve; thence North 21 degrees 36 minutes 06 seconds West, along said Northerly right-of-way, 152.46 feet to the point of beginning.

Publish (July 28, 2023)
1 P.O.P

For Office Use Only	Date Rec'd <u>5-9-23</u>
	Fee \$ <u>325</u> <u>5-1</u>
	Rec'd by <u>EJ</u>

ZONING CHANGE APPLICATION

Applicant: Garth & Krista Ferris 221 Jackson Ave., Norfolk

Name 308-249-0887 Address garth.ferris@altertrading.com

Phone 308-249-0887 Email garth.ferris@altertrading.com

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____

(other than applicant) Name _____ Address _____

Phone _____ Email _____

Current Zoning: R-2 **Proposed Zoning:** R-1

Location of Property: 221 Jackson Ave., Norfolk


Legal Description: E 75 ft. of W 240 ft. of Lot 36, Homestead Acres, Norfolk, NE

Tax ID # 590062956

Property Area, Square feet and/or Acres: 9750 sq. ft.

Use of Adjoining Properties:

North: Resident East: Resident South: Recreation West: Resident



Signature of Owner
Garth Ferris

Printed Name of Owner

OR



Authorized Agent
Krista Ferris

Printed Name of Authorized Agent

**ZONING CHANGE
JUSTIFICATION FORM**

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?
The Comprehensive Plan shows Single Family Residential for the entire area around property.

2. Does the zone change request conform to the Comprehensive Plan?

Yes

3. Is the proposed property in the Floodplain hazard area as delineated under the Federal Flood Insurance program?

yes - part is in the flood plane as per FIRM 31119C0095D

4. What is the justification for the zone change as it relates to the overall Land Use?

We are requesting this zoning change so owner can change his existing lot lines & not have 2 zonings on new lot.

5. How would this zoning district conform with adjacent properties' zoning?

The property is surrounded by residents and recreation.

6. What is the general character of the area?

There are residents to the East, West & North, to the North is recreation

7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?

The property has existing City Water & Sewer.

BURBANK SUBDIVISION
 PILE'S SUBDIVISION
 LOT 1

50.00
40'

FOURTH ST

194	193
195	192
196	191
197	190
198	189
199	188
200	187
201	186
202	185
203	184
204	183
205	182
206	181
207	180
208	179

MILLER AVENUE

209	178
210	177
211	176
212	175
213	174
214	173
215	172
216	171
217	170
218	169
219	168
220	167
221	166
222	165
223	164

1st ST

JACKSON

299	298
300	297
301	296
302	295
303	294
304	293
305	292
306	291
307	290
308	289
309	288
310	287
311	286
312	285
313	284

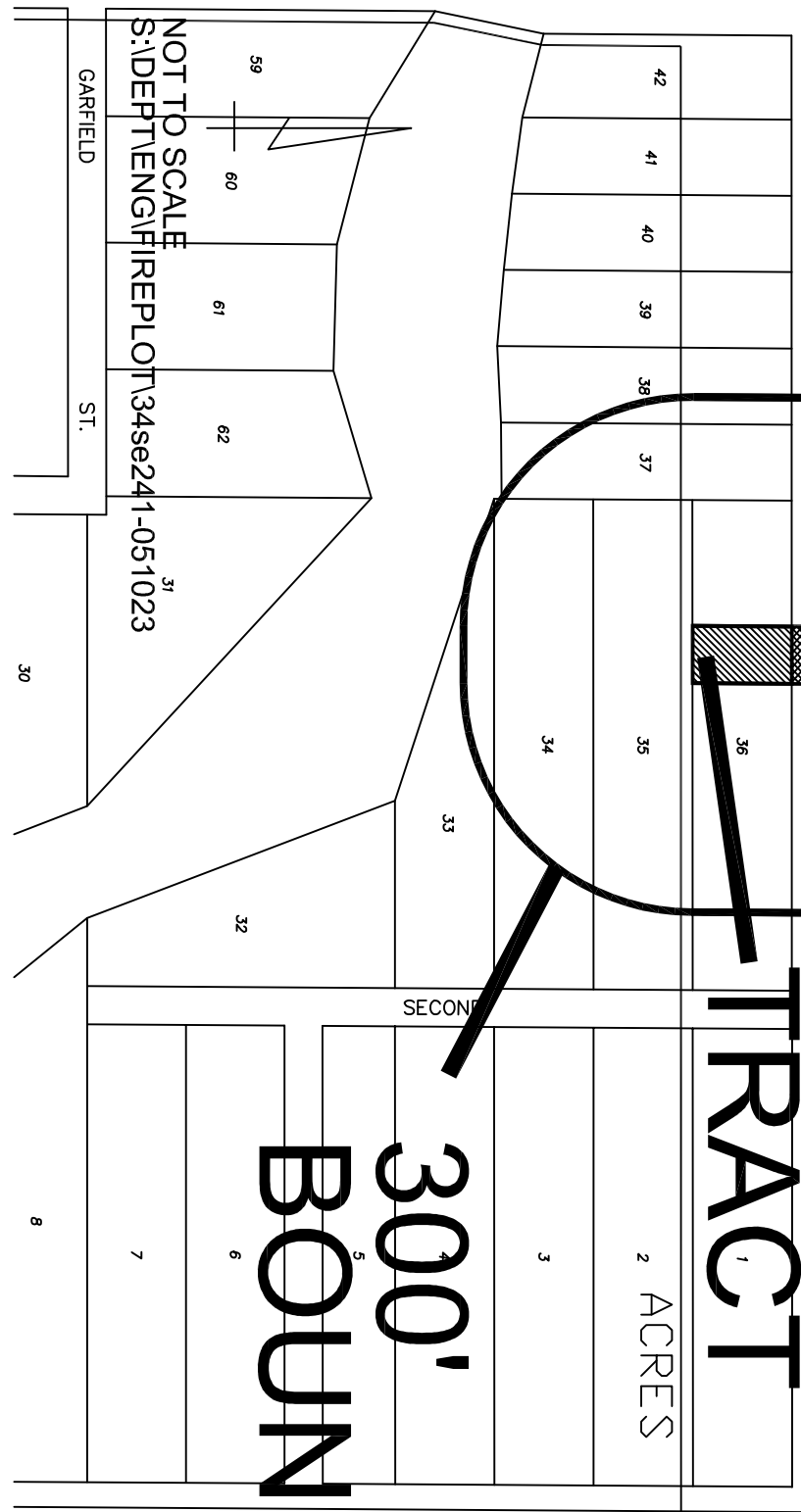
HOMESTEAD ADDN

254	253
255	252
256	251
257	250
258	249
259	248
260	247
261	246
262	245
263	244
264	243
265	242
266	241
267	240
268	239

HOMESTEAD

269	238
270	237
271	236
272	235
273	234
274	233
275	232
276	231
277	230
278	229
279	228
280	227
281	226
282	225
283	224

ADDITION AVENUE



Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, August 8, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Garth & Krista Ferris, to consider a zoning change from R-2 (One and Two Family Residential District) to R-1 (Single Family Residential District) on property addressed as 221 Jackson Ave, legally described as follows:

The East 75 feet of the West 240 feet of Lot 36, Homestead Acres Addition to Norfolk, Madison County, Nebraska.

Publish (July 28, 2023)
1 P.O.P.

For Office Use Only	Date Rec'd <u>5-9-23</u>
	Fee \$ <u>330</u> <u>5-9</u>
	Rec'd by <u>EJ</u>

SUBDIVISION APPLICATION

Name of Subdivision: Ferris-Kielty Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Garth & Krista Ferris and Tom Kielty 221 & 215 Jackson Ave., Norfolk, NE

Name 308-249-0887 (Garth Ferris) Address

Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Garth Ferris 221 Jackson Ave., Norfolk, NE

(other than Applicant) Name 308-249-0887 Address

Phone Email


Current Zoning: R-1 & R-2

General Location/Address: 221 & 215 Jackson Ave., Norfolk, NE

Legal Description: pts. of Lots 33, 34, 35 & 36, Homestead Acres, City of Norfolk, Madison County, NE

Tax ID# 590062956, 590062964 & 590167073

Property Area, Square Feet and/or Acres: 4.63 Acres



Signature of Owner
Garth Ferris

Printed Name of Owner



Authorized Agent
Krista Ferris

Printed Name of Authorized Agent

OR

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Ferris-Kielty Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Garth & Krista Ferris and Tom Kielty 221 & 215 Jackson Ave., Norfolk, NE

Name 308-249-0887 (Garth Ferris) Address _____

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Garth Ferris 221 Jackson Ave., Norfolk, NE

(other than Name Address
Applicant) 308-249-0887 _____

Phone _____ Email _____

Current Zoning: R-1 & R-2

General Location/Address: 221 & 215 Jackson Ave., Norfolk, NE

Legal Description: pts. of Lots 33, 34, 35 & 36, Homestead Acres, City of Norfolk, Madison County, NE

Tax ID# 590062956, 590062964 & 590167073

Property Area, Square Feet and/or Acres: 4.63 Acres

Thomas Kielty
Signature of Owner

Authorized Agent

Thomas A. Kielty OR

Thomas Kielty
Printed Name of Owner

Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018

Legal Description:

The East 75 feet of the West 240 feet of Lot 36, Homestead Acres Addition to City of Norfolk, Madison County, Nebraska

AND

The East 341 feet of Lot 36 and the East 61 feet of the West 301 feet of Lot 36, Homestead Acres Addition to City of Norfolk, Madison County, Nebraska

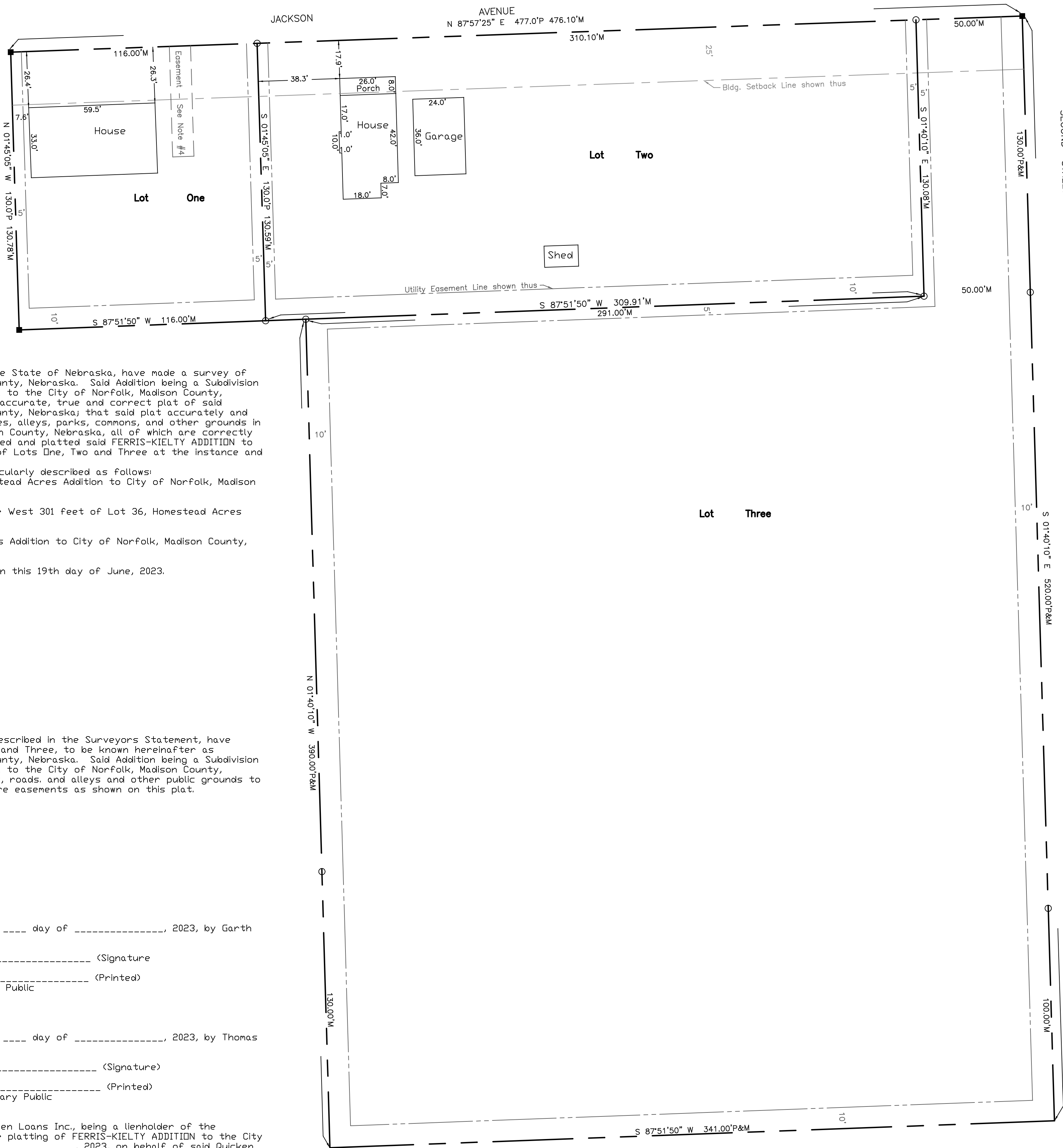
AND

The East 341 feet of Lots 33, 34 and 35, Homestead Acres Addition to City of Norfolk, Madison County, Nebraska

FERRIS-KIELTY ADDITION
to the City of Norfolk, Madison
County, Nebraska

- Notes:
- 1) Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRTK Network.
 - 2) Distances shown on the Plat are Horizontal Ground Distances.
 - 3) A five (5) foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.
 - 4) The easement shown on Lot One is as per Survivorship Warranty Deed recorded in Book 2018, page 02163 - a new sanitary sewer easement will be approved by the City within the next year for these properties.

Lot	Area	Address
One	0.35 Acres	221 Jackson Avenue
Two	0.93 Acres	215 Jackson Avenue
Three	3.20 Acres	201 Jackson Avenue



Surveyors Statement

I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of part of Lots 33, 34, 35 & 36, Homestead Acres Addition to the City of Norfolk, Madison County, Nebraska; that the Plat attached hereto is the original, accurate, true and correct plat of said FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska; that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska, consisting of Lots One, Two and Three at the instance and request of the owners.

The tract of land comprising said Addition is more particularly described as follows:
The East 75 feet of the West 240 feet of Lot 36, Homestead Acres Addition to City of Norfolk, Madison County, Nebraska

AND
The East 341 feet of Lot 36 and the East 61 feet of the West 301 feet of Lot 36, Homestead Acres Addition to City of Norfolk, Madison County, Nebraska

AND
The East 341 feet of Lots 33, 34 and 35, Homestead Acres Addition to City of Norfolk, Madison County, Nebraska

I hereby state that I have executed this instrument on this 19th day of June, 2023.

LaVern F. Schroeder
Registered Land Surveyor #312

Owners Certificate

We, the undersigned, sole owners of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lots One, Two and Three, to be known hereinafter as FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of part of Lots 33, 34, 35 & 36, Homestead Acres Addition to the City of Norfolk, Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

Garth Ferris Krista Ferris

Thomas A. Kielty a/k/a
Thomas Anthony Kielty

State of Nebraska)
County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Garth Ferris and Krista Ferris, husband and wife.

My commission expires: _____ (Signature)

Notary Public (Printed)

State of Nebraska)
County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Thomas A. Kielty a/k/a Thomas Anthony Kielty.

My commission expires: _____ (Signature)

Notary Public (Printed)

Consent of Lienholder (Ferris)

I, _____ (title) of Quicken Loans Inc., being a lienholder of the described tract of land, hereby approve and agree to the platting of FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska, on this ____ day of _____, 2023, on behalf of said Quicken Loans Inc.

(Signature) _____ (Print), _____ (title) of Quicken Loans Inc.

State of Nebraska)
County of _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by _____ (title) of Quicken Loans Inc.

My commission expires: _____ (Signature)

Notary Public (Print)

Consent of Lienholder (Kielty)

I, _____ (title) of US Bank National Association, being a lienholder of the described tract of land, hereby approve and agree to the platting of FERRIS-KIELTY ADDITION to the City of Norfolk, Madison County, Nebraska, on this ____ day of _____, 2023, on behalf of said US Bank National Association.

(Signature) _____ (Print), _____ (title) of US Bank National Association.

State of Nebraska)
County of _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by _____ (title) of US Bank National Association.

My commission expires: _____ (Signature)

Notary Public (Print)

WAIVER

We, Garth Ferris & Krista Ferris and Thomas A. Kielty a/k/a Thomas Anthony Kielty are the owners of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.

Garth Ferris Krista Ferris

Thomas A. Kielty a/k/a
Thomas Anthony Kielty

APPROVAL

The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this ____ day of _____, 2023.

Dan Spray
Chairman

APPROVAL

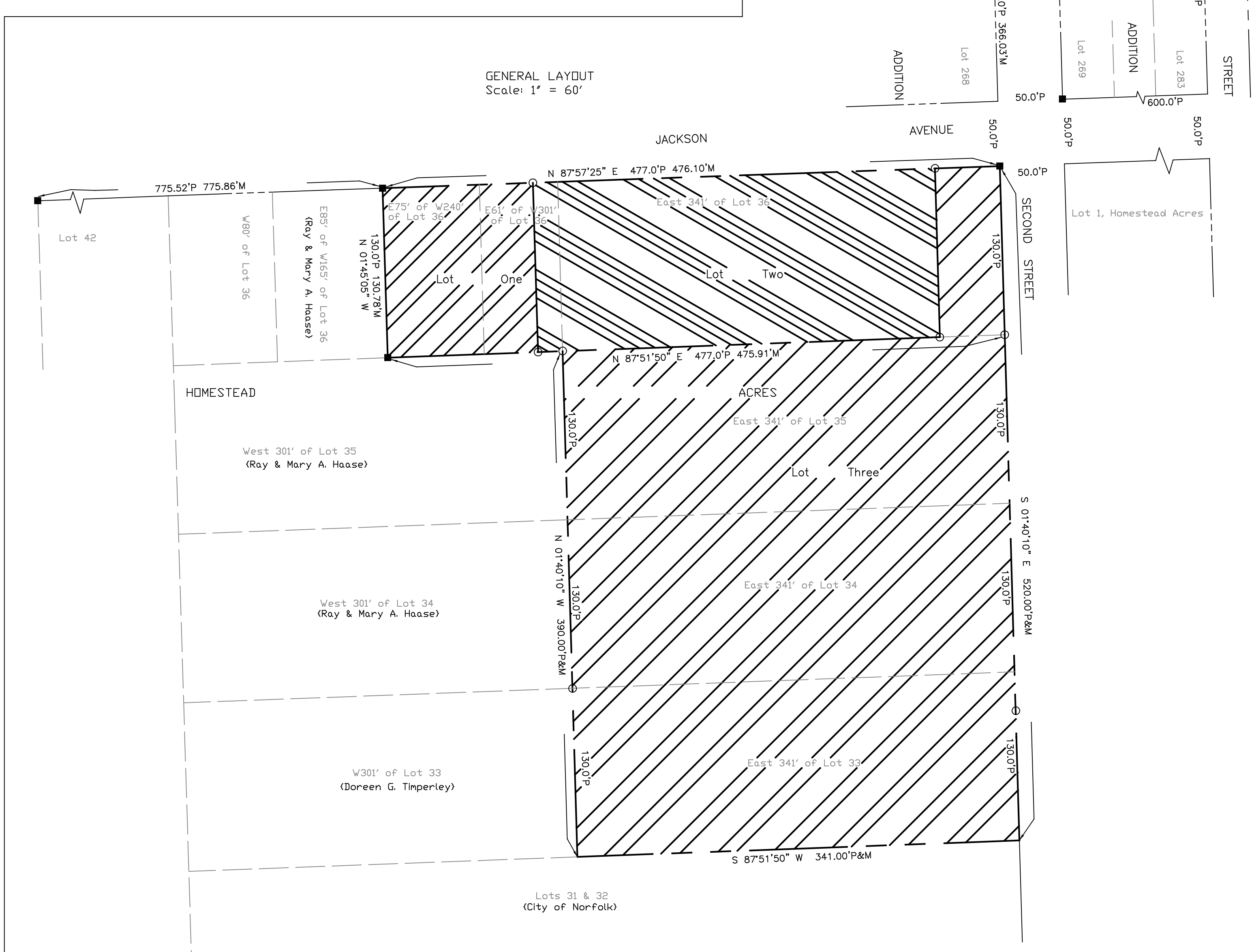
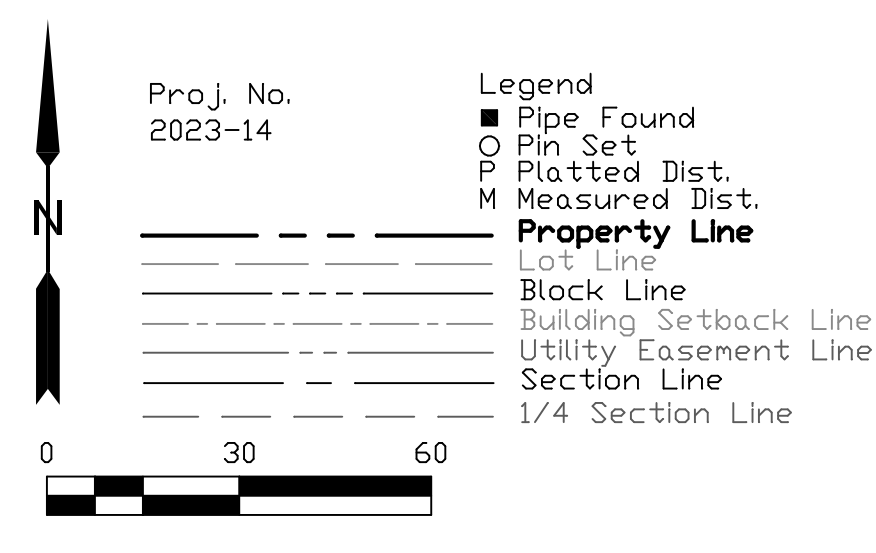
The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this ____ day of _____, 2023.

Attest: Brianna Duerst Josh Moening
City Clerk Mayor

State of Nebraska)
County of Madison)

This is to certify that this instrument was filed for record by the Register of Deeds Office at ____ M on this ____ day of _____, 2023.

Diane Nykodym
Register of Deeds



For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

ZONING CHANGE APPLICATION

Applicant: Roger L. Bader, Kirk M. Bader & Jackie A. Mayer 2607 Westside Ave., Norfolk
 Name _____ Address _____

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Jarvis Otten - Elkhorn Valley Bank & Trust 404 S 25th St., Norfolk
 (other than Name _____ Address _____
 applicant) 402-649-3874 Jarvis@elkhornvalleybank.com

Phone _____ Email _____

Current Zoning: R-1 & C-3 **Proposed Zoning:** C-3

Location of Property: 404 S 25th St. & part of 2607 Westside Ave., Norfolk

Legal Description: See Attached Legal Description

Property Area, Square feet and/or Acres: 8.70 Acres

Use of Adjoining Properties:

North: Resident East: Resident South: Highway & C-3 West: Highway & C-3

Jackie Mayer
 Signature of Owner
 Jackie A. Mayer
 Printed Name of Owner

OR

 Authorized Agent
 Printed Name of Authorized Agent

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

ZONING CHANGE APPLICATION

Applicant: Roger L. Bader, Kirk M. Bader & Jackie A. Mayer 2607 Westside Ave., Norfolk
Name _____ Address _____

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Jarvis Otten - Elkhorn Valley Bank & Trust 404 S 25th St., Norfolk
(other than Name _____ Address _____
applicant) 402-649-3874 Jarvis@elkhornvalleybank.com

Phone _____ Email _____

Current Zoning: R-1 & C-3 **Proposed Zoning:** C-3

Location of Property: 404 S 25th St. & part of 2607 Westside Ave., Norfolk

Legal Description: See Attached Legal Description

Property Area, Square feet and/or Acres: 8.70 Acres

Use of Adjoining Properties:

North: Resident East: Resident South: Highway & C-3 West: Highway & C-3

Kirk M. Bader
Signature of Owner
Kirk M. Bader
Printed Name of Owner

Authorized Agent

Printed Name of Authorized Agent

OR

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

ZONING CHANGE APPLICATION

Applicant: Roger L. Bader, Kirk M. Bader & Jackie A. Mayer 2607 Westside Ave., Norfolk
Name _____ Address _____

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Jarvis Otten - Elkhorn Valley Bank & Trust 404 S 25th St., Norfolk
(other than Name _____ Address _____
applicant) 402-649-3874 Jarvis@elkhornvalleybank.com

Phone _____ Email _____

Current Zoning: R-1 & C-3 **Proposed Zoning:** C-3

Location of Property: 404 S 25th St. & part of 2607 Westside Ave., Norfolk

Legal Description: See Attached Legal Description

Property Area, Square feet and/or Acres: 8.70 Acres

Use of Adjoining Properties:

North: Resident East: Resident South: Highway & C-3 West: Highway & C-3


Signature of Owner

Roger L. Bader
Printed Name of Owner

OR

Authorized Agent

Printed Name of Authorized Agent

ZONING CHANGE JUSTIFICATION FORM

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?

The Comprehensive Plan shows Single Family & Multi Family Residential for the property. The current property owned by the bank is Commercial.

2. Does the zone change request conform to the Comprehensive Plan?

Yes

3. Is the proposed property in the Floodplain hazard area as delineated under the Federal Flood Insurance program?

No

4. What is the justification for the zone change as it relates to the overall Land Use?

We are requesting this zoning change as required by the City and changing all of the bank's property to Commercial.

5. How would this zoning district conform with adjacent properties' zoning?

The property is surrounded by residents and commercial.

6. What is the general character of the area?

There are residents to the East, West & North, to the South is commercial

7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?

The property has existing City Water & Sewer.

Legal Description for Rezoning:

Lot 13, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska.

and

Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, a replat of Lots 11 thru 19, all in M.L. Raasch's Second Addition to the City of Norfolk, Nebraska; Lots 7 and 10, Raasch's 3rd Addition to the City of Norfolk, Nebraska; Part of Lot 1, Block 1, Virginia's Addition to the City of Norfolk, Nebraska; and Lot 2, Block 1, Virginia's Addition to the City of Norfolk, Nebraska, LESS that part more particularly described as follows:

Beginning at the NE corner of said Lot 12; thence West along the North line of said Lot 12, 68.11 ft. to a point on the East line of Lot 1, said Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, said point also being the SW corner of Lot 20, M.L. Raasch's Second Addition to the City of Norfolk, Nebraska; thence South along the East line of said Lot 1, 32.54 ft. to the SE corner of said Lot 1; thence East 67.99 ft to a point on the East line of said Lot 12; thence North along the East line of said Lot 12, 31.92 ft. to the Point of Beginning (also known as Tract "B", Lot Boundary Change Between Lots 1 and 12, Virginia's Second Addition, an Addition to the City of Norfolk, Madison County, Nebraska).

AND

Part of Lot 10, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska;

thence S 87°49'20" W a distance of 107.03 feet to a point on the West line of said Lot 10;

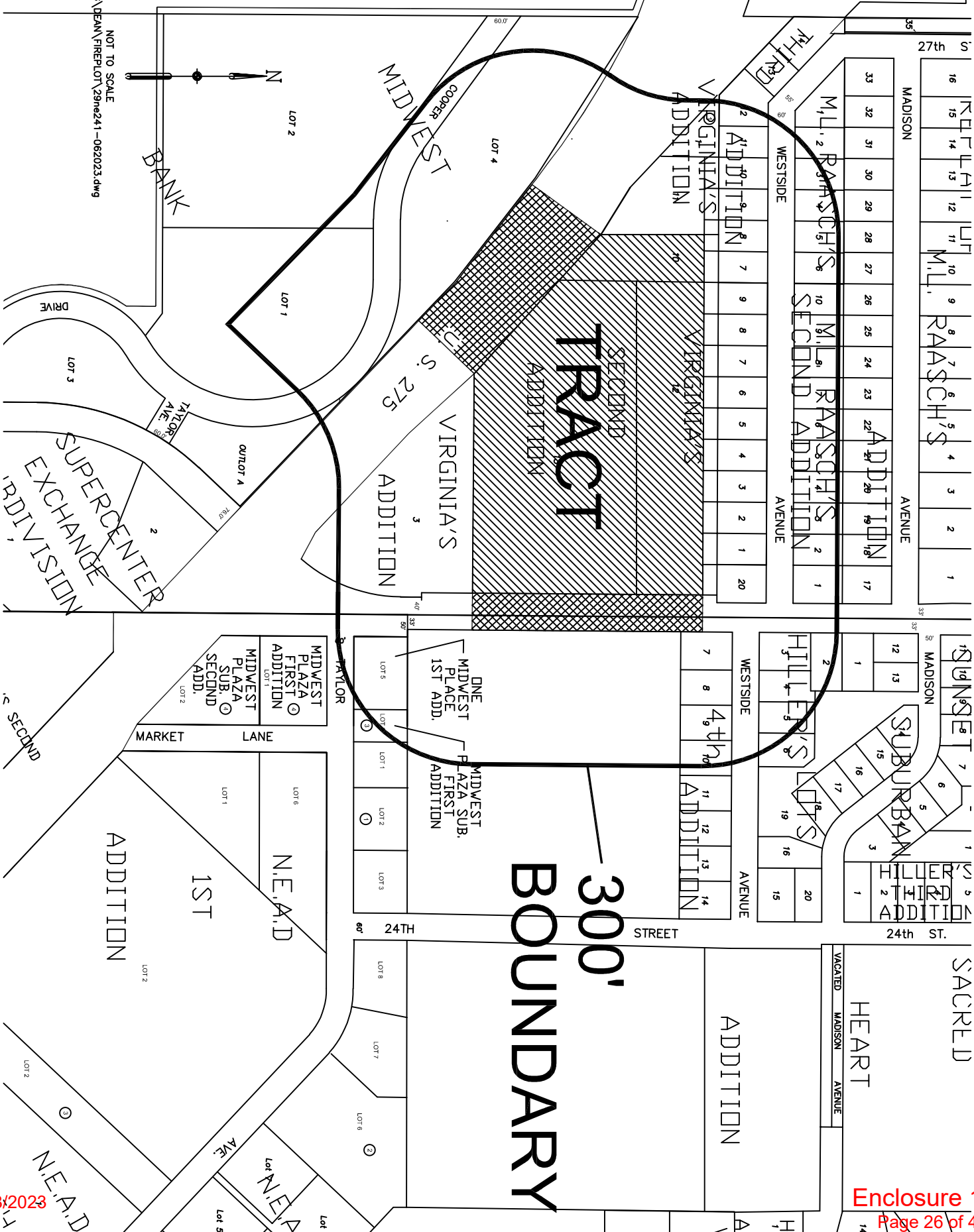
thence S 01°35'52" E, on the West line of said Lot 10, a distance of 230.69 feet to the Southwest corner of said Lot 10;

thence S 50°24'41" E, on the Southerly line of said Lot 10, a distance of 142.35 feet to the Southeast corner of said Lot 10;

thence N 01°36'59" W, on East line of said Lot 10, a distance of 325.51 feet to the point of beginning and containing 0.68 acres more or less.

S:\DEPT\ENG\DEAN\FIRE\LOT_29\ne241-062023.dwg

NOT TO SCALE



300' BOUNDARY

Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, August 8, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Roger L. Bader, Kirk M. Bader & Jackie A. Mayer and Elkhorn Valley Bank & Trust, to consider a zoning change from R-1 (Single Family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 404 S 25th St. & part of 2607 Westside Ave, legally described as follows:

Lot 13, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska.
and

Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, a replat of Lots 11 thru 19, all in M.L. Raasch's Second Addition to the City of Norfolk, Nebraska; Lots 7 and 10, Raasch's 3rd Addition to the City of Norfolk, Nebraska; Part of Lot 1, Block 1, Virginia's Addition to the City of Norfolk, Nebraska; and Lot 2, Block 1, Virginia's Addition to the City of Norfolk, Nebraska, LESS that part more particularly described as follows:

Beginning at the NE corner of said Lot 12; thence West along the North line of said Lot 12, 68.11 ft. to a point on the East line of Lot 1, said Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, said point also being the SW corner of Lot 20, M.L. Raasch's Second Addition to the City of Norfolk, Nebraska; thence South along the East line of said Lot 1, 32.54 ft. to the SE corner of said Lot 1; thence East 67.99 ft to a point on the East line of said Lot 12; thence North along the East line of said Lot 12, 31.92 ft. to the Point of Beginning (also known as Tract "B", Lot Boundary Change Between Lots 1 and 12, Virginia's Second Addition, an Addition to the City of Norfolk, Madison County, Nebraska).

AND

Part of Lot 10, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska;
thence S 87°49'20" W a distance of 107.03 feet to a point on the West line of said Lot 10;
thence S 01°35'52" E, on the West line of said Lot 10, a distance of 230.69 feet to the Southwest corner of said Lot 10;
thence S 50°24'41" E, on the Southerly line of said Lot 10, a distance of 142.35 feet to the Southeast corner of said Lot 10;
thence N 01°36'59" W, on East line of said Lot 10, a distance of 325.51 feet to the point of beginning and containing 0.68 acres more or less.

Publish (July 28, 2023)

1 P.O.P.

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Elkhorn Valley Bank & Trust - Bader Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Elkhorn Valley Bank & Trust, Roger Bader, Jackie Mayer & Kirk Bader 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Name	Address
<u>402-649-3874 (Jarvis Otten of Elkhorn Valley Bank)</u>	<u>Jarvis@elkhornvalleybank.com</u>
Phone	Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
(other than Name Address
Applicant) Phone Email

Current Zoning: R-1

General Location/Address: 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Legal Description: Lots 10, 13 & pt. of Lot 12, Virginia's Second Add. to City of Norfolk, Madison County, NE

Tax ID# 590235966, 590042033 & 590103156

Property Area, Square Feet and/or Acres: 8.70 Acres


Signature of Owner

Elkhorn Valley Bank & Trust
Printed Name of Owner

OR

Authorized Agent

Printed Name of Authorized Agent

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Elkhorn Valley Bank & Trust - Bader Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Elkhorn Valley Bank & Trust, Roger Bader, Jackie Mayer & Kirk Bader 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Name 402-649-3874 (Jarvis Otten of Elkhorn Valley Bank) **Address** Jarvis@elkhornvalleybank.com

Phone _____ **Email** _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact:
(other than Applicant)

Name _____

Address _____

Phone _____

Email _____

Current Zoning: R-1

General Location/Address: 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Legal Description: Lots 10, 13 & pt. of Lot 12, Virginia's Second Add. to City of Norfolk, Madison County, NE

Tax ID# 590235966, 590042033 & 590103156

Property Area, Square Feet and/or Acres: 8.70 Acres



Signature of Owner

Roger L. Bader

Printed Name of Owner

OR

Authorized Agent

Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Elkhorn Valley Bank & Trust - Bader Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Elkhorn Valley Bank & Trust, Roger Bader, Jackie Mayer & Kirk Bader 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Name 402-649-3874 (Jarvis Otten of Elkhorn Valley Bank) Address Jarvis@elkhornvalleybank.com

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
(other than Name Address
Applicant)

Phone _____ Email _____

Current Zoning: R-1

General Location/Address: 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Legal Description: Lots 10, 13 & pt. of Lot 12, Virginia's Second Add. to City of Norfolk, Madison County, NE

Tax ID# 590235966, 590042033 & 590103156

Property Area, Square Feet and/or Acres: 8.70 Acres

Kirk M. Bader
Signature of Owner

Kirk M. Bader

Printed Name of Owner

OR

Authorized Agent

Printed Name of Authorized Agent

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Elkhorn Valley Bank & Trust - Bader Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Elkhorn Valley Bank & Trust, Roger Bader, Jackie Mayer & Kirk Bader 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Name 402-649-3874 (Jarvis Otten of Elkhorn Valley Bank) Address Jarvis@elkhornvalleybank.com

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
(other than Name Address
Applicant) _____
Phone Email

Current Zoning: R-1

General Location/Address: 404 S 25th St. & 2607 Westside Ave., Norfolk, NE

Legal Description: Lots 10, 13 & pt. of Lot 12, Virginia's Second Add. to City of Norfolk, Madison County, NE

Tax ID# 590235966, 590042033 & 590103156

Property Area, Square Feet and/or Acres: 8.70 Acres

Jackie Mayer
Signature of Owner
Jackie A. Mayer
Printed Name of Owner

OR

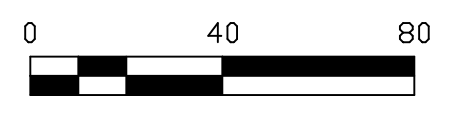
Authorized Agent

Printed Name of Authorized Agent

Lot	Area	Address
One	0.26 Acres	2607 Westside Avenue
Two	8.44 Acres	404 S 25th Street

- Notes:
- 1) Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRTK Network.
 - 2) Distances shown on the Plat are Horizontal Ground Distances.
 - 3) A five (5) foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.

- Legend
- Pipe Found
 - Pin Found
 - Pin Set
 - P Platted Dist.
 - M Measured Dist.
 - Property Line
 - Lot Line
 - Subdivision Line
 - Building Line
 - Utility Easement Line - Existing as per Virginia's Second Addition
 - Easement for Gas Regulator
 - Drainage Easement
 - Building Setback
 - Section Line
 - Water Line Easement - Existing as per Virginia's Second Addition
 - Sanitary Sewer Line Easement - Existing as per Virginia's Second Addition
 - Ingress & Egress Easement Line - Existing as per Virginia's Second Addition



APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this ____ day of _____, 2023.

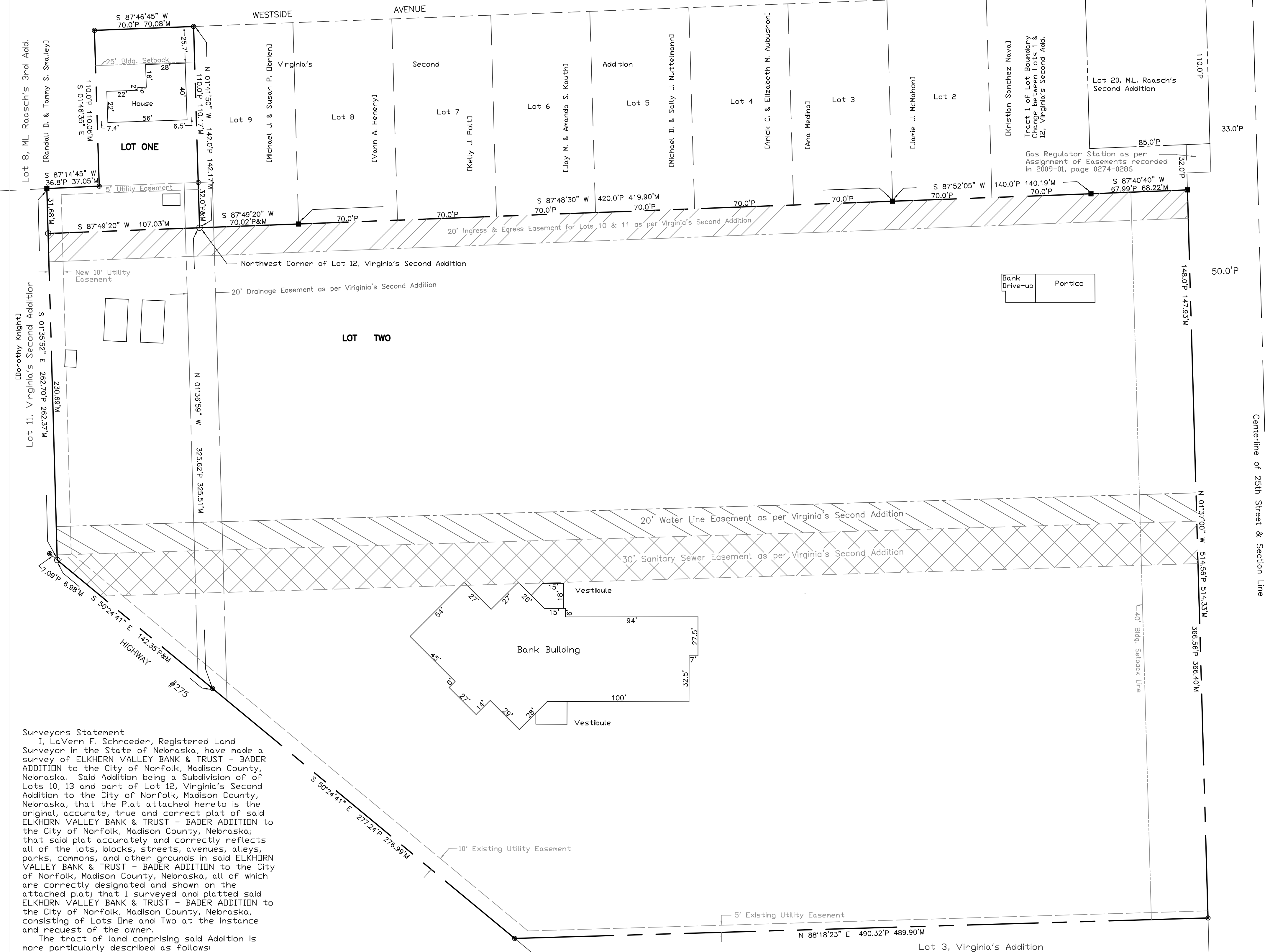
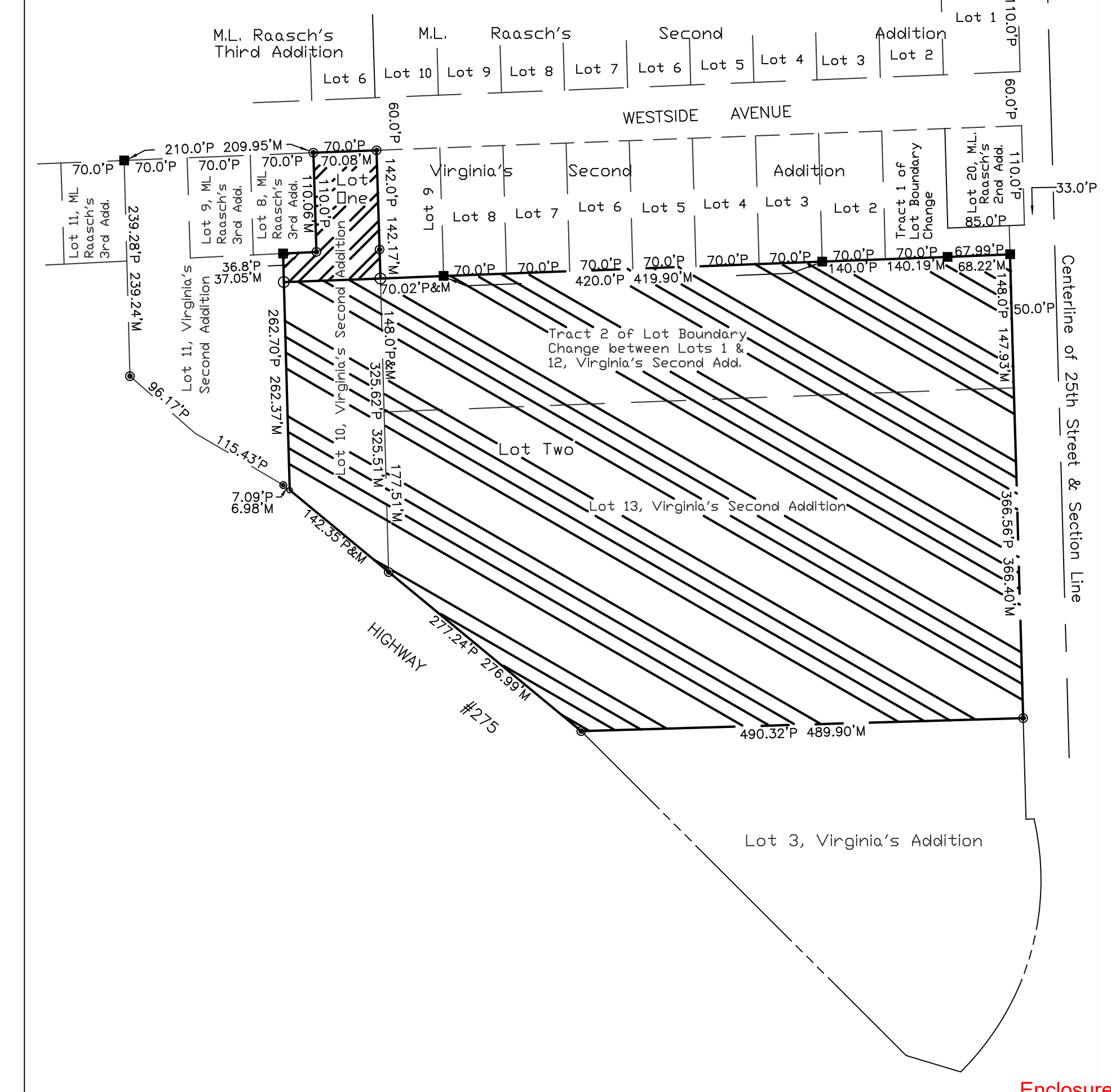
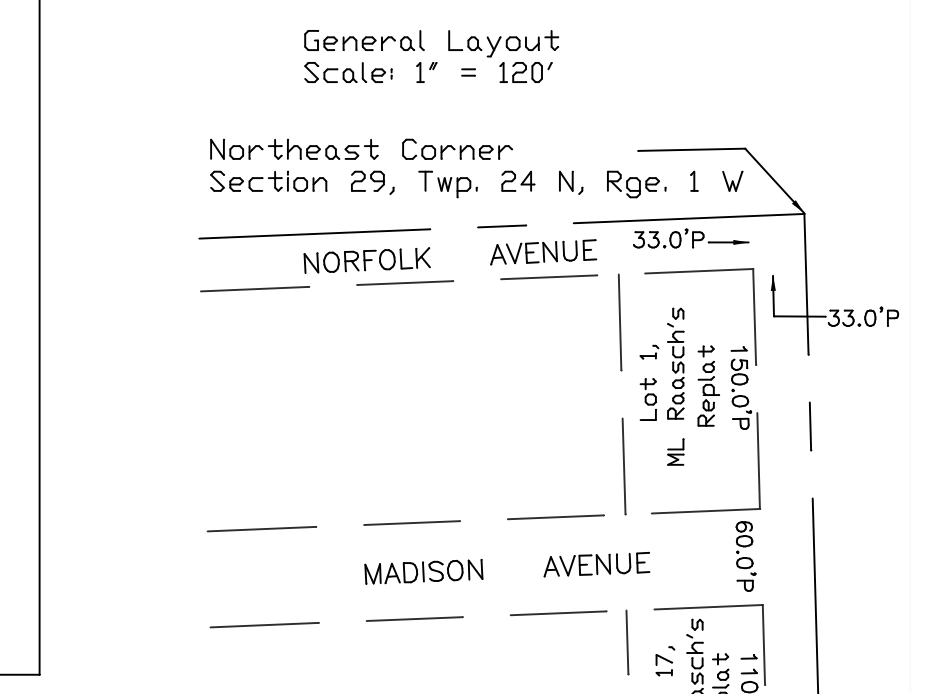
APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this ____ day of _____, 2023.

Attest:
Brianna Duerst
City Clerk

Josh Moenning
Mayor

State of Nebraska)
County of Madison)
This is to certify that this instrument was filed for record by the Register of Deeds Office at ____ M on this ____ day of _____, 2023.

Diane Nykolym
Register of Deeds



Surveyors Statement
I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of ELKHORN VALLEY BANK & TRUST - BADER ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of Lots 10, 13 and part of Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, that the Plat attached hereto is the original, accurate, true and correct plat of said ELKHORN VALLEY BANK & TRUST - BADER ADDITION to the City of Norfolk, Madison County, Nebraska, that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said ELKHORN VALLEY BANK & TRUST - BADER ADDITION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said ELKHORN VALLEY BANK & TRUST - BADER ADDITION to the City of Norfolk, Madison County, Nebraska, consisting of Lots One and Two at the instance and request of the owner.

The tract of land comprising said Addition is more particularly described as follows:
Lot 13, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska,
and
Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, a replat of Lots 11 thru 19, all in M.L. Raasch's Second Addition to the City of Norfolk, Nebraska; Lots 7 and 10, Raasch's 3rd Addition to the City of Norfolk, Nebraska; Part of Lot 1, Block 1, Virginia's Addition to the City of Norfolk, Nebraska; and Lot 2, Block 1, Virginia's Addition to the City of Norfolk, Nebraska, LESS that part more particularly described as follows:
Beginning at the NE corner of said Lot 12; thence West along the North line of said Lot 12, 68.11 ft. to a point on the East line of Lot 1, said Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska, said point also being the SW corner of Lot 20, M.L. Raasch's Second Addition to the City of Norfolk, Nebraska; thence South along the East line of said Lot 1, 32.54 ft. to the SE corner of said Lot 1; thence East 67.99 ft to a point on the East line of said Lot 12; thence North along the East line of said Lot 12, 31.92 ft. to the Point of Beginning (also known as Tract "B", Lot Boundary Change Between Lots 1 and 12, Virginia's Second Addition, an Addition to the City of Norfolk, Madison County, Nebraska).
AND
Lot 10, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska.

I hereby state that I have executed this instrument on this 20th day of June, 2023.

LaVern F. Schroeder
Registered Land Surveyor #312

Owners Certificate
We, the undersigned, sole owners of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lots One and Two, to be known hereinafter as ELKHORN VALLEY BANK & TRUST - BADER ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of Lots 10, 13 and part of Lot 12, Virginia's Second Addition to the City of Norfolk, Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

Elkhorn Valley Bank & Trust, Norfolk, Nebraska
Roger L. Bader

Jackie A. Mayer
Kirk M. Bader

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____ (Title) of Elkhorn Valley Bank & Trust, Norfolk, Nebraska.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Roger L. Bader.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Jackie A. Mayer.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Jackie A. Mayer.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Kirk M. Bader.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

WAIVER
We, Elkhorn Valley Bank & Trust, Norfolk, Nebraska and Roger L. Bader, Jackie A. Mayer & Kirk M. Bader are the owners of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.

Elkhorn Valley Bank & Trust, Norfolk, Nebraska
Roger L. Bader

Jackie A. Mayer
Kirk M. Bader

For Office Use Only	Date Rec'd	7/7/23
	Fee	\$ 325
	Rec'd by	UG

ZONING CHANGE APPLICATION

Applicant: Double T V Properties, LLC - Troy Uhlir 701 S 13th St., Norfolk

Name Address
402-841-6386 troyuhlir@yahoo.com

Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____

(other than Name Address
applicant)

Phone Email

Current Zoning: C-3, R-3 & C-1 **Proposed Zoning:** C-3

Location of Property: 701 S 13th St., Norfolk

Legal Description: See Attached Legal Description

Property Area, Square feet and/or Acres: 1.06 Acres

Use of Adjoining Properties:

North: Commercial East: Resident South: C-3 West: Highway & PD

Troy Uhlir
Signature of Owner
Troy R. Uhlir, Member
Printed Name of Owner

ADD
OR

Suzanne M Uhlir
Authorized Agent
Suzanne M. Uhlir, Member
Printed Name of Authorized Agent

**ZONING CHANGE
JUSTIFICATION FORM**

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?
The Comprehensive Plan shows Commercial use for the property.

2. Does the zone change request conform to the Comprehensive Plan?
Yes

3. Is the proposed property in the Floodplain hazard area as delineated under the Federal Flood Insurance program?
No

4. What is the justification for the zone change as it relates to the overall Land Use?
We are requesting this zoning change to change some of Burger King's property to Commercial so we can combine into 1 new lot.

5. How would this zoning district conform with adjacent properties' zoning?
The property is surrounded by residents and commercial.

6. What is the general character of the area?
There are residents to the East, to the South, North & West is commercial

7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?
The property has existing City Water & Sewer.



BRADSHAW'S AVE.

TAYLOR

COLUMBIA ST.

PASSEWALK AVE.

300' BOUNDARY

TRACT

TAX LOT 2

N

NOT TO SCALE
 s:\dean\fireplot\27SW241-07-10-25

OWEN'S FIRST ADDITION

ADDITION

ADDITION

PASSEWALK ADDITION

PASSEWALK ADDITION

ADDITION

CENTRE RIDGE VILLAGE FIRST ADDITION

GORDON MOR ADDITION

BOULEVARD

Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, August 8, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Double TV Properties, LLC, to consider a zoning change from R-3 (Multiple Family Residential District), C-1 (Local Business District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 701 S. 13th St, 707 S. 13th St, and 1229 W. Pasewalk Ave, legally described as follows:

Commencing at a point 40 feet East of the Northwest corner of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-seven (27), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., Madison County, Nebraska; thence East 246.4 feet; thence South 65 feet; thence West 246.4 feet; thence North 65 feet to the place of beginning, being a part of Tax Lot Two (2) in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Twenty-seven (27), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., Madison County, Nebraska; EXCEPT that part conveyed to the State of Nebraska in Warranty Deed filed for record June 19, 1981 at M81-6, Page 403 and described as follows: A tract of land located in Tax Lot 2 in the Northwest Quarter of the Southwest Quarter of Section 27, Township 24 North, Range 1 West of the Sixth Principal Meridian, Madison County, Nebraska, described as follows:

Beginning at a point 40 feet East of the Northwest corner of said Quarter Quarter Section; thence Southerly a distance of 65.00 feet along the Easterly existing Highway right of way line; thence Easterly deflecting 090 degrees, 00 minutes left, a distance of 5.00 feet along the property line of the grantor(s); thence Northerly deflecting 090 degrees 00 minutes left, a distance of 65.00 feet; thence Westerly deflecting 090 degrees, 00 minutes left, a distance of 5.00 feet along the property line of the grantor(s) to the point of beginning, containing 325.00 square feet, more or less

AND

Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska LESS a tract of land dedicated to the City of Norfolk in Dedication filed for record on February 18, 2022 in Book 2022, page 00783 and described as follows:

A tract of land located in Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska and more particularly described as follows:

Commencing at the Northeast corner of Lot 4, said point also being the point of beginning; thence westerly a distance of 57.74 feet to a point on the west line of said Lot 4; thence northerly deflecting 93°05'45" along said west line a distance of 3.50 feet to the northwest corner of said Lot 4; thence easterly deflecting 90°22'28" a distance of 57.66 feet along the north line of said Lot 4 to the point of beginning.

AND

Lots Five (5), Six (6) and Seven (7), Block Ten (10), C.S. Hayes Addition, Norfolk, Madison County, Nebraska,

LESS a tract of land deeded to the State of Nebraska in Warranty Deed filed for record on June 19, 1981 in M81-6 at Page 403, and described as follows: A tract of land located in Lot 7, Block 10, C.S. Hayes Addition, to the City of Norfolk, Madison County, Nebraska, described as follows:

Beginning at the Northwest corner of said Lot; thence Southerly a distance of 141.80 feet along the Easterly existing highway right of way line; thence Easterly deflecting 090 degrees, 00 minutes left, a distance of 12.00 feet along the South line of said Lot 7; thence Northerly deflecting 090 degrees, 00 minutes left, a distance of 123.70 feet; thence Northeasterly deflecting 042 degrees, 53 minutes right, a distance of 19.10

feet; thence Easterly deflecting 033 degrees, 34 minutes right, a distance of 17.49 feet; thence Westerly deflecting 166 degrees, 26 minutes left, a distance of 42.00 feet along the North line of said Lot 7 to the point of beginning;

LESS a tract of land dedicated to the City of Norfolk in Dedication filed for record on August 23, 2001 in M2001-8 at Pages 1649-1651, and described as follows: A tract of land located in Lots 5, 6 & 7, Block 10, C.S. Hays Addition to the City of Norfolk, Madison County, Nebraska and more particularly described as follows:

Commencing at the Northeast corner of Lot 4, Block 10 of C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska; thence Westerly along the original North line of Lot 4 a distance of 57 .66 feet to the original Northeast corner of Lot 5, said point also being the point of beginning; thence Southerly a distance of 3.50 feet to a point on the East line of said Lot 5; thence Westerly deflecting 89 degrees 49 minutes 41 seconds a distance of 141.92 feet along the new property line to a point on the Westerly line of the remaining portion on Lot 7 and the Easterly line of 13th Street; thence Northeasterly deflecting 166 degrees 38 minutes 30 seconds a distance of 11.38 feet along the old property line to a point on the South line of old Pasewalk Avenue; thence Easterly deflecting 12 degrees 58 minutes 37 seconds a distance of 130.87 feet along the North original line of said Lots 5, 6 & 7 to the point of beginning.

Publish (July 28, 2023)
1 P.O.P.

For Office Use Only	Date Rec'd	<u>7/7/23</u>
	Fee	<u>\$9310</u>
	Rec'd by	<u>US</u>

SUBDIVISION APPLICATION

Name of Subdivision: Burger King's Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Double T V Properties, LLC - Troy Uhlir 701 S 13th St., Norfolk, NE

Name 402-841-6386 Address troyuhlir@yahoo.com

Phone _____ Email _____

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____

(other than Name Address
Applicant) _____
Phone Email

Current Zoning: C-3, R-3 & C-1

General Location/Address: 701 S 13th St., Norfolk, NE

Legal Description: See Attached Legal Description

Tax ID# 590059467, 590059440 & 590040871

Property Area, Square Feet and/or Acres: 1.06 Acres

Troy Uhlir
Signature of Owner

Troy R. Uhlir, Member

Printed Name of Owner

AND
~~OR~~

Suzanne M Uhlir
Authorized Agent

Suzanne M. Uhlir, Member

Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018

Legal Description:

Commencing at a point 40 feet East of the Northwest corner of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section Twenty-seven (27), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., Madison County, Nebraska; thence East 246.4 feet; thence South 65 feet; thence West 246.4 feet; thence North 65 feet to the place of beginning, being a part of Tax Lot Two (2) in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of said Section Twenty-seven (27), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., Madison County, Nebraska; EXCEPT that part conveyed to the State of Nebraska in Warranty Deed filed for record June 19, 1981 at M81-6, Page 403 and described as follows: A tract of land located in Tax Lot 2 in the Northwest Quarter of the Southwest Quarter of Section 27, Township 24 North, Range 1 West of the Sixth Principal Meridian, Madison County, Nebraska, described as follows:

Beginning at a point 40 feet East of the Northwest corner of said Quarter Quarter Section; thence Southerly a distance of 65.00 feet along the Easterly existing Highway right of way line; thence Easterly deflecting 090 degrees, 00 minutes left, a distance of 5.00 feet along the property line of the grantor(s); thence Northerly deflecting 090 degrees 00 minutes left, a distance of 65.00 feet; thence Westerly deflecting 090 degrees, 00 minutes left, a distance of 5.00 feet along the property line of the grantor(s) to the point of beginning, containing 325.00 square feet, more or less

AND

Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska LESS a tract of land dedicated to the City of Norfolk in Dedication filed for record on February 18, 2022 in Book 2022, page 00783 and described as follows:

A tract of land located in Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska and more particularly described as follows:

Commencing at the Northeast corner of Lot 4, said point also being the point of beginning; thence westerly a distance of 57.74 feet to a point on the west line of said Lot 4; thence northerly deflecting 93°05'45" along said west line a distance of 3.50 feet to the northwest corner of said Lot 4; thence easterly deflecting 90°22'28" a distance of 57.66 feet along the north line of said Lot 4 to the point of beginning.

AND

Lots Five (5), Six (6) and Seven (7), Block Ten (10), C.S. Hayes Addition, Norfolk, Madison County, Nebraska,

LESS a tract of land deeded to the State of Nebraska in Warranty Deed filed for record on June 19, 1981 in M81-6 at Page 403, and described as follows: A tract of land located in Lot 7, Block 10, C.S. Hayes Addition, to the City of Norfolk, Madison County, Nebraska, described as follows:

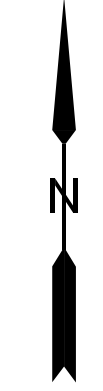
Beginning at the Northwest corner of said Lot; thence Southerly a distance of 141.80 feet along the Easterly existing highway right of way line; thence Easterly deflecting 090 degrees, 00 minutes left, a distance of 12.00 feet along the South line of said Lot 7; thence Northerly deflecting 090 degrees, 00 minutes left, a distance of 123.70 feet; thence Northeasterly deflecting 042 degrees, 53 minutes right, a distance of 19.10 feet; thence Easterly deflecting 033 degrees, 34 minutes right, a distance of 17.49 feet; thence Westerly deflecting 166 degrees, 26 minutes left, a distance of 42.00 feet along the North line of said Lot 7 to the point of beginning;

LESS a tract of land dedicated to the City of Norfolk in Dedication filed for record on August 23, 2001 in M2001-8 at Pages 1649-1651, and described as follows: A tract of land located in Lots 5, 6 & 7, Block 10,

C.S. Hays Addition to the City of Norfolk, Madison County, Nebraska and more particularly described as follows:

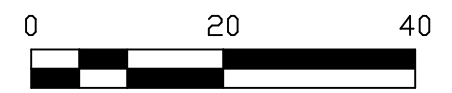
Commencing at the Northeast corner of Lot 4, Block 10 of C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska; thence Westerly along the original North line of Lot 4 a distance of 57.66 feet to the original Northeast corner of Lot 5, said point also being the point of beginning; thence Southerly a distance of 3.50 feet to a point on the East line of said Lot 5; thence Westerly deflecting 89 degrees 49 minutes 41 seconds a distance of 141.92 feet along the new property line to a point on the Westerly line of the remaining portion on Lot 7 and the Easterly line of 13th Street; thence Northeasterly deflecting 166 degrees 38 minutes 30 seconds a distance of 11.38 feet along the old property line to a point on the South line of old Pasewalk Avenue; thence Easterly deflecting 12 degrees 58 minutes 37 seconds a distance of 130.87 feet along the North original line of said Lots 5, 6 & 7 to the point of beginning.

Proj. No.
2023-57 Subd



- Legend
- ◆ Chiseled "X" in Pavement Found
 - Pipe Found
 - ▲ Mag Nail Found
 - Pin Set
 - Platted Dist.
 - D Deed Dist.
 - R Recorded Dist. as per Dedication
 - M Measured Dist.
- Property Line
- Lot Line
 - - - Section Line
 - Subdivision Line
 - Building Setback Line
 - Utility Easement Line (New)
- 10' Right-of-Way Easement to NPPD recorded in M2001-6, page 1275-1276

- Notes:
- 1) Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRTK Network.
 - 2) Distances shown on the Plat are Horizontal Ground Distances.
 - 3) A five (5) foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.
 - 4) At point "A" the recorded deflection angle is 42°53', the measured deflection angle is 42°26'06". At point "B" the recorded deflection angle is 33°34', the measured deflection angle is 33°27'49".

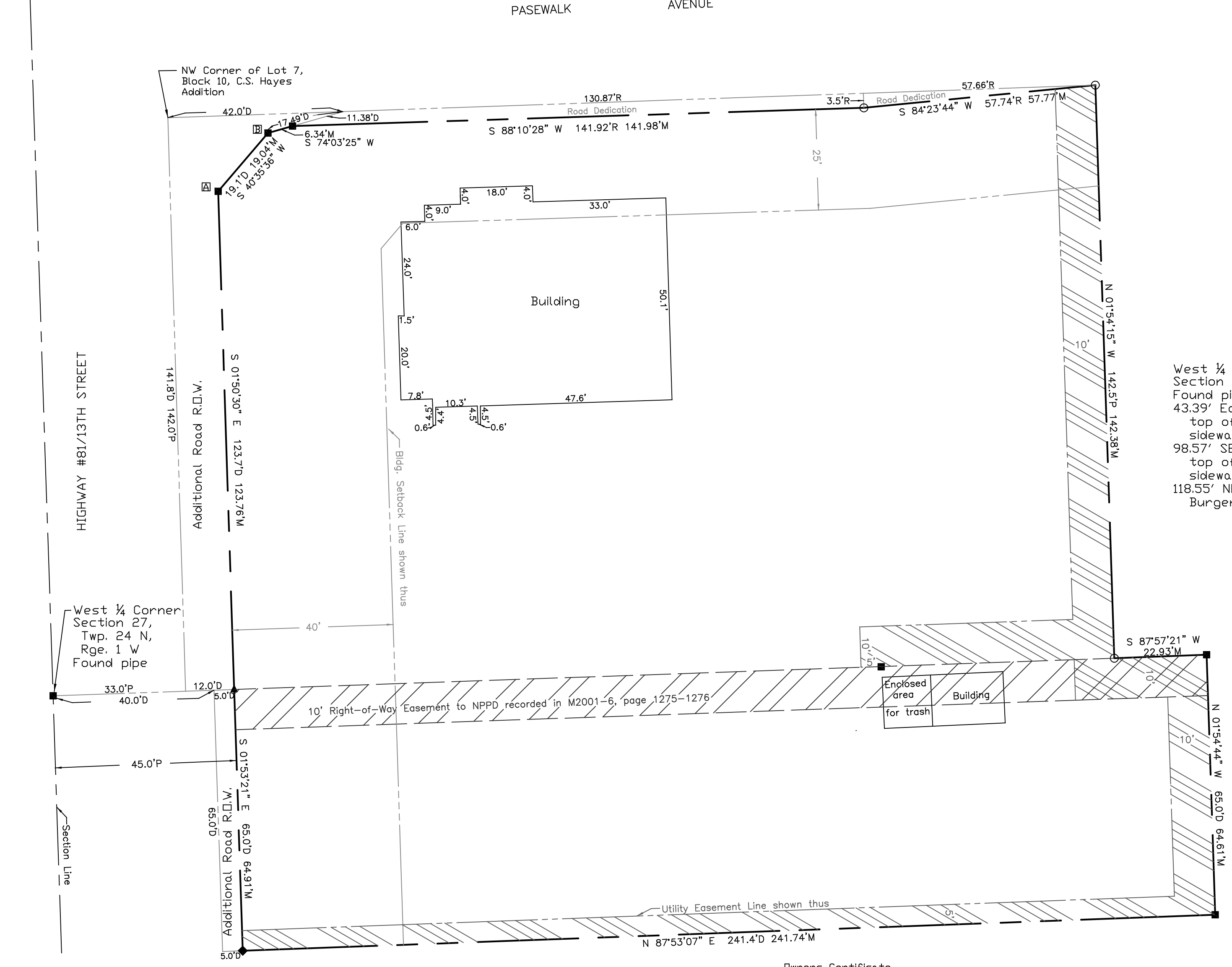
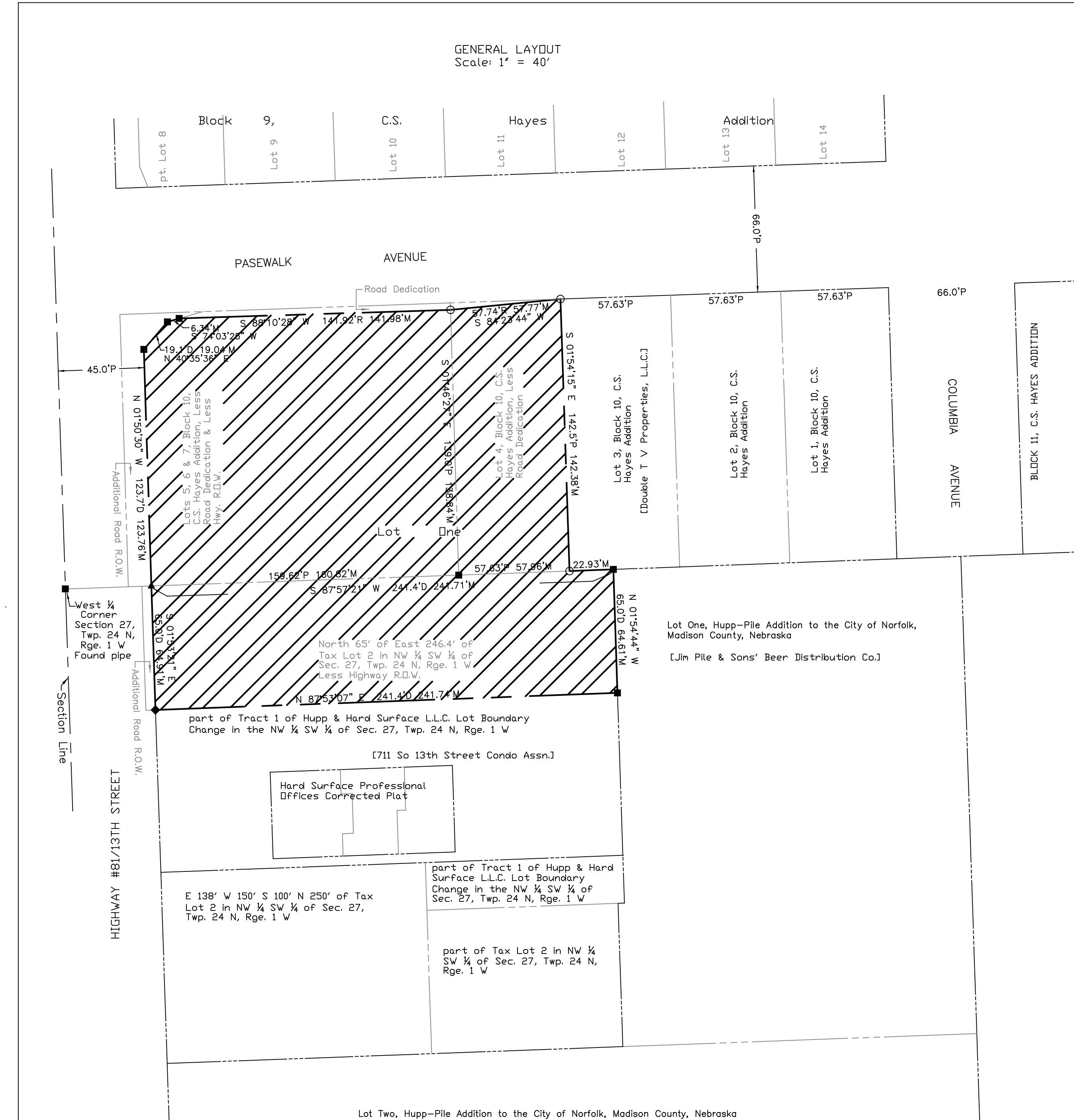


Lot	Area	Address
One	1.06 Acres	701 S 13th Street

West 1/4 Corner
Section 27, Twp. 24 N, Rge. 1 W
Found pipe
43.39' East to rebar in drill hole
top of curb East side of
sidewalk
98.57' SE to rebar in drill hole on
top of curb East side of
sidewalk
118.55' NE to near corner of
Burger King building

State of Nebraska)
County of Madison)
This is to certify that this instrument was
filed for record by the Register of Deeds Office
at _____ M on this _____ day of _____
2023.

Diane Nykodym
Register of Deeds



Surveyors Statement
I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of BURGER KING'S ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of parts of Lots 4, 5, 6 & 7, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska and part of the North 65 Feet of the East 246.4 Feet of Tax Lot 2 in the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, that the Plat attached hereto is the original, accurate, true and correct plat of said BURGER KING'S ADDITION to the City of Norfolk, Madison County, Nebraska; that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said BURGER KING'S ADDITION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said BURGER KING'S ADDITION to the City of Norfolk, Madison County, Nebraska, consisting of Lot One at the instance and request of the owner.

The tract of land comprising said Addition is more particularly described as follows:
Legal Descriptions:
Commencing at a point 40 feet East of the Northwest corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Twenty-seven (27), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., Madison County, Nebraska; thence South 65 Feet; thence West 246.4 Feet; thence North 65 Feet to the place of beginning, being a part of Tax Lot Two (2) in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of said Section Twenty-seven (27), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., Madison County, Nebraska; EXCEPT that part conveyed to the State of Nebraska in Warranty Deed filed for record June 19, 1981 at M81-6, Page 403 and described as follows: A tract of land located in Tax Lot 2 in the Northwest Quarter of the Southwest Quarter of Section 27, Township 24 North, Range 1 West of the Sixth Principal Meridian, Madison County, Nebraska, described as follows:
Beginning at a point 40 feet East of the Northwest corner of said Quarter Quarter Section; thence Southerly a distance of 65.00 Feet along the Easterly existing Highway right of way line; thence Easterly deflecting 090 degrees, 00 minutes left, a distance of 500 Feet along the property line of the grantor(s); thence Northerly deflecting 090 degrees, 00 minutes left, a distance of 55.00 Feet; thence Westerly deflecting 090 degrees, 00 minutes left, a distance of 5.00 Feet along the property line of the grantor(s) to the point of beginning, containing 325.00 square Feet, more or less.
AND
Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska LESS a tract of land dedicated to the City of Norfolk in Dedication filed for record on February 18, 2022 in Book 2022, page 00793 and described as follows:
A tract of land located in Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska and more particularly described as follows:
Commencing at the Northeast corner of Lot 4, said point also being the point of beginning; thence westerly a distance of 57.74 Feet to a point on the west line of said Lot 4; thence northerly deflecting 93°05'45" along said west line a distance of 3.50 Feet to the northwest corner of said Lot 4; thence easterly deflecting 90°22'28" a distance of 57.66 Feet along the north line of said Lot 4 to the point of beginning.
AND
Lots Five (5), Six (6) and Seven (7), Block Ten (10), C.S. Hayes Addition, Norfolk, Madison County, Nebraska,
LESS a tract of land deeded to the State of Nebraska in Warranty Deed filed for record on June 19, 1981 in M81-6 at Page 403, and described as follows: A tract of land located in Lot 7, Block 10, C.S. Hayes Addition, to the City of Norfolk, Madison County, Nebraska, described as follows:
Beginning at the Northwest corner of said Lot; thence Southerly a distance of 141.80 Feet along the Easterly existing highway right of way line; thence Easterly deflecting 090 degrees, 00 minutes left, a distance of 12.00 Feet along the South line of said Lot 7; thence Northerly deflecting 090 degrees, 00 minutes left, a distance of 123.70 Feet; thence Northerly deflecting 042 degrees, 53 minutes right, a distance of 19.10 Feet; thence Easterly deflecting 033 degrees, 34 minutes right, a distance of 17.49 Feet; thence Westerly deflecting 166 degrees, 26 minutes left, a distance of 42.00 Feet along the North line of said Lot 7 to the point of beginning.
LESS a tract of land dedicated to the City of Norfolk in Dedication filed for record on August 23, 2001 in M2001-8 at Pages 1649-1651, and described as follows: A tract of land located in Lots 5, 6 & 7, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska, and more particularly described as follows:
Commencing at the Northeast corner of Lot 4, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska; thence Westerly along the original North line of Lot 4 a distance of 57.66 Feet to the original Northeast corner of Lot 5, said point also being the point of beginning; thence Southerly a distance of 3.50 Feet to a point on the East line of said Lot 5; thence Westerly deflecting 89 degrees 49 minutes 41 seconds a distance of 141.92 Feet along the new property line to a point on the Westerly line of the remaining portion on Lot 7 and the Easterly line of 13th Street; thence Northerly deflecting 166 degrees 38 minutes 30 seconds a distance of 11.38 Feet along the old property line to a point on the South line of old Posewalk Avenue; thence Easterly deflecting 12 degrees 53 minutes 37 seconds a distance of 130.87 Feet along the North original line of said Lots 5, 6 & 7 to the point of beginning.

I hereby state that I have executed this instrument on this 5th day of July, 2023.

LaVern F. Schroeder
Registered Land Surveyor #312

Owners Certificate
We, the undersigned, sole owners of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lot One, to be known hereinafter as BURGER KING'S ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of parts of Lots 4, 5, 6 & 7, Block 10, C.S. Hayes Addition to the City of Norfolk, Madison County, Nebraska and part of the North 65 Feet of the East 246.4 Feet of Tax Lot 2 in the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

Troy R. Uhlir, Member of Double T V Properties, L.L.C. Suzanne M. Uhlir, Member of Double T V Properties, L.L.C.

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Troy R. Uhlir, Member on behalf of Double T V Properties, L.L.C., a limited liability company.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Suzanne M. Uhlir, Member on behalf of Double T V Properties, L.L.C., a limited liability company.
My commission expires: _____ (Signature) _____ (Printed)
Notary Public

Consent of Lienholder
I, _____ (title) of BankFirst, being a lienholder of the described tract of land, hereby approve and agree to the platting of BURGER KING'S ADDITION to the City of Norfolk, Madison County, Nebraska, on this _____ day of _____, 2023, on behalf of said BankFirst.

(Signature)
(Print), _____ (title) of BankFirst

State of Nebraska)
County of _____)
The foregoing instrument was acknowledged before me this _____ day of _____, 2023 by _____ (title) of BankFirst.
My commission expires: _____ (Signature) _____ (Print)
Notary Public

APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this _____ day of _____, 2023.
Dan Spray
Chairman

APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this _____ day of _____, 2023.
Attest: _____ Josh Moenning
City Clerk Mayor

WAIVER
We, Troy R. Uhlir and Suzanne M. Uhlir, Members of Double T V Properties, L.L.C. are the owners of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.
Troy R. Uhlir, Member of Double T V Properties, L.L.C. Suzanne M. Uhlir, Member of Double T V Properties, L.L.C.

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

ZONING CHANGE APPLICATION

Applicant: Jose Nuño 300 W Braasch ave
 Name Address
402 315-7538 J.nuno01@gmail.com
 Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
 (other than Name Address
 applicant) Phone Email

Current Zoning: C3 **Proposed Zoning:** C2

*If applying for M-U (Mixed Use) District, a copy of the plan must be submitted with the application.

Location of Property: 300 W Braasch Ave

Legal Description: Original town of Norfolk Lot 1, BLK 3, 1/2 PT
Vac Winter Ave

Property Area, Square feet and/or Acres: 9,625^{sqft} 0.22 acres

Use of Adjoining Properties:

North: NIM East: The Zone after school South: Big red Printing West: VFW

Signature of Owner _____
 Printed Name of Owner Jose Nuño

OR

Authorized Agent _____
 Printed Name of Authorized Agent _____

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701

**ZONING CHANGE
JUSTIFICATION FORM**

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?

C2 development/rezone for restaurant/wedding Vanue space

2. Does the zone change request conform to the Comprehensive Plan?

yes

3. Is the proposed property in the Floodplain hazard area as delineated under the Federal Flood Insurance program?

NO floodplain

4. What is the justification for the zone change as it relates to the overall Land Use?

Conform to DT zone of C2 due to parking limitations

5. How would this zoning district conform with adjacent properties' zoning?

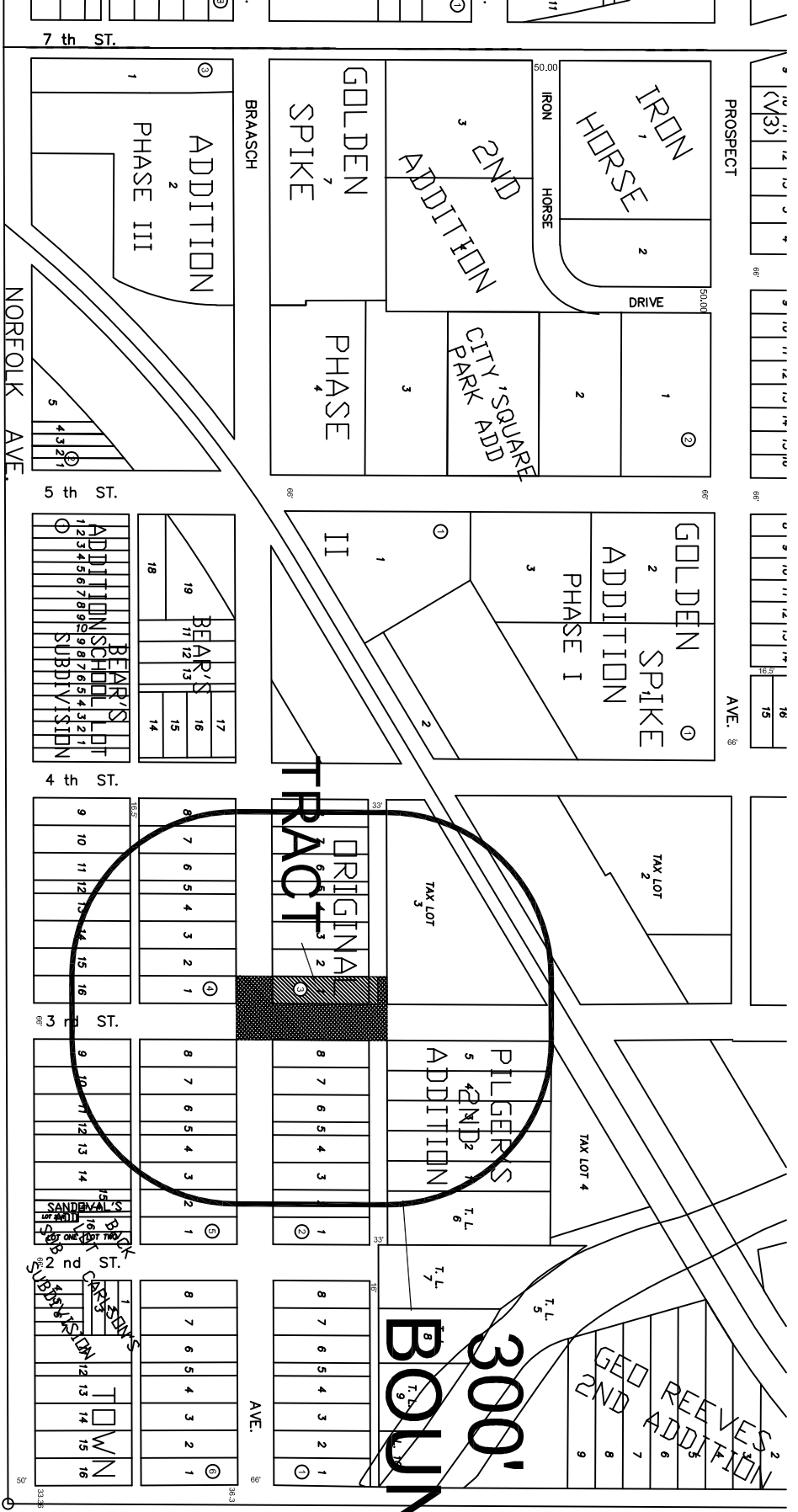
Allow for business to be conducted w/o parking requirement constraints

6. What is the general character of the area?

Downtown w/ expansion of mainst business

7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?

yes, this will be private space/property w/ ADA compliance
compliant public utilities, compliant/adequate utilities
(that will be assisted by engineering of our architect, city of
norfolk, and each perspective utility company)



NOT TO SCALE
 S:\DEPT\ENG\DEANN\FIREPLOT\225E241-063023.DWG

Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, August 8, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Braasch Avenue, LLC, to consider a zoning change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 300 W Braasch Ave, legally described as follows:

Lot 1, Block 3 and the South 16.5 feet of Vacated Winter Avenue lying adjacent thereto, Original Town of Norfolk, Madison County, Nebraska.

Publish (July 28, 2023)
1 P.O.P.

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Tunink's Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Brad B. Tunink 315 W Northwestern Ave., Norfolk, NE
Name Address
402-750-3866
Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
(other than Name Address
Applicant)

Phone Email


Current Zoning: I-2

General Location/Address: 315 W Northwestern Ave., Norfolk, NE

Legal Description: See Attached Sheet

Tax ID# 590042106

Property Area, Square Feet and/or Acres: 38,498 sq. ft.



Signature of Owner

Brad B. Tunink

Printed Name of Owner

OR

Authorized Agent

Printed Name of Authorized Agent

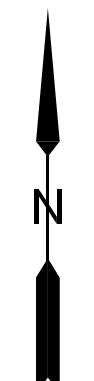
Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018

Legal Description:

Tract Two of Medelman's Lot Boundary Change in the City of Norfolk, Madison County, Nebraska, being part of the Northeast ¼ of the Northeast ¼ of Section 34, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows:

That part of the Northeast ¼ of the Northeast ¼ of Section 34, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, which is bounded as follows: On the Northerly side by the Southerly line of Northwestern Avenue; on the Easterly side by a line drawn at right angles to said Southerly line of Northwestern Avenue, a point thereon distance 410.42 feet (410.82 feet measured) Westerly from its Intersection with the Southerly extension of the West line of Second Street; thence on the Southerly side by a line parallel, with and distant 25.0 feet Northerly measured at right angles, from the center line of the main track of the Chicago and Northwestern Transportation Company, as said main track is now located; and on the Westerly side by a line drawn parallel, with the West line of said quarter-quarter section through a point on the Southerly line of said Northwestern Avenue at a point thereon distance 190.0 feet (190.2 feet measured) Easterly from its intersection with the West line of said quarter-quarter excluding therefrom the East 55.0 feet thereof being measured parallel with the Southerly line of Northwestern Avenue.

Proj. No.
2023-63

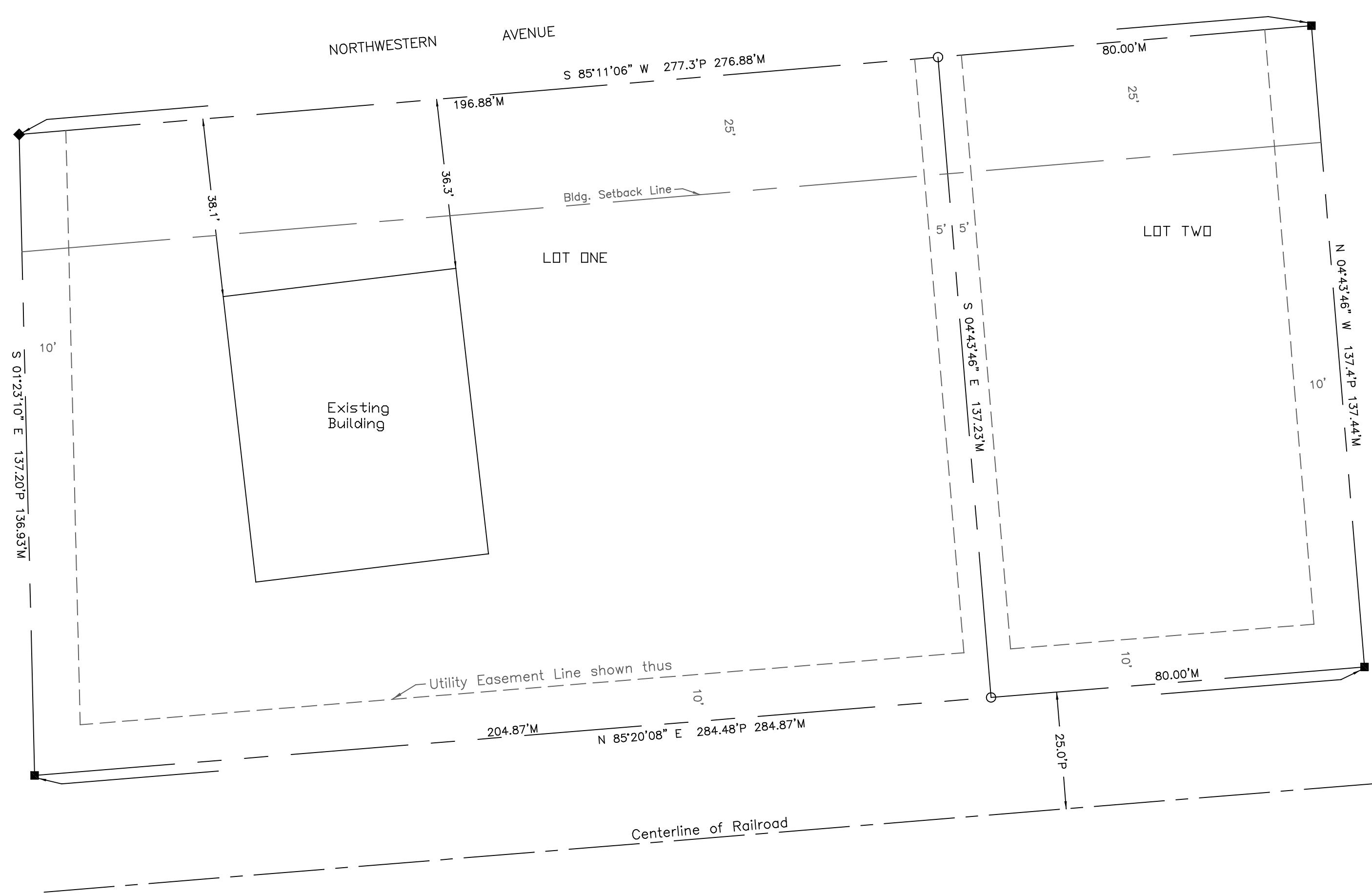


- Legend
- ◆ Chiseled 'X' Found
 - Pipe Found
 - Pin Set
 - △ Calc. Point
 - P Platted Dist.
 - JR Jeffrey S. Ryan's Dist.
 - M Measured Dist.
- Property Line
 - - - Block Line
 - Lot Line
 - - - Building Setback Line
 - - - Utility Easement Line
 - - - 1/16th Line
 - - - 1/4 Line
 - - - Centerline of Railroad Line



Lot	Area	Address
One	27,512 sq. ft.	315 W Northwestern Ave.
Two	10,986 sq. ft.	309 W Northwestern Ave.

- Notes:
- Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRK Network.
 - Distances shown on the Plat are Horizontal Ground Distances.
 - A Five (5) Foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.



Owners Certificate
I, the undersigned, sole owner of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lots One and Two, to be known hereinafter as TUNINK'S ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of part of the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

Brad B. Tunink
State of Nebraska)
County of Madison)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Brad B. Tunink.
My commission expires: _____ (Signature)
Notary Public (Printed)

Consent of Lienholder
I, _____ (title) of Great Western Bank, Columbus, being a lienholder of the described tract of land, hereby approve and agree to the platting of TUNINK'S ADDITION to the City of Norfolk, Madison County, Nebraska, on this ____ day of _____, 2023, on behalf of said Great Western Bank, Columbus.

(Signature)
(Print), _____ (title) of Great Western Bank, Columbus
State of Nebraska)
County of _____)
The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by _____ (title) of Great Western Bank, Columbus.
My commission expires: _____ (Signature)
Notary Public (Print)

APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this ____ day of _____, 2023.
Dan Spray
Chairman

APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this ____ day of _____, 2023.
Attest: Brianna Duerst City Clerk Josh Moenning Mayor

WAIVER
I, Brad B. Tunink am the owner of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.

Brad B. Tunink
State of Nebraska)
County of Madison)
This is to certify that this instrument was filed for record by the Register of Deeds Office at _____ M on this ____ day of _____, 2023.
Diane Nykodym
Register of Deeds

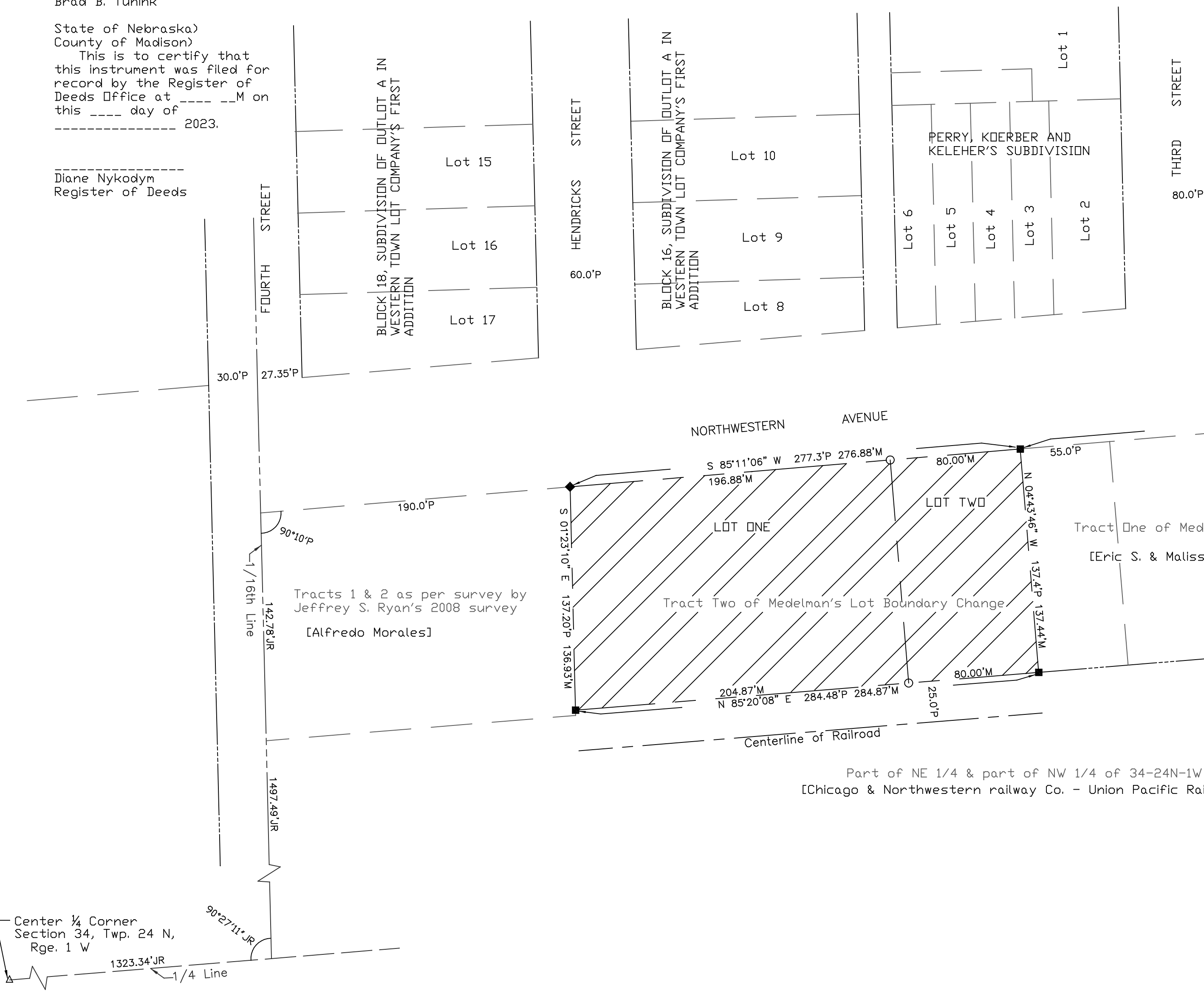
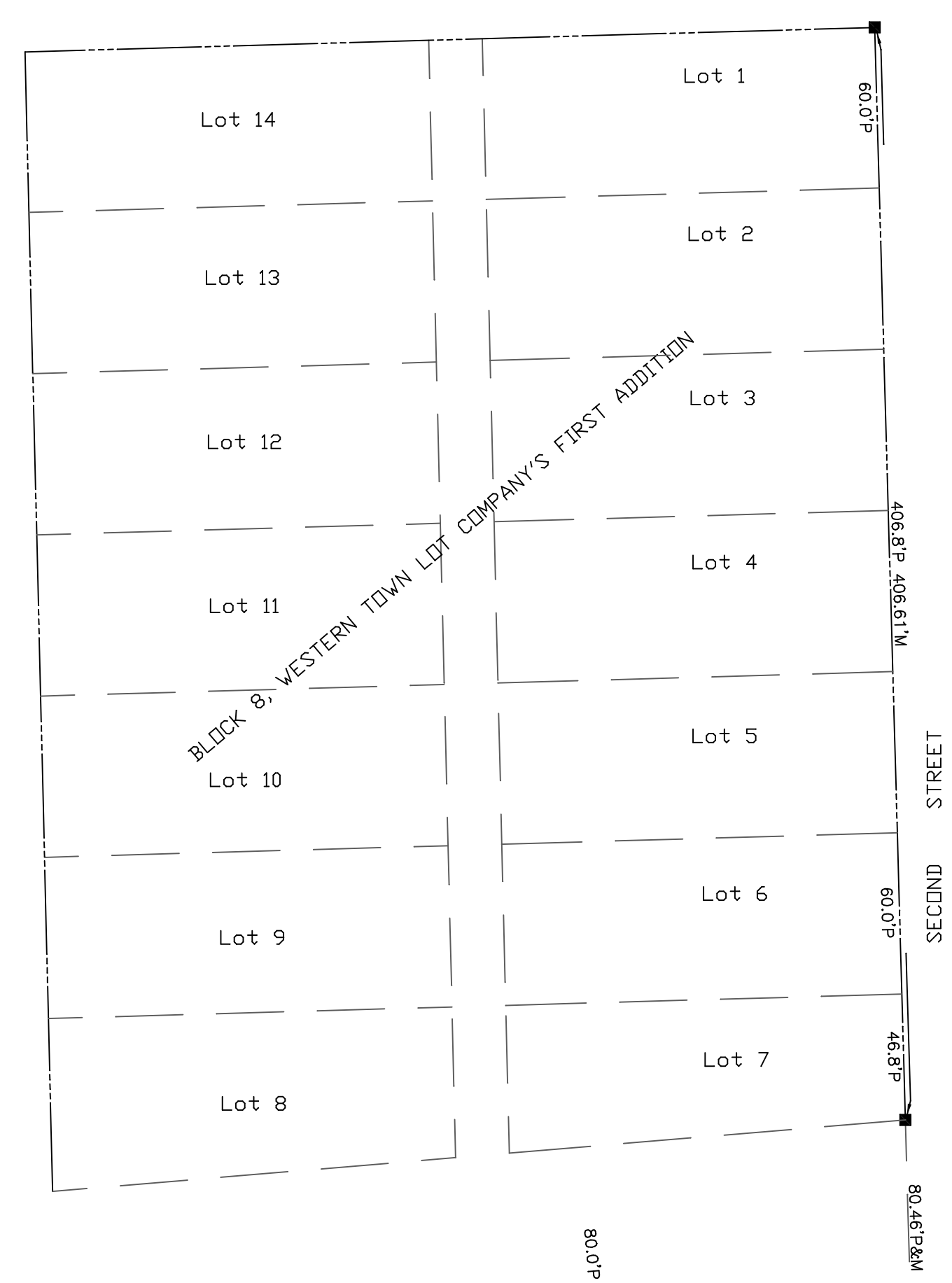
Surveyors Statement
I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of TUNINK'S ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of part of the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; that the Plat attached hereto is the original, accurate, true and correct plat of said TUNINK'S ADDITION to the City of Norfolk, Madison County, Nebraska; that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said TUNINK'S ADDITION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said TUNINK'S ADDITION to the City of Norfolk, Madison County, Nebraska, consisting of Lots One and Two at the instance and request of the owner.

The tract of land comprising said Addition is more particularly described as follows:
Tract Two of Medelman's Lot Boundary Change in the City of Norfolk, Madison County, Nebraska, being part of the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows:
That part of the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, which is bounded as follows: On the Northernly side by the Southernly line of Northwestern Avenue; on the Easterly side by a line drawn at right angles to said Southernly line of Northwestern Avenue, a point thereon distance 410.42 feet (410.82 feet measured) Westerly from its intersection with the Southernly extension of the West line of Second Street; thence on the Southernly side by a line parallel, with and distant 25.0 feet Northernly measured at right angles, from the center line of the main track of the Chicago and Northwestern Transportation Company, as said main track is now located; and on the Westerly side by a line drawn parallel, with the West line of said quarter-quarter section through a point on the Southernly line of said Northwestern Avenue at a point thereon distance 190.0 feet (190.2 feet measured) Easterly from its intersection with the West line of said quarter-quarter excluding therefrom the East 55.0 feet thereof being measured parallel with the Southernly line of Northwestern Avenue.

I hereby state that I have executed this instrument on this 14th day of July, 2023.

LaVern F. Schroeder
Registered Land Surveyor #312

GENERAL LAYOUT
Scale: 1" = 50'



For Office Use Only	Date Filed	7-19-23
	Fee	\$ 250.00
	Rec'd by	KP

**APPLICATION FOR TEMPORARY
WAIVER OF SUBDIVISION REQUIREMENTS**

Section 1:

Applicant: CLAUSEN AIR INC 711 S 37th
Name Address
402-649-3261 marty@clausenair.com
Phone Email

Contact: MARTY CLAUSEN 1900 S 37th
(other than Name Address
Applicant) Phone Email
402-640-2846

Years Requested: _____

A waiver of minimum subdivision requirements is requested from the requirements set out in Chapter 23, Article I of the City Code of Norfolk for property

Addressed as 711 S 37th

Legally described as BAMFORD BUSINESS PARK SUB-DIV
590273722

And zoned as _____

Section of subdivision regulations waiver is for WEST SIDE OF PROPERTY

Explain the nature of the request and hardship DRAINAGE DITCH NORTH SIDE
OF PROPERTY

Provide a sketch with this application including the application area, existing and proposed structures, appropriate dimensions, and any other pertinent information.

Marty Clausen
Signature of Owner

Authorized Agent

OR

MARTY CLAUSEN
Printed Name of Owner

Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018