

# Agenda Packet

## NORFOLK PLANNING COMMISSION

Wednesday, February 22, 2023  
7:30 a.m.

Created 2/17/2023 3:15 PM

**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 Wednesday, February 22, 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 5<sup>th</sup> Street, Norfolk, Nebraska during normal business hours.



AGENDA  
NORFOLK PLANNING COMMISSION

February 22, 2023

CALL TO ORDER

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

CURRENT BUSINESS

4. Approval of full agenda. **Motion**
5. Consideration of approval of the minutes of the February 7, 2023 Planning Commission meeting. **Motion**
6. Consideration of recommendation of a zoning change from C-3 (Service Commercial District) and R-M (Mobile Home District) to I-1 (Light Industrial District) on property generally located at 915 Bonita Drive. This item was tabled at the February 7, 2023 Planning Commission meeting. **Motion**
7. Consideration of recommendation of the final plat of La Bonita RV Park Addition. This item was tabled at the February 7, 2023 Planning Commission meeting. **Motion**
8. Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a recreational vehicle campground on property generally located at 915 Bonita Drive. This item was tabled at the February 7, 2023 Planning Commission meeting. **Motion**

PUBLIC HEARINGS

9. Public hearing to consider amending Section 4-4 of the Official City Code to include an exception for the keeping of hens, bantam hens, or ducks with a valid permit and to more clearly define livestock as it relates to the keeping of livestock within the city; to amend Section 4-6 of the Code to address at-large chickens or ducks; to enact Section 27-295 of the City Code to allow the keeping of hens, bantam hens, or ducks in residential districts with a valid permit.

- |     |  |               |
|-----|--|---------------|
| 10. | Consideration of recommendation to amend Section 4-4 of the Official City Code to include an exception for the keeping of hens, bantam hens, or ducks with a valid permit and to more clearly define livestock as it relates to the keeping of livestock within the city; to amend Section 4-6 of the Code to address at-large chickens or ducks; to enact Section 27-295 of the City Code to allow the keeping of hens, bantam hens, or ducks in residential districts with a valid permit. | <b>Motion</b> |
| 11. | Public hearing at the request of Women’s Empowering Life Line, for a Conditional Use Permit for a daycare on property generally located at 600 N. 12th Street and properties located to the north and to the west.   |               |
| 12. | Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a daycare on property generally located at 600 N. 12th Street and properties located to the north and to the west.   | <b>Motion</b> |
| 13. | Public hearing at the request of Flatrock Group, LLC, to consider a zoning change from A (Agricultural District) to I-1 (Light Industrial District) on property generally located west of N. 40th Avenue and south of W. Norfolk Avenue.   |               |
| 14. | Consideration of recommendation of a zoning change from A (Agricultural District) to I-1 (Light Industrial District) on property generally located west of N. 40th Avenue and south of W. Norfolk Avenue.  | <b>Motion</b> |
| 15. | Public hearing at the request of Flatrock Group, LLC, to consider a zoning change from A (Agricultural District) to C-3 (Service Commercial District) on property generally located west of N. 40th Avenue and south of W. Norfolk Avenue.   |               |
| 16. | Consideration of recommendation of a zoning change from A (Agricultural District) to C-3 (Service Commercial District) on property generally located west of N. 40th Avenue and south of W. Norfolk Avenue.  | <b>Motion</b> |

PLATS/SUBDIVISIONS

- |     |   |               |
|-----|---|---------------|
| 17. | Consideration of recommendation of the final plat of Norfolk 140 Subdivision. | <b>Motion</b> |
|-----|---|---------------|

OTHER BUSINESS

- |     |   |  |
|-----|---|--|
| 18. | January 2023 Building Permit Report   |  |
| 19. | 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 7th day of February, 2023, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Kyle Deets, Chad Bryant, Dirk Waite, Kaycee Kube, Martin Griffith, Jacob Thone, and Cody Ronnfeldt. Absent: Dan Spray and Brandon Franklin.

Staff members present were: Val Grimes, City Planner; Steven Rames, City Engineer; Melissa Figueroa, Business Resource Specialist; and Katelyn Palmer.

Planning Commission Vice-Chair, Dirk Waite presided and the Planning Commission Secretary Elizabeth Lienemann 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 Thone to approve the full agenda.

Roll Call: Commission Members: Ayes: Deets, Bryant, Waite, Kube, Griffith, Thone, and Ronnfeldt.  
Nays: None. Absent: Spray and Franklin. Motion carried (7-0).

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Commissioner Deets moved, seconded by Commissioner Griffith to approve the January 18, 2023 meeting minutes.

Roll Call: Commission Members: Ayes: Deets, Bryant, Waite, Kube, Griffith, Thone, and Ronnfeldt.  
Nays: None. Absent: Spray and Franklin. Motion carried (7-0).

## Public Hearings and Related Items

### Public Hearings

Zoning Change from C-3 (Service Commercial District) and R-M (Mobile Home District) to I-1 (Light Industrial District)

Conditional Use Permit – Recreational vehicle campground  
Generally located at 915 Bonita Drive | Park Mobile Home Court MHC, LLC

Vice-Chair Waite simultaneously opened the public hearings at 7:31 a.m. to consider a zoning change from C-3 and R-M to I-1 and a Conditional Use Permit for a recreational vehicle campground on property generally located at 915 Bonita Drive.

Brandon Schilling (114 Lovel Rd #101, Knoxville, TN 37934) with Saratoga Group, provided a background of his company and a history of the mobile home park. The existing park was built sometime in the 70s and contains 19 acres. The property is currently intermixed with RVs and manufactured homes. The RV use goes back to sometime in the '90s by looking at aerial photography. The property is located in an "Opportunity Zone" which is a federal designated area for investment. The property is surrounded by industrial and commercial uses. The property has historically been used as a drainage pond for sewage. That use has since gone away and been connected to City utilities.

For the proposed development, they are interested in creating a high degree of separation between the existing manufactured home community and existing commercial/industrial uses around the property. They intend to have a nice, landscaped berm on the north and south sides with heavy evergreen trees to buffer views. All the sites will be large and fairly spread out and the density for the proposed park is 300% less dense than the existing community. And the setbacks are 3x what the existing setback is in the community today between the RVs. As well as the perimeter landscaping, they plan to put an indigenous tree on every lot. There will be a dedicated picnic table at each site, the roads will all be paved, and there is a proposed dog park. The existing community today has 88 sites which some have historically been used for RVs. The park will be professionally managed with institutional type operators. There are also age limits (15 years old or newer. Up to 20 years old may be allowed as long as they pass the required criteria) on all incoming RVs. RV applicants will go through a background check in order to pull into the community.

Existing community upgrades include: 10 new homes will be brought in, landscape packages at each new home, tree trimming is scheduled, and plans to remove older units. Once weather begins to improve, the group will go in and begin cleaning the community up.

Commissioner Griffith asked if they will all be owner occupied units. Schilling explained that they are all currently owner occupied and the intention is for them to remain that way. There is a chance that some units may be rented or lease-to-own, but will not be short term rentals.

Commissioner Deets asked if this would be more of an RV park or mobile homes. Schilling explained that the northeast side would be an RV area. Currently all of the intermixed RVs and the intent is to move the RVs out and have different uses (RVs and mobile homes) be on separate lots. They will continue to fill in the south side of the property with mobile homes. Commissioner Deets asked how many spots would be designated for the RVs and how many would be designated for mobile homes. Schilling stated there will be 47 sites on the RV side. They are still working on plans for the mobile home park so they can work with the City to ensure current setbacks are met. Commissioner Deets asked what it will look like when the group takes over the park (because there are current owners/tenants). Schilling explained that on the operational site they will enforce the rules and regulations but don't intend to kick anyone out. They will help them improve their site with resources like paint programs and re-siding homes.

Vice-Chair Waite asked about entrances and exits to the RV park. Schilling explained that there will be access off of Bonita by way of two different roads and showed the proposed layout.

Commissioner Kube asked if there are plans to create roads/pathways/entrances that would connect to the single-family area nearby. Schilling stated that the developer (of the single-family) gave him the impression that, Bonita will not connect to the development – which he prefers. Schilling also noted that the goal is to create a natural landscape buffer. Commissioner Kube asked how long it will take to create the buffer. Schilling noted that there is limited space on the north side but are looking to build up a berm and plant trees that are already 8-9 feet tall to try to create an instant buffer.

Vice-Chair Waite asked about the length of time for RVs to be in the campground. Schilling noted that it will be a mix of both long and short term sites and there will be designated areas for each. There are lots of workers that travel in RVs and need to go through the application process to stay for longer than one month and would have to adhere to the age limits on their RVs.

Commissioner Ronnfeldt asked if there would be a local manager for the park. Schilling stated that a community manager has already been hired and is on site daily. In addition to the local manager, there will also be a regional manager who travels to the area to help support them.

Vice-Chair Waite asked for confirmation that there is water/sewer on site. Schilling stated that the community has already been connected to City water/sewer and the expansion would still be on City water/sewer. Vice-Chair Waite asked for clarification on whether the roads would be paved. Schilling noted that the existing community is paved and the new RV community will be paved, but the RV sites themselves may be a different material. In their other communities, they have used concrete, railroad ties as borders with asphalt millings. But the roads will be paved.

Paul Medelman, representing Medelman's Lake Development, expressed concerns in regard to paving, landscaping/screening, and poor drainage. He noted that he will also be bringing a screened wall along his residential project to separate themselves from the industrial areas. He also noted concern with the request to change the zoning of the property to light industrial. Vice-Chair Waite noted that the general

vicinity is already surrounded by industrial zoning. Medelman noted that he was also concerned about the sewage sludge and whether there would be exposure during construction. Medelman asked if the pads for the trailers will be paved. Schilling noted that it hadn't been decided yet.

Commissioner Ronnfeldt asked Planner Grimes to clarify why this is going to light industrial. Planner Grimes explained that an RV park would be considered a campground. There are two zoning districts, Ag – which you need 40 acres for – or light industrial, that allow a campground. Campgrounds aren't outright permitted in either district, which is why they will also need a Conditional Use Permit on top of the industrial.

Doug Ohlrich (805 Bonita Dr), expressed concerns explaining that the previous owner had taken dirt off of the lagoon, which affected drainage onto his property. He also shared concerns with the location of the dog run and whether there would be limited hours. He also shared concerns with parking related to the previous owner.

Brandon Keech (1209 Miles Dr), spoke in opposition to the request. He explained that he is a lot owner in the single-family development and noted that TIF financing was used for the development. The City recognized the region as a deteriorating area and wanted to incentivize investment into it. He stated that though the lot owners did recognize that there was a mobile home court in the area, he believes that expanding the operation will further the deterioration of the area. He also expressed concerns with the company being from out of state.

No one else spoke in favor or opposition of the request and Vice-Chair Waite simultaneously closed the public hearings at 8:25 a.m.

Commissioner Kube asked Planner Grimes to explain the history and the need to separate the RVs from the mobile homes. Planner Grimes explained that R-M zoning does not permit RVs and is intended for a truly mobile home park. Years ago, workforce RVs were temporarily allowed to come in and seemed to have stayed. She also noted that there have been comments from a couple of people living in the community with concerns about the RVs being allowed to come and go in their neighborhood. The violation process had been started with the previous owners. They made it through some of the process but then fell away and another violation letter was sent. The new owners weren't aware of the current violations and they are trying to bring the park into compliance by separating the two. Commissioner Kube clarified that it's not necessarily an expansion per se, more so organizing an area for RVs that are currently in violation of the R-M area.

Commissioner Griffith noted that there had also been concerns about emergencies and emergency vehicles in the past.

Commissioner Deets asked Planner Grimes to pull up the Comprehensive Plan. Grimes showed that the area called for mobile home (which is distinguished as multi family because the Comp Plan doesn't show mobile home), industrial, and public (County/highway) uses.



Commissioner Kube asked how far the buffer would be from the start of the single family residential area. Planner Grimes stated that it is about 350 feet to the start of the R-2 zoning and the closest it would be is about 175-200 feet. Commissioner Waite brought up Medelman mentioning that there would also be screening through his R-2 area.

Commissioner Deets asked if the only option is I-1. Planner Grimes explained that it is the cleanest route.

Vice-Chair Waite asked if the current zoning of the proposed park is R-M. Planner Grimes explained that the previous owners had changed it to C-3 (a step down from I-1) for RV storage on the property. Commissioner Kube asked for clarification that the zone couldn't be changed to R-M with a Conditional Use Permit on top. Planner Grimes noted that they could change to R-M if they took away the extra lot undoing the plat and took out the previous zoning, changing it back to R-M, then it would still be a Conditional Use Permit but the version isn't as clean. This would require a very specific lot layout for the whole property and potentially a Planned Development overlay. Planner Grimes suggested that instead of going this route, asking the applicant for an updated site plan with specific items and changes to attach to the Conditional Use Permit. She also explained that it would be better to get it taken care of sooner to help with the violations that they are trying to fix.

Vice-Chair Waite acknowledged that there were expensive properties being built nearby, but from an aesthetic viewpoint, this would be an improvement. He again noted that there is I-1 and I-3 all throughout that area. Commissioner Deets expressed concerns about what this would do thinking about the future of this area. Commissioner Griffith also noted that there are already two properties that are I-1 between the residential area and the property in question. Commissioner Kube added that the area is listed as Industrial in the Comp Plan.

City Engineer, Steven Rames, reiterated that Bonita Drive will never connect into Medelman's Lake. He also noted that the Ohlrich property is located in a County Industrial Tract which is a whole other layer on top of an Industrial tract.

Vice-Chair Dirk noted that with all the other I-3 property around, if they were to change this to I-1, and 20 years down the road someone wants to come in buy it for a different use – the same could be said about neighboring properties.

Commissioner Kube asked Planner Grimes for clarification that if they were to do a Planned Development there would be less restrictions. Planner Grimes explained that there would be more restrictions for the applicant and they would have to provide a plan for the whole property. Commissioner Kube then clarified that with their current request, they would only need to provide a plan for the [current] C-3 property and not for the whole R-M. Planner Grimes confirmed.

Commissioner Deets asked what the problem would be with having them lay it all out now as opposed to of piece-mealing it. He also noted that there was opposition and he didn't have a lot of clarity on what it was going to look like. A little more clarity, more detailed plans, would be helpful.

Commissioners then discussed their options for how to proceed with the request, and ultimately agreed on tabling the request until more detailed plans could be provided by the applicant.

Commissioner Deets moved, seconded by Commissioner Kube to table the request for a zoning change from C-3 and R-M to I-1 on property generally located at 915 Bonita Drive.

Commissioner Deets moved, seconded by Commissioner Kube to table having City staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a recreational vehicle campground on property generally located at 915 Bonita Drive.

Roll Call: Commission Members: Ayes: Deets, Bryant, Waite, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray and Franklin. Motion carried (7-0).

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#### La Bonita RV Park Addition – Final Plat

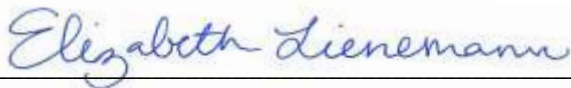
Commissioner Deets moved, seconded by Commissioner Kube to table recommendation of the La Bonita RV Park Addition Final Plat.

Roll Call: Commission Members: Ayes: Deets, Bryant, Waite, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray and Franklin. Motion carried (7-0).

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#### **Other Business**

There was no other discussion and Vice-Chair Waite declared the meeting adjourned at 8:54 a.m.



Elizabeth Lienemann, Norfolk Planning Commission Secretary

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Dirk Waite, Norfolk Planning Commission Vice-Chair



<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**ZONING CHANGE APPLICATION**

**Applicant:** Park Mobile Home Court MHC, LLC 114 Lovell Rd #101, Knoxville, TN 37934

Name	Address
<u>602.399.9984</u>	<u>brandon@saratogagroup.com</u>
Phone	Email

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

**Contact:** Nick Hoffman 502 W. Madison Ave Norfolk, NE 68701

(other than applicant)	Name	Address
	<u>402.316.2625</u>	<u>nhoffman@mclauryengineering.com</u>
	Phone	Email

**Current Zoning:** C-3      **Proposed Zoning:** I-1

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

**Location of Property:** A PART OF THE NORTH HALF OF THE SW QUARTER OF SEC 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NE

**Legal Description:** See attached Exhibit

**Property Area, Square feet and/or Acres:** 5.00

**Use of Adjoining Properties:**

North: C-3      East: I-3      South: R-M      West: R-M

\_\_\_\_\_  
Signature of Owner

Brandon Schilling  
Authorized Agent

OR

\_\_\_\_\_  
Printed Name of Owner

Brandon Schilling  
Printed Name of Authorized Agent

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

## **ZONING CHANGE JUSTIFICATION FORM**

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

Mobile Home Residential

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

No

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

Zone X Shaded

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

The zone change will bring Park Mobile Home into zoning compliance by providing a dedicated use/area for RVs.

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

The zoning designation is consistent with the zoning designations in the immediate area

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6. What is the general character of the area?

Open Ground that used to be a sewage holding pond

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

Yes, Connect to City of Norfolk Utilities

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

## Liz Lienemann

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**From:** Kaycee Kube <kayceenkube@gmail.com>  
**Sent:** Monday, February 6, 2023 7:16 PM  
**To:** Liz Lienemann; Valerie Grimes  
**Subject:** Fwd: Planning Commission Meeting

Hello Val and Liz,

Please see below communication I received from Chuck Olsen today regarding agenda items for tomorrow's Planning Commission meeting. He's aware that his message will be shared with the rest of the Commissioners and included in the record.

Have a great night, and see you in the morning!

Kaycee Kube

----- Forwarded message -----  
**From:** <cgolsencfp@gmail.com>  
**Date:** Mon, Feb 6, 2023 at 12:13 PM  
**Subject:** Planning Commission Meeting  
**To:** <kayceenkube@gmail.com>

Kaycee,

I see on the Norfolk Planning Commission agenda tomorrow morning that there is a public hearing for a mobile park just to the southside of our Medelman's lake development. As a board member of the Medelman's Lake HOA, we are opposed to this development. I am unable to attend the meeting and neither is Ann Hoiem or Paul Medelman as we are all out of state. I was not made aware of this hearing until just a few days ago. Since the HOA has control of the land adjacent to the proposed property, we feel we need to have a voice in this matter.

For me personally, as well as the other lot owners at the lake, we have invested heavily in a new development that will benefit Norfolk over the years to come. Simply, I personally pay over \$12,000 per year now in property taxes. Take that times all the new homes in our development and it can hopefully be seen as a good revenue source for the city and county.

It was never in our vision that we would be dealing with a 47 slot trailer park next door. If that isn't an issue to some on the planning commission, then long term use of this property as light industrial could open this up to numerous other issues in the future.

It is our intent to provide full opposition to this development and zone change. We would appreciate further communication directly to our HOA, which I can be the primary contact as a board member.

I appreciate the work you are doing with the city and hope you don't mind me sending this note to you first as I didn't know where else to send other than Dan Spray – with whom I will send similar email.

Sincerely,

Chuck Olsen

1303 Miles Dr.

Norfolk, NE 68701

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**Kaycee Kube, MSW**

## Liz Lienemann

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**From:** Dr. Nicholas Linn <drnlinn@outlook.com>  
**Sent:** Monday, February 6, 2023 2:23 PM  
**To:** Valerie Grimes; Liz Lienemann  
**Subject:** Opposition to Zoning Change for 915 Bonita Drive

To whom it may concern

I am a lot owner of the newly developed Medelman's Lake homes. My lot is #22 in phase 2. My wife and I plan on building a home this summer out there and are discouraged to find that a mobile home outfit is wanting to expand and add an RV park. As you may know, the homes along the new development are all on the higher side for Norfolk. Our house will be no different as we will spend well over 1 million to have it built. I never thought my front yard would have to face an RV park after spending that kind of money. Our property tax bill will likely be \$15,000 plus per year for this home. All of us current owners are concerned that this will lower our home values and degrade our future homes as well.

I have looked over the paperwork the RV park has submitted to the city for consideration. I have issues with some of the answers to the questionnaire. They state that Bonita Dr is a dead-end street, this is the case right now, but it will soon be connected to Miles Dr that all our homes are located. They do acknowledge there are homes present and being built and that a buffer is required, the trees will take years to create an appropriate buffer.

Please consider ***not passing the zoning change*** to allow for an RV park at this location. Thank you for your time and consideration.

**Dr. Nicholas D. Linn**

Linn Chiropractic Center, P.C.

p: 402-371-8864 | e: drnlinn@outlook.com

w: <http://www.linnchiro.com>

<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**SUBDIVISION APPLICATION**

Name of Subdivision: La Bonita RV Park Addition

Preliminary  Final

**Applicant:** Park Mobile Home Court MHC, LLC 114 Lovell Rd #101, Knoxville, TN 37934  
 Name Address  
(916) 596-9000 Brandon@saratogagroup.com  
 Phone Email

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

**Contact:** Brandon Schilling 114 Lovell Rd #101, Knoxville, TN 37934  
 (other than Name Address  
 Applicant) 602.399.9984 Brandon@saratogagroup.com  
 Phone Email

Current Zoning: C-3

General Location/Address: A PART OF THE NORTH HALF OF THE SW QUARTER OF SEC 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NE

Legal Description: See attached

Property Area, Square Feet and/or Acres: 5.0

\_\_\_\_\_  
Signature of Owner

Brandon Schilling  
Authorized Agent

OR

\_\_\_\_\_  
Printed Name of Owner

Brandon Schilling  
Printed Name of Authorized Agent

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

Print Form

Clear From



SETBACKS R-M

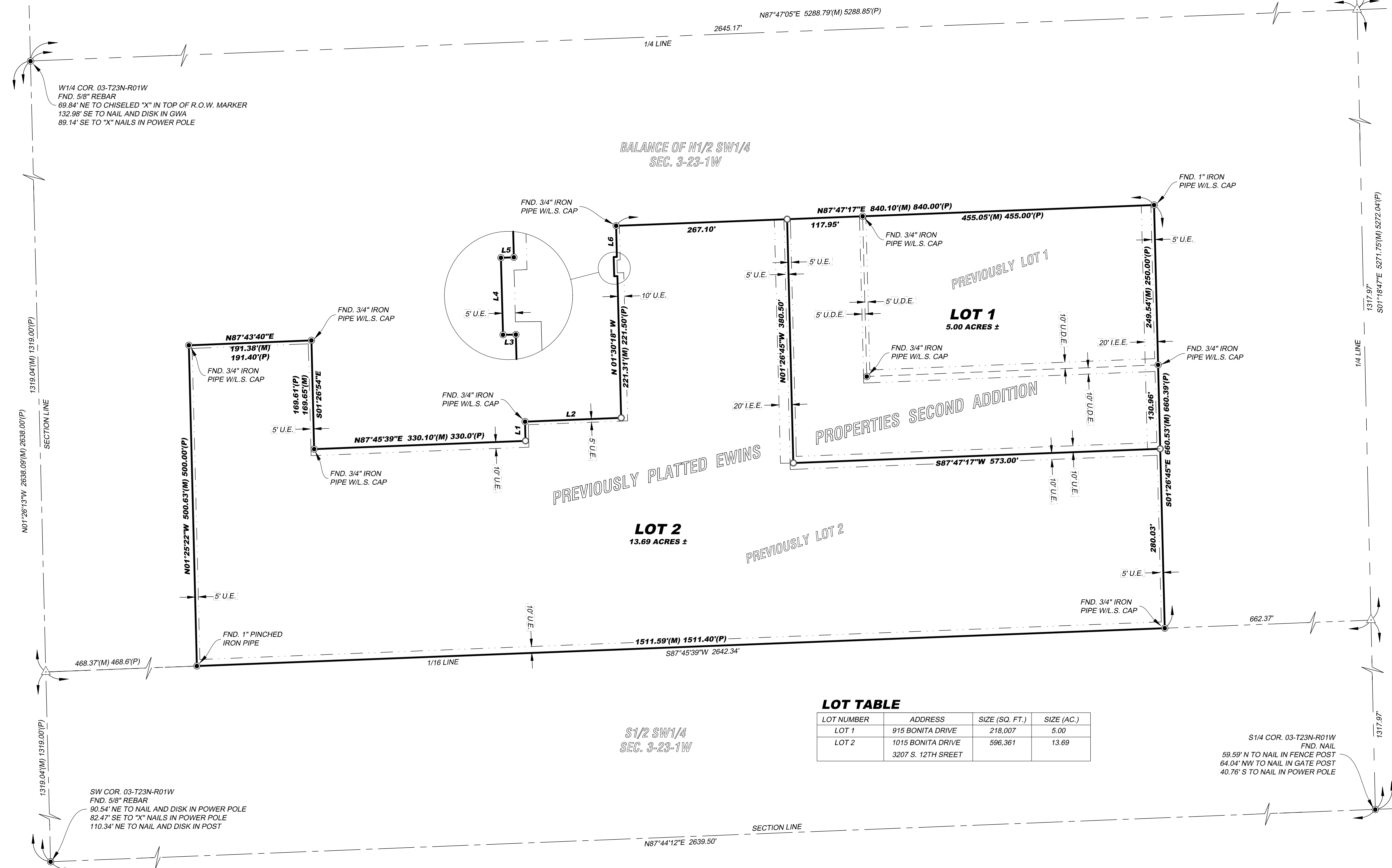
15' - FRONT YARD
25' - STREET SIDE YARD
5' - SIDE YARD
5' - REAR YARD
SEE ORDINANCE FOR ADDITIONAL INFORMATION

SETBACKS I-1

25' - FRONT YARD
25' - STREET SIDE YARD
0' - SIDE YARD
15' - REAR YARD
SEE ORDINANCE FOR ADDITIONAL INFORMATION

FINAL PLAT OF LA BONITA RV PARK ADDITION

BEING A SUBDIVISION OF LOTS 1 AND 2, EWING PROPERTIES 2ND ADDITION, IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA



LOT TABLE with columns: LOT NUMBER, ADDRESS, SIZE (SQ. FT.), SIZE (AC.)

LEGAL DESCRIPTIONS:

LOT 1 A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA... LOT 2 A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA...

SURVEYOR'S CERTIFICATION:

I, KIM L. McLAURY, REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA, HAVE AT THE REQUEST OF PARK MOBILE HOME COURT MHC, LLC, DIRECTED AND SUPERVISED THE SURVEY OF LOTS 1 AND 2, EWING PROPERTIES 2ND ADDITION, MADISON COUNTY, NEBRASKA...

I HAVE SUBDIVIDED SAID TRACT OF LAND TO BE HEREINAFTER KNOWN AS LOTS 1 AND 2 IN LA BONITA RV PARK ADDITION, MADISON COUNTY, NEBRASKA, BEING A SUBDIVISION OF LOTS 1 AND 2 OF EWING PROPERTIES 2ND ADDITION, IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA, AS SHOWN ON THE PLAT HEREIN.

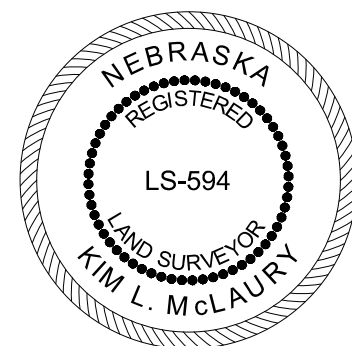
I CERTIFY THAT THE PLAT HEREIN IS THE ORIGINAL, ACCURATE AND CORRECT PLAT OF SAID LA BONITA RV PARK ADDITION AND THAT SAID PLAT ACCURATELY AND CORRECTLY REFLECTS ALL OF THE LOTS, BLOCKS, ROADS, STREETS, AVENUES, ALLEYS, PARKS, COMMONS, AND OTHER GROUNDS IN SAID ADDITION...

I CERTIFY THAT THE SURVEY AND PLAT WERE MADE AT THE INSTANCE AND REQUEST OF THE OWNERS OF SAID TRACT OF LAND WHO ARE HEREIN NAMED.

I CERTIFY THAT I HAVE EXECUTED THE ABOVE INSTRUMENT

THIS DAY OF 2023.

KIM L. McLAURY NEB. REG. L.S. NO. 594 DATE:

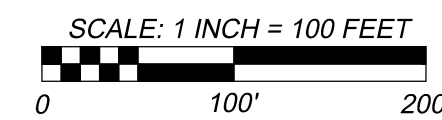


N1/4 COR. 03-T23N-R01W FND. 5/8" REBAR 19.30' N TO NAIL IN LIGHT POLE 5.51' S NAIL IN BLAZED 24" COTTONWOOD TREE 51.31' W TO NE CORNER TO SCORE BOARD SUPPORT POLE

E1/4 COR. 03-T23N-R01W FND. 5/8" REBAR 47.45' SW TO NAIL IN P.P. 60.15' N.E. TO NAIL IN TOP OF C.F.P. 38.33' S.E. TO NEAR CORNER WEST BRICK BULAR 75.88' NW TO NAIL IN TOP OF P.P.

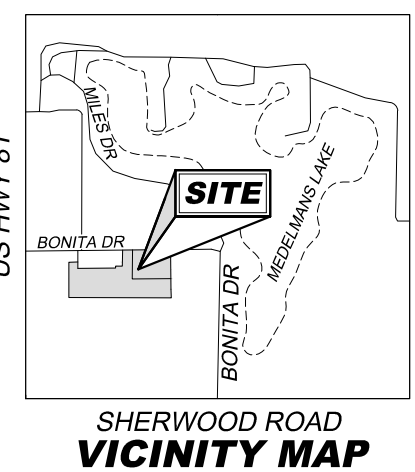
S1/4 COR. 03-T23N-R01W FND. NAIL 59.58' N TO NAIL IN FENCE POST 64.04' NW TO NAIL IN GATE POST 40.76' S TO NAIL IN POWER POLE

LINE TABLE with columns: LINE, LENGTH, DIRECTION



LEGEND

- IRON MONUMENT FOUND TYPE NOTED
IRON MONUMENT SET
CALCULATED CORNER
MEASURED DISTANCE
PLATTED DISTANCE
R.O.W. RIGHT OF WAY
N.A.P. NOT A PART OF THIS SURVEY
U.E. UTILITY EASEMENT
U.D.E. UTILITY & DRAINAGE EASEMENT
I.E.E. INGRESS/EGRESS EASEMENT
EASEMENT LINE



DEDICATION & WAIVER

WE, PARK MOBILE HOME COURT MHC, LLC, ARE THE SOLE OWNERS OF THE TRACT OF LAND DESCRIBED HEREIN AND WE HAVE CAUSED TO BE MADE A SURVEY AND PLAT OF SAID TRACT OF LAND AS SHOWN HEREIN. SAID TRACT OF LAND SHALL HEREINAFTER BE KNOWN AS LA BONITA RV PARK ADDITION, MADISON COUNTY, NEBRASKA, BEING A SUBDIVISION OF LOTS 1 AND 2 OF EWING PROPERTIES 2ND ADDITION...

PARK MOBILE HOME COURT MHC, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY SAM HALES, PRESIDENT OF SARATOGA GROUP, INC., A CALIFORNIA CORPORATION, MANAGER OF PARK MOBILE HOME COURT MHC, LLC

ACKNOWLEDGMENT OF NOTARY:

ON THE DAY OF 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED WITHIN AND FOR SAID COUNTY, APPEARED SAM HALES, PRESIDENT OF SARATOGA GROUP, INC., A CALIFORNIA CORPORATION, WHICH CORPORATION IS THE MANAGER OF PARK MOBILE HOME COURT MHC, LLC, A DELAWARE LIMITED LIABILITY COMPANY...

AND AFFIXED MY OFFICIAL SEAL AT, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE LAST WRITTEN

NOTARY PUBLIC, STATE OF COUNTY OF MY COMMISSION EXPIRED ON THE DAY OF 20, A.D.

MORTGAGE NOTE:

ELKHORN VALLEY BANK AND TRUST, 1010 OMAHA AVE, NORFOLK, NEBRASKA, 68701, THE HOLDER OF A MORTGAGE ON A THE REAL ESTATE SHOWN ON THE ACCOMPANYING PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, DO HEREBY CONCUR WITH THE REPLATTING OF SAID REAL ESTATE AS 'LA BONITA RV PARK ADDITION TO THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA', AS SHOWN.

SIGNED DAY OF 2023. DAVE MAGGART, ELKHORN VALLEY BANK

ACKNOWLEDGMENT OF NOTARY:

ON THE DAY OF 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED WITHIN AND FOR SAID COUNTY, APPEARED DAVE MAGGART, ELKHORN VALLEY BANK, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED...

AND AFFIXED MY OFFICIAL SEAL AT, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE LAST WRITTEN

NOTARY PUBLIC, STATE OF COUNTY OF MY COMMISSION EXPIRED ON THE DAY OF 20, A.D.

PLANNING COMMISSION APPROVAL:

THE FOREGOING AND WITHIN PLAT, APPROVED BY PLANNING COMMISSION OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA BY RESOLUTION DULY PASSED THIS DAY OF 2023.

DAN SPRAY, CHAIRMAN

MAYOR & CITY COUNCIL APPROVAL:

THE FOREGOING AND WITHIN PLAT, APPROVED BY THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA BY RESOLUTION DULY PASSED THIS DAY OF 2023. ATTEST.

BRIAN NA DUERST, CLERK JOSH MOENNING, MAYOR

SURVEYOR'S NOTES:

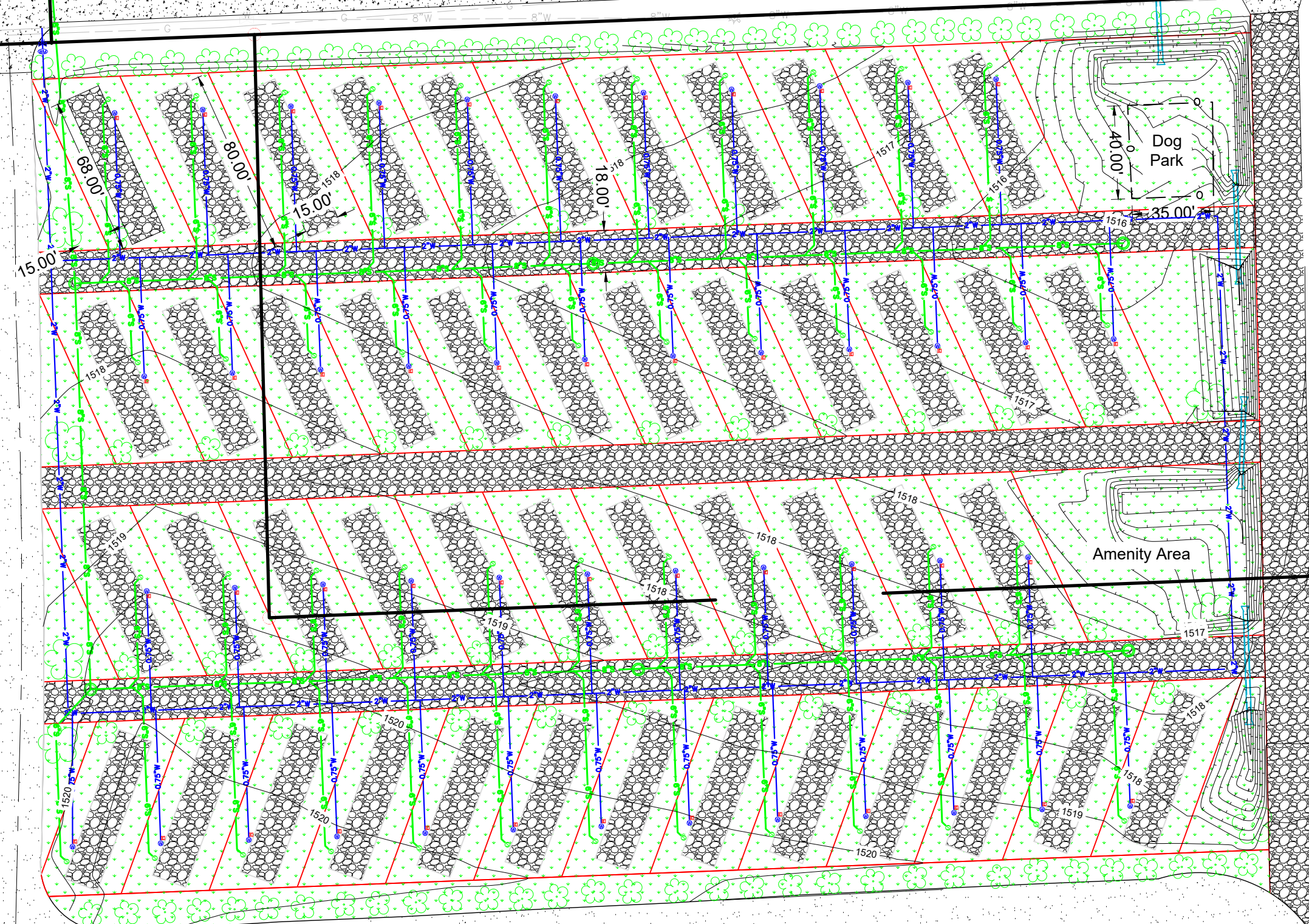
- A FIVE FOOT SIDEWALK SHALL BE CONSTRUCTED BY THE OWNER ON THE STREET SIDE OR SIDES OF EACH LOT IN THE ADDITION ABUTTING ON A PLATTED STREET AS PROVIDED FOR BY ORDINANCE NO. 56117 OF THE CITY OF NORFOLK PASSED AND APPROVED ON JUNE 3, 2019

Professional seal of Kim L. McLaury and project information for LA BONITA RV PARK ADDITION, including scale, date, and sheet number.





Bonita Avenue

SCALE:  
1" = 50'



**LEGEND**

-  GRAVEL
-  GRADING LIMITS

**Preliminary not  
for Construction**

**PARK MHC RV PARK**  
BONITA DRIVE NORFOLK, NE

**PAVEMENT PLAN**

DESIGNED BY: NEH  
 DRAWN BY: NEH  
 CHECKED BY: NEH  
 REVISIONS:

ACAD FILE: Bona.DWG  
 DATE: \*\*/\*\*  
 BY: \*\*  
 DATE: \*\*/\*\*

500 W. MADISON AVE  
 NORFOLK, VA 23502  
 PHONE: 402.318.2626  
 PHONE: 402.860.5816  
 McLartyEngineering.com

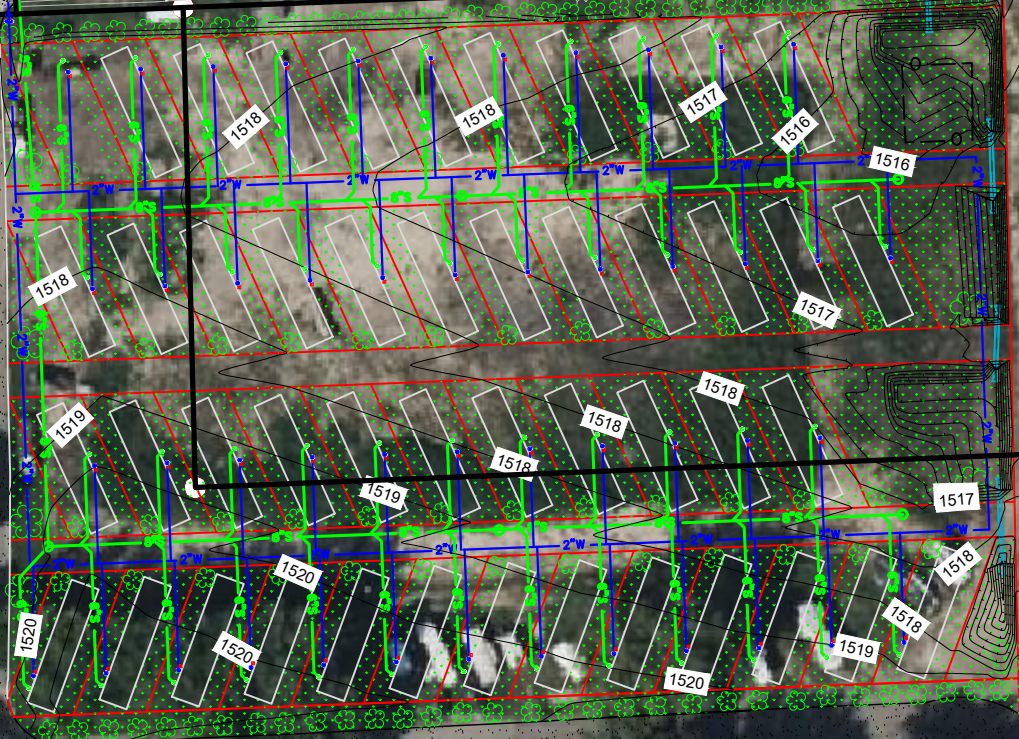


SHEET NO.





Bonita Avenue



SCALE:  
1" = 50'



PARK MHC RV PARK  
BONITA DRIVE NORFOLK, NE

PAVEMENT PLAN

DESIGNED BY: NEH	ACAD FILE: Bmp.DWG	DATE: 11/17/2022
DRAWN BY: NEH		
CHECKED BY: NEH		
REVISIONS:	BY:	DATE:

500 W. MADISON AVE  
NORFOLK, NE 68701  
PHONE: 402.318.2626  
PHONE: 402.860.5816  
McLaryEngineering.com



**Preliminary not  
for Construction**

LEGEND

- GRAVEL
- GRADING LIMITS

SHEET NO.





<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**CONDITIONAL USE  
PERMIT APPLICATION**

**Applicant:** Park Mobile Home Court MHC, LLC 114 Lovell Rd #101, Knoxville, TN 37934  
 Name Address  
(916) 596-9000 Brandon@saratogagroup.com  
 Phone Email

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

**Contact:** Brandon Schilling 114 Lovell Rd #101, Knoxville, TN  
 Name Address  
 (other than 602.399.9984 Brandon@saratogagroup.com  
 applicant) Phone Email

**Present Use of Property:** C-3 - Vacant Land

**Desired Use of Property:** I-1 - Recreational Vehicle Park

**Timeframe of Request:**  Perpetual  Issued for \_\_\_\_\_ years

**Location of Property:** A PART OF THE NORTH HALF OF THE SW QUARTER OF SEC 3, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6TH P.M.,  
MADISON COUNTY, NE

**Legal Description:** See attached Exhibit

**Property Area, Square feet and/or Acres:** 5.00

**General Character of the area:** Flat open land with minimal trees, commercial and residential buildings

\_\_\_\_\_  
Signature of Owner

Brandon Schilling  
Authorized Agent

OR

\_\_\_\_\_  
Printed Name of Owner

Brandon Schilling  
Printed Name of Authorized Agent

## CONDITIONAL USE PERMIT JUSTIFICATION FORM

1. What is the current zoning district?

C-3

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

I-1 - Recreational Vehicle Park

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?

Current Park MHC community has both RV and MH units and abuts the property. Zone change and CUP will allow Park MHC to be zoning compliant. Adjacent properties are primarily commercial properties with some new residential use along the nearby lake.

5. Is screening or buffering required?  Yes  No

If yes, explain type Screening will meet or exceed buffer requirements. Planned screening along both the north and south lot sides will be evergreen species on a raised berm.

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.

Located on a dead end street with minimal traffic. Easy access off highway with wide commercial roadways leading to site.

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 Along northern property line

11. Adequate water and sewer available?  Yes  No

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

# LA BONITA

A PROFESSIONALLY MANAGED SARATOGA COMMUNITY

EX COUNTY SHOP  
(1-3 ZONING)

MEDELMANS LAKE DEVELOPMENT, LLC (C-3 ZONING)

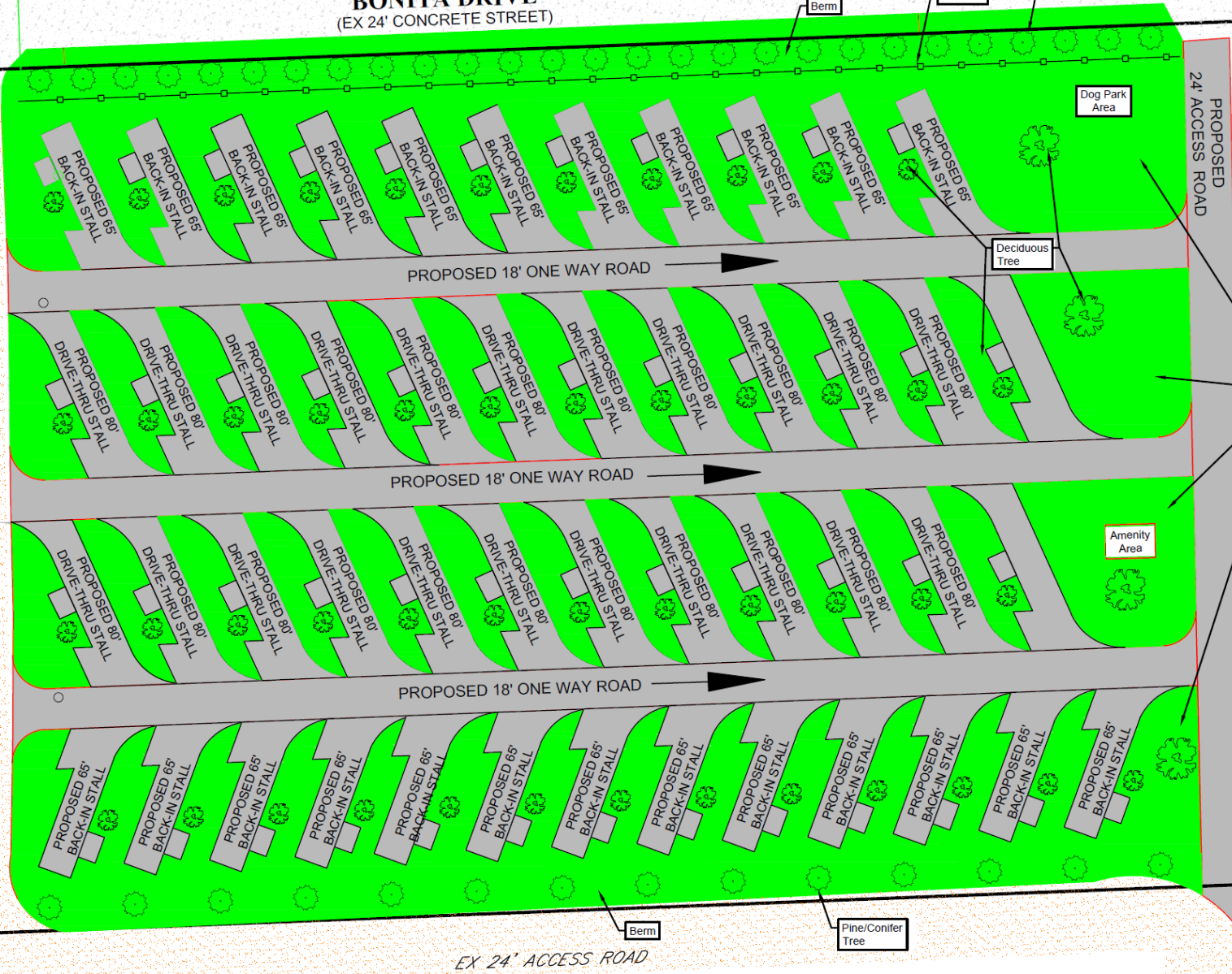
**BONITA DRIVE**  
(EX 24' CONCRETE STREET)



SCALE:  
1" = 50'

EX MH PARK  
(R-M ZONING)

EX 24' ACCESS ROAD



JANET OHLRICH  
(1-3 ZONING)

PROPOSED  
24' ACCESS ROAD

Ex 4'  
Chainlink  
Fence

Deciduous  
Tree

Detention  
Pond Areas

Amenity  
Area

Berm

Pine/Conifer  
Tree

EX 24' ACCESS ROAD

EX MH PARK (R-M ZONING)

**LEGEND**

	EX CONCRETE
	EX ASPHALT
	PROPOSED CONCRETE PAVEMENT
	PROPOSED ASPHALT PAVEMENT
	PROPOSED GRASS
	PROPOSED 6' FENCE
	PROPOSED PINE/CONIFER TREE
	PROPOSED DECIDUOUS TREE

PARK MHC RV PARK  
BONITA DRIVE NORFOLK, NE

SITE PLAN

DESIGNED BY: JMS	DATE: 11/11/2021
DRAWN BY: JMS	DATE: 11/11/2021
CHECKED BY: JMS	DATE: 11/11/2021
APPROVED BY: JMS	DATE: 11/11/2021

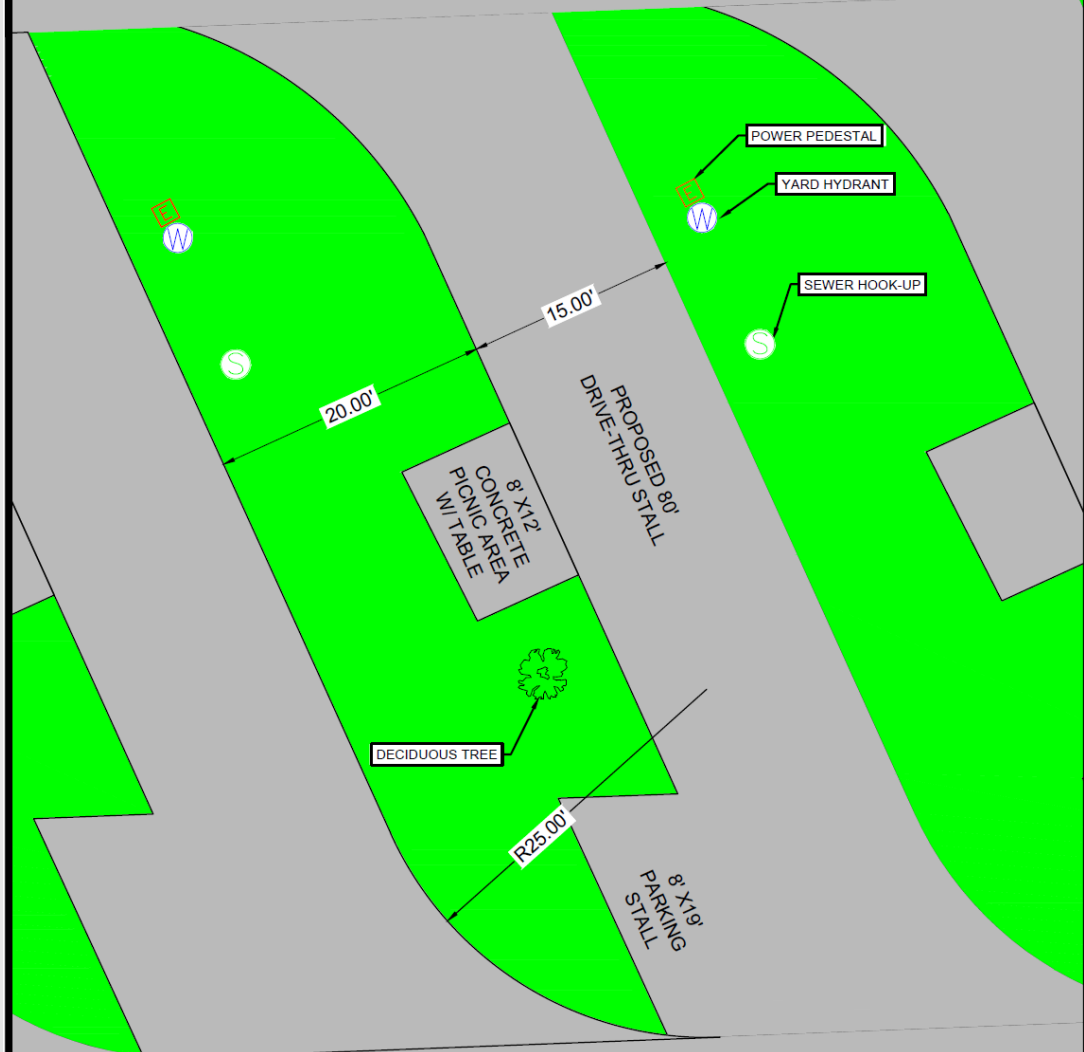
4070 MADISON AVE  
NORFOLK, NE 68701  
PHONE: 402.366.2025  
FAX: 402.366.2026  
www.mclautyengineering.com

**Mclauty ENGINEERING**



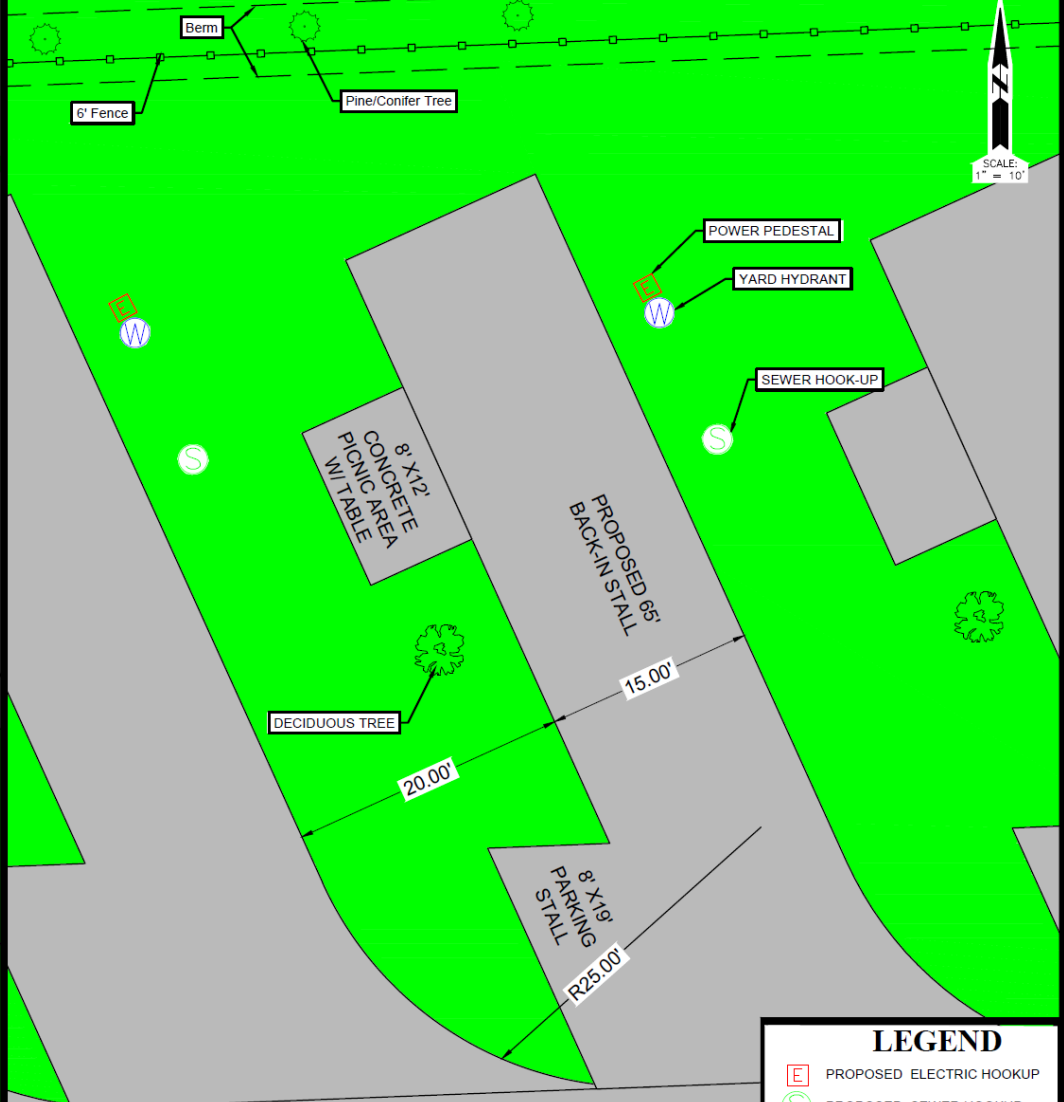
SHEET NO.

PROPOSED 18' ONE WAY ROAD →



TYPICAL PULL THRU STALL

PROPOSED 18' ONE WAY ROAD →



TYPICAL BACK-IN STALL

**LEGEND**

- PROPOSED ELECTRIC HOOKUP
- PROPOSED SEWER HOOKUP
- PROPOSED WATER HOOKUP
- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT
- PROPOSED GRASS
- PROPOSED 6' FENCE
- PROPOSED PINE/CONIFER TREE
- PROPOSED DECIDUOUS TREE

PARK MHC RV PARK  
BONITA DRIVE NORFOLK, NE

TYPICAL RV SPACES

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
APPROVED BY:	DATE:

602 W. MADISON AVE  
NORFOLK, NE 68701  
PHONE: 402.680.5816  
McLartyEngineering.com



SHEET NO.

52

2/22/2023

Enclosure 8  
Page 24 of 58





Site Looking West





Site View NE





NE Site  
(20' Level)



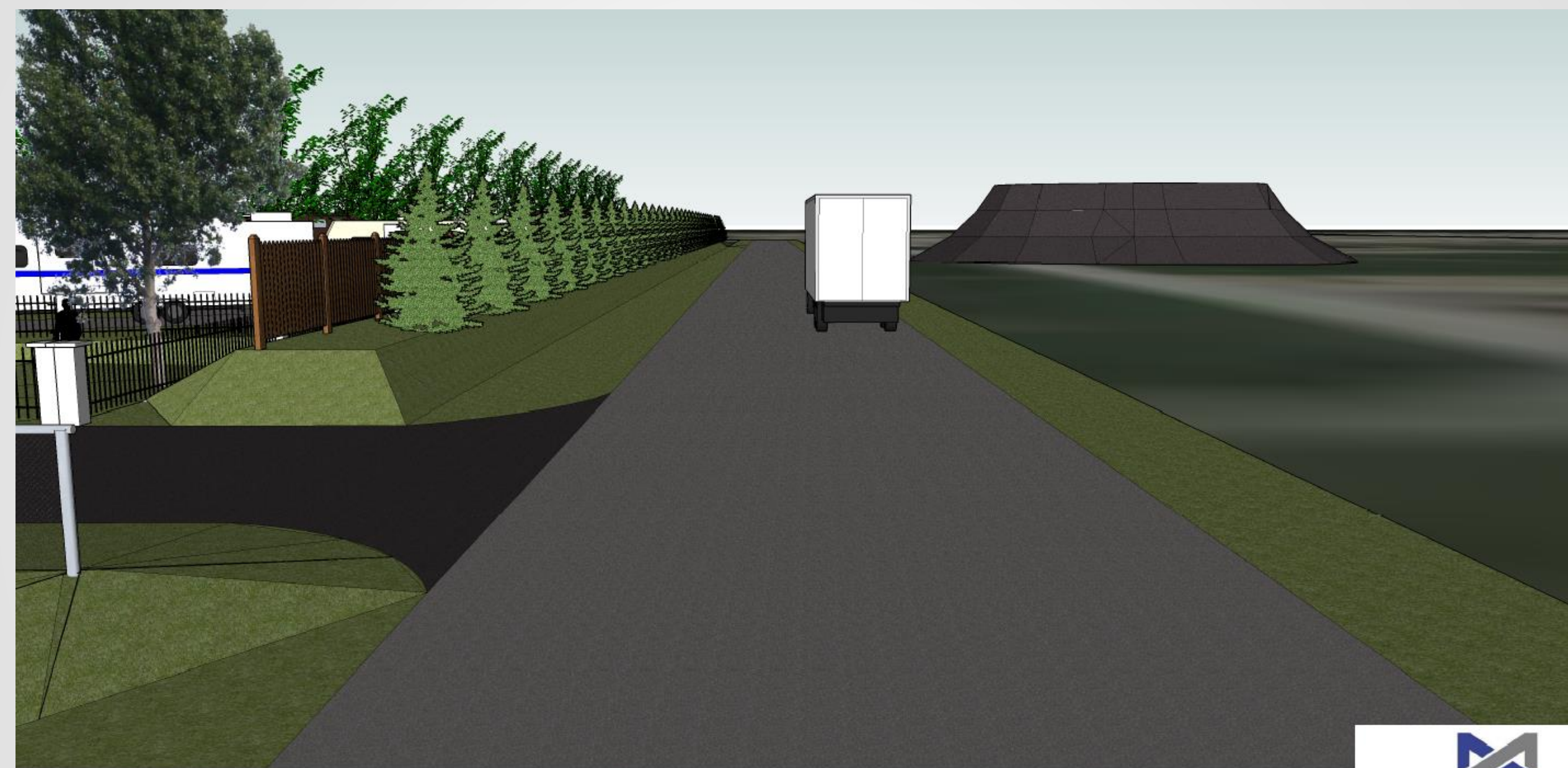


NW Site  
(20' Level)



NW Site  
(Street Level)





Bonita Ave (Looking West)



Bonita Ave (Looking East)





Back-in Site



# DEVELOPMENT STANDARDS

- ▶ Privacy Fence & Landscaping along Bonita Rd
- ▶ Raised Landscape Berm along Bonita Rd
- ▶ Raised Landscape Berm along South Side of Property
- ▶ Asphalt / concrete roads throughout
- ▶ Concrete RV Parking Areas at Each Site
- ▶ 2 Vehicle Parking Spots at Each Site
- ▶ Full Hook-up Utilities at each Site
- ▶ Indigenous Tree at Each Site
- ▶ Picnic Area with Commercial Table at Each Site
- ▶ Dog Park
- ▶ Amenity Area



### Public Hearing

The Norfolk Planning Commission will hold a public hearing on Wednesday, February 22, 2023 at 7:30 a.m. in the City Council Chambers, 309 N. 5<sup>th</sup> Street, Norfolk, Nebraska to amend Section 4-4 of the Official City Code to include an exception for the keeping of hens, bantam hens, or ducks with a valid permit and to more clearly define livestock as it relates to the keeping of livestock within the city; to amend Section 4-6 of the Code to address at-large chickens or ducks; to enact Section 27-295 of the City Code to allow the keeping of hens, bantam hens, or ducks in residential districts with a valid permit.

Publish (February 10, 2023)  
1 P.O.P.



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 4-4 OF THE OFFICIAL CITY CODE TO INCLUDE AN EXCEPTION FOR THE KEEPING OF HENS, BANTAM HENS, OR DUCKS WITH A VALID PERMIT AND TO MORE CLEARLY DEFINE LIVESTOCK AS IT RELATES TO THE KEEPING OF LIVESTOCK WITHIN THE CITY; TO AMEND SECTION 4-6 OF THE CODE TO ADDRESS AT-LARGE CHICKENS OR DUCKS; TO ENACT SECTION 27-295 OF THE CITY CODE TO ALLOW THE KEEPING OF HENS, BANTAM HENS, OR DUCKS IN RESIDENTIAL DISTRICTS WITH A VALID PERMIT; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, NEBRASKA:

Section 1. That Section 4-4 of the Official City Code be and the same is hereby amended to read as follows:

**Sec. 4-4. Keeping of livestock.**

(a) It shall be unlawful for any person to keep or possess livestock upon his or her own premises or the premises of any person or for any person to allow any livestock to be kept on his or her premises within the city unless:

- (1) The livestock is used for agricultural or farming use and complies with all conditions or requirements set forth in Chapter 27, or
- (2) The livestock is used for recreational use in which case the keeping or possession shall comply with all conditions or requirements contained in Chapter 27.
- (3) Hens, bantam hens, or ducks are kept under a valid permit obtained from the city pursuant to Sec. 27-295 of this Code.

(b) Nothing in this section shall preclude (1) the transporting of livestock over roadways located within the city, (2) keeping or possessing livestock on the business premises of a licensed veterinarian, (3) keeping or possessing livestock for sale from a location within the city where livestock sale is allowable, (4) keeping or possessing livestock for a period of up to twenty-four (24) hours immediately prior to slaughter at a location within the city where livestock slaughter is allowable, or (5) a person from riding an animal or driving an animal-drawn vehicle on a roadway so long as the person complies with section 24-4 and subsection (d) as set forth herein.

(c) For purposes of this section, livestock shall mean any horse; mule; donkey; burro; cow; turkey, goose, duck, chicken, pigeon, quail, peafowl, pheasant, emu, ostrich, or other fowl; sheep; pig; or swine; or goat; llama, alpaca, or other camelid; or caribou, reindeer, or other cervine animal; and shall include any dwarf or miniature variety of the same.

(d) Any individuals or organization having a parade, circus, carnival, exposition or display that includes livestock as defined herein shall obtain approval of the city council for their desired activities in addition to paying any fees or obtaining any insurance required by this Code.

Section 2. That Section 4-6 of the Official City Code be and the same is hereby amended to read as follows:

**Sec. 4-6. Running at large.**

(a) It shall be unlawful for any person who keeps or harbors a dog, cat or other animal to permit it to run at large. "Run at large" shall be construed to mean being off the premises of the person owning or controlling the dog, cat or other animal and roaming at will out of the control of the owner or master thereof.

(b) Any dog, cat or other animal found to be running at large may be impounded as provided for in this chapter, or if the owner of such dog, cat or other animal is determined by the official capturing said animal before such dog, cat or other animal is delivered to the animal pound, and if such dog, cat or other animal properly displays the required license tags and rabies vaccination tag as required under this chapter then such dog, cat or other animal may be delivered to the owner upon said owner's written acceptance of delivery upon a form provided by the police division. If such dog, cat or other animal is, at the discretion of the apprehending official, delivered to the owner, an impoundment fee as set forth in [Section 2-5](#) of this Code shall be paid by the owner to the police division within five (5) days of the return of the dog, cat or other animal, and failure to pay such fee shall constitute a separate violation of this code section.

(c) It shall be unlawful for any person who keeps or harbors chickens or ducks to permit said chickens or ducks to run at large on any of the public ways or upon the property of another. Any chicken or duck found to be running at large may be apprehended by an animal control officer or other city official and delivered to an individual who 1) owns land where chickens or ducks are permitted to be kept, and 2) has an agreement with the city to accept at-large chickens

or ducks for ownership. Upon delivery of the chickens or ducks by the apprehending official to an individual with whom the city has an agreement, the chickens or ducks shall immediately become the property of the person accepting delivery of the at-large chickens or ducks. In the event the chickens or ducks cannot reasonably be delivered to a recipient as set forth herein, the apprehending official may dispose of said chickens or ducks in a manner he or she deems appropriate

Section 3. That Section 27-295 of the Official City Code be and the same is hereby enacted as follows:

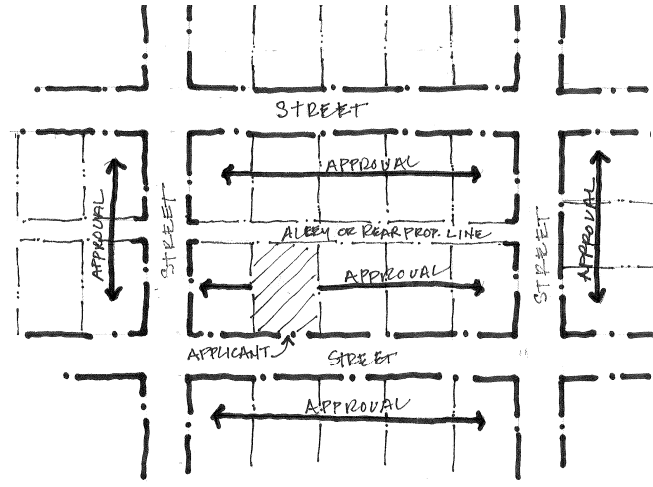
**Sec. 27-295. Keeping of backyard chickens and ducks.**

The keeping of hens, bantam hens or ducks in residential districts A, R-R, S-R, R-1, R-2, and R-3, only on property consisting of a detached single-family dwelling use, except when larger numbers permitted in A district or permitted under a conditional use permit, is allowed subject to the following:

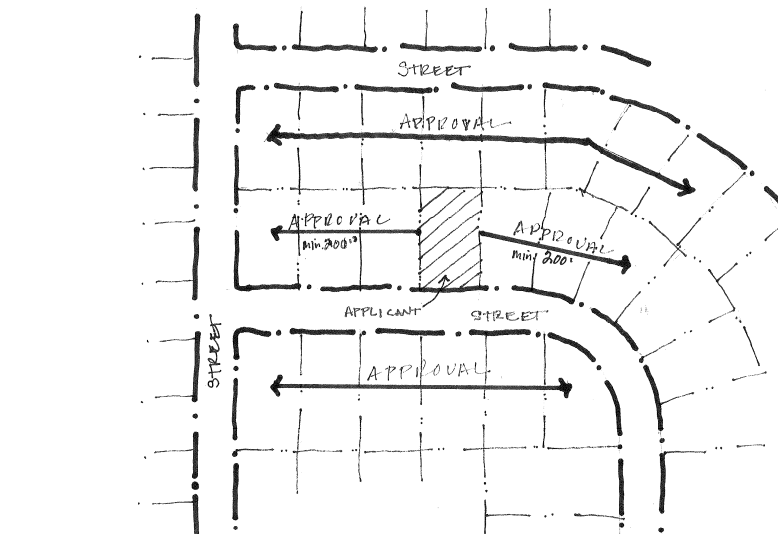
(1) Permit:

- a. Any person who keeps hens, bantam hens or ducks shall obtain a permit from the city through its Planning and Development Department, prior to acquiring the hens, bantams, or ducks. Application shall be made to the Planning and Development Department office and the fee for the permit shall be as set forth in Section 2-5 of this Code.
- b. Permits are valid for the calendar year and shall expire and become invalid on December 31 of the calendar year after the date of issuance unless the permit is issued after December 1 in which case the permit will expire on the second December 31 following the date of issuance; prorating the fee is not allowed. A permit holder who wishes to continue keeping hens, bantam hens or ducks shall obtain a new permit on or before January 1 of the upcoming year. Application for a new permit shall be pursuant to the administrative procedures and requirements that are applicable at the time the person applies for a new permit.
- c. As part of the permit application, the applicant shall collect written approval from a minimum of 75 percent of the property owners, not tenants, within the area described in this section or as otherwise requested by the zoning official if the lot layout does not follow the descriptions in this section. The approval requirements set forth in this section must include approval from all owners of property abutting the applicant's property. The applicant shall use the form, as provided by the city, for the written approvals.
- d. Areas for property owner approval:

- (i) An applicant shall provide written approval from those adjacent and near neighboring property owners described as all properties on the block face, on the rear of the block face, on the block face across the street, and on the end face of each block to the sides as the proposed applicant's property; or



- (ii) If the lot layout of the neighborhood is not in a grid block pattern like described and depicted above, the applicant shall provide written approval from those adjacent and near neighboring property owners described as all properties a minimum of 200 feet from the applicant's property boundaries and directly across the street from and behind those properties 200 feet from the applicant's property boundaries.



- (2) Hereinafter "hens", "bantam hens", and "ducks" will be referenced collectively as "chickens".

(3) Number and size:

- a. No more than a total of four (4) chickens (hens, bantam hens, ducks or any combination of such animals) may be kept on any one (1) parcel as an accessory use to the one primary single-family detached structure.
- b. Each chicken may be up to a maximum of five (5) lbs. in weight.

(4) Use and ownership:

- a. The principal use of the property shall be a detached single-family dwelling.
- b. The permit applicant shall be the owner and resident of the property, or if a rental property then the tenant/lessee shall be the permit applicant with a written consent statement from the property owner.

(5) Setbacks and placement:

- a. A person shall not keep chickens in any location on the property other than in a chicken enclosure in the rear yard.
- b. No chicken enclosure or coop shall be located closer than ten (10) feet to any property line of an adjacent property.
- c. No chicken enclosure or coop shall be located closer than forty (40) feet to any residential structure on another person's property.
- d. No chicken coop shall be located closer than ten (10) feet to any other structure on the permitted lot for fire safety purposes.

(6) Coops and enclosures:

- a. Chickens shall be provided with a covered, fenced, predator-proof coop and/or enclosure that is well-ventilated and designed to be easily accessed for cleaning.
- b. Chickens must be kept in a chicken enclosure at all times.
- c. Chickens shall have access to an outdoor enclosure that is adequately fenced to contain the chickens on the property and to prevent predators from access to the chickens.
- d. Chicken coops shall contain at least four (4) square feet of floor area per chicken.

- e. Chicken enclosures shall provide at least ten (10) square feet of open area per chicken.
- f. No chicken coop and enclosure combined shall exceed ninety (90) square feet of floor area or exceed seven (7) feet in height.
- g. All chicken coops and enclosures shall be constructed and/or repaired to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the coop/enclosure.
- h. All electrical installations shall meet or exceed the applicable National Electrical Code requirements. No temporary wiring (i.e. extension cords, etc.) shall be permitted.

(7) Sanitation:

- a. Coops and enclosures must be kept in a sanitary condition and free from offensive odors to neighboring properties and prevent conditions that are unsanitary or unsafe. Coops and enclosures must be cleaned on a regular basis to prevent the accumulation of waste.
- b. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with the food and other associated items.

(8) Roosters and crowing hens:

- a. No person shall keep roosters or any hens which have developed the rooster-like quality of crowing or making crowing-like sounds.

(9) Slaughtering:

- a. There shall be no slaughtering of chickens outdoors or where the process can be seen by neighbors or the general public.

(10) Running at large:

- a. Any chicken, permitted under this section, shall not be running at large on any of the public ways or upon the property of another.
- b. When a chicken is caught running at large, it shall be addressed pursuant to Sec. 4-6 of this Code.

(11) Search, Examination, Revocation:

- a. A person who has been issued a permit shall freely and voluntarily consent to a search and examination of a chicken coop and enclosure on the permittee's property upon demand by any police officer, code official or zoning official.
- b. If any of the requirements contained in this section are not complied with, the city may revoke any permit granted under this section and/or initiate prosecution of the permit holder and/or any other person violating this Code.

(12) Permit Nontransferable:

- a. Any permit issued under this section shall be a personal privilege granted to the Applicant at the specific location named therein and shall not be subject to transfer. In the event a new tenant leases property for which a permit was previously issued to a prior tenant, the new tenant is required to obtain his/her/their own permit in order to keep chickens on the leased property.

Section 4. That the effective date of this Ordinance shall be from and after its passage, approval and publication in pamphlet form as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Brianna Duerst, City Clerk

\_\_\_\_\_  
Josh Moenning, Mayor

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



For Office Use Only	Date Rec'd <u>1-30-23</u>
	Fee \$ <u>325</u>
	Rec'd by <u>EG</u>

**CONDITIONAL USE  
PERMIT APPLICATION**

Applicant: Women's Empowering Life Line 1203 S. 8th Street, Norfolk  
Name Address  
402-371-0220 donnvl@womenslifeline.ne  
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

Present Use of Property: R1

Desired Use of Property: Conditional Use Permit - Daycare

Timeframe of Request:  Perpetual  Issued for \_\_\_\_\_ years

Location of Property: 600 N. 12th Street Norfolk, NE

Legal Description: Lots 3 and 4, Block 1, Lots 3,4,5 and 6, Block 4, Lots 1 and 2, Block 3 Verges Additional Suburban Lots to Norfolk

Property Area, Square feet and/or Acres: \_\_\_\_\_

General Character of the area: \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner

[Signature]  
Authorized Agent

OR

\_\_\_\_\_  
Printed Name of Owner

Dominique Larson, Women's Empowering Life Line  
Printed Name of Authorized Agent

**CONDITIONAL USE PERMIT  
JUSTIFICATION FORM**

1. What is the current zoning district?

R1

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

To utilize the property for Child care

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?

The property has been used for child care

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 change

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

# BOUNDARY

300'

NORTHDALE

TERRACE

ROAD

BRASCH'S  
SUBURBAN

MANTE

LUTHERAN  
CEMETERY

MAPLE

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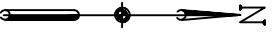
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NOT TO SCALE  
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Public Hearing

The Norfolk Planning Commission will hold a public hearing on Wednesday, February 22, 2023 at 7:30 a.m. in the City Council Chambers, 309 N. 5<sup>th</sup> Street, Norfolk, Nebraska at the request of Women's Empowering Life Line, for a Conditional Use Permit for a daycare on property generally located at 600 N. 12<sup>th</sup> Street and properties located to the north and to the west, legally described as follows:

Lots 3 and 4, Block 1, Verges Additional Suburban Lots to Norfolk, Madison County, Nebraska.

Lots 3, 4, 5, and 6, Block 4, Verges Additional Suburban Lots to Norfolk, Madison County, Nebraska

Lots 1 and 2, Block 3, Verges Additional Suburban Lots to Norfolk, Madison County, Nebraska.

Together with that part of vacated alley in Block 3 in Deed at Book 28, Page 523 and that part of vacated Walnut Street between Block 2 and Block 3 AND between Block 1 and Block 4 of Verges Additional Suburban Lots to Norfolk, Madison County, Nebraska in Deeds at Book 95 Page 678, Book 96 at Page 261 and Book 99 at Page 563.

LESS

Tract 1 of the Sudbeck Kimmel Boundary Change described as follows: A parcel of land located in Lots 1 and 2, Block 3, Verges Additional Suburban Lots to Norfolk, Madison County, Nebraska and in the North Half of the adjacent vacated alley, more particularly described as follow: Commencing at the Northwest Corner of Lot 7, in said Block 3; thence N00°11'38"W, a distance of 30.00 feet on the West line of said Lot 2; thence N89°33'31"E, a distance of 131.71 feet to the East line of Lot 1 of said Block 3 and the West right of way line of 12<sup>th</sup> Street; thence S00°07'26"E on said East line and West right of way line, a distance of 30.00 feet; thence S89°33'31"W, a distance of 131.67 feet to the point of beginning.

LESS

Tract 1 of Sudbeck-Stebbing Boundary Change described as follows: A parcel of land located in Lots 1 and 2, Block 3, Verges Additional Suburban Lots to Norfolk, Madison County, Nebraska and in the South 36 feet of vacated Walnut Street, more particularly described as follows: Commencing at the Southeast Corner of Lot 1, Block 2 of said Verges Additional Suburban Lots; thence S00°14'03" (assumed bearing) on the East line of said Lot 1 extended South and the West right of way line of 12<sup>th</sup> Street, a distance of 30.00 feet to the point of beginning; thence S00°07'26"E on said West right of way line and on said East line, a distance of 50.00 feet; thence S89°41'42"W, a distance of 131.82 feet to the West line of Lot 2 of said Block 3; thence N00°11'38"W on said West line, a distance of 50.00 feet to the North line of the South 36 feet of vacated Walnut Street; thence N89°41'42"E, on said North line, a distance of 131.88 feet to the point of beginning.

Publish (February 10, 2023)  
1 P.O.P



309 N 5<sup>th</sup> St  
 Norfolk, NE 68701  
 P402-844-2280 F402-844-2028  
 www.norfolkne.gov

<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**ZONING CHANGE APPLICATION**

**Applicant:** Flatrock Group LLC                      11225 Davenport Street #108 Omaha, NE 68154

---

Name	Address
402-891-7641	lbrockman@elsbeegroup.com
Phone	Email

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

**Contact:** Lorri Brockman                      11225 Davenport Street #108 Omaha, NE 68154

---

(other than applicant)	Name	Address
	402-891-7641	lbrockman@elsbeegroup.com
	Phone	Email

**Current Zoning:** Agriculture                      **Proposed Zoning:** I-1 (LOT 1, 2, OUTLOT A) C-3(LOT 3)

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

**Location of Property:** Southwest of the Intersection of W. Norfolk Avenue and N. 40th Avenue

**Legal Description:** See attachment.

**Property Area, Square feet and/or Acres:** 25.08 AC.

**Use of Adjoining Properties:**

North: Agriculture    East: Service Commercial    South: Agriculture    West: Agriculture

*[Handwritten Signature]*  
 Signature of ~~Owner~~ Corporate Manager  
 OR  
 Lorri S Brockman  
 Printed Name of ~~Owner~~

\_\_\_\_\_  
 Authorized Agent  
 \_\_\_\_\_  
 Printed Name of Authorized Agent

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

## ZONING CHANGE JUSTIFICATION FORM

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?  
Future Land Use is proposed as Commercial and Mixed Commerce Reserve.

---

2. Does the zone change request conform to the Comprehensive Plan?  
Yes, the proposed use conforms to the Comprehensive Plan

---

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?  
Zone change required to allow for commercial and industrial land use in proposed development area.

---

5. How would this zoning district conform with adjacent properties' zoning?  
Adjacent properties match or conform with proposed use and zoning type.

---

6. What is the general character of the area?  
It is currently a vacant lot used for agriculture.

---

7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?  
Current redevelopment of subdivision Norfolk 140 shall provide adequate public utilities.

---

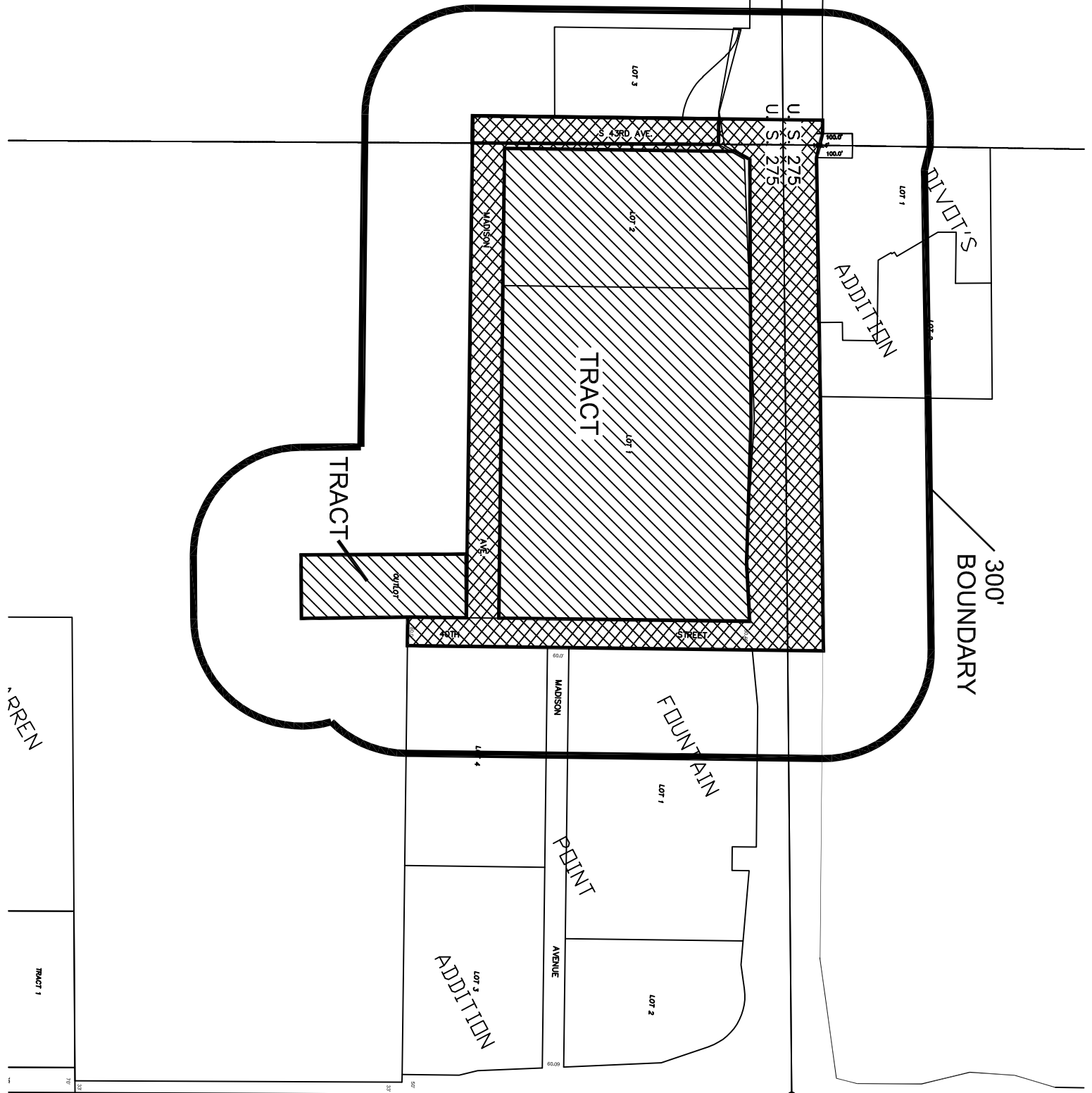
Return Completed forms to: Norfolk Planning Department; 309 N 5<sup>th</sup> Street; Norfolk, NE 68701



NOT TO SCALE  
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US HIGHWAY 275



PREN

TRACT 1

Public Hearing

The Norfolk Planning Commission will hold a public hearing on Wednesday, February 22, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Flatrock Group, LLC, to consider a zoning change from A (Agricultural District) to I-1 (Light Industrial District) on property generally located west of N. 40<sup>th</sup> Avenue and south of W. Norfolk Avenue, legally described as follows:

A TRACT OF LAND, LOCATED IN THE NORTH HALF OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6<sup>TH</sup> P.M., NORFOLK, MADISON COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 30-24-1; THENCE S0°12'14"E (ASSUMED BEARING), A DISTANCE OF 108.74 FEET; THENCE N88°46'08"E, A DISTANCE OF 108.74 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275; THENCE CONTINUING EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 ON THE FOLLOWING DESCRIBED COURSES; THENCE N88°46'08"E, A DISTANCE OF 725.11 FEET; THENCE S89°10'32"E, A DISTANCE OF 399.57 FEET; THENCE N86°00'54"E, A DISTANCE OF 162.99 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 AND THE WEST RIGHT-OF-WAY LINE OF SOUTH 40<sup>TH</sup> STREET; THENCE S0°13'23"E ALONG SAID WEST RIGHT-OF-WAY LINE OF SOUTH 40<sup>TH</sup> STREET, A DISTANCE OF 699.31 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MADISON AVENUE AND SAID WEST RIGHT-OF-WAY LINE OF SOUTH 40<sup>TH</sup> STREET, THENCE S89°46'37"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF MADISON AVENUE, A DISTANCE OF 1308.84 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF MADISON AND THE EAST RIGHT-OF-WAY LINE OF S 43<sup>RD</sup> AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF S 43<sup>RD</sup> AVENUE ON THE FOLLOWING DESCRIBED COURSES; THENCE N0°13'23"W, A DISTANCE OF 641.98 FEET; THENCE N27°33'55"E, A DISTANCE OF 46.55 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS AN AREA OF 903,718 SQUARE FEET OF 20.75 ACRES MORE OR LESS.

AND

A TRACT OF LAND, LOCATED IN THE NORTH HALF OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6<sup>TH</sup> P.M., NORFOLK, MADISON COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE S0°19'00"E (ASSUMED BEARING), A DISTANCE OF 31.06 FEET; THENCE S89°40'59"W, A DISTANCE OF 177.00 FEET; THENCE S0°19'01"W, A DISTANCE OF 459.86 FEET; THENCE N89°46'37"E, A DISTANCE OF 177.70 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION 30, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 40<sup>TH</sup> STREET; THENCE S01°13'23"E ALONG SAID EAST LINE OF SECTION 30, A DISTANCE OF 428.51 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS AN



*progress. right at home.*

---

309 N 5<sup>th</sup> St  
Norfolk, NE 68701  
P402-844-2280 F402-844-2028  
[www.norfolkne.gov](http://www.norfolkne.gov)

AREA OF 81,531 SQUARE FEET OR 1.87 ACRES MORE OR LESS. THIS AREA TO BE KNOWN AS OUTLOT A.

Publish (February 10, 2023)  
1 P.O.P





309 N 5<sup>th</sup> St  
 Norfolk, NE 68701  
 P402-844-2280 F402-844-2028  
 www.norfolkne.gov

<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**ZONING CHANGE APPLICATION**

**Applicant:** Flatrock Group LLC                      11225 Davenport Street #108 Omaha, NE 68154

---

Name	Address
402-891-7641	lbrockman@elsbeegroup.com
Phone	Email

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

**Contact:** Lorri Brockman                      11225 Davenport Street #108 Omaha, NE 68154

---

(other than applicant)	Name	Address
	402-891-7641	lbrockman@elsbeegroup.com
	Phone	Email

**Current Zoning:** Agriculture                      **Proposed Zoning:** I-1 (LOT 1, 2, OUTLOT A) C-3(LOT 3)

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

**Location of Property:** Southwest of the Intersection of W. Norfolk Avenue and N. 40th Avenue

**Legal Description:** See attachment.

**Property Area, Square feet and/or Acres:** 25.08 AC.

**Use of Adjoining Properties:**

North: Agriculture      East: Service Commercial      South: Agriculture      West: Agriculture

*[Handwritten Signature]*  
 Signature of ~~Owner~~ Corporate Manager  
 OR  
 LORRI S BROCKMAN  
 Printed Name of ~~Owner~~

\_\_\_\_\_  
 Authorized Agent  
 \_\_\_\_\_  
 Printed Name of Authorized Agent

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

## ZONING CHANGE JUSTIFICATION FORM

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?  
Future Land Use is proposed as Commercial and Mixed Commerce Reserve.

---

2. Does the zone change request conform to the Comprehensive Plan?  
Yes, the proposed use conforms to the Comprehensive Plan

---

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?  
Zone change required to allow for commercial and industrial land use in proposed development area.

---

5. How would this zoning district conform with adjacent properties' zoning?  
Adjacent properties match or conform with proposed use and zoning type.

---

6. What is the general character of the area?  
It is currently a vacant lot used for agriculture.

---

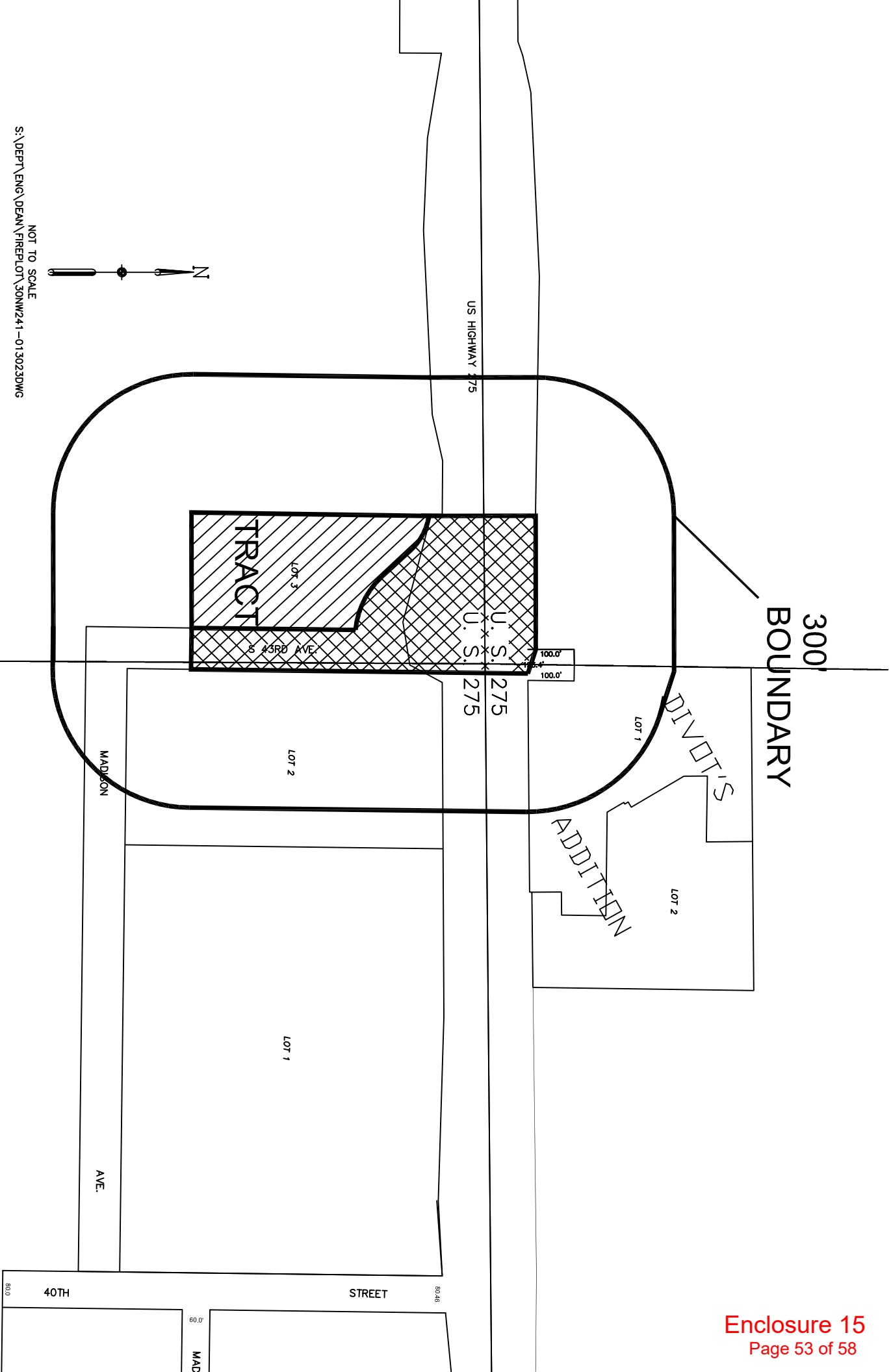
7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?  
Current redevelopment of subdivision Norfolk 140 shall provide adequate public utilities.

---

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

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NOT TO SCALE





Public Hearing

The Norfolk Planning Commission will hold a public hearing on Wednesday, February 22, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Flatrock Group, LLC, to consider a zoning change from A (Agricultural District) to C-3 (Service Commercial District) on property generally located west of N. 40<sup>th</sup> Avenue and south of W. Norfolk Avenue, legally described as follows:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., NORFOLK, MADISON COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 30-24-1; THENCE S0°12'14"E (ASSUMED BEARING), A DISTANCE OF 178.84 FEET; THENCE S79°57'12"W, A DISTANCE OF 75.53 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 AND THE WEST RIGHT-OF-WAY LINE OF SOUTH 43RD STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S0°13'28"E ALONG SAID WEST RIGHT-OF-WAY LINE OF S 43RD AVENUE, A DISTANCE OF 461.12 FEET; THENCE S89°00'07"W, A DISTANCE OF 250.20 FEET; THENCE N0°08'25"W, A DISTANCE OF 519.58 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275; THENCE ALONG SAID SOUTH LINE OF US HIGHWAY 275 ON THE FOLLOWING DESCRIBED COURSES; THENCE S76°04'11"E, A DISTANCE OF 238.27 FEET; THENCE N79°57'12"E, A DISTANCE OF 18.67 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS AN AREA OF 121,596 FEET, OR 2.46 ACRES MORE OR LESS.

Publish (February 10, 2023)  
1 P.O.P

<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**SUBDIVISION APPLICATION**

Name of Subdivision: Norfolk 140

Preliminary  Final

**Applicant:** Flatrock Group LLC 11225 Davenport Street #108 Omaha, NE 68154  
 Name Address  
402-891-7641 lbrockman@elsbeegroup.com  
 Phone Email

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

**Contact:** Lorri Brockman 11225 Davenport Street #108 Omaha, NE 68154  
 (other than Name Address  
 Applicant) 402-891-7641 lbrockman@elsbeegroup.com  
 Phone Email

**Current Zoning:** Agriculture

**General Location/Address:** Southwest of the Intersection of W. Norfolk Avenue and N. 40th Avenue

**Legal Description:** See Attachment

**Property Area, Square Feet and/or Acres:** 29.56 Acres

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name of Owner

OR

Lorri Brockman  
Authorized Agent

LORRI S BROCKMAN  
Printed Name of Authorized Agent

LEGAL DESCRIPTION AS SURVEYED:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., NORFOLK, MADISON COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTH QUARTER CORNER OF SAID SECTION 30;

THENCE S0°12'14"E (ASSUMED BEARING), A DISTANCE OF 178.84 FEET TO THE POINT OF BEGINNING;

THENCE, N27°33'55"E, A DISTANCE OF 79.98 FEET;

THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 FOR THE FOLLOWING 3 COURSES;

THENCE, N88°46'08"E, A DISTANCE OF 725.11 FEET;

THENCE, S89°10'32"E, A DISTANCE OF 399.57 FEET;

THENCE; N86°00'54"E, A DISTANCE OF 162.99 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 AND THE WEST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET;

THENCE S0°13'23"E, ALONG SAID WEST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET, A DISTANCE OF 1217.82 FEET TO THE SE CORNER OF NW QUARTER OF THE NE QUARTER OF SAID SECTION 30;

THENCE S0°19'00"E, A DISTANCE OF 31.06 FEET;

THENCE S89°40'59"W, A DISTANCE OF 177.00 FEET;

THENCE N0°19'01"W, A DISTANCE OF 549.86 FEET;

THENCE S89°46'37"W, A DISTANCE OF 1,221.14 FEET TO THE WEST RIGHT-OF-WAY LINE OF S 43ND AVENUE;

THENCE, N01°13'23"W ALONG THE WEST RIGHT-OF-WAY LINE OF S 43RD AVENUE, A DISTANCE OF 228.40 FEET;

THENCE, S89°00'07"W, A DISTANCE OF 250.20 FEET;

THENCE, N0°08'25"W, A DISTANCE OF 519.58 FEET;

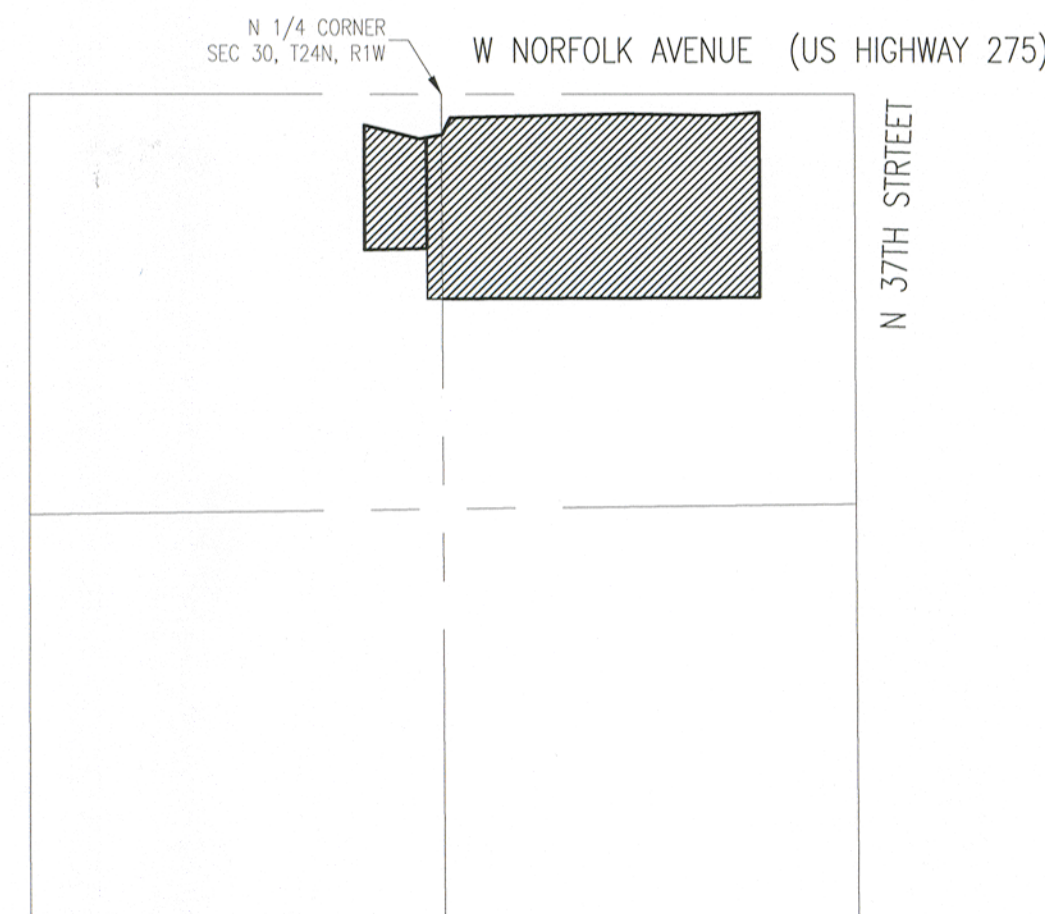
THENCE, S76°04'11"E, A DISTANCE OF 238.27 FEET;

THENCE, N79°57'12"E, A DISTANCE OF 94.19 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,287,424 SQUARE FEET OR 29.56 ACRES, MORE OR LESS.



**FINAL PLAT**  
**NORFOLK 140 SUBDIVISION**  
**SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST**  
**IN THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA**



VICINITY MAP  
NOT TO SCALE

**ZONING LOTS 1-2**  
I-1 LIGHT INDUSTRIAL DISTRICT ZONING

FRONT YARD SETBACK: 25.0'  
 SIDE YARD SETBACK: 0.0'  
 REAR YARD SETBACK: 15.0'  
 STREET SIDE YARD: 25.0'

**ZONING LOT 3**  
C-3 COMMERCIAL SERVICE DISTRICT

FRONT YARD SETBACK: 40.0'  
 SIDE YARD SETBACK: 0.0' (1)  
 REAR YARD SETBACK: SEE NOTE (2)  
 MAX HEIGHT: 45.0' (5)

- (1) NO SIDE YARDS SHALL BE REQUIRED UNLESS ADJACENT TO A RESIDENTIALLY ZONED (R) DISTRICT. THEN THE REQUIRED SIDE YARD IS SEVEN (7) FEET ON THE CONTIGUOUS SIDE(S). A SIDE YARD OF TWENTY-FIVE (25) FEET SHALL BE PROVIDED ON THE STREET SIDES OF A CORNER LOT. HOWEVER, A SIDE YARD SETBACK OF FIFTEEN (15) FEET SHALL BE PROVIDED FOR AN ATTACHED CANOPY ON A CORNER LOT FRONTING ON AN ARTERIAL STREET SO LONG AS THE CANOPY COMPLIES WITH THE SIGHT TRIANGLE PROVISION SET FORTH IN SECTION 27-299 OF THIS CODE.
- (2) ALL STRUCTURES SHALL PROVIDE A REAR YARD AS FOLLOWS:
- THE DEPTH OF THE REAR YARD SHALL NOT BE LESS THAN TWENTY-FIVE (25) FEET OR TWENTY PERCENT (20%) OF THE LOT DEPTH, WHICHEVER IS LESS, FOR ALL ONE (1) STORY TO TWO AND ONE-HALF (2 1/2) STORY BUILDINGS.
  - THE DEPTH OF THE REAR YARD SHALL BE NOT LESS THAN THIRTY (30) FEET FOR ALL THREE (3) STORY OR MORE BUILDINGS.
- (3) ALL USES SUBJECT TO BUFFERING REQUIREMENTS SET FORTH IN SEC. 27-306 AND SEC. 27-307.
- (4) UNLESS MODIFIED AS A PART OF A SITE PLAN OR CONDITIONAL USE APPROVAL.
- (5) WITH A CONDITIONAL USE PERMIT, HEIGHT MAY BE INCREASED EXCEPT THAT IN ALL INSTANCES MUST COMPLY WITH AIRPORT ZONING.

**SECTION CORNER TIES:**

**NORTH 1/4 CORNER**

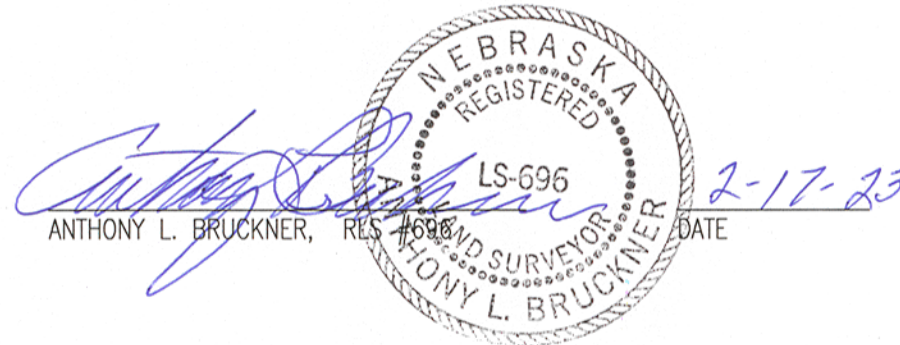
- (W) 87.25 FEET - "X" IN ISLAND NOSE  
 (SE) 66.65 FEET - "X" IN WEST END OF WALL  
 (E) 58.75 FEET - "X" IN ISLAND NOSE

**SE CORNER, NW 1/4, NE 1/4**

- (N) 66.6 FEET - MAGNAIL IN SOUTH FACE OF 12" DECIDUOUS TREE.  
 (S) 37.4 FEET - NORTH FACE OF FIBER OPTIC WARNING POST  
 (W) 9.3 FEET - 5/8" REBAR

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.



**WAIVER**

I, \_\_\_\_\_ (TITLE), OF FLATROCK GROUP, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 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.

FLATROCK GROUP, LLC, A DELAWARE LIMITED LIABILITY COMPANY

**DEDICATION:**

WE THE FLATROCK GROUP, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ARE OWNERS OF THE TRACT OF LAND DESCRIBED IN THE SURVEYOR'S STATEMENT AND EMBRACED WITHIN THIS PLAT. HAVE CAUSED SAID REAL ESTATE SHALL BE HERINAFTER KNOWN AS NORFOLK 140 SUBDIVISION, LOCATED IN THE NORTH HALF OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., NORFOLK, MADISON COUNTY, NEBRASKA, AND HEREBY DEDICATE THE STREETS, AVENUES, DRIVES, ROADS AND PUBLIC GROUNDS DESIGNATED UPON AND REFERRED TO IN THIS PLAT TO THE USE AND BENEFIT OF THE PUBLIC. PROVIDED FURTHER ARE EASEMENTS AS SHOWN FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITIES. WE FURTHER DECLARE THAT LOT 1 MAY BE RESPONSIBLE FOR THE COST OF REPAIRS, MAINTENANCE, TAXES AND INSURANCE FOR POST CONSTRUCTION BEST MANAGEMENT PRACTICES AND THAT SUCH OBLIGATION OF THE DESIGNATED LOT OR LOTS SHALL RUN WITH THE LAND.

LORRI BROCKMAN, FLATROCK GROUP \_\_\_\_\_ DATE \_\_\_\_\_

**ACKNOWLEDGMENT OF NOTARY**

STATE OF NEBRASKA  
 COUNTY OF DOUGLAS

ON THE \_\_\_\_\_ DAY, OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED LORRI BROCKMAN, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID LORRI BROCKMAN OF FLATROCK GROUP WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE MENTIONED.

NOTARY PUBLIC SIGNATURE \_\_\_\_\_

NOTARY PUBLIC PRINTED \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

**APPROVAL**

THE FORGOING AND WITHIN PLAT, DEDICATION AND INSTRUMENT APPROVED BY THE NORFOLK PLANNING COMMISSION OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CHAIRMAN: DAN SPRAY

**APPROVAL**

THE FORGOING AND WITHIN PLAT, DEDICATION AND INSTRUMENT APPROVED BY THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA BY RESOLUTION DULY PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CLERK: BRIANNA DUERST \_\_\_\_\_ MAYOR: JOSH MOENNING \_\_\_\_\_

**MORTGAGE NOTE**

\_\_\_\_\_ THE HOLDER OF A MORTGAGE ON THE REAL ESTATE SHOWN ON THE ACCOMPANYING PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, DO HEREBY CONCUR WITH THE REPLACING OF SAID REAL "ESTATE NORFOLK 140" AS SHOWN

SIGNED \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

STATE OF NEBRASKA  
 COUNTY OF \_\_\_\_\_

ON THE \_\_\_\_\_ DAY, OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED \_\_\_\_\_ KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID \_\_\_\_\_ WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE MENTIONED.

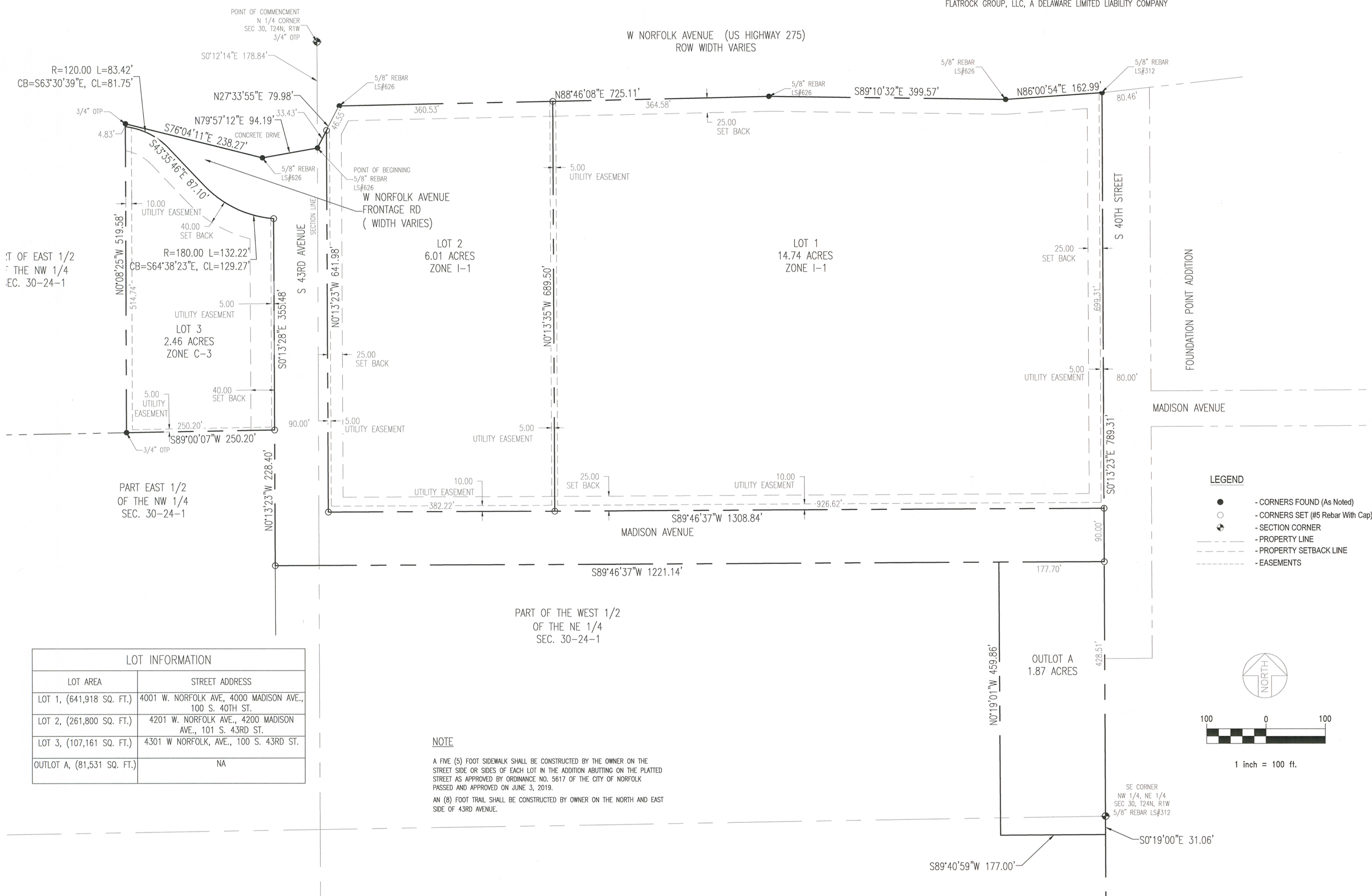
NOTARY PUBLIC SIGNATURE \_\_\_\_\_

NOTARY PUBLIC PRINTED \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

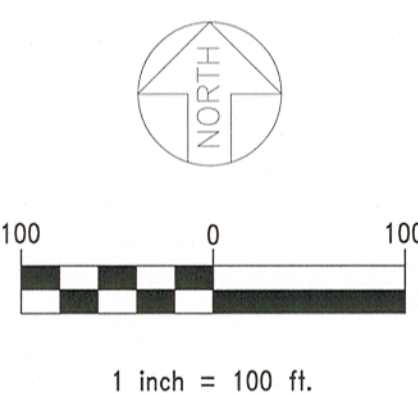
**LEGAL DESCRIPTION AS SURVEYED:**

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., NORFOLK, MADISON COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTH QUARTER CORNER OF SAID SECTION 30;  
 THENCE S0°12'14"E (ASSUMED BEARING), A DISTANCE OF 178.84 FEET TO THE POINT OF BEGINNING;  
 THENCE, N27°33'55"E, A DISTANCE OF 79.98 FEET;  
 THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 FOR THE FOLLOWING 3 COURSES:  
 THENCE, N88°46'08"E, A DISTANCE OF 725.11 FEET;  
 THENCE, S89°10'32"E, A DISTANCE OF 399.57 FEET;  
 THENCE, N86°00'54"E, A DISTANCE OF 162.99 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 275 AND THE WEST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET;  
 THENCE S0°13'23"E, ALONG SAID WEST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET, A DISTANCE OF 1217.82 FEET TO THE SE CORNER OF NW QUARTER OF THE NE QUARTER OF SAID SECTION 30;  
 THENCE S0°19'00"E, A DISTANCE OF 31.06 FEET;  
 THENCE S89°40'59"W, A DISTANCE OF 177.00 FEET;  
 THENCE N0°19'01"W, A DISTANCE OF 549.86 FEET;  
 THENCE S89°46'37"W, A DISTANCE OF 1,221.14 FEET TO THE WEST RIGHT-OF-WAY LINE OF S 43RD AVENUE;  
 THENCE, N01°13'23"W ALONG THE WEST RIGHT-OF-WAY LINE OF S 43RD AVENUE, A DISTANCE OF 228.40 FEET;  
 THENCE, S89°00'07"W, A DISTANCE OF 250.20 FEET;  
 THENCE, N0°08'25"W, A DISTANCE OF 519.58 FEET;  
 THENCE, S76°04'11"E, A DISTANCE OF 238.27 FEET;  
 THENCE, N79°57'12"E, A DISTANCE OF 94.19 FEET TO THE POINT OF BEGINNING.  
 SAID TRACT CONTAINS 1,287,424 SQUARE FEET OR 29.56 ACRES, MORE OR LESS.



- LEGEND**
- - CORNERS FOUND (As Noted)
  - - CORNERS SET (#5 Rebar With Cap)
  - ⊙ - SECTION CORNER
  - - PROPERTY LINE
  - - - - - PROPERTY SETBACK LINE
  - - - - - EASEMENTS



LOT INFORMATION	
LOT AREA	STREET ADDRESS
LOT 1, (641,918 SQ. FT.)	4001 W. NORFOLK AVE., 4000 MADISON AVE., 100 S. 40TH ST.
LOT 2, (261,800 SQ. FT.)	4201 W. NORFOLK AVE., 4200 MADISON AVE., 101 S. 43RD ST.
LOT 3, (107,161 SQ. FT.)	4301 W NORFOLK, AVE., 100 S. 43RD ST.
OUTLOT A, (81,531 SQ. FT.)	NA

**NOTE**

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 THE PLATTED STREET AS APPROVED BY ORDINANCE NO. 5617 OF THE CITY OF NORFOLK PASSED AND APPROVED ON JUNE 3, 2019.

AN (8) FOOT TRAIL SHALL BE CONSTRUCTED BY OWNER ON THE NORTH AND EAST SIDE OF 43RD AVENUE.

<p><b>DESIGNED</b></p> <p><b>DRAWN</b></p> <p><b>CHECKED</b></p>	<p><b>KAG</b></p> <p><b>ALB</b></p>
<p>THIS DRAWING IS BEING                  SUBMITTED FOR RECORDATION                  AND IS NOT TO BE USED FOR                  ANY OTHER PURPOSES WITHOUT                  THE WRITTEN CONSENT OF THE                  DESIGNER. ANY REVISIONS TO                  THIS DRAWING MUST BE                  APPROVED BY THE DESIGNER.                  EXCEPT FOR THE INFORMATION                  CONTAINED HEREIN, THE                  DESIGNER ASSUMES NO                  LIABILITY FOR ANY DAMAGE                  ARISING FROM THE USE OF                  THIS DRAWING.</p> <p>BOOK 391                  DATE 12/22/2022</p>	
<p><b>SCHEMMER</b>                  Design with Purpose. Build with Confidence.</p>	
<p>NORFOLK 140 SUBDIVISION                  LOTS 1 THRU 3                  NORFOLK, NEBRASKA</p>	
<p>JOB NO.                  08417.002</p>	
<p>SHEET                  1 of 1</p>	



**Planning and Development  
Building Services**

**CITY OF NORFOLK  
Monthly Building Permit Report**

**Month  
January, 2023**

Permits Issued	2023 January	2022 December	2022 January	This Fiscal YTD	Last Fiscal YTD	Variation % 2022 vs. 2023
<b>BUILDING</b>						
Number	18	43	23	129	124	4.0%
Valuation	\$2,801,237.00	\$35,634,906.00	\$5,156,045.00	\$271,524,733.90	\$14,850,341.63	1728.4%
Permit Fee	\$10,220.61	\$26,421.77	\$1,709.50	\$91,740.03	\$33,710.24	172.1%
<b>ELECTRICAL</b>						
Number	18	22	19	89	127	-29.9%
Permit Fee	\$71,918.00	\$7,681.00	\$2,617.00	\$138,405.00	\$21,267.00	550.8%
<b>PLUMBING</b>						
Number	6	10	6	51	59	-13.6%
Permit Fee	\$2,570.20	\$2,492.15	\$274.60	\$16,276.69	\$6,435.08	152.9%
<b>MECHANICAL</b>						
Number	15	16	10	65	76	-14.5%
Permit Fee	\$3,883.72	\$8,496.62	\$1,963.41	\$32,549.90	\$14,632.91	122.4%
<b>WATER HEATER</b>						
Number	13	10	6	35	25	40.0%
Permit Fee	\$435.50	\$402.00	\$192.00	\$1,230.50	\$799.00	54.0%
<b>FIRE ALRM / SPR</b>						
Number	5	7	2	16	15	6.7%
Permit Fee	\$162.00	\$1,055.50	\$890.50	\$1,893.50	\$2,136.00	-11.4%
<b>WELL / SEPTIC</b>						
Number					3	
Permit Fee					\$75.00	
<b>FIRE PREVENTION</b>						
Number		1		1		
Permit Fee		\$35.00		\$35.00		
<b>TOTAL FEES:</b>	<b>\$89,190.03</b>	<b>\$46,584.04</b>	<b>\$7,647.01</b>	<b>\$282,130.62</b>	<b>\$79,055.23</b>	<b>256.9%</b>

Nature of Building Permits	Last FYTD	Present FYTD	Number of Permits	Dwelling Units	Permit Fees	Valuation
Void					\$0.00	\$0.00
SFD	16 (16)	12 (12)			\$0.00	\$0.00
Duplex		20 (40)			\$0.00	\$0.00
MFD		2 (44)	1	22	\$4,994.81	\$1,134,987.00
Commercial					\$0.00	\$0.00
Industrial					\$0.00	\$0.00
Garages					\$0.00	\$0.00
Move & Demo			1	0	\$50.00	\$5,000.00
SFDA	2 (2)				\$0.00	\$0.00
Sign			1	0	\$33.50	\$12,800.00
Other			5	0	\$1,483.82	\$395,400.00
<b>Alterations &amp; Additions</b>						
1 & 2 Family			5	0	\$216.00	\$88,500.00
Multi-Family			1	0	\$475.20	\$50,000.00
Commercial			4	0	\$2,967.28	\$1,114,550.00
Industrial					\$0.00	\$0.00
<b>Total</b>			<b>18</b>	<b>22</b>	<b>\$10,220.61</b>	<b>\$2,801,237.00</b>

**Building Valuation**

2023 Fiscal YTD	\$271,524,733.90
2022 Fiscal YTD	\$14,850,341.63
Contractor Registration	\$9,465.00

Building Official

**NOTE:** SFD's and SFDA's are to be added together for a total of single family dwelling units and valuation.